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Congressional Record

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of America

PROCEEDINGS AND DEBATES OF THE 89th CONGRESS, SECOND SESSION

SENATE

Thursday, October 13, 1966

The Senate met at 10 o'clock a.m., and was called to order by Hon. Daniel K. Inouye, a Senator from the State of Hawaii.

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

O God, the King of all men, the Lord of the young, the middle-aged, the aged, without Thee, we can do nothing. With Thee, we can accomplish that which is set before us.

Give to our President and all leaders clean and clear minds in their important task of these days. Help them to lift this Nation to high and worthy goals.

Save us, as a people, from slothfulness of mind, neglect of soul, indifference to the rights and needs of others. May we find the light and peace of moral victory for all men. Make us to remember the highest in fixing our wills on purity, honor, and truth.

Forgive us for our wanderings from the high calling set before us. Jesus offers us salvation, peace, and power for right. Make us worthy to receive these gifts of God, we pray in the Master's name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. Senate,
President pro tempore,
Washington, D.C., October 13, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. Daniel K. Inouye, a Senator from the State of Hawaii, to perform the duties of the Chair during my absence.

Carl Hayden,
President pro tempore.

Mr. INOUYE thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On the request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Wednesday, October 12, 1966, was dispensed with.

LIMITATION OF STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

EXECUTIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate proceeded to consider executive business.

INTERNATIONAL CONVENTION ON LOAD LINES, 1966

Mr. MANSFIELD. Mr. President, I move that the Senate proceed to the consideration of Executive S—89th Congress, 2d session—the International Convention on Load Lines, 1966, with annexes.

The motion was agreed to; and the Senate, as in Committee of the Whole, proceeded to consider the convention, Executive S (89th Cong., 2d sess.), the International Convention on Load Lines, 1966, with annexes, signed for the United States at London on April 5, 1966, which was read the second time, as follows:

International Convention on Load Lines, 1966

The Contracting Governments,

Desiring to establish uniform principles and rules with respect to the limits to which ships on international voyages may be loaded having regard to the need for safeguarding life and property at sea;

Considering that this end may best be achieved by conclusion of a Convention;

Have agreed as follows:

ARTICLE 1

General obligation under the convention

(1) The Contracting Governments undertake to give effect to the provisions of the present Convention and the Annexes hereto, which shall constitute an integral part of the present Convention. Every reference to the present Convention constitutes at the same time a reference to the Annexes.

(2) The Contracting Governments shall undertake all measures which may be necessary to give effect to the present Convention.

ARTICLE 2

Definitions

For the purpose of the present Convention, unless expressly provided otherwise:

(1) "Regulations" means the Regulations annexed to the present Convention.

(2) "Administration" means the Government of the State whose flag the ship is flying.

(3) "Approved" means approved by the Administration.

(4) "International voyage" means a sea voyage from a country to which the present Convention applies to a port outside such country, or conversely. For this purpose, every territory for the international relations of which a Contracting Government is responsible or for which the United Nations are the administering authority is regarded as a separate country.

(5) A "fishing vessel" is a ship used for catching fish, whales, seals, walrus or other living resources of the sea.

(6) "New ship" means a ship the keel of which is laid, or which is at a similar stage of construction, on or after the date of coming into force of the present Convention for each Contracting Government.

(7) "Existing ship" means a ship which is not a new ship.

(8) "Length" means 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the top of the keel, or the length from the fore side of the stem to the axis of the rudder stock on that waterline, if that be greater. In ships designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline.

ARTICLE 3

General provisions

(1) No ship to which the present Convention applies shall proceed to sea on an international voyage after the date on which the present Convention comes into force unless it has been surveyed, marked and provided with an International Load Line Certificate (1966) or, where appropriate, an International Load Line Exemption Certificate in accordance with the provisions of the present Convention.

(2) Nothing in this Convention shall prevent an Administration from assigning a greater freeboard than the minimum freeboard determined in accordance with Annex I.

ARTICLE 4

Application

(1) The present Convention shall apply to:

(a) ships registered in countries the Governments of which are Contracting Governments;

(b) ships registered in territories to which the present Convention is extended under Article 32; and

(c) unregistered ships flying the flag of a State, the Government of which is a Contracting Government.

(2) The present Convention shall apply to ships engaged on international voyages.

(3) The Regulations contained in Annex I are specifically applicable to new ships.

(4) Existing ships which do not fully comply with the requirements of the Regulations contained in Annex I or any part thereof shall meet at least such lesser related requirements as the Administration applied to ships on international voyages prior to the coming into force of the present Convention; in no case shall such ships be required to increase their freeboards. In order to take advantage of any reduction in freeboard from that previously assigned, existing ships shall comply with all the requirements of the present Convention.

(5) The Regulations contained in Annex II are applicable to new and existing ships to which the present Convention applies.

ARTICLE 5

Exceptions

(1) The present Convention shall not apply to:

(a) ships of war;

(b) new ships of less than 24 metres (79 feet) in length;

(c) existing ships of less than 150 tons gross;

(d) pleasure yachts not engaged in trade;

(e) fishing vessels.

(2) Nothing herein shall apply to ships solely navigating:

(a) the Great Lakes of North America and the River St. Lawrence as far east as a rhumb line drawn from Cap des Rosiers to West Point, Anticosti Island, and, on the north side of Anticosti Island, the meridan of longitude 63°W;

(b) the Caspian Sea;

(c) the Plate, Parana and Uruguay Rivers as far east as a rhumb line drawn between Punta Norte, Argentina, and Punta del Este, Uruguay.

ARTICLE 6

Exemptions

(1) Ships when engaged on international voyages between the near neighbouring ports of two or more States may be exempted by the Administration from the provisions of the present Convention, so long as they shall remain engaged on such voyages, if the Governments of the States in which such ports are situated shall be satisfied that the sheltered nature or conditions of such voyages between such ports make it unreasonable or impracticable to apply the provisions of the present Convention to ships engaged on such voyages.

(2) The Administration may exempt any ship which embodies features of a novel kind from any of the provisions of this Convention the application of which might seriously impede research into the development of such features and their incorporation in ships engaged on international voyages. Any such ship shall, however, comply with safety requirements which, in the opinion of that Administration, are adequate for the service for which it is intended and are such as to ensure the overall safety of the ship and which are acceptable to the Governments of the States to be visited by the ship.

(3) The Administration which allows any exemption under paragraphs (1) and (2) of this Article shall communicate to the Inter-Governmental Maritime Consultative Organization (hereinafter called the Organization) particulars of the same and reasons therefor which the Organization shall circulate to the Contracting Governments for their information.

(4) A ship which is not normally engaged on international voyages but which, in exceptional circumstances, is required to undertake a single international voyage may be exempted by the Administration from any of the requirements of the present Convention, provided that it complies with safety requirements which, in the opinion of that Administration, are adequate for the voyage which is to be undertaken by the ship.

ARTICLE 7

Force majeure

(1) A ship which is not subject to the provisions of the present Convention at the time of its departure on any voyage shall not become subject to such provisions on account of any deviation from its intended voyage due to stress of weather or any other cause of *force majeure*.

(2) In applying the provisions of the present Convention, the Contracting Governments shall give due consideration to any deviation or delay caused to any ship owing to stress of weather or any other cause of *force majeure*.

ARTICLE 8

Equivalents

(1) The Administration may allow any fitting, material, appliance or apparatus to be fitted, or any other provision to be made in a ship, other than that required by the present Convention, if it is satisfied by trial thereof or otherwise that such fitting, material, appliance or apparatus, or provision, is at least as effective as that required by the Convention.

(2) The Administration which allows a fitting, material, appliance or apparatus, or provision, other than that required by the present Convention, shall communicate to the Organization for circulation to the Contracting Governments particulars thereof, together with a report on any trials made.

ARTICLE 9

Approvals for experimental purposes

(1) Nothing in the present Convention shall prevent an Administration from making specific approvals for experimental purposes in respect of a ship to which the Convention applies.

(2) An Administration which makes any such approval shall communicate to the Organization for circulation to the Contracting Governments particulars thereof.

ARTICLE 10

Repairs, alterations and modifications

(1) A ship which undergoes repairs, alterations, modifications and outfitting related thereto shall continue to comply with at least the requirements previously applicable to the ship. An existing ship in such a case shall not, as a rule, comply to a lesser extent with the requirements for a new ship than it did before.

(2) Repairs, alterations and modifications of a major character and outfitting related thereto should meet the requirements for a new ship in so far as the Administration deems reasonable and practicable.

ARTICLE 11

Zones and areas

(1) A ship to which the present Convention applies shall comply with the requirements applicable to that ship in the zones and areas described in Annex II.

(2) A port standing on the boundary line between two zones or areas shall be regarded as within the zone or area from or into which the ship arrives or departs.

ARTICLE 12

Submersion

(1) Except as provided in paragraphs (2) and (3) of this Article, the appropriate load lines on the sides of the ship corresponding to the season of the year and the zone or area in which the ship may be shall not be submerged at any time when the ship puts to sea, during the voyage or on arrival.

(2) When a ship is in fresh water of unit density the appropriate load line may be submerged by the amount of the fresh water allowance shown on the International Load Line Certificate (1966). Where the density is other than unity, an allowance shall be made proportional to the difference between 1.025 and the actual density.

(3) When a ship departs from a port situated on a river or inland waters, deeper loading shall be permitted corresponding to the weight of fuel and all other materials required for consumption between the point of departure and the sea.

ARTICLE 13

Survey, inspection and marking

The survey, inspection and marking of ships, as regards the enforcement of the provisions of the present Convention and the granting of exemptions therefrom, shall be carried out by officers of the Administration. The Administration may, however, entrust the survey, inspection and marking either to surveyors nominated for the purpose or to organizations recognized by it. In every case the Administration concerned fully guarantees the completeness and efficiency of the survey, inspection and marking.

ARTICLE 14

Initial and periodical surveys and inspections

(1) A ship shall be subjected to the surveys and inspections specified below:

(a) A survey before the ship is put in service, which shall include a complete inspection of its structure and equipment in so far as the ship is covered by the present Convention. This survey shall be such as to ensure that the arrangements, material, and scantlings fully comply with the requirements of the present Convention.

(b) A periodical survey at intervals specified by the Administration, but not exceeding five years, which shall be such as to ensure that the structure, equipment, arrangements, material and scantlings fully comply with the requirements of the present Convention.

(c) A periodical inspection within three months either way of each annual anniversary date of the certificate, to ensure that alterations have not been made to the hull or superstructures which would affect the calculations determining the position of the load line and so as to ensure the maintenance in an effective condition of fittings and appliances for:

(i) protection of openings;

(ii) guard rails;

(iii) freeing ports; and

(iv) means of access to crew's quarters.

(2) The periodical inspections referred to in paragraph (1)(c) of this Article shall be endorsed on the International Load Line Certificate (1966) or on the International Load Line Exemption Certificate issued to a ship exempted under paragraph (2) of Article 6 of the present Convention.

ARTICLE 15

Maintenance of conditions after survey

After any survey of the ship under Article 14 has been completed, no change shall be made in the structure, equipment, arrangements, material or scantlings covered by the survey, without the sanction of the Administration.

ARTICLE 16

Issue of certificates

(1) An International Load Line Certificate (1966) shall be issued to every ship which has been surveyed and marked in accordance with the present Convention.

(2) An International Load Line Exemption Certificate shall be issued to any ship to which an exemption has been granted under and in accordance with paragraph (2) or (4) of Article 6.

(3) Such certificates shall be issued by the Administration or by any person or organization duly authorized by it. In every case, the Administration assumes full responsibility for the certificate.

(4) Notwithstanding any other provision of the present Convention, any international load line certificate which is current when the present Convention comes into force in respect to the Government of the State whose flag the ship is flying shall remain valid for two years or until it expires, whichever is earlier. After that time an International Load Line Certificate (1966) shall be required.

ARTICLE 17

Issue of certificate by another government

(1) A Contracting Government may, at the request of another Contracting Government, cause a ship to be surveyed and, if satisfied that the provisions of the present Convention are complied with, shall issue or authorize the issue of an International

Load Line Certificate (1966) to the ship in accordance with the present Convention.

(2) A copy of the certificate, a copy of the survey report used for computing the freeboard, and a copy of the computations shall be transmitted as early as possible to the requesting Government.

(3) A certificate so issued must contain a statement to the effect that it has been issued at the request of the Government of the State whose flag the ship is or will be flying and it shall have the same force and receive the same recognition as a certificate issued under Article 16.

(4) No International Load Line Certificate (1966) shall be isued to a ship which is flying the flag of a State the Government of which is not a Contracting Government.

ARTICLE 18

Form of certificates

(1) The certificates shall be drawn up in the official language or languages of the issuing country. If the language used is neither English nor French, the text shall include a translation into one of these languages.

(2) The form of the certificates shall be that of the models given in Annex III. The arrangement of the printed part of each model certificate shall be exactly reproduced in any certificates issued, and in any certified copies thereof.

ARTICLE 19

Duration of certificates

(1) An International Load Line Certificate (1966) shall be issued for a period specified by the Administration, which shall not exceed five years from the date of issue.

(2) If, after the periodical survey referred to in paragraph (1)(b) of Article 14, a new certificate cannot be issued to the ship before the expiry of the certificate originally issued, the person or organization carrying out the survey may extend the validity of the original certificate for a period which shall not exceed five months. This extension shall be endorsed on the certificate, and shall be granted only where there have been no alterations in the structure, equipment, arrangements, material or scantlings which affect the ship's freeboard.

(3) An International Load Line Certificate (1966) shall be cancelled by the Administration if any of the following circumstances exist:

(a) material alterations have taken place in the hull or superstructures of the ship such as would necessitate the assignment of an increased freeboard;

(b) the fittings and appliances mentioned in sub-paragraph (c) of paragraph (1) of Article 14 are not maintained in an effective condition;

(c) the certificate is not endorsed to show that the ship has been inspected as provided in sub-paragraph (c) of paragraph (1) of Article 14;

(d) the structural strength of the ship is lowered to such an extent that the ship is unsafe.

(4)(a) The duration of an International Load Line Exemption Certificate issued by an Administration to a ship exempted under paragraph (2) of Article 6 shall not exceed five years from the date of issue. Such certificate shall be subject to a renewal, endorsement and cancellation procedure similar to that provided for an International Load Line Certificate (1966) under this Article.

(b) The duration of an International Load Line Exemption Certificate issued to a ship exempted under paragraph (4) of Article 6 shall be limited to the single voyage for which it is issued.

(5) A certificate issued to a ship by an Administration shall cease to be valid upon the transfer of such a ship to the flag of another State.

ARTICLE 20

Acceptance of certificates

The certificates issued under the authority of a Contracting Government in accordance with the present Convention shall be accepted by the other Contracting Governments and regarded for all purposes covered by the present Convention as having the same force as certificates issued by them.

ARTICLE 21

Control

(1) Ships holding a certificate issued under Article 16 or Article 17 are subject, when in the ports of other Contracting Governments, to control by officers duly authorized by such Governments. Contracting Governments shall ensure that such control is exercised as far as is reasonable and practicable with a view to verifying that there is on board a valid certificate under the present Convention. If there is a valid International Load Line Certificate (1966) on board the ship, such control shall be limited to the purpose of determining that:

(a) the ship is not loaded beyond the limits allowed by the certificate;

(b) the position of the load line of the ship corresponds with the certificate; and

(c) the ship has not been so materially altered in respect to the matters set out in sub-paragraphs (a) and (b) of paragraph (3) of Article 19 that the ship is manifestly unfit to proceed to sea without danger to human life.

If there is a valid International Load Line Exemption Certificate on board, such control shall be limited to the purpose of determining that any conditions stipulated in that certificate are complied with.

(2) If such control is exercised under sub-paragraph (c) of paragraph (1) of this Article, it shall only be exercised in so far as may be necessary to ensure that the ship shall not sail until it can proceed to sea without danger to the passengers or the crew.

(3) In the event of the control provided for in this Article giving rise to intervention of any kind, the officer carrying out the control shall immediately inform in writing the Consul or the diplomatic representative of the State whose flag the ship is flying of this decision and of all the circumstances in which intervention was deemed to be necessary.

ARTICLE 22

Privileges

The privileges of the present Convention may not be claimed in favour of any ship unless it holds a valid certificate under the Convention.

ARTICLE 23

Casualties

(1) Each Administration undertakes to conduct an investigation of any casualty occurring to ships for which it is responsible and which are subject to the provisions of the present Convention when it judges that such an investigaion may assist in determining what changes in the Convention might be desirable.

(2) Each Contracting Government undertakes to supply the Organization with the pertinent information concerning the findings of such investigations. No reports or recommendations of the Organization based upon such information shall disclose the identity or nationality of the ships concerned or in any manner fix or imply responsibility upon any ship or person.

ARTICLE 24

Prior treaties and conventions

(1) All other treaties, conventions and arrangements relating to load line matters at present in force between Government parties to the present Convention shall continue to have full and complete effect during the terms thereof as regards:

(a) ships to which the present Convention does not apply; and

(b) ships to which the present Convention applies, in respect of matters for which it has not expressly provided.

(2) To the extent, however, that such treaties, conventions or arrangements conflict with the provisions of the present Convention, the provisions of the present Convention shall prevail.

ARTICLE 25

Special rules drawn up by agreement

When in accordance with the present Convention special rules are drawn up by agreement among all or some of the Contracting Governments, such rules shall be communicated to the Organization for circulation to all Contracting Governments.

ARTICLE 26

Communication of information

(1) The Contracting Governments undertake to communicate to and deposit with the Organization:

(a) a sufficient number of specimens of their certificates issued under the provisions of the present Convention for circulation to the Contracting Governments;

(b) the text of the laws,, decrees, orders, regulations and other instruments which shall have been promulgated on the various matters within the scope of the present Convention; and

(c) a list of non-governmental agencies which are authorized to act in their behalf in the administration of load line matters for circulation to the Contracting Governments.

(2) Each Contracting Government agrees to make its strength standards available to any other Contracting Government, upon request.

ARTICLE 27

Signature, acceptance and accession

(1) The present Convention shall remain open for signature for three months from 5 April 1966 and shall thereafter remain open for accession. Governments of States members of the United Nations or of any of the Special Agencies, or of the International Atomic Energy Agency, or parties to the Statute of the International Court of Justice may become parties to the Convention by:

(a) signature without reservation as to acceptance;

(b) signature subject to acceptance followed by acceptance; or

(c) accession.

(2) Acceptance or accession shall be effected by the deposit of an instrument of acceptance or accession with the Organization which shall inform all Governments that have signed the Convention or acceded to it of each new acceptance or accession and of the date of its deposit.

ARTICLE 28

Coming into force

(1) The present Convention shall come into force twelve months after the date on which not less than fifteen Governments of the States, including seven each with not less than one million gross tons of shipping, have signed without reservation as to acceptance or deposited instruments of acceptance or accession in accordance with Article 27. The Organization shall inform all Governments which have signed or acceded to the present Convention of the date on which it comes into force.

(2) For Governments which have deposited an instrument of acceptance of or accession to the present Convention during the twelve months mentioned in paragraph

(1) of this Article, the acceptance or accession shall take effect on the coming into force of the present Convention or three months after the date of deposit of the instrument of acceptance or accession, whichever is the later date.

(3) For Governments which have deposited an instrument of acceptance of or accession to the present Convention after the date on which it comes into force, the Convention shall come into force three months after the date of the deposit of such instrument.

(4) After the date on which all the measures required to bring an amendment to the present Convention into force have been completed, or all necessary acceptances are deemed to have been given under sub-paragraph (b) of paragraph (2) of Article 29 in case of amendment by unanimous acceptance, any instrument of acceptance or accession deposited shall be deemed to apply to the Convention as amended.

ARTICLE 29

Amendments

(1) The present Convention may be amended upon the proposal of a Contracting Government by any of the procedures specified in this Article.

(2) Amendment by unanimous acceptance

(a) Upon the request of a Contracting Government, any amendment proposed by it to the present Convention shall be communicated by the Organization to all Contracting Governments for consideration with a view to unanimous acceptance.

(b) Any such amendment shall enter into force twelve months after the date of its acceptance by all Contracting Governments unless an earlier date is agreed upon. A Contracting Government which does not communicate its acceptance or rejection of the amendment to the Organization within three years of its first communication by the latter shall be deemed to have accepted the amendment.

(c) Any proposed amendment shall be deemed to be rejected if it is not accepted under sub-paragraph (b) of the present paragraph within three years after it has been first communicated to all Contracting Governments by the Organization.

(3) Amendment after consideration in the Organization.

(a) Upon the request of a Contracting Government, any amendment proposed by it to the present Convention will be considered in the Organiztion. If adopted by a majority of two-thirds of those present and voting in the Maritime Safety Committee of the Organization, such amendment shall be communicated to all Members of the Organization and all Contracting Governments at least six months prior to its consideration by the Assembly of the Organization.

(b) If adopted by a two-thirds majority of those present and voting in the Assembly, the amendment shall be communicated by the Organization to all Contracting Governments for their acceptance.

(c) Such amendment shall come into force twelve months after the date on which it is accepted by two-thirds of the Contracting Governments. The amendment shall come into force with respect to all Contracting Governments except those which, before it comes into force, make a declaration that they do not accept the amendment.

(d) The Assembly, by a two-thirds majority of those present and voting, including two-thirds of the Government represented on the Maritime Safety Committee and present and voting in the Assembly, may propose a determination at the time of its adoption that an amendment is of such an important nature that any Contracting Government which makes a declaration under subparagraph (c), and which does not accept the amendment within a period of twelve months after it comes into force, shall cease to be a party to the present Convention upon the expiry of that period. This determination shall be subject to the prior acceptance of two-thirds of the Contracting Governments to the present Convention.

(e) Nothing in this paragraph shall prevent the Contracting Government which first proposed action under this paragraph on an amendment to the present Convention from taking at any time such alternative action as it deems desirable in accordance with paragraph (2) or (4) of this Article.

(4) Amendment by a conference

(a) Upon the request of a Contracting Government, concurred in by at least one-third of the Contracting Governments, a conference of Governments will be convened by the Organization to consider amendments to the present Convention.

(b) Every amendment adopted by such a conference by a two-thirds majority of those present and voting of the Contracting Governments shall be communicated by the Organization to all Contracting Governments for their acceptance.

(c) Such amendment shall come into force twelve months after the date on which it is accepted by two-thirds of the Contracting Governments. The amendment shall come into force with respect to all Contracting Governments except those which, before it comes into force, make a declaration that they do not accept the amendment.

(d) By a two-thirds majority of those present and voting, a conference convened under sub-paragraph (a) may determine at the time of its adoption that an amendment is of such an important nature that any Contracting Government which makes a declaration under sub-paragraph (c), and which does not accept the amendment within a period of twelve months after it comes into force, shall cease to be a party to the present Convention upon the expiry of that period.

(5) Any amendments to the present Convention made under this Article which relate to the structure of a ship shall apply only to ships the keels of which are laid, or which are at a similar stage of construction, on or after the date on which the amendment comes into force.

(6) The Organization shall inform all Contracting Governments of any amendments which come into force under this Article, together with the date on which each such amendment will come into force.

(7) Any acceptance or declaration under this Article shall be made by a notification in writing to the Organization which shall notify all Contracting Governments of the receipt of the acceptance or declaration.

ARTICLE 30

Denunciation

(1) The present Convention may be denounced by any Contracting Government at any time after the expiry of five years from the date on which the Convention comes into force for that Government.

(2) Denunciation shall be effected by a notification in writing addressed to the Organization which shall inform all the other Contracting Governments of any such notification received and of the date of its receipt.

(3) A denunciation shall take effect one year, or such longer period as may be specified in the notification, after its receipt by the Organization.

ARTICLE 31

Suspension

(1) In case of hostilities or other extraordinary circumstances which affect the vital interests of a State the Government of which is a Contracting Government, that Government may suspend the operation of the whole or any part of the present Convention. The suspending Government shall immediately give notice of any such suspension to the Organization.

(2) Such suspension shall not deprive other Contracting Governments of any right of control under the present Convention over the ships of the suspending Government when such ships are within their ports.

(3) The suspending Government may at any time terminate such suspension and shall immediately give notice of such termination to the Organization.

(4) The Organization shall notify all Contracting Governments of any suspension or termination of suspension under this Article.

ARTICLE 32

Territories

(1) (a) The United Nations, in cases where they are the administering authority for a territory, or any Contracting Government responsible for the international relations of a territory, shall as soon as possible consult with such territory in an endeavour to extend the present Convention to that territory and may at any time by notification in writing to the Organization declare that the present Convention shall extend to such territory.

(b) The present Convention shall, from the date of the receipt of the notification or from such other date as may be specified in the notification, extend to the territory named therein.

(2) (a) The United Nations, or any Contracting Government which has made a declaration under sub-paragraph (a) of paragraph (1) of this Article, at any time after the expiry of a period of five years from the date on which the Convention has been so extended to any territory, may by notification in writing to the Organization declare that the present Convention shall cease to extend to any such territory named in the notification.

(b) The present Convention shall cease to extend to any territory mentioned in such notification one year, or such longer period as may be specified therein, after the date of receipt of the notification by the Organization.

(3) The Organization shall inform all the Contracting Governments of the extension of the present Convention to any territories under paragraph (1) of this Article, and of the termination of any such extension under the provisions of paragraph (2), stating in each case the date from which the present Convention has been or will cease to be so extended.

ARTICLE 33

Registration

(1) The present Convention shall be deposited with the Organization and the Secretary-General of the Organization shall transmit certified true copies thereof to all Signatory Governments and to all Governments which accede to the present Convention.

(2) As soon as the present Convention comes into force it shall be registered by the Organization in accordance with Article 102 of the Charter of the United Nations.

ARTICLE 34

Languages

The present Convention is established in a single copy in the English and French languages, both texts being equally authentic. Official translations in the Russian and Spanish languages shall be prepared and deposited with the signed original.

IN WITNESS WHEREOF the undersigned being duly authorized by their respective Governments for that purpose have signed the present Convention.

Done at London this fifth day of April 1966.

For the Government of the Kingdom of Afghanistan

For the Government of the People's Republic of Albania

For the Government of the Democratic and Popular Republic of Algeria

For the Government of the Argentine Republic, subject to acceptance
H. G. Marco [5 April 1966]

For the Government of the Commonwealth of Australia, subject to acceptance
L. R. Downer 4th July 1966

For the Government of the Republic of Austria

For the Government of the Kingdom of Belgium, sous réserve d'approbation et de ratification
Van Den Bosch,
R. Vancraeynest [5 April 1966]

For the Government of the Republic of Bolivia

For the Government of the United States of Brazil, subject to acceptance
George A. Maciel [5 April 1966]

For the Government of the People's Republic of Bulgaria, subject to acceptance
P. Doinov [5 April 1966]

For the Government of the Union of Burma

For the Government of the Kingdom of Burundi

For the Government of the Byelorussian Soviet Socialist Republic

For the Government of the Kingdom of Cambodia

For the Government of the Federal Republic of Cameroon

For the Government of Canada, subject to Ratification
R. R. MacGillivray [5 April 1966]

For the Government of the Central African Republic

For the Government of Ceylon

For the Government of the Republic of Chad

For the Government of the Republic of Chile

For the Government of the Republic of China, subject to acceptance
Tsing-Chang Liu [5 April 1966]

For the Government of the Republic of Colombia

For the Government of the Republic of the Congo

For the Government of the Democratic Republic of the Congo

For the Government of the Republic of Costa Rica

For the Government of the Republic of Cuba

For the Government of the Republic of Cyprus

For the Government of the Czechoslovak Socialist Republic

For the Government of the Republic of Dahomey

For the Government of the Kingdom of Denmark, subject to acceptance
Anders Bache
M. Rosell [5 April 1966]

For the Government of the Dominican Republic

For the Government of the Republic of Ecuador

For the Government of the Republic of El Salvador

For the Government of the Empire of Ethiopia

For the Government of the Federal Republic of Germany, subject to acceptance
Karl Schubert [5 April 1966]

For the Government of the Republic of Finland

For the Government of the French Republic sous réserve d'approbation ultérieure
J. Morin [5 April 1966]

For the Government of the Gabonese Republic

For the Government of the Gambia

For the Government of the Republic of Ghana, subject to acceptance
Y. K. Quartey [5 April 1966]

For the Government of the Kingdom of Greece, subject to acceptance
P. Pagonis [5 April 1966]

For the Government of the Republic of Guatemala

For the Government of the Republic of Guinea

For the Government of the Republic of Haiti

For the Holy See

For the Government of the Republic of Honduras

For the Government of the Hungarian People's Republic

For the Government of the Republic of Iceland, subject to acceptance
Hjalmar R. Bardarson [5 April 1966]

For the Government of the Republic of India, subject to acceptance
Nagendra Singh [5 April 1966]

For the Government of the Republic of Indonesia

For the Government of the Empire of Iran

For the Government of the Republic of Iraq

For the Government of Ireland, subject to acceptance
M. A. Hayes
R. Rodgers [5 April 1966]

For the Government of the State of Israel, subject to acceptance
P. Muench
D. Perry [5 April 1966]

For the Government of the Italian Republic, sous réserve d'acceptation
Nunzio D' Angelo [5 April 1966]

For the Government of the Republic of the Ivory Coast, sous réserve d'approbation
S. Ake [5 April 1966]

For the Government of Jamaica

For the Government of Japan, subject to acceptance
Atsushi Uyama
Terutaka Akutagawa [5 April 1966]

For the Government of the Hashemite Kingdom of Jordan

For the Government of the Republic of Kenya

For the Government of the State of Kuwait, subject to acceptance
A. R. Hussain [5 April 1966]

For the Government of the Kingdom of Laos

For the Government of the Lebanese Republic

For the Government of the Republic of Liberia, subject to acceptance
J. D. Lawrence
Francis Dennis

For the Government of the Kingdom of Libya

For the Government of the Principality of Liechtenstein

For the Government of the Grand Duchy of Luxembourg

For the Government of the Malagasy Republic, sous réserve d'approbation.
Jules A. Razafimbahiny
[5 April 1966]

For the Government at Malawi

For the Government of Malaysia

For the Government of the Maldive Islands

For the Government of the Republic of Mali

For the Government at Malta

For the Government of the Islamic Republic of Mauritania

For the Government of the United Mexican States

For the Government of the Principality of Monaco

For the Government of the Mongolian People's Republic

For the Government of the Kingdom of Morocco

For the Government of the Kingdom of Nepal

For the Government of the Kingdom of the Netherlands, subject to acceptance
D. W. van Lynden 4th July 1966

For the Government of New Zealand, subject to acceptance
T. L. Macdonald 30th June 1966

For the Government of the Republic of Nicaragua

For the Government of the Republic of the Niger

For the Government of the Federal Republic of Nigeria

For the Government of the Kingdom of Norway, subject to acceptance
Arne Skaug July 1, 1966

For the Government of Pakistan, subject to acceptance
A. Hilaly 5/4/66

For the Government of the Republic of Panama
Eusebio A. Morales 5/13/66

For the Government of the Republic of Paraguay

For the Government of the Republic of Peru, ad-referendum
R. Pinto T. [5 April 1966]

For the Government of the Republic of the Philippines, subject to ratification or acceptance

Tiburcio C. Baja 1 July 1966

For the Government of the Polish People's Republic, subject to acceptance

J. Kroskowski [5 April 1966]

For the Government of the Portuguese Republic

For the Government of the Republic of Korea, subject to acceptance

Gen. Honkon Lee [5 April 1966]

For the Government of the Republic of Viet-Nam

For the Government of the Romanian People's Republic

For the Government of the Rwandese

For the Government of the Republic of San Marino

For the Government of the Kingdom of Saudi Arabia

For the Government of the Republic of Senegal

For the Government of Sierra Leone

For the Government of Singapore

For the Government of the Somali Republic

For the Government of the Republic of South Africa, subject to acceptance

R. Kenny
E. R. Barker
P. J. Cronje [5 April 1966]

For the Government of the Spanish State, subject to acceptance

Santa Cruz [5 April 1966]

For the Government of the Republic of the Sudan

For the Government of the Kingdom of Sweden

For the Government of the Swiss Confederation, sous réserve d'approbation

B. de Fischer 11 mai 1966

For the Government of the Syrian Arab Republic

For the Government of the Kingdom of Thailand

For the Government of the Togolese Republic

For the Government of Trinidad and Tobago, subject to acceptance

J. A. V. Harper [5 April 1966]

For the Government of the Republic of Tunisia, sous réserve d'approbation

A. Badra le 5 juillet 1966

For the Government of the Republic of Turkey

For the Government of Uganda

For the Government of the Ukrainian Soviet Socialist Republic

For the Government of the Union of Soviet Socialist Republics, with a statement relating to Article 27(c).[1]

M. Smirnovsky July 4, 1966

For the Government of the United Arab Republic, subject to ratification with declaration "The government of the United Arab Republic register the following reservation: Nothing in this Convention should, in any way, affect any of the rules and regulations promulgated by the Suez Canal Authority. In case of any contradiction between them the latter shall prevail."

F. Rizk [5 April 1966]

For the Government of the United Kingdom of Great Britain and Northern Ireland, subject to acceptance

Gilmour Jenkins
Basil Edward Bellamy [5 April 1966]
R. W. Bullmore

For the Government of the United Republic of Tanzania

For the Government of the United States of America, subject to acceptance

E. J. Roland [5 April 1966]
David B. Bannerman Jr.

For the Government of the Republic of the Upper Volta

For the Government of the Eastern Republic of Uruguay

For the Government of the Republic of Venezuela, ad referendum:

Moritz Eiris Villegas [5 April 1966]

For the Government of the Independent State of Western Samoa

For the Government of the Yemen Arab Republic

For the Government of the Socialist Federal Republic of Yugoslavia, subject to acceptance

Blazevic [5 April 1966]

For the Government of the Republic of Zambia

Annex I—Regulations for Determining Load Lines

CHAPTER I. GENERAL

The Regulations assume that the nature and stowage of the cargo, ballast, etc., are such as to secure sufficient stability of the ship and the avoidance of excessive structural stress.

The Regulations also assume that where there are internationl requirements relating to stability or subdivision, these requirements have been complied with.

Regulation 1

Strength of Hull

The Administration shall satisfy itself that the general structural strength of the hull sufficient for the draught corresponding to the freeboard assigned. Ships built and maintained in conformity with the requirements of a classification society recognized by the Administration may be considered to possess adequate strength.

Regulation 2

Application

(1) Ships with mechanical means of propulsion or lighters, barges or other ships without independent means of propulsion, shall be assigned freeboards in accordance with the provisions of Regulations 1–40 inclusive of this Annex.

(2) Ships carrying timber deck cargoes may be assigned, in addition to the freeboards prescribed in paragraph (1) of this Regulation, timber freeboards in accordance with the provisions of Regulations 41–45 of this Annex.

(3) Ships designed to carry sail, whether as the sole means of propulsion or as a supplementary means, and tugs, shall be assigned freeboards in accordance with the provisions of Regulations 1–40 inclusive of this Annex. Such additional freeboard shall be required as determined by the Administration.

(4) Ships of wood or of composite construction, or of other materials the use of which the Administration has approved, or ships whose constructional features are such as to render the application of the provisions of this Annex unreasonable or impracticable, shall be assigned freebroads as determined by the Administration.

(5) Regulations 10 to 26 inclusive of this Annex shall apply to every ship to which a minimum freeboard is assigned. Relaxations from these requirements may be granted to a ship to which a greater than minimum freeboard is assigned on condition that the Administration is satisfied with the safety conditions provided.

Regulation 3

Definitions of Terms Used in The Annexes

(1) *Length.*—The length (L) shall be taken as 96 per cent of the total length on a waterline at 85 per cent of the least moulded depth measured from the top of the keel, or as the length from the foreside of the stem to the axis of the rudder stock on that waterline, if that be greater. In ships designed with a rake of keel the waterline on which this length is measured shall be parallel to the designed waterline.

(2) *Perpendiculars.*—The forward and after perpendiculars shall be taken at the forward and after ends of the length (L). The forward perpendicular shall coincide with the foreside of the stem on the waterline on which the length is measured.

(3) *Amidships.*—Amidships is at the middle of the length (L).

(4) *Breadth.*—Unless expressly provided otherwise, the breadth (B) is the maximum breadth of the ship, measured amidships to the moulded line of the frame in a ship with a metal shell and to the outer surface of the hull in a ship with a shell of any other material.

(5) *Moulded Depth*—

(a) The moulded depth is the vertical distance measured from the top of the keel to the top of the freeboard deck beam at side. In wood and composite ships the distance is measured from the lower edge of the keel rabbet. Where the form at the lower part of the midship section is of a hollow character, or where thick garboards are fitted, the distance is measured from the point where the line of the flat of the bottom continued inwards cuts the side of the keel.

(b) In ships having rounded gunwales, the moulded depth shall be measured to the point of intersection of the moulded lines of the deck and side shell plating, the lines extending as though the gunwale were of angular design.

(c) Where the freeboard deck is stepped and the raised part of the deck extends over the point at which the moulded depth is to be determined, the moulded depth shall be measured to a line of reference extending from the lower part of the deck along a line parallel with the raised part.

(6) *Depth for Freeboard (D)*—

(a) The depth for freeboard (D) is the moulded depth amidships, plus the thickness of the freeboard deck stringer plate, where fitted, plus $\frac{T(L-S)}{L}$

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[1] At the time of signing the Convention, the representative of the Union of Soviet Socialist Republics made the following statement on behalf of his Government:

"The Union of the Soviet Socialist Republics states that Article 27(1) of the International Convention on Load Lines 1966, under which the Governments of a number of States are deprived of the opportunity to become Parties to this Convention, is of a discriminatory nature and believes that in accordance with the principle of sovereign equality of States the Convention should be open for participation to all the interested nations without any discrimination or limitation".

if the exposed freeboard deck is sheathed, where

T is the mean thickness of the exposed sheathing clear of deck openings, and

S is the total length of superstructures as defined in subparagraph (10) (d) of this Regulation.

(b) The depth for freeboard (D) in a ship having a rounded gunwale with a radius greater than 4 per cent of the breadth (B) or having topsides of unusual form is the depth for freeboard of a ship having a midship section with vertical topsides and with the same round of beam and area of topside section equal to that provided by the actual midship section.

(7) *Block Coefficient.*—The block coefficient (C_b) is given by

$$C_b=\frac{\nabla}{L.B.d_1}; \text{ where}$$

∇ is the volume of the moulded displacement of the ship, excluding bossing, in a ship with a metal shell, and is the volume of displacement to the outer surface of the hull in a ship with a shell of any other material, both taken at a moulded draught of d_1; and where

d_1 is 85 per cent of the least moulded depth.

(8) *Freeboard.*—The freeboard assigned is the distance measured vertically downwards amidships from the upper edge of the deck line to the upper edge of the related load line.

(9) *Freeboard Deck.*—The freeboard deck is normally the uppermost complete deck exposed to weather and sea, which has permanent means of closing all openings in the weather part thereof, and below which all openings in the sides of the ship are fitted with permanent means of watertight closing. In a ship having a discontinuous freeboard deck, the lowest line of the exposed deck and the continuation of that line parallel to the upper part of the deck is taken as the freeboard deck. At the option of the owner and subject to the approval of the Administration, a lower deck may be designated as the freeboard deck, provided it is a complete and permanent deck continuous in a fore and aft direction at least between the machinery space and peak bulkheads and continuous athwartships. When this lower deck is stepped the lowest line of the deck and the continuation of that line parallel to the upper part of the deck is taken as the freeboard deck.

When a lower deck is designated as the freeboard deck, that part of the hull which extends above the freeboard deck is treated as a superstructure so far as concerns the application of the conditions of assignment and the calculation of freeboard. It is from this deck that the freeboard is calculated.

(10) *Superstructure*—

(a) A superstructure is a decked structure on the freeboard deck, extending from side to side of the ship or with the side plating not being inboard of the shell plating more than 4 per cent of the breadth

(B) A raised quarter-deck is regarded as a superstructure.

(b) An enclosed superstructure is a superstructure with:

(i) enclosing bulkheads of efficient construction;

(ii) access openings, if any, in these bulkheads fitted with doors complying with the requirements of Regulation 12;

(iii) all other openings in sides or ends of the superstructure fitted with efficient weathertight means of closing.

A bridge or poop shall not be regarded as enclosed unless access is provided for the crew to reach machinery and other working spaces inside these superstructures by alternative means which are available at all times when bulkhead openings are closed.

(c) The height of a superstructure is the least vertical height measured at side from the top of the superstructure deck beams to the top of the freeboard deck beams.

(d) The length of a superstructure (S) is the mean length of the part of the superstructure which lies within the length (L).

(11) *Flush Deck Ship.*—A flush deck ship is one which has no superstructure on the freeboard deck.

(12) *Weathertight.*—Weathertight means that in any sea conditions water will not penetrate into the ship.

Regulation 4

Deck Line

The deck line is a horizontal line 300 millimetres (12 inches) in length and 25 millimetres (1 inch) in breadth. It shall be marked amidships on each side of the ship, and its upper edge shall normally pass through the point where the continuation outwards of the upper surface of the freeboard deck intersects the outer surface of the shell (as illustrated in Figure 1), provided that the deck line may be placed with reference to another fixed point on the ship on condition that the freeboard is correspondingly corrected. The location of the reference point and the identification of the freeboard deck shall in all cases be indicated on the International Load Line Certificate (1966).

Regulation 5

Load Line Mark

The Load Line Mark shall consist of a ring 300 millimetres (12 inches) in outside diameter and 25 millimetres (1 inch) wide which is intersected by a horizontal line 450 millimetres (18 inches) in length and 25 millimetres (1 inch) in breadth, the upper edge of which passes through the centre of the ring. The centre of the ring shall be placed amidships and at a distance equal to the assigned summer freeboard measured vertically below the upper edge of the deck line (as illustrated in Figure 2).

Regulation 6

Lines To Be Used With the Load Line Mark

(1) The lines which indicate the load line assigned in accordance with these Regulations shall be horizontal lines 230 millimetres (9 inches) in length and 25 millimetres (1 inch) in breadth which extend forward of, unless expressly provided otherwise, and at right angles to, a vertical line 25 millimetres (1 inch) in breadth marked at a distance 540 millimetres (21 inches) forward of the centre of the ring (as illustrated in Figure 2).

(2) The following load lines shall be used:

(a) The Summer Load Line indicated by the upper edge of the line which passes through the centre of the ring and also by a line marked S.

(b) The Winter Load Line indicated by the upper edge of a line marked W.

(c) The Winter North Atlantic Load Line indicated by the upper edge of a line marked WNA.

(d) The Tropical Load Line indicated by the upper edge of a line marked T.

(e) The Fresh Water Load Line in summer indicated by the upper edge of a line marked F. The Fresh Water Load Line in summer is marked abaft the vertical line. The difference between the Fresh Water Load Line in summer and the Summer Load Line is the allowance to be made for loading in fresh water at the other load lines.

(f) The Tropical Fresh Water Load Line indicated by the upper edge of a line marked TF, and marked abaft the vertical line.

(3) If timber freeboards are assigned in accordance with these Regulations, the timber load lines shall be marked in addition to ordinary load lines. These lines shall be horizontal lines 230 millimetres (9 inches) in length and 25 millimetres (1 inch) in breadth which extend abaft unless expressly provided otherwise, and are at right angles to, a vertical line 25 millimetres (1 inch) in breadth marked at a distance 540 millimetres (21 inches) abaft the centre of the ring (as illustrated in Figure 3).

(4) The following timber load lines shall be used:

(a) The Summer Timber Load Line indicated by the upper edge of a line marked LS.

(b) The Winter Timber Load Line indicated by the upper edge of a line marked LW.

(c) The Winter North Atlantic Timber Load Line indicated by the upper edge of a line marked LWNA.

(b) The Winter Timber Load Line indicated by the upper edge of a line marked LT.

(e) The Fresh Water Timber Load Line in summer indicated by the upper edge of a line marked LF and marked forward of the vertical line.

The difference between the Fresh Water Timber Load Line in summer and the Summer Timber Load Line is the allowance to be made for loading in fresh water at the other timber load lines.

(f) The Fresh Water Timber Load Line in the Tropical Zone indicated by the upper edge of a line marked LTF and marked forward of the vertical line.

(5) Where the characteristics of a ship or the nature of the ship's service or navigational limits make any of the seasonal lines inapplicable, these lines may be omitted.

(6) Where a ship is assigned a greater than minimum free board so that the load line is marked at a position corresponding to, or lower than, the lowest seasonal load line assigned at minimum freeboard in accordance with the present Convention, only the Fresh Water Load Line need be marked.

(7) On sailing ships only the Fresh Water Load Line and the Winter North Atlantic Load Line need be marked (as illustrated in Figure 4).

(8) Where a Winter North Atlantic Load Line is identical with the Winter Load Line corresponding to the same vertical line, this load line shall be marked W.

(9) Additional load lines required by other international conventions in force may be marked at right angles to and abaft the vertical line specified in paragraph (1) of this Regulation.

[Figures 2, 3, and 4 not reproduced in the RECORD.]

Regulation 7

Mark of Assigning Authority

The mark of the Authority by whom the load lines are assigned may be indicated alongside the load line ring above the horizontal line which passes through the centre of the ring, or above and below it. This mark shall consist of not more than four initials to identify the Authority's name, each measuring approximately 115 millimeters (4½ inches) in height and 75 millimetres (3 inches) in width.

Regulation 8

Details of Marking

The ring, lines and letters shall be painted in white or yellow on a dark ground or in black on a light ground. They shall also be permanently marked on the sides of the ships to the satisfaction of the Administration. The marks shall be plainly visible and, if necessary, special arrangements shall be made for this purpose.

Regulation 9

Verification of Marks

The International Load Line Certificate (1966) shall not be delivered to the ship until the officer or surveyor acting under the provisions of Article 13 of the present Convention has certified that the marks are correctly and permanently indicated on the ship's sides.

CHAPTER II. CONDITIONS OF ASSIGNMENT OF FREEBOARD

Regulation 10

Information to be Supplied to the Master

(1) The master of every new ship shall be supplied with sufficient information, in an approved form, to enable him to arrange for the loading and ballasting of his ship in such a way as to avoid the creation of any unacceptable stresses in the ship's structure, provided that this requirement need not apply to any particular length, design or class of ship where the Administration considers it to be unnecessary.

(2) The master of every new ship which is not already provided with stability information under an international convention for the safety of life at sea in force shall be supplied with sufficient information in an approved form to give him guidance as to the stability of the ship under varying conditions of service, and a copy shall be furnished to the Administration.

Regulation 11

Superstructure End Bulkheads

Bulkheads at exposed ends of enclosed superstructures shall be of efficient construction and shall be to the satisfaction of the Administration.

Regulation 12

Doors

(1) All access openings in bulkheads at ends of enclosed superstructures shall be fitted with doors of steel or other equivalent material, permanently and strongly attached to the bulkhead, and framed, stiffened and fitted so that the whole structure is of equivalent strength to the unpierced bulkhead and weathertight when closed. The means for securing these doors weathertight shall consist of gaskets and clamping devices or other equivalent means and shall be permanently attached to the bulkhead or to the doors themselves, and the doors shall be so arranged that they can be operated from both sides of the bulkhead.

(2) Except as otherwise provided in these Regulations, the height of the sills of access openings in bulkheads at ends of enclosed superstructures shall be at least 380 millimetres (15 inches) above the deck.

Regulation 13

Position of Hatchways, Doorways and Ventilators

For the purpose of the Regulations, two positions of hatchways, doorways and ventilators are defined as follows:

Position 1: Upon exposed freeboard and raised quarter decks, and upon exposed superstructure decks situated forward of a point located a quarter of the ship's length from the forward perpendicular.

Position 2: Upon exposed superstructure decks situated abaft a quarter of the ship's length from the forward perpendicular.

Regulation 14

Cargo and Other Hatchways

(1) The construction and the means for securing the weathertightness of cargo and other hatchways in positions 1 and 2 shall be at least equivalent to the requirements of Regulations 15 and 16 of this Annex.

(2) Coamings and hatchway covers to exposed hatchways on decks above the superstructure deck shall comply with the requirements of the Administration.

Regulation 15

Hatchways Closed by Portable Covers and Secured Weathertight by Tarpaulins and Battening Devices

Hatchway coamings

(1) The coamings of hatchways closed by portable covers secured weathertight by tarpaulins and battening devices shall be of substantial construction, and their height above the deck shall be at least as follows:

600 millimetres (23½ inches) if in position 1.

450 millimetres (17½ inches) if in position 2.

Hatchway covers

(2) The width of each bearing surface for hatchway covers shall be at least 65 millimetres (2½ inches).

(3) Where covers are made of wood, the finished thickness shall be at least 60 millimetres (2⅜ inches) in association with a span of not more than 1.5 metres (4.9 feet).

(4) Where covers are made of mild steel the strength shall be calculated with assumed loads not less than 1.75 metric tons per square metre (358 pounds per square foot) on hatchways in position 1, and not less than 1.30 metric tons per square metre (266 pounds per square foot) or hatchways in position 2, and the product of the maximum stress thus calculated and the factor 4.25 shall not exceed the minimum ultimate strength of the material. They shall be so designed as to limit the deflection to not more than 0.0028 times the span under these loads.

(5) The assumed loads on hatchways in position 1 may be reduced to 1 metric ton per square metre (205 pounds per square foot) for ships 24 metres (79 feet) in length and shall be not less than 1.75 metric tons per square metre (358 pounds per square foot) for ships 100 metres (328 feet) in length. The corresponding loads on hatchways in position 2 may be reduced to 0.75 metric tons per square metre (154 pounds per square foot) and 1.30 metric tons per square metre (266 uounds per square foot) respectively. In all cases values at intermdiate lengths shall be obtained by interpolation

Portable beams

(6) Where portable beams for supporting hatchway covers are made of mild steel the strength shall be calculated with assumed loads not less than 1.75 metric tons per square metre (358 pounds per square foot) on hatchways in position 1 and not less than 1.30 metric tons per square metre (266 pounds per square foot) on hatchways in position 2 and the product of the maximum stress thus calculated and the factor 5 shall not exceed the minimum ultimate strength of the material. They shall be so designed as to limit the deflection to not more than 0.0022 times the span under these loads. For ships of not more than 100 metres (328 feet) in length the requirements of paragraph (5) of this Regulation shall be applicable.

Pontoon covers

(7) Where pontoon covers used in place of portable beams and covers are made of mild steel the strength shall be calculated with the assumed loads given in paragraph (4) of this Regulation, and the product of the maximum stress thus calculated and the factor 5 shall not exceed the minimum ultimate strength of the material. They shall be so designed as to limit the deflection to not more than 0.0022 times the span. Mild steel plating forming the tops of covers shall be not less in thickness than one per cent of the spacing of stiffeners of 6 millimetres (0.24 inches) if that be greater. For ships of not more than 100 metres (328 feet) in length the requirements of paragraph (5) of this Regulation are applicable.

(8) The strength and stiffness of covers made of materials other than mild steel shall be equivalent to those of mild steel to the satisfaction of the Administration.

Carriers or sockets

(9) Carriers or sockets for portable beams shall be of substantial construction, and shall provide means for the efficient fitting and securing of the beams. Where rolling types of beams are used, the arrangements shall ensure that the beams remain properly in position when the hatchway is closed.

Cleats

(10) Cleats shall be set to fit the taper of the wedges. They shall be at least 65 millimetres (2½ inches) wide and spaced not more than 600 millimetres (23½ inches) centre to centre; the cleats along each side or end shall be not more than 150 millimetres (6 inches) from the hatch corners.

Battens and wedges

(11) Battens and wedges shall be efficient and in good condition. Wedges shall be of tough wood or other equivalent material. They shall have a taper of not more than 1 in 6 and shall be not less than 13 millimetres (½ inch) thick at the toes.

Tarpaulins

(12) At least two layers of tarpaulin in good condition shall be provided for each hatchway in position 1 or 2. The tarpaulins shall be waterproof and of ample strength. They shall be of a material of at least an approved standard weight and quality.

Security of hatchway covers

(13) For all hatchways in position 1 or 2 steel bars or other equivalent means shall be provided in order efficiently and independently to secure each section of hatchway covers after the tarpaulins are battened down. Hatchway covers of more than 1.5 metres (4.9 feet) in length shall be secured by at least two such securing appliances.

Regulation 16

Hatchways Closed by Weathertight Covers of Steel or Other Equivalent Material Fitted With Gaskets and Clamping Devices

Hatchway coamings

(1) At positions 1 and 2 the height above the deck of hatchway coamings fitted with weathertight hatch covers of steel or other equivalent material fitted with gaskets and clamping devices shall be as specified in Regulation 15(1). The height of these coamings may be reduced, or the coamings omitted entirely, on condition that the Administration is satisfied that the safety of the ship is not thereby impaired in any *sea* conditions. Where coamings are provided they shall be of substantial construction.

Weathertight covers

(2) Where weathertight covers are of mild steel the strength shall be calculated with assumed loads not less than 1.75 metric tons per square metre (358 pounds per square foot) on hatchways in position 1, and not less than 1.30 metric tons per square metre (266 pounds per square foot) on hatchways in position 2, and the product of the maximum stress thus calculated and the factor of 4.25 shall not exceed the minimum ultimate strength of the material. They shall be so designed as to limit the deflection to not more than 0.0028 times the span under these loads. Mild steel plating forming the tops of covers shall be not less in thickness than one per cent of the spacing of stiffeners or 6 millimetres (0.24 inches) if that be greater. The provisions of Regulation 15(5) are applicable for ships of not more than 100 metres (328 feet) in length.

(3) The strength and stiffness of covers made of materials other than mild steel shall be equivalent to those of mild steel to the satisfaction of the Administration.

Means for securing weathertightness

(4) The means for securing and maintaining weathertightness shall be to the satisfaction of the Administration. The arrangements shall ensure that the tightness can be maintained in any sea conditions, and for this purpose tests for tightness shall be required at the initial survey, and may be required at periodical surveys and at annual inspections or at more frequent intervals.

Regulation 17

Machinery Space Openings

(1) Machinery space openings in position 1 or 2 shall be properly framed and efficiently enclosed by steel casings of ample strength, and where the casings are not protected by other structures their strength shall be specially considered. Access openings in such casings shall be fitted with doors complying with the requirements of Regulation 12(1), the sills of which shall be at least 600 millimetres (23½ inches) above the deck if in position 1, and at least 380 millimetres (15 inches) above the deck if in position 2. Other openings in such casings shall be fitted with equivalent covers, permanently attached in their proper positions.

(2) Coamings of any fiddley, funnel, or machinery space ventilator in an exposed position on the freeboard or superstructure deck shall be as high above the deck as is reasonable and practicable. Fiddley openings shall be fitted with strong covers of steel or other equivalent material permanently attached in their proper positions and capable of being secured weathertight.

Regulation 18

Miscellaneous Openings in Freeboard and Superstructure Decks

(1) Manholes and flush scuttles in position 1 or 2 or within superstructures other than enclosed superstructures shall be closed by substantial covers capable of being made watertight. Unless secured by closely spaced bolts, the covers shall be permanently attached.

(2) Openings in freeboard decks other than hatchways, machinery space openings, manholes and flush scuttles shall be protected by an enclosed superstructure, or by a deckhouse or companionway of equivalent strength and weathertightness. Any such opening in an exposed superstructure deck or in the top of a deckhouse on the freeboard deck which gives access to a space below the freeboard deck or a space within an enclosed superstructure shall be protected by an efficient deckhouse or companionway. Doorways in such deckhouses or companionways shall be fitted with doors complying with the requirements of Regulation 12(1).

(3) In position 1 the height above the deck of sills to the doorways in companionways shall be at least 600 millimetres (23½ inches). In position 2 they shall be at least 380 millimetres (15 inches).

Regulation 19

Ventilators

(1) Ventilators in position 1 or 2 to spaces below freeboard decks or decks of enclosed superstructures shall have coamings of steel or other equivalent material, substantially constructed and efficiently connected to the deck. Where the coaming of any ventilator exceeds 900 millimetres (35½ inches) in height it shall be specially supported.

(2) Ventilators passing through superstructures other than enclosed superstructures shall have substantially constructed coamings of steel or other equivalent material at the freeboard deck.

(3) Ventilators in position 1 the coamings of which extend to more than 4.5 metres (14.8 feet) above the deck and in position 2 the coamings of which extend to more than 2.3 metres (7.5 feet) above the deck, need not be fitted with closing arrangements unless specifically required by the Administration.

(4) Except as provided in paragraph (3) of this Regulation, ventilator openings shall be provided with efficient weathertight closing appliances. In ships of not more than 100 metres (328 feet) in length the closing appliances shall be permanently attached; where not so provided in other ships, they shall be conveniently stowed near the ventilators to which they are to be fitted. Ventilators in position 1 shall have coamings of a height of at least 900 millimetres (35½ inches) above the deck; in position 2 the coamings shall be of a height at least 760 millimetres (30 inches) above the deck.

(5) In exposed positions, the height of coamings may be required to be increased to the satisfaction of the Administration.

Regulation 20

Air Pipes

Where air pipes to ballast and other tanks extend above the freeboard or superstructure decks, the exposed parts of the pipes shall be of substantial construction; the height from the deck to the point where water may have access below shall be at least 760 millimetres (30 inches) on the freeboard deck and 450 millimetres (17½ inches) on the superstructure deck. Where these heights may interfere with the working of the ship, a lower height may be approved, provided the Administration is satisfied that the closing arrangements and other circumstances justify a lower height. Satisfactory means permanently attached, shall be provided for closing the openings of the air pipes.

Regulation 21

Cargo Ports and Other Similar Openings

(1) Cargo ports and other similar openings in the sides of ships below the freeboard deck shall be fitted with doors so designed as to ensure watertightness and structural integrity commensurate with the surrounding shell plating. The number of such openings shall be the minimum compatible with the design and proper working of the ship.

(2) Unless permitted by the Administration, the lower edge of such openings shall not be below a line drawn parallel to the freeboard deck at side, which has at its lowest point the upper edge of the uppermost load line.

Regulation 22

Scuppers, Inlets and Discharges

(1) Discharges led through the shell either from spaces below the freeboard deck or from within superstructures and deckhouses on the freeboard deck fitted with doors complying with the requirements of Regulation 12 shall be fitted with efficient and accessible means for preventing water from passing inboard. Normally each separate discharge shall have one automatic non-return valve with a positive means of closing it from a position above the freeboard deck. Where, however, the vertical distance from the summer load waterline to the inboard end of the discharge pipe exceeds 0.01 L, the discharge may have two automatic non-return valves without positive means of closing, provided that the inboard valve is always accessible for examination under service conditions; where that vertical distance exceeds 0.02 L a single automatic non-return valve without positive means of closing may be accepted subject to the approval of the Administration. The means for operating the positive action valve shall be readily accessible and provided with an indicator showing whether the valve is open or closed.

(2) In manned machinery spaces main and auxiliary sea inlets and discharges in connexion with the operation of machinery may be controlled locally. The controls shall be readily accessible and shall be provided with indicators showing whether the valves are open or closed.

(3) Scuppers and discharge pipes originating at any level and penetrating the shell either more than 450 millimetres (17½ inches) below the freeboard deck or less than 600 millimetres (23½ inches) above the summer load waterline shall be provided with a nonreturn valve at the shell. This valve, unless required by paragraph (1), may be omitted if the piping is of substantial thickness.

(4) Scuppers leading from superstructures or deckhouses not fitted with doors complying with the requirements of Regulation 12 shall be led overboard.

(5) All valves and shell fittings required by this Regulation shall be of steel, bronze or other approved ductile material. Valves of ordinary cast iron or similar material are not acceptable. All pipes to which this Regulation refers shall be of steel or other equivalent material to the satisfaction of the Administration.

Regulation 23

Side Scuttles

(1) Side scuttles to spaces below the freeboard deck or to spaces within enclosed superstructures shall be fitted with efficient hinged inside deadlights arranged so that they can be effectively closed and secured watertight.

(2) No side scuttle shall be fitted in a position so that its sill is below a line drawn parallel to the freeboard deck at side and having its lowest point 2.5 per cent of the breadth (B) above the load waterline, or 500 millimetres (19½ inches), whichever is the greater distance.

(3) The side scuttles, together with their glasses, if fitted, and deadlights, shall be of substantial and approved construction.

Regulation 24

Freeing Ports

(1) Where bulwarks on the weather portions of freeboard or superstructure decks form wells, ample provision shall be made for rapidly freeing the decks of water and for draining them. Except as provided in paragraphs (2) and (3) of this Regulation, the minimum freeing port area (A) on each side of the ship for each well on the freeboard deck shall be that given by the following formulae in cases where the sheer in way of the well is standard or greater than standard. The minimum area for each well on superstructure decks shall be one-half of the area given by the formulae.

Where the length of bulwark (l) in the well is 20 metres or less

$A=0.7+0.035l$ (square metres)

Where l exceeds 20 metres

$A=0.07l$ (square metres)

l need in no case be taken as greater than 0.7 L.

If the bulwark is more than 1.2 metres in average height the required area shall be increased by 0.004 square metre per metre of length of well for each 0.1 metre difference in height. If the bulwark is less than 0.9 metre in average height, the required area may be decreased by 0.004 square metre per metre of length of well for each 0.1 metre difference in height.

Or,

Where the length of bulwark (l) in the well is 66 feet or less

$A=7.6+0.115l$ (square feet)

Where l exceeds 66 feet

$A=0.23l$ (square feet)

l need in no case be taken as greater than 0.7 L.

If the bulwark is more than 3.9 feet in average height the required area shall be increased by 0.04 square feet per foot of length of well for each foot difference in height. If the bulwark is less than 3 feet in average height, the required area may be decreased by 0.04 square feet per foot of length for each foot difference in height.

(2) In ships with no sheer the calculated area shall be increased by 50 per cent. Where the sheer is less than the standard the percentage shall be obtained by interpolation.

(3) Where a ship is fitted with a trunk which does not comply with the requirements of Regulation 36(1)(e) or where continuous or substantially continuous hatchway side coamings are fitted between detached superstructures the minimum area of

the freeing port openings shall be calculated from the following Table:

Breadth of hatchway or trunk in relation to the breadth of ship	Area of freeing ports in relation to the total area of the bulwarks
40% or less	20%
75% or more	10%

The area of freeing ports at intermediate breadths shall be obtained by linear interpolation.

(4) In ships having superstructures which are open at either or both ends, adequate provision for freeing the space within such superstructures shall be provided to the satisfaction of the Administration.

(5) The lower edges of the freeing ports shall be as near the deck as practicable. Two-thirds of the freeing port area required shall be provided in the half of the well nearest the lowest point of the sheer curve.

(6) All such openings in the bulwarks shall be protected by rails or bars spaced approximately 230 millimetres (9 inches) apart. If shutters are fitted to freeing ports, ample clearance shall be provided to prevent jamming. Hinges shall have pins or bearings of noncorrodible material. If shutters are fitted with securing appliances, these appliances shall be of approved construction.

Regulation 25

Protection of the Crew

(1) The strength of the deckhouses used for the accommodation of the crew shall be to the satisfaction of the Administration.

(2) Efficient guard rails or bulwarks shall be fitted on all exposed parts of the freeboard and superstructure decks. The height of the bulwarks or guard rails shall be at least 1 metre (39½ inches) from the deck, provided that where this height would interfere with the normal operation of the ship, a lesser height may be approved if the Administration is satisfied that adequate protection is provided.

(3) The opening below the lowest course of the guard rails shall not exceed 230 millimetres (9 inches). The other courses shall be not more than 380 millimetres (15 inches) apart. In the case of ships with rounded gunwales the guard rail supports shall be placed on the flat of the deck.

(4) Satisfactory means (in the form of guard rails, life lines, gangways or underdeck passages etc.) shall be provided for the protection of the crew in getting to and from their quarters, the machinery space and all other parts used in the necessary work of the ship.

(5) Deck cargo carried on any ship shall be so stowed that any opening which is in way of the cargo and which gives access to and from the crew's quarters, the machinery space and all other parts used in the necessary work of the ship, can be properly closed and secured against the admission of water. Effective protection for the crew in the form of guard rails or life lines shall be provided above the deck cargo if there is no convenient passage on or below the deck of the ship.

Regulation 26

Special Conditions of Assignment for Type "A" Ships

Machinery casings

(1) Machinery casings on Type "A" ships as defined in Regulation 27 shall be protected by an enclosed poop or bridge of at least standard height, or by a deckhouse of equal height and equivalent strength, provided that machinery casings may be exposed if there are no openings giving direct access from the freeboard deck to the machinery space. A door complying with the requirements of Regulation 12 may, however, be permitted in the machinery casing, provided that it leads to a space or passageway which is as strongly constructed as the casing and is separated from the stairway to the engine room by a second weathertight door of steel or other equivalent material.

Gangway and access

(2) An efficiently constructed fore and aft permanent gangway of sufficient strength shall be fitted on Type "A" ships at the level of the superstructure deck between the poop and the midship bridge or deckhouse where fitted, or equivalent means of access shall be provided to carry out the purpose of the gangway, such as passages below deck. Elsewhere, and on Type "A" ships without a midship bridge, arrangements to the satisfaction of the Administration shall be provided to safeguard the crew in reaching all parts used in the necessary work of the ship.

(3) Safe and satisfactory access from the gangway level shall be available between separate crew accommodations and also between crew accommodations and the machinery space.

Hatchways

(4) Exposed hatchways on the freeboard and forecastle decks or on the tops of expansion trunks on Type "A" ships shall be provided with efficient watertight covers of steel or other equivalent material.

Freeing arrangements

(5) Type "A" ships with bulwarks shall have open rails fitted for at least half the length of the exposed parts of the weather deck or other effective freeing arrangements. The upper edge of the sheer strake shall be kept as low as practicable.

(6) Where superstructures are connected by trunks, open rails shall be fitted for the whole length of the exposed parts of the freeboard deck.

CHAPTER III. FREEBOARDS

Regulation 27

Types of Ships

(1) For the purposes of freeboard computation ships shall be divided into Type "A" and Type "B".

Type "A" ships

(2) A type "A" ship is one which is designed to carry only liquid cargoes in bulk, and in which cargo tanks have only small access openings closed by watertight gasketed covers of steel or equivalent material. Such a ship necessarily has the following inherent features:

(a) high integrity of the exposed deck; and

(b) high degree of safety against flooding, resulting from the low permeability of loaded cargo spaces and the degree of subdivision usually provided.

(3) A type "A" ship, if over 150 metres (492 feet) in length, and designed to have empty compartments when loaded to her summer load waterline, shall be able to withstand the flooding of any one of these empty compartments at an assumed permeability of 0.95, and remain afloat in a condition of equilibrium considered to be satisfactory by the Administration. In such a ship, over 225 metres (738 feet) in length, the machinery space shall be treated as a floodable compartment but with a permeability of 0.85.

For the guidance of Administrations the following limits may be regarded as satisfactory:

(a) The final waterline after flooding is below the lower edge of any opening through which progressive flooding may take place.

(b) The maximum angle of heel due to unsymmetrical flooding is of the order of 15°.

(c) The metacentric height in the flooded condition is positive.

(4) A Type "A" ship shall be assigned a freeboard not less than that based on Table A of Regulation 28.

Type "B" ships

(5) All ships which do not come within the provisions regarding Type "A" ships in paragraphs (2) and (3) of this Regulation shall be considered as Type "B" ships.

(6) Type "B" ships, which in position 1 have hatchways fitted with hatch covers complying with the requirements of Regulations 15(7) or 16 shall, except as provided in paragraphs (7) to (10) inclusive of this Regulation, be assigned freeboards based on Table B of Regulation 28.

(7) Any Type "B" ships of over 100 metres (328 feet) in length may be assigned freeboards less than those required under paragraph (6) of this Regulation provided that, in relation to the amount of reduction granted, the Administration is satisfied that:

(a) the measures provided for the protection of the crew are adequate;

(b) the freeing arrangements are adequate;

(c) the covers in positions 1 and 2 comply with the provisions of Regulation 16 and have adequate strength; special care being given to their sealing and securing arrangements;

(d) the ship, when loaded to her summer load waterline, will remain afloat in a satisfactory condition of equilibrium after flooding of any single damaged compartment at an assumed permeability of 0.95 excluding the machinery space; and

(e) in such a ship, over 225 metres (738 feet) in length, the machinery space shall be treated as a floodable compartment but with a permeability of 0.85.

For the guidance of Administrations in applying sub-paragraphs (d) and (e) of this paragraph the limits given in sub-paragraphs (3)(a), (b) and (c) may be regarded as satisfactory.

The relevant calculations may be based upon the following main assumptions:

the vertical extent of damage is equal to the depth of the ship;

the penetration of damage is not more than B/5;

no main transverse bulkhead is damaged;

the height of the centre of gravity above the base line is assessed allowing for homogeneous loading of cargo holds, and for 50 per cent of the designed capacity of consumable fluids and stores, etc.

(8) In calculating the freeboards for Type "B" ships which comply with the requirements of paragraph (7) of this Regulation, the values from Table B of Regulation 28 shall not be reduced by more than 60 per cent of the difference between the "B" and "A" tabular values for the appropriate ship lengths.

(9) The reduction in tabular freeboard allowed under paragraph (8) of this Regulation may be increased up to the total difference between the values in Table A and those in Table B of Regulation 28 on condition that the ship complies with the requirements of Regulation 26 (1), (2), (3), (5) and (6), as if it were a Type "A" ship, and further complies with the provisions of paragraph 7(a) to (d) inclusive of this Regulation except that the reference in subparagraph (d) to the flooding of any single damaged compartment shall be treated as a reference to the flooding of any two adjacent fore and aft compartments, neither of which is the machinery space. Also any such ship of over 225 metres (738 feet) in length, when loaded to her summer load waterline, shall remain afloat in a satisfactory condition of equilibrium after flooding of the machinery space, taken alone, at an assumed permeability of 0.85.

(10) Type "B" ships, which in position 1 have hatchways fitted with hatch covers which comply with the requirements of Regulation 15, other than paragraph (7), shall be assigned freeboards based upon the values given in Table B of Regulation 28 increased by the values given in the following table:

Freeboard increases over tabular freeboard for type B ships, for ships with hatch covers not complying with regulations 15(7) or 16

Length of ship	Freeboard increase	Length of ship	Freeboard increase	Length of ship	Freeboard increase
Meters	*Millimeters*	*Meters*	*Millimeters*	*Meters*	*Millimeters*
108 and below	50	139	175	170	290
109	52	140	181	171	292
110	55	141	186	172	294
111	57	142	191	173	197
112	59	143	196	174	299
113	62	144	201	175	301
114	64	145	206	176	304
115	68	146	210	177	306
116	70	147	215	178	308
117	73	148	219	179	311
118	76	149	224	180	313
119	80	150	228	181	315
120	84	151	232	182	318
121	87	152	236	183	320
122	91	153	240	184	322
123	95	154	244	185	325
124	99	155	247	186	327
125	103	156	251	187	329
126	108	157	254	188	332
127	112	158	258	189	334
128	116	159	261	190	336
129	121	160	264	191	339
130	126	161	267	192	341
131	131	162	270	193	343
132	136	163	273	194	346
133	142	164	275	195	348
134	147	165	278	196	350
135	153	166	280	197	353
136	159	167	283	198	355
137	164	168	285	199	357
138	170	169	287	200	358

NOTE.—Freeboards at intermediate lengths of ship shall be obtained by linear interpolation. Ships above 200 meters in length shall be dealt with by the Administrations.

Freeboard increase over tabular freeboard for type B ships, for ships with hatch covers not complying with regulations 15(7) or 16

Length of ship	Freeboard increase	Length of ship	Freeboard increase
Feet	*Inches*	*Feet*	*Inches*
350 and below	2.0	510	9.6
360	2.3	520	10.0
370	2.6	530	10.4
380	2.9	540	10.7
390	3.3	550	11.0
400	3.7	560	11.4
410	4.2	570	11.8
420	4.7	580	12.1
430	5.2	590	12.5
440	5.8	600	12.8
450	6.4	610	13.1
460	7.0	620	13.4
470	7.6	630	13.6
480	8.2	640	13.9
490	8.7	650	14.1
500	9.2	660	14.3

Freeboards at intermediate lengths of ship shall be obtained by linear interpolation.

Ships above 660 feet in length shall be dealt with by the Administrations.

(11) A lighter, barge or other ship without independent means of propulsion shall be assigned a freeboard in accordance with the provisions of these Regulations. However, in the case of barges which are unmanned the requirements of Regulations 25, 26 (2) and (3) and 39 shall not apply. Such unmanned barges which have on the freeboard deck only small access openings closed by weathertight gasketed covers of steel or equivalent material may be assigned freeboards 25 per cent less than those calculated in accordance with these Regulations.

Regulation 28

Freeboard Tables

Type "A" ships

(1) The tabular freeboard for Type "A" ships shall be determined from the following table:

TABLE A.—*Freeboard table for type A ships*

Length of ship	Freeboard	Length of ship	Freeboard	Length of ship	Freeboard
Meters	*Millimeters*	*Meters*	*Millimeters*	*Meters*	*Millimeters*
24	200	59	559	94	1,044
25	208	60	573	95	1,059
26	217	61	587	96	1,074
27	225	62	600	97	1,089
28	233	63	613	98	1,105
29	242	64	626	99	1,120
30	250	65	639	100	1,135
31	258	66	653	101	1,151
32	267	67	666	102	1,166
33	275	68	680	103	1,181
34	283	69	693	104	1,196
35	292	70	706	105	1,212
36	300	71	720	106	1,228
37	308	72	733	107	1,244
38	316	73	746	108	1,260
39	325	74	760	109	1,276
40	334	75	773	110	1,293
41	344	76	786	111	1,309
42	354	77	800	112	1,326
43	364	78	814	113	1,342
44	374	79	828	114	1,359
45	385	80	841	115	1,376
46	396	81	855	116	1,392
47	408	82	869	117	1,409
48	420	83	883	118	1,426
49	432	84	897	119	1,442
50	443	85	911	120	1,459
51	455	86	926	121	1,476
52	467	87	940	122	1,494
53	478	88	955	123	1,511
54	490	89	969	124	1,528
55	503	90	984	125	1,546
56	516	91	999	126	1,563
57	530	92	1,014	127	1,580
58	544	93	1,029	128	1,598
129	1,615	174	2,320	219	2,784
130	1,632	175	2,332	220	2,792
131	1,650	176	2,345	221	2,801
132	1,667	177	2,357	222	2,809
133	1,684	178	2,369	223	2,817
134	1,702	179	2,381	224	2,825
135	1,719	180	2,393	225	2,833
136	1,736	181	2,405	226	2,841
137	1,753	182	2,416	227	2,480
138	1,770	183	2,428	228	2,857
139	1,787	184	2,440	229	2,865
140	1,803	185	2,451	230	2,872
141	1,820	186	2,463	231	2,880
142	1,837	187	2,474	232	2,888
143	1,853	188	2,486	233	2,895
144	1,870	189	2,497	234	2,903
145	1,886	190	2,508	235	2,910
146	1,903	191	2,519	236	2,918
147	1,919	192	2,530	237	2,925
148	1,935	193	2,541	238	2,932
149	1,952	194	2,552	239	2,939
150	1,968	195	2,562	240	2,946
151	1,984	196	2,572	241	2,953
152	2,000	197	2,582	242	2,959
153	2,016	198	2,592	243	2,966
154	2,032	199	2,602	244	2,973
155	2,048	200	2,612	245	2,979
156	2,064	201	2,622	246	2,986
157	2,080	202	2,632	247	2,993
158	2,096	203	2,641	248	3,000
159	2,111	204	2,650	249	3,006
160	2,126	205	2,659	250	3,012
161	2,141	206	2,669	251	3,018
162	2,155	207	2,678	252	3,024
163	2,169	208	2,687	253	3,030
164	2,184	209	2,696	254	3,036
165	2,198	210	2,705	255	3,042
166	2,212	211	2,714	256	3,048
167	2,226	212	2,723	257	3,054
168	2,240	213	2,732	258	3,060
169	2,254	214	2,741	259	3,066
170	2,268	215	2,749	260	3,072
171	2,281	216	2,758	261	3,078
172	2,294	217	2,767	202	3,084
173	2,307	218	2,775	263	3,089
264	3,095	298	3,254	332	3,363
265	3,101	299	3,258	333	3,366
266	3,106	300	3,262	334	3,368
267	3,112	301	3,266	335	3,371
268	3,117	302	3,270	336	3,373
269	3,123	303	3,274	337	3,375
270	3,128	304	3,278	338	3,378
271	3,133	305	3,281	339	3,380
272	3,138	306	3,285	340	3,382
273	3,143	307	3,288	341	3,385
274	3,148	308	3,292	342	3,387
275	3,153	309	3,295	343	3,389
276	3,158	310	3,298	344	3,392
277	3,163	311	3,302	345	3,394
278	3,167	312	3,305	346	3,396
279	3,172	313	3,308	347	3,399
280	3,176	314	3,312	348	3,401
281	3,181	315	3,315	349	3,403
282	3,185	316	3,318	350	3,406
283	3,189	317	3,322	351	3,408
284	3,194	318	3,325	352	3,410
285	3,198	319	3,328	353	3,412
286	3,202	320	3,331	354	3,414

TABLE A.—*Freeboard table for type A ships*—Continued

Length of ship	Freeboard	Length of ship	Freeboard	Length of ship	Freeboard
Meters	*Millimeters*	*Meters*	*Millimeters*	*Meters*	*Millimeters*
287	3,207	321	3,334	355	3,416
288	3,211	322	3,337	356	3,418
289	3,215	323	3,339	357	3,420
290	3,220	324	3,342	358	3,422
291	3,224	325	3,345	359	3,423
292	3,228	326	3,347	360	3,425
293	3,233	327	3,350	361	3,427
294	3,237	328	3,353	362	3,428
295	3,241	329	3,355	363	3,430
296	3,246	330	3,358	364	3,432
297	3,250	331	3,361	365	3,433

Freeboards at intermediate lengths of ship shall be obtained by linear interpolation.

Ships above 365 metres in length shall be dealt with by the Administrations.

TABLE A.—*Freeboard table for type A ships*

Length of ship	Freeboard	Length of ship	Freeboard	Length of ship	Freeboard
Feet	*Inches*	*Feet*	*Inches*	*Feet*	*Inches*
80	8.0	460	71.1	840	120.1
90	8.9	470	73.1	850	120.7
100	9.8	480	75.1	860	121.4
110	10.8	490	77.1	870	122.1
120	11.9	500	79.0	880	122.7
130	13.0	510	80.9	890	123.4
140	14.2	520	82.7	900	124.0
150	15.5	530	84.5	910	124.6
160	16.9	540	86.3	920	125.2
170	18.3	550	88.0	930	125.7
180	19.8	560	89.6	940	126.2
190	21.3	570	91.1	950	126.7
200	22.9	580	92.6	960	127.2
210	24.5	590	94.1	970	127.7
220	26.2	600	95.5	980	128.1
230	27.8	610	96.9	990	128.6
240	29.5	620	98.3	1,000	129.0
250	31.1	630	99.6	1,010	129.4
260	32.8	640	100.9	1,020	129.9
270	34.6	650	102.1	1,030	130.3
280	36.3	660	103.3	1,040	130.7
290	38.0	670	104.4	1,050	131.0
300	39.7	680	105.5	1,060	131.4
310	41.4	690	106.6	1,070	131.7
320	43.2	700	107.7	1,080	132.0
330	45.0	710	108.7	1,090	132.3
340	46.9	720	109.7	1,100	132.6
350	48.8	730	110.7	1,110	132.9
360	50.7	740	111.7	1,120	133.2
370	52.7	750	112.6	1,130	133.5
380	54.7	760	113.5	1,140	133.8
390	56.8	770	114.4	1,150	134.0
400	58.8	780	115.3	1,160	134.3
410	60.9	790	116.1	1,170	134.5
420	62.9	800	117.0	1,180	134.7
430	65.0	810	117.8	1,190	135.0
440	67.0	820	118.6	1,200	135.2
450	69.1	830	119.3	----------	----------

Freeboards at intermediate lengths of ship shall be obtained by linear interpolation.

Ships above 1200 feet in length shall be dealt with by the Administrations.

Type "B" ships

(2) The tabular freeboard for Type "B" ships shall be determined from the following table:

TABLE B.—*Freeboard table for type B ships*

Length of ship	Freeboard	Length of ship	Freeboard	Length of ship	Freeboard
Meters	*Millimeters*	*Meters*	*Millimeters*	*Meters*	*Millimeters*
24	200	59	559	94	1,154
25	208	60	573	95	1,172
26	217	61	587	96	1,190
27	225	62	601	97	1,209
28	233	63	615	98	1,229
29	242	64	629	99	1,250
30	250	65	644	100	1,271
31	258	66	659	101	1,293
32	267	67	674	102	1,315
33	275	68	689	103	1,337
34	283	69	705	104	1,359
35	292	70	721	105	1,380
36	300	71	738	106	1,401
37	308	72	754	107	1,421
38	316	73	769	108	1,440

TABLE B.—*Freeboard table for type B ships*—Continued

Length of ship	Freeboard	Length of ship	Freeboard	Length of ship	Freeboard
Meters	*Millimeters*	*Meters*	*Millimeters*	*Meters*	*Millimeters*
39	325	74	784	109	1, 459
40	334	75	800	110	1, 479
41	344	76	816	111	1, 500
42	354	77	833	112	1, 521
43	364	78	850	113	1, 543
44	374	79	868	114	1, 565
45	385	80	887	115	1, 587
46	396	81	905	116	1, 609
47	408	82	923	117	1, 630
48	420	83	942	118	1, 651
49	432	84	960	119	1, 671
50	443	85	978	120	1, 690
51	455	86	996	121	1, 709
52	467	87	1, 015	122	1, 729
53	478	88	1, 034	123	1, 750
54	490	89	1, 054	124	1, 771
55	503	90	1, 075	125	1, 793
56	516	91	1, 096	126	1, 815
57	530	92	1, 116	127	1, 837
58	544	93	1, 135	128	1, 859
129	1, 880	174	2, 795	219	3, 570
130	1, 901	175	2, 815	220	3, 586
131	1, 921	176	2, 835	221	3, 601
132	1, 940	177	2, 855	222	3, 615
133	1, 959	178	2, 875	223	3, 630
134	1, 979	179	2, 895	224	3, 645
135	2, 000	180	2, 915	225	3, 660
136	2, 021	181	2, 933	226	3, 675
137	2, 043	182	2, 952	227	3, 690
138	2, 065	183	2, 970	228	3, 705
139	2, 087	184	2, 988	229	3, 720
140	2, 109	185	3, 007	230	3, 735
141	2, 130	186	3, 025	231	3, 750
142	2, 151	187	3, 044	232	3, 765
143	2, 171	188	3, 062	233	3, 780
144	2, 190	189	3, 080	234	3, 795
145	2, 209	190	3, 098	235	3, 808
146	2, 229	191	3, 116	236	3, 821
147	2, 250	192	3, 134	237	3, 835
148	2, 271	193	3, 151	238	3, 849
149	2, 293	194	3, 167	239	3, 864
150	2, 315	195	3, 185	240	3, 880
151	2, 334	196	3, 202	241	3, 893
152	2, 354	197	3, 219	242	3, 906
153	2, 375	198	3, 235	243	3, 920
154	2, 396	199	3, 249	244	3, 934
155	2, 418	200	3, 264	245	3, 949
156	2, 440	201	3, 280	246	3, 965
157	2, 460	202	3, 296	247	3, 978
158	2, 480	203	3, 313	248	3, 992
159	2, 500	204	3, 330	249	4, 006
160	2, 520	205	3, 347	250	4, 018
161	2, 540	206	3, 363	251	4, 032
162	2, 560	207	3, 380	252	4, 045
163	2, 580	208	3, 397	253	4, 058
164	2, 600	209	3, 413	254	4, 072
165	2, 620	210	3, 430	255	4, 085
166	2, 640	211	3, 445	256	4, 098
167	2, 660	212	3, 460	257	4, 112
168	2, 680	213	3, 475	258	4, 125
169	2, 698	214	3, 490	259	4, 139
170	2, 716	215	3, 505	260	4, 152
171	2, 735	216	3, 520	261	4, 165
172	2, 754	217	3, 537	262	4, 177
173	2, 774	218	3, 554	263	4, 189
264	4, 201	298	4, 607	332	4, 975
265	4, 214	299	4, 618	333	4, 985
266	4, 227	300	4, 630	334	4, 995
267	4, 240	301	4, 642	335	5, 005
268	4, 252	302	4, 654	336	5, 015
269	4, 264	303	4, 665	337	5, 025
270	4, 276	304	4, 676	338	5, 035
271	4, 289	305	4, 686	339	5, 045
272	4, 302	306	4, 695	340	5, 055
273	4, 315	307	4, 704	341	5, 065
274	4, 327	308	4, 714	342	5, 075
275	4, 339	309	4, 725	343	5, 086
276	4, 350	310	4, 736	344	5, 097
277	4, 362	311	4, 748	345	5, 108
278	4, 373	312	4, 757	346	5, 119
279	4, 385	313	4, 768	347	5, 130
280	4, 397	314	4, 779	348	5, 140
281	4, 408	315	4, 790	349	5, 150
282	4, 420	316	4, 801	350	5, 160
283	4, 432	317	4, 812	351	5, 170
284	4, 443	318	4, 823	352	5, 180
285	4, 455	319	4, 834	353	5, 190
286	4, 467	320	4, 844	354	5, 200
287	4, 478	321	4, 855	355	5, 210
288	4, 490	322	4, 866	356	5, 220
289	4, 502	323	4, 878	357	5, 230
290	4, 513	324	4, 890	358	5, 240
291	4, 525	325	4, 899	359	5, 250
292	4, 537	326	4, 909	360	5, 260
293	4, 548	327	4, 920	361	5, 268
294	4, 560	328	4, 931	362	5, 276
295	4, 572	329	4, 943	363	5, 285
296	4, 583	330	5, 955	364	5, 294
297	4, 595	331	4, 965	365	5, 303

NOTE.—Freeboards at intermediate lengths of ship shall be obtained by linear interpolation. Ships above 365 meters in length shall be dealt with by the Administrations.

TABLE B.—*Freeboard table for type B ships*

Length of ship	Freeboard	Length of ship	Freeboard	Length of ship	Freeboard
Feet	*Inches*	*Feet*	*Inches*	*Feet*	*Inches*
80	8. 0	460	83. 1	840	161. 2
90	8. 9	470	85. 6	850	162. 8
100	9. 8	480	88. 1	860	164. 3
110	10. 8	490	90. 6	870	165. 9
120	11. 9	500	93. 1	880	167. 4
130	13. 0	510	95. 6	890	168. 9
140	14. 2	520	98. 1	900	170. 4
150	15. 5	530	100. 6	910	171. 8
160	16. 9	540	103. 0	920	173. 3
170	18. 3	550	105. 4	930	174. 7
180	19. 8	560	107. 7	940	176. 1
190	21. 3	570	110. 0	950	177. 5
200	22. 9	580	112. 3	960	178. 9
210	24. 7	590	114. 6	970	180. 3
220	26. 6	600	116. 8	980	181. 7
230	28. 5	610	119. 0	990	183. 1
240	30. 4	620	121. 1	1, 000	184. 4
250	32. 4	630	123. 2	1, 010	185. 8
260	34. 4	640	125. 3	1, 020	187. 2
270	36. 5	650	127. 3	1, 030	188. 5
280	38. 7	660	129. 3	1, 040	189. 8
290	41. 0	670	131. 3	1, 050	191. 0
300	43. 3	680	133. 3	1. 060	192. 3
310	45. 7	690	135. 3	1, 070	193. 5
320	48. 2	700	137. 1	1, 080	194. 8
330	50. 7	710	139. 0	1, 090	196. 1
340	53. 2	720	140. 9	1, 100	197. 3
350	55. 7	730	142. 7	1, 110	198. 6
360	58. 2	740	144. 5	1, 120	199. 9
370	60. 7	750	146. 3	1, 130	201. 2
380	63. 2	760	148. 1	1, 140	202. 3
390	65. 7	770	149. 8	1, 150	203. 5
400	68. 2	780	151. 5	1, 160	204. 6
410	70. 7	790	153. 2	1, 170	205. 8
420	73. 2	800	154. 8	1, 180	206. 9
430	75. 7	810	156. 4	1, 190	208. 1
440	78. 2	820	158. 0	1, 200	209. 3
450	80. 7	830	159. 6	--------	--------

Freeboards at intermediate lengths of ship shall be obtained by linear interpolation.

Ships above 1200 feet in length shall be dealt with by the Administrations.

Regulation 29

Correction to the Freeboard for Ships Under 100 Metres (328 Feet) in Length

The tabular freeboard for a type "B" ship of between 24 metres (79 feet) and 100 metres (328 feet) in length having enclosed superstructures with an effective length of up to 35 per cent of the length of the ship shall be increased by:

$$\frac{7.5\ (100—L)\ (0.35—E)\ \text{millimetres}}{L}$$

where L=length of ship in metres

E=effective length of superstructure in metres as defined in Regulation 35

or

$$\frac{0.09\ (328—L)\ (0.35—E)\ \text{inches}}{L}$$

where L=length of ship in feet

E=effective length of superstructure in feet as defined in Regulation 35.

Regulation 30

Correction for Block Coefficient

Where the block coefficient (C_b) exceeds 0.68, the tabular freeboard specified in Regulation 28 as modified, if applicable, by Regulations 27(8), 27(10) and 29 shall be multiplied by the factor

$$\frac{C_b+0.68}{1.36}.$$

Regulation 31

Correction for Depth

(1) Where *D* exceeds *L*/15 the freeboard shall be increased by (*D*—*L*/15) *R* millimetres when *R* is *L*/0.48 at lengths less than 120 metres and 250 at 120 metres length and above, or; *D*—*L*/15) *R* inches, where *R* is *L*/131.2 at lengths less than 393.6 feet and 3 at 393.6 feet length and above.

(2) Where *D* is less than *L*/15 no reduction shall be made except in a ship with an enclosed superstructure covering at least 0.6 *L* amidships, with a complete trunk, or combination of detached enclosed superstructures and trunks which extend all fore and aft, where the freeboard shall be reduced at the rate prescribed in paragraph (1) of this Regulation.

(3) Where the height of superstructure or trunk is less than the standard height, the reduction shall be in the ratio of the actual to the standard height as defined in Regulation 33.

Regulation 32

Correction for Position of Deck Line

Where the actual depth to the upper edge of the deck line is greater or less than *D*, the difference between the depths shall be added to or deducted from the freeboard.

Regulation 33

Standard Height of Superstructure

The standard height of a superstructure shall be as given in the following table:

Standard height (in meters)

L (meters)	Raised quarter deck	All other superstructures
30 or less	0. 90	1. 80
75	1. 20	1. 80
125 or more	1. 80	2. 30

Standard height (in feet)

L (feet)	Raised quarter deck	All other superstructures
98.5 or less	3. 0	5. 9
246	3. 9	5. 9
410 or more	5. 9	7. 5

The standard heights at intermediate lengths of the ship shall be obtained by linear interpolation.

Regulation 34

Length of Superstructure

(1) Except as provided in paragraph (2) of this Regulation, the length of a superstructure (S) shall be the mean length of the parts of the superstructure which lie within the length (L).

(2) Where the end bulkhead of an enclosed superstructure extends in a fair convex curve beyond its intersection with the superstructure sides, the length of the superstructure may be increased on the basis of an equivalent plane bulkhead. This increase shall be two-thirds of the fore and aft extent of the curvature. The maximum curvature which may be taken into account in determining this increase is one-half the breadth of the superstructure at the point of intersection of the curved end of the superstructure with its side.

Regulation 35

Effective Length of Superstructure

(1) Except as provided for in paragraph (2) of this Regulation the effective length (E) of an enclosed superstructure of standard height shall be its length.

(2) In all cases where an enclosed superstructure of standard height is set in from the sides of the ship as permitted in Regulation 3(10), the effective length shall be the length modified by the ratio of b/Bs, where

'b' is the breadth of the superstructure at the middle of its length: and

'Bs' is the breadth of the ship at the middle of the length of the superstructure.

Where a superstructure is set in for a part of its length, this modification shall be applied only to the set in part.

(3) Where the height of an enclosed superstructure is less than the standard height, the effective length shall be its length reduced in the ratio of the actual height to the standard height. Where the height exceeds the

standard, no increase shall be made to the effective length of the superstructure.

(4) The effective length of a raised quarter deck, if fitted with an intact front bulkhead, shall be its length up to a maximum of 0.6 L. Where the bulkhead is not intact, the raised quarter deck shall be treated as a poop of less than standard height.

(5) Superstructures which are not enclosed shall have no effective length.

Regulation 36

Trunks

(1) A trunk or similar structure which does not extend to the sides of the ship shall be regarded as efficient on the following conditions:

(a) the trunk is at least as strong as a superstructure;

(b) the hatchways are in the trunk deck, and the hatchway coamings and covers comply with the requirements of Regulations 13 to 16 inclusive and the width of the trunk deck stringer provides a satisfactory gangway and sufficient lateral stiffness. However, small access openings with watertight covers may be permitted in the freeboard deck;

(c) a permanent working platform fore and aft fitted with guard rails is provided by the trunk deck, or by detached trunks connected to superstructures by efficient permanent gangways;

(d) ventilators are protected by the trunk, by watertight covers or by other equivalent means;

(e) open rails are fitted on the weather parts of the freeboard deck in way of the trunk for at least half their length;

(f) the machinery casings are protected by the trunk, by a superstructure of at least standard height, or by a deckhouse of the same height and of equivalent strength;

(g) the breadth of the trunk is at least 60 per cent of the breadth of the ship; and

(h) where there is no superstructure, the length of the trunk is at least 0.6 L.

(2) The full length of an efficient trunk reduced in the ratio of its mean breadth to B shall be its effective length.

(3) The standard height of a trunk is the standard height of a superstructure other than a raised quarter deck.

(4) Where the height of a trunk is less than the standard height, its effective length shall be reduced in the ratio of the actual to the standard height. Where the height of hatchway coamings on the trunk deck is less than that required under Regulation 15(1), a reduction from the actual height of truck shall be made which corresponds to the difference between the actual and the required height of coaming.

Regulation 37

Deduction for Superstructures and Trunks

(1) Where the effective length of superstructures and trunks is 1.0 L, the deduction from the freeboard shall be 350 millimetres at 24 metres length of ship, 860 millimetres at 85 metres length, and 1070 millimetres at 122 metres length and above (14 inches at 79 feet length of ship, 34 inches at 279 feet length, and 42 inches at 400 feet length and above); deductions at intermediate lengths shall be obtained by linear interpolation.

(2) Where the total effective length of superstructures and trunks is less than 1.0 L the deduction shall be a percentage obtained from one of the following tables:

Percentage of deduction for type A ships

	Total effective length of superstructures and trunks										
	0	0.1 L	0.2 L	0.3 L	0.4 L	0.5 L	0.6 L	0.7 L	0.8 L	0.9 L	1.0 L
Percentage of deduction for all types of superstructures	0	7	14	21	31	41	52	63	75.5	87.7	100

Percentages at intermediate lengths of superstructures shall be obtained by linear interpolation.

Percentage of deduction for type B ships

	Line	Total effective length of superstructures and trunks										
		0	0.1 L	0.2 L	0.3 L	0.4 L	0.5 L	0.6 L	0.7 L	0.8 L	0.9 L	1.0 L
Ships with forecastle and without detached bridge	I	0	5	10	15	23.5	32	46	63	75.3	87.7	100
Ships with forecastle and detached bridge	II	0	6.3	12.7	19	27.5	36	46	63	75.3	87.7	100

Percentages at intermediate lengths of superstructures shall be obtained by linear interpolation.

(3) For ships of type "B":

(a) Where the effective length of a bridge is less than 0.2 L, the percentages shall be obtained by linear interpolation between lines I and II.

(b) Where the effective length of a forecastle is more than 0.4 L, the percentages shall be obtained from line II.

(c) Where the effective length of a forecastle is less than 0.07 L, the above percentages shall be reduced by:

$$5 \times \frac{(0.07\ L - f)}{0.07\ L}$$

where f is the effective length of the forecastle.

Regulation 38

Sheer

General

(1) The sheer shall be measured from the deck at side to a line of reference drawn parallel to the keel through the sheer line at amidships.

(2) In ships designed with a rake of keel, the sheer shall be measured in relation to a reference line drawn parallel to the design load waterline.

(3) In flush deck ships and in ships with detached superstructures the sheer shall be measured at the freeboard deck.

(4) In ships with topsides of unusual form in which there is a step or break in the topsides, the sheer shall be considered in relation to the equivalent depth amidships.

(5) In ships with a superstructure of standard height which extends over the whole length of the freeboard deck, the sheer shall be measured at the superstructure deck. Where the height exceeds the standard the least difference (Z) between the actual and standard heights shall be added to each end ordinate. Similarly, the intermediate ordinates at distances of ⅙ L and ⅓ L from each perpendicular shall be increased by 0.444 Z and 0.111 Z respectively.

(6) Where the deck of an enclosed superstructure has at least the same sheer as the exposed freeboard deck, the sheer of the enclosed portion of the freeboard deck shall not be taken into account.

(7) Where an enclosed poop or forecastle is of standard height with greater sheer than that of the freeboard deck, or is more than standard height, an addition to the sheer of the freeboard deck shall be made as provided in paragraph (12) of this Regulation.

Standard sheer profile

(8) The ordinates of the standard sheer profile are given in the following table:

Standard sheer profile

[Where L is in meters]

	Station	Ordinate (in millimeters)	Factor
After half	After Perpendicular	$25\left(\frac{L}{3}+10\right)$	1
	⅙ L from A.P.	$11.1\left(\frac{L}{3}+10\right)$	3
	⅓ L from A.P.	$2.8\left(\frac{L}{3}+10\right)$	3
	Amidships	0	1
Forward half	Amidships	0	1
	⅓ L from F.P.	$5.6\left(\frac{L}{3}+10\right)$	3
	⅙ L from F.P.	$22.2\left(\frac{L}{3}+10\right)$	3
	Forward Perpendicular	$50\left(\frac{L}{3}+10\right)$	1

Standard sheer profile

[Where L is in feet]

	Station	Ordinate (in inches)	Factor
After half	After Perpendicular	0.1 L+10	1
	⅙ L from A.P.	0.0444 L+4.44	3
	⅓ L from A.P.	0.0111 L+1.11	3
	Amidships	0	1
Forward half	Amidships	0	1
	⅓ L from F.P.	0.0222 L+2.22	3
	⅙ L from F.P.	0.0888 L+8.88	3
	Forward Perpendicular	0.2 L+20	1

Measurement of variation from standard sheer profile

(9) Where the sheer profile differs from the standard, the four ordinates of each profile in the forward or after half shall be multiplied by the appropriate factors given in the Table of ordinates. The difference between the sums of the respective products and those of the standard divided by 8 measures the deficiency or excess of sheer in the forward or after half. The arithmetical mean of the excess or deficiency in the forward and after halves measures the excess or deficiency of sheer.

(10) Where the after half of the sheer profile is greater than the standard and the forward half is less than the standard, no credit shall be allowed for the part in excess and deficiency only shall be measured.

(11) Where the forward half of the sheer profile exceeds the standard, and the after portion of the sheer profile is not less than 75 per cent of the standard, credit shall be allowed for the part in excess; where the after part is less than 50 per cent of the standard no credit shall be given for the excess sheer forward. Where the after sheer is between 50 per cent and 75 per cent of the standard, intermediate allowances may be granted for excess sheer forward.

(12) Where sheer credit is given for a poop or forecastle the following formula shall be used:

$$s=\frac{y}{3}\frac{L'}{L}$$

Where s =sheer credit, to be deducted from the deficiency or added to the excess of sheer.

y =difference between actual and standard height of superstructure at the end of sheer.

L' =mean enclosed length of poop or forecastle up to a maximum length of 0.5 L.

L =length of ship as defined in Regulation 3(1) of this Annex.

The above formula provides a curve in the form of a parabola tangent to the actual sheer curve at the freeboard deck and intersecting the end ordinate at a point below the superstructure deck a distance equal to the standard height of a superstructure. The superstructure deck shall not be less than standard height above this curve at any point. This curve shall be used in determining the sheer profile for forward and after halves of the ship.

Correction for variations from standard sheer profile

(13) The correction for sheer shall be the deficiency or excess of sheer (see paragraphs (9) to (11) inclusive of this Regulation), multiplied by

$$0.75-\frac{S}{2L}$$

where S is the total length of enclosed superstructures.

Addition for deficiency is sheer

(14) Where the sheer is less than the standard, the correction for deficiency in sheer (see paragraph (13) of this Regulation) shall be added to the freeboard.

Deduction for excess sheer

(15) In ships where an enclosed superstructure covers 0.1 L before and 0.1 L abaft amidships, the correction for excess of sheer as calculated under the provisions of paragraph (13) of this Regulation shall be deducted from the freeboard; in ships where no enclosed superstructure covers amidships, no deduction shall be made from the freeboard; where an enclosed superstructure covers less than 0.1 L before and 0.1 L abaft amidships, the deduction shall be obtained by linear interpolation. The maximum deduction for excess sheer shall be at the rate of 125 millimetres per 100 metres of length (1½ inches per 100 feet of length).

Regulation 39

Minimum Bow Height

(1) The bow height defined as the vertical distance at the forward perpendicular between the waterline corresponding to the assigned summer freeboard and the designed trim and the top of the exposed deck at side shall be not less than:

for ships below 250 metres in length,

$$56L\left(1-\frac{L}{500}\right)\frac{1.36}{C_b+0.68}\text{ millimetres;}$$

for ships of 250 metres and above in length,

$$7000\frac{1.36}{C_b+0.68}\text{millimetres;}$$

where L is the length of the ship in metres, C_b is the block coefficient which is to be taken as not less than 0.68

Or, for ships below 820 feet in length,

$$0.672L\left(1-\frac{L}{1640}\right)\frac{1.36}{C_b+0.68}\text{inches;}$$

for ships of 820 feet and above in length,

$$275.6\frac{1.36}{C_b+0.68}\text{inches;}$$

where L is the length of the ship in feet, C_b is the block coefficient which is to be taken as not less than 0.68.

(2) Where the bow height required in paragraph (1) of this Regulation is obtained by sheer, the sheer shall extend for at least 15 percent of the length of the ship measured from the forward perpendicular. Where it is obtained by fitting a superstructure, such superstructure shall extend from the stem to a point at least 0.07 L abaft the forward perpendicular, and it shall comply with the following requirements:

(a) for ships not over 100 metres (328 feet) in length it shall be enclosed as defined in Regulation 3(10), and

(b) for ships over 100 metres (328 feet) in length it need not comply with Regulation 3(10) but shall be fitted with closing appliances to the satisfaction of the Administration.

(3) Ships which, to suit exceptional operational requirements, cannot meet the requirements of paragraphs (1) and (2) of this Regulation may be given special consideration by the Administration.

Regulation II

Minimum Freeboards

Summer freeboard:

(1) The minimum freeboard in summer shall be the freeboard derived from the Tables in Regulation 28 as modified by the corrections in Regulations 27, as applicable, 29, 30, 31, 32, 37, 38 and, if applicable, 39.

(2) The freeboard in salt water, as calculated in accordance with paragraph (1) of this Regulation, but without the correction for deck line, as provided by Regulation 32, shall not be less than 50 millimetres (2 inches). For ships having in position 1 hatchways with covers which do not comply with the requirements of Regulations 15(7), 16 or 26, the freeboard shall be not less than 150 millimetres (6 inches).

Tropical freeboard:

(3) The minimum freeboard in the Tropical Zone shall be the freeboard obtained by a deduction from the summer freeboard of one forty-eighth of the summer draught measured from the top of the keel to the centre of the ring of the load line mark.

(4) The freeboard in salt water, as calculated in accordance with paragraph (1) of this Regulation, but without the correction for deck line, as provided by Regulation 34, shall not be less than 50 millimetres (2 inches). For ships having in position 1 hatchways with covers which do not comply with the requirements of Regulations 15(7), 16 or 26, the freeboard shall be not less than 150 millimetres (6 inches).

Winter freeboard

(5) The minimum freeboard in winter shall be the freeboard obtained by an addition to the summer freeboard of one forty-eighth of summer draught, measured from the top of the keel to the centre of the ring of the load line mark.

Winter North Atlantic freeboard

(6) The minimum freeboard for ships of not more than 100 metres (328 feet) in length which enter any part of the North Atlantic defined in Regulation 52 (Annex II), during the winter seasonal period shall be the winter freeboard plus 50 millimetres (2 inches). For other ships, the Winter North Atlantic Freeboard shall be the winter freeboard.

Fresh water freeboard

(7) The minimum freeboard in fresh water of unit density shall be obtained by deducting from the minimum freeboard in salt water:

$$\frac{\Delta}{40\,T}\text{ centimetres (inches)}$$

where Δ=displacement in salt water in tons at the summer load waterline

T=tons per centimetre (inch) immersion in salt water at the summer load waterline.

(8) Where the displacement at the summer load waterline cannot be certified, the deduction shall be one forty-eighth of summer draught measured from the top of the keel to the centre of the ring of the load line mark.

CHAPTER IV. SPECIAL REQUIREMENTS FOR SHIPS ASSIGNED TIMBER FREEBOARDS

Regulation 41

Application of this chapter

Regulations 42 to 45 inclusive apply only to ships to which timber load lines are assigned.

Regulation 42

Definitions

(1) *Timber Deck Cargo.*—The term "timber deck cargo" means a cargo of timber carried on an uncovered part of a free board or superstructure deck. The term does not include wood pulp or similar cargo.

(2) *Timber Load Line.*—A timber deck cargo may be regarded as giving a ship a certain additional buoyancy and a greater degree of protection against the sea. For that reason, ships carrying a timber deck cargo may be granted a reduction of freeboard calculated according to the provisions of Regulation 45 and marked on the ship's side in accordance with the provisions of Regulation 6 (3) and (4). However, in order that such special freeboard may be granted and used, the timber deck cargo shall comply with certain conditions which are laid down in Regulation 44, and the ship itself shall also comply with certain conditions relating to its construction which are set out in Regulation 43.

Regulation 43

Construction of Ship

Superstructure:

(1) Ships shall have a forecastle of at least standard height and a length of at least 0.07 L. In addition, if the ship is less than 100 metres (328 feet) in length, a poop of at least standard height, or a raised quarter deck with either a deckhouse or a strong steel hood of at least the same total height shall be fitted aft.

Double bottom tanks:

(2) Double bottom tanks where fitted within the midship half length of the ship shall have adequate watertight longitudinal subdivision.

Bulwarks:

(3) The ship shall be fitted either with permanent bulwarks at least 1 metre (39½ inches) in height, specially stiffened on the upper edge and supported by strong bulwark stays attached to the deck and provided with necessary freeing ports, or with efficient rails of the same height and of specially strong construction.

Regulation 44

Stowage

General:

(1) Openings in the weather deck over which cargo is stowed shall be securely closed and battened down. The ventilators shall be efficiently protected.

(2) Timber deck cargo shall extend over at least the entire available length which is the total length of the well or wells between superstructures. Where there is no limiting superstructure at the after end, the timber shall extend at least to the after end of the aftermost hatchway. The timber shall be stowed as solidly as possible to at least the standard height of the superstructure.

(3) On a ship within a seasonal winter zone in winter, the height of the deck cargo above the weather deck shall not exceed one-third of the extreme breadth of the ship.

(4) The timber deck cargo shall be compactly stowed, lashed and secured. It shall

not interfere in any way with the navigation and necessary work of the ship.

Uprights

(5) Uprights, when required by the nature of the timber, shall be of adequate strength considering the breadth of the ship; the spacing shall be suitable for the length and character of timber carried, but shall not exceed 3 metres (9.8 feet). Strong angles or metal sockets or equally efficient means shall be provided for securing the uprights.

Lashings:

(6) Timber deck cargo shall be efficiently secured throughout its length by independent over-all lashings spaced not more than 3 metres (9.8 feet) apart. Eye plates for these lashings shall be efficiently attached to the sheer strake or to the deck stringer plate at intervals of not more than 3 metres (9.8 feet). The distance from an end bulkhead of a superstructure to the first eye plate shall be not more than 2 metres (6.6 feet). Eye plates and lashings shall be provided 0.6 metres (23½ inches) and 1.5 metres (4.9 feet) from the ends of timber deck cargoes where there is no bulkhead.

(7) Lashings shall be not less than 19 millimetres (¾ inch) close link chain or flexible wire rope of equivalent strength, fitted with sliphooks and turnbuckles, which shall be accessible at all times. Wire rope lashings shall have a short length of long link chain to permit the length of lashings to be regulated.

(8) When timber is in lengths less than 3.6 metres (11.8 feet) the spacing of the lashings shall be reduced or other suitable provisions made to suit the length of timber.

(9) All fittings required for securing the lashings shall be of strength corresponding to the strength of the lashings.

Stability:

(10) Provision shall be made for a safe margin of stability at all stages of the voyage, regard being given to additions of weight, such as those due to absorption of water and icing and to losses of weight such as those due to consumption of fuel and stores.

Protection of crew, access to machinery spaces, etc.:

(11) In addition to the requirements of Regulation 25(5) of this Annex guardrails or life lines spaced not more than 33 centimetres (13 inches) apart vertically shall be provided on each side of the deck cargo to a height of at least 1 metre (39½ inches) above the cargo.

Steering arrangements:

(12) Steering arrangements shall be effectively protected from damage by cargo and, as far as practicable, shall be accessible. Efficient provision shall be made for steering in the event of a breakdown in the main steering arrangements.

Regulation 45

Computation for Freeboard

(1) The minimum summer freeboards are computed in accordance with Regulations 27 (5), 27(6), 27(11), 28, 29, 30, 31, 32, 37 and 38, except that Regulation 37 is modified by substituting the following percentages for those given in Regulation 37:

	Total effective length of superstructures										
	0	0.1 L	0.2 L	0.3 L	0.4 L	0.5 L	0.6 L	0.7 L	0.8 L	0.9 L	1.0 L
Percentage of deduction for all types of superstructure	20	31	42	53	64	70	76	82	88	94	100

Percentages at intermediate lengths of superstructures shall be obtained by linear interpolation.

(2) The Winter Timber Freeboard shall be obtained by adding to the Summer Timber Freeboard one thirty-sixth of the moulded summer timber draught.

(3) The Winter North Atlantic Timber Freeboard shall be the same as the Winter North Atlantic Freeboard prescribed in Regulation 40(6).

(4) The Tropical Timber Freeboard shall be obtained by deducting from the Summer Timber Freeboard one forty-eighth of the moulded summer timber draught.

(5) The Fresh Water Timber Freeboard shall be computed in accordance with Regulation 40(7) based on the summer timber load waterline.

ANNEX II—ZONES, AREAS, AND SEASONAL PERIODS

The zones and areas in this Annex are, in general, based on the following criteria:

Summer—not more than 10 per cent winds of force 8 Beaufort (34 knots) or more.

Tropical—not more than 1 per cent winds of force 8 Beaufort (34 knots) or more. Not more than one tropical storm in 10 years in an area of 5° square in any one separate calendar month.

In certain special areas, for practical reasons, some degree of relaxation has been found acceptable.

A chart is attached to this Annex to illustrate the zones and areas defined below.

Regulation 46

Northern Winter Seasonal Zones and Area

(1) *North Atlantic Winter Seasonal Zones I and II.*—

(a) The North Atlantic Winter Seasonal Zone I lies within the meridian of longitude 50°W from the coast of Greenland to latitude 45°N, thence the parallel of latitude 45°N to longitude 15°W, thence the meridian of longitude 15°W to latitude 60°N, thence the parallel of latitude 60°N to the Greenwich Meridian, thence this meridian northwards.

Seasonal periods: Winter, 16 October to 15 April; summer, 16 April to 15 October.

(b) The North Atlantic Winter Seasonal Zone II lies within the meridian of longitude 68°30′W from the coast of the United States to latitude 40°N, thence the rhumb line to the point latitude 36°N, longitude 73°W, thence the parallel of latitude 36°N to longitude 25°W and thence the rhumb line to Cape Toriñana.

Excluded from this zone are the North Atlantic Winter Seasonal Zone I and the Baltic Sea bounded by the parallel of the latitude of The Skaw in the Skagerrak.

Seasonal periods: Winter: 1 November to 31 March; summer: 1 April to 31 October.

(2) *North Atlantic Winter Seasonal Area.*—The boundary of the North Atlantic Winter Seasonal Area is—the meridian of longitude 68°30′W from the coast of the United States to latitude 40°N, thence the rhumb line to the southern-most intersection of the meridian of longitude 61°W with the coast of Canada and thence the east coasts of Canada and the United States.

Seasonal periods: For ships over 100 metres (328 feet) in length: Winter: 16 December to 15 February; summer: 16 February to 15 December.

For ships of 100 metres (328 feet) and under in length: Winter: 1 November to 31 March; summer: 1 April to 31 October.

(3) *North Pacific Winter Seasonal Zone.*—The southern boundary of the North Pacific Winter Seasonal Zone is—the parallel of latitude 50° N from the east coast of the USSR to the west coast of Sakhalin, thence the west coast of Sakhalin to the southern extremity of Kurilion, thence the rhumb line to Wakkanai, Hokkaido, Japan, thence the east and south coasts of Hokkaido to longitude 145° E, thence the meridian of longitude 145° E to latitude 35° N, thence the parallel of latitude 35° N to longitude 150° W and thence the rhumb line to the southern extremity of Dall Island, Alaska.

Seasonal periods: Winter: 16 October to 15 April; summer: 16 April to 15 October.

Regulation 47

Southern Winter Seasonal Zone

The northern boundary of the Southern Winter Seasonal Zone is—the rhumb line from the east coast of the American continent at Cape Tres Puntas to the point latitude 34°S, longitude 50° W, thence the parallel of latitude 34°S to longitude 17°E, thence the rhumb line to the point latitude 35°10′S, longitude 20°E, thence the rhumb line to the point latitude 34°S, longitude 28°E, thence along the rhumb line to the point latitude 35°30′S, longitude 118°E, and thence the rhumb line to Cape Grim on the northwest coast of Tasmania; thence along the north and east coasts of Tasmania to the southernmost point of Bruny Island, thence the rhumb line to Black Rock Point on Stewart Island, thence the rhumb line to the point latitude 47°S, longitude 170°E, thence along the rhumb line to the point latitude 33°S, longitude 170°W, and thence the parallel of latitude 33°S to the west coast of the American continent.

Seasonal periods: Winter: 16 April to 15 October; summer: 16 October to 15 April.

Regulation 48

Tropical Zone

(1) *Northern Boundary of the Tropical Zone.*—The northern boundary of the Tropical Zone is—the parallel of latitude 13°N from the east coast of the American continent to longitude 60°W, thence the rhumb line to the point latitude 10°N, longitude 58°W, thence the parallel of latitude 10°N to longitude 20°W, thence the meridian of longitude 20°W to latitude 30°N and thence the parallel of latitude 30°N to the west coast of Africa; from the east coast of Africa the parallel of latitude 8°N to longitude 70°E, thence the meridian of longitude 70°E to latitude 13°N, thence the parallel of latitude 13°N to the west coast of India; thence the south coast of India to latitude 10°30′N on the east coast of India, thence the rhumb line to the point latitude 9°N. longitude 82°E, thence the meridian of longitude 82°E to latitude 8°N, thence the parallel of latitude 8°N to the west coast of Malaysia, thence the coast of South-East Asia to the east coast of Vietnam at latitude 10°N, thence the parallel of latitude 10°N to longitude 145°E, thence the meridian of longitude 145°E to latitude 13°N and thence the parallel of latitude 13°N to the west coast of the American continent.

Saigon is to be considered as being on the boundary line of the Tropical Zone and the Seasonal Tropical Area.

(2) *Southern Boundary of the Tropical Zone.*—The southern boundary of the Tropical Zone is—the rhumb line from the Port of Santos, Brazil, to the point where the meridian of longitude 40°W intersects the Tropic of Capricorn; thence the Tropic of Capricorn to the west coast of Africa; from the east coast of Africa the parallel of latitude 20°S to the west coast of Madagascar, thence the west and north coasts of Madagascar to longitude 50°E, thence the meridian of longitude 50°E to latitude 10°S, thence the parallel of latitude 10°S to longitude 98°E, thence the rhumb line to Port Darwin, Australia, thence the coasts of Australia and Wessel Island eastwards to Cape Wessel, thence the parallel of latitude 11°S to the west side of Cape York; from the east side of Cape York the parallel of latitude 11°S to longitude 150°W, thence the rhumb

line to the point latitude 26°S, longitude 75°W, and thence the rhumb line to the west coast of the American continent at latitude 30°S.

Coquimbo and Santos are to be considered as being on the boundary line of the Tropical and Summer Zones.

(3) *Areas to be included in the Tropical Zone.*—The following areas are to be treated as included in the Tropical Zone—

(a) The Suez Canal, the Red Sea and the Gulf of Aden, from Port Said to the meridian of longitude 45°E.

Aden and Berbera are to be considered as being on the boundary line of the Tropical Zone and the Seasonal Tropical Area.

(b) The Persian Gulf to the meridian of longitude 59°E.

(c) The area bounded by the parallel of latitude 22°S from the east coast of Australia to the Great Barrier Reef, thence the Great Barrier Reef to latitude 11°S. The northern boundary of the area is the southern boundary of the Tropical Zone.

Regulation 49

Seasonal Tropical Areas

The following are Seasonal Tropical Areas:

(1) *In the North Atlantic.*—An area bounded—on the north by the rhumb line from Cape Catoche, Yucatan, to Cape San Antonio, Cuba, the north coast of Cuba to latitude 20°N and thence the parallel of latitude 20°N to longitude 20°W; on the west by the coast of the American continent; on the south and east by the northern boundary of the Tropical Zone.

Seasonal periods: Tropical: 1 November to 15 July. Summer: 16 July to 31 October.

(2) *In the Arabian Sea.*—An area bounded—on the west by the coast of Africa, the meridian of longitude 45°E in the Gulf of Aden, the coast of South Arabia and the meridian of longitude 59°E in the Gulf of Oman; on the north and east by the coasts of Pakistan and India; on the south by the northern boundary of the Tropical Zone.

Seasonal periods: Tropical: 1 September to 31 May; summer: 1 June to 31 August.

(3) *In the Bay of Bengal.*—The Bay of Bengal north of the northern boundary of the Tropical Zone.

Seasonal periods: Tropical: 1 December to 30 April; summer: 1 May to 30 November.

(4) *In the South Indian Ocean.*—

(a) An area bounded—on the north and west by the southern boundary of the Tropical Zone and the east coast of Madagascar; on the south by the parallel of latitude 20°S; on the east by the rhumb line from the point latitude 20°S, longitude 50°E, to the point latitude 15°S, longitude 51°30′E, and thence by the meridian of longitude 51°30′E to latitude 10°S.

Seasonal periods: Tropical: 1 April to 30 November; summer: 1 December to 31 March.

(b) An area bounded—on the north by the southern boundary of the Tropical Zone; on the east by the coast of Australia; on the south by the parallel of latitudes 15°S from longitude 51°30′E, to longitude 120°E and thence the meridan of longitude 120°E to the coast of Australia; on the west by the meridian of longitude 51°31′E.

Seasonal periods: Tropical: 1 May to 30 November. summer: 1 December to 30 April.

(5) *In the China Sea.*—An area bounded—on the west and north by the coasts of Vietnam and China from latitude 10°N to Hong Kong; on the east by the rhumb line from Hong Kong to the Port of Sual (Luzon Island) and the west coasts of the Islands of Luzon, Samar and Leyte to latitude 10°N; on the south by the parallel of latitude 10°N.

Hong Kong and Sual are to be considered as being on the boundary of the Seasonal Tropical Area and Summer Zone.

Seasonal periods: Tropical: 21 January to 30 April; summer: 1 May to 20 January.

(6) *In the North Pacific.*—(a) An area bounded on the north by the parallel of latitude 25°N; on the west by the meridian of longitude 160°E; on the south by the parallel of latitude 13°N; on the east by the meridian of longitude 130°W.

Seasonal periods: Tropical: 1 April to 31 October; summer: 1 November to 31 March.

(b) An area bounded—on the north and east by the west coast of the American continent; on the west by the meridian of longitude 123°W from the coast of the American continent to latitude 33°N and by the rhumb line from the point latitude 33°N, longitude 123°W, to the point latitude 13°N, longitude 105°W; on the south by the parallel of latitude 13°N.

Seasonal periods:

Tropical: 1 March to 30 June and 1 November to 30 November.

Summer: 1 July to 31 October and 1 December to 28/29 February.

(7) *In the South Pacific.*—

(a) The Gulf of Carpentaria south of latitude 11°S.

Seasonal periods: Tropical: 1 April to 30 November; summer: 1 December to 31 March.

(b) An area bounded—On the north and east by the southern boundary of the Tropical Zone; on the south by the Tropic of Capricorn from the east coast of Australia to longitude 150°W, thence by the meridian of longitude 150°W to latitude 20°S and thence by the parallel of latitude 20°S to the point where it intersects the southern boundary of the Tropical Zone; on the west by the boundaries of the area within the Great Barrier Reef included in the Tropical Zone and by the east coast of Australia.

Seasonal periods: Tropical: 1 April to 30 November; summer: 1 December to 31 March.

Regulation 50

Summer Zones

The remaining areas constitute the Summer Zones.

However, for ships of 100 metres (328 feet) and under in length, the area bounded—on the north and west by the east coast of the United States; on the east by the meridian of longitude 68°30′W from the coast of the United States to latitude 40°N and thence by the rhumb line to the point latitude 36°N, longitude 73°W; on the south by the parallel of latitude 36°N; is a Winter Seasonal Area.

Seasonal periods: Winter: 1 November to 31 March; summer: 1 April to 31 October.

Regulation 51

Enclosed Seas

(1) *Baltic Sea.*—This sea bounded by the parallel of latitude of The Skaw in the Skagerrak is included in the Summer Zones.

However, for ships of 100 metres (328 feet) and under in length, it is a Winter Seasonal Area.

Seasonal periods: Winter: 1 November to 31 March; summer: 1 April to 31 October.

(2) *Black Sea.*—This sea is included in the Summer Zones.

However, for ships of 100 metres (328 feet) and under in length, the area north of latitude 44°N is a Winter Seasonal Area.

Seasonal periods: Winter: 1 December to 28/29 February; summer: 1 March to 30 November.

(3) *Mediterranean.*—This sea is included in the Summer Zones.

However, for ships of 100 metres (328 feet) and under in length, the area bounded—on the north and west by the coasts of France and Spain and the meridian of longitude 3°E from the coast of Spain to latitude 40°N; on the south by the parallel of latitude 40°N from longitude 3°E to the west coast of Sardinia; on the east by the west and north coasts of Sardinia from latitude 40°N to longitude 9°E, thence by the meridian of longitude 9°E to the south coast of Corsica, thence by the west and north coasts of Corsica to longitude 9°E and thence by the rhumb line to Cape Sicié; is a Winter Seasonal Area.

Seasonal periods: Winter: 16 December to 15 March; summer: 16 March to 15 December.

(4) *Sea of Japan.*—This sea south of latitude 50°N is included in the Summer Zones.

However, for ships of 100 metres (328 feet) and under in length, the area between the parallel of latitude 50°N and the rhumb line from the east coast of Korea at latitude 38°N to the west coast of Hokkaido, Japan, at latitude 43°12′N is a Winter Seasonal Area.

Seasonal periods: Winter: 1 December to 28/29 February; summer: 1 March to 30 November.

Regulation 52

The Winter North Atlantic Load Line

The part of the North Atlantic referred to in Regulation 40(6) (Annex I) comprises:

(a) that part of the North Atlantic Winter Seasonal Zone II which lies between the meridians of 15°W and 50°W;

(b) the whole of the North Atlantic Winter Seasonal Zone I, the Shetland Islands to be considered as being on the boundary.

ANNEX III—CERTIFICATES

INTERNATIONAL LOAD LINE CERTIFICATE (1966)

[Official seal]

Issued under the provisions of the International Convention on Load Lines, 1966 under the authority of the Government of..................... (full official designation of the country) by .... (full official designation of the competent person or organization recognized under the provisions of the International Convention on Load Lines, 1966)

Name of ship	Distinctive number or letters	Port of registry	Length (L) as defined in Article 2(8)

Freeboard assigned as:
*{ A new ship
An existing ship

Type of ship:
*{ Type "A"
Type "B"
Type "B" with reduced freeboard
Type "B" with increased freeboard

*Delete whatever is inapplicable.

Freeboard from deck line	*Load line*
Tropical .... mm. (inches) (T)	.... mm. (inches) above (S)
Summer .... mm. (inches) (S)	Upper edge of line through center of ring.
Winter .... mm. (inches) (W)	.... mm. (inches) below (S)
Winter North Atlantic .... mm. (inches) (WNA)	.... mm. (inches) below (S)
Timber—tropical .... mm. (inches) (LT)	.... mm. (inches) above (LS)
Timber—summer .... mm. (inches) (LS)	.... mm. (inches) above (S)
Timber—winter .... mm. (inches) (LW)	.... mm. (inches) below (LS)
Timber—winter North Atlantic .... mm. (inches) (LWNA)	.... mm. (inches) below (LS)

NOTE.—Freeboards and load lines which are not applicable need not be entered on the certificate.

Allowance for fresh water for all freeboards other than timber .... mm. (inches). For timber freeboard .... mm. (inches).

The upper edge of the deck line from which these freeboards are measured is .... mm. (inches) .... deck at side.

Date of initial or periodical survey ------.

This is to certify that this ship has been surveyed and that the freeboards have been assigned and load lines shown above have been marked in accordance with the International Convention on Load Lines, 1966.

This certificate is valid until ------, subject to periodical inspections in accordance with Article 14(1)(c) of the Convention.

Issued at ---------- (place of issue of certificate) ------ 19-- (date of issue) ------ (signature of official issuing the certificate) and/or (seal of issuing authority).

If signed, the following paragraph is to be added:

The undersigned declares that he is duly authorized by the said Government to issue this certificate.

------ (Signature).

NOTES.—1. When a ship departs from a port situated on a river or inland waters, deeper loading shall be permitted corresponding to the weight of fuel and all other materials required for consumption between the point of departure and the sea.

2. When a ship is in fresh water of unit density the appropriate load line may be submerged by the amount of the fresh water allowance shown above. Where the density is other than unity, an allowance shall be made proportional to the difference between 1.025 and the actual density.

[Reserve certificate]

This is to certify that at a periodical inspection required by Article 14(1)(c) of the Convention, this ship was found to comply with the relevant provisions of the Convention.

Place-------- Date------.
Signature and/or Seal of issuing authority.
Place-------- Date------.
Signature and/or Seal of issuing authority.
Place-------- Date------.
Signature and/or Seal of issuing authority.
Place-------- Date------.
Signature and/or Seal of issuing authority.

The provisions of the Convention being fully complied with by this ship, the validity of this certificate is, in accordance with Article 19(2) of the Convention, extended until------.

Place-------- Date------.
Signature and/or Seal of issuing authority.

INTERNATIONAL LOAD LINE EXEMPTION CERTIFICATE

[Official seal].

Issued under the provisions of the International Convention on Load Lines, 1966, under the authority of the Government of ------ (full official designation of the country) by ------ (full official designation of the competent person or organization recognized under the provisions of the International Convention on Load Lines, 1966).

Name of ship	Distinctive number or letters	Port of Registry

This is to certify that the above-mentioned ship is exempted from the provisions of the 1966 Convention, under the authority conferred by Article 6(2) Article 6(4) [1] of the Convention referred to above.

The provisions of the Convention from which the ship is exempted under Article 6(2) are: --------------.

The voyage for which exemption is granted under Article 6(4) is: From: --------------. To: --------------.

Conditions, if any, on which the exemption is granted under either Article 6(2) or Articles 6(4): ------------. This certificate is valid until -------------- subject, where appropriate, to periodical inspections in accordance with article 14(1)(c) of the Convention.

Issued at ------------------------------
(Place of issue of certificate) ------ 19-- (date of issue) ---------------- (Signature of official issuing the certificate) and/or (seal of issuing authority).

If signed the following paragraph is to be added.

The undersigned declares that he is duly authorized by the said Government to issue this certificate ---------------- (Signature).

[Reverse of certificate]

This is to certify that this ship continues to comply with the conditions under which this exemption was granted.

Place ---------------- Date ------------.
Signature and/or Seal of issuing authority.
Place ---------------- Date ------------.
Signature and/or Seal of issuing authority.
Place ---------------- Date ------------.
Signature and/or Seal of issuing authority.
Place ---------------- Date ------------.
Signature and/or Seal of issuing authority.

This ship continues to comply with the conditions under which this exemption was granted and the validity of this certificate is, in accordance with Article 19(4)(a) of the Convention, extended until --------------.

Place ---------------- Date ------------.
Signature and/or Seal of issuing authority.

RECOMMENDATIONS

The following are the Recommendations adopted by the Conference:

Recommendation 1

Denunciation of the International Convention Respecting Load Lines 1930

The Conference recommends:

(1) that Governments should accept the International Convention on Load Lines, 1966, at as early a date as possible and that the Governments which become parties to that Convention should denounce the International Convention respecting Load Lines 1930, and should co-operate with one another with a view to ensuring that their respective denunciations become effective on a date two years after the date on which the 1966 Convention comes into force;

(2) that Governments denouncing the 1930 Convention should bear in mind the provisions of the 1966 Convention relating to existing ships; in particular Article 4(4).

Recommendation 2

Ships Not Subject to the International Convention on Load Lines, 1966

The Conference recommends that such regulations as may be made by any of the Contracting Governments relating to

(1) its new ships of less than 24 metres (79 feet) in length on international voyages;

(2) its existing ships of less than 150 tons gross engaged on international voyages;

(3) its ships engaged on national voyages on an exposed nature, embracing the same hazardous elements as are normally encountered on international voyages

should, so far as practicable and reasonable, be framed in accordance with the principles and provisions of the International Convention on Load Lines, 1966.

Recommendation 3

Minimum Freeboards for Fishing Vessels

The Conference, having discussed the possibility of assigning load lines to fishing vessels, recommends that the Inter-Governmental Maritime Consultative Organization should pursue studies on the minimum freeboard for such vessels with a view to establishing recommended international standards for minimum freeboard of fishing vessels.

Recommendation 4

Consolidation of Conventions

The Conference, recognizing the common aims of the International Convention for the Safety of Life at Sea, 1960 and the International Convention on Load Lines, 1966, concerning the safety of life and property at sea, recommends that the Inter-Governmental Maritime Consultative Organization should consider the relationship between the provisions of the two Conventions with a view to suggesting how they could be consolidated in a single international convention.

Recommendation 5

Boundaries Between Inland Waters and the Sea

The Conference recommends that each Contracting Government should make available to any other Contracting Government, on request, particulars of the boundaries between inland waters and the sea which it will use for the purposes of Article 12(2) of the International Convention on Load Lines, 1966.

MAIN PURPOSE

Mr. MANSFIELD. Mr. President, the 1966 International Convention on Load Lines was reported out of the Committee on Foreign Relations unanimously. It establishes new rules for the loading of ships on international voyages. This convention, which is designed to bring up to date the Load Line Convention signed at London on July 5, 1930—47 Stat. 2228; Treaty Series 858—requires that ships belonging to participating nations engaged in international voyages be surveyed and marked with loadlines in accordance with the convention's terms. Loadlines are placed on ships to mark the point beyond which a vessel may not be safely submerged. The convention recognizes that these lines may vary at different seasons of the year and in different parts of the high seas.

The convention does not apply to ships of war, new ships less than 79 feet, existing ships of less than 150 gross tons, fishing vessels, or pleasure craft not engaged in trade. A survey of every ship subject to the 1966 convention must be made before it is put into service, and thereafter surveys at intervals not exceeding 5 years. Annual inspections are also required.

The convention will enter into force 12 months after at least 15 governments, including 7 each with not less than 1 million gross tons, have become parties.

BACKGROUND

The International Convention on Load Lines was signed for the United States at London, April 5, 1966. It has been signed, subject to acceptance, by 41 countries in addition to the United States. Changes in ship construction and the experience of the last three decades have dictated this revision of the 1930 Load Lines Convention. For example, the 1930 convention did not regulate the loading of tanker vessels over 600 feet and cargo vessels over 750 feet.

During the October 11, 1966, hearings on the convention, the State Department's Legal Adviser, Mr. Charles Bevans, was asked why an international convention signed in April of 1966 was only referred to the Senate on September 12, 1966. Mr. Bevans replied that the unfortunate delay was caused by the State Department's difficulty in obtaining a true copy of the convention. Despite this delay, both the Coast Guard and the State Department testified that urgent action on the convention was in the national interest. The reason for such urgency is that the convention is completely consistent with the 1930 convention and also with modern ship loading practices. Therefore, a number of nations have already proceeded to implement the new regulations specified in the 1966 convention. Consequently, U.S. shipping interests contend that they will be at a competitive disadvantage until the Senate has given its advice and consent to ratification of the convention.

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[1] Delete whichever is inapplicable.

COMMITTEE ACTION

The Committee on Foreign Relations held a public hearing on the 1966 convention on October 11, 1966, at which time Adm. Willard J. Smith, Commandant, U.S. Coast Guard, testified in support of the convention. A transcript of the hearing is appended to this report.

On October 11, 1966, the Committee on Foreign Relations voted to report the proposal favorably to the Senate for advice and consent to its acceptance by the United States.

Mr. CARLSON. Mr. President, I wish to say that the Committee on Foreign Relations did hold a public hearing, and we heard testimony from Adm. Willard J. Smith, Commandant, U.S. Coast Guard, in addition to others. There was no opposition to the convention, and I hope that it will be unanimously approved.

Mr. MANSFIELD. I thank the distinguished Senator from Kansas, who is a member of the Committee on Foreign Relations, as is the distinguished senior Senator from Delaware [Mr. WILLIAMS]. They are aware of the need for this convention. They were, of course, a part of the unanimous approval given by the Committee on Foreign Relations.

I ask unanimous consent that at the conclusion of the final vote on the pending measure, the Foreign Investors Tax Act of 1966, the vote be taken on the convention which has just been discussed.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

Mr. MANSFIELD. For the information of the Senate, it will be a yea-and-nay vote.

The ACTING PRESIDENT pro tempore. Without objection, the convention will be considered as having passed through its various parliamentary stages up to the point of consideration of the resolution of ratification, which will be read for the information of the Senate.

The Chief Clerk read as follows:

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of the International Convention on Load Lines, 1966, with Annexes, signed for the United States at London April 5, 1966 (Executive S, Eighty-Ninth Congress, 2d session).

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

THE DEATH OF AN OUTSTANDING PROPHET AND PATRIOT

Mr. CARLSON. Mr. President, on Sunday morning, August 28, 1966, a great preacher, Dr. Joseph R. Sizoo, suddenly ended his earthly ministry. He had just delivered an eloquent and moving sermon at an outstanding Presbyterian church in New York City. As he entered the vestry near the pulpit he was not—for God took him.

During the summer Dr. Sizoo had worked long and arduously to write a new book on immortality. He had commented to several friends that he had more pride and satisfaction in this manuscript than in anything he had previously published. His certainty about immortality was overwhelming and joyful. This seemed especially appropriate when, as it came to pass, even as he was immersed with this book on the life to come, he seemed as never before to plan life on a scale of the infinite—not only as pilgrims of time, but as children of eternity. He appeared to be living in prospect of the eternal tomorrow. In the ecstatic lines of Isaac Watt:

> Give me the wings of faith to rise
> Within the veil, and see
> The saints above, how great their joys
> How bright their glories be.

Across his long life Dr. Sizoo's ministry was dynamic, forceful, and compelling. It was this impassioned oratory which influenced people all over the world. He was elected by ministers, priests, and theological leaders of all faiths as one of the "12 Great American Preachers" in a poll conducted by Life magazine in 1953.

Among Dr. Sizoo's volume of sermons are "Still We Can Hope," "Not Alone," "Make Life Worth Living," and "The Way of Faith." He also contributed to various religious journals and magazines. He won the Freedoms Foundation Award for "The Best Public Address of 1963" and that great patriotic agency at Valley Forge also gave him the George Washington Honor Medal for outstanding sermons in 7 successive years.

The interest of Dr. Sizoo in our armed services was great. He was an Army chaplain, YMCA service, 9th Infantry, Second Division in France in World War I. He was chairman of the commission on Army and Navy chaplains with the Federal Council of Churches 1932–37, as well as a founder of the Military Chaplains Association in 1939. He was chaplain of the 12th Regiment of the New York State Guard 1941–50. He visited troops in Korea and Japan as guest of the Chaplain Corps, Department of Defense in 1952; he was commissioned by the National Council of Churches to carry the first copy of the Revised Standard Version of the Bible into Asia to present to the President of Korea, Dr. Syngman Rhee, and Gen. Mark Clark.

Dr. Sizoo traveled extensively in Europe, the Middle East, Africa, and Asia. He visited South Africa at the invitation of the State Department in 1953 to make an analysis of the effect of apartheid from the point of view of religion and education. He lectured at the University of Johannesberg. He also lectured in Great Britain under the Lord Leverhulme Foundation in 1936.

At the George Washington University Dr. Sizoo was Director of University Chapel and Milbank Professor of Religion from 1952 until his date of death. He was president of the New Brunswick Theological Seminary 1947–52; minister of the Collegiate Church of St. Nicholas, New York City 1936–47, and minister of the New York Avenue Presbyterian Church in Washington, D.C., 1924–36, where for 14 years of his popular pastorate this historic church was crowded to capacity by worshipers who came from every section of the Capital City, and from across the Nation, to hear his preaching of the evangel.

Mr. President, words of praise were spoken for Dr. Sizoo, Director of University Chapel and Milbank Professor of Religion at the George Washington University, by Dr. Seth R. Brooks. I ask unanimous consent that the remarks of Dr. Brooks be printed at this point in the RECORD.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

WORDS OF REMEMBRANCE FOR DR. JOSEPH R. SIZOO, DIRECTOR OF UNIVERSITY CHAPEL AND MILBANK PROFESSOR OF RELIGION, THE GEORGE WASHINGTON UNIVERSITY (BY DR. SETH R. BROOKS, UNIVERSALIST NATIONAL MEMORIAL CHURCH)

SERVICE OF REMEMBRANCE, SEPTEMBER 21, 1966

A passage from Ecclesiasticus: "The wisdom of a learned man cometh by opportunity of leisure . . . He that giveth his mind to the law of the Most High, and is occupied in the meditation thereof, will seek out the wisdom of the ancient . . . He will keep the sayings of renowned men; and where subtle parables are, he will be there also. He will seek out the secrets of grave sentences . . . He will travel through strange countries; for he hath tried the good and the evil among men . . . When the great Lord will, he shall be filled with the spirit of understanding, and give thanks unto the Lord in his prayer . . . He shall show forth that which he hath learned . . . Many shall commend his understanding, and so long as the world endureth it shall not be blotted out."

We are here in this University Chapel to give thanks for and to pay tribute to a remarkable life and career. Each one of us would readily admit that by any standard of measurement Joseph R. Sizoo represented remarkable achievements and contributions to other persons in his life and career.

Certainly Joseph R. Sizoo was recognized as one of America's greatest religious figures. Over the past sixteen years it has been my privilege to travel widely and constantly throughout our country. There has hardly been a place to which I have gone where the name and ministry of Dr. Sizoo was not known.

Strange I should have the honor of speaking today. Dr. Sizoo was of a great denomination and church. He preached to vast throngs in New York Avenue Presbyterian Church, the Collegiate Church of St. Nicholas in New York City, at Lenten services, and at special occasions. He was known throughout the Christian Church of his time. I have been of a very small denomination and church, often unheard of. I have preached to small congregations. I have been little known. Fourteen years after my ministry began here in Washington Dr. Sizoo returned to this city. I had heard of him, had read some of his writings, but had never met him or seen him. Almost from our first meeting there began a close and sympathetic friendship which lasted over fourteen years. So, for half of my ministry in the Nation's Capital I knew Dr. Sizoo as a rare and rich offerer of friendship.

Dr. Sizoo was a magnificent figure of a man. No one could see him or meet him without being impressed by the magnificence of his presence. It used to be said of a minister in our church, "He is well groomed without and within." How true this was of Dr. Sizoo. His bearing commanded attention and respect. He was urbane and his urbanity was a hallmark of his life. He was filled with dignity. He was in command of any event and exuded poise, forcefulness, and spiritual power. Impeccable in appearance he crowned the impeccability of his outer presence with a graciousness which flowed from within.

In the pulpit he seemed to fill any church with something larger than self. I remember the last time I heard him preach. It was during Holy Week and in the Church of the Epiphany. I was seated on the last pew. The church was thronged with a capacity congregation. Then as Dr. Sizoo stood in the pulpit in his gown and hood he seemed to be larger than his own presence. He had an aura about him and a charisma rarely experienced. This charismatic quality spoke of his life as ordained to the ministry. One knew that in him one had met the great preacher. His voice and delivery touched the depths of his listeners. Not only was he a preacher—he was an artist in the development of his theme, a master of the language which poured from his lips, and a dynamic instrument for the thoughts which coursed through his mind and heart.

He was a man of God. He lived near to God and was aware of His presence. He placed his dependence on God and trusted Him. The certainty of God was his certainty. God lived for him. God spoke to him and he heard. God directed and he sought to follow. God chastened and that he knew, too.

He was of the Christian Faith. He proclaimed its Gospel as the glorious Good News which it was to him. He made vibrant the message of the Faith. To him Christ was the supreme manifestation and revelation of God.

I hasten to say he, too, was of all religions. Dr. Sizoo had traveled too widely and had experienced too much of life not to appreciate religion historically and universally. He was well aware of the historicity of the growth of the religious adventure and he knew that religion was everywhere, although in countless different forms. He could talk with persons of any faith or church and eagerly learn from them, and he could express to them his concern and heart-felt sympathy for the faith they cherished. This made him a wise counsellor over many years, a friend to countless persons and a clarifier and light-giver to untold numbers.

Religion and education were to him close relatives and, perhaps, twins. Learning, scholarship, knowledge, wisdom, and understanding he exalted and emulated. He wished education to aid religion and religion to guide and inspire education. He had a vast mind filled with the treasures of years of study, mental discipline, and broad experience.

His associations were wide. He knew intimately many renowned men. He had the respect and admiration of countless persons of success, achievement, and attainment. However, he was always humble, modest, and unspoiled.

He was sensitive, retiring and shy. It was paradoxical that one of such prominence in public life could in personal friendships be almost self-effacing and naive. In our Interchurch Club, which is almost a fraternity extending over sectarian lines, he never tried to dominate the discussion or speak with final authoritarian pronouncements which a man of his stature might have thought it was his privilege to do. At the Cosmos Club with him I knew him as the comrade of our common earthly way. At the Symphony he was visibly moved emotionally by great music and its language.

He traveled widely, read ceaselessly, and thought profoundly. He had moved in the company of Presidents, Senators, Physicians, Teachers, Rabbis, Priests, Ministers, and men who had a part in shaping human affairs and world events, but he was ever the seeker of answers to eternal questions. His learning never stopped. His imagination never ceased. His lyrical soarings never drooped. His soul never became other than God's Divine spark in him.

He left an imperishable image. He fills the description of the learned man, which we read at the opening of these words of tribute. His words spoken and recorded will continue into the future. His presence will be felt among us. "His name will not be blotted out." He will live in the church which he loved and in whose name he ministered. He will live in the halls of learning. He will live in the circle of his friends. He will live in the hearts of his students, and he will live for all of us who knew him as "a strong Son of God" moving across the horizon of our time.

WEBB & KNAPP, INC.

Mr. WILLIAMS of Delaware. Mr. President, today I call attention to a situation wherein a New York construction company while delinquent in over $27 million in income taxes was approved for FHA mortgage guarantees totaling over $67 million. This represented seven urban renewal projects. The company is now bankrupt, and over $26 million of its income tax liability has already been written off as uncollectible. All of the $67 million is in default as of this date, with all payments on principal being deferred.

On May 7, 1965, Webb & Knapp, Inc., a large construction firm of New York City and the recipient of numerous Government contracts, filed a petition for reorganization under chapter X of the Bankruptcy Act.

When this company filed bankruptcy it owed the U.S. Government $27,117,661.59, representing unpaid Federal income taxes for the period 1952 through 1959.

The total assets of the company are listed at approximately $2 million and the Treasury Department estimates that no more than $1 million will be collected on this $27 million tax liability and that the remaining $26 million was being written off as uncollectible.

I ask unanimous consent that two letters, one dated August 9, 1966, and one dated September 16, 1966, both signed by Commissioner Sheldon S. Cohen, Internal Revenue Service, be printed at this point in the RECORD.

The first letter explains the status of the Government's tax claims, and the second gives an itemization of the deficiencies, broken down by years.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. TREASURY DEPARTMENT, INTERNAL REVENUE SERVICE,
Washington, D.C. August 9, 1966.

HON. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: During our discussion on July 28, 1966, you asked for information on the action of our Manhattan District in writing off as uncollectible certain tax liabilities of Webb & Knapp, Incorporated, New York City, New York.

I have looked into this matter and am happy to furnish you the following information. On May 7, 1965, Webb & Knapp filed a petition for reorganization under Chapter X of the Bankruptcy Act, which petition was approved on May 18, 1965. The District Director for the Manhattan District took the necessary steps to protect the Government's interests by filing Proof of Claim.

As the result of audit action, large deficiencies of income tax totaling over $27 million were found for taxable years from 1952 to 1959 and were assessed November 16, 1965. Our files indicate that the deficiencies were due to technical issues developed during the course of audit and were not attributable to evasive reporting by Webb & Knapp or to any failure on our part to collect taxes known to be delinquent. On December 1, 1965, attorneys for the trustee advised the District Director that assets in the estate at the time would total approximately $2 million. Administrative, legal and accounting fees are expected to be quite high, and, since they take priority over the claims of unsecured creditors, of which the United States is one, District officials estimated that no more than $1 million would be available for payment on our claim. One Delinquent account in excess of the amount we could expect to receive is being kept open for the future application of any proceeds that may be derived on our Proof of Claim. Since there appeared to be no possibility of collection, the District, in December 1965, wrote off as uncollectible almost $26 million. This write-off by the Manhattan District was included in the tabulations for 1965 which accompanied my letter of March 8, 1966, to you.

Your interest in this matter is appreciated.

With kind regards,

Sincerely,

SHELDON S. COHEN,
Commissioner.

U.S. TREASURY DEPARTMENT,
INTERNAL REVENUE SERVICE,
Washington, D.C., September 16, 1966.

HON. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: This is in further reference to your letter of August 29, 1966, which requested a more detailed breakdown of the tax deficiencies of Webb & Knapp, Incorporated, of New York City for the period 1952 to 1959.

The information in which you are interested appears in the following tabulation:

Period	Class of tax	Amount
1952	Corporation tax	$647,526.71
	Interest	492,226.74
	Total	1,139,753.45
1953	Corporation tax	637,281.68
	Interest	446,201.93
	Total	1,083,483.61
1954	Corporation tax	4,092,899.31
	Interest	2,620,128.36
	Total	6,713,027.67

Period	Class of tax	Amount
1956	Corporation tax	4,577,673.18
	Interest	2,468,299.36
	Total	7,045,972.54
1957	Corporation tax	7,522,394.86
	Interest	3,461,538.19
	Total	10,983,933.05
1959	Corporation tax	113,039.32
	Interest	38,451.95
	Total	151,491.27
	Grand total	27,117,661.59

As indicated in my letter of August 9, almost $26 million was written off for the years 1953 to 1959. The 1952 liability was kept open for future application of any proceeds that may be derived from our claim.

I might add that, in order to be sure of protecting the Government's interests, the Proof of Claim filed by the Manhattan District included, in addition to the foregoing deficiencies, an estimate of $1 million income tax each for the years 1955 and 1958. However, subsequent audit examination disclosed no liabilities for these years and, since the estimated amounts were not assessed, they were not written off.

The date of final determination of the deficiencies for these years was November 15, 1965, and the assessment date on each was November 16, 1965. There were no penalties for the years involved.

With kind regards,

Sincerely,

Sheldon S. Cohen,
Commissioner.

Mr. WILLIAMS of Delaware. This company has received several Government-guaranteed loans during the period of its tax delinquencies.

Under date of September 22, 1966, Commissioner Philip N. Brownstein, Federal Housing Administration, furnished a report listing seven FHA projects in which Webb & Knapp, Inc., of New York City, was associated during the past 5 years. These seven projects were all under the urban renewal program and represent mortgages totaling $67,541,600, and as of this date all seven of these projects are in default. They are now being operated under modification agreements under which payments on the principal are suspended.

At this point I ask unanimous consent that Commissioner Brownstein's letter of September 22, 1966, along with the itemized breakdown of the background and status of the various projects be printed.

There being no objection, the letter was ordered to be printed in the Record, as follows:

Department of Housing and
Urban Development, Federal
Housing Administration,
Washington, D.C., September 22, 1966.

Hon. John J. Williams,
U.S. Senate,
Washington, D.C.

Dear Senator Williams: I am replying further to your letter of September 1, 1966, requesting information concerning projects for the past five years in which Webb and Knapp, Inc., of New York City was associated.

The information requested is enclosed. The projects listed are, to the best of our knowledge, all of the projects with which Webb and Knapp, Inc., was associated, and which were insured by FHA subsequent to January 1, 1961.

Inasmuch as all of the listed projects represents cases which are still insured, the payment records are maintained by the mortgagees and information concerning payments is not available in our files.

You will note that all of the cases involve urban renewal projects. Under Section 220, the FHA, by law, accepts greater risks than in other programs. This is because there are many and unusual problems involved in the clearance of slums and their replacement with new private housing. The private residential development is only a part of the city's plan for achieving all its redevelopment objectives. Developing sustaining occupancy in a new 220 project is of critical importance. Default and foreclosure could jeopardize the success of an entire urban renewal project. Yet the availability of tenants is often subject to factors which are beyond the control of the private developer. Thus special consideration during the rent-up period is often called for and modification agreements become necessary.

Sincerely yours,

P. N. Brownstein,
Assistant Secretary-Commissioner.

Enclosures.

Washington Plaza, Inc., FHA Project No. 033-32001, Pittsburgh, Pa.

Type of project, urban renewal.

Date of initial contact, February 1960.

Application received, March 27, 1962.

Commitment date, May 29, 1962.

Commitment amount, $7,571,000.00.

Initial endorsement, June 19, 1962.

Final endorsement, December 14, 1964.

Mortgage amount at final endorsement, $7,571,000.00.

Approved construction cost, $6,537,708.09.

Mortgage terms, 40 years at 5¼%.

Sponsor's purchase price of land (leasehold) (from application), $712,800.00.

FHA "as is" appraised value of land, $728,640.00.

Sponsors: Webb & Knapp, Inc., 383 Madison Avenue, New York 17, New York.

Present owner: Washington Plaza, Inc., which is controlled by the Aluminum Co. of America through subsidiary corporations.

Status of mortgage: Mortgage insurance in force; under modification agreement which suspends principal payments from June 1, 1966 to December 1, 1966.

Society Hill Towers, FHA Project No. 034-32006, Philadelphia, Pa.

Type of project, urban renewal.

Date of initial contact, July 1958.

Application received, July 27, 1961.

Commitment date, May 28, 1962.

Commitment amount, $14,522,000.00.

Initial endorsement, June 26, 1962.

Final endorsement, July 22, 1965.

Mortgage amount at final endorsement, $14,522,000.00.

Approved construction cost, $16,836,319.00.

Mortgage terms, 40 years at 5¼%.

Sponsor's purchase price of land (from application), $850,000.00.

FHA "as is" appraised value of land, $849,067.00.

Sponsor: Webb & Knapp, Inc., 383 Madison Avenue, New York 17, N.Y.

Present owner: Society Hill Towers, Inc., which is controlled by the Aluminum Co. of America through subsidiary corporations.

Status of mortgage: Mortgage insurance in force; under modification agreement which suspends principal payments from June 1, 1965 to June 1, 1967.

Lincoln Square, Sec. IV, Inc., FHA Project No. 012-32039, New York, N.Y.

Type of project, urban renewal.

Date of initial contact, June 1958.

Application received, March 24, 1961.

Commitment date, November 20, 1961.

Commitment amount, $8,440,200.00.

Initial endorsement, June 6, 1962.

Final endorsement, February 10, 1965.

Mortgage amount at final endorsement, $8,440,200.00.

Approved construction cost, $9,729,358.37.

Mortgage terms, 40 years at 5¼%.

Sponsor's purchase price of land (from application), $1,080,000.00.

FHA "as is" appraised value of land, $1,055,000.00.

Sponsors: Webb & Knapp Lincoln Square Corp., 383 Madison Avenue, New York 17, N.Y.

Present owner: Lincoln Square Apartments, Section IV, Inc., which is controlled by the Aluminum Co. of America through subsidiary corporations.

Status of mortgage: Mortgage Insurance in force; was under modification agreement which suspended principal payments from March 1, 1965 to March 1, 1966.

Lincoln Square, Sec. V, Inc., FHA Project No. 012-32042-R, New York, N.Y.

Type of project, urban renewal.

Date of initial contact, June 1958.

Application received, March 24, 1961.

Commitment date, December 21, 1961.

Commitment amount, $9,008,100.00.

Initial endorsement, June 5, 1962.

Final endorsement, February 10, 1965.

Mortgage amount at final endorsement, $9,008,100.00.

Approved construction cost, $10,406,965.37.

Mortgage terms, 40 years at 5¼%.

Sponsor's purchase prce of land (from application), $1,320,000.00.

FHA "as is" appraised value of land, $1,207,565.00.

Sponsors: Webb & Knapp Lincoln Square Corp., 383 Madison Avenue, New York 17, N.Y.

Present owner: Lincoln Square Apartments, Section V, Inc. which is controlled by the Aluminum Co. of America through subsidiary corporations.

Status of mortgage: Mortgage insurance in force; under modification agreement which suspends principal payments from June 1, 1966 to June 1, 1967.

Lincoln Square, Sec. VI, Inc., FHA Project No. 012-32038, New York, N.Y.

Type of project, urban renewal.

Date of initial contact, June 1958.

Application received, March 24, 1961.

Commitment date, January 20, 1962.

Commitment amount, $10,511,700.00.

Initial endorsement, June 12, 1962.

Final endorsement, May 14, 1965.

Mortgage amount at final endorsement, $10,511,700.00.

Approved construction cost, $12,395,047.88.

Mortgage terms, 40 years at 5¼%.

Sponsor's purchase price of land (from application), $1,440,000.00.

FHA "as is" appraised value of land, $875,900.00.

Sponsors: Webb & Knapp Lincoln Square Corp., 383 Madison Avenue, New York 17, N.Y.

Present owner: Lincoln Square Apts., Section VI, Inc., which is controlled by the Aluminum Co. of America through subsidiary corporations.

Status of mortgage: Mortgage insurance in force, under modification agreement which suspends principal payments from May 1, 1966, to November 1, 1966.

Lincoln Square, Sec. VII, Inc., FHA Project No. 012-32041, New York, N.Y.

Type of project, urban renewal.

Date of initial contact, June 1958.

Application received, March 24, 1961.

Commitment date, February 28, 1962.

Commitment amount, $8,755,600.00.

Initial endorsement, June 14, 1962.

Final endorsement, January 13, 1966.

Mortgage amount at final endorsement, $8,755,600.00.

Approved construction cost, $10,438,896.35.

Mortgage terms, 40 years at 5¼%.

Sponsor's purchase price of land (from application), $1,086,000.00.

FHA "as is" appraised value of land, $1,507,927.00.

Sponsors: Webb & Knapp Lincoln Square Corp., 383 Madison Avenue, New York 17, N.Y.

Present owner: Lincoln Square Apartments, Section VII, Inc., which is controlled by the Aluminum Co. of America through subsidiary corporations.

Status of mortgage: Mortgage insurance in force; under modification agreement which suspends principal payments from May 1, 1966, to November 1, 1967.

Lincoln Square, Sec. VIII, Inc., FHA Project No. 012-32040, New York, N.Y.

Type of project, urban renewal.

Date of initial contact, June 1958.

Application received, March 24, 1961.

Commitment date, March 16, 1962.

Commitment amount, $8,733,000.00.

Initial endorsement, July 26, 1962.

Final endorsement, March 7, 1966.

Mortgage amount at final endorsement, $8,733,000.00.

Approved construction cost, $10,536,242.83.

Mortgage terms, 40 years at 5¼%.

Sponsor's purchase price of land (from application), $1,080,000.00.

FHA "as is" appraised value of land, $1,668,100.00.

Sponsors: Webb & Knapp Lincoln Square Corp., 383 Madison Avenue, New York, N.Y.

Present owner: Lincoln Square Apartments, Section VIII, Inc., which is controlled by the Aluminum Co. of America through subsidiary corporations.

Status of mortgage: Mortgage insurance in force; under modification agreement which suspends principal payments from June 1, 1966, to June 1, 1967.

Mr. WILLIAMS of Delaware. Mr. President, I do not understand why the Treasury Department allowed this company to get so far behind in the payment of its income taxes with the result that now the Government is confronted with a $26 million loss.

It is particularly hard to understand in view of the fact that after this tax delinquency had been incurred this same company under another Government agency, the Federal Housing Administration, had obtained FHA guarantees on loans totaling over $67 million. Either the liaison between the respective Government agencies is not functioning or someone in both agencies was negligent in discharging his responsibilities.

Why was this company allowed to create a tax deficiency of $27 million between 1952 and 1960, and why was this delinquency still outstanding when bankruptcy was filed in 1965? Why did the Federal Housing Administration approve $67 million in Government-guaranteed mortgages for a company which at the time owed $27 million in taxes?

TRIBUTE TO PAUL G. HOFFMAN

Mr. JAVITS. Mr. President, recently the necessity to stay in this Chamber for a vote kept me away from a dinner in New York to honor an old friend to whom all Americans are indebted: Paul G. Hoffman.

I have been hearing about the affair ever since. I was told that one of the speeches on that occasion departed from the usual testimonial dinner addresses and I asked for a copy. It is short, pertinent, and a highly merited tribute to a great Republican, Paul Hoffman, by a distinguished Democrat, former Senator William Benton.

Mr. President, I ask unanimous consent to insert in the Record Senator Benton's remarks at the tribute to Paul Hoffman on September 29 at the Hotel Pierre, New York City.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Remarks of Senator William Benton at the Dinner Given by the Center for the Study of Democratic Institutions in Tribute to Hon. Paul G. Hoffman, on September 29, 1966, at the Hotel Pierre, New York City

For years I've been listening to the praises of Paul Hoffman. Most of them add up to the claim that he embalms the Christian virtues.

Is this man who published the phrase "The Marshall Plan"—is he merely a master publicist? My UNESCO colleague, Mr. Sharif, Pakistan's former Minister of Education, tells me Hoffman's name "is a household word throughout the world". Yet, my friends, he never seeks personal publicity, and everyone here knows that there's something the matter with a man who doesn't seek publicity.

I have decided that tonight, if I am to be fair to Bob Hutchins, I must give you the lowdown on Hoffman. I shall describe him to you as any man should be described by an old friend—in terms of the deadly sins.

The pre-eminent sin is—Pride. And I say Paul Hoffman is not only immodest; he is shameless. He spends his entire life shamelessly embarrassing his friends—by showing them up—by nonchalantly doing things they cannot equal.

A second sin is—Covetousness. Is Hoffman covetous? He is positively greedy! Whenever he sees a challenging job to be done, he grabs it, does it, and seeks out another. He is not only greedy; he is insatiable.

Paul is ridden with the sin of—Lust. He lusts for new and greater honors for his friends. Furtively, he seduces them into new and ever more important roles, and then disclaims all responsibility for their new prominence. Where would Hutchins and Reuther and Harriman and I—where would we have ever been without Hoffman? (Read your booklet!)

Hoffman is envious. Some of his friends wanted to make him President of the United States. General Eisenhower invited me to lunch on the day he was installed as President of Columbia. His purpose? It was to seek my advice on how to make Paul Hoffman President of the United States. Paul was so envious of the idea of Eisenhower as a President-maker—that he stole the idea, turned the tables on Eisenhower and set about to make Eisenhower the President.

Gluttony—This clearly characterizes Paul Hoffman. His gluttony for punishment is celebrated. When the Committee for Economic Development was new, Paul became its traveling salesman—as well as its conscience. Like St. Paul, everywhere he carried the Gospel—according to CED. Early in 1943 he averaged a thousand miles a day lining up CED field organizations. He then forced gluttony down the throat of the CED. It asked for 300 community organizations; Paul gave them 3,000.

Can I not tax Paul with the sin of Anger? Ha! He once called Joe McCarthy a Liar!

And sloth? Ah, yes, Sloth! Paul Hoffman is so lazy that he talks his friends into doing the good deeds which he claims his calendar doesn't give him time to do. He exhorts his friends to attain peace and to see to it that right prevails—things he is too lazy to accomplish alone.

Further, Hoffman is secretive and devious. He flatters his friends behind their backs in terms he would not dare use to their faces.

Now let me indict him for what some of you may regard as the greatest sin: Un-Americanism. Hear this indictment:

Item: A best selling author of the 1964 Election, John Stormer, in *None Dare Call It Treason*, says Paul set up the Fund for the Republic, which is entertaining us here tonight, to attack Government security programs—and anticommunists.

Item: Still another authoritative work assails Hoffman. It is *The Politician*, by possibly the most red-blooded—well, red, white and blue-blooded pro-American since George the Third—Robert Welch. He reveals that Paul Hoffman was not only Eisenhower's supporter and friend, but his agent for subverting the world.

Item: Clinton Rossitor, in *Conservatives in America*, lists, "The most thoroughly disliked characters, living and dead, in the Rogues Gallery of the Ultra-Conservatives". And on this roster of the public enemies, number one through ten, Paul Hoffman is number eight—even ahead of Bob Hutchins.

But there is yet more.

This is a sin so hard to pin down that early theologians did not even list it in the Big Seven. It is that of blasphemy. I don't charge that Paul Hoffman personally practices it. No—worse! He inspires it! Ray Rubicam once told me that Paul more than any man he'd ever known, "Walks in the steps of the Master".

Mr. Chairman and fellow-guests, it is sad indeed to look in these realistic terms at the life of a man many would like to call virtuous. But we have to face facts. His are not sins of omission, but of commission. They are not venial sins; they are mortal sins.

Indeed, they may prove to be immortal.

VIETNAM

Mr. JAVITS. Mr. President, throughout the last 2 years, I have devoted much thought to the conflict in Vietnam, its purposes, its prospects, and its meaning. Like other great issues of our time, Vietnam has generated constant soul-searching and perplexity. As a U.S. Senator I felt it was my responsibility to study the problems of the Vietnam situation and take a stand.

Hoping to make a contribution to the solution of the Vietnam conflict, I delivered a series of four speeches. Each speech emphasized a different aspect, but the four covered the whole landscape of problems—military, diplomatic, political, economic, and social.

The following were my conclusions and recommendations:

First. That the American people are not being fully apprised of the problems and prospects, and that our actions and policies are not being effectively explained by the President.

Second. That I stand squarely behind the U.S. commitment in Vietnam, but that I differ with aspects of the administration's policies.

Third. That while force is a necessary ingredient of our policy as a shield of confidence behind which to pacify South Vietnam, more and more force and greater escalation will not produce a military victory in a guerrilla war nor will it bring the Communists to the negotiating table. Further substantive escalation of the war in North Vietnam will, however, result in increased risks of Soviet and Chinese intervention.

Fourth. That the prime way of beating a guerrilla war as indicated by past experience in Malaya, the Philippines, and so forth, is to isolate the guerrilla from his environment, from the South Vietnamese people themselves. There are two ways of accomplishing this: first, by gaining the loyalty of the people through a legitimization process tied to free and open elections and the early creation of a civilian government, and second, by carrying out a vast program of social and economic reform, including land reform and refugee care, reforms that directly touch the lives of the people.

Fifth. That pacification, legitimization, and reform will take time and priority effort, and that we must, therefore, prepare ourselves for the long haul in Vietnam, and not give in to the frustration of demands for force as a quick solution.

Sixth. That even though I am not hopeful at this time about the Communist willingness to negotiate, I believe that we have a vital responsibility to ourselves and the world to offer realistic proposals for peace, to seek negotiations by all means. To this end, I have proposed the explicit recognition of the NLF as an independent negotiating party, a military freeze on the introduction of additional troops into South Vietnam to start negotiations, and reciprocal withdrawal of troops from the south once negotiations end.

Seventh. That none of our efforts can be successful, nor should we continue our presence in Vietnam, unless the Government in Saigon maintains its share of the joint military burden and undertakes the necessary reforms and unless a freely elected civilian government wants us there.

Eighth. That in order to avoid becoming the policeman of the world, the United States must encourage a concentrated program of trying to create viable and realistic regional organizations. We must make it perfectly clear to countries around the world that it is in their own interests to cooperate on a regional basis, and that we intend to shift the burden to them. We must convince them that they will have to learn to act together if they are to obtain our support.

Mr. President, I ask unanimous consent to have printed in the RECORD certain remarks that I have made in regard to this subject.

There being no objection, the remarks were ordered to be printed in the RECORD, as follows:

THE DILEMMA OF VIETNAM

(The following are the remarks of Senator JACOB K. JAVITS delivered at the National Convention of the Disabled American Veterans, Waldorf-Astoria Hotel, New York City, at 11 a.m., Monday, August 8, 1966.)

As a nation we have passed the point of no return in Vietnam; it makes no sense to turn back or pull out. But it makes even less sense to charge forward head down, without knowing where we have been, without seeing the costs ahead, and without some certainty about the end and when it will all be over. There have been far too many unanswered questions about Vietnam, and there have been far too many answers that have rung hollow.

Yet, we are plunging forward, often armed with half truths, hoping for some decisive military victory, for the miracle of a peace conference, waiting for it all to end as suddenly as it appeared. These are illusions, illusions fostered by a false sense of optimism and nurtured by our own frustration. The facts are unpleasant, but unless we face them, we shall be carried step by step by events and by decisions into a situation that few willed and that no one can control.

What are we really trying to achieve in Vietnam? Can we achieve it by military means? Will differences be settled at the conference table? How long is the road ahead, and are we willing to travel it?

If we are to persevere, we must understand our goals and the costs. If we are to make further sacrifices, we must have conviction born of truth and not of illusion.

I believe we should persevere, but only if the Saigon Government takes the proper steps to legitimize its government by free elections under a constitution, and undertakes the necessary reforms to build a base of support responsive to the aspirations of the people. We should persevere only if we use our military power in a cautious and limited manner. It is fruitless to fight for those who have neither the will nor the conviction to fight for themselves, and it is folly to act as if the danger of a wider, perhaps even world-wide, war does not exist.

WHAT ARE WE FIGHTING FOR?

The American people have been subjected to a whole kit of unconvincing reasons for our presence in Vietnam. We have been told that we are fighting for "peace in the world." But surely we cannot believe that the outcome in Vietnam will mean the end of war. We have been told that we are fighting for the "forces of freedom and justice." Diem and Ky hardly qualify as democratic types. Finally, we are told that this is a struggle to stop the expansion of Chinese communism. But, while this is true in part, it obscures a larger truth, and it also covers over the fact that the Vietnam conflict—going on since the late 40's—erupted as much from the injustices of colonialism as from outside promptings.

All of these explanations betray a lack of faith in the judgment of the American people. They spring from the belief that the American people will support efforts of this kind only if they are sugar-coated. I maintain just the contrary. I maintain that there would be less division and confusion within our own ranks if the real objectives were set before the people.

We are fighting in Vietnam for Asian stability, for time, and for a practical principle.

Stability, on the Asian continent so that Asia does not become the Balkans of the world, so that Communist China is not tempted to test our will in a wider and more dangerous context.

Time, for the non-communist countries of Asia to strengthen and solidify their own societies and to develop a sense of regional collective responsibility so that U.S. presence will no longer be necessary on the continent as such.

The practical principle, that, in view of the risks of the nuclear age, change should not be brought about by force and terror and against the wishes of the majority of the people of a country.

Fighting in Vietnam will not necessarily prevent a guerrilla war from starting in Thailand, nor a resurgence of the Laotian conflict, nor a repeat of aggression in Korea. Indeed, it is very likely that the guerrilla war in Thailand, already going on, could reach significant proportions in two to three years.

The problem is not what we shall be able to prevent by our present efforts in Vietnam; it is how much more dangerous and difficult future conditions would be if we did not act now. In other words, the risks of inaction are greater than the risks of action.

It would be a decision of high irresponsibility for the United States simply to withdraw from Vietnam without due cause, for it would throw the continent of Asia into a situation of grave uncertainty and tension. It would make all future conflicts that much more difficult to control.

There should be no mistaking one central point—it is the U.S. commitment to the non-communist countries of Asia that keeps general instability from erupting into widespread violence. Of course, there is violence and risk of escalation in Vietnam right now, but, in my judgment, to do nothing in Vietnam would be an open invitation to aggression elsewhere.

There are none who realize this better than the Asians themselves. In July of this year, Prime Minister Sato of Japan said: "An increasing recognition should be made of the fact that the United States is making a major contribution to the security of the Far East, including my country." On June 18, 1966, Prime Minister Lee Kuan Yew of Singapore, who in the past has shown no particular affinity for the U.S., stated: "A premature withdrawal of American forces from Vietnam could threaten the security of Southeast Asia." In March of this year, President Marcos of the Philippines said: "The fact that the United States shoulders the major burden of the Vietnam war does not change the fact that this is an Asian challenge."

Even more impressive evidence of these feelings is the Conference of Asian and Pacific Countries which set in Korea in June. The conference was composed of nine nations from this area, with Laos as an observer. The final declaration of this conference "upheld the inherent right of the Vietnamese people to self-defense and to choose their own way of life and their own form of government free from external aggression and subversion," and affirmed its solidarity with South Vietnam in this struggle.

The ASPAC Conference actually symbolizes the time factor I just spoke of. It represents the first concrete step by the nations of this area themselves in recognizing their common economic, political, and defense interests. It will take time for the nations concerned to develop common determination and combined muscle, and we must give them that time. Lack of U.S. staying-power in Vietnam would demoralize this effort and undermine confidence in our commitments. Just as NATO was necessary to provide a shield behind which a shattered Western Europe could reconstruct itself, so U.S. power is needed in Asia to give reality to the independence of this region.

Lastly in reviewing our objectives, we must not forget about the Vietnamese people themselves. There are some who assert that these people really want the U.S. out and do not really care if a communist takeover ensues. I do not know where they get their evidence or their certainty. No mortal can search the Vietnamese mind for the truth, all we can do is look at some facts and see what they indicate.

There are dozens of different groups and factions in South Vietnam each with its own point of view and desire for power. Among them, obviously, is a minority—perhaps even a sizeable minority—which supports and sympathizes with the Vietcong.

But despite this powerful and organized minority and despite the terror it employs, the rest of South Vietnam has been able to wage a grueling and unwanted war for the good part of ten years. Yes, there have been defections from the ARVN forces and protests against the Saigon Government, but despite these, they continue to maintain over one-half million men-in-arms. Yes, the Buddhists dislike the U.S. presence in their country, but one never hears them ask us to leave. If the significant majority of South Vietnamese did not want to keep the communists out of power, the whole effort would have collapsed a long time ago—no matter what the U.S. did or did not do. We can supply men and arms, but we cannot create the will to fight on unless it already exists.

Our objectives in Vietnam are hard to understand. But in my judgment, the American people do not need demons, devils, and illusions, to understand their interests. The real issue is not whether we should be in Vietnam, but how we should conduct our diplomacy and our military action in order to reach the objectives of stability and time and live up to the principle of self-determination free from aggression and subversion.

PURSUING OUR OBJECTIVES: FORCE AND DIPLOMACY

Every war brings out a parade of prophets with bottled panaceas and pat solutions, of alarmists betokening us to concede more, and of town-criers advising us to kill more. This war in Vietnam, or indeed any guerrilla war, will not be ended by more concessions or more killings. Never since World War II have guerrillas been brought to the conference table or defeated finally on the battlefield.

What I think the American people must know is that there seems little likelihood of settling the conflict in Vietnam through negotiations or by means of increasing doses of force. This does not free us of the responsibility of refining and rethinking our diplomacy, nor does it relieve us of the necessity to use our armed forces. We should continue to seek peace through negotiations and to pacify the country through measured and limited armed strength, but we cannot base our policy on the success of either.

To dangle the prospects of a seemingly unlikely peace conference before our eyes is to invite public disillusionment and lack of confidence; and to pour more and more men and arms into Vietnam and to widen the bombing targets without firmly set limits to our operations is to escalate unknowingly and unwilling into a major Asian land war.

Why am I so dubious about a peace conference? Very simply, the Hanoi regime and the NLF want much more than we can possibly give—they want guarantees prior to talks that U.S. troops will be evacuated from Vietnam and that the NLF should have the "decisive voice" in a Saigon Government before elections. On our part, we are concerned that, for the moment, any inclusion of communists in the Saigon Government would mean the immobilization of that government and its speedy fall into Hanoi's hands. We have good reasons to be troubled about the extent of the popular base of support of the present Saigon Government, and the instability and pitfalls of a coalition government including the communists.

Yet, even with this big gap between the objectives of Hanoi and the NLF and our own, it is conceivable that negotiations could find some common ground and provide some guarantees—if only they would agree to talk about the differences. But as far as we can see now, this seems highly unlikely.

We have only to review the recent past for confirmation. At first, they said they would talk if we would return to the provisions of the 1954 Geneva Conference. We said we would, but there was no conference. Then, the stumbling block became the acceptance by us of the NLF sitting as an independent party at the peace table. We gave this assurance publicly and privately, but nothing happened. Next came the bombings. A conference could be had if only we would cease bombing targets in North Vietnam. We did for thirty days, but that did not turn out to be enough. Now we hear it rumored that Hanoi and the NLF are waiting for our promise to include them in a provisional government, to let them have a "share of the responsibility." We responded that we were ready to talk about anything. Again, there was no conference.

There has been a continuing stream of proposals for cease-fires, U.N. supervision and discussion, heads of state meetings, pressure on the Soviet Union to reconvene the Geneva Conference, military freeze and the recent Thai proposal for an Asian Conference of "all the principals"—some of them I made myself. But all of them were of no avail.

If Hanoi and the NLF have any doubts about our sincerity for negotiations, if they believe we are bluffing, and if they want to prove what they call our "hypocrisy", they have only to try us at the peace table. I hope they do, but I would not count on it.

I have supported our military efforts in Vietnam and I have voted the requisite appropriations, but I have made it plain each time that these efforts be limited and connected to rational policy objectives. I am concerned that out of frustration because the communists refuse to negotiate, we may be using force as an excuse for policy.

The theory behind the Administration's present military policy seems to be the idea of the breaking-point. It assumes that Hanoi and the NLF must have some point of damage acceptance at which it will no longer be rational for them to continue to fight. We have only to proceed along the spectrum of force—more troops, more and newer weapons, more bombings, new targets of devastating impact—to find their breaking-point and make them negotiate.

The assumption underlying this theory is faulty, and the consequences of the theory are dangerous. It assumes that we are dealing with a rational enemy, that he has a sense of proportion, that he has values more important than victory in the South. It seems to me that Hanoi, at least, has lost touch with reality. Hanoi appears willing to sacrifice its economy and its social fabric for its ends. Reaction to our bombing near Hanoi and Haiphong was to build more air-raid shelters and move people out of these cities to the country-side.

Hanoi and the NLF have their own theory about us. They believe that it is we who have the earlier breaking point, that they only have to continue a little longer before we become tired, before domestic opposition swells, and we withdraw. They are as wrong in their theory as we are in ours.

At worst, these mutual breaking-point theories can lead to World War III; at best, they will lead to a resumption of guerrilla war, leaving us back where we started. Let me explain this proposition.

We are bombing supply lines in North Vietnam. We have already bombed oil depots right outside of Hanoi and Haiphong. In a year's time, we will have upwards of half a million men in South Vietnam. What steps remain? Mining the Haiphong harbor, bombing the cities themselves, attacking airfields in the North and in China, invading North Vietnam, and starting the showdown with Peking. Crossing any one of these lines could produce a very new and more menacing configuration of battle, including greater if not direct Soviet assistance and the introduction of Chinese manpower. I do not think that either Moscow or Peking want to become directly involved in the fighting, but we should not force their hands.

Make no mistake—Vietnam is not Cuba, and if we challenge Soviet and Chinese interests directly, they will react. To speak as Premier Ky does of invading North Vietnam and having a showdown with Peking is the height of folly. Premier Ky says there can be no peace in Asia unless the U.S. defeats Communist China. This is tantamount to saying there can be no peace without World War III. Our own government should publicly disavow Premier Ky on these matters.

What happens, on the other hand, if we do not pursue the path of "quiet" escalation, and if, instead, we concentrate our military power in South Vietnam itself? While this is the course of action I prefer, it also has its limitations.

With half a million U.S. troops, a similar number of South Vietnamese soldiers, with allied support, with helicopters, modern weaponry, and air power, the communist troops operating at regimental and divisional levels in South Vietnam will get hurt and hurt very badly. Even if Hanoi infiltrates as many as six thousand troops per month, the attrition rate on these forces will be intolerably high. The Communists will soon discover that operating at Stage II of Mao Tse-tung's Theory of Revolution—at the conventional force level—is too costly.

But will their answer to this be negotiations? Most probably not. Most probably, they will revert to Stage I, or strictly guerrilla type warfare. This, in turn, will leave us back where we were three years ago. True, we shall have more troops on hand, but the guerrillas will still be there.

If I were convinced that we could use more force without causing a general Asian land war, and that this would put an end to guerrilla strength in the South, or that this would bring about negotiations, such a policy would have my support. But I do not believe that force alone, even measured and concentrated forced in South Vietnam itself, is the main route to peace.

THE REAL CHALLENGE: ELECTIONS AND REFORM

With our hopes tied to a peace conference and our remedies focused on force, we have taken our eyes off the real challenge, off the essence of guerrilla war. These wars begin and end in the hearts and minds of the people themselves, and they are nurtured in uncorrected injustices. As long as there is a sizable number of people who feel they can receive a better deal from the Vietcong, or that the government is unresponsive to their needs, there will be guerrillas.

Force, of course, is required to meet the guerrilla on the battle field, to prevent the collapse of authority, and to pacify the country. Force can provide a shield of confidence behind which free elections and social and economic reform can take place, but it is what goes on behind the shield that determines success or failure.

This has been the case in every guerrilla war since 1945. The British and the Malays fought the predominantly Chinese guerrillas in Malaya for ten years, with a numerical superiority of twelve to one. Malaya being a peninsula, there was little outside help for the guerrillas, and the guerrillas being primarily Chinese were readily identifiable. Still, it took ten years. The Philippine Government battled the Huks, who had virtually no external assistance, for eight years. In both of these instances, the tide was not turned against the guerrillas until the individual peasant began to feel the fruits of reform in his own life and until he could give his loyalty to the government.

I am not saying that our government is unaware of this time factor; it is. I am not saying that our government has ignored the social and economic reform side of the war; quite the opposite is true. I am not saying that our government fails to comprehend how vital free elections are to obtaining the loyalty of the Vietnamese people; it knows this only too well. My point is that despite our Government's understanding of these problems, it has not taken the necessary action to resolve them. Consequently, a number of hurdles to success still exist: 1) the American public's impatience with the inevitably slow progress, domestic pressures for quick results; 2) our own hesitancy in pushing the Saigon Government along the necessary paths because we fear undermining its authority; and 3) the delaying tactics and equivocating of the Saigon Government and the wide-spread corruption throughout South Vietnamese society.

In effect, the Administration has not been straight-forward enough to dispel the illusions about quick results and has not been forceful enough with the Saigon regime to press for implementation of the aspirations of the Vietnamese people.

Our economic aid program to South Vietnam has been massive, considering it is a country with a population of only about sixteen million. Since 1954 and including what is projected for the next fiscal year, the total will be approximately $3.8 billion. This year alone, we are spending about $730 million for a variety of programs like rural reconstruction and pacification, financing of commercial imports and food assistance.

This is already a massive program, in some respects too massive since it has produced rampant inflation. We do not need to provide more dollars in aid; we do need to ensure that what we give is properly used and that it actually gets to the people.

As things now stand, the Saigon Government is dragging its heels on land reform, refugees, and corruption. The United States has to talk tougher to the Saigon leaders on these matters. We did get tough on the monetary side, and it worked—they reduced by half the value of the piaster and this did put the brakes on inflation.

We have been too squeamish on the matter of elections as well. After procrastinating, the military junta scheduled elections for a constituent assembly for September 11. This assembly is given a period of six months to draft a constitution, which in turn has to be approved by some virtually defunct body called the National Assembly, and then promulgated by the military junta itself. By November of 1967, if the constitution is approved and promulgated, the requisite national institutions are to be established. There is no provision, at present, for a general election of a civilian government. Equally distressing, is the section of the electoral law for the constituent assembly itself which prohibits "communists and neutralists" from participating. Some explanations have been offered about this, but they are unsatisfactory. It is my concern that the military junta will use those abstract classifications to prevent anyone from running for office or voting of whom they disapprove.

Genuinely free and open elections are the only real basis for generating peoples' loyalty for their government. With so much at stake, our own government should be direct and forceful in clearing up these ambiguities and in promoting free elections for a civilian government as soon as possible.

I have taken you along the road of my own thoughts on Vietnam, and these thoughts are not optimistic. I hope I am wrong. I hope there will soon be a peace conference; I wish our military power could produce negotiations without unacceptable escalation. But I would not count on either, and I would not allow myself to be taken in by false optimism, or phrases like "renewed determination." If I am right, if we face a long and uncertain future, the American people must know it, and we must accommodate our policy on Vietnam and at home to meet it!

Free Elections Vital in "New Kind of War" in Vietnam

(The following are excerpts of the remarks of Senator Jacob K. Javits delivered before the American Legion Convention Committees on National Security, Statler Hilton Hotel, Washington, D.C., at 10 a.m., Sunday, August 28, 1966.)

The American Legion has always prided itself—and justly so—on its sophistication about war, and the Legion has taken pains to continue its expertise. Now, in Vietnam, we are confronted with a new war—a guerrilla war that takes place not only on the battlefield but in the shadows, in the homes and farms and rice paddies, and in the minds of the people. And, I call upon the American Legion to take the lead in bringing the American people to a new awareness of the meaning of this guerrilla war, in all its complexities, military and non-military alike.

Many watching the proceedings of your convention expect that the voice of the American Legion, in the next few days, will resound with a call for more force and more bombings; they are waiting for you to be hawks. I do not believe the Legion will want to sound hawkish just because people expect it to. It is time, once again, for the Legion to demonstrate its acknowledged sophistication about war.

For, there is a vital difference between this new challenge and previous modern wars. We cannot fight the Korean War in Vietnam, for Vietnam is not Korea—nor Berlin, nor Lebanon, nor World War II, and no one should understand this better than the American Legion. Your appreciation of this fact, and that of other informed groups, is important to the President in maintaining our Vietnam commitment.

But, it is the President who has the primary responsibility, and it is the President who is steadily and inexorably foreclosing his freedom of action on Vietnam by not coming before the American people and telling them what we can realistically hope to accomplish. We can understand hard foreign policy decisions; we cannot understand a ritualistic adherence to illusions.

The fact is that, for a time at least, there is little likelihood of a negotiated settlement because the Communists want more than we can possibly give; nor is it likely that they can be forced to the negotiating table in the foreseeable future. Increasing doses of force in North Vietnam apparently have not been effective in halting infiltration of men and supplies into the South. But they do heighten the possibility of direct Soviet and Communist Chinese counter-measures.

Of course, we are capable of great escalation of force, and of course, we possess the military might to inflict unacceptable damage on our opponents, but I do not believe that Americans want to use that power at the risk of a nuclear war or, more probably, an Asian land war.

By not educating the American public to the rigors of guerrilla war, of the limitations of what can be accomplished by force, of the impossibility of quick results, the President risks erosion of domestic support for the U.S. position in Vietnam. We already can see the beginnings of this development in the slogan "Win or get out."

We cannot and should not withdraw from Vietnam because we do have important interests at stake, but neither can we expect total and decisive military victory.

A guerrilla war is not simply a military war—and never since World War II have guerrillas been defeated on the battlefield alone.

Force is a necessary policy ingredient. Without it, larger and larger communist units will be free to roam the countryside and control Vietnam territory. Without it, there can be no pacification. But, for our force to be truly meaningful with a maximization of effectiveness—without attendant risks of escalation—I urge the President to concentrate our primary military activities in the South. The main function of our force should be to provide a shield of confidence, a shield behind which the equally real war against social and economic deprivation can go forward. As long as any Saigon Government is unresponsive to the needs of the Vietnamese people, there will be guerrillas.

The way to beat guerrillas is to isolate them from their environment, the people themselves. The only way to isolate guerrillas is to give the people both protection and another source of loyalty.

Unless the President acts to clear the air of current misconceptions, he may soon discover that the American people will accept nothing but total victory. Unless he prepares us for the long haul, he may find that his options have been reduced to one—more force. Unless he leads the way, he may make it very difficult for public officials who want to support the Vietnam effort in a sensible way to do so.

Two weeks ago in the first of a four part speech series on Vietnam, I discussed in detail the diplomatic-military aspects of the situation. Today, I would like to focus on the political situation in South Vietnam, and in particular, on the impending elections for a Constituent Assembly. These elections are only sixteen days away, and we have not begun to ask the vtial questions: What do we hope will be accomplished by them? What problems will remain?

THE ELECTIONS: A PROBLEM OF EXPECTATIONS

Since the conflict in Vietnam took on significant proportions, there has been a growing gap between the government and the people of South Vietnam. I have always maintained, not only with respect to Vietnam but elsewhere, that the prime way for a government to obtain the loyalty of its people and to enlist their wholehearted efforts for defense of their state is to legitimize its own existence; and that this legitimization process is intimately tied to free and open elections.

South Vietnam is preparing for elections on September 11. These elections can, if there is a sizable voter turn-out and if properly conducted, be the single most important step in winning the hearts and minds and loyalties of the South Vietnamese people, for only a government duly and freely elected will be responsive to the needs of the people as the people themselves see these needs. And, have no doubts about this, such a government will be able and ready to carry a larger share of the actual burden of fighting in the long run.

But, these elections are only one step. They will not end the political strife among the various political, tribal, and religious sects in South Vietnam. They will not produce a new and dramatic resolve by the people of Vietnam to fight the war in a more determined way. In the first place, the elections are simply for a Constituent Assembly to draft a constitution; they are not for a civilian government. In the second place, peoples' loyalties are not gained or lost so quickly—especially in Vietnam.

Our expectations about the elections must be realistic. There will be no miraculous harmony or clearcut mandate. The elections will not solve everything, but without them, nothing can be solved. Without them, there can be no hope of expanding the base of political and popular support so vital to combating guerrillas.

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THE CONSTITUENT ASSEMBLY: POSSIBLE POWER CONFRONTATION

The Constituent Assembly is likely to be a hodgepodge of at least a dozen different groups, each with its own distinct views and ambitions. There will be no majority party, probably no majority coalition, and probably no dominant group. The single largest party is likely to be not the Catholics or the Buddhists, but the Khaki Party of Army officers and civil servants supported by the military junta, and this party is expected to number no more than about forty seats.

Heterogeneity and fragmentation are exactly what the electoral law was designed to produce. The junta perhaps fears, and rightly so, that the Assembly will become a rival power base, and that instead of concentrating on the job of writing a constitution, it may busy itself by taking pot-shots at the junta from the sidelines. This could wreck the whole enterprise.

I would hope that the members of the Constituent Assembly would get on with the work of constitution drafting, an arduous task by itself, and not use this opportunity to pay for separate political advantage. I make no particular pleas for Premier Ky's Government, but the occasion of the Constituent Assembly is not the time or the place to attack it.

But, just as the assembly could undermine the enterprise through its haste to assume power, the military junta could destroy the legitimization process by refusing to tolerate views and power other than its own. Article 20 of the Constituent Assembly Law empowers the junta to veto any item in the constitution and requires a two-thirds total vote of the Assembly to override. Unless Article 20 is employed sparingly, the junta will find that the constitution will receive little public acceptance.

The problem is clear-cut. We must convince the military that they need political support, and we must convince the politicians that they need military loyalty. The military chain of command is the only structure that exists in South Vietnam that can implement decisions, and the various political groupings represent the only way decisions can be both made and accepted by the people. If either attempts to go it alone, it is the people of South Vietnam who will suffer.

It must be remembered that the Constituent Assembly is only an intermediate step, a step in the direction of a freely elected civilian government. As of now, there is no provision in the Assembly Law about these future elections, and it is rumored that the junta intends to stall these elections for a year after the constitution is promulgated, which will mean elections no sooner than February 1967. If the junta does delay, it will be at the expense of stability and legitimacy in South Vietnam, and the time lost may be irretrievable. The U.S. should not hesitate to make this fact known to the Saigon leaders.

The political situation in South Vietnam is tangled and confused. Religious sects, political parties, ethnic groups, and tribes which have historically disliked and distrusted one another are now faced with the prospect of either banding together to meet their long and common task of nationhood or continuing to follow their separate and self-defeating ways. It is my hope that their common interests will prevail, and that the U.S. will aid them in this undertaking. Only then can we begin to tackle the underlying causes of the conflict in Vietnam, the social and economic injustices which give the opportunity to the Vietcong. Only then, can we look forward to a renewed South Vietnamese will to resist.

VIETNAM: CONFLICT IN THE SHADOWS

(The following are excerpts of the remarks of Senator Jacob K. Javits delivered at the Overseas Press Club Luncheon, New York City, at 12:30 p.m., Wednesday, September 14, 1966.)

It has been a commonplace of military history that wars are not won on the drawing board but on the battlefield. There was little mystery attached to the perimeters of this battlefield; it was Inchon, or the Bulge, or the Marne, or Gettysburg, or Waterloo, and each confrontation had a clear beginning and end. In Vietnam, the lines of battle are blurred, for the battlefield is not one place but all places, and the contestants are not just armies but all the Vietnamese people—North and South—and there is no clear beginning and probably no clear end.

Success or failure in Vietnam will be determined by more than the drama and anguish of force, by more than kill counts, incident counts, and daylight victories. The end will be determined by who wins the conflict in the shadows, the battle for the hearts and minds of the Vietnamese people. In the shadows live sixteen million, waiting for a better day. They will ultimately name the victor.

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Since, at this time, it seems unlikely that the struggle in Vietnam will be terminated by the massive application of force or by a negotiated settlement, U.S. policy should focus along three mutually reinforcing lines:

1. Using force principally in the South in order to establish a shield of confidence behind which South Vietnamese life can be reconstituted;
2. Bringing about as quickly as possible a civilian government in Saigon that is regarded by the people as legitimate, and responsive to their needs and feelings; and
3. Engendering a social and economic revolution that will actually touch and change the lives of the workers and farmers, a change that will give them some new stake in a non-communist life.

On two recent occasions, I have spoken about the shield of confidence and legitimization policies. I would like to add a comment on the latter at this time as well.

The elections were held as scheduled on Sunday, and I believe that they could be the first concrete sign that our joint efforts are paying off. The two key indicators of success were positive: there was a larger voter turnout and there were hardly any charges of fraud. Present figures are that over five million South Vietnamese or almost three-quarters of the eligible voters cast their ballots.

We should be perfectly clear, however, on the meaning of this success. It is not going to produce any new and miraculous harmony or a clearcut mandate. It is not a vote of confidence in any ruler or political party. It is not even a definite sign that the South Vietnamese are going to clean their own house and begin to pursue the war against the Communists or their war against want in a more determined fashion.

The success of the elections do prove one thing—control, and this is what was really being tested in the first place. The impressive voter turnout demonstrates that the Saigon Government actually controls and is administering the territory containing the majority of the South Vietnamese people. In the test of wills and strength between the Vietcong and the Saigon Government, the latter proved that it could deliver, that the people felt safe enough to brave the Communist's threats and vote.

There can be no doubt that some momentum has been gained by these elections. The initiative must not be lost. It must be exploited by swift and dramatic measures toward social and economic reform in South Vietnam.

Today, in the third speech of my series on Vietnam, I would like to highlight the problems of economic and social development and make a number of proposals which, I believe, will strengthen our efforts in this regard.

THE PROBLEMS

While the U.S. has made a number of policy mistakes in Vietnam, one area in which we have rarely faltered is in our recognition of the importance of social and economic reform. From the White House on down to AID personnel in the field, there has not been any doubt that this aspect of our policy must be made to work. The sad and unassailable fact, however, is that, with a few notable exceptions, this vast development program has not taken hold.

Our economic aid effort to South Vietnam, considered on a per capita basis has been massive. Since 1954 and counting what is projected for the next fiscal year, we will have given almost $4 billion to a nation of only sixteen million people. In the last two years alone, we have given over $1 billion for programs ranging from urban housing, hospitals, agriculture, education, rural reconstruction, to financing of commercial imports and food assistance under P.L. 480.

The problem is not the size or the nature of our effort. In fact, our aid has, in certain instances, been too massive with the result that it has not curtailed, but in some respects added to the inflation. A country is not like a sponge and unless we adjust the size of our aid to South Vietnam's capacity to absorb it, we shall find that more and more of our dollars are skimmed off at the top by those who already have plenty and that less and less reaches those who need it most. This is exactly what is happening to our commercial imports program, by far the single largest component in the total picture. The purpose of this program is to maintain general economic stability, to curb inflationary pressures by meeting the increasing level of demands, particularly demands by our servicemen and personnel connected with military construction. But, it is becoming obvious that most of this money ends up in the hands of the Saigon business community. This means, in effect, that well over two-thirds of our total aid program, the amount represented by commercial imports, does not reach the Vietnamese masses.

This is symptomatic of the real problem with our aid—and here I am referring to the project-oriented aid which fills out the remainder of our total program—it simply is not being properly administered by the South Vietnamese, and therefore, little of the aid is actually reaching the people.

Here is where we have been at fault. We have been much too squeamish and hesitant about pushing South Vietnamese leaders along the necessary paths and into a greater awareness of the importance of economic and social reform. Yet a push is necessary. Many Saigon leaders are indifferent to such reform, and some oppose specific reforms on the grounds of their being "Diem programs." They are more interested in the military aspects of the conflict. Corruption is widespread and accepted as a fact of life. The bureaucratic red tape throughout the country is so enormous that even something so small as constructing a well in a village can take months and mounds of paper. Lastly, an aid program like land reform bucks up against vested interests, against powerful and privileged South Vietnamese groups who are doing all they can to have their cake and eat it too. Like their historical predecessors, they have not learned that the continuation of their own position depends on meeting the demands of the less fortunate.

I fully understand that we cannot supplant South Vietnamese officials in administering the AID program, and that to do so would undermine the authority of the Saigon Government in the eyes of its own people, and thus be self-defeating. I appreciate South Vietnamese sensibilities, their xenophobia, their desire to run their own show, but I think there are a number of areas where we can and should be firmer and more insistent with them. We should try to accommodate their sensibilities, but not at the price of inaction and not at the price of losing the conflict in the shadows.

Right from the start, one of the cardinal principles of my thinking about Vietnam has been that the South Vietnamese do all they can to maintain their share of the joint burden, that they do all they can to meet their own problems. There is a corollary to this: if they do not uphold their part of the joint effort, the U.S. should reappraise its commitment to South Vietnam.

Now, it is a fact that U.S. troops are conducting most of the search and destroy operations and are doing most of the fighting against the Communist forces. I can approve of the military reasons for this for a time—and for a time only—but what I cannot accept, and what I believe the American people will not tolerate, is South Vietnamese foot-dragging in the socio-economic sphere. There is not even a temporary excuse for this, nor for the corruption which underpins it.

The corruption, the red tape, and the disinterest cannot be done away with in a day, but with dedication and will, and a true realization of their own self-interest, leaders in South Vietnam can be brought to begin to overcome the problems of getting the aid to their people.

PROPOSALS TO STRENGTHEN THE EFFORT

Even within the present context and with the problems we face, there are a number of areas in which the battle against social and economic deprivation can be strengthened. To this end, I propose:

First, that we make a concerted effort to enlist the support of other nations, private individuals, and organizations to attack the problems of the non-military sector of South Vietnam. While others may to varying degrees disagree with our military policies and our negotiating stance, all can agree on the necessity for this humanitarian project. There is a desperate need for doctors, educators, farm experts and dozens of other kinds of skills, all of which can be contributed without political commitment.

To this end I call upon the President to instruct the U.S. Ambassador to the United Nations to formally request such non-military, non-political assistance from the member nations. There can be no worthier undertaking, especially by those European nations which once were the recipients of help themselves.

Second, that the land reform long promised the South Vietnamese farmers be put into effect in a speedy and inclusive manner. Political and security problems do make land redistribution and compensation more difficult to bring about, but they do not make this task impossible. Premier Ky's Government has done virtually nothing to implement the land reform laws already on the books, and the United States Government has not really prodded Ky. In the major fertile regions of Long An Province and the Mekong Delta about eighty-five percent of the land is farmed by tenants. Some three thousand rich Saigon families still own most of the arable land in South Vietnam.

Our own record on land reform is not much better than Ky's. From 1961 to 1965, we did not budget one cent for land redistribution, and the budget for the current fiscal year is only $1.1 million. It is estimated that about $150 million in local currencies could provide outright compensation, and solve the problem almost in a single stroke. It would be a worthwhile investment, especially in view of the fact that the Vietcong has not as yet fully delivered on its promise to hand out land titles on a mass basis. The farmer may well give his loyalty to whomever gives him the deed to his own land first.

Third, that we take greater care and make more utilization of the refugees.

During the last two years, over one million South Vietnamese have become refugees, that is one-sixteenth of the total population. Half of this number is still living in temporary shelters, while the other half has either returned to their villages or been temporarily relocated. As we are spending $25 billion this year on the military effort in Vietnam, the $20 million we will spend on refugees and the $13.5 million being spent by the Saigon Government is much too small. Not only can we provide them with more direct aid, but we can also alleviate their homeless status by creatively tying their resettlement to land reform. If more attention and care is given to these rootless and unfortunate people, they can become powerful allies in keeping the country out of communist hands.

Fourth, another pivotal and potentially invaluable group are the Vietcong defectors. The Chieu Hoi or "Open Arms" Returnee Program has received far too little attention by our press and by the South Vietnamese Government itself. After a brief period of care and debriefing, these defectors are virtually sent out to fend for themselves. There is no real program to integrate them back into South Vietnamese society. Despite Saigon's indifference, the Chieu Hoi idea shows great promise. In 1965, there were over 11,000 Vietcong defectors, and in the first half of this year, there have been about 10,000. These people can be rehabilitated, join the ARVN, or take their place in civilian life as strong opponents of the Vietcong. There is no group that is potentially more important than this one, and we should try and bring Saigon to this realization.

The conflict in the shadows that I have been talking about today is really the story of revolution, in fact, the story of two revolutions (one political, the other, social and economic) in Vietnam rolled into one. In the history of the West, we were fortunate in having the time to separate the two revolutions, to establish political legitimacy, stability, and democracy before undergoing the strains and jolts of social reform. The fact that we had on-going political institutions and responsive political parties meant that changes in other sectors of society could be brought about with a minimum of violence, and widespread acceptance. Our Magna Cartas, Declarations of the Rights of Man, and Declarations of Independence preceded and fostered our efforts to provide our citizens with the opportunity to be free as well as the right to be free.

South Vietnam must compress the two revolutions in time. It must give a sense of political participation at the same time as it reorders the rewards of life. Only then can we and the South Vietnamese win the guerrilla war, the conflict in the shadows, the outcome of which is so heavily dependent on the will of the people rather than armies.

VIETNAM: U.S. DIPLOMACY AND TERMS OF PEACE

(The following are the remarks of Senator JACOB K. JAVITS delivered on the Senate Floor, Wednesday, September 28, 1966.)

The Administration's peace proposals made through Ambassador Goldberg at the opening of the U.N. General Assembly shows at once the present difficulty of trying to bring about negotiations on Vietnam and the need to persist diplomatically despite the rebuffs.

The outcome of our U.N. effort and my lack of optimism about a negotiated settlement in the near term notwithstanding, our diplomacy ought not to come to a standstill. No matter how rigid the other side remains and no matter what help we receive from world opinion, we must continue the responsibility of seeking peace through all sources.

In this context, the Manila Conference announced yesterday is certainly desirable as a show of Asian-U.S. unity over Vietnam policy. But, it would be unfortunate if the Manila Conference, like the Honolulu Conference, promised much and accomplished little. The gap between the reforms pledged at Honolulu and the reforms carried out by the Saigon Government still remains embarrassingly large. Therefore, I urge the President to clarify his objectives and to make sure they are attainable, and not to raise expectations that cannot be fulfilled.

In order to establish a diplomacy for tomorrow in Vietnam, we must look at what our positions have been in the past, their strengths and the weaknesses. Moreover, we must look into the particularities and specifics of what there is to be bargained, for only by facing up to the details of the peace now can we have the courage and willingness to negotiate later. We must also search out those areas in which we can lay the groundwork for peace—despite rejection from the other side, and here I am thinking specifically about strengthening the International Control Commission. Finally, because there is no time to wait for the history books, we must learn the lessons of Vietnam now, lessons to help us avoid or better manage similar crises for peace that are bound to occur elsewhere in the world.

The irony of the recent peace initiative is that its rejection will result in mounting pressures for escalation of force in Vietnam. Many now will argue that diplomatic offensives are a waste of time, and that a military victory is the only answer. Many will now say that the President is free to pursue the war and forget the peace. This attitude must be resisted.

While the Administration's U.N. proposals in themselves may not have brought us closer to peace in Vietnam, they may have shown us another way of seeking it. *The positive reaction outside of the Communist bloc to the speech may have shown that the way to Hanoi and the NLF is not through Moscow or Peking, but through world opinion.*

If the message got through that *we* are genuinely pursuing a way out, our diplomacy was a success. If the message was properly understood, world opinion should now recognize that it has a role to play. Sensible Americans recognize that we cannot seek "unconditional surrender", and leaders and people around the world must recognize that we will not accept an ignominious peace. The burden of reconciliation now rests on those who have stood on the sidelines as well as on ourselves.

It is to these problems and issues to which I would like to address myself in this fourth and final speech in a series on Vietnam.

OUR POLICY OF SEEKING NEGOTIATIONS

While our policy of seeking negotiations regarding Vietnam has gone through periods of confusion, indecision, and hesitancy, it has continuously been sincere and it is now basically sound. All those who have not closed their minds on the subject recognize that the U.S. really does desire a negotiated way out of Vietnam. The issue, however, is not whether we want a negotiated settlement; it is this: Are our actions and our words likely to bring such negotiations about and, are Hanoi and the NLF likely to respond to anything less than the acceptance of about their present demands? In other words, it is not the intent, but the content of our proposals that counts.

Until the Administration's proposals at the U.N., the thrust of our diplomacy has been the offer of "unconditional discussions" and "negotiations without preconditions." Some argued that the very open-ended nature of the latter policy made it difficult and impractical for the Communists to respond, that a conference on this basis would undermine the morale of the communist troops fighting in the South without the promise of a satisfactory result.

Instead, these critics maintained that the way to the peace table was our acceptance of the three point plan of U Thant. U Thant has proposed: 1) the cessation of bombing of North Vietnam; 2) the scaling down of all military activities in South Vietnam; and 3) the willingness of all sides to enter into discussions with those who are actually fighting.

The Administration's proposals made by Ambassador Goldberg were almost identical. On the first point, he said that the bombing will stop "the moment we are assured privately or otherwise" that the step will be answered by "corresponding and appropriate de-escalation on the other side." Our asking for reciprocity whereas U Thant wants a unilateral move is not a vital difference. Hanoi itself never insisted on this. The same holds true for the second point, where Ambassador Goldberg said we were ready to withdraw our forces "as others withdraw theirs" under international supervision. In regard to negotiating directly with the NLF, Goldberg invited Hanoi to consider whether this obstacle "may not be more imaginary than real."

While I still believe that we ought to formally offer the NLF separate, belligerent and negotiating status, I believe that this is not the reason why Hanoi has rebuffed our offer.

The upshot of what I am saying is that there is little we can do now—outside of outright concession to Hanoi's Four Point Program of a quick and irrevocable Communist takeover in South Vietnam—to bring the other side to the peace table. Nor can we count on the Soviet Union to do anything that Hanoi rejects.

In effect, we must realize that Hanoi and the NLF will resist all attempts to get them into a position of having to accept a compromise settlement. The only way to alter their policy is by convincing them beyond doubt that we intend to stay in Vietnam as long as necessary to back up our commitment, and that the South Vietnamese Government can be legitimatized and can make a go of it.

In the meantime, our diplomacy must face up to one pitfall and danger—that, as Karl von Clausewitz, the dean of military historians warned, all military conflicts tend to outstrip political objectives and develop a logic of their own. Even as our commitment in forces increases, we must guard against letting military exigencies dominate our diplomacy. Substantive escalation like mining Haiphong, or bombing Hanoi, or invading the demilitarized zone, or bombing airfields, could foreclose further diplomacy.

THE NEED TO PREPARE FOR NEGOTIATIONS

We have and we must continue to maintain the peace initiative, but doing so requires more than offering to talk; it necessitates deciding the details of a negotiating position. In case the improbable becomes likely, we must be prepared. Unless we develop the specifics of a bargaining position, the natural tendency is to shy away from negotiations, or to drag them out. Position papers like this are usually prepared by the bureaucracy, but given scant attention by the actual decision-makers.

The cost of not preparing the details is high—the loss of additional lives on the battlefield as the negotiators wait for more complete directives and fall-back positions. The Korean War and World War I showed how dear was the price of this delay. The agony of Panmunjon will not be forgotten by the people of the U.S.

When I say we ought to go through this detailed process now, I do not mean that these negotiating positions should be final and unalternable. Naturally, as the situation in Vietnam undergoes qualitative changes, our specific bargaining plans will change as well. My point is that we must be ready at each stage and period to talk without delay.

There are eight basic areas to cover.

1. What is to serve as the basis of the talks? Do we really want to return to the Geneva accords of 1954, and is it still feasible to do so? Peking has stated flatly that the Geneva provisions are no longer satisfactory, and some elements in South Vietnam, for different reasons, share this view.

2. What is to be the agenda of the peace conference? Will the settlements be restricted to Vietnam or will they include all of Southeast Asia? Many argue that Vietnam is just a part of the greater regional problem of instability, and that it cannot be resolved on its own terms. Internecine war is still going on in Laos, and the tempo of guerrilla war is picking up in Thailand. Will the Vietnam talks be the time and place to settle these as well?

3. Who is to participate in the talks? This, of course, depends on the areas and issues to be bargained. Moreover, we must ask ourselves what nations are relevant to what kinds of settlements, and which nations would facilitate or impede settlements? The U.S. has given strong implications that the NLF will have no difficulty being represented at the conference. But, it is time that we accord them independent status in clear and unmistakable terms. I urge the President to make such a statement; it will clear the air!

4. Is it feasible to have a cease fire before negotiations begin, or will a cease fire be one of the settlements? In all likelihood, it will be difficult to completely halt guerrilla activities before other agreements are reached, and we should, therefore, focus on other means of reducing the violence. An internationally supervised military freeze on the introduction of additional troops into South Vietnam might then be the best alternative.

5. How is troop withdrawal to be supervised and what time limits are to be imposed? We have stated repeatedly that we want to remove our fighting men as quickly as possible, but we may not be able to move as quickly as we like until the vacuum is otherwise filled.

6. If neutralization is to be the diplomatic solution, what are to be the specific prohibitions on and rights of the neutralized states, and how and by whom is neutralization to be guaranteed? The latter is really the vital matter, for while it is relatively easy to agree on a neutral status, it is very difficult to arrange the diplomatic machinery to trigger corrective action if terms are violated.

7. Is reunification of North and South Vietnam in the foreseeable future still possible and desirable, and if it is still desirable, by what methods can it be ascertained? Are there to be nation-wide elections, elections in South Vietnam alone, and how are they to be supervised? If elections are not the answer, should we leave the problem to direct negotiations between Hanoi and Saigon? Is there to be any time limit as in the previous Geneva accords?

8. What projects for regional development are we prepared to back, (i.e. Mekong Delta)? Are both Vietnams to participate, and what other nations are to be included? The forthcoming Manila Conference would be a good place to consider and further such projects.

All this may seem very far away, but the questions are hard ones and will take time to answer. The answers are made more difficult by the fact that we have to prepare not only what we want, but where we are prepared to compromise. The time to start is now.

STRENGTHENING THE INTERNATIONAL CONTROL COMMISSION

While all we can do about bringing Hanoi and the NLF to the peace table is hope, plan, and persevere, there is one concrete action we can try to take to facilitate negotiations if and when they should come about. We can urge relevant and concerned nations to take a number of steps to strengthen the International Control Commission for Vietnam. Established by the 1954 Geneva Agreement, the ICC (composed of India as Chairman, Canada, and Poland) is, under Article 36 of the Treaty, responsible for the "tasks of control, observation, inspection and investigation" of the treaty terms.

There is no established juridical way of making changes in the ICC. Since the parent body, the Geneva Conference, made no provision for its own continued operation or re-call, an argument can be made that changes are possible without the formal Geneva sanction. As a practical matter, the support of the Soviet Union and United Kingdom would be required, and the diplomatic initiative should probably come from the ICC powers themselves. Change will not be easy to arrange, but it is certainly worth the try.

Despite lack of cooperation from Hanoi and occasional obstruction in Saigon, the ICC is still operative. Indeed, two signs point to the fact that even the Communist powers recognize its importance, plan for its future use, and do not want to destroy its viability. While Communist China and North Vietnam no longer contribute funds for ICC operations, the Soviet Union and Poland do. And while North Vietnam does not encourage the ICC, it does allow one ICC team to remain in Hanoi, and it does with regularity report all "imperialist violations" of the 1954 Treaty to the ICC.

The ICC has demonstrated its integrity over the years by condemning with equal force treaty violation by all sides. The unfortunate truth is, however, that due to a number of problems—financial, technical, and the growing indifference of the parties concerned—the usefulness of the ICC is being sapped. If, over a period of time and with the cooperation of the Soviet Union and Poland, measures are taken to bolster this body, it can still perform a vital diplomatic function.

To this end, I propose:

First, that the financing of the ICC be increased by a call for voluntary contributions from all nations, particularly contributions from Asian nations. Under the present arrangement, the ICC powers themselves bear the bulk of the total costs, and France, Communist China, and North Vietnam no longer pay their shares.

Second, that the ICC be enlarged by two additional Asian powers (perhaps Japan and Burma) and that its voting procedures be changed accordingly. Adding two Asian members would help the sagging prestige of the ICC and would give the Commission a predominantly Asian character. Under the present voting system, the ICC can make recommendations only by unanimous vote. But if the Commission were enlarged, a majority vote would be more meaningful and important and recommendations from an objective source could be obtained.

Third, that an ICC Secretariat be bolstered to cope with the problems of language translation, general staff work, and over-all supervision. The ICC cannot technically manage its affairs without this kind of backstopping.

Fourth, that the ICC be provided with more extensive transportation and communications facilities. Presently, the ICC is totally dependent on the host countries for necessary facilities like helicopters. It is impossible for the mobile inspection teams to do their job if the violators themselves can prevent or impede inspection of violations.

I am not claiming that a strengthened ICC can perform miracles, or that it can even be strengthened without acceptance by the other side, or that it can meet its responsibilities without the cooperation of the parties directly concerned. I am saying that the

ICC should be strengthened for a time when the parties will be willing to use it again. At that time, they must have confidence that the ICC can do the job.

THE LESSONS OF VIETNAM

It has been said that the strength of a government lies in its ability to learn from mistakes and alter behavior accordingly. Thucydides, writing of the Peloponnesian War, put the matter another way: "Those who do not understand history are condemned to repeat it." In today's world, we cannot wait for tomorrow to see which way to go.

However the vital matter of negotiations evolves, we have learned some crucial lessons in Vietnam, lessons that should affect how we act elsewhere. We have learned that: 1) the problem of Communist China simply cannot be ignored, that we must face and accommodate ourselves to this international fact of life; 2) East-West relations are still very fragile, and the Soviet Union cannot be counted upon to pursue peace where it conflicts with Communist bloc interests; 3) the United Nations is unable to take action to mediate and conciliate in so-called "wars of national liberation"; and 4) U.S. policy still lacks a clear design and the very extent of our responsibilities harries us to proceed in reaction to crises. Under such circumstances our power, unless it is buttressed by reformed and realistic regional organization, will be exercised in growing isolation.

Communist China, no matter how much we deplore its domestic and foreign policies, is the key factor in Asia. It is a fact we cannot change without World War III. Given the ideological fanaticism of its leaders, there is little we can do to smooth relations. All we can do until there is an internal adjustment in Peking is to frustrate Communist China's external designs while, at the same time, to reassure its own territorial inviolability.

A very important by-product of the war in Vietnam has been the increasing awareness of the American people of these facts. For the first time in over a decade, we have been able to discuss Communist China without hysteria and fear. Because of this, our Government has been able to endorse a new policy of "containment without isolation," a policy which will in time lead to improved relations. Indonesia and North Korea have recently fallen from Peking's grip. If we are level-headed about it, others may follow.

If the reevaluation of our China policy has been a positive sign, the exposure of the fragility of U.S.-Soviet relations has been a negative one. Many had come to believe that despite tense moments both nations were pursuing a detente policy. Vietnam has demonstrated that the Kremlin now is subordinating understandings with the U.S. to the maintenance of Moscow's leadership in the Communist bloc.

This does not mean that we should throw in the towel on a detente. It does mean that we should seek to put our relations on a more specific base in areas where it is possible. Agreements on outer space, the non-proliferation of nuclear weapons, and further trade ties have yet to be made. These are attainable and are needed to give some substance to the form of detente. Otherwise, the Soviet Union's stake in peace will continue to be at the price of U.S. misfortune.

Another unfortunate point brought home by Vietnam is that the United Nations cannot be counted upon to deal with "wars of national liberation." The U.N. can play a key role when all the Great Powers want it to (as in the Arab-Israel dispute), when a former colonial power attempts to reassert its control (as in the Congo), and when parties to a dispute explicitly request U.N. action. With the exception of the Korean War, the U.N. has not been active in mediating Asian conflicts. I see no sign that this will change. This means that the U.S. will have to seek Asian settlements on a regional basis—through cooperation with non-communist Asian forces. Hopefully, the forthcoming Manila Conference could be an important step in this direction.

A final lesson of Vietnam points both to the predicament of U.S. policy and the direction it ought to take. The predicament is that the global nature of U.S. interests and commitments makes it difficult to plan our involvements and apportion our resources. With all the rapid and unpredictable change occurring in the world, we shall continually be faced with situations that are largely beyond our control. While it may look differently to others, we cannot afford nor are we interested in being the "policeman of the world."

But while Vietnam emphasizes this predicament, it also shows the way out—the growth and consolidation of regional organizations. If we cannot and will not be the policeman, we will have to enable others to tend to their own affairs. The seeds of regionalism are being planted in Asia. Our hopes and energies must be pinned to the Indus River and Mekong River projects, the Asian Bank, the Southeast Asian educational and technical arrangements make in Bangkok last November, the Association of Southeast Asia, and the Asian and Pacific Conference. Most importantly, we must make it perfectly clear to the countries of Asia that we intend to shift the burden on to them. We must convince them that they will have to learn to act together if they are to obtain our support. It is my hope that the Manila Conference will also help to solidify this kind of Asian cooperation.

International relations are built upon uncertainty and risk; there is no escaping them. What we can do is to try to minimize their disruptiveness by building regional influences for political stability and social and economic progress.

REGULATORY AND SUPERVISORY AUTHORITY OF FEDERAL AGENCIES OVER INSURED BANKS AND SAVINGS AND LOAN ASSOCIATIONS—CONFERENCE REPORT

Mr. ROBERTSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3158) to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes. I ask unanimous consent for the present consideration of the report.

The ACTING PRESIDENT pro tempore. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of October 12, 1966, pp. 26211–26212, CONGRESSIONAL RECORD.)

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. ROBERTSON. Mr. President, I am happy to report that the House and Senate conferees appointed to consider the disagreeing votes of the two Houses on S. 3158, the Financial Institutions Supervisory Act, reached agreement after long and hard argument. The House conferees stubbornly persisted in supporting the position of the House, and I think it is not an overstatement to say that the Senate conferees persisted equally stubbornly in supporting the position of the Senate. We held two conflicting positions. One group was for a permanent regulatory bill without any increase in the ceiling on insured accounts. The other group was for a $20,000 ceiling, which is double the present ceiling, with very temporary ceilings—only a bit more than 18 months.

Eventually agreement was reached by compromising the three main issues: First, on the House proposal to increase FDIC and FSLIC insurance from $10,000 to $20,000, which was not in the Senate bill, the conferees agreed on a $15,000 figure; second, on the House proposal to limit to 21 months the effectiveness of the supervisory powers given in the Senate bill, the conferees agreed on an expiration date of June 30, 1972 for the supervisory powers—5 years and 9 months; and third, on the Senate proposal that administrative hearings should be private unless the party and the administrative agency agreed to public hearings, which the House had changed so as to call for public hearings in most cases, the conferees agreed that the hearings should be private unless the Board should determine that a public hearing would be necessary to protect the public interest.

In addition to these three controversial issues, the Senate accepted the House proposal to authorize the acquisition by savings and loan holding companies of savings and loan associations in financial difficulties. This provision was in substance the same as section 513 of S. 3711, the Housing and Urban Development Act of 1966, passed by the Senate on August 10, which had been recommended by the Federal Home Loan Bank Board.

The Senate also accepted amendments to section 3 of the Federal Deposit Insurance Act and section 405 of the National Housing Act which would permit the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation to define and clarify the extent of insurance coverage and prevent abuses thereof.

Both of these insurance corporations have felt the need for action to make insurance coverage more explicit, and they have been working together in recent months to arrive at uniform positions on the extent and limits of insurance coverage. The two agencies have stated that these provisions would be extremely helpful to them.

It is not expected that regulations issued under this authority would affect the separate insurance coverage presently afforded an account owned by a husband, an account owned by his wife, and an account owned by both of them as joint tenants. However, it would enable the insuring agencies to bar the use of devices such as numerous joint accounts in various combinations, multiple numbered accounts, or revocable trust accounts to obtain insurance far in excess of the limits established by Congress. With the increase in insurance coverage to $15,000 effected by this bill, the savings of the small saver or typical household can be adequately protected without permitting the use of a variety of forms of accountholding aimed primarily at increasing insurance coverage still further.

The Senate also accepted an amendment which limited the circumstances under which cease and desist orders relating to conditions imposed in writing can be issued, to cases where the condition was imposed in connection with the granting of an application or other request by the institution.

The Senate bill contained no increase in the amount of insurance by FDIC and FSLIC. The Senate had held no hearings on this important subject, and the Senate conferees were reluctant to accept this amendment, in the absence of thorough hearings and in the absence of full consideration by the Senate. However, the Senate conferees had the benefit of letters from the agencies, including particularly the Federal Deposit Insurance Corporation and the Federal Home Loan Bank Board, which took the position that an increase of insurance to $15,000 would not impair the soundness of the insurance funds, if the increase were accompanied by the additional supervisory powers provided in S. 3158. These letters were printed in the Congressional Record on October 6, 1966, along with letters from associations representing the affected industries. They appear at pages 25521–25524 of the Congressional Record.

Since the House conferees were adamant in their position that some increase in insurance be granted in accordance with the position of the House, and since the Senate conferees had the assurance of the insuring agencies that an increase to $15,000 would not be financially unsound if additional supervisory powers were granted, the Senate conferees finally agreed to the increase in insurance from $10,000 to $15,000 per account.

While the Senate conferees held strongly to the Senate's views that the supervisory powers provided in S. 3158 should be permanent, they could not persuade the House conferees that no termination date was necessary. However, the compromise date, June 30, 1972, provides an adequate period—5 years and 9 months—to gain experience as to whether the provisions of the act will prove effective and satisfactory. Accordingly, the Senate conferees agreed to this provision believing that the basic principle behind the Senate's position had been achieved.

One of the reasons for the temporary nature of the bill was that some officials of financial institutions, against whom cease-and-desist orders or suspension-and-removal orders might be issued under the bill, felt that the bill might deliver them into the hands of arbitrary and bureaucratic officials and feared that the appeal to the courts provided by the bill might do them no good. We feel that fears expressed on this account are not well founded. This issue revolved in part around the substantial evidence rule prescribed in the Administrative Procedure Act and reaffirmed by the Senate Judiciary Committee and the Senate in its consideration and passage of S. 1336 this year. The House, in considering S. 3158, decided to follow the substantial evidence rule of the Administrative Procedure Act, and deleted a provision in the bill before the House which would have substituted the so-called weight of the evidence rule. In order to make clear the meaning of the substantial evidence rule as interpreted by the courts, it seems appropriate to include in my remarks a quotation from that distinguished jurist, Mr. Justice Frankfurter in *Universal Camera Corp.* v. *National Labor Relations Board* (340 U.S. 474, 487–489). In this opinion the Justice fully demonstrates that a mere trivial amount of evidence is not enough to support an administrative ruling, and that the Court must review the whole record of the case and must decide, after giving due consideration to the expertise of the agency, where this is appropriate, whether the evidence supporting the ruling is substantial in the light of the entire record, not just bits and pieces selected from the record.

I ask unanimous consent to insert an excerpt from this opinion in the Record at this point.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

> It is fair to say that in all this Congress expressed a mood. And it expressed its mood not merely by oratory but by legislation. As legislation that mood must be respected, even though it can only serve as a standard for judgment and not as a body of rigid rules assuring sameness of application. Enforcement of such broad standards implies subtlety of mind and solidity of judgment. But it is not for us to question that Congress may assume such qualities in the federal judiciary.
>
> From the legislative story we have summarized, two concrete conclusions do emerge. One is the identity of aim of the Administrative Procedure Act and the Taft-Hartley Act regarding the proof with which the Labor Board must support a decision. The other is that now Congress has left no room for doubt as to the kind of scrutiny which a Court of Appeals must give the record before the Board to satisfy itself that the Board's order rests on adequate proof.
>
> * * * * *
>
> Whether or not it was ever permissible for courts to determine the substantiality of evidence supporting a Labor Board decision merely on the basis of evidence which in and of itself justified it, without taking into account contradictory evidence or evidence from which conflicting inferences could be drawn, the new legislation definitely precludes such a theory of review and bars its practice. The substantiality of evidence must take into account whatever in the record fairly detracts from its weight. This is clearly the significance of the requirement in both statutes that courts consider the whole record. Committee reports and the adoption in the Administrative Procedure Act of the minority views of the Attorney General's Committee demonstrate that to enjoin such a duty on the reviewing court was one of the important purposes of the movement which eventuated in that enactment.
>
> To be sure, the requirement for canvassing 'the whole record" in order to ascertain substantiality does not furnish a calculus of value by which a reviewing court can assess the evidence. Nor was it intended to negative the function of the Labor Board as one of those agencies presumably equipped or informed by experience to deal with a specialized field of knowledge, whose findings within that field carry the authority of an expertness which courts do not possess and therefore must respect. Nor does it mean that even as to matters not requiring expertise a court may displace the Board's choice between two fairly conflicting views, even though the court would justifiably have made a different choice had the matter been before it *de novo*. Congress has merely made it clear that a reviewing court is not barred from setting aside a Board decision when it cannot conscientiously find that the evidence supporting that decision is substantial, when viewed in the light that the record in its entirety furnishes, including the body of evidence opposed to the Board's view.
>
> There remains, then, the question whether enactment of these two statutes has altered the scope of review other than to require that substantiality be determined in the light of all that the record relevantly presents. A formula for judicial review of administrative action may afford grounds for certitude but cannot assure certainty of application. Some scope for judicial discretion in applying the formula can be avoided only by falsifying the actual process of judging or by using the formula as an instrument of futile casuistry. It cannot be too often repeated that judges are not automata. The ultimate reliance for the fair operation of any standard is a judiciary of high competence and character and the constant play of an informed professional critique upon its work.
>
> Since the precise way in which courts interfere with agency findings cannot be imprisoned within any form of words, new formulas attempting to rephrase the old are not likely to be more helpful than the old. There are no talismanic words that can avoid the process of judgment. The difficulty is that we cannot escape, in relation to this problem, the use of undefined defining terms.
>
> Whatever changes were made by the Administrative Procedure and Taft-Hartley Acts are clearly within this area where precise definition is impossible. Retention of the familiar "substantial evidence" terminology indicates that no drastic reversal of attitude was intended.
>
> But a standard leaving an unavoidable margin for individual judgment does not leave the judicial judgment at large even though the phrasing of the standard does not wholly fence it in. The legislative history of these Acts demonstrates a purpose to impose on courts a responsibility which has not always been recognized. Of course it is a statute and not a committee report which we are interpreting. But the fair interpretation of a statute is often "the art of proliferating a purpose," *Brooklyn National Corp* v. *Commissioner*, 157 F. 2d 450, 451, revealed more by the demonstrable forces that produced it than by its precise phrasing. The adoption in these statutes of the judicially-constructed "substantial evidence" test was a response to pressures for stricter and more uniform practice, not a reflection of approval of all existing practices. To find the change so elusive that it cannot be precisely defined does not mean it may be ignored. We should fail in our duty to effectuate the will of Congress if we denied recognition to expressed Congressional disapproval of the finality accorded to Labor Board findings by some decisions of this and lower courts, or even of the atmosphere which may have favored those decisions.
>
> We conclude, therefore, that the Administrative Procedure Act and the Taft-Hartley Act direct that courts must now assume more responsibility for the reasonableness and fairness of Labor Board decisions than some courts have shown in the past. Reviewing courts must be influenced by a feeling that they are not to abdicate the conventional judicial function. Congress has imposed on them responsibility for assuring that the Board keeps within reasonable grounds. That responsibility is not less real

because it is limited to enforcing the requirement that evidence appear substantial when viewed, on the record as a whole, by courts invested with the authority and enjoying the prestige of the Courts of Appeals. The Board's findings are entitled to respect; but they must nonetheless be set aside when the record before a Court of Appeals clearly precludes the Board's decision from being justified by a fair estimate of the worth of the testimony of witnesses or its informed judgment on matters within its special competence or both.

Mr. ROBERTSON. Mr. President, I call attention also to *Consolo* v. *Federal Maritime Commission* (383 U.S. 607, March 22, 1966), citing Universal Camera Corp. against National Labor Relations Board.

Another reason which caused concern over the supervisory provisions of the Senate bill and, therefore, may have led to the wish to make the supervisory powers temporary in order to insure their review was the belief that the references to unsafe and unsound practices created novel standards. This problem is discussed at length in a memorandum from the Chairman of the Federal Home Loan Bank Board, and I ask unanimous consent to have it inserted in the RECORD at this point.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

MEMORANDUM ON "UNSAFE OR UNSOUND PRACTICES" AS A BASIS FOR ISSUANCE OF A CEASE-AND-DESIST ORDER

At the outset, it should be noted that the term "unsafe or unsound," as used in the cease-and-desist provisions of S. 3158, is not a novel term in banking or savings and loan parlance. The words "unsafe" or "unsound" as a basis for supervisory action appear in the banking or savings and loan laws of 38 States. For more than 30 years, "unsafe or unsound practices" have been grounds for removal under section 30 of the Banking Act of 1933, of a director or officer of a member bank of the Federal Reserve System. See 12 U.S.C. 77. It has been grounds since 1935 for the termination of insurance of a bank insured by the Federal Deposit Insurance Corporation. See 49 Stat. 690, 12 U.S.C. 1818(a). "Unsafe or unsound practices" have also been grounds for termination of the insured status of an insured savings and loan association since the 1954 amendment to section 407 of the National Housing Act. See 68 Stat. 633, 12 U.S.C. 1730.

However, despite the fact that the term "unsafe or unsound practices" has been used in the statutes governing financial institutions for many years, the Board is not aware of any statute, either Federal or State, which attempts to enumerate all the specific acts which could constitute such practices. The concept of "unsafe or unsound practices" is one of general application which touches upon the entire field of the operations of a financial institution. For this reason, it would be virtually impossible to attempt to catalog within a single all-inclusive or rigid definition the broad spectrum of activities which are embraced by the term. The formulation of such a definition would probably operate to exclude those practices not set out in the definition, even though they might be highly injurious to an institution under a given set of facts or circumstances or a scheme developed by unscrupulous operators to avoid the reach of the law. Contributing to the difficulty of framing a comprehensive definition is the fact that particular activity not necessarily unsafe or unsound in every instance may be so when considered in the light of all relevant facts. Thus, what may be an acceptable practice for an institution with a strong reserve position, such as concentration in higher risk lending, may well be unsafe or unsound for a marginal operation.

Like many other generic terms widely used in the law, such as "fraud," "negligence," "probable cause," or "good faith," the term "unsafe or unsound practices" has a central meaning which can and must be applied to constantly changing factual circumstances. Generally speaking, an "unsafe or unsound practice" embraces any action, or lack of action, which is contrary to generally accepted standards of prudent operation, the possible consequences of which, if continued, would be abnormal risk or loss or damage to an institution, its shareholders, or the agencies administering the insurance funds. The categories set out below are illustrative:

1. Solicitation of capital on the basis of dividend rates in excess of the association's ability to pay except by resorting to high-risk loans; and the acceptance of savings subject to the condition that the person directly or indirectly placing the savings capital in the institution would be granted loans by the institution involving risks which the association would not otherwise assume.

2. Investments in loans on the basis of overappraisals of the security property; overconcentration of loans to speculative builders or in loans in declining or rundown areas; disbursement of loan funds on construction in progress without proper safeguards for the association's security for the amounts advanced; loans to builders who are already delinquent on loans secured by properties that the market cannot absorb; disregard of a borrower's incapacity and inability to repay his loan; and lack of any systematic collection program.

3. Management and disposition of property, acquired through foreclosure, in a manner which fails to convert the assets into income producers; accounting procedures which fail to show correctly the condition, operation, and trends of the institution, thus providing misleading information for management decisions; lax control of expenses; careless physical control of the assets; excessive advertising or other costs beyond the ability of the association to absorb the expenses; maintenance of substantial compensating balances in banks for the benefit of others; diversion of fee income to others without benefit to the association; failure to provide for adequate liquidity; and failure to make adequate transfers to reserves for absorbing losses.

The attachment hereto, which contains extracts from some of the Board's "section 407 letters" commencing termination of insurance proceedings against problem institutions, provides specific examples of the type of activities which have formed the basis of the Board's charges of "unsafe or unsound practices" in actual cases. It should be understood that in cease-and-desist proceedings based on such grounds under S. 3158, there would have to be a factual showing on the record which succeeds in convincing the hearing examiner or the Board, and then the reviewing court, that the particular practice in the particular case should be characterized as "unsafe or unsound," and a cease-and-desist order issued.

ATTACHMENT TO MEMORANDUM ON "UNSAFE OR UNSOUND PRACTICES"

I

[The associations has carried on an advertising campaign of excessive cost in relation to its gross operating income, such cost during each of the three 6-month dividend periods preceding March 31, 1963, having been from 13.5 to 17.4 percent of gross operating income, whereas the cost of advertising for insured savings and loan associations of comparable size in Cook County, Ill., average 2.6 percent of gross operating income.

Largely by means of [the association's] giveaway program, its use of brokers, and its advertising campaign, as set forth in subparagraphs (a), (b), and (c) of this paragraph, it has increased its savings capital at a rate far greater than its management has been able to invest in sound mortgage loans [as evidenced in part by the fact that, "delinquent loans and real estate owned totaled $458,000, or 4 percent of net assets at November 21, 1961, but had increased to $3.8 million or 12 percent of net assets at March 31, 1963"], its savings capital having increased from $2.2 million, as of September 24, 1960, to $29.2 million, as of March 31, 1963.

Without prior approval of the association's board of directors, the said [chairman of the board of directors of the association] caused the association to pay out approximately $1,200,000 to contractors for the installation of alleged "lease-hold improvements" to the building later occupied by the association. Part of said funds were expended for improvements benefiting the entire building, and thus were for the personal benefit of the said [chairman of the board of directors of the association, who owned the building] and his wife.

The said [chairman], on April 3, 1963, without authority or subsequent ratification by the association's board of directors, caused the association to pay out, for his personal use and benefit, approximately $550,000, allegedly for "advance rent" for occupancy of the new building by the association. Although the association's board of directors has requested repayment of such funds, the said [chairman] has repaid only approximately $50,000 thereof.

II

As early as 1962, the association entered into a program of out-of-State advertising and use of brokers to effect an abnormally rapid savings capital expansion. For the 2-year period 1963–64, the savings capital expanded by approximately 270 percent, from $7 million to $26 million. In spite of savings capital growth of $9.7 million during 1964 the association generated additional loanable funds by the sale of $6.7 million of participations and $1.1 million of advances from the Federal Home Loan Bank of San Francisco. Concurrent with the increase in loanable funds, the association entered into a hazardous lending program as follows:

"During 1963, the loan portfolio was increased by $16 million, or 200 percent; * * * During 1964, the association granted $13.6 million loans (one-third for construction) despite indications of overbuilding.

"The association failed, in approving loans, to consider the borrower's credit history, stability, character and ability, or intent to repay. The association granted 26 loans aggregating over $900,000 to a multiple borrower whose credit report disclosed a slow payment performance and three prior bankruptcies. As of November 11, 1963, that borrower accounted for 37 percent of the $2 million of delinquent loans, and was again in bankruptcy. As of February 22, 1966, 27 borrowers were involved in bankruptcy proceedings."

III

During the period set forth in paragraph 1 above and in various instances in connection with the loans therein specified and others, [the association] made and disbursed loans without regard for the financial responsibility of the borrowers, without any security, without proper regard for the adequacy of the security, in advance of the progress of construction, without proper inspection of the progress of construction, without determining that loans were secured by first liens, without adequate appraisals or on the basis of appraisals furnished by borrowers; it unduly concentrated its loan risk both as to borrower and as to security properties; and it delegated the responsibility for the disbursement of loan proceeds to a company affiliated with large borrowers, including the proceeds of loans made to borrowers affiliated with such company without the exercise of proper control over, or accountability for, such funds.

Despite the increase in delinquent loans and in other low-earning problem assets which have caused prospective losses and have also caused such a deterioration in earnings as to render income insufficient to pay promised dividends and to meet the need for reserve allocations, as more fully described below, the association has continued and still continues [during 1962] its widespread advertising campaign for savings on a promise of continuance of the 4½ percent dividend plus one-half percent bonus on accounts remaining over 4 years.

IV

Construction lending represented 35 percent of the loans granted during this period and the procedures used in processing this heavy concentration were inadequate, in that plans and specifications were not on file; inspection reports were not on file to indicate that property inspections had been made prior to disbursements; sufficient funds were not retained in the loans-in-process account to insure completion of construction; and cash deposits or lien waivers were not obtained for the full difference between the estimated cost of construction and the amount of the loan.

V

In the face of the rapid increase in the association's slow loans and real estate owned over the past 2 years, as detailed in paragraph (b) above, the association has granted new loans, in substantial amounts, to builders and/or speculators then delinquent in their payments on other loans, and has granted new loans, at higher loan amounts, to builders and/or speculators on the security of properties which were the security for previous delinquent loans to other builders and/or speculators.

As examples—

* * * During 1962, the association granted 112 loans, each in the amount of $19,600, to finance the construction of townhouses. Between April and July 1963, when the 112 townhouses were completed but all of these loans were delinquent, the loans were repaid out of the proceeds of 112 new loans on the same properties, each in the amount of $21,800, to 3 new borrowers having little or no equity in the properties. An additional 51 loans, each also in the amount of $21,800, were granted to the same 3 borrowers to build 51 new townhouses in the subdivision. By March 25, 1964, payments on all 163 loans in the aggregate amount of $3,671,608 were delinquent. The refinancing of the 112 loans at $21,800 each and the granting of the 51 additional loans at $21,800 each was made notwithstanding the fact that the association was in possession of an independent appraisal which valued a representative property at $19,700, and which, after pointing out that the townhouses were being used as rental properties, stated that "there are several projects in the vicinity and indications of overbuilding * * *" and "it is doubtful if a unit in one of these townhouses would appeal to the average buyer of a townhouse expecting to live in a normal suburban environment.

Mr. ROBERTSON. Mr. President, I also ask unanimous consent to have inserted in the RECORD at this point a conference committee print showing the differences of substance between S. 3158 as passed the Senate and the House amendment thereto.

There being no objection, the conference committee print was ordered to be printed in the RECORD, as follows:

CONFERENCE COMMITTEE PRINT SHOWING DIFFERENCES OF SUBSTANCE BETWEEN S. 3158, AS PASSED THE SENATE, AND THE HOUSE AMENDMENT THERETO

(*General Note.*—This print shows only the five substantive changes in the Senate-passed bill which are embodied in the amendment of the House. Differences which reflect only technical or editorial changes are not shown.

(Each of the substantive changes is summarized in an explanatory note, followed by a comparison of the actual text of the pertinent parts of the Senate and House versions.

(Provisions of the Senate-passed bill repeated without change in the House amendment are shown in roman type, provisions of the Senate-passed bill omitted from the House amendment are shown in black brackets, and provisions which appear only in the House amendment are shown in italic.)

(1) The House amendment contains a title III which would increase the amount of Federal insurance of accounts in institutions insured by the FDIC and FSLIC from $10,000 to $20,000 and would provide new authority to the insurance corporations to define, with classifications and exceptions, terms contained in the insurance provisions of present law. The Senate bill contains no such provisions.

The new title III, as shown in the House engrossed amendment at pages 73, 74, and 75, is as follows:

TITLE III—INCREASE IN INSURANCE LIMIT

Sec. 301. (a) The first sentence of section 3(m) of the Federal Deposit Insurance Act (12 U.S.C. 1813(m)) is amended by changing "$10,000" to read "$20,000", and such section is further amended by adding the following new sentence at the end: "For the purpose of clarifying and defining the insurance coverage under this subsection and subsection (i) of section 7, the Corporation is hereby authorized to define, with such classifications and exceptions as it may prescribe, terms used in said subsections, in subsection (p) of section 3, and in subsections (a) and (i) of section 11 and the extent of the insurance coverage resulting therefrom."

(b) The first sentence of section 7(i) of the Federal Deposit Insurance Act (12 U.S.C. 1817(i)) is amended by changing "$10,000" to read "$20,000".

(c) The last sentence of section 11(a) of the Federal Deposit Insurance Act (12 U.S.C. 1821(a)) is amended to read: "The maximum amount of the insured deposit of any depositor shall be $20,000."

(d) The fifth sentence of section 11(i) of the Federal Deposit Insurance Act (12 U.S.C. 1821(i)) is amended by changing "$10,000" to read "$20,000".

(e) Section 401(b) of title IV of the National Housing Act (12 U.S.C. 1724(b)) is amended by changing "$10,000" to read "$20,000" each place it appears therein.

(f) Section 405(a) of title IV of the National Housing Act (12 U.S.C. 1728(a)) is amended by changing "$10,000" to read "$20,000", and by adding the following new sentence at the end: "For the purpose of clarifying and defining the insurance coverage under this subsection and subsection (b) of section 401, the Corporation is hereby authorized to define, with such classifications and exceptions as it may prescribe, terms used in said subsections and in subsection (c) of section 401 and the extent of the insurance coverage resulting therefrom."

(g) The amendments made by this section shall be effective only with respect to claims accruing after the date of enactment of this Act.

(2) The House amendment contains a title IV which provides that the provisions of titles I and II are to be effective only for the period ending June 30, 1968. The Senate-passed bill contains no such provision. The new title IV as shown in the House-engrossed amendment at page 75 is as follows:

TITLE IV—EXPIRATION

Sec. 401. The provisions of titles I and II of this Act and any provisions of law enacted by said titles shall be effective only during the period ending at the close of June 30, 1968. Effective upon the expiration of such period, each provision of law amended by either of such titles is further amended to read as it did immediately prior to the enactment of this Act and each provision of law repealed by either of such titles is reenacted.

(3) The House amendment provides that hearings provided under the bill shall be public unless the supervisory agency in its discretion after considering the views of the party afforded the hearing determines that a private hearing would be in the public interest. The Senate bill provides that such hearings shall be private unless both parties agree to public hearings. The provisions in question are as follows:

At page 14 of the Senate-passed bill and page 14 of the House-engrossed amendment:

"(7)(A) Any hearing provided for in this subsection (d) shall be held in the Federal judicial district or in the territory in which the home office of the association is located unless the party afforded the hearing consents to another place, and shall be conducted in accordance with the provisions of [the Administrative Procedure Act; but such hearing shall be private, unless a public hearing is agreed to by the party afforded the hearing and by the Board] *chapter 5 of title 5 of the United States Code. Such hearing shall be public, unless the Board, in its discretion, after considering the views of the party afforded the hearing, determines that a private hearing would be in the public interest.* * * *"

At pages 36 and 37 of the Senate-passed bill and at page 35 of the House-engrossed amendment:

"(j) HEARINGS AND JUDICIAL REVIEW.—(1) Any hearing provided for in this section shall be held in the Federal judicial district or in the territory in which the principal office of the institution is located unless the party afforded the hearing consents to another place and shall be conducted in accordance with the provisions of [the Administrative Procedure Act; but such hearing shall be private, unless a public hearing is agreed to by the party afforded the hearing and by the corporation] *chapter 5 of title 5 of the United States Code. Such hearing shall be public unless the Corporation, in its discretion, after considering the views of the party afforded the hearing, determines that a private hearing would be in the public interest.* * * *".

At pages 60 and 61 of the Senate-passed bill and page 61 of the House-engrossed amendment:

"(h)(1) Any hearing provided for in this section shall be held in the Federal judicial district or in the territory in which the home office of the bank is located unless the party afforded the hearing consents to another place, and shall be conducted in accordance with the provisions of [the Administrative Procedure Act; but such hearing shall be private, unless a public hearing is agreed to by the party afforded the hearing and by the appropriate Federal banking agency] *chapter 5 of the title 5 of the United States Code. Such hearing shall be public unless the appropriate Federal banking agency, in its discretion, after considering the views of the party afforded the hearing, determines that* *a private hearing would be in the public interest.* * * * *"

(4) The House amendment creates an exception to the prohibition against acquisition of more than one institution by a savings and loan holding company, in that it would permit such a company to make such an acquisition if approved by the Federal Home Loan Bank Board upon a determination by the Board that the acquisition would assist in preventing the involuntary liquidation of the institution so acquired. The Senate-passed bill contains no such provision, which is found at pages 47 and 48 of the House-engrossed amendment:

Sec. 103. Subsection (c) *of section 408 of the National Housing Act (12 U.S.C. 1730a* (c)) *is amended to read:*

"(c) *It shall be unlawful for any company on or after September 23, 1959—*

"(1) *to acquire the control of more than one insured institution, or*

"(2) *to acquire the control of an insured institution when it holds the control of any other insured institutions,*

except in a transaction which has been approved by the Federal Home Loan Bank Board upon a determination by it that such transaction is advisable to assist in preventing the commencement or continuance of involuntary liquidation of the insured institution whose control, whether by acquisition of stock or assets or otherwise, is being acquired by such company or an insured institution which it controls."

(5) The House amendment provides that for the violation of a condition imposed in writing by an agency to be grounds for the issuance of a cease-and-desist order the condition must have been imposed in connection with the granting of an application or other request by the institution. The Senate-passed bill contains no such provision. The provisions in which this change would be made by the House amendment are as follows:

At pages 2 and 3 of the Senate-passed bill and pages 2 and 3 of the House-engrossed amendment:

"(2) (A) If, in the opinion of the Board, an association is violating or has violated, or the Board has reasonable cause to believe that the association is about to violate, a law, rule, regulation, or charter or other condition imposed in writing by the Board *in connection with the granting of any application or other request by the association,* or written agreement entered into with the Board, or is engaging or has engaged, or the Board has reasonable cause to believe that the association is about to engage, in an unsafe or unsound practice, the Board may issue and serve upon the association a notice of charges in respect thereof. * * * *

At pages 22 and 23 of the Senate-passed bill, and pages 22 and 23 of the House-engrossed amendment:

"(b) INVOLUNTARY TERMINATION OF INSURANCE; NOTICE AND HEARING.—(1) Whenever, in the opinion of the Corporation, any insured institution has violated its duty as such or is engaging or has engaged in an unsafe or unsound practice in conducting the business of such institution, or is in an unsafe or unsound condition to continue operations as an insured institution, or is violating or has violated an applicable law, rule, regulation, or order, or any condition imposed in writing by the Corporation *in connection with the granting of any application or other request by this institution,* or any written agreement entered into with the Corporation, including any agreement entered into under section 403 of this title, the Corporation shall serve upon the institution a statement with respect to such violations or practices or conditions for the purpose of securing the correction thereof, and shall send a copy of such statement to the appropriate State supervisory authority."

At pages 26 and 27 of the Senate-passed bill and at page 28 of the House-engrossed amendment:

"(e) CEASE-AND-DESIST PROCEEDINGS.—(1) If, in the opinion of the Corporation, any insured institution or any institution any of the accounts of which are insured is engaging or has engaged, or the Corporation has reasonable cause to believe that the institution is about to engage, in an unsafe or unsound practice in conducting the business of such institution, or is violating or has violated, or the Corporation has reasonable cause to believe that the institution is about to violate, a law, rule, or regulation, or any condition imposed in writing by the Corporation *in connection with the granting of any application or other request by the institution,* or written agreement entered into with the Corporation, including any agreement entered into under section 403 of this title, the Corporation may issue and serve upon the institution a notice of charges in respect thereof."

At pages 48 and 49 of the Senate-passed bill and at page 49 of the House-engrossed amendment:

"(b) (1) If, in the opinion of the appropriate Federal banking agency, any insured bank or bank which has insured deposits is engaging or has engaged, or the agency has reasonable cause to believe that the bank is about to engage, in an unsafe or unsound practice in conducting the business of such bank, or is violating or has violated, or the agency has reasonable cause to believe that the bank is about to violate, a law, rule, or regulation, or any condition imposed in writing by the agency *in connection with the granting of any application or other request by the bank,* or any written agreement entered into with the agency, the agency may issue and serve upon the bank a notice of charges in respect thereof. * * * *"

Mr. ROBERTSON. Mr. President, while the bill set forth in the conference report does not fully meet the wishes of either the Senate or the House, in my opinion it represents a reasonable compromise between the two bodies. The Federal agencies involved have indicated their satisfaction with the conference report. The House has now accepted the conference report, and on behalf of the Senate conferees I urge the Senate to do likewise and send the bill to the President for his approval.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement prepared by the senior Senator from Kentucky [Mr. COOPER].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

I support the conference report on S. 3158, a bill to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations.

The bill would grant to these Federal agencies certain intermediate powers to suspend or remove officers and directors of these financial institutions and to issue cease-and-desist orders against certain specified activities and practices. Both the Senate and the House Banking and Currency Committee amendments include safeguards to limit the right of a Federal agency to suspend or remove an officer or director of a bank, and they affirm the basic role of the State supervisory authorities. The bill specifies that these State banking authorities will have the first opportunity to correct any situation and to present findings to the appropriate Federal agency. I raised the question of the adequacy of these safeguards when the bill was debated in the Senate on August 23.

I note that the Senate bill authorizes these increased supervisory powers to the Federal bank regulatory agencies on a permanent basis. The conference report provides that this authority be granted on a provisional basis and expire on June 30, 1972.

One of the chief concerns of the Kentucky Bankers Association about the original bill was that it tended to downgrade State supervisory authorities. In Kentucky, primary supervision over State banks is given to the Department of Banking, which has established high standards for our State banks and has achieved a record of accomplishment. Because of the far-reaching effects of this bill on our dual banking systems, I believe that the Senate conferees have acted wisely in accepting the House provision limiting the authorization of this new authority to a period slightly in excess of five years.

Prior to the expiration of this period, Congress will then review the administration and operation of the Federal banking agencies in the exercise of these supervisory powers. With that experience to judge by, Congress could then determine if such powers should be made permanent and with what recommended changes.

The original House bill provided for an increase in Federal deposit insurance coverage from $10,000 to $15,000 and an amendment agreed to on the House floor increased the amount to $20,000. The Senate bill contained no provision for an increase in insurance. The conferees have agreed on the amount of $15,000, which represents an increase of $5,000 over the present $10,000 ceiling and is directed towards new accounts and providing additional security to the depositors of these financial institutions.

Mr. ROBERTSON. Mr. President, I move that the conference report be agreed to.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the motion.

The motion was agreed to.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1676, H.R. 11256, and the three measures which follow it on the calendar.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

FEDERAL TAX LIEN ACT OF 1966

The Senate proceeded to consider the bill (H.R. 11256) to amend the Internal Revenue Code of 1954 with respect to the priority and effect of Federal tax liens and levies, and for other purposes which had been reported from the Committee on Finance with amendments on page 13, after line 17, to strike out:

(f) PLACE FOR FILING NOTICE FORM. The notice referred to in subsection (a) shall be filed—

(1) UNDER STATE LAWS.—In the office designated by the law of the State in which the property subject to the lien is situated, whenever the State has by law designated an office within the State for the filing of such notice; or

(2) WITH CLERK OF DISTRICT COURT.—In the office of the clerk of the United States district court for the judicial district in which the property subject to the lien is

situated, whenever the State has not by law designated an office within the State for the filing of such notice; or

(3) WITH RECORDER OF DEEDS OF THE DISTRICT OF COLUMBIA.—In the office of the Recorder of Deeds of the District of Columbia, if the property subject to the lien is situated in the District of Columbia.

If the notice filed pursuant to paragraph (1) is in such form as would be valid if filed with the clerk of the United States district court pursuant to paragraph (2), such notice shall be valid notwithstanding any law of the State regarding the form or content of a notice of lien.

And, in lieu thereof, to insert:

(f) PLACE FOR FILING NOTICE; FORM.—

(1) PLACE FOR FILING.—The notice referred to in subsection (a) shall be filed—

(A) UNDER STATE LAWS.—

(i) REAL PROPERTY.—In the case of real property, in one office within the State (or the county, or other governmental subdivision), as designated by the laws of such State, in which the property subject to the lien is situated; and

(ii) PERSONAL PROPERTY.—In the case of personal property, whether tangible or intangible, in one office within the State (or the county, or other governmental subdivision), as designated by the laws of such State, in which the property subject to the lien is situated; or

(B) WITH CLERK OF DISTRICT COURT.—In the office of the clerk of the United States district court for the judicial district in which the property subject to the lien is situated, whenever the State has not by law designated one office which meets the requirements of subparagraph (A); or

(C) WITH RECORDER OF DEEDS OF THE DISTRICT OF COLUMBIA.—In the office of the Recorder of Deeds of the District of Columbia, if the property subject to the lien is situated in the District of Columbia.

(2) SITUS OF PROPERTY SUBJECT TO LIEN.—For purposes of paragraph (1), property shall be deemed to be situated—

(A) REAL PROPERTY.—In the case of real property, at its physical location; or

(B) PERSONAL PROPERTY.—In the case of personal property, whether tangible or intangible, at the residence of the taxpayer at the time the notice of lien is filed.

For purposes of paragraph (2)(B), the residence of a corporation or partnership shall be deemed to be the place at which the principal executive office of the business is located, and the residence of a taxpayer whose residence is without the United States shall be deemed to be in the District of Columbia.

(3) FORM.—The form and content of the notice referred to in subsection (a) shall be prescribed by the Secretary or his delegate. Such notice shall be valid notwithstanding any other provision of law regarding the form or content of a notice of lien.

On page 16, after line 13, to strike out:

(g) REFILING OF NOTICE.—

(1) IN GENERAL.—For purposes of this section, unless notice of lien is refiled (in the office in which the prior notice was filed) during the required refiling period, such notice of lien shall be treated as filed on the date on which it is filed (in accordance with subsection (f)) after the expiration of such refiling period.

And, in lieu thereof, to insert:

(g) REFILING OF NOTICE.—For purposes of this section—

(1) GENERAL RULE.—Unless notice of lien is refiled in the manner prescribed in paragraph (2) during the required refiling period, such notice of lien shall be treated as filed on the date on which it is filed (in accordance with subsection (f)) after the expiration of such refiling period.

(2) PLACE FOR FILING.—A notice of lien refiled during the required refiling period shall be effective only—

(A) if such notice of lien is refiled in the office in which the prior notice of lien was filed; and

(B) in any case in which, 90 days or more prior to the date of a refiling of notice of lien under subparagraph (A), the Secretary or his delegate received written information (in the manner prescribed in regulations issued by the Secretary or his delegate) concerning a change in the taxpayer's residence, if a notice of such lien is also filed in accordance with subsection (f) in the State in which such residence is located.

On page 17, at the beginning of line 18, to strike out "(2)" and insert "(3)"; on page 18, at the beginning of line 3, to strike out "(3)" and insert "(4)"; and, in line 4, after the word "paragraph", to strike out "(2)" and insert "(3)".

Mr. HARTKE. Mr. President, I am pleased to report that the Internal Revenue Service has not only withdrawn the July 7 proposed regulations on deduction of educational expenses, but is negotiating with representatives of the NEA and other professional groups for further improvement of the October 1 proposed regulations. The IRS hearings scheduled to begin November 15 hold great promise for solution to the problems which come within the scope of the regulatory authority of the Internal Revenue Service.

The matter of deduction from gross income for teachers' educational expenses can only be provided by act of Congress. At this late date it is impractical to attempt to hold hearings on this issue and I have no intention of proposing an amendment from the floor. However, the sentiment in both bodies of Congress for this measure is strong, as evidenced by the introduction of over 100 bills in the House and of cosponsorship of Senator TALMADGE's bill, S. 3641, and of comments to me from many Senators from both sides of the aisle in support of my amendment 779 to H.R. 11256, the tax lien bill.

It is my hope that early in the 90th Congress we can give this important educational issue every consideration and that agreement can be reached on legislation. There is no area of our national life more important than education. The improvement of the competency of teachers is a proper objective of the Federal Government if quality education for all is to be achieved. At the same time the specter of Federal control cannot haunt us if we provide, through the taxing power of Congress, the incentive to individual teachers to improve their professional competence through personal efforts for self-improvement.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1708), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. GENERAL STATEMENT

The bill as reported by your Committee makes one amendment to the bill as passed by the House. This amendment is with respect to the place of filing (and of refiling, discussed in A.6 and A.7 below) notice of a tax lien.

The Federal Tax Lien bill of 1966 represents the first comprehensive revision and modernization of the provisions of the internal revenue laws concerned with the relationship of Federal tax liens to the interests of other creditors.

Since the adoption of the Federal income tax in 1913, the nature of commercial financial transactions has changed appreciably. Business practices have been substantially revised and, as a result, many new types of secured transactions have been developed. In an attempt to take into account these changed commercial transactions, and to secure greater uniformity among the several States, a Uniform Commercial Code was promulgated somewhat over 10 years ago by the American Law Institute and the National Conference of Commissioners on Uniform State Laws. A revised version of this code is already law in over 40 States and could well be adopted by many of the remaining States in the near future. Under the Commercial Code, priority now is afforded new types of commercial secured creditors not previously protected.

This bill is in part an attempt to conform the lien provisions of the internal revenue laws to the concepts developed in this Uniform Commercial Code. It represents an effort to adjust the provisions in the internal revenue laws relating to the collection of taxes of delinquent persons to the more recent developments in commercial practice (permitted and protected under State law) and to deal with a multitude of technical problems which have arisen over the past 50 years. The bill represents the culmination of a project initiated approximately 10 years ago by those concerned with the relationship of the tax lien provisions to the interests of other creditors. Since that time, the suggestions and ideas of various groups have been studied and analyzed carefully, both by the groups themselves and by the staffs of the Treasury Department and the congressional committees.

Under present law, a lien for Federal taxes arises when a taxpayer's liability is assessed. The lien attaches to all of the property he then holds or subsequently acquires. The assessment is made when the unpaid tax liability is entered on the appropriate records of the Internal Revenue Service—which occurs, in the case of a taxpayer who voluntarially shows the tax liability on his return, shortly after the time the return is filed. Although the lien arises on the date of assessment, present law provides that purchasers and certain categories of secured creditors are given priority over the tax lien up to the time a notice of the tax lien is filed in the appropriate local office as designated by State law. Mortgagees, pledgees, purchasers, and judgment lien creditors are given this priority status. In addition, in the case of securities and motor vehicles, present law provides that even a filed Federal tax lien is not generally to be effective as against a purchaser or a mortgagee or pledgee of securities or a purchase of motor vehicles.

This bill substantially improves the status of private secured creditors. This is accomplished, first, by expanding the categories of creditors protected as against a nonfiled tax lien to include a mechanic's lienor.

Second, various types of secured creditor interests already having, or given, priority status over tax liens are specifically defined, and it is provided that where those interests qualify under the definitions they are to be accorded this priority status whether or not they are in all other respects definite and complete at the time notice of the tax lien is filed.

Third, the bill adds to the "superpriority" status accorded to certain interests in securities and motor vehicles an additional eight categories of interests in properties which are to be effective as against a tax lien, even though notice of the lien has been filed.

Fourth, a priority status is provided for interests arising under three types of financing agreements entered into before the tax lien filing—commercial transactions financing, real property construction or improvement financing, and obligatory disbursements—even though the funds are advanced or the property comes into existence after the tax lien filing. In the case of commercial transactions financing, the protection generally is afforded even though the property underlying the lien is not yet in existence or is turned over within a short time (45 days) after the tax lien filing as long as the loan or purchase is made within this time. In the absence of this grace period, commercial factors and other lenders would have to check on a daily basis to see if a tax lien is filed to protect their interests. Interests arising under the real property construction and improvement financing agreements are protected even though loans are made after the tax lien filing because the construction is expected to enhance the value of the property underlying the tax lien. Interests arising under an obligatory disbursement agreement are protected because a person is obliged under a preexisting agreement to make disbursements after a tax lien filing and someone other than the taxpayer has relied on this obligation.

Fifth, a limited type of priority is given by the bill with respect to two other categories. In the case of security interests, generally, protection is afforded for a period of up to 45 days after the filing of notice of a tax lien. Also, interest paid with respect to interests having priority over a Federal tax lien and costs of preserving property subject to interests having priority over a tax lien are given a priority over tax liens even though notice has been filed (where these items have the same priority as principal debt under State law).

In addition to dealing with the relative priority of creditors' interests as against Federal tax liens, the bill also makes numerous modifications in the provisions of the internal revenue laws dealing with the procedures to be followed in collecting the taxes of a delinquent person. In general terms, these modifications are intended to represent a reasonable accommodation of the interests of the Government in collecting the taxes of delinquent taxpayers with the rights of the taxpayers and third parties. The modifications are concerned with the procedures for levying upon property of a delinquent taxpayer, the liability of lenders, sureties, etc., for withholding taxes, the running of the statute of limitations in the case of delinquent tax liabilities, procedures arising out of, or with respect to the sale of property of delinquent taxpayers, the court procedures to be followed with respect to tax liens, and provision for the redemption of real property by the United States, where it is sold by a creditor with a higher priority.

The Treasury Department urges the adoption of this bill.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

INTEREST ON INCOME TAX REFUNDS MADE WITHIN 45 DAYS AFTER FILING OF TAX RETURN

The bill (H.R. 11660) relating to interest on income tax refunds made within 45 days after the filing of the tax return, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1709), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

I. SUMMARY

H.R. 11660 makes two changes in the tax laws: First it amends present law to provide that no interest is to be paid with respect to the refund of an overpayment of income tax if the refund is made within 45 days after the date the return is actually filed. This will supplement present law which already provides that no interest is to be paid with respect to a refund made within 45 days after the last date prescribed for the filing of a tax return.

Second, the bill amends present law to extend to taxpayers with an investment credit carryback the quick refund procedure presently available to taxpayers with a net operating loss carryback. Under this provision, a taxpayer is to be permitted to file an application for a quick refund of tax to the extent he can use a carryback of the investment credit in any of the 3 prior years. The application, which must be filed within the year following the year in which the unused credit arises (or by December 31, 1966, if later), must be acted upon by the Internal Revenue Service within 90 days. An amendment related to this provision also provides that if a quick refund is made by reason of the carryback of either a net operating loss or an unused investment credit, a deficiency (to the extent of the refund) may be assessed for the years to which the carryback applies for 3 years from the date the return is filed for the year in which the carryback arises.

The Treasury Department recommended the first of these provisions and does not object to the second.

II. INCOME TAX REFUNDS MADE WITHIN 45 DAYS AFTER RETURN IS FILED

Under present law (sec. 6611), interest charges computed at the rate of 6 percent per annum are paid with respect to an overpayment of income tax not refunded within 45 days after the due date for filing the return. This is true even though the return is filed late—in some cases even more than 45 days late.

In the course of a review of the interest paid on certain tax refunds during the calendar years 1962 and 1963, the General Accounting Office concluded that this interest provision led to the payment of excessive interest in certain cases. This conclusion was reported to the Congress by the Comptroller General on May 25, 1965, in a report entitled "Excessive Interest Costs Incurred on Certain Tax Refunds." In the report the Comptroller General pointed out that excessive interest costs arise if—

(1) The taxpayer delays filing his tax return until such time as it become impossible for the Internal Revenue Service to refund any overpayment of tax within 45 days of the prescribed due date of the return (no civil penalty is provided in the case of such delay unless tax is due), or

(2) The taxpayer is granted an extension of time for filing his return which again makes it impossible for the Internal Revenue Service to refund an overpayment of tax within 45 days of the prescribed due date of the return. The Comptroller General recommended that the law be amended to correct this situation.

Like the Committee on Ways and Means of the House, the Committee on Finance agrees with the Comptroller General's conclusion. As a result, this bill provides that no interest is to be paid on a refund of an overpayment of income taxes, not only if the refund is made within 45 days of the prescribed date of the return (as provided by present law) but also—where the return is filed after the due date—if the refund is made within 45 days after the return is filed. Where taxpayers delay filing their returns until after the due date, or if an extension of time for filing the return is granted, interest will not be paid on a refund of an overpayment unless the refund is made more than 45 days after the return actually is filed.

This amendment is to be effective with respect to refunds made more than 45 days after the date of enactment of this bill.

In the fiscal year 1965, the Internal Revenue Service paid interest amounting to $77,419,000 as a result of refunds of tax. A portion of this cost will be saved in the future as a result of this bill.

III. QUICK REFUND OF INCOME TAX ATTRIBUTABLE TO INVESTMENT CARRYBACK

Under normal administrative procedures, the refund of tax resulting from a carryback of either a net operating loss or an unused investment credit cannot usually be made until a considerable period of time has elapsed after the close of the taxable year in which the carryback arises.

A special procedure (sec. 6411) exists in the case of a net operating loss, however, which enables the taxpayer to apply for a quick refund based on a tentative carryback adjustment. The application for the carryback refund must be filed within the year following the year of the loss, but only after the return for the loss year is filed. This application must be acted upon by the Internal Revenue Service within 90 days after the application is filed, or within 90 days from the last day in the month the return for the loss year is due (including any extension of time granted the taxpayer), whichever is later. The application for a quick refund may be refused if in the judgment of the Secretary of the Treasury or his delegate it contains errors of computation which cannot be corrected within the 90-day period or if there are material omissions. Otherwise, the tax reduction resulting from the carryback is credited against unpaid taxes or refunded. No similar procedure is currently available for a quick refund of tax resulting from an investment credit carryback.

The provisions regarding the carryback and carryforward of unused investment credits are similar in essential respects to those regarding the carryback and carryforward of net operating losses. Moreover, in a business firm with a substantial unused investment credit may have as urgent a need for a prompt refund of tax as a firm with a net operating loss, since, generally speaking, unused investment credits are generated when the amount of investment in qualified property is large relative to business taxable income. Your committee therefore concluded, as did the House, that the provision for quick refunds, now available to taxpayers with net operating losses, should also be made available to taxpayers with unused investment credits.

As a result, the bill amends existing law (sec. 6411) to permit taxpayers to file application for a tentative carryback adjustment if the tax of a prior taxable year is affected by an investment credit carryback as well as by a net operating loss. The manner and time of filing, and all other aspects of the application, are to be governed by the existing provisions regarding application for quick refunds attributable to a net operating loss carryback.

This provision relating to investment credit carrybacks is to apply with respect to taxable years ending after December 31, 1961. Applications for refunds must be filed after the date of enactment of this bill. If the period for filing an application for an earlier year would expire before December 31, 1966, the period for filing the application is not to expire before December 31, 1966.

The transitional revenue loss due to the earlier payment of refunds attributable to investment credit carrybacks as provided by this bill will be minimal.

In its examination of the quick refund provision (sec. 6411) in connection with the study of the possible extension of the provision to investment credit carrybacks, the committee was apprised of a problem with this provision under existing law.

The Service's authority to assess additional taxes where there is a deficiency is circumscribed by the general rule (sec. 6501) that a tax must be assessed within 3 years after the date the return is filed, with certain exceptions of limited application.

Provision for quick refunds can, of course, result in the payment of larger refunds than would be paid if the Internal Revenue Service had more time to review the claim. Once refunded, in some instances, because of the 3-year limitation referred to above, these amounts cannot be recovered through deficiency procedures, except to the extent the deficiency is attributable to the carryback. Any amount erroneously refunded which is not attributable to the carryback may be recovered, however, by a suit to recover an erroneous refund.

To deal with the situation described above, the bill extends the period for assessing a deficiency when a quick refund has been made because of a carryback of either a net operating loss or an unused investment credit, even though the deficiency is not attributable to the carryback. Under this provision, a deficiency for a year, with respect to which a quick refund was made because of a tentative carryback, may be assessed at any time up to 3 years after the return is filed for the taxable year in which the carryback arose (provided this period is not further extended by other provisions of sec. 6501; i.e., where there was fraud involved, etc.). However, in such a case the deficiency assessment which may be made as the result of this provision cannot exceed the amount of the quick refund. (The deficiency assessment made as a result of this provision cannot exceed the amount of the original refund reduced by any deficiency attributable to the carryback.)

This amendment is to apply in the case of any application for a quick refund attributable to the carryback of a net operating loss, or an unused investment credit, made after the date of enactment of this bill.

DEDUCTIONS FOR ADDITIONS TO A RESERVE FOR CERTAIN GUARANTEED DEBT OBLIGATIONS

The bill (H.R. 11782) to amend the Internal Revenue Code of 1954 to allow a deduction for additions to a reserve for certain guaranteed debt obligations, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1710), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. SUMMARY

This bill provides that a taxpayer who is a dealer in property may take an income tax deduction for reasonable additions to a reserve for bad debts which arise from his contingent liability as a guarantor, endorser, or indemnitor of debt obligations arising out of the sale by him of real property or tangible personal property (including related services) in the ordinary course of the dealer's business. The bill also provides that this is to be the only deduction allowable for additions to a reserve for bad debts for obligations of this type.

The bill contains special features designed to prevent a doubling up of deductions during the transition period. The bill also provides that for taxable years beginning before August 2, 1966, a taxpayer may establish a reserve under this new provision without obtaining permission of the Commissioner of Internal Revenue to change his method of accounting.

The new provision applies generally to taxable years ending after October 21, 1965. However, in the case of years ending before October 22, 1965, where the taxpayer claimed a deduction (under the provisions of existing law which relate to reserve for bad debts) the claimed deduction is to be allowed for past years if it would be allowable under the new provision.

The passage of this bill is favored by the Treasury Department.

II. REASONS FOR THE BILL

The Internal Revenue Service takes the position that a dealer in property is not entitled to take a current deduction, by use of a reserve for bad debts, for losses he expects to arise in subsequent years because of his sale with recourse of customer debt obligations. For example, if a dealer sells an article under a conditional sales contract and then sells the contract to a bank with the bank reserving the right to collect any bad debts from the dealer, the Internal Revenue Service holds that an addition to a reserve for bad debts on account of the dealer's contingent liability to the bank cannot be deducted for income tax purposes. The Treasury's position has been sustained in the Tax Court of the United States, but three circuit courts of appeal have held that a current deduction can be so taken against the future losses. The Commissioner of Internal Revenue has announced that he will not follow the circuit court decisions.[1] The bill is designed to settle the existing controversy as to the proper treatment of such cases for both future and past years.

The bill contains a special feature called a "suspense account" which, together with the treatment of the opening balance of the new reserve for guaranteed obligations is designed to prevent a doubling up of deductions in the transitional period during which a taxpayer is converting to the new reserve. The opening balance of the new reserve is not zero, but an amount equal to what the opening balance would have been if the reserve had been maintained in prior years. A deduction is not allowed for this opening balance. If a deduction were allowed, a doubling up of deductions would otherwise occur in the transition period, because in the transitional year or years the taxpayer, in effect, would be writing off the bad debts as they occur and also receiving the deductions for the entire balance in the reserve then being established with respect to the property sold by him.[2] Thus, in the transitional year or years the taxpayer's income would be understated. This would occur even if the volume of sales by the taxpayer remained constant. In addition to the effect this doubling up of deductions has in understating income of the taxpayer during the transition period, it also can involve a significant revenue loss in the case of the bad debt reserve of the type referred to here. It is anticipated that were a deduction not to be denied for the opening balance in the new reserve, there would be a transitional revenue loss of $200 million resulting from this provision. The suggestion sometimes made that this transitional revenue loss be spread over a period of years does not, of course, reduce the amount of the loss involved. Still another aspect of the problem which should be taken into account is the fact that were the opening balance in the new reserve to be allowed as a deduction in the transitional period, the effect would be the same as a retroactive enactment of this provision, since under the new method the opening balance is attributable to obligations incurred in prior years, back to the time this type of business first came on the books of the taxpayer. Generally, Congress does not make retroactive most of the provisions which it enacts amending the Internal Revenue Code (either increasing or decreasing tax liabilities), even though the provisions are believed meritorious.

While the absence of a deduction for the opening balance in the new reserve avoids a doubling up of deductions in the transition period, nevertheless, taxpayers receive the benefit of the new reserve system (which, in effect, provides for an earlier deduction than would otherwise be available) to the extent of any growth in their business above the level at the beginning of the transition period. In addition, the amounts placed in the suspense account are allowed as deductions in subsequent years to the extent the taxpayers' reserve would otherwise decline below the balance in this suspense account. This may occur in subsequent years, for example, because the volume of a taxpayer's business of this type declines, because he decides to hold the debt obligations himself, or because he goes out of business altogether. Thus, the effect of the treatment provided by this bill is to allow the taxpayer the advantages of the new reserve system with respect to any growth in the volume of his sales, while at the same time guaranteeing for him—if for one reason or another his business involving the guaranteed obligations declines—treatment at least as good as that which would have been provided had he not established the reserve in the first place, and instead taken the bad debt deductions as they were actually incurred.

The suspense account is not made available in cases where the taxpayer has already taken deductions in the form of additions to a reserve for bad debts with respect to the items involved in this bill in prior years (thus the opening balance in the new reserve in his case in effect merely represents the transfer of a balance from the existing general bad debt reserve), since in such cases the opening balance in the new reserve has the reserve is increased to the extent appropriate considering the obligations then outstanding. This is the equivalent, therefore, of a direct chargeoff of these bad debts. If the reserve were built up from a zero balance to the appropriate yearend level plus enough more to offset charges against the reserves for the bad debts occurring during the year, in the absence of the special feature contained in this bill, there would be larger deductions in the transition period than would otherwise be the case to the extent of the opening balance in the reserve. This represents deductions not attributable to the current period.

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[1] See, *Bolling et al.* v. *Commissioner*, 357 F. 213 (8th Cir. 1966), reversing T.C. Memo. 1964–143; *Foster Frosty Foods* v. *Commissioner*, 332 F. 2d 230 (10 Cir. 1964), reversing 39 T.C. 772 (1963); *Wilkins Pontiac* v. *Commissioner*, 298 F. 2d 893 (9th Cir. 1962), reversing 34 T.C. 1065 (1960); *Mike Persia Chevrolet, Inc.*, 31 T.C. 198 (1963); see also *Bright* v. *Commissioner*, 66–2 U.S.T.C. para. 9606; and Rev. Rul. 62–214, C.B. 1962–2, 72.

[2] Actually, the bad debts are charged against the reserve but by the end of the year

in effect been previously deducted and there is no doubling up of deductions in the transition period.

III. GENERAL EXPLANATION

Reserve for guaranteed obligations.—The bill adds a new provision to the Internal Revenue Code (a new subsection (g) in section 166) under which a deduction can be taken for additions to a reserve for bad debts arising out of the taxpayer's liability as a guarantor, endorser, or indemnitor of debt obligations attributable to his sale of property in the ordinary course of his business. This bad debt reserve may be attributable to the sale by the taxpayer of either real property or tangible personal property and services related to these properties. The debt need not initially be the debt owing to the taxpayer as long as it arises from the sale by him of the property and he is guaranteeing payment. Thus, this includes cases both where the purchaser borrows from a bank or other financial institution to make partial payment for the property and the dealer guarantees the payment of the debt, as well as where the debt is initially owing to the dealer and he discounts the paper with the financial institution which has recourse to him for payment of the debt should the purchaser fail to make the payments.

If a dealer establishes one of these new reserves for guaranteed debt obligations and also maintains a reserve for bad debts (under provisions of existing law) for accounts receivable from customers which he does not sell, the dealer is to maintain two separate reserves for income tax purposes. The amount of reasonable additions to the reserves are to be determined separately for each reserve and not on an aggregate basis.

The reserve for guaranteed debt obligations is to apply to taxable years ending on or after October 22, 1965, the date of the introduction of the bill.

Suspense account and treatment of opening balance in reserve.—The bill provides that for the first taxable year for which the dealer maintains the new reserve for guaranteed debt obligations, the balance of the reserve at the beginning of the year is to be the same as if he had maintained this reserve for preceding years. No deduction is to be allowed currently for this opening balance. The effect of this is to deny any doubling up of deductions in the transition period. However, this amount, for which deduction is denied, is to be placed in a "suspense account" and, as explained below, the dealer may subsequently receive deductions for part or all of this balance. As a result, the dealer whose business is increasing, receives deductions for additions to his reserve (1) to offset actual losses charged against the reserve during the year, and (2) to take into account the increase in the volume of obligations he has guaranteed. He does not generally (except through the suspense account discussed below) receive a deduction for additions to the reserve for obligations he guaranteed in the past (reflected in the opening balance of his new reserve).

The function of the suspense account is to give the dealer a deduction in subsequent years for the opening balance in his reserve for guaranteed bad debts (for which he has not up to that time received a deduction) if he goes out of the business for which the reserve is maintained, or if he no longer needs the reserve—for example, because he finances the customer paper himself rather than discounting it to others, or because his volume of credit sales declines.

The way in which this suspense account works is as follows: The initial balance of the account is the same as the opening balance of the new reserve for guaranteed debt obligations (for the first year that reserve is maintained). The balance in this suspense account may never be greater than the opening balance of the reserve in the first year it is in operation. If in any subsequent year the balance in the suspense account is greater than the then yearend balance in the reserve for guaranteed obligations, the dealer at that time is allowed an income tax deduction for the difference. The suspense account is reduced by the amount so allowed as a deduction. On the other hand, if the balance in the suspense account is less than the end-of-the-year balance in the reserve, the suspense account is to be increased by the difference (but never by more than the amount necessary to bring the suspense account to the amount of its initial balance in the suspense account). This same amount is also included in gross income of the dealer for income tax purposes. Thus, the suspense account is never increased unless it has been previously reduced, and the total of the increases in the suspense account can never exceed the total of the previous reductions in the suspense account.

The determination of the yearend balance of the reserve for guaranteed debt obligations is made after adding any addition needed to provide a reasonable reserve for the outstanding contingent liabilities for which the reserve is maintained.

No suspense account is to be provided in the case of taxpayers who for their last taxable year ending before October 22, 1965, claimed a deduction (see discussion immediately below) for an addition to a reserve for bad debts for the type of obligations covered by the new reserve. In such a case it is not necessary to have a suspense account because the taxpayer is not doubling up his deductions in the transition period.

Taxpayers claiming deductions for years ending before October 22, 1965.—The bill provides that if a taxpayer before October 22, 1965, claimed a deduction (for a taxable year ending before that date) for an addition to a reserve for bad debts (sec. 166(c)) on account of debt obligations of the guaranteed type referred to with respect to the new reserve, then this deduction is to be allowed (under the existing general bad debt reserve) for the prior year in question to the same extent that it would have been allowable if the new reserve had been available in the earlier year or years. However, such a deduction is to be available for one of these prior years only if the statute of limitations has not run (by December 31, 1966) for either this or any subsequent year. Thus, for example, if the taxpayer claimed a deduction under the existing general bad debt reserve for guaranteed obligations for the year 1960 and that year and all subsequent years are open, deductions may be taken for the year 1960 and all subsequent years ending before October 22, 1965 (whether or not the taxpayer claimed the deduction for all of the subsequent years). However, if the taxpayer claimed the deduction for the year 1960 and that year is still open but the year 1961 is not open, no deduction can be taken for the year 1960 or 1961. In such case, if the taxpayer also claimed a deduction for 1962, deductions can be taken for 1962 and subsequent years ending before October 22, 1965 (if all of these years are open).

New reserve only way of taking guaranteed bad debt deductions for future.—The bill provides that the new reserve previously described is to be the only reserve through which a deduction is to be allowed for any addition to a reserve for bad debts, which arises out of the taxpayer's liability as guarantor, endorser, or indemnitor of debt obligations. For example, if the taxpayer has an account receivable from a customer simply for services rendered (not in connection with a sale of a property) the bill provides that no deduction is to be allowed for an addition to a reserve for liabilities arising out of the sale with recourse of such a debt obligation.

Establishing new reserve not a change in method of accounting for certain years.—The bill provides that the establishment of a new reserve for bad debts guaranteed by the taxpayer for years ending after October 21, 1965, and beginning before August 2, 1966, is not to be considered a change in method of accounting. Therefore, during this period of time, the new reserve may be established without permission of the Treasury Department.

TEMPORARY CONTINUATION OF CERTAIN EXISTING RULES RELATING TO THE DEDUCTIBILITY OF ACCRUED VACATION PAY

The bill (H.R. 16774) to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1711), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

I. SUMMARY OF BILL

H.R. 16774 provides that a deduction for accrued vacation pay is not to be denied for any taxable year ending before January 1, 1969, solely because the liability for it to a specific person has not been fixed or because the liability for it to each individual cannot be computed with reasonable accuracy. However, for the corporation to obtain the deduction, the employee must have performed the qualifying service necessary under a plan or policy which provides for vacations with pay to qualified employees and the plan or policy must have been communicated to the employees involved before the beginning of the vacation year. This is a continuation for 2 more years of the treatment which has been available for taxable years ending before January 1, 1967.

The Treasury Department has indicated that it does not object to its enactment.

II. GENERAL STATEMENT

Under the 1939 code (sec. 43), the period of time for taking deductions was stated to be the taxable year in which the expenses were "paid or accrued" or "paid or incurred," depending upon the method of accounting, "unless in order to clearly reflect the income, the deductions or credits should be taken as of a different period." Under this provision, it was held that vacation pay for the next year could be accrued as of the close of the taxable year in which the qualifying services were rendered, provided all of the events necessary to fix the liability of the taxpayer for the vacation pay under the employment contract had occurred by the close of the taxable year. In determining whether the events necessary to fix the liability of the taxpayer for vacation (or payment in lieu of vacation) in the following year might be terminated if his employment ended before the scheduled period was not regarded as making the liability a contingent one rather than a fixed one. It was held that the liability was not contingent since the employer could expect the employees as a group to receive the vacation pay; only the specific amount of the liability with respect to individuals remained uncertain at the close of the year (GCM 25261, C.B. 1947-2, 44; I.T. 3956, C.B. 1949-1, 78).

In 1954, Congress enacted a provision, section 462 of the 1954 code, which provided for the deduction of additions to reserves for certain estimated expenses. With this provision in the Internal Revenue Code, it was thought that reserves for vacation pay generally would be covered and, therefore, that it was no longer necessary to maintain the liberal administrative position described above with respect to vacation pay. As a result, in Revenue Ruling 54-608 (C.B. 1954-2, 8), the Internal Revenue Service revised its position on the deductibility of vacation pay. In this ruling, it held that no accrual of vacation pay could occur until the fact of liability with respect to specific employees was clearly established and the amount of the liability to each individual employee was capable of computation with reasonable accuracy. It was thought that taxpayers accruing vacation pay under plans which did not meet the requirements of the strict accrual rule set forth in this ruling would utilize section 462 of the 1954 code. This ruling was initially made applicable to taxable years ending on or after June 30, 1955.

Because section 462 of the code was repealed, the Treasury Department in a series of actions postponed the effective date of Revenue Ruling 54-608 until January 1, 1959 (the last of these postponements was made in Revenue Ruling 57-325, C.B. 1957-2, 302, July 8, 1957). These actions rendered Revenue Ruling 54-608 inapplicable to taxable years ending before January 1, 1959. In cases involving an agreement with a labor union which was in effect on June 30, 1957, and did not expire until after December 31, 1958, the ruling was to be applicable for the first time to taxable years ending on or after the 90th day following the date the labor agreement expired.

Congress, in the Technical Amendments Act of 1958 (sec. 97), further postponed the effective date of Revenue Ruling 54-608 for 2 more years, making it inapplicable to taxable years ending before January 1, 1961. Subsequently, Congress in three actions (Public Law 86-496, Public Law 88-153, and Public Law 88-554) further postponed the effective date of Revenue Ruling 54-608. The first of these laws postponed the effect of this ruling with respect to deductions for accrued vacation pay for any taxable year ending before January 1, 1963, the second law postponed it for these deductions in any taxable year ending before January 1, 1965, and the third postponed it for these deductions in any taxable year ending before January 1, 1967.

This bill postpones for 2 more years the effective date of Revenue Ruling 54-608. As a result, deductions for accrued vacation pay, if computed by an accounting method consistently followed by the taxpayer, will not be denied for any taxable year ending before January 1, 1969, solely because the liability to a specific person for vacation pay has not been clearly established or because the amount of the liability to each individual cannot be computed with reasonable accuracy. This additional time is required so Congress will have further time to consider the problem of the deduction of accrued vacation pay and of other similar accrual-type deductions prior to the application of Revenue Ruling 54-608.

ESTABLISHMENT OF THE PAST AND PRESENT LOCATION OF A CERTAIN PORTION OF THE COLORADO RIVER

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1686, H.R. 13955.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 13955) to establish the past and present location of a certain portion of the Colorado River for certain purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Interior and Insular Affairs with amendments on page 1, line 7, after the word "and", to strike out "13.20" and insert "13.17"; and, in line 9, after the name "California", where it appears the first time, to strike out "(Statutes of California, 1963, chapter 959; Arizona Laws 1963, chapter 77) and depicted in exhibit A thereto," and insert "approved August 11, 1966 (Public Law 89-531; 80 Stat. 340),".

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The ACTING PRESIDENT pro tempore. Without objection, the amendments are considered and agreed to en bloc.

The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

EQUITABLE TAX TREATMENT FOR FOREIGN INVESTMENT IN THE UNITED STATES

The ACTING PRESIDENT pro tempore. Pursuant to the previous unanimous-consent agreement, the Chair lays before the Senate the unfinished business, which will be stated by title.

The Legislative Clerk. A bill (H.R. 13103) to amend the Internal Revenue Code of 1954 to provide equitable tax treatment for foreign investment in the United States.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment.

Mr. JAVITS. Mr. President, I ask unanimous consent to say a word about the pending bill, as I shall be in a poverty bill conference and unable to speak later with regard to this measure on the floor of the Senate.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. JAVITS. Mr. President, I am very gratified that the provision for medicines in the voluntary part of the medicare program is at long last included in the law. When the medicare measure was before us originally I moved for such an amendment and I did my utmost to get it adopted, but it was defeated. Sometimes it takes a while around here for justice to catch up with the law, and in this case it has.

I congratulate the Senate from Louisiana [Mr. Long] for including this provision. He told me at the time that if experience warranted it he would include it, and he did so in this bill. I extend to the Senator my appreciation.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LONG of Louisiana. Mr. President, it was the Senator from Illinois [Mr. Douglas] who offered the amendment. I voted for it, as did the majority of the committee. I think that this measure will meet the problem. While it is not recommended by the administration they are not fighting us on this measure.

The Senator from New York [Mr. Javits] was one of the early proponents of the suggestion. I commend him for his effort. Many of us have been in favor of it for a long time. The only consideration has been the revenue consequence of it.

Mr. JAVITS. The Senator had said that at that time, and I commend the Senator from Illinois [Mr. Douglas] for his part in the matter.

Mr. FONG. Mr. President, I ask unanimous consent that I may call up my amendment in precedence over the amendment of the distinguished Senator from Texas [Mr. Yarborough], and ask that it be considered at this time.

The ACTING PRESIDENT pro tempore. Without objection, the amendment of the Senator from Texas [Mr. Yarborough] will be temporarily laid aside.

Mr. FONG. Mr. President, I call up my amendment and ask that it be stated.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. FONG. Mr. President, I ask unanimous consent that the reading of the amendment be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered; and the amendment will be printed in the Record at this point.

The amendment submitted by Mr. Fong is as follows:

At the end of the bill to insert a new section, as follows:

"Sec. 404. That (a) the first sentence of section 203(a) of the Social Security Act is amended (1) by striking out the period at the end of paragraph (3) thereof and inserting in lieu of such period a semicolon followed by the word 'or', and (2) by adding after paragraph (3) thereof the following new paragraph:

"'(4) when one of such individuals is a widow of such insured individual who is entitled, under section 202(e), to widow's insurance benefits for any month on the basis of the wages and self-employment income of such insured individual, the benefit to which she is entitled, on the basis of such wages and self-employment income, shall not be reduced for any month under this subsection on account of monthly benefits to which any other individual is entitled, on the basis of the wages and self-employment income of such insured individual, if (A) such insured individual died prior to 1966 and if (B) such other individual (i) is entitled to such benefits, under section 202(d), as a child of such insured individual, (ii) is not the child of such widow, and (iii) would not have been considered to be the son or daughter of such insured individual under section 216(h) as in effect prior to the enactment of the Social Security Amendments of 1965.'

"(b) The amendments made by subsection (a) shall be effective with respect to monthly benefits payable under title II of the Social Security Act for months after the month in which this Act is enacted."

The ACTING PRESIDENT pro tempore. The Senator has 5 minutes. How much time is he yielding himself

Mr. MANSFIELD. Mr. President, will the Senator from Hawaii yield without using any of his time, so that I may suggest the absence of a quorum for 1 minute, with the time to be taken out of the bill?

Mr. FONG. I yield.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum for 1 minute.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The Chief Clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

The ACTING PRESIDENT pro tempore. How much time is the Senator from Hawaii allowing himself?

Mr. FONG. Mr. President, I yield myself 2 minutes.

Mr. President, this is a very simple amendment, offered to correct a very serious inequity inflicted by Congress last year upon certain widows entitled to social security benefits.

In enacting the Social Security Amendments of 1965—Public Law 89-97—Congress included a provision entitling certain illegitimate children to social security benefits based upon the father's earnings record.

Section 339 of Public Law 89-97 added a new provision to section 216(h) of the Social Security Act to allow social security benefits to be paid to certain illegitimate children who were acknowledged by the father or by court order or court decree as his offspring.

Mr. President, I ask unanimous consent to have the entire new provision added by Public Law 89-97 printed in the Record at this place in my remarks.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

QUALIFICATION OF CHILDREN NOT QUALIFIED UNDER STATE LAW

[Public Law 89-97; 71 Stat. 519; 72 Stat. 1030; 42 U.S.C. 416]

Sec. 339. (a) Section 216(h) of the Social Security Act is amended by adding at the end thereof the following new paragraph:

"(3) An applicant who is the son or daughter of a fully or currently insured individual, but who is not (and is not deemed to be) the child of such insured individual under paragraph (2), shall nevertheless be deemed to be the child of such insured individual if:

"(A) in the case of an insured individual entitled to old-age insurance benefits (who was not, in the month preceding such entitlement, entitled to disability insurance benefits)—

[79 Stat. 410]

"(i) such insured individual—

"(I) has acknowledged in writing that the applicant is his son or daughter,

"(II) has been decreed by a court to be father of the applicant, or

"(III) has been ordered by a court to contribute to the support of the applicant because the applicant is his son or daughter,

and such acknowledgment, court decree, or court order was made not less than one year before such insured individual became entitled to old-age insurance benefits or attained age 65, whichever is earlier; or

"(ii) such insured individual is shown by evidence satisfactory to the Secretary to be the father of the applicant and was living with or contributing to the support of the applicant at the time such insured individual became entitled to benefits or attained age 65, whichever first occurred;

"(B) in the case of an insured individual entitled to disability insurance benefits, or who was entitled to such benefits in the month preceding the first month for which he was entitled to old-age insurance benefits—

"(i) such insured individual—

"(I) has acknowledged in writing that the applicant is his son or daughter,

"(II) has been decreed by a court to be the father of the applicant, or

"(III) has been ordered by a court to contribute to the support of the applicant because the applicant is his son or daughter,

and such acknowledgment, court decree, or court order was made before such insured individual's most recent period of disability began; or

"(ii) such insured individual is shown by evidence satisfactory to the Secretary to be the father of the applicant and was living with or contributing to the support of that applicant at the time such period of disability began;

"(C) in the case of a deceased individual—

"(i) such insured individual—

"(I) had acknowledged in writing that the applicant is his son or daughter,

"(II) had been decreed by a court to be the father of the applicant, or

"(III) had been ordered by a court to contribute to the support of the applicant because the applicant was his son or daughter,

and such acknowledgment, court decree, or court order was made before the death of such insured individual, or

"(ii) such insured individual is shown by evidence satisfactory to the Secretary to have been the father of the applicant, and such insured individual was living with or contributing to the support of the applicant at the time such insured individual died."

Mr. FONG. Mr. President, in providing social security benefits for these illegitimate children, however, Congress failed to make any allowance for the impact of their claims upon the benefits of the legal widow or other legal claimants of the worker. For example, the maximum payable to the surviving family members, which is based on the deceased worker's earnings record, was not raised nor waived to accommodate the claims of any illegitimate children.

Thus, social security benefits for illegitimate children can—and in one instance that I know of—have reduced the social security benefits for legitimate claimants.

In a case brought to my attention this year, the Social Security Administration reduced from $109.50 to $54.80 the social security monthly benefit of a legal widow of a deceased worker, because illegitimate children of her late husband were ruled entitled to social security benefits under Public Law 89-97.

This widow's social security benefit is her only income. Although on review, one of the illegitimate children was ruled not entitled to benefits and her benefit was adjusted to $65 a month, this is a pitiful amount. She has written me many letters, and she cannot understand how Congress would be so cruel and unjust to the legal widow.

I believe that if Congress had realized the effect of the illegitimate children provisions, some provision would have been made to protect the legal dependents from such drastic diminution of their social security benefits.

Therefore, I am proposing to amend the Social Security Act—section 203 (a)—to exempt from reduction of monthly benefits those widows whose husband's died prior to 1966 if the other claimants, first, are entitled to child's benefits under section 202(d), are not children of the widow, and would not have been considered prior to Public Law 89-97 to be the children of the deceased worker.

As the amendment is drawn, therefore, the exemption from reduction of benefits is extended only to those widows whose husband's died in 1965 or earlier in those cases where claims of an illegitimate child or children based on the same man's earnings record would, because of the family maximum, force a reduction in her benefit.

I am advised by the Social Security Administration's actuarial staff that the cost of my amendment would be "negligible." In their terms, this was defined as costing less than one-hundredth of 1 percent of payroll. The Social Security Administration was unable to give me an estimate of the number of people that might be involved in the amendment, but their estimate is based on their judgment that very few persons would be affected.

As my amendment has very limited application—it is not applicable to all widows in the future, only to those whose husbands died before 1966—and as the cost is "negligible" according to the advice of the social security actuaries, I urge the Senate to approve my amendment.

This should be done in all fairness to widows who were receiving social security benefits as the legal surviving widow of a deceased worker, only to discover that Congress by enacting the illegitimate children provision suddenly and without warning deprived them of their full entitlement.

Mr. LONG of Louisiana. Mr. President, I understand the amendment and I am under the impression that the Senator is seeking to do justice to one of his constituents in Hawaii. So far as I am concerned, I am willing to take the amendment to conference, to study it and have it acted upon there.

Mr. President, I yield back the remainder of my time.

Mr. FONG. Mr. President, I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Hawaii.

The amendment was agreed to.

Mr. YARBOROUGH. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator from Texas will state it.

Mr. YARBOROUGH. I understand that 5 minutes have been allotted to each side on my amendment No. 959.

The ACTING PRESIDENT pro tempore. The Senator is correct.

Mr. YARBOROUGH. Mr. President, I yield myself 1 minute.

The ACTING PRESIDENT pro tempore. The Senator from Texas is recognized for 1 minute.

Mr. YARBOROUGH. Mr. President, I discussed this amendment yesterday and would refer Senators now in the Chamber to the Record of October 12, beginning on page 26421 and the succeeding six columns on pages 26422 and 26423, where this matter was fully explained with quotations from the record made before the Committee on Finance.

Let me point out that there is a provision in the bill to tax the interest which aliens who live abroad receive from their deposits, in American banks. There is also a provision to impose an estate tax on these bank deposits. This provision was put in the bill by the Ways and Means Committee. It was not an administration recommendation.

There are between $2¼ to $2½ billion on deposit in American banks at the present time owned by aliens living abroad. They do not live here. They are not citizens.

To levy this tax on their interest, and to levy this tax on their estates if they die, will only drive this money out of the United States into foreign countries at a time when our gold reserves have gone from $22 billion 10 years ago to $13.2 billion now. If all that money goes out of this country at one time, it will be disastrous to our balance of payments.

Mr. TALMADGE. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. I am happy to yield to the Senator from Georgia.

The ACTING PRESIDENT pro tempore. The time of the Senator from Texas has expired.

Mr. YARBOROUGH. Mr. President, I yield 2 minutes to the Senator from Georgia.

The ACTING PRESIDENT pro tempore. The Senator from Georgia is recognized for 2 minutes.

Mr. TALMADGE. Mr. President, I support the amendment offered by the distinguished senior Senator from Texas.

I interrogated Secretary of the Treasury Fowler on this very question when he appeared before the Finance Committee. His testimony appears on page 49 of the hearings and concludes on page 51 thereof, and I ask unanimous consent to have it printed in the Record at this point.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

Senator Talmadge. Mr. Secretary, do you know how much money foreigners have on deposit in banks, savings and loan associations, and insurance companies in the United States?

Secretary Fowler. We have the figure on time deposits, Senator Talmadge, and that is two and a half billion dollars.

Senator Talmadge. Do you have figures for other type deposits? One of my correspondents said the sum total of the three was $13 billion.

Secretary Fowler. I think that includes all short-term banking liabilities to private foreigners, of which bank time deposits are only a part.

Within that larger total the private time deposits are two and a half billion dollars.

Senator Talmadge. Let us look further into this problem and see how it might affect our balance of payments.

Assume that a citizen of South America has had deposits, for example in the Chase National Bank in certificates of deposit in the amount of $1 million. The interest rate now on this type deposit I think, is 5½ percent.

Secretary Fowler. Yes, sir.

Senator Talmadge. The interest on the $1 million over a period of 1 year would be $55,000, would it not?

Secretary Fowler. That is right.

Senator Talmadge. Now, if this bill passes in its present form it would be subject in 1971 to a 30-percent flat tax rate, would it not?

Secretary Fowler. In 1972, it would be subject to a 30-percent U.S. tax rate. That is correct, sir.

Senator Talmadge. That would be $16,500 he would pay on his certificate of deposit.

Assuming a citizen did not want to pay that tax, what would prevent him from withdrawing his money in the New York bank and transferring it to the same bank in Paris, France?

Secretary Fowler. Nothing whatsoever.

Senator Talmadge. In other words, that would mean if he were wise enough and had foresight enough and wanted to avoid this tax he would simply withdraw the $1 million he has on deposit in New York and transfer it to the Paris bank, thereby avoiding the tax and getting the same return, would he not?

Secretary Fowler. That is correct, and I think I should add to that that most banks in Europe do accept dollar deposits from foreigners and pay about the same rate as is paid in the Euro dollar market, as it is called. The interest rate over the past year there has been ranging about a half percent higher than in the United States.

Senator Talmadge. In other words, he would earn $5,000 more and escape the tax.

Secretary Fowler. That is right, and to carry out the mathematics of your questioning, according to our computation the net return on deposits in these countries, if it is equal to the gross interest rate currently payable would be about 6½ percent on 3-month Euro dollar deposits compared to a gross yield in the United States of about 5½ percent and a net yield to a foreigner after application of the withholding tax, of about 3.85 percent.

Senator Talmadge. Doesn't it seem to you logical that this particular foreigner would choose this course of action and increase his income by escaping the tax?

Secretary Fowler. From my own simple knowledge of the situation I think it does present a case.

Senator Williams. Would the Senator yield at that point?

Senator Talmadge. Yes.

Senator Williams. Assuming that the individual did that and deposited it in France, would he be subject to a tax in France, and would he have the same privileges of withdrawal and convertibility as he would have in this country or would he lose some of those advantages?

Secretary Fowler. Insofar as the tax goes, Senator Williams, my earlier comments indicated that in France, Germany, and the Netherlands, he would not be subject to a tax in the source country. Insofar as convertibility goes, that is a much more complicated question. I do not want to hazard a comment on that, although my impression is that there is fairly free movement insofar as bank deposits are concerned.

Senator Talmadge. Assuming, Mr. Secretary, that he made that transfer from the New York bank to the Paris branch of the same bank, would not that $1 million certificate of deposit be a factor in the further drain of our gold supply?

Secretary Fowler. That is one of the consequences. There is a possibility of a gold impact from shifted dollar deposits.

Senator Talmadge. Mr. Secretary, I listened to your testimony very carefully, and I think the main thrust of this bill would accomplish desirable ends, to increase investment in this country, and curtail our dollar drain. However, it seems to me that this particular provision of the bill which we have been discussing is calculated to do just exactly the opposite. Bank deposits are highly mobile in character. People are going to look for the highest possible short-range return, and if they can get a better return elsewhere and escape the tax, it is unquestionable that most foreigners would immediately transfer their deposits elsewhere to avoid the tax and get the higher return.

This probability is fraught with very grave danger, and so far as our dollar deficit is concerned, I would hope the Treasury would look into that aspect of it very carefully and be prepared to recommend to this committee, one way or another, what we ought to do about it.

Secretary Fowler. Well, I think Senator, it is a question of weighing the balance-of-payments consideration with the tax equity consideration—two very valid considerations. The House Ways and Means Committee gave a preeminence to considerations of tax equity as between domestic citizens and the other——

Senator Talmadge. I would agree with that aspect of it completely. Certainly I would hate to see the United States of America grant preferential treatment to foreigners that is not given its own citizens. But the fact remains we have jurisdiction over American citizens and we do not over foreigners.

Secretary Fowler. That is the observation I was going to make. The foreigner has an option—he can leave his money here or he can take it someplace else.

Senator Talmadge. An American does not.

Secretary Fowler. The American has a much lesser option, shall we say and, therefore, looking at it from a balance-of-payments standpoint, I think one views this provision with a considerable amount of concern.

Senator Talmadge. Then you would have the further inequity that results from some American banks having foreign branches and some not.

Secretary Fowler. That is another aspect of the problem.

Senator Talmadge. So the American bank with foreign branches might not lose any deposits. It would merely shift from the American branch to the foreign branch. The foreigner would get increased income on his deposit, and escape the tax at the same time. But if the American bank had no foreign branches it would lose the deposit, which would also further complicate the dollar deficit crisis.

Secretary Fowler. I think that is true. And I would imagine that one of the considerations that led the House to defer the effective date of this provision until 1972 was so that banks without foreign branches that were interested in this business could arrange to open foreign branches.

Senator Talmadge. Thank you, Mr. Secretary.

Mr. TALMADGE. As the Senator has stated, if this provision in the bill becomes law, in my judgment, it will do the very opposite of what the administration recommended—that is, to encourage more investment in the United States of America.

Dollars and liquid capital are highly fluid and highly mobile. To illustrate what would occur, a certificate of deposit in the Chase National Bank in the sum of $1 million would yield $55,000 in interest, but the provision in the bill would require a 30-percent withholding.

What would a foreign citizen do?

He would most likely withdraw his money and put it in the Chase-Manhattan Bank in Paris, France, and pay no tax on it and earn 7 percent.

In other words, what he would do would be to withdraw his money. I do not think we want that at a time when we are losing dollars and losing gold.

I recommend that the amendment of the Senator from Texas be agreed to.

Mr. ROBERTSON. Mr. President, will the Senator from Texas yield?

Mr. YARBOROUGH. Mr. President, I yield 1 minute to the Senator from Virginia.

The ACTING PRESIDENT pro tempore. The Senator from Virginia is recognized for 1 minute.

Mr. ROBERTSON. Mr. President, I invite the attention of the Senate to the fact that although I do not know the fundamental reason why the Ways and Means Committee put this provision in the bill, they must have felt uncertain about their position in that they provided the tax would not become effective for 6 years.

Now, no one can lift the veil of the future and see what the situation is going to be in this or any other country 6 years from now. Neither can we bear six successive sessions of Congress if we should go ahead and do this—and I do not recognize it now. There will be plenty of time within the next 6 years to do it.

I hope that the amendment of the Senator from Texas will be adopted.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. Mr. President, I yield time I had on this amendment to the Senator from Delaware, who is opposed to it.

The ACTING PRESIDENT pro tempore. The Senator from Delaware is recognized.

Mr. WILLIAMS of Delaware. Mr. President, under present law, foreigners—including foreign corporations—are generally entirely exempt from U.S. tax on the interest income they derive from their bank deposits in the United States. I think the Senate might be interested in knowing where these funds come from. The Secretary of the Treasury when testifying stated that with respect to the $2.5 billion of foreign-owned time deposits in U.S. banks, about one-half or $1.3 billion is held by Latin Americans, and of this $1.3 billion, about half of that, or $.7 billion is held by citizens of Argentina, Venezuela, and Mexico. By way of contrast, the citizens of Venezuela have more money in U.S. time deposits than the citizens of all the countries of Europe. In other words, the members of the wealthy classes of South America can place their money in the safe confines of U.S. banks, enjoy the safety which this country provides and pay no taxes to this Government which provides them the sanctuary for their millions. This occurs even though their native lands are less-developed countries and need these funds at home.

Let me also point out that this amendment is not effective until 1972, and therefore, these wealthy foreigners will, in any event, enjoy this exemption until that time. The banks are not satisfied with a 5-year prospective effective date. They have already raised the cry of fear that these wealthy foreigners have begun to withdraw their funds notwithstanding the fact that they will not be subject to U.S. tax until 1972. I think the facts disprove their fears. The Committee on Finance has been informed that the time deposits held by foreigners have continued to increase in the recent months notwithstanding the fact that this provision was enacted by the House of Representatives 6 months ago. In the month of July alone, the deposits of these foreigners increased more than $70 million.

It seems very inconsistent to me for this country to always be pressuring our good neighbors to the south to enact fair and equitable tax systems which will require their wealthy citizens to pay their fair share of the costs of their governments while at the same time the United States is providing the primary tax haven for the fortunes of these same wealthy South Americans. I might add, that in addition to constituting a tax haven, a U.S. bank is a very good hiding place for these foreign fortunes.

In view of all of these facts, I see no equitable reason why, once we get our balance of payments in control, that we should continue to allow the United States to serve as a tax haven for the wealthy of the world.

I therefore urge that this amendment be rejected, the same as it was rejected by the Finance Committee.

Mr. President, I ask for the yeas and nays on the amendment.

The yeas and nays were ordered.

Mr. WILLIAMS of Delaware. The adoption of this amendment would nullify the tax provisions of this bill.

For all practical purposes it defeats the purpose of title I.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. WILLIAMS of Delaware. I yield.

Mr. LAUSCHE. If this amendment is adopted, the basic proposal that came before us is out and all that will be left will be the pork barrel amendments. Is that correct?

Mr. WILLIAMS of Delaware. Not entirely, but one of the main features of title I as it came from the House would be nullified. The purpose of this bill originally was to prevent the United States from becoming a tax haven for citizens of foreign countries who were hiding their money.

Mr. LONG of Louisiana. Mr. President, I yield myself 2 minutes.

The Senator's amendment would continue existing law with respect to nonresident aliens who deposit their money here. I think the Senator from Georgia [Mr. TALMADGE] stated it best before the committee. He said he would like to see the Sheik of Kuwait take his money out of British banks and put it in American banks, because it would help us with our balance of payments. He said he would like to see the Sheik of Kuwait pay the same taxes that the Senator from Georgia pays, but, unfortunately, he had no control over that. However, he would like to see the Sheik of Kuwait deposit his money in this country because it would help us with our gold balance.

The House felt that we ought to tax them the same as American citizens are taxed. The provision would not go into effect until 1972. So if we want to tax the bank deposits of the Sheik of Kuwait, for example, we can enact legislation to tax him in 1967, in 1968, or in 1969. If we decide we want to tax him, we can do it, but it may be that then he would take his money back to Britain. So the Senator's amendment would in effect delete what the House recommended. However, the Treasury does not oppose the amendment. They say the amendment would make it a better balance-of-payments bill. They would also from a tax equity point of view like to be able to tax the money of the Sheik of Kuwait, but they do not have jurisdiction over him. They will take either what the Senator from Delaware or the Senator from Texas suggests.

Frankly, if we can go to conference with the amendment, I would like to see us work something out in conference. I would like to see us be able to say to nonresident aliens with deposits in U.S. banks, "We will give you a choice. You can pay the tax you would pay your own government or you can pay us the tax you would have to pay if you were a citizen of this country. Take your choice."

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. LONG of Louisiana. I yield myself 1 additional minute.

If we agree to the amendment, we can work it out in conference. If we do take the amendment, it will give us leverage.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield me 1 minute?

Mr. LONG of Louisiana. I yield.

Mr. WILLIAMS of Delaware. The Senator from Louisiana has suggested that we could take this amendment to conference. If it is to be taken to conference with the intention of dropping it in conference let us do it here. If the amendment is approved we have defeated the original purpose of title I.

The question here is, Do we want to place our country in a position of being used as a tax haven for hot money from all parts of the world?

Mr. LONG of Louisiana. Mr. President, I have discussed this matter with our staff. Our technicians believe that, if we take the amendment, the whole bank-deposit taxation issue will be in conference and we can work out any compromise we are able to. If the Senate does not think the issue should be brought to conference, the Senate can vote down the amendment.

Mr. YARBOROUGH. Mr. President, a parliamentary inquiry.

The ACTING PRESIDENT pro tempore. The Senator will state it.

Mr. YARBOROUGH. Do I have 1 minute remaining?

The ACTING PRESIDENT pro tempore. The Senator does.

Mr. YARBOROUGH. I ask unanimous consent that a table from page 63 of U.S. News & World Report for October 17, 1966, entitled "Why There's Worry About U.S. Gold Supply," be printed in the RECORD at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

WHY THERE'S WORRY ABOUT U.S. GOLD SUPPLY

Over the past decade, U.S. reserves of gold have dropped by almost $9 billion, to lowest point in more than a quarter century.

[In billions]

Gold in other countries:

10 years ago	$14.9
Now	27.6
Up	12.7

Gold supply in United States:

10 years ago	$22.0
Now	13.2
Down	8.8

But foreign claims against U.S. gold keep rising. An even heavier drain on reserves could come if all these claims were presented.

[In billions]

Dollars held by other nations for which gold could be demanded:

10 years ago	$14.4
Now	29.0
Up	14.6

If all foreign claims were pressed, there would not be enough U.S. gold to go around. As supply dwindles, Americans more and more are wondering what's causing this drain, what can be done to protect remaining reserves.

NOTE.—Foreign gold holdings and claims against U.S. gold exclude those of the International Monetary Fund.

Source: Federal Reserve Board.

Mr. YARBOROUGH. Mr. President, in conclusion, let me say that there are almost $2½ billion, $1.3 billion from Latin America, most of that from Mexico, Argentine, and Venezuela, on deposit in American banks. If we tax these deposits, they can place that money in France, Germany, the Netherlands, or elsewhere, where they will not have to pay any tax on those deposits. There is a tax of 5 percent in some countries. In England there is a technical tax of 4½ percent, but they do not enforce it. If we want to drive those deposits out of U.S. banks into banks in Paris or Bonn or Rotterdam or Amsterdam, we can do it.

The point is that, regardless of where this money comes from, if we impose this tax on it, the money will flee this country and go to Paris, Bonn, London, or the Netherlands. The way to redress the problem which the distinguished Senator from Delaware speaks of is by multilateral international treaty. If we act unilaterally we are cutting off our nose to spite our face.

And in answer to the Senator's argument that we would be gutting the original purpose of the bill if we remove this provision, I repeat what I said earlier—that this provision was not even in the administration bill.

The ACTING PRESIDENT pro tempore. All time on the amendment has expired. The yeas and nays have been ordered.

Mr. WILLIAMS of Delaware. Mr. President, I yield 2 minutes on the bill to the Senator from Kansas [Mr. CARLSON].

Mr. CARLSON. Mr. President, I voted against this amendment in committee, and I shall vote against it today. The chairman of the committee has suggested that we may take it to conference. I voted against the amendment because many of the wealthy in Latin America send their money up to this country for deposit when they should be investing that money in their own country, instead of asking the United States for aid.

I hope the Senate will vote it down.

Mr. MANSFIELD. Mr. President, will the Senator from Delaware yield me 2 minutes?

Mr. WILLIAMS of Delaware. I yield 2 minutes on the bill to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, I yield that 2 minutes to the distinguished Senator from Louisiana [Mr. ELLENDER], who has a group of colleagues and friends to bring into the Chamber.

The ACTING PRESIDENT pro tempore. The Senator from Louisiana [Mr. ELLENDER] is recognized.

VISIT TO THE SENATE BY MEMBERS OF THE PARLIAMENT OF SWEDEN

Mr. ELLENDER. Mr. President, I am delighted to present to the Members of the Senate a group of 32 Members of the Parliament of Sweden, who are visiting the United States to study our agriculture. They are members of the Agriculture Committee of the Parliament.

I am proud to say that about 2 years ago another group from Sweden visited the United States, and I am informed that they paid their own expenses.

This fine group arrived in this country on October 9 and will remain until October 31. They will visit Illinois, Iowa, Minnesota, Colorado, and California. I am sorry that they will not have time to visit the South, especially Florida, North Carolina, Mississippi, and Louisiana, where we have an extensive agricultural development. But I am proud to know that they will visit as much of our country as they indicate they will.

These good people from Sweden are interested in studying our agriculture, and I express the hope that they will learn much from us. We welcome them and wish them well.

As chairman of the Committee on Agriculture and Forestry, I am proud to again welcome them to our country. I wish to emphasize again that they are here not at the expense of our Government, but at the expense of the Parliament of Sweden. It is most refreshing to have so many fine persons visiting with us.

Mr. LONG of Louisiana. Mr. President, will my colleague yield?

Mr. ELLENDER. I yield.

Mr. LONG of Louisiana. We also can learn much from Sweden. It was my privilege to see their experiment station for the raising of cattle. What they are developing is absolutely magnificent.

Mr. ELLENDER. I, too, have had occasion to visit Sweden and there is no doubt but that we can learn a great deal from the Swedes. They have made great strides in developing their dairy and forestry resources.

Mr. President, before I yield to the distinguished Senator from Kansas, who, by the way, has Swedish blood in his veins, I wish to introduce to the Senate the chairman of the delegation from Sweden, Mr. Nils Gunnar Hansson, who is a member of the Centerparty and chairman of the Agriculture Committee of the Parliament of Sweden.

[Applause, Senators rising.]

Mr. President, I ask unanimous consent that I may place at this point in the RECORD the names and the party affiliations of the members of the Swedish delegation.

There being no objection, the list was ordered to be printed in the RECORD, as follows:

List of members, deputies, and office staff from the Agriculture Committee of the Swedish Parliament which are scheduled to tour agricultural and other areas in the United States from Oct. 9 to 31, 1966

Name	Political affiliation	Birth	Occupation	Home address
Chairman: Nils Gunnar Hansson	Centerparty	1902	Farmer	Skegrie.
Vice chairman: Eric C. Valdemar Mossberger	Social Democrat		Public relations representative	Skattagard Getinge.
Members:				
Arthur Lage Svedberg	do	1901	Farmer	Box 1050, Burtrask.
Nils Birger Hansson	Liberal	1900	Forester	Esplanaden 9, Rooneby.
Carl Eskil Eskilsson	Conservative	1906	Farmer	Blidsater, Bjorsater.
Tuve Uno E. Hedstrom	Social Democrat	1915	do	Harads.
Nils Magnusson	do	1912	do	Vrangerod, Grebbestad.
Herbert Hansson	Centerparty	1906	do	Kvistljungeby, Hovgarden.
Jonas A. Gillis Augustsson	Social Democrat	1912	Employed in metal industry	Ribbings vag 13, Bosholm.
Gunnar Pettersson	Liberal	1899	Agricultural	Asgatan 3, Kungalv.
B. Birger J. Isacson	Conservative	1917	Farmer	Fornbygard, Honrdal 2
Helge Borge Lindstrom	Social Democrat	1901	do	Lockne, Brunflo.

List of members, deputies, and office staff from the Agriculture Committee of the Swedish Parliament which are scheduled to tour agricultural and other areas in the United States from Oct. 9 to 31, 1966—Continued

Name	Political affiliation	Birth	Occupation	Home address
Members—Continued				
Mrs. Elsa Ingeborg Lindskog	do	1904	Social employee	Box 107, Soderbarke.
Sven Oskar Antby	Liberal	1908	Farmer	Langared, Anten.
Bengt E. Arweson	Social Democrat	1904	Fisherman	Nors. Gothem.
Eric W. Johanson	do	1905	Printer	Savermalmagatan 5, Vastervik.
Erik Valdemar Johansson	do	1923	Office manager	Krabbegatan 23, Simrishman.
Harald A. I. Pettersson	Center Party	1918	Farmer	Fredangen, Kvanum.
Rolf Elias Eliasson	Conservative	1912	Farm manager	Stensfalts Gard, Fagre.
Sven Gustav F. Persson	Social Democrat	1911	Agricultural employee	Kvarntorp, Appuna Vaderstad.
Bror Arvid Nilsson	Liberal	1906	Employed in lumber industry	Norregatan, Lonsboda.
John Erik Bertil Jonasson	Center Party	1918	Farmer	Post Office Box 1060, Haggarden.
Wilhelm Emanuel Olsson	Social Democrat	1908	Chairman, municipal board	Solbergavagen 7, Nykvarn.
Lennart Yrjo Wanhainen	do	1914	Farmer	Erkheikki, Erkheikki 22:1.
Nils Ragnar Sveningsson	Conservative	1906	do	Hassleas, Tranemo.
Bo Assar Skarman	Liberal	1908	Surveyor	Mariedalsvagen 2, Alingsas.
Folke Emil Trans	Social Democrat	1909	Farmer	Transholm, Valo.
Carl Eric Hedin	Conservative	1919	do	Karrboda, Nykoping.
Eskil Gunnar F. Eskilsson	Social Democrat	1908	Municipal employee	Vanadisvagen 15, Stockholm, Va.
Karl Sigvard E. Rimas	Liberal	1909	Farmer	Asandby, Medevi.
Per Anders Bertil Dahlgren	Center Party	1925	do	Backaskog, Valdemarsvik.
Villiam Evert Bjork	Social Democrat	1923	Manager, commercial garden	Bjorks Tradgard, Paarp 2, Paarp.
Office staff:				
Bengt Eugen Dahlstrom		1923	Director	Fogdevagen 40, Johanneshov.
Cote Birger Sioalth		1925	Secretary	Larsbodavagen 46.
Olof Gunnar Jeppson		1928	Bureau director	Holmbodavagen 71, Rotebro.
Mrs. Eva A. Sarnmark		1906	Parliament staff	Untravagen 1, Stockholm NO.
Lennart Albin Edlund		1924	do	Herr Stens vag 29, Alvsjo.
American Embassy in Stockholm: Dr. Georg Frostenson		1909	Agricultural economist	Skansvagen 52, Sollentuna.

Mr. ELLENDER. Mr. President, I now yield to the distinguished Senator from Kansas.

Mr. CARLSON. Mr. President, I wish to extend a very personal greeting to this fine group of folks from the country from which my parents emigrated. My father, as a young man, 23 years of age, came from the Province of Ostergotland; my mother, as an 18-year-old girl, came to the United States from the Province of Varmland. With this Swedish background, I am delighted to welcome this outstanding delegation from the home country of my parents.

I myself speak Swedish, and if it were not for the fact that it would confuse Senators and the Official Reporters of Debates, I would extend greetings in the Swedish language, although it may be a little faltering. I am delighted that we have these fine folks in our midst this morning.

Mr. ELLENDER. Mr. President, I ask unanimous consent that the Senator from Kansas be permitted to speak to our visitors in their native language.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CARLSON. Jag vill gjärna byda Er alla hjärtlig valkomna till U.S. Senaten. Min mor var född nära Anvika i Värmland, "du sköna". Vänern och Trollhattan var nära hemtrakten.

Min far var född i Östergötland och komm till Amerika i 1882.

Min hustrus forāldrar är fran Skane och Smaland.

Jag välkommar eder.

Mr. President, I often think of my mother, who as an 18-year-old girl left that beautiful section of Sweden to come to an area in the Midwest which was not too well settled in the early 1880's. It was treeless and quite different from the land she left. When these good people visit the Midwest, I feel certain that they will fully understand what I mean.

I am most pleased to welcome them. [Applause.]

Mr. AIKEN. Mr. President, will the Senator from Louisiana yield?

Mr. ELLENDER. I yield to the Senator from Vermont.

Mr. AIKEN. I should like to add to our welcome to these fine folks from Sweden. I suggest that we make the most of their visit, because, if we will pay attention, we can learn a great deal from them. I do not know what they will learn from us, but I know that we have learned much from the Swedes. In fact, my State had a Governor named Johnson, a few years ago, who was born in Stockholm. They have taught us much in the past, and I think probably we can learn more from this visiting group than they will from us. But I hope they will have a very enjoyable time while in this country.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the majority leader.

Mr. MANSFIELD. Mr. President, I wish to join the distinguished Senator from Louisiana, the distinguished Senator from Kansas, and the distinguished Senator from Vermont in extending greetings to our visitors from Sweden.

I think they undoubtedly can teach us a great deal more than they can learn from us. I point out that the State of Montana, like Vermont, had a Swedish Governor, a man born and raised in Sweden, who also claims the distinction of having reached the same status as Columbus in discovering America, because, when he came to this country as a young man, he rode the rods, as we used to say, and dropped off at a place named Columbus, Mont. That was his introduction to this country.

He was a great Governor. Unfortunately, he was a Republican, but that takes nothing from the fact that under his 8 years as Governor of the State of Montana, he did a splendid job for our State, and when he retired, he did so voluntarily. He was not defeated.

Welcome; and we hope that you will stay with us a long time. [Applause.]

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Florida.

Mr. HOLLAND. I wish to state for the RECORD that our country is most fortunate to have a large infusion of Swedish blood. The U.S. Senate likewise is fortunate. The Senator from Kansas [Mr. CARLSON], a great Senator, formerly Governor of his State, has already told about his Swedish antecedents. The Senator from New Mexico [Mr. ANDERSON], another great Senator who is not here today, is also a son, once removed, of Sweden; and he served as Secretary of Agriculture of this Nation before he came to the Senate. The Senator from Washington [Mr. MAGNUSON], a great Senator and the chairman of our Commerce Committee, has recently returned from a trip to Europe, and I know that he rarely misses an opportunity to go back to Sweden, the home of his forebears.

We in this Nation are greatly indebted to Sweden, and I am sure we shall feel even more greatly indebted after we have learned from this distinguished committee the things which they will tell us during their stay here.

I say to them, welcome many times to our great country. I am only sorry their itinerary will not take them into Louisiana, Georgia, South Carolina, North Carolina, Florida, and the South generally. Several of us from the South have had a chance to visit with them this morning. I heard the eloquent welcoming remarks of the distinguished Senator from Georgia [Mr. TALMADGE] and the distinguished Senator from South Carolina [Mr. RUSSELL], who is about to leave us to don the robes of the judiciary.

We welcomed them, and we invited them to visit our section of the country, but we were told they would not be coming to the South. All I can say is that if they should come, they would be met with all hospitality, because we recognize Sweden as one of the great contributors to our national life.

Mr. YARBOROUGH. Mr. President, will the Senator yield?

Mr. ELLENDER. I yield to the Senator from Texas.

Mr. YARBOROUGH. Mr. President, I regret that this distinguished delegation will not be able to visit my home State of Texas, because people from

Sweden started coming to Texas in the 1840's, when Texas was a republic.

My home city of Austin, Tex., now the State capital, has a Swedish language newspaper, the Texas Posten. There are numerous Swedish Lutheran and Methodist churches there today, where services are held in Swedish. I have been to a number of religious services in Texas, in those Swedish Lutheran and Methodist churches, where the services were in Swedish. I say to our visitors, you would find a warm welcome, you would find many people of Swedish descent, and you would find the Swedish language spoken in the churches, and a Swedish language newspaper published in my home city of Austin, Tex.

We salute you, Swedish citizens, just as we salute our citizens of Swedish descent, who played such a great and significant part in the development of this Nation.

Mr. ELLENDER. Mr. President, I thank my fellow Senators for their part in this warm reception.

EQUITABLE TAX TREATMENT FOR FOREIGN INVESTMENT IN THE UNITED STATES

The Senate resumed the consideration of the bill (H.R. 13103) to amend the Internal Revenue Code of 1954 to provide equitable tax treatment for foreign investment in the United States.

Mr. MANSFIELD. Mr. President, I suggest that we have the vote on the amendment, and during the course of the vote, Senators who so wish may have the opportunity to visit with their fellow parliamentarians from Sweden.

The ACTING PRESIDENT pro tempore. All time on the amendment having expired, the question is on agreeing to the amendment of the Senator from Texas. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. DIRKSEN (after having voted in the negative). On this vote I have a pair with the Senator from Montana [Mr. METCALF]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. LONG of Louisiana (after having voted in the affirmative). On this vote I have a pair with the Senator from Nebraska [Mr. CURTIS]. If he were present and voting, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Indiana [Mr. BAYH] the Senator from Idaho [Mr. CHURCH], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. GORE], the Senator from Michigan [Mr. HART], the Senator from Arizona [Mr. HAYDEN], the Senator from New York [Mr. KENNEDY], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], and the Senator from Utah [Mr. MOSS] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH] and the Senator from Mississippi [Mr. EASTLAND] would each vote "yea."

On this vote, the Senator from Michigan [Mr. HART] is paired with the Senator from Utah [Mr. MOSS].

If present and voting, the Senator from Michigan would vote "nay" and the Senator from Utah would vote "yea."

Mr. KUCHEL. I announce that the Senators from Colorado [Mr. ALLOTT and Mr. DOMINICK], the Senator from New Jersey [Mr. CASE], the Senator from Kentucky [Mr. COOPER], the Senator from Nebraska [Mr. CURTIS], the Senator from Iowa [Mr. HICKENLOOPER], the Senator from Idaho [Mr. JORDAN], the Senator from Kansas [Mr. PEARSON], the Senator from Vermont [Mr. PROUTY], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Texas [Mr. TOWER] are necessarily absent.

The Senator from California [Mr. MURPHY] is detained on official business.

If present and voting, the Senators from Colorado [Mr. ALLOTT and Mr. DOMINICK], the Senator from California [Mr. MURPHY], and the Senator from Kansas [Mr. PEARSON] would each vote "nay."

If present and voting, the Senator from Texas [Mr. TOWER] would vote "yea."

The pair of the Senator from Nebraska [Mr. CURTIS] has been previously announced.

In this vote, the Senator from Pennsylvania [Mr. SCOTT] is paired with the Senator from Idaho [Mr. JORDAN]. If present and voting, the Senator from Pennsylvania would vote "yea" and the Senator from Idaho would vote "nay."

The result was announced—yeas 47, nays 27, as follows:

[No. 301 Leg.]

YEAS—47

Bartlett
Bass
Bible
Brewster
Byrd, Va.
Byrd, W. Va.
Cannon
Clark
Dodd
Ellender
Ervin
Fulbright
Gruening
Harris
Hartke
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Kuchel
Long, Mo.
Magnuson
McClellan
McGee
McGovern
Monroney
Montoya
Nelson
Neuberger
Pell
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Smathers
Sparkman
Stennis
Symington
Talmadge
Thurmond
Williams, N.J.
Yarborough
Young, Ohio

NAYS—27

Aiken
Bennett
Boggs
Burdick
Carlson
Cotton
Fannin
Fong
Griffin
Hruska
Kennedy, Mass.
Lausche
Mansfield
McCarthy
Miller
Mondale
Morse
Morton
Mundt
Muskie
Pastore
Saltonstall
Simpson
Smith
Tydings
Williams, Del.
Young, N. Dak.

NOT VOTING—26

Allott
Anderson
Bayh
Case
Church
Cooper
Curtis
Dirksen
Dominick
Douglas
Eastland
Gore
Hart
Hayden
Hickenlooper
Jordan, Idaho
Kennedy, N.Y.
Long, La.
Metcalf
McIntyre
Moss
Murphy
Pearson
Prouty
Scott
Tower

So Mr. YARBOROUGH's amendment was agreed to.

Mr. YARBOROUGH. I move to reconsider the vote by which the amendment was agreed to.

Mr. TALMADGE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. The question is on the engrossment of the committee amendment, as amended, and the third reading of the bill.

The committee amendment, as amended, was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

Mr. DIRKSEN. I ask for the yeas and nays on final passage.

The yeas and nays were ordered.

LEGISLATIVE PROGRAM

Mr. DIRKSEN. Mr. President, I should like to ask the distinguished minority leader about the schedule for the rest of the day and perhaps the rest of the week.

Mr. MANSFIELD. Mr. President, I am delighted to have this opportunity——

Mr. PASTORE. Mr. President, may we have order? I understand that this is quite important.

The ACTING PRESIDENT pro tempore. The Senator is correct. The Senate is not in order.

Mr. PASTORE. Anything the majority leader has to say is quite important.

Mr. MANSFIELD. Especially when it has to do with adjournment.

First, Mr. President, I ask that the Chair lay before the Senate a message from the House.

AMENDMENT OF TITLE 18, UNITED STATES CODE, RELATING TO NARCOTIC ADDICTION

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 9167) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes; and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. MANSFIELD. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Senators MCCLELLAN, ERVIN, DODD, HRUSKA, and JAVITS conferees on the part of the Senate.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, in response to the specific question raised by the distinguished minority leader, I would call the Senate's attention to the fact that immediately after the vote on the pending measure, we will vote on Executive S, 89th Congress, 2d session—the International Convention on Load Lines, 1966, which is noncontroversial, having to do with measurements of ships, and which has already been discussed.

Mr. President, then it is intended to take up various conference reports and other bills on the calendar if they can be cleared in time, and it does look as if they can be.

Tomorrow we will consider the public works authorization bill, the State, Commerce, and Justice appropriation bill, and the 7-percent investment credit bill.

We will come in early. I shall discuss with the distinguished minority leader whether it will be 9 or 10 o'clock tomorrow morning. It will not be later than 10 o'clock.

If we finish the 7-percent investment credit bill tomorrow we will not meet Saturday; if we do not finish it we will meet Saturday.

EQUITABLE TAX TREATMENT FOR FOREIGN INVESTMENT IN THE UNITED STATES

The Senate resumed the consideration of the bill (H.R. 13103) to amend the Internal Revenue Code of 1954 to provide equitable tax treatment for foreign investment in the United States.

Mr. WILLIAMS of Delaware. Mr. President, I yield 2 minutes to the Senator from Vermont.

Mr. AIKEN. Mr. President, I shall not require 2 minutes.

Mr. COTTON. Mr. President, may we have order? We cannot hear.

The ACTING PRESIDENT pro tempore. The Senator will not proceed until we have order. Senators will take their seats.

The Senator from Vermont may proceed.

Mr. AIKEN. Mr. President, I simply want to say that while the pending legislation has two or three reasonable and acceptable provisions in it, the bill as a whole is such a perfect example of irresponsible legislating that I shall vote against it.

Mr. WILLIAMS of Delaware. Mr. President, I yield 5 minutes to the Senator from Ohio.

The ACTING PRESIDENT pro tempore. The Senator from Ohio [Mr. LAUSCHE] is recognized for 5 minutes.

Mr. LAUSCHE. Mr. President, may we have order in the Chamber? There is no sense trying to speak if others are going to talk louder than the Senator who has the floor.

The ACTING PRESIDENT pro tempore. The Presiding Officer will try to get order in the Senate.

The Senate will be in order.

Mr. LAUSCHE. Mr. President, I cannot vote for the bill with the provisions now contained in it. If the bill had been stripped of the many pork-barrel payments and reduced to its initial purpose of providing equitable tax treatment to foreign investors in the United States, and if the amendment relieving the aged in a part of their buying of drugs and medicines had remained in the bill, it would have had my vote.

Instead of narrowing the scope of mineral mining operations, investment tax credits under the principle that the taxpayer has depleted his mineral possessions, the bill, on the contrary, has expanded the indefensible tax law giving such privilege to the oil, gas, coal, and other mineral producers.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. LAUSCHE. Mr. President, when I came to the Senate 10 years ago and listened to the very first argument against the largeness of the tax credit given to the miners of minerals such as gas and oil, I had hoped that some day there would be a narrowing of this largeness.

Today, however, I find, instead of the scope being narrowed, it is broadened.

Four sections in the bill liberalize the bounties that are given to the rich, and I use the term "rich" because yesterday it was argued that this bill is intended to help the poor.

Mr. President, I favor giving aid to the aged. I favor the adoption of a law that would provide equity to foreign investors. The bill as originally written was sound. Then, the pork-barrel operation began. What is the content of the bill today? Everyone who had some pet project to serve came running in with an amendment. Every amendment that has been offered has been adopted.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. LAUSCHE. I shall yield in a moment.

Mr. LONG of Louisiana. Would the Senator like to insist on that statement?

Mr. LAUSCHE. How many have been beaten? No; I shall finish my statement.

Mr. LONG of Louisiana. My recollection is that a number of amendments offered were defeated.

Mr. LAUSCHE. No; the Senator accepted practically everything that was offered.

It is a pork-barrel proposition, and that is all it is. I am not going to join in that type of operation so long as I am a representative of the State of Ohio.

Depletion of capital investment for oyster shells and clam shells. Who ever heard of so nonsensical a proposition. What ownership do the oyster and clam shell people have of the oysters and clams in the sea off Louisiana? That was a special provision to serve the Louisiana dealers in oyster shells.

The bill, as it now stands, has all of the evils of a pork-barrel tax bill. The weaknesses and the evils in our tax law, instead of being eliminated, have been aggravated. The taxpayer has been forgotten.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, I ask unanimous consent that I may proceed for 1 additional minute.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LAUSCHE. Mr. President, the taxpayer is being taken for a ride, and a rough ride. The privileged already enjoy a great tax benefit and are being further served by this bill.

The bill will not have my vote and if I had more time I would denounce it in more vigorous terms than I have.

Mr. PASTORE. Mr. President, will the Senator yield to me for 2 minutes?

Mr. WILLIAMS of Delaware. Mr. President, I yield 2 minutes to the Senator from Rhode Island.

Mr. PASTORE. Mr. President, possibly it is not with the same vehemence, but I agree with the logic of the Senator from Ohio [Mr. LAUSCHE].

What I cannot accept in this bill is the incongruity it represents. We are going to meet here possibly on Saturday to remove from the American business community the opportunity of the 7-percent tax credit. We are made to understand that this is necessary in order to avoid inflation.

Mr. President, I would accept this bill if we had adhered to the recommendation of the administration, but we have gone beyond that. We have gone far beyond that. We are talking out of both sides of our mouths. In one instance we are trying to enrich the Treasury and at the same time depleting the Treasury with these concessions which are being made. That is an incongruity.

Mr. President, I cannot accept that incongruity at this moment and I shall vote against the bill.

Mr. WILLIAMS of Delaware. Mr. President, how much time have I remaining?

The ACTING PRESIDENT pro tempore. The Senator from Delaware [Mr. WILLIAMS] has 5 minutes remaining.

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 2 minutes.

The Senator from Rhode Island has stated the case very well. Based on the estimates of the committee staff, the adoption of the bill in its present form will lose revenues of around $450 million, and based upon the Treasury Department estimate there will be a loss of between $500 and $600 million.

The Senate action yesterday and today has raised the committee estimate. The first committee estimate was $410 million, but title I would pick up $26 million in tax revenue. The recent amendment just adopted, eliminated that revenue. Yesterday's adoption of H.R. 10 raised the revenue loss another $50 million.

All revenue producing features of the bill have been eliminated and all other amendments liberalizing the tax laws were accepted.

The result is a loss now of well over the $500 million figure.

Tomorrow, we shall be confronted with a bill which will raise the taxes of American business. As the Senator from Rhode Island has pointed out, the next bill is being offered on the basis it would combat inflation.

I happen to be one who felt that we had to do something in that direction, and I supported the proposal to repeal the 7-percent investment tax credit. I felt that we had to take some affirmative action to combat the inflationary spiral which is in our midst, but we are not combating it today by passing a measure here which in effect will be a tax reduction of around $500 million—a $500 million tax reduction which goes not to the American people as a whole but to a few special groups who are fortunate enough to be mentioned in the bill.

I will have no part of this grab bag, and I am going to vote against it. I say that as one strongly in favor of the administration's proposal which was embraced in title I. I should like to have supported it as it was in its original form when reported by the Senate Finance Committee.

Mr. SIMPSON. Will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield to the Senator from Wyoming.

Mr. SIMPSON. I should like to make the observation that I want to be associated with the distinguished Senator from Delaware, as well as the Senator from Rhode Island [Mr. Pastore] with respect to what they have just said.

They are the most logical statements I have heard since this monstrosity started its way through the Senate.

I trust that the Record never gets into the hands of our boys in Vietnam.

Mr. LONG of Louisiana. Mr. President, it has been suggested that we should adopt no amendment, but should merely rubberstamp the administration bill as amended by the House. As a practical matter, what we are talking about is absurd. The Treasury Department has very competent and dedicated individuals, such as Secretary Henry Fowler, Under Secretary Joseph Barr, Assistant Secretary Stanley Surrey, and Joseph Bowman. But that does not mean that Congress should accept their recommendations without modification. To be sure, the original Treasury bill was amended in large part by the House. The Senate has a right to amend the bill if we want to do so, too.

I think the Senate made a terrible mistake last night when it voted to accept the full text of H.R. 10 which was offered by the Senator from Indiana [Mr. Hartke]. But, one thing that I cannot do is to defeat a measure when it has a majority of Senators voting for it, and a majority of Representatives voting for it in the House of Representatives.

Perhaps the President can defeat it by vetoing it, but I cannot defeat what a majority of Senators want and a majority of Members of the House want. I just cannot do that. I am sorry, Senators, but I did what I could. I could not defeat the H.R. 10 amendment. The Senate did it, and that is what the Senate wanted to do. I am willing to bow to the will of the majority of Senators, even though I think that in this case the majority is wrong.

Let us see what else we have here. Beyond what the administration recommended, we did $285 million worth of kindness to the aged in this country. We provided them with drugs. We continued favorable tax treatment when they are sick at home and have to pay their own medical expenses.

Mr. President, that is where 80 percent of the cost of this bill is. That, plus H.R. 10 is 90 percent of the cost of the bill.

We also said we would stop having just the wealthy few finance presidential campaigns and have every American taxpayer, designate $1 of his taxes to finance presidential campaigns, with an equal amount going to the Republicans and to the Democrats. The administration did not say to do it, and they did not say not to do it. That takes care of that. That takes care of 98 percent of what is in the bill.

What is the other 2 percent?

Mr. PASTORE. Mr. President, will the Senator from Louisiana yield?

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. Does not the Senator feel that there has been so much nobility expressed to help the aged—for whom I stand and bow to no one, and tip my hat to no one, when it comes to voting for legislation to help the elderly—but there is a Trojan horse in this bill.

If we could bring in a pure and clean bill to the floor of the Senate, I think that the Senate would vote for it unanimously, but we cannot use that as a Trojan horse to cover up on these other concessions to the vested interests throughout the land which are represented in this bill. That is what is obnoxious about it.

Mr. LONG of Louisiana. If the Committee were to report an unamended bill to the Senate, still any Senator could offer an amendment, for example, to provide for a depletion allowance to give Georgia clay tax treatment similar to that available for a competitive product which is produced in foreign countries. That will help our balance of payments and bring revenue into the U.S. Treasury. It will provide employment and help to fight poverty. Thus, it is a vital amendment. It will not cost us a penny. It will make us money.

Concerning clam shells, all we said was that clam shells compete with limestone because they are composed fundamentally of the same chemical compounds. If clam shells compete with limestone then they will get the same tax treatment limestone gets, under the same circumstances.

Mr. PASTORE. I understand that limestone gets a 15-percent depletion allowance and the clam shells 5 percent; so, rather than take 5 percent we make it 15 percent. Why do we not take the 15 percent and bring it down to 5 percent?

Mr. LONG of Louisiana. If the Senator wants to offer an amendment on that, he can do so, of course. But, once again, the Senator did not state the law completely. I will tell the Senator what it is.

Mr. PASTORE. That is what the Senator said yesterday. I was in the Chamber when he said it.

Mr. LONG of Louisiana. Here is what the law is, in case any Senator does not understand the Senator's statement.

The ACTING PRESIDENT pro tempore. The Chair wishes to advise the Senator from Louisiana that he has 4 minutes remaining.

Mr. LONG of Louisiana. I thank the Chair.

In case Senators do not understand, the law says that if we take limestone and use it as gravel, it will get a 5-percent depletion allowance. The same thing is true of oyster shells. If we take limestone and make cement out of it, it will get a 15-percent depletion allowance.

Mr. PASTORE. That is right.

Mr. LONG of Louisiana. If we do the same thing with oyster shells, we do not get 15 percent. All the amendment provides is that we will treat them both alike.

This could reduce the cost of chicken feed because the shells can be ground up and made into chicken feed. It will help the chicken farmers of Delaware and elsewhere, because we will be able to produce chicken feed a little cheaper if we can grind up the oyster shells. It is a competitive industry.

Accordingly, Mr. President, when we really get down to it, we have considered all the thoughts of Senators, their amendments have been voted on, and they have had opportunities to strike everything in the bill.

I applaud this bill. It is a much better bill than was sent to us because it will do so much for the aged sick.

If Senators want to vote against 18 million old people, they can go ahead and do it. I am not going to do it.

Mr. GRIFFIN. Mr. President, I agree with much that has been said by the distinguished Senator from Ohio [Mr. Lausche]. So many amendments have been tacked onto the original administration bill that the legislation comes close to being a pork-barrel tax bill, as charged.

I am voting "aye" with strong reservations because there are included in this legislation a number of meritorious provisions which should be enacted in this session.

It is my expectation, and I believe it is a reasonable expectation, that the Senate-House conference committee will see fit to delete some of the objectionable pork-barrel riders that have been tacked on.

In the event my expectation is not fulfilled, I wish to make it clear that I reserve the right to vote against this legislation when the report of the conference committee is presented for adoption.

Mr. MORTON. Mr. President, I ask unanimous consent that a statement by my colleague, Senator Cooper, be printed in the Record at this point.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR COOPER

I support H.R. 13103, the bill known as the Foreign Investors Tax Act, which includes a number of important amendments to the Internal Revenue Code.

I wish to call attention to the amendment which I supported yesterday offered by the Senator from Florida [Mr. Smathers], the Senator from Kentucky [Mr. Morton], and the Senator from Kansas [Mr. Carlson], and

I am happy to note that this amendment was adopted by the Senate.

That amendment incorporates the provisions of H.R. 10, as passed by the House on June 6th of this year and would provide substantial improvements to the Self-Employed Individuals' Tax Retirement Act of 1962.

I voted for that bill in 1962, but as a result of the restrictions and limitations placed in the bill upon the recommendation of the Treasury Department, the law has proved impractical and unsatisfactory.

A report by the Treasury Department with respect to the self-employed retirement deductions in the taxable year 1964 shows that only about one-half of one percent of the self-employed individuals took advantage of this deduction in that year.

The amendment corrects two inequities in existing law. First, it would permit a self-employed person to deduct the entire amount he contributes but not in excess of $2,500 for his own retirement benefit in the same manner that he may do for contributions on behalf of his own employees.

Second, the amendment removes the 30 percent limitation on "earned income" to be considered for retirement plan purposes. The present act restricts the amount of earned income which will be recognized for contribution purposes where capital as well as personal services is a material factor in the production of income. It is highly unrealistic to attribute only 30 percent of the net profits of a business to personal services and the present act is of a little help to small businessmen and farmers.

The new definition of "earned income" will continue to require that substantial personal services be devoted to the business if deductions are to be taken with respect to contributions for the self-employed benefit.

I believe this amendment will go a long way to remove the inequity that has existed as to the tax treatment accorded self-employed persons who desired to establish private retirement plans, and should benefit small businessmen, farmers, and professional people. It is my view that they are entitled to the same benefits in providing for their own retirement as has been extended to both corporation executives and employees for many years.

I was happy to be recorded for this amendment and I appreciate the courtesy of Senator SIMPSON who was opposed to this amendment and withheld his vote on the floor to pair his position with me.

I want to note also the very important provisions included for our citizens who are 65 and over in this bill. Payment for drugs prescribed for illness is authorized in connection with the supplemental medical insurance plan enacted by the Congress last year.

I supported and voted for the programs of hospital care in the Senate, and I know the importance of this benefit to our older citizens who are participating under this law. The benefit would become available July 1, 1968, under this provision of this Senate bill.

The provision which now limits medical deductions for all tax payers 65 and over to the excess of 3% of the adjusted gross income is changed by this Senate bill to no limitation. I am glad to support this change, as I know the heavy costs of medical care which face our citizens today. This reduction of the limitation would be available beginning this year.

The Senate Finance Committee has worked hard on this bill, and I am hopeful that the House will agree to the improvements made in this bill by the Senate. I am glad to support the bill.

Mr. SMATHERS. Mr. President, I would like to take this opportunity to congratulate and commend the very able and distinguished chairman of the Senate Finance Committee, Senator RUSSELL B. LONG, not only in the handling of the foreign investors tax bill before us, but of other bills as well.

He is a fair man; he is a just man. He is one who gives every individual his right to voice his views both pro and con.

There are amendments in the pending measure which are not necessarily to my liking. There are others that are. I was the one in the Finance Committee who proposed the total tax exemption for medical expenses for our senior citizens. Some opposed this amendment but most certainly I did not criticize them as being against our senior citizens for having done so.

The further liberalization of the Self-Employed Retirement Act amendment was one which was to my liking. I have supported this concept over the years. The chairman and others on the committee were opposed to it but the Senate saw fit to adopt what I feel now will provide equitable treatment for some 18 million self-employed and their employees.

Every Senator has a right to propose and oppose an amendment and certainly should not be criticized for doing so. This is the way our democractic process must work.

Senator LONG is a fair and able chairman of the Senate Finance Committee. All of us in the Senate can be justly proud of the manner in which he is conducting himself in the handling of highly technical and complex tax legislation.

In my opinion, he should be commended rather than criticized.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. Mr. President, I yield back the remainder of my time.

The ACTING PRESIDENT pro tempore. All time has been yielded back.

The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. HOLLAND. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER (Mr. HARRIS in the chair). The Senator will state it.

Mr. HOLLAND. What is it we are voting on?

The PRESIDING OFFICER. Final passage.

Mr. HOLLAND. I thank the Chair.

The assistant legislative clerk resumed the call of the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Tennessee [Mr. GORE], the Senator from Michigan [Mr. HART], the Senator from Arizona [Mr. HAYDEN], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], and the Senator from Utah [Mr. MOSS] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. BAYH], the Senator from Idaho [Mr. CHURCH], and the Senator from Mississippi [Mr. EASTLAND] would each vote "yea."

On this vote, the Senator from Tennessee [Mr. GORE] is paired with the Senator from Utah [Mr. MOSS].

If present and voting, the Senator from Tennessee would vote "nay" and the Senator from Utah would vote "yea."

On this vote, the Senator from Nevada [Mr. CANNON] is paired with the Senator from Michigan [Mr. HART].

If present and voting, the Senator from Nevada would vote "yea" and the Senator from Michigan would vote "nay."

Mr. KUCHEL. I announce that the Senators from Colorado [Mr. ALLOTT and Mr. DOMINICK], the Senator from New Jersey [Mr. CASE], the Senator from Kentucky [Mr. COOPER], the Senator from Nebraska [Mr. CURTIS], the Senators from Iowa [Mr. HICKENLOOPER and Mr. MILLER], the Senator from Idaho [Mr. JORDAN], the Senator from Kansas [Mr. PEARSON], the Senator from Vermont [Mr. PROUTY], the Senator from Pennsylvania [Mr. SCOTT], and the Senator from Texas [Mr. TOWER] are necessarily absent.

If present and voting, the Senator from Colorado [Mr. DOMINICK], the Senator from Kentucky [Mr. COOPER], the Senator from Kansas [Mr. PEARSON], and the Senator from Texas [Mr. TOWER] would each vote "yea."

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Pennsylvania [Mr. SCOTT]. If present and voting, the Senator from Iowa would vote "yea" and the Senator from Pennsylvania would vote "nay."

On this vote, the Senator from Nebraska [Mr. CURTIS] is paired with the Senator from Idaho [Mr. JORDAN]. If present and voting, the Senator from Nebraska would vote "yea" and the Senator from Idaho would vote "nay."

The result was announced—yeas 58, nays 18, as follows:

[No. 302 Leg.]

YEAS—58

Bass
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Clark
Cotton
Dodd
Ellender
Ervin
Fong
Fulbright
Griffin
Gruening
Harris
Hartke
Hill
Holland
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Long, Mo.
Long, La.
Magnuson
McCarthy
McClellan
McGee
McGovern
Mondale
Monroney
Montoya
Morton
Mundt
Murphy
Nelson
Neuberger
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NAYS—18

Aiken
Bartlett
Dirksen
Fannin
Hruska
Lausche
Mansfield
Morse
Muskie
Pastore
Pell
Russell, Ga.
Saltonstall
Simpson
Smith
Symington
Williams, Del.
Young, Ohio

NOT VOTING—24

Allott
Anderson
Bayh
Cannon
Case
Church

Cooper
Curtis
Dominick
Douglas
Eastland
Gore
Hart
Hayden
Hickenlooper
Jordan, Idaho
McIntyre
Metcalf
Miller
Moss
Pearson
Prouty
Scott
Tower

So the bill (H.R. 13103) was passed.

The title was amended, so as to read: "An Act to provide equitable tax treatment for foreign investment in the United States, to establish a presidential election campaign fund to assist in financing the costs of presidential election campaigns, and for other purposes."

Mr. LONG of Louisiana. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. TALMADGE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LONG of Louisiana. Mr. President, I move that the Senate insist on its amendments to H.R. 13103 and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Senators LONG of Louisiana, SMATHERS, ANDERSON, MCCARTHY, CARLSON, and BENNETT conferees on the part of the Senate.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that in the enrolling of H.R. 13103, the clerk be authorized to make necessary technical, clerical, and clarifying amendments.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that H.R. 13103, the foreign investors tax bill, be printed as amended and passed by the Senate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, the junior Senator from Louisiana [Mr. LONG] has demonstrated once more his unsurpassed grasp of our Nation's complex fiscal programs. His handling of this broad measure which includes the adjustment of taxes on foreign investors was characterized by the careful diligence and broad expertise the distinguished chairman of the Committee on Finance brings to all legislative proposals he supports.

Joined by the able senior Senator from Minnesota [Mr. MCCARTHY], who himself leads this body with outstanding competence, Senator LONG's capable advocacy was largely responsible for its success. Though not all Senators could agree with all of the provisions of this proposal—and that is often the case—its decisive acceptance speaks abundantly for the ability and persuasive talents of Senator LONG.

Commendation also goes to those many Senators who supported the proposal with strong and clear arguments and also to those who offered their own convincing views. We therefore thank the distinguished senior Senator from Delaware [Mr. WILLIAMS], the ranking minority member of the committee, the senior Senator from Indiana [Mr. HARTKE], the senior Senator from New Hampshire [Mr. COTTON], and the senior Senator from Missouri [Mr. SYMINGTON]. Similarly commended are the senior Senator from Kansas [Mr. CARLSON], the senior Senator from Texas [Mr. YARBOROUGH], the senior Senator from Vermont [Mr. AIKEN], and the senior Senator from Tennessee [Mr. GORE].

Finally, I wish to extend my appreciation again to this entire body for joining to dispose of another proposal in the orderly and efficient manner which will help so much in enabling us to reach an adjournment sine die.

MEDICARE

Mr. WILLIAMS of Delaware. Mr. President, if I may have the attention of the assistant majority leader, who is chairman of the Committee on Finance, I understand that the House of Representatives has passed, or will pass today or tomorrow, a bill dealing with the provisions of title XIX of the Medicare Act. The question is being asked, Will the Senate Finance Committee be considering that measure during this session of Congress, and if so, when?

The reason I put the question to the Senator from Louisiana is that the Senators on this side of the aisle wish to know so that they can make their plans accordingly.

Mr. LONG of Louisiana. Mr. President, as I told the Senator in a personal conversation, I shall be happy to abide by the wishes of the members of the committee. We had hoped we were through, but I always try to avoid putting myself into a trap. I believe it would be well to consider the bill if we can. I would hope that perhaps we can consider the bill. That would have to depend upon what the Senate wishes to do.

Mr. WILLIAMS of Delaware. It is not up to the Senate. It is up to the chairman of the committee. Does the chairman of the committee intend to consider it as agenda business before Congress adjourns? If he does the Senators on our side will make our plans to be there. Surely the decision can be made as to whether or not it will be considered during this session of Congress.

Mr. LONG of Louisiana. If the Senate is in session next week, I would suggest that we do consider that measure. But if the Senate is to adjourn and conclude its legislative business by Friday night or Saturday night of this week, I am sure we would not get to it.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. JAVITS. Mr. President, I wish to advise the Senate that I have asked for a hearing on that matter on behalf of the Governor of my State. My State is directly affected, and Governor Rockefeller has asked for a hearing. I hope we will get one.

Mr. LONG of Louisiana. I am aware of that, and I am acquainted with Governor Rockefeller. He is a very fine man. I am also aware that the bill under consideration by the House of Representatives may create a problem for his State. We will be glad to hear from him.

Mr. WILLIAMS of Delaware. This creates problems in many areas. Under the medicare program as passed, the administration has promised many benefits to elderly people. If the measure now under consideration by the House of Representatives is adopted it will mean that a lot of benefits which those elderly people have been promised will be taken away from them. We must give all parties concerned a chance to be heard so that they will know what benefits, that have heretofore been promised, are to be taken away from them. After all, if we are going to make a change of a billion or two billion dollars in the program there will be a sizable change in the benefits.

I am perfectly willing, and the Senators on our side are perfectly willing, to arrange our plans to be here. We are merely asking the Senator whether his committee plans to consider the matter. Personally I think this proposal should be considered before we adjourn. I understand he is now saying it is his plan to bring that up next week.

Mr. LONG of Louisiana. If we are in session.

Mr. WILLIAMS of Delaware. I do not think there is any question about that.

Mr. LONG of Louisiana. We are trying to adjourn soon.

Mr. WILLIAMS of Delaware. Adjourn this week?

Mr. LONG of Louisiana. I would like to adjourn today.

Mr. WILLIAMS of Delaware. I will join the Senator in a motion to adjourn right now. The taxpayers would have been ahead had the Senate adjourned 2 months ago.

Mr. LONG of Louisiana. If we can finish with what we regard as the must legislation—the appropriation bills and the revenue bills—then, as far as I am concerned, I would be ready to vote for adjournment. I cannot do it right now.

Mr. WILLIAMS of Delaware. It is ridiculous to talk about adjournment this week, because there will still be conference committees meeting on both revenue bills and appropriation bills.

Mr. LONG of Louisiana. I think the Senator from Delaware knows I have never denied him a hearing. I have never denied a hearing to the Senator from New York [Mr. JAVITS]. The problem facing us, however, is one of time. So the Senator may be assured his rights will be fully protected.

Mr. WILLIAMS of Delaware. I am just trying to find out, so that Senators can make their plans accordingly, whether or not this will be on the agenda of the committee for hearing before we adjourn.

In the light of the information which we have just received the minority members of the committee will start rearranging their schedules in an effort to be here next week.

Mr. LONG of Louisiana. If the Senate is in session for another week, it is my thought that we ought to consider the bill. The House has worked diligently on it. They have given us their best judgment, and if we are in session for another week, we ought to consider it.

Mr. PASTORE. Mr. President, what bill are we talking about?

Mr. LONG of Louisiana. We are talking about what is called the medicaid bill. That was a part of the Social Security Amendments of 1965. The bill is generally referred to as the medicare bill, but that bill, in addition to providing medical care, expanded on the old Kerr-Mills program, and it was estimated at that time—and many of us predicted that that estimate would turn out to be wrong—that the cost of the medicaid part of it, the old Kerr-Mills part of the bill, would cost about $240 million more annually than the existing welfare health programs.

The Department of Health, Education, and Welfare failed to recognize that title XIX also provided an incentive and opportunity for States to take advantage of it, and that when they did, it would cost much more than the HEW estimate. I believe the present cost of the new program is running several hundred million dollars a year more than originally estimated, and it is skyrocketing. If we do not do something about it, if we do not tighten up the program, its cost could be fantastic. It could cost as much as $3 billion a year.

The State of New York, for example, has taken much greater advantage of this provision than anyone anticipated. That is one reason that the Governor of New York would like to testify, for continuation of the assistance that his State is getting to provide medical care at the State level for people on welfare and those classified by the State as "medically indigent."

Mr. PASTORE. Would we have to increase the authorization to do that?

Mr. LONG of Louisiana. No, we would not have to increase the authorization, but it has been suggested by the Senator from Kansas [Mr. CARLSON] and others that this program could cost many billions of dollars. It is a completely open-ended authorization now.

Mr. PASTORE. Is it an authorization problem or an appropriation problem?

Mr. LONG of Louisiana. Well, it is an authorization problem in the sense that we authorized an open-ended program and the cost of it is proving to be absolutely beyond anything contemplated by the Congress. So the House of Representatives is sending us a bill to trim down the legislation by means of tightening up the requirements for eligibility for Federal matching funds.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. SALTONSTALL. I would say to the Senator from Rhode Island—and I put this in the form of a question to the chairman of the Finance Committee—as I understand it, this medicaid really was an amendment of the Kerr-Mills Act of previous years, and went through on that basis. I, for one, had no realization as to how far the bill went. Massachusetts has passed a law, New York has passed a law, and I believe 13 other States have passed laws to take advantage of its provisions. We are told that if the New York law carries through, by 1970 some 47 percent of the population of the State of New York will be under the provisions of that law; and, as the Senator from Louisiana has stated, the ultimate cost may run to a number of billions of dollars of Federal grants.

It is my understanding that the House is attempting to cut down by putting more limits on the Federal grants than were originally intended.

I, for one, commend the Senator from Louisiana.

I believe this measure should be acted upon or, at least, something should be done about it to make the States aware that we cannot have Federal grants to the extent that the bill now authorizes. Is that not correct?

Mr. LONG of Louisiana. I have read a speech of the Senator's on the subject. It was a very carefully considered statement.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that the Senator from Kansas be recognized for 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. CARLSON. Mr. President, I think the Senate ought to be advised that the section having to do with medicare is something that we will hear a great deal about. We will hear about it when we get home.

Most States, if they have not already done so, will qualify under these provisions. It is very liberal and open ended. It can be limitless with regard to Federal expenditures.

We should take action on this as the distinguished chairman has stated. We were advised in the Finance Committee that it would cost an additional $200 million or a little more. It will be limitless.

I hope the distinguished chairman will give us an opportunity to have some hearings on the matter in the Finance Committee before coming on the floor of the Senate and trying to take action.

This is an important piece of legislation because some States have already qualified. The State of Kansas has qualified. We are taking advantage of this.

This measure will create some problems in the States. I hope that we have hearings before we act on this matter on the Senate floor.

Mr. JAVITS. Mr. President, this bill contains two provisions which are of special interest to our older citizens. Both were the subject of discussion during consideration of the Social Security Amendments Act of 1965—the medicare law.

The first provision is designed to retain the special medical expense deduction which was available to older citizens before passage of the medicare act. Prior to that, persons over 65 could deduct all medical expenses without regard to the 3-percent floor. Last year's law mandated an end to that special treatment, beginning in 1967, and placed older citizens in the same category as other taxpayers. Today, we forestall that change and retain, for the American over 65, this important deduction.

The second provision is of particular interest to me, since I originally proposed it as an amendment to the Social Security Act of 1965. This provision provides for the coverage—under medicare—of the cost of out of hospital prescription drugs. While drugs administered in the hospital were covered under part A of medicare, no provision was made, in last year's law, for reimbursement for the cost of drugs needed by the out-patient older citizen. As the committee report shows, these drugs represent a significant portion—perhaps 25 percent—of the health costs of older citizens.

In 1963, the National Committee on Health Care for the Aged—a group of health and insurance experts which I helped to organize—proposed a program to cover out-of-hospital health care which was the forerunner of the present part B. This proposal, which I introduced as a bill that year, covered prescription drugs administered outside a hospital.

Last year, I offered this coverage as an amendment to the medicare bill and testified before the Finance Committee urging its inclusion. It was opposed, at that time by the Department of Health, Education, and Welfare, which asked for time to study the operation of the new law before recommending expansion of coverage.

I am most pleased that the Senate is acting on this proposal today, and ask unanimous consent that my testimony before the Finance Committee on this subject be printed at this point in the RECORD, together with certain excerpts from the CONGRESSIONAL RECORD of July 6, 1965, dealing with the matter.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

SUPPLEMENTARY INSURANCE UNDER MEDICARE SHOULD INCLUDE OUT-OF-HOSPITAL DRUG COSTS

Mr. Chairman, these hearings constitute a significant—perhaps even an historic—milestone in the provision of health care in the United States, and I am very pleased to have the opportunity to testify. Since 1960, I have been working to establish a system of health care for the aged using the resources of the private sector. In 1963 I was instrumental in the formation of the National Committee on Health Care of the Aged, which was organized to develop a health care plan which would draw on private industry and provide the most comprehensive care for our older citizens. The Committee, composed of distinguished doctors, representatives of the insurance industry and two former Secretaries of Health, Education and Welfare, issued a report in November 1963, which President Kennedy described as, "extremely helpful in our effort to obtain action in the Congress on this vital matter."

The main feature of this report was a plan for supplementary insurance covering those surgical and medical bills which were not included in the original hospitalization-through-social security financing plan. (King-Anderson) I believe this report served to call public attention to the inadequacies of the Administration proposal, which at that time covered only hospital and limited home health services—an estimated 30% of health care services required by the aged—but made no provision for insurance against medical bills. The Committee proposed that this latter feature be added in the form of a voluntary, supplementary insurance policy offered by existing carriers which would be contributory in form, would be offered on a non-profit basis to every American over 65 and could be obtained for an estimated $2 per person per week. The Senate bill was passed on September 2, 1964, by a vote of 49 to 44, but the House of Representatives failed to act on it.

This year, essentially the same proposal—excepting the sources of payment of the supplementary insurance premium—was made part of the bill which was reported by the House Ways and Means Committee, and which you have before you today. I support this bill, in substance, and particularly urge your favorable consideration of the supplementary feature which makes comprehensive health coverage possible for those over 65. There are, however, at least three areas in which I believe the bill needs to be amended, and I would like, briefly to bring them to the attention of the Committee and I submit the text of the amendments for this purpose, where not yet filed.

1. The bill makes no provision for prescription drugs which are administered outside the hospital.

The proposal which was formulated by the National Committee on Health Care of the Aged contemplated a policy which would cover not only medical and surgical bills, but also certain other health care expenses incurred with increasing frequency by older people. The cost of drugs was foremost among these. It has been estimated that 25% of the per capita health expenditures of aged persons is for drugs. On the average, they spend more than twice as much for medicines as does the entire population. Nineteen states, including my own state of New York, include the cost of drugs as a covered expense in their Kerr-Mills programs.

The actuary's office in the Social Security Administration has informed me that adding coverage for prescription drugs would increase the cost of the supplementary policy in the pending bill by approximately $1.50 a month—half to be paid by the beneficiary and the other half contributed by the government. This appears to me to be a modest price for insurance against what is often a most burdensome expense, particularly in light of the fact that the cost to the subscriber will be more than covered by the contemplated 7 percent social security benefit increase which will provide a minimum benefit increase of $4 a month. The supplementary policy, as contained in the House bill will now cost the beneficiary $3 a month, and the addition of another 75 cents for drug insurance will still be covered by even the minimum increase. I believe most older Americans would welcome the chance to purchase such coverage. With adequate control by the Secretary to preclude cost increases, this program could not only provide important coverage, but in some instances where drug costs are a significant factor in treatment, it would, I am sure, make the difference between home treatment and expensive hospitalization.

2. The problem of covering the services of radiologists, anesthesiologists and pathologists has already been covered by the Senator from Illinois, Mr. Douglas, and I join him in urging that these services be returned to the hospitalization part of the bill, where traditionally they have always been included. I salute Senator Douglas' leadership in this effort and offer my own strong support for his amendment in which I have joined. I am sustained in this position by leading welfare and hospital authorities, public and private in New York.

3. Title 19 of the bill, which relates to improvements in the Kerr-Mills program sets a deadline of July 1, 1970, after which all non-Federal money used for medical assistance to the indigent must come from State sources. In New York, as in a number of other States which have enacted this legislation, the non-Federal share has been divided between the State and local welfare boards. This is a pattern which is common to many Federal matching programs, and I believe it is an equitable formula. At the very least, each State should be allowed to determine how its non-Federal share is raised—whether entirely from the State Treasury, entirely from local sources, or, as in New York, from contributions of both.

The pending bill makes an unprecedented—and I believe unwarranted incursion into State responsibility to determine financing of State programs, and I believe an amendment to eliminate this section would be wise.

[From the Congressional Record, July 6, 1965]

Mr. Javits. Mr. President, I wish to ask the Senator another question, with relation to prescribed drugs. Was that subject considered by the committee? The Senator is familiar with my amendment.

Mr. Long of Louisiana. Yes; it was.

Mr. Javits. Could the Senator give us the rationale for the committee's action?

Mr. Long of Louisiana. It was felt by the committee and also by the Department of Health, Education, and Welfare that drugs so far as they were the type of drugs that the Department felt would be appropriate and of therapeutic value for use by the patient should be provided to persons who are in hospitals and also to persons who are in nursing homes. However, it would cost a great amount of money. In many instances, it would be subject to debate as to whether the Government should pay for drugs which, while not harmful to the people, might not necessarily be of benefit or of any therapeutic value.

Aged people take many drugs which so far as we know, have no detrimental effect on them. However, we do not know that they do them any good. Some of the drugs are of psychological value to the aged people. I am thinking of the pink pills that we hear about which doctors give to people. When the people take these pink pills, they feel a lot better. However, all that the person is taking is a little sugar inside of the pill.

Many drugs are taken habitually by people. It is part of the general cost of living. This amendment would greatly increase the cost of the measure if it were included in the bill.

Mr. Javits. Mr. President, my amendment relates only to prescription drugs. These are subject to control by regulation of the Department. It would only affect the voluntary health care part of the bill. It would increase the amount contributed by the Federal Government and by the individual in the amount of 75 cents a month, each. However, it would also represent actuarial savings for the individual.

The committee may have had good reason for its action. I am merely relating the facts to the Senator. It would represent an actuarial saving for the individual of 25 percent of his health cost. Unfortunately—and, here, I know that I enlist the sympathy of the Senator, though he may not be in agreement with me on the amendment—we are dealing with a very high item of expense for the older people—prescription drugs.

A most beneficent effect may result from including prescription drugs in the bill and the supplementary coverage by virtue of the fact that it would have a tendency to hold down the cost, if nothing else, of cortisone and other drugs which are rather high priced items. This constitutes one of the real problems involved in medical care for the aged. We have been faced with the problem since 1949. As a mater of fact, the Senator from Kentucky [Mr. Morton], who is in the Chamber at present, was interested in the first bill which was introduced in the House of Representatives in 1949 dealing with this subject.

With regard to the relationship between the amount of cost to the Government and the tremendous part of the health care cost for the aged which could be covered, the merits of the amendment are apparent. I wonder why the committee felt that they could not go along with this amendment.

Mr. LONG of Louisiana. I feel sure that we shall do something about drugs at some later time, if we fail to do it in this bill. However, it is difficult to keep an accurate account or record of what medication people get in the drugstores on a week-to-week or month-to-month basis.

We would also have the problem that many drugs are common use drugs. The aged people could get the common use drugs under their health insurance and pass them on to other members of their family. For various and sundry reasons, and many of them relate to the cost of the program, it was felt that we should not include drugs outside the hospital at this time.

One reason that the drugs cost so much—and many of them cost 40 times what they ought to cost—is because of private patents on Government research. Drug firms get patents on drugs discovered under taxpayer-supported research. The Senator from Louisiana tried to do something about that a few days ago. I did not get much help from the Republican side of the aisle. However, I still hope that I shall be able to prevail at a later date and that we shall have drugs made available at a much lower cost. Many drugs are being sold at 40 times what they ought to sell for. Perhaps someday we can do something to make the drugs more competitive.

Mr. Javits. The Senator as been trying to have something done with regard to private patents on Government research, and I give him credit for his efforts. It is a very problematical thing as to what percentage of the drugs that would cover. However, I am confident that before we go home from this session, the Senator will have won his major point, which is that we should do something effective about this matter.

Mr. Long of Louisiana. If we can do it in the field of health research, I shall be very satisfied. I just hope that we do not lose ground while we are trying to legislate in the area.

Mr. Javits. Mr. President, I am grateful that the Senator disclosed his position so frankly. It will help me in arguing the amendments dealing with factors which may influence the committee judgment

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PROMOTION OF SAVINGS UNDER INTERNAL REVENUE SERVICE'S AUTOMATIC DATA PROCESSING SYSTEM

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendment of the Senate to the bill (H.R. 6958) to amend the Internal Revenue Code of 1954 to promote savings under the Internal Revenue Service's automatic data processing system and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. LONG of Louisiana. I move that the Senate insist upon its amendment, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Mr. Long of Louisiana, Mr. Smathers, Mr. Anderson, Mr. Carlson, and Mr. Bennett conferees on the part of the Senate.

TARIFF TREATMENT OF ARTICLES ASSEMBLED ABROAD OF PRODUCTS OF THE UNITED STATES

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 11216) relating to the tariff treatment of articles assembled abroad of products of the United States and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. LONG of Louisiana. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Mr. Long of Louisiana, Mr. Smathers, Mr. Anderson, Mr. Carlson, and Mr. Bennett conferees on the part of the Senate.

ADJUSTMENT OF STATUS OF CERTAIN CUBAN REFUGEES

The ACTING PRESIDENT pro tempore laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 15183) to adjust the status of Cuban refugees to that of lawful permanent residents of the United States, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. KENNEDY of Massachusetts. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Acting President pro tempore appointed Mr. McClellan, Mr. Ervin, Mr. Kennedy of Massachusetts, Mr. Dirksen, and Mr. Fong conferees on the part of the Senate.

EXECUTIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate proceeded to consider executive business.

INTERNATIONAL CONVENTION ON LOAD LINES, 1966

The PRESIDING OFFICER (Mr. Harris in the chair). Under the previous unanimous-consent agreement the Senate will now proceed to vote on the resolution of ratification of the International Convention on Load Lines, 1966.

On this question the yeas and nays have been ordered, and the clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Indiana [Mr. Bayh], the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Tennessee [Mr. Gore], the Senator from Arizona [Mr. Hayden], the Senator from New Hampshire [Mr. McIntyre], the Senator from Montana [Mr. Metcalf], and the Senator from Utah [Mr. Moss] are necessarily absent.

I further announce that, if present and voting, the Senator from Indiana [Mr. Bayh], the Senator from Nevada [Mr. Cannon], the Senator from Idaho [Mr. Church], the Senator from Tennessee [Mr. Gore], the Senator from Utah [Mr. Moss], and the Senator from Mississippi [Mr. Eastland] would each vote "yea."

Mr. KUCHEL. I announce that the Senators from Colorado [Mr. Allott and Mr. Dominick], the Senator from New Jersey [Mr. Case], the Senator from Kentucky [Mr. Cooper], the Senator from Nebraska [Mr. Curtis], the Senators from Iowa [Mr. Hickenlooper and Mr. Miller], the Senator from Idaho [Mr. Jordan], the Senator from Kansas [Mr. Pearson], the Senator from Vermont [Mr. Prouty], the Senator from Pennsylvania [Mr. Scott], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Illinois [Mr. Dirksen] is detained on official business.

If present and voting, the Senators from Colorado [Mr. Allott and Mr. Dominick], the Senator from New Jersey [Mr. Case], the Senator from Kentucky [Mr. Cooper], the Senator from Nebraska [Mr. Curtis], the Senator from Illinois [Mr. Dirksen], the Senators from Iowa [Mr. Hickenlooper and Mr. Miller], the Senator from Idaho [Mr. Jordan], the Senator from Kansas [Mr. Pearson], the Senator from Pennsylvania [Mr. Scott], and the Senator from Texas [Mr. Tower] would each vote "yea."

The yeas and nays resulted—yeas 76, nays 0, as follows:

[No. 303 Ex.]

YEAS—76

Aiken
Bartlett
Bass
Bennett
Bible
Boggs
Brewster
Burdick
Byrd, Va.
Byrd, W. Va.
Carlson
Clark
Cotton
Dodd
Ellender
Ervin
Fannin
Fong
Fulbright
Griffin
Gruening
Harris
Hart
Hartke
Hill
Holland
Hruska
Inouye
Jackson
Javits
Jordan, N.C.
Kennedy, Mass.
Kennedy, N.Y.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
McGovern
Mondale
Monroney
Montoya
Morse
Morton
Mundt
Murphy
Muskie
Nelson
Neuberger
Pastore
Pell
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Simpson
Smathers
Smith
Sparkman
Stennis
Symington
Talmadge
Thurmond
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—0

NOT VOTING—24

Allott
Anderson
Bayh
Cannon
Gore
Hayden
Hickenlooper
Jordan, Idaho
Case
Church
Cooper
Curtis
McIntyre
Metcalf
Miller
Moss
Dirkson
Dominick
Douglas
Eastland
Pearson
Prouty
Scott
Tower

The PRESIDING OFFICER. Two-thirds of the Senators present having voted in the affirmative, the resolution of ratification is agreed to.

EXECUTIVE MESSAGE REFERRED

The PRESIDING OFFICER laid before the Senate a message from the President of the United States submitting the nomination of Robert T. Murphy, of Rhode Island, to be a member of the Civil Aeronautics Board, which was referred to the Committee on Commerce.

EXECUTIVE REPORTS OF COMMITTEE ON COMMERCE

By Mr. MAGNUSON, from the Committee on Commerce:

Mary Bardiner Jones, of New York, to be a Federal Trade Commissioner;

Werner A. Baum, of New York, to be Deputy Administrator, Environmental Science Services Administration; and

William Haddon, Jr., of New York, to be Traffic Safety Administrator.

Mr. MAGNUSON. Mr. President, also from the Committee on Commerce, I report favorably sundry nominations in the Coast Guard. Since these names have previously appeared in the Congressional Record, in order to save the expense of printing them on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The PRESIDING OFFICER. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Dwight W. Shores, and sundry other officers, for promotion in the Coast Guard.

LEGISLATIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate resumed the consideration of legislative business.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States submitting a nomination was communicated to the Senate by Mr. Geisler, one of his secretaries.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HILL, from the Committee on Labor and Public Welfare, with amendments:

H.R. 13196. An act to amend the Public Health Service Act to increase the opportunities for training of medical technologists and personnel in other allied health professions, to improve the educational quality of the schools training such allied health professions personnel, and to strengthen and improve the existing student loan programs for medical, osteopathic, dental, podiatry, pharmacy, optometric, and nursing students, and for other purposes (Rept. No. 1722).

By Mr. LONG of Louisiana, from the Committee on Finance, with an amendment:

H.R. 11257. An act relating to the income tax treatment of certain distributions pursuant to the Bank Holding Company Act of 1956, as amended (Rept. No. 1723).

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

H.R. 17607. An act to suspend the investment credit and the allowance of accelerated depreciation in the case of certain real property (Rept. No. 1724).

By Mr. MAGNUSON, from the Committee on Commerce, with amendments:

S. 2916. A bill to provide for a weather modification program to be carried out by the Secretary of Commerce (Rept. No. 1725).

By Mr. McCLELLAN, from the Committee on Appropriations, with amendments:

H.R. 18119. An act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1967, and for other purposes (Rept. No. 1726).

AMENDMENT OF RAILROAD RETIREMENT ACT OF 1937 AND RAILROAD RETIREMENT TAX ACT—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1718)

Mr. PELL. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, without amendment, the bill (H.R. 17285) to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act, and for other purposes, and I submit a report thereon. I ask unanimous consent that the report may be printed, together with the individual views of the Senator from New York [Mr. Javits].

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Rhode Island.

AMENDMENT OF RAILROAD RETIREMENT, RAILROAD UNEMPLOYMENT INSURANCE, AND RAILROAD RETIREMENT TAX ACTS—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1719)

Mr. PELL. Mr. President, from the Committee on Labor and Public Welfare, I report favorably, without amendment, the bill (H.R. 14355) to amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and the Railroad Retirement Tax Act to make certain technical changes, to provide for survivor benefits to children ages 18 to 21, inclusive, and for other purposes, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the individual views of Senators Dominick and Javits.

The PRESIDING OFFICER. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Rhode Island.

AUTHORIZATION OF CONSTRUCTION, REPAIR, AND PRESERVATION OF CERTAIN PUBLIC WORKS ON RIVERS AND HARBORS—REPORT OF A COMMITTEE (S. REPT. NO. 1720)

Mr. RANDOLPH, from the Committee on Public Works, reported an original bill (S. 3906) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, and submitted a report thereon, which bill was read twice by its title, and placed on the calendar, and the report ordered to be printed.

REPORT ENTITLED "TAX CONSEQUENCES OF CONTRIBUTIONS TO NEEDY OLDER RELATIVES"—REPORT OF A COMMITTEE (S. REPT. NO. 1721)

Mr. SMATHERS. Mr. President, I am today filing in behalf of the Senate Special Committee on Aging a report entitled, "Tax Consequences of Contributions to Needy Older Relatives." This report is the end product of a study conducted by our committee during the past few months, and a hearing on this subject which we held on June 15, 1966.

Congress has just received a message from the President recommending an increase in social security benefits. However, even if we enact the recommended increases, it is clear that there will still be many senior citizens whose incomes will be inadequate without supplementation to enable them to live in dignity and decency. One of the important ways in which their incomes have been supplemented in the past and in which their incomes will continue to be supplemented, whether or not the recommended social security increases are enacted, is by means of contributions from younger relatives.

The Special Committee on Aging undertook this study to determine whether Federal tax laws are fair to taxpayers who voluntarily contribute to the support of needy older relatives. In the report which I am submitting, our committee states a conclusion that the answer to that question must be in the negative. We found several ways in which Federal tax laws at present discriminate against and penalize taxpayers who contribute to needy elderly relatives. We have made some recommendations for eliminating these discriminations and encouraging and rewarding those who heed the Biblical injunction:

> Honor thy father and mother.

It is too late in this session to entertain any realistic hope that our recommendations will be implemented before adjournment, but we hope that these needed tax changes will be made during 1967.

I ask that the report be printed, together with the minority views of Senators Dirksen, Carlson, Prouty, Fong, Allott, Miller, and Pearson.

The PRESIDING OFFICER. The report will be received and printed, as requested by the Senator from Florida.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PROXMIRE:

S. 3904. A bill for the relief of Pak Kyung Ai; to the Committee on the Judiciary.

By Mr. MONDALE (for himself, Mr. Inouye, Mr. McGee, and Mr. Nelson):

S. 3905. A bill to establish a comprehensive program designed to assist the developing countries in efforts to reduce the drain from such countries of professional persons and skilled specialists in cases where their abilities and skills are urgently needed in their homelands; to the Committee on Foreign Relations.

(See the remarks of Mr. Mondale when he introduced the above bill, which appear under a separate heading.)

By Mr. RANDOLPH:

S. 3906. A bill authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes; placed on the calendar.

(See reference to the above bill when he reported the above bill, which appears under the heading "Reports of Committees".)

By Mr. PELL:

S. 3907. A bill to promote the foreign policy of the United States by strengthening and improving the Foreign Service personnel system of the U.S. Information Agency through establishment of a Foreign Service Information Officer Corps; to the Committee on Foreign Relations.

S. 3908. A bill to declare certain portions of Newport Harbor, Rhode Island, to be nonnavigable waters of the United States; to the Committee on Public Works.

(See the remarks of Mr. Pell when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. CLARK:

S. 3909. A bill for the relief of Kwok Ching Yee (also known as Ip Kwok Ching); to the Committee on the Judiciary.

By Mr. HARRIS (for himself, Mr. McGovern, Mr. Nelson, and Mr. Gruening):

S. 3910. A bill to provide for a White House Conference on Indian Affairs; to the Committee on Interior and Insular Affairs.

(See the remarks of Mr. Harris when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTIONS

CORRECTION OF ERROR IN ENROLLMENT OF H.R. 698

Mr. MANSFIELD (for Mr. Jackson) submitted a concurrent resolution (S. Con. Res. 113) to correct an error in the enrollment of H.R. 698, which was considered and agreed to.

(See the above concurrent resolution printed in full when submitted by Mr. Mansfield, which appears under a separate heading.)

NATIONAL AMERICAN INDIAN AND ALASKA NATIVES POLICY

Mr. McGOVERN submitted a concurrent resolution (S. Con. Res. 114), National American Indian and Alaska Natives Policy Resolution, which was referred to the Committee on Interior and Insular Affairs.

(See the above concurrent resolution printed in full when submitted by Mr.

McGOVERN, which appears under a separate heading.)

PROGRAM DESIGNED TO ASSIST DEVELOPING COUNTRIES RELATING TO PROFESSIONAL PERSONS AND SKILLED SPECIALISTS

Mr. MONDALE. Mr. President, I introduce, for myself and Senators INOUYE, McGEE, and NELSON, a bill to assist developing countries in meeting one of the great and neglected problems of our time, the brain drain which robs them of the professional and skilled manpower they need to bring hope to their peoples.

On August 31, I addressed the Senate at length on this subject. I pointed to the contradiction between our national commitment to combat the gap between rich and poor countries, and our draining of thousands of the best-trained people from the same poor countries to meet our growing needs for high-level manpower. I said that the brain drain has become a threat to their national progress, and ultimately to the peace of the world.

Since I delivered that speech, further evidence has come to light on the magnitude of the brain drain, and the threat which it poses to progress in underdeveloped lands. The Pan-American Health Organization has just issued a report showing that 3,000 university-educated Latin Americans have migrated to the United States in the past 5 years. Argentina and Colombia are losing about 900 to 1,000 professional and technical workers a year, according to Carl Rowan, former head of the U.S. Information Agency. And estimates of the number of Asian students who come here and do not return still range as high as 90 percent.

Unless we take strong steps to counter the brain drain, it will continue to go against a major aim of our foreign policy—helping young nations break free from their poverty.

The steps we do take must be considered with great care. We have no desire to erect a wall excluding immigrants from the developing countries, so many of whom have already given so much to our national life. Nor can we do without immigrants engaged in such fields as medicine; we will depend too heavily upon them until we substantially expand our own medical schools. Nor, I should add, do we want students and members of the professions who come here from developing lands to return home if their talents will be wasted there, as all too frequently happens.

And in developing an American policy to meet the brain drain, we should not take upon ourselves the entire responsibility for its solution. The brain drain runs to other developed nations as well. And the main burden in stemming it must rest the same place where the main burden for all of economic development rests—on the shoulders of the developing countries themselves.

For the poor can only be helped if they are determined to help themselves. Unless poor nations take hard steps to increase the attractiveness of opportunities available to their own most talented citizens, the brain drain will continue and accelerate, whatever America may do.

But we do have a responsibility not to aggravate the brain drain, as many of our present policies tend to do.

We must concentrate our efforts on those nations that are willing to help themselves, as we must in all of our foreign aid programs.

And just as economic development is not a matter of weeks or years, but of decades, so also the brain drain is not a problem we can solve within one or two congressional sessions. As in our foreign aid policies, we must plan a program that will be effective over the long haul, during what President John F. Kennedy called the "long twilight struggle, year in and year out."

The bill that my colleagues and I are putting forward for the consideration of the Senate recognizes that we cannot solve this problem all at once. But it recognizes equally that now is past time to make an important first step. It is not a final answer, but a beginning quest for an answer.

This bill would establish a national policy of providing assistance in relieving the brain drain to developing countries which suffer severely from it, and which also are serious about combatting it themselves, and are demonstrating their determination by working to improve professional opportunities for their educated people.

To make a beginning in carrying out this policy, this bill would attack the brain drain in three areas where the United States can have substantial impact—our education of foreign students, our development assistance, and our immigration laws.

First of all, it would establish a modest program of grants to our colleges and universities to support new courses of instruction and improved counseling for students from developing countries, with the aim of relating their educational experiences here as closely as possible to the challenges and the opportunities they will meet on returning home. The aim is not, of course, to follow the model of Patrice Lumumba University in Moscow and segregate these students from American society. We will always want foreign students to mix freely with our own, to develop lasting associations and friendships with Americans based upon mutual liking and mutual respect. We will always want them to develop as complete and balanced a view of America as they can.

But we must remember also that our primary objective in educating foreign students is not to suit them for American life, but to make them better able to serve their own lands. Today it is far too easy for our colleges and universities to take students from developing countries, particularly the best students, and give them an advanced, high-quality education which fits them admirably to become professors at an American institution, or engineers for IBM, but causes them also to lose contact with their homelands.

We do not wish to sacrifice educational quality. But we do hope that this $5 million pilot program of grants can help our colleges and universities develop improved programs for at least a few of the 90,000 foreign students now in America, programs which will make their education in the United States not a sharp breakaway from their home countries, but rather an experience which prepares them better to serve these countries' needs.

The second pilot proposal in this bill would amend the Foreign Assistance Act of 1961, establishing a new title X to help developing countries expand and improve opportunities for their professional and skilled citizens.

An increasingly important part of our foreign aid program has been support of manpower planning—helping young nations to shape their education programs and institutions to provide the types of training, and supply the proper numbers of trained people, that their societies are expected to need in the near future. Yet we have not given sufficient attention to an equally important problem—making effective use of doctors and engineers and scientists once they are trained, and providing them opportunities that will make them want to remain to serve their homelands.

In my speech to the Senate August 31, I said that "until this fundamental and neglected problem of manpower utilization is met in developing countries, there will continue to be a severe brain drain no matter what else we do." And at the root of this problem, I said, is "the lack of effective economic and social institutions to attract the right man to the right job, to award posts on the basis of potential capabilities rather than personal connections, and to allow a talented young man to advance as fast as his abilities merit."

Clearly such institutional changes will not come overnight. Like many that we seek to encourage in our aid program, they are a matter of years, and sometimes decades. Part of the problem, but only a part, is developing more effective placement, helping the right man get the right job. More important in the long run is the problem of making professional work more attractive, not just in salary—although that is a part—but in opportunities for the exceptional man to advance as fast as his talents carry him, better facilities for professional endeavor, and greater recognition within his society of the importance of his work.

We do not have all the answers on how we can best work toward this end, but the need is clear. This pilot program would support aid projects to advance this aim in countries which were taking steps to help themselves.

Finally, this bill would amend the Immigration and Nationality Act to authorize the President to enter bilateral agreements with individual developing countries affecting our immigration and visa policies, and these countries' exit policies.

Such agreements would be a means of bringing balance to our immigration policies—these policies now admirably recognize our willingness to welcome newcomers from throughout the world, and our needs for professional and skilled manpower. But they do not take adequate account of the needs of countries whose rapid development is in our own national interest.

These agreements would not represent a sweeping change in our immigration policies; being individual and specific, they would relate to the particular problems of particular countries, and only those countries which were taking steps to help themselves. But they would be a means of countering, on a limited basis, the clear effect that the 1965 immigration legislation has already had in exacerbating the brain drain—an effect seen in the increase of professional immigrants from India from 54 in fiscal year 1965 to 1,750 last year.

As a cosponsor of the 1965 act, I remain a strong supporter of elimination of the national origins quota system. But in countries severely hurt by the brain drain, some adjustment is clearly needed.

The bilateral agreements this bill proposes could make such an adjustment in one or more of several ways.

They could require that some or all students who henceforth come to the United States from a particular country would receive visas requiring them to return home for 2 years, before being eligible for permanent immigration to the United States. This would meet the problem of those who come here on temporary visas as students and then, either through a sincere change in plans or, in some cases, through premeditation, adjust their status to permanent resident.

These agreements could, in certain specific cases, provide that the privilege of receiving a U.S. immigrant visa be restricted for those whose departure from their homelands would be extremely detrimental to their countries because of the need for their talents. But this could only be done if such persons were guaranteed good professional opportunities, and a reasonable chance to develop a rewarding professional life.

Finally, these agreements could provide that the United States would not grant immigrant visas to those from developing countries who violated reasonable contracts with these countries relating to their return. For example, some foreign nationals who come here temporarily agree that they will return home for a certain number of years to put their training to work. Or they may agree that if they do not return home, they will pay to their home countries a certain sum of money in recognition of the value of the education and training they have received at their country's expense. A bilateral agreement authorized by the President could provide, if the President so desired, that a person violating such a contract would not be issued an American immigrant visa.

Neither if applied individually nor if taken together would these proposals mean an immediate, substantial cut-back in the flow of talented people from developing countries to our own. They are limited, and rightly so, because in this area also we would be experimenting, and still searching for the best means of dealing with this complex problem. And the bill would specifically exempt from these provisions all refugees unable to return home for fear of political, racial, or religious persecution.

But the bilateral approach, although somewhat unusual in immigration policy, has two major advantages in combating the brain drain—it enables us to focus on countries where the problem is most acute, and it provides that action not be limited to the United States alone, but that developing nations themselves contribute in more than equal measure to stemming the flow of talent.

As with the other proposals in this bill, it would recognize that the brain drain is a major international problem. And it would enable us to take some beginning steps in dealing with this problem.

And one of the most encouraging developments I have seen since I delivered my speech to the Senate has been the growing recognition in the press, and among Government officials and interested private citizens and groups that some kind of strong action to meet the brain drain is clearly needed.

A growing number of our people are recognizing that the brain drain is one of the major threats to the hopes of that majority of mankind now living just above the subsistence level. And they realize that, in the words of President Lyndon Johnson:

> Our island of abundance will [not] be finally secure in a sea of despair and unrest or in a world where even the oppressed may one day have access to the engines of modern destruction.

To illustrate this growing general concern, I ask unanimous consent that a selection of recent short articles and editorials about the brain drain be reprinted in the RECORD at the close of my remarks, together with a few of the many excellent letters I have received in response to my recent speech; and, finally, I ask the consent of the Senate that a short summary of my bill, followed by its full text, be reprinted in the RECORD immediately following this statement.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill, summary, articles, editorials, and letters will be printed in the RECORD.

The bill (S. 3905) to establish a comprehensive program designed to assist the developing countries in efforts to reduce the drain from such countries of professional persons and skilled specialists in cases where their abilities and skills are urgently needed in their homelands, introduced by Mr. MONDALE (for himself and other Senators), was received, read twice by its title, referred to the Committee on Foreign Relations, and ordered to be printed in the RECORD, as follows:

S. 3905

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "International Brain Drain Act".

DECLARATION OF PURPOSE

SEC. 2. (a) The Congress hereby declares that it is the policy of the United States and purpose of this Act to promote world peace and the security of the United States by providing assistance to the economically less developed countries of the world designed to relieve the drain from such countries of the professional and skilled manpower which is indispensable to their progress toward stability and self-reliance.

(b) The Congress finds that the drain of talented, trained persons from the developing countries—the brain drain—is endangering the peace of the world by accentuating the gap between the wealthy and the less developed countries, by compromising the commitment of the United States to assist the economic growth of such countries, and by preventing such countries from achieving progress at a sufficient speed to realize at least a portion of their rising aspirations.

(c) Accordingly, the Congress declares that the United States should establish a comprehensive program to assist economically less developed countries in reducing the drain of professional persons and other skilled persons from such countries in cases where their abilities and skills are urgently needed in their homelands.

(d) The Congress further declares that such assistance should be directed toward those countries which are making efforts to help themselves and should be responsive to the needs of the talented, trained citizens and nationals of each assisted country to enjoy rewarding professional opportunities and careers in their home countries.

GRANTS FOR EXEMPLARY PROGRAMS RELATED TO SPECIAL NEEDS OF STUDENTS AND TRAINEES FROM DEVELOPING COUNTRIES

SEC. 3. (a) The Commissioner of Education (hereafter in this section referred to as the "Commissioner") is authorized to make grants to institutions of higher education to encourage and assist in the development and establishment of exemplary programs of instruction, training, and counseling for students and trainees from the economically less developed countries related to the particular needs for professional and skilled manpower of their native or home countries and the solution of any professional or occupational problems such students and trainees will face upon returning to their native or home countries. For the purpose of making grants under this section, there is hereby authorized to be appropriated, to the Commissioner the sum of $5,000,000, which sum shall remain available until expanded.

(b) Grants under this section may be used, in accordance with applications approved under subsection (c), for planning for and taking other steps leading to the development of programs described in subsection (a) and for the establishment, maintenance, and operation of pilot projects designed to test the effectiveness of programs so developed. Such programs may include guidance and counseling services for students and trainees from the economically less developed countries designed to enable them to be fully aware of educational, scientific, technological, cultural, and other pertinent developments in their native or home countries and of professional and occupational opportunities available in their native or home countries. No payments under any grants made under this section shall be used for the construction of any structures or facilities or for the acquisition of any lands.

(c) Grants under this section may be made only upon application therefor to the Commissioner at such time or times, in such manner, and containing or accompanied by such information as the Commissioner deems necessary. The Commissioner shall approve an application for a grant under this section only upon his finding that such application—

(1) provides that the activities and services for which financial assistance is sought will be administered by or under the supervision of the applicant;

(2) sets forth a plan or program for carrying out the purposes set forth in subsection

(a) and provides for such methods of administration as are necessary for the proper and efficient operation of such plan or program;

(3) sets forth policies and procedures which assure that Federal funds made available under this section, will be used to supplement or increase the level of any funds that would, in the absence of Federal funds, be made available by the applicant for the purposes set forth in subsection (a), and in no case supplant such funds;

(4) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section; and

(5) provides for making such reports as the Commissioner may reasonably require in carrying out his functions under this section.

(d) (1) The Commissioner shall pay to each institution of higher education which has an application approved under this section an amount equal to the total sums expended by it in accordance with such application for the purposes set forth therein.

(2) The Commissioner may make payments under this section in installments and in advance or by way or reimbursement, and may provide for such adjustment of payments as may be necessary, including total withholding of payments if the Commissioner determines that any applicant has failed to comply with any condition or requirement of its application.

(e) Nothing contained in this section shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any institution of higher education.

(f) As used in this section, the term "institution of higher education" means an educational institution in any State which (1) admits as regular students only persons having a certificate of graduation from a school providing secondary education, or the recognized equivalent of such certificate, (2) is a public or other nonprofit institution, and (3) is (A) a college or university which provides an educational program for which it awards a bachelor's degree or advanced degree or provides not less than a two-year program which is acceptable for full credit toward such a degree, (B) a school of nursing which provides not less than a two-year program of education in professional nursing and allied subjects, or (C) a school which provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation. For purposes of this subsection, the Commissioner may prescribe the standards of content. scope, and quality of training which must be met by colleges, universities, and schools in order to qualify for participation in the program established pursuant to this section.

ASSISTANCE TO DEVELOPING COUNTRIES TO PROVIDE BETTER OPPORTUNITIES FOR PROFESSIONAL AND SKILLED PERSONS RETURNING TO THEIR HOMELANDS

SEC. 4. Chapter 2 of part I of the Foreign Assistance Act of 1961 (22 U.S.C. 2161 et seq.) is amended by adding at the end thereof a new title as follows:

"TITLE X—OPPORTUNITIES FOR PROFESSIONAL PERSONS AND SKILLED SPECIALISTS OF DEVELOPING COUNTRIES

"SEC. 291. General authority.—(a) It is the policy of the United States and the purpose of this section to insure that assistance furnished under this chapter shall be available whenever practicable to encourage and support projects and operations in assisted countries which will provide opportunities, facilities, and equipment for the better utilization of the abilities of citizens, nationals, and residents of such countries who are members of the professions or skilled specialists, particularly projects and operations designed to insure that the abilities and experience derived by students and trainees from such countries who return to their homelands or residences after periods of training, study, education, or employment in other countries will be best utilized in the national interests of their home countries and that such students or trainees will be provided with reasonable opportunities to develop rewarding professional careers.

"(b) In order to further the purposes of this title, the President is authorized to make grants or loans to any country to which assistance is furnished under this chapter, on such terms and conditions as he may specify, in order to promote experimental projects and operations in such countries of the kind described in the preceding sentence. There is hereby authorized to be appropriated to the President for the purposes of this title for the fiscal year ending June 30, 1967, $5,000,000, to remain available until expended.

"(c) For purposes of this title—

"(1) the term 'professions' shall include, but not be limited to, architects, engineers, lawyers, physicians, surgeons, and teachers in elementary or secondary schools, colleges, academies, or seminaries, and

"(2) the term 'skilled specialists' shall include persons with exceptional ability, technical training, high education, or specialized experience in the sciences or the arts."

AMENDMENTS TO IMMIGRATION AND NATIONALITY ACT TO RELIEVE UNDUE IMMIGRATION TO UNITED STATES OF PROFESSIONAL AND SKILLED PERSONS FROM DEVELOPING COUNTRIES

SEC. 5. (a) Section 212 of the Immigration and Nationality Act (8 U.S.C. 1182) is amended by adding at the end thereof the following new subsection:

"(j) (1) (A) The President is authorized, in his discretion, to enter into an agreement with the government of any economically less developed country under which the United States shall assist, in the manner hereinafter provided, in relieving the undue immigration to the United States of professional persons and skilled specialists who are citizens, nationals, or residents of such other country, but the President shall enter into an agreement under this section only if he finds that the contracting country will make substantial efforts of its own to solve the problems related to the drain of professional and skilled manpower from such country.

"(B) Such agreements may provide (i) for the application of paragraph (2) of this subsection so as to require any or all categories of alien students and trainees from any economically less developed country who are, or are likely to become, members of the professions or skilled specialists, to return to their home countries for a period of residence therein of at least two years after the completion of their education or training in the United States; (ii) for the application of paragraph (3) of this subsection so as to prohibit the immigration to the United States of certain professional persons and skilled specialists from such countries in cases where their abilities or skills are urgently needed in their home countries; (iii) for an agreement by the United States to recognize and honor any contract between any economically less developed country and any citizen, national, or resident of such country who seeks to enter the United States as a student, scholar, trainee, or other person within the classes of nonimmigrant aliens described in section 101(a) (15) (F) or 101 (a) (15) (J) imposing reasonable conditions relating to the return of such persons to their home countries; and (iv) for the establishment of bi-national immigration review panels consisting of appropriate officials or officers of the United States and the contracting country and authorized to consult with consular officers or other pertinent officers of the United States on all matters relating to the administration of the provisions of this subsection and to provide advisory services with respect to individual cases arising in the administration of such provisions.

"(2) No alien whose place of birth, nationality, or last residence was in an economically less developed country, with which there is in effect an agreement under paragraph (1) of this subsection for the application of this paragraph, and who was admitted into the United States under section 101(a) (15) (J) (ii) or acquired such status after admission into the United States shall be eligible to apply for an immigrant visa or for permanent residence until it is established that such person has satisfied the requirement of two-year foreign residence abroad provided by section 212(e); except that the Attorney General may waive such requirement in the case of any alien whenever the conditions provided for waivers under such section are met, or whenever, after consultation with the bi-national immigration review panel for such country, if any, he determines that the abilities or skills of such alien are not in a category urgently needed in his home country.

"(3) No alien whose place of birth, nationality, or last residence was in an economically less developed country, with which there is in effect an agreement under paragraph (1) of this subsection for the application of this paragraph, shall be eligible to apply for an immigrant visa or for permanent residence if (A) the departure of such alien from such country would be extremely detrimental to such country because of the urgent need for such alien's abilities or skills, and (B) the consular officer ar Attorney General finds that the abilities and skills of such alien will be effectively utilized in such country and that such alien will be provided with a reasonable opportunity to develop a rewarding professional career.

"(4) No alien whose place of birth, nationality, or last residence was in an economically less developed country, with which there is in effect an agreement under paragraph (1) of this subsection for the application of this paragraph, and who was admitted into the United States as a nonimmigrant within the classes described in section 101 (a) (15) (F) or 101(a) (15) (J) shall be eligible to apply for an immigrant visa or for permanent residence, if such alien is a party to any contract with his home country referred to in paragraph (1) (B) of this subsection and fails to comply with any reasonable requirement imposed with respect to him by such contract."

"(5) Nothing contained in the preceding paragraphs of this subsection shall be applicable to any alien who because of persecution or fear of persecution on account of race, religion, or political opinion is out of the country of his birth, nationality, or last residence and is unable to return thereto."

(b) Section 101(a) (15) (J) of the Immigration and Nationality Act (8 U.S.C. 1101) is amended by (1) inserting "(i)" immediately after "abandoning", and (2) inserting, immediately before the period a semicolon and the following: "or (ii) who is a bona fide student or trainee who seeks to enter the United States temporarily and solely for the purpose of studying, observing, conducting research, consulting, or receiving training and whose place of birth, nationality, or last residence was in an economically less developed country, with which there is in effect an agreement under section 212(j)(1) providing for the application of section 212(j)(2), and the alien spouse and minor children of any such alien if accompanying him or following to join him."

The summary, articles, editorials, and letters presented by Mr. Mondale are as follows:

The International Brain Drain Act of 1966—A Summary

A. Purpose—The Congress finds that the large-scale drain of talented, trained persons from the developing countries is endangering world peace by accentuating the gap between rich and poor countries, and that the United States should establish a comprehensive program to help reduce the brain drain from those developing countries which: (1) suffer severe adverse effects from it; and (2) are taking strong steps to deal with it by providing rewarding professional opportunities and careers for their own nationals.

B. Grants for Special Foreign Student Programs—$5 million is authorized for the Commissioner of Education to make pilot grants to institutions of higher education to support new programs of instruction, training, and counseling of foreign students aimed at relating their educational experiences in the country more closely to the needs of their homelands and occupational opportunities there.

C. Aid to Developing Countries to Increase Opportunities for Professional and Skilled Persons—$5 million is authorized, in a new Title X which would be added to the Foreign Assistance Act of 1961, to support experimental projects aimed at improved utilization of professional and skilled nationals in developing countries, and better opportunities for career development.

D. Limited Programs to Take Account of Needs of Developing Countries in our Immigration Policy, in Addition to Our Own Needs. The President is authorized to enter bilateral agreements with particular developing countries which are themselves making substantial efforts to attack the causes of the brain drain. Such agreement shall relate to such categories of needed professional and skilled persons as he deems advisable, and provide one or more of the following:

1) That some or all students from such country come to the United States for studying purposes under visas which require them to return to their homelands for two years before becoming eligible for permanent residence in the United States, subject to waiver in hardship and other special cases;

2) That immigration of certain professional or skilled persons to the United States be restricted, in cases where their home country has a very severe need for their services, where there is substantial evidence that these services will be effectively utilized, and those affected will have good opportunities for career development;

3) That the United States will support contracts entered into between developing countries and their nationals imposing reasonable conditions relating to their return home after a stay in the United States, by denying immigrant visas to those who violate reasonable conditions in such contracts;

4) That there be established an immigration review panel composed of appropriate officials of the United States and the contracting country to consult on matters relating to the administration of such agreements and to advise on individual cases which may arise.

In all cases, special consideration would have to be given to political refugees barred from return due to the character of their home government.

[From the Evening Star, Sept. 9, 1966]

Brain-Drain Crisis of Poor Nations Intensifies

(By Carl T. Rowan)

I wrote a very harsh and difficult letter the other day. I rejected flatly the request of a student from India that I help him change his status in the United States to that of a permanent resident.

I explained that I had vowed many months ago to do nothing that would encourage the flow of brains and skilled manpower away from the poor nations to the wealthy ones.

I had become shocked at the magnitude of this "brain drain—disturbed by such things as Cornell University President James A. Perkins' assertion that "over 90 percent of Asian students who come here to study never return home."

I felt that if the most talented and productive members of the poor nations continue to be absorbed by the rich societies, we shall never begin to close the standard-of-living gap that has Americans earning $3,000 per person annually while the per-capita income averages only $120 per year in 40 poor nations.

Yet, I was beginning to believe a couple of friends who said I was "harsh" and "lacking in humanity" in the case of the Indian student until I read a recent speech by Sen. Walter F. Mondale, D-Minn.

With an impressive array of facts and figures, Mondale documented the "brain drain" as precisely what I had sensed it to be: an urgent problem that counteracts our foreign aid program and constitutes a real threat to future world peace.

The medical and public health needs of all the poor nations are acute. Yet, as Mondale points out, 10,974 of the 41,102 residents and interns in U.S. hospitals are graduates of foreign medical schools—and more than 8,000 of them are from developing nations.

These nations cannot develop satisfactorily without higher levels of scientific and technical know-how. Yet, Mondale points out, between 1956 and 1963, 2,858 scientists and engineers from Latin America and 4,114 from Asia moved permanently to the United States.

The Minnesotan points out that progress in one aspect of foreign policy has added sharply to the "brain-drain" problem. In fiscal 1965, when the old immigration law with its discriminatory national-origins quota system was in effect, 54 people came here from India under the professional and technical workers preference category. But in the year ending this June 30, the number of Indian immigrants in tihs category was 1,750—a 3,200 percent increase.

The number of Koreans in this category rose from 51 in 1965 to 400 in 1966.

The rich nations are giving with one hand and taking with another. For example, from 1962 to 1964, our Agency for International Development (AID) paid for 16,493 trainees from Asia, Africa and Latin America to study an average of nine months in the U.S. These students had to pledge to go home and use their new skills there for at least two years.

However, during the same period 8,151 other students from these same continents changed their status so as to become permanent residents of the United States.

In some instances, as in the field of medicine, the United States is using foreigners to fill needs that exist because we won't train our own people. Medical experts have said that if the 11,000 foreigners were withdrawn from internships in the U.S. hospitals, these institutions would have to reduce sharply their service to patients.

With remarkable restraint, Mondale calls this "a national disgrace."

The young Minnesotan emphasizes that we don't want to return to the old discriminatory quota system. Nor should we adopt policies so inflexible that they fail to recognize the fact that many students gain knowledge and skills here that are simply not usable, at present, in their home countries.

What Mondale urges is that the United States (along with Canada, Britain and other developed nations) pay some real attention to the "brain drain" crisis. Someone needs to take some hard looks at the practicality of the training we are giving many of these students.

The governments of the poor nations ought to be brought into the development of a new, sensible program.

Otherwise we shall continue giving some foreign aid here and taking away some human resources there—and let the future take care of the gathering crisis.

[From the St. Paul Dispatch, Sept. 9, 1966]

U.S. "Brain Drain" Policy

When Congress changed immigration laws to favor admittance of foreigners with special abilities and skills as a replacement for the old national origins system there was general approval. But problems have developed.

Now, says Senator Walter Mondale, the United States is draining off the brainpower of underdeveloped nations and thereby making it harder for the "havenot" countries to solve their own problems. With one hand America sends technicians and educators abroad to stimulate self help, but with the other we attract native talent and leadership from the regions which need it most.

This situation, Mondale believes, has become "one of the major forces accentuating the gap between rich and poor nations." Yet it is a stated part of United States foreign policy to narrow this gap.

He points out that nearly 11,000 of the 41,000 interns and resident physicians in American hospitals today come from abroad, mostly from underdeveloped nations which have great need for more medical personnel of their own. In theory these foreign doctors are continuing their education, but many never go back home. Thus the world's richest nation is robbing the poorer countries of talent because the United States has failed to educate enough physicians for its own requirements. This medical manpower situation does not arise from the immigration law changes, but is an indication of what is happening in other skilled and professional fields.

Mondale proposes development of official American policies to counteract the "brain drain," such as requiring persons here under student visas to return to their home nations for a minimum of two years before applying for permanent admittance as immigrants. "A balance must be struck," he says, "between this problem and the freedom of the individual who wishes to come to our shores."

The underdeveloped nations themselves have responsibilities to encourage their native talent to serve home needs, but some modification of American policies also is indicated.

The "Low Down"—From the Congressional Record: U.S. Hospitals Depend on Foreign Brain Drain

Senator W. F. Mondale (Minn.) . . . "The large-scale migration of talented professional people from (the developing) countries to the United States and other advanced nations threatens one of the paramount objectives of our foreign policy—reducing the gap between the rich and poor nations of the world.

The brain drain is particularly severe in medicine. . . .

"One article on this subject by Dr. G. Halsey Hunt of the Educational Council for Foreign Medical Graduates, was published in the April 1966 issue of Federation Bulletin. He cites the staggering fact that, according to the latest figures, 10,974 out of 41,102 interns and residents working in American hospitals are graduates of foreign medical schools. Dr. Hunt continues:

"'It is a depressing and humbling experience for an American doctor to visit a medical school in one of the under-industrialized countries of Asia, to have his host open the conversation with a bland statement that "You people in the United States, and your hospitals couldn't get along without our doctors," and to realize that at the present time this is indeed a fact.'

"'If the 11,000 foreign graduates who are now occupying internships and residencies in United States hospitals were to be suddenly withdrawn, many United States hospitals would be forced to curtail sharply their services to patients. . . .'

"Another report on the brain drain . . . by Dr. Kelly M. West of the University of Oklahoma School of Medicine . . . concludes:

"'Some countries such as Korea, Greece, and Peru are losing substantial portions of their very limited medical manpower through migration to the United States. . . . The immigration of foreign graduates now accounts for a substantial percentage (18 per cent) of the annual additions to the U.S. medical profession. We would have to build and operate about 12 medical schools to produce the manpower being derived through immigration (approximately 1,200 per year). The dollar value per year of this "foreign aid" to the United States approximately equals the total cost of all medical aid, private and public, to foreign nations.'

"We should be planning now to move toward a situation where the richest nation in the world is able to meet its own medical needs. Then when we invite doctors from developing nations to this country, we can concentrate on providing them with training to handle the problems they will face upon returning home."

A GRASSROOTS COMMENT

No one questions the need for improved medical services in the developing countries.

However, a quick look at the need for improved medical services in this country, might be in order.

The U.S. Department of Public Health could undoubtedly furnish a long list of communities in the United States without medical services of any kind, or services too distant to be of any immediate benefit.

Our medical expansion plan should, indeed, correct the brain drain. The plan should also provide enough doctors to restore the word, "housecall," to the English language.—J. C.

[From the Erie (Pa.) Times, Sept. 28, 1966]

Robbing the Poor

In a recent speech, Senator Walter F. Mondale (D-Minn.) outlines an urgent problem that counteracts much of our foreign aid program.

This is the "brain drain", the continuous flow of the best brains from the underdeveloped areas of the world to the U.S.

The lure is obvious—the "good life" as it is lived here.

But this continuous draining of the best talent away from the areas which need it badly poses a serious threat to future world peace.

Take the area of public health. Medical needs of the poor nations are tremendous. Yet, Senator Mondale points out that 10,974 of the 41,102 residents and interns in U.S. hospitals are graduates of foreign medical schools—with more than 8,000 of them from developing nations.

Poor, underdeveloped nations badly need technical skill. Yet, Senator Mondale declares, between 1956 and 1963, 2,858 scientists and engineers from Latin American and 4,114 from Asia moved permanently to the United States.

The new, enlightened immigration law passed by the U.S. has added to the problem.

As Senator Mondale notes, in fiscal 1965, when the old immigration law with its discriminatory national origins quota system was in effect, 54 people came here from India under the professional and technical workers preference category.

But in the year ending last June 30, the number of Indian immigrants in this category was 1,750. The number of Koreans in this category rose from 51 in 1965 to 400 in 1966.

At the same time the U.S. is sending its talented young people out to underdeveloped regions as part of the Peace Corps, it is luring—not intentionally but in fact—the talented of nations it is seeking to help.

The problem is particularly acute in medicine.

Because not enough young Americans are going through medical school, the U.S. is using foreign doctors to fill the gap.

The richest nation in the history of the world isn't training enough young doctors of its own so it is luring off the best the underdeveloped nations produce, even though these same foreign doctors are desperately needed in their own countries.

Senator Mondale calls this a "national disgrace" and it is certainly something for Americans to think about.

[From the Minneapolis Tribune, Oct. 10, 1966]

"Brain Drain" Is Growing Concern in South America

(By David Mazie)

Buenos Aires, Argentina.—South America slowly is being sapped of its most valuable resource—educated, skilled manpower.

In growing numbers, scientists, technicians, engineers, teachers and professional people are leaving their countries. Most of them are headed for the United States.

This is the "brain drain" that is causing growing concern in both North and South America.

The Organization of American States (OAS) has scored the exodus of talent, pointing out that it was something development countries could not afford.

Sen. Walter F. Mondale, D-Minn., recently noted the paradox of America's sending aid to underdeveloped nations and then taking back their skilled workers.

Officials of the Alliance for Progress have said one of the major roadblocks in the path of the Alliance was the lack of human resources in Latin American nations—the shortage of men and women who could carry out projects.

But the "brain drain" is proving easier to point out than to plug, as experience in Argentina shows.

Argentina, with its well developed system of higher education, probably is the hardest hit South American country in terms of numerical losses. U.S. Department of Justice figures show that, in the last 15 years, 15,937 specialists emigrated from Argentina to the United States alone. (It's thought that up to 10,000 more have gone to Europe and elsewhere.)

Approximately 45 per cent of those were technicians and professional people, 40 per cent skilled workers and 15 per cent high-level administrators.

More specifically, studies in other countries indicated that the greatest exodus has been by engineers, doctors and nurses, economists, electronic experts and mechanics.

The drain is increasing. In 1950 fewer than 200 Argentine technicians emigrated to the United States while last year the figure was 2,133.

In Argentina there has been some offsetting "brain gain"—immigration from other countries. But, in recent years, the losses considerably have outnumbered the gains.

Putting a price tag on this is difficult. But it's estimated that Argentina loses $10,000 to $20,000 on each emigrant in cost of government-financed schooling alone.

More important, and far more expensive in the long run is the loss of highly skilled people on whom Latin America's future depend.

Why does a doctor decide to stay in the United States after originally going for only a year or two? Why does a young mathematician prefer to teach in a North American university or an engineer want to work for a U.S. firm?

One of the most obvious reasons is higher wages. A beginning engineer can double the $4,000 annual salary he might get in Argentina. A professor can make considerably more than the $400 a month he earns there.

Another factor is working conditions. Research facilities are better in the United States, and there is an opportunity to work alongside a greater number of outstanding men in specific fields.

The feeling of stability and the noninvolvement of U.S. schools and institutions in political fights is an important lure in Argentina today. Government interference with Argentina universities drove out hundreds of faculty members during the dictatorship of Juan Peron and is threatening to do the same now.

Even cupid is a culprit. Many persons who leave home with the intention of returning marry an American and stay in the United States.

But of all the causes the most important is an "intangible" one, according to Manuel Sadosky, director of the Institute of Calculus and former vice-dean of the University of Buenos Aires School of Exact Sciences.

"Certainly, part of the problem is economic," says Sadosky. "But that's not the most important reason. What matters more is personal and intellectual satisfaction. We must give our young people a chance to apply what they've learned and to do work with dignity."

To lure emigrants back, Argentina has been offering fellowships and generous tax exemptions, such as the right to bring in a $4,000 car.

A few hundred people have returned but prospects of reclaiming large numbers are not good.

To keep students from leaving, other tactics are being used.

Scholarships for overseas study limit the students' time abroad and require their return to Argentina. The difficulty is that many make contacts while abroad and return to the United States as emigrants after putting in their mandatory time.

The drain of talent could be halted at the other end of the pipe—in the United States, but that seems unlikely to happen at present. In fact, United States laws have liberalized to facilitate immigration of technicians.

[From the Foreign Service Journal, Apr. 1965]

Foreign Students: Exchange or Immigration?

(By Gregory Henderson)

There is much talk of the "brain drain" of English scientists to American institutions. Sometimes, indeed, the impression given is that this drainage is a wholly British phenomenon. In fact, the most serious drain is from underdeveloped countries. What is more, there is every prospect that it will shortly increase.

In 1965 the Johnson Administration is expected to propose again the immigration bill not acted on by the last session of Congress. This bill aims at revising an immigration quota system admittedly antiquated. It contains many improvements. Its central feature is the reduction by twenty per cent each year for four years of the present annual quota for each area and the addition of these quota numbers to an overall reserve distributable to countries whose demand for immigration has not been met. Up to 50% of such distributed numbers may go to "qualified quota immigrants capable of performing specified functions for which a shortage of employable and willing persons exist in the United States. . . ."

This change sounds most reasonable. Yet it will greatly increase the already painful draining away to ourselves of the very skills needed by the emerging nations in order to better themselves. For prominent among the nations whose quotas have been insufficient are those very lesser-developed nations we have sought to aid. Addedly painful has been the fact that this already serious drainage has, up to the present, been effected in the fair name of "international exchange."

Firm facts on the non-return of foreign students are almost impossible to obtain. The US Immigration and Naturalization Service keeps information on those converting to permanent residence but does not break its statistics down by nationality. It acknowledges, however, that "student immigrants" are numerous, especially from Asia. Many other institutions concerned with exchange are distressed about the problem but have not given it voice and action.

THE RATE OF RETURN OF FOREIGN STUDENTS

Silence and obscurity notwithstanding, many emerging countries are having great difficulties getting their students home. State Department sources say that the rate of return of Chinese students, from Taiwan, Hong Kong and Chinese minorities in Southeast Asia, who numbered 5,410 at the end of the 1963–64 academic year, probably runs no higher than 5–7%, if that high. Especially few of the 3,057 from Taiwan itself return. China has for years been one of the three largest senders of foreign students to the United States; a rate of approximately this proportion on a figure of this dimension maintained, as it generally has been, for some fifteen years, means that perhaps tens of thousands of Chinese students have settled here permanently; some 2,000 because permanent residents in the year ending June 30, 1963. The loss of the Chinese mainland has, of course, seriously curtailed their opportunities. Yet I have observed important jobs in Taiwan crying to be filled, while former Chinese students, now fully trained in these fields, were holding down lucrative employment in American industry.

Korea, for years one of the top seven providers of students, has sent, according to a recent American-Korean Foundation report "almost 8,000" students to the United States since 1946 of whom an estimated 800 have returned to Korea. Some 2,411 Koreans are listed by the Institute of International Education (IIE) as still in student status in 1964. Some 4,800 Korean students would thus appear to be nonreturnees. Upwards of 800 have been "adjusted" in the last two years alone. Informal indications show that this low return rate is currently falling still further. Indeed, the wholesale importation of students' families from Korea is now increasing.

Iran, long one of the five or six largest student contributors with 2,824 students listed by IIE, has also suffered severe difficulties. The Embassy of Iran, whose concern has led to the maintenance of a special student office, informally admits that the actual number of her students here is much larger than 2,824—probably twice as much or more. One experienced Cultural Attache at a Near Eastern embassy in Washington said before a recent conference on development that "of Iran's 6,000 students in this country only 50% are returning." A similar percentage of Lebanon's 800 students or recent students stay here permanently. The problem has for decades concerned India, second-largest foreign student contributor; the Philippines, particularly in regard to medical interns and residents, of which she is the world's largest contributor to U.S. hospitals (1,687); Pakistan, Egypt, Colombia, Argentina, Ecuador, Greece, Jordan, and to a lesser but still painful degree, many others.

The challenge of drain has of course evoked some response. Many concerned nations have tried one technique after another to curb the flow, but their embassies have been frustrated. A foreign government can put no stamp in a student passport which will prevent him from settling in the U.S. and there are cases in which even removing the passport or ending its validity have not availed. Persuasion is usually equally unsuccessful. The lure of the dollar and of research is greater. Sedulous in preventing "unfair competition" among ourselves, we place no restraint on our efforts to bid with all our resources against less fortunate nations for their own citizens.

Even without the added incentive of relaxed immigration, the future promises increase, not control, of this process. We are now inheriting from Vietnam the problem of her expatriate intellectuals which was once France's. As revolutions and coups overthrow more of Africa's and other new regimes, more students will wish to remain. Our intention to help emerging nations will be increasingly compromised. Our government's left hand is heedless of its right. We give aid to China, Korea, India, and Iran with the one and take their best-trained men away with the other. Our universities do no better than the government: even while students of development decry our failures to help emerging nations successfully and their colleagues sign on as foreign technical assistants, the Foreign Student Advisor bewails the non-return of trainees to the lands they should help. Few universities, great or small, do not share in this pattern.

SCIENTISTS AND DOCTORS

The situation is especially serious with foreign scientists. The Yugoslav scientist, Dr. Steven Dedijer, has recently observed that "between 15 and 30 of the 120 countries of the world, with less than one-third of its population, possess practically all of its science," spending 95% of the world's research and development funds and reaping most of the benefits therefrom. Some 100 of the world's nations have "either in an absolute or in a relatively but very significant sense, no science." The problem of development is linked to that of indigenous science and the problem of scientific underdevelopment is closely coupled with the nonreturning student problem.

Ironically, many students from emerging nations enter science in the United States not in order to raise the levels of their own science-starved countries but because they know from experience that such training leads to job offers and permanent status. Scientific studies have, in other words, become for many a device not for development but for immigration. Recent UNESCO statistics indicate that 43,000 foreign scientists and engineers—almost ten a day—immigrated to the U.S. from foreign countries from 1949 through 1961. Chile's Ambassador Gutiérrez-Olivos, dismayed that the U.S. is holding in jobs 1,556 of South America's engineers and 213 of her chemists, is calling for action in this field.

I vividly remember the first electrical engineers we sent from Korea in 1949. One ended up at Westinghouse, another at General Electric; a third we did not send is now a Columbia professor. They have since been joined here by several dozen more. Our aid program has to make up for them. Americans with no better engineering training than these Korean graduates but speaking no Korean, devoid of either knowledge of, or interest in, Korea, or its culture, are sent to advise U.S. AID's electrical projects in Korea. They receive high salaries, live behind barbed wire, subsist on artificial PX and Commissary support and last all of two or three years.

The medical situation is worse, although here the problem arises after initial medical training. Dr. Ward Darley in the Journal of the National Medical Assoication has observed that "in the years from 1950 to 1960 almost 10,000, approximately 12% of the country's licentiates in medicine, were trained in foreign medical schools," and "in 1960, 1,400 foreign-trained physicians were added, or 18% of the total number of licentiates for that year." Though all these entered under Visitor Exchange visas and were thus constrained to leave the U.S. for at least two years after a maximum period of five years of study, the Bureau of Immigration and Naturalization between 1958 and 1963 gave 3,636 waivers permitting them to remain in the U.S.

Dr. H. Van Zile Hyde, former Chief of the Division of International Health of the U.S. Public Health Service, observed in the June 1963 issue of this Review that under the Education and Exchange Program, other countries in effect maintain the equivalent of three medical schools to satisfy U.S. domestic medical care demands; that in 1961, the U.S. absorbed into its permanent medical structure almost one-third of the medical graduates of that year from Greece. There are more American-trained Iranian doctors in New York than in all of Iran. Korea, over one-half of whose counties have not a single doctor with modern medical training, provides twenty anaesthesiologists for the staff of one East Coast American hospital alone.

These losses do not stop with health and engineering. The intellectuals we take are the people whose presence, withdrawn from homes, neighborhoods, shops, voting booths, newspaper columns, clubs, and tea rooms of their own lands, deprives us of the communication the societies of the emerging nations so desperately need with the more developed world. More than our own citizens, these should be the communicants of the experience of America and of democratic life, in a depth and variety that only those living here for years—not foreigners traveling through, or Americans expressing U.S.-born thoughts abroad in a foreign tongue—can impart.

WHAT CAN BE DONE

The causes and the cure for this problem are complex. Only a few ideas can be indicated here.

First among these is honesty. If, after every consideration, we still feel that, in an imperfect world, we have reason to seek an immigration program which attracts the trained men of emerging nations, let us have one. But let us argue for it openly, let us call it by its correct name, issue immigrant visas for it, and administer it as such. Let us stop concealing an immigration program under our student and international exchange programs. The pending immigration bill does at least fulfill this minimal requirement.

Next, we can insist that our own Immigration and Naturalization Service provide us with full statistics on each country's nationals entering since 1946 on student or exchange visitors visas and tell us what is the present status of each.

Exchange programs with countries consistently exporting their trained students can be tightened or, if improvement is not made, eliminated except in special cases.

Permits to stay for "practical training" following graduation can and should be signed by the prospective employer or, if their present widespread abuse is not stopped, eliminated entirely. More emphasis may have to be put on training students abroad rather than in the United States. Entrance requirements for the foreign student should be raised. When requests for prolongation of study for advanced degrees are made, universities should ask for evidence on how such training at that level will be used in the student's home country. Finally, admissions should be more and more restricted to foreigners past the undergraduate level so that the lures to stay in America will be countered by a maturer mind better grounded in his own home culture.

In the process, we shall have to examine our own educational system and ask why it appears to be failing to prepare foreigners for the problems they will face on return. If we want to be a teacher for the world, we shall have to prepare students for more than our own conditions.

More important and far more complex are the positive things we should do to help our foreign graduates win the important places they deserve in the development of their own countries. The intractability of the problems they face does not allow us simply to tell them to "go home" nor would doing so be within our best traditions. We cannot even assume that such graduates, unaided, can always find their own jobs and care for themselves. If we consider our foreign graduates assets for economic development which is also in our interest, then we should enter the new territory of helping them even after their return.

We are not weaponless for this. AID has scarcely started to work on this problem. We sent up institutes overseas, we have educational influence, both public and private, and we have great influence through our AID programs, which we have responsibility to administer with efficiency. We also have money and may, eventually, have to consider "return scholarships." If increasing specialists from such countries immigrate we could consider a special Peace Corps effort, additional to that we now have, to utilize their services of two or three years in their native countries.

Human happiness and freedom of choice should not be forgotten. It should, instead, be extended rather than parcelled out to a few individuals. Millions are longing to break the bonds of their own poverty and frustration, not just the suppliant before our desks. He chose freely, and his choice was to enter not for permanent but for temporary purpose. For all our sakes, he should stick to that choice.

None of this is easy, nor will it solve all problems. Hopefully it will alleviate a near-scandalous situation. International and inter-organizational effort will be needed to solve it. Foreign embassies, foreign student advisers, the Institute for International Education, the Exchange Program of the Department of State, the Immigration and Naturalization Service, the American Medical Association, the Department of Health, Education, and Welfare, the foreign student associations, the Human Resources Staff of AID and even the Peace Corps could place their resources behind solutions. They should—and will—be sympathetic to the foreign student caught in the mysterious tides which rip between advanced and emerging nations. Our intention is not to be stern, for the foreign student's job is one of the hardest of the modern world. Our aim should be to help him serve his own lands profitably and with full pride. If we so approach the task we will find cooperation.

Our belief in the peaceful development of the emerging nation demands both understanding and self-discipline. Our new immigration increases the question we must ask ourselves: is this belief great enough for us to sacrifice the vested interests we seem to be acquiring in retaining the foreign student? And our foreign graduates have a question to ask themselves: is their belief great enough to inspire a recommitment to their own lands?

SEPTEMBER 8, 1966.

Hon. WALTER F. MONDALE,
U.S. Senate

DEAR SENATOR MONDALE: I read your speech on "the brain drain" with the greatest attention and satisfaction. It seems to me a just and comprehensive review of a complicated problem, and I believe you have performed a significant public service by calling attention to it.

I hope you will permit me to call on you at the appropriate times for advice on this matter and for participation in some of the meetings we are holding about it. We should be in your debt if your schedule permitted you to come.

Sincerely,

CHARLES FRANKEL.

ASSOCIATION OF AMERICAN
MEDICAL COLLEGES,
Washington, D.C., September 15, 1966.

Hon. WALTER. F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: Thank you for your letter of September 9 with the attached copy of your speech on the "Brain Drain." I have also read with great interest your address of September 9 with the excellent bibliographic material which it included. You have very appropriately brought to the attention of the country a problem which is very possibly the most significant and neglected social issue of our times. My only comment at this moment is that you have been if anything rather conservative, as you probably know, it is almost certain that all of us are underestimating rather than exaggerating.

Most of my time is now being spent on the foreign medical graduate problem. Currently, I am working with a panel of the President's Commission on National Health Manpower which has been asked to study the question and make recommendations to the Commission which will report next year to the President. The panel had its first meeting on September 12 and will continue to meet for a number of months. During this time we will initiate a number of studies which will provide us with both data and judgments which are of critical importance to any successful remedial action. I am also initiating a fairly long-term review of the foreign medical graduates who trained in the United States and have returned to their own countries. My responsibilities include an advisory role with AID through which I hope to have a favorable influence on the attention given to the health manpower problems of developing countries. Although this is just a partial list of my involvement, you will see that I have good reason to be delighted with the attention which you have been giving to this very complex issue.

Although an increasing number of people are concerned with the brain drain and other less obvious defects in our current practices, it will be very difficult to improve the situation without a great change in understanding and sensitivity on the part of educators, professional leaders, and members of Congress. Many of us were disappointed when the International Health Act was held up in the Rules Committee because it made very good sense and the International Education Act, at least by implication, excludes medical education.

I would welcome the opportunity to meet with you at the earliest opportunity, I am sure much can be gained by further discussion. If we can be of any assistance, please feel free to call on us.

Yours very truly,

HAROLD MARGULIES, M.D.,
Associate Director.

NATIONAL ASSOCIATION FOR FOREIGN
STUDENT AFFAIRS,
Washington, D.C., September 16, 1966.

Hon. WALTER F. MONDALE,
Senator from Minnesota,
Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: Thank you very much for your letter and note of September 8, together with a copy of your recent speech to the Senate, "The Brain Drain from Developing Countries".

You have presented the problem of the brain drain accurately and forcefully, and your five proposals for dealing with it, if carried out, would undoubtedly work to the advantage of all concerned, both in the United States and abroad.

I wish it were possible to send a copy of your speech to each of the approximately 1,500 members of our National Association for Foreign Student Affairs who are directly concerned with the foreign students enrolled in our American colleges and universities. If it is not possible to arrange for such a mailing, I shall see to it that a summary of your chief points is made to be inserted in the October Newsletter of our Association.

May I express the appreciation of our National Association for your interest and activity in regard to this vitally important area of international educational exchange.

Sincerely yours,

FURMAN BRIDGERS,
President.

INTERNATIONAL BANK FOR
RECONSTRUCTION AND DEVELOPMENT,
Washington, D.C., September 23, 1966.

Senator WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: Thank you for sending to me, with your letter of September 9, the text of the thoughtful speech you recently made in the Senate on "The Brain Drain from Developing Countries" on which you have invited my comments.

The problem to which your remarks are addressed is a real and serious one. All too many students from developing countries who go abroad to learn skills and to obtain training unavailable at home find it difficult to resist the temptation to remain abroad, notwithstanding the great need for their services in the countries of their origin. Although I do not believe it would be appropriate for me to comment specifically upon your suggestions for action by the United States Government, the proposals you make clearly deserve the most careful consideration.

We in the International Bank are well aware of the problem. It is one of the reasons why an increasing amount of lending by the Bank and its affiliate, the International Development Association, is designed to expand and strengthen educational institutions in the developing countries, in particular facilities for technical education, vocational training and certain projects at the university level. As the possibilities for study and training at home are broadened, the incentive, indeed the need, for study abroad may to some extent be reduced, with a greater likelihood that the skills acquired will find their way into local professions, industries and government. In addition, we hope that over time the development of the physical infrastructure and of directly productive facilities, which is the object of the bulk of our lending, will provide increased employment opportunities to attract and retain returning professionals.

Sincerely yours,

GEORGE D. WOODS.

EDUCATIONAL COUNCIL FOR
FOREIGN MEDICAL GRADUATES,
Philadelphia, Pa., October 11, 1966.

Senator WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: Thank you very much for your letters of September 9 and September 20, with which you sent me copies of your Senate speech of August 31 on "Brain Drain from Developing Countries," and your additional comments on September 9, 1966. I am naturally pleased that you found my article of sufficient interest to be printed in full in the CONGRESSIONAL RECORD.

You asked me for comments on your speech.

Your suggestion that there is great need for additional research, beginning in the last paragraph on page 20590, is a point that cannot be overemphasized. We know that large numbers of foreign physicians are coming to the United States each year, but we have no accurate knowledge of what the numbers are. The AMA has a count of the number of foreign graduates who are in approved internships and residencies in any given year, but no one has a count of the foreign physicians who are working in unapproved hospitals, or who are working as "clinical clerks" or "technicians" in approved hospitals. We do not know how many foreign physicians leave the country each year, nor how many return after an interval in some other country.

The numbers of foreign graduates in approved internships and residencies reported to the AMA each year probably represent a solid figure; the number of "foreign fellows" and the number of foreign graduates in other assignments, such as research, is probably an incomplete figure.

The only other solid figure that we have is the number of additions to the medical profession each year representing graduates of foreign medical faculties. This information is reported by the various State Boards of Medical Examiners to the American Medical Association, and is shown annually in the State Board Number of the Journal of the AMA the first week in June. In 1965, this figure was 1,488.

This is an interesting bit of foreign aid in reverse, representing an output equivalent to that of about 15 average-sized United States medical schools.

It seems to me that the federal government has a real responsibility to develop sound statistics which would at least give us a clearer picture of the situation.

Bilateral agreements with other countries would seem to offer some interesting possibilities, though as you suggest, there are certainly many problems to be surmounted.

We will watch with great interest the further developments of your activities in this field.

Sincerely yours,

G. HALSEY HUNT, M.D.,
Executive Director.

DEPARTMENT OF STATE, AGENCY FOR
INTERNATIONAL DEVELOPMENT,
Washington, D.C., September 23, 1966.

Hon. WALTER F. MONDALE,
U.S. Senate,
Washington, D.C.

DEAR SENATOR MONDALE: Thank you for your kindness in sending copies of your recent speech on the problem of "brain drain" to the Director and three members of the staff of the A.I.D. Office of International Training. After their careful reading and discussion of it, we wish to respond to your request for comments.

We are very pleased that you have added your voice so forcefully to those others who have been calling attention to the complex problem of the emigration of talent, especially from developing countries. As you pointed out in the first part of your address, this problem is one of which the Agency for International Development—and the Office of International Training in particular—is acutely aware. There are countries from which at least as many talented or skilled people may be "drained off" by the process you describe as we are training in the United States and in the other country. A.I.D.-sponsored participants, as you indicated, tend in very high proportions to return and fulfill their commitments; even for these, however, we lack figures on how many later emigrate to the United States or some other developed nation after they have fulfilled that commitment or satisfied the legal requirement to wait for two years before reentering the United States.

We believe your five action areas to be eminently well chosen. While much information on the problem was collected last year by the Interagency Council on International Educational and Cultural Affairs, of which A.I.D. is a member, we definitely need more research to confirm or perhaps adjust, our widely-held conviction of the seriousness of the problem and its harmful effects.

Your comments about the medical profession as one of the most critical areas is undoubtedly accurate; we are pleased to see the point made so unequivocally. Amelioration of this situation will require a strong and patient effort by the medical profession in the United States, among other actions. It is first necessary, however, that the profession be alert to and convinced of the problem that the brain drain causes for other nations, as well as the growing need for educational opportunities in medicine here at home.

Your suggestion that colleges and universities tailor their programs for foreign students to assure greater relevance to the needs of the students' developing nations is particularly appropriate. The A.I.D. Office of International Training arranges for U.S. placement of approximately 3,000 A.I.D.-sponsored students annually, and is currently exploring this question with many of the institutions with which we contract for such training.

Your fourth point, increasing opportunities for utilization of newly-acquired skills after return, reaches the core of the A.I.D. programs, especially as it relates to follow-up of our trainees. Your examples and suggestions in this area are very prevocative. In this connection, we are enclosing a copy of an unclassified airgram which was sent on August 4 to selected posts in countries which have been most seriously affected by brain drains. The airgram suggests certain actions that can be taken by other countries to help control the problem. Issued on the initiative of the Council on International Education and Cultural Affairs, the airgram was co-drafted by one of the officers of the A.I.D. Office of International Training to whom you sent your speech.

Concerning your fifth point, the negotiation of bilateral agreements with developing countries to modify the effect of U.S. visa and immigration policies, we agree with you that this would require great care and delicacy, in view both of our relations with these countries and the spirit of recent immigration legislation. We also agree, however, that this is an area which justifies exploration, especially by the Department of State; your suggestions clearly indicate areas of possible accomplishment, such as the use of Exchange Visitor visas for all students from particular countries.

We intend to give your remarks wide circulation and the most thoughtful study. They touch upon not only the brain drain problem but the whole subject of foreign students in this country and the problem and opportunity they present, even though the vast majority are not government-sponsored. Within the terms of our Congressional mandate, which emphasizes training for national development, the Office of International Training is engaged in some efforts along these lines that may be of interest to you. Officials of the Office would be pleased to discuss the programs with you and/or your staff at your convenience.

Thank you for your interest in this matter. Please let us know when this office can be of service.

Sincerely yours,

WILLIAM C. GIBBONS,
Director, Congressional Liaison.

NATIONAL SCIENCE FOUNDATION,
Washington, D.C., September 22, 1966.

Hon. WALTER F. MONDALE,
U.S. Senate, Washington, D.C.

DEAR SENATOR MONDALE: Thank you for your letter of September 9 enclosing a copy of your speech on the subject of the "brain drain." Your statement very well portrays the complicated issues involved in this problem.

As your speech so clearly shows, the issue is not one of black and white. It is rather one of balancing advantages and disadvantages. Emigration frequently provides creative opportunities to a scientist which do not even exist in his own country. For example, the theoretical physicist, Dr. C. N. Yang, probably would never have performed the research in his native China which won him the 1957 Nobel Prize in Physics. On the other hand, a foreign engineer employed by an American construction company might make an infinitely greater contribution to the economy of his native country than to the U.S. In many ways the stimulus for international migration does not differ much from that for the regional mobility that is so prevalent within this country.

The "brain drain" has always existed in one form or another. You perhaps have seen Steven Dedijer's article in Science for June 30, 1961 which pointed out that Daedalus of ancient fame in aviation design was an expatriate inventor attracted to Crete and Sicily. Count Rumford, one of the most eminent scientists of American origin, of course became famous in Europe after leaving this country. Prior to World War I, many American scientists were trained in Europe, especially Germany, and it is probable that some of them at least never returned. The loss of some of America's humanists to the Continent is less frequently noted, perhaps because in a sense we never lose those who contribute to the arts and literature.

It is certainly true that the migration of scientific and other professional personnel frequently constitutes an economic loss to their native countries. Such migration may be particularly detrimental when the most able and creative professionals are involved. Perhaps the loss is most serious in the applied field of technology, medical practice, or education. Scientists, who engage in basic research and publish their findings, are also in a sense not lost to their native countries if the results of their work are generally available to the scientific community.

As one who has tried to secure a better understanding of the scope and nature of such migration, I certainly subscribe to your thesis that a first step is expansion of research on the problem. In this connection the tabulation of data from the alien registration administered by the Immigration and Naturalization Service would be a big and relatively inexpensive step in this direction. Such data could provide annual information on foreign nationals in this country in terms of numbers, occupations, native countries, and visa status. Until more information is available, the Government should be cautious in trying to regulate such movements for the benefit of developing countries since whether a given case is detrimental must necessarily rest upon a value judgment based on the circumstances of a given occupation, native country, work activity, and time.

The only permanent solution of the situation, I would think, is the strengthening of those social and economic institutions within a country which will permit the development of opportunities sufficiently challenging to attract and retain talented youth. As I understand your fourth approach, you have in mind the encouragement of such efforts by both our public and private agencies. I suspect we need to know considerably more about the results of such efforts as the Indian Scientists' Pool, the Iranian foreign student program, the development of national universities in developing countries, and the like before we really know what to endorse. The developing nations are the products of diverse indigenous societies, overlaid by colonial political and economic factors, and now accelerated (sometimes near to intoxicated) by modern thinking. Again more and better information on motivation and social behaviors would be extremely useful.

The Annals of the American Academy of Political and Social Science will shortly publish a special issue featuring immigration trends. On the chance that you will be interested, I will forward a reprint of the chapter, "Scientific Personnel and the Professions," which I prepared for the Annals, as soon as it is available. I appreciate very much the opportunity to comment on your proposals.

Sincerely yours,

THOMAS J. MILLS,

Head, Sponsored Surveys and Studies Section, Office of Economic and Manpower Studies.

DECLARATION OF CERTAIN PORTIONS OF NEWPORT HARBOR, R.I., AS NONNAVIGABLE WATERS

Mr. PELL. Mr. President, I introduce, for appropriate reference, a bill declaring certain portions of Newport Harbor, R.I., to be nonnavigable waters of the United States within the meaning of the Constitution and laws of the United States.

This bill is necessitated by the fact that Goat Island, a former Navy facility in the harbor, has been transferred to private hands for development as a marina. The waterway separating the island from the mainland, previously used by naval vessels docked on the island, now will assume a different character and the marina facility will encroach on the presently authorized Federal channel. Accordingly, Federal legislation is now required to permit abandonment of portions of the Federal channel and thus facilitate the marina development which is of great interest to the city of Newport.

The legislation which I introduce today has been review in draft by the interested parties and thus represents, I believe, an accurate consensus of the action which is needed at the Federal level. Although it is, of course, too late to act on the measure in this session of Congress, I introduce the measure at this time so that printed copies may be circulated and early action may ensue in the 90th Congress.

The PRESIDING OFFICER. The bill will be received and appropriately referred.

The bill (S. 3908) to declare certain portions of Newport Harbor, R.I., to be nonnavigable waters of the United States, introduced by Mr. PELL, was received, read twice by its title, and referred to the Committee on Public Works.

SUSPENSION OF INVESTMENT CREDIT AND ALLOWANCE OF ACCELERATED DEPRECIATION ON CERTAIN REAL PROPERTY—AMENDMENTS

AMENDMENTS NOS. 960 THROUGH 962

Mr. WILLIAMS of Delaware submitted three amendments, intended to be proposed by him, to the bill (H.R. 17607) to suspend the investment credit and the allowance of accelerated depreciation in the case of certain real property, which were ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILLS AND JOINT RESOLUTIONS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that at the next printing of S. 3888, a bill to establish a periodic Executive Organization Review Commission, the name of the distinguished Senator from Pennsylvania [Mr. CLARK] be added to the list of cosponsors.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the next printing of the bill, S. 2916, to provide for a weather modification program to be carried out by the Secretary of Commerce, the name of the Senator from Colorado [Mr. DOMINICK] be added as a cosponsor.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McCARTHY. Mr. President, I ask unanimous consent that the name of the Senator from Kansas [Mr. PEARSON] be added to the list of cosponsors of Senate Joint Resolution 85, the joint resolution I introduced proposing an amendment to the Constitution relative to equal rights for men and women, and that his name be listed among the sponsors at the next printing of the joint resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

HEARINGS ON MULTIDISTRICT LITIGATION BILL (S. 3815)

Mr. TYDINGS. Mr. President, as chairman of the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, I wish to announce hearings for the consideration of S. 3815, a bill to provide for the temporary transfer to a single district for coordinated or consolidated pretrial proceedings of civil actions pending in different districts which involve one or more common questions of fact, and for other purposes.

The hearings will be held at 10 a.m. on Thursday, October 20, and Friday, October 21, 1966, in the Ceremonial Courtroom, Federal Courthouse, Chicago, Ill. The reason for holding hearings in Chicago is that the leading experts on the problems of multidistrict litigation are located there. The Coordinating Committee for Multiple Litigation of the Judicial Conference of the United States has its office and staff there, and a variety of judges and lawyers experienced in the problem will be available.

Any person who wishes to testify or submit a statement for inclusion in the RECORD of this hearing should communicate with the Subcommittee on Improvements in Judiciary Machinery, room 6306, New Senate Office Building.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, October 13, 1966, he presented to the President of the United States the following enrolled bills:

S. 405. An act for the relief of Gabriel A. Nahas and Vera Nahas;

S. 1275. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Elva L.*, owned by Harold Bunker, of Matincus, Maine, to be documented as a vessel of the United States with coastwise privileges;

S. 1310. An act relating to the National Museum of the Smithsonian Institution;

S. 1375. An act providing a method for determining the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them due to the cancellation of their grazing permits by the U.S. Air Force;

S. 2106. An act for the relief of Dr. Jose Josquin Diaz;

S. 2457. An act for the relief of Jorge Ajbuszyc Volsky;

S. 2587. An act for the relief of Dr. Hilda W. Perez de Gonzalez;

S. 2640. An act for the relief of Dr. Guillermo Rodriguez;

S. 2738. An act for the relief of Dr. Ezzat N. Asaad;

S. 2739. An act for the relief of Dr. Blanche L. Asaad;

S. 2761. An act for the relief of Dr. Julio Sangully, Jr.;

S. 2771. An act for the relief of Hazel Louise Schuman;

S. 3035. An act to establish a program for the preservation of additional historical properties throughout the Nation, and for other purposes;

S. 3106. An act for the relief of Dr. Alberto L. Martinez;

S. 3238. An act for the relief of Miss Matsue Sato; and

S. 3809. An act to authorize the Public Printer to print for and deliver to the General Services Administration an additional copy of certain publications.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 3314) to require premarital examinations in the District of Columbia, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9985) to provide for the mandatory reporting by physicians and hospitals or similar institutions in the District of Columbia of injuries caused by firearms or other dangerous weapons.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10304) to provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13448) to amend title 39, United States Code, with respect to mailing privileges of members of the U.S. Armed Forces and other Federal Government personnel overseas, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

S. 1375. An act providing a method for determining the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them due to the cancellation of their grazing permits by the U.S. Air Force;

S. 2106. An act for the relief of Dr. Jose Joaquin Diaz Franquiz;

S. 2739. An act for the relief of Dr. Blanche L. Asaad;

S. 2771. An act for the relief of Hazel Louise Schuman Strunk;

S. 3035. An act to establish a program for the preservation of additional historical properties throughout the Nation, and for other purposes;

S. 3238. An act for the relief of Miss Matsue Sato;

S. 3809. An act to authorize the Public Printer to print for and deliver to the General Services Administration an additional copy of certain publications; and

H.R. 17787. An act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basic Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes.

A VISIT TO WASHINGTON

Mr. FULBRIGHT. Mr. President, Mr. Ronald Steel, one of the most astute observers of public affairs, recently returned to Washington after an absence of 2 years. I believe his impressions will be of interest to the Members of the Senate. Therefore, I ask unanimous consent to have an article written by him entitled "A Visit to Washington," and published in the New York Review of October 6, 1966, printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Visit to Washington

(By Ronald Steel)

Two years away, and Washington seems strangely metamorphized, like a cocoon that instead of giving birth to a butterfly has, in one's absence, produced a frog. In the fall of 1964 it seemed likely that the promises of Kennedy could be redeemed by the energies of Johnson, that the neglected nation might still become a Great Society, and the accidental involvement in Southeast Asia could be quietly liquidated with a vague diplomatic agreement and a few well-chosen words. The long-awaited and long-neglected reform of the American society seemed finally at hand. The interventionist style of the Kennedy administration appeared tempered by the quiet pragmatism of its successor. There was a feeling of renewal and expectation: a belief that although much was difficult, nothing was quite impossible. Washington was on the verge of recognizing that if it had no answers for the world, it at least knew what to do for itself.

That optimism has faded. The quest for "excellence" at home has been subsumed by the pursuit of grandeur abroad. The rebuilding of our cities, the reform of an outdated social structure, the re-cementing of a fractured society—these urgent national needs have once again been pushed into second place by the demands of an ideological war. Perhaps this was inevitable. Perhaps this war, and the methods used to wage it, were pushed upon us by an uncooperative foe and the demands of an implacable destiny. Perhaps America's role, as Prince Sihanouk of Cambodia said a few weeks ago, is to "spread war and ruin everywhere"—in the name of a higher moral order. If so, we have little choice but to live with the consequences of this role—until we should choose another one for ourselves.

But this was not the role America seemed ready to embark upon only 2 years ago. Then Lyndon Johnson, the voice of compassion and restraint, was blasting the folly of a Presidential candidate who sought to win the war in Vietnam by bombing the North and napalming the South. What provocation, what madness, what futility. One could hardly take the Goldwater proposals seriously—until they were adopted a few months after the election by the President himself. Maybe this, too, was inevitable. But a visitor who has been away from the capitol and from the country, between the Presidential campaign of 1964 and the midterm elections of 1966, cannot help but feel that something rather strange has happened in the interval.

What has happened, of course, is that a minor skirmish in Vietnam involving a few thousand American advisers has turned into a major American war which has preoccupied the administration and is draining energies that might otherwise be employed elsewhere. Washington is a city obsessed by Vietnam. It eats, sleeps, and particularly drinks this war. There is virtually no other subject of conservation worthy of the name, and no social gathering or private discussion that does not inevitably gravitate toward the war. Never, one feels, has a war been so passionately discussed, so minutely examined, so feverishly followed—and so little understood—as the war in Vietnam. People who can rattle off the number of infiltrators who cross the border every week, or the names of village chieftains and Buddhist priests, do not seem to have any clear idea of how we got into this war, or exactly what it is we hope to accomplish.

Constituent assembly—50 million tons—Thich Tri Quang—Can Ramh Bay. This is the face of Vietnam as reflected through the mirror of Washington. A dazzling interplay of names and numbers, of departed politicians and aspiring generals, of anonymous enemies killed and unknown villages "reclaimed," of napalm dropped and harbors built, of bridges destroyed and battalions infiltrating through the jungle. Anonymous enemies indistinguishable, at a bomber's height of 30,000 feet, from our anonymous friends. Anonymous concepts like "voting," "democracy," and "self-determination" which take on—in the metallic offices of the government bureaucracy or in the Danish modern sophistication of a Washington cocktail party—an abstract quality. Vietnam, one feels, has become not so much a place as a way of thinking. "What happens in South Vietnam," an administration official told me rather portentously, "will determine the fate of Asia for the rest of this century. With stakes like that, we can't afford to back out."

A skeptic might be more receptive to the arguments in favor of this war if they were presented with less passion and more reason, if it were possible to feel that beneath the morass of figures and platitudes the administration had a really clear grasp of issues—that it knew exactly where it was going and why it had taken this particular path to get there. But it has not had the time, or the aptitude, or perhaps the understanding to explain this war in terms that could reconcile it with traditional American values. As a result, it has lost the support of much of the nation's intellectual community. This has bred the crisis of confidence that has been the undoing of governments in other democratic countries and which may yet threaten this one. Anyone who was in France during the long agony of the Algerian war would not be totally out of place in today's Washington. He would find the same impassioned commitment by government officials, the same promise that the fighting was in its "last quarter hour," the same baffled acquiescence by the population, the same revolt of the intellectuals, and the same gradual erosion of confidence by the people in their government. Maybe "it can't happen here"; but it has happened in too many other places for anyone to be sure.

This sense of isolation on the part of the high officials of the administration leads to a good deal of testiness and unwillingness to engage their critics in serious discussion. In the best of times governments do not tolerate criticism easily, but this is an administration which has come to equate dissent with ignorance, or even worse, disloyalty. This is a city of closed minds, where the lines are so tightly drawn that neither side is willing to give the benefit of the doubt, or even at times a modicum of courtesy, to its opponents. There is little about this war that merits sanctimony, but this seems to have become the only emotion left to those who equate opposition with ignorance or evil. Even such favorites of the intellectual Establishment as Walter Lippmann and Senator Fulbright find themselves isolated and reviled by the administration—their arguments automatically discounted for no other reason than that they are in conflict with the current line. "Those people," a State Department official told me, "don't understand what this war is all about. So why should we pay any attention to them?"

Maybe the administration is right and all its critics are wrong. Maybe Ho Chi Minh is a new Hitler and the fate of Asia will be determined by what regime rules Saigon. But the argument has tended to be more abusive than enlightening, more concerned with magic formulas and high-sounding phrases than with convincing analyses of what the alternatives really are. The administration would clearly like to extricate itself from a war which is bringing no credit to itself or to the country. Yet it is not willing to accept a settlement which would allow the Vietcong to play a major role in a neutral government. This, in its eyes, would constitute a victory for Peking's doctrine of "wars of national liberation" and would thereby provide the signal for similar guerrilla actions throughout the underdeveloped world. Vietnam is not so much important for itself as for what it symbolizes. With the stakes so high, the administration believes that it has no choice but to fight this war through to the end. Hopefully, the end would be a negotiated settlement in which the North, in Dean Rusk's memorable phrase, would "stop doing what it knows it's doing," and abandon the Vietcong.

This is the official rhetoric of the administration: a negotiated truce. But in Washington the talk centers more on "victory" than on negotiations, and the administration seems increasingly committed to the belief that the war in Vietnam can be "won" without any concessions to the Vietcong or any formal agreement with the North. "This war can be won on the battlefield," an administration official told me, "and with half a mililon American troops we don't have to accept any compromise settlement with Ho Chi Minh." Despite the mounting figures of American casualties and South Vietnamese army desertions, the talk in Washington is of victory—without the help of the South Vietnamese if necessary, and without a war with China.

Deeply committed to this war which preoccupies so much of its energies, the administration has not only been exceedingly impatient with its critics, but has shown a disturbing tendency to use its vast powers over public information to convey an impression favorable to its own interpretation of events. "Managed news" first became an issue during the Bay of Pigs landings, when an embarrassed Kennedy administration tried to put a favorable face upon a fiasco. But this administration, involved in something far more serious than a bout with Castro, has shown an even greater willingness to manipulate the news for its own purposes. Some suppression of the news is inevitable during a war, and no government can be expected to tell the whole truth where military security is concerned.

What is troubling about the Johnson administration is not that it keeps military secrets from the press, but that the information it gives out is often erroneous and deliberately meant to deceive. In Vietnam the Pentagon's information policy has been under persistent attack by journalists, and there is now a growing belief that the Tonkin Gulf incident—which the President used to obtain a blank check from Congress for waging the war—was, if not entirely fabricated, almost certainly provoked by the U.S. government. Whatever the merits of the war, this is not a policy which can be shrugged off lightly, for it is central to the whole concept of government by consent. An administration which deliberately manipulates the press and the Congress thereby manipulates the people as well. Whatever this may be, it is not democracy as it is understood by Americans.

Nor is this policy one which is confined to the Pentagon and to military operations. It has now, apparently, been taken over by the State Department and applied to such theoretically academic matters as diplomatic history. Recently a *New York Times* reporter, as a result of some private sleuthing, discovered that the State Department's White Paper on Franco-American relations—and particularly the exchange of memos between De Gaulle, Eisenhower, and Kennedy on the question of France's request for greater European participation in NATO decision-making—had deliberately omitted key documents in an effort to bolster the U.S. position. Even the archives, it seems, are not safe from news management on the part of an administration overly zealous to prove that it can never be wrong.

Just as Vietnam dominates official, and even unofficial, Washington, so it also dominates any reporting about Washington. This is inevitable, and it is also unfortunate, for it drains away energies that are desperately needed for other, and even more pressing matters. "Were it not for this Vietnam thing," one of the nation's most outspoken journalists said to me, "I'd be able to write about the real crises—about poverty and civil rights and the cities. But as it is I have to—we all have to—write about the war, while everything else collapses around us."

A returning visitor to Washington might not, at first glance, feel that everything else was collapsing. During the past two years this rather patchy, cozy, provincial town has acquired a patina of progress—as we define that abused term. The obligatory Hilton has finally been finished, some handsome new buildings have sprung up along Connecticut Avenue, two quite splendid round structures have erupted in the neo-Roman shadow of the State Department, and the Southwest development project offers an impressive example of the possibilities of urban renewal.

But progress in Washington, like anywhere else, is not measured in tons of concrete poured. While flashy new buildings have gone up for affluent labor unions, giant corporations, and the upper-middle-class federal elite, hundreds of private dwellings have been torn down and thousands of people displaced—most of them the silent poor. The charming row houses of Foggy Bottom have disappeared almost overnight, to be replaced by the ugly scar of a super-highway which speeds commuters out of the dormitory suburbs of Virginia every night at five. The Washington public school system, at the mercy of a Congressional committee dominated by white Southerners, has virtually broken down, and the students, 90 per cent of whom are Negroes, receive an education which enables them to aspire to the level of gas-station attendant or elevator operator.

In this first American city to have a Negro majority, the problems of the American metropolis can be seen in classic form: a core city of office buildings and department stores, a white enclave of fashionable town houses and high-rise apartments, a mushrooming suburban ring for middle-class white families, and a continually expanding slum area of Negroes alienated from white society and increasingly hostile to a system which keeps them perpetually on the bottom.

This is the other Washington, the Washington that the tourist rarely notices but that every American is coming to see reflected in his own city. This is urban America, where elegant office buildings and apartment houses conceal the breakdown of public services, where expressways speed commuters away from the city problems they help create, where overcrowded and understaffed schools are unable to educate young Americans for the jobs demanded in tomorrow's world, where social disintegration has become the handmaiden of material progress, and where whites and Negroes face each other sullenly over a widening chasm of misunderstanding and fear. Two years ago it was possible to dismiss much of this as growing pains, to believe that the ideals of the Great Society and enormous infusions of federal funds could heal the scars in American life.

Today it is difficult to be so optimistic. A society grown powerful in the belief that all problems are solvable, that such phenomena as defeat and tragedy need never touch this nation, is now finding its assumptions challenged and its institutions put to a terrible test. "I'm not so much worried about Vietnam," a distinguished Senator confessed to me, "as I am about America. I wonder what's going to happen to us if we can't even achieve at home some of the ideals we're trying to pursue abroad." Such fears are beginning to trouble many people in Washington, nettling the brain like the jets that now whine over affluent Georgetown and clouding over the heroic rheotoric of the war with nagging questions about the viability of the American society. The mantle of imperial Rome, while it has intrigued some people in the suburbs of the White House, still rides uneasily on the shoulders of today's Washington.

HIDE PRICES DROP AGAIN

Mr. McGOVERN. Mr. President, on October 6 I advised the Senate of the 35-percent decline in hide prices which has occurred over the last 3 or 4 months, inserting in the RECORD Chicago hide price tables for July 6 and September 28. They appear at page 25452 in the RECORD for October 6.

I have just received the quotations for the week of October 5 and find that heavy native steer hides have dropped another 10 percent, or about 1½ cents per pound. The quotation for the week of September 28 was 16 to 16¼ cents per pound. Last week they were down to 14¾ cents per pound.

I ask unanimous consent, Mr. President, to put the Chicago Hide and Skin Price Report as of noon October 5, which contains a comparison of the previous week's prices, in the RECORD.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Chicago hide and skin prices as of noon, Wednesday, October 5, 1966

	This week	Last week
PACKER HIDES		
Heavy native steers	14½–14¾	16 –16¼
Light native steers	17½–17¾N	17½–17¾
Extra light native steers	18½–18¾N	18½–18¾
Heavy native cows	15	15¾–16N
Light native cows (nor.-Chgo.-Riv.)	16¼–17¾LT	17 –17¾T
Light branded steers	16½–16¾N	16½–16¾N
Extra light Texas steers	17½–17¾N	17½–17¾N
Butt branded steers	13½–13¾	14½–14¾
Colorado steers	12½–12¾	13½–13¾
Branded cows	14 –14¼A	14 –14¼T
Native bulls	11 –11½N	11½–12
CALFSKINS		
Pkr. Nor. light (under 9½ pounds)	51½LT	51½T
Pkr. Nor. heavy (9½ to 15 pounds)	47½LT	47½T
Pkr. Riv. light (under 9½ pounds)	51½N	51½N
Pkr. Riv. heavy (9½ to 15 pounds)	47½N	47½N
	Northern-rivers	
KIPSKINS		
Pkr. (15 to 25 pounds)	39LT	39T
Pkr. (25 to 30 pounds)	37LT	37T

MAJ. PETER KAMA IN VIETNAM

Mr. FONG. Mr. President. It is heartwarming to read stories of our brave soldiers in Vietnam who are doing more than is required of their military obligations. I am always impressed by the sacrifices that our gallant men are making—both in the war of the battlefield and in the other war against human misery. Their courage and resourcefulness have done wonders in Vietnam.

Some of these men have gone way beyond the call of duty to help the Vietnamese build and rebuild their wartorn society. Besides being their protectors, these men have proven themselves to be the friend of the refugee, the sick, the injured, and the orphaned.

Maj. Peter Kama, of Maili, Oahu, who is attached to the 25th Infantry Division base camp at Cu Chi, is one of these extraordinary soldiers whose activities I wish to call to the attention of my distinguished colleagues. Because of his outstanding performance as an American officer in Vietnam, I ask unanimous consent that the article appearing in the October 7 issue of the Honolulu Advertiser describing Major Kama's activities in Vietnam be printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Oahu Major "Builds" Village When He's Not Battling Cong

(By Denby Fawcett)

Cu Chi, Viet Nam.—This strange war: artillery booms in ear-shattering intervals 1,000 yards from a hamlet where a soldier is passing out sacks of rice to hungry families.

A GI hunting Viet Cong may be hauled from his squad and assigned to a village as an English teacher, or as a political adviser, or social worker. Or, even all three at the same time.

Such a man is Maj. Peter Kama, of Maili, Oahu, who at 31 is one of the youngest majors at Cu Chi, the 25th Infantry Division's base camp.

Kama was operations officer for the 2nd Battalion, 14th Infantry, 1st Brigade until July 22.

He was accustomed to spending between 10 and 20 days sleeping on a poncho in the field while planning and participating in daring, unorthodox operations against the Viet Cong.

Now he is civic actions officer for Headquarters Support Command of the 25th at Cu Chi.

His wife, Ursula, and their two children live at Maili. He is an alumnus of the Kamehameha Schools.

"In one area I was planning to kill efficiently and in this area we plan to build efficiently," Kama said.

"Killing Viet Cong is like pulling weeds out of a garden. It's necessary.

"But in order to have a garden one must plant seeds and take care of plants.

"I liken the people of Viet Nam to the plants. We're taking care of them and helping them bloom."

Efficient building is carried out by Kama during his daily visits to Bac Ha I, which he calls "my village."

It's a hamlet siding the perimeters of the base camp and inhabited by 12,500 Roman Catholic refugees who fled to South Viet Nam from Hanoi in 1954.

He gives oral English classes twice a week to 100 students at the hamlet grammar school. His fluent command of Vietnamese helps.

He distributes about $460 a month to the hamlet from the Support Command led by Col. Herbert S. Lowe, whose wife lives at Schofield Barracks.

Kama also has taken to giving money to the hamlet school out of his own pocket.

He donates about $40 a month for tuitions. "Too much," he said. "But it saves a lot of paper work."

Distributing items from the 25th's "Helping Hand" program also falls among his duties.

Two sewing machines donated by the people of Hawaii were delivered recently to a sewing class that is part of a trade school Kama helped start in Bac Ha.

Fifty students between 9 and 17 attend the class every afternoon. They are taught embroidery and dress making.

They are sewing on pieces of torn sheets and could use some simple patterns for children's and young people's clothes.

Also being planned for the trade school are a leatherwork shop, a nursery and a home economics course.

Another part of Kama's program is simply getting to know the people of Bac Ha.

He eats lunch everyday in the refectory of the hamlet church with Father Tran Van Phan, the spiritual leader of the community, and other villagers.

At times, the repasts will pay off in intelligence that is later passed on to the combat troops.

A group of popular forces soldiers guarding Father Phan's home told Kama about a group of Viet Cong that had been slipping into Bac Ha to rest in sacks the villagers had deserted a few years ago.

After lunch Kama relayed the information back to the base camp where it was used later to plan an operation.

When asked about the Viet Cong who are known to benefit from the schools and medical facilities provided for Bac Ha through the 25th's civic action program, Kama merely shrugged his shoulders.

"So what? The Viet Cong aren't corrupting the villagers here. In most cases the villagers are corrupting them."

GRASSROOTS GOOD GOVERNMENT REFORM

Mr. MUSKIE. Mr. President, no other sector of public life in this Nation is more in need of the attention of the average citizen than the quality of its State and local governments. This is the area of goverment which is growing the fastest, which is employing a higher percentage of civil servants, and which most directly affects the lives—and the pocketbooks—of most of our citizens. Every taxpayer and voter ought to take an interest in the competence and dedication of those who are charged with carrying out public policy. Good government just does not "happen"; it is the result of the conscious and involved effort of the people it serves.

No one knows this better than the National Civil Service League, which was born of protest against the patronage and spoils system of the "Gilded Age" and which, for the past 85 years, has been in the business of promoting good government.

The present crisis in State and local government—the crisis in competency—is viewed by the league as seriously as that which sparked its formation in the 1880's and the league has responded to this new crisis with the same fervor and dedication that moved such early leaders as Carl Schurz, Richard Henry Dana, Charles Eaton, and Theodore Roosevelt to dedicate themselves to a system of competence and merit.

The league's response to this "crisis of competence" is a proposal to institutionalize a nationwide citizen movement to bring about public service reform. Its pamphlet "Grassroots Good Government Reform" was recently forwarded to me, and I should like to share this potentially important document with other Members of the Congress. The goals outlined in the league's presentation are entirely commendable, and are so important as to require the attention of every Member of Congress, as well as every citizen. I hope it will be thoroughly studied, and that it will generate widespread citizen concern throughout the Nation. I ask unanimous consent that the pamphlet "Grassroot Good Government Reform" be inserted at this point in the Record.

There being no objection, the pamphlet was ordered to be printed in the Record, as follows:

Grassroots Good Government Reform

(Prepared by the National Civil Service League)

This is a proposal to institutionalize nationwide citizen action for improvement of the quality of state and local governments. It is a plan to provide leadership and coordination where there is a desire for citizens' better government organizations and it is a plan to expand and service existing groups.

PUBLIC SERVICE REFORM FOR THE SIXTIES: THE PROBLEM

Today there is a crisis in government that is as much a threat to state, county and local governments as the spoils and patronage crisis of the 1880's was to the Federal Government. It is the crisis of competence.

The fastest growing sector of government is the state-local one and it has become the most dynamic part of the American economy—whether measured by the growth rate of expenditures, the purchase of goods and services, or growth in numbers of employees.

The strain of this growth on public services is being documented by an increasing number of manpower and personnel studies. Archaic management methods and ill-structured personnel systems are not being replaced quickly enough or even at all. Spoils and patronage systems continue to militate against efficient and effective public service. Even when there are well-planned organization structures or civil service systems, state and local governments cannot find enough qualified, industrious and skilled employees. When such employees are found, they often soon are discouraged by intolerable working conditions or personnel policies. Most state-local governments suffer from a combination of these above ills.

Concomitant with and, in fact, contributing to these problems, are either citizen apathy or frustration and, at best, non-involvement in state-local problems.

MEETING THE PROBLEM: NEEDS

Some progress by a few state and local governments has been recorded. A few states are revising their state constitutions and personnel systems. Some interest has been evidenced recently in administrative reorganization. Yet, despite these hopeful trends and a wealth of theory and knowledge with which to combat the crisis of competence, there is no large-scale, nationwide effort to catch up to or keep pace with the rate of growth and its subsequent problems.

A necessary prerequisite to large-scale improvements in state and local government is citizen support. To gain the citizens' interest in government, laudable efforts are being made, for instance, to increase the quality and quantity of press reporting of local government. Other enterprises are directing attention to the contributions the educational systems can make to citizen knowledge of and concern with state-local governments.

These and other efforts directed at the general population should be augmented with planned, organized and directed group action. The importance and effectiveness of citizen activists working through associations on national issues is apparent. Some successes of group action on a state-local level have been recorded, although they have not been as effective as have national efforts. However, the main organized interest in public employment and personnel policies in government has been largely pre-empted by professional organizations of people who work for government and by unions of government employees. Other special interest groups also fill the vacuum of group interest in issues of public administration. There is no broad based and effective "citizens lobby" to improve government. The result has been to remove the citizen from or prevent his access to direct interest and participation in the process of public administration.

A "citizens' agenda," with good government priorities effectively represented in a coordinated and on a widespread basis, is basic to improving the efficiency, economy and quality of state-local government. Here are some of the general areas of crucial concern which need to be the priorities of local action groups:

There is a need to examine the processes by which the public service is governed, to identify the weaknesses in organization and administration, and to propose remedies aimed at improving efficiency of operation.

Those factors and forces in personnel systems tending to foster mediocrity and stifle initiative must be vigorously attacked.

The role of the independent civil service commission needs to be re-evaluated in the light of modern requirements and in consideration of the responsibilities of the chief executive for the management of government.

The role and compensation of the executive in government must be addressed with a view to encourage able people to hold public posts and function creatively as effective decision makers.

Means must be devised to solve the conflict-of-interest dilemma that impairs our ability to attract and retain top quality government officials.

The current, and largely false, image of the public service must be changed in order to attract and retain top quality employees.

There remains a need to re-examine and expose the consequences of patronage systems where state and local employees are still not covered by merit systems.

It is necessary to examine the impact of unions in government and their effect on management brought about by the formal recognition of nearly a million organized Federal employees in the last two years and by unionization of almost a million state and local employees within less than a decade.

The current civil rights crisis calls for a critical examination of civil rights in public employment and study of how the merit principle can be preserved while accommodating our social responsibility to minority groups.

Contracting out of government services has increased to such a degree that it requires careful scrutiny as to its implications for the maintenance of sound standards of public employment.

MEETING THE PROBLEM: RESOURCES FOR REFORM

The chief resource for combating the crisis of competence in state-local governments is people—people active in the community. There is a general absence of effective group action and participation in state-local governments, but this is not to suggest there are *no* groups or that there is a lack of interest in improving state-local government. Despite widespread apathy there is a pool of latent citizen concern in almost every locale. There are degrees of concern and levels of those concerned. Many governors, mayors, legislatures, commissions, scholars and private and public institutions have proposed, prescribed, suggested or demanded reorganizations of governments and modernization of personnel systems. Citizens groups, such as the League of Women Voters, have expressed concern or have engaged in various local reform attempts and successes.

Lack of success has been due chiefly to the lack of coordination. The League of Women Voters, for instance, has usually had the membership and channels to governmental decision-making, but an ineffective model law or proposal. The university professor has the model law or knowledge to draft effective proposals, but no political or organizational support. The Council of State Governments and other similar clearinghouse organizations have some proposals, but not the apparatus for local political and organizational assistance. Many local organizations have proposals, but do not have the organizational ability. Few, if any, of these have at their fingertips the very specific, expertly developed and objectively presented policy guides and proposals in the crucially important area of personnel administration that lie at the heart of government administration.

What is needed is a means of developing these and other resources for reform. Providing for and coordinating substantive, specialized information on a national level—the function of clearinghouses—is a service which needs to be provided in greater depth and breadth than is presently done. Another means is to generate research from which realistic and substantive guidelines for good government can be drawn. Both of these services can and should be expanded for service to state-local citizen participation for better government.

There is a third and more direct means of developing resources for reform. This is providing a national center for action—one which supplies direct organizational information and assistance to state-local citizen groups. This is a function that is greatly needed on a national scale.

The National Civil Service League and reform resources

The history of the National Civil Service League is unique among citizens' organizations in its relation to the tradition and spirit of reform. This spirit has dominated important periods of American history and has inspired great movements which led to better government. The League was born in one of the great ages of reform. Its leaders, its policies and its history have been consistently in the spirit of reform. Indeed, the League's history testifies both to the strength of this spirit when combined with realistic, organized action and to its weakness when not tied to effective organization.

In addition, the League has a long record as a clearinghouse of information, as a center of action and as a generator of research and policy for citizens' good government groups. These three functions and how the League can perform them more effectively is the subject of this section.

CLEARINGHOUSE FOR ACTION

League action assistance to citizen groups has come in the form of affiliation and direct organizational guidance. This has been characterized by lending League history, tradition, name and national status, and by giving direct advice and assistance from its staff members and officers.

That there is a need for, interest in, and effective method of organizing state-local groups for civil service reform in the 1960's is established by recent dramatic successes the League has had in pilot programs. Beginning with indication of interest from citizens who knew of the League, it undertook modest efforts within its limited means to provide such assistance as it could. The response was both gratifying and indicative of what might be done with greater effort.

Within the past two years, the League has affiliated three local active groups. The first of the affiliates is in Pennsylvania. There a group of citizens representing various organizations, assisted by the League, led a dramatic and successful effort to broaden the state civil service merit system. This group, the Pennsylvania League for Civil Service, is developing long-range programs to improve efficiency in state and local public service and short-range programs to organize citizen interest in good government. The League is giving the maximum support possible to its programs.

The second new League affiliate, Citizens for the Advancement of Public Service (CAPS), is in Massachusetts. It has been and is carrying on a vigorous campaign within the state to strengthen government management and improve civil service. It has already achieved approval from the state for a broad, blue ribbon study and reform of Massachusetts' archaic civil service structure. The League is increasing its assistance to this group.

The third group is in Louisiana. With the assistance of the National Civil Service League, the Louisiana Civil Service League has grown into an effective grassroots organization from a group of civic, business, professional and educational leaders. Twice it has successfully challenged the spoils system in Louisiana and it continues to expand and enhance the merit system principle which the Louisiana and National Civil Service Leagues had previously helped establish.

GUIDANCE MATERIALS

As a clearing house of information and as a generator of research and policies, the National Civil Service League has initiated and maintained its direct assistance to local reform movements. The materials used have provided the communications, coordination and substantive and organizational information necessary for successful and institutionalized local action. Some of these tools are:

1. *Citizens' Guidebook.* The League has prepared a citizens' guidebook to state and local government, *How to Get Better Government, A Citizens' Guidebook to Action,* by H. Eliot Kaplan. The generous support of the Murray Seasongood Good Government Fund and the League's Board of Directors has made this possible. The guidebook, prepared in cooperation with the Public Affairs Council and authored by an outstanding expert on civil service matters, is a citizens' action guide for those who would improve the management of public service in state-local government. The booklet points out those areas of public service which most need citizen attention; gives advice on how to organize citizens' group and conduct campaigns to improve factual information on contributions made by public servants; and includes case histories of citizens' organizations that have effectively advanced good government.

Twenty thousand guidebooks have been distributed to press and media leaders; a select opinion leadership group; state governors, civil service commissioners, national government civic and professional organizations, national health and welfare organizations, professional associations, state education commissioners, schools of public administration, unions, and foundations; mayors and personnel directors of large cities, chambers of commerce, and National Civil Service League friends. The remainder will be distributed by the League in response to requests, to League affiliates, and to citizens groups.

2. *A Model Civil Service Law.* The League published its first Model Civil Service Law shortly after the turn of the century, and revisions were published in 1939, 1946 and, most recently, in 1953. Today, slightly more than half the states and many large local governments have "merit systems." In most cases, the League's work has been of fundamental assistance. But—the rapid growth and increasing complexity of the public service in the last decade make it imperative that the model be revised. The League has begun work to update the model civil service law. The National Municipal League has agreed to join us in preparing the revised code.

3. The Law of Civil Service. To be effective, citizens' groups, practitioners, scholars, legislators and others need to know on top authority what the law of civil service is, how the law has been developed and applied, and how courts and legislatures have dealt with civil service problems. In 1958, The Law of Civil Service, by H. Eliot Kaplan, was published. This definitive work, which was commissioned by the League and financed by the Carnegie Corporation, analyzes civil service law and integrates the administrative and legal aspects of public personnel administration. The author, a lawyer and nationally recognized authority, and his publisher are prepared to revise the book in the light of developments since the first edition. It remains for the League to agree to sponsorship and assist in the securing of financial support.

4. The Management of Government. The increasing complexity of government requires clear-cut policy guides to aid public officials in development of sound personnel policies. Particularly critical areas are the use of preferential devices, such as veterans' preference in hiring and of public employees; the tenure provisions of government service, specially among executives; and the proper role of the central personnel agency. The League is working on policy statements and model civil service provisions on these issues that can be adapted to existing management systems.

There is an equally pressing need to train and develop mid-career public servants. The League is working with the National Institute of Public Affairs on such a project, but its success would be helped by the willingness of citizens to encourage top government management participation in such programs. The League is prepared to join with NIPA as the citizens' catalyst to promote such broader interest through our own grassroots movements.

5. The Prestige of Public Service. In 1964, the National Civil Service League published a statement of goals entitled "A Citizens' Prospectus for Action." The section concerning the prestige of public service read as follows:

"One of the purposes of the National Civil Service League is to encourage and give public recognition to excellence in the public service. To this end the League annually honors ten outstanding people in the Federal government through its Career Service Awards Program. This not only brings appropriate recognition to the deserving men and women in the service, but also adds stature to the League's public activities on behalf of more effective and efficient administration.

"We not only wish to continue this national affair but would like to expand the scope of the Career Service Awards to include state and local jurisdictions as we are successful in developing affiliated organizations."

In 1964, the League—in cooperation with the Dallas Chamber of Commerce, the Dallas & Fort Worth, Texas, Federal Business Associations, and the Southwestern United States region's Federal Executive Board—conducted a major recognition program in Dallas, Texas. A luncheon, attended by nearly 1,000 persons, honored eight career civil servants from a five-state region of the Southwest. This same concept is now being planned and promoted in nine other regions of the United States.

A new League affiliate, the Pennsylvania Civil Service League, conducted a successful recognition program in 1965, in Harrisburg, Pennsylvania. The League's new Massachusetts affiliate, the Citizens to Advance the Public Service, is organizing a similar career service recognition program in New England for 1966. Plans are being discussed for a program of recognition sponsored by the League in Albany, New York. It would be appropriate to conduct similar programs across the nation.

6. Unions and Collective Bargaining in Government. The time has come for an intensive study of public employee unionism in the United States, for clear guides to public policy and for citizen leadership to implement needed policy on this most dynamic development in public administration.

President Kennedy's Task Force report on Federal employee organization found approximately one-third of the Federal Government's employees organized. For years, the Bureau of Labor Statistics has been reporting that the only significant growth of unionism in the United States is in the public employee field. Most of this growth is in state and local governments.

The dearth of knowledge in the face of this explosive growth and the increasing number of strikes and crises that cripple public services require that clear guideposts and policy proposals be developed on the basis of existing facts and probable developments in the near future. There is an urgent necessity to determine the impact of public employee organization and collective bargaining on costs, decision-making processes, productivity, civil service rules and regulations, discipline and tenure in government. It is critically important that citizens and government be provided up-to-date, accurate and objective information on which to base decisions. There is a need for clear and positive recommendations, arrived at impartially to be used as guidelines for citizens action programs and for implementation by both government officials and employee organizations.

The National Civil Service League has already begun work in this area. The New York University Graduate School of Public Administration has proposed a consortium between the school and the League to develop public employee unionism studies, beginning with work on the state and local developments. The League, N.Y.U., and the Federal Bar Association will hold a joint conference on the issue in 1966. Additionally, the University's Labor Institute, in cooperation with the League, has begun a study of federal government collective bargaining contracts promulgated in recent years. Further, the League now is organizing and working on a scholarly survey of the issue to define the scope and substance of the problem and develop a major research project aimed at achieving the definitive studies and citizens' policy guides mentioned above.

CLEARING HOUSE FOR LEADERSHIP, INFORMATION AND COMMUNICATION

The resources of the action clearing house and the guidance material come from the League's core of leadership, information and communication.

1. Better Communication between Citizens and Government. The League has always relied heavily on the printed word to communicate its goals, inform the public and guide public officials. Its regular publication, Good Government, is one of the oldest continuous publications in America—dating from 1881. In 1964, Good Government was recast as a quarterly journal of opinion and ideas designed as a general forum in which a dialogue of concrete action proposals or program criticisms can be constructively offered. It offers business, professional, government, organization and academic leaders an opportunity to speak out in layman terms on critical issues of government management.

The journal thus serves several purposes. First, it is a means for concerned people of reputation to "sound off"; second, it is a vehicle to inform the public on important issues of government management; third, it hopes to stimulate citizen action to improve efficiency in government; fourth, it will broaden the League's strength, base, and support by becoming a spokesman for the League's affiliates.

The League is now launching a major promotion campaign for Good Government in coordination with its affiliates, with the expectation of bringing its circulation to at least 25,000 subscriptions. It should be available to the many hundreds of citizens' organizations, local government improvement groups, municipal leagues, citizens' unions, Leagues of Women Voters, civic federations, et al., who wish to communicate positions, problems, or proposals to their membership and to national audiences.

In opening our journal's pages to these various groups we are in a position to broaden the League's public service role. Since many local groups are under-financed, some are moribund, and others highly specialized, there is little broad exchange of ideas and no national organ in which views, activities and programs can be communicated. The League, in offering local groups space for reports, would develop Good Government as the national citizens publication on public management problems. Participating organizations would be expected to supply the journal to their members at cost.

The League receives literally hundreds of publications from specialized groups from around the world. It also subscribes to almost all journals and "development reports" in the fields of public administration and public personnel. Further, the League's newly established joint library collection and cooperative relationship with the U.S. Civil Service Commission now provides, in one location, the largest and most comprehensive source of information on public administration and government personnel in the world. As the journal becomes self-supporting, the League would utilize these resources more and expand the journal by establishing an information clearing house to publish facts on key developments.

As the journal grows, it is expected that the membership base—and thus the strength and financial support—of the League will grow and aid our goal of organizing citizens on all levels into action groups and thus make the League an even more effective citizens organization for improving government.

2. Leadership and Resource Assistance for a Grassroots Effort. The quality of the League's leadership with its name and history make it an appropriate vehicle to develop strong state and local groups. The League journal provides a forum; its research and study provides issues, policy, and guidance; its special publications provide action tools; and its library and research offer further potential knowledge. The League's success with current affiliates in New York, Pennsylvania, Massachusetts and Louisiana is a base from which to mount new action programs. All of this provides a "leadership package" to improve the public service in state and local governments. In addition, the League offers the leadership of its Board of Directors; its communication and relationships with other groups, the geographical spread of its membership, its tax status, and the experience of its staff.

The members of the Board of Directors of the National Service League are distinguished citizens thoroughly committed to quality in government. Their experience in government, business, the professions and the academic world lends weight to their views. Dedicated to the concept of good government, they are excellent resource people. They attend board meetings; participate personally in and make substantial contributions to writing and preparation of policy and research projects; write for Good Government; assist local affiliates, and otherwise lend their names, time, and knowledge to League activities.

They are geographically diverse and, thus, situated for policy leadership to a variety of local groups, and for liaison with the League.

Their commitment to rekindling the government reform movement on state-local levels is substantial. They have mandated the League staff to seek support for such a purpose. The League's Board members are active in many organizations with whom the League cooperates and to whom we would turn in developing our work on state and local levels.

Another resource of the League for developing grassroots citizens' organizations is its wide relationships, communications and affiliations with numerous state, local and national organizations which concern themselves with issues of government and its administration.

What is to be done: A plan of action

A five-year project is proposed to develop a nationwide, coordinated network of National Civil Service League affiliates and chapters. Each affiliate or chapter should be fully self-supporting within three years. Each would be contributing income to the national League for services and organization of other groups. The following plan assigns the League the role of national headquarters organization to serve as a clearing house for leadership, information and communication and direct organizational assistance to the affiliates and chapters.

During the initial phases of the project, the National Civil Service League would nurture its present affiliates as pilot projects for effective state-local organization.

STAFFING, LEADERSHIP AND MATERIALS

The League would employ three professional staff members and a secretary for a five-year period. Two professional staff members would spend most of their time traveling and working in the field with interested citizens, governments, and groups. They would offer local groups guidance and counsel; testify before and assist governments on request; organize meetings; arrange for speakers; and help local groups plan fund-raising efforts and ongoing programs. An additional professional staff member would work as a program assistant and would be assigned primarily to League Headquarters for support, research and planning. A secretary would perform office and clerical functions for the project. The League's executive director would direct the project and be available as needed for travel and program assistance.

The League's Board of Directors would provide regional and local leadership guidance for developing programs and act in liaison capacities between affiliates or chapters and the national League. They would be asked to serve as speakers at functions and to lend their good names to the organizing of meetings, enlistment of leadership support, and fund-raising efforts. They could be called upon to represent the League and/or its subsidiaries before governmental bodies and government officials. Pending selection of affiliate or chapter representatives who would serve on the National League's governing councils on a regional, state or local basis, current League Board members would be asked to provide leadership in areas where they are located.

Developing grassroots organizations would be provided with the Guidance materials discussed, either free or at cost. Additional funds beyond current resources would be required to provide bulk copies of these materials and to finance the major Good Government subscription promotion campaign discussed.

ORGANIZATIONAL MEETINGS

A first order of business for the new League field staff would be, in cooperation with and under the leadership of Board members, to conduct organizational meetings within geographical areas. These meetings would be for the purpose of stimulating interest and finding leadership support for regional, state, or local groups. From seven to ten such conferences would be organized and League Board members would be asked to host additional special meetings of key leaders they know in major cities and/or state capitals.

PILOT PROJECTS FOR GOOD GOVERNMENT

This proposal has discussed several current projects at the state and local level and has outlined plans for broadening ongoing League programs to help develop our grassroots citizens' organizations. Since this work is breaking new ground, we propose three pilot projects that show high promise of rapid success, great returns, an invaluable experience in promoting organization of strong affiliates and chapters across the country.

The first pilot project would be to financially seed the new League affiliates in Pennsylvania, Massachusetts and Louisiana. All three groups have good programs, leadership, and interest. None is sufficiently financed to take the next major step of broadening its membership and financial base for long-run effectiveness. It is proposed that each group be given an outright grant of $10,000 for a one-year period to develop its membership and programs.

The second project concerns a major effort already planned, programmed and being worked upon by the League's New York Affiliate, the Civil Service Reform Association. After having led in promoting a major Brookings Institution study of New York City personnel problems entitled "Better Personnel for the City of New York." the Reform Association is now leading a broad education and community leadership effort to promote citizen interest in and concern for the many reforms advocated by that study. The Civil Service Reform Association, in cooperation with twenty-six other civic organizations endorsed and aided the city government in its initial steps to implement the study. Together with the League and over forty other organizations, it conducted a major event on the subject that was attended by the Mayor and by James Webb, both of whom called for greater citizen support for implementing the recommendations of the Brookings Institution study.

The Civil Service Reform Association has now received pledges totaling $15,000 and is committing $40,000 to a two-year plan of developing a Citizens Committee for Public Manpower to lead in the reforms needed and to raise sufficient funds for a necessary long-range effort. It is proposed that $5,000 per year for two years be granted to the Reform Association for this effort.

The National Civil Service League's Career Service Awards Program is discussed elsewhere in this paper. It is proposed that a total of $20,000 per year for two years be expended in developing ten regional recognition ceremonies across the United States. Each ceremony would draw on the interest and resources of federal, state, and local governments and groups, as well as business and community leaders. Each ceremony would "feed back" to the region and localities involved by stimulating interest and participation in the general affiliate development program proposed in this paper and by serving as a fund raising event. After conducting two successful recognition programs within a region, it would be expected that future regional events would be self-financing and that further events would be planned within states or metropolitan regions.

An organizational structure

The National Civil Service League plans a four-level structure, designed to give all associated with the movement as realistic involvement at each level as possible. It is also designed to provide for development and implementation of policy vertically as well as horizontally. These levels will be: Members, Area Affiliates, Regional Conferences, and the National League Headquarters.

MEMBERS

There will be three categories of Affiliate Members, Individual, Association and Business Supporters. Members will, in every case, be part of the relevant Area Affiliate and be members of the League. Though Affiliates will establish their own policies on contributions, such contributions will be shared with the League to enable provision of support and service functions by the League. Individual members will be local activists and supporters. Association Members will be comprised of area organizations, citizens groups, governmental agencies, etc.

Business Supporters will be firms and corporations which wish to support the general programs of the Affiliate or the League. All Members shall have full voice in the activities and policies of Affiliates and the League.

AFFILIATES

These will be organized on an area basis. The areas will be within a locality (city, district, county), a metropolitan area, or a state. Affiliates may be organized regionally, if this is deemed more practical.

Each Affiliate will make its own rules, establish its own governing body, organize its appropriate membership base, and develop its own policies and programs. Its organization must conform to the National Civil Service League policies protecting the League's tax status and its programs must not be in conflict with the general goals of the League. Each Affiliate and its members will receive good government at an agreed cost; receive a copy of all League publications and relevant newsletters, and other information; be entitled to such research or fact finding services as the League can provide. The League will at its discretion, make grants and offer staff assitance to Affiliates. It will also, if mutually agreeable, offer continuing staff services to Affiliates on a cost basis if the Affiliate is not able to provide its own facilities or if such service is more practical.

REGIONAL CONFERENCES

Affiliates, where practicable, will be organized in Regional Conferences. These conferences will be informal bodies that will meet periodically as necessary or twice each year. The purpose of Regional Conferences will be to function as clearing houses and for such other purposes as the participating Area groups decide and will be designed to conduct regional recognition programs as outlined elsewhere in this paper.

NATIONAL HEADQUARTERS

The National Civil Service League will be the national headquarters for its members and affiliate organizations. It will perform the services and provide the staff, as discussed above, and will serve as the national spokesman for its members. Thus, with additional resources, the League will provide more coordination, more leadership and more services for grassroots good government reform of the 1960's.

APPROVAL OF FUNDS FOR EDUCATION

Mr. McGEE. Mr. President, for far too long it seemed that the only way in which Congress could obtain the approval of necessary funds for aid to education was somehow to disguise the purpose of such funds as relating to our national defense. Such phrases as "National Defense Education Act" and "impacted area" funds come readily to mind.

For some reason, no one was very anxious to recommend the needed outlays and face up squarely to the hard facts of educational life—namely, that education is a national responsibility rather than a problem confined to State boundaries and borders.

It is gratifying, therefore, to see the Senate meet its responsibilities toward education at this session of Congress by the authorization last Thursday of $6.4 billion in Federal aid to elementary and secondary schools.

As the excellent editorial in today's Washington Post points out, education is the last place where we should practice economy. I join the Post in the suggestion that further delay not be effected in the contemplation of the amount of the funds, but that all concerned bend their efforts toward implementing these allocations in the most useful manner.

Mr. President, I ask unanimous consent that the Washington Post editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in RECORD, as follows:

BONANZA FOR EDUCATION

Twice in the past week the Senate has authorized Federal aid to education in amounts greatly exceeding those approved by the House and dramatically in excess of the President's recommendations. The anomaly is at once startling and melancholy. It is startling because the reverse has customarily been the case; a succession of Presidents have asked for school aid far beyond what Congress was willing to grant. It is melancholy because even the sums authorized fall far below what the schools really need.

Last Thursday the Senate voted to authorize $6.4 billion in Federal aid to elementary and secondary schools during the next two years—some $600 million more than the House is expected to authorize for the same period. Assuming a compromise settlement between the two, the final authorization will be three-quarters of a billion above the President's request. And on Monday the Senate surpassed the House by a billion and a half in approving a program of $4.4 billion of aid to colleges and their students in the form of a Higher Education bill sans any home rule rider for the District of Columbia. The bulk of this money would go for the construction of classrooms, libraries and other academic facilities, and it goes beyond what President Johnson wanted by a cool billion.

Why this sudden avalanche of affluence for education? The answer lies, we like to think, in a recent realization by the country, reflected in Congress, that good schools must be the cornerstone of any Great Society. For 40 years—ever since the First World War—public school systems all over the country have been allowed to fall into decay. Adequate financing lay beyond local means, and Federal aid was frustrated for decades by controversy over the inclusion of parochial schools. When at last Federal aid began to be made available, the accumulated need was so tremendous that Congress seemed to be drooling it out in mere drops.

Health, Education, and Welfare Under Secretary Wilbur Cohen complained last summer, however, that the aid was coming in larger gobs than the schools could usefully absorb. It might result, he said, "in wasted funds, inadequately planned expenditures and projects which would not carry out effectively the purpose of the act."

It is true that appropriations made now, after the commencement of the school year, are hard to incorporate in academic budgets. If they are withheld now, however, the same situation is all too likely to arise again a year hence—late appropriations which the schools are ill-prepared to utilize. One can hardly help thinking, moreover, that the real reason for looking this congressional gift horse in the mouth is to bolster President Johnson's tight budget policy.

We think economy is desirable. But we also think that education is just about the last place to practice it. School sights have to be vastly elevated. New school plants are desperately needed. Additional teachers ought to be recruited—and at salaries that will attract young people of high caliber—just as rapidly as possible. Schools deserve top domestic priority. Congressional recognition of this need ought not to be discouraged. Instead of seeking reasons for rejection, the Administration ought to be seeking means for effective utilization of all the funds that Congress can prudently provide.

UNITED NATIONS MEDIATION IN VIETNAM

Mr. PELL. Mr. President, at this time, when all of us are probing and seeking for some sort of peaceful resolution of the conflict in Vietnam, I believe that the thoughts and plan of former Ambassador Anthony B. Akers should be carefully considered and possibly implemented.

Senators may recall that I placed in the body of the RECORD a short time ago the outline of his proposal. In further connection with his proposal, I ask unanimous consent to have printed in the RECORD a letter written by him to the editor of the New York Times.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

FOR U.N. MEDIATION IN VIETNAM

To the EDITOR:

The Vietnamese conflict now constitutes a continuing threat to international peace. The U.N. cannot remain aloof from such conflict and fulfill the basic promise of the San Francisco Charter, which is . . . "to maintain international peace and security . . . and . . . self-determination of peoples."

Irrefutably the central question at issue, readily admitted by both sides, is the political question of the inherent right of the people of South Vietnam to determine their own fate. But how can the U.N. intercede in Vietnam? The U.N. has no standing army and has abdicated, in part, its own financing responsibilities.

The initial steps would require neither troops nor financing. The following is a proposed schedule:

THREAT TO PEACE

Immediately, through a General Assembly resolution, the U.N. should publish to the world a "Declaration of Mediatory Intercession in Vietnam." Such declaration would cite the "threat to international peace" of the Vietnam conflict and the right of the people of South Vietnam to "self-determination." The declaration further would state that the U.N. is "interceding in a mediatory capacity in the Vietnam conflict for the duration of such conflict, whether or not any of the stated objectives of mediatory intercession initially may be realized."

The basic objectives and proposed procedures of the declaration should then be set forth. Obviously such objectives would be to end the fighting in Vietnam; and to bring about a situation whereunder the people of South Vietnam can achieve "self-determination," either through negotiations between the principals or, failing that, through a secret-ballot election in South Vietnam under U.N. supervision.

But what if North Vietnam and its allies or General Ky's Government and its allies will not agree to a cease-fire or to a U.N. call for negotiations or a U.N. call for an election?

The declaration can be worded in such manner that the prestige of the U.N. will not suffer if there is no response initially or a negative response initially to U.N. proposals.

The declaration would get the U.N.'s "foot in the door" in the Vietnamese conflict as mediator, and all the powers of persuasion can then be used toward achieving a cease-fire, negotiations and/or elections.

STEPS TOWARD SETTLEMENT

The U.N. has a singularly persuasive force, a "world spotlight" which it can keep trained continuously upon the Vietnamese situation. As an "interceding mediator" the U.N. could call for reasonable steps toward settlement. If one principal or the other won't agree to reasonable steps, such fact would become common knowledge immediately. The world spotlight wields a cleansing, clarifying and compelling influence, and must be focused on that darkening region.

The U.N. cannot intercede with success in Vietnam, however, if it should attempt to define "aggression," or to censure or to assess responsibility for the present situation. The U.N. must function strictly as a mediatory framework, to which appeal can be made above the fervor of political passion and military combat.

Ancillary to a Vietnamese settlement, the U.N. should propose the following:

At an appropriate time all external military personnel to be removed outside South Vietnam except U.N. designated personnel;

North and South Vietnam to be invited to join the U.N. as members;

Establishment of a U.N.-sponsored neutrality zone for Southeast Asia; North Vietnam, South Vietnam, Thailand, Laos and Cambodia to be invited to join;

Question of reunification of North and South Vietnam to be postponed for twelve years.

ANTHONY B. AKERS.

JUSTICE AND A DEAD CHILD

Mr. ERVIN. Mr. President, on September 29, 1966, the Washington Star carried an editorial entitled "Justice and a Dead Child," which shows the necessity for the Congress to submit to the States a consitutional amendment which will restore the sound rule of evidence that the voluntary confessions of a self-confessed criminal shall be admissible in evidence against him on his trial.

This amendment is necessary to protect society against criminals in consequence of the rulings of the Supreme Court in the Miranda and Escobedo cases which tilt the scales of justice in favor of criminals and against society and the victims of crime.

I ask unanimous consent that a copy of this editorial and a copy of a proposed constitutional amendment which I introduced on September 30, 1966, be printed at this point in the body of the RECORD.

There being no objection the editorial and proposed constitutional amendment (S.J. Res. 196) were ordered printed as follows:

[From the Washington (D.C.) Star, Sept. 29, 1966]

JUSTICE AND A DEAD CHILD

Five members of the Supreme Court (there were four vigorous dissents) discovered something in the Constitution last summer that had gone undetected for 177 years by all of the distinguished justices who had served on that tribunal. The effect of this discovery, for all practical purposes, was to ban confessions in most criminal cases.

Some people said the ruling was of little consequence. It wouldn't seriously cripple law enforcement, they said. It would merely make police and prosecutors work harder to perfect their cases.

Well, let's see. Last November a Brooklyn mother killed her four-year-old son. She taped his mouth and hands and beat him with a rubber hose and a broom stick. When the police arrived the tape had been removed, but the child was dead. And of course there were no witnesses except for the mother.

She made a confession which was not coerced and which was not repudiated. But she had not been told, as required by the Supreme Court, that she need not make any statement to the police and that she was entitled to have a lawyer sitting beside her when questioned.

As a result, when her case came up in court the judge, having no choice, dismissed the indictment. With that, the mother, described as a neatly-dressed and self-possessed woman, said to the judge: "Thank you, your honor, from all my heart." The judge replied: "Don't thank me, thank the Supreme Court. Don't thank me at all. You killed the child and you ought to go to jail." But this mother won't go to jail. She is free to come and go as she pleases.

This is what passes for justice in this country in 1966. Surely, the men who drafted our Constitution more than a century and a half ago would shudder if they could know what has happened to their handiwork.

S.J. RES. 196

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States within seven years from the date of its submission to the States by the Congress:

"ARTICLE —

"SECTION 1. Except when the Congress establishes a different test in prosecutions for crime against the United States or a district, commonwealth, territory, or possession of the United States, or when a State establishes a different test in prosecutions for crime against it, the sole test of the admissibility of an admission or confession of an accused in a criminal prosecution in any court sitting anywhere in the United States shall be whether or not it was voluntarily made, and the ruling of a trial judge admitting an admission or confession in evidence as voluntarily made shall not be reversed or otherwise disturbed by the Supreme Court or any inferior court ordained and established by the Congress or under its authority if the ruling is supported by competent evidence. The provisions of this amendment shall be applicable to an admission or confession even though it was made by an accused under arrest or in custody during his interrogation by a law enforcement officer prior to the commencement of the criminal prosecution when no counsel representing him was present."

DEPARTMENT OF AGRICULTURE HURTS COTTON FARMERS IN DRYLAND AREAS

Mr. YARBOROUGH. Mr. President, I invite the Senate's attention to an injustice being perpetrated on a large segment of the cotton farmers in my State by bureaucrats in the Department of Agriculture—bureaucrats who are so out of touch with farming that they base their calculations on one type of planting practice while the farmers are using another.

In my State is an area of 31 counties which lies east of Lubbock and north of San Angelo called the Rolling Plains. This area is populated by progressive, dedicated, pioneering farmers. Even though the area is not blessed with as much annual rainfall as my native east Texas or cotton growing States to the east, these farmers are successful cotton farmers. In fact, they grow little else but cotton—some counties having no more than a few hundred acres planted in other crops. Furthermore, they are committed to remaining cotton farmers. Not one of the counties in the area voted to allow the sale or lease of cotton allotments to other counties, as did 72 counties in my State that are phasing out of cotton production.

The secret, Mr. President, of the success thus far enjoyed by these dryland cotton farmers is a planting practice called skip-row planting. They plant two rows, then skip—leave vacant or fallow—a number of rows, then plant two more, and so on. This enables the roots of the cotton to spread under the vacant strips and raw moisture from this additional area. Skip row was developed by the early settlers in this area not to take advantage of some Government allotment but merely to produce consistent crops in this low rainfall region. Today, in 15 to 20 counties all the cotton is planted in this manner, and in 30 or 40 more counties there is significant use of this method.

The historic planting pattern which developed through 1961 was to plant two rows and skip four. From 1962 through 1965, many farmers reduced the number of rows skipped to less than four because it was to their advantage under the cotton program then in effect to do so. Since that time they have returned to the historic plant-two-and-skip-four pattern in order to avoid Department of Agriculture penalties for planting in patterns permitted the previous 4 years. Serious questions could be raised about the justice of these penalties, but that is not my purpose here today.

Mr. President, my purpose is to point out that the Department of Agriculture bureaucrats in calculating the projected yield for 1967 in these skip-row counties have not even looked to see what skip-row pattern the farmers are using. The projected yields, which you know, Mr. President, determine both the farmer's production payments and his diversion payments are being calculated with a 30-percent penalty. This penalty is based on the assumption that skip-row farmers are still using the closer spacing of the 1962–65 period when in fact they are using the historic plant two, skip four pattern.

This is a gross injustice. The Department of Agriculture bureaucrats have encouraged the skip-four pattern and then apparently have not even gone to look and see that that is exactly what the farmer has planted. The farmer plants the officially sanctioned pattern and then is told that this projected yield will not be calculated on the yield per measured acre which he will produce by that pattern but will be calculated by subtracting a 30 percent penalty from what he produced when he used a pattern he no longer uses or intends to use. In monetary terms, this official blindness will cost the skip-row farmers $5 an acre.

I submit, Mr. President, that a fair and equitable projection of yield will factor downward only those acres planted in a pattern of less than four rows skipped in the year for which the projection is made.

I am sure that most of us are familiar with a recent publication entitled "The Farmers' Worst 5 Years." Although we are told that it contains statistical distortions, I cannot help being drawn to its main thesis when I reflect on what is happening to the skip-row farmer. When I see bureaucrats so out of touch with the farmer that they are officially unaware that he has returned to his historic planting pattern, I find a certain appeal in the thesis that the plight of the American farmer is traceable to administration, not legislation.

THE THREATENED STRIKE AT GENERAL ELECTRIC

Mr. FANNIN. Mr. President, all of us are aware that one of the giant manufacturing enterprises of this Nation faces the imminent threat of a paralyzing strike.

Despite continuing efforts by management of the General Electric Co. to bargain collectively with the various unions of its employees in the traditional manner, there is little sign of any progress.

Presidential intervention and Government mediation efforts apparently have not produced any change in the stubborn intransigence of the union negotiators, who have already rejected by their own admission the best offer from the company in history.

Some of the fundamental principles and issues involved in this situation are summed up in excellent fashion by the New York Times in an editorial on October 3. The editorial clearly points out the further inflationary pressure that can be anticipated from this situation. I commend it to the Senate and ask permission to have it printed in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[The New York Times, Oct. 3, 1966]

STRIKE DELAY AT G.E.

President Johnson's intervention in the strike threat at General Electric is undoubtedly the first step in the familiar process of White House pressure to force up wages in disregard of the Administration's now shattered anti-inflation guideposts.

The strike which the President has succeeded in delaying for two weeks was no conventional pay dispute. It was planned by the International Union of Electrical Workers and its allies in an A.F.L.–C.I.O. coalition as the showdown effort in a power struggle that has been sputtering for nearly two decades.

The pivotal issue—transcending the specific conflict over the size of the pay increase, a cost-of-living escalator, an improved arbitration plan and a reduction in area wage differentials—was the union's desire to recapture the initiative at the negotiating table.

The country's biggest electrical manufacturer introduced soon after World War II a bargaining technique in which it seeks, at the outset of negotiations, to put forward an offer that balances the equities of its employes, its stockholders and its customers. It sticks to this offer, with minor modifications, through the full bargaining process even at the cost of a strike.

The unions have never been happy with this "take it or leave it" pattern, but they have been conspicuously unsuccessful up to now in persuading most G.E. workers that they have been shortchanged. Their last big effort—a three-week strike by the electrical union in 1960—resulted in a union rout. Since that time labor has been trying through the National Labor Relations Board and the courts to force G.E. to alter its bargaining approach. This year, with the enthusiastic support of George Meany, a united front of eleven unions with 120,000 members in G.E. plants was formed to win a change through a collective show of strength.

Before the President's intervention G.E. had offered increases in excess of the 3.2 per cent productivity standard that used to have the Administration's imprimatur. The company proposal called for pay raises of 4 per cent in each of the next three years. It also gave union members access to a savings and security plan, under which they could get 3 per cent more each year in matching company payments for employe investments in Government bonds or G.E. stock.

The union coalition, mindful of the 1960 strike debacle, can now expect the aid of the three Cabinet members the President has assigned to the negotiations—Secretaries McNamara, Connor and Wirtz—in convincing G.E. that it ought to give more during the two-week truce. The price of peace, as in the White House-sponsored settlement of the airlines strike, will be a further upthrust of the inflationary spiral.

THE BAIL REFORM ACT

Mr. JORDAN of North Carolina. Mr. President, a few weeks ago the Bail Reform Act of 1966 became effective in every Federal court throughout the country. That measure was one of the most important matters pertaining to the criminal law that the 89th Congress has considered because it removed inequities that have existed in this country since the original Judiciary Act was passed in the First Congress. Much of the credit for this reform is due to my friend and associate, the senior Senator from North Carolina [Mr. Ervin]. Through his leadership in bail reform, the administration of Federal criminal justice has been improved and the States have a model on which to base local reform. It should not be long before bail reform is an accomplished fact in every American jurisdiction, and a man's financial worth is no longer the exclusive consideration governing whether he is to be imprisoned before trial, or released and permitted to prepare his defense and care for his family.

Mr. President, I ask unanimous consent that the following selection of editorials which trace the progress of the Bail Reform Act through the Congress be inserted in the Record at this point: "For the Man Who Can't Put Up Bail," from the Virginian Pilot of August 2, 1964; "Release Without Bail," from the Washington Post of August 9, 1964; "Admirable Bail Bill," from the Washington Post of March 15, 1965; "Bail Reform," from the New York Times of April 2, 1965; "Major Step Toward Bail Reform," from the Winston-Salem Sentinel of September 25, 1965; "Toward Bail Reform," from the Greensboro Daily News of September 27, 1965; "State Reform Too," from the Raleigh, N.C., News and Observer of June 21, 1966; "Ervin's Bail Reform Ideas Set Example for His State," from the Charlotte Observer of June 25, 1966; and "Senators Johnston and Ervin Carried Out Spadework for Bail Reform Bill," from the Independent, Anderson, S.C., of June 26, 1966.

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Virginian Pilot, Aug. 2, 1964]

For the Man Who Can't Put Up Bail—Rights Subcommittee Takes Up Ervin Bills

(By Luther J. Carter)

Washington.—Senator Sam J. Ervin, Jr.'s Constitutional Rights Subcommittee will begin hearings Tuesday on his three proposals on behalf of the man who goes to jail before trial simply because he lacks the money to obtain bail.

The professional bondsman is going to be unhappy indeed if this North Carolina Senator's bills ever become law. Their immediate effect would be to deprive the bondsman of much of his business arising from arrests for Federal offenses. Their long term effect might be to encourage many states to reform the practices regarding bail in cases before their own courts.

First, Ervin would allow an accused person to be admitted to bail on his personal recognizance or formal pledge. He would not go to jail for lack of a bondsman's premium. The Senator does not believe this would lead to an increase in "bail-jumping"; his bill would make bail-jumping a felony carrying a fine of up to $5,000 and up to five years' imprisonment.

Also, the Senator emphasizes that if good cause were shown why an accused should not be released on his own recognizance, then bail on those terms could be denied.

Another Ervin bill would assure that persons convicted of offenses get credit in sentencing for any pretrial detention resulting from lack of bail; his third bill would allow persons admitted to bail to make a cash deposit (of 10 per cent of the bail) with the court rather than have to use a professional bondsman.

BYPASSING THE BONDSMAN

The three measures are intended to remove the keys to the jail from the bondsman's pocket, to paraphrase one Federal judge's remark. A 1958 study of bail in New York City showed that more than one-fourth of the defendants could not raise even $500 bail; when bail was set at $2,000, almost half the defendants found it too much and had to stay in jail.

Without suggesting that all bondsmen, everywhere, are to be looked at askance, it is fair to say that the people most concerned with reforming bail practices regard many of them with disfavor. Senator Ervin has called attention to the recent address by Justice Bernard Botein, of the New York Supreme Court, before the National Conference on Bail and Criminal Justice, held here in May with the Justice Department as a sponsor. Justice Botein said that the usual lofty pronouncements about an accused's right to bail are ringing hollow.

"Pronouncements do not furnish defendants with the cash premiums and substantial, often full collateral demanded by bondsmen," he said. Later, Botein observed that "racketeers and members of the crime syndicates seem to encounter no such difficulties, despite the fact that their incidence of bail-jumping is very high."

A PROFITABLE BUSINESS

As described in an informative article in the April issue of Kiwanis Magazine, bail-bonding is big business, and quite profitable. The usual bonding rate, the country over, is 10 per cent—hence, the bondsman who furnishes a $1,000 bond gets a fee of $100 from the bailee. The bondsman who represents a bonding insurance company keeps $60 of each $100 he receives and sends $40 to the company, half of which is placed in a reserve against forfeitures.

The Ervin bills would have the question of whether a defendant stays in jail during the pre-trial period based on something more relevant to the administration of justice than a bondsman's perhaps legitimate desire for a good profit. Considerable experience indicates that many offenders can be released on personal recognizance without fear that they will jump bail.

In England, those who are released on bail (and, admittedly, many aren't) are freed after agreeing to forfeit a stated sum if they fail to appear in court. Forfeitures are rare. For the past two and a half years, a bail project sponsored by a private foundation has been underway in Manhattan. Justice Botein reported in May that 2,600 defendants had been released without bail bond after a quick but adequate inquiry into their background. He said that only 24 had willfully failed to appear, or, in other words, jumped parole.

"This represents less than 1 per cent—much lower than the ratio of bail-jumping in New York County," Botein said. "Controlled experimentation revealed that judges armed with project reports released four times as many defendants on parole than when they made the bail or jail decisions in the blind."

The jailing of an accused for no better reason than that he lacks the money to make bail imposes upon him multiple hardships. Besides the discomfort, humiliation, and general inconvenience of being in jail, the defendant may lose his job and his family may go on public relief; and he is likely to be handicapped in the preparation of his trial defense.

"Two and one-half times as many parolees were found not guilty than defendants who were in detention from time of arraignment to adjudication," said Justice Botein. "This experience suggests some interesting speculation on the greater effectiveness a defendant at liberty possesses in cooperating toward the preparation of his defense than a defendant confined in prison."

And it raises at least a suspicion that if the defendant comes as a jail-bird before his judge and jury they may be affected by a subtle prejudice against him.

[From the Washington (D.C.) Post, Aug. 9, 1964]

Release Without Bail

Our sympathies run strongly in support of the efforts now under way to lessen reliance on bail bonds to guarantee the appearance of accused persons in court. The bail system is notoriously subject to abuses. In some communities it amounts to a racket, and the underlying idea of allowing a private bondsman to determine whether a suspect may be released (at a price) or must await trial in jail is repulsive to an alert sense of justice.

The experience of the District Bail Project illustrates what could be done on a national scale. Of the 105 suspects released here without bond only two have failed to keep their promises to appear in court. This is an excellent record. It suggests that, with careful screening of the persons so released, the necessity for bail bonds can be greatly reduced.

In our opinion, the release of accused persons without bond should not depend upon whether they are indigent. Such a system would amount to discrimination in favor of the poor. Release on recognizance, as Lawrence Speiser of the American Civil Liberties Union said at the hearing on this subject before the Senate Constitutional Rights Subcommittee, should be the norm for all persons accused of crime—at least for minor offenses. The test should be whether each can reasonably be trusted to appear in court on his own responsibility. If so, why should he be required to pay a fee to a bondsman for his liberty?

Senator ERVIN of North Carolina has rendered a national service by introducing bills designed to reform the bail system in the Federal courts. His bills have widespread support. They are properly being subjected to scrutiny by the Constitutional Rights Subcommittee, and there is room for disagreement on some of the details. But the general aim of extending and systematizing the release of trustworthy suspects is sound, and its application to the Federal courts can make an enormous improvement in our system of justice.

[From the Washington (D.C.) Post, Mar. 15, 1965]

ADMIRABLE BAIL BILL

The omnibus bail bill Sen. SAM J. ERVIN, Jr., has introduced in the Senate deserves speedy consideration. The bill combines facets of three earlier bail bills and contains some thoughtful additions, all intended to update and streamline the archaic bail-bond system.

Constitutional Rights and Federal Bail Procedures, a joint report recently issued by the subcommittees on Constitutional Rights and Improvements in Judicial Machinery, makes a strong case for bail reform. In part the report says, "The Federal bail system, as it operates today, is repugnant to the spirit of the Constitution and in direct conflict with the basic tenets that a person is presumed innocent until proven guilty by a court of law, and that justice should be equal and accessible to all."

Toward this end, the omnibus bill provides: additional methods of releasing accused persons, credit for pre-trial confinement against fines imposed upon sentence, and a means of appeal for persons who contest the conditions of release imposed by the court.

Federal courts would be empowered to release defendants on personal recognizance supervision by a probation officer, daytime release, release in the custody of a third party and provision of a refundable deposit. Advocates of the latter method, which has been successfully tested in Illinois, point out that the defendant who puts up 10 per cent of the established bond in his own money is much less likely to flee than if the money came from a bondsman. Further, it would provide a means of releasing a defendant when a bondsman was unwilling or unable to write a bond for him.

The role of the bondsman is at the heart of the failings of the bail-bond system. In all too many cases a flat bail is set, leaving the bondsman in a position to make the decision that should properly be made by a judge: whether the accused should go free pending trial. For too many years the criterion has been that of the bondsman—money or security. Senator ERVIN's bill makes provision for consideration of good character and community ties, would make it possible for a man to continue work while preparing a defense and, in general, would remove a serious disadvantage the poor and obscure suffer under our system of law.

The effect of these innovations would not, as some contend, send dangerous criminals back onto the streets at an accelerated rate. Rather, by suggesting a wider range of discretion for a court as to methods of release and by questioning the absolute right to bail, Senator ERVIN has pointed the way toward a system of release where character would be substituted for cash as the key to freedom for the accused.

[From the New York Times, Apr. 2, 1965]

BAIL REFORM

The bail system has long operated in both Federal and state courts as a machine to penalize the poor.

Equality before the law disappears when a wealthy defendant is allowed to go free on bail while an impoverished defendant, charged with a comparable crime, has to stay in jail until his trial because he cannot produce enough collateral to satisfy the bondsman.

Another basic principle of justice—that the accused is innocent until proved guilty—is also frequently compromised. Of the 34,000 persons who were accused of Federal violations in 1963, more than 5,000 were dismissed or acquitted, and half of the others were placed on probation or only fined. Yet a sizable number of these individuals spent varying lengths of time in prison awaiting their trials.

Studies by the Vera Foundation and by various legislative inquiries have amply demonstrated that society can place more reliance upon the ordinary defendant's ties to his job, his family or his community to get him to appear for trial than upon his financial capacity to ransom himself. High bail does not deter racketeers and professional criminals, since they are usually able to raise the necessary bond. As we have noted here before, the victims of the present system are the innocent, the indigent and the hapless first offender.

Senator SAM J. ERVIN of North Carolina has introduced an omnibus bail reform bill. It would authorize judges to free persons charged with a Federal offense by any one of a half-dozen different methods, used singly or in combination. If a defendant does spend time in jail before his trial, this time would be deducted from any subsequent sentence he might receive.

As the bail system now works, it too often makes American justice, in Senator ERVIN's words, "a market-place commodity available only to the highest bidder."

[From the Winston-Salem (N.C.) Sentinel, Sept. 25, 1965]

MAJOR STEP TOWARD BAIL REFORM

The approval of Senator ERVIN's bail reform bill strengthens the prospect that this much needed legislation will become law. The House is expected to approve the bill, although action may be delayed until next year.

The bill, which has the backing of Attorney General Katzenbach, would remove the unfair burden now placed on federal court defendants who have little money. The inability to make bond now holds many accused persons in jail and makes it more difficult for them to prepare their defense. The key provision of the Ervin bill is a section directing federal judicial authorities to release an accused person awaiting trial without bail, if, in the opinion of the official, the accused person can be expected to appear voluntarily for trial. The court also has the choice of requiring an "unsecured bond," the assignment of the accused to a probation officer or restriction of travel.

The present federal and state bail requirements work no hardship on an accused person who has money or friends who have means. Unless he is charged with a nonbailable capital offense, a defendant can readily make bond and remain free until his case comes up for trial. But many accused persons without money or influence are forced to spend weeks in jail awaiting trial, even in relatively minor criminal cases, because they are unable to provide bail.

Not only should Congress enact this reform for the federal courts. The states should enact similar reforms for their bail systems.

[From the Greensboro (N.C.) Daily News, Sept. 27, 1965]

TOWARD BAIL REFORM

Sen. SAM ERVIN's bail-reform bill has passed the Senate and moved along to the House. Though final action is not likely before next year, the halfway mark has been reached in securing a monumental improvement in the quality of American justice.

That the bill comes from the pen of Senator ERVIN has surprised more than a few lawyers throughout the nation; they largely identify him as an outspoken, often long-winded, foe of the civil rights movement. But whatever his views in that regard, his service to civil liberties as chairman of the Senate subcommittee on constitutional rights has been distinguished; if the bail-reform bill is enacted, it will be fitting tribute to his labors.

The need for bail reform has long been embarrassingly clear. The practice of requiring the accused to buy their way of out of pretrial custody mocks the nation's historic commitment to equality before the law. Not only that, bail is often set so high as to force the accused to remain in jail, thus punishing them before guilt has been proved. The bail system works in favor of the rich and against the poor—this in a time when our courts and legislators are working to eliminate wealth as a factor in the administration of justice.

Senator ERVIN's bill would go a long way toward eliminating this inequity. Though it would apply only to federal courts, it would set a bold precedent for state and local authorities. Among its provisions are the following:

The discretion of judicial authorities would be the main factor in determining the conditions of an accused person's release, and the alternatives would be broadened greatly. The accused could be released, for instance, on the court's judgment that his pledge to appear for trial would be fulfilled. He could be released on an "unsecured bond"—an amount of money to be paid only if he failed to appear for trial. He might be assigned to a probation officer, or restricted in travel.

The "expeditious" review of bail decisions by courts of appeal would be guaranteed, so as to minimize time in custody.

And time spent in pre-trial custody would be credited toward an accused person's sentence in the event of his conviction.

These reforms are just. The bill is solid, the product of years of careful study by Senator ERVIN and his subcommittee. It should be passed by the House—and its example should be followed by the states.

Senator ERVIN, by his diligence and determination, has helped the continuing effort to modernize American court procedures. It is an achievement of which his North Carolina constituents can be proud.

[From the Raleigh (N.C.) News and Observer, June 21, 1966]

STATE REFORM TOO

State law should quickly follow federal law in bail reform.

If there are glaring inequities in justice in federal courts there are undoubtedly even more cases of such in state courts. Every county in North Carolina could probably come up with cases similar to those cited on Sunday by Attorney General Katzenbach.

In one case the attorney general said that a man unable to post a $300 bond on a traffic charge had been forced to stay in jail for 54 days while awaiting trial on the offense for which the maximum penalty was five days in jail. In another case a man had spent 207 days in jail on a minor offense charge and was then acquitted.

What the new federal law sponsored by Senator ERVIN of North Carolina and recently passed by Congress does is to give authority to judges in certain cases to release accused persons on their own recognizance if he thinks they are trustworthy.

Experience in pilot programs in Washington and New York have proved that accused persons released on their own recognizance are just as likely to appear for trial as those who are under bond.

It should be quite evident that bail requirements do penalize the poor, and often there is punishment without conviction of any crime. It is time for reform in all courts, and not just in federal cases.

[From the Charlotte (N.C.) Observer, June 25, 1966]

ERVIN'S BAIL REFORM IDEAS SET EXAMPLE FOR HIS STATE

With President Johnson and Atty. Gen. Nicholas Katzenbach both bragging on Sen. SAM ERVIN, North Carolina's senior senator must have done something special. Indeed he did in fathering the Bail Reform Act just signed into law by the President.

Sen. ERVIN's legislation goes a long way toward eliminating the inequities in the ancient bail-bond system, but the law cannot go far enough because it is limited to the federal judiciary system. North Carolina should enact similar reforms at the next session of the General Assembly.

Bail has ancient roots in common law, and its continued use testifies to its practicality. By posting bond money, the accused can be released from prison to await trial. The money works to guarantee his appearance in court, because he or his bondsman loses it if he fails to show up. Meanwhile, a person presumed innocent is able to stay out of prison.

ERVIN's Bail Reform Act provides means to correct bail inequitiies for the poor. It enables federal judicial officials to release the accused without bail if they deem him trustworthy.

Community and family ties are weighed in the decision. If the person fails to show up for trial, he is faced with stiff fines and jail penalties under the new law.

Under current bail procedures, poor people often languish in jail because they are unable to raise the money themselves or attract it from a bondsman. The bondsman is in the business of putting up money for accused lawbreakers on a fee basis, but he may well turn down a poor man because of questionable credit or other considerations of risk.

In such cases, our jails take on the characteristics of debtors' prisons.

A study published by the Institute of Government, for example, shows that at any given time the bulk of persons confined in the state's county jails are awaiting trial.

Not only are the poor disadvantaged by this system, but it also lends itself to abuses and questionable practices. For example, desk officers often set the bonds. As the Supreme Court has indicated this is a function that should be in the hands of an impartial judicial officer.

The amounts of bond are often set arbitrarily by custom. This practice is questionable because the bondsman has a stake in higher bond rates. His earnings can increase proportionately to any increase in them.

Last year a special committee of the Mecklenburg Bar Association studied the local bail system with an eye toward reforms and possible statewide legislation. Unfortunately, that committee never reported its findings. The bar association's new leadership should see that this work is carried on to completion, and further studies on a statewide basis ought to be made by the Institute of Government.

North Carolina has reason to be proud of Sen. ERVIN's work on this legislation. The best way the state can show its pride would be to follow its senior senator's good example and enact similar reforms.

[From the Anderson (S.C.) Independent, June 26, 1966]

SENATORS JOHNSTON AND ERVIN CARRIED OUT SPADEWORK FOR BAIL REFORM BILL

What's bail for? To punish the accused? Obviously not. Under the American system of jurisprudence, as under the British system, its ancestor, no person is supposed to be punished until he is found guilty by due process of law.

But in practice bail does punish—the innocent as well as those later found to be guilty—and its punishment is heaviest on the poor.

As an Andersonian, the late Sen. Olin D. Johnston of South Carolina, and North Carolina Democratic Sen. SAM J. ERVIN pointed out in a joint report unanimously agreed to by members of their respective Senate Judiciary subcommittee a year and a half ago:

"Relying primarily upon financial inducements to insure the presence of the accused at the trial, rather than the character or the community ties of the accused, federal bail procedures inevitably disadvantage persons of limited means . . . The accused cannot locate witnesses or consult his lawyer in the privacy of his law office; the accused often loses his job and is unable to support his family. Worse yet, if found not guilty, the accused and his family have been made to suffer the public stigma of incarceration."

Now, following up the long spadework of Sens. Johnston and ERVIN and other Judiciary Committee members determined to enforce the spirit of the U.S. Constitution, Congress has passed—by a 319 to 14 vote in the House and by a voice vote in the Senate—a Johnson administration-backed bill to revise existing bail practices in federal courts and it has been signed into law by President Johnson.

The bill, which was backed also by the American Bar Association and the Judicial Conference of the United States and opposed only by professional bondsmen, will provide that a person accused of a non-capital offense shall be released on his personal recognizance or upon giving an unsecured appearance bond unless good cause is shown that his release under the circumstances would not assure his later appearance in court.

Will this mean that hordes of accused persons will never show up for their trials? Quite the contrary. Experiments in several localities, including Washington and New York, have shown that when courts exercise sound judgment bail is not necessary at all.

The Manhattan Bail Project, conducted by the Vera Foundation, actually produced a better record of court appearances by persons released on their own recognizance than by those for whom bail had been required.

The Bail Reform Act provides safeguards a-plenty. Its main thrust, as Senator ERVIN declared, will be to take the keys of the jailhouse away from the bondsman and put them in the hands of the judge, where they rightfully belong.

"Judge" ERVIN and the late Senator Johnston are both, in particular, to be commended for their conscientious work in behalf of equal justice before the law and the presumption of innocence that is at the law's foundation.

[From the Greensboro (N.C.) Daily News, Oct. 3, 1966]

JUDGE HAWORTH'S BOND POLICY

High Point's Municipal Court Judge Byron Haworth is largely following the guidelines laid down in Sen. SAM ERVIN's measure for dealing with bonds and bondsmen in the federal courts, by extending them into an inferior court where they may be even more needed than in the federal system.

Several flagrant instances have recently cropped up over the state of defendants being held in jail indefinitely because of inability to make bond—sometimes small and in consequence of trivial charges. Recourse to *habeas corpus* proceedings has been bringing increased relief.

The basic unfairness and inequity of the prevailing practice were cited by Judge Haworth in announcing his court's new policy of allowing persons charged with misdemeanors and some felonies to be released, under stipulated conditions, without posting bond. Posting bond has been a relatively expensive procedure and has obviously operated against the poor. This discrimination is compounded when the size of bond for the same offense varies substantially in many of the inferior courts.

The High Point jurist makes out a strong case for his new policy: The old bail-bond system "discriminates between rich and poor and results in a denial of the equal protection of the law.

"The Eighth Amendment to the federal constitution provides that 'excessive bail shall not be required.' Under a bail-bond system which conditions release on payment of money, a poor person is put to a great disadvantage. To a person who has no money, any bond is excessive.

"It's a travesty of justice to make a person pay a bondsman $25 or $50 or make him serve a sentence or pay a fine before we ever convict him."

Our hope is that other courts will follow Senator ERVIN's admonition and Judge Haworth's example. For profesisonal bondsmen who are crying about what the judge's policy will do to their business and the loss it will cause for the school fund to which forfeited bonds go, we have deepest sympathy—of the sort that produces huge crocodile tears.

Oh, yes, Judge Haworth's new policy has teeth in it. The court does not expect many defendants to break their word and fail to show up for trial: "We are going to be pretty tough on the ones who disappoint us, who don't show up. I don't want a few to mess it up for the majority."

That warning ought to be sufficient, especially if Judge Haworth has to make an example or two.

SUCCESS OF THE MIGRANT HEALTH ACT IN NEW JERSEY

Mr. WILLIAMS of New Jersey. Mr. President, the success of the Migrant Health Act in upgrading and improving the health of our Nation's migratory farmworkers and their families has received national recognition.

The Camden Courier Post, a widely respected newspaper, published in New Jersey, last week carried an interesting and informative article which demonstrates the success of this program. In New Jersey during the 1966 harvest season 3,000 members of migrant worker families received health care services from projects established under the Migrant Health Act and administered by the New Jersey State Health Department.

The number of clinics serving migrant farmworkers and their families increased from 30 last year to nearly 60 during the 1966 harvest season. In addition, 650 patients were given medical examinations, laboratory tests and dental inspections—five times the number reached in 1965.

Both the State of New Jersey and the Department of Health, Education, and Welfare should be commended for their outstanding accomplishment in bettering the lives of the most neglected segment of American society. This outstanding success more than justifies the increased appropriation for fiscal 1967 contained in the Health, Education, and Welfare appropriation bill as passed by both the House and Senate, which will enable even larger numbers of migrant workers and their families to receive improved medical attention next year.

I now ask unanimous consent that the full text of the article contained in the Camden Courier Post be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Three Thousand Migrants Get New Jersey Health Aid

Trenton.—An estimated 3,000 members of migrant worker families received clinical, hospital, nursing and social casework services in New Jersey's farm counties this past summer, the state Health Department reported Wednesday.

An estimated 21,000 migrant workers were employed in the Garden State during the 1966 growing season.

Thomas Gilbert, coordinator of the department's Migrant Health Program, said the number of scheduled clinics organized to serve migrants and their families was increased from about 30 last year to nearly 60 this season.

Gilbert said clinics on farms convenient to migrant camps recorded 1,000 patients, and Salem, Monmouth, Burlington and Cumberland Counties conducted family health clinics in hospitals and health centers.

Thorough medical exams, laboratory tests and dental inspection were given 650 patients, he said. "This is more than five times the number reached in 1965 by this new program which searches out chronic illness as well as communicable diseases," Gilbert added.

During the same period, Gilbert said, field nurses recorded visits to migrant camps to render health services to 1,500 individuals.

By arrangement between the migrant health program and member hospitals of the New Jersey Hospital Association, more than 200 migrants received in-patient services through Sept. 15, Gilbert said.

WORLD FOOD SITUATION WORSENS

Mr. McGOVERN. Mr. President, the World Food and Agriculture Organization issued its annual report today. It is a cry of alarm over the worsening world food situation.

World population last year grew by 70 million—equal to one-third of total U.S. population—but food production did not increase.

The amount of food available per capita declined in a world in which half of the people do not even now have proper nourishment.

Widespread drought conditions resulted in a decline in production of 4 to 5 percent in Asia, Africa, and Latin America, areas where population is outracing food supplies. Only a rise in production in North America kept world food output from showing a decline.

As the director general of the world food agency, the Honorable B. R. Sen, says in the report, this is not a poor harvest "in the midst of plenty." Few nations in the world have reserves as does the United States. It is a deficit added to a deficit.

For the past several years, in spite of gradual stimulation of production in the less developed nations of the world, food output has grown only about 1 percent a year, while population has grown about twice as fast.

I ask unanimous consent, Mr. President, to put in the Record the World Food and Agriculture Organization release on its annual report dealing with the world food situation.

There being no objection, the release was ordered to be printed in the Record, as follows:

World Food Production Stands Still—Population Keeps Growing

Rome, October 13.—World food production failed to rise in 1965–66, but population increased by about 70 million persons.

Because of widespread drought, the Food and Agriculture Organization of the United Nations says today in its annual report, last year's food output was no larger than in 1964–65, with the result that per-person production of food fell by about two percent.

Those poor harvests came, the report says, "not in the midst of plenty", but after several years of a neck-and-neck race between food and population.

Per-capita food production, according to preliminary estimates contained in "The State of Food and Agriculture, 1966,"[1] dropped by four to five percent in the developing regions of Africa, Latin America and the Far East (except for Mainland China, where official statistics were lacking but where food-gain production was believed to have declined slightly).

These estimates, the report says, indicate that per-person food production in developing regions had dropped back to the 1957–58 level, the same as the "inadequate" level before the Second World War.

"Any remaining complacency about the food and agriculture situation must surely have been dispelled by the events of the past year," writes Dr. B. R. Sen, FAO Director-General, in a foreword to the report. "But for good harvests in North America, world production would almost certainly have declined. In fact, in each of the developing regions except the Near East, food production is estimated to have fallen by two percent in total and four to five percent on a per-caput basis."

And even in the Near East, where in contrast to the other developing regions production per person was higher than before the war, "it has recently fallen below earlier peak levels."

Food production rose by some four percent in North America, and by less than one percent in western Europe. It fell slightly in eastern Europe and the Union of Soviet Socialist Republics, and by six percent in Oceania.

"Because agriculture depends so much on the weather," Dr. Sen writes, "there is always the danger of a setback like this. But the poor harvests of 1965/66 are all the more serious since they come, not in the midst of plenty, but after a long period in which production has only barely kept up with the rapidly-mounting population."

"When many millions of people are already inadequately nourished, there is little if any margin against the effects of a bad season."

Until recently, the large stocks of grain accumulated since the early 1950s—mainly in North America—had provided a cushion against emergencies. Large-scale shipments of these stocks "made it possible to avert disaster in India and other drought-stricken areas in 1965/66."

But these shipments, along with recent import needs of Mainland China and the U.S.S.R. and the greater success of United States policies in limiting production, "have reduced North American grain stocks to their lowest level in well over a decade."

"Thus," writes Dr. Sen, "the world food situation is now more precarious than at any time since the period of acute shortage immediately after the Second World War. Because of the depletion of the stocks, the world has become much more dependent on current production and hence on weather conditions."

"It is therefore with some anxiety that we await the outcome of the 1966/67 harvests."

The report itself is cautious about prospects for this year's crop. It was not yet possible, on the basis of data available up to 15 July, to assess the extent to which production might recover. Excess rainfall had reduced winter wheat plantings in Europe and the U.S.S.R., and the U.S. wheat production was expected to be down seven percent from last year's crop. Drought had hit wheat crops in India and Pakistan, and widespread drought was reported in Mainland China. Shortage of rain was expected to reduce wheat production in northwestern Africa and a number of Near Eastern countries.

But, warns the report, early information, especially from developing countries, tends to stress droughts and disasters, and it is only later that reports on average or good harvests come in.

SPECIAL CHAPTERS

The 1966 reports reverts, after last year's review of the preceding decade, to its usual pattern of reviewing the current situation for production, stocks and consumption of and trade in agricultural products, the state of farm prices and incomes, consumer prices, and changes in agricultural policies and development plans. It is illustrated with graphs and tables on a wide variety of subjects.

In addition, it contains two special chapters of longer-term interest, one on rice in the world food economy (1966 is International Rice Year), and one on the relationship between the agricultural and industrial sectors of national economies, in particular those industries using agricultural, fishery and forest products as raw materials.

FOOD AID AND FOOD PRODUCTION

The stagnation in food production and the sharp reduction of stocks, the report says, "give greater urgency to the rethinking already under way about the role of food aid and its provision on a surer basis than that of chance surpluses." The U.S. had already taken steps to return some unused farmland to production, and the proposed Food for Freedom Act would make U.S. food aid independent of surpluses as well as conditional upon measures by recipient countries to improve their own production.

"It has always been emphasized by FAO," Dr. Sen writes, "that, invaluable as food aid may be . . . in the long run greater production in the developing countries themselves is essential for any lasting improvement in their food situation."

The Indicative World Plan for agricultural development, now being drawn up by FAO, would provide a clearer idea of the contribution needed from agriculture for sound national growth, and make it easier to assess the amount and type of aid needed by the developing countries. The UN/FAO World Food Program was providing increasing amounts of direct food aid. And, through a co-operative program set up with the International Bank for Reconstruction and Development, FAO was becoming more directly concerned with obtaining financial aid for agricultural improvement. Dr. Sen writes that he now is proposing a Food Production Resources Program which, under the Freedom-from-Hunger Campaign, would make available fertilizers and other production necessities to developing countries. At the same time, FAO's work of technical assistance was constantly increasing, both under its own regular programs and through work carried out for the U.N. Development Program.

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[1] "The State of Food and Agriculture, 1966", English, French and Spanish, price US$5.50.

"The urgent need for all these different forms of aid is amply demonstrated by the latest developments in the world food and agriculture situation," he writes.

FALL IN FOOD GRAINS

The most serious development in 1965/66, the report says, was an estimated drop of more than two percent in total grain production, which makes up about one-third of all agricultural production. World production (excluding Mainland China) of wheat barley, rice, sugar, apples, groundnut, cocoa and tobacco fell by between four and eight percent. A number of fibers experienced smaller drops. For most other agricultural products there was a small rise, and for olive oil, soybeans and coffee increases ranged from 15 to almost 50 percent.

World fish production (again excluding Mainland China), increased by almost four percent in calendar 1965. Catches continued to expand in Japan, the U.S.S.R., the U.S.A. and most other major fishing countries. But the increase in Peru's production was relatively small after some years of dramatic upsurge, and in Chile there was a drastic drop.

Removals of roundwood rose by about one percent in 1965, with the main increase in North America. Fellings in Europe, the U.S.S.R. and Japan were about the same as in 1964. In several West African countries removals of hardwood logs for export declined. There was a small increase in sawnwood production, and the output of wood-based panels continued to expand rapidly. Production of woodpulp was up by about five percent, and the output of paper and paperboard continued to rise, but more slowly than in 1964.

MAJOR TRENDS NOTED

The report deals with developments in a variety of areas of the world agricultural economy. Among them:

Stocks: While the combined grain stocks of major exporters "are no longer considered excessive in relation to requirements," and in fact had reached their lowest level in a decade, stocks of a number of other commodities, including coffee, cotton and sugar rose.

Demand: The growth of the world economy as a whole appeared to have slowed down slightly in 1965, and the expansion in total world trade was well below the unusually large increase in 1964. There was little indication, however, of the effect of this economic trend, or of the continued economic boom in the U.S., on the overall demand for agricultural products.

Consumption: The effect of the poor harvests on food supplies and consumption was at least partly mitigated by greater imports and lower exports and by drawing on stockpiles. It was still too early to say how far this made it possible to maintain levels of food consumption. Despite fears of an extremely serious famine situation in India, it had proved possible to avoid mass starvation, largely through concessional grain supplies from the U.S.

Trade: The value of world trade in agricultural, fishery and forest products declined slightly, after a steep rise in 1964. This was the result of a more or less stable volume of trade and a slight fall in average prices. The buying power of these goods was further lowered, since there was a two-percent increase in the average value of manufactured goods which are bought by the agricultural exporters. The total volume of fishery trade appeared to have fallen slightly, for the first time in a decade. Imports of forest products, which had expanded steeply for many years, grow only moderately.

Prices: World prices of most food and foodstuffs rose in 1965, but those for a number of important products, including sugar and wheat, were much lower; the average price level fell by one percent. The export unit value of coffee was slightly higher, but cocoa exports were down by one-fifth and tobacco prices were lower. Average prices for agricultural raw materials fell by six percent, reflecting lower. Average prices for agricultural raw materials fell by six percent, reflecting lower prices for wool, sisal and rubber. Fishery prices averaged nine percent higher than in 1964. Average value of forest products was higher than in 1964, but the upward movement started in 1963 was halted.

Farm prices and incomes: In almost all countries providing data—most of them developed—prices to farmers rose in 1965. There were moderate increases for grains, and larger ones for livestock and horticultural produce. Prices paid by the farmer for his production requisites also rose, but the ratio between prices received and prices paid was if anything slightly in his favor. On the other hand, smaller crops in many countries meant that the increase in receipts failed to offset the increased farm expenses.

Consumer prices: Retail food prices continued to rise in almost all countries, and in the case of many European countries and Australia it rose faster in 1965. In almost one-half the countries for which data were available food prices rose faster than did the overall cost-of-living index; the increase in food prices appeared to have led the way.

Mr. McGOVERN. Mr. President, this FAO report underlines the necessity of enacting the food-for-peace bill now deadlocked in conference as a consequence of admittedly political considerations.

The House of Representatives is insisting on a provision in the bill that would deny the President the right to use his best judgment, when the national interest is involved, on food sales to nations which sell a little nonstrategic goods to Cuba.

The amendment would force India to give up a sale to Cuba of about $600,000 worth of jute for sugar sacks.

The consequence of the amendment, as I said on the floor Tuesday, could be the downfall of Mrs. Indira Gandhi's government, friendly to the United States, and the emergence of a leftist anti-American government in that key Asian nation. Mrs. Gandhi's margin in the Indian Parliament is a narrow one. She is under attack for being overly subservient to the United States. If her government terminates the jute sales to get our food assistance it would be cited as proof of her subservience to the United States and it could very well cost her the votes necessary for her government to sustain itself. If she refuses to cut off the jute sales, and loses our food aid at this critical time, the ensuing starvation in India could certainly upset her government and deliver India into the hands of those hostile to the United States.

Under the guise of anticommunism, some of our associates are tailoring a strategy which can cause the worst defeat the free world has experienced in our generation.

LLEWELLYN E. THOMPSON, AMBASSADOR TO THE SOVIET UNION

Mr. PELL. Mr. President, I am indeed glad that the nomination of Llewellyn E. Thompson has been confirmed as our Ambassador to the Soviet Union.

I have known, admired, and, yes, worked for Ambassador Thompson for various periods over the last 20 years. I have seen the job he has done both in our Embassy in Vienna and in Moscow and here in the Department of State. I believe that our country is particularly fortunate in that President Johnson was able to persuade Ambassador Thompson to take on this task.

His very lovely and attractive wife, Jane, will also be a great help to him in carrying on our Nation's business in Moscow.

THE "MILITARY-INDUSTRIAL COMPLEX"

Mr. HARTKE. Mr. President, Edward P. Morgan in his daily broadcasts can always be counted on not only for a good presentation of the news but also for an often provocative and stimulating commentary, always couched in striking prose.

Recently Mr. Morgan made a visit to Vietnam and the Far East. One of his commentaries, given from Tokyo on his way home, was a thoughtful consideration of the tremendous extent of our involvement in southeast Asia and its impact on our economy. I ask unanimous consent that his commentary be printed in the Congressional Record.

There being no objection, the commentary was ordered to be printed in the Record, as follows:

Tokyo, September 22, 1966.—During an excellent and outrageously expensive breakfast of Japanese melon, fresh salmon and scrambled eggs in my Tokyo hotel this morning, I happened to catch a newscast over the U.S. Armed Forces Radio Service. It was followed by an analysis of American Foreign policy dutifully, if not mellifluously, read by an Army sergeant. "This news analysis," the announcer said, "was prepared in Washington." That label caught my attention.

The analysis was accurate enough, a somewhat colorless defense of U.S. international positions, but it was prepared in Washington by whom? How many bureaucratic baskets on how many desks had it had to pass through before its text was approved for broadcast?

As I pondered these questions, a vague concern that has been nagging me through this whole Asian journey suddenly came more sharply into forcus. Perhaps I can best articulate it by posing another question. What is this enormous extension of our commitments in men, money and materials around the globe to support and implement U.S. policy doing to us as a people and as a nation?

Well, for one thing, what it is doing to us under the combined military and diplomatic auspices of government by which these commitments are maintained and strengthened is to enlarge and fortify a phenomenon which President Eisenhower warned in his memorable farewell address way back in January, 1961, could become a kind of Frankenstein monster. We now spend more for defense than virtually any other country in the world, with the possible exception of the Soviet Union and Communist China, spends for everything including defense. The Pentagon's bills today account for substantially more than half our $100 billion plus federal budget.

What worried General Eisenhower was that in the expenditure of these staggering sums we might be unwittingly building up what he called a "military-industrial complex" which would wind up, in effect, controlling the country. We haven't reached that point yet. The Defense Department and the huge defense industry corporations who are flourishing on their contracts are not calling the shots yet. But the weight of their influence is enormous. And the worst of it is that as far as the public is concerned, and in large degree as far as the Congress is concerned, too, their influence is almost invisible. Perhaps it would be more accurate to say unnoticed because it has become an accepted way of doing things. Certainly the military establishments we have built in the past in Europe and are now building or expanding in Asia are too big to be invisible.

Not to mention the Thai Harbor facilities and road complexes which will cost a pretty penny on their own when finished, the American taxpayer, without any knowledge of the transaction, is investing $800 million, call it a cool billion the way things are going, on the construction of two vast military air bases in Thailand, one near a hitherto unknown town called Udon. Now these establishments may turn out to be worth the price. For months U.S. air force planes have been flying combat and rescue missions from Thailand in support of our forces in Vietnam. But the point is nobody knows the extent of these commitments or where they will lead. Diplomatically they don't exist to save the government of Thailand embarrassment. But a billion dollars is a fair sized item even on an American expense account, and yet it is doubtful that more than a handful of key defense committee members in Congress know in any detail how and how wisely this money is being spent.

The U.S. price tag on the war in Vietnam is now pressing two billion dollars a month. Even the best Certified Public Accountant in town has difficulty grasping what such amounts mean. In Vietnam these funds involve, among other things, a great amount of construction most of which is being handled in Pentagon-approved contracts by two huge combines of American companies. This understandably is an emergency, a war-time situation. Waste is inevitable under such conditions. The men involved in making and executing the decisons in government and in industry are on the whole fine, principled, well-meaning men, some of them extraordinary and utterly dedicated men. But when the time comes to de-escalate, for instance, how much unconscious resistance will there be from the military-industrial complex with a vested interest in the American build-up.

We operate under the representative form of government and we can't hold a popular referendum every time the Marines want a new airstrip in the jungle or every time the Quartermaster wants to order hair nets for the PX. But both the Congess and the people need to be made more aware than they are aware now, of the extent of our governmentally-controlled investment and commitment in Asia. I concede it may pay off. Our position of strength in Asia looks pretty good at the moment. But naturally the military-industrial-diplomatic complex that built it wants it to look good, wants the rest of us to believe it is sound.

That's what the sergeant was saying over the Armed Forces Network this morning in that "analysis prepared in Washington." But the American system was not conceived to be of the government, by the government and for the government and no matter how wise and well-intentioned our elected and appointed representatives are, they need, every so often, to be reminded of that by a questioning public.

This is Edward P. Morgan saying good night from Tokyo.

SIGNS OF THAW IN COLD-WAR RELATIONS WITH SOVIET UNION

Mr. McGEE. Mr. President, all too often, many of us who have engaged in debate and discussion over U.S. policies in Vietnam and southeast Asia have failed to view the results of our foreign policy in overall and long-range terms.

Too often, the facts of the moment command more attention than the facts in sum.

In an excellent article in today's Washington Post, distinguished columnist William S. White has done a great deal to correct this imbalance of perspective by pointing out one of the major blessings we have been able to secure by our firm position in southeast Asia—namely, signs of an encouraging thaw in our cold war relations with the Soviet Union.

As Mr. White so correctly points out, the present warming of United States-Soviet relations ironically stems from our standing firm against Communist expansion in Vietnam. As a further irony, Mr. White observes that the very voices that have been calling for a "more flexible" attitude toward Russia are the very ones that would have had us abandon our commitment against the Communist aggression in Asia.

Mr. President, I ask unanimous consent that this excellent article be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Oct. 13, 1966]

Warm Wind From Moscow—Easing of Cold War Possible

(By William S. White)

A new and somewhat warmer wind is blowing in American-Russian affairs. It is possible now without foolish optimism to discern some small but perhaps significant cracks in the vast icecap of the Cold War.

President Johnson's concrete offers to the Soviet Union for a fundamental easing of tensions in Europe—perhaps eventually even some mutually agreed upon reductions in American and Russian troop forces—have opened at least a tiny crevice of a possibility for other accommodations.

It is, of course, by no means a crevasse in the iceberg. All the same it is a beginning, if only a hesitant and shaky one.

One illustration is the President's recent quite businesslike and low-keyed conversations here with Soviet Foreign Minister Andrei A. Gromyko. They talked about many things, including the possibility of some American-Russian cooperation in the long-stalled project of these two nuclear giants to halt the worldwide spread of nuclear weapons.

Winston Churchill once said in another connection of a grave matter that one should "think of it always but speak of it never." The phrase about describes the Johnson administration's current attitude toward the possibility of a genuine easement in the long struggle with Moscow. Everything touching the thing is being carefully played down at the White House and in the State Department because, of course, so many seemingly hopeful gestures toward the Soviet Union before this have ended in disillusionment brought about by a sudden hardening of the Soviet line.

Given all these caveats, however, the plain fact is that there is now at least some movement toward a lowering of the heat between Washington and Moscow.

The collateral and ironic fact, moreover, is that if there is truly any hope now for the eventual liquidation of the Cold War it rises precisely out of the steadfast firmness of the American position in Vietnam. Though the Russians are compelled for ideological reasons to talk a good deal about their support of the North Vietnamese invaders of South Vietnam, and indeed do give some actual support, they are not much happier in fact about this aggression than is the United States.

For the assault on South Vietnam is primarily an adventure at second-hand of the Chinese Communists—and it is these same Chinese Communists who are locked in a savage worldwide struggle with the Russians for primacy in the international Communist movement.

The invasion of South Vietnam is more than a design to spread China's imperialist form of communism; it also involves a mortal repudiation of the Russian policy for a co-existence with the West short of military confrontation.

Had the United States ever followed the counsel of its pacifist-isolationist wing and withdrawn its military support from South Vietnam the immediate victim would have been South Vietnam but the ultimate victim in world communism would have been the Soviet Union itself.

President Johnson and Secretary of State Dean Rusk have always understood this, just as they have always understood that our bedrock reason for being in South Vietnam was to make certain that the Chinese ideology—an idealogy demanding wide war and death—should never prevail.

Most ironical of all is that the "peace" shouters here who have so long sought to force abandonment of the American commitment to South Vietnam are the very same people who for years have been demanding of each successive Administration a "more flexible" attitude toward the Soviet Union and "more imaginative" proposals to the Russians to ease the Cold War, have run totally against the interest for easing the Cold War they have so long proclaimed.

From the moment he took office President Johnson has known that his greatest difficulty and his greatest opportunity lay not in Vietnam, as such, but rather in the infinitely greater issues of the Cold War itself. So the heart of the effort has been, first, to show that the Chinese philosophy of open aggression simply would not be permitted by us to work and, second, that if the Russions did continue to shun the more violent Chinese line and behave with some responsibility toward the world they need not consider the United States an enemy forever.

ANTIPOVERTY PROGRAM ASSISTS INDIANS

Mr. McGOVERN. Mr. President, some critics have charged that the war on poverty is not helping the poor.

I find no basis for such criticism in my State, South Dakota. Antipoverty programs have been particularly effective on our Indian reservations. Many of our impoverished Indians now live with a new hope for the future.

Mr. Ernest Bordeaux, Jr., a South Dakota Indian employed by the Office of Economic Opportunity on the Rosebud Reservation recently wrote a fine letter to the editor of the Rosebud Sioux Herald explaining the importance of the war on poverty to the Indian people. I ask unanimous consent that this excellent letter may be printed at this point in the Record.

There being no objection, the letter was ordered to be printed in the Record, as follows:

[From the Rosebud (S. Dak.) Sioux Herald, Sept. 12, 1966]

A Poor Man Speaks

A letter to the editor from an OEO employee sharply counteracts those who charge the program is not helping the poor. It speaks for itself:

"I was born in Pine Ridge Reservation and raised in Rosebud Reservation. In our family there were many of us.

"Since my father and mother had no education, we were very poor. My father used to work for farmers and ranchers. But he never made enough, and his jobs were not steady. I actually lived the poverty-stricken life and experienced this life for many years. Thank the Almighty God the ones that never experienced this life.

"No organization or agency ever reached us. The only thing that I remember we used to get was 'relief' but I can't tell you where that came from.

"I have learned that there were some agencies existing in those days for the Indians. But somehow they never reached us.

"A poor man is not an important man, and usually a forgotten man. Since he has no pull, nothing to offer, and his education is too limited, the higher class people ignore him. When he goes to an office to do his business, he is the one that usually waits the longest.

"Sometimes the so-called higher people make fun of us (and it hurts me so). I swallow the dry lump in my throat and try to forget.

"Do not think that I'm exaggerating. What I put on paper is true. I may be wrong and if I am, forgive me.

"The agencies that are helping us poor people at this time are irrigating our problems, because we do not know how to make use of the help that we receive from them.

"Example: well-to-do families teach their children how to save, how to spend, so when they grow up they have no problem.

"But us poor people cannot teach our children how to save and how to spend, because we never have enough money to make ends meet.

"When we grow up and get lots of money sometimes we spend the whole works the same day.

"Now I will sincerely say this: I thank the Almighty God for the O.E.O. program. I may be wrong, but I think this is the only program that has reached the poorest of the poor ever since the white people took over our country.

"I think this program should stay here permanently because we need it and need it badly. Through this program I have learned and experienced many things.

"It made me love my people and want to help them as far as I am able. This program teaches me that education is very important.

"Too bad that my forefathers never lived to see this day and taste the goodness of this program."

(Signed) Ernest Bordeaux, Jr.

THE SITUATION IN VIETNAM

Mr. MUSKIE. Mr. President, the subject of Vietnam and our policy relative to it preoccupies us all—citizens and policymakers alike—in these troubled, restless days.

Many, who are in basic agreement as to what our objectives should be, find themselves divided as to the most effective means to achieve them.

While valuing the right of dissent, and the contribution it can make to public understanding as well as to sounder policymaking, we are all concerned, I am sure, that it also, at times, generates emotionalism, confusion, and misunderstanding.

It is always refreshing, therefore, to read or to hear rational and objective analyses of the Vietnam problem. One such discussion has just come to my attention—a clear-eyed and responsible speech by State Senator Elmer Violette of Van Buren, Maine.

Senator Violette is an old friend with whom I was privileged to serve in the Maine House of Representatives in my freshman term in 1947.

He is a highly respected citizen and practicing attorney of his community and of the St. John River Valley in which it is located.

He has been an outstanding leader and legislator in the current session of the Maine Legislature.

He is respected for the qualities which are revealed in this speech—clarity of thought, objectivity, restraint, judgment, and intellectual integrity.

I ask unanimous consent that his speech be printed in the Record at this point.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Vietnam Speech Delivered by Senator Elmer H. Violette, in Bangor, October 11, 1966

Today I want to talk with you about Vietnam. This is a troublesome subject; it is a difficult subject. But it is one issue we must face with clear minds. What happens in that small corner of the world may well determine whether there will be a future for our children.

I have no easy answers to the Vietnam problem; there are none.

I can give you no quick formula to stop the conflict; there is none.

I do offer my conviction that we, as a nation, can approach a solution only through a clear understanding of the facts about Vietnam and a clear understanding of our objectives in that country and in southeast Asia.

Vietnam is not just a local war. It is not being fought over purely local issues. It involves the struggle for independence by those who were part of the old colonial empires, and the efforts of the new imperialists—the Communists—to exploit the aspirations and the misery of those in the underdeveloped areas of the world.

Prior to the Second World War, the nations of Western Europe had governed more than one-third of the people of the world through their far-flung colonial systems. In the 20 years since the end of the Second World War those colonial empires have been largely dismantled. We have seen the emergence of dozens of new countries in every part of the world. At the same time we have seen the forces of communism seeking to expand their frontiers through subversion and external aggression.

In the years immediately following the Second World War the force behind this expansion was the Soviet Union under Stalin, which carried the banners of communism into Poland, Rumania, Hungary, Czechoslovakia and Germany on the tanks of the Red army. The Iron Curtain, literally exemplified by the Berlin Wall, was erected to prevent masses of people from seeking and gaining freedom.

The surge of Communist expansion under Stalin's Soviet Union threatened to engulf all of Western Europe. The United States responded to the challenge with a two-pronged response. First was the Marshall plan which succeeded in restoring the economic vitality of the Western Nations of Europe. The second was the formation of NATO, a powerful military alliance backed by the full strength of America's military might.

This two-pronged approach succeeded brilliantly, and the spread of communism into Europe was checked.

As the frontiers of Europe became relatively stabilized and as the fervor of Soviet communism declined with the increased demand for a better standard of living by the Russian people, the center of Communist expansionism passed from Russia into Asia, where the Communists had seized China in 1949.

Just as the free world had moved in defense of freedom in Europe, it now became necessary to do the same thing in Asia. The first major test there came in Korea where the United Nations Forces, led by the United States, checked the aggression of Communist North Korea upon the Republic of South Korea. We acted in Korea because we could not permit the destruction of freedom by force in any corner of our shrinking globe. To have done so would have imperiled our own freedom. The next crisis came in Indochina. In 1954, the French, who had controlled the area prior to the Second World War, were forcibly ejected.

The 1954 Geneva Conference brought to a temporary close the fighting which had raged in that unhappy country since the end of World War II. That Conference provided what was intended to be the temporary partition of Indo-China into North Vietnam and South Vietnam.

Also in 1954, we created the Asian counterpart of NATO, the Southeast Asia Treaty Organization, commonly known as SEATO. Under the SEATO treaty the United States and the nations which signed that treaty pledged to guarantee existing national boundaries, including the line between North and South Vietnam which had been created by the Geneva agreement.

Since then three American Presidents—one Republican and two Democrats—have reaffirmed that treaty. On August 1, 1964, the United States Congress—by a vote of 88 to 2 in the Senate and 416 to 0 in the House—adopted a joint resolution declaring their support for this American commitment.

On this very day American fighting men are living up to that commitment in Vietnam, just as we lived up to our commitments in Iran in 1946, in Greece and Turkey in 1947, in Formosa in 1950, and in Berlin since 1948.

At the time of the partition, North Vietnam was under the firm grip of the North Vietnamese Communist Party, led by Ho Chi Minh. Incidentally, in all the controversy over South Vietnam, it should not be forgotten that there has never been a free election in North Vietnam.

Through harsh, totalitarian methods the Communists consolidated their control over North Vietnam. Meanwhile, to the south, a small country, without any national tradition, without any history of democracy, with few industrial resources, sought to create a new nation. When we Americans consider the constant turmoil and changeovers in the South Vietnamese government, we cannot afford the luxury of self-righteousness or disgust. Instead, we should seek to understand the almost unbelievably difficult conditions under which these people have sought to build their nation. We should also remember that it took our country six years to develop a viable national government after the revolution. And the conditions for our success were far more favorable than exist in Vietnam today.

Once their control of the north was consolidated, the rulers of North Vietnam sought to extend their domination to the south, exploiting the roots of dissatisfaction. There were and are genuine elements of dissent in South Vietnam. Many South Vietnamese were and are unhappy with the form of government that they have. Stability, economic justice, and freedom, as we understand them in America, have not been achieved in South Vietnam. But there should be no question about the fact that the rebellion in the south burst into flame under Communist direction and control, and that control has increased dramatically over the past few years.

What we commonly refer to as the Viet Cong are representatives of the so-called "National Liberation Front" which claims to be an indigenous force of South Vietnamese fighting for freedom against the existing government in South Vietnam. But this argument loses much of its force when we look at the record. The National Liberation Front was created in the fall of 1960, just three months after the third party congress of the North Vietnam Communist Party endorsed a resolution calling for the creation of a front organization in South Vietnam to control and direct the subversion in that country.

Almost immediately thereafter the first of some 80,000 persons began infiltrating across the line from north to south. These 80,000 men were native South Vietnamese who had gone north after the line between the two was established in 1954, where they had since been armed and trained in sabotage and subversion. By 1964 the Communists had exhausted this reservoir of native South Vietnamese, and since then the men infiltrating from north to south have been almost exclusively native North Vietnamese. More recently the infiltration has been in the form of full military units of the North Vietnamese Army, which reached division size in late 1964 and early 1965. In addition, the recruitment of South Vietnamese by the Vietcong, often by force and terror, has dwindled markedly in recent years.

The Vietcong reliance on terror speaks louder than words about their lack of support from the people of South Vietnam. If the Vietcong were truly an indigenous group with widespread national support, they would not have found it necessary to assassinate or kidnap over 25,000 South Vietnamese civilians since 1960. In 1964 and 1965 alone, over 650 local public officials were murdered, and over 1,450 were kidnapped and never seen again. These are not the activities of a group with widespread national support.

The most decisive indication of the public feeling toward the Vietcong in South Vietnam came in the recent general election for a constituent assembly. Despite a long campaign of terror by the Vietcong in which every candidate was threatened by death, in which scores of civilians were indiscriminately murdered, the people of South Vietnam responded overwhelmingly to the call of free elections. Some seventy-five per cent to eighty per cent of the eligible electorate turned out—more than has voted in any American national election in this country's history. Now the constituent assembly is beginning its work on a new constitution.

From these facts it is clear that whatever the origin of this revolution may have been, it is now dominated by the Communist Government of North Vietnam. It is also clear that a free, democratic society could not survive in Vietnam, if left to the mercy of the Vietcong and their northern allies.

In the light of this background, it is, in my opinion, clear that the presence of American forces at this time in Vietnam is necessary. We are honoring our pledge to the people of South Vietnam to assist them in defending their right to choose their own form of government. We are honoring the commitments of the United States Congress and of three American President, just as we have honored similar commitments through three previous wars in this century.

But important as it is to understand how and why we are in Vietnam, it is even more important to answer the question: How can we end the fighting and withdraw honorably?

First, it should be clearly understood that we do not seek to "conquer." With Vietnam, or China, or anyone else. As President Johnson put it, simply and clearly in a speech earlier this year: "Our purpose in Vietnam is to prevent the success of aggression. It is not conquest; it is not empire; it is not foreign bases; it is not domination. It is, simply put, just to prevent the forceful conquest of South Vietnam by North Vietnam."

With this limited objective in mind, we should now explore the policy alternatives available to the United States as it seeks to achieve that objective.

It seems to me that there are really four basic positions that the United States could now assume in Vietnam. Every other suggestion which I have heard or read about has been a variation of one of these four. Let us look at them.

(1) The first, and easiest position to consider is immediate, total American withdrawal. This is the objective of Red China and North Vietnam. It has very little support in this country. It is, in my opinion, totally unacceptable to the overwhelming majority of Americans for several reasons: (a) it would be an abandonment of our commitments to the people of South Vietnam, thereby ending world confidence in America's word; (b) it would leave those people to the savagery of a certain Communist takeover; (c) it would imperil the freedom and independence of all of the nations of Southeast Asia; (d) it would mean that the 5,000 Americans whose lives have been lost in Vietnam will have died in vain.

(2) At the other extreme is the policy of unlimited military escalation, in an effort to achieve a quick and decisive military victory. This position also has very little support, for two basic reasons: (a) it greatly increases the risk of a nuclear holocaust in which there would be no victors; and (b) it runs contrary to the already stated American policy of limited objectives in Vietnam.

Between these two clearly unacceptable extremes, there are two more moderate positions, both of which have somewhat wider acceptance.

(3) One of these is the so-called "enclave policy," which calls for the United States to retire into several heavily fortified military enclaves, presumably around Saigon and the major ports, protecting those South Vietnamese who seek our protection. This policy has been advocated by former Ambassador to Russia George Kennan, by retired General James Gavin, and by some Members of Congress. It is, in my opinion, also an unacceptable policy, primarily because it does not appear to be calculated to achieve anything. Furthermore, its validity has been challenged by the success of the Vietnamese elections.

To discontinue our offensive military operations would enable the Viet Cong to concentrate on a few stationary targets which they could attack at will. To adopt this policy would mean the abandonment of much of the country which has been cleared of Viet Cong. To remove our protection from the villages and towns would mean certain destruction of the first halting steps toward democracy.

(4) The last alternative, and the one which makes the most sense to me, involves three separate, but interrelated efforts: (a) an intensified drive to bring the conflict to the conference table through whatever avenues are open to us; (b) controlled application of force as needed to discourage aggression and to protect the South Vietnamese against subversion, terror and military attack; and (c) acceleration of the pacification, civic education and economic assistance programs in South Vietnam.

In my opinion, any step toward reductions or cessation of bombing, or reduction of our troop movements must be considered in the light of these questions: Will it endanger the integrity of democratic government in South Vietnam? Will it really contribute toward the start of genuine negotiations?

The same questions must be applied to the proposed participation by NLF representatives in peace negotiations. I believe there are strong arguments for including them in the peace talks as belligerents. We could not, of course, do so if this implied recognizing them as the "legitimate government" of South Vietnam.

This approach is consistent with our goals in Vietnam. We want to protect freedom and encourage the growth of democracy in that troubled land. We want to insure against a relapse following the Vietnamese elections. We want to stimulate healthy political and economic growth. If we follow this approach I believe we will improve our chances of achieving peace, freedom and economic health in Vietnam and southeast Asia.

Until the recent elections we could only guess at the possible interest of the Vietnamese people in representative government. Now we know. Now we have an added incentive for protecting the first, tender shoots of democratic action. The Viet Cong have been discredited by the refusal of the citizens to obey their warnings against voting. We must be sure the Viet Cong do not have a chance to subvert the gains we have made. In addition, we must be sure the gains are not thrown away or thwarted by the Saigon regime.

I believe the twin pressures of military resistance and positive political action will bring the Communists to the conference table faster than any other combination of activities. I believe the development of viable political institutions and an intensive reconstruction program will be the best long-term insurance against the Communists.

Such a course may involve continued heavy commitments in Vietnam. It would not mean quick and easy solutions. At the same time it would not mean a dangerous escalation of military actions.

I expect we may meet setbacks on the way. The tensions between Russia and the United States, between Russia and China, and between China and the United States make it difficult to break the deadlock on starting talks. The drive to achieve political reforms will undoubtedly hit snags in Saigon and in the villages. But the stakes are very high, and worth every effort we can bend.

When we have made it possible for men and women to vote for the candidates of their choice—without fear of retaliation—we will have given democracy a real boost in southeast Asia.

When we have demonstrated that the Communists can gain nothing by military operations or subversion, we will have undermined their incentives to continue the conflict.

When we have helped rebuild the blasted hopes of the Vietnamese people, through technical assistance and economic aid, we will have built new bridges to understanding in Asia.

Such gains will strengthen the cause of freedom and democracy throughout the world. Such gains will reduce the chance of war. Such gains will make our sacrifices worthwhile.

MOTORCYCLE SAFETY

Mr. HARTKE. Mr. President, following my last statement concerning the problem of motorcycle accidents, which appeared in the CONGRESSIONAL RECORD on September 29, I received a letter from Mr. Remmel Dudley of the Metropolitan Life Insurance Co. He enclosed with the letter a copy of the April 1966 statistical bulletin published by that company, which includes a summary of the situation and a table detailing the causes of deaths among drivers and passengers of motorcycles and scooters.

Mr. President, I ask unanimous consent that this material be printed in the CONGRESSIONAL RECORD.

There being no objection, the summary and table were ordered to be printed in the RECORD, as follows:

FATAL MOTORCYCLE AND MOTORSCOOTER ACCIDENTS

Accidents involving motorcycles, motorbikes, or motorscooters have been taking an increasing toll of life in recent years. The number of deaths among drivers and passengers of such vehicles in the United States rose from 700 in 1961 to more than 1,100 in 1964, or about 60 percent. Moreover, preliminary data for 1965 indicate that the total that year had reached an even higher level. As the accompanying table shows, such fatalities had been increasing during the 1950's, but the rise was neither as rapid nor as consistent as that since 1961.

The upward trend in deaths from motor-driven cycle accidents—nine tenths of which are concentrated among males—reflects very largely the rapid growth in the use of these vehicles for transportation and recreation. According to information from the United States Bureau of Public Roads, the number of registered motorcycles, motorbikes, and motorscooters has been going up for at least a decade, with registrations accelerating in the past few years. The number rose from about 412,000 to nearly 596,000 between 1955 and 1961, then spurted to 985,000 in 1964 and to nearly 1,288,000 in 1965.

Such registrations, in fact, have increased at a faster pace than has the number of deaths attributed to accidents involving these vehicles, with the result that the deaths per 100,000 vehicles registered decreased slightly—from 118 to 115—between 1961 and 1964, and to an even greater extent since 1955; the details are given in the last column of the table.

Nearly half of those killed in motor-driven cycle accidents sustain their injuries when such vehicles collide with passenger cars. An additional tenth of the fatalities result from collisions with transport motor vehicles, such as trucks, tractors, and trailers. Altogether, collisions with other motor vehicles—including the few involving buses—account for three fifths of the accidental deaths among drivers and passengers of motor-driven cycles. Overturning, running off the road, and other non-collision accidents, as a group, are second in importance, and are responsible for nearly one third of the cycle fatalities. The remaining deaths are due almost entirely to collisions with a fixed object or with a train at a grade crossing, or to nontraffic accidents, i.e., those occurring off public highways.

The deaths from motorcycle accidents and those due to other motor-driven cycles are not shown separately in routine mortality reports. On the basis of a special study a few years ago, the National Safety Council estimated that motorscooter accidents take between 100 and 125 lives a year.* One third of the victims were under 16 years of age, one fourth were in the age group 16–20 years, and most of the remainder were under age 45. The study showed also that in a substantial majority of the fatal accidents, operators of scooters were committing traffic violations.

A study made by the New York State Department of Motor Vehicles on fatal and nonfatal motorcycle accidents occurring in the State during 1962 likewise indicated that a large proportion of the accidents were associated with dangerous practices—reckless driving, proceeding without the right of way, excessive speed, and following too closely.† Inclement weather, on the other hand, was not an appreciable factor; nine tenths of the motorcycle accidents occurred when the weather was clear and dry.

In order to stem—and reverse—the rising death toll from motorcycle and other motor-driven cycle accidents, it is necessary to focus greater attention on the safer use of these vehicles. Safety experts suggest that special training programs be set up for the operators of motorcycles and scooters, and that they be licensed only on the basis of appropriate qualifying tests. Furthermore, inasmuch as a large proportion of fatalities among cyclists result from head injuries, both drivers and passengers should be encouraged to wear safety helmets.

Deaths among drivers and passengers of motor-driven cycles,[1] by type of accident, United States, 1955–64

Year	Number of deaths						Deaths per 100,000 vehicles registered
	Total	Traffic accidents				Nontraffic accidents	
		Collision with—			Overturning, running off roadway, and other noncollision accidents		
		Other motor vehicle	Fixed object	Railway train			
1964	1,132	695	66	14	337	20	114.9
1963	891	544	43	9	279	16	113.3
1962	769	462	34	10	244	19	116.4
1961	702	442	37	5	200	18	117.8
1960	737	428	40	7	245	17	128.4
1959	770	448	34	18	254	16	136.2
1958	665	399	28	12	209	17	127.6
1957	759	438	39	5	258	19	161.9
1956	666	391	33	8	221	13	154.3
1955	625	338	33	9	233	12	151.6

[1] Motorcycles, motorbikes, and motorscooters.

Source of basic data: Deaths, from reports of Vital Statistics Division, National Center for Health Statistics; motorcycle registrations, from reports of the Bureau of Public Roads, U.S. Department of Commerce.

DISGRACE ON FOREIGN ASSISTANCE

Mr. McGOVERN. Mr. President, two great American newspapers, which maintain their own extensive foreign affairs staffs, have condemned the efforts now being made here in Congress to hamstring foreign assistance and the Food for Peace Act.

The New York Times said in an editorial Sunday that we have hedged foreign aid with restrictions that "extract from the program almost the last ounce of idealism and humanitarianism."

The Times adds:

> The House insists on hamstringing administration of the new $7.4 billion Food for Peace bill by barring food to countries trading with North Vietnam or Cuba. This would deny help to starving India unless it cuts off export of Jute to Cuba (for making sugar bags) that earn $600,000 a year in foreign exchange.

The Times includes the proposed restrictions on food for peace in what it terms conduct "disgraceful for the richest Nation in the world."

The Washington Post, in an editorial October 7, strongly urged that the Senate stand firm in its position that the President should have discretion to make food-for-peace sales in the national interest.

I ask unanimous consent that the Post editorial appear in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Washington Post, Oct. 7, 1966]

FOOD AID IMPASSE

A heavy responsibility will fall on Senate representatives when conference committee discussions are re-opened on the Administration's "Food for Peace" bill. The margin of the House vote banning food aid to countries carrying on trade of any kind with North Vietnam or Cuba—306 to 61—does not leave a wide area for compromise. Yet a compromise remains necessary and inescapable unless the United States seriously means to turn its face in mindless spleen from hungry millions abroad.

In its initial compromise two weeks ago, the conference committee wisely distinguished between trade in strategic materials and innocuous commerce such as the sale of burlap sacks to Cuba by India and Pakistan, or of corn to Cuba by Brazil. Brushing this aside in the House on Wednesday, a Representative said that if the Indians wanted U.S. food, they could afford to give up $600,000 per year in burlap sales. This reflects an arrogance which would be unfortunate enough in any area of American relationships with other countries. In the field of food aid, however, such an attitude is especially regrettable because it so totally disregards the humanitarian purposes served by the "Food for Peace" effort.

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*"NSC Motor Scooter Study," Safety Education, March 1960, p. 24.

†State of New York Department of Motor Vehicles, "Motorcycle Accidents in New York State in 1962," Statistical Bulletin No. 2, 1963.

The overriding reason for U.S. food sales on concessional terms is a moral one: that the United States wallows in luxury and affluence while a majority of the world scrimps, scavenges and in some cases literally starves. At a time when television commercials offer us ever enriched preparations to tempt our blase dogs and cats, the streets of Calcutta and Karachi are lined with homeless children who live from day to day. It would seem beyond all argument that in the food area, if nowhere else in the whole range of foreign economic policy, the United States should forgo any attempt to attach political strings to its assistance. To play politics with food would be to capitalize on the despair of fellow humans for self-interested ends and to victimize nameless unfortunates for what their governments do.

Although we hope that the eight House conferees led by Rep. Harold D. Cooley will make a genuine effort to arrive at a compromise, the principal responsibility for repairing the damage of the Wednesday vote clearly lies with these Senate conferees: Senators Ellender, Holland, Talmadge, Jordan, McGovern, Aiken, Young and Cooper.

We believe that the Senate should stand firmly on one of two possible compromises.

The first would put in the hands of the President the authority to decide whether food sales to particular countries clash with the national interest.

A second, less acceptable alternative, would limit the congressional ban to trade with North Vietnam.

It is to be hoped the conferees will embrace the first of these betterments of the bill that has left the House.

THE 200TH ANNIVERSARY OF RUTGERS UNIVERSITY—ADDRESS BY VICE PRESIDENT HUMPHREY

Mr. WILLIAMS of New Jersey. Mr. President, Rutgers University, the State university of New Jersey, was honored recently when Vice President Hubert H. Humphrey spoke at its bicentennial convocation. At that time he had high praise for Rutgers and for the role that universities play in developing our great society. He spoke of the importance of academic freedom in developing new and challenging ideas. As he said so eloquently, "If universities break ancient molds, they also create new truths." This is certainly true of Rutgers University, a vital and growing institution which is building on a great academic heritage stretching back over 200 years. I know Vice President Humphrey's eloquent address will be of interest to my colleagues, and I ask unanimous consent that it be printed in the Record at this point.

There being no objection, the address was ordered to be printed in the Record, as follows:

Remarks of Vice President Hubert Humphrey at the 200th Anniversary of Rutgers, September 22, 1966

I am both happy and proud to be with you and to be so honored on such an important occasion for this great and growing university.

As many of you know, I am a refugee from the classroom, and every chance I have to return to a university—not to mention the chance for an honorary degree—helps me keep my credentials as a political science professor in order. In fact, my first experience as a Vice President was as vice president of the American Political Science Association.

The business of politics is not the most secure in the world, and it doesn't hurt to have a little insurance.

Rutgers University is today celebrating its bicentennial as a strong and free institution only a short time after that strength and freedom were directly threatened.

A year ago, in the heat of political controversy, and under threat of dire retribution, your distinguished President, faculty, and Board of Governors—supported by an alert and dedicated student body and by the courage of the Governor of this state—were adamant in protecting the right of dissent. (You were adamant I might add, even though most of you, as I was, were in disagreement with the dissenter.)

You and Governor Hughes were vindicated at the polls by the people of New Jersey.

You gave concrete meaning to the spirit of the Bill of Rights and gave active defense to the eloquent proposition of Henry Thoreau:

"If a man does not keep pace with his companions, perhaps it is because he hears a different drummer.

"Let him step to the music which he hears, however measured or far away."

I should like on this occasion to say a word or two about the place of dissent—of academic freedom—in a democratic society.

Academic freedom is not just an academic matter. It is both the symptom and the cause of the other freedoms we enjoy.

As John Milton and John Stuart Mill understood in past centuries, the right of free inquiry and of responsible dissent is society's self-correcting mechanism.

In a more modern idiom, it is our self-regulating system of "feedback."

There is no party, no Chief Executive, no Cabinet, no legislature in this or any other nation, wise enough to govern without constant exposure to informed criticism.

If responsible political leaders do not always follow the advice of dissenters, it is not because such advice is ignored or summarily dismissed.

It is because in submitting the advice to the test of perceivable consequence, it may not, at a given moment, make sense.

I know from long personal experience in Washington that few responsible academic proposals are actually lost.

Some are diffused; most are modified by the dialectic of academic as well as political discourse.

But as Lord Keynes once pointed out, in terms of fundamental origins, public policy is largely the product of some "academic scribbler."

It seems to me that academic freedom permits universities at their best to perform three cardinal services for government and for society as a whole.

First, it enables them to challenge orthodoxies.

Second, it enables them to fashion laws of nature—including laws of human nature.

And third, it enables them to promulgate options. Let me say a word about each of these.

Twenty years ago, President Truman signed the Employment Act of 1946. This act, as you remember, established the Council of Economic Advisers, as well as a Joint Economic Committee in the Congress.

It mandated that the President submit to the Congress each year an Economic Report which would describe the economic state of the union and which would recommend policies aimed at promoting maximum production, employment, and purchasing power.

The background of this Act, and the policy recommendations which have emerged from the Council since its passage, are rooted in a largely academic challenge to economic orthodoxy.

For generations, classical economics had rested on the assumptions that market mechanisms were automatic and immutable, and that government interferences in the operations of the market should be limited essentially to credit adjustments by the Federal Reserve and to cutting public expenditures in times of depression.

I need not trace for this audience the intellectual and policy battles of the past generation associated with the so-called Keynesian revolution.

I can only say that this battle—begun by academic scribblers—has produced a revolution in economic thought and in public policy and has immeasurably benefited our country.

If universities break ancient molds, they also create new truths.

The investments in university research of the National Science Foundation, the National Institutes of Health, the Department of Defense, the Office of Education, AEC, NASA, and other federal agencies is testament to the key role that new knowledge plays in human progress—both technical and social.

A few years ago when Nikita Khrushchev visited the United States, he was astounded by our agricultural productivity.

American agriculture is in large part a success story because, for generations, federal and state governments have supported our Land Grant colleges and their agricultural experiment stations.

Our agricultural scientists have discovered new truths. They have uncovered laws of nature which have unlocked the secrets of plant and animal productivity.

Today, as chairman of the newly created National Marine Sciences Council, I have great hope that we may develop our marine resources as we have our agricultural resources. There is pending in the Congress legislation to create Sea Grant colleges to develop and bring new knowledge to our exploration of the ocean.

And there is no question of the roles that our universities have played, for instance, in developing new materials, processes and management techniques in our federal space and atomic energy programs.

I predict a revolution in educational theory and practice in the next two decades as a result of public and private investments in such fields as motivation and learning.

Social psychology, modern genetics, and the new exciting sub-field of zoology known as ethology are making astounding breakthroughs which cannot help but affect the future of public policy and the fate of the human race.

President Johnson's unprecedented support of education, at all levels, attests to his belief that the truth will make us free.

But for the responsible policy-maker in government, perhaps the university's most immediate contribution is not the challenging of ancient orthodoxies, or the discovery of new truths, but the creative construction of policy options.

In more cases than you can possibly know, we in Washington turn to the learned professions and to the universities for guidance in forming new programs.

A half-century ago, the University of Wisconsin, under the leadership of John R. Commons, was the policy center of America in such fields as social insurance and welfare economics.

Virtually everything that has happened since at the state and federal level in these critical areas of humane public policy is the legislative derivative of their pioneering work.

It was President Roosevelt who gave currency to the term "brains trust." His major advisers in developing the experimental policies of the New Deal were university professors. And, since that time, professors have increased their influence.

There are no fewer than 7 ex-professors in the President's Cabinet of 12.

And the term "in-and-outer" has become almost as well known as "brains trust."

Today, Washington is brimming with visiting advisers, witnesses, consultants, and technical experts from our universities in every field of human knowledge.

Washington National Airport, at any point in time during the day, includes, in transit, a faculty which—if kept together—would create one of the world's most distinguished institutions of higher education.

These professors are valuable to Washington precisely because they are unfettered, and because they often have an opportunity to see beyond the immediate urgencies and rigidities of on-going operations. And for the same reason they are increasingly being put to work as well by progressive private corporations, financial institutions and labor unions seeking the objective, unbiased view in their decision-making process.

If these professors were controlled and cowed they would be valueless.

They can produce policy options precisely because they are once removed from the inertias and compulsions of operating assignments.

And here let me come to the immediate and specific.

In the past months and years, no problem has burdened the minds of your national political leaders more than the conflict in Southeast Asia.

Men of good will both in Washington and in academic life have differed in diagnosis, prognosis, and therapy.

It would be tragic if authoritarian governments were to mistake our discourse and dissent for weakness, for our diversity is the basis for our unity. And our intellectual pluralism is the friend rather than the enemy of responsible political decision-making.

Our goals in Southeast Asia are clear: They are to help the nations of that part of the world maintain their independence and to help them build strong and progressive societies.

But our means towards these goals are both flexible and pragmatic.

Military force, at this juncture, is necessary.

It is necessary not because it is adequate, but because it establishes minimal conditions for undertaking long-range political, economic, diplomatic and social accommodations which are the only ultimate guarantors of long-range stability and independence in that part of the world.

Let me emphasize that it is in these complex areas of long-range accommodation that your government needs all the help it can get from the academic community.

We need the help of universities in breaking orthodoxies in our own thinking.

We need scholars to tell us about the orthodoxies, stresses, strains and motivations of the Asian powers with which we are presently at odds.

Above all, we need the help of universities in thinking through viable, practical, pragmatic options aimed at securing our long-range goals in Asia.

I have said many times, since my recent missions to Asia and the Pacific, that one of the highest priorities in our country should be the expansion, both in quality and quantity, of our programs of study concerning that part of the earth. For—no matter how much we would deny it—the great majority of us are comparatively ignorant when it comes to any part of the world but Europe and North America.

Things are changing. But they cannot change fast enough. Our universities, and our secondary schools as well, must expand their programs of Asian and Pacific studies, as you are doing at Rutgers. They must, in fact, expand their programs of study concerning all the unfamiliar, overlooked parts of the world.

For it is in precisely these places that the small disorder—unseen and misunderstood—can grow to the larger conflict which might threaten the general peace.

In the nuclear age, we can no longer afford the luxury of international ignorance.

Nor can we, as a world power, afford a half-world knowledge.

Let me say two things in the way of conclusion.

First, the need for university concern and help is just as urgent in meeting our problems at home as it is in meeting those in the world.

Rutgers is in the middle of one of the greatest urban agglomerations in the world. Your Urban Center and your Eagleton Institute are already nationally recognized for their concern with the politics and administration of state and local jurisdictions.

But my guess is that Rutgers would be the first to admit that it has only scratched the surface of its responsibility to its surrounding communities.

Transportation, air and water pollution, slums, poverty, ill-health, racial discrimination, inadequate schools, truncated opportunity, unfulfilled lives—these social cancers cannot be wished away.

The total resources of our universities will have to be mobilized against our urban problems if old orthodoxies are to be broken, new truths are to be found, and new policy options are to be developed.

Just as isolation in the world is something our nation cannot afford, so is isolation in the community something our universities cannot afford.

There are a few universities today in America—but all too few—which have committed themselves to meeting the problems of their communities.

Most of our universities are aware of the availability of federal funds for studies and activities in the urban environment. Some have made use of them.

But what is to prevent more of our universities, as a few have, from committing their *own* resources to the problems of urban and metropolitan life.?

What is to prevent more of our universities from putting to work some of the lessons learned in space-age technology and management—to the lessons of interdisciplinary cooperation; the application of the systems approach—in meeting more earthly challenges?

I believe our faculty members should not be judged by publication alone, but also by standards of teaching and *participation*.

I talked about this problem not long ago with an academic friend. His response was: "Isn't it enough for us to educate well the young men and women who will be the next generation of urban leaders?"

Yes, it is important, but it is not enough. Education is enriched as it is strengthened by experience.

Beyond this, what makes us think that these young men and women will become active participants in urban life if their education has not turned them toward that path?

I know that some of you may regard me as being too much an applied scientist. But I have never believed that knowledge should remain either in books or in the minds of the few. It should be *used* for the benefit of the many.

Earlier this week at Howard University I made several specific proposals, some of which I will repeat here. (I've always believed in repetition as an educator.)

I believe universities should take the lead in organizing non-profit housing corporations which, in turn, could take full advantage of special federal programs for low-income housing.

I believe universities—working with business and labor—should seek new ways to train unskilled and hard-core unemployed workers.

I believe universities should unite to promote actively equal employment opportunity in their own hiring of professional and administrative employees—as well as requiring such standards from all firms with whom they do business.

I believe universities should send both faculty members and students into our urban ghettoes to help overcome generations there of educational and cultural deprivation. What better place for "laboratory" work?

I believe universities should take far more seriously their responsibilities to the quality of teaching and of research at small colleges and schools without adequate resources.

I believe, in short, our universities should see as *their* responsibility the problems of 20th century urban society which crowd, in many cases, right up to the edge of their well-tended campuses.

There is no question that academic freedom and academic responsibility are joined together.

You showed academic responsibility a year ago when you stood firmly in the path of those who threatened the right of dissent.

But there are other kinds of academic responsibility as well.

One of these I have just alluded to: It is the responsibility of the academic world not to draw apart from the real world. Who among us can doubt that the existence of poverty . . . of discrimination . . . of outmoded and inefficient local government are as much a threat to academic freedom as they are to the freedom of the general citizenry?

There is another responsibility too—and I speak of this responsibility as one who has been on both the giving and receiving end of academic advice and recommendations.

This is the responsibility of those in academic life to base their pronouncements upon fearless and objective examination.

Unless recommendations stem from knowledge rather than untutored emotion . . . unless a sense of concern is matched by the capacity for hard analysis, the academic dispenser of idea or giver of advice does himself a disservice.

The world is filled with the noise and clash of opinion. It is woefully shy of dependable knowledge.

In a society which needs and values your independence—your "league of notions"—the greatest threat to academic freedom would be the failure of those who prize it most to live up to their own canons of responsibility.

Let me make myself clear. I do not believe that our country is passing through a period of academic irresponsibility. Quite the contrary.

But I do believe that we cannot, in this age both of danger and promise, demand anything less of ourselves than the most stringent standards.

Now, more than ever, the great work of challenging orthodoxies, discovering truths and establishing options is a necessity for human survival and progress.

May we approach that work with humility, with discipline, and with responsibility. In doing so, we shall make our freedom the more secure.

INTERGOVERNMENTAL COORDINATION OF PLANNING AMONG FEDERAL, STATE, AND LOCAL OFFICIALS

Mr. MUSKIE. Mr. President, on September 2 of this year, President Johnson issued a special memorandum calling for the coordination of development programs and planning at the Federal level, and for Federal cooperation with State and local development agencies in establishing common planning bases and in sharing facilities and resources.

The memorandum specifically recognizes the need for "comprehensive planning" in solving State, metropolitan and regional problems, and calls for an end to "conflict and duplication" where Federal assistance is involved. It also recognizes that the boundaries for federally assisted development and planning districts should be the same as those of comparable State districts.

In the flurry of executive and legislative business, this September 2 memorandum may have been missed by many of my colleagues. It is an extremely significant document. I hope it represents the beginning of a renewed Executive effort to put the Federal administrative house in order, and to develop a more effective intergovernmental relationship between Federal administrators in Washington and the field, and their State and local counterparts.

The fact that the President is concerned about this problem of intergovernmental coordination should now be a signal to department heads to get moving in this area, and develop an effective policy of metropolitan and regional development before the physical and human crises of our cities and rural areas become unmanageable.

Mr. President, I ask unanimous consent that the text of the President's memorandum be inserted at this point in the Record.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

Coordination for Development Planning

(Memorandum From the President Requesting Coordination at the Federal Level, September 2, 1966).

Memorandum to: Secretary of Commerce; Secretary of Health, Education, and Welfare; Secretary of Housing and Urban Development; Secretary of Interior; Secretary of Agriculture; Director, Office of Economic Opportunity; Co-Chairman, Appalachian Regional Commission; Director, Bureau of the Budget.

Subject: Coordination for Development Planning

The Federal Government, through a number of departments and agencies, is now authorized to require and assist State and local governments and specialized agencies to formulate and carry out development plans.

Comprehensive planning covering wide areas is a promising and extremely important beginning to the solution of critical State, metropolitan, and regional problems. It is essential that it be done well.

At the Federal level, we must coordinate our efforts to prevent conflict and duplication among federally-assisted comprehensive planning efforts.

This should have two aspects:

State and local development planning agencies should be encouraged to work together in using common or consistent planning bases (i.e., statistical and economic estimates), and in sharing facilities and resources.

Boundaries for planning and development districts assisted by the Federal Government should be the same and should be consistent with established State planning districts and regions. Exceptions should be made only where there is clear justification.

I am requesting the head of each of the departments and agencies concerned with these matters to work with the Director of the Bureau of the Budget to insure the fullest coordination in fixing the boundaries of multijurisdictional planning units assisted by the Federal Government.

Mr. MUSKIE. Mr. President, we have been talking about this problem of intergovernmental relations for far too long. Now is the time to put our words and studies into a solid, active policy of intergovernmental cooperation—to use the best resources and manpower at every level to zero in on the big problems of public development and solve them.

The President's call for action in his memorandum is particularly gratifying to those of us who for some time have been trying to identify and emphasize the real dangers we face for the future in our Federal system if we do not bring some order out of the chaos of proliferating public programs, haphazard planning, and conflicting governmental authorities. With 173 Federal aid programs, administered by 13 Federal departments and agencies through more than 125 bureaus and hundreds of State and local offices, we can no longer tolerate administrative inefficiency and confusion at the Federal level. With over 92,000 units of local government, each with its own degree of independent autonomy, taxing and financing power and operating capability, there is an obvious need for developing jurisdictional and planning coordination at State and local levels. And with an anticipated growth in population to 225 million by 1975, 80 percent of which will be crowded into our urban metropolitan areas, there is a critical need for establishing comprehensive governmental machinery to cope with the local public services the people of this country will demand.

Earlier this year, in a speech on this floor—March 25—I warned that there was too much tension and conflict in the implementation of Great Society programs—from top Federal policymakers to State and local officials—and I called for a wholly new policy of coordinating Federal aid, and working with the State and local governments to help them improve their administrative effectiveness and to meet the growing demand for more and better public services.

The point that I made then—and I repeat it now—is that during the past five sessions of Congress we have concentrated on brave new substantive programs for social and economic development, but now the spotlight must be shifted to procedures for making these programs work in the fastest and most effective way. We must take a hard look at our federal system of government, and see where it is failing to meet the challenge of the 1960's and of the decades to come.

In my speech I made some 13 suggestions which I felt would provide a good beginning in the modernization of our administrative machinery and better working relationships between Federal, State, and local governments. The President's memorandum is, in part, a response to some of these suggestions. Two of my proposals, however, require the mandate and support from Congress, whose responsibility for strengthening our federal system is equal to that of the executive branch.

The first such area concerns the development of a new, comprehensive Federal-aid program designed to help State and local governments upgrade their public service and improve their intergovernmental cooperation in the personnel field. This is the subject of the proposed Intergovernmental Personnel Act of 1966, S. 3408, which I introduced on this floor on May 25, and on which hearings have been held.

The second area involves the establishment of a new, and permanent, operating unit in the Executive Office of the President for developing and enforcing the coordination of Federal programs and policies, for resolving interdepartmental conflicts, and for keeping in constant touch with State and local leaders to encourage their cooperation in joint-action programs. This is the subject of S. 3509, which I introduced June 15, 1966.

These two legislative proposals, together with S. 561, the intergovernmental cooperation bill presently being considered by the House, could provide a very creative and far-reaching effort toward developing a total governmental approach to economic and social development problems in line with the President's desires and instructions.

Mr. President, recently the Advisory Commission on Intergovernmental Relations, which is a bipartisan organization established by Congress to inquire into Federal, State, and local relations, reported on intergovernmental problems with respect to the antipoverty program. The Commission found problems of confusion and duplication in the administration of an increasing number of Federal grant programs affecting the war on poverty, particularly within the same geographical areas. The Commission recommended:

That States authorize and encourage the creation of multicounty bodies to undertake various planning and development programs in nonmetropolitan areas;

That where States have taken such action, Federal agencies administering grants for planning and development be required, by statute or Executive order, to first, require use of the geographic base established pursuant to such State action as a condition of Federal grants in such areas; second, use, to the extent feasible, such agencies as recipients of such grants; and third, where other than the multipurpose agency is used, require adequate checkpoint procedures to assure coordination with, and maximum use of, the resources of such agencies.

I am informed that the Advisory Commission's recommendations and study were given careful consideration by the Executive Office of the President, and that the Commission staff was asked to assist in helping to implement the second part of its recommendations set forth above. It is significant that the President's memorandum specifically instructs that boundaries for planning and development districts assisted by Federal programs be the same and consistent with those established by the States, which is in line with part of the Commission's recommendation.

I am also informed that with respect to the first part of the above recommendation, the Commission has drafted a suggested State statute authorizing and providing State financial assistance for regional planning and development commissions. This model act will be distributed to State officials in the Commission's "1967 State legislative program."

As a member of the Advisory Commission on Intergovernmental Relations, I am extremely pleased with the assistance which its staff has given in the development of this executive policy on program coordination.

Finally, Mr. President, I should like to advise my colleagues in the Senate and in the House and all other persons interested in this important governmental area, that the Subcommittee on Intergovernmental Relations of the Committee on Government Operations will begin hearings on November 16 of this year with respect to the problems of managing Federal grant-in-aid programs at Federal, State, and local levels, giving particular consideration to the merits of S. 3509, which would establish a National Intergovernmental Affairs Council in the Executive Office of the President, and to Senate Joint Resolution 187, introduced by the junior Senator from Massachusetts [Mr. KENNEDY], which authorizes an inquiry into the need for an informational service system for State and local public programing and planning.

I expect these hearings to be extensive and comprehensive—to go to the heart of intergovermental coordination and management problems and identify the obstructions, conflicts, and misconceptions which are putting our Great Society programs in jeopardy, and which, if allowed to continue, may in time undermine the basic foundation of our federal system.

The inquiry will be more than a search for immediate legislative solutions to the problems of governmental management. It will be an in-depth assessment of the capability of our federal system of government—National, State, and local—to meet the changing and burgeoning public needs of the generations to come.

PRESIDENTIAL PEACE TEAM

Mr. McGOVERN. Mr. President, recently the editor of the Boston Globe suggested that it might be helpful for the President to name a five-man peace team of distinguished Americans to look for new possibilities for negotiating a settlement of the Vietnam war.

This suggestion would seem to be one that should be carefully evaluated. It is quite possible that officials closely involved in the day-to-day conduct of policy could overlook imaginative opportunities that might lead to a breakthrough to the conference table.

I ask unanimous consent that the Globe's editorial of September 20 and a follow-up editorial of September 21 be printed at this point in the RECORD.

There being no objection, the editorials were ordered to be printed in the RECORD, as follows:

[From the Boston (Mass.) Globe, Sept. 20, 1966]

FOR A VIETNAMESE PEACE

Those who debate world problems in the famous glass house on New York's East River will not be throwing stones today. They will be thinking and talking about peace, and how to get it.

For the war in Viet Nam is on the mind of every one of the delegates from 117 member countries of the United Nations as its General Assembly convenes. It is not technically on the agenda, but to all intents and purposes it should be and it is.

On Monday Pope Paul VI, speaking as the conscience of all humankind, appealed once again, as he had done in a personal visit almost a year ago, for an end to the war before it is "too late."

"We cry to them in God's name to stop," he said of the belligerents. "Men must come together and work out concrete plans and terms in all sincerity. A settlement should be reached now, even at the expense of some inconvenience or loss, for it may have to be made later in the train of bitter slaughter and involve great loss."

He warned of "a more extensive and more disastrous calamity that endangers the human family."

POPE PAUL AND U THANT

His was a powerful voice for peace, and it will be heard "round the world," but will it be heeded? Even as the Pope was issuing his encyclical, U.N. delegates were mulling over a gloomy year-end report from Secretary General U Thant, a report so pessimistic that little hope was held out that he might change his mind about retiring by the year's end.

U Thant said the real issue was "the survival of the people of Viet Nam. . . . It can be resolved not by force but by patience and understanding, in the framework of a willingness to live and let live." And he added:

"I see nothing, but danger in the idea, so assiduously fostered outside Viet Nam, that the conflict is a kind of holy war between two powerful political ideologies."

Here again were words the world should heed—but will it do so?

The administration in Washington continues to offer unconditional peace talks but at the same time keeps stepping up the war each time a previous step-up fails of its purpose.

And the Vietnamese Communists, North and South, continue to rebuff all suggestions of peace talks unless the American troops are withdrawn.

Where, then, can a basis for negotiation of an honorable peace be found?

While everyone is searching for it, a little noticed fact is worth pointing out. In 1964, before escalation began to bring their number to the present 325,000, there were 18,000 American troops in South Viet Nam; right now, there are 25,000 in Thailand.

Where will it all end?

THE CRITICISM GROWS

The frustration of the vain search for peace has led once again to a decline in President Johnson's popularity well below the 50 percent mark. His critics are more and more vocal.

Last week-end they were joined by Richard N. Goodwin, former adviser and speechwriter for Presidents Kennedy and Johnson. He proposed a national organization to unite all critics of administration policy. He urged as its slogan the one President Johnson used in 1964: "No wider war."

The bombing of North Viet Nam, he said, "has been a failure and may turn out to be a disaster." The answer, he added, is not to make the war bigger but to fight more effectively in South Viet Nam while searching more diligently for a settlement.

Substantially the same argument, but without the direct criticism of President Johnson, has been made by historian Arthur M. Schlesinger, Jr., another former aide of both Presidents.

He calls, in the N.Y. Times magazine, for slowing down the war, not stepping it up. He wants the bombing of North Viet Nam tapered off, for the tactic has clearly failed. He says the administration has not pursued negotiation "with a fraction of the zeal . . . with which it has pursued war," and the Viet Cong "have been given little reason to think we will negotiate about anything except their unconditional surrender."

As a precedent, Schlesinger urges President Kennedy's Laotian settlement of 1962. This recognized the existence of all three contending factions.

"The object of the serious opposition to the Johnson policy," he writes, "is to bring about not an American defeat but a negotiated settlement."

THE PRESIDENT'S ANSWER

The critics, then, are making use of the wide impression that despite all its words about unconditional peace talks, the administration has really been pressing for a military victory instead.

Without fanfare or publicity, President Johnson has been striving to correct this impression. Not until Monday was it revealed in an article by columnists Rowland Evans and Robert Novak, that for six weeks diplomatic trouble-shooter Averell Harriman has been in charge of a "Peace Desk" in the State Department, with orders to follow up every stray clue that could lead to serious peace talks.

Mr. Harriman, it is said, has a blank check to take any initiative, go anywhere he wants to abroad, and delve into all U.S. intelligence secrets.

But if such a program is to have a better-than-zero chance of success, talk of nuclear threats must be firmly ruled out, and the process of escalation must be reversed because it has been tried and failed.

In this connection, it is regrettable that former President Eisenhower, while opposing any massive nuclear attack unless we are ourselves attacked, saw fit to declare Sunday that in "sticky situations" one should be able to "use a proper kind of nuclear weapon sometime. I just don't see any difference between gas warfare and this kind of warfare." This is a terrifying remark.

The kindest thing to say of this statement is that he should read the Geneva Convention, which bans gas warfare.

ANOTHER PROPOSAL

If, then, a nuclear war can be discouraged instead of encouraged, and the Vietnamese war can be deescalated, a way may be opened for peace talks and an honorable settlement. Such a result is so important to the nation that perhaps more than a "Peace Desk" in the State Department is needed.

It might help if the President appointed a five-man peace team, to be headed perhaps by Ambassador Harriman, but whose other members were also eminent and imaginative Americans with the highest credentials, not subservient to the State Department but responsive and responsible to the President.

Such a commission could win recognition where it is most needed of Washington's sincere desire for an honorable peace. Some such concrete move is necessary if the noble appeals of Pope Paul VI and U Thant are to be heeded in time to prevent utter disaster.

[From the Boston (Mass.) Globe, Sept. 21, 1966]

WHY A PEACE TEAM?

The Globe suggested Tuesday that President Johnson appoint a five-man peace team, headed perhaps by Ambassador Averell Harriman and responsive and responsible only to the President. The group would have full authority to follow up every clew that could lead to peace talks.

The argument against such a team is that the State Department and Mr. Harriman in particular are already charged with finding ways to peace, and another commission would be superfluous. But would it? Rightly or wrongly, too many people here and abroad think the department has not been too effective.

The peace team would operate outside the department, but with access to all intelligence and with sufficient stature to talk with the President. Naming it should be easy for Mr. Johnson. It would not mean per se a shift in the President's conduct of the war. Its impact on the United Nations would be great. And what is there to lose?

Even if it found no specific path to peace, such a team could have an immense propaganda effect everywhere—convincing evidence that the administration was trying. That is important, both to our allies and the uncommitted nations. It is important because of the present wide impression abroad that Washington is more interested in increasing the bombing than in seeking peace talks, despite all the official words. This impression must be changed.

Naming a peace team would show some initiative in the right direction. It would be positive, not negative. It might even develop some fresh ideas for Secretary of State Rusk, who seems short of originality.

Why not give the suggestion a try?

CORRECTION IN ENROLLMENT OF H.R. 698

Mr. MANSFIELD. Mr. President, I send to the desk a resolution on behalf of the distinguished Senator from Washington [Mr. JACKSON], and ask for its immediate consideration. It is purely technical in nature.

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (S. Con. Res. 113) was considered and agreed to, as follows:

S. CON. RES. 113

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives of the United States be authorized to correct an enrolling error in H.R. 698, to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes, and that section 3(a) of H.R. 698, shall when corrected read as follows:

"When title to all privately owned land within the boundary of the park, subject to such outstanding interests, rights, and easements as the Secretary determines are not objectionable, with the exception of approximately 4,574 acres which are planned to be acquired by exchange, is vested in the United States and after the State of Texas has donated or agreed to donate to the United States whatever rights and interests in minerals underlying the lands within the boundaries of the park it may have and other owners of such rights and interests have donated or agreed to donate the same to the United States, notice thereof and notice of the establishment of the Guadalupe Mountains National Park shall be published in the Federal Register. Thereafter, the Secretary may continue to acquire the remaining land and interests in land within the boundaries of the park. The Secretary is authorized, pending establishment of the park, to negotiate and acquire options for the purchase of lands and interests in land within the boundaries of the park. He is further authorized to execute contracts for the purchase of such lands and interests, but the liability of the United States under any such contract shall be contingent on the availability of appropriated or donated funds to fulfill the same."

AMENDMENT OF WASHINGTON METROPOLITAN AREA TRANSIT REGULATION COMPACT

Mr. TYDINGS. Mr. President, I ask that the Chair lay before the Senate the House amendments to S. 3488.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3488) to grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact to establish an organization empowered to provide transit facilities in the National Capital Region and for other purposes and to enact said amendment for the District of Columbia, which were, to strike out all after the enacting clause and insert:

That the Congress hereby consents to, adopts and enacts for the District of Columbia an amendment to the Washington Metropolitan Area Transit Regulation Compact, for which Congress heretofore has granted its consent (Public Law 86–794, 74 Stat. 1031, as amended by Public Law 87–767, 76 Stat. 764) by adding thereto title III, known as the Washington Metropolitan Area Transit Authority Compact (herein referred to as title III), substantially as follows:

"TITLE III

"Article I

"Definitions

"1. As used in this Title, the following words and terms shall have the following meanings, unless the context clearly requires a different meaning:

"(a) 'Board' means the Board of Directors of the Washington Metropolitan Area Transit Authority;

"(b) 'Director' means a member of the Board of Directors of the Washington Metropolitan Area Transit Authority;

"(c) 'Private transit companies' and 'private carriers' means corporations, persons, firms or associations rendering transit service within the Zone pursuant to a certificate of public convenience and necessity issued by the Washington Metropolitan Area Transit Commission or by a franchise granted by the United States or any signatory party to this Title;

"(d) 'Signatory' means the State of Maryland, the Commonwealth of Virginia and the District of Columbia;

"(e) 'State' includes District of Columbia;

"(f) 'Transit facilities' means all real and personal property located in the Zone, necessary or useful in rendering transit service between points within the Zone, by means of rail, bus, water or air and any other mode of travel, including without limitation, tracks, rights of way, bridges, tunnels, subways, rolling stock for rail, motor vehicle, marine and air transportation, stations, terminals and ports, areas for parking and all equipment, fixtures, buildings and structures and services incidental to or required in connection with the performance of transit service;

"(g) 'Transit services' means the transportation of persons and their packages and baggage by means of transit facilities between points within the Zone and includes the transportation of newspapers, express and mail between such points but does not include taxicab, sightseeing or charter service; and

"(h) 'WMATC' means Washington Metropolitan Area Transit Commission.

"Article II

"Purpose and Functions

"Purpose

"2. The purpose of this Title is to create a regional instrumentality, as a common agency of each signatory party, empowered, in the manner hereinafter set forth, (1) to plan, develop, finance and cause to be operated improved transit facilities, in coordination with transportation and general development planning for the Zone, as part of a balanced regional system of transportation, utilizing to their best advantage the various modes of transportation, (2) to coordinate the operation of the public and privately owned or controlled transit facilities, to the fullest extent practicable, into a unified regional transit system without unnecessary duplicating service, and (3) to serve such other regional purposes and to perform such other regional functions as the signatories may authorize by appropriate legislation.

"Article III

"Organization and Area

"Washington Metropolitan Area Transit Zone

"3. There is hereby created the Washington Metropolitan Area Transit Zone which shall embrace the District of Columbia, the cities of Alexandria, Falls Church and Fairfax and the counties of Arlington and Fairfax and political subdivisions of the Commonwealth of Virginia located within those counties, and the counties of Montgomery and Prince George's in the State of Maryland and political subdivisions of the State of Maryland located in said counties.

"Washington Metropolitan Area Transit Authority

"4. There is hereby created, as an instrumentality and agency of each of the signatory parties hereto, the Washington Metropolitan Area Transit Authority which shall be a body corporate and politic, and which shall have the powers and duties granted herein and such additional powers as may hereafter be conferred upon it pursuant to law.

"Board membership

"5. (a) The Authority shall be governed by a Board of six Directors consisting of two Directors for each signatory. For Virginia, the Directors shall be appointed by the Northern Virginia Transportation Commission; for the District of Columbia, by the Commissioners of the District of Columbia; and for Maryland, by the Washington Suburban Transit Commission. In each instance the Director shall be appointed from among the members of the appointing body and shall serve for a term coincident with his term on the body by which he was appointed. A Director may be removed or suspended from office only as provided by the law of the signatory from which he was appointed. The appointing authorities shall also appoint an alternate for each Director, who may act only in the absence of the Director for whom he has been appointed an alternate, and each alternate shall serve at the pleasure of the appointing authority. In the event of a vacancy in the Office of Director or alternate, it shall be filled in the same manner as an original appointment.

"(b) Before entering upon the duties of his office each Director and alternate director shall take and subscribe to the following oath (or affirmation) of office or any such other oath or affirmation, if any, as the Constitution or laws of the signatory he represents shall provide:

" 'I, ___________, hereby solemnly swear (or affirm) that I will support and defend the

Constitution of the United States and the Constitution and Laws of the state or political jurisdiction from which I was appointed as a director (alternate director) of the Board of Washington Metropolitan Area Transit Authority and will faithfully discharge the duties of the office upon which I am about to enter.'

"Compensation of directors and alternates

"6. Members of the Board and alternates shall serve without compensation but may be reimbursed for necessary expenses incurred as an incident to the performance of their duties.

"Organization and procedure

"7. The Board shall provide for its own organization and procedure. It shall organize annually by the election of a Chairman and Vice Chairman from among its members. Meetings of the Board shall be held as frequently as the Board deems that the proper performance of its duties requires and the Board shall keep minutes of its meetings. The Board shall adopt rules and regulations governing its meeting, minutes and transactions.

"Quorum and actions by the Board

"8. (a) Four Directors or alternates consisting of at least one Director or alternate appointed from each Signatory shall constitute a quorum and no action by the Board shall be effective unless a majority of the Board, which majority shall include at least one Director or alternate from each Signatory, concur therein: *Provided, however,* That a plan of financing may be adopted or a mass transit plan adopted, altered, revised or amended by the unanimous vote of the Directors representing any two Signatories.

"(b) The actions of the Board shall be expressed by motion or resolution. Actions dealing solely with internal management of the Authority shall become effective when directed by the Board, but no other action shall become effective prior to the expiration of thirty days following its adoption: *Provided, however,* That the Board may provide for the acceleration of any action upon a finding that such acceleration is required for the proper and timely performance of its functions.

"Officers

"9. (a) The officers of the Authority, none of whom shall be members of the Board, shall consist of a general manager, a secretary, a treasurer, a comptroller and a general counsel and such other officers as the Board may provide. Except for the office of general manager and comptroller, the Board may consolidate any of such other offices in one person. All such officers shall be appointed and may be removed by the Board, shall serve at the pleasure of the Board and shall perform such duties and functions as the Board shall specify. The Board shall fix and determine the compensation to be paid to all officers and, except for the general manager who shall be a full-time employee, all other officers may be hired on a full-time or part-time basis and may be compensated on a salary or fee basis, as the Board may determine. All employees and such officers as the Board may designate shall be appointed and removed by the general manager under such rules of procedure and standards as the Board may determine.

"(b) The general manager shall be the chief administrative officer of the Authority and, subject to policy direction by the Board, shall be responsible for all activities of the Authority.

"(c) The treasurer shall be the custodian of the funds of the Authority, shall keep an account of all receipts and disbursements and shall make payments only upon warrants duly and regularly signed by the Chairman or Vice Chairman of the Board, or other person authorized by the Board to do so, and by the secretary or general manager: *Provided, however,* That the Board may provide that warrants not exceeding such amounts or for such purposes as may from time to time be specified by the Board may be signed by the general manager or by persons designated by him.

"(d) An oath of office in the form set out in section 5(b) of this article shall be taken, subscribed and filed with the Board by all appointed officers.

"(e) Each Director, officer, and employee specified by the Board shall give such bond in such form and amount as the Board may require, the premium for which shall be paid by the Authority.

"Conflict of interests

"10. (a) No Director, officer, or employee shall—

"(1) be financially interested, either directly or indirectly, in any contract, sale, purchase, lease or transfer of real or personal property to which the Board or the Authority is a party;

"(2) in connection with services performed within the scope of his official duties, solicit or accept money or any other thing of value in addition to the compensation or expenses paid to him by the Authority;

"(3) offer money or any thing of value for or in consideration of obtaining an appointment, promotion or privilege in his employment with the Authority.

"(b) Any Director, officer or employee who shall willfully violate any provision of this section shall, in the discretion of the Board, forfeit his office or employment.

"(c) Any contract or agreement made in contravention of this section may be declared void by the Board.

"(d) Nothing in this section shall be construed to abrogate or limit the applicability of any federal or state law which may be violated by any action prescribed by this section.

"Article IV

"Pledge of Cooperation

"11. Each Signatory pledges to each other faithful cooperation in the achievement of the purposes and objects of this Title.

"Article V

"General Powers

"Enumeration

"12. In addition to the powers and duties elsewhere described in this Title, and except as limited in this Title, the Authority may:

"(a) Sue and be sued;

"(b) Adopt and use a corporate seal and alter the same at pleasure;

"(c) Adopt, amend, and repeal rules and regulations respecting the exercise of the powers conferred by this title;

"(d) Construct, acquire, own, operate, maintain, control, sell and convey real and personal property and any interest therein by contract, purchase, condemnation, lease, license, mortgage or otherwise but all of said property shall be located in the zone and shall be necessary or useful in rendering transit service or in activities incidental thereto;

"(e) Receive and accept such payments, appropriations, grants, gifts, loans, advances and other funds, properties and services as may be transferred or made available to it by any signatory party, any political subdivision or agency thereof, by the United States, or by any agency thereof, or by any other public or private corporation or individual, and enter into agreements to make reimbursement for all or any part thereof;

"(f) Enter into and perform contracts, leases and agreements with any person, firm or corporation or with any political subdivision or agency of any signatory party or with the federal government, or any agency thereof, including, but not limited to, contracts or agreements to furnish transit facilities and service;

"(g) Create and abolish offices, employments and positions (other than those specifically provided for herein) as it deems necessary for the purposes of the Authority, and fix and provide for the qualification, appointment, removal, term, tenure, compensation, pension and retirement rights of its officers and employees without regard to the laws of any of the signatories;

"(h) Establish, in its discretion, a personnel system based on merit and fitness and, subject to eligibility, participate in the pension and retirement plans of any signatory, or political subdivision or agency thereof, upon terms and conditions mutually acceptable;

"(i) Contract for or employ any professional services;

"(j) Control and regulate the use of facilities owned or controlled by the Authority, the service to be rendered and the fares and charges to be made therefor;

"(k) Hold public hearings and conduct investigations relating to any matter affecting transportation in the Zone with which the Authority is concerned and, in connection therewith, subpena witnesses, papers, records and documents; or delegate such authority to any officer. Each director may administer oaths or affirmations in any proceeding or investigation;

"(l) Make or participate in studies of all phases and forms of transportation, including transportation vehicle research and development techniques and methods for determining traffic projections, demand motivations, and fiscal research and publicize and make available the results of such studies and other information relating to transportation; and

"(m) Exercise, subject to the limitations and restrictions herein imposed, all powers reasonably necessary or essential to the declared objects and purposes of this Title.

"Article VI

"Planning

"Mass transit plan

"13. (a) The Board shall develop and adopt, and may from time to time review and revise, a mass transit plan for the immediate and long-range needs of the Zone. The mass transit plan shall include one or more plans designating (1) the transit facilities to be provided by the Authority, including the locations of terminals, stations, platforms, parking facilities and the character and nature thereof; (2) the design and location of such facilities; (3) whether such facilities are to be constructed or acquired by lease, purchase or condemnation; (4) a timetable for the provision of such facilities; (5) the anticipated capital costs; (6) estimated operating expenses and revenues relating thereto; and (7) the various other factors and considerations, which, in the opinion of the Board, justify and require the projects therein proposed. Such plan shall specify the type of equipment to be utilized, the areas to be served, the routes and schedules of service expected to be provided and the probable fares and charges therefor.

"(b) In preparing the mass transit plan, and in any review of revision thereof, the Board shall make full utilization of all data, studies, reports and information available from the National Capital Transportation Agency and from any other agencies of the federal government, and from signatories and the political subdivisions thereof.

"Planning process

"14. (a) The mass transit plan, and any revisions, alterations or amendments thereof, shall be coordinated, through the procedures hereinafter set forth, with

"(1) other plans and programs affecting transportation in the Zone in order to achieve a balanced system of transportation, utilizing each mode to its best advantage;

"(2) the general plan or plans for the development of the Zone; and

"(3) the development plans of the various political subdivisions embraced within the Zone.

"(b) It shall be the duty and responsibility of each member of the Board to serve as liaison between the Board and the body which appointed him to the Board. To provide a framework for regional participation in the planning process, the Board shall create technical committees concerned with planning and collection and analyses of data relative to decision-making in the transportation planning process and the Commissioners of the District of Columbia, the component governments of the Northern Virginia Transportation District and the Washington Suburban Transit District shall appoint representatives to such technical committees and otherwise cooperate with the Board in the formulation of a mass transit plan, or in revisions, alterations or amendments thereof.

"(c) The Board, in the preparation, revision, alteration or amendment of a mass transit plan, shall

"(1) consider data with respect to current and prospective conditions in the Zone, including, without limitations, land use, population, economic factors affecting development plans, goals or objectives for the development of the Zone and the separate political subdivisions, transit demands to be generated by such development, travel patterns, existing and proposed transportation and transit facilities, impact of transit plans on the dislocation of families and businesses, preservation of the beauty and dignity of the Nation's Capital, factors affecting environmental amenities and aesthetics and financial resources;

"(2) cooperate with and participate in any continuous, comprehensive transportation planning process cooperatively established by the highway agencies of the signatories and the local political subdivisions in the Zone to meet the planning standards now or hereafter prescribed by the Federal-Aid Highway Acts; and

"(3) to the extent not inconsistent with or duplicative of the planning process specified in subparagraph (2) of this paragraph (c), cooperate with the National Capital Planning Commission, the National Capital Regional Planning Council, the Washington Metropolitan Council of Governments, the Washington Metropolitan Area Transit Commission, the highway agencies of the signatories, the Maryland-National Capital Park and Planning Commission, the Northern Virginia Regional Planning and Economic Development Commission, the Maryland State Planning Department and the Commission of Fine Arts. Such cooperation shall include the creation, as necessary, of technical committees composed of personnel, appointed by such agencies, concerned with planning and collection and analysis of data relative to decisionmaking in the transportation planning process.

"Adoption of mass transit plan

"15. (a) Before a mass transit plan is adopted, altered, revised or amended, the Board shall transmit such proposed plan, alteration, revision or amendment for comment to the following and to such other agencies as the Board shall determine:

"(1) the Commissioners of the District of Columbia, the Northern Virginia Transportation Commission and the Washington Suburban Transit Commission;

"(2) the governing bodies of the counties and cities embraced within the zone;

"(3) the highway agencies of the signatories;

"(4) the Washington Metropolitan Area Transit Commission;

"(5) the Washington Metropolitan Council of Governments;

"(6) the National Capital Planning Commission;

"(7) The National Capital Regional Planning Council;

"(8) the Maryland-National Capital Park and Planning Commission;

"(9) the Northern Virginia Regional Planning and Economic Development Commission;

"(10) the Maryland State Planning Department; and

"(11) the private transit companies operating in the zone and the labor unions representing the employees of such companies and employees of contractors providing service under operating contracts.

"Information with respect thereto shall be released to the public. A copy of the proposed mass transit plan, amendment, or revision, shall be kept at the office of the Board and shall be available for public inspection. After thirty days' notice published once a week for two successive weeks in one or more newspapers of general circulation within the zone, a public hearing shall be held with respect to the proposed plan, alteration, revision, or amendment. The thirty days' notice shall begin to run on the first day the notice appears in any such newspaper. The Board shall consider the evidence submitted and statements and comments made at such hearing and may make any changes in the proposed plan, amendment, or revision which it deems appropriate and such changes may be made without further hearing.

"Article VII

"Financing

"Policy

"16. With due regard for the policy of Congress for financing a mass transit plan for the zone set forth in section 204(g) of the National Capital Transportation Act of 1960 (74 Stat. 537), it is hereby declared to be the policy of this title that, as far as possible, the payment of all costs shall be borne by the persons using or benefiting from the Authority's facilities and services and any remaining costs shall be equitably shared among the Federal, District of Columbia, and participating local governments in the zone. The allocation among such governments of such remaining costs shall be determined by agreement among them and shall be provided in the manner hereinafter specified.

"Plan of financing

"17. (a) The Authority, in conformance with said policy, shall prepare and adopt a plan for financing the construction, acquisition, and operation of facilities specified in a mass transit plan adopted pursuant to Article VI hereof, or in any alteration, revision or amendment thereof. Such plan of financing shall specify the facilities to be constructed or acquired, the cost thereof, the principal amount of revenue bonds, equipment trust certificates, and other evidences of debt proposed to be issued, the principal terms and provisions of all loans and underlying agreements and indentures, estimated operating expenses and revenues, and the proposed allocation among the Federal, District of Columbia, and participating local governments of the remaining costs and deficits, if any, and such other information as the Commission may consider appropriate.

"(b) Such plan of financing shall constitute a proposal to the interested governments for financial participation and shall not impose any obligation on any government and such obligations shall be created only as provided in Section 18 of this Article VII.

"Commitments for financial participation

"18. (a) Commitments on behalf of the portion of the Zone located in Virginia shall be by contract or agreement by the Authority with the Northern Virginia Transportation District, or its component governments, as authorized in the Transportation District Act of 1964 (Ch. 631, 1964 Acts of Virginia Assembly), to contribute to the capital required for the construction and/or acquisition of facilities specified in a mass transit plan adopted as provided in Article VI, or any alteration, revision or amendment thereof, and for meeting expenses and obligations in the operation of such facilities. No such contract or agreement, however, shall be entered into by the Authority with the Northern Virginia Transportation District unless said District has entered into the contracts or agreements with its member governments, as contemplated by Section 1(b) (4) of Article 4 of said Act, which contracts or agreements expressly provide that such contracts or agreements shall inure to the benefit of the Authority and shall be enforceable by the Authority in accordance with the provisions of Section 2, Article 5 of said Act, and such contracts or agreements are acceptable to the Board. The General Assembly of Virginia hereby authorizes and designates the Authority as the agency to plan for and provide transit facilities and services for the area of Virginia encompassed within the Zone within the contemplation of Article 1, Section 3(c) of said Act.

"(b) Commitments on behalf of the portion of the Zone located in Maryland shall be by contract or agreement by the Authority with the Washington Suburban Transit District, pursuant to which the Authority undertakes to provide transit facilities and service in consideration for the agreement by said District to contribute to the capital required for the construction and/or acquisition of facilities specified in a mass transit plan adopted as provided in Article VI, or in any alteration, revision or amendment thereof, and for meeting expenses and obligations incurred in the operation of such facilities.

"(c) With respect to the District of Columbia and the federal government, the commitment or obligation to render financial assistance shall be created by appropriation or in such other manner, or by such other legislation, as the Congress shall determine. If prior to making such commitment by or on behalf of the District of Columbia, legislation is enacted by the Congress granting the governing body of the District of Columbia plenary power to create obligations and levy taxes, the commitment by the District of Columbia shall be by contract or agreement between the governing body of the District of Columbia and the Authority, pursuant to which the Authority undertakes, subject to the provisions of Section 20 hereof, to provide transit facilities and service in consideration for the undertaking by the District of Columbia to contribute to the capital required for the construction and/or acquisition of facilities specified in a mass transit plan adopted as provided in Article VI, or in any alteration, revision or amendment thereof, and for meeting expenses and obligations incurred in the operation of such facilities.

"Administrative expenses

"19. Prior to the time the Authority has receipts from appropriations and contracts or agreements as provided in Section 18 of this Article VII, the expenses of the Authority for administration and for preparation of a mass transit and financing plan, including all engineering, financial, legal and other services required in connection therewith, shall, to the extent funds for such expenses are not provided through grants by the federal government, be borne by the District of Columbia, by the Washington Suburban Transit District and the component governments of the Northern Virginia Transportation District. Such expenses shall be allocated among such governments on the basis of population as reflected by the latest available population statistics of the Bureau of the Census; provided, however, that upon the request of any Director the Board shall make the allocation upon estimates of population acceptable to the Board. The allocations shall be made by the Board and shall be included in the annual current expense budget prepared by the Board.

"Acquisition of facilities from Federal or other agencies

"20. (a) The Authority is authorized to acquire by purchase, lease or grant or in any manner other than condemnation, from the Federal Government, or any agency thereof, from the District of Columbia, Maryland or Virginia, or any political subdivision or agency thereof, any transit and related facilities, including real and personal property and all other assets, located within the zone, whether in operation or under construction. Such acquisition shall be made upon such terms and conditions as may be agreed upon and subject to such authorization or approval by the Congress and the governing body of the District of Columbia, as may be required; provided, however, that if such acquisition imposes or may impose any further or additional obligation or liability upon the Washington Suburban Transit District, the Northern Virginia Transportation District, or any component government thereof, under any contract with the Authority, the Authority shall not make such acquisition until any such affected contract has been appropriately amended.

"(b) For such purpose, the Authority is authorized to assume all liabilities and contracts relating thereto, to assume responsibility as primary obligor, endorser or guarantor on any outstanding revenue bonds, equipment trust certificates or other form of indebtedness authorized in this Act issued by such predecessor agency or agencies and, in connection therewith, to become a party to, and assume the obligations of, any indenture or loan agreement underlying or issued in connection with any outstanding securities or debts.

"Temporary borrowing

"21. The Board may borrow, in anticipation of receipts, from any signatory, the Washington Suburban Transit District, the Northern Virginia Transportation District, or any component government thereof, or from any lending institution for any purposes of this title, including administrative expenses. Such loans shall be for a term not to exceed two years and at a rate of interest not to exceed 6 percent per annum. The signatories and any such political subdivision or agency may, in its discretion, make such loans from any available money.

"Funding

"22. The Board shall not construct or acquire any of the transit facilities specified in a mass transit plan adopted pursuant to the provisions of article VI of this Title, or in any alteration, revision or amendment thereof, nor make any commitments or incur any obligations with respect thereto until funds are available therefor.

"Article VIII

"Budget

"Capital budget

"23. The Board shall annually adopt a capital budget, including all capital projects it proposes to undertake or continue during the budget period, containing a statement of the estimated cost of each project and the method of financing thereof.

"Current expense budget

"24. The Board shall annually adopt a current expense budget for each fiscal year. Such budget shall include the Board's estimated expenditures for administration, operation, maintenance and repairs, debt service requirements and payments to be made into any funds required to be maintained. The total of such expenses shall be balanced by the Board's estimated revenues and receipts from all sources, excluding funds included in the capital budget or otherwise earmarked for other purposes.

"Adoption and distribution of budgets

"25. (a) Following the adoption by the Board of annual capital and current expense budgets, the general manager shall transmit certified copies of such budgets to the principal budget officer of the federal government, the District of Columbia, and Washington Suburban Transit District and of the component governments of the Northern Virginia Transportation Commission at such time and in such manner as may be required under their respective budgetary procedures.

"(b) Each budget shall indicate the amounts, if any, required from the federal government, the Government of the District of Columbia, the Washington Suburban Transit District and the component governments of the Northern Virginia Transportation District, determined in accordance with the commitments made pursuant to Article VII, Section 18 of this Title, to balance each of said budgets.

"Payments

"26. Subject to such review and approval as may be required by their budgetary or other applicable processes, the federal government, the Government of the District of Columbia, the Washington Suburban Transit District and the component governments of the Northern Virginia Transportation District shall include in their respective budgets next to be adopted and appropriate or otherwise provide the amounts certified to each of them as set forth in the budgets.

"Article IX

"Revenue Bonds

"Borrowing power

"27. The Authority may borrow money for any of the purposes of this Title, may issue its negotiable bonds and other evidences of indebtedness in respect thereto and may mortgage or pledge its properties, revenues and contracts as security therefor.

"All such bonds and evidences of indebtedness shall be payable solely out of the properties and revenues of the Authority. The bonds and other obligations of the Authority, except as may be otherwise provided in the indenture under which they were issued, shall be direct and general obligations of the Authority and the full faith and credit of the Authority are hereby pledged for the prompt payment of the debt service thereon and for the fulfillment of all other undertakings of the Authority assumed by it to or for the benefit of the holders thereof.

"Funds and expenses

"28. The purposes of this Title shall include, without limitation, all costs of any project or facility or any part thereof, including interest during a period of construction and for a period not to exceed two years thereafter and any incidental expenses (legal, engineering, fiscal, financial, consultant and other expenses) connected with issuing and disposing of the bonds; all amounts required for the creation of an operating fund, construction fund, reserve fund, sinking fund, or other special fund; all other expenses connected with administration, the planning, design, acquisition, construction, completion, improvement or reconstruction of any facility or any part thereof; and reimbursement of advances by the Board or by others for such purposes and for working capital.

"Credit excluded; officers, State, political subdivisions and agencies

"29. The Board shall have no power to pledge the credit of any signatory party, political subdivision or agency thereof, or to impose any obligation for payment of the bonds upon any signatory party, political subdivision or agency thereof, but may pledge the contracts of such governments and agencies: *Provided, however,* That the bonds may be underwritten in whole or in part as to principal and interest by the United States, or by any political subdivision or agency of any signatory: *Provided, further,* That any bonds underwritten in whole or in part as to principal and interest by the United States shall not be issued without approval of the Secretary of the Treasury. Neither the Directors nor any person executing the bonds shall be liable personally on the bonds of the Authority or be subject to any personal liability or accountability by reason of the issuance thereof.

"Funding and refunding

"30. Whenever the Board deems it expedient, it may fund and refund the bonds and other obligations of the Authority whether or not such bonds and obligations have matured. It may provide for the issuance, sale or exchange of refunding bonds for the purpose of redeeming or retiring any bonds (including the payment of any premium, duplicate interest or cash adjustment required in connection therewith) issued by the Authority or issued by any other issuing body, the proceeds of the sale of which have been applied to any facility acquired by the Authority or which are payable out of the revenues of any facility acquired by the Authority. Bonds may be issued partly to refund bonds and other obligations then outstanding, and partly for any other purpose of the Authority. All provisions of this title applicable to the issuance of bonds are applicable to refunding bonds and to the issuance, sale or exchange thereof.

"Bonds; authorization generally

"31. Bonds and other indebtedness of the Authority shall be authorized by resolution of the Board. The validity of the authorization and issuance of any bonds by the Authority shall not be dependent upon nor affected in any way by: (i) the disposition of bond proceeds by the Board or by contract, commitment, or action taken with respect to such proceeds; or (ii) the failure to complete any part of the project for which bonds are authorized to be issued. The Authority may issue bonds in one or more series and may provide for one or more consolidated bond issues, in such principal amounts and with such terms and provisions as the Board may deem necessary. The bonds may be secured by a pledge of all or any part of the property, revenues and franchises under its control. Bonds may be issued by the Authority in such amount, with such maturities and in such denominations and form or forms, whether coupon or registered, as to principal alone or as to both principal and interest, as may be determined by the Board. The Board may provide for redemption of bonds prior to maturity on such notice and at such time or times and with such redemption provisions, including premiums, as the Board may determine.

"Bonds; resolutions and indentures generally

"32. The Board may determine and enter into indentures or adopt resolutions providing for the principal amount, date or dates, maturities, interest rate, or rates, denominations, form, registration, transfer, interchange and other provisions of the bonds and coupons and the terms and conditions upon which the same shall be executed, issued, secured, sold, paid, redeemed, funded and refunded. The resolution of the Board authorizing any bond or any indenture so authorized under which the bonds are issued may include all such covenants and other provisions not inconsistent with the provisions of this Title, other than any restriction on the regulatory powers vested in the Board by this Title, as the Board may deem necessary or desirable for the issue, payment, security, protection or marketing of the bonds, including without limitation covenants and other provisions as to the rates or amounts of fees, rents and other charges to be charged or made for use of the facilities; the use, pledge, custody, securing, application and disposition of such revenues, of the proceeds of the bonds, and of any other moneys or contracts of the Authority; the operation, maintenance, repair and reconstruction of the facilities and the amounts which may be expended therefor; the sale, lease or other disposition of the facilities; the insuring of the facilities and of the revenues derived therefrom; the construction or other acquisition of other facilities; the issuance of additional bonds or other indebtedness; the rights of the bondholders and of any trustee for the bondholders upon default by the Authority or otherwise; and the modification of the provisions of the indenture and of the bonds. Reference on the face of the bonds to such resolution or indenture by its date of adoption or the apparent date on the face thereof is sufficient to incorporate all of the provisions thereof and of this Title into the body of the bonds and their appurtenant coupons. Each taker and subsequent holder of the bonds or coupons, whether the coupons are attached to or detached from the bonds, has recourse to all of the provisions of the indenture and of this Title and is bound thereby.

"Maximum maturity

"33. No bond or its terms shall mature in more than fifty years from its own date and in the event any authorized issue is divided into two or more series or divisions, the maximum maturity date herein authorized shall be calculated from the date on the face of each bond separately, irrespective of the fact that different dates may be prescribed for the bonds of each separate series or division of any authorized issue.

"Tax exemption

"34. All bonds and all other evidences of debt issued by the Authority under the provisions of this Title and the interest thereon shall at all times be free and exempt from all taxation by or under authority of any signatory parties, except for transfer, inheritance and estate taxes.

"Interest

"35. Bonds shall bear interest at a rate of not to exceed six percent per annum, payable annually or semiannually.

"Place of payment

"36. The Board may provide for the payment of the principal and interest of bonds at any place or places within or without the signatory states, and in any specified lawful coin or currency of the United States of America.

"Execution

"37. The Board may provide for the execution and authentication of bonds by the manual, lithographed or printed facsimile signature of members of the Board, and by additional authentication by a trustee or fiscal agent appointed by the Board: *Provided, however,* That one of such signatures shall be manual. If any of the members whose signatures or countersignatures appear upon the bonds or coupons cease to be members before the delivery of the bonds or coupons, their signatures or countersignatures are nevertheless valid and of the same force and effect as if the members had remained in office until the delivery of the bonds and coupons.

"Holding own bonds

"38. The Board shall have power out of any funds available therefor to purchase its bonds and may hold, cancel or resell such bonds.

"Sale

"39. The Board may fix terms and conditions for the sale or other disposition of any authorized issue of bonds. The Board may sell bonds at less than their par or face value but no issue of bonds may be sold at an aggregate price below the par or face value thereof if such sale would result in a net interest cost to the Authority calculated upon the entire issue so sold of more than six percent per annum payable semiannually, according to standard tables of bond values. All bonds issued and sold pursuant to this title may be sold in such manner, either at public or private sale, as the Board shall determine.

"Negotiability

"40. All bonds issued under the provisions of this title are negotiable instruments.

"Bond eligible for investment and deposit

"41. Bonds issued under the provisions of this title are hereby made securities in which all public officers and public agencies of the signatories and their political subdivisions and all banks, trust companies, savings and loan associations, investment companies and others carrying on a banking business, all insurance companies and insurance associations and others carrying on an insurance business, all administrators, executors, guardians, trustees and other fiduciaries, and all other persons may legally and properly invest funds, including capital in their control or belonging to them. Such bonds are hereby made securities which may properly and legally be deposited with and received by any officer of any signatory, or of any agency or political subdivision of any signatory, for any purpose for which the deposit of bonds or other obligations of such signatory is now or may hereafter be authorized by law.

"Validation proceedings

"42. Prior to the issuance of any bonds, the Board may institute a special proceeding to determine the legality of proceedings to issue the bonds and their validity under the laws of any of the signatory parties. Such proceeding shall be instituted and prosecuted in rem and the final judgment rendered therein shall be conclusive against all persons whomsoever and against each of the signatory parties.

"Recording

"43. No indenture need be recorded or filed in any public office, other than the office of the Board. The pledge of revenues provided in any indenture shall take effect forthwith as provided therein and irrespective of the date of receipt of such revenues by the Board of the indenture trustee. Such pledge shall be effective as provided in the indenture without physical delivery of the revenues to the Board or to the indenture trustee.

"Pledged revenues

"44. Bond redemption and interest payments shall, to the extent provided in the resolution or indenture, constitute a first, direct and exclusive charge and lien on all revenues received from the use and operation of the facility, and on any sinking or other funds created therefrom. All such revenues, together with interest thereon, shall constitute a trust fund for the security and payment of such bonds and except as and to the extent provided in the indenture with respect to the payment therefrom of expenses for other purposes including administration, operation, maintenance, improvements or extensions of the facilities or other purposes shall not be used or pledged for any other purpose so long as such bonds, or any of them, are outstanding and unpaid.

"Remedies

"45. The holder of any bond may for the equal benefit and protection of all holders of bonds similarly situated: (1) by mandamus or other appropriate proceedings require and compel the performance of any of the duties imposed upon the Board or assumed by it, its officers, agents or employees under the provisions of any indenture, in connection with the acquisition, construction, operation, maintenance, repair, reconstruction or insurance of the facilities, or in connection with the collection, deposit, investment, application and disbursement of the revenues derived from the operation and use of the facilities, or in connection with the deposit, investment and disbursement of the proceeds received from the sale of bonds; or (2) by action or suit in a court of competent jurisdiction of any signatory party require the Authority to account as if it were the trustee of an express trust, or enjoin any acts or things which may be unlawful or in violation of the rights of the holders of the bonds. The enumeration of such rights and remedies does not, however, exclude the exercise or prosecution of any other rights or remedies available to the holders of bonds.

"*Article X*

"Equipment Trust Certificates

"Power

"46. The Board shall have power to execute agreements, leases and equipment trust certificates with respect to the purchase of facilities or equipment such as cars, trolley buses and motor buses, or other craft, in the form customarily used in such cases and appropriate to effect such purchase, and may dispose of such equipment trust certificates in such manner as it may determine to be for the best interests of the Authority. Each vehicle covered by an equipment trust certificate shall have the name of the owner or lessor plainly marked upon both sides thereof, followed by the words 'Owner and Lessor'.

"Payments

"47. All monies required to be paid by the Authority under the provisions of such agreements, leases and equipment trust certificates shall be payable solely from the revenue to be derived from the operation of the transit system or from such grants, loans, appropriations or other revenues, as may be available to the Board under the provisions of this Title. Payment for such facilities or equipment, or rentals thereof, may be made in installments, and the deferred installments may be evidenced by equipment trust certificates as aforesaid, and title to such facilities or equipment may not vest in the Authority until the equipment trust certificates are paid.

"Procedure

"48. The agreement to purchase facilities or equipment by the Board may direct the vendor to sell and assign the equipment to a bank or trust company, duly authorized to transact business in any of the signatory States, or to the Housing and Home Finance Administrator, as trustee, lessor or vendor, for the benefit and security of the equipment trust certificates and may direct the trustee to deliver the facilities and equipment to one or more designated officers of the Board and may authorize the trustee simultaneously therewith to execute and deliver a lease of the facilities or equipment to the Board.

"Agreements and leases

"49. The agreements and leases shall be duly acknowledged before some person authorized by law to take acknowledgements of deeds and in the form required for acknowledgement of deeds and such agreements, leases, and equipment trust certificates shall be authorized by resolution of the Board and shall contain such covenants, conditions and provisions as may be deemed necessary or appropriate to insure the payment of the equipment trust certificates from the revenues to be derived from the operation of the transit system and other funds.

"The covenants, conditions and provisions of the agreements, leases and equipment trust certificates shall not conflict with any of the provisions of any resolution or trust agreement securing the payment of bonds or other obligations of the Authority then outstanding or conflict with or be in derogation of the rights of the holders of any such bonds or other obligations.

"Law governing

"50. The equipment trust certificates issued hereunder shall be governed by Laws of the District of Columbia and for this purpose the chief place of business of the Authority shall be considered to be the District of Columbia. The filing of any documents required or permitted to be filed shall be governed by the Laws of the District of Columbia.

"Article XI

"Operation of Facilities

"Operation by contract or lease

"51. The Authority shall not perform transit service, nor any of the functions, such as maintenance of equipment and right of way normally associated with the providing of such service, with any transit facilities owned or controlled by it but shall provide for the performance of transit service with such facilities by contract or contracts with private transit companies, private railroads, or other persons. Any facilities and properties owned or controlled by the Authority, other than those utilized in performing transit service, may be operated by the Authority or by others pursuant to contract or lease as the Board may determine. All operations of such facilities and properties by the Authority and by its Contractor and lessees shall be within the Zone.

"The operating contract

"52. Without limitation upon the right of the Board to prescribe such additional terms and provisions as it may deem necessary and appropriate, the operating contract shall;

"(a) specify the services and functions to be performed by the Contractor;

"(b) provide that the Contractor shall hire, supervise and control all personnel required to perform the services and functions assumed by it under the operating contract and that all such personnel shall be employees of the Contractor and not of the Authority;

"(c) require the Contractor to assume the obligations of the labor contract or contracts of any transit company which may be acquired by the Authority and assume the pension obligations of any such transit company;

"(d) require the Contractor to comply in all respects with the labor policy set forth in Article XIV of this Title;

"(e) provide that no transfer of ownership of the capital stock, securities or interests in any Contractor, whose principal business is the operating contract, shall be made without written approval of the Board and the certificates or other instruments representing such stock, securities or interests shall contain a statement of this restriction;

"(f) provide that the Board shall have the sole authority to determine the rates or fares to be charged, the routes to be operated and the service to be furnished;

"(g) specify the obligations and liabilities which are to be assumed by the Contractor and those which are to be the responsibility of the Authority;

"(h) provide for an annual audit of the books and accounts of the Contractor by an independent certified public accountant to be selected by the Board and for such other audits, examinations and investigations of the books and records, procedures and affairs of the Contractor at such times and in such manner as the Board shall require, the cost of such audits, examinations and investigations to be borne as agreed by the parties in the operating contract; and

"(i) provide that no operating contract shall be entered into for a term in excess of five years; provided, that any such contract may be renewed for successive terms, each of which shall not exceed five years. Any such operating contract shall be subject to termination by the Board for cause only.

"Compensation for Contractor

"53. Compensation to the Contractor under the operating contract may, in the discretion of the Board, be in the form of (1) a fee paid by the Board to the Contractor for services, (2) a payment by the Contractor to the Board for the right to operate the system, or (3) such other arrangement as the Board may prescribe; provided, however, that the compensation shall bear a reasonable relationship to the benefits to the Authority and to the estimated costs the Authority would incur in directly performing the functions and duties delegated under the operating contract; and provided, further, that no such contract shall create any right in the Contractor (1) to make or change any rate or fare or alter or change the service specified in the contract to be provided or (2) to seek judicial relief by any form of original action, review or other proceedings from any rate or fare or service prescribed by the Board. Any assertion, or attempted assertion, by the Contractor of the right to make or change any rate or fare or service prescribed by the Board shall constitute cause for termination of the operating contract. The operating contract may provide incentives for efficient and economical management.

"Selection of contractor

"54. The Board shall enter into an operating contract only after formal advertisement and negotiations with all interested and qualified parties, including private transit companies rendering transit service within the Zone; provided, however, that, if the Authority acquires transit facilities from any agency of the federal or District of Columbia governments, in accordance with the provisions of Article VII, Section 20 of this Title, the Authority shall assume the obligations of any operating contract which the transferor agency may have entered into.

"Article XII

"Coordination of Private and Public Facilities

"Declaration of policy

"55. It is hereby declared that the interest of the public in efficient and economical transit service and in the financial well-being of the Authority and of the private transit companies requires that the public and private segments of the regional transit system be operated, to the fullest extent possible, as a coordinated system without unnecessary duplicating service.

"Implementation of policy

"56. In order to carry out the legislative policy set forth in Section 55 of this Article XII

"(a) The Authority—

"(1) except as herein provided, shall not, directly or through a Contractor, perform transit service by bus or similar motor vehicles;

"(2) shall, in cooperation with the private carriers and WMATC, coordinate to the fullest extent practicable, the schedules for service performed by its facilities with the schedules for service performed by private carriers; and

"(3) shall enter into agreements with the private carriers to establish and maintain, subject to approval by WMATC, through routes and joint fares and provide for the division thereof, or, in the absence of such agreements, establish and maintain through routes and joint fares in accordance with orders issued by WMATC directed to the private carriers when the terms and conditions for such through service and joint fares are acceptable to it.

"(b) The WMATC, upon application, complaint, or upon its own motion, shall—

"(1) direct private carriers to coordinate their schedules for service with the schedules for service performed by facilities owned or controlled by the Authority;

"(2) direct private carriers to improve or extend any existing services or provide additional service over additional routes;

"(3) authorize a private carrier, pursuant to agreement between said carrier and the Authority, to establish and maintain through routes and joint fares for transportation to be rendered with facilities owned or controlled by the Authority if, after hearing held upon reasonable notice, WMATC finds that such through routes and joint fares are required by the public interest; and

"(4) in the absence of such an agreement with the Authority, direct a private carrier to establish and maintain through routes and joint fares with the Authority, if, after hearing held upon reasonable notice, WMATC finds that such through service and joint fares are required by the public interest; provided, however, that no such order, rule or regulation of WMATC shall be construed to require the Authority to establish and maintain any through route and joint fare.

"(c) WMATC shall not authorize or require a private carrier to render any service, including the establishment or continuation of a joint fare for a through route service with the Authority which is based on a division thereof between the Authority and private carrier which does not provide a reasonable return to the private carrier; unless the carrier is currently earning a reasonable return on its operation as a whole in performing transportation subject to the jurisdiction of WMATC. In determining the issue of reasonable return, WMATC shall take into account any income attributable to the carrier, or to any corporation, firm or association owned in whole or in part by the carrier, from the Authority whether by way of payment for services or otherwise.

"(d) If the WMATC is unable, through the exercise of its regulatory powers over the private carriers granted in paragraph (b) hereof or otherwise, to bring about the requisite coordination of operations and service between the private carriers and the Authority, the Authority may in the situations specified in paragraph (b) hereof, cause such transit service to be rendered by its Contractor by bus or other motor vehicle, as it shall deem necessary to effectuate the policy set forth in Section 55 hereof. In any such situation, the Authority, in order to encourage private carriers to render bus service to the fullest extent practicable, may, pursuant to agreement, make reasonable subsidy payments to any private carrier.

"Rights of private carriers unaffected

"57. Nothing in this title shall restrict or limit such rights and remedies, if any, that any private carrier may have against the Authority arising out of acts done or actions taken by the Authority hereunder. In the event any court of competent jurisdiction shall determine that the Authority has unlawfully infringed any rights of any private carrier or otherwise caused or permitted any private carrier to suffer legally cognizable injury, damages or harm and shall award a judgment therefor, such judgment shall constitute a lien against any and all of the assets and properties of the Authority.

"Financial assistance to private carriers

"58. (a) The Board may accept grants from and enter into loan agreements with the Housing and Home Finance Administrator, pursuant to the provisions of the Urban Mass Transportation Act of 1964 (78 Stat. 302), or with any successor agency or under any law of similar purport, for the purpose of rendering financial assistance to private carriers.

"(b) An application by the Board for any such grant or loan shall be based on and supported by a report from WMATC setting forth for each private carrier to be assisted (1) the equipment and facilities to be acquired, constructed, reconstructed, or improved, (2) the service proposed to be rendered by such equipment and facilities, (3) the improvement in service expected from such facilities and equipment, (4) how the use of such facilities and equipment will be coordinated with the transit facilities owned by the Authority, (5) the ability of the affected private carrier to repay any such loans or grants and (6) recommend terms for any such loans or grants.

"(c) Any equipment or facilities acquired, constructed, reconstructed or improved with the proceeds of such grants or loans shall be owned by the Authority and may be made available to private carriers only by lease or other agreement which contain provisions acceptable to the Housing and Home Finance Administrator assuring that the Authority will have satisfactory continuing control over the use of such facilities and equipment.

"Article XIII

"Jurisdiction; Rates and Service

"Washington Metropolitan Area Transit Commission

"59. Except as provided herein, this Title shall not affect the functions and jurisdiction of WMATC, as granted by Titles I and II of this Compact, over the transportation therein specified and the persons engaged therein and the Authority shall have no jurisdiction with respect thereto.

"Public facilities

"60. Service performed by transit facilities owned or controlled by the Authority, and the rates and fares to be charged for such service, shall be subject to the sole and exclusive jurisdiction of the Board and, notwithstanding any other provision in this Compact contained, WMATC shall have no authority with respect thereto, or with respect to any contractor in connection with the operation by it of transit facilities owned or controlled by the Authority. The determinations of the Board with respect to such matters shall not be subject to judicial review nor to the processes of any court.

"Standards

"61. Insofar as practicable, and consistent with the provision of adequate service at reasonable fares, the rates and fares and services shall be fixed by the Board so as to result in revenues which will:

"(a) pay the operating expenses and provide for repairs, maintenance and depreciation of the transit system owned or controlled by the Authority;

"(b) provide for payment of all principal and interest on outstanding revenue bonds and other obligations and for payment of all amounts to sinking funds and other funds as may be required by the terms of any indenture or loan agreement;

"(c) provide for the purchase, lease or acquisition of rolling stock, including provisions for interest, sinking funds, reserve funds, or other funds required for payment of any obligations incurred by the Authority for the acquisition of rolling stock; and

"(d) provide funds for any purpose the Board deems necessary and desirable to carry out the purposes of this Title.

"Hearings

"62. (a) The Board shall not make or change any fare or rate, nor establish or abandon any service except after holding a public hearing with respect thereto.

"(b) Any signatory, any political subdivision thereof, any agency of the federal government and any person, firm or association served by or using the transit facilities of the Authority and any private carrier may file a request with the Board for a hearing with respect to any rates or charges made by the Board or any service rendered with the facilities owned or controlled by the Authority. Such request shall be in writing, shall state the matter on which a hearing is requested and shall set forth clearly the matters and things on which the request relies. As promptly as possible after such a request is filed, the Board, or such officer or employee as it may designate, shall confer with the protestant with respect to the matters complained of. After such conference, the Board, if it deems the matter meritorious and of general significance, may call a hearing with respect to such request.

"(c) The Board shall give at least thirty days' notice for all hearings. The notice shall be given by publication in a newspaper of daily circulation throughout the Zone and such notice shall be published once a week for two successive weeks. The notice shall start with the day of first publication. In addition, the Board shall post notices of the hearing in its offices, all stations and terminals and in all of its vehicles and rolling stock in revenue service.

"(d) Prior to calling a hearing on any matter specified in this section, the Board shall prepare and file at its main office and keep open for public inspection its report relating to the proposed action to be considered at such hearing. Upon receipt by the Board of any report submitted by WMATC, in connection with a matter set for hearing, pursuant to the provisions of Section 63 of this Article XIII, the Board shall file such report at its main office and make it available for public inspection. For hearings called by the Board pursuant to paragraph (b), above, the Board also shall cause to be lodged and kept open for public inspection the written request upon which the hearing is granted and all documents filed in support thereof.

"Reference of matters to WMATC

"63. To facilitate the attainment of the public policy objectives for operation of the publicly and privately owned or controlled transit facilities as stated in Article XII, Section 55, prior to the hearings provided for by Section 62 hereof—

"(a) The Board shall refer to WMATC for its consideration and recommendations, any matter which the Board considers may affect the operation of the publicly and privately owned or controlled transit facilities as a coordinated regional transit system and any matter for which the Board has called a hearing, pursuant to Section 62 of this Article XIII, except that temporary or emergency changes in matters affecting service shall not be referred; and

"(b) WMATC, upon such reference of any matter to it, shall give the referred matter preference over any other matters pending before it and shall, as expeditiously as practicable, prepare and transmit its report thereon to the Board. The Board may request WMATC to reconsider any part of its report or to make any supplemental reports it deems necessary. All of such reports shall be advisory only.

"(c) Any report submitted by WMATC to the Board shall consider, without limitation, the probable effect of the matter or proposal upon the operation of the publicly and privately owned or controlled transit facilities as a coordinated regional system, passenger movements, fare structures, service and the impact on the revenues of both the public and private facilities.

"Article XIV

"Labor Policy

"Construction

"64. The Board shall take such action as may be necessary to insure that all laborers and mechanics employed by contractors or subcontractors in the construction, alteration or repair, including painting and decorating, of projects, buildings and works which are undertaken by the Authority or are financially assisted by it, shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5), and every such employee shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in any workweek in excess of eight hours in any workday or forty hours in any workweek, as the case may be. A provision stating the minimum wages thus determined and the requirement that overtime be paid as above provided shall be set out in each project advertisement for bids and in each bid proposal form and shall be made a part of the contract covering the project, which contract shall be deemed to be a contract of the character specified in Section 103 of the Contract Work Hours Standards Act (76 Stat. 357), as now or as may hereafter be in effect. The Secretary of Labor shall have, with respect to the administration and enforcement of the labor standards specified in this provision, the supervisory, investigatory and other authority and functions set forth in Reorganization Plan Number 14 of 1950 (15 F.R. 3176, 64 Stat. 1267, 5 U.S.C. 133z-15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948, as amended; 40 U.S.C. 276(c)). The requirements of this section shall also be applicable with respect to the employment of laborers and mechanics in the construction, alteration or repair, including painting and decorating, of the transit facilities owned or controlled by the Authority where such activities are performed by a Contractor pursuant to agreement with the operator of such facilities.

"Equipment and supplies

"65. Contracts for the manufacture or furnishing of materials, supplies, articles and equipment shall be subject to the provisions of the Walsh-Healey Public Contracts Act (41 U.S.C. 35 et seq.), as now or as may hereafter be in effect.

"Operations

"66. It shall be a condition of the operation of the transit facilities owned or controlled by the Authority that the provisions of section 10(c) of the Urban Mass Transportation Act of 1964 (49 U.S.C. 1609(c)) shall be applicable to any contract or other arrangement for the operation of such facilities.

"Article XV

"Relocation Assistance

"Relocation program and payments

"67. Section 7 of the Urban Mass Transportation Act of 1964, and as the same may from time to time be amended, and all regulations promulgated thereunder, are hereby made applicable to individuals, families, business concerns and nonprofit organizations displaced from real property by actions of the Authority without regard to whether financial assistance is sought by or extended to the Authority under any provision of that Act: provided, however, that in the event real property is acquired for the Authority by an agency of the federal government, or by a State or local agency or instrumentality, the Authority is authorized to reimburse the acquiring agency for relocation payments made by it.

"Relocation of public or public utility facilities

"68. Notwithstanding the provisions of Section 67 of this article XV, any highway or other public facility or any facilities of a public utility company which will be dislocated by reason of a project deemed necessary by the Board to effectuate the authorized purposes of this Title shall be relocated if such facilities are devoted to a public use, and the reasonable cost of relocation, if substitute facilities are necessary, shall be paid by the Board from any of its monies.

"Article XVI

"General Provisions

"Creation and administration of funds

"69. (a) The Board may provide for the creation and administration of such funds as may be required. The funds shall be disbursed in accordance with rules established by the Board and all payments from any funds shall be reported to the Board. Monies in such funds and other monies of the Authority shall be deposited, as directed by the Board, in any state or national bank located in the Zone having a total paid-in capital of at least one million dollars ($1,000,000). The trust department of any such state or national bank may be designated as a depositary to receive any securities acquired or owned by the Authority. The restriction with respect to paid-in capital may be waived for any such bank which agrees to pledge federal securities to protect the funds and securities of the Authority in such amounts and pursuant to such arrangements as may be acceptable to the Board.

"(b) Any monies of the Authority may, in the discretion of the Board and subject to any agreement or covenant between the Authority and the holders of any of its obligations limiting or restricting classes of investments, be invested in bonds or other obligations of, or guaranteed as to interest and principal by, the United States, Maryland, Virginia or the political subdivisions or agencies thereof.

"Annual independent audit

"70. (a) As soon as practical after the closing of the fiscal year, an audit shall be made of the financial accounts of the Authority. The audit shall be made by qualified certified public accountants selected by the Board, who shall have no personal interest direct or indirect in the financial affairs of the Authority or any of its officers or employees. The report of audit shall be prepared in accordance with generally accepted auditing principles and shall be filed with the Chairman and other officers as the Board shall direct. Copies of the report shall be distributed to each Director, to the Congress, to the Board of Commissioners of the District of Columbia, to the Governors of Virginia and Maryland, to the Washington Suburban Transit Commission, to the Northern Virginia Transportation Commission and to the governing bodies of the political subdivisions located within the Zone which are parties to commitments for participation in the financing of the Authority and shall be made available for public distribution.

"(b) The financial transactions of the Board shall be subject to audit by the United States General Accounting Office in accordance with the principles and procedures, applicable to commercial corporate transactions and under such rules and regulations as may be prescribed by the Comptroller General of the United States. The audit shall be conducted at the place or places where the accounts of the Board are kept.

"(c) Any Director, officer or employee who shall refuse to give all required assistance and information to the accountants selected by the Board or who shall refuse to submit to them for examination such books, documents, records, files, accounts, papers, things or property as may be requested shall, in the discretion of the Board, forfeit his office.

"Reports

"71. The Board shall make and publish an annual report on its programs, operations and finances, which shall be distributed in the same manner provided by Section 70 of this Article XVI for the report of annual audit. It may also prepare, publish and distribute such other public reports and informational materials as it may deem necessary or desirable.

"Insurance

"72. The Board may self-insure or purchase insurance and pay the premiums therefore against loss or damage to any of its properties; against liability for injury to persons or property; and against loss of revenue from any cause whatsoever. Such insurance coverage shall be in such form and amount as the Board may determine, subject to the requirements of any agreement arising out of issuance of bonds or other obligations by the Authority.

"Purchasing

"73. Contracts for the construction, reconstruction or improvement of any facility when the expenditure required exceeds ten thousand dollars ($10,000) and contracts for the purchase of supplies, equipment and materials when the expenditure required exceeds two thousand five hundred dollars ($2,500) shall be advertised and let upon sealed bids to the lowest responsible bidder. Notice requesting such bids shall be published in a manner reasonably likely to attract prospective bidders, which publication shall be made at least ten days before bids are received and in at least two newspapers of general circulation in the Zone. The Board may reject any and all bids and readvertise in its discretion. If after rejecting bids the Board determines and resolves that, in its opinion, the supplies, equipment and materials may be purchased at a lower price in the open market, the Board may give each responsible bidder an opportunity to negotiate a price and may proceed to purchase the supplies, equipment and materials in the open market at a negotiated price which is lower than the lowest rejected bid of a responsible bidder, without further observance of the provisions requiring bids or notice. The Board shall adopt rules and regulations to provide for purchasing from the lowest responsible bidder when sealed bids, notice and publication are not required by this section. The Board may suspend and waive the provisions of this section requiring competitive bids whenever:

"(a) the purchase is to be made from or the contract is to be made with the federal or any State government or any agency or political subdivision thereof or pursuant to any open end bulk purchase contract of any of them;

"(b) the public exigency requires the immediate delivery of the articles;

"(c) only one source of supply is available; or

"(d) the equipment to be purchased is of a technical nature and the procurement thereof without advertising is necessary in order to assure standardization of equipment and interchangeability of parts in the public interest.

"Rights of way

"74. The Board is authorized to locate, construct and maintain any of its transit and related facilities in, upon, over, under or across any streets, highways, freeways, bridges and any other vehicular facilities, subject to the applicable laws governing such use of such facilities by public agencies. In the absence of such laws, such use of such facilities by the Board shall be subject to such reasonable conditions as the highway department or other affected agency of a signatory party may require: *Provided, however,* That the Board shall not construct or operate transit or related facilities upon, over, or across any parkways or park lands without the consent of, and except upon the terms and conditions required by, the agency having jurisdiction with respect to such parkways and park lands, but may construct or operate such facilities in a subway under such parkways or park lands upon such reasonable terms and conditions as may be specified by the agency having jurisdiction with respect thereto.

"Compliance with laws, regulations and ordinances

"75. The Board shall comply with all laws, ordinances and regulations of the signatories and political subdivisions and agencies thereof with respect to use of streets, highways and all other vehicular facilities, traffic control and regulation, zoning, signs and buildings.

"Police

"76. The Board is authorized to employ watchmen, guards and investigators as it may deem necessary for the protection of its properties, personnel and passengers and such employees, when authorized by any jurisdiction within the Zone, may serve as special police officers in any such jurisdiction. Nothing contained herein shall relieve any signatory or political subdivision or agency thereof from its duty to provide police service and protection or to limit, restrict or interfere with the jurisdiction of or performance of duties by the existing police and law enforcement agencies.

"Exemption from regulation

"77. Except as otherwise provided in this Title, any transit service rendered by transit facilities owned or controlled by the Authority and the Authority or any corporation, firm or association performing such transit service pursuant to an operating contract with the Authority, shall, in connection with the performance of such service, be exempt from all laws, rules, regulations and orders of the signatories and of the United States otherwise applicable to such transit service and persons, except that laws, rules, regulations and orders relating to inspection of equipment and facilities, safety and testing shall remain in force and effect: *Provided, however*, That the Board may promulgate regulations for the safety of the public and employees not inconsistent with the applicable laws, rules, regulations or orders of the signatories and of the United States.

"Tax exemption

"78. It is hereby declared that the creation of the Authority and the carrying out of the corporate purposes of the Authority is in all respects for the benefit of the people of the signatory states and is for a public purpose and that the Authority and the Board will be performing an essential governmental function, including, without limitation, proprietary, governmental and other functions, in the exercise of the powers conferred by this Title. Accordingly, the Authority and the Board shall not be required to pay taxes or assessments upon any of the property acquired by it or under its jurisdiction, control, possession or supervision or upon its activities in the operation and maintenance of any transit facilities or upon any revenues therefrom and the property and income derived therefrom shall be exempt from all federal, State, District of Columbia, municipal and local taxation. This exemption shall include, without limitation, all motor vehicle license fees, sales taxes and motor fuel taxes.

"Free transportation and school fares

"79. All laws of the signatories with respect to free transportation and school fares shall be applicable to transit service rendered by facilities owned or controlled by the Authority.

"Liability for contracts and torts

"80. The Authority shall be liable for its contracts and for its torts and those of its Directors, officers, employees and agent committed in the conduct of any proprietary function, in accordance with the law of the applicable signatory (including rules on conflict of laws), but shall not be liable for any torts occurring in the performance of a governmental function. The exclusive remedy for such breach of contracts and torts for which the Authority shall be liable, as herein provided, shall be by suit against the Authority. Nothing contained in this Title shall be construed as a waiver by the District of Columbia, Maryland, Virginia and the counties and cities within the Zone of any immunity from suit.

"Jurisdiction of courts

"81. The United States District Courts shall have original jurisdiction, concurrent with the Courts of Maryland and Virginia, of all actions brought by or against the Authority and to enforce subpoenas issued under this Title. Any such action initiated in a State Court shall be removable to the appropriate United States District Court in the manner provided by Act of June 25, 1948, as amended (28 U.S.C. 1446).

"Condemnation

"82. (a) The Authority shall have the power to acquire by condemnation, whenever in its opinion it is necessary or advantageous to the Authority to do so, any real or personal property, or any interest therein, necessary or useful for the transit system authorized herein, except property owned by the United States, by a signatory, or any political subdivision thereof, or by a private transit company.

"(b) Proceedings for the condemnation of property in the District of Columbia shall be instituted and maintained under the Act of December 23, 1963 (77 Stat. 577–581, D.C. Code 1961, Supp. IV, secs. 1351–1368). Proceedings for the condemnation of property located elsewhere within the zone shall be instituted and maintained, if applicable, pursuant to the provisions of the Act of August 1, 1888, as amended (25 Stat. 357, 40 U.S.C. 257) and the Act of June 25, 1948 (62 Stat. 935 and 937, 28 U.S.C. 1358 and 1403) or any other applicable Act; provided, however, that if there is no applicable Federal law, condemnation proceedings shall be in accordance with the provisions of the State law of the signatory in which the property is located governing condemnation by the highway agency of such State. Whenever the words 'real property,' 'realty,' 'land,' 'easement,' 'right-of-way,' or words of similar meaning are used in any applicable Federal or State law relating to procedure, jurisdiction and venue, they shall be deemed, for the purpose of this Title, to include any personal property authorized to be acquired hereunder.

"(c) Any award or compensation for the taking of property pursuant to this title shall be paid by the Authority, and none of the signatory parties nor any other agency, instrumentality or political subdivision thereof shall be liable for such award or compensation.

"Enlargement and withdrawal; duration

"83. (a) When advised in writing by the Northern Virginia Transportation Commission or the Washington Suburban Transit Commission that the geographical area embraced therein has been enlarged, the Board, upon such terms and conditions as it may deem appropriate, shall by resolution enlarge the zone to embrace the additional area.

"(b) The duration of this title shall be perpetual but any signatory thereto may withdraw therefrom upon two years' written notice to the Board.

"(c) The withdrawal of any signatory shall not relieve such signatory, any transportation district, county or city or other political subdivision thereof from any obligation to the Authority, or inuring to the benefit of the Authority, created by contract or otherwise.

"Amendments and supplements

"84. Amendments and supplements to this title to implement the purposes thereof may be adopted by legislative action of any of the signatory parties concurred in by all of the others.

"Construction and severability

"85. The provisions of this title and of the agreements thereunder shall be severable and if any phrase, clause, sentence or provision of this title or any such agreement is declared to be unconstitutional or the applicability thereof to any signatory party, political subdivision or agency thereof is held invalid, the constitutionality of the remainder of this title or any such agreement and the applicability thereof to any other signatory party, political subdivision or agency thereof or circumstance shall not be affected thereby. It is the legislative intent that the provisions of this title be reasonably and liberally construed.

"Effective date; execution

"86. This Title shall be adopted by the signatories in the manner provided by law therefor and shall be signed and sealed in four duplicate original copies. One such copy shall be filed with the Secretary of State of each of the signatory parties or in accordance with laws of the State in which the filing is made, and one copy shall be filed and retained in the archives of the Authority upon its organization. This Title shall become effective ninety days after the enactment of concurring legislation by or on behalf of the District of Columbia, Maryland and Virginia and consent thereto by the Congress and all other acts or actions have been taken, including the signing and execution of the Title by the Governors of Maryland and Virginia and the Commissioners of the District of Columbia."

Sec. 2. The Commissioners of the District of Columbia are authorized and directed to enter into and execute an amendment to the Compact substantially as set forth above with the States of Virginia and Maryland and are further authorized and directed to carry out and effectuate the terms and provisions of said Title III, and there are hereby authorized to be appropriated out of District of Columbia funds such amounts as are necessary to carry out the obligations of the District of Columbia in accordance with the terms of the said Title III.

Sec. 3. (a) To assure uninterrupted progress in the development of the facilities authorized by the National Capital Transportation Act of 1965, the transfer of the functions and duties of the National Capital Transportation Agency (herein referred to as the Agency) to the Washington Metropolitan Area Transit Authority (herein referred to as the Authority) as required by Section 301(b) of the National Capital Transportation Act of 1960 shall take place whenever the Authority demonstrates to the satisfaction of the Committees on the Judiciary of the United States Senate and House of Representatives a readiness to set into operation a workable financial plan, a physical plan for a regional transit system, and a program for taking over the functions and duties of the Agency, said program to include procedures for orderly transfer of staff personnel from the Agency to the Authority. Financial and physical plans and the program for transition of the functions and duties of the Agency to the Authority may be submitted to the aforementioned Committees on the Judiciary by the Authority at any time between the effective date of this Act and July 1, 1968.

(b) Upon the effective date of the transfer of functions and duties authorized by subsection (a) of this section, the President is authorized to transfer to the Authority such real and personal property, studies, reports, records, and other assets and liabilities as are appropriate in order that the Authority may assume the functions and duties of the Agency and, further, the President shall make provision for the transfer to the Authority of the unexpended balance of the appropriations, and of other funds, of the Agency for use by the Authority but such unexpended balances so transferred shall be used only for the purpose for which such appropriations were originally made. Subsequent to said effective date, there is authorized to be appropriated to the Department of Housing and Urban Development, for payment to the Authority, any unappropriated portion of the authorization specified in Section 5(a)(1) of the National Capital Transportation Act of 1965. There is also authorized to be appropriated to the District of Columbia out of the general fund of the District of Columbia, for payment to the Authority, any unappropriated portion of the authorization specified in section 5(a)(2) of such Act. Any such appropriations shall be used only for the purposes for which such authorizations were originally made.

(c) Pending the assumption by the Authority of the functions and duties of the Agency, the Agency is authorized and directed, in the manner herein set forth, fully to cooperate with and assist the Authority, the Northern Virginia Transportation Commission and the Washington Suburban Transit Commission in the development of plans for the extensions, new lines and related facilities required to expand the basic system authorized by the National Capital Transportation Act of 1965 into a regional system, but, pending such transfer of functions and duties, nothing in this Act shall be construed to impair the performance by the Agency of the functions and duties imposed by the National Capital Transportation Act of 1965.

(d) In order to provide the cooperation and assistance specified in subsection (c) of this section, the Agency is authorized to perform, on a reimbursable basis, planning, engineering and such other services for the Authority, as the Authority may request, or to obtain such services by contract, but all such assistance and services shall be rendered in accordance with policy determinations made by the Authority and shall be advisory only.

(e) Amounts received by the Agency from the Authority as provided in subsection (d) of this section shall be available for expenditure by the Agency in performing services for the Authority.

Sec. 4. The United States District Courts shall have original jurisdiction, concurrent with the Courts of Maryland and Virginia, of all actions brought by or against the Authority and to enforce subpoenas issued pursuant to the provisions of Title III. Any such action initiated in a State court shall be removable to the appropriate United States District Court in the manner provided by the Act of June 25, 1948, as amended (28 U.S.C. 1446).

Sec. 5. (a) All laws or parts of laws of the United States and of the District of Columbia inconsistent with the provisions of Title III of this Act are hereby amended for the purpose of this Act to the extent necessary to eliminate such inconsistencies and to carry out the provisions of this Act and Title III and all laws or parts of laws and all reorganization plans of the United States are hereby amended and made applicable for the purpose of this Act to the extent necessary to carry out the provisions of this Act and Title III.

(b) Section 202 of the National Capital Transportation Act of 1960 (Public Law 86-669, 74 Stat. 537), as amended by Section 7 of the National Capital Transportation Act of 1965 (Public Law 89–173, 79 Stat. 666) is hereby repealed.

Sec. 6.(a) The right to alter, amend or repeal this Act is hereby expressly reserved.

(b) The Authority shall submit to Congress and the President copies of all annual and special reports made to the Governors, the Commissioners of the District of Columbia and/or the legislatures of the compacting States.

(c) The President and the Congress or any committee thereof shall have the right to require the disclosure and furnishing of such information by the Authority as they may deem appropriate. Further, the President and Congress or any of its committees shall have access to all books, records and papers of the Authority as well as the right of inspection of any facility used, owned, leased, regulated or under the control of said Authority.

(d) In carrying out the audits provided for in section 70(b) of the Compact the representatives of the General Accounting Office shall have access to all books, accounts, financial records, reports, files, and all other papers, things, or property belonging to or in use by the Board and necessary to facilitate the audit, and they shall be afforded full facilities for verifying transactions with the balances or securities held by depositories, agents, and custodians.

And to amend the preamble so as to read:

"Whereas Congress heretofore has declared in the National Capital Transportation Act of 1960 (Public Law 86–669, 74 Stat. 537) and in the National Capital Transportation Act of 1965 (Public Law 89–173, 79 Stat. 663) that a coordinated system of rail rapid transit, bus transportation service, and highways is essential in the National Capital region for the satisfactory movement of people and goods, the alleviation of present and future traffic congestion, the economic welfare and vitality of all parts of the region, the effective performance of the functions of the United States Government located within the region, the orderly growth and development of the region, the comfort and convenience of the residents and visitors to the region, and the preservation of the beauty and dignity of the Nation's Capital and that such a system should be developed cooperatively by the Federal, State, and local governments of the National Capital region, with the costs of the necessary facilities financed, as far as possible, by persons using or benefiting from such facilities and the remaining costs shared equitably among the Federal, State, and local governments;

"Whereas in furtherance of this policy, Congress, in title III of the National Capital Transportation Act of 1960, authorized the District of Columbia, the Commonwealth of Virginia, and the State of Maryland to negotiate a compact for the establishment of an organization, empowered, inter alia, to provide regional transportation facilities;

"Whereas, it is the sense of the Congress that the mass transit plan authorized by the compact and this Act shall conform to the fullest extent practicable with the comprehensive plan for the National Capital and the general plan for the development of the National Capital region prepared pursuant to the National Capital Planning Act of 1952 (Public Law 82–592, 66 Stat. 781); and

"Whereas, the District of Columbia, the Commonwealth of Virginia, and the State of Maryland, with a representative of the United States appointed by the President, have negotiated such a compact, known as the Washington Metropolitan Area Transit Authority Compact, which amends the Washington Metropolitan Area Transit Regulation Compact, heretofore consented to by the Congress (Public Law 86–794, 74 Stat. 1031, as amended by Public Law 87–767, 76 Stat. 764), by adding thereto a title III and said compact has been enacted by Maryland (ch. 869, Acts of General Assembly 1965) and in substantially the same language by Virginia (ch. 2, 1966 Acts of Assembly): Now, therefore,".

Mr. TYDINGS. Mr. President, S. 3488 is the bill to create an interstate authority to build and provide for the operation of a rapid mass transit system for the Washington metropolitan area. This bill was passed unanimously by the Senate on August 25. It was passed by the House last Friday, October 7, with a number of amendments made necessary by typographical errors in the Senate-passed bill.

The Senate-passed bill and the House-passed bill are identical except for these typographical changes. Therefore, in a moment, I will ask the Senate to accept the House amendments, thereby completing congressional action on the compact and sending it the President for his signature.

First, I want to acknowledge the courtesy, help, and industry which the distinguished Senator from Nebraska [Senator HRUSKA] so generouly contributed to the Senate consideration of this bill. As a member of the special Judiciary Subcommittee appointed to consider the compact, Senator HRUSKA's insights, energy, and cooperation greatly aided and facilitated Senate action on this bill. As chairman of that subcommittee and as a representative of a State which has a vital interest in the success of this compact, I want to express special thanks to Senator HRUSKA for his help and his wisdom in our proceedings on this compact.

The significance of this legislation can hardly be overstated. The transit system made possible by this bill is only the second all-new city transit network created in the United States in almost 60 years. It will be the object of intense scrutiny by urban planners and transportation specialists all across the country. What we do here in Washington with our subway system will certainly significantly influence the entire course of urban mass transit planning across the entire United States, and, indeed, perhaps throughout the world.

This transit system is a desperately needed and long-overdue addition to the Washington metropolitan area transportation system. We must surely continue to build the highways we need to accommodate quickly and safely the ever-increasing number of autos in this country. But we have ignored mass rapid transit systems for our cities tragically too long. We now face the very real possibility—and some of our cities have already nearly done it—of having to pave over much of our entire city areas, in order to provide enough highways just to get people to and from work.

The Washington subway will prove that a city can live with the automobile without living for it. The Washington subway system will prove that in an era in which we are willing and able to pay to send men safely to the moon, we can find a way to get them safely, and quickly, and inexpensively, across town.

This compact legislation will make possible the rapid transportation system Washington badly needs. Washington does not end at the District line. The interests and futures of the Maryland and Virginia suburbs are inseparably tied to interests and future of the District of Columbia. The residents of the Washington suburbs need the economic and cultural life of the District of Columbia. And the residents of the District of Columbia need the business brought to the District of Columbia by the suburbanites and the job opportunities which exist in the suburbs.

No one who has ever tried to get in or out of downtown Washington at rush hour would question whether we need an alternative to highway travel throughout the Washington area. And for the many city dwellers who have no cars, even an empty highway is a road of despair when the jobs are in the suburbs.

The 25-mile District of Columbia portion of the subway should and must have the top construction priority under the regional compact. But the design and integration of the best regional system possible must proceed simultaneously with construction of the area system, and construction of the entire regional system must be undertaken as soon and as rapidly as possible. The longer we wait, the more expensive the system will be, and the more desperate the need will become.

The fullest cooperation and extraordinary hard work on the part of everyone associated with the subway project will be necessary to meet the acute need for regional rapid transit in the shortest possible time. This compact legislation provides that on September 30, 1967, the Washington Metropolitan Area Transit Authority the compact creates is to assume full responsibility for planning and constructing the entire transit system. This date must be met if the development and financing of the system is to proceed on schedule. The Congress has a right to expect this date to be met. The Congress does expect it to be met.

Mr. President, the enactment of this transit compact today is a proud and important event for Washington. This compact joins the efforts of two States and the District of Columbia to meet a severe local problem at the local level. It is thus both an important exercise in responsible federalism and a long overdue response to the urgent transportation crisis facing the Nation's Capital.

Mr. President, I ask unanimous consent that we may include at this point in the RECORD remarks by the distinguished senior Senator from Virginia [Mr. ROBERTSON].

The PRESIDING OFFICER. Without objection, the remarks of the Senator from Virginia [Mr. ROBERTSON] will be printed in the RECORD.

STATEMENT BY SENATOR ROBERTSON

I am delighted that, after many years of work on my part and on the part of many others, we finally have an interstate authority created and ratified by the Congress of the United States, as well as by the sovereign States of Virginia and Maryland, which will provide the mechanism to build and provide for the operation of a rapid mass transit system for the Washington metropolitan area.

I first began work on this important project many years ago. The bill which we ratify today was introduced by myself, together with my colleague, the junior Senator from Virginia [Mr. BYRD], and Senators BREWSTER and TYDINGS of Maryland. I think this represents a culmination of many years of effort.

Mass rapid transit has too long been ignored for the Capital City of the United States. The compact which we ratify today will one day provide the means for rapid transportation for the great majority of our people who live in the suburbs of Washington and work in the Nation's Capital.

I congratulate the Senate on its action today, and I hope that the Senate will concur in the amendments of the House of Representatives and pass S. 3488, as amended.

Mr. BREWSTER. Mr. President, I want to thank you for this opportunity to speak in support of S. 3488, a bill which would authorize the District of Columbia to cooperate with the States of Maryland and Virginia in creating a Washington Metropolitan Area Transit Authority.

A portion of this legislation is before Congress because Washington—without home rule—must rely on us to act as its town council. The second purpose of this bill is to grant congressional consent to the interstate compact which is required by the Constitution. Another purpose is to transfer authority for the mass transit system from a Federal agency—the National Capital Transportation Agency to a local one—the Transit Authority.

President Johnson, in his letter of June 9, 1966, to the Senate and House, pointed to the principal issue, and I quote—

> The economic well-being of this region—and the efficient functioning of the Government itself—depend more and more each year on adequate mass transporation facilities. No system of freeways, no matter how extensive or well planned, can suffice much longer.

I believe it is significant that this legislation is cosponsored by all four Senators who represent portions of the Washington metropolitan area. The compact has already been approved by the State Legislatures of Maryland and Virginia.

This legislation is clearly recognized to be an essential step toward the development of a balanced transportation network for the National Capital region.

I urge its passage.

Mr. BYRD of Virginia. Mr. President, I urge the Senate to approve the amendments and ratify the compact.

This will mean much to the States of Virginia and Maryland and to the District of Columbia. This area must have a rapid mass transportation system, and this legislation will provide the beginning.

Mr. TYDINGS. Mr. President, I move that the Senate concur in the amendments of the House.

The motion was agreed to.

AID'S HEALTH PROGRAM IN VIETNAM

Mr. INOUYE. Mr. President, the day-to-day horrors of the war in Vietnam have become painfully familiar to us through the press and television coverage of that bitter and bloody struggle. The conscience of the Nation has frequently been stirred to indignation by the sight of wounded and mutilated innocent victims of the war, and I have received many inquiries from concerned constituents anxious to know what the U.S. Government is doing to alleviate the suffering of the civilian population in Vietnam caught as they are in the crossfire of two mighty forces.

During the last 2 years there has been another buildup alongside the much publicized military buildup which has not received the attention and publicity which I think it deserves. I am referring to a medical program supported by the U.S. Government through the Agency for International Development which under the dynamic and imaginative leadership of Maj. Gen. James W. Humphreys, M.D., on loan from the Air Force, is devoted to the care of the wounded and sick civilians of Vietnam. This program is revolutionizing patient care in Vietnam, and it has developed with astonishing speed. I cite in round figures:

The cost of the program in fiscal year 1965 was $5 million; fiscal year 1966, $21 million; fiscal year 1967, $45 million.

Two years ago we had merely three teams of doctors and nurses in the field and today we have 42. These teams cover almost every province in the country. In this program the United States is not standing alone. Our allies among the other free world nations have responded to the needs of the suffering people of Vietnam and have shown their sympathy for the Vietnamese people and American policy in Vietnam by contributing medical personnel.

So far, 9 countries have contributed 17 teams. They are:

Australia	2
New Zealand	1
Switzerland	1
Spain	1
Great Britain	1
Korea	5
Philippines	4
Iran	1
Republic of China	1

These countries have contributed 51 doctors, 89 nurses, and 38 technicians.

The Federal Republic of Germany has contributed a hospital ship. In addition to these teams, there are four U.S. specialty teams and 21 military teams on loan to and under the operational control of the US/AID Health Division in Saigon. The grand total of non-Vietnamese health personnel working with AID is well over 700 and of these more than 200 are M.D.'s.

HOSPITAL RENOVATION

Most of the health facilities in Vietnam were constructed in the late 19th century by the French Colonial Government, and although they may have been adequate when constructed, the advance of medical science has overtaken them. Most are short of electricity, water, and sewage disposal. In order that our doctors and nurses may work to maximum efficiency, the health facilities in Vietnam must be brought up to date. Due to the war and the state of the Vietnamese economy, very little advancement has been possible on the part of the Vietnamese Government to renovate their hospitals. AID 2 years ago completed the construction and equipping of 26 surgical suites throughout the country. Also 2 years ago plans were developed for the renovation of 15 province hospitals. This program has had to be cut back to 10 due to rising costs, but it is rapidly nearing completion at a cost of $10 million. Plans are being developed for the rehabilitation of a further 10 hospitals in the immediate future. At the same time, an architects and engineers survey will be conducted of all the health facilities in Vietnam in order to standardize and reequip all the hospitals and dispensaries in order to bring them up to an acceptable and appropriate standard best suited to the needs and conditions prevailing in that country.

REHABILITATION CENTER

In a war situation such as we have in Vietnam, there are many civilian as well as military war casualties. This is a sad fact of life, and little can be done to prevent it in a war with no frontiers where the enemy mines roads and uses civilians as screens for their acts of terrorism. And where the innocent are frequently caught in the heavy crossfire of the warring protagonists. Mindful of this tragic situation, particularly with regard to amputees, the National Rehabilitation Center in Saigon has received truly remarkable help through an AID contract with the World Rehabilitation Fund under the expert advice of Dr. Howard Rusk.

By using the most modern techniques and materials available, the center, which formerly could produce only 30 artificial limbs a month, necessitating a delay to the patient from first being seen to a final fitting of several months, can now produce almost 500 light, modern, durable plastic limbs each month with the average time from the patient being first seen to actually walking out reduced to 5 to 7 days.

Mr. President, this is a very heartening achievement. Plans have been prepared to extend this service by the establishment of three regional centers in the next few months. Forty Vietnamese, many of them disabled themselves, have already been trained for this work. Sixty military patients paralyzed as the result of war injuries were brought to the United States 9 months ago for treatment, rehabilitation, and training in order that they may be able to lead more useful lives. Many of these men are now ready to return to their families, not to be a burden but to use their newly learned skills and in many cases assume once again the role of breadwinners for their families and lead lives of dignity and service. Mr. President, these are positive and potent programs.

PUBLIC HEALTH

In Vietnam epidemics of cholera, plague, typhoid, and malaria are not uncommon and the chances of their occurrence are increased by the prevailing state of war. Extensive public health measures are being undertaken with the cooperation of the Ministry of Health. There has been in the past a very successful malaria eradication program. In 1965, almost one million houses were sprayed. While it is true that this activity is seriously curtailed due to acts of terrorism by the Vietcong, as soon as there is enough security to allow the spray teams to function, it will be reintroduced in full force.

For several years immunization programs against cholera, plague, and typhoid have been supported and teams are on constant alert to fly anywhere in the country where outbreaks threaten.

In September 1966 a pilot project of immunization against polio was made possible by the generous donation of 500,000 doses of polio vaccine from the Government of Canada.

Due to the efforts of the AID health branch, the mammoth problem of garbage collection in Saigon and other urban centers is coming under control.

MEDICAL EDUCATION

All of the foregoing efforts will be wasted if we cannot help the Vietnamese to train their own personnel to eventually be free of the need for foreign medical personnel. Treating the sick and injured is only part of the problem. The future of medical practice in Vietnam does not depend on our doctors and nurses currently rendering aid to Vietnamese patients although they have a valuable role to play in passing on new skills to their colleagues on an individual basis and incidently learning from them. The U.S. AID is seeking to elevate the standard of training for doctors and nurses and also to increase the numbers produced. To this end, a basic science building for the medical and dental schools has been constructed and will be in use in a few weeks. This $4 million project is one of the finest and best equipped schools in the Far East. In order to supplement the Vietnamese faculty of medicine which is only 25 percent up to strength, a contract has been signed with the American Medical Association to provide professors and lecturers to instruct in physiology and anatomy and other specailists in other disciplines are being sought. The shortage of professors for the medical school is due to the division of the University of Hanoi when Vietnam was divided into North and South by the Geneva agreements of 1954. Due to the shortage of faculty, very little or no formal postgraduate training is available for young medical graduates in Vietnam. At present there are 32 participants, both doctors and nurses, undergoing advanced training in the United States. They will eventually return to Vietnam to impart their skills and knowledge to others. There are also many participants in many other countries.

Training doctors alone will not cope with the problem since they need other disciplines to assist with the whole care of the patient. At present there are four nursing schools, two of which have been set up during the last 10 months. It is planned to support a total of 8 nursing schools by 1968 which will graduate 600 nurses annually, an increase of 100 percent.

Other auxiliary staff are also urgently needed. Twenty-two anesthetists using modern uncomplicated apparatus have recently been graduated and a further class is in training. Plans are being drawn up to develop and expand courses to train laboratory and X-ray technicians.

In this brief outline, I hope that I have been able to indicate at least some of the great concern felt by the U.S. Government for the suffering and courageous people of Vietnam. Naturally such a large and complex program is not without its problems and there have from time to time been shortages of drugs and supplies. The AID mission is taking vigorous steps to minimize these difficulties. From time to time critical articles appear in the press about conditions in some of the hospitals in Vietnam. Substandard conditions when compared with hospitals in the United States are widespread. However, these criticisms take a very short term view, and I am assured by medical experts that the advance in in-patient care in Vietnam over the last 3 years has been truly amazing. This year, more than 2 million patients will be treated by United States and free world teams.

Medical aid is available to Vietnamese civilians on a scale and sophistication never before seen in the country.

I am proud to bring to the attention of the Senate the comprehensive and excellent medical aid program which the United States and her allies with the cooperation of the Government of the Republic of Vietnam are bringing to that war-torn country in a spirit of compassion for the suffering of her people in their bitter struggles against the evil forces of communism.

THE WAR IN VIETNAM

Mr. STENNIS. Mr. President, the war in Vietnam gives us very serious reasons to pause and review the situation. I think that we have had so many diversions with other matters during this session that we have given this war relatively low priority in our debates and discussions. It is time that we take a good hard look at the realities.

Mr. President, I continue to be impressed and almost appalled by the fact that a nation of this kind has been able to tie us down as it has, and that it apparently will continue to do so, even though it has very little industry and no semblance of a modern war machine in the sense with which we are familiar.

We find ourselves tied down and forced to commit a very substantial portion of our military manpower and resources to repel the aggression of this small, nonindustrial and third-rate nation with a population of about 17 million.

That nation has virtually no air power; it has a very insignificant industrial capacity; and the per capita income of its inhabitants is somewhere around $150 a year.

It is true it receives very substantial aid from two Communist world powers, but at the same time it is carrying most of the load as far as fighting the war is concerned.

Despite these facts, the repeated overtures which our President has made in an effort to obtain an honorable diplomatic settlement at the conference table have been just as repeatedly scorned and rejected.

It is time for us to face the cold-and-hard fact that our Communist adversaries have not shown the slightest interest in a peaceful settlement. Our efforts to negotiate, which in number and sincerity are probably without parallel in history, have availed nothing. Therefore, it becomes increasingly important that all Americans, in and out of Government, fully realize the growing "bigness" of the war in which we are engaged and its very serious implications for our present and future.

As chairman of the Preparedness Investigating Subcommittee and as a member of the Committee on Armed Services and the Committee on Appropriations, I have been very close to the progress and escalation of the war and to the demands and requirements which it has imposed upon us and our military forces. Therefore, I speak as one who has been repeatedly and constantly exposed to the facts with respect to our military buildup and effort.

Despite the fact that North Vietnam is an underdeveloped country, with no navy or air force worthy of the name, the grim shadows of this war are falling upon more and more American homes and are impacting with increasing seriousness upon many important segments of our economy and social structure.

Mr. President, I am compelled to suggest that with the exception of our men in uniform, and with the exception of their families and immediate friends and associates, the rest of us really have not felt and are not feeling this war. This is one reason the Nation as a whole does not realize the grimness and seriousness of it, and the serious situation we face.

The end is not now in sight. Barring an unexpected turn of events, it appears that we will have at least 500,000 military personnel in South Vietnam by the end of 1967. One high ranking and greatly respected general is reputed to have forecasted that there may be a requirement for at least 750,000 American troops. It is estimated by our informed and knowledgeable military officials that more than 5,000 American boys will lose their lives in combat next year. I think that is a conservative figure.

In short, this is by no means a little war by any standard or definition. It already ranks in size with the Korean war, during which the maximum American commitment, both on the land and offshore, at any one time was about 475,000 men.

The increasing seriousness of the war and the impact of its demands is indicated by the trend of draft calls. The September draft call was increased from 31,300 to 37,300. The October call originally set at 46,000, was boosted to 49,200. The call for November was originally 43,700, and has now been reduced to 37,600.

As I have mentioned, the November call has been reduced. I believe the reason was an unexpected increase in enlistments and re-enlistments. It does not mean that we are taking a lesser number of men into the military services.

These figures only partially illustrate the magnitude of our manpower problems. The draft standards have been lowered so as to require the taking of former rejectees instead of the higher qualified people that the services desire. As an example, effective October 1, 1966, by order of the Secretary of Defense, 25 percent of the men accepted by the Army must be from the group previously considered unqualified for military service. In addition, the Selective Service System has now authorized local draft boards to draft men over the age of 26 if their quotas cannot otherwise be filled.

Optimistic assertions and rosy generalities cannot obscure entirely the many problems which we have faced and continue to face in waging the war and providing the necessary manpower, weapons, equipment, and materiel. Many of these problems have arisen because we have continued to operate for too long a time under peacetime military programs and have made plans and taken action on a piecemeal basis, and then only when the cold and hard facts made further delay impossible. Mr. President, that is spelled "p-i-e-c-e-m-e-a-l" basis.

We can no longer operate on this basis. We must act promptly to remove any uncertainty about either our capabilities or our determination. We must prepare for the long pull in Vietnam, and at the same time do whatever is necessary to insure that we are reasonably well prepared to meet other contingencies which may arise. I do not think we can absolutely meet all of our many commitments around the world. In short, we must abandon the piecemeal planning which has hampered our military efforts. We must buckle down, face up to realities, and do the long-range planning in manpower, financing, procurement and military operations which is so vital and essential to a war-winning capability. That is what it is going to take: a war-winning capability. We have not faced up to that fact yet.

Mr. President, I do not make the assertion that we have planned this war on a piecemeal basis lightly. The facts establish that in many cases this is all too true.

It is certainly true in the area of funding. Requests to the Congress for the money needed to finance the war have been deferred until the last possible moment—almost as if our planners were postponing necessary action as long as possible in the vain hope that the very manifest problems would, by some miracle, disappear. For example, even with the requirements of escalation staring us in the face, the Congress was told as late as July of last year that the fiscal year 1966 budget request covered all the funds which were then foreseen to be needed by the military forces. It was not until Secretary McNamara returned from his trip to Vietnam that we were informed that a supplemental appropriation would be inevitable. Even so, despite an open invitation by the Congress, defense authorities then refused to present a realistic estimate of the actual requirements which had been generated as a result of the hostilities. The matter was delayed until January of this year and we were then presented with a supplemental request for $12.7 billion.

Mr. President, the expanded requirements of the war were certainly known. They were announced in July of last year. Surely they were known for some time before then. Yet, Mr. President, we were here until October 15 and no real cost estimates were given to us, even for our information. We had no chance either to express a judgment on the financial needs or to appropriate the funds which were required.

If for no other reason—and there are many other reasons—the business and manufacturing world is entitled to some kind of advance information about needs which are known, in order to give them a better opportunity to meet and fill the orders when they receive them.

The same situation exists this year. Fiscal planning was based upon the arbitrary assumption that the war would end by July 1, 1967. Fortunately, this unrealistic assumption apparently has now been abandoned. However, the fact remains that the fiscal year 1967 defense budget is clearly inadequate in the face of our clear and growing needs. Despite this, Congress has not been able to obtain from defense officials even a ball park estimate either of the current rate of spending for the war or what the fiscal year 1967 supplemental request will be. It is all too clear that, under this piecemeal planning, we will be faced with a supplemental request for fiscal year 1967 of from $12 to $15 billion early next year.

Personally, I think these are the minimum figures, the lowest reasonable estimate which can be given. Funds for replacements to take care of the shortages, attrition and losses could add $2 billion to $3 billion to the figure I mentioned. I think the probabilities are that the figure of $2 billion a month as the cost of the war is too low, and that the $15 billion which I suggest as the amount of the supplemental request for early next year is too low; that it could run around $17 billion, or even above that, easily.

In the manpower field, we also see the unhappy results of piecemeal planning. Serious problems in this area arose early in the game because of our failure to call reserve forces as was contemplated by Army contingency planning and as was recommended by the Joint Chiefs of Staff on at least three separate occasions, commencing in July 1965.

The failure to call Reserves had several very serious consequences. Units requested by General Westmoreland—particularly specialized units in the combat support and service support fields—were not furnished within the time frame desired by him. Units in the United States were levied upon heavily to meet the requirements of Vietnam with a resulting reduction in their combat readiness. It became necessary to convert combat divisions in the United States into training divisions in order to train raw recruits in essential military skills.

Mr. President, we can be thankful that at least a major part of those critical days are past, and that time saved us. But we were forced to take four of our combat divisions, which were thought to be as fine, if not the finest in the world, and tear them to pieces about a year ago. We made training divisions out of them by bringing in at least 50 percent of their manpower as raw recruits from the field. Time has saved us, as I say, and one of these divisions—the 4th Infantry—is back up to its former standards.

It even became necessary to withdraw many thousands of hard skilled Army personnel from our forces in Europe. This had the effect of reducing the combat readiness and effectiveness of these forces for many months.

Mr. President, it can also be said as a certain, general fact, as to personnel, that many, many of the very finest men we have—officers, enlisted men, and noncommissioned officers—have been withdrawn from units that have not gone to Vietnam, and have been sent as replacements thus creating an obvious temporary weakness left in the units remaining behind.

It is obvious that the manpower problems are far from being behind us. This is indicated by the recent actions taken with respect to the draft which I have already described. It is evidenced also by the continuing necessity to levy upon at least three Army divisions in the United States as a source of manpower for Vietnam. As a result, these divisions—and I name them—the 5th Infantry at Fort Carson, Colo., and the 1st and 2d Armored at Fort Hood, Tex.—have not yet been rebuilt to a combat-ready status. That is because of withdrawing so many of these key men.

Thus, when we estimate or project the number of men we will send to South Vietnam, it is always necessary to modify the estimate or projection by a very important and significant "if." This "if" is tied in with the question of whether the trained men will be available in the requisite number without either partial mobilization or drawing down further upon our forces in Europe, or both.

Fortunately, Congress, in passing the fiscal year 1967 Defense Appropriation Act, has given the President the authority he needs to call to active duty the specialized reserve units needed in southeast Asia and to call the trained reserves which are needed to round out active Army combat units and, thus, get them up to an acceptable level of combat readiness. I sincerely hope that the President will use this authority if it is necessary, as I think it is, to reduce or eliminate the current manpower squeeze. I am encouraged in this connection by the reports that the Secretary of the Army believes that the use of this authority is desirable.

The manpower problem has also evidenced itself in the growing and servicewide shortage of aircraft pilots. This shortage stems partially from the fact that, in large measure, our present pilot training is based upon peacetime programs which were inadequate to begin with. The added attrition of pilots which has resulted from wartime operations has increased the magnitude of the problem greatly.

As a result of the pilot shortage, the Navy and Marine Corps, acting under a special law, only recently have been forced to retain cockpit pilots on an involuntary basis by extending their terms of service for 1 year.

Both the Air Force and the Army are also plagued with pilot shortages and very possibly would take the same steps if they had statutory authority to do so. They do not have authority, under present law, to extend terms of service as do the Marine and Navy.

Overcoming these shortages is not a simple task. It requires long leadtimes, not only to train the pilots, but to establish the necessary training facilities and procure the requisite equipment. This demands that prompt and vigorous action be taken just as quickly as possible and that the peacetime programs be abandoned and replaced with programs which are realistic and adequate to meet the present wartime requirements.

Let me emphasize, Mr. President, that these thoughts grow up out of the facts that have been developed by the Preparedness Subcommittee, in testimony from the records, and from the most reliable sources, a great deal of evidence which was given under oath as well as a great deal of evidence which is documentary.

The shortage of pilots is only one example of our manpower problems. There are many other hard and critical skills in which significant shortages exist and which, therefore, present serious problems to our military services.

I refer to items such as communications specialists, medical personnel, specialists in electronics, and other specialties which require a long period of training.

In the procurement area, we here have also been beset with problems which are almost inevitable under piecemeal planning and when we try to fight a shooting war under peacetime programing. The procurement of ammunition and air munitions has, until recently, been too little and too late and, as a result, we have had significant problems in this area.

The procurement of tactical aircraft is another problem area. The situation pinches now and, because of the long leadtimes involved, will inevitably become worse before it gets better. The recently announced additive procurement, which was almost entirely for the Navy, will certainly not be of material benefit in solving the problems which the Air Force confronts in this field.

Someone may ask, "Who could tell how many planes we would lose or that we would lose so many?" The answer to that question is, "Who could assume we would not lose some planes? Who could assume that we would not probably lose a good many planes?"

We had an item before the Armed Services Committee yesterday. I do not say this in a critical vein. My purpose is to alert the country and arouse additional interest in this subject. We had an item for reprograming before the Armed Services Committee. That matter was presided over by the chairman of the Armed Services Committee, the Senator from Georgia [Mr. RUSSELL]. Under the pressure of other commitments, I could not attend, but I know the substance of the testimony. The Navy asked and was given permission to use money in the current appropriation bill to make a start on contracts for a different kind of plane from the one provided in the bill.

As I have mentioned the Department of Defense budget for fiscal year 1967 was based on an assumption that combat in southeast Asia would terminate on June 30, 1967. There were many who questioned the soundness of the budget being based on such an arbitrary assumption.

An example of how unsound this assumption was is the recent action of the Department of Defense which I have just discussed requesting a reprograming of funds for the procurement of over 200 additional combat aircraft which are required to meet the needs of our Navy forces participating in the southeast Asia conflict. These aircraft will cost approximately $400 million. In order to award contracts for the procurement of these aircraft immediately, and this must be done in order to accelerate the delivery of the aircraft, the Department will defer awarding contracts for various types of aircraft for which funds were included in the Department of Defense Appropriation Act, 1967 which has not yet been approved by the President. The Department of Defense will request funds in the supplemental to be submitted in January to reinstate these deferred programs.

The point involved is that this was not an extraordinary request. The need just was not anticipated. They did not look forward and anticipate these matters. The Navy had no money in the appropriation bill to take care of this item. It was like borrowing in anticipation of taxes for next year.

In summary, the entire spectrum of logistical support for our fighting forces must receive increased attention and more orderly and realistic planning. In all too many instances, potential shortages which could have become critical have been averted by crash programs in both procurement and distribution.

Today's press reports that the backlog of shipping in South Vietnam is still a very serious problem despite assurances earlier this year that the situation had been corrected.

I recite these facts, not for the purpose of being critical, but to emphasize the very vital necessity of hardheaded and realistic procurement programs and practices based upon potential wartime needs and requirements even though this might necessitate the curtailment, reduction or deferment of nondefense programs.

These authorization bills that have been tumbling in here and that we have been passing in the last few weeks, with defense matters in the shape they are, conclusively prove that our thinking is in reverse. We do not give first place to things that should be first in preparing for the hard, severe, and, I think, long-lasting war that we are in.

All of us agree, I am sure, that planning for the best rather than the worst possible situation when fighting a war might delay or defer victory or even put it in doubt.

I want to raise another point that I understand is a serious one. There are others who are more thoroughly versed in it. One might raise a question about the reaction of other countries in the world as they watch the results of our activities in Vietnam with our vast expenditures of $2 billion a month in this effort. It must raise questions in their minds as to our effectiveness and ability to get the job done.

Another question is how much drain it is or may be upon our economy and upon our balance of payments. I think, if we will put first things first, there is no doubt what we must do moneywise.

The Senator from Missouri is here. He has heard the proof. He is well-versed in that subject.

I shall be glad to yield to the Senator from Missouri for an observation, or a question, or whatever the Senator may wish to say.

Mr. SYMINGTON. I commend, with respect, my able colleague, the Senator from Mississippi, for the timely and thought-provoking statement he is making today on the floor of the U.S. Senate.

We have just passed a tax bill after discussing many matters which had to do with the addition or subtraction of some hundreds of millions of dollars of the taxpayers' money. But as I understand the Senator's statement, and I have previously read comparable figures in the newspapers, the war in Vietnam today is costing this country something above or just below $2 billion a month. Is that correct?

Mr. STENNIS. That is correct. That is a low figure, in my opinion.

Mr. SYMINGTON. As I understand the able Senator also, he states that the United States of America, the richest and most powerful country in the world, has now over 300,000 men in the South Vietnam theater, and is spending some $30 billion annually in mortal combat with a country that has 17 million inhabitants, with a per capita income of around $150 a year. Is that correct?

Mr. STENNIS. The Senator has his facts correct. Those are the correct approximate figures.

Mr. SYMINGTON. I would ask of the chairman of the Military Preparedness Subcommittee: We hear much about the importance of the image of the country with its world neighbors, behind the Iron Curtain and in the free world. What does the Senator believe is the reaction, not only in the countries of Europe, but also in the countries behind the Iron Curtain, to the fact we are spending this vast sum of money to achieve the results we and they know are being achieved?

Does not the Senator from Mississippi believe these developments will not only cause diplomatic questioning of our military strength, but also questioning, if the war continues indefinitely as to whether our or any economy can continue to support this large war with this small country, to achieve these results.

Mr. STENNIS. The Senator from Missouri raises a very valid question. He and I are not referring to public sentiment in other countries—whether a country is for or against us or takes a so-called neutral position. The question is: What do they, in their judgment, think of us as we drain our economy to the extent we are, while dragging out the war and being ineffective, so far as bringing about a termination of the war is concerned. Frankly, I think we are leaving a bad impression. There certainly will be an adverse effect on our balance of payments, if the war continues for a considerable period, as I think it will. Unless we step up the tempo, the course we are following will lead to the gravest consequences, as the Senator knows.

Mr. SYMINGTON. I thank the Senator for yielding to me.

Mr. President, inasmuch as it refers, to some extent and in broad fashion, to what the Senator from Mississippi has just been speaking about, I ask unanimous consent that at the end of his remarks and any further colloquy there be printed in the RECORD an article "Sterling and Stability: Monetary Officials Ask Whether Pound Can Continue as a Reserve Currency," in the New York Times of today, October 13.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. STENNIS. Mr. President, I thank the Senator from Missouri for his contribution to the debate and for his opinions, which are of high value and always have weight with his fellow Senators.

Mr. President, as I was saying, we must also face the grave issues of fiscal responsibility. Defense costs are high and inevitably will grow higher. We are all aware of the serious problems our economy faces at this time. A tax increase early next year is a probability, if not a certainty.

I think personally it is a certainty. I said at the beginning of the year that if we did not relegate some of our nondefense spending programs to the rear, and deemphasize and curtail them, we certainly would have a tax increase. I also said then that if we were not going to curtail these other programs, we ought to put the tax increase on at the beginning of calendar year 1966, rather than later.

We must face up to the fiscal facts of life and make the necessary adjustments in nondefense spending, which will be at least $55 billion this fiscal year, which will permit our continued economic support of defense commitments without throwing our national economy completely out of balance. Defense costs must be met. Other expenditures can, at least, be adjusted temporarily to permit sound employment of our national resources. The paramount importance of devoting the necessary resources to winning the war without a complete dislocation of our economy certainly justifies a deferral of segments of the Great Society program.

Only the slow and gradual rate of our involvement and buildup in Vietnam, plus the fact that we have faced a relatively unsophisticated and ineffectual enemy, has given us time and prevented critical shortages from developing. We were fortunate to have had this time but future situations may require a much faster support and buildup. We should be planning and producing now to provide for the future. We must build and maintain the military power which, if additional contingencies should develop, will give us the forces to meet them with such might as may be required. The costs of maintaining such forces, fully trained and equipped, are high, but we must bear these costs even if we have to sacrifice or postpone some of our nondefense expenditures and social programs. We cannot afford to jeopardize our national security and freedom by failing to face up to the clear facts which confront us.

Let me make it clear, Mr. President, that the military demands and requirements for the war in southeast Asia will place substantial additional burdens upon us.

Yesterday the stock market went up. Of course, we are always glad to see it go up. We are told it went up, however, merely on the basis of a statement of an official here in Washington that we are not going to have controls on wages and prices at any time soon.

Let us not be too certain about that. I am not predicting that we will have controls. I do not know enough about it to make a positive statement. But in spite of our enormous capacity, this matter could swiftly swing into a situation where we would have to go to the allocation of materials and the control of production; the control, even, of prices as well as wages.

That is another illustration of why I say we do not fully realize the kind of war we are in, the seriousness of it, and the impossibility of getting out except by a great deal of sacrifice and fighting. We do not realize it because this war has not yet touched enough people.

The additional burdens will include increased manpower, higher costs, additive funding, more procurement, and, almost inevitably, higher taxes. Whatever they may be, they should be made clear to the American people. If and when this is done, I am certain that patriotic Americans will unite behind the war effort with the same resolution, determination, and patriotism which has always been characteristic of all of us.

I do not think one ought to speak on this subject without paying tribute to the fine fighting qualities and the very high morale of our men in South Vietnam. These men have been carrying on some of the toughest, dirtiest, and hardest fighting that American soldiers have ever been called upon to do. The reports I have received indicate, without exception, that the morale there has been very high; that the spirit and determination are great; and that the fighting qualities of those men are superb.

This shows, again, that the American soldier, when trained and properly motivated, is the finest fighting man in the world. I commend them and salute them, and say again that we are going to back them to the limit.

Mr. THURMOND. Mr. President, will the Senator yield?

Mr. STENNIS. I am happy to yield to the Senator from South Carolina. He is a very valuable member of our Preparedness Subcommittee, and very alert to the problems with which we are confronted.

Mr. THURMOND. Mr. President, I commend the distinguished Senator from Mississippi for the information he has brought to the attention of the Senate. I am sure his statement will be enlightening not only to Senators, but to the American public.

I think the Senator, though not specifically pointing them out, has emphasized two important points.

One is that there has not been sufficient and adequate planning; the manpower needs have not been anticipated; the weapons and equipment needs have not been properly anticipated; there have been shortages; the Reserve has not received proper planning; the Reserve has not been provided with proper weapons and equipment.

In my opinion, the United States must maintain the strongest Military Establishment in the world. We must maintain military superiority. I think the distinguished Senator brought out the fact that we cannot afford to take a chance.

I do not believe that the American people fully comprehend that personnel from the divisions stationed here in the United States, to defend the United States, have been taken away from those divisions because they were needed to fight the war in Vietnam. I do not believe that the people of this country fully realize that weapons and equipment have been taken away from units in this country, to be sent to Vietnam because they were needed there.

In my opinion, we are jeopardizing our own Nation when we do not provide sufficient manpower and equipment to maintain the necessary defenses in this country, as well as to fight the war in Vietnam.

The other important point which the Senator touched on is that we ought to win the war faster. We have not gone all out to win the war as yet.

I wonder whether we will go all out to win. It begins to looks as if we are going to have another Korea, and if we do have another Korea, I predict one of two things. We will either have to keep thousands of troops in Vietnam as we are now doing in Korea at a cost of billions of dollars or withdraw our troops and let the Communists take over.

Mr. President, in my opinion, it is vital, essential, and necessary that we have a military victory in Vietnam, that we win the war over there.

I believe that is the only way in which we will avoid another war in the future.

The next war may be closer to home and may jeopardize our own people to a great extent.

Our men in Vietnam are entitled to a better deal. They are entitled to know that the American people are back of them in their effort to win the war. I think we ought to win it so that those men can come home.

I do not think that it is right to send more men there now. We now have approximately 325,000 to 350,000 men. At the end of this year there will be 400,000. Next year it might be 500,000.

As the distinguished Senator has said, someone has mentioned today that the number of men there might increase to 600,000 or 700,000.

Mr. President, we have airpower and seapower over there. We could be striking vital targets in Vietnam. We have not been striking the really vital targets there with our air and sea power.

The steel mill has not been destroyed. The sources of power in North Vietnam have not been destroyed. The sources of fuel supply have not been destroyed. The other strategic places there should be destroyed.

The port of Haiphong is still open. Enemy supplies are coming through that port. That port could be mined, bombed, and embargoed. Instead of following such action, ships arrive there daily carrying wares, goods, and equipment for the enemy.

How much longer will this continue? How much longer will American ships stand by while ships of other countries arrive there with supplies and weapons for the enemy, material that will be used to fight and kill American men?

There are two ways in which we can fight the war. We can continue to fight it for 2, 3, 4, or even 5 more years. Every boy in high school and college today could end up in Vietnam. We could have a stalemate there if we continue to fight on the ground and fight on the enemy's terms, fighting in the rice paddies instead of using our full power to win the war and wind it up.

The other way in which we could fight the war is to put our full power there. We have the power to win the war. We can win the war and wind it up in 90 days if we want to.

It does not make any sense to continue to fight on the ground when we have the power to enable our men to end the war.

We are practically fighting with one arm behind our back. We are not going into North Vietnam. We are just fighting a defending action in South Vietnam.

The war must be taken to the enemy. The enemy must feel our strength, and until they do feel it, they will not give up. They will not go to the peace table. They will not stop the war. The enemy has got to feel the effects of this war. When the time comes that the enemy feels the effects of this war, they will be glad to come to the peace table.

This thing of the powerful United States groveling on the ground and begging somebody to come to the peace table is disgraceful. We know that they will not come to the peace table. They will only come to the peace table when they are ready to come. They will come only when they see that we will use our full power. We are not using our power.

How much longer is public sentiment in this country going to permit the war to continue in its present course?

I hope the American people will rise up and demand that America use its power and win the war so that we can bring those American boys home.

I compliment the distinguished Senator from Mississippi.

Mr. **STENNIS**. Mr. President, I thank the Senator very much for his remarks and gracious and generous words.

Mr. President, I yield the floor.

Mr. **MANSFIELD**. Mr. President, I hope that the President continues on his present course to seek an honorable way to the negotiating table to the end that an honorable peace can be achieved in Vietnam and in southeast Asia and, I hope, throughout the entire world. I, too, want to see the American boys brought home.

I fully support what the President is doing when he states that we have no intention of maintaining any kind of foothold in Vietnam or southeast Asia, and that if this matter can be settled on an honorable basis, we will be prepared to give up those bases and will be more than happy to bring the men home.

EXHIBIT 1

[From the New York Times, Oct. 13, 1966]

STERLING AND STABILITY—MONETARY OFFICIALS ASK WHETHER POUND CAN CONTINUE AS A RESERVE CURRENCY

(By Clyde H. Farnsworth)

LONDON, October 12.—As discussion about world monetary reform grinds on, a related problem has emerged with nearly as many ramifications: What is to be done about the sterling balances?

It is part of the question of Britain's economic role whether in her strained circumstances she can continue to operate a reserve currency for much of the rest of the world.

Like the search for a new reserve unit to help finance world trade, the problem of the sterling balances is not pressing for solution in the immediate future.

But there are certain forces at work that could make it increasingly important in the future.

CUT IN FOREIGN HOLDINGS

There is, for example, the desire of several of the sterling area countries to reduce the sterling content of their reserves as the privileges of sterling area membership—trade concessions and capital from Britain—appear to decline.

There is, in addition, the whole question of British membership in the European Economic Community, or Common Market, and the crucial issue of the sterling exchange rate if Britain joins.

Earlier this week in an interview with The New York Times a top Swedish banking official implied that devaluation might well be one of the sacrifices Britain would have to make for membership.

Edvard Brandstroem, head of the international department of one of Sweden's biggest banks, the Svenska Handelsbanken, was reflecting the opinion of many Continental bankers.

FORMAL APPLICATION IN 1967

Britain is not expected to apply formally for membership until after she gets the surplus, due next year, in her balance of payments.

Will her industry be ready to meet Continental competition? Many Continental bankers think not, unless there is a reduction in comparative costs through a cut in the value of the pound.

The implications for the sterling balances are grave. Those who stand to lose the most are those with the biggest balances in London—that is the members of the sterling area.

For the most part, they kept their balances intact during the sterling troubles of the last two years. With the tough measures taken by the Labor Government here, there is no question any longer of a forced devaluation.

The key question then is what Britain will do if she has to sacrifice the interests of the sterling area for Common Market membership. Will she consider this too high a price to pay?

It is here where a plan to fund the sterling balances, mooted over the last couple of years, could come into play.

Under the plan, first suggested by the Italians though some believe it was really a British trial ballon, Britain would get a long-term low-interest rate loan from other industrial countries. She could use the funds to pay off her sterling area liabilities.

The plan is still in the talking stage. A sign that the idea is alive came last June when central bankers agreed to provide aid for the sterling linked directly to the size of any future reductions in the sterling balances.

6.28-BILLION POUND TOTAL

Foreign governments, including those in the sterling area and international organizations such as the International Monetary Fund, had at the end of June £6,284,000,000 in sterling balances in London. The pound is about equal to $2.80.

For the most part, the money is invested in Treasury bills and British Government bonds, or is simply left on deposit with British banks. It now draws a handsome return—between 6 and 7 per cent.

The sterling liabilities are supported thinly by the British gold and dollar reserves, which at the end of September totaled £1,129,000,000. Most of the reserves represent money borrowed over the last two years that is supposed to be repaid by 1970.

The figures show the vulnerability of the sterling financial structure. There has been no run on the deposits principally because of the realization that this would force devaluation. It would be the depositors themselves who would be the hardest hit.

EARLY LEAD IN TRADE

The structure grew out of Britain's early lead in international trade. Several countries tended not only to use sterling in their international transactions, but to bank part of their currency reserves in London.

That was the origin of the Sterling area payments club, whose members account for one-quarter of the world's population and a similar proportion of world trade.

They are: Burma, Iceland, the Irish Republic, Jordan, Kuwait, Libya, South Africa, South-West Africa, the British protected states of the Persian Gulf, Western Samoa and all the members of the Commonwealth except Canada.

Of the £6,284,000,000 in Sterling balances, these countries hold £3,289,000,000, or a little more than half.

The nonsterling-area countries hold £1,351,000,000 in London and international organizations, £1,644,000,000.

Of the sterling area countries, Kuwait is reported as the only one to have converted sizable funds out of London.

But others have been examining the situation, and there is the feeling in some quarters that as the pound strengthens, Britain will have to supply a steady flow of foreign currency for the conversion of other balances.

Australia, for one, has been debating the wisdom of holding 60 per cent of its £560-million in currency reserves in sterling. Malaysia has indicated that it, too, would like to "diversify" its reserves.

The sterling balances are not subject to any guarantees that Britain would make up any losses resulting from devaluation.

But there have been reports, denied by the Bank of England, that at least one nonsterling area country was able to exact such a guarantee on a special official balance here.

If the reports were true, they would mean almost certain pressure from other official sterling holders for similar guarantees and the Bank of England would be hard pressed to oblige.

There have been some suggestions that Britain should give a choice to depositors—a gold guarantee and nominal interest on deposits, or no guarantee and the high prevailing rates. This could lead to hefty savings on the interest payments that add to the deficit in the balance of payments.

The Bank of England says that only the central bank assistance received for the defense of the pound is guaranteed against exchange losses.

MODEL SECONDARY SCHOOL FOR THE DEAF TO SERVE THE NATIONAL CAPITAL REGION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1682, H.R. 17190.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 17190) to authorize the establishment and operation by Gallaudet College of a model secondary school for the deaf to serve the National Capital region.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the bill was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1713), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

SUMMARY OF THE BILL

The bill authorizes the establishment and operation, including construction and equipment, of a model secondary school for the deaf to serve the District of Columbia and nearby States, and to serve as a model program to stimulate the development of similarly excellent programs for the education of the deaf throughout the Nation.

It provides that the Secretary of Health, Education, and Welfare, after consultation with the National Advisory Committee on Education of the Deaf, is authorized to enter into an agreement with Gallaudet College for the establishment and operation of the school. The bill also describes the conditions of the agreement between the Secretary and Gallaudet College, including provisions that the National Advisory Committee on Education of the Deaf advise the college in formulating and carrying out basic policies governing the establishment and operation of the model school. The college will make an annual report to the Secretary, and the Secretary will submit the annual report of the college to the Congress with such comments and recommendations as he may deem appropriate.

COMMITTEE AMENDMENT

The committee amended the bill to provide that the agreement entered into between the Secretary of Health, Education, and Welfare and Gallaudet College provide that in the design and construction of any facilities for the use of the model high school for the deaf, maximum attention should be given to innovative auditory and visual devices and installations appropriate for the educational function of such facilities.

NEED FOR A MODEL HIGH SCHOOL FOR THE DEAF

Dr. Leonard M. Elstad, president of Gallaudet College, in testifying before the committee in favor of S. 3758, made the following statement:

"Mr. Chairman, Gallaudet College has for many years pointed out that there is no adequate secondary education for deaf students in this country—if by adequate we mean at least comparable to the secondary education that has been provided as a matter of course to all students in the general population. It will not be possible to provide a good secondary education until enough deaf students of high school age are brought together in one place and so guarantee a sufficiently broad curriculum. The lack of such education, we maintain, has kept the percentage of deaf students going on to college far below the percentage in the rest of the population. If Gallaudet College had not for many years offered its college preparatory studies, it is doubtful that there would have been any significant numbers of deaf students in college at all."

The Advisory Committee on the Education of the Deaf, in a report submitted to the Secretary of Health, Education, and Welfare on February 11, 1965, entitled "Education of the Deaf" stated:

"The average graduate of a public residential school for the deaf—the closest we have to generally available high schools for the deaf—has an eighth grade education."

The report continued:

"* * * any deaf child with the desire and requisite ability should have the opportunity to complete a true high school program."

The committee received testimony in support of S. 3758 from the Department of Health, Education, and Welfare, Gallaudet College, the Council on Exceptional Children, the National Association of the Deaf, the Alexander Graham Bell Association, the American Instructors of the Deaf, and the Conference of Executives of American Schools for the Deaf.

THE MODEL SECONDARY SCHOOL

Gallaudet College provides an excellent location for the establishment of such a school. The college has the space on its campus for the development of a building which would house a day and residential high school serving 500 to 1,000 students. In planning for the size of the school, the recommendation of educators that a minimum of approximately 500 children is necessary for the development of a first-rate curriculum has been taken into account.

The program of the college and its related preschool program and elementary school program (Kendall School) will make the setting the only facility in the world with a complete educational offering for the deaf child from preschool through graduate school.

Gallaudet College has already developed, or is developing, an academic curriculum appropriate for deaf students in a senior high school, including among other subjects, mathematics, English, laboratory sciences, and foreign languages. The committee expects the new high school to employ all methods of instruction which have been successful and to actively develop new instructional procedures, including audiovisual aids, computer-assisted instruction, etc., so that the high school will indeed be a model high school for the deaf. This does not mean that the committee expects the new high school to be regarded primarily as an experimental school. To the contrary, the committee expects the emphasis to be first on excellence of education so that the deaf students will be fully qualified to enter college or the new National Technical Institute for the Deaf.

The bill provides that the Secretary, after consultation with the National Advisory Committee on Education of the Deaf, is authorized to enter into agreement with Gallaudet College for the establishment and operation, including construction and equipment, of a model secondary school for the deaf to serve primarily residents of the District of Columbia and of nearby States.

The National Advisory Committee on Education of the Deaf is given the responsibility by this legislation of advising the Secretary of Health, Education, and Welfare and Gallaudet College concerning only the basic policies governing the operation and establishment of the model secondary school for the deaf. It is not expected that the Advisory Committee will have any continuing responsibility for advising Gallaudet College or the Secretary of Health, Education, and Welfare on the day-to-day operation of the model secondary school for the deaf.

The committee would expect that the officials of Gallaudet College will consult with qualified professional educators of the deaf, persons in special education, educators of hearing persons, program specialists, and audiovisual experts so that they may have available the best thinking, experience, and expertise in developing and operating the model school for the deaf.

ADMISSION POLICY

The specific policies of the school, including admission policies, will be determined by the Secretary of Health, Education, and Welfare, in consultation with the National Advisory Committee on Education of the Deaf, and Gallaudet College. It is proposed to serve primarily students in the National Capital area, but in order to enroll a sufficient number of students for full curriculum offerings, and to provide the possibility of high school education to children in other States where no programs are available, some system for permitting a limited number of children from such States is anticipated.

As this school proves its effectiveness, it is anticipated that it will stimulate the development of similar schools in other regions of the Nation.

COSTS

The committee was informed that an appropriation for fiscal 1967 of $100,000 would be adequate for planning purposes and that appropriations of between $13 and $15 million would be needed for the construction of classrooms, dormitories, and other facilities over a 4- or 5-year period. Operating costs would start at approximately $800,000 for a 200-pupil school with costs increasing as facilities become available for additional students.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that S. 3758, Calendar No. 1681, be indefinitely postponed.

The PRESIDING OFFICER. Without objection, it is so ordered.

FACILITIES FOR TEACHING OF VETERINARY MEDICINE AND A PROGRAM FOR LOANS FOR STUDENTS OF VETERINARY MEDICINE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1683, H.R. 3348.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 3348) to authorize a program for the construction of facilities for the teaching of veterinary medicine and a program of loans for students of veterinary medicine.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 2, to insert:

(2) Section 720 of such Act is further amended by inserting immediately after the

first sentence thereof the following new paragraph:

"In addition to the sums authorized to be appropriated by the preceding sentence, there are authorized to be appropriated $17,000,000 for each fiscal year, commencing with the fiscal year ending June 30, 1967, and ending with the fiscal year ending June 30, 1969, which sums shall be available for carrying out clauses (1) and (3) of the preceding sentence solely with respect to veterinarians."

And, at the top of page 4, to insert:

(c) Section 742(a) of the Public Health Service Act is amended by inserting immediately after the first sentence thereof the following new sentence: "In addition to the sums authorized to be appropriated by the preceding sentence, there are authorized to be appropriated $500,000 for the fiscal year ending June 30, 1967, $1,000,000 for the fiscal year ending June 30, 1968, and $1,500,000 for the fiscal year ending June 30, 1969, which sums shall be available for carrying out this part (other than section 744) solely with respect to students of veterinary medicine."

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1714) explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

SUMMARY

The bill would amend the Health Professions Educational Assistance Act to provide assistance in the construction of teaching facilities at schools of veterinary medicine and loans for students at these schools on the same basis as is presently provided for students of medicine, dentistry, osteopathy, optometry, pharmacy, and podiatry.

THE NEED

There are 18 colleges of veterinary medicine in 17 States which provide veterinarians to serve all 50 States. Last year, at least four qualified applicants were turned away for each one accepted by these colleges because of a shortage of facilities; yet today we are suffering from an acute shortage of veterinary personnel. The American Veterinary Medical Association estimates that there are approximately 24,000 veterinarians in the United States. To maintain the present ratio, it is conservatively estimated that we will need 31,000 veterinarians by 1980.

Veterinarians play an important part in the Armed Forces, in the Federal and State Departments of Agriculture, in the Public Health Service and Food and Drug Administration of the Department of Health, Education, and Welfare, and in State and local health departments. They direct meat and poultry inspection programs for Federal, State, and local governments. Veterinarians are also engaged in the production and evaluation of drugs and pharmaceuticals. Veterinarians are urgently needed to maintain the health of laboratory animals so as to make more useful research conducted using these animals. Many medical schools and research institutions employ veterinarians as full-time staff members for teaching and research.

Over two-thirds of all veterinarians in the United States engage in private practice. They safeguard the health of all domestic animals, and birds, prevent the spreading of animal diseases to man, and provide him with a wholesome food supply. Approximately 8,500 veterinarians care for the Nation's farm animals; this is necessary to meet the demand of protein food which is on the increase and will continue to increase in order to meet the needs of a rapidly increasing population. The veterinary practitioner is part of the program to eradicate major livestock diseases, many of which, such as tuberculosis and brucellosis, are communicable to man. He also protects man against diseases transmissible from animals, such as rabies, leptospirosis, bacterial diarrhea, anthrax, salmonellosis, and psittacosis.

About one-third of the veterinarians in the United States are in public service teaching, conducting research, or engaged in disease control and preventive medicine. Based on prior and projected requirements it has been estimated that, by 1980, 13,000 veterinarians will be needed in public service.

Too often the role of the veterinarian is considered exclusively in terms of caring for our animal pets or in association with our fine agricultural colleges. Yet the accomplishments of veterinary medical scientists in solving problems of human disease illustrates the distinguished role of this one factor in the total health team.

Historically, the discoveries of the veterinary medical scientist are indeed noteworthy:

Dr. Karl F. Meyer's work on botulism virtually eliminated this highly fatal foodborne disease.

Dr. Franz Benesch, who while working with horses and cattle perfected the spinal anesthesia.

Dr. Frank Schofield, who discovered dicumarol, the anticoagulant widely used in treating heart disease.

Dr. Fred Kilborne, who observed that insects could transmit disease between animals and men and laid the ground work for Reed's conquest of yellow fever.

Benefits have accrued from the virtual eradication of bovine tuberculosis and the debilitating effects of hookworm and the use of cowpox virus to immunize against smallpox. All of these and others illustrate well the need to insure future contributions.

The veterinarian has been particularly helpful in the control of those diseases of animals which are transmissible to man. These include tuberculosis, rabies, anthrax, tularemia, psittacosis, and others. He along with other disciplines, has contributed to progress in the control of communicable diseases.

EXPLANATION

The bill would provide assistance in the construction and renovation of schools of veterinary medicine by making these schools eligible for matching grants to pay up to two-thirds of the cost of new teaching facilities, and up to one-half the cost of projects for renovation of teaching facilities, at schools of veterinary medicine.

The reported bill authorizes establishment of student loan funds at schools of veterinary medicine. Loans may not exceed $2,500 for any academic year, and are repayable over the 10-year period which begins 3 years after the student ceases to pursue a full-time course of study.

AUTHORIZATION FOR APPROPRIATION

H.R. 3348 as passed by the House of Representatives did not provide for any increase in the authorization for appropriations under the Health Professions Educational Assistance Act, but provided for colleges of veterinary medicine to compete for construction funds and student loans with medical schools, dental schools, osteopathy schools, podiatry schools, pharmacy schools, and optometry schools. The Committee realizes that great shortages of these health personnel exist at present and will continue to exist in the forseeable future. For this reason, the appropriation authorizations for colleges of veterinary medicine are separately identified.

The additional authorization for appropriations is as follows:

Item	1967	1968	1969
Construction grants	$17,000,000	$17,000,000	$17,000,000
Student loans	500,000	1,000,000	1,500,000
Total	17,500,000	18,000,000	18,500,000

Hearings on H.R. 3348 were conducted by the Subcommittee on Health of the Committee on Labor and Public Welfare on October 6, 1966. Testimony or statements favorable to the legislation were presented by the American Veterinary Medical Association, the American Public Health Association, the American Medical Association, and the National Association of State Universities and Land-Grant Colleges, and by representatives of the Department of Health, Education, and Welfare.

INTERNATIONAL EDUCATION ACT OF 1966

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1684, H.R. 14643. I do this so that it will be made the pending business.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. An act (H.R. 14643) to provide for the strengthening of American educational resources for international studies and research.

There being no objection, the Senate proceeded to consider the bill.

VISIT TO THE SENATE BY MEMBERS OF THE JOINT COMMITTEE ON FOREIGN AFFAIRS OF THE SWEDISH PARLIAMENT

Mr. CARLSON. Mr. President, we are highly honored at this time to have present in the Chamber members of the Swedish Parliament and also the Ambassador from that great country.

I extend a hearty welcome to them.

I mentioned earlier this morning that my father and mother were born in Sweden, and I therefore feel very much at home when we begin to talk about names such as Lundstrom, Johansson—which was the name of my mother before marriage—Holmberg, Eriksson, and Pettersson, and others.

Mr. President, I ask unanimous consent that the names of the members of the Joint Committee on Foreign Affairs in the Swedish Parliament be printed at this point in the Record.

There being no objection, the list of names was ordered to be printed in the Record, as follows:

Members of the Joint Committee on Foreign Affairs in the Swedish Parliament, Visiting Washington on October 13, 1966

Mr. Birger Lundstrom, Chairman of the Committee, member of First Chamber, Liberal party.

Mr. Ivar Johansson, Deputy Speaker of the First Chamber, Center party.

Mr. Yngve Holmberg, First Chamber, Leader of the Conservative party.

Mrs. Nancy Eriksson, Second Chamber, Social democratic party.

Mr. George Pettersson, First Chamber, Social democratic party.

Mr. Gösta Skoglund, Second Chamber, Social democratic party (former Minister of Communications).

Mr. Henry Allard, Second Chamber, Social democratic party.

Mr. Birger Andersson, First Chamber, Social democratic party.

Mrs. Lena Renstrom-Ingenas, Second Chamber, Social democratic party.

Mr. Sven Mellqvist, Second Chamber, Social democratic party.

Mr. Stig Alemyr, Second Chamber, Social democratic party.

Mr. Olle Dahlén, First Chamber, Liberal party.

Mr. Sture Palm, First Chamber, Social democratic party.

The Committee members were accompanied by Swedish Ambassador Hubert de Besche.

The following Swedish Foreign Service officers also accompanied the members.

Mr. Sven Fredrik Hedin, Director, Ministry for Foreign Affairs.

Mr. Sven Frychius, Press Counselor.

Mr. Lennart Eckerberg, First Secretary, Swedish Embassy.

Mr. Torsten Orn, First Secretary, Swedish Delegation to the U.N.

Mr. CARLSON. Mr. President, our distinguished visitors are here with the chairman of their Committee on Foreign Affairs, Mr. Birger Lundstrom.

I ask all of these folks to stand so that we may give them a very hearty welcome.

(The distinguished visitors rose in their places and were greeted with applause, Senators rising.)

Mr. CARLSON. We are delighted that you are here.

Mr. MANSFIELD. Mr. President, I join the Senator in his remarks. It looks as if it is Swedish Day in the U.S. Senate.

I am delighted that so many of our colleagues from Sweden have seen fit to visit us. They do us honor with their presence. We are pretty much aware of the many accomplishments they have made in their country. In part, we have taken advantage of what they have started and applied some of their innovations to our own people.

We are glad to have you here. You are very welcome. We hope that this is only the first of many visits to come.

Mr. CARLSON. Mr. President, I thank the majority leader, the Senator from Montana [Mr. MANSFIELD], for his kind words of welcome.

I think I should mention to the Members of Parliament that had they been here about 30 or 40 minutes earlier, they would have seen this Chamber full of Senators. We had some very important pending legislation that was pressing. You would have seen the Senate in real action. I hope that you are not disappointed by seeing so many empty chairs.

I should say, further, that when the previous Swedish group was in the Chamber this morning, I suggested that I might make the words of welcome in Swedish, which I did, and those remarks will appear in the CONGRESSIONAL RECORD, after I straighten out the Official Reporters as to how to write the Swedish language. [Laughter.]

Again, you are welcome.

Mr. President, I ask unanimous consent that we may have a recess for 3 minutes in order that the Members of the Senate may shake hands with the visitors.

The PRESIDING OFFICER. Is there objection?

There was no objection, and (at 1 o'clock and 1 minute p.m.) the Senate took a recess until 1 o'clock and 4 minutes p.m.

On the expiration of the recess, the Senate reassembled, and was called to order by the Presiding Officer (Mr. MANSFIELD in the chair).

VIETNAM

Mr. PROXMIRE. Mr. President, a few minutes ago the majority leader very concisely stated his position on Vietnam, and I should like to echo his affirmation of support of the President's effort to achieve peace in Vietnam and to seek a negotiated settlement in Vietnam, recognizing that we need a political settlement.

I should like to add my own view, that this does not mean unconditional surrender by North Vietnam; it does not mean an invasion of North Vietnam. It does mean that we should strive just as hard diplomatically to achieve peace by negotiations in South Vietnam as we are striving militarily.

SUSPENSION OF INVESTMENT CREDIT RECKLESS AND IRRESPONSIBLE

Mr. PROXMIRE. Mr. President, yesterday, Mr. Arthur Okum, one of the Nation's outstanding economists and a present member of the President's Council of Economic Advisers, spoke on the tax policy this Nation should adopt in view of the present uncertain economic outlook. I ask Senators to pay particular attention to Mr. Okum's words, because they should have a very real effect on our decision in voting tomorrow to suspend the investment credit and accelerated depreciation.

These were Mr. Okum's words of yesterday:

> It would be reckless and irresponsible for the Government to decide whether we are going to have our foot on the brakes or the gas when we come to the next traffic light, until we can see whether that light is red or green. At the moment there are a number of bends in the road before that traffic light will become visible.

Mr. President, the Secretary of the Treasury has testified—and no one can gainsay him or has even tried to do so—that suspension of the investment credit will slam the Government's foot on the brake—not now, when we can see a little ahead, but a year or more from now, when, as Dr. Okum says, there are a number of bends ahead of us and we cannot tell whether the light is going to be red or green when we come to it.

Mr. Okum contended yesterday that the pace of economic advance has clearly moderated since spring and that this relative slowdown has brought demand into balance with growth of capacity.

Mr. President, in view of the fact that the purpose of suspending the investment credit is to rectify an inflationary situation by hoping to bring demand down to the level of supply, it seems to me that this position taken by one of the most competent economists of the Nation, a member of the President's Council of Economic Advisers, is most significant.

Mr. President, last week for the first time in the 5½ years of bombing growth, a majority of economic indicators that accurately foretell the future economic situation pointed downward. Ten days ago it was revealed that three-fourths of the Nation's business economists expect a recession by 1970, and half of those expect it to begin late next year.

So, how in the world can we justify suspending the investment credit and accelerated depreciation—which can only have a significant effect on the economy beginning in the second half of next year? And then that suspension may have a serious and profound deflationary effect. Just consider, Mr. President, what position in which the estimate of Mr. Okum puts Senators. Last March, 78 Members of this body voted against—voted no—on suspending the investment credit.

Mr. President, if suspension made little economic sense at that time, Mr. Okum's words should convince us it makes far less economic sense now. In the words of this man, selected as one of three economists in the Nation to advise the President, "The pace of economic advance has clearly moderated."

As another outstanding economist, Mr. Rinfret, said the other day, if it was a blunder not to suspend the investment credit last January, it would be a worse blunder to suspend it today. Remember both Okum and Rinfret were making their estimates of next year's likely economic situation based on assumptions that we would have a substantial escalation in our spending in Vietnam.

But, Mr. President, I conclude by pointing out that regardless of which way the economy goes, because there is a distinct lag in the impact of the investment credit and because we can not clearly predict the economic situation next year, when the investment credit will have its effect, in the words of Arthur Okum, "It would be reckless and irresponsible for the Government to decide whether we are going to have our foot on the brakes or the gas when we come to the next traffic light, until we can see whether the light is red or green."

This is why a vote for the suspension of the investment credit will be reckless and irresponsible.

THE LEGAL SERVICES PROGRAM OF OEO

Mr. WILLIAMS of New Jersey. Mr. President, this September marked the first year of full scale operations of the legal services program of the Office of Economic Opportunity. More than 160 programs have been funded to provide needed legal services to the underprivileged in both urban and rural communities. These services are having a significant impact in slum areas.

Many residents of our slums have grown up thinking of the law as an instrument to be used against them under the protection of the law.

Lawyers serving the underprivileged offer them new hope. When a poor person realizes that the law can be used for his benefit, he may develop an entirely new outlook toward life and new self-confidence. He will have faith in our system of equal justice; something which most of us take for granted, but which is often not a fact of life for the citizen of the slums.

At the recent annual meeting of the American Bar Association in Montreal, seven programs on the agenda dealt with the problem of the poverty and the law. The association is working closely with the Office of Economic Opportunity to develop soundly structured and effective legal services programs to the poor.

Reports given to the ABA from around the Nation indicate that the programs now in operation are working well, and that countless numbers of lawyers are involving themselves in the work of advising indigents as to their legal rights. I am very proud of the bar of my own State of New Jersey for providing leadership in bring free legal service to the underprivileged in cooperation with the OEO.

The OEO Legal Services Department prepared an up-to-date report of its activity for lawyers attending the ABA annual meeting. This report is an excellent summary of the status of the program nationwide and I commend it to every Member of Congress. I ask unanimous consent that the report be inserted in the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

REPORT OF THE LEGAL SERVICES PROGRAM, OFFICE OF ECONOMIC OPPORTUNITY, TO THE AMERICAN BAR ASSOCIATION, MONTREAL, CANADA, AUGUST 8–11, 1966

NATIONAL ADVISORY COMMITTEE TO THE LEGAL SERVICES PROGRAM, OFFICE OF ECONOMIC OPPORTUNITY

Ex officio

E. Clinton Bamberger, Jr., Director, Legal Services Program.

Earl Johnson, Jr., Deputy Director, Legal Services Program.

Donald M. Baker, General Counsel, Office of Economic Opportunity.

Gary Bellow, Deputy Executive Director, United Planning Organization.

Jean Camper Cahn, Private Attorney, Washington, D.C.

Edward Q. Carr, Director, New York Legal Aid Society.

John W. Cummiskey, Chairman, American Bar Association's Standing Committee on Legal Aid.

Professor Harold Horowitz, U.C.L.A. Law School.

Hon. Nicholas deB. Katzenbach, Attorney General of the United States.

Edward W. Kuhn, President, American Bar Association.

Orison S. Marden, President-elect, American Bar Association.

F. William McCalpin, Chairman, American Bar Association's Special Committee on the Availability of Legal Services.

Professor Soia Mentschikoff, University of Chicago School of Law.

W. Robert Ming, Jr., Private Attorney, Chicago, Illinois.

Pauli Murray, New York City, New York.

Hon. Philip M. Newman, Judge of Municipal Court, Los Angeles Judicial District.

Revius O. Ortique, Jr., President, National Bar Association.

Lewis F. Powell, Jr., Past President, American Bar Association.

Jerome J. Shestack, Private Attorney, Philadelphia, Pennsylvania.

Theodore Voorhees, President, National Legal Aid and Defender Association.

Elizabeth Wickenden, National Social Welfare Assembly, Inc.

Alanson Willcox, General Counsel, U.S. Department of Health, Education, and Welfare.

Martin R. Wolf, Coordinator, Alameda County Bar Association.

INTRODUCTION

A year ago this month, Sargent Shriver, Director of the Office of Economic Opportunity, addressed the Annual Convention of the American Bar Association in Miami. He said:

"There is a growing awareness across the country that the poor have, in fact, been deprived of their rights under the law. With this awareness, there is a new appreciation of the contributions the law and lawyers can make to get poor people out of poverty."

In September, 1965, E. Clinton Bamberger, Jr., was appointed as first Director of the Legal Services Program. During the 11 months following the inception of the program:

A total of over 27 million dollars in grants were made.

Over 160 programs were funded.

43 of the 50 states have programs.

All 12 of the nation's largest cities and 37 of the 50 largest cities received OEO Legal Services grants. Of the remaining 13, 9 cities have applications pending.

Over 500 new law offices serving the poor were funded.

Over 1,000 full-time attorneys and countless volunteer attorneys enlisted in the War on Poverty.

This is the report of the first year of the Legal Services Program of the Office of Economic Opportunity. But, in an important sense, it is more than that. It is a report on the legal profession's continuing effort to achieve its principal goal: equal justice for all.

THE ORGANIZED BAR AND LEGAL SERVICES TO THE POOR

Equal justice for the poor has long been the ideal of the legal profession. In 1920, the American Bar Association translated its concern for the indigent into a formal national commitment by establishing a Committee on Legal Aid Work. In that year, Reginald Heber Smith, author of *Justice and the Poor*, addressed the annual meeting of the American Bar Association. He stated:

"Let us assume . . . leadership by declaring here and now that henceforth within the field of law, the mighty power of the organized American Bar stands pledged to champion the rights of the poor, the weak, and the defenseless."

Since that time, the ABA and its Standing Committee on Legal Aid Work and Indigent Defendants, first chaired by Charles Evans Hughes, have been in the forefront of efforts to establish programs offering legal assistance to the poor.

In 1940, the House of Delegates passed resolutions in support of legal services: It was resolved that:

a) state and local bar associations should cooperate with legal aid societies and see that they are formed;

b) the association encourage state and local bars to support *in forma pauperis* legislation;

c) the committee conducts special surveys and propose remedial legislation to protect the poor against special abuses such as loan sharks, installment sellers, and assignees of future wages;

d) law schools be encouraged to teach the principles and methods of legal aid;

e) the support of the Junior Bar should be enlisted;

f) the members of the House of Delegates should exert personal influence in their own localities to see that legal aid offices are established and supported.

In 1945, the American Bar Association created the office of Executive Director of the Legal Aid Committee to aid local communities in establishing and strengthening legal aid units.

In 1950, the American Bar Association declared that strengthening legal aid and lawyer referral services were among the long-range goals of the association.

In 1951, the first comprehensive study and evaluation of legal aid was completed by the late Emery A. Brownell under the American Bar Association-sponsored Survey of the Legal Profession.

As the result of the continuous studies of legal aid, the House of Delegates in 1960 passed a series of resolutions establishing minimum organizational requirements for legal aid societies.

In spite of the efforts of the American Bar Association and its sister organization, the National Legal Aid and Defender Association, legal aid units across the country continued to be severely underfinanced and understaffed. In 1965, legal aid societies spent only 4.3 million dollars for civil legal assistance, with an additional 5 million dollars for defender services. Of the 32 million poor persons in this country, only 600,000 received assistance in both criminal and civil cases.

In February, 1965, the House of Delegates formally recognized that the needs of the poor could not be fully met with the limited resources of privately financed legal assistance. Their pledge, "to cooperate with the Office of Economic Opportunity and other appropriate groups in the development of services to indigents and persons of low income," continues the American Bar Association's long standing support of legal assistance to the poor.

THE ECONOMIC OPPORTUNITY ACT AND THE LEGAL SERVICES PROGRAM

Congress declared in enacting the Economic Opportunity Act of 1964, "The United States can achieve its full economic and social potential as a nation only if every individual has the opportunity to contribute to the full extent of his capabilities and to participate in the workings of our society." Lawyers are of singular importance in aiding this effort. Neither equal opportunity nor equal justice can be achieved for this nation's poor—some 32 million persons living in families with annual incomes of under $3000—unless they are represented by counselors and advocates.

Title II–A of the Economic Opportunity Act authorizes the formation of locally sponsored community action agencies to mobilize all resources within the locality to combat poverty. The expansion of the kinds of programs authorized under Title II–A was sanctioned by the Senate Committee on Labor and Public Welfare in a report which stated, "The listing of activities in Section 205(a), of course, is not intended to exclude other types of activities related to the purpose of the community action programs, such as legal services to the poor . . ." (Sen. Rept. No. 599, 89th Congress, 1st Sess. 9., 1965).

The Legal Services Program was developed as part of this comprehensive attack on the cycle of poverty. National leaders of the organized bar and government officials began formulating plans for such a program in the early months of 1965. There followed, in June, a National Conference on Law and

Poverty which demonstrated the urgent need for expanded legal services for the poor. National publicity was given to the emerging program at the Annual Meeting of the American Bar Association in Miami held in August. By September, the Legal Services Program within the Office of Economic Opportunity was formally established with the apopintment of E. Clinton Bamberger, Jr. as its first Director.

The dialogue between government officials and the organized bar continues as it did during the formative days of the program. The support of the ABA and of the local and state bar associations will go far to ensure the success of these programs.

THE GUIDELINES

There is no standard legal services program prescribed by OEO. There are Guidelines to assist applicants in the formulation of proposals. These Guidelines, established in the fall of 1965, are not the product of OEO officials alone. Sharing in their formulation was the National Advisory Committee to the Legal Services Program. This Committee is composed of outstanding members of the Bar, including the immediate past President, President, and President-elect of the American Bar Association, the Chairman of the ABA Standing Committee on Legal Aid and Indigent Defendants, and the President of the National Legal Aid and Defender Association.

In many areas, existing legal aid societies or components of local bar associations have taken the lead in formulating programs. Generally, these programs are operated by the legal services organization as a "delegate agency" of a community action agency.

Applications must be submitted by interested groups in local communities. To aid these groups, OEO has prepared "Guidelines for Legal Services Programs" and a pamphlet entitled "How to Apply for a Legal Services Program." In addition, OEO will provide, upon request, consultants to local groups in the preparation and processing of applications for legal services programs.

Once an application is filed with OEO, it is reviewed by the Legal Services Officer of the appropriate OEO Regional Office and receives a concurrent review by the legal services staff at the national headquarters in Washington, D.C. While there is no model program or rigid formula to be followed for the establishment of a legal services program, there are certain guidelines within which all OEO-funded programs must operate.

First, all legal services programs must be under the direction of a governing board separate from the board of the community action agency, thus insuring independence of action on the part of the legal services program. Representatives of the groups and areas to be served must be included on this board to meet the statutory mandate of "maximum feasible participation of residents of the areas and members of the groups served." Such participation is also obtained by employing neighborhood residents in nonprofessional capacities. Programs funded during the first year of the Legal Services Program are supervised by governing bodies which nationally average over 50 percent lawyers and 30 percent representation of the groups and areas to be served.

Second, no program will be funded which provides services for those who can afford an attorney. The exact standard of eligibility must be determined on the local level and should be flexible to accommodate individual problems caused by illness, long periods of unemployment, or other misfortune. Accommodation to different localities and economic conditions has produced a wide variation of eligibility standards. The average income standard for a single person in funded programs is $2,200 per year, but the range varies from a low of $1,200 in certain rural areas to $3,380 in a few large cities. For a family of four, the average standard is $3,360 with a range from $2,000 to $5,200.

The existence of more effective and comprehensive legal services programs for the indigent has resulted in a dramatic increase in the number of applicants coming to lawyer referral services. Many persons who can afford to retain a private attorney do not know how to secure legal assistance and often apply at a neighborhood law office. For example, in California's Alameda County where a pioneer OEO program has been operating for over a year and a half, the number of referrals to the County Bar Association Referral Service quadrupled. And in New Haven the birthplace of the neighborhood law office, the County Bar Association reported that referrals have increased threefold since 1963.

Third, there should be no arbitrary limit to the scope or the type of civil legal services provided to clients. All areas of the civil law should be included and a full spectrum of legal work should be provided: advice, representation, litigation, and appeal. Service may be afforded to eligible clients in areas of the criminal law where representation is not constitutionally required, such as misdemeanors, juvenile court, competency proceedings, if such representation is not provided locally.

Fourth, the Economic Opportunity Act limits the share of Federal expenditure in most cases to 90 percent of the cost of the program. The local community must provide the balance; however, the contribution can be either in cash or in the fair value of donated equipment, furniture, supplies, space, etc. In addition, the services of volunteer attorneys may also be counted in the non-Federal share. Most funded Legal Services Programs depend upon the contribution of volunteer services of private attorneys for a substantial portion of their non-Federal share.

Fifth, and most important, no Legal Services Program will be funded by OEO which will in any way violate the Canons of Professional Ethics.

EXAMPLES OF PROGRAMS FUNDED

E. Clinton Bamberger, Jr., in his first major address to the annual meeting of the National Legal Aid and Defender Association in November 1965, asked local communities to "accept bold ideas, new theories, courageous innovations and disputed principles with an open and inquisitive mind and a renewed commitment to make the law an instrument of advantage for disadvantaged people." The response to this challenge has been an unprecedented year of innovation and sound experimentation in the legal services field. Diversity and quality have been the watchwords of most programs funded during the past year.

The nation's capital provides a prime example of a large urban program. Over 25 attorneys, operating out of eight neighborhood offices, handled 7,747 matters during the project's first year of full scale operation. A law reform unit has been established to provide special attention to cases which might have an important impact on poverty. Community education is also featured—an illustrated brochure concerning common legal problems of the poor has been distributed in low-income neighborhoods, and skits illustrating legal pitfalls have been presented.

A large, new program in Philadelphia contains several innovative features. The neighborhood law offices will be supported by a Consumer's Advocate, staffed by one full-time attorney. This lawyer will undertake activities which are remedial in nature such as prosecuting test cases, drafting legislation, or conducting community education campaigns. The program also contains provisions for representation of indigent minors in the Juvenile Court.

Indianapolis presents an example of a program utilizing all metropolitan resources. The program was developed with the aid of the Indiana University School of Law and the University's School of Social Work. The former will begin an Urban Legal Problems Institute to provide needed research on legal problems of the poor. The latter will place a social worker in the legal services offices to augment traditional referral services.

In St. Louis, the bar association has undertaken an extensive program of legal education in target area communities. Volunteer lawyers have prepared detailed outlines in five substantive areas of law relevant to the poor. These have been utilized by a large panel of lectures in the preparation of their talks.

Houston, Texas, presents an example of a large combined criminal and civil program to meet the complete legal needs of the poor. The Houston Legal Foundation, a prestigious legal group in that city, obtained a Ford Foundation grant to finance the criminal portion of that program and operates the civil phase under an OEO grant.

Legal services grants have not been restricted to large cities by any means. The neighborhood law office approach also will be used in medium-sized cities such as East St. Louis, Illinois; Lynn, Massachusetts; and Chester, Pennsylvania. These techniques also will be employed in relatively small cities such as Carbondale, Illinois, and Fort Pierce, Florida.

Different means must be utilized to reach the rural poor. Under a large grant to provide legal assistance to California migrants, 10 law offices will be located in rural areas throughout the State where adequate legal aid is not now available. A central office in Los Angeles will house the research staff for this component.

In other rural areas, new methods are being tested. Under an OEO grant, the State bar of Wisconsin has initiated a Judicare program. Indigents in 27 northern counties will have their legal matters handled by a private attorney who then will be reimbursed at a reduced rate from the Judicare fund. (This experimental program will not be repeated during the coming fiscal year.) A different approach will be utilized in the nearby Upper Peninsula of Michigan where attorneys will staff offices in six towns and will revive the practice of "circuit riding" to serve other areas. This technique will also be used in Montana where one lawyer will provide legal services to seven rural counties on a rotating basis.

Another innovation to meet the legal needs of the rural poor is the mobile law office, adapting techniques used for many years by the public health services. Under a grant to the Delaware County (Oklahoma) Legal Services Board, a mobile law office will make regularly scheduled visits to the small rural communities in the county.

Similar techniques will be used to reach the forgotten poor—the American Indians. Members of four Indian tribes will receive legal services under OEO funded programs. The most ambitious of these projects is an $872,851 grant to the Navajo Legal Aid and Defender Society of Window Rock, Arizona. This program, located on the largest reservation in America, consists of five offices, strategically established in the 25,000 square mile area, to serve as home bases for the circuit-riding attorneys. This single program will reach over 30 percent of the Indian population presently living on reservations in the entire United States.

Law schools will play an important role in mobilizing the legal war on poverty. The University of Detroit Law School has restructured its curriculum to add new courses in such areas as employee rights and public assistance laws. Its law review will be converted this fall into The Journal of Urban Law to encourage scholarly research in the problems of the poor. A graduate program in urban law will be established to give more intensive training to those lawyers who want to teach and practice in the field.

Law and poverty will receive intensive study under a grant made to the School of Law of the University of Mississippi. In addition, the students will work with staff lawyers of two neighborhood clinics to be established by the law school in Oxford, Mississippi, and will also work with practicing attorneys in the community handling cases for the indigent. Such clinical work will be tied directly to courses at the school.

The law schools at Notre Dame and Southern Methodist University will oversee the operation of neighborhood law offices in their communities. Harvard Law School will establish a model law office in Cambridge, Massachusetts.

Other programs will be oriented to law research. The Columbia University School of Social Work will make extensive studies of the law relevant to social welfare. The staff of the program will offer aid in the preparation of briefs and pleadings for test cases in this area. Under another grant to Columbia University, its Bureau of Applied Social Research will measure the impact of consumer credit systems and garnishment practices on the poor.

State bar associations will also participate in the War on Poverty under OEO grants. The Ohio State Bar Association will render technical assistance to local communities in establishing their own legal services program. It will conduct a training program for lawyers staffing legal services programs in that state. Bar-related institutes in New Jersey and California will conduct similar training programs. As mentioned before, State bar associations in Montana and Wisconsin received grants to operate legal services programs.

The American Bar Foundation has been awarded a research grant to survey existing facilities for providing legal services to the poor and to study the impact of the different forms of providing legal assistance. This research and the intensive evaluation of three funded programs to be undertaken by the Center for Law and Society at the University of California should yield information which will be useful to all legal services projects.

These are just a few examples of the legal services programs that have been funded. They do not exhaust the possible range of programs that can be tailored to meet individual community needs.

LAW STUDENTS, RECENT GRADUATES, AND PRACTICING ATTORNEYS

Law student training program

Most law schools have appointed a faculty member to advise students of opportunities for part-time term-time employment and full-time summer employment in neighborhood legal services offices. Almost every funded program has a budget allowance for such expenditure, and where there are no law students available during the year, summer employment is proposed.

These activities give law students excellent practical experience under the tutelage of practicing attorneys. They also gain invaluable insights into the problems of their communities.

Recruitment efforts

This past spring, OEO sponsored a clearing-house for employment opportunities in funded legal services programs. Representatives were assigned to each of the 132 accredited law schools to inform students about the possibility of employment in local legal services programs. The response to this effort was extremely encouraging. Over 1,200 graduating seniors and law students applied for positions in OEO-funded programs. This recruitment campaign will be repeated in the autumn of 1966.

Efforts are underway to acquaint the large and middle size law firms with the goals of the programs and to have young attorneys in these firms take leaves of absence to work for one year in the Program.

Professional placement

The 160 programs presently funded offer potential employment to over 1,000 attorneys. The Legal Services Program is working in close cooperation with the Lawyer Placement Information Service of the American Bar Association to aid local project directors in securing experienced, qualified attorneys for their new neighborhood offices

THE COMING YEAR

During the past year, important strides have been made by the legal profession and the OEO Legal Services Program. But much remains to be done.

At present there are 130 proposals pending from localities which presently have no legal services programs. More than 100 other communities have contacted us and are now in the process of formulating applications. If the poor in these areas are to have legal services, over 20 million dollars in new Federal grants must be processed and approved during the next year. This will be in addition to refunding the 160 existing projects.

Plans also have been made to render assistance to the new grantees, particularly those communities which have not had organized legal services in the past:

A roster of consultants, men and women experienced in operating legal aid societies or other legal services organizations, will be available to render assistance to newly funded projects.

A monthly newsletter will be distributed to all legal services agencies containing pertinent information on new grants, interesting cases, and applicable journal articles.

Negotiations are underway with publishers to develop a looseleaf service helpful to lawyers serving the poor.

A three-day meeting of all legal services project directors will be held to discuss administrative problems, field experiences, and research efforts.

Research data collected from legal services programs will be coordinated with material collected by the American Bar Foundation in order to provide a more comprehensive analysis of legal services projects in their continuing efforts to meet the legal needs of the poor.

Today, as Attorney General Katzenbach has noted, "the poor man is cut off from this society—and from the protection of its laws. We make him, thus, a functional outlaw." Not only is this situation untenable within a free democratic society, but its disastrous effects have been witnessed in Harlem, Rochester, Watts, Omaha and Chicago.

In order for there to be a different tomorrow, the organized bar, the legal profession, and the Federal Government have pledged themselves to correct the practices which discriminate against the poor and to institute programs which will enable the poor man to learn of his rights and obligations under the law.

On June 30, 1966, Judge Alexander of the Pennsylvania Court of Common Pleas granted a charter to the neighborhood legal services project in the city of Philadelphia. His opinion sounds the theme of the Legal Services Program as it enters its second year.

"The sum of the matter is that the role of the legal profession is critical in the struggle against poverty to which the national effort is firmly committed. The public interest surely demands that role go forward with all possible speed and without delay."

"Let it begin—Now."

Mr. WILLIAMS of New Jersey. Mr. President, I wish to offer one additional item for the RECORD. A letter in support of the legal services program from a leader of the New Jersey bar. Mr. Dickinson R. Debevoise, a practicing lawyer in Newark and formerly treasurer of the Essex County Bar Association, has written to me about the success of the program in Newark, and I commend it to my colleagues.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

RIKER, DANZIG, SCHERER & BROWN,
COUNSELLORS AT LAW,
Newark, N.J., August 26, 1966.

HON. HARRISON A. WILLIAMS, JR.,
U.S. Senate Office Building,
Washington, D.C.

DEAR PETE: I have already written you on behalf of the Board of Trustees of the Newark Legal Services Project concerning pending Poverty Program legislation—urging more adequate appropriations and the elimination of the crippling amendments proposed by the House Committee on Education and Labor. I now write both as a citizen and as a member of the Bar, urging that full support be given to the providing of adequate appropriations for the legal services projects being established throughout the United States.

I know from our long friendship how concerned you are with the plight of the underdog in our society, and for that reason these programs, as they are now developing, should be of particular interest to you.

During the past year and one-half I have participated in the organization of the Newark Legal Services Project and at the moment I am President of its Board of Trustees. I am serving on Governor Hughes' Committee on Law and Poverty and am a member of the New Jersey State Bar Association's Committee on Law and Poverty.

Work on the Newark Legal Services Program began about a year and one-half ago. Most of us attorneys, even though we had practiced for years in the heart of a large city, had no conception of the vast unmet needs of the urban poor for legal services. Nothing short of a book-length report could accurately convey the extent to which the law is unavailable to the poor. We had generally assumed that legal aid organizations and good-hearted lawyers were within reach of every poor person who really needed legal assistance. This is very remote from the actual state of affairs. In fact, the huge slum areas of the central cities (and I suspect vast rural areas as well) are almost absolutely without legal help of any sort in the civil field. Most of us urged resort to the law to remedy grivances. Few of us realized what a vacuous sentiment that was, in view of the fact that the protections and institutions of the law are virtually unobtainable by the poor.

Great imagination has been exercised in devising legal programs to meet the many different situations calling for legal assistance. In Newark the key to our solution is the establishment of neighborhood law offices in the areas of most desperate poverty.

The Newark Legal Services Project is the product of the joint work of representatives of the Bar and representatives of the poverty community. Our board of trustees includes two representatives from each of the areas in which our neighborhood offices are located and attorneys appointed by such groups as the State Bar Association, the County Bar Association, our two law schools, the Legal Aid Society, the Lawyers' Referral Committee of the Bar Association and the Institute for Continuing Legal Education.

The OEO legal program provides a means whereby the local bar association, working with other groups in the community, can bring the law and its institutions within reach of those who heretofore have had to live entirely apart from the law. I wish you could see our trustee attorneys and our trustees from the poverty community working out our problems. I wish you could hear our staff attorneys describe the shocking situations which have existed and which will no longer exist when the protections of the law are brought to bear. I wish you could watch the law students from Rutgers, Harvard, Yale, Pennsylvania law schools who are working with us this summer. These students give one very great confidence in the idealism, the intelligence and basic decency of today's young Americans.

Not only have we served hundreds of individual clients during the few months of our existence, but we are also devising ways of using the laws to correct social maladjustments. For example: (i) We are working with a citizens group to improve conditions in the City Hospital; (ii) We are working with a community action group to implement the newly enacted rent receiver law designed to compel landlords to rehabilitate substandard dwellings; (iii) We have provided the manpower needed to start a program for release of qualified suspects on their own recognizances; (iv) We have worked out with the County Welfare Board procedures whereby welfare recipients can obtain a review of decisions affecting them.

Two proposals before Congress are a seriout threat to the legal services programs. Increasing the local share requirement from 10% to 20% would require the termination or curtailment of many legal programs. The Newark legal program, for example, has had to raise its entire local share from private sources, such as attorneys, business corporations, churches and foundations. We can raise 10%; we could not raise 20%. The limitation of salaries to the amount of $12,500.00 is absurd. Our administratior, who is the key to our program, has had experience with the Department of Justice, the United States Attorney's Office and the Essex County Prosecutor's Office. We could not expect him to work for the project for less than the $17,000.00 which he is paid.

You may think I wax over-eloquent when I write of the OEO legal services projects, but this is the way our program affects those lawyers who come in contact with it. I only hope that I can convey to you in some measure the excitement our lawyers feel as they begin to sense that we have here a tool which will protect those who need protection and which will provide a means of correcting gross wrongs through the use of existing institutions in our society. I urge you, and through you the other members of the Senate, to support these programs and to provide the means for carrying them out.

Respectfully,

DICK.

AMENDMENT OF THE MANPOWER DEVELOPMENT AND TRAINING ACT OF 1962

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the pending business be laid aside temporarily, and that the Senate turn to the consideration of Calendar No. 1680, H.R. 16715.

The PRESIDING OFFICER (Mr. PELL in the chair). Without objection, the pending business will be laid aside temporarily.

The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 16715) to amend the Manpower Development and Training Act of 1962.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, this measure was reported favorably, and I believe unanimously, by the Committee on Labor and Public Welfare.

When the Manpower Development and Training Act was passed in 1962, it was designed primarily to deal with the problems faced by the experienced worker who had been or was about to be displaced by technological or other economic change.

The changes that have subsequently occurred in the Nation's economy, notably the substantial reduction in the unemployment rate, have required a corresponding evolution in the emphasis and direction of the training and research programs provided by the act.

The 1966 amendments to Manpower Development and Training Act do not alter the basic objectives of the act. But they do provide a needed flexibility to its program and its administration which will permit a more effective effort in dealing with the manpower problems of the Nation in the last half of this decade—problems of the disadvantaged and the hard-core unemployed and the growing problem of skill shortages in some areas and some occupations.

From its enactment in 1962, the Congress has looked upon the Manpower Development and Training Act not as a static or fixed statute but as a living, changing law—always responsive to manpower problems as they emerge. New pathways to employment, new patterns of training have developed from the constant search for better ways of fulfilling the legislation's mandate. The support for this flexible and versatile approach is evidenced by our action in enacting amendments in 1963 and 1965, with large majorities, and by now again proposing a variety of legislative changes to make this an even more effective manpower development and training program.

The rapid change in the nation's economic climate underscores the need for flexibility. The Manpower Development and Training Act, at its conception, was an emblem of the effort to reduce high unemployment rates and soften the impact of a fast-growing labor force in a time of rapid technological change. Yet, at a time when unemployment has moved below 4 percent, the striking relevance of the law has been sustained. What might have been considered in its initial stages as an antiemployment device, a mechanism whereby the unemployed could move into jobs, serves equally well in a period of economic expansion as an instrument for meeting skill shortages and for increasing the quality of skills in the labor force.

H.R. 16715 passed the House on September 19 by a voice vote under suspension of the rules. It will help perfect the act and will not require additional appropriations. That it received total bipartisan support in committee and on the floor is evidenced by the speech of Representative QUIE, Republican, of Minnesota:

> I believe the changes are well drawn. The Members on our side of the aisle gave complete and wholehearted support to this legislation. There is no controversy in connection with it. Rather than take any more of the time of the House, I will just say that we will give wholehearted and complete support to it. We look forward to the development of further studies of manpower training in order that we can reach all of the people who have the capability but not the skills to hold down the job which everyone needs in order to have an adequate income.

Mr. AYRES, senior Republican on the House Committee on Education and Labor, seconded this sentiment:

> I strongly support this legislation, because I feel that it strengthens the Manpower Development and Training Act in several essential respects. One significant omission in the existing law is the lack of any training program for older workers. The bill we are considering corrects this omission.
>
> I wish to commend the members of the subcommittee for the excellent work they have done in developing this proposal. . . . I hope the House will give its overwhelming approval to the bill.

The House bill was unanimously approved, without amendment, by the subcommittee and the full Committee on Labor and Public Welfare. The major provisions of the bill would—

First. Direct the establishment of special programs of testing, counseling, selection and referral of older workers for training and other programs.

Second. Authorize the Secretary of Labor to provide experimental programs of part-time training for workers in areas where there are critical skill shortages.

Third. Authorize experimental programs of training and education for inmates of correctional institutions.

There are a number of other provisions, whose explanation and justification can be found on pages 28–32 of the Senate hearings. As I indicated earlier, the bill requires no new authorization and has strong support of major segments of the business and labor communities as well as active bipartisan congressional support.

I enthusiastically recommend the enactment of these amendments to an act which is universally recognized as one of the Nation's most positive and successful solutions to continuing manpower problems.

I ask unanimous consent to have printed in the RECORD at this point the history of the legislation, its major provisions, and a section-by-section analysis of the proposal.

There being no objection, the excerpts were ordered to be printed in the RECORD, as follows:

BACKGROUND OF THE LEGISLATION

When the Manpower Development and Training Act was passed in 1962 it was designed primarily to deal with the problems faced by the experienced worker who had been, or was about to be displaced by technological or other economic change. The changes that have subsequently occurred in the Nation's economy, notably the substantial reduction in the unemployment rate, have required, a corresponding evolution in the emphasis and direction of the training and research programs provided by the act.

The 1966 amendments to MDTA do not alter the basic objectives of the act. But they do provide a needed flexibility to its programs and its administration which will permit a more effective effort in dealing with the manpower problems of the Nation in the last half of this decade—problems of the disadvantaged and the hard-core unemployed and the growing problem of skill shortages in some areas and some occupations.

HISTORY OF LEGISLATION

H.R. 16715 passed by the House by voice vote, under suspension of the rules on September 19, 1966. After brief hearings, the Subcommittee on Employment, Manpower, and Poverty of the Committee on Labor and Public Welfare on October 5, 1966, reported the bill to the full committee. On October 11 the committee ordered this bill reported to the Senate.

MAJOR PROVISIONS

A. *Selection of trainees.*—The present act, in addition to calling for the Secretary of Labor to provide programs of testing, counseling, and referral to training for unemployed or underemployed persons generally, contains a specific direction that a special program be undertaken for training of young people whose educational background and work preparation have not adequately prepared them to enter the labor force. This bill amends the act by adding language directing the Secretary to formulate a program to meet the special employment needs of workers 45 years of age or more.

The "older worker," the worker who is not old enough to retire, and yet too old to face unemployment with any real hope of finding a new job, is the victim, not so much of antagonistic prejudices, but of well-meaning, even sympathetic ignorance. On all sides, it is assumed that a worker of 45 or 50 cannot adjust to a new job, that he no longer has the physical strength to perform the same tasks he could undertake when he was 25 or 30, that his health is such that he cannot be depended upon to be a steady worker, and such ideas. There are other problems which prevent the older worker from finding a new job, and some of them may be less based on folklore and more on economic fact than those cited above. This amendment will not be a panacea for the employment problems of older workers. But it will certainly help demonstrate that the older worker is a valuable member of the labor force. In a period of growing demand for labor, the older worker, in many cases, needs but the opportunity to show that he can do a new job in order to have doors now closed begin to open for him. This amendment offers that opportunity.

The act now provides not only for skills training, but also for training in basic education needs. A technically competent and bright prospective lathe operator may be unemployable or untrainable if he cannot read or write. This bill, therefore, provides for referral to training in communications and other employment skills.

Excellent work is being done at Howard University and at other locations in showing that what may seem to be impenetrable ignorance and near illiteracy in a prospective worker may well be merely the result of having learned to communicate in a substantially different way than that of the prospective employer or the members of the public with whom the worker may have to deal. The term "employment skills" is intended to include skills and characteristics other than specific occupational skills which may affect an individual's employability; for example, work habits, conformity to expected standards of behavior as an employee, job finding skills, and attitudes conducive to satisfactory occupational adjustment.

A new subsection is added to section 202 to provide physical examinations and minor medical treatment or prosthesis for trainees who cannot afford it and where it is not otherwise available in the community. This amendment is designed to reduce dropouts during training for reasons of health and provide minor correctional services for persons who could not otherwise pass appropriate and necessary company physical examinations after training has been completed. The committee intends that such medical services shall be furnished through agreements between the Secretary of Labor and the Secretary of Health, Education, and Welfare, that first recourse will be to existing programs funded by the Department of Health, Education, and Welfare and that, as a last resort, the Labor Department may procure such services directly where HEW is unable to provide them. Services and appliances under this provision are limited to an aggregate of $100 per trainee.

B. *Upgrading.* One of the most useful roles MDTA can play in meeting skills shortages and in serving to combat hard-core unemployment is to make it possible for employed persons to be trained in skills beyond those utilized in their present jobs, thus enabling them to move to better jobs, and making their present jobs available for persons who have had special difficulty even entering the job market. The committee intends that an experimental program be undertaken which would include training techniques combined with personnel management practices which actively promote upgrading through delineation of skill levels and job relationships, job reengineering, and other methods of effective manpower development and utilization. The Secretary of Labor has full discretion to designate skill shortages and to formulate standards of eligibility for selection and referral to part-time training projects. The Secretary would also establish standards to assure that workers available for full-time training are not referred to part-time training with a concomitant lengthening of the training period.

The bill contains two closely linked provisions which are intended to make this kind of training possible. The first authorizes an experimental program of part-time training, primarily intended for the employed in areas and occupations where there are critical skill shortages.

The second provision authorizes payments not to exceed $10 per week, in lieu of any other payments under section 203, to persons selected for such training to meet the additional costs incurred in attending training.

C. *Training allowances.*—Rigidity in the payment of training allowances has in many cases slowed down the selection of trainees, made training less desirable to those who could most profit from it, and in some areas has actually increased the cost of the program. Several amendments should make this part of the act easier to administer.

First, the present act prevents the payment of training allowances to persons who have not had at least 2 years of gainful employment (with some exceptions which will be mentioned below). Since 1 year's work experience seems an adequate time for a man to learn the basic habits of work, and to find out if his previous training has in fact equipped him for an optimum role in the labor force, this bill reduces the requirement from 2 years to 1.

The major exception to the "labor force attachment" mentioned above involves youths of 17 years or more who have finished or left high school. In the case of high school dropouts, the Secretary is presently required to ascertain that the local school authorities have availed themselves of all their resources, including guidance and counseling, and have concluded that the further presence of the young person in a regular school situation is simply not practicable. The Secretary is further required to wait until the young person has been out of school for an entire year. While the committee desires that the Secretary should continue to make every effort to find out if a young person cannot usefully be placed back into educational structure before referring him to MDTA training, it feels it is unnecessary and perhaps harmful to require a year's wait, in addition to this necessary screening process. There is no good reason to force a young person to wait a year and become habituated to the environment of the street corner or the back alley when he could be receiving skills training and be getting started in a trade.

In addition, section 4(a)(3) of this bill provides that persons who have completed a program under the Neighborhood Youth Corps may be referred to MDTA training and paid a regular training allowance.

This bill also permits the Secretary to pay a training allowance to a person who is referred to a second course after having left or completed one, without waiting a full year, if he shall determine that there is good cause to do so. Where the trainee is precluded from using his training for reasons beyond his control, the Secretary should have this authority without being restricted by artificial waiting periods. In administering this exception, the Secretary shall take precautions to insure against the pyramiding of benefits by a trainee going from one course to another and absorbing training opportunities which should be spread among a greater number of individuals.

The bill takes cognizance of cases in which an unemployed person may be so poverty-stricken that he cannot enter training at all or continue in it until he has received at least some funds to enable him, perhaps, to buy a pair of serviceable shoes, or to meet some other immediately pressing need. The bill provides, in such cases, for a limited advance payment of his training allowance, to be repaid either through deductions from subsequent allowances or through other arrangements. This provision should be construed to permit advances to be made to all persons entitled to payments as trainees regardless whether payments to such persons are technically denominated as training allowances, training incentive payments, sums necessary to defray expenses, or amounts payable to part-time trainees.

This provision would remedy the problem of training personnel having to assist trainees by making small loans to meet the cost of such items as car fare, lunches, etc. Such requests have been a source of inconvenience to project personnel, and experience indicates the need of a petty cash fund to meet these small recurring needs.

Procedures under this amendment should be devised to assure that funds are immediately and readily available for such expenses and that without sacrificing flexibility proper controls are instituted to protect the funds.

Under present procedures, a person in receipt of an MDTA training allowance who is receiving, or whose family is receiving public assistance under the Social Security Act, will have such assistance reduced by the amount of the MDTA allowance. This has the disadvantage of removing any immediate financial incentive for entrance into training. In some instances, also, there have been situations in which communications at the local level have been faulty, and persons have been paid both MDTA allowances and public assistance benefits.

To meet these problems, the committee proposes that beneficiaries of Social Security Act programs be referred to training without a "training allowance" as such, but that they be given instead a modest $20 weekly incentive payment, plus expenses directly attributable to training, which shall not be considered as income for social security purposes. This would enable the welfare benefit to be continued uninterrupted, and at the same time serve the purpose of the training allowance provisions of MDTA by making it financially beneficial for persons to enter training and to start on the road to self-support.

This provision does not contemplate incentive payments and expense allowances in an amount greater than any other allowances the individual would otherwise be entitled to if he were not a recipient of benefits under the Social Security Act.

D. *Correctional institutions.*—Section 6 of this bill authorizes the Secretary of Labor to carry out, on an experimental and developmental basis, a program of training for the benefit of inmates of correctional institutions, to be carried out through agreements with Federal, State, and local penal officials, and after consultation with the appropriate area manpower training advisory committees. The committee is not yet prepared to recommend this as a permanent full-scale program, and feels that great care must be taken to insure that such training does not result in any increase in the production of goods in competition with free labor.

Suggestions for special programs for parolees and probationers were not adopted since there is nothing in the act now which prevents the Secretary from referring a parolee or probationer to training. The bonding provisions of section 105 of the act which this bill extends for an additional year are designed, in part, to assist such persons.

E. *Administrative provisions.*—The present act permits the Secretary of HEW to carry out his responsibility for providing for the setting up of institutional training through agreements with appropriate education agencies, including through agreements with private educational or training institutions where such institutions can provide equipment or services not available in public institutions, "or where such institutions can, at comparable cost, (1) provide substantially equivalent training, or (2) make possible an expanded use of the individual referral method, or (3) aid in reducing more quickly unemployment or current and prospective manpower shortages."

The bill, in section 5(a), eases the use of private institutions where such use can allow training to begin more quickly or be carried out more economically or more effectively. It is the intent that the Secretary of HEW make every available use of this provision to accelerate entrance into training of workers desiring training opportunities, as well as to reduce to the greatest extent possible instances of training being denied eligible applicants.

Section 5(b) allows the training cost increment of research and development projects to be allocated without regard to the 10-percent matching requirement which has gone into effect at the beginning of fiscal 1967. The matching requirement, which previous amendments postponed until the beginning of this fiscal year, applied to all training costs. A very small part of the total program is carried on under title I, authorizing experimental, research, and development projects. The training increment of these projects—a small part of this small part—has been financed from the allotments to the several States under title II.

In previous years, this has posed no problem, since the States were not contributing any portion of the direct costs. With the requirement of matching, the States will now have a virtual veto power over E. & D. projects, since they would, in the absence of this amendment, be required to contribute 10 percent of the training increment of such projects. Since the projects themselves are designed to benefit the entire program, rather than to meet the immediate manpower needs of the particular State in which they happen to be located, the State's objections would be quite understandable, even though relatively small amounts of money would be actually involved. It is proposed, therefore, to exempt the training increment thereof from the normal matching requirements. It is appropriate to observe, in this context, that the effective date of the matching provisions, which has been delayed more than once, cannot be further delayed. The matching provisions, which are very liberally conceived, seem an eminently reasonable requirement for State participation, and there was no serious recommendation made that their effectiveness be further delayed, with the very minor exception provided in this subsection.

Section 7 of the bill amends the apportionment formula, confining its effect to 80 percent of the total funds appropriated in a given year, and leaving the Secretaries of Labor and HEW free to utilize the remaining 20 percent in areas of special need. The present formula, which remains unchanged, takes into account essentially the unemployment rate and the relative size of the labor force in a given State. No cognizance is taken of skills shortages, abrupt changes in the State's industrial pattern, or other criteria which could justify special emphasis in a given State in a given year. The existence of critical skills shortages in States where unemployment is not serious is a question of particular concern. Such situations should receive particular attention by the Secretaries in their allocation of this 20 percent of the funds appropriated.

Section 104 of the act authorizes, on a pilot basis, projects exploring the feasibility of paying relocation expenses, on a grant or loan basis, as a means of reducing unemployment. Section 105 of the act provides experimental and demonstration authority in the area of securing bonds for trainees who require such bonding to obtain employment subsequent to their training. In both cases, the existing authority expires at the end of fiscal year 1967. This bill would extend the existing authority under both sections for 1 additional year.

Finally, the bill repeals the requirement for an annual report to the Congress by the Secretary of Labor, though continuing this report as it applies to the Secretary of Health, Education, and Welfare. The Secretary of Labor's report, in the opinion of your committee, tends to be duplicative of the President's Manpower Report, which also has its statutory base in this act.

The report of the Secretary of Health, Education, and Welfare is different. The President's Manpower Report does not cover the innovations and improved training methods utilized to secure the objectives of this act. The report of the Secretary of HEW can and should do so. Accurate and detailed information on the techniques used under the MDTA program can be beneficial to school administrators throughout the Nation, and, if properly presented, can serve as a guide for updating the curriculum in the vocational education institutions.

In this context, it is important to emphasize that the duties assigned to the Secretary of HEW under this act are assigned to him, and they are not intended to be delegated by him to any particular one of the naturally divergent agencies within that Department. The Secretary's duties under MDTA are not duties analogous to those performed by the Office of Education, or any other single component part of that Department. The Secretary, the program, and the public interest will continue to best be served by the retention of these responsibilities in the Office of the Secretary.

SECTION-BY-SECTION ANALYSIS

Section 1. Short title: This section provides that the act may be cited as the "Manpower Development and Training Amendments of 1966".

Section 2. Labor mobility and trainee placement assistance demonstration projects: Subsection (a) of this section amends section 104 of the Manpower Development and Training Act of 1962 (hereinafter in this analysis referred to as "the Act") to extend for 1 additional year—until June 30, 1968—the period during which the Secretary of Labor may develop and carry out labor mobility demonstration projects under section 104.

Subsection (b) of this section amends section 105 of the act to extend for 1 year—until June 30, 1968—the period during which the Secretary may carry on trainee placement assistance demonstration projects under section 105. It also provides that not more than $300,000 of the funds appropriated to carry out the act in a fiscal year may be used for carrying out section 105.

Section 3. Referral for training: Subsection (a) of this section amends section 202 of the act to require the Secretary of Labor to provide, where appropriate, special programs of testing, counseling, selection, and referral to persons 45 years of age or older for occupational training and further schooling to meet the special problems faced by them in the labor market.

Subsection (b) of this section amends section 202 of the act to authorize the Secretary, where appropriate, to refer for the attainment of basic education and communication and employment skills, those eligible persons who indicate their intention to and will thereby be able to pursue, subsequently or concurrently, courses of occupational training for which there appears to be a reasonable expectation of employment, or who have not completed or who do not need occupational training but do require such other preparation to render them employable.

This section also adds a provision permitting the Secretary to enter into agreements with the Secretary of Health, Education, and Welfare to facilitate the provisions of physical examinations, medical treatment, and prostheses for persons selected, or eligible for selection, for training. The agreement may provide that where the person cannot afford to pay for the services, and he cannot find the services elsewhere without cost, there may be extended not more than $100 to provide such services for that person. If the Secretary of HEW is unable to arrange for the provision of these services, the Secretary of Labor may expend not more than $100 to provide them to the person.

Another provision added by this subsection is one which directs the Secretary, in accordance with his regulations, to provide experimental programs for part-time training of persons, including employed persons, to meet skill shortages in areas or occupations in which there are critical skill shortages.

Section 4. Training allowances: Subsection (a) of this section amends section 203 (c) of the act. The first amendment would shorten from 2 years to 1 year the period of experience in gainful employment required as a prerequisite to the receipt of training allowances.

The second amendment provides that a youth who has not completed high school may receive training allowances if he has been out of school for 1 year or if the local authorities have concluded that further school attendance is no longer practicable. Under the present law both these requirements must be met.

The third amendment permits the Secretary to refer individuals for training who have completed a program under part B of title I of the Economic Opportunity Act (commonly referred to as a Neighborhood Youth Corps program). A trainee so referred may be paid a training allowance without regard to any of the requirements of subsection (c) or subsection (h) of the section. These payments will not exceed the average weekly gross unemployment compensation payment (including allowances for dependents) for a week of total unemployment in the State making the payments during the most recent four-calendar-quarter period for which data are available. These trainees will not be counted for purposes of the limitation on the number of youths who may receive training allowances.

Subsection (b) amends section 203(h) of the act to allow a person to be referred immediately to a second MDTA program with a training allowance if the Secretary determines there is good cause to permit it so that the trainee may be adequately prepared for full-time employment.

Subsection (c) of this section amends section 203 to permit the Secretary to provide advance payments of training allowances to individuals selected for training who, because of immediate financial need for the maintenance of themselves or their dependents, would otherwise be unable to enter or continue training. The advance payments will not exceed 1 week's training allowance, and will be repaid either through deduction from training allowances or through other arrangements with the trainee.

The subsection also provides for the payment of a training allowance not in excess of $10 to persons referred for part-time training under the new section 202(l).

The new subsection (l) provides that no training allowance will be paid to any person for a period for which a money payment has been made with respect to that person under a State plan approved under the Social Security Act, usually the aid for families of dependent children program. However, the Secretary may pay to such person such sums as he determines are necessary to defray his expenses attributable to training, and a training incentive payment of not more than $20 a week. Provision is also made to insure that the payments made under this subsection will not be regarded as income or resources in determining entitlements under the applicable titles of the Social Security Act.

Section 5. Provision of training: Subsection (a) of this section directs the Secretary of Health, Education, and Welfare to give preference to training and education provided through State vocational education agencies and other educational agencies. However, where it would permit persons to begin their training or education within a shorter period of time, or permit the training or education to be provided more economically or effectively, the Secretary may provide the needed training or education by agreement or contract with public or private training or educational facilities or through any other arrangements as he deems necessary to give full effect to the act.

Subsection (b) of this section amends the provisions of section 231 of the act, which requires State matching, to provide that the requirement will not apply with respect to programs carried out in conjunction with experimental, demonstration, and pilot projects carried on under section 102(6).

Section 6. Correctional institutions: This section adds a new part D to title II of the act which directs the Secretary, during the period ending June 30, 1969, to develop and carry experimental and demonstration programs of training and education for persons in correctional institutions who are in need thereof to obtain employment upon release. The arrangements for this education and training will be made by the Secretary of HEW, and the programs will be conducted through agreements with the officials of the correctional institution. These programs may include vocational education, special job development and placement activities, prevocational, basic, and secondary education, and counseling. They also may provide supportive and followup services and such other assistance as is deemed necessary.

Section 7. Apportionment: This section amends section 301 of the act which now requires apportionment of Federal expenditures under the act among the States according to a set formula. Under the amendment 20 percent of the funds may be expended by the Secretary of Labor and the Secretary of HEW as they find necessary or appropriate to carry out the purposes of title II, without complying with apportionment formulas that will continue to govern the apportionment of the remaining 80 percent of the funds available for title II.

Section 8. Report: Subsection (a) of this section repeals section 309 of the existing act which requires a report from the Secretary of Labor and also from the Secretary of HEW. It inserts in lieu thereof a requirement that the Secretary of HEW shall make an annual report evaluating the programs under section 231, the need for continuing the programs, and recommendations for improvement. The reports must also contain progress reports on the vocational training study which will be conducted under the supervision of the Secretary during 1966 and 1967.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading and passage of the bill.

The bill (H.R. 16715) was ordered to a third reading, was read the third time, and passed.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3112) to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the Act more flexible by consolidating the appropriation authorizations under the Act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 per centum of the total appropriation for any year; extend the duration of the programs authorized by the Act; and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 10327) to require operators of ocean cruises by water between the United States, its possessions and territories, and foreign countries to file evidence of financial security and other information; asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. LENNON, Mr. DOWNING, Mr. ROGERS of Florida, Mr. MAILLIARD, and Mr. PELLY were appointed managers on the part of the House at the conference.

INTERNATIONAL EDUCATION ACT OF 1966

The Senate resumed the consideration of the bill (H.R. 14643) to provide for the strengthening of American educational resources for international studies and research, which had been reported from the Committee on Labor and Public Welfare, with an amendment, to strike out all after the enacting clause and insert:

That this Act may be cited as the "International Education Act of 1966".

Findings and Declaration

SEC. 2. The Congress hereby finds and declares that a knowledge of other countries is of the utmost importance in promoting mutual understanding and cooperation between nations; that strong American educational resources are a necessary base for strengthening our relations with other countries; that this and future generations of Americans should be assured ample opportunity to develop to the fullest extent possible their intellectual capacities in all areas of knowledge pertaining to other countries, peoples, and cultures; and that it is therefore both necessary and appropriate for the Federal Government to assist in the development of resources for international study and research, to assist in the development of resources and trained personnel in academic and professional fields, and to coordinate the existing and future programs of the Federal Government in international education, to meet the requirements of world leadership.

TITLE I—GRANT PROGRAMS FOR ADVANCED AND UNDERGRADUATE INTERNATIONAL STUDIES

Centers for Advanced International Studies

SEC. 101. (a) The Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") is authorized to arrange through grants to institutions of higher education, or combinations of such institutions, for the establishment, strengthening, and operation by them of graduate centers which will be national and international resources for research and training in international studies and the international aspects of professional and other fields of study. Activities carried on in such centers may be concentrated either on specific geographical areas of the world or on particular fields or issues in world affairs which concern one or more countries, or on both. The Secretary may also make grants to public and private nonprofit agencies and organizations, including professional and scholarly associations, when such grants will make an especially significant contribution to attaining the objectives of this section.

(b) Grants under this section may be used to cover part or all of the cost of establishing, strengthening, equipping, and operating research and training centers, including the cost of teaching and research materials and resources, the cost of programs for bringing visiting scholars and faculty to the center, and the cost of training, improvement, and travel of the staff for the purpose of carrying out the objectives of this section. Such grants may also include funds for stipends (in such amounts as may be determined in accordance with regulations of the Secretary) to individuals undergoing training in such centers, including allowances for dependents and for travel for research and study here and abroad. Grants under this section shall be made on such conditions as the Secretary finds necessary to carry out its purposes.

Grants To Strengthen Undergraduate Programs in International Studies

SEC. 102. (a) The Secretary is authorized to make grants to institutions of higher education, or combinations of such institutions, to assist them in planning, developing, and carrying out a comprehensive program to strengthen and improve undergraduate instruction in international studies. Grants made under this section may be for projects and activities which are an integral part of such a comprehensive program such as—

(1) planning for the development and expansion of undergraduate programs in international studies;

(2) teaching, research, curriculum development, and other related activities;

(3) training of faculty members in foreign countries;

(4) expansion of foreign language courses;

(5) Planned and supervised student work-study-travel programs;

(6) programs under which foreign teachers and scholars may visit institutions as visiting faculty; and

(7) programs of English language training for foreign teachers, scholars, and students.

The Secretary may also make grants to public and private nonprofit agencies and organizations, including professional and scholarly associations, when such grants will make an especially significant contribution to attaining the objectives of this section.

(b) A grant may be made under this section only upon application to the Secretary at such time or times and containing such information as he deems necessary. The Secretary shall not approve an application unless it—

(1) sets forth a program for carrying out one or more projects or activities for which a grant is authorized under subsection (a);

(2) sets forth policies and procedures which assure that Federal funds made available under this section for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available for purposes which meet the requirements of subsection (a), and in no case supplant such funds;

(3) provides for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this section; and

(4) provides for making such report, in such form and containing such information, as the Secretary may require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Secretary may find necessary to assure the correctness and verification of such reports.

(c) The Secretary shall allocate grants to institutions of higher education under this section in such manner and according to such plan as will most nearly provide an equitable distribution of the grants throughout the States while at the same time giving a preference to those institutions which are most in need of funds for programs in international studies and which show real promise of being able to use funds effectively.

Method of Payment; Federal Administration

SEC. 103. (a) Payments under this title may be made in installments, and in advance or by way of reimbursement with necessary adjustments on account of overpayments or underpayments.

(b) In administering the provisions of this title, the Secretary is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with written agreements between the Secretary and the head thereof published in the Federal Register three weeks prior to the date on which any such agreement is to become effective.

Federal Control of Education Prohibited

SEC. 104. Nothing contained in this Act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution, or the selection of library resources by any educational institution or over the content of any material developed or published under any program assisted pursuant to this Act.

Authorization and Reports

SEC. 105. (a) There is authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1967, which shall be available only for the purpose of preparing the report provided for in subsection (b) of this section. There are authorized to be appropriated $40,000,000 for the fiscal year ending June 30, 1968, and $90,000,000 for the fiscal year ending June 30, 1969, for the purpose of carrying out the provisions of this title. For the fiscal years thereafter there shall be appropriated for the purpose of carrying out the provisions of this title only such amounts as the Congress may hereafter authorize by law.

(b) The Secretary shall prepare, with the advice of the Advisory Committee appointed pursuant to section 106, a report containing specific recommendations for carrying out the provisions of this title, including any recommendations for amendments to this title and to portions of other laws amended by this Act, and shall submit such report to the President and the Congress not later than April 30, 1967.

(c) Prior to January 31, 1968, and prior to January 31 in each year thereafter, the Secretary shall make a report to the Congress which reviews and evaluates activities carried on under the authority of this Act and which reviews other activities of the Federal Government drawing upon or strengthening American resources for international study and research and any existing activities and plans to coordinate and improve the efforts of the Federal Goverment in international education.

National Advisory Committee on International Studies

SEC. 106. (a) The President is authorized to establish in the Department of Health, Education, and Welfare a National Advisory Committee on International Studies, consisting of the Assistant Secretary of Health, Education, and Welfare for Education who shall be chairman, and not more than fifteen additional members appointed by the President so that a majority shall constitute a broad representation of higher education in the United States and the remainder shall include representatives of the general public and individuals experienced in foreign affairs.

(b) The Advisory Committee shall advise the Secretary in the preparation of the report provided for in section 105(b) of this Act, and thereafter shall advise the Secretary in carrying out the provisions of this Act. The recommendations of the Advisory Committee shall be included in the report provided for in section 105(b) of this Act and in the annual reports provided for in section 105(c) of this Act.

(c) Members of the Advisory Committee who are not regular full-time employees of the United States shall, while serving on business of the Committee, be entitled to receive compensation at rates fixed by the President, but not exceeding $100 per day, including traveltime; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in Government service employed intermittently.

(d) The Advisory Committee is authorized to appoint without regard to the provisions of title 5, United States Code, covering appointment in the competitive service, and fix the compensation of, without regard to chapter 51 and subchapter III of chapter 53 of such title, such professional and technical personnel as may be necessary to enable it to carry out its duties.

TITLE II—AMENDMENTS TO OTHER LAWS

Amendments to Strengthen Title VI of the National Defense Education Act of 1958

Removing requirement for area centers that adequate language instruction not be readily available

SEC. 201. (a)(1) The first sentence of section 601(a) of the National Defense Education Act of 1958 is amended by striking out "(1)" and by striking out ", and (2) that adequate instruction in such language is not readily available in the United States".

(2) The first sentence of section 601(b) of such Act is amended by striking out "(with respect to which he makes the determination under clause (1) of subsection (a))" and inserting in lieu thereof "(with respect to which he makes the determination under subsection (a))".

Removing 50 per centum ceiling on Federal participation

(b) The third sentence of section 601(a) of such Act is amended by striking out "not more than 50 per centum" and inserting "all or part" in lieu thereof.

Authorizing grants as well as contracts for language and area centers

(c) Section 601(a) of such Act is amended further by inserting "grants to or" after "arrange through" in the first sentence, and by inserting "grant or" before "contract" each time that it appears in the second and third sentences.

Vesting authority for language and area programs in Secretary

(d) Section 601 of such Act is further amended by striking out "Commissioner" each time such term occurs therein and inserting in lieu thereof "Secretary".

Amendments to Strengthen Title XI of the National Defense Education Act of 1958

SEC. 202. Title XI of the National Defense Education Act of 1958 is amended—

(1) by inserting after the title the following: "PART I—GENERAL";

(2) by striking out the word "title" in section 1102 and inserting in lieu thereof the word "part"; and

(3) by adding at the end thereof a new part as follows:

"Part II—International affairs

"International Affairs Institute for Secondary School Teachers

"SEC. 1111. There are authorized to be appropriated $3,500,000 for the fiscal year ending June 30, 1967, and $6,000,000 for the fiscal year ending June 30, 1968, to enable the Commissioner to arrange through contracts with institutions of higher education for the establishment and operation of short term or regular session institutes for teachers in secondary schools in order to give them a broader understanding of international affairs. Any such arrangement may cover the cost of the establishment and operation of the institute with respect to which it is made, including the cost of grants to the staff of travel in the foreign areas, regions, or countries with which the subject matter of the field or fields in which they are or will be working is concerned, and the cost of travel of foreign scholars to enable them to teach or assist in teaching in such institute and the cost of their return, and shall be made on such conditions as the Commissioner finds necessary to carry out the purposes of this section.

"Stipends

"SEC. 1112. The Commissioner is authorized to pay stipends to any individual to study in a program assisted under the provisions of this part upon determining that assisting such individual in such studies will promote the purpose of this part. Stipends under the provisions of this section may include allowances for dependents and for travel to and from the place of residence."

Amendments to Mutual Educational and Cultural Exchange Act of 1961

SEC. 203. (a) Section 102(b) of the Mutual Educational and Cultural Exchange Act of 1961 (22 U.S.C. 2452) is amended (1) by striking the period at the end of clause (9) and substituting a semicolon and the word "and"; and (2) by adding at the end thereof a new clause as follows:

"(10) promoting studies, research, instruction, and other educational activities of citizens and nationals of foreign countries in American schools, colleges, and universities located in the United States by making available to citizens and nationals of less developed friendly foreign countries for exchange for currencies of their respective countries (other than excess foreign currencies), at United States embassies, United States dollars in such amounts as may be necessary to enable such foreign citizens or nationals who are coming temporarily to the United States as students, trainees, teachers, instructors, or professors to meet expenses of the kind described in section 104(e)(1) of this Act."

(b) Section 104 of the Mutual Educational and Cultural Exchange Act of 1961 is amended by adding at the end thereof a new subsection as follows:

"(g)(1) For the purpose of performing functions authorized by section 102(b)(10) of this Act, the President is authorized to establish the exchange rates at which all foreign currencies may be acquired through operations under such section, and shall issue regulations binding upon all embassies with respect to the exchange rates to be applicable in each of the respective countries where currency exchanges are authorized under such section.

"(2) In performing the functions authorized under section 102(b)(10) of this Act, the President shall make suitable arrangements for protecting the interests of the United States Government in connection with the ownership, use, and disposition of all foreign currencies acquired pursuant to exchanges made under such section.

"(3) The total amount of United States dollars acquired by any individual through currency exchanges under the authority of section 102(b)(10) of this Act shall in no event exceed $3,000 during any academic year.

"(4) An individual shall be eligible to exchange foreign currency for United States dollars at United States embassies under section 102(b)(10) of this Act only if he gives satisfactory assurances that (A) he will devote essentially full time to his proposed educational activity in the United States and will maintain good standing in relation to such program; (B) he will return to the country of his citizenship or nationality prior to coming to the United States and will render such public service as is determined acceptable for a period of time determined reasonable and necessary by the government of such country; and (C) he will not apply for an immigrant visa or for permanent residence or for a nonimmigrant visa under the Immigration and Nationality Act after having received any benefits under such section for a period of time equal to the period of study, research, instruction, or other educational activity he performed pursuant to such section.

"(5) As used in section 102(b)(10) of this Act, the term 'excess foreign currencies' means foreign currencies, which if acquired by the United States (A) would be in excess of the normal requirements of departments, agencies, and embassies of the United States for such currencies, as determined by the President, and (B) would be available for the use of the United States Government under applicable agreements with the foreign country concerned."

(c) Section 105 of the Mutual Educational and Cultural Exchange Act of 1961 is amended by adding at the end thereof a new subsection as follows:

"(g) Notwithstanding any other provision of this Act, there are authorized to be appropriated for the purposes of making currency exchanges under section 102(b)(10) of this Act, not to exceed $10,000,000 for the fiscal year ending June 30, 1968, and not to exceed $15,000,000 for the fiscal year ending June 30, 1969.".

Extending the Benefits of the Loan Insurance Program Under Title IV–B of the Higher Education Act of 1965 to Students Studying Abroad

SEC. 204. The second sentence of section 435(a) of the Higher Education Act of 1965 is amended by inserting after "Such term" the following: "includes any institution outside the States which is comparable to an institution described in the preceding sentence and which has been approved by the Commissioner for the purposes of this title, and".

Amending Title VII of the Public Health Service Act So As To Authorize Direct Student Loans To Be Made to Certain Students Studying Outside the United States

SEC. 205. (a)(1)(A) Section 741(g) of the Public Health Service Act is amended by inserting "from a loan fund established" before "under this part".

(B) Section 741(h) of such Act is amended by inserting "from a loan fund established" before "under this part" the first time it appears therein.

(2)(A) So much of the first sentence of section 742(b)(2) of such Act as precedes clause (A) is amended by inserting "(other than the portion thereof available only for purposes of section 746)" before "for that fiscal year".

(B) Clause (B) of such first sentence of section 742(b)(2) is amended by inserting "(other than the portion thereof available only for purposes of section 746)" after "the amounts appropriated".

(b)(1) Section 742(a) of such Act is amended by inserting immediately before the last sentence thereof the following new sentence: "Of the sums appropriated under this subsection for the fiscal year ending June 30, 1967, or for any fiscal year thereafter, an amount equal to 5 per centum of such sums shall be available only for the purpose of making loans under section 746."

(2) The last sentence of section 742(a) of such Act is amended by striking out "Sums" and inserting in lieu thereof "Except as is otherwise provided by the preceding sentence, sums".

(c) Title VII of the Public Health Service Act is amended by adding after section 745 the following:

"Direct Loans to Students in Foreign Schools

"SEC. 746. (a)(1) From the sums made available under section 742(a), the Secretary of Health, Education, and Welfare is authorized to make direct loans to students who are citizens of the United States and who are pursuing a full-time course of study, at a school of medicine, osteopathy, dentistry, or optometry which is located outside the United States and which is approved by the Secretary, which course of study leads to a degree of doctor of medicine, doctor of dentistry or an equivalent degree, doctor of osteopathy, or doctor of optometry or an equivalent degree.

"(2) The Secretary shall not approve any school for purposes of this section unless he determines that such school offers training of a type and quality substantially similar to that offered by similar schools in the United States which are accredited as provided in section 721(b)(1)(B).

"(b) Such loans shall, to the extent feasible, be made on the same terms and conditions as are required with respect to loans made to students from loan funds established under this part."

PRIVILEGE OF THE FLOOR

Mr. MORSE. Mr. President, I ask unanimous consent that during the course of Calendar No. 1684, H.R. 14643, the International Education Act of 1966, that all staff members of the Senate Committee on Labor and Public Welfare, both majority and minority, be permitted to be in the Chamber to assist Members during the course of the debate.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MORSE. Mr. President, today we open debate on the third major administration education bill of the 2d session of the 89th Congress. Not too many years ago, those of us who served on the Senate Committee on Labor and Public Welfare deemed ourselves fortunate if we could bring to the floor of the Senate one bill every 2 years in the field of education.

Fortunately, under Presidents Kennedy and Johnson the conscience of the country in matters educational has worked legislative miracles, and so we have been able, step by step, to advance down the road to our educational objective and goal, which is that every American child shall have an opportunity through the best education we can provide to develop to the optimum his innate talents and capabilities, and in so doing become a productive and useful citizen.

H.R. 14643 is entitled "An act to provide for the strengthening of American educational resources for international studies and research," and it will be, I trust, cited in the statute books as the International Education Act of 1966.

This is true. However, it is far more important for each of us as we vote upon the provisions of this bill today to realize that what is proposed is a strengthening of the graduate studies and undergraduate curriculums of American universities. This strengthening and this development is designated primarily to educate and train the American student, no matter where he receives his education, whether it be in a great university in the heart of the great metropolitan areas of this country, whether it be in one of the great land-grant institutions which remain as enduring monuments to Senator Morrill and President Lincoln, or whether it be in the small privately supported 4-year institutions, or in the junior and community colleges.

Through amendments made by the committee through the addition, in title XI of the National Defense Education Act, of institutes for secondary school teachers in the field of international relations, we are helping also to improve the quality of education at the secondary school level.

The Subcommittee on Education of the Senate Committee on Labor and Public Welfare took testimony on S. 2874 and H.R. 14643 on August 17 and 19 and September 19, 1966. The more than 600 pages of that testimony are printed in our hearings record. In addition to the administration witnesses, the subcommittee heard from leaders in American education, graduate, undergraduate, 4-year and 2-year schools, and as well from leaders of private nonprofit associations having a special interest in the field, such as the Foreign Policy Association, the Executive Secretary of the National Education Association, and the legislative representative of the American Federation of Teachers. Material prepared by Education and World Affairs, a nonprofit educational organization supported by the Ford and the Carnegie Foundations was reviewed as well as were the communications from prominent business executives, such as our former colleague from Connecticut, Bill Benton, now chairman of the Board of Encyclopaedia Britannica, and Mr. Edward E. Booher, president of McGraw-Hill Book Co., Inc., of New York.

The testimony was carefully considered and weighed in our subcommittee sessions, and many of the suggestions which were given to the committee in the testimony of the witnesses were subsequently incorporated into the proposed statute.

In opening debate on this bill, I ask unanimous consent that there appear at this point in my remarks the testimony beginning on page 55 of our hearings through the top of page 56, in which Secretary Gardner laid the background for the administration brief on the bill.

There being no objection, the testimony was ordered to be printed in the RECORD, as follows:

Secretary GARDNER. I am pleased to have this opportunity to discuss the proposed International Education Act of 1966 contained in two related bills, H.R. 14643, passed by the House of Representatives, and S. 2874, introduced by the distinguished chairman of this subcommittee.

NEED FOR INTERNATIONAL EDUCATION

In my view, this legislation addresses itself to the most serious challenge of our time—the task of understanding and coping with a world torn by conflict. Given the crucial role our Nation has come to play in the affairs of the world, we can no longer afford to be ignorant of the processes that are shaping that world.

Modern technology, especially in transportation and communication, has made everyone next door neighbors. What our neighbors do affects us and what we do affects them. In a world whose capacity for destruction constantly challenges its capacity to understand, it is imperative that we play our part wisely. For this we need not only highly trained people to serve overseas in private and public capacities, but, just as importantly, a citizenry that is broadly educated in the history and culture of other countries and is aware of the complexities of our international role. And above all we need to pursue the kinds of peaceful and constructive collaboration with other nations that will strengthen mutual understanding.

PRESIDENTIAL MESSAGE

No activity serves all of these purposes more effectively than the activity broadly described as international education. It is in this context that President Johnson proposed to expand our national efforts in the area of international education. In his Message on International Education and Health he said:

"We would be shortsighted to confine our vision to this Nation's shorelines. The same rewards we count at home will flow from sharing in a worldwide effort to rid mankind of the slavery of ignorance . . . Education lies at the heart of every nation's hopes and purposes. It must be at the heart of our international relations."

Among the several proposals which the President called for in his February 2d message is the bill which you are presently considering.

The International Education Act is not an overseas assistance program. Rather, it seeks to strengthen and develop the American educational institutions which must provide the resource base of talent and knowledge for our efforts abroad and for public enlightenment at home.

EDUCATIONAL INSTITUTIONS AND FEDERAL GOVERNMENT

In shaping the legislation we were mindful of the traditional relationship between our educational institutions and the Federal Government. Our educational institutions are strong only in the degree that they are independent. They serve the Nation best when they serve the high purposes for which they were created.

In my own writings I have often stressed the need for our universities to maintain their independence of the Federal Government. I sincerely believe that the provisions of this act are such that the integrity and autonomy of our universities will be preserved and strengthened. Too often in the past, the Federal Government has asked the universities to take on international activities through a pattern of ad hoc services and contracts that sometimes diverted these institutions into tasks that were not integral parts of their long-range development.

Mr. MORSE. Mr. President, I recommend to Senators the committee report on the bill which contains the background of the legislation, the committee comments, and a section-by-section analysis of the bill.

Mr. President, the subcommittee in its executive sessions reviewed carefully the language of the House bill and accepted without change the findings and declaration of purpose.

No changes were made in section 101, which confers authority to establish centers for advanced international studies in institutions of higher education or combinations of such institutions. These graduate centers of excellence, in our view, when they become operational should develop into a great and productive national resource for this country.

In a similar fashion, the subcommittee reviewed carefully the proposals contained in section 102. The only major change made by the subcommittee was to add to the listing of purposes for which grants may be made to institutions to help them in planning, developing, and carrying out comprehensive programs designed to strengthen and improve undergraduate institution in international studies, was the addition to the six purposes of the House bill a seventh permitting the establishment of programs of English language training for foreign teachers, scholars, and students. I wish to pay tribute to the ranking minority member of my subcommittee, the distinguished Senator from Vermont [Mr. PROUTY], whose contribution to the bill in this particular was especially marked.

However, in section 103, in order to assure that the principles of academic freedom in the broadest sense could be upheld, the committee added to the usual proviso that the Secretary may utilize the services and facilities of any agency of the Federal Government and of any public or nonprofit agency or institution. It added a clause that this authority could be exercised only after the written agreements between the Secretary and the agency or institution had been published in full in the Federal Register. This proviso formalized the agreements reached between the members of the subcommittee and the Secretary of Health, Education, and Welfare and between the subcommittee and the Assistant Secretary of State for Education, that this program would not be used in a clandestine fashion by any agency of the U.S. Government.

Further, the committee, again acting upon the advice of and with the consent of the witnesses representing the academic community, in section 104 added two provisos to the usual language prohibiting any department, agency, official, or employee of the United States from exercising any direct supervision or control over the curriculum, program of instruction, administration, or personnel of any educational institution, language providing that the same prohibition lies against any attempt by the Government to exercise any control over the selection of library resources or over the content of any material developed or published under any program assisted pursuant to the act.

Mr. President, I digress to say that this RECORD, so far as the legislative history of this bill is concerned, should clearly show that earlier there was a great concern made manifest within our committee, within the Senate, and within the Congress. It was a concern about the need to place clear checks upon the agencies of the Federal Government, to wit, in this case, the Department of Health, Education, and Welfare, the Department of State, and also the Foreign Aid Administration, depending upon to what extent in the future any administration may transfer to the Foreign Aid Administration responsibility for establishing administrative policies or conducting programs in the field of international education.

The great concern was that the legislation make perfectly clear our intent that the determination of educational policy be at the local level and not the Federal level.

Mr. President, I have stood at this desk now for several years pledging to the people of this country that the use of American taxpayers' money for aid to education will not in any way encroach upon local control of educational policy in this Republic. I am not going to walk out on that pledge. I shall not support legislation that does not have written into it clear guarantees to this effect. As the members of the committee know, we had long discussions about this point in committee. Concern was expressed whether or not this particular bill for particular reasons might be a particular vehicle leading to an encroachment upon the determination of educational policy by the institutions of learning in this country, and by the various research foundations, professional associations, and representative councils that deal with matters of education. That is why we have these restrictions written into the bill.

I always make a full report to the Senate in regard to any background material of which I am aware which may have influenced in any way the legislation that I am managing. Our concern is not shared by either the State Department or the Department of Health, Education, and Welfare. The fact that it is not shared by them, in my judgment, is all the more justification for restrictions being placed in the bill. Without those restrictions, in my judgment, the bill would not be on the floor of the Senate for consideration at this moment.

It is when we come to section 105, the authorization of appropriations, for the program, that the Senate version of the bill differs materially from the House passed version of the bill. Under the House version, $10 million was authorized for the purposes of sections 102 and 103. The subcommittee, after searching examination of the Department through a series of questions, which may be found in the hearings record on pages 167–190, and through its questioning of the Department of State, which is printed in the hearing record on pages 212–241, came to the conclusion that the grants program of title I could be better administered were it to start on July 1 next.

The committee, therefore, recommends that only $1 million for this fiscal year be provided, and that this money be used for the purpose of establishing a presidentially appointed Advisory Committee, as set forth in section 106. It will consist of the chairman, who will be the Assistant Secretary of Health, Education, and Welfare for Education, and not more than 15 additional members appointed by the President, a majority of whom—I repeat, a majority of whom—would be broadly representative of the academic community, including professional associates, and private nonprofit agencies in this area, the balance representing the public interest and being individuals who are experienced in foreign affairs.

The committee vested with the National Advisory Committee important functions. Collectively, they are to advise the Secretary on the initiation of this new program and to formalize their recommendations in an initial report to the President and to the Congress by April 30, 1967.

It is the expectation of the committee that the report will carry specific recommendations for the allocation of the $40 million to be expended in fiscal year 1968.

Since the National Advisory Committee is also a continuing body, it is further charged with the responsibility of reporting annually on January 31 of each year upon the progress of the program and the annual reports will also carry specific recommendations for funding and for changes in the authorizing legislation which, in the view of the Advisory Committee, should receive the careful consideration of the Congress in the further extension of the legislation.

To assist the Advisory Committee in its operations and in the preparation of its reports, the subcommittee has authorized it to appoint such professional and technical personnel as may be found necessary by it to carry out its functions.

The net effect of these changes in the Senate committee version of the bill will be as follows:

First, the initial report, which is received 60 days before the start of the grant program for fiscal year 1968, will enable the committee to review the proposed operations, so that such changes as may seem desirable to the Congress may be effected prior to the start of the program.

Second, the careful planning and the time provided for planning, should enable the program to start smoothly with many conflicting claims reconciled.

Third, it should provide to the academic community a full opportunity to be adequately consulted before the programs become permanently established.

Fourth, it will be a pledge to American education through the procedures outlined, that the Federal Government in fact does not seek to exercise control over the operations of higher education in this country, but rather, that it seeks to help institutions of higher education, through the provision of financial assistance, to do a better job for their students in this exceedingly important subject matter area.

H.R. 14643, in the Senate committee version, is divided into two titles. So far I have been speaking of title I, the grant programs for advanced and undergraduate international studies.

I turn now to title II of the bill, which contains amendments to other laws which bear upon the program as set forth in title I. Mr. President, I ask unanimous consent to have printed in the Record that portion of the committee report under the heading, "Title II and Title II Amendments."

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

TITLE II

Title II of H.R. 14643 consists of amendments made to other statutes related to the International Education Act.

Section 201 broadens and strengthens title VI of the National Defense Education Act of 1958 by removing the requirement in existing law that precludes instruction in languages such as French, German, Spanish, and Italian. The section also authorizes grants as well as contracts for language and area centers and, finally, it vests the authority for carrying out the language and area programs of title VI with the Secretary of Health, Education, and Welfare instead of the Commissioner of Education.

Section 202 broadens the institute coverage of title XI of the National Defense Education Act of 1958 by providing for international affairs institutes for secondary school teachers and authorizing the appropriations for fiscal year 1967 of $3.5 million and for fiscal year 1968 of $6 million.

Section 203 modifies the Mutual Educational and Cultural Exchange Act of 1961 to permit foreign students from less developed countries, where the United States does not have a surplus of local funds, to exchange their currencies for U.S. dollars to finance their study in the United States. The committee placed a limitation on U.S. currency of not to exceed $10 million for fiscal year 1968 and not to exceed $15 million for fiscal year 1969, and a limitation of not more than $3,000 in any one academic year for any one student.

Section 204 extends the benefits of the loan insurance program provided under title IV–B of the Higher Education Act of 1965 to American students studying abroad.

Section 205 amends title VII of the Public Health Service Act to authorize direct student loans (to the extent of 5 percent of the amounts appropriated) to be made to American students who are preparing themselves for work in the health professions through study in foreign schools.

* * * * *

TITLE II AMENDMENTS

The committee, in this title, has added several new sections to this legislation as introduced each modifying existing legislation as set forth below.

The committee has added language in section 201 vesting authority for the administration of title VI of the National Defense Education Act language and area centers in the Secretary of Health, Education, and Welfare rather than the Commissioner of Education. This change was recommended by the Secretary during the opening day of testimony on the legislation and is designed simply to combine the planning and operation of these NDEA language and area programs with the two new programs created in title I of this legislation. The committee feels, as the Secretary has stated, this would enable those making the decision on grants to consider both the total needs and the range of possibilities available in international education to U.S. institutions.

The committee has also added a new section 202 which amends title XI of the National Defense Education Act to authorize the Commissioner of Education to arrange for institutes in international affairs for teachers in secondary schools. These institutes would be patterned after the successful existing institutes of that title in other subject matter areas which have proven to be of great value to secondary school teachers in this country. The committee in making this recommendation took note of the testimony of Dr. Carr of the National Education Association on page 399 of the hearings and the support given to it on page 468 by the president of the Foreign Policy Association.

Dr. Carr advised:

"Highly trained scholarly leadership in international studies should be made available more abundantly to the education of those teachers who serve in the elementary and secondary schools."

President Samuel Hayes testified:

"Because perhaps half of our present high school population will not go on to college, we believe it is especially important to provide their present teachers with greatly expanded opportunity for in-service training in international affairs. Unless the teaching improves, most future citizens will continue to lack any adequate introduction to world affairs."

To carry out the purposes of this amendment, the committee recommends a separate authorization of $3.5 million for fiscal year 1967 and $6 million for fiscal year 1968. The modified title XI, NDEA, would hereafter contain authorizations totaling $53.5 million for fiscal year 1967 and $56 million for fiscal year 1968.

Three additional amendments were made to existing legislation.

A new section 203 was added to H.R. 14643 to amend the section 102(b) of the Mutual Educational and Cultural Exchange Act of 1961 to allow certain foreign students wishing to study in the United States an opportunity to exchange their currencies for United States dollars at U.S. embassies. It would supplement the educational exchange program under the Mutual Educational and Cultural Exchange Act of 1961 (the Fulbright-Hays Act) which presently brings between 5,000 and 6,000 students into this country annually on a scholarship basis.

Under section 203, U.S. funds would not be used to finance the education of these foreign students but would be employed to the maximum feasible extent to enable them to exchange their foreign currency for dollars so that they might be able to finance their own education.

An exchange limit of $3,000 annually is set for each student which is generally in line with the estimated average cost of $2,600 for a school year in a nonpublic U.S. college or university. For the first year, up to $10 million of U.S. currency would be made available and up to $15 million for the second year. Thus, an estimated 3,300 students could benefit from the program the first year and 5,000 the second year. In comparison with many other countries where foreign students make up a large percentage of the entire student enrollment (France, 13 percent; Canada, 6.4 percent; and Switzerland, 32.5 percent, for example) the United States has a relatively small foreign student population (only 2 percent of total enrollment). This provision looks to increasing that amount.

In providing this new authority the committee wishes to make it clear that decisions as to the amount of such foreign currencies which would be made available are decisions to be taken by the foreign government. The foreign government thus has control over both the granting of exit permits to the students wishing to study in this country and the amounts that they may bring with them.

Further, it is the committee recommendation that in the administration of this program the student be required to spend, upon his return to his native land, a period of time equivalent to the time of his training (including, in the case of medical students, time spent in residency) in this country, in public service, as defined by the government of his country.

Section 12 would extend the benefits of the guaranteed loan insurance program of title IV–B of the Higher Education Act of 1965, Public Law 89–329, and the direct student loan program of title VII of the Public Health Service Act to American students who study abroad.

Only American students studying within the United States may now obtain guaranteed student loans under the program enacted last year. This amendment would extend this benefit to Americans studying abroad.

Under the Health Professions Education Assistance Act, American medical, osteopathic, dental, and optometric students may obtain direct loans from HEW of up to $2,500 annually. This amendment would extend this to Americans studying abroad.

The Nation is short some 50,000 doctors today. Even with expanded medical schools in this country, the shortage will still be 50,000 in 1970 due to population increases and medicare. A foreign medical education does meet U.S. standards as illustrated by the fact that some 1,600 foreign-educated foreign doctors are "imported'" each year and the large number of foreign-educated interns and residents in U.S. hospitals.

GENERAL COMMENT

The GI bills of World War II, Korean war, and cold war all extend their benefits to eligible veterans studying abroad. Most recently, during the hearings on the cold war GI bill, the administration at no time objected to the continuation of this practice nor was there any testimony from any source indicating any opposition or negative evidence concerning it. Thus, for a generation (since World War II) this concept has operated successfully.

The authority granted to the Secretary under this section to approve courses of medical study abroad is not intended to establish a precedent with respect to accreditation of institutions of higher education. This provision is necessary because of the unique nature of study in foreign institutions. However, the committee expects, that in exercising this authority, the Secretary will consult with appropriate professional and accrediting groups within the United States.

Mr. MORSE. Mr. President, section 201, as has been set forth, broadens the application of the existing title VI of the National Defense Education Act in three ways:

First. It will permit language and area centers to be established in languages such as German, Spanish, French, and Italian, which are not now authorized. In doing this, the committee did not ask that the authorization for title VI be increased because of the assurances that existing programs could be carried on without diminution, and that the administration would prefer to bring to the Congress next session further funding recommendations.

Second. Title VI was broadened additionally through language permitting grants as well as contracts to be awarded for language and area centers.

Third. This program which heretofore has operated under the Commissioner of Education, as part of the new program of international studies will be transferred to the Secretary of Health, Education, and Welfare. The program henceforth will operate as part of the new Center for Educational Cooperation which has been established in the Department.

At this point in my remarks, Mr. President, for the purpose of legislative history, I think it important to stress that in providing $1 million to fund the operations and reports of the National Advisory Committee for this fiscal year, the committee indicated, as shown in the committee report under the heading "Costs of the bill," that it believes that funding for the necessary preparatory activities in the Office of the Secretary in connection with the International Education Act between now and July 1, 1967 should be provided by the Appropriations Committee to permit the Secretary to meet the personnel and related costs of organizing the Center for Educational Cooperation, which is to be established in the Department of Health, Education, and Welfare to administer the provisions of this act, as well as other functions assigned to it by Executive order or by the Congress, and that this funding should include support for special activities designed to assist the Department in the overall planning effort in fiscal year 1967 with particular reference to the use of planning expenses of seminars, conferences, contractual services, and other planning activities necessary to secure widespread participation of representatives of colleges and universities in the program for fiscal year 1968.

It was, however, the feeling of the committee that money for these activities should not be diverted from the $1 million authorization for the Advisory Committee. Rather, it was our hope that the administration would submit estimates to be incorporated in the supplemental appropriations bill of this session to carry on this necessary program.

The subcommittee also took note of testimony of many witnesses, particularly, as shown in the report, of that of the National Education Association and the Foreign Policy Association, inspecting the need for improving the quality of instruction in international affairs in our secondary schools. For that reason in section 202 it proposes that title XI of the National Defense Education Act be amended to include provision for international affairs institutes for secondary school teachers. To fund these new institutes it is recommended that $3.5 million be authorized for appropriation for fiscal year 1967 and $6 million for fiscal year 1968.

Section 203 of title II contains amendments to the Mutual Educational and Cultural Exchange Act of 1961. Since these amendments, I feel sure, will be discussed by the ranking minority member of the Senate Committee on Labor and Public Welfare, I shall at this time ask unanimous consent to have printed in the RECORD that portion of the section-by-section analysis of the report, together with committee comment on section 203.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Sections 204 and 205 would extend the benefits of the guaranteed loan insurance program of title IV–B of the Higher Education Act of 1965, Public Law 89–329, and the direct student loan program of title VII of the Public Health Service Act to American students who study abroad.

Only American students studying within the United States may now obtain guaranteed student loans under the program enacted last year. This amendment would extend this benefit to Americans studying abroad.

Under the Health Professions Education Assistance Act, American medical, osteopathic, dental, and optometric students may obtain direct loans from HEW of up to $2,500 annually. This amendment would extend this to Americans studying abroad.

The Nation is short some 50,000 doctors today. Even with expanded medical schools in this country, the shortage will still be 50,000 in 1970 due to population increases and medicare. A foreign medical education does meet U.S. standards as illustrated by the fact that some 1,600 foreign-educated foreign doctors are "imported" each year and the large number of foreign-educated interns and residents in U.S. hospitals.

* * * * *

Mr. MORSE. Mr. President, the committee, as is shown in the report, also is recommending in section 204 of the bill that title IV–B of the Higher Education Act of 1965 be amended to permit guaranteed loan coverage to be given to American students who are studying in institutions of higher education outside the United States.

Finally, Mr. President, in section 205, the committee recommends that title VII of the Public Health Service Act be amended so as to authorize direct student loans to be made to certain students studying outside the United States.

Mr. President, I have placed references to the committee report in the RECORD at a number of places for future reference, to show, no matter in what forum, legislative, executive, or judicial, that the committee stands on those comments and makes them a part of the legislative history of this bill, setting forth the legislative intent of the committee.

I feel sure that these amendments will also be discussed by the ranking minority member of the full committee, the distinguished senior Senator from New York [Mr. JAVITS], whose contribution in this part of the bill I gratefully acknowledge. I acknowledge also the fact, that as I acted as chairman of the subcommittee and served as acting chairman of the full committee while this legislation was under consideration, but for the wholehearted cooperation of the Senator from New York [Mr. JAVITS], the Senator from Vermont [Mr. PROUTY], and the Senator from Colorado [Mr. DOMINICK], this bill would not be on the floor at this moment. To the other Republican members of the full committee I extend once more my thanks for the help and consideration they have always given to education legislation.

As the record shows, they sometimes offer amendments in committee with which I find myself in disagreement, but they are always given assurance that I would expect them to offer amendments on the floor of the Senate if they wish to. Sometimes they have done it. Sometimes the Senate, in working its will, has supported them, and sometimes not. But the important thing is that the Senator from New York [Mr. JAVITS], the Senator from Vermont [Mr. PROUTY], and the Senator from Colorado [Mr. DOMINICK], when we have finished our discussions and the votes on the various amendments have been taken, have always stood shoulder to shoulder with me on the legislation itself for final passage, and I have every reason to believe they will on this bill.

Mr. President, this concludes my opening statement on H.R. 14643. The bill is brought to the floor unanimously from the committee. There are no minority views, and it is recommended with the Senate safeguards which have been placed in it to Senators for their consideration, and, I hope, favorable votes.

Mr. JAVITS. Mr. President, first let me thank the Senator from Oregon [Mr. MORSE] for the fine things he had to say about the minority. I am the ranking member on the minority side and am only as effective as my colleagues will allow me to be. I know the Senator from Oregon [Mr. MORSE] will agree with that statement. With due allowance for differences in ideology, and so forth, there has been a strong effort to accommodate not just my view but the views of my colleagues, and it has resulted in the minority trying to meet the views of the majority where it can.

Specifically with respect to the bill, I approve of it. It is a meritorious bill. It is required to meet the growing national need for expertise in international affairs. A greater number of students, teachers, businessmen, professional people, and Government officials must be well prepared to deal with the growing challenges and opportunities in the international field. We must be prepared to deal with the problems of foreign policy in every area of our productivity and activity in world affairs. The increasing responsibilities inherent in the United States, as the single most powerful Nation and in its free world leadership and our activities as partners and members of regional organizations, including the United Nations and other organizations in almost every field, require a massive educational effort to improve the quality and expand the scope of international affairs studies in this country.

I am pleased with the bill before us. I introduced S. 2037 in May of last year, and I sought ardently to get action on it. However, the Department of Health, Education, and Welfare, while it supported it, indicated it was the intention of the administration to seek a comprehensive international education program in 1966, of which, the Department assured me, my proposals would be a part. This has come true, and I am deeply gratified.

If the Senator from Oregon [Mr. MORSE] had not come up with the present formulation of the program as now set forth in H.R. 14643, which he has described so very well to the Senate, we would not be here at all with this bill. It was only because he and his committee came up with this formulation, to which he has referred, that it has come before us.

AMERICAN STUDENTS ABROAD

Now to deal with the specific amendments.

Section 204 which extends the benefits of the loan insurance program provided under part B of title IV of the Higher Education Act of 1965 to American students abroad seems to me only logical, because the present law provides that only students studying within the United States may obtain guaranteed student loans. Since this would be an arrangement between the banks and the students, the parties will be able to take care of it for themselves, and there should not be any difficulties in it.

In my own State of New York, the State-guaranteed loan program extends to New Yorkers attending foreign colleges. We have had no difficulties with its administration. I anticipate there will be no difficulties if this particular provision becomes law.

My other amendment to which I refer, section 205, applies to direct loans to health profession students studying in foreign colleges, such as medical, osteopathic, dental, and optometric. It would extend to them the same benefits provided to students studying in this country under the Health Professions Education Assistance Act. I point out that this program would apply to the 12 percent of U.S. medical students attending foreign colleges.

The Nation is short some 50,000 doctors today. Even with the expanded medical schools in this country, it is estimated that the shortage will still be 50,000 in 1970, due principally to demands for medical attention, the medicare program, and population growth. We cannot meet the demand for students in this country even with the expanded medical schools we have provided for in other legislation.

A foreign medical education does meet U.S. standards. Some 12 percent of all American medical students are attending foreign colleges. In addition, some 1,600 foreign-educated foreign doctors come into this country every year to practice, as well as foreign-educated interns and residents who are used very extensively in U.S. hospitals. They are needed to meet our needs. Therefore, I think the provision is highly merited.

One part of the bill with which we were concerned was the approval of foreign schools by the Secretary. Here again, there would be no difficulty in that respect. The World Health Organization publishes a directory of medical schools in each nation throughout the world, and this directory could serve as a source of eligible schools. In addition, the list of schools could be further refined by referring to those institutions which the States of this country recognize in approving medical graduates to practice under their own laws and regulations.

I conclude my comments on sections 204 and 205 as follows: The GI bills of World War II, the Korean war, and the cold war all extend benefits to eligible veterans studying abroad. No question was raised as to the most recently enacted bill, the cold war GI bill. Therefore, for a generation since World War II, this concept has operated successfully. These amendments are a logical extension of it.

TITLE XI, NDEA

Next, I briefly refer to my amendment to title XI of the National Defense Education Act, section 202 of the bill. This section provides institutes in international affairs for secondary school teachers. Since it is adequately and fully explained in the committee report, I shall not dwell on it further here.

CURRENCY EXCHANGE PROGRAM

I come to the final amendment, the so-called currency exchange program, in which we give an opportunity to have foreign students chosen by their own governments whom their governments wish to sponsor—but for whom that foreign government cannot spare the foreign exchange, U.S. dollars—to have the student come to study here. So the United States uses its own currency dollars, in swap for the other currency enabling the foreign student or his government to pay for his American education. This arrangement is confined only to those developing countries where there is not a situation of our having an excess amount of the local currency materially above our needs in that country.

Mr. President, section 203, to which I have been referring, would apply to all friendly Latin American countries—excluding, obviously, Cuba—and all developing Asian and African nations, except the following, where we do have a surplus of local currencies: Burma, Ceylon, the Republic of the Congo, Guinea, India, Israel, Pakistan, Tunisia, and the United Arab Republic.

That still leaves an enormous area for the operation of this section, and the automaticity of it, Mr. President, is attested to by the fact that the Treasury Department advised us that no appropriation is necessary, as there is a sufficient balance in local currencies, which the disbursing officer of the local Embassy can use as well as dollars in that country.

However, the committee, I think in a wise exercise of discretion, left the authorization provision in the bill lest, for some untoward reason, it should not work exactly that way. Of course, whatever exceptions there are will have to be justified to the Appropriations Committees of Congress, which would have ultimate authority to review and pass on the matter.

We have provided a very strict limitation of $3,000 annually per student, based on the average cost of studying in a U.S. college or university of $2,600 a year. We have limited the total amounts involved in the exchange program to $10 million the first year and $15 million the second. Again the Treasury assures us that no appropriation will be required. If it is, we have taken care of that contingency.

Finally, Mr. President, the committee itself wrote into the amendment what I consider to be a most admirable provision, based on the work of the distinguished Senator from Minnesota [Mr. MONDALE], on the subject which he called the "brain drain." I think he has rendered a distinct contribution to our Nation in the specialized attention he has given to that question. It dictated to us a very desirable amendment bearing, we thought, great relevance to international education.

The foreign students contribute, through their presence in a large number of colleges and universities in this country and their contact with the student bodies, the finest kind of international education possible. What could be a better means of promoting international understanding and good will in terms of language, culture, background, and the knowledge of their particular lands, than to have those young people here, studying with young Americans?

But the committee felt that if we were to conduct this program, as a kind of Fulbright program in reverse—and I think we all agree that it makes a lot of sense—we wanted to guarantee to those countries that they would get something out of the people whom they would send to study here.

So we left it completely in the power of the foreign government concerned—which has control over the exiting student in three respects: First, an exit permit or whatever is required to leave the country; second, it is a party to the agreement by which dollars are made available in lieu of local currencies; and third, and very important, we have provided specifically that the returning student must spend, upon his return to his native land, a period of time at least equivalent to the time of his training—including, in the case of medical students, time spent in residency in the United States—in public service in his home country, the nature of the public service to be prescribed by his home government.

This is a unique provision, I might state to the Senator from Minnesota [Mr. MONDALE], and it was very heavily influenced by the train of thought which he has set in motion in his studies, as their results have been stated on the floor.

I should like, in connection with my own presentation, to call attention to Senator MONDALE's speeches on August 31, 1966, which appears in the RECORD at pages 21477–21480, and on September 9, 1966, at pages 22180–22192.

So his work is having an effect, and here is a provision in our bill directly related to it.

Mr. President, I join the Senator from Oregon [Mr. MORSE] in commending the bill to the Senate. I am especially proud of what we did with this exchange idea, which, as I have stated, represents the very best kind of international education for our own students, by bringing people here to study with them; and I am gratified that it apparently can be done in a very intelligent way for the eligible countries, without the requirement of any appropriations. That pleases me very much, because I realize the strong limitations which we wish to place upon new areas of expenditure of money.

I hope very much, therefore, that the Senate will approve the bill today, and that we may move into the next stage of conference, if need be, or, preferably, that the House may accept the measure, and that it may soon become law.

I thank the Senator.

Mr. MORSE. Mr. President, I understand that the Senator from Minnesota has an amendment.

Mr. MONDALE. Mr. President, I send to the desk an amendment, and ask unanimous consent that its reading be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONDALE. I also ask unanimous consent that my amendment be printed at this point in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment of Mr. MONDALE is as follows:

At the end of the bill add the following new title:

"TITLE III. STUDY BY THE SECRETARY OF HEALTH, EDUCATION, AND WELFARE

"*Authorization for a study on ways to reduce the drain from developing countries of professional persons and skilled specialists whose skills are urgently needed*

"SEC. 301. (a) The Secretary of Health, Education and Welfare shall conduct a study and investigation to determine (1) the total number of individuals who enter the United States from developing countries annually to further their education, and who remain in the United States; (2) the reasons for their failure to return to their home countries; and (3) means of encouraging the return of such individuals to the countries of their last residence or nationality, so they may put their eduaction and training to work in the service of their homelands.

"(b) The Secretary of Health, Education and Welfare shall report to the President and to the Congress as soon as practicable on his findings and conclusions together with such recommendations for any legislation he deems desirable to encourage the return of such indiivduals to such countries.

"(c) It is hereby authorized to be appropriated the sum of $50,000.00 for the purpose of carrying out this study."

Mr. MONDALE. Mr. President, I thank the distinguished chairman of the Education Subcommittee, the Senator from Oregon [Mr. MORSE] for his distinguished leadership on the measure before us today. I also wish to express my deep appreciation to the distinguished Senator from New York [Mr. JAVITS] for his very kind comments regarding my proposal, and my efforts to call attention to the brain drain problem in general.

My amendment is short and simple. It would authorize and direct the Secretary of Health, Education, and Welfare to conduct a study of the problem of the brain drain among students from developing countries, and to report back to the Congress on his findings as soon as possible. This study would be expected to provide us the best available information on: first, the numbers and percentages of students from particular developing countries who fail to return to their homelands after studying here; second, the reasons why they do not return; and third, steps that our Government, and our universities, could take to encourage more of them to return and put their education and training here to work in the service of their home countries. An appropriation of $50,000 would be authorized to carry out this study.

In past months, Mr. President, I have grown increasingly concerned about this brain drain from developing countries. I feel that it cancels out much of our effort to help developing countries train the high-level manpower upon which their progress ultimately depends. I know that a growing number of Senators share my concern.

This is a problem which we simply cannot allow to continue, and we can no longer virtually ignore the brain drain when we shape our policies in international education, foreign assistance, and other important fields. For this brain drain is taking, in many cases, what is virtually the life blood of young, underdeveloped countries who desperately need high level manpower to bring progress and hope to their peoples.

It may be inadvertent, but we are in fact robbing these underdeveloped countries of this talent by a combination of policies which encourage them to remain in the United States.

This problem does not arise primarily in our aid program, nor among students who come here under the exchange program. These students are required, save in exceptional cases, to return to their homelands for 2 years before becoming eligible for permanent immigration to the United States. Yet the great majority of foreign students here are not sponsored by the Federal Government, nor part of the exchange program. They come here on their own. Yet their failure to return in large numbers is just as damaging to their countries as any failure to return among those students we directly sponsor.

We know that the brain drain is massive. And we know that many do not return, yet the figures we have vary so widely it is almost ludicrous. For example, we can derive from Immigration and Naturalization Service figures an estimate that about 30 percent of Asian students who come here on so-called "F-visas," as most students do, adjust their status to permanent U.S. resident. By contrast, Dr. James A. Perkins, the distinguished president of Cornell University, cites an estimtae that 90 percent of Asian students who come here do not go back to their countries.

Either way, the loss to their homelands is substantial, but it is difficult to know how to meet this problem if the guesses of its magnitude—and they are little more than guesses—vary by 60 percent.

The Interagency Council on Education and Cultural Affairs of the executive branch has done more research in this area, but its investigations have been largely, though not entirely, limited to students coming on exchange programs. No really comprehensive study has been or is being conducted of the brain drain among students from developing countries generally.

I should point out that this amendment is entirely distinct from a bill which I introduced today, cosponsored by several of my colleagues, to take several concrete beginning steps to reduce the brain drain. This amendment would not commit us to any new policies. It would call on the Secretary of Health, Education, and Welfare, as the man responsible for administering this new international education program, to conduct a study of this major problem of international education, to determine insofar as is possible its magnitude, its causes, and possible ways of dealing with it.

I would be deeply honored if the distinguished senior Senator from Oregon, who has championed the cause of education both nationally and internationally more than any other man in this body, would agree to accept my amendment.

It is a beginning step in what, I am convinced, must be a substantial reassessment of our policies in order to fully recognize and deal with this continuing international crisis.

Under the present circumstances, the United States, with its attractive economic system, the needs of our highly technological society, and our political stability acts as almost an irresistible sponge to mop up the thin layer of qualified and gifted personnel from these desperately poor nations around the world.

I think we must do something about it. This would be a first step.

I do not think there is any problem facing the world today that is more heartbreaking than is the great gap between the rich and poor nations. If these very poor, developing countries are to have a chance to develop and get their economies moving and their governments in order, they must have this assistance to their own trained and gifted manpower.

Mr. MORSE. Mr. President, after I make a few comments on the amendment of the Senator from Minnesota, I shall accept the amendment on behalf of the committee and urge that the Senate agree to it.

I am in complete agreement with the objectives of the amendment.

At the very outset, I must say to the Senate that what the Senator from Minnesota is asking for is a study of the problem, and certainly we ought to have a study of the problem because the problem is a serious one.

This is not the first time that we have discussed this pirating of the able brains from foreign countries through a student exchange program.

This happens, may I say, in the student exchange program, too. Although there is supposed to be a commitment on the part of the student to return after 2 years, there is a surprising number of loopholes in that restriction.

Various devices have been developed so that these foreign students one way or the other find it possible to stay in the United States. That has created a great deal of ill will for us in some of the countries of the world.

I reported to the Senate once before concerning this matter, but because it is so directly related to the legislative history of the Mondale amendment, I want to report it again, but in a very summary fashion.

In 1957 when I went with a Senate delegation to the British Commonwealth Parliamentary Conference in New Delhi, India, at his request I met and had a long conference with the Prime Minister of India, Prime Minister Nehru.

Of the various things that he took up with me in that conference, the thing that concerned him the most, and gave rise to a little pique on his part, were the various devices and subterfuge that we permitted to develop in this country whereby Indian students remained here after they received their degrees, including, in many instances, their graduate Ph. D. degrees.

He said that he was almost ready to prohibit any more Indian students from coming to the United States because he felt that we were not giving to India the cooperation as a Government that we ought to give to India in stopping what he termed as a pirating practice.

That is where I got the term and it is why I am using it in this debate today to make legislative history.

He also told me his concern with an issue which is ancillary to the issue raised by the amendment of the Senator from Minnesota:

> Furthermore, I don't know what you do to our students when you get them there, because those who do come back do not want to go out in the villages of India and serve the people as they should serve them and as is the purpose of their training. We agreed to send them to your country. Most of them want to come back and have me give them new government jobs in New Delhi when we need them in the villages in India.

The present Presiding Officer of the Senate, the Senator from North Dakota [Mr. BURDICK], traveled with me throughout India when we were members of another delegation to Asian countries last fall. He can bear witness that what we need is to have the Indian boys who have been trained in Indian, American, or European universities sent out into the villages of India to bring their expertise based upon their education to the betterment of the Indian people. It makes little sense to bring Indian students here for study only to have them decline to work in the villages of India that need their help, and then have to send our Peace Corps volunteers to do the job.

I think we are indebted to the Senator from Minnesota for putting this problem in an amendment form.

He has proposed an amendment that I will accept, but before I do so, there is another caution that I want to raise as part of the legislative history.

I am for student exchanges. I am for bringing the foreign students here, but I want to raise a signal of warning because I am afraid that this bringing of foreign students here may well have had the effect of replacing assistance in building the educational strength of the countries from which the students come.

Therefore, for legislative history, I wish to make these brief remarks as a background of my views as the chairman of the subcommittee on this whole matter of the problems arising in connection with the foreign student program.

One of the caution signals I would like to raise about this act is the tendency of which the international education program could become part to view international education as something offered by the United States to the people of developing countries, rather than a reciprocal program. It could add to what I think is already a bad situation, wherein we bring foreign students to this country for their education, to the exclusion of helping them build their educational institutions at home.

This act could be of exceptional value in training teachers to staff schools and colleges in the countries we refer to as developing countries, those that do not now have schools in sufficient numbers and adequate quality. But if the act becomes no more than an instrument for educating young people in the United States because they have no opportunity for education at home, then it will contribute to the dependency of these nations upon the West, and will not help them in the long run.

Figures appear in our committee report, showing the larger percentage of foreign students in France, Canada, and Switzerland than in the United States. A true exchange of these students is highly desirable; but if French, American, and other students do not reciprocate by studying abroad in equal numbers and percentages, then we are not, in my opinion, doing these countries any real service. Reserving education opportunities for the mother country has for generations been one of the means of perpetuating a colonial system. I can think of no greater hindrance to the growth and industrial development of a country than compelling its young people to choose between going abroad for education and getting none at all.

I am not talking about the training of specialists, or of those doing post-graduate work. I am talking about the young people of intelligence suitable to absorb education at the college level, who must be trained in large numbers for business management, engineering, the law, the social sciences, industrial arts, agricultural sciences, and many other fields essential to national growth. In my minority views on the foreign aid program, I set forth my concern about the lack of indigenous educational facilities in the developing countries. I ask unanimous consent to have these portions of my views printed at this point in the Record.

There being no objection, the views were ordered to be printed in the Record, as follows:

Education in too many poor countries remains the mark of the privileged. In some, sending sons abroad for degrees from America or Britain is a sine qua non of the upper classes. Too much of our AID education assistance simply accommodates them in this neglect of their total national human resources. Despite the overcrowding of American campuses with American students, we continue to jam foreign students into them instead of concentrating on building education centers in their home countries.

We are also neglecting in our aid programs the basic education that we would call elementary and secondary. Figures for the Alliance for Progress, which is the most purely development program of any we have, show a distressing lack of emphasis on education.

Alliance for Progress breakdown of total fiscal year 1966 technical cooperation funds

	Amount (thousands)	Percent
Basic education	$8,741	10.8
Technical training in industry and agriculture	6,012	7.7
Natural resources development-land reform	[1] 4,369	5.6
Other	59,148	75.9
Total	[2] 78,000	100.0

[1] Natural resources development including land reform as shown above is restricted to natural resource surveys, forest management, land settlement, agrarian reform, and related activities. Excluded are overall agricultural productivity programs such as agricultural extension, crop research and development, cooperatives development, rural community development, agricultural marketing, agricultural diversification, etc. If the category of natural resources development is expanded to include all food and agricultural activities, including technical training in agriculture, the total TC funds would be 13,629 and the percentage would be 17.4.

[2] Total of $78,000,000 excludes $10,000,000 for Alliance for Progress share of nonregional costs.

Breakdown of total fiscal year 1966 development loan program funds

	Amount (thousands)	Percent
Basic education	$3.2	(1)
Technical training in industry and agriculture		
Natural resources development-land reform	[2] 111.4	22
Commodity imports (nonproject)	305.0	[3] 62
Other	73.5	15
Total	493.1	100

[1] Less than 1 percent.

[2] Includes loans for supervised agricultural credit; livestock, agricultural, and mining banks; access roads fertilizer imports; and related activities.

[3] Local currency counterpart also programed in many cases for education, agriculture, and other natural resources development.

The use to which proceeds of nonproject, or program, loans are put are not included in the above table. But the breakdown of the proceeds from program loans to Chile shows that about 9 percent of the 1963 loan went for education, about 5 percent of the 1964 loan, and about 16 percent of the 1965 loan. This is a meager allotment relative to need.

Although Chile has a high literacy rate relative to other South American countries, 40 percent of its total population is under 15 years of age. Literacy rates in many of these countries experiencing a population explosion will not even be maintained, much less reduced, unless faster progress is made to expand teaching facilities.

Education is perhaps the most important key to the development of poor nations. It cannot be forced on them; it cannot be financed by the United States on our say-so and without their enthusiastic cooperation.

Unless recipients move much faster and further in this field, they will never achieve sufficient productive capacity of their own to sustain growth or repay our loans.

Mr. MORSE. Mr. President, we could greatly improve the foreign aid program of this country. May I say to this administration that you might get support from some of us who have been voting against foreign aid—and will continue to vote against foreign aid until you reform it—if you meet just such problems as I am raising in connection with this international education bill. Then you will begin to get support from some of us who think the way foreign aid is operating is quite different from the major purposes that this administration and the past administrations have attributed to it.

One thing that we should be doing is taking hold of this foreign educational need in the countries concerned. Let me say that the two best ways of meeting the threat of communism around the world are with bread and literacy—that is, by doing something to improve the economic standard of living of the masses of people who are presently the prey of the Communists—because we offer them no hope with our bullets. We offer them no hope by building up their military oligarchies, because their military oligarchies make Communists by the hundreds of thousands in these underdeveloped countries.

We can meet the threat of communism in these areas much better by exporting bread, not bullets, and by exporting literacy, not ignorance.

That is why I am so glad to join in this legislative history this afternoon, by saying that we should take a look at our shortcomings in helping these underdeveloped countries develop their own schools, their own teachers, their own educational facilities. The student exchange program is a vital program, in my judgment, in helping to do that. But it will not do it alone. Moreover, we should take a look at the problem the Mondale amendment deals with, and have the study prepared that it proposes, so that next year I will not have to make the comments that I have just made about the shortcomings of American educational policy abroad.

My hope, Mr. President, is that insofar as this act pertains to the problem, it will be our purpose, in its administration, to alleviate educational deficiencies of other countries, and not to contribute to them.

Mr. President, I am willing to accept the amendment and take it to conference, and I ask the Senate to adopt it at this time.

The PRESIDING OFFICER (Mr. McGovern in the chair). The question is on agreeing to the amendment of the Senator from Minnesota [Mr. Mondale].

The amendment was agreed to.

Mr. RIBICOFF. Mr. President, I have an amendment at the desk.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk proceeded to read the amendment.

Mr. RIBICOFF. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and without objection, the amendment will be printed in the Record.

The amendment is as follows:

At the end of the bill insert the following:

"TITLE IV—AUTHORIZATION FOR USE OF CERTAIN LAND AS RECREATION AREA

"Authorization

"Sec. 301. The Architect of the Capitol is hereby authorized to transfer jurisdiction over the land at 1st and C Streets Southeast, in the District of Columbia, being the land on which the Madison Memorial Library is proposed for construction, to the Board of Commissioners of the District Government, to be operated for recreation purposes only, and without any improvement to said land, for such period of time as said land is not required for building or other purposes by the Architect of the Capitol."

Mr. RIBICOFF. First, Mr. President, before remarking on this amendment, I wish to again express my admiration for the distinguished work in the field of education performed by the senior Senator from Oregon over the past 6 years. Time and time again, I have called to the attention of the Senate the constructive work that he has performed. If there is one man in the United States who is entitled to the title of "Mr. Education," it is the senior Senator from Oregon.

I also wish to give high praise to the ranking minority member of the committee, the Senator from New York [Mr. Javits], who has so ably assisted the Senator from Oregon in piloting through these landmark education bills—and this is another landmark education bill.

The highest praise should go to the distinguished senior Senator from Oregon and the distinguished senior Senator from New York.

Mr. President, in an article in yesterday's Washington Post, William P. Raspberry described the experience of St. Peter's Angels—some 40 youngsters between the ages of 11 and 15, who have been organized by Father Patrick Durkin, pastor of St. Peter's Church, into the only two tackle football teams in the area between 1st and 15th Street SE., from East Capitol Street to the Anacostia River.

For the past 5 weeks, these teams—under Father Durkin's supervision—have been playing in the vacant lot at 1st and C Streets SE. Now, as we all know, that land has been vacant for years, and is the site of the proposed Madison Memorial Library. As we also know, the plans to build that library have been ensnarled in controversy, and the construction is not yet ready to begin.

Last Thursday, St. Peter's Angels were evicted because the law forbids the use of U.S. Capitol Grounds as playgrounds—and another attempt to provide recreation for youngsters who need it is endangered.

My amendment is a simple one. It would authorize the Architect of the Capitol to transfer the plot of land destined for the Library to the District Commissioners for such period of time as it was not required by the Architect for building or other purposes. And it would authorize such a transfer for recreation purposes only, and would prohibit the addition of fixtures to the land.

Let me be very clear. I do not envision that land as a massive playground—but neither do I believe that the children who live around the Capitol should be deprived of the use of that vacant land for healthy recreation. I have explored the statutes, and there is an existing authority to transfer jurisdiction of lands between and among Federal agencies and the District Government. It requires mutual consent between the parties, the approval of the National Capitol Planning Commission and a report to Congress. Realistically, the chances of that procedure being completed in time to help this situation are very slim.

So I offer this simple amendment, in the belief that Congress owes a duty to its neighbors on Capitol Hill, and in the belief that reasonable recreational use of the land at 1st and C Streets SE. would be entirely appropriate until such time as the necessary decisions are made regarding the proposed Library building.

I ask unanimous consent that the article by Mr. William Raspberry be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

U.S.-Owned Vacant Lot Barred as Playing Field

(By William Raspberry)

St. Peter's Angels haven't exactly been told where to go, but they've been ordered to get the devil out of their former football paradise at 1st and C Streets se.

The Angels (top weight: 130 pounds) and a second St. Peter's team of 100-pounders had used the two-block lot for about five weeks. Police evicted them last Thursday.

The lot is the property of the U.S. Capitol, and there is a law against playing on the Capitol grounds. So now the lot—almost a park, really—just sits there, protected by battered signs that say "U.S. Property: No Trespassing."

"I don't know what we're going to do now," said the Rev. Patrick Durkin, pastor of St. Peter's Church. "We're sort of hung. We're trying to find out if maybe we can provide transportation for the kids to Turkey Thicket Park, at 10th Street and Michigan Avenue ne. The next closest vacant lot is in Anacostia."

The Capitol Hill lot once contained some of the area's most attractive row houses. They were torn down three years ago when the Government acquired the site for the proposed Madison Memorial Library, an annex to the Library of Congress.

Indications are that it will be at least a year or two before construction begins. In the meantime, the huge lot, a rarity in this crowded city, apparently will just sit there.

Philip Roof, executive assistant to Capitol Architect J. George Stewart, said there has been no particular problem with youngsters damaging the grounds. There is nothing, really, to damage.

"There's a law against using the Capitol grounds as a playground," he said. "The minute we acquired the lot for the library, it became a part of the Capitol grounds."

Principal objection to use of the lot as a play area, he said, is legal. "For example," he said, "if a child is hurt there while he's playing, the Government could be sued under the Federal Torts Claim Act."

Roof also noted that the Government "has spent a lot of money to seed that ground."

The lot is fairly attractive, even if the grass has only a slight ascendancy over the weeds. The shrubbery that once graced the rowhouse lawns gives it the appearance of a park.

But it is a park that no one uses, nor is there any encouragement to those who would. There are no benches, fountains, walkways or other enticements. And, too, there are those "No Trespassing" signs.

According to Father Durkin, the lot's major use is as a two-block restroom for dogs. "Nearly everybody on Capitol Hill walks his dog there," he said.

Young adults of the area have occasional pick-up softball games there on weekend afternoons, although that, too, is forbidden and presumably will be enforced now.

Father Durkin said police indicated there have been complaints from residents about youngsters playing there. But he has been unable to find any of the complainants.

"In fact, residents of the Coronet Apartment House and others are circulating a petition trying to get permission to use the lot for recreation," he said.

Others are seeking help from high places, including members of Congress and the Vice President's office.

According to Father Durkin, St. Peter's two teams—some 40 youngsters aged 11 to 15—are the only tackle football teams for that age group between 1st and 15th Streets se., from East Capitol Street to the Anacostia River.

"It is because of this that the Catholic Youth Organization permitted us to take in non-Catholic boys," he noted.

Capitol Architect Stewart said someone was in his office last week to ask permission to use the lot as a play area. He hinted that he was miffed because "they had been using the lot already and only came to ask permission after they were chased off by the police."

But he said he couldn't have granted permission anyway. "I haven't any authority to bypass the law," he said. "The only way permission could be given is through an act of Congress."

Waiting for an act of Congress, particularly where District problems are concerned, is not the city's most rewarding pastime.

Mr. MORSE. Mr. President, as the Senator from Connecticut and the Senator from Oregon are aware, this amendment is irrelevant so far as international education is concerned; but it is not irrelevant so far as the common humanitarian purposes of international education and a type of domestic education in the District of Columbia are concerned.

I shall accept the amendment and take it to conference, with the clear understanding—and the Senator from Connecticut knows this—that if any objections on the House side create any problem for me in conference, I will have to recede.

I have checked into the matter enough to know that this is probably the only vehicle that we have left with which to accomplish the humanitarian purpose that the Senator from Connecticut has in mind.

I think that Father Durkin is entitled to this support from us. I do not see how anyone can object to the use of this property for the short duration of time—or whatever duration of time it is—between now and the start of construction of the memorial library on the property.

With that understanding, with that legislative history, I shall take the amendment to conference. If there is no objection, fine; if there is objection, I shall move to recede.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. I should like to join the Senator in his remarks, and I hope that we can, indeed, hold it in conference. However, as we have had experience with other amendments—both Senator Morse and I—we have had to say that in no case will we permit the amendments to stand in the way of consummating the basic purpose of the bill.

Mr. MORSE. I ask for the passage of the bill.

Mr. RIBICOFF. Mr. President, I am sure that the two distinguished Senators who love children and realize the necessity for wholesome recreation will point out this problem to the House conferees. My feeling is that with their persuasiveness they will induce the House conferees to take this amendment, because, while we are taking care of the educational needs in the international field, it is not a bad idea to take care of the educational and recreational needs of the District of Columbia. Heaven knows they are in need of them.

Mr. President, I extend my thanks to the Senator from Oregon [Mr. Morse] and to the Senator from New York [Mr. Javits].

The PRESIDING OFFICER (Mr. McGovern in the chair). The question is on agreeing to the amendment of the Senator from Connecticut [Mr. Ribicoff].

The amendment was agreed to.

Mr. MORTON. Mr. President, my colleague from Kentucky, Senator Cooper, is necessarily absent today. Education has been one of his deep and abiding interests during his entire service in the Senate. He served as a member of the Senate Labor and Public Welfare Committee for 5 years and for a time was chairman of its Subcommittee on Education. He has written, cosponsored, spoken, and voted for measures to improve the quality of education, and has asked me to express his support for the bill before the Senate today. I ask unanimous consent that the statement by Senator Cooper be included at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Cooper

I support H.R. 14643, the proposed International Education Act of 1966. It has always been my belief that it is a good education which equips a man for this world, and our 15 million high school students will live in that world. They will deal with the problems of a population estimated to exceed 3 billion by 1980, and which will demand almost 800 million tons of food grains. The bill now before the Senate will help insure that the college education these students will receive will inform them about the world they will inhabit.

The proposed International Education Act of 1966 will expose all college students to international education by providing for grants to strengthen programs in international studies; by providing for a more flexible operation of the language and area studies programs of the National Defense Education Act which I cosponsored in 1958, to permit these centers to be supported by grants as well as by contracts and by removing the 50 percent ceiling on Federal participation. The bill will also provide grants for the establishment of graduate centers for international studies.

Already, some 70 American universities have contracted with AID to conduct cooperative programs in 40 countries, including the University of Kentucky. Under the Hays-Fulbright Act, 49 countries participate in bilateral student exchanges with us.

I support the legislation before us today, as I have supported bills in the past to encourage the expansion of our colleges and universities, including the Higher Education Act of 1965 and its amendments passed only Monday by this body.

INTERNATIONAL EDUCATION BILL OF 1966: FOR INCREASED KNOWLEDGE AND UNDERSTANDING OF THE PEOPLES OF THE WORLD

Mr. YARBOROUGH. Mr. President, the international education bill of 1966 authorizes grants to colleges and universities for the development and improvement of research and instruction in international studies. The program is authorized for 5 years, with expenditures authorized in this bill for only the first 3 fiscal years—$4,580,000 is authorized for fiscal year 1967, $47,280,000 for 1968, and $91,885,000 for 1969.

As one of the coauthors, I strongly support the purpose of this legislation. The world has become a small place. We must know more about the other peoples who inhabit this planet with us.

Ignorance breeds suspicion. Certainly it is not the only cause of world conflict, and we need not delude ourselves by thinking that if only everyone in the world knew more about his neighbor, we would have peace. Human relations unfortunately do not proceed on such a rational basis.

But understanding does have an important role to play, and we should do everything we can to encourage the rule of reason. By encouraging international studies, by finding out more about the history, religion, customs, beliefs, art, commerce, politics, and problems of the other peoples of the earth, we encourage a more enlightened world.

When I first read the bill the administration sent up to Congress, I had serious misgivings about a certain aspect of it. What worried me was the fact that the legislation would authorize the Federal Government to pay part or all of the cost of setting up international studies programs. With the Federal Government footing all of the bill in some cases, it seemed to me that a climate would be created in which some sort of special relationship might exist between beneficiaries of the act and the Federal Government. In any field of study, and especially in international studies, this would be undesirable.

Our great universities should be outside the Government. They should be free to pursue the truth. They should never be fettered with a too great dependence or a too close relationship to the Government—or to business, or to labor, or to other such groups for that matter. Naturally, universities have relationships with all these groups, but what we must stay away from is monopoly control by anyone.

It appears to be a natural and, I believe, an understandable, human trait to believe that the norms of living and thinking of one's own time and place are forever perfect. An important part of education is the discovery that other people live in different ways, and many of them are quite happy about it. It is also true that many of them are not. But a university should remain a place where men can go and take a clear and open look at things, and, for a while at least, leave their prejudices behind. This view, I believe, is in the best traditions of the American Nation.

Our committee made changes in the administrative setup of the bill for the purpose of removing possibilities of Federal control. A National Advisory Committee on International Studies is created. A majority of the membership will constitute a broad representation of higher education in the United States and the remainder will include representatives of the general public and individuals experienced in foreign affairs. The committee is authorized to appoint its own staff. I hope that the committee will give a strong, independent, nongovernmental voice to this program.

The bill also includes the usual prohibition against Federal control over the curriculum, program of instruction, administration or personnel of any educational institution. Our committee added a prohibition against Federal control over the selection of library resources by any educational institution or over the content of any material developed or published under any program assisted pursuant to the act.

As a member of the subcommittee which considered the bill, I give it my support. Our committee amendments ease some of the concern about Federal control.

I intend to follow closely the progress of this program. Its promise is abundant—greater knowledge and increased understanding of our neighbors. I feel confident that it will yield these results in great bounty to the extent that our institutions of education remain free to pursue them.

Mr. President, as a senior member on the majority side of the Subcommittee on Education, under the leadership of the distinguished Senator from Oregon [Mr. MORSE], I wish to pay tribute again to his fine leadership.

There was a good deal of controversy in connection with this bill when it first came to us. Many hostile questions were asked. Senators on both sides raised very difficult questions.

Mr. President, under the very able leadership of the senior Senator from Oregon [Mr. MORSE] those problems have been worked out and resolved, and there has resulted a bill which meets general acceptance and will advance the idea of international education, by which we hope to raise the educational level, as well as the standard of living of many of the underdeveloped countries.

Mr. President, without the leadership of the Senator from Oregon I do not believe that this bill would be before us today.

The Senator from Oregon has been conciliatory and searching in his inquiries, and he has gone outside of Congress to bring to the Senate a workable and realistic bill. The Senator from Oregon deserves high praise for this fine work.

Mr. MORSE. Mr. President, I appreciate exceedingly the remarks of the Senator from Texas [Mr. YARBOROUGH]. The Senator knows how indebted I, as chairman of the committee, am to him for the unfailing support he has always given on these bills.

I should also like to take this opportunity to express once again and publicly to him and to the democratic members of my subcommittee what I have told them privately and that is the work we do together on legislation for the boys and girls of America is well worth doing. The statutes which contain it are all jointly written and owe whatever excellence they may have to the fact that we all agree on the ends we seek to attain.

I can never express to the Senator from Texas [Mr. YARBOROUGH], the Senator from Pennsylvania [Mr. CLARK], the Senator from West Virginia [Mr. RANDOLPH], the Senator from New Jersey [Mr. WILLIAMS], and the Senator from New York [Mr. KENNEDY], and above all, to the beloved chairman of our committee the great Senator from Alabama [Mr. HILL], how much their complete cooperation has meant to me. I thank each of them and the staff of the committee for their help to me on this bill, and I also express my deep appreciation to the many men and women in the Department and in the Office of the Senate Legislative Counsel who aided us on this ground-breaking legislation.

Mr. FULBRIGHT. Mr. President, I would like to associate myself with the comments of the Senator from Texas [Mr. YARBOROUGH]. I would like to add that I am completely pleased that the Senator from Oregon [Mr. MORSE] has been associated with this legislation and that he will continue to be in the future.

I think that this is, of course, much the most important kind of activity for the future of this country that we are engaged in. If there is any hope at all for a peaceful world it will result from the kind of activity for which this bill provides. Of course, we have to do it on a much larger scale and in a more understanding and intelligent manner.

Mr. President, I do wish to raise one question with which I know the Senator from Oregon agrees and that is: In the administration of this kind of activity, in which other countries participate, this country, being the largest, the most rich, and the most powerful, must be very careful not to try to Americanize it completely. We must take into account the sensibilities of other countries. It must be a multilateral program—if I may use that term—and not solely an American program where they get the idea that we are trying to impose on them our school ideas about education.

Mr. MORSE. Mr. President, I shall now make the comment that I was going to make after the passage of the bill when comments are made by Senators who are not members of the Committee on Labor and Public Welfare. In view of the statement which has been made by the Senator from Arkansas [Mr. FULBRIGHT] this is the most appropriate place to make that statement.

Mr. President, when the President first talked to me about this bill, at the time when he was talking to me about other parts of his legislative program, he told me he was going to send up a subsequent bill; and that he would have a subsequent conversation with me about it after the Department of Health, Education, and Welfare, and the Department of State prepared the bill.

I made a report of this, and Senators on the committee know about it, in our executive session.

The President said that he wanted me to work very closely with the chairman of the Committee on Foreign Relations and the Committee on Foreign Relations in regard to the bill because there was also a great foreign policy interest in the bill. I have done that. I have kept the chairman, and particularly Dr. Marcy, the head of the professional staff of the Committee on Foreign Relations, apprised of the progress of the bill throughout the hearings, and executive sessions. The chairman of the Committee on Foreign Relations and Dr. Marcy have from time to time made suggestions that carried great weight with us in connection with our consideration of the bill. I have reported them to the committee as we came to the markup session.

Mr. President, I would like to have included in the body of my discussion of the bill my very deepest appreciation to the Senator from Arkansas [Mr. FULBRIGHT] for the great help that he and his professional staff have given to me in connection with the bill.

While I am saying that—because I see him sitting directly in front of me, and knowing that probably going through his head is the hope that I will finish the bill quickly—I want to express my thanks and appreciation to the distinguished majority leader for his great help to me in handling this bill even prior to scheduling for today.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. MANSFIELD. There was going through my mind the magnificent performance of the distinguished senior Senator from Oregon [Mr. MORSE] this year. The Senator has climbed the educational ladder with the elementary-secondary education bill, the higher education bill, and now the international educational bill. It is a magnificent, outstanding, and significant performance, and I give to the Senator all the credit in the world.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. MORSE. I yield.

Mr. JAVITS. Mr. President, I would like to suggest, in deference to the Senator from Arkansas [Mr. FULBRIGHT], that intelligent men can make any rules work. The Senator from Arkansas [Mr. FULBRIGHT], instead of being niggardly about any question of jurisdiction, took a position that brought about the desired result. The Senator is fully a party to it. It is a great tribute to both of the Senators that the bill is before us and about to be passed.

Mr. MORSE. Mr. President, I wish to say that the Senator from Arkansas [Mr. FULBRIGHT] is a great teammate, and he is a great general. I am glad to be a private in his ranks.

Mr. FULBRIGHT. Mr. President, I cannot let that statement pass the Senate, but I am delighted to be a part of this entire area because it is the area that is meaningful. I regret that it is not larger than it is, but there would have been no bill had it not been for the Senator from Oregon [Mr. MORSE].

Mr. THURMOND. Mr. President, I want the RECORD to show that I do not favor the passage of the pending proposal.

At the present time, we are approaching a financial crisis, and our country is engaged in fighting a war in South Vietnam. Our full resources and efforts should be devoted to winning this war. Consideration should be given now to only defense and other essential programs.

In view of this, I do not believe it is wise to authorize the expenditure of $130 million for this new program for the fiscal years 1968 and 1969.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed the question is on agreeing to the committee amendment in the nature of a substitute, as amended.

The committee amendment in the nature of a substitute as amended was agreed to.

The PRESIDING OFFICER. The question is on the engrossment of the amendment, and the third reading of the bill.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time.

The PRESIDING OFFICER. The question is on final passage of the bill.

The bill (H.R. 14643) was passed.

Mr. JAVITS. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. MORSE. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MORSE. Mr. President, I ask unanimous consent that the bill be printed as passed.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, this is the third key education measure directed to successful Senate passage by the distinguished senior Senator from Oregon [Mr. MORSE] this session. This fact alone speaks highly for Senator MORSE's keen appreciation of the educational needs and problems of the Nation. It also demonstrates clearly his continuing devotion to the task of seeking ways to meet the needs—of offering methods to solve the problems.

So his quick response to the President's proposal for developing a comprehensive international education program—which, I add, is now encompassed in the measure just passed—serves only to emphasize once again Senator MORSE's unsurpassed dedication to public service, his ready advance of sound legislation to meet a vital need and his phenomenal ability to get the job done—and done well.

But like most outstanding achievements, the Senate's overwhelming endorsement of the international education program required the strong support of many Members of this body. This it received with typical cooperation. Particularly strong and most articulate on this measure was the outstanding support of the senior Senator from New York [Mr. JAVITS]. Senator JAVITS, like Senator MORSE, has consistently demonstrated a deep and abiding interest in maintaining the superiority of the educational opportunities for the youth of the Nation. We are, as always, most grateful for his fine work on the Education Subcommittee.

Also to be commended for their splendid cooperative efforts on this measure are the junior Senator from Minnesota [Mr. MONDALE] and the junior Senator from Connecticut [Mr. RIBICOFF]. But the Senate's efficient disposition of this proposal, in the final analysis, may be attributed to the cooperative action of every Member of this body. Once again, we all may be proud of another outstanding achievement.

DEPARTMENT OF TRANSPORTATION—CONFERENCE REPORT

Mr. JACKSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15963) to establish a Department of Transportation, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. JACKSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. JACKSON. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. JACKSON. Mr. President, the conferees were able to keep the Senate version intact on the main points of disagreement with one exception—the transfer of maritime functions.

The House agreed to accept the basic organization and structural provisions of the bill in the Senate version, including the distribution and assignment of functions, powers, and duties. This included acceptance of railroad, highway, and aviation administrators with statutorily assigned duties. Decision of these administrators will in certain matters be administratively final, subject only to appeal to the courts or the National Transportation Safety Board, as appropriate.

The House agreed to accept the Senate amendments strengthening the National Transportation Safety Board. This included acceptance of the Senate provisions assigning the Civil Aeronautics Board's aircraft accident investigation functions to the Safety Board, and authorizing the Safety Board to conduct its own investigations into rail, highway, and pipeline accidents.

The retention of these Senate amendments relating to the organizational structure of the Department, and the strengthened role of the National Transportation Safety Board, insure that safety matters will be placed in the hands of trained experts, leaving the Secretary free to devote his efforts to the numerous other duties and responsibilities vested in him.

The Senate was also able to persuade the House to agree to the retention of section 7, relating to investment standards and criteria, including language regarding water resource projects. As Members know, the House had deleted this entire section from its version of the bill.

In this connection, the Corps of Engineers expressed some concern to the committee with regard to language in the Senate report amplifying the definition of primary direct benefits and the use of prevailing rates. The corps felt that the language in the bill itself was perfectly acceptable but that the report language was too restrictive. By way of clarification, I would like to say on behalf of the Committee on Government Operations that it was our intent that—and I state this for the legislative history:

Where available in the area of the proposed waterway, prevailing published rates being applied for movement of the type and approximate volume of each commodity considered as potential traffic for the proposed waterway are to be used in the economic analysis.

Where prevailing rates are not available or are not being applied in the area of the proposed waterway for movement of the type and approximate volume of the potential traffic, constructed rates will be used in the economic analysis. Where such constructed rates are necessary, they are to be developed using rate structures on the alternative modes of transportation that have not been depressed due to their direct competition with an existing waterway.

Thus, Mr. President, it is the committee's intent that the resulting calculation of navigation benefits will be essentially those historically employed by the Corps of Engineers prior to the development of new procedures adopted in October 1960, which culminated in the directive of November 1964, and which was recently rescinded, as reported in letters from the Director of the Bureau of the Budget to the Chairman of the Public Works Committees dated August 24, 1966.

The House accepted the Senate language declaring it to be the national policy that special effort should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites. The Secretary is directed not to approve any program or project requiring the use of such lands unless there is no feasible and prudent alternative to its use, and such program includes all possible planning to minimize harm to such areas.

The House likewise accepted Senate language which transferred the St. Lawrence Seaway Deveolpment Corporation and the Alaska Railroad to the new Department.

The House agreed to the Senate provisions on compensation of the various officers in the new Department.

The one exception, which the House insisted upon, and would not yield, was deletion of the transfer of maritime matters. Though the remaining days of this Congress may be few, the Senate would not yield on this point for two conference sessions. As Members well know, the Senate Committee on Government Operations realined maritime functions in our bill to establish an independent maritime board within the Department and to give to the Maritime Administrator additional latitude in the administration of duties assigned to that office. Still further amendments to strengthen this position were accepted on the floor of the Senate during recent debate. But it was all of no avail in the conference. Nothing short of complete elimination of the transfer of maritime functions was acceptable to the House.

The mandate of the House on maritime matters was clearly and overwhelmingly cast when it adopted—by a vote of 260 to 117—an amendment specifically to delete the transfer of maritime activities from Commerce to the Secretary of Transportation, and to delete the Maritime Administration, which had been provided for within the Department.

The Senate finally and most reluctantly agreed to the House position at the end of the second conference session. The Senate would not have yielded were it not for two considerations.

First. In view of the House mandate if the maritime remained in the bill, the conference report would be rejected in the House and there would be no Department of Transportation during this Congress. Our task became "the art of the possible." Your conferees acting in accord with our mandate from the Senate, in the form of a 64 to 2 vote for a new Department, reluctantly acquiesced to deleting the provisions transferring maritime functions to the new Department, and establishing in the new Department a Maritime Administration and a Maritime Board.

Second. Though the maritime functions most regrettably are not transferred to the new Department, it will not thwart the purpose of this legislation, nor greatly diminish the mission of the new Department. In his message to the Congress, President Johnson said that no function of the new Department, no responsibility of its Secretary, will be more important than safety. Maritime safety matters will be within the new Department through the transfer of the Coast Guard. The next most important responsibility of the Secretary is to provide leadership in hammering out a coordinated transportation policy. Though maritime functions are not transferred to the new Department, the Secretary of Transportation is granted substantive authority to exercise leadership under the direction of the President in transportation matters, including those affecting the national defense and those involving national or regional emergencies; provide leadership in the development of national transportation policies and programs, and make recommendations to the President and the Congress for their consideration and implementation; promote and undertake development, collection, and dissemination of technological, statistical, economic, and other information relevant to domestic and international transportation; and promote and undertake research and development relating to transportation.

In summary, the Secretary is granted authority to develop and to recommend to the Congress a coordinated transportation policy for all modes of transportation.

There were, in addition, other points of disagreement, and in the give and take of a conference there was accommodation by way of modifying, clarifying, and in some instances, meshing language of the two bills.

In summary, Mr. President, the will of the Senate prevailed in the main, save as to the transfer of maritime functions. It is an important exception, and it is regrettable that it is not included. This omission will not, however, defeat the purpose of the bill, and a new Department of Transportation can take its rightful place in the Cabinet of the Federal Government.

Mr. President, I move that the Senate agree to the conference report.

Mr. McCLELLAN. Mr. President, will the Senator yield?

Mr. JACKSON. I yield to the Senator from Arkansas.

Mr. McCLELLAN. Mr. President, during the course of the Government Operations Committee consideration of this bill to create a Department of Transportation, an unavoidable situation developed whereby, as chairman of the committee, I was unable to give the bill the attention that it required to be expeditiously processed. So I called upon my friend, the distinguished Senator from Washington [Mr. JACKSON], who is the ranking majority member of the committee, for assistance in handling this measure.

As always, he very graciously responded and moved forward with dispatch to achieve another in a long list of his many major accomplishments. Without his assistance and diligent work on this bill, it is very doubtful that it could have been successfully processed to enactment at this session of Congress.

I wish to thank him for the very valuable assistance he gave me.

Senator JACKSON's contributions toward the ultimate enactment of this bill are manifold. I especially want to pay tribute to him and to our fellow conferees in being able to retain my amendment to section 7 of this bill relating to water resource projects. It is high time that Congress recapture the initiative in developing the natural waterways of this Nation, and it will be able to do so through the language incorporated in section 7 of this bill.

The junior Senator from Washington has performed magnificently, and I commend him for the continuing assistance he has rendered to the Committee on Government Operations, and for the great service he has performed on behalf of the Senate.

Again, I want to thank him and my colleagues on the committee who served as conferees for their support in those features of the bill which I deem so essential and indispensable to proper legislation in this field.

Mr. JACKSON. I wish to express my appreciation to the distinguished senior Senator from Arkansas for his generous comments on my work on this matter. I do want to point out that the distinguished chairman of the committee conducted lengthy hearings. He devoted much time to this measure. It was only in the latter days, because of other commitments and responsibilities, that it was necessary for him to forgo, from time to time, a part of the work; but he carried the major load of the work in making the establishment of this department possible.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. JACKSON. I yield to my distinguished senior colleague. Let me first say that my colleague [Mr. MAGNUSON] introduced the administration bill, on which the committee held lengthy hearings. We on the committee are indebted to him for his advice and counsel.

I also want to express our appreciation once again to his staff on the majority side, the General Counsel, Mr. Gerald Grinstein, and Mr. Stanton Sender, for their help throughout the hearings and in connection with the conference report, as well as the staff of our committee, headed by Mr. James Calloway, and Mr. Eli Nobleman, who worked hard and long on this measure.

I also want to express appreciation to the conferees, who worked long and hard and had many discussions in an effort to get a conference report that would be acceptable to the House and Senate.

I now yield to my colleague.

Mr. MAGNUSON. Mr. President, I join with the distinguished chairman of the Government Operations Committee in adding my appreciation and deep praise for the work of my colleague on this very complex and important matter.

The Members of Congress who work in any phase of the field of transportation have become familiar not only with the complexities of the Nation's transportation system, but also with its controversies.

I assure my colleagues in the Senate that those controversies are not easily resolved. Some of them are long standing. Some of them are bitter. But with it all, we have one of the finest transportation systems in the world, and the only one that is under private enterprise. With few exceptions it is owned and operated by private enterprise. It is this fierce competition that causes some of the controversies. When my colleague assumed this task, I knew it would be fraught with difficulties. He did his task well. I urge my colleagues to adopt the conference report.

I wish to compliment the staffs of both the Commerce Committee and the Government Operations Committee for the work they did on the bill.

My colleague from Washington [Mr. JACKSON] offered two amendments to the bill which I think considerably improve the provisions of the bill.

The first amendment declares it to be national policy that the natural beauty of our countryside and public parks should be preserved, and directs the Secretary not to approve any transportation plan or program which does not include all possible planning to minimize harm to such areas. This is a good amendment, and I wish to associate myself with this provision to insure the preservation of the natural beauty of our Nation in the construction of highways, railways, and other methods of movement of people and goods.

The second amendment which I think vastly improves the bill requires the cooperation and coordination on Federal transportation programs for urban areas by the new Secretary and the Secretary of HUD. This amendment will insure that we need not await the conclusion of the year's study on the location of urban transportation programs before we begin coordination of Federal programs in urban areas.

Lastly, I mention the provisions of section 7, which in itself was controversial when the bill was introduced. The ability of my colleague and the other conferees to work out section 7 and make the changes that were needed constitutes an improvement over the bill as it was introduced. The section now reads:

> The Secretary is directed to develop, and from time to time in the light of experience to revise, standards and criteria for submission to the Congress for approval. This will insure that needed studies and economic analyses are made before such standards and criteria are placed into effect.

There are many other parts of the bill that I could discuss. There is one I wish to mention, because it provoked a great deal of controversy, which could probably have been foreseen when the bill was introduced. But the junior Senator from Washington, his committee, and the staff, I think, did the right thing in this matter. The matter to which I refer is the administration of our maritime statutes. I have spoken on the floor of the Senate many times about our domestic fleet and how it has dwindled from a proud fleet of over 400 vessels immediately before World War II to less than 80 vessels. I do not intend to restate again the deplorable condition of our bulk carrier fleet which today carries only 5 percent of the movement of dry and liquid bulk cargo in the U.S. foreign trade.

It cannot work to the advantage of our Nation's merchant marine to have the location of the administration of maritime matters left in limbo. There are a number of obvious advantages in having the Secretary of Transportation be the primary Government spokesman for the American merchant marine. The Senate amendments sought to provide an independent Maritime Subsidy Board and a strong Maritime Administrator within the Department. Others, I know, feel strongly that the maritime program will not be vigorously carried out so long as it is located within a larger department which has other missions and programs. The maritime agency has been shuffled about the Government for 50 years without having found a permanent and effective home.

I have discussed this with other Senators. I see on the floor the distinguished Senator from Alaska [Mr. BARTLETT], who will be chairman of the Subcommittee on Merchant Marine and Fisheries of the Committee on Commerce next year. Next January we intend to hold committee hearings to see if we cannot reach a permanent solution to this perennial problem. The committee will consider whether the Maritime Administration should remain in Commerce, should be transferred to the new Department, or should be established in an independent agency.

The conference report—which was about all that could be worked out in this very highly controversial area—does not transfer maritime functions now in the Commerce Department. The new Secretary will, however, be assigned certain duties in the maritime field. The Coast Guard with its duties over maritime safety will be transferred to the new Department. The Secretary's responsibilities include providing leadership in the development of a coordinated transportation system, and the promotion of research and development in all modes of transportation. The new Secretary can exercise these statutory responsibilities even though maritime functions now remain in the Department of Commerce.

I do hope this will be understood by those who had a deep interest and participated in what I call an abiding controversy on this whole matter. I do not know what my colleague could have done other than what he did, in order to get a Department of Transportation established.

This is a great step forward. It is a historic step for the transportation industry in the United States. I think it will be one of the best things that ever happened to solve some of these controversies, and to go forward, so that we can have, not only a modern merchant marine, but also modern railroads, trucks, bus lines, aviation, and all the other modes which make up the world's greatest transportation system. We will need, of course, a transportation system for the future as this country grows.

With its acceptance in the Cabinet of the President, transportation will no longer be forced to speak from many tongues scattered throughout the executive branch; there should now be one unified voice.

The bill agreed upon by the conferees is not a perfect bill, but it will provide the framework for the establishment of a Department of Transportation. I urge its adoption as a beginning toward the ultimate, perhaps unrealizable goal, of bringing together all transportation activities in the executive branch within the confines of one Department.

In recommending the establishment of a Department of Transportation, President Johnson said that no function of the new Department—no responsibility of its Secretary—will be more important than safety. The new Department as set forth in the conference report will contain safety jurisdiction over all modes—highway, rail, air, and maritime. A new National Transportation Safety Board will be established within the Department to provide the focus for across-the-board review of safety matters, to conduct safety studies for the benefit of our Nation's transportation employees and travelers.

The operational continuity of safety activities transferred to the new Department will be preserved by the conference report. The Coast Guard will be transferred to the new Department as a legal entity, and will continue to operate under the Commandant of the Coast Guard, who will report directly to the Secretary. The Commerce Committee will continue its jurisdiction over annual authorization bills for the Coast Guard to insure thorough review and consideration of Coast Guard matters.

Motor carrier, rail, and pipeline safety now in the Interstate Commerce Commission will be transferred to the new Department, and the Federal Highway and Railroad Administrators will carry out the Secretary's duties in this area. An unnecessary layer of bureaucracy will be eliminated in the new Department by the provisions in the bill allowing direct appeals to the courts from decisions of these Administrators which involve notice and hearings required by law. Furthermore, language in section 4(e) requiring the Secretary to present to the ICC information on the safety fitness of applicants for ICC operating authority will insure that the Commission can carry out its congressionally assigned duties in certificate, transfer, and complaint cases. The substitute version will insure that the operational continuity of railroad, highway, and pipeline safety matters will be preserved in the new Department.

In supporting the transfer of the Federal Aviation Agency to the new Department, I strongly recommended that there should be no basic alteration in that Agency's present safety organization structure. I also urged that the accident investigation functions now in the CAB should be retained in an independent agency separate and apart from the air safety duties now in the FAA which are to be transferred to the new Department. The Senate amendments, which were agreed to by the House conferees, preserve the organizational safety structure of the Federal Aviation Agency activities by transferring these duties within the Department to the Federal Aviation Administrator, and providing that his decisions in the exercise of these safety functions will be administratively final. The independence and separation of air accident investigation functions is preserved by transferring CAB duties to the National Transportation Safety Board, an independent board within the Department. This organizational structure should preserve the effectiveness of our present air safety activities while at the same time placing aviation matters within the new Department.

The National Transportation Safety Board, in the Senate version which was accepted by the House conferees, will be truly independent of the Secretary, but within the Department. This five-man, bipartisan board, consisting of a Chairman and four other members appointed by the President, with confirmation by the Senate, for 5-year terms will be the driving force for the improvement of safety within the Department.

Over half of the 105,000 Americans who died in accidents last year were killed as a result of transportation accidents. Nearly 50,000 deaths involved motor vehicle accidents alone. Next to the Secretary, the Chairman of the National Transportation Safety Board will have, in the long run, perhaps the most important duties in the new Department. The Safety Board will determine the probable cause of all transportation accidents, will investigate air accidents, and can investigate rail, highway, and pipeline accidents. Furthermore, the Board will have the important duty of conducting special safety studies and making recommendations to the Secretary and the Congress on means to reduce the terrible toll of transportation accidents. The Chairman of the Safety Board can provide the leadership, the drive, and the wisdom to save thousands of lives of his fellow Americans each year.

The Secretary will also have important safety duties, none perhaps more important than those which are transferred to the new Department under the provisions of the Highway Safety Act of 1966, and the National Traffic and Motor Vehicle Safety Act of 1966. The successful implementation of these new laws recently enacted by the Congress, will make our Nation's highways more safe for all Americans.

Second only to safety, the most important duty of the Secretary of Transportation will be the development of policy recommendations for a coordinated transportation system to be submitted to the President and the Congress for their consideration and implementation.

This year marks the 30th anniversary of the passage of the national transportation policy by the Congress. This policy has served the Nation well as a broad charter to promote the development of all modes of transportation under private enterprise. We have the world's outstanding transportation system, and the only one almost wholely operated by private enterprise. Our present system is not perfect, certainly, and it can and must be improved. In the next 20 years, if the growth of our transport industries merely keeps pace with our current national economic growth, the demand for transportation services will more than double.

The Secretary will provide a unified voice at the highest levels of Government for consideration of the needs of transportation. He will have the responsibility of providing leadership under the direction of the President in transportation matters. The Secretary is assigned the vital responsibility in this new Department of providing leadership in the development of national transportation policies and programs, and making recommendations to the President and the Congress for their consideration and implementation.

I am particularly pleased that the Secretary has been directed to consult with the States and local governments, and with the heads of other Federal departments and agencies, in order to encourage the establishment and maintenance of a coordinated transportation system. The Secretary is also granted broad authority to conduct and promote research and development in all modes of transportation, including the problem of aircraft noise abatement.

In my testimony before the Government Operations Committee last March, I suggested that the committee consider assigning to specified officers and offices in the Department the important duties of acting as a spokesman for the public interest in merger proceedings, and giving the traveling public a voice in the councils of Government. The Committee report indicated that while such assignments were not written into the enabling legislation, the members of the committee unanimously urged the Secretary of Transportation to make promotion of passenger service and representation of the public in passenger merger proceedings a prime concern, and to that end to assign to an Assistant Secretary or other appropriate official in the new Department these important duties. I strongly urge the new Secretary to heed this directive.

I am in wholehearted agreement with the position of the President that there be no alteration of the economic regulatory functions of the Interstate Commerce Commission, the Civil Aeronautics Board, or the Federal Maritime Commission. The conference report preserves the economic regulatory functions of these Commissions. The Congress will continue to look to these independent agencies to carry out the legislative policies of the Congress in the regulatory field. The Commerce Committee will also continue to look to the regulatory agencies to recommend and comment upon legislation which affect their duties. This bill makes no change in the present practice of the ICC in making recommendations on legislation directly to the Congress. As Chairman of the Commerce Committee, I will continue to look to the ICC to make its independent views known on surface transportation legislation, and the CAB and FMC to make their views known on legislation affecting their aviation and maritime duties.

The Commerce Committee members are keenly interested in the success of legislation. As chairman of the Commerce Committee, I offer the new Secretary of Transportation a helping hand in carrying out the tremendous responsibilities vested in him. The Commerce Committee members, I know, will welcome his recommendations, and stand ready to be of assistance to him in the problems he will face. The Commerce Committee will continue to exercise its jurisdiction in transportation matters, and to aid the new Secretary in developing a coordinated transportation policy for the Nation.

I again congratulate my colleague and the committee, and I urge the adoption of the conference report.

Mr. BARTLETT. Mr. President, will the Senator yield?

Mr. JACKSON. Mr. President, I am happy to yield to the Senator from Alaska.

Mr. BARTLETT. Before speaking with respect to the conference report, I wish to say I was encouraged by what the chairman of the conference committee has said. I think it would be most useful if the committee, next winter, were to inquire deeply and realistically into matters pertaining to the maritime industry, in an endeavor to formulate a national policy. We have been waiting for years for the administration to make such a recommendation. It has not. Perhaps the committee will have to do it on its own motion. I would rather it were otherwise, but we shall be prepared.

Mr. MANSFIELD. Mr. President, I wish to commend the distinguished Senator from Washington [Mr. JACKSON] and the distinguished chairman of the full committee, the Senator from Arkansas, and express my approval of what they have done, but my deep disappointment that the Senate bill was not accepted, including the Maritime Administration provision. I am sorry it was not accepted. I think it should have been.

I shall vote for the conference report, because it was the best the Senate conferees could do, after a long, hard, and arduous conference with the House conferees. I have been asked by the distinguished Senator from Ohio [Mr. LAUSCHE] to announce that he would be against the conference report.

Mr. JACKSON. Mr. President, I share the majority leader's deep disappointment. We, of course, did what was possible, and the conference report is the result. We had no other choice in the matter.

Mr. MANSFIELD. I understand that, and I commend the distinguished Senator and the committee.

Mr. MAGNUSON. This is a great step forward for transportation, and for the safety of our Nation's travelers.

Mr. MANSFIELD. I agree.

Mr. JACKSON. Mr. President, the able Senator from Connecticut was of invaluable help to us in the conference, and I wish to express my deep appreciation to him for his advice and counsel. I yield now to the Senator from Connecticut.

Mr. RIBICOFF. Mr. President, I wish to express both admiration and praise for the leadership shown throughout the consideration of this measure by the distinguished junior Senator from Washington [Mr. JACKSON] and the chairman of the committee, the Senator from Arkansas [Mr. McCLELLAN]. Both of them worked very hard on a most knotty and complicated proposal.

We have long been in need of a unified transportation policy for this Nation. The pending bill goes a long way toward achieving it. I sat as one of the conferees on this committee. I express my admiration for the patience and the skill in which the Senator from Washington [Mr. JACKSON] conducted the affairs of the Senate during the conference.

I think it is safe to say that practically every point of a major nature that the Senate contended for was agreed to with one exception.

I join both of the distinguished Senators from Washington in expressing disappointment that the provision to include the Maritime Administration was not included in the bill.

I can testify to the fact that on this point the Senator from Washington was most persuasive. Yet, he and the House conferees were up against the very practical and hard fact that there had been a rollcall vote on this proposal in the other body and the vote was 261 to 117. This seemed from a practical standpoint to be an almost insurmountable hurdle to having the House yield.

I predict that the maritime interests in this country, both those representing the shipowners and those representing the unions, will be coming to the Congress in a very short period of time importuning Congress to include them in the Department of Transportation.

I believe that the maritime interests in fighting against this proposal have done their own industry and their employees a distinct disservice, because it puts the maritime transportation industry off by itself.

If we are really to have a uniform transportation policy for the interest of the entire Nation and of the maritime industry, that industry should be included.

My praise for the Senator from Washington can only be of the highest nature for the skill with which he conducted the conference in behalf of the Senate.

Mr. JACKSON. Mr. President, I thank the distinguished Senator for his kind remarks.

I yield to the distinguished junior Senator from Oklahoma who has taken such a keen interest in the water resources area and in matters relating to the Federal aviation industry.

Mr. HARRIS. Mr. President, I join in the commendations of the chairman of our full committee, the distinguished Senator from Arkansas [Mr. McCLELLAN] for his very diligent work and effort in connection with the pending bill and particularly with regard to his amendment, which I cosponsored, having to do with water resources development.

I especially commend the distinguished Senator from Washington [Mr. JACKSON] who shepherded the bill through the committee, and who led those of us who were in the conference committee in the consideration in conference of the pending bill.

I know that the bill is a much better bill than it would have been had it not been for him. The bill in many respects is not exactly as all of us would like it, but I believe that it is a good first step. I believe that other changes can be made within this framework in the years to come by executive reorganization plans and by statute which will make the Department of Transportation better able to help develop a unified national transportation policy.

The pending bill is a good bill. I commend all those who worked on it, and particularly the staff members who have been identified earlier by the Senator from Washington.

I am pleased to support the conference report.

Mr. JACKSON. Mr. President, I thank the distinguished junior Senator from Oklahoma.

The distinguished senior Senator from South Dakota [Mr. MUNDT], who is the ranking minority member on the committee, is not able to be on the floor at the moment due to official business, but he made it possible for us to report unanimously on the pending conference report.

I express to him our deep appreciation for his contributions and assistance in making this new Department possible.

Mr. President, I yield to the distinguished senior Senator from Florida.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator.

I, too, join in complimenting him and the other members of his committee for the fine job they have done.

The distinguished Senator will recall that during the Senate floor debate on this measure I addressed a question to him.

I should like to repeat that question to make sure that the situation explained by him at that time still exists.

As I understand the answer to my question at that time, it was that all those regulatory bodies, which exercise partly legislative duties and partly judicial duties, will still remain independent agencies and will not be assembled within the roof of this Department.

Mr. JACKSON. The Senator is correct. He is referring to the Interstate Commerce Commission, the Federal Communications Commission, and the other regulatory commissions.

Mr. HOLLAND. I am referring to the Interstate Commerce Commission, the Federal Communications Commission, the Civil Aeronautics Board, the Federal Power Commission, and other agencies which in the first instance were created to exercise largely legislative powers because the heavy and much-increased burdens on Congress that have developed in recent years would have made it impossible for Congress to do the things it had done heretofore and because of scientific advances and other factors.

Second, to those same agencies were entrusted judicial or quasi-judicial or semijudicial duties, so that frequently they are very properly accused of wearing two hats, and neither of those two hats has to do with their exercising strictly executive or administration duties.

My understanding at that time was that the pending bill would bring into the new Department executive and administrative duties only, but would leave these regulatory agencies with power to do these legislative and judicial or semijudicial acts as independent regulatory agencies. Is that still the situation?

Mr. JACKSON. The independent agencies remain in exactly the same situation, with some minor changes. Referring, for example, to the CAB, the accident investigation function is transferred to the National Transportation Safety Board.

I will answer as definitively, I think, as one can respond to the question of the Senator.

There are no changes in connection with any of the answers I gave to the Senator at the time the bill was brought up on the floor. The conference report now pending made no changes in this respect.

I thank the Chair.

Mr. HOLLAND. Mr. President, I thank the distinguished Senator. I assumed that that would be the case.

That means that we will have, with the passage and approval of the pending bill, a new executive Department in every sense of the word on a Cabinet level.

I think that is what we have needed. I think it should be enlarged, and I hope it will soon be enlarged to cover the maritime functions, because to my mind it is very difficult to rationalize any separation of maritime transportation problems from those problems that have to do with land and inland water and air transportation.

Mr. JACKSON. Mr. President, all modes of transportation, of course, should be included in the new Department.

The maritime industry is the only one left out. I pointed out in my remarks in chief, in explaining the conference report, that the Secretary of Transportation would have the authority to work out a broad national transportation policy covering all modes of transportation which would be submitted to Congress.

This would include, of course, his recommendations regarding the maritime industry, which was left out of the pending bill. In summary, he does retain authority to make recommendations to Congress in the maritime area as well as in other areas of transportation.

Mr. HOLLAND. I thank the distinguished Senator.

I thought I read in the remarks of the distinguished Senator from Oklahoma a few minutes ago the implied wish that the executive reorganization power might be utilized sometime in the near future.

If that was the meaning of the remarks of the Senator, I join him in those remarks.

We will still have a three-legged stool until we get the maritime industry added as a fourth leg to this needed and particularly useful chair.

I thank the distinguished Senator and compliment him again for his fine service.

Mr. JACKSON. Mr. President, I appreciate the remarks of the distinguished Senator from Florida.

Mr. BREWSTER. Mr. President, I am delighted to support the conference report on the Department of Transportation bill. This report would take the Maritime Administration out of the Department of Transportation entirely.

I would hope that this approach will pave the way for an independent Maritime Administration, and, ultimately, a rebirth of the American merchant marine. Certainly I intend to push for legislation to achieve this end.

The conferees have reached a very acceptable position. I would particularly like to commend Senator JACKSON, who has worked very hard on a most complex and controversial piece of legislation. The end result is a very fine bill which I am proud to support.

Mr. President, I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

CHILD DEVELOPMENT GROUP OF MISSISSIPPI

Mr. JAVITS. Mr. President, I wish to call the attention of the Senate to a matter which has been receiving considerable attention in the press, and which I think deserves some consideration on the part of the Senate. It involves the development and future of an organization in Mississippi which is participating in the poverty program—the child development group, Mississippi.

Mr. President, the central fact is that this has been a going Headstart program, serving over 12,000 children in 121 centers in 28 Mississippi counties. I am informed that it is the largest single antipoverty program in the State of Mississippi.

It has come to the attention of the press that, somewhat abruptly, funds have been terminated. It had only recently been refunded by the OEO—in February 1966—with a $5.6 million grant for a 6-month program. Abruptly, the program was canceled. An OEO release, dated October 2, 1966, gives the agency's reasons for this severe step as follows:

CDGM in its present organizational form, with its present administrative and operating personnel, and record of management, cannot lawfully be refinanced by OEO.

To buttress its decision, the Office of Economic Opportunity published a situation report containing the results of an "interim audit" completed on September 15, 1966, and a memorandum to Director Sargent Shriver from OEO General Counsel Baker. There are three categories of charges.

Briefly, these charges are, first, that there were administrative and management deficiencies, an allegation which is very sharply challenged by CDGM. The second charge is that "CDGM is not disposed toward the development of biracial community action agencies which could mount the broader based programs contemplated under title II." The third charge is that "The program conducted in most centers by CDGM has not been Headstart as we conceive it. The program has been increasingly oriented toward the economic needs of adults rather than the needs of children."

Since publishing these charges, OEO, acted speedily to fund other organizations to carry on similar programs in the same area, and, according to the Washington Post of today, made at least one grant before application was formally made by the recipient. The Washington Post reports a funding of Rust College, for example, before the college, a small Negro institution at Holly Springs, Miss., had even fully applied for the money.

The New York Times of today speaks of a new biracial organization recently organized in Mississippi, called Mississippi Action for Progress, which also has been speedily funded, though it has had no previous experience in the poverty field.

It has already, almost overnight, received funding to the tune of $10 million.

Inasmuch as I am the ranking member of the committee which deals with the poverty program, this organization, CDGM, appealed to me. Mr. President, there is a great deal of hotly controverted charge and countercharge in this matter. I certainly do not wish to prejudge the case. However, a great many serious questions have been raised and the right appears not to belong wholly to one side or the other on the matter. Hence, I urged the OEO to grant them a public hearing in Washington. They have at least been granted an audience with OEO, I understand, although that meeting is allegedly set for Atlanta, Ga. I have asked that such a meeting also be held in Washington, where I and my representatives might personally sit in and see what is at stake.

Mr. President, having looked into the matter in the preliminary way that I have, I feel that the basic question is whether a Headstart program in Mississippi must be a fully integrated organization, or whether the amount of integration in its managing board and staff must be in accordance with what can be done in integrating the classes for the children themselves in Mississippi, which is mighty little. Just how much integration and cooperation should be demanded?

But in the last analysis, the main factor, to me, is not who runs the program but whether it will be run. Naturally, I am disturbed about the fate of the program in an area as difficult as Mississippi, and we know it is difficult, and about the intimations in several newspaper stories describing political overtones and political reasons for this very sudden shift.

I am especially concerned about what will be done about the more than 12,000 children and the centers in the 28 Mississippi counties where CDGM has been carrying on its program—a program directed to the poorest people in Mississippi and to the most depressed and segregated areas.

For these reasons, Mr. President, I urge Mr. Shriver to look into the matter closely and to hold a public hearing in Washington. We certainly do not want a program that is doing a job to go down the drain. Whatever may be the imperfections in it, if they can be corrected, they should be before a start is made on a new tack, with new people and new management, which may not for a considerable period of time be able to reach the constituency which CDGM has already reached.

I have a completely open mind on the subject, but I hope that this question will get the looking over that it deserves from the point of view that I have mentioned. I shall do my utmost to help.

It is our job to see that the poverty program is well administered, and that if there are any evidences of injustice or precipitate handling, to have them corrected. I shall do my best to be of service to the program in that regard.

I wish to point out, also, that a rather critical report has just been issued on the OEO decision by the Citizens Crusade Against Poverty. The cochairmen of the investigatory group which wrote that report are A. Philip Randolph, the president of the Brotherhood of Sleeping Car Porters, and Dr. Robert W. Spike, professor of ministry, of the Divinity School of the University of Chicago.

Under the circumstances, inasmuch as this is an issue of some seriousness and acclaim, I think it will be well to give CDGM its day in court—a public hearing. I shall do my utmost to apprise myself of the situation and to report to my colleagues in the Senate on the matter.

However, I repeat that the principal objective must be to do everything we can to see that the program is carried out. The important point is to insure that the children served by the program shall not lose if there must be a management shift or a sponsor shift, such as is indicated by the action taken thus far by the OEO in cutting off CDGM and making ingrants to other new agencies, in one case before the agency had even requested it.

Mr. President, I ask unanimous consent to have printed in the Record my telegram to Sargent Shriver; the request to me made by Rev. James F. McCree, chairman of the board of directors, and John Mudd, director, of CDGM; an article entitled "Mississippi Test on Poverty Set," published in the New York Times of today, October 13; and an article entitled "Manna From OEO Falls on Mississippi," written by Nicholas von Hoffman, and published in the Washington Post of today, October 13.

There being no objection, the items were ordered to be printed in the Record, as follows:

Hon. R. Sargent Shriver,
Director, Office of Economic Opportunity, Washington, D.C.:

I have received an urgent telegram from the child development group of Mississippi asking me to request a public hearing of their case in Washington with the OEO. After examining your statements dated September 27 detailing the reasons for the termination of CDGM funds, together with documents supplied by CDGM, I believe that more serious questions are raised than answered. I do, therefore, request that you hold a prompt public hearing in Washington calling also CDGM officials, their accountants and management consultants, and any other relevant groups or individuals able to give germane testimony in order that the Congress and the public may be apprised of the facts of this case.

Jacob K. Javits,
U.S. Senator.

Jackson, Miss.

Senator Jacob Javits,
Senate Office Building,
Washington, D.C.:

In light of your expressed concern for future of child development group of Mississippi we urgently request your presence at meeting between our board and officials of OEO on Thursday afternoon, Oct. 13. Meeting originally intended for Washington moved to Atlanta by OEO officials at last minute. For your convenience we suggest that you request return to Washington meeting site. If OEO is not favorable to Washington meeting we would welcome invitation to meet with you in Washington on Thursday or Friday at time convenient to you.

Rev. James F. McCree,
Chairman Board of Directors.
John Mudd, *Director, CDGM.*

[From the New York Times, Oct. 13, 1966]

Mississippi Test on Poverty Set—New Biracial Group Gets Its First Headstart Funds

Jackson, Miss., October 12.—A newly chartered biracial group—Mississippi Action for Progress—formed to take over Project Head Start and possibly other antipoverty activities will test this state's prospects for improved race relations in the conduct of Federally financed programs.

MAP has been criticized by backers of the controversial Child Development Group of Mississippi, a civil rights-oriented organization. Its Head Start program has been terminated by Washington after a turbulent year of political conflict with Senator John Stennis, Democrat, and other Mississippians in Congress.

The new organization's first grant from the Office of Economic Opportunity was announced last night. It is $3-million, the first installment of $10-million reserved for Head Start projects.

Militant civil rights workers here have charged a "sellout" by Negro leaders who have joined in forming the Action for Progress group.

APPEASEMENT CHARGED

The economic opportunity office rejected the Child Development Group's request for a new $20.3-million grant to extend its operations after Federal investigators had reported evidence of mismanagement. Friends of the group charge that the appeasement of Senator Stennis is back of the decision.

Champions of Action for Progress describe it as a "blue ribbon" group of white and Negro leaders. The group was quietly organized several weeks ago when the economic opportunity office first indicated that the Child Development Group would not receive further funds.

Action for Progress is the first state-recognized organization bringing together moderate and liberally inclined white business and civic leaders of the state and Negro leaders with a substantial following.

Its present board of 12, to be expanded to 18, is headed by Owen Cooper of Yazoo City, one of Mississippi's most powerful white industrialists, and Aaron Henry of Clarksdale, state president of the National Association for the Advancement of Colored People, whose organization has been fought in the past by Mississippi politicians.

Other members on the board include G. L. T. Smith, Jackson Negro businessman and longtime leader in the civil rights movement; Dr. W. P. Davis, white Baptist minister and president of the Mississippi Baptist Seminary for Negroes; Leroy Percy, Greenville banker and land owner whose family is part of the pioneer stock of the Delta country; Hodding Carter 3d, Greenville newspaperman, Democratic leader and liberal spokesman; Oliver Emmerich, McComb editor and publisher; Oscar Carr, Clarksdale cotton planter; Charles Young, Meridian Negro businessman and chairman of the Mississippi Democratic Conference; the Rev. M. W. Lindsey of West Point and James Gilliam of Clarksdale, a Negro Masonic leader.

Six members of the board will be drawn later from the poor in the poverty "target areas" in the state.

Gov. Paul B. Johnson, who is committed to a campaign pledge that he will never appoint a state biracial commission, has nonetheless endorsed the board and approved its incorporation charter.

That white leaders in Mississippi would sit down with widely known Negro integration leaders was unthinkable in the recent past. "It's still difficult to get people who have a lot to lose even at this stage of the game to do it," said a key figure in the group.

But the reaction in still-segregationist Mississippi to the new group has been unbelievable.

"I've only had one nasty letter," said Mr. Cooper, the chairman of the group, and "otherwise I have had nothing but a favorable reaction."

[From the Washington Post, Oct. 13, 1966]

Manna From OEO Falls on Mississippi

(By Nicholas von Hoffman)

Jackson, Miss., October 12.—Poverty gold is falling over Mississippi.

Nearly $12 million of it has been dropped on the State by Sargent Shriver and his Office of Economic Opportunity in five hasty and hectic days of philanthrophy.

In at least one case the recipients got their money before they had signed an application for it.

Rust College, a small Negro institution at Holly Springs, was granted $1,200,000 last Friday for an Operation Headstart program before OEO had received formal application for the money. The college's president, Ernest A. Smith, said he hoped to complete by today an application explaining how the money he has been given would be spent.

So anxious was Washington to get the green stuff off its hands that Jule Sugarman, national Headstart Director, dispatched a representative from his office to Holly Springs with orders to draw up preliminary plans and a budget within 18 hours. The resulting budget is more than $600 per child over the recommended OEO maximum figures.

It is generally believed here that the reason for the speed is OEO's desire to eliminate the Child Development Group of Mississippi which has been running most of the State's Headstart programs. The theory in Jackson is that OEO wants to give all its money away so that there will be none left to give to Child Development.

OEO has been accusing Child Development of mismanagement of funds, of having its nursery schools infiltrated by Black Power cabalists, of being excessively centralized and even excessively decentralized. OEO's critics say the real reason Shriver wants to kill off Child Development is pressure from Mississippi's two segregationist Senators, JOHN STENNIS and JAMES O. EASTLAND, who have attacked the preschool program for children since its beginning two years ago.

The Rust College situation has a second shadow over it. The college's board chairman, W. Astor Kirk, is a Shriver employe. Reached in his Austin, Texas, office where he is OEO's Deputy Regional Director, Kirk appeared to be backing away from Washington's largesse. "I don't know what the decision of the Board will be on the grant" Kirk declared. "We meet on Oct. 26 and we'll decide whether or not to take it then."

College President Smith indicated something like abashed confusion: "We're sorry we got caught by a situation we weren't aware of. We weren't aware of all these political undercurrents."

A $700,000 money missile was landed on top of a group called Southwest Mississippi Opportunities on the strength of an application telephoned to Washington by a member of OEO's 15-man task force here.

The task force is an administrative pickup team rushed into the state a few weeks ago. Its director, Robert N. Moore, is a former Democratic congressional candidate from Tennessee who runs a 4-man management consulting firm out of Nashville and Atlanta.

"I don't think it would be correct to say that approval was given over the telephone," explained Moore, who used to be an OEO staffer, "but, yes, certain documents were transmitted telephonically."

The biggest stake in the OEO Klondike belongs to Mississippi Action for Progress. This group, which is so new only 11 of its 18 board members have been selected, met today in Yazoo City to discuss selection of an executive director to spend the first $3 million of a promised $10 million grant.

One of the local residents with Mississippi Action describes its genesis as follows:

"OEO got in touch with us. We didn't seek them out. That was in August. Their theme was always that the decision not to refund Child Development had been made. It was Sugarman and Berry (Theodore Berry is director of OEO's Community Action Program) who did the talking. Their whole thesis was for us to hustle it. They pressured us to make an announcement. They sent down two people from Washington to draw up our application.

"There still wasn't any board. We got together a rush-through charter. Most of it was copied from another organization's. We did it because some way had to be found to take care of the children."

FILING EVIDENCE OF FINANCIAL SECURITY BY CERTAIN OPERATORS OF OCEAN CRUISES

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its disagreement to the amendments of the Senate to the bill (H.R. 10327) to require operators of ocean cruises by water between the United States, its possessions and territories, and foreign countries to file evidence of financial security and other information, and requesting a conference with the Senate on the disagreeing votes of the two Houses thereon.

Mr. BARTLETT. I move that the Senate insist upon its amendments, agree to the request of the House for a conference, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Senators BARTLETT, MAGNUSON, and DOMINICK conferees on the part of the Senate.

NATIONAL BUSINESS WOMEN'S WEEK

Mr. PELL. Mr. President, I would like today to salute the National Federation of Business and Professional Women's Clubs, Inc., during their observance of National Business Women's Week.

During this week, approximately 177,500 members of the national federation—approximately 1,000 members in Rhode Island—will mark the achievements of all business and professional women in their communities, States, and the Nation.

I salute these women, who have striven since 1919 to elevate standards for the employed woman in her community and to expand her opportunities through industrial, scientific, and vocational activities. They have tried for years to establish conditions which assure both men and women the fullest opportunity and reward for the development of their capacities to the maximum potential.

I also salute these women who, as concerned citizens of the United States, work to strengthen the role of our Nation in world affairs.

We in Government are particularly aware of the crucial and often irreplaceable part that professional women play in the life of the Nation. It has been dramatized recently by President Johnson's determination to bring women into significant roles of leadership in the Federal Government.

Since January 1964, the President has appointed more than 125 women to high-level Government jobs. An additional 2,800 women hold Federal jobs paying more than $10,000 a year.

Knowing as I do the pace and high standards of the Federal bureaucracy, I am sure that these women would not be where they are if they were not competent and well trained, and professionally qualified.

The key to their accomplishments is, of course, education and professional training.

Women are playing an ever increasing role in our Nation's economy, as well as in civic and community activities, and I stand in favor of the amendment to the Constitution to provide equality of rights under the law to men and women. My name was recently added as a cosponsor of the resolution proposing this amendment. I applaud the efforts of the National Federation of Business and Professional Women's Clubs to achieve more uniformity in laws and regulations for men and women as to working hours, working conditions, rates of pay, equal employment opportunity, and uniform legislation for men and women in the areas of taxation and retirement.

I commend the "Business and Professional" on their great contribution to the national welfare and on their proud record as organized business and professional women over the past three and one-half decades.

EUROPE'S FUTURE

Mr. FULBRIGHT. Mr. President, several Senators have already commended President Johnson for his speech in New York last Friday on Europe. I would like to join in congratulating the President on a statement which emphasized Europe's future, rather than dwelling on Europe's past.

In discussing NATO, the President said:

> The Atlantic Alliance is a living organism. It must adapt to changing conditions.

I agree wholeheartedly. It has seemed to me that talk of "the crisis in NATO," engendered by President De Gaulle's withdrawal of French forces from NATO's military command, was both too broad and too narrow a phrase. It was too broad because it implied that we were at a decisive turning point, rather than at another stage in the evolution of our relations with our European allies. It was too narrow because the issues confronting us are not restricted to NATO but involve our policies toward all of Europe.

I have also felt for some time that it was too simple to blame President De Gaulle for the problems that have arisen in our relations with our European allies. He may have sharpened the issues, he may have acted precipitately and abruptly, but the questions he raised have long been pending. We do not answer these questions, or even understand them, by dismissing them out of hand. What has been needed, and I hope will follow from the President's statement in New York last week, is a more flexible and tolerant attitude in our relations with our European allies. For as one writer noted recently:

> If America wants Europe to be a partner, she must let it be itself and not what she chooses to make it.

As for our policy toward Eastern Europe, the President's speech showed clearly that we have determined, and I think wisely, to try to improve our relations with the Soviet Union and the Communist countries of Europe at a time when these relationships are badly frayed, largely as a result of the war in Vietnam. I support the President's determination to press for early action in the Senate on the consular convention with the Soviet Union and in both Houses of the Congress on the East-West trade bill.

The Foreign Relations Committee considered the consular convention carefully over a year ago and reported it favorably to the Senate. A majority of the committee was convinced that our ratification of the convention would serve the national interest. But for reasons which seemed to me to have been based more on emotional than on logical grounds, there were many who protested against ratification of the convention and it was never submitted to the Senate for a vote. I am glad to see that the President leaves no doubt that the power and prestige of his office are behind the consular convention and the East-West trade bill. The other measures announced by the President seem to me to be eminently sensible and to speak for themselves.

I would like to make a brief comment on two other specific points mentioned by the President. In his speech, the President noted:

> The importance of * * * measures to remove territorial and border disputes as a source of friction in Europe—

He said that—

> The Atlantic nations oppose the use of force to change existing frontiers—

And he added that—

> The maintenance of old enmities is not in anyone's interest.

The President has thus supported McGeorge Bundy's statement to the Committee on Foreign Relations, in our hearings on Europe last summer, that—

> It would be helpful if German opinion could come to support a clear statement on the record of what we all know off the record: that when there is a peace settlement it will be built, among other things, on the present boundaries between Germany and Poland.

The President also commented on the military situation in Europe and stated that—

> Reduction of Soviet forces in Central Europe would, of course, affect the extent of the threat facing the Atlantic countries.

He added that—

> If changing circumstances should lead to a gradual and balanced revision in force levels on both sides, the revision could—together with the other steps that I have mentioned—help gradually to shape a new political environment.

A number of Senators have recently sponsored a resolution expressing the sense of this body that United States forces in Europe be reduced. I hope that we will not wait for the Soviets to act first. I do not think that they can be the first to act, for they could then be accused of making it possible for the United States to increase the strength of its forces in Vietnam. On the other hand, were we to reduce first to a degree that would not jeopardize the security of Western Europe, I think that our action would create pressures in those Eastern European countries where Soviet troops are now stationed—pressures that would make it difficult for the Soviets not to follow suit. In pursuing such a course, however, we must make it clear that any reduction in our Europe-based forces is determined wholly on its merits and is not related to our policy in southeast Asia.

In sum, I believe President Johnson's speech reflects a statesmanlike approach to our relationships with the Europe of today—not Europe as it has been in the past or Europe as we have sometimes wished it to be but Europe as it is now—more than 20 years after the end of the war.

INDIAN POLICY—1966

Mr. McGOVERN. Mr. President, President Lyndon B. Johnson gave forceful testimony to the needs of our first citizens—the American Indians—in his comments during the swearing-in ceremony on April 27 of Robert L. Bennett as Commissioner of Indian Affairs. The President said:

> In 1966, the year that is known as the most prosperous year that the United States of America ever enjoyed, Indians on reservations this year have the lowest standards of living in the entire United States.

I concur with this observation and cannot help but compare the incongruity of the Indians' low standard of living with the affluence of most other Americans.

The President made other notable statements on that occasion which I believe are worthy of the attention and consideration of my colleagues in the Senate.

On most of the reservations in this country—

He said—

> 90 percent of our Indians do not today have decent housing in the year of our greatest prosperity. If we can't do it now, when can we do it? On some reservations, large Indian families have annual incomes of less than one-quarter of the national average for the whole country. Now that is something that we ought to be concerned about.

President Johnson gave the newly appointed Commissioner a clear mandate on his responsibilities with these instructions:

> Commissioner Bennett, your President thinks the time has come to put the first Americans first on our agenda. And we are going to give you that job this morning as soon as you are sworn in. From this hour forward, we are going to look to you to discharge that responsibility.

The tenor of the future program for Indian people was set when the President said:

> And I want it to be sound, progressive, venturesome, and farsighted.

I was heartened that our Chief Executive pledged the full weight and influence of his office to the Commissioner's efforts to improve living conditions of Indians with the statement:

> I want, during my Administration, the time that I am allotted to put an end to substandard housing and substandard programs. I am going to depend on you to tell me what needs to be done not only by your Bureau, but by the other Departments and agencies of this Government. I want to give you my pledge here this morning that if you fulfill this charge, you will have the full power of the institution of the Presidency of the United States behind you.

I commend President Johnson for his incisive remarks concerning this perplexing and long-standing problem. I know his statements have given renewed hope and encouragement to Indian people who are earnestly striving to improve their status in life. And in addition, they are striving for their rightful share of responsibility in attaining this goal.

In view of these inspiring remarks from our Chief Executive, I deem it timely and essential that Congress consider a new Indian policy statement which will demonstrate to all citizens the Nation's desire to overcome the depressing situation so vividly described by the President. But before setting forth my views and proposals on Indian policy, I want to discuss some of the historical factors including congressional actions that have played a part in determining Indian problems today. Also, I believe it would be useful to consider the dimensions of these problems and to look into several areas where progress has been made in recent years. This background will provide us with a better understanding of major aspects of our Nation's Indian policy.

HISTORICAL PERSPECTIVE

No other group of citizens stand in precisely the same relation to the Federal Government as do the Indians. The unique nature of this relationship is deeply rooted in treaties and laws of the United States which gives the Federal Government responsibility for the protection of Indians and their resources. It is from this base that a wide range of services—Federal, State, and local—have developed and are directed to Indian people for their improved welfare.

It is probably more than coincidence that the British, the Colonial, and later the U.S. Government looked upon the Indian tribes as sovereign nations and dealt with them through treaties and diplomatic service. For a period of time at least, Indian tribes maintained a numerical superiority over the early settlers. The first settlers were faced with the task of not only maintaining a livelihood on a harsh frontier, but in establishing friendly relations with the tribal groups.

These factors undoubtedly influenced our original liberal and permissive Indian policy which was embodied in the Northwest Ordinance of 1787.

> The utmost good faith shall always be observed towards the Indians; the ordinance stated, their land and property shall never be taken from them without their consent; and in their property, rights and liberty, they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity shall from time to time be made for preventing wrongs done to them, and for preserving peace and friendship with them.

But as the years passed, the Colonies grew into a nation and the balance of power shifted from the Indians to the whites, creating a changing pattern of relationships between the two groups.

This policy and many others were to give way to the land hunger of the advancing frontiersmen and other requirements for development of the Nation. And for the majority of tribes, the 19th century was characterized by military conflicts, physical and social upheaval, excessive disease and illness, severe reduction in numbers, broken promises by whites and Indian alike, and always the ultimate defeat from the endless waves of settlers who were destined to occupy the vast new Nation.

The cumulative effects of these long years of hardships had by 1900 reduced this once proud people from an estimated

1 million persons to 250,000. All semblance of former tribal governments had long since vanished and traditional social and cultural patterns were undergoing rapid change. The reservation system and the Indians' dependence on the Federal Government for livelihood had become a way of life for all but a few Indians. The roots of the many faceted Indian problem had taken hold; and half a century later stubbornly resist solution.

The individual rights of Indians were recognized by Congress in 1924 with the enactment of a law declaring that all Indians born in the United States are citizens without giving up their tribal affiliations. Also in the 1920's, increasing public concern over the plight of Indians led to the Department of Interior entering into a contract with the Institute for Government research to undertake a comprehensive survey of social and economic needs of American Indians. The report of this survey, "The Problems of Indian Administration," often referred to as the Meriam Survey in honor of Lewis Meriam who directed the survey, is to this day considered one of the most penetrating and comprehensive studies ever made of Indian problems and possible solutions.

The Meriam Survey served as the basis of a progressive Indian policy initiated in the early days of President Franklin D. Roosevelt's administration. This policy was predicated on a "reservation development" theme and was incorporated in the Indian Reorganization Act of 1934. This broad legislation provided for immediate cessation of land sales; and established the procedures and financial resources for tribes to consolidate land holdings for economic development. It also led to an expansion of other social and economic programs to improve the well-being of Indians.

Perhaps of equal significance was the extension of the Works Progress Administration's constructive efforts onto reservations. This program found popular acceptance on reservations, and provided gainful employment for many Indians.

Through improved tribal governing units provided for in the Indian Reorganization Act, Indians were given an opportunity to improve their living conditions by management of their own resources and affairs. While not without problems, progress was achieved under this policy by 1940. The demands of World War II interrupted these programs, however, and the momentum was not recovered with the end of the war.

Progress under the Indian Reorganization Act of 1934 was followed by an abrupt policy change with the passage of House Concurrent Resolution 108, 83d Congress, August 1, 1953. This resolution declared it to be the policy of the Government to withdraw Federal responsibility and services for Indians at the earliest possible date. Indians and their friends in Congress objected to the arbitrary actions under the authority of this resolution.

Under this "termination" policy, Federal responsibility and services for several tribes was ended without their consent during the 1950's. This ill-advised action has resulted in near economic chaos for the once economically stable Menominees of Wisconsin. My fellow Senators from this State have worked diligently to repair the damages from termination for a tribe well on the road to self-sufficiency, but still in need of Federal support to attain this goal.

Another feature of the policy of the 1950's encouraged the relocation of thousands of Indian families from reservations to urban areas where employment was alleged to be more readily available. This experiment has proven to be an expensive exercise in human misery for the Indians and in wasted dollars for the Government. Far too many of the Indians so relocated were totally unprepared through education or vocational training to secure steady employment to support a decent standard of living in urban centers. Many were swallowed up in the slums and ended on "skid row." Many others returned to reservations, while a sturdy few have maintained some standard of decency.

The overriding objections of Indians, many organizations and Congress were soon recognized and in a landmark speech at Flagstaff, Ariz., on September 18, 1958, Secretary of the Interior Fred A. Seaton, emphasized there should be no termination without the consent of the Indian tribes affected and efforts should be focused on health, education, and development of economic opportunities. Thus ended another policy era of this Government in its dealing with Indian people.

Senator John F. Kennedy, during his campaign for the presidency in 1960, pledged a more constructive Indian policy for America's first citizens. His pledge was carried out by Secretary of the Interior Stewart Udall, who took immediate steps to establish a task force on Indian affairs early in 1961. The task force was charged with the conduct of a thoroughgoing review of modern-day Indian problems and the development of recommendations for the most constructive and practicable program which could be undertaken by the Government in behalf of Indians.

The report to the Secretary of the Interior of the Task Force on Indian Affairs, July 1961, shifted from the termination of Federal responsibility to the following objectives: First, maximum Indian economic self-sufficiency; second, full participation of Indians in American life; and third, equal citizenship privileges and responsibilities for Indians. This policy was widely acclaimed by the Indians as a "new trail" for self-sufficiency and dignity.

Besides serving as the basis for the expansion and improvement of traditional Indian service programs, this policy paved the way for application of New Frontier and later Great Society programs on reservations in a renewed effort to break the chronic grip of poverty on Indian people.

A small but important start was made toward improved housing for Indians with the initiation of public housing on the Pine Ridge Reservation in my home State of South Dakota. This project ignited a spark of desire for better homes for Indians with similar projects taking shape elsewhere.

With the increased emphasis placed on the needs of the poor through passage of the Economic Opportunity Act of 1964, Indians moved to join in the war on poverty. Many of OEO's real success stories are being written by Indians.

The Bureau of Indian Affairs must be prepared to assist in the coordination of these and other Government programs to assure maximum effectiveness.

PROBLEMS AND PROGRESS

With this brief historical sketch, let us look at the outlines of the job we have to do. In addition to identifying selected social and economic problems found in undue proportions among Indians, I believe it will be beneficial to mention progress and improvements in certain problem areas to demonstrate that while the so-called Indian problem is difficult and complex—it is not insoluble.

Almost 400,000 American and Alaska natives live on or near Indian reservations and continue to maintain a special relationship with the Federal Government. It is because of this relationship and their overriding problems that they receive a variety of Government aids and services. Unfortunately, these people have been sealed off from society for decades, and have failed to share equally in the tremendous progress attained by our Nation. This point can be further illustrated by noting that adult Indians living on reservations today are, as a group, only about half as well educated as other citizens, have approximately two-thirds the life expectancy, and are receiving between one-third and one-fourth as much income.

From the moment he is born, the Indian infant is at a disadvantage compared to his non-Indian neighbor. As a result of sharing space with from 5 to 10 members of his family in a house that is unfit for habitation; deplorable sanitary conditions; polluted water; insufficient food to provide basic nutrition; his chances of making it through the first year are only half as good as his non-Indian neighbor.

I have had the experience of visiting Indian reservations in my State, and elsewhere in the country, where the level of living was not one whit better than in some of the most severely underdeveloped countries of the globe.

The Indian boy's family does not want it that way. But there has been little they have been able to do about it. They are totally unprepared to obtain the resources to overcome these problems in a way they would like. As a matter of fact, it is only with the greatest sacrifice that parents are able to keep the family together at all.

The family is the victim of its community's inability to provide jobs. These communities cannot provide jobs for a number of reasons not the least of which are untrained workers; a work force without a history of long-term steady employment; inadequate community facilities to support industries; excessive communicable diseases among the work force; and limited transportation and communication systems necessary for industrial development. The effect of this situation is that the head of the Indian family has less than a 50-50 chance of having and holding a job. He cannot know the satisfaction of bringing home a regular paycheck; his wife cannot know the security of having that paycheck to meet the family's basic needs; his children are hungry and poorly clothed.

The problems of the individual Indian, his family and his community are inseparable. They can be met only with a coordinated attack.

But in spite of problems, considerable progress has been made in improving life in Indian communities. Progress has been the result of a partnership among many agencies and organizations. The mix of resources and their distribution in the most useful manner in meeting the problems of the individual, his family and his community is increasingly influenced by the growing and important role of tribal governments within this partnership.

Tribal officials being in close personal touch with their constituents and being products of their environment know not only that they must play a central role in this partnership, but actively seek and pursue that role.

As a native of South Dakota, I have known Indian people and shared problems with them all my adult life. It has been my pleasure in recent years to witness progress on the reservations in my home State.

For example, on the Oglala Sioux Reservation in South Dakota, the setting in which the individual and his family live have been vastly improved through the construction of safe water supplies, sanitation systems and the construction of 150 homes for families in need. For the first time, these families are modestly but decently housed as a result of the extension of public housing to an Indian reservation. This had not been done elsewhere before. New schools have been built by the Bureau of Indian Affairs. The Public Health Service hospital at Pine Ridge is among the best in the southwest part of the State and serves as the base of operations for an expanded and improved curative and preventive health program. An industry has been attracted to the reservation. The Wright Magill fishhook factory provides steady jobs for tribal members. Bureau of Indian Affairs skills training programs have been accelerated.

Other reservation needs which cannot be met by public agencies are being served through the programs of the Office of Economic Opportunity. Notable among these are Neighborhood Youth Corps, Community Action, Headstart and VISTA programs.

Let me say parenthetically here, that these economic opportunity programs have been of enormous benefit to the Indian citizens of South Dakota. We have been made aware, in recent months, of some of the criticism of that program; but I can only say from my own experience that it has been of inestimable benefit and value to the Indian people of my State.

These are illustrative of the many changes on this and other reservations in South Dakota.

As a result of these forward strides, for the first time in my memory, Indian people everywhere are turning their attention away from problems of the past, putting aside feelings of hopelessness, and addressing themselves with confidence to their responsibility as partners with the Federal Government in attacking and solving their chronic problems.

FUTURE POLICY CONSIDERATIONS

As previously noted, our Indian policy since 1960 has turned in a favorable direction, and is now characterized by a wide range of constructive Federal programs and services available to Indian citizens. The tribal governing units established under the Indian Reorganization Act of 1934 constitute political entities through which these services have been organized into meaningful attacks on the chronic conditions of poverty in many Indian communities. The encouraging progress achieved through this approach must be maintained and accelerated so that all Indians may share in the great social and economic advancements of our Nation.

I consider it crucial that we in Congress adopt a new national Indian policy statement at this time to demonstrate to Indian people and other citizens the seriousness of our desire to continue development of programs and services that will assure solution to the longstanding problems of Indians. By setting forth with clarity the perimeters of our Indian policy, it will be possible to hold the executive agencies accountable for their work in Indian communities. A sound and constructive Indian policy statement from the Congress will support President Johnson's firm instructions to the Commissioner of Indian Affairs to put the first Americans first on our agenda. And finally, a new Indian policy will assure us of greater participation and cooperation from the Indians themselves in the Government's efforts to improve their well-being.

For a new Indian policy to be truly effective, it must reflect certain favorable characteristics that I want to offer for your consideration.

First. Self-determination: I believe the foremost characteristic of our Indian policy should be self-determination for the people it serves. Too often in the past the Federal Government has done what it has thought best for Indians, with minor regard for the hopes and aspirations of the Indians—with very little effort made to listen to the thinking and determine the wishes of the Indians.

Many of our foreign aid endeavors are predicated on the principle that disadvantaged people will respond more readily to constructive programs when they participate in planning objectives and goals. Certainly we can afford to do no less for the first citizens of this Nation.

We should insist that reservation development plans be worked from the "grassroots" level upward, rather than evolving as creatures of Washington superimposed on reservations with little or no Indian involvement.

Instead of constantly espousing the attributes of "mainstream" society to Indian people, we should offer the programs and services that will permit the growth of a healthy and productive individual. When this is successfully accomplished, the Indian can then determine his own "mainstream," which may be in urban America or in a useful capacity on his home reservation.

Second. Self-help: The second most desirable characteristic of our Indian policy should be self-help. The tribal groups who have been motivated to assume this trait have shown growth and progress toward self-sufficiency. I believe that great care must be exercised by program administrators to devise ways in which the tribal groups may demonstrate self-help in order to achieve maximum benefits from programs.

No program should be conceived that does not make provisions for tribes to exercise this important trait. Admittedly, some few tribes still harbor deep resentment and suspicion toward the Federal Government and experience difficulty in working with them cooperatively; in these instances Federal officials will be challenged to administer their programs in a manner to motivate greater effort by the Indians.

Third. Consistency: Perhaps at no other time in history is there a more paramount need for a constructive and consistent Indian policy. All areas of Indian living when compared to the general population are so substandard they almost defy comprehension. It is inconceivable that during our country's period of low unemployment, excessive unemployment rates are commonly accepted on many reservations. And regrettably, rates of 90-percent unemployment can still be found on some Indian reservations in the world's richest Nation.

As I noted earlier, our Indian policy has again turned in a positive direction and has opened a wide range of programs and services which hold great promise for Indian people. Moreover, the Indians have generally gained newfound respect and confidence in the Federal Government and have joined on a cooperative basis to overcome reservation problems. The thrust of this approach must be maintained.

There will be those who urge relocation, termination, and other schemes to solve Indian problems. But these approaches in the past have only retarded progress.

It is possible that some tribes may be considered capable of assuming full responsibility for their affairs. When such developments occur then orderly plans should be developed to relieve the Federal Government of further responsibility for their welfare. When tribes petition to end their special Federal relationship, they should, of course be given that opportunity.

But I will oppose any general arbitrary policy of termination for the groups whose social and economic conditions require long-range Federal assistance.

Fourth. Adequacy: Indian needs are no longer responsive to the one-to-one approach between them and the Bureau of Indian Affairs. To effectively engage in all-out war against poverty on reservations, the services of other Government agencies, as well as Indian participation, will be required. Therefore, the proper balance of programs must be directed to the problems of Indians to realize success. This will require more than a modest investment of Federal appropriations.

We are oftentimes reminded of the cumulative expenditures made in behalf of Indians over a period of years. I concur that the expenditures have been large, and might questionably have been better administered in some cases. But we should not lose sight of the severity and longstanding nature of Indian problems which contributes to their cost.

For our Indian policy to be truly effective and support the wide variety of programs that will enable us to strike at the very heart of the social ills that retard Indian progress, we must be prepared to appropriate increasing sums of money in the years ahead.

Fifth. Innovation: Because the Office of Economic Opportunity was willing to offer Indian people new and innovative approaches in the planning implementation and administration of its varied program, that agency has enjoyed unusual success in its work on reservations. It is my belief that OEO has set new program standards for other agencies to follow in working with Indian people.

No longer will tribal leaders and rank and file members be satisfied with Federal officials who do not offer them similar experiences in program development. As I stated earlier, Indian people are striving for their rightful share of responsibility in efforts designed to improve their welfare. The Office of Economic Opportunity has helped to ignite this spark of enthusiasm, and I am hopeful the other agencies will capitalize on it in the conduct of their programs.

Because of the unusual degree of socioeconomic problems on reservations, imaginative and dedicated personnel in Government agencies have a unique opportunity to develop and test new methodology in their various programs. Techniques and methodology developed in Indian programs have potential for application on a national basis. I suggest that this unique opportunity be explored more fully by program administrators.

I believe that many tribal groups have developed their capabilities to a level where Government agencies should consider arrangements whereby contracts would be established with tribal governing units to allow them to administer programs in whole or part. If additional legislative authority is required by the agencies to accommodate this approach, they should submit such proposals to the Congress for consideration.

Sixth. Geographical orientation: The major thrust of our Indian policy and the necessary programs must be directed to the solution of Indian problems in the settings where they occur. Stated more directly, this means that maximum efforts must be undertaken by the Government to develop Indian resources to enhance employment possibilities locally; and to provide adequate education and vocational training opportunities for Indians who may ultimately choose to live and work in communities removed from their reservations.

When the tragic conditions of the Appalachian States came to the attention of Congress, we did not respond by proposing wholesale relocation of the population from these areas to others where "employment" was available. Instead we responded by passing the Appalachian Act of 1965, one of the greatest regional development proposals ever enacted into law. In addition, we are also considering S. 2934, the rural community development bill, which will provide new impetus and direction for antipoverty programs in rural America.

With our national economic development efforts being directed to depressed areas, our Indian policy should reflect the same trend and seek to solve problems in Indian communities, rather than relocating untrained Indian people to cities where far too many trade reservation poverty for urban poverty.

Seventh. Efficiency: And finally, our Indian policy should reflect efficiency of operations through the various programs and services for Indian people. I am impressed with new administrative and management techniques being developed and implemented by the executive branch of Government. Notable among these developments is the planning, programing and budgeting—PPB—concept with its cost-benefit analysis feature. This approach offers a means of measuring the effectiveness of program operations in relation to costs.

Through improved management tools such as this, the Bureau of Indian Affairs and other agencies conducting programs on Indian reservations will be better prepared to undertake meaningful evaluation of their operations. The potential for increased efficiency is outstanding.

CONCLUSION

The features of the type of Indian policy referred to in my statement are incorporated in a Senate concurrent resolution which I am introducing today. This resolution will, in my opinion, set the course of Indian affairs in a direction that will ultimately assist Indians in gaining a social and economic status equal to that of other citizens. This is a goal that is long overdue for our first citizens.

I am hopeful that a number of Senators on both sides of the aisle will join with me in cosponsoring this resolution to give it the attention and support it deserves.

I ask that the concurrent resolution lie on the table for 5 days for possible cosponsorship of other Members of the Senate.

The **PRESIDING OFFICER**. The concurrent resolution will be received and appropriately referred; and, without objection, will lie at the desk as requested, and, under the rule, will be printed in the RECORD.

The concurrent resolution (S. Con. Res. 114) was referred to the Committee on Interior and Insular Affairs, as follows:

S. CON. RES. 114

Resolved by the Senate (the House of Representatives concurring),

Whereas it is recognized by Congress that American Indians and Alaska natives (Eskimos, Indians, and Aleuts) suffer from adverse economic, health, education, and social conditions which prevent them from sharing equally in the great social and economic advancements achieved by our Nation; and

Whereas it is the understanding of Congress that periodic reversals in our Government's Indian policy throughout the years have ruled against full development of the human and economic potential of Indian communities, thus prolonging the aforementioned deplorable conditions; and

Whereas improved and expanded services in Indian communities in recent years through direct Federal Indian service programs and a wide variety of other services have begun accomplishing encouraging breakthroughs: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That it is the sense of the Congress that—

(1) the deplorable conditions of American Indians and Alaska natives can only be alleviated through a sustained, positive, and dynamic Indian policy with the necessary constructive programs and services directed to the governing bodies of these groups for application in their respective communities, offering self-determination and self-help features for the people involved; and that our Government's concern for its Indian citizens be formalized in a new national Indian policy so that the beneficial effects may be continued until the day when the Nation's moral and legal obligations to its first citizens—the American Indians—are fulfilled.

(2) modern day needs of Indian people are no longer responsive to the programs and services of the two major Federal Indian service agencies alone (the Bureau of Indian Affairs and the Division of Indian Health), but the complete solution of Indian problems will require new and innovative services for the full development of Indian and Alaska native people and their communities, and that the Bureau of Indian Affairs, because of its traditional role in the Indian field, access to important records and direct relationships with tribal officials, should be charged with the important responsibility of coordinating the wide range of Federal, State and local resources.

(3) Indian and Alaska native governing bodies should be recognized as having the full authority to determine the extent and manner of utilizing all available resources for their communities.

(4) American Indian and Alaska native property will be protected; that Indian culture and identity will be respected; that the necessary technical guidance and assistance will be given to insure future economic independence; that continued efforts will be directed to maximum development of natural resources; that inadequate and substandard housing and sanitation will be corrected; that a comprehensive health program incorporating and assuring curative and preventive physical and mental health will be further developed for Indian and Alaska natives; and that a long-term general, vocational, technical and professional education program will be encouraged and developed for both old and young American Indians and Alaska natives so that they may share fully in our society;

(5) the Secretary of Interior should periodically review all the activities of the Commissioner and Bureau of Indian Affairs to assure Congress of maximum utilization of Federal, State and local resources for In-

dian and Alaska native well-being; and that the Secretary should submit an annual report with necessary legislative recommendations to Congress to indicate the manner in which the intent of this resolution is being carried out; and

(6) American Indian and Alaska native communities should be given the freedom and encouragement to develop their maximum potential; and that Congress will support a policy of developing the necessary programs and services to bring Indians and Alaska natives to a desirable social and economic level of full participating citizens.

Mr. KENNEDY of New York. Mr. President, I commend the Senator from South Dakota [Mr. McGovern] for bringing to the attention of the Senate this important and vital problem. If there is any matter that should be on the conscience of every American it is our treatment of the Indians. The first inhabitants of the United States have received practically no attention and help up until the last few years. They have had no spokesmen in the Senate, the Congress, or any branch of the Government who could fight and work for them. That is partially due to the failure to have a franchise in many areas of the country and the lack of large numbers to create more attention on their problem.

Mr. President, it is most worthy for the Senator from South Dakota [Mr. McGovern] to rise on the floor of the Senate and once again remind not only Senators, but all of the Congress, the executive branch of Government, and the American people of this neglected group in our population.

I know how interested President Kennedy was in this problem. One of the major reasons he was interested in having the VISTA program was so that he would have young men and women available to go and work with the Indians.

The Senator from South Dakota [Mr. McGovern] has pointed out in his speech how concerned President Johnson is in having more attention on this very important and neglected area.

Mr. President, I think that the Senator from South Dakota has performed a real service not only for the Senate but for all of the people of this country by stating the problem in an effective and articulate way so that we can now take the kind of action he is outlining and suggesting to the Senate.

Mr. McGOVERN. I thank the Senator from New York for his helpful and encouraging comments. The concern of the Senator with the well-being of American Indians and other minority groups is well known both during the time that he served in the executive branch, in an important position, and since he has come to the Senate.

Mr. President, I appreciate the comments of the Senator.

Mr. KENNEDY of New York. Mr. President, will the Senator yield so that I may add one comment?

Mr. McGOVERN. I yield.

Mr. KENNEDY of New York. The services performed by the Senator from South Dakota in the Senate are most helpful. Also, we should take recognition of the great effort that has been made by the junior Senator from Oklahoma [Mr. Harris], and particularly by his wife, Mrs. Harris, who has really been a most effective spokesman for this neglected group in our country in modern times.

While we are focusing attention in this regard, we should also focus attention on this proposal. In addition, we should give recognition to so many who did so much for the American Indian.

Mr. McGOVERN. Mr. President, I fully concur with the statement of the Senator. The Senator from Oklahoma [Mr. Harris] is now presiding in the Senate. I am privileged to have the opportunity to speak on this subject while he is in the Chamber because of the leadership that he has provided during all of the time that he has been in the Senate in connection with Indian affairs.

Mr. HARRIS. Mr. President, will the Senator yield?

Mr. McGOVERN. I yield to the Senator from Oklahoma.

Mr. HARRIS. I want to join with other Members of the Senate in expressing my especial commendations to the distinguished Senator from South Dakota for his excellent address here on the floor of the Senate today and for his work over the years, both as an individual and as a Member of the Senate of the United States, in the problems which concern this country, relating to our Indian citizens.

I am particularly impressed by the recommendation of the distinguished Senator from South Dakota that this country needs to express, through the Congress, a new statement of Indian policy. I have had the same feeling that the Senator from South Dakota has had; that is, that the country has never been quite sure of what our policy should be with regard to the American Indian and that we have vacillated back and forth. We have never been quite sure whether we wanted to make the American Indian into a middle class white man—that would be wrong, because pride of heritage is a powerfully motivating factor and a man's right to be different and distinct is a fundamental right—or whether we wanted to keep the Indian as a sort of quaint, curious tourist attraction. I think that is wrong, too; all our people should have an opportunity to become a part, if they so desire, of the mainstream of the American culture and economy.

I think it is imperative that we do adopt and state a new national Indian policy, and I think the Congress is the proper place for that to be done. I think we ought to recognize that that policy ought to be, in general, as is generally stated by the Senator from South Dakota in the resolution which he introduced, one of making contact between Indians and non-Indians mutually easy—I am not saying required, but mutually easy, comfortable, rewarding, and worthwhile.

I think to do that we must recognize that we are talking about attitudes. We are also talking about opportunity, preparation, and motivation. But, basically, what we are talking about is attitudes of Indians and attitudes of non-Indians.

I think the basic problem is that Indians are isolated from non-Indians. I do not mean physically isolated only in the sense that Indians live on reservations, but I am also talking about isolation, whether they live next door, down the block, or sit next to us in school. This isolation is partly self-imposed because of cumulative disappointments. I do not think we can or should end that isolation by requirement, but by preparation, motivation, opportunity and change of attitudes.

I am also impressed by what the distinguished Senator says about the new stirring which is taking place in this country, the innovations in thinking in regard to Indians, and the great part that the U.S. Office of Economic Opportunity has had to play in it.

There was a time, as the Senator knows, when the Bureau of Indian Affairs felt a little possessive about their charges, their jurisdiction but now they are going out to meet the people from the OEO more than halfway. We must recognize that American Indians are primarily, first and foremost, American citizens, different only in ways which ought to be a source of pride, motivation, and contribution to the American community; that American Indians are entitled to all the services that this Government offers.

That is an important part of the speech of the Senator. We must marshal all of the various programs already in being and bring them and our Indian citizens together, keeping in mind the peculiar and particular problems of American Indians.

I think that there is a new stirring throughout this country, as well as in the Bureau of Indian Affairs and the Office of Economic Opportunity. I think it is most timely that the Senator should make this speech while the Bureau of Indian Affairs is in the process, with its new people, of formulating a new program to present to Congress after the first of the year. I will certainly join, under the leadership of the distinguished Senator from South Dakota, in trying to see that Congress does do what he thinks should be done—to state a new national Indian policy, and to embrace the new, innovative, and progressive ideas which I hope will be brought to us by the Bureau of Indian Affairs and other organizations within the Federal Government.

So I rise to commend the Senator, and to say that his speech is very timely, his judgment is good, and his interest is well founded, as it has been for many years in the past.

Mr. McGOVERN. I thank the Senator from Oklahoma for his more than generous comments about what I have tried to say here this afternoon.

I recall that the Senator delivered a very memorable address on the whole problem of Indian affairs and the challenge that we faced in that field some months ago on the floor of the Senate. Though I was not present the day he spoke, I had the privilege of reading his speech, and believe that it was a landmark speech in the field.

I did have the privilege of witnessing the Senator from Oklahoma in a television interview some time after that, and was very much impressed with not only his grasp of the problem which faces us in this area, but with the depth of concern and dedication he expressed.

I thank the Senator for his comments here today, and for his long months of leadership and the attention he has brought to this problem.

Mr. HARRIS. I thank the Senator. Will the Senator yield further?

Mr. McGOVERN. I am happy to yield.

Mr. HARRIS. I appreciate the Senator's comments about me.

The Senator from South Dakota has reservations in his State. We do not have them in Oklahoma. I think that in many ways, historically, that fact turned out to be very fortunate for us, because we do not have the physical separation—though, of course, that is a matter for the people themselves to determine, and does not enter into our discussion at all.

But I wish to ask the Senator a question about off-reservation Indians. I think we sometimes tend to overlook the fact that when a person leaves Oklahoma, or leaves the South Dakota reservation, and goes to, let us say, Chicago or Los Angeles, into an urban situation, he, of course, has problems in connection with the matter of urbanization; but it seems to me that he has special problems if he is an American Indian. I wonder if the Senator would agree with me that perhaps, in the proposed new policy toward American Indians, we ought to have some special attention paid by the Bureau of Indian Affairs to the Indian who has moved into an urban, off-reservation situation for the first time, and who may need guidance, advice, and suggestions as to where to find the necessary services for obtaining jobs, training, housing, and health and other services.

Mr. McGOVERN. I think unquestionably the Senator's point is well taken. There is no doubt at all that there is a difficult transition period for any person who changes his surroundings and moves into a new area, particularly in moving from a rural or sparsely populated area into a large urban area. There are psychological, economic, and social problems that would face us all in a situation of that kind.

I think it is especially true with the Indian who comes into that new situation with half the education, on the average, of the white citizen; who comes from a background of bad housing, bad sanitation, bad health, bad education, lack of training of all kinds, lack of schools, and lack of job experience. So that individual, who by reason of great courage or for various other reasons is brought into a new environment in one of the cities of our country, desperately needs the special attention and special encouragement that could be given, in some cases, by the Bureau of Indian Affairs, or it might be that the Office of Economic Opportunity would be another agency whose efforts could be brought into play.

Somewhere, there has to be a coordinator. I think the logical focus for such efforts is the Indian Bureau. They can get valuable assistance from other agencies of the Government and private organizations, but the basic responsibility, as I see it, still rests with the Bureau of Indian Affairs, which deals with the Indian on the reservation, or the Indian living, as he does, in nonreservation status in Oklahoma, or the transposed Indian citizen in the great cities of this country.

Mr. HARRIS. I wonder if the Senator would comment on a rather disconcerting situation I have found, which I think indicates a regressive kind of philosophy that many of us non-Indians seem to hold about Indians. That is the idea that there are some kind of peculiar characteristics of Indians which make them particularly able to do handicrafts.

I have often talked with people about the need for greater job opportunities, and so forth, for Indians; and almost invariably, a very well-intentioned person will say, "Well, why don't we try to get some beadwork or tourist type craftwork for our Indians, who are very good with their hands?"

I might say that not only are such comments made by untrained people, but I read the other day a quotation about Indians from a Bureau of Indian Affairs official, who said:

> Indians are particularly good in industries which require manual work, because they are patient, and they have manual dexterity and good hand-eye coordination.

It seems to me that while that statement was meant to be helpful, it really is harmful to say that Indians are different from other people. That Indians could just as well be lawyers, doctors—and some are—business people, electronics workers, or whatever it might be, is, it seems to me, the kind of philosophy we ought to foster.

Mr. McGOVERN. I think the Senator's point is extremely well taken. We are inclined to build up stereotypes about worker groups, just as we do about people of other countries and other racial and ethnic groupings. Perhaps the farther away we are from the group involved, the more distorted our vision and our imagination tend to be.

There is no doubt in my mind that Indians have the same capacities as non-Indians in terms of their innate abilities to become professional citizens—to become teachers, lawyers, and doctors—not that those are any higher callings than those of people who engage in manual labor. But there is no reason to consign any group in this country to one particular profession or occupational level. Indians, in some cases, have achieved great professional or artistic attainment in various fields of endeavor, and they ought to be regarded both in terms of our attitudes and in terms of public programs in the same way that we treat other citizens.

Mr. HARRIS. Mr. President, would the Senator from South Dakota permit me to become a cosponsor of the concurrent resolution he has submitted?

Mr. McGOVERN. Mr. President, I am delighted to have the Senator from Oklahoma as a cosponsor. I ask unanimous consent that his name be added to the concurrent resolution.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. McGOVERN. I thank the Senator from Oklahoma for his very helpful remarks.

Mr. HARRIS. I thank the Senator from South Dakota.

PROPOSED WHITE HOUSE CONFERENCE ON INDIAN AFFAIRS

Mr. HARRIS. Mr. President, I introduce, for appropriate reference, a bill on the same general subject as has just been discussed by the Senator from South Dakota. The bill is introduced on behalf of myself, the Senator from South Dakota [Mr. McGovern], the Senator from Wisconsin [Mr. Nelson], and the Senator from Alaska [Mr. Gruening] to provide for a White House Conference on Indian Affairs.

I invite the attention of the Senate to the fact that in Oklahoma, by proclamation of the Acting Governor, this week is Indian Achievement Week, sponsored by an organization known as Oklahomans for Indian Opportunity. The week will close at noon on Saturday with a luncheon at Norman, Okla., at which the principal speaker will be the Secretary of Health, Education, and Welfare, Hon. John Gardner.

The bill I am introducing would provide grants of no less than $1,500, which would be made available to assist each eligible State to bring together, prior to the White House Conference, interested citizens to discuss local and State problems and to make recommendations for appropriate action to be taken at local, State, and Federal levels. The total sum called for in the bill is $100,000.

States eligible for the planning grant would be those with a meaningful Indian population, according to the latest figures certified by the U.S. Bureau of the Census, whether or not subject to Federal administration.

If a State undertakes to accept and use the sums made available to it, which will be paid through the Commissioner of Indian Affairs to the Governor or other designated State official, that State must report the findings and recommendations of its State conference for use by the White House Conference on Indian Affairs.

I hope that such State conferences will help to lay the groundwork for a well-reasoned, clearcut White House Conference before June 30, 1968. The State and National conferences would not only serve to bring into sharp focus the problems of Indians with regard to education, job training, job opportunity, economic development, and health, but would also afford opportunities for Indians of varying backgrounds and tribes and interested non-Indians to search for answers which would be mutually beneficial.

An official report of the U.S. Senate Interior and Insular Affairs Committee recently pointed out that American Indians still "remain at the bottom of the economic ladder, have the highest rate of unemployment, live in the poorest housing, and suffer chronic poverty." Uninvited, unprepared, partly unwilling, the average American Indian has very little opportunity today to become a contributing member of the total community.

Although the American Indian is a full-fledged American citizen, and half his number live in metropolitan areas, he is still isolated from non-Indians.

I invite others of Senators to join with me in cosponsorship of this measure which is designed as a step toward helping to draw American Indians more fully into the mainstream of the American economy and culture.

Mr. President, I ask that the bill lie at the desk through the end of business on Monday, October 17, for cosponsors.

The PRESIDING OFFICER. The bill will be received and appropriately referred; and, without objection, the bill will be held at the desk, as requested by the Senator from Oklahoma.

The bill (S. 3910) to provide for a White House Conference on Indian Affairs, introduced by Mr. HARRIS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Indian Affairs.

TOBACCO

Mr. TYDINGS. Although repeatedly espousing the promulgation of policies to regain and expand foreign tobacco markets, the Department of Agriculture, on the other hand continues to deny the 5-percent export subsidy payment for Maryland tobacco.

In June of this year Agriculture officials emphasized that the United States has not shared in recent increases in world trade in tobacco. The U.S. share in free-world trade in tobacco has delined to 26 percent in 1965 from 35 percent during the years 1955 through 1959. Figures are available for Maryland tobacco exports from January to August of this year indicating a total volume of $4.93 million, as against $7.93 million in 1965. If this downward trend continues the loss could well reach more than half a million dollars. When one realizes tobacco is the only cash crop for the five southern Maryland counties, several of which have been classified as depressed areas by the Department of Commerce Economic Development Administration, the full impact and seriousness of this drain of export income begins to come into proper focus. To make the situation even worse, nearly 18 million pounds worth approximately $14 million, is being held awaiting shipment in the hope that the Department of Agriculture will grant the export subsidy to Maryland tobacco.

When the Department of Agriculture has publicly stated that their program of export payments was initiated because "the United States has not shared in recent increases in world tobacco trade," it is difficult to understand the Department's position preventing the subsidy for Maryland.

Used for many years by the Swiss as the principal ingredient in their cigarettes, Maryland tobacco has been gaining acceptance in other foreign markets such as Netherlands, Belgium, West Germany, Spain, Portugal, and others. A copy of a letter from a Portugese tobacco company has been made available to me indicating a drastic cutback, and evidence is expected from sources in Switzerland. Since Switzerland buys close to 70 percent of Maryland tobacco, and there has thus far been a decline of 42 percent for this year in Swiss purchases, it is immediately evident that the loss of the tobacco subsidy for Maryland will effectively gut the foreign market, lower the U.S. share in world tobacco trade, and result in severely depressed economy for all of the five southern Maryland counties.

The Department of Agriculture's reason for denying the export subsidy for Maryland tobacco does not cite statutory language, rules, regulations, or precedent to support their decision. In addition, at a recent meeting between the Maryland delegation and Mr. Horace Godfrey, Executive Vice President of the Commodity Credit Corporation of the Department of Agriculture, it was admitted that Department officials possess the authority to grant Maryland tobacco an export subsidy.

Title 15, United States Code, section 714(f) "Export or cause to be exported, or aid in the development of foreign markets for agricultural commodities" appears to be a clear mandate of Agriculture's responsibility, and is certainly not consistent with their position of denial of the export subsidy to Maryland tobacco, and to confuse this with other portions of section 714c, "Specific powers of corporation," or to find against a subsidy for export of Maryland tobacco on the basis of other powers of the Corporation, is to nullify the responsibilities so ably defined in section 714(f).

U.S.-OWNED VACANT LOT BARRED AS PLAYING FIELD

Mr. KENNEDY of New York. Mr. President, an article by William Raspberry in yesterday's Washington Post reports that the Capitol Police have forbidden a group of children from St. Peter's Church from using a church lot for a football field. I have looked into the situation and learned the following.

The lot in question is located at First and C Streets SE. The Federal Government acquired the land under the Supplemental Appropriations Act of 1961 (74 Stat. 513) for the proposed Madison Memorial Library, an annex to the Library of Congress. Under the act, it became part of the U.S. Capitol Grounds.

The police and the Office of the Capitol Architect have defended their action on grounds that there is a law against playing on the Capitol Grounds. The law in question is codified as section 214 of title 40 of the United States Code, and in fact it does not establish a total ban against the use of the Capitol Grounds. Rather it provides:

> It shall be the duty of the Capitol police to prevent any portion of the Capitol Grounds and terraces from being used as playgrounds or otherwise, so far as may be necessary to protect the public property, turf and grass from destruction or injury.

The key words are "so far as may be necessary to protect the public property, turf and grass from destruction or injury." Mr. Raspberry's article states:

> Philip Roof, executive assistant to Capitol Architect J. George Stewart, said there has been no particular problem with youngsters damaging the grounds. There is nothing, really, to damage.

Assuming that Mr. Roof has been correctly quoted, I believe that the law is clear and that the children should be permitted to use the grounds.

Vacant fields are not easy to find in Washington, D.C. When one is available, it should not be removed from use because of the whim of some public official.

I ask unanimous consent to insert the article in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S.-OWNED VACANT LOT BARRED AS PLAYING FIELD

(By William Raspberry)

> St. Peter's Angels haven't exactly been told where to go, but they've been ordered to get the devil out of their former football paradise at 1st and C Streets se.
>
> The Angels (top weight: 130 pounds) and a second St. Peter's team of 100-pounders had used the two-block lot for about five weeks. Police evicted them last Thursday.
>
> The lot is the property of the U.S. Capitol, and there is a law against playing on the Capitol grounds. So now the lot—almost a park, really—just sits there, protected by battered signs that say "U.S. Property: No Trespassing."
>
> "I don't know what we're going to do now," said the Rev. Patrick Durkin, pastor of St. Peter's Church. "We're sort of hung. We're trying to find out if maybe we can provide transportation for the kids to Turkey Thicket Park, at 10th Street and Michigan Avenue ne. The next closest vacant lot is in Anacostia."
>
> The Capitol Hill lot once contained some of the area's most attractive row houses. They were torn down three years ago when the Government acquired the site for the proposed Madison Memorial Library, an annex to the Library of Congress.
>
> Indications are that it will be at least a year or two before construction begins. In the meantime, the huge lot, a rarity in this crowded city, apparently will just sit there.
>
> Philip Roof, executive assistant to Capitol Architect J. George Stewart, said there has been no particular problem with youngsters damaging the grounds. There is nothing, really, to damage.
>
> "There's a law against using the Capitol grounds as a playground," he said. "The minute we acquired the lot for the library, it became a part of the Capitol grounds."
>
> Principal objection to use of the lot as a play area, he said, is legal. "For example," he said, "if a child is hurt there while he's playing, the Government could be sued under the Federal Torts Claim Act."
>
> Roof also noted that the Government "has spent a lot of money to seed that ground."
>
> The lot is fairly attractive, even if the grass has only a slight ascendancy over the weeds. The shrubbery that once graced the rowhouse lawns give it the appearance of a park.
>
> But it is a park that no one uses, nor is there any encouragement to those who would. There are no benches, fountains, walkways or other enticements. And, too, there are those "No Trespassing" signs.
>
> According to Father Durkin, the lot's major use is as a two-block restroom for dogs. "Nearly everybody on Capitol Hill walks his dog there," he said.
>
> Young adults of the area have occasional pick-up softball games there on weekend

afternoons, although that, too, is forbidden and presumably will be enforced now.

Father Durkin said police indicated there have been complaints from residents about youngsters playing there. But he has been unable to find any of the complainants.

"In fact, residents of the Coronet Apartment House and others are circulating a petition trying to get permission to use the lot for recreation," he said.

Others are seeking help from high places, including members of Congress and the Vice President's Office.

According to Father Durkin, St. Peter's two teams—some 40 youngsters aged 11 to 15—are the only tackle football teams for that age group between 1st and 15th Streets se., from East Capitol Street to the Anacosta River.

"It is because of this that the Catholic Youth Organization permitted us to take in non-Catholic boys," he noted.

Capitol Architect Stewart said someone was in his office last week to ask permission to use the lot as as play area. He hinted that he was miffed because "they had been using the lot already and only came to ask permission after they were chased off by the police."

But he said he couldn't have granted permission anyway. "I haven't any authority to bypass the law," he said. "The only way permission could be given is through an act of Congress."

Waiting for an act of Congress, particularly where District problems are concerned, is not the city's most rewarding pastime.

The PRESIDING OFFICER (Mr. TYDINGS in the chair). What is the will of the Senate?

Mr. HARRIS. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

LATIN AMERICA

Mr. SMATHERS. Mr. President, as usual, today's newspapers and TV news shows were filled with reports about Vietnam. They also were yesterday. They will be again tomorrow.

In fact, during any period of a few weeks we can read or see thousands of stories and programs about Vietnam, about De Gaulle, China, NATO, the Soviets, about new nations created in emerging Africa.

Just in the last few days the headlines have been dominated by stories on the forthcoming Manila conference and President Johnson's intended visit to six Asian nations.

On Thursday of last week still another international area, the continuing problem of better East-West relations was given major attention in a Presidential address to editorial writers.

This is all very well. Since we in the United States do have a great concern with so many parts of the world, we must keep informed and abreast of change.

But some of the most important change and progress has been made in an area about which we read and hear all too little—Latin America.

Somehow news of this hemisphere and our closest neighbors is too often lost in the back pages of the press, or dropped from print altogether.

The reason is certainly not for lack of competent reporters. There are many fine U.S. correspondents who live or travel there, and who send back frequent, detailed dispatches.

There are exceptions, of course, but I believe it is a reflection on our own interests in the United States that we do not give enough emphasis to Latin America.

For there is big news in the nations to the south—news that should be important to us. For it is the stuff of which futures are woven.

My point is, and it is one which I have made—indeed have felt forced to make—many times in past years:

Given the enormous drain on our national attention span, we may again today fall back into a bad habit that cost us dearly in the past—the habit of paying scant attention to Latin America and its problems—the habit of taking Latin America for granted.

Most of us can easily recall the stiff price we paid for past neglect of the hemisphere. There is no excuse for repeating our mistakes—and I am quite hopeful that we will not.

But we must be vigilant.

There is no Latin American problem more potentially dangerous than the problem of not really understanding Latin America; of paying lip service to Latin America while we let our attention drift off to seemingly more urgent flashpoints of the world.

It might be well then to turn southward, even for a brief time, and take note of some new and quite important developments.

Someone once said, "The more things change the more they remain the same."

He must have taken a trip to Latin America.

For if ever there was a place that has been tossed and churned by tumultous change it was—and is—Latin America.

Yet, when we take a close look it is often to discover that things appear to be very much the same as they were last week, or last year, or maybe even a century ago.

Such a phenomenon has caused many to suffer from a special sort of myopia—the net cliche image of Latin America, the nonthinking packaged idea of how a quarter of a billion people in 23 countries live their lives.

According to this pipedream, the Latin American people are all "pretty much the same," and as for the countries, "there is not much difference between them," and besides, "they all speak the same language anyway." As a matter of fact, the Latin Americans speak three major languages and countless Indian languages and dialects.

With these unfacts firmly in hand, it is simple to ride off in all directions, and do everything wrong.

As for instance, sewing a legislative suit of clothes, so to speak, and expecting it to fit each and every Latin nation neatly and trimly with no bulges anywhere.

We can no more lump together the highly individualistic and proud nations of the lands to our south than we can lump together the completely separate personalities of the human beings who make up a family.

It was Bolivar who reminded us that Latin Americans are a distinct variety of the human species.

Or as an Argentine author put it, "We—Latin Americans—behave as if each one of us were unique and as if he were alone."

There must be individual decisions on our part about the Latin nations. There must be individual care and attention given to their highly diverse problems.

We might now examine a few of the realities of Latin America in 1966.

No. 1: The Alliance for Progress is a continuing and growing success. It has worked. It has helped many countries and millions of people. It has stimulated economic growth and social development.

Is it an unqualified success? Of course not.

Four years ago, when the Alliance was just getting underway, and when, in the zest of the moment, it was overly praised, I made this comment in a Senate speech:

> Those who see the Alliance for Progress as a patented "ready-to-work-in-30 seconds" headache cure can look elsewhere for a miracle drug. It will not cure the patient in Latin America overnight or in a week—or even in a year. He needs plenty of attention, considerable surgery, a long period of convalescence and, most importantly, the firm will to help himself get better."

The Alliance is a man-made institution dealing with problems as towering as the Andes. It is a surprise that the program has made such lengthy strides.

The Charter of Punta del Este called for a yearly per capita economic growth rate of 2.5 percent. By comparison between 1953 and 1961 the Latin American average gain in per capita product was 1.3 percent.

By 1964, the Latin American average in this growth bracket was 2.3 percent and in 1965, it was more than 2.5 percent.

Gains were uneven. Argentina's per capita product jumped more than 5 percent last year, and Brazil recovered well after 2 years of stagnation. Mexico, Peru, Venezuela, Chile, El Salvador, Guatemala, Honduras, and Nicaragua reached or surpassed the Alliance's 2.5-percent growth goal. Bolivia and Panama made some gains. Colombia, Costa Rica, Ecuador, and Uruguay did not reach the 2.5-percent goal.

The combined gross national product for Latin countries grew to 5.5 percent in 1964, ranging from 10.3-percent gain for El Salvador and a 10-percent increase in Uruguay and a loss of 1.5 percent in Panama.

The U.S. $3.5 billion contribution in this first half of the Alliance's 10-year program has aided in the construction of more than 300,000 homes, helped build 23,000 classrooms, and helped print more than 10 million textbooks.

Pure water has been supplied through new systems to more than 15 million people in over 1,000 villages. And 13 million children are nourished by a daily hot lunch, while another 12 million adults share in food shipment plans.

Tax reform and practical plans to answer the Latin American poor man's cry for land were parts of the Alliance. The 5-year results are heartening.

Fourteen Alliance nations have instituted reforms in their tax systems. Some are quite drastic, by Latin standards, in closing loopholes and cracking down on tax evaders. Overall collections are up 4 percent and in some countries by 30 percent. Brazil and Argentine reforms and improvements are expected to build tax collections by $200 million in each country this year alone.

Said one observer:

> Before the Alliance many of the tax policies of Latin America hadn't changed since Cortez' time.

A dozen of the Alliance members now have enacted laws in the field of land reform and 12 have set up new land reform institutions. In Mexico, Bolivia, and Venezuela, where agarian reform programs were underway before the Alliance began, a substantial percentage of the farming class has benefited. Meanwhile, Chile, Peru, and El Salvador are undertaking ambitious land reform programs.

There is a sobering fact to temper these optimistic figures. Since the start of the Alliance, the Latin America population has increased by more than 20 millions. Thus, in some parts of the region today, the frantic race just to keep even is at best a tie. We must bear in mind, too, that experts estimate a population of between 550 million and 600 milion in Latin America by the end of the century.

There is another important consideration to remember when we speak of the Alliance. It takes more than graph paper and statistical tables to evaluate its gains. The Alliance is a spirit of commitment and concern on the part of neighbors.

It was reflected in the affectionate reception given President Johnson on his visit to Mexico. The millions who applauded him were cheering his sense of concern with Latin America, and his continuation of the program brought to life by President Kennedy.

It was encouraging to note President Johnson's call last April for a hemispheric summit meeting "to examine our common problems and to give the Alliance for Progress increased momentum" and to "give necessary impulse to new and additional initiatives."

I am quite optimistic about the results of the conference, which is now scheduled for early next year.

Actually the Alliance is the sum total of all U.S. cooperation with Latin America.

On June 18, 1962, I said:

> Therefore, the task falls to all of us—those in government, those in business, those who classify themselves as private citizens—to join forces in making it (the Alliance) succeed.

And this is precisely what has happened. There is plenty of credit to go around.

The idealism of the Peace Corps set the tone. There have been 7,500 volunteers of the Peace Corps assigned to Latin American nations since 1961—more than in any other region.

Thousands of others have joined in.

A University of North Carolina agricultural team imparts invaluable know-how to Peruvian farmers; USIA programs bring news and knowledge to millions; Navy Seabees channel new streams for rivers dangerously clogged by falling ash from a Costa Rican volcano; the U.S. Army administers aid to the victims of an earthquake in El Salvador.

The partners of the Alliance program, which is now just 2 years old, have accented the people-to-people aspects of the Alliance with remarkable success.

Currently, residents of 30 States and the District of Columbia are working closely with 31 areas in 15 Latin nations to spur development through self-help projects. Last year, the partners extended $3.5 million worth of material and technical aid to Latin America. Their work ranged from the establishment of 17 full 4-year scholarships for students from British Honduras to a doughnut-making machine for the Rio de Janeiro school system.

Not all the giving was one way, either. Venezuela sent Tennessee a $100,000 art collection which has been on tour for the past 12 months, and which sparked the creation of a Southeastern Regional Arts Council.

In addition, Operation Amigo, which was initiated by the Miami Herald in my State of Florida, has operated to provide financing for people-to-people contacts.

The U.S. business community has made an important contribution to Latin America. It has demonstrated responsibility and capability.

Where Latin American governments have created a favorable atmosphere for foreign investment, the economies of their countries have improved dramatically. Mexico and Venezuela are good examples.

The myths of Yankee exploitation has been replaced by the reality of effective U.S. business cooperation with Latin American governments and peoples.

An interesting case is Chile, where President Frei's government is working out arrangements with U.S. companies to form mixed companies, with Chilean participation in the ownership.

President Johnson's guidance of the Alliance has been sure-handed and is deserving of praise.

We should also acknowledge the role of Thomas Mann who nurtured our entire policy for Latin America through some dim and difficult days, when he served as Assistant Secretary of State of Inter-American Affairs.

Mann's successor, Jack Hood Vaughn, carried on the policies in capable fashion. He has since gone over to the the Peace Corps, to be succeeded by our former Ambassador to Brazil, Lincoln Gordon.

Ambassador Gordon is capable, knowledgeable and an advocate of the policies which, I believe, have contributed a good deal to the advances made in Latin America in the past few years. I wish him every success in a difficult post.

It is easy to be a doomsayer about the Alliance, and to belittle social and economic gains. It is easy to be an apostle of gloom about the whole of Latin America. But without joining the Little Orphan Annie optimists' club, I believe we should recognize some of the considerable advances which have been made, if for no better reason than to encourage an even greater effort both here and there.

That statement is no hymn to smugness, nor a call to rally round the status quo.

There are enough disappointments to curb the overenthusiastic.

For example, despite overall gains, some Latin American economic charts would blanche the face of any stony-eyed banker.

Poverty still grinds millions beneath its heels; illiteracy shackles millions more; sickness, black despair and an early death are the only dead-level certainties for huge masses.

But with it all there is progress.

There is a common market working in Central America, at a pace and with a drive undreamed of just a few years ago. It is a boom area. From 1960 to 1964 trade between the nations in that area tripled, to $95 million. In the last 2 years, it has jumped 123 percent. Trade in manufactured products has risen sharply, spurring further industrialization. For example, private investment in new industries in Central America increased 18 percent last year.

In Mexico there is a confident government which budgets hundreds of millions of dollars for public works, schools, and hospitals, and oversees an incredible economic expansion in the nation.

An interesting example is the fact that the Mexican Government plans the construction of a multimillion-dollar microwave system for communication within the country and which, incidentally, will be ready in time to televise to Central America and the United States black-and-white and color presentations of the 1968 Olympic games from Mexico City.

In Brazil the wild maverick of inflation has been bridled, for the time being, at least.

In Colombia a bloody years' old terrorism has been effectively smashed, and the number of individual terrorists reduced by government action from 2,270 to about 100.

In Venezuela there is a continuity of democratic government, despite the all-out assaults of Communist killer teams on a free government and its leaders.

Or let us measure this progress in another way.

Not long ago, President Leoni of Venezuela said he was "absolutely sure there will not be a coup d'etat" in his country. He added:

> They are things of the past in Venezuela.

An extraordinary statement? Well possibly not for the United States or Switzerland. But his remarks pertain to a country which 10 years ago was writhing under a dictator's heel, which later had to fight off Castro terrorists, and which now has been able—for the first time in its history—to pass on freely and peacefully the authority of government from one popularly elected president to another.

That leads us to another hard fact of Latin America today.

Castroism is utterly demolished as an effective symbol of leadership, change, or even false hope everywhere in Latin America, except within his own captive Cuba.

The Castro-triggered terrorism of Venezuela, Colombia, and Peru has been blunted by the actions of free governments and is completely discredited in the eyes of the people. The Havana Tri-Continental Conference proved to be a boomerang.

Five years ago, Castro was in full power and his goal was to "export" Castroism all over the hemisphere. He declared civil war for some Latin nations. His forces actually invaded others. He trained thousands of guerrillas, propagandists, terrorists, and political agitators to infiltrate the hemisphere.

He was a hypnotic orator, full of an overwhelming mystique.

But it did not work.

His plan was to be a Bolivar in reverse, to liberate Soviet or Peking style people who already were free.

And in the hurly-burly of Latin America 5 or 6 years ago, amidst despair and pressures for radical change, it looked as though he might have a good bet.

Without dwelling on Castro in Cuba—which is a separate subject—it is sufficient to say that the shrinking Castro who lost out in the hemisphere has a mirror image back in Havana.

It is not the way it used to be in his palmy days.

A lot of his old team is gone. Some of them, no one is quite sure where. Practically none of them have been traded up. Mostly they have been waived out of the league.

And there broods the maximum leader, in his rationed, dimmed, patched up, creaking Cuba.

This brings us to one of the cardinal facts of Latin America in 1966. It is this. Latin America is now undergoing the most positive democratic movement in its history.

A Caracas professor recently told a U.S. visitor:

> The Venezuelan people are making great strides against illiteracy. They have cut it in half. Having done so the people are choosing democracy as their way of life.

He did not have to be reminded of another fact which Mexico has amply demonstrated: Political stability is the strongest foundation on which to build modern Latin America.

There are many reasons for this swing to political freedom. One is the spread of literacy and education.

One broad estimate is that Latin American budgets for education have risen 25 percent in 4 years, reducing illiteracy overall in the hemisphere by 7 percent during that time.

A second reason is the explosion in mass communications. More newspapers and magazines are published than ever before. The inexpensive transistor radio is everywhere, not just in the hands of the city rich and middle class, but—significantly—also listened to by the barriada dweller, the often illiterate altiplano Indian, the campesino, the peon.

For instance, Honduras has one radio for every nine people, as does Brazil. In Chile and Colombia the ratio is 1 radio per 4 people. In Argentina it is 1 for 3. Excepting poverty-stricken Haiti—1 for 46—the fewest number of radios per capita is in Guatemala where there is 1 per 17 people.

The transistor radio has, and will continue to have, a great impact on Latin America, for it is a simple and effective tool to educate, to inform, to instruct, and, of course, to agitate.

Television is newer, but spreading. Ownership totals 1 per 37 people in populous Brazil, 1 per 12 in Panama, but 1 per 105 in El Salvador and 1 per 122 people in Ecuador. Its impact is growing steadily.

The bookstore, the newsstand and the library provide more mass communication everywhere in urban Latin America.

Furthermore, newly inaugurated telephone cables are binding our two continents closer together, and proposed satellite communications systems for intrahemisphere phone and TV exchanges hold great promise to improve understanding between our peoples.

Still another factor to help invigorate democracy is the developing political maturity among peoples and a spreading belief that democracy can work.

Also, there is an increasing participation by more and more people in events that concern and affect them, coupled with a growing awareness of world happenings and the universal spirit of change.

For instance, with the help of the Alliance for Progress there has been a relatively large increase in the total number of university students enrolled in Latin American universities. In 1961 there were 520,000 students in 169 universities; in 1965 there were 680,000 students attending 196 universities—a gain of 31 percent.

Mr. President, a U.S. observer wisely noted a few years ago:

> We have a fortunate phenomenon in Latin America: at a time of gravest danger we find the most courageous leadership.

Happily the number of wise and courageous—and democratic—Latin American leaders has grown since he made his observations.

Recall this important fact:

In 1954, 13 out of the then 20 Republics were ruled by military Presidents, all except 1 of whom originally came to power by armed revolt.

By contrast, today more fairly elected and truly representative Presidents of nations hold office in Latin America than ever before.

Just this past Monday, Brazil took a first long step toward the reestablishment of democracy with the election of Arthur Costa e Silva as President.

Costa e Silva was chosen by Congress as Brazil's 22d President. When he takes office next March, there is every indication that he will devote his 4-year term to expanding the popular base of the revolution that began with the ouster of Joao Goulart's regime over 2 years ago.

Clearly, Brazil, with its long tradition of popular participation in government, is aiming for a smooth and orderly transition from the military leadership of President Castello Branco to the reaffirmation of constitutional institutions.

Castello Branco's record of success is long and distinguished, but now that his homeland has again been set on a forward course, he has wisely chosen to make way for an eventual return to civilian rule.

Another nation that gives us cause for guarded optimism is Guatemala. There President Mendez Montenegro has moved to put down extremists of both the left and the right.

His government treads a high and wobbly wire. To its left, Communist terrorists allied with Fidel Castro plot acts of subversion and terrorism. To its right, the White Hand group plants bombs in Guatemala City and distributes treasonous propaganda. Below, the army waits—conceivably ready to move in and take over should Mendez falter.

Plainly, democracy is by no means secure in Guatemala. But the simple fact that a constitutionally elected president opposed by the army was able to take office augurs well for the future. If Mendez can successfully negotiate his perilous course, he may usher in a new age in a nation whose political history has been far from happy.

Argentina remains a question mark.

Juan Peron's legacy to Argentina was one of political chaos, demagoguery, and bankruptcy. It is a nightmare that has not ended yet.

The sad fact is that the civilian leaders elected to rule Argentina did not have the political and administrative competence to work out any sort of modus vivendi with the powerful Peronistas and the scattered democratic parties of the country.

There were successive fiscal crises, serious inflation, labor difficulties and economic stagnation in one of the wealthiest nations in all of Latin America. There was, too, a growing lack of popular confidence in the Government.

In that atmosphere apparently the armed forces decided there was no chance for sufficient change through the electoral process. A fear of further Peronist entrenchment in scheduled municipal elections, particularly in the province of Buenos Aires, reportedly touched off the military's intervention.

President Ongania has stated the aims of his military regime. He and his lieutenants will work to stabilize the Argentine economy and to create a political framework in which democracy can flourish.

We have heard the pledges. Now we must wait to see the performance.

The sooner President Ongania can establish the climate conducive to the reestablishment of popularly chosen governments, the better it will be for the entire hemisphere. The United States should do all it can to help.

This then leaves among the nondemocratic regimes the cruel dictatorships of Fidel Castro in Cuba and the bizarre Duvalier in pitiful Haiti. Only in Paraguay where President Stroessner rules is there another government which did not assume authority through at least some form of election.

This is not to be naive about it. All the trappings of democracy are not to be found in full measure in all of the countries.

There are serious incursions against a fully free press in some countries, as reports of the watchdog Inter-American Press Association have several times pointed out.

The past presidential election in Nicaragua was limited in the freedom of its opposition.

And in Ecuador, in a curious switch, there was a civilian coup against a military junta which put President Yerovi Indaburu into office in April.

But 200 years of colonial rule and a century more of liberation, palace revolts, dictatorships, civil war, strong men, more revolts—these are the tangled limbs in the family trees of the Latin American nations.

It's not terribly surprising that the timber of government from this tree is not all first grade. Some of it needs more seasoning.

Heartening is the fact that so many of the men sitting in Latin American national palaces are so strongly dedicated to democracy.

Such freely elected leaders as President Diaz Ordaz of Mexico, President Leoni of Venezuela, President Belaunde Terry of Peru, President Frei of Chile, and President LLeras Restrepo of Colombia are only some of them.

A Latin American political landmark was the completely free and scrupulously observed election last June in the Dominican Republic, which by a landslide named President Balaguer. It was a vital democratic action and example which Latin Americans would not readily overlook nor forget.

Other fledgling Latin American nations have joined the ranks—notably Guyana, formerly British Guiana, and Jamaica and Trinidad-Tobago. All three of them used to be under British rule and have all maintained free parliamentary systems as they strike out to seek their respective national destinies.

It is heartening to see these healthy political developments. It recalls a speech made in the summer of 1962, when I urged that we cooperate and offer help not only to the patently democratic governments of Latin America, but those nations which were "clambering through different stages of political transition" toward democracy. Fortunately, several more countries have made it since then.

However, the Latin American political map today calls for careful scanning. It is not sufficient to assume that democratically elected presidents automatically mean a succession of freely chosen leaders in each and every one of these countries.

Gigantic social, economic, and political problems can easily bring a temporary halt to the democratic process in some nations, if these problems are not solved successfully.

But even though the long wave of history favors representative government in Latin America, we must remember that democracy is a sophisticated form of governing.

It cannot send down strong roots without careful cultivation. It cannot grow and thrive without constant attention and a firm commitment to its principles.

Mr. President, the way ahead for the nations of Latin America will not be smooth. There will undoubtedly be future unrest, and new political upheaval in the coming years. Perilously weak economies will continue to stagger from crisis to crisis.

But it is plain that the general course of the future is forward. With wise and skilled helmsmen, that rare and ever fragile vessel of government—democracy will yet sail through shoals and storms to calm and peaceful seas.

NEW YORK STATE ACTS TO EASE DOCTOR SHORTAGE

Mr. JAVITS. Mr. President, Governor Rockefeller of New York last week announced a plan whereby the State would participate in the cost of expanding medical student enrollments at New York's private medical schools. This proposal, which goes into effect beginning with the 1967-68 academic year, serves as an outstanding example of a State's accepting its responsibility in meeting the health crisis facing the Nation.

The program also stands in marked contrast to the administration's lag in meeting the Federal Government's responsibility. The Health Professions Education Assistance Act contains a provision for aid to medical schools very similar to what is being done in New York, whereby Congress is authorized to appropriate $40 million for the current fiscal year for education improvement grants. However, despite the fact that the Public Health Service, realizing the need, requested the full $40 million authorized, the administration requested only $30 million, 75 percent of the authorization.

This administration cut means that while the basic grants for all health professions schools eligible under the law will be fulfilled completely, no funding is available for the special improvement grants going to the schools with the greatest need. The purpose of these special improvement grants is to "help to insure adequate preparation of all future physicians and dentists, thereby increasing the quality of medical care available to the people." Clearly, the appropriation request was insufficient.

I ask unanimous consent to include in my remarks the text of Governor Rockefeller's announcement of this proposal.

There being no objection, the text was ordered to be printed in the RECORD, as follows:

Governor Rockefeller today announced agreement had been reached on a plan whereby the State would participate in the cost of expanding medical student enrollments at New York's private medical schools, beginning with the 1967-68 academic year.

The Governor said the agreement had been reached in the course of negotiations with deans of the private medical schools,. conducted through State University of New York.

Governor Rockefeller said State University President Samuel B. Gould had informed him that the plan would be presented to the University's Trustees for their approval later this month. The plan could then be implemented through individual contracts with each of the private schools.

Under the plan outlined by the Governor each of the private schools would agree to increase enrollments by at least five medical students per class, above a mutually agreed upon enrollment base. The State in turn would pay the schools $6,000 per year for each additional student, to a limit of 25 students per class.

The State would also participate in funding capital projects necessary to accommodate the increased enrollments, up to 50 per cent of project costs. Ceilings would be set on the total amount of state funds for each school.

According to the Governor the program of State participation would extend through June 30, 1974, and would increase by approximately 150, the number of new first year students admitted each year to New York's private medical schools, including 20 students at the new Mt. Sinai Medical School.

The Governor said State University, at his request, began discussions with the private medical schools more than six months ago.

Private medical schools which would participate in the program are:

Albany Medical College, Albert Einstein College of Medicine of Yeshiva University, Cornell University Medical College, Columbia University Medical College, New York Medical College, the New York University School of Medicine, University of Rochester School of Medicine, and the newly established School of Medicine at Mt. Sinai Hospital.

Governor Rockefeller also made public the texts of the following letters:

"THE ALBANY MEDICAL COLLEGE OF UNION UNIVERSITY,
"Albany, N.Y.

"Hon. NELSON A. ROCKEFELLER,
"Governor of the State of New York,
"Executive Chamber,
"Albany, N.Y.

"DEAR GOVERNOR ROCKEFELLER: On behalf of the Trustees and all of the faculty and student body of Albany Medical College and, indeed, of the Albany Medical Center Hospital, I express our gratitude for your vigorous and effective support of medical education in this State.

"Without your interest in this great public cause and your statesmanlike vision of the future, the progressive State aid program which has been effected would have been impossible. You have here made a significant contribution to the public welfare.

"Sincerely,
"FRANCIS BERGAN, *President."*

"MOUNT SINAI SCHOOL OF MEDICINE.

"Hon. NELSON A. ROCKEFELLER,
"Governor, State of New York,
"Albany, N.Y.

"DEAR GOVERNOR ROCKEFELLER: I have just learned from Dr. George James, Dean, Mount Sinai School of Medicine, details of the plan under which you and the State University are making funds available for the further development of the voluntary medical schools of New York State. We are extremely pleased that our medical school will be a full participant in this program.

"It is extremely gratifying to us to note the excellent way in which you have given this matter your personal attention and have carried it through to a successful conclusion. The development of our medical center will owe much to your foresight and statesmanship. We are firmly convinced that the Mount Sinai School of Medicine will be a superb institution, and we deeply appreciate the role you have played in making it possible.

"It is our strong conviction that medical education in New York State is a matter of such great importance that we look to the day when the State will be prepared to accept the responsibility for a continued program for its support. If there is any way in which we can assist you in the future in highlighting the great significance of this problem and its need for continued support, please do not hesitate to call upon us.

"Sincerely yours,

"GUSTAVE L. LEVY,

"Chairman, Board of Trustees."

MAIL SERVICE

Mr. BREWSTER. Mr. President, I am sure I speak for the vast majority of my colleagues when I say that there is something seriously wrong with the U.S. mails. Every one of us has been contacted by constituents, complaining—and rightly—that there are inordinate delays in delivering the mail, and sometimes it is not delivered at all.

And now, hard on the heels of this outcry comes the report of the Postmaster General for fiscal year 1966. It is 204 pages long, but on not one of those pages is there mention of the problems experienced by almost every American, much less a proposed solution.

The plain, unvarnished truth is that the postal service is seriously underfinanced.

Before going into causes, effects and solutions, I want to cite some specific examples of chaos.

Chicago, Ill.: In this city the tie-up of mail is the worst in its history. More than a million pieces of mail are backlogged—including hundreds of thousands of pieces of first-class mail—and the end is nowhere in sight. The size of the backlog is growing each day, not diminishing. The employee force cannot keep up with the mushrooming volume.

New York City: First-class mail is being held up in the post office as long as 24 hours, and sometimes longer. Third-class mail is being delayed at least a week, and often longer.

Washington, D.C.: Carlton Beall, an excellent postmaster, went on television last night to explain that mail deliveries are being delayed because of the lack of trained and experienced employees. He pointed out that a letter carrier's job, as an example, is a skilled job. It cannot be performed by just anybody. The lack of skilled help is causing bad service. Third-class mail is backlogged by at least 8 days.

The National Association of Letter Carriers and the United Federation of Postal Clerks—who are often the only lobbyists for the average citizen of the United States in the matter of improving or maintaining the mail service—have bombarded the Postmaster General with hundreds of cases all over the country where first-class mail is being curtailed and disregarded because of a foolish infatuation with economies.

In the October issue of the Postal Record, the official journal of the letter carriers, Editor James H. Rademacher lists 30 additional horror stories from 19 different States showing how the traditions of the postal service are being destroyed by excessive frugality.

Just today—October 13—one of my constituents, John T. Donelson, of Chevy Chase, Md., received an attractive invitation to attend a function at a Washington hotel. He was very pleased to receive the invitation—until he discovered that the affair to which he had been invited had been held 9 days ago—on October 4.

In city after city, letter carriers are told that if they cannot deliver all the first-class mail in their satchels by the end of an 8-hour day, they must carry the mail back to the post office to await delivery the next day. In many cities, no mail has been delivered at all in certain areas because there was nobody in the office to do the job.

This, Mr. President, in the wealthiest, strongest, and most industrially efficient Nation in the world.

I might point out that in the years 1889-93, when the famous John Wanamaker was Postmaster General, he issued a strict order that all first-class mail arriving at a post office during daylight had to be delivered within 2 hours.

We have fallen a long way from such standards of service.

I am sure, Mr. President, that every Member of this body has been inundated with mail from indignant patrons complaining about the horrible postal service in their area.

All I can say to my own constituents—and I say it sadly and bitterly—is that they have not seen anything yet. Just wait. There is a backlog of mail in almost every major post office in the country—and in many post offices that are not so major. The mail is piling up faster than the employees can handle it. And the Christmas rush has not even started yet. If the employee force cannot handle the present volume, what is going to happen when the annual Christmas rush begins? What is going to happen, Mr. President, is collapse and chaos—unless we do something about it in a hurry.

What has caused this catastrophic condition?

There are several principal causes.

First. The mail volume has increased beyond all anticipation. In some areas the volume has increased as much as 15 percent above the predicted increase. This seems unavoidable. There is no way the Post Office can control the volume of business it is called upon to perform. The American people do that. But, Mr. President, I would like to point out that the Post Office Department has been predicting the volume for the future, for years. They base their appropriations requests on these predictions. And time after time they have come in with a low estimate, and have been completely taken by surprise by a sudden increase in volume. Surely there must be something wrong in the system of predicting mail volumes—and in requesting appropriations. It would be unreasonable to ask them to hit the figure for the ensuing year right on the nose—but, to miss by 15 percent. That is being a bit too far out.

Second. In the name of economy, the Department has issued widespread instructions—which are applied stringently throughout the system—that overtime must be restricted to 1 hour for every 100 hours of regular time. This means that there is no way for the experienced employees to handle the mounting volume—and only experienced employees are capable of handling crisis situations. This means that the new postmaster of Chicago is faced with a backlog of a million pieces of mail—and cannot order his employees to work overtime to clean it up. Certainly, this growing mountain of mail cannot be cleaned up by green, inexperienced, and uninterested temporary casuals recruited off the streets. This is a crisis situation, and it can be solved only by professionals who know what they are doing, and who have pride in the service.

The Post Office Department seems incapable of getting into its bureaucratic head the fact that conditions vary from post office to post office. The mail volume may be normal in, let us say, Cleveland, on a day that it is an avalanche in Baltimore, and vice versa. Inflexible nationwide rules and regulations are inadequate to handle the ever-changing kaleidoscope of mail volume. And, incidentally, I thought we permitted the Post Office Department to decentralize and regionalize its operations just to escape the iron restrictions of inflexible nationwide regulations.

Third. We are paying our postal employees too little money. Certainly, we voted them a pay raise this year. It has been called the invisible pay raise. It was wiped out by the rising cost of living before it even became effective. Postal work is specialized work. It is skilled work. It requires intelligence, integrity, stamina, commonsense. How is the Post Office Department going to recruit men with these attributes when they are offering them wages far below the going rate in the sanitation department, in the transit companies, in almost every other reasonably comparable type of job in their communities?

How can the postmaster of Chicago recruit first-class people into the post office when the city is offering a starting wage for trash collectors $3,000 higher than we are offering our potential letter carriers?

Fourth. The Post Office Department is suffering from unrealistic restrictions on the appointment of new employees. Even in those areas where it is possible to find suitable recruits, the Post Office cannot hire as many as they need to do the job.

In short, Mr. President, the cause of the problem is lack of manpower. Machines do not move the mails; men do. If you do not have enough men to handle the volume, the volume will not be handled. It is as simple as that.

Manpower, of course, costs money. Eighty percent of the postal budget goes for wages. When the Department does not have enough money, it is not going to have enough people to do the job.

The solution, Mr. President, lies in the hands of the Postmaster General. This is a national problem which affects the Nation. It is a crisis situation, and it must be handled by crisis tactics.

I call on the Postmaster General to take the steps which are necessary to put a halt to this deplorable situation—now. And I also urge him to seek an appropriation for the coming year which will be large enough to avert another catastrophe of this kind.

The Post Office Department, Mr. President, is unique. It is special. Alone among all agencies of Government it cannot control the amount of business it does. It must—or it should—handle all the business the American people gives it—and handle it swiftly, efficiently, and smoothly. When the volume is greater than expected, the employee force must be greater. If the Post Office Department is forbidden to increase its work force in the face of a sudden increase in volume—then a service breakdown is inevitable.

I certainly hope that the leadership will see the necessity of considering the emergency measures before we adjourn. If we do not do this, we shall all have a very uncomfortable time when we return to our homes—to the scene of the crime, as it were—and must stand face to face with our frustrated and embittered constituents.

One point more, Mr. President, and I shall conclude.

We have been most generous with our treasure in many fields. We spend billions of our dollars sending men and machines into space, but we refuse to spend enough money to take care of our earthly obligations, such as moving and delivering the mail. I am all in favor of our adventure in space, but I happen to think that the efficient conduct of the mail service is more important to our national welfare.

We have been most open handed in distributing largesse to every corner of the free world—and to some corners of the world that are not so free—but we have been downright stingy when it has come to providing funds for our essential, nonglamorous domestic services—and the principal domestic service we perform is that of the movement and delivery of the mail.

Mr. President, if we do not take our heads out of the sand and face up to the postal crisis—I can guarantee that every elected Federal public servant is going to face the most unpleasant Christmas he has ever known.

The American people have suffered inferior postal service for a long while. They have been critical but remarkably patient. That patience is wearing thin. They are not going to stand for much more of this foolishness and inefficiency.

And if the service collapses utterly during the Christmas rush—and collapses because we, their representatives in both Houses of the Congress, have refused or neglected to take preventative measures, their wrath will be formidable, and it will be directed—correctly—at us.

AUTHORITY TO FILE COMMITTEE REPORTS DURING THE ADJOURNMENT OF THE SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that committees of the Senate be permitted to file reports together with individual, supplemental, or minority views, if desired, during the adjournment of the Senate this evening until 9 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate adjourns this afternoon it stand in adjournment until 9 a.m. tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE PROGRAM

Mr. MANSFIELD. Mr. President, for the information of the Senate it is anticipated that on tomorrow we will take up first the public works authorization bill under the chairmanship of the distinguished chairman, the Senator from West Virginia [Mr. RANDOLPH]; second, the State, Commerce, and Justice appropriations bill under the chairmanship of the distinguished Senator from Arkansas [Mr. MCCLELLAN]; and, third, the 7-percent investment tax credit bill under the chairmanship of the distinguished Senator from Louisiana [Mr. LONG].

We are coming in a little early to try to complete these bills tomorrow if at all possible. If they are not completed tomorrow, the Senate will meet early on Saturday.

It is hoped also that if proper progress is made—and I anticipate that it will be—there will be a recess declared for an hour or an hour and a half so that the Senate can meet at a luncheon with the President and pay its respects to him.

COLUMBUS DAY: ADDRESS BY SENATOR PASTORE

Mr. KENNEDY of Massachusetts. Mr. President, yesterday the distinguished senior Senator from Rhode Island, Senator PASTORE, was kind enough to enter into the RECORD a statement that I prepared for the observance of Columbus Day. I would be remiss if I did not in turn call attention to the address which Senator PASTORE himself made at the National Columbus Day Committee dinner last night in Washington. His address is both a tribute to the role that Italians have played in America's past and a summons to all Americans to build a better future. I ask unanimous consent that Senator PASTORE's address be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF U.S. SENATOR JOHN O. PASTORE AT NATIONAL COLUMBUS DAY COMMITTEE DINNER, GRAMERCY INN HOTEL, WASHINGTON, D.C., COLUMBUS DAY, OCTOBER 12, 1966

Columbus Day comes with special significance to us of Italian ancestry who live and labor in the Capital of our nation. And it is a distinction that we gladly share with every fellow-American.

It is this—that the name of the Father of our Country—and the name of the boy of Genoa are forever linked in history to its name—Washington—the city identical with the District of Columbia—the city to which the eyes and the hearts of the world turn in their search for security and peace.

Those of us who labor at the Capitol work under the spell of the art of Constantino Brumidi—and we remember how—in the days of President Thomas Jefferson and at his invitation—Italian artisans came to this country to give to the Capitol their skills that America did not possess at that time.

There is a long proud list of Italian contributions to our land. The list ranges from the sailor Columbus who gave the discovery of America to the world—down to our own day when the Italian scientist, Enrico Fermi, gave the discovery of the atomic bomb to America—and our priority with the bomb—and the primacy that we have maintained—to this day—has been our infinite instrument for peace.

This is a country to which so many nations have contributed so much. This is a land whose lasting bulwarks have been cemented by some many different bloods in the common mixture of Americanism.

This government tore its very existence away from the Old World. Yet it built its continuity from the never slackening march of the ambitious . . . the able . . . the appreciative from the old, tired lands—to these ever widening horizons of happiness.

If I have mentioned the contributions of Italians—it is not by way of boasting. It is in the manner of emphasizing the debt we owe not only for the opportunities that are here to be found—but the obligation we have to emulate and imitate those of Italian descent who have given to this land of their adoption—or their birth—their full measure of devotion.

This has been expressed in appreciation of the laws that make us free . . . resolution to deserve that freedom by preserving the government born of those laws . . . tolerance among ourselves and our neighbors—serving and sacrificing that our institutions may remain secure.

These are the promptings of the human heart which in any time and any country seek peace and equity—and the happiness and opportunity that are born of those qualities by which men can live as men.

This can be a day of exaltation for those who look back to Italian traditions of art and music and law and learning. The music and beauty that has refreshed a world more-than-once-wearied . . . can again quicken the eye and gladden the heart. Song and splendid scene are born from the sufferings of a people.

I say there is exaltation—but there is humility, too. For most of us look to a narrower—a more crowded horizon of our America. It is the more familiar horizon of that ancestor of ours who came to these shores with a full heart . . . though empty hands.

I will not pretend that you and I bring a bigger measure of manhood to our Americanism than did those to whom we owe our birth and our birthright.

The river does not flow higher than its source.

Yes—that ancestor may have come with empty hands. But with those very hands he shaped the earth of this—his adopted land. He fashioned its soil—and he fashioned his own sons and daughters to the spiritual fidelity—and love of home and family—that has helped his Italian race to survive the vandals and the vicissitudes of the centuries.

And when the sun goes down on his American day—and the American soil receives him rightfully into its keeping—rightfully and restfully forever his home—those sons and daughters—in their humble but holy way . . . revere his memory—persevere in that loyalty—and, as proved by the record, preserve with their very lives, this lovely land that smiled upon him.

The hero's path is not granted to us all. It is not granted to us all to bask in the fleeting light of fame. Heroism is an incident of comradeship. It is love of fellowman greater than love of one's own life. Fame is only an accident of the proper time and the happy opportunity. But honor is a man's own sense of his personal duty well done.

Honor is each man's own understanding of the part he has to play . . . and his determination to play it well. It is his knowledge that no man is unimportant in the great scheme of life . . . and that no act of his fails to throw its light or to cast its shadow in a troubled world.

It is a troubled world. Sinister forces are abroad that would separate man from man . . . and mankind from God. They would keep us so burdened . . . so dismayed . . . in the little whirlpool that is the daily life of each of us . . . that we would lose sight of the greater and longer lessons of history.

These foreign ideologies would terrorize us telling of the futility of human existence. They would preach hate of fellow man. They would laugh at the sanctity of the family and all the institutions that make it sacred. We are too old a race to believe that a philosophy teaching hate for all others . . . can endure. We are too young a people to forget Cicero's teaching of conscience and responsibility to the republic . . . and we mean this republic to which we, too, have pledged our lives, our fortunes and our sacred honor.

Every last man, woman and child is mobilized for the fight of our lives . . . *for* our lives . . . for our land . . . for the things we like and for the ways we love.

In public life . . . in private task . . . what we think . . . what we say . . . what we do . . . is building now . . . this hour . . . this minute . . . the security of this country and the hope of the world. Or it can invite destruction to our country . . . despair to civilization.

Nobody knows better than our blood . . . the bitter blow of the barbarian. Our history rises through centuries of chaos to a courage and a character that finally prevails.

That is history. We will not forget it.

Nobody owes more than we do to the opportunities and the inspiration fashioned here . . . the inspiration to universal freedom under a common God.

They gave that inspiration the name of the United States.

That is history, too.

We will not forget it. We will not fail it.

WHO'S WHO

Mr. DODD. Mr. President, I would like to bring to the attention of the Senate the recent announcement by "Who's Who, Inc." announcing the names of 17 personal and institutional winners who have been cited for outstanding contribution by the editors of "Who's Who in the West."

Our distinguished colleague from Montana, Lee Metcalf, has been selected, as have actor Paul Newman, artist Richard Diebenkorn, and Governor Daniel Evans of the State of Washington.

Among the others chosen is John Teal, a native of my State, a graduate of Harvard College and Yale University. Mr. Teal, presently a professor of Animal Husbandry and Human Ecology at the University of Alaska, has distinguished himself as a writer and lecturer and domesticator of Oomingmarks. I hope it will not appear prideful to mention the fact that besides being an outstanding scientist, John Teal happens to be a cousin, which, of course, makes me doubly proud of his distinction and honor.

His work amongst the Laplanders and Eskimos has, as the editors of "Who's Who" point out, been "humane and rehabilitative, as well as practical," and "is giving us a warmer kinship to our icy last frontier."

I salute John Teal for his contribution toward making this a better world and congratulate him for the citation he so richly deserves.

I ask unanimous consent that this "Who's Who" be printed in the Record.

There being no objection, the news release was ordered to be printed in the Record, as follows:

Chicago, Ill.—Governor Daniel J. Evans of Washington, U.S. Senator Lee Metcalf of Montana, actor Paul Newman and artist Richard Diebenkorn have been cited for outstanding contribution by the editors of "Who's Who in the West."

A citation also went to the Sierra Club and its executive director, David Ross Brower of San Francisco, for their conservationist stand against the Congressional bill to erect two hydro-electric dams at either end of the Grand Canyon.

All told, 17 personal and institutional citation-winners are named in the new Tenth Edition of the biographical reference directory. Announcing the awards here was Kenneth N. Anglemire, president of the A. N. Marquis Company, which publishes "Who's Who in the West" and "Who's Who in America."

Anglemire said the individuals were honored "not only for their own accomplishments, but as representatives of the West's splendid advances, and of the 14,200 Westerners sketched in the directory."

He added that the selection of citees "was not governed necessarily by fame, nor by any effort to judge who is 'best' in a particular field; it was governed by combinations of circumstances, varying among each of the fields in which a citation was awarded."

The citations—third biennial set given by "Who's Who in the West" editors—are, by category:

Architecture: William Wilson Wurster, Berkeley, Calif. As the Bay Area builds for the future, "Mr. Wurster has been a leader in perpetuating" the area's charming harmony between nature and man's creations, the citation said. "He has played this role as founding dean of the University of California's College of Environmental Design, as a practicing architect . . . and as a meditative and vibrant man."

Art: Richard Clifford Diebenkorn, Jr., Berkeley, Calif. "The isolation of individual man is a theme of much of today's philosophy—and in painting, no younger American conveys it more tellingly than Richard Diebenkorn, who has been a teacher at San Francisco Art Institute."

Business: Benton Russell Cancell, president and chief executive officer of Potlatch Forests, Inc., San Francisco, Calif., and Lewiston, Idaho. "He has lifted the Potlatch company to a new high in administrative performance . . . in diversity of lumber and paper products . . . in sales . . . in contribution to the economic destiny of the West."

Civic affairs: John Crosby, general director of the Santa Fe (N. Mex.) Opera. The citation said Crosby showed "remarkable enterprise" not only in founding this opera company in 1957, but in making it unusually adventurous in its repertory, which has included the American premiere of Alban Berg's "Lulu" and other important works. In 1964 he presented the U.S. stage premiere of Richard Strauss' "Daphne."

Conservation: The Sierra Club and David Ross Brower, San Francisco. The citation said the dedication of the club and its Executive Director Brower may save that "American shrine of timelessness in a changeful world"—the Grand Canyon—from the harm threatened by a "water-supply" bill now before Congress. As noted in the award, the club contends that the dams proposed in that bill "would (because of alternate solutions) be unnecessary . . . would halt the natural processes that have made the Canyon 'a living laboratory' . . . would obliterate archeological and geological records, favorite recreation sites and scenic glories."

Education: Howard Palfrey Jones, chancellor of the East-West Center at the University of Hawaii and former U.S. Ambassador to Indonesia. Founded by Congress in 1960 for cultural and technical interchange between Asia and America, "the center is being enriched by his perception and perspective."

Entertainment: Paul Newman, Hollywood, Calif. "In giving vital identity to each of his many complex roles, actor Paul Newman has won the esteem of the critics. His own vigorous identity—as an actor and as a public-spirited man—has won the devotion of the people."

Government: Governor Evans of Washington and Senator Metcalf of Montana. A champion of what is called "the new federalism," Republican Evans "has advanced it in his own state through resourceful action on education, industiral expansion, welfare, research, conservation, administrative reform." In his first Senate term, Democrat Metcalf "has distinguished himself as a member of important standing committee, as a searching analyst on world affairs . . . a foe of bigotry . . . a striver for a more humane America."

Journalism: Robert Sampson Elegant of the Los Angeles Times. "In interpreting the enigmatic nation (of China), perhaps no U.S. journalist has been more penetrating" than Elegant. In his reports from Hong Kong and in his books, "he combines a pulsating sense of the present hour with a far-reaching knowledge of China's history and philosophy."

Law: Chief Justice Roger John Traynor of the Supreme Court of California. He has written some 800 opinions since joining the court at the age of 40—including "some notable dissents" that were to become U.S. Supreme Court "positions." The citation declares, "His wisdom has helped give California a sound trellis of justice for her rapid growth; in addition, it has elevated legal thinking throughout the land."

Literature: John Williams, professor at the University of Denver, whose recent novel—"Stoner"—is "a work that is almost timeless . . . that burns softly but intensely" . . . and in which the frustrations but persistence of the teacher-hero are "part of the story of man."

Music: Henry Lewis, Los Angeles, who has been conducting symphonic, opera and chamber orchestras there and overseas. "Soulfully, he finds the inner voice in music of all eras—while his sense of dynamics and tone color gives full expression to the outer voice." Lewis also was praised as a musicologist.

Natural science: John Jerome Teal, Jr., ecology professor at the University of Alaska, who has made far-ranging expeditions in the North Country and "developed significant knowledge" on its living things. His work "is humane and rehabilitative as well as practical * * * is giving us a warmer kinship to our icy Last Frontier."

Physical science: Dr. Murray Gell-Mann, professor at California Institute of Technology. He has advanced the "whole character of particle physics" through his "strangeness" principle explaining the behavior of elementary particles in the atomic nucleus, and through his "Eightfold Way" classification.

Religion: The Rev. Francis James Conklin, professor of law at Gonzaga University, Spokane, Wash. In successfully appealing the case of an Indian tribal woman on the ground that "due process" had been denied her, "Father Conklin has, in his service to God and Law, also helped his fellow-man."

A special Citation was awarded the Oregon Historical Society, Portland, which—through its educational and research programs and its preservation of historic sites—"illumines for our own time the courage that built the Northwest." The society next year will have been open half a century.

ADJOURNMENT

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move that the Senate stand in adjournment until 9 o'clock tomorrow morning.

The motion was agreed to; and (at 4 o'clock p.m.) the Senate adjourned until tomorrow, Friday, October 14, 1966, at 9 o'clock a.m.

NOMINATION

Executive nomination received by the Senate October 13, 1966:

Civil Aeronautics Board

Robert T. Murphy, of Rhode Island, to be a member of the Civil Aeronautics Board for the term of 6 years expiring December 31, 1972. (Reappointment.)

HOUSE OF REPRESENTATIVES

Thursday, October 13, 1966

The House met at 11 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Be still and know that God is.—Psalm 46: 10.

Eternal God, our Father, so high above us that we cannot comprehend Thee and yet so deep within us that we cannot escape Thee, make Thyself real to us as we pray today.

Tired are we of our littleness and we pray that Thou wilt lift us into the fellowship of great minds. Tired are we of our thoughts of discouragement and pray that Thou wilt lift us into the companionship of great hearts—that in these relationships our faith may be renewed, our hope strengthened, and our courage confirmed.

Bless these Congressmen as they wait upon Thee. May they be wise with Thy wisdom, strong with Thy power, and faithful in Thy faithfulness to them. According to our needs, may the riches of Thy grace enter the hearts of everyone of us. In Jesus' name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 17636. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 17636) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Byrd of West Virginia, Mr. Bartlett, Mr. Proxmire, Mr. McIntyre, Mr. Case, Mr. Cotton, and Mr. Saltonstall to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 11555) entitled "An act to provide a border highway along the U.S. bank of the Rio Grande in connection with the settlement of the Chamizal boundary dispute between the United States and Mexico," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Fulbright, Mr. Sparkman, and Mr. Carlson to be conferees on the part of the Senate.

The message also announced that the Senate agrees to the amendment of the House to the amendments of the Senate to the bill H.R. 1665 entitled "An act to amend title 28, entitled "Judiciary and Judicial Procedure,' of the United States Code to confer jurisdiction upon the Court of Claims to hear, determine, and render judgment in special jurisdictional cases, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13448) entitled "An act to amend title 39, United States Code, with respect to mailing privileges of members of the U.S. Armed Forces and other Federal Government personnel overseas, and for other purposes."

The message also announced that Mr. Hruska was appointed as an additional conferee on the bill (H.R. 17637) entitled "An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes."

The message also announced that the Vice President, pursuant to Public Law 89-617, appointed Mr. Brewster and Mr. Murphy as members, on the part of the Senate, of the Commission on Political Activity of Government Personnel.

The message also announced that the Presiding Officer of the Senate, pursuant to Public Law 115, 78th Congress, entitled "An act to provide for the disposal of certain records of the U.S. Government," appointed Mr. Monroney and Mr. Carlson members of the Joint Select Committee on the part of the Senate for the Disposition of Executive Papers referred to in the report of the Archivist of the United States numbered 67-4.

REPORT ON SUPPLEMENTAL APPROPRIATION BILL, 1967

Mr. MAHON. Mr. Speaker, I ask unanimous consent that the Committee on Appropriations may have until midnight Friday, October 14, 1966, to file a report on the supplemental appropriation bill for the fiscal year 1967.

Mr. RHODES of Arizona. Mr. Speaker, I reserve all points of order on the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. Mahon]?

There was no objection.

FILING OF CONFERENCE REPORT ON H.R. 17637, MILITARY CONSTRUCTION FOR DEPARTMENT OF DEFENSE

Mr. SIKES. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H.R. 17637) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

REQUIRING REPORTING BY PHYSICIANS OF PHYSICAL ABUSE OF CHILDREN

Mr. MULTER. Mr. Speaker, I call up the conference report on the bill (H.R. 10304) to provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2230)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10304) to provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 2, 3, 4, 5, and 9.

That the House recede from its disagreement to the amendments of the Senate numbered 6, 7, and 8 and agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: Insert the matter proposed to be inserted by the Senate amendment, and on page 2, line 5, of the House engrossed bill strike out "14–308" and insert "14–307"; and the Senate agree to the same.

ABRAHAM J. MULTER,
THOMAS G. ABERNETHY,
HOWARD W. SMITH,
WILLIAM L. SPRINGER,
ANCHER NELSEN,
Managers on the Part of the House.

WAYNE MORSE,
ROBERT F. KENNEDY,
WINSTON L. PROUTY,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10304) to provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: The House bill provided that when a physician is a staff member of a hospital or similar institution attends a child brought to him or coming to him for treatment as a child-abuse or neglect case, he must notify the person in charge of the institution or his designated agent who shall make the report to the Metropolitan Police Department as required by the bill. The Senate amendment clarifies this provision. The House recedes with a technical amendment to the pertinent Code provision.

Amendments No. 2, 3, 4, and 5: The Senate, by these amendments, provided that the Police Department shall furnish to the Board of Commissioners copies of the reports made to them, and the Commissioners shall maintain a central register of child abuse cases. There were no similar provisions in the House bill. The Senate recedes.

Amendment No. 6: The Senate amendment is a rewording of the House provision (sec. 4) to assure immunity from liability of any person, hospital, or institution in good faith making the required report of participating in any judicial proceeding resulting therefrom. The House recedes.

Amendment No. 7: This is a technical amendment to conform the House bill to the District of Columbia Code sections as codified. The House recedes.

Amendment No. 8: The Senate amendment excludes from the provisions of the bill the neglect of a child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof. There is no similar provision in the House bill. The House recedes.

Amendment No. 9: The Senate amendment provides penalties of a fine of not more than $300 or imprisonment for not more than 30 days, or both, for any person who knowingly and willfully violates any provision of the bill. There was no similar provision in the House bill. The Senate recedes.

ABRAHAM MULTER,
T. G. ABERNETHY,
HOWARD W. SMITH,
ANCHER NELSEN,
Managers on the Part of the House.

Mr. MULTER (interrupting the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, I am pleased to report to the House that I am in complete agreement with the conferees on the part of the House and the Senate on H.R. 10304.

I feel that the conferees adopted substantially the provisions of H.R. 10304 as introduced by me, and the changes which were made are improvements which on the part of the House we were pleased to accept.

For two Congresses I have sought the enactment of this legislation, similar to statutes already adopted in 40 States, to require physicians to report cases of willful child abuse. This bill so requires, and at the same time gives the necessary immunity from possible liability to physicians and those who in good faith make the required reports.

PURPOSE OF THE BILL

The purpose of H.R. 10304 is to provide for the protection of children in the District of Columbia who have had physical injury inflicted upon them other than by accidental means, and who may be threatened by further such injury. This protection would be accomplished by requiring physicians or institutions in the District who become aware of such a case to report it to the Metropolitan Police Department, thereby causing the protective services of the city to be brought to bear in an effort to protect the health and welfare of such a child and to prevent further abuses.

PROVISIONS OF THE BILL

A physician or any other person in the District of Columbia licensed under the District of Columbia Healing Arts Practices Act of 1929 (45 Stat. 1326; D.C. Code, sec. 2-101 et seq.), who has reasonable cause to believe that a child under the age of 18, whom he has reason to examine or treat, has been physically injured other than by accidental means, must report the incident immediately by telephone, and as soon thereafter as practicable in writing as well, to the Metropolitan Police Department. The report shall include such data as the names and addresses of the child and those responsible for his care, if known, the child's age, and the nature and extent of his injuries. When the physician in such an instance is performing the medical service as a staff member of a hospital, he shall advise the person in charge of the institution, who in turn must make the above-described report to the Police Department.

The bill provides immunity from any civil or criminal liability to any person participating in the making of such a report, and the same immunity with respect to participation in any judicial proceeding involving such a report.

The third major provision is that neither the physician-patient privilege nor the husband-wife privilege shall be a ground for excluding evidence, if the juvenile court decides that such privilege should be waived in the interests of justice.

CONFERENCE ACTION

Amendment No. 1: The House bill provided that when a physician is a staff member of a hospital or similar institution attends a child brought to him or coming to him for treatment as a child-abuse or neglect case, he must notify the person in charge of the institution or his designated agent who shall make the report to the Metropolitan Police Department as required by the bill. The Senate amendment clarifies this provision. The House recedes with a technical amendment to the pertinent code provision.

Amendments Nos. 2, 3, 4, and 5: The Senate, by these amendments, provided that the Police Department shall furnish to the Board of Commissioners copies of the reports made to them, and the Commissioners shall maintain a central register of child-abuse cases. There were no similar provisions in the House bill. The Senate recedes.

Amendment No. 6: The Senate amendment is a rewording of the House provision—section 4—to assure immunity from liability of any person, hospital, or institution in good faith making the required report of participating in any judicial proceeding resulting therefrom. The House recedes.

Amendment No. 7: This is a technical amendment to conform the House bill to the District of Columbia Code sections as codified. The House recedes.

Amendment No. 8: The Senate amendment excludes from the provisions of the bill the neglect of a child who in good faith is under treatment solely by spiritual means through prayer in accordance with the tenets and practices of a recognized church or religious denomination by a duly accredited practitioner thereof. There is no similar provision in the House bill. The House recedes.

Amendment No. 9: The Senate amendment provides penalties of a fine of not more than $300 or imprisonment for not more than 30 days, or both, for any person who knowingly and willfully violates any provision of the bill. There was no similar provision in the House bill. The Senate recedes.

NEED FOR THE LEGISLATION

Mr. Speaker, I have been appalled at the shocking stories which have been presented about child abuse, not only in the Nation's Capital but throughout the country.

The nationwide problem of physical abuse of children is indicated by the fact that more than a thousand infants and children are injured each year, and hundreds die, because of actual physical abuse or neglect by parents. The extent and seriousness of this problem was first pointed up by pediatricians and X-ray specialists who defined what has been termed the "battered child syndrome," a group of medical findings which aid materially in a medical diagnosis of a physically abused child. These improved diagnostic techniques and the resulting increased medical attention have brought about a greater public recognition of the extent and seriousness of the problem.

Our committee was told that in a study for the Children's Division of the American Humane Association in 1962, a total of 662 cases of child abuse was reported in newspapers in this country. Most of these children were under 4 years of age, and one in four died from their injuries. Most of the injuries were inflicted by parents, and the range of injuries was as broad as a distorted mind could imagine.

The problem in the District of Columbia can be measured by at least 5 to 7 deaths a year and at least 90 instances of serious child abuse known through Children's Hospital and the District of Columbia General Hospital Children's Unit.

By voluntary agreement of the participating agencies—Metropolitan Police Department, Department of Public Welfare, Department of Public Health, and juvenile court—instances of suspected child abuse coming to the attention of these agencies are presently being reported to the Women's Bureau of the Metropolitan Police Department, whose responsibility it is to investigate and take action for the protection of the child within the framework of present law, and to initiate criminal prosecution where such action is indicated. An incomplete count of Woman's Bureau intake records reveals that 133 complaints of physical abuse of children have been received during the period from January 1, 1965, through June 7, 1965. As in other parts of the country, there is every reason to believe that this number of cases coming to the attention of the District of Columbia authorities is far below the number actually occurring.

Our committee was informed that the complaints mentioned above were made voluntarily by a certain few local hospitals, public health officials, teachers, parents, other relatives, friends, neighbors, anonymous persons, and, in rare instances, the family physician. We are told also that there is every reason to believe that these physicians are aware of many more cases than they report, but are in fear of ensuing liability.

This, then, clearly is a problem which cries out for a solution. The first step, obviously, is to provide means for bringing these cases to attention so that efforts may be made to protect the child and, wherever possible, to preserve family integrity. Since the recognition that serious injury has occurred by other than accidental means is more often a matter of medical diagnosis, the responsibility for reporting specific cases must fall primarily with physicians. Members of the medical profession recognize this fact, and favor the enactment of this bill which would allow physicians in the District of Columbia to call attention to cases of child abuse without concern about incurring potential criminal or civil liability for so reporting. The provisions and purposes of this bill, we are advised, are consistent with the beliefs and the wishes of a majority of physicians in regard to this problem.

At a public hearing conducted by Subcommittee No. 3 of which I am chairman on June 10, 1965, support for this bill was expressed by the District of Columbia Board of Commissioners, the Woman's Bureau of the Metropolitan Police Department, the District of Columbia Coroner's Office, the District of Columbia Department of Public Health, the District of Columbia Health and Welfare Council, the Medical Society of the District of Columbia, the Bar Association of the District of Columbia, and public witnesses. No opposition to the bill was expressed.

Mr. MULTER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

LEAVE TO EXTEND

Mr. MULTER. Mr. Speaker, I ask unanimous consent that all Members desiring to do so may extend their remarks in the Record with reference to the conference report just agreed to.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

MANDATORY REPORTING OF INJURIES CAUSED BY FIREARMS OR OTHER DANGEROUS WEAPONS

Mr. MULTER. Mr. Speaker, at the request of the gentleman from Mississippi [Mr. Abernethy], I call up the conference report on the bill (H.R. 9985) to provide for the mandatory reporting by physicians and hospitals or similar institutions in the District of Columbia of injuries caused by firearms or other dangerous weapons, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 2229)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9985) to provide for the mandatory reporting by physicians and hospitals or similar institutions in the District of Columbia of injuries caused by firearms or other dangerous weapons, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 5.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4 and agree to the same.

T. G. Abernethy,
Abraham Multer,
W. H. Harsha,
Managers on the Part of the House.

Wayne Morse,
Robert F. Kennedy,
Winston L. Prouty,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9985) to provide for the mandatory reporting by physicians and hospitals or similar institutions in the District of Columbia of injuries caused by firearms or other dangerous weapons, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment clarifies the language of the House bill as to attendance by a physician of persons whose injury was caused by a firearm. The House recedes.

Amendment No. 2: The House bill required that certain information as to the injured person and his injuries be included in reports to the Metropolitan Police Department. The Senate amendment modified this provision to require the furnishing of said information "if readily available." The House recedes.

Amendment No. 3: The House bill (sec. 3) provided that any person making the report required by the bill shall not be personally liable in damages therefor, and also provided (sec. 4) that neither the physician-patient privilege nor the husband-wife privilege shall be ground for excluding evidence in any judicial proceeding resulting from a report made pursuant to this bill. The Senate amendment deleted both sections and inserted a new section 3 in the next amendment. The House recedes.

Amendment No. 4: This Senate amendment is a rewording of the House provision (sec. 3), referred to above, to assure immunity from liability of any person, hospital, or institution in good faith making the report required by this legislation. The House recedes with an amendment to grant a physician (as well as any other person, hospital, or institution) immunity from liability with respect to such report or judicial proceeding resulting therefrom.

Amendment No. 5: The Senate amendment subjects any person who knowingly and willfully violates any provision of this bill to a fine of not more than $300 or not more than 30 days imprisonment, or both. There were no criminal penalty provisions in the House bill. The Senate recedes.

T. G. Abernethy,
Abraham Multer,
W. H. Harsha,
Managers on the Part of the House.

Mr. MULTER (interrupting the reading). Mr. Speaker, I ask unanimous consent that further reading of the conference report be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. HALL. Mr. Speaker, reserving the right to object, will the gentleman make a brief statement as to whether or not the amendments added by the other body are germane and in accordance with the House rules, and what the general effect of the amendments would be?

Mr. MULTER. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman from New York.

Mr. MULTER. It is my belief, and my belief has been checked with the Parliamentarian, that the amendments offered by the other body are germane to the bill. In brief, they will merely add some additional requisites as to the reporting provisions of the bill, and also conform the bill to the House version so as to take out the penalties that we on the House side believe should not be imposed.

Mr. HALL. Mr. Speaker, it is apparent that on all four amendments the House receded, and even to some extent on the fifth amendment. But in the opinion of the gentleman who brings the conference report before this body it is still a good bill, it is worth while, and in the spirit the bill passed the House. Is that a correct statement?

Mr. MULTER. Mr. Speaker, if the gentleman will yield, I am pleased to say that is a fair statement.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

PURPOSE OF THE BILL

Mr. MULTER. Mr. Speaker, the purpose of H.R. 9985 is to require the reporting by physicians in the District of Columbia, and also by hospitals or similar institutions, of injuries caused by firearms or other dangerous weapons.

PROVISION OF THE BILL

The first section of this bill provides that a report must be made by any physician or other person licensed under the Healing Arts Practice Act, District of Columbia, 1929 (45 Stat. 1326; District of Columbia Code, sec. 2–201 et seq.), as amended, having reasonable cause to believe that a person coming to his attention for examination or treatment has suffered an injury caused by any dangerous weapon occurring during the commission of a crime, or has suffered an injury caused by a firearm, whether self-inflicted, accidental, or occurring during the commission of a crime. It is further provided that when such a physician is performing as a member of the staff of a hospital or similar institution, and detects such an injury as is described above, he shall notify the person in charge of the hospital or institution, who in turn is required to make the report.

Section 2 provides that an oral report shall be made immediately by telephone to the Metropolitan Police Department of the District of Columbia, to be followed as soon thereafter as practicable by a report in writing. Such reports must contain the name, address, and age of the injured person, and the nature and extent of the person's injuries.

Section 3 indemnifies a person making a report pursuant to this act from any liability in damages resulting therefrom.

CONFERENCE ACTION

Amendment No. 1: This amendment clarifies the language of the House bill as to attendance by a physician of persons whose injury was caused by a firearm. The House recedes.

Amendment No. 2: The House bill required that certain information as to the injured person and his injuries be included in reports to the Metropolitan Police Department. The Senate amendment modified this provision to require the furnishing of said information "if readily available." The House recedes.

Amendment No. 3: The House bill—section 3—provided that any person making the report required by the bill shall not be personally liable in damages therefor, and also provided—section 4—that neither the physician-patient privilege nor the husband-wife privilege shall be grounds for excluding evidence in any judicial proceeding resulting from a report made pursuant to this bill. The Senate amendment deleted both sections and inserted a new section 3 in the next amendment. The House recedes.

Amendment No. 4: This Senate amendment is a rewording of the House provision—section 3—referred to above, to assure immunity from liability of any person, hospital, or institution in good faith making the report required by this legislation. The House recedes with an amendment to grant a physician—as well as any other person, hospital, or institution—immunity from liability with respect to such report or judicial proceeding resulting therefrom.

Amendment No. 5: The Senate amendment subjects any person who knowingly and willfully violates any provision of this bill to a fine of not more than $300, or not more than 30 days' imprisonment, or both. There were no criminal penalty provisions in the House bill. The Senate recedes.

Mr. HARSHA. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HARSHA. Mr. Speaker, I am pleased to report to the House that I am in complete agreement with the conferees on the part of the House and the Senate in their amendments to H.R. 9915, to provide for the mandatory reporting by physicians and hospitals or similar institutions in the District of Columbia of injuries caused by firearms or other dangerous weapons.

The conferees, I can say, have adopted substantially the provisions of H.R. 9915 as introduced by me, and the changes which were made are improvements, which of course I approve.

The House over 1 year ago passed this bill, and it is gratifying that the other body has finally agreed to the urgency, wisdom, and necessity of this legislation.

The purpose of this bill, as amended, is to require the reporting by physicians in the District of Columbia, and also by hospitals or similar institutions, of injuries caused by firearms or other dangerous weapons.

Under the terms of the bill, a report must be made by any physician or other practitioner licensed under the District of Columbia Healing Arts Practice Act, having reasonable cause to believe that a person coming before him for examination or treatment has suffered an injury, caused by any dangerous weapon, occurring during the commission of a crime, or has suffered any injury caused by a firearm, whether self-inflicted, accidental, or occurring during the commission of a crime.

For some time, like most Members who are here in Washington for so much of each year, I have been much concerned at the rising incidence of crime in the Nation's Capital in recent years.

The need for legislation such as this to assist the police in combating the criminal tide is most apparent. Hence over a year ago I introduced this bill which was promptly approved by the House Committee on the District of Columbia. It had the full support of the District of Columbia Commissioners, the Metropolitan Police Department, and the U.S. attorney for the District of Columbia.

At this time, there is no law in the District making mandatory the reporting by physicians of injuries caused by firearms or other dangerous weapons. Our committee is informed by officials of the Police Department, however, that such reporting is done by local physicians as a voluntary service, and that such reports have been the means of solving many crimes in the Nation's Capital. The Police Department and the U.S. attorney's office feel, however, that despite this voluntary cooperation on the part of physicians in the District, the seriousness of the situation regarding crimes involving the use of firearms and other dangerous weapons in the city justifies the enactment of a law making such reporting mandatory, simply as a means of assuring as fully as possible the receipt of this invaluable information in every instance.

Mr. MULTER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

LEAVE TO EXTEND

Mr. MULTER. Mr. Speaker, I ask unanimous consent that all Members who desire to do so may extend their remarks on the conference report just adopted.

The **SPEAKER.** Without objection, it is so ordered.

There was no objection.

MAILING PRIVILEGES OF ARMED FORCES AND OTHER GOVERNMENT PERSONNEL OVERSEAS

Mr. DULSKI. Mr. Speaker, I call up the conference report on the bill (H.R. 13448) to amend title 39, United States Code, with respect to mailing privileges of members of U.S. Armed Forces and other Federal Government personnel overseas, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2226)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13448) to amend title 39, United States Code, with respect to mailing privileges of members of United States Armed Forces and other Federal Government personnel overseas, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered (1), (2), (3), (9), (10), (11), (12), (13), and (14), and agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered (4), (5), (6), (7), and (8) and agree to the same with an amendment as follows:

Strike out the matter proposed to be inserted, and restore the matter proposed to be stricken out, by Senate amendments numbered (4), (5), (6), (7), and (8) and, on page 3 of the House engrossed bill, strike out lines 6 to 15, inclusive, and insert in lieu thereof the following:

"(ii) sound-recorded communications having the character of personal correspondence, and

"(iii) parcels of any class of mail not exceeding five pounds in weight and sixty inches in length and girth combined,

which are mailed at or addressed to any such Armed Forces post office;

"(B) second-class publications published once each week or more frequently and featuring principally current news of interest to members of the Armed Forces and the general public which are mailed at or addressed to any such Armed Forces post office in an overseas area designated by the President under section 4169 of this title; and".

And the Senate agree to the same.

JAMES H. MORRISON,
THADDEUS J. DULSKI,
ROBERT J. CORBETT,
Managers on the Part of the House.

MIKE MONRONEY,
RALPH W. YARBOROUGH,
JENNINGS RANDOLPH,
FRANK CARLSON,
HIRAM L. FONG,
Managers on the Part of the Senate.

STATEMENT OF THE MANAGERS ON THE PART OF THE HOUSE

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13448) to amend title 39, United States Code, with respect to mailing privileges of members of the United States Armed Forces and other Federal Government personnel overseas, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: This amendment is a perfecting amendment. It amends section 2 of the House engrossed bill to authorize mail matter described in section 2 to be transported by air between Armed Forces post offices overseas and the point of embarkation or debarkation within the "fifty States of the United States, the territories and possessions of the United States in the Pacific area, the Commonwealth of Puerto Rico, the Virgin Islands or the Canal Zone,".

The House-passed bill authorized such transportation by air between Armed Forces post offices overseas and the point of embarkation or debarkation within the "forty-eight contiguous States,".

The amendment is necessary to include transportation by air between Armed Forces post offices overseas and a point of embarkation or debarkation within Alaska, Hawaii, or the other areas specifically mentioned in the amendment. The amendment will permit mail from a serviceman in the Far East to be transported by air, in accordance with the provisions of the conference agreement, to his home in either Alaska or Hawaii. The House recedes.

Amendments Nos. 2, 10, and 11: These are perfecting amendments. They substitute, in three places in the House engrossed bill, the words "scheduled United States air carriers" for the words "United States flag carriers", to describe the type of air carriers permitted to transport the mail in accordance with the provisions of this bill.

The House engrossed bill described the type of air carrier by the use of the term "United States flag carriers".

The term "scheduled United States air carriers" used in Senate amendments numbered (2), (10), and (11) to describe the type of carrier has a meaning under the Federal Aviation Act of 1958 (49 U.S.C. 1301), whereas there is no statutory definition of the term "United States flag carriers". The House recedes.

Amendment No. 3: This amendment struck out language beginning on page 2, line 22, of the House engrossed bill, as follows: "with the total annual volume to be equally divided, to the extent practicable, among such carriers serving each area,".

The House bill provides that the total annual volume of airlift mail destined for delivery to overseas Armed Forces post offices should be equally divided, to the extent practicable, among United States air carriers serving each geographical area. The equal division requirement was removed by the Senate on the basis that the Post Office Department stated it must have as much flexibility as possible in order to achieve the goal of providing faster and more efficient mail service for the servicemen overseas. The Senate felt that a statutory requirement for division of mail among United States carriers serving the geographical areas would unduly restrict the transportation of mail to servicemen overseas.

The House managers are convinced that the annual volume of mail to be transported by air by reason of this legislation should be divided among the carriers serving a particular country or area when such division does not result in undue delay in final delivery to the addressee of the mail. It is recognized, however, that this airlift mail can be divided among the carriers equally by action of the Postmaster General and such a requirement need not be included in any provision of law.

The House managers anticipate that next year the matter of division of the mail transported by air will receive a thorough review by the House Committee, and that they then will be in a better position to recommend additional legislation, if necessary, in order to assure that all competing air carriers have an equal opportunty to share in the transportation of the mail by air. The House recedes.

Amendments Nos. 4, 5, 6, 7, and 8: These Senate amendments limit the application of the provisions providing for the airlift only to combat areas designated by the President of current news publications and small parcels.

The House bill required several items of mail to be transported by air when mailed between Armed Forces post offices or between an Armed Forces post office and an address in the United States.

The following categories of mail under the House bill would have been entitled to such transportation by air:

(1) first-class letter mail;

(2) sound-recorded communications having the character of personal correspondence;

(3) second-class publications published once each week or more frequently and featuring current news; and

(4) parcels of any class of mail not exceeding five pounds in weight and sixty inches in length and girth combined.

The conference agreement provides airlift on a worldwide basis for first-class letter mail, sound-recorded communications, and the small parcels. The second-class publications will be afforded airlift only when mailed at or addressed to an Armed Forces post office in a combat area.

The airlift for this mail is to be provided on a space available basis at rates fixed and determined by the Civil Aeronautics Board. Public Law 89–315, approved November 1, 1965, authorized the airlift on a space available basis for small parcels to the combat area and required the Civil Aeronautics Board to fix rates for transportation which could not exceed the minimum rates charged for the airlift of military cargo in scheduled airline service. The rates fixed by the Board are $0.12 per ton mile outbound from the United States to Viet Nam and $0.10 inbound to the United States. These rates are the same as the rates fixed for the airlift of military cargo in scheduled airline service in both the Pacific and Atlantic areas.

The major item of cost involved in this legislation hinges on the rates of transportation approved by the Civil Aeronautics Board. While this legislation does not include the same restrictive language as included in Public Law 89–315, the managers on the part of the House share the concern expressed by the managers on the part of the Senate that the rates to be approved for transportation of mail covered by this legislation should be the lowest rates possible. In view of the additional airlift volume which will be generated upon enactment of this legislation and based on the information currently available, the members of the Conference believe that the airlift space available rates of $0.12 and $0.10 now in effect are just and reasonable and would afford a fair rate of return to the air carriers concerned.

Amendment No. 9: This is a technical amendment which changes the designation of a paragraph. The House recedes.

Amendment No. 12: This amendment adds a new section 3 to the bill. The new section 3 adds a provision to paragraph (4) of section 4303(d) of title 39, United States Code, relating to the rates of postage applicable to air parcel post transported between the United States and Armed Forces post offices. The new provision has the effect of making Zone 1 rates applicable to air parcel post transported between Hawaii, Alaska, or the territories of the United States in the Pacific area and an Armed Forces post office served by the postmaster at San Francisco or Seattle.

Under existing law, the air parcel post rate for packages going directly between Armed Forces overseas post offices in the Pacific and addresses in Hawaii, Alaska, and the United States possessions is the rate for the eighth zone based on the distance between the address and the APO debarkation point in either San Francisco or Seattle. However, such packages generally are transported directly from Alaska or Hawaii to the Pacific area without going through San Francisco or Seattle.

The amendment has the effect of requiring Zone 1 rates which are more commensurate with the service actually performed by the Post Office Department. The House recedes.

Amendment No. 13: This is a technical amendment which changes a section number. The House recedes.

Amendment No. 14: This amendment is a perfecting amendment. It proposes to amend the provisions of section 4303(f) of title 39, United States Code, as contained in section 3 (redesignated as section 4 by Senate amendment numbered (13)) of the House engrossed bill, relating to the requirement for reimbursement of the Post Office Department by the Department of Defense for the transportation of mail by the Post Office Department outside the United States, to describe the Armed Forces post offices between which reimbursement for the cost of air transportation of mail will be required as those "which are not located within the fifty States of the United States" or the territories. It also describes the points of embarkation or debarkation as those which are located within the United States, the territories, or similar areas.

The House bill described the Armed Forces post offices between which reimbursement would be made as those which are located "outside the forty-eight contiguous States of the United States" and the point of embarkation or debarkation, as those which were "within the forty-eight contiguous States".

The amendment will continue the present policy of the Department of Defense in reimbursing the Post Office Department only for mail transportation outside the area covered by the United States postal service—that is, outside the fifty States, the territories and possessions of the United States, the Commonwealth of Puerto Rico, the Virgin Islands or the Canal Zone. The House recedes.

James H. Morrison,
Thaddeus J. Dulski,
Robert J. Corbett,
Managers on the Part of the House.

Mr. DULSKI. Mr. Speaker, the Senate made three substantive changes in the House-passed bill and several technical adjustments in the language of the bill.

The first substantive change was made by Senate amendment No. 3, which eliminated the requirement of the House bill that mail to be transported by air on a space-available basis would be divided on an equal basis to the extent practicable among air carriers serving each area.

The Senate report stated that the equal division requirement was removed on the basis that the Post Office Department stated it must have as much flexibility as possible in order to achieve the goal of providing faster and more efficient mail service for servicemen overseas. The Senate report stated further that it was felt that a statutory requirement for division of mail would unduly restrict transportation of mail to servicemen overseas.

The House conferees are convinced that the annual volume of mail to be transported by air as a result of this legislation should be divided among the carriers serving the particular area when such division would not result in an undue delay in the final delivery of the mail to the addressee. We recognize that the division could be made by action of the Postmaster General, and that such a requirement need not be included in any provision of law. Consequently, the House managers recommend that the House recede from the disagreement to this amendment.

As stated in the statement of the managers on the part of the House, we would like to emphasize, however, that our committee will conduct a review next year of the whole question of the division of the mail transported by air. This will give us an opportunity to ascertain whether the method of dividing mail between the air carriers is performed on a basis which is equitable to all air carriers.

The second substantive change proposed by the Senate amendments is involved in amendments Nos. 4 through 8, which limit the application of the airlift to combat areas only for two items of mail covered by the bill, which are the current news publications and the small parcels.

The conference agreement in this regard will provide worldwide airlift for—

First, first-class letter mail;

Second, sound recorded communications having the character of personal correspondence; and

Third, parcels of any class of mail not exceeding 5 pounds in weight and 60 inches in length and girth combined.

The second-class publications will be afforded airlift only when mailed at or addressed to an Armed Forces post office in a combat area.

The third substantive change made by the Senate amendments added provisions relating to the rate of postage for air parcel post transported between Hawaii, Alaska, or the territories of the United States in the Pacific area and an Armed Forces post office served by the postmaster at San Francisco or Seattle. The Senate amendment provides a zone 1 rate for such air parcel post.

Under existing law, the air parcel post rate for packages going directly between Armed Forces overseas post offices in the Pacific and addresses in Alaska and Hawaii is the rate for the eighth zone, based on the distance between Hawaii or Alaska and San Francisco or Seattle. However, such packages generally are transported directly from Alaska or Hawaii to the Pacific area without going through San Francisco or Seattle. The amendment has effect of requiring zone 1 rates, which are more commensurate with the service actually performed by the Post Office Department.

The House conferees were fully cognizant of the tremendous volume of correspondence that has been received by many Members and by our committee, concerning the excessive parcel post rates that are applicable on packages shipped by air parcel post to the servicemen in Vietnam. We would have preferred to include provisions in this bill establishing some procedure whereby parcels to the servicemen overseas could be afforded air transportation on a space-available basis at a reasonable rate somewhere in between the existing surface rate and the air parcel post rate. However, such a provision would not have been within the terms of the conferees.

Both the gentleman from Pennsylvania [Mr. Corbett] and myself feel that this problem needs correcting at the earliest opportunity in order to afford the parents and friends of the servicemen overseas a more economical means of shipping parcels. Accordingly, we are today introducing legislation which will permit a parcel addressed to or mailed from an APO address to be transported by air on a space-available basis upon the payment of a special fee to be fixed by the Postmaster General. The special fee would be in addition to the regular surface rate for the transportation of the parcel. In this way, it is hoped that the special fee will cover the additional cost to the Post Office Department in affording transportation by air. We are optimistic that our legislation will receive favorable consideration at the earliest opportunity.

Mr. CORBETT. Mr. Speaker, I wish to take just a few minutes to review the provisions of the conference report on H.R. 13448, and to express some personal observations regarding the outcome of the conference.

The purpose of the legislation as it passed the House on March 21, by a vote of 303 to 0, was to provide the benefits of faster, more efficient, and less expensive mail service to our servicemen stationed outside the United States in areas of the world served by Armed Forces post offices.

The House bill contained these key provisions:

First. Free airmail service to our fighting men in Vietnam and other Presidentially designated combat zones for sound-recorded communications, in addition to the free airmail service of letter mail and postal cards now provided by law.

Second. Airlift service between the point of embarkation in the United States and any APO in the world, at surface postage mail rates, for letter mail, hometown newspapers, and parcels up to 5 pounds.

As a matter of equity, the House bill provided for an equal division of the annual volume among the carriers servicing each area.

Mr. Speaker, the hearings and discussion on this airlift service to our service men and women who are under orders to serve in all parts of the world began over a year ago. I believe that each provision in the House bill was justified and the vote by the Members of the House supports this belief.

The Senate version of the legislation cut back the airlift service critically and would have authorized little more service than is presently provided.

The conference report we bring before the House today is, I assure you, the best compromise that could possibly be worked out. I am not satisfied that it fully meets our obligation to provide the best postal service between our servicemen and women overseas and their families at home, and so I intend to continue to work for improved postal service for all our citizens.

In conference the House receded from its provision to include hometown newspapers and second class publications in the worldwide airlift. I believe this was a valuable part of the House bill, but it was the price we had to pay to persuade the Senate conferees to accept a worldwide airlift to APO's, at surface rates, for 5-pound parcels. The legislation does provide, however, for air transportation of second-class publications to troops in combat areas.

The House also receded from its administrative division of the volume among carriers serving each area.

The one provision in the Senate version which consumed nearly all of our deliberative time was an amendment which was not even considered during hearings or debate in the House.

The Senate amendment changes the air parcel post laws so that Alaska and Hawaii shall receive a preferential first-zone rate on air parcel post packages which are addressed to an APO in Seattle or San Francisco. Presently, because of the distance between these two States and the APO in Seattle and San Francisco, patrons must pay eighth-zone rate for air parcel post shipments.

Mr. Speaker, such a preferential arrangement for the shipment of air parcel post may be entirely justified and I do not contend that it is not. However, in fairness to the families in all the other 48 continental United States, I feel that similar treatment should be accorded them.

The House conferees felt it would have been only fair to expand this preferential air parcel post rate to all 50 States. However, since the House Post Office and Civil Service Committee had conducted no hearings on such a proposal, it was determined wiser to defer such a change in law.

Therefore, we House conferees accepted the Alaska-Hawaii amendment. But in doing so I announce that I intend to seek the enactment of legislation which would authorize air transportation from the point of mailing in the United States to the serviceman overseas. The cost of such service, under my legislation would be the regular surface rate of postage plus a small additional fee to be prescribed by the Postmaster General. This special fee is expected to be under $1.

Mr. DULSKI. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. DULSKI. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and include extraneous material on the subject of mailing privileges for servicemen overseas.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

AIRLIFT FOR APO PARCELS

Mr. DANIELS. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The **SPEAKER.** Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. DANIELS. Mr. Speaker, I have introduced today a bill authorizing parcels addressed to or mailed by servicemen and servicewomen overseas to be transported by air at a reduced rate of postage.

My bill will require airlift for parcels weighing up to 30 pounds when mailed by a member of the family or a friend in the United States to a serviceman, servicewoman, or a civilian employee who has an Armed Forces post office address overseas. The parcel will be mailed upon payment of the regular surface rate of postage plus an airlift fee to be fixed by the Postmaster General, which is expected to be not more than $1, depending upon the weight of the parcel.

Our Committee on Post Office and Civil Service was instrumental in obtaining legislation last year—Public Law 89-315—authorizing airlift for parcels up to 5 pounds when mailed between Vietnam and San Francisco or Seattle, and legislation this year—H.R. 13448—which is now on the way to the President, extending the airlift for parcels up to 5 pounds mailed between any APO office overseas and the United States. However, there still is no legislative authority for airlifting the parcels across the United States unless the mailer pays the premium air parcel post rates.

My bill will close the airlift gap for APO parcel mailings by providing an economical means of obtaining airlift from the point of mailing to the point of delivery on a worldwide basis. A constituent in my district of New Jersey is now required to pay $8.08 to mail a 10-pound package to Vietnam by preferred airmail service. Under the new bill, the same 10-pound package could be mailed for approximately $3 and transported by airlift on a less preferred service basis all the way from the point of mailing to the point of delivery in Vietnam.

Mr. Speaker, I am confident that this bill will receive favorable consideration at the earliest opportunity.

AIRLIFT FOR PARCELS MAILED TO SERVICEMEN OVERSEAS

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the Record.

The **SPEAKER.** Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DULSKI. Mr. Speaker, I have introduced today a bill to authorize transportation by air for parcels addressed to or mailed from an overseas Armed Forces post office.

It is the purpose of my bill to provide realistic and reasonable rates of postage and fees for airlifting across the United States of parcels mailed between families in the United States and servicemen overseas.

We have just completed congressional action on a bill—H.R. 13448—which, if approved by the President, will provide airlifting for small parcels from the port of embarkation to the servicemen overseas.

The legislative gap for airlift applies to transportation in the United States. It is true that air parcel post is available, but the rates for such service are excessively high. A 10-pound package of cookies costing $2, mailed air parcel post by a family in my district of Buffalo, N.Y., to a son or husband, costs $8.08 if mailed to Vietnam, or $5 if mailed to Germany.

My bill will permit parcels not exceeding 30 pounds in weight to receive airlift transportation all the way from the point of mailing in the United States to the serviceman overseas. The mailer will pay the regular rate of postage for surface transportation, plus a special fee to be prescribed by the Postmaster General to cover the additional cost to the postal service for transportation by air in the United States.

Under my proposal, the same 10-pound package would require regular surface postage of $2.40 when mailed to Vietnam, and $1.05 when mailed to Germany, plus whatever additional fee might be prescribed by the Postmaster General for the airlift transportation which, in any case, is not expected to be more than 75 cents to $1.

Mr. Speaker, our committee has received a tremendous volume of correspondence, urging the adoption of legislation to provide some means of faster transportation for the parcels mailed to the servicemen which would not require the payment of tremendously expensive air parcel post rates.

I am convinced that my proposal will meet the needs of the families of servicemen and not result in any additional cost to the postal service. It could be expected to result in some additional cost to the Department of Defense, which assumes the obligation of transporting the mail overseas. I intend to push for early consideration of this proposal.

AIRLIFT FOR APO PARCELS

Mr. KREBS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. KREBS. Mr. Speaker, I have introduced today a bill which will require airlift for parcels weighing up to 30 pounds when mailed between a family in the United States and a serviceman on duty with the Armed Forces overseas. The parcel will carry the regular surface rates of postage plus an airlift fee to be fixed by the Postmaster General.

It is the purpose of this bill to relieve the family of the financial burden associated with premium air parcel post rates now required in order to obtain air service in the United States for such parcels. My bill will permit a family in New Jersey to mail a 5-pound parcel to Vietnam upon payment of the zone 8 surface rate of $1.45, plus the special airlift fee to be fixed by the Postmaster General, in lieu of the much higher air parcel post rate of $4.08.

Mr. Speaker, I am very optimistic that this bill will receive favorable consideration.

OBSTRUCTION OF ARMED FORCES

The SPEAKER. The unfinished business is the further consideration of the bill H.R. 12047, which the Clerk will report by title.

CALL OF THE HOUSE

Mr. ARENDS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 359]

Abernethy
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Aspinall
Baring
Blatnik
Bray
Brock
Cabell
Callaway
Carey
Clancy
Conyers
Cooley
Corman
Craley
Culver
Davis, Ga.
Dent
Denton
Devine
Dickinson
Diggs
Dorn
Duncan, Oreg.
Dyal
Edmondson
Evans, Colo.
Evins, Tenn.
Fisher
Flynt
Foley
Frelinghuysen
Gallagher
Gilligan
Grabowski
Green, Oreg.
Gross
Hagan, Ga.
Halleck
Hansen, Idaho
Harvey, Ind.
Hébert
Helstoski
Herlong
Hicks
Howard
Hungate
Huot
Johnson, Pa.
Keogh
Kirwan
Long, Md.
Love
McDade
McDowell
McEwen
McMillan
Machen
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Matsunaga
Morrison
Moss
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
Pickle
Powell
Pucinski
Purcell
Reid, Ill.
Reinecke
Rivers, Alaska
Robison
Rogers, Tex.
Roncalio
Rooney, Pa.
Roudebush
Roush
Scott
Steed
Stephens
Stratton
Sweeney
Thompson, N.J.
Thompson, Tex.
Todd
Toll
Trimble
Vigorito
Watkins
White, Idaho
Wilson, Charles H.
Wyatt

The SPEAKER. On this rollcall 332 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

OCTOBER 12—DIA DE LA RAZA

Mr. GONZALEZ. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, yesterday, October 12, is known throughout all of Latin America—and of course, in the mother country, Spain—as the Dia De La Raza, that is to say "The Day of the Race."

Unfortunately, in the United States, this indisputable and tremendously important fact is generally overlooked, ignored, or just plain not known about.

Through a most ironic and unjust turn of events, Spain, the country without whose enterprise and endeavor there would not have been a Columbus or a *Pinta, Nina*, or *Santa Maria*—nor, for that matter, a crew—has been downgraded and attributed none or little of its historical glory to which it is entitled and which history rightfully attributes to it.

Unquestionably, Spain has been a victim of the "Black Legend," a historical hand-me-down from the days of England's struggle with Spain. The great historian, Francis Bolton, the American who has done most to correct this historical imbalance in American tradition, once wrote that we in the United States would be crippled and hamstrung in our proper understanding and relationship with all of Latin America—or more properly speaking, Spanish America—until we understood this one salient fact. It is time we shed ourselves of this provincialism and unhistorical perspective.

It is no small wonder that the Washington Post this morning, on page C–1 quotes the distinguished Ambassador of Spain, Merry del Val, reminding us of "the discovery of America by Spain":

> His (Ambassador del Val) view is that it was the Spanish discovery that sowed "the seeds of civilization from which have sprung the vast majority of the nations of this continent."

What the Post writer might have put is that it is not only the Ambassador's view, but that of history itself.

OBSTRUCTION OF ARMED FORCES

The SPEAKER. The unfinished business is the further consideration of the bill H.R. 12047, which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER. The question now recurs on the amendments en gros, on which a separate vote was not demanded.

The amendments were agreed to.

The SPEAKER. The Clerk will report the amendment on which a separate vote has been demanded.

The Clerk read as follows:

> On page 3, line 10, strike out "(a)".

The SPEAKER. The question is on the amendment.

The question was taken.

Mr. BURTON of California. Mr. Speaker, on that I demand the yeas and nays.

Mr. CURTIS. Mr. Speaker, what is that on?

The SPEAKER. The gentleman demands the yeas and nays on the amendment striking out "(a)".

The yeas and nays were refused.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

MOTION TO RECOMMIT

Mr. CONTE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CONTE. As written, I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. CONTE moves to recommit the bill H.R. 12047 to the Committee on Un-American Activities.

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. CONTE. Mr. Speaker, on that I demand the yeas and nays.

The SPEAKER. Those Members favoring the taking of the vote by the call of the yeas and nays will rise and remain standing until counted.

The Chair will announce that 45 Members rose, and the Chair will count the House. [After counting.] The Chair will state that an insufficient number have arisen.

The yeas and nays were refused.

Mr. CONTE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair might state that the Chair counted 239 Members.

So the motion to recommit was rejected.

The SPEAKER. The question is on the passage of the bill.

Mr. ASHBROOK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 275, nays 64, answered "present" 3, not voting 90, as follows:

[Roll. No. 360]

YEAS—275

Abbitt
Adair
Addabbo
Anderson, Tenn.
Andrews, George W.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Bandstra
Barrett
Bates
Battin
Beckworth
Belcher
Bell
Bennett
Berry
Betts
Boggs
Bolton
Bow
Brademas
Brock
Brooks
Broomfield
Brown, Clarence J., Jr.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Cameron
Carter
Casey
Cederberg
Chamberlain
Chelf
Clark
Clausen, Don H.
Clawson, Del
Cleveland
Clevenger
Collier
Colmer
Conable
Corbett
Cramer
Cunningham
Curtin
Daddario
Dague
Daniels
Davis, Wis.
de la Garza
Delaney
Dent
Derwinski
Dingell
Dole
Donohue
Dowdy
Downing
Dulski
Duncan, Tenn.
Dwyer
Edwards, Ala.
Edwards, La.
Erlenborn
Everett
Fallon
Farnsley
Farnum
Fascell
Feighan
Fino
Flood
Ford, Gerald R.
Fountain
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Goodell
Grabowski
Gray
Green, Pa.
Greigg
Grider
Grover
Gubser
Gurney
Hagen, Calif.
Haley
Hall
Halpern
Hamilton
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hardy
Harsha
Harvey, Mich.
Hays
Henderson
Herlong
Holland
Horton
Hosmer
Howard
Hull
Hutchinson
Ichord
Jacobs
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Karsten

Karth
Kee
Keith
Kelly
King, Calif.
King, N.Y.
King, Utah
Kluczynski
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McClory
McCulloch
McGrath
McVicker
Macdonald
MacGregor
Machen
Madden
Mahon
Mailliard
Marsh
Martin, Nebr.
Matthews
May
Meeds
Michel
Miller
Mills
Minish
Minshall
Mize
Moeller
Monagan
Moore
Morgan
Morris
Morrison
Morton
Mosher
Murphy, Ill.
Murphy, N.Y.
Natcher
Nelsen
O'Neal, Ga.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pike
Pirnie
Poage
Poff
Pool
Price
Quie
Quillen
Race
Randall
Redlin
Reifel
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Roberts
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rostenkowski
Roudebush
Satterfield
St. Onge
Saylor
Schisler
Schneebeli
Schweiker
Secrest
Selden
Senner
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Springer
Stafford
Staggers
Stalbaum
Stanton
Stubblefield
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomas
Thomson, Wis.
Tuck
Tuten
Udall
Utt
Van Deerlin
Vanik
Waggonner
Walker, Miss.
Walker, N. Mex.
Watson
Watts
Weltner
Whalley
White, Tex.
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Wright
Wydler
Young
Younger
Zablocki

NAYS—64

Annunzio
Ashley
Bingham
Boland
Bolling
Brown, Calif.
Burton, Calif.
Celler
Cohelan
Conte
Conyers
Curtis
Dow
Edwards, Calif.
Ellsworth
Farbstein
Findley
Fogarty
Ford, William D.
Fraser
Gilbert
Green, Oreg.
Griffiths
Hathaway
Hawkins
Hechler
Holifield
Irwin
Kastenmeier
Krebs
Kupferman
Leggett
McCarthy
McFall
Mathias
Mink
Moorhead
Morse
Multer
Nedzi
O'Hara, Ill.
O'Hara, Mich.
O'Neill, Mass.
Powell
Rees
Reid, N.Y.
Resnick
Reuss
Rodino
Ronan
Rosenthal
Roybal
Rumsfeld
Ryan
St Germain
Scheuer
Schmidhauser
Sickles
Tenzer
Tunney
Tupper
Vivian
Waldie
Yates

ANSWERED "PRESENT"—3

Adams
Burke
Gonzalez

NOT VOTING—90

Abernethy
Albert
Anderson, Ill.
Andrews, Glenn
Aspinall
Baring
Blatnik
Bray
Callaway
Carey
Clancy
Cooley
Corman
Craley
Culver
Davis, Ga.
Dawson
Denton
Devine
Dickinson
Diggs
Dorn
Duncan, Oreg.
Dyal
Edmondson
Evans, Colo.
Evins, Tenn.
Fisher
Flynt
Foley
Frelinghuysen
Gallagher
Gilligan
Gross
Hagan, Ga.
Halleck
Hansen, Idaho
Harvey, Ind.
Hébert
Helstoski
Hicks
Hungate
Huot
Johnson, Pa.
Keogh
Kirwan
McDade
McDowell
McEwen
McMillan
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Matsunaga
Moss
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
Pickle
Pucinski
Purcell
Reid, Ill.
Reinecke
Rivers, Alaska
Robison
Rogers, Tex.
Roncalio
Rooney, Pa.
Roush
Scott
Smith, N.Y.
Steed
Stephens
Stratton
Sullivan
Sweeney
Thompson, N.J.
Thompson, Tex.
Todd
Toll
Trimble
Ullman
Vigorito
Watkins
White, Idaho
Wyatt

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Helstoski against.

Until further notice:

Mr. Keogh with Mr. Watkins.
Mr. Carey with Mrs. Reid of Illinois.
Mr. Aspinall with Mr. McDade.
Mr. Albert with Mr. Frelinghuysen.
Mr. Steed with Mr. Robison.
Mr. Cooley with Mr. Bray.
Mr. Kirwan with Mr. Anderson of Illinois.
Mr. Foley with Mr. Wyatt.
Mr. Rivers of Alaska with Mr. O'Konski.
Mr. Gilligan with Mr. Martin of Massachusetts.
Mr. Denton with Mr. Halleck.
Mr. Matsunaga with Mr. Johnson of Pennsylvania.
Mr. Hicks with Mr. Devine.
Mr. Evins of Tennessee with Mr. Clancy.
Mr. Moss with Mr. Reinecke.
Mr. Evans of Colorado with Mr. McEwen.
Mr. Thompson of New Jersey with Mr. Hansen of Idaho.
Mr. Abernethy with Mr. Dickinson.
Mr. White of Idaho with Mr. Glenn Andrews.
Mr. Rooney of Pennsylvania with Mr. Callaway.
Mr. Corman with Mr. Martin of Alabama.
Mr. Dyal with Mr. Harvey of Indiana.
Mr. Fisher with Mr. O'Brien.
Mr. Dorn with Mr. Gallagher.
Mr. Edmondson with Mr. Thompson of Texas.
Mr. Trimble with Mr. Vigorito.
Mr. Davis of Georgia with Mr. Mackie.
Mr. Blatnik with Mr. Craley.
Mr. Flynt with Mr. Pucinski.
Mr. Hagan of Georgia with Mr. Olsen of Montana.
Mr. McDowell with Mr. Diggs.
Mr. Sweeney with Mr. Dawson.
Mrs. Sullivan with Mr. Scott.
Mr. Stratton with Mr. Huot.
Mr. Culver with Mr. Olson of Minnesota.
Mr. Ullman with Mr. McMillan.
Mr. Todd with Mr. Roush.
Mr. Rogers of Texas with Mr. Roncalio.
Mr. Hungate with Mr. Baring.
Mr. Purcell with Mr. Murray.
Mr. Nix with Mr. Toll.
Mr. Pickle with Mr. Stephens.

Mr. BURKE. Mr. Speaker, I have a live pair with the gentleman from Iowa [Mr. SCHMIDHAUSER]. If he had been present he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

DISTORTION ILL SERVES THE CAUSE OF REPRESENTATIVE GOVERNMENT

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, the President of the United States should be ashamed of himself. He has called the GOP a "party of fear." But just 2 years ago he and his party scared the wits out of the American people by calling the GOP a "war party" and implying that if he was elected we would have peace.

As a result of those false fears and false promises, we have witnessed an amazing discord and division among the ranks of the President's party, which has certainly done little to allay the doubts of thoughtful people whom the President himself has called "nervous Nellies."

Mr. Speaker, I hope that applause does not come out of my time.

I submit that these doubts and fears have had worldwide impact and sent false signals to Hanoi and Peking.

Mr. Speaker, the President has also accused the GOP of voting against certain programs because they voted for motions to recommit. But these were motions to recommit with instructions to implement soundly conceived constructive Republican alternatives. This type of distortion ill serves the cause of good government. It is little wonder that the people no longer have confidence in their leaders and if this demagoguery is allowed to go unchallenged, the days of representative government are numbered.

EXPLANATION OF VOTES

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The **SPEAKER.** Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, will the gentleman yield?

Mr. BOGGS. I yield to the gentleman from New York.

Mr. ROONEY of New York. Who is that gentleman who just spoke?

Mr. BOGGS. Mr. Speaker, the gentleman from New York [Mr. ROONEY] just inquired of me who the gentleman was who just addressed the House. I presume that he holds himself out maybe as the Secretary of State or the Secretary of the Treasury. However, I would like to make the observation that we will see a new demonstration on a motion to recommit, probably tomorrow, and the result on that will be exactly what the results have been on all of the other motions to recommit which have occurred in this 89th Congress which have been designed to gut the bills.

WHY SHOULD WE NOT ENACT AN INCREASE IN SOCIAL SECURITY BENEFITS AT THIS TIME?

Mr. BYRNES of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include a letter.

The **SPEAKER.** Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, on yesterday afternoon I addressed a letter to the chairman of the

Committee on Ways and Means requesting early consideration of the proposal which was made by the President of the United States to provide an increase in the cash benefits under social security.

Mr. Speaker, this morning I urged, at a committee meeting, that the committee begin the immediate consideration of this subject.

Mr. Speaker, in my letter, which I have previously requested permission to include with my remarks, I said as follows:

OCTOBER 12, 1966.

Hon. WILBUR D. MILLS,
Chairman, Committee on Ways and Means, House of Representatives.

DEAR MR. CHAIRMAN: The President has called for an increase in social security benefits to be enacted next year. Why should we not enact legislation at this time? Why wait?

It is perfectly clear that inflation is today working a particularly severe hardship on those who must depend on social security benefits. What is the purpose of delaying action to relieve their burden?

A review of the prior increases in OASDI benefits discloses that there has been a considable lag between increases in benefits and the cost of living. When the Congress increased benefits effective January 1959, the consumer price index for the year 1958 was 100.7% of the 1957–1959 base period. By the time that the Congress had again increased benefits effective in January 1965, the consumer price index had increased to 108.1%, or an increase of 7.4 percentage points. As of July 1966, the consumer price index had increased to 113.3%. The preliminary figure for August 1966 is 113.8%. This means that there has been an increase of 13.1 percentage points in the consumer price index over the past 8 years, compared with an increase of only 7% in OASDI cash benefits. This means a gap of 6.1% between cost of living increase and basic social security benefits.

For this reason, I urge that you convene the Ways and Means Committee without delay to consider an increase in the OASDI benefits in order to reflect increases in the cost of living. If our consideration is limited to an adjustment in cash benefits, I am confident that the Committee could act promptly.

As you know, it has long been my view that the OASDI cash benefit provisions should automatically be adjusted to take into account increases in the cost of living as reflected in the consumer price index. I introduced a bill (H.R. 16354) on July 20, 1966, which would accomplish that objective. In connection with providing an increase in cash benefits at this time, I believe we should also provide an escalation clause so that future cost of living increases would be automatic.

I fully realize that we must also look to the financial impact of any increase in the OASDI trust fund. The Chief Actuary of the Social Security Administration has stated in the past that cost of living increases can be granted without increasing either the tax or the base. However, if an increase in the tax should prove necessary, I think that it would be justified for this purpose.

Sincerely yours,
JOHN W. BYRNES,
Member of Congress.

AMENDMENTS TO INTERNAL SECURITY ACT

Mr. VIVIAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. VIVIAN. Mr. Speaker, on the vote just taken, I voted against adoption of H.R. 12047, because I believe the bill, even as amended, contains provisions which are not only most unwise but in all likelihood simply unconstitutional. Yesterday evening, during debate on the bill, I and others proposed amendments which would have removed objectionable provisions, and provided needed clarification of the applicability of the principal and valid provisions. Unfortunately, our efforts yesterday evening were unsuccessful. I regret that so few persons were present at that session, for I believe that if the majority of the Members had been present, our efforts might have succeded.

Because I believe the bill, even as amended, is inappropriate, I voted against it, as did other Members of both parties. But also, because I believe certain specific provisions do merit support, I will introduce today a separate bill including these provisions. The bill comprises section 402 of the bill debated yesterday, amended as I proposed yesterday, plus several supplementary paragraphs to clarify the conditions of applicability of the act. I have excluded section 401 and section 403 of the bill debated yesterday. Section 401, a preamble, contained no purposeful authority. And as so well stated yesterday by the gentlemen from California [Mr. WALDIE and Mr. HOLIFIELD], section 403 would have not only added unneeded authority, but also confounded application of existing law.

Mr. Speaker, I believe this body today has accepted an inappropriate bill. I hope the other body will consider my bill as a preferable alternative.

TO REQUIRE OPERATORS OF OCEAN CRUISES BY WATER BETWEEN THE UNITED STATES, ITS POSSESSIONS, AND TERRITORIES, AND FOREIGN COUNTRIES TO FILE EVIDENCE OF FINANCIAL SECURITY AND OTHER INFORMATION

Mr. GARMATZ. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 10327) to require operators of ocean cruises by water between the United States, its possessions and territories, and foreign countries to file evidence of financial security and other information, with Senate amendments thereto, disagree to the Senate amendments, and ask a conference with the Senate.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

The Chair hears none, and appoints the following conferees: Messrs. LENNON, DOWNING, ROGERS of Florida, MAILLIARD, and PELLY.

CONSIDERATION OF H.R. 17239

Mr. PEPPER from the Committee on Rules filed the following privileged resolution (H. Res. 1054, Rept. No. 2258), which was referred to the House Calendar and ordered to be printed:

H. Res. 1054

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 17239) to limit contests of elections of Members of the House of Representatives to contests brought by duly qualified candidates whose names appear on the official ballots. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on House Administration, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

INVESTIGATION OF EUROPEAN MARKETS, AND OTHER PURPOSES

Mr. PEPPER, from the Committee on Rules, filed the following privileged resolution (H. Res. 1043, Rept. No. 2259), which was referred to the House Calendar and ordered to be printed:

H. RES. 1043

Resolved, That, for the purpose of the studies and investigations specified in H. Res. 133 approved by the House of Representatives on February 16, 1965, that the Committee on Banking and Currency is authorized to send eighteen of its members and six of its employees to be divided into special subcommittees to investigate matters in connection with European capital markets and export control on capital as it affects balance of payments, restrictions on borrowing in European capital markets by foreign entities, bilateral credit agreements between the United States and European countries, and development lending activities in the Far and Middle East of those agencies in which the United States participates; and, the operations of the International Bank for Reconstruction and Development, the International Finance Corporation, Inter-American Development Bank, and the International Development Association affecting the development of the agricultural sector in Latin America. One special subcommittee shall investigate and study the European capital markets, bilateral credit agreements between the United States and European countries, and development lending in the Far East and Middle East and one special subcommittee shall investigate and study the activities of the various international lending institutions as they affect the development of agriculture in Latin America: *Provided further,* That, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Banking and Currency of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided,* That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88-633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose: *Provided*, That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

TO AUTHORIZE THE GENERAL SUBCOMMITTEE ON LABOR OF THE COMMITTEE ON EDUCATION AND LABOR TO CONDUCT AN INVESTIGATION AND STUDY OF THE OPERATION OF ELEMENTARY AND SECONDARY SCHOOLS BY FEDERAL AGENCIES AND OF PRODUCTION OF FOREIGN-MADE GOODS COMPETING WITH DOMESTICALLY PRODUCED GOODS

Mr. PEPPER, from the Committee on Rules, filed the following privileged resolution (H. Res. 1044, Rept. No. 2260), which was referred to the House Calendar and ordered to be printed:

H. Res. 1044

Resolved, That notwithstanding the provisions of H. Res. 94, Eighty-ninth Congress, the General Subcommittee on Labor of the Committee on Education and Labor is authorized to send not more than six members (four majority and two minority), and not more than two staff assistants (one majority and one minority), of such subcommittee to conduct a full and complete investigation and study (1) of the operation by the Federal Government of elementary and secondary schools, both at home and abroad, with a view to determining means of assuring that the children of civilian officers and employees, and members of the Armed Forces, of the United States will receive high quality elementary and secondary education, and (2) of the circumstances surrounding the production in foreign nations of goods which are subsequently sold in the United States in competition with domestically produced goods.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such time and places within the United States, including any Commonwealth or possession thereof, or elsewhere whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Education and Labor of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88-633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expand an amount for transportation in excess of actual transportation costs; (3) no appropriate funds shall be expended for the purpose of defraying expenses of members of said committee or it employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies where spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

TO GRANT ADDITIONAL TRAVEL AUTHORITY TO THE COMMITTEE ON PUBLIC WORKS

Mr. PEPPER, from the Committee on Rules, filed the following privileged resolution (H. Res. 1045, Rept. No. 2261), which was referred to the House Calendar and ordered to be printed:

H. Res. 1045

Resolved, That, notwithstanding the provisions of H. Res. 141, Eighty-ninth Congress, the Committee on Public Works is authorized to send not more than five members of such committee, two majority staff assistants, and one minority staff assistant to such European and Near Eastern countries as the committee may determine for the purpose of conducting an investigation and study of public works in various European and Near Eastern countries, which would include mutual problems involving rivers and harbors, flood control, highways, water pollution and related subjects; and is further authorized to send not more than five members of such committee, two majority staff assistants, and one minority staff assistant to such Far Eastern countries as the committee may determine for the purpose of conducting an investigation of water pollution and public transportation in various Far Eastern countries.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Public Works of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88-633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

AUTHORIZING THE COMMITTEE ON HOUSE ADMINISTRATION TO SIT, HOLD HEARINGS, AND ISSUE SUBPENAS IN CARRYING OUT ITS DUTIES

Mr. PEPPER, from the Committee on Rules, filed the following privileged resolution (H. Res. 1047, Rept. No. 2262), which was referred to the House Calendar and ordered to be printed:

H. Res. 1047

Resolved, That, for the purpose of carrying out its duties under the Rules of the House of Representatives, the Committee on House Administration, or any subcommittee thereof, is authorized to sit, hold hearings, and act at such times and places within the United States, whether or not the House is in session, is in recess, or has adjourned, to require by subpena or otherwise the attendance of such witnesses and the production of such papers, documents, and books, and to take such testimony as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or of any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

AUTHORIZING THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO CONDUCT CERTAIN STUDIES IN FAR EASTERN AND WESTERN EUROPEAN COUNTRIES

Mr. PEPPER, from the Committee on Rules, filed the following privileged resolution (H. Res. 1048, Rept. No. 2263), which was referred to the House Calendar and ordered to be printed:

Resolved, That (a) notwithstanding the provisions of H. Res. 245, Eighty-ninth Congress, the Committee on Post Office and Civil Service is authorized to send not more than two members, and not more than two staff assistants, of such committee, to such Far Eastern and Western European countries as the committee may determine, for the purpose of conducting studies with respect to the policies, operations, activities, and administration by the Department of Defense of the United States Government of the civilian manpower requirements, utilization, and employment policies of the Department in such countries, with particular reference to—

(1) the determination of the appropriate means of ascertaining the number of civilian employees needed by the Department of Defense in such countries, including the utilization of United States civil service employees, the direct hiring by the Department of Defense of foreign nationals, and the indirect hiring by the Department of Defense of foreign nationals through the government of the foreign countries concerned;

(2) the determination of whether sound manpower utilization policies are being applied by the Department of Defense in such countries; and

(3) the propriety of the use by the Department of Defense of personnel furnished by private contractors in such countries.

(b) Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Post Office and Civil Service of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code, except that—

(1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964:

(2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; and

(3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

(c) Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

CLEAN AIR ACT AMENDMENTS OF 1966

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the bill (S. 3112) to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 percent of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia [Mr. Staggers]?

There was no objection.

The Clerk read the statement.

The conference report and statement follow:

Conference Report (H. Rept. No. 2256)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3112) to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the Act more flexible by consolidating the appropriation authorizations under the Act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 per centum of the total appropriation for any year; extend the duration of the programs authorized by the Act; and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendment numbered 1.

That the Senate recede from its disagreement to the amendments of the House numbered 4 and 5, and agree to the same.

Amendment numbered 2: That the Senate recede from its disagreement to the amendment of the House numbered 2 and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken out by the House amendment and in lieu of the matter proposed to be inserted by the House amendment insert the following: "$66,000,000".

Amendment numbered 3: That the Senate recede from its disagreement to the amendment of the House numbered 3 and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken out by the House amendment and in lieu of the matter proposed to be inserted by the House amendment, insert the following: "$74,000,000"; and the House agree to the same.

Harley O. Staggers,
John Jarman,
Leo W. O'Brien,
Paul G. Rogers,
William L. Springer,
Ancher Nelsen,
Managers on the Part of the House.

Jennings Randolph,
Edmund S. Muskie,
Frank E. Moss,
Fred R. Harris,
J. Caleb Boggs,
George L. Murphy,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3112) to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 per centum of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

Amendment No. 1: Section 2 of the Senate bill amends section 306 of the Clean Air Act to authorize $46,000,000 for fiscal year 1967. The House amendments reduce that authorization to $39,000,000.

The House recedes.

Amendment No. 2: Section 2 of the Senate bill amends section 306 of the Clean Air Act to authorize $70,000,000 for fiscal year 1968. The House amendments reduce this authorization to $62,000,000.

The Senate recedes with amendments which provide an authorization of $66,000,000 for fiscal year 1968.

Amendment No. 3: Section 2 of the Senate bill amends section 306 of the Clean Air Act to authorize $80,000,000 for fiscal year 1969. The House amendments reduce this amount to $71,000,000.

The Senate recedes with amendments which authorize $74,000,000 for fiscal year 1969.

Amendment No. 4: This is a clarifying amendment; the Senate recedes.

Amendment No. 5: Section 3(a)(2) of the Senate bill amends section 104(b) of the Clean Air Act which provides that "no agency shall receive any grant under this section during any fiscal year when its expenditures of non-Federal funds for air pollution programs will be less than its expenditures were for such programs during the preceding fiscal year" to permit a grantee to reduce annual expenditures to the extent that nonrecurrent costs are involved. The House amendments provide that no grant shall be made for maintenance of an air pollution program unless the Secretary is satisfied that it will not be used to supplant non-Federal funds, and to the extent practicable, will be used to increase the level of State, local, and other non-Federal funds available for the maintenance of such program.

The Senate recedes.

Harley O. Staggers,
John Jarman,
Leo W. O'Brien,
Paul G. Rogers,
William L. Springer,
Ancher Nelsen,
Managers on the Part of the House.

Mr. STAGGERS. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

DEMONSTRATION CITIES AND METROPOLITAN DEVELOPMENT ACT

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 1023) providing for the consideration of the bill (S. 3708) to assist comprehensive city demonstration programs for rebuilding slum and and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1023

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3708) to assist comprehensive city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes. After general debate, which shall be confined to the bill and shall continue not to exceed six hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Banking and Currency, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order the committee amendment in the nature of a substitute now printed in the bill and such substitute for the purpose of amendment shall be considered under the five-minute rule as an original bill, and read by titles instead of by sections. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any of the amendments adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

CALL OF THE HOUSE

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. PEPPER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 361]

Abernethy
Albert
Anderson, Ill.
Andrews, Glenn
Aspinall
Baring
Blatnik
Bray
Brock
Callaway
Carey
Clancy
Conyers
Cooley
Corman
Craley
Culver
Davis, Ga.
Dawson
Dent
Denton
Devine
Dickinson
Diggs
Dorn
Duncan, Oreg.
Dyal
Edmondson
Evans, Colo.
Evins, Tenn.
Fisher
Flynt
Foley
Ford, William D.
Frelinghuysen
Gallagher
Giaimo
Gibbons
Gilligan
Griffiths
Gross
Hagan, Ga.
Halleck
Hamilton
Hansen, Idaho
Hansen, Wash.
Harvey, Ind.
Hébert
Helstoski
Hicks
Hungate
Huot
Johnson, Pa.
Keogh
Long, Md.
McDowell
McMillan
Mackay
Mackie
Mailliard
Martin, Ala.
Martin, Mass.
Matsunaga
Miller
Morrison
Morton
Moss
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
Ottinger
Pelly
Pickle
Pool
Powell
Pucinski
Purcell
Quie
Reid, Ill.
Reinecke
Rivers, Alaska
Robison
Rogers, Tex.
Roncalio
Rooney, Pa.
Roush
Scott
Steed
Stephens
Stratton
Sweeney
Teague, Calif.
Thompson, N.J.
Thompson, Tex.
Todd
Toll
Trimble
Vigorito
Watkins
White, Idaho
Willis
Wyatt

The SPEAKER. On this rollcall, 330 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

DEMONSTRATION CITIES AND METROPOLITAN DEVELOPMENT ACT

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from Nebraska [Mr. MARTIN] and, pending that, I yield myself such time as I may consume.

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1023, and ask for its immediate consideration.

Mr. Speaker, House Resolution 1023 provides for the consideration of S. 3708, to assist city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in these areas, to improve and amend our housing programs, and for other purposes. The resolution provides an open rule with 6 hours of general debate.

It is most important that we take prompt action on S. 3708. The hour is late, and the bill which we have before us is one of the most important which has come before this Congress.

Mr. Speaker, the other body took affirmative action on S. 3708, and passed that bill on August 19. The bill now before us was referred to the Committee on Banking and Currency on August 22, which promptly reported the bill in the form of an amendment. The bill includes the provisions of the Senate-passed bill as well as provisions from S. 3711, a general housing bill, and other House bills.

The task which we face today is a critical one; it is to decide whether this Congress can offer the Nation an opportunity to meet squarely the many unresolved problems which now face our urban areas. The President, in his special message to the Congress, succinctly characterized those problems in terms of cities of promise, and cities of hope—where every man has his chance, his opportunity, and the right to live and work and become whatever his ambition and his vision can combine to make him. He has proposed a program to rebuild and renew where there is blight, decay, and ugliness; to restore old communities and bring forth new ones.

The question before us today is the question whether we will make our cities the kind of cities in which all of us can be expected to live with dignity—today, and in the future, or—in the alternative—whether by neglect and delay we are to leave them to their own destiny where they could well decay below tolerable standards.

The legislation before us offers the opportunity, the promise, to make a new beginning in our continuing efforts to enhance the quality of life for all of America's citizens.

The background of S. 3708 is written in terms of many existing program conflicts, program gaps, and a lack of resources. A critical evaluation of this background and an analysis of the shortcomings of existing Federal programs led the President to propose this legislation.

Mr. Speaker, I submit that the need for this important legislation is well documented.

Because S. 3708 incorporates both the demonstration cities and metropolitan development proposals as well as the more general provisions included in the omnibus housing legislation this year, the bill is unavoidably long and somewhat complex. For these reasons, I will attempt to summarize briefly the principal provisions of the bill, leaving a more detailed explanation of its various provisions for the extended general debate which is provided under the rule.

Title I incorporates the administration's proposal for the new city demonstration program to which I have referred, consisting of both Federal financial and technical assistance. The program is designed to assist in providing the financial resources for cities to plan and carry out demonstration programs. These programs will be of sufficient size and scope to result in the rebuilding and restoration of entire sections or neighborhoods of slums and blighted areas. The programs involve more than brick and mortar, however. They will also reduce social and educational disadvantages, ill health, underemployment, and provide opportunities for work and training, in order to improve the general welfare and living conditions of people in these areas.

Under the bill, maximum responsibility will be focused on the locality itself, its people, and its officials. Federal financial and technical assistance will be provided to cities presenting imaginative and effective ways of dealing with both the physical and social problems of slum and underprivileged areas.

Federal funds would cover 80 percent of the cost of planning and developing comprehensive city demonstration programs. An appropriation of $12 million a year for both fiscal 1967 and fiscal 1968 is provided for this purpose.

In addition, two types of Federal assistance would be available to help finance projects or activities that are included as part of an approved comprehensive city demonstration program.

First, to the extent such projects or activities are eligible for assistance under an existing Federal grant-in-aid program, they may be financed under that program.

Second, special grants, supplementing the assistance available under existing grant-in-aid programs, would be provided under the demonstration cities program to assist cities to provide their required share of the cost of projects or activities that are part of the demonstration program and are funded under existing Federal grant-in-aid programs, and provide funds to carry out other nonfederally assisted projects or activities—including projects or activities of the type eligible for Federal assistance under existing grant-in-aid programs—undertaken as part of the demonstration program.

The amount of this special—supplemental—demonstration cities grant would be up to 80 percent of the total non-Federal contributions required to be made to all projects or activities assisted by Federal grant-in-aid programs which are carried out as part of a comprehensive city demonstration program. Under the bill, appropriations of $400 million for fiscal 1968 and $500 million for fiscal 1969 would be authorized for this financial assistance.

In addition, title I authorizes an increase of $250 million in urban renewal grant authority, to be used for projects included in city demonstration programs.

Title II of the bill, the Metropolitan Development title, proposes improved ways and means to coordinate Federal activities in metropolitan areas. It authorizes supplementary Federal grants to both State and local bodies for metropolitan development projects as incentives for comprehensive metropolitan-wide planning and adherence to such planning. The supplementary grant would be conditioned on meeting standards for comprehensive planning on a metropolitan-wide basis. The grant to the public body sponsoring the metropolitan development project would amount to a maximum of 20 percent of the cost of the project, and in no case could the total grant exceed 80 percent of the project cost, nor could the supplementary grant exceed the basic grant. The bill authorizes appropriations of not to exceed $25 million for fiscal 1967, and $50 million for fiscal 1968. Assistance provided under title II will be for projects in a standard metropolitan statistical area, defined by the Bureau of the Budget as the area in and around a city of 50,000 population or more.

Title III deals with a number of amendments to FHA programs. While all of the provisions contained in title III are significant, I will attempt only to touch briefly on certain of the major amendments contained in this title, leaving specific issues for the general debate. One amendment, for example, authorizes the financing at an interest rate of 3 percent under FHA section 221(d)(3) for acquiring and rehabilitating housing by nonprofit groups for resale to families of very low income. Another provision of title III would reactivate on a limited basis the armed services housing program—better known as the Capehart program—and would authorize an additional 5,000 units of off-base section 810 rental housing for the military. Yet another provision included in title III would extend the eligibility for the preferential terms under FHA section 203 extended to veterans in the Housing and Urban Development Act of 1965, to include those veterans who have used their VA entitlement.

Title IV contains a new program to extend FHA mortgage insurance for land development so as to include the financing of entire new large-scale communities. This title would increase from $10 to $25 million the limit now provided on land development mortgages and would provide that mortgages for financing these new communities would be eligible for FNMA special assistance.

Title V of the bill would establish a program of mortgage insurance to finance the construction and equipment of buildings which would be used for group medical practice facilities. Such group practice facilities would be those for providing medical—including osteopathic—optometric or dental care and treatment. Under title V, insured loans would be limited to 90 percent of value, a maximum maturity of 25 years, and a maximum interest rate of 6 percent.

Title VI of the bill would authorize several new Federal programs, including grant and loan assistance, designed to assist in the preservation of the Nation's historic structures.

Title VII includes provisions related to the crediting of certain local expenditures as a local grant-in-aid under the terms of the urban renewal program.

Title VIII of the bill would amend the rural housing program administered by the Farmers Home Administration. One amendment would increase from $1,000 to $1,500 the maximum amount of a loan, grant or combined loan and grant for repairs and improvements to owner-occupied dwellings which are necessary to make them safe and sanitary.

The last title of the bill, title IX, includes a number of miscellaneous provisions among which is an amendment designed to clarify and improve mortgage and financial relief for those homeowners who have been placed in economic difficulties because of the closing of Federal installations or military bases.

Mr. Speaker, it is my considered opinion that the rule before us is a noncontroversial rule. S. 3708 had support from both sides in the hearings which the Committee on Banking and Currency held and even those who are highly critical of certain of the provisions in the bill supported the rule.

Mr. Speaker, S. 3708 is an extremely important bill. The programs which it would authorize represent what can be a dramatic new step forward, which can provide a significant beginning in solving the critical problems which face our Nation. It represents, in my opinion, a legislative product which has been thoroughly examined, debated, and refined. I urge the House to approve this significant legislation.

Mr. Speaker, I include at this point in my remarks a statement by the President at his press conference on October 6 explaining the purpose of this legislation, strongly commending it, and reaffirming his recommendation:

Statement of President Lyndon B. Johnson on the Demonstration Cities Bill at His Press Conference of October 6, 1966

Question: Mr. President, sir, Monday the House is scheduled to vote on the Demonstration Cities Bill. Title II of that bill, which you are urging Members, I understand, to vote for, provides incentives or, rather, bribes to local communities to do away with their own school systems, to have open housing, and to create educational parks where there would be 25,000 or 35,000 children going to school. This would require busing of children long distances and would also bring about a system to correct racial imbalance.

You are a former school teacher. I wonder if you would tell us why you think doing away with the local school systems, as has been admitted by educators in your Administration would happen—I wonder why you think this would be better?

The President. First, I would not concur with your legal analysis of the bill.

Second, I am glad of the opportunity that you have given me to state that I believe there is no domestic problem that is more critical than the problem of rebuilding our cities and giving our people who live in the cities opportunities to develop as healthy, educated, productive citizens of our society—citizens who have the ability to get and to hold jobs, and to take pride in the place in which they live.

In order to try to get at the root cause of the problems of the cities, I asked a Task Force of bipartisan leaders of this Nation to make a careful study of this measure. Their recommendations are contained in the Demonstration Cities Bill.

Hearings have already been held. The Senate carefully and thoroughly debated the measure and passed it by an overwhelming majority. I do not think they gave to it either the interpretation that you place upon it or the fears that you express.

I do hope that the House will take prompt and favorable action early next week.

As I said in the beginning, and as I would repeat again, I think it is one of the most important pieces of legislation for the good of all American mankind that we can act upon this session.

Mr. Speaker, I include also a statement of a group of leading businessmen urging passage of this administration bill. I take the time to mention these gentlemen because maybe other Members have been subjected, as I have, to a barrage of opposition to this legislation from all over my State and other parts of the country, reflecting a total misunderstanding of the character, purpose, and objectives of the legislation. These are the types of businessmen who on October 10 issued the following public statement announcing their strong support for this legislation:

Statement of a Group of Leading Businessmen Urging Passage of Demonstration Cities Act, October 10, 1966

The most pressing domestic problem of our time is the problem of the American city. Wherever it is located, whatever its size, the city presents a crucial challenge that will grow as our Nation grows. It is a challenge which reaches each of us. And all of us must join in its solution.

Our cities are being submerged by a rising tide of confluent forces—disease and despair, joblessness and hopelessness, excessive dependence on welfare payments, and the grim threats of crime, disorder and delinquency. These forces flow strongest in the city slums, from whence they spread relentlessly to threaten the quality of life in every quarter.

What can be done to help meet this problem head on?

The response is the Demonstration Cities Act, a keystone and historic program for the cities now before the Congress. Passed by an overwhelming majority in the Senate, the measure is now pending before the House of Representatives.

As responsible and deeply concerned citizens over the future of American cities, we urge prompt passage of this, the single most important domestic proposal before the Congress.

The Demonstration Cities Act is the product of two years of intensive and imaginative work by a bipartisan group in the Nation's leading industrialists and specialists in urban affairs. It authorizes a national program to develop comprehensive plans for rebuilding neglected neighborhoods, and provides federal financing to cover 80% of the cost of the approved pilot or "demonstration" projects submitted by cities of all sizes. Additional assistance is authorized to supplement existing municipal planning programs in all of our cities.

The essentials of the Act are threefold:

First, a basic comprehension that the problems of the city are not made of brick and mortar but of people.

Second, an understanding of the progress that can come from the moving spirit of free and creative community enterprise.

Third, a new flexibility, adapted to local needs, designed to encompass new ideas and shaped to encourage private enterprise and innovation and technological advances in all American cities, large and small.

As businessmen, we are especially mindful of the need to hold down federal expenditures until the immediate threat of inflation is contained. The proposal is a fiscally responsible measure. The funds proposed will move this humane program forward, consistent both with the Nation's economic well-being and with our highest hopes for the future of our cities. In our business judgment, it deserves to be ranked as high on any list of national priorities as any domestic program we know.

America needs the Demonstration Cities Act.

Stephen D. Bechtel, Fred J. Borch, Howard L. Clark, Donald C. Cook, Justin W. Dart, R. Gwin Follis, Henry Ford II, Thomas S. Gates, Jr., Ben W. Heineman, Edgar F. Kaiser, David M. Kennedy, Robert Lehman, John A. McCone, Cyril J. Magnin, Stanley Marcus, Alfred E. Perlman, Herman H. Pevler, David Rockefeller, Stuart T. Saunders, Herbert R. Silverman, Jack I. Straus, Thomas J. Watson, Jr.

AFFILIATIONS OF BUSINESSMEN SUPPORTING THE DEMONSTRATION CITIES ACT

Stephen D. Bechtel, Chairman, Bechtel Corporation.

Fred J. Borch, President and Chief Executive Officer, The General Electric Company.

Howard L. Clark, President and Chief Executive Officer, American Express Company.

Donald Cook, President, American Electric Power Service Corp.

Justin Dart, President, Rexall Drug and Chemical Company.

R. Gwin Follis, Chairman of the Board, Standard Oil of California.

Henry Ford II, Chairman of the Board and Chief Executive Officer, Ford Motor Company.

Thomas S. Gates, Jr., Chairman of the Board and Chief Executive Officer, Morgan Guaranty Trust Company.

Ben Heineman, Chairman of the Board and Chief Executive Officer, Chicago and North Western Railway.

Edgar F. Kaiser, President, Kaiser Industries Corporation.

David Kennedy, Chairman of the Board and Chief Executive Officer, Continental Illinois National Bank & Trust Company.

Robert Lehman, Chairman of the Board and Chief Executive Officer, Lehman Brothers.

John McCone, Investment Banker.

Cyril J. Magnin, President, Joseph Magnin Company.

Stanley Marcus, President, Neiman-Marcus.

Alfred E. Perlman, President and Chief Administrative Officer, Pennsylvania New York Central Transportation Company.

Herman H. Pevler, President, Norfolk & Western Railway Company.

David Rockefeller, President and Chairman of the Executive Committee, The Chase Manhattan Bank.

Stuart Saunders, Chairman of the Board and Chief Executive Officer, Pennsylvania Railway.

Herbert R. Silverman, Chairman of the Board and Chief Executive Officer, James Talcott, Inc.

Jack I. Straus, Chairman of the Board, R. H. Macy, Inc.

Thomas J. Watson, Jr., Chairman of the Board, International Business Machines Corporation.

Mr. CLARENCE J. BROWN, JR. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Ohio.

Mr. CLARENCE J. BROWN, JR. I just came on the floor. Is this a list of members of the President's Club that the gentleman is reading?

Mr. PEPPER. I do not know whether these gentlemen are members of the President's Club. I suspect a good many of them are members of the Republican Boosters Club.

Mr. CLARENCE J. BROWN, JR. I thank the gentleman.

Mr. PEPPER. Mr. Speaker, I would just like to read, if I may an editorial that appeared in the Washington Evening Star of yesterday afternoon, October 12, 1966. It is entitled "Help for Cities":

HELP FOR CITIES

If anyone doubted it before, the Ribicoff hearings proved that no single infusion of federal aid can solve the problems of cities. Congress still has time this session to take at least a step in the right direction, however, with approval of the administration's "demonstration cities" program, on which House debate opens tomorrow.

The bill's principal merit is a novel approach which boils down, essentially, to this: For too long, our cities have been nibbling away at their problems with a multitude of single-purpose programs, nearly all involving substantial amounts of federal aid. The new program proposes to see what can be accomplished with concerted attacks on urban blight. In the process, it would drastically increase Federal assistance for a wide spectrum of projects in such fields as housing, welfare, urban renewal, economic opportunity and transportation.

The concept of treating the social and physical symptoms of urban disease as parts of a single problem is thoroughly sound. Indeed, this is precisely the sort of thing toward which the District, quite independently, already is pointing with its Shaw urban renewal project. There are similar projects in central cities throughout the country. And beyond central cities, the bill also recognizes the necessity of metropolitan planning as the basis of orderly urban area development.

The descriptive term, "demonstration," moreover, is apt. The President's initial proposal envisioned a $2.3 billion program, spread over five years. To meet Senate criticism, the proposal has been cut to $900 million over three years, with only $12 million, allotted to planning, for the current fiscal year.

Ironically, since at this point it ranks as the administration's major domestic endeavor of the year, the purposes and scope of the "cities" program have not come through clearly to the public. The concept was originated by an independent task force; President Johnson snapped up the idea quickly, and widely publicized it, before its mechanics had been fully developed.

With the passage of time, however, many of the early uncertainties have been resolved. As approved by the Senate, the bill now is vigorously supported by local officials. This week, it won strong endorsement from the chief executives of 22 major American corporations, including David Rockefeller and Henry Ford II. Inflationary dangers notwithstanding, the businessmen said, the bill is a "fiscally responsible" approach to "the most pressing domestic problem of our time."

We agree. The House should hold firm against the efforts which undoubtedly will be made on the floor this week to defeat the Senate-approved version or, failing that, to mutilate it.

Mr. Speaker, I add only that this bill provides that no project can receive Federal funds unless it originates from and is sponsored by local authorities, local officials, local people.

I have seen, in the districts which I and my distinguished colleague, the gentleman from Florida [Mr. FASCELL], have the honor to represent a magnificent example of this kind of cooperation in the past several months. When it was announced that a second wave of Cuban refugees was to come to Florida, many of our people were concerned about whether we could absorb the impact of those thousands of additional Cuban refugees in our community.

The President told us that the Federal Government would bear a large part of the responsibility for helping our local people carry on this program of giving refuge and sanctuary to these people fleeing from tyrannical communistic persecution. In order to do that the President appointed the Honorable John Gardner, Secretary of Health, Education, and Welfare, to coordinate all the Federal programs that would have anything to do with helping our Greater Miami community to meet the impact of this second wave of Cuban refugees.

Our local citizens responded and named what we call the Dade County Task Force, the head of which was an able and outstanding businessman, John B. Turner. Bishop Coleman F. Carroll, of the Catholic diocese of Miami, was one of the leading sponsors of this task force. Representatives of other denominations in the area, outstanding businessmen, and private citizens cooperated.

The result was that we received the impact of these thousands of new refugees and were able to accommodate our economy to doing so because we had cooperation among public and private people at the local level and between them and the State government and the Federal Government.

That is exactly the sort of program which is envisaged in this legislation.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman yielding. I rise with neither ax nor scalpel in hand. In my mind there is no attempt to mutilate. In fact, I will not discuss the bill itself, but I rise only to the waiver of points of order in lines 3 and 4 on page 2 of House Resolution 1023. Would the distinguished gentleman from Florida tell the Members of the House again why they are prevented from intervening with a point of order should this rule be adopted?

Mr. PEPPER. The able and distinguished chairman of the House Committee on Banking and Currency requested this waiver of points of order by our Committee on Rules, and I yield to the able chairman of the Committee on

Banking and Currency for an explanation of that.

Mr. PATMAN. Mr. Speaker, I thank the gentleman for yielding.

The House Committee on Banking and Currency reported out an entirely new bill in the nature of a substitute. Out of an abundance of precaution we asked for waivers of points of order. We do not know of anything in particular that would be subject to a point of order, but waiving points of order does not cause the House to forgo anything, as the gentleman well knows. Every line of the bill will still be subject to a vote on its merits here on the floor of the House. This is just a matter of expediting the bill. As the gentleman knows, on the Committee on Ways and Means they waive points of order and they have closed rules. I certainly do not believe that the gentleman would object to a bill this large running the risk——

Mr. HALL. If the gentleman will yield further, I certainly do not agree with the distinguished gentleman from Texas that this fails to take away the prerogatives of the individual elected Members of the House, because it does just that. It means we must vote on the whole package of the bill, including the five or more nongermane titles according to the rules of the House that have been put into this bill beyond the first and second titles without the intervention of a point of order which would preclude the further consideration of a bill coming under the jurisdiction, surveillance, and oversight of the Committee on Banking and Currency. So, although there is a 5-minute rule allowed on the substitute, once that substitute intervenes under this rule and it makes that substitute in order, then no point of order can be brought up against any part of that substitute. This certainly does restrict the prerogatives of the individual Members of the House, and we have had this matter before us on many occasions. I hope that the gentleman will explain whether or not those five titles are germane to the general purport of the so-called demonstration cities bill and the surveillance of the Committee on Banking and Currency. That is the intent of my question, Mr. Speaker.

Mr. PEPPER. May I give my own version of that? The purpose of this bill is primarily to coordinate and focus in a given area where local initiative has invoked such assistance, the various Federal programs. Therefore, if you are to coordinate all of the Federal programs which can be of use, working with local authorities, to eliminate a vast area of slums in a given population center, then, of course, there must be central authority to bring them into cooperation. Due to the fact that we have different programs which were brought together and focused through the Department of Housing and Urban Development here, I daresay there is a remote possibility that someone might say there was a point of order involved in some minor detail. So the able chairman of the Committee on Banking and Currency, out of an abundance of precaution, asked the Committee on Rules to allow a waiver of points of order. That same thing is done by the able chairman of the Committee on Ways and Means because an amendment offered to a tax bill on the floor here might affect some other section of the Internal Revenue Code. We are aways requested to give and we do give waivers of points of order in reporting out rules on those matters.

But, Mr. Speaker, this is an open rule, I will say to the able gentleman from Missouri [Mr. HALL] that he will have a full opportunity to offer any amendment he may wish to offer to any part of this legislation.

Mr. HALL. Mr. Speaker, it is absolutely unconscionable to say that this is an open rule and at the same time say that it shall be in order to consider the substitute, without the intervention of any point of order, the committee amendment in the nature of a substitute now printed in the bill.

Mr. Speaker, it is not an open rule.

Mr. PEPPER. That language gives the House of Representatives wider latitude than it would otherwise have.

Mr. HALL. I must say to the distinguished gentleman from Florida [Mr. PEPPER] and to the gentleman from Texas [Mr. PATMAN], I well know that many Committee on Ways and Means bills are brought up for consideration, preventing any intervention of any points of order.

Mr. Speaker, this is done in order not to have to rewrite and cause the printing of the entire act, the statute, the code, or the bill.

But, Mr. Speaker, this does not make my point, a point that I have been bringing up here over the last two sessions of Congress, about the waiver of points of order with respect to other than tax bills any less valid.

In fact, I do not approve waiving points of order and the prerogatives of the individual Members of this House of Representatives, Members who represent their own constituency even when considering Committee on Ways and Means bills and that committee's procedures.

Mr. Speaker, I want to declare that under what the gentleman said, there are five titles contained herein, titles subject to points of order, because they do involve FHA, FNMA, and others, and it changes the rules in many areas, other than of demonstration cities, over which this committee has the surveillance, the protection and cognizance, if you please, oversight of the Committee on Banking and Currency.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Speaker, under the rule, this substitute is to be considered as an original bill, and to any part of this bill one can offer an amendment to it—to strike out any section, any word, any paragraph or any title.

So, Mr. Speaker, the House has full and complete charge and its will can be expressed upon any part of this bill.

Therefore, certainly, no powers of jurisdiction are taken away from this House of Representatives.

Mr. HALL. Mr. Speaker, I full well recognize the difference between the 5-minute rule and the waiver of points of order, and I am sure the distinguished gentleman from Texas [Mr. PATMAN] does likewise.

However, I am sure that some of our authority is removed through the waiver of points of order.

Mr. Speaker, I appreciate the fact that the packed Committee on Rules did not also waive the 5-minute rule or the opportunity to offer amendments at all points after the general discussion has been had upon the bill.

Certainly, Mr. Speaker, I hope that the gentleman in handling the bill will not restrict the time insofar as the 5-minute rule is concerned.

Mr. PATMAN. Certainly not.

Mr. MARTIN of Nebraska. Mr. Speaker, will the gentleman yield to me for a question?

Mr. PEPPER. I yield to the gentleman from Nebraska.

Mr. MARTIN of Nebraska. In respect to this question as to waiving points of order, I believe the facts are that the House Committee on Banking and Currency earlier this year reported out H.R. 15890 and subsequently, there were some changes made in this legislation, and then substituted the Senate bill, a bill which only contained two sections which the Senate bill left in the enacting clause, and under the rules of the House, the last seven sections of the bill, which we have printed before us are not germane to the enacting clause of the Senate bill.

Mr. Speaker, that is why the request was made, and voted, over the objection of the minority, to waive points of order on this legislation.

Mr. PEPPER. Mr. Speaker, I thank the gentleman from Nebraska for those remarks.

Mr. MARTIN of Nebraska. Mr. Speaker, I yield myself 15 minutes.

Mr. Speaker, as the gentleman from Florida has stated, House Resolution 1023 provides for the consideration of S. 3708, the Demonstration Cities and Metropolitan Development Act of 1966. The rule provides for 6 hours of debate under an open rule which waives points of order against the committee substitute now in the bill. If this waiver were not included in the rule, the last seven titles of the bill would be subject to a point of order as not being germane.

I do not wish to unduly delay consideration of the bill, Mr. Speaker. Therefore, I shall not discuss each title of the bill—and there are nine of them. Most of the controversy surrounding the bill as well as the thrust of the minority views goes to the first two titles. I shall discuss these in some detail.

First, we should be clear that we are not here to consider the Senate-passed bill, only the number remains. S. 3708, as passed by the Senate had two titles—not nine. Even the original two titles have been substantially modified. The Committee on Banking and Currency had originally reported out its version of the program, H.R. 15890. This bill was abandoned supposedly. Actually, what we have before us today is a slightly modified version of that bill, hiding behind the Senate bill number.

Title I establishes a program of demonstration cities. This is a program of

Federal grants to selected cities for technical and planning assistance, to help the city plan and carry out a comprehensive program of rebuilding and restoring entire sections of blight within the city.

Federal grants, authorized at $12 million for each of fiscal years 1967 and 1968, will provide two kinds of assistance—planning and programing.

Planning assistance is on an 80–20 basis. It will provide supplementary financial aid to selected demonstration cities, to assist them in taking advantage of existing Federal programs, such as grants for hospitals, libraries, water treatment and sewage, and I quote, "educational and social services vital to health and welfare." A further purpose of the bill, and again I quote from section 101 is "to improve educational facilities and programs." Such supplemental assistance grants can equal 80 percent of the non-Federal share of the project as determined by existing law. As an example, a 50–50 cost-sharing project included under a title I planning program, could be refunded into a 90–10 project with the Government picking up the lion's share of the cost. These supplemental grants may also be used to reduce the local cost of nonfederally assisted programs, which could include local school construction.

For fiscal 1968, $400 million is authorized under the bill; $500 million in fiscal 1969.

Mr. Speaker, apart from other objectionable features, concerned with education generally, title I would be a bad proposal. Since most existing programs covered by this title are actually covered by current urban renewal programs; and since the supplemental grants for selected demonstration cities will enable these selected few to siphon off a much greater than normal amount of the Federal funds available for such programs because of the greatly reduced costs to such cities, a sop has been added by the committee for all the hundreds of other cities who are not selected as demonstration cities. To quiet the natural objections of most of the cities of America, an additional $250 million has been authorized for the urban renewal program, beginning in fiscal 1968. I might add that according to figures supplied by the Department of Housing and Urban Development, this will not begin to make up the difference. The $725 million authorized for fiscal year 1967 is all but exhausted; and we are only some 3½ months into the fiscal year, and that sum is about three times the additional amount authorized by the committee to be used beginning in 1968.

Under title I, Federal planning and programing grants would go to existing or created public agencies with authority to undertake citywide planning. Eighty percent of such planning costs could be covered by the Federal grant.

To qualify a city must be prepared to surrender much of its independence. It must, in order to qualify for the supplemental grant program: First, plan comprehensively to provide low- and middle-income housing and improve the educational, social, and health services to a substantial portion of the city, not isolated, small parts of it; second, if necessary—in the Secretary of HUD's opinion, the city must be prepared to change its laws, zoning ordinances, and so forth, to conform to a master plan; third, the city planned program must meet, and I quote from section 103, and I quote from the bill itself:

> SEC. 103. (a) A comprehensive city demonstration program is eligible for assistance under sections 105 and 107 only if—
>
> (1) physical and social problems in the area of the city covered by the program are such that a comprehensive city demonstration program is necessary to carry out the policy of the Congress as expressed in section 101;
>
> (2) the program is of sufficient magnitude to make a substantial impact on the physical and social problems and to remove or arrest blight and decay in entire sections or neighborhoods; to contribute to the sound development of the entire city; to make marked progress in reducing social and educational disadvantages, ill health, underemployment, and enforced idleness; and to provide educational, health, and social services necessary to serve the poor and disadvantaged in the area, widespread citizen participation in the program, maximum opportunities for employing residents of the area in all phases of the program, and enlarged opportunities for work and training;

I submit, Mr. Speaker, under the terms of the language in the bill itself, it gives the Housing Director in Washington control clear across the waterfront as to the operation of our cities and in all phases of municipal operation.

Mr. Speaker, I have never seen a broader grant of power to an executive department since I have been in Congress. The opponents of this bill have been accused of using scare tactics—well, I for one find a good deal that bothers me in title I, and I believe that section 103, from which I have just quoted, has language in it which can worry any thoughtful Member of this House.

Title II of the bill is the metro-planning title of the bill. It provides a further program of Federal supplemental grants for a metropolitan area which will plan on an areawide basis in such areas as highways, sewer and water treatment facilities, recreation, mass transit, and now I quote from section 203(b):

"Other proposed land development or use, which, because of their size, density, type, or location, have public metropolitan or interjurisdictional significance."

The title provides that the Secretary of Housing and Urban Development, upon the request of local officials, can appoint a Federal expediter whose function is to provide information and assistance to local authorities concerning Federal programs. The original administration bill required his appointment. I wonder if any cities qualifying for title II grants will be able to resist "asking" for an expediter.

A program of supplemental grants is instituted under title II, as an incentive toward metroplanning and development. Authorizations are $25 million in fiscal 1967 and $50 million in 1968. They will supplement existing Federal programs and can equal 20 percent of the total project cost.

To qualify for such supplemental grants a metropolitan area must: First, plan areawide for projects with a major impact on the area; second, it must also, and again I quote from the bill, section 205:

> GRANTS TO ASSIST IN PLANNED METROPOLITAN DEVELOPMENT
>
> SEC. 205. (a) The Secretary is authorized to make supplementary grants to applicant State and local public bodies and agencies carrying out, or assisting in carrying out, metropolitan development projects meeting the requirements of this section.
>
> (b) Grants may be made under this section only for metropolitan development projects in metropolitan areas for which it has been demonstrated, to the satisfaction of the Secretary, that—
>
> (1) metropolitanwide comprehensive planning and programing provide an adequate basis for evaluating (A) the location, financing, and scheduling of individual public facility projects (including but not limited to hospitals and libraries; sewer, water, and sewage treatment facilities; highway, mass transit, airport, and other transportation facilities; and recreation and other open-space areas) whether or not federally assisted;

You see, it says "including but not limited," and so again, under the terms of the bill itself, it is a complete open end for the Secretary of Housing here in Washington to go in and do anything he wishes in regard to the operation of our cities.

I would like to read to you the definition of a metro area, which is what we are concerned with in title II. On page 59, line 16, of the bill the following definition appears:

> (4) "Metropolitan area" means a standard metropolitan statistical area as established by the Bureau of the Budget, subject however to such modifications and extensions as the Secretary may determine to be appropriate for the purposes of this title.

You know what that will do. That will give the Secretary complete power to lay aside the boundaries of any metropolitan area in the United States, and include in those boundaries under his direction, by edict from the Secretary, all suburban areas which are included in the metropolitan area for this metro planning that we are concerned with in title II. This would give him complete power and jurisdiction to do that.

I might say, Mr. Speaker, that they do lay it on the line. The Department of Housing and Urban Development is out to gain greater control over our cities than anyone would have dreamed; over every facet of our urban life. They do admit it—it is clear in the bill—if it is accomplished we can blame no one but ourselves—they told us what they wanted to do.

Mr. Speaker, I said earlier that those who have opposed this bill have been accused of raising false issues and using scare tactics to gain support for their efforts. I have pointed out, Mr. Speaker, specific language in the bill which should bother every thoughtful Member. This language, standing alone, confirms everything I have said. But Mr. Speaker, there is more, much more to be said concerning S. 3708.

The specter of Federal domination of our education has been raised, along with the death of our neighborhood schools. Proponents have pooh-poohed these attacks by the gentleman from New York. I have not delved fully into all aspects of this particular controversy, Mr. Speaker, but I am aware of certain facts, of which, I believe, Members should be made aware. In February of this year, Secretary Weaver testified before the Banking and Currency Committee that not only could educational planning of school district lines, and locations of new schools be included in areawide planning, but that it was required that such be included.

This can be found on pages 45–46, 52–53, and page 106 of part I of the hearings. The Secretary's testimony is confirmed by language in titles I and II which include educational planning among those items required to be included.

I should note here, Mr. Speaker, that last week, the Rules Committee heard testimony from the Commissioner of Education, Mr. Howe. A speech he delivered in New York on May 3, 1965, was discussed, in which Mr. Howe stated:

> Building programs for the future should be planned so that new schools break up rather than continue segregation. The Office of Education will provide federal planning funds for such efforts right now, and if I have my way about it, we will provide construction funds before long. Moreover, with the creation of the new Department of Housing and Urban Development, there is a new Federal tool to help education in the attack on de facto segregation. Planning for new land use and for housing patterns in the city must go hand in hand with planning for education.

In answer to a direct question, the Commissioner denied any knowledge whatsoever of the language in titles I and II, language directly concerned with area-wide educational planning. That he should be so totally unaware is too much to believe.

Mr. Howe also made light of the draft education bill for 1967, which has made public. He dismissed it as, and I quote, "a very preliminary piece of paper that was used for conversational purposes—but—had no great standing with us in any official sense." I will state to the Members that evidence within the draft document itself refutes that statement most clearly. The document bears the legend "Presented to the Secretary, September 1, 1966"; it has a 5-year authorization projection, down to the dollar, spelled out; names on the document who had worked on it were discovered to be working in such areas as program planning, and legislative drafting for the Office of Education.

Let me read just a brief memo in regard to this legislation from Mr. Howe's Department. This is in regard to title II, section (d) of that proposed bill:

> Supplementary grants providing an additional twenty percent of the project cost would be made to projects which fit into metropolitan area plans. This increased federal share would provide an incentive for joint school district planning in metropolitan areas. This proposal is patterned after the proposed supplementary grants for planned metropolitan development contained in Title II of the Senate-passed "Demonstration Cities and Metropolitan Development Act of 1966" (S. 3708). If enacted into law, that legislation could simply be amended to include school construction projects assisted under this proposed program in the definition of an eligible "metropolitan development project."

The SPEAKER pro tempore (Mr. BOLLING). The time of the gentleman from Nebraska has again expired.

Mr. MARTIN of Nebraska. Mr. Speaker, I yield myself an additional 5 minutes.

That is a memo from the proposed legislation which was uncovered earlier this year. It is now being considered in the Department of Education as the Elementary and Secondary Education Act for 1967.

Mr. Speaker, these two titles, with authorizations totaling $1,249 million, constitute a direct Federal attack on the rights of citizens in our urban areas to control their lives as they see fit, and on our neighborhood school system. The attack is direct; it is overt. It aims at nothing less than a remaking of our cities according to a Federal master plan.

The attack on our school system is no less direct. It is inconceivable, despite testimony to the contrary, that Federal Departments do not communicate with each other concerning legislation in which each is so vitally interested.

The other titles in the bill, seven in number, are amendments to current law covering such areas as FHA insurance, the "new towns" concept, the preservation of historic structures, urban renewal, and rural housing. Some are controversial.

I would just like to mention very briefly section 9 of this bill, Mr. Speaker, which changes the concept and the operation of FNMA which heretofore has been in the secondary housing market. This brings it directly into the primary housing market, because it provides that FNMA may advance up to 95 percent of the funds to builders who are constructing cooperative housing or nonprofit housing. This is the first time that FNMA has been brought directly into the financing field, so it is a complete change in the concept and operation of FNMA in a little noticed section, section 9 of this bill.

I will not dwell on them, Mr. Speaker, I have taken enough of the time of the House in this, the last week before adjournment.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. MARTIN of Nebraska. I will be through with my statement in just a moment, and then I will be glad to yield at that time.

I call the attention of the Members to the minority views contained in the report, covering a number of issues I have not discussed here; these will be discussed during general debate.

Mr. Speaker, I am disturbed by this bill, as I have indicated by my remarks. I do not believe that our cities have no problems; no one who has traveled this Nation can believe that. But I do believe that the solution is not found in a program dictated and controlled by Washington. I do not believe our neighborhood school system should be drastically modified under Federal direction. And these are the things S. 3708 will do. Language to accomplish these ends are in the bill. Those who say that such is not intended need only remember the floor debate of last week when we amended the education bill to prevent the Office of Education from continuing to violate both the clear intent of the Congress and the language of the Civil Rights Act of 1964. More housing for low- and middle-income families is needed. I agree with Mr. WIDNALL of New Jersey, that Urban Development funds should not just build expensive, high-rise apartments. I do not believe this bill is the answer. I shall vote against it in the belief that a solution can be found which does not stifle local initiative under Federal directions, which does not require that standardized Federal criteria control the development of our cities until one resembles another, which does not threaten our educational system.

Mr. Speaker, I have one other remark to make and then I will conclude my talk.

We have heard a great deal from the President about restraint. He has called upon both management and labor to use restraint in the negotiation of new wage contracts in order to hold down this great spiral of inflation which has our country in its grips. He has called on the housewives and the men of our families and the households to cut back on their purchases in order to lessen the demand for goods and thereby hopefully to hold back this price spiral which is gripping us.

Mr. Speaker, the President has failed to mention restraint in Federal expenditures. The President has constantly criticized the legislative branch of our Government in respect to our authorization bills and in respect to our appropriation bills. And, Mr. Speaker, the President made a statement on last Friday, a statement which was widely quoted in the newspapers all over the country, to the effect that he was unable to make a determination in regard to the necessity of a tax increase until after the Congress adjourned, because he did not know how much we were going to appropriate until we finally adjourned.

Mr. Speaker, the President has not requested that the Congress cut back upon authorization.

Well, Mr. Speaker here is an opportunity for the legislative branch of the Government to reassert itself and to say to this country that we are not any longer a rubber stamp of the executive branch of the Government that we are going to stand up on our own feet and vote for this legislation upon its merits and Mr. Speaker here is an opportunity to save the taxpayers of this country $1.4 billion proposed to be authorized in this program and to call the President of the United States on his criticism of the legislative branch of the Government.

Mr. Speaker, I reserve the balance of my time.

Mr. Speaker, I have no further requests for time.

I will now be glad to yield to the gentleman from Indiana [Mr. MADDEN].

Mr. MADDEN. I thank the gentleman for yielding.

Mr. Speaker, I want to commend the Banking and Currency Committee for the long days and weeks of committee work they devoted to this complicated and necessary legislation. This bill, if enacted into law, will be a great step forward in solving the slum and blighted areas problems in the cities and metropolitan centers of our Nation. It will provide practical experimentation programs on public facility and other services necessary to improve the general welfare of the people in these areas. This legislation will help with technical and financial assistance to these metropolitan areas that present practical and effective programs dealing with their physical and social problems. This financial aid will be set out in two main categories, to wit: planning assistance and program assistance. Almost total responsibility for the establishment and supervision of these operations will be under control and the responsibility of the elected officials of the local community. Under provisions of the bill, program assistance for any project will be a maximum of 80 percent of the total non-Federal contributions made on all projects under existing Federal law which are being carried out as part of the city demonstration program.

The legislation will be of great aid for poor families in providing satisfactory housing with 3 percent interest including veterans' applications and directed especially to the acquisition and rehabilitation of housing by nonprofit groups and organizations. One title of this bill extends FHA mortgage insurance to finance construction and equipment of buildings to be used as group medical practice facilities. Insurance loans would be limited to 90 percent of value with a maximum maturity of 25 years and a maximum interest rate of 6 percent.

Title VII of the bill provides for the crediting of certain local expenditures as a local grant-in-aid under the urban renewal program.

Title VIII contains amendments to the Rural Housing Programs and administered by the Farmers Home Administration, including an increase from $1,000 to $1,500 as a maximum amount of a loan grant and a further loan and grant for repairs and improvements to owner-occupied dwellings which are necessary to make the buildings safe and sanitary.

Expert and detailed testimony was received during the hearings on all phases and aspects of this proposed legislation. Leaders of the homebuilding, real estate and mortgage industries testified in favor of this legislation. Labor organizations, civic groups, mayors, cooperative groups and others provided the committee with the benefit of their knowledge and recommendations. There are over 7 million homes in urban areas throughout the Nation that are run down or deteriorated. About 3 million do not have adequate plumbing or hot and cold running water. In many of our cities, entire sections and neighborhoods are in need of major surgery to overcome decay. Our cities have made great efforts to overcome the difficulties which are brought about by the influx of population from rural and smaller towns throughout the Nation. By reason of this great influx of families to the cities in recent years, it is estimated that 70 percent of our population is now centered in the metropolitan areas. Municipalities have had to increase their tax revenues approximately 43 percent and the local municipal government indebtedness has averaged over 120 percent.

If the Federal Government does not cooperate and extend aid to the millions of poor families and especially the multimillions of schoolchildren, consternation, poverty, lawlessness, and riots are bound to expand and increase as years pass.

Legislation of this type is the greatest insurance not only against crime and juvenile delinquency but the aid in educational facilities will in future years lower our relief rolls, and make millions of taxpayers in the future which might otherwise become relief dependents and nonproducers to our economy.

The gentleman from Florida, Congressman PEPPER, in handling the rule on this legislation, has explained in detail the various complex and intricate provisions and proposals which this bill calls for. I do hope it passes the Congress by a large majority.

GENERAL LEAVE TO EXTEND

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members participating and speaking on the bill today or on tomorrow in the Committee of the Whole House on the State of the Union, be permitted to revise and extend their remarks and to include extraneous matter.

The SPEAKER pro tempore (Mr. BOLLING). Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PEPPER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the resolution.

The resolution was agreed to.

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (S. 3708) to assist comprehensive city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill, S. 3708, with Mr. FLOOD in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Texas [Mr. PATMAN] will be recognized for 3 hours, and the gentleman from New Jersey [Mr. WIDNALL] will be recognized for 3 hours.

Mr. MACGREGOR. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman from Minnesota will state his point of order.

Mr. MACGREGOR. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. Will the gentleman from Minnesota just be patient until the gentleman from New Jersey [Mr. WIDNALL] arrives?

Mr. MACGREGOR. Mr. Chairman, that was the purpose of my making the point of order, I will say to the distinguished chairman.

The CHAIRMAN. The Chair will state to the gentleman from Minnesota that in the opinion of the Chair, the gentleman from New Jersey [Mr. WIDNALL] will be here shortly. If the gentleman from Minnesota will withdraw his point of order and permit the Chair to make a few observations, while the gentleman from New Jersey [Mr. WIDNALL] is approaching the Chamber.

Mr. MACGREGOR. Mr. Chairman, the Chairman, with my permission, is granted full leave to make any statement which the Chair desires to make. It is always a delight to listen to the gentleman from Pennsylvania.

The CHAIRMAN. The gentleman from Minnesota [Mr. MACGREGOR] is very kind and I agree with the gentleman.

For what purpose does the gentleman from New York [Mr. FINO] rise?

Mr. FINO. Mr. Chairman, in view of the fact that the gentleman from New Jersey [Mr. WIDNALL], the ranking minority member, is not here, and will be delayed for some 15 minutes, may I respectfully suggest that we proceed?

The CHAIRMAN. Yes. The Chair is about to proceed.

The Chair would like to say that for several years he has been presiding over the consideration of this bill in Committee. Last year we had a very long, tough, hard-fought debate. We had no quorum calls, and not once was there a question about order in the Committee. The Chair is very grateful to the Members for that cooperation. The Chair respectfully pleads that they do the same thing this year.

This is October 13. May the Chair say to the gentleman from Texas [Mr. PATMAN] and to the gentleman from New Jersey [Mr. WIDNALL], in absentia for the minute, that the Chair finds little reason for 6 hours of debate, and it hopes and prays we do not have 6 hours of debate on October 13.

Second, this Committee is an experienced Committee. It is in command of this bill. The Chair is sure that the bona fides and the integrity of the opposition cannot be questioned and everybody will be heard.

Before the curtain goes up on this debate there are certain ground rules the Chair has laid down:

The Chair has asked the Sergeant at Arms—and would like the attention of the employees on this—The Chair has asked the Sergeant at Arms and the Doorkeeper of the House on the Democratic side, and their opposite numbers, to direct all employees of the House to stay off this floor while this bill is before the Committee—all of them, with the exception of one on each side to report to the Members and also has asked the men in charge of the pages in both of these corners to keep them quiet—they make too much noise.

The Chair also asked the telephone people to do the same thing. Everybody has agreed.

This applies to our visitors in the gallery. The Doorkeepers are to instruct them not to whisper or talk in the gallery, and to come and go as quickly as possible.

This is perhaps the most important piece of domestic legislation before the House this year. The Chair suggests we treat it so.

As far as this Tower of Babel over here to my right is concerned, the Chair requests the Sergeant at Arms to keep this aisle completely cleared. Thank you. This must be kept clear. You did this last year, and be very kind again.

Now, for those railbirds in the back—that is a source of great trouble. Will you please get off that rail and go away.

For the Members, there are ample cloakrooms and corridors. We wish you would all stay here and hear the leaders of this bill discuss it pro and con. If you do not want to, please go away. If you must talk, go out in the hall. If you insist upon talking, the Chair will stop the debate until you have finished.

If there is no objection, in the absence of the gentleman from New Jersey [Mr. WIDNALL] the Chair recognizes the distinguished chairman of the Committee on Banking and Currency, the gentleman from Texas [Mr. PATMAN] to open the debate.

Mr. PATMAN. Mr. Chairman, I yield myself such time as I may use.

Mr. Chairman, I rise in support of S. 3708, the Demonstration Cities and Metropolitan Development Act of 1966. It was approved by the Banking and Currency Committee by a vote of 23 to 8.

The President has described America's urban problem as the major domestic crisis of the past quarter of a century. That description is accurate and it embraces cities and towns of all sizes.

Our central cities wrestle with the physical problems of slums and blight. Complicating these are the tangled social problems of densely concentrated, disadvantaged people.

Surrounding the central city, the suburbs are troubled by the problems of an uncoordinated and often wasteful growth.

This is the shape of our present urban problem. Each day it grows in size and complexity. Prompt and effective action is necessary to rehabilitate the physical and social blight, and to provide programs that will coordinate our suburban growth. For the central city and its suburbs, in fact, are one. Programs to solve their problems must recognize this fact.

Here is another dimension of our urban problem. Within the next 35 years, our city population will increase by 100 million people. This means that—in less than 35 years—we must build as much additional urban America as we have yet built in our 350 years on this continent.

This bill before us is designed to meet those challenges.

The Demonstration Cities and Metropolitan Development Act of 1966 provides us with realistic tools for getting started without delay—and for getting the job done.

In the past, we have attempted to solve our city problems as separate and unrelated conditions. This one-program-for-one-problem approach has achieved some solid successes. In the overall, however, the conditions of our cities today is clear proof that "one program for one problem" is not adequate to the need.

Now for the first time, supplemental grants—which do not have a dollar-matching requirement—will make it possible for our cities to make a comprehensive overall approach to rebuilding and rehabilitating their blighted and rundown areas.

One aspect of the demonstration cities proposal which has been largely overlooked is the stimulus it will give to housing construction and rehabilitation. This is especially important at a time when our great homebuilding industry is in a slump because of the tight mortgage money crisis. The construction and rehabilitation activity engendered by the demonstration cities programs will help take up the slack of the industry's underutilized capacity.

The bill is economical. It provides for the imaginative use of programs that are already funded, and of lessons that are already learned. Its use will also generate large investments of private and municipal capital.

With our troubled central cities, a typical demonstration program may well provide for the coordinated use of urban renewal; the construction of low- and moderate-cost housing; the development of recreation areas; improved transportation to better link homes and jobs; on-the-job training, to relieve unemployment pressures; and day-care and nursing homes to assist working mothers and the elderly. The end result would be one of lasting benefit to the development of the entire city. All of its inhabitants would profit—not just those who live in its blighted areas.

This bill also provides relief for our suburbs—for community planners who are struggling with areawide problems of conflicting codes, uneconomical use of water resources, and a multiplicity of jurisdictional authorities.

The planned metropolitan development title will make supplemental grants available to assist and give incentive to metropolitan planning programs, and—to support a wide variety of urban public projects, provided they are carried out in accord with comprehensive metropolitan planning.

Among the programs which are eligible for its supplemental assistance are those for transportation facilities—mass transit, airports, roads—water and sewage facilities, sewage treatment work, and other open-space projects.

And Mr. Chairman, I deplore the specious arguments being raised in opposition to title II of this bill. Although there is no mention of schools in the title, opponents fancifully hint of future legislation which would tend to force cities to bus schoolchildren in order to qualify for the grant program. There are dark implications that the neighborhood school is being threatened. These changes and innuendoes are all fiction and no fact. Both Secretary Weaver and Secretary Gardner have made this crystal clear in letters to the committee. I urge my colleagues not to be diverted by this "red herring" which is really masked opposition to the program itself which is designed to give vitally needed aid for metropolitan development.

Mr. Chairman, there are other desirable features of this important bill before the House. Provisions in title III of the bill would improve the cooperative housing program, would help veterans to qualify for the special preference loan authorized last year under FHA despite previous use of GI loan entitlement, and would provide a new promising program to make sales housing available at a 3-percent interest rate to very low income purchasers.

Title IV would extend the FHA financing for subdivisions which we authorized in last year's act to make entire new communities eligible. Many housing and planning experts are convinced of the inevitability of more and more new communities which will relieve some of the land and population pressures which are besetting our larger urban centers. In my judgment we should encourage, through Federal assistance, the growth of new rationally planned communities and towns.

Title V would set up a brandnew program of FHA mortgage insurance to finance the construction and equipment of buildings to be used as group medical practice facilities. The demands for health care are mounting rapidly and we need to provide every facility for the most efficient utilization of our relatively scarce supply of doctors, dentists and other highly trained professionals.

Title VIII contains several important amendments to improve the rural housing programs administered by the Farmers Home Administration.

The Committee on Banking and Currency and its subcommittee on housing has labored long and hard on this legislation. Earlier this year the housing subcommittee held 4 weeks of hearings and witnesses represented and covered every aspect of housing and urban development. They included many mayors who gave vigorous support to the demonstration cities program and other witnesses represented professional planners, homebuilders, labor organizations, civic groups, and so forth. The proposed legislation was reviewed in detail by the full committee and I was particularly pleased with the full participation of every member of our committee in the drafting of the bill now before you.

In our deliberation, the original proposals were significantly moderated and the total dollar amount of the bill substantially reduced. The demonstration cities program as initially recommended contemplated $2.3 billion in grant money. Working closely with the administration, both in our committee and on the Senate side, this amount has been cut to $900 million over 2 years. With this compromise, and in view of the urgency of the problems which the bill would deal with, I believe it deserves the support of every Member of the House. The committee amendment now before us was reported by a solid majority of 23 to 8.

Mr. Chairman, the long labors of our committee have produced a bill which contains a number of vital and desirable new and improved programs. They will produce better housing, better cities and suburbs, and more basically—better citizens and better Americans. I call on my colleagues on both sides of the aisle to pass this bill and send it to the President without delay.

I share the views of the Chairman of the Committee of the Whole House on the State of the Union concerning the use of time. I know the Rules Committee granted 6 hours of debate, 3 hours for each side. Personally, I believe we could get along with much less than that. If the minority is willing to forgo the use of any amount of their time, even half of it or more, our side is willing to yield.

We want to explore this bill fully, and particularly under the 5-minute rule we must have adequate time for the consideration of the different amendments, but I believe if we could get through with the general debate today we could start on the reading of the bill under the 5-minute rule tomorrow and long before sundown tomorrow we could complete the bill, and vote on final passage.

I hope this will be done, because if it is not we will probably face a Saturday session. I do not know of any Member who likes a Saturday session, but if it is necessary we will just have to have one, we are told by the leadership.

I sincerely trust that we can shorten the time of general debate and get under the 5-minute rule as quickly as possible and resolve and actually accomplish the completion of the bill before the end of the day tomorrow in order that we will not be forced into a Saturday session.

The CHAIRMAN. The Chair might say to the gentleman from Texas that the Chair has discussed the problem he just mentioned last with the Republican leaders, and they are very much in agreement. The Chair hopes both agree.

The Chair recognizes the distinguished minority member of the Committee on Banking and Currency, the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, I yield myself such time as I may consume.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Chairman, the statement made by the distinguished chairman of the committee handling this bill on the floor and the gentleman in the chair of this Committee of the Whole House on the State of the Union is not meant to preclude going on into the 5-minute rule today, should we accomplish general debate, is it?

Mr. WIDNALL. Is the gentleman asking me that question?

Mr. HALL. I should like to have an expression from all of those who are making depositions about reading the bill and going over until tomorrow. I see no reason why we could not wind up general debate today and then go into the 5-minute rule discussions and start the amendment process.

Mr. WIDNALL. So far as I know, there is no agreement as to what is to take place today. There is a general area of agreement that we want to use all the time necessary to give every Member an opportunity to express himself, but we do feel it might be possible to conclude the general debate before the 6 hours allocated by the Rules Committee are used.

Mr. HALL. I certainly subscribe to that. I want it clearly understood that my only purpose in rising to ask the gentleman to yield was so that we did not circumvent ourselves from doing more than just reading the initial portion of the bill, for amendment under the 5-minute rule on tomorrow. We could get into that today.

The CHAIRMAN. The Chair might remind the distinguished gentleman from Missouri, a famous surgeon:

> Hope springs eternal in the human breast:

The Chair hopes the gentleman is right.

Mr. HALL. The rest of the quote is:

> Man never is, but always to be, blest.

The CHAIRMAN. The gentleman is so correct.

Mr. WIDNALL. Mr. Chairman, I have had a longtime interest in housing, which has dated back to the third year I was in the House of Representatives, when I introduced a bill which I believe established the first Special Housing Subcommittee in the House.

At that time there was concern with what was going on with respect to the building of new homes involving many veterans. In their homes, specifications had not been met and their hopes and aspirations that they had upon obtaining a new home had not been fulfilled. Certainly not by the acquisition of that home because of fraud, waste, and improper inspection that were taking place.

At that time a special subcommitttee was selected. President Truman was the President then and the Democrats controlled the House of Representatives. Mr. Rains of Alabama became the ranking subcommittee member, and I was the one on the Republican side. Since that time we have had special housing subcommittees, as we should have had for a long time, because housing is probably the most important legislation, I think, from year to year that we have.

I believe more employment is directly connected with it, outside of the defense industries, than with any other section of our economy. It is more or less a bellwether of our economy and what takes place is something which happily reflects itself in employment and in the betterment of conditions for all Americans.

Mr. Chairman, this bill we have before us today is an omnibus housing bill. Yet I believe most of the mail and telegrams that we are getting or many of our colleagues in Congress are getting are addressed to the demonstration cities bill. The other sections are forgotten and not mentioned. I do not recall that anybody, even including the 22 very fine gentlemen mentioned by the gentleman from Florida [Mr. PEPPER], when he was talking about the rule, referred to the other sections. They referred to the demonstration cities bill and said nothing about the other sections of this omnibus measure we have before us. I am deeply disturbed as a member of this committee and as the ranking minority Member for a number of years at what has been taking place. The original demonstration cities bill that came to the Congress was not something that was written by the House or the Senate. It was something that came up from the administration and was offered to us on a platter to accept.

I think for the record it should be said that the subcommitte had qualms about it. I am talking for both sides of the aisle now. They had qualms as to whether or not it was wise to do it this year and whether or not we should just include planning money or whether or not we should go into any appropriation such as the $2.3 billion requested for a 6- or 5-year period, which would be broken down to roughly about $400 million a year. There was considerable dispute. I should not say "dispute," but there was considerable discussion within the subcommittee. I believe it was only yesterday a strong arm was exerted by the administration making sure that every "i" should be dotted and every "t" should be crossed and every comma left in the legislation. It was then that we got into the position where we now are. This makes us accept or reject this bill as written and submitted to the Congress.

Now, unfortunately, what we are considering today is far more than a demonstration cities bill. It includes far more. And yet the whole concentrated appeal back home, with the instructions to our mayors to write in and urge your Congressman to support it, is based on an appeal that there is something in it here for you.

And, Mr. Chairman, just remember this, that in the whole of the United States of America, under the census, every municipality of over 2,500 is a city; not New York, not Philadelphia, not Boston, not Chicago, not San Francisco, not Los Angeles, but every municipality of 2,500 is a city. And this is a demonstration cities bill.

Mr. Chairman, it does really just not make sense. We are now talking about $400 million for 1 year, and $500 million the next, to put on a demonstration that should be meaningful only to all principal cities of America. And at the same time we hold out to the mayors of other cities of the United States—and that includes cities that are considered to be cities if they have a population of from 2,500 up we tell them—you are going to be a part of the city demonstration program.

Now, Mr. Chairman, for a long time I worked and cooperated with, and had the very wonderful and meaningful cooperation of the majority side under the leadership of the gentleman from Alabama, Mr. Albert Rains, and our now distinguished chairman, the gentleman from Pennsylvania [Mr. BARRETT], whom I believe is a great American and whom I believe is trying to do everything he can to bring out a bill, an omnibus bill, a bill that is designed for the best interests of all the people of the United States.

At first, Mr. Chairman, I thought that this bill, with its preamble and its very meaningful principles and goals and its ideas represented something which everyone could accept, and immediately say, "Let us try it; let us go forward; we are going to do something that is going to be meaningful toward the future of the United States and toward the accomplishment of what we all want and what we all desire."

I desire—very, very badly—the improvement of the hard core city areas that have slipped into slums and into deterioration, and that are infested with crime and disease as well as the unwholesomeness which now characterizes so many of the cities of America.

Mr. Chairman, as I thought about this more and more through the last 3 weeks, I have become extremely disturbed about the entire idea. I do not honestly believe that it has yet received the thoughtful consideration that it should receive from the administration itself. That administration is now holding a tiger by the tail, if it sets it up in this bill in its present form. And it is implicating our committees in both the House of Representatives and Senate by such orders, as well as by the 22 very fine citizens who recommeend passage of the demonstration cities bill.

Mr. Chairman, I cannot see how we can meaningfully do a job, when promises of all kinds are held out, backed by all kinds of propaganda—radio, magazines, newspapers—propaganda—which I would say stems almost entirely from Washington, and not from any other place.

Mr. Chairman, the source is very obvious and there is no question but what it holds out a promise of every kind of project that one could imagine for a city located anywhere in the United States of America. But, Mr. Chairman, those promises just cannot be fulfilled.

Mr. Chairman, permit me to just read something that has just come into my hands, and only this morning.

Mr. Chairman, there are three editorials that were broadcast in New York City by Station WINS on the demonstration cities bill, broadcast over the entire metropolitan area. They have a very powerful impact upon the relations of our citizens, and they requested that all citizens write to their Congressmen telegraph them, and ask them to vote for the demonstration cities bill because it would do certain things.

Let me read from just two of these broadcasts. The second broadcast said in part:

> Actually, funds provided by the demonstration cities bill can be used wherever a community can find a legitimate need for them. That could mean highway construction, port improvement, or any number of the other projects every city has wanted to tackle, but has never found the money for.

This is a major news media in the largest city in the world where the information is disseminated, and not just on the occasional hour or half hour. It is purely a news station that repeats this broadcast hour after hour through the day: "Highway construction, port improvement, or any number of other projects every city has wanted to tackle but has never found the money for."

The third broadcast on October 12, yesterday, said:

> For each of us who knows first-hand about blighted, rundown big-city neighborhoods, the demonstration cities bill promises a kind of rebuilding that goes beyond bricks and mortar to jobs, education, and housing. What's been holding up passage?

Then it goes on from there, and tells about responsible business leaders, and these are the 22 who have been quoted by the gentleman from Florida, Congressman PEPPER.

I should like to say that the general manager of that station, Joel Chaseman, does not realize that there are only $400 million in this bill that is allocated for the first year, and $500 million for the second year; that under the original proposals of Congress there were 70 cities to be part of the demonstration. This was then cut down to 60, and the New York Times has said recently that it is down to those 35 or 40 cities where demonstrations have been held, with no more than 15 percent of the funds available to any State.

Let me call your attention to this. We had some rather exhaustive hearings on this. We had the mayors of the great cities, and some of the smaller cities in before the House in order to hear what their problems were, and what they needed in order to truly do the job to take care of the massive needs of the cities.

Fifteen percent and $400 million would mean that New York State could have $60 million. Mayor Lindsay of New York has said $10 billion for New York, which he later raised to a $50 billion figure just for New York City. We had about 17 major cities before the House Subcommittee on Banking and Currency who added up in their testimony, as I recall it, to a figure close to $10 billion. This was just for their cities—for their immediate needs to put on an adequate and proper demonstration.

I just question seriously what we are holding out to these cities at this point, and if we are sort of kidding every city in the United States with the unreliable promise that they are going to participate and obtain funds of a major nature to help them meet their own cities' needs in the immediate future.

I thought about this in terms of the water and sewage bill which most of us voted for, and which I cosponsored when it came to the floor of the House. There are currently over $2.8 billion in applications for aid in water and sewage, and probably unquestionably I think they are proper applications, because they are screened pretty well before they go in.

This year there was available in the authorizations the figure of $200 million to meet the needs of $2,800 million for water and sewerage facilities for the municipalities of America.

The President has cut that—because he wants cutbacks for budget purposes—to $100 million to meet the $2,800 million for sewerage and water, that is certainly urgently needed for our cities because without water people will die and industry will starve and move out to some other place where there is water. Without water employment would go down and without sewerage facilities, tremendous health problems of course would arise.

If you measure the requests under that program of $2,800 million as against $200 million requested in the budget this year and the $100 million it has been cut down to, by the President, what in Heaven's name are you going to do with $400 million the first year when the major cities of America are actually all bankrupt today and are looking to Washington for all the help they possibly can get?

I want to help them. I want to help them seriously, but I just cannot see how we can act upon this intelligently now until we really have first some honest to goodness planning on every level in both the large municipalities and the medium sized and smaller sized municipalities so that we can truly understand and recognize what our problems are. Because these problems cannot be met by just passing a program now that will stifle the individual municipality's initiative. Why? Because every single municipality from 2,500 population up is going to say—"Why should we do the job when we are going to be able to get it out of Washington?"

I think this is a point that should be truly and seriously considered.

I dislike very much to differ with the very able chairman of our subcommittee, the gentleman from Pennsylvania [Mr. BARRETT], because I know how earnestly he has worked on this bill. I know what constructive work he has done and how earnestly he wants to improve conditions not only in his own city but in every city everywhere in America. I, too, want to do the same job. But I do not want to contribute to kidding America by passing a bill that today is going to be phony.

When is the first money under this bill going to be available? Well, $400 million in the fiscal year 1968, I believe, and $500 million in fiscal year 1969. I cannot truly see what harm is going to be done if we start, if we try to do a job, just with planning funds and seriously consider everything next year when we can pass on the planning that has been done and reevaluate the whole bill.

I am alarmed by the fact that some of the propaganda that has been put out in support of this bill holds out leaven from heaven for every municipality in the United States with population over 2,500 that wants to do something. We already have urban renewal on the books and this, of course, introduces many problems that demand money in the billions and billions of dollars. More, much more, will be needed for use in a demonstration city.

I think we should seriously try this idea, using major money but concentrate it on six or eight cities and see what happens. Then we can write into legislation the encouragement for the private sector of the economy that will let it do a job side by side with the State and municipality coming together on their joint problems and attacking them together.

We are not in a situation where we have a bottomless pit that is filled with money to do all those things we want to do. We all know we face, whether we like it or not in the next few weeks, a request for money running into the billions of dollars not just for the Vietnam war but also for the supplemental appropriations to provide for other areas of our Government operation in order to cover deficits of their operating programs.

I earnestly suggest to all of you that we listen to the debate and that we do everything that we can fully to understand the bill that is before us. Hear out the best of the pros and the best of the cons, and then arrive at the best solution and the best vote we can cast, not for the future of the great cities but for the future of America, because, after all, when we talk about cities of more than 2,500, we speak of all America. It is all America and not just a few cities that we must be thinking.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. I thank the gentleman for yielding.

First, I would like to say that I share the gentleman's admiration and appreciation for the contribution that has been made to housing in the United States by the gentleman from Pennsylvania [Mr. BARRETT], and to confirm that the great strides that have been made in the city of Philadelphia are largely due to his personal effort, personal interest, and personal leadership.

I have always, as has the gentleman in the well, subscribed, generally speaking, to what the gentleman from Pennsylvania has advanced as being good for the country in relation to housing. But, in this particular bill the gentleman has anticipated some of the things that I wanted to discuss. My concern is that there is a carrot being held out to literally hundreds of cities in this country, and there is an implied promise, if not an actual commitment, that the Federal Government is going to supply these cities with all the money that they need to do all the things that are necessary to eliminate slum clearance.

I know in my own State and in the gentleman's State that there have been editorials written urging the cities to be ready so that as soon as this legislation is passed and signed into law they can be here in Washington with their applications, so that we can start getting this job done. It is a job that we all recognize must be done. We all understand, I am sure, even those who represent rural communities, that the cities of this country need help.

But these are the questions I am troubled with, and I think some of the people in our State are troubled with:

First of all, if the gentleman will yield for these questions, it is my understanding that for the first year, fiscal 1968, $400 million would be available.

Mr. WIDNALL. That is correct.

Mr. CAHILL. I understand there would be a limitation of 15 percent on each State. No State could get more than 15 percent of the $400 million.

Mr. WIDNALL. That is provided in the bill.

Mr. CAHILL. Is there any limitation on an individual city, an individual project? For example, suppose that the city of New York were to submit to the Secretary a plan that was acceptable and, in fact, outstanding in every respect, and was a clear example of what we wanted to do for a city.

Suppose further that that plan called for, as we suggested, in New York City, for $100 million. Would it be possible for the Secretary to allocate all of the funds available for the State of New York to the city of New York for that one project?

Mr. WIDNALL. As I understand the bill, it could be all allocated to that one city. It would be within the discretion of the Secretary.

Mr. CAHILL. If that one city got all the money that was allocated for that one State, would it then be impossible for any other city in that State to get any money under the bill?

Mr. WIDNALL. Not under this bill.

Mr. CAHILL. They could not get it?

Mr. WIDNALL. They could continue to get some money under the regular urban renewal program if funds were available. I understand the program, however, is heavily oversubscribed at the present time.

Mr. CAHILL. I direct the gentleman's attention to this particular bill. In other words, once the 15 percent has been utilized in a given State, that would end the money in this bill for that State; is that correct?

Mr. WIDNALL. The gentleman is correct.

Mr. CAHILL. The last question I should like to ask is as follows: If that is true, then, is it not entirely possible that only seven States in the United States could participate under this particular program, and it is also possible that one city in each of those States would be able to get all the money?

Therefore, within the realm of this bill there is the possibility that only seven cities in the United States could participate; is that not true?

Mr. WIDNALL. I believe that is very possible. In all fairness, I might say that the administrator, I am sure, would try to make it available to more than seven cities and seven States. But it is very possible under the bill.

Mr. CAHILL. If the administration is sincere as to doing something for the cities under a demonstration cities program, and if it is believed essential that we have planning money and implementing money, why have not these cities been designated in advance, and why has not the administrator limited this to a specific number of cities which he must know have an urgency, rather than to hold out the carrot to all the cities of the Nation?

Mr. WIDNALL. I believe this has been a decision of the administration through the Housing Administrator.

It is very noticeable that since the original proposal came up, when it contained, I would say, information or side remarks that 90 demonstration cities would be selected, it has been scaled down, with the same amount of money, first to 60 and then, as I say, now to 35 or 40.

If this were brought down to size, where it was really meaningful with respect to a few cities in every category—the large, the middle sized, and the small—I would support the legislation. But I still believe it would be wise to give additional time through planning moneys really to think out a more thoughtful program with respect to exactly what is acceptable or what should be used in order to demonstrate what can be done by a massive attack within a particular city.

Mr. CAHILL. I thank the gentleman.

I should like to personally compliment the gentleman and to say that we in New Jersey feel the gentleman in the well is making and has made one of the great contributions in the Congress of the United States, to housing in general in the United States. The gentleman is one of the most knowledgeable and one of the most dedicated Members of the House in this field. I, for one, certainly shall continue to listen with a great deal of interest to the debate as it progresses, and particularly to the recommendations of the gentleman in the well.

I thank the gentleman.

Mr. WIDNALL. I thank the gentleman.

Mr. MULTER. Mr. Chairman, will the gentleman yield on that point?

Mr. WIDNALL. Not just now. I should like to continue my remarks.

Mr. YATES. Mr. Chairman, will the gentleman yield for a question with respect to the letter he sent to the membership?

Mr. WIDNALL. I yield to the gentleman from Illinois.

Mr. YATES. The letter the gentleman sent out struck a most sympathetic note with me, because it has been my impression that the housing programs we have had for our major cities have not taken care of the neighborhoods that have not yet slid or deteriorated or suffered sufficiently to become urban renewal or code enforcement neighborhoods.

I believe the FHA programs have seemed to concentrate primarily on the building of homes in the suburbs. Hundreds of thousands of homes have been built under this program in the suburbs. And high-rise buildings have been constructed in many major cities.

But neighborhoods which need the rehabilitation to maintain their quality, to retain their standards as places in which people can live and bring up their children, are the neighborhoods we want to maintain, in order to prevent a flight from the cities to the suburbs.

It has been my impression, from what I have seen, that something is lacking in the housing program in this respect. Is there anything in the demonstration cities program which would emphasize this kind of rehabilitation?

Mr. WIDNALL. The demonstration cities program hopes to emphasize this, but it would broaden the attack in so many areas by including so many other things that the effect will be diffused with respect to the money that is utilized.

I intend to offer an amendment to section 7 of the bill, which applies to the urban renewal section.

This amendment I was going to speak about just now, says:

> "(g) The redevelopment of the urban renewal area, unless such redevelopment is for predominantly nonresidential uses, will provide a substantial number of units of standard housing of low and moderate cost and result in marked progress in serving the poor and disadvantaged people living in slum and blighted areas."
>
> (b) The amendment made by subsection (a) shall apply only in the case of contracts for loans or capital grants which are made with respect to urban renewal projects undertaken pursuant to urban renewal plans approved after the date of the enactment of this Act.

Let me just read you this, partly in answer to your question, from an editorial in the Cleveland Plain Dealer of August 29, 1966:

> LOW MAN ON HOUSING LADDER
>
> It is an article of this country's faith that every American ought to live in a decent home. But every American doesn't, as the abundant slums in big core cities grimly testify.
>
> This is puzzling, because federal housing and home mortgage programs have been growing since the '30s, and $5.5 billion in federal funds have poured into urban renewal in the past 17 years.
>
> If Washington meant to move the worst-housed citizens into livable homes, we must conclude that federal housing programs keep on missing their mark. Some new, direct approach has to be found.
>
> The first axiom of this problem is that private enterprise cannot provide lower income housing. There is no profit in building or maintaining at a shipshape level any housing for people with slum incomes.
>
> Bottom-income families get some relief through public housing. But between the income ceiling for pulic housing and the poverty line of $3,000 a year income for an average-size urban family lie thousands of Americans still miserably housed.
>
> Just above them are those able to buy new homes. They get help from the Federal Housing Administration, because FHA insures banks or other loaning firms against bad mortgages made by home buyers who are not prime risks.
>
> But most FHA homes are in suburbs. That program not only misses the low men on the housing ladder, it helps to extract from city neighborhoods those who are better off. It helps those better taxpayers to escape to the suburbs, aggravating the city's segregation problems and tax poverty.
>
> Urban renewal has not helped the low man either. It has knocked his slum home out from under him and driven him to nearby areas. There, to pay higher rent, he has had to double up and crowd in with other families—which pulls those neighborhoods down too.
>
> Urban renewal has built office buildings, exhibition halls, high-rent apartments, Boy Scout headquarters and colleges and other tax-exempt structures. But it has provided pitifully little low-rent or low-cost housing for the left-out low man.
>
> As of May, 1965, urban renewal in Cleveland had put out $80 million in loans, grants and expenses—without improving the total of taxable real estate in the city. In fact, it removed some $2 million from the city tax duplicate.
>
> Slum riots still shake the country. Congress and the President, mayors and social thinkers are gravely reviewing all that the government has done in hopes of salvaging big cities.
>
> The big low-income housing gap stares out of the fabric of national urban policy.
>
> No demonstration cities program or new urban housing program is going to mean much unless its starts energetically to plug that gap.
>
> The worst-housed Americans need a program aimed straight at their special problem. If luxury office buildings, college dormitories and high-rent downtown apartments deserve a subsidy, surely decent shelter for low-income people does too.

What is interesting about this is that this paper has actually turned its position, I believe, with regard to urban renewal. They were one of the papers in Cleveland advocating a review in the community at the time the Hough area was going down, down, and down. I have put this in the RECORD since 1963. This was the riot area. They cleared and bulldozed an area out there to provide housing for low-income citizens, and what happened? They changed it to industrial use and concentrated people in further slums. That has been too often the nature of urban renewal.

Unless we take the urban renewal we are using now that is supposed to be concerned with residential uses predominantly and channel it at least for a couple of years in this direction, then what in heaven's name help are we going to get out of this, either out of urban renewal or out of the demonstration cities? What can we expect if demonstration cities can use this as they please and, as they editorialize, without anybody denying it, for further construction, for new roads, and for whatever they please in the cities.

Where does this leave the person who is having the main problem today in the big cities?

Mr. YATES. Mr. Chairman, will the gentleman yield further?

Mr. WIDNALL. I yield further to the gentleman from Illinois.

Mr. YATES. Mr. Chairman, as I understand the intent of the amendment which the gentleman from New Jersey plans to offer, and based upon what the gentleman just said, it is proposed to be addressed to urban renewal areas.

My question was directed to areas that are not urban renewal areas. They are not code enforcement areas which are deteriorating.

How do we protect them?

Mr. Chairman, how do we maintain those areas?

Mr. Chairman, I know that in the congressional district which it is my honor to represent in Chicago—I know this is representative of most of the big cities—when a neighborhood begins to depreciate and deteriorate, private financial institutions turn the seekers of loans with which to correct these conditions elsewhere.

And, Mr. Chairman, it becomes increasingly more difficult to obtain the funds with which to correct these conditions, primarily because the FHA mortgage is not obtainable.

The question, therefore, which I should like the comments of the gentleman from New Jersey [Mr. WIDNALL], upon is directed to that situation; namely, an area which is located in a good area but one which is threatened with blight, but which has not reached the point of becoming an urban renewal area, or a "code" enforcement area.

Yet, Mr. Chairman, we want to protect these areas.

How are we going to do it?

Should there not be a provision contained in this bill designed to make certain Federal funds available, if private sources will not provide the funds with which to rehabilitate such a neighborhood?

Mr. WIDNALL. Mr. Chairman, I believe the gentleman has a fine idea. But may I say too, the same as I have talked about some of the other things that have been taking place in the last several years—I do think we have to establish priorities as to spending.

Mr. Chairman, in the United States of America right now there are some areas which require a priority listing with respect to urban renewal, these are the hard-core areas which are located in the big cities, areas which represent true slums, areas which have deteriorated, and areas which have caused serious problems with respect thereto.

Mr. Chairman, how can anyone study in a slum with no lights, no sanitary facilities, 8 to 10 persons in a room, no chairs for a family, and all sorts of things like that?

Mr. Chairman, we have got to understand the need involved herein, but we cannot spread it too thin.

Mr. Chairman, it is still my belief that we should concentrate our efforts as proposed to be contained in this bill——

Mr. YATES. Mr. Chairman, if the gentleman will yield further, I agree with what the gentleman said, that our attention must be directed to the areas which the gentleman from New Jersey has described. But, the fact remains that we still want to protect the areas that are threatened with blight, threatened with the situation which the gentleman from New Jersey has described.

How are we to protect them?

Mr. WIDNALL. Mr. Chairman, I will state to the gentleman from Illinois, that I believe a lot of this can be performed initially on the local level.

Mr. YATES. But, Mr. Chairman, if the gentleman will yield further, one cannot obtain private loans from private lenders.

Mr. WIDNALL. We must encourage that participation locally and we must encourage those who live within the cities to create an incentive to improve the properties involved under "code enforcement."

Mr. SCHEUER. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from New York.

Mr. SCHEUER. Mr. Chairman, I believe that my colleague, the gentleman from Illinois [Mr. YATES], is erroneously grouping together the urban renewal program and the code enforcement program.

Mr. Chairman, the fact of the matter is that the code enforcement program is specifically designed to give assistance not to the rockbottom slum areas where you need the bulldozer primarily as a tool with which to correct these situations, but areas that are stable but which are threatened with blight, but which have been saved through the code enforcement program that is currently in Operation HUD, which provides for the protection of those areas which can be saved, but which areas are threatened with some blight.

Mr. Chairman, under this operation, there is provision for long-term loans, low-interest loans, to individual homeowners that provide for grants of up to $1,500 to homeowners, provisions that provide grants to cities to provide street lights, repaving, and assistance in the form of grants to sustain certain health standards.

Mr. YATES. Mr. Chairman, I thank the gentleman for pointing out that fact to me. But with these types of programs with reference to urban renewal and with reference to code enforcement both, how could they be consistent?

Mr. SCHEUER. They are different insofar as certain areas of operation are concerned.

Mr. YATES. Well, all right. One is urban renewal and one is code enforcement; they represent different types of areas.

Mr. SCHEUER. Code enforcement is aimed at the stable area which is threatened, but can be saved.

Mr. YATES. That is right, but the fact remains that there are many neighborhoods that do not want to be designated by other people as a "code enforcement neighborhood." They do not like the term being applied to them, but they are deteriorating and perhaps they will change their minds.

Mr. WIDNALL. Mr. Chairman, I would like to say at this point that I have taken more time than I originally intended in this presentation. I would like to conclude by saying that through the years I have worked hard with others of the minority and with the majority members trying to bring out some very meaningful pieces of legislation. I think we have succeeded in many years.

I would like to pay tribute to the other members of the committee on both sides of the aisle for the work that they have done, and the long, arduous hours they have spent in trying to develop the legislation.

In case anybody may think that I am against this as far as cities and urban renewal and the like, let me just say this: that in the legislation that has passed in recent years I believe I have been majorly responsible for the low-interest loans, for the rehabilitation for homes and businesses in urban renewal areas, there is a $450 million program today in that direction.

I believe New Haven is using this today with great success, and many other cities. The rent certificate plan, which is not the rent supplement plan, the rent certificate plan is, after 1 year of operation, housing thousands of people in the United States, and the applications for help are growing by leaps and bounds. It is a tremendous success, and seems to be very meaningful. Better code enforcement and relocation procedures have been sponsored by me. I sponsored a better break for the exercise of power of property owners who have lost their homes and businesses because of eminent domain. Also, low interest loans for housing, and the low downpayment insured loans for veterans.

I still think that we can do a better job, a far better job next year, by postponing a final decision on the amounts that are involved in the demonstration cities program, and some other parts of this bill.

I urge upon all of the Members, both Democrats and Republicans in this House, to give their full attention to what is in this bill, to the discussion that takes place, and let us come out with a decision that is the very best we can make for the years ahead.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. FARBSTEIN. Mr. Chairman, I have been interested in housing for many, many years, for perhaps 30-odd years. But I understand the gentleman's suggestion is to refine this entire legislation to housing of one type or another. My question goes to the very core, as I see it, of the legislation.

Mr. WIDNALL. Mr. Chairman, will the gentleman permit me to interrupt him at this point?

Mr. FARBSTEIN. Certainly.

Mr. WIDNALL. My suggestion by amendment is to change only the future use of the urban renewal program, the urban renewal program at least for the immediate future, where the residential program is the one that is being considered, or being approved; that there the emphasis be on low- and moderate-income housing.

I believe that is the same thing the gentleman has talked about in previous sessions of the House.

Mr. FARBSTEIN. Yes, except in connection with this bill, as I interpret the demonstration cities phase, is the fact that housing in and of itself is insufficient.

With new housing, whether it be low- or middle-income housing, you need better streets for one; and second, with relation to, piers and ports—and let us take the Port of New York—we have piers there that need to be refurbished and improved so that the people who work on those piers can live near the piers in the neighboring streets, so as to enable them to go to work there.

Also you need new sewage, you need new water facilities. When you build these new buildings, you need new schools. All of these things are combined into one. When you talk about a demonstration city you do not alone mean housing, but you mean all of these other related items that go along with the building of a house.

Mr. WIDNALL. But you do not solve these problems by creating a new program, you give the money to the existing programs, as in the case of water and sewage. You do not start a new program with a new duplicating agency in Washington, doing the same job, bidding for the business with all the municipalities throughout the United States. This does not make sense to me. In that way we end up with nothing but Federal employees.

Mr. FARBSTEIN. But in metropolitan planning or in demonstration cities, you want to build a city that will coordinate and cover these various items that are required in order to have a city that is complete in all aspects and phases of city life and development. Therefore, not alone do you have new housing but as I said a moment ago, you have to have these correlative necessities that go to make a good city—a city that will be well balanced, a stable city, one that will provide the schools and provide the means of employment and schools so it would then be unnecessary to bus children. In other words, you need all of these other necessary features that go to make for better living.

Mr. WIDNALL. I cannot dispute the gentleman on what he has just said. All that I can dispute with full fervor is the fact that a hope is being held out in this bill, at least by the communications that are coming into the Members of Congress, to every single municipality in the United States from 2,500 population and on up, that you do not have to do the job anymore yourself—just sit back there and wait until your turn comes. When will that be I ask?

If you want to see America deteriorate, then do it on that basis that such hopes are being held out to everybody.

I think what we do should be meaningful and that this should be pinpointed and a few cities should be selected to make the demonstration in that way and put enough money in to do it. You know that $60 million in New York City is probably just going to improve the waterfront in just a few sections of the city and that is one of the things that you are talking about.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. MULTER. I think everyone, both in the Congress as well as outside of the Congress, must agree that the gentleman in the well has always been an ardent supporter of the very basic principle that housing throughout the country must be improved on every level.

However, the colloquy between the gentleman from New Jersey [Mr. WIDNALL] now in the well and the gentleman from New Jersey [Mr. CAHILL] leaves me in somewhat of a quandary. I do not know what it is you intend to recommend. Is the gentleman recommending or saying that he will seek to increase the amount if and when he decides that we should go ahead with a program like this? Shall we increase the amount called for by this bill? Or is the gentleman recommending that the 15-percent limitation per State be eliminated? Or is the gentleman recommending both propositions?

Mr. WIDNALL. I was undecided at first as to the money that was being appropriated in this bill. After giving it a great deal of consideration, I think it would be very wise just to have planning money this time and come back the first of next year and do a better job with a fuller understanding of what we can do.

Mr. MULTER. I think the gentleman used the word "appropriation." Of course, the gentleman realizes that there is no appropriation involved in this bill, but it is an authorization bill.

Mr. WIDNALL. Yes; I understand it is an authorization bill.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from California.

Mr. DON H. CLAUSEN. I want to associate myself with the remarks, the exceptionally fine remarks, of the gentleman from New Jersey. As usual he has expressed himself in a manner that gains the respect of all Members of the House.

I would like to make just a couple of comments and possibly ask a question or two.

First of all, one thing that I have become increasingly disturbed about is the fact that a number of people of the cities, we all recognize, have problems.

Some feel that the Federal Government has to solve all of their problems. There are two levels of government and certainly we must be able to do something about solving these problems as well as the private sector.

So I would like to ask the gentleman in the well if he could elaborate on how much attention was given to what the private sector could do in solving some of these problems in the big cities?

Mr. WIDNALL. We had someone, and this is again testimony before the committee, who testified as to what they had done in specific areas through an enterprise program. I do not believe all of the people who represented the cities were fully in accord with what was proposed in the demonstration city bill. I will say we did not have the time to go into a full investigation of what you have just suggested. It might be wise to do this and probably would be wise to do it.

I am sure we would be receptive to any concrete suggestions.

Mr. DON H. CLAUSEN. The reason I ask the question is I wonder if the committee for instance has an overall inventory of the needs in these various cities. All we hear is that they will need $10 million or $50 million. Somewhere along the line there has to be something in the way of a coordinated effort to determine the full needs. It seems to me with what we are getting into here, I would be unable to support housing legislation. Coming from a forest products producing industry and area, I always have in the past whenever it has been possible for me to do so.

Again we have to look at the other problems that could be created. It seems as though this legislation, and particularly title I, and more importantly in title II, we are actually creating problems that will be expanding, something like the war on poverty, where the expectations of people are brought to a high level, and you cannot produce because of the overwhelming need and the fact that the Federal Government has some limitations on itself.

Mr. WIDNALL. I thank the gentleman for his contribution.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Ohio.

Mr. ASHLEY. I wish to inquire of the gentleman with respect to one or two points that he made.

First, I am interested in the amendment which the gentleman proposes to offer. I would like to make it clear that that amendment, if I understand correctly, does not relate to title I of the bill.

Mr. WIDNALL. I said that it related to title VII.

Mr. ASHLEY. Absolutely, and that is to the section relating to the general urban renewal program. Is that so?

Mr. WIDNALL. That is so. I believe if we are going to make a meaningful attack on the problems of the cities, we have to do so at the same time, it seems to me, through the urban renewal program. There is no excuse for not permitting such a program to go hand in glove and side by side with other programs that concentrate on other needs. I mean those who are attempting to make a real hardnosed attack on the cancerous sores of the big cities that are causing all the problems today, and which we have neglected so long and in so many ways, know that we cannot do this on a part-time basis by developing a new program, and allowing an old program that has proven its value in so many areas and is doing something that is really meaningful for the people that we want to help, to falter.

Urban renewal was not created for the purpose of building high-rise luxury apartments, cultural centers, stadiums, amphitheaters, and all sorts of structures of that kind. But in recent years—and I have the figures from the agency downtown—in the major cities 51 percent to 90 percent of the funds have gone for other than low-income and moderate-income housing.

Mr. ASHLEY. Do I correctly understand that the amendment of the gentleman from New Jersey would provide that where you have an urban renewal project in a residential area——

Mr. WIDNALL. That is correct, for residential purposes.

Mr. ASHLEY. For residential purposes, there would then be required as a condition for approval that there be a substantial number of units of standard housing for low and moderate cost that would serve the poor and those living in slum areas; that is within the project area; is that correct?

Mr. WIDNALL. That is correct, in the project area.

Mr. ASHLEY. I think that is an amendment which is worthy of consideration. I am sorry it was not presented to the committee in that form, because I think it might well have won approval had it been so presented. If I am not mistaken, it was presented, but not in that form before the committee. Is my recollection correct?

Mr. WIDNALL. The original one talked about in the committee was not in that form. Then I made an attempt to correct it to satisfy objections that were raised by Congressman Reuss, who I believe is present on the floor at this time, and I hope that this has corrected that objection.

Mr. ASHLEY. The other point I wanted to ask the gentleman about is with regard to comments that have been made, if not by the gentleman in the well, by those with whom he was having dialog, that this bill holds out hope for cities; if the cities simply sit back believing that all good things will happen to them, the gentleman, who has worked long and hard on the bill, knows that that is not the way of it. Would not the gentleman agree that it has been made abundantly clear that cities in the first instance will have to supply a prospectus, which will be judged with other prospectuses submitted by other cities, before a determination is made as to which cities will even get a portion of the $12 million first-year planning money?

Mr. WIDNALL. I believe that is true. What you have just said is abundantly true from my own knowledge as to what has been said before the committee. But what has been said from Washington to urge the telegrams, letters, and other things to come in, shows something that is abundantly untrue, because these things have gone out to mayors all over the country urging their support, and I believe even kits have been sent to them showing what is in it for them if they apply in the right way.

Mr. ASHLEY. Would not the gentleman agree that any mayor who took the trouble to read the bill would have a very good and clear idea of the burden that is placed and the initiative and the responsibility that is placed upon the local communities in this demonstration cities program?

Mr. WIDNALL. I would say "Yes." I would also say the same thing otherwise. If the 22 who got in touch with us would read the bill, they would not be as enthusiastic for it as they say in their message to us.

Mr. ASHLEY. Is the gentleman speaking of the 22 top Republican businessmen who support this bill, at least as announced in the New York Times?

Mr. WIDNALL. I did not understand they were Republicans. I remember one, Mr. Watson of IBM, who is a huge contributor to the gentleman's party.

Mr. ASHLEY. Just to our party?

Mr. WIDNALL. I do not know. Some people give to both. I know some others give only to the gentleman's party.

Mr. CAHILL. Mr. Chairman, will the gentleman yield for a question?

Mr. WIDNALL. I yield to my colleague.

Mr. CAHILL. There has been some criticism, perhaps justified, in recent years, the latest of which appeared in the Reader's Digest, to the effect that a great many programs these days are not originated in the legislative sphere of Government but originate with the Executive. I wonder if the gentleman can tell us whether or not the demonstration cities was the brainchild and product of his legislative committee or was something that was the brainchild and product of the executive branch of the Government?

Mr. WIDNALL. As I understand the background of the legislation, it came to us through the executive branch of the Government. It was certainly not something developed originally by our commitee or the committee on the Senate side, to the best of my knowledge.

Mr. CAHILL. I thank the gentleman.

Mr. PATMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from New York [Mr. MULTER].

Mr. MULTER. Mr. Chairman, this is a good bill. It deserves our wholehearted support.

The odd thing about this bill is that its biggest trouble seems to be that it is a good idea—not that it is a bad one. That is an interesting way to get into legislative difficulty.

The "trouble" seems to be that the program is so good that many people think it should be much larger, and be backed with more money than the administration has been asking for. They argue that it is a good program, an urgent program, and it should be more fully funded to do the total job that it proposes to do.

As of now, the main thing we are concerned with is getting the program enacted and underway. We must mount this massive attack on the decaying and disadvantaged areas of our cities. We must develop the methods and the means, the new approaches, and the concerted action of all the resources required.

We are not going to do it all at one time. But let us get started. We will talk about expanding the program as our Federal financial situation permits after its value is proven.

Those who oppose this program do not deny that this is a crucial time for the urban areas in which the great majority of our country's people live. At the current population growth, it is estimated that 80 percent of our citizens will live and work in metropolitan areas 35 years from now.

There can be no question of the need to build and plan soundly for future generations.

Let us look at what has been done in the recent past, so that we can see what tools we have and what additional tools we need for removing physical and social decay from our cities.

During the last 30 years the Federal Government has done much in the areas of housing and urban renewal. The Federal Housing Administration has assisted in the purchase of 8 million single-family dwellings, another 6.7 million families were assisted by the Veterans' Administration, some 605,000 families have been moved from decayed dwellings into public housing where they enjoy improved standards of living, far different and much better than the squalid slums in which they formerly lived.

While we can be proud of these accomplishments, we must admit our efforts have not been enough. The surface has been improved but the basic causes of poverty and slums remain.

Even a quick tour of the dilapidated neighborhoods discloses part of the problem. However, only the physical rot can be seen. The other aspects of urban blight—crime, delinquency, disease, lack of community and recreational facilities, unemployment, poor schools, the transportation problems—are also there with all their human corrosion and despair. These also must be corrected.

A coordinated attack on all these areas through this bill gives new hope and a new tool—a new weapon, if you will—in our war on poverty. The broad attack on the total urban situation under this proposal attacks these interrelated problems.

The wealth of our society has not spread to all. There are 4 million families in our cities who do not have decent housing. There is a great strain on city facilities such as schools and parks, neighborhood centers, sewers—and even water supplies. The metropolitan areas find increasing strain on their budgets.

The enormity of the problem is obvious. It requires an equally large approach as an answer.

There is a definite need to get started in a big way. But there must be an awareness that there is a financial limit to what we can do in any particular time period. The large-scale reclaiming, which must be accomplished, is more than a 1-year or even a 5-year total program.

Nevertheless, we must work with the financial resources we have available. The Vietnam situation is making itself felt in our economy. The inflationary threat is another factor. We can, however, move ahead in a major way if we once get started.

The $2.3 billion proposed by the President for supplemental demonstration grants would average some $400 million annually over the first 6 years of the program. This would be in addition to the funds already being channeled into urban programs.

Secretary Weaver has clearly stated that these added funds would not reduce the funds otherwise available for urban renewal, public housing, or other urban aids. They would, in fact, enhance and complement them. They would provide funds for fresh approaches devised by the cities themselves to fill the gaps in existing programs.

No city can lose by this program—many will gain.

As we move forward with the program, the Congress can set such limits on the pace of the effort as it determines to be wise. The Congress can increase funds as it weighs the over-all situation based on both financial conditions and demonstrated needs.

I want to emphasize this is an authorization only. The appropriations must be justified to and approved by the Congress.

The important thing to remember is that it is vital to move forward now. The problems of urban blight and decay do not stand still; they grow. The time to start the attack on them is now with this bill.

It would be illogical to oppose this far-reaching program because some think it is only half a loaf. The funds that would become available under this bill will get the planning of these projects underway. Program funds to execute these plans can be augmented if and when the Congress deems it to be justified.

The rising cost of welfare services, unemployment and crime, and declining property values are all of serious concern to all levels of Government—Federal, State, and local.

Cities large and small can participate in the proposed program. The legislation shows an awareness that big cities have no monopoly on blight.

The idea of this approach is a broad-gage attack and includes going after all of the many causes of blight and social failure.

The primary thrust is aimed at the revitalizing of residential neighborhoods. Higher standards of health, community living, and education will be brought about. Training will be given those who need it in order to obtain gainful employment.

The Housing and Urban Development Department will be enabled to provide 90 percent of the cost of planning area projects. It will make available grants to meet 80 percent of the administrative costs, and 100 percent of the actual cost of the program activities which are added to on-going Federal aid programs.

This Nation's cities cannot do the job of revitalization alone. Their renewal problems can be worked out only by the concerted use of Federal, State, and local resources, in a combined venture in the spirit of cooperation that President Johnson has called for.

Aid will be given cities of various size in all parts of the country. The knowledge gained from the initial projects will serve as a source from which to draw experience to alleviate problems of the cities engaged in future planning.

It is not enough to recognize the fact of decaying cities. To delay passage until a larger program is budgetarily possible, can only result in making more difficult the solution of the problem and in causing greater suffering and misery for millions of Americans.

The central cities are the cores, economically and culturally, of the large metropolitan areas. What they do affects the entire area.

As Secretary Weaver said in testimony before the Subcommittee on Housing of the House Committee on Banking and Currency:

> Only with a total commitment of their energies and resources and the desire and will of their people can the American cities stop the deterioration of their physical environment and the social disorientation of large

numbers of disadvantaged minority groups concentrated in low-income ghettos.

This bill will not be a substitute for those Federal programs which aid cities now. They will continue, as Secretary Weaver has stated, at their full-funded levels. It will aid in coordinating programs, such as urban renewal, mass transit, antipoverty, and health and welfare, for those cities prepared to expand their fields of action.

It will halt the steady reduction of taxable real estate values caused by blight. Attempts by cities to stamp out blight and increase services by themselves are largely self-defeating. Increased local taxes result in an exodus to the suburbs by the more affluent and greater tax burdens on industry, cause it to abandon the cities.

This results in the shaping of the city as a residence for those least able to bear the costs of adequate municipal services. It means less income, fewer jobs, and more misery.

President Johnson in proposing this legislation said:

> We know that cities can stimulate the best in man, and aggravate the worst.

The choice is simple for the Congress—we can choose progress or decay. We can make our cities a testament to our good judgment. Let that judgment be used now, by passage of this bill without any crippling amendments.

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentlewoman from Missouri [Mrs. SULLIVAN].

Mrs. SULLIVAN. Mr. Chairman, the legislation acted upon over the years by the Subcommittee on Housing has made me proud to be a member of that group, but no bill more so than the one now pending before the House containing, under title I, demonstration cities. Our programs in the field of housing and urban development have made a notable contribution to better living conditions as all of us can see in our own hometowns. However, we on the subcommittee know full well that we have not yet found a complete answer to the problems of slum conditions and poverty. If our experience has taught us anything, it is the need for coordinating the many programs which pass through our committee with other Government programs to assure that a complete job is done. If we have the physical rehabilitation of a slum in one part of the city, while another agency is developing an operation Headstart program somewhere else, neither area can obtain the maximum benefit. We cannot expect full value for the dollars spent on education of young children if they must continue to live in squalor, nor can we expect full value from the money invested in rehabilitated housing if the people of the neighborhood are still unemployed or the victims of disease. The demonstration cities program will bring these efforts together and I am confident that the experience we are to gain will show us both how to save money in the long run, while at the same time, do a far more effective job of helping the underprivileged.

Mr. Chairman, I regret that there are still those who are seeking to strike the grant money from this title. The bill now before us already represents a substantial reduction from the original administration proposal which had contemplated a total of $2.3 billion for the demonstration cities program. In the light of recent economic developments and the rising costs of Vietnam, the committee agreed to a reduction of more than half in the dollar authorization. However, it is vital that we keep these funds in the bill. It would be meaningless to vote for a program without indicating our intention to supply the Federal grant money when the cities are ready to use it. In fact, I am confident that this program will fully justify itself and that further amounts will be authorized by the Congress in the future.

While most of the controversy over this legislation has centered on the demonstration cities program contained in title I, we should not lose sight of the fact that the committee bill extends to nine titles and makes needed improvements in our whole array of housing and urban development laws. I am particularly pleased that the committee accepted an amendment I proposed to allow the use of the existing authorization for 3-percent loan money for homeownership on a trial basis. Under that provision, nonprofit corporations would be able to acquire substandard housing in areas which are now blighted, rehabilitate the housing, and offer them for sale to low-income families. I know in my own city that this is greatly needed and that plans are well advanced for the use of this authority with every assurance that it will not only benefit those families who can, by this means, achieve the goal of homeownership, but will also revitalize the whole neighborhood for the benefit of others who live there and for the benefit of the city as a whole.

Mr. Chairman, the provisions of the committee bill will benefit every city and town in this country and I urge all of my colleagues to vote for it.

Mr. WIDNALL. Mr. Chairman, at this time I yield 20 minutes to the gentleman from New York [Mr. FINO].

Mr. FINO. Mr. Chairman, I rise in opposition to the demonstration cities and metropolitan planning bill.

This is the most far-reaching civil rights bill—however carefully disguised—that the White House has ever proposed. Make no mistake about this bill. It talks about cities. It talks about metropolitan area planning. But after all is said and done, this bill is aimed right at the basic fabric of American life. This piece of legslation—this incredible piece of legislation—has been designed to give Housing Secretary Weaver and U.S. Education Commissioner Howe power to draw up a new kind of guidelines to control American metropolitan housing, educational, and living patterns. Through these proposed guidelines, the planners downtown want to reshape this Nation.

If you are in favor of killing the American concept of the neighborhood school, then vote for this bill.

If you want rent supplement housing in every suburb throughout America, then vote for this bill.

If you want scattered-site public housing in every residential neighborhood, then vote for this bill.

If you want Secretary Weaver drawing up civil rights and open housing ordinances in every American city, then vote for this bill.

If you want suburban real property tax structures redesigned to pay for slum schools, then vote for this bill.

If you want zoning and housing code decisions dictated by Washington social planners, then, by all means, vote for this bill.

Vote for this bill if you think State, city, and county governments are part of a vanishing way of life.

Vote for this blil if you want to put Education Commissioner Howe and Secretary Weaver at the head of the table in every city hall and board of education in this Nation.

But if you are tired of social planners, tired of Howe and Weaver with their talk of racial balance here, racial balance there, racial balance everywhere, then vote against this bill. Vote against this bill if you believe in the neighborhood school. Vote against this bill if you believe in localities having a right to draw up their own civil rights ordinances. Vote against this bill if you think that the time has come to draw the line and stand up to black power.

Yes—black power. I do not make this accusation lightly. This program is a tool of black power. Even the Washington Post has said so. On August 28, a Post reporter, Nicholas Von Hoffman—and I understand he is no conservative—wrote a long and thoughtful article on the failure of Federal programs in San Francisco. In doing his research, Mr. Von Hoffman talked with a Mr. Herman, the San Francisco City Redevelopment Director. Let me read you what Mr. Herman said, and also Mr. Von Hoffman's comments. All this is from the Washington Post of August 28, the year of our Lord, 1966. And I am quoting:

> "This is perhaps the first time in the history of our country that the federal government has decided to finance open and overt revolution," Herman declared on a recent visit to Hunters Point. Herman is dickering with the local black power structure over who will control the demonstration cities program to be put into Hunters Point if Congress completes action on the bill that would bring into existence yet one more system of coordination.

I do not doubt for 1 minute that black power all over the country is looking with gleeful anticipation for the day when black power can feed off demonstration cities money. On Tuesday, I wrote to President Johnson and asked him to withdraw his support from demonstration cities, except for planning funds, until such time as the House Un-American Activities Committee, in its forthcoming riot investigation, or the Justice Department, has time to check fully and make sure that black power is not going to ride the demonstration cities gravy train.

I can just imagine what kind of city demonstrations black power has in mind. They will demonstrate how to burn down shops and loot liquor stores. They will demonstrate how to throw Molotov cocktails at police cars. As for cultural activities, probably they will follow in the footsteps of the Black Arts Repertory Theater in New York City, which got some of Sargent Shriver's carefully administered poverty dollars. Last spring, police raided the Black Arts Theater and found a black nationalist arsenal of shotguns, crossbows, and meatcleavers.

Oh, yes, I can imagine the kind of demonstration program black power has in mind. Demonstration conflagration. Demonstration incineration.

I think that we in Congress owe a great debt of gratitude to the Washington Post for exposing the plans of black power. When you consider that the Post article telling us about how black power planned to use demonstration cities appeared on August 28, it is too bad that the Post editorial of October 4 saying that demonstration cities had nothing to do with civil rights was so badly researched. Actually, in one way or another, the Post has been very helpful in bringing out the truth about this bill.

Now, I would like to turn to the specifics of this legislation. This bill is an incredible power grab. I strongly urge you to read it carefully. Because of time, I am only going to concern myself with the first two titles—"Demonstrations Cities" and "Metropolitan Planning."

Let me begin with the "demonstration cities" title. The idea of this program is to coordinate all Federal aid programs within a city and demonstrate the progress that can be made by such an integrated approach. In some ways this does not sound like a bad idea. On top of the coordination, the Federal Government is going to pick up an increased percentage of the cost of federally aided projects. This is the candy or the incentive cities are to be given. The Federal bonus money is being dangled to get the cities to play ball. You know and I know that our cities need money so badly that they will agree to almost anything. Besides, our American cities do not really understand the strings that are attached to this money. Those strings are a mile long if you read the bill carefully.

Section 103 of the "demonstration cities" title spells out what our cities will have to agree to in order to get on the demonstration bandwagon.

Listen on section 103(2). Twice in that paragraph, the bill talks about providing "educational services for the disadvantaged" or reducing "educational disadvantages." I have to laugh when I think of the Washington Post editorial that said the demonstration cities program has "nothing to do with schools." Education is also mentioned in sections 101, 103(3), and 105. I am only referring to where it is mentioned by name.

What do you think Secretary Weaver means by "educational services for the disadvantaged?" Do you think he means low water fountains for short children? I have the feeling that Secretary Weaver thinks a lot like U.S. education Commissioner Harold Howe. I mentioned a list of his ideas last week during the busing debate on the school aid bill, I will mention them again.

Let me mention a list of 15 proposals to serve the "educationally disadvantaged" which appeared in the proposed 1967 equal educational opportunity legislation. The list is very interesting. It tells us what the administration has in mind for demonstration cities. Here are the key programs: school rezoning, textbook revision, pairing or clustering of schools, busing, educational parks, open enrollment, pressure on parochial schools, suburban-inner city pupil exchange.

At this point, I would like to remind the Members of this House that Education Commissioner Howe can already use Federal funds for all kinds of schemes like pupil exchanges, racial rezoning, textbook revision, busing, educational parks, and the like. He can give the States money for such experiments under either title I or title III of the Elementary and Secondary Education Act of 1965.

Now, Mr. Chairman, think about this for a moment. Commissioner Howe can give Federal money for busing, pairing, school district rezoning, and all the other racial balance plans if the city in question asks for it. Along comes the demonstration cities program. What does it do? It says this: The Federal Government will raise the ante for highways, transportation, and so forth, providing that the city comes up with a plan that proposes programs to serve the "educationally disadvantaged." In other words, the demonstration cities program is going to be used to make cities ask for money for the busing, pairing, and other schemes which are supposed to be voluntary. As you can see, this bill is going to make busing, pairing, educational parks, textbook revision, and school redistricting about as voluntary as getting up in the morning.

Let us make no mistake about it.

If you vote for this scheme, you are voting for forced—I repeat forced—school busing, pairing, and redistricting. There is nothing you can do to stop it short of killing the program. The whole concept of both title I and title II of this bill is to use Federal bribes in sewer, highway, transportation, and similar programs as part of a package to force cities to plan housing and schools the Weaver-Howe way. Do you like this? I certainly do not.

Lest you have any doubt that education planning is a required condition of participation in the demonstration cities program, listen to what Dr. Weaver himself told our Housing Subcommittee.

There has been mention made time and time again in newspaper articles that I have been talking through my hat. Well, let us read what Mr. Weaver himself told us and this is the testimony he gave before our subcommittee. Many of us have forgotten it because that was back in February.

This is what he said:

> The general criteria for a comprehensive city demonstration program require that the program must provide for educational and social services necessary to serve the poor and disadvantaged in the area.

There is no getting around this one. Dr. Weaver has let the cat out of the bag.

When the omnibus bill was before the Banking and Currency Committee in September, I offered an amendment to prohibit busing of students. The social planners downtown, and they had great influence, told the committee that there was no civil rights in the bill, and so the committee turned down my amendment. Now when I look back on this, I must admit that my amendment was no good. No amendment that prohibits the Federal Government from requiring busing is going to work. Why? Because the Federal Government—that is Drs. Howe and Weaver—is going to use a package of Federal aid bonuses to force our cities to draw up plans for busing educational parks and pairing. Then Drs. Howe and Weaver will smile and say "thank you for volunteering."

So no busing amendment will work. Not only will it not stop busing, but it would not stop pairing, educational parks, school redistricting, and all the other schemes in Dr. Howe's "Equal Educational Opportunity Act." Now that I know about the proposed bill, I know that no mere amendment will work. Only by torpedoing these coercive bonus aid packages will we stop the Government from forcing cities to suggest busing and school rezoning plans of their own.

Let us take section 103(4) of the bill. It says that a demonstration application must show that "substantive laws, regulations, and other requirements are, or may be expected to be, consistent with the objectives of the program." In other words, no American city that does not have an open occupancy statute need apply for demonstration city status. Not unless they want Secretary Weaver to draw up a local fair housing ordinance for them. I support fair housing, but I do not want Secretary Weaver drawing up the local laws. Do you?

You may think I am being unfair to the Secretary. Let me quote his own words. On page 45 of the Housing Subcommittee hearings, Dr. Weaver said:

> The physical rebuilding and restoration of our cities should be accompanied by appropriate actions to narrow the housing gap between the poor and disadvantaged and the rest of the community. Nondiscrimination in any housing assisted under a demonstration program is a legal requirement. In some cities, however, the mere requirement of nondiscrimination will not be sufficient to resolve the manifold problems to which rigid, and often longstanding, patterns of housing segregation have given rise. More affirmative action is needed to eliminate these patterns to reduce the squalid concentrations of racial minorities and the economically deprived, and to assure that equal opportunity in the choice of housing will in fact be available to people of every race and income.

It sounds to me like Dr. Weaver has some tough criteria in mind. He has also implied that he will force demonstration cities to redraw their housing codes, zoning codes, and tax structures.

Listen to what he says:

> Even though a city demonstration program meets the statutory criteria described, other actions may be expected of the city

> if new Federal aids are to be provided under this legislation. Consideration will be given to the extent and nature of purely local actions which encourage more rational and efficient urban development. In preparing their demonstration programs, cities will have to—
>
> First, examine their substantive laws to determine the extent to which those laws impede substantial progress in carrying out their demonstration programs and to take appropriate action, if necessary, to make those laws consistent with the objectives of their programs.
>
> In many localities, the structure of real estate taxes, inadequate and often obsolete housing codes and zoning laws, and artificial restraints on building practices retard the prompt and proper development of the city's physical characteristics. Stimulating local efforts to remove these restrictions can be one of the major benefits of the city demonstration program.

Imagine this. Bragging that "stimulating local governments to change" laws to suit Dr. Weaver can be "one of the major benefits of the city demonstration program."

I imagine that you realize that housing planning is also part of this program. Besides "demonstration racial balance in the schools," we are also going to have "demonstration rent supplements" and so forth. Dr. Weaver has talked about how rent supplement housing will be pushed under demonstration cities. He mentioned this specifically in his speech before the Americans for Democratic Action convention in Cleveland this past April.

I urge you to support the amendment which will be offered to cut the demonstration cities program back to planning funds for 1967 only.

This will give us time to plan, as the gentleman from New Jersey [Mr. WIDNALL] indicated, a more positive approach. It will give us time to make sure that none of this money is going to black power to fund a demonstration rioting program, as suggested by the Washington Post article.

I would also like to mention briefly the hypocrisy of this administration's efforts to cope with the urban problem. If Senator RIBICOFF is correct, some $96 billion has been spent on Federal aid programs in urban areas during the last 10 years. Now who are they kidding when they say that $1 billion in 2 years is going to save our cities? This $1 billion, in my opinion, is a needless expenditure. It is waste. It is really designed for two purposes: first, to buy Federal control over the cities, and second, if I am to believe the Washington Post, to give working capital to black power.

Now let us turn to the metro planning title of the bill.

At the risk of repeating what many of you already know, I am going to explain the way the metro mechanism works. I find it hard to believe that the social planners even had the nerve to propose this to Congress.

Let us start with section 204 of the bill. This section requires all metropolitan areas of this country to set up a metro planning agency. I call it a metro government. Read the section yourselves. First, Secretary Weaver defines the metropolitan area, and then the metropolitan area sets up a metro government. The reason for this metro government is twofold—first, it is to plan the location, scheduling and financing of all publicly assisted facilities in the metropolitan area; and second, it is to recommend or not recommend all local Federal aid applications on the basis of conformity to federally dictated facilities planning. I do not believe this House will stomach this. For my part, I find the proposal most incredible.

To recapitulate, section 204 calls for the metro government, and requires all local Federal aid applications to be submitted to the metro government for clearance. Then section 205 tells how the metro government will plan the location and financing of every kind of meaningful public facility in the entire metropolitan area—from housing to airports to schools. Section 205 also tells how Federal money will be used for the planning, just in case anybody gets any ideas that local autonomy exists.

Mr. Chairman, these metro governments are going to be L.B.J.'s local field headquarters. He and Dr. Weaver will run the country through these metro governments.

The CHAIRMAN. The time of the gentleman from New York has expired.

The Chair might point out that the gentlemen from New Jersey has consumed now 85 minutes, and the gentleman from Texas has consumed only 18 minutes. This may not impress the gentleman, but it impresses the Chair.

Mr. WIDNALL. Mr. Chairman, may I answer the Chair by saying there are some people here who really would like to speak on this legislation as fully as possible. I do not want to deny them—and I am sure no other Member of the House wants to deny them—that opportunity.

I do not understand why the other side does not have more who are interested in speaking on this very important legislation.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. BARRETT. I believe we ought to give the gentleman another 5 minutes.

Mr. WIDNALL. I yield the gentleman another 10 minutes.

The CHAIRMAN. The gentleman from New York is recognized for an additional 10 minutes.

Mr. FINO. Mr. Chairman, I should like to repeat that, because it sounds so very nice.

These metro governments are going to be L.B.J.'s local field headquarters. He and Dr. Weaver will run the country through these metro governments. Forget about States. Only the people who make roadmaps will care about States. Governors and mayors will give way to Federal commissars. Local tax boards of assessors might as well fold up. The metro government will control the tax structure. The citizens of a suburb will have their taxes raised to pay for an educational park to be built to serve a slum and suburban mixture. If you do not believe me, read section 205, and think about what the language means—"location, scheduling, and financing of any publicly assisted facility."

As I mentioned earlier, any community in the metropolitan area will be required to make application for Federal aid through the metro government when it applies for aid in 10 programs, ranging from sewer aid to highway aid. Read section 204. It tells how the metro government will judge these requests on the basis of conformity to its metrowide planning. In other words, if Scarsdale or Winnetka, Beverly Hills, or Cedarhurst do not plan their schools and housing to conform with the way the social planners want to spread the inhabitants of the central city around the suburbs, then they will not get sewer money—they will not get highway money. The whole key to the metro concept is that it uses a metropolitanwide aid package to control suburban planning. There is nothing you can do to make it safe.

I think it is interesting to talk about the origins of this tricky little scheme. According to L.B.J.—and for the benefit of those who do not know what L.B.J. stands for, that is the President, Lyndon B. Johnson—according to L.B.J., it was drawn up by some blue-ribbon panel. A question was asked earlier here about who prepared this legislation. I will assure you of one thing. We did not prepare it. The President told us it was prepared and drawn by some blue-ribbon panel, but that is not the way the tricky language was drawn up. Not at all. The principal architects of this bill—not the committee, because I am a member of this committee and all of these gentlemen on the floor are, most of them, members of the committee—we got the bill. This bill was prepared by the social planners of Washington. The principal architects of this bill are Secretary Weaver, and two of his aids, Under Secretary Wood, from the Massachusetts Institute of Technology, and Assistant Secretary Haar, from the Harvard Law School. Three very smart men.

This bill was designed with tender loving care to be all but unreadable, and the slickest part of all is the metro title. It is more confusing than the catacombs. It was designed to sneak through a rubberstamp Congress unread, unfathomed, and unquestioned.

I should add at this point that the way the metro government allegedly induces acceptance of its planning is by giving out bonus grants. This everybody admits. Plan the Federal way and you get a bonus grant. What they do not admit is the other side of the coin. If you do not plan the Federal way, if you do not follow their advice and suggestions and adopt them, you just lose the bonus and you get nothing. Not only that, not only do you lose the bonus, but you also lose the Federal aid which ordinarily would have come to you if we did not have this mess in front of us.

Obviously, you have to conform to metro planning to get any Federal grant. Who seriously expects anything else from Harold Howe, the U.S. Commissioner of Education, and Robert Weaver, the Secretary of the Department of Housing and Urban Development, and their new artificial integration zebra-colored guidelines for America?

Mr. Chairman, during the course of my fight against this bill, I have been smeared—by the Washington Post, for example. It has been implied that I am against civil rights. This is an unfortunate thing. I have supported all civil rights measures, including this year's open housing.

What I am against is something that has gone too far—privileges, not rights. And what is worse, a kind of privilege that threatens to undermine the American social and political fabric of local government and neighborhood schools. The time has come to draw the line. I do not mind being the one to try and draw it.

Let me return to the metro title again. Think about what metro means. It means that metro governments will be planning housing, local financing, and education, to say nothing of zoning and housing codes for the whole metropolitan area. They will use this power to plan educational facilities mixing the slums and suburbs at the expense of the suburbs. They will use this power to put rent supplement housing in communities that now have an option to refuse it. This will undermine the Appropriations Committee's local option rider to keep rent supplement housing from being forced on suburbs. Dr. Weaver has said that both housing and relocation must be planned metrowide.

If you have any doubts about metrowide school planning, let me take care of those doubts. The language of the bill provides that all publicly assisted facilities, whether or not federally assisted, must be dealt with in metro planning. This clearly includes schools. They are publicly assisted facilities. Even parochial schools will have to clear their location with the metro government. I would imagine, if they get Federal or State help for libraries and laboratory equipment. That would make them publicly assisted facilities. You may have wondered why our Nation's parochial schools were influenced to conduct a nationwide racial census. Now you know.

I can well understand why Dr. Weaver does not want to discuss the educational planning that would come under metro. But he did let the cat out of the bag before our committee. On pages 52–53 of the hearings, he said, in a statement, that education was one of the things that had to be planned on a metropolitan areawide basis before bonus grants would be given.

The Office of Education has been even more blunt. In the Equal Educational Opportunity Act, the planners talk about educational parks being an important part of metropolitanwide planning. They specifically refer to the metro title of the bill before us.

Harold Howe, the Commissioner of Education, has been quite outspoken about metro school planning. Back in May, he said that the new Department of Housing and Urban Development was a "new Federal tool to help education in the attack on de facto segregation." Presumably, he meant this bill. According to the Washington Post, Howe said in a recent speech:

> Altering political boundaries or consolidating the educational facilities of a large city would involve major organizational changes—major educational surgery. But I believe that major surgery is required if we are to liberate the children of the slums.

These are Howe's words.

I hope the Members of this House will take Mr. Howe seriously. He means all this about educational surgery to liberate the children of the slums.

Let me read you another Howe quote:

> Traditional school boundaries often serve education badly and may have to be changed. New York and New Jersey surrendered state prerogatives to the Port of New York Authority in the interests of improved transportation. If we can make such concessions for transportation, I suggest we can make them for education. We could, for example, alter political boundaries to bring the social, economic and intellectual strengths of the suburbs to bear on the problem of city schools.

As you will note, the Commissioner is just crazy about the metro school idea. You can be sure he will use metro planning to the hilt.

When he testified before the Rules Committee 2 weeks ago, he admitted that his office was studying a lot of plans like rezoning, educational parks, pupil exchange, busing, and so forth.

Then he admitted that the metro planning title of this bill would give communities a real incentive—an understatement if I ever heard one—an incentive plan education on a metrowide basis.

This June, the metro idea was praised by a White House conference including the headmen of all the black power organizations. Let me quote the Washington Post—that great source of information—on why the omnibus housing bill is a big piece of trickery.

Here are the words of the Post:

> Essentially, the idea is that the federal government must provide the lever for Negroes to crack the suburbs.
>
> The way to do it? Put all the federal funds for housing, school, anti-poverty programs into one bag. To get the money, local officials would be required to draw up plans on a metropolitanwide basis.
>
> Suburbs would be asked to build scattered low-income housing and work out area-wide plans for school integration.

This is a quote from the July 3 Washington Post article on the White House Conference "To Fulfill These Rights." This conference was attended by the black power leaders of SNICK and CORE, including Floyd McKissack and John Lewis, the predecessor of Stokely Carmichael. The metro idea comes highly recommended. Black power is all for it.

At the proper time, I am going to offer an amendment to kill the metro title. I understand that a secret fan of the metro plan will offer an antibusing amendment to try and undermine my amendment to strike. This antibusing amendment will be a joke. I offered an antibusing amendment in committee, and the administration said it was not relevant. I have come to agree. An antibusing amendment is pointless. It does not do anything. Federal dollars are not to be directly used for educational scheming. Federal funds in other programs are going to be used to bribe—or effectively coerce—local communities to set up busing schemes or educational parks, via the metro mechanism. I thought an amendment might work before I discovered the truth about metro and about the "Equal Educational Opportunity Act." Now I know that no amendment can clean up metro. The social planners ambitions for it are just too great.

The whole metro idea pivots on a metrogovernment armed with planning power and the ability to block Federal aid from going to any community that does not subscribe to Federal metroplanning standards. How can you clean up something like that? It is like a rotten tree. You do not bother pruning limbs. You chop it down. That is the only way to deal with metro. Chop it down. If this title is enacted, you will quickly see metrowide school and housing plans being drawn up, which communities will have to accept or else lose Federal aid in a lot of airports and sewer programs.

This we do not need. We do not need metro. As a matter of fact, there is not much of this bill we do need. I would like to close by briefly noting section 911 of this bill. Secretary Weaver and his friends call it the "urban environmental studies" section. You really ought to read this one. It lets Dr. Weaver send teams of experts into urban areas at fees of $100 per day per person. I imagine the type consultants the Secretary will send in will have good backgrounds in politics. Who knows? They may be doing district profiles for congressional candidates.

So I hope that you will add this boondoggle to the list of programs in this bill that should be scrapped. There are many. Title I, title II, title IV—the $100-per-day snoopers—all of this. Read the bill carefully. Then you will know why I am opposed to it.

Mr. MINISH. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. MINISH. Mr. Chairman, I rise to support the demonstration cities and metropolitan development legislation now before us.

Not even a nation as rich as the United States of America can afford the cost of maintaining the blight which scars our urban centers.

Not even a nation as rich as we can afford the burden of millions upon millions of hopeless, jobless, untrained, bitter citizens, who live in our cities' centers.

Not even a nation that has produced entire new technologies, almost at the snap of finger, can hope to stumble its way into providing for the enormous urban growth which will come to pass in the next 30 years.

History judges the nations of the past by their cities—and indeed—it does so today.

By such a yardstick, our cities give us a sorry measure.

Our cities represent an incomprehensively astronomical investment—three centuries of money and dreams, of the hopes and toil of millions of people have gone into their building.

Yet—today—over the face of the land—those cities are blighted at their cores, and ringed in by wildweed growths of suburbs.

Our cities are our vital aortas, and we must realize that practically every single large city in the land may quite literally burst wide open, and place our national health in jeopardy.

The cities of my State are a case in point.

In Newark and Trenton, substandard housing represent 8 percent of available units.

In Jersey City almost 15 percent of our total occupied housing is substandard.

These cities are vital to the well-being of New Jersey. Yet, in each of them, we wrestle with the problems of central blight and slums, with angry and discontented people and with the compounding problems of an uncoordinated suburban growth.

To solve our problems, we must have Federal help. Neither the State nor the cities concerned can pay for tackling the total problem, in all of its related aspects.

This State of affairs did not come into being overnight.

Our urban dislocations—and the dislocation of the people who live in these areas—have grown progressively worse for the past 50 years.

We have not kept pace with urban needs. Good intentions and piecemeal efforts have been inadequate. Now we are being called upon to pay the piper.

We must take whatever steps are necessary to provide for a rational and related urban growth, that will meet our present and future urban needs.

Our slums, and the people in them, must be helped now. Our area planners need help in coordinating the growth of our suburbs. And—without any further delay—we must begin to build the urban facilities which will be needed by the additional 100 million people who will live in our metropolitan centers within the next 30 years.

Now, let me comment about money.

The subcommittee has cut this demonstration city budget to a bare $900 million, and has recommended that the program operate for a 2-year period.

I would have preferred that the budget not have been cut at all, and that the program should have been granted the 6-year life proposed in the original bill.

Skimpy as the budget is to the total need, it will enable a reasonable start on the job at hand.

It does provide reasonable time for those cities who will require its assistance to develop their plans and to enlist the supports they must have to put their programs into being.

I consider it obvious that we cannot continue to rely on our one-problem, one-solution approach to the intricacies of urban growth. The sad conditions of our cities today is proof that this method is appallingly inadequate.

For the first time in my experience, we have been given an urban assistance bill which provides for programs that will enable our cities to grasp their total problem, in a related and cogent fashion to assess that problem in all of its aspects; and, to plan and program for its solution, with the full sweep of existing grant-in-aid programs upon which to draw.

This bill provides for the coordinate and compact use of already tested methods. In the main, it will use moneys already funded. It provides solid protection against wasteful overlaps in time, energy, and money.

This is crucial legislation—a vigorous, new approach to problems now nationwide—too long ignored by us and by our cities.

Neither a community or a nation can isolate itself. What is good or bad for individuals or groups is good or bad for the society they compose.

Passage of this act will be a positive step toward the prosperous, democratic and peaceful great society we all desire. To deny it, would be a backward and a disastrous step in a forward-moving age.

It seems to me to be a most reasonable program for attacking our city problems. Therefore, I urge its speedy passage.

Mr. PATMAN. Mr. Chairman, I desire to yield to the fine, able, and distinguished gentleman from Pennsylvania, the gentleman who is chairman of the Subcommittee on Housing of the Committee on Banking and Currency. He is entitled to more credit for this bill than any other Member of the House.

I yield to the Honorable BILL BARRETT of Pennsylvania 20 minutes.

Mr. BARRETT. Mr. Chairman, I am going to take this opportunity to pay my respects to the minority leader here of the committee, Congressman WIDNALL, and I certainly want to thank my very dear and close friend, BILL CAHILL, for the comments that these gentlemen made here this afternoon.

I am quite an admirer of the gentleman who just preceded me. I do want to make an open confession because I am not as wealthy as either one of these three gentlemen, but there is one thing I have, and I have in abundance, and that is love and affection for each of them. This, of course, would never change, regardless of any debate in which we entered.

So I want to say my love and affection is very deep for the previous speaker, because in my remarks I may not altogether agree with what the gentleman has said.

Mr. Chairman, the demonstration cities program is one of the most crucial and critical proposals ever laid before the Congress. I have lived and breathed and slept with this great bill for 10 long and arduous months. The Housing Subcommittee and the full Banking and Currency Committee have devoted a tremendous amount of time to this legislation because we recognize that it offers a ray of hope for the critical problems which confront urban America.

This is a big bill with many important provisions but I am going to talk about the heart of the bill.

Title I, the demonstration cities program, recognizes what all of us on this floor know. We know that existing Federal aid programs, however successful they may have been in solving specific problems, have not fully come to grips with the grave problems of our cities. This bill seeks to provide the answer. While on the surface the demonstration cities proposal seems to be a complex idea, its concept is essentially simple and straightforward. It tells the cities of our land, both large and small, that they will have very substantial Federal aid in helping them to rebuild and rehabilitate their blighted and rundown areas. It will give them the means, not only for physical rejuvenation, but also for the social and human rehabilitation of large slum neighborhoods.

Here is how it would work. Once an area to be rehabilitated has been selected by local government—and let me emphasize by local and not the Federal Government—a demonstration cities program would use the whole array of existing Federal programs, such as urban renewal, water and sewer, mass transit, vocational training, and war on poverty programs. And then, in addition to those aids, the Department of Housing and Urban Development would be authorized to make an additional grant to the city to be used for any worthwhile program in connection with the demonstration project. This supplemental grant could be used either for entirely new projects which receive no other Federal assistance or could be used to help meet the city's share of regular Federal projects. In effect, Mr. Chairman, it would give our cities and towns the financial muscle to do everything possible to rehabilitate these areas and to improve the environment and the life of the people who live there.

The administration originally proposed a 5-year program calling for $2.3 billion in supplemental demonstration cities grant funds. The Senate-passed bill contemplates a 2-year program and authorizes $900 million. And that is what our committee adopted in the bill before us.

In this fiscal year, as well as in the next, the bill would authorize $12 million to get our cities and towns to begin the necessary planning. The first actual grant authorization would be $400 million next fiscal year and $500 million in fiscal 1969. Thus, the immediate budget impact would be only the first year's $12 million planning.

Because some people feared that the demonstration cities program would drain funds away from the existing urban renewal authorization, our bill provides an additional $250 million in urban renewal grant funds to be used for projects included in the demonstration cities program.

Mr. Chairman, this is a compassionate and imaginative new program. I know firsthand the problems of the disadvantaged people in our cities and our colleagues know of the despair and misery which they must undergo in their daily life. The demonstration cities proposal is the branch of hope which we can offer to them. It is a program of unlimited potential for good. I pray that the overwhelming majority of our colleagues on both sides of the aisle will recognize that it is our duty to send this great legislative proposal to the President so that he can put it to work toward the salvation of our cities and the people who live in them.

As a supplement to the demonstration cities program, the bill contains in title II a new incentive supplemental grant program to help our cities and suburbs cope with the growth pains which are afflicting our rapidly expanding metropolitan areas. Mr. Chairman, all of our colleagues know that because of overlapping jurisdictions and the complexity of local problems, that the growth of our metropolitan areas is far from orderly. And we know further that our metropolitan areas are finding extreme difficulty in supplying the facilities needed by rapidly growing communities.

Put simply, title II would give supplemental grants up to 20 percent of the cost on top of existing Federal grant programs for water and sewer systems, airports, transportation, open space programs, and the like. It would offer these grants to encourage intelligent and rational metropolitan planning and development so that all local jurisdictions would benefit. This title would not affect any of the existing programs; it would simply add the 20-percent grant incentive on top of them if the metropolitan area met the planning standards in the title.

Mr. Chairman, for reasons I find hard to understand, there are those who oppose this essential new program. But, Mr. Chairman, they do not oppose it on its merits. They do not argue that this type of aid is not desperately needed by our metropolitan areas. They attempt to confuse the issue by implying that somehow, this new Federal aid would be used to bludgeon cities into busing schoolchildren or into the arbitrary redrawing of school districts.

Mr. Chairman, I submit this as one of the reddest herrings ever dragged in the path of a legislative proposal. There is nothing in this program that has anything remotely to do with the busing of schoolchildren. There is nothing remotely in the bill that requires any community to abandon or alter the school system or to redraw the boundary of its school districts. There is nothing in the bill that requires any community to take any action concerning racial balance or racial imbalance in its schools.

Mr. Chairman, this is a false issue raised with the single purpose of defeating the program and I ask my colleagues not to be deceived.

There are other very important and desirable provisions in the bill before us. I will not discuss them in detail. They are all clearly described in the committee report and will be developed in the subsequent debate. You will become thoroughly familiar with them and their merits.

Mr. Chairman, this is a great bill and one in keeping with the exciting challenges of our time. Our cities and towns need this legislation desperately. They need it not only to cope with their present critical situation, but also to prepare them for the accelerated urban growth which lies ahead. It will produce better housing, better cities and suburbs, and more basically—better citizens and a better America. Let us send it to the President without delay.

Mr. PATMAN. Mr. Chairman, I yield 15 minutes to the gentleman from Wisconsin [Mr. Reuss].

Mr. REUSS. Mr. Chairman, this bill tries to come to grips with the appalling problems of our cities. The demonstration cities title would provide the incentive to our cities to rebuild and restore entire neighborhoods of slum and blight. The metropolitan planning title would aid States and localities to provide metropolitanwide comprehensive planning. The new towns title would extend FHA insurance to land developers willing to create whole new communities.

I would have hoped that this dynamic attack on the problems of our cities could have had bipartisan support. But as the debate so far shows, the Democrats are for the bill, the Republicans against. I am old-fashioned enough, however, to believe that floor debate can persuade, and change a nay vote into a yea vote. So, as I turn to the minority side, I try to find words so eloquent that they will change men's minds. I think I have found such words.

Listen to this description of the need for the pending bill:

> The cities of America are faced with a major crisis. Crime is increasing. The slums and blighted areas demand immediate attention. Public transportation must be expanded and improved and, all too often, the educational and social services have not kept pace with the growing population. At the same time, the taxes collected by the cities have proved inadequate as urban blight has struck at the property tax base. And many in the upper and middle-income groups who formerly provided leadership and stability have moved to the suburbs, leaving behind those most in need of public services and least able to afford the taxes to support those services.

Could we find a better description of the basic needs of our cities?

Now let us look at the specific problem of our slums at which the demonstration cities program is aimed:

> The hard core of present-day poverty consists of city people who dwell outside our affluent, high-education society. Compared to them, the unemployed coal miners in the hollows of West Virginia or the submarginal farmers of Appalachia are a mopping-up operation.

And now some eloquent words which point the need for metropolitan planning:

> The Metropolitan issues will not disappear, they will only intensify. If they look impossibly complicated today, and we fail to do something about them, they will look far worse next year. We cannot turn away from them.
>
> If a political party wishes to stay in the game of politics, it must tackle the public problems affecting the most persons. And those problems, today and tomorrow, are centered in the American metropolis.

And finally, here's the case for new towns, succinctly put:

> The buildup of suburban areas continues unabated. This is where the majority of American voters—particularly the young ones—expect to live. Thus it is a better answer to plan and develop whole communities—new towns—shaped, defined, protected, and served by systems of transportation over which people easily flow to their multiple destinations.

Have I been as eloquent as I hoped to be? Have I helped to sway Republican votes? I would have been proud to have written these words, but they are not mine. The first quotation is from the House Republican policy committee, issued just the other day. And the rest of the quotations are from the Senate Republican policy committee, put into the Congressional Record last August 29 by no less than the senior Senator from Iowa [Mr. Hickenlooper].

So I say to the minority, would not you reconsider your opposition? Would not you ponder your own words? Would not you cast a vote for this bill to attack the problems of our cities? Who will be the first convert? Who will make this decision, and declare himself?

Mr. MOORHEAD. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to my colleague from Pennsylvania.

Mr. MOORHEAD. Would the gentleman repeat the source of those quotations? I was listening with great attention to the words he said, but I could not believe what he said as to the authorship of them.

Mr. REUSS. They are beautiful words, wonderful words, and they all came from the Senate and House Republican Committees. In fact, when Senator Hickenlooper inserted them on August 29 into the Congressional Record he said:

> This statement is as beneficial, I believe, to the Democrats as it is to the Republicans.

May I say, never were truer words spoken. So I say to the minority, will you not reconsider your opposition? Will you not ponder the words you have heard and perhaps cast a vote for this bill? If there is a convert on the minority side, I will be delighted to yield to him if he wants to make his decision and declare himself right now.

Hearing none, Mr. Chairman, I now yield to my colleague from New York [Mr. Scheuer].

Mr. SCHEUER. Mr. Chairman, I would like to ask my distinguished colleague from Wisconsin whether, in view of the deep interest that this Congress has taken in the field of urban environment and design as exemplified in the provisions of the Elementary and Secondary Education Act mandating excellence of architecture and design in all federally assisted school construction, and the Arts and Humanities Act providing for planning studies on the urban environment and the urban plan, and the Highway Beautification Act, this bill before us has anything to say about the excellence of design in the urban environment?

Mr. REUSS. It says, I am glad to answer the gentleman from New York, a great deal about design. The demonstration cities title, section 103(b)(3), requires that the Secretary encourage demonstration projects to help neighborhoods apply a high standard of design. The metropolitan planning section and new towns section also require good design, and section 911, which is the urban environmental studies research section, also stresses design concepts. So you might say that the idea of design is written throughout the entire bill.

Mr. SCHEUER. Do these sections you have referred to, or other language in the bill, refer only to new programs prospectively, or do they apply to the current housing programs that are now in existence? In other words, is there anything that Congress can do to stimulate better design and higher quality in our urban environment, both as to current, and new, programs?

Mr. REUSS. I think the provisions I have just read apply not only to prospective programs but to the existing programs, such as public housing, moderate income housing and urban renewal, now on our books, and the purpose, as I have said, is to encourage excellence in architecture and design across the board in all of our housing programs.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Is the gentleman not pointing out a special design in the demonstration city for low and moderate and higher-level income housing, housing in the housing structure in order to take care of everyone?

Mr. REUSS. Mr. Chairman, I would agree with the distinguished gentleman from Pennsylvania [Mr. BARRETT]. In fact, all of our experience over the years has indicated that buildings and projects which conform to good architectural design, are the easiest and most economical to maintain.

And, incidentally, in the case of housing developments and schools, good design results in a markedly lower rate of vandalism. I would say good design applies throughout the entire spectrum of city development.

Mr. SCHEUER. Mr. Chairman, will the gentleman yield further?

Mr. REUSS. I yield further to the gentleman from New York.

Mr. SCHEUER. Is it the intent of Congress that all housing and urban renewal programs, both those currently in effect and those prospectively to come into being, will stress quality and excellence in architecture and design?

Mr. REUSS. I believe the gentleman from New York is exactly right. I believe that the General Accounting Office has been mistaken in its criticism of design, where particular projects were built within cost limitations established by Congress.

I recall, for instance, a case out in Marin City, Calif. where one housing project won several national design awards but was criticized by the GAO, also projects in Tennessee and in Hawaii, where the GAO criticized the projects, because they included screening of garbage cans with cinderblock construction, even though all of these projects were well within applicable Federal cost limitations.

Mr. Chairman, this seemed to me to miss the entire point, especially with reference to a low-income project where garbage would be screened through a low-cost camouflage system, which it seems to me is better economy in the long run.

Mr. Chairman, that is the general concept which is written into this bill.

Mr. SCHEUER. Mr. Chairman, if the gentleman will yield further, on the question of good design and amenities, would it be the intent of this Congress that officials of HUD and the General Accounting Office should actually encourage local housing authorities and private developers of moderate income housing, along with their architects, to use all possible ingenuity, resourcefulness and inventiveness to achieve excellence of architecture design, and amenities, so long as the housing is constructed within the appropriate federally established cost limitations?

Mr. REUSS. It is certainly the intention of the committee insofar as I can determine, and we would expect the executive branch to follow out the general philosophy expressed therein.

Mr. SCHEUER. In other words, it would be the congressional intent that all housing built with Federal assistance should provide not only good shelter for the people living there, but also a positive environmental influence upon the surrounding neighborhood, the kind of influence stemming from fine architecture and design, exciting in form and color, that will fortify and support the local tax values as well as local neighborhood attractiveness and stability so that this would represent good economics as well as good environmental planning and design?

Mr. REUSS. Mr. Chairman, I agree with the gentleman from New York.

Mr. SCHEUER. I thank my distinguished colleague from Wisconsin, for yielding.

Mr. FRASER. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Minnesota.

Mr. FRASER. Mr. Chairman, I want to say to the gentleman from Wisconsin [Mr. REUSS], that I heard the latter part of the gentleman's statement and I want to commend him for it. I believe the gentleman was bringing to the attention of the committee the fact that statements that have been made by our Republican colleagues and I feel that this represents a very useful contribution. Mr. Chairman, I was out of the Chamber briefly earlier, and I did not know if the gentleman from Wisconsin had had an opportunity to react to many of the comments made by the gentleman from New York [Mr. FINO].

But I want to say to the gentleman from Wisconsin, and then ask a question, that I tried to follow the statement of the gentleman from New York.

I have listened to the gentleman's statement on the floor, and I have looked at the various sections of the bill to which the gentleman has referred, and I have been not only unable to find anything in there to sustain the claim of the gentleman from New York [Mr. FINO], that there was some kind of plan of forced integration involved in or implied in this legislation.

As I again look at these sections it seems to me that what is being asked is that the communities make an effort to improve educational services to the poor. I cannot conceive of a more worthy objective. I wonder if the gentleman has any opinion as to how the racial issue comes to be injected in this discussion of the bill at this time, when a reading of the bill, even while following the statements of the gentleman from New York, did not seem to sustain any of the claims which he makes.

Mr. REUSS. I agree with the gentleman. I read the bill closely and participated in its formulation, and there is not a syllable or a half syllable in the bill which gives any justification whatever for the contention that the Federal Administrator under the bill could impose any requirement of busing. Where the gentleman from New York received that idea I cannot imagine. Maybe somebody told him it was an omnibus bill, and that somehow led him into this busing fixation.

But you can read the bill from one end to the other and there is not a suggestion anywhere that any such power would be given to the Administrator.

I will state here now, without any equivocation whatever, that this bill does not permit the Secretary of HUD or any other Federal official to condition his aid under the bill upon whether or not the community indulges in busing. Equally, if within the free decision of a local community, the community takes steps to achieve a fair and fuller integration of its students, this, of course, in no way disadvantages the city. But the subject of busing and other methods of school integration is completely absent from the bill.

Mr. FRASER. Mr. Chairman, if the gentleman will yield further?

Mr. REUSS. I yield to the gentleman.

Mr. FRASER. As I understand it, then, the individual local community has complete freedom in attempting to improve the level of education for its children. It is my impression that this is the same purpose that we sought to obtain in other legislation which this body has passed.

I wonder if the gentleman cares to speculate on why there has been this effort to inject the racial issue into the consideration of this bill? I can conceive of two reasons, one is that there is belief among some people and politicians that there is a so-called backlash attitude which they might take advantage of, and were looking for a vehicle in which to sponsor the issue. Or it may be that they thought by attaching the racial issue to this bill they could defeat the bill, because that was their primary objective, rather than simply attempt to create a political issue, perhaps?

Mr. REUSS. I am prohibited by the rules of this House, and by my own delicacy, from indulging in that kind of speculation.

Mr. FRASER. I thank the gentleman. I am glad that he can support my impression of the bill that this was entirely a phoney issue that has been injected.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. PATMAN. Mr. Chairman, I yield 2 additional minutes to the gentleman from Wisconsin.

Mr. SCHEUER. Mr. Chairman, will the gentleman yield for a unanimous consent request?

Mr. REUSS. I yield to the gentleman.

Mr. SCHEUER. Some moments ago our colleague from New York made reference to a charge against the redevelopment director of the city of San Francisco, Mr. Justin Herman. I have known Mr. Herman professionally over a period of almost 15 years. I find it inconceivable that he could have been involved in the kind of activity which was depicted. He is a wise, prudent, thoughtful, and moderate individual. I find the charges totally incredible on their face transparently unworthy of belief. I submit for the RECORD at this point a telegram from Mr. Herman to HUD Secretary Robert C. Weaver.

The material referred to follows:

SAN FRANCISCO, CALIF.,
October 15, 1966.

DR. ROBERT C. WEAVER,
Secretary, Department of Housing and Urban Development, Washington, D.C.:

Charges by Nicholas Von Hoffman in the Washington Post of August 28, 1966, that I am dickering with black power to see who will control the demonstration cities program are absolutely without foundation. Mr. Von Hoffman's attributing the constructive work now going on collaboratively between the residents of the Hunters Point area and this agency as negotiations for control are so ridiculous as to be humorous if they were not dealing with the lives and welfare of responsible citizens of Hunters Point who want to change their area from a bitter slum into a decent community for themselves and their children. These people believe in the renewal efforts that are started and they have spoken out for the larger benefits of the demonstration cities program.

They are not negotiating with me for any so-called control nor are they establishing any conditions in their collaborative work as to the control of the demonstration cities program as it may emerge after congressional action. The Hunters Point group who are working with us and also supporting demonstration cities are made of both Negro and white leaders. If there are any quote black power unquote advocates in this group they have certainly been successful in hiding that fact. Further, I am certain that the attitude of the group is that it is unfortunate that the demonstration cities program cannot be realized sooner and on a broader basis than is likely to be the case.

M. JUSTIN HERMAN,
Executive Director.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. REUSS. I yield to the gentleman from Tennessee.

Mr. BROCK. Mr. Chairman, I might point out, when we are talking about education, and the points that the gentleman raised here, that Secretary Weaver testified before the committee as to the planned program, that the plan of action included education. And when Commissioner Howe was before the committee he testified as follows:

Mr. ANDERSON. Would you concede, Mr. Howe, that the language of this metro planning title—and I assume that you are familiar with it—would you concede that the language of that title and the goals that have been outlined by Secretary Weaver with respect to this bill are very similar to some remarks that are published as having been made by you in a speech at Columbia University? I think that was on the 3d of May of this year?

Let me quote just a couple of sentences from that speech. In that speech—at least as I have it recorded—you said that—

"The busing of pupils to create racial balance is highly controversial, but must be conceded to be helpful in some situations."

And then to quote a little further from the speech you said that—

"The pending programs for the future should be planned so that new schools break up rather than continue segregation. The Office of Education will provide Federal planning funds for such efforts right now and if I have my say about it we will provide construction funds before long—"

And then I call your particular attention to this sentence:

"Moreover, with the creation of the new Department of Housing and Urban Development, there is a new Federal tool to help education in the attack on de facto segregation."

Those were quotes from the speech which you made at Columbia. Wouldn't you agree that the section of this bill that I have just referred to and your thoughts as I have read them here are pretty much in harmony?

Mr. HOWE. I certainly would agree.

Mr. REUSS. Let me answer that one, because this needs to be nailed down now once and for all.

Of course, the bill before us contains the word "education." Of course, in the planning of any city demonstration project, we would want and we would expect the local people to take into account the fact that there are kids in these slum areas, and that the kids ought to go to school, and that they plan good schools for them. But that has nothing to do with busing or integration or anything of the sort.

All that Mr. Weaver is saying is that educational planning is a part of total planning. Now who can object to that?

As for Mr. Howe, he was not a witness before our committee, and I have been hearing hearsay on hearsay on hearsay about what Mr. Howe said. But what he said relates not to this bill, but to some gleam in somebody's eye about some bill that someday might come before this House. When it does, then we can debate, with relevance to the matter then under discussion, this issue of busing. But it has no part in the debate today.

Mr. BROCK. I might point out that he was specifically asked about this metro title of this particular bill.

Mr. REUSS. Yes, on the hypothesis that we had in existence a law to compel busing. If we had in existence a law compelling busing, then I suppose that could be part of the demonstration city program. But the short answer is: We do not have a law compelling busing.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FEIGHAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. FEIGHAN. Mr. Chairman, no problem facing the American people today has greater magnitude and importance than the question of what can be done to save our great cities from deterioration and decay.

Our problem is not only to level eyesore slums with bulldozers, but to provide decent and pleasant surroundings in which our people can live, work, and raise their families.

People are the heart of the urban renewal program.

Any fair-minded observer must admit, a lot of people have been and are being pushed around by the urban renewal policies being pursued in many cities, including my home city of Cleveland.

Thomas Edison, the great inventor who was born at Milan, Ohio, not very far from Cleveland, had a favorite expression. "There's a better way," he would say. "Find it."

There are better ways to revitalize our great cities and cut away the cancerous decay which is now rotting many major areas.

It is the duty of Congress, as well as the administration and the mayors and city councils of the affected communities to seek and find those better ways.

In such a quest, I have endeavored to make a personal study of the urban renewal problem in Cleveland.

This study is being made at my own expense, at no cost to the taxpayers.

Some of the results thus far have astounded me. I sincerely believe that they will amaze the Members of this House, as well as the people of Cleveland and the Nation.

I had hoped to present my report to this House before the final vote on the demonstration cities bill.

Unfortunately, this is not possible. My report will not be ready for presentation for at least 2 or 3 more weeks.

However, I do not wish to delay action on the demonstration cities bill, of which I am a cosponsor.

But I want the record to show that I do not consider this bill the final answer to the huge problem of saving America's cities.

I believe that my report, when presented, will identify certain new directions in which our urban renewal program should be turned—directions which will bring more concern about the welfare and fair treatment of human beings than about buildings.

After this report is completed and made public, I believe that it will become the basis for new legislation that will bring new hope and a brighter future for our cities and for the million of people who live in them.

I will vote "yes" on this demonstration cities bill, which is one of the cornerstones of President Johnson's domestic program.

It is a measure that will accomplish much good.

However, I wish to be recorded as stating that this bill is not the final and complete answer to the problem. To paraphrase Thomas Edison: There is a better way, and we must keep searching until we find it.

Mr. PATMAN. Mr. Chairman, I yield 10 minutes to the gentleman from Ohio [Mr. ASHLEY].

Mr. ASHLEY. Mr. Chairman, I of course rise in support of this very important legislation that is under consideration today.

Happily, Mr. Chairman, there appears to be no great amount of controversy with respect to the need for this legislation.

The organizations which favor the demonstration cities program, organizations that are concerned exclusively with the problems of our American cities, include the following:

> The U.S. Conference of Mayors, the National Urban League, National League of Cities, National Housing Conference, National Governors' Council, National Association of Social Workers, National Association of Housing and Redevelopment Officials.
>
> National Association of Home Builders, National Association of County Officials, American Public Health Association, American Institute of Planners, American Institute of Architects.

I might say, Mr. Chairman, this is a capsulized list of the scores of organizations throughout the country that have indicated their favor and approval of the demonstration city program.

I was interested in the comments of the gentleman from Wisconsin [Mr. REUSS] and the excellent quotation that he cited from the Republican Policy Committee statement on Demonstration Cities and Metropolitan Development Act of 1966, which was issued on September 28.

The first sentences of that statement certainly would indicate, not only recognition of the need but approval of the kind of program that we have before us at this time.

The first sentence of that statement reads as follows:

> The cities of America are faced with a major crisis, crime is increasing, slums and blighted areas demand immediate attention.

Let us stop there for a moment. What is meant by "immediate attention"? I submit that the majority of the members of the Subcommittee on Housing and the Committee on Banking and Currency have made it clear by the legislation before us what they believe to be "immediate attention." The Republicans, unfortunately, mean something else.

In the concluding paragraph of the Republican policy statement we find them saying this:

> Every nonessential spending request must be reduced or deleted in its entirety. The authorizations requested for this program—

Meaning the demonstration city program—

> With the exception of the planning funds, should be deferred.

Is this kind of statement, this insistence upon deferring, to be equated with the statement in the opening paragraph, the glittering statement, the glittering demand for "immediate attention"?

I think we must recognize that they are, from one side of their mouths, saying to the American people, "We recognize your need. We know that it requires immediate attention."

But then later, as usual, as always, they are saying, "No, we really can't do it now. We've got to wait. You've got to wait."

Mr. Chairman, I would like to take just a moment to go into the content of the bill before us. Inquiries have been raised as to what exactly constitutes a demonstration cities program. What are the requirements?

If we look carefully at the report, we find that a demonstration cities program must meet five basic requirements:

First, the physical and social problems in the area of the city covered by the program have to be such that a comprehensive demonstration cities program is necessary to improve the physical environment, increase the supply of adequate housing, about which there has been much comment, adequate housing for low- and moderate-income people, and provide educational and social services vital to the public health and welfare.

Is that an unreasonable requirement, Mr. Chairman? I think not.

Second, the demonstration program must be of sufficient magnitude: to make a substantial impact on the social and physical problems and to remove or arrest blight and decay in entire sections or neighborhoods; to contribute to the sound development of the entire city; to make marked progress in reducing social and educational disadvantages, ill health, underemployment, and enforced idleness; and to provide educational, health, and social services necessary to serve the poor and disadvantaged in the area, widespread citizen participation in the program, maximum employment opportunities for residents of the area in all phases of the program, and enlarged opportunities for work and training.

Mr. Chairman, the third requirement is that the program, including rebuilding or restoration, must contribute to a well-balanced city with a substantial increase in the supply of standard housing of low and moderate cost, maximum opportunities in the choice of housing accommodations for all citizens of all income levels, adequate public facilities—including those needed for education, health and social services, recreation, and transportation—commercial facilities adequate to serve the residential areas, and ease of access between the residential areas and centers of employment.

The fourth requirement is that a city's program must be more than a statement of goals. It must be a definite plan of action. Projects and activities to be undertaken must be scheduled and ready for initiation within a reasonably short period of time.

In addition, the criteria require that the local governing body—and this is important—be a part of the program. It has been said, Mr. Chairman, that this is a federally imposed program. Nothing could be further from the truth. It is a local undertaking, locally planned and locally implemented. Naturally, there must be adequate local resources available for completion of the program and the local agencies whose cooperation is necessary for the success of the integrated, cooperative program must have indicated their intent to furnish such cooperation.

There must, also naturally enough, be administrative machinery available, and there must be a showing of this in the plans submitted by the local planning group in its application for funds.

So, Mr. Chairman, these essentially are the requirements of the program so far as the local community is concerned. This is the content of the program.

We hear opposition. Apparently it is directed to the cost of this program. We all understand, certainly, that our economy is under pressure at this time. If it were not under pressure we would not, by any stretch of the imagination, have delayed the program 1 year, which is in effect what we have done.

What we have said is that in the first year there will be no funds for implementation of the program other than $12 million in planning grants. It is not until fiscal year 1968 that there will be any funds available for actually carrying out the program.

Of the $400 million that is to be appropriated in the fiscal year 1968 we can be certain that only a small percent actually will affect our economy.

Mr. FRASER. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Minnesota.

Mr. FRASER. I listened with interest to the gentleman's description of the funding arrangements under this bill. I had had the impression, from reading the bill, that perhaps that was some value in not putting in a large fund for a year, so that plans could go forward, that there was some value in allowing time for planning before money would become available to fund the operative program which might follow as result of the planning.

As I gather from what the gentleman says, in any event, because of other problems we face, such as the Vietnam war and so on, by voting for this bill at least we will not be adding substantially to the level of appropriations required for fiscal year 1967.

Mr. ASHLEY. Yes.

There were two reasons. The first is that most cities, as the gentleman from Minnesota pointed out, will require a period of time to put together a prospectus which, if favorably approved by the Department, would result in a planning grant.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. PATMAN. Mr. Chairman, I yield the gentleman 4 additional minutes.

Mr. ASHLEY. So the committee felt that the first year would not be wasted if the time were spent by communities in formulating their plans.

At the same time, however, it was made clear to us that there are cities, such as Detroit and Phialdelphia and a number of other cities, which so manage their urban affairs and their plans and programing that they are all but prepared at this very moment to go forward.

It was felt by the committee that because of the pressure of our economic circumstances at the present time and in order to establish uniformity, it would be better to allow 1 year planning through the fiscal year 1967.

Mr. FRASER. I thank the gentleman.

Mr. RESNICK. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from New York.

Mr. RESNICK. I thank the gentleman for yielding.

I should like at this point for this Committee to know that I represent a rural area, one of the oldest areas in the United States, the Hudson Valley, which was settled in the 1600's. Our cities are decaying. Even though it is a rural area, we understand the need for demonstration cities.

I should like to read a letter I received from the city of Poughkeepsie, from the mayor of that city. He says:

> OCTOBER 7, 1966.
>
> DEAR CONGRESSMAN RESNICK: I understand that the Demonstration City legislation will soon be before the House of Representatives for action.
>
> Poughkeepsie is an old city, as you know, and our Urban Renewal Department is working diligently to overcome our many problems. The Urban Renewal program offers the hope of the future for cities such as Poughkeepsie.
>
> You, of course, know that I was elected on the Republican ticket, and that our party has a majority in the Common Council. We have, however, with the fine cooperation of the minority members, and, with your invaluable interest and assistance, developed a coordinated, bi-partisan program to accomplish what is best for our City.
>
> Poughkeepsie is anxious to be considered for the high honor of becoming a Demonstration City. With the assistance of this program, and our own determination I am certain that we will transform our city into the vibrant community it must become to meet the demand of the future.
>
> I know that you will support this program, and I hope that you will use this letter to gain additional support.
>
> With kindest personal regards, I remain,
>
> Sincerely,
>
> RICHARD W. MITCHELL,
>
> *Mayor.*

I should just like to point out that this demonstration cities program is wanted by all types of cities, under Republican administrations as well as Democratic administrations.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman.

Mr. BROCK. Would the gentleman give me a fair estimate of the odds against getting Poughkeepsie into the demonstration cities program?

Mr. ASHLEY. No, the gentleman would not want to answer the gentleman's question.

Mr. BROCK. Would the gentleman admit that they would be substantial?

Mr. ASHLEY. I will tell you in all truth—and this is what I was going to get to, I will say to my friend—I would find it difficult to believe that the Department in reviewing the plans would, for political considerations, pass over a plan which was truly excellent. I would have to say that to the gentleman. If there were two of equal excellence, then I am not at all certain what other factors might enter into the decision.

Mr. BROCK. I thank the gentleman.

Mr. ASHLEY. Now I would like to conclude, if I might, Mr. Chairman.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. Yes. I yield to the gentleman.

Mr. MULTER. I would like to call the attention of the Committee of the Whole to the fact that Poughkeepsie is a city of 35,000 people. Knowing how the housing authorities both of the State of New York and the Federal Government are operated as well as those of the various localities, I am sure Poughkeepsie could qualify under this bill if it is enacted.

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. PATMAN. Mr. Chairman, I yield 1 additional minute to the gentleman from Ohio.

Mr. ASHLEY. Mr. Chairman, to conclude I would like to stress a final point, and that is with respect to local initiative. Local initiative is written throughout this entire measure. There is no persuasion and there is no force on the part of the Federal Government with respect to the demonstration cities program. Cities must be interested in participating. There must be local approval for the planning funds, there must be local implementation, there must be approval on the part of the governing body at each step before the city can go ahead. Nobody is forcing anybody to do anything. The program is no more than an effort for the first time to do what the gentleman from New Jersey [Mr. WIDNALL], has been expressing such hope for in years past; namely, to realize the full hope of our urban renewal program. That hope has not been realized and the reason why it has not is that there has been too great an emphasis on physical rehabilitation and too little recognition of the necessity of combining physical rehabilitation with social rehabilitation. That is what this bill seeks to accomplish, Mr. Chairman.

Mr. PATMAN. Mr. Chairman, I yield such time as he may consume to the gentleman from Michigan [Mr. FARNUM].

Mr. FARNUM. Mr. Chairman, I rise in support of this bill.

I want to give title II of this bill my unqualified support. And I want to tell my distinguished colleagues why.

We have arrived at a crucial juncture in the efforts that the towns, cities, and States of this Nation have been making to understand and to cope with the problems of accelerating urban growth. For a dozen years, since the Housing Act of 1954 provided the first Federal assistance for planning activities, we have seen the steady expansion and refinement of planning programs throughout the country.

Many of these planning activities have been undertaken in response to Federal planning requirements. These requirements are intended to bring about more effective coordination among public works construction programs, such as the Federal-aid interstate highway program, which involve major expenditures of Federal funds. Still other planning activities have been undertaken by voluntary associations and confederations of elected officials of local governments, who have recognized their metropolitan areas as the primary frame of reference for studying and dealing with an increasing number of their common problems.

We too must recognize this evidence that citizens of our major cities are beginning to understand more and more that the metropolitan area is becoming the working unit for the planning and construction of many of their needed systems of facilities. They now know that metropolitan area coordination of some facilities can be more economical to governments already pressed to meet the demands of intensifying urbanization, and they know that collaboration in such planning can serve their mutual interests and need not result in sacrifice of local authority and initiative.

We need to take advantage of the fact that community of interest in major facilities, ranging from major recreational facilities to highways and mass transportation systems, can serve to unite the creative skills and energies of local governments in collaborative planning and development.

So far, however, most of the actual results of our metropolitan planning activities have been to explore and define the nature of our metropolitan development problems. These plans express the hopes and ambitions—the aspirations—of the cities in the metropolitan areas. They have begun to plan coherently for the development of more than one system of facilities at a time.

It is time now to move in a broad front to apply the technical findings that have emerged from these fundamental planning efforts. This is really the most difficult part of the process of translating public policy into coordinated public and private development activities. Special incentives will be needed to encourage units of local government to take this additional step and realize the potential public benefits of the metropolitan analysis and planning work they have begun.

Title II of the bill before us provides these incentives through supplementary grants for well-coordinated metropolitan planning and programing. It is a logical and indeed an essential addition to the Federal pattern of response to the growing demand for focusing the forces of public and private development in our urbanizing areas in more meaningful ways.

President Johnson put it very well in his message transmitting this legislation to the Congress. He said that these carefully developed plans were all too often "neglected documents." Title II will remove this aura of neglect from development plans, and the result will be a positive step toward a material improvement in the quality of our environment.

This country needs title II. We must give it our resounding approval.

Mr. PATMAN. Mr. Chairman, I yield 7 minutes to the gentleman from Pennsylvania [Mr. MOORHEAD].

Mr. MOORHEAD. Mr. Chairman, I rise in support of this legislation, and I particularly wish to associate myself with the concluding remarks of the gentleman from Ohio [Mr. ASHLEY], who talked about urban renewal being expanded in this legislation to include people.

Mr. Chairman, an ancient Greek historian, Thucydides, once said that—

> It is men who make a city, not walls or ships.

And, Mr. Chairman, William Shakespeare said:

> What is the city, but the people?

Mr. Chairman, the significant thing about this demonstration city title is that it recognizes this ancient concept.

Mr. Chairman, what are the problems of the city but the problems of the people, and who is to solve the problems of the people, if the people themselves do not solve them?

Mr. Chairman, the legislation which we are considering today is designed to help the people of our cities, cities of all sizes, to solve their problems themselves.

Mr. Chairman, urban renewal has been for too long exclusively a bricks and mortar program. Today we are talking about more than physical renewal. We are talking about the renewal of the people who live in these neighborhoods.

Mr. Chairman, if we turn to section 101 which appears on page 35 of the bill, we see the nine purposes as to the legislation contained in the bill. The primary purpose of the bill is placed upon people focus.

The first one is to rebuild and revitalize large slum and blighted areas, and that is a large program.

But, the second one is to expand housing, job and income opportunities.

The third one is to reduce dependence on welfare payments.

The fourth one is to improve educational facilities and programs.

And, Mr. Chairman, let me say that when we improve the educational facilities in one of these slum areas, we reduce the pressure for busing. So that I say to the Members of the Committee of the Whole House on the State of the Union, Mr. Chairman, that this bill will not promote busing, but will actually do the opposite.

Mr. Chairman, the fifth purpose of the bill is to combat disease and ill health.

The sixth purpose of the bill is to reduce the incidence of crime and delinquency.

The seventh purpose of the bill is to enhance recreational and cultural opportunities.

The eighth purpose of the bill is to establish better access between homes and jobs.

The ninth purpose of the bill, and a vital one which really sums all of it up, is to improve living conditions for the people who live in such areas, who live in slum areas.

Obviously, Mr. Chairman, the amount of money authorized under this legislation is not sufficient to cope with the immensity of the problems which face our cities.

Mr. Chairman, we heard testimony before our committee from at least two big city mayors who said their own cities alone could use far more than the total amount of this bill.

Mr. Chairman, the key word contained in this legislation is "Demonstration."

Mr. Chairman, rather than sit back and wait for our urban problems to overwhelm us, we would use this approach to see if the problems can be solved by this method. We would hope to "demonstrate" that we can.

Mr. Chairman, the challenge of urban problems cannot be avoided. It is too late to look the other way. It is a national problem which can only be solved by the creative partnership of all our people as represented at all levels of our government.

Mr. Chairman, this task cannot be laid aside for a while, while other reforms and other wars are won.

It must be tackled now.

Mr. Chairman, my own city, the city of Pittsburgh, is a "city reborn," because its leaders approached some of its problems with the imagination and resourcefulness contemplated in this legislation. No longer do disastrous floods pour into the heart of the city. No longer does smog hang over Pittsburgh. And, we have rebuilt entire sections of our downtown city. But, as we in Pittsburgh know, the problem of urban decay in our cities—large, medium, and small—is so great today that it cannot be solved by our cities alone.

They need help, and each city's problems add up to one great national problem, which can only be dealt with on a national scale with the Federal Government in partnership with State and local communities.

As Thucydides wrote, "It is men who make a city," it is also men who can remake a city and permit it to soar to the greatness of which our society is capable.

Mr. Chairman, I yield back the balance of my time.

Mr. BARRETT. Mr. Chairman, I yield to the gentleman from Rhode Island [Mr. ST GERMAIN].

Mr. ST GERMAIN. Mr. Chairman, I rise in support of the legislation.

Mr. PATMAN. Mr. Chairman, we yield to the minority side.

Mr. BROCK. Mr. Chairman, I yield 10 minutes to the gentlewoman from New Jersey [Mrs. DWYER].

Mrs. DWYER. Mr. Chairman, I shall be as brief as possible in these introductory remarks on the housing legislation before us because I intended to develop my position on specific amendments which I shall offer at an appropriate time.

At present, Mr. Chairman, I number myself among the undecided on this bill—undecided, that is, as to how I shall vote on final passage. As a member of the subcommittee and the full committee which considered the legislation, I know what I like about it and what I dislike. There is a good deal of both. My final position, therefore, will be determined by the amendments which the House accepts or rejects.

This is a significant bill, Mr. Chairman. It deserves its reputation as the most important item in the President's domestic legislative program. For it would deal directly with developments that are changing the shape, for better or worse, of American life: the increasing flow of population to urban and suburban areas, the physical and social decline of older central cities, the widening division of outlook and interest between city and suburb, the growing shortage of housing for people of low and moderate incomes, the increasing restlessness and sense of deprivation on the part of those forced to live in slum areas and the growing violence such conditions have bred.

The bill deals with these conditions, but does it do so in a truly constructive, responsible, and effective way? It is not enough to have an attractive title on a bill, a good concept, or a noble purpose. The legislation must be so drawn as to give promise of making an effective impact on the realities of the problem. We must know what we are doing. And we must do it right. These are basic considerations. However lofty our purpose, it can become a tragic and disillusioning waste of time and money and idealism and humanity if we fail to do the hard, detailed planning and figuring which can make a program successful.

The present bill is most attractive in concept. The idea, for example, of mobilizing Federal, State, and local resources, public and private, in a concentrated effort to improve the physical and social environment of a presently slum neighborhood is undoubtedly the right approach. But I am not convinced the Government has yet mastered the implications of the demonstration cities program, or that it has geared itself to the unprecedented need for interagency coordination on a vastly comprehensive scale, or that it has thought through some of the specific problems that are likely to emerge. Certainly, nothing in the hearings indicated to me that the Department of Housing and Urban Development is prepared to undertake a 2-year commitment of nearly a billion dollars.

As I suggested during the hearings and in my individual views in the committee report, I believe the House has two sound and responsible alternatives at hand. We can either limit the authorization to a small number of demonstration projects—say a half dozen cities of varying sizes—and see how the program develops before committing ourselves all the way. Or we can limit the authorization to planning money, and invite the Department to return in 6 or 8 months with the detailed, practical plans for implementing the program. The Department itself concedes it must devote its first year exclusively to planning. So we would not be delaying or impeding the program by adopting this alternative approach.

The so-called "new towns" provision of the bill raises questions. Again, I recognize the need to provide for the orderly and planned development of new communities. We have seen too much of the unplanned, unattractive growth of population as it spreads helter-skelter through our diminishing countryside. We must, however, assure ourselves that a "new towns" program will be more than an expensive subsidy to underwrite the activities of land speculators and developers and we must guarantee that such a program does not simply add to the problems of cities by encouraging a further drain of their middle-income families.

I reserve my strongest criticism, Mr. Chairman, for section 701 of title VII, a provision which would destroy much of what the urban renewal program is designed to accomplish, a provision which would skyrocket the cost of urban renewal by billions of dollars, and a provision which would severely handicap the demonstration cities program.

I have detailed many of my objections to this section, Mr. Chairman, in a letter to each of our colleagues which they will find on their desks today. And I shall develop these objections when I offer an amendment, at the appropriate time to strike section 701 from the bill. For the present, let me assure our colleagues that section 701 is equally objectionable whether they support the demonstration cities program or oppose it, that my amendment is nonpartisan and is designed to save the urban renewal program, and that the Secretary of Housing and Urban Development shares my opposition to section 701.

At this point in my remarks, Mr. Chairman, I include the text of my letter to our colleagues in the RECORD:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 12, 1966.

DEAR COLLEAGUE: Whether you support S. 3708, the Housing and Urban Development Act of 1966, or the Demonstration Cities and Metropolitan Development bill, or whether you oppose it, I believe you will find that section 701 of the committee-reported bill is dangerous, costly and otherwise extremely objectionable.

At the appropriate time, I intend to offer an amendment to strike section 701 for the following reasons:

It would radically change the character of the urban renewal program—and without benefit of hearings, consideration or discussion in the House.

It would involve additional billions of subsidy, which I would estimate at $2 billion or more, for public projects which do not qualify for grant-in-aid credit and are not directly related to urban renewal.

It would generate local demands for a proportionate increase in capital grant funds to the point where Congress would be forced either to expand greatly the extent of the present urban renewal program or allow cities which otherwise qualify for urban renewal assistance to go without.

It would distort the basic purpose of urban renewal from satisfying the priority need to eliminate blight and build badly needed low- and moderate-income housing to primary emphasis on commercial redevelopment.

It would seriously handicap, if not defeat the objective, of the demonstration cities program.

Section 701 would do these things by requiring the Government to provide a noncash grant-in-aid credit against the local share of urban renewal costs for 25 percent of the cost of constructing public facilities for cultural, exhibition, civic and municipal purposes.

The practical effect of this section would be to invite the more than 800 communities having active urban renewal projects to take advantage of this opportunity to raid the Treasury and undermine the purpose of urban renewal.

These are strong words and harsh criticism, but they are shared by no less an authority than the Secretary of Housing and Urban Development.

In his letter to Chairman PATMAN of the Banking and Currency Committee, in which he supported my opposition to the 52 special non-cash grant-in-aid exceptions (subsequently struck from the bill by the committee), Secretary Weaver condemned these special credits, or subsidies, "in the strongest possible terms." He said they would have a "devastating" effect on the urban renewal program, make it "completely unmanageable," and bring the program to a halt. He also said the projects would "cripple" the demonstration cities program and "dissipates" funds Congress has authorized to fight slums and blight.

If 52 projects would have had such a destructive impact, one can only imagine the harm that would be done if more than 800 cities utilized this very same kind of subsidy—even at the reduced rate of 25 percent.

In reply to my letter requesting his views on this point, the Secretary made it clear the Department opposes section 701. He agreed the provision would be "costly" and "harmful," would "induce cities to delay projects which provide additional low- and moderate-income housing and undertake instead downtown urban renewal projects which would benefit from the additional credits provided by this provision," and would discourage cities from providing schools and similar public facilities necessary for the proper development of an urban renewal project.

I suggest, therefore, that my amendment to strike section 701 deserves the support both of proponents and opponents of the Administration bill. It will prevent a gigantic raid on the Treasury and avoid severe damage to the urban renewal program and, if enacted, the demonstration cities program.

Sincerely yours,
FLORENCE P. DWYER,
Member of Congress.

Briefly, section 701 would require the Government to provide a noncash grant-in-aid credit against the local share of urban renewal costs for 25 percent of the cost of constructing public facilities for cultural, exhibition, civic, or municipal purposes.

The practical effect of this section would be to invite the more than 800 communities having active urban renewal projects to take advantage of the opportunity to raid the Treasury and undermine the purpose of urban renewal.

Section 701 was added to the bill in the Senate. No hearings, discussion, or other consideration was given to this provision in our committee.

Section 701 is directly related to the 52 special exception urban renewal credits which were eliminated by the committee. It would, in fact, restore many of these projects—though at a reduced 25-percent subsidy—and would open the door to hundreds more, even though none of these projects qualify for credit under the urban renewal program and even though none of them are directly related to urban renewal projects.

Secretary Weaver has condemned these projects in—and these are his words—"the strongest possible terms." He said they would have a "devastating" effect on the urban renewal program, make it "completely unmanageable," and bring the program to a halt. He also said the projects would "cripple" the demonstration cities program and "dissipate" funds which Congress has authorized to fight slums and blight.

In comments on section 701, which I solicited from the Secretary, he made his Department's opposition very clear. He agreed the provision would be very "costly" and "harmful." He said it would—and I quote from his letter—"induce cities to delay projects which provide additional low- and moderate-income housing and undertake instead downtown urban renewal projects which would benefit from the additional credits provided by this provision." It would also, he said, discourage cities from providing schools and similar public facilities necessary for the proper development of an urban renewal project.

In other words, Mr. Chairman, section 701 would inflict on the urban renewal program the most expensive and radical distortion ever proposed.

Each of us know, I feel certain, that the 52 special projects and section 701 represent nothing more than a sophisticated form of "pork barrel" legislation. I urge our colleagues to support my amendment to strike section 701 from the bill.

Directly related to this amendment, Mr. Chairman, is one which our distinguished colleague from New Jersey [Mr. WIDNALL] intends to offer. He proposes to insert language requiring that redevelopment of urban renewal areas for predominantly residential uses "provide a substantial increase in the supply of standard housing of low and moderate cost and result in marked progress in serving the poor and disadvantaged people living in slum and blighted areas." The language speaks for itself, and I wholeheartedly favor the amendment.

There is one other badly needed amendment to the urban renewal program which I shall offer. The amendment would require the holding of a public referendum on proposed urban renewal projects in communities with populations of 150,000 or less.

I have explained this amendment at some length in my individual views in the committee report and I shall expand on it when I offer the amendment on the floor. What it would do, I believe, would be to restore the human factor to urban renewal, to bring the people of a community into closer accord with the planners, and to encourage planners to take the people more closely into their confidence.

Urban renewal needs the understanding and support of the people it is supposed to serve, and people have a right to know what their Government plans to do with their money and with the power of eminent domain, and they have a right to participate in such decisions.

My amendment would give the people this right, and it would, by doing so, strengthen the urban renewal program.

Mr. BROCK. Mr. Chairman, I yield myself 10 minutes.

The CHAIRMAN. The gentleman from Tennessee is recognized for 10 minutes.

Mr. BROCK. Mr. Chairman, it is a little hard to get excited over how many people you are going to influence when you look around at the vacant seats in the House. But I feel very strongly about this bill. I think the gentleman from Pennsylvania said it is one of the most critical pieces of legislation we have considered in this Congress, and I agree.

I also agree with the gentleman from Pennsylvania [Mr. MOORHEAD], who said it is men who make cities, not walls.

This particular bill is one of the most complex and confusing pieces of legislation this Congress has considered in the 4 years I have been serving here, and one of the most far reaching.

Two weeks ago I was talking to a group of highly intelligent constituents, and I tried to explain the provisions of the bill. I thought I had done an adequate job, until after the speech was over. At that time several of my constituents came up to me and said, "Bill, why is it that we need to subsidize just those cities that have had demonstrations? Should not every city be given equal treatment, whether they have had a demonstration or not?"

I found that my eloquence was somewhat lacking in explaining what this bill really does.

The bill goes to one central point. I believe it demonstrates the philosophy that cities cannot exist without specific grant Federal aid programs and, if so, it represents a dramatic change in our approach to the Federal system that we call America. I believe it also demonstrates the striking failure of past specific great Federal aid programs.

This bill provides a subsidy for those who will take existing subsidies. It provides that the Federal Government will pay 80 percent of all planning costs of the city's demonstration program.

Then, in addition, it provides that we will pay up to 80 percent of the non-Federal share of the program—if it will accept the standards, direction, and control which accompany a designation of "demonstration city."

For example, if an urban renewal program would normally be allocated 75-percent Federal and 25-percent local contribution, and if the city were to accept the designation of a demonstration city, then this bill would provide that the Federal Government would pay 80 percent of the local share of 25 percent, meaning that we would pay 95 percent of the total cost of that program.

This does not deal only with urban renewal. It deals with schools, housing, libraries, airport facilities—virtually every area of city development.

I would ask a very simple question. If it is necessary for Washington to pay 95 percent of the cost of operating our cities, whither goest thou?

Whither goest thou, in this partnership we have called federalism, a partnership between the local community, the State, and the Federal Government? What is the future of our communities as independent partners in a creative society? Without the ability or authority to ascertain their own needs, their own priorities, what is their reason for existence?

The bill would do one thing. It would recognize we have an enormous and a growing problem in our metropolitan areas. The problem will continue to be with us.

But how does the bill propose to attack this problem? It would attack the problem by putting more money into the same programs that, by the bill's own statement, have failed in the past. I question whether this is an honest consideration of the basic problem.

What is the real problem facing our cities? One can find it, whether in Cleveland, Detroit, Pittsburgh, Chattanooga, or New York City. The real problem facing our cities is that, due to inadequate financial resources, and in some instances malappointment, the central city is decaying. That sets in motion a series of events.

When decay or blight hits the central city, it begins to erode that city like a cancer from within. People of moderate-to-higher income levels leave the city. Businesses move out. What happens? All of a sudden the city finds itself without an adequate tax base, at the very time the need for services is skyrocketing, because the people who need these services are the low-income people who are left in the city. Yet these are the very same people who do not have the financial ability to pay a high property tax or a high sales tax.

The fact is that those are the two taxes on which we have predicated our income base for local and State governments, sales taxes, and property taxes. Yet too rapid expansion of these tax rates can be self-defeating.

It seems to me the problem we should direct ourselves to today is, what are we going to do about providing the local community with the income resources with which to meet the needs of its citizens?

Can we do it with a Federal subsidy going up to 95 percent of the cost of the programs? If we do, is this not an open invitation for the mayor of every city in the United States simply to move his office to Washington, D.C., and leave an attractive secretary in the hometown to answer his mail? What purpose will he have, other than to come hat in hand to the Secretary of HUD or some other agency in Washington and say, "Help my city"? What alternative will he have, other than to say, "If I accept your money I will also accept your direction and your control"?

If that should happen, what will happen to the creativity, to the excitement, to the challenge there is in the local community in America today? If all our programs across the whole width and breadth of America are determined from Washington, where will there be the competition which has created so many solutions which have changed the face of America?

If we in Washington assume the responsibility for paying the bills of our local communities to the extent of 85 or 95 percent, where will there be any challenge for an attractive, intelligent young man to go into public service, when his only function will be to go to Washington and ask for help? He will have no authority to be creative in his own right in solving community problems, and thus why should he serve?

How are we going to get decent people into politics? What is the future of the Federal system if we take the concept that Federal aid in specific grant programs is the only way that cities can exist?

I recognize the problem. I have talked to the mayor of my community at home. We have a marvelous community in Chattanooga. It is progressive, exciting, and vital. Our mayor faces an enormous series of problems. The city is booming. The needs of its people are growing. Yet we have reached the limit of the sales tax. We are at our constitutional limit of 4 percent. We are close to the maximum on the property tax. If we go much higher, we drive out new industry, thus destroying our future tax base because it makes us less competitive with other cities and towns in the area. What is he to do?

I can understand why cities come to us in Washington and say, "We need help. We need it now. We will take any controls or standards or anything if we can just get some help." But is it not a little shortsighted of us to turn our backs on the basic problem, which is that our communities simply do not have adequate tax resources? You cannot tell me our local officials do not care about their people and would not do a job if they had a chance to do so. The problem is they do not have the resources with which to do it. The growing part of the tax base in this country has been eroded by preemption of income taxes by the Federal Government. What can we do about it? Rather than attack the basic disease itself, we come in with another patchwork solution on top of all the old failures and impose another superstructure and series of controls. We say, "Do not think for yourselves, do not be creative or responsive, but let us tell you how to solve your people's needs and your problems will be solved."

The fact of the matter is that local problems have not been solved by this approach in the past, but may have been exaggerated. Unless we attack the basic disease of an inadequate tax base, we will not have a federal system in 10 or 20 or 30 years from now. There will be no partnership. It will be a total superstructure on top with conforming the standard instead of creativity.

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. HARVEY of Michigan. Mr. Chairman, I yield the gentleman from Tennessee an additional 5 minutes.

Mr. BROCK. I started to say I am sorry that civil rights became a part of this debate because I think the problem goes far beyond civil rights.

I believe sincerely the gentleman from Pennsylvania and the colleague he has on the majority side are just as concerned about the problems of our cities as anybody in the whole Congress. I know it from watching his work. I happen to disagree on this way of solving this problem.

I am deeply concerned that this bill represents a frontal assault on the creative partnership called the federal system, which has existed for 200 years. I am terribly concerned about that. I think it is time that this Congress took a look at this system itself. I think it is time we began to say, "would it be possible for us to extend this revenue base of the income tax to our local communities and States so that they could determine their own priorities and their own programs and so that they could respond to the needs of their people?" I think it is time that we began to consider the possibility of a tax-sharing program so that these communities could go on with the job of creating a truly great society.

Mr. Chairman, I could give you 1,000 arguments against the technical features of this bill. I intend to propose an amendment to it which would strike all except the planning money in title I. I hope that it will be accepted, because I, in all honesty, do not believe that there is a single Member of this House who knows all of the ramifications of this bill.

Mr. Chairman, I do not believe we can go into a $900 billion program, without taking the time to know what we are doing. The subcommittee decided to limit the bill to planning funds until the last day of its executive session, at which time the position was reversed.

Mr. Chairman, the subcommittee itself was in a position of wanting to have just the $24 million for planning so that we could structure something that might have some justification and something directed toward the basic problem involved.

But such was not to be, for we were under pressure. This is the administration's No. 1 priority bill.

And, Mr. Chairman, what happened? The screws were turned on. As a result this "independent" legislative brand goes back and accepts the administration bill and says that it saved money by cutting the period of the program from a period of 6 years down to a 2-year program, even though we increased the amount of money for those 2 years.

That just does not make sense.

I hope that this House of Representatives will give great deliberation to what we are doing to the Federal system. I hope that we shall try to examine the basic disease which affects our communities. Let us realize they have no lack of desire to respond to the needs of the people, only a lack of financial ability.

Mr. Chairman, I believe we must first do that before we can begin consideration of a bill of this type.

Mr. DEL CLAWSON. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from California.

Mr. DEL CLAWSON. Mr. Chairman, I wish to associate myself with the remarks of the gentleman from Tennessee [Mr. BROCK] and also to ask the gentleman the question as to how long the Federal Government has been involved in attempting to help remove the blight from our central cities?

Mr. Chairman, does the gentleman know when these programs first started?

Mr. BROCK. I do not honestly know how many years ago, but I know that there are well over 100 programs involved, and if dollars would substitute for men, the problem would have been solved years ago.

Mr. DEL CLAWSON. Mr. Chairman, if the gentleman will yield further, is it not true that the Wagner-Ellender-Taft bill of 1937 started out with a slum clearance program and under that program they began to clear out some of our central city blighted areas?

Mr. BROCK. I believe the gentleman from California is correct.

Mr. DEL CLAWSON. And, Mr. Chairman, if the gentleman will yield further, so we have been continuing this now for several decades, and yet the blight seems to be worse today than it was in the beginning?

Mr. BROCK. That is entirely true.

Mr. DEL CLAWSON. Is this what the gentleman is getting when he is speaking philosophically as well as actually here?

Mr. BROCK. The gentleman is correctly gaging my position.

Mr. Chairman, I believe it is important that we look at that fact—this bill is nothing more than an admission of past failure, and if the programs in the past have failed, why have they failed? Why impose another superstructure upon these failures? Why not study the past and hope to improve in the future?

Mr. DEL CLAWSON. Then, it is really possible that the Federal Government does not have the answer to our local problems. Perhaps we should get into the tax-sharing venture that lies ahead of us and let the people locally involved make their own decisions and solve their own problems?

Mr. BROCK. Mr. Chairman, I agree with the gentleman from California. I believe it is time we asked ourselves some of these questions.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. HARVEY of Michigan. Mr. Chairman, I yield 3 additional minutes to the gentleman from Tennessee.

Mr. BROCK. I think it is time that we asked ourselves as Members of the Federal governmental structure whether we are part of the problem or whether we are part of the answer.

Mr. DEL CLAWSON. I thank the gentleman. I feel the gentleman has hit the nail right on the head.

Mr. MIZE. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from Kansas.

Mr. MIZE. Mr. Chairman, for the life of me I cannot, after having listened to the hearings and being a member of the committee, I still cannot come up with the answer as to where they obtained the figure of $900 million for a program involving a period of 2 years.

Was it just pulled out of thin air?

Mr. BROCK. Well, I would have to answer, in all candor, to the effect that I believe the figure came about as a result of the budget. I believe that is about what they felt they could stand.

Mr. Chairman, the question that the gentleman from New York [Mr. RESNICK] raised with reference to Poughkeepsie, N.Y., becoming a part of the program, he said:

> We are for the bill because we will get Poughkeepsie into it.

Do you not realize every Member of Congress thinks he is going to have a city in this program? Do you not know that the top possible number of cities we can bring in is 50? I do not honestly think we can bring in more than 12 to 24, 1 or 2 dozen.

Who is getting sandbagged around here? Somebody is being lied to.

I think it is incumbent upon us to realize that this bill, with $900 million in it, would handle only one of the eight projects in New York City alone that Mayor Lindsay testified he needed before the Senate committee. What about the other several thousand communities in America?

Still, we are not attacking the basic problem. We are going to make certain cities qualify under the demonstration cities title, but what is that going to demonstrate? Nothing except that all the cities need more Federal funds. There is not enough money in the Federal Treasury to take care of all our cities. Unless we address ourselves to the revenue base, I think that we are ducking the central issue.

Mr. DEL CLAWSON. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. DEL CLAWSON. Mr. Chairman, the gentleman mentioned the city of New York, and Mayor Lindsay's testimony. Does the gentleman recall how much Mayor Lindsay indicated would be necessary to help the buildup of the city of New York alone?

Mr. BROCK. Mayor Lindsay suggested a figure of $50 billion over the next 10 years.

Mr. DEL CLAWSON. Mayor Lindsay suggested $50 billion over the next 10 years?

Mr. BROCK. The gentleman is right.

Mr. DEL CLAWSON. If we wanted to start with one city in the New York metropolitan area, we would have to start out with how many billion dollars a year for how many years?

Mr. BROCK. We would have to multiply this bill by 10 or 12 times, because the bill proposes $400 million the first year, and $500 million the second year, so it would have to be $500 million times 10 or 12—and this for one city only.

Mr. DEL CLAWSON. For only that one city?

Mr. BROCK. That is right.

Mr. DEL CLAWSON. And then we would not be sure it would be a good demonstration.

Mr. BROCK. It would be a demonstration. But I say that we are not affording the responsibility to the local community governments to bolster their ability to take care of the needs of their people in the manner they see fit.

Mr. DEL CLAWSON. Mr. Chairman, I thank the gentleman for yielding.

Mr. BROCK. Mr. Chairman, I yield back the balance of my time.

Mr. PATMAN. Mr. Chairman, may I inquire of the gentleman from Tennessee [Mr. BROCK], whether the minority side has finished? I believe we will finish in about 5 minutes on our side.

Mr. BROCK. Mr. Chairman, if the gentleman will yield, we do not have any requests for additional time.

Mr. PATMAN. Mr. Chairman, I will yield first to the gentleman from Texas

[Mr. Gonzalez] and then I will yield to the gentleman from California [Mr. Cohelan].

At this time I yield 5 minutes to the gentleman from Texas [Mr. Gonzalez].

Mr. BUCHANAN. Mr. Chairman, will the gentleman yield?

Mr. GONZALEZ. I yield to the gentleman.

Mr. BUCHANAN. Mr. Chairman, since the President in his message to Congress January 26, 1966, introduced the demonstration city concept for the first time, much has been said and written for and against it.

No one can deny that the cities of America are faced with a major crisis. Crime, riots, slums, blighted areas, mushrooming welfare rolls, the plight of the schools are only a few of the difficulties facing the cities.

But as serious as these problems may be the administration's plan to use Federal power and Federal tax money to deal with them does not provide the answer. The Demonstration Cities and Metropolitan Development Act of 1966 is not the answer. This omnibus bill may eventually create more problems than it solves.

Too long the policy of our Government has been one of throwing money at its problems with the hope that in so doing those problems would disappear. The Demonstration Cities Act is the epitome of such pecuniary reasoning.

U.S. News & World Report issued an ominous warning which we could well heed in a recent article which stated:

> Washington fast is spreading its domain over the cities of America, using Federal tax funds—flowing in ever-increasing amounts—to gain its goals.
>
> Big cities, deep in trouble, beset by mounting civic problems, more and more are looking to the national capital for salvation. States, often mendicants, gradually are being bypassed, even as transmission belts for for federal money.
>
> The trend is growing as the White House moves to rescue municipalities with a massive Demonstration Cities program proposed by the President.[1]

There are at least four valid reasons why this omnibus bill, as now proposed, should be defeated.

First, it is but another example of increasing Federal control and government by man rather than government by law.

The administration has used the term "creative federalism" in connection with this far-reaching legislation, stating that its intent is not to interfere with local and State affairs but to assist and encourage. But it has been more accurately defined as a "Madison Avenue misnomer for the practice of interjecting the National Government into every conceivable area of human activity under the guise of aid."[2]

This bill would, in effect, designate the Secretary of Housing and Urban Development as a "super mayor." The provisions of title I place the Secretary of HUD in absolute control of this program. He would have the final authority to select the city and the demonstration project that would receive Federal assistance. Furthermore, such selection would be based upon plans submitted in conformity with requirements that the Secretary has established. The city and program that finally wins the approval of the Secretary of HUD would then be eligible to receive 80 percent of the contribution otherwise required for a Federal grant-in-aid project.

Even the mayor of New York City, the Honorable John Lindsay, stated before the House Subcommittee on Housing that—

> A competition among American cities with the fate of the poor at stake is not a very attractive prospect for local officials.[3]

The demonstration cities plan has been described as "the most ambitious program in the history of urban America and aims at remaking the architectural face of the Nation."[4] The plan, if carried out as proposed, would result in the loss of local control and a consequent erosion of representative government resulting, finally, in decreased citizen participation.

The cities themselves could be doing more of the job of renewal and rehabilitation. Often big city political leaders have been unwilling to work for structural reforms which could eliminate the basic difficulty of an inadequate tax base. This inadequacy, coupled with an overeagerness on the part of Washington bureaucracy, have resulted in a preemption of the local tax revenues by the Federal Government.

Such was the opinion of the National Association of Real Estate Boards expressed by Mr. Alan L. Ensley in his recent statement concerning this bill:

> The fundamental weakness in the bill is that it seeks solely by means of increased Federal grants to induce the cities to do that which they should have been doing in the years when they prevailed upon the Federal government to execute billions of dollars in binding contracts for urban renewal.[5]

Mr. Chairman, it is surely a gross understatement to say that the most dangerous section of this omnibus package is title II, the poposed Metropolitan Development Act. Close scrutiny of this section opens up a virtual Pandora's box. As now proposed, this title would cast the shadow of HUD over every metropolitan area in this country. Almost every local governmental decision in areas accepting supplemental Federal aid would be subject to review by the Secretary of HUD. Consequently, he would have virtual control over the local financing and scheduling of all public facility projects that have areawide impact. Section 203(4) would give the Secretary of HUD authority to urge creation of a metropolitan area of any size. The average citizen and taxpayer would find this to be quite a nightmare.

Title II could become the foundation for such things as school busing, pairing, teacher assignments, and creation of Metropolitanwide school districts. It could also be the first step in a concentrated effort to create artificial racial balance by the elimination of neighborhood schools in those areas of our country where Federal planners so determined.

Lyle Wilson in the Washington Daily News has said:

> This Title could confer on Federal authorities the power to establish in cooperating urban and suburban areas standards of racial integration in education and housing and, in general, guide lines for community living.[6]

In the same article Wilson declared:

> The Government could withhold or distribute Federal bonuses or bribes as urban or suburban communities did or did not comply with Federal standards.[7]

Proposed legislation by the U.S. Office of Education entitled "Equal Educational Opportunity Act of 1967" which could implement this metro title was revealed by my colleagues, Congressmen Bill Brock, of Tennessee, and Paul Fino, of New York, on September 13. According to their analysis of the "Equal Educational Opportunity Act of 1967," the following legislation would be proposed to the 90th Congress:

First, metropolitan areawide rezoning of school attendance areas, without regard to existing State or county lines, to compel racial balance in public schools;

Second, busing of suburban school children into city schools, and busing of city pupils to suburban schools at Federal insistence and expense;

Third, complete obliteration of present school district boundary lines, with free transfers between school districts; and

Fourth, Federal subsidies to underwrite the cost of rewriting history books so as to recast the history of racial and religious minorities.[8]

In response to their charges, Secretary of HEW, John W. Gardner, declared that no legislation was to be proposed which would "compel" busing to correct racial imbalance. But, Mr. Chairman, everyone knows that subsidies can be set up in such a way as to amount to compulsion if made a part of a metro-aid package.

James Kilpatrick in the Washington Evening Star just last month wrote that "any doubt that the metro title would be used to achieve school busing and metropolitan school zoning will be dispelled"[9] by the Equal Educational Opportunities Act of 1967 which he referred to as "breathtaking both in its audacity and in its candor."[10]

I agree with the opinion of James C. Hass, executive vice president of the General Improvement Contractors Association, who said in testimony concerning this bill:

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[1] U.S. News & World Report, March 7, 1966, p. 43.

[2] Strom Thurmond Reports to the People, Vol. XII, No. 13, April 11, 1966.

[3] Hearings, Subcommittee on Housing, Committee on Banking and Currency, U.S. House of Rept. 89th Congress, 2nd Session, p. 225.

[4] U.S. News & World Report, March 7, 1966, p. 45.

[5] Hearings, Housing Subcommittee, Committee on Banking and Currency, U.S. House of Rep. 89th Congress, 2nd Session, p. 596.

[6] Wilson, Lyle, "A Demonstration Bill," Washington Daily News, Oct. 5, 1966.

[7] Ibid.

[8] News Release, Congressman Bill Brock, Tuesday, September 13, 1966.

[9] Kilpatrick, James, "'Draft Bill' on Schools," Washington Evening Star, Sept. 22, 1966.

[10] Ibid.

> It is a superstructure, gigantic, important, grandiose, a duplication and conglomeration of many things we have had before. And if we put it on top of what is not properly functioning now, we are going to have a brand-new 10 gallon hat sitting on an old head that is full of sores. It is going to cover them up, but it is not going to cure them. It may be good for the Fourth of July, but not for the other 364 days of the year. So let's first go through the process of making our existing programs sound.[11]

Title II is not just a Federal foot in the door of the neighborhood school, the city hall, and the county commission. It is a blueprint for a future Federal takeover. This title, with its fearsome grants of authority and open invitation to executive abuse, must be stricken from the bill.

Second, this bill should be defeated because of necessary defense expenditures in Vietnam and the inflationary threat at home.

President Johnson has called on this Nation and its industry to hold back on nonessential capital improvements. If one segment of our Nation is asked to cut back on capital improvements, all segments, especially the Federal Government, should be expected to do the same. This administration urges everyone else to economize—the housewife to select cheaper cuts of meat, the workingman to hold to wage "guide posts," the businessman to review his budget, the manufacturer to restrict his spending. Let us here and now show good faith to all America by cutting Federal spending.

Title II alone calls for $24 million for planning for fiscal years 1967 and 1968 and authorizes $400 million for fiscal 1968 and $500 million for fiscal 1969. Also, urban renewal funds would be increased by $250 million to be used exclusively for demonstration city purposes within urban renewal areas.

Currently, we are faced with the rising cost of living and the diminishing purchasing power of the dollar. Billions are being poured into Vietnam already and Hanson W. Baldwin in the New York Times has predicted that we will be called on for a supplemental defense appropriation of about $10 billion after the November elections.[12]

Walter Heller, former chairman of the President's Council of Economic Advisers, said on September 1 of this year:

> Our economy is powerful enough to afford both guns and butter. But it does not follow that we can afford both guns and fat.[13]

Mr. Chairman, much of this legislation may well be fat which could and should be trimmed from the waistline of the Federal budget.

Latest Treasury Department reports set the cost of the war in Vietnam at $1.286 billion per month.[14] This amounts now to approximately $12 to $15 billion per year. If Mr. Baldwin is correct in the aforementioned prediction, I say that we cannot afford the "fat" of this omnibus bill in a time which actually calls for belt tightening and rigid discipline.

Third, certain sections of this bill, especially titles I and II, are marked by vagueness and contradiction. The legislative guidelines in title I are vague because the program itself is imprecise and ill defined. It cannot be made specific until the cities have submitted their plans and recommended specific projects. Congress should refrain from handing over to the Secretary of HUD the broad grants of authority that he has requested until such time as the details and dimensions of the program have been clearly defined and specific guidelines and safeguards have been established.

James Q. Wilson gave adequate warning in the following statement issued earlier this year. It reads:

> The major new proposal—for a "Demonstration Cities Program" is harder to evaluate, in part because it is not clear what is to be demonstrated or what relationship it will have to existing urban renewal and public housing programs, and in part because, no matter what is intended at the federal level, the real decisions will probably be made locally and toward a dozen different goals . . . the Demonstration Cities Bill speaks of "guidelines," and "findings," and "authority," but nowhere does it say what will be done. Thus, whatever Congress decides, it seems clear that the real policies will be determined by the administrators, and they are now silent as to their intentions. If the present Congressional situation is any clue, the administrator's silence may suggest that they believe it too risky to reveal in detail their intentions. But if past experience is any guide, that silence probably also means that they haven't figured out what their intentions are.[15]

Fourth, the demonstration cities proposal endows the potential coordinator with too much personal authority. Supposedly, he is to give pertinent information and render useful assistance with respect to the broad array of Federal grant-in-aid programs. But this act could create what is tantamount to a Federal czar appointed by the Secretary of HUD.

Title IV of this omnibus bill which is entitled "Land Development and New Communities," is shot through with such terms as "satisfactory to the Secretary," "as the Secretary declares reasonable," "if the the Secretary determines," "approved as adequate by the Secretary," and "regulated in a manner acceptable to him." In effect, the Secretary with his first lieutenant, the coordinator, could create, in accordance with criteria that he would develop, new towns and cities that would be subject primarily to their direction and control. I ask that this ambitious scheme be stricken from this bill.

Federal planners are talking in terms of breaking down "precincts of power" and "walls of separate jurisdiction" in the Nation.[16] "When we get through," one said, "none of our institutions is likely to be the same."[17]

Such talk is frightening, Mr. Chairman.

I call on this distinguished body to heed the words of J. Rubin Clark, Jr., former U.S. Ambassador to Mexico and Under Secretary of State. He has said:

> Tyranny has never come to live with any people with a placard on his breast bearing his name. He always comes in deep disguise, sometimes proclaiming an endowment of freedom, sometimes promising help to the unfortunate and downtrodden, not by creating something for those who do not have, but by robbing those who have. But tyranny is always a wolf in sheep's clothing, and he always enters by devouring the whole flesh, saving none."[18]

Mr. GONZALEZ. Mr. Chairman, I rise in support of this legislation.

It has been my privilege to serve on the Subcommittee on Housing under the very eminent leadership of Chairman BARRETT, and above all under the expert and experienced leadership of our overall committee chairman, my distinguished and revered colleague the gentleman from Texas [Mr. PATMAN].

Mr. Chairman, I cannot think of a more important legislative program than this one in order to continue with what this bill so eloquently states at the very outset is our No. 1 primary program and problem in the United States. It says:

> The Congress hereby finds and declares that improving the quality of urban life is the most critical domestic problem facing the United States.

Those of us who have had the privilege to serve on a local legislative level, as I have on the city council of my native city, and on the State legislative level, as I have been privileged to serve in the State Senate of Texas, and now on this level, realize the importance of this legislation in order to complement and round out what is needed for fulfillment in the purposes and aims that Congress has well written into law since the thirties.

It has been my privilege to serve in a capacity closely identified with such endeavors as public housing.

While on the city council of the city of San Antonio, it was my privilege to stimulate further the complete amelioration of the difficulties that sometimes arise between governmental entities.

Perhaps I am prejudiced in favor of these programs because it has also been my happy privilege to live in a city that has found the key to developing local State and national programs as a matter of copartnership as the Congress has time and time again maintained that it should be.

It was my privilege to be the author of the urban renewal and slum clearance law enabling legislation in the State of Texas in 1957. Up to that, time for almost some 15 years, the State of Texas has been bypassed in these important programs because it had not enacted enabling legislation.

Then there were the same cries of opposition, the same identical arguments of doom and gloom and fear and dire consequences that I have heard this afternoon against this bill. I heard these same things on the city council in the State senate, and again on many occasions here in the National Congress.

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[11] Senate Hearings, Subcommittee on Housing, Committee on Banking and Currency, 89th Congress, 2nd Session, pp. 39–40.

[12] Hanson W. Baldwin, New York Times, Oct. 4, 1966.

[13] Republican Fact Book, 1966, V. 5.

[14] New York Times, Sept. 29, 1966, p. 29.

[15] Wilson, James Q., "The War on Cities," The Public Interest, Vol. 1, No. 3, Spring 1966, pp. 27–28.

[16] U.S. News & World Report, March 7, 1966.

[17] Ibid.

[18] "An Analysis of Metropolitan Government," Save Our Suburbs: Northeastern Illinois, p. 1.

Mr. Chairman, this bill just as any other bill that is considered by a legislative body may not be perfect. But I can assure my colleagues that it does not contain the provisions that have been so distorted in statements I have heard and arguments that I have read to the effect that it would transform a Secretary into a commissar or into a dictator who is willy-nilly out to integrate and enforce the busing of students from one end of the city to the other.

Mr. Chairman, that is impossible under the terms of this bill and under the statutes and laws and constitutional provisions of our States for this to come about as has been so direfully predicted by some of our colleagues here lately.

I am hopeful that when specific amendments are offered that those amendments that are creative and constructive will be given a full hearing and that we will act upon them accordingly.

Mr. Chairman, many thoughtful persons are seriously questioning whether we can afford not to enact the City Demonstrations and Metropolitan Development Act of 1966. In a recent statement, the National Association of Housing and Redevelopment officials asked whether Congress and the administration can reasonably wait for another long hot summer of social unrest, riots, and demonstrations before relief of poor housing conditions can be provided in slum and blighted areas.

Some would explain away the riots that have occurred in our cities on the propensity of certain persons to break the law and the intent of others to incite civil disobedience. What myopic vision it is to look at poor people rioting and not to see the slums, the poverty and the degradation in which poor people are forced to live.

The Demonstration Cities and Metropolitan Development Act of 1966 is the real antiriot bill of the 89th Congress. It is the only well-considered, well-planned, and well-thought-out bill to prevent further riots and to help solve the numerous problems of the cities that has been produced by Congress this year. Those who have bewailed rioting in our cities from New York to Ohio to California, now have an opportunity to do something about them. Those who have grasped the full meaning of the problems facing our cities, now have an opportunity to help solve them.

This bill itself represents a legislative breakthrough to the most serious domestic problems facing America today. American society, beset by all the problems of urbanization, has the wealth and industrial capacity to eliminate poverty. Our main problem has been the inability to marshall our resources and apply our technology in a way which would remove some of the chaotic conditions in the cities and benefit all the people. The job before us is to translate the language of this bill into concrete facts and real progress.

A vote for the Demonstration Cities and Metropolitan Development Act is a vote against riots in the cities. A vote for this bill is a vote for coordination of Federal activities and maximization of their benefits and effects on the local level. A vote for this bill is a vote to eliminate slums, not by simply tearing them down, but by building new housing and rehabilitating existing housing for low income families, and by making available to these facilities the additional facilities and resources necessary to convert a slum into a decent neighborhood.

I consider this program to be the most important domestic legislation to come before Congress in many years. In my opinion, no Member could be considered sympathetic to the plight of urban America who votes against the bill, or who votes to cripple or disable it.

Mr. PATMAN. Mr. Chairman, I yield such time as he may use to the gentleman from Texas [Mr. CASEY].

Mr. CASEY. Mr. Chairman, 300 major American cities will be prohibited by law from participating in two Federal programs if this House passes H.R. 15890, the housing bill, as it is now written.

These cities—all over 10,000 population, and including the major urban areas of Houston and Baltimore—will be prohibited from paticipating in the Federal program for planned metropolitan growth, and in all likelihood, in the proposed demonstration cities program.

They will be prohibited because they lack zoning ordinances—and this House has been asked to make this a requirement for such participation.

I see no justification for this requirement. We stand now at the crossroads—do we create a Federal Lord Mayor over our cities, telling them what must be done on a local level—or do we continue to permit local self-determination in matters such as this?

Is this House going to tell the people of such cities as Baltimore, Houston, Mobile, Honolulu, Indianapolis, or Cheyenne that they cannot participate in this program?

Are we going to tell the people of 28 cities in Texas, 33 cities in California, 24 cities in Illinois, and 23 more cities in Florida that because you exercised your local option in many cases and rejected zoning—you cannot take part in what we deem to be a solution to your urban growth problems?

Again, I state that I see no justification for this requirement.

And when this bill is opened for amendments, Mr. Chairman, it is my intention to strip this requirement from the bill and to propose a substitute which will make these cities eligible for such aid, on an equal footing with all other localities.

We, in this House, were derelict in not acting earlier when the urban renewal program was passed. Because of this, our lack of foresight, all 300 of these cities are already precluded from receiving Federal help on their staggering urban renewal problems. They are not precluded by law, I hasten to point out. No, they are precluded by an edict issued by the Secretary of the Housing and Urban Development Department, who sets zoning as one of the minimum requirements for receiving urban renewal aid.

Is there any doubt, Mr. Chairman, that the Secretary of HUD will also set zoning as his personal requirement to participate in the demonstration cities program? If he requires it in urban renewal—what else will he require under the blanket authority handed to him on page 5, line 12 of H.R. 15890—where it states that the applicant city's program must "meet such additional requirements as the Secretary may establish"?

This is not a local problem, affecting only a handful of cities across the country. I know that it hits 296—but it may be that hundreds of other cities are involved. The list I have, and which is attached, is most incomplete—yet neither the Housing and Urban Development Department, nor the Library of Congress, can provide a complete list of cities in America which do not have zoning ordinances. And those cities I list are from the latest edition of the International City Managers Association Yearbook, and is compiled only from those cities which replied to a questionnaire the association sent out.

When I read the bill and the report—and saw this requirement written into the law—my first thought was of my own area. I knew that Houston would be precluded, for on three separate occasions, the voters have soundly rejected zoning. I wrote our distinguished mayor, Louie Welch, and sent him a copy of the bill, report, and an amendment I proposed which would cure the problem so that if, in the opinion of our city officials, this program was deemed helpful—they would not be precluded from receiving equal consideration.

It was then that I became interested in knowing just how many other cities would also be prohibited from participation, and the answer to me is astounding.

Surely, these 296 cities need help just as much as any area that has adopted rigid zoning codes. Some of us may believe they need even more help, because their problem is compounded. But this philosophy, apparently, does not prevail at HUD. And we in the House have a great opportunity to show that the Federal Government intends to work with local government in solving those problems too big for them or for the respective States to solve alone.

My amendment is not complex. On page 55, line 24, the language in the bill before the House reads:

> In making this determination the Secretary shall give special consideration to whether the applicant is effectively assisting in, and conforming to, metropolitan planning and programing through (A) the location and scheduling of public facility projects, whether or not federally assisted; and (B) the establishment and consistent administration of zoning codes, subdivision regulations, and similar land-use and density controls.

My intentions are to offer the following substitute for this language:

> In making this determination, the Secretary may give consideration to the applicant's program of metropolitan planning.

He may consider the location and scheduling of public facility projects, whether or not federally assisted; and he may consider the applicant's efforts whether successful or not, to establish zoning codes, to consistently administer subdivision regulations or similar land-use and density controls, and to establish and administer a planning commission to chart orderly community growth in the absence of a specific zoning code and zoning commission. In no instance shall lack of a zoning code prohibit applicant from being approved for participation in this program.

Mr. Chairman, in addition to the specific cities listed which would be prohibited from receiving aid under this bill as it is now written, I ask permission to bring to the attention of my colleagues the legal opinion received from a distinguished attorney, Mr. Edward A. Cazares, first assistant city attorney, from the city of Houston.

I earnestly urge my colleagues to join with me in this effort to help those cities—large and small—who are suffering the same problems of explosive growth from the one source that should be available to all on an equal, nondiscriminatory basis.

The material referred to follows:

City of Houston,
August 31, 1966.

The Honorable Bob Casey,
Congress of the United States,
House of Representatives,
Washington, D.C.

Dear Congressman Casey: Please forgive me for not writing to you sooner on the matter of your proposed amendment to H.R. 15890 discussed in your letter of July 29 to Mayor Louie Welch. Mayor Welch has referred your letter to us and I want to assure you that your proposed amendment is very much in order and absolutely necessary if the City of Houston is to be permitted to participate in the programs under Title II.

This requirement (B) on line 20 of page 18 would definitely, in my opinion, disqualify Houston from participating. It clearly spells out the requirement of a zoning ordinance for eligibility, and you well know the history of Houston's efforts to vote in such an ordinance. I feel very strongly that this will leave us out because of the position which has been taken by HUD on grants that have a "workable program" prerequisite for approval of the grant. While the law makes no mention of a zoning requirement for the "workable program", this requirement has been ordered by administrative regulations. If the Agency or Department has required zoning even where there was no such requirement written into the law, what can be expected where the law clearly requires it?

I might also point out that the authority gives to the Secretary for additional requirements under the provision found on line 12, page 5, of Section 103 of Title I could also result in regulations that would deprive Houston from participation under Title I if the Secretary saw fit to also require zoning as under the present situation I mentioned in the previous paragraph.

If the requirement of zoning is written into any law authorizing grants to local governments, Houston, the nation's sixth largest city, as well as many other worthy cities in the nation, will probably never be able to qualify for such needed aid. This would, in my opinion, be very discriminatory against some of our cities.

No qualitative controls over the zoning ordinances are ever required and no provision seems to exist whereby the local situation in a city without zoning can be examined as to how it compares with localities that have zoning.

I very much appreciate the opportunity to express my views on this matter and I hope that you will be able to have your proposed amendment adopted.

Please call on me whenever you feel I may be of service to you.

Yours truly,

Edward A. Cazares,
First Assistant Attorney.

Cities Over 10,000 Without Zoning

ALABAMA

Mobile
Athens
Auburn
Homewood
Mountain Brook
Sheffield

ARIZONA

Douglas

CALIFORNIA

Long Beach
Bakersfield
Concord
Costa Mesa
Oxnard
Palo Alto
Redwood City
San Mateo
Santa Barbara
Santa Monica
Beverly Hills
La Habra
Oceanside
Monterey
San Gabriel
San Pablo
San Rafael
South San Francisco
Atwater
Commerce
Cupertino
Cypress
El Centro
Fontana
Hermosa Beach
Lomita
Madera
Milpitas
Palm Springs
Piedmont
Pleasant Hill
San Anselmo
Walnut Creek

COLORADO

Arvada
Littleton
Thornton

CONNECTICUT

East Haven

FLORIDA

Fort Lauderdale
Hollywood
West Palm Beach
Fort Myers
North Miami Beach
Boca Raton
Bartow
Cocoa
Cocoa Beach
Deerfield Beach
Delray Beach
Gulfport
Lake Worth
Largo
Leesburg
Melbourne
Plant City
Plantation
Pompano Beach
Riviera Beach
Titusville
South Miami
Vero Beach

GEORGIA

Thomasville
Tifton

HAWAII

Honolulu
Hilo

ILLINOIS

Rock Island
Skokie
Springfield
Belleville
Elmwood Park
Pekin
Maywood
Mount Prospect
Collinsville
Hinsdale
La Grange
La Grange Park
Lake Forest
Lincoln
Mount Vernon
Lyons
Macomb
Mattoon
Northlake
Western Springs
Winnetka

IDAHO

Coeur d'Alene
Lewiston
Moscow

IOWA

Mason City
Boone
Marion

INDIANA

Indianapolis
Evansville
Hammond
Mishawaka
Crawfordsville
Hobart

KANSAS

Wichita
Lawrence
Dodge City
Hays
Independence
Junction City
Liberal
Newton
Roeland Park

LOUISIANA

Abbeyville

MAINE

Brewer
Saco

MARYLAND

Baltimore
Bowie

MASSACHUSETTS

Amesbury
Gardner
Reading
Saugus

MICHIGAN

Deerborn Heights
Lincoln Park
Pontiac
Birmingham
Ferndale
Escanaba
Harper Woods
Menominee
Ypsilanti

MINNESOTA

Richfield
Columbia Heights
Coon Rapids
Golden Valley
Maplewood
Red Wing
Robbinsdale

MISSISSIPPI

Jackson
Columbus
Greenville

MISSOURI

Florissant
St. Joseph
Joplin
Webster Groves
Bellefontaine-Neighbors
Bridgeton
Grandview
Ladue
Marshall
Richmond Heights

MONTANA

Great Falls
Billings

NEBRASKA

Fremont

NEVADA

North Las Vegas

NEW HAMPSHIRE

Keene

NEW JERSEY

Union
Englewood
Fair Lawn
Long Branch
Westfield
Asbury Park
Burlington
Collingswood
Hillside
Lyndhurst
Morristown
Stratford
Tenafly
Willingboro

NEW MEXICO

Hobbs
Las Cruces
Alamagordo
Gallup
Lovington

NEW YORK

Yonkers
White Plains
Long Beach
Rockville Centre
Fulton
Johnstown
Lynbrook
Mamaroneck
Mineola

NORTH CAROLINA

Wilson
Lumberton
Thomasville

NORTH DAKOTA

Fargo
Minot
Dickinson

OHIO

Canton
Fairborn
Lancaster
Mansfield
Massillon
Piqua
Strongsville
Sidney

OKLAHOMA

Bartlesville
Enid
Muskogee
Ada
Del City
Durant
Sapulpa

OREGON

Ashland
Astoria

PENNSYLVANIA

Erie
Abbington
Aliquippa
Hempfield
Ridley
State College
Williamsport
Carlisle
Castle Shannon
Dormont
Latrobe
L. Southhampton
Uniontown
Waynesboro

RHODE ISLAND

Middletown

SOUTH CAROLINA

Anderson

TENNESSEE

Greeneville
Shelbyville

TEXAS

Houston
Amarillo
Wichita Falls
Garland
Brownsville
Laredo
Midland
Port Arthur
Bryan
Baytown
Killeen
McAllen
Temple
Victoria
Borger
Eagle Pass
Kermit
Kerrville
La Marque
La Masa
McKinney
Marshall
N. Richmond Hills
Sweetwater
Seguin
Snyder
Weatherford
White Settlement
Pasadena

VERMONT

Barre

VIRGINIA

Newport News
Virginia Beach
Charlottesville
Danville
Colonial Heights
Covington
Pulaski
Salem
Williamsburg

WASHINGTON

Ellensburg
Kennewick
Pasco
Port Angeles

WEST VIRGINIA

Bluefield
Morgantown

WISCONSIN

Green Bay
Kenosha
Brookfield
Wauwatosa
West Allis
Eau Claire
Sheboygan
Ashland
Neenah
Marinetta
Shorewood
South Milwaukee
West Bend

WYOMING

Cheyenne
Casper

Mr. HARVEY of Michigan. Mr. Chairman, I want to use this time to talk about an amendment I intend to make which will strike from the bill the provision which would commit the United States with the taxpayers' money to underwrite the development of new towns.

This proposal was first made in 1964 and was rejected by both the House and Senate Housing Subcommittees. It was recommended again in 1965 and again it was rejected by both the House and Senate Housing Subcommittees. Now in 1966, with admirable perseverance and boundless confidence in the apparently limitless patience of the American taxpayer, the provision is back with us. This time the new towns proposal has advanced a step. It is now part of the pending bill and my amendment, if approved by the House, will return it to the oblivion which it richly deserves.

This "new towns" provision would provide for FHA insurance of a mortgage on a new town for land assembly and site improvement. The maximum mortgage per new town would be $25 million. The FHA insurance of what is apparently a privately-originated mortgage is nothing more than fiction because under section 405 the Federal National Mortgage Association is authorized to purchase the mortgage at par by drawing upon the Treasury for the money. You need not ask from where the Treasury gets the money.

In order to qualify for this "new town" bonanza, the developer must prepare plans which meet criteria laid down by the Secretary of Housing and Urban Development. In not so subtle language the administration architects of this provision present a master blueprint for the future Federal control of new communities, for the federalization of the cities of tomorrow.

This new towns provision represents an interesting case study in the metamorphosis of a plan to make it more acceptable to an unsuspecting public.

In 1964 the proposal made it clear that in order to qualify for this $25 million mortgage the new town plans must satisfy the housing boss downtown that: First, it meets the housing and related needs of families with varying incomes; second, it establishes sound land use patterns; third, it encourages the most efficient use of transportation and other areawide facilities; fourth, promotes employment opportunities and future economic growth in the community; and fifth, that the land development shall be consistent with such assurances as the Commissioner may require as to actions to be taken by local public bodies in order to permit the implementation of the new community plan.

In the 1965 proposal the administration's housing bill no longer had a section entitled "new communities." Instead the new towns proposal was almost concealed in a new title involving the land development mortgage insurance. No longer could one see the elaborate criteria of the 1964 provisions but they were there nevertheless in the general regulatory powers of the Secretary of Housing and Urban Development. So, in 1965 the Housing Subcommittee performed a little surgery, excising from land development insurance the "new towns" proposal.

Now it is 1966 and this time we have the title "new communities" but the broad blueprint for the federalization of new towns present in the 1964 version is disguised by softer language which conditions eligibility on less controversial conditions such as substantial economies in building, adequate housing for those employed in the community, and maximum accessibility to industrial, commercial, recreational, and cultural facilities.

Mr. Chairman, homeowners throughout the Nation are seeing their equities wiped out because of the tight-money situation. Homebuilding is suffering from a disastrous slump because so many homeowners are unable to sell their homes in order to buy new ones. Recently, the Congress enacted a FNMA bill designed to direct money into homebuilding and the residential mortgage market; $1 billion of this was to be made available through FNMA special assistance. Because of the inflationary and budget impact this $1 billion has been impounded by the administration. Yet here we have a provision that would authorize FNMA to draw money from the Treasury to underwrite "new towns."

Mr. Chairman, I submit for the benefit of my colleagues, a letter from the National Association of Home Builders in support of my amendment:

NATIONAL ASSOCIATION OF
HOME BUILDERS,
Washington, D.C., October 12, 1966.

The Honorable JAMES HARVEY,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN HARVEY: The National Association of Home Builders strongly supports your amendment to S. 3708, the Demonstration Cities and Metropolitan Development Bill of 1966, to eliminate the proposed FHA authority to finance the development of "new communities".

We believe that the present FHA title X land development program is more than adequate for the financing of all but the largest residential developments.

Enclosed for your information is a brief statement of NAHB's position on title IV of S. 3708.

Sincerely,
LARRY BLACKMON, *President.*

Mr. PATMAN. Mr. Chairman, I yield 5 minutes to the gentleman from California [Mr. COHELAN].

Mr. COHELAN. Mr. Chairman, in my judgment, this legislation to begin a demonstration cities program is the most important new proposal to come before the Congress this year, and I strongly urge its passage.

Today we find 3 out of every 4 Americans living in urban areas. Every year we add another 3 million residents to our urban population. The critical problems of these urban areas then, in a very real sense, are the critical problems facing this country.

Our cities have been at the heart of our progress and development as the leading industrial nation of the world. But our cities have not kept up with the needs of those who now live in them. Without a substantial new effort—without a concentrated and coordinated attack on basic urban ills—our cities have little hope of meeting the needs of the growing and changing population that will soon inhabit them.

The problems of our cities defy simple definition, just as their solutions defy quick and easy answers. But it is no exaggeration to say that the growing ghettos of our central cities are characterized by poverty, illiteracy, and disease. They are characterized by decay and deterioration; by the pentup anger of people living outside the affluence enjoyed by much of our society.

Our cities are increasingly the home for persons of low income. Slums and blight are widespread. More than 7 million homes in urban areas are run down; community services and facilities are frequently inadequate.

This week 22 chief executives of major American corporations, under the leadership of Edgar F. Kaiser, stated the problem plainly while urging approval of the Demonstration Cities Act:

Our cities are being submerged by a rising tide of confluent forces—disease and despair, joblessness and hopelessness, excessive dependence on welfare payments, and the grim threats of crime, disorder and delinquency.

Cities across our country have made major efforts to meet their problems. As the committee's report notes, between 1954 and 1963 tax revenues increased by 43 percent and municipal indebtedness increased by 119 percent.

But central cities today are caught in a vicious cycle. As blight mounts, the taxable value of the land falls. As new tax burdens are placed on industry, the more likely it is to move to the suburbs. As the need for programs and services increases, the base for supporting them declines. Under these circumstances, Secretary Robert Weaver has pointed out, it is not surprising that the cities with the greatest slum problems have the least capacity for solving them.

Many good Federal programs are already at work which directly benefit our cities—the war on poverty, aid to education, job development, housing, manpower retraining, and others. But each of these programs approaches a single problem with a single weapon. Although they may operate side by side, they are usually indifferent to each other, and sometimes they are even in conflict with each other.

The city of Oakland, in the Seventh District of California, presently has 140 different programs and projects which have some form of Federal funding in their budgets. But the maximum effectiveness of these federally assisted programs can only be achieved through coordination, which does not now exist.

This bill would make that coordination possible. It would help cities to plan, develop and carry out comprehensive city demonstration programs.

It would make it possible to improve and substantially increase the supply of low- and moderate-cost housing in the cities. It would make it possible for cities to concentrate their educational, health, antipoverty, and social service programs directly on the large numbers of poor and disadvantaged people who live in slum and blighted neighborhoods. Most important, it would make it possible to treat human needs at the same time physical rehabilitation is being carried out.

This legislation would mobilize and coordinate Federal resources, but it would depend on local initiative. And let me make this point very clear, for once again we are hearing the familiar charge by opponents that this is a Federal takeover; that this is a Federal invasion of local responsibilities. We have all heard this before on programs such as education and medicare. It is a familiar and false refrain. Let us put it to rest.

This will be a local program making the best possible coordinated use of Federal resources. It will be planned, developed and carried out by local people. Both the character and the content of the program will be based on the judgment of local people as to their own local needs.

And let us also put to rest the equally false and malicious charge that this bill could be used to force the integration of schools in segregated neighborhoods. Nothing in this bill, according to officials at the Department of Housing and Urban Development who have studied the language, could be used to accomplish this purpose.

As the Washington Post pointed out in an editorial on October 4:

> If a Congressman really thinks that the cities do not need help, or that the present chaotic organization of Federal programs is sufficient, or that metropolitan planning is socialistic, then he is justified in voting against the bill. He will be profoundly mistaken, but it will be an honest vote. Deliberately to inject the racial issue into the debate, on the other hand, is a transgression of altogether another magnitude. It is an attempt to defeat a bill on specious grounds.

Mr. Chairman, let us consider this bill on its merits, and as we do, let us bear very clearly in mind that this is not just another project. It does not add more tools or measures to those we already have. Rather, it is a plan to use all of our available tools and resources in a concentrated and coordinated way. It is a tool for dealing in a total way with the total problems of slums, ghettos, and blight.

It is the exact opposite of our past piecemeal approach to urban problems;

It launches a comprehensive attack.

It combines human as well as physical renewal.

It focuses all available resources—local, State, Federal, and private enterprise—in areas of planning, housing, transportation, job-training, health facilities, recreation, education, and welfare programs.

It mobilizes all available talent and skills.

Its objective is the total improvement of the lives of the people who inhabit our cities.

This bill would authorize only $12 million in planning funds for the present fiscal year. Over the next 2-year period, ending June 30, 1969, it would authorize only an additional $12 million for planning and $900 million for supplementary grants.

Two weeks ago, without a dissenting vote, we passed a $2-billion measure to combat water pollution. There is no question that these funds were needed. But certainly we can approve half this amount to coordinate the attack on the pressing problems of our central cities. If anything, I would suggest that we have set our sights too low.

Mr. Chairman, the slums of our urban areas did not develop overnight. They are the product of generations of social and economic neglect. This bill gives us an opportunity to reverse that course. It should be approved as a wise investment in our cities and the future of the millions of Americans that live in them. For as the report on the Watts riots so prophetically pointed out:

> Of what shall it avail our nation if we can place a man on the moon but cannot cure the sickness in our cities?

Mr. GILBERT. Mr. Chairman, I am pleased to voice my support of S. 3708, the demonstration cities bill. I am one of the sponsors of this legislation which I consider a giant step in responding to the needs of our cities. The facts are clear—there is not a single city in this Nation today able to pay, out of its own pocket, for the cost of solving its total urban problem. If the areas of blight and slum which scar America's city-face, and the problems of the people who live within these slums are to be solved, a massive, coordinated effort will be required of all levels of government. It will not be a panacea for all the ills of our cities, but the legislation before us does represent a coordinated and constructive approach—using all available State, local, Federal, and private resources—to tear down the ghettos and rebuild the blighted areas.

The establishment of the Department of Housing and Urban Development last year, which I strongly supported, provided a focal point for a Federal-local partnership, combining local initiative and local solutions with Federal Government financial and technical assistance. The bill before us will mobilize local initiative and leadership with Federal and private resources.

We all know the various aspects of the total problem our cities face: poor housing, inadequate health facilities, unemployment, congestion, filth, delinquency and increased crime rates, insufficient transportation and recreation facilities—to name but a few. Over the past years, we have attempted to cope with these as separate entities, and while we have had some measure of success, we have not been successful enough. The present condition of our cities—their rapid growth and decay—offers proof of that. Fortunately, the successes and lessons of the past have given some clear directions for advancing into the future.

The demonstration cities program provides for the concerted and coordinated use of our wealth of specialized urban assistance programs. It provides desperately needed financial assistance to our cities. In a functional combination of these, it provides for the use of people-oriented programs, with which simultaneously to attack the human blight that is inseparable from the city blight.

The supplemental grants of this program do not require dollar-matching performance on the part of the urban areas. The grants are "triggers" which will enable our cities, for the first time, to plan coordinated, overall programs that will interweave various grant-in-aid programs to meet their special needs. It will enable our cities to better pay for their share of widened use of such grant-in-aid programs. It provides for the use of new program aspects, which may be vital to their local problems, but which are not presently funded by grants-in-aid.

We cannot afford to lose our enormous investment in our cities. We cannot afford the prohibitive costs of maintaining slums and blight. In my city of New York, we have over a half million people receiving various forms of public welfare, costing the city, State, and Federal Governments more than a half billion dollars annually. Almost 25 percent of the 2½ million households in New York City have an annual income under $3,000. Over 1½ million of these live in abject poverty. There are more than a quarter of a million slum buildings in the city.

Nothing short of a massive attack is going to recover and rehabilitate our cities. Suffice it to say that our cities cannot finance programs of this scope. City effort to stabilize their tax revenue through increases have only accelerated the exodus of money sources, personal and industrial, to the suburbs. The physical decay of our cities forces city services to become more costly, and those best able to finance and rehabilitate through more taxes simply leave the cities for the suburbs.

Mr. Chairman, the linkage of programs provided in S. 3708, with the use of existing programs such as urban renewal, low- and moderate-cost housing, deserves our support. The end result will be lasting benefits to the entire city and all its inhabitants—not just the disadvantaged who live in the areas of blight. I believe this legislation gives the best answer to the President's demand for an effort "large in scope"—more comprehensive and more concentrated—than any that has gone before us.

Mr. ROSENTHAL. Mr. Chairman, I rise to give my strongest support for S. 3708. It is a necessary, if small, step in the enormous task that faces us if we are to rescue our cities from blight and further deterioration. We need do little more than look around to see that our cities are in crisis.

Experience has taught that urban renewal programs are ineffective unless they tackle the human problems so intimately related to slum conditions. This bill incorporates that lesson by requiring local communities to draw up comprehensive renewal plans, including social welfare and antipoverty programs, in order to be eligible for the demonstration grants. Viable neighborhoods are not created with brick and mortar alone. To be truly livable, they must have adequate schools, hospitals, parks, and jobs. These are the only guarantees that the neighborhoods will not deteriorate again. This approach is good because it forces the communities themselves to take the initiative, and insures that hard-core slum problems are tackled at their roots.

The $900 million to be appropriated over 2 years is not much considering the large number of cities which could use such aid. In an editorial on October 11, the Long Island Press commented that—

> It really adds up to only a tentative beginning in an attack on what President Johnson rightly diagnoses as the most important domestic problem. Mayor Lindsay figures New York City alone will need $50 billion over the next 10 years to bring the city to a decent stage of liveability. The mayor of Detroit figures his town would need $15 billion over the same period and that the national bill could run as high as $530 billion.

But, hopefully, by making money available only for those neighborhoods which can draw up comprehensive antipoverty and urban renewal plans, the cities will demonstrate what a concentrated attack on urban blight can accomplish. These demonstration grants are intended to be catalysts for new initiatives and a prelude to a larger attack on this nationwide problem.

But the real importance of this bill lies in its provisions to rationalize and coordinate the multipilicity of Federal programs arrayed against urban blight. By placing Federal urban programs under one umbrella, the bill would give the newly created Department of Housing and Urban Affairs the clear direction it seeks and a much-needed shot in the arm. HUD's influence with the cities will increase proportionately as it speaks with a single, articulate voice.

To cut or defeat this bill at this time would be myopic in the extreme. To those who argue that passage of this bill would add to inflationary pressures, I answer that if we do not arrest the decline of our cities now, the cost will be so much greater later. Even the small appropriation which it provides for could make a significant contribution to a solution for our cities. I therefore urge that we unite in voting for this bill.

Mr. ANNUNZIO. Mr. Chairman, I wish to express my support for S. 3708.

The critical needs to which its provisions are addressed have been graphically described.

I agree completely with the position that, unless remedy is promptly applied, our urban problems may grow beyond control, and distort our national shape, if indeed they do not endanger our national being. I believe that time is of the essence for taking the most effective measures at our command.

Many arguments have been presented in opposition to the affirmative program to remedy the need. Not one of them stands inspection and not one is forthrightly stated.

It has been alleged that the demonstration cities proposal represents only the wishful thinking of the Department of Housing and Urban Development.

If this were true, I would like to know how the act came by the full endorsement of groups of such high prestige and diverse interests as, to name but a few—the U.S. Conference of Mayors, and the National Farmer's Union; the National Housing Conference, and the Governor's Conference; the Presbyterian Church Office, and the AFL–CIO; the National League of Cities, and the National Association of County Officials; the National Association of Home Builders, and the National Urban League; the American Institute of Architects, and the National Council of Senior Citizens; the United Community Funds & Councils of America, and the American Public Health Association; the National Federation of Settlements and Neighborhood Centers, and the National Conference of Catholic Women; the National Association of Social Workers, and the National Council of Churches; the National Conference of Catholic Charities, and the Cooperative League of the U.S.A.; the National Jewish Welfare Board.

Here is another illogical opposition argument. One part contends that—

> Only a limited number of cities can be expected to participate in the program.

In the next breath, the same voices complain that—

> Every city is eligible, and eligibility is going to be used as a "lure" to entice political support.

This is truly confusing, since it is impossible that every city be eligible at the same time only a limited number of cities are eligible.

If these antagonists want to limit the program to some small number of cities, they should say so, and declare in advance what cities or cities' types they want to be included.

The hard facts about participation in the program are stated very clearly on page 14 of our committee report:

> The ultimate success to this new program rests upon the ability of local people to assess their own most pressing problems and devise their own solutions to those problems. The cities themselves, by their actions, will determine which of them participate in this program. Those cities which can concentrate their resources, identify their problem areas, and develop sound imaginative solutions will be the first to qualify.
>
> But all cities will benefit from the solutions to urban problems developed through the demonstration cities approach. Your committee is confident that every city will ultimately use this "total attack" approach to solve its urban problems.

I hear it argued—that there could be a transfer of funds within the various programs covered by a city's demonstration plan.

This is untrue. Funds appropriated for the purposes of any existing grant-in-aid program are in no way affected by a demonstration city proposal. Again, let me make reference to the clear language of the committee report, as stated in the fifth and sixth paragraphs of the section "Federal assistance provided"—page 6.

It is argued that small cities will be prevented from participating because of the requirement that a demonstration city applicant have the necessary administrative machinery to carry out a program.

Again, the argument is entirely false. Let me read to you from the section headed "Participation in the program"—

> The Committee intends that the assistance provided by Title I of the bill be given to cities of all sizes and in all parts of the country. This will enable the program to demonstrate the wide range of methods available to deal with the diversity of problems that face cities of all sizes throughout the country.

It has been alleged that title V, which provides mortgage insurance for group practice facilities, is unnecessary, because small business loans can be used for this purpose. In reality, however, nonprofit groups cannot qualify for small business loans and therefore have no access to this financing.

It has been argued that the Interstate and Foreign Commerce Committee considered this proposal, and turned it down. The truth, however, is that this committee took no action but referred the matter to the House Banking and Currency Committee which has jurisdiction over mortgage insurance. Hon. WRIGHT PATMAN, the able chairman of the committee, subsequently introduced appropriate legislation which received favorable consideration.

It has been said there is no need for this provision, but nonprofit groups all over America, in telegrams, letters, and personal testimony, overwhelmingly endorsed title V because of the extreme difficulty they have experienced in securing conventional financing.

It has been claimed that title V would be costly to the Government but this charge is unfounded. I want to emphasize that this is a no-cost proposal, because it is only mortgage insurance, and a premium charge would cover both the costs of administration and the risk of default. In essence, title V of the bill before us would allow the Federal Government to insure mortgages for group practice facilities so that they can obtain the necessary financing. Our committee has closed the door to possible abuses by adding a protective clause which requires that mortgage insurance will not be granted unless positive evidence is presented to the effect that conventional financing is unavailable.

A host of other such opposition arguments have been raised. They are alike in their total lack of merit and in the loose manner with which they handle the facts.

The plain facts are these:

There is a vast need for correction of our central-city problems.

The city demonstration program provides our most knowledgeable tool for initiating the comprehensive remedies that are needed.

No meritorious arguments exist to justify our refusal to put it to work.

I urge my fellow Members to support this important and vitally needed proposal.

Mr. HANLEY. Mr. Chairman, I rise in support of S. 3708, the Demonstration Cities and Metropolitan Development Act of 1966. As the Representative of a great and progressive metropolitan area, I feel deeply that this legislation is in the best interests of the American city.

Mayor Walsh of Syracuse was recently quoted as saying that—

> Cities are in trouble all over the country—

And he continued:

> If cities are going to survive, we've got to have Federal aid—some type of aid.

The mayor's point is well taken. The homes of 7 million urban families are dilapidated or deteriorated, and most of these homes are concentrated in slum neighborhoods where good schools, open spaces, and adequate health, social, and recreational facilities are lacking. These are the neighborhoods where social and economic decay are most apparent. Crime and deliquency rates are high, the number of school dropouts is high, the number of unemployed and unemployable persons is high, illiteracy and infant mortality rates are high. These neighborhoods are marked by falling tax revenues, business losses, and hard core joblessness. In these areas the costs to the city for social services are very high.

There are those who will say that these problems are not the business of the Federal Government. In my judgment these are the problems of all the levels of government, and they should be of special concern to the Federal level because it is the Government with the financial resources of the magnitude needed to do the job. It is obvious to all those who are interested in the problems of cities that the financial resources of municipal government are too hard pressed to do the job.

When Mayor Walsh said that the cities are in trouble, he was indicating the inability of the city to raise the needed revenue. In my judgment, it is ridiculous to think that the cities have something to learn about urban problems from the Federal Government. Local government does not need any advice about the nature of its problems from the Federal Government, nor do the cities have to be reminded about what must be done. The cities already know these things, they know what is wrong and they know better than any other level of government what must be done. To be very blunt, what the cities want from the Federal Government is money, or if you prefer, financial resources.

There is no question but that the cities are receiving grants in aid from the Federal Government, and I cannot let the opportunity go by to state that there is more aid than ever for more programs than ever, and the 89th Congress is responsible for this fact.

The importance of the bill we debate today rests on the recognition that the cities must be given an opportunity to make the best possible use of all the Federal-aid programs aimed at their problems. That opportunity will come with the large, general-purpose supplemental grant envisioned in the demonstration cities program. This Federal grant will be used by the city to help pay its normal share of the costs of the various Federal grants-in-aid programs. And this is precisely what the cities need at this time. The grant can also be used by the city to pay for new and additional projects and activities which are a part of the total program of demonstration.

The purpose of the program is to demonstrate what can be done through a comprehensive, concentrated, and coordinated attack, making full use of all of the available Federal, State, and local resources, both public and private, to revitalize entire blighted areas within a city.

I strongly support the demonstration cities program because it will demonstrate also a long-overdue recognition by the Federal Government of the initiative, the responsiveness, the dedication, and the resourcefulness of modern American municipal government. We want these programs to be planned at the local level and we want them executed by the local level.

Make no mistake about it, I am interested in this program because I believe that it is in the best interests of the citizens I represent. I want to take this opportunity to quote some of the views on the demonstration cities program expressed by government officials in my congressional district. Thomas E. Ward, director of the Syracuse-Onondaga County Office of Economic Development said that if Syracuse participates in the program, "we can jump the gap between the fragmented attack we have today and the total rebuilding program which the demonstration method makes possible." Mr. Ward is quoted as saying that Syracuse could rebuild the 3,000 acres which surround existing urban renewal projects in the city's inner core. In this doughnut-shaped area live more than 80,000 persons, and in 1963 the area contained almost 8,000 substandard units.

> As a demonstration project we could, as President Johnson urges, change the total environment of the neighborhoods and provide schools, parks, playgrounds, community centers and access to all the necessary community facilities.

George Schuster, Syracuse's commissioner of urban improvement, was quoted as saying that the demonstration cities program should help local urban renewal and strengthen the five county regional planning program by providing studies of water resources, mass transportation, water and air pollution, and similar problems. R. Spencer Steele, Syracuse's planning commissioner, said that the demonstration cities program looks like a fantastic program which is badly needed. Mayor William Walsh of Syracuse has indicated to Secretary of Housing and Urban Development Weaver that the demonstration cities program, if properly funded, would provide the legislative tools by which Syracuse could demonstrate its ability to virtually eliminate the problems of substandard housing and poverty.

Mr. Chairman, in my judgment, this legislation is of vital importance to the future of American cities. It carries the endorsement of those who know the most about cities, and those who are most interested in solving the problems of cities.

Mr. OTTINGER. Mr. Chairman, I rise in support of S. 3708.

In my supplementary views in the House Banking and Currency Committee report of July 15, 1966, on H.R. 15890, the House version of this measure, I strongly stated my support for the demonstration cities concept. I said:

> I wholeheartedly approve of the approach of the demonstration cities program put forward in this bill. The crisis of urban deterioration is enormous and pressing. It is national in scope. A new approach is desperately needed. The demonstration cities program will show whether concentration of existing Federal programs can succeed in eliminating the blight of slums from substantial areas.

I objected, however, to the "blank check" authorizations in that bill, saying:

> The bill contains absolutely no limit or guidelines on the amount to be authorized. I don't think the Banking and Currency Committee of the House should write a blank check.

I pressed forcefully for a realistic appraisal of the program and placement of a firm "price tag" on each item.

I am very pleased that the Senate took this same view and in S. 3708 did, in fact, provide a firm price tag for each item.

I am also pleased that the House Banking and Currency Committee, on which I serve, saw fit to adopt the Senate version on September 1, 1966—and that the administration has also changed its views to meet the objections I had advanced.

The bill as reported to the House now eliminates the unlimited "blank check" authorization for the demonstration cities project provided under title I and authorizes an appropriation not to exceed $400 million for fiscal 1968 and $500 million for fiscal 1969, in addition to the $12 million for planning funds authorized in both bills for this year, fiscal 1967.

There are still problems with this authorization. Nowhere is it specified either how many cities will be included or how extensive a program in each city is contemplated. These facts should be known. Yet, it seems to me that this bill offers a reasonable assurance to the cities that a start will be made, without issuing blank checks we could later regret. The authorizations for future years can always be adjusted upward or downward depending upon the results of the plans submitted by cities and upon the national fiscal situation at the time.

It is no secret that many of the urban renewal and related programs have not been a success in the past. Unconscionable profits have often been made on some housing programs. Too often, urban renewal has meant removal of the poor instead of provision of better housing for them. I feel strongly that the demonstration cities program plans should be examined with greatest care to assure their soundness. They should be administered with a firmness and thoroughness that has not always been the case in the past.

The authorization in S. 3708, however, seems sufficiently conservative to assure a start to the program, while reserving for the authorizing committee adequate opportunity to examine each of the projects for those that are worthy of continuing support.

I am also pleased that the other "blank checks" in the bill, to which I pointed in my supplemental views, have also been eliminated. Thus, metropolitan planned development now carries a $75 million, 2-year price tag; and the "blank check" for technical research advances is now replaced by a $15 milion, 2-year authorization.

These changes substantially meet my objections to the original House version of this legislation. I therefore feel I can now wholeheartedly support the bill and urge my colleagues to do the same.

Mr. PATMAN. Mr. Chairman, I have no further requests for time, and ask that the Clerk now read.

The CHAIRMAN. Is no further time being requested by the gentleman from New Jersey?

Mr. WIDNALL. No, Mr. Chairman.

The CHAIRMAN. No other time is being requested by the gentleman from Texas?

Mr. PATMAN. That is correct.

The CHAIRMAN. There being no further time requested, the Clerk will read.

Under the rule, the committee substitute now in the bill will be read by titles instead of by section. The Clerk will now read by title the substitute committee amendment, which is printed in the reported bill as an original bill for the purpose of amendment.

The Clerk will read.

The Clerk proceeded to read the bill.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that further reading of the bill be dispensed with and that it be printed in the Record and open for amendment.

Mr. WIDNALL. Mr. Chairman, reserving the right to object, does that mean that if no objection is made tomorrow, the entire bill will be considered as read and open for amendment at any place?

The CHAIRMAN. That is correct, under the request of the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, I ask, as I intended to ask, unanimous consent that further reading of title I be dispensed with, that it be printed in the Record, and open for amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Chairman, reserving the right to object, and I think I shall not object to this, may we have a statement from the gentleman in charge of the handling of the bill on the majority side about the intention as far as further activity of the committee is concerned?

Mr. PATMAN. We expect the Committee to rise. A motion will be made that the Committee do now rise, and tomorrow we will start on title I. Any amendments to the title will be germane first.

The CHAIRMAN. That is my understanding. Does the gentleman withdraw his reservation of objection?

Mr. HALL. Mr. Chairman, further reserving the right to object, as I indicated the first time, I will withdraw it in good time. I am wondering why we do not proceed on title I, since it is probably the shank of the evening, as far as the time to which we worked last evening is concerned, and in view of the rush toward adjournment is concerned?

The CHAIRMAN. I may say to the gentleman from Missouri that that is the will of the committee.

Mr. McCORMACK. Mr. Chairman, will the gentleman yield?

Mr. HALL. I am glad to yield to the distinguished Speaker.

Mr. McCORMACK. The gentleman is entitled to complete information. Of course, the rule called for 6 hours of general debate. Due to the fine leadership on both sides——

Mr. HALL. And the cooperation of the Members.

Mr. McCORMACK. And the cooperation of the Members, precisely—I am glad the gentleman said that—apparently all the 6 hours were not used. It was based on that; the belief that the 6 hours would take us rather late into the night—not too late, but late enough. In conference with the minority leader, we agreed that after the general debate had been closed the amendment stage would start tomorrow, with the further agreement or understanding that we would meet at 11 o'clock tomorrow.

I would agree that if we had known it was going to be as early as this I do not believe either one of us would have entered into that understanding, but we were doing so because of our respect for and feeling for the Members of the House.

So, thoroughly agreeing with my friend from Missouri that we did not expect to arrive at this stage at this hour, I believe the House has done a good job today. I am satisfied.

Mr. HALL. Mr. Chairman, I appreciate the words of the Speaker, and I appreciate his leadership. I certainly appreciate what he is trying to do out of comity and commitment to the other Members.

As I said at the beginning, I shall not object.

I wonder if the Speaker or the leadership handling the bill could give us further assurance that we will come to a final conclusion within a reasonable time tomorrow and get some of the rest of our business on the program for the week completed.

Mr. McCORMACK. I am very happy to hear the gentleman from Missouri say that, because I will cooperate in every way possible to get this bill through.

I might also say I discussed with the minority leader the question of meeting at 10 o'clock tomorrow, but some situation arose, which was very proper. I recognized this. In talking with the minority leader I said we would ask for 11 o'clock. I realize it will be by unanimous consent, whether 10 o'clock or 11 o'clock.

If we meet at 11 o'clock, it will be with the understanding that we would dispose of this bill tomorrow.

I might also say, for the information of Members of the House, so that the Members will be alerted, after the disposition of this bill tomorrow, if it is in order, because of other necessities in connection with the adjournment of the House, we would call up the conference report on the bill to improve the hopes and aspirations of countless millions of Americans in their future lives, known as the antipoverty bill.

Mr. HALL. Mr. Chairman, again I appreciate the portrayal of things to come by the distinguished Speaker, who has in his charge the programing of all business of this House.

There is another bill or two on the program for the week. Do I correctly understand that after we complete this bill tomorrow and the conference report on the antipoverty bill it is planned to adjourn over until Monday?

Mr. McCORMACK. If we complete that tomorrow, I would feel that the Membership of the House had been so cooperative that we should go over until Monday.

Mr. HALL. Mr. Chairman, I gladly withdraw my reservation.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. ARENDS. Mr. Chairman, further reserving the right to object—and of course I shall not object—if I understood the Speaker correctly, it is hoped to take up the conference report on the so-called poverty bill tomorrow?

Mr. McCORMACK. The bill to improve the hopes and aspirations of countless millions of Americans, known as the so-called antipoverty bill.

Mr. ARENDS. That has not been filed as yet.

Mr. McCORMACK. No; but I believe they are going to ask unanimous consent to do so. I hope so.

Mr. ARENDS. That will have to be done by unanimous consent, to have permission to file tonight so that it can be considered tomorrow.

Mr. McCORMACK. It would have to be filed by midnight tonight.

Mr. ARENDS. If unanimous consent were granted to file by midnight tonight, it would be in order tomorrow; otherwise, not.

Mr. McCORMACK. Of course. If anyone objected, he would only be prolonging it and making it more difficult in connection with October 22.

We all have problems. I have my problems. I am trying to cooperate to the fullest extent possible.

Mr. HALL. Mr. Chairman, will the gentleman yield?

Mr. ARENDS. I yield to the gentleman from Missouri.

Mr. HALL. I want to point out that I think everyone is trying to cooperate in this haste for adjournment. I think there has not been but one quorum call today. We have certainly cooperated with Columbus' birthday yesterday and put votes over for the convenience of one Member. I know many people who have canceled trips home this evening, members of the usual T. and T. Club, who will not be able to make accommodations for tomorrow evening. Some of them are going by fast jet on Saturday if time permits in this respect. Certainly the distinguished Speaker himself will recall we considered en bloc the Private Calendar bills on Tuesday in order to expedite the proceedings of the House, albeit we had not met hardly at all on Monday afternoon of this week. So we must work together and cooperate if we are to adjourn and go home at all. But on the other hand, we must exercise the epitome of programing and using the time we do have if we are to accomplish what we must before we adjourn sine die.

Mr. McCORMACK. I thoroughly agree with the gentleman from Missouri. Again there are certain practical considerations. I have the whole picture to view. I have profound respect and friendship for every one of my colleagues without regard to what side of the aisle they sit on. To the fullest extent humanly possible I try to cooperate with them. Again last Monday we did not expect that the bills would get through as quickly as they did. It was a remarkable exhibition of speed. When I programed them, I reasonably anticipated those bills would probably take considerably longer than they did. However, the Members of the House in their sound judgment disposed of them much quicker than we had expected. Still there are other factors involved.

Mr. HALL. There are other factors, Mr. Chairman. I know about the Committee on the Judiciary, and I have been advised about that. I know about last Monday afternoon. But you do not plumb the depths of our heart with the wellsprings of human consideration that wells up therefrom in order to expedite this adjournment so that we can go home and tell our people the truth about what is going on in Washington.

Mr. McCORMACK. That is true. Might I say that the Speaker and the leadership on both sides would like to leave without being considered one who is dictating or undertaking to dictate. There is a marked difference between leadership and arbitrary action.

Mr. ARENDS. Mr. Chairman, further reserving the right to object, I brought this matter up only for this reason. Many changes have been made in the poverty conference report, and in order that the membership of this House will know and become fully acquainted with what is in the conference report now, we must have some time to consider it. That is the only reason why I bring this up. Tomorrow will apparently be a bad day around here as far as absenteeism is concerned on both sides of the aisle.

Mr. McCORMACK. I hope it will only be on your side.

Mr. ARENDS. I know that.

Mr. McCORMACK. But knowing my friend from Illinois, I approach it with some degree of caution.

Mr. ARENDS. Very well. Thank you. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. The reservation of objection is withdrawn.

Since this is the time for talking, may I say for the Chair that I am very grateful to the Committee for the very high level of the debate today and the expedition that was shown here as you promised me it would be. We return now to the regular order, which is the unanimous-consent request of the gentleman from Texas that further reading of title I of the bill be dispensed with and that it be open for amendment.

Is there objection to the request of the gentleman from Texas?

There was no objection.

Title I is as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Demonstration Cities and Metropolitan Development Act of 1966".

TITLE I— COMPREHENSIVE CITY DEMONSTRATION PROGRAMS

Findings and declaration of purpose

SEC. 101. The Congress hereby finds and declares that improving the quality of urban life is the most critical domestic problem facing the United States. The persistence of widespread urban slums and blight, the concentration of persons of low income in older urban areas, and the unmet needs for additional housing and community facilities and services arising from rapid expansion of our urban population have resulted in a marked deterioration in the quality of the environment and the lives of large numbers of our people while the Nation as a whole prospers.

The Congress further finds and declares that cities, of all sizes, do not have adequate resources to deal effectively with the critical problems facing them, and that Federal assistance in addition to that now authorized by the urban renewal program and other existing Federal grant-in-aid programs is essential to enable cities to plan, develop, and conduct programs to improve their physical environment, increase their supply of adequate housing for low- and moderate-income people, and provide educational and social services vital to health and welfare.

The purposes of this title are to provide additional financial and technical assistance to enable cities of all sizes (with equal regard to the problems of small as well as large cities) to plan, develop, and carry out locally prepared and scheduled comprehensive city demonstration programs containing new and imaginative proposals to rebuild or revitalize large slum and blighted areas; to expand housing, job, and income opportunities; to reduce dependence on welfare payments; to improve educational facilities and programs; to combat disease and ill health; to reduce the incidence of crime and delinquency; to enhance recreational and cultural opportunities; to establish better access between homes and jobs; and generally to improve living conditions for the people who live in such areas, and to accomplish these objectives through the most effective and economical concentration and coordination of Federal, State, and local public and private efforts to improve the quality of urban life.

Basic authority

SEC. 102. The Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") is authorized to make grants and provide technical assistance, as provided by this title, to enable city demonstration agencies (as defined in section 112 (2)) to plan, develop, and carry out comprehensive city demonstration programs in accordance with the purposes of this title.

Eligibility for assistance

SEC. 103. (a) A comprehensive city demonstration program is eligible for assistance under sections 105 and 107 only if—

(1) physical and social problems in the area of the city covered by the program are such that a comprehensive city demonstration program is necessary to carry out the policy of the Congress as expressed in section 101;

(2) the program is of sufficient magnitude to make a substantial impact on the physical and social problems and to remove or arrest blight and decay in entire sections of neighborhoods; to contribute to the sound development of the entire city; to make marked progress in reducing social and educational disadvantages, ill health, underemployment, and enforced idleness; and to provide educational, health, and social services necessary to serve the poor and disadvantaged in the area, widespread citizen participation in the program, maximum opportunities for employing residents of the area in all phases of the program, and enlarged opportunities for work and training;

(3) the program, including rebuilding or restoration, will contribute to a well-balanced city with a substantial increase in the supply of standard housing of low and moderate cost, maximum opportunities in the choice of housing accommodations for all citizens of all income levels, adequate public facilities (including those needed for education, health and social services, transportation, and recreation), commercial facilities adequate to serve the residential areas, and ease of access between the residential areas and centers of employment;

(4) the various projects and activities to be undertaken in connection with such programs are scheduled to be initiated within a reasonably short period of time; adequate local resources are, or will be, available for the completion of the program as scheduled,

and, in the carrying out of the program, the fullest utilization possible will be made of private initiative and enterprise; administrative machinery is available at the local level for carrying out the program on a consolidated and coordinated basis; substantive local laws, regulations, and other requirements are, or can be expected to be, consistent with the objectives of the program; there exists a relocation plan meeting the requirements of the regulations referred to in section 107; the local governing body has approved the program and, where appropriate, applications for assistance under the program; agencies whose cooperation is necessary to the success of the program have indicated their intent to furnish such cooperation; the program is consistent with comprehensive planning for the entire urban or metropolitan area; and the locality will maintain, during the period an approved comprehensive city demonstration program is being carried out, a level of aggregate expenditures for activities similar to those being assisted under this title which is not less than the level of aggregate expenditures for such activities prior to initiation of the comprehensive city demonstration program; and

(5) the program meets such additional requirements as the Secretary may establish to carry out the purposes of this title.

(b) In implementing this title the Secretary shall—

(1) emphasize local initiative in the planning, development, and implementation of comprehensive city demonstrations programs;

(2) insure, in conjunction with other appropriate Federal departments and agencies and at the direction of the President, maximum coordination of Federal assistance provided in connection with this title, prompt response to local initiative, and maximum flexibility in programing, consistent with the requirements of laws and sound administrative practice; and

(3) encourage city demonstration agencies to (A) enhance neighborhoods by applying a high standard of design, (B) maintain, as appropriate, natural and historic sites and distinctive neighborhood characteristics, and (C) make maximum possible use of new and improved technology and design, including cost reduction techniques.

(c) The preparation of demonstration city programs should include to the maximum extent feasible (1) the performance of analyses that provide explicit and systematic comparisons of the costs and benefits, financial and otherwise of alternative possible actions or courses of action designed to fulfill urban needs; and (2) the establishment of programing systems designed to assure effective use of such analyses by city demonstration agencies and by other government bodies.

Financial assistance for planning comprehensive city demonstration programs

SEC. 104. (a) The Secretary is authorized to make grants to, and to contract with, city demonstration agencies to pay 80 per centum of the costs of planning and developing comprehensive city demonstration programs.

(b) Financial assistance will be provided under this section only if (1) the application for such assistance has been approved by the local governing body of the city, and (2) the Secretary has determined that there exist (A) administrative machinery through which coordination of all related planning activities of local agencies can be achieved, and (B) evidence that necessary cooperation of agencies engaged in related local planning can be obtained.

Financial assistance for approved comprehensive city demonstration programs

SEC. 105. (a) The Secretary is authorized to approve comprehensive city demonstration programs if, after review of the plans, he determines that such plans satisfy the criteria for such programs set forth in section 103.

(b) The Secretary is authorized to make grants to, and to contract with, city demonstration agencies to pay 80 per centum of the cost of administering approved comprehensive city demonstration programs, but not the cost of administering any project or activity assisted under a Federal grant-in-aid program.

(c) To assist the city to carry out the projects or activities included within an approved comprehensive city demonstration program, the Secretary is authorized to make grants to the city demonstration agency of not to exceed 80 per centum of the aggregate amount of non-Federal contributions otherwise required to be made to all projects or activities assisted by Federal grant-in-aid programs (as defined in section 112(1)) which are carried out in connection with such demonstration programs: *Provided*, That no Federal grant-in-aid program shall be considered to be carried out in connection with such demonstration program unless it is closely related to the physical and social problems in the area of the city covered by the program and unless it can reasonably be expected to have a noticeable effect upon such problems. The specific amount of any such grant shall take into account the number and intensity of the economic and social pressures in the sections or neighborhoods involved, such as those involving or resulting from population density, poverty levels, unemployment rate, public welfare participation, educational levels, health and disease characteristics, crime and delinquency rate, and degree of substandard and dilapidated housing. The amount of non-Federal contribution required for each project in a Federal grant-in-aid program shall be certified to the Secretary by the Federal department or agency (other than the Department of Housing and Urban Development) administering such program, and the Secretary shall accept such certification in computing the grants hereunder.

(d) Grant funds provided pursuant to subsection (c) of this section shall be used for projects or activities assisted under a Federal grant-in-aid program which are undertaken as part of an approved comprehensive city demonstration program, or for other projects or activities undertaken as part of such demonstration program. If used for projects or activities assisted under a Federal grant-in-aid program which are undertaken as part of such demonstration program, funds provided pursuant to subsection (c) shall be credited as part or all of the required non-Federal contribution to such projects or activities. Such grant funds, however, shall not be used—

(1) for the general administration of local governments; or

(2) to replace non-Federal contributions in any federally aided project or activity included in an approved comprehensive city demonstration program, if prior to the filing of an application for assistance under section 104 an agreement has been entered into with any Federal agency obligating such non-Federal contributions with respect to such project or activity.

Technical assistance

SEC. 106. The Secretary is authorized to undertake such activities as he determines to be desirable to provide, either directly or by contracts or other arrangements, technical assistance to city demonstration agencies to assist such agencies in planning, developing, and administering comprehensive city demonstration programs.

Relocation requirements and payments

SEC. 107. (a) A comprehensive city demonstrations program shall include a plan for the relocation of individuals, families, business concerns, and nonprofit organizations displaced or to be displaced in the carrying out of such program. The relocation plan shall be consistent with regulations prescribed by the Secretary to assure that (1) the provisions and procedures included in the plan meet relocation standards equivalent to those prescribed under section 105(c) of the Housing Act of 1949 with respect to urban renewal projects assisted under title I of that Act, and (2) relocation activities are coordinated to the maximum extent feasible with the increase in the supply of decent, safe, and sanitary housing for families and individuals of low or moderate income, as provided under the comprehensive city demonstration program, or otherwise, in order to best maintain the available supply of housing for all such families and individuals throughout the city.

(b)(1) To the extent not otherwise authorized under any Federal law, financial assistance extended to a city demonstration agency under section 105 shall include grants to cover the full cost of relocation payments, as herein defined. Such grants shall be in addition to other financial assistance extended to such agency under section 105.

(2) The term "relocation payments" means payments by a city demonstration agency to a displaced individual, family, business concern, or nonprofit organization which are made on such terms and conditions and subject to such limitations (to the extent applicable, but not including the date of displacement) as are provided for relocation payments, at the time such payments are approved, by section 114 (b), (c), (d), and (e) of the Housing Act of 1949 with respect to projects assisted under title I thereof.

(c) Subsection (b) shall not be applicable with respect to any displacement occurring prior to the date the enactment of this Act.

Continued availability of Federal grant-in-aid program funds

SEC. 108. Notwithstanding any other provision of law, unless hereafter enacted expressly in limitation of the provisions of this section, funds appropriated for a Federal grant-in-aid program which are reserved for any projects or activities assisted under such grant-in-aid program and undertaken in connection with an approved comprehensive city demonstration program shall remain available until expended.

Consultation

SEC. 109. In carrying out the provisions of this title, including the issuance of regulations, the Secretary shall consult with other Federal departments and agencies administering Federal grant-in-aid programs. The Secretary shall consult with each Federal department and agency affected by each comprehensive city demonstration program before entering into a commitment to make grants for such program under section 105.

Labor standards

SEC. 110. (a) All laborers and mechanics employed by contractors or subcontractors in the construction, rehabilitation, alteration, or repair of projects which—

(1) are federally assisted in whole or in part under this title and

(2) are not otherwise subject to section 212 of the National Housing Act, section 16 (2) of the United States Housing Act of 1937, section 109 of the Housing Act of 1949, or any other provision of Federal law imposing labor standards on federally assisted construction,

shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5): *Provided*, That this section shall apply to the construction, rehabilitation, alteration, or repair of residential property only if such residential property is designed for residential use for eight or more families. No financial assistance shall be extended to any such projects unless adequate assurance is first obtained that these labor standards will be maintained upon the construction work.

(b) The Secretary of Labor shall have, with respect to the labor standards specified in subsection (a), the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c), and the Contract Work Hours Standards Act (76 Stat. 357).

Appropriations

SEC. 111. (a) There are authorized to be appropriated, for the purpose of financial assistance and administrative expenses under sections 104 and 106, not to exceed $12,000,000 for the fiscal year ending June 30, 1967, and not to exceed $12,000,000 for the fiscal year ending June 30, 1968.

(b) There are authorized to be appropriated, for the purpose of financial assistance and administrative expenses under sections 105, 106, and 107, not to exceed $400,000,000 for the fiscal year ending June 30, 1968, and not to exceed $500,000,000 for the fiscal year ending June 30, 1969.

(c) Appropriations authorized under this section shall remain available until expended.

Definitions

SEC. 112. As used in this title—

(1) "Federal grant-in-aid program" means a program of Federal financial assistance other than loans and other than the assistance provided by this title.

(2) "City demonstration agency" means the city, the county, or any local public agency established or designated by the local governing body of such city or county to administer the comprehensive city demonstration program.

(3) "City" means any municipality (or two or more municipalities acting jointly) or any county or other public body (or two or more acting jointly) having general governmental powers.

(4) "Local" agencies include State agencies and instrumentalities providing services or resources to a city or locality, and "local" resources include those provided to a city or locality by a State or its agency or instrumentality.

Grant authority for urban renewal projects which are part of approved comprehensive city demonstration programs

SEC. 113. Section 103(b) of the Housing Act of 1949 is amended by inserting after the first sentence the following new sentence: "In addition to the authority to make grants provided in the first sentence of this subsection, the Secretary may contract to make grants under this title, on or after July 1, 1967, in an amount not to exceed $250,000,000: *Provided*, That the authority to contract to make grants provided by this sentence shall be exercised only with respect to an urban renewal project which is identified and scheduled to be carried out as one of the projects or activities included within an approved comprehensive city demonstration program assisted under the provisions of section 105(c) of the Demonstration Cities and Metropolitan Development Act of 1966."

State limit

SEC. 114. Grants made under section 105 for projects in any one State shall not exceed in the aggregate 15 per centum of the aggregate amount of funds authorized to be appropriated under section 111.

Mr. PATMAN. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Flood, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (S. 3708) to assist comprehensive city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes, had come to no resolution thereon.

GENERAL LEAVE TO EXTEND

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks and to include extraneous matter on the Demonstration Cities and Metropolitan Development Act of 1966.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

ECONOMIC OPPORTUNITY ACT AMENDMENTS OF 1966

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor have until midnight tonight to file a conference report on H.R. 15111, to provide for continued progress in the Nation's war on poverty.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. ARENDS. Mr. Speaker, reserving the right to object, I would like to ask if the gentleman from Florida [Mr. Gibbons] would at this time delay his request momentarily?

Mr. GIBBONS. I shall be glad to do so.

FUR SEAL ACT OF 1966

Mr. LENNON submitted a conference report and statement on the bill (S. 2102) to protect and conserve the North Pacific fur seals, and to administer the Pribilof Islands for the conservation of fur seals and other wildlife, and for other purposes.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 11660. An act relating to interest on income tax refunds made within 45 days after the filing of the tax return, and for other purposes;

H.R. 11782. An act to amend the Internal Revenue Code of 1954 to allow a deduction for additions to a reserve for certain guaranteed debt obligations, and for other purposes;

H.R. 16715. An act to amend the Manpower Development and Training Act of 1962;

H.R. 16774. An act to continue for a temporary period certain existing rules relating to the deductibility of acrued vacation pay; and

H.R. 17190. An act to authorize the establishment and operation by Gallaudet College of a model secondary school for the deaf to serve the National Capital region.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 3488. An act to grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact to establish an organization empowered to provide transit facilities in the National Capital Region and for other purposes and to enact said amendment for the District Columbia.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15969), entitled "An act to establish a Department of Transportation, and for other purposes."

The message also announced that the Senate insists upon its amendments to the bill (H.R. 6958), entitled "An act to amend the Internal Revenue Code of 1954 to promote savings under the Internal Revenue Service's automatic data processing systems," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Long of Louisiana, Mr. Smathers, Mr. Anderson, Mr. Carlson, and Mr. Bennett to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 9167) entitled "An act to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McClellan, Mr. Ervin, Mr. Dodd, Mr. Hruska, and Mr. Javits to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 10327), entitled "An act to require operators of ocean cruises by water between the United States, its possessions and territories, and foreign countries to file evidence of financial security and other information," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Bartlett, Mr. Magnuson, and Mr. Dominick to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 11216) entitled "An act relating to the tariff treatment of articles assembled abroad of products of the United States," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Long of Louisiana, Mr. Smathers, Mr. Anderson, Mr. Carlson, and Mr. Bennett to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 15183) entitled "An act to adjust the status of Cuban refugees to that of lawful permanent residents of the United States," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McCLELLAN, Mr. ERVIN, Mr. KENNEDY of Massachusetts, Mr. DIRKSEN, and Mr. FONG to be the conferees on the part of the Senate.

TO PROVIDE FOR THE CONSERVATION, PROTECTION, AND PROPAGATION OF NATIVE SPECIES OF FISH AND WILDLIFE, INCLUDING MIGRATORY BIRDS

Mr. DINGELL. Mr. Speaker, I call up the conference report on the bill (H.R. 9424) to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the National Wildlife Refuge System; and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2206)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9424) to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the National Wildlife Refuge System; and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 14.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, and 15, and agree to the same.

Amendment numbered 8: That the House recede from its disagreement to the amendment of the Senate numbered 8 and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "Not to exceed $5,000,000 may be appropriated annually pursuant to that Act for such purpose for any fiscal year, and the total sum appropriated for such purpose shall not exceed $15,000,000: *Provided*, That the Secretary shall, to the greatest extent possible, utilize funds from the Land and Water Conservation Fund Act of 1965 for such purpose. Such sums shall remain available until expended. The Secretary shall not use more than $750,000 to acquire lands, waters, or interests therein for any one area for such purpose unless authorized by Act of Congress."

And the Senate agree to the same.

Amendment numbered 16: That the House recede from its disagreement to the amendment of the Senate numbered 16 and agree to the same with amendments as follows: Page 5, line 19, of the Senate engrossed amendments, immediately after "federally owned property" insert: "in the State of Florida".

Page 6 of the Senate engrossed amendments, strike out lines 1, 2, and 3 and insert: "(b) Section 3 of such Act of August 22, 1957 (16 U.S.C. 696b), is amended by striking out the second and third sentences and inserting in lieu thereof the following: 'The Secretary shall not utilize more than $2,035,000 from appropriated funds for the acquisition of land and interests in land for the purposes of this Act.' "

And the Senate agree to the same.

JOHN D. DINGELL,
ALTON LENNON,
HARLAN HAGEN,
THOMAS M. PELLY,
ROGERS C. B. MORTON,
Managers on the Part of the House.
E. L. BARTLETT,
ROSS BASS,
PETER H. DOMINICK,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9424) to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the National Wildlife Refuge System; and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The following Senate amendments made technical, clerical, clarifying, or conforming changes: 1, 2, 4, 5, and 6. With respect to these amendments the House recedes. The remaining Senate amendments are discussed below:

Amendment No. 3: Subsection (a) of the first section of the House bill contained certain congressional findings and a declaration that one of the purposes of this legislation is to provide a program for the conservation, protection, restoration, and propagation of selected species of native fish and wildlife, including migratory birds, that are threatened with extinction. Senate amendment No. 3 adds a new subsection (b) declaring it to be the policy of the Congress that the Secretaries of Interior, Agriculture, and Defense, including the various bureaus, offices, agencies, and services within the Departments, shall seek to protect species of native fish and wildlife threatened with extinction and, where practicable and consistent with their program purposes, shall preserve the habitats of such threatened species on lands under their jurisdiction.

The House recedes.

Amendment No. 7: Subsection (b) of the first section of the bill as passed by the House provided a means for determining the species of native fish and wildlife that are regarded as threatened with extinction. The Secretary of the Interior makes specific findings, after consultation with the affected States. Senate amendment No. 7 added a provision requiring the Secretary to consult also with various scientific groups having expertise in this field. The amendment also requires the Secretary to publish in the Federal Register the names of the species of native fish and wildlife found to be threatened with extinction under this legislation.

The House recedes.

Amendment No. 8: Subsection (c) of section 2 of the bill as passed by the House specifically authorized the Secretary of the Interior to use funds made available under the Land and Water Conservation Fund Act of 1965 for the purpose of acquiring lands, waters, or interests therein needed for the purposes of this legislation. Senate amendment No. 8 added a provision limiting to $5 million annually the amount of funds authorized to be appropriated under that act, or any other authority for the purpose of such acquisition, and limiting the total amount authorized for such purpose to $15 million. The Senate amendment also prohibited the Secretary from using more than $200,000 for such acquisition purposes in any one area unless authorized by act of Congress.

The House recedes with amendments which make the $5 million and $15 million limitations applicable only to funds appropriated pursuant to the Land and Water Conservation Fund Act of 1965; adds a specific requirement that the Secretary shall use the funds made available pursuant to the 1965 act, to the greatest extent possible, for the purpose of acquiring lands, waters, and interests therein under this legislation; and increases from $200,000 to $750,000 the amount which the Secretary can use for the purpose of such acquisition in any one area without specific authority in a subsequent act of Congress.

Amendment No. 9: Subsection (d) of section 2 of the bill as passed by the House required the Secretary of the Interior to review and utilize, to the extent practicable, other programs conducted by him in furtherance of the purpose of this legislation and to encourage other Federal agencies to do the same. Senate amendment No. 9 added a requirement that the Secretary also consult with and assist other Federal agencies in carrying out an endangered species program.

The House recedes.

Amendment No. 10: Section 3 of the bill as passed by the House required the Secretary of the Interior to cooperate with the several States to the maximum extent practicable and authorized him to enter into cooperative agreements with States for the management and administration of areas established under this program. This section also provided that revenues from such established areas would be shared with local units of government under the Wildlife Refuge Revenue Sharing Act. Senate amendment No. 10 restated the provisions of the House bill referred to above and added a provision that cooperation with the States shall include advance consultation with the affected State regarding any proposal to acquire land within that State for the purposes of this legislation.

The House recedes.

Amendment No. 11: Section 4(b) (1) of the bill as passed by the House authorized the Secretary of the Interior to enter into negotiated contracts for public accommodations. The committee report accompanying the House bill pointed out that the Secretary was expected to enter into such contracts only when, in his judgment, public recreation can be an appropriate incidental benefit consistent with the primary purpose of the legislation. Senate amendment No. 11 adds specific language requiring the Secretary to make a determination that such contracts for public accommodations will not be inconsistent with the primary purpose of this legislation.

The House recedes.

Amendment No. 12: Section 4(b) (3) of the bill as passed by the House included a provision authorizing the Secretary of the Interior to acquire lands or interests therein by exchange for acquired or public lands or for the right to remove products from such lands and further authorized the Secretary to receive or pay cash as may be necessary to assure that the dollar values involved in such exchanges would be approximately equal. Senate amendment No. 12 revised the language of the House bill relating to the authority of the Secretary to equalize the values involved in exchanges by paying or receiving cash. This revision is in accordance with a recommendation from the Department of the Interior to clarify the language contained in the House-passed bill in order to avoid any possible misinterpretation.

The House recedes.

Amendment No. 13: This amendment added a new provision to section 4(c) of the House bill stating that this legislation shall not be construed to affect the authority, jurisdiction, or responsibility of the States relating to fish and resident wildlife in any area within the National Wildlife Refuge System. This provision is designed to maintain the status quo with respect to the dispute between the States and the Department of the Interior over the issue of which entity has authority to regulate fish and resident wildlife in such areas. Both parties to the dispute have agreed that it does maintain the status quo. It will permit them to resolve the dispute through future negotiations.

The House recedes.

Amendment No. 14: Section 4(d)(1) of the bill as passed by the House provided, in part, that the Secretary of the Interior could permit the use of not more than 40 percent (at any one time) of any area set apart as an inviolate sanctuary for migratory game birds as an area within which migratory game birds could be taken under regulations prescribed by the Secretary. Under this provision, resident species could be taken throughout the entire area and only migratory game birds would be protected. This will be consistent with the purposes of the Migratory Bird Conservation Act, which was not primarily intended to protect resident game birds. The restrictive provision contained in the Migratory Bird Hunting Stamp Act which previously gave protection to resident species of birds as well as migratory game birds is repealed by section 6 of the House bill. Senate amendment No. 14 amended this provision to continue protection for resident species of birds as well as migratory game birds.

The Senate recedes.

Amendment No. 15: This amendment added a new subsection (i) to section 4 of the House-passed bill to make it clear that this legislation does not constitute an express or implied claim or denial by the Federal Government with respect to exemption from State water laws.

The House recedes.

Amendment No. 16: This amendment adds a new section 10 to the House-passed bill dealing with the protection and preservation of the key deer and other wildlife in the Florida Keys. This new section amends the act of August 22, 1957, under which the Secretary of the Interior is authorized to acquire lands in Monroe County, Fla., for this purpose. The 1957 act limited the amount of land which could be acquired to 1,000 acres; limited to $35,000 the amount of appropriated funds which could be used for land acquisition; provided that no land could be acquired by condemnation on any island traversed by U.S. Highway No. 1; and permitted the Secretary to acquire lands by exchange for unreserved public lands. The value of lands involved in such exchanges were not counted against the $35,000 limitation. This Senate amendment removes the 1,000-acre limitation. Current estimates indicate a need to acquire approximately 1,800 acres in fee to carry out the purposes of the 1957 act. This amendment also removed the $35,000 limitation on the amount of appropriated funds authorized to be used for land acquisition. Of the total cost of acreage acquired so far, $34,500 was from appropriated funds. The remainder of the funds authorized for land acquisition is inadequate to carry out the purposes of the 1957 act. Consistent with the removal of the $35,000 limitation, was the elimination by the Senate amendment of the provision stating that the value of lands involved in exchanges did not count against such limitation. The amendment permits the acquisition by condemnation of lands on islands traversed by U.S. Highway No. 1, but provides that no land within 1,000 feet of such highway may be so acquired. This amendment expanded the exchange authority of the Secretary to permit the exchange of any lands under his jurisdiction for the lands desired within such State and added authority for the Secretary to pay or receive cash to equalize the value of lands involved in exchanges.

The House recedes with amendments. One House amendment increases from $35,000 to $2,035,000 the limitation on the amount of appropriated funds which may be used for land acquisition. This increase of $2 million is in lieu of removing the limitation entirely. This House amendment retains the Senate proposal eliminating the provision that the value of lands involved in exchanges did not count against the limitation. This was necessary because of the new authority for the Secretary to pay or receive cash to equalize the value of lands involved in exchanges. If the Secretary pays cash from appropriated funds to effect an exchange, this will be counted against the limitation. The value of the land exchanged by the Secretary will not be counted against the limitation. The other House amendment limits the authority of the Secretary to acquire land by exchange to exchanges involving only lands under his jurisdiction located within the State of Florida.

JOHN D. DINGELL,
ALTON LENNON,
HARLAN HAGEN,
THOMAS M. PELLY,
ROGERS C. B. MORTON,
Managers on the Part of the House.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. DINGELL. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I wonder if the gentleman from Michigan would make a short statement as to the amendments and as to whether or not those amendments introduced on the part of the other body, wherein the House has receded in favor of the other body, are germane with the rules of the House?

Mr. DINGELL. Mr. Speaker, it is my understanding that they are germane to the rules of the House.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, would the gentleman make a further summary remark as to the effect of the conference and the report as to total cost of the bill, and furnish to the Members of the House any other vital information?

Mr. DINGELL. The total overall cost of the legislation will be $15 million. The amount which may be expended under this conference report for acquisition of land is $5 million in any one year.

The total which may be expended in one area for acquisition of land is $750,000.

I will state the bill came unanimously from the committee. It was passed overwhelmingly by the House. It was passed overwhelmingly by the Senate. The statement of the managers on the part of the House was unanimously agreed to, and is signed by every single conferee on both sides of the aisle.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, this bill has exactly the same cost figure as the bill had when it left the House?

Mr. DINGELL. That is correct. There has been no increase in the terms in either annual authorization or total authorization, and there has been a further limitation imposed in the amount of $750,000 for any one area for acquisition without further specific authorization of the House of Representatives.

Mr. HALL. Mr. Speaker, I thank the gentleman. I withdraw my reservation of objection.

Mr. DINGELL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

INCREASES FOR DISTRICT OF COLUMBIA POLICEMEN, FIREMEN, AND TEACHERS

Mr. DOWDY submitted a conference report and statement on the bill (H.R. 15857) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes.

ESTABLISHMENT OF THE GUADALUPE MOUNTAINS NATIONAL PARK

Mr. WHITE of Texas. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (S. Con. Res. 113) to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 113

Resolved by the Senate (the House of Representatives concurring), That the Clerk of the House of Representatives of the United States be authorized to correct an enrolling error in H.R. 698, to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes, and that section 3(a) of H.R. 698, shall when corrected read as follows:

"When title to all privately owned land within the boundary of the park, subject to such oustanding interests, rights, and easements as the Secretary determines are not objectionable, with the exception of approximately 4,574 acres which are planned to be acquired by exchange, is vested in the United States and after the State of Texas has donated or agreed to donate to the United States whatever rights and interests in minerals underlying the lands within the boundaries of the park it may have and other owners of such rights and interests have donated or agreed to donate the same to the United States, notice thereof and notice of the establishment of the Guadalupe Mountains National Park shall be published in the Federal Register. Thereafter, the Secretary may continue to acquire the remaining land and interests in land within the boundaries of the park. The Secretary is authorized, pending establishment of the park, to negotiate and acquire options for the purchase of lands and interests in land within the boundaries of the park. He is further authorized to execute contracts for the purchase of such lands and interests, but the liability of the United States under any such contract shall be contingent on the availability of appropriated or donated funds to fulfill the same."

The **SPEAKER**. Is there objection to the request of the gentleman from Texas [Mr. WHITE]?

There was no objection.

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON MERCHANT MARINE AND FISHERIES

Mr. McFALL. Mr. Speaker, I ask unanimous consent that the Committee on Merchant Marine and Fisheries may have until midnight tonight to file a report in connection with the bill S. 1349.

The **SPEAKER**. Without objection it is so ordered.

There was no objection.

DEPARTMENT OF TRANSPORTATION ACT

Mr. HOLIFIELD. Mr. Speaker, I call up the conference report on the bill (H.R. 15963) to establish a Department of Transportation, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2236)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15963) to establish a Department of Transportation, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That this Act may be cited as the 'Department of Transportation Act'.

"DECLARATION OF PURPOSE

"SEC. 2. (a) The Congress hereby declares that the general welfare, the economic growth and stability of the Nation and its security require the development of national transportation policies and programs conducive to the provision of fast, safe, efficient, and convenient transportation at the lowest cost consistent therewith and with other national objectives, including the efficient utilization and conservation of the Nation's resources.

"(b) (1) The Congress therefore finds that the establishment of a Department of Transportation is necessary in the public interest and to assure the coordinated, effective administration of the transportation programs of the Federal Government; to facilitate the development and improvement of coordinated transportation service, to be provided by private enterprise to the maximum extent feasible; to encourage cooperation of Federal, State, and local governments, carriers, labor, and other interested parties toward the achievement of national transportation objectives; to stimulate technological advances in transportation; to provide general leadership in the identification and solution of transportation problems; and to develop and recommend to the President and the Congress for approval national transportation policies and programs to accomplish these objectives with full and appropriate consideration of the needs of the public, users, carriers, industry, labor, and the national defense.

"(2) It is hereby declared to be the national policy that special efforts should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.

"ESTABLISHMENT OF DEPARTMENT

"SEC. 3. (a) There is hereby established at the seat of government an executive department to be known as the Department of Transportation (hereafter refererd to in this Act as the 'Department'). There shall be at the head of the Department a Secretary of Transportation (hereafter referred to in this Act as the 'Secretary'), who shall be appointed by the President, by and with the advice and consent of the Senate.

"(b) There shall be in the Department an Under Secretary, who shall be appointed by the President, by and with the advice and consent of the Senate. The Under Secretary (or, during the absence or disability of the Under Secretary, or in the event of a vacancy in the office of Under Secretary, an Assistant Secretary or the General Counsel, determined according to such order as the Secretary shall prescribe) shall act for, and exercise the powers of the Secretary, during the absence or disability of the Secretary or in the event of a vacancy in the office of Secretary. The Under Secretary shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.

"(c) There shall be in the Department four Assistant Secretaries and a General Counsel, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.

"(d) There shall be in the Department an Assistant Secretary for Administration, who shall be appointed, with the approval of the President, by the Secretary under the classified civil service who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.

"(e) (1) There is hereby established within the Department a Federal Highway Administration; a Federal Railroad Administration; and a Federal Aviation Administration. Each of these components shall be headed by an Administrator, and in the case of the Federal Aviation Administration there shall also be a Deputy Administrator. The Administrators and the Deputy Federal Aviation Administrator shall be appointed by the President, by and with the advice and consent of the Senate.

"(2) The qualifications of the Administrator of the Federal Aviation Agency specified in section 301(b) of the Federal Aviation Act of 1958, as amended (72 Stat. 744; 49 U.S.C. 1341), and the qualifications and status of the Deputy Administrator specified in section 302(b) of the Federal Aviation Act of 1958, as amended (72 Stat. 744; 49 U.S.C. 1342), shall apply, respectively, to the Administrator and Deputy Administrator of the Federal Aviation Administration. However, nothing in this Act shall be construed to preclude the appointment of the present Administrator of the Federal Aviation Agency as Administrator of the Federal Aviation Administration in accordance with the provisions of the Act of June 22, 1965, as amended (79 Stat. 171).

"(3) In addition to such functions, powers, and duties as are specified in this Act to be carried out by the Administrator, the Administrators and the Commandant of the Coast Guard shall carry out such additional functions, powers, and duties as the Secretary may prescribe. The Administrators and the Commandant of the Coast Guard shall report directly to the Secretary.

"(4) The functions, powers, and duties specified in this Act to be carried out by each Administrator shall not be transferred elsewhere in the Department unless specifically provided for by reorganization plan submitted pursuant to provisions of chapter 9 of title 5, United States Code, or by statute.

"(f) (1) The Secretary shall carry out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 718) through a National Traffic Safety Bureau (hereafter referred to in this paragraph as "Bureau"), which he shall establish in the Department of Transportation. The Bureau shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate, and shall be compensated at the rate prescribed for level V of the Executive Schedule. All other provisions of the National Traffic and Motor Vehicle Safety Act of 1966 shall apply.

"(2) The Secretary shall carry out the provisions of the Highway Safety Act of 1966 (80 Stat. 731) (including chapter 4 of title 23 of the United States Code) through a National Highway Safety Bureau (hereafter referred to in this paragraph as "Bureau"), which he shall establish in the Department of Transportation. The Bureau shall be headed by a Director who shall be appointed by the President, by and with the advice and consent of the Senate, who shall be compensated at the rate prescribed for level V of the Executive Schedule. All other provisions of the Highway Safety Act of 1966 shall apply.

"(3) The President is authorized, as provided in section 201 of the Highway Safety Act of 1966, to carry out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966 through the Bureau and Director authorized by section 201 of the Highway Safety Act of 1966.

"(4) The office of Federal Highway Administrator, created by section 303 of title 23, United States Code, is hereby transferred to and continued within the Department under the title Director of Public Roads. The Director shall be the operating head of the Bureau of Public Roads, or any other agency created within the Department to carry out the primary functions carried out immediately before the effective date of this Act by the Bureau of Public Roads.

"GENERAL PROVISIONS

"SEC. 4. (a) The Secretary in carrying out the purposes of this Act shall, among his responsibilities, exercise leadership under the direction of the President in transportation matters, including those affecting the national defense and those involving national or regional emergencies; provide leadership in the development of national transportation policies and programs, and make recommendations to the President and the Congress for their consideration and implementation; promote and undertake development, collection, and dissemination of technological, statistical, economic, and other information relevant to domestic and international transportation; consult and cooperate with the Secretary of Labor in gathering information regarding the status of labor-management contracts and other labor-management problems and in promoting industrial harmony and stable employment conditions in all modes of transportation; promote and undertake research and development relating to transportation, including noise abatement, with particular attention to aircraft noise; consult with the heads of other Federal departments and agencies on the transportation requirements of the Government, including the procurement of transportation or the operation of their own transport services in order to encourage them to establish and observe policies consistent with the maintenance of a coordinated transportation system; and consult and cooperate with State and local governments, carriers, labor, and other interested parties, including, when appropriate, holding informal public hearings.

"(b)(1) In carrying out his duties and responsibilities under this Act, the Secretary shall be governed by all applicable statutes including the policy standards set forth in the Federal Aviation Act of 1958, as amended (49 U.S.C. 1301 et seq.); the national transportation policy of the Interstate Commerce Act, as amended (49 U.S.C., preceding §§ 1, 301, 901, and 1001); title 23, United States Code, relating to Federal-aid highways; and title 14 U.S.C., titles LII and LIII of the Revised Statutes (46 U.S.C., chs. 2A, 7, 11, 14, 15, and 18), the Act of April 25, 1940, as amended (54 Stat. 163; 46 U.S.C. 526–526u), and the Act of September 2, 1958, as amended (72 Stat. 1754; 46 U.S.C. 527–527h), relating to the United States Coast Guard.

"(2) Nothing in this Act shall be construed to authorize, without appropriate action by Congress, the adoption, revision, or implementation of—

"(A) any transportation policy, or

"(B) any investment standards or criteria.

"(3) In exercising the functions, powers, and duties conferred on and transferred to the Secretary by this Act, the Secretary shall give full consideration to the need for operational continuity of the functions transferred, to the need for effectiveness and safety in transportation systems, and to the needs of the national defense.

"(c) Orders and actions of the Secretary or the National Transportation Safety Board in the exercise of functions, powers, and duties transferred under this Act, and orders and actions of the Administrators pursuant to the functions, powers, and duties specifically assigned to them by this Act shall be subject to judicial review to the same extent and in the same manner as if such orders and actions had been by the department or agency exercising such functions, powers, and duties immediately preceding their transfer. Any statutory requirements relating to notice, hearings, action upon the record, or administrative review that apply to any function transferred by this Act shall apply to the exercise of such functions by the Secretary, the Administrators, or the National Transportation Safety Board.

"(d) In the exercise of the functions, powers, and duties transferred under this Act, the Secretary, the Administrators, and the National Transportation Safety Board shall have the same authority as that vested in the department or agency exercising such functions, powers, and duties immediately preceding their transfer, and their actions in exercising such functions, powers, and duties shall have the same force and effect as when exercised by such department or agency.

"(e) It shall be the duty of the Secretary—

"(1) to promptly investigate the safety compliance records in the Department of each applicant seeking operating authority from the Interstate Commerce Commission (referred to in this subsection as the 'Commission') and to report his findings to the Commission;

"(2) when the safety record of an applicant for permanent operating authority, or for approval of a proposed transaction involving transfer of operating authority, fails to satisfy the Secretary, to intervene and present evidence of such applicant's fitness in Commission proceedings;

"(3) to furnish promptly upon request of the Commission a statement regarding the safety record of any applicant seeking temporary operating authority from the Commission; and

"(4)(A) to furnish upon request of the Commission a complete report of the safety compliance of any carrier, (B) to have made such additional inspections or safety compliance surveys which the Commission deems necessary or desirable in order to process an application or to determine the fitness of a carrier, and (C) if the Commission so requests, to intervene and present evidence in any proceeding in which a determination of fitness is required.

"(f) The Secretary shall cooperate and consult with the Secretaries of the Interior, Housing and Urban Development, and Agriculture, and with the States in developing transportation plans and programs that include measures to maintain or enhance the natural beauty of the lands traversed. After the effective date of this Act, the Secretary shall not approve any program or project which requires the use of any land from a public park, recreation area, wildlife and waterfowl refuge, or historic site unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use.

"(g) The Secretary and the Secretary of Housing and Urban Development shall consult and exchange information regarding their respective transportation policies and activities; carry on joint planning, research and other activities; and coordinate assistance for local transportation projects. They shall jointly study how Federal policies and programs can assure that urban transportation systems most effectively serve both national transportation needs and the comprehensively planned development of urban areas. They shall, within one year after the effective date of this Act, and annually thereafter, report to the President, for submission to the Congress, on their studies and other activities under this subsection, including any legislative recommendations which they determine to be desirable. The Secretary and the Secretary of Housing and Urban Development shall study and report within one year after the effective date of this Act to the President and the Congress on the logical and efficient organization and location of urban mass transportation functions in the Executive Branch.

"NATIONAL TRANSPORTATION SAFETY BOARD

"SEC. 5. (a) There is hereby established within the Department a National Transportation Safety Board (referred to hereafter in this Act as 'Board').

"(b) There are hereby transferred to, and it shall be the duty of the Board to exercise, the functions, powers, and duties transferred to the Secretary by sections 6 and 8 of this Act with regard to—

"(1) determining the cause or probable cause of transportation accidents and reporting the facts, conditions, and circumstances relating to such accidents; and

"(2) reviewing on appeal the suspension, amendment, modification, revocation, or denial of any certificate or license issued by the Secretary or by an Administrator.

"(c) The Board shall exercise the functions, powers, and duties relating to aircraft accident investigations transferred to the Secretary by section 6(d) of this Act.

"(d) The Board is further authorized to—

"(1) make such recommendations to the Secretary or Administrators on the basis of the exercise of its functions, powers, and duties which, in its opinion, will tend to prevent transportation accidents and promote transportation safety;

"(2) conduct special studies on matters pertaining to safety in transportation and the prevention of accidents;

"(3) insure that in cases in which it is required to determine cause or probable cause, reports of investigation adequately state the circumstances of the accident involved;

"(4) initiate on its own motion or conduct rail, highway, or pipeline accident investigations as the Board deems necessary or appropriate;

"(5) make recommendations to the Secretary or Administrators concerning rules, regulations, and procedures for the conduct of accident investigations;

"(6) request the Secretary or Administrators to initiate specific accident investigations or conduct further investigations as the Board determines to be necessary or appropriate;

"(7) arrange for the personal participation of members or other personnel of the Board in accident investigations conducted by the Secretary or Administrators in such cases as it deems appropriate; and

"(8) request from the Secretary or Administrators notification of transportation accidents and reports of such accidents as the Board deems necessary.

"(e) Except as otherwise provided by statute, the Board shall make public all reports, orders, decisions, rules, and regulations issued pursuant to sections 5(b)(1) and 5(b)(2), and the Board shall also make public—

"(1) every recommendation made to the Secretary or an Administrator;

"(2) every special study conducted; and

"(3) every action of the Board requesting the Secretary or an Administrator to take action,

pursuant to section 5(d) (1), (2), (3), (5), (6), or (8).

"(f) In the exercise of its functions, powers, and duties, the Board shall be independent of the Secretary and the other offices and officers of the Department.

"(g) The Board shall report to the Congress annually on the conduct of its functions under this Act and the effectiveness of accident investigations in the Department, together with such recommendations for legislation as it may deem appropriate.

"(h) The Board shall consist of five members to be appointed by the President, by and with the advice and consent of the Senate. No more than three members of the Board shall be of the same political party. Members of the Board shall be appointed with due regard to their fitness for the efficient dispatch of the functions, powers, and duties vested in and imposed upon the Board, and may be removed by the President for inefficiency, neglect of duty, or malfeasance in office.

"(i) Members of the Board shall be appointed for terms of five years, except that (1) any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed only for the remainder of such term, and (2) the five members first appointed shall serve for terms (designated by the President at the time of appointment) ending on the last day of the first, second, third, fourth, and fifth calendar years beginning after the year of enactment of this Act. Upon the expiration of his term of office, a member shall continue to serve until his successor is appointed and shall have qualified.

"(j) The President shall designate from time to time one of the members of the Board as Chairman and one of the members as Vice Chairman, who shall act as Chairman in the absence or incapacity of the Chairman, or in the event of a vacancy in the office of the Chairman. The Chairman shall be the chief executive and administrative officer of the Board and shall exercise the responsibility of the Board with respect to (1) the appointment and supervision of personnel employed by the Board; (2) the distribution of business among the Board's personnel; and (3) the use and expenditure of funds. In executing and administering the functions of the Board on its behalf, the Chairman shall be governed by the general policies of the Board and by its decisions, findings, and determinations. Three of the members shall constitute a quorum of the Board.

"(k) The Board is authorized to establish such rules, regulations, and procedures as are necessary to the exercise of its functions.

"(l) In carrying out its functions, the Board (or, upon the authorization of the Board, any member thereof or any hearing examiner assigned to or employed by the Board) shall have the same powers as are vested in the Secretary to hold hearings, sign and issue subpenas, administer oaths, examine witnesses, and receive evidence at any place in the United States it may designate.

"(m) The Board may delegate to any officer or official of the Board, or, with the approval of the Secretary, to any officer or official of the Department such of its functions as it may deem appropriate, except that—

"(1) with respect to aviation, the proviso in section 701(g) of the Federal Aviation Act of 1958, as amended (72 Stat. 782; 49 U.S.C. 1441(g)) shall apply to the Secretary, the Federal Aviation Administrator and their representatives, and

"(2) the Board shall not delegate the appellate or determination of probable cause functions transferred to it by section 6(d) of this Act.

"(n) Subject to the civil service and classification laws, the Board is authorized to select, appoint, employ, and fix compensation of such officers and employees, including investigators, attorneys and hearing examiners, as shall be necessary to carry out its powers and duties under this Act.

"(o) The Board is authorized, on a reimbursable basis when appropriate, to use the available services, equipment, personnel, and facilities of the Department and of other civilian or military agencies and instrumentalities of the Federal Government, and to cooperate with the Department and such other agencies and instrumentalities in the establishment and use of services, equipment, and facilities of the Board. The Board is further authorized to confer with and avail itself of the cooperation, services, records, and facilities of State, territorial, municipal, or other local agencies.

"TRANSFERS TO DEPARTMENT

"SEC. 6. (a) There are hereby transferred to and vested in the Secretary all functions, powers, and duties of the Secretary of Commerce and other offices and officers of the Department of Commerce under—

"(1) the following laws and provisions of law relating generally to highways:

"(A) Title 23, United States Code, as amended.

"(B) The Federal-Aid Highway Act of 1966 (80 Stat. 766).

"(C) The Federal-Aid Highway Act of 1962, as amended (76 Stat. 1145; 23 U.S.C. 307 note).

"(D) The Act of July 14, 1960, as amended (74 Stat. 526; 23 U.S.C. 313 note).

"(E) The Federal-Aid Highway Act of 1954, as amended (68 Stat. 70).

"(F) The Act of September 26, 1961, as amended (75 Stat. 670).

"(G) The Highway Revenue Act of 1956, as amended (70 Stat. 387; 23 U.S.C. 120 note).

"(H) The Highway Beautification Act of 1965, as amended (79 Stat. 1028; 23 U.S.C. 131 et seq. notes).

"(I) The Alaska Omnibus Act, as amended (73 Stat. 141; 48 U.S.C. 21 note prec.).

"(J) The Joint Resolution of August 28, 1965, as amended (79 Stat. 578; 23 U.S.C. 101 et seq. notes).

"(K) Section 502(c) of the General Bridge Act of 1946, as amended (60 Stat. 847; 33 U.S.C. 525(c)).

"(L) The Act of April 27, 1962, as amended (76 Stat. 59).

"(M) Reorganization Plan No. 7 of 1949 (63 Stat. 1070; 5 U.S.C. 133z–15 note).

"(2) the following laws and provisions of law relating generally to ground transportation:

"(A) The Act of September 30, 1965, as amended (79 Stat. 893; 49 U.S.C. 1631 et seq.).

"(B) The Urban Mass Transportation Act of 1964, as amended (78 Stat. 306, 49 U.S.C. 1607).

"(3) the following laws and provisions of law relating generally to aircraft:

"(A) The Act of September 7, 1957, as amended (71 Stat. 629; 49 U.S.C. 1324 note).

"(B) Section 410 of the Federal Aviation Act of 1958, as amended (72 Stat. 769; 49 U.S.C. 1380).

"(C) Title XIII of the Federal Aviation Act of 1958, as amended (72 Stat. 800; 49 U.S.C. 1531 et seq.).

"(4) the following law relating generally to pilotage: The Great Lakes Pilotage Act of 1960, as amended (74 Stat. 259; 46 U.S.C. 216 et seq.).

"(5) the following law to the extent it authorizes scientific and professional positions which relate primarily to functions transferred by this subsection: The Act of August 1, 1947, as amended (61 Stat. 715, 5 U.S.C. 1161).

"(6) the following laws relating generally to traffic and highway safety:

"(A) The National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 718).

"(B) The Highway Safety Act of 1966 (80 Stat. 731).

"(b)(1) The Coast Guard is hereby transferred to the Department, and there are hereby transferred to and vested in the Secretary all functions, powers, and duties, relating to the Coast Guard, of the Secretary of the Treasury and of other officers and offices of the Department of the Treasury.

"(2) Notwithstanding the transfer of the Coast Guard to the Department and the transfer to the Secretary of the functions, powers, and duties, relating to the Coast Guard, of the Secretary of the Treasury and of other officers and offices of the Department of the Treasury, effected by the provisions of paragraph (1) of this subsection, the Coast Guard, together with the functions, powers, and duties relating thereto, shall operate as a part of the Navy, subject to the orders of the Secretary of the Navy, in time of war or when the President shall so direct, as provided in section 3 of title 14, United States Code, as amended.

"(3) Notwithstanding any other provision of this Act, the functions, powers, and duties of the General Counsel of the Department of the Treasury set out in chapter 47 of title 10, United States Code, as amended (Uniform Code of Military Justice), are hereby transferred to and vested in the General Counsel of the Department.

"(c)(1) There are hereby transferred to and vested in the Secretary all functions, powers, and duties of the Federal Aviation Agency, and of the Administrator and other officers and offices thereof, including the development and construction of a civil supersonic aircraft: *Provided, however,* That there are hereby transferred to the Federal Aviation Administrator, and it shall be his duty to exercise the functions, powers, and duties of the Secretary pertaining to aviation safety as set forth in sections 306, 307, 308, 309, 312, 313, 314, 1101, 1105, and 1111, and titles VI, VII, IX, and XII of the Federal Aviation Act of 1958, as amended. In exercising these enumerated functions, powers, and duties, the Administrator shall be guided by the declaration of policy in section 103 of the Federal Aviation Act of 1958, as amended. Decisions of the Federal Aviation Administrator made pursuant to the exercise of the functions, powers, and duties enumerated in this subsection to be exercised by the Administrator shall be administratively final, and appeals as authorized by law or this Act shall be taken directly to the National Transportation Safety Board or to the courts, as appropriate.

"(2) Nothing in this Act shall affect the power of the President under section 302(e) of the Federal Aviation Act of 1958 (72 Stat. 746, 49 U.S.C. 1343(c)) to transfer, to the Department of Defense in the event of war, any functions transferred by this Act from the Federal Aviation Agency.

"(d) There are hereby transferred to and vested in the Secretary all functions, powers, and duties of the Civil Aeronautics Board, and of the Chairman, members, officers, and offices thereof under titles VI (72 Stat. 775; 5 U.S.C. 1421 et seq.) and VII (72 Stat. 781; 49 U.S.C. 1441 et seq.) of the Federal Aviation Act of 1958, as amended: *Provided, however,* That these functions, powers, and duties are hereby transferred to and shall be exercised by the National Transportation Safety Board. Decisions of the National Transportation Safety Board made pursuant to the exercise of the functions, powers, and duties enumerated in this subsection shall be administratively final, and appeals as authorized by law or this Act shall be taken directly to the courts.

"(e) There are hereby transferred to and vested in the Secretary all functions, powers, and duties of the Interstate Commerce Commission, and of the Chairman, members, officers, and offices thereof, under—

"(1) the following laws relating generally to safety appliances and equipment on railroad engines and cars, and protection of employees and travelers:

"(A) The Act of March 2, 1893, as amended (27 Stat. 531; 45 U.S.C. 1 et seq.).

"(B) The Act of March 2, 1903, as amended (32 Stat. 943; 45 U.S.C. 8 et seq.).

"(C) The Act of April 14, 1910, as amended (36 Stat. 298; 45 U.S.C. 11 et seq.).

"(D) The Act of May 30, 1908, as amended (35 Stat. 476; 45 U.S.C. 17 et seq.).

"(E) The Act of February 17, 1911, as amended (36 Stat. 913; 45 U.S.C. 22 et seq.).

"(F) The Act of March 4, 1915, as amended (38 Stat. 1192; 45 U.S.C. 30).

"(G) Reorganization Plan No. 3 of 1965 (79 Stat. 1320).

"(H) Joint Resolution of June 30, 1906, as amended (34 Stat. 838; 45 U.S.C. 35).

"(I) The Act of May 27, 1908, as amended (35 Stat. 325; 45 U.S.C. 36 et seq.).

"(J) The Act of March 4, 1909, as amended (35 Stat. 965; 45 U.S.C. 37).

"(K) The Act of May 6, 1910, as amended (36 Stat. 350; 45 U.S.C. 38 et seq.).

"(2) the following law relating generally to hours of service of employees: The Act of March 4, 1907, as amended (34 Stat. 1415; 45 U.S.C. 61 et seq.).

"(3) the following law relating generally to medals for heroism: The act of February 23, 1905, as amended (33 Stat. 743; 49 U.S.C. 1201 et seq.).

"(4) the following provisions of law relating generally to explosives and other dangerous articles: Sections 831–835 of title 18, United States Code, as amended.

"(5) the following laws relating generally to standard time zones and daylight saving time:

"(A) The Act of March 19, 1918, as amended (40 Stat. 450; 15 U.S.C. 261 et seq.).

"(B) The Act of March 4, 1921, as amended (41 Stat. 1446; 15 U.S.C. 265).

"(C) The Uniform Time Act of 1966, as amended (80 Stat. 107).

"(6) the following provisions of the Interstate Commerce Act, as amended—

"(A) relating generally to safety appliances methods and systems: Section 25 (49 U.S.C. 26).

"(B) relating generally to investigation of motor vehicle sizes, weights, and service of employees: Section 226 (49 U.S.C. 325).

"(C) relating generally to qualifications and maximum hours of service of employees and safety of operation and equipment: Sections 204(a) (1) and (2), to the extent that they relate to qualifications and maximum hours of service of employees and safety of operation and equipment; and sections 204(a) (3), (3a), and (5) (49 U.S.C. 304).

"(D) to the extent they relate to private carriers of property by motor vehicle and carriers of migrant workers by motor vehicle other than contract carriers: Sections 221(a), 221(c), and 224 (49 U.S.C. 321 et seq.).

"(f)(1) Nothing in subsection (e) shall diminish the functions, powers, and duties of the Interstate Commerce Commission under sections 1(6), 206, 207, 209, 210a, 212, and 216 of the Interstate Commerce Act, as amended (49 U.S.C. 1(6), 306 et seq.), or under any other section of that Act not specifically referred to in subsection (e).

"(2)(A) With respect to any function which is transferred to the Secretary by subsection (e) and which was vested in the Interstate Commerce Commission preceding such transfer, the Secretary shall have the same administrative powers under the Interstate Commerce Act as the Commission had before such transfer with respect to such transferred function. After such transfer, the Commission may exercise its administrative powers under the Interstate Commerce Act only with respect to those of its functions not transferred by subsection (e).

"(B) For purposes of this paragraph—

"(i) the term 'function' includes power and duty, and

"(ii) the term 'administrative powers under the Interstate Commerce Act' means any functions under the following provisions of the Interstate Commerce Act, as amended: Sections 12, 13(1), 13(2), 14, 16(12), the last sentence of 18(1), sections 20 (except clauses (3), (4), (11), and (12) thereof), 204(a) (6) and (7), 204(c), 204(d), 205(d), 205(f), 220 (except subsection (c) and the proviso of subsection (a) thereof), 222 (except subsections (b)(2) and (b)(3) thereof), and 417(b)(1) (49 U.S.C. 12 et seq., 304 et seq., and 1017).

"(3)(A) The Federal Railroad Administrator shall carry out the functions, powers, and duties of the Secretary pertaining to railroad and pipeline safety as set forth in the statutes transferred to the Secretary by subsection (e) of this section.

"(B) The Federal Highway Administrator shall carry out the functions, powers, and duties of the Secretary pertaining to motor carrier safety as set forth in the statutes transferred to the Secretary by subsection (e) of this section.

"(C) Decisions of the Federal Railroad Administrator and the Federal Highway Administrator (i) which are made pursuant to the exercise of the functions, powers, and duties enumerated in subparagraphs (A) and (B) of this paragraph to be carried out by the Administrators, and (ii) which involve notice and hearing required by law, shall be administratively final, and appeals as authorized by law or this Act shall be taken directly to the National Transportation Safety Board or the courts, as appropriate.

"(g) There are hereby transferred to and vested in the Secretary all functions, powers, and duties of the Secretary of the Army and other officers and offices of the Department of the Army under—

"(1) the following law and provisions of law relating generally to water vessel anchorages:

"(A) Section 7 of the Act of March 4, 1915, as amended (38 Stat. 1053; 33 U.S.C. 471).

"(B) Article 11 of section 1 of the Act of June 7, 1897, as amended (30 Stat. 98; 33 U.S.C. 180).

"(C) Rule 9 of section 1 of the Act of February 8, 1895, as amended (28 Stat. 647; 33 U.S.C. 258).

"(D) Rule numbered 13 of section 4233 of the Revised Statutes, as amended (33 U.S.C. 322).

"(2) the following provision of law relating generally to drawbridge operating regulations: Section 5 of the Act of August 18, 1894, as amended (28 Stat. 362; 33 U.S.C. 499).

"(3) the following law relating generally to obstructive bridges: The Act of June 21, 1940, as amended (54 Stat. 497; 33 U.S.C. 511 et seq.).

"(4) the following laws and provisions of law relating generally to the reasonableness of tolls:

"(A) Section 4 of the Act of March 23, 1906, as amended (34 Stat. 85; 33 U.S.C. 494).

"(B) Section 503 of the General Bridge Act of 1946, as amended (60 Stat. 847; 33 U.S.C. 526).

"(C) Section 17 of the Act of June 10, 1930, as amended (46 Stat. 552; 33 U.S.C. 498a).

"(D) The Act of June 27, 1930, as amended (46 Stat. 821; 33 U.S.C. 498b).

"(E) The Act of August 21, 1935, as amended (49 Stat. 670; 33 U.S.C. 503 et seq.).

"(5) the following law relating to prevention of pollution of the sea by oil: The Oil Pollution Act, 1961, as amended (75 Stat. 402; 33 U.S.C. 1001 et seq.).

"(6) the following laws and provision of law to the extent that they relate generally to the location and clearances of bridges and causeways in the navigable waters of the United States:

"(A) Section 9 of the Act of March 3, 1899, as amended (30 Stat. 1151; 33 U.S.C. 401).

"(B) The Act of March 23, 1906, as amended (34 Stat. 84; 33 U.S.C. 491 et seq.).

"(C) The General Bridge Act of 1946; as amended (60 Stat. 847; 33 U.S.C. 525 et seq.).

"(h) The provisions of subchapter II of chapter 5 and of chapter 7 of title 5, United States Code, shall be applicable to proceedings by the Department and any of the administrations or boards within the Department established by this Act except that notwithstanding this or any other provision of this Act, the transfer of functions, powers, and duties to the Secretary or any other officer in the Department shall not include functions vested by subchapter II of chapter 5 of title 5, United States Code, in hearing examiners employed by any department, agency, or component thereof whose functions are transferred under the provisions of this Act.

"(i) The administration of the Alaska Railroad, established pursuant to the Act of March 12, 1914, as amended (38 Stat. 306), and all of the functions authorized to be carried out by the Secretary of the Interior pursuant to Executive Order Numbered 11107, April 25, 1963 (28 F.R. 4225), relative to the operation of said Railroad, are hereby transferred to and vested in the Secretary of Transportation who shall exercise the same authority with respect thereto as is now exercised by the Secretary of the Interior pursuant to said Executive order.

"TRANSPORTATION INVESTMENT STANDARDS

"Sec. 7. (a) The Secretary, subject to the provisions of section 4 of this Act, shall develop and from time to time in the light of experience revise standards and criteria consistent with national transportation policies, for the formulation and economic evaluation of all proposals for the investment of Federal funds in transportation facilities or equipment, except such proposals as are concerned with (1) the acquisition of transportation facilities or equipment by Federal agencies in providing transportation services for their own use; (2) an interoceanic canal located outside the contiguous United States; (3) defense features included at the direction of the Department of Defense in the design and construction of civil air, sea, and land transportation; (4) programs of foreign assistance; (5) water resource projects; or (6) grant-in-aid programs authorized by law. The standards and criteria developed or revised pursuant to this subsection shall be promulgated by the Secretary upon their approval by the Congress.

"The standards and criteria for economic evaluation of water resource projects shall be developed by the Water Resources Council established by Public Law 89–80. For the purpose of such standards and criteria, the primary direct navigation benefits of a water resource project are defined as the product of the savings to shippers using the waterway and the estimated traffic that would use the waterway; where the savings to shippers shall be construed to mean the difference between (a) the freight rates or charges prevailing at the time of the study for the movement by the alternative means and (b) those which would be charged on the proposed waterway; and where the estimate of traffic that would use the waterway will be based on such freight rates, taking into account projections of the economic growth of the area.

"The Water Resources Council established under section 101 of Public Law 89–80 is hereby expanded to include the Secretary of Transportation on matters pertaining to navigation features of water resource projects.

"(b) Every survey, plan, or report formulated by a Federal agency which includes a proposal as to which the Secretary has promulgated standards and criteria pursuant to subsection (a) shall be (1) prepared in accord with such standards and criteria and upon the basis of information furnished by the Secretary with respect to projected growth of transportation needs and traffic in the affected area, the relative efficiency of various modes of transport, the available transportation services in the area, and the general effect of the proposed investment on existing modes, and on the regional and national economy; (2) coordinated by the proposing agency with the Secretary and, as appropriate, with other Federal agencies, States, and local units of government for inclusion of his and their views and comments; and (3) transmitted thereafter by the proposing agency to the President for disposition in accord with law and procedures established by him.

"AMENDMENTS TO OTHER LAWS

"Sec. 8. (a) Section 406(b) of the Federal Aviation Act of 1958, as amended (72 Stat. 763; 49 U.S.C. 1376(b)), is amended by adding the following sentence at the end thereof: 'In applying clause (3) of this subsection, the Board shall take into consideration any standards and criteria prescribed by the Secretary of Transportation, for determining the character and quality of transportation required for the commerce of the United States and the national defense.'

"(b) Section 201 of the Appalachian Regional Development Act of 1965, as amended (79 Stat. 10; 40 U.S.C. App. 206) is amended as follows:

"(1) The first sentence of subsection (a) of that section is amended by striking the words 'Commerce (hereafter in this section referred to as the "Secretary")' and inserting in lieu thereof 'Transportation'.

"(2) The last sentence of subsection (a) of that section is amended by inserting after the word 'Secretary', the words 'of Transportation'.

"(3) Subsection (b) of that section is amended by inserting after the word 'Secretary', the words 'of Commerce'.

"(4) Subsection (c) of that section is amended by striking the first sentence and inserting in lieu thereof the following sentence: 'Such recommendations as are approved by the Secretary of Commerce shall be transmitted to the Secretary of Transportation for his approval.'

"(5) The second sentence of subsection (c) of that section is amended by inserting after the word 'Secretary' the words 'of Transportation'.

"(6) Subsection (e) of that section is amended by inserting after the word 'Secretary' the words 'of Transportation'.

"(7) Subsection (f) of that section is amended by inserting after the word 'Secretary', the words 'of Commerce and the Secretary of Transportation'. Subsection (f) of that section is further amended by striking the word 'determines' and inseting in lieu thereof 'determine'.

"(8) Subsection (g) of that section is amended by striking the period at the end thereof and adding the following: 'to the Secretary of Commerce, who shall transfer funds to the Secretary of Transportation for administration of projects approved by both Secretaries.'

"(c) Section 206(c) of the Appalachian Regional Development Act of 1965, as amended (79 Stat. 15; 40 U.S.C. App. 206), is amended by inserting after 'Interior,' the words 'Secretary of Transportation,'.

"(d) Section 212(a) of the Interstate Commerce Act, as amended (49 Stat. 555), is amended by striking 'of the Commission' the second, third, and fourth times those words occur.

"(e) Section 13(b)(1) of the Fair Labor Standards Act of 1938, as amended (52 Stat. 1067), is amended by striking the words 'Interstate Commerce Commission' and inserting in lieu thereof 'Secretary of Transportation.'

"(f) The second sentence of section 3 of the Federal Explosives Act, as amended (40 Stat. 386; 50 U.S.C. 123) is amended to read as follows: 'This Act shall not apply to explosives or ingredients which are in transit upon vessels, railroad cars, aircraft, or other conveyances in conformity with statutory law or with the rules and regulations of the Secretary of Transportation.'

"(g)(1) Section 1 of the Act of May 13, 1954, as amended (68 Stat. 93; 33 U.S.C. 981), is amended to read as follows:

" 'SECTION 1. There is hereby created, subject to the direction and supervision of the Secretary of Transportation, a body corporate to be known as the Saint Lawrence Seaway Development Corporation (hereinafter referred to as the "Corporation").'

"(2) Notwithstanding any other provision of this Act, the Administrator of the Saint Lawrence Seaway Development Corporation shall report directly to the Secretary.

"(h) Section 201 of the Highway Safety Act of 1966 (80 Stat. 731) is amended by striking the words 'Federal Highway Administrator' and inserting in lieu thereof the words 'Director of Public Roads', by striking the word 'Agency' wherever it occurs in such section and inserting in lieu thereof the word 'Bureau', and by striking 'an Administrator' or 'Administrator', wherever appearing therein, and inserting in lieu thereof 'a Director' or 'Director', respectively.

"(i) Section 115 of the National Traffic and Motor Vehicle Safety Act of 1966 (80 Stat. 718) is amended by striking the word 'Agency' wherever it occurs in such section and inserting in lieu thereof the word 'Bureau' and by striking the word 'Administrator' wherever it occurs in such section and inserting in lieu thereof the word 'Director'.

"(j) Section 3(a) of the Marine Resources and Engineering Development Act of 1966 (80 Stat. 204) is amended by striking the words 'the Treasury' and inserting in lieu thereof 'Transportation'.

"(k) Section 2(e) of the Act of September 22, 1966, Public Law 89-599, is amended by striking the words 'of Commerce' and inserting in lieu thereof the words 'of Transportation'.

"ADMINISTRATIVE PROVISIONS

"SEC. 9. (a) In addition to the authority contained in any other Act which is transferred to and vested in the Secretary, the National Transportation Safety Board, or any other officer in the Department, the Secretary is authorized, subject to the civil service and classification laws, to select, appoint, employ, and fix the compensation of such officers and employees, including investigators, attorneys, and hearing examiners, as are necessary to carry out the provisions of this Act and to prescribe their authority and duties.

"(b) The Secretary may obtain services as authorized by section 3109 of title 5 of the United States Code, but at rates not to exceed $100 per diem for individuals unless otherwise specified in an appropriation Act.

"(c) The Secretary is authorized to provide for participation of military personnel in carrying out the functions of the Department. Members of the Army, the Navy, the Air Force, or the Marine Corps may be detailed for service in the Department by the appropriate Secretary, pursuant to cooperative agreements with the Secretary of Transportations.

"(d)(1) Appointment, detail, or assignment to, acceptance of, and service in any appointive or other position in the Department under the authority of section 9(c) and section 9(p) shall in no way affect status, office, rank, or grade which officers or enlisted men may occupy or hold or any emolument, perquisite, right, privilege, or benefit incident to or arising out of any such status, office, rank, or grade, nor shall any member so appointed, detailed, or assigned be charged against any statutory limitation on grades or strengths applicable to the Armed Forces. A person so appointed, detailed, or assigned shall not be subject to direction by or control by his armed force or any officer thereof directly or indirectly with respect to the responsibilities exercised in the position to which appointed, detailed, or assigned.

"(2) The Secretary shall report annually in writing to the appropriate committees of the Congress on personnel appointed and agreements entered into under subsection (c) of this section, including the number, rank, and positions of members of the armed services detailed pursuant thereto.

"(e)(1) Except where this Act vests in any administration, agency or board, specific functions, powers, and duties, the Secretary may, in addition to the authority to delegate and redelegate contained in any other Act in the exercise of the functions transferred to or vested in the Secretary in this Act, delegate any of his residual functions, powers and duties to such officers and employees of the Department as he may designate, may authorize such successive redelegations of such functions, powers, and duties as he may deem desirable, and may make such rules and regulations as may be necessary to carry out his functions, powers, and duties.

"(2) In addition to the authority to delegate and redelegate contained in any other Act, in the exercise of the functions transferred to or specified by this Act to be carried out by any officer in the Department, such officer may delegate any of such functions, powers, and duties to such other officers and employees of the Department as he may designate; may authorize such successive redelegations of such functions, powers, and duties as he may deem desirable; and may make such rules and regulations as may be necessary to carry out such functions, powers, and duties.

"(3) The Administrators established by section 3(e) of this Act may not delegate any of the statutory duties and responsibilities specifically assigned to them by this Act outside of their respective administrations.

"(f) The personnel, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available or to be made available, of the Federal Aviation Agency, and of the head and other officers and offices thereof, are hereby transferred to the Secretary: *Provided, however*, That the personnel, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available, or to be made available in carrying out the duties and functions transferred by this Act to the Secretary which are specified by this Act to be carried out by the Federal Aviation Administrator shall be assigned by the Secretary to the Federal Aviation Administrator for these purposes.

"(g) So much of the positions, personnel, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available or to be made available in connection with the functions, powers, and duties transferred by sections 6 (except section 6(c)) and 8 (d) and (e) of this Act as the Director of the Bureau of the Budget shall determine shall be transferred to the Secretary: *Provided, however*, That the positions, personnel, assets, liabilities, contracts, property, records, and unexpended balances of appropriations, authorizations, allocations, and other funds employed, held, used, arising from, available, or to be made available, by the Civil Aeronautics Board in carrying out the duties transferred by this Act to be exercised by the National Transportation Safety Board shall be transferred to the National Transportation Safety Board. Except as provided in subsection (h), personnel engaged in functions, powers, and duties transferred under this Act shall be transferred in accordance with applicable laws and regulations relating to transfer of functions.

"(h) The transfer of personnel pursuant to subsections (f) and (g) of this section shall be without reduction in classification or compensation for one year after such transfer.

"(i) In any case where all of the functions, powers, and duties of any office or agency, other than the Coast Guard, are transferred pursuant to this Act, such office or agency shall lapse. Any person who, on the effective date of this Act, held a position compensated in accordance with the Executive Schedule, and who, without a break in service, is appointed in the Department to a position having duties comparable to those performed immediately preceding his appointment shall continue to be compensated in his new position at not less than the rate provided for his previous position, for the duration of his service in his new position.

"(j) The Secretary is authorized to establish a working capital fund, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of such common administrative services as he shall find to be desirable in the interest of economy and efficiency in the Department, including such services as a central supply service for stationery and other supplies and equipment for which adequate stocks may be maintained to meet in whole or in part the requirements of the Department and its agencies; central messenger, mail, telephone, and other communications services; office space, central services for document reproduction, and for graphics and visual aids; and a central library service. The capital of the fund shall consist of any appropriations made for the purpose of providing capital (which appropriations are hereby authorized) and the fair and reasonable value of such stocks of supplies, equipment, and other assets and inventories on order as the Secretary may transfer to the fund, less the related liabilities and unpaid obligations. Such funds shall be reimbursed in advance from available funds of agencies and offices in the Department, or from other sources, for supplies and services at rates which will approximate the expense of operation, including the accrual of annual leave and the depreciation of equipment. The fund shall also be credited with receipts from sale or exchange of property and receipts in payment for loss or damage to property owned by the fund. There shall be covered into the United States Treasury as miscellaneous receipts any surplus found in the fund (all assets, liabilities, and prior losses considered) above the amounts transferred or appropriated to establish and maintain said fund.

"(k) The Secretary shall cause a seal of office to be made for the Department of such device as he shall approve, and judicial notice shall be taken of such seal.

"(l) In addition to the authority contained in any other Act which is transferred to and vested in the Secretary, the National Transportation Safety Board, or other officer in the Department, as necessary, and when not otherwise available, the Secretary is authorized to provide for, construct, or maintain the following for employees and their dependents stationed at remote localities:

"(1) Emergency medical services and supplies;

"(2) Food and other subsistence supplies;

"(3) Messing facilities;

"(4) Motion picture equipment and film for recreation and training;

"(5) Reimbursement for food, clothing, medicine, and other supplies furnished by such employees in emergencies for the temporary relief of distressed persons; and

"(6) Living and working quarters and facilities.

The furnishing of medical treatment under paragraph (1) and the furnishing of services and supplies under paragraphs (2) and (3) of this subsection shall be at prices reflecting reasonable value as determined by the Secretary, and the proceeds therefrom shall be credited to the appropriation from which the expenditure was made.

"(m)(1) The Secretary is authorized to accept, hold, administer, and utilize gifts and bequests of property, both real and personal, for the purpose of aiding or facilitating the work of the Department. Gifts and bequests of money and the proceeds from sales of other property received as gifts or bequests shall be deposited in the Treasury in a separate fund and shall be disbursed upon order of the Secretary. Property accepted pursuant to this paragraph, and the proceeds thereof, shall be used as nearly as possible in accordance with the terms of the gift or bequest.

"(2) For the purpose of Federal income, estate, and gift taxes, property accepted under paragraph (1) shall be considered as a gift or bequest to or for use of the United States.

"(3) Upon the request of the Secretary, the Secretary of the Treasury may invest and reinvest in securities of the United States or in securities guaranteed as to principal and interest by the United States any moneys contained in the fund provided for in paragraph (1). Income accruing from such securities, and from any other property held by the Secretary pursuant to paragraph (1) shall be deposited to the credit of the fund, and shall be disbursed upon order of the Secretary.

"(n)(1) The Secretary is authorized, upon the written request of any person, or any State, territory, possession, or political subdivision thereof, to make special statistical studies relating to foreign and domestic transportation, and special studies relating to other matters falling within the province of the Department, to prepare from its records special statistical compilations, and to furnish transcripts of its studies, tables, and other records upon the payment of the actual cost of such work by the person or body requesting it.

"(2) All moneys received by the Department in payment of the cost of work under paragraph (1) shall be deposited in a separate account to be administered under the direction of the Secretary. These moneys may be used, in the discretion of the Secretary, for the ordinary expenses incidental to the work and/or to secure in connection therewith the special services of persons who are neither officers nor employees of the United States.

"(o) The Secretary is authorized to appoint, without regard to the civil service laws, such advisory committees as shall be appropriate for the purpose of consultation with and advice to the Department in performance of its functions. Members of such committees, other than those regularly employed by the Federal Government, while attending meetings of such committees or otherwise serving at the request of the Secretary, may be paid compensation at rates not exceeding those authorized for individuals under subsection (b) of this section, and while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

"(p)(1) Notwithstanding any provision of this Act or other law, a member of the Coast Guard on active duty may be appointed, detailed, or assigned to any position in the Department other than Secretary, Under Secretary, and Assistant Secretary for Administration.

"(2) Subject to the provisions of title 5, United States Code, a retired member of the Coast Guard may be appointed to any position in the Department.

"(q)(1) The Secretary is authorized to enter into contracts with educational institutions, public or private agencies or organizations, or persons for the conduct of scientific or technological research into any aspect of the problems related to the programs of the Department which are authorized by statute.

"(2) The Secretary shall require a showing that the institutions, agencies, organizations, or persons with which he expects to enter into contracts pursuant to this subsection have the capability of doing effective work. He shall furnish such advice and assistance as he believes will best carry out the mission of the Department, participate in coordinating all research initiated under this subsection, indicate the lines of inquiry which seem to him most important, and encourage and assist in the establishment and maintenance of cooperation by and between the institutions, agencies, organizations, or persons and between them and other research organizations, the Department, and other Federal agencies.

"(3) The Secretary may from time to time disseminate in the form of reports or publications to public or private agencies or organizations, or individuals such information as he deems pertinent on the research carried out pursuant to this section.

"(4) Nothing contained in this subsection is intended to amend, modify, or repeal any provisions of law administered by the Department which authorize the making of contracts for research.

"CONFORMING AMENDMENTS TO OTHER LAWS

"SEC. 10. (a) Section 19(d)(1) of title 3, United States Code, as amended, is hereby amended by striking out the period at the end thereof and inserting a comma and the following: 'Secretary of Transportation.'

"(b) Section 101 of title 5 of the United States Code is amended by inserting at the end thereof the following:

" 'The Department of Housing and Urban Development.

" 'The Department of Transportation'.

"(c) The amendment made by subsection (b) of this section shall not be construed to make applicable to the Department any provision of law inconsistent with this Act.

"(d) Subchapter II (relating to executive schedule pay rates) of chapter 53 of title V of the United States Code is amended as follows:

"(1) Section 5312 is amended by adding at the end thereof the following:

" '(11) Secretary of Housing and Urban Development.

" '(12) Secretary of Transportation.'

"(2) Section 5313 is amended by striking out '(7) Administrator of the Federal Aviation Agency' and inserting in lieu thereof '(7) Under Secretary of Transportation', and by adding at the end thereof the following:

" '(19) Adminstrator, Federal Aviation Administration.'

"(3) Section 5314 is amended by adding at the end thereof the following:

" '(46) Adminstrator, Federal Highway Administration.

" '(47) Administrator, Federal Railroad Administration.

" '(48) Chairman, National Transportation, Safety Board.'

"(4) Section 5315 is amended by adding at the end thereof the following:

" '(78) Members, National Transportation Safety Board.

" '(79) General Counsel, Department of Transportation.

" '(80) Deputy Administrator, Federal Aviation Administration.

" '(81) Assistant Secretaries of Transportation (4).

" '(82) Director of Public Roads.

" '(83) Administrator of the St. Lawrence Seaway Development Corporation.'

"(5) Section 5316 is amended by adding at the end thereof the following:

" '(117) Assistant Secretary for Administration, Department of Transportation.'

"(6) Section 5317 is amended by striking out 'thirty' and inserting in lieu thereof 'thirty-four'.

"(e) Subsections 5314(6), 5315(2), and 5316 (10), (12), (13), (14), (76), and (82) of title 5 of the United States Code are repealed, subject to the provisions of section 9 of this Act.

"(f) Title 18, United States Code, section 1020, as amended, is amended by striking the words 'Secretary of Commerce' where they appear therein and inserting in lieu thereof 'Secretary of Transportation'.

"(g) Subsection (1) of section 801, title 10, United States Code, as amended, is amended by striking out 'the General Counsel of the Department of the Treasury' and inserting in lieu thereof 'the General Counsel of the Department of Transportation'.

"ANNUAL REPORT

"SEC. 11. The Secretary shall, as soon as practicable after the end of each fiscal year, make a report in writing to the President for submission to the Congress on the activities of the Department during the preceding fiscal year.

"SAVINGS PROVISIONS

"SEC. 12. (a) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges—

"(1) which have been issued, made, granted, or allowed to become effective—

"(A) under any provision of law amended by this Act, or

"(B) in the exercise of duties, powers, or functions which are transferred under this Act,

by (i) any department or agency, any functions of which are transferred by this Act, or (ii) any court of competent jurisdiction, and

"(2) which are in effect at the time this Act takes effect,

shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Secretary, Administrators, Board, or General Counsel (in the exercise of any authority respectively vested in them by this Act), by any court of competent jurisdiction, or by operation of law.

"(b) The provisions of this Act shall not affect any proceedings pending at the time this section takes effect before any department or agency (or component thereof), functions of which are transferred by this Act; but such proceedings, to the extent that they relate to functions so transferred, shall be continued before the Department. Such proceedings, to the extent they do not relate to functions so transferred, shall be continued before the department or agency before which they were pending at the time of such transfer. In either case orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or repealed by the Secretary, Administrators, Board, or General Counsel (in the exercise of any authority respectively vested in them by this Act), by a court of competent jurisdiction, or by operation of law.

"(c)(1) Except as provided in paragraph (2)—

"(A) the provisions of this Act shall not affect suits commenced prior to the date this section takes effect, and

"(B) in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if this Act had not been enacted.

No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of any department or agency, functions of which are transferred by this Act, shall abate by reason of the enactment of this Act. No cause of action by or against any department or agency, functions of which are transferred by this Act, or by or against any officer thereof in his official capacity shall abate by reason of the enactment of this Act. Causes of actions, suits, actions, or other proceedings may be asserted by or against the United States or such official of the Department as may be appropriate and, in any litigation pending when this section takes effect, the court may at any time, on its own motion or that of any party, enter an order which will give effect to the provisions of this subsection.

"(2) If before the date on which this Act takes effect, any department or agency, or officer thereof in his official capacity, is a party to a suit, and under this Act—

"(A) such department or agency is transferred to the Secretary, or

"(B) any function of such department, agency, or officer is transferred to the Secretary,

then such suit shall be continued by the Secretary (except in the case of a suit not involving functions transferred to the Secretary, in which case the suit shall be continued by the department, agency, or officer which was a party to the suit prior to the effective date of this Act).

"(d) With respect to any function, power, or duty transferred by this Act and exercised after the effective date of this Act, reference in any other Federal law to any department or agency, officer or office so transferred or functions of which are so transferred shall be deemed to mean the officer or agency in which this Act vests such function after such transfer.

"SEPARABILITY

"SEC. 13. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances shall not be affected thereby.

"CODIFICATION

"SEC. 14. The Secretary is directed to submit to the Congress within two years from the effective date of this Act, a proposed codification of all laws that contain the powers, duties, and functions transferred to or vested in the Secretary or the Department by this Act.

"EFFECTIVE DATE; INITIAL APPOINTMENT OF OFFICERS

"SEC. 15. (a) This Act shall take effect ninety days after the Secretary first takes office, or on such prior date after enactment of this Act as the President shall prescribe and publish in the Federal Register.

"(b) Any of the officers provided for in this Act may (notwithstanding subsection (a)) be appointed in the manner provided for in this Act, at any time after the date of enactment of this Act. Such officers shall be compensated from the date they first take office, at the rates provided for in this Act. Such compensation and related expenses of their offices shall be paid from funds available for the functions to be transferred to the Department pursuant to this Act."

And the Senate agree to the same.

CHET HOLIFIELD,
JACK BROOKS,
PORTER HARDY, Jr.,
HENRY S. REUSS,
JOHN N. ERLENBORN,
CLARENCE J. BROWN, Jr.,
Managers on the Part of the House.

JOHN L. MCCLELLAN,
HENRY M. JACKSON,
ABRAHAM RIBICOFF,
FRED R. HARRIS,
KARL E. MUNDT,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15963) to establish a Department of Transportation, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment strikes out all of the House bill after the enacting clause and inserts a substitute. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment. The differences between the House bill and the substitute agreed to in conference are noted below except for clerical corrections, incidental changes made necessary by reason of agreements reached by the conferees, and minor drafting and clarifying changes.

DECLARATION OF PURPOSE

Section 2 of the Senate amendment contained a paragraph not included in the House bill which declared it to be the national policy that in carrying out the provisions of the act, special effort, should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuges, and historic sites.

The conference substitute conforms to the Senate amendment with a minor drafting change.

ESTABLISHMENT OF DEPARTMENT

In section 3 the Senate amendment provided that the act itself establishes within the Department a Federal Highway Administration, a Federal Railroad Administration, a Federal Maritime Administration, and a Federal Aviation Administration. The House bill did not provide for the establishment of a Federal Maritime Administration. The Senate amendment also contained language providing for a Deputy Administrator of the Federal Aviation Administration which was not in the House bill. The Senate amendment further contained provisions, not in the House bill, continuing the existing qualifications for the Administrator and Deputy Administrator of the Federal Aviation Administration, specifically preserving the possibility of appointing the present Federal Aviation Administrator, providing that the Administrators and Commandant of the Coast Guard shall carry out functions, powers, and duties specified in the act and additional duties prescribed by the Secretary and prohibiting the redistribution of statutorily assigned functions, powers and duties within the Department otherwise than by reorganization plan or statute. The Senate amendment deleted the provision of the House bill establishing an Office of Accident Investigation within the Department, instead elsewhere in the bill retransferring the aviation investigation functions of the Civil Aeronautics Board to the National Transportation Safety Board. The Senate amendment contained language not in the House bill providing that the Secretary shall carry out the provisions of the National Traffic and Motor Vehicles Safety Act of 1966 through a National Safety Traffic Bureau headed by a director at executive salary level V.

The conference substitute amendment omits the provision for a Federal Maritime Administration and restores the provisions of the House bill, stricken in the Senate amendment, which provide that the Administrators and Commandant of the Coast Guard report directly to the Secretary. Otherwise the conference substitute conforms to the Senate amendment.

GENERAL PROVISIONS

In section 4(a) the Senate amendment deleted language giving the Secretary the responsibility of gathering, maintaining, and keeping the President fully advised of information regarding the status of labor-management contracts and other labor-management problems and assisting in promoting industrial harmony and stable employment conditions in all modes of transportation. The Senate amendment provided that in consulting with heads of other Federal departments and agencies engaged in the procurement of transportation or the operation of their own transport services, the Secretary should encourage them to establish and observe policies consistent with the maintenance of a coordinated transportation system operated by private enterprise.

The conference substitute amendment provides that the Secretary shall consult and cooperate with the Secretary of Labor in gathering information on the status of labor-management contracts and other labor-management problems and in promoting industrial harmony and stable employment conditions in all modes of transportation, and includes the Senate language on consultation with the heads of other Federal departments and agencies, but deletes the phrase "operated by private enterprise" to avoid possible conflicts with the Military Transportation Services.

In section 4(b) the Senate amendment added language stating that the Secretary shall be governed in carrying out his duties and responsibilities under the act, by all applicable statutes including the policy standards set forth in several specifically listed existing laws relating to various phases of transportation.

The conference substitute adopts the language of the Senate amendment, with a conforming change to reflect the deletion of the maritime functions.

In section 4(c) the Senate amendment limited the House language preserving the right of judicial review over decisions in the Department by adding the clause "except as otherwise provided in this Act."

The conference substitute amendment deletes the quoted phrase and returns to the provisions of the House bill which are intended to preserve all rights of judicial review which now exist.

In section 4(d) which preserves the authority of the officials of the new Department to exercise the same authority as that vested in the predecessor agencies, the Senate amendment added the language, "except as provided in this Act."

The conference substitute amendment deletes the language quoted. The conferees believe that other provisions of the act adequately spell out the internal organization of the new Department and the extent of the authority of each of the officials as well as the finality of their decisions. The excepting clause is deleted to avoid the possibility of the loss of any authority in the course of the transfer of functions, powers, and duties to the new Department.

In section 4(e) the Senate amendment added language requiring the Secretary to present to the Interstate Commerce Commission information on the safety fitness of applicants for operating authority. This was intended to assure the continuance of the Commission's ability to determine the fitness of applicants in appropriate cases.

The conference substitute amendment clarifies the Senate amendment.

In section 4(f) the Senate amendment contained language requiring the Secretary of Transportation to cooperate and consult with the Secretaries of Interior, Housing and Urban Development, and Agriculture and with the States in developing transportation plans and programs that carry out the policy of preserving the natural beauty of the countryside and public park and recreation land, wildlife and waterfowl refuges, and historic sites. The Secretary was prohibited from approving programs or projects requiring the use of any such land unless there is no feasible alternative and all possible planning to minimize harm is taken.

The conference substitute amendment adopts the Senate amendment language except for adding the words "and prudent" after the word "feasible".

In section 4(g) the Senate amendment required the Secretary and the Secretary of Housing and Urban Development to consult and exchange information regarding their transportation policies and activities and to carry on the joint planning, research, and other activities and coordinate assistance for local projects. The amendment required the two Secretaries to study Federal policies and programs, to see how they can assure that urban transportation systems will effectively serve both local and national needs and to report within 1 year and annually thereafter to the President for submission to Congress on their studies and other activities, including legislative recommendations.

The conference substitute amendment conforms to the Senate amendment and adds thereto the clause previously deleted by the Senate which would require the two Secretaries to report within 1 year on the logical and efficient organization and location of urban mass transportation functions in the executive branch.

NATIONAL TRANSPORTATION SAFETY BOARD

In section 5 the Senate amendment placed in the National Transportation Safety Board the aircraft accident investigation functions now carried on by the Civil Aeronautics Board; provided specifically that decisions of the Board shall be administratively final; gave the NTSB authority to initiate or conduct rail, highway and pipeline accident investigations and specific authority to hire investigators and prohibited the Board from delegating its functions of hearing certain appeals and of determining probable cause of accidents.

The conference substitute amendment conforms to the Senate amendment.

TRANSFERS TO THE DEPARTMENT

In section 6(a)(5) the Senate amendment contained language not found in the House bill which transfers to the new Secretary, merchant marine and maritime functions and provides for their exercise by a Federal Maritime Administrator and a Maritime Board.

The conference substitute amendment deletes all reference to maritime functions, a Federal Maritime Administrator and the Maritime Board.

In section 6(c) which transfers to the Secretary all functions, powers and duties of the Federal Aviation Agency and of the Administrator and other officers thereof, the Senate amendment added the language "including the development and construction of a civil supersonic aircraft." The Senate amendment also further transferred to the Federal Aviation Administrator the duties of the Secretary under section 6(c) pertaining to aviation safety as set forth in certain sections of the Federal Aviation Act of 1958. The Senate amendment made decisions of the Federal Aviation Administrator in exercising these functions administratively final with appeals as authorized by law and this act to be taken directly to the National Transportation Safety Board or to the courts as appropriate. The Senate amendment deleted a provision specifically reserving the power of the President to transfer any of the aviation functions to the Department of Defense in time of war.

The substitute conference amendment restores the wartime transfer power of the President as provided in the House bill and otherwise conforms to the Senate amendment.

In section 6(d) the Senate amendment retransfers to the National Transportation Safety Board all of the Civil Aeronautics Board safety functions which are transferred by the act to the Secretary under section 6(d) and provides that decisions of the National Transportation Board made pursuant to the exercise of these functions, powers, and duties shall be administratively final and appeals taken directly to the courts.

The conference substitute amendment conforms to the Senate amendment.

In section 6(f) the Senate amendment provided that the Federal Railroad Administrator and the Federal Highway Administrator shall carry out the functions, powers, and duties of the Secretary pertaining to railroad and pipeline safety and to motor carrier safety which were transferred from the Interstate Commerce Commission to the Secretary. The decisions of the two Administrators pursuant to the exercise of these functions were made administratively final, with appeals to be taken to the National Transportation Safety Board or the courts.

The substitute conference amendment specifically limits the administrative finality of the two Administrators' decisions to proceedings which involve notice and hearings required by law, and otherwise conforms to the Senate amendment.

In section 6(h) the Senate amendment provides that the Administrative Procedure Act shall be applicable to proceedings by the Departments and its subordinate units.

The substitute conference amendment conforms to the Senate amendment. Complementary House language was restored in section 4(c).

In section 6(i) the Senate amendment transferred the administration of the Alaska Railroad to the new Department. The House report had contemplated that this would be accomplished by Executive order.

The substitute conference amendment conforms to the Senate amendment.

TRANSPORTATION INVESTMENT STANDARDS

The Senate amendment contains language in section 7 which was not in the House bill. This requires the Secretary to develop standards and criteria for the formulation and economic evaluation and proposals for the investment of Federal funds in transportation facilities or equipment. The Senate amendment contains six major exceptions to this authority among which were water resources projects and grant-in-aid programs authorized by law. The Senate amendment requires approval by the Congress before the Secretary may promulgate standards and criteria. It makes the Secretary a member of the Water Resources Council on matters pertaining to navigation features of water resource projects and provides that all surveys, plans, and reports involving projects formulated by the various Federal agencies must conform to the standards and criteria, must utilize certain types of information relating to transportation supplied by the Secretary and must be coordinated by the Secretary. The Senate amendment also contained a formula to govern the determination of the navigation benefits of water resources projects.

The conference substitute amendment conforms to the Senate amendment.

AMENDMENTS TO OTHER LAWS

In section 8 the conference substitute amendment retains the Senate amendment language transferring the St. Lawrence Seaway Development Corporation to the new Department, making the Secretary of Transportation a member of the Marine Resources and Engineering Development Board and transferring to him the authority of the Secretary of Commerce with respect to the Missouri-Kansas compact on the Kansas City area transportation district.

ADMINISTRATIVE PROVISIONS

In section 9 the conference substitute amendment retains the language of the Senate amendment which authorizes officials below the Secretary in the Department who receive direct statutory authority to redelegate that authority within their own administrations and which modifies the Secretary's authority to redelegate in recognition of the statutory transfers heretofore made to subordinate officials. The conference substitute also retains the Senate language earmarking personnel, assets and unexpended balances of appropriations for the Federal Aviation Administration and the National Transportation Safety Board, to enable them to carry out the functions directly transferred to them by the act. Language of the Senate amendment requiring reimbursement of the working capital fund in advance and providing for the transfer of surpluses in that fund to the miscellaneous receipts in the Treasury are also retained.

The conference substitute amendment deletes language added by the Senate which would have provided that payments to members of the Advisory Boards in the Department shall not render members of the Board's employees or officials of the United States for any purpose. So far as the conferees are aware, this language now applies in only one situation, i.e., in the case of the

National Motor Vehicle Safety Advisory Council and was included there for a particular purpose. The exemption in this one instance is retained by other language in the act; it should not be extended to other Advisory Boards without clear and specific justification.

The conference amendment also retains Senate language, not in the House bill, specifically authorizing the Secretary to enter into research contracts with educational institutions, public or private agencies or organizations, or persons, and language which governed the Secretary in administering the Department and authorizing him to publish information resulting from such research. Of course, the provisions of Public Law 89-487 relating to the availability of information will apply to this and other activities of the Department.

CONFORMING AMENDMENTS

Section 10 deals primarily with the pay levels. In the following table the House bill placed the executive schedule positions of the officers of the Department at the levels shown in column A. The Senate amendment added a number of positions and placed them in the levels shown in column B. The conferees are agreed on the positions and levels shown in column C.

Level	House bill (a)	Senate amendment (b)	Conference substitute (c)
I	Secretary of Transportation.	Secretary of Transportation.	Secretary of Transportation.
II		Under Secretary of Transportation; Administrator, Federal Aviation Administration.	Under Secretary of Transportation; Administrator, Federal Aviation Administration.
III	Under Secretary of Transportation Plus 1 position to be placed by President	Administrator, Federal Highway Administration; Administrator, Federal Railroad Administration; Administrator, Federal Maritime Administration; Chairman, National Transportation Safety Board. Plus 1 position to be placed by President	Administrator, Federal Highway Administration; Administrator, Federal Railroad Administration; Chairman, National Transportation Safety Board.
IV	Assistant Secretaries (4); General Counsel; Chairman, National Transportation Safety Board; Director of Public Roads.	Members, National Transportation Safety Board (4); General Counsel; Deputy Administrator, Federal Aviation Administration; Assistant Secretaries (4); Director of Public Roads.	Members, National Transportation Safety Board (4); General Counsel; Deputy Administrator, Federal Aviation Administration; Assistant Secretaries (4); Director of Public Roads; Administrator, St. Lawrence Seaway Development Corporation.
IV or V	9 positions placed by President	9 positions placed by President	4 positions placed by President.
V	Assistant Secretary for Administration; Members, National Transportation Safety Board (4); Highway Safety Administrator.	Assistant Secretary for Administration; Traffic Safety Director; Highway Safety Director.	Assistant Secretary for Administration; Traffic Safety Director; Highway Safety Director.

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Managers on the Part of the House.

Mr. HOLIFIELD (during the reading of the statement). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from California?

Mr. HALL. Mr. Speaker, reserving the right to object, will the gentleman advise the House as to the effect of the amendments and the action of the conferees?

Mr. HOLIFIELD. I will be happy to do so. That is my intention.

Mr. HALL. I yield to the gentleman.

Mr. HOLIFIELD. Mr. Speaker, in presenting the conference report on H.R. 15963, I am not going to repeat the arguments for creating a Department of Transportation. The importance of the action that we are taking today is underlined by the fact that the new Department will bring together over 90,000 employees and $6 billion of Federal funds which are now devoted annually to transportation through the agencies which it will unite. Even without the maritime features of the bill, the Department will be the fifth largest in the Federal Government. Transportation accounts for one-sixth of the gross national product and is one of our largest sources of employment. This Department will, indeed, play a major role in helping to solve the problems of our rapidly expanding population.

The conference substitute amendment preserves the basic concepts of the bill that was passed by the House. It does, however, differ in some respects.

The Senate amendment to the House bill had put back into the legislation two major features which had been eliminated by floor action in the House.

First, the Senate had restored to the bill and to the Department, the maritime functions which the House had deleted. In doing so the Senate had created a Maritime Board and had given some definite powers to the Federal Maritime Administrator. After checking with the opponents of the maritime features in the House bill, the House managers concluded that the Senate language was still unacceptable to the House. We therefore, worked diligently and hard—and I may say against most of our own personal views on the subject—to uphold the position of the House by eliminating maritime features from the conference substitute. I am happy in some ways and unhappy in others to say that we were successful. The conference substitute leaves the maritime subsidy and other functions in the Department of Commerce, where they now are. The Coast Guard, of course, is still in the bill as it was left by the House and supervision of the St. Lawrence Seaway Development Corporation is placed in the new Department.

In return for their concession in deleting the maritime functions, the Senate conferees demanded that we agree to leave in the bill the section on transportation investment standards in the form in which it had passed the Senate. Again, a check with the House Members who had been most concerned in our earlier action, indicated that the Senate language was acceptable to those who had opposed section 7 earlier. The Senate version, which we accepted, requires that transportation investment standards and criteria be approved by Congress before the Secretary promulgates them; it contains the same basic exceptions as the earlier House version; it makes the Secretary a member of the Water Resources Council for the purpose of considering water resource projects having navigation features; and writes into law a formula for determining the navigation benefits of proposed water resource projects. It is my understanding that the formula placed in the statute requires a calculation of benefits according to the procedures employed by the Corps of Engineers prior to November 1964 and recently reinstated as reported in letters from the Director of the Bureau of the Budget to the chairman of the Public Works Committee dated August 24, 1966.

The conference amendment follows the Senate version with respect to aviation functions. It places the present safety functions of the Civil Aeronautics Board in the National Transportation Safety Board and the safety functions of the Federal Aviation Agency in the Federal Aviation Administrator. Decisions of the Federal Aviation Administrator with respect to the safety matters assigned to him are made administratively final, subject to appeal to the National Transportation Safety Board or the courts, as appropriate. Other aviation functions, including the development of the supersonic transport, are transferred to the Secretary with no specific statutory redelegation made. As you may remember, this organizational structure was not accepted when proposed on the House floor. We have, however, always regarded this as a workable setup although we had preferred the version contained in the House bill.

The conference substitute provides that the Interstate Commerce Commission's railroad pipeline and motor carriers safety functions shall be carried out by the Federal Railroad Administrator and the Federal Highway Administrator. This merely spells out the basic concept of the act. A Senate clause which would make the decisions of the Railroad and Highway Administrators administratively final with respect to these functions was limited in the conference to decisions on matters involving notice and hearings required by statute.

I might say that there has been some misconception of the limitations put upon the Secretary by all versions of the Transportation Department bill. The Secretary's duties will be very important and very substantial. I will, at the close of this statement, include a memorandum on this subject. But let me read here just some of the important functions which are vested in the Secretary by the bill. His functions will include:

The administration of the multibillion interstate highway program:

The airport aid program, another very widespread operation;

The supervision of the Coast Guard, the development of high speed ground transportation, the operation of the Alaska Railroad, the supervision of the St. Lawrence Seaway Development Corporation, the administration of the Highway Beautification Act;

The administration of the Highway Safety Act of 1966 and the National Traffic and Motor Vehicle Safety Act of 1966;

The conduct of research and development in transportation including aircraft noise abatement; the development of proposed national transportation policies and investment standards and criteria.

In addition, he will control the budget of the Department and of its agencies; he will establish policy for the Department; he will be in charge of the hiring, firing, training, and development of employees; and of course he will develop legislative recommendations to be made to Congress. I have stated previously that he will be in charge of developing the civilian supersonic aircraft.

We should make no mistake about it, the Secretary of Transportation will be a very powerful figure in the national transportation picture and will be a leading Cabinet member. While we have respected and preserved the basic existing concepts with respect to the organization of aviation safety and have given some safety functions directly to the Railroad and Highway Administrators, the Secretary will have general supervisory authority even over these. And as to the great bulk of the Department's duties, responsibilities, and functions, they will be directly under the Secretary's supervision and control.

The memorandum is as follows:

DUTIES OF SECRETARY OF TRANSPORTATION AND MODAL ADMINISTRATORS

The Secretary's duties include the following across the board responsibilities:

1. Coordination and effective administration of transportation programs.
2. Improvement and coordination of transportation services.
3. Encouragement of cooperation among all interested parties, and consultation with other Government agencies involved in transportation.
4. Identification and solution of transportation problems and recommend to Congress policies for their implementation.
5. Coordination and reorientation of research and development in transportation.
6. Develop transportation investment criteria and standards.
7. Research and development on means to reduce noise, particularly aircraft noise.

The Secretary's duties include the following functions which are vested in him:

1. The Interstate Highway Program.
2. The Airport Aid Program.
3. The Operation of the Alaska Railroad.
4. The Coast Guard.
5. Highway Beautification Act of 1965.
6. The High Speed Ground Transportation Program.
7. The bridge and tolls functions transferred from the Corps of Engineers.
8. Automobile Safety (the Highway Safety Act of 1966; and the National Traffic and Motor Vehicle Safety Act of 1966).
9. Standard Time and Daylight Time administration (Uniform Time Act of 1966).
10. The National Driver Register.
11. Supervision and direction of the St. Lawrence Seaway Corporation.
12. The Great Lakes Pilotage Act of 1966.

The Secretary as head of the Department will:

1. Control the budget.
2. Submit legislative recommendations.
3. Establish policy.
4. Hire employees.
5. Administer housekeeping provisions.

The Federal Highway Administrator will, by this Act, be directed to exercise the Secretary's authority over motor carrier safety. This involves 160 I.C.C. personnel, and a budget of approximately 1½ million dollars a year.

The Federal Railroad Administrator will, by this Act, be directed to exercise Secretary's authority over railroad and pipeline safety. This involves 240 I.C.C. personnel, and a budget of 3½ million dollars a year.

The Federal Aviation Administrator will, by this Act, be transferred and directed to exercise the following safety duties under the Federal Aviation Act:

1. Control use of navigable airspace.
2. Operate and maintain air navigation facilities.
3. Prescribe air traffic rules and regulations.
4. Promulgate rules and regulations for issuance of airman and aircraft certificates.
5. Prescribe minimum standards for design and construction and performance of aircraft, including developmental and research work.
6. Establish security provisions to permit maximum use of navigable airspace.

The Secretary's duties in aviation include:

1. Administer the Federal Airport Act program.
2. Administer the International Aviation Facilities Act.
3. Operate Washington National and Dulles Airports.
4. Administer Aircraft registration and title recording.
5. Development of a Civil Supersonic aircraft.
6. Provide aviation war risk insurance.

Might I say that we restored the arrangement of aviation functions which the gentleman from Illinois [Mr. ERLENBORN] wanted in the bill and which was defeated in committee. But now it is back in the bill as he desired.

At this point I just want to take 1 minute to say I have never worked with members of a committee or in a conference with members who were more reasonable and firm in their views, it is true—but reasonable, than the gentleman from Illinois [Mr. ERLENBORN] and the gentleman from Ohio [Mr. CLARENCE J. BROWN, JR.] ,whose father we all knew and respected so highly. They did a fine job. They were firm in their views. We accepted many of their views and they accepted some of ours.

When we got into conference, we found the same situation with the other body. They accepted some of our views and we accepted some of theirs.

Mr. Speaker, we have a good bill here. It is a bill that lays the basis and foundation for a very effective cabinet level department and gives to the Secretary tools to work with to plan and develop a national transportation policy and coordinate the modes of transportation contained in the bill.

We believe it will take him some time to do this, but when he does do this he must come back to the respective committees having jurisdiction in the Congress and get their approval before putting it into effect. We have retained in this bill, I might say to my friend, the gentleman from Missouri [Mr. HALL], the strength of the legislative branch as well, I believe, as any bill that has ever been passed by this House of Representatives. We have strengthened it actually in some instances over what it was before this bill was brought by the executive branch to our committee.

This bill is a different bill from the one the administration sent up. It is a congressional bill. It was written by the Congress.

Mr. HALL. Mr. Speaker, the gentleman from California knows that he is saying things dear to my heart, after serving for the past 2 years as a member of the Joint Committee on Reorganization of the Congress.

I would especially commend the conferees on the agreement they finally obtained in the conference on the provisions of the House bill as far as the number of positions needed in all five different categories by the new Cabinet member who will be the Secretary of Transportation.

I wonder if the gentleman would add one word about the total cost of the bill as it comes back from the conference as compared with the cost of the House bill when it was passed here.

Mr. HOLIFIELD. There is a difference between $25,000 and $50,000.

Mr. HALL. Is that an increase or a decrease?

Mr. HOLIFIELD. It is a little decrease as compared to what it was when passed by the House.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from California that the further reading of the conference report be dispensed with?

There was no objection.

Mr. HOLIFIELD. Mr. Speaker, at this time I yield 5 minutes to the gentleman from Illinois [Mr. ERLENBORN].

Mr. ERLENBORN. Mr. Speaker, I thank the gentleman from California for yielding.

I would like to reiterate what the gentleman said at the end of his explanation to the gentleman from Missouri, and that is that this bill has been considerably rewritten, both in our House committee, again by the Senate, and in conference. This is a bill that is the product of this Congress, and is not to any great extent the same bill that was sent to us by the administration. I think we can be proud of our handiwork.

The principal difference that I would like to call attention to between the version that we are presenting to you in this conference report and the bill as it passed the House lies, first, in the field of aircraft accident investigation. This is one area in which I had very strong feeling. I offered on the floor of the

House, as well as in the committee before we brought it to the floor, an amendment that would have put the duty to investigate aircraft accidents in a board separate from the Secretary, so that we would maintain the now historic separation of the function of conducting the traffic in the airlanes and investigating accidents that occurred in the air.

I am happy to say that the Senate did this, and in the conference we adopted this principle. We did away with the Office of Aircraft Accident Investigation in the Department, and we put this function in the National Transportation Safety Board.

The other area is in section 7, "Standards and criteria." I had mixed emotions about this section. I thought maybe it was a mistake for the administration to have had the section in the bill in the first place, because this is the oft-referred to "can of worms" that was opened up. We had only two ways to go, or one of two ways: either to disturb the historic, somewhat gray area balance between the executive and legislative branch of the Government in the area of standards and criteria, either to the advantage of the legislative branch or to the advantage of the executive branch.

Of course, the bill that was given to us by the executive branch tipped the scales in favor of the executive branch, and that section was not acceptable to me, and neither was it to this House, because we took section 7 from the bill before passing the bill.

In the Senate the scale was tipped in the other direction. We have provided now that standards and criteria can be established only after congressional approval.

If the scales are to be tipped at all, I prefer that they be tipped in favor of the conference report. So I am happy that section 7 has this provision for congressional approval before standards and criteria are put into effect.

There is one other part of section 7 that I am not completely pleased with. Section 7(b) I think in a way undoes what we attempted to do in 7(a) and that is it does require that every other department or agency of the Government, when preparing a plan, survey, or report, not only follow the congressionally approved standards and criteria, which is all right with me and the rest of the Members, I am sure, but then it goes on to say that they must make their report on the basis of information given to them and developed by the Secretary, including the relative merits and efficiency of modes of transportation, taking this judgment away from the other agencies and departments, and making the Secretary of Transportation the sole voice in making these determinations, and in this particular area without congressional approval.

With this one exception I wholeheartedly endorse the work of the conference committee. I am very pleased with the bill. It is a better bill than it was when it left the House, and certainly a much better bill than the one originally introduced at the behest of the administration.

I think the conference committee has done a fine job. I want to thank the gentleman from California for his fine cooperation and sometimes his patience and understanding with the gentleman from Ohio, CLARENCE BROWN, and myself when we tried to hold out for some points now and again during the conference.

I hope that conference report will be adopted by an overwhelming vote.

Mr. HOLIFIELD. I thank the gentleman for his remarks.

Mr. Speaker, I yield to the gentleman from Ohio [Mr. CLARENCE J. BROWN, JR.] the other conferee on the minority side.

Mr. CLARENCE J. BROWN, JR. Mr. Speaker, I thank the gentleman.

As the gentleman from California knows, I was the one who was most concerned, as this bill developed in the subcommittee and in the committee hearings and later in the debate in this House and then in conference, about the question of congressional prerogatives. As the gentleman from Illinois [Mr. ERLENBORN] has stated, we feel that in general these prerogatives have been pretty well defended by the legislation which is now before the House for approval as a result of the conference action.

I should like to ask the gentleman from California, the chairman of the committee and the father of this piece of legislation, a couple of questions in connection with section 7(b).

The requirement is that surveys, plans, and reports prepared by every agency of the Federal Government which relate to proposals in the transportation area must be in agreement with the standards and criteria promulgated by the Secretary. As I understand further, these standards and criteria promulgated by the Secretary must, in turn, be in accord with the transportation policies as approved by Congress, as provided in section 2.

With that prohibition, I would presume we would then jump back and suggest that the surveys, plans, and reports which every Federal agency prepares in connection with proposals would themselves be in square with the transportation policies that have been approved by Congress prior to preparation of the surveys, plans, and reports by individual agencies.

Mr. HOLIFIELD. Section 2 provides that the Secretary shall develop and recommend to the President and the Congress for approval national transportation policies and programs to accomplish the objectives set forth in the bill, "with full and appropriate consideration of the needs of the public, users, carriers, industry, labor, and the national defense." I would say that he has to take that into consideration.

I believe subsection (a) is very clear. It says:

> The standards and criteria developed or revised pursuant to this subsection shall be promulgated by the Secretary upon their approval by the Congress.

It is very plain to me that they must be approved by the Congress before promulgation.

Mr. CLARENCE J. BROWN, JR. And, in turn, the surveys, plans, and reports which individual agencies prepare would be in square with these standards and criteria, and in turn in square with the national transportation policies as approved by Congress.

Mr. HOLIFIELD. I would think they would have to be, under the language. They must take into consideration the different criteria.

I shall be glad to defer to the man who I believe knows as much as or more than anyone else concerning water resource projects.

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. CLARENCE J. BROWN, JR. I am happy to yield to the gentleman from Alabama.

Mr. JONES of Alabama. The purpose of this section was to correct what we believed to be an unwise policy of the executive branch of the Government in the issuance of the criteria that they advanced in November 1964. At our behest, starting in February of this year, along with the gentleman from Florida [Mr. CRAMER] and other members of the Public Works Committee, we have sought to set aside the regulation that imposed upon the Corps of Engineers a set of criteria known as "separable cost."

We thought it was an unwise policy because it restricted the Congress in giving approval to projects under that criterion. Now, very lately the administration withdrew from the position it had formerly occupied under the November 1964 regulation. The language that is contained in this bill sets up the pre-November 1964 formula for water resources projects. The standards or criteria that will be employed by the executive branch for other transportation projects must be approved by the Congress.

Mr. CLARENCE J. BROWN, JR. Mr. Speaker, I would like to ask the gentleman from Alabama [Mr. JONES] if I may, a somewhat hypothetical question. Let us presume that the Secretary develops a standard or criteria with reference to rail transportation which has been approved by the Congress, as it must, under the language of this legislation as it is now proposed. Now, this rail policy may be in conflict with a water resource policy standard or criteria which the Secretary has proposed and which has been approved by the Congress under the language of section 7(a) and which has been promulgated by the Secretary. I would presume that, in spite of the somewhat restrictive language in 7(b), the standards and criteria in conflict would allow for the reports of the agencies involved to reflect that conflict between a rail policy that is inconsistent with a water policy. Is that correct?

Mr. JONES of Alabama. If you will note, in section 7(b) it says every survey, plan, or report formulated by a Federal agency which includes a proposal as to which the Secretary has promulgated standards and criteria pursuant to subsection (a). Under subsection (a) it provides that these standards and criteria shall be promulgated by the Secretary upon their approval by the Congress. So it actually means that the Congress will determine the criteria of economic benefit by which each project will be analyzed. I think water resource projects will be divorced from and they will be separate and apart from the cost of the railroads and any other mode of transportation.

Mr. CLARENCE J. BROWN, JR. It includes the consideration by the Congress, however, of the fact that two modes of transportation might be in conflict and two policies could be in conflict. In other words, it brings this to the attention of the Congress so that the Congress can have a report on this problem, does it not?

Mr. JONES of Alabama. Yes. If I understand the gentleman's question, there might be some relationship one to the other. If those questions were to arise, then we would have the opportunity to set whatever standards or criteria we think are reasonable and prudent.

Mr. CLARENCE J. BROWN, JR. Congress would have this opportunity?

Mr. JONES of Alabama. That is right.

Mr. CLARENCE J. BROWN, JR. And it would not be settled in the executive branch by the simple means of quieting any difference of opinion in the executive branch?

Mr. JONES of Alabama. I am not saying the Congress will take into account the separable costs idea which is being employed by the Department by its action of November 1964.

Mr. CRAMER. Mr. Speaker, will the gentleman yield further on that point?

Mr. CLARENCE J. BROWN, JR. I am happy to yield to the gentleman from Florida.

Mr. CRAMER. In addition to that I will say, is it not correct that when the actual plans and surveys are submitted to the Committees on Public Works of the House and Senate, that at that time there can be another review after the general criteria are reviewed, and a review relating to each specific project can be had by the Congress at that time?

Mr. JONES of Alabama. The gentleman from Florida is eminently correct. That is the purpose of the whole section. And it preserves to the Congress the opportunity to work its will on every prospectus and upon every project submitted to the Congress.

Mr. CLARENCE J. BROWN, JR. Mr. Speaker, if the gentleman from California [Mr. HOLIFIELD] will yield further, I would like to conclude my comments by saying that for my part, as a freshman member of this committee and the subcommittee, the gentleman, in his presiding over the consideration of this legislation, has shown certainly a great deal of courtesy and consideration to the minority, and I feel that his presiding at the conference was an excellent job, and was most effective in trying to attain the best possible terms and conditions which those of us on our side of the Capitol could have obtained.

Mr. Speaker, as a result of this happy compromise between the minority and the majority, and the compromise between the two Houses of this Congress, I feel we have obtained an excellent piece of legislation of which the gentleman from California can be justifiably proud as the legislative father of this new Department of Transportation.

Mr. HOLIFIELD. Mr. Speaker, I thank the gentleman from Ohio for his remarks and, as the gentleman knows, I suborned some of my own personal convictions on occasion on some of these matters in order to carry out the expressed will of the House, and I feel we have done this in this respect.

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I am glad to yield to the distinguished gentleman from Alabama.

Mr. JONES of Alabama. Mr. Speaker, I, too, want to commend the gentleman from California [Mr. HOLIFIELD] and the members of the committee for bringing back to us section 7, which was really the most difficult section with which to deal.

Mr. Speaker, I am satisfied that this section will give us some uniform approach and some constancy of application in arriving at the criteria necessary to evaluate the transportation investments standards.

Therefore, Mr. Speaker, I again want to say that as a member of the committee and as a Member of the House of Representatives, the committee is certainly to be commended.

Mr. HOLIFIELD. Mr. Speaker, I wish to thank the distinguished gentleman from Alabama and his colleague, the gentleman from Texas [Mr. WRIGHT], who serve on the Committee on Public Works, for their advice to me upon every occasion when I got into deep water, so to speak, and upon technical details of water resources and other types of reclamation legislation, with which I was not too familiar, because they stood by and gave me the benefit of their expert testimony and advice, and I appreciate that very much.

Mr. Speaker, at this time, I yield such time as he may consume to the gentleman from Illinois [Mr. KLUCZYNSKI].

Mr. KLUCZYNSKI. Mr. Speaker, I am pleased to see section 4(f) appear in this bill. Its inclusion is certainly consistent with the desire to protect America's natural beauty—as expressed by the Congress and the administration, and as demanded by the American people. Further, it is consistent with a similar provision embodied in the Federal-Aid Highway Act of 1966 with the additional benefit of requiring that the same consideration be given in developing all forms of transportation plans and programs.

I thoroughly support the intent of this bill, but I would like to sound a word of caution in interpreting section 4(f). There is no question in my mind that the protection of our parks, open spaces, historic sites, fish and game habitats, and the other natural resources with which our Nation is so richly endowed, is of the utmost importance and urgency, but not to the total exclusion of other considerations. To do so would result in as many inequities as justifying transportation plans merely on the basis of economy or efficiency. Other considerations would include the integrity of neighborhoods, the displacement of people and businesses, and the protection of schools, and churches and the myriad of other social and human values we find in our communities.

Attempting to define "feasible alternative" in light of all of these considerations is virtually impossible and may result in hampering and otherwise unnecessarily delaying transportation progress. The problem was resolved in the 1966 Highway Act by rephrasing the requirement to read, "unless such program includes all possible planning, including consideration of alternatives." I am glad to see the words "and prudent" added to this section by the conference committee. With this inclusion, and with "prudent" as the operable word, this section now becomes workable and effective and I fully support and intend to vote for the bill as written.

Mr. ROSTENKOWSKI. Mr. Chairman, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. ROSTENKOWSKI. Mr. Speaker, section 4(f) of this bill would extend to all forms of transportation the safeguards incorporated in the recently enacted Federal-Aid Highway Act of 1966 requiring the Secretary to use maximum effort to preserve public parklands and historic sites.

This is a good amendment. I supported this principle in the Highway Act and I support it in the bill now before us. However, I would like to recall for my colleagues the concern that was voiced when the Highway Act was pending. Fear was expressed that the amendment might be misinterpreted to mean the preservation of natural and manmade resources would be the overriding consideration in highway construction. It was made clear at the time that as desirable as parkland preservation might be, other important factors must be considered.

We are now confronted with the identical situation. However, I will support section 4(f) on the basis that it is the clear intent of the Congress to establish only guidelines for the approval by the Secretary of any transportation program or project requiring the use of land from a public park, recreation area, wildlife or waterfowl refuge, or historic site.

This approval is made contingent on two factors: That there is no feasible and prudent alternative to the use of such land, and that such program includes all possible planning to minimize harm to those areas.

I heartily endorse the guidelines. I also want the RECORD to show, however, that it is not the intent of the Congress to tie the Secretary's hands. As much as I want to see the use of those areas avoided if possible, and our natural and manmade resources preserved. I can easily foresee circumstances when it may be vital to use such land.

For instance, if it became necessary to choose between preserving a wildlife refuge or saving human lives by a highway improvement, I do not think any of us would have any doubt as to which choice should be made. Or, if there were a choice between using public parkland or displacing hundreds of families, with the attendant burden imposed on them, I would want the Secretary to weigh his decision carefully, and not feel he was forced by the provision of the bill to disrupt the lives of hundreds of human beings.

If I felt that this measure placed less value on the preservation of human life than it did on the preservation of wildlife refuges, I could not in good conscience support it. We should memorialize the Secretary to give full consideration to the preservation of public lands, but not at the expense of human lives and human welfare.

I support enthusiastically the provision that if he determines public land must be used, all possible planning be done to minimize harm to the land. I am confident that the Secretary would take this precaution, even if it were not incorporated in the bill.

Mr. CRAMER. Mr. Speaker, will the gentleman yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. CRAMER. Recognizing the exigencies of the time, we have provided in the Highway Act of this session, Public Law 574, on the subject matter the gentleman from Illinois was discussing, that this question of conforming highways to the preservation of parks should not be effective until July 1, 1968. As I understand the provisions of section 4 (f) it says that the effective date of this act shall mean 90 days after the appointment of a Secretary, or when the President so declares by proper publication.

What date in the gentleman's opinion would be the effective date relating to conforming highway construction to park purposes, when in our specific legislation we said July 1, 1968, and in this situation it says obviously 90 days from the appointment of the Secretary, or when published.

Mr. HOLIFIELD. The gentleman calls my attention to a discrepancy that I was not aware of. We tried in every way possible to protect the bill. I believe the way the language reads here, that it does read read "after the effective date of this act."

Mr. HARDY. Mr. Speaker, if the gentleman will yield?

Mr. HOLIFIELD. I yield to the gentleman.

Mr. HARDY. I think that it would be correct to say, would it not, that it was not our intention to accelerate this date that had been decided on past the statutory law?

Mr. HOLIFIELD. That is certainly true that it was not our intention to accelerate the date, and we were unaware that we were accelerating the date in this language.

Mr. CRAMER. I thank the gentleman for yielding.

Mr. HOLIFIELD. I might add to the gentleman that the language in question came from the other body in conference.

Mr. CRAMER. I understand that.

Mr. HOLIFIELD. And we could not change this under the circumstances.

Mr. CRAMER. I understand that. If the gentleman will yield further?

Mr. HOLIFIELD. I am glad to yield to the gentleman.

Mr. CRAMER. Section 7, which has been much discussed, as I understand all projects that are grants in aid in nature are excluded from the set of standards and criteria in 7(a), likewise water resources projects are excluded, and I therefore assume that those would be excluded from subsection (b), which refers to action by the Secretary?

Mr. HOLIFIELD. That is correct; the gentleman is correct. The six exclusions pertain to the whole section 7.

Mr. CRAMER. I thank the gentleman for yielding.

Mr. HOLIFIELD. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

HOUR OF MEETING FRIDAY

Mr. McFALL. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from California [Mr. McFALL]?

There was no objection.

AUTHORIZING A WORK RELEASE PROGRAM FOR PERSONS SENTENCED BY COURTS OF THE DISTRICT OF COLUMBIA

Mr. DOWDY. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia be discharged from further consideration of the bill (S. 1319) to authorize a work release program for persons sentenced by the courts of the District of Columbia; to define the powers and duties in relation thereto, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. DOWDY]?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, and I do not intend to object, I would hope that the gentleman from Texas and the gentleman from Minnesota representing the minority will make a record of the needs and necessities and answer any inquiries in the discussion of the legislation.

Mr. DOWDY. We will do this.

I might say to the gentleman that this bill adopts the Federal program for work release of the prisoners for the District of Columbia. That is all this bill does.

Mr. GERALD R. FORD. Mr. Speaker, I thought this was the bill the gentleman from Minnesota had spoken to me about earlier and which I knew the gentleman from Texas was going to bring up.

Mr. DOWDY. That will be the next bill. We thought we could get this one out of the way.

Mr. GERALD R. FORD. Will the gentleman insert in the RECORD the information I asked for on this bill?

Mr. DOWDY. Yes.

PURPOSES OF THE BILL

Mr. Speaker, the purposes of the bill (S. 1319) are to authorize the courts of the District of Columbia to release selected offenders from prison confinement at specified times (a) to obtain or engage in gainful employment, and (b) whenever, in the discretion of the sentencing court, there exist special circumstances as merit the granting of the privilege.

The objectives of this work release program are directed primarily at rehabilitation of younger misdemeanants convicted of minor offenses, and also to reach persons who are contemptuous of court orders under which they are obligated to pay fines, or make other payments for support of children or other dependents.

The purposes are well summarized by the Commissioners of the District of Columbia in their request of the Speaker that such legislation be enacted:

> A number of beneficial results may be anticipated from the establishment of a work release program. One of the most important is cohesion of the family unit through keeping an employed or employable offender engaged in gainful employment, thus assuring continued contributions toward the family's financial support, and reducing the likelihood of relief rolls or welfare costs for its dependents. A work release plan enables an employed offender to maintain his occupational skills and aids his employer in avoiding the recruitment and training of a replacement. Still another benefit is the avoidance of the full stigma of total imprisonment and its effect on the offender's morale, self-respect, dignity and rehabilitation. On the other hand, the incarceration of the offender during the major portion of his sentence (primarily at nights and on weekends) should insure that the prisoner will not go entirely unpunished for his offense against society.

PRECEDENTS FOR THE LEGISLATION

The legislation is patterned after similar laws in North Carolina, 1957; Maryland, Wisconsin, 1913; and Minnesota, 1957, which have been remarkably successful, not only in the benefits to the individuals involved, but also to the taxpayers who have been largely relieved of the support of these persons during their confinement.

The bill as introduced is the outgrowth of a study which was begun in January 1962, by a committee of the Council on Law Enforcement in the District of Columbia, established pursuant to section 401, the District of Columbia Law Enforcement Act of 1953—Public Law 85-83, approved June 29, 1953, 67 Stat. 91, District of Columbia Code title 24, section 203.

More recently, of course, Congress passed the Federal Rehabilitation Act—Public Law 89-176, approved September 10, 1965, 79 Stat. 674—enacted to facilitate the rehabilitation of persons convicted of offenses against the United States, which program the pending bill will implement.

The Federal act is broader in scope and applies to persons convicted of offenses against the United States. It authorizes the Attorney General—who under the United States Code designates where a convicted Federal prisoner shall be confined—to commit or transfer prisoners to so-called residential community treatment centers; to grant prisoners as to whom there is reasonable cause to believe they will honor their trust up to 30 days' leave for carefully specified purposes; and to permit such putatively trustworthy prisoners to work in paid private employment.

MAIN PROVISIONS OF THE BILL

Under the reported bill, S. 1319, the persons who would be eligible for work release privileges would be those who have been sentenced to a term of imprisonment in a correctional institution as a result of a conviction of the following criminal offenses in the District of Columbia.

First, conviction for a misdemeanor, or violation of a municipal regulation, or an act of Congress in the nature of a municipal regulation, and the penal sentence therefor is for a term of 1 year or less;

Second, conviction and imprisonment for nonpayment of a fine, or for contempt of court;

Third, committed to a prison term following a revocation of probation in offenses involving failure to make support payment to children born out of wedlock—District of Columbia Code, title 16, section 2350.

Under the amended bill the court is authorized to grant a work release privilege when the sentencing judge is satisfied that the ends of justice and the best interests of society as well as of the prisoner will be subserved thereby. The sentencing court shall provide in an appropriate order the conditions and terms under which an inmate granted a work release program may be released from actual custody during the time necessary to proceed to his place of employment or other authorized places, perform specified activities and return to a place of confinement designated by the Director, Department of Corrections.

A prisoner at the time of imposition of sentence or subsequently, may originate a work release privilege for himself by submitting a request to the sentencing court. Also, the probation officers of the court, and the Department of Corrections for the District, at the imposition of sentence or subsequently, may recommend to the sentencing court that the prisoner be granted work release privileges. No prisoner shall be granted work release privileges except by order of the court.

Other pertinent sections of the bill are summarized in the explanation of amendments made to the bill, and in the section-by-section analysis.

AMENDMENTS TO THE BILL

The amendments to section 3 of the bill limit the privilege of recommending which may be made on behalf of a prisoner for the release privilege, to the probation officers of the court or the Director, District of Columbia Department of Corrections. Your committee deleted the U.S. Attorney and the Corporation Counsel as ones who might so recommend, since both are prosecuting officers. Your committee believes, as representatives of the Department of Justice and of the Corporation Counsel's office agreed at the public hearing on the bill, that the authority for making such recommendations should more properly be lodged only in parole and correctional officers.

Your committee in section 7 restored provisions which the Commissioners in their original recommendations to the House had included; namely, authorizing the Commissioners to make deductions from the earnings of gainfully employed prisoners to cover the cost of their room and board. Your committee's amendment authorizes for this purpose "the payment of an amount not to exceed the lesser of 20 per centum of the prisoner's earnings, or $4 per day."

This is in line with the provisions of the Federal Rehabilitation Act, referred to above. Your committee believes, as the House Committee on the Judiciary stated in reporting said act—House Report No. 694, 89th Congress—that it will be a salutary for prisoners enjoying work release to contribute, to a reasonable degree, for their board and upkeep.

Your committee deleted section 10 of the Senate-passed bill, which would provide for the utilization of the resources of the Manpower Development and Training Office of the Department of Labor in the District of Columbia work release program. The Secretary of Labor would be directed to establish a program of factual studies and to promote, encourage, or directly engage in, programs of information relating to the employment problems of workers participating in the Work Release Act. The Secretary would be further directed to develop solutions to such problems and publish findings pertaining thereto.

This section was not a part of the bill as originally recommended by the Commissioners, and the Secretary of Labor, who favors the objectives of the proposal, advised your committee that if this legislation is enacted, his Department would be glad to cooperate with the administrators of the work release program in establishing a program of studies contemplated by the Senate provision. However, he indicated that the Department already has ample power to do this under the Manpower and Training Act and therefore concluded that this section is neither necessary nor desirable. Accordingly, your committee, as stated, deleted same from the bill.

Your committee added a new section—section 11—to prohibit a prisoner who participates in the work release program from receiving any unemployment compensation with respect to any employment under such program during the time he was a prisoner.

Your committee also added another amendment—section 12—which relieves the District of Columbia from liability for actions of prisoners in the course of their employment under the work release program, or while going to and from such employment, except when they are employed and paid by the District for work for the District.

SCOPE AND COST OF THE PROGRAM

To date, according to the testimony of the District of Columbia Department of Corrections, 55 prisoners have participated in the work release program under the Federal Rehabilitation Act. Of these 55, 24 have been released into the community.

Currently, also according to testimony before your committee there are approximately 3,200 District of Columbia inmates in the various penal institutions; namely, 1,250 at the Reformatory at Lorton, 750 at the District of Columbia Jail, 300 at the Youth Center, 100 at Women's Reformatory, and 800 at the District of Columbia Workhouse. Only the latter 800 would be eligible to participate in the work release program provided in the bill. However, it is further estimated that only approximately 100 to 200 would be interested or able to participate in such a program. This would involve additional cost to the District of Columbia of between $35,000 and $40,000 per annum, because of additional employees required in the Department of Corrections, and the District of Columbia court of general sessions, depending upon the scope of the program and if it develops to embrace this many prisoners. It should be pointed out, of course, that this cost, in part, will be offset by permitting the District of Columbia to recover out of the inmates' earnings, the payment of court imposed fines and forfeitures.

PUBLIC HEARINGS

Subcommittee No. 4 of your committee held a full hearing on this proposed legislation on August 16, 1966. Representations in support thereof were presented on behalf of the Commissioners of the District of Columbia, the U.S. attorney's office for the District of Columbia, the District of Columbia Department of Corrections, and the District of Columbia court of general sessions. No opposition to the general proposals was expressed from any source.

Mr. WHITENER. Mr. Speaker, I am pleased to rise in support of this legislation to provide a work release program for prisoners of the District of Columbia. The State of North Carolina was a pioneer in the work release approach in handling prisoners. Since 1957, when our work release law was adopted, many jurisdictions have sent people to our State—not only other States in this Union but foreign countries—to study the program which has worked so excellently in our State. Our 1957 law was limited to misdemeanants. It worked so well with those misdemeanants that shortly thereafter the judges of the State at their judicial conference requested the legislature to extend it to felons also because they felt the program could very well be used for rehabilitation of felons.

Mr. Speaker, I feel it is a remarkable thing that today we have more than 1,000 work release prisoners in North Carolina who are supporting themselves who otherwise would be a complete burden to the taxpayers of the State.

We have had 6,080 participants in the program since its commencement in 1957 through July 1, 1965. They have earned a total of $4.4 million. The prison department has deducted $1.5 million for their keep and $370,000 for their transportation.

Mr. Speaker, these inmates on work release have contributed $1,212,000 to the support of their families during that period of time. Of course, they have paid taxes to the Federal and State Governments upon their earnings.

However, Mr. Speaker, the most remarkable thing about it is that during the period that we have had the work release program the repeat rate of violations of the criminal law by these men and women who have been on work release has been only 6.8 percent. This is certainly lower than the overall percentages that we find in the Nation with reference to the repetition of crime by former inmates in prisons.

Now, Mr. Speaker, North Carolina Prison Director Randall gave an example which I believe will be of interest to the Members. He said a former felon with a wife and one child was given the opportunity to go on work release. He was a heavy-equipment operator. During approximately 16 months he worked about this type of employment while serving a sentence in prison. In spite of the periods of unemployment due to bad weather, his earnings totaled $6,052.93.

He paid the prison department $1,172.25 for his keep, $310 for his transportation to and from his work, and $2,272 to support his family. He used $998.76 for approved personal expenses. When he was released from prison he had $1,299.92, a steady job, and a family to go back to. According to his employer, by whom he is still employed, he is doing a splendid job.

I think the experience in my State indicates that, properly administered, this program can be a great improvement in our penal system and correctional procedure.

GENERAL LEAVE TO EXTEND REMARKS

Mr. DOWDY. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the bill presently under consideration.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

S. 1319

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Work Release Act".

Sec. 2. There is hereby authorized to be established in the District of Columbia a work release program under which any person who is (1) convicted of a misdemeanor or of violating a municipal regulation or an Act of Congress in the nature of a municipal regulation, and is sentenced to serve in a penal institution a term of one year or less, (2) imprisoned for nonpayment of a fine, or for contempt of court, or (3) committed to jail after revocation of probation pursuant to section 16–2350, District of Columbia Code, may, whenever the judge of the sentencing court is satisfied that the ends of justice and the best interests of society as well as of such person would be subserved thereby, be granted the privilege of a work release for the purpose of working at his employment or seeking employment. Such a work release privilege may also be granted, in the discretion of the sentencing court, whenever there exist such special circumstances as merit the granting of the privilege. As used in this Act, the word "sentence" and its derivatives shall be construed to include sentencing, imprisonment, and commitment as referred to in this section.

Sec. 3. At the time of imposition of sentence, or at any time subsequent thereto, the probation officers of the courts, the United States Attorney for the District of Columbia or the Corporation Counsel, as the case may be, or the Director, Department of Corrections of the District of Columbia, may recommend to, or the person sentenced may petition, the sentencing court that such person be granted the privilege of a work release. On motion of such person, the court may, in its discretion, allow any such petition which has been denied to be reinstituted. No person shall be granted work release privileges without his consent, nor shall any prisoner be given work release privileges except by order of the sentencing court.

Sec. 4. The sentencing court shall provide in its original order of commitment or in a modification thereof the terms and conditions under which a person granted work release privileges may be released from actual custody during the time necessary to proceed to his place of employment or other authorized places, perform specified activities, and return to a place of confinement designed by the Director, Department of Corrections.

Sec. 5. The Commissioners of the District of Columbia are authorized to promulgate from time to time such rules and regulations as they deem necessary for the administration by the Department of Corrections of the work release program. Subject to the terms and conditions prescribed in the order of the sentencing court, the Commissioners are authorized to prepare an individual plan to meet the specific needs of each prisoner granted the privilege of a work release.

Sec. 6. (a) The Director, Department of Corrections, may suspend the work release privilege of a prisoner for not to exceed five successive days for any breach of discipline or infraction of institution regulations. The court may revoke the work release privilege at any time, either upon its own mation or upon recommendation of the Director, Department of Corrections.

(b) Any prisoner who willfully fails to return at the time and to the place of confinement designated in his work release plan shall be fined not more than $300 or imprisoned not more than ninety days, or both, such sentence of imprisonment to run consecutively with the remainder of previously imposed sentences. All prosecutions for violation of this subsection shall be in the District of Columbia Court of General Sessions upon information filed by the Corporation Counsel of the District of Columbia or any of his assistants.

Sec. 7. The Commissioners are authorized to include in individual work release plans provisions for the collection of the wages, salary, earnings, and other income of each gainfully employed prisoner when paid, or require that the same be surrendered when received, less payroll deductions required or authorized by law, and to deposit the amount so received in a trust fund account in the Treasury of the United States. Such wages, salary, or earnings in the hands of either the employer or the Commissioners during such prisoner's terms shall not be subject to garnishment or attachment. The Commissioners are further authorized in individual work release plans to provide for disbursements for any or all of the following purposes: (a) necessary travel expenses to and from work or other business and incidental expenses of the prisoner; (b) support of the prisoner's dependents, if any; (c) support of minor children pursuant to court order; (d) payment of court fines of forfeitures; or (e) payment, either in full or ratably, of the prisoner's debts which have been acknowledged by him in writing or have been reduced to judgment. The balance of such earnings, if any there be after payments therefrom for the foregoing purposes, shall be paid to the prisoner upon the completion of the period during which he is subject to confinement.

Sec. 8. Payments for support pursuant to section 7 of this Act shall be made through the clerks of the respective courts In cases where there is no outstanding court order of support or judgment against the prisoner, the Director, Department of Public Welfare, or his designated agent, shall, after investigation, report to the Commissioners the amounts deemed necessary for support of the prisoner's dependents.

Sec. 9. The Attorney General of the United States may, in order to carry out the purposes of this Act, designate the Commissioners as his authorized representative to perform the functions vested in him by section 11 of the Act entitled "An Act to establish a Board of Indeterminate Sentence and Parole for the District of Columbia and to determine its functions, and for other purposes", approved July 15, 1932, as amended (D.C. Code, 1961 edition, sec. 24–425).

Sec. 10. (a) Section 102 of the Manpower Development and Training Act of 1962 (76 Stat. 23), as amended, is amended by adding after paragraph (4) thereof the following new paragraph:

"(4A) establish a program of factual studies and promote, encourage, or directly engage in programs of information concerning the employment problems of workers participating in employment under the provisions of the District of Columbia Work Release Act; develop solutions to such problems, and publish findings pertaining thereto;"

Sec. 11. (a) As used in this Act the term "Commissioners" means the Board of Commissioners of the District of Columbia or its designated agents.

(b) Nothing in this Act shall be construed so as to affect the authority vested in the Commissioners by Reorganization Plan Numbered 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Commissioners or in any office or agency under the jurisdiction and control of said Commissioners may be performed by the Commissioners or may be delegated by said Commissioners in accordance with section 3 of such plan.

Sec. 12. This Act shall take effect on the first day of the first month which follows its approval by at least ninety days.

Mr. DOWDY. Mr. Speaker, by direction of the committee I offer several amendments and ask unanimous consent that they be considered en bloc.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The Clerk read as follows:

Amendments offered by Mr. Dowdy: Page 2, beginning in line 18, strike out ", the United States Attorney for the District of Columbia or the Corporation Counsel, as the case may be,".

Page 2, line 22, strike out "petition" and insert in lieu thereof "request".

Page 2, beginning in line 23, strike out "On motion of such person, the court may, in its discretion, allow any such petition which has been denied to be reinstituted."

Page 3, beginning in line 1, strike out "granted work release privileges without his consent, nor shall any prisoner be".

Page 4, line 23, insert immediately after "disbursements" the following: "from the trust fund account established under this section".

Page 4, line 24, insert immediately after the colon the following: "(a) the payment of an amount not to exceed the lesser of 20 per centum of the prisoner's earnings, or $4 per day, as the cost of his room and board;".

Page 4, line 24, strike out "(a)" and insert "(b)".

Page 5, in lines 1, 2, 3, and 4 strike out "(b)", "(c)", "(d)", and "(e)", and insert in lieu thereof "(c)", "(d)", "(e)", and "(f)", respectively.

Page 6, strike out lines 3 through 13.

Page 6, line 14, strike out "11" and insert in lieu thereof "10".

Page 6, immediately after line 24, insert the following new sections:

"Sec. 11. Section 9 of the District of Columbia Unemployment Compensation Act (D.C. Code, sec. 46-309) is amended (1) by striking out the period at the end of clause (e) and inserting in lieu thereof a semicolon, and (2) by adding after clause (e) the following new clause:

"'(f) that he is not a prisoner in a District of Columbia correctional or penal institution who was employed in the free community under authority of the District of Columbia Work Release Act, or that he has not made a claim for benefits with respect to a week during which he was a prisoner in a District of Columbia correctional or penal institution.'

"Sec. 12. Except when employed and paid by the District of Columbia for the performance of work for the District of Columbia government, no prisoner employed in the free community under the provisions of this Act shall, while working in such employment in the free community or going to or from such employment, be deemed to be an agent, employee, or servant of the District of Columbia government."

Page 7, line 1, strike out "12" and insert in lieu thereof "13".

The amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DISTRICT OF COLUMBIA PUBLIC EDUCATION ACT

Mr. DOWDY. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia be discharged from the further consideration of the bill (H.R. 16958) to authorize the establishment of a public community and vocational college and a public college of arts and sciences in the District of Columbia, and ask for its present consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, I would like to ask the gentleman from Texas several questions.

As to the cost of this proposed legislation for the vocational school. Is this within the budget recommendation of the President?

Mr. DOWDY. These schools are requested by the President. I am sure there is nothing in the budget right now. That will have to be done after the schools are authorized, if they are.

Mr. GERALD R. FORD. But the program which would naturally encompass the cost is within the President's program that he submitted to the Congress?

Mr. DOWDY. It is.

Mr. GERALD R. FORD. And could the gentleman tell the Members of the House what the authorization limitation is dollarwise? What is the authorized limit?

Mr. DOWDY. It has an authorization of $50 million and a borrowing authority of $40 million.

Mr. GERALD R. FORD. Will the gentleman from Texas and the gentleman from Minnesota, if the reservation of objection is withdrawn, take some time on the floor to explain the details of the legislation?

Mr. DOWDY. We will do that.

This bill was introduced by the gentleman from Minnesota [Mr. Nelsen] and I am sure he will want to do that.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. Dowdy]?

There was no objection.

The Clerk read the bill, as follows:

H.R. 16958

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "District of Columbia Public Higher Education Act".

Sec. 2. As used in this Act—

(a) The term "public college of arts and sciences" means an institution of higher education established pursuant to this Act and which is organized and administered principally to provide a four-year program in the liberal arts and sciences acceptable for a bachelor's degree, including but not limited to, courses in teacher education, and such additional program of study as may be acceptable for a master's degree, and courses on an individual, noncredit basis to those desiring to further their education without seeking a degree.

(b) The term "public community and vocational college" means an institution of higher education established pursuant to this Act and which is organized and administered principally to provide a two-year program which is acceptable for full credit toward a bachelor's degree or for a degree of associate in arts, which program shall include, but shall not be limited to, courses in business education, secretarial training, and business administration, and courses in engineering, mathematics, and the physical and biological sciences which are designed to prepare a student to work as a technician and at a semiprofessional level in engineering, scientific, and other technological fields requiring the understanding and application of basic engineering, scientific, or mathematical principles or knowledge, and which college also provides courses on an individual, noncredit basis for persons desiring to further their education without seeking a degree.

(c) The term "Board of Higher Education" and "Board" means the Board of Higher Education established by section 3 of this Act.

(d) The term "Board of Education" means the Board of Education of the District of Columbia established by the Act of June 30, 1906 (34 Stat. 316), as amended (D.C. Code, sec. 31 101 et seq.).

Sec. 3. (a) The control of the public college of arts and sciences and of the public community and vocational college is hereby vested in a Board of Higher Education, which shall consist of nine members of whom not less than five shall have been residents of the District of Columbia for a period of not less than three years immediately prior to their appointments. The members of the Board (including all members appointed to fill vacancies on such Board) shall be appointed by the President of the United States, by and with the advice and consent of the Senate. The President shall designate one of the members as Chairman, who shall serve at the pleasure of the President. Such members shall be appointed for terms of three years; except that the terms of office of the members first taking office shall expire, as designated by the President at the time of appointment, three at the end of one year, three at the end of two years, and three at the end of three years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of that term. Members of the Board shall serve without compensation, but may be reimbursed for their travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 73b 2) for persons serving the Government without compensation.

(b) The President of the United States may remove, in accordance with the provisions of this subsection, any member of the Board of Higher Education for adequate cause affecting his character and efficiency as a member. If the President determines that, with respect to any such member, there is adequate cause affecting his character and efficiency as a member, the President may appoint a special investigating board, consisting of not more than three members, to consider the matter. The investigating board, in considering such matter, shall hold public hearings and, on the basis thereof, report to the President with respect to their findings of fact and recommendations. Following the receipt by him of such report, the President may remove such member from office.

(c) The members of the Board shall not be personally liable in damages for any official action of the Board in which such members participate, nor shall they be liable for any costs that may be taxed against them or the Board on account of any such official action by them as members of the Board, but such costs shall be charged to the District of Columbia and paid as other costs are paid in suits against the municipality; nor shall the Board or any of its members be required to give any bond or security for costs or damages on any appeal whatever.

Sec. 4. The Board is hereby vested with the following powers and duties:

(1) To develop detailed plans for and to establish, organize, and operate in the District of Columbia a public college of arts and sciences and a public community and vocational college, both colleges shall be located on the same campus;

(2) To establish policies, standards, and requirements governing admission, programs, graduation (including the award of degree) and general administration of the colleges established pursuant to this Act;

(3) To appoint and compensate, without regard to the civil service laws or the Classification Act of 1949, as amended, a president for each of the colleges established pursuant to this Act, each of who shall serve for a term of four years;

(4) To employ and compensate such officers as it determines necessary for each of the colleges established pursuant to this Act, and such educational employees for each of such colleges as the president thereof may recommend in writing, without regard to the civil service laws, the Classification Act of 1949, the Annual and Sick Leave Act of 1951, the Act entitled "An Act to prevent pernicious political activities", approved August 2, 1939 (63 Stat. 1147), the Civil Service Retirement Act, as amended, and the Dual Compensation Act, but subject to the Federal Employees Compensation Act, the Federal Employees

Group Life Insurance Act of 1954, the Federal Employees Health Benefits Act of 1959, and the Veterans' Preference Act of 1944, as amended: *Provided*, That subject to the approval of the Commissioners, the compensation schedules for such officers and employees shall be fixed and adjusted from time to time consistent with the public interest and in accordance with rates for comparable types of positions in like institutions of higher education. The Board, with the concurrence of the Commissioners, is authorized to determine which officer and educational positions shall be subject to the coverage of the higher education salary schedules. Salary levels shall be determined based on duties, responsibilities, and qualifications. The Board, upon the recommendations of the presidents of the colleges, shall establish, with the approval of the Commissioner and without regard to the provisions of any other law, retirement and leave systems for such officers and employees which shall be comparable to such systems in like institutions of higher education;

(5) To employ and compensate noneducational employees of the Board and of the colleges established pursuant to this Act in accordance with the Civil Service Act, the Classification Act of 1949, the Civil Service Retirement Act, the Federal Employees Compensation Act, the Federal Employees Group Life Insurance Act of 1954, the Federal Employees Health Benefits Act of 1959, the Veterans' Preference Act of 1944, and any other statute applicable to noneducational employees of the Board of Education;

(6) To fix, from time to time, tuition to be paid by nonresidents attending any such college, but in no event shall any legal resident of the District of Columbia be required to pay any tuition charge to attend any college established pursuant to this Act. Tuition charged nonresidents shall be fixed in such amounts as will, to the extent feasible, approximate the cost to the District of Columbia of the services for which such charge is imposed, and shall be deposited to the credit of the general revenues of the District of Columbia;

(7) To fix, from time to time, fees to be paid by students attending any such college established pursuant to this Act (including charges for room and board), and receipts from such fees shall be deposited into a revolving fund in a private depository in the District, which fund shall be available, without fiscal year limitation, for such purposes as the Board of Higher Education of the District shall approve, and the Board of Higher Education is authorized to make necessary rules respecting deposits into and withdrawals from such fund;

(8) To transmit annually to the Congress and the Commissioners of the District of Columbia estimates of the appropriation required for the colleges established pursuant to this Act for the ensuing year;

(9) To accept services and moneys, including gifts or endowments, from any source whatsoever, for use in carrying out the purposes of the Act. Such moneys shall be deposited in the Treasury of the United States to the credit of a trust fund account which is hereby authorized and may be invested and reinvested as trust funds of the District of Columbia. The disbursement of the moneys from such trust funds shall be in such amounts, to such extent, and in such manner as the Board of Higher Education, in its judgment, may determine necessary to carry out the purposes of this Act;

(10) To submit to the Congress and the Commissioners of the District of Columbia recommendations relating to legislation affecting the administration and programs of such colleges;

(11) To make such rules and regulations as the Board deems necessary to carry out the purposes of this Act;

(12) To assume control of the District of Columbia Teachers College established pursuant to the Act approved February 25, 1929 (45 Stat. 1276; D.C. Code, sec. 31-118) from the Board of Education at such time as may be mutually agreed upon by such Boards and approved by the Commissioners. As such time personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available for such Teachers College are authorized to be transferred and be under the control of such Board of Higher Education: *Provided*, That the laboratory school shall remain under the control and management, and the employees assigned to such schools shall remain subject to the supervision of, the Board of Education: *Provided further*, That noneducational employees of the Teachers College at the time the control of such College is assumed by the Board of Higher Education shall retain all benefits provided by any law applicable to noneducational employees of the Board of Education, and shall be subject to any benefits provided for noneducational employees of the Board of Higher Education: *Provided further*, That educational employees of the Teachers College at the time the control of such College is assumed by the Board of Higher Education shall be subject to the same benefits provided for all educational employees of the Board of Higher Education pursuant to paragraph (4) of section 4 of this Act except that such educational employees may elect, within ninety days of such time, to remain subject to the provisions of the Act entitled "An Act for the retirement of public school teachers in the District of Columbia", approved August 7, 1946 (60 Stat. 875), as amended; and

(13) To provide for the crediting to educational employees of the Teachers College pursuant to the leave system established for educational employees of the Board of Higher Education under this Act, leave accumulated pursuant to the provisions of the District of Columbia Teachers' Leave Act of 1949.

SEC. 5. The Commissioners and the Board of Education may furnish to the Board, upon request of such Board, such space and facilities in private buildings or in public buildings of the government of the District of Columbia, records, information, services personnel, offices, and equipment as may be available and which are necessary to enable the Board properly to perform its functions under this Act.

SEC. 6. All obligations and disbursements for the purpose of the Act shall be incurred, made, and accounted for in the same manner as other obligations and disbursements for the District of Columbia and, except as provided in paragraph (9) of section 4 of this Act, under the direction and control of the Commissioners.

SEC. 7. (a) Subchapter 1 of chapter 18 of the Act of March 3, 1901 (31 Stat. 1280), as amended (D.C. Code, sec. 29-401, 419), is amended (1) by striking out "Board of Education" wherever it appears in such subchapter and by inserting in lieu thereof "Board of Higher Education", and (2) by adding at the end thereof the following new section:

"SEC. 586g. As used in this subchapter the term 'Board of Higher Education' means the Board of Higher Education established pursuant to the District of Columbia Public Higher Education Act."

(b) Nothing contained in the amendment made by this section shall be construed as affecting the validity of any license issued by the Board of Education prior to the date of the enactment of this Act.

SEC. 8. (a) There are hereby authorized to be appropriated from the revenues of the District of Columbia such sums as are necessary to carry out the purposes of this Act.

(b) Subsection (b) of section 1 of the Act entitled "An Act to authorize the Commissioners of the District of Columbia to borrow funds for capital improvements programs and to amend provisions of law relating to Federal Government participation in meeting costs of maintaining the Nation's Capital City", approved June 6, 1958 (72 Stat. 183), as amended (D.C. Code, sec. 9-220(b)), is amended (1) by striking out "$225,000,000" and by inserting in lieu thereof "$245,000,000" and (2) by inserting immediately before the period at the end thereof a colon and the following: "*And provided further*, That $20,000,000 of the principal amount of loans authorized to be advanced pursuant to this subsection shall be utilized to carry out the purposes of the District of Columbia Public Higher Education Act".

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That this Act may be cited as the 'District of Columbia Public Education Act'.

"TITLE I—FEDERAL CITY COLLEGE

"SEC. 101. As used in this title—

"(1) The term 'Federal City College' means the public college of arts and sciences established pursuant to this title. Such college shall be organized and administered to provide (A) a four-year program in the liberal arts and sciences acceptable toward a bachelor of arts degree, including courses in teacher education; (B) a two-year program (i) which is acceptable for full credit toward a bachelor's degree or for a degree of associate in arts, and which may include courses in business education, secretarial training, and business administration, or (ii) in engineering, mathematics or the physical and biological sciences which is designed to prepare a student to work as a technician or at a semiprofessional level in engineering, sciences, or other technical fields which require the understanding and application of basic engineering, scientific, or mathematical principles or knowledge; (C) educational programs of study as may be acceptable for a master's degree; and (D) courses on an individual, noncredit basis to those desiring to further their education without seeking a degree.

"(2) The term 'Commissioners' means the Board of Commissioners of the District of Columbia.

"(3) The term 'Board' means the Board of Higher Education established in section 102 of this title.

"(4) The term 'Board of Education' means the Board of Education of the District of Columbia established by section 2 of the Act of June 30, 1906 (D.C. Code, sec. 31-101).

"SEC. 102. (a) The Federal City College shall be under the control of a Board of Higher Education, which shall consist of nine members of whom not less than five shall have been residents of the District of Columbia for a period of not less than three years immediately prior to their appointments. The members of the Board (including all members appointed to fill vacancies on such Board) shall be appointed by the Commissioners. The members of the Board shall select a chairman from among their number. Such members shall be appointed for terms of three years; except that the terms of office of the members first taking office shall expire, as designated by the Commissioners at the time of appointment, three at the end of one year, three at the end of two years, and three at the end of three years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of that term. Members of the Board shall serve without compensation, but may be reimbursed for their travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons serving the Government without compensation.

"(b) The Commissioner shall have the power to remove any member of the Board at any time for adequate cause, which relates to his character or to his efficiency as a member, after notice and opportunity for hearing.

"(c) The members of the Board shall not be personally liable in damages for any official action of the Board in which such members participate, nor shall they be liable for any costs that may be taxed against them or the Board on account of any such official action by them as members of the Board, but such costs shall be charged to the District of Columbia and paid as other costs are paid in suits against the municipality; nor shall the Board or any of its members be required to give any bond or security for costs or damages on any appeal whatever.

"Sec. 103. (a) The Board is vested with the following powers and duties:

"(1) To develop detailed plans for and to establish, organize, and operate in the District of Columbia the Federal City College.

"(2) To establish policies, standards, and requirements governing admission, programs, graduation (including the award of degrees) and general administration of the Federal City College.

"(3) To appoint and compensate, without regard to the civil service laws or chapter 51 and subchapter III of chapter 53 of title 5, United States Code, a president for the Federal City College.

"(4) To employ and compensate such officers as it determines necessary for the Federal City College, and such educational employees for the Federal City College as the president thereof may recommend in writing. Such officers and educational employees may be employed and compensated without regard to—

"(A) the civil service laws,

"(B) chapter 51 and subchapter III of chapter 53 of title 5, United States Code (relating to classification of positions in Government service),

"(C) sections 6301 through 6305 and 6307 through 6311 of title 5, United States Code (relating to annual and sick leave for Federal employees),

"(D) chapter 15 and sections 7324 through 7327 of title 5, United States Code (relating to political activities of Government employees),

"(E) section 3323 and subchapter III of chapter 81 of title 5, United States Code (relating to civil service retirement), and

"(F) sections 3326, 3501, 3502, 5531 through 5533, and 6303 of title 5, United States Code (relating to dual pay and dual employment),

but the employment and compensation of such officers and educational employees shall be subject to—

"(i) sections 7902, 8101 through 8138, and 8145 through 8150 of title 5, United States Code, and sections 292 and 1920 through 1922 of title 18, United States Code (relating to compensation for work injuries),

"(ii) chapter 87 of title 5, United States Code (relating to Government employees group life insurance),

"(iii) chapter 89 of title 5, United States Code (relating to health insurance for Government employees), and

"(iv) sections 1302, 2108, 3305, 3306, 3308 through 3320, 3351, 3363, 3364, 3501 through 3504, 7511, 7512, and 7701 of title 5, United States Code (relating to veteran's preference).

Subject to the approval of the Commissioners, the compensation schedules for such officers and employees shall be fixed and adjusted from time to time consistent with the public interest and in accordance with rates for comparable types of positions in like institutions of higher education. Salary levels shall be determined based on duties, responsibilities, and qualifications. The Board, upon the recommendations of the president of the college, shall establish, with the approval of the Commissioners and without regard to the provisions of any other law, retirement and leave systems for such officers and employees which shall be comparable to such systems in like institutions of higher education.

"(5) To employ and compensate noneducational employees of the Board and of the Federal City College in accordance with—

"(A) the civil service laws,

"(B) chapter 51 and subchapter III of chapter 53 of title 5, United States Code (relating to classification of positions in government service),

"(C) section 3323 and subchapter III of chapter 81 of title 5, United States Code (relating to civil service retirement),

"(D) sections 7902, 8101 through 8138, and 8145 through 8150 of title 5, United States Code, and sections 292 and 1920 through 1922 of title 18, United States Code (relating to compensation for work injuries),

"(E) chapter 87 of title 5, United States Code (relating to government employees group life insurance),

"(F) chapter 89 of title 5, United States Code (relating to health insurance for government employees),

"(G) sections 1302, 2108, 3305, 3306, 3308 through 3320, 3351, 3363, 3364, 3501 through 3504, 7511, 7512, and 7701 of title 5, United States Code (relating to veteran's preference), and

"(H) any other laws applicable to noneducational employees of the Board of Education.

"(6) To fix, from time to time, tuition to be paid by students attending the Federal City College. Tuition charged nonresidents shall be fixed in such amounts as will, to the extent feasible, approximate the cost to the District of Columbia of the services for which such charge is imposed. Receipts from the tuition charged students attending the college shall be deposited to the credit of the General Fund of the District of Columbia.

"(7) To fix, from time to time, fees to be paid by students attending the Federal City College. Receipts from such fees shall be deposited into a revolving fund in a private depository in the District, which fund shall be available, without fiscal year limitation, for such purposes as the Board shall approve. The Board is authorized to make necessary rules respecting deposits into and withdrawals from such fund.

"(8) To transmit annually to the Commissioners estimates of the appropriation required for the Federal City College for the ensuing year.

"(9) To accept services and moneys, including gifts or endowments, from any source whatsoever, for use in carrying out the purposes of this title. Such moneys shall be deposited in the Treasury of the United States to the credit of a trust fund account which is hereby authorized and may be invested and reinvested as trust funds of the District of Columbia. The disbursement of the moneys from such trust funds shall be in such amounts, to such extent, and in such manner as the Board, in its judgment, may determine necessary to carry out the purposes of this title.

"(10) To submit to the Commissioners recommendations relating to legislation affecting the administration and programs of the Federal City College.

"(11) To make such rules and regulations as the Board deems necessary to carry out the purposes of this title.

"(12) To assume control of the District of Columbia Teachers College established pursuant to the Act approved February 25, 1929 (D.C. Code, sec. 31–118), from the Board of Education at such time as may be mutually agreed upon by such Boards and approved by the Commissioners. At such time, the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds available or to be made available for such Teachers College are authorized to be transferred to, and brought under the control of, such Board of Higher Education, except that the laboratory schools shall remain under the control and management, and the employees assigned to such schools shall remain subject to the supervision of, the Board of Education. The noneducational employees of the Teachers College at the time the control of such Teachers College is assumed by the Board of Higher Education, shall retain all benefits provided by any law applicable to noneducational employees of the Board of Education, and shall be subject to any benefits provided for noneducational employees of the Board of Higher Education. The educational employees of the Teachers College at the time the control of such College is assumed by the Board of Higher Education shall be subject to the same benefits provided for all educational employees of the Board of Higher Education pursuant to paragraph (4) of this subsection, except that such educational employees may elect, within ninety days of such time, to remain subject to the provisions of the Act entitled 'An Act for the retirement of public school teachers in the District of Columbia', approved August 7, 1946 (60 Stat. 875).

"(13) To provide for the crediting to educational employees of the Teachers College, pursuant to the leave system established for educational employees of the Board of Higher Education under this title, leave accumulated pursuant to the provisions of the District of Columbia Teachers' Leave Act of 1949.

"(b) A person shall, at the time of his registration to attend the Federal City College, be considered to be a legal resident of the District of Columbia for purposes of paragraph (6) of subsection (a) if—

"(1) such person is domiciled in the District of Columbia on the date of such registration and has been so domiciled during all of the three-month period immediately preceding such date; and

"(2) in case such person on such date—

"(A) has not attained twenty-one years of age,

"(B) has not been relieved of the disabilities of minority by order of a court of competent jurisdiction, and

"(C) has a living parent or a court-appointed guardian or custodian,

there is domiciled in the District of Columbia on such date an individual who is the parent or court-appointed guardian or custodian of such person, and who has been so domiciled for all of the three-month period immediately preceding such date.

"Sec. 104. The Commissioners and the Board of Education may furnish to the Board, upon request of such Board, such space and facilities in private buildings or in public buildings of the government of the District of Columbia, records, information, services, personnel, offices, and equipment as may be available and which are necessary to enable the Board properly to perform its functions under this title.

"Sec. 105. All obligations and disbursements for the purpose of this title shall be incurred, made, and accounted for in the same manner as other obligations and disbursements for the District of Columbia and, except aas provided in paragraph (9) of section 103 of this title, under the direction and control of the Commissioners.

"Sec. 106. (a) Sections 586b–586e of subchapter 1 of chapter 18 of the Act of March 3, 1901 (D.C. Code, secs. 29-415—29-418), is amended (1) by striking out 'Board of Education' wherever it appears in such subchapter and by inserting in lieu thereof 'Board of Higher Education', and (2) by adding at the end thereof the following new section:

" 'Sec. 586g. As used in this subchapter, the term "Board of Higher Education" means the Board of Higher Education established pursuant to title I of the District of Columbia Public Education Act.'

"(b) Nothing contained in the amendment made by this section shall be construed as affecting the validity of any license issued by the Board of Education prior to the date of the enactment of this title.

"TITLE II—WASHINGTON TECHNICAL INSTITUTE

"SEC. 201. As used in this title—

"(1) The term 'Washington Technical Institute' means the vocational and technical school established pursuant to this title. Such institute shall provide (A) vocational and technical education designed to fit individuals for useful employment in recognized occupations; and (B) vocational and technical courses on an individual, noncredit basis.

"(2) The term 'Commissioners' means the Board of Commissioners of the District of Columbia.

"(3) The term 'Vocational Board' means the Board of Vocational Education established by section 202 of this title.

"(4) The term 'Board of Education' means the Board of Education of the District of Columbia established by section 2 of the Act of June 30, 1906 (D.C. Code, sec. 31-101).

"SEC. 202. (a) The Washington Technical Institute shall be under the control of a Board of Vocational Education which shall consist of nine members appointed by the President of the United States. Of the nine members, at least six shall be selected from industry. The members of the Vocational Board shall select a chairman from among their own number. The members of the Vocational Board shall be appointed for terms of three years; except that the terms of office of the members first taking office shall expire, as designated by the President at the time of appointment, three at the end of one year, three at the end of two years, and three at the end of three years. Any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of that term. A vacancy in the Vocational Board shall be filled in the same manner as the original appointment was made. Members of the Vocational Board shall serve without compensation, but may be reimbursed for their travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons serving the Government without compensation.

"(b) The President of the United States may remove, in accordance with the provisions of this subsection, any member of the Vocational Board for adequate cause affecting his character and efficiency as a member. If the President determines that, with respect to any such member, there is adequate cause affecting his character and efficiency as a member, the President may appoint a special investigating board, consisting of not more than three members, to consider the matter. The investigating board, in considering such matter, shall hold public hearings and, on the basis thereof, report to the President with respect to their findings of fact and recommendations. Following the receipt by him of such report, the President may remove such member from office.

"(c) The members of the Vocational Board shall not be personally liable in damages for any official action of the Vocational Board in which such members participate, nor shall they be liable for any costs that may be taxed against them or the Vocational Board on account of any such official action by them as members of the Vocational Board, but such costs shall be charged to the District of Columbia and paid as other costs are paid in suits against the municipality; nor shall the Vocational Board or any of its members be required to give any bond or security for costs or damages on any appeal whatever.

"SEC. 203. (a) The Board is hereby vested with the following powers and duties:

"(1) To develop detailed plans for and to establish, organize, and operate in the District of Columbia the Washington Technical Institute.

"(2) To establish policies, standards, and requirements governing admission, programs, graduation (including the award of degrees) and general administration of the Washington Technical Institute.

"(3) To appoint and compensate, without regard to the civil service laws or chapter 51 and subchapter III of chapter 53 of title 5, United States Code, a president for the Washington Technical Institute.

"(4) To employ and compensate such officers as it determines necessary for the Washington Technical Institute, and such educational employees for the Washington Technical Institute as the president thereof may recommend in writing. Such officers and educational employees may be employed and compensated without regard to—

"(A) the civil services laws,

"(B) chapter 51 and subchapter III of chapter 53 of title 5, United States Code (relating to classification of positions in Government service),

"(C) sections 6301 through 6305 and 6307 through 6311 of title 5, United States Code (relating to annual and sick leave for Federal employees),

"(D) chapter 15 and sections 7324 through 7327 of title 5, United States Code (relating to political activities of Government employees),

"(E) section 3323 and subchapter III of chapter 81 of title 5, United States Code (relating to civil service retirement), and

"(F) sections 3326, 3501, 3502, 5531 through 5533, and 6303 of title 5, United States Code (relating to dual pay and dual employment),

but the employment and compensation of such officers and educational employees shall be subject to—

"(i) sections 7902, 8101 through 8138, and 8145 through 8150 of title 5, United States Code, and sections 292 and 1920 through 1922 of title 18, United States Code (relating to compensation for work injuries),

"(ii) chapter 87 of title 5, United States Code (relating to Government employees group life insurance),

"(iii) chapter 89 of title 5, United States Code (relating to health insurance for Government employees), and

"(iv) sections 1302, 2108, 3305, 3306, 3308 through 3320, 3351, 3363, 3364, 3501 through 3504, 7511, 7512, and 7701 of title 5, United States Code (relating to veteran's preference).

Subject to the approval of the Commissioners, the compensation schedules for such officers and employees shall be fixed and adjusted from time to time consistent with the public interest and in accordance with rates for comparable types of positions in like technical institutes. Salary levels shall be determined based on duties, responsibilities, and qualifications. The Vocational Board, upon the recommendations of the president of the Washington Technical Institute, shall establish, with the approval of the Commissioner and without regard to the provisions of any other law, retirement and leave systems for such officers and employees which shall be comparable to such systems in like technical institutes.

"(5) To employ and compensate noneducational employees of the Vocational Board and the Washington Technical Institute in accordance with—

"(A) the civil service laws,

"(B) chapter 51 and subchapter III of chapter 53 of title 5, United States Code (relating to classification of positions in Government service),

"(C) section 3323 and subchapter III of chapter 81 of title 5, United States Code (relating to civil service retirement),

"(D) sections 7902, 8101 through 8138, and 8145 through 8150 of title 5, United States Code, and sections 292 and 1920 through 1922 of title 18, United States Code (relating to compensation for work injuries),

"(E) chapter 87 of title 5, United States Code (relating to Government employees group life insurance),

"(F) chapter 89 of title 5, United States Code (relating to health insurance for Government employees),

"(G) sections 1302, 2108, 3305, 3306, 3308 through 3320, 3351, 3363, 3364, 3501 through 3504, 7511, 7512, and 7701 of title 5, United States Code (relating to veteran's preference), and

"(H) any other laws applicable to noneducational employees of the Board of Education.

"(6) To fix, from time to time, tuition to be paid by students attending the Washington Technical Institute. Tuition charged nonresidents shall be fixed in such amounts as will, to the extent feasible, approximate the cost to the District of Columbia of the services for which such charge is imposed. Receipts from the tuition charged students attending the institute shall be deposited to the credit of the general fund of the District of Columbia.

"(7) To fix, from time to time, fees to be paid by students attending the Washington Technical Institute. Receipts from such fees shall be deposited into a revolving fund in a private depository in the District, which fund shall be available, without fiscal year limitation, for such purposes as the Vocational Board shall approve. The Vocational Board is authorized to make necessary rules respecting deposits into and withdrawals from such fund.

"(8) To transmit annually to the Commissioners estimates of the appropriation required for the Washington Technical Institute for the ensuing year.

"(9) To accept services and moneys, including gifts or endowments, from any source whatsoever, for use in carrying out the purposes of the title. Such moneys shall be deposited in the Treasury of the United States to the credit of a trust fund account which is hereby authorized and may be invested and reinvested as trust funds of the District of Columbia. The disbursement of the moneys from such trust funds shall be in such amounts, to such extent, and in such manner as the Vocational Board, in its judgment, may determine necessary to carry out the purposes of this title.

"(10) To submit to the Commissioners recommendations relating to legislation affecting the administration and programs of the Washington Technical Institute.

"(11) To make such rules and regulations as the Vocational Board deems necessary to carry out the purposes of this title.

"(b) A person shall, at the time of his registration to attend the Washington Technical Institute, be considered to be a legal resident of the District of Columbia for purposes of paragraph (6) of subsection (a) if—

"(1) such person is domiciled in the District of Columbia in the date of such registration and has been so domiciled during all of the three-month period immediately preceding such date; and

"(2) in case such person on such date—

"(A) has not attained twenty-one years of age,

"(B) has not been relieved of the disabilities of minority by order of a court of competent jurisdiction, and

"(C) has a living parent or a court-appointed guardian or custodian,

there is domiciled in the District of Columbia on such date an individual who is the parent or court-appointed guardian or custodian of such person, and who has been so domiciled for all of the three-month period immediately preceding such date.

"SEC. 204. The Commissioners and the Board of Education may furnish to the Vocational Board, upon request of such Board, such space and facilities in private buildings or in public buildings of the government of the District of Columbia, records, information, services, personnel, offices, and equipment as may be available and which are necessary to enable the Vocational Board properly to perform its functions under this title.

"SEC. 205. All obligations and disbursements for the purpose of this title shall be incurred, made, and accounted for in the same manner as other obligations and disbursements for the District of Columbia and, except as provided in paragraph (9) of section 203 of this title, under the direction and control of the Commissioners.

"TITLE III—AUTHORIZATION OF APPROPRIATIONS

"SEC. 301. (a) There is authorized to be appropriated from the revenues of the District of Columbia not to exceed $50,000,000 to carry out the purposes of title I and II of this Act. The authorization made by this subsection shall include any amounts made available pursuant to the amendment made by subsection (b) of this section.

"(b) Subsection (b) of the first section of the Act appproved June 6, 1958 (D.C. Code, sec. 9–220(b)), is amended—

"(1) by striking out '$250,000,000' in the first sentence and inserting in lieu thereof '$290,000,000', and

"(2) by inserting immediately before the period at the end of the first sentence the following: 'and (3) $40,000,000 of the principal amount of loans authorized to be advanced pursuant to this subsection shall be utilized to carry out the purposes of titles I and II of the District of Columbia Public Education Act'."

Mr. NELSEN. Mr. Speaker, I move to strike out the last word.

Mr. Speaker, I might find it rather difficult to support a bill that would set up a college. I have never attended one. But I want to point out that in my judgment there is nothing more important that we could do at this point than to provide for the District of Columbia Vocational Education School, which will train young men and young women to make use of the talents that they may have.

All of us have certain aptitudes, and if we cultivate and train them, we can hold a job. We speak of juvenile delinquency and crime. If we are qualified to hold a job, that is a contributing factor toward the elimination of much of the problems we have.

This particular bill would create a 4-year liberal arts college, to be known as the Federal City College, and it would also provide a junior college program. Originally we started out with a proposal for a junior college and also a 4-year college, but we cut it down with the idea that we could go on to the 4 years. Then there would be the technical and vocational school, which would be named the Washington Technical Institute.

The vocational training that we have available in the District of Columbia does not even compare with the vocational training we have in some of our smaller towns in the State of Minnesota. In the Nation's Capital we should have the best. I sincerely believe that this is something we ought to do. I do not think there is a more conservative or careful person on this House floor than I am myself.

But I am fully convinced that this is something that needs to be done and should be done. If there are any questions, we will try to answer them. I am sure that this is something we ought to do.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding. He has made a good statement here, and certainly any of us who are interested in education, for the reasons he stated, appreciate the importance of a college in the District of Columbia. Could the gentleman tell me if the bill and/or any reports or hearings are available as to this bill?

Mr. NELSEN. Reports are available. The committee report is printed, and we have a clean bill that we could have ready for your attention. We have discussed this with gentlemen in the other body. They have indicated to me that the reduced size of the program is acceptable, and I believe it will go through the Senate as it is presently printed.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, certainly all of us understand the need for speed in the closing days of this Congress. I wonder if the gentleman could tell us where this college might be located. Is there a site available?

Mr. NELSEN. Several sites have been discussed. Nothing has been nailed down at this point. But it is our hope that the facilities will be in the District of Columbia.

I might point out that the board in this case will be appointed by the District Commissioners. The original bill provided that they would be appointed by the President. We felt that if the District Commissioners appointed the members of the board, there would be entre as far as the ear of the board is concerned from the White House and also from the House of Representatives, because this is a Federal City school.

As to the technical school, we felt it was important that we have the best technical minds in the country, and therefore the prestige of the White House would be of great assistance in reaching out to industry and bringing in men who may be in the high-salaried bracket but have the technical know-how to serve on this board to train your young men and women in the various crafts in which we find openings as far as jobs are concerned.

Mr. HALL. As I understand it, there is $50 million authorized in this bill, if it passes, and there would be a $40 million borrowing authority, which would be paid back from tuition and other accretions that the college might make.

Mr. NELSEN. I might mention to my good friend that the original bill provided for no tuition—free tuition. The gentleman from Texas [Mr. DOWDY], myself, and the committee felt that a part of the foundation on which the ability of a skilled person is built is desire. A person must have a desire to open his education with a reasonable tuition; so in the bill we have inserted language to the effect that a reasonable tuition will be charged, but not so low that it will compete to the disaster of other schools of learning, but a reasonable level which can be reached by those who are in moderate circumstances.

The SPEAKER. Without objection, the time of the gentleman will be extended 5 minutes.

There was no objection.

Mr. NELSEN. I thank the Speaker.

Mr. HALL. I believe the title of the bill refers to a public training institution, including vocational and technical training.

Mr. NELSEN. Yes.

Mr. HALL. The gentleman mentioned not only public instruction but also the liberal arts.

Mr. NELSEN. Yes.

Mr. HALL. I assume there will be a full curriculum approved by the National Education Association and the North Central Association or whatever other certifying bodies there may be for colleges of higher education, and that it will include, for example, a Bachelor of Science degree in the various sciences.

Mr. NELSEN. As I understand it, the 4-year course will qualify a person to go on to get a bachelor of arts degree, and the 2-year course will allow him to go on to the 4-year course.

Mr. DOWDY. Mr. Speaker, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Texas.

Mr. DOWDY. It goes on to the bachelor of arts degree in the 4-year college, and of course the other is a vocational college.

Mr. HALL. So we have there a junior college, a liberal arts college, and a vocational and technical training college, and this will be controlled by the Commissioners of the District of Columbia, according to the gentleman's bill, and not by the Board of Education of the District of Columbia?

Mr. NELSEN. That is correct.

Mr. HALL. I thank the gentleman. I think this is an erstwhile bill, and should be supported.

Mr. DOWDY. Mr. Speaker, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Texas.

Mr. DOWDY. To develop a little further the gentleman's statement about tuition which might be charged, there was mention made that there would be no tuition charged, but our committee felt it was proper.

Mr. NELSEN. Yes.

Mr. DOWDY. It was our intention and purpose that the tuition be fixed by the board of trustees—that is not what we called it, but fixed for each school, and it was our intention that the tuition be set comparable with tuition charged by other publicly supported colleges in the Washington metropolitan area. That would be true of the 4-year school. And on the technical school it would be with respect to publicly supported technical schools in this area.

Mr. NELSEN. Yes.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. NELSEN. I yield to the gentleman from Illinois.

Mr. SPRINGER. I know how hard the gentleman has worked on this bill and how deeply he has been devoted to creating this kind of college, university, and vocational technical school, which is so badly needed in the District of Columbia.

Being a member of the Committee on the District of Columbia, I know how badly such a vocational school especially is needed in the District for so many of these youngsters who come out of the high schools in the District of Columbia and who have almost no skills. They are unable to go on to college in the ordinary sense we think of it, for an A.B. or a B.S. degree. Their line will be technical.

Nothing has been needed more in the 8 years I have been on the District Committee than something for these youngsters who come out needing training in technical education, when they cannot qualify for what I would call a bachelor of arts degree.

I compliment the gentleman for making an important part of this bill the vocational and technical institute, which plays so prominent a part in the bill he has created. I know how hard he has worked on this not only in this body but also in the time he has spent with Members of the other body working out the details of this bill so that it will be acceptable when it goes to the other body.

For all this work the gentleman is to be highly commended.

Mr. NELSEN. I thank the gentleman very much.

Mr. WHITENER. Mr. Speaker, will the gentleman yield?

Mr. NELSEN. I am happy to yield to the gentleman from North Carolina.

Mr. WHITENER. I have asked the gentleman to yield in order that I might say, as our colleague from Illinois has said, that the gentleman in the well, the gentleman from Minnesota [Mr. NELSEN] is entitled to great credit for the zeal which he has shown in bringing about this very worthwhile result. It has been a great joy to have had an opportunity to work with him and with the other members of the subcommittee under the direction of our chairman, the gentleman from Texas [Mr. DOWDY] in helping to bring about what I believe is one of the most forward looking steps that we have taken in the District of Columbia in many a day.

I know that there were many different philosophies about what should be done in this field of higher education.

I believe that what the gentleman from Minnesota and the other members of the committee have done is in the best interests of everyone in that we have created or will have created with this legislation a 4-year institution with a 2-year program built into it rather than to try to create two separate institutions. I think that the move that was made in connection with the vocational institute, that is, the Washington Technical Institute, is one which is of immeasurable value.

The SPEAKER. The time of the gentleman from Minnesota has expired.

Mr. WHITENER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may proceed for 5 additional minutes.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. NELSEN. I yield further to the gentleman from North Carolina.

Mr. WHITENER. Particularly I believe the decision that was made to create a Board of Vocational Education that would supervise the Washington Technical Institute was one of the best steps taken up under this program or under this bill. Six of these nine members of the Board of Vocational Education must come from industry and may come, as do the other three members of the board, from anywhere in the United States. I visualize that we are going to have the support of the great industries of this country in making this institution work not only for the benefit of the Washington area but for the benefit of the entire country as they send these young men and these young women out of the technical institute.

The 4-year college program with a reasonable tuition fee based upon similar costs in other community colleges is a very important thing. I think we should make it clear that the committee did not contemplate these tuition charges and fees would be comparable to those of the University of Maryland or Howard University or that type of institution, but when we say comparable to publicly supported institutions we mean schools such as the Northern Virginia Community College or the Montgomery County Junior College and such technical institutions.

Now, Mr. Speaker, I want to say a personal word of thanks to the gentleman from Minnesota and to the members of the committee for accepting my suggestion as to a name for this 4-year college. I am pleased that members of the press and members of the community in the educational world as well as our committee have said that my suggestion of the name of Federal City College is a good one. I hope that this institution which we are about to establish will become a great institution which will in effect radiate its benefits federally and not just locally as it trains local students.

Mr. NELSEN. I thank the gentleman from North Carolina for that statement. I want to mention here that our chairman, the gentleman from South Carolina [JOHN MCMILLAN], in the hearings said that we are 30 years behind in providing vocational training facilities. I regret that he is not here at this moment, but I want to say that he has given us complete support on this proposal, and I am very pleased to be able to make that statement to this body.

Now, Mr. Speaker, I yield to the gentleman from Michigan [Mr. GERALD R. FORD], the minority leader.

Mr. GERALD R. FORD. Mr. Speaker, I wish to compliment the Committee on the District of Columbia for bringing forth this legislation. More specifically, I wish to congratulate the gentleman from Minnesota [Mr. NELSEN], who I know from his many conversations with me, has been a leading advocate of this legislation which will produce the brick and mortar, the faculty, and most importantly, the opportunity for new educational facilities in the District of Columbia which are badly needed and long overdue. The gentleman from Minnesota can take considerable pride in the fact that he had a major part in making this possible.

Mr. NELSEN. I thank the gentleman.

As long as we are handing out bouquets, I must hand one to the Speaker, because I have discussed this with him many times. He has given us the encouragement to proceed, and I am sure his graciousness tonight has been a factor in bringing this bill up for proper consideration tonight. I thank him very sincerely.

Mr. DOWDY. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, first I want to thank the distinguished Speaker of the House of Representatives, the gentleman from Massachusetts [Mr. MCCORMACK] for taking this time this evening to schedule this bill for the consideration of the House. I say this because I feel it is highly important legislation. I wish to join in the commendations given to our colleague, the gentleman from Minnesota [Mr. NELSEN] for his intense interest in this bill, which, of course, is shared by me in moving it along quite rapidly and getting it out for the consideration of the full membership of the House.

PURPOSE OF THE BILL

The purpose of H.R. 16958, as amended, is to authorize the establishment of two public educational institutions in the District of Columbia, as follows:

First. A 4-year liberal arts college, to be known as the Federal City College, which will also provide a junior college program.

Second. A technical and vocational school, which will be named the Washington Technical Institute.

These two schools will occupy separate campuses, and will charge tuition to residents and nonresidents of the District of Columbia.

The bill incorporates, with some modifications, the key recommendations of the blue-ribbon Committee on Public Higher Education in the District of Columbia, appointed by President John F. Kennedy on September 23, 1963, and reappointed by President Lyndon B. Johnson.

PROVISIONS OF THE BILL

TITLE I

Title I authorizes the establishment in the District of Columbia of the Federal City College, whose mission will be to provide the following educational programs:

First. A 4-year program in the liberal arts and sciences acceptable toward a bachelor of arts degree, including courses in teacher education;

Second. A 2-year program which is acceptable for full credit toward a bachelor's degree or for a degree of associate in arts. The curriculum in this

2-year program shall be designed to include courses in business education and secretarial training, as well as courses preparing the students to work as technicians and at a semiprofessional level in engineering, sciences, or other technical fields;

Third. Educational programs for study acceptable for a master's degree; and

Fourth. Courses on an individual, noncredit basis to those desiring to further their education without seeking a degree.

BOARD OF HIGHER EDUCATION

The Federal City College will be under the control of a Board of Higher Education, to consist of nine members appointed by the District of Columbia Board of Commissioners, at least five of whom must have been residents of the District of Columbia for at least 3 years immediately prior to their appointments. The terms of the members of the Board shall be 3 years, on a staggered term basis. These members shall serve without compensation, but may be reimbursed for travel expenses, including per diem in lieu of subsistence, as authorized under Federal law—section 5703, title 5, United States Code—for persons serving the Government without compensation. The Commissioners shall have the power to remove any member of the Board of Higher Education for adequate cause, after notice and opportunity for hearing.

The Board of Higher Education is vested with the following powers and duties:

First. To plan, establish, organize, and operate the Federal City College in the District of Columbia.

Second. To establish policies and standards governing admission, programs, graduation, and the awarding of degrees, and general administration of the college.

Third. To appoint and compensate, without regard to the civil service laws, a president for the college.

Fourth. To employ and compensate such officers and educational employees as the president of the college shall recommend in writing. Subject to the approval of the Commissioners, the compensation schedules for these officers and educational employees shall be fixed and adjusted from time to time in accordance with rates for comparable types of positions in like institutions of higher education. The Board shall also establish, upon the recommendations of the president of the college and with the approval of the Commissioners, retirement and leave systems for these officers and educational employees, again comparable to such systems in like institutions of higher learning.

Fifth. To employ and compensate noneducational employees of the Board and of the Federal City College, in accordance with the civil service laws and salary schedules.

Sixth. To fix tuition for students attending the college, with the tuition charged to nonresidents being fixed as far as is feasible in amounts which will approximate the cost to the District of the services for which the charge is imposed. All receipts from tuition shall be deposited to the credit of the District of Columbus general fund.

Your committee feels strongly that the tuitions charged for residents of the District of Columbia should be related to tuitions being charged by other existing comparable public-supported community colleges in the Washington metropolitan area. This comparison should not be based upon tuition charges and fees of private colleges and universities in the area, nor of State universities.

Seventh. To fix fees, in addition to tuitions, to be paid by resident and nonresident students attending the college. Receipts from these fees shall be deposited in a revolving fund, and shall be available for such purposes as the Board shall approve, without fiscal year limitation.

Eighth. To transmit annually to the District of Columbia Board of Commissioners estimates of the appropriation required for the Federal City College for the ensuing year.

Ninth. To accept services, gifts, or endowments for the use of the college. Such moneys shall be deposited in the U.S. Treasury to the credit of a trust fund, and shall be disbursed in such amounts and in such manner as the Board may determine.

Tenth. To submit to the Commissioners recommendations relating to legislation affecting the administration and programs of the Federal City College.

Eleventh. To make such rules and regulations as the Board deems necessary to carry out its functions.

Twelfth. To assume control of the District of Columbia Teachers College from the District of Columbia Board of Education, at such time as is mutually agreed upon by these two Board and approved by the Commissioners. This transfer may include the personnel, property, records, and unexpended balances of appropriations and other funds. Transfer of teaching personnel of District of Columbia Teachers College to the Federal City College is discretionary with the Board of Higher Education, and is not mandatory. However, the laboratory schools, in which teacher personnel is trained, shall remain under the control of the District of Columbia Board of Education. The noneducational employees of the District of Columbia Teachers College, when such transfer of control is effected, shall retain all benefits applicable to noneducational employees of the Board of Education, and also shall receive any benefits provided for noneducational employees of the Board of Higher Education. The educational employees of the District of Columbia Teachers College shall be subject to the benefits provided for all educational employees of the Board of Higher Education, except that they may elect within 90 days of the date of transfer to remain under the provisions of the District of Columbia Teachers' Retirement Act.

Thirteen. To provide to educational employees of the District of Columbia Teachers College credit for leave accumulated under the District of Columbia Teachers Leave Act of 1949.

RESIDENCE REQUIREMENT

Title I specifies also the formula for determining, for the purpose of payment of tuition, whether or not a person registering to attend the Federal City College is a legal resident of the District of Columbia. This requirement is that the person shall be domiciled in the District at the time of his registration and shall have been so domiciled for at least three months immediately prior thereto; or in the case of a minor, that his parents or court-appointed guardian or custodian shall fulfill this same requirement of domicile.

TITLE II

Title II authorizes the establishment of a Washington Technical Institute, whose mission is to provide vocational and technical education designed to equip the students for useful employment in recognized occupations, and also such courses on an individual, noncredit basis.

BOARD OF VOCATIONAL EDUCATION

The bill provides that the Washington Technical Institute shall be under the control of a Board of Vocational Education, to consist of nine members appointed for 3-year terms, on a staggered term basis, by the President of the United States. At least six members of this Board shall be selected from industry, and there is no limitation as to their residence within the United States. It is the feeling of your committee that the prestige of appointment by the President will make it possible to attract members of this Board from among the upper echelons of industrial management, and thus to achieve a nationwide recognition of the work of the Washington Technical Institute.

Members of this Board shall also serve without compensation except for travel expenses and per diem in lieu of subsistence and shall be subject to removal from the Board for adequate cause by the President of the United States. The President in such a case may appoint a special investigating board which shall hold public hearings, and upon whose findings and recommendations the President may take action.

The powers and duties of the Board of Vocational Education are the same as those prescribed in title I for the Board of Higher Education, except for those with respect to the District of Columbia Teachers College which, of course, are not applicable.

Residence requirements for the purpose of determining tuition rates for students at the Washington Technical Institute are identical to those for students at the Federal City College.

With respect to tuition charged for attendance at the Washington Technical Institute, your committee feels again that such tuition should be in line with those charged by existing publicly operated schools of like character in the Washington metropolitan area.

THE DIFFERENT ROLES OF THE FEDERAL CITY COLLEGE

THE 2-YEAR PROGRAM

The "junior college" program in the Federal City College will fill several District educational needs which are not presently served in any way in the District of Columbia.

First, it will provide postsecondary academic training comparable to the first 2 years of college for students, many of whom could not otherwise afford any college education. Its courses will be academically integrated with the curriculum offered in the 4-year program, so that students in the 2-year program who develop the desire and demonstrate the requisite academic achievement level to continue on into a 4-year program to the bachelor's degree, may do so with no loss of time or credit.

Second, it will be expected that the academic requirements for entrance into the 2-year program will not be as exacting as those for applicants to the 4-year program. However, the experience in junior colleges elsewhere has been that many students who originally could not have been accepted into a 4-year college develop sufficiently in academic aptitude and achievement during 2 years of junior college study to be able to continue on successfully to a bachelor's degree and beyond. In other words, the 2-year college frequently serves to afford the student who did not do particularly well in high school, and opportunity to "find" himself and to demonstrate his ability to complete a 4-year college career.

Third, the 2-year program will offer high school graduates in the District an opportunity to obtain a terminal 2-year college education leading to the degree of associate in arts, which will materially increase their opportunities for better positions in business, engineering, scientific, and technical fields for which they could not otherwise hope to qualify.

Your committee is advised that some 1,500 students may be expected to enroll in this 2-year program.

THE 4-YEAR PROGRAM

The purposes of the 4-year program will complement those described above, in rounding out a complete program of higher education available to the citizens of the District of Columbia and within the financial means of all.

It would absorb with greater effectiveness the offerings of the present, inadequate District of Columbia Teachers College. It is patent also that strengthening and diversification of the college's curriculum would enrich the preparation of teachers. The 4-year program would also have a broader purpose. High school graduates from the District deserve the opportunity now open to young people in every State to attend a public, low-cost college offering a liberal education.

From its studies, the President's Committee concluded that there are presently between 350 and 400 "college-able" graduates of the District's public high schools—other than those preparing to teach—who do not go to college under existing circumstances but who would have the opportunity to do so if the District established a publicly supported college of arts and sciences.

Adding to these the graduates of parochial and private secondary schools and some 200 to 250 students interested in preparing to teach, the President's Committee concluded that the 4-year program should be prepared to admit, at the beginning, at least 600 entering students from the District of Columbia.

On this basis, and assuming normal attrition and some admissions with advanced standing from the public community and vocational college, it would be reasonable to expect a total enrollment of perhaps 2,500 in the fourth year of the college operation.

The 4-year program should therefore be planned to meet the needs of District of Columbia students for liberal arts education, and to provide also for preparation for teaching, counseling, and other educational functions. It should grant both the baccalaureate and master's degrees, particularly since the master's degree is required for permanent teaching appointments in the District's secondary schools.

THE EDUCATIONAL NEED

This bill, which your committee strongly recommends favorably, would remedy a major flaw in the education resources of the Nation's Capital.

Delays in meeting this need might mean that large sums of money—approaching one-half of a million dollars—especially intended by the Congress for the benefit of the kinds of students these institutions would enroll, would automatically be lost to them forever.

The educational need for the proposed facilities in the District of Columbia is critical. Each year about 4,500 high school graduates are graduated in the District of Columbia. Of these, about 56 percent go on to some form of higher education. Over 2,000 of these graduates do not, and over 2,000 additional young people, previously their classmates, would be in the same category had they not dropped out of their class in the ninth grade or later. In the District of Columbia only about 66 percent of the pupils in the ninth grade stay on to be graduated. There are only five States in the Union in which this percentage is smaller, and the national average is about 75 percent.

One of the important features of the Washington Technical Institute is that it will afford students who do not have high school diplomas the opportunity of pursuing vocational courses in this institution. The vocational training program to be offered will be of a higher level and more extensive than the vocational courses available in the District's secondary schools. The vocational education program in secondary schools will not be affected by the establishment of the Washington Technical Institute and will be designed to complement that study course.

The cost of higher education to students does not alone determine who goes to college, but it is of major importance. The findings of the President's Committee on Higher Education were that the percentage of high school graduates in the District of Columbia who enter college on graduation varies directly with the median family income of the families in the area served by their schools. It reported that:

> The only public high school serving an area where the median family income is above $10,000 had, during the 4-year period under study, 73.7 percent of its graduates attending college after graduation. The three schools serving areas where the median family income was between $7,000 and $10,000 were next highest (45.4, 53.0, and 45.0 percent, respectively). The three schools serving areas where the family median income was between $5,000 and $7,000 were still lower (27.0, 21.1, and 37.0 percent). The four schools serving areas where family incomes were below $5,000 had the lowest percentages—one school excepted (20.6, 18.9, 16.6, and 26.9). It is likewise significant that of this group of 4 public high schools, 95 percent of the graduates who did attend a local university upon graduation enrolled here at Howard University, a federally established and supported institution open to students from the 50 States and presently having a substantial enrollment of students from foreign countries. When the median income of the families in the area served by the school was in the middle range ($5,000 to $10,000), more than six times as large a percentage of these graduates—between 30 and 35 percent—attend other local universities.

The existing private and public institutions of higher education in the District of Columbia do not meet the need which these data suggest.

In the fall of 1963, only about one-half of the high school graduates living in the District of Columbia who started to college that year entered an institution of higher education in the District of Columbia, and only 26 percent of all undergraduates enrolled in District of Columbia institutions were District of Columbia residents. The comparable averages for all States was 78 percent, with 26 the lowest and 94 the highest.

None of the five universities in the District of Columbia—Georgetown, George Washington, American, Catholic, or Howard—addresses itself mainly to the needs of District residents and none of them is in a position to extend any tuition advantage to residents of the District, 40 percent of whose families were estimated in 1960 to have incomes of less than $5,000. Each of the five institutions—including Howard University, which has more District of Columbia students than the others—with good and justifiable reason feels itself to have a national rather than a local educational mission.

It is generally recognized, moreover, that the cost of tuition and fees required for attendance at District of Columbia universities and colleges—as well as institutions outside the District—make most of them beyond financial reach of large numbers of District high school graduates. The tuition charges for last fall in the five major institutions of higher education in the District were as follows: American University, $1,430; Catholic University, $1,325; Georgetown University, $1,550; George Washington University, $1,400; and Howard University, which is subsidized by Federal funds, $500. Tuition rates are expected to be increased.

A survey of the intentions of high school seniors in the District gives convincing evidence of the need for each of the two proposed institutions now. Of the 3,891 seniors who responded, 2,540 plan to continue their education in a college or university next year, another 771 are undecided, and 580 do not plan to continue their education beyond the secondary school level. If the Federal City College and the Washington Technical Institute are established, 2,586 of the seniors indicated that they would be interested in attending one of these institutions. A total of 1,711 indicated that they would apply for admission to one of the institutions if they were able to attend the college or university of their choice next year. Approximately 55 percent indicated an interest in curriculums that would be offered in the 4-year program and the other 45 percent are interested in curriculums leading to the associate in arts degree.

Employment opportunities are changing rapidly because of inventions and progress made in automating industrial, clerical, and managerial processes. As a result of this, many persons can expect to change their occupations several times during their lifetime.

In the judgment of your committee, adaptability will be one of the most important requirements of future employees. For many people and many jobs in the District of Columbia, a high school education no longer provides an adequate basis for rapid, effective retraining. The institutions proposed in this bill will, in a major way, meet the educational needs of District residents in this regard.

Unless community and vocational training is provided in the District of Columbia, thousands of young men and women will be condemned to unemployment. Unless they are trained for employment in this age of automation, they will not find employment and thereby become productive citizens.

There are thousands of young men and women in the District of Columbia that are capable of doing satisfactory college work, provided the educational facilities and programs are made available to them.

COST ESTIMATES AND FINANCING

Your committee approved an authorization of $50 million for constructing and equipping the educational facilities proposed by this bill. Firm estimates on an undertaking of this scope is difficult to forecast with great accuracy. Because a major portion will be capital construction, your committee agreed that $40 million of the total $50 million authorization should be borrowed by the District from the Federal Government under 72 Stat. 183. Presently, the District of Columbia government, after congressional approval, uses this borrowing method annually for capital construction purposes with repayment over a 30-year schedule. This compares with State and municipal practices generally where capital construction items are amortized during their subsequent use.

The latest—October 12, 1966—estimates of cost of these institutions submitted to your committee by the District of Columbia government, Department of General Administration, are as follows:

Federal City College (4,000 student stations: 2,500 arts and science program, 1,500 community college program)

Plans and specifications	$1,400,000
Construction	15,000,000
Equipment	1,400,000
Total	17,800,000

Washington Technical Institute (2,500 student stations, vocational, technical, and occupational programs)

Plans and specifications	$1,500,000
Construction	9,325,000
Equipment	4,175,000
Total	15,000,000

Recapitulation of total costs of both institutions

Federal City College	$17,800,000
Washington Technical Institute	16,000,000
Construction contingencies	2,200,000
Estimate of site acquisition (if purchase is required)	5,000,000
Grand total	40,000,000

Your committee is advised by spokesmen for the U.S. Office of Education that the experience in public colleges throughout the country indicates that the operating expenses of the Federal City College and the Washington Technical Institute may be expected to amount to between $900 and $1,000 per year per student. Based upon the estimated total enrollment of 6,500 students for the two institutions together, the larger of these figures would indicate a total annual operating cost of some $6.5 million. However, the collection of tuition charges and fees will partially reduce this cost to the District of Columbia.

SUPPORT OF THE BILL

The objectives of this bill are strongly supported by the U.S. Office of Education; District of Columbia Board of Commissioners; United Planning Organization; Adult Education Association of Greater Washington; District of Columbia Board of Education; Association of State Colleges and Universities; District of Columbia Education Association; American Veterans Committee; Greater Washington Central Labor Council; Council of Church of Greater Washington; American Association of Junior Colleges; American Federation of Teachers; American Association of University Women; National Council of Jewish Women; League of Women Voters of the District of Columbia; National Congress of Parents and Teachers; Metropolitan Washington Board of Trade; and the National Education Association.

Your committee conducted public hearings on this proposed legislation on September 12 and 21, 1966, hearing testimony from a large number of witnesses. No opposition was expressed to the objectives of the bill, which in principle are identical to those in S. 293, which was approved by the Senate on September 21, 1966.

Your committee strongly urges the prompt enactment of this measure in order that the formidable task of construction and operation of the Federal City College and the Washington Technical Institute may get underway without delay.

The President of the United States wrote to the Speaker of the House of Representatives, proposing legislation to authorize public higher education facilities in the District of Columbia, as this bill provides with some modifications.

ROLE OF THE WASHINGTON TECHNICAL INSTITUTE

Mr. NELSEN. Mr. Speaker, H.R. 16958, in addition to establishing a 4-year arts and science college, establishes also a 2-year technical institute, wherein District of Columbia students would receive the finest preparation in advanced vocational training.

The Washington Technical Institute would fill a serious gap that currently exists in the District. The genesis of this gap takes two parts: First, the all-too-prevalent attitude on the part of some educators, public officials, and citizens to play down the importance of vocational training which would more realistically meet the needs and aptitudes of many students than would pure academic studies; and second, the woeful lack of adequate vocational training facilities to absorb anywhere near the number of District students desiring vocational training.

This portion of the bill is designed to provide to post-high-school vocational students a public facility wherein they could receive the necessary technical upgrading in their chosen field. Most of the 50 States and most of our cities have such a public facility, many have several; the District of Columbia has none.

Your committee studies have pointed up vividly the fact that many students are channeled into pure academic studies when, instead, their aptitudes and desires in large measure lay in other areas of interest. These other areas of interest could very well lead them—with the proper training—into personally satisfying and economically gratifying fields such as data processing, electronics, photography, secretarial training, commercial art, and so forth. The possibilities are infinite. But the training facilities currently existing even in the District high schools are less than minimal and can be attributable to the lack of understanding and farsightedness on the part of many. In most instances, almost half of the District high school students who apply for vocational training are rejected mainly due to the lack of facilities.

Your committee was impressed by the review of the District's vocational facilities made by the committee's consultant, Dr. Duane R. Lund, one of the outstanding vocational training experts in the country. Dr. Lund, in his report[1] to the committee stated, in part:

> The Washington schools have just barely scratched the surface of post-high-school vocational education—again because of the lack of shops and classrooms * * *. However, thousands of Washington young people who have finished high school or who have dropped out in recent years want and need vocational education, but cannot receive it until classrooms and shops have been provided * * *. Our Nation has been engaged for many months in a war on poverty. Our frontline of attack should be vocational education * * * there is no more effective or economical way of making taxpayers out of "tax takers."

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[1] Hearings before Committee on the District of Columbia, "Vocational Education and the Schools of The District of Columbia," May 10 and 11, 1966, 89th Cong., 2d sess.

The District Board of Education separately retained Odell-MacConnell Associates, noted school consultants from California. This firm was retained for the express purposes of providing realistic specifications for vocational training here in the District of Columbia.

The firm found that the present public school vocational system can accommodate only 2,900 students out of 150,000 and concluded that the need for increased vocational facilities are so obvious as to preclude the need for further justification.

The technical institute would fundamentally be responsive to the needs of the working community, offering vocational-technical-occupational programs, special programs not available elsewhere. It would teach courses designed to produce in its students skills that are immediately employable.

THE ECONOMIC NEED

The Council of Economic Advisers, in their last annual report to the President, stated that "Even when viewed in the narrow perspective of economic benefit alone, the direct returns to individuals and society from investment in education have been shown by recent studies to be high, and to compare favorably with the returns from other forms of investment."

It is estimated that advances in new knowledge and technology are responsible for 20 percent of the growth rate of the national income, and for 36 percent of the individual's income. As a rule, the lifetime earnings of a man who has completed 4 or more years of college will exceed by at least $180,000 those of a person whose studies end in high school. When the pupils now in the first grade graduate from high school in 1978, it is predicted that more than 60 percent of all employment opportunities will be in professional, managerial, or skilled technical occupations requiring postsecondary or higher education.

Looking at the reverse side of the picture, low educational attainment has a clear correlation with high rates of unemployment, dependency, delinquency, crime, ill health, disruption of homes through divorce and desertion—in short, with all the social ills that hinder the economic potential of the Nation, and demand of all of us direct, out-of-pocket expenditures which merely shore up a leaky dike.

These are realities altogether familiar to the residents of the District of Columbia, documented in a "Skill Survey of the Washington Metropolitan Area" prepared by the U.S. Department of Labor, and in other studies.

Since 1960 there has constantly been a pool of about 20,000 unemployed, mostly in the central city. Nevertheless the total number of jobs in the area as a whole has increased by about 40,000 annually. Unlike other cities the shortage of skills in the District of Columbia has been found to be characteristic of virtually all occupations.

Spokesmen for the Metropolitan Washington Board of Trade, the Commission on Human Resources of the Washington Center for Metropolitan Studies, the United Planning Organization, the U.S. Employment Service, and organized labor have all stressed the importance of expanded higher education in overcoming these difficulties in expressing their support for the institutions contemplated in this legislation.

One of the most desirable innovations in this legislation is the provision that the President will appoint the nine-member board of trustees for the technical institute. Your committee felt that the President could use his immense prestige to obtain as board members the most influential appointees from national industry to assist in properly guiding the institute to what, hopefully, would be a showcase institution.

In its report, pointing to the dire need for increased vocational facilities, Odell-McConnell selected three facts of greatest consequence that profoundly affect our general educational program today:

First. There is little or no demand by employers to employ our youth under 18 years of age in most cities.

Second. When pupils graduate at age 18 from high school to commence work, or get jobs without graduation at that age or earlier, there is ordinarily very little job skill or vocational knowledge required to get and hold their initial jobs.

Third. Not all children like intellectual approaches to learning equally well; some do not like intellectual approaches at all. Each child, or learner, needs to be challenged in a way which appeals to him if effective learning is to occur, and some children may not choose to learn much of what the schools wish to teach. In short, there are many different ways to achieve learning which derive from differences in individual learner's abilities and interests. These are greater in number and complexity than we ordinarily acknowledge in schools as now constituted.

The foregoing merely serves to define our problem, a problem which applies both nationally and locally. More and more students are dropping out of our academic institutions for a number of reasons, among which are a failure by the pupil to associate fulfilling his needs through pure academics, and a failure by the schools to recognize that some pupils are better geared through aptitude to learning a technical craft. Such failure leads to disillusionment, disinterest, boredom, class chaos, and finally to dropoutism. The dropout then is usually well on the road to either the welfare rolls or crime, both of which are becoming enormously costly to the taxpayers.

Instead of investing untold millions of dollars in trying to maintain the welfare dole and other hundreds of millions in trying to stem crime, it would seem to your committee that one of the most valuable and lasting investments that can be made of the public's money is to invest it in an institution of this type which is designed to rescue once and for all many young people who have great natural potential, which could be trained toward making them vital, valuable, creative, and taxpaying citizens.

Your committee is advised that some 2,500 students may be expected to enroll in the Washington Technical Institute.

Mr. DOWDY. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "An Act to authorize the establishment in the District of Columbia, of a public college of arts and sciences and vocational and technical institute."

A motion to reconsider was laid on the table.

PRIVILEGE OF THE HOUSE

Mr. WILLIS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. WILLIS. Mr. Speaker, I wish to announce that I intend to take up a matter which involves a privilege of the House on Tuesday next. The matter I intend to call up specifically involves three contempt citations emanating from the House Committee on Un-American Activities involving Mrs. Yolanda Hall, Milton Cohen, and Dr. Stamler.

TO PROVIDE FOR CONTINUED PROGRESS IN THE NATION'S WAR ON POVERTY

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor have until midnight tonight to file a conference report on H.R. 15111.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. AYRES. Mr. Speaker, I object.

The SPEAKER. The objection is heard.

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor have until midnight tomorrow night to file a conference report on H.R. 15111.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. AYRES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. AYRES. Mr. Speaker, at what time would such conference report be brought up for a vote before the House?

The SPEAKER. The Chair will pass upon that question on tomorrow.

Mr. AYRES. Mr. Speaker, I object.

The SPEAKER. The objection is heard.

Mr. GIBBONS. Mr. Speaker, I am going to continue to ask unanimous consent for this matter to be considered until Christmas, if necessary, but Mr. Speaker, if the gentleman will permit, I ask unanimous consent that we may have until midnight Saturday night to file a conference report on H.R. 15111.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. AYRES. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

TO PROVIDE FOR CONTINUED PROGRESS IN THE NATION'S WAR ON POVERTY

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GIBBONS. Mr. Speaker, I have only been here 4 years, and I recognize the fact that I am rather junior in this body.

But I should like to say that during the entire history since I have been here never do I recall anyone objecting to the filing of a conference report under a unanimous-consent request.

I might say some of them have been highly controversial. But obviously there is an intention to delay this bill, and perhaps kill it one way or another, and certainly to inconvenience the Members about coming back and voting here for or against this bill. I regret that this occurred. I am merely trying to save the time of the Members and of the people who have serious opposition on both sides of the aisle. That is my only point in trying to get unanimous consent to have until midnight to file a conference report.

I yield back the balance of my time.

Mr. AYRES. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. AYRES. Mr. Speaker, I can appreciate the concern of the gentleman from Florida. He has worked hard for the past few months on this bill. But as the gentleman from Florida stated, he has been a very able Member for 4 years, but many times unanimous-consent requests are objected to.

I think that when the American public understands what this bill is all about over the weekend, and then he comes back Monday and asks for unanimous consent, I will not object, and we will take the vote at that time.

The SPEAKER. The time of the gentleman has expired.

HELPING THE COMMUNISTS BUILD BRIDGES EAST—TO NORTH VIETNAM

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, the foreign policy program announced by President Johnson in his speech in New York on Friday, October 7 which eases longstanding restrictions against the U.S.S.R. and the Eastern European Communist governments poses a very real threat to the future freedom and security of the United States. The concessions the United States will make include, among other things, a consular agreement with the U.S.S.R., a new United States-U.S.S.R. cultural agreement, more liberal trade agreements with European Communist states, the reduction of export controls and the financing of exports for the Soviet-Italian Fiat auto plant in Russia.

From both a moral and pragmatic standpoint, there is absolutely no justification for this sweeping new change in our foreign policy. Press accounts verify the claim made by Soviet Delegate Sharaf Rashidov at the Tricontinental Conference in Havana in January of this year that—

> We are doing everything in order that the deliveries of Soviet military equipment—aircraft, rockets, artillery, ammunition, and so on—will get into the hands of the Vietnamese freedom fighters as rapidly as possible.

Press reports in late September 1966, stated that Soviet exports to North Vietnam rose sharply in 1965, and included antiaircraft weapons, some jet planes, and transportation equipment. Again in September, press accounts revealed that Russia doubled its Mig planes in North Vietnam. Early this month the Soviets admitted that for the first time they have dispatched rocket specialists to Hanoi to train North Vietnamese missile crews. This consisted of an 800-man training mission, according to the press.

How in the world can the U.S. Government justify this new policy of increased assistance to the U.S.S.R. to the families of American fliers shot down over North Vietnam?

In view of the President's reference to Vietnam on last Friday that "we do not intend to let our differences on Vietnam or elsewhere ever prevent us from exploring all opportunities," the question that logically arises is when are we going to explore the opportunity of asking for concessions from the Communists instead of always giving them.

As for the new policy allowing the Export-Import Bank to guarantee commercial credits to Poland, Hungary, Bulgaria, and Czechoslovakia, who will explain to the relatives of dead American soldiers this new policy of appeasement toward these four countries after they declared with the other Warsaw Pact nations in Bucharest in early July that they are ready, if requested, to send volunteers from their countries to Vietnam to help North Vietnam ward off the aggression of American imperialism?

How can we "succeed in building a surer foundation of mutual trust," as the President stated with Poland, Hungary, Bulgaria, and Czechoslovakia when J. Edgar Hoover warned earlier this year that—

> The work of the official representatives of the Soviet-bloc countries who are assigned to the United States is being supplemented to an increasing degree by the "Illegal", deep cover intelligence agents who are being dispatched into this country?

The President's proposal regarding the financing of exports for the Soviet-Italian Fiat auto plant in Russia is equally perplexing. The Joint Economic Committee of the U.S. Congress in a report issued this year repeated what anyone who has done his homework has known all along that—

> The Soviet Union continues to be impelled by sheer economic necessity to turn to the markets of the West to help meet requirements for a wide variety of new, research-intensive categories of manufactured goods, especially their requirement of advanced types of machinery. There is, all too plainly, no comparable reservoir of industrial productivity, or technical innovation, available either within the Communist world or in the markets of the newly developing nations.

In the light of this dire need in the Soviet Union for advanced types of machinery, it is extremely difficult to explain why the U.S. Government is going to permit U.S. machine tool manufacturers to supply machine tools to the Fiat automobile company for its plant in the Soviet Union. Why the change from our policy adopted in 1962 when we decided not to ship advanced type metalworking machinery to the Soviet Union because such equipment would have contributed significantly to the automotive capacity of the Communist countries, since the automotive industry has an important role in military support?

Surely our Government must know that the machine tool industry is perhaps the most important of all industries in any type of industrial society. The machine tool industry can rejuvenate itself, for machine tools can build machine tools. Machine tools are needed to build guns, tanks, missiles. A machine automotive plant can be converted to make gears for tanks or submarines. In short, the machine tool is the principle sinew of war. One expert declared before a Senate subcommittee some years ago that he would rather send them a missile than a machine tool, because a missile is fired and expended but machine tools will produce a rifle or a missile over and over again.

With the publication of the administration's new and sweeping policy toward the U.S.S.R. and the Communist-bloc countries, the basic responsibility for the future freedom and security of the United States is placed squarely on the shoulders of the American people. No longer can the American public be rightfully excused from responsibility for American foreign policy due to the absence of a definite policy or a vague one. It is incumbent upon them to study this new program in the interest of national security and true world peace, support or oppose it, and make their positions known. In the light of communism's unchanging goal of conquering the

United States and all free nations, and in the interest of what is best for the United States, I must reject it.

So that the President's speech of October 7 receives the widest possible study, I request that the text of the speech as it appeared in the New York Times of October 8 be inserted in the RECORD at this point.

Transcript of President's Speech on Improving Relations With Eastern Europe

(Following is the transcript of President Johnson's address to the National Conference of Editorial Writers at the Carnegie Endowment Building, United Nations Plaza at 46th Street, yesterday, as recorded by The New York Times through the facilities of A.B.C. News.)

I'm a little baffled by this room. It makes a speaker have to talk out of both sides of his mouth.

Since the Secretary took you on a quick trip around the world I hope you will pardon me if I just ask you to go across the Atlantic with me.

I remember some time years ago President Franklin D. Roosevelt addressed the Daughters of the American Revolution. His opening words were not his usual "My Friends," but instead he said "My Fellow Immigrants." And he was right because most of our fathers came from Europe, East or West, North or South.

They settled in London in Kentucky, Paris in Idaho, Rome in New York. Chicago with Warsaw is one of the great Polish cities in the world. And New York is the second capital of half of the nations of Europe.

And so that really is the story of our country. Americans and all Europeans share a connection which transcends political differences. We are a single civilization. We share a common destiny. Our future is a common challenge.

So today two anniversaries especially remind us of the interdependence of Europe and America. On Sept. 30, seventeen years ago, the Berlin airlift ended. On Oct. 7, just three years ago, the nuclear test-ban treaty was ratified. There is a healthy balance here. It is no accident. It reflects the balance the Atlantic allies have always tried to maintain between strength and conciliation, between firmness and flexibility, between resolution and hope.

BERLIN AIRLIFT IS RECALLED

The Berlin airlift was an act of measured firmness. Without that firmness the Marshall Plan and the recovery of Western Europe of course would have been impossible. That hopeful and progressive achievement, the European Economic Community, would never have been born. The winds of change which are blowing in Eastern Europe would not have been felt here today.

And all of these come about as the fruits of determination. The test-ban treaty is the fruit of our hope. With more than 100 other co-signers we committed ourselves to advance from deterrence through terror toward a more cooperative international order.

We must go forward to banish all nuclear weapons and to banish war itself.

So a just peace remains our most important goal. When we know that the world is changing our policy must reflect the reality of today and not yesterday. In every part of the world new forces are standing at the gates—new countries, new aspirations, new men—and in this spirit let us look ahead to the tasks that confront us today in the Atlantic nations as I will look ahead a little later to the tasks that confront us in another part of the world as I travel 25,000 miles in the Pacific area.

Europe has been at peace since 1945 but it is a restless peace that's shattered by the threat of violence. Europe is partitioned. An unnatural line runs through the heart of a very great and very proud nation. History warms us that until this harsh division has been resolved, peace in Eurpe will never be secure.

We must turn to one of the great unfinished tasks of our generation and that unfinished task is making Europe whole again.

Our purpose is not to overturn other governments but to help the people of Europe to achieve together a continent in which the peoples of Eastern and Western Europe work shoulder-to-shoulder together for the common good—a continent in which alliances do not confront each other in bitter hostility but instead provide a framework in which West and East can act together in order to secure the security of us all.

CALLS FOR GERMAN REUNIFICATION

In a restored Europe, Germany can and will be united. This remains a vital purpose of American policy and we reiterated it and reaffirmed it to Chancellor Erhard just a few days ago. It can only be accomplished through a growing reconciliation because there is no shortcut.

So we must move ahead on three fronts. First, to modernize NATO and strengthen other Atlantic alliances; second, to further the integration of the Western European community; third, to quicken progress in East-West relations.

Now may I speak to each of these in turn:

Our first concern is to keep NATO strong and to keep it modern and to keep it abreast of the times in which we live. The Atlantic alliance has already proved its vitality. Together we have faced the threats to peace which have confronted us and we shall meet those which may confront us in the future. Let no one doubt ever for a moment the American commitment. We shall never unlearn the lessons of the Thirties, when isolation and withdrawal were our share in the common disaster. We are committed and we are committed to remain firm.

CITES MODERNIZATION OF NATO

But the Atlantic Alliance is a living organism. It must adapt itself to the changing conditions. Much is already being done to modernize its structures. We are streamlining NATO command arrangements; we are moving to establish a permanent nuclear planning committee; we are increasing the speed and the certainty of supply across the Atlantic.

However, there is much more that we can do. There is much more that we must do. The alliance must become a forum—a forum for increasingly close consultations. These should cover the full range of joint concerns from East-West relations to crisis management. The Atlantic Alliance is the central instrument of the entire Atlantic community, but it is not the only one.

Through other institutions the nations of the Atlantic are now hard at work on constructive enterprise. In the Kennedy round we are negotiating with the other free world nations to reduce tariffs everywhere. Our goal is to free the trade of the world—to free it from arbitrary and artificial restraints.

We are engaged on the problem of international monetary reform. We are exploring how best to develop science and technology as a common resource. Recently, the Italian Government has suggested an approach to narrowing the gap in technology between the United States and Western Europe and that proposal, we think, deserves very careful study and consideration.

The United States stands ready to cooperate with all of the European nations on all aspects of this problem.

AID TO DEVELOPING NATIONS

Last and, perhaps, really most important, we are working together to accelerate the growth of the developing nations. It is our common business to help the millions in these developing nations improve their standards of life, to increase their life expectancy, to increase their per capita income, to improve their health and their mind and their body, to in turn help them really fight and ultimately conquer the ancient enemies of mankind—hunger, and illiteracy, and ignorance, and disease.

The rich nations can never live as an island of plenty in a sea of poverty.

Thus, while the institutions of the Atlantic community are growing, so are the tasks that confront us multiplying.

Now second—second among our tasks—is the vigorous pursuit of further unity in the West. To pursue that unity is neither to postpone nor to neglect for a moment our continuous search for peace in the world.

There are good reasons for this. A united Western Europe can be our equal partner in helping to build a peaceful and just world order. A united Western Europe can move more confidently in peaceful initiatives toward the East. Unity can provide a framework within which a unified Germany can be a full partner without arousing fears.

We look forward to the expansion and to the further strengthening of the European community. Of course, we realize that the obstacles are great. But perseverance has already reaped larger rewards than many of us dared hope for only a few years ago.

The outlines of the new Europe are clearly discernible. It is a stronger, it is an increasingly united but open Europe, with Great Britain a part of it and with close ties to America.

Now, finally, third, one great goal of a united West is to heal the wound in Europe which now cuts East from West and brother from brother. That division must be healed peacefully; it must be healed with the consent of Eastern European countries and consent of the Soviet Union.

This will happen only as East and West succeed—succeed in building a surer foundation of mutual trust. Nothing is more important than peace.

We must improve the East-West environment in order to achieve the unification of Germany in the context of a larger, peaceful and prosperous Europe. Our task is to achieve a reconciliation with the East, a shift from the narrow concept of coexistence to the broader vision of peaceful engagement. And I pledge you today that Americans now stand ready to do their part.

NOTES CONTINUITY OF U.S. POLICIES

Under the last four Presidents our policy toward the Soviet Union has been the same. Where necessary we shall defend freedom. Where possible we shall work with the East to build a lasting peace. We do not intend to let our differences on Vietnam or elsewhere ever prevent us from exploring all opportunities.

We want the Soviet Union and the nations of Eastern Europe to know that we and our allies shall go step-by-step with them just as far as they are willing to advance.

So let us, both Americans and Europeans, intensify, accelerate, strengthen our determined efforts. We seek healthy economic and cultural relations with the Communist states.

I am asking for early Congressional action on the United States-Soviet consular agreement.

We have just signed a new United States-Soviet cultural agreement.

We intend to press for legislative authority to negotiate trade agreements which could extend most-favored-nation tariff treatment to European Communist states.

We have just concluded an air agreement with the Soviet Union.

And today I am announcing the following new steps:

We will reduce export controls on East-West trade with respect to hundreds of nonstrategic items.

I have just today signed a determination that will allow the Export-Import Bank to guarantee commercial credits to four additional Eastern European countries—Poland and Hungary, Bulgaria and Czechoslovakia. This is good business and it will help us to build the bridges to Eastern Europe that I spoke of in my address at V.M.I. only a few months ago.

The Secretary of State is now reviewing the possibility of easing the burden of Polish debts to the United States through expenditures of our Polish currency holdings, which would be, we think, mutually beneficial to both countries.

The Export-Import Bank is prepared to finance exports for the Soviet-Italian Fiat auto plant.

We are negotiating a Civil Air Agreement with the Soviet Union, which I referred to. This will, we think, greatly facilitate tourism in both directions.

TRAVEL LIBERALIZATION MOVES

This summer the American Government took additional steps to liberalize travel to Communist countries in Europe and in Asia and we intend to liberalize these rules still further in an attempt to promote better understanding and increased exchanges.

In these past weeks, the Soviet Union and the United States have begun to exchange cloud photographs that are taken from the weather satellites.

So you can see in these and many other ways the ties with the East will be strengthened by the United States and by other Atlantic nations.

Agreement on a broad policy to this end therefore should be sought in existing Atlantic organs.

The principles which should govern East-West relations are now being discussed in the North Atlantic Council. The O.E.C.D. can also play an important part in trade and in contacts with the East. The Western nations can there explore the ways of inviting the Soviet Union and the Eastern European countries to cooperate in tasks of common interest and common benefit.

Hand in hand with these steps to increase East-West ties must go measures to remove territorial and border disputes as a source of friction in Europe. The Atlantic nations oppose the use of force to change existing frontiers and that is the bedrock, too, of our American foreign policy. We respect the integrity of a nation's boundary lines.

The maintenance of old enmities is not really in anyone's interest. Our aim is a true European reconciliation and we so much want to make this clear to the East.

Further, it is our policy to avoid the spread of national nuclear programs, in Europe and elsewhere in the world. And that is why we shall persevere in efforts to try to reach an agreement banning the proliferation of nuclear weapons.

We seek a stable military situation in Europe, one in which we hope that tensions can be lowered. And to this end the United States will continue to play its part in effective Western deterrence. To weaken that deterrance might now create temptation and could endanger peace.

The Atlantic allies will of course continue together to study what strength NATO needs in light of the changing technology and the current threat. Reduction of Soviet forces in Central Europe would of course effect the extent of that threat. If changing circumstances should lead to a gradual and a balanced revision in force levels on both sides. the revision could together with the other steps that I have mentioned, help gradually to shape an entire new political environment.

CALLS PEACE "LONG PROCESS"

The building of true peace and reconciliation in Europe of course will be a very long process. The bonds between the United States and its Atlantic partners provide the strength though, on which the entire security of this world depends. Our interdependence, therefore, is complete. Our goal in Europe and elsewhere is first of all, always, a just and a secure peace. It can most surely be achieved by common action.

And to this end I pledge my country's best efforts—best efforts to achieve new thrust for the alliance, to support movement toward Western European unity, to bring about a far-reaching improvement in relations between the East and the West. Our object is to end the bitter legacy of World War II and let all of those who wish us well, and all others also, know that our guard will be up but our hand will always be out.

The American people love peace and they hate war. We do not believe that might makes right. So, in pursuit of peace, history is aware of our commitments to the Marshall Plan and the Truman Doctrine and to NATO and to SEATO. We have been tested in Berlin and in Korea and in the Dominican Republic and our brave men are being tested at this hour in Vietnam. And in every instance our purpose has been peace, never war, self determination instead of selfish aggression.

We believe that moral agreements are much to be preferred to military means, the conference table instead of the battlefield. But Americans will never close their eyes to reality. We back our word with dedication and we also back it with a united resolve of a patient, of a determined, of a freedom-loving and a peaceful people. Together we shall never fail.

KOKOSING FLOOD CONTROL PROJECT

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, one of the matters of greatest interest in Knox County, Ohio, is the Kokosing River flood control project. Having been closely connected with the efforts of the Corps of Engineers and the concern of the local citizenry at every stage, it comes as a great satisfaction to know that this project is well on its way to completion due to the action of the House of Representatives in giving a go-ahead to this project in this year's public works appropriation bill.

With the passage of more than 7 years since the rampaging waters of the Kokosing wrought havoc on January 21, 1959, it has been understandable that many have grown impatient or have thought at times that our Kokosing project, officially known as the North Branch of the Kokosing River, had been pigeonholed or scuttled. This is not the case. During all of these 11 years, the project has been in some stage of work by the faithful and professional Corps of Engineers. It takes time—many dams in our areas have taken 20 years or longer and through no fault of anyone. By all standards, the Corps of Engineers and the Congress have moved expeditiously and with a true concern for our local interests.

In fact, Mr. Speaker, at no time during this 7½-year period has the Corps of Engineers been without the money it requested and needed with the possible exception of one 6-month period. The corps has what it calls a "fiscal capability" for a project. In effect, this means than their many projects are allocated among the engineers and crews working on the diverse projects in the Huntington district in such a manner that they know precisely the amount of money that they will be able to expend on a specific project in a specific year. Last fall, after determining that all of the initial work would be completed in the fall of 1965, I directed a letter to the district engineer, Col. William D. Falck, and received the following reply:

> From a strictly engineering standpoint, considering the North Branch of the Kokosing project by itself without reference to our overall program, our overall capability or fiscal consideration, an amount of $700,000 could be utilized for this project in fiscal year 1967.

The first step was obvious. We would endeavor to get $700,000 included in the President's 1967 budget which was then being prepared. I directed the following letter to the Bureau of the Budget:

> June 30, 1965.
>
> Mr. Kermit Gordon,
> *Director of the Budget,*
> *Bureau of the Budget,*
> *Washington, D.C.*
>
> Dear Director Gordon: The North branch of the Kokosing Reservoir represents one of the most important flood control projects in the State of Ohio. I certainly urge that the Bureau of the Budget give every consideration to including at least seven hundred thousand dollars in the fiscal 1966 budget for the orderly continuation of this project.
>
> It is imperative that this work continues since the Mount Vernon area has been ravaged by disastrous floods in the past and the threat continues until this project is completed. Thank you for your consideration.
>
> Sincerely,
>
> John M. Ashbrook,
> *Representative to Congress.*

Our reply was disheartening. In so many words it meant we were not going to get our $700,000 through the front door so we would have to go to work in the Congress to have the project added. The reply said:

> Executive Office of the President, Bureau of the Budget,
> *Washington, D.C., July 14, 1965.*
>
> Hon. John M. Ashbrook,
> *House of Representatives,*
> *Washington, D.C.*
>
> Dear Mr. Ashbrook: This is in response to your letter of June 30, 1965, urging that

funds be included in the 1966 budget to initiate construction of the North Branch of the Kokosing River Reservoir, Ohio.

The importance you attach to this urban protection project is fully appreciated. However, as I am sure you are aware, the President was faced with the difficult task of assigning priorities—deferring, restricting, or rejecting some programs in arriving at decisions regarding the make-up of the fiscal year 1966 budget. It simply was not possible to provide funds for all authorized water resource projects.

I regret that because of these considerations, funds could not be included in the 1966 budget for the North Branch Reservoir project. However, you may be sure that your interest will be carefully kept in mind during formulation of the fiscal year 1967 budget, on which initial work has already begun.

Sincerely,

ELMER B. STAATS,
Deputy Director.

CONGRESS ADDS THE PROJECT

The President's budget was announced in January 1966. Sure enough, it did not include our Kokosing project. I took this matter up with friendly and considerate MICHAEL KIRWAN, Youngstown Democrat, and one of the most influential Members of Congress. He is chairman of the Public Works Subcommittee of the Appropriations Committee. I would be less than honest if I did not say that MIKE KIRWAN had more to do with achieving success in our fight for funds than myself, Bob Levering and all of the rest of us who have worked so hard for this project put together. MIKE arranged for time to be devoted to our project at his public hearings so we could present our case. On April 26, 1966, I appeared with Mayor Mark Kinney and Lynn Thuma who represented the Kokosing Watershed Committee. My statement pretty well documented our case. It follows:

TESTIMONY OF CONGRESSMAN JOHN M. ASHBROOK BEFORE THE PUBLIC WORKS SUBCOMMITTEE ON APPROPRIATIONS CONCERNING PUBLIC WORKS APPROPRIATIONS FOR 1967, APRIL 26, 1966

Mr. Chairman and Members of the Committee, I appreciate your kind consideration in affording me the opportunity to speak in behalf of the citizens of Knox County, Ohio, and the 17th District, who are vitally interested with flood control in the Kokosing River Basin. My appearance, today, is for the purpose of requesting funds for completion of the preconstruction planning of the project, now temporarily stopped. Clearing and snagging has already been completed and some preplanning work accomplished.

Considering the over-all capability of the Corps of Engineers for the fiscal year 1967, an amount of $700,000 could be used to complete preconstruction planning of the North Branch Kokosing River Reservoir. This is based on a report by Lt. Col. William Falck, District Engineer in Huntington, West Virginia.

I limit my remarks to the status of the study of the Kokosing River Basin, but as a matter of information there are at the present time four authorized studies in various stages of completion in my seven-county District. Each of these projects cover flood control and allied purposes, including water supply, pollution abatement and recreation, for the following watersheds: Kokosing River, Licking River, Clear Fork and Rocky Fork, and the Scioto River.

At the outset, let me remind this Committee that the District I am privileged to represent was one of the hardest hit in the January, 1959 flood which caused such havoc in many areas of our nation. The people of this area appreciate the considerate treatment they have already received by the Committee in expeditiously appropriating funds for these worthy projects which are so ably administered by the Corps of Engineers. However, without appearing ungrateful, or unappreciative of these fine efforts, I must frankly state that the proposals in the Kokosing project are of the greatest necessity in affording proper flood protection for the citizens in the Kokosing River Basin and for their property.

Your committee has already received a great amount of testimony regarding the extent of flood damage to this area. The passage of over six years, of course, tends to dim the memory of the event and the hardships it imposed on so many of our citizens. The Kokosing and its tributaries in Mount Vernon, Fredericktown and surrounding rural areas during the January, 1959 flood inflicted damages totalling $5,300,000. The destruction occurred, primarily, to individual private properties and business establishments. This river basin has a serious history of extensive flooding dating as far back as 1832 with the most destructive ones occurring in 1913 and 1959. The January, 1959 flood had a water runoff, above Mount Vernon, amounting to 5.2 inches which resulted in the highest cresting in history for the Kokosing River Basin. The record demonstrates that flooding is not restricted to any season, but that floods may occur in any month of the year. This recorded history of flood frequency and damages clearly illustrates the urgent need for immediate flood preventive measures.

The City of Mount Vernon and the Village of Fredericktown are the major municipal areas in the river basin where the potential flood hazard is of extreme concern. Rural areas above and below Mount Vernon are also subject to flooding and would substantially benefit from the improvements.

Following the record 1959 flood the Corps of Engineers conducted a detailed damage survey based on a house-to-house canvass of the flooded areas. All tangible flood damages were placed on a monetary value. Physical damages included direct damages to buildings or parts thereof, and loss or damage to contents. Emergency costs, such as flood fighting, evacuation of families and emergency restoration of damaged flood protection facilities were estimated conservatively because of the difficulty in estimating the thousands of man hours donated by the residents of the area. This evidence more than substantiates the above-mentioned damage estimates and realistically illustrates the necessity for funding this program.

The Corps of Engineers has indicated the necessity of commencing this project as soon as possible, indirectly, by demonstrating the fact that June, 1959 Federal costs of the North Branch Reservoir were estimated at $2,334,000 and by July, 1961 these costs had increased by their estimate to $2,520,000. A substantial cost savings to the taxpayers will be afforded by expeditiously commencing work on this project as costs since that time have obviously increased.

The intangible damages, those that could not be given any monetary value, are very real and must be recognized. The principle intangible damage that merits discussion is the high probability of loss of life that exists at Mount Vernon in the event of the present levee overtopping at night. There are approximately 650 homes that are located in the flood plains of the Kokosing River behind the existing levee. First floor elevations of these homes vary from two to as much as eight feet below the top of the protective levee. On January 21, 1959 the levee was overtopped early in the afternoon. Actual evacuation of most of the area was not started until after the levee failed, and even at this time was carried out under hazardous conditions. Had the overtopping and subsequent failure of the levee ocurred late at night it is highly probable that loss of life by drowning or exposure would have reached disastrous proportions, and also, very probable that movable property evacuation would have proceeded at a much slower rate, thereby increasing the losses.

At this point I would like to elaborate on a quote taken from the report submitted by the Board of Engineers for Rivers and Harbors:

"An accurate forecast of the future trend of development for the Kokosing River Basin is extremenly difficult to develop. For this reason a conservative approach to this phase of damage and benefit evaluation has been adopted . . ."

Even though the Corps of Engineers issued a relatively conservative analysis report the strategic location of the City of Mount Vernon and the rate of future growth predicted for the Kokosing River Basin and the inevitable extensive expansion in the use of lands in the flood plains, in my opinion, more than vindicate the approval of this project. In fact, the projected future growth of this area in the next 50 years is 100 percent.

As has been earlier stated, the Kokosing River Basin has an extensive history of flood problems which naturally has been long recognized by the local residents as evidenced by the efforts put forth, locally, on projects to curb flooding. Following the 1898 flood the people of Mount Vernon constructed a levee system that provided partial protection. This levee was destroyed by the 1913 flood and subsequently was rebuilt. The levee was again overtopped and partially destroyed by the 1959 flood.

Soon after the 1959 flood, local interest at Fredericktown, Mount Vernon, and affected rural areas throughout the basin again demonstrated their intense interest by working with the Corps of Engineers, U.S. Soil Conservation Service, Ohio Department of Natural Resources and the Muskingum Watershed Conservancy District in designing and promoting concrete actions for attacking the flood menace. As a result of these fine efforts and extensive studies by the Corps of Engineers two separate and distinct plans were selected and recommended to make up the project plan for the Kokosing River Basin. This combination of projects, the North Branch Reservoir and the snagging and clearing of the Kokosing at Mount Vernon, will have widespread benefits throughout the most densely populated reaches of the basin. The two plans will, respectively, provide virtually complete protection at Fredericktown and would prevent overtopping of the existing levee at Mount Vernon on the basis of the record January, 1959, flood and will virtually eliminate damages from all floods having an estimated frequency of recurrence in the order of 100 years.

In addition, the construction of the proposed North Branch project will greatly enhance the net flood control in the Mohawk Reservoir which is a key link in the 14 reservoir Muskingum River Reservoir system.

The North Branch Reservoir project shows a favorable justification. Based on an incremental analysis, the project has a favorable overall benefit-cost ratio of 1.4 to 1. This has increased since 1963.

The U.S. Fish and Wildlife Service reports that the proposed project would have no significant effect on the fish and wildlife resources in the Kokosing River Basin.

The U.S. Public Health Service investigated the need for water supply and pollution abatement and reported that there will be no need for such storage in the foreseeable future.

In conclusion, I would like to say that I urge that the Corps of Engineers' recommendations that the comprehensive plan for flood control and other purposes in the Ohio River Basin be modified to include the North Reservoir on the North Branch of the

Kokosing River at the estimated cost of $700,000. I sincerely urge that this Committee approve this request so that the future of the citizens of the Kokosing River Basin can be secure from floods that have plagued them with damages amounting to millions of dollars over a short period of years. Here today to testify on behalf of this project are two men who have worked diligently to secure flood control plans for their home area in Knox County. Lynn Thuma represents the Kokosing Watershed Committee which is composed of many civic-minded citizens who represent all phases of business, labor and civic activity. Mayor Mark Kinney speaks for the official family of the "All American City" of Mount Vernon and I hope their trip to Washington to testify before you gentlemen will be rewarded with your understanding and approval of the project.

I basically reiterated the remarks I had made on August 16, 1962, and October 3, 1962 when we asked for initial funds. It might be interesting to recount just how all of this came about. We are now on the road but it took a long time and the work of a lot of people to get there.

THE 1959 SURVEY

On March 5, 1952, the House of Representatives through its Public Works Committee directed that the Corps of Engineers conduct a study of the Kokosing River Basin. This was a slow and methodical study which received very little impetus until the January 1959 flood. At that time, my predecessor, Congressman Robert W. Levering, went to work with zeal and helped secure the necessary funds for an immediate flood control survey which superceded the 1952 study. The authorization for this survey was approved on June 3, 1961, and it was completed some 2 years later. It was officially transmitted from the Secretary of the Army to the Speaker of the House on August 4, 1961.

Incidentally, there is also great interest in Knox County in the North Fork of the Licking River project. Most of this proposed dam will be constructed in Knox County, north of Utica. That project is still in the survey stage and has not yet been transmitted from the Huntington District Engineers to Washington. It is currently in Cincinnati at division headquarters from study and, we hope, approval. This is the position that the north branch project was in just before the August 1961 date previously referred to. There is very little I can do until it is transmitted to the Speaker of the House.

The Kokosing survey called for an extensive two-phase program of flood control protection. The city of Mount Vernon and the village of Fredericktown are the only urban areas in the basin where the potential flood hazard is of extreme concern; however, rural areas along the stream above and below the urban areas are subject to periodic flooding. Detailed studies for the survey report were primarily concerned with the most practical and economical method of providing flood protection for the low-lying areas of Mount Vernon, Fredericktown, and the rural areas along the streams. Several plans were considered which included reservoirs and local protection projects. Reservoir sites given detailed consideration were located on the main stem of the Kokosing River near Chesterville, on the north branch upstream from Fredericktown and the modification of the existing State of Ohio East Branch Reservoir. Several types of local protection projects were considered for the protection of Mount Vernon including snagging and clearing and channel improvement.

In all, seven plans were investigated in the development of a project plan for the Kokosing Basin before the selection of the North Branch Reservoir and a snagging and clear project at Mount Vernon as the most feasible and economical plan.

The first step was to have the project authorized by the Public Works Committee. No money can be appropriated until this is done. After this hurdle was cleared, the next step was to secure funds for preconstruction planning and design. A survey merely outlines the need and suggests the feasibility of a project. Once approved, it is necessary to do tedious, exacting work from a strict engineering standpoint to determine location, size, water levels, and cost. This is the drafting board stage and our project spent several years at this plateau. It is at this point, Mr. Speaker, when the most is being done that it appears, from the public view, that the least is being accomplished. No one sees any earth being moved nor does the air ring with pronouncements about the quiet, behind-the-scenes work. The engineers are steadily and professionally checking geological factors out in the field and determining engineering specifications and comparative cost analyses back in Huntington. As pointed out before, seven plans were investigated in the development of the project plan before the most feasible one was selected. I know that many people think that nothing is being done during this time but exactly the opposite is the case. The Corps of Engineers has its way of doing things and on the basis of what I have seen over the past decade, Mr. Speaker, they do things as quickly as possible and with the best interests of our taxpayers foremost in mind. They do not worry about the next election but only about what type of structure they should construct so that the people 100 years from now will look back and say, "They surely did a fine job."

LOCAL PROTECTION FOR MOUNT VERNON

Far more money was necessary to complete the preconstruction work than had been anticipated. An additional $50,000 was added by the transfer of funds to the basic $99,000 the Congress appropriated due to unforseen additional foundation investigations and design work.

All the while, the initial stage was going forward, the local protection project in Mount Vernon was being completed. The project for the protection of Mount Vernon consisted of about 24,500 feet of channel snagging and clearing, the provision of additional waterway at the West High Street highway bridge and the raising of a Pennsylvania Railroad spur bridge over Dry Creek. The estimated cost of the project was $221,000, of which $86,000 was set out as the local contribution. Like most estimates, they were low and the costs were considerably more. In August 1965 the $91,560 snagging and clearing project was started by the George Oberer Construction Co. of Dayton. Their contract called for excavating about 93,000 cubic yards of gravel bars and bank slopes and depositing excavated material in various spoil areas and along the existing levees. Work started at Tilden Avenue and continued 4.5 miles downstream with trees, brush, and other debris being removed over a 94-acre area as the work progressed.

Again, the story was the same. A great deal of long, hard work went into the work at the local level before this project could go forward. City Engineer Richard Moffitt and County Engineer Floyd Ellis worked for many months in preparatory work. It was the responsibility of the local men, in addition, to secure easements on both sides of the riverbank. In all, 31 easements were involved, 10 of them negotiated with corporations. Army inspectors approved the completed work on the snagging and clearing project on December 1, 1965.

NOW THE DAM

With the appropriation of $700,000, we are now ready for the second phase of our comprehensive flood control project. The North Branch Reservoir will be formed on the north branch of the Kokosing River about 2.2 miles northwest of Fredericktown. An earth dam, it will control 44.5 of the 200 square mile drainage area above Mount Vernon. The dam will be constructed of earth fill and will be about 72 feet high. An uncontrolled overflow-type spillway will be located in the right or south abutment. The outlet works will consist of an uncontrolled, circular, concrete conduit passing through the right abutment of the dam. Because of the limited storage available at the reservoir site, only a small permanent silt pool will be provided. It will have an area of approximately 98 acres and a capacity of about 670 acre-feet. Access will be provided to the permanent pool for recreation and wildlife purposes.

It has been my hope that we could get a multipurpose dam which would place more emphasis on water supply, recreation, and wildlife.

However, the U.S. Public Health Service, in a report prepared during the survey studies, stated that there will be no need for storage in the foreseeable future for water supply or pollution abatement. Because of this and because of the very limited available storage capacity, no storage for these purposes is included in the reservoir.

BENEFIT-TO-COST DETERMINATIONS

There has been widespread interest in getting information regarding the damage figures used in determining the benefit-to-cost ratio for the north branch. A detailed study was made in 1959 to determine the actual and potential flood damages in the Kokosing River Basin. Damage estimates were determined for reaches of the north branch and the main Kokosing River for various classifications of lands and improvements and for different heights of floods. I am inserting a copy of a table showing the flood damages as determined during that study.

TABLE I.—*Flood damages by class*

Town or reach	Estimated value of property in dollars	Damages in dollars		
		Maximum flood minus 1.5 feet	Maximum flood	Maximum flood plus 3 feet
North Branch Damsite to mouth of North Branch:				
Residential	35,000	1,700	2,300	3,600
Agricultural	182,000	11,500	19,200	33,900
Utilities	(1)	1,100	1,750	3,400
Roads and railroads	(1)	29,700	61,200	84,000
Fredericktown:				
Residential	450,000	16,800	48,100	117,400
Commercial	93,000	22,900	29,400	44,400
Industrial	300,000		100	7,000
Miscellaneous	(1)	2,000	2,500	6,500
Mouth of North Branch to Mount Vernon:				
Residential	90,000	9,600	16,000	28,000
Agricultural	60,000	2,300	3,900	8,700
Utilities	(1)	100	100	1,200
Roads and railroads	(1)	7,800	12,000	17,000
Mount Vernon:				
Residential	6,150,000	798,200	1,083,900	1,566,900
Commercial	8,300,000	371,300	715,800	1,211,700
Industrial	17,500,000	1,416,600	2,547,600	5,047,000
Institutional	150,000	15,000	30,600	60,000
Utilities	(1)	70,000	109,700	180,000
Roads and railroads	(1)	86,500	124,000	174,000
Miscellaneous	(1)	170,700	242,700	500,000
Mount Vernon to Gambier:				
Residential	85,000	11,600	19,400	27,000
Agricultural	140,000	14,500	24,200	50,700
Utilities	(1)	1,200	2,000	3,800
Roads and railroads	(1)	35,900	62,500	89,000
Gambier to Millwood:				
Residential	210,000	19,800	33,000	40,000
Agricultural	237,000	22,500	37,500	66,000
Utilities	(1)	1,200	2,000	3,800
Roads and railroads	(1)	31,800	45,000	92,000

[1] Not evaluated.

The average annual flood damages were derived by use of the actual flood stages, the estimated damages at each of those stages and the estimated frequency of recurrence of those stages, all converted to an annual basis. The average annual flood damages as determined in 1959 were $148,500. The average annual damages for a flood control reservoir such as the North Branch Kokosing River project is determined on the basis of a 100-year economic life, and consideration is given to the damages which would be sustained by future developments in the flood plain during that economic life. Our studies showed that the State of Ohio and Knox County have sustained a high rate of growth during the past 20 years and are expected to continue to experience rapid growth in the future. Consequently, the average annual flood damage figure of $148,500 was increased to $232,000 to reflect future damage that would be sustained by progressive development in the flood plain over the life of the project.

The north branch of Kokosing Reservoir will eliminate about 72 percent of the average annual flood damages, and when compared with the average annual costs of the project results in an excess of benefits over costs.

SUMMARY

It can thus be seen that this project did not happen overnight. It took a great amount of effort by a good many people to achieve the success that we have experienced to date. To succeed in getting a project included in the appropriation bill despite the opposition of the Bureau of the Budget has been in itself quite a feat. However, a close survey of all of the work involved indicates that we have been progressing on a logical, planned course and we are now ready to reap the benefits.

The operation of the north branch of Kokosing Reservoir, the snagging and clearing of the Kokosing River channel at Mount Vernon and the beneficial effects of surcharge storage at the existing East Branch Reservoir—Knox Lake—will reduce the elevation of the flood of record to the breakover elevation of the local levee at Mount Vernon. They will provide virtually complete protection to Fredericktown and will substantially reduce flood damages along North Branch and the Kokosing River downstream from North Branch.

I talked to Colonel Falck today and he informed me that, on receipt of these construction funds, public meetings will be held to inform the interested public and landowners whose property is affected of the Corps of Engineers policies and procedures in the matter of land acquisition. These meetings will be held sometime early next year.

The matter of cost is also of great interest. Reflecting the spiraling costs of construction, it can be seen from the estimates how much more expenditure will be needed now than originally. The June 1959 estimated costs of the North Branch Reservoir were set at $2,334,000. By July of 1961 they had reached $2,520,000 and $3,030,000 by 1964. Today, it is estimated that the cost will be closer to $3,500,000.

I have not nor will I ever tell anyone that it was through my efforts that we secured this needed flood control protection for Mount Vernon and Knox County. It has been my privilege to help and to do what I could. Scores of people, in Washington, in Huntington and in Knox County deserve the credit and we can all be proud of what has been accomplished by individuals working together for the betterment of our area. Knox County will be a better place in which to live—safer, better prepared for future development and with an unequaled record of progressive accomplishment.

APPLE TIME IS HERE AGAIN

Mrs. MAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentlewoman from Washington?

There was no objection.

Mrs. MAY. Mr. Speaker, I would like to remind my colleagues that National Apple Week is October 13 to 22, with the theme of this occasion being "Apple Time Is Here Again."

Whenever apples are mentioned, it is easy to think of Theodore Maynard's words when he said:

> The apple grows so bright and high
> And ends its days in apple pie.

Of course, as we all know, not all of our apples end up in pie, for the apple, being a versatile fruit, provides as much good eating in the fresh as in the processed form.

This versatility combined with the highly nutritious nature of the apple undoubtedly accounts for the fact that apple production in the United States has been on the increase. Unfortunately, however, apple production here suffered a setback this year when some of our apple-producing States along the eastern seaboard were stricken with frost, drouth, and other adverse weather conditions. For instance, while in 1965, there were 136,050,000 bushels of apples produced in the United States, the production figure dropped—per a preliminary report—to 127,815,000 bushels in 1966.

Apple production did not, however, fall in my State of Washington, for while 25 million bushels of apples were produced in 1965, the figure jumped up to 31 million bushels in 1966.

While there are other areas of the country that produce apples which almost equal the quality of Washington-produced apples, I would like to point out some interesting detail about Yakima County of my congressional district. This county ranks first nationally in apply production, and its apple crop is expected to be up over last year. As reported in the September 1966, Crop Production Report, USDA, it was indicated that "in the Yakima Valley, Red Delicious have good color and an average range of sizes. The Golden Delicious crop is exceptionally good."

It is also interesting to note that Washington State produces approximately one-third of the apples that are consumed fresh in the country. My State raises about half of the Red Delicious and Gold Delicious that are consumed, and it expects to market about 33,000 carloads of apples this year.

Apple production is, of course, only a part of the exciting story on apples, for another important aspect is that of getting the apple to the consumer. In short, this requires that the American genius used for production must be extended to distribution.

The progress that has been made in recent times with respect to "controlled atmosphere storage" has made a great contribution to apple distribution. Through this unique technique, apples are held under ideal temperature conditions which preserve their natural goodness over extended spans of time. The result is that consumers, over vast areas, are guaranteed a fresh, crisp, juicy apple.

One of the most prominent advances using this "controlled atmosphere storage" principle is represented in the Apple Box, a new refrigerated apple-vending machine that is manufactured in Yakima, Wash., of my congressional district.

I would like to say that the Apple Box has been heralded as the most effective vending machine developed to date. This unique vending unit is making it possible for apples to become available in areas where previously there existed an active demand against a background of short supply. This remarkable breakthrough in apple distribution is making fresh apples available at service camps, schools, workshops, and other such areas which previously were denied access to this fresh apple delight. This marks but a beginning, and as further refinements are effected in the Apple Box, an even broader distribution of the fresh apple will come about.

Systems designed to preserve the freshness of apples will, undoubtedly, contribute to increases in exports of the fresh commodity. These developments could complement what is a natural broadening base of apple exports. For instance, in the 1964–65 period, 4,794,000 bushels of apples were exported, and in the 1965–66 period these exports rose to 6,093,000 bushels.

All of which makes one think of the important part that apples possibly could play in helping to provide nourishment for the hungry multitudes throughout the world.

The merit of this can be appreciated when it is realized that, as reported in an August issue of Time this year, some 500 million people—one-seventh of the world's population—are hungry. Two-thirds of Brazil's population suffer nutritional deficiency. There are enough potential mothers alive today to raise the world population to 7.4 billion by the turn of the century.

From all of this, it is quite apparent that there is, in effect, a whole world of distribution opportunity at the disposal of the apple. And when all of the progress in apple production and distribution is reviewed, it becomes very clear that there is a lot more in store for us and that we just have not seen anything yet.

I want to take this opportunity of extending my heartiest congratulations to the apple industry during National Apple Week.

MEMORIAL SERVICES AT U.S. MILITARY CEMETERY IN HAMM, LUXEMBOURG

Mr. JOELSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. JOELSON. Mr. Speaker, as a member of the subcommittee of the House Appropriations Committee which is charged with the responsibility of providing funds to maintain our battle monuments and cemeteries overseas, I am pleased to insert in the RECORD a letter which I received from a constituent, Robert F. Jancsak, of Clifton, N.J. I am sure that all my colleagues have found that although many people do not hesitate to write us when they have complaints, those who are satisfied seldom take the trouble to express themselves.

For this reason, I am particularly gratified by Mr. Jancsak's letter which follows:

CLIFTON, N.J.,
September 30, 1966.

Hon. CHARLES S. JOELSON,
House of Representatives,
Washington D.C.

SIR: Over Memorial Day weekend, I visited the U.S. Military Cemetery in Hamm, Luxembourg where the body of my brother, Edward Jancsak, is interred. He was killed during World War II.

I participated in the wonderful, colorful Memorial Day Services held in the Cemetery. As next of kin to one of the fallen heroes, I was given a seat of honor. It made me feel so proud to be an American and be part of the impressive services held.

More and more, on the daily trips I made to the Cemetery at Hamm, I was amazed and pleased how well-kept everything was. This is the Cemetery where General George Patton is also buried.

I took many colored slides which will be a consolation to my family and myself in the many years to come. This trip was a pilgrimage to my brother's grave and I sincerely hope to go back to Hamm, Luxembourg again.

In the meantime, I feel great credit should be given to those in charge of maintaining this U.S. Military Cemetery.

Sincerely yours,
ROBERT F. JANCSAK.

OPPOSITION TO H.R. 12047, AN ACT TO AMEND THE INTERNAL SECURITY ACT OF 1950

Mr. DOW. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. DOW. Mr. Speaker, I rise in opposition to the bill, H.R. 12047, to amend the Internal Security Act of 1950.

On the face of it, this bill might appear attractive to patriotic Americans. It is true that the proposed legislation employs high-sounding words to express the alarm that a patriotic person would feel, should the security of the United States be threatened.

However, the effect of this bill actually is to generate more antagonism against people who have dissenting opinions in our own country and to generate a more belligerent spirit for war against people in other countries.

With our world on the brink of self-destruction, with U.S. combat planes tempting world war each time they touch the border of a neutral power, today's dire need is a powerful antidote to the belligerent spirit.

In this hour, the Secretary General of the United Nations, the supreme pontiff of the great Christian church of Rome, and the heads of government in the capitals of our great allies, England and France, are urging moderation and peace. They employ the most compelling and prayerful words that they can summon, bringing to us the most solemn of warnings about our policy of escalating the hostilities.

"A decent respect to the opinions of mankind," that historic phrase in our Declaration of Independence, compels us, Mr. Speaker, to heed the wise counsel from those world leaders. Considering their many and great voices, can it be that our almost-lone voice expressing through this legislation our fear, our anger, and our warlike spirit, can be completely right?

Let us consider the substance of the bill in its effective clauses. This bill bars the transfer of any item to any foreign power engaged in armed conflict with the Armed Forces of the United States. It seeks to prevent transfer of articles to North Vietnam. But the United States has regulations of longstanding for conducting war. We have established practices in our codes of war that bar transfer of articles from here to a hostile enemy. In fact, I know of no properties moving from our country to North Vietnam. I have read about rare attempts by religious groups to send hospital supplies to North Vietnam. It appears that they did not succeed. In fact, Mr. Speaker, I submit that this bill in its fullest effect might keep us from sending to North Vietnam possibly as much as a box of bandages and a bottle of rubbing alcohol. Anything greater than these, I suspect, could not get through. I do not see how this bill would be of any benefit to our fighting men.

Accordingly, for its very minute effect, we are willing by this bill to throw more flames on the wartime spirit that haunts the country today. More alarm, more menace, and more hatred will be added to the world situation by the passage of this legislation. These emotional sentiments are not good as guideposts for the practical conduct of our affairs in southeast Asia. Emotion blinds good sense. Undoubtedly emotion contributes to bad statesmanship and even bad military judgment in the actual conduct of hostilities themselves.

Therefore, Mr. Speaker, I oppose this bill in the strongest terms I can muster.

I want to associate myself with great leaders of statecraft, of thought, and morality in our time, who offer a better direction for us to follow. Under that direction we could reduce the hostilities, abate the anger, and avert the catastrophic danger presented by the Vietnam hostilities.

REPORT ON THE 89TH CONGRESS

Mr. SMITH of Iowa. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include a table.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

There was no objection.

Mr. SMITH of Iowa. Mr. Speaker, at the end of each Congress, I summarize the activities of that Congress, reprint them at my expense and mail them to the constituents I am privileged to represent. Especially since this Congress passed such a large volume of legislation and was in effect a catchup Congress, I cannot include all the bills passed but will include most of those of great interest to Iowa. Some of this legislation had been proposed for 10 years and I doubt if there will be another Congress that acts upon this great volume of legislation for several years because Congress will now digest and oversee the implementation of what passed during the 89th Congress.

Although there are a few days of this Congress left, we pretty well know what the total picture will be and I am making this report now so that it can be reprinted and the information available at the earliest possible date.

Numbers beginning with 89- below refer to Public Law numbers.

MEDICAL, HEALTH, AND SAFETY

Public Law 89-97 provides: first, a basic hospitalization program under social security for persons 65 and over effective July 1, 1966, under which they can go to any accredited hospital of their own choice instead of the county hospital; second, an optional medical care insurance program at $3 a month matched by the Federal Government to cover physicians' fees and various other services; third, a 7-percent increase in social security cash benefits; and fourth, expanded and increased payments under Federal assistance programs for dependent children, blind and disabled. It will be financed mostly by an increase in social security taxes and partly from the general fund.

The tax contribution by Iowans to pay for the provisions of the bill in 1966 will be about $30 million, and benefits to Iowans will be about $53 million. Since it was not fully implemented the first 6 months of 1966, benefits in later years will total much more than $53 million.

Public Law 89-74 regulated the production, purchase, and sale of depressant and stimulant drugs.

Public Law 89-105 authorizes grants to community mental health centers for professional and technical personnel, and to train teachers, construct facilities, and perform research for handicapped and retarded children.

Public Law 89-115 is a 3-year extension of a matching grant program for construction of health research facilities.

Public Law 89-239 establishes regional medical research centers and clinics to fight heart disease, cancer, stroke, and other major diseases.

Public Law 89-234 establishes a national policy and standards for the prevention of and control of water pollution and provides aid to communities to help them prevent filth from being dumped into streams.

Public Law 89-272 initiates a research program to find better ways for cities to dispose of trash and garbage and provides that new cars and trucks after September 1, 1967, must have exhaust devices which will limit the exhaust fumes enough so they will not endanger the health of people.

Public Law 89-290 extends program for construction of facilities and loans to students to increase the number of physicians, dentists, osteopaths, optometrists, pharmacists, podiatrists, and nurses.

Public Law 89-642 expands National School Lunch Act by adding additional milk and a pilot breakfast program for needy children.

Public Law 89-563 provides for research and establishing minimum safety standards for motor vehicles and is designed to reduce death on the highways.

Public Law 89-564 to encourage state traffic safety programs.

EDUCATION

Public Law 89-182 supports State centers which act as an extension service to small businesses to help bring new scientific information to them. Iowa State University at Ames has one of these.

Public Law 89-329 increases grants to colleges to pay part of the cost of new classrooms and expands student loan program.

Public Law 89-10 authorizes Federal aid to local school districts mainly for special education courses to be distributed on basis of number of children from low-income families. Last year Boone county was eligible for $139,458.78; Polk, $1,073,556.45; Story, $165,923.73; and Webster, $174,438.54. Iowa should receive $21 million and our share of the cost is about $11 million.

Public Law 89-209 provides the first real attempt to recognize the importance of general education programs in an era which has previously had a heavy emphasis upon space and atomic science.

Public Law 89-511 extends and increases aid to libraries.

CIVIL RIGHTS

Public Law 89-110 abolishes many literacy requirements and restrictive voting practices; authorizes appointment of Federal registrars in areas where it is found that discrimination against voting exists, and prohibits requiring payment of head tax as a prerequisite to voting.

FARM

Public Law 89-237 increases the money available to production credit associations to loan to farmers who are considered good risks but cannot borrow enough for seed, and so forth, at a private bank.

Public Law 89-240 provides aid and loans to nonprofit groups or co-ops who want to establish water and sewer systems in areas too rural to qualify under other legislation.

Public Law 89-321 extends the feed grains program now in effect and most other farm programs through 1969. It continues my amendment to include average yields of recent years in calculating yield bases. This has meant more than $30 million to Iowa farmers already because our yields were lower in the base years of 1959 and 1960 compared to some other States which used fertilizer more extensively at that time.

Public Law 89-331 extends sugar act under which we enter into contracts with processors both in the United States and other countries to deliver our sugar needs at a guaranteed stable price and to give us a priority on enough of the supply to meet our demand.

Public Law 89- expands food-for-peace program and permits buying food for the program that is not Government-owned surplus.

LABOR

Public Law 89-212 amends the Railroad Retirement Act by eliminating provisions which reduced annuities of spouses of retired employees who were eligible for social security.

Public Law 89-216 provides that a bond fully protecting union funds against loss due to fraud and dishonesty is sufficient and eliminates requirement of Landrum-Griffin Act of excessive coverage which was requiring unnecessary premium payments.

Public Law 89-15 extends the manpower development training program 3 years. This program provides training for the unemployed and partially employed persons so they can support their families and become taxpayers instead of taxeaters. Contains an amendment I sponsored to make low-income farmers eligible so they can train while still farming units too small to produce a good income. A pilot training program under this provision has now been started in Iowa.

Public Law 89-601 extends the minimum wage law to employees of laundries, hotels, hospitals, and farmers who are large enough operators to be considered in interstate commerce—usually 7 employees or $500,000 in gross sales annually.

SAYLORVILLE AND RED ROCK DAMS

Earth moving is now underway on the Saylorville Dam near Camp Dodge and the final stage of the Red Rock construction has begun. Necessary appropriations were again secured to advance these at the maximum rate the engineers can efficiently operate.

NATURAL RESOURCES

Public Law 89-119 authorizes establishment of a Herbert Hoover National Memorial Site at West Branch, Iowa.

Public Law 89–80 provides $11.5 million annually to States for coordinated planning of water resources development.

Public Law 89–72 provides a program to include recreation, fish and wildlife benefits in flood control, reclamation, hydroelectric, or multipurpose water projects.

One million dollars in appropriations were secured to relocate Interstate 35 east of the new Skunk River reservoir near Ames and $100,000 was secured for final planning to prepare for construction.

One million, three hundred and fifty thousand dollars was obtained for Des Moines flood control levees which will also be used for a riverside road. I also obtained a reduction of $600,000 in the amount Des Moines would have had to contribute.

SMALL BUSINESS

Public Law 89–59 amends the Small Business Act to provide long-term loans for businesses which were victims of floods and tornadoes in Iowa and elsewhere.

Public Law 89–78 increases SBA's loan funds for small business investment companies and State and local development companies.

Public Law 89–429 permits the pooling and sale to private investors of some of the loans made to individuals by the Government.

HIGHWAYS

Public Law 89–139 provides for a $100 million increase in the amount authorized for the Interstate Highway System for 1967. Iowa will receive a total of about $56 million for our interstate and other roads next year. It is hoped that with the increase, presently planned interstate mileage can be completed in 5 years.

Public Law 89–285 provides that States will lose considerable Federal highway funds unless they eliminate most billboards on primary roads. Our interstate roads were already covered under another act and an agreement authorized by the 1965 Iowa Legislature.

TAXES

Public Law 89–44 reduces Federal excise taxes and includes a provision I introduced so farmers can claim their gasoline tax refunds as a credit on their income tax returns instead of having to wait until later and file a separate claim.

DEFENSE

Both sessions authorized funds for foreign economic and military aid for 1966. Amount slightly less than last Congress.

Public Law 89–27 authorized $30 million annually for 1966–68 for arms control and disarmament research and negotiations.

Public Laws 89–134 and 89–572 extended and expanded the Peace Corps.

Public Law 89–214 provides group life insurance for members of the Armed Forces serving in combat zones.

Appropriations for defense hardware and to pay for past wars continue to be about 80 percent of the budget. Although equipment is more complicated each year and costs more per unit, the cost reduction program, base closings, and elimination of some of the duplication is holding the overall cost of defense from rising proportionately.

CONSUMERS

Public Law 89– prohibits some kinds of unfair packaging and labeling designed to mislead consumers.

Public Law 89–430 provides incentives to increase the number of railroad freight cars available. Shortage of freight cars has become a major national problem creating temporary local shortages and inflationary prices.

VETERANS

Public Law 89–358 provides GI educational benefits for veterans who have served more than 180 days since January 31, 1955, and also provides them with a home loan program.

MISCELLANEOUS

Public Law 89–81 reduces the silver content requirement. Coins have contained so much silver that people hoarded and melted them and caused a shortage. Appropriations were also made to build a new modern mint to increase the coin supply.

Public Law 89–117 expands and extends current housing and urban renewal programs including FHA guarantees used so extensively in Iowa.

Public Law 89–236 abolishes the system of using the last country of residence to determine who can become a citizen and substitutes giving preference to those with close relatives in the United States and with a skill or professional ability that is in short supply here.

Public Law 89–174 establishes a Cabinet-level Department to merge and assume the functions of the Housing and Home Finance Agency and several constituent agencies.

Public Law 89–141 makes it a Federal crime to assassinate, kidnap, or assault the President, President-elect, Vice President, Vice-President-elect, and other officers next in order of succession.

Senate Joint Resolution 1 cleared for State approval a constitutional amendment permitting the Vice President to become Acting President if the President is disabled and provides for filling vacancies in the office of Vice President.

Public Law 89–73 establishes an Administration on Aging to provide information and services to the States relative to developing programs for the aged.

Public Law 89–387 establishes uniform dates for the commencement and termination of daylight savings time in those States where daylight savings time is observed.

Public Law 89– establishes Cabinet-level Department of Transportation.

BUDGET

Tax receipts increase an average of about $4 or $5 billion per year without changing tax rates. This is because we have an increasing population and higher incomes and profits upon which taxes are paid. In spite of the fact that there had been two big tax cuts in the past 3 years, one in the income tax rate and the other abolishing many excise taxes, tax receipts have increased more than usual due to high employment and prosperity. Had there not been an increase in the cost of the Vietnam conflict there would have been a substantial legal budget surplus. The Federal Government actually collected $1 billion more than was spent and loaned last year but some of that goes into trust funds. I believe the policy has been pretty well established that part of the increase in Federal tax receipts resulting from increased employment and higher incomes will be distributed to State and local governments to help relieve their severe tax problem.

Although total appropriations are not a great deal less than the requests this year, various appropriations were revised considerably as indicated by the table below:

Appropriations bills, 89th Cong., 2d sess.

Title	President's request	Amount appropriated
Interior	$1,329,960,500	$1,321,615,800
Treasury-Post Office	7,246,720,000	7,196,429,135
Agriculture	7,022,638,000	6,994,590,150
Labor-HEW	10,083,184,500	[1] 10,523,291,000
Independent offices	14,319,611,291	14,065,851,000
Legislative	173,793,578	214,463,913
Defense	57,664,353,000	58,067,472,000
District of Columbia (city share)	(423,908.800)	([1] 393,694,900)
Federal payment	53,394,000	[1] 52,894,000
Military construction	1,114,947,000	[1] 1,002,929,000
Public Works	4,167,073,000	4,134,511,000
Foreign assistance	3,945,095,000	3,493,473,500
State, Commerce, Justice, and Judiciary	2,598,638,500	[1] 2,357,447,600
Total 1967 bills	109,719,408,369	109,424,968.098

[1] Final figure estimated as average of House and Senate action.

GENERAL LEAVE TO EXTEND

Mr. WHITENER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks with respect to the bill H.R. 16958.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

THE NEED FOR NUCLEAR FRIGATES NOW

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LIPSCOMB] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LIPSCOMB. Mr. Speaker, it is essential that all Members of Congress fully understand the significance to the future of the U.S. Navy of the action taken in the fiscal year 1967 Defense Appropriation Act, which has been passed by both the House and Senate and is presently awaiting the President's signature, concerning major fleet escorts. This bill marks a turning point in the changeover from oil-fired propulsion to nuclear propulsion for our new construction major surface warships.

The appropriation for the Navy in the fiscal year 1967 bill includes funds for our second nuclear-powered aircraft carrier, completion of the funding for the nuclear frigate authorized last year—fiscal year 1966—and partial funding for an additional nuclear frigate. No funds are included for nonnuclear major surface warships.

At least four major fleet escort ships—destroyers or frigates—are assigned to each aircraft carrier. These escorts are designed to operate either on independent missions against enemy targets or as part of a coordinated protective screen to destroy enemy aircraft, missiles, submarines, and surface ships that attack the force. The Department of Defense has certified that there is an essential military requirement for two more guided-missile major fleet escorts this year. The Secretary of Defense proposed building two oil-fired gas turbine driven destroyers to meet this requirement. The bill provides for two nuclear frigates in lieu of the two nonnuclear destroyers the Department of Defense requested.

There has been so much discussion concerning the issue of the nuclear frigates that I want to review the matter here in detail.

The Navy's first nuclear frigate was the U.S.S. *Bainbridge*, DLGN25, included in the fiscal year 1959 shipbuilding program. The *Brainbridge* first went to sea in 1962. When the fiscal year 1962 shipbuilding program was considered in 1961, before the *Bainbridge* went to sea, on the recommendation of the House Armed Services Committee, Congress authorized and appropriated the funds to change the oil-fired frigate *Truxtun* to nuclear propulsion. The Department of Defense accepted this change and the U.S.S. *Truxtun*, DLGN35, our second nuclear frigate, is scheduled to be completed this year.

In the fiscal year 1963 shipbuilding program, Congress, at the request of the Department of Defense, appropriated funds for a nuclear frigate that was to have the Typhon missile system. The Department of Defense subsequently canceled this ship because the missile system was not ready. There were no other major fleet escorts, frigates or destroyers, nuclear or conventional, included in the fiscal year 1963 shipbuilding program.

The Department of Defense did not request any major fleet escorts in the fiscal year 1964, 1965, or 1966 shipbuilding programs. In the fiscal year 1966 program, Congress, on its own initiative authorized $150,500,000 for a new nuclear-powered frigate, appropriated $20 million for procurement of long leadtime items for this ship, and urged the Department of Defense to include the funds required for completion of this ship in the fiscal year 1967 budget request. The Department of Defense thus far has not proceeded with the procurement of long leadtime items, nor did they ask for funds for the nuclear frigate in the fiscal year 1967 budget.

However, as I indicated previously, the Department of Defense did ask for two nonnuclear guided-missile destroyers in the 1967 program. Subsequent to presentation of the budget, the Navy changed the propulsion system of these two destroyers from steam turbines to gas turbines, which increased their cost and size and delayed their scheduled contract award date into the first quarter of fiscal year 1968.

It is clear from this review that the two guided-missile ships requested by the Department of Defense this year will be the first major fleet escorts to be built for our Navy in the 5 years since Congress changed the *Truxtun* to nuclear propulsion. Therefore a great deal of attention has been given this year by the cognizant congressional committees to the questions of whether we should start a new class of nonnuclear major fleet escorts, whether we should change these two ships to nuclear propulsion, or whether we should build both.

The Joint Committee on Atomic Energy has, over many years, studied the question of nuclear propulsion in submarines and surface warships at great length and has issued many detailed reports on this subject. On April 24, 1966, the Joint Committee issued a special report of hearings on the "Naval Nuclear Propulsion Program" held on January 26, 1966. The committee foreword stated:

> The Department of Defense now proposes construction in fiscal year 1967 of two conventionally powered guided missile destroyers of a new class.
>
> It would be a mistake for Congress to authorize new conventionally powered guided missile destroyers when the technology exists to provide them with the increased military effectiveness afforded by nuclear propulsion. * * *
>
> The Joint Committee recommends that the Congress change the fiscal year 1967 Department of Defense authorization to require the two new destroyers to be nuclear-powered ships. This change will be in consonance with the constitutional responsibility of Congress 'To provide and maintain a Navy * * *' and with the continuing role of leadership taken by Congress in the development and application of nuclear propulsion to the U.S. Navy—first for submarines, then for aircraft carriers, and now for major fleet escorts.

Senate Armed Services Committee Report No. 1136 dated April 25, 1966, recommended that one nuclear-powered guided missile frigate be constructed instead of two conventionally powered guided missile destroyers. The Senate passed the defense authorization bill with provision for one nuclear frigate and no conventional destroyers.

House Armed Services Committee Report No. 1536 dated May 16, 1966, recommended that the defense authorization include the two conventional destroyers and two nuclear frigates. The report stated the committee position as follows:

> In view of the fact that the Navy has not had any major fleet escorts requested since fiscal year 1962, and in view of the fact that the Navy needs escort ships generally, the committee has retained the two conventionally powered destroyers as requested by the Navy. However, it has also reauthorized the nuclear-powered frigate from last year and added a new nuclear-powered frigate. With these later two ships, the program of keeping the nuclear-powered carriers in nuclear-powered task forces can continue. The conventionally powered destroyers can be used for the *John F. Kennedy* and the *America*.
>
> Let there be no doubt. This is the time to see that our nuclear-powered aircraft carriers are the centers of nuclear-powered task groups which can utilize all of the benefits of nuclear power without having to worry about the flow of fuel.

The defense authorization bill, as passed by the House, included two nuclear frigates to escort our nuclear carriers and the two nonnuclear destroyers to escort our conventional carriers. The bill also contained the provision that:

> Notwithstanding the provisions of any other law, the Secretary of Defense and the Secretary of the Navy shall proceed with the design, engineering, and construction of the two nuclear powered guided missile frigates as soon as practicable.

House Appropriations Committee Report No. 1652 dated June 24, 1966, recommended that funds for the two conventional destroyers be denied and that $130,500,000 of this amount be applied to complete the construction of a DLGN.

The Senate-House of Representatives Armed Services Committee Conference Report No. 1679 dated June 30, 1966, recommended that the authorization bill include the two conventional destroyers, extension of authority for the fiscal year 1966 nuclear frigate in the amount of $130,500,000, and authorization in the amount of $20,000,000 for long leadtime items for an additional nuclear-powered guided missile frigate. The conference report recommendations were accepted by the Senate and the House and passed into law including a revised provision that—

> The contract for the construction of the nuclear powered guided missile frigate for which funds were authorized under Public Law 89–37, and for which funds are authorized to be appropriated during fiscal year 1967, shall be entered into as soon as practicable unless the President fully advises the Congress that its construction is not in the national interest.

On July 20, 1966, the House passed the fiscal year 1967 defense appropriation bill with an amendment so that the House provided full funding for one nuclear frigate, partial funding for a second nuclear frigate, and deletion of funds for the two nonnuclear destroyers.

In a letter to the chairman of the Defense Subcommittee of the Senate Appropriations Committee dated July 27, 1966, the Deputy Secretary of Defense requested that the Senate change the House bill for the fiscal year 1967 defense appropriations to restore funds in the amount of $153 million for two gas turbine driven guided missile destroyers "in order to fulfill the military requirement for these ships" and "to prevent delay in this essential program." The letter did not mention that the House bill had substituted two nuclear frigates for the two conventional destroyers in order to meet the military requirement for two new guided-missile ships.

Secretary McNamara testified to the Senate Appropriations Committee on August 1, 1966, in support of the request submitted by Deputy Secretary Vance. He gave no assurance that he would build both the nonnuclear destroyers and the nuclear frigates. I would like to call to my colleagues' attention the colloquy on page 723 of the Senate Appropriations

Committee hearing record for August 1, 1966:

> Senator **Jackson**. If we should give you the two destroyers, the conventional destroyers, will there be a requirement for the nuclear frigate?
>
> Secretary **McNamara**. I honestly don't know. I have not, since the House acted, asked the Navy for any further information on the subject. I, myself, have recommended against nuclear-powered frigates in the past. However, I would want to take another look at it after the Congress acted.
>
> The reason I have previously recommended against them is that the cost is dramatically above other alternatives, and the performance does not add as much to our military capability as the cost increases. But I would want to discuss the matter further with the Navy. Today, I would simply say this: if I had to choose between the two at roughly the same cost, one nuclear-powered frigate at $150 million, or two DDG's for about the same cost, both the Navy and I would strongly recommend in favor of the two DDG's.

Then on page 726 there was the following exchange:

> Senator **Thurmond**. If you had your choice between the two nuclear-powered frigates, or two conventional destroyers, which would you take?
>
> Secretary **McNamara**. In the sense that the nuclear-powered frigates have some advantage under some circumstances over the conventionally powered, if they had an equal cost, I would take the nuclear power.
>
> Unfortunately, they do not have an equal cost. It is about a hundred percent increase, based on the present cost estimates. It will be at least 50 percent increase even after you get into follow-on vessels.

I would like to point out that the most recent Navy studies show that when the estimated lifetime construction and operating costs of a nuclear frigate are compared to the comparable costs of a conventional ship with the same military features, the cost of the nuclear frigate is only about 20 percent more than its conventional counterpart.

The data to support this is shown on page 262 of the Senate Appropriations Committee hearing record, part 2. As noted therein, when the overall cost of a conventional task group is considered, the differential annual cost to provide nuclear power in a frigate is only about 1 percent.

The only argument the Defense Department makes against nuclear power for naval surface warships is that they are "too expensive." The argument can be made that all new weapons are too expensive when their costs are compared with the obsolete weapons they replace. Apparently when the Department of Defense decides it wants something, expense is not the criterion. When Congress wants it, it becomes too expensive.

Aside from this vague statement about expense, no other reasoned or technical judgment has ever given by the Department of Defense to justify its stand. Those who do recommend nuclear powered ships gave reasoned arguments—arguments which have never been specifically rebutted.

The impression given to the public is that the Defense Department has reached its conclusions based on scientific analysis. The Department of Defense has not given Congress this scientific analysis. We must therefore conclude that it will not stand the test of objective scrutiny.

However, since the Department of Defense has based its stand against nuclear powered escorts on their higher cost, I think it is important to review with you the relative cost of nuclear frigates compared to nonnuclear destroyers. This review will clearly show that the increase in military capability of the nuclear frigates far exceeds their higher cost.

INITIAL COST OF NUCLEAR FRIGATES

The initial cost estimated by the Department of Defense for a new design nuclear frigate is $138.5 million for the ship plus $12 million for the initial nuclear fuel which is expected to provide for at least 10 years of normal ship operations, making a total of $150.5 million for the first such ship. Congress appropriated $20 million for one nuclear frigate in the fiscal year 1966 Defense Appropriation Act and the fiscal year 1967 Defense appropriations bill includes $130.5 million to complete the funding for this ship.

The initial cost estimated by the Department of Defense for a second nuclear frigate in fiscal year 1967 is $115.8 million for the ship plus $12 million for the initial nuclear fuel, making a total of $127.8 million. The fiscal year 1967 Defense appropriation bill includes $20 million for procurement in fiscal year 1967 for the long leadtime items required for a second new nuclear frigate.

INITIAL COST OF GAS TURBINE DRIVEN DESTROYERS

The estimated initial cost furnished by the Department of Defense for two gas turbine driven destroyers is $153 million. This cost does not include fuel for the conventional ships or the cost of delivering that fuel to the ships, as these are not considered initial costs for conventional ships.

INITIAL COST COMPARISON

The total initial cost of the two nuclear frigates including the nuclear fuel is 82 percent more than the total initial cost of the two conventional destroyers without their fuel. In comparing these costs, the following comparisons of the characteristics of the nuclear frigate—DLGN—and the conventional destroyer—DDG—must be taken into consideration:

First. The DLGN will have 100 percent more missile launchers and missile magazines than the DDG.

Second. The DLGN will have a helicopter landing area and facilities and accommodations for a screen commander which the DDG would not have.

Third. The DLGN will have a more complete naval tactical data system facility than the DDG.

Fourth. The DLGN will have provisions for 100 percent more torpedo tubes than the DDG.

Fifth. The initial cost of the DLGN includes the cost of nuclear fuel which will provide for at least 10 years of normal ship operation; whereas, the initial cost of the DDG does not include the cost of fuel or the cost of delivering the fuel to the ship. Excluding fuel costs in both cases, the initial cost of the two DLGN's is only 66 percent more than the initial cost of the two DDG's.

Sixth. The DLGN will have all the advantages of nuclear power.

COMPARISONS OF LIFETIME COSTS OF NUCLEAR FRIGATES AND CONVENTIONAL DESTROYERS

The Chief of Naval Operations submitted to the Secretary of the Navy on April 14, 1966, a detailed comparison of the advantages and cost of nuclear and conventional aircraft carriers, frigates, and destroyers. This study was forwarded to the Secretary of Defense by the Secretary of the Navy on April 22, 1966, and was subsequently furnished to the Congress and published on pages 110 through 138 of the hearings before the Defense Subcommittee of the House Committee on Appropriations on the Department of Defense Appropriations for 1967, part 6. This study shows that when all construction and operating costs are considered over the lifetime of both the conventional and nuclear escorts on a ship for ship basis:

First. A nuclear frigate costs about 20 percent more than a conventional frigate.

Second. A nuclear destroyer costs about 25 percent more than a conventional destroyer.

Third. A nuclear frigate costs about 40 percent more than a conventional destroyer.

Further, the study by the Chief of Naval Operations points out that when overall costs of a carrier task group is considered, including the cost of the carrier, aircraft, escorts, and logistic support to the task group, the extra lifetime cost to provide nuclear power in a frigate or destroyer is only about 1 percent of the overall cost of the task group. Thus, providing nuclear power in all four escorts for a nuclear carrier would increase the lifetime cost of a nuclear carrier task group by only 4 percent.

I would like to call your careful attention to the following Navy statement on page 262 of the Senate appropriations hearing record since I think it summarizes very well the reasons we must go ahead with building the nuclear frigates:

> The war experience in Vietnam has shown that two-thirds of the fuel used by a conventional carrier task group—a carrier plus its escorts—is used just to keep the ships running. One-third is used for carrier propulsion, one-third is used for escort propulsion, and the other one-third is used for aircraft fuel. So if the need for fuel for the escorts and the carrier itself is eliminated by utilizing nuclear propulsion, only one-third the amount of fuel is needed. This simplifies the logistic problem tremendously.
>
> Each time a nuclear-powered warship is substituted for a conventionally powered warship in a carrier task force, the overall capabilities of the whole task force are improved. When a nuclear carrier is substituted for a conventional carrier, the range of a carrier task group with four conventional escorts is about doubled. When two of the escorts accompanying the nuclear carrier are nuclear, the range of the carrier task group is almost doubled again. When all of the escorts with the nuclear carrier are nuclear, the range of the carrier task group is essentially unlimited.
>
> Since nuclear propulsion in the escort ships improves the military effectiveness of

> the task group as a whole, the increased cost of the task group as a whole is the cost which should be considered in determining the cost effectiveness. Each escort for a nuclear carrier that is changed to nuclear propulsion adds about 1 percent to the overall lifetime cost of the nuclear carrier task group. The overall increase in task group effectiveness would be much greater than this.

Senate Appropriations Committee Report No, 1458 dated August 12, 1966, recommended that funds be included in the Defense appropriations to fully fund one nuclear frigate, partially fund a second new nuclear frigate, and fund construction of the two gas turbine driven guided missile destroyers. The report stated:

> The committee's recommendation of funds for the construction of the two guided missile destroyers does not derogate from the importance which the committee places upon the construction of the nuclear powered guided missile frigate.

On August 18, 1966, the Senate passed their version of the Defense appropriation bill with provisions for the two nuclear frigates and the two nonnuclear destroyers.

The House conference committee members were concerned that if we appropriate the extra funds requested by the Department of Defense for the two gas turbine destroyers that—regardless of the intent of Congress—the DOD might go ahead and build those—and then say we do not need the two nuclear frigates, since the approved force level for major fleet escorts requires only two new guided missile ships at this time. The Senate conference committee members had no assurance this would not happen. Both the Senate and House conference committee members were agreed that we must do everything possible to proceed with building the nuclear frigates to escort our nuclear carriers. Therefore the Senate receded on the nonnuclear destroyers and it was agreed to provide funds only for the nuclear escorts.

It would be a mistake to build new surface warships for our first line naval striking forces—warships that will still be in our fleet into the 21st century—and not provide them with the increased military effectiveness afforded by nuclear propulsion. I simply do not understand the reluctance of the Defense Department to accept nuclear propulsion in the new escorts being built to accompany the nuclear carriers. The testimony of the Secretary of Defense, as given to the House Armed Services Committee on March 10 of this year, indicates that he, himself, believes that nuclear carriers should have nuclear escorts. He said:

> There is no sense having a carrier that is nuclear powered if you don't realize the full potential of the nuclear power in the carrier because you don't have a nuclear-powered escort fleet. I think we have such a fleet. If we don't, I want to have one, because I fully accept the point that we ought to balance off these advantages we paid so heavily for * * *. As I say, I believe we have. If we haven't, I'm quite prepared to change the program.

After further questioning he said:

> Yes, I think that is important, not just one, but I think each carrier that is nuclear powered ought to be part of a balanced task force. Since we are recommending a nuclear-powered carrier in 1967, we will want to have not just the *Enterprise* part of a balanced force, but also this 1967 carrier part of the balanced force. (See Hearings on Military Posture and H.R. 13456 before the Committee on Armed Services, House of Representatives (No. 64)—p. 7577.)

Based on detailed study and appraisal of the military effectiveness and the cost of nuclear-powered and conventional warships and careful consideration and study of past and present experience of naval forces in combat, the Chief of Naval Operations stated:

> The endurance, tactical flexibility, and greater freedom from logistic support of nuclear warships will give the United States an unequaled naval striking force. Our new warships, which the Navy will be operating into the 21st Century, should be provided with the most modern propulsion plants available. To do less is to degrade effectiveness with grave implications for national security. (See House of Representatives Report No. 1536, Authorizing Defense Procurement and Research and Development, and Military Pay, May 16, 1966—p. 25.)

The issue before Congress is very simple: Do we start now to have all-nuclear carrier task forces?

The defense appropriation bill for fiscal year 1967 answers that question with an unequivocal "Yes."

Congress must take this first step. The language in the Defense Procurement and Research Authorization Act that the contract for the new nuclear frigate "shall be entered into as soon as practicable unless the President fully advises the Congress that its construction is not in the national interest" makes it clear that it is the will of the people of this country voiced through their elected representatives in Congress that the nuclear frigates be constructed as soon as possible as a start in a nuclear escort building program.

The determination of overall force levels and the precise number of new escort ships needed in the next several years will no doubt be the subject of continuing study by the Department of Defense. However, with the obvious problem of the obsolescence of the U.S. Navy staring us in the face and the exemplary performance of the nuclear carrier *Enterprise* and her nuclear escort ship *Bainbridge*—both recently returned to the west coast after outstanding combat service off Vietnam—it is clear that construction of the two nuclear frigates for which funds are provided in this bill is a minimum requirement and should proceed forthwith and not be delayed while more studies are made.

The approval of the provisions of the defense appropriation bill for fiscal year 1967 to provide funds for five nuclear powered attack submarines, to provide for a nuclear-powered attack carrier, to complete funding of last year's nuclear powered frigate, and to provide long leadtime funding for an additional nuclear frigate which Congress expects the Department of Defense to include in their fiscal year 1968 request—will go far toward determining the strength and flexibility of U.S seapower for decades to come.

The Secretary of Defense has certified there is an essential military requirement for two new major fleet escorts. With this fiscal year 1967 appropriations bill Congress provided two nuclear frigates to meet that requirement. These ships must be built as soon as possible. Future generations of Americans will recognize that it was Congress that had the foresight, wisdom, and courage to take this initiative to strengthen the defense of our Nation.

ON THE RETIREMENT OF PRESIDENT FRENCH OF WASHINGTON STATE UNIVERSITY

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. MAY] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mrs. MAY. Mr. Speaker, after 14 years as President of Washington State University at Pullman, Wash., Charles Clement French will retire on his 65th birthday, October 24, 1966.

Dr. French, whom I have come to know as an extremely fine and capable person, became president of Washington State University—then Washington State College—in the spring of 1952. During this span of 14 years under his great leadership, the university has grown remarkably in the number of students, in campus buildings and facilities, and in the quality of education offered.

During these 14 years, enrollment has grown from 4,550 enrolled students to 9,465 today. The number of graduate students has grown from 350 to 1,113.

The total square footage of buildings on campus is 3,826,931, and 2,270,490 of this has been built since Dr. French assumed the presidency of the university. In addition, residence living group space of 3,871 students has been constructed during this period.

Dr. French came to WSU from Texas A. & M. where he had been dean of the college. Prior to that he held educational administrative positions at Virginia Polytechnic Institute, Randolph-Macon Women's College and the University of Pennsylvania—his alma mater.

Dr. French has served on the executive committee of the American Association of State Universities and Land Grant Colleges and has been president of that organization. He has also been a commissioner from Washington to the Western Interstate Compact for Higher Education since 1955 and served as chairman in 1961–62.

A new administration building currently under construction will be named in honor of President French.

The title of "President Emeritus of Washington State University" has been conferred upon Dr. French by the university board of regents.

Newspapers in the State of Washington have honored Dr. French in their editorial columns. The Spokane Daily Chronicle said:

> He has been capable, courageous and forthright in carrying out his duties. The

result, as the regents pointed out, is that both Dr. French and Washington State University are held in high regard throughout the state and nation.

The Spokane Spokesman-Review said:

> The people, not only of the Inland Empire, but of the entire State of Washington, always will owe a debt of gratitude to Dr. C. Clement French, who has done such a magnificent job for WSU and who will no doubt continue to do so as long as he is associated with the institution at Pullman.

The Seattle Times said:

> Dr. French has given able leadership in a period of great growth since assuming the Pullman post in 1952.

The WSU Daily Evergreen said:

> A simple thank you to the man who has done so much for this university can hardly seem adequate. Yet, it is all we can say to President French and his wife. The university will long be indebted to him for his service.

Mr. Speaker, I consider it both an honor and a pleasure to bring to the attention of the House these tributes to Dr. C. Clement French, whose retirement becomes effective in a few days.

He will be missed.

CURTIS REPLIES TO CHAIRMAN PATMAN ON PROPER ROLE FOR JOINT ECONOMIC COMMITTEE

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. CURTIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CURTIS. Mr. Speaker, on October 10, 1966, the gentleman from Texas [Mr. PATMAN] made some remarks concerning my earlier criticisms of Joint Economic Committee hearings held last December on the increase in the discount rate. I would like to make some comments in reply to the chairman's remarks.

The point of my criticism was that the committee was conducting a one-sided hearing. It heard the Federal Reserve Board and some private witnesses, including several selected by the minority, but administration witnesses were absent. The administration, which was complaining publicly that the Federal Reserve had failed to coordinate its actions, refused to appear before the committee where the validity of its charges could be aired. It preferred to snipe at the Board from privileged sanctuaries. I made that point in my comments at the time. Under unanimous consent, I include a copy of that statement in the RECORD at the conclusion of these remarks.

The chairman is not really responsive to my criticism when he says that the administration sent witnesses in early February. The committee's annual hearings cover the entire economic scene. There is little enough time to review the outlook and the administration's proposed policies without spending precious questioning time on past history. The time for the administration to state its case on the discount rate increased before our committee was in December, when the Federal Reserve Board made its appearance. Such a discussion between administration witnesses and the committee would not have represented a pointless repetition of the economic and budget review conducted at the beginning of each year as Chairman PATMAN stated. Instead, it could have been a thorough discussion of the coordination of economic policy, the very subject on which the Federal Reserve Board was being attacked. But how could coordination of economic policy be sensibly and fully discussed without the administration present? The answer is that it could not and was not discussed in that constructive manner.

I think these December hearings illustrate again the reasons why I believe the Joint Economic Committee is declining in prestige and influence. I say this with great regret, since I believe the committee is a unique instrument of Congress which could perform a highly constructive role in economic policy. At one time, it did perform such a role. Even now, certain of the committee's studies and reports make a contribution, such as in the area of economic statistics.

But I regret that the committee has ducked its responsibilities for advising the Congress on the great and difficult economic issues before the country. Apparently, the majority of the committee wants to confine its work to safe issues, avoiding those which could possibly embarrass the administration.

Along with my minority colleagues on the committee I have been trying since last year to get hearings on the inflationary situation and the concept and validity of the administration's wage-price guideposts. Our requests have been regularly turned aside with one or another excuse.

The need for such hearings was so evident that a subcommittee of the House Government Operations Committee, headed by Representative HENRY REUSS, who also serves on the Joint Economic Committee, finally held hearings on the guideposts. Clearly the Joint Economic Committee should have compiled a full and scholarly record in this area which the Reuss subcommittee could then have used as a basis for its hearings on specific bills to institutionalize the guideposts.

In order to make the record complete, I include at the conclusion of these remarks the correspondence which I have addressed to Chairman PATMAN over the past year asking for hearings on inflation, the guideposts, and other key economic issues before the country. The correspondence includes letters of December 1, 1965; February 4, 1966; May 26, 1966, and October 10, 1966. Included as an attachment to the October 10 letter is a letter from me to Walter Reuther, of the United Automobile Workers, responding to a letter requesting my support of joint economic hearings on the recently announced price increases on the 1967 model automobiles.

The material follows:

CONGRESSMAN CURTIS ASKS JOHNSON ADMINISTRATION TO RECONSIDER AND HAVE WITNESSES APPEAR AT JEC FINANCIAL POLICY HEARING

Yesterday the Republican members of this Committee asked that witnesses from the Johnson Administration appear before us to give their views on the recent increase in the discount rate and its likely effects on the economy. While the Administration had been invited to appear, they choose not to express themselves before the Joint Economic Committee and in the appropriate context of these hearings. What they have done instead is to engage in guerrilla sniping at the Federal Reserve Board.

While avoiding a full and open confrontation that would clear the air, leading members of the Administration within recent days have chosen privileged sanctuaries from which to attack the Board's action.

On December 12, Secretary of the Treasury Fowler renewed Administration criticism of the Board's action in a speech before a closed meeting in Crotonville, New York, where he said that a more restrictive monetary policy would not help to stem the flow of dollars abroad.

The Chairman of the Council of Economic Advisers, in a full length article from the safety of the editorial page of the Wall Street Journal on December 13, criticized the Board by stating that uncertainties in the economy "cannot be treated as facts requiring action today."

I believe that the Administration owes it to the American people to come before the Congress, which is the appropriate forum to make its views known and where rebuttals can be heard. A frank and open confrontation between the interested parties would be far better for the economy than the avoidance of open debate which the Administration apparently prefers.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., December 1, 1965.

HON. WRIGHT PATMAN,
Chairman, Joint Economic Committee,
House of Representatives,
Washington, D.C.

DEAR MR. CHAIRMAN: Recent White House crackdowns on scattered price increases in aluminum and copper have brought into focus a major economic policy question. The question is this: is it in the national interest to counter broad-based inflationary pressures with selective and discriminatory ad hoc wage and price controls?

A combination of expansionist fiscal programs, easy credit policies, and very large anticipated costs of the war in Vietnam have all combined to create increasing inflationary pressure.

The President apparently chooses to control this inflation by means of highly selective and specific wage and price controls rather than by means of broadly-based fiscal and monetary policies.

Congressman WILLIAM B. WIDNALL and I pointed out in a statement on November 17, 1965, that the aluminum dispute, regardless of the merits or demerits of the industry pricing action, raises the issue of the role of government in private management decisions. We also questioned the use of defense production inventories as an economic weapon—a usage which was clearly not the intent of Congress when it enacted the Defense Production Act in 1951.

The Administration's decision to sell 200,000 short tons of copper from Federal stockpiles under the Strategic and Critical Materials Stock Piling Act of 1946 underlines the need for Congressional review of the uses of stockpiles and the application of guidelines as preventives to inflation.

Therefore, Congressman Widnall, Congressman Robert Ellsworth, and I suggest to you that a Joint Economic Committee examination of the Administration's use of so-called "wage-price guidelines" in connection with the aluminum and copper cases appears timely and much needed. We request that the Joint Economic Committee and the Joint Committee on Defense Production jointly investigate the circumstances surrounding the recent use of the Federal aluminum and copper stockpiles and the validity of the wage-price guidelines as they were applied in these instances.

We believe that these recent events, of lasting significance for our economy, provide an ideal case study of the controversial wage-price guidelines, and that such a study is specially important to the Joint Economic Committee for these reasons:

First, the theoretical validity of the guidelines has never been thoroughly examined and debated by the Committee. The guidelines have by accretion become accepted by many economists as valid instruments of national economic policy without being fully understood, debated or tested. At the same time they are the subject of considerable criticism from other economists.

Second, assuming the desirability of such "guidelines", there is the broad question of executive department action to implement or force the acceptance of these guidelines. It is the Joint Economic Committee's responsibility to recommend to the Congress a policy framework which Congress may wish to lay down itself as a guideline to executive branch action.

Third, again assuming the desirability of such guidelines, there is a need to prevent their use to justify capricious economic interventionism in private economic decisionmaking. Aluminum company spokesmen have protested that they were denied their "day in court"—that they were never given the opportunity to explain and discuss the rationale behind their price moves with government officials. Certainly the industries in question should be given the opportunity to justify their action in a public forum. And certainly any such guidelines should be applied, if at all, equally to both industry and labor.

Fourth, while the guidelines were used to justify the threat or actual use of aluminum and copper stockpiles, as "anti-inflationary", it should be remembered that prices are only the barometer, the external manifestation of fundamental forces that have been generated by Administration fiscal and monetary policies. Administration action, such as aluminum sales, to control prices on an ad hoc basis is simply a new, more dangerous, type of price control which ignores underlying economic forces and the policies that create them.

Most importantly, the growing U.S. commitment in Vietnam will mean increasing shortages of basic materials now in strong domestic demand, and foretells strains on the economy which may help stimulate increased inflationary pressure. In turn, this pressure could be used to justify further application of guidelines. Applying such guidelines could mean a dampening of incentives to production of needed materials, which would otherwise take place through the free play of market forces.

We believe that these are compelling reasons for a thorough examination by the Joint Economic and Joint Defense Production Committees of the use of the aluminum and copper stockpiles as examples of the application of wage-price guidelines. Congressman Widnall, Congressman Ellsworth, and I urge you to schedule such hearings at the earliest date, and pledge our fullest cooperation with you in this endeavor.

Sincerely yours,

Thomas B. Curtis.

February 4, 1966.

Hon. Wright Patman,
House of Representatives,
Washington, D.C.

Dear Mr. Chairman: Thank you for your letter of January 27, 1966, sending copies of four bills to amend the Employment Act of 1946.

In my opinion, the most important of these bills would give the Joint Economic Committee a role in setting the wage-price guideposts and in studying specific breaches of them referred to the Committee by the Council of Economic Advisers.

I would agree with you entirely that the first vital question before us is whether we can "agree upon a concept of wage-price guidelines and a framework for their use by government which we can agree would be useful in promoting an anti-inflationary, full-employment situation."

While the hearings on the 1966 Economic Report of the President as well as the symposium on the 20th anniversary of the Employment Act will be helpful in developing information on the guideposts, I do not believe they will be sufficient.

I strongly urge that before taking a position on the Reuss bill or on any other bill dealing with the guideposts, the Committee conduct a thorough study of them. I believe that we should first prepare a compendium of views of leading economists, followed by a staff report on the compendium and, finally, concluding with hearings on the compendium and the questions raised by the staff report.

Although such a study would take considerable time, I think the importance of the subject warrants priority attention. It should be possible to produce a final report by the Committee on the validity of the guideposts concept by the opening of the new Congress next January.

With best wishes,

Sincerely yours,

Thomas B. Curtis.

May 26, 1966.

Hon. Wright Patman,
U.S. House of Representatives,
Washington, D.C.

Dear Mr. Chairman: I have just received a copy of the press release of May 27 announcing the hearings by the Economic Progress Subcommittee of the Joint Economic Committee on automation and technology in education.

While the subject is highly interesting and witness list excellent, I question whether the topic is sufficiently germane to the primary concern of the Joint Economic Committee to justify its inclusion in the agenda in preference to more pressing policy matters. As you know, the Minority has been urging since late last year that hearings be held on such urgent subjects as the Wage-price guideposts, the voluntary program of capital restraints and the problems of debt management.

In order to allocate the Committee's time most efficiently, I think it would be a useful practice to have the full Committee meet early in each session to agree on the agenda for the coming year. This would allow for consideration of all points of view on the optimum allotment of the Committee's limited time for hearings.

With best wishes,

Sincerely yours,

Thomas B. Curtis.

October 10, 1966.

Hon. Wright Patman,
Chairman, Joint Economic Committee,
Washington, D.C.

Dear Mr. Chairman: I am forwarding for your information a copy of a letter which I have just sent to Walter Reuther in response to a request from him for my support of immediate hearings on the increase in automobile prices.

As you know, I have been urging for some time that the Committee study the concept and the effectiveness of the Administration's wage-price guideposts. As I indicated to Mr. Reuther, I think that the automobile price increase would be appropriately studied as a part of that broader subject.

At this time, I want to renew my request for hearings on this vital matter at the earliest possible time.

With best wishes,

Sincerely,

Thomas B. Curtis.

October 10, 1966.

Mr. Walter P. Reuther,
President, International Union, UAW,
Detroit, Mich.

Dear Mr. Reuther: This is with reference to your letter of September 29, 1966 urging my support of immediate Joint Economic Committee hearings on the recently announced increase in automobile prices.

In the light of the growing inflationary pressures in the economy, I have repeatedly urged for at least a year that the Committee hold hearings on the Administration's wage-price guideposts. This the majority has refused to do.

As a result of some recent wage settlements and price increases, including those in the automobile industry, I am more than ever convinced that public hearings on the guideposts are neded. I am forwarding a copy of my letter to you to Chairman Patman as a further expression of my concern and my wish for hearings on the subject.

In my view, such hearings should cover but not be confined to automobile price increases. The reasons behind the rapid rise in the cost of medical care should also be studied. There should also be a more general review of wage, price and productivity trends throughout the economy. My deepest concern at the moment is that because of rising costs prices will continue to increase sharply next year, even while overall levels of economic activity may be falling off.

I was particularly interested in your view that "reasonable constraints" may be required to deal with "any private organization which has achieved a position from which it can exercise significant leverage on the economy." While I agree that the public interest may require some constraints on such power where it exists and is irresponsibly used, I would want to consider such an approach only with great care and caution. I personally feel that the maximum of labor and management freedom is an important goal in our society. Where government follows wise economic policies, I think there is little room for the irresponsible use of private economic power and correspondingly less demand for curbs on private freedom. I agree, however, that this would be a fit subject for the Committee's hearings.

A copy of my letter to Chairman Patman is enclosed.

Sincerely,

Thomas B. Curtis.

THE RISING COST OF DEMOCRATS

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CURTIS. Mr. Speaker, the President of the United States has seen fit to label the Republican Party the party of fear.

Let us make clear what it is that we, and the American people generally, fear.

Every man who has been in the frontlines of battle has experienced fear. That is the fear of known peril, which we can recognize and deal with. Knowing how to cope with the realities, it is healthy in that it indicates respect for the problems.

The deeper fear, which we share with all the American people, is the fear of leadership which fails to recognize problems, which fails to deal with them effectively through action directed at causes rather than symptoms, and which fails to deal with them in a timely manner before they get out of hand.

I could be speaking of Vietnam, or the crime problem, but in this case, I am addressing my remarks to economic policies.

The American people, like the frontline soldier, properly fears most the kind of leadership which pretends problems do not exist until they are apparent to all. They fear leadership that takes action for political and psychological effect rather than to solve the problems. They fear leadership that juggles statistics to show we are not having inflation when people can see it with their eyes and feel it in their pocketbooks and wallets.

They fear leadership which takes odd periods for statistical comparison like 67 months, or moves the Bureau of Labor Statistics base year and comes up with 6-year averages to show that while we have inflation sickness, other countries have it worse.

They fear leadership that tries to keep the temperature down on a hot day by putting the thermometer in the refrigerator.

They fear the kind of "doctor" who tells his patient not to worry about his temperature of 103° today because for the previous month it averaged 98.6°.

In short, to paraphrase earlier leadership, "The principal thing we have to fear is our present leadership itself."

The Republican Coordinating Committee on October 3 approved the reissuing of an earlier report entitled "The Rising Costs of Living." In doing so, they issued a covering statement which speaks for itself and which I will insert in the Record at the end of my remarks, together with the original document.

But let me first point out a very important statement made in this covering paper. Important particularly in the light of a statement by the Chairman of the Council of Economic Advisers, Dr. Gardner Ackley, in New York on October 6. In the second paragraph of his speech, he said:

> Barring a sudden end of hostilities in Vietnam, 1967 will be as good a year for business as 1966. And I think it would be hard to dispute that—for business as for the American people—1966 is the best ever.

There are 5,400 American dead in Vietnam who cannot dispute that statement at all.

There are 30,000 casualties, some of whom might say, "the price is high for your Democratic prosperity, Dr. Ackley."

And if this is the "new economics," there is nothing new about war and inflation bringing prosperity. In September 1935, Ernest Hemingway wrote an article in Esquire magazine, entitled "Notes on the Next War," in which he said:

> The first panacea for a mismanaged nation is inflation of the currency; the second is war. Both bring temporary prosperity; both bring a permanent ruin. But both are the refuge of political and economic opportunists.

The Republican position and record in office presents a dramatic contrast which explains much of the fear the President attributes to the Republican Party and the American people. On page 5 of the coordination committee statement, "Further Comments on the Rising Costs of Living," it states:

> For our part, we reject inflation and war as appropriate ways to attain full employment and prosperity. The cost is too high in human misery. Shriveled dollars and a broken economy can destroy America.
>
> History shows it is possible to have peace and prosperity while holding inflation in check and minimizing the severity of recessions. Under the Republican Administration from 1953 through 1960 annual average unemployment was significantly less than it has been since (4.9 percent under Eisenhower; 5.3 percent, 1961-present). The average annual rise in living costs as measured by the Consumer Price Index was lower (1.4 points under Eisenhower; 1.9 points, 1961-present). The proportion of American families living on $3,000 a year or less diminished from 27 to 20 percent under Eisenhower—roughly twice the annual rate at which it has been diminishing (from 20 percent to 17 percent since 1961) under the Democrats' policies and programs.

Two more things, Mr. Speaker, before I insert these documents in the Record:

First, while it correctly points out that the basic cause now exerting inflationary pressure on the economy is the recent massive increases in Government spending, I fear the coordinating committee underestimates the penchant of the present Democratic administration and Congress to spend the peoples' money. The committee predicts an increase from the $112.8 billion projected in the 1967 administration budget to "$118 billion, and more likely $120 billion or over." As I pointed out in the Congressional Record of September 30, page 24559 and following pages, it seems more likely the fiscal 1967 expenditures will run in the neighborhood of $130 billion. The budget deficit will be not $1.8 billion as the administration predicted, nor "three or four times" that amount as the coordinating committee estimates, but more like $13 billion, even allowing for greatly increased Federal Government revenues.

Second, I would like to direct your attention, and that of the press to those portions of the original "Rising Costs of Living' document which examine "How the Situation Developed," "Statement of the Problem," and "Failure of the Democratic Administrations' Attempted Solutions." Those eminently fair and perceptive members of the press who are wondering where the "new economics" went wrong, may find this analysis interesting, and, I trust, valid.

At this point Mr. Speaker, I insert "Further Comment on the Rising Costs of Living," approved October 3 by the Republican Coordinating Committee, and the original document of the Federal Fiscal and Monetary Policy Task Force of the Coordinating Committee, approved last March 28 by the coordinating committee:

Further Comment on the Rising Costs of Living

(Adopted by the Republican Coordinating Committee, October 3, 1966, prepared under the direction of Republican National Committee, 1625 Eye Street, NW., Washington, D.C.)

REPUBLICAN COORDINATING COMMITTEE

Presiding Officer: Chairman, Republican National Committee.

Former President

Dwight D. Eisenhower.

Former Presidential Nominees

Barry Goldwater (1964).
Richard M. Nixon (1960).
Thomas E. Dewey (1944 and 1948).
Alf M. Landon (1936).

Senate Leadership

Everett M. Dirksen, Minority Leader.
Thomas H. Kuchel, Minority Whip.
Bourke B. Hickenlooper, Chairman, Republican Policy Committee.
Leverett Saltonstall, Chairman, Republican Conference.
Thruston B. Morton, Chairman, National Republican Senatorial Committee.

House leadership

Gerald R. Ford, Minority Leader.
Leslie C. Arends, Minority Whip.
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Bob Wilson, Chairman, National Republican Congressional Committee.
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George W. Romney, Governor of the State of Michigan.
Nelson A. Rockefeller, Governor of the State of New York.
John A. Volpe, Governor of the Commonwealth of Massachusetts.

Republican National Committee

Ray C. Bliss, Chairman.
Mrs. C. Wayland Brooks, Assistant Chairman.
Mrs. Collis P. Moore, Vice Chairman.
Donald R. Ross, Vice Chairman.
Mrs. J. Willard Marriott, Vice Chairman.
J. Drake Edens, Jr., Vice Chairman.

Republican State Legislators Association

F. F. (Monte) Montgomery, President.
Robert L. L. McCormick, Staff Coordinator.

FURTHER COMMENT ON THE RISING COSTS OF LIVING

The Democratic Administration and its echo-chamber Congress have been irresponsible and cruel in revisiting the scourge of inflation upon the American people. Rapidly rising prices are now hurting every citizen, the poorest the most. This breach of the public trust will rightly be a prime political issue in 1966.

The basic cause, still operating, is the inflationary pressure generated by massive increases in government spending: 50 percent since 1960; 20 percent in just the last two fiscal years.[1]

The problem is the more tragic because it could have been averted. It was clearly foreseen. It was warned against.

"The Rising Costs of Living, a Report on the Fiscal Policies of the Federal Government," was prepared by the experts of our Task Force on Federal Fiscal and Monetary policies. The Republican Coordinating Committee approved it unanimously on March 31, 1966. We reissue it now because it still applies—because of the accuracy of its predictions—because of the precision of its indictments of Administration policies. These recommendations for preventing inflation and combating the inflation-caused turbulence in the economy are still sound.

This booklet warned six months ago that the United States was starting down the road to serious inflation—that the trend toward higher prices would accelerate, raising the cost of living in 1966 by three to four percent.[2] It stated that businessmen would increase inventories to hedge against inflation. It said that other nations would continue to lose confidence in our ability to correct our unfavorable balance of payments and the drain on our gold. It stressed that the economy would develop imbalances forcing painful readjustments. It explained that these conditions, unless quickly corrected, would surely bring on even higher prices, a loss in value of the dollar, a loss of economic vigor, a slowdown in the growth of new jobs, a decline of living standards for everyone, and a deterioration of the Nation's world leadership.

Events have borne out these judgments. The harmful consequences of the Administration's monetary and fiscal failures are glaringly apparent:

In August, the Consumer Price Index was 3.5 percent higher than a year ago, the highest year-to-year increase in index points since the Korean War, 15 years ago;

The overall cost of living since January has increased at an annual rate of over 4 percent, three times as fast as the average increase from 1960 through 1965;

The food that cost a housewife $10.00 in March 1965 cost her $10.72 a year later, and is now up to $10.90; [3]

Wholesale prices are advancing at the annual rate of approximately 4 percent this year, 10 times as fast as the annual average from 1960 through 1965;

Interest rates are the highest in 45 years;

Mortgage money is extremely difficult to obtain;

New housing starts have plummeted sharply bringing a virtual depression to this segment of the economy;

Increasing loss of confidence in the value of the dollar has undermined its status as the world's soundest currency, caused the loss of 25 percent of our gold stock in the past 6 years, and jeopardized our Free World leadership;

The national debt continues to swell. This has forced 12 raises in the debt ceiling since 1960. The budget deficit in fiscal 1967 will likely be three or four times the amount predicted last January;

Stock market behavior reflects a widespread uneasiness and an erosion of confidence stemming from vacillating economic policies;

Many economists warn that the economic cycle has peaked and join former President Truman in warning of a depression ahead.[4]

Inflationary pressures continued to mount even as the Administration proposed a four-point program to "fight inflation" on September 8, 1966. This Democratic program is too little, too late and the wrong prescription. It proposes cutting Federal spending by $3 billion—a grossly inadequate reduction for present needs. It comes at least six months and possibly a year late. The suspension of the 7 percent investment credit will have little near-future effect: in the longer run it will brake industrial expansion, the reverse of what is needed to fight inflation.

We urge a careful re-reading of "The Rising Costs of Living." The Republican program therein proposed can still be effective in checking the surging inflation; it can still protect the dollar; it can still preserve the value of personal savings; it can lessen the growing danger of recession.

The Republican Coordinating Committee's March 1966 principal recommendations follow:

"That the costs of Vietnam be financed within annual balanced budgets by reduction or postponement of domestic programs, not by tax increases.

"That in times of high-level prosperity and employment, the Administration provide a significant surplus in the Federal budget to reduce inflationary pressures and help protect the dollar.

"That the Administration pursue prudent fiscal and monetary policies that will make it unnecessary to have the so-called 'voluntary' wage and price 'guideposts,' which are inconsistent with a free market economy.

"That the Administration lend support to monetary policies which will hold increases in the supply of money to a pace consistent with inflation-free economic growth.

"That the Administration respect and defend the role of the Federal Reserve system as an independent agency within government.

"That the Congress amend the Employment Act of 1946 to make general price stability an explicit objective of government policy, along with maximum employment, production and purchasing power.

"That, rather than relying on inflationary monetary and fiscal policies to reduce residual unemployment in a high employment economy, the Administration place emphasis on selective programs of job training, counseling and placement, as provided in the Republican-sponsored Manpower Development and Training Act of 1962; and have the Bureau of the Census undertake a survey of job vacancies and a census of the unemployed at intervals to provide a factual basis for such activities.

"That the Administration give high priority to developing a solution to the balance of payments problem which will be lasting and constructive for the rest of the world as well as for ourselves.

"That the Administration enhance the integrity and value of the Federal budgeting process by:

"(a) The annual dissemination of a five-year budget projection for all departments and agencies, to assist long-range consideration of the fiscal consequences of new programs.

"(b) An annual reporting, as part of the budget, of the unfunded commitments of the government for future spending which have to be met by the taxpayers.

"That the Administration consolidate and, where appropriate, eliminate as many as possible of the overlapping and duplicating government programs and, where practical, take steps to turn their administration over to States and local government bodies.

"That the Congress create, at regular intervals, an independent, bipartisan, adequately staffed 'Hoover Commission'-type organization composed of Members of the Congress and the public, to review the budget, government programs, and government organization."

The Democratic party, entrusted with national leadership both in Congress and the Executive Branch, has rejected or ignored the guidance provided by this booklet. For our part, we reject inflation and war as appropriate ways to attain full employment and prosperity. The cost is too high in human misery. Shriveled dollars and a broken economy can destroy America.

History shows it is possible to have peace and prosperity while holding inflation in check and minimizing the severity of recessions. Under the Republican Administration from 1953 through 1960 annual average unemployment was significantly less than it has been since (4.9 percent under Eisenhower; 5.3 percent, 1961-present).[5] The average annual rise in living costs as measured by the Consumer Price Index was lower (1.4 points under Eisenhower; 1.9 points, 1961-present).[6] The proportion of American families living on $3,000 a year or less diminished from 27 to 20 percent under Eisenhower—roughly twice the annual rate at which it has been diminishing (from 20 percent to 17 percent since 1961) under the Democrats' policies and programs.[7]

We urge every American, for his country's sake, to read "The Rising Costs of Living" before Election Day 1966.

APPENDIX I

FEDERAL GOVERNMENT SPENDING FACTS

1. Federal Government expenditures in fiscal 1960, as measured by the Administrative Budget, were $76.5 billion. In fiscal 1967 they are planned to be $112.8 billion. This is an exact increase of 47.5%. The exact increase from actual fiscal 1965 expenditures of $96.5 billion to the $112.8 billion 1967 figure is 17%. Realistic appraisal of fiscal 1967 expenditures dictates the use of 50% and 20% for estimating the rate of expenditure increases during these periods as stated below under point 3.

2. Rise in Federal Government expenditures (Administrative Budget) under the last Republican Administration, 1953–1960 compared with the Democrat's record, 1961–1966: 1953–1960, $74.1 billion to $76.5 billion, 3.2% increase; 1961–1966, $81.5 billion to $112.8 billion, 38.4% increase.

3. Estimated fiscal 1967 expenditures (year ending June 30, 1967):

The 1967 Administrative Budget Expenditures of $112.8 billion was, when published in January, considered by numerous experts and the press to be understated through bookkeeping devices and other questionable means.

Subsequent events contribute substantially to the volume of expenditures; suspensions of participation loan sales, increased costs of the Vietnam War, and requested cuts not approved by Congress.

Increasing interest charges to finance the National Debt, the new Great Society spending authorizations contribute heavily, as well, to the volume of expenditures.

It is probable, therefore, that expenditures will run at least $118 billion, and more likely $120 billion or over. (Republican National Committee estimate based on figures from The Budget of the United States and Treasury Department Statements.)

4. Federal Government Spending and Debt per person and per family:

Spending per person: $564.00 per year; per average family: $2,256.00.

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[1] See Appendix I: Spending Facts.

[2] See Appendix II: Charts Showing Continuing Rise in Living Costs.

[3] See Appendix III: Retail Prices of Selected Food Items.

[4] See Appendix IV: Authoritative Statements on Inflation Causes and Consequences.

[5] Source: Economic Indicators, published by the Council of Economic Advisers to the President.

[6] Ibid.

[7] Ibid.

Debt per person: $1,600.00; per average family: $6,400.00.

5. Spending Increases by Selected Departments and Agencies, 1960 vs. 1967:

[Dollar amounts in billions]

Department or agency	Actual, 1960	Estimate, 1967	Difference	Percent increase
Agriculture	$5.42	$6.61	$1.19	[1] 22
Commerce	.54	.92	.38	70
Defense, military	42.82	57.15	14.33	34
HEW	3.40	10.19	6.79	200
Interior	.69	1.32	.63	91
Justice	.26	.41	.15	58
Post Office	[1] (.53)	[1] (.76)	[1] (.23)	[2] (43)
State	.25	.41	.16	64
Treasury	10.13	14.25	4.12	41

[1] Agriculture Department spending is up 22 percent while in the same period the farm population decreased by 20 percent.

[2] Postal service costs are technically an operating loss rather than a planned expenditure.

Table showing Federal administrative budget surplus or deficit

[In billions]

Fiscal years:	
1960 (surplus)	$1.2
1961 (deficit)	3.9
1962 (deficit)	6.4
1963 (deficit)	6.3
1964 (deficit)	8.2
1965 (deficit)	3.4
1966 (deficit)	2.3

NOTE.—Administration's estimated 1967 budget deficit is omitted because of uncertainty as to its outcome, in view of the methods used in determining receipts and expenditures. Independent estimates now place it from $5 to $7 billion.

Source: Economic Indicators.

APPENDIX II

Tables demonstrating the rising costs of living

CONSUMER PRICES (INDEX: 1957–59=100)

Period	All items	Food	All services	Period	All items	Food	All services
1961	104.2	102.6	108.8	1966:			
1962	105.4	103.6	110.9	January	111.0	111.4	119.5
1963	106.7	105.1	113.0	February	111.6	113.1	119.7
1964	108.1	106.4	115.2	March	112.0	113.9	120.1
1965	109.9	108.8	117.8	April	112.5	114.0	121.1
1965:				May	112.6	113.5	121.5
June	110.1	110.1	117.6	June	112.9	113.9	122.0
July	110.2	110.9	117.8	July	113.3	114.3	122.6
August	110.0	110.1	117.9	August	113.8	115.8	123.0
September	110.2	109.7	118.5				
October	110.4	109.7	118.7				
November	110.6	109.7	119.0				
December	111.0	110.6	119.3				

WHOLESALE PRICES, ALL COMMODITIES (INDEX: 1957–59=100)

Period	All items	Period	All items
1961	100.3	1965—Continued	
1962	100.6	December	104.1
1963	100.3	1966:	
1964	100.5	January	104.6
1965	102.5	February	105.4
1965:		March	105.4
July	102.9	April	105.5
August	102.9	May	105.6
September	103.0	June	105.7
October	103.1	July	106.4
November	103.5	August	106.8

Source: Economic Indicators.

APPENDIX III

Retail prices of selected food items, November 1963 and August 1966

Item	Unit of measurement	Price in cents, November 1963	Price in cents, August 1966	Percent increase	Item	Unit of measurement	Price in cents, November 1963	Price in cents, August 1966	Percent increase
Cereals and bakery products:					Fruits and vegetables:				
Flour, wheat	5 pounds	56.8	59.8	5.2	Apples	1 pound	14.0	25.1	79.2
Cornflakes	12 ounces	28.4	30.2	6.3	Bananas	do	15.6	16.5	5.7
Bread, white	1 pound	21.6	22.8	5.5	Potatoes	10 pounds	63.1	78.2	23.9
Meats, poultry, and fish:					Onions	1 pound	10.8	16.2	50.0
Round steak	do	106.4	110.6	4.0	Carrots	do	15.0	17.6	17.4
Sirloin steak	do	108.7	118.3	8.8	Celery	do	13.4	19.1	42.6
Pork chops, center cut	do	88.3	108.2	22.5	Cabbage	do	8.5	13.1	54.1
Pork loin roast	do	62.0	77.5	25.0	Tomatoes	do	30.9	32.0	3.5
Bacon	do	67.4	99.6	47.8	Canned peas, green	No. 303 can	22.7	24.2	6.6
Frying chicken	do	39.7	42.1	6.0	Dried beans	1 pound	17.7	19.9	12.5
Tunafish	6½-ounce can	32.6	36.4	11.6	Beverages:				
Dairy products:					Coffee	do	69.8	83.5	19.6
Milk, fresh (delivered)	½ gallon	52.6	56.8	7.9	Cola drink	72-ounce carton	55.1	56.8	3.0
Butter	1 pound	75.5	86.3	14.3	Total		$11.13	$12.94	
Cheese, American process	½ pound	36.7	43.2	17.7	Aggregate percent increase				16.3
					Average percent increase per item				20.0

Source: U.S. Department of Labor statistics, retail food prices by cities.

APPENDIX IV

AUTHORITATIVE STATEMENTS ON INFLATION CAUSES AND CONSEQUENCES

"The important cases of demand inflation result from Government expenditures, especially those associated with war or war preparations. Government programs of heavy investment in 'social capital', particularly in underdeveloped areas seeking rapid economic development, may also create strong inflationary pressures." Gardner Ackley, Chairman of the Council of Economic Advisers to President Johnson. "Macroeconomic Theory," 1961.

"Huge governmental spending, even when it is fully met from tax revenues, is likely to release inflationary forces in the economy.

"If the economy is operating close to its full capacity . . . the government must discipline the natural impulse to use the larger revenues yielded by existing tax rates to finance new expenditures . . . it is desirable to strive for a sizable surplus by severely limiting any increases in expenditures and, wherever possible, reducing them." Arthur F. Burns, Chairman of the Council of Economic Advisers to President Eisenhower, 1953–56; President, National Bureau of Economic Research; Professor of Economics, Columbia University. "Prosperity Without Inflation," 1957.

"Of course, no one wants runaway inflation . . . What is more likely to happen is that we will bring on a precipitous deflation if we persist in high interest practices. The result could be a serious depression." Former President Harry S. Truman, August 28, 1966.

"Our economy is powerful enough to afford both guns and butter. But it doesn't follow that we can afford both guns and fat." Walter Heller, Chairman of the Council of Economic Advisers to President Kennedy: Life, September 1, 1966.

"Most Americans are against reckless public spending. As to this, the record of congressional radicals is too clear and too recent to need explanation . . . And I remind you—these federal billions are your money. Either they come out of your paycheck through higher taxes, or your pocket is picked by inflation." Former President Dwight D. Eisenhower, "Waging the Peace," 1966.

THE RISING COSTS OF LIVING—A REPORT ON THE FISCAL POLICIES OF THE FEDERAL GOVERNMENT

(Prepared under the direction of the Republican National Committee, 1625 Eye Street, NW., Washington, D.C., Apr. 21, 1966)

REPUBLICAN COORDINATING COMMITTEE

Presiding Officer: Chairman, Republican National Committee.

Former President: Dwight D. Eisenhower.

Former Presidential Nominees: Barry Goldwater (1964); Richard M. Nixon (1960); Thomas E. Dewey (1944 & 1948); Alf M. Landon (1936).

Senate Leadership: Everett M. Dirksen, Minority Leader; Thomas H. Kuchel; Minority Whip; Bourke B. Hickenlooper, Chairman, Republican Policy Committee; Leverett Saltonstall, Chairman, Republican Conference; Thruston B. Morton, Chairman, National Republican Senatorial Commitee.

House Leadership: Gerald R. Ford, Minority Leader; Leslie C. Arends, Minority Whip; Melvin R. Laird, Chairman, Republican Conference; John J. Rhodes, Chairman, Republican Policy Committee; H. Allen Smith, Ranking Member of Rules Committee; Bob Wilson, Chairman, National Republican Congressional Committee; Charles E. Goodell, Chairman, Planning and Research Committee.

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Republican National Committee: Ray C. Bliss, Chairman; Mrs. C. Wayland Brooks, Assistant Chairman; Mrs. Collis P. Moore, Vice Chairman; Donald R. Ross, Vice Chairman; Mrs. J. Willard Marriott, Vice Chairman; J. Drake Edens, Jr., Vice Chairman.

Republican State Legislators Association: F. F. (Monte) Montgomery, President.

Arthur L. Peterson, Staff Coordinator.

A MESSAGE FOR EVERY AMERICAN

The cost of living is rising. Food, housing, services, and other necessities of life are regularly going up in price. The American housewife sees it every time she goes shopping. The American worker feels it every time he takes out his wallet.

The United States is on the threshold of dangerous inflation. The cause is the fiscal, monetary, and other economic policies of the present Democratic Administration in Washington.

Inflation is a hidden tax that falls heaviest on those who have the least. It is especially harsh in its effect on those living on pensions or fixed incomes. It eats away the value of savings and insurance.

Inflation also contains the seeds of recession. The greater the excesses during a period of inflation, the more likely it will be followed by recession, and the more severe that recession will be in terms of unemployment and of decreased income and opportunity.

The present Administration believes some inflation is "acceptable" and is ready to "trade it off" for faster growth. But history has shown that a stable price level, not a rising one, is the best foundation for vigorous, sustainable growth. Inflation tends to feed on itself and grow out of control.

Throughout history, countries have suffered from severe inflation as a result of policies similar to those of the Administration in Washington. Americans dare not assume that it could not happen here.

Only a change in the policies of the Administration—or a new Administration—can save us from serious suffering and loss.

On August 30, 1965, the Republican Task Force on Federal Fiscal and Monetary Policies, in its report entitled *The Balance of Payments, the Gold Drain and Your Dollar* warned on page 21: ". . . the Administration's easy money policies have expanded credit twice as fast as the rise in real production . . . sooner or later credit inflation brings price inflation . . . Further credit inflation could involve the heavy risk of a boom and bust pattern . . ."

The accuracy of this forecast of a rapidly rising cost of living due to Administration policies is now apparent to all.

Therefore, we urge in the strongest possible terms that every American read this new report most carefully, and give fullest consideration to its analysis and recommendations.—Republican Coordinating Committee, March 28, 1966, Washington, D.C.

TASK FORCE ON FEDERAL FISCAL AND MONETARY POLICIES

Chairman: Maurice H. Stans, Director of the Bureau of the Budget, 1958–1961.

Vice chairman: George Champion, Chairman, Board of Directors, Chase Manhattan Bank.

Members

William H. Avery, Governor of the State of Kansas.

Julian B. Baird, Under Secretary of the Treasury for Monetary Affairs, 1957–1961.

Wallace F. Bennett, United States Senator from Utah.

Frank T. Bow, Member of Congress from Ohio.

John W. Byrnes, Member of Congress from Wisconsin.

Thomas B. Curtis, Member of Congress from Missouri.

Mrs. Rosemary Ginn, Republican National Committeewoman for Missouri.

Cliff Hansen, Governor of the State of Wyoming.

Roman L. Hruska, United States Senator from Nebraska.

Kenneth C. Kellar, Chief Counsel, Vice President-Industrial Relations, and Director, Homestake Mining Company.

Paul W. McCracken, Member, President's Council of Economic Advisers, 1956–1959.

Peter O'Donnell, Jr., Chairman of the Republican Party of Texas.

Clarence B. Randall, Special Assistant to the President, 1956–1961.

Raymond J. Saulnier, Chairman of the President's Council of Economic Advisers, 1956–1961.

Lewis L. Strauss, Chairman, Atomic Energy Commission, 1953–1958.

Robert D. Stuart, Jr., Republican National Committeeman for Illinois.

Sinclair Weeks, Secretary of Commerce, 1953–1958.

John J. Williams, United States Senator from Delaware.

Biehl P. Clark, Secretary to the Task Force

"Preventing deterioration of our currency was not only an economic necessity but a humanitarian goal as well, because failure to preserve the purchasing power of the dollar spells hardship for those who will one day live on pensions, insurance policies, and savings in government bonds. Moreover, prosperity depends in large part upon avoiding an inflation that could destroy incentives."—Dwight D. Eisenhower, "Waging Peace," 1965, page 386.

SUMMARY

I. *The economic policies of the present Democratic Administration are rapidly bringing about a critical situation . . .*

The Facts

In 1965, the overall cost of living advanced more than 2.0%, the highest increase in seven years; most economists expect the increase to be even higher this year.

The food that a housewife bought early in 1965 at a supermarket for $10.00 cost her $10.45 a year later, and prices are still going up.

Wholesale prices were up 3.4% last year, after virtually stability since 1957, and were advancing at an even more rapid rate early in 1966.

In 1965, the United States lost $1.7 billion of its gold supply to foreign countries, and its international balance of payments was in deficit by $1.3 billion.

The federal budget has not been balanced since 1960, under President Eisenhower; since then, Democratic Administrations have produced deficits totaling $34 billion, and a further substantial deficit is planned for 1967.

In the last four years, the supply of money (including time deposits) has been allowed to grow excessively, at almost double the rate of increase in production of goods and services.

The total debt in the United States—government, corporate and individual—increased 7.5% in 1965, again significantly greater than the increase in physical production.

The war in Vietnam is increasingly costly; the 1967 budget forecasts expenditures of $10.5 billion for that purpose, and there is no way of knowing how much more money may be required.

The significance

The United States is on the verge of joining the procession of nations which, by overexpansionary fiscal and monetary policies, have started down the road to serious inflation.

Prospects are that the trend of higher prices will continue to accelerate, with many economists predicting that the cost of living will go up in 1966 by 3% to 4%; some are estimating even more.

As prices go up, people tend to buy more goods in anticipation of still higher prices, and businessmen increase their inventories more than usual, thus creating a climate that can build a spiral of inflation.

The government's management of the Nation's monetary and fiscal affairs has shaken the confidence of other nations in its ability to find a lasting solution to our balance of payments problem.

The economy is developing imbalances which in the period ahead could cause serious economic disturbances resulting in readjustments painful to the American people.

Unless these conditions are corrected quickly by sound government action, they can lead to even higher prices, loss of a large part of the value of the dollar, loss of vigor in our economy, and loss of jobs, welfare and security for individual Americans; this in turn can cause a major deterioration in our position of world leadership.

II. *The Democratic Administration has not only failed to recognize and deal effectively with these conditions but has contributed to making them worse:*

By following excessively expansionary fiscal and monetary policies, it has caused the cost of living to rise, thereby imposing a hidden tax on all Americans.

It has been unwilling to apply proven means of fiscal and monetary restraint, and has relied instead upon unworkable and discriminatory wage and price "guideposts."

It has, by its fiscal and monetary policies, brought the United States close to the point at which there is danger that so-called "voluntary" guideposts will be replaced by mandatory controls on business, labor and the consumer, thus weakening further the structure of the free market system.

It has stimulated excessive increases in the supply of money and credit.

It has, by its current budget policy, demonstrated fiscal irresponsibility and added to inflationary pressures.

It has mortgaged the future of the United States with a host of "legislate now, pay later" spending programs which could exceed the resources of the people to support.

It has failed to solve the critical international balance of payments problem, as evidence by the continued outflow of gold from our dwindling stock.

It has progressively undermined the integrity of the federal budget by employing manipulative devices to understate the deficit between expenditures and receipts.

It has wasted the taxpayers' money at home and abroad by disorganized, ill-managed programs of government spending, including fields where private initiative and investment would produce superior results.

It has needlessly expanded the Federal Government's economic influence in local and State affairs and thereby concentrated political power in the central government, thus adversely affecting the responsibilities and rights of the States and of the people.

It has persistently restructured our society by forcing our citizens to spend more and more of their time in finding ways to get along with the government, instead of on productive activities.

Through its policies encouraging dependence on government, it has undermined the self-discipline and self-reliance by which free people respond to opportunity and incentive.

III. *The Republican Party makes the following recommendations:*

1. That the Administration prepare and submit promptly to the Congress a new budget for fiscal 1967 which reflects a valid surplus, achieved by postponing or eliminating non-defense expenditures.

2. That the costs of Vietnam be financed within annual balanced budgets by reduction or postponement of domestic programs, not by tax increases.

3. That in times of high-level prosperity and employment, the Administration provide a significant surplus in the Federal budget to reduce inflationary pressures and help protect the dollar.

4. That the Administration pursue prudent fiscal and monetary policies that will make it unnecessary to have the so-called "voluntary" wage and price "guideposts," which are inconsistent with a free market economy.

5. That the Administration lend support to monetary policies which will hold increases in the supply of money to a pace consistent with inflation-free economic growth.

6. That the Administration respect and defend the role of the Federal Reserve system as an independent agency within government.

7. That the Congress amend the Employment Act of 1946 to make general price stability an explicit objective of government policy, along with maximum employment, production and purchasing power.

8. That the Congress remove the unrealistic interest ceiling on government bonds, to permit non-inflationary management of the national debt.

9. That, rather than relying on inflationary monetary and fiscal policies to reduce residual unemployment in a high employment economy, the Administration place emphasis on selective programs of job training, counseling and placement, as provided in the Republican-sponsored Manpower Development and Training Act of 1962; and have the Bureau of the Census undertake a survey of job vacancies and a census of the unemployed at intervals to provide a factual basis for such activities.

10. That the Administration give high priority to developing a solution to the balance of payments problem which will be lasting and constructive for the rest of the world as well as for ourselves (see *The Balance of Payments, The Gold Drain and Your Dollar*, a report of this Task Force, August 30, 1965).

11. That the Administration enhance the integrity and value of the Federal budgeting process by:

a. The annual dissemination of a five-year budget projection for all departments and agencies, to assist long-range consideration of the fiscal consequences of new programs.

b. An annual reporting, as part of the budget, of the unfunded commitments of the government for future spending which have to be met by the taxpayers.

12. That the Administration consolidate and, where appropriate, eliminate as many as possible of the overlapping and duplicating government programs and, where practical, take steps to turn their administration over to States and local governmental bodies.

13. That the Congress create, at regular intervals, an independent, bipartisan, adequately staffed "Hoover Commission"-type organization composed of Members of the Congress and the public, to review the budget, government programs, and government organization.

This Republican program will halt inflation, protect the value of the dollar, and thus preserve the value of personal savings, insurance and pensions.

It will lessen the risk of recession, substituting instead a steadily expanding prosperity, minimal unemployment and stability in the cost of living.

It will aid in re-establishing the checks and balances essential to the separation of powers within the federal system and serve to arrest the increasing concentration of power in the central government . . . and especially within its Executive Branch . . . before that trend passes the point of no return.

It will rebuild the confidence of the world in the stability of the United States currency, and assure that our strength will not be undermined by financial mismanagement.

It will protect the economic rights and freedoms of our people, and in so doing, help preserve their political rights and freedoms, as well.

It will provide a program of balanced economic policies operating in harmony with our political traditions, that will insure maximum possible attainment of all the legitimate goals of a free and independent people.

All Americans can proudly and confidently support this program and its objectives.

"Lenin is said to have declared that the best way to destroy the Capitalistic System was to debauch the currency. By a continuing process of inflation, government can confiscate, secretly and unobserved, an important part of the wealth of their citizens . . . Lenin was certainly right. There is no subtler, no surer means of overturning the existing basis of society than to debauch the currency. The process engages all the hidden forces of economic law on the side of destruction, and does it in a manner which not one man in a million is able to diagnose."—John Maynard Keynes, "The Economic Consequences of the Peace," 1919, pages 235–36.

Price inflation damages a free society in a number of ways. A high Administration official recently expressed it this way:

"*First,* inflation often tends to induce economic behavior which ultimately threatens prosperity. It encourages a speculative and unsustainable level of investment and channels investment into fields which are not the most productive. When, as it must, the investment which results from inflationary speculation falls off, economic growth is interrupted and recession ensues.

"*Second,* inflation redistributes income in a capricious manner—heavily rewarding some and penalizing others. These rewards and penalties have nothing to do with either need or economic productivity. Indeed, those in the greatest need, living on small fixed incomes, are penalized worst.

"*Third,* inflation, by raising the price of the goods we sell abroad, robs us of our foreign exchange earning power, widens the balance of payments deficit, and reduces our ability to meet our commitments abroad."[1]

The American people have a right to expect their government to avoid, and certainly not to create, the conditions which lead to inflation. The great majority of people are defenseless against inflation if the government does not protect them.

The real source of economic activity and economic growth is the aspirations, willingness to work, self-discipline, ingenuity and know-how of labor and management . . . and the intelligent formation and use of capital (plant, equipment, and the tools of production).

Government can help or hinder the attainment of economic and social gains through its public policies. These include its fiscal policies, its monetary policies, and a host of other elements, such as its attitudes toward wages and prices, its anti-trust policies, its programs for social readjustment and even such subtle qualities as the tone of its leadership. If these policies are incorrect, or are ineptly carried out, the people suffer.

Today, these policies are creating a trend toward higher living costs.

EVIDENCE OF THE PROBLEM

Some economists and financial experts foresaw inflation over a year ago, when they warned the Congress that the economy showed signs of "overheating."[3]

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[1] Charles L. Schultze, Budget Director, Statement before House of Representatives Post Office and Civil Service Committee, March 16, 1966.

A previous report of this Task Force called attention in August, 1965, to impending inflation.

These forecasts were based on knowledge of such factors as:

1. The rate at which the amount of money and credit in the economy were being increased relative to production.

2. The extent to which federal budget deficits every year were contributing to inflationary pressures.

3. The economic goals which were being emphasized (and those which were being neglected) by the Administration, and the means which were being employed to reach these goals.

Evidence was also supplied by our foreign creditors. They were exhibiting a preference for putting a larger proportion of their reserves into gold rather than holding them in dollars.

Today, it no longer requires specialized knowledge to see that these apprehensions were justified. Prices are now going up:

From the beginning to the end of 1965, the Consumer Price Index rose 2%, the largest yearly gain in seven years.

The Wholesale Price Index was up 3.4% in 1965, after virtual stability for almost ten years; the same index rose 1.2% during the first two months of 1966, equivalent to an annual rise of 7%.

The food that a housewife bought early in 1965 at a supermarket for $10.00, and could have bought in January, 1960 for $9.48, cost her $10.45 early in 1966.

Those who believe statistics are impersonal can experience inflation by going to the nearest grocery store or department store.

The housewife needs no statistics to convince her. She is living with inflation and knows it well.

AND THE OUTLOOK

There is no present indication that this condition is a temporary one. To the contrary, present signs portend an acceleration of the inflationary trend:

Industrial Raw Materials Prices went up 6% between October, 1965, and the end of February, 1966. This sensitive index tends to be reflected in the prices of finished goods about three or four months later.

Economic symposiums held in Washington in recent months found both liberal and conservative economists concentrating on the inflation problem.

Economists, who earlier forecast rises in the cost of living in 1966 at 2% to 3%, are now saying 3% to 4%, with some predicting a still higher rise.

Labor unions are growing increasingly restive under the "voluntary" restraints of Administration "guideposts," and are raising their wage-increase demands.

Management, anticipating increased labor costs and raw materials costs as shortages and bottlenecks develop, is beginning to feel squeezed between costs and "guidepost"-imposed price ceilings.

Monetary policy generally remained expansionary in early 1966.

Federal spending is moving upward rapidly under the Great Society programs and the escalation of the Vietnam conflict, and the budget continues in substantial deficit under the Administration's current plans.

The rate of productivity improvement has been declining, and unit labor costs have been rising.

In short, not only does recent past performance in the price indices show that the cost of living *has* gone up, but also the technical forces historically associated with inflationary pressures are almost uniformly indicating that increases in the cost of living will accelerate.

This acceleration is inevitable unless the government alters its policies to deal effectively with the real causes of inflation.

And it must do so quickly. If the measures come too late, they will have to be severe and could reverse the trend of the economy and cause recession.

HOW THE SITUATION DEVELOPED

Wars have generally been followed by a period of inflation and brisk economic activity. This was true throughout the world, for instance, in the 1920's after World War I. The excesses of such "boom" periods have later resulted in a "readjustment" or contraction of economic activity, notably as in the world-wide depression of the 1930's.

Following the Korean War, however, things were different. The inflationary pressures built up during World War II and during the Korean War were recognized and dealt with under the Eisenhower Administration by careful fiscal and monetary policies.

These policies eliminated the inflationary "psychology" or "climate" that had built up during the early post-war period. In 1959 the money supply increased only about ½%; in 1960 it actually decreased. The budget showed a surplus in 1960.

By late 1960, unit labor costs and prices were stable. The Wholesale Price Index was steady. Consumer prices increased so slightly as not to warrant inflationary fears. Under President Eisenhower the economy had seen the end of the Korean War, the end of post-war inflation, and great improvements in the welfare of the American people.

The dollar had been stabilized.

The groundwork had been laid for continuing, solid economic growth with price stability.

But all this changed with the election of 1960.

Taking office in January, 1961, the new Administration set forth a theory of fiscal policy (in the Economic Report of January, 1962) that introduced to government a new concept known as the "full employment surplus," and built its fiscal program around that.

Under this concept, large increases in government spending and tax cuts in the face of budgetary deficits became virtually the exclusive means for eliminating unemployment.

At the same time, an "easy money" policy was encouraged which, since 1961, has expanded the money supply (including time deposits) at almost twice the rate of increase in real production.

The purpose of these policies was to achieve "full employment." An "interim goal" of 4% unemployment was established, to be accompanied by an economic growth rate in the neighborhood of 4.5% per year.

A closer analysis of how these policies worked until 1965, and how it happened that price increases until 1965 were relatively small, is important:

First, the Eisenhower Administration policies had set the stage for faster growth with price stability by wringing the inflationary pressures and psychology out of the economy. The legacy to the Kennedy-Johnson Administration was such that during the 1961 to 1965 period it was possible to use monetary policy in an expansionary fashion, allowing the supply of money and credit to grow at rates in excess of the growth in productivity, without large annual increases in living costs.

Second, tax revisions were made in the right places. The 1962 amendments, plus administrative action to speed up depreciation allowances, favored the principle of encouraging capital investment and productivity increases, a principle Republican leaders have advocated for decades. They reduced barriers to investment, thereby increasing economic growth and job creation. The 1964 tax cut, which was accompanied by temporary restraint on government spending, also tended to lessen restrictions on investment, and stimulated consumer demand.

Third, in 1961–1965 chronic balance of payments deficits and outflows of gold tended to lessen inflationary pressures at home by exporting them abroad.

But, in 1965, all this changed. The secure legacy of the Eisenhower Administration had run out under the pressures of the "New Economics."

By late 1965, the yearly budget deficits, the increase in the money supply, the substantial increases in credit, the increased spending for the Vietnam War and the emerging "Great Society" programs overheated the economy. Shortages of people in various skills categories developed, along with shortages of raw materials, increases in overtime and greater use of obsolescent plant and equipment.

Wages and prices of raw materials were bid up, marginal high-cost, low-efficiency machinery was put into operation, overtime costs increased, maintenance costs increased as equipment was overused, and the rate of productivity gains began to fall off.

Demand rose even more rapidly than before.

Costs started up.

When demand and costs go up, prices have to go up.

That is why the cost of living is going up.

STATEMENT OF THE PROBLEM

Inflation, in the form of increased cost of living, is the immediate problem.

The question, however, is not just the immediate situation and its remedy, but how at all times fiscal policy (taxes, spending, public debt management), monetary policy and all the other tools of government should be used in a balanced fashion to achieve national economic goals.

The Democrats have emphasized the goals of full employment, rapid economic growth, and economic security, which is good. But they have tried to reach these goals by methods that sacrifice price stability and economic freedom. In the longer run, the policies they have employed tend to be self-defeating.

They have employed monetary and fiscal policies in a kind of "double barreled expansionism." As we approach full employment and capacity operation, these policies exert inflationary pressures.

"Voluntary" wage and price control formulae labeled "guideposts" were set up to restrain wage and price increases. They have been largely ineffective and have proved to be discriminatory where applied.

A better appraisal of the problem and a better selection of means to achieve solutions are required.

The problem is to achieve maximum production and employment *without* inflation, *without* reducing economic freedom, and *without* creating conditions that will cause recession later on.

And the policies pursued to reach these goals should be consistent with our free political system, emphasizing dispersion of power through the federal system and separation of powers in the national government . . . rather than increasing concentration of power in the Executive Branch of the government at the expense of the other branches, of the States, and of the people.

THE FAILURE OF THE DEMOCRATIC ADMINISTRATIONS' ATTEMPTED SOLUTIONS

Failure to perceive and deal with the inflation problem promptly

Fulfilling government's role in the United States economy is to a large extent dependent on the ability of those in power to detect forces building up and to estimate their consequences *in advance*.

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[3] Hearings before the Joint Economic Committee on the 1965 Economic Report of the President, Part 3, pgs. 1–77; also also Minority Views, Report of the Joint Economic Committee on the 1965 Economic Report of the President, pgs. 62, 63.

While evidence of impending inflation was present over a year ago, and became apparent in statistics as a trend in late 1965, the Secretary of the Treasury as recently as March, 1966, still advocate a wait and see policy, "... we want to watch and weigh all developments carefully—those that point up, and those that point to a leveling, and those that point down."[3]

Two months earlier, Administration spokesmen had been very critical of Federal Reserve action in raising the rediscount rate to 4.5% (a move to dampen inflation), on the ground that the action was unwarranted.

Whether Administration reluctance to take adequate action on the evidence was based on failure to recognize the problem, or a rigid commitment to low interest rates and high government spending, may be debatable.

What is not debatable is that the Administration caused the cost of living to rise by its excessively expansionary fiscal and monetary policies, and has so far failed to initiate or encourage effective action to dampen the strong inflationary forces it has thus set in motion.

The longer it waits, the worse the consequences can be.

Recourse to wage and price "guideposts"; the threat of mandatory controls

Another Administration failure has been that it has believed the "guideposts" policies would work, even though evidence from the time of the Roman Empire to the present has demonstrated that wage and price controls, voluntary or mandatory, don't work. At best, they postpone the inevitable consequences of inflationary pressures.

The idea of "guideposts" is to calculate how fast productivity in industry is rising over a period of time and publish this figure. (The Administration has set this at 3.2% annually.) The labor unions are asked not to request wage increases that exceed the "guideposts". If labor costs are kept within productivity gains, it is reasoned, management should not have to raise prices at all.[4]

The theory of "guideposts" is simple . . . too simple. It treats symptoms instead of causes.

High prices are no more a cause of inflation than wet sidewalks cause rain.

When aggregate demand is pumped up and the economy is running close to full capacity, wage rates and prices of raw materials will be bid up by the forces of competition; and costs and prices will rise.

Even mandatory controls don't work. As liquidity (money supply) piled up during World War II, for instance, price controls merely suppressed inflation. Inflationary pressures spilled over into black markets. It is no problem to those with plenty of money to pay "bootleg" prices, but it is a cruel joke on the poor and on the low income groups.

There is nothing new in this part of the "New Economics". In 301 A.D., the Roman Emperor Diocletian issued an edict fixing prices. It was explicit. Maximum prices were fixed for some 900 kinds of consumer goods. Wages and salaries were also fixed, and practically everybody was covered in the wage-price freeze. The result was catastrophic. Lactantius, a contemporary of Diocletian, wrote: ". . . the people brought provisions no more to market, since they could not get a reasonable price for them; and this increased the dearth so much, that at last after many had died by it, the law itself was laid aside."

While "guideposts" are doomed to failure, probably their worst feature is that they are inconsistent with both the economic and political principles of a free country.

First, they are not really voluntary. The government backs them up by releasing, or threatening to release, stockpiles; by castigating individuals, businesses or unions; or by harassment through government regulatory or investigatory agencies.

Second, such measures are exercised selectively and capriciously, with unstated penalties, without opportunity for recourse or redress of grievance. They are an arbitrary, discriminatory and intimidating vehicle for the abuse of government power.

Third, they concentrate economic decision-making in the hands of a small government elite, supposedly endowed with superior judgment, but always needing just a little more power to make their plans work.

Fourth, experience has shown that a free market is the most efficient means for allocating economic resources and that central economic planning is inefficient in performing this function.

Fifth, the "guideposts" are a near-perfect propaganda device for calling attention to wage raises and price rises which are the symptoms of inflation while diverting attention from the Administration policies that are the real causes of inflation. Thus, the Administration makes business, farmers, and labor the scapegoats to avoid blame for its own mismanagement.

Sixth, they tend to transform the Council of Economic Advisers into an Office of Price Administration. Such was not the purpose of the Employment Act of 1946.

Finally, the "guideposts" tend to move the economy away from truly free collective bargaining. With existing concentrations of employer and union collective bargaining power, wage stalemates that result in the government taking a hand in settlements gradually substitute a politically managed economy for a free competitive economy controlled by the actions of the market place.

As "guideposts" fail in practice, the tendency of government is to make them mandatory by law and set up a new agency to enforce them. This is a danger toward which the Administration is rapidly progressing. Even if wage and price controls were valid in principle, they are administratively unworkable because no matter how big the bureaucracy set up to police the law, there are too many different kinds of goods and services on the market to keep track of.

These criticisms of "guideposts" do not imply that business and labor can ignore the public interest in their actions. President Eisenhower in 1957 said this: "business and labor leadership have the responsibility to reach agreements on wages and other labor benefits that are fair to the rest of the community as well as to those persons immediately involved. Negotiated wage increases and benefits should be consistent with productivity prospects and with the maintenance of a stable dollar. And businesses must recognize the broad public interest in the prices set on their products and services."[5]

The discipline of the free market and responsible behavior by business and labor, in a context of sound government economic policies, offer the only lasting assurance of price stability.

Use of excessive money and credit

From 1960 until recently, the sound relationship established under the preceding Republican Administration between labor cost increases and productivity improvement made possible the aggressive use of monetary policy to help accelerate the rate of economic growth.

By 1965, the Administration's expansionist policies had just about spent the "Eisenhower legacy" of stability, and the price inflation that inevitably follows excessive credit inflation and excessive government spending had started.

But, rather than exercise the restraints needed when signs of overacceleration began to appear, the Administration followed the reverse course.

The closer we have come to full utilization of our economic resources, the faster have been the rates of increase of credit and money supply. In 1965—

Bank loans rose 20% compared with a 7% annual average during the preceding four years.

Consumer credit rose 12% compared with a previous four-year average of 8%.

Total private debt rose almost 10% compared with a previous four-year average of 8½%.

The money supply, narrowly defined (demand deposits plus currency), rose 5% in 1965 compared with a 3% average from 1961 through 1964; and in the last six months of 1965 the percentage increase in money supply was nearly three times as great as in the first six months.

The money supply, broadly defined (including time deposits as well as currency and demand deposits) was up 10% in contrast to a previous four-year average annual increase of 8½%.

Inflation is stimulated when the amount of money in the economy (and thus demand), increases faster than production of goods and services (supply).

When the economy is operating at, or near, full capacity, the utilization of marginal facilities of production results not only in higher costs, but in a decreased rate of growth in productivity.

In short, it is the law of supply and demand in operation. Demand for goods and services is increasing more and more rapidly, and the supply of goods and services is decreasing relative to the demand.

So prices rise.

It is almost incredible that in these conditions an Administration would be so rigidly committed to easy-money policies as to risk further inflation and recession by continuing to prescribe the same policies that cause inflation in the first place and to rely on controlling the symptoms by methods that have historically proven ineffective.

Fiscal policy; Government commitments

The Administration's economic policy relies heavily on Federal Government spending to stimulate economic activity.

Likewise, it does not fear budget deficits. On the contrary, deficits are thought to be desirable, on the ground that when financed by monetizing the debt they expand the money supply and stimulate the economy.

Available evidence shows something very different.

First, there is no proof that government spending stimulates the economy any faster than private spending. The encouragement of the private sector is the only effective long-term way of adding to the national wealth.

Second, the beneficial effects of deficit spending as an infallible means of stimulating the economy have little or no basis in empirical research. To illustrate, one need only to examine the record:

1. During the 1920's, the budget ran a surplus and Federal debt was retired every year. Yet this was a very prosperous period.
2. During the 1930's, the budget ran deficits every year. But they failed to lift the economy out of the longest slump in history.
3. A careful analysis of the correlation between deficits and growth in GNP from 1947 to 1963, even taking into account alternative periods of lag, shows no significant correlation between the two.[6]

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[3] *New York Times*, March 15, 1966, report of speech to the Economic Club of Detroit.

[4] See *Economic Report of the President, January, 1962*, pages 188, 189.

[5] *Economic Report of the President*, 1957.

[6] Paper submitted by Dr. George Terborgh, Machinery and Allied Products Ints., to the Joint Economic Committee, commenting on *The President's Economic Report, 1963*.

In other words, there is no proof of a systematic causal relationship between budget deficits and economic growth. On the contrary, there is considerable evidence that such a relationship may not exist.

This is not to deny the usefulness of fiscal policy in helping the private economy to maintain high employment and a high growth rate. Republicans have always favored a flexible budget policy. Budget balancing has never been pursued as a goal ranking with economic stability. Taxes were cut by Republican Congresses in 1948 and under a Republican Administration, again in 1954.

That the 1958 recession was far briefer than expected was in good part due to flexible handling of the federal budget. Republicans also have used the budget as a means of restraining inflationary pressures, as demonstrated by the surpluses in 1956, 1957, and 1960.

The point is that deficits are not a cure-all. Used flexibly, fiscal policy, employing deficits or surpluses, may be effective in encouraging or restraining the private economy, as appropriate to existing conditions.

But, the Democrats are not following a flexible budget policy. Their policy is one of chronic deficits, lately camouflaged by financial windowdressing.

Third, the emphasis on Federal spending is more than merely economic. It is rooted in:

1. The belief, noted earlier, that a small elite, possessed of superior wisdom by their own proclamation, is more competent to decide how the fruits of industry and labor should be allocated than are those who produce or earn those fruits.

2. The tendency of governmental bureaucracy to grow and expand independently to the need for its services (the Agriculture Department, for instance, has 20% more employees today and a 22% larger budget for Fiscal Year 1967 than it had in 1960, although the farm population in the same period has declined 20%).

Fourth, government is a service paid for by the people. It is part of their overhead costs. Inevitably, these costs of government must ultimately be paid for either by taxes or by inflation.[7] At the present time, the tax burden per family in the United States, counting hidden as well as explicit taxes, is estimated to absorb almost one out of every three dollars of income, regardless of income level. Twenty percent of personal incomes, or one dollar out of five, goes to the Federal Government.

This total tax burden has increased from about 27% to 30% in the past eight years.

Cash budget expenditures

[In billions]

Fiscal year	Total	Defense
1930	$3.320	(1)
1940	9.6	$1.8
1950	43.1	13.0
1960	94.3	45.7
1965	122.4	50.2
1966	136.0	56.6
1967	148.0	62.0
1968	156.0	66.1
1969	163.0	64.7
1970	169.0	64.5
1971	174.0	65.8
1972	179.0	67.6
1973	188.0	69.2
1974	196.0	71.3
1975	202.0	72.5

[1] Negligible.

Fifth, contrary to some public opinion, government expenditures for defense are not the major cost of government, neither are they the fastest growing. Few would propose cutting essential defense expenditures, especially in time of national emergency such as the Vietnam crisis. The chart above indicates the relative proportions of defense and non-defense government expenditures.

Sixth, the present budget represents only the "thin edge of the wedge" of future "Great Society" spending. The National Planning Association, a group concerned with realization of social goals largely through government programs, reported in *The Dollar Cost of Our National Goals, May 1695:* ". . . overall findings indicate that if we attempted to accomplish all the improvements currently regarded as desirable . . . the claims on resources would substantially exceed the resources which are likely to become available during the next decade. . . . The costs projected . . . are estimated to exceed the gross national product anticipated in 1975 by approximately $150 billion."[8]

Despite these facts, few suggestions are advanced, either by the Administration or by the Democratically-controlled Congress, that fiscal restraint take the form of reducing government expenditures.

But, that is precisely what should be done. Tax measures need not be relied on if expenditures are cut.

Failure to solve balance-of-payments problem

The problem of the international balance of payments and gold drain is still with us. Rising prices of American exports in world markets, rising imports, and increased United States efforts in Vietnam are factors likely to move us back toward increased deficits. Restraints on U.S. investments abroad, while currently cutting the deficit, deprive us in future years of the return on capital and the investment-generated exports that are essential if we are to reach a durable long-run equilibrium.

The report issued August 30, 1965, by this Task Force sets forth the situation and will remain for the foreseeable future a reliable guide to the balance of payments problem and its solution.[9]

The chart on page 22 (not printed in the RECORD) summarizes our balance of payments problem by showing that liquid dollar claims against the U.S. continue to grow while our gold stock diminishes. Unless foreign creditors are willing to hold interest-bearing dollar claims in preference to sterile gold, this situation will not improve.

It is unlikely that an inflating dollar will long appear preferable to gold.

Undermining of budget integrity

"The need for more effective control of Federal expenditures is growing in importance with the increasing complexity of Government, the high and rising level of its spending and its deeper involvement in our life."[10]

A reporter for The Washington Post recently lamented the "credibility gap," which he defines as "a perceptibly growing disquiet, misgiving, or skepticism about the candor or validity of official declarations." Other press commentators have been increasingly skeptical about the Federal budget figures in recent years.

In fact, the fiscal 1967 budget has been widely acclaimed in the press as a masterpiece of "gimmickry." These points are pertinent:

1. Seigniorage profits to the government resulting from decreasing the silver content of coins are estimated to be $1.6 billion dollars; they are in effect a wholly inflationary manner of financing expenditures.

2. The administration proposes to sell financial assets (government-held mortgages and other debt paper) to the extent of $4.7 billion; these will have to be marketed just as any new federal debt has to be marketed and in this sense have the same impact as a budget deficit.

3. While the official administrative budget shows a deficit of $1.8 billion for fiscal 1967, it will most likely turn out to be much greater. In fiscal 1966, the estimated deficit is $6.4 billion.

4. If adjustments are made for the many abnormal, non-recurring and purely bookkeeping elements of revenues and expenditures that are relied on in the 1967 budget, the deficit base upon which future budgets will have to be built may be estimated at $12 billion or more.

5. Similarly, if the spending authority requested for 1967 is normalized, the level of appropriations would be almost $130 billion. This presages substantial further expenditure increases in 1968 and later years and makes a balanced budget a very remote prospect.

In short, the 1967 budget is not only a fiscal masquerade, but when the mask is removed what is revealed is an inflation engine of impressive potential, following upon a large deficit in the fiscal year ending June 30, 1966.

Waste of taxpayers' money

No one has even made a case for the proposition that government spending is the best way to get things done. To the contrary, the reports of the General Accounting Office cite thousands of cases of government waste and inefficiency. Such cases proliferate when the government engages in "crash" programs to remake the Nation overnight.

A report on "Foreign Aid Through Private Initiative" states that projects in underdeveloped countries financed and run by private sources tend to outperform those carried out under government auspices.[11]

The Republican Leader of the House of Representatives, GERALD R. FORD, in an address on January 17, 1966, made this charge:

"There are now forty-two separate Federal agencies involved in education programs alone. There are at least 252 welfare programs today, including fifty-two separate Federal economic aid programs, fifty-seven job training programs and sixty-five programs to improve health."

Not only is excessive and wasteful government spending an inefficient use of our people's resources, but also it diverts manpower into government from pursuits that would be more productive in fostering economic activity and growth.

It also creates the illusion that problems being tackled by the Federal Government are actually being solved, thus relieving individuals, other private organizations, and local and State governments, of the responsibility to do so.

But, government, lacking the built-in incentive of private concerns to operate in the black or go out of existence, is seldom if ever more efficient in getting jobs done. To the extent that government is engaged in economic production and other functions that could be done by private business or other private organizations it is contributing to overall inefficiency in our economy.

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[7] While it is possible to finance government debt by non-inflationary borrowing from private sources and savings institutions and to leave this debt outstanding, merely paying interest on it, public debt can be financed by its being absorbed by the Federal Reserve and commercial banks, which has the effect of monetizing the debt. To the extent debt is monetized in excess of the economy's growth in productivity, it exerts inflationary pressures.

[8] This figure includes both government and private spending considered necessary to achieve desired socio-economic improvements.

[9] Copies of *The Balance of Payments, The Gold Drain and Your Dollar* may be obtained at 10¢ each from Graphic Arts Press, 1110 Okie St., S.E., Washington, D.C. 20002.

[10] *Minority Views, Joint Economic Committee Report on the 1965 Economic Report of the President,* page 69.

[11] See *Foreign Aid Through Private Initiative,* a report prepared by a committee as authorized by the Foreign Assistance Act of 1963, published by Agency for International Development (A.I.D.).

Expansion of Government power; the damaging effects on our system

The concentration of power through increased spending by the Federal Government . . . and, within the Federal Government, the concentration of the power in the hands of the Executive Branch . . . has increasingly eroded the position of the States in our Federal System and is destroying the checks and balances among the Executive, the Legislative, and Judicial Branches of the government.

About twenty percent, or one-fifth of the Gross National Product, is taken in taxes and spent by the Federal Government. The patronage power of the Executive Branch to grant or deny funds to local communities and States, contracts to business, research funds to educational institutions . . . or simply the opportunity to take credit for them . . . has enormously reduced the power of the Congress to exercise its very important check on actions of the Executive Branch.

Marquis Childs, the columnist, commenting on the overall problem recently deplored the . . . "Little resemblance to the 'give and take' democracy of the past . . . Must the power of the Executive be so absolute . . . that critics should keep silent? . . . The domination of the majority is so all-encompassing that a fundamental distortion of the American system seems for the time being at least to have resulted." [12]

Unfortunately, too, a larger and larger part of the time of individuals, businesses and other private institutions must be devoted to finding ways to get along with their government at the expense of time which could be spent in creative, productive pursuits. This takes place in an atmosphere of uncertainty as to what established laws, regulations, or practices may be altered on short notice by new administrative decrees.

Even more damaging in the long run can be the loss of individual self-discipline and self-reliance engendered by increased dependence on and adaptation to the expanding influence of the central government over our lives, throttling the initiative of a free people to respond to opportunity and incentive.

It is this initiative, fostered by freedom, that has made this nation the richest and most powerful . . . thereby allowing it to become the most humane, able to afford the highest degree of individual economic security and aid to the unfortunate . . . in the history of mankind.

In these direct and indirect ways, government fiscal and monetary policies influence our individual prosperity and national strength. They also create or destroy the climate for economic freedom and political freedom, neither one of which can long survive without the other, and both of which are the preconditions for a truly great society.

WHAT INFLATION DOES TO YOUR SAVINGS

This table shows what would happen to your savings, measured in the purchasing power of today's dollar, after ten years and after twenty-five years, at different rates of annual inflation:

I. IF YOU PUT $1,000 INTO A SAVINGS ACCOUNT AT 4 PERCENT, COMPOUNDED QUARTERLY—

	No inflation	2-percent yearly inflation	3-percent yearly inflation	4-percent yearly inflation	5-percent yearly inflation
10 years	$1,488.84	$1,221.37	$1,107.84	$1,005.81	$914.02
25 years	2,704.81	1,648.68	1,201.81	1,014.62	798.74

II. A $10,000 PAID-UP, STRAIGHT LIFE INSURANCE POLICY—

10 years	$10,000	$8,203.51	$7,440.97	$6,755.66	$6,139.15
25 years	10,000	6,095.37	4,776.10	3,751.19	2,953.05

NOTE.—Rate of inflation in 1965 was 2 percent per year. Anticipated rate for 1966 is estimated at 3 to 4 percent.

Republican recommendations

The Republican Party makes the following recommendations:

1. *That the Administration prepare and submit promptly to the Congress a new budget for fiscal 1967 which reflects a valid surplus, achieved by postponing or eliminating non-defense expenditures.*

The fiscal 1967 administrative budget shows a deficit estimated at $1.8 billion dollars. As explained earlier, the "one-shot" nature of many revenue items and the doubtful nature of some of the "economies" make this figure a gross understatement of the probable financial result for the year and of the budget's inflationary impact on the economy.

At this time, a *real* surplus is desirable.

Further, the surplus should be achieved not by increased taxation, but by a reduction of planned non-defense spending.

In his Budget Message of January 24, 1966, President Johnson correctly stated that " . . . even a prosperous nation cannot meet all its goals all at once." [13]

In his Economic Message, three days later, he stated: "The basic precondition for price stability is a fiscal-monetary policy that deters total demand for goods and services from outrunning potential supply." [14]

The President can give effect to his stated positions only by adopting this recommendation to submit a new budget.

2. *That the costs of Vietnam be financed within annual balanced budgets by reduction or postponement of domestic programs, not by tax increases.*

The preference of the Administration spokesmen seems to be that, if action should be taken to reduce the inflationary budget deficit, it should be by increasing taxes.

But the 1967 budget proposes increases of $3.2 billion in so-called "Great Society" programs. There is ample room within this amount and other government expenditures for significant reductions. The Administration should not ask for tax increases unless and until it has held the line on non-defense costs. In this way, the budget for 1967, and probably for future years during the continuation of the Vietnam war, can be kept at least in balance.

3. *That in times of high-level prosperity and employment, the Administration provide a significant surplus in the federal budget to reduce inflationary pressures and help protect the dollar.*

Even those who advocate the "New Economics" philosophy concede that when the economy is overheating and prices are rising, fiscal restraint is in order: the budget should show a large enough surplus to help counteract inflationary pressures.

This principle deserves more than lip service. It should be practiced.

4. *That the Administration pursue prudent fiscal and monetary policies that will make it unnecessary to have "voluntary" wages and price "guideposts," which are inconsistent with a free market economy.*

The case against "guideposts" is clear: treating symptoms does not get at causes.

The Republican Administration between 1953 and 1961 brought about a favorable relationship between cost increases and productivity improvements, thus stabilizing prices without impinging on free collective bargaining and without interfering with the free market.

The present Democratic Administration can do the same if it will follow prudent, non-inflationary monetary and fiscal policies. From the standpoint of maintaining political rights and freedoms, this is clearly the approach to be favored over controls of either a "voluntary" or compulsory nature.

5. *That the Administration lend support to monetary policies which will hold increases in the supply of money to a pace consistent with inflation-free economic growth.*

Economic studies have repeatedly shown that increases in the money supply faster than the growth of real output tend sooner or later to produce price inflation. Moreover, the price inflation tends to be about proportionate to the degree in which the increase in money supply exceeds increases in physical production. Monetary policy is for this reason a crucial element in overall economic policy. Without a monetary policy that holds increases in money supply to a pace consistent with the increase of real output, it is impossible to hold inflationary pressures in check.

6. *That the Administration respect and defend the role of the Federal Reserve System as an independent agency within government.*

In a highly technical field such as monetary policy, it is only common sense that its execution be placed in the hands of experienced experts, left as free as possible from political pressures.

7. *That the Congress amend the Employment Act of 1946 to make general price stability an explicit objective of government policy, along with maximum employment, production, and purchasing power.*

The Employment Act of 1946 was passed at a time when the general concern was that readjustment from the World War II boom would return the United States to a period of stagnation and unemployment such as had persisted previous to the war. Maximum employment was therefore strongly emphasized.

Since that time, it has become apparent that inflation, too, can be a threat of major proportions.

Therefore, the Employment Act should be amended to assure that government take into account all valid economic goals.

8. *That the Congress remove the unrealistic interest ceiling on government bonds, to permit non-inflationary management of the national debt.*

At present, the law prevents the government from selling its long-term bonds at an interest rate above 4¼%. Money market conditions are such that other forms of investments such as time deposits and corporate bonds now bring higher rates, and long-term governments are selling at yields approaching 5%.

Under such conditions, it has been impossible for some time for the government to sell long-term bonds at par. As a result, the average length of the government debt is almost steadily decreasing. It is forced to sell short-term paper, which must be refinanced frequently.

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[12] Washington Post, September 27, 1965, Editorial Page.

[13] *The Budget of the United States Government, Fiscal Year ending June 30, 1967,* page 7.

[14] *Economic Report of the President,* January 27, 1966, page 12.

These undesirable consequences should be avoided by Congressional action removing the ceiling.

9. *That, rather than relying on inflationary monetary and fiscal policies to reduce residual unemployment in a high employment economy, the Administration place emphasis on selective programs of job training, counseling and placement, as provided in the Republican-sponsored Manpower Development and Training Act of 1962; and have the Bureau of the Census undertake a survey of job vacancies and a census of the unemployed at intervals to provide a factual basis for such activities.*

Policies designed to reduce the unemployment rate will be successful only if they are based on an understanding of the real nature of the unemployment problem.

Available unemployment data make clear that the unemployed are largely the uneducated, the unskilled, and those whose training does not match with the skills required for existing job vacancies. Job opportunities are often to be found in one area; the people with skills to fill available jobs are found elsewhere.

Residual unemployment in times like the present should be dealt with by programs of job training, counseling and placement. But this cannot be done effectively by working only from mass statistics. Unemployment is a personal matter that requires individual treatment. The way to deal with it is by a periodic census of the unemployed to develop the data as to individual needs and objectives. Such a census was provided for in 1962 in the Manpower Development and Training Act, a Republican-sponsored law, but has never been taken by the Administration. It should be taken.

10. *That the Administration give high priority to developing a solution to the balance of payments problem which will be lasting and constructive for the rest of the world as well as for ourselves.*

As indicated earlier, the international balance of payments problem is one which not only reflects internal economic conditions, but which may strongly affect them in turn.

Beyond this, continued failure to solve the problem risks our position of world leadership. No nation can remain a leading power unless its military strength and diplomatic influence rest on the solid foundation of a sound currency.

The analysis and recommendations in "The Balance of Payments, The Gold Drain and Your Dollar" are still valid. They should be acted upon.

11. *That the Administration enhance the integrity and value of the Federal budgeting process by:*

a. *The annual dissemination of a 5-year budget projection for all departments and agencies, to assist long-range consideration of the fiscal consequences of new programs.*

b. *An annual reporting, as part of the budget, of the unfunded commitments of the government for future spending which have to be met by the taxpayers.*

Administrative budget expenditures

[In billions]

1930	$2.3
1940	9.1
1950	39.5
1955	64.4
1960	76.5
1961	81.5
1962	87.8
1963	92.6
1964	97.7
1965	96.5
1966	106.4
1967—Low estimate	112.2
High estimate	119.0
1970—Low estimate	119.0
High estimate	142.5
1975—Low estimate	138.0
High estimate	170.0

The need for more effective control of Federal expenditures is growing in importance with the increasing complexity of government, the high and rising level of its spending, and its deeper involvement in our life. More effective expenditure policy can result if a longer view is given to the budgetary process by the Executive Branch. Preparation and dissemination of five-year projections of the costs of each department and agency would do much to alert the Congress and the public as to the eventual true size of their undertakings and the fiscal consequences of their new proposals. The first year cost is only the "thin edge of the wedge" in most cases, and this fact is seldom fully disclosed.

Beyond our interest-bearing national debt, the unfunded commitments of the government, largely in the form of pension and retirement benefits, have been calculated to run over $400 billion.[15] The need to fulfill all such commitments in future years should be kept in mind by the government in determining immediate levels of spending and projecting its future costs. The Administration should provide a "balance sheet" of such amounts each year.

12. *That the Administration consolidate and, where appropriate, eliminate as many as possible of the overlapping and duplicating government programs and, where practical, take steps to turn their administration over to States and local government bodies.*

It is evident that the Federal Government has grown inordinately, piling program on program, without effective overall planning to meet needs in a manner that avoids overlapping and duplication.

In this process, many tasks have been assumed by the Federal Government which deal with local problems which are merely *nationwide* rather than truly *national*.

This has resulted in a growth of big government which has brought not only decreased efficiency of management and unnecessarily high costs to the taxpayer, but also a reduction of the powers and rights of States and local communities.

This trend to concentration of power in the Executive Branch of the Federal Government is contrary to the governmental principles which are the heart and the genius of the American republic.

13. *That the Congress create, at regular intervals, an independent bi-partisan, adequately staffed, "Hoover Commission"-type organization, composed of Members of the Congress and the public, to review the budget, government programs, and government organization.*

Creation of a "Hoover Commission"-type organization from time to time to review and evaluate government programs and spending would strengthen the hands of Congress and the public in pressing for efficiency and economy. The earlier Hoover Commissions were of inestimable value. The experience should be repeated in the interest of good government management and organization.

THE IMPORTANCE OF ACTION

The Eisenhower years saw progress on many fronts toward the goals of peace, higher living standards, and preservation of freedom. They were years of solid growth, built upon sound economic policies. They left a legacy of strength to the subsequent Democratic Administrations.

But the fiscal and monetary policies of the government since early 1961 have spent this legacy instead of building upon it. These Administrations have allowed imbalances and excess to develop in the national economy, to the point that inflation now threatens to destroy much of our social gains.

Only the maximum of economic statesmanship will deter these damaging forces from taking a heavy toll in national security, and in individual welfare. Up to now, the present Administration has failed to provide this statesmanship.

One thing is certain. Action is needed, quickly. And it must be action which preserves the essentials of individual freedom, private enterprise and our republican form of government.

This Republican program will do just that.

SHOULD WE CURB TRADE WITH CUBA?

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the House of Representatives will soon—perhaps tomorrow—be confronted once more with legislation to extend the food-for-peace program for 2 years. Few oppose the extension of this program but many House Members wish to retain, if possible, the precise language which would bar concessional sales to any nation trading with either Cuba or Vietnam.

Just what form the legislative maneuver will take of course cannot be predicted, but every indication suggests a procedure which will enable House Members to vote directly on this question: Should the President have discretion to set aside the prohibition in regard to trade with Cuba?

Reporter magazine of March 24, 1966, published an article by Paul D. Bethel which gave full details on the "Tricontinental Communist Conference" held during the first 2 weeks of January 1966 in Havana, Cuba. A more abbreviated account appeared in the January 31, 1966, issue of U.S. News & World Report.

I am placing the texts of these reports in the RECORD because they are pertinent to the question of trade with Cuba.

These facts are important:

First. Fidel Castro was the official host to the Conference.

Second. Among the 82 countries represented by delegates or observers were Hanoi, the Vietcong, Red China, and the Soviets.

Third. The purpose was to organize worldwide subversion against the United States.

Fourth. The Conference was eminently successful and set in motion, among other projects, organized fundraising and other direct aid for the Communist forces in Vietnam.

Fifth. The whole affair was carried out just a few miles off the U.S. coastline. The Brazilian ambassador, Ilmar Penna Marinho, Chairman of the OAS Council, later said of the Conference:

> Except for the placing of nuclear weapons in Cuba in October, 1962, no event threatens

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[15] Senator SALTONSTALL in the CONGRESSIONAL RECORD, vol. 111, pt. 18, pp. 24197–24198, quoting report prepared by the U.S. Treasury.

more dangerously the territorial and political integrity of our continent.

In Panama, a radio commentator, noting the huge U.S. effort to contain communism in Vietnam, observed:

> Communism exists next door to Florida, and they (the United States) do nothing.

During the Conference extensive programs of aid to North Vietnam were proposed and approved.

The Vietcong delegation presented to the Venezuelans the helmet of a U.S. pilot shot down over North Vietnam. In turn, the helmet was presented to the Tricontinental Committee to Aid Vietnam, which the Conference had established.

I call these reports to your attention to underscore the importance of Cuba in the international Communist apparatus, its intimate connection with the worldwide conspiracy against the United States, and its importance as a center from which support for the Vietcong is generated.

Returning to the central question: Should the President have discretion to set aside the prohibition in regard to trade with Cuba?

This question begs another: Would he use the discretionary authority if it is granted to him? Every indication suggests an affirmative answer.

As evidence I call attention to an article published in the Christian Science Monitor of May 25, 1966, reporting an interview with Richard W. Reuter, the State Department man in charge of the food-for-peace program. Obviously the President of the United States is much too busy to handle such details himself and the basic decision on setting aside the prohibition in regard to trade with Cuba would, as a matter of practical fact, be made not personally by the President but by Mr. Reuter.

Therefore Mr. Reuter's attitude is highly important, and the interview makes clear his deep desire to protect India's modest jute business with Cuba and his objection to the House language which would force India to cut off the jute trade in order to continue to receive the benefits of food-for-peace funny-money contracts with the United States.

I haven't the slightest doubt that Mr. Reuter, given the chance and acting through the authority of the President, will see that India is enabled to continue both its traffic with Castro and its aid from U.S. taxpayers. This taxpayer aid, I might add, amounted to over $4 billion in food since 1954, whereas India's jute trade with Cuba came to a modest $600,000 last year.

The simple fact that the State Department has pressured House Members to drop the bar against trading with Cuba suggests that the executive branch will act to permit Cuban trade if it gets legislative permission.

Based on past experience—particularly the Communist-financing battle of Christmas Eve 1963—I predict that the executive branch will get its way on this point, but I hope no Member will vote to give the President discretion on the unfounded assumption that he will never use the authority.

Here are the texts of the Richard W. Reuter interview, the Reporter magazine report on the Havana conference, and a more condensed report from U.S. News & World Report—"Read 'em and weep!"

"STRATEGY STRINGS" ASSAILED IN FOOD-FOR-FREEDOM PROGRAM

First of two interviews giving both State Department and congressional sides of a rising Washington fight over a key arm of American foreign policy—the Food for Peace program.

(By David K. Willis, Staff correspondent of the Christian Science Monitor)

WASHINGTON.—Richard W. Reuter, the man who runs the $1.6 billion-a-year American Food for Peace program, strode across the room, sat down, and took aim at the House of Representatives.

"It would seem," he said in an interview, "that political strings are to be attached to concessional sales of American food to hungry nations abroad. They will make the program inflexible. They will reduce its influence. They will tarnish the American image."

Mr. Reuter, a brisk special assistant to Secretary of State Dean Rusk, was making his first public criticism of changes the House Agriculture Committee made last week in the President's Food for Freedom bill.

He and Mr. Rusk are particularly concerned by the committee's action in forbidding food sales or grants to nations who sell or ship to North Vietnam or to Cuba.

This is an extension of the current law, which bans sales only to nations whose ships carry trade to Cuba. The Agriculture Department and the Agency for International Development are equally opposed to change.

"India sold $600,000 worth of jute to Havana between April and December, 1965," Mr. Reuter said sternly. "That's two-tenths of 1 percent of its total jute shipments.

"Cuba uses the jute to make sugar bags. 'Now, the House committee language makes no distinction between strategic or nonstrategic goods, or humanitarian cargoes. So if this becomes law, India will have to stop selling the jute or lose American food aid.' "

NATIONS AFFECTED BY CHANGE

He implied that India must have the food, so it will drop its jute exports. This is the kind of invasion of another nation's affairs that the State Department badly wants to avoid.

Other nations immediately affected by the House action would be Pakistan, Yugoslavia, Poland, Morocco, and six in Latin America.

Responsible for the new language is Rep. PAUL FINDLEY (R) of Illinois, who wins considerable support in Congress by insisting that no aid be given to anyone helping Hanoi fight Americans in South Vietnam.

Beginning what is intended to be a sustained campaign to have the House language changed, Mr. Reuter told this newspaper:

"Political strings like this are self-defeating. Why, the United States itself does not meet the criteria—we have been sending medical supplies to Cuba ourselves!

"If this kind of restriction had been in effect over the last 10 years, about half the value of the program would have been lost."

(So far, Food for Peace has provided some $14.6 billion worth of food abroad, in grants and local currency sales.)

Now in top gear, Mr. Reuter continued:

"Look at the position this put us in. The emphasis in the President's bill is on self-help. We are saying to needy nations: 'If you help yourselves, so that in time you can produce your own food, then it is worthwhile for us to meet your short-term needs now.' "

HOUSE MOOD ASSESSED

"Moreover," he said, "we are trying to convince European nations to help us to do it.

"Now, all of a sudden, we are saying that we will fight the war on hunger—but on carefully chosen ground. Political strings can only detract from our motives.

"We are not trying to help Hanoi or Havana—far from it. We just believe that our foreign-policy hands should not be tied in this way."

Judging by the House mood at the moment, there appears little likelihood that the full House will amend the committee language on the floor.

Two weeks ago, the full House endorsed the same language in the agriculture appropriations bill.

Nor is the State Department happy about what might happen in the Senate. "We just don't know," said an official with a shrug of the shoulders. The administration has some friends in the Senate. It now is busy checking each member of the Senate Agriculture Committee to ascertain support.

There are signs that the language may be amended in the Senate, and go to conference. But Mr. Reuter isn't waiting. He has decided to move onto the attack now.

"You know," he said with a grin, "the bill is a good one, really, even as amended by the House committee. For the first time, food is given the same value as steel and tractors in foreign aid. Credit terms are to be the same as regular aid. The committee wanted to reduce the repayment period from 40 years to 20 years, but this was eventually reversed by a vote of 19–15.

"Before now, Food for Peace was just surplus food. Not too much attention was paid to it. Now farmers are being given more acreage to grow the types of food needed in the hungry areas."

PLANTING LEVER USED

(Farmers were told recently they could plant an extra 15 million acres of wheat this year. As part of its new campaign, the administration is hinting that the increase might have to be rescinded if the House language isn't amended.)

The bill leaves intact the President's request for $3.3 billion a year for the new Food for Freedom program, but cuts the authorized term from five to three years.

It also establishes a farmer-to-farmer program by which the Agriculture Department would use American know-how to solve farm problems abroad.

Mr. Reuter is worried about other committee changes. Among them: that countries receiving Food for Peace—or, to give its new title, Food for Freedom—AID must identify it as coming from the United States when it is sold.

He waved a hand at the unusual curtains in his office—made from the sacks used to transport wheat abroad, with the red and white government markings clearly visible.

"That's how we show where the food comes from when it enters the other nations," he said. "I have the curtains up there for effect. But now we are told that when a man overseas comes to buy a loaf of bread, the words 'United States' must be on that bread.

"But only the government of the man's country gets the food on concessional terms. The man himself pays the same price in the shop that he always did. So what do we gain by putting 'from the generous United States' on the loaf?

"We don't gain—we lose."

The bill will go to the House floor in early June. Then, and only then, will the Senate Agriculture Committee take it up.

State Department officials, from Dean Rusk down, are working hard to turn what is to them a most unfavorable tide of events.

[From Reporter magazine, Mar. 24, 1966]

The Havana Conference

(By Paul D. Bethel)

During the first two weeks of January while President Johnson was still conducting his "peace offensive," a tricontinental Communist conference was in progress in Havana whose overriding purpose was to organise world-wide subversion against the United States. With Fidel Castro as host and officially designated as the First Conference of the Solidarity of Peoples of Asia, Africa, and Latin America, the assembly brought together some six hundred delegates and observers from eighty-two countries in the three continents. From January 3 to January 15, the delegates debated, plotted, harangued, and egged each other on to even greater militancy against the United States and its "imperialist stooges." Hanoi and the Vietcong were duly represented. So were China and the Soviet Union, with large delegations whose rivalry—and eventual adjustment—provided one of the high spots of the conference. More immediately important was the high-pitched determination, repeated in scores of speeches and resolutions, to step up the pace of terror and subversion in Latin America.

Although the Havana Conference received little or no coverage in the major U.S. newspapers, it was followed closely in Europe, where Le Monde of Paris, for example, published a series of detailed articles. In Latin America it caused profound dismay and was promptly denounced by an extraordinary session of the Organization of American States. Ambassador Ilmar Penna Marinho of Brazil, chairman of the OAS Council, said of the Havana Conference that "Except for the placing of nuclear weapons in Cuba in October, 1962, no event threatens more dangerously the territorial and political integrity of our continent."

Penna's alarm was echoed by most other members of the OAS Council and by the Latin-American press generally. In Panama, a commentator of Radio Mia, noting the huge U.S. effort to contain Communism in Vietnam, observed that "Communism exists next door to Florida, and there they do nothing. . . . It may be that they are afraid of it, or are keeping promises made to the Russians, while that insane bearded man raves daily about invading Latin America." El Universo in Ecuador underscored the importance which the Soviet leaders attach to the conference, and that "While the Russians continue to seek compromises with the United States, they are not disposed to pay any price" to this end.

THE SOVIET HAND

There was not much question that Moscow was the chief planner as well as omnipresent manager of the conference. Last December 9, a month before the delegates gathered in Havana, Soviet Foreign Minister Andrei A. Gromyko rose in the chambers of the Supreme Soviet and briefed its members on the tricontinental conference. "The Soviet Union," Tass quoted him, "in taking part in the Havana Conference . . . will do everything to help consolidate the front of struggle against imperialist aggression." On January 2, the two Soviet supreme leaders, Leonid I. Brezhnev and Alexei N. Kosygin, followed up with a message of greeting to the conference. As reported by Tass, the message read in part: "Today, Havana attracts the attention of all fighters against the forces of imperialist aggression and colonialism, and for the national and social liberation of peoples. . . . The U.S. imperialists are challenging all progressive forces."

The head of the thirty-four-man Soviet delegation was Sharaf R. Rashidov, a candidate member of the Presidium of the Central Committee of the Communist Party of the Soviet Union and First Secretary of the Communist Party Central Committee of Uzbekistan. Speaking before the conference in Havana on January 6, he paid lip service to Russia's avowed "struggle for peace." But, foreshadowing one of the final resolutions of the conference, he made a sharp and significant qualification: "We believe," he said, "that relations among sovereign states with different public systems should be based on peaceful coexistence . . . it is clear that there is not, nor can there be, any peaceful coexistence between the oppressed peoples and their oppressors."

Rashidov then told the conference what was expected of it. "The Soviet delegation," he said, according to the Tass dispatch, "came to this conference to promote in every conceivable way the unity of anti-imperialist forces of the three continents, so as to unfold on a still greater scale our common struggle against imperialism, colonialism, and neocolonialism, headed by the U.S. capitalists." Specifically, he pledged "fraternal solidarity with the armed struggle being waged by the Venezuelan, Peruvian, Colombian, and Guatemalan patriots for freedom against the stooges of imperialism."

The day-to-day work of the conference was carried out by numerous committees on social, political, and economic affairs, as well as a special Tricontinental Committee to Aid Vietnam. These provided the temporary machinery of the conference. What emerged by way of a permanent setup in more to the point. According to the chief of the Venezuelan delegation, Pedro Medina, "Only two organizations came out of the conference and they will rule—a General Secretariat which will receive all information concerning the three continents, make plans on the basis of the needs of each continent, and deliver its recommendations to an executive organ . . . named the Committee of Assistance and Aid for the Peoples Fighting for Their Liberation." This committee, which emerged as the central policy and strategy body for wars of subversion, included Soviet, Chinese, and Cuban members along with representatives of nine other participating nations. As for the General Secretariat, Havana was designated its headquarters, for the next two years at least, and Captain Osmany Cienfuegos, the chairman of Cuba's three-man Foreign Relations Committee, was named Secretary General. The question of its permanent headquarters was scheduled to be reviewed at the Second Tricontinental Conference, to be held in 1968 in Cairo at the invitation of President Nasser.

The twelve-nation Secretariat also has equal representation from the three continents. Asia is represented by South Vietnam (Vietcong), North Korea, Syria, and Pakistan; Africa is represented by the United Arab Republic, Guinea, one member to be chosen from the Portuguese colonies, which the delegates have decided are to be "freed," and the Léopoldville Congo; Latin America by Venezuela, the Dominican Republic, Puerto Rico, and Chile. One of the jobs of the Secretariat, as laid down at Havana, is to establish in each continent an action group to carry out the resolutions of the conference. The first of these was established four days after the conference adjourned, when the Secretariat announced the creation of a Latin-American Solidarity Organization, with Havana as its permanent headquarters. It immediately began to issue calls to action.

THE NEW BREED

One of the major Soviet aims of the Havana Conference was to give direct support to guerrilla leaders rather than to the established Communist Parties of their countries. This became clear with the list of delegates, many of whom were little known or had never been heard of before. Absent was Fabricio Ojeda of Venezuela; in his place came Pedro Medina, leader of the Venezuelan National Liberation Front. Luis Corvalán, Secretary General of the Chilean Communist Party, and many other old-line Communist politicos were also missing. Senator Salvador Allende, the defeated Marxist candidate in Chile's presidential elections of 1964, headed the Chilean delegation, but he played only a minor role.

"The real stars," according to the correspondent of *Le Monde*, "were the lean, bronzed men who had arrived, after so many detours, from the guerrilla camps of the four 'fighting' zones of the hemisphere: Guatemala, Venezuela, Colombia, and Peru. . . ." *Népszabadság* of Budapest also commented, emphasizing that the conference was not in the "hands of catastrophic politicians" but in the firm grip of Castro-type revolutionaries. The reason why Moscow had chosen at Havana to throw its weight behind the guerrillas, rather than the Communist Parties, was underscored by *Le Monde's* conclusion that the conference was clearly aimed at obtaining results "in direct action, and more precisely in armed action." It observed correctly that "With the exception of those in Venezuela and Colombia, the orthodox Communist Parties in Latin America up to now have shown no great enthusiasm for guerrilla wars."

The special publicity given to guerrilla spokesmen obviously reflected Soviet determination to capture control of the conference by giving the lie to China's familiar hardline attack against Moscow's "appeasement" of the U.S. and its failure to lend all-out support to militant "wars of liberation." Throughout the conference, the Chinese delegates, as reported by Radio Peking, kept up a drumfire of criticism on this well-worn theme. In the end, the apparent contradiction between Russia's avowed policy of peaceful coexistence and the support it gave at Havana to the principle of "armed struggle" was resolved by typical Soviet logic. A special resolution on "Peaceful Coexistence" which was passed at the closing session of the conference on January 15 declared: "Peaceful coexistence applies only to relations between states with different social and political systems. It cannot apply to relations between social classes, between the exploited and the exploiters within separate countries, or between the oppressed peoples and their oppressors." This simply restated the Soviet line put forward a few days earlier by Rashidov.

The final declaration of the conference fully endorsed the thesis of "armed struggle." According to Tass, it "calls for expressions of militant, active, dynamic solidarity . . . for intensifying the anti-imperialist nature of the national liberation movements." The Chinese, it would seem, had reason to be satisfied. Even Castro's public and bitter denunciation of Peking the day before the conference opened, for backing down on its sugar-for-rice deal with Cuba, did not discourage them. On January 19, after the close of the conference, the New China News Agency reported: "The Tricontinental Peoples' Solidarity Movement ran into various difficulties at the outset. However, in accordance with the will of the people of the three continents, the movement is sweeping forward with irresistible momentum. . . ."

To many observers, however, the most substantial success of the Chinese at Havana—and probably their major reason for being present—was to prevent the Russians and their Cuban allies from gaining exclusive control not only of the movement in Latin America but above all of the Afro-Asian People's Solidarity Organization. This group grew out of the Bandung Conference of 1955 and the Chinese have long regarded it as their own special charge, even to the point of attempting to exclude the Soviets from membership. Although the point was left somewhat cloudy, it appeared that AAPSO, while participating fully in the new tricontinental organization, would maintain its separate identity. For example, it was announced at Havana that AAPSO will hold its own conference next year in Peking.

THE JOB TO BE DONE

The final declaration of the Havana Conference is global indeed. The most significant of its general resolutions "proclaims the peoples' inalienable right to complete independence and the use of every form of struggle necessary, including armed battle, to win that right." It hailed the Vietnam war as "an inspiring example for the national liberation movement of the peoples of three continents." *It urged a concerted campaign directed at the "governments of all peace-loving countries to recognize, de facto and de jure, the National Liberation Front of South Vietnam as the sole genuine and legal representative of the South Vietnamese people."* It urged "the most powerful support" for American Negroes and the civil-rights movement, and stated that "In the uprisings in Watts, Los Angeles, and Chicago, the Afro-Americans openly declared that they were fighting against racism and U.S. imperialism in a common cause with their Vietnamese brothers."

As to Latin America, it called for maximum militancy by those "who are fighting with arms in their hands against the forces of domestic oligarchy which are in the service of the United States, as in Venezuela, Colombia, Peru, and Guatemala, or are being subjected to brutal persecution under military tyranny, as in Brazil, Ecuador, Bolivia, and other countries."

"Latin America," the document said, "is the rear of the most powerful and barbarous imperialism in the world and the mainstay of colonialism and neo-colonialism." It went on to map efforts to sabotage U.S. investments abroad: "Every blow dealt the U.S. and domestic oppressors by the Latin-American peoples has decisive effect in weakening U.S. imperialism." There are sections that deal with the "liberation" of Puerto Rico, which it classified as "under U.S. occupation," and the Dominican Republic, which, it said, has "set a valiant example of resistance to U.S. aggression," Puerto Rico's chief delegate, Norman Pietri, in addressing the conference on January 10, cited "the imperative need to win national independence in order to promote . . . total eradication of Yankee military installations in Puerto Rico and the threat they pose to the rest of Latin America."

Finally, the inspirational theme was summarized with a peroration: "Faced with the criminal alliance of the reactionary forces, the people of various countries in the three continents have reacted with active, vigorous, and militant solidarity, and with their readiness to reply to every act of imperialist aggression by revolutionary action, carrying on this battle until the complete liquidation of all forms of imperialist, colonial, and neocolonial oppression."

As already noted, the Latin-American Solidarity Organization, created on January 19, was the first of the three continental action groups to emerge from the Havana Conference. According to Agence France-Presse, the twenty-seven Latin-American delegations met with Fidel Castro and Pedro Medina of Venezuela. Cuban President Osvaldo Dórticos, the Cuban chiefs of staff of the army, and the principal Communist leaders were also present. In the course of the meeting it was decided that the organization would be permanently established in Cuba and that it would include representatives from all the Latin-American countries, as well as Puerto Rico and Trinidad-Tobago. With Medina as its Secretary General, it will presumably come under the general control of Captain Cienfuegos and his tricontinental Secretariat.

Its operations are already under way. On February 12, the Latin-American Solidarity Organization backed a call to action by the Tricontinental Committee to Aid Veitnam, another permanent organization that emerged from the conference. This appeal urged the recently departed delegates to launch "a wave of sabotage against Yankee interests throughout the world." It also called for "demonstrations, sit-ins, protests, meetings, and denunciations in front of United States embassies all over the world." A call also went out from Havana to "boycott production and refuse to load ships, or to transport arms or any kind of war material bound for North American troops."

Once again Puerto Rico came in for special attention. On February 10, according to El Imparcial, Puerto Rican "freedom fighters" established a "Free Puerto Rico" embassy in Havana, and on the same day signed a "pact of solidarity" with the National Liberation Front of South Vietnam at its Havana headquarters. The Puerto Ricans claimed that they were "recognized as the only legitimate representative of the Puerto Rican people." Shortly thereafter, twenty-six Latin-American Communist delegations agreed to establish National Committees of Solidarity with Free Puerto Rico in their countries.

All members of the tricontinental organization must contribute funds to the Aid Vietnam Committee. One way to raise money was described by Pedro Medina in an interview broadcast by Radio Havana. The Vietcong delegation had presented the helmet of a U.S. pilot shot down over North Vietnam to the Venezuelans. In turn, he said, "The Venezuelan NFL gave the helmet to the Tricontinental Committee to Aid Vietnam." He continued, "We will wage a campaign with it, on the island of Cuba and in Latin America, and we will carry it to every continent to give more impact and more brillance to the week of solidarity with Vietnam which is scheduled for March on all three continents." Similar "solidarity" demonstrations are planned for the United States mainland and Puerto Rico.

THE CUBAN SPEARHEAD

Havana was a natural choice as the operational headquarters for worldwide subversion and wars of national liberation, for it is dedicatedly anti-American and pro-Soviet, and has a well-developed apparatus of subversion already active in the hemisphere. Following the Cuban missile crisis of October, 1962, many of the obsolete Soviet military establishments in Cuba were converted into guerrilla training camps, and new camps have also been constructed. The U.S. Internal Security Subcommittee listed ten such installations as early as 1963. Today, according to some intelligence estimates, there are forty-three camps equipped to train as many as ten thousand activists a year—guerrillas, terrorists, propagandists, experts in sabotage and espionage, and specialists in sophisticated radio equipment. The basic training period lasts four months, with longer periods for certain categories.

When the guerrilla candidate arrives in Havana by a clandestine route, he is given a questionnaire on areas and personalities vulnerable to subversion techniques. He is asked, for example, about targets for sabotage and the terrain surrounding those targets, about homosexual tendencies among members of his home-town police force, army units, and politicians, and about tax irregularities condoned by local bureaucrats. This information, checked and rechecked by contacts in the country in question, provides a starting point for campaigns of subversion.

Castro's Soviet-financed fishing fleet is especially useful in bringing guerrilla recruits to Cuba and reinfiltrating them into their homelands. According to a defecting crew member of one of the ships, "Cuban patrol boats and fishing vessels are continually introducing arms and men into Mexican territory."

The Cuban training program is co-ordinated with international Communist subversion. Vietcong, Soviet, Red Chinese, and Spanish Communist instructors teach recruits from Africa as well as from Latin America. Cuban Negro instructors have been used to train African recruits in special camps established in the Provinces of Las Villas and Oriente. One, identified as Sádez Gómez García, was killed while operating with guerrillas in the eastern Congolese district of Maniema. A diary found on his body indicated that he had arrived in the Congo from Cuba via Moscow, Prague, and the Tanzanian capital, Dar-es-Salaam. Defected Castro officers state that two hundred Africans have returned to Dar-es-Salaam following eight months of "leadership training" in the Minas del Frio guerrilla camp in Cuba. On September 17, Congolese government forces patrolling Lake Tanganyika intercepted and sank a troop and supply boat, the *Ajax*, which had been running Cuban-trained Congolese guerrillas from Tanzania into the eastern Congo. Last June, twenty-seven Senegalese were tried in Dakar and found guilty of subversion. All twenty-seven, it was brought out at the trial, also had completed eight months of training in Cuba.

Lumumba University in Moscow, according to a broadcast from the Soviet capital, is training thousands of Latin-American students. The broadcast, beamed to Latin America in the Quechua language of the Indians of Peru, Bolivia, and Ecuador, said that when these students return to their homelands, "They will teach their brothers the modern techniques they have learned. But they will do more than teach . . . They will fight alongside peasants and humble people to ensure that their countries have freedom."

The collaboration between Cuba and Soviet-bloc embassies in Latin-American subversion is exemplified in Ecuador, which broke relations with Cuba, Czechoslovakia, and Poland in April, 1962. After an uprising launched by a youth organiaztion that took its inspiration from Castro, the government found that the Czech legation had been handing over funds to the Ecuadorian Communist Party obtained through the sale of Skoda trucks and other Communist-bloc products. Poland was also involved. Bolivia broke with Czechoslovakia in October, 1964, when the embassy in La Paz was shown to have delivered 500,000 Bolivian pesos to rebellious tin miners that were used to buy Czech weapons.

Venezuela, under almost constant attack for years from Cuban-supported guerrillas and terrorists, discovered last October that the Communists had set up an efficient underground arms factory on the outskirts of Caracas. There were "enough explosives to blow up Caracas," according to a Cabinet Minister, and the Director General of the Interior Ministry declared that "specialists from Havana, Moscow, and Peking are trying to get into Venezuela to execute terrorist operations" planned for 1966—what they called "The Year of the Explosives."

Castro-trained men have also infiltrated the notorious bandit groups of Colombia that have extorted more than a million dollars' ransom from relatives of 148 Colombian ranchers kidnapped over the past few years. Kidnapping has been used to raise funds by guerrillas in Guatemala, as well as to create an atmosphere of terror to disrupt the recent elections there. And in the remote valleys and mountains of Peru, Venezuela, Colombia, and Guatemala, minor government officials and pro-government peasants are sometimes murdered, Vietcong style. Che Guevara's Guerrilla Warfare is the handbook for Latin-American rebel leaders: it preaches the same tactics urged by the Tri-continental Conference "to sow seeds of discord everywhere and keep the oligarchs busy putting out the fires."

The Soviet Union has backed up its investment in direct support for subversion by diplomatic maneuvers in the United Nations. It has striven constantly to divert OAS complaints against Cuban subversion from the OAS to the Security Council, where the Soviet veto could block any punitive measures. It has also succeeded in heading off in the world body any definition of aggression that would include "wars of liberation."

At the same time, Moscow has pursued its double-track policy of "peaceful coexistence," attempting to maintain friendly diplomatic relations with the very governments its agents are working to destroy. In Uruguay, on the verge of bankruptcy and beset with social problems as a result of a disastrously overextended welfare state, the Soviets found one of the hemisphere's weakest points. The oversized embassy in Montevideo has long been the center of a clandestine network extending throughout Latin America. In December Soviet agents were accused by the government of having engineered a strike that paralyzed the country for days. This intervention, according to one Latin-American expert in Washington, was an "act of supreme contempt" for Uruguay's weakness.

The Uruguayan Foreign Minister asked the Soviet ambassador for an explanation of his government's role at the Havana Conference and was not impressed by the answer that Sharaf Rashidov was speaking "privately." National Council President-elect Alberto Heber Usher called the reply "insulting." Heber has now vowed to muster the votes in Uruguay's ruling nine-man National Council to break relations with Moscow as a first step toward diplomatic rupture with the Communist powers.

In other Latin-American countries, particularly those most exposed to subversion, the leaders did not mince words either. Peruvian Premier Daniel Becarra de la Flor said that the Soviet Union was involved in "tacit aggression," and that delegate Rashidov's statements in Havana now made Soviet activities in Peru official. Minister of the Interior Gonzalo Barrios Bustillos of Venezuela recommended the use of force to combat the subversion planned at the conference, which he told Agence France-Presse "is nothing more or less than a consequence of the blind struggle the Communists are waging against the United States, particularly in Southeast Asia." In 1964, the Cuban newspaper Revolución had made more or less the same point, declaring that "Colombia and Venezuela form the embryo of a vast Latin-American Vietnam."

The resolution which the OAS passed on February 2 "emphatically" condemned the policy of aggression and intervention adopted at Havana. Chile and Mexico abstained, saying that while they deplored intervention from whatever source, they considered the resolution exceeded the Council's powers. The U.S. alternate delegate, Ward Allen, voted in favor, but was less fiery than some of his Latin-American colleagues. The resolution denounced in particular "the open participation . . . of official or officially sponsored delegations of member states of the United Nations" which on December 21 had voted in the General Asembly in favor of a nonintervention and self-determination resolution. Among those voting in favor was the Soviet Union, which a few days later sent its delegation to Havana.

The central issue was stated before the OAS by Colombian Ambassador Alfredo Vázquez Garrizosa, who said, "If there is to be war and no peace, let it at least be known who declared it."

[From U.S. News & World Report, Jan. 31, 1966]

REDS PLAN MORE "VIETNAMS"—CASTRO'S CUBA HAS BEEN ASSIGNED A KEY ROLE BY THE REDS—HAVANA IS TO BE THE CONTROL CENTER FOR DIRECTING COMMUNIST UPRISINGS, WORLDWIDE—STRATEGY: IGNITE SO MANY REVOLTS IN SO MANY PLACES THAT U.S. WILL BE POWERLESS TO COPE WITH THEM

HAVANA.—Here in Cuba—less than 100 miles off the U.S. coast—the Communists are now establishing a permanent "general headquarters" to foment revolts and direct Red take-overs.

For the first time in years, Communist troublemaking has been organized on a coordinated basis.

It was Russia's idea. On this one, the Russian and Chinese Communists are working together against a common foe: the United States.

That is the real meaning of the Tri-Continental Conference of Solidarity of Peoples of Africa, Asia and Latin America, just concluded here.

The conference was attended by so-called "revolutionaries" from 82 nations, including both China and Russia.

Through machinery that was set up at the conference, Communist arms, money, propaganda and guerrillas trained in subversion will flow out of Cuba on a permanent basis to exploit discord everywhere. All action is to be carefully organized and blueprinted by a committee made up of representatives of 12 countries, operating here in Havana.

In Washington, Representative R. C. PUCINSKI, an Illinois Democrat, told the House on January 20 that Havana now represents "a direct and major threat to the stability of Latin America."

THE LIST OF TARGETS

Primary targets listed by the Communists include the Dominican Republic—where U.S. has 7,000 troops on guard against a Communist take-over—Venezuela, Guatemala, Colombia and Uruguay. The list of secondary targets is almost without limit.

Chief task of the Havana headquarters will be to co-ordinate the financing, arming and training of troublemakers. As one American expert put it:

"The Communist movement in Latin America now becomes institutionalized. That's what makes the Havana Conference so important to us."

Russia's chief delegate at the Havana session was Sharaf Rashidov, an official on the Central Committee of the Soviet Communist Party. He made the purpose of the conference clear when he said:

"Our common enemy is international imperialism headed by United States imperialism."

The Communist strategy mapped out here is to start so many revolts—the so-called "wars of liberation"—at the same time that not even the U.S. will be able to cope with all of them.

LIMIT TO U.S. CAPACITY

U.S. already is deeply involved in Vietnam and has a sizable military force staked out in the Dominican Republic. Officials recognize that there is a physical limit to deploying such forces, and Latin America is a serious worry. It is near the explosion point in a number of places.

This is the way one American expert, now in Latin America, measures the danger in the Communist strategy being developed—

"Look over Latin America and remember this: Guatemala could come apart at any moment. Haiti is hopeless. Uruguay is going to have to tear up what they've done over the last 60 years and start over again. Colombia is a mess.

"Inflation is running away with one country after another. Situations such as these make the decisions at the Havana Conference significant."

Subversion in Latin America already is a high-cost operation for the Russians. Intelligence estimates now say that Russia is pouring 2 million dollars a day into Havana—1 million to keep Communist Cuba propped up and the other million, funneled through Cuba, to finance Red-led activities in a host of other countries.

The 12-nation committee, operating through the new Communist headquarters in Havana, is not to limit its activities to Latin America.

Among the specific duties assigned to it are these:

Establish closer co-ordination between so-called "liberation movements" everywhere, so that, in time, joint operations can be set off in several countries simultaneously.

Set up direct communications between Havana headquarters and the leaders of guerrilla movements in other countries.

Supply arms, money, and political and military advice to revolutionary movements around the world.

VIOLENCE AHEAD?

A message from Moscow, sent to the conference by Communist Party Chief Leonid Brezhnev and Soviet Premier Alexi Kosygin, declared that "joint actions of the anti-imperial forces are exceptionally important in the present international situation."

Core of the Havana operation will be the 12-nation directorate operating under this unwieldy title: "Committee for Assistance and Aid to the National Liberation and Fighting Movements Against Colonialism and Neocolonialism."

Both Russia and Red China are on this central committee.

In addition, three other organizations have been set up. These are called the Secretariat of the Asian, African, Latin-American Peoples Solidarity Organization, the Latin-American Solidarity Organization, and the Tri-Continental Committee to Aid Vietnam.

Havana is to become the home office for each of these sections.

Thus, the Communists' plans go far beyond Latin America. The Cuban capital is to be the headquarters for all revolutionary activities backed by Reds in Asia and Africa, too.

Communist strategy is to make this city a nerve center for subversion, operating almost on the U.S. doorstep.

WHY DID THE QMR TAKE SO LONG?

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. FINDLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. FINDLEY. Mr. Speaker, the Pentagon has released to the public the fact that the QMR—that is, the military requirements for the successor weapon to the U.S. 50-caliber machinegun—has been at long last approved.

This comes nearly 5 years after the Pentagon determined that a critical need existed to close the gun gap caused by the widespread Soviet use of the 14.5-millimeter automatic gun.

Why the excessive delay? What possible explanation can be given for finishing the paperwork for the critically needed successor weapon now after 5 tense years have elapsed? Is this the pace of the Pentagon on all critical gaps in our weaponry? If so, do we really have a chance to provide our fighting men with the superior weapons they must have if trouble comes?

I am asking for detailed information on why this delay occurred, hoping that it will bring to light the real causes, point up needed reforms in Pentagon procedures, and thus prevent this sorry lag in weapons development from being repeated.

I am asking for details as to what steps were taken by the Pentagon subsequent to 1961 in order to press forward as rapidly as possible with development of the successor weapon. For example, how much money was asked for and spent either by Government agencies or by private industry in order to press forward?

Development of a successor weapon was recommended as part of a twofold solution in 1961, and was called for again on a "crash" basis in October 1964 by the Army Materiel Command and the Combat Developments Command. Why then did it take 2 full years for the Army to advance this critically needed weapon merely to the paper stage, where the requirements it should meet are only now being laid before industry? And why is it not further along, 5 years after its development was recommended?

Sources within the Army Weapons Command indicate that one reason the Army has dragged its feet on development of this successor weapon is that the Army staff, and the Defense Department, did not want to be embarrassed by having the successor near to procurement while they were still trying to get the H.S. 820 ready for procurement. Availability of the 25-millimeter gun would have raised the question of why the H.S. 820 needed to be purchased at all.

As of late last July, nearly 2 months after I began my critique of the H.S. 820, the Army was finally planning to put out the QMR for this successor weapon, probably in August the Army said. At that time, lower level Army officials informed me privately that the QMR fits exactly the characteristics of the 25-millimeter cannon under development for 2 years by a private contractor, with which the Army Weapons Command was very favorably impressed. However, after I stepped up my critique, plans for approving the QMR in August were postponed. It was finally approved at the end of September. And the Army now states that no 25-millimeter cannon currently under development meets the criteria set forth in the QMR, as finally approved.

It shall be interesting to determine if the QMR was significantly changed between July and September, so as to make it appear that the 25-millimeter gun now under development would take a longer period of time to meet the Army's requirements—and thus not be available as a substitute for the H.S. 820 as early as the Army originally intended, before my critique became too embarrassing to them.

Despite the possibility of such maneuvering, it is still encouraging that the Army finally decided to get off dead center and move forward with this project immediately after I laid bare the Army's incredible record of procrastination and delay. I do not believe it is unreasonable to suggest that there was something more than mere coincidence involved in the timing, and that there was indeed a cause and effect relationship between my exposé of the Army's footdragging and its sudden burst of long overdue action.

More important, the Army's action merely emphasizes and reinforces the point I have been making for weeks: if a genuine crash program for the successor weapon were undertaken, the gun and its ammunition could be available in quantity for phasing into our troop and vehicle systems immediately after the first-year quantity of the substandard H.S. 820 cannons were received. That would mean that the remaining quantities of H.S. 820's could be canceled, with a saving of $50 million out of the planned $75 million procurement from West Germany, and a similar saving in the additional $75 million to be spent in this country on ammunition and spare parts.

Thus we would have a bigger, better gun—one capable of outshooting the Soviet's 23-millimeter cannon which now makes the H.S. 820 obsolete anyway. And we would be avoiding introducing the H.S. 820 into our logistics system on a large scale, and forestalling its planned use in other missions, which are now underway despite the Pentagon's previous assurances to the contrary.

JOHN CRAIN KUNKEL

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Dague] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DAGUE. Mr. Speaker, my good friend and our respected colleague John Kunkel is retiring from Congress after 18 years of public service to his State and to the Nation.

Public service has been a continuing and major part of the life of Representative John C. Kunkel.

Mr. Kunkel's family has a distinguished record of public service. His grandfather, John C. Kunkel, was a Member of the 34th and 35th Congresses. His great-grandfather, John Sergeant, was a Member of Congress for eight terms and a candidate for the Vice-Presidency.

Representative Kunkel was born July 21, 1898, in Harrisburg, Pa. As a native son he was educated at Harrisburg Academy. He also attended Andover, Yale University, and Harvard Law School.

He followed a varied business career which included farming, banking and the practice of law. He has been admitted to practice before the bar in Dauphin County, the Supreme Court of Pennsylvania and the Supreme Court of the United States.

He was first elected to Congress in 1938, and served from the 76th Congress through the 81st. He began a second congressional career on May 16, 1961, when he was elected 16th District Congressman to replace the late Walter M. Mumma.

Kunkel and his wife, Katherine, have always lived in the Harrisburg area, and have been vigorous participants in community activities there. Kunkel is a member of the board of directors of the Harrisburg Public Library, the Boys Club of Harrisburg—of which he was president for 3 years—Family and Children's Service of Harrisburg and has served in various posts with a host of other civic organizations, fund drives and institutions.

He is a member of the board of directors of the Harrisburg National Bank & Trust Co., and serves on the board of trustees of Wilson College at Chambersburg and Franklin and Marshall College at Lancaster.

Mr. Kunkel is a life vestryman of St. Stephen's Episcopal Church of Harrisburg. He is a member of the American Legion Post 27, Lions International, and Odd Fellows.

Mrs. Kunkel headed up an effective smoke-abatement drive in the Harrisburg area. The Kunkels have three children, all married, and they have 12 grandchildren. All of the family lives in the immediate Harrisburg area, so family reunions and visits with "grandpa" are frequent. Representative Kunkel observes wryly that all his family lives "across the river in someone else's congressional district," which deprives him of a sizable campaign force.

Kunkel has been active in Republican politics for decades. While in Congress he served as chairman of the Herter committee, a Finance Committee subcommittee which laid the foundation for what today is known as the Marshall plan. He was president of the 76th Club, composed of GOP members elected to Congress in 1938.

His wife is vice president of the bipartisan Women's Prayer Group. She is president of the Congressional Club, made up of wives and daughters of both Republican and Democratic Members of the House.

Kunkel is an enthusiastic baseball and football fan and a talented bridge buff. In 1935 he won the national bridge championship, and he and "Kitty" have placed third in the national mixed pairs competition three times. A busy congressional schedule forecloses much time for bridge these days, but the Kunkels still "keep their hand in" whenever the opportunity is available.

Representative Kunkel serves on the important House Public Works Committee which handles a variety of legislation, much of it involving Federal-State cooperation in construction of public facilities.

I am happy to include in the Record a column by Milton Jaques, one of the foremost political writers in the State of Pennsylvania. This article which appeared in the Sunday Patriot News of

Harrisburg, shows to everyone just what a dedicated man JOHN KUNKEL is.

The column follows:

KUNKEL ACTS UNLIKE MAN ON WAY OUT

(By Milton Jaques)

WASHINGTON.—There are several ways to retire from the House of Representatives. Some congressmen lose in a general election and never return. Others lose in primaries and sulk for months until the session ends.

Very few retire as Rep. JOHN C. KUNKEL, Harrisburg Republican, is doing. He's going out like a campaigner.

Since announcing his retirement plans last spring, KUNKEL has maintained the same full schedule for the remainder of the session that he kept before.

It's the kind of schedule that congressmen use to get reelected with regularity. KUNKEL, except for a 10-year absence during the 1950's, has been in Congress since 1939.

In the sixth year of his return to Congress, KUNKEL has assumed about as much responsibility as possible for a member of the minority side in a House strongly Democratic.

He is the ranking Republican member of a House Public Works subcommittee. GOP colleagues have made him a member of their Policy Committee. Both jobs keep him busier than the average member.

For three days this week, KUNKEL was occupied busily in a Senate-House conference on a water pollution bill. KUNKEL was one of eight members of the House Public Works Committee assigned to the task of working out a compromise between House and Senate versions of the measure.

KUNKEL relished the assignment, because he supported the House measure. He was ready to battle down the line with Senate members to keep as much of the house bill as possible in the compromise bill.

On Friday, KUNKEL was sticking close to the floor. He had several assignments.

One was to serve as manager for the Republican side of the aisle on a bill authorizing a visitors' center for the mall in Washington. KUNKEL had helped clear the bill through the Public Works Committee.

The fact that he is working full-time in his final weeks in Congress is giving him a better-than-average score answering quorum calls and roll calls.

Although not a candidate for re-election, KUNKEL is working like a campaigner. He continues to write his weekly newsletter and tape radio broadcasts to keep constituents informed.

There are other odd jobs to handle. This past week he arranged for Assistant Secretary of State William P. Bundy to speak to the Harrisburg Area Chamber of Commerce. After making last-minute arrangements for Bundy to speak, KUNKEL accompanied him to the dinner in Harrisburg and returned to Washington late in the evening.

KUNKEL, thus, is probably one of the most energetic incumbents who is not campaigning for re-election.

WELCOME ABOARD, MR. PRESIDENT

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. GURNEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GURNEY. Mr. Speaker, I was delighted to see yesterday that President Johnson has finally joined my Republican colleagues and myself in promoting better treatment of those on social security. I am disappointed that his proposals fall so short of our own, but at this point we welcome any improvement in the lot of the inflation-ridden retiree.

Mr. President is promising with great fanfare a good deal less than the Republicans have been fighting to get for months. More than 100 GOP Congressmen have introduced bills to guarantee the social security retiree a cost of living increase whenever living costs rise—not just a one-shot deal, but a permanent assurance that they will not be forgotten when inflation strikes.

My approach, and that of my colleagues would save the retiree from this degrading position as a pawn in a game of political chess—a game that leaves our older citizen waiting until election time for promises of increases later, when he has desperately needed these increases too long already.

But these bills have grown cobwebs in administration-controlled committees where they have lain since February.

My own bill, which would provide a 3-percent benefit increase the minute the cost of living rises 3 percent, has been ignored since I introduced it the first of March. And yet now, just 1 month before election day, the President benevolently promises to save the older citizen. We welcome the President to the back of our parade; but more than that, we are pleased that he has moved from his position of blocking its march route.

Not only have the Republicans pleaded for benefits for the retirees who are caught in the squeeze between rising prices and fixed income, but we have begged the President to strike out at the causes of this inflation he brags about having made for us. Fiscal irresponsibility, unprecedented Government spending for nonessential and wasteful programs at home while fighting a war abroad, tricks of deficit financing, and a steadily increasing national debt have brought this inflationary spiral upon us.

Although we have all felt the bind on our pocketbooks as food prices have skyrocketed, no one has felt it so painfully as the retiree. He has pulled in his belt to the last notch. And now, instead of calling a halt to his planned inflation, the President is promising benefits which will not be effective for a full year. Many of these people, whose letters fill my mail each day, cannot wait until 1968.

I have files full of letters from people who have worked and saved all their lives to have enough to live on in their remaining years. They tell me now of selling their small homes, of eating only two meals a day, of eating hamburger—which one man has nicknamed "Johnson beefsteak"—when they can afford meat at all, of medical attention they have postponed.

And now, just in time for elections, they are promised help early in 1968. I think it is time these men and women were considered by the administration as human beings, not just a block of votes to be bought with promises and forgotten between election years.

Mr. Speaker, I am tired of crocodile tears, and so are the thousands of older people whose letters fill my mail. It is high time for some real action to save our retirees from the ravages of inflation.

Welcome aboard our bandwagon, Mr. President; but remember, ours is a wholehearted effort, not an excuse to beat a drum.

REPORT TO THE PEOPLE OF THE SECOND CONGRESSIONAL DISTRICT OF NEBRASKA

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Nebraska [Mr. CUNNINGHAM] may extend his remarks at this point in the RECORD and include extraneous matter and tables.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CUNNINGHAM. Mr. Speaker, I have compiled a report from official records which lists my voting and attendance record during the 89th Congress. I will make this record available to the people of the Second Congressional District of Nebraska, which district I have the honor to represent in the U.S. House of Representatives.

The purpose of this report is to collect in one place and in concise form information which is scattered through thousands of pages of the CONGRESSIONAL RECORD. The description of bills is for identification only; no attempt has been made herein to describe the bills completely or to elaborate upon the issues involved.

It appears that Congress may be in session until late fall, and therefore as a stewardship report to those I am privileged to represent, I am listing a compilation of the votes I cast from the opening of the 89th Congress, January 4, 1965, to October 13, 1966.

This report includes all rollcall votes, where Congressmen are publicly recorded for or against an issue. However, the 367 votes listed in this report represent only about one-third of the bills acted upon by the House. Rollcall votes are not publicly recorded on the majority of bills as most of the legislation is decided by voice vote. In addition there were hundreds of quorum calls—attendance checks—taken in the House which are omitted here to conserve space. This accounts for the nonconsecutive numbering of the rollcalls in this report.

Many of the votes were controversial as you well know, Mr. Speaker, but I, like all Members, must stand and be counted by voting either "yes" or "no." That is our duty and responsibility.

When the people note the title of the votes listed here they will gain a better understanding of the complexities of the issues which are voted upon in the House of Representatives.

I am proud of my voting and attendance record during my 10 years as a Member of the House of Representatives. My attendance record is in the upper 5 percent among all Members of Congress during these past 10 years for being on the job and answering the call of the roll when votes are cast and when official attendance records are compiled.

1st session—89th Congress

Roll-call No.	Date 1965	Measure, question, and result	Vote
2	Jan. 4	Election of Speaker. (McCormack 289, Ford 139)	Ford
3	Jan. 4	H. Res. 1, authorizing seating of Mississippi delegation: On ordering previous question (ending debate). (Agreed to 276 to 149)	Yes
4	Jan. 4	H. Res. 8, adopting the rules of House with an amendment giving additional authority to Speaker: On ordering previous question (ending debate). (Agreed to 224 to 202)	No
6	Jan. 19	H. Res. 126, dismissing contest of election of Representative Ottinger of New York: On resolution. (Adopted 245 to 102)	No
7	Jan. 26	H.J. Res. 234, making supplemental appropriations for Department of Agriculture for fiscal 1965: On motion to recommit with instructions to bar export of farm commodities to United Arab Republic. (Adopted 204 to 177)	Yes
10	Feb. 8	H.J. Res. 234, making supplemental appropriations for Department of Agriculture for fiscal 1965: On motion to instruct House conferees to disagree to Senate amendment allowing aid to United Arab Republic at President's discretion. (Rejected 165 to 241)	Yes
12	Feb. 9	H.R. 3818, eliminating 25 percent gold cover in Federal Reserve banks: On motion to recommit. (Rejected 93 to 289)	Yes
13	Feb. 9	On passage. (Passed 300 to 82)	No
16	Feb. 17	H.R. 2998, extending Arms Control and Disarmament Agency: On passage. (Passed 302 to 63)	Yes
19	Feb. 18	H.R. 45, increasing U.S. participation in the Inter-American Development Bank: On motion to recommit with instructions to reduce funds from $750,000,000 to $725,000,000. (Rejected 142 to 237)	Yes
20	Feb. 18	On passage. (Passed 288 to 93)	No
23	Feb. 25	H. Res. 188, providing funds for expenses of Committee on Un-American Activities: On motion to recommit to Committee on House Administration with instructions to hold hearings. (Rejected 58 to 333)	No
24	Feb. 25	On resolution. (Agreed to 360 to 29)	Yes
28	Mar. 3	S. 3, authorizing $1,092,400,000 for public works and development programs in the Appalachian region: On motion to recommit with instructions to substitute bill authorizing $995,000,000 for 2-year economic development program for all depressed areas in United States. (Rejected 100 to 323)	Yes
29	Mar. 3	On passage. (Passed 257 to 165)	No
31	Mar. 10	H.R. 2, expanding Federal controls over depressant and stimulant drugs: On passage. (Passed 402 to 0)	Yes
33	Mar. 15	H.R. 4714, authorizing annual appropriations of $150,000 for National Council on Arts: On motion to suspend rules and pass. (Rejected 217 to 113, a ⅔ majority being required)	No
35	Mar. 16	H.R. 5505, establishing standards for congressional districts: On amendment permitting at-large elections of Representatives. (Rejected 147 to 255)	Yes
38	Mar. 17	H. Res. 276, providing for consideration of H.R. 5374, Supreme Court pay bill: On resolution. (Agreed to 202 to 183)	No
39	Mar. 17	H.R. 5374, restoring the differential between Supreme Court and lower court salaries existing prior to 1964 Federal pay bill: On passage. (Rejected 178 to 202)	No
42	Mar. 22	H.R. 5688, amending crime laws of District of Columbia: On motion to recommit with instructions to hold hearings. (Rejected 166 to 216)	No
43	Mar. 22	On passage. (Passed 250 to 131)	Yes
45	Mar. 23	H.R. 5721, providing for acreage-poundage marketing quotas for tobacco: On passage. (Passed 206 to 170)	No
51	Mar. 26	Motion to approve House Journal without further reading: On ordering previous question (ending debate) on motion. (Agreed to 274 to 119)	No
52	Mar. 26	H.R. 2362, providing grants to States for elementary and secondary education: On motion to recommit with instructions to change formula so that the grant for each child from low-income families would be equal. (Rejected 194 to 267.)	Yes
53	Mar. 26	On passage. (Passed 263 to 153)	No
57	Mar. 31	H.R. 3708, Older Americans Act of 1965, providing for development of programs for the aging: On passage. (Passed 396 to 1)	Yes
58	Mar. 31	H.R. 1111, Water Resources Planning Act, authorizing funds for Federal-State water resources development programs: On passage. (Passed 384 to 0)	Yes
60	Apr. 1	H.R. 4257, extending and expanding Manpower Development and Training Act programs: On passage. (Passed 395 to 0)	Yes
62	Apr. 5	H.R. 980, providing for return of obscene mail matter: On motion to suspend rules and pass. (Passed 360 to 21)	Yes
63	Apr. 5	H.R. 7064, authorizing construction of U.S. Embassy building in Saigon, South Vietnam: On motion to suspend rules and pass. (Passed 378 to 0)	Yes
64	Apr. 5	H.R. 7060, making appropriations for Treasury and Post Office Departments, Executive Office of the President, and four independent agencies: On passage. (Passed 347 to 7)	Yes
65	Apr. 6	H.R. 7091, making supplemental appropriations for fiscal 1965 including $344,328,000 for Appalachia programs to be available beyond fiscal 1965 but to be charged against 1965 authorization: On passage. (Passed 348 to 62)	Yes
70	Apr. 8	H.R. 6675, Social Security Amendments of 1965, increasing social security benefits and taxes, and providing medical care benefits for aged: On Byrnes motion to recommit with instructions to substitute Byrnes bill, H.R. 7057, providing a voluntary comprehensive health insurance program for the aged financed by general revenue and contributions from participants. (Rejected 191 to 236)	Yes
71	Apr. 8	On passage. (Passed 313 to 115)	Yes
72	Apr. 13	H.R. 2998, authorizing appropriations for the Arms Control and Disarmament Agency: On conference report. (Agreed to 316 to 65)	Yes
74	Apr. 13	H.J. Res. 1, proposing a constitutional amendment relating to Presidential inability and succession: On passage. (Passed 368 to 29)	Yes
76	Apr. 14	H. Res. 310, authorizing $50,000 for investigation of Ku Klux Klan by Committee on Un-American Activities: On resolution. (Agreed to 313 to 43)	N.R.
78	Apr. 27	H.R. 6497, authorizing increase of $1,000,000,000 in the U.S. quota in the International Monetary Fund: On motion to recommit. (Rejected 113 to 275)	Yes
79	Apr. 27	On passage. (Passed 301 to 88)	No
83	Apr. 28	S. 4, Water Quality Act, expanding Federal assistance for water pollution control: On passage. (Passed 396 to 0)	Yes
84	Apr. 29	H.R. 7091, making supplemental appropriations for fiscal year 1965: On conference report $109,000,000 higher than House-approved bill and including Appalachia funds for use beyond fiscal 1965 but to be charged to 1965 authorization. (Agreed to 316 to 55.)	No
85	Apr. 29	On motion that House concur with Senate amendments adding funds for helicopter subsidies in New York, Chicago, and Los Angeles. (Rejected 144 to 228)	No
86	Apr. 29	H.R. 4714, authorizing annual appropriations of $150,000 for National Council on the Arts: On passage. (Passed 239 to 116)	No
87	May 3	H.R. 2986, extending and amending certain provisions of the Public Health Service Act: On passage. (Passed 347 to 0)	Yes
90	May 4	H.R. 2985, authorizing Federal grants for initial cost of professional and technical personnel for community mental health centers: On passage. (Passed 389 to 0)	Yes
92	May 5	H.J. Res. 447, providing $700,000,000 in fiscal 1965 supplemental appropriations for U.S. military operations in southeast Asia: On passage. (Passed 408 to 7)	Yes
94	May 5	H.R. 7657, authorizing $15,300,000,000 for military equipment procurement and research: On passage. (Passed 396 to 0)	Yes
96	May 6	H. Res. 366, providing for consideration of H.R. 7717, National Aeronautics and Space Administration: On resolution. (Agreed to 389 to 0)	Yes
97	May 6	H.R. 7717, authorizing fiscal 1966 appropriations for National Aeronautics and Space Administration: On passage. (Passed 389 to 11)	Yes
99	May 10	H.R. 2984, extending and expanding Federal grants for construction of health research facilities: On passage. (Passed 334 to 4)	Yes
101	May 12	S. 701, implementing the International Coffee Agreement of 1962: On passage. (Passed 300 to 97)	No
104	May 20	H.R. 8122, authorizing $2,555,521,000 for the Atomic Energy Commission in fiscal 1966: On motion to recommit with instructions to delete authority for cooperative arrangement establishing a nuclear reactor. (Rejected 43 to 313)	No
105	May 20	On passage of bill. (Passed 352 to 1)	Yes
109	May 25	H.R. 7750, authorizing appropriations for foreign aid in fiscal 1966: On motion to recommit with instructions to reduce development funds by $131,000,000 and stipulate that labor unions participating in Latin American housing projects be "non-Communist dominated." (Rejected 178 to 219)	Yes

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Roll-call No.	Date 1965	Measure, question, and result	Vote
110	May 25	On passage of bill. (Passed 249 to 148)	No
112	May 26	H.R. 8370, making appropriations for the Department of Agriculture for fiscal 1966: On motion to recommit with instructions to bar use of any funds to finance export of farm commodities to United Arab Republic or Indonesia. (Rejected 187 to 208)	Yes
113	May 26	On passage of bill. (Passed 354 to 41)	Yes
116	June 1	H.R. 8639, making appropriations for the Department of State, Justice, and Commerce, and the Judiciary: On passage. (Passed 332 to 60)	N.R.
117	June 1	H.R. 3584, extending Federal inspection and safety requirements to small coal mines: On passage. (Passed 336 to 42)	N.R.
119	June 2	H.R. 8371, reducing Federal excise taxes: On passage. (Passed 401 to 6)	N.R.
121	June 3	H.R. 7777, authorizing appointment of Gen. William F. McKee as FAA Administrator without affecting his status as retired Air Force officer: On passage. (Passed 228 to 137)	N.R.
123	June 7	H.R. 3157, permitting spouses of railroad employees to receive both railroad retirement and earned social security benefits: On motion to suspend rules and pass. (Passed 323 to 0)	Yes
126	June 8	H.R. 8775, making appropriations for the legislative branch for fiscal 1966: On motion to recommit with instructions to delete funds to provide operators for automatic elevators. (Rejected 140 to 244)	Yes
127	June 8	H.R. 7105, amending and extending the Export Control Act: On passage. (Passed 388 to 1)	Yes
129	June 9	H. Res. 413, providing for consideration of H.R. 8464, increasing the temporary national debt limit: On ordering previous question (ending debate). (Agreed to 273 to 109)	No
130	June 9	H.R. 8464, increasing the temporary national debt limit: On passage. (Passed 229 to 165)	No
131	June 9	H. Con. Res. 285, suspending the rule against USIA domestic propaganda so that President Kennedy film could be distributed in United States: On amendment requiring that film be shown without charge. (Rejected 174 to 216)	Yes
132	June 9	On resolution. (Agreed to 311 to 75)	Yes
141	June 16	H.R. 6927, establishing a Department of Housing and Urban Development: On motion to recommit with instructions to substitute bill establishing an Office of Urban Affairs and Community Development in the Executive Office of the President. (Rejected 141 to 259)	Yes
142	June 16	On passage of bill. (Passed 217 to 184)	No
143	June 16	H. Res. 416, providing funds for each Representative to hire a student intern: On resolution. (Agreed to 229 to 153)	No
145	June 21	H.R. 7743, providing loans and loan insurance for students attending vocational schools: On motion to suspend rules and pass. (Passed 300 to 0)	N.R.
146	June 21	H.R. 8620, providing price support payments for wheat, feed grain and cotton growers affected by 1965 floods and other natural disasters: On motion to suspend rules and pass. (Passed 297 to 2)	N.R.
147	June 23	H. Con. Res. 416, requesting the President to direct attention of United Nations and others to the denial of the rights of self-determination for the peoples of Estonia, Latvia, and Lithuania: On motion to suspend rules and agree to resolution. (Agreed to 298 to 0)	N.R.
153	June 23	H.R. 9221, making appropriations for the Department of Defense for fiscal 1966: On passage. (Passed 407 to 0)	Yes
155	June 24	H.J. Res. 541, extending the Area Redevelopment Act for 2 months: On passage. (Passed 224 to 167)	No
157	June 28	H. Res. 425, providing for consideration of H.R. 7984, providing rent subsidies and expanding public housing, urban renewal, and community facilities programs: On resolution. (Agreed to 230 to 115)	No
162	June 30	H.R. 7984, providing rent subsidies and expanding public housing, urban renewal, and community facilities programs: On amendment modifying rent subsidy provisions. (Adopted 240 to 179)	No
163	June 30	On motion to recommit with instructions to delete rent subsidies and other provisions. (Rejected 202 to 208)	Yes
164	June 30	On passage of bill. (Passed 245 to 169)	No
167	July 6	H. Res. 440, providing for consideration of H.R. 6400, Voting Rights Act of 1965: On resolution. (Agreed to 308 to 58)	Yes
175	July 9	H.R. 6400, Voting Rights Act of 1965: On amendment providing penalties for falsifying voting or registration information or buying votes in Federal elections. (Adopted 253 to 165)	Yes
176	July 9	H.R. 6400, Voting Rights Act of 1965: On amendment allowing political subdivisions with more than 50 percent of voting age Negroes registered to free themselves from coverage. (Rejected 155 to 262)	No
177	July 9	On amendment waiving English literacy requirements. (Rejected 202 to 216)	No
178	July 9	On motion to recommit with instructions to substitute more comprehensive bill. (Rejected 171 to 248)	Yes
179	July 9	On passage. (Passed 333 to 85)	Yes
181	July 12	H.R. 8856, permitting the Atomic Energy Commission to condemn land for overhead power transmission lines notwithstanding local ordinances prohibiting overhead lines: On motion to suspend rules and pass. (Rejected 216 to 139, a 2/3 majority being required)	No
182	July 12	H.R. 242, requiring Government summer jobs in Washington, D.C., to be apportioned among residents of all States: On motion to suspend rules and pass. (Passed 336 to 22)	Yes
185	July 13	S. 559, requiring warning labels on cigarette packages: On conference report. (Agreed to 286 to 103)	Yes
188	July 14	H.R. 8926, removing silver from coinage except for 40 percent in half-dollars: On amendment retaining 40 percent silver in dimes and quarters. (Rejected 187 to 218)	Yes
189	July 14	On passage. (Passed 255 to 151)	No
193	July 20	H.R. 9075, increasing military pay: On passage. (Passed 410 to 0)	Yes
196	July 22	H.R. 8283, authorizing increase in "poverty" program funds to $1,900,000,000 in fiscal 1966: On motion to recommit with instructions to maintain Governors' veto and fiscal 1965 level of spending ($947,500,000). (Rejected 178 to 227)	Yes
197	July 22	On passage. (Passed 245 to 158)	No
199	July 26	H. Res. 437, providing for consideration of H.R. 77, repealing sec. 14(b) of the Taft-Hartley Act permitting State right-to-work laws: On ordering previous question (ending debate). (Agreed to 248 to 171)	No
203	July 27	H.R. 6675, Social Security Amendments of 1965, increasing social security benefits and providing medical care benefits to the aged: On conference report. (Agreed to 307 to 116)	Yes
204	July 27	H.R. 7984, providing rent subsidies and expanding public housing, urban renewal, and community facilities programs: On conference report. (Agreed to 251 to 168)	No
205	July 27	H.R. 2985, authorizing Federal-grants for initial cost of professional and technical personnel for community mental health centers: On conference report. (Agreed to 414 to 0)	Yes
208	July 28	H.R. 77, repealing sec. 14(b) of the Taft-Hartley Act permitting State right-to-work laws: On motion to recommit. (Rejected 200 to 223)	Yes
209	July 28	On passage. (Passed 221 to 203)	No
212	July 29	H.R. 8856, permitting the Atomic Energy Commission to condemn land for overhead power transmission lines notwithstanding local ordinances prohibiting overhead lines: On passage. (Passed 275 to 126)	No
214	Aug. 2	S.J. Res. 81, authorizing increase in funds for Interstate Highway System in fiscal 1967: On motion to suspend rules and pass. (Passed 313 to 11)	Yes
215	Aug. 2	H.R. 8027, providing assistance in training State and local law-enforcement officers: On motion to suspend rules and pass. (Passed 326 to 0)	Yes
216	Aug. 2	H.R. 6964, authorizing certain rehabilitation practices for Federal prisoners: On motion to suspend rules and pass. (Passed 325 to 0)	Yes
218	Aug. 3	S. 1564, Voting Rights Act of 1965: On motion to recommit conference report with instructions to disagree to Senate language allowing political subdivisions with more than 50 percent of voting-age Negroes registered to free themselves from coverage. (Rejected 118 to 284)	Yes
219	Aug. 3	On conference report. (Agreed to 328 to 74)	Yes
220	Aug. 3	H.R. 8469, increasing civil service retirement annuities: On passage. (Passed 396 to 0)	Yes
221	Aug. 4	H.R. 8439, authorizing certain military construction: On conference report. (Agreed to 389 to 0)	Yes
222	Aug. 4	S. 1742, authorizing certain changes in World Bank Charter: On passage. (Passed 331 to 54)	Yes

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Roll-call No.	Date 1965	Measure, question, and result	Vote
224	Aug. 5	H. Res. 498, providing for consideration of H.R. 4750, extending interest equalization tax: On resolution. (Agreed to 329 to 44)	Yes
225	Aug. 5	H.R. 4750, extending interest equalization tax: On passage. (Passed 274 to 97)	No
228	Aug. 9	H.R. 9918, strengthening motor vehicle financial responsibility laws of the District of Columbia: On amendment substituting unsatisfied judgment fund plan. (Adopted 173 to 156)	N R.
230	Aug. 10	H.R. 10306, making it a crime to knowingly destroy or mutilate a draft card: On passage. (Passed 393 to 1)	N.R.
234	Aug. 12	S. 1648, Public Works and Economic Development Act, authorizing $3,250,000,000 in grants and loans for regional development: On amendment further expanding public works and development facilities grants. (Agreed to 196 to 194)	N.R.
235	Aug. 12	On motion to recommit with instructions to delete loans, provide for annual congressional review, and require use of American-made products. (Rejected 163 to 224)	N.R.
236	Aug. 12	On passage. (Passed 246 to 138)	N.R.
238	Aug. 16	H.R. 6431, providing that certain forms of nickel be admitted duty free: On motion to suspend rules and pass. (Passed 298 to 48)	N.R.
239	Aug. 16	H.R. 8635, establishing a Federal Boxing Commission: On motion to suspend rules and pass. (Passed 346 to 4)	N.R.
242	Aug. 19	H.R. 7750, authorizing $3,360,000,000 for foreign aid in fiscal 1966: On conference report. (Agreed to 244 to 150)	No
243	Aug. 19	H.R. 9811, omnibus farm bill of 1965: On motion to recommit. (Rejected 169 to 224)	Yes
244	Aug. 19	On passage of bill. (Passed 221 to 172)	No
246	Aug. 24	H.R. 10586, making supplemental appropriations of $1,200,000,000 for Department of Labor and Health, Education, and Welfare for fiscal 1966 including $1,000,000,000 for elementary and secondary education: On motion to recommit so that all supplemental requests can be considered at the same time. (Rejected 139 to 263)	No
248	Aug. 25	H.R. 2580, eliminating national origins quota system in immigration, providing for admission of Western Hemisphere immigrants and relatives of U.S. citizens without limitation, establishing priorities, and fixing annual limit of 170,000 for all others: On amendment placing Western Hemisphere under numerical limitation. (Rejected 189 to 218)	Yes
249	Aug. 25	On passage. (Passed 318 to 95)	Yes
252	Aug. 26	H.R. 9567, authorizing a 5-year program of assistance to institutions of higher education and to students attending such institutions: On passage. (Passed 368 to 22)	Yes
253	Aug. 30	H.R. 9022, authorizing disaster assistance to elementary and secondary schools and making more cities eligible for "impacted" school aid: On passage. (Passed 305 to 37)	Yes
254	Aug. 31	H. Res. 551, providing for consideration of H.R. 9042, authorizing agreement with Canada on duty-free treatment of automobiles and parts: On resolution. (Agreed to 363 to 23)	Yes
255	Aug. 31	H.R. 9042, authorizing agreement with Canada on duty-free treatment of automobiles and parts: On passage. (Passed 280 to 113)	Yes
257	Sept. 1	H.R. 3141, expanding the health professions educational assistance program: On passage. (Passed 340 to 47)	Yes
259	Sept. 2	H.R. 5863, authorizing research into high-speed ground transportation: On passage. (Passed 317 to 24)	Yes
262	Sept. 7	H.R. 8439, authorizing certain military construction in fiscal 1966: On motion to table motion to discharge Committee on Armed Services from further consideration of H.R. 8439. (Agreed to 323 to 19)	Yes
263	Sept. 7	H.R. 10775, authorizing certain military construction in fiscal 1966: On motion to suspend rules and pass. (Passed 347 to 0)	N.R.
264	Sept. 7	H.R. 168, increasing veterans' disability compensation: On motion to suspend rules and pass. (Passed 348 to 0)	N.R.
265	Sept. 7	S.J. Res. 102, authorizing funds for the President's Crime Commission: On motion to suspend rules and pass. (Passed 339 to 0)	N.R.
269	Sept. 8	H.R. 10871, making appropriations of $4,001,453,600 for foreign aid and Export-Import Bank in fiscal 1966: On passage. (Passed 239 to 143)	No
273	Sept. 13	On motion to dispense with further proceedings under rollcall No. 272. (Agreed to 226 to 126)	Yes
275	Sept. 13	On motion to dispense with further proceedings under rollcall No. 274. (Agreed to 244 to 127)	Yes
279	Sept. 13	On motion to dispense with further proceedings under rollcall No. 278. (Agreed to 256 to 124)	Yes
281	Sept. 13	On motion to dispense with further proceedings under rollcall No. 280. (Agreed to 255 to 121)	Yes
282	Sept. 13	On motion to table motion to order previous question (end debate) on motion that Journal of Sept. 9 be approved as read. (Rejected 138 to 245)	No
283	Sept. 13	On ordering previous question (ending debate) on motion to approve Journal. (Agreed to 257 to 126)	Yes
284	Sept. 13	On motion that Journal stand approved as read. (Agreed to 265 to 119)	Yes
285	Sept. 13	On motion to adjourn. (Rejected 175 to 204)	No
286	Sept. 13	H. Res. 506, providing for consideration of H.R. 10065, Equal Employment Opportunity Act: On resolution. (Agreed to 259 to 121)	Yes
287	Sept. 13	On motion to table motion to reconsider vote on rollcall No. 286. (Agreed to 194 to 181)	No
288	Sept. 13	On motion to adjourn. (Rejected 173 to 201)	Yes
290	Sept. 13	On motion to dispense with further proceedings under rollcall No. 289. (Agreed to 243 to 136)	N.R.
291	Sept. 13	H. Res. 499, providing for consideration of H.R. 7371, repealing an exemption from the Bank Holding Company Act: On resolution. (Agreed to 201 to 171)	No
292	Sept. 13	H. Res. 478, providing for consideration of H.R. 9460, providing for establishment of National Foundation on the Arts and Humanities: On resolution. (Agreed to 260 to 114)	Yes
293	Sept. 13	H. Res. 536, providing for consideration of H.R. 10281, adjusting pay of Federal employees: On resolution. (Agreed to 289 to 84)	Yes
296	Sept. 14	H.R. 2091, establishing concession policies in National Park Service areas: On motion to recommit. (Rejected 73 to 298)	No
299	Sept. 15	H.R. 8283, authorizing increase in poverty program funds to $1,800,000,000 in fiscal 1966: On motion to recommit conference report with instructions to insist on House provision maintaining Governors' veto. (Agreed to 209 to 180)	Yes
301	Sept. 15	H.R. 9460, establishing a National Foundation on the Arts and Humanities: On motion to recommit. (Rejected 128 to 251)	No
303	Sept. 16	H. Res. 574, directing Postmaster General to provide names of 1965 summer employees: On motion to table resolution. (Adopted 185 to 181)	No
304	Sept. 16	S. 2042, extending indemnity provisions of Atomic Energy Act: On passage. (Passed 338 to 30)	Yes
306	Sept. 17	H.R. 9221, making appropriations for Department of Defense for fiscal 1966: On conference report. (Agreed to 382 to 0)	Yes
307	Sept. 17	H. Res. 585, dismissing election contests of 5 Mississippi Representatives: On resolution. (Agreed to 228 to 143)	Yes
309	Sept. 20	H.R. 10873, establishing program of group life insurance for members of armed services on active duty: On motion to suspend rules and pass. (Agreed to 362 to 0)	Yes
310	Sept. 20	H. Res. 460, expressing sense of House of Representatives that the United States and other American States take whatever steps necessary to prevent communistic aggression in Western Hemisphere: On motion to suspend rules and pass. (Agreed to 312 to 52)	Yes
313	Sept. 21	S. 4, Water Quality Act, expanding Federal assistance for water pollution control: On conference report. (Agreed to 381 to 0)	Yes
315	Sept. 22	S. 2300, authorizing construction and repair of certain public works on rivers and harbors: On amendment deleting $277,000,000 Dickey-Lincoln power project in Maine. (Adopted 207 to 185)	Yes
316	Sept. 22	H.R. 30, providing for participation of United States in Inter-American Cultural Center in Florida and authorizing $15,000,000 for U.S. exhibit: On passage. (Passed 255 to 112)	Yes
318	Sept. 22	On motion to adjourn. (Rejected 90 to 204)	Yes
320	Sept. 23	H.R. 7371, repealing an exemption from the Bank Holding Company Act: On amendment repealing all major exemptions from act. (Adopted 199 to 178)	No
321	Sept. 23	H. Res. 580, providing for consideration of H.R. 10232, authorizing matching grants for rural water and sanitation facilities: On ordering previous question (ending debate). (Agreed to 280 to 70)	Yes
322	Sept. 23	H.R. 10232, authorizing matching grants for rural water and sanitation facilities: On passage. (Passed 326 to 10)	Yes
324	Sept. 24	S. 306, authorizing standards to control air pollution from automobiles and a research and development program on solid waste disposal: On motion to recommit with instructions to delete solid waste disposal provisions. (Rejected 80 to 220)	No
325	Sept. 24	On passage of bill. (Passed 294 to 4)	Yes

1st session—89th Congress—Continued

Roll-call No.	Date 1965	Measure, question, and result	Vote
327	Sept. 27	On motion to discharge Committee on Rules from further consideration of H. Res. 515, providing for consideration of H.R. 4644, home rule for the District of Columbia. (Adopted 213 to 183)	No
328	Sept. 27	H. Res. 515, providing for consideration of H.R. 4644, home rule for the District of Columbia: On resolution. (Agreed to 223 to 179)	No
330	Sept. 27	On motion that House immediately consider H.R. 4644, home rule for the District of Columbia. (Agreed to 224 to 155)	No
336	Sept. 29	H.R. 4644, providing home rule for the District of Columbia: On motion to strike the enacting clause. (Rejected 179 to 219)	Yes
337	Sept. 29	On amendment substituting Charter Board home rule plan. (Adopted 227 to 174)	Yes
338	Sept. 29	On motion to recommit. (Rejected 134 to 267)	No
339	Sept. 29	On passage. (Passed 283 to 117)	Yes
341	Sept. 30	H.R. 2580, eliminating national origins quota system in immigration, providing for admission of relatives of U.S. citizens without limitation, establishing priorities, and fixing annual limitations: On conference report. (Agreed to 320 to 69)	Yes
342	Sept. 30	H.R. 10281, increasing pay of Federal employees: On motion to recommit with instructions to remove automatic future increases for judges, executives, and Members of Congress and the cabinet. (Agreed to 238 to 140)	Yes
343	Sept. 30	On passage. (Passed 370 to 7)	Yes
345	Oct. 1	H.J. Res. 642, authorizing an additional Library of Congress building to be named James Madison Memorial Building: On motion to recommit with instructions to create visitors' center. (Rejected 17 to 321)	No
346	Oct. 1	On passage. (Passed 328 to 5)	Yes
247	Oct. 1	H.R. 10871, making appropriations for foreign aid: On motion to recommit conference report with instructions to insist upon retention of provision prohibiting aid to countries that furnish aid to North Vietnam. (Rejected 164 to 174)	Yes
348	Oct. 1	On conference report. (Agreed to 204 to 127)	No
349	Oct. 1	H.R. 3142, providing Federal grants for medical library services and facilities: On passage. (Passed 296 to 3)	Yes
350	Oct. 1	H.R. 6519, providing for completion of Jefferson National Memorial, St. Louis: On passage. (Passed 250 to 12)	Yes
353	Oct. 7	S.J. Res. 32, authorizing compensation to Ryukyu Islands for use and damage by U.S. Armed Forces: On resolution. (Agreed to 312 to 55)	Yes
354	Oct. 7	H.R. 2020, authorizing $20,000,000 for construction of southern Nevada water project: On passage. (Passed 240 to 134)	Yes
356	Oct. 7	S. 2084, authorizing $325,000,000 for highway beautification: On motion to recommit with instructions to give States authority to determine areas in which outdoor advertising and junkyards would be permitted. (Rejected 153 to 230)	Yes
357	Oct. 7	On passage of bill. (Passed 245 to 138)	No
359	Oct. 8	H.R. 9811, omnibus farm bill: On conference report. (Adopted 219 to 150)	N.V.A.
363	Oct. 12	H. Res. 598, providing for consideration of H.R. 11135, allocating sugar quotas: On resolution. (Agreed to 253 to 80)	N.R.
366	Oct. 13	H.R. 11135, allocating sugar quotas: On motion to recommit with instructions to add special fee on imports. (Rejected 160 to 230)	Yes
367	Oct. 13	On passage. (Passed 246 to 147)	No
369	Oct. 14	H.R. 11588, making supplemental appropriations $4,200,000,000 for fiscal 1966: On amendment deleting funds for rent subsidies. (Adopted 185 to 162)	Yes
370	Oct. 14	On passage. (Passed 242 to 100)	No
376	Oct. 20	H.R. 9567, authorizing a 5-year program of assistance to institutions of higher education and to students attending such institutions: On motion to recommit conference report with instructions to disagree to Senate language. (Rejected 152 to 226)	Yes
377	Oct. 20	On conference report. (Agreed to 313 to 63)	Yes
378	Oct. 20	S. 2300, authorizing construction and repair of certain public works on rivers and harbors, including $277,000,000 for Dickey-Lincoln power project in Maine: On conference report. (Agreed to 221 to 189)	No
380	Oct. 21	H.R. 11588, making supplemental appropriations of $4,700,000,000 for fiscal 1966: On conference report. (Agreed to 250 to 84)	No
381	Oct. 21	On motion to agree to amendment providing $800,000 for preliminary planning of Dickey-Lincoln power project in Maine. (Agreed to 166 to 162)	No
383	Oct. 22	H.R. 11135, allocating sugar quotas: On conference report. (Agreed to 174 to 88)	No

2d session—89th Congress

	1966		
3	Jan. 27	H. Res. 665, a resolution authorizing funds for the Committee on Un-American Activities: On resolution. (Agreed to 299 to 24)	N.R.
6	Feb. 2	H. Res. 699, contempt citation against leader of Ku Klux Klan: On resolution. (Agreed to 344 to 28)	N.R.
7	Feb. 2	H. Res. 700, contempt citation against Calvin Craig: On motion to recommit with instructions. (Rejected 57 to 307)	N.R.
9	Feb. 3	H. Res. 706, a resolution to provide for participation of the United States in the Inter-American Cultural and Trade Center: On resolution. (Agreed to 201 to 141)	N.R.
11	Feb. 7	H.R. 12410, a bill providing a broad program of educational benefits for veterans of the Armed Services after January 31, 1955: On motion to suspend and pass. (Agreed to 381 to 0)	Yes
13	Feb. 8	S. 1698, an act to establish a procedure for the review of proposed bank mergers: On passage. (Passed 372 to 17)	Yes
15	Feb. 9	H.R. 12563, a bill to provide for the participation of the United States in the Asian Development Bank: On motion to suspend rules and pass. (Agreed to 293 to 80)	No
16	Feb. 9	H.R. 706, a bill amending the Railway Labor Act to make provisions for special boards to resolve disputes between railway labor—management: On passage. (Passed 380 to 0)	Yes
18	Feb. 23	H. Res. 736, a resolution providing for the consideration of H.R. 12752, the tax adjustment bill: On resolution. (Agreed to 327 to 50)	Yes
19	Feb. 23	H.R. 12752, Excise tax increase: On a motion against increasing excise taxes. (Rejected 187 to 207)	Yes
20	Feb. 23	On final passage to increase excise taxes. (Passed 246 to 146)	No
22	Feb. 24	H. Res. 742, a resolution providing for consideration of H.R. 12169 to provide economic assistance for Viet Nam and other emergency situations: On resolution. (Agreed to 360 to 11)	Yes
23	Feb. 24	H.R. 12169, supplemental economic assistance authorization for Viet Nam and other emergency situations: On motion to recommit and keep Congressional control over $315 million in foreign aid. (Rejected 169 to 213)	Yes
24	Feb. 24	On passage. (Passed 350 to 27)	Yes
26	Mar. 1	H.R. 12889, a bill authorizing $4.86 billions in supplemental military defense appropriations: On passage. (Passed 393 to 4)	Yes
28	Mar 2	S. 1666, an act to provide for the appointment of additional circuit and district judges: On passage. (Passed 371 to 23)	Yes
30	Mar. 2	H.R. 9963, a bill providing $4.6 million for the Alaska Centennial: On passage. (Passed 202 to 173)	No
33	Mar. 3	H.R. 12322, cotton research and promotion: On motion to recommit with instructions to change the cotton grower voting procedure. (Rejected 185 to 191)	Yes
34	Mar. 3	On final passage. (Passed 189 to 183)	No
36	Mar. 15	H.R. 12752, excise tax and withholding tax increases: On passage of the conference report on the Tax Adjustment Bill including increase of excise taxes. (Agreed to 288 to 102)	No
38	Mar. 15	H.R. 13546, a bill appropriating $13 billion in defense funds and military assistance mostly for U.S. operations in Viet Nam: On passage. (Passed 389 to 3)	Yes
40	Mar. 16	H.R. 6785, a bill to establish uniform dates throughout the U.S. for the commencing and ending of daylight saving time: On passage. (Passed 292 to 93)	No

2nd session—89th Congress—Continued

Roll call No.	Date 1966	Measure, question, and result	Vote
42	Mar. 21	H.R. 13448, a bill to provide air mail service at regular mail rates for American servicemen overseas: On motion to suspend rules and pass. (Agreed to 304 to 0)	Yes
44	Mar. 22	H. Res. 774, a resolution providing for the consideration of S. 2394, a bill authorizing the construction of an official mansion for the Vice-President: On resolution. (Agreed to 236 to 135)	No
45	Mar. 22	S. 2394, an act to provide for the acquisition of an official residence for the Vice-President: On passage. (Passed 197 to 184)	No
48	Mar. 29	H.R. 14012, second supplemental appropriations: On motion to recommit (Rejected 190 to 198)	Yes
49	Mar. 29	On passage. (Passed 269 to 122)	Yes
50	Mar. 30	S. 1404, Daylight Saving Time: On passage of conference report to give states the right to decide if they want daylight saving time. (Agreed to 282 to 91)	Yes
53	Mar. 31	H. Res. 802, a resolution providing for the consideration of S. 2729, a bill to amend the Small Business Act: On resolution. (Agreed to 363 to 4)	Yes
54	Mar. 31	S. 2729, an act to amend the Small Business Act: On passage. (Passed 373 to 0)	Yes
58	Apr. 6	H.R. 14224, a bill to extend the deadline for supplementary medical insurance enrollment for the aged: On passage. (Passed 387 to 0)	Yes
59	Apr. 6	H.R. 14122, a bill to provide salary adjustments for Federal employees: On motion to suspend rules and pass. (Agreed to 393 to 1)	Yes
60	Apr. 6	H.R. 14215, Interior Department appropriations: On motion to recommit with instructions to reduce all appropriations by 5%. (Rejected 157 to 233)	Yes
61	Apr. 6	On passage. (Passed 370 to 16)	Yes
62	Apr. 6	H.R. 14266, Post Office-Treasury appropriations: On motion to recommit with instructions to reduce all appropriations by 5%. (Rejected 127 to 244)	N.R.
63	Apr. 6	On passage. (Passed 368 to 2)	N.R.
65	Apr. 19	H.R. 7406, a bill to authorize a third powerplant at the Grand Coulee Dam: On committee amendment to use Grand Coulee Dam revenues for other basin projects. (Agreed to 240 to 111)	Yes
66	Apr. 19	S. 1761, a bill to authorize a third powerplant at the Grand Coulee Dam: On passage of motion to substitute text of House bill for Senate bill. (Agreed to 249 to 79)	Yes
68	Apr. 20	H. Res. 756, a resolution expressing disapproval by House of Representatives of a plan to transfer the Community Relations Service from the Commerce Department to the Justice Department: On resolution. (Rejected 163 to 220)	No
70	Apr. 26	H.R. 14596, Agriculture Department appropriations: On motion to recommit with instructions to penalize nations trading with Communist North Vietnam. (Agreed to 290 to 98)	Yes
71	Apr. 26	On passage. (Passed 366 to 23)	Yes
74	Apr. 27	H.R. 10065, a bill to more effectively prohibit discrimination in employment: On passage. (Passed 300 to 93)	Yes
76	Apr. 28	H.R. 13881, a bill to halt interstate traffic in stolen pets: On passage. (Passed 352 to 10)	Yes
80	May 3	H.R. 14324, National Aeronautics and Space Administration appropriations: On motion to recommit with instructions to earmark $20 million of the funds for research on the reduction of aircraft noise. (Rejected 90 to 271.)	No
81	May 3	On passage. (Passed 349 to 10)	Yes
86	May 5	H.R. 14745, Department of Labor, and Health, Education, and Welfare Appropriations: On motion to recommit with instructions to reduce all appropriations by 5%. (Rejected 143 to 236)	Yes
87	May 5	On passage. (Passed 355 to 27)	Yes
91	May 10	H.R. 14921, Independent Offices appropriations: On amendment to include funds in this bill to finance the rent supplement program. (Agreed to 192 to 188)	No
92	May 10	On passage. (Passed 297 to 82)	Yes
94	May 11	H.R. 14088, a bill authorizing an improved health benefits program for members and retired members of the uniformed services and their dependents: On passage. (Passed 358 to 0)	Yes
97	May 12	S. 1098, an act to amend the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply: On passage. (Passed 306 to 27)	Yes
98	May 16	S. 693, a bill to strengthen Foreign Agents Registration Act: On passage. (Passed 285 to 0)	Yes
100	May 16	H. Res. 852, resolution providing for consideration of H. R. 15444, Participation Sales Act, providing for borrowing money through sale of participation certificates at high interest rates: On resolution. (Agreed to 184 to 120)	No
105	May 18	H.R. 14215, Interior Department appropriations: A vote to adopt the conference report on the Interior Appropriations Bill. (Agreed to 378 to 10)	Yes
106	May 18	H.R. 14544, Participation Sales Act: On motion to recommit with instructions to amend the bill to limit the interest rate on participation sales. (Rejected 180 to 217)	Yes
107	May 18	On passage. (Passed 206 to 190)	No
113	May 26	H.R. 13712, Minimum Wage Amendments: On an amendment to exempt from eventual coverage by the bill various firms with gross sales in the $250,000 to $500,000 range. (Rejected 195 to 200)	No
114	May 26	On an amendment to delay the minimum wage increase until 1969. (Agreed to 205 to 194)	Yes
115	May 26	On a motion to recommit with instructions to delete agricultural and food processors' employees. (Rejected 167 to 232)	Yes
116	May 26	On passage. (Passed 303 to 93)	Yes
120	June 1	H.R. 9167, narcotic addicts rehabilitation: On a motion to recommit with instructions to differentiate between dope addicts and dope peddlers in application of Narcotics Law. (Agreed to 198 to 168)	Yes
121	June 1	On passage. (Passed 367 to 1)	Yes
123	June 2	H.R. 14050, a bill to extend and amend the Library Services and Construction Act: On passage. (Passed 337 to 2)	Yes
124	June 6	H.R. 14643, a bill to provide for the strengthening of American educational resources for international studies and research: On motion to suspend rules and pass. (Agreed to 195 to 90)	Yes
125	June 6	H.R. 10, a bill to liberalize the provisions of the Self-Employment Individuals Retirement Act: On motion to suspend the rules and pass. (Agreed to 291 to 0)	Yes
127	June 7	H.R. 15456, legislative appropriations: On passage. (Passed 341 to 2)	Yes
128	June 7	S. 1357, an act to revise existing bail practices in courts of the United States: On passage. (Passed 319 to 14)	Yes
30	June 8	H. Res. 882, a resolution to consider H.R. 15202, a bill raising the National Debt limit ceiling: On resolution. (Agreed to 205 to 153)	No
31	June 8	H.R. 15202, to raise the National Debt ceiling to $330 billion: On passage. (Passed 199 to 165)	No
33	June 9	H.R. 14929, a bill to promote international trade in agricultural commodities: On amendment to provide 40-year financing and 10-year grace period. (Agreed to 193 to 165)	No
34	June 9	On a motion to recommit with instructions to prohibit sales of agricultural commodities to certain Communist countries and prohibit Secretary of Agriculture from selling feed grains and wheat into U.S. market at less than 80% of parity. (Rejected 157 to 200)	Yes
35	June 9	On passage. (Passed 333 to 20)	Yes
37	June 13	H.R. 14019, Foreign Service Buildings, an act to authorize appropriations for: On passage. (Passed 290 to 3)	Yes
41	June 14	S. 2950, to authorize appropriations for procurement of aircraft, missiles, naval vessels, and other defense needs: On passage. (Passed 356 to 2)	Yes
45	June 14	H.R. 14025, Defense Production Act: On an amendment to give President authority to control consumer credit. (Rejected 73 to 275)	N.R
47	June 20	S. 1160, an act to amend the Administrative Procedure Act: On motion to suspend rules and pass. (Passed 307 to 0)	N.R.
48	June 20	H.R. 10860, to amend the Connally Hot Oil Act: On motion to suspend rules and pass. (Passed 308 to 1)	N.R.
50	June 22	H.R. 15119, a bill to extend and improve the Federal-State unemployment compensation program: On passage. (Passed 375 to 10)	Yes
52	June 23	H.R. 13196, a bill to amend the Public Health Service Act to increase the training opportunities in health professions: On passage. (Passed 364 to 0)	Yes

1st session—89th Congress—Continued

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359	Oct. 8	**H.R. 9811, omnibus farm bill:** **On conference report. (Adopted 219 to 150)**	N.V.A.
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2d session—89th Congress

	1966		
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7	Feb. 2	**H. Res. 700, contempt citation against Calvin Craig:** **On motion to recommit with instructions. (Rejected 57 to 307)**	N.R.
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15	Feb. 9	**H.R. 12563, a bill to provide for the participation of the United States in the Asian Development Bank:** **On motion to suspend rules and pass. (Agreed to 293 to 80)**	No
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19	Feb. 23	**H.R. 12752, Excise tax increase:** **On a motion against increasing excise taxes. (Rejected 187 to 207)**	Yes
20	Feb. 23	**On final passage to increase excise taxes. (Passed 246 to 146)**	No
22	Feb. 24	**H. Res. 742, a resolution providing for consideration of H.R. 12169 to provide economic assistance for Viet Nam and other emergency situations:** **On resolution. (Agreed to 360 to 11)**	Yes
23	Feb. 24	**H.R. 12169, supplemental economic assistance authorization for Viet Nam and other emergency situations:** **On motion to recommit and keep Congressional control over $315 million in foreign aid. (Rejected 169 to 213)**	Yes
24	Feb. 24	**On passage. (Passed 350 to 27)**	Yes
26	Mar. 1	**H.R. 12889, a bill authorizing $4.86 billions in supplemental military defense appropriations:** **On passage. (Passed 393 to 4)**	Yes
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30	Mar. 2	**H.R. 9963, a bill providing $4.6 million for the Alaska Centennial:** **On passage. (Passed 202 to 173)**	No
33	Mar. 3	**H.R. 12322, cotton research and promotion:** **On motion to recommit with instructions to change the cotton grower voting procedure. (Rejected 135 to 191)**	Yes
34	Mar. 3	**On final passage. (Passed 189 to 183)**	No
36	Mar. 15	**H.R. 12752, excise tax and withholding tax increases:** **On passage of the conference report on the Tax Adjustment Bill including increase of excise taxes. (Agreed to 288 to 102)**	No
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40	Mar. 16	**H.R. 6785, a bill to establish uniform dates throughout the U.S. for the commencing and ending of daylight saving time:** **On passage. (Passed 292 to 93)**	No

2nd session—89th Congress—Continued

Roll call No.	Date 1966	Measure, question, and result	Vote
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45	Mar. 22	S. 2394, an act to provide for the acquisition of an official residence for the Vice-President: On passage. (Passed 197 to 184)	No
48	Mar. 29	H.R. 14012, second supplemental appropriations: On motion to recommit (Rejected 190 to 198)	Yes
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50	Mar. 30	S. 1404, Daylight Saving Time: On passage of conference report to give states the right to decide if they want daylight saving time. (Agreed to 282 to 91)	Yes
53	Mar. 31	H. Res. 802, a resolution providing for the consideration of S. 2729, a bill to amend the Small Business Act: On resolution. (Agreed to 363 to 4)	Yes
54	Mar. 31	S. 2729, an act to amend the Small Business Act: On passage. (Passed 373 to 0)	Yes
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59	Apr. 6	H.R. 14122, a bill to provide salary adjustments for Federal employees: On motion to suspend rules and pass. (Agreed to 393 to 1)	Yes
60	Apr. 6	H.R. 14215, Interior Department appropriations: On motion to recommit with instructions to reduce all appropriations by 5%. (Rejected 157 to 233)	Yes
61	Apr. 6	On passage. (Passed 370 to 16)	Yes
62	Apr. 6	H.R. 14266, Post Office-Treasury appropriations: On motion to recommit with instructions to reduce all appropriations by 5%. (Rejected 127 to 244)	N.R.
63	Apr. 6	On passage. (Passed 368 to 2)	N.R.
65	Apr. 19	H.R. 7406, a bill to authorize a third powerplant at the Grand Coulee Dam: On committee amendment to use Grand Coulee Dam revenues for other basin projects. (Agreed to 240 to 111)	Yes
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71	Apr. 26	On passage. (Passed 366 to 23)	Yes
74	Apr. 27	H.R. 10065, a bill to more effectively prohibit discrimination in employment: On passage. (Passed 300 to 93)	Yes
76	Apr. 28	H.R. 13881, a bill to halt interstate traffic in stolen pets: On passage. (Passed 352 to 10)	Yes
80	May 3	H.R. 14324, National Aeronautics and Space Administration appropriations: On motion to recommit with instructions to earmark $20 million of the funds for research on the reduction of aircraft noise. (Rejected 90 to 271.)	No
81	May 3	On passage. (Passed 349 to 10)	Yes
86	May 5	H.R. 14745, Department of Labor, and Health, Education, and Welfare Appropriations: On motion to recommit with instructions to reduce all appropriations by 5%. (Rejected 143 to 236)	Yes
87	May 5	On passage. (Passed 355 to 27)	Yes
91	May 10	H.R. 14921, Independent Offices appropriations: On amendment to include funds in this bill to finance the rent supplement program. (Agreed to 192 to 188)	No
92	May 10	On passage. (Passed 297 to 82)	Yes
94	May 11	H.R. 14088, a bill authorizing an improved health benefits program for members and retired members of the uniformed services and their dependents: On passage. (Passed 358 to 0)	Yes
97	May 12	S. 1098, an act to amend the Interstate Commerce Act to insure the adequacy of the national railroad freight car supply: On passage. (Passed 306 to 27)	Yes
98	May 16	S. 693, a bill to strengthen Foreign Agents Registration Act: On passage. (Passed 285 to 0)	Yes
100	May 16	H. Res. 852, resolution providing for consideration of H.R. 15444, Participation Sales Act, providing for borrowing money through sale of participation certificates at high interest rates: On resolution. (Agreed to 184 to 120)	No
105	May 18	H.R. 14215, Interior Department appropriations: A vote to adopt the conference report on the Interior Appropriations Bill. (Agreed to 378 to 10)	Yes
106	May 18	H.R. 14544, Participation Sales Act: On motion to recommit with instructions to amend the bill to limit the interest rate on participation sales. (Rejected 180 to 217)	Yes
107	May 18	On passage. (Passed 206 to 190)	No
113	May 26	H.R. 13712, Minimum Wage Amendments: On an amendment to exempt from eventual coverage by the bill various firms with gross sales in the $250,000 to $500,000 range. (Rejected 195 to 200)	No
114	May 26	On an amendment to delay the minimum wage increase until 1969. (Agreed to 205 to 194)	Yes
115	May 26	On a motion to recommit with instructions to delete agricultural and food processors' employees. (Rejected 167 to 232)	Yes
116	May 26	On passage. (Passed 303 to 93)	Yes
120	June 1	H.R. 9167, narcotic addicts rehabilitation: On a motion to recommit with instructions to differentiate between dope addicts and dope peddlers in application of Narcotics Law. (Agreed to 198 to 168)	Yes
121	June 1	On passage. (Passed 367 to 1)	Yes
123	June 2	H.R. 14050, a bill to extend and amend the Library Services and Construction Act: On passage. (Passed 337 to 2)	Yes
124	June 6	H.R. 14643, a bill to provide for the strengthening of American educational resources for international studies and research: On motion to suspend rules and pass. (Agreed to 195 to 90)	Yes
125	June 6	H.R. 10, a bill to liberalize the provisions of the Self-Employment Individuals Retirement Act: On motion to suspend the rules and pass. (Agreed to 291 to 0)	Yes
127	June 7	H.R. 15456, legislative appropriations: On passage. (Passed 341 to 2)	Yes
128	June 7	S. 1357, an act to revise existing bail practices in courts of the United States: On passage. (Passed 319 to 14)	Yes
130	June 8	H. Res. 882, a resolution to consider H.R. 15202, a bill raising the National Debt limit ceiling: On resolution. (Agreed to 205 to 153)	No
131	June 8	H.R. 15202, to raise the National Debt ceiling to $330 billion: On passage. (Passed 199 to 165)	No
133	June 9	H.R. 14929, a bill to promote international trade in agricultural commodities: On amendment to provide 40-year financing and 10-year grace period. (Agreed to 193 to 165)	No
134	June 9	On a motion to recommit with instructions to prohibit sales of agricultural commodities to certain Communist countries and prohibit Secretary of Agriculture from selling feed grains and wheat into U.S. market at less than 80% of parity. (Rejected 157 to 200)	Yes
135	June 9	On passage. (Passed 333 to 20)	Yes
137	June 13	H.R. 14019, Foreign Service Buildings, an act to authorize appropriations for: On passage. (Passed 290 to 3)	Yes
141	June 14	S. 2950, to authorize appropriations for procurement of aircraft, missiles, naval vessels, and other defense needs: On passage. (Passed 356 to 2)	Yes
145	June 14	H.R. 14025, Defense Production Act: On an amendment to give President authority to control consumer credit. (Rejected 73 to 275)	N.R
147	June 20	S. 1160, an act to amend the Administrative Procedure Act: On motion to suspend rules and pass. (Passed 307 to 0)	N.R.
148	June 20	H.R. 10860, to amend the Connally Hot Oil Act: On motion to suspend rules and pass. (Passed 308 to 1)	N.R.
150	June 22	H.R. 15119, a bill to extend and improve the Federal-State unemployment compensation program: On passage. (Passed 375 to 10)	Yes
152	June 23	H.R. 13196, a bill to amend the Public Health Service Act to increase the training opportunities in health professions: On passage. (Passed 364 to 0)	Yes

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Roll Call No.	Date 1966	Measure, question, and result	Vote
154	June 27	H. Res. 875, providing for consideration of H.R. 14904, to revise postal rates: On resolution. (Agreed to 222 to 148)	No
155	June 27	H.R. 5426, a bill to outlaw common law marriages in the District of Columbia: On motion to recommit. (Rejected 39 to 328)	No
159	July 12	S. 2950, Defense procurement authorization: A vote to adopt the conference report. (Agreed to 360 to 2)	N.R.
164	July 14	H.R. 15750, a bill to amend further the Foreign Assistance Act of 1961: On motion to recommit with instructions. (Rejected 191 to 193)	N.V.F.
165	July 14	On passage. (Passed 237 to 146)	N.V.A.
171	July 20	H.R. 15941, Department of Defense Appropriations: On passage. (Passed 393 to 1)	Yes
173	July 21	S. 602, an act to amend the Small Reclamation Projects Act of 1956: A vote to adopt the conference report. (Rejected 136 to 204)	No
175	July 25	H. Res. 910, a resolution to by-pass regular procedure and substitute 21-day rule on H.R. 14765, Civil Rights Bill: On resolution. (Agreed to 200 to 180)	No
206	Aug. 9	H.R. 14765, a bill to assure civil rights: On Mathias amendment. (Agreed to 237 to 176)	Yes
207	Aug. 9	On amendment to make it a Federal crime to cross a State line to incite a riot. (Agreed to 389 to 25)	Yes
208	Aug. 9	On amendment to require written complaint in Civil Rights suit. (Agreed to 214 to 201)	Yes
209	Aug. 9	On motion to recommit with instructions. (Rejected 190 to 222)	No
210	Aug. 9	On passage. (Passed 259 to 157)	Yes
213	Aug. 10	S. 3105, an act to authorize certain construction at military installations: On passage. (Passed 390 to 1)	Yes
215	Aug. 11	H.R. 14359, a bill to authorize appropriations for two-year highway construction: On motion to recommit with instructions to delete appropriations for beautification. (Rejected 173 to 175)	No
216	Aug. 11	On passage. (Passed 341 to 1)	Yes
218	Aug. 15	S. 3688, a bill to increase the authority of the Federal National Mortgage Association to promote housing starts and sales: On motion to suspend the rules and pass. (Agreed to 314 to 1)	Yes
219	Aug. 15	H.R. 16114, a bill to correct inequities in the pay of Federal employees for purposes of certain employment benefits: On motion to suspend the rules and pass. (Agreed to 313 to 0)	Yes
220	Aug. 15	H.R. 14604, a bill to authorize a study of services to visitors coming to Washington: On motion to suspend the rules and pass. (Rejected 209 to 105—did not receive required ⅔'s majority)	No
221	Aug. 15	H.R. 11555, a bill to provide a border highway along the U.S. bank of the Rio Grande (Chamizal Highway): On motion to suspend the rules and pass. (Rejected 174 to 133—did not receive required ⅔'s majority)	No
224	Aug. 16	H.R. 14810, a bill to amend the Urban Mass Transportation Act of 1964: On motion to recommit with instructions to reduce 1968 funds by $25 million. (Passed 205 to 161)	Yes
225	Aug. 16	On passage. (Passed 235 to 127)	Yes
228	Aug. 17	H.R. 13228, Traffic Safety Act: On amendment to have the President appoint a National Motor Vehicle Safety Advisory Council, instead of Secretary of Commerce. (Rejected 168 to 205)	Yes
229	Aug. 17	On passage. (Passed 371 to 0)	Yes
231	Aug. 18	H.R. 14921, independent offices appropriations: On motion to recommit the conference report with instructions. (Rejected 176 to 190)	Yes
232	Aug. 18	H.R. 13290, Highway Safety Act: On passage. (Passed 317 to 3)	Yes
233	Aug. 22	S. 602, Small Reclamation Projects Act: A vote to adopt the conference report. (Agreed to 198 to 81)	Yes
234	Aug. 22	H.R. 16340, a bill to prohibit picketing in the District of Columbia within 500 feet of any church: On motion to recommit with instructions to delay. (Rejected 55 to 237)	No
235	Aug. 22	On passage. (Passed 249 to 44)	Yes
238	Aug. 24	H.R. 14596, Department of Agriculture Appropriations: A vote to adopt the conference report. (Agreed to 325 to 28)	Yes
241	Aug. 25	H.R. 15941, Department of Defense Appropriations: A vote to adopt the conference report. (Agreed 383 to 1)	Yes
242	Aug. 25	On motion to deny to President authority to call up individual members of Reserves without declaration of national emergency, or special resolution of Congress. (Passed 378 to 3.)	Yes
244	Aug. 26	S. 3688, Federal National Mortgage Association: A vote to adopt the conference report. (Agreed to 234 to 1)	N.R.
245	Aug. 26	S. 3700, Urban Mass Transportation Act: A vote to adopt the conference report. (Agreed to 156 to 86)	N.V.F.
246	Aug. 29	H. J. Res. 1284, a resolution for continuing appropriations for fiscal year 1967: On resolution. (Agreed to 328 to 6)	N.R.
251	Aug. 30	H.R. 15963, a bill to establish a Department of Transportation: On amendment to exclude maritime activities from jurisdiction of Secretary of Transportation. (Agreed to 261 to 117)	N.V.A.
252	Aug. 30	On motion to recommit with instructions to remove air accident investigation from the bill. (Rejected 143 to 238)	N.R.
253	Aug. 30	On passage. (Passed 336 to 42)	N.V.F.
255	Aug. 31	S. 3155, Federal-Aid Highway Act: A vote to adopt the conference report. (Agreed to 359 to 1)	N.R.
257	Aug. 31	S. 3005, Traffic Safety Act: A vote to adopt the conference report. (Agreed 365 to 0)	N.R.
258	Aug. 31	S. 3052, Highway Safety Act: A vote to adopt the conference report. (Agreed to 360 to 3)	N.R.
259	Aug. 31	H.R. 16574, a bill to amend the Peace Corps Act: On passage. (Passed 322 to 15)	N.R.
261	Sept. 1	H.R. 15750, Foreign Assistance Act: A vote to adopt the conference report. (Agreed to 217 to 127)	N.V.A.
262	Sept. 1	H.R. 15098, a bill relating to the participation of the United States in the HemisFair 1968 Exposition to be held in San Antonio, Texas in 1968: On motion to recommit. (Rejected 147 to 184)	N.V.F.
265	Sept. 6	H.R. 15766, a bill to establish a National Commission on Reform of Federal Criminal Laws: On motion to suspend the rules and pass. (Passed 250 to 0)	Yes
267	Sept. 7	H.R. 13712, Fair Labor Standards Amendments: On motion to recommit the conference report with instructions. (Rejected 183 to 163)	Yes
268	Sept. 7	A vote to adopt the conference report. (Agreed to 259 to 89)	Yes
271	Sept. 8	H.R. 14026, Interest and Dividend Rates: On motion to recommit. (Rejected 130 to 214)	No
272	Sept. 8	On passage. (Passed 271 to 68)	Yes
274	Sept. 12	H. Res. 1002, a resolution providing for the consideration of H.J. Res. 688, to give effect to the Beirut Agreement: On resolution. (Agreed to 242 to 2)	N.R.
275	Sept. 12	H. Res. 1005, a resolution providing for the consideration of H.R. 11256, legislation to establish priority of Federal tax liens: On resolution. (Agreed to 243 to 9)	N.R.
276	Sept. 12	H. Res. 1004, a resolution providing for the consideration of H.R. 8664, implementing the Florence Agreement: On resolution. (Agreed to 241 to 7)	N.R.
277	Sept. 12	H. Res. 976, a resolution providing for the consideration of H.R. 11555, a bill to provide a border highway along the U.S. bank of the Rio Grande (Chamizal Highway): On resolution. (Agreed to 202 to 48)	N.R.
279	Sept. 13	H.R. 17636, District of Columbia Appropriations: On motion to recommit with instructions to reduce by 5% the appropriated funds. (Rejected 103 to 217)	Yes
280	Sept. 13	On passage. (Passed 320 to 3)	Yes
284	Sept. 14	H.R. 17637, military construction appropriations for the Department of Defense: On passage. (Passed 346 to 3)	Yes
286	Sept. 19	H.R. 8678, to establish in the State of Michigan the Pictured Rocks National Lakeshore: On motion to suspend rules and pass. (Agreed to 247 to 70)	No
287	Sept. 19	H.R. 17488, to increase the rates of pension payable to certain veterans and their widows: On motion to suspend rules and pass. (Agreed to 315 to 2)	Yes
288	Sept. 19	H.R. 15183, to adjust the status of Cuban refugees: On motion to suspend rules and pass. (Agreed to 300 to 25)	Yes

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Roll Call No.	Date 1966	Measure, question, and result	Vote
289	Sept. 19	S.J. Res. 167, to authorize appropriations for an International Conference on Water for Peace in the United States in 1967: On motion to suspend rules and pass. (Rejected 161 to 154—did not receive required ⅔'s majority)	Yes
290	Sept. 19	S. 3423, to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va.: On motion to suspend rules and pass. (Rejected 195 to 105—did not receive required ⅔'s majority)	No
293	Sept. 20	H.R. 17788, Foreign Aid Appropriations: On motion to recommit with instructions to cut the foreign Aid by 10%. (Agreed to 187 to 182)	Yes
294	Sept. 20	On passage. (Passed 234 to 141)	No
296	Sept. 21	H.R. 17787, Public Works Appropriation: On passage. (Passed 354 to 25)	Yes
298	Sept. 21	H.R. 17195, to strengthen the Reserve components of the Armed Forces and clarify the status of National Guard technicians: On Passage. (Passed 332 to 6)	Yes
300	Sept. 22	H.R. 11555, a bill to provide a border highway along the U.S. bank of the Rio Grande: On motion to recommit with instructions. (Rejected 149 to 199)	Yes
301	Sept. 22	H.R. 13825, Tijuana River flood control project: On passage. (Passed 293 to 42)	Yes
317	Sept. 29	H.R. 15111, Economic Opportunity Act: On motion to strike the enacting clause. (Rejected 156 to 208)	Yes
318	Sept. 29	On amendment putting a limitation on supergrades. (Agreed to 257 to 108)	Yes
319	Sept. 29	On motion to recommit with instructions. (Rejected 162 to 208)	Yes
320	Sept. 29	On passage. (Passed 210 to 156)	No
323	Sept. 30	H.R. 17607, to suspend the investment credit and allowance of accelerated depreciation in the case of certain real property: On amendment to continue tax credit for air pollution control facilities and water pollution control facilities. (Agreed to 330 to 2)	Yes
324	Sept. 30	On passage. (Passed 221 to 118)	Yes
325	Sept. 30	H.R. 16076, to improve and make more effective programs under the Federal Water Pollution Control Act: On passage. (Passed 312 to 0)	Yes
326	Oct. 3	S. 985, to regulate interestate and foreign commerce by preventing use of unfair or deceptive methods of packaging or labeling of certain commodities: On motion to suspend rules and pass. (Agreed to 300 to 8)	Yes
327	Oct. 3	S. 3807, to authorize the Atomic Energy Commission to participate in a large-scale combination nuclear power desalting project: On motion to suspend rules and pass. (Agreed to 316 to 1)	Yes
328	Oct. 3	H.R. 13447, to authorize the Secretary of the Interior to preserve, protect, develop, restore and make accessible fishing and wildlife areas of the nation: On motion to suspend rules and pass. (Rejected 208 to 108—did not receive ⅔'s majority)	Yes
330	Oct. 4	H.R. 18119, appropriations for Departments of State, Justice, Commerce & Judiciary: On motion to recommit with instructions to reduce all appropriations by 5%. (Rejected 152 to 201)	Yes
331	Oct. 4	On passage. (Passed 319 to 38)	Yes
335	Oct. 5	H.R. 14929, Food for Peace Bill: On motion to recommit the conference report with instructions to the managers to insist upon its language regarding restriction on sales of agricultural commodities to any nation that trades with Cuba or North Vietnam. (Agreed to 306 to 61)	Yes
343	Oct. 6	H.R. 13161, Elementary and Secondary Education Act Amendments: On amendment that the Commissioner of Education comply with the guidelines of the Civil Rights Act of 1964 regarding withholding funds. (Agreed to 221 to 116)	Yes
344	Oct. 6	On motion to recommit with instructions to reduce funds by $343 million and to strike section entitled "Special Consideration for Local Education Agencies Which Are Financially Overburdened." (Rejected 150 to 185)	Yes
345	Oct. 6	On passage. (Passed 237 to 97)	No
346	Oct. 7	H.R. 17788, Foreign Aid Appropriations: A vote to adopt the conference report. (Agreed to 189 to 89)	No
349	Oct. 11	H.R. 15941, Department of Defense Appropriations, Conference Report: On amendment to give President authority to call up Reservists under certain circumstances. (Passed 305 to 42)	Yes
350	Oct. 11	H.R. 17787, Public Works Appropriations Bill, Conference Report: On motion to recommit with instructions. (Rejected 91 to 255)	No
360	Oct. 13	H.R. 12047, a bill to protect the United States and its Armed Forces against intentional injury by prohibiting and prescribing penalties for certain conduct, including the solicitation, collection, and delivery of any money, property, or thing to or for the use of any foreign power or organization involved in armed conflict with the United States, whether or not a formal state of war has been declared by Congress, and the obstruction of the movement of personnel or supplies of the Armed Forces of the United States: On passage. (Passed 275 to 64)	Yes

FOOTNOTES

N.V.F.=Paired For.
N.V.A.=Paired Against.
N.R. =Not Recorded.

A "Motion to Recommit" means to return the bill to the legislative committee for further study.

A "Motion to Recommit 'with instruction,' ", means to return the bill to the committee with a mandate that the committee change the bill and report it back to the House for a vote.

MILITARY FUNCTION NOT ENOUGH FOR NATO

The SPEAKER pro tempore (Mr. KREBS). Under previous order of the House, the gentleman from Illinois [Mr. FINDLEY], is recognized for 30 minutes.

Mr. FINDLEY. Mr. Speaker, U.S. pressure on its allies to relocate the North Atlantic Council attests to our obsession with the military aspect of NATO.

For several years statesmen and scholars have been warning that NATO must blossom into something more than a military alliance or fade away.

Here is another such warning with a suggested remedy. It is a study of "Western Alliance Development and Technological Cooperation" by D. Edgar S. Furniss, Jr., director of the Mershon social science program in national security of the Ohio State University.

It was prepared especially for the House Republican Committee on NATO and the Atlantic Community which for several months has been conducting a series of studies by eminent foreign policy experts on the future of the Atlantic Community.

As chairman of the committee, I wish to bring Dr. Furniss' conclusions and recommendations to your attention. Here is the study:

WESTERN ALLIANCE DEVELOPMENT AND TECHNOLOGICAL COOPERATION

(By Edgar S. Furniss, Jr., director, Mershon social science program in national security, the Ohio State University)

Most objective observers would agree that military cooperation among the members of the Western Alliance has been minimal. Some very special circumstances have made that low level tolerable. The nature of the Soviet threat has been recurrently redefined so that allied responses could be labelled acceptable in large part. Exceptionally glaring inadequacies, as at times in conventional forces, have turned out to be bearable because the Soviet Union has persistently kept the tensions it created below the breaking point. The United States reconstituted a German state as a strong ally, willing as well as able to build and maintain at the dispcsal of the Alliance a military establishment of considerable—if at the time of writing only conventional—power. Above all, the awesome range of weaponry positioned in Europe by the United States has made it possible to present as mutual cooperation a situation which finds the British grumbling at the cost of the watch on the Rhine and thinning out their troops, De Gaulle reducing the French presence until, like the Cheshire cat, all that is left is the satirical smile, and the Greeks and Turks preferring to shoot one another or Cypriots than to mount guard against Communist aggression.

However, cooperation in the military field, poor as it has been, far surpasses that in other areas, where the record is dismal indeed. The success of the infrastructure programs lay in their military relevance, a hierarchically organized alliance, and a high level of perceived threat. Although the Treaty provides ample foundation for economic cooperation, in each instance that allies were forced to choose, they opted for a strictly military and military-related system. Non-military functions were regarded as unnecessary and, more importantly, as undesirable. Outside the alliance framework a plethora of instrumentalities existed to initiate and supervise whatever technical and economic programs the countries wished to accept. Under the circumstances, advisory groups, meetings, and conferences have constituted interesting exercises in personal communication. NATO, for better or for worse, has remained uni-functional: an alliance, not a collective security system, able to agree that a hypothesized Soviet attack should be deterred and perhaps beaten off, conspicuously unable to agree on ways to settle disputes among its members, let alone on mutually reinforcing ties which would make such disputes impossible.

If the attitudes of members continue as they have been, prospects for meaningful technological cooperation will remain slim. However, the costs of certain policies followed over the past half dozen years are finally becoming clear. Calamitous consequences for itself and for the countries it has pledged to support ensue when the United States appears in a posture of passivity, silence, and inactivity. But a style of leadership which consists of pressuring allies to accept military measures of demonstrable benefit to one member alone (the multi-national nuclear force) is worse than no leadership at all. An Alliance structured solely to supervise the deployment of pooled armed force will be held in as low esteem as the contemporary credibility of the threat it was originally designed to meet and as the enthusiasm for devastating Western Europe through the use of that force in the event the threat materializes in aggression.

TECHNOLOGICAL COOPERATION AND ALLIANCE EVOLUTION

Thus, objectives sought by technological cooperation must be realistically related to the nature and present condition of the Alliance. Let us begin by recognizing that the words "Atlantic Community" do indeed have a noble ring. As a slogan to attract the attention and enlist the commitment of private groups and governments they may have some utility. Beyond their use as benevolent propaganda, however, the phrase has no operational meaning. There has been and is, quite plainly, no Atlantic Community. The countries involved in the Alliance are not confined to the Atlantic. They do not share the same goals and values, whatever may be the historical, philosophical tradition sometimes attributed to them by spokesmen whose rhetoric is designed to distinguish the foe rather than to define the friend. As aforementioned, a most prominent feature of the Alliance is that cooperation among member states *as a group* is narrow, shallow, and in considerable danger of disappearing altogether. No great harm perhaps would be done to see an "Atlantic Community" as a distant goal, a faint star by which to chart present and future courses. Whether such a Community would be advantageous is highly problematical, given the uncertain nature of international relations at a time its attainment became practical.

Concentration on an Atlantic Community has the substantial disadvantage of obscuring two other objectives which do merit attention. Unlike the Community, the Western Alliance does now exist; its endowment with non-military foundations is of pressing importance, in part because of lost opportunities and misplaced activity in the past. As an international system, the Alliance desperately needs infused vitality, which we now know cannot come from greater piles of weapons, from the development of new weapons, or from intricately contrived supervision of weapons. As a purely military arrangement the Western Alliance must perforce be exclusive—its membership determined, its opponent defined. But as an exclusive arrangement, the Alliance is subject to denigration as increasingly irrelevant to the nature of the international environment. Reattainment of high significance by strengthening the elements of exclusiveness makes little sense. Members have refused to provide the Organization with nonmilitary functions precisely because they felt that military criteria basic to the Organization could not properly be used to define augmented responsibilities. To do so would result in leaving outside some who should be included, and including some whose participation would be distinctly marginal. Outside the Treaty area tension and even military conflict have become so preoccupying, costly, and dangerous that one can hardly argue safety can be attained through exclusive, discriminatory, in-group cooperation. There is no evidence that such a course would miraculously create the strength and determination to settle extra-NATO conflicts to the allies' satisfaction.

Rather does the hope for a viable, durable Alliance in a friendly international environment lie in its being consciously made more complex. This, after all, is what the argument is all about. If the Alliance were still rigidly hierarchical and responsive to American dictates, if the problems of the West centered on the type and amount of military power at the Alliance's disposal, no sleep would be lost over the Organization's form and function. But the complexity forced upon the statecraft of at least the major allies has not, unfortunately, been reflected in the maturing structure of the Alliance.

In a sense the key to future structures can be found in a return to first principles. The framers of the Brussels Treaty in 1948 and succeeding North Atlantic Pact in 1949 were devising an instrumentality for the protection of the West in a particular era. Then as later, when Greece, Turkey and West Germany became members, the hope was that enhanced security might in turn produce conditions from which a stable peace might emerge. The Alliance was not an end in itself. Few in 1949, only slightly more today, would regard a permanent East-West confrontation line drawn through the heart of Europe as a satisfactory state of affairs. The Alliance as means, as instrumentality should not be confused with the goals to be attained thereby. NATO, however, has become frozen in the ice of the Cold War; almost twenty years after the Treaty was signed the powers must rededicate themselves to their original purpose. Once more they must affirm their objective as peace and welfare *throughout* Europe. Better that the Alliance should further fragment, even disappear altogether than that it should stand athwart all the small, dimly lit paths to the future which Europeans East and West, North and South believe must be theirs.

FORMS OF PARTICIPATION AND SPONSORSHIP

Conclusions regarding participation and auspices follow logically from the decision that the goals should be a complex, instrumental Alliance. Benefits must be clearly mutual. While American strength and leadership must entail relatively large responsibility and contributions, a revitalized Alliance cannot be built on any quasi-monopoly of authority or of cost. Indeed, it is possible to go further. One of the mistakes the United States has made in the past—and not by any means the least—was to advocate loudly and persistently that status be equated with power, thereby affirming the priority, first, of the Anglo-American Alliance and, increasingly since 1956, of a German-American alliance. To repeat, the transcendent purpose of Western statecraft was neglected, to say nothing of elementary principles of national psychology. In contrast, every effort should be made to decide questions of participation in technological cooperation on the basis of the significance of the group to the particular aspect of a complex, evolving international system. Distribution of the benefits of cooperation can only be determined in the same manner. All must contribute; all must receive, which is only to stress the meaning of "cooperation." Groups and nations which take without return do so without commitment, suspecting the sources of the largesse, seeking an appropriate moment to maintain their self respect by repudiating the benefactor and denying the benefit.

In all three categories of cooperation—contribution, administration, distribution—all should in principle be included. Two admittedly difficult problems immediately intrude. An Alliance deliberately pushed toward greater complexity reveals patterns of diversified relationship among national subgroupings and individual members. For particular functions and with particular countries any state or group of states will be more closely involved in Alliance behavior than in other functions and toward other countries. Nowhere would this be more true than in measures of technological cooperation. At the same time, however, full attention must be paid to the directions charted for the Alliance and to the requirement that it provide substantial, recognizable sources of satisfaction for groups and states. No reconciliation of diversity with direction can be regarded as definitive. Regular procedures should be established for periodic examination of *Alliance* strategies to blend technological possibilities, national and group aspirations, and emergent trends. As will be spelled out in more detail below, such procedures, to be effective, require types of political controls matching the functions to be performed.

Superficially, the second problem appears even more difficult than the first. To retain their commitment, the Alliance must perform real and important services to all its members, even if they do not participate to the same extent and with the same authority. There must, in other words, be rewards for commitment not to be obtained by noncommitment. This is, of course, discrimination, discrimination against the external world for the benefit of the select few. Yet how does this nurtured in-group solidarity accord with the objective of an Alliance seeking to preside over an era of transition toward general European peace and welfare? In the past no compatability could be contemplated, much less attained. The Alliance was fundamentally hierarchical, exclusively military. Those who were not in were most definitely out. A segment of the outs was defined as the enemy. Indeed, in the heyday of our search for military alliances we aped what we thought was a flat Soviet challenge to all neutralism: those who were not prepared to say they were with us must suffer the consequences of our judgment that they were against us.

Clearer understanding of the consequences of Alliance complexity dispels the problem, however. In a multi-functional system, where patterns of authority are recurrently adjusted to particular functions, to needs, and to goals, individual members and groups of members can and do reach outside the confines of the system to build ties with other states. Those other states, consequently, may simultaneously be cooperative, neutral, and antagonistic to Alliance behavior, depending on the issue at stake and the nations concerned. Discrimination may be seen to be fluctuating and partial. Even more important, it is potentially removable. The benefits of membership derive from the opportunities to build the foundations for enlarged cooperation in an expanding international society. Moreover, these benefits accrue from contributions toward the *goal* of the Alliance, over and beyond involvement in the Alliance as instrumentality. The idea is familiar to all acquainted with organized economic cooperation. It is precisely in this aspect of inter-state relations that the greatest progress toward outward-looking systems has been made.

The auspices under which Western Alliance technological cooperation takes place should also match the developing nature of the Alliance itself. In the first place, every effort should be made to foster *private exchanges* for mutual benefit. Such is the norm of international intercourse, and allied countries, individually and collectively, should be alert to encouraging among national sub-groups lines of cooperation previously limited or non-existent. As the substance of technological cooperation under private auspices increases, allies can seize opportunities to support the formation of non-official groupings, still within the Alliance framework. International associations, in turn, could sponsor affiliates within the member states for various aspects of technological cooperation, which would reduce or even replace responsibilities held by governmental agencies.

Emphasis on private auspices is crucial to an Alliance system which is open and adaptable to extra-allied relationships. At the same time, a salutary countervailing force can be provided to the continental tendency to look to government for direction and control of economic life. The essential role of government remains so substantial that care must be taken else it becomes overwhelming. Only central, national authority can judge the balance between contributions made and benefits received. Only there can decisions be made among the objectives of international cooperation, values internal to the Alliance, and the larger ends of collective Alliance policy.

So great is this burden on the states that maximum performance would seem to entail the establishment by each of a *high level, inter-departmental agency* for Western Alliance affairs. As explained above, the dual aim is to demilitarize the Alliance by giving it other functions, without of course reducing the level of force at its disposal, and also to depoliticize it in the sense of placing in positions of responsibility officials able to see the Alliance, not as an internalized, static system, but as an expanding network of arrangements among members actively seeking to enhance European security and welfare. Committees of politico-military composition represent the past, not the future. They should be enlarged to include representatives of aid, social, scientific, and fiscal agencies. Even so, they would be incomplete without further additions from private groups, information agencies, and legislative committees. If the resulting body, endowed with formal status and adequately staffed, proved unwieldy in plenary operation, it might be divided into two sub-committees. There would be advantages if the division did not parallel Alliance functions. Rather could one—a *Contemporary Alliance Subcommittee*—be concerned with ongoing programs and existing strategies. A second and perhaps smaller *Planning Group* could be charged with responsibility for suggesting new forms of cooperation, in substance and in structure, which might speed progress toward long-range Alliance goals.

Finally, a viable Alliance program for technological cooperation must include inter-allied, Western organizations. In the past such growth has been inhibited by the dual fear of denigrating the importance of the military function and of duplicating or interfering with existing organizations in non-military, particularly economic fields. Exceptions to this generalization only reveal how stunted has been non-military growth within the Alliance framework, a poignant case in point being the committee on cultural cooperation. But the previous rationale no longer holds. As with official, government groups, the case for allied organizations lies in the impetus which can be given to cooperation, the supervision which burgeoning projects will require, the reconciliation which will be needed between alliance development and international stability. Such organization can precede as well as follow cooperation. Furthermore, like the Alliance itself, organizations should be subject to recurrent review. Having served their purpose, some might be decentralized within sub-groupings of Alliance members, even those sub-groupings have non-Alliance participants. Others might be deliberately related to functional, world organizations, becoming themselves subordinate sub-groupings. Stress on evolutionary possibilities for Western, technological organizations is an integral part of the insistence within and without allied councils that the Alliance is not designed to be a closed, increasingly discriminatory system.

"Organization" is used here as a generic term. Too great precision as to form would be inappropriate for an evolving system, particularly one seeking for the first time to add effective non-military functions. Nonetheless, both organizational variables and their locale may be identified. Clearly, the Secretary-General should be provided with individual advisors for various aspects of technological cooperation, these advisors working with an enlarged secretariat on non-military affairs. The Secretary-General could then call, staff, and supervise meetings of functional organizations not suitable for or capable of autonomy within the alliance structure. It would also be quite appropriate for him to serve as central coordinator for technical problems of cooperative activity, referral agent, and, most importantly, independent initiating agent. Alterations in political structure would be designedly reflective and innovative. Meetings with representatives of the afore-mentioned, national, inter-departmental committees should be regarded as an important, political responsibility and proposals emanating from such meetings identified as contributions to the over-all flow of decision on allied affairs. The objective would be continuing, intimate collaboration between strengthened, international segments of the Alliance and international groupings of country delegates.

Only when technological cooperation is firmly established as an integral function of the alliance, can its organizational aspects be closely associated with the military structure with no danger that the latter would continue its historic domination of allied action. This final meshing of technical, organizational, political, and military gears would enable the Western nations for the first time to anticipate the full range of consequences attendant upon all decisions taken in concert. A constructive beginning would have been made when SACEUR and all regional commands were forced specifically to assess the non-military consequences of military options, including above all the option to do nothing.

THE PROBLEM OF LOYALTIES

Three clusters of objectives suggest themselves for particular programs of technological cooperation. All seek to relate those programs to the overriding goal of a viable Alliance contributing positively to general peace and welfare. First, means must be found to attract the positive commitment of allied peoples, to make them feel they have a substantial, recognizable stake in a new, multifunctional grouping to which their country adheres. Old loyalties have faded, while the mystique of "Europe" has, at least temporarily, lost its hynotic appeal amidst the workaday realities of bureaucratic technicalities. Not that old style nationalism has returned; even De Gaulle's vision of the eighteenth century wakes feeble or derisive responses from his subjects. Aside from particular instances where conflict has ignited nationalistic fires, only the United States and possibly West Germany retain the ingredients—profoundly different as they are—for popular identification solely with state policy. East of the continental confrontation line a comparable situation quite obviously exists. The exceptions only strengthen the case for finding in technological cooperation a means to enlarge popular horizons beyond the narrowly parochial, the negatively nationalistic.

If striking and well-publicized demonstrations must be made to the general populace that the new alliance has something worthwhile in it for them, so must the attention be held of particular groups whose private attitudes shape public policy. Economic, social, and political interest clusters profoundly affect the drift of nations toward and away from one another. Generalized perceptions that Western countries are not directly and seriously threatened by the Soviet Union have naturally been reflected in refusals to sacrifice particular for consensual goals. While paying lip-service to the concept of an Atlantic Community, particular interests have gone far toward defining the relations which actually exist among states members of the Alliance. For the Alliance to acquire new and deeper meanings, inducements must be offered sub-national groups to relate their activities constructively to Alliance objectives. Arms purchases and meetings of NATO Parliamentarians, to take two examples, not only will not suffice; they are still dangerously rooted in the past.

A final set of objectives is to afford *substitute satisfactions,* to ease frustrations through new channels of reactive behavior. On this level technological cooperation must be highly visible, highly dramatic, the Alliance auspices of one type or another easily recognizable. An escape from the humdrum, a respite from pressures which cannot be removed, a turning of energies away from dangerous pursuits, all these can and should be provided. Recognizing this need, General de Gaulle, newly returned to power, used his projected *force de frappe* to give his Army something else to think about than the loss of Algeria, something else to discuss than way to assassinate him. Logic whispers that the money lavished on the race to the moon would be far better spent in cleaning up our cities, our water, and our air. But logic, perhaps unfortunately, is not all, and races to the moon are less harmful than other forms of rivalry which could be imagined. Accounts of the first *rendez-vous* in space hold more thrills for the citizen than the sight of a fleet of new garbage trucks. The new Western Alliance must offer its citizens counterparts of both.

TYPES OF TECHNOLOGICAL PROGRAMS

Modern technology makes possible an assault on the two greatest evils of mankind: poverty and ignorance. The degree of prosperity attained within the Common Market should not blind us to the depressed areas that still exist. Increasing disparities in living standards become dangerous when people awake to the fact that they are unnecessary. North American and continental economic strength can be mobilized for a *"war on poverty"* within the Alliance. Production is no longer the problem; stop-gap charity and gifts are unwarranted. Instead a truly cooperative "Johnson Plan" can chart standards of advance for deprived areas and pool resources for allocation under Alliance auspices. A war on Western poverty can also provide impetus for translating into reality new ideas regarding *communication.* The field for experimentation in new forms of *transit* and *transport* is as wide as the Alliance. Those with new knowledge of agricultural *productive techniques* need not confine their travels to Africa and Asia, important as are the problems on those continents. Those applying the new technology to exploiting ocean resources can demonstrate to other allies even as they refine their arts. Only lack of imagination—not lack of money—stands in the way of a . . . (an), internal revolution within the Alliance. First, enlargement of the concept of community to encompass groups hitherto living apart from the nation to which they supposedly belong, living without belief in an international system from which they derive no discernable benefit. Second, raising of living standards to release individual and group energies and abilities for even further advances.

The notable failure of Communism to effect this dual revolution provides the West with a second chance precisely in the area where success can be won most easily. There may never be a third chance.

It is no secret that *ignorance* goes hand in hand with poverty. Yet a battle against ignorance is even easier to win, for modern technology has shown us how to collect data in the meaningful patterns of information, how to store almost unimaginable amounts of information in relatively small space, how to retrieve masses of that information in a moment, and how to communicate it fast, far, and extensively. Simultaneously European countries are being driven to recognize that education for the fortunate few is a dangerous anachronism, that the definition of education as confined to legal and humanistic subjects is inadmissably inadequate With a philosophy of higher education for all the United States has much to teach its allies as it proceeds to translate this historic faith into national public policy for the first time. One educational grid—as large as the Alliance, as deep and diverse as the interests and skills of its peoples—is within the reach of practical statecraft.

As visible symbol of the revitalized Alliance can stand a *space program* to which most members can contribute and in which all can participate. Great Britain, France, and West Germany would be senior collaborators of the United States in this endeavor. Far more would be involved, however, than simply adding to the objects floating aloft—communications satellites, scientific space probes, or even manned vehicles. The program should be fully exploited as a complex, technological endeavor demanding the cultivation of scientific skills in all allied countries. In this way a space program can serve as a stimulus to educational advances within less developed partners. Careful location of space centers can assist in the international circulation of allied scientists and students, drawing tighter the bonds of understanding among groups supporting collective decision-making. Because of the modest start already made by the Six, a Western Alliance space program could promote regional subgroupings, at the same time these were encouraged to remain open to new associates or fully committed members.

It is not beyond the realm of possibility that assistance to the non-economic, non-political relationships among the Six could re-open the path to British association with the Economic Community, blocked since 1962. British technological skills would be on parade in the Western space program at the same time that the emergence of a multi-functional Alliance was eliminating controversy over the putative form of a highly problematical European Political Community and reducing the internalized, discrimnatory features of the Economic Community.

The effects of a large-scale, successful space program on the Alliance itself could well be crucial. Developed with skill and imagination, it could provide just the foundation for building a trans-national society capable of attracting the energies and ultimately the loyalties of peoples, special groups, and even national leaders. Pursued with skillful determination, buttressed by United States action, the program could resolve the doom-laden dilemma of how imputed European (read German) aspirations to nuclear participation can be satisfied without destroying the Alliance, raising by many degrees the Eastern threat to the Alliance, and removing forever (whatever duration that may be) the chance for a genuine non-proliferation treaty. The space program would provide elements of substitution and transcendence. While Germany was being closely associated with the strategic planning of Western nuclear statecraft on a global scale, Germans would be challenged to take as prominent a role as they wished in a scientific and technological endeavor of far larger proportions. To be sure, military aspects of space exploration remain unresolved, but the problems are at the present time far less troublesome than those concerning national nuclear weapons programs or so-called "multilateral" nuclear forces.

IMPLICATIONS FOR AMERICAN POLICY

With far greater plausibility than heretofore the United States could claim that its leadership in the Alliance and the Alliance itself were directed solely toward peace. A standing offer could be made to East European and Soviet scientists to participate in particular ventures, to contribute to the required infrastructure, to cooperate in the scientific experimentation and education that must accompany the adventurous search for knowledge.

A further word about United States policy. The burden of this paper has been the need for changes in our thinking about the Western Alliance so that we can reshape our behavior toward it. Recognizing that we have lost our ability to direct, we should not retreat into stubborn aloofness or lash out in unilateral actions elsewhere. Granted that the postwar world was in many ways more comfortable because simple explanations of international phenomena sufficed at least to delude and our flat ran good in many corners of the globe, we, no less than the Alliance itself, must carefully distinguish means from ends. Our declining power to control is, after all, the publicly hoped-for consequence of policies followed when our word was the one authoritative word. We sought then and we profess to seek now, not power for its own sake, but strength to promote peace, freedom, and welfare within an international society. Let us apply this same reasoning to the Western Alliance, signed in Washington, made possible by the United States, kept alive by American strength. If military force remains the sole function of the Alliance, then at best history will record that it served its purpose and was cast aside. At worst the verdict will be that a system which remained unchanged became a system hampering, possibly preventing the attainment of the very objectives for which it was formed. Technological cooperation within a multi-functional, far-more-complex Alliance is certainly no panacea. It can, however, serve both as evidence and as inspirator in an American statecraft increasingly respected hence increasingly persuasive.

Mr. Speaker, our committee is indebted to the gentleman from Alabama [Mr. MARTIN] for analyzing the Furniss study. The gentleman is a member of our committee and is the Republican candidate for governor of Alabama. I yield to Mr. MARTIN.

Mr. MARTIN of Alabama. Mr. Speaker, I would like to take this opportunity to offer a few thoughts of my own concerning the work of the House Republican Committee on NATO and the Atlantic Community of which I am privileged to be a member. The efforts of the committee to initiate in-depth studies of our foreign policy, especially as it affects our relationship with other nations of the free world, is an invaluable contribution to a lasting peace and in helping to build that better world of tomorrow envisioned by so many in this decade.

Dr. Furniss, in his presentation of possible technological cooperation between the free nations, has given us a departure point for careful thought and study of this vast and vital area of human relationships. I agree with his concern that too much stress may be placed on an international association of nations set up as either a military or political alliance merely to oppose a similar association of nations with a different philosophy. America cannot impose its strength on allied nations, nor can we demand a political organization bounded by our own ideas of international cooperation and participation.

Certainly, I agree with Dr. Furniss in his belief that we cannot solve the problems of the world, nor bind nations to us merely through monetary aid. He is so right in pointing out that this approach robs the recipient nation of its self-respect with the inevitable result that, while accepting the largeness of the giver, it will eventually despise the gift and the benefactor.

So there remains only one area in which nations may meet on somewhat equal terms, each retaining its self-respect, each contributing according to its ability, and without endangering national sovereignty. That is the field of technological cooperation. While I am not prepared to subscribe fully to the course of action outlined by Dr. Furniss, I believe that his basic concept is sound. International technological cooperation among the free nations of the world should be thoroughly studied and where practical, technological programs should be pushed.

I am not prepared, and will not be prepared to share knowledge or technical know-how with the Communist nations as long as the international Communist conspiracy exists. It is not up to the United States to decide for any nation what form of government it shall have, but it is the duty of every American to preserve the kind of government our people want. Therefore, as long as it is the principal objective of Communist nations to dominate the world and to encourage internal subversion and international revolution, I believe we must confine technological cooperation to those nations who are dedicated to the freedom of their people and who will not use knowledge gained as a means of conquest.

I hope all the Members of Congress will take time to study Dr. Furniss' paper and the other studies which will be presented by the experts in foreign affairs who have worked with our committee in pursuing this research.

Mr. FINDLEY. Mr. Speaker, the names of the 26 eminent scholars, scientists, and military specialists who have participated in our study program are listed on page 11441 of the RECORD. I yield back the remainder of my time.

DOMESTIC FINANCE SUBCOMMITTEE TO CONTINUE STUDY OF SHARP PRACTICES AIMED AT SERVICEMEN

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Patman] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. **PATMAN**. Mr. Speaker, on several occasions I have addressed this body concerning the unethical, if not illegal tactics being used on servicemen by certain credit extenders and other businesses. The Domestic Finance Subcommittee of your Banking and Currency Committee has devoted a great deal of time to the study of these problems. Your committee's findings and recommendations have been transmitted to the Department of Defense, and some corrective actions have been taken. However, in the opinion of many of us who have spent many hours investigating this problem, much more needs to be done.

Servicemen stationed overseas are being victimized by one of the most vicious acts ever devised. The scheme is centered around a group of automobile brokers who tell the servicemen overseas they can purchase automobiles at less than normal stateside retail price, with the promise that the vehicle will be waiting for the serviceman when he returns to the United States.

In many cases the serviceman finds when he returns to the United States that the automobile he ordered is not the one which is waiting for him. He may find that the automobile contains numerous extras which he did not order and which increased the price of the automobile, or he may find that he ordered a fully equipped car but is offered a standard automobile, with no reduction in price.

SERVICEMEN AT DISADVANTAGE

Under normal circumstances, a civilian purchaser would demand that he receive the automobile that was ordered. However, the serviceman, placed in the same situation, is at an extreme disadvantage. He usually has only a limited amount of time before he is required to report to his new duty station. Thus, he is "easy prey" for the salesman who promises "We can get you the car you ordered, but it will take 6 weeks." The serviceman, of course, cannot afford to wait 6 weeks, nor in most cases can he afford to wait even 6 days. If the serviceman balks at the entire deal and demands his money back, he usually finds that the return of the funds will also require an extended period. The serviceman is depending on the new automobile for transportation to his new duty station and does not have funds to purchase commercial travel tickets for himself or perhaps his wife and family. He is probably in a strange city without adequate funds or time to obtain an attorney, and without any other alternative but to give in and accept an automobile which he did not order.

MORE SERIOUS PROBLEM

Although these problems work an extreme hardship on the serviceman, there is a far more serious situation developing in the military auto-broker field. In the cases cited above, the serviceman normally ends up with an automobile, even though it may not be the one that he ordered, and even though he may be paying more for the vehicle than he originally intended. However, there are many servicemen who have paid for automobiles, either fully or through a deposit, and have never seen the vehicle because the original broker absconded with the funds.

Several small broker operations have closed their doors and walked out with the servicemen's money during the past several years. However, in recent months your committee has learned that two major automobile brokers have closed their doors and walked out with untold thousands of servicemen's dollars. However, due to whatever cause, proper preventative was not taken and as a result, there are hundreds of servicemen throughout the world today wondering what happened to their money.

A report prepared by the staff of the Banking and Currency Committee has been forwarded to the Secretary of Defense, outlining the problems faced by servicemen dealing with automobile brokers, with particular emphasis on these two companies.

Since the military services have in some instances endorsed the operation of automobile brokers by allowing them to set up shop on military installations, the services must assume full responsibility for assuring the honesty and integrity of these firms. I have informed the Secretary of Defense, in a letter accompanying the staff report, that as complaints of automobile buying fraud are received in either my office or through the committee, they will be forwarded directly to the Secretary of Defense's office with a request that immediate action be taken to recover the funds lost by servicemen.

I am including a copy of my letter to Secretary McNamara in my remarks.

MUCH WORK REMAINS

There is much work still to be done to uncover all of the schemes that are being used to bilk servicemen. To this end, I have asked the gentleman from New Jersey [Mr. Minish], the ranking majority member of the Domestic Finance Subcommittee, to continue the investigation of these practices during adjournment. Congressman Minish is well informed about the problems our servicemen face, having played an important role in the subcommittee's hearings on Federal Services Finance Corporation. In addition, he conducted hearings in Newark which helped throw light on the problems faced by servicemen dealing with automobile brokers.

I have asked Congressman Minish to give particular attention to the role that commercial banks and other financial institutions have played in aiding companies who take advantage of servicemen. The subcommittee has learned of instances where automobile brokers discounted servicemen's automobile contracts to commercial banks before the serviceman had received his automobile. When the serviceman did not receive his automobile, he was still required to make monthly payments to the bank for a car that he never received. The subcommittee also learned that many of the sharp-practice companies receive their financial backing from commercial banking institutions.

When the 90th Congress convenes in January, Congressman Minish will present his report to the Domestic Finance Subcommittee so that further courses of action can be determined.

House of Representatives,
Committee on Banking and Currency,
Washington, D.C., October 9, 1966.

Hon. Robert S. McNamara,
Secretary,
Department of Defense,
Washington, D.C.

Dear Mr. Secretary: Enclosed is a copy of a report prepared by the staff of the House Banking and Currency Committee concerning the operations of certain automobile dealer-brokers who appear to have bilked servicemen out of hundreds of thousands of dollars. The ease with which these companies were able to operate—and in one case establish offices on military installations—clearly indicates that the Services have done little in the past year to afford servicemen protection in the area of consumer credit and buying.

It had been hoped that since the Domestic Finance Subcommittee first exposed, in May of 1965, the problems faced by the serviceman in the credit field, that the Department would take immediate and continuing action to protect the serviceman. It can now be seen, as a result of the car dealer-broker frauds, that the Department of Defense Personnel Commercial Affairs Directive is a completely ineffectual answer to this highly important problem.

In the opinion of many Members of the Subcommittee, including myself, this problem can be solved by using an "off-limits" designation against any company which deals with servicemen in any illegal or unethical manner. The staff report indicates that one of the automobile brokers was placed off limits in Alaska, but only after the company had gone out of existence and numerous servicemen bilked of their hard-earned pay. A recommendation was made to your office that this designation be extended to cover all offices of this company. However, your office did not concur in that recommendation.

The original publication of DOD Directive 1344.7 provided that the Secretary of Defense or the appropriate Service could designate a company off limits on a Service-wide basis. However, when the directive was rewritten, this provision was dropped, thus requiring that off-limits designations would have to be reached in each locality, a lengthy process that would work only to the detriment of the serviceman.

The Military Services must assume full responsibility for the thousands of dollars lost by servicemen who dealt with these automobile brokers. As complaints of automobile buying fraud are received in either my office or through the Committee, they will be forwarded directly to your office with a request that immediate action be taken to recover the funds lost by the serviceman.

Both the Congress and the Department of Defense have an obligation to our fighting men to protect them against sharp operators and those who deal on a less than honorable basis. To this end I am directing the Banking and Currency Committee staff to continue its investigation of the sharp practices being perpetrated on servicemen, with particular attention to the companies engaging in credit extension. It is sincerely hoped that the Department of Defense will move immediately to correct the many abuses in this area that have been perpetrated by these unscrupulous companies.

Sincerely,

Wright Patman,
Chairman.

STATEMENT OF HON. ABRAHAM J. MULTER BEFORE JUDICIARY COMMITTEE IN SUPPORT OF H.R. 18061

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Multer] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MULTER. Mr. Speaker, it was my privilege yesterday to present testimony to Subcommittee No. 5, chaired by the distinguished dean of the House the gentleman from New York [Mr. Celler] in support of my bill, H.R. 18061, which would impose penalties upon those using or attempting to use force against activities protected by the Constitution and laws of the United States.

The text of my statement follows:

Statement of Hon. Abraham J. Multer Before Subcommittee No. 5 of the Committee on the Judiciary, U.S. House of Representatives, October 12, 1966

Mr. Chairman, I appreciate the opportunity to present my views to this distinguished committee with reference to my bill, H.R. 18061, which is designed to deter and punish interference by force or threat of force with activities protected by the Constitution and laws of the United States.

I want to congratulate the committee for scheduling these hearings, thereby demonstrating that its concern for justice is unaffected by temporary setbacks, however disappointing or unwarranted.

Three years ago, I submitted a statement to this committee in which I observed that—

A modern day de Toqueville or Bryce might well conclude that civil rights is a triennial bloom in the congressional garden. In 1957, following more than 80 years of agonizing frustration—frustration within and without the walls of the Capitol—we enacted the Civil Rights Act of 1957. In that Act, the Congress took a significant if limited step to fulfill the 15th Amendment's promise of every American's right to vote regardless of his race or color. That act authorized the Federal Government to bring civil suits for injunctive relief where discrimination denied or threatened to deny the exercise of the franchise. Further, it prohibited intimidation, threats, and coercion for the purpose of interfering with the right to vote in Federal primary and general elections.

Three years later, the Congress moved to shore up the obvious short-comings of the 1957 legislation by enacting the Civil Rights Act of 1960. That Act provided, among other things, that States as well as voting registrars might be sued for discriminatory practices. Title III of the 1960 Act required the preservation of voting records, and empowered the Attorney General to inspect them. In Title IV, Congress provided for Federal voting referees to facilitate the registration of persons arbitrarily and improperly denied the right to register and to vote.

Another three years passed. Continuing with my horticultural analogy, I enjoined the Congress to seize the opportunity to convert the delicate and intermittent civil rights bud into a hardy perennial.

Acting with conviction, we enacted the omnibus Civil Rights Act of 1964. There is no gainsaying the results of that Act.

Compliance with the hotly contested public accommodations section has exceeded the expectations of proponents and opponents alike. Some of our people, however, have never been reconciled to the philosophy that prompted that provision of the law.

Thanks to Title VIII, the doors of equal employment opportunity—too long bolted shut—have been opened.

The Community Relations Service established by that Act has gone a long way toward creating that atmosphere of mutual understanding and self-help so essential to a permanent solution.

Finally, the Congress in Title VI went on record "that all should share in programs financed by all and directed by the government of all the people."

In the Voting Rights Act of 1965, Congress moved to obviate once and for all obstacles to the right to vote.

The measure of that bill's success is amply supported by recent registration statistics and the consequent diminution of race as a significant factor in electoral campaigns.

Conscious both of our mandate and our constitutional obligation to enact appropriate legislation to guarantee the equal protection of the laws, we again moved in the current session on a broad front to obliterate those remaining problems amenable to legislation. As on five prior occasions in the past ten years, the members of this committee, under the able direction of its distinguished Chairman, reported out a bill. The House, after one of the longest and most intelligent discussions ever given any proposal, passed a good bill. Not a perfect bill—but a good bill. As was so cogently observed by your fine Chairman: "The all-or-nothing attitude produces nothing except a slogan."

Unfortunately, the bill was buried under an avalanche of irrelevant, immaterial slogans in the other Chamber. Slogans about guidelines which, in truth, are confined to de jure segregation condemned 12 long years ago. Slogans about power, inartfully, if not irresponsibly, expressed and ingeniously and engenuously exploited.

While we can ill afford to cry over spilled milk, we can remember that "time and tide wait for no man." The American of the 1960's, regardless of color, will not be restored to the status quo ante of the 1957 era. He has a right to be impatient with racial, religious and social injustice. Therefore, I again suggest that we seize this opportunity to remedy one of the most heinous of all problems.

The problems of civil rights, as expressed on countless occasions, are very complex and most difficult. But, about this there can be no argument. Every American citizen must have an equal right to life, and I am speaking of life in the most literal, fundamental sense. We have no more pressing duty than to safeguard that right.

Events, both of the present and immediate past, indicate that the rights we have labored so long to secure may be undone by the criminal activities of a diehard, fanatical few.

In the words of the President, "We must reform our federal criminal statutes to provide Negroes and all who labor or speak for racial justice the protection of stronger and more effective criminal laws against interference with the exercise of long established rights." At the same time, we can and should take steps to secure protection against those who run about the country sowing the seeds of lawlessness and disorder. Racial discord and racial strife are merely tools used by them to accomplish foul goals.

The civil rights criminal statutes presently on the books, namely sections 241 and 242 of the Criminal Code, date from the Reconstruction era and are woefully inadequate. The more important of the two, section 242, is designed to punish acts of official violence. However, in straining to sustain the act against a charge of vagueness, the Supreme Court in the *Screws case,* engrafted a requirement that has rendered prosecutions all but impossible. It is not enough to prove an act violating a person's civil rights. Rather, the Government is required to prove that the official knowingly acted to deprive the victim of his rights on account of race or color.

Further, although the victim may be seriously injured, maimed, or even deprived of his life, a single, inadequate penalty is authorized.

Perhaps the truest measure of their ineffectiveness is that acts of civil rights violence persist. Despite some hopeful auguries, neither of the recent cases, and I refer to the *Price* and *Guest* decisions, offers a lasting solution. On the contrary, the opinions clearly express a desire for better laws.

H.R. 18061 is designed to provide a clear cut authority to meet the problem of civil rights violence. It prohibits interference with fundamental rights by force or threats of force by any person, be he public official or private individual.

The rights protected are specifically enumerated—thus obviating the short-comings of existing law—including voting, access to public accommodations, public education, and public services and facilities, employment, housing, jury service, use of common carriers, and participation in federally assisted programs.

This bill would protect all our people from violence directed at them while engaging in, or for having participated in, the exercise of their rights, and from violence intended to discourage the exercise thereof. Also protected are civil rights workers and others who urge or aid participation in the exercise of these rights.

The penalties authorized by the bill are graduated in accordance with the seriousness of the violence to the victim.

Similarly, the bill amends existing sections 241 and 242 to provide a graduated scheme of penalties.

Finally, and most important, the bill permits the Federal Government to deal with riots and incitement to riot. It makes it a Federal offense to travel in commerce or to use the facilities of commerce with intent to incite or carry on a riot, to commit a crime of violence for such purpose, or to assist, encourage, or instruct in carrying on a riot or committing a crime of violence. This is not a question of color. It is not black or white. It is black *and* white *and* every other color and shade of color. A riot causes damage, injury and death regardless of color and regardless of who incites it.

We must exercise all of our energies to maintain law and order and to stamp out lawlessness wherever its ugly head is raised and no matter whence it comes or by whom incited.

Mr. Chairman, this bill is not a substitute for your more comprehensive measure. We all know that separately or collectively the various titles of H.R. 14765 will eventually become law. Rather, as I have indicated, it is intended to capitalize on the limited time available to correct one of the most basic problems, and to record that, despite differences in other areas, we are in accord on the question of racial justice.

PANAMA CANAL—OPPOSING VIEWS AND THE AMERICAN LEGION'S REACTION

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Sisk] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. SISK. Mr. Speaker, since the publication in the November 1965 issue of the American Legion magazine of opposite views on building a new canal, increasing numbers of thoughtful citizens of our country are resicting the recent drive for hasty action and demanding to know what the key canal issues are. Unfortunately, major elements in the mass news media have failed, and are still failing, to deal with the subject in forthright and realistic manner.

Because of the relevance of the canal issues to matter that will be included later in my remarks, I shall state the main problems facing the Congress and the Nation as have been authoritatively developed by my scholarly and distinguished colleague from Pennsylvania [Mr. Flood] in a series of notable addresses over a period of years. They are:

First, the transcendent responsibility of our Government to safeguard our indispensable treaty-based soverign rights, power, and authority over the Canal Zone for the efficient maintenance, operation, sanitation and protection of the Panama Canal.

Second, the subject of the major increase of capacity and correlated superior operational improvement of the existing Panama Canal through the modification of the third locks project (53 Stat. 1409) to match the layout in its Atlantic end, on which some $75 million were expended on enormous lock site excavacations at Gatun and Miraflores for additional locks before work was suspended in May 1942.

Third, the question of a new Panama Canal of so-called sea-level design, as modification thereof, to replace the existing canal.

Fourth, the matter of the construction and ownership of a second canal at a site other than the Canal Zone.

As a consequence of its mature interest, the American Legion at its annual convention in Washington, September 1, 1966, adopted a notable resolution dealing with canal problems and calling for continuation of our indispensable sovereignty over the Canal Zone, the creation of an independent and broadly based Interoceanic Canals Commission, and the postponement of all further negotiations with Panama until such commission is created and submits its report.

Meanwhile, the Congress authorized the publication as a Government document of the collected major addresses of Congressman Flood under the title of "Isthmian Canal Policy Questions: Canal Zone—Panama Canal Sovereignty, Panama Canal Modernization, New Canal"—House Document No. 474, 89th Congress. Because of the comprehensive nature of these addresses, this document is an invaluable collection of authoritative and carefully documented source material on one of the most complicated and vital problems now facing the Congress.

In a commendable attempt to bring crucial canal questions into focus, the American Legion magazine, as previously stated, summarized the opposing views on the canal subject with an opinion ballot attached thereto so that Legionnaires could, in convenient manner, let their Senators and Representatives know how they view the question of whether the United States should proceed now with a new Isthmian Canal. So far as I have been able to ascertain, the replies have been overwhelmingly in the negative.

In order that the Congress and the Nation at large may have the benefit of the two opposing views as published in the November 1965 issue of the American Legion magazine and of the Panama Canal resolution adopted by the legion at its 1966 annual convention, I quote the indicated statements and resolution as parts of my remarks:

[From the American Legion magazine, Nov., 1965]

Opposing Views on Building a New Canal by Senator Warren G. Magnuson, of Washington, and Representative Daniel J. Flood, of Pennsylvania—Should the U.S. Proceed Now With a New Isthmian Canal?

YES

(By Senator Warren G. Magnuson)

All of us know that a new all-weather, sea-level canal is needed in Central America, so why not build it now?

The once obstinate, formidable barrier of the Isthmus no longer poses a problem to our engineers.

Either nuclear or conventional means will make short work of providing an Isthmian channel 250 feet deep and 1,000 feet wide to accommodate all ships afloat for a crossing between either ocean in any weather, day or night.

Crumbling with the barrier of equatorial stone and dirt will be those twin plagues of tons and hours. I refer to the days and hours lost when large tanker vessels go around South America because they can't squeeze through the present canal. As for defense, we must literally maintain two navies because we can't afford to be caught short, and, of course, there is tonnage lost since only smaller vessels can inch through our present antiquated Panama Canal.

Those who built and opened it August 15, 1914, were bold. We can, and must, use our technology as they used theirs.

That means an intensification of diplomatic efforts to achieve long-term agreement with the nation through which this new canal ultimately must pass.

It requires that engineers waste no time completing the surveys authorized by the 1964 Magnuson Act creating the seven-man Presidential Commission, charged with determining its feasibility and fixing its site.

The Congress must be ready to act when the Commission has rendered its report and recommendations.

Our nuclear scientists also must have their testing completed and—if Operation Plowshare can pioneer a way to use the atom in peaceful construction with safety, wisdom and within our Nuclear Test Ban Treaty—be ready to show the world how much can be done swiftly and economically with underground cratering.

I can report that all of these steps are being carried forward on schedule. Prospective routes have been checked. Mapping is being done. Core samples are being taken and checked as to their composition and problems posed in excavation.

Diplomats are trying to effect agreement with peoples who some day may have a sea-level canal bringing business to their doorstep as our Panama Canal does today in the Canal Zone.

One thing is clear. Wherever the new canal is built, its operation and maintenance cost will be only a fraction of that for the present canal. For example, 14,000 employes are required today. Just 600 will be needed to man a sea-level canal without locks.

Another point also is clear. Up to ten years will be required to construct the new canal once the recommendation is received and the project authorized.

We cannot afford to lose time in getting the surveys done, the project under way and the necessary agreements reached so that our needs may be met now and in the future.

Those who masterminded the present canal would demand no less of us than this.

NO

(By Representative Daniel J. Flood)

Lest current enthusiasm for new canals, generated by well-directed propaganda, serve to divert attention from key facts, the following are stated:

1. The United States has a fine canal now, but it is approaching saturation.

2. Experience has shown how to maintain, operate and modernize it, without involving a new treaty with Panama.

3. This modernization plan involves consolidating all Pacific locks, raising Miraflores Lake's water level to that of Gatun Lake and eliminating bottleneck locks at Pedro Miguel.

4. It has been recognized by U.S. maritime agencies, engineers, navigators, shipping interests and lawyers as the best for the transit of vessels practicable of achievement. Moreover, some $75 million have already been expended on enormous lock site excavations.

5. The United States now has workable treaties for the Panama Canal.

6. In addition to sovereignty over the Canal Zone, the United States obtained title to all land and property in the Zone from individual owners—our most costly ($144 million) territorial acquisition.

7. In January 1964, we had to defend U.S. sovereignty over the Canal Zone, the safety of the Canal and the lives of our citizens from red-led Panamanian mobs.

8. Expending vast sums on a so-called sea-level project in the Canal Zone, or elsewhere, on the falacious assumptions of "security" and "national defense," would inevitably divert huge sums from vital defense programs and involve much greater fixed costs than improvement of the existing canal.

9. The drive for a so-called sea-level canal gains strength from the manufacturers of heavy, earthmoving machinery, dredging combines, contractors and a limited group of engineers—civilian and military—who would benefit from their own recommendations.

10. The propagandists for a new canal never answer these questions: (a) Where, on either the Atlantic or Pacific coasts of the Central American Isthmus, are indispensable terminal anchorages comparable to those of Limon Bay and Panama Bay? (b) Would not identical problems, similar to those at Panama, arise at any location? (c) How can our country adequately maintain, operate, sanitate and protect any canal with less authority than that granted in the 1903 Treaty? (d) Why do advocates for a sea-level canal in the Zone ignore the warnings of experienced engineers about the danger of prolonged closure to traffic by massive slides and its vulnerability to nuclear attack on the high central mass?

In determining future canal policy all key factors must be considered. This can be done only through an independent, broadly-based, Interoceanic Canals Commission, as contemplated in H.R. 6963, H.R. 6126 and H.R. 4871, introduced by Representatives William R. Anderson, Frank T. Bow and myself.

Only by the policy above outlined can the present canal at Panama, or any new canal built by our country, be saved from ultimate takeover by red power.

Resolution No. 547 of the 48th Annual National Convention of the American Legion, Washington

PANAMA CANAL

Whereas, in a joint statement on September 24, 1965, Presidents Johnson of the United States and Robles of Panama announced that the two countries were negotiating new treaties with respect to the existing Panama Canal and a new "sea-level" canal which might be constructed across Panama; and

Whereas, that statement made clear that the 1903 treaty "will be abrogated" and that its replacement "will terminate after a specified number of years or on the date of the opening of the sea-level canal whichever occurs first;" and

Whereas, there is no assurance at this time that the construction of a sea-level canal will be determined to be feasible, either in Panama or elsewhere in the area, or that a satisfactory treaty respecting such new canal can be secured so as to provide the United States with the necessary rights for its effective operation and protection; and

Whereas, in the interim, this situation places in serious jeopardy the rights of the United States respecting the existing canal; and

Whereas, the Congressionally authorized Commission currently studying the feasibility of constructing a new interoceanic canal is restricted to studies relative to a "sea-level" canal; and

Whereas, various proposals, such as one known as the "Terminal Lakes Plan," have been advanced for the modernization of the existing Panama Canal, based upon study by competent students of many years experience in maintaining and operating the Canal; and

Whereas, such proposals would not require a new treaty with the Republic of Panama and would not jeopardize the U.S. rights in the Canal Zone; now, therefore, be it

Resolved, by The American Legion in National Convention assembled in Washington, D.C., August 30, 31–September 1, 1966, That The American Legion (1) reaffirms its support of the basic and still existing provisions of the 1903 treaty, and the continued, indispensable sovereign control by the United States over the Canal Zone; (2) urges the enactment of legislation (similar to the Anderson-Flood-Bow bills of the 89th Congress) to establish an independent, broadly-based "Interoceanic Canals Commission," having as its mandate the examination of all tangible possibilities for improving and increasing trans-Isthmian transit capacity, followed by appropriate recommendation, and (3) urges that, until such a commission is duly created and makes its report, all further negotiations with the Republic of Panama be deferred.

THE INTERNATIONAL BRAIN DRAIN ACT OF 1966

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Fraser] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FRASER. Mr. Speaker, it is my pleasure to introduce today H.R. 18350, the "International Brain Drain Act of 1966." This bill is identical to one that is being introduced in the other body by my colleague from Minnesota, Senator Walter F. Mondale. Senator Mondale has taken the lead in Congress in focusing attention on what he has called one of the great and neglected problems of our time, the brain drain which robs the developing countries of the professional and skilled manpower that they need to bring hope to their peoples.

In a major floor speech August 31, Senator Mondale concluded that it is essential for the United States to consider the manpower needs of countries whose development is a goal of our national policy. He said:

> In other words, what is needed is some way to strike a balance.
>
> And a balance is what is needed in many other action areas I have discussed. Our people do need doctors, as our economy thirsts for more scientists and engineers. We prize the presence of foreign students on our campuses. We profit from the contribution of immigrants from all continents to our national life.
>
> Yet, if we would build a world where our children can live in peace and freedom, development of poor nations must likewise receive high priority in our national policies.
>
> And if we continue to neglect the brain drain, and present trends continue and accentuate, we may reap a grim harvest in the fulfillment of the Biblical prophesy:
>
> "To him that hath, it shall be given; from him that hath not, it shall be taken away, even that which he hath."
>
> The gap between rich and poor will continue to widen, and hopes for lasting peace will vanish for our century.
>
> I hope and believe that this outcome can be avoided. With the combined efforts of our Nation and those in other lands, I believe that it can be.

The bill that I am introducing today as a companion to Senator Mondale's proposal represents, I believe, a significant attempt to close the gap of which the Senator spoke. Following is a summary of the bill's provisions:

The International Brain Drain Act of 1966

A. Purpose—The Congress finds that the large-scale drain of talented, trained persons from the developing countries is endangering world peace by accentuating the gap between rich and poor countries, and that the United States should establish a comprehensive program to help reduce the brain drain from those developing countries which: (1) suffer severe adverse effects from it; and (2) are taking strong steps to deal with it by providing rewarding professional opportunities and careers for their own nationals.

B. Grants for Special Foreign Student Programs—$5 million is authorized for the Commissioner of Education to make pilot grants to institutions of higher education to support new programs of instruction, training, and counseling of foreign students aimed at relating their educational experiences in the country more closely to the needs of their homelands and occupational opportunities there.

C. Aid to Developing Countries to Increase Opportunities for Professional and Skilled Persons—$5 million is authorized, in a new Title X which would be added to the Foreign Assistance Act of 1961, to support experimental projects aimed at improved utilization of professional and skilled nationals in developing countries, and better opportunities for career development.

D. Limited Programs to Take Account of Needs of Developing Countries in our Immigration Policy, in Addition to Our Own Needs—The President is authorized to enter bilateral agreements with particular developing countries which are themselves making substantial efforts to attack the causes of the brain drain. Such agreement shall relate to such categories of needed professional and skilled persons as he deems advisable, and provide one or more or the following:

(1) That some or all students from such country come to the United States for studying purposes under visas which require them to return to their homelands for two years before becoming eligible for permanent residence in the United States, subject to waiver in hardship and other special cases;

(2) That immigration of certain professional or skilled persons to the United States be restricted, in cases where their home country has a very severe need for their services, where there is substantial evidence that these services will be effectively utilized, and those affected will have good opportunities for career development;

(3) That the United States will support contracts entered into between developing countries and their nationals imposing reasonable conditions relating to their return home after a stay in the United States, by denying immigrant visas to those who violate reasonable conditions in such contracts;

(4) That there be established an immigration review panel composed of appropriate officials of the United States and the contracting country to consult on matters relating to the administration of such agreements and to advise on individual cases which may arise.

In all cases, special consideration would have to be given to political refugees barred from return due to the character of their home government.

It has long disturbed me that the number of Asian students who move here permanently is at least equal to the number that we give advanced training in our aid program. This effectively cancels out one major part of our foreign assistance effort. Another disturbing part of the world where the brain drain is being felt is South America. This is reflected in the following report in the October 10 Minneapolis Tribune:

"Brain Drain" Is Growing Concern in South America

(By David Mazie)

Buenos Aires, Argentina.—South America slowly is being sapped of its most valuable resource—educated, skilled manpower.

In growing numbers, scientists, technicians, engineers, teachers and professional people are leaving their countries. Most of them are headed for the United States.

This is the "brain drain" that is causing growing concern in both North and South America.

The Organization of American-States (OAS) has scored the exodus of talent, pointing out that it was something development countries could not afford.

Sen. Walter F. Mondale, D–Minn., recently noted the paradox of America's sending aid to underdeveloped nations and then taking back their skilled workers.

Officials of the Alliance for Progress have said one of the major roadblocks in the path of the Alliance was the lack of human resources in Latin American nations—the shortage of men and women who could carry out projects.

But the "brain drain" is proving easier to point out than to plug, as experience in Argentina shows.

Argentina, with its well developed system of higher education, probably is the hardest hit South American country in terms of numerical losses. U.S. Department of Justice figures show that, in the last 15 years, 15,937 specialists emigrated from Argentina to the United States alone. (It's thought that up to 10,000 more have gone to Europe and elsewhere.)

Approximately 45 per cent of those were technicians and professional people, 40 per cent skilled workers and 15 per cent high-level administrators.

More specifically, studies in other countries indicated that the greatest exodus has been by engineers, doctors and nurses, economists, electronic experts and mechanics.

The drain is increasing. In 1950 fewer than 200 Argentine technicians emigrated to the United States, while last year the figure was 2,133.

In Argentina there has been some offsetting "brain gain"—immigration from other countries. But, in recent years, the losses considerably have outnumbered the gains.

Putting a price tag on this is difficult. But it's estimated that Argentina loses $10,000 to $20,000 on each emigrant in cost of government-financed schooling alone.

More important, and far more expensive in the long run is the loss of highly skilled people on whom Latin America's future depend.

Why does a doctor decide to stay in the United States after originally going for only a year or two? Why does a young mathematician prefer to teach in a North American university or an engineer want to work for a U.S. firm?

One of the most obvious reasons is higher wages. A beginning engineer can double the $4,000 annual salary he might get in Argentina. A professor can make considerably more than the $400 a month he earns there.

Another factor is working conditions. Research facilities are better in the United States, and there is an opportunity to work alongside a greater number of outstanding men in specific fields.

The feeling of stability and the noninvolvement of U.S. schools and institutions in political fights is an important lure in Argentina today. Government interference with Argentina universities drove out hundreds of faculty members during the dictatorship of Juan Peron and is threatening to do the same now.

Even cupid is a culprit. Many persons who leave home with the intention of returning marry an American and stay in the United States.

But of all the causes the most important is an "intangible" one, according to Manuel Sadosky, director of the Institute of Calculus and former vice-dean of the University of Buenos Aires School of Exact Sciences.

"Certainly, part of the problem is economic," says Sadosky. "But that's not the most important reason. What matters more is personal and intellectual satisfaction. We must give our young people a chance to apply what they've learned and to do work with dignity."

To lure emigrants back, Argentina has been offering fellowships and generous tax exemptions, such as the right to bring in a $4,000 car.

A few hundred people have returned but prospects of reclaiming large numbers are not good.

To keep students from leaving, other tactics are being used.

Scholarships for overseas study limit the students' time abroad and require their return to Argentina. The difficulty is that many make contacts while abroad and return to the United States as emigrants after putting in their mandatory time back.

The drain of talent could be halted at the other end of the pipe—in the United States, but that seems unlikely to happen at present. In fact, United States laws have been liberalized to facilitate immigration of technicians.

And the problem is interpreted on an even broader scale in this October 7 column in the Minneapolis Star:

"Brain Drain" Hurts Alliance for Progress

(By Carl T. Rowan)

Washington.—If you wonder why the Alliance for Progress hasn't gone very far in Latin America, you'll find one answer in a report just given to the Pan American Health Organization (PAHO).

Too many talented and highly-trained Latin Americans are rushing to the greener pastures and freer atmosphere of North America, according to a report prepared for PAHO's advisory committee on medical research.

This PAHO report documents dramatically how the "pull" of U.S. wealth and opportunity and the "push" of political strife, low pay and nepotism are depriving Latin America of some of its most able and vitally needed citizens.

The report points out that:

Over the past five years, some 3,000 university-educated Latin Americans have migrated permanently to the United States.

Each year, about 300 physicians migrate from Latin America to the United States, a number equal to the annual output of three large U.S. medical schools: "The value of the physicians coming to the United States is roughly equal to that of all U.S. medical assistance to Latin America."

Apart from Cuba, with its special political problem, the two countries hardest hit numerically are Argentina and Colombia, which are losing 900 to 1,000 professional and technical workers a year. But the effect is three times as devastating in Colombia, where the gross national product is only a third that of Argentina and the need for talented people is critical. In terms of destructive impact, the countries hardest hit by this migration are Ecuador, Colombia and Argentina, followed a level down by Mexico, Chile and Venezuela.

I hasten to point out that the numerical dimension of the "brain drain" from Latin America is not as great as from the Philippines, India, Turkey, Korea, Iran—or even portions of Western Europe.

But what makes the Latin American situation most urgent is that the continent is already wracked with political turmoil; it has been singled out as a prime Communist target for "wars of liberation"; thus it can ill afford the economic, cultural and political stagnation that threatens to result from the loss of its ablest, most imaginative people.

The report to PAHO does not recommend that the United States erect new barriers to migration. The report emphasizes that the training of about 9,000 Latin Americans a year in U.S. institutions is important to the total education scheme in Latin America. But PAHO does urge that this training program not be permitted to become "the first stage of migration to the United States."

The report endorses a proposal, made last August by President Johnson in a speech marking the fifth anniversary of the Alliance for Progress, that multinational institutions for advanced training in science and technology be developed as one way of slowing the brain drain.

Brazil and Uruguay already plan to establish special funds for such institutions and have expressed a wish that the United States will provide matching funds.

They hope this will be a first break in the vicious cycle where good people leave Latin America because life is impoverished and barren of opportunity but life remains meager and short of hope because the people who might change it are fleeing.

The following editorial from the September 3 Minneapolis Tribune expresses support for Senator Mondale's ideal idea:

United States "Steals" Foreign Talent

Sen. Walter F. Mondale, D-Minn., charged in a Senate speech Wednesday that the United States is hurting the developing nations by draining off their scientists and technicians. Passage of the liberalized immigration act speeded up the "brain drain," he said.

The July issue of Foreign Affairs magazine carried an article in similar vein by Dr. James A. Perkins, president of Cornell University and chairman of the President's Advisory Committee on Foreign Assistance Programs. Perkins was especially critical of the way the student exchange plan worked out—too many of the foreigners stay here after their university training.

According to a United Nations report, 43,000 scientists emigrated to the United States between 1949 and 1961, many from the less developed countries. In 1964–65, Perkins noted, 28 percent of the internships and 26 percent of the residencies in American hospitals were filled by foreigners. A big share never go home.

The United States has jobs for these people, but this domestic need conflicts with our foreign aid policy, which supposedly is aimed at helping the developing nations make faster progress. How can they when we absorb their educated people who are best able to administer affairs at home and educate their fellow countrymen?

Last year's immigration legislation resulted from a sort of stampede in Congress. It increased the total flow of immigrants—a questionable way of relieving population pressures elsewhere—and then singled out for VIP treatment the individuals other nations could least spare. Maybe Congress should start over. And obviously our foreign aid programs need improvement in regard to the brain drain.

Mr. Speaker, H.R. 18350 is a bill that deserves careful consideration by the House. It is the product of much thought, especially by Senator Mondale, and it is my hope that the bill will be enacted into law. The gap created by the brain drain is growing, not shrinking. We cannot afford to waste time in closing it.

AIRCRAFT NOISE ABATEMENT LEGISLATION

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Gilbert] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GILBERT. Mr. Speaker, with permission I wish to insert in the Record my testimony before the Subcommittee on Transportation and Aeronautics of the House Interstate and Foreign Commerce Committee on my bill and similar proposals to control and abate aircraft noise.

Congress should provide the authority and the mandate for an attack on this problem which grows more tremendous each day. I am pleased the committee is holding hearings and I hope the Congress will act before the adjournment of this session.

Testimony of Hon. Jacob H. Gilbert, Before the Subcommittee on Transportation and Aeronautics of the House Interstate and Foreign Commerce Committee, October 12, 1966

Mr. Chairman and members of the subcommittee, I am pleased your subcommittee has today begun hearings on the important subject of aircraft noise abatement. I am one of the large number of House Members who has sponsored legislation to amend the Federal Aviation Act of 1958 to authorize aircraft noise abatement regulation. My bill would also authorize the Federal Aviation Agency, with cooperation from industry as needed, to carry out necessary study and research programs concerning the methods and devices for aircraft noise abatement.

My bill, H.R. 16339, is along the lines of the recommendations made by the Jet Aircraft Noise Panel of the Office of Science and Technology. The Panel outlined four areas in which action should be taken: in the field of measurements and standards, engine noise reduction, compatible land usage, and operational considerations.

The Panel further pointed out the need for a Government program of research into the technical and economic aspects of the aircraft noise problem. This Panel concluded that:

"Initiative for solving problems of jet aircraft noise can effectively come only from a source not compromised by economic interests in conflict with those of the major groups now involved—engine and aircraft manufacturers, airline operators, and local governments. And there is only one source meeting this constraint which can be functionally effective—the Federal Government."

My bill authorizes the Federal Aviation Agency to prescribe maximum noise standards and to issue noise abatement and control regulations to be applied in issuing, amending or revoking flight certifications. My bill further provides for research with a view to developing devices and methods for aircraft noise abatement, including noise suppression and other mechanical devices for engines and ground baffle systems; and procedural techniques applied through air traffic control systems such as preferential runway systems and greater ascent and descent angles; administrative procedures for noise abatement through local zoning regulations, airport site selection, and appropriate land use in areas near airports.

As we all know, higher performance and noisier aircraft have entered the airlanes in recent years. In the future, more and more airports will be servicing jet planes, small airports as well as large ones. Just a few days ago, I had a most informative meeting with F.A.A. officials in my office, at which time I was reminded that aircraft noise will probably get worse and that we can expect it to affect more and more people. While this is disheartening, it does serve to point up the fact that the Federal Government must take action. I am pleased that General McKee, the F.A.A. Administrator, who is appearing before your subcommittee this morning, considers aircraft noise a serious enough problem to warrant high priority by his agency.

Mr. Chairman, I have received many letters complaining about aircraft noise at La Guardia and Kennedy Airports in New York City. In fact, just last week I received petitions signed by almost 2,000 residents of my Congressional District in the Castle Hill area. I quote from their petitions: "The noise caused by low-flying planes make it impossible for us to sleep, to hear normal conversation, or to enjoy radio and television."

Others, some ill and elderly, tell me of the "severe strain on their nerves," or their "inability to recover from illnesses;" workers complain of "impairment to their efficiency in their employment"—all because of the deafening, unrelenting roar of aircraft.

I know what these people mean because I live in this area. And it is not a problem in my city only, but it exists throughout the country where airports are adjacent to large cities. I feel, however, that we have a responsibility to millions of Americans whose way of life is deeply disturbed by the nuisance of aircraft noise at all hours of the day or night. It is my belief that every citizen has the right to live in peace, free from the disturbance of undue aircraft noise.

I conclude that we need to go forward with a comprehensive program to reduce aircraft noise. The Federal Government has jurisdiction over airports and air traffic. The Federal Aviation Agency should be given the authority to establish aircraft noise standards similar to existing safety standards for civil aircraft, and the power to set standards for limiting aircraft noise in the certification and operation of civil aircraft. A research of the overall problem should include a study of suppression devices on aircraft, preferential runway systems, procedures for aircraft noise abatement through local zoning regulations, and compatible land usage in airport site selection.

The Congress should initiate action by providing the authority and mandate for a massive attack on aircraft noise. Our local communities cannot do the job alone; it must be a cooperative effort of Federal, state and local governments, and private industry.

Mr. Chairman and members of the subcommittee, thank you for this opportunity to testify on my bill and similar proposals to control and abate aircraft noise. Your speedy response to my request for hearings convinces me you are well aware of the problem and are concerned. I urge you to report this legislation before adjournment of the 89th Congress.

OBSTRUCTION OF ARMED FORCES

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Moorhead] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. MOORHEAD. Mr. Speaker, I rise in opposition to H.R. 12047.

I do so because this bill is either, first, unnecessary or, second, dangerous.

The Department of Justice, the Department of the Treasury, the Department of Commerce, the Department of the Army, the Department of State, in fact all of the departments which presented statements to the committee stated that the bill was unnecessary and that the objectives of the bill could be accomplished under existing statutes such as the Trading With the Enemy Act, the Export Control Act, and other laws.

If this bill does nothing and is not necessary it should not be passed.

If, however, the bill does do something we had better be careful that we are not passing a dangerous act. The Department of the Treasury says the act might "involve difficult questions of infringement on the constitutional rights of citizens in the areas of freedom of speech, freedom of thought, etc."

For example, could section 403 be applied to the members of a labor union picketing a factory, a part of whose operations might be the "provision" of the Armed Forces?

Under section 402, the words making it a criminal offense to "solicit" a "thing" without any limitation to whether it be a thing of value are the broadest, loosest language I have ever seen in a criminal statute providing for a 20-year jail sentence.

A few years ago some good Americans "solicited things" for the Katanga Freedom Fighters of Moise Tshombe. Our airplanes bringing U.N. soldiers between the contending forces in the Congo were fired upon. If H.R. 12407 had been law, would these Americans be subject to a 20-year jail sentence?

Mr. Speaker, H.R. 12047 is either unnecessary or dangerous and in either event, it should not be passed.

UNITED STATES AND CUBAN FORCES WAR ADVERSARIES IN VIETNAM

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FLOOD. Mr. Speaker, in a statement to the House on September 20, 1966, on the "Caribbean Triangle: Panama Canal, Guantanamo, and Puerto Rico—Objectives of Subversive Attack," I quoted section 5 of a recent study by the staff of the Senate Subcommittee on Internal Security. This section summarizes the resolutions adopted in January of this year by the Tri-Continental Conference of African, Asian, and Latin American Peoples at Havana in Castro's Cuba.

These resolutions condemned "the Yankee imperialists' aggressive war in South Vietnam," urged "the development of liberation wars in every region where conditions are ripe," and cited South Vietnam as the "best example."

The Latin American report of the Citizens Committee for a Free Cuba has recently revealed that U.S. troops are now fighting Cuban "volunteers" in southeast Asia and that Cuban crews, trained in the Soviet Union, are operating surface-to-air missiles against our aircraft. Also it discloses that Vietcong instructors have been in Cuba teaching Cubans the methods of "jungle warfare and guerrilla insurrection," with the latter apparently becoming part of the Vietcong fighting forces in Vietnam. Notwithstanding these facts, the Department of State describes the Cubans thus engaged as "military advisers." What a travesty.

The revealments of this Latin America report emphasize again what I have repeatedly tried to stress in statements to the House. This point is the inconsistency in our policy of waging war against the forces of international communism in Vietnam while at the same time we do not act to dislodge Red power from Cuba from which it exports revolutionary terror and violence not only into countries of the Western Hemisphere but also to southeast Asia.

In order that the indicated Latin America report may be more widely known in the Congress and the Nation, I quote it as part of my remarks:

[From Latin America Report, Sept. 19, 1966]

U.S. Troops Encounter Cuban Adversary in Vietnam

U.S. troops are now fighting Cubans. The fight is not taking place just ninety miles from Florida or elsewhere in this Hemisphere as might be supposed, but 10,000 miles away—in Vietnam.

Refugees from Cuba—often a source of valuable intelligence—state that Cuban "volunteers" are reaching Vietnam after first being shipped to Moscow. The mother of one youth, whose name cannot be disclosed for fear of reprisals against the relatives still in Cuba, reports that her son was "accidentally killed."

Taken protestingly to Moscow with other Cuban youths pressed into military service, the young man later wrote to his mother from the Far East. Later still, the refugee mother claims, she received a notice from Cuba's Ministry of Armed Forces that her son had been "accidentally killed while in training." There was no other explanation, nor could one be secured from the Ministry.

There has been something of a rush of these form letters in Cuba recently. The incidence of "accidents" seems to be widespread. Interviews with refugee arrivals in Miami turn up the information that parents of youths sent to Russia have been receiving death notices with disturbing regularity. There is no explanation other than that the youths were killed "accidentally." An examination of some of the letters received reveal that many were not posted in Havana, as would be normal procedure, but in Santiago where Comandante Abelardo Colomé is in charge of the "volunteer" program for Vietnam.

It is no secret that Cuba is spear-heading the support of Communist countries to the Viet Cong. Following the Tri-Continental Conference in Havana last January, Cuba was established as headquarters for the "Tri-Continental Committee To Aid Vietnam," and has been active in promoting that aid over the past seven months. Resolutions passed at the conference itself are explanatory of that aid.

They read, in part: "It is necessary to multiply solidarity with the Vietnamese people throughout the world and support their heroic battle in every manner, even by sending armed volunteers, if that be necessary. * * * Defense of the Vietnamese peoples' just cause has become the central task for the revolutionary strategy of the peoples of Africa, Asia, and Latin America."

It also is within the context of the resolutions and practical means to implement them that Fidel Castro said in his July 26 speech that "If Vietnam asks for help and asks for specialists in tanks, artillery, and infantry, we shall send our well-trained military units."

The State Department has taken notice of reports that Cubans are fighting in Vietnam, but has the story another way. According to a recent release from Washington, the Cubans in Vietnam are considered vaguely by the State Department to be "military advisers." The facts, however, seem to have it the other way around. Viet Cong military instructors have been in Cuba for more than four years, teaching Cuban and Latin American cadres in the various arts of jungle warfare and guerrilla insurrection.

What the State Department is suggesting, then, is the untenable proposition that, having been taught by the Viet Cong, Cubans are now in Vietnam instructing their own teachers. The release from the State Department also recalls a similar untenable position regarding "military advisers," taken during the missile crisis in 1962. Refugee reports of a great influx of Soviet military units at that time was met with the counter-proposition in Washington that the Russians were part of a "rotating" military and economic aid mission.

Well-informed sources in Washington see other similarities in the reaction of the State Department in 1962 and now. A post-mortem background briefing held in February, 1963, explained the State Department reaction to Cuban refugee reports the previous summer and fall as in response to a need to "calm the national temper." It perhaps needs little noting here that the unhappy military stance of the United States brooding over a Communist sanctuary in the Caribbean by which the Vietnam war is nourished may be considered sufficient reason for issuing "calming" statements now.

A spot-light turned on the Cuba-Vietnam corollary also reveals why Cuba is permitted to enjoy its status as a Communist sanctuary. The story is not a reassuring one, and the exchange of letters between the late President John F. Kennedy and Nikita Khrushchev explains why.

The letters, first printed in the November 1962 issue of Castro's Bohemia magazine, are reprinted in Elie Abel's book, "The Missile Crisis" (Lippincott, 1966). Abel reveals that the status of Cuba as a sanctuary of subversion came about as a concession to Khrushchev, accepting, as Abel puts it, "a set of terms Khrushchev never formally offered."

The key sentences by which the Kennedy Administration guaranteed that Castro would not be overturned are, writes Abel, in the letter drafted by Senator Robert Kennedy. If the Soviets "would agree to remove these weapon systems (missiles) from Cuba," the letter to Khrushchev from Kennedy reads, "we on our part would agree * * * (a) to remove promptly the quarantine measures now in effect, and (b) to give assurances against an invasion of Cuba." The letter immediately continues: "I am confident that other nations of the Western Hemisphere would be prepared to do likewise."

From that moment, the Russians took control of Cuba openly and built forty-three guerrilla training camps through which a consortium of Communist nations are mounting subversive wars throughout the world. The Russian-sponsored Tri-Continental Conference of last January was the immediate culmination of their political moves by which their Cuban sanctuary was converted into the headquarters for that subversion. Thus, hasty concessions made during the missile crisis in 1962 now have world-wide repercussions.

There is the belief among many Cuban refugees, and among defectors from Castro's government as well, that Cubans may be operating surface-to-air (SAM) missiles in North Vietnam. The State Department concedes that Cuban crews have been trained by the Russians in the operation and maintenance of the SAM's. There is some doubt, however, that control of the missiles in Cuba have been turned over to Castro. Informants point out that the use of Cubans in manning the SAM's in North Vietnam has considerable appeal. Such an arrangement largely eliminates the "confrontation" aspects of U.S. pilots and Russian missile-gunners shooting at each other. In addition, Cuban crews receive valuable combat experience.

More immediately important to considerations of national security, is the fact that the Soviet capture of Cuba remains the number-one military and foreign policy defeat of the United States. Timid efforts as one diplomatic expression has it, "to deal with the problem," have had all the effect of an Alka Seltzer dropped in the middle of the Pacific Ocean.

VENEZUELA, COLOMBIA CRACK-DOWN ON STUDENT VIOLENCE

The Presidents of Colombia and Venezuela are alarmed by Cuban-sponsored violence on university campuses in their countries. Directed from Havana, where the Secretariat of Latin American student subversion was created last month, student violence has taken an alarming toll of lives and property in South America.

Colombian President Carlos Lleras Restrepo, considered violence to be of such importance that he made it the subject of an address to the nation. On September 1, President Lleras Restrepo denounced violence that took place last week in Huila, Santander del Sur, El Tolima, and the Periña range of mountains. "The nature of the incidents," the President continued, "is such that they are not accidental, but that they respond to a plan * * * to continue creating unrest and uneasiness in the country."

The Colombian President pointed an accusing finger at Cuba, saying that the plan is "confirmed by the fact that aid to guerrillas and the stepping-up of guerrilla warfare is openly and impudently urged from microphones in Castroite radio stations." He spoke about student strikes and violence "fomented from a foreign country," saying that "just during the first two days of the student strike at Antoiquia University (in the city of Medellin), damage to property exceeds 500,000 pesos."

The student strike, said Lleras Restrepo, "caused by well-known and carefully identified professional agitators," fits into the overall plan of subversion of his country. "Professionals behind the strikes," he continued, "turn them into tools of violence often extended to non-university affairs."

Latin American universities enjoy virtual immunity from police search. Called "university autonomy," the tradition is invaluable to the Communists in hiding guerrilla actionists, and few governments choose to invite public censure by tampering with it. President Raúl Leoni of Venezuela recently did, and was rewarded for his decision when plain-clothes policemen arrested José Francisco Melo Soacha on the campus of the Central University of Caracas. Melo Soacha is a notorious guerrilla leader from neighboring Colombia. He received what amounted to "asylum" at the Central University in Venezuela, where he stayed undetected for months.

Not all governments are as firm in dealing with Communist activities on university campuses as that of Leoni's. In 1964, Communist urban guerrilla leader Licurgo Pinto broke off combat with police units and fled to the campus of San Marcos University in Lima. University authorities denied a request by the Ministry of the Interior to enter the grounds of San Marcos. The police were forced to lurk in the vicinity for over one year, finally nabbing Pinto when he tried to sneak off the campus.

PANAMA CANAL—TRANSIT OF CUBAN VESSELS EN ROUTE VIETNAM

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. FLOOD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FLOOD. Mr. Speaker, in the Record of June 27, 1966, my distinguished colleague from Missouri [Mr. Hall], in a statement to the House, quoted a news story revealing that Cuban vessels en route to North Vietnam are passed through the Panama Canal. Prior to that statement, the Defenders of the American Constitution, of Ormand Beach, Fla., 32074, in an alert to its membership, supplied additional facts concerning the passage of Soviet and Cuban vessels through the Canal in reference to the Vietnam war.

I have recently received from one of my many correspondents a letter enclosing a press release of the Department of State defending the transit through the Panama Canal of Cuban vessels for North Vietnam, citing article XVIII of the 1903 Panama Canal Treaty, which article I now quote:

> The Canal, when constructed, and the entrances thereto shall be neutral in perpetuity, and shall be open upon terms provided by Section I of Article three of, and in conformity with the stipulation of, the treaty entered into by the Governments of the United States and Great Britain on November 18, 1901.

Article III of the 1901 treaty gives the rules of the Convention of Constantinople of October 28, 1888, for the operation of the Suez Canal, of which I quote the first section:

> 1. The Canal shall be free and open to the vessels of commerce and of war of all nations observing these Rules, on terms of equality, so that there shall be no discrimination against any nation, or its citizens or subjects, in respect of the conditions or charges of traffic or otherwise. Such conditions and charges of traffic shall be just and equitable.

Though the Department of State release correctly quotes article XVIII of the 1903 treaty with Panama, it fails to mention the superior obligation of the United States under article II of the same treaty for the "construction, maintenance, operation, sanitation, and protection" of the Panama Canal.

In this connection, Mr. Speaker, it is a historical fact that for 5 months before Pearl Harbor all transit of the Panama Canal was denied Japanese vessels for reasons of security. This is to say, that in time of "international conflagration" or "threat of aggression" that would endanger the "neutrality of security" of the Panama Canal care must be taken in permitting vessels to enter the canal to protect against destruction. Such facts constitute valid reasons why vessels of potential enemies should be denied entrance. Any country, anywhere, under similar circumstances, would exercise due regard to questions of canal security.

Even today, Mr. Speaker, Egypt, in the operation of the Suez Canal, and contrary to long established practice under the 1888 Convention of Constantinople, excludes from the canal ships of another country which is on unfriendly terms with Egypt but at present is not at war with Egypt.

In order that the Congress and the Nation, may have fuller information in the premises, I quote my correspondent's letter, its enclosure from the Department of State, and the indicated alert:

Staten Island, N.Y.,
September 13, 1966.

Hon. Daniel J. Flood,
House Office Building,
Washington, D.C.

Dear Mr. Flood: Inasmuch as your knowledge of the affairs of the Panama Canal is always current, I am enclosing a statement on Cuban use of the Canal issued by the State Department sent to me by my Congressman when I protested Castro's shipping supplies to the North Vietnamese.

That the State Department can virtually defend Castro's action through the use of the innocuous provision of the 1903 Treaty that the Canal "shall be neutral in perpetuity" is absurd. Does this mean we have no way of preventing Castro from further aiding our enemy?

How can we possibly win a war when our State Dept. employs such specious reasoning?

I would greatly appreciate your shedding any light possible on this most serious problem.

Very truly yours,

Adele Lenza.

Cuban Shipping to North Vietnam and the Use of the Panama Canal

The general pattern of Cuban shipping to North Viet-Nam, which to date has not been very great, has been one of Cuban vessels carrying sugar to Japan, sailing in ballast to North Korean and/or Chinese ports, and picking up miscellaneous cargoes for North Viet-Nam. In some cases, apparently, these cargoes have included war materiel. In addition, a very few Cuban vessels have lifted cargoes of sugar from Cuban ports to North Viet-Nam.

Inasmuch as Cuba is considered an integral part of the Communist system of nations, Cuban assistance to North Viet-Nam is not surprising. It might be pointed out, however, that the Cuban economy is in such dire straits that the Castro regime has few resources to make available to anyone.

Regarding the use of the Panama Canal, Article XVIII of the 1903 Convention between the United States and Panama provides that the Canal shall be neutral in perpetuity and shall be open to the vessels of all nations, without discrimination.

Accordingly, ships flying the Cuban flag are permitted at the present time to transit the Canal. All ships transiting the Canal, however, are subject to rules and regulations governing navigation of the Canal and adjacent waters. These regulations provide for certain security measures and control of all ships while in waters under United States jurisdiction.

Calling All Patriots—Treasonous Policies Betray Our Sons in Viet Nam

(By P. A. Del Valle, President, Defenders of The American Constitution)

Facts: Cargoes of ships transiting the Panama Canal are not inspected unless false manifest is suspected.

Marines no longer board Soviet flag ships although the USSR boasts openly that they are helping our enemies in Viet Nam. 25 of their ships went through the Canal in the second quarter of this fiscal years (Oct., Nov. and Dec., 1965).

"Security guards" go on board Cuban and Polish ships, but are not authorized to inspect the cargoes, although such inspection was routine before and after Pearl Harbor (Dec. 7, 1941).

According to reports made public in December, 1965, all Cuban registered ships carry war materiel to North Viet Nam by order of the Cuban Government. Poland is a satellite of the USSR.

Canal Zone Customs Officials are not permitted to stop and search ships for war materiel unless ordered by the Governor, who would only take such action on orders from Washington.

Significance: There is no security in the Canal or the Canal Zone and ships of any nation may transit without hindrance, which means that our canal, built by the U.S.A., maintained and operated by the U.S.A. is used without hindrance by ships carrying war materiel to our enemies in Viet Nam. Some of our so-called allies and our deadly enemies use this American facility to transport the arms with which our men are being killed in an undeclared but bloody war, a situation of the most tragic character.

Policy decisions are apparently made in consultation with an international control commission which includes Poland, whose leaders, Gomulka and Rapacki were recently consulted by our "roving ambassador" Averell Harriman. And this can only mean that certain powerful internationalists controlling the policies of both our own and other countries are making a good war profit at the expense of American lives. Their influence can also be noted in the lame excuses our government gives for not closing the Port of Haiphong, through which all this materiel flows.

Action indicated: (1) We must overcome the apparent indifference of the Congress by confronting our Representatives and Senators with these facts and a demand for an immediate investigation of this situation, to be followed by such Congressional action as may be necessary.

(2) Also bring these matters to the attention of your State Governor and members of your State Legislature, strongly urging them to join in the effort to arouse the Congress to take action commensurate with the gravity of the situation.

(3) Publicize this situation by every means available within your means, buying radio and T.V. time, advertisements in the press, and sending groups to Washington to demonstrate and picket with signs or any other lawful means.

(4) Using the chain letter method, send three copies of this Alert to three patriots asking them to do the same until we cover our land with this important information and our appeal for action.

ADDRESS OF VICE PRESIDENT HUBERT H. HUMPHREY—AMERICAN AGRICULTURAL EDITORS' ASSOCIATION

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Olson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. OLSON of Minnesota. Mr. Speaker, I wish to have inserted in the Record the following speech of the Vice President, Hubert H. Humphrey:

Address of Vice President Hubert H. Humphrey at the American Agricultural Editors' Association Summer Meeting, June 22, 1966, Washington, D.C.

James C. Thomson, President, A.A.E.A., Prairie Farmer, Chicago, Ill.

Mr. Thomson. I have had a wonderful four days in Washington and this is the last of our scheduled events and a very fitting climax to a highly informative and stimulating convention.

Our speaker does this organization a great honor in appearing here today and it is a great privilege for me to introduce him to you. But before I introduce our speaker, let me introduce you to him. Mr. Vice President, these farm paper editors represent a combined 12,000,000 circulation. They are well known too and speak regularly to virtually all of the farmers of the nation. I am sure you don't remember me but I was with you and Secretary Freeman on the trip to Honolulu. We stopped in Guam, you may remember, and went on to Saigon, and the last time I saw you you were making a speech to the Vietnamese and I must confess that I didn't hear all of your speech because I was so fascinated watching a Japanese reporter write what you were saying, with all those flourishes and a little brush. I had never seen anything quite like that.

Well, our speaker is a man of tremendous vitality and wide interests and in the recent flurry of charge and countercharge about farm and food prices, I don't think he ever lost sight of the importance of agriculture to this nation's economy. Gentlemen, Ladies, I am very happy to present to you the Vice President of the United States, the Honorable HUBERT H. HUMPHREY. [Applause.]

ADDRESS BY VICE PRESIDENT HUMPHREY

Mr. HUMPHREY. Thank you very much for your gracious introduction, Jim. I appreciate the opportunity to speak to people who talk to farmers and those in the agri-business community.

Farm people, their problems, their defeats, their triumphs, and their basic importance to our society have been the concern of President Johnson and myself for many years. We come from rural America. We've seen farm depressions, and their terrible human toll, and we never want to see another. We must not have another.

Our American farmers will enjoy one of their most prosperous years in 1966. In most commodities we need more production. This is news, Ladies and Gentlemen, and it's good news.

Net income per farm and personal income per capita of farm people will be the highest on record this year. Farm prices are up. Net farm income is up. Agricultural exports are up. And farm surpluses are down.

When I first came to Washington, and indeed in the time of my service in the Senate, there was an article each day about the unbelievable tragedy of farm surpluses that was befalling this nation. Now some of those same writers are beginning to tell us of the danger of shortages. It just proves how things do change.

Most of the credit for the achievements I have spoken of belongs to the productive energy and the competence of the American farmer. But some credit is due the Johnson-Humphrey administration, the 88th and 89th Congresses, and to policies directed to the prosperity and well being of rural America.

Parity of income and equality of opportunity for our farm producers are the stated and determined goals of this government.

Sometimes the good news and the record of achievement are obscured by a poor choice of words, or confusing headlines. So let me make one or two things clear. If things are better today than yesterday, we nevertheless seek to make them even better tomorrow. We are a restless people, and we seek higher standards and higher goals all the time.

American agriculture will be selling more of its production and fair and stable prices are in prospect. Fair and stable prices have been a basic need of American agriculture for many years. And fair and stable prices to the farmer imply no unfairness to the consumer.

The American consumer has benefited—sometimes without realizing who his benefactor was—from prices which at the farm level often have been distressingly low. One of the developments in our nation is that people have become accustomed to rather low farm prices. Occasionally a note of sympathy would be uttered to the farmer, but farm prices remained distressingly low, nevertheless.

In the last five years the price of eleven key foods in the consumer price index has risen less than nine per cent. During the same period, the weekly earnings after taxes of a worker in industry has risen more than 20 per cent. The profits of American corporations have more than doubled and dividends have more than tripled.

Everything must be put into perspective. You cannot just look at one factor and draw judgments from that. The theory of relativity applies to economics in a society such as our just as it does to science.

In no country do consumers have as large a choice of nutritious foods as in this country. And the percentage of disposable income that is spent for food is lower in the United States than in any country on the face of the earth. The best bargain in the world is the food that the American people get this day, in this month of June, 1966.

Consumers can thank the American farmer for this in a very large part. Consumers reap the benefit of abundant production on our farms and, in turn, farmers benefit from full employment, or expanded employment in the rest of the economy.

By the same token, consumers do not benefit in the long run from depressed farm prices. We all need each other for a full and balanced prosperity. Here is where you come in.

Farm editors have an opportunity and an obligation to present the facts to the entire American public. This is a story that needs to be understood by every American.

You have provided a constant flow of technical information from the laboratory to the land. In no other country are farmers as well informed as in the United States. Major credit for this should be assigned to farm publications, their editors and their reporters.

You also have helped to bring about an understanding of the social and international policies and advantages of our farm programs. I cannot overly stress the importance of American agriculture to the strength of this nation throughout the world. It is so vital.

I particularly wish to commend you for your long-term support of the Food for Peace program.

Since 1954 we have exported over $15 billion worth of farm products to needy people in developing nations under the Food for Peace program. Food for Peace helps millions of people every year in more than 100 countries. Some of these countries have developed with our help to the point where they now are commercial markets for our farm products. Nations whose people we were helping with food and other forms of aid ten or twenty years ago now are among our best dollar customers for farm products. And there is good reason to believe that other nations will move from the aid category to the commercial trade category in a very short time.

But behind the statistics lies the full impact of our food aid. Let us think of those to whom the Food for Peace program is directed in our attack on hunger and malnutrition, still the most serious health problem of the world. Let us recognize that food deficiencies are most serious in infants, the pre-school age, and to a lesser degree in school-age children. And let us remember that malnutrition results not only in high child death rates and widespread disabling diseases, but in permanent mental and physical retardation.

One of the wonders of the world is the health of our youngsters here in America. Their good health not only is due to the great breakthroughs in the healing arts and drugs, but to nutritious food and diet.

As a result of the dietary changes in Japan, the average Japanese boy now is four inches taller than his father. Food has had a remarkable impact not only on physical health but mental health. The shortage of protein in the world is one of the great threats to the mental health of the people of the world.

The Food for Peace program is taking hold. What began as a surplus disposal program has become a major constructive force. It is a basic and essential item in the programs of the President of the United States in advancing our foreign policy objectives and interests. Let no man underestimate the role of our food and technical assistance in meeting the challenge of world hunger—not only for the present, but for many years ahead.

The late beloved Pope John said that where there is hunger—constant hunger—there is no peace. We will save more lives in India this year as a result of food aid than the total population of North and South Vietnam. I wish that as much emphasis were placed on the lives that we save as is placed on the lives that are lost because of war. I wish we could have the same dramatic presentation every morning of the impact of American food on the lives of children throughout this world that we have every morning of the war in Vietnam. Every day the papers are filled with death and destruction. This is a life-giving nation, but we seldom emphasize what we do that is constructive and wholesome and decent and good. We have a fixation on being able to portray the riots, the violence, the disease, the destruction, the despair that afflicts us. There ought to be some balance and I appeal to you to give it that balance.

Recently the President called upon our nation to use our agriculture abundance and our extensive technical skills to assist the less-developed countries to strengthen their own ability to produce and to buy agricultural commodities and, more generally, to support world development. This is our policy—to help, to aid in emergency, but to offer self-help to get people to stand on their own feet. You are responding to this call.

Jim Milholland, who is here with us today, president of the Agricultural Publishers Association, will leave for Western Europe within the next few days where he will confer with government and agricultural leaders on farm problems there.

A committee of weekly newspaper publishers from the National Newspaper Association will be journeying to Japan and to East Asia this summer to talk with farm producers, governmental officials, and others.

And the Agricultural Publishers, in cooperation with the United States Department of Agriculture, are launching a Farm Papers for Peace program whereby copies of well-known agricultural magazines and publications will be made available to emerging nations to make their libraries complete with the writings of our fine agricultural journalists.

Let us take a good look at America's opportunities for farm exports. I meet with our business people from time to time on the matter of developing a sensitivity in this nation toward exports. Do you realize that our country exports only four per cent of its gross national product?

I met with the coal producers yesterday. We can lay down coal out of a United States coal mine at a port in Europe cheaper than a European country can mine its own coal. We have become competitive—overly competitive. The coal producers, because they were losing some of their domestic market, had to go out and get a foreign market.

I am urging that we take a good look at the development of farm exports because we have a miracle of production in this country. There is no country on the face of the earth that can even touch us in terms of agricultural efficiency. There are two areas in which we have unquestioned superiority—in the mining and the distribution and production of coal, and in the production of agricultural commodities and the distribution of those commodities. Nobody can even come close to us. It is in these areas that we ought to make our best endeavors and efforts.

In the current fiscal year our agricultural exports are estimated to reach a new peak of $6.7 billion. We will receive $5 billion of this in dollars—a major, positive contribution to our balance of payments. But this contribution can be even larger if President Johnson's proposals to the Congress for the expansion of East-West trade are adopted. I ask your support of these proposals.

I ask your support for the principle that trade with the Soviet Union and Eastern Europe in agricultural commodities be put on the same basis as trade in other nonstrategic commodities.

We ship all kinds of things to these countries. We ship all sotrs of items in which we are really not very competitive. But in a product that we have in abundance, or could produce in abundance at a lower price than anybody on the face of the earth, we have imposed artificial barriers.

Trade routes are vital arteries of international cooperation. They can be among the most significant of the bridges of better understanding between the Free World, the Soviet Union, and the Eastern European countries. Expansion of trade between such diverse economic systems needs the development of special ground rules consistent with Free World trade practices.

I have watched with interest the continued success the Canadians have achieved in selling agricultural commodities to the Soviet Union and to other Eastern European countries. We should make a consistent effort, toward eliminating the barriers that prevent sensible, constructive expanded East-West trade. There is no reason why the American farmer should not share in hard currency markets created through trade with the Soviet Union and Eastern Europe. In this endeavor, the President needs the flexible authority that he has requested to grant Most Favored Nation treatment wherever he regards such steps as necessary to the achievement of our foreign policy objectives. I don't see how we can deny ourselves this opportunity.

As per capita incomes in other countries have risen, we have seen sharp increases in imports of food and feed from the United States. For too long we have placed too little emphasis upon this export market. The market for feed and feed grains, oil seeds, protein meals and vegetable oils is highly competitive. We had better get in and compete.

In recent years the market development activities generated by Public Law 480, foreign currencies, plus private funds, has been very helpful in sales promotion. But again, much more can be done. These commercial markets are achieved with great effort and must be filled. We must be sure that we produce sufficiently to meet these needs.

A whole new generation of consumers abroad is basing its more nutritious food needs on agricultural commodities that are made in America. We simply have to wake up to this opportunity. At times we have been so derelict in our promotion of foreign trade that when the opportunity arises we are not quite sure what to do about it. We have become so accustomed to the philosophy of plowing up every third row, that we don't quite understand what to do if we need every row.

We have developed a positive approach to the use of our productive capacity to further our international objectives and at the same time increase farm income. This is reflected in our efforts to expand soybean acreage for 1966, higher 1966 rice allotment, and the increase in the wheat allotment for 1967. Presently, we are re-examining all of our commodity programs for 1967, particularly, wheat, rice, soybeans and dairy products.

In our planning we must be sure we produce enough to meet our own needs, the requirements of our commercial export markets including those under the Food for Freedom program, and have enough remaining for adequate and needed carryover stocks—truly a strategic food reserve.

I have been looking into our food and feed supply situation, especially in terms of reserves for years ahead, and I am concerned. We have a plentiful supply of only two commodities—cotton and tobacco. But as far as other commodities are concerned, we do not have a surplus.

Too many people think that all the carryover stock of a commodity is a surplus. It would be an extremely difficult period for this nation if there were no carryovers of major crops. We need reasonable working stocks as a minimum for normal business operations. This is vital to our national security, our worldwide commitments and the needs of our consumers. A nation that has security treaties with 44 countries had better understand that it also has food requirements as a part of its national security.

This country has large international responsibilities which it cannot and must not shirk. We are committed to our friends and our allies and our food and fiber supplies must be adequate to meet all foreseeable needs. It is important that we maintain an arsenal of food and fiber, just as we maintain an arsenal of weapons. Both serve the cause of freedom and peace.

Let us examine some of these commodities in detail. It is estimated that as of October 1, this year, and again October 1 of next year, we will have a three-month supply of feed grains. We should not allow this to get any lower. This is no surplus, especially at a time when our domestic and export requirements keep going up.

Yesterday morning I received a call from South Dakota telling me that a drouth was underway. If you ever lived in South Dakota, you understand what a drouth means. I grew up there. I was born and reared there and I lived through the dust storms. The first time you get one of those dust storms, and you haven't had rain for 45 days, all the memories of the past come up like a living fact. And if you lose your feed grain production in the Dakotas, in just those two states alone, you are in a serious situation in America.

Our supply of feed grains also governs our livestock and poultry supply. We must strive to maintain a balance of animal agriculture with growing consumer demands.

I speak with feeling about this because too many people in America just don't understand American agriculture. You really don't understand what it's all about until you have lived through it.

I mentioned our feed supply because I am concerned about it. I know the relationship of corn prices to hog prices because I come from a corn-hog country, And I know the relationship between poultry prices and feed prices too.

Because of our Southeast Asian commitments, the rice supply will be less than what I believe to be necessary for national security reserves and to meet our international responsibilities. Therefore this year we will be re-examining our rice program for 1967.

Asians are a rice eating people. Therefore, rice is as important to our policy in Asia as it is for one of our diplomats that is stationed in Thailand, for example, to be able to speak Thai.

Your president, Jim Thompson, was a member of the presidential agricultural mission that accompanied Secretary Freeman and myself to South Vietnam. Jim can tell you the importance of rice to the Asians and the Vietnamese. Rice is a life saver, and it is an inflation killer.

Inflation is having a terrible toll in East Asia and rice is dampening the fires of inflation. You can write 4,000 articles on economics and it won't dampen the inflation fires at all. But give me a few tons of rice to put in the Port of Saigon, and a means of distributing it, and the inflationary spiral will go down. Rice is as important in Southeast Asia today as five divisions of troops and 1,000 airplanes. That's why we are re-examining our program.

Various independent estimates have been made that a carryover reserve of 600 million bushels of wheat is a minimum desirable level. Some people may think that is a bit high. Yet on July 1 our carryover will be down to 550 million bushels, and grain experts tell me that by July 1 of next year this level could further be reduced due to weather and other factors.

Wheat acreage for 1967 now is undergoing careful re-examination. We had 1 billion 400 million bushels of wheat carryover in the United States five years ago. Today there are just slightly over a billion bushels in all the exporting countries of the world.

About 300 million people have been added to the world's population in the last five years. Those mouths have to be fed. But we have 400 million bushels less of wheat in the exporting countries of the whole world today than we had in reserves in the United States five years ago.

It's estimated that the production of butter and non-fat dry milk will be down this year by about 20 to 25 per cent. The number of cows is down sharply in Minnesota, Wisconsin and Iowa, where 60 per cent of the butter is produced. They are averaging 13 dairy herd sales per day in Wisconsin. Dairy farming involves high cost, expensive equipment, long hours, hard work, and you average about 60 or 65 cents an hour.

On June 1, the Department of Agriculture informed me that we had dairy products with a milk equivalent of 4 billion 700 million pounds—the lowest since 1952. Of this, at least 4½ billion pounds are in private hands. So the stocks in government hands are far from high. They are minimal.

Certainly the nation could use an increase in milk production of more than 2 billion pounds this year to meet expected domestic and foreign needs, and to provide a reserve in the event of an emergency. If we can get that increase in milk production, it will be the best thing that happened to the consumer.

The problem of maintaining, and in fact, increasing dairy production may prove to be the most challenging problem in American agriculture in the immediate future.

We will need to give this area very careful attention during the coming months. One of the reasons for a recent rise in the price support on manufacturing milk was to provide an incentive for dairy farmers and the manufacturing milk producing areas to keep their cows and produce an adequate supply of milk. Your government now has under active consideration further recommendations for incentives to bring about more production of milk.

On September 1, the carryover of soybeans will be between 30 and 40 million bushels—about a two weeks supply—that is no carryover at all. It even could be a mistake in bookkeeping. It is less than the supplies needed for working, or "pipeline" stocks. We have taken several actions to increase the 1966 crop production of soybeans, but we will need more production of this crop each year for several years.

I've been talking to people in this industry and they are making plans for 10 years ahead. This is a growing America. It's an expanding America. It's got to be a producing America.

We've reached the point where we must think not only about current needs, but more and more about the future and about adequate reserves. This administration has recommended basic national policy with the objective of establishing common sense levels of reserves of certain key agricultural commodities and specific guidelines as to how and when and under what circumstances reserves will be used. In other words, how to insulate the strategic reserves from the market to keep them for the purpose of reserves.

Working stocks are essential to normal business operations. They are carried as a matter of course by private firms and individuals, and encouragement should be given to the private sector to carry its own inventories.

Those stocks required to maintain established levels of reserves over and above the stocks in private positions should be carried by the Commodity Credit Corporation in such a way that they do not adversely affect the income of the farmer. These are set aside. The conditions under which such reserves are held and the factors affecting acquisition and disposition of CCC stocks should be clearly understood by all segments of society. They should not be looked upon as normal operating stocks, but rather as reserves.

The American farmer with his abundance is making a lasting contribution to our health, to our national prosperity, and to peace in the world. The farmer has become the soldier of peace for this nation. And the farmer with his system of distribution—the agri-business community—has been a bulwark of strength for our country. He is entitled to, and should receive, his fair share of our prosperity. He has been one of the underprivileged far too long.

This government, of which I am a part, is determined that our farmers shall stand on equal footing with the rest of this economy—that they shall have every opportunity for reward on their investment, their time and their energy.

The Johnson-Humphrey Administration is determined that parity of income and equality of opportunity shall be a fact as well as a phrase. I ask you to bring our greetings to the people that you serve and I once again thank you for being such faithful allies of the cause of a better day for American agriculture. Thank you.

VICE PRESIDENT HUMPHREY ADDRESSES THE DEVELOPMENT ASSISTANCE COMMITTEE ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT LUNCHEON

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. OLSON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. OLSON of Minnesota. Mr. Speaker, I wish to have inserted in the RECORD the following speech of Vice President HUBERT H. HUMPHREY:

REMARKS OF VICE PRESIDENT HUBERT H. HUMPHREY, DEVELOPMENT ASSISTANCE COMMITTEE, ORGANIZATION FOR ECONOMIC COOPERATION AND DEVELOPMENT LUNCHEON, WASHINGTON, D.C. JULY 20, 1966

The greatest threats to peace in the world today are poverty and hunger.

There was a time—and not long past—when men stood by in the face of poverty and hunger. They were accepted as inevitable.

But today, for the first time in human history, man has the capacity to overcome both poverty and hunger.

We have the tools, the knowledge, the technology, the means.

The only question is this: Do we have the will?

Today my subject is hunger.

Despite our resources, the world food situation has changed dramatically—and ominously—in recent years.

Thirty years ago the less developed regions of Asia, Africa, and Latin America were exporting 11 million tons of grain yearly to developed countries, principally Western Europe. During the war decade of the 1940's that flow was reversed. This year more than 30 million tons will move from the "have" to the "have not" regions of the world. And we are not meeting the need.

It is clear that decisive action must be taken if famine is to be avoided in the densely populated developing countries.

If present trends continue for another 10 to 20 years, half the world will be facing outright starvation whenever there is a bad harvest, and serious malnutrition even when there is not.

In such a world, what are the prospects for peace?

The ultimate remedy is to achieve a balance between food and people. There is an obvious need for family planning policies to be adopted on a wide scale.

But even if this is done, present population growth will not drop sharply before the end of the 1980's.

So the next two decades will be critical.

To meet this crisis, a radical increase is needed in the food output of the developing countries.

This cannot be done by treating agriculture in these countries as an isolated sector. It requires modernization in both agriculture and its supporting industry.

It requires massive capital investment and, in many cases, a reallocation of development priorities.

To wage this war, a strategy wth four main components is needed in the developing countries.

First, the marketing mechanism must be modernized, emphaszing the need to give the farmer an incentive to produce more.

He must be able to sell his products at a fair price. And he must be able to buy essential consumer and producer goods in return. The farmer must be offered a chance to play a rewarding part in an expanding market economy.

Second, the farmer's capital plant must be improved, through a sound rural development program.

This means roads, water, fertilizer plants, rural electrification, agricultural research centers, better seeds, more farm equipment, good pesticides and insecticides, and adequate credit at reasonable rates of interest.

Third, the farmer must be educated to receive and absorb modern agricultural technology.

We must bring education not only to the farmers of today, but to children who will be the farmers of tomorrow. That this will take a generation is no reason for despair; it is, rather, an urgent reason to get on with it.

Fourth, we must make sure that farmers are healthy enough to do the job.

Adequate health programs are fundamental to expanding agricultural development and should never be neglected. Such programs range from diet improvement for undernourished children to malaria control and projects to insure livestock health.

These four elements are the beginnings of a winning strategy in the war on hunger. These elements are all part of the same effort and cannot be separated.

If this strategy is to be carried out, we in the developed countries will need to expand our current programs of aid and technical assistance. This means giving agricultural development top priority in our foreign assistance programs.

To this end, the United States is increasing its provision of technical and capital assistance for agricultural improvement, for health, and for education.

We also are providing needed food to meet emergencies, such as those incurred under unexpected adverse weather conditions.

Since 1954 the American Food for Peace Program has provided more than 140 million tons of food to hungry people.

To help meet a continuing emergency food need, President Johnson has launched the Food for Freedom program, now awaiting final action in Congress.

Under this program, our acreage and farm production would be expanded as necessary to feed hungry people in areas of emergency need.

The new program also contemplates two related steps: Greatly expanded emphasis on self-help efforts in and by the recipient countries; and an expansion and improved coordination of efforts in the field of technical agricultural assistance in the developing nations by the nations here represented.

In this effort, private industry can play an enormously constructive role. I have in mind particularly, the chemical fertilizer and pesticides manufacturers and the food processing industries, which are already doing great things in developing regions.

Let me make it clear: The United States cannot meet the need alone.

An enlarged effort will be required by every country represented in this room.

Our effort should be directed to the following objectives:

—To provide developing countries with the technical aid required to increase food production within their borders.

—To meet emergency needs for food shipments while development programs are created and put into operation.

—To give these countries whatever help they request in arranging family planning programs.

To attain these objectives we must have an overall plan for coordinating our aid programs. The place tc develop this plan and to facilitate its execution is here—in the Development Assistance Committee of the OECD.

This Committee represents a collective 6 billion-dollar annual aid effort by the 15 leading sources of aid today: 14 national governments and the Commission of the European Economic Community.

Its predecessor, the OEEC, was created by a great challenge: The postwar breakdown of Europe's economy. To meet this challenge, it had to develop new techniques of international cooperation. Its achievement is one of the great success stories of our time.

Now we face a new and enlarged challenge: Worldwide hunger. Again, new techniques of international cooperation are needed.

We in DAC must answer two key questions:

How much help is needed?

How can our countries best work together in providing that help?

Our study should look not just to piling up data, but should look to action—action directed toward a clear and feasible goal: The eradication of large-scale famine and hunger.

Every country represented in this room—including my own—will have to do more, far more, in this effort than is being done today. The United States is ready to join with others in doing so.

In the last decade all our countries have grown richer. But our levels of aid have not expanded at an equal rate. We in the industrial countries, taken as a whole, are providing less, proportionately, to others than we did ten years ago. At the same time the need has grown.

As you learned this morning, President Johnson has offered to increase this country's pledge to the world Food Program, if other participants, together, will match our pledge.

He has also expressed our willingness to join other producer nations in creating a World Food Reserve, if this is needed to meet emergency requirements.

Both these initiatives underline the President's conviction that a program which affects us all can best be met by effort which involves us all.

In this expanding effort, such existing international institutions as the FAO, the World Bank, IDA and the UN Development Program have a large role to play.

And every country, whatever its political and social system, should have an opportunity to play a part in this humanitarian effort.

It would be welcome news indeed if the Soviet Union and the nations of Eastern Europe were to join the FAO and the World Food Program.

And I hope that the rulers of mainland China may some day decide that cooperation with others, in fighting hunger, is more rewarding than policies which presently hinder their relations with the rest of the world.

I hope they may recognize that the true enemies of the people—the enemies to be purged—are hunger and want. These are enemies without ideology. These are enemies which threaten all nations.

At the turn of this century the American poet Edwin Markham, inspired by Millet's painting, "The Man With the Hoe," described the man still standing today in a hundred thousand villages around the world:

"Bowed by the weight of centuries he leans
Upon his hoe and gazes on the ground,
The emptiness of ages in his face,
And on his back the burden of the world."

And Markham cried out:

"O masters, lords and rulers in all lands,
Is this the handiwork you give to God?"

This is the question we must ask ourselves today.

For the man with the hoe, bent though he may be, will not forever stand bowed—nor should he.

His fate, and ours need not be determined by ruthless, unjust tides of history.

And world peace need not be hostage to the bursting pressures which surely must build in human societies cut off from the affluence and well-being which surround them.

For our world today is a world in which we do have the means to break the patterns of centuries and to build a new foundation for a peaceful world order.

We have the means. The only question is the question of our will.

FACTS ABOUT OUR GREAT PRESIDENT

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I am pleased to bring to the attention of this body the following editorial by William Randolph Hearst, Jr., which points out a truth we in Texas have known for a long time.

So often in political life objective and dispassionate views are hard to come by. I for one am grateful that Mr. Hearst, who has seen with his own eyes, reports the facts about our great President.

The editorial follows:

Editorial by William Randolph Hearst, Jr.

Washington, October 8.—A visitor to the White House these days finds President Johnson at the very top of his form, confident, relaxed but resolute in coping with the problems facing the republic.

The reasons for his confidence are not too hard to figure out. As he looks back over his thousand days in the world's toughest job he can be excused for pointing with pride to an amazing array of legislative accomplishments:

His Administration has pushed through Congress 18 Major Education Bills; in all the years since the Civil War only six such legislative proposals had been enacted into law.

A total of 24 new Health and Welfare measures are now on the statute books bearing the LBJ imprimatur—measures designed to make America's medical miracles, good housing and other of this country's public benefits more readily available to more people.

Even in the worrisome matter of inflation, President Johnson takes some satisfaction. Since 1960 there has been an 8 per cent boost in the U.S. cost of living, but that compares with 17 per cent in a country as frugal as West Germany; 21 per cent in Britain; 29 per cent in Italy, and 39 in Japan.

Of more direct interest to Americans who watch their purse strings, real income has risen much faster here than the cost of living. After allowing for the inflation, the average American still has more money to spend than he did in 1960.

This is the domestic side of the balance sheet. In international affairs the problems are graver and the stakes more awesome, but in taking stock Lyndon B. Johnson displays the confidence of a man fully aware that we live in a dangerous world and that he will not carelessly touch off a conflagration. A couple of examples:

In Vietnam, President Johnson has fretted, and fussed and worried over, and weighed every major decision, and a good many minor ones. When it came time to bomb the fuel installations adjacent to Hanoi-Haiphong the President ordered extraordinary precautions to be sure a stray bomb didn't go hurtling down the smokestack of a Russian merchant ship in the harbor.

Despite plenty of provocation from Charles De Gaulle, LBJ has never said an unkind word in public about the stiffnecked guardian of France's glory—although it's not hard to imagine what the President must have thought at times.

The President's cautious handling of a difficult situation and a difficult man—just to cite two cases—really give the lie to the image of him portrayed by his wilder critics at home and abroad: that he is a shoot-from-the-lip, bomb-rattling cowpoke.

As a matter of fact, LBJ is not well served even by the supposedly impartial TV camera. The camera distorts and diffuses the private Johnson.

In person, Johnson is warm and human, a great story teller—he uses tales of his boyhood and his part of Texas to illustrate the points he wants to make. He can laugh at himself. He can make you feel the loneliness that goes with the Presidency—the place, Harry Truman was fond of saying, where the buck stops.

This was a particularly good week to size up the Presidential mood and spirit because Lyndon Johnson was planning a trip, and we'll all feel better when we know we're going to get away from the daily grind for a while. In the President's case, he was polishing details of his trip later this month to New Zealand, Australia, the Philippines, South Korea and Thailand and who knows where else if the idea strikes him.

And it was a happy coincidence that the Hearst newspapers editors were in Washington this week for our annual conference. They could make their own first-hand evaluations of men and events in the nation's capital.

Even with so many things going for him, it's surprising to me that LBJ is as detached as he is about the noisier opposition in this country to our role in Vietnam. Back on June 26, referring to the sincere people who let themselves get caught up in Anti-Vietnam demonstrations, I wrote in this column:

"If that minority in the U.S. really wants to stop the war in Vietnam it can help, in a direct and positive manner. It can quit making speeches and holding demonstrations and otherwise making a spectacle of itself. For by continuation of such tactics it only provides North Vietnam with more false hopes of the victory it will never gain. And as soon as North Vietnam realizes just how false these hopes are, it will have no alternative to calling the whole thing off."

I was pleased to learn this week that this view coincides with the President's. And LBJ has a great deal more evidence on which to base his opinion.

The U.S. has very well authenticated reports that the leaders of the Soviet Union, Red China and North Vietnam really believe that the raucous, beared, banner-waving minority reflects the feelings of the majority of Americans. One top government leader who talked to Kosygin was stunned to hear that the Soviet leader thought the American masses were so opposed to the Vietnam policy they would rise up and throw the Johnson Administration out of office this coming November.

President Johnson knows all this, but he keeps his sense of balance, even under the most trying circumstances.

Lyndon Johnson, the old pro, has long since learned not to take too seriously either the brickbats or the bouquets.

Our country is in good hands.

NEW BOOK TELLS STORY OF PROJECT HOPE AT WORK

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. Pepper] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. PEPPER. Mr. Speaker, perhaps our most effective effort in foreign assistance has been the privately sponsored Project Hope which this year celebrates its sixth anniversary. In its short life the good ship *Hope*, headed by Dr. William B. Walsh, has helped to bring goodwill and good health to six nations on three continents.

Two years ago, Dr. Walsh authored his first book, "A Ship Called 'Hope'", which told the story of the floating hospital's successful healing and training mission to the Far East in 1960 and 1961. Thousands bought the book and millions more read the condensed version in Reader's Digest. Since then "A Ship Called 'Hope'" has been distributed in paperback in three languages throughout the world.

Now Dr. Walsh has written a second, even more rewarding book of *Hope*, entitled "Yanqui, Come Back!"—E. P. Dutton & Co.—the story of the ship's tremendous success in Peru. This is a thrilling, heartwarming book and I urge my colleagues and fellow Americans to read it.

"Yanqui, Come Back!" tells how effectively we in this country can help others to help themselves. Early in 1962, Dr. Fernando Cabieses of Lima made a special trip to Washington to meet Dr. Walsh and ask that the *Hope* make Peru the object of her second extended trip. Cabieses' enthusiasm and his own preliminary inspection trip convinced Dr. Walsh that the *Hope* had much to offer Peru, and also that Trujillo, a town 300 miles north of Lima, would be the place to base the *Hope*, for one of the difficulties in Peru was the heavy concentration of doctors in the capital city at the expense of all other communities.

Some of the local doctors resented the arrival of the *Hope*, and at first both right and left wing elements of the population refused to cooperate with the *Hope*'s personnel. To add to the initial difficulties, a strike in California delayed the arrival of the ship so a team of nurses and doctors flew down in advance of the ship.

One group was sent up into the mountains, to La Oroya, to help at a workers' hospital. There a U.S.-owned factory had its own separate hospital, better run than the workers' hospital but closed to all who were not employed at the factory. The workers' hospital, staffed by underpaid doctors, left so much to be desired in its treatment of patients that local citizens refused to go there.

Despite the efforts of the *Hope* doctors and nurses, the local doctors would not change their ways. Feeling completely stymied, Dr. Walsh decided to close the *Hope* mission in La Oroya when the *Hope* herself arrived in order to concentrate every effort in Trujillo as originally planned.

There another advance team sparked by a remarkable public health nurse, La Verne Fakkema, had already made a definite impact on the slums surrounding the fast-growing city. She made a quick X-ray survey of the population of one area, and discovering that TB was raging, got the cooperation of the town officials and the residents to set up a clinic where the sick could be treated. She also started to teach elementary public health measures and inspired the community to work together to head off other diseases.

Because of the success of these efforts, the sullen anti-American feelings which had caused the *Hope*'s arrival to be greeted with forbidding signs—"Beware of the Yankee Warmongers"—altered completely. The staff of the *Hope* were treated as friends and showered with gifts by rich and poor alike. The doctors at the Trujillo hospital still had to be won over, however, but when *Hope* came to their aid in convincing a tight-fisted board of trustees that more money should be spent on the hospital, the recommendations were made in such a tactful manner that faces were saved and opposition vanished.

Hope also performed miracles of healing: the new clinics were crowded and so were the wards on the ship. Even an abortive revolution in July 1962, which resulted in the U.S. Government's severing of relations with Peru, had no effect on that nation's cordial attitude toward the *Hope*.

As their 10 months' stay neared its end, Dr. Walsh and a small team of doctors and nurses made a special trip to the upper reaches of the Amazon, a part of Peru that would be productive if only the endemic disease and chronic malnutrition of its population could be corrected. As a result of this trip, plans were made for little *Hopes*—former Navy gunboats—to pursue this program—which continues today.

When the time came for the *Hope* to leave Peru almost every citizen of Trujillo, together with thousands from other parts of the country, gathered on the pier for the leave-taking ceremonies. All told, 45,000 Peruvians had come to say goodby to their fast friends, the Americans of *Hope*. The words "Yanqui, come back" were in every throat and on every tongue. It was the best possible example of the kind of cooperation which the *Hope* had engendered.

CIVIL RIGHTS REVOLUTION

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Oregon [Mrs. GREEN] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, it has been said that, "When the fires of revolution rage fiercely, popular attention is on the blast and the heat instead of what is right and what is wrong." The civil rights revolution in our own Nation is no exception. Attention has been increasingly focused only on the turmoil, but our sole concentration on this can lead us into terrible wrongs unless we are also willing to understand some of the reasons and the solutions those reasons suggest. One of the most eloquent speakers ever to appear before the Education and Labor Committee was Whitney Young. In 1964 he testified on the antipoverty legislation and I doubt that there is any member who heard him then who does not have some memory of the words I am about to quote:

> Responsible Negro leadership in this country desperately needs some tangible evidence of the intentions of this country to right a historic wrong. Now I think Negro citizens in the face of the years of provocation, in the face of this historic abuse, have shown an amazing restraint and an amazing loyalty. I give you only last year as an example. Last year when you saw the march on Washington with its quiet dignity and its fervent pleading; last year you saw Negro parents, Negro citizens after their children were bombed in a Sunday school remain calm and cool, and continue to pray; last year you saw in Jackson, Miss., a Negro people in a church after their leader had been slain and after the widow of their leader addressed a meeting, a woman who had every right to hate, and she stood there and said, "You mustn't hate, you must love." And to see thousands of people in that audience who had every reason to be incensed, stand up and sing spontaneously without anybody announcing it, "My country, 'Tis of thee, Sweet land of liberty." Now I don't know of what more simple element of testimony of faith in a system you need on the part of the people who have so little reason to have this kind of faith, who have all the provocations, the abuse, the murders, the years of want, poor housing and rats biting their children. They have said to America, "I believe in you." It seems to me it is time for America through its elected representatives here in Washington to say to Negro citizens, "We, too, believe in you."

Mr. Speaker, it seems to me most crucial and most urgent that, when our attention is focused on the "blast and heat," that we remember this and that we remember also the "historic abuse" of which Whitney Young speaks.

And now, Mr. Speaker, yet another eloquent speaker has also told us:

> I am hopeful that America can rediscover its democratic soul to forge a new togetherness among all its citizens.

And he has expressed the hope that the—

> day of victory will come through nonviolence, but the choice is up to America.

That person is ADAM CLAYTON POWELL, the distinguished Congressman from New York, the chairman of the Education and Labor Committee of the House. The sermon in the Abyssinian Baptist Church on Sunday, October 9, is recommended reading for anyone interested in a better America. Negroes and whites need to follow the wise counsel he gave only last Sunday, as follows:

BLACK POWER: A FORM OF GODLY POWER

> In the last year and a half, a number of statements about "power" and more recently, "black power" have been made by me.
>
> Others have adopted the phrase, "black power", frequently for their own misguided and selfish ends, rather than in any sincere attempt to help the black masses.
>
> Let me go back to last year, March 28, 1965, when I spoke in Chicago and presented then a "black position paper for America's 20,000,000 Negroes".
>
> At that time, I called for black people to seek "audacious power"—the power that begins with the stand-up-and-be-counted racial pride in being black and thinking black—"I am black, but comely, O ye daughters of Jerusalem", said the little peasant girl in the Song of Solomon.
>
> On that same day, I outlined a 17-point plan for black people to build this audacious power within the Great Society. It was, if you will, a kind of "Black Operation Bootstrap."
>
> I urged black people to mobilize their political, economic, financial and educational power to build their communities into neighborhoods of excellence.
>
> Earlier this year on May 29th, in the baccalaureate at Howard University, I urged black people to pursue excellence and to purpose our lives to the fulfillment of divine-souled human rights instead of the narrow-souled civil rights.
>
> And I declared on that day: "To demand these God-given human rights is to seek black power, what I call audacious power—the power to build black institutions of splendid achievement."
>
> Thus, the phrase, "black power", was born.
>
> What is "black power"?

"Black power" has come to mean whatever any newspaper columnist, editorial writer, civil rights leader or white racist wants it to mean.

Some outstanding leaders such as A. Philip Randolph have talked in terms of "coalition power". Phrased another way, it has been called by Reverend Martin Luther King "striped power." Whitney Young has talked about the " 'green power' of the pocketbook." Stokley Carmichael sees "black power" as the fuse for rebellions in America's cities.

I cannot pretend to speak for what others interpret "black power" to mean.

I can only speak for Adam Clayton Powell. And in so doing, I only ask that millions of black people who know of my 36 years of militant commitment to the cause of freedom for the black man will walk peacefully side by side with me in this new era of the black revolution.

Black power is not anti-white.

Black power includes everybody who wishes to work together, vote together and worship together.

Black power makes no moral judgment about white people. It simply re-affirms the integrity, dignity and self-respect of black people.

If white people can accept black leadership in any given political, business or educational situation—which is, in a sense, a kind of black power—then, I, Adam Clayton Powell, say "fine, you're welcome" because as Paul said "There is neither Jew nor Greek, there is neither bond nor free, there is neither male nor female: for ye are all one in Christ Jesus."

THE PURPOSELESSNESS OF VIOLENCE

But there are those who would run through the streets drunk with the "wine of violence", shouting "black power" in a purposeless scorched-earth orgy.

There are those who scream, "burn, baby, burn", while pretending to be clothed in the majestic mantle of "black power."

Black power is a constructive approach to the new life of freedom for black people in the Great Society. Violence must play no part in its fulfillment.

Black power is the brain power that admonishes: instead of "burn, baby, burn", we should be shouting "learn, baby, learn."

Instead of lighting up the sky with Molotov cocktails, we should be brightening the skies with the stars of millions of registered voters.

Instead of throwing fire bombs, we should fire up our energies to build more black-owned businesses in our communities.

After years and years of rioting, black people should realize by now that when we burn up the neighborhood dry cleaners in a riot or a rebellion, we set our own clothes on fire.

When we loot our neighborhood stores, we steal the food from the mouths of black babies in our own communities.

When we destroy a store or business in the black community, we throw black people out of work. Is this what we seek?

After the holocaust of last summer in Watts, only two businesses returned to that charred community.

Where is the Phoenix that should have risen out of the ashes of Watts?

"Out of the heart's eternal torture fire
No flaming Phoenix risen—
Only the naked soul, spent with desire,
Burns its prison."

The black man's soul is trying to burst its prison of second-class citizenship, while the fires of segregation burn our hopes for a better tomorrow.

Unfortunately, the explosions of America's so-called race riots are not the only violence that stalks our streets today.

We are now agonizing through one of the most critical breakdowns in law and order this nation has ever seen in its history.

Isn't it ironic that it is perfectly safe for a man to take a walk in space and return to his spaceship unharmed, but it is unsafe for a man or a woman, black or white, to walk our streets without being beaten.

Only a week ago, here in Harlem in the beloved Abyssinian Baptist Church, a religious citadel for over 43 years in this community, a young secretary was raped while working in the office.

Sometime ago, in St. Peter's Roman Catholic Church in Washington, D.C., only two blocks from the Capitol, a Congressional secretary was stabbed while kneeling at the altar in prayer.

Only three days ago, a young white reporter, Sam Stafford, one of Washington's finest prize-winning reporters who writes with compassion and understanding about the plight of the poor, was jumped and beaten by three white youths. He wasn't robbed—just beaten by three hoodlums out for some fun.

Only two days ago, the stench of violence stained my office doors in Washington, D.C. A young black man who refused to leave my office after being unable to see me attacked a Capitol Hill policeman and in the process was himself bloodied.

And why was he unable to see me? Because I was meeting on the Senate-House Conference Report for the War on Poverty bill, a bill which is as much designed to help black people as any other piece of legislation coming out of the Congress.

All over this great land, we are at war with ourselves. Is the sole cause of this new disorder in our society racial?

It is not! The young people of today—white and black—have lost respect for themselves, their parents, their teachers and their God.

In their impatience in this rocket-age which still uses rocking chair methods to solve its human relations problems, today's young people have refused to accept Plutarch's counsel:

"Perseverance is more prevailing than violence; and many things which cannot be overcome when they are together, yield themselves up when taken little by little."

Young people, black and white, are telling us: give us the Great Society, the Guaranteed Society now, not in bits and pieces or by fits and starts.

It is not the older people who are asking "Is God dead"?, but our younger people.

God is not dead. People are dead—dead to an awareness of God and His wondrous love for all mankind.

While I am worried about the increasing rate of crime in our streets and the breakdown in law and order in our communities among all citizens, I am still far more concerned about the inability of white America to save its democratic soul by learning to live with her black brothers and sisters.

Let me read a few sentences from a book. And as I read, ponder the significance of these words—in the current mood of worsening race tensions in America:

"A pamphlet on 'How to Prevent a Race Riot in Your Home Town' was issued in November 1943 by the American Civil Liberties Union through Committee Against Racial Discrimination. The pamphlet was written by Winifred Raushenbush. During her investigation she found 23 cities where racial tensions are so acute that there is liable to be an explosion any day.

"This Negro minority not only hates the officers of the law but they hate anything that looks white. They would kill a white cat if one passed through their neighborhood.

"Behind all the immediate trouble, so far as the threat of overt action is concerned, is an impatient, irresistible drive of the Negroes on the one hand for a fuller realization of the equality which has long been promised to them, but just as long denied. On the other hand, stubborn, deepening and in some places broadening resistance of the whites to that very aim."

Were those words written last week, last month or even three months ago?

They were not. They were written almost a quarter of a century ago—21 years—by my Father, Reverend A. Clayton Powell, Sr., in his book, "Riots and Ruins."

Congressman Charles Goodell, a Member of my Committee, happened to read a few parts of my Father's book last week and remarked to me that it was as fresh in its meaning for today as if it were written last week.

My Father harshly deplored the excesses of violence and the destructive goals of the scorched-earth policy in the freedom struggle. Yet he understood what drove the black man to these excesses.

"Don't ask who starts race riots which threaten to tear the Constitution of the United States and the Four Freedoms into fragments, thus nullifying everything that cost the world millions of lives and more than four hundred billion dollars," wrote my Father in this same book.

He then discussed the race riots of his day—1943, 1944 and 1945—and almost prophetically wrote:

"Take your pencil and try to add up all the wrongs heaped upon the Negro for 326 years and you will get the answer to the ruinous avalanches that roared through Los Angeles, Beaumont, Mobile, Detroit and Harlem. . . . Walk down the street of any large city with a mixed racial population, talk with 50 men and women, and you will get at least a hundred different causes for riots. Casually analyze all of their reasons and you will find racial prejudice and hatred at the bottom of them."

What disturbs me most about those words which I have quoted from my Father's book written 21 years ago is that it could have been written today! My father is talking about conditions which still exist today—1966!

He does not use the terms, "black power" or "white backlash", but these concepts are implicit in his thinking.

Oh yes, median family incomes of black middle-class people have risen, more Negroes can play on golf courses today than they did in 1945, swimming pools are open and more Negroes have Cadillacs and split-level houses. We even have Negroes living in suburbia.

But how do you define progress when black people pillage and burn their own homes and businesses in Watts, hysterically screaming: "Get Whitey"?

What has happened to progress when a mob of white adults attack little black children with clubs and chains in Grenada, Mississippi, simply because those little black children are trying to go to school?

We have indulged ourselves in the past five years in a magnificent exercise of near futility with our marches, our sit-ins, our demonstrations, our picketing and now our rebellions.

We have called the white man's attention to our sorry condition. But we have made no conversions. We have transformed few minds. And we have made no significant changes in the economic conditions of the black masses.

This is why black people can no longer continue to rely solely on white people or new Civil Rights laws to bail them out of the jail of second-class citizenship.

Black people themselves must exercise a massive responsibility for their fate. Black people themselves must assume a loving control and direction of their destiny.

How? I say "black power" is the path we must trod.

HOW I DEFINE "BLACK POWER"

If whites will only listen for a moment, they will realize there is no hate, no violence nor anti-white feelings in the "black power" I seek for black people.

I

Black power is, first and foremost, Godly power. "God hath spoken once; twice have I heard this; that power belongeth unto God . . . . For God hath not given us the spirit of fear; but of power."

Without the hand of God in man's hand, there can be no coming together of black and white in this world. The deterioration of white power is its failure to incorporate God in its way of life.

Unless man is committed to the belief that all of mankind are his brothers, then he labors in vain and hypocritically in the vineyards of equality.

II

Black power is *black pride*—"I am black, but comely, O ye daughters of Jerusalem."

It is this pride, this belief in self and in the dignity of the black man's soul that Senegal President Leopold Senghor emphasizes when he speaks of "la negritude."

To Senghor, who is now visiting America, "la Negritude" is a rallying cry to all black people to be proud of their black culture, their black roots. This is where "black power" also begins.

III

Black power is *black initiative*—the arousing of black people from fear and the sad fatigue of idleness to take the initiative by lifting themselves up and changing their lives, through the mobilization of the energies of millions of black people in black communities all over America.

IV

Black power is *black productivity*—the increase of black jobs for black men and women, the contribution of black people to the gross national product, the beautification of black neighborhoods and the expansion of black businesses.

In the ashen wake of San Francisco's recent riots, Mayor Shelley made history by his honest assessment of the underlying causes of those riots. The mayor implored President Johnson by telegram, "in the name of God and all human decency" to provide Federal funds for jobs in his city.

Those riots, as have so many of the riots in our big cities, confronted us all with the ugly reality of one inescapable fact; while unemployment for whites has continued to decline, unemployment for black people has risen in the last 12 months.

A man's respect for law and order exists in precise relationship to the size of his paycheck. Find jobs for the black jobless in our cities and the cooling breezes of employment will lower the hot temperatures in our streets.

V

Black power is black responsibility—the recognition of black people that they must demand and have a proportionate share of the responsibilities of running the communities, the cities and the states in which they live.

This responsibility is more than more black Congressmen, black mayors or more city councilmen and state assemblymen: it is individual responsibility—an active involvement by each individual in the political, educational, religious, and economic life of his community.

In this era of "black power"—a peaceful and constructive approach to the problems of black people, and the so-called "white backlash"—a fear-ridden and destructive reaction to these problems, I am hopeful that America can rediscover its democratic soul to forge a new togetherness among all its citizens.

Whites must join hands with blacks to achieve the full freedom of the Guaranteed Society because they are determined to get their full measure of freedom.

As I wrote 22 years ago in my book, "Marching Blacks":

"The black man continues on his way. He plods wearily no longer—he is striding freedom road with the knowledge that if he hasn't got the world in a jug, at least he has the stopper in his hand. He wants to do the best that the world denied him. He is ready to throw himself into the struggle to make the dream of America become flesh and blood, bread and butter, freedom and equality. . . . He does not want the day of victory to be obtained through violence and bloodshed. But of one thing he is positive. In the words of Sherwood Eddy, writing in his 'Pilgrimage of Ideas'—'In the wrong way or in the right way, through violence or non-violence, it will surely come.' "

I, Adam Clayton Powell, hope that day of victory comes through non-violence, but the choice is up to America to make—a choice that will fulfill God's prophecy to Isaiah:

"Violence shall no more be heard in thy land, wasting nor destruction within thy borders; but thou shalt call thy walls Salvation, and thy gates Praise.

"A little one shall become a thousand and a small one a strong nation: I the Lord will hasten it in his time."

COLUMBUS DAY, OCTOBER 12

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. William D. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. WILLIAM D. FORD. Mr. Speaker, Wednesday, October 12, we observed a holiday which is of special significance to Americans of Italian descent. On that date, 474 years ago, Christopher Columbus, an Italian explorer and navigator, landed on San Salvador in the Bahama Islands—an event that is known in history as the discovery of America.

Columbus overcame almost unbelievable obstacles to launch and complete his historic voyage into the then uncharted reaches of the western Atlantic. After years of efforts, he obtained financial backing for his trip, which he believed would find a new route to the East Indies.

With his little sailing vessels—the *Nina*, the *Pinta*, and *Santa Maria*—he set sail on August 3, 1492, with only 88 men. The crew lacked his faith and devotion, and exhibited growing fear as they sailed further and further without sighting land. Columbus bolstered the courage of his men, and even overcame threats of mutiny, as he kept sailing to the westward.

Finally, on October 12, Columbus and his worried crew came in sight of land. That day marked the official opening of the New World for the flood of exploration and colonization which came in the 1500's and 1600's.

Columbus did not end his explorations with that one voyage. He returned again in the fall of 1493 with 17 ships and some 1,500 men. He landed on Puerto Rico, San Domingo, Guadalupe, Montserrat, Antigua, San Martin, Santa Cruz, and the Virgin Islands.

Five years later, in 1498, Columbus made a third trip to the New World with six ships. This time, he discovered Trinidad and landed on the South American Continent, at the mouth of the Orinoco River. On a fourth and final trip, in 1500, Columbus with 4 ships and 150 men landed at St. Lucia, Guanja, off Honduras, San Juan, Costa Rica, and the Isthmus of Panama. For his exploits, Columbus was given the title, "Admiral of the Ocean Sea."

It is fitting that Columbus' name lives on throughout the New World. Our own National Capital is in the District of Columbia; one of the nations in South America is still called Colombia, and cities named Columbus are sprinkled throughout both continents.

Italian-Americans may take just pride in Christopher Columbus and his accomplishments. He is an outstanding example of the courage, determination, and dedication which have marked Italian people throughout their great history.

I am happy to pay tribute to Columbus; to all Americans of Italian descent, and to our loyal allies in Italy.

THE CONSUMER-CONSCIOUS HOUSE INTERSTATE AND FOREIGN COMMERCE COMMITTEE

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from West Virginia [Mr. Staggers] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. STAGGERS. Mr. Speaker, the term "interstate and foreign commerce" might imply that the legislation recommended and the activities conducted by our committee are concerned primarily, if not exclusively, with a variety of commercial enterprises rather than with the average American citizens. Nothing can be further from the truth and our committee's record during the present Congress constitutes outstanding proof of this fact.

During this session, our committee reported and Congress adopted the National Traffic and Motor Vehicle Safety Act of 1966 which is designed to assure that every American will be safer when traveling in automobiles on our highways. It seeks to accomplish this by permitting the Federal Government to prescribe safety standards for new automobiles and trucks and to encourage State inspection of used motor vehicles including trucks. In addition, the law requires the Secretary of Commerce to establish uniform quality grading standards for motor vehicle tires and to have all such tires permanently and conspicuously labeled with such safety information as the Secretary determines to be necessary to provide for greater automotive safety.

Next, our committee reported and the Congress has about completed action on the Fair Packaging and Labeling Act. This act, also referred to as the Truth-in-Packaging Act, seeks to insure that labels of packaged consumer commodities adequately inform consumers about their contents in order to enable consumers to make value comparisons among comparable consumer commodities.

The Child Protection Act of 1966 reported from our committee would ban the sale of toys and other children's articles containing hazardous substances. It would further authorize the Secretary of Health, Education, and Welfare to ban the sale of other substances which are so hazardous in nature that they cannot be made suitable for use in your homes in spite of any cautionary label which might be attached to such substances.

The Clean Air Act Amendments of 1966 seeks to assure the continuation of the fight against air pollution which makes the lives of many of our citizens unpleasant, if not dangerous.

The Allied Health Professions Personnel Training Act of 1966 would seek to assure that those of our citizens who may be in need of medical care will not be deprived of such care or receive inadequate care because of the present shortage of health personnel, including doctors, dentists, osteopaths, nurses, pharmacists, optometrists, and podiatrists.

The Animal Drug Act reported by our committee and enacted by the Congress hopefully will reduce the cost to the consumer of meat and poultry products by facilitating the approval of new animal drugs which, if properly used, may reduce the cost of raising cattle and poultry and preparing meat and poultry products.

The committee also amended the Railroad Retirement Act to bring its features more closely into conformity with the Social Security Act and to provide benefits for children of deceased employees who are over 18 and below the age of 22 while they are attending school.

The committee further amended the Railroad Retirement Act to establish a supplemental pension system for employees covered by the Railroad Retirement Act of 1937 who are awarded annuities on or after July 1, 1966, with 25 or more years' service and who have a current connection with the railroad industry upon retirement. For all persons not covered by the supplemental pension, the bill provides a general increase of 7 percent in benefits under the Railroad Retirement Acts, reduced by the total of benefits increased under either the Social Security Act or the Railroad Retirement Act of 1937 received by the individual concerned as a result of amendments to the Social Security Act made in 1965.

A COMMITMENT TO FREEDOM

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Washington [Mr. Foley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. FOLEY. Mr. Speaker, it is a privilege for me to serve in the U.S. Congress as Representative from the Fifth District of Washington State. The area I represent is a young and vigorous part of the Nation, rich in resources and potential. Its citizens are vitally interested in such important regional issues as the Columbia River and its best uses. The people of my district are also aware of and concerned about the problems and challenges which confront the United States, both domestically and around the world.

I am pleased at this time to review with my constituents some of the major issues which have confronted the Nation and this Congress and some of my views and actions.

A COMMITMENT TO FREEDOM

Without doubt the most critical challenge confronting us today is the conflict in Vietnam. In my many trips home during the past 22 months, I have talked with many, many people in my district about the Vietnam struggle, and I have found a rather clear consensus. We do not like being in Vietnam, yet we are determined to stand firm. We are deeply grieved by American casualties, and by the terror inflicted on innocent civilians. It is a tough, ugly war.

Americans are not fighting in Vietnam because of any aggrandizement plan of this Nation. Americans are there because ours is a Nation committed to the principles of freedom and human dignity. We stand beside the South Vietnamese people in resisting Communist aggression.

There is no doubt in my mind that, had the United States not acted to serve this commitment to freedom, especially in 1965 and 1966, the tide of Communist aggression would have surely overrun South Vietnam and the hopes and aspirations of free people everywhere would have been dealt a serious blow.

The people of my district applaud the determination of this Nation to constantly seek peace, but a peace which will secure freedom for South Vietnam and provide a basis for peace and stability in southeast Asia generally.

THE AMERICAN ECONOMY

A record national prosperity began in the early 1960's and continues today, with production, profits, wages and other indicators setting new records. In recent months, though, we have become aware that there are many overheated spots: signs of inflation.

There is a need to cool off these sectors of the economy. The proper Federal approach, I am convinced, is careful elimination of nonessential Federal spending and the deferring of many otherwise desirable Federal undertakings.

As my colleagues know, I disagreed with the President on the issue of suspending investment tax credits. I am convinced this action would have little immediate stabilizing effect; in fact its effect could be to generate an unhealthy downward trend in the economy. Thus I voted "no" on the issue.

If I oppose certain programs in the Congress, such as the Demonstration Cities proposal, it is not always an indication that I quarrel with their needs and objectives. I am convinced that the postponement of such programs is necessary if spurts of inflation are to be successfully met.

EDUCATION

Congress established land-grant colleges in 1862, and in the century since, no more significant, positive stride has been taken in the field of education than the Elementary and Secondary Education Act of 1965. I was proud to vote for this bill.

In my many visits with school people and parents I know the program is being enthusiastically received. The act provides funding for programs developed and administered by our local schools. Its focus is the improvement of educational opportunities in low-income sectors. Education is clearly one of our most effective tools in enabling citizens to make their major contribution of work and effectiveness to this Nation.

Other important segments of the bill strengthen our schools' libraries and textbook programs and allow our schools to develop special programs to meet special local needs. I was also pleased to support the Higher Education Act and other education measures. No national programs contribute more to our society's future health than these.

AGRICULTURE

Our Nation is one of the few in the world which can steadily produce food and fiber to sustain itself and still maintain vigorous exports.

As a member of the House Agriculture Committee, I was pleased to work on and support the Food and Agriculture Act of 1965. It is a voluntary program which affords growers of major commodities a chance to receive an income more in line with investment and risk.

The American farmer has traditionally trailed behind the rest of the economy in times of economic upswing. On the other hand, the farmer's income is the first to turn downward when the national economy moves downward. There is a continuing need for assistance to agriculture if our family farm economy is to survive. In addition, grain farmers in my area in 1964 and 1965 told me their greatest quarrel with farm programs was their inability to learn of program announcements far enough in advance to plant and plan their operations properly. This is a 4-year program which should give farmers the chance to plan operations in advance with more certainty and stability. I am pleased with the Department's early announcement of programs and allotment increases this year.

SOCIAL SECURITY

Within each American family there is the knowledge that advancing age almost always brings the need of costly hospitalization and medical care. Usually these costs fall on older citizens with low, fixed incomes. Passage of the Social Security Amendments of 1965—which I supported—means our older citizens and their families have some protection against the wipeout of life savings because of lengthy hospitalization. There is a present need to increase social security benefits which fall far below minimum standards in so many cases.

THE COLUMBIA RIVER

A real threat was aimed at an invaluable resource this year. The Colorado Basin Project Act, as reported by the House Interior Committee, would have directed the Secretary of Interior to study diverting the Columbia River to the southwest. I very much oppose this study provision, and I was pleased to have joining me in this fight distinguished colleagues of both parties from the Pacific Northwest. The bill did not come before the House in this session, but a similar proposal may again be brought before the Interior Committee in the next Congress.

There is reason for every section of this Nation to be wary of such a proposal. It prejudges that the water needs of one section of the country are greater than the needs of any other. It also implies a project of such great cost as to stagger the imagination.

A proper approach to America's many and widespread water problems is the creation of a National Water Commission, made up of non-Federal experts on these problems, with the aim of examining water problems carefully, on a national basis. I introduced such legislation in this Congress.

HIGHWAY BEAUTIFICATION

I am pleased with the new awareness of beautification which has arisen in our Nation. I am personally convinced that no part of the United States has such varied and inspiring beauty as our State of Washington.

However, I felt compelled to vote against the Highway Beautification Act endorsed by President Johnson. Washington State has a highway beautification law which is a good one. I voted "no" on the Federal law because of concern I have for certain conflicts between the Federal law and our State law.

CIVIL RIGHTS

I was unable to support the President and the majority of my colleagues in the House in the Civil Rights Act of 1966.

The Voting Rights Act of 1965, which I did support strongly, was needed to insure all Americans the right to vote. I also endorsed the bulk of the 1966 act, which, among other things, guards against discrimination in the selection of jurors.

But I felt compelled to vote "no" on the bill because of the so-called "open housing" title. I was particularly concerned about its provision for the creation of a Federal fair housing board, which would have extremely broad powers.

The bill also contains other restrictions on property management which had no proper relation to civil rights.

VETERANS BENEFITS

In order to provide veterans who faithfully served their country after January 31, 1955, with assistance for education and home loans, I supported the cold war GI bill. Benefits would be similar to those for which veterans of World War II and the Korean war are eligible.

EXCISE AND WITHHOLDING TAX

An early step taken this year to help offset the threat of inflation brought on by a booming economy was the enactment of the Tax Readjustment Act. This measure entailed no tax increases; it merely established a system of graduated withholding of individual income taxes on a scale according to income, an accelerated payment of corporate taxes, an accelerated payment of social security taxes for the self-employed, and the suspension of the 1965 excise tax reduction.

RENT SUPPLEMENTS

The rent supplements program has been an extremely controversial issue in Congress during 1966. Its primary goal is to provide low-income families the ability to obtain adequate housing. I do not think that "rent supplements" represents a workable program. I therefore voted to delete it from those approriations bills which included it.

FREIGHT CAR SHORTAGE

I introduced and voted in favor of legislation which will ease freight car shortages in the country. Many railroads in the East have found it cheaper to rent freight cars than to purchase their own, due to very low rental rates. This bill authorizes the Interstate Commerce Commission to fix freight car rental charges which will prompt a borrowing rail company to purchase its own cars, thereby increasing the supply. This is an important factor to our western businesses.

ANIMAL PROTECTION

A great amount of public concern was understandably expressed this year over the inhumane treatment of dogs and cats. As a member of the House Agriculture Committee, I was able to assist in drafting legislation to prevent abuses of these animals. A bill was agreed upon which is aimed at the principal offender—the dealer who transports these animals in interstate commerce. Any maltreatment on the part of these dealers is a violation of Federal law, to be severely dealt with, without interfering with the activities of legitimate research facilities. I gave this legislation my full support.

MINIMUM WAGE

Mnimum wage and overtime protection were increased, and extended to approximately 7.2 to 7.9 million additional employees. Minimum wage allowed under the new law will be $1.60 per hour by 1968 for workers previously covered, and the same by 1971 for newly protected employees.

Some farmworkers will also be included under a minimum wage of $1.30 per hour by 1969. Special provisions were added to permit piece-rate compensation. I supported this legislation as a reasonable and necessary guarantee to the worker, while protecting the legitimate interests of our State's business and agriculture.

FOOD FOR FREEDOM

Of great significance to underdeveloped nations of the world, and to the American farmer, is the food for freedom—or peace—legislation of 1966. During many sessions of the House Agriculture Committee, I followed its progress very closely. Recognizing the overwhelming food needs of almost two-thirds of the world's population, and the strains on international harmony while this condition exists, I lent my full support to a substantial revision of the old food-for-peace program. The legislation also represents a shift from surplus disposal to planned production for export which will, I am convinced, be beneficial to the American farmer, while encouraging self-sufficiency abroad.

FREEDOM OF INFORMATION

Public access to the records of the Federal Government should always, within the limits of security, be maximum. I therefore fully supported the freedom of information bill which provides for greater access to Government records, and authorizes private suits in Federal courts in instances where records are improperly withheld.

SAFETY ON THE HIGHWAYS

The tremendous volume of traffic on the Nation's highways, and the appalling death toll each year, was amply demonstrated in committee hearings this year. I supported the Traffic Safety Act of 1966, to set standards on vehicles and tires, and the Highway Safety Act, to assist the States in reducing traffic accidents.

HIGH INTEREST RATES AND HOME FINANCING

By the spring of 1966 it became increasingly evident that some action would be necessary to curb, or at least to place a ceiling on, the steadily advancing interest rates of lending institutions. Also, mortgaging funds were becoming critically short to the housing industry through its normal lending channels. In an attempt to meet this situation, I supported passage of temporary interest rate controls, allowing Federal bank regulatory officials to limit interest rates in banks and other financial institutions.

I also voted in favor of increasing the purchasing authority of the Federal National Mortgage Association—FNMA—opening up more funds to the needy housing industry.

INFLATION AND THE INVESTMENT TAX CREDIT

Most advocates of suspending the 7-percent investment tax credit on business investment saw this as an effective means of combating inflation. Although I am in sympathy with this motive, I foresaw that such a move could be detrimental to the development and expansion of our industrial and agricultural capacity. In my judgment, suspension of the investment tax credit is not the answer to inflationary pressures and I voted against it.

The inflationary pressures now troubling economy can be directly linked to the vastly increased costs of our commitment in Vietnam. A fair estimate might be $20 billion. A selective cutback of civilian programs is now necessary, and expenditures must be reduced where possible to ease the pressure of prices and interest rates. Were it not for the Vietnam war costs, however, existing and proposed civilian programs could easily be met without budget deficits, and in fact with a healthy budget surplus.

Mr. Speaker, I believe that the Fifth Congressional District has reflected the progress which this Nation has made in the last 2 years. Many problems still confront the American people, but it is my conviction that they have the strength of resources and will to meet these challenges and to overcome them. Almost no task seems impossible if the united effort of our people is applied to it.

THE FUTURE CITIES

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. ASHLEY. Mr. Speaker, "The rebuilding of the American cities is urgent business" states the Washington Post in an editorial urging passage of the demonstration cities bill. The newspaper sees this Johnson administration program as a crucial first step in the task of making cities habitable and pleasant places in which to live. It says the bill begins to arrange Federal programs for effective use by the cities in a comprehensive way.

I include this article in the Record and urge my colleagues to consider its endorsement of this new departure in urban rehabilitation.

[From the Washington Post, Oct. 10, 1966]

The Future Cities

The rebuilding of the American cities is urgent business, and the Demonstration Cities Bill is urgent legislation. The Senate has recognized the necessity that attends this bill, and the House now has a clear duty to pass it. The Congressman who votes against this bill forfeits all future right to complain about the quality of city life, and the frustrations of city people.

The chief reproach against the Demonstration Cities Bill is simply that it is too small. It contains neither enough money nor enough public powers to do the whole job. But it at least makes a beginning, and requires both city and Federal authorities to take a far broader view of their responsibilities.

The reorganization of the urban programs is the truly essential purpose of this bill. City governments are being stunned by the multiplicity of new Federal programs, of which there are literally hundreds, and the complexity of each city's relationships with dozens of Federal agencies, of which each has its own peculiar internal procedures. The great service of this bill is that it begins to arrange the Federal programs for effective use by the cities, rather than for the convenience of tradition-bound Federal administrators. The passage of this bill is crucial to the new and sprawling Department of Housing and Urban Development; without this bill, HUD remains a conglomeration of agencies mainly interested in real estate and, particularly in the case of the Federal Housing Administration, mainly oriented to the suburban housing developers. The full public benefits of the creation of the new Department have not yet been felt because Congress has not yet passed the Demonstration Cities Bill.

The opponents of the bill, fearing defeat in any rational debate, have attempted to drag it into the race issue. The Republican Policy Committee charge, that the bill will lead to bussing school children, is wholly spurious and deserves only contempt.

The real issue is the determination and ability of Congress to fulfill its part in the Federal-local relationship, and to ensure that the American cities will be habitable and pleasant places to live in this time of great population growth. Most Americans are now city-dwellers; the Demonstrations Cities Bill is a welcome and necessary new departure in building their world.

KEYNOTE ADDRESS BY JOHN KENNETH GALBRAITH AT "OUR PEOPLE AND THEIR CITIES," A CONFERENCE OF URBAN AMERICA, INC., WASHINGTON, D.C., SEPTEMBER 12, 1966

Mr. CHARLES H. WILSON. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. Brademas] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, during the 1960's the economic policies pursued by Presidents Kennedy and Johnson have in large measure been responsible for the remarkable rate of growth of the American economy. Associated with this growth are levels of private affluence that rise to ever-increasing heights. In the public sector as well, through the vital measures enacted by the 88th and 89th Congresses in health, education, community development, water and air pollution, and other fields, our great economic surge has resulted in a wide range of bold new programs of the greatest importance to our society.

Yet despite these breakthroughs it is clear that public services have not kept pace with private affluence. Nowhere is this clearer than in our cities, which in a time of great prosperity are fighting for their lives against the onslaught of air pollution, snarled traffic, inadequate housing, substandard education, and general blight.

Mr. Speaker, we need fresh perspectives on the problems of our cities and on the role of public services in our expanding economy. Few men can articulate such perspectives as effectively as the distinguished economist, John Kenneth Galbraith, who has returned to his duties on the faculty of Harvard University after an outstanding tour as U.S. Ambassador to India.

In an address last month at the Conference of Urban America, Professor Galbraith set forth a number of important proposals on how we might better channel our imposing wealth into the areas of greatest social need in this country.

I commend this excellent address to the attention of my colleagues, and I ask unanimous consent that it be included in the Record at this point.

Keynote Address by John Kenneth Galbraith at "Our People and Their Cities," a Conference of Urban America, Inc., in Washington, D.C., September 12, 1966

I observe, with some interest, that I am described as giving the keynote address at these proceedings. The term keynote, one assumes, was taken over by oratory from music. And most experience would suggest that the adaptation has been relatively slight. There is a great burst of sound. Whatever its value it is certainly more musical than intellectual. When the echoes have died away, nothing much except the melody lingers on. I shall do my best to conform.

But perhaps I might be allowed to do a little more. For I have some rather clear ideas as to the factors underlying the problems of our cities and also as to the remedies. I feel a natural reluctance to have you go about your work in the days ahead in ignorance of these truths.

The last quarter century, I venture to think will be known to historians as the years of the economist. And I have little doubt that the crisis of the cities, with which you are here concerned, is the consequence of the two great preoccupations of the members of my profession in this period. One of these has been the preoccupation with production. The other has been the preoccupation with the market. Both have induced a myopia which has kept us from seeing some very great problems which these concerns have left untouched and which in some respects they have made more acute.

PREOCCUPATION WITH GROWTH

I do not need to argue the depth of our preoccupation, in these last twenty-five years, with the production of goods. One possible reason is that I have urged it so frequently before. In general reaction to man's ancient experience with penury and in specific reaction to the miseries of the thirties, we have made the increased output of goods the prime and in some measure the exclusive goal of domestic policy in the United States. None other has been deemed so important; quite a few have come to imagine that no other goal is possible. Agreement that the main task is to increase output has united Democrats and Republicans, liberals, conservatives and even modern conservatives. The consensus extends from the Communists to the more thoughtful branches of the John Birch Society. There has been a difference only on methods. Liberals have sought to increase production by public spending, deliberate government deficits and tax reduction. Conservatives have not entirely abandoned their faith in balanced budgets, stern law enforcement and measures to curb the socialist tendencies of the Supreme Court. To believe we have been doing well in these last two decades is to believe that we have had an adequate rate of economic growth. St. Peter has been asking new arrivals only what they have done to increase the Gross National Product.

Though economic growth is a condition precedent for solving most social problems, there are many it doesn't solve. And it creates massive new ones. Let me be specific.

Economic growth does not provide the public services which mark our progress toward a more civilized existence and which also are made necessary by a higher level of private consumption.

Economic growth does not help those who, because of careless choice of birthplace or parents, poor early environment, absence of educational opportunity, poor health, mental retardation or racial discrimination or old age are unable to participate fully in the economy and in its gains. On the contrary, it makes this disadvantage more visible and obscene.

And economic growth, we have learned, does not solve the problems of our environment and especially of our urban environment. On the contrary, it makes these problems infinitely more urgent.

Let me say a word about the first two areas of failure for they bear strongly on the problems of the cities. Then I should like to advert, at more length, to the problems of urban environment. I would like to show how, at this point, our preoccupation with the market has accentuated our troubles here.

PRIVATE-PUBLIC BALANCE ESSENTIAL

It is imperative that we maintain a sound balance between the private and public sectors of the economy. In the years following World War II we were afflicted by the atavistic doctrine that government services are wasteful, wicked, a manifestation of individual weakness, and a menace to liberty. Editorials argued the case. Political cults asserted it. Legislators—only a few fortunately—were elected on this platform. We have, I hope, recovered from this lapse. I am specifically encouraged, as I have said several times recently, by a letter earlier this summer from Barry Goldwater appealing for support for the purchase of some parkland in Arizona. Private development was threatening a beautiful mountain—and I gather also his view. He wants the mountain to be a public park.

Some public services—transportation, manpower training, postal services, research and statistical facilities—must grow if private growth is to continue. Other public services—control of water and air pollution, removal of litter—must keep pace if private growth is to be tolerable. Yet others—health services, welfare services, help to the dependent—must grow if there is not to be an appalling contrast between the two—between private affluence and public squalor.

Public services, we need also to bear in mind, are progressive in their incidence. In use this term in its technical sense as we apply it to the progressive income tax. Colleges and universities, public parks, good and well-paid police, good health services, good public transportation, even clean streets render their greatest service to the poor and especially to the urban poor. Those who call for curtailment in public services should never suppose they are being neutral as between the affluent and the less so. Those who are now calling, so righteously, for shelving the Great Society because of the Vietnam war are asking that the well-to-do taxpayer, whose income is at an all-time high, be protected at the expense of aid to schools in depressed areas, the Job Corps, low income housing and youth employment. This is outrageous. With Voltaire I will defend to the death the right of a man to be this selfish. But I am not sure he should be allowed to practice without a license.

Our next failure consists in the people who are left behind by economic advance. Increasing national income benefits only those who participate in the economy and thus establish a claim on the income it produces. A sizable minority cannot or do not so participate. Thus they have no share in improving well-being.

Good public services and sound environmental conditions promote such participation. Good health services increase the number of people who are physically and mentally able to participate in the economy. So does good law enforcement. So does good and well-located housing. So does effective action against racial discrimination. So does good urban transportation—as the recent case of Watts has made clear.

GOOD EDUCATION IS IMPERATIVE

But mostly this is what a good educational system accomplishes. There is no single cure for poverty. But we should not, in our sophistication, be afraid of the obvious. President Johnson observed a year ago, "Education will not cure all of the problems of a society . . . without it no cure for any problem is possible." And he was right. A community that provides really superior schools from the earliest ages and allows the pupil to go just as far at the public expense as his abilities allow will not have many people that are poor. There are few college graduates and not many high school graduates who are in the poverty brackets.[1]

My approach, so far, to the problem of poverty, you will have observed with some sense of reassurance, is strongly traditional. We should help people to participate in the economy; we should help them to help themselves. That is good whereas merely to help them is bad. I venture to think that the time has come to reexamine these good Calvinist tenets which also fit so well with our ideas of what saves money. We need now to consider the one prompt and effective solution for poverty which is to provide everyone with a minimum income.

PROVIDING A MINIMUM INCOME

The arguments against this solution are numerous. Most of them are excuses for not thinking about anything so exceedingly plausible. It would, it is said, destroy incentives. Yet we now have a welfare system that could not be better designed to destroy incentives if we wanted it that way. We give the needy income. And we take away the income if the recipient gets the smaller job. Thus we tax the wages of the welfare recipient at rates of 100% or more.

And it is said this would keep people out of the labor market. But we do not want all people with inadequate income to work. In 1964 of 14.8 million children classified by the Department of Health, Education, and Welfare as poor, nearly a third were in families headed by a woman. Three-fifths of the children in families headed by women were so classified.[2] Most of these women should not be working.

Nor, given our present condition of affluence, it is certain that we need to have every last living soul at work. What is the price? A few fewer automobiles; a little less traffic congestion; a few fewer cigarettes; a little less cancer; not quite so many beer cans; a bit more grass by the roadsides. Is this such a hideous cost?

Idleness we do know to be demoralizing. But even here there is a problem. Why is leisure so uniformly bad for the poor and so uniformly beneficient for the moderately well-to-do?

We can easily afford a floor income. It would cost about twenty billion to bring everyone up to what the Department of HEW considers as reasonably minimum. This is a third less than the amount by which personal income rose last year. It is not so much more than we will spend next fiscal year to rescue freedom and democracy and religious liberty, as these are defined by the experts, in Vietnam. (Admittedly these problems grow more acute the farther one gets from home.) And there is no antidote for poverty that is quite so certain in its effects as the provision of income.

In recent years we have come to recognize a major defect in the fiscal system of the United States. Put briefly it is that, with economic growth and rising incomes, the Federal government through the income and corporation tax gets the money. The cities on everything from traffic to air pollution get the problems. And this is more acutely the case when the effects of population growth and urbanization are added. Various ways have been suggested in these last years for correcting this anomaly—most of them calling for subventions by the Federal Government to the states and cities. The best way would be for the Federal Government to assume the cost of providing a minimum income and thus to free the cities from the present burden of welfare costs. In the years of the farm crisis it did this for agriculture. In these years of the urban crisis we want a system that directs funds not by some formula to the country at large but to the points of greatest need. These are the large cities. To transfer income maintenance to the Federal Government—to free big city budgets of a large share of their welfare payments—would be an enormous step in exactly the right direction.

MARKET SOLUTIONS INADEQUATE

The problem of environment is surprisingly simple—and universal. It is that we have for long assumed that nearly everything must be subordinate to economic growth and that the largest possible number of problems must be left to solution by the market. Accordingly, questions of beauty, livability, even health have been of secondary importance. Cities must grow. That is economic progress. If they are ugly, that is the price for progress. If the streets are a jungle of poles, that is because people want telephones and should have them as cheaply as possible. Power lines march across the countryside. But people need power, and that too should be cheap so instead of old-fashioned trees they have new ones of steel. A factory is not a pleasant or attractive neighbor; it smells of scorched rubber and is very dirty. But people must have jobs and the community needs the payroll and production, accordingly, should be wherever the entrepreneur thinks it will be most efficient. Highways and roadsides are made hideous by outdoor advertising and vendors of remarkably unattractive merchandise. But it is held to bring money into the community.

In each case economic goals have been accorded an implicit priority. To make matters worse quite a few people have persuaded themselves that out of the chaos of economic motivation will come some tolerable result—some manifestation of unplanned but functional beauty.

Such a system of priorities and such wishful thinking can no longer be afforded. When people were insufficiently fed and clothed and sheltered, economics rightly enjoyed a high priority in social calculation. But as we move on to lower orders of need—the wants that can be stimulated only by singing commercials—economics loses any natural claim to priority. Other goals are rightly advanced. And there is no reason to believe that an unplanned metropolis will have any better chance of beauty than an unmade bed.

Indeed, we must recognize that the market attitudes which were fostered by the industrial revolution are strongly inimical to urban design. That is why, broadly speaking, no city built since Adam Smith—noncommercial capital cities apart—is ever admired. Each summer Americans migrate by the millions to look at those which were built in the eighteenth century or long before. If you visit my distinguished friend the Secretary of Commerce he will tell you that this migration of Americans is one of the most troublesome of factors in our balance of payments. It must pain him to reflect that is caused by men and women, reared in a free enterprise environment, departing from it in droves to see the wonders of medieval and renaissance urban planning.

Let me now say a specific word about our preoccupation with the market. It is our common assumption that, generally speaking, the response to market incentives takes care of our needs. Somewhat exceptionally, and the modern metropolis is such an exception, we find market incentives inadequate. Here we must have planning. We must settle on goals—an overall architectural framework, a plan for streets and parks, a plan for land use, specification of needed utilities—which are part of a predetermined design. We note with some surprise that we are engaged in planning.

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[1] Cf. *Poverty in the United States.* Committee on Education and Labor. House of Representatives. April. 1964. P. 216 *et seq.*

[2] *Who's Who Among the Poor. A Demographic View of Poverty.* By Mollie Orshansky. U.S. Department of Health, Education, and Welfare. July, 1965.

CITIES NOT WELL PLANNED

In fact, the modern city is one of the least planned parts of our economy. Our space voyages are planned. So are our weapons systems. So is our supersonic travel—and it is planned for us whether we want it or not. So is our telephone service. So is our automobile production. So are most of the other requisities of an industrial civilization. We have corporations large enough to embrace the tasks of planning. They assume control of the prices at which they buy and sell. And they exercise measurable influence over suppliers and customers. They do not leave things to the market; they would regard that as leaving it to chance.

This planning is successful because we have planning units with a size and power competent for their task. If one doubts the importance of this, he might reflect, for a moment, on the kind of telephone service we would have were the long lines system wholly separate, and without reliable interchange arrangements or equipment compatibility, from the local system. And were each local city system separate, in turn, from every other local system. And were local systems partly public and partly private. And were these systems, local or long distance, variously subject in its investment and service to shortrun considerations of profits and loss.

We could be sure, under these circumstances, that not many calls would go through. No one would be much bothered by the telephone. Lyndon Johnson would have to revise his operations. But the system I have described, though obviously out of the question for something as significant as electronic communication, is precisely what we employ for moving human bodies around.

We have a planned system of electronic communication and an unplanned system of urban and interurban transportation. It does not matter that the Telephone Company is nominally a private enterprise; the significant fact is that it has the size and the power sufficient for its planning.

The same is true of the successful industrial enterprise. It has a size coordinate with its task. It controls the relevant parameters of its operation—including markets. It plans. That the modern industrial firm is subordinate to the control of the market—that it is not a planning instrument—belongs to the apologetics, not the truth, of economics.

But when we get to the cities—to the urban transit I have mentioned, the general direction of land use, most urban housing, the patterns of suburban development, the selection of architectural types and designs—we find the market largely in control. No A. T. & T., no General Motors is in charge. Nor is any public authority.

The problem of the modern city is partly that the age of economics, with its preoccupation with private production, has denied it the public services it needs. It is partly that the same age, with its mistaken assumption of the rule of the market, has denied it the planning that is commonplace elsewhere in the economy.

What should we do? Fortunately that is your task in the days ahead. I don't want to rob you of employment. But even here I have a suggestion or two.

IDEAS FOR URBAN DEVELOPMENT

The successful defense and development of our urban and related living space requires progress on three broad fronts.

First: We must explicitly assert the claims of the community against those of economics. I have aesthetic claims especially in mind. If a structure, facility or design is cheaper, more convenient or more efficient, it is no longer decisively in its favor. If it is ugly or otherwise offensive, it is probable that it should be rejected. The airlines have no God-given right to the cheapest trick if they keep ten-thousand people awake.

So wires and poles must go underground, although this costs more and power and communications, as a result, will cost more. Industry should be not in the most efficient but in the most agreeable locations. Highways and streets are not primarily a business opportunity. They are primarily places for tranquil movement—and that means the streets on which one goes to where efficiency of movement is also weighed against charm. Air and water and landscape must, of course, be protected from pollution. It should not be claimed that the eventual cost of all this will be less—that it will pay in the long run. That is no longer the test. The test is what, in the end, people will enjoy most.

And it must be recognized that the last resort of all who argue for economic priority is that the public is intransigently vulgar. So it is wrong to inflict on them the value system of those who pretend to taste. This is pure nonsense, and the worst kind of special pleading for private gain. Every successful society has allowed its artists and critics to act as arbiters of taste. Nothing artistically more compelling than the Rayburn Building would ever have been built had it been otherwise.

IMPROVED CONTROL OF LAND USE

Second: Effective management of environment will require far more effective planning and control of land use. The city cannot remain in the unplanned lacunae of our society. One reason is that we cannot go on wasting space, a scarce and important asset, as at present. Even if planning and control lead to deliberation and thus to delay, we should welcome them. Once again economic priority cannot be granted. We should gladly trade a slower for a better planned growth.

We need such planning in order to gain attention for social and aesthetic priorities. The assessment of economic priority lies with the individual owner. He can tell what will be the economically best land use and the resulting judgment will not be far astray. But only the community can decide what is socially and aesthetically the most desirable use.

Further, we need such planning and control to permit the architect to work within a suitable framework—a consistent design. This is not to impose uniformity; rather it is to require harmony and order. Order is no more the enemy of artistic freedom than anarchy is its servant. The cities we visit and most admire—Florence, Fatehpur-Sikri, Leningrad nee St. Petersburg, Hausmann's Boulevards—all owed much to strong rulers, even despots. That is not because despotism is conducive to art. It is because it is condusive to symmetry and order. It enforces an overall design. Even a bad one is better than none. Democracy can, I think, have such discipline though it remains to be proven.

We should not imagine that our traditional arrangements for guiding or directing land use will be sufficient for the purposes I have just mentioned. Private land ownership is a natural way of according economic priority. That, generally speaking, accords the largest private return. It was also right for the stage in social development that accorded economic priority. It is not so certain that it can be accommodated to social and aesthetic goals. The record of planners and zoning authorities when they come in conflict with the profit motive is not encouraging. I incline to the belief that for good urban, suburban and adjacent land use we will need to resort increasingly to public ownership of the strategic land areas. Nor does it take a political genius to see the prospect here for some blood letting.

Third and finally, it must be evident from this discussion that the city or metropolis is the key unit in the management of environment. This means that city government must be stronger, by far, than in the past. This means that cities must be run by stronger, more imaginative, and, needless to say, intelligent and strictly honest men. men. They must have better and much better paid employees. And they will need to have much, much more money. They already have the most important tasks and the least money. This starvation cannot continue.

THE STATE-LOCAL COOPERATIVE PLAN FOR THE PROVISION OF HEALTH SERVICES AND RESPONSIBILITIES

The **SPEAKER** pro tempore (Mr. KREBS). Under previous order of the House, the gentleman from Rhode Island [Mr. FOGARTY] is recognized for 10 minutes.

Mr. **FOGARTY**. Mr. Speaker, I recently read a very interesting article which appeared in the September issue of the Virginia Medical Monthly which describes the public health partnership arrangement in that State. The author of the article is Dr. Mack Shanholtz, Virginia State Health Commissioner.

I had the opportunity to become acquainted with Dr. Shanholtz several years ago when we were both members of the American delegation to the World Health Assembly meeting in India. Since that time, I have continued to be in touch with Dr. Shanholtz and have been greatly impressed by his leadership in the developing of what, in my opinion, is one of the strongest State health departments in the country. I believe Members will be interested in Dr. Shanholtz' description of the Virginia public health departments, which follows:

PUBLIC HEALTH—THE STATE-LOCAL COOPERATIVE PLAN FOR THE PROVISION OF HEALTH SERVICES AND RESPONSIBILITIES

(By Mack I. Shanholtz, M.D., State Health Commissioner of Virginia)

Virginia's cooperative plan for the provision of public health services and responsibilities is an unique and highly successful one. Its appeal lies in the fact that it is the most reasonable and efficient way to provide health services to all the people.

Basic to an understanding of the program is a knowledge of the services and responsibilities involved. Public health activities fall into four major categories: (1) protective, such as water, sewage, milk, and other environmental controls; (2) preventive, such as immunizations, investigations of acute communicable diseases, food poisoning, etc., and mass surveys for tuberculosis, venereal disease, and other conditions; (3) health care and supervision, such as for chronic diseases, crippled children, complicated pregnancies, and premature and sick infants; and (4) vital records and health statistics. A fifth activity, which involves no legal responsibility but is, nevertheless, of growing importance, is consultation—to local governing bodies, local physicians, hospitals, and nursing homes.

All of these activities involve both State and local laws, many of which are similar or identical. To attempt to carry out State and local responsibilities on a separate basis would be not only foolish and uneconomical, but would require duplication of scarce personnel and, as far as the State is concerned, an army of health personnel operating out of the Richmond office. It is wiser to join the locality on a partnership basis. In the long run, a well-trained sanitarian, nurse, or public health physician, who lives on the spot and is well-known and has the respect and confidence of the local citizens, is far more effective than an itinerant health worker from Richmond.

In 1954 the General Assembly of Virginia passed the enabling legislation for the partnership plan. It provides two things: first, for any county or city, or any combination thereof, to create a district health department; and, second, for the district health department thus formed to enter into a contractual agreement with the State Health Department for the operation of the district health department. At the present time there are forty-two local health districts composed of one, two, three, or more counties and/or cities, depending primarily upon the concentration of population or the area involved. A 1966 amendment clarifies the law by providing that a large city, such as Norfolk, may operate as a single health district.

Financial support of the local health department is shared by the State and the locality under a formula based on the locality's ability to pay. Using the estimated true tax value of the locality as of a certain date, the county with the lowest tax value pays 18 percent of the operation of the local health department, and the counties or cities with the highest value pay 45 percent. The State, therefore, pays no less than 55 percent and no more than 82 percent.

Personnel are recruited either by the State or the locality, but they must meet State merit system requirements and are appointed as State employees with accompanying leave, retirement, and other benefits. This provides for uniformity of personnel standards throughout the State.

The State department of health supplies overall administrative supervision to assure the locality of public health programs which are consistent with recognized criteria. With the present-day complexity of health programs and the rapid advances in the techniques of medicine, continuous education is required for all levels of personnel. Individual localities may find it difficult to keep abreast of these changes, and it is therefore, in the field of continuation education and staff development that the State health department can be of real value. Consultation services are of equal worth, for it is just as important to be in a position to advise on when and in what areas not to spend money as it is to propose new programs and new ideas. Ten thousand dollars can be quickly spent on health services today, but $10,000 in tax funds misspent on a program without adequate scientific backing can be a real misfortune for the average locality.

Hoping not to get too involved, let us examine, as a sample, the operation of the Halifax-Pittsylvania-Danville Health District, which is comprised of two counties and one independent city. Local health offices are maintained in South Boston for Halifax County, in Chatham for Pittsylvania County, and in the city of Danville. The district has the services of one full-time physician director. Each department has a staff of public health nurses, sanitarians, and office clerks and such basic clinics as maternity, well-baby, immunization, etc. By combining together as a district, the three departments have the benefit of additional and specialized services and personnel. Tuberculosis, crippled children, dental, and venereal disease clinics are available on a district basis.

For administrative purposes districts are combined into regions. The Halifax-Pittsylvania-Danville District Health Department lies within Region 11, which comprises fourteen Southside Virginia counties and three independent cities. On the regional basis more highly specialized personnel and services are available. There is a regional health director, an engineer, and clinics for alcoholism, mental retardation evaluation and consultation, heart disease, etc.

Programs for heart defects, facial deformity, rheumatic fever, cystic fibrosis, etc., must, because of their very nature, be operated within the confines of a large medical center. These are available on a State-wide basis but here, as in all programs, the important factors of case finding, referral, and follow-up are carried through the facilities of the local health department.

For such technical procedures as radiation control and engineering of large water and sewage systems, there is a staff of specialists available from the central office in Richmond. Services in these fields are paid entirely by the State, at no cost to the locality.

During the 1965 calendar year, 429,926 visits were made to the clinics operated by the affiliated local health departments. These clinics are manned by local physicians who are paid on a fee-per-clinic basis. Approximately two thousand physicians work in the local health clinics, and they furnish the muscle for the successful operation of any health program. For a variety of reasons the old pattern of caring for indigent patients in the physician's private office is being changed. Physicians now prefer to provide such care at a local health clinic where patient records may be kept and nursing, laboratory, and other paramedical services are available. Health departments, therefore, are becoming more involved in patient care, and the new general medical clinics and home nursing services are proving popular with the patient and doctor alike.

The State-local cooperative plan was authorized by law in 1954 and nearly all of the counties joined the plan immediately. The cost of affiliating a large city was great and, therefore, the probability of securing the funds for more than one city at any one session of the General Assembly was remote. Danville was accepted in 1956, Portsmouth in 1960, Charlottesville in 1962, Clifton Forge in 1963, and Hopewell in 1965. Norfolk applied and was included in the 1966 budget request. However, the enactment of the State sales tax provided a source of funds which made affiliation possible for Norfolk as well as all of the remaining independents. The 1966 General Assembly specifically appropriated funds for the affiliation of Norfolk and, in addition, provided a "sum sufficient" for any other independent city or county which so desired to join the plan during the 1966–1968 biennium. Under this arrangement details were completed for Richmond and Newport News to affiliate, along with Norfolk, on July 1, 1966. Feasibility studies are under way for Alexandria, Petersburg, and the County of Arlington, and if the governing bodies of these decide in favor of affiliation, it probably will be accomplished by January 1, 1967. Representatives of the governing bodies of Roanoke, Lynchburg, and Henrico County, the only remaining independent departments, have expressed interest in affiliation but no definite steps have been taken in this direction.

The State Health Department has never attempted to sell the cooperative plan; rather, the initiative has been left to the locality. Such a practical approach to the delivery of health services and the resulting financial advantages to the localities and the State have become more and more obvious as affiliations are successfully accomplished. These are the real drawing cards of the program today.

One further point which must not be overlooked is the expenditure of Federal funds. Even though the present Federal method of appropriating funds by disease category is difficult to administer, it is possible to funnel most of these funds down to the local areas through the network of local health departments. Only 5.2% of the Federal funds is kept for administrative purposes in the central office; all of the rest is spent locally on direct health services. Wherever possible, the Federal dollar is incorporated into the over-all budget and spent in the same manner as the State dollar.

By means of the affiliated program, and including the remaining independent departments, every county and city in Virginia is covered by a public health program. There are few states for which a similar statement can be made.

To repeat, affiliation is a reasonable, efficient, and successful way to provide public health services and to meet State and local responsibilities. It is a partnership arrangement of which Virginia has reason to be proud.

THE 89TH CONGRESS

The **SPEAKER** pro tempore. Under previous order of the House, the gentleman from West Virginia [Mr. STAGGERS] is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, any scrutiny of the record of the 89th Congress must lead to the conclusion that it was man-oriented. The pieces of legislation which we have considered and debated with agonizing concern, and which have been argued back and forth in the press and in public and private discussion, are pointed at the interests and needs of the average American citizen. For the first time in two decades, domestic affairs have taken precedence over international affairs.

This does not mean that we have lost interest in our worries from abroad. The Communist threat is still the overshadowing fact of international life, and we know it. A generation ago, I and some 23 million other Americans enlisted in a terrific struggle against foreign aggression. Many of us suffer from the physical wounds incurred, and all of us are haunted by the nightmares of destruction and cruelty which we were forced to witness. Our successors are at this moment still fighting communism, and its attacks are no less determined than before. Further, my sons—and yours—are the next in line to take over the burden. The prospect is horrible. But we must be men, and we must do what has to be done.

In a sense, however, we have learned to live with the danger. The particular job of Congress is to provide the necessary sinews of war. This we have done speedily, and with united voice. Or rather, Mr. Speaker, we have gone the extra mile. We have said to the Department of Defense: "Here is more money than you asked; take it and spend it and be sure you neglect nothing."

With these necessary things out of the way, we have had time to take up long-neglected domestic needs. The Christian Science Monitor designates this Congress "the fabulous 89th." It said:

> Not for years—generations, maybe—will circumstances produce another like the 89th.

There is room here for only a random sampling of what the 89th has put on the statute books: mine safety extension; auto and highway safety; child protection act; improved annuities for railroad retirees; improved survivor benefits for deceased railroad workers; social security extension; medicare; standard time bill; regulations regarding the use of animals in research; aid for public schools; the housewives' bill, or, packaging and labeling; the cold war GI bill; research in cancer, heart disease and stroke; rapid transit; tax adjustments; various and extensive veterans' legislation; control over depressant and stimulant drugs; mental health center legislation; cigarette labeling; mass immunization against polio, diphtheria, whooping cough, tetanus and measles; broadened loan authority for the Small Business Administration—the list goes on and on.

The impressive thing about modern legislation is that it is aimed to help people rather than vast institutions or causes. The individual human being—man, woman, child—is put at the center of concern. If we legislate well for the individual, we can be sure that the whole of society will profit.

In fact, it has already profited. Our economic system has responded to the favorable legislation of the last few years with a flood of good things for the use of all our people. But more remains to be done. A number of cancerous conditions eat away at our social system. They are national problems to the extent that the individual citizen or the locality and State can not control them. The next Congress must take a straight, honest look at them.

The first is the ominous spread of crime all over the Nation. I take some pride in the fact, Mr. Speaker, that the State of West Virginia makes no effort to excel in this kind of conduct. In crime rate, West Virginia ranks No. 49, and has no intention of raising its standing. As a nation, we have done too much talking made too many efforts to put the blame about the cause of crime, and we have on somebody or something else. It is time now to control crime, or it will wreck the Nation. I put it down as the first major job for the next Congress.

Crime is one form in which modern lack of discipline shows itself. Crime, by definition, is something that is illegal. But between the boundaries of the lawful and the unlawful, there is a widening belt of uncharted territory. Within this belt there is a great variety of conduct, from what is called "civil disobedience" to tacit condonation of violence and destruction, even murder. This is the clear road to the disorder and revolution which halt the march of progress in many an ill-advised nation already suffering from want and misery. We need some guidelines—quickly.

It has been an axiom in our society that public office is a public trust. Integrity and probity are properly considered necessary characteristics of public men. In the vast complexities of modern living, it is exceedingly difficult to separate the individual as a private citizen from the same individual as an officeholder. A "conflict of interest" is an ever-present danger. Here we have another area in which guidelines are needed.

The disturbing "upcreep" of prices threatens to throw the growing economy out of balance. Each segment of the productive world—management, labor, finance, government—accuses each of the others. Two general methods of controlling inflation are proposed. One is government regulation, regulation of prices, wages, investment, interest cost, supply of money, and so forth. The other is to let matters take what some think is a natural course of "supply and demand." We have tinkered with both ideas, and have committed ourselves to neither one. The next Congress may well be required to adopt a more consistent policy.

This congressional year has been a long and wearisome one, Mr. Speaker. People-oriented legislation is not an exact science. For the most part, we have been ploughing new ground, and the stumps are plentiful. Congressmen have had various and contradictory opinions as to the best course to follow. In the long grind to find practical solutions for our many problems, tempers have become frayed. Judgment prevails over passion with difficulty. We should call it a day.

And yet I feel strongly that we should not adjourn with any sense of having failed either ourselves or the public. We need time and opportunity for calm contemplation of our work. After we have withdrawn from the dust of the arena and have washed off the stains of conflict, I feel confident that we will look back on this past summer with pride and satisfaction. We have done many things we did not even dare to attempt before, though we have known that they must be done. I believe that the American people instinctively sense that what we have done represents true progress. We have not been able to satisfy the appeals—the demands—of all our citizens. But we are on the right road, and there is no place to go but forward.

With this feeling of satisfaction, Mr. Speaker, I congratulate the Members of this great assembly on their devotion to the right, as they saw it; I thank each of them for his or her contribution to a magnificent record of legislation; and I wish them all well, very well, in the many days ahead which I trust a favoring providence may allot to them.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Carey (at the request of Mr. Farbstein), for the balance of the week, on account of official business.

Mr. Cooley (at the request of Mr. Kluczynski), for today and the remainder of the week, on account of official business.

Mr. Mackie (at the request of Mr. Nedzi), for the balance of the week, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Hutchinson) to revise and extend their remarks and include extraneous matter:)

Mr. Kupferman, for 1 hour, Thursday, October 20.

Mr. Findley, for 60 minutes, October 19.

Mr. Buchanan, for 5 minutes, today.

(The following Members (at the request of Mr. Charles H. Wilson) to revise and extend their remarks and include extraneous matter:)

Mr. Fogarty, for 10 minutes, today.

Mr. Staggers, for 5 minutes, today.

Mr. Kee, for 10 minutes, on October 14.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Hutchinson) and to include extraneous matter:)

Mr. Pelly.

Mr. Chamberlain.

(The following Members (at the request of Mr. Charles H. Wilson) and to including extraneous matter:)

Mr. Celler.

Mr. Murphy of New York.

Mr. Cooley.

Mr. Whitener.

Mr. Love.

Mrs. Green of Oregon.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 1665. An act to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to provide for the reporting of congressional reference cases by commissioners of the U.S. Court of Claims;

H.R. 3314. An act to require premarital examinations in the District of Columbia, and for other purposes;

H.R. 5213. An act for the relief of Winston Lloyd McKay;

H.R. 15941. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes; and

H.R. 17787. An act making appropriations for certain civil functions administred by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basic Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 1375. An act providing a method for determining the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them due to the cancellation of their grazing permits by the U.S. Air Force;

S. 2106. An act for the relief of Dr. Jose Joaquin Diaz Franquiz;

S. 2739. An act for the relief of Dr. Blanche L. Asaad;

S. 2771. An act for the relief of Hazel Louise Schuman Strunk;

S. 3035. An act to establish a program for the preservation of additional historical properties throughout the Nation, and for other purposes;

S. 3238. An act for the relief of Miss Matsue Sato; and

S. 3809. An act to authorize the Public Printer to print for and deliver to the General Services Administration an additional copy of certain publications.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on the following days present to the President, for his approval, bills of the House of the following titles:

On October 12, 1966:

H.R. 15098. An act to amend Public Law 89-284 relating to participation of the United States in the HemisFair 1968 Exposition to be held in San Antonio, Tex., in 1968, and for other purposes.

On October 13, 1966:

H.R. 3104. An act to authorize the Secretary of the Interior to convey certain lands in Plumas County, Calif., to C. A. Lundy, and for other purposes;

H.R. 8678. An act to establish in the State of Michigan the Pictured Rocks National Lakeshore, and for other purposes;

H.R. 9520. An act to authorize the Secretary of the Interior to convey certain lands in Inyo County, Calif., to the personal representative of the estate of Gwilym L. Morris, Dolores G. Morris, George D. Ishmael, and Verna H. Ishmael;

H.R. 14754. An act to authorize the Secretary of the Interior to reinstate a certain oil and gas lease;

H.R. 16813. An act to transfer to the Atomic Energy Commission complete administrative control of approximately 87 acres of public domain land located in the Otowi section near Los Alamos County; and

H.R. 17787. An act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes.

ADJOURNMENT

Mr. CHARLES H. WILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 7 o'clock and 1 minute p.m.), under its previous order, the House adjourned until tomorrow, Friday, October 14, 1966, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2818. A letter from the national adjutant, Disabled American Veterans, transmitting the proceedings of the national convention for the year ending June 30, 1966, together with a report of receipts and expenditures, pursuant to the provisions of section 9, Public Law 668, approved July 15, 1942, and Public Law 249, 77th Congress, approved September 18, 1941 (H. Doc. No. 523); to the Committee on Veterans' Affairs and ordered to be printed with illustrations.

2819. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report relating to apportionment of the appropriation to the Selective Service System for salaries and expenses for the fiscal year 1967; pursuant to section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. COLMER: Committee on Rules. House Resolution 1054. Resolution providing for the consideration of H.R. 17239, a bill to limit contests of elections of Members of the House of Representatives to contests brought by duly qualified candidates whose names appear on the official ballots (Rept. No. 2258). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 1043. Resolution, investigation of European markets, and other purposes; without amendment (Rept. No. 2259). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 1044. Resolution to authorize the General Subcommittee on Labor of the Committee on Education and Labor to conduct an investigation and study of the operation of elementary and secondary schools by Federal agencies and of production of foreign-made goods competing with domestically produced goods; with amendment (Rept. No. 2260). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 1045. Resolution to grant additional travel authority to the Committee on Public Works; with amendments (Rept. No. 2261). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 1047. Resolution authorizing the Committee on House Administration to sit, hold hearings, and issue subpenas in carrying out its duties; without amendment (Rept. No. 2262). Referred to the House Calendar.

Mr. BOLLING: Committee on Rules. House Resolution 1048. Resolution authorizing the Committee on Post Office and Civil Service to conduct certain studies in Far Eastern and Western European countries; without amendment (Rept. No. 2263). Referred to the House Calendar.

Mr. DOWDY: Committee on the District of Columbia. H.R. 17798. A bill to provide that a judgment or decree of the District of Columbia Court of General Sessions shall not constitute a lien until filed and recorded in the office of the Recorder of Deeds of the District of Columbia, and for other purposes; with amendments (Rept. No. 2264). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. S. 2893. An act to amend section 206(c) of the Interstate Commerce Act to provide that certificates issued in the future to motor common carriers of passengers shall not confer, as an incident to the grant of regular route authority, the right to engage in special or charter operations; with amendments (Rept. No. 2265). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. Report entitled "Investigation of HEW" (Rept. No. 2266). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 8244. A bill to amend the Internal Revenue Code of 1954 to provide for rounding the amount of State and local taxes for purposes of computing tax on cigars; with amendment (Rept. No. 2267). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 11158. A bill to establish a working capital fund for the Department of the Treasury; with amendment (Rept. No. 2268). Referred to the Committee of the Whole House on the State of the Union.

Mr. BURKE: Committee on Ways and Means. H.R. 12316. A bill to amend the Tariff Schedules of the United States to provide for the free importation of certain specialized educational equipment; with amendment (Rept. No. 2269). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 17271. A bill to amend section 112 of the Internal Revenue Code of 1954 to increase from $200 to $500 the monthly combat pay exclusion for commissioned officers serving in combat zones; without amendment (Rept. No. 2270). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 18231. A bill to amend section 314 of the Public Health Service Act to promote and assist in the extension and improvement of comprehensive health planning and public health services, to provide for a more effective use of available Federal funds for such planning and services, and for other purposes; with amendments (Rept. No. 2271). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 9280. A bill relating to the excise tax on shells and cartridges; with amendment (Rept. No. 2272). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 18230. A bill to amend the Internal Revenue Code of 1954 to provide that the term "purchase" for purposes of section 334(b)(2) is to include certain indirect purchases of stock through the purchase of the stock of another corporation; with amendments (Rept. No. 2273). Referred to the Committee of the Whole House on the State of the Union.

Mr. LENNON: Committee of Conference. S. 2102. An act to protect and conserve the North Pacific fur seals, to provide for the administration of the Pribilof Islands, to conserve the fur seals and other wildlife on the Pribilof Islands, and to protect sea otters on the high seas (Rept. No. 2274). Ordered to be printed.

Mr. SIKES: Committee of Conference. H.R. 17637. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes (Rept. No. 2275). Ordered to be printed.

Mr. DOWDY: Committee of Conference. H.R. 15857. An act to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes (Rept. No. 2276). Ordered to be printed.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. S. 1349. An act to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length; with amendment (Rept. No. 2277). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. DULSKI:

H.R. 18344. A bill to amend title 39, United States Code, to provide for the air transportation of certain parcels mailed at or addressed to Armed Forces post offices; to the Committee on Post Office and Civil Service.

By Mr. DANIELS:

H.R. 18345. A bill to amend title 39, United States Code, to provide for the air transportation of certain parcels mailed at or addressed to Armed Forces post offices; to the Committee on Post Office and Civil Service.

By Mr. KREBS:

H.R. 18346. A bill to amend title 39, United States Code, to provide for the air transportation of certain parcels mailed at or addressed to Armed Forces post offices; to the Committee on Post Office and Civil Service.

By Mr. CORBETT:

H.R. 18347. A bill to amend title 39, United States Code, to provide for the air transportation of certain parcels mailed at or addressed to Armed Forces post offices; to the Committee on Post Office and Civil Service.

By Mr. KEE:

H.R. 18348. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. ST. ONGE:

H.R. 18349. A bill to amend title II of the Social Security Act to increase the amount of the monthly benefits payable thereunder, to raise the wage base, to provide for cost-of-living increases in such benefits, to increase the amount of the benefits payable to widows, to provide for contributions to the social security trust funds from the general revenues, to otherwise extend and improve the insurance system established by such title, and for other purposes; to the Committee on Ways and Means.

By Mr. FRASER:

H.R. 18350. A bill to establish a comprehensive program designed to assist the developing countries in efforts to reduce the drain from such countries of professional persons and skilled specialists in cases where their abilities and skills are urgently needed in their homelands; to the Committee on Foreign Affairs.

By Mr. McVICKER:

H.R. 18351. A bill to direct the Federal Trade Commission to make a continuing review of market structure and competition in the food industry and to report annually thereon to the Congress; to the Committee on Interstate and Foreign Commerce.

By Mr. NELSEN:

H.R. 18352: A bill to authorize the Commissioners of the District of Columbia to acquire, transfer, convey, and lease certain property in the District of Columbia for use as sites for offices for governments of foreign countries, and for other purposes; to the Committee on the District of Columbia.

By Mr. O'NEILL of Massachusetts:

H.R. 18353. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

H.R. 18354. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. QUILLEN:

H.R. 18355. A bill to amend title II of the Social Security Act to provide for cost-of-living increases in the benefits payable thereunder; to the Committee on Ways and Means.

By Mr. RESNICK:

H.R. 18356. A bill to amend the Internal Revenue Code of 1954 to allow teachers to deduct from gross income the expenses incurred in pursuing courses for academic credit and degrees at institutions of higher education and including certain travel; to the Committee on Ways and Means.

By Mr. VANIK:

H.R. 18357. A bill to amend title II of the Social Security Act to provide a 10-percent across-the-board benefit increase, with a minimum of $100 a month for individuals with 25 years' service, to increase the earnings base for benefit and tax purposes, to liberalize the retirement test, and to cover disability insurance beneficiaries under the health insurance benefits program; to the Committee on Ways and Means.

By Mr. VIVIAN:

H.R. 18358. A bill to amend the Internal Security Act of 1950; to the Committee on Un-American Activities.

By Mr. GIBBONS:

H.R. 18359. A bill to improve the payroll administration of the House of Representatives, and for other purposes; to the Committee on House Administration.

By Mr. ADAIR:

H. Con. Res. 1037. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 18360. A bill for the relief of Chrisoula Aglamisi; to the Committee on the Judiciary.

By Mr. ASHMORE:

H.R. 18361. A bill for the relief of Harry LeRoy Jones; to the Committee on the Judiciary.

By Mr. BROWN of California:

H.R. 18362. A bill for the relief of Nicolasa Alarcia v. de Espinosa; to the Committee on the Judiciary.

By Mr. FOLEY:

H.R. 18363. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claims of the Beasley Engineering Co., Inc.; to the Committee on the Judiciary.

H.R. 18364. A bill for the relief of Edward V. Golik; to the Committee on the Judiciary.

By Mr. LIPSCOMB:

H.R. 18365. A bill for the relief of Blagoje Nikola Zlatkovic and his wife, Nevenka Zdenka Zlatkovic; to the Committee on the Judiciary.

By Mr. McVICKER:

H.R. 18366. A bill for the relief of Maj. Clifford I. Mills; to the Committee on the Judiciary.

By Mr. MACKIE:

H.R. 18367. A bill for the relief of Dr. Lolita L. Rana; to the Committee on the Judiciary.

By Mr. PELLY:

H.R. 18368. A bill for the relief of Eun Sang Lee and Min Ja Lee; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 18369. A bill for the relief of Guiseppe Staropoli; to the Committee on the Judiciary.

H.R. 18370. A bill for the relief of Nicolas Diktakis; to the Committee on the Judiciary.

H.R. 18371. A bill for the relief of Gaetano Geranio; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Claims Against Foreign Governments

EXTENSION OF REMARKS

OF

HON. HAROLD D. COOLEY

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 13, 1966

Mr. COOLEY. Mr. Speaker, there is a provision in H.R. 14929, the revision of Public Law 480, relating to the making of concessional sales agreements of any kind with countries which have failed to pay just claims of U.S. citizens against foreign governments. This provision was not in controversy in the recent conference between the House and Senate on this bill.

Both the House and the Senate bills contained a provision, section 410, making section 620(e) of the Foreign Assistance Act of 1961, as amended, applicable to assistance provided under title I of this act. That section of the Foreign Assistance Act of 1961 provides for suspending assistance or aid to a country which expropriates, seizes, or which fails to pay just claims for property seized or furnished to governments, or to predecessor governments, or heads of state.

Although this section of the Foreign Assistance Act of 1961 is limited to acts occurring after a certain date, it is clear that discretionary authority exists to apply this policy to claims not covered by section 620(e) and it is intended that failure to pay just claims of U.S. citizens may be deemed to be cause to terminate the eligibility of any country to receive further assistance which does not take appropriate action to satisfy just claims arising out of action by a government or head of state.

American Education Week

EXTENSION OF REMARKS

OF

HON. EDITH GREEN

OF OREGON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 13, 1966

Mrs. GREEN of Oregon. Mr. Speaker, in today's rapidly changing and troubled times, the teacher is more important than ever before in shaping the direction and destiny of the individual, the Nation, and indeed the world.

The role of the teacher does not stop with the imparting of knowledge—but the teacher who is remembered goes on to kindle the spirit, fire the imagination, teach students to reason and to evaluate.

We hear of the teaching machine, visual aids, the education plant, the computer tutor—but, in the last analysis, the quality of education still remains in the hands and the heart of the teacher.

In anticipation of the observance of American Education week, which will begin November 6, 1966, Vice President HUBERT HUMPHREY speaks on the importance of the role of the teacher in inspiring and training the youth of our Nation. His words are eloquent, his comments timely.

Mr. Speaker, I insert the text of Vice President HUMPHREY's speech from the November issue of the Instructor in the RECORD:

America's children are our greatest resource. An investment in education yields dividends which exceed all others. Good education of our youngsters enriches their lives and advances our country in ways beyond measure.

A good teacher brings wealth to the community. Quality education attracts and holds business and industry, adds to tomorrow's payroll and market, enhances tomorrow's skills. But the intangible wealth it creates is the finest and most important asset of all.

All my adult life, I have been proud to be a teacher in one realm or another. From the college classroom in which I taught—to City Hall—to the U.S. Senate and now to my present position, my work has involved instructing and, yes, learning, too.

Of all man's noble callings, three exceed all others—education, medicine, and the ministry. Each of these great professions serves man, protects man, uplifts him.

Today's schools need a variety of skilled persons to add dimensions to human experience—above all, able classroom teachers and administrators, but also librarians, remedial instructors, speech, hearing, and reading specialists, audio-visual experts, psychologists, social workers, guidance counselors, nurses, and others.

A school's success depends in part on the bridges it builds into the community. Across these bridges must journey, in both directions, the finest in knowledge, skills, interest, support. A mentally isolated school is poor, no matter how well it is otherwise endowed.

How well I recall teachers who helped change my life for the better. What a blessing they were. How indebted I am—we all are—to those who opened the "windows" of our minds—to the Family of Man, to thought, to aspiration.

A child identifies with a good teacher. Hero, standard-setter, catalyst—the able teacher, however he may be described, is a creative, lifelong force.

President Johnson's dream has become America's goal: that every child shall have equal opportunity to learn, to rise to the highest rung of life's ladder that individual ability, talent, and drive will permit. Whatever the child's condition of birth, wherever the child may live, whatever his color of skin or church of worship or land of ancestry, each child shall have a fair and equal chance.

All the forces of American education, public, private, and parochial, are united in devotion to one objective—the advancement of children, their mental, moral, physical growth, their dignity, their competence, their citizenship.

Freedom for the teacher, modern resources, facilities, tools to help her do her job, community encouragement and support, good pay, promotion on merit—these should be every parent's, every administrator's, every school board's, every public official's goal.

Let the world judge America by our educational system. Great civilizations of the past, Greece, Rome, and others, were known for diverse accomplishments, many of which have faded with time. Education will endure. Enlightenment ennobles mankind and posterity.

What really counts in education is the learning which occurs each hour and day, in each classroom, school, and town. The events of the local scene are crucial. How the Federal Government helps and how much assistance it provides are important, but Washington's aim is to foster maximum state and local initiative. Local excellence means national progress.

Education transmits America's heritage, renews it, revitalizes it, adds to it. What is our past without education to preserve it, interpret it, and extend it to a dynamic present and a still brighter tomorrow?

An uninterested child cannot learn. Attract and hold the eye, the ear, the mind, the heart. Attention is a key to motivation and motivation the precondition to learning.

Every child is an individual—with his own "clock" of learning, with unique qualities, personality, talent, potential. Education must reach out to the individual child and encourage him to reach out to the world.

Disclosures of the Week

EXTENSION OF REMARKS

OF

HON. THOMAS M. PELLY

OF WASHINGTON

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 13, 1966

Mr. PELLY. Mr. Speaker, with the adjournment of Congress at hand, there will soon be no CONGRESSIONAL RECORD printed and therefore, no further means of my bringing to the public eye some of the many disclosures that come to light each week. But even though I am back in my congressional district reporting in person to my constituents, shocking Government waste of taxpayers' money and poor administration will continue here in the Nation's Capital.

I have been highly gratified at the number of individuals and organizations that have contacted me about these disclosures. Perhaps next year, like a new broom, there can be more sweeping of facts out from under the bed of bureaucracy and, thereby, more public demand for better government.

The last report of items which caught my eye—but not my fancy—includes the following:

CASE 1—AN ANTIPOVERTY POLITICAL HANDOUT

Columnist Stan Evans reports that in Coxton, Ky., the Federal Government is paying $6,000 a year in rent for a building that cost only $6,000 to begin with, thus assuring the owners a neat 100-percent profit.

CASE 2—FLY AND RAT CENSUS

Under section 911(a) of the demonstration cities bill, under ecological factors in urban living, funds would be provided at the rate of $100 a day to persons taking a census of rats and flies in cities across the country. One hundred dollars a day plus expenses aggregates more than $30,000 per year for these advisers.

CASE 3—THIRTY MILLION WITH INADEQUATE INCOMES

With the $2.3 billion cost of the poverty war to date, and $1.75 billion more authorized, President Johnson's estimated 30 million poor remains the same.

CASE 4—NEIGHBORHOOD SCHOOLS

Harold Howe II, Commissioner of Education, has told the House Rules Committee his idea is for the Federal Government to provide funds to subsidize his plan for abolishing the neighborhood schools.

CASE 5—AMERICAN FARMER

A high-level, $25,000-a-year Democratic administration executive of the Department of Agriculture quit on October 3 because, as he said, by almost every conceivable standard, 1961 through 1965 have been the worst 5 years for the American farmer in modern history.

CASE 6—FOOD FOR PEACE

Brazil, since 1965, has received $61 million in U.S. grain and foodstuffs, and another $2 million worth of corn to avert a famine among Indians. At the same time, we were donating this food, Brazil was selling 8,000 tons of corn to Communist-ruled Cuba.

CASE 7—THE LAST APPROPRIATION BILL

When the last appropriation bill passed the House this year, it brought the total for the year to $125.5 billion.

Kimberly-Clark Solves Water Pollution at Ohio Paper Mill

EXTENSION OF REMARKS

OF

HON. RODNEY M. LOVE

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 13, 1966

Mr. LOVE. Mr. Speaker, the problem of water and air pollution is a national one in which both the Government and industry should cooperate. The public, too, should make an effort to keep our water and air pure.

With my support, the 89th Congress passed laws which provide Federal impetus in combating both water and air pollution. I introduced a bill (H.R. 14640) which would grant a tax incentive to encourage installation of pollution facilities. Also, as you know Mr. Speaker, the House adopted my proposal (H.R. 17943) relating to the exception of air and water pollution control facilities from the suspension of the tax credit, as an amendment to H.R. 17607. I had in mind water pollution abatement along the Miami River which flows through my district.

Now I am happy to report that on its own initiative, and spending its own money, a major industry in my district has taken a giant step forward in battling pollution on this very same river.

It is the Kimberly-Clark Corp., which this week announced completion of a $1 million pollution control facility at its Moraine papermill at West Carrollton, Ohio. This facility treats papermill waste water so thoroughly that it is released to the Miami River in better condition than the river itself.

Mr. Speaker, this facility, one of the most efficient in the paper industry, can treat more than 5 million gallons of water a day. Two separate systems combine to treat the papermill effluent. One removes wood fibers and other oxygen-consuming solids that have gone into suspension during the papermaking process. The other rebuilds the oxygen content of the water before its release to the river.

Solids are settled out in a primary treatment process that makes use of two giant open-topped basins called "clarifiers." Each has a capacity of more than 600,000 gallons. These units, put into operation about 3 years ago, can remove up to 25 tons of solid materials a day, or 98 percent of all the fibers, clays, and other materials that might otherwise settle out in the river and cause unsightly sludge banks. The sludge is used for local land fill.

The water is then pumped to a pair of large lagoons, each with a capacity of about 16 million gallons, where wastes are broken down by biological reactions. Chemical nutrients are added to speed the elimination of organic materials in the water.

Six floating aerators, powered by 60-horsepower motors and resembling giant eggbeaters, drive up to 17,000 pounds of oxygen into the water every 24 hours. Normally, water is retained in the lagoons for 6 days.

This secondary treatment system of holding basins and mechanical aeration has been completed and tied into the overall process at a cost of approximately $400,000.

Mr. H. S. Craig, Moraine mill manager, has informed me that it is a primary concern of Kimberly-Clark to maintain the highest standards of quality control over the water that enters the Miami. In fact, he said water leaving the system has a higher dissolved oxygen content than the river into which it flows.

He advised me that the company was the first in Ohio to act under a new State law that exempts water treatment facilities from taxation and the new system is designed to meet or exceed the standards established by the Ohio Water Pollution Control Board for industrial pollution control.

This system, Mr. Speaker, keeps Kimberly-Clark and its Moraine mill in the forefront of Ohio industry in compliance with all State and Federal health and stream regulations.

It is the third major water pollution control unit put into operation by Kimberly-Clark in the past 2 years. I commend to you and my colleagues this example of industry initiative with the hope that other American companies will be inspired to follow suit in voluntarily meeting water or air pollution problems affecting their industries.

Garden State Brickface Co., of Linden, N.J.

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 13, 1966

Mr. MURPHY of New York. Mr. Speaker, the complexity of the space age and its emphasis on the sciences have by no means lessened the importance of providing many of our citizens with the opportunity of learning a basic trade.

Indeed, ours is a highly complex and diversified society in which all citizens, whether they be bricklayers, factory workers, or physicists, play an important role in the economic growth and well-being of our country.

It is for this reason that I am so gratified by the success of an ambitious and extremely important program moving ahead in New Jersey, in which private industry and the Government are successfully working together to train unemployed men from the Metropolitan New York-New Jersey area in a basic trade. The initiative and cooperation of the Garden State Brickface Co., of Linden, N.J., one of the Nation's largest masonry building surfacing contractors, in taking the lead in this program deserve special commendation and serve as another example of what accomplishments can be made when private industry and the Government apply themselves to a common goal.

In the last 3 years, the Garden State Brickface Co., under the leadership of Richard Goldberger, president, has provided more than 100 unemployed workers with on-the-job training in masonry building surfacing construction. First working with the National Bureau of Apprenticeship and now with an agency formed under the Manpower Development Training Act of the Federal Government's antipoverty program, Garden State trains each man for a 12-week period; pays him weekly wages, partially subsidized by the Government; and then, at the termination of the training period, offers him a full-time job with the company.

It is hoped that the initiative displayed by the Garden State Brickface Co., which volunteered to assist in this program, will result in more members of the construction field joining in this worthwhile effort. By helping the unemployed; providing them with the opportunity to learn a basic trade; and then guaranteeing them a full-time job with security, a sharp blow is being struck not only at poverty, but at many of the ills that this administration, and those in the past, have tried to and will succeed in rectifying.

Indeed, on-the-job training in a basic craft is an invaluable complement to our educational programs. Most important, it provides many people who may not have had an opportunity or capacity for higher learning, with the necessary tools to perform an important job and take their rightful places in the community.

It may be noted that the same firm—Garden State Brickface Co.—now providing opportunities for the unemployed, is responsible, in large measure, for the resurgence in the United States of one of the oldest building processes known to man. The process, known as brickfacing, originated in Europe over a thousand years ago and has been revived in this country with the help of modern machines and automated techniques, many of which were innovated by the Garden State Company. Today, using the same materials as were used centuries ago, the process of brickfacing is helping to restore the exteriors of older buildings and creating masonry facades that simulate brick for new ones throughout the United States.

Indeed, the Garden State Brickface Co. should be justly proud of its contributions to private industry as well as to the Nation.

Congressman Glenn Cunnigham Speaks at Dedication of Jarman Memorial Municipal Building, Springfield, Nebr., October 9, 1966

EXTENSION OF REMARKS

OF

HON. CHARLES E. CHAMBERLAIN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 13, 1966

Mr. CHAMBERLAIN. Mr. Speaker, our colleague, the distinguished gentleman from Nebraska [Mr. CUNNINGHAM] recently delivered some thoughtful and memorable remarks at the dedication of the Jarman Memorial Municipal Building in Springfield, Nebr.

The opening of this library from the vantage point of time will take its place among the historical landmarks of that community and I am pleased to make Congressman CUNNINGHAM's words on that occasion a part of the CONGRESSIONAL RECORD:

REMARKS BY THE HONORABLE GLENN CUNNINGHAM, REPRESENTATIVE IN CONGRESS, SECOND DISTRICT, NEBRASKA, AT THE JARMAN MEMORIAL MUNICIPAL BUILDING DEDICATION, SPRINGFIELD, NEBR., SUNDAY, OCTOBER 9, 1966

Without authors and writers there would be no books. If there were no books there would be no libraries. Without books and libraries there could be no learning—no record of the past—nothing to guide our future.

With this library we can find the materials to strengthen and pursue our learning in order to further our understanding of history, the arts, the humanities, government, and all those things we all need for the enrichment of our lives and fulfillment of our goals.

That learning goes on for a lifetime, is something I believe with all my heart. For that reason I wish to contribute three books to this new library that I have found helpful. These are an annotated edition of the United

States Constitution and a collection of documents on the formation of the Union, and eulogies to John F. Kennedy.

There is no better way to study government and to begin to understand citizenship than to begin at the beginning of our great Constitutional system. The Constitution is a living document. It is as relevant today as on the day of adoption. The Constitution is still the guarantor of our basic liberties. It is still the promise of protection from governmental tyranny.

We are proud of our great Constitution and willing to testify publicly to our recognition of the value of the freedoms which it has protected through the long years of our national history. Yet it is well to remember that at the beginning of our Federal Government there was fear that the system enjoined by the Constitution might not survive. It is necessary today, just as it was in Washington's time, that those who prize the blessings of freedom permit no relaxation of their efforts in defense of our beloved Constitution.

In order that we may know what it is that our Constitution protects for us, in order that we may know what American citizenship really means, in order to understand our system of free government, it is necessary that we study the Constitution, the other documents relevant to the formation of our national union, and the interpretations of Constitutional law that are contained in the landmark decisions of Constitutional litigation. I believe that my small gift of these three books will help in those necessary tasks of studying and understanding.

And finally, that here in Springfield we may feel closer in touch with the Federal Government which belongs to all of us, I have brought from our nation's capital a flag which has flown over the Capitol of the United States, the building that best symbolizes the greatness of our Federal system of freedom and enterprise. As this flag waves majestically over our newly dedicated building, may it remind us of the nobility of our national past, of the intrinsic worth of our concepts of citizenship, and of the sacrifices made in behalf of American freedom by those who gave their lives fighting for it both in the past and at this very moment.

In closing, I express my heartfelt appreciation, as well as yours, to the man who has made this fine structure possible, the late Taylor Jarman.

Résumé of 2d Session, 89th Congress (1966)

EXTENSION OF REMARKS

OF

HON. BASIL L. WHITENER

OF NORTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 13, 1966

Mr. WHITENER. Mr. Speaker, 1966 was another year of heavy legislative program in the Congress of the United States. At the beginning of the year it was very widely agreed that the session would terminate by late July. This prediction missed the mark badly. October came before the end of the session appeared.

The Vietnam war, inflation, and efforts to further centralize government have presented real problems to the people of America and their Representatives during this year. Too little has been done to meet these problems head on, but there is some slight indication that our situation is better now in each of these problem areas than was true 6 months ago.

Notwithstanding the inflationary spiral which threatens our economy, we have seen a continual presentation of new programs for big Government spending. I am convinced that unless Government spending is reduced materially we will find that the inflationary situation will worsen rather than improve. Unless the people in every community are willing to cooperate in bringing about reduced Federal Government spending there is little likelihood that we will see any reduction in the Federal budget in the foreseeable future. We cannot have all of the programs which appeal to certain segments of our society and have economy in Government at the same time.

This session of the Congress has been productive of much legislation. The following is a partial list of action taken in several major areas of American life. You will note that the Congress has enacted legislation which:

AGRICULTURE

Permits cotton industry to establish a research and promotion program to improve the competitive position of its product and expand markets.

Simplifies laws governing the Farm Credit Administration and makes its operation more flexible.

Provides 2-year $5 billion food-for-peace program of U.S. Government financed sales and donations of farm products abroad; bars benefits to nations trading with Cuba and North Vietnam.

Increases authorization under Small Reclamation Projects Act of 1956 from $100 to $200 million for use in revolving fund; limits loan or grant on single project to $6.5 million; extends program nationwide.

Removes limitation on interest rate paid on debentures by intermediate credit banks.

GOVERNMENTAL REORGANIZATION

Establishes a new Department of Transportation as a Cabinet-level agency to which are transferred the Office of Under Secretary for Transportation of the Department of Commerce and its staffs, the Federal Aviation Agency, safety functions of the Civil Aeronautics Board, and the Interstate Commerce Commission; U.S. Coast Guard—in peacetime—and the Great Lakes Pilotage Administration.

Extends the Law Enforcement Assistance Act for 4 years through June 30, 1970; authorizes $15 million for grants to State and local law-enforcement agencies for fiscal year 1967 and $30 million for fiscal year 1968.

Amends the Administrative Procedure Act to require every agency to make information available to the public as to its policies and actions, with certain exceptions for security reasons and protection of personnel or commercial privacy.

Authorizes creation of 10 additional circuit and 35 new district court judgeships.

Provides 2.9-percent pay increase for Federal employees.

INTERNATIONAL AFFAIRS

Authorizes supplementary $415 million foreign aid funds in fiscal 1966 for Vietnam and other southeast Asia nations.

Provides for U.S. participation in newly created Asian Development Bank and subscription to $200 million of its $1 billion capitalization.

Authorizes $500 million emergency food assistance to India, partially donated, with most of cost to be paid out of counterpart funds.

Provides $3.5 billion for foreign economic and military aid, including technical assistance, to limited number of countries for 1 year, through June 30, 1967, except 3-year authorization for development loans and Latin American Alliance for Progress programs.

Amends Peace Corps Act and authorizes $110 million for its program for fiscal 1967.

Expresses the sense of the Congress against Soviet Russia persecution of persons because of their religion.

NATIONAL DEFENSE AND INTERNAL SECURITY

Authorizes $17.8 billion for fiscal 1967 for Armed Forces procurement of aircraft, missiles, naval vessels, including nuclear-powered frigate and two destroyers; tests and evaluation of weapons systems.

Provides $4.8 billion supplemental funds for fiscal 1966 for aircraft, missiles, and combat vehicles, naval vessels, research, and military construction due to Vietnam conflict.

Permits loan of naval vessels to Turkey, the Philippines, and Nationalist China—Taiwan.

Authorizes $126 million for U.S. Coast Guard for fiscal 1967 procurement of vessels, aircraft, and construction of shore and offshore installations.

Provides $2.25 billion for Atomic Energy Commission for fiscal 1967 for opperating expenses, plant and capital equipment, including an additional $10 million for underground tests of nuclear weapons.

Authorizes $5 billion for National Aeronautics and Space Administration for facilities construction, operations, and research and development.

Provides $1.05 billion for military construction for fiscal 1967 at Armed Forces bases at home and abroad.

Extends for 4 years to June 30, 1970, authority of President to fix priorities for and allocate defense materials, and to expand industrial capacity under Defense Production Act.

Extends for 4 years to June 30, 1970, standby authority of President to invoke civil defense emergency powers in event of attack on the United States.

NATIONAL ECONOMY

Fixes scale of personal income tax withholding on graduated basis from 14 to 30 percent; accelerates payment of corporate income tax; increases from 6 to 7 percent the excise levy on auto sales and from 3 to 10 percent on telephone service.

Establishes new and uniform standards for bank merger approvals by regulatory agencies; requires antitrust action be filed within 30 days; permits mergers on basis of community need and public interest if these factors predominate; exempts mergers completed prior to June 17, 1963.

Increases borrowing authority of Federal National Mortgage Association to stimulate homebuilding and the mortgage market.

Amends Fair Labor Standards Act to step up minimum wage in interstate commerce from $1.25 to $1.60 an hour by 1968 for workers presently covered and by 1971 for 8 million additional workers newly covered in this act.

Raises temporary limit on national debt from $328 billion to $330 billion for fiscal year ending June 30, 1967.

Authorizes $150 million a year for 2 years through fiscal 1969 for urban mass transportation grants. Provides for demonstration projects. Requires research to develop new systems and provides two-thirds grants for planning, engineering, and designing.

Provides $7.2 billion for Interstate Highway System construction for 2 years through fiscal 1968. Extends deadline for completion to 1973. Authorizes $2 billion for aid to primary and secondary highways; defers authorization of funds for beautification, control of junkyards and billboards pending January estimates.

Extends antipoverty Economic Opportunity Act for 4 years; increases funds for and expands Youth Corps, Headstart—preschool—programs and placement of older workers in community service jobs; authorizes small loans in emergency cases; establishes narcotic rehabilitation centers.

Authorizes the establishment of a special board—at request of either labor or management—to adjudicate disagreements under collective bargaining contracts in railroad industry.

Raises limit of Small Business Administration business loans by $125 million to $1.5 billion; sets up separate disaster loan revolving fund; fixes overall loan ceiling at $1.96 billion.

Authorizes Interstate Commerce Commission to fix such rates for rental of freight cars among railroads as to encourage acquisition of an adequate supply of new cars.

Provides for sale to private investors of $10 billion of assets held by the Federal Government as security for loans, $4.2 billion of it this year.

Repeals exemptions in the Bank Holding Company Act of 1956 and requires divestment of nonbanking interests by certain companies.

NATURAL RESOURCES

Authorizes a program of expanded oceanographic research and development of food, mineral, and other resources of the seas, Continental Shelves and Great Lakes; creates a Commission on Marine Science, Engineering, and Resources representatives of Government, industry, and the sciences.

Increases authorization for national program of water research to provide $85 million in 10 years for grants and contracts.

Removes limit on tax exemption for exploratory expenses in mining, except for oil.

Authorizes Secretary of the Interior to make preliminary studies of reclamation projects, on specific direction by Congress, to determine economic feasibility. Authorizes up to $30 million aid annually for such projects from hydroelectric power revenue, beginning year 2026 without increasing rates to consumers.

Increases by $1 billion to $1.75 billion the borrowing authority of TVA.

Authorizes establishment of a national seashore at Cape Lookout, N.C.

SOCIAL SECURITY, HEALTH, AND WELFARE

Provides social security benefits to persons not otherwise eligible who are 72 or over by 1968 and receive no other pension or relief.

Requires mandatory Federal safety standards for all new cars, buses, and trucks, to be fixed by Secretary of Commerce by January 31, 1967, and to apply to 1968 models, with updated revisions every 2 years thereafter; requires standards for tires and for used cars.

Authorizes 3-year $322 million highway safety program administered by Secretary of Commerce to assist and encourage State and local governments to expedite action through matching grants; provides for cooperation with industry and public and private agencies through contracts for research; broadens exchange of information on revocation or suspension of driver permits.

Extends for 3 years through fiscal 1969, provisions of the Higher Education Facilities Act of 1963. Authorized $2.06 billion for grants and loans for construction of academic facilities, and $160 million for student scholarships under National Defense Education Act.

Extends Library Services and Construction Act of 1964 for 5 years; authorizes $88 million for fiscal 1967.

Appropriates funds for first time to National Teachers Corps and for rent supplements, for fiscal 1966; $9.5 million and $12 million, respectively.

Amends Coal Mine Safety Act of 1952 to apply provisions to small mines employing less than 15 men underground.

Expands National School Lunch Act to include 2-year trial child-nutrition program of breakfasts for pupils in poor economic areas or who must travel long distances. Authorizes $465 million for 4 years through June 30, 1970, for special milk program and $63 million for 3 years to help schools purchase food preparation and service equipment.

Permits setting aside Federal public lands for needed school sites.

Permits leasing Federal public lands to local governments for up to 25 years for recreational or school sites.

Increases benefits under Federal Employees Compensation Act for on-the-job injuries or disability.

VETERANS AND SERVICEMEN

Authorizes educational and housing benefits similar to World War II GI bill of rights for more than 3 million cold war veterans with minimum of 180 days of active duty since January 31, 1955.

Exempts from income taxation amount of servicemen's retirement annuity set aside for benefit of survivors.

Authorizes 3.2-percent pay increase for members of uniformed service.

Provides an improved health benefits plan for retired members and members of uniformed services and their dependents.

Provides cost-of-living increase to beneficiaries of non-service-connected pensions.

From the preceding detailing of some of the legislation enacted during the current year you will see that this session of the Congress has been one of hard work.

The refusal of Congress to approve several items of legislation, which were debated at great length, was as significant as the action of the Congress in passing other legislation. There was tangible evidence this year that showed that Congress would not blindly accept certain radical proposals which were submitted by the administration and by some leaders in the legislative branch.

It is my hope that the atmosphere of responsibility which we have seen in the House of Representatives during 1966 will continue in the future. If we are to have government in keeping with basic constitutional principles and one which exercises fiscal responsibility and is to be able to meet its international responsibilities, it is essential that we constantly fend off assaults upon those principles and sound practices.

During my 10 years of service in the Congress I have striven to preserve individual liberties, the rights of the States, the principle of fiscal soundness, and basic constitutional government. I am delighted that so many others, working both in Government and private life, are dedicating themselves to these principles. As we look to the opening of the 90th Congress in January 1967, it is my fervent hope that solutions can be found to the great and perplexing problems which confront our American people in the several areas heretofore mentioned. Every American citizen should dedicate himself to this task.

Soviet Jewry

EXTENSION OF REMARKS

OF

HON. EMANUEL CELLER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Thursday, October 13, 1966

Mr. CELLER. Mr. Speaker, on October 2, 1966, a mass demonstration against Soviet Russia's discrimination against its Jewish citizens was held at Boro Hall, Brooklyn, N.Y. Under leave to extend my remarks in the Record, I include the speech delivered by the Honorable Edward S. Silver, judge of the Surrogate's Court, Kings County, N.Y., on that occasion. Judge Silver's statement follows:

Speech Delivered by Hon. Edward S. Silver, Judge of the Surrogate's Court, Kings County, on Occasion of Mass Demonstration Against Soviet Russia's Discrimination Against Its Jewish Citizens, Boro Hall, Brooklyn, October 2, 1966

We are gathered this morning, during the joyous festival of Succos, yet with heavy hearts because of the plight of our 3,000,000 brethren in Russia. We dwell in succos reminding us of our fathers dwelling in their temporary abodes in the wilderness of Sinai after freedom from Egyptian bondage. Five times the number of Jews that were then freed are now spiritually and culturally enslaved in Russia—by masters far more powerful and devious than the Pharaohs. How distressing that in a world where everybody talks of freedom and its concomitants, it is necessary for us to assemble to pray and cry and plead for 3,000,000 of our brethren.

We cannot rest.

We must act that Russia will clearly know that we will never rest while their inhuman treatment of 3,000,000 Jews continues.

We must also make it clear to our own government that Communism is endangering the spiritual and cultural lives of 3,000,000 Russian citizens. The United States must do more to bring succor to these people.

I do here and now file an indictment against Soviet Russia.

SUPREME COURT OF THE CONSCIENCE OF MANKIND, HUMAN RIGHTS AND DIGNITY

The Liberty Loving People of the World, Plaintiffs, Against, Union of Soviet Socialist Republics, Also Known as the Soviet Union, Defendant

The Grand Jury of the Liberty Loving People of the World, by this indictment, accuse the defendant of the following crimes:

Count I

With malice aforethought, and in willful violation of its own avowed "Declaration of the Rights of the Peoples of Russia" enunciated in 1917 when the Soviet government came into power in Russia, and in subsequent declarations, promised cultural freedom to all the peoples of the USSR—today, nearly a half century later, in its unlawful and willful intent to spiritually and culturally strangulate its Jewish citizens, the Soviet Union denies only to the Jews of Russia the right granted to all other nationalities within the USSR.

Count II

With malice aforethought, and in willful violation of the doctrine of the United Nations proclaiming a universal Bill of Rights, to which the USSR is a signatory, that proclamation reaffirmed "faith in fundamental human rights, in the dignity and worth of the human person, in the equal rights of men and women of all nations, large and small,"these basic rights the USSR has unlawfully denied to its Jewish citizens.

Count III

The USSR, its government heads, the Russian Communist Party, its diverse and various controlled press and publications, have unlawfully and willfully conspired to deny to its Jewish citizens the means of preserving their religious, cultural and spiritual needs, and pursuant to such conspiracy have committed the following overt acts:

Overt acts

1. Closed the doors of hundreds of Jewish synagogues;

2. Prohibited institutions to train Rabbis and teachers;

3. Caused Jewish printing presses to come to a virtual standstill;

4. Cut off Jewish children from their heritage and denied Jewish youth its birthright—the pride and dignity of belonging to the Jewish people;

5. Denied to the Jews of Russia the fundamental rights to live their lives in accordance with the precepts and practices of Judaism, without fear and without hindrance.

(Signed) CONSCIENCE OF MANKIND.

I propose here and now, that as soon as feasible, and with all reasonable speed, that a "Court of The Conscience of Mankind, Human Rights and Dignity" be convened to try the Soviet Union and expose to the world its nefarious scheme. You may call it a sort of Nuremberg trial.

There we will summon hundreds of witnesses to testify, many of them victims of this injustice.

Here are just a few of my witnesses, and with only very small parts of much longer statements in which they spell out in greater detail their testimony against the cruel treatment and discrimination by the Soviet Union of their 3,000,000 Jewish citizens.

WITNESSES

1. President Lyndon B. Johnson (September 17, 1965):

"History demonstrates that the treatment of minorities is a barometer by which to measure the moral health of a society. Just as the condition of the American Jew is a living symbol of American achievement and promise, so the conditions of Jewish life * * * in the Soviet Union reveal fundamental contradictions between the stated principles and actual practices of the Soviet system.

"I once again express hope for an end to the restrictive practices which prevent Soviet Jews from the full enjoyment of their heritage."

June 3, 1965: "We express our earnest hope that the Soviet leadership will ameliorate the situation of its Jewish minority. Doing so would go a long way toward removing a moral and emotional barrier between us, and contribute to a relaxation of tensions. And we all earnestly hope for this."

2. Ambassador James Roosevelt, United States Representative, U.N. Economic and Social Council (September 19, 1965):

"In the USSR, the authorities have consistently refused to recognize unequivocally that a grave problem of anti-Semitism exists there.

* * * * *

"Soviet Jews are utterly helpless and voiceless, and any attempt on their part to combat discrimination and to advance their group rights would be immediately suspected and shattered by official action."

3. Dr. John Coleman Bennett, President, Union Theological Seminary:

"I believe that Christians have a special responsibility to work by public protests and by any other means available to them for the ending of these anti-Semitic policies and practices by the Soviet government."

4. Most Reverend Patrick A. O'Boyle, D.D., Archbishop of Washington, D.C.:

"According to well documented evidence, there is now taking place within the Soviet Union a determined, relentless persecution of our Jewish brethren simply because they are Jews.

"* * * * *

"It behooves us, therefore, * * * as Christians and as Americans who believe in the message of the Sermon on the Mount as well as the preamble to the Constitution, to raise our voices loud and strong against this inhuman tyranny of man against man, in the hope that the United appeal of public opinion, expressed in terms of timely and considered condemnation of injustice and exhortation to respect for the dignity of the human person, may open the eyes and move the hearts of those who are responsible for the horrendous outrages against our Jewish brethren, and prompt them to see the error of their ways and to render to all their citizens and residents the equal benefits of justice with charity."

5. Christian Century:

"If the ordeal of Russian Jewry is overlooked now, their fate will rest all the more heavily on the conscience of mankind. * * * The Jews of the Soviet Union desperately need the moral support of the fellowship of all the concerned, the vigilant shepherds of all religious groups."

6. America, Jesuit weekly magazine (February 13, 1965):

"A united world protest is the best means to stay the hand of the would-be invader of human rights. * * * The plight of the Jews in the Soviet Union should and does concern Catholics and not Jews only. Human liberty is indivisible."

7. Bertrand Russell, England (Excerpt from letter written to Aaron Vergelis, Editor of Yiddish language Soviet Magazine, Sovietishe Heimland (October 29, 1964):

"You cannot be unaware that the Communist Parties in Italy, France, United States, Canada, Scandinavia, Australia, and elsewhere have publicly criticized anti-Semitic literature in the USSR, discrimination against Jewish religion, and the depredation of Jewish culture. You are grossly misleading your readers if you suppress this important fact and misrepresent honest criticism of the inequality experienced by Soviet Jews.

* * * * *

"The striking cultural amenities supplied to even the smallest Soviet national and linguistic minorities illustrate injustice at present imposed on Soviet Jews."

8. Roy Wilkins, Executive Director, National Association for the Advancement of Colored People:

"Since the Soviet Government is condoning anti-Jewish deprivations and denials as a form of cultural genocide; and since there is no independent judiciary to challenge the Government's flagrant breaches of its own constitutional guarantees; and since the Jews of Russia are themselves intimidated and terrorized into silent passivity—what is there to do?

"There is this to do—rouse the conscience of the world, demand again and again, and louder and louder until the voices of indignation and protest penetrate the Iron Curtain and the stone walls of the Kremlin and the minds of the Soviet leaders—demand that the Jews of Russia be accorded the full and equal rights of Soviet citizens."

9. Dr. Martin Luther King, Jr., Chairman Southern Christian Leadership Conference:

"I am profoundly shocked by the treatment of the Jewish people in the Soviet Union. I should like to add my voice to the list of distinguished Americans of all faiths who have called the injustices perpetrated against the Jewish community in the Soviet Union to the attention of the world.

"In the name of humanity, I urge that the Soviet government end all the discriminatory measures against its Jewish community. I will not remain silent in the face of injustice."

10. *AFL–CIO*, Resolution adopted at November 1963 Convention, Leading members, George Meany, Walter Reuther, and many national labor leaders:

"*Resolved:* That this convention of the AFL–CIO, representing free American working men and women of all races, creeds and colors, believing firmly in the application of the principles of the United Nations Charter and the Declaration of Human Rights, in our own nation and in all others, hereby demands that the Soviet regime cease its persecution and discrimination against the Jewish people in the USSR.

"We further demand an immediate end to the Soviet Communist policy of singling out the Jewish people for special punitive treatment. We demand that the Jewish people be accorded the same conditions and facilities that prevail for other peoples in Soviet Russia with respect to the use of their own language, the practicing of their religion and their national culture.

"We call upon our friends and brothers throughout the international labor and democratic movements to join us in raising their voices against Soviet anti-Semitism."

11. Senator JACOB K. JAVITS of New York, CONGRESSIONAL RECORD (February 10, 1965):

"In spite of Soviet claims of religious freedom and denials of the existence of anti-Semitism because it is a violation of Soviet law, there is ample and grim evidence that the Soviet Government is singling Jews out as a group for discriminatory restrictions and extreme punishment. Jews and the Jewish religion suffer greater limitations and prohibitions at the hands of the Kremlin than any other religious groups in the Soviet Union.

"Synagogue buildings and seminaries have been padlocked, Jewish cemeteries have been arbitrarily shut down, and ritual supplies—including matzoh—needed for religous worship cannot be obtained. No Hebrew Bibles or calendars are printed, and prayer books are irreplaceable. Means for training rabbis and community workers are inadequate or nonexistant, and unlike other religious groups Jews are not permitted to establish national organizations."

12. Senator Robert F. Kennedy, of New York, Congressional Record (February 10, 1965):

"Racial and religious persecution everywhere must be a matter of concern to us all. Especially is this so where the victims are of a group to whom we owe a special debt—the survivors of the anti-Semitic persecutions of the last generation. And especially is this so where it is demonstrated that our concern can make a difference—that the would-be persecutors listen to our protests.

"The Soviet Union now persecutes Jews. But the Soviet Union is mindful of world opinion, especially U.S. opinion. It is therefore our responsibility to make our protests heard—and to continue them until the Soviet Union changes its policy."

13. David Callahan, Editor, Commonweal.

14. Dr. Harry Emerson Fosdick, Minister Emeritus, Riverside Church.

15. Rev. Clement J. McNaspy, S.J., Editor, America.

16. Arthur Miller, Playwright.

17. Dr. Reinhold Niebuhr, Professor Emeritus, Union Theological Seminary.

18. Congressman John J. Rooney, of New York, Concurrent Resolution which was referred to the Committee on Foreign Affairs, January 4, 1965:

Whereas the Congress of the United States deeply believes in freedom of religion for all people and is opposed to infringement of this freedom anywhere in the world; and

"Whereas abundant evidence has made clear that the Government of the Soviet Union is persecuting Jewish citizens by singling them out for extreme punishment for alleged economic offenses, by confiscating synagogues, by closing Jewish cemeteries, by arresting rabbis and lay religious leaders, by curtailing religious observances, by discriminating against Jews in cultural activities and access to higher education, by imposing restrictions that prevent the reuniting of Jews with their families in other lands, and by other acts that oppress Jews in the free exercise of their faith; and

"Whereas the Soviet Union has a clear opportunity to match the words of its constitutional guarantees of freedom of religion with specific actions so that the world may know whether there is a genuine hope for a new day of better understanding among all people: Now, therefore, be it

"*Resolved by the House of Representatives* (*the Senate concurring*), That it is the sense of Congress that persecution of any persons because of their religion by the Soviet Union be condemned, and that the Soviet Union in the name of decency and humanity cease executing persons for alleged economic offenses, and fully permit the free exercise of religion and the pursuit of culture by Jews and all others within its borders."

19. Judge Kenneth B. Keating, of New York State Court of Appeals, formerly United States Senator from New York, Congressional Record (March 19, 1964):

"It is evident from the facts that the Soviets are conducting a campaign of harassment and intimidation of members of the Jewish faith, and that if pressure is not promptly brought to bear, there will not be an adequate supply of matzoth for observance of the Passover. I strongly urge a direct appeal by our Government to the rulers of the Soviet Union, and increased efforts through the U.N. to alleviate the present policies of discrimination and deprivation which face the Jewish people of the Soviet Union at every turn."

20. Norman L. Thomas.

21. Queen Elizabeth of the Belgiums, both of whom signed letter addressed to Khrushchev by Bertrand Russell (December 2, 1963).

22. Hon. Arthur J. Goldberg, Ambassador to the United Nations, formerly Associate Justice, United States Supreme Court (Jewish Press, February 19, 1965):

"I hope and trust that all Jewry will continue to protest against the virus of anti-Semitism in the Soviet Union until no vestige of it remains.

"* * * * *

"The religious freedom of Soviet Jews is severely limited—more so than any other religious group; increasingly synagogues are closed and private worship restricted; both Bible and prayer books are denied printing; other necessary religious articles made unavailable; that last Kosher butchershop in Moscow closed down, the ancient Jewish cemetery in Kiev condemned; the state baking of Matzoh discontinued; private baking discouraged by prosecutions; the training of Seminarians hampered and religious exchanges discouraged.

"* * * * *

"There is also evidence that an undue proportion of Jews is being prosecuted and executed for economic crimes."

At this trial we will pray for a judgment against the defendant, the Soviet Union, for the following:

1. Restoration to its Jewish citizens a position of equality with its citizens of all other nationalities.

2. Permission to its Jewish citizens freely to practice, enhance and perpetuate their culture and religion by removing all discriminatory measures designed to restrict its freedom.

3. Make available to the Jews of Russia the institutions, schools, text-books and materials necessary to teach Jewish children the history, the beliefs, the practices and the aspirations of the Jewish people.

4. Permit the Jews of the USSR freely to develop Jewish communal life and to associate and work with Jewish communities inside and outside the Soviet Union.

5. That the USSR use all the means at its disposal to eradicate anti-Semitism.

6. That the USSR permit Soviet Jewish families, separated as a result of the Nazi holocaust, to be united with their relatives abroad.

I cannot say it better than it was said in 1905, when 6,000 signed the declaration of Jewish citizens to the Czar: "We demand civil equality and equal submission to general laws as men who, despite everything, are conscious of their human dignity. * * * We do not expect these rights to be bestowed upon us as an act of grace and magnanimity or because of some some political expediency, but as a matter of honor and justice."

SENATE

Friday, October 14, 1966

The Senate met at 9 o'clock a.m., and was called to order by Hon. Quentin N. Burdick, a Senator from the State of North Dakota.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Father of our spirits, we turn to Thee for refuge from the noise and hurry of the world about us.

We thank Thee for all fair memories and all living hopes—our times are in Thy hands. O Lord, we would have it so. We do not ask to see life's distant scenes—one step enough for us. Enough for us the blessed assurance that Thou art the love that will not let us go—that seekest us through pain.

Thou art the love that never forgets, the light that never fails, and the life that never ends.

Gather us who seek Thy face to the fold of Thine embrace with the sweet consciousness that Thou art never far from any one of us, closer to us than breathing, nearer than hands or feet.

We ask it in the name of the Master of all good workmen.

God be in our head and in our understanding;

God be in our eyes and in our looking;

God be in our mouth and in our speaking;

God be in our mind and in our thinking;

God be in our end—and at our departing. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. Senate,
President pro tempore,
Washington, D.C., October 14, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. Quentin N. Burdick, a Senator from the State of North Dakota, to perform the duties of the Chair during my absence.

Carl Hayden,
President pro tempore.

Mr. BURDICK thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Thursday, October 13, 1966, was dispensed with.

REPORTS OF A COMMITTEE SUBMITTED DURING ADJOURNMENT

Pursuant to the order of the Senate of October 13, 1966,

The following reports of a committee were submitted on October 13, 1966:

By Mr. WILLIAMS of New Jersey, from the Committee on Labor and Public Welfare, with an amendment:

S. 2877. A bill to amend the Older Americans Act of 1965 in order to provide for a

National Community Senior Service Corps (Rept. No. 1728).

By Mr. RANDOLPH, from the Committee on Labor and Public Welfare, with amendments:

H.R. 11631. An act to amend title 38 of the United States Code to clarify the responsibility of the Veterans' Administration with respect to the training and education of health service personnel (Rept. No. 1727).

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States submitting nominations were communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9424) to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the National Wildlife Refuge System; and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15963) to establish a Department of Transportation, and for other purposes.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills, and they were signed by the Acting President pro tempore:

H.R. 1665. An act to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to provide for the reporting of congressional reference cases by commissioners of the U.S. Court of Claims;

H.R. 3314. An act to require premarital examinations in the District of Columbia, and for other purposes;

H.R. 5213. An act for the relief of Winston Lloyd McKay; and

H.R. 15941. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. McGEE, from the Committee on Post Office and Civil Service, with amendments:

H.R. 16114. An act to correct inequities with respect to the determination of basic compensation of employees of the Federal Government for purposes of certain employment benefits, and for other purposes; (Rept. No. 1729).

By Mr. MONRONEY, from the Committee on Post Office and Civil Service, with an amendment:

H.R. 15727. An act to establish rates of compensation for certain positions within the Smithsonian Institution (Rept. No. 1730).

By Mr. BURDICK, from the Committee on Post Office and Civil Service, without amendment:

S. 2205. A bill for the relief of the widow of Albert M. Pepoon (Rept. No. 1744).

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

H.R. 2600. An act to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, N.Y., as a national historic site (Rept. No. 1731).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, without amendment:

S. Con. Res. 109. Concurrent resolution authorizing the printing of certain hearings of the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary (Rept. No. 1732);

S. Con. Res. 110. Concurrent resolution authorizing the printing of additional copies of hearings by the Special Committee on Aging on "Detection and Prevention of Chronic Disease Utilizing Multiphasic Health Screening Techniques" (Rept. No. 1733);

S. Res. 307. Resolution authorizing the printing as a Senate document of the final report of the Woodrow Wilson Commission (Rept. No. 1734);

S. Res. 311. Resolution authorizing expenditures by the Special Committee on the Organization of the Congress (Rept. No. 1740);

S. Res. 312. Resolution authorizing the printing of a report entitled "Profile of Youth—1966" as a Senate document (Rept. No. 1735);

S. Res. 313. Resolution to authorize the printing as a Senate document of the study entitled "Aspects of Intellectual Ferment in the Soviet Union" (Rept. No. 1736);

H. Con. Res. 1007. Concurrent resolution authorizing the printing of a report on international education by the House Education and Labor Committee (Rept. No. 1737);

H. Con. Res. 1017. Concurrent resolution to authorize the printing of additional hearings and other materials by the Committee on Agriculture (Rept. No. 1738); and

H. Con. Res. 1022. Concurrent resolution to authorize the printing as a House document the pamphlet entitled, "Our American Government. What Is It? How Does It Function?" (Rept. No. 1739).

By Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, with amendments:

S. Res. 305. Resolution providing for the appointment of a special subcommittee of the Judiciary Committee to study encroachments by the executive and judicial branches upon the powers of the Congress (Rept. No. 1741).

By Mr. MAGNUSON, from the Committee on Commerce, without amendment:

H.R. 14517. An act to amend Private Law 86–203 to permit the use of the vessel *John F. Drews* in the coastwise trade while it is owned by a citizen of the United States (Rept. No. 1743).

By Mr. MAGNUSON, from the Committee on Commerce, with amendments:

S. 2980. A bill to increase from $75 to $100 per month the amount of benefits payable to widows of certain former employees of the Lighthouse Service (Rept. No. 1742).

MOSES TALFORD AND ALICE LUCY—REPORT OF A COMMITTEE

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported the following original resolution (S. Res. 314); which was placed on the calendar:

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Moses Talford, brother, and Alice Lucy, sister of Cora T. Lemon, an employee of the Architect of the Capitol assigned to duty in the Senate Office Buildings at the time of her death, a sum to each equal to three months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. MUSKIE (for himself and Mr. Randolph):

S. 3911. A bill to amend the Clean Air Act in order to authorize an investigation and study to determine means of propelling vehicles so as not to contribute to air pollution; to the Committee on Public Works.

(See the remarks of Mr. Muskie when he introduced the above bill, which appear under a separate heading.)

By Mr. COTTON:

S. 3912. A bill for the relief of Capt. John N. Laycock, U.S. Navy (Retired); to the Committee on the Judiciary.

By Mr. KENNEDY of New York:

S. 3913. A bill to amend the Public Health Service Act to facilitate the construction of nursing homes, the establishment of home health agencies, and the expansion of training, education, and research designed to meet the personnel needs for geriatric long-term care services; to the Committee on Labor and Public Welfare.

(See the remarks of Mr. Kennedy of New York when he introduced the above bill, which appear under a separate heading.)

By Mr. BREWSTER:

S. 3914. A bill to amend section 209 of the Merchant Marine Act, 1936, so as to require future authorization of funds for certain programs of the Maritime Administration; to the Committee on Commerce.

By Mr. NELSON:

S. 3915. A bill to provide a program of economic incentives to assist and encourage industry to assume its responsibility for abating and preventing the pollution of water by wastes from industrial sources, and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. Nelson when he introduced the above bill, which appear under a separate heading.)

RESOLUTION

MOSES TALFORD AND ALICE LUCY

Mr. JORDAN of North Carolina, from the Committee on Rules and Administration, reported an original resolution (S. Res. 314) to pay a gratuity to Moses Talford and Alice Lucy, which was placed on the calendar.

(See the above resolution printed in full when reported by Mr. Jordan of North Carolina, which appears under the heading "Reports of Committees.")

LIMITATION OF STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

TO AMEND THE CLEAN AIR ACT IN ORDER TO AUTHORIZE AN INVESTIGATION AND STUDY TO DETERMINE MEANS OF PROPELLING VEHICLES SO AS NOT TO CONTRIBUTE TO AIR POLLUTION

Mr. MUSKIE. Mr. President, pollution of this Nation's atmosphere is a subject of increasing concern to all the people of the United States. But there is a growing recognition that our air supply is not an unlimited open sewer in which we can dump the tremendous wastes of our expanding industrialized system.

The Congress first recognized this problem legislatively with the passage of the Clean Air Act in 1963. Again last year, air-pollution legislation was passed and again this year the Senate has acted on the subject, passing unanimously a bill which would increase the amount of funds dedicated to the air-pollution control effort.

The Clean Air Act Amendments of 1965 are especially significant. These amendments dealt primarily with the subject of automotive air pollution. That legislation was an outgrowth of extensive hearings held by the Subcommittee on Air and Water Pollution during which automobile exhaust was cited as responsible for some 50 percent of our national air-pollution problem.

The Division of Air Pollution of the Public Health Service has estimated that any place inhabited by 50,000 or more persons will have enough motor vehicles to create the potential for an air pollution problem. Nowhere has this been more evident than in southern California where the fight against automotive air pollution finally resulted in a California State law requiring all 1966 model automobiles to be equipped with pollution control devices. As a result of the Clean Air Act Amendments of 1965, all 1968 model automobiles sold in the United States must be equipped with similar devices.

By the automobile industry's own admissions, this measure will not effectively reduce air pollution for a number of years. It takes, according to their figures, approximately 9 or 10 years for the automobile market to completely turn over, which indicates that not until 1978 will all automobiles be equipped with a pollution control device.

This is obviously not sufficient. It is highly unlikely that the emission control specifications presently set will actually reduce automotive air pollution. The expanding volume of new car sales indicates that automotive air pollution will not be reduced, that we will be fortunate to hold our own.

Therefore we must today begin to search for alternatives to the internal combustion engine, for alternatives in the methods of urban transportation and for improvements in the existing automobile engine and its pollution control device.

The American people were perhaps never more aware of air pollution, the problem and the potential problem, than during the week of September 18 when two major television networks dedicated an hour to this subject. The titles of the two shows, "Air of Disaster," and "The Poisoned Air," epitomize the stories they had to tell. In both instances, a great deal of emphasis was placed on the problems associated with automotive air pollution and, significantly, both productions discussed the commercial development of the electric automobile.

I am today introducing proposed legislation which would amend the Clean Air Act so as to provide for research into new methods of automobile motivation. This legislation will authorize the Secretary of Health, Education, and Welfare to investigate and study practicable means of propelling vehicles so as not to contribute to air pollution. At the moment, and with the present state of the art, it appears that the most feasible alternative might be battery powered vehicles. However, our space-age technology indicates that the fuel cell used in our satellites might be adaptable to this purpose.

It is the intent of this legislation to investigate all of the alternatives and, more importantly, to spur the private sector to a greater awareness and a greater interest in altering their methods to meet this common problem.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 3911) to amend the Clean Air Act in order to authorize an investigation and study to determine means of propelling vehicles so as not to contribute to air pollution, introduced by Mr. MUSKIE (for himself and Mr. RANDOLPH), was received, read twice by its title, and referred to the Committee on Public Works.

INTRODUCTION OF BILL TO INCREASE NURSING HOME CONSTRUCTION FUNDS AND EXPANSION OF FEDERAL SUPPORT OF RESEARCH AND TRAINING

Mr. KENNEDY of New York. Mr. President, I introduce, for appropriate reference, a bill to increase the amount of available Federal assistance for the construction of nursing home facilities, to create a new program of Federal assistance for the establishment of home health agencies, and to provide expanded Federal support of research and training in the long-term care field.

We all applaud the initiative expressed this week by President Johnson on the related issues of social security benefits and medical care benefits for the disabled. Whether the amendments to the Social Security Act to be offered by the administration will be those finally adopted or whether they will take some different form, it is plain, as I pointed out in my remarks accompanying the introduction of S. 3661 on July 28 of this year, that social security benefits have not kept pace with the times. We must undertake a basic overhaul of the benefit structure if we are to lift millions of our older citizens out of poverty and into a retirement of dignity and self-respect.

At the same time, however, we must also insure that adequate medical facilities are available to provide the promised benefits in the medical field. As of next January 1, the portion of medicare which provides nursing home benefits to our older citizens will go into operation. At that time, 19 million Americans will be entitled to 20 to 100 days of nursing home care. These older Americans will also be entitled to 100 free visits at home each year by nursing personnel and an additional 100 visits if they have elected part B benefits. Millions of our older citizens will be entitled to additional long-term care under the programs enacted in their States to implement title XIX of the Social Security Act.

Having fulfilled a dream of a generation's standing by enacting medicare last year, we must now do what is needed to make sure its bright promise is fulfilled. We face a critical shortage of nursing home beds in our Nation at this time. We have only slightly over a half a million long-term care beds in the country right now, and only about 60 percent of these meet minimum standards of safety, fire resistance, and nonobsolescence. It is estimated that we need at least half a million more nursing home beds. And we are lagging behind in the establishment of home health agencies. This is a relatively new concept in health care, and there are at present less than a thousand home health agencies in the country. If the promise of home health visits in medicare is to be kept, we will have to establish literally thousands of additional home health agencies.

This bill is structured as a series of amendments to our historic Hill-Burton legislation. That legislation now makes available $70 million annually in grants for the construction of public or other nonprofit facilities for long-term care. My bill would increase that by $110 million annually, making a total of $180 million available for construction. The bill would leave the authorizations for grants for diagnostic or treatment centers and for rehabilitation facilities as they are in existing law—at $20 million annually and $10 million annually, respectively.

The bill would make a number of changes which I believe are extremely important in the administration of the long-term care construction grants. It would raise the minimum Federal grant from one-third of the cost of the project to one-half. Grants would therefore range from 50 to 75 percent of the project cost, depending on the economic situation in the area where the construction takes place. Experience shows that, despite the grave shortages which exist in nursing home beds, applications for this particular type of Hill-Burton aid have not flooded the offices of the Secretary of Health, Education, and Welfare. One reason that has been assigned for this is the low ratio of Federal participation.

The bill proposes to set aside 20 percent of available construction funds each year to be applied around the country by the Secretary, with the approval of the National Council on Geriatric Long-Term Care and Home Health Services which the bill creates. There are many areas around the country which face especially acute shortages of long-term care beds. The formula for allotment of funds among the States under section 602 of existing law may prevent these areas of special need from receiving all the aid which they ought to get. By placing 20 percent of the annually authorized funds in the Secretary's hands to use in areas of special need, the bill would provide a more flexible approach to meeting the problem than is contained in present law.

The sums provided for construction under the bill would go to provide construction of all types of extended and long-term care facilities—convalescent wings as extensions of hospitals, convalescent homes, homes for patients who are receiving rehabilitation over a longer period—like stroke victims, and largely custodial institutions for people who are unable to function normally without being institutionalized.

The bill amends existing law to insure that federally financed construction will lead to quality medical care. It permits the Secretary of Health, Education, and Welfare to establish standards of care in hospitals, long-term care facilities, and home health agencies to insure that quality medical care is provided. This is in keeping with longstanding tradition in the crippled children's program, and other Federal health programs under which the Federal Government has been able to elevate the quality of care at approximately the same pace as advances in medical knowledge and treatment have occurred.

The sum of $180 million a year, which will be available under this amendment, will enable voluntary and nonprofit institutions around the country to build some 250,000 to 300,000 beds over the next 10 years. The cost of construction of a nursing home bed ranges from $9,000 to $20,000 across the country, and the national average is approximately $11,000. Since Federal support will range, under my bill, from 50 to 75 percent, 250,000 to 300,000 beds is a reasonable estimate of what $180 million in Federal money will purchase.

As important as the bill's provisions on bricks and mortar are its provisions for Federal aid to support the establishment of home health agencies, and research and training generally in the long-term health field. The crisis we face in delivering the fruits of our vast medical knowledge to the American people is one of personnel and administration as much as it is one of physical facilities. The bill therefore provides approximately $2 of what might be called non-bricks-and-mortar funds for every $3 of construction money.

This is divided as follows:

First, $200 million over a 10-year period to assist in the establishment of home health agencies. Any hospital or university medical center or other group which wants to establish a special agency to administer a program of home health visits has to find space for an office, has to hire personnel, and has to acquire equipment like station wagons, ambulances, home oxygen units, portable physical therapy units, medical appliances, and special beds. These initial expenses have undoubtedly deterred many from establishing a home health agency. The Federal money which my bill would make available would help meet these initial expenses over a period of 2 or 3 years. The bill contemplates that the sponsoring hospital or organization would absorb the costs of administration thereafter. Of course, Federal money which comes in under medicare and title XIX will help pay ongoing costs of administration.

As in the area of construction, the bill provides that 20 percent of the available home health agency funds are to be administered directly by the Secretary without formula limitation to meet special area needs. And, also as in the construction area, the bill gives the Secretary authority to set standards of care for the home health agencies which it aids.

Second, the bill provides $250 million over a 10-year period to support studies and research and demonstration projects in new and improved methods of long-term care and new and improved physical plants for that type of care. I believe these funds are extremely important to insure that our money is always spent on the most advanced, the most effective forms of construction and types of care possible.

Third, the bill provides $300 million over a 10-year period to help universities and other schools develop new programs for the training of personnel specially suited to provide long-term care. At the present time, there is not one unit of a departmental size in any of our schools of nursing, public health, or medicine which is engaged in long-term care research or training. The research funds which I have just discussed and the training funds which I am now discussing are intended to remedy this. The training funds are not intended to duplicate any existing program. Their purpose is to aid universities and schools in setting up new departments and new courses in the long-term care area. The purpose of such new departments and courses, in turn, would be to provide additional training to those nursing students who want to enter the long-term care field. Registered nurses who work in nursing homes are basically trained just as other registered nurses, and there is no need for any new professional category, but there is a need for specialized courses to supplement their present training.

The one area in which the funds should be used to create a new paramedical group in the health family is the home health field. The delivery of home-health services will require a new person—a home health aide. We have here an extraordinary opportunity to establish jobs for women who come from lower economic and educational levels in our society because the training requirements for this kind of job are substantially less than those for practical nursing.

The training funds available under the bill, then, are to be used for a variety of purposes as the Secretary determines—to offer additional courses and set up new departments for the specialized training of existing types of health personnel and to train a whole new category of health manpower—the home health aide.

The bill, in total, authorizes $1.85 billion in new Federal funds over a 10-year period—$1.1 billion for nursing home construction, $200 million for the establishment of home health agencies, $250 million for research and demonstration programs, and $300 million for training purposes. The National Council which the bill creates is charged with establishing a national policy for the rational development of all of our activities in the long-term care field, and the bill provides the basic financial aid which will be necessary to make these activities bear fruit.

Obviously I do not expect action on the bill in the 89th Congress. I offer it at this time, however, so that it may be discussed and considered in the Senate and in the country. I plan to reintroduce it at the outset of the 90th Congress and I will press for quick action on it thereafter. We must provide adequate Federal support for our activities in this field or the promise of medicare to ease the ravages of old age could well be dashed.

Mr. President, in view of the possibly imminent amendments to the Social Security Act which may be acted upon in the remaining days of this session, I think it appropriate that the facts about shortages of facilities that I have mentioned be borne in mind in order that additional benefits not overtax already inadequate nursing home and medical facilities.

Furthermore, I would hope that if any amendments to the social security system are considered, the Senate would include the section of S. 3661 which I introduced on July 28 providing for automatic adjustment of benefits geared to the cost of living. The opportunity to make social security inflationproof should not be passed by if amendments are to be considered.

I ask unanimous consent, Mr. President, that the bill be printed in the RECORD in its entirety, and that the bill may lie on the table until October 21 for cosponsors.

The ACTING PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD and will lie on the desk until October 21 as requested by the Senator from New York.

The bill (S. 3913) to amend the Public Health Service Act to facilitate the construction of nursing homes, the establishment of home health agencies, and the expansion of training, education, and research designed to meet the personnel needs for geriatric long-term care services, introduced by Mr. KENNEDY of New York, was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the RECORD, as follows:

S. 3913

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SHORT TITLE

SECTION 1. This Act may be cited as the "Public Health Service Act Amendments of 1966".

Construction of facilities for long-term care

SEC. 2. (a) (1) Subsection (a) of section 601 of the Public Health Service Act is amended to read as follows:

"(a) for grants for the construction of—

"(1) public or other nonprofit facilities for long-term care, $180,000,000 for each fiscal year, for the period beginning with the fiscal year ending June 30, 1967, and ending with the fiscal year ending June 30, 1976;

"(2) public or other nonprofit diagnostic or treatment centers, $20,000,000 for each fiscal year, for the period beginning with the fiscal year ending June 30, 1965, and ending with the fiscal year ending June 30, 1969; and

"(3) public or other nonprofit rehabilitation facilities, $10,000,000 for each fiscal year, for the period beginning with the fiscal year ending June 30, 1965, and ending with the fiscal year ending June 30, 1969;".

(2) Section 601 of such Act is further amended by adding at the end thereof the following new sentence: "Of the amounts appropriated for any fiscal year pursuant to subsection (a)(1) 20 per centum thereof shall be available for expenditure only pursuant to the provisions of section 626; and, for purposes of section 602(a), the amount appropriated to carry out the purposes of subsection (a)(1) for any fiscal year shall be deemed to be equal to 80 per centum of the amount actually appropriated for such purposes for such year."

(b)(1) Section 603(a) of such Act is amended by adding after paragraph (3) thereof the following new paragraph:

"(4) in the case of projects for construction of long-term care facilities, to the different types of long-term care facilities needed in the State, and long-term care facilities operated or proposed to be operated by university medical centers and hospitals, nursing homes, health organizations, and other organizations, in the order of priority in which such entities are hereinbefore named;".

(2) Section 603(b) of such Act is amended by inserting "and under part C" after "this part".

(3) Section 603 is further amended (A) by striking out "and" at the end of subsection (d), (B) by striking out the period at the end of subsection (e) and inserting in lieu of such period a semicolon followed by the word "and", and (C) by adding at the end thereof the following new subsection:

"(f) general standards of care which shall be provided to patients of hospitals, nursing homes, and home health agencies receiving assistance after 1967 under this part or under part C."

(c) Section 604(a) of such Act is amended (1) by striking out "and" at the end of paragraph (11), (2) by striking out the period at the end of paragraph (12) and inserting in lieu of such period a semicolon followed by the word "and", and (3) by adding at the end thereof the following new paragraph:

"(13) provide for the enforcement of standards of care established by the Secretary pursuant to section 603(f) with respect to hospitals, nursing homes, and home health agencies receiving assistance under this title after 1967."

(d) Section 625(b) of such Act is amended (1) by striking out "under paragraph (a) of section 601" and inserting "under paragraph (a) of section 601 (other than clause (1))", (2) by striking out the period at the end thereof and by inserting in lieu of such period a semicolon, and (3) by adding after paragraph (2) thereof the following new paragraph:

"(3) With respect to projects for which grants are made from allotments made from appropriations under paragraph (a)(1) of section 601, the Federal share shall be whichever per centum the State shall elect, but in no event more than 75 per centum nor less than 50 per centum of the necessary cost, as determined by the Secretary, of the project with respect to which the grant is made."

National Council on Geriatric Long-Term Care and Home-Health Services

SEC. 3. The Public Health Service Act is further amended by redesignating section 625 thereof (and all references thereto) as section 627, and by adding after section 624 thereof the following:

"National Council on Geriatric Long-Term Care and Home-Health Services

"SEC. 625. (a) The President shall appoint, without regard to the civil service laws, a National Council on Geriatric Long-Term Care (hereinafter in this section referred to as the 'National Council'). The National Council shall consist of the Surgeon General, who shall serve as ex officio, and fifteen members, not otherwise in the full-time employ of the United States. One of the appointed members of the National Council shall be designated as Chairman thereof by the President at the time such member is appointed as a member of such Council or at such time as there shall occur a vacancy in the office of Chairman. At least seven of the members of the National Council shall be physicians or other persons with extensive professional experience in long-term health care, and the other members of the National Council shall be persons who are, by reason of training, experience, or interest, especially well qualified to represent the consumers of services provided by nursing homes and home health agencies and who are familiar with the Nation's needs for nursing home and home health agency facilities and services.

"(b) Each appointed member of the National Council shall be appointed for a term of four years, except that any member appointed to fill a vacancy occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the terms of office in case of twelve of the members first taking office shall expire, as designated by the President at the time of appointment, four at the end of the first year, four at the end of the second year, and four at the end of the third year, after the date of appointment. A member shall not be eligible to serve continuously for more than two terms.

"(c) Appointed members of the National Council, while attending meetings or conferences thereof or otherwise serving on business of the Council, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"(d) It shall be the duty and function of the National Council continuously to study and review the activities relating to long-term care or home health agencies (or services performed by such agencies) undertaken pursuant to this title as well as under other provisions of Federal law; to advise and make recommendations to the Secretary with respect to the provisions of this title and other provisions of Federal law relating to such activities; and to perform such other duties and functions as are specifically conferred upon it by provision of law or as are delegated or assigned to it by the Secretary.

"(e) The National Council is authorized to engage such technical assistance as may be required to carry out its duties and functions, and the Secretary shall, in addition, make available to the National Council such secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare (or any agency, bureau, or other instrumentality under the jurisdiction of such Department) as the National Council may require to carry out its duties and functions.

"Special grants for construction of long-term care facilities

"SEC. 626. (a) From funds made available for any fiscal year under the last sentence of section 601, the Secretary is authorized to make grants for the construction of public or other nonprofit long-term care facilities in areas having a special need for such facilities.

"(b) No grant under this section shall be made without the approval of the National Council established pursuant to section 625.

"(c) In making grants under this section, special consideration shall be given to applicants proposing to construct long-term health care facilities in accordance with plans to meet the long-term care needs of residents of regions composed of parts of more than one State.

"(d) To the extent feasible, grants under this section for construction of public or other nonprofit long-term care facilities shall be made on conditions and subject to limitations similar to those imposed with respect to grants for such construction under the preceding provisions of this title."

Grants to home health agencies

SEC. 4. (a) Title VI of the Public Health Service Act is further amended by adding at the end thereof the following:

"PART C—GRANTS TO HOME HEALTH AGENCIES

"Appropriation and eligibility

"SEC. 661. (a) In order to enable the Secretary to make grants to public and nonprofit institutions or organizations to carry out the purposes of this part, there are hereby authorized to be appropriated $25,000,000 for each fiscal year, for the period beginning with the fiscal year ending June 30, 1967, and ending with the fiscal year ending June 30, 1971, and $15,000,000 for each fiscal year, for the period beginning with the fiscal year ending June 30, 1972, and ending with the fiscal year ending June 30, 1976. Of the amounts appropriated for any fiscal year pursuant to the preceding sentence, 20 per centum thereof shall be available for expenditure only pursuant to a program patterned after that prescribed with respect to long-term care facilities by section 626; and, when, in the succeeding provisions of this part (other than section 665) reference is made to 'this part' or 'funds appropriated pursuant to section 661(a)' such reference shall be deemed to refer only to funds or amounts other than such 20 per centum and only to provisions of this part which precede section 665.

"(b) Grants under this part shall be used by the recipients thereof only for the establishment and development of new, or the expansion and improvement of existing, home health agencies.

"(c) Portions of grants made to any grantee for the purpose of maintenance and operation of a home health agency shall be made in accordance with regulations of the Secretary which are designed to assure that such portions (1) will be made available only for the purpose of assisting the grantee in initiating and putting into operation a home health agency, (2) will be made only over a limited period of time, and (3) will be made in progressively diminishing amounts.

"(d) No grant shall be made under this part unless the Secretary, after consultation with the National Council (established pursuant to section 625 and hereinafter in this part referred to as the 'National Council'), is satisfied that the recipient thereof is competent to operate the home health agency in connection with which the grant is sought.

"State allotments

"SEC. 662. Funds appropriated pursuant to section 661(a) shall be allotted among the States by the Secretary in a manner, which to the maximum extent feasible, is similar to the manner that amounts appropriated pursuant to section 601 are allotted among the States pursuant to section 602. Grants under this part shall be made to an applicant in any State out of the allotment of such State.

"Conditions necessary for obtaining grants

"SEC. 663. (a) A grant under this part may be made only if application therefor is recommended for approval by the National Council (established pursuant to section 625) and is approved by the Secretary upon his determination that—

"(1) the applicant meets the eligibility conditions set forth in section 661;

"(2) the application contains or is supported by reasonable assurances that (A) for a reasonable period of time after completion of the project with respect to which the grant is requested, the home health agency involved will continue to serve as a home health agency, (B) subject to subsection (b), sufficient funds will be available to meet the non-Federal share of the cost of such project, and (C) sufficient funds will be available, when the project is completed, for effective use of such projects in connection with the home health agency involved;

"(3) there are sufficient funds in the allotment of the State concerned from which such grant can be made; and

"(4) the application contains or is supported by reasonable assurances of the type prescribed by section 605(a)(5).

"(b) Within such aggregate monetary limit as the Secretary may prescribe, after consultation with the National Council, applications, which solely by reason of the inability of the applicant to give the assurance required by clause (B) of subsection (a)(2) fail to meet the requirements for approval set forth in subsection (a), may be approved upon condition that the applicant give the assurance required by such clause (B) within a reasonable time and upon such other reasonable terms and conditions as he may determine after consultation with the National Council.

"(c) No application for a grant under this part shall be approved by the Secretary unless the State agency (designated pursuant to section 604(a)) of the State wherein such grant is to be used certifies to the Secretary that—

"(1) the approval of such grant would promote the fulfillment of the needs of such State for additional home health agency programs, as determined by a study and survey of the needs for such programs undertaken by such agency in accordance with regulations promulgated by the Secretary, after consultation with the National Council (established pursuant to section 625); and

"(2) the project proposed to be carried out with assistance of such grant is in conformity with general regulations prescribed by the Secretary with respect to home health agencies, after consultation with such National Council.

"Amount of grants; payments

"SEC. 664. (a) The amount of any grant made under this part shall be that recommended by the State agency (designated pursuant to section 604(a)); except that in no event may such amount exceed 75 per centum of the necessary cost, as determined by the Secretary, of the project with respect to which the grant is made.

"(b) Upon approval of any application for a grant under this part, the Secretary shall reserve, from the allotment, available for purposes of this part, of the State with respect to which the grant is made, the amount of such grant as determined under subsection (a), and shall pay to the grantee such amount, in advance or by way of reimbursement, and in such installments, consistent with progress on the project with respect to which the grant is made, as he may determine.

"(c) In determining the amount of any grant under this part, there shall be excluded from the cost of the project with respect to which the grant is to be made an amount equal to the sum of (1) the amount of any other Federal grant which the applicant has obtained, or is assured of obtaining, with respect to such project, and (2) the amount of any non-Federal funds required to be expended as a condition of such other Federal grant.

"(d) For purposes of this part, funds obtained with respect to any project by way of any loan, which is provided by any Federal programs or any other program receiving Federal financial assistance or support, or the repayment of which is guaranteed or insured (in whole or in part) by any Federal program or any other program receiving Federal financial assistance or support, shall be regarded as non-Federal funds.

"Special grants for home health agencies

"SEC. 665. (a) From funds made available for any fiscal year under the last sentence of section 661(a), the Secretary is authorized to make grants to public or other nonprofit institutions to be used for the establishment and development of new, or the expansion and improvement of existing, home health agencies, in areas having a special need for home health agency facilities.

"(b) No grant under this section shall be made without the approval of the National Council established pursuant to section 625.

"(c) In making grants under this section, special consideration shall be given to applicants proposing to establish, expand, or improve home health agency facilities in accordance with plans to meet the needs of residents of regions composed of parts of more than one State.

"(d) To the extent feasible, grants under this section shall be made on conditions and subject to limitations similar to those imposed with respect to grants under the preceding provisions of this part.

"PART D—RESEARCH AND DEMONSTRATIONS FOR DEVELOPMENT OF BOTH IMPROVED METHODS OF CARE AND IMPROVED PHYSICAL FACILITIES IN NURSING HOMES AND HOME HEALTH AGENCIES

"SEC. 671. (a) In order to stimulate experimentation designed to produce new and improved types of physical facilities and improved methods of care for nursing homes and home health agencies, the Secretary, with the approval of the National Council (established pursuant to section 625 and hereinafter in this part referred to as the 'National Council'), shall conduct a program of studies, research, and demonstrations for the purpose of developing new and improved methods and standards of care for patients in nursing homes and home health agencies (with especial emphasis on the care of geriatric patients and patients needing long-term care), and for the purpose of promoting the economy, efficiency, and utility of the physical facilities of nursing homes and home health agencies by developing new and improved criteria and standards for the architectural and other physical characteristics of nursing homes and home health agency plant facilities which are constructed in the future.

"(b) The Secretary, with the approval of the National Council, is authorized to make grants to, or enter into contracts with, public and private agencies and institutions, and with private individuals, for the purpose of carrying out the program authorized under subsection (a).

"(c) The Secretary shall publish and disseminate among interested agencies, groups, and institutions, the findings and recommendations resulting from the program authorized under subsection (a).

"(d) The general regulations of the Secretary (promulgated pursuant to section 603(b)) with respect to standards of construction of nursing homes and plant facilities for home health agencies shall from time to time be revised by him so as to reflect the improvements in design and construction developed as a result of the program carried out under this part, and the Secretary shall from time to time revise the standards of care (established by him pursuant to section 603(f)) for nursing homes and home health agencies so as to reflect the new and improved methods and standards of care developed as a result of such program.

"(e) For the purpose of carrying out the provisions of this part, there are hereby authorized to be appropriated $25,000,000 for each fiscal year, for the period beginning with the fiscal year ending June 30, 1967, and ending with the fiscal year ending June 30, 1976."

Health personnel training

SEC. 5. (a) Title VIII of the Public Health Service Act is amended (1) by redesignating part C thereof (and all references thereto) as part D, (2) by redesignating sections 841 through 843 (and all references to such sections) as sections 851 through 853, respectively, and (3) by adding after part B thereof the following:

"PART C—HEALTH PERSONNEL TRAINING

"SEC. 841. (a)(1) For the purpose of improving the effectiveness of nursing home and home health agency personnel by providing assistance in the training of such personnel, and for the purpose of conducting research, experiments, and demonstrations relating to the effective training and utilization of such personnel, there are hereby authorized to be appropriated $30,000,000 for each fiscal year, beginning with the period beginning with the fiscal year ending June 30, 1967, and ending with the fiscal year ending June 30, 1976.

"(2) Amounts appropriated pursuant to paragraph (1) shall be available to enable the Secretary to make grants, in accordance with the provisions of this part, to institutions of higher education, hospital-based schools of nursing, and hospital-based personnel programs for the purpose of providing specialized training for nursing personnel, physical and occupational therapists, administrators and other nursing home and home health agency personnel.

"(b) Grants under this part shall be made only upon application therefor to the Secretary and upon his determination that—

"(1) such grant will assist in carrying out the purposes for which funds are appropriated pursuant to subsection (a)(1);

"(2) the application therefor contains or is supported by assurances satisfactory to the Secretary that Federal funds made available under this part for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds which would, in the absence of such Federal funds, be made available for the training aided by such grant, and in no case will supplant such non-Federal funds;

"(3) the application therefor contains such additional information and assurances as the Secretary may find necessary to carry out the purposes of this part (as set forth in subsection (a));

"(4) the application therefor provides for such fiscal control and accounting procedures as the Secretary may find necessary to assure the proper disbursement of and accounting for Federal funds paid to the applicant under this part;

"(5) the application therefor provides for the making by the applicant, of such reports, in such form and containing such information, as the Secretary may require to carry out his functions under this part, and for keeping such records and affording such access thereto as the Secretary may find nesessary to assure the correctness and verification of such reports; and

"(6) the application therefor provides that the Comptroller General of the United States or his duly authorized representative shall have access for the purpose of audit and examination to the records specified in paragraph (5).

"(c) In considering applications for grants under this part, the Secretary shall take into consideration the relative effectiveness of the applicant's plan in carrying out the purposes of this part (as set forth in subsection (a)).

"(d) Grants under this part may be used to pay all or any part of the cost of establishment, expansion, and operation of programs for the specialized training of persons who are, or are in training to become, participants in the field of nursing home, home health agency, or other long-term or geriatric health care, whether on an operational, educational, or research level; and such grants shall be made on such conditions as the Secretary finds necessary to carry out the purposes of this part (as set forth in subsection (a)). Such grants may also include funds for stipends (in such amounts as may be determined in accordance with regulations of the Secretary) to individuals undergoing training in such programs, including allowances for dependents and for travel within the United States."

Enforcement of standards of construction and care

SEC. 6. (a) Section 1866 of the Social Security Act is amended by adding at the end thereof the following new subsection:

"(e) Notwithstanding any other provision of this title, no agreement shall be entered into under this section between the Secretary and any hospital, nursing home, or home health agency, the physical plant of which is constructed after 1967, unless (1) the construction of such plant meets the standards promulgated with respect to the construction of hospitals, nursing homes, or home health agency plants (as the case may be), pursuant to the authority contained in title VI of the Public Health Service Act, and (2) the Secretary is satisfied that the care to be provided to the patients of such hospital, nursing home, or home health agency will meet the standards of care promulgated with respect to hospitals, nursing homes, or home health agencies (as the case may be), pursuant to the authority contained in such title VI."

(b) Section 1902 (a) of the Social Security Act is amended (1) by striking out "and" at the end of clause (21) thereof, (2) by striking out the period at the end of clause (22) thereof and inserting in lieu of such period a semicolon followed by the word "and", and (3) by adding after such clause (22) the following new clause:

"(23) after 1967 provide that, in providing medical assistance to individuals entitled thereto under the State plan, the facilities of no hospital, nursing home, or home health agency, the physical plant of which is constructed after 1967 shall be utilized unless (A) the construction of such plant conforms to the standards prescribed with respect to hospitals, nursing homes, or home health agencies, as the case may be, prescribed by the Secretary pursuant to the provisions of title VI of the Public Health Service Act, and (B) the care to be provided the patients of such hospital, nursing home, or home health agency, meets the standards of care prescribed by the Secretary, pursuant to such title VI, with respect to hospitals, nursing homes, or home health agencies, as the case may be."

INDUSTRIAL POLLUTION ABATEMENT AND PREVENTION ACT OF 1966

Mr. NELSON. Mr. President, I introduce for appropriate reference a bill—the Industrial Pollution Abatement and Prevention Act—to provide assistance and encouragement to industry so that it may assume full responsibility for controlling pollution from its factories and other facilities.

This bill completes my comprehensive package of pollution control legislation. Other bills previously introduced include S. 1479 on detergent pollution; S. 1908 on vessel pollution; S. 2940 on waste management research; S. 3327 on municipal pollution; S. 3608 on DDT pollution; S. 3833 on lake pollution; and S. 3903 on pollution from river and stream bank erosion.

These bills cover every aspect of what must be a two-pronged attack on water pollution: First, a crash program of municipal and industrial waste treatment plant construction so that we are not overwhelmed by the flood of pollution now threatening us; second, in order to insure a permanent, effective solution to the national water pollution crisis, long-range programs to do research in waste treatment and disposal practices, reduce the waste output of our domestic and industrial activities, training specialists in waste management, establish strong control enforcement programs, and organize effective river basin waste disposal systems.

The bill I am introducing now would bring industrial pollution under control in four ways:

Incentives: It provides for grants and loans to industry to help pay for waste disposal facilities and for manufacturing changes which reduce waste output.

Joint facilities: It increases grants to municipalities for joint municipal-industrial waste treatment facilities.

Enforcement: It strengthens industrial pollution disclosure provisions of the pollution abatement enforcement procedure.

Research: It establishes and strengthens research in joint waste disposal facilities and advanced waste treatment methods.

Although we have spent large sums of money and made some progress in bringing municipal pollution under control, we have done very little about industrial pollution. Yet the industrial pollution problem continues to become more serious at an alarming rate. The comprehensive report on water pollution prepared by the Senate Public Works Committee declared with regard to industrial pollution:

> Studies and surveys by the U.S. Public Health Service in recent years indicate that the amount of organic industrial wastes, treated and untreated, now going into the Nation's watercourses is probably equivalent to the pollution from 160 million persons, or about double the total municipal waste load being discharged.
>
> By 1975, industry is expected to double the production attained in 1950. This would indicate a possible doubling of present organic wastes by 1980.

The report goes on to say that unless there is a substantial change in industrial waste disposal practices by 1970—in 4 years—the total organic waste output of industry will equal the raw sewage which could be discharged by the entire population of the United States in that year. Although lack of information precludes similar comparison for nonorganic industrial wastes, it is reasonable to assume that there will be a proportionate increase in these, too.

Information which gives a general picture of the industrial pollution situation throughout the Nation is not readily available. This is due in part to our lack of systematic attention to the problem of industrial pollution, and in part to the reluctance of firms to reveal facts about pollution which might embarrass them or give away trade secrets.

The principal way by which industrial wastes reach lakes, rivers, and streams is through the discharge of water used for processing, cooling, sanitary wastes and other purposes. A report available from the Bureau of the Census on water use in manufacturing gives a general idea of the magnitude of the industrial pollution problem. This report shows that in 1964, manufacturing establishments throughout the Nation had a total water usage of 30.7 trillion gallons. Because of water reuse and recirculation, total water intake was only 14.1 trillion gallons. Four industries—steel, papermills, chemicals, and petroleum—accounted for about 85 percent of the total water intake.

Of the total water taken in—14.1 trillion gallons—13.2 trillion gallons were discharged, the difference between the two figures representing water lost for various reasons during use. Establishments which treated water discharged 8.8 trillion gallons, while those which did not discharged 4.4 trillion gallons. Of all of the water discharged, 3.8 trillion gallons or 28.7 percent, received full or partial treatment before discharge, while the remainder received no treatment whatever.

It cannot be maintained, of course, that all of the water discharged without treatment—9.3 trillion gallons—should have been treated. Much of this probably consists of water used for cooling purposes of various kinds and, although cooling water may cause thermal pollution, it is not loaded with the wastes found in water used for processing and sanitary services. However, it is reasonable to assume that of the 4.4 trillion gallons discharged by nontreating firms, that part which had been used for processing and sanitary services, amounting to 1.8 trillion gallons, was in need of treatment. I think that it is also reasonable to assume that some of the water discharged by treating firms was inadequately treated.

On the basis of these 1964 figures, it can be said that our industrial pollution problem is caused by the discharge of about 2 trillion gallons each year of untreated or inadequately treated water which carry wastes of various kinds into our ground and surface waters. Unfortunately, although this figure indicates that we do indeed have a massive industrial pollution problem, it does not tell anything about the nature of the problem.

Mr. President, I ask unanimous consent that tables showing figures about manufacturing water use in 1964 be inserted in the RECORD at this point in my remarks.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Quantity of water used and discharged[1] *by manufacturing establishments, by water use regions, for 1964*

Water use region	Total water used	Water intake	Water discharge	Treated discharge
United States, total	30.7	14.1	13.2	3.8
New England	.9	.5	.5	.1
Delaware and Hudson	2.3	1.3	1.2	.5
Chesapeake Bay	1.6	.8	.7	.2
Eastern Great Lakes-St. Lawrence	2.4	1.5	1.4	.5
Ohio River	4.0	2.5	2.4	.4
Tennessee	.8	.4	.4	.1
Southeast	2.7	1.0	.9	.3
Western Great Lakes	2.6	1.6	1.6	.5
Upper Mississippi	1.2	.5	.5	.2
Lower Mississippi	1.1	.6	.6	.1
Missouri	.4	.1	.1	.1
Arkansas White and Red	1.9	.2	.2	.1
Western gulf	5.3	1.8	1.7	.4
Colorado Basin	.1	(2)	(2)	(2)
Great Basin	.2	(2)	(2)	(2)
California	1.3	.3	.3	.2
Pacific Northwest	1.4	.6	.5	.1
Cumberland	(2)	(2)	(2)	(2)
Alaska	.2	(2)	(2)	(2)
Hawaii		.1	.1	(2)

[1] In trillions of gallons; columns may not add to totals because of rounding.

[2] Less than 0.05 trillion gallons.

Water intake and discharge by establishments[1] *which treat and establishments which do not treat water before discharge, for 1964*

Establishments treating water discharged	8.8
To surface waters	8.3
To ground waters	.1
To public utility sewers	.4
Establishments not treating water discharged	4.4
Total water discharged	13.2
Lost during use	.9
Total intake	14.1

[1] In trillions of gallons of water.

Water use by purpose for all[1] *establishments for 1964*

Purpose	Water intake by establishments treating	Water intake by establishments not treating	Total water used
Processing (comes into contact with raw material, process, or product)	2.3	1.4	3.7
Cooling (for steam and electric power generation)	1.8	1.1	2.9
Other cooling (primarily air conditioning)	4.8	1.7	6.5
Miscellaneous (sanitary services, boiler feed water, etc.)	.6	.4	1.0
Total discharge	8.8	4.4	13.2
Lost during use	.7	.2	.9
Total intake	9.5	4.6	14.1

[1] In trillions of gallons of water.

Mr. NELSON. Industry has traditionally practiced a style of waste disposal generally similar to that followed by individuals and municipalities throughout our society. Wastes were dumped into the nearest lake or river with little or no treatment, and with small regard for the cost and injury to others. If a downstream city or factory needed clean water from a stream polluted by industrial wastes, then it had to pay the cost of purifying water made dirty by someone else. In this way, industry avoided important costs of manufacturing by passing them on to other public groups.

There is now evidence that industry is awakening to both the importance and the necessity of doing something about industrial water pollution. Many firms have begun to discard these completely self-interested waste disposal practices and now invest substantial sums in treatment and disposal facilities. Some firms now consider the waste output of a manufacturing process one of the important factors which they must consider in making decisions about designing and financing their plants.

But an article on pollution in the industrial service magazine Factory recently stated:

> Public embarrassment is a mighty club. But it has not been completely effective in curbing industrial water pollution. There have been scores of public hearings, but not all industry managers have responded to reduce plant pollutants.
>
> Though many industry spokesmen are claiming great strides, the basic fact is that total industry is not abating its pollution fast enough to keep up with the growing demand for usable water. Sooner or later, the tap will run dry. . .

That the tap is already beginning to run dry is indicated by the fact that in order to have enough water for its purposes, industry must rely increasingly on polluted water, investing substantial sums of money in treatment before use. During the 5-year period from 1959 through 1964 the amount of water taken in by all manufacturing establishments in the country increased by 15 percent while the amount of water which had to be treated before use increased by 58 percent.

This additional treatment was not necessary because the water could not meet the requirements of industrial uses in its natural condition, but largely because supplies have become increasingly polluted with wastes from municipal, industrial, agricultural, and other sources. Clearly, industry has a substantial economic stake in the immediate abatement and control of pollution from all sources.

The U.S. Chamber of Commerce has issued a comprehensive policy statement on water quality management which I believe reflects the enlightened view of industrial pollution taken by many industrial firms. The chamber's statement recognizes that "continued pollution may result in breakdowns in community and industrial growth" and says that "We face a water situation that demands attention, constructive action, and a clear overall regard for the Nation's human and economic resources." It also offers a number of criteria for industrial water quality management which I consider to be outstanding. I ask unanimous consent that an extract from the chamber's statement containing these criteria be printed in the RECORD at this point in my remarks.

There being no objection, the extracts were ordered to be printed in the RECORD, as follows:

EXTRACTS FROM POLICY STATEMENT OF THE U.S. CHAMBER OF COMMERCE ENTITLED "MANAGEMENT SOLUTIONS TO WATER QUALITY PROBLEMS"

I. WATER AND MODERN SOCIETY

Man's supply of fresh water may be severely affected by both natural and human means. Variations in natural supply may lead either to floods or protracted dry spells. Natural causes may produce sediment or chemical contamination. Floods also may be a result of human acts due to man-produced erosion brought on by overcropping, removal of trees, or changed contours of land. Contamination also may occur through human means stemming from pollution of varied forms. Over-use of subsurface resources may result in lowered water tables. Over-use of surface supplies may result in limited downstream availability. The first may cause the actual loss of a water source. The second is a reversible but virtual loss of a water source.

Civilization, in fact, has managed to compound its water difficulties. Sewage-disposal problems arise from sprawling urban areas; large industrial complexes add to water-pollution difficulties. In some areas extensive reuse of water leads to quality problems.

Pollution takes a heavy toll. To polluted waters may be traced fish and wildlife losses, and even in some cases, disease. Economically, pollution robs waterfront property of value, lessens recreational opportunities and tourist revenues. Even more important, continued pollution may result in breakdowns in community and industrial growth.

Oddly enough, when a community or industry cleans up its own wastes, neighbors downstream (rather than itself) often are likely to receive the greater gains. The cities and industries do benefit from their cleanup by removing the objectionable sights and smells. But community officials and company managers, in allocating tax or corporate dollars, sometimes favor projects in which there appears to be more immediate benefits than sewage or waste treatment would offer.

Today we face a water situation that demands attention, constructive action, and a clear over-all regard for the nation's human and economic resources.

II. BENCHMARKS FOR WATER QUALITY

We often refer to a mark affixed to a permanent object as a benchmark. Benchmarks are useful either as signs of stability or as take-off points. In developing an optimum water-quality program, these benchmarks should be recognized:

1. Water pollution is an impairment of quality that is prejudicial or injurious to the suitability of water for defined uses.

2. Degraded water quality frequently imposes an external cost on subsequent water users.

3. Water quality is discussed usually in too narrow terms. The real solution will see water quality and quantity managed so as to maximize economic and social returns. Several points should be taken into account:

Water pollution measured by affected quality is only one aspect of water management.

Water-quality management should be viewed in the context of over-all environmental quality control, including land and air resources.

Efficient water-quality management requires full, flexible and continuous consideration of alternate ways of achieving improved quality in which long-term consequences are considered.

4. Usage of streams for ultimate disposal of liquid wastes should be regarded as a legitimate economic activity—ranking with other water-resource considerations.

5. Technical aspects of water-quality control are slightly ahead of economic-socio-political aspects of quality management. However, technical accomplishments to date are insufficient or inadequate.

6. Consumers of industrial products can also cause damage to the environment. Business men should think about such factors as well as safety in the use of their products.

7. The first step in controlling wastes should be to minimize the volume of such wastes. This is possible through:

Classification of wastes; conservation of waste water; change of production, to decrease wastes; and reuse of municipal, industrial and commercial effluents for raw-water supplies.

Generally, individuals regard pollution as something they can see or smell. However, pollutants that are invisible may actually cause more trouble.

The above benchmarks should make it easier to form and carry out management methods to improve water quality. Nevertheless, their acceptance alone is not enough to do the job.

Mr. NELSON. Industrial pollution differs significantly from municipal pollution in the variety, volume, and effects of wastes, and in the costs of waste treatment. While organic wastes are the dominant or only type in municipal pollution, there are many different types of industrial wastes, including organic, metals, acids, oils and greases, chemicals and so on. New wastes such as synthetic chemicals and radioactive materials are constantly appearing.

The volume of industrial wastes is also very large. For example, the organic wastes from a food processing plant may be equivalent to the volume of such wastes from a good-sized city. The large number and volume of industrial wastes results in a wide variety and scope of damaging effects, ranging from foul odors and tastes to fish and human health and survival hazards. I ask unanimous consent that a table showing the types and effects of industrial wastes be inserted in the RECORD at this point in my remarks.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Specific types and causes of industrial water pollution

Pollutant	Industry	Manufacturing sources	Effects
Color	Pulp and paper, steel mills, textiles, slaughterhouses.	Spent cooling liquor, mill scale particles, dying processes, waste blood.	Esthetically objectionable.
Solids, floating and suspended	Canning, packing, slaughterhouses, steel mills.	Food and animal process wastes, metal process wastes.	Damage to riverbanks and shorelines.
Oil and grease	Petrochemical, steel mills	Refinery wastes, coolant and lubricant wastes.	Forms floating scum; affects bathing and industrial water.
Organic wastes	Food, slaughterhouse, pulp and paper mills.	Animal, food washing wastes, wood pulp processing.	Similar to raw sewage; forms floating scum.
Inorganic wastes:			
Metals	Metal fabrication	Metal fabrication	Detrimental to other industries.
Alkaline salts	Petrochemical, metal fabrication	Industrial cleaning processes	Forms hard water; toxic to fish.
Acids	Chemical, steel mills	Chemical processes, steel pickling	Toxic; deteriorates boats and structures in water.
Chemical wastes	Chemical, petrochemical, steel mills	Chemical processes, coke plant wastes	Tastes and odors; toxic to fish and aquatic life.
Cyanides	Metal fabrication, steel mills, petrochemicals.	Metal finishing and plating, blast furnace and coke waste, refinery processes.	Toxic effects.
Heat	All processing and fabrication plants	Cooling water discharges	Diminishes amount of oxygen in water; detrimental to fish.

Mr. NELSON. The great number and volume, and variety of effects, means that industrial waste treatment facilities are generally more technically complex and more expensive than municipal facilities. The conventional primary-secondary treatment process does not work with most industrial wastes, not even with all organic wastes.

Large-scale industrial installation may require several different kinds of expensive treatment facilities to do a complete job of cleaning up waste water before discharge. A steel plant may require one treatment installation to handle the sewage from its personnel, and one or more additional facilities to remove scale, metal, acid, and oil from waste water. One steel company has informed me that for one of its plants, a mill scale clarification unit will cost $15½ million to install and $1¼ million to operate annually; equipment to remove hydrochloric acid will cost $2½ million to build and $300,000 to operate annually; and treatment facilities for miscellaneous wastes will cost $2 million to build and $225,000 to operate annually. The costs of waste treatment annually, for one steel plant alone will thus be $20 million for construction, and almost $2 million a year for operation. In the paper industry, a waste treatment facility costs are now 2½ to 4 percent of total construction costs for new mills. For a new kraft paper mill costing $65 million to construct, the primary-secondary treatment facility costs about $2 million with an annual operating cost of $365,000.

Despite the overwhelming evidence of the magnitude of the industrial pollution crisis which threatens us, we do not have a national policy for the abatement and control of industrial pollution.

The need for such a program has long been recognized in Congress. Since World War II, over 70 bills to assist and encourage industry to solve its pollution problem have been introduced in Congress, but none has passed. Many of these bills were identical, of course. All of them provided for an economic incentive to industry through favorable income tax treatment for waste treatment facility expenditures.

The present Federal Water Pollution Control Act does have an effect on the industrial pollution problem, of course. Construction grants to municipalities are often for treatment plants which serve industrial as well as municipal pollution sources, and the work in the advanced waste treatment research program will undoubtedly be useful for industrial waste treatment problems. The pollution abatement enforcement proceedings which have been held probably have had the most direct bearing on industrial pollution of any feature of the act. Industries as well as municipalities must respond to the abatement orders issued under these proceedings for the construction of treatment works.

While the punitive approach to pollution abatement and control is effective in the specific cases in which it is used, it would not encourage and assist industry generally to solve its pollution problem. Nor would a vast program of treatment plant construction be an effective, long-term solution, although it would certainly be useful for quickly cleaning up existing pollution. A national industrial pollution abatement enforcement drive to force firms to build treatment plants would drive many of them out of business because of the costs, provide only immediate and short-term relief, and not develop a long-range solution to the problem.

Bringing industrial pollution under permanent control is really a two-part problem. First a large number of treatment plants must be rapidly built. Although this could abate and stop the expansion of existing pollution, it would not be an economically and technically efficient way of solving the problem.

The effective, long-term solution to the problem is to reduce waste output to a minimum and then provide large-scale, joint industrial-municipal facilities to treat efficiently only this minimum of waste output.

This long-term solution requires substantial and time-consuming changes both within and outside of industry, however. The economic assumptions and structure of industry must adjust to give financial substance to the idea of pollution control as a cost of doing business. Extensive research and development must also be undertaken to develop the new raw materials, processes and products, and new treatment processes which will efficiently handle large volumes of many different kinds of industrial wastes.

The second part of the industrial pollution control problem, then, is to provide the conditions for these necessary economic and technological changes to take place.

This bill would establish a national industrial pollution control policy which, through joint public-industry effort, would both meet the immediate pollution problem without extensive economic dislocations, and lay the foundations for a final and permanent solution to the problem as a responsibility of industry. It recognizes that to realize immediate progress in the prevention of industrial pollution and yet avoid extensive economic dislocations among firms, industries, communities, and States, industry and the public should at first share certain of the costs involved, but that after a reasonable period of time for the necessary technological and economic adjustments, each firm must bear the cost of controlling its pollution and be fully liable for failing to do so.

There are several principles on which my bill is based which I would like to note briefly. First, I think that the waste disposal practices of industry are generally similar to those which most other individuals and groups—including municipalities in particular—have traditionally followed in our society: dump your wastes in the nearest river, stream or lake, and do not worry about the other fellow. This does not mean that the practices of industry or any other group are right and proper—quite to the contrary, of course. What it does mean, it seems to me, is that society has some responsibility to help industry catch up and get in a position where it can assume its proper responsibility for pollution control.

Standing behind this principle, of course, is the indisputable fact that to do something now about industrial pollution will require so much money that extensive economic locations would occur if industry were required to bear the full burden alone.

Second, it is generally accepted that no one has a right to pollute, and that each pollutor must bear the cost of controlling his own pollution. The implication of this principle is that after a reasonable period of time during which industry and the public share the burden of bringing industrial pollution under control, industry must assume complete responsibility for control itself.

To help firms meet their existing water pollution problems, my bill provides for grants and low-cost loans to firms which cannot get funds elsewhere under acceptable conditions. Funds would be provided for the construction of waste treatment works and for waste-reducing changes in manufacturing facilities which are certified as conforming to State and Federal pollution control programs and objectives. These programs would be administered by the Secretary of the Interior and the Federal Water Pollution Control Administration.

Grants and loans would be made for amounts up to 50 percent of the cost of treatment works or manufacturing changes, except that no single grant or loan could exceed $2 million. It would be possible for a firm to get both a grant and a loan if its economic circumstances indicated that this was necessary. Five hundred million dollars a year for 5 fiscal years would be authorized for the two programs.

The purpose of the grant and loan programs is to provide an immediate solution to the existing industrial pollution problem without widespread economic dislocations. The 5-year term of the program is intended to give industry an opportunity to make the economic and technological changes necessary for it to assume complete responsibility for industrial pollution.

It is expected that Congress would consider extending the grant and loan programs beyond the first 5 years depending on how much progress had been made in bringing industrial pollution under control. The bill provides that the Secretary of the Interior would conduct a continuing survey and investigation of industrial water pollution, and report annually to Congress on the progress being made in bringing it under control.

The bill provides for expanded research and development work on combined sanitary-storm sewers, advanced waste treatment processes, water purification methods, and joint industrial-municipal disposal systems. One hundred million dollars a year for 10 fiscal years would be authorized for this work. In addition, the bill provides an increase in Federal construction grants to municipalities for treatment facilities equal to 10 percent of the total cost if such facilities can also treat industrial wastes and if reasonable charges will be made for such treatment.

The purpose of the expanded research and development programs and Federal construction grant bonus is to assist in laying the foundations for the long-term solution to the industrial pollution problem. It is expected that during the 5-year term of the grant and loan programs, firms and industries would carry on substantial research and development work to reduce the waste output of their manufacturing processes and develop new treatment methods.

Mr. President, I would like to emphasize that I am not proposing a program of endless subsidies to industry. Only those firms whose size and economic circumstances prevented them from assuming the full burden of paying for controlling their pollution would be eligible for assistance, and the grant and loan programs would run for only 5 years and such additional short periods as prescribed by Congress. I believe that Government assistance to certain firms for a limited period is not only necessary because of the urgent need to end industrial pollution, but is also fair in view of the fact that industry in the past has usually behaved no worse than the rest of us in handling its waste disposal problems. If at the end of a reasonable period of joint public-industry responsibility, industry did not meet its responsibility for pollution control, then I expect and hope that Congress would take measures necessary to insure that it did so.

I think that the problem of industrial water pollution is both larger and more complex than the municipal pollution problem. I have tried to meet the complexities of the problem in this bill, but I do not claim that it is a perfect bill. However, although the traditional tax-incentive approach is useful, I do not think that it can lead to a solution to the problem, and I think it is time we considered other alternatives.

One thing is clear, Mr. President, and that is that we must have an effective national industrial water pollution control policy soon, for the rate at which industrial pollution is growing will not allow further delay. Every day massive quantities of exotic and highly toxic wastes, along with more common types of wastes, are dumped by industries into the Great Lakes, and into our rivers and streams. Yet we have no plan or policy to deal with this situation. We cannot spend more time studying the problem and not do anything about it. My bill would make it possible to take immediate steps to attack industrial pollution, and also lay the groundwork for a long-term solution to the problem. If we do not act soon, industrial pollution alone will destroy the other Great Lakes as it helped destroy Lake Erie, and turn what is left of our magnificent heritage of lakes, rivers, and streams into stinking cesspools and open sewers.

Mr. President, I ask unanimous consent that the text of the Industrial Pollution Abatement and Prevention Act be inserted in the Record, and that the bill be referred to the Public Works Committee for consideration.

The **ACTING PRESIDENT** pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3915) to provide a program of economic incentives to assist and encourage industry to assume its responsibility for abating and preventing the pollution of water by wastes from industrial sources, and for other purposes, introduced by Mr. Nelson, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the Record, as follows:

S. 3915

Be it enacted by the Senate and House of Representatives of the United States of

America in Congress assembled, That this Act may be cited as the "Industrial Pollution Abatement and Prevention Act of 1966".

DECLARATION OF POLICY AND PURPOSE

SEC. 2. (a) The Congress finds and declares—

(1) that the pollution and degradation of the water resources of the Nation has attained alarming proportions and will become increasingly worse in the future, seriously threatening and damaging the quality of human life and the growth and survival of all living things;

(2) that the pollution of water by wastes from industrial sources of various kinds is now the most significant part of the national pollution problem and that present funds and programs are wholly inadequate to bring it under control;

(3) that the present inadequate waste disposal practices of industry do not differ in principle from those which have prevailed throughout the Nation, but that it is now necessary that all waste disposal practices be changed as rapidly as possible;

(4) that no one has a right to pollute, that each pollutor must bear the cost of his pollution, and that the cost of preventing pollution is therefore a normal cost of doing business;

(5) that effective permanent prevention of industrial pollution involves the reduction of waste output through product, process and other manufacturing changes, and treatment of only an irreducible minimum of waste, but that the achievement of this goal requires time-consuming and expensive economic and technological changes by industry; and

(6) that to realize immediate progress in the prevention of industrial pollution and yet avoid extensive economic dislocations among firms, industries, communities, and States, industry and the public should at first share certain of the costs involved, but that after a reasonable period of time for the necessary technological and economic adjustments, each firm must bear the cost of controlling its pollution and be fully liable for failing to do so.

(b) The purposes of this Act therefore are to enhance the quality and value of the Nation's water resources by establishing a program for the abatement and prevention of industrial water pollution through—

(1) providing economic incentives to encourage and assist firms to reduce to a minimum for their waste output and to construct facilities for the treatment of their wastes;

(2) encouraging the construction of joint municipal-industrial waste collection and treatment systems;

(3) strengthening the enforcement process for the abatement and prevention of industrial pollution; and

(4) establishing research and development programs for joint municipal-industrial systems and for advanced waste treatment methods and processes.

INCENTIVES TO INDUSTRY

SEC. 3. The Federal Water Pollution Control Act is amended by redesignating sections 13 through 16 as sections 14 through 17, respectively, and by inserting after section 12 the following new section:

"LOANS AND GRANTS TO INDUSTRY

"SEC. 13. (a) The Secretary is authorized to make loans and grants pursuant to this section to persons for (1) the construction (including reconstruction, installation, or acquisition) of water pollution control facilities, and (2) changes in manufacturing facilities which result in a substantial reduction in water pollution caused by such facilities.

"(b) Any such loan or grant—

"(1) shall be made upon application upon such form and containing such information as may be required by the Secretary;

"(2) shall be made only for such construction or changes which are certified by the appropriate State water pollution control agency, and determined by the Secretary, as being necessary for conformance with State and Federal programs and regulations for water pollution control; and

"(3) may be made subject to such conditions and requirements, in addition to those provided in this section, as the Secretary may require to properly carry out his functions pursuant to this Act.

"(c) Any such loan—

"(1) shall be made in an amount, not exceeding 50 per centum of the cost of such construction or changes or $2,000,000 determined by the Secretary, and only if the applicant is unable to secure such amount from other sources upon terms and conditions equally favorable;

"(2) shall be secured in such manner and shall be repaid within such period as is determined by the Secretary; and

"(3) shall bear interest at a rate which the Secretary determines to be adequate to cover the cost of the funds to the Treasury, as determined by the Secretary of the Treasury, taking into consideration the current average yields of outstanding marketable obligations of the United States having comparable maturities.

"(d) Any such grant—

"(1) shall be made only if the Secretary determines there is an immediate need for such construction or changes in order to carry out the purposes of this Act, and that the applicant would be unable financially to manage such construction or changes without the grant;

"(2) shall be made in an amount, not exceeding 50 per centum of the cost of such construction or changes, or $2,000,000, determined by the Secretary; and

"(3) shall be made only upon satisfactory assurance that the remainder of such cost will be paid by the applicant, but the applicant's share of such cost may be financed in whole or in part with a loan pursuant to this section.

"(e) For the purposes of this section—

"(1) the term 'person' includes an individual, corporation, partnership, association, or other form of private or public commercial entity;

"(2) the term 'water pollution control facility' means any facility (including land, buildings, improvements, machinery, equipment, or any combination thereof) which is used by a person in his trade or business or in connection with property held for the production of income for the control of water pollution by removing, altering, or disposing of wastes, including the necessary intercepting sewers, pumping, power, and other equipment, and their appurtenances;

"(3) the term 'manufacturing facility' means any facility (including buildings, processes, machinery, equipment, or any combination thereof) which is used by a person in his trade or business or in connection with property held for the production of income, for the production of raw materials, semifinished or finished products of any kind; and

"(4) the term 'change' means any alteration in or addition to an existing manufacturing facility, undertaken for and having the principal result of reducing the water pollution caused by such facility.

"(f) There is authorized to be appropriated for the purposes of this section $500,000,000 for the fiscal year ending June 30, 1967, and for each of the four succeeding fiscal years. Thereafter only such amounts may be appropriated for the purposes of this section as the Congress may hereafter authorize by law."

RESEARCH AND CONTINUING SURVEY AUTHORITY

SEC. 4. (a) Section 5 of the Federal Water Pollution Control Act is amended by inserting at the end thereof a new subsection as follows:

"(g) The Secretary shall conduct a continuing investigation and study of industrial pollution, including the extent to which such pollution has been abated, new sources of such pollution, progress in the development of processes for the elimination of such pollution and for the prevention of such pollution, and such other matters as he considers relevant. He shall make an annual report to the Congress on the results of such investigation and study and shall include in such report any recommendations for necessary legislation to eliminate such pollution, including his recommendations for extension of the authorization contained in section 13(f) of this Act."

(b) The first sentence of subsection (a) of section 6 of the Federal Water Pollution Control Act is amended to read as follows: "The Secretary is authorized to make grants to any State, municipality, or intermunicipal or interstate agency, to any qualified private agency, group, company, institute or individual, or to any public or private university or college for the purpose of—

"(1) assisting in the development of any project which will demonstrate a new or improved method of controlling the discharge into any waters of untreated or inadequately treated sewage or other waste from sewers which carry storm water or both storm water and sewage or other wastes, or

"(2) assisting in the development of any project which will demonstrate new or advanced features of sewage collection and treatment systems, including joint industrial-municipal systems, and new or advanced sewage treatment and water purification methods, processes, and facilities, and for the purpose of reports, plans, and specifications in connection therewith."

(c) The first sentence of subsection (c) of such section is amended to read as follows: "For the purposes of this section, there is hereby authorized to be appropriated for the fiscal year ending June 30, 1967, and for each of the nine succeeding fiscal years, the sum of $100,000,000."

ADDITIONAL CONSTRUCTION SUBSIDY FOR INDUSTRIAL WASTE TREATMENT

SEC. 5. Subsection (f) of section 8 of the Federal Water Pollution Control Act is amended by striking out "an additional 10 per centum of the amount of such grant" and inserting in lieu thereof "(A) an amount equal to 10 per centum of the cost of the project for which the grant is made in any case where he determines that such project has special capacity costing at least such amount for the treatment of industrial waste and that adequate charges will be made for such treatment, and (B) an additional amount equal to 10 per centum of such cost".

REPORTS REQUIRED TO ASSIST IN ENFORCEMENT

SEC. 6. Section 10(c)(7) of the Federal Water Pollution Control Act is amended to read as follows:

"(7) In connection with any hearings under this section, the Secretary is authorized to require any person whose activities result in any water pollution referred to in this section to file with him, in such form as he may prescribe, a report, based on existing data, furnishing to the Secretary such information as may reasonably be required as to the character, kind, and quantity of pollutants discharged and the use of devices or other means to prevent or reduce the discharge of pollutants by the person filing such a report. After a conference has been held with respect to any such pollution the Secretary shall require such reports from the person whose activities result in such pollution only to the extent recommended by such conference. Such report shall be made under oath or otherwise, as the Secretary may prescribe, and shall be filed with the Secretary within such reasonable period as the Secretary may prescribe, unless additional time be granted by the Secretary. No person shall be required in such report to divulge trade secrets or secret processes and all information reported shall be considered confidential for the purposes of section —— of title 18 of the United States Code."

NOTICE CONCERNING NOMINATION BEFORE COMMITTEE ON THE JUDICIARY

Mr. McCLELLAN. Mr. President, the following nomination has been referred to and is now pending before the Committee on the Judiciary:

Robert M. Draper, of Ohio, to be U.S. attorney, southern district of Ohio, for the term of 4 years, vice Joseph P. Kinneary, resigned.

On behalf of the Committee on the Judiciary, notice is hereby given to all persons interested in this nomination to file with the committee, in writing, on or before Friday, October 21, 1966, any representations or objections they may wish to present concerning the above nomination, with a further statement whether it is their intention to appear at any hearing which may be scheduled.

NOTICE OF RECEIPT OF NOMINATION BY COMMITTEE ON FOREIGN RELATIONS

Mr. SPARKMAN. Mr. President, as acting chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nomination of Samuel de Palma, of Maryland, a Foreign Service officer of class 1, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency.

In accordance with the committee rule, this pending nomination may not be considered prior to the expiration of 6 days of its receipt in the Senate.

ENROLLED BILL PRESENTED

The Secretary of the Senate reported that on today, October 14, 1966, he presented to the President of the United States the enrolled bill (S. 3158) to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes.

MONTANA HAS BRIGHT STUDENTS

Mr. MANSFIELD. Mr. President, once again I rise to inform the Senate about the greatness of the State which I have the honor to represent. I refer, of course, to the State of Montana.

There is an editorial in the Great Falls Tribune, the greatest newspaper in the Pacific Northwest, entitled "Montana Has Bright Students." It gives a list of the States on the basis of their standing as compiled by the Council for Basic Education, and in that list Montana ranks 14th among the 50 States, which I think speaks very highly for the educational system of the Treasure State.

I do not believe that enough Montanans are aware of the fact that we do have one of the best educational systems in the country, and have had since territorial days—a system excelling from the elementary level up through the secondary and college level.

As a matter of fact, we have the best forestry school in the entire Nation. We have the best law school west of Harvard and Georgetown. We have a school of journalism that ranks with the University of Missouri's school as well as Columbia's. Our school of mines is among the greatest technical schools in the world, even though its enrollment is not very large.

The Montana School of Mines, which I had the honor to attend when I began my higher education, is now known as the Montana College of Science and Technology. Students come to the institution from every continent and almost every country. The school has achieved an enviable record. In fact, I would say that of all the technical schools in this country—including MIT and Cal Tech—the Montana School of Science and Technology ranks with the best, and does so in part because it is not overenrolled, and because the students there are offered the opportunity of a better education under the direction of an outstanding faculty.

Then, of course, at Bozeman we have Montana State University, formerly Montana State College, which is one of the great agricultural colleges in the country, and even extends its curriculum far beyond that educational endeavor.

We have splendid colleges at Dillon, the Western Montana College; at Havre, the Northern Montana College; at Billings, the Eastern Montana College.

There are two fine junior colleges at Glendive and Miles City.

There are a number of outstanding private schools—Carroll, at Helena, formerly Mount St. Charles; the College of Great Falls, at Great Falls; and Rocky Mountain, at Billings.

Referring to the quality of education the University of Montana, at Missoula, offers its students—which, as I suggested earlier, has the best law school west of Harvard and Georgetown—I may say that the proof is in the pudding. To the best of my knowledge, no graduate of the University of Montana Law School has ever failed the California bar examination; and I do not know what higher commendation a school could receive.

Mr. KUCHEL. That is very true.

Mr. MANSFIELD. Well, I would only say that the California bar examination is reputedly one of the most challenging bar examinations in the entire country.

Mr. President, I ask unanimous consent that this editorial from the Great Falls Tribune, under date of October 8, which shows Montana's high standard of education and which proves that Montana has brilliant students, comparable with those of any other State in the Union—despite its small population and great size—be incorporated at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MONTANA HAS BRIGHT STUDENTS

Montana high schools have the right to be proud of the way their students score in the National Merit Scholarship tests.

The Treasure State ranked 14th among the 50 states in a recent evaluation study compiled by the nonprofit Council for Basic Education (CBE) in Washington, D.C.

In order to find out how high school students of the states compare, the CBE compiled the number of each state's public and private day-school juniors who scored in the top 6 per cent of those taking the 1965 scholarship test and computed the percentage this number represents of the total number of juniors in that state.

The Council believes the rating reflects, among other things, the quality of the schools in the various states.

Montana had a 1.94 percentage in the CBE rating. Connecticut ranked first with 3.22 and Mississippi last with 0.45. The U.S. average was 1.69.

Although Montana has the right to be proud of its high rating in the CBE rating, we hope schools of Montana, instead of resting on their laurels, will look at the rating of the top states and try to improve the Montana record in coming years. There's room at the top.

The CBE rating of the states, as carried in a recent issue of the National Observer, follows:

Connecticut	3.22
New York	3.18
District of Columbia	3.07
Delaware	2.98
Massachusetts	2.74
New Jersey	2.63
Maryland	2.54
Illinois	2.19
Iowa	2.17
Rhode Island	2.05
New Hampshire	2.01
Minnesota	1.99
Wyoming	1.98
Montana	1.94
Virginia	1.92
Alaska	1.91
Washington	1.89
Pennsylvania	1.86
Colorado	1.73
U.S. average	1.69
California	1.68
Hawaii	1.67
Oregon	1.65
Ohio	1.63
Wisconsin	1.59
Nebraska	1.57
Vermont	1.50
Arizona	1.48
Missouri	1.46
Maine	1.44
Kansas	1.35
Indiana	1.32
North Dakota	1.32
Michigan	1.18
Florida	1.17
South Dakota	1.17
Texas	1.17
Idaho	1.01
Oklahoma	.98
Nevada	.97
New Mexico	.92
Tennessee	.81
Georgia	.80
North Carolina	.78
Kentucky	.71
Utah	.70
South Carolina	.68
Louisiana	.66
West Virginia	.65
Arkansas	.62
Alabama	.49
Mississippi	.45

Mr. MANSFIELD. It is a point of personal pride with me to be able to make this statement to the Senate today, and I stand by every word I have said.

Mr. KUCHEL. I move that the Senator be given 3 additional minutes to speak on the complete adequacy of the law schools in California.

Mr. MANSFIELD. I appreciate the opportunity but decline since I am far more qualified to speak on the Montana schools and would leave the discussion of California schools to the distinguished senior Senator from that great State.

EPIDEMIC OF "ELECTIONITIS"

Mr. WILLIAMS of Delaware. Mr. President, there seems to be quite an epidemic in the Capital of the United States. There seems to be a wave of "electionitis." I am suggesting that the best step that Congress could take to cure this epidemic and to protect the American taxpayers from its ill effects would be to adjourn this Congress sine die at the earliest possible moment.

An illustration of how serious this epidemic is becoming is that the Senate is in session at this time to discuss two very important bills. One bill would authorize the appropriation of about $2¼ billion. Another bill proposes to increase taxes by about $1 billion. At this moment there are no copies of either bill in the Senate. Neither the bills nor the reports are available as yet. It seems to me that it would be the height of folly and irresponsibility for the Senate to proceed to consider bills which are not even available at the desk.

I realize that these bills will be here later, and they can be taken up for consideration later today. But considering all the promises that are being made in the campaigns by both parties, I respectfully suggest to the leadership that the most constructive step that we could take to help the American people from this wave of "electionitis" would be a hasty adjournment of this Congress.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. I must admit that there is validity in what the Senator from Delaware says. But I am sure he is aware that always in the closing days of the session, the RECORD which contains too much extraneous material, the many bills plus an excessive amount of other documents which are necessary for the work of the Senate, places a great deal of extra pressure on those responsible for printing these materials. So printing delays may occur.

I would hope that the Senator, with his usual graciousness, would allow us to consider the public works authorization bill, which will be followed by the State, Justice, and Commerce Departments appropriation bill. Both measures have been reported unanimously by their committees. I am confident that the distinguished Senator recognizes the unusual handicap under which the whole Senate is operating.

I assure the Senator that I find no fault with his argument. We shall endeavor to have as much debate as possible and do nothing which would denigrate the Senate or react to its disadvantage.

Mr. WILLIAMS of Delaware. I thank the majority leader. I assure him and the entire Senate that my remarks are not directed in criticism of the majority leader. They are directed against the policy itself under which we are operating.

I realize that copies of the public works bill, which he has mentioned, are now available. I shall not object to the consideration of that bill by the Senate. My remarks were not altogether directed to the situation which confronts us at the particular moment. I know that we shall have printed copies of the bills shortly.

My comments related to the grand rush to enact many measures which could more properly and intelligently be acted upon after Congress returns in January. The taxpayers are being confronted with a mass of legislation which, while perhaps not improperly conceived, cannot properly be studied by Congress in the closing days of this session. In the interest of the taxpayers I think it would be well if action were postponed on all proposals which are not of immediate urgency and Congress adjourned sine die.

Mr. MANSFIELD. Mr. President, I am in full accord with what the distinguished Senator from Delaware [Mr. WILLIAMS] has said. We certainly should only consider matters which have received thorough, complete, and detailed review. As far as the leadership of concerned, I wish to assure the distinguished Senator that it is our joint desire and determination to adjourn sine die next week, not later than October 22, and, if possible, before that time.

I thank the Senator for his statements.

HOUSING RECOMMENDATIONS OF CHARLES PERCY

Mr. KUCHEL. Mr. President, last Wednesday there appeared in the Washington Daily News an interesting article, written by Mr. William F. Buckley, Jr., about Mr. Charles Percy of Illinois, and his inventive and provocative recommendations concerning homeownership.

Mr. President, I ask unanimous consent that the article which appeared in the Washington Daily News of October 12, 1966, written by Mr. Buckley, be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

THE PERCY PLAN

(By William F. Buckley, Jr.)

The tragedy at Kenilworth overshadowed the politics of Charles Percy of Illinois for awhile, but now that he has returned to his combat post he no doubt will wish to press his plan for distribution of home ownership. He feels very deeply about this:

"I am not just proposing this plan here today," he told the Kiwanis Club of Chicago on Sept. 15. "I am pledging to you that I will start the day I am sworn in as your United States Senator to complete the development of a practical program to be presented to the Congress. And I will be back to ask the support of you in the private sector."

What Mr. Percy has in mind might be called a Conservative Answer to Public Housing. As things now stand, the Federal government is moving further and further into the housing business, whether by actually building its own housing, or wiping up a particular area and turning it over to private concerns; or by supplementing the rent of lower and lower middle income families.

It is the insight of Charles Percy that we are all better off encouraging lower income families to own their own housing than to subsidize them forever in public housing. Not only, he points out, is there public money ultimately to be saved. The facilitation of the purchase of private dwelling places by lower income urban residents would, in the opinion of Mr. Percy, tend to transform the city slum-dweller into a civic-minded man, anxious to maintain the value of his own property, to better the surroundings in which his property is situated and, who knows, the world we all live in.

It is Mr. Percy's thesis that the ownership of private property transfuses common sense and conservatism into the typical man. Hmm.

It seems to me that the Plan is commendable even if a little over-optimistic. Alas, the ownership of one's own place does not necessarily bring pride of ownership, as anyone knows who has observed the great country slums, unpainted, uncared for, squalid beyond the demands of poverty. Mere ownership does not guarantee a pride of maintenance.

But here Mr. Percy shows himself inventive, as always, and proposes that the agencies thru which the poor arrange to buy their own houses and apartment units (condominiums, they are called) should take pains to integrate the purchaser in a more general movement calculated to give the home-owner training and new skills. In many cases Mr. Percy foresees, the aspirant homeowner would make his down payment on his own apartment by serving during off hours as an apprentice at the local construction company, thus simultaneously earning the money with which to bind down his future home, and learning the skills sufficient to permit him to make future payments.

This strikes me as perhaps the most interesting feature of the Percy Plan, tho the Plan also is otherwise ingenious. The financing would be roughly as follows: the Federal Government would launch a National Home Ownership Foundation much along the lines of Comsat, which took a Government asset (the satellite) and went to private enterprise for communications development. The NHOF would deal with local housing associations, buying the locals' bonds and selling them to the general public as tax-exempt and Government-guaranteed.

Really, the idea is not so very different from an expansion of the Federal Housing Authority. One isn't exactly sure what the difference is between public and private money under such mixed circumstances as are here called for. If you buy a bond from a "private" organization which bond is guaranteed by the Government and is especially exempt from the depredations of the Internal Revenue Service—are you really dealing in the private sector?

Still, Mr. Percy deserves attention and even if the plan is unmodified, it is vastly preferable to the bureaucratic agglutinations with which the poor and non-poor are nowadays being oppressed in the search for public housing.

THAILAND'S COMMITMENT TO COLLECTIVE SECURITY

Mr. KUCHEL. Mr. President, in 1950 Thailand became the first country to follow the United States in offering ground forces to the United Nations to meet the North Korean invasion of the south in that year. The Thai contingent was cited for valor in combat against the Communist Chinese.

Secretary Dulles said:

> Thailand is one of the nations which, showing its faith in collective security, has gallantly and substantially contributed to the U.N. effort in Korea. By performing this act for others, it has won the right to help from others.

Thailand joined SEATO in 1954. It was the first to ratify the treaty and has been, ever since, among its strongest supporters.

This readiness to support the principle of collective security in Asia was exemplified by Thailand's commitment of its air and naval forces to the war in Vietnam, and by her agreement to the deployment in Thailand of U.S. forces which are of fundamental importance to our strategic position in the southeast Asian area.

Foreign Minister Thanat said on September 27 of this year:

> We are extending the hospitality to the GI's to the American forces, who are now stationed in Thailand. Why do we do so? We do so because we share the views that Communist designs of expansion, and conquest in Southeast Asia, as in other parts of the world, should be stopped, altered, because if we were to allow Communist aggression to succeed in one place, it's not likely to stop there. It's going to expand.
>
> Therefore, we in Thailand share the American policy, or the policy of the United States Government, as also the policy of other freedom loving, peace loving nations in Asia, that no aggression should be rewarded, or should succeed.

Mr. President, I want to make it very clear that I stand with those who see no necessary evil in the commitment to collective security which has been accepted by Thailand and other nations in southeast Asia. On the contrary, I believe Americans should understand and appreciate that Asian nations have accepted, along with the United States, the burden of defending human freedom. Our cooperation with Thailand, or any other country in Asia, must be marked by the careful respect for the wishes of our allies in matters affecting her sovereignty just as we would expect her to respect ours. There has been too much cynicism regarding the willingness of our allies to defend themselves and to cooperate in joint efforts with us for that purpose. Collaboration in honor is the touchstone of security for the free world.

Thailand has taken on a great burden in the defense of southeast Asia. She herself has been posted as the next on the list for Communist aggression in Asia. A struggle to provide responsible and effective popular institutions that can resist subversion and guerrilla onslaughts is now taking place in the critical northeast frontier areas. In this contest an effective public official, a dedicated teacher, or a competent doctor is more effective than bombs or artillery. It is a battle nonetheless, and it must be won on its present terms, or Thailand may well be engulfed in the same chasm of war that now holds Vietnam.

Thailand has taken her stand with the free world in Asia. She deserves our gratitude and support.

NATIONAL WINE FESTIVAL

Mr. KUCHEL. Mr. President, this month of October has been officially designated National Wine Festival time to celebrate the 1966 vintage which is now at its peak.

The month-long festival is of particular interest to California, where vineyardists have cultivated wine grapes for almost 200 years, and to the more than 20 other States where wine is made. It also has significance for the rest of the Nation, and for the peoples of other countries, where the wines of California are gaining added recognition for their excellence.

California makes about 75 percent of all the wines made in the United States. That is a matter of pride to my State. The volume is so large, in fact, that our State is often referred to as the "Wine Land of America." The natural advantages of soil and climate, along with the technological advances and the skills of the master winemakers, provide a combination of essential elements to create wines of the highest merit. Our wines are the fortunate beneficiaries of these favorable conditions, and they have earned for California and for the United States a prominent name as one of the important wine growing areas of the world.

The magnitude of California's grape and wine industry is illustrated by the 470,000 acres planted to vineyards, and the fact that 32 of the State's 58 counties grow grapes commercially, and that grapes are California's most valuable fruit crop and are second in value among all cultivated crops. Its economic importance is further established by the fact that the California wine industry pays an average $75 million each year in direct local, State, and Federal taxes, and that many thousands of Californians receive all or a part of their livelihood from grapes and wine.

This is a long step forward from the industry's modest beginnings as a mission occupation in 1769, when Father Junipero Serra and his fellow Franciscans first planted wine grapes at San Diego. The cuttings, of Spanish origin, were cultivated along the trail of the 21 missions the padres built in California. Later, other settlers began making wine from the Mission variety, and the infant wine industry grew and prospered. They and the men who followed them worked to create this great agricultural industry and to advance the development of this most unique mealtime and entertainment beverage.

Wine is different from all other beverages—legally, socially, physically, and historically. It alone has been the beverage of celebration and religious observance. It has long been used as a food, in medical practice, and as a beverage of moderation and gracious living. In addition to its different uses and significance, wine has many other unusual properties not associated with other beverages.

Recognition of its distinctions is inherent in the special legislation affecting wine. Even during prohibition, wine's historical and traditional uses prompted Federal legislation which permitted vintners to make wine commercially for religious and medicinal purposes and allowed home winemakers to produce wine for family use. Winemaking at home is a privilege still authorized the head of a household, a recognition of the traditional role wine still has as a family beverage.

In celebrating this year's vintage, we note with joyful feelings the reports from our California vineyard districts that another outstanding grape harvest is being gathered, and that new wines of excellent quality are assured. That, indeed, is something to be festive about during the vintage season.

It means a promising supply of wines next year and in other years to come that will reward not only the vintners, but also others engaged in the distribution and sale of wines. But by far the greatest number of beneficiaries will be the millions of consumers who enjoy a glass of wine with their meals and when they entertain, or when they wish to relax. For wine has many useful properties that contribute to our pleasures and well-being.

We recognize the colorful history and traditions of wine, going back 6,000 years or more, its uniqueness and versatility, its natural goodness and rich enhancement of the very simple to the most elegant. These have inspired man to write about, sing about, and talk about the glories of wine since the birth of civilization.

It is natural that the vintage should be celebrated in all the wine growing countries of the world. The appropriate time for us to do this is during the National Wine Festival. I urge that this monthlong observance be a salute to the achievements of our vintners and that we raise a toast to the wines of another bountiful harvest.

REPORT OF SENATE MINORITY LEADER, EVERETT McKINLEY DIRKSEN

Mr. DIRKSEN. Mr. President, it is customary about this time of the session for the report of the minority leader to be filed. I have it all ready.

Mr. President, I ask unanimous consent that the report be published as a part of my remarks in the RECORD, and I ask also that it be published as a document.

I also ask unanimous consent that the major laws digest be placed in the body of the CONGRESSIONAL RECORD at a later date and that the customary number be printed as a separate Senate document.

The ACTING PRESIDENT pro tempore. Is there objection?

There being no objection, the report was ordered to be printed in the RECORD, as follows:

WHERE OUR NATION STANDS AT HOME AND ABROAD

(Republican report, 2d session, 89th Congress, of Senator EVERETT McKINLEY DIRKSEN, of Illinois, U.S. Senate minority leader)

I

Thirty-three years ago the present Republican Leader of the United States Senate came to Washington as a freshman in the House of Representatives.

When the Congress convened in that March of 1933, the first thing we were told in a special message on domestic matters by the President of the United States was:

"The Government's House is not in order."

This is precisely the case today within the administration.

A mere statement of this charge is not enough: therefore, the anatomy and morphology of the body of the so-called Great Society will be examined factually. The calcimine will be wiped away. The veneer and clapboard will be removed to expose the facts, or the withholding of facts.

In 16 years of service in the House of Representatives, and now in the 16th year of service in the United States Senate—7 of these years as Republican Leader—I have experienced and responded to the pressures and strains of a great depression, recovery, and recession, peace, and World War II in President Roosevelt's Administration, the Korean War in President Truman's Administration, and now the Viet Nam War in President Johnson's Administration.

Through most of it the morale of our great Republic was solidly grounded upon the tough virtues of our fathers.

But today, what had appeared to be a golden glow only 2 years ago has been broken by rolls of thunder. This can be observed as ministers plead from the pulpit for a good society instead of a great society; as journalists strive to obtain truth from the Government; as plain citizens ask one another, or themselves, "Just what's going on?", "What gives?"

Uncertainty, queasy doubts, bewilderment, have spread across the country; labor and business, the farmer and small businessman, even the Federal civil service worker, all have been subjected to government-by-arm-twisting.

Unfortunately, optimism in many instances has been succeeded by pessimism; the stock market has lost some $120 billion since January according to Time magazine of October 14, grievances seem to have deepened in many facets of our daily lives.

Anger and fear have replaced much of our laughter.

Abroad, there is jeering and sneering at our country. Our flags are burned and spat upon. Our embassies attacked. In Viet Nam the American death toll continues to mount.

Such, in broad outline, are the maladies and tumults surrounding us.

Meanwhile, the Administration goes its higgledy-piggledy way, its high priests no longer the flower of American culture but skilled political salesmen who pursue domestic social programs with the pop-eyed ardor of a Harpo Marx chasing blondes.

We hear, time and again, from the Administration that it wants to end poverty. So do we all. What the country wants to know is when we're going to get around to the real war by practicing moderation at home.

And, so, we return to that March of 1933, and that message about order in our Government. In that same message we were admonished: "Too often . . . governments have been wrecked on the rocks of loose fiscal policy."

Now is the time to remember that statement. As Republican Leader in the Senate, I urgently request the Johnson Administration to heed in wartime that peacetime warning of playing loose with the people's money.

II

The second session of the 89th Congress is about to close. It is the appropriate occasion for a summation of our times.

1. This has been the year when an additional 150,000 Americans were sent abroad to fight a war which already is the longest, and the third largest, war in our history.

2. This has been the year when some 14,000 National Guardsmen were sent to guard our streets at home—in Dayton, in Chicago, in San Francisco, in Cleveland, in Benton Harbor, in Wauwatosa, and in the year before in Selma, in Montgomery, in Springfield, in Los Angeles, in Natchez.

3. This has been the year when law enforcement officers were called to a dozen other cities to quell violence in our streets—from Troy to New Jersey to Jacksonville to South Bend; from Des Moines and Baltimore and Brooklyn to Washington, Providence, and Perth Amboy.

4. This has been the year when people were afraid to walk the streets alone; when police were confronted by a gigantic increase in crime of 46 percent from 1960 to 1965; and when the number of children arrested under the age of 18 increased by 54.5 percent.

5. This has been the year when inflation sent the cost of living skyrocketing to the highest in all our history and when the real spendable earnings of people were less than just a year ago, regardless of pay raises.

These are facts. Straightforward. Unadorned. Indisputable. These are great dilemmas of our times.

And all of them are conspicuously unsolved under the Great Society.

III

When, in 1965, the first session of the 89th Congress adjourned, I raised the question, in the Republican Report of October 22, 1965 (Senate Document 66), as to the real result of so many programs with fancy names and high emotional appeal. I pointed out that millions of citizens had not yet had a chance to pass judgment, but when they did "there may be a furious reaction."

That Mr. Johnson met with historic success in terms of mere quantity of laws passed in 1965 is unquestioned. It was a massive display of power and pressure; and a Democratic Congress which then, as today, is controlled by a lopsided 2-to-1 Democratic Party majority, responded to Mr. Johnson's wishes.

As the weeks and months passed from 1965 into 1966, what became apparent, and is now a fact, reminds me of what George Eliot once wrote: "There are many victories worse than defeat." Many of the victorious domestic legislative chickens of 1965 began coming home to roost this year.

Thus, when the second session of the 89th convened in January of 1966, the Nation was undergoing some serious speculation on what was to be.

More questions were being asked.

Fewer answers were being given by the Administration.

Instead, the Administration offered up more domestic programs consisting in many instances of novelty upon novelty, gadget upon gadget, gimmick upon gimmick.

Like Dickens, it appeared to be the best of times, the worst of times, the age of wisdom, the age of foolishness, the epoch of belief, the epoch of credulity.

But even before the summer of 1966 ended, it became apparent it wasn't exactly the best of times, and certainly not the age of wisdom under a great society administration.

And as for an epoch of belief, the credibility of the Government itself was being questioned and attacked on all sides; in the press, on the streets, over the air, and in the Congress, by Democrat and Republican alike. Government news management cast a dark shadow. People would not, could not, or did not believe their own Government.

The truth was: "The Government's House was not in order."

If the political leader of the so-called Great Society believed in 1966 he was riding a tide in the affairs of men, he may have forgotten, or did not recall, the words of James Russell Lowell in observing: "Truly there is a tide in the affairs of men, but there is no Gulf-stream settling forever in one direction."

IV

Still in our minds as the 1966 session of Congress proceeded was the Christmas truce in Viet Nam, the intensified peace effort, and the gradual diminution of our prestige abroad despite the $120 billion we had dispensed in foreign aid.

After a year, there has been no improvement under the Great Society.

There were the continuing cries of "Yanki Go Home" from the very people we had aided and befriended.

No improvement is noted after another year of Great Society diplomacy.

Then, the United Nations observed its 21st birth anniversary and its future, both financially and from the standpoint of world influence, was uncertain.

It is still that way after another year.

As the population explosion throughout the world continued, poverty, hunger, war, and turmoil stalked the world and the Four Horsemen of despair rode relentlessly to broadcast pessimism and dismay.

It is the same today, only worse.

As the year started in Viet Nam, the number of American troops neared 200,000, young blood continued to flow and peace or truce seemed at best a dim hope.

After almost a year, the Administration reports 320,000 troops, plus 50,000 men in our Naval fleet operating off Viet Nam, plus 25,000 or more troops in nearby Thailand. And American dead and wounded have passed the 32,000 mark.

The Budget for Fiscal Year 1967 topped the $100 billion mark for the first time in our history, exclusive of trust funds and cash flow, and high spending for Great Society programs remained unabated.

It remains unabated after still another year of the Great Society.

The Poverty Warriors were embroiled in internecine strife over whether the Poverty Generals in Washington or the Party's political Lieutenants in the field were to administer this somewhat fantastic adventure, and the program made the progress of a snail in low gear.

This is still the case today.

Farmers were grousing as 1966 began. The prices which farmers received for their produce measured against what they had to pay for goods and equipment to pursue their operations were lower than before and there were no signs of improvement.

And after almost another year, the farmer is worse off than ever.

The march of growing Federal power continued without letup or hindrance increasing the dangers of monolithic, all powerful centralized Government.

And after almost a year the Federal power march continues.

There had been an imperceptible gain in the very grave balance-of-payments problem but it was not at all certain that even these meager gains could be maintained. Meanwhile the raid on our gold reserves continued month after month.

And after almost a year, there has been no improvement.

Street demonstrations and violence continued in various parts of the country, and an uneasy fear brooded over the Nation.

But let it be understood, here and now, there is no issue over peaceful demonstrations. The civil rights movement, or any other law-abiding movement with legitimate aims, has a fundamental right to exist in our Republic; what's more, it is so fundamental there appears little reason for any partisanship on the matter. Resort to violence is an entirely different matter.

Political parties exist for a multitude of reasons, among the most important being public exploration and illumination of matters of great public concern. Therefore, I hope Johnson Administration spokesmen keep any debate on the right track, to wit: violence, disorder, crime, or running a traffic light, are all against the law, whether committed by men, or women, or by students, or by white people, or by Negro people, or by Irish, English, Scandinavian, or any other American.

The valid issue is this, as summed up by The Evening Star, Washington, D.C., on October 8: "On record is the (Administration) leadership's procrastination in facing up to the problem, and such political ammunition as the Vice President's ill-considered statement that, were he forced to live in a ghetto, he would be right out there leading the riot."

V

Adherence to principles and actions for the public good was displayed in marked fashion during the past session and is worthy of note for the public record.

But first, the Republican Leader would like to pay tribute to Members of his party for their devotion to duty and their diligence in carrying out their responsibilities on the various committees of the Senate. A glance at the record indicates Republicans showed a great degree of unity.

And to the Democratic Leader, Senator MIKE MANSFIELD, I tender a salute for his gracious forbearance, for his kindness, for his constant cooperation, and for his unvarying respect for the rights and problems of the Minority Party. For this I cannot thank him enough.

We commend those Democrats who followed the Republicans last February in exposing and opposing the Johnson Administration's "small business be damned attitude"—revealed by attempts to eliminate the independent Small Business Administration and have it swallowed up by the big Commerce Department. No Democrat disputed the charge. The independence of SBA was saved.

Early in the session it was apparent the Administration intended to play an old game: present a deceptively "low" big budget by cutting necessary funds and letting Congress put them back and bear any onus for the deficit. The Administration cut school lunch funds while fully aware the country would not stand for it.

The Administration's own Democratic-controlled Congress could take the blame for increasing the budget while the White House could appear with a halo for wanting to "save" money. This was blatantly unprincipled.

Such attempt had all the qualities of a scarecrow.

Actually, nothing could quench the insatiable desire of the Administration to spend money for such things as studying why Australian aborigines sweat, the behavior of ostriches in Africa, sending 100,000 cans of women's hair spray to Viet Nam, studying the love life of an octopus, and so on ad infinitum.

So we commend those who joined Republicans in stopping the Administration's attempt to slash four-fifths of the School Milk Program and in preventing the President from drastically cutting the School Lunch Program. This was a strange paradox in view of Mr. Johnson's asking a billion dollar Food for Freedom program for people abroad.

And we commend those who joined Republicans in saving Land Grant Colleges. Although Mr. Johnson maintained he was in favor of higher education he wanted to eliminate $11.95 million under the Morrill Act signed by Abraham Lincoln in 1862 to establish these colleges. On a national basis this would have meant the elimination of 1,200 college faculty members and 18,000 students.

And we commend those who joined Republicans in saving the federally impacted school fund program. This has been a 25-year program, originally provided under the Lanham Act passed during World War II.

And we commend those who joined Republicans in saving the loan program from medical students, nurses, and other medical personnel, as well as some funds under the National Defense Education Act.

And we commend those who joined Republicans in fighting the Administration's betrayal of farmers in trying to withhold Farm Home Administration contingency funds. The same situation prevailed on research programs by Agricultural Experiment Stations.

It is reminiscent of how the Administration early in the first session of the 89th Congress attempted to haphazardly close VA hospitals.

These are but a few of the curious specimens of judgment, balance, and principle which have come from the Executive Branch of the Government.

This truth is shown: "The Government's House is not in order."

VI

"Hooray for What?" as I recall, was once a play in which Ed Wynn starred.

Every housewife in the land can signal a "Hooray For What?" toward the Democratic Administration each time she goes to the store today.

The price of corn flakes soars again. One housewife is planning to buy two packages as soon as she can find a cosigner.

But it is no laughing matter. Since the end of the Republican Administration of Dwight D. Eisenhower, and based on the latest (August) figures of the Consumer Price Index, your grocery dollar has dropped to 84 cents. By now everyone knows, or should know, the farmer isn't to blame and is actually worse off than a year ago.

Your rent dollar is now worth 89 cents.

Your medical care dollar is now worth 72 cents.

Your transportation dollar is now worth 86 cents.

Your home building dollar is now worth 84 cents.

Your apparel dollar is now worth 91 cents.

Your auto insurance dollar is now worth 62 cents.

Are those the marks of a Great Society?

And here's a sampling of the average changes reflected today in some prices across the Nation between the time when the Eisenhower Administration left office and the Democrat Administration took over:

A loaf of bread costs 25 percent more today.

A pound of hamburger has gone up 15 percent.

A pound of bacon has gone up 40 percent.

A quart of milk has gone up 12 percent.

An average package of corn flakes has gone up 24 percent.

A pound of pork chops has gone up 25 percent.

A pound of fish has gone up 24 percent.

A pound of cheese has gone up 34 percent.

Are these the marks of a Great Society?

Fresh fruit and vegetables have gone up an average of 32 percent.

Potatoes alone are up 37 percent.

Onions are up 60 percent.

Apples are up 72 percent.

Cabbage is up 60 percent.

Eggs are up 11 percent.

Grape jelly is up 16 percent.

Semi-private hospital rooms are up 60 percent.

Are these prices the fruits of a Great Society?

A cartoon recently depicted the cost of living jump as a Great Society Super Market. Lamb prices were up $1,700 a ton. Bacon was up $1,100 a ton. Jelly was up $200 a ton. Off to one side of the counter, someone who looked like the President of the United States was whispering to his associates: "Keep reminding them how we held the steel increase to $2.50 a ton."

The following editorial from The Wall Street Journal of Oct. 12, 1966, entitled "Think Cheap" adequately describes the cost of living of the Administration approach to the rising cost of living.

"THINK CHEAP

"If there were any doubts that Washington considers the average consumer to be pretty dumb, they should be dispelled by the appearance of a six-page pamphlet, 'Shopping Sense.'

" 'Shopping Sense' is designed, according to Mrs. Esther Peterson, chairman of the President's Committee on Consumer Interests, 'to help consumers get the most for their food dollars at this time when there are rising prices.'

"Agreed that consumers, in these days of Government-generated inflation, need all the help they can get. What they may get from 'Shopping Sense,' however, is about as many chuckles as might be inspired by a typical episode of 'Batman.'

" 'Shopping Sense' advises the homemaker, for instance, to leave husband and children at home when they shop for food; husband and children are distracting influences. Zowie!

"It says that certain convenience foods—such as TV dinners and stuffed baked potatoes—cost more than their equivalent in fresh food items. Bam!

"The housewife should take along a shopping list, it says, but should be 'open-minded' if she sees 'an unadvertised bargain. Pow!

"Use substitutes, urges 'Shopping Sense.' For, says Mrs. Peterson, housewives 'need to get off the old meat and potatoes routine.' Zonk!

"Try lower-priced brands and grades, the pamphlet urges. Whammo! In other words, ladies, think cheap.

" 'Shopping Sense' was prepared by the committee in cooperation with the National Association of Food Chains which will make available at cost several million copies to supermarkets where shoppers can pick them up. Plainly, then, the cost of producing 'Shopping Sense' in the end will be added to the housewife's food bill. Socko!

"The authors of this message on thinking cheap are aiming it at the wrong audience. After all, it isn't the housewife who has been making prices rise."

VII

The Johnson administration has a remarkable collection of hummingbird economists who can reverse themselves without first stopping. They stand still in midair while making motions in an attempt to convince everyone the Government can spend for vast new domestic programs while at the same time supporting a war costing $25 to $30 billion more, keeping prices down, and maintaining a balanced economy.

Let us examine what is happening in some related fields.

As the year started the median price of homes sold in the United States was $20,000 according to the Census Bureau.

This represented an increase of $2,000 in one year (1965).

In July, in the latest survey report, the median price was $21,400.

Is this the mark of a Great Society?

Last year, the number of nonfarm (mortgage) foreclosures in the United States totaled 116,664, the Federal Home Loan Bank Board report shows.

Thus far this year, foreclosures have taken a big jump and are running at a rate equal to 222,204 a year.

Is this the mark of a Great Society?

In August 1966, the factory worker with three dependents has a takehome pay of $98.46 a week. This was a drop of $1.85 per week just since June.

The "real spendable earnings" for workers has been going like this, according to the September 23, 1966, report of the Bureau of Labor Statistics:

In February 1965 "real spendable earnings" were $87.63 a week.

In August 1965 they were down to $87.15.

In August 1966 they were down to $86.52.

Is this the mark of a Great Society?

A widow, or retired teacher, for example, who retired on a $3,000 pension after years of work, or anyone else who began receiving a fixed income of $3,000 in 1940, has been hard hit by inflation.

After taxes, the 1940 income was $2,935 (minus sales taxes and State taxes). By July of 1966, what was supposed to have been a $3,000 annual pension, or fixed income, was worth, after Federal taxes and higher prices, only $1,195.

The latest Consumer Price Index released by the Bureau of Labor Statistics on September 23 showed the cost of living for August 1966. Here is what it showed:

Since 1960 the cost of living has gone up 10.27%.

Since 1960 the cost of groceries has jumped 13.75%.

Since January, living costs in just 7 months have jumped 2.52%.

And in the same 7 months, grocery costs have increased 3.95%.

If you put $100 away in a shoe box in 1940, you've lost $57 in purchasing power.

If you put $100 way in a shoe box in 1960, $9.00 of it already has been "stolen" in purchasing power.

It now takes $22.42 to buy the groceries you could get for $20 just 6 years ago.

And the 1933 dollar is now worth only 39.6 cents; the 1940 dollar is worth 43 cents; the 1960 dollar, 91 cents.

What about unemployment? It is low, below 4 percent. But at the same time the Administration cannot forget that unemployment among youth has reached as high as 18 percent; and of even greater concern should be the continuing unemployment rate among Negroes. The Negro jobless rate in August was more than 8 percent. It has been between 7 and 8.2 percent throughout the year. There has been little or no improvement over last year. With all its poverty schemes, the Great Society has failed in the quest to help the Negro. In fact, a Labor Department survey of poverty sections of 100 cities shows the unemployment rate of Negroes to be 9.4 percent in August.

One observation on economic indicators: Merely because various indices, such as the cost of living, are cited as warnings about our future does not indicate anyone is preaching fear.

As political leader of the party in power, Mr. Johnson did some political stumping in New York, October 12, and accused the Republican Party of scaring people.

Well, let's see: During the 1964 campaign there were nationally televised Democratic Party political ads, tailored to White House specifictaions and esthetic values, which preached that—

Republicans were in favor of little children eating radioactive ice cream cones;

Republicans were in favor of "pushing the button" and blowing up the world;

Republicans were in favor of increasing the bombing in Viet Nam, which would lead to blowing up the world; and

Republicans were in favor of destroying the Social Security System

to list but a few of the Johnson Democratic "Appeals to Reason."

Mr. President, as is your wont, you are too modest. We bow to you and acknowledge your superiority When it comes to preaching fear, You're Tops With Us.

VIII

With increasing frequency, the Administration seems to be issuing statements fraught with a desperation to escape the consequences of its policies. The escape? Blame it on Congress—its own Democratic Congress with a two to one majority. And if the Administration can get away with it, Republicans are blamed although at any given time the Administration has twice as many Members of Congress than does the Republican Party.

Republican Senators have compiled a remarkable record in the face of the overwhelming Democratic majority. They have been able to obtain approval of amendments to bills in committees, one recent example being the adoption of 19 Republican amendments to the Higher Education and Elementary-Secondary Education bills.

Republican Senators have succeeded, by the force of argument, in obtaining changes in legislation of all types and even in the passage of some of their own measures although, for the most part, the bills that finally passed bear the name of a Democrat as the principal sponsor.

Republican Senators and Republican Members of the House of Representatives proposed programs in 1965 and 1966 covering every aspect of our daily domestic lives and our affairs abroad. It would take a book to list them.

In addition, the Republican Coordinating Committee representing every facet of Republicanism from national level to the grass roots, has offered detailed programs. These included:

Date proposed and program

June 1965, United States Foreign Policy in Vietnam.

August 1965, The Balance of Payments.

September 1965, Equality in America: a Promise Unfulfilled.

December 1965, Viet Nam Policy Statement.

December 1965, Toward a Stronger Federal System.

December 1965, Toward Fair Elections in America.

March 7, 1966, (Economic) Opportunity Crusade Act of 1966.

March 1966, The Case for Revenue Sharing.

March 1966, Latin America-United States: Progress or Failure?

March 1966, The Human Investment—Job Opportunities.

March 1966, The Rising Costs of Living.

June 1966, The United Nations.

June 1966, Effective Water Management.

June 1966, The Challenge of the Modern Metropolis.

June 1966, Federal, State, and Local Responsibilities for Problems of Education.

June 1966, Transportation in Modern America.

June 1966, Housing and Urban Development.

June 1966, The Alleviation of Poverty.

June 1966, Jobs and People—Job Opportunities.

June 1966, The Needs of the Aging.

In recent weeks the White House had blamed the Congress for appropriating more than it asked in some cases. Again I point out it is the Administration's own Democratic-controlled Congress. But for the record, who is trying to save your tax dollar? Here are some examples:

9 economy rollcall votes in the Senate, 1966

	Republicans voting for economy	Democrats voting for economy
	Percent	*Percent*
Against sale of participations in SBA loan pools (back-door spending), Mar. 15, 1966	100	0
Strike out funds ($12,000,000) for rent subsidies, Apr. 27, 1966	86	32
Against borrowing on federally owned loan collateral (back-door spending), May 5, 1966	80	6
Cut $250,000,000 in foreign aid authorization for Development Loan Fund, July 20, 1966	90	50
Strike provision for rent subsidies, Aug. 10, 1966	73	27
Strike $17,920,000 to construct new buildings in the District of Columbia, Aug. 10, 1966	77	47
Strike $19,700,000 for Project Mohole, Aug. 10, 1966	70	30
Reduce $150,000,000 in authorizations for mass transit program, Aug. 15, 1966	87	40
Reduce authorizations in poverty program from $2,496,000,000 to $1,750,000,000 (the budget figure), Oct. 4, 1966	92	48

NOTE.—Strength in the Senate: 67 Democrats versus 33 Republicans.

6 economy rollcall votes in the House, 1966

	Republicans voting for economy	Democrats voting for economy
	Percent	*Percent*
For 5 percent cut in Interior appropriations, Apr. 6, 1966	95	12
For 5 percent cut in Postal-Treasury appropriations, Apr. 6, 1966	89	7
Strike out $12,000,000 for rent subsidies, Mar. 29, 1966	95	25
Against $750,000 new authority for Humphrey mansion, Mar. 22, 1966	95	24
For low interest rates in sale of Government "participations," May 18, 1966	100	19
Against 8th national debt limit increase during Kennedy-Johnson administration, June 8, 1966	90	22

NOTE.—Strength in House: 293 Democrats versus 140 Republicans.

How did Republican Senators vote on some of the other issues in the first session of the 89th? Here are some samples:

Republican Senators voted 100 percent on Auto Tire Safety Standards; and 100 percent for the Cold War GI Benefits bill; and solidly in approval of legislation for more flexible farm credit; 100 percent for the Dogs & Cats Humane and Petnapping bill; 96 percent for a National Wild Rivers System; 84 percent for a plan to provide hard-pressed parents or students with some income tax credit for college tuition (Democrats defeated it); 100 percent in favor of a bill to expand Library Services and Construction; 100 percent for the Auto Safety bill (S. 3005).

Also: Republicans supported 100 percent a plan under the Aid for the Blind law to extend books and other materials to other handicapped persons; 100 percent to liberalize benefits to dependents of veterans, and to liberalize indemnities to parents of veterans; 100 percent to give automobiles to certain Cold War veterans who suffered serious service-connected disabilities; 100 percent support for a military pay raise; 100 percent to provide a coordinated National Highway Safety program.

IX

"But now the squeeze is clearly on" reports The Atlantic Monthly for October in an article entitled "Consensus Politics: End of an Experiment." The article observes that the President's salad days are over. Sooner than later he is going to have to make some vital decisions because of "the rising cost of the war in human terms and in treasures." What is more, the magazine says, "the world will not hold still for the Johnson treatment." The Atlantic Monthly also observed:

"All year long the Administration has been walking the tightrope on a tax increase or a Reserve call-up, either of which would signal an end to domestic business as usual. In avoiding them, it has restored to economic policies that have brought both tight money and inflation. Politically, the once happy allies of the Great Society consensus are chewing on each other. Labor is angry over the failure to repeal 14(b); the farmers are blaming Freeman for allegedly trying to slow the rise in food prices; the South is sore at the school desegregation "guidelines"; and even the freshman Democrats elected on Mr. Johnson's coattails are chafing visibly at the rubber-stamp label.

"As Alan L. Otten pointed out in the Wall Street Journal, the stance Mr. Johnson was forced to take in Congress this year was difficult to defend. He told Congress first that 'it cannot cut any of his proposals a penny, because every cent is urgently needed to overcome long-accumulated and burdensome national deficiencies, but, second, that it cannot add a penny to what he has asked because that would aggravate inflationary pressures.'

"Mr. Otten noted, 'This does not sit well with Congress. Many Senators and Representatives feel the President cannot reasonably expect to have it both ways. . . . Many have turned Mr. Johnson's two-edged argument to suit their own purposes, rather than his. If filling unmet needs is as important as the Chief Executive says, most lawmakers can't see why they shouldn't take care of a few of their own constituents' needs along with the President's. . . . Alternatively, if inflation is as ominous as the President portrays it when attacking increases in his budget, many Congressmen would be glad to help combat this dire threat by spiking a few of the innovations he's proposed.'"

In addition to the war, the rising tide of crime and violence in our streets, the highest cost of living in history, more and more home mortgage foreclosures, Government news management, a decrease in "real spendable earnings," loss of prestige abroad, and larger and larger Federal spending, there also are other matters of concern.

The Administration raised interest rates on VA and FHA home loans to the highest in history this month.

Is this indicative of a Great Society?

The Government has paid interest rates 1,500 percent larger than ever before on some short-term loans. And interest rates on everything else from home loans, personal loans, installment loans, to loans made by corporations, have soared to the highest levels in 45 years.

Does this mark the progress of a Great Society?

There were more strikes and work stoppages in the first 6 months of 1966 than in any similar period in the last decade.

Will the administration point to this as a Great Society mark?

A multitude of scandals has burst upon the Federal scene, from windfall profits in housing and the random issuance of bank charters to literally scores of poverty program scandals.

Does this represent the ethics of a Great Society?

American taxpayers, whether they realize it or not, are saddled with $1 billion per month for interest alone on the national debt.

Does an ever-increasing public debt represent a Great Society?

From 1961 through 1965 American farmers had the lowest share of the Gross National Product; the lowest return on gross sales; the lowest return on total capital investment; the lowest share of the food dollar; the lowest level of parity of income; and received the lowest performance on campaign promises ever made by an Administration.

Does this represent the flowering of a Great Society?

Since December 1, 1965, when the Administration made headlines about cutting the public payroll by 25,000, more than 237,000 additional employees have been placed on the public payroll by the Johnson Administration.

Is this what is meant by a Great Society?

X

When our Commander in Chief asked congressional authorization of $4.8 billion more for our fighting men in Viet Nam, the Senate record will show Republican Senators gave 100 percent support. When he urgently asked for an additional $13.1 billion in defense money for fiscal year 1966, Republicans in the Senate gave him 100 percent support. And when it came to authorizing $415 million more for Viet Nam economic aid, Republicans in the Senate again went down the line 100 percent for it.

We are in a war which is growing in proportions. Much will be said in the coming days, volumes will be written, and arguments will continue. Suffice it to leave it at this point with up-to-date accounts of our position in Viet Nam in the following articles, one by Clayton Fritchey, which appeared in The Evening Star, Washington, D.C., Oct. 10, 1966, and the other, an interview of General Dwight D. Eisenhower by Associated Press Correspondent Marvin Arrowsmith, which appeared in the same newspaper Oct. 10, 1966:

[From the Washington Star, Oct. 10, 1966]

"We're in Our Third Largest War

(By Clayton Fritchey)

"For the U.S. this is a historic moment. With the landing at Saigon of a brigade from the 4th Infantry Division, the conflict in Viet Nam has just become the third largest war America has ever fought.

"American battle strength in Viet Nam now totals 320,000, which exceeds the Korean War total of 302,483. Only in the first and second World Wars has the U.S. ever surpassed the present effort.

"At the same time, American casualties have reached a new high; and defense expenditures (also surpassing Korea) have shot above $60 billion a year for the first time since World War II.

"That, in brief, is the factual situation in Viet Nam, despite the optimistic, inspirational pep talks coming out of both Saigon and Washington.

"The latest U.S. casualty figures report 967 killed and wounded in one week, the highest in any 7-day period so far. If, as the war escalates, casualties continue at or near this level, they will exceed 50,000 a year, which would top the Korean War rate of 46,000.

"The new figures bring the total of combat deaths for the war to 5,302. This is more than the number of Americans killed in the Revolutionary War (4,435), the War of 1812 (2,260), the Mexican War (1,733) and the Spanish-American War (385).

"Presidents Eisenhower, Kennedy and Johnson have repeatedly assured the public that the U.S. was in Viet Nam only in a supporting role, and that the brunt of the fighting must be carried on by the Vietnamese themselves.

"The casualties, however, tell a different story. In the same week that the U.S. lost 967 men, the South Vietnamese forces had only 98 killed and 280 wounded, less than half of the American total.

"The fact is that this is the largest undeclared war in the history of the world—and it is rapidly getting bigger, which is why the Pope and U Thant (whose concerns are universal rather than national) continue to raise their anquished voices in the hope of heading off another super-war.

"The magnitude of the present fighting is of such proportions that nobody in Washington (including President Johnson) knows what the war is costing. The only thing sure is that it is costing far more than the government will admit.

"When the President was pressed for an answer at a recent press conference, he shut off questions by saying, 'I would commend to you some homework. Read the (Congressional) hearings.'

"The reporters were willing, but the hearings—most of them closed—revealed little or nothing. Fortunately, some of them were not closed to Wisconsin Representative Melvin Laird, Chairman of the House Republican Conference.

"Taking the President at his word, Laird tried to do his homework by questioning Pentagon Comptroller Robert Anthony. 'When I asked him where the Viet Nam war cost estimates were that the President referred to,' Laird said, 'Anthony replied that there is nothing in the hearings that would tell you the cost of the war in Viet Nam.'

"In July, budget figures were released indicating the cost in fiscal 1966 was $5.8 billion, or about $500 million a month. In September, however, the Treasury acknowledged that the cost had soared to $1.2 billion a month.

"Even this much higher figure, though, is only camouflaged. Those closest to the situation secretly admit that Congressman Laird's estimate of $2 billion a month is probably closer to the mark.

"Defense Secretary McNamara has said that the 'incremental costs of Southeast Asia operations' are about $1 billion a month, which would mean $12 billion a year. If Laird is right the cost will rise to at least $25 billion next year.

" 'The issue we are going to try to develop is the credibility of this administration as regards the war,' Laird says, and he flatly charges that 'deception is being used on the amount of money being expended in Viet Nam.'

"The hard facts will have to come out soon, for the administration is faced with the urgent need of coming to Congress for supplemental Viet Nam funds, and the guessing is that they will exceed $10 billion, and possibly much more."

[From the Washington Star, Oct. 10, 1966]

"Eisenhower Urges Victory but Wouldn't Use A-Bombs

"(By Marvin L. Arrowsmith)

"Gettysburg, Pa.—Former President Dwight D. Eisenhower still insists 'we must do whatever is necessary to win' fast in Viet Nam. But he calls it silly for anyone to conclude this means he favors U.S. use of nuclear weapons there.

"The five-star general who led allied forces to victory in Europe in World War II says it is an entirely different kind of war in Viet Nam—a guerrilla type which exposes friend and foe alike to any weapons used.

"Only President Johnson, Eisenhower adds, ultimately can call the signals on grand strategy.

"Eisenhower says his only advice is that it ought to be a strategy aimed at winning quickly and putting an end to loss of American lives—a strategy which he does not think would involve Red Chinese intervention.

"But to anyone who got the idea—and some did—that in recent remarks he favored using nuclear weapons to achieve a swift victory, Eisenhower has this to say:

" 'This is silly. How would you use nuclear weapons in Viet Nam? I ask: Do you have any idea?

" 'Personally, I would say whatever the President finds out he must do, I shall not criticize him. I do not know whether this war is going to escalate or de-escalate or anything else.

" 'I do know we must do whatever is necessary to win as quickly as possible. If not, the war will grow in costs, both in money and lives, and the nation's morale will be lowered.'

"THE MORALE FACTOR

"And he says:

"'The morale of a nation is just as important a factor—probably a more important factor—in determining its capacity to lead as is its military or economic strength.'

"Eisenhower will observe his 76th birthday at his farm here Friday.

"The former president cautions fellow Republicans seeking election to Congress Nov. 8 against trying to make an issue of administration policy in Viet Nam. He thinks such an effort would be very risky from a political standpoint, and that domestic issues such as spending and inflation danger offer GOP candidates much beter opportunity to capitalize at the polls.

"As for the aggressive win-the-war tactics he advocates, Eisenhower foresees no likelihood of such a course bringing Red China or the Soviet Union into the conflict in full military support of the Communist North Vietnamese. He holds that some people always—and without justification—see bogeymen under the bed in such circumstances.

"THE EARLIER STATEMENTS

"Eisenhower doubts that either Communist China or the Soviet Union would feel they had anything to gain worth taking the risk.

"Apprehension that Eisenhower might be advocating use of nuclear weapons in Viet Nam was voiced in some quarters after remarks he made Sept. 30 in Chicago and Oct. 3 in Washington.

"In Chicago, the former president said he would 'take any action to win' in Viet Nam. Asked then to elaborate, he replied:

"'I'm not sure. I'm not familiar with all the political considerations. If they gave me the problem, I'd take any action to win.'

"In Washington three days later newsmen again sought amplification.

"'I would do anything,' said Eisenhower, 'to bring the war to an honorable solution as rapidly as I could.'

"Asked whether he would automatically preclude the use of nuclear weapons if he were president at this time, Eisenhower replied: 'I would not automatically preclude the use of anything.'

"Eisenhower's remarks promoted Senate Democratic Leader Mike Mansfield to call on the former president to spell out just what he had in mind—to say specifically whether he was advocating use of nuclear weapons and—or—an increase in the U.S. manpower commitment to Viet Nam. The Montana senator said the nation's voters were entitled to know in this congressional election year.

"Johnson, asked for comment on Eisenhower's remarks, told his news conference last week: 'I would say it is the policy of this government to exercise the best judgment of which we are capable in an attempt to provide the maximum deterrence with a minimum of involvement. The easiest thing we could do is to get into a larger war with other nations.'

"Johnson obviously was talking about the possibility of direct involvement of Red China and the Soviet Union.

"At the time it was uttered Eisenhower took no public note of the criticism some Congress members fired at him because of his remarks about taking any action needed to win in Viet Nam.

"The old soldier is known to feel intensely, however, that these members ought to remain silent on military strategy and tactics, and leave such matters to the president and his military advisers.

"As for Johnson's news conference statement, Eisenhower would add—as Johnson has on other occasions—that U.S. military, political and economic objectives ought to be achieved as swiftly as possible, and the war then ended to put a stop to U.S. casualties.

"Eisenhower holds that whatever is necessary to win these U.S. goals must be done. And he holds, further, that Johnson will do it."

COMMITTEE MEETINGS DURING SESSION OF THE SENATE

On request of Mr. Mansfield, and by unanimous consent, all Senate committees were authorized to meet during the session of the Senate today.

THE 15TH ANNIVERSARY OF ESTABLISHMENT OF RELATIONS WITH KUWAIT

Mr. MANSFIELD. Mr. President, the U.S. Embassy in Kuwait is celebrating the 15th anniversary of the establishment of official relations with the State of Kuwait. The American Consulate in Kuwait was opened for business on October 15, 1951, by Consul Enoch Duncan. It was the first foreign consulate to be established in Kuwait, which was at that time under British protection.

Unofficial relations between the United States and Kuwait began in 1910 when American doctors arrived to set up an American Mission Hospital, an institution which remains in existence today. The period between the opening of our Consulate in 1951 and Kuwait's independence in 1961 witnessed great economic and social progress in the state. Relations between our two countries were further strengthened by the elevation of our Consulate to Embassy status in 1961 and the appointment of a resident Ambassador in 1963.

Over the years the mutual interests and friendship of the United States and Kuwait have steadily deepened and broadened to include exchanges in the commercial, industrial, educational, and scientific fields. American companies have been particularly active in the development of Kuwait's oil resources. The Government of Kuwait has played an increasingly important role in Middle Eastern and in world affairs. In these activities as well as in its generous contributions to the development of other nations, totalling nearly one-half billion dollars, Kuwait has shown that it shares with the United States a common dedication to the principles of peace and economic and social progress.

On this anniversary day I also wish to extend richly deserved commendation to the distinguished Ambassador from Kuwait, the Honorable Talat Al-Ghoussein, who has done so much to continue and to enhance the mutual interests and the warm friendship between our countries.

NEED FOR NEW INITIATIVES IN ARMS CONTROL

Mr. CASE. Mr. President, 5 months have passed since the Senate, by a unanimous vote, declared its support for an all-out effort to negotiate a treaty to prevent the prolifertaion of nuclear weapons.

As one of the original sponsors of Senate Resolution 179, I believed then and I believe now that we must continue to give the highest priority to reaching agreement on effective measures for the control of nuclear weapons.

I also believe, however, that we should not overlook the potential threat of bacteriological warfare. Any agreement we may reach for the control of nuclear weapons might well serve to enhance the importance of bacteriological weapons and, thereby, increase the difficulty of achieving any international agreement for their control.

Biological agents can be produced with relative ease and economy, we are told. This fact could make them increasingly attractive as a strategic weapon to nations lacking the means to develop nuclear weapons.

These points suggest to me that we should be taking steps toward the control of bacteriological weapons, concurrently with our effort in the nuclear field. Measures to halt the proliferaiton of such capabilities could be an important first step in this direction and a constructive precedent for other areas of arms control.

I am persuaded, moreover, that new initiatives are essential if we are to maintain the momentum of our search for arms control. A move toward reducing the threat of bacteriological warfare would strike a responsive chord in the minds of people everywhere, I believe.

I have therefore written to the Secretary of State, the Secretary of Defense, and the Director of the U.S. Arms Control and Disarmament Agency, with a request that they give to these proposals the early and full consideration I believe they merit.

A FRUIT OF GREAT CULTIVATION

Mr. BARTLETT. Mr. President, Samuel Johnson once observed, "Gratitude is a fruit of great cultivation."

Mrs. Jessie Kasska, of Douglas, Alaska, true to the cultivation of Thlingit Indian heritage, is a fruit of such cultivation.

Mrs. Kasska is 88 years old. For 20 years she has received old-age assistance. The total amount of assistance came to $12,856.95.

On October 10, Mrs. Kasska demonstrated her cultivation by giving Gov. William A. Egan a check for that amount· She did not have to give the money back, but she was acting in accordance with her heritage by "demonstrating gratitude for favors received."

Speaking in her native tongue, she explained:

> I have always been grateful for the assistance I received, and I have always prayed that I would someday have the means to repay it.

The means came through the recent sale of timber rights on recently inherited land in southeast Alaska.

Mrs. Kasska did not fail her people and set a noble example for all of us. She is truly a fruit of great cultivation.

Mr. President, I ask unanimous consent that an article from the Fairbanks News-Miner edition of October 10, reporting the story of Mrs. Kasska, be placed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Thlingit Woman Gives State $12,856 Back

Juneau.—An 88-year-old Douglas woman repaid the state voluntarily, today for old age assistance payments she has received over the past 20 years.

Mrs. Jessie Kasska gave Gov. William A. Egan a check for $12,856.95 and told the governor through an interpreter in her native Thlingit tongue she was acting in the tradition of her Thlingit Indian heritage by "demonstrating gratitude for favors received.

"I have always been grateful for the assistance I received," Mrs. Kasska said, "and I have always prayed that I would someday have the means to repay it."

Egan noted that Mrs. Kasska was under no legal obligation to repay the assistance she received, then termed the act a "very wonderful thing for you to do for the state of Alaska. We are very, very proud of citizens like you."

Mrs. Kassa's nephew, Horace Marks of Douglas, who acted as her interpreter, said his aunt had received a substantial sum of money from the sale of timber rights on recently inherited land near Haines.

LEVERETT SALTONSTALL: A SENATOR'S SENATOR

Mr. YARBOROUGH. Mr. President, when the 90th Congress of the United States convenes in January, an able and noble colleague of ours will be absent from these halls. At the close of this session, Leverett Saltonstall steps out of his Senate seat and into congressional legend.

In the 22 years that Leverett Saltonstall has been a Senator from Massachusetts, he has endeared himself both to the Senate and an appreciative Nation as a man of dignity, integrity and ideals. He has been an effective and persistent advocate of welfare benefits and civil rights legislation, of aid to education and the liberalization of immigration laws, of the development of small business, and a long list of important and enlightened measures.

Leverett Saltonstall has earned the admiration and respect of his colleagues in both the minority and majority parties because it has long been evident that he places public interest above partisan advantage.

Leverett Saltonstall first entered public service 46 years ago when he became a 28-year-old alderman in Newton, Mass. A New England Yankee in the best of ways, he was following a pattern long established in the family tradition—a pattern of public service that has been a Saltonstall trait since his ancestors first came to this continent. His ancestors, of course, were among the earliest colonial settlers and the Saltonstall family has become one of the most illustrious in American history.

One of the Senator's ancestors was a colonial governor of Massachusetts, another was the first mayor of Salem and numerous others have served their communities and the Nation for more than three centuries. The Senator, who served for 18 years on the board of overseers of Harvard College, represents his family's 10th generation in direct line of descent to be graduated from Harvard—a most unusual accomplishment for any American family.

The Senator's own career in public service carried him from Newton's Board of Aldermen to his post as assistant district attorney of Middlesex County and then to Massachusetts' Great and General Court. He became speaker of the Massachusetts House and, from 1938 to 1944, was Governor of the Commonwealth of Massachusetts. The only Governor in Massachusetts history to serve three terms, he left a record of progressive and enlightened acts that included improved wage and hour standards and revised workmen's compensation, reduced taxes and an increased public treasury.

The record he will leave when he retires from the Senate will be equally progressive and enlightened. His company and his counsel will be missed here. For the past 2 years I have served on the Senate Appropriations Committee with Leverett Saltonstall and appreciate his meticulous care with the people's money, and his weighing of each project with the public interest. He will be remembered as a Senator's Senator, one whom we trust, admire and honor. His service has brought a dignity and a nobility to the Senate that we all hope to maintain when he leaves. This is the highest tribute a Senator can win from his fellows.

DEPARTMENT OF TRANSPORTATION

Mr. JACKSON. Mr. President, when Congress on October 13 passed the bill to establish a Cabinet-level Department of Transportation, Congress approved specific language in the Declaration of Purpose section of that bill which provides as follows:

> It is hereby declared to be the national policy that special efforts should be made to preserve the natural beauty of the countryside and public park and recreation lands, wildlife and waterfowl refuge, and historic sites. (Sec. 2(b) (2)).

In section 4(f) of that bill, Congress implemented the earlier declaration of national policy as follows:

> After the effective date of this Act, the Secretary shall not approve any program or project which requires the use of any land from a public park, recreation area, wildlife and waterfowl refuge, or historic site unless (1) there is no feasible and prudent alternative to the use of such land, and (2) such program includes all possible planning to minimize harm to such park, recreational area, wildlife and waterfowl refuge, or historic site resulting from such use.

The language quoted from the Transportation Department bill is consistent with an earlier action of the Congress in approving the Federal-Aid Highway Act of 1966 which was signed by the President September 13, and which is now Public Law 89-574. That law in its section 15(a) provides as follows:

> It is hereby declared to be the national policy that, in carrying out the provisions of this Title, the Secretary shall use maximum effort to preserve Federal, State, and local government parklands and historic sites, and the beauty and historic value of such lands and sites. The Secretary shall cooperate with the States in developing highway plans and programs which carry out such policy.

These clear statements of national policy require that any new obligation for the Federal-aid highway program be entirely consistent with the national policy as declared by the Congress, and I would certainly expect the executive branch to be guided accordingly in obligating any of the moneys appropriated for the Federal-aid highway program by the bill we are now considering.

THE CRISIS IN SAVINGS AND LOAN ASSOCIATIONS

Mr. TYDINGS. Mr. President, one of the great success stories of the financial world has been the tremendous growth in the past two decades of the savings and loan business. These thrift institutions have grown from $9 billion in assets at the end of World War II to over $130 billion today. They finance 45 percent of all home purchases, and have been a major factor in making this a Nation in which nearly two-thirds of all families live in a home of their own. They have provided a safe and profitable savings facility for 40 million thrifty Americans.

But, during 1966, the growth of this great industry and its ability to serve the American homeowner has ground to a halt. During the first 7 months of the year, their savings growth was 81 percent below the same period for 1965. Instead of adding a normal $3.7 billion to their savings totals, a mere $0.7 billion has been added.

This slowdown in growth does not, in itself, affect the safety or financial stability of these institutions. But it does drastically reduce their ability to make home loans. This slowdown in savings growth is the primary cause of the alarming drop off in home construction. The $3 billion they did not grow this year is $3 billion that did not flow into the mortgage market. Three billion dollars worth of mortgages could finance $4 billion worth of construction, or 200,000 homes costing $20,000 each.

The central cause of the slowdown in savings at savings and loan associations was the action of the Federal Reserve last December in permitting banks to pay a new interest rate as high as 5½ percent. Many banks promoted this high rate, and, naturally, many savers withdrew their funds from savings and loans, which generally pay 4½ percent dividends or less. The Congress acted belatedly to cool off this competition and since October 1, banks have been limited to a 5-percent interest rate. Whether this action taken will be sufficient to check or reverse the flow of savings away from thrift institutions remains to be seen.

The Congress has also acted to increase the insurance of accounts ceiling in banks and savings and loan associations from $10,000 to $15,000. I am confident that this act will be helpful, particularly to the savings and loan associations. Of the 40 million savers in savings and loans, nearly 2 million of them have accounts at the present

$10,000 ceiling. If only a fraction of these people were to increase their accounts to $15,000, several billion dollars of savings would be obtained. This would be a most welcome addition to the available mortgage supply.

I intend to keep a close eye on the statistics in the months ahead to see if the interest rate legislation and the resulting regulations are accomplishing this intended purpose. I am hopeful that they will. If not, I for one will return in January ready to take such further action as may be necessary to revive an industry so vital to our American way of life.

"YANQUI, COME BACK" TELLS STORY OF "HOPE"

Mr. HARTKE. Mr. President, I want to call to the attention of the Senate a new book, "Yanqui, Come Back," which tells the story of the hospital ship *Hope* in Peru. Here is documented a starting account of what American private enterprise can do to build good health and good will in developing nations.

England's 19th century Prime Minister, Disraeli, once observed that—

> The health of the people is really the foundation upon which all of their happiness and all of their powers as a state depend.

Health is certainly a primary consideration in the development of nations, but too often our own Government's assistance programs have given health programs a minor role. The SS *Hope*, operated by the private People-to-People Health Foundation, Inc., has helped to fill the gap but many more Hope ships are needed.

Recently, Dr. William B. Walsh, president and founder of Hope and author of "Yanqui, Come Back," spoke of the need for increased emphasis on health programs. His remarks, appearing September 23 in an article by Miss Ruth Dean of the Washington Evening Star, are worthy of the attention of the Senate and I ask that they be inserted at this point in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DOCTOR TIPS OFF RUSSIANS ON AID

(By Ruth Dean)

When health gets bottom priority in the foreign aid picture it constitutes "the tragedy of this country's AID program because it forgets a human is the most important being in the economy," Dr. William B. Walsh declared yesterday.

The founder and president of Project HOPE addressed a luncheon given by Woodward & Lothdrop to introduce his newest book, "Yanqui, Come Back!" the story of HOPE's work in Peru, published by E. P. Dutton & Co. Inc.

Dr. Walsh gave as HOPE's recipe for success in the countries to which it has gone the ability "to meet on the same level, avoid pontification and never lose your sense of humor."

As an example of the latter he said he was approached by the Russian ambassador in Guinea last year, who asked him why HOPE succeeded where the USSR had failed. "I told him they took themselves too seriously because they were unable to laugh at themselves," Dr. Walsh said.

He expressed his AID views when asked if AID might profit by the self-help example set by Project HOPE in the Asian, African and South American countries to which HOPE has been invited to bring its medical training ship.

He deplored the "waste" of AID funds on projects like the cement factory he saw erected in Indonesia without any labor to put it to work "because at least 35 to 40 percent of the population had active tuberculosis."

"If only one out of seven are able to work," he asked, "how can you expect foreign aid to work in that country?"

Rather, he suggested, "there is much greater gain for the posture of the United States in reaching the people; let them know they'll live a longer life and be more productive."

Dr. Walsh's book is an account of how American medical self help was received in Peru.

At first it was greeted with hostility, a situation which has always puzzled him, Dr. Walsh said, "because there never was a country as generous as ours."

At the same time, he added, "it is strangely easy to win back the confidence of the people with whom you deal."

In fact when the ship HOPE left Peru, 45,000 people turned out to "watch it over the horizon" with tears and affection, he said.

WHAT A BARGAIN

Mr. BARTLETT. Mr. President, in the September edition of Explorers Journal, Dr. John C. Reed, noted geologist and executive director of the Arctic Institute of North America, has written a most interesting article entitled "Opening the Alaskan Package."

In the article, Mr. Reed relates experiences of some of the early explorers who went into the wilderness to open the Alaska package. The article is fascinating reading, but more than that, Dr. Reed also points up the great bargain the United States received when it purchased Alaska, for the most part sight unseen.

Dr. Reed's article takes us as far as 1902, and concludes:

> So, here in 1902, we close this brief and very selective account of the real giants of exploration that trod the Great Land and pulled from it the covering of ignorance that cloaked its grandeur of mountain and lake, sea, forest and tundra; its resources in timber, fish, and minerals; and its strategic location relative to impending developments of the latter half of the 20th century.
>
> And from their dedicated and all too often unrecognized efforts emerged the young giant of Alaska of today—the colorful, virile, ambitious 49th state—bent on attaining its destiny, contemptuous of setbacks like the earthquakes of Good Friday, 1964. Here we have America at its best—rough, perhaps, but warm and confident, full of pride and energy, and launched beyond recall into a bright future that it will demand and insist on getting.
>
> Not all of the wrappings, probably, will ever be removed, for under each revelation are new mysteries to be explored, studied, and spotlighted. The package is pretty well open to view. What a bargain it was—not only in terms of intrinsic value, although that is true, but even more so in the youthful outlook, the ambition, the energy, and the hopes and goals of Alaska, the 49th star of our national emblem.

Mr. President, I think it is significant that not only do geologists such as Dr. Reed believe the Alaska purchase to be a great bargain, but that key military personnel hold the same view.

In a speech this June, Lt. Gen. Raymond J. Reeves, then commander in chief, Alaskan Command, described Alaska as "a blue chip military investment."

In addition to the strategic location of Alaska, he pointed to the State's tactical imporance as a refueling stop for planes on the way to Asia. General Reeves estimated that by flying the great circle route through Alaska rather than the mid-Pacific route, the Defense Department will save $3.5 million in operational costs.

General Reeves went on to say that the importance of the military location of Alaska will increase in the aerospace age.

While General Reeves limited his remarks to military value of Alaska to the Nation, a look at the activity in the 49th State today will prove that the wrappings of the Alaska package are being peeled back at an ever-increasing rate to the benefit of the Nation as well as the State

The oil industry is booming and the outlook is that oil companies will begin to derive returns on their exploration investments in the near future.

Mr. President, aside from economic benefits flowing from the flow of oil, the flourishing oil industry within our national boundaries becomes increasingly important as foreign oil fields dry up or are taken over by governments, which may or may not remain friendly to the United States.

A gas industry is being developed, not only to serve Alaskans but to export gas to foreign nations. The timber industry is experiencing the same sort of growth, and the fishing city of Kodiak might be called a "boom town." And the State looks forward to a banner tourist season next year when it celebrates the centennial of the great bargain.

The Federal Government necessarily has played an important part in this development, but Alaskans have more than met their responsibilties in the Federal-State partnership for progress. For example, the city of Seward was devastated by the Good Friday earthquake in 1964. Residents rebuilt their city so well that Seward received an All America City Award this spring, as did Anchorage and Valdez, two other Alaske cities smashed by the earthquake. While the people of Seward could rebuild their city they found it more difficult to rebuild Seward's economy. Jobs are hard to come by in Seward today, but the people have not given up working for the future. There are plans afoot to attract new fish and timber processing plants to Seward, plans which would make the city economically healthy again. The initiative for these projects has come from the people themselves. The Federal Government may have to help out, but in the end the projects will succeed or fail because of the efforts of the people of Seward. I am confident that projects if launched, will succeed.

Another example of Alaskans meeting their responsibilties of the partnership in progress can be found in preparations for

1967, our centennial year. Early this session Congress authorized and appropriated $4 million in matching funds for Federal participation in projects to be selected by the U.S. Department of Commerce. Most of the funds have been allocated, and projects have been approved. More than $5 million have been raised from various sources to more than match the Federal Government's contribution.

While this growth is important to Alaska it is also most important to the Nation. Alaska has one of the most favorable balances of foreign trade of any State. Japan, hungry for raw materials, buys Alaska timber and will, in the future, in all likelihood, buy Alaska gas and oil. As Alaska's military importance will grow as the aerospace age progresses, Alaska's economic importance will increase as Asia develops.

Mr. President, in most sections of Alaska the people are moving forward, but in one section the residents, through no fault of their own, are not sharing in this important growth. I refer to the good people of our native villages in northwest Alaska. These villages lack sound housing, adequate electrical power, communication services and transportation facilities.

These deficiencies take social as well as economic tolls. Because there is no electricity, meat spoils in the winter, fishermen cannot freeze their catches for future sale and families live in darkness during long winter months. Schoolwork is impeded and household chores take longer.

Because of a lack of communication facilities, the villages are isolated, economically and socially. Transportation of bulk supplies and products is often difficult.

Mr. President, obviously the people of these villages have little opportunity to build a better life for themselves, let alone enjoy the benefits of a Great Society.

Fortunately, there is some activity going on which might alleviate some of these problems.

The Senate has passed my bill establishing a native housing program, but a new housing program without a sound economy would be a hollow victory.

However, the Rural Electrification Administration is prepared to launch a study on the feasibility of supplying at least some of the villages in question with electric power. At my request, the Air Force, which operates the commercial long-distance communications system in Alaska, is investigating the possibility of bringing at least one telephone to certain villages.

If these studies lead to results, we will have taken major steps toward helping these native people help themslevs. Perhaps the key to economic development of the area is electricity, and the key to supporting an electric power system is economic development. For example, a freezer unit to freeze meat supplies and fish and game products to sell would help pay for the electric system, but a village cannot have a freezer unit without some sort of power supply. Another key to the puzzle is transportation—transportation to bring in supplies and fuel for an electric power system and transportation to carry products to outside markets, all at reasonable rates.

Impetus for an improved transportation system in northwest Alaska may come from the Alaska trade study being made by the Federal Maritime Commission. I understand that the Commission is looking into the feasibility of an expanded tub and barge transport system serving the entire area. Such a project would involve the State and Federal Governments and private enterprise.

If the Commission finds such a system possible I will call a meeting of Federal and State officials and representatives of transport companies in the area in an effort to work out a practical program. And then I would lend my support to efforts to coordinate transportation, electrification, and economic development plans in the area, perhaps under the planning studies which will be made to implement the native housing program if it becomes law.

My purpose today is not to spell out specific programs. Rather, my intention is to point to the national importance of Alaska's growth and to pinpoint some Alaska problems. Actually, the problems and the national importance of Alaska's growth are intertwined. If, as I believe, the economic development of Alaska is important, then it is important to the Nation that our 50,000 native people be brought into our economy, for if they are not Alaska will never reach its true potential.

If they are not, all the wrappings of the Alaska package will never be torn away. If they are not, Alaska will remain "a blue chip investment" but it will never become the blue chip investment it could be.

Mr. President, I ask unanimous consent that Dr. Reed's article about the exploration of Alaska be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Opening the Alaskan Package

(By John C. Reed)

(Note.—John C. Reed, AcNR 1938, a professional geologist and authority on Alaska, is now Executive Director, Arctic Institute of North America. Dr. Reed has been Staff Geologist, Territories and Island Possessions, U.S. Geological Survey, and Staff Coordinator in the office of the Director of the Survey. He is the author of numerous publications on the ore deposits of the United States, especially Alaska, and of the history of the exploration of Naval petroleum reserves in northern Alaska. He is a member or fellow of many technical and advisory organizations.)

In 1867 the United States made a remarkable purchase. On reviewing the record now one wonders just why it was made. Certainly the package was so well wrapped that neither the buyer nor the seller knew much about what was in it. And even now, after 100 years, shreds of the wrappings are still being removed.

Although it did not know it at the time—and to all intents and purposes laid the package away for a generation—the nation had bought for $7,200,000 a virtual empire that now shines as the 49th star of the Union.

This is a brief and selective account of the gradual removal of some of the outer coverings of the huge box labeled Alaska to which the country had taken title. It is a condensation of the exploration of this new American land for approximately thirty-five years following the purchase. It is the story of the opening to the general public of some knowledge of the lofty ice-sheathed ranges, the dense forests, the great plains, the hills and broad river valleys, and the almost limitless frozen tundras of the arctic slope of the "Great Land."

Now northwest North America is no longer a "land where the mountians are nameless and the rivers run God knows where." In Alaska, as elsewhere in the country memorialized by Robert Service, most of the larger mountains and many of the lesser ones are named and there is no doubt as to where the streams start and go. From Ketchikan, in forest-covered, fiord-scored southeastern Alaska, clear to the low, windswept sandspit that projects into the polar ocean to form Point Barrow, the state is depicted on official government maps available to all on a scale of 1:250,000 (1 inch equals 4 miles) and much of it on the relatively detailed scale of an inch to the mile (1:62,500).

Service's description, however, was essentially correct for the Great Land when the imperial banner of Russia was hauled down and the Stars and Stripes run up in the brief ceremony at Sitka in 1867. For many years the Russians had occupied portions of the coastal regions from Kotzebue Sound and beyond in the north; southward around Seward Peninsula that juts so sharply toward Siberia to form one side of the Bering Strait at Cape Prince of Wales; around the great bewildering deltas of the Yukon and the Kuskokwim; and on south to Bristol Bay past the mouth of the Nushagak and the old fur-trading post of Alexandrovsk. The Aleutian Islands and the Alaska Peninsula were known, too, and the shores of the Pacific east and south including Kodiak, Prince William Sound with its great glaciers, and on beyond Baranof's capital at Sitka on beautiful island-studded Sitka Sound in the shadow of the symmetrical volcanic cone of Mt. Edgecumbe.

But the interior of Alaska was not well known except for some of the main river courses. Brooks[1] summarizes the situation: ". . . when the coast line had been explored and in part charted, there was little known of the interior, except of the Yukon River and the lower courses of the Kuskokwim River. The exploration of these watercourses had hardly gone beyond a day's trip from the river banks. Seventy per cent of Alaska was then practically unknown to white men."

While the fur resources of coastal Alaska were being exploited by the Russians, other progress was being made in exploring the coastal areas and to a lesser extent the interior.

An ineffective effort was made to extend Spain's sway northward from Mexico and California until about 1788. Spanish navigators pressed along the Pacific coast as far as Unalaska in the Aleutian chain. But the Spanish were interested more in gold than in furs and they did not follow up their explorations. Spain's efforts are recalled today by the many Spanish names recording that nation's early explorations in Alaska, as Revillagigedo Island, Malaspina Glacier, Boca de Quadra, Cordova, and Valdez.

England, too, was active in the best tradition of Cook and Vancouver, and continued explorations largely of the coasts of the Bering Sea and the Arctic Ocean all the way across northern Alaska. Eventually, in 1850, Commander Robert McClure in H.M.S. *Investigator* penetrated eastward beyond the

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[1] Brooks, A. H., *Blazing Alaska's Trails*, published jointly by the University of Alaska and the Arcitic Institute of North America, p. 272, 1953.

Mackenzie River until blocked by ice. His crew proceeded eastward on foot over the ice. They were the first to make the northwest passage.

In 1848, Captain Roys in the American whaler *Superior* passed through the Bering Strait on a successful voyage. His journey was the forerunner of many others that made whaling important along the Alaskan arctic coast for a long time. It was one of those voyages in 1867 that discovered Wrangell Island, which was named by Captain Long.

Meanwhile, by land the Hudson's Bay Company had spread its trading posts farther and farther north and west. The company's influence met that of the Russian interests at two places—at Wrangell (then Fort Dionysius), near the mouth of the Stikine River in southeastern Alaska, and at Fort Yukon on the Yukon River at the mouth of the Porcupine. By agreement between the Russian American Company and the Hudson's Bay Company, the latter leased a coastal strip that included Wrangell. On the Yukon, although the Hudson's Bay Company was clearly in Russian territory, the Russians did not argue the point, and the presence of Fort Yukon stopped the spread of Russian fur trading upstream from about the mouth of the Tanana.

Finally, to complete the stage setting for the exploration of Alaska after the purchase, mention must be made of the contribution of the Americans, Kennicott and Dall. Much difficulty had been experienced with attempts to lay an Atlantic telegraph cable from North America to Europe. Many came to feel that such a cable could not be successful. A Californian, P. McD. Collins, conceived the idea of a land line across North America to the Bering Strait, across the Strait, and then through Siberia to Europe. Finally, in 1864, the Western Union Telegraph Company adopted the plan and some line was laid both in North America and in Russia. Extensive surveys, under the overall direction of Colonel Charles S. Bulkley, were projected up through British Columbia and the Yukon into and through Alaska, mostly along the Yukon River. Similar surveys were planned in Siberia.

The surveys in the Yukon basin and the scientific work were placed in charge of Major Robert Kennicott, formerly of the Smithsonian Institution. Kennicott, a well-known naturalist, had already been to Fort Yukon and had had several years of experience with the Hudson's Bay Company. He organized a number of survey parties and himself undertook studies in the lower Yukon region in 1865. Unfortunately Kennicott died in May 1866 on the Yukon River near Nulato. His scheme was sound and well organized and the work went on after his death.

His place was taken by Dr. William H. Dall, then only 21 years old. Dall became an outstanding figure in Alaskan exploration and carried on his work later both with the Coast and Geodetic Survey and the Harriman Alaskan Expedition. For years he was recognized as the leading Alaskan authority. Much was learned about the lower Yukon River and the area between Nulato and Norton Sound. Other parties of the same program explored the Seward Peninsula and much of the Yukon valley upstream, including the headward basin in Canada. Baron Otto von Bendeleben headed a party that worked in the Seward Peninsula and found and reported gold from the region, though not in paying quantities. Years later one of his men, D. B. Libby, returned in 1898 as a member of the group that made the strike that touched off the Nome gold rush.

Frank E. Ketchum and Michael Laberge worked upstream to Fort Yukon and found and reported Lake Leberge on the Lewes River, later famous in the Klondike stampede. The following year they proceeded upstream.

The work of Kennicott and Dall in the Western Union surveys and that of their other parties yielded much information. A major point, of course, was that the Yukon River of the British was now well known to be the Kwikpak River of the Russians.

According to Dall:[2]

"In 1867, the Western Union Telegraph Company, finding the Atlantic cable at last a success, withdrew its parties from Alaska. About the time many of the members of the expedition had returned to the eastern United States, the question of the purchase of the Territory was being discussed, and the favorable decision finally arrived at was, with little doubt, largely due to the information at first hand these gentlemen furnished to those considering the subject."

So we have Alaska as it was known at the time the package, with only a rent or two in its wrappings, was delivered in Sitka on October 11, 1867, by Captain Alexei Pestchurof of the Imperial Russian Navy, representing Russia, to General L. H. Rousseau of the United States Army.

For the next thirty-five years a series of remarkable explorers pcked and prodded and studied the nation's new territory and, in all, learned a great deal about it. This they did without much official encouragement and in some cases even without official sanction, although most of them were government officials of one kind or another. This point has been emphasized by Brooks[3] who said bluntly:

"For many years after the acquisition of Alaska the United States Government made no systematic effort to explore the interior. Such official explorations as were made were largely due to the initiative of some government employees, and often received but scant support, and in some cases even open opposition, from the authorities at Washington. It is, therefore, to the greatest credit of these early explorers that they carried out difficult projects with but little help and with no hope of any official recognition of their efforts."

Exploration of the coast of Alaska proceeded much more rapidly than did exploration of the interior. This was in large part because of the initiative of the Coast and Geodetic Survey in starting and maintaining systematic surveys even before Alaska had been released officially by Captain Pestchurof. Prominent for many years in this work were Professor George Davidson and Dr. W. H. Dall. The coastal surveys were also participated in to some extent by the Revenue Cutter Service (now the Coast Guard) and the Navy.

The accomplishments of a few of the American explorers have been selected for brief discussion. Each seems to have had at least a touch, and in some cases a full measure, of greatness. An attempt has been made also to include a wide range of explorations over much of the face of Alaska in order to give some balance of coverage.

The first of those whose work is selected for brief discussion is Lieutenant Frederick Schwatka, Cavalry, U.S. Army, who made and eloquently described extensive explorations in the Yukon basin in 1883. A half dozen or so others could have been selected appropriately in the interval between the purchase and 1883—Captain Charles Raymond, E. W. Nelson, John Muir, Reverend S. Hall Young, Ivan Petrof, George Holt, and others.

Captain Raymond, only two years after the purchase, ascended the Yukon to Fort Yukon and there determined that the Hudson's Bay Post was in American territory. In 1877 he established a meteorological station at St. Michael near the mouth of the Yukon. He spent four years in Alaska and made trips and carried on studies southward to the Kuskokwim River and northward to Point Barrow. Two years later, John Muir and Reverend Young examined Glacier Bay in southeastern Alaska and called attention to the superb landscapes of rugged mountains, mammoth glittering glaciers, and deep blue, iceberg-dotted fiords that now are embraced in the Glacier Bay National Monument. Ivan Petrof collected material personally and through agents for the 1880 census and pieced together much information about the geography of the Territory. In 1878 George Holt traced the old Indian route from the coast in southeastern Alaska over the Chilkoot Pass. This became a favored trail of the gold seeker on his way to the Klondike and into interior Alaska.

The circumstances surrounding the departure of Lieutenant Schwatka on his first survey are a story in themselves. His plan was kept under wraps because of active opposition. It was not sanctioned by the War Department. He was acting under the orders of General Nelson A. Miles, Commander, Department of the Columbia, but his orders did not mention the requirement to pass through a part of Canada. In Schwatka's own words:[4]

"Thus the little expedition, which gave the first complete survey of the third largest river of our country, stole away like a thief in the night and with far less money in its hands to conduct it through its long journey than was afterward appropriated by Congress to publish its report."

Schwatka went over the Chilkoot Pass from salt water in southeastern Alaska. On the north side he faced the broad open valleys, brush and timber covered slopes, and huge glacial lakes on the headwaters of the Lewes River. He built a raft, as a few had done before and as so many did later during the gold rush, and drifted downstream. At the junction of the Pelly and the Lewes, at old Fort Selkirk, he joined the route of the Western Union telegraph surveys and the area already occupied by the fur traders.

Onward he drifted across the 141st meridian and into Alaska again. Soon he entered and traversed the bewildering swampy Yukon Flats, as large as Lake Erie, through which the Yukon meanders in a maze of braided, tortuous channels. At the lower end of the Flats he and his party must have thrilled as they saw the great river pick up all its diverse channels to pour in a single stream into the Ramparts. The valley transects the hills at what is now known to be one of the greatest water-power sites in North America.

On down he went, his topographic engineer C. W. Homan, carrying a survey all the way, through the great expanses of hills, mountains, and endless lowlands that form the empire-scale golden heart of Alaska between the Alaska Range on the south and the jagged arctic Brooks Range on the north. Down he pressed onto the great delta, perennially frozen below the surface, clear to the sea where the river debouches into Norton Sound west of St. Michael.

Schwatka made two more exploratory journeys of lesser significance to Alaska and the Yukon Territory. In 1886, three years after his phenomenal Yukon trip, he attempted an ascent of Mt. St. Elias. He was accompanied by Lieutenant Seton-Karr and Professor William Libbey. The expedition, which was supported by the New York Times, failed in its purpose; in fact the party penetrated only about 20 miles toward the mountain from the coast. However, some geographical information was collected.

Finally, in 1891, with C. Willard Hayes of the U.S. Geological Survey and one other,

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[2] Dall, W. H., *The Discovery and Exploration of Alaska. Harriman Alaska Series, vol. II, History, Geography, Resources,* Smithsonian Institution, p. 203, 1910.

[3] Brooks, A. H., *op. cit.*, p. 272.

[4] Schwatka, Frederick A., *A Summer in Alaska*, St. Louis, p. 11, 1894.

Schwatka ascended the Taku River, which transects the Coast Ranges east of Juneau, and in canoes they went from Teslin Lake down the Lewes River to Fort Selkirk. They then went overland to the head of the White River in Alaska, and, although deserted by their Indian packers, passed through the Skolai Pass and went down the Nizina to the Copper River.

Now the scene changes to the far northwestern part of Alaska; to the open tundra of the Arctic and the sparsely forested slopes of the south side of the Brooks Range and to the Noatak and the Kobuk rivers that flow westward into the polar ocean. Here we focus briefly on the outstanding explorations of Lieutenant George M. Stoney, U.S. Navy, and a few others that worked in that arctic and little known region.

Captain C. E. Hooper of the Revenue Cutter Service in 1880 explored a part of Alaska's arctic coast. He was followed by others of that Service. Lieutenant J. C. Cantwell went up the Kobuk clear to Walker Lake in 1884 and 1885. S. B. McLenigan ascended the Noatak in a native skin boat for 300 miles in 1885. Lieutenant P. H. Ray, U.S. Army, from 1881 to 1883 operated a meteorological and magnetic station at Point Barrow as part of the program of the First Polar Year, a forerunner of the Second Polar Year in 1932 and the later International Geophysical Year. Lieutenant Ray also carried out explorations on the arctic coastal plain and arctic foothills between Point Barrow and the Brooks Range to the south.

But it was Lieutenant Stoney who made the greatest exploratory contributions in the region. In 1883 he was marooned for a short time near Kotzebue and made some exploration of the delta of the Kobuk River. At his own request he was sent back in the following summer and penetrated about 200 miles up the Kobuk. In 1885 he returned again with a larger, better equipped expedition and established a base camp 250 miles up the Kobuk. From there his party fanned out and made extensive explorations during the winter. Stoney surveyed the headwater areas of the Noatak, the Alatna, and the Selawik. He even traveled to Chandler Lake on the north side of the Brooks Range at the head of the Chandler River, a tributary of the northward-flowing Colville River. Ensign Reed of Stoney's party traveled to the Noatak River valley and Assistant Engineer Zane reached the Yukon by way of the Koyukuk.

In April, Ensign W. L. Howard of Stoney's party, 2 natives, and 2 white men left the winter base, crossed the Noatak, then crossed the Brooks Range divide, and proceeded down the Colville. They left the Colville valley and passed northward over a low divide in the arctic foothills and thence proceeded down the Ikpikpuk River to its westward distributary, the Chipp River, in the bewildering tundra expanse of the lake-sprinkled arctic coastal plain. In mid-July they reached Point Barrow. They were the first white men to cross northern Alaska.

Exploration has not yet been mentioned of a large area including a part of the coast of Prince William Sound, the rugged Coast Ranges, the eastern part of the Chugach Mountains, the beautiful Copper River basin dominated by the outstanding Wrangell Mountains, the Alaska Range, the broad Tanana valley, through which now runs the Alaska Highway, and the area westward to St. Michael on the shore of Norton Sound. Here we will discuss primarily the explorations of Lieutenant Henry T. Allen, Cavalry, U.S. Army, who later attained the rank of Major General.

Lieutenant Schwatka's report on his Yukon River explorations attracted considerable attention, and as a result Lieutenant W. R. Abercrombie was sent the following year (1884) to explore the Copper River. He did not get very far upstream—about to Miles and Childs glaciers, which he named.

In 1885, though, Lieutenant Allen made one of the really great exploratory journeys in all of Alaska's history. Brooks[5] has the following to say, and, coming from Brooks, this is high praise indeed:

"No man through his own individual explorations has added more to the geographic knowledge of the interior of Alaska than has General Allen. Throughout his journey he made careful sketch surveys and noted all facts which came within his observation. Within one season he made maps of three of the largest rivers of the Territory which, until accurate surveys were inaugurated 12 years later, were the basis of all maps."

Allen, with four other men, started up the Copper River in March. He crossed the wet delta and entered the Copper River canyons. Up he went by boat for 300 miles. From the great Copper River basin, surrounded by the Chugach Range on the south, the lofty Wrangell Mountains on the east, the Talkeetnas on the west, and the mightly Alaska Range across the north, he crossed over the Alaska Range by way of the Suslota Pass into the broad valley of the Tanana, where that stream has been pushed against the Yukon-Tanana highland to the north by glacial debris shed from the Alaska Range on the south. There he obtained a boat from Indians and drifted down the Tanana to its mouth in the Yukon. The group had lived largely off the country as they moved and were in a weakened condition on arrival at the Yukon River near the end of June. Nevertheless, Allen and one companion continued northward in the general area of the Melozi River, clear to the Koyukuk about at the Arctic Circle. He then proceeded to explore the Koyukuk downstream to its confluence with the Yukon. Finally he followed the old portage, already mentioned, across to Norton Sound and thence to St. Michael. His accomplishment was indeed a remarkable and outstanding feat of exploration. And thus the wrappings of Uncle Sam's box were rent here and there until the nation began to grasp the size, variety, and potential of the Great Land it had acquired.

By this time prospectors were moving into the Yukon basin in Alaska in large numbers. Mining, however, up to this point had been virtually all on the Canadian side of the line. Rich placers with coarse gold were found in Alaska on the Fortymile River in 1886 and the rush was on.

Brooks[6] well summarizes the place of the prospector over the next 10 years:

"Of the thousands who entered the Yukon basin during the first years of the gold excitement only a small percentage had any concept of the difficulties with which they would be confronted, and still less had any previous training which fitted them for the work they had so rashly undertaken. Hundreds toiled over the Coast Range passes and made the mad dash to reach the El Dorado their fancies had painted, but, discouraged at the outlook, continued down the Yukon to its mouth, having hardly been out of sight of its banks. The more venturesome prospector, however, found no risk too hazardous, no difficulty too great, and now there is hardly a stream which has not been panned by him, and hardly a forest which has not resounded to the blows of his axe. Evidences of his presence are to be found everywhere, from the almost tropical jungles of southeastern Alaska to the barren grounds of the north which skirt the Arctic Ocean. While the prospectors have traveled far and wide in Alaska, they have as a class added little to the knowledge of its geography. As a rule they follow but two purposes: to find gold and to get through the country. The information obtained by them is seldom exact, even when available. for their concept of where they have been is often as vague as their ideas as to where they are going. Though their contribution to geographic knowledge is small, these pioneer prospectors, at the expense of hard toil and suffering, if not of their lives, have blazed the way for the settler, miner, and surveyor."

With the finding of gold in some places, the interest of the Federal Government began to quicken. In 1895 a small appropriation by the Congress allowed a few members of the U.S. Geological Survey to take a brief look at some of Alaska's mineral resources. But it was the rich discoveries on the Klondike in Canada's adjacent Yukon Territory that resulted in 1898 in the start of the long series of annual appropriations that have continued almost uninterruptedly to the present time. Thus the Geological Survey became deeply and systematically involved in the exploration of Alaska and its resources.

Among the geologists and engineers of the early, justly celebrated, Alaskan corps of the Geological Survey were L. M. Prindle, F. C. Schrader, W. C. Mendenhall, F. H. Moffit, S. R. Capps, A. J. Collier, Philip S. Smith, and Gerald FitzGerald. The temptation is great to extol their virtues, accomplishments, and even idiosyncrasies—a temptation suppressed with difficulty in the interest of bringing to a reasonable stopping place this tracing of some of the American explorations of Alaska.

In 1898, some of the exploration projects involved collaboration between the Army and the Geological Survey. The Army, after 1898, continued to send out parties for a number of years, and some notable journeys and surveys were made. Special note should be made of the work of Captain E. F. Glenn in the Cook Inlet and Tanana regions and that of Lieutenant J. S. Herron in the upper Kuskokwim drainage area.

The Coast and Geodetic Survey, in addition to the explorations and surveys that it had carried on for years in the coastal regions, began geodetic surveys in the interior of Alaska in 1890. In that year J. E. McGrath established an observation station on the Yukon near the international boundary. J. H. Turner placed a similar station much farther north on the Porcupine. In the winter of 1890 he made a dog-team traverse approximately along the boundary, the 141st meridian, clear to the shore of the polar ocean at Demarcation Point.

The year 1898 was a banner year for systematic explorations. Guiding principles for surveys by the Geological Survey began to be set and were followed with modifications and improvements for many years. In that year it was determined to investigate the basins of the Kuskokwim, the Susitna, and the Copper rivers.

J. E. Spurr and W. S. Post ascended the Yentna River, a tributary of the Susitna, and portaged across the Alaska Range into the Kuskokwim drainage. They then descended that great river to its mouth in the Bering Sea and returned across the Alaska Peninsula to Cook Inlet.

Explorations in the Copper River region were made in cooperation with the War Department. There were two parties—one under the command of Captain Glenn and the other under Captain W. R. Abercrombie. W. C. Mendenhall of the Geological Survey, who later became a distinguished Director of the Survey, was assigned to Glenn's party and F. L. Schrader to Abercrombie's party.

Glenn's party reached the Copper River plateau by way of the Matanuska River from Cook Inlet. They then turned northward, crossed the Alaska Range, and descended the Delta River to the Tanana along what is now the route of the Richardson Highway. Mendenhall carried a rough traverse all the way and made geologic observations. Some minor subsidiary surveys were made by others of Glenn's party.

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[5] Brooks, A. H., *op. cit.*, p. 277.

[6] Brooks. A. H., *ibid.*, pp. 282 and 283.

Abercrombie's party made its way into the Copper River basin by way of the prospectors' trail from Valdez over the Valdez Glacier. Schrader made surveys and geologic investigations in the lower Copper River basin. Abercrombie followed the prospectors' trail to Mentasta Pass. And Lieutenant Lowe went on to the Fortymile and returned to the coast by way of the White Pass.

Meanwhile G. H. Eldridge and Robert Muldrow painfully dragged canoes up the Susitna River to the Jack River. From there they moved overland to the Cantwell River (now called the Nenana) and, after considerable difficulty, returned. One accomplishment of that party was the approximate determination of the position and altitude of Mt. McKinley.

In the same summer, W. J. Peters, assisted by A. H. Brooks, entered the Yukon basin by way of the White Pass. They passed downstream to the White River, whose mouth is in Canada, and worked upstream by way of the Snag River into the headwaters basin in Alaska. They crossed the divide into the Tanana drainage and went down the Tanana to the Yukon. This was the first trip of Brooks to Alaska. He subsequently made 23 additional trips and became the best known Alaskan authority until his untimely death in 1925. He was perhaps the greatest of all the Alaskan explorer-scientists. A number of Alaska's geographic features are named for him, the largest being the mighty Brooks Range that extends in a majestic arc all the way across northern Alaska from the Arctic Ocean to the Canadian boundary.

In the following year, 1899, there was carried out successfully an expedition unique in the annals of exploration. A private individual, Edward H. Harriman, with unusual resources, planned, organized, accompanied, and personally financed an extensive voyage along the coast of much of Alaska. The party was large and included many of the leading scientists of the day. The expedition attracted much public attention. The scientific results were immense. The influence of the Harriman expedition, and of the scientists who were part of it, still is felt strongly nearly 70 years after that eventful year in Alaskan exploration.

How a cruise to Alaska became in the end a monumental research expedition is indicated in a few extracts from Mr. Harriman's own words in the preface to the *Harriman Alaska Series* of the Smithsonian Institution:[7]

"The expedition, the results of which are recorded in these volumes, was originally planned as a summer cruise for the pleasure and recreation of my family and a few friends. . . . Our comfort and safety required a large vessel and crew, and preparations for the voyage were consequently on a scale disproportionate to the size of the party. We decided, therefore, if opportunity offered, to include some guests who, while adding to the interests and pleasure of the expedition, would gather useful information and distribute it for the benefit of others."

Mr. Harriman conferred with Dr. C. Hart Merriman, Chief of the Biological Survey, U. S. Department of Agriculture. "From him we received valuable advice and assistance in planning the research work and in selecting the scientific personnel of the party." The expedition also had the full endorsement of the Washington Academy of Sciences.

The total party numbered 126 and included 14 members of the Harriman family and servants, 65 crew members, and physicians, nurse, chaplain, artists, photographers, stenographers, hunters, and packers. The scientific party is recorded as numbering 25, but only 23 are given in the published list:

"Professor William H. Brewer, Sheffield Scientific School Yale University.

"John Burroughs, Ornithologist and Author.

"Wesley R. Coe, Ph. D., Asst. Professor of Comparative Anatomy, Yale University.

"Frederick V. Coville, Curator of the National Herbarium and Botanist of the U.S. Department of Agriculture.

"Dr. William H. Dall, Paleontologist of the U.S. Geological Survey and Honorary Curator of Mollucks, U.S. National Museum.

"W. B. Devereux, Mining Engineer.

"Daniel G. Elliot, Curator of Zoology, Field Columbian Museum.

"Benjamin K. Emerson, Professor of Geology, Amherst College.

"Professor B. E. Furnow, Dean of the School of Forestry, Cornell University.

"Dr. A. K. Fisher, Ornithologist, U.S. Biological Survey.

"Henry Gannett, Chief Geographer, U.S. Geological Survey.

"G. K. Gilbert, Geologist, U.S. Geological Survey.

"Dr. George Bird Grinnell, Editor, Forest and Stream.

"Thomas H. Kearney, Jr., Asst. Botanist, U.S. Department of Agriculture.

"Charles A. Keeler, Director, Museum of the California Academy of Sciences.

"Trevor Kincaid, Professor of Zoology, University of Washington.

"Dr. C. Hart Merriam, Chief, U.S. Biological Survey.

"John Muir, Author and Student of Glaciers.

"Dr. Charles Palache, Mineralogist, Harvard University.

"Robert Ridgway, Curator of Birds, U.S. National Museum.

"William E. Ritter, President, California Academy of Sciences and Professor of Zoology, University of California.

"Dr. Alton Saunders, Botanist, South Dakota Experiment Station.

"Dr. William Trelease, Director, Missouri Botanical Garden."

The scientists formed an impressive group. Much of the success of the expedition scientifically was due to Mr. Harriman's directive, "it was not his desire to dictate the route to be followed, or to control the details of the work."[8]

An executive committee, and committees in a variety of scientific disciplines, made up of appropriately selected members of the expedition, chose the route to be followed, the places to be visited, and the operations in general.

An expedition of the scale described and financed by such a well known person of course attracted a great deal of attention. Courtesies were extended all along the way, and Mr. Harriman records with special gratitude the hospitality of Governor and Mrs. John G. Brady in Sitka.

In Seattle the party boarded the steamship *George W. Elder*, chartered for the voyage and was on its way on May 30. The ship entered Alaskan waters on June 4 and stopped first at the Indian village of Metlakatla on Annette Island. From there the journey was through the heart of the Alexander Archipelago of southeastern Alaska—to Wrangell, through the Wrangell Narrows, and on to Juneau where the thousand stamps of the Treadwell and adjacent mines were making their incessant din in the echoing space of Gastineau Channel between Douglas Island and the mainland around Juneau.

On the party went—up Lynn Canal to Skagway. From there they were taken by courtesy of the new White Pass and Yukon narrow-gage railroad to the U.S.-Canadian boundary at the White Pass which then was the end of rails. Next came Glacier Bay and the incomparable Muir Glacier. John Burroughs[9] vividly describes the breaking of Muir Glacier into the sea at a time when the ship lies only a few hundred yards from the face:

"What is that roar or explosion that salutes our ears before our anchor has found bottom? It is the downpour of an enormous mass of ice from the glaceir's front, making it for the moment as active as Niagara. Other and still other downpours follow at intervals of a few minutes, with deep explosive sounds and the rising up of great clouds of spray, and we quickly realized that here indeed is a new kind of Niagara, a cataract the like of which we have not before seen, a mighty congealed river that discharges into the bay intermittently in ice avalanches that shoot down its own precipitous front. The mass of ice below the water line is vastly greater than that above, and when the upper portions fall away, enormous bergs are liberated and rise up from the bottom. They rise slowly and majestically, like huge monsters of the deep, lifting themselves up to a height of fifty or a hundred feet, the water pouring off them in white sheets, then subsiding again and floating away with a huge wave in front. Nothing we had read or heard had prepared us for the color of the ice, especially of the newly exposed parts and of the bergs that rose up from beneath the water—its deep, almost indigo blue. Huge bergs were floating about that suggested masses of blue vitriol."

After several days the anchor was weighed and the ship set a course for Sitka, where it arrived on June 13. For four days the party explored the vicinity of the old Russian capital—the cathedral, the island-studded bay with the volcanic cone of Mt. Edgecumbe to seaward, and the enchanting Indian River, now the location of a humming lumber and paper pulp mill.

From there across the unusually placid Gulf of Alaska the vessel steamed to Yakutat Bay without a good look at the Fairweather and St. Elias Mountains that loomed to the north. After several days, while the various members of the party carried out their special investigations, the ship turned west to Prince William Sound, a paradise of majestic fiords and gleaming glaciers.

Several days were spent in the myriad inlets of Prince William Sound, described by Burroughs as "shaped like a great spider," talking to some discouraged gold prospectors returning from the Copper River basin, observing the canning of salmon, viewing an island-based fox ranch, and studying the vegetation and bird life. Mostly though they steamed through iceberg-dotted fiords to see the incomparable spectacle of mountain, forest, and glacier. The impression this grandeur left on the party comes through with moving clarity in Burroughs'[10] description:

"Indeed we were in another great ice chest—glaciers to right of us, glaciers to left of us, glaciers in front of us, volleyed and thundered; the mountains were ribbed with them, and the head of the bay was walled with them. At one time we could see five, separated by intervals of a few miles, cascading down from the heights, while the chief of the flock was booming at the head of the valley incessantly. The two large glaciers at the head of the fiord were named by our party Harvard and Yale; the cascading glaciers on the west side, Radcliffe, Smith, Bryn Mawr, Vassar, and Wellesley; and the main glacier on the east side of Port Wells, Amherst. On going ashore we had a chance to view, in profile, those pouring down from the heights, and the effect was novel and strange. We looked along the green, tender enfoliaged side of the mountain and saw one of these torrents of shattered ice rising up fifty or more feet above its banks as if about to topple over upon them; but it did not: to the eye it was as fixed as the rocks; apparently, one could have leaned his back against the ice with his feet upon the foliage. The channel of Port Wells was so blocked with ice from the incessant discharges of the glaciers that the ship made her way with great difficulty and was finally compelled to anchor more than twenty miles from the head."

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[7] Harriman, Edward H., *Harriman Alaska Series*, Smithsonian Institution, vol. I, pp. xxi, xxii, 1910.

[8] C. Hart Merriam, *Harriman Alaska Series*, Smithsonian Institution, vol. I, p. xxviii, 1910.

[9] Burroughs, John, *Harriman Alaska Series*, Smithsonian Institution, vol. I pp. 36 and 37, 1910.

[10] Burroughs, John, *ibid.*, pp. 69 and 70.

After nearly a week, during which a broken propeller was replaced, to the amazement of the passengers, by grounding the ship on a shelving beach at low tide, the ship pointed westward again and entered Cook Inlet. The inlet was penetrated only a short way to Kachemak Bay, but a view was had to the north of "the great volcanic peaks, Iliamna and Redoubt, sixty miles across the inlet to the west." Then, as now, Iliamna endlessly was sending its volcanic plume skyward.

After a very short stay a course was laid for Kodiak Island (then called Kadiak) and the village of Kadiak, the former St. Paul of the Ressians. There the party remained from July 1 through July 6. They observed the giving way of the coastal forests of southeastern Alaska, Price William Sound, and the Kenai Peninsula to the grasslands characteristic of most of Kodiak Island, the Alaska Peninsula, and the Aleutian Islands. Some of the party hunted the great Kadiak bear. Others explored the countryside near the village. The town was investigated and discussions held with various residents. The vegetation, fiords, and animals were studied.

Westward again plied the *George W. Elder* along the Alaska Peninsula with its line of volcanic cones. Short stops were made at a few places and the environments investigated. On she went past the end of Peninsula and the conical volcanoes of Isanotski and smoking Shishaldin, almost 9,000 feet in altitude. On July 8, Dutch Harbor was visited, then they went into the Bering Sea.

Just a short distance out of Dutch Harbor, Burroughs[11] records:

". . . sailing past high rolling green hills, cut squarely off by the sea, presenting cliffs seven or eight hundred feet high of soft reddish crumbling rock, a kind of clay porphyry of volcanic origin, touched here and there on the face with the tenderest green. It was as if some green fluid had been poured upon the tops of the hills and had run down and dripped off the rock eaves and been caught upon every shelf and projection. The color was deepest in all the wrinkles and folds of the slopes and in the valley bottoms."

Then came Bogoslof, that mysterious and ever-changing top of a steaming volcano projecting just above the sea—the breeding ground of the sea lions; the Pribilofs with great colonies of fur seals; and, finally, the shore of Siberia at Plover Bay which was reached on July 11. The natives of Plover Bay, rather primitive Eskimos, were visited and then they proceeded eastward across the Bering Strait, within sight of King Island and Big and Little Diomede to Port Clarence on the Seward Peninsula.

There, in the great basin of Port Clarence behind the long sandpit of Point Spencer, were gathered a dozen whaling ships on their way to the Arctic. There also were collected the Eskimos from miles around to trade with the whalers. Port Clarence was the end of the outward journey—the most northerly place visited. There began the return voyage—first to St. Lawrence Island, then to Hall and St. Matthew Islands, and thence back to Seattle by much the same route as outbound.

What a trip it had been! C. Hart Merriam[12] summarizes it well in three paragraphs:

"During the two months' cruise a distance of nine thousand miles was traversed. Frequent landings were made, and, no matter how brief, were utilized by the artists, photographers, geologists, botanists, zoologists, and students of glaciers. From time to time, longer stops were made and camping parties were put ashore that more thorough work might be done. Thus, one or more camping parties operated at Glacier Bay, Yakutat Bay, Prince William Sound, Kadiak Island, the Alaska Peninsula, and the Shumagin Islands. Large and important collections were made, including series of small mammals and birds of the coast region, enormous numbers of marine animals and seaweeds, and by far the largest collections of insects and land plants ever brought from Alaska. There were also small collections of fossil plants. In working up this material the services of more than fifty specialists have been secured, and although the task is by no means finished, thirteen genera and nearly six hundred species new to science have been already discovered and described. The natural history specimens have not merely enriched our museums—they have increased many fold our knowledge of the fauna and flora of Alaska.

"Native settlements were visited at various places—of Indians along the southwest coast from British Columbia to Yakutat Bay, and of Eskimo and Aleuts from Prince William Sound northward and westward. The shortness of the stops precluded serious ethnological studies; still, numerous articles of interest were secured, and a series of photographs of permanent value was obtained. Among the latter, those showing the camps of Indian seal-hunters in Glacier and Yakutat Bays, and those of the Eskimo settlement at Plover Bay, Siberia, are worthy of special mention. These Eskimos were living in primitive fashion, clad in furs and dwelling in skin huts or topeks.

"A number of glaciers not previously known, as well as many others which had been vaguely or imperfectly known, were mapped, photographed, and described, and much evidence was gathered of changes that have occurred in their length and size. In many instances it was possible to compare their condition and extent in 1899 with earlier records so as to discover and measure the changes, and in all cases their relations to neighboring features were photographed or otherwise recorded, so that future changes may be readily determined. In Prince William Sound a new fiord fifteen miles in length and abounding in glaciers was discovered, photographed, and mapped. Its entrance, hidden by the huge projecting front of the Barry Glacier, was disclosed by accident while we were attempting to photograph the land attachments of the glacier. In honor of the expedition it was named Harriman Fiord."

Only two more examples will be given of the part played by early American explorers in removing the wrappings from the package that Uncle Sam bought in 1867. One is a very brief account of a notable journey mostly in northern Alaska in the little-known mountains, rolling foothills, and endless lake-spattered, tundra-cloaked coastal plains along the polar ocean. The other is a slightly more detailed, but still far too concentrated, review of a remarkable trek from Cook Inlet, through the Mt. McKinley region, across the Tanana and clear to the Yukon by Dr. Brooks himself in 1902. The latter is included partly because its accomplishment was a feat that stands out among many truly great exploits of exploration and partly because it typified the tenacity, determination, and courage of those who led and participated in the remarkable survey expeditions that made possible the real opening of the Great Land that had come under the Stars and Stripes.

Deep in the winter of 1901, W. J. Peters and F. C. Schrader left the southern coast of Alaska and by dog team penetrated northward across the Tanana, and the Yukon, clear to the Koyukuk. From there, spring having arrived, they moved by canoes up the John River that drains the south slope of the jagged range that now perpetuates the name of Alfred Brooks. They crossed the range through the Anaktuvuk Pass and, in the same canoes, went down the Anaktuvuk through the tundra-covered arctic foothills to the mouth of the river in the Colville, the largest of all Alaskan arctic rivers. Little did they know that more than twenty years later, in 1923, President Harding would designate much of the area they traversed as Naval Petroleum Reserve No. 4 and that in an additional twenty and some years a significant oil field would be discovered almost within sight upstream from the mouth of the Anaktuvuk.

Down the Colville they went and across its delta into the Arctic Ocean. Westward then they pressed along the shore lagoons to Barrow and on southwestward to Cape Lisburne where they had the rare good fortune to catch a steamer in which they returned to civilization. This was believed at the time to be the most outstanding exploration to that date by the Geological Survey.

Alfred H. Brooks made many remarkable explorations in his beloved Alaska. One of the most outstanding was his journey in 1902 for more than 800 miles from Tyonek on Cook Inlet across the Alaska Range through Rainy Pass, discovered during the expedition; thence eastward and northward along the north face of the Range, past and very close to Mt. McKinley, to the Nenana River; down that stream to its mouth in the Tanana; and thence northward to the Yukon River at Rampart.

The fact that Brook's trip was into the heart of the fabulous Mt. McKinley country gives pertinency to the fact that major geographic features frequently are known by different names, with different connotations, when viewed from different areas. An example is that the Yukon River of the trappers and traders of the Hudson's Bay Company was the same stream as the Kwikpak of the Eskimos and the Russians. This was not definitely established until the Spanish-American-Russian Creole Lukeen in 1863 followed the river upstream from Nulato to Fort Yukon on a spying expedition.

Mt. McKinley is an outstanding example of this multiple naming. Not only was the mountain noteworthy for its size and imposing height, but the country on both the northwest and the southeast sides was and still is marvelous game country. Thus the natives had need for a means of describing a landmark that bulked so importantly in their daily lives. The mountain is much more easily approachable from the Kuskokwim and Tanana side than from the Cook Inlet side. It was known by the natives of the Cook Inlet region as Traleyka and by those from the west and north sides as Tennally or Denali, which it is still sometimes called. The Russians called it Bulshaia Gora or "Big Mountain," but the man who gave it that name is unknown. Brooks speculates that it might have been the early Russian mining engineer Doroshin, but no real evidence is available.

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[11] Burroughs, John, *ibid.*, p. 93.

[12] Merriam, C. Hart, *op. cit.*, pp. xxvi and xxvii.

In 1889, Frank Densmore crossed from the Tanana to the Kuskokwim and must have spent many days in full sight of the magnificent spectacle rising so imposingly to the south. This is thought to be the reason that for years the peak was known as Densmore's mountain by the early prospectors of the region. W. A. Dickey, seven years later in 1896, was prospecting in the Susitna River valley near the Alaska Range. He carefully studied the mountain from a considerable distance, naming it Mt. McKinley, and without any instruments estimated its height to be in excess of 20,000 feet—a remarkable estimate, the actual height being 20,300 feet. Dickey's estimate was confirmed in 1898 by Robert Muldrow, topographer of a Geological Survey party under George H. Eldridge, which also approached the mountain from the Susitna valley.

Brooks' own account of his exploration in 1902, as recorded in *Professional Paper 70* of the Geological Survey, is a classic. The story of that expedition, much shortened, is skimmed largely from pages 16–20, "Narrative of Expedition," as an illustration of the zeal, endurance, courage, and determination of those truly great explorers who helped pull the wrappings from the box called Alaska.

The party consisted of 7 men—Brooks and L. M. Prindle, geologists; D. L. Reaburn, topographer; a recorder; 2 packers; and a cook. The men, 20 horses that had been acquired in eastern Washington, and all equipment were landed at Tyonek from the *Santa Ana* out of Seattle on May 27.

Brooks[13] gives a moving account of a side trip in the first few days of the trip to ascend Mount Susitna in order to get a view of the nearly unknown country that lay ahead:

"It now occurred to us that a comprehensive view of the country ahead could be obtained by climbing Mount Susitna. Leaving Mr. Prindle to study the local geology and the two packers to chop a trail inland, the rest of us made our way by boat to Alexander, a small native settlement at the head of the Susitna Delta. From this point we followed an Indian trail, winding in and out among swamps and lakes, through spruce forests, and across several streams on old beaver dams, to Mount Susitna, a granitic boss about 4,000 feet high lying 10 miles west of the river. The sides of the mountain rise gently to a height of 1,000 feet and then steepen gradually, so that the final stretch of the ascent must be made over a talus slope of maximum gradient. Heavy timber—birch, cottonwood, and spruce measuring up to 2 feet in diameter—extended to about 1,000 feet and then gave place to dense growths of alder and willow, with scattered white birch. Beyond 1,500 feet the willow and alder were succeeded, except in the ravines, by grassy slopes, and the great abundance of fine red-top grass was very striking. Near the summit the remnants of the previous winter's snow contrasted strongly with the wild flowers and other vegetation.

"A rather toilsome climb brought us at last to our vantage point. Looking northward, whither our route lay, the eye swept the broad lowland of the lower Susitna, its dense forests of dark spruce diversified by the lighter greens of the open meadows, while here and there a gleam of reflected light marked the position of a lake or waterway. On the northeast the lowland stretched to the horizon, broken only by a few highland masses; on the northwest it culminated in the great Alaska Range. Above this snowy crest line rose the twin peaks Mt. McKinley and Mt. Foraker, asserting their stupendous height even at that distance, more than 110 miles. To the west the range dwindled into foothills 40 or 50 miles from the coast. We took cognizance of the many swamps and lakes with some premonition of the difficulties before us. Far to the northwest a break of considerable width in the Alaska Range appeared to mark the gap which was the immediate objective point of the expedition."

With the help of a couple of local boatmen from Tyonek who were hired to carry part of the supplies to rendezvous points on some of the western tributaries of the Susitna River, the party penetrated to the Kichatna near its mouth in the Yentna River and within the lower parts of the Alaska Range. There on June 30 they sent back the boatmen.

At this place Brooks[14] rather plaintively comments:

"Nearly a third of the season and of the provisions had been consumed, and less than a sixth of the distance had been covered. The swampy country had told disastrously on the strength of the horses, whose vitality was further drained by the clouds of horseflies and mosquitoes which harassed them day and night. Moreover, there had been an outbreak of distemper among them which threatened to become serious. The outlook was far from cheerful, for it hardly seemed possible that the survey could be carried to the Yukon, as planned, and it was uncertain in what straits the party might find itself when the cold weather in the fall should put an end to the use of horses. To provide for a probable retreat along the line of advance, a cache of a week's provisions was established at this point."

For two weeks the party made its way up the Kichatna River from brush-covered lowlands, along fine, park-like grassy ridges, to the open country in the vicinity of the headwaters. There Brooks discovered and named Rainy Pass between the drainage to Cook Inlet, up which they had toiled, and the Kuskokwim River on its way to the Bering Sea. On July 15, they crossed the pass, a little less than 3,000 feet in altitude, and started down the Kuskokwim.

The route along the Kuskokwim had already been traversed in 1898 by Spurr and in 1899 by Herron. After about 20 miles, Brooks turned to the northeast away from the river and started along the northwest flanks of the Alaska Range near the inner border of the great plateau that lies along the range for many miles. This is the magnificent north side of the Alaska Range, dominated by Mt. McKinley, and much of it now is embraced in Mt. McKinley National Park.

Game was plentiful then as now—the white mountain sheep in the higher country, caribou farther down, and moose in the great river valleys. The forested areas do not reach as high as the upper edge of the plateau against the mountains, although willows abound on the stream flats. Travelling was good for men and horses and good time was made. The major problem was fording the swift and turbulent glacial streams that poured from the glaciers nearby in the mountains.

Eventually, on August 4, the party camped directly below the north summit of McKinley. The height of the inspiring scarp of the north face of the mountain is underscored by the fact that the camp, probably at something less than 3,000 feet altitude, was only 14 miles from the summit. Brooks scouted the area to snowline, perhaps at about 5,000 feet, and was only 9 miles from the summit. He records his disappointment in not being able to stay longer and go higher.

On the party trekked, still toward the northeast. In the vicinity of the Muldrow Glacier they entered the hills that flank the range and followed through the great series of low passes, then unnamed, that now are traversed by the highway from McKinley Park Station on the Alaska Railroad to Kantishna. On August 15, camp was made on the Yanent Fork of the Nenana River. It was necessary to work upstream for three more days before finding a place to ford the turbulent stream.

Once across, the party turned north along the general course of the Nenana which was followed, nearly along the present location of the railroad, to Nenana (called Tortella at the time of Brooks' journey) where the stream enters the Tanana. With the help of a boat hired from an Indian the horses were towed across. On September 1, in the face of dire predictions of the Indians that the trip was impossible, Brooks again started northward and westward, determined to reach Rampart on the Yukon.

The horses were failing rapidly and could carry only greatly reduced weights. The grass had been frosted and held little nutritive value. Nevertheless the group persevered and struggled through the swampy endless flats of the Tolovana River for days. Of this discouraging stretch Brooks[15] says:

"Though the distance to the highlands on the west was only about 30 miles, the difficulties of travel occupied the energies of the entire party for eight days, as much time had to be spent in building corduroy, bridging streams, and crossing rivers. Within six days, five different bridges were constructed and six rivers were rafted."

Finally, the hills were reached. After a few days of upland travel the group staggered into Rampart on September 15. The journey ended none too soon for during the last days the horses were giving out at an alarming rate.

Brooks' cryptic paragraph reveals nothing of the hardship and danger of the long trial or the determination that he must have had to bring the party through. He[16] says simply:

"In 105 days the expedition had covered about 800 miles. During this time 94 camps had been made; between June 1 and September 15 the party had traveled every day except nine. Eleven of the twenty horses reached Rampart."

So, here in 1902, we close this brief and very selective account of the real giants of exploration that trod the Great Land and pulled from it the covering of ignorance that cloaked its grandeur of mountain and lake, sea, forest, and tundra; its resources in timber, fish, and minerals; and its strategic location relative to impending developments of the latter half of the 20th century.

Here we see Kennicott, the youthful Dall, Schwatka, the colorful Lieutenant Stoney, Allen, Harriman and his assemblage of scientific leaders, and finally the incomparable Brooks—giants indeed! And from their dedicated and all too often unrecognized efforts emerged the young giant Alaska of today—the colorful, virile, ambitious 49th state—bent on attaining its destiny, contemptuous of setbacks like the earthquakes of Good Friday, 1964. Here we have America at its best—rough, perhaps, but warm and confident, full of pride and energy, and launched beyond recall into a bright future that it will demand and insist on getting.

Not all of the wrappings, probably, will ever be removed, for under each revelation are new mysteries to be explored, studied, and spotlighted. The package is pretty well open to view. What a bargain it was—not only in terms of intrinsic value, although that is true, but even more so in the youthful outlook, the ambition, the energy, and the hopes and goals of Alaska, the 49th star of our national emblem!

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[13] Brooks, A. H., *The Mt. McKinley Region, Alaska;* U.S. Geol. Survey Prof. Paper 70, pp. 16 and 17, 1911.

[14] Brooks, A. H., *ibid.*, p. 18.

[15] Brooks, A. H., *ibid.*, p. 20.

[16] Brooks, A. H., *ibid.*, p. 20.

COOPERATIVE EDUCATION

Mr. MONTOYA. Mr. President, one of the most interesting innovations in American higher education is what has come to be known as cooperative education.

This is a program which permits students of limited means to earn the cost of their college education by going to school full time and alternating their academic training with periods of full-time work.

One of the most successful of these programs has been carried out in my own State, at New Mexico State University at Las Cruces, and there are other examples throughout the Nation to demonstrate the value of cooperative education.

The Higher Education Act of 1965, under title III, makes provision for Federal support of cooperative education, but I regret to say that the Office of Education has so far failed to implement this section.

Because I believe this is such a worthwhile concept, I have sent letters to both Commissioner Harold Howe and to the Secretary of Health, Education, and Welfare, Mr. Gardner, inquiring as to the plans the Office of Education has in this field in the near future.

These letters outline in some detail the values and the needs for cooperative education, and for that reason I ask unanimous consent they be printed at this point in the RECORD.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

MR. HAROLD HOWE,
Commissioner, Office of Education, Health, Education, and Welfare Department, Washington, D.C.

DEAR MR. HOWE: Enclosed is a copy of a letter I have written to Secretary Gardner in which I express my views on work-study cooperative education.

As you know, there is a provision for the support of work-study cooperative education in the Higher Education Act of 1965, but I have learned to my chagrin that the distribution of money under Title III did not encompass this genuinely important idea.

I am greatly impressed by this program as it has been carried out at New Mexico State University, and I would like to see the concept extended to other institutions in New Mexico. Indeed, as I read how work-study cooperative education leads young people of racial minorities and of disadvantaged circumstances into the adventure of higher learning, I see this program as an enormous opportunity for young people.

This, however, is not my only interest, having studied the materials of the National Commission for Cooperative Education and the reports of Dr. Ralph Tyler, I am of the opinion that we have in the work-study cooperative idea a truly creative social invention that can help us solve many, many problems involving the acculturation of disadvantaged youth, their liberation through education into the professions and technical occupations, and the realization of the ideal of equal educational opportunity for all who would seek it.

Almost every state in the Union is faced with certain common problems. Most have a shortage of medical technicians and teachers; all need a catalytic force to impel young people of culturally and economically impoverished families into the process of higher education; many localities in most states suffer from severe shortages of skilled and educated manpower without which industrial development cannot occur; and, most important, the joy and adventure of education are foreclosed to too many youngsters in too many places for sheer lack of means.

The 50,000 students now in work-study cooperative curricula in 100 colleges and universities are the most effective demonstrations I can think of that this form of education is an authentic way to meet these and other problems.

Since it is the will of Congress that work-study cooperative education be supported by Federal resources, I should be interested to learn from you what present or future plans your office has for this program.

With warm regards and best wishes, I am,

Sincerely yours,

JOSEPH M. MONTOYA,
U.S. Senator.

HON. JOHN W. GARDNER,
Secretary of Health, Education, and Welfare, Washington, D.C.

DEAR MR. SECRETARY: The highly successful experiment in work-study cooperative education at the College of Teacher Education of New Mexico State University has caused me to examine the effectiveness of this approach in institutions of higher learning in other parts of the nation.

This unique American invention, which involves alternation between on-campus study and off-campus work, is a form of higher education which I believe deserves your full attention and support. It offers creative contributions both to the equality of education, and to our national goal of producing educational opportunity for a growing number of our young people. Moreover, work-study cooperative education seems to be the most useful social device at hand by which a college education can be attained by large numbers of economically and culturally disadvantaged youth.

In the new program at New Mexico State University, the 43 students admitted as freshmen in 1965 are not only gaining significant experience in work situations, but each will earn approximately $5,400 in four years, which represents a significant portion of his education costs.

On reviewing the documents of the National Commission for Cooperative Education, it comes as a pleasant surprise to me that the 50,000 students in 100 colleges and universities now in work-study will earn this year over $90 million. This is a substantial achievement in self support.

I am also impressed by the study of Dr. Ralph Tyler, the distinguished director of the Center for Advanced Study in the Behavioral Sciences and Chairman of the National Commission for Cooperative Education, who ascribes to the work-study cooperative concept of a number of factors that contribute to improving the equality of education. Dr. Tyler states, for example:

"By coordinating work experience with the campus education program, theory and practice are more closely integrated and students find greater meaning in their studies.

"This coordinating of work and study increases student motivation.

"For many students, work experience contributes to a greater sense or responsibility for their own efforts, greater dependence on their own judgments and a corresponding development of maturity."

Dr. Tyler's study also reveals that most students in work-study cooperative education "develop greater understanding of other people and greater skills in human relations." Work-study helps "markedly to orient college students to the world of work."

I have learned also that there are over 3,000 American companies, as well as many agencies of the United States Government and educational institutions, that now employ these students. Almost without exception, the experience is eminently satisfactory on two counts: (a) the students employed in regular jobs at regular wages are making a significant work contribution to their employers; and, (b) major employers of work-study students find the experience help solve long range recruitment problems.

In all work-study cooperative arrangements, colleges and universities are able to maximize the use of classroom facilities because two students fill one classroom seat in alternate periods. This is a de facto expansion of the facilities of higher education without requiring capital investment.

There are numerous other advantages-cultural, economic, educational-in the work-study cooperative idea, but all the merits I can state are transcended by one. I refer to the force of this concept in opening the door to higher education to young men and women who under conventional circumstances could not go to college at all. These young people are those who come from families without means and without parental college backgrounds, families where motivation is lacking for educational improvement.

So successful is work-study cooperative education in creating educational opportunity for disadvantaged youth that one can safely say there are now thousands of students learning, and earning their way, attaining the knowledge and skills necessary for meaningful lives and making significant contributions to the talent and brain resources of the nation.

One dramatic demonstration of this is the project now in progress at Antioch College and Northeastern University where disadvantaged Negro youths, for whom college was beyond reach are now fulfilling normal academic standards and are working in their alternate periods at jobs which previously were beyond their fondest hopes.

I am writing to you at this length, Mr. Secretary, because I am convinced the subject is so important.

If there is anything I can do to hasten the development of this concept, be assured of my willingness to do so.

Sincerely yours,

JOSEPH M. MONTOYA,
U.S. Senator.

VIETNAM

Mr. McGEE. Mr. President, the distinguished television commentator Richard C. Hottelet, of "CBS News," recently addressed the Cleveland section, Council of Jewish Women, in which he made a rather strong case for the present U.S. role in holding the line in Vietnam where a "vacuum" in the balance of power struggle currently exists.

Mr. Hottelet uses a phrase which I have used personally many times—"nature abhors a vacuum and politics certainly does." This reference, of course, refers to the traditional attempts at expansion by aggressive world powers into areas of little or no resistance.

Pointing out the historical wisdom of U.S. policy in preventing this expansionist muscle flexing in many parts of the world, Mr. Hottelet also had words of praise concerning the success of our current efforts in Vietnam.

I ask unanimous consent, Mr. President, that an article about Mr. Hottelet's views from the October 6, 1966, issue of the Cleveland Plain Dealer be placed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

CBS Newsman Sees Hope—Vietnam Tide Is Turning

(By Esther Brightman)

"Nature abhors vacuum and politics certainly does," Richard C. Hottelet told the Cleveland Section, Council of Jewish Women, yesterday, as he explained that the Viet Nam situation is the latest episode in a long list of pre and post-World War II attempts by various dictators and countries to push into weak areas.

"Hitler strove to fill a vacuum," the CBS newsman said. "So did Mussolini, and the Japanese moved into China. Our contest has been between intervention and holding fast. The U.S., in the 1930s, tried to sit it out, to ignore what went on in the world outside."

He listed Iran, Turkey, the "civil war" in Greece as episodes. He said that the Marshall Plan was evolved to fill an economic vacuum and cited NATO and the Berlin airlift.

The danger was met again in Korea, he said, and in Lebanon. ("It's not always Russians who make the trouble.")

He spoke of weapons in Cuba had to be stopped by the U.S.

And there was the trouble in the Dominican Republic. "Had the U.S. not become involved, these situations would have been taken over by what we consider inimical forces.

"People ask how long the Viet Nam war will go on. Who can say? But I see no overwhelming reason for gloom. Something has always happened in these confrontations. A wall has been erected against aggression.

"The Russians have learned that there are limits to power. Even though you have no scruples you can't get away with things by just moving in. Where today is the Soviet menace?

"One wonders in the midst of turmoil and aggression whether we can teach the Chinese the same lesson. If this is true, future historians will see a stabilization in the nuclear age not dreamed of before. This is a possibility."

Hottelet said that not even the embassies in Peking, the foreign diplomats or the Soviets really know what is going on in China.

"The Chinese seem to know the difference between bluster and fulfilment—perhaps we can hope. Even with their wild fancies, their national ambitions, their Red Guards, they have shown restraint in the Viet Nam war and have told North Viet Nam not to expect help from them."

The speaker urged patience and said that there is no reason to call off dissent and protest in this country, but "There is no one else in the world who can stabilize it. If we were to leave Viet Nam, it would be an abdication of our responsibility."

Hottelet, who returned a month ago from Viet Nam, stated that not one single strategic offensive of the Communists had been successful this last year, that he felt that the turning point had been passed and that the situation today is far better than could have been hoped a year ago.

CRISIS IN THE HOMEBUILDING INDUSTRY

Mr. TYDINGS. Mr. President, the distressed condition of our homebuilding industry is reaching alarming proportions. Even a healthy general economy such as we are now enjoying cannot long survive the catastrophic decline in such a major industry.

Housing starts in August dropped to an annual rate of 1,057,000, the lowest level since 1960. This is a 26-percent drop from a year ago. To make matters worse, building permits fell to a mere 800,000, 33 percent below a year ago.

The picture ahead is even bleaker. It takes about 6 months from the time loan commitments are made until housing construction begins. Commitments for such construction are down a full 50 percent. Inevitably, we will soon be building fewer than a million houses a year compared to a million and a half in recent years and the goal of 2 million a year which is necessary if we are to make real progress in upgrading American housing standards.

One does not have to be a great economist to understand the cumulative effect of the declining home construction. Thousands of products and materials go into the construction of a home. From the lumber yards to the door knob manufacturers, hundreds of plants are feeling the cutback. For every $1,000 spent on the house itself, another $200 is spent on furniture and equipment. So the companies that make rugs, refrigerators, cabinets, and stoves are feeling the pinch too.

The Secretary of Commerce has warned that many of the men who face the loss of jobs because of the homebuilding slump have specialized skills that are not easily transferred to other industries.

Fortunately Congress has taken some steps to alleviate this problem, but we certainly have not acted early enough and perhaps have not acted vigorously enough. We have approved an additional $4.7 billion for FNMA to purchase mortgages, but that program is only barely underway. We passed legislation designed to cool off the interest rate war and bring to the mortgage lending institutions a more normal share of the total savings, but that law just went into effect on October 1. We have approved legislation to increase the insurance of accounts ceiling in banks and savings and loan associations from $10,000 to $15,000. This will encourage savers to increase their accounts and such money will add to the available mortgage credit, but that bill has not yet even reached the White House.

I am sure that between the end of this session and our return in January, every Senator will see and hear firsthand evidence of the hardships caused by the slowdown in housing. I hope we will all return prepared to take whatever new and bolder steps are needed to restore a healthy housing industry that can again make a major contribution to the prosperity of our Nation.

THE ORDEAL OF DESEGREGATION

Mr. ERVIN. Mr. President, in the Charlotte News of Saturday, October 1, 1966, Bob Smith, associate editor, wrote an editorial book review of Reed Sarratt's "The Ordeal of Desegregation." Although I have not had an opportunity to read this book, if Mr. Smith's review is any indication, it is an excellent historical analysis of the tumultuous 10 years following the Supreme Court's decision in *Brown* v. *Board of Education*, 347 U.S. 483 (1954).

For those of my colleagues we do not have an opportunity to read the book, I would suggest that they read Mr. Smith's excellent editorial which places the present civil rights crisis in its proper context and points out where we have been and where we appear to be going in this field.

Mr. President, I ask unanimous consent that the editorial book review, "The Ordeal of Desegregation," by Mr. Smith be printed at this point in the Record. If the book itself is nearly as good as the editorial review of it, it will be well worth everyone's attention.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

An Editorial Book Review—"The Ordeal of Desegregation"

It is surely a revealing commentary on our times and on the subject under review that Reed Sarratt's "The Ordeal of Desegregation" (Harper & Row, 348 pp., $7.50) reads more like a monograph on certain events in near history than the contemporary account of the first decade of school desegregation in the South that it actually is. As one reads, he is struck by how much already is obsolete, how distant the horizon of recent events and how dated the ideas and attitudes.

This is not the author's fault, if indeed it is a fault at all. Mr. Sarratt, who served five years as executive director of the militantly objective Southern Education Reporting Service, does not permit himself to comment on the history-making events he records in flat, uncommitted prose. The book is one-dimensional, a winnowing from school desegregation's press. Its value is as a kind of encyclopedia of the folly and bravery of the years 1954–64. Its fascination for me is listening to the familiar and half-forgotten figures who flit through its pages to speak as though in a dead tongue, joining a debate long since made moot.

"We will have segregation in the public schools or there will be no public schools."

That was State Sen. Sam Englehardt of Alabama in 1956, no worse and no better than a few dozen bitter-end segregation politicians of his day, entirely willing to sacrifice the public school system to the concept of separation. Mr. Sarratt's book is full of the vainglory of such men. But the massive resisters are not the only ones whose words have the hollow sound of history misunderstood. The moderates, white and Negro, who thought that the issue between the races was merely a gentlemanly debate over constitutional law also speak as though from some hidden hollow of the past.

"It will take time to get complete integration but we are willing to stay in the courts to get it."

One might guess that this is a lawyer speaking. It is in fact Thurgood Marshall, dean emeritus of the NAACP, speaking in 1959, less than a year before the Negro revolution spilled out into the streets of the South with the young sit-ins, never to return again.

Of course, Mr. Sarratt's decade neatly encases the years in which the problems of school desegregation were in the courts. The Civil Rights Act of 1964 ended all that. Before it passed, a community might find itself challenged in court as to whether it was still segregating. Since, communities have found themselves challenged by the Office of Education on whether they are integrating fast enough. The leisurely gait of desegregation Mr. Sarratt records has turned into a gallop.

The percentages he cites to show how very deliberate the speed of desegregation was are sadly out of date. And so, it would seem, are the arguments over what the Constitution says. If Congress really meant in 1964 what the Office of Education says it meant—and that subject is up for debate in Congress right now—the Constitution is academic on the subject of race. The schools, north and south, will be integrated fully and swiftly, because states have problems enough without worrying about losing federal school money. The Office of Education will continue to decide how much and how fast to integrate and that will be that.

None of this means that Mr. Sarratt's book is without use except as an historical notebook. On the contrary, its very lack of present day context makes it ideal for marking the philosophical terrain this nation has traversed so recently in the ordeal of desegregation; if we can see where we have been, we may be able to locate where we are now when terms like massive resistance and token desegregation and gradualism have lost their meaning to be replaced by such terms as black power and white backlash.

The first thing that occurs to this observer in reading such a book is how much alike reasonable men of this period sounded, whether they believed that integration or segregation was best for the races. New Orleans School Board Chairman Lloyd J. Rittiner, for instance, could take a stand for law above even segregation:

"If, however, I am faced with the choice of integrating or closing schools I am already on record as favoring integration to the extent that it is necessary to comply with the law."

Baltimore School Superintendent John H. Fischer could take a stand for reason even above integration:

"We have said we believed it wrong to manipulate people to create a segregated situation. We believe it equally wrong to manipulate people to create integrated situations."

And then there was Mr. Marshall and Spottswood Robinson and the other NAACP leaders, talking of law. They knew the enemy was the same man white southern Lloyd Rittiner saw—the desperate extremists of segregation who very nearly led an entire section of the country into an experiment in ignorance through the closing of public schools. The extremists placed their demands above the law, or tried to pretend, with Rittiner's fellow Louisianan, Leander Perez, that the law had lost its meaning:

"The Supreme Court cannot expect the southern states to comply with its unlawful, Communistic decree."

Men like Perez and Georgia Governor Marvin Griffin had control of the politics of the South during the early, trying years of desegregation. To them, color was everything. Segregation was more dear than education. They were willing to "manipulate people" because they feared that they would lose control if they did not.

So men of good will, whatever their inclinations on segregation, joined to support the law. Their patron saint in these years was Judge John J. Parker of the Fourth Circuit Court, who had said, in interpreting the Brown decision:

"The Supreme Court has not decided that the states must mix persons of different races in the schools . . . Nothing in the Constitution or in the decision of the Supreme Court takes away from the people freedom to choose the schools they attend. The Constitution, in other words, does not require integration. It merely forbids discrimination."

In the absence of contradiction, this was accepted as the authorized version of what the Supreme Court had meant. If it was a conservative reading of Brown, it was nonetheless one that offered promise of an end to segregated schooling without an immediate and massive overturning of the South's dual school system.

But even before the end of the decade Mr. Sarratt treats, it was apparent that a new view of what the court meant was emerging. The court itself grumbled at the pace of integration. Justice Hugo Black wrote in 1964:

"There has been entirely too much deliberation and not enough speed in enforcing the constitutional rights which we held in Brown."

Justice Black could not have been referring to defiance. Significant defiance of massive resistance had crumbled in the streets of Virginia at the first onslaught of the courts in 1959. His remark could only mean that the court would not long tolerate segregation, no matter how voluntary. It wanted to see more integration, quickly, no excuses. By now, Congress was ready to oblige.

"The Ordeal of Desegregation" necessarily breaks off here. But the Civil Rights Act has created a new absolutism to rival the segregationist absolutism, which now is in consequence, undergoing a revival of its own. The absolutism declares, as one federal official wrote to local schoolmen, that "freedom of choice is dead." Harold Howe II, head of the Office of Education, has expressed himself in this vein with the belief that the Constitution requires integration, thereby laying to rest forever Judge Parker's interpretation.

The new absolutism involves what Baltimore Superintendent Fischer called "manipulation to create an integrated situation." It involves absolute consciousness of color. It involves the belief that integration is more precious than education, or that education in order to be genuine must involve a constant increase of integration in all situations—a distinction that Mr. Howe seems to set store by. In short, it involves constructing the same attitudes the old massive resistance encouraged to achieve opposite ends. The Negro anarchists, the Muslims and SNCC black power advocates, are even closer kin to the old segregationists, for they would use the same means to achieve the same ends—separation of the races.

Those who would push integration in the schools as far and as fast as possible are convinced that they offer the only hope of salvation from this nation's racial dilemma. Perhaps they are right. But it is certainly worthwhile at this point for Americans to note that they are willing to sacrifice a great deal of freedom to gain their purposes. There is something infinitely disquieting about the methods they employ, something all too reminiscent of the dead-end massive resisters of just a few years ago.

The all-out segregationists failed because they were not a majority, not even a majority in the South. The real southern majority of that day was represented by the men, great and little, in Mr. Sarratt's book, who valued education more than their preconceptions about race. In the end they elected to be less rather than more race conscious, and if that is not a good goal for Americans of both races, what is? Their counterparts across the country are sadly needed today when the real danger is that integration will come to be the end in itself that segregation was once seen to be, in the blessedly dead days that are the subject of this book.—Bob Smith

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GRADUATE EDUCATION, PUBLIC SERVICE, AND THE NEGRO

Mr. MUSKIE. Mr. President, no area of our society is more in need of the attention of government and our institutions of higher learning than the public service, and no area of employment is growing more rapidly than employment by State and local governments. State and local employees numbered 3.3 million in 1946, and increased more than 130 percent, to nearly 8 million this year; this includes 2 million State civil servants, and the remainder in local governments. With the emergence of active and big government at every level, we are constantly reminded of the woeful shortage of trained, professional manpower to implement our expanding public responsibilities. During recent hearings on the proposed Intergovernmental Personnel Act of 1966 before the Subcommittee on Intergovernmental Relations, witness after witness informed us of the difficulties faced by State and local governments in filling important staff positions.

On the other hand, we are told of the high rate of unemployment among the younger Negro population of this country, and it is generally agreed that the basic handicap of this largely untapped source of potential talent is their lack of training for the highly specialized employment the public service now demands. Yet this "training gap" is not unbridgeable; it is in fact, being attacked by a number of colleges and universities in this country conducting programs specifically designed to attract Negro applicants to the public service.

Mr. Warren I. Cikins, special assistant to the Administrator for Equal Opportunity, AID, and first staff director of the Subcommittee on Intergovernmental Relations, has written a thoughtful assessment of these programs which commends itself to all who are concerned with this problem. He notes some of the difficulties which these programs face in readying Negro applicants for critical public service positions. That Mr. Cikins is well qualified to comment on these important programs is reflected in his demonstrated dedication to better government. He has been a special assistant to the staff director, Commission on Civil Rights, and research analyst with the Advisory Commission on Intergovernmental Relations.

Mr. President, I ask unanimous consent that Mr. Cikins' article, "Graduate Education, Public Service, and the Negro," published in the September issue of Public Administration Review, be included in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

GRADUATE EDUCATION, PUBLIC SERVICE, AND THE NEGRO

(Note.—In order that opportunities in the public service be genuinely available to all Americans with the requisite capability, graduate schools, and, to some extent, undergraduate as well, will need to devise imaginative programs for accelerated training. The author here describes some programs now in operation and briefly points to the lessons which may be learned from their experience.)

(By Warren I. Cikins,[1] Special Assistant to the Administrator for Equal Opportunity, AID)

"The Federal Government's new equal opportunity program calls for eradicating all vestiges of prejudices, for a complete review of Federal employment practices, and for heavy emphasis on training and development of employees." So spoke John W. Macy, Jr., the Chairman of the U. S. Civil Service Commission, on February 24, 1966, in announcing a government-wide effort to insure equal employment opportunity. Those knowledgeable about the difficulties of achieving meaningful Negro professional employment in government agree, however, that long-run solutions require a special effort, not only by the Federal Government, but also by institutions of higher education, and of graduate education in particular, to attract qualified Negroes to graduate schools and to educate Negroes for graduate school.

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[1] The author wishes to thank the many officials of the schools mentioned in this article for their assistance in describing their programs and providing relevant materials.

What can persons in positions of responsibility and leadership in the field of public administration do to help obtain sufficient Negro candidates for graduate departments or schools of public administration? The presentation and analysis of existing programs which are administered by educational institutions can, perhaps, stimulate some specific planning and programming, as can also acknowledge of the range of Federal activities and proposals related to equal opportunity in education.

The following discussion of these programs and activities is directed to dilemmas faced by public administration schools and graduate departments: Where are they going to get the money to undertake special programs? Why have so few qualified Negro applicants appeared at institutions whose doors have been open to them for some time? How can the "credibility gap" between the willingness of schools to accept Negroes and the belief by Negroes that this is in fact the case, be overcome?

THE FOREIGN AFFAIRS SCHOLARS PROGRAM

In 1964, a number of high level officials in the State Department, the Agency for International Development (AID), and the United States Information Agency (USIA) decided that a special effort must be made to obtain talented minority applicants for foreign service careers. After a round of negotiations, Howard University, in cooperation with the three agencies, consented to administer a new Foreign Affairs Scholars Program. The Ford Foundation agreed to support it with a four-year grant of $600,000. The Field Foundation also provided a supplementary grant for the first two years of the program.

The purpose of the program was to identify and prepare talented Negro students, and members of other minorities such as Spanish-speaking Americans, for careers with foreign affairs agencies. The money would be used to enable these students to obtain the necessary academic training. A Special Advisory Committee was established, composed of presidents of several predominantly Negro colleges, Federal government officials, and administrative officials of Howard University, to determine policies for the program.

During the third year of the program's operation (the summer of 1966), about 300 students applied from over 100 colleges, both predominantly Negro and integrated, from all over the country. A special effort was made to obtain juniors rather than seniors so that they will have a longer time to prepare for their foreign service careers. In the first two years of the program, however, a number of seniors were among those chosen, because not enough qualified juniors had responded.

A network of campus representatives has been established to publicize the existence of the program and the availability of financial support for candidates that are selected. The closing date for receipt of applications has been around the first of the year.

Teams are sent out each winter to centrally located points to interview applicants who have survived initial screening. In February, 1966, for example, five interview teams went to 15 areas throughout the country. Candidates were notified that they were to be at particular schools to meet an appointment schedule and they were reimbursed for the cost of their travel and daily expenses. The interview panels were generally made up of representatives of the three participating Federal agencies and faculty members of the colleges visited.

On the basis of their academic records, the interviews, and a final scrutiny by the Howard University staff and the Advisory Committee, 40 students have been selected each summer to obtain special summer training at the three participating Federal agencies. Those who major in political science or economics have been given preference.

Twenty of the Foreign Affairs Scholars (FAS) are assigned to the State Department, ten to AID and ten to USIA. They are given regular student aide assignments and a special orientation, and are provided with copies of a selected number of required books. They are exposed to important cultural and social events in the Washington area. On a number of occasions the students have an opportunity to attend dinners and receptions given by the Program, by the participating agencies, and by several of the embassies.

The salary paid to each of the FAS summer interns is at the annual rate of $5,010. Over the course of the summer, they participate in frequent lecture and seminar meetings with government officials and outstanding scholars and teachers. Not only are the interns expected to carry a full load of job assignments, they are also expected to do reading assignments, write a seminar paper, and take the graduate record examination.

After the summer work experience, students return to their colleges for the senior year. They are then given advice and guidance about course work, other extra-curricular activities, and various types of training that they might undertake to prepare themselves for foreign service careers. They are also expected to take the Foreign Service Officer examination, the Federal Service Entrance Examination, and, possibly, the Management Intern Option.

The Director of the program at Howard visits the students at their respective institutions during the course of the academic year to consult with them and members of the faculty on the kinds of supplementary educational opportunities that they should avail themselves of, not only during that year but also the next summer. Before the school year is completed, approximately 25 of the 40 participants are awarded scholarships in amounts up to $4,000 for one year of appropriate graduate study in an institution of their choice.

THE HARVARD-YALE-COLUMBIA INTENSIVE SUMMER STUDIES PROGRAM

Another major program designed to assist members of minority groups prepare for graduate study is the Intensive Summer Studies Program administered by Harvard, Yale and Columbia Universities, and supported by the Carnegie Corporation of New York with a $180,000 grant for the first year. The three schools jointly conduct an intensive effort to identify and train undergraduates who are interested in and qualified for graduate study but who might not otherwise enter graduate school. In the long run, it is hoped that a significant number of these students will return to their present colleges as faculty members.

Over 60 institutions of higher education (both predominantly Negro and predominantly white) were originally invited to nominate candidates. Fifty-four of these responded. These candidates were expected to be interested in graduate work in the social sciences and in English. While this program cannot be viewed as one that directly prepares students for public administration or foreign affairs careers, some of its provisions could be applied to training programs in public administration.

Each of the colleges involved has appointed an "institutional coordinator" to nominate candidates. Final selection of the participants is made by an administrative committee comprised of representatives of Harvard, Yale, and Columbia, who interview the nominees. In this first year of operation, there were 367 applications and 316 students were interviewed.

Students are selected for participation in the program on the basis of four major criteria: (1) a capacity for rigorous creative scholarly work; (2) interest in graduate study within designated areas; (3) financial inability to obtain similar pre-graduate training through other means; and (4) capacity to benefit from the summer of intensive study, both in gaining admission to graduate schools and performing the work of the graduate curriculum. It is understood that any student admitted to graduate school at any of three participating institutions will be given full scholarship support.

This program, like the FAS Program, aims to attract primarily college juniors. Unlike the FAS Program, however, 13 of the 108 students who were selected for the first year were white, and their summer program was conducted on a thoroughly integrated basis at Yale.

In the summer of 1966, sixty-three of the students were at Yale, 25 at Columbia, and 20 at Harvard. They performed as full-time students, taking a special series of courses, in the fields of Economics, History, English, Political Science, Psychology and Sociology. Aside from the regular coursework, students were expected to do extensive reading and writing, generally including weekly seminar papers and at least one major written work for the summer. There were prominent guest lecturers. A program of cultural and social events was provided in the evenings.

In the FAS Program, the general instruction, lectures and supervision are managed by a mixture of Howard University faculty and foreign service agency career professionals. The Harvard-Yale-Columbia Summer Program is completely directed by faculty members assisted by graduate student tutors.

All student expenses are paid, including transportation to and from the site of the program. In addition, they are warded a grant of up to $500, depending on need, which is sent to the students' colleges to help defray the expenses of their next academic year.

The Harvard-Yale-Columbia program's main thrust is to provide trained educators for school attended by disadvantaged students. It could also be considered a downward extension of the admissions process for the graduate departments of Yale, Harvard, and Columbia. The motivational factor is relevant, but not especially significant, since students selected are generally expected to be thinking seriously about graduate school. Special arrangements are made to give the Graduate Record Examination, at the beginning and at the end of the summer, so that both potential and progress can be measured.

THE HARVARD LAW SCHOOL SPECIAL SUMMER PROGRAM

The Harvard Law School Special Summer Program has the purpose of encouraging Negro college students to consider a career in law. These students, it is hoped, will ultimately help to make up for the very small number of Negro lawyers now practicing; it should not be overlooked, however, that legal training in this country has traditionally been a quite acceptable basis for careers in politics, public administration and the management of business.

The plan to develop a special summer program at the Harvard Law School took shape about a year after plans to institute the FAS Program. A special faculty committee at Harvard Law School met in the Fall of 1964 to decide on how to proceed (after informal discussions about the need for action in the Spring of 1964) and immediate steps were taken to recruit a faculty and a director, and to obtain funds. Harvard officials found the Rockefeller Foundation ready to cooperate with a generous grant. About 25 predominantly Negro colleges were informed about the Harvard program and a conference was held in Atlanta, Georgia, in February 1965. Each college was then permitted to nominate as many as four students, with applications, letters of recommendation and transcripts being received as late as the end of March. Selections of forty students were announced in early April.

These 40 students were chosen from a group of candidates of well over 100. While an effort was also made here to give preference to juniors, a substantial number of seniors were included. A number of women have also been part of the group.

Since the program depends heavily on the recommendations of advisors from the participating schools, they have the greatest responsibility to see that the candidates selected can cope with the challenge. Harvard faculty members also interviewed many of the applicants.

It should be noted that students who have already firmly decided upon a career, either in law or in another field, do not fit the purposes of the program and are not expected to be included in the nominations.

Those selected are at Harvard for eight weeks in the summer, during which period they attend law courses in the afternoons, the mornings being devoted to an undergraduate course of their own choosing in the Harvard Summer School. They may select courses in a wide range of disciplines, depending upon their interests and needs, provided that these courses meet with the approval of the Director of the Law School Special Summer Program.

The law courses, designed along the lines of first-year law school courses, are generally taught in the Socratic method and are intended to give students an introduction to law and an understanding of the work, responsibilities and opportunities for lawyers. While the method is the same as for regular law classes, the pace is slower.

The classes are taught in two sections of twenty students each and are conducted by eight members of the regular Harvard Law School faculty, supplemented by two visiting professors. Harvard Law School students also serve as faculty assistants.

Among the many extra-curricular activities are frequent informal social gatherings, meetings with members of the Law School faculty as well as with distinguished visiting lawyers and judges, and field trips to courts and law offices in the Boston area.

One evidence of the good work that these students are able to perform is the fact that their average grade was in the (B—) category for their undergraduate course at the Harvard Summer School in 1965. A wide spectrum of ability was displayed. Some students had considerable difficulty in keeping up.

The program provides all expenses for travel, tuition, and room and board, and a living allowance for each student. If this college approves of an application based on need, up to $500 will be paid to the student's college to be credited against his charges and expenses for the coming year. If the student already has a full expense scholarship at his college, that college has the discretion of turning the $500 over to him to cover other expenses. All students are expected to live in Harvard dormitories where they can get to know those who come from all over the country for the Harvard Summer School.

It might be noted, that efforts to reach students at predominantly Negro colleges in *general* recruiting efforts for law schools have yielded only meager results, probably because there is often a negative attitude toward the law on the part of Negro families, and a conviction that teaching and social service are the only satisfactory careers available to Negroes.

"PRE-START" PROGRAM AT THE EMORY UNIVERSITY SCHOOL OF LAW

The Emory University School of Law in Atlanta, Georgia, received a grant from the Field Foundation which made it possible to institute a Summer "Pre-Start" Program for prospective Negro law students as a part of its summer session. The purpose of this program is to open up the possibility of careers in law for Negro students who have completed their undergraduate careers at accredited institutions. These students will be admitted to the Emory Law School based on their actual performance in a preliminary summer course of law study before the fall term begins.

The assumption is that there are many able Negro students who would be successful law school students and successful lawyers who, for one reason or another, are not able to pass the standard law school admission test. Accordingly, the course of action is: (1) a "Pre-Start" Program, a short preliminary subsidized program of law study on a trial basis to test basic ability; (2) a follow-up aid program with financial assistance for the succeeding academic year for those who are able to qualify for admission under this new program.

The Emory Law School has been utilizing pre-law advisors at eight Negro institutions which have been invited to participate. The advisors screened the academic credentials of the candidates and chose 12 students. An important part of the program is that no one is selected who would qualify otherwise for a career in the law. This is not a scholarship program, but is for Negro students who do not have the qualifications for admission to an accredited law school, according to normal admission criteria.

The "Pre-Start" program offers one series of courses that normally runs through the entire freshman year of law school. The series of courses is completed within a ten-week summer period and includes one or more regular examinations and a final examination grade. Each student who makes a grade of 70 or better, will, upon application, be admitted to the regular first-year course of study. In the first year of law school, he will, of course, be responsible for one less course each quarter than the normal course load.

Each student in the Pre-Start Program is given tuition and the following additional aid for the summer: $15.00 for books, $500 for living expenses, and $400 to make up for the loss of summer earnings.

For each of the students who starts into his first year of law school, there is scholarship or financial aid which involves per quarter $60 for books, and $500 for living expenses. After the first year, students are on their own. They must compete with other students in the usual way for additional scholarship aid.

GRADUATE PROGRAM OF THE UNIVERSITY OF PITTSBURGH SCHOOL OF PUBLIC AND INTERNATIONAL AFFAIRS

The Pittsburgh program is specifically designed to attract to graduate work qualified Negro graduates of either predominantly Negro schools or integrated institutions.

This Fellowship Program, established by the Jessie Smith Noyes Foundation at the Graduate School of Public and International Affairs of the University of Pittsburgh, is illustrative of a number of similar programs at graduate schools across the country. It offers stipends of up to $5,000 for 11 to 16 months of residence, to cover tuition fees, room and board, books and incidental expenses. The Graduate Fellowship Program leads to the Masters Degree.

The program is designed to train persons to serve in administrative positions dealing with urban problems. The Urban Affairs Department of the Graduate School is admirably suited to receive participants in this program since it has major programs in four urban areas: (1) City Planning; (2) Urban Development and Renewal; (3) Urban Management; and (4) Metropolitan Problems.

Two Negro students were Noyes fellows during the 1965–66 academic year. There will be five more Noyes fellows during the Fall of 1966. No special attention is given to providing undergraduate assistance, but this program offers a possible avenue of development to Negroes who have managed to receive adequate college educations.

ASSESSMENT OF THE PROGRAMS

It is probably too early to say exactly how successful these programs will be in providing many more qualified persons from minority groups for a wide range of professional activities. They must, of course, be considered short run expedients. The oldest of them is only in its third year; the number of persons who are actually employed in universities, in government, or in business who are alumni of these programs is still quite small. Most of the participants in these programs are still in graduate school, law school, or college, a development which is, in itself gratifying.

Some limited generalizations can be drawn about how the programs are functioning.

The first generalization is that in each case one or two persons have served as the moving forces in getting these programs off the ground. The committees set up to administer the program have an important role to play, but generally respond to the initiatives offered by the leaders. A second generalization is that it is very difficult to make a clear-cut determination of success in achieving the exact purpose of the undertaking—that of encouraging students with potential to think in terms of careers with the United States Government, in the law, or in education. Whether those chosen for special attention have really been responding to the "lure" of one of these careers, or simply taking advantage of the financial assistance made available, cannot be known.

It is also very difficult to estimate success in bridging the "cultural gap." While there is no doubt that travel to major institutions in big cities is in itself worthwhile, and taking courses with students at these institutions is a broadening experience, there is some doubt that the short period involved can really initiate a profound change.

Because of the haste with which some of the programs have been undertaken, it has been necessary to develop relations with participating colleges on a somewhat haphazard basis; in one or two instances, the participating institutions have been selected strictly on the basis of personal contacts. There is a wide range in quality among the different schools involved in these programs. Some fundamental questions, such as whether students should be taken from a cross-section of schools, or only the better students from the better schools should be selected, are being raised by educators. In order to gain acceptance from the minority academic community, it has sometimes been necessary for those guiding the program to accept a method of selection of students which leads to a wide spectrum of abilities being reflected.

In most of these programs, the participating predominantly Negro colleges have college faculty advisors who recommend students. Generally, this has led to good students being selected, especially when the recommendations are coupled with interviews held by panels of qualified persons to determine each applicant's general ability. There are in some cases, however, tendencies on the part of advisors toward questionable selections.

As the development of new programs takes place, care should be taken to avoid duplication and overlap. Each of the programs has tended to go its own way, to deal with the participating predominanly Negro institutions independently, and to develop different sets of college advisors and potential competition for students.

And, finally, there are the problems faced by the students themselves in adjusting to the courses of instruction, the work assignments and the cultural opportunities provided for them. One of the first discoveries that has been made is the "fear of failure syndrome" is not too deep. The majority have adjusted very well, and have done better in their course work than was anticipated. There have also been a number of "sleepers" coming to the fore, indicating evidences of tapping latent potential. This point should not be overstressed, since often the courses are not conducted at the same rate as they might otherwise be, and some students are clearly over their heads. Nonetheless, students have generally responded to the stimulus very well, and seem unlikely to regress in their future performances. The major area of shortcoming is in written expression, which probably will need considerably more attention in future programs.

One danger which exists because of the preferred treatment and the very generous awards is a tendency of some of the better students to react with an attitude of arrogance and cynicism. Generally the "swelled head" attitude has been dealt with reasonably effectively, and is not likely to be a major disruptive force.

LONGRUN SOLUTIONS

The Federal Government has been taking steps to provide major long-run assistance to institutions of higher education, including predominantly Negro colleges and other small developing colleges throughout the country. A brief analysis of some selected Federal initiatives follows:

The Higher Education Act of 1965

Title III of the Higher Education Act of 1965 entitled "Strengthening Developing Institutions," is designed "to assist in raising the academic quality of colleges which have the desire and potential to make a substantial contribution to the higher education resources of our Nation but which for financial and other reasons are struggling for survival and are isolated from the main currents of academic life."

The Office of Education is authorized to encourage and assist in the establishment of cooperative arrangements between these developing colleges and the country's great academic institutions. Assistance is also provided to the developing colleges to enable them to take advantage of the educational resources of business and industry. Grants are made to developing institutions to pay part of the cost of planning, developing, and carrying out cooperative arrangements which seem most likely to strengthen the academic programs and the administration of developing institutions. Five million dollars was appropriated for this purpose in fiscal year 1966.

Among the projects and activities assisted were: the exchange of faculty or students; improvement programs of faculty and administration; the introduction of new curriculum; the development and operation of cooperative education programs; and the joint use of facilities.

The Act gives the Commissioner of Education the authority to award fellowships ". . . to highly qualified graduate students and junior members of the faculty of colleges and universities, to encourage such individuals to teach at developing institutions." These fellowships are for a period up to two academic years and are for an amount of not more than $6,500 per academic year plus an additional amount of $400 for each dependent.

To help implement this Act, a conference was held in the summer of 1966 between representatives of relevant Federal agencies and the presidents of a selected group of developing institutions to determine exactly what can be done by the Federal Government to strengthen developing institutions. An effort is being made to identify all Federal activities that may exist or are planned for the future that would be of interest to such institutions.

International Education Act of 1966

The International Education Act of 1966 (H.R. 14643), which had already passed the House of Representatives at the time this article was prepared, is designed to strengthen the resources and capabilities of American colleges and universities in international studies and research. The bill provides for the authorization of $140,000,000 of grants for the first three years of a five-year program to go to universities or groups of universities for graduate centers of research and training in international studies or to improve undergraduate instruction in international studies.

The program will be administered through a Center for Educational Cooperation to be established in the Department of Health, Education and Welfare, and AID will have a significant role to play in its implementation. The range of activities to be supported includes teaching, research, curriculum development, training of faculty members in foreign countries, expansion of foreign language courses, planned and supervised student work-study-travel programs, and programs under which foreign teachers and scholars may go to institutions as visiting faculty.

Since the end of World War II, the Federal Government has relied very heavily for its personnel and for its expert knowledge on the students and faculty of the country's educational institutions. It has done little to support these institutions financially, which has meant that only the great educational institutions have been able to participate fully in international programs. The financial contribution of private foundations to these large schools has also been of major importance. Only a handful of developing institutions have therefore been able to participate.

In reporting this bill to the House of Representatives, the Committee on Education and Labor concluded that "the Federal Government has a clear responsibility to support and strengthen the capabilities of all colleges and universities for international studies and research." The Committee emphasized that the Council on International Education, which President Johnson proposed be set up to advise the Center for Educational Cooperation, should include representation of Negroes, citizens of Asiatic and Latin American descent, and Americans of other racial and ethnic backgrounds. Three criteria are to be given consideration in awarding grants: geographical distribution, institutional need, and the ability to use funds effectively.

Foreign Assistance Act of 1966

Four of every five AID-financed educators at work overseas today are staff members from American colleges and universities with whom the Agency contracts for technical assistance. One hundred twenty-six American schools are participating in these programs, through about $185 million in contracts with AID. Teams from 71 of these universities are at work overseas on AID-financed Federal assistance missions in 38 countries.

In the Foreign Assistance Act of 1966, an important section provides for grants to American research and educational institutions "for the purpose of strengthening their capacity to develop and carry out programs concerned with the economic and social development of less developed countries." Since it is AID's intention to channel the grants to domestic institutions which are already geared to make a contribution to the specific needs and objectives of the Agency, the funds made available through this legislation would contribute to strengthening developing institutions only to the extent that Federal funds would be released for this purpose that otherwise might have gone to the major educational institutions.

Many other Federal programs have the potential for strengthening predominantly Negro institutions, including those carried out by the Department of Agriculture, the National Institutes of Health, the Atomic Energy Commission, and the National Aeronautics and Space Administration. What is required is the determination to make use of these instruments, coupled with an enlightened Federal attitude about the channeling of available funds.

CONCLUSION

It is especially important that the kind of major breakthrough in the field of education that Negroes are experiencing lead to their gaining the opportunity to serve in important administrative positions, both at home and abroad. Negroes can benefit significantly from the academic training necessary to spread knowledge of public administration throughout the Free World as well as contribute meaningfully to this spread in the United States.

What then can be learned from the foregoing presentation of programs and legislative proposals?

Several points are important to professionals in the field of public administration.

1. While several colleges and graduate schools have already undertaken "crash" programs to help minority students qualify themselves for positions in the public service, there is a need for a great many more schools to make a similar effort.

2. It seems apparent that both government and foundation financial support will be available to those institutions who make careful plans for this type of training.

3. As more schools enter into the area of special programs to attract minority students, there will be a greater need to refine and coordinate these programs. There are already early signs of duplication and overlap.

4. Major decisions will have to be made concerning the future of predominantly Negro colleges because of the impact of school desegregation. With regard to the training of qualified Negroes for careers in public administration, some hard decisions will have to be made by appropriate authorities about which predominantly Negro schools should serve as the source of students for graduate training and should receive financial assistance for that purpose. Hard decisions of this kind will be necessary if there is to be no dilution of quality education.

5. One possible way for strong and developing institutions to establish cooperative arrangements would be to plan long-range programs to strengthen specific departments in the developing institutions. One obvious example under the terms of the International Education Act would be the creation of a special foreign affairs school at some appropriate predominantly Negro institution in a sister relationship with an existing well-known school of foreign affairs. Schools of Public Administration could also help developing institutions establish similar pro-

grams at both the undergraduate and graduate level under the Higher Education Act of 1965. While the development of such schools is inevitable ultimately, affirmative action to bring about their early creation would bring great dividends in the rapid preparation of qualified Negroes for public administration careers.

6. The Harvard-Yale-Columbia Program is only one example of the kind of consortium arrangement that could be utilized to combine resources to make use of available opportunities for training of Negro students. Supported either by foundation or Federal grants, such combined efforts are likely to have an even greater impact than the individual programs, since the losses due to duplication and overlap are minimized and the gains due to having available the best minds and physical plant are maximized.

PRAYER AND THE PUBLIC SCHOOLS

Mr. BARTLETT. Mr. President, the Senate has wisely decided not to tamper with first amendment guarantees of religious liberty. The "school prayer" decisions laid down by the Supreme Court in Engel against Vitale and Abington School District against Schempp have been left intact. I believe the Senate was correct in deciding not to qualify these decisions, either by resolution or by constitutional amendment. But I do not think the issue is a simple or clear-cut one, and would therefore like to take a few minutes to discuss its implications.

It is significant, Mr. President, that so much of the opposition to the prayer amendment came from religious leaders. Their views are certainly worth a careful hearing. As Father Robert Drinan, distinguished Catholic scholar, testified before the Senate Judiciary Committee:

> It is quite anomalous that the U.S. Senate should be recommending something which the overwhelming majority of churches and synagogues oppose, and which all professional educational groups in this country also oppose.

David R. Hunter of the National Council of Churches, a body composed of 30 Protestant and Orthodox communions, had this to say:

> One day we will wonder how we ever thought the Supreme Court could have decided any other way if it was to strengthen religious liberty in a pluralistic nation.

Rabbi Seymour Cohen of the Synagogue Council of America added:

> Our position . . . is that the proposed amendment would result in consequences which are undesirable constitutionally, and fundamentally inimical to religious interests . . . (State) neutrality, far from suggesting hostility or even indifference, creates and atmosphere in which the synagogue, the church, and the home are free to develop and strengthen religious commitment. Any breach of this neutrality, far from aiding religion, can only lead to a violation of the integrity of our respective religious communities.

It is not enough, however, to quote authorities, although I acknowledge that I find the position of our Nation's religious leaders on this issue quite convincing. It is necessary that we go on to ascertain exactly what is involved in the Engel and Schempp decisions. What do they actually say? What principles are at stake?

The Engel case declared:

> By using its public school system to encourage recitation of the Regents' prayer, the State of New York has adopted a practice wholly inconsistent with the Establishment Clause. . . . The constitutional prohibition against laws respecting an establishment of religion must at least mean that in this country it is no part of the business of government to compose official prayers for any group of the American people to recite as a part of a religious program carried on by government.

The Schempp case involved not an officially composed prayer but rather State and local laws providing for readings from the Bible and the recitation of the Lord's Prayer at the beginning of each school day. There the Court declared that—

> It is not within the power of government to invade . . . the inviolate citadel of the individual heart and mind . . . whether its purpose or effect be to aid or oppose, to advance or retard.

Just as the State has no business composing official prayers, the Court said, it had no business prescribing religious exercises.

At no time has the Supreme Court demanded that all school exercises be stripped of their religious content. It has not forbidden the use of patriotic ceremonies which contain reference to God. It has not prohibited teaching about religion in connection with history or literature. It has not forbidden the encouragement of ethical attitudes that have a religious significance. The Supreme Court has simply provided that prayer and Bible reading shall not be prescribed as a part of the daily classroom schedule in the public schools.

Let us look somewhat closer at some of the questions the decisions involve.

Much of the history of America is an account of men guided by a vital religious faith. This faith is central to our national ideals, and it continues to motivate our quest for peace and justice. There are naturally some external symbols of this faith, such as references to the deity in our national hymns and documents and our patriotic ceremonies. One such external expression has consisted of daily prayer and Bible reading in many of our public schools. These devotional exercises arose at an early point in our Nation's history as a spontaneous expression of our people's common faith. They were not consciously adopted as a way of propagating religious beliefs. Nobody regarded them as central to the religious training which had its roots in church and home. They were rather external and quite natural expressions of religious sentiments held in common by the community.

It is important that Americans be guaranteed the freedom to express and practice this religious faith. That is why our fathers provided in the Bill of Rights that government should not abridge the right to a "free exercise" of religion. That is why the Supreme Court has upheld the right of parents to send their children to church schools, has allowed religious groups to proselyte freely, and even has respected the conviction of Jehovah's Witnesses that they should not salute the flag. Now, however, many people feel that the Court in its decisions on school prayers abandoned its traditional protection of "free exercise." It has been said that by ruling in favor of those who object to public school devotionals, the Court is abridging the rights of others to a public expression of their religious sentiments, and some have said that Congress should move to correct the Court's error.

But it is at this point that we come upon another conviction of our Founding Fathers: that the State should not give its support or sanction to any particular religious group or groups. In part, this conviction stemmed from firsthand experience of the civil discord and personal hardship which resulted from State attempts to enforce the religious practices of one faith to the exclusion of all others. In part it stemmed from a religious conviction that true faith could not be produced through prescription, nor regulated by external authority. The separation of church and state was motivated by a concern for the welfare and liberty of both church and state.

The Bill of Rights, therefore, guarantees that the State shall not establish religion. The principle has served us well. It has been among America's greatest achievements to enable men of all faiths to live together in harmony, free to practice their religion but not free to use State authority to impose their beliefs on others.

State permissiveness has been maintained, but it has not been allowed to become either sanction or support.

It is here that the supporters of recent court and congressional action take their stand. It is true that public school devotionals began as spontaneous external expressions of our people's religious beliefs. They probably still seem that way to most Americans. But our country is more diversified now than it once was. More and more people came to object to public school devotionals, sometimes because they dissented from the beliefs expressed therein and sometimes because they saw the exercises as watered-down compromises of the strong convictions they felt. Thus some States and communities were put on the defensive, and they resorted to a practice with which we surely could not be comfortable; they elevated public school religious practices into law. Before 1900, only one State had felt the need for such legislation. At the time of the Engel decision there were dozens of such laws on State and local statute books.

Some would point out that these prescribed public school devotionals did not have the effect of the more drastic kinds of State "establishment." I agree. The exercises usually were nondogmatic and thus did not show clear State preferment of one group above all others. The children were sometimes allowed to refrain from participating. But any prayers or Scriptures bear some sectarian import. And, even if the children are not overly coerced, are not certain stigmas inevitably attached to the refusal to participate? It is a very difficult thing for a child to be "different." The derision or even the curiosity of one's classmates is probably more painful for a child than more direct forms of coercion would be for older persons.

One of the best ways to think clearly about this issue is to imagine ourselves in the minority in a community where the religious majority is prescribing and conducting religious exercises for our children. The experience of many communities shows the potential this situation has for a subtle sort of intimidation or indoctrination, even if the exercises are supposedly "nondenominational."

It seems to me, then, that while we might feel that public school devotions have done little harm and maybe a fair amount of good, we must recognize the fact that a number of people are now uncomfortable with them. What shall we do? Shall we use the authority of the State, even to the point of amending the Constitution, to assure that they shall continue? Or shall we allow them to drop from use and turn instead to other, more satisfactory, channels of religious training? Neither answer is ideal. But it seems to me that the latter is preferable. Tolerance, let us remember, is both a civic and religious virtue. And public school devotions were never central to religious training anyway. Is it not better to let them drop from use than to risk coercion and conflict? Tampering with our constitutional balance between church and state is, it seems to me, very dangerous business.

It is true that the prescription of prayers or the designation of prayer periods in our public schools represents an expression of the common faith of many communities. Certainly it appears relatively harmless when compared to the historical situations which led our Founding Fathers jealously to protect "free exercise" and to guard against "establishment." But as the Supreme Court and many of our religious leaders have recognized, governmental sponsorship of religious exercises, no matter how innocent in appearance or intent, is potentially a very dangerous matter in a diverse and pluralistic society.

Worship is most appropriate in the church and the home; it loses much of its beauty and meaning when it is watered down and practiced in our public institutions—particularly if that practice involves the coercion or the embarrassment of a single child. The first amendment has served both church and state well, and I am thankful that efforts to tamper with it have failed.

BANK MERGER ACT AMENDMENTS

Mr. ROBERTSON. Mr. President, last Monday, October 10, I obtained unanimous consent to insert in the Record a copy of the opinion of Circuit Court Judge Pope in the Crocker-Anglo merger case in California. I have today received a copy of the opinion in the second case to be decided under the Bank Merger Act Amendments of 1966, the decision of Chief Judge Clary of the U.S. District Court for the Eastern District of Pennsylvania in the Provident-Central-Pennsylvania merger in Philadelphia.

I believe this opinion would be of interest to Members of Congress and to members of the public. I, therefore, ask unanimous consent to have this opinion printed in the Record at this point.

There being no objection, the court's opinion was ordered to be printed in the Record, as follows:

[In the U.S. District Court for the Eastern District of Pennsylvania]

United States of America, Plaintiff, v Provident National Bank, and Central-Penn National Bank of Philadelphia, Defendants, and James J. Saxon, Comptroller of the Currency, Intervenor—Civil Action No. 40032

OPINION AND ORDER—OCTOBER 13, 1966

On December 6, 1965 the Central-Penn National Bank of Philadelphia and the Provident National Bank of Philadelphia applied to the office of the Comptroller of the Currency for permission to merge under the charter of the Central-Penn National Bank and with the title of Provident National Bank. The report by the Board of Governors of the Federal Reserve System to the Comptroller of the Currency under Section 18(c) of the Federal Deposit Insurance Act on the competitive factors involved in the proposed merger dated January 7, 1966, was that "the overall effect of the proposed merger on competition would be significantly adverse." On the same day, the Attorney General of the United States reported, "There are strong reasons, therefore, for believing that the proposed merger would have an important adverse effect on competition within the Philadelphia banking market . . . the anticompetitive effects of this merger are important and considerable and there are likely to be no redeeming features." The Federal Deposit Insurance Corporation filed no comment.

On March 4, 1966 the Comptroller of the Currency approved the merger, and on March 31, 1966, filed his written decision in respect thereof. In that decision the Comptroller noted that this application to merge was the first filed by banks of significant size to be acted upon by his office since the passage of the 1966 Amendment to the Bank Merger Act. He stated, "The new law, passed by Congress to moderate the decisions of the Supreme Court in *U.S.* v. *Philadelphia National Bank, et al.*, 374 U.S. 321 (1963) and *U.S.* v. *Lexington*, 376 U.S. 665 (1964) recognizes that traditional antitrust concepts cannot be applied to banking without substantial modification." His findings then followed sustaining the merger.

On April 1, 1966 the present action brought by the United States of America against Provident National Bank and Central-Penn National Bank of Philadelphia, defendants, was filed to enjoin the merger. On April 7, 1966 James J. Saxon, Comptroller of the Currency, intervened and thus is a party to the action, as provided by Section 1828(c)(7)(D) of Title 12 United States Code. Since under the provisions of the afore-quoted Section 1828 of Title 12 a novel situation has been brought about wherein two departments of the Executive Branch of the Government are litigating one against the other, with the approval of the Congress of the United States, it will be necessary to delineate in this Opinion to which branch of Government is being referred. Consequently, for the purposes of this Opinion, the plaintiff hereafter will be referred to as "Department of Justice" or "Justice"; the defendant Provident National Bank as "Provident"; the defendant Central-Penn National Bank of Philadelphia as "Central"; the joint defendants as "Banks"; the Comptroller of the Currency as "Comptroller" or "Intervenor", and the Bank Merger Act, Public Law 89–356, 64 Stat. 892, will be referred to as "BMA-66". The stated purpose of the aforesaid Act, as set forth in the slip sheet publication reads as follows:

"To establish a procedure for the review of proposed bank mergers so as to eliminate the necessity for the dissolution of merged banks, and for other purposes."

The pertinent pleadings to date which are essential to a decision on the present motions consist of a complaint filed by Justice, a joint answer filed by the Banks, the order permitting intervention of James J. Saxon, Comptroller of the Currency, answer of the Comptroller, motion of the Comptroller to dismiss, and motion of the Banks to dismiss. The basis for each of the motions to dismiss is that the complaint "fails to state a claim upon which relief can be granted."

There is no question that a law suit was started by Justice to enjoin the merger before the thirtieth calendar day after the date of approval by the agency (March 4, 1966). Thus, Justice has met the fundamental requirement of BMA–66, Title 12, Section (c)(7)(A), which prohibits any litigation challenging the merger after the thirtieth calendar day following approval. Justice has met the statutory limitation of action in that regard. A reading of the complaint leaves no doubt that Justice intended to plead, and did plead, a case of antitrust violation strictly in accordance with Section 7 of the Clayton Act (15 U.S.C., Section 18) and has attempted to ignore completely BMA–66. There are too many pointed references in the complaint challenging all alleged violations of antitrust law as contravening Section 7 of the Clayton Act only. Justice bottoms its case on the decision of the Supreme Court in *U.S.* v. *Philadelphia National Bank, et al.*, 374 U.S. 321 (1963). It is this specific pleading of Justice charging a violation of Section 7 which is relied upon by the Banks and the intervening Comptroller in their motions to dismiss. The Banks and Comptroller insist that a Section 7 action is no longer available to Justice in a merger or consolidation of the type involved in the instant case, and that any actions must be grounded in BMA-66 and no other statute in the light of the wording of BMA–66. The Banks and Comptroller urge that since Justice has failed to ground its action in a challenge under BMA-66 within the thirty day period, and that since such failure is substantive rather than procedural, the limitations contained in BMA–66 are applicable, that the Court is thus without jurisdiction, and the action must be dismissed. In plain language they insist that Justice has deliberately sought to avoid any requirements contained in BMA–66 which deletes "line of commerce" and adds another facet to the standards governing bank mergers, i.e. if anticompetitive effects of the proposed transaction are clearly outweighed in the public interest by the probable effect of the transaction in meeting the convenience and needs of the community to be served, the agency in question is authorized to approve a proposed merger. This intransigence of Justice, they contend, is substantive, not procedural, and thus fatal to the position of Justice.

The weakness of the contentions of the Banks and of the Comptroller lies in the fact that we are now only at the notice pleading stage. The complaint specifically charges that the history of commercial banking in the four-county area of Philadelphia has been one of consolidations, mergers and acquisitions, with a heavy concentration of the business of commercial banking within a relatively few banks; that Provident controlled 9% of the total assets, 9% of the total loans, 9% of the total PIC deposits, 10% of the total IPC demand deposits, and 9% of the banking offices doing business in the four-county area; that Central-Penn, the sixth largest commercial bank in the four-county area, controlled 5% of the total assets, 5% of the total loans, 5% of the total IPC deposits, 5% of the total IPC demand deposits, and 6% of the banking offices doing business in the four-county area; that Provident is the product of seven mergers or consolidations since 1947, and Central-Penn is the product of six such mergers or consolidations since 1949; that the proposed merged bank would be the fourth largest bank in the area, controlling 14% of the total assets, 14% of the total loans, 14% of the total IPC deposits, 15% of the total IPC demand deposits, and 15% of the banking offices of 36 banks doing business in the four-county area. Also, Justice contends that after the proposed merger, the five largest banks in the area would control 78% of the total assets, 79% of the total loans, 76% of the total IPC deposits, 77% of the total IPC demand deposits, and 63% of the banking offices of 36 banks doing business in the area; that it would destroy competition between each other and other banks, and that it would substantially lessen competition or tend to create a monopoly. It also charges that competition generally in the commercial banks in the four-county area will be substantially and unreasonably lessened, and that concentration in commercial banking in the four-county area will be substantially and unreasonably increased.

It cannot be gainsaid that if Justice had seen fit to plead generally and without reference to any particular statute, instead of specifically proceeding under Section 7 of the Clayton Act, and these factors pleaded might result in a violation of antitrust laws, the Court would of necessity have to hear the case. The only question for decision then is, does the reference solely to Section 7 invalidate the couse of action filed by Justice? For reasons hereafter set forth, this Court decides that it does not.

The purpose of notice pleading is merely to inform opposing parties what such opposing parties have to meet and defend. Justice charges a violation of antitrust laws, despite its insistence upon Section 7. Thus, suit is brought under antitrust laws of the United States.

The reference to a statute as being the basic ground upon which an action is brought, even if completely incorrect, is no ground for the dismissal of an action where there is a statute in existence which would warrant a valid cause of action for which relief could be granted upon the facts as pleaded. *Missouri K. & T. R. Co.* v. *Wulf*, 226 U.S. 570 (1913). This case involved a complaint based upon a state statute which had been repealed by the enactment of a federal statute not mentioned in the complaint Mr. Justice Pitney, writing for the Court, held that the Court was presumed to be cognizant of the enactment and that the pleader was not required to refer to the federal act. He further stated that reference to the state statute no more vitiated the pleading than a reference to any other repealed statute would have done. It was only important that there were sufficient allegations to support an action under the new federal act.

The modern theory of notice pleading is one of even greater liberality, thus bolstering the decision reached in *Missouri K. & T. Co.* v. *Wulf*, supra. Today, the basic principle is that pleadings are no longer to be held to the rigid standards of the common law and neither absolute clarity nor absolute precision is required. *United States* v. *Crown Zellerbach Corporation*, 141 F. Supp. 118 (N. D. Ill. 1956). It is enough to sustain a pleading against a motion to dismiss that a defendant is informed with reasonable particularity of a legally cognizable claim against him. If the plaintiff could recover on any state of facts, which it might prove in support of its allegations as laid, a motion to dismiss will be denied. *Conley* v. *Gibson*, 355 U.S. 41 (1957); *Melo-Sonics Corporation* v. *Cropp*, 342 F. 2d 856 (3 Cir. 1965); *Fuller* v. *Highway Truck Drivers & Helpers Local 107*, 233 F. Supp. 115 (E. D. Pa. 1964); *Miller* v. *Bargain City, U.S.A. Inc*, 229 F Supp. 33 (E. D.

Therefore, today the legal averments of a pleading are not so important as long as there are allegations which, if proved most favorably to plaintiff, would permit recovery under the laws of the United States. If, in such a complaint, there also appears a reference to an irrelevant statute, or if no statute is mentioned, the Court need only take judicial notice of the relevant statute. As stated in *Buell v. Sears, Roebuck & Co.*, 321 F. 2d 468 (10 Cir. 1963), it is not necessary to plead what may be judicially noticed. And, it is hornbook law that federal acts are a proper subject for judicial notice.

There is a further principle of pleading which has been recognized in federal procedure since *United States* v. *Morris*, 23 U.S. 246, 6 L. Ed. 314 (1825), that a subsequent pleading of an adversary, if not thereafter denied, may cure a defect in a prior pleading. *Cole* v. *Ralph*, 252 U.S. 286, 40 S. Ct. 321, 64 L. Ed. 567 (1920); *Albertson* v. *Federal Communications System*, 87 U.S. App. D.C. 39, 182 F. 2d 397 (1950); *Bullen* v. *DeBretteville*, 239 F. 2d 824 (1956). This principle applies to substantive as well as procedural omissions.

In the first defense of their answer, defendants claim that any action lies only under BMA–66. In their second defense, the defendant Banks put into controversy the question as to whether all right of Justice to enjoin the merger is vested in BMA–66. The answer of the Comptroller likewise puts into controversy the Bank Merger Act of 1966 by its prayer for relief.

We have long passed the stage peculiar to common law pleading that a failure in form of pleading vitiates the entire proceeding. This is an important case to all and is not a private quarrel between two branches of the Executive Department. The Congress of the United States has, for the first time, permitted two co-ordinate branches of the same department of Government to litigate opposite views in a judicial proceeding, thus affording one department of the Executive Branch, aggrieved by an alleged arbitrary position of the Department of Justice, to properly present for the first time before the judicial side of the Government its contention when it is in violent disagreement with the Department of Justice. While quite novel, in view of increasing differences between departments of Government, the provision is undoubtedly necessary.

In denying the motions to dismiss at this time, the Court does not sustain the position of Justice that it is entitled to sue under Section 7 of the Clayton Act. The only suit open to Justice to enjoin a bank merger lies solely within the ambit of BMA–66. It is not necessary at this time to decide the question of burden of proof, whether on Justice or on the Comptroller and Banks. That will be ruled upon in later pre-trial procedures.

ORDER

And now, to wit, this 13th day of October, 1966, for the reasons set forth in the foregoing Opinion, it is Ordered, adjudged and decreed that defendants' Motion to Dismiss and intervenor's Motion to Dismiss be and they are hereby denied.

By the court:

THOMAS J. CLARY,
Chief Judge.

AUBURN UNIVERSITY INSTITUTE FOR TALENTED HIGH SCHOOL MUSICIANS

Mr. SPARKMAN. Mr. President, it is with some pride that I invite the attention of the Senate to the "Institute for Musically Talented High School Students," which was founded this year at Auburn University in my State of Alabama.

Mr. Ernest Justice, the chairman of music education at the university, and the director of the program, has informed me that the statewide selection of the most talented high school students for inclusion in an intensive 2-week program taught by musicians and teachers of national stature "is rare and as far as I know, it has not been done before in Alabama."

Participants for the initial program this summer were selected, upon recommendation of their high school music directors, from among the all-State band, chorus, and orchestra. They came from 50 different Alabama communities for their 2-week stay on the campus at Auburn.

The results of the institute have been gratifying. Mr. Justice reports:

> Evaluations . . . seem to support a statement that from two months to two years work was accomplished by different students . . . (I)ntellectually and musically superior students, when surrounded by other equally (talented) students could accomplish vastly more work . . .

The quality and enthusiasm produced by this program were evident at the concluding concert which was held on July 30 of this year at the university's Langdon Hall. There were many outstanding instrumental and choral performances, and I am pleased that a member of my Senate staff could attend this event as a guest of Dr. Fred Robertson, the vice president of the university.

Auburn has a distinguished history of over 100 years as a center of learning for the South. Its impressive commitment to the future can be seen in its developing computer center, atomic energy facilities, new highrise dormitories, life science building, which is reputed to be the foremost in the Nation, as well as its art, theater, and music departments. Its accomplishments on the football field, under coach Shug Jordan, are also of considerable renown.

The founding of the High School Music Institute is also noteworthy, and it is good to know of plans for its continuation into a second phase. I feel that other parts of the Nation would benefit from studying this program.

The institute project demonstrates that the people of Alabama are fortunate to have the services of such institutions as Auburn and such men as Mr. Justice.

They are bringing the sound of music to a widening audience, and at the same time fulfilling the true function of education—bringing out the best in the young people of our State.

I ask unanimous consent that an article from the Auburn Plainsman and a letter from Mr. Justice which further describe the music institute be printed in the RECORD.

There being no objection, the article and letter were ordered to be printed in the RECORD, as follows:

[From the Auburn Plainsman, July 28, 1966]

UNIVERSITY HOST TO 200 MUSIC STUDENTS; STUDENTS PRESENT CONCERT SATURDAY NIGHT

(By Sarah Spann)

Sounds of music echo from Langdon Hall this summer as Auburn is hosting the High

School Music Institute. The students have been selected by their music teachers to attend the concentrated study in music performance and fundamentals.

The 200 students involved in each of the two-week sessions attend classes most of the day in orchestra, chorus, band and piano. The present group is preparing for a gala concert in Langdon Hall Saturday at 7 p.m.

"These students have managed, in two weeks time, to accomplish almost a year's work due to the concentrated study," said Dr. Ernest Justice, assistant professor of secondary education.

Instructors from Florida, Indiana, New York and Virginia direct the sessions. "What was accomplished was certainly worth the effort," commented Roman Lavore of New York, who directed the pianists in the previous session.

AUBURN UNIVERSITY,
Auburn, Ala., October 12, 1966.

Hon. JOHN J. SPARKMAN,
Senator from Alabama,
Senate Office Building,
Washington, D.C.

DEAR SENATOR SPARKMAN: It is with some pleasure that I will attempt to answer your August 3 letter. There have been other programs and projects that presented concerts similar to the one you heard here in Auburn on July 30. But, the concept of selecting only talented students and including them in one organization is rare and as far as I know, it has not been done before in Alabama. We wanted to find out what the results would be if we selected only talented students, brought them to the campus, and provided the best instructors available. Too, we wanted to offer these exceptional students instruction in music fundamentals and music history as well as music performance. All too many high school directors, under pressure for football shows and other public performances do not offer much instruction in music history and fundamentals and nearly all of their instruction is offered at the level of the average or mediocre students rather than the more talented ones.

Participants for the 1966 Auburn Institute for musically talented high school students were selected from the list of students who were members of the 1966 All-State Band, Chorus and Orchestra, and upon recommendation of their high school music directors also recommended piano students of superior talent. The students in the 1966 institute came from fifty different Alabama communities.

The two-week institute on the Auburn Campus was Phase I of the entire program and instruction in music fundamentals, music repertory and music performance was offered by instructors brought to Auburn especially for this program. The instruction was offered in the framework of a Concert Band, Concert Orchestra, Concert Choir, piano class and regular class sessions in music history and fundamentals. Conductors and teachers came from the University of Missouri at Kansas City; the Julliard School of Music, New York; the University of Indiana; the United States Army Band, Ft. Myer, Virginia; Florida State University at Tallahassee; Ft. Benning, Georgia; Columbus, Georgia and high schools in Alabama. It was recognized that two weeks is too short a time for students to learn and develop new performing techniques but we wanted to determine, if possible, if superior students could be inspired to do greater things musically than they had ever done. Evaluations of the two-week Institute seem to support a statement that from two months to two years work was accomplished by different students. It was evident that intellectually and musically superior students, when surrounded by other equally superior students could accomplish vastly more work than when they were in organizations with a lower standard of musicianship.

Phase II of the project includes a program series offered on the Alabama State Educational Television Network entitled "Musical Kaleidoscope." Each week, one of the students who participated in the summer institute returns to the campus for rehearsal and a taping session with Mr. Creekmore, the host, who is continuing the instructional programs begun during the summer. The students are presented as Young Alabama Artists and have the opportunity to perform before a state-wide audience. The students who have participated so far this fall have been enthusiastic about both the summer institute and the ETV phase of the program.

It seems to me that the institute will have considerable influence upon high school musicians when they come to the campus for the summer program of instruction, as they listen to each other perform on the ETV program. Their knowledge of music repertory and music fundamental should become greater as they become familiar with works performed on "Musical Kaleiodscope."

Furthermore, because our organization was hurried this year (the institute project was approved for federal funds from the Elementary-Secondary Act of 1965 in April, 1966 and plans had to be made before July 1, when the institute actually began), our selection of participants was not as satisfactory as we want it to be. In succeeding years we can expect to do a much better job of selecting students for institute scholarships, and procuring the instructors we want.

If you have any further questions concerning the Auburon Institute for Musically Talented High School Students please call upon me.

Sincerely,

ERNEST JUSTICE,
Music Education.

RADIATION, THE ARCTIC AND MAN

Mr. BARTLETT. Mr. President, this is the last of three speeches on the ever-increasing hazards faced by man from the radioactive pollution of his environment. I have spoken of the contamination of our rivers and streams, and in some cases of our irrigated crops and our drinking water, by atomic waste products which are highly radioactive. I have spoken as well of the danger and foolishness of unnecessary exposure to X-rays and fluoroscopes from machines improperly and inadequately shielded.

Each time I have spoken I have concluded with a plea that our Government—the administration and the Congress—give this problem the attention it requires. I have urged Federal training programs for those who handle and control radioactive products; I have urged greatly improved and expanded training programs to produce the radiologists and the radiological technicians which we need if we are to make full and safe use of the great advances in atomic medicine; and lastly, I have called for Federal standards, inspection and surveillance of radiation hazards. At present this responsibility rests largely with the States. Some States, such as Utah, are doing excellent work; other States, such as Colorado, have made an excellent start. The fact remains that the States do not have the technical competence or the money needed to mount effective radiation control and surveillance programs. The Federal Government with its constitutional duty to provide for the general welfare has a responsibility to all its citizens to insure that they are protected against unwitting and unnecessary exposure to radioactive contamination. The cost of such protection would not be large; the benefits great. The cost of failing to protect our people would be beyond calculation. Right now, today, in this country, in this city, people are dying from radiation-induced disease as the result of unnecessary and excessive exposures. As atomic weapons testing continues and as the use of radiation sources in medicine and technology increases, the potential hazards to the human race become staggering to contemplate. We are careless with radiation today, tomorrow we may have staggering cause to regret our carelessness.

I am a Senator from Alaska. I have particular cause for concern. As the result of the vagaries of nature, American citizens of Eskimo stock who live in Arctic Alaska are exposed to amounts of radioactive contamination as much as 100 times greater than exposures in the temperate zones. This summer, the noted scientist Dr. Robert C. Pendleton, head of the Radiological Health Department of the University of Utah, said in a letter:

> This we can say with assurance—the Arctic human and animal populations are in greater jeopardy from radioactive fallout than are any other group in the world. . . .

No wonder I am concerned.

The Arctic is a hard cold hostile land. It supports only the sparsest of vegetation. The food chain is simple and direct. Across the vast empty lands move herds of hundreds of thousands of caribou. In the winter the caribou feed almost exclusively on the mosses, sedges, and lichen which are the only plantlife to survive the Arctic cold. The inland Eskimos, since long ago, have built their culture and made their livelihood from the caribou. Caribou hides provide them shelter and warmth; caribou meat provides them protein and life. In the little village of Anaktuvuk Pass caribou meat constitutes more than half of the daily diet. It is estimated that the Anaktuvuk people eat between 5 and 6 kilograms of caribou meat a week.

This chain, lichen-caribou-Eskimo, has been contaminated by fallout, specifically cesium 137. The Arctic gets no more fallout than anywhere else. In fact, it gets less. But what it gets, it keeps. The cesium drifts out of the air and comes to rest on the moss and lichen. These plants do not take their nutrients from the earth as do most other plants. They strain their nutrients from the air and in the process take up the fallout. The Arctic, contrary to common belief, is an arid region with little precipitation. This means that there is no rain to wash the radioactive materials off the plants. Because these plants are extremely long-lived, the radiation builds up year after year. When I first spoke to the Senate on this matter, in the spring of 1963, the amount of fallout cesium 137 per square meter of lichen near Anaktuvuk Pass was 18 nanocuries. Last summer the amount per square meter was 48 nanocuries, and the buildup is continuing.

The caribou eat the lichen and the Eskimos eat the caribou. The buildup of cesium 137 in the caribou and the Eskimos also is continuing. The Eskimo body burden of cesium 137 increased by 50 percent from 1962 to 1963 and it doubled from 1963 to 1964. In 1965 the body burden decreased by 30 percent. This summer it is up again. The ever-changing unpredictable migratory habits of the caribou mean that the radioactive content of the meat will vary from month to month and from year to year. On an overall basis, there is no doubt that "the trend with time is one of steady increase," as W. C. Hanson of the biology department of the Battelle Memorial Institute said in a speech this summer to the Health Physics Society. Hanson is a conservative, respected scientist who is not given to exaggeration or alarmism. Nevertheless, he states flatly in his speech that the Arctic "ecological processes have been found to efficiently transfer appreciable amounts of cesium 137 through the food chain." Standing at the end of that food chain is Arctic man.

With the cessation of atomic testing in the atmosphere by the two great powers it might be assumed that the pollution of the Arctic would decline and there would be little need to continue research on the problem. However, the pollution has not declined and there is greater need than ever for an increased research effort. This need is based on the following points:

China and France are testing in the atmosphere. This year their bombs are low yield, next year and the year after their bombs will give higher yields. Whether these are released south of the Equator or east of the Himalayas, they will, in the years to come, appreciably increase the fallout content of the earth's atmosphere.

The United States and the Soviet Union might, at any given time, renounce the test ban treaty and resume testing. It is not inconceivable—although dreadful to contemplate—that limited use might be made of atomic weapons on the battlefield. In either case, our knowledge of food chain contamination and what to do about it would be woefully inadequate.

Our knowledge is inadequate. The more we learn, however, the more reason we find for concern. Three developments this year in the Arctic emphasize how limited, dangerously limited, our knowledge is.

First. This year for the first time body burden measurements were made in a number of Arctic villages hitherto untested. The results were sobering. In the past, it has always been the town of Anaktuvuk Pass which has held the attention of the scientists. Located in the heart of the Brooks Range of mountains, Anaktuvuk is inhabited by the last major group of inland Eskimos who live principally in the old manner on the caribou. The people of Anaktuvuk have been shown to have levels of cesium 137 up to 100 times greater than that of the citizens of the lower 48 States.

This year's testing went far afield from Anaktuvuk and found that contamination is by no means limited to the inland Eskimos. The coastal inhabitants are contaminated, too. Egegik, Kotzubue, and Kanakanak have levels of cesium 137 approaching those of Anaktuvuk and the little community of Selawik—which I visited only several weeks ago—has an average level of contamination twice as high as Anaktuvuk and one of its citizens had a body burden almost 2½ times greater than anything recorded at Anaktuvuk.

The average level at Selawik exceeds the exposure limit for large-scale populations as set by the Federal Radiation Council. The highest individual level of exposure found at Selawik is 80 percent of the permissible dose to the individual as determined by the council.

Second. This year for the first time scientists confirmed what had long been suspected. The Arctic food chain takes up natural radioactive nuclides as well as manmade ones. The same process that sifts cesium and strontium from the air, and ultimately deposits them in the bones and bodies of Arctic residents, does precisely the same thing to the nuclides polonium 210 and lead 210, which in small quantities are present naturally in the Arctic as everywhere else. These nuclides are concentrated by the long-lived simple and direct food chain, and Eskimos eating caribou have body burdens of polonium "tens of times greater than those of urban populations," according to Scientist Joel Alan Snow in this month's Scientist and Citizen.

Although Arctic residents receive some strontium 90 and some lead 210, neither of these nuclides alone constitutes a major problem because they are bone-seeking and most of the strontium and lead ingested by the caribou lodges in caribou bone and little finds its way into the meat. Because of this factor, cesium 137 and polonium 210 constitute a greater subject of concern than do the lead and strontium.

Radiation exposure, however, is circulative. Exposure from lesser sources must be added on to the exposure from major sources.

Measurements reported in the May 20, 1966, issue of Science by T. M. Beasley and H. E. Palmer indicate the extent of the problem. They estimate that an individual who receives the exposure limit, as set by the Radiation Council, of cesium 137 would be already overexposed by 45 percent because of polonium 210 and by 30 percent because of the lead 210.

Cesium levels in the Arctic are in some cases approaching the permissible limits. Inasmuch as levels are averages, it must be assumed therefore that there are individuals in the Arctic now receiving levels of exposure to radiation higher than those considered permissible by the Federal Radiation Council.

It can be argued that the polonium takeup by the food chain should cause no alarm because this is a natural business that has been going on for as long as man has lived in the Arctic. And so it has.

It would be nice to say that exposure to higher levels of radioactivity for thousands of years has had no effect on the health of the Eskimos. It would be nice to say but we cannot say it because we do not know. The statistics that we have on the health of Arctic people are sketchy and recent. Furthermore, populations are so small that a statistically significant increase might pass unnoticed unless carefully observed. There is certainly much we do not know about the behavior in the Arctic.

Third. Also this year in a paper presented to the Alaska Science Conference September 2, 1966, the scientists, Palmer and Beasley, revealed the extent to which another food chain has been contaminated.

This chain is plankton-fish-man and it carries cesium 137 and iron 55, both manmade nuclides. So far, radioactive levels have been relatively low although Finnish scientists have reported finding some fish levels almost as high as those in reindeer meat. The importance of this paper is that there are many food chains across the world. Many may be contaminated in one degree or another by radiation and yet we know practically nothing about this contamination.

The contamination of the Arctic is an Arcticwide problem. The Russians, too, have Eskimo citizens who live on reindeer and caribou meat. These people, too, are receiving perhaps significant doses of radiation. In fact, the Russians report one reindeer herder with a whopping great body burden of 4,800 nanocuries of cesium 137, more than twice as high as anything even reported in Alaska.

When a man plays with radiation, he plays with death and destruction. With its contamination he risks grave genetic damage and mortal somatic damage. The benefits from radiation use are substantial. Medicine, science, engineering power production—all benefit from the controlled uses of nuclear power. By no means should we fear nuclear advances nor should we attempt to retard scientific progress.

But at the same time we must never forget the hazard which comes with the benefit.

We must improve our scientific effort in the field of radiation health. We must have more radiologists; doctors must be better trained in radiology, and our research effort must be expanded and improved and Federal standards for radiation control must be introduced and enforced.

I am worried about the situation now and even more worried about what would happen to the Arctic should atomic testing be resumed on a major scale.

I am worried about what happens to surviving man should atomic warfare, limited or otherwise, occur.

These questions are related. The more we know about the Arctic, the better prepared we are to answer the questions facing mankind.

Mr. President, I ask unanimous consent to insert two articles on this subject in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From Scientist & Citizen, August 1966]

WHAT HAVE WE LEARNED? RADIOACTIVITY IN THE ARCTIC

(By Joel Alan Snow)

Special limitations on the food supply and living habits of Arctic populations are imposed by the environment. In recent years a new potential hazard to these peoples has been under study. Radioactive cesium from weapons tests has been found to be concentrated by the Arctic food chain so that body levels of cesium 137 contamination in Arctic humans reach 30 to 60 times the levels found in other populations.

The phenomenon which produces these concentrations was discussed in detail in the September-October 1964 issue of *Scientist and Citizen*,[1] and predicitions were made of levels to be expected after 1964 which indicated that various standard protection levels would be exceeded. Not only do recent data support these predictions, but additional studies indicate the possibility of hazard from other radioactive contaminants which may well exceed hazard from cesium.

NEW CESIUM DATA

It has been known for several years that cesium 137, a long-lived radioactive isotope from weapons tests, is adsorbed readily by lichens growing in Arctic regions. These primitive plants accumulate successive deposits. The lichens are eaten by reindeer or by caribou, and these animals attain unusually high levels of contamination. The isotopes are then passed on to the humans who consume reindeer or caribou meat. This is a particular hazard for many Arctic natives because these animals are the main ingredient in their diets.

There are recent cesium 137 data from Finland. There the average cesium 137 body burden for males active in reindeer breeding was found to be 1437 nanocuries in 1965, an increase of about 15 per cent over the level 1245 nanocuries the preceeding year. The maximum body burden is given as about 3000 nanocuries, versus 2660 the previous year.[2] In the S/C article, predicted average body burdens of cesium 137 were 1440 nanocuries; 2790 nanocuries was the maximum prediction. (Due to a misprint the latter figure appeared as 2190).

The 1965 data for Alaska are somewhat lower than 1964.[3] The average body burden for adults was found to be 920 nanocuries as compared to 1280 nanocuries in 1964. Maximum values were not given. It has been hypothesized by W. C. Hanson[3] that ususual caribou migratory patterns in 1964 gave rise to anomalously high 1964 levels. Thus the levels to be expected in the period 1966–1969 may be somewhat lower than the extrapolations we made, based in part on the 1964 data.

Our extrapolations did not include the possible additional contamination from weapons tests by the French, Chinese, or new nuclear powers; there is a lag of a year or so between the time of testing and the appearance of the resulting cesium 137 in the Eskimo diet.

AQUATIC FOOD CHAINS

Caribou eaters are not the only people who may be subject to high levels of contamination from radioactive cesium. Considerable evidence is accumulating which indicates that fresh-water fish, particularly carnivorous fish which prey either on other fish or on insects, are remarkably efficient at concentrating this radioactive isotope.[4] Consequently, people for whom such fish form a dietary staple, or who eat such fish as a supplement to the caribou diet, are incurring a possible risk. It has been shown that concentration factors of several thousand exist among predatory fish. For example, the bluegill, with its concentration factor of 6500, will have a level of radioactivity 6500 times that of the corresponding weight of water. One result of this is that fish may turn out to be far too contaminated to be safely *eaten*, even though they have been living in water that is considered safe for drinking according to the presently accepted standards.

The contamination to most ponds, lakes, and rivers due to weapons testing fallout is far below the International Commission on Radiation Protection (ICRP) maximum permissible concentrations established for drinking water. However, special circumstances can lead to significant concentrations. If the water body has a large ratio of surface area to volume and is relatively stagnant much greater concentrations of fallout radionuclides can be accumulated than will be found in deep lakes, swift-running streams and oceans, in which rapid dispersal is possible. Shallow lakes and marshy areas are thus the most likely sources of large amounts of contamination.

In a specific example Pendleton has shown that a fish grown in water contaminated to the maximum permissible concentration for drinking water of four parts per ten thousand could accumulate more than three microcuries of cesium 137 per gram. A half-pound of this fish flesh would then contain a dose of about 2500 microcuries of cesium 137, far exceeding all the various standards for this isotope. Such a result is significant not solely to the Arctic fish-eaters but to all.

Finnish investigators have observed concentrations of cesium 137 in fish which approach those of reindeer meat.[5] Since fresh-water fish are a much more widespread dietary source for the general population than reindeer and caribou meat, the problem of aquatic food chains may have much more general significance than the special case of the Arctic food chain. In the event of higher levels of atmospheric testing or nuclear war the waters might become so contaminated by cesium 137 that fresh-water fish could not be eaten without significant risk.

ENHANCEMENT OF NATURAL RADIOACTIVITY

In addition to special circumstances of Arctic food chains and artificially introduced isotopes, naturally occurring isotopes are present in unusual concentration in Arctic foods. The natural environment contains small amounts of radioactivitiy arising principally from minerals containing uranium or radium. Each of us is exposed to this "background" radiation in degrees which vary slightly depending on circumstances of our respective habitats; but recent study of the Arctic food chain has shown that a dramatic concentration of the natural radioactivity can take place. Although this was qualitatively described in our article of October 1964, detailed studies now available show the extent and the relative magnitude of the concentrations.[6]

The decay of radium produces radon, a gas, which is subsequently dispersed in the atmosphere. Radon ultimately produces a radioactive isotope of lead, lead 210, which in turn produces radioactive polonium 210. Lead 210 and polonium 210 then can be concentrated by the Arctic food chain just as is cesium 137. The result is that animals feeding on lichen take in amounts of lead 210 five to ten times greater than that of an animal feeding on annual plants, and their intake of polonium 210 is ten to twenty times greater.

Human average daily intake of these two isotopes is quite different, however. The isotopes are "screened" by the food chain because they are handled differently by the bodies of the caribou and reindeer. Most of the lead 210 taken in by reindeer is stored in the bones, which act as a relative barrier to lead 210. But in the polonium 210 is taken up principally in muscles and in organ meats, so that it is transferred to humans just as is cesium 137. The daily intake of polonium 210 for Lapps has been estimated to be 40 to 65 picocuries per day as compared with one to ten picocuries per day in the average western diet. The resulting body burdens of polonium 210 among Arctic peoples should then be tens of times greater than those of urban populations.

Beasley and Palmer[7] have recently estimated the relative exposure to Eskimos from these istopes, based upon a study of the contamination found in caribou meat. They find that the exposure from polonium 210 is about 45 per cent of that from cesium 137 and the exposure from lead 210 is about 30 per cent that from cesium 137. Thus an individual who had reached the International Commission on Radiation Protection exposure limit of 3000 nanocuries of cesium 137 would be *already overexposed* by 45 per cent due to polonium 210, and another 30 per cent due to lead 210. Since some caribou-eating Artic inhabitants have been found to have cesium 137 body burdens approaching the 3000 nanocurie level, they thus may be assumed to have been *already overexposed*, due to the enhanced natural fallout.

There is in addition some direct evidence for high lead 210 and polonium 210 in Eskimos. Lead 210 bone concentrations for a Canadian Eskimo were measured to be fifteen times higher than that of Illinois residents. Polonium 210 urine levels of Alaskan natives were 230 times higher than that of individuals exposed to normal environmental levels of polonium 210 and lead 210.[7] Measurements on human placentas have shown a close correlation between the cesium 137 and polonium 210 activities.[8]

HOW SIGNIFICANT IS THIS CONTAMINATION?

The fact that certain radiation protection guides have evidently been exceeded in Arctic people does not imply that their health necessarily is in any imminent danger.

However, it is known that polonium 210, in contrast to cesium 137, is quite unevenly distributed in the body, so that the local dose to certain organs or cells may be much greater than the overall dose. This makes polonium 210 potentially more dangerous than cesium 137. Recent studies of cigarette smoke have indicated that polonium 210 may be substantially involved in the production of lung cancer due to its presence in tobacco. Whether carcinogenic behavior can readily result from the local concentrations anticipated in the Arctic is unclear.

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[1] Snow, J. A., A. W. Wolfe, "Radioactivity in Arctic Peoples," Scientist and Citizen, October 1964.

[2] Miettinen, Jorma K., "Investigations of Radioactivity in Man and His Environment in the Finnish Lapland," Finnish Academy of Sciences, December 10, 1965.

[3] Hanson, W. C., "Cesium 137 Body Burdens in Alaskan Eskimos During the Summer of 1965," Science (in press).

[4] Pendleton, Robert C., "Accumulation of Cesium 137 Through the Aquatic Food Web," Biological Problems in Water Pollution, Third Seminar, 1962.

[5] Miettinen, Jorma K., (Private Communication).

[6] Kaurenen, P., J. K. Miettinen, "Lead 210 and Polonium 210 in Environmental Samples from Finland," International Symposium on Radioecological Concentration Processes, April 25, 1966.

[7] Beasley, T. M., H. E. Palmer, "Lead 210 and Polonium 210 in Biological Samples from Alaska," Science 152, 1062, May 20, 1966.

[8] Hill, C. R., "Polonium 210 Content of Human Tissues in Relation to Dietary Habit," Science 152, 1261 (1966).

The total dose from polonium 210 to an Arctic inhabitant has been estimated at one hundred millirem per year,[3] about the same as for cesium 137. Compared to the Federal Radiation Council dose allowable for individuals, five hundred millirem per year, (exclusive of natural backgorund) this might not seem to present a direct hazard.

WHAT HAVE WE LEARNED?

Whether or not Arctic people may be undergoing any real risk in their traditional dietary habits, we now know of at least one population group in which the operation of the food chain has been clearly shown to result in contamination levels much higher than those of the general population. If new fallout situations arise these may approach danger levels in Arctic peoples much more rapidly than they might for the general population.

This situation illustrates that unique circumstances can result in radiation exposures many times higher than those to which the general population is subjected. The imperative for a clear understanding of potential radiation exposures is particularly dramatized by the way in which it has taken a period of several years for the basic facts involved in the Arctic problem to be discovered. It is by no means assured that other potential hazards may not yet be found.

GLOSSARY

Measurements of radioactive material

Curie—a measure of the activity or strength of radioactive material. It is expressed in terms of particles emitted per second, or disintegrations per second. One gram of radium has an activity of one curie, and represents a very large quantity of radioactivity.

Millicure—one-thousandth of a curie.

Microcurie—one-millionth of a curie.

Nanocurie—one-thousandth of a microcurie.

Picocurie—one-millionth of a microcurie.

Measurements of radiation exposure

Roentgen—the standard unit for the measurement of X-ray exposure. The amount received by the skin in an ordinary chest X-ray is about .02 roentgen.

Rem (abbreviation of Roentgen Equivalent Man)—that quantity of ionizing radiation which produces the same effect in man as one roentgen of X-rays.

Millirem—one-thousandth of a rem.

Rad—a unit of radiation exposure which is very close to the rem. It is defined as that amount of radiation which will impart 100 ergs of energy to one gram of irradiated material.

Metric system

Gram—a unit of mass commonly used in scientific work. It is very nearly the mass of one cubic centimeter of water, or about one-thousandth of a quart.

Kilogram—one thousand grams; approximately one quart.

Kiloton—one thousand tons. As a measure of the energy released by a nuclear explosion, it means energy equal to that released by one thousand tons of TNT.

Liter—a measure of capacity in the metric system equal to 1.0567 liquid quarts.

Other definitions

Isotopes—Isotopes are the different possible forms of the same element. They have identical chemical properties and differ only in their nuclear properties. In particular, they differ in the weight of the nucleus.

Half-life—The half-life of a radioactive nucleus is the time during which it has a 50:50 chance of disintegrating. Given a collection of nuclei of iodine 131, the half-life of eight days is the time during which half of them will have emitted their radiation and decayed. At the end of the second eight-day period, half of the remainder will have decayed, and so on.

Radionuclide—a radioactive isotope.

Cesium 137—a radioactive isotope of the element cesium.

Lead 210—a radioactive isotope of the element lead.

Polonium 210—a radioactive isotope of the element polonium.

Iodine 131, iodine 130, iodine 129—radioactive isotopes of the element iodine.

Radium 226—a radioactive isotope of the element radium.

Strontium 90—a radioactive isotope of the element strontium.

Thorium 230—a radioactive isotope of the element thorium.

Fission—the splitting or disintegration of uranium or plutonium atoms, releasing energy, producing radioactive particles.

Fission yield—the fraction of nuclear fission (usually expressed as a percentage) that is responsible for production of radioactive isotopes.

Placenta—a structure which attaches the unborn embryo or fetus to the uterine wall of the mother.

LEAD 210 AND POLONIUM 210 IN BIOLOGICAL SAMPLES FROM ALASKA

Abstract. The naturally occurring concentrations of lead-210 and polonium-210 in certain biological samples from Alaska are unusually high. The concentration processes are similar to those observed for artificially produced radioactive fallout. Concentrations of these nuclides are greater in Alaskan natives than they are in other United States residents.

In the past two decades research workers in the radiological sciences have increased their efforts to identify and measure the natural radiation levels to which man is subject. These investigations have been prompted in large measure by the introduction of radioactive material into the environment by nuclear weapons and by the high natural radiation levels in various parts of the world.

More recently, the concentrating of fallout radionuclides in some ecosystems, such as that observed in the arctic regions for ^{137}Cs and ^{55}Fe, has prompted research in the area of "natural fallout," notably the concentrations in the environment of the naturally occurring radiosotopes ^{210}Pb (half-life, 22 years) and ^{210}Po (half-life, 138 days). We now consider the levels of these two isotopes in certain biological samples from Alaska.

The most extensive investigation of natural ^{210}Pb concentrations in man is that of Holtzman, who also found relatively high concentrations of this isotope in arctic lichens, caribou bone, and antler. This ^{210}Pb undoubtedly derives from the decay of ^{222}Rn in the atmosphere. The high levels of ^{210}Pb in caribou result from concentration by lichens; the process is similar to one observed for ^{137}Cs. We have extended these measurements to include a variety of biological samples from the Alaska region and have analyzed not only ^{210}Pb content, but also ^{210}Po content.

To determine ^{210}Po, samples were first wet-ashed in concentrated nitric and perchloric acids and 30 percent hydrogen peroxide; chemical electrodeposition of the polonium from a dilute hydrochloric acid solution, by the method of Black, followed. Polonium-208 was used to measure radiochemical yield through the dissolution and plating procedure, the polonium finally being determined by alpha energy analysis with a silicon diode detector and a 400-channel pulse-height analyzer. Since lead is not lost in this procedure, ^{210}Pb was determined in the residue from the polonium plating by the procedure of Sill and Willis. Lead-212 was used to measure radiochemical yield, and the ^{210}Pb activity was determined by low background beta counting through aluminum absorbers following decay of the ^{210}Pb and the attainment of partial equilibrium between ^{210}Pb and its daughter, ^{210}Bi.

The identification and origin of the caribou samples which were analyzed and the levels of ^{210}Pb and ^{210}Po observed are shown in Table 1. The values listed for caribou are the concentrations existing at time of slaughter and show the relative concentrations in the various organs. Since isotopic tracers were used as determinants of yield, the probable errors in the determinations are due almost exclusively to counting statistics. Care was taken to insure that probable errors from this source were less than 10 percent for the measurements of both isotopes at the 90-percent confidence level.

TABLE 1.—*Concentrations of ^{210}Pb and ^{210}Po in caribou slaughtered in November 1965—Animals collected at Anaktuvuk Pass*

Tissue	Concentration (nanocurie/kg, wet weight)		^{210}Po/^{210}Pb
	^{210}Po	^{210}Pb	
	Caribou No. 1, 6-year-old female		
Meat	0.41	0.03	13.7
Liver	4.13	.81	5.1
Kidney	3.51	.56	6.3
Spleen	.82	.04	20.5
Bone	3.12	[1] 3.35	.93
	Caribou No. 2, 7-year-old male		
Meat	0.35	0.03	11.7
Liver	5.47	2.45	2.2
Kidney	4.36	.42	10.4
Spleen	.68	.15	4.5
Bone	5.08	[1] 5.22	.97
	Caribou No. 3, 8-year-old male		
Meat	0.26	0.03	8.7
Liver	4.28	.60	7.1
Kidney	3.92	.55	7.1
Spleen	.74	.11	6.7
Bone	3.15	[1] 4.50	.70

[1] These values, in picocuries per gram of ash, are 8.42 13.1, and 11.3, respectively, and are nearly identical with those reported by Holtzman (4).

Table 2 contains the results of the ^{210}Po analysis of a composite lichen sample and certain foodstuffs used by Eskimos living on the western coast of Alaska. Analyses of ^{210}Pb are not included in these particular samples since they are used here only as an indication of the relative levels of ^{210}Po to which these particular individuals might be exposed. However, in samples such as seal meat and seal liver, one might expect the activity to be supported in part by ^{210}Pb.

Several common foodstuffs (such as meats, grain products, and eggs) from local food-markets have been analyzed in this laboratory. Generally the levels of ^{210}Po in these foods are some 1/10 to 1/100 as high as they are in caribou flesh, seal meat, and salmon (Tables 1 and 2).

Although more samples must be analyzed to obtain a clear picture of the concentrations of both nuclides in the Alaskan ecosystem, certain conclusions can be drawn from the data of Tables 1 and 2. First, caribou have been subjected to higher than "natural" levels of internal radiation; presumably this condition has existed for centuries. If the concentrations of ^{210}Po in the various organs of the caribou are constant at the levels listed in Table 1, the dose rates to these various organs would be those shown in Table 3. Since this dose is due to alpha particles it is probably more effective than an equal dose of X-rays, because of a higher

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See footnote 2 on page 26772.

relative biological effect (RBE) and because of a lack of a protraction effect.

TABLE 2.—*Concentrations of ^{210}Po in other selected samples*

[Sample and ^{210}Po (nanocurie/kg wet weight)]	
Lichens *	4.70
Salmon †	0.026
Butterfish	.007
Whitefish	.007
Seal meat	.220
Seal liver	.880
Polar bear meat	.008

* Composite sample taken from Anaktuvuk Pass. The type of lichen present is not known. The concentration reported corresponds to a value of 14.9 nanocurie/kg of dry lichen, which is in general agreement with that reported by Holtzman.

† Average of 4 salmon.

Since certain of the Alaska natives depend upon caribou meat for a large portion of their diet, they will also be subjected to a higher radiation dose than other United States residents. The problem can be put in better perspective by comparing the problem of ^{210}Pb and ^{210}Po with that of ^{137}Cs arising from fallout. In making this comparison we have assumed that the maximum permissible concentrations (MPC) for ^{137}Cs, ^{210}Po, and ^{210}Pb are the same in meat as they are in water. These values are listed in the report of the International Commission for Radiological Protection (8) as 2.4×10^{-4}, 7×10^{-6}, and 1×10^{-6} microcurie/cm³, respectively. The ratio of MPC ^{210}Po/MPC ^{137}Cs is 1/30. Thus, the ^{210}Po if present in the same concentration as ^{137}Cs would provide 30 times the radiation dose. Similarly, the MPC ^{210}Pb/MPC ^{137}Cs is 1/200. Since the average ^{137}Cs content of caribou flesh is approximately 20 nanocurie/kg and the ^{210}Po and ^{210}Pb concentrations have tentatively been determined as 0.3 and 0.03 nc/kg, respectively, the relative hazard to the Eskimo can be computed in the case of ^{210}Po as $(0.3/20) \times 30 = 0.45$, and, in the case of ^{210}Pb, as $(0.03/20) \times 200 = 0.30$.

Thus, if an Eskimo should consume enough caribou flesh containing the concentrations of ^{137}Cs, ^{210}Po, and ^{210}Pb listed above, and should reach a maximum permissible body burden of ^{137}Cs as a result, he would also be technically overexposed by some 45 percent due to ^{210}Po and by some 30 percent due to ^{210}Pb. The maximum permissible body burden, sustained, which has been recommended by the International Commission for Radiological Protection for general populations not exposed to ^{137}Cs in the course of their work is 3 microcuries. Some Alaskan natives already have ^{137}Cs body burdens approaching 3 μc. These high body burdens are known to vary according to the seasonal changes that occur in the ^{137}Cs content of the caribou themselves and consequently in the Alaskan natives. It is possible, however, that even with the seasonal variations that occur in the ^{137}Cs body burdens, the permissible exposure of these individuals might be exceeded for periods of time due to the presence of ^{210}Pb and ^{210}Po in their diet.

TABLE 3.—*Approximate dose rates to caribou organs from ^{210}Po*

Tissue	Average ^{210}Po content (nanocurie/kg, wet weight)	Dose (rad/year)
Liver	4.62	0.45
Kidney	4.05	.39
Spleen	.74	.07
Bone	3.78	.37

There is direct evidence that Eskimos indeed contain much higher concentrations of ^{210}Pb and ^{210}Po than other United States residents. Hill has measured the ^{210}Pb content of a rib bone obtained from a Canadian Eskimo and has observed a concentration of 2.3 picocurie/g of ash, which is some 15 times greater than the average ^{210}Pb bone content observed by Holtzman in surgery and autopsy specimens obtained from individuals residing in Illinois. Secondly, measurements of ^{210}Po in urine specimens obtained from natives living at Anaktuvuk Pass, Alaska, showed average concentrations of 3.2 pc/1.4 liter, a concentration some 230 times that observed by Sultzer and Hursh for normal individuals who were exposed only to normal environmental levels of ^{210}Pb and ^{210}Po. If we use the data of Fink for animals, which imply that 0.1 percent of the ^{210}Po body content is excreted per day in the urine, and if we assume the natives are at equilibrium with their intake, the calculated average ^{210}Po body burden of the people measured would be 3500 pc, or approximately 10 percent of a maximum permissible body burden of ^{210}Po under the definition given above for ^{137}Cs.

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INTERGOVERNMENTAL RELATIONS AND THE FEDERAL ACCOUNTANT

Mr. ERVIN. Mr. President, no Member of this distinguished body has cast a more penetrating eye on the performance of Federal grant-in-aid programs than the chairman of the Subcommittee on Intergovernmental Relations, the junior Senator from Maine [Mr. MUSKIE]. It has been both an honor and a privilege for me to serve on the subcommittee under the leadership of a man so dedicated to the cause of good government under our Federal system. His wide-ranging studies of problems of cooperation between the Federal, State, and local levels of government have resulted in legislative proposals which will produce the kind of high-level performance among our civil servants that is necessary if our federal system is to be preserved. He has, at the same time, endeavored to bring his message to as many interested groups as the busy schedule of a Senator allows.

Last evening, he addressed the Federal Government Accountants' Association here in Washington. His message to that group was an invitation to join with him in the important work he has so diligently pursued—to make the Federal system as efficient and as productive as it should and must be. I congratulate Senator MUSKIE for this address and commend it to my colleagues.

Mr. President, I ask unanimous consent that the text of this speech, entitled "Cooperative Federalism and the Federal Accountant," be inserted at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

COOPERATIVE FEDERALISM AND THE FEDERAL ACCOUNTANT

(Address by Senator EDMUND S. MUSKIE, Democrat, of Maine, chairman, Subcommittee on Intergovernmental Relations, Before the Federal Government Accountants' Association, Presidential Arms Hotel, Washington, D.C., October 13, 1966)

I am delighted to have this opportunity to speak to such a distinguished and important group of public officials. Your interest in "cooperative federalism" is encouraging. It is a subject of great concern to me, and one which needs more discussion and understanding among public administrators and officials of all levels of government.

There is no one more indispensable to the policy-making team administering Federal grant-in-aid programs today than the Federal accountant, and there is nothing more important to the success of these programs than top-notch financial management. There was a time, not too long ago, when the Federal administrator would show up on capitol hill with one expert by his side—a lawyer. Today, when he comes to visit us, another key associate joins him: his accountant—with facts and charts and performance records—obviously a key man on the administrative team.

To understand the future role of the government financial manager, we must understand the direction in which our Federal system is heading.

THE EMERGENCE OF A NEW FEDERALISM

When our Constitution was drawn up, only 5 percent of our population was urban. We were a sparsely populated country of less than 4 million. Today, over 70 percent of our total population of 195 million live in urban areas. By the year 2000 we will reach 300 million people, and 85 to 90 percent of them will be crowded into metropolitan areas comprising a total land area of less than 15 percent of the nation.

The response to this population explosion has been, and will continue to be, more governmental funding and more programs. Twenty years ago, the Federal government spent less than $1 billion annually to assist State and local development. Ten years ago, that figure had risen to $4 billion. Today, there are over 173 Federal aid programs (as of October 11, 1966), administered by over 21 Federal departments and agencies, involving an annual outlay of over $14 billion.

Projected to 1975, the Federal contribution could reach the $50 billion mark. However, the lion's share of the financial burden for public services continues to be borne by the State and local governments. In 1946, they spent a total of $11 billion to help meet public needs, and this year their combined outlay will reach $84 billion. Projected to 1975, State and local jurisdictions may well have to increase their annual expenditures to over $120 billion.

And when you spend more money, and create more ways of servicing the increasing needs of an essentially urban society, you have to expand the public workforce, which makes program accountability and the evaluation of cost-effectiveness all the more difficult.

State and local public employment has risen from 3.3 million in 1946 to 8 million in 1966. The Federal government, on the other hand—despite the popular myth that its rolls, too, are expanding—has the same size workforce it had in 1946: 2.6 million employees. While total Federal employment has remained remarkably stable, there has been a substantial shift from blue collar to white collar occupations, providing a more complicated manpower mix, and greater problems of coordination and policy implementation at the middle management level.

But the complexities of size in programs and in administrative personnel are modest compared with the near-chaos that exists in planning and coordination between local units of government. There are over 92,000 local governing units, most with independent powers of taxation, planning, financing, and operation. There are, then, too many local governments doing too many separate things on their own hook. There is too much waste and duplication of public effort. There is too little comprehensive planning and orderly development. And there is serious inequity in the administration of public services, where the poor and the minority groups for years have been shut off from good government while the more affluent sectors of the nation enjoy maximum protection and public services.

THE REAL CHALLENGES TO CONTEMPORARY FEDERALISM

Congress has responded to the challenge of public development. The tensions and impatience of millions of people which are building in the city ghettos and in the rural slums have done much to trigger this response. During the past five years, we have passed more grant-in-aid programs and appropriated more money for State and local assistance than in all the Congresses going back to 1789. Projections for this session, and for the sessions ahead, show no letup in this effort.

But the success of this legislation is only as good as the machinery which carries it to the people—in the fastest, most effective way possible. Where we formerly had to concentrate on the substance of programs, the spotlight is now being turned on the procedures—the administration of government. Here is where the new challenge lies.

This is why more and more we hear talk of a "new federalism" to meet the challenges of the last half of this century and of the new century ahead. Some call it "cooperative federalism," others "creative federalism," even "dynamic federalism"; but it all adds up to the same thing: a working partnership between federal, State, and local governments through modern management techniques, more professional manpower, and more money.

Even the politician is beginning to admit that the age of professionalism and planning in government has arrived, and he knows that there is political mileage in seeing that the job of public development is done well and efficiently.

President Johnson has defined this new federalism as developing "the diversity of our institutions to fulfill the dreams of the American people." In his budget message this year, the President said: "The success or failure of [Federal aid] programs depends largely on the timely and effective communication and on readiness for action on the part of Federal agencies in the field and State and local governmental units. We must open channels of responsibility. We must give more freedom of action and judgement to people on the firing line. We must help State and local governments to deal more effectively with federal agencies."

In these important words, the President is reflecting what some of us in Congress have been urging for some time—better intergovernmental relations; a cooperative approach to the management of public development programs; and greater coordination and collaboration: first, horizontally among Federal programs and administration, then vertically from Washington to the regional offices to the State agencies and to the local units.

In a nutshell, the age of competition and conflict—of suspicion and distrust—between Federal, State, and local managers is over. It has to be. There is too much to do, and too little time in which to do it.

YOUR CONTRIBUTION TO CREATIVE FEDERALISM

But what can the Federal accountant do to expand and promote the concept of creative federalism? More specifically, what can this organization do to exert a maximum effort toward modernizing our intergovernmental relationships? There are many things to be done. I'd like to share a few suggestions with you.

First, as I stated in my message to your Minneapolis symposium last June, you should give special priority to developing ties between FGAA and counterpart organizations at State and local levels. I know you are giving serious thought to this, but I want again to put in a plug for an intergovernmental association because I feel it is critical to effective fiscal management of joint-action programs.

Consideration might be given to broadening your admission standards to include State and local government accountants and auditors. This could provide a medium for information sharing, a forum for discussing latest joint accounting methods, a chance to better understand the problems of your State and local colleagues, and in general create a better atmosphere of respect and friendship in your profession as a whole.

The National Association of State Budget Officers regularly invites Federal Bureau of the Budget and Federal department officials to their meetings, and this organization (along with the Council of State Governments, The National League of Cities, and The U.S. Conference of Mayors) is making an effort to promote the planning-programming-budgeting concept beyond the Federal level.

FGAA could render a real public service in expanding its activities to the State and local area. What I have in mind are regional conferences on a continuing basis, with joint workshops where Federal, State, and local accountants and auditors can relax, express their gripes, and confront each other in the spirit of professional discussion. This could help to overcome the traditional, and ofttimes petty, conflicts and misunderstandings that have developed.

There is no better way of breaking down barriers and apprehensions among intelligent people than by getting them together and giving an opportunity for all sides to be heard. Their problems, after all, are some of your problems. There has been too much of a void—too great a bridge—between the Federal administrator and State and local officials—and this distance, this division, is particularly noticeable among government accountants.

There is no room for hostility and conflict in the joint administration of Federal aid programs. The priority of FGAA must be focused on reducing and, if possible, eliminating this problem. This could be a real contribution to creative federalism.

Second, you must continue to support and promote an intergovernmental program for upgrading the professional calibre of government auditors and accountants, particularly at State and local levels. The FGAA has done an excellent job of upgrading the professional capabilities of its own members. It is doing a good job in cooperating with the Bureau of the Budget, the General Accounting Office, The Civil Service Commission, and other Federal agencies in their efforts to develop educational and training programs for Federal personnel. But, again, what about your State and local colleagues? What can we do to help them? How can their output be improved?

The Subcommittee on Intergovernmental Relations, which I chair, has completed a three-year survey of Federal, State, and local officials on the major problems of our Federal system. One of the most serious complaints by Federal officials was that State and local administrators (and this includes financial managers and accountants) were understaffed, lacking in quality, unimaginative, and too subject to negative political and bureaucratic pressures.

Good professional people are just not being attracted to State and local jobs. We found a variety of reasons for this. There is the stigma of being considered a "political hack." Working conditions are unfavorable. Budgets for equipment and office space are limited. Personnel development programs, including the opportunity for job mobility, in-service training, and promotions, are frequently weak. Merit systems are often lacking, resulting in the overloading of State and local agencies with incompetent, uninspiring, and often indifferent personnel. Finally, inflexible rules for hiring and firing frustrate efforts to develop effective staff support.

But the most serious deterrent to improved manpower is the pay. We found hundreds of thousands of critical positions at State and local levels (including auditors and accountants), requiring college and even graduate degrees, offered at maximum salaries of between $5000 and $8000.

How can we ever expect to develop administrative competence and efficiency at State and local levels with marginal working conditions, inadequate career personnel systems, and such low pay? Something has to be done, now.

My concern for this problem prompted me to introduce S. 3408, the proposed Intergovernmental Personnel Act, which among other things is directed to putting a responsibility on the Federal Government to stimulate and help the State and local agencies modernize their personnel systems. I want to say that I was particularly gratified and deeply impressed with the testimony of your association in favor of S. 3408. You made a valuable contribution to the record, and your support will be extremely helpful in getting the legislation passed.

Now, what about S. 3408? What would it do?

First, title I of the bill authorizes the President to extend merit system requirements to additional Federal grant-in-aid programs. There is nothing especially radical about this proposal, since 37 grant programs already have this provision.

Title II would provide Federal grants to enable each State to strengthen and improve its present system of personnel administration; to provide State personnel services to non-metropolitan local governments; and to develop projects for the improvement of personnel administration in metropolitan units of local government. State and local resources for public personnel administration have not kept pace with the programs they administer; with few exceptions, State and local personnel agencies have not been equipped or given additional support for new workloads. Title II will help correct this deficiency.

Title III would permit attendance of State and local employees at Federal training courses, and authorize Federal agencies administering grant programs to conduct training programs for State and local professional, administrative, and technical personnel. It also provides funds for educational leave or comparable arrangements for salaries and training expenses of merit system employees, to permit them to attend university or other training courses related to their programs.

Title IV establishes a grant program for in-service training of State and local employees. Such assistance would be available only in personnel areas where comparable aid is not already provided under other Federal statutes. The States will be given the primary responsibility for developing training programs at that level.

And finally, title V authorizes the U.S. Civil Service Commission to cooperate with State and local governments on a shared-cost basis in cooperative recruitment or examinations.

Improved merit systems, improved State and local personnel management, and improved in-service training programs—these are the three basic concerns of the Intergovernmental Personnel Act. Greater career competence is the paramount theme of this legislation. Through a combination of grant funds, technical assistance, and new devices for intergovernmental cooperation in the personnel area, we will be able to strengthen the professional standing and prestige of administrators working at the critical levels of State and local government. In his Princeton University speech, President Johnson called for a program of assistance to "State and local governments seeking to develop more effective career services for their employees."

The proposed Intergovernmental Personnel Act constitutes such a program.

The continued support of the FGAA will be needed if this program is to become a national policy.

Third, as accountants you must push forward with the job of coordinating and unifying accounting and auditing methods among Federal agencies, both in Washington and in the field, and encourage similar coordination with State and local agencies.

The effort to modernize financial management of Federal programs—budgeting, accounting, reporting, and auditing practices—on a government-wide basis got underway almost 20 years ago under the impressive aegis of the Joint Program for Improving Accounting in the Federal Government. The program name was later changed to the Joint Financial Management Improvement Program to stress the broad scope of its activities.

Shortly thereafter, stimulated by the first Hoover Commission report, Congress placed its imprimatur on the need to coordinate program accounting with program budgeting and planning, through passage of the Budgeting and Accounting Procedures Act, and its amendments. Among other things, the heads of agencies were specifically instructed to take action to achieve:

1) consistency in accounting and budget classifications;

2) synchronization between accounting and budget classifications and organizational structure; and

3) support of the budget justification by information on performance and program costs by organizational units (70 Stat. 782; 31 U.S.C. 18c).

The President was also directed to "evaluate and develop improved plans for the organization, coordination, and management of the executive branch of the government with a view to efficient and economical service." And the Bureau of the Budget was to be the President's operating arm in seeing what this coordination in financial management was accomplished.

The reasons for this emphasis on a marriage between accounting and programming are clear. Congress and the Chief Executive wanted to be able to assess Federal grant and other programs on the basis of performance. How do individual programs fit into larger program categories and national goals? How balanced is this picture? What is the relationship between program cost and the priorities Congress and the Administration have set? The answers to these and a host of other questions lie within the province of accountants and auditors. It was the intent of Congress that they be equal partners on the administrative team which develops and funds the grant program. It was further the intent of Congress that accounting and auditing systems in the agencies be coordinated and streamlined.

But the tragedy is—and I want to be frank about this—that while Congress went on to accelerate the number of its grant programs and to appropriate vast increases in Federal funds, it—along with the Administration—did not put sufficient pressure on the agencies to carry out its intended modernization of accounting systems at the agency level. GAO's progress in developing an effective post-audit system is exemplary, but the effort to build modern financial management procedures at the budgeting and operating stage—where they were very much needed—somehow got lost in the shuffle.

It is not my intention here to place any blame over the inaction of the past ten years with respect to development of approved accounting systems. That is behind us now. What I want to do is to look to the future. I want to voice my support for the "renewed joint effort" that is now being made by the Budget Bureau, the Comptroller General, Treasury, and the Civil Service Commission to accelerate the progress of agency accounting and internal controls.

As President Johnson stated to the Cabinet when he launched the planning-programming-budgeting system: "It is important to remember one thing: no system, no matter how refined, can make decisions for you. * * * Our judgment is no better than our information. This system will provide us with alternatives and the information on the basis of which we can, together, make better decisions. The people will be the beneficiary."

Some progress, I am told, has been made in recent years. HEW, Interior, and Agriculture have consolidated their auditing systems and upgraded their standards. Labor and HUD are in the process of centralizing. Other agencies, such as the Atomic Energy Commission, have combined some of their accounting and auditing functions into a single system. But much more must be done, and members of the FGAA have a major responsibility in promoting this effort at the national level.

Fourth, coordination between accounting and programming at the Federal level—although critical—is only a part of the total financial management picture in the joint administration of Federal aid. Cooperation with State and local accounting officials is also fundamental. Even greater problems exist in this area. Sound Federal practices must find their way down to these levels.

In its Circular No. A–73, August 4, 1965, the Bureau specifically instructed the Federal agencies to collaborate with State and local audit groups in exchanging audit standards and objectives, in developing schedules, and other procedures. The intention here is to minimize the audit cost and prevent unnecessary duplication of effort. The "primary objectives," says the Bureau, "are to promote improved audit practices . . . and achieve more efficient use of manpower through improved coordination of the efforts of Federal, State, and local government."

However laudatory the Bureau's objective in promoting this intergovernmental relationship in accounting and auditing, the disturbing fact is that the Federal accountant is not moving fast enough to carry out this objective. He has not yet received the message, and perhaps the Bureau can be criticized for not pushing harder on its mandate.

A circular is one thing; a program is another. This is an intergovernmental relations problem, and it is your problem. I assure you, Congress is becoming increasingly aware of the need for action on this front, and I have instructed the staff of the Subcommittee on Intergovernmental Relations to give me a continuing report on the progress of the Bureau of the Budget and Federal agencies are making in helping the States and local agencies upgrade their accounting and auditing procedures.

IN CONCLUSION

To sum up, the Federal Government accountant must assume a more positive role in the administration of public development programs. He must recognize that his efforts can facilitate or hinder the implementation of programs that will help to clean up our rivers and our air, bring better education to our underprivileged, provide work and dignity to our discriminated minorities, rebuild our cities, and establish better health facilities for all of our citizens.

He must try to develop a better understanding of the goals of our Great Society and the workings of our federal system.

The role of the accountant and auditor is no longer primarily a bookkeeping operation. It has expanded greatly to overall financial management—budgeting, planning, assessing programs in terms of cost, and auditing management effectiveness.

In this new role, he must broaden his professional horizons and concern himself with program goals as well as improved management techniques. Above all, the Federal accountant must help to strengthen the spirit of creative and professional purpose among his counterparts at the State and local levels.

This is a tough assignment. But it is a worthy one for you—as individuals—and you—as an Association—to assume. If you succeed, you will have made a major contribution to implementing the ideal of cooperative federalism.

SOCIAL SECURITY BENEFITS LEGISLATION

Mr. TOWER. Mr. President, a number of proposals have been made in recent days about improvements in social security benefits.

One of my first votes on coming to the Senate in 1961 was in support of the Social Security Act of 1961. Since that time I have consistently supported a sound social security system in a dozen or more votes.

Last year I introduced a bill providing a 7-percent cost-of-living benefit increase. Those provisions were later adopted as a part of the medicare bill. Also last year, I supported amendments which would have provided a permanent cost-of-living adjustment rate for social security benefits. That amendment, allowing a 3-percent benefit rate increase each time the cost of living went up 3 percent, was defeated by administration forces.

Because we did not make cost-of-living provisions last year as I suggested, we now are faced with a pressing need to do it in the closing days of this session.

We must take two factors into consideration.

First, because the Federal Government's own fiscal folly has caused inflation, it is the Government's obligation to see that this inflation does not rob dollars from social security beneficiaries who are in no way responsible for the inflation.

Second, because of the already too high cost of living, a tax increase to provide better social security benefits would strike hard at our younger citizens and wage earners who will be paying for 30 or 40 years before they draw benefits.

Therefore, we must design a benefit increase which can relieve inflationary losses but be provided without a tax increase. The House Ways and Means Committee has developed such a bill which tentatively would provide an 8-percent increase.

I support that bill and hope it can be approved now when the need is greatest, not next year sometime. A cost-of-living increase without additional burdensome taxation would meet our obligations to our older citizens and also to our younger ones.

SENATE POSITION ON TITLE VI FORTIFIED

Mr. THURMOND. Mr. President, South Carolina State Representative Joe

Rogers of Clarendon County has forwarded to me a copy of a report submitted to the Department of Health, Education, and Welfare by the South Carolina Department of Mental Health. This report is identified as the "Final Bi-Monthly Progress Report: Statement of Compliance With the Department of Health, Education, and Welfare Regulation Under Title VI, Civil Rights Act of 1964," and is dated May 31, 1966.

This report contains valuable information which fortifies the Senate's position on the amendment adopted to the Departments of Labor, and Health, Education, and Welfare appropriation bill for fiscal year 1967 preventing the requirement of any policy contrary to the patient's physical or mental well-being as certified by the attending physician and the chief medical officer of the facility. The report details the experiences of the South Carolina State Department of Mental Health in attempting to comply with the guidelines of HEW and points out the detrimental effects upon the health and mental well-being of many of the patients involved.

Some pertinent provisions of this report read as follows:

> In conclusion, we would like again to protest against the pressure that has forced us to accomplish this integration process on a crash basis. . . . We feel that we have been treated unfairly by HEW . . .
>
> In this connection, we wish to call to HEW officials' attention our increased death rate which for January through May, 1965, was 240 and for January through May, 1966, amounted to 263, an increase of 10 percent.

This report should be of considerable assistance to the Senate conferees on the Labor, HEW appropriation bill in insisting upon retention of the Senate provision which is designed to place the mental and physical well-being of the patients before all other considerations. This is, without doubt, of primary importance. I ask unanimous consent that this report in its entirety be printed in the RECORD at this point.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

Statement of Compliance With the Department of Health, Education, and Welfare Regulation Under Title VI, Civil Rights Act of 1964

STATE ADMINISTERED PROJECT GRANTS FOR MENTAL HEALTH CONSTRUCTION, RESEARCH, HOSPITAL IMPROVEMENT, IN-SERVICE TRAINING AND RESIDENCY TRAINING SUPPORTED BY THE PUBLIC HEALTH SERVICE

The new admissions policies described in previous documents have continued in effect. This means that since January 17, 1966, admissions to both of South Carolina's state hospitals have been made without regard to race, color or national origin. An open policy on admissions to Pineland, A State Training School and Hospital, was adopted in the spring of 1965.

In addition, we have continued the process of transferring patients between the two hospitals and among their wards in order to erase distinctions based upon race, color or national origin.

In our first bi-monthly progress report dated January 22, we noted that there were 294 Negro patients in South Carolina State Hospital, which previously was utilized predominately for white patients. On the same date there were just over 90 white patients in Palmetto State Hospital, formerly utilized for Negro patients.

As of the present date, there are 1,244 Negro patients in South Carolina State Hospital, or 36 per cent of the total patient population, not counting those temporarily in the medical-surgical clinic.

There are presently 799 white patients in Palmetto State Hospital, or 29 per cent of the total patient population.

This means that South Carolina State Hospital is fully integrated racially, even on the basis of percentages of patients compared with the total Negro and white populations of the State. According to the 1960 Census, South Carolina had 34.9 per cent "colored" citizens and 65.1 per cent white citizens. All but a fraction of one per cent of the colored citizens are Negroes. As stated above, South Carolina State Hospital has 36 per cent Negro patients and 64 per cent white patients. In addition, Negroes are being treated on 31 of the 33 wards of the hospital. The other two wards are being utilized for screening areas for transfer patients, one for whites and one for Negroes; they will be desegregated as soon as the mass transfers are completed.

At Palmetto State Hospital the percentages are almost the reverse of those at South Carolina State Hospital—that is, the percentage of white patients is approximately equal to the percentage of Negroes in the State's population and the percentage of Negro patients is approximately equal to the percentage of whites in the State's population. There are several reasons for this situation, among them the following:

1. At the beginning of the transfer process, Palmetto State Hospital was considerably more overcrowded than was South Carolina State Hospital. Because of this, we have transferred 355 Negro patients from Palmetto State Hospital to South Carolina State Hospital without any reverse flow of white patients. This factor has substantially equalized the overcrowding within the two hospitals.

2. As of May 31 there were 389 adult retarded Negro patients at Palmetto State Hospital. The last available figures showed approximately 285 adult mentally retarded white patients at South Carolina State Hospital. We have not involved sizable numbers of mental retardates in the transfers. When we have absorbed the transfers already made (many of them at a rate which we considered too fast and which may have been a factor in our increased death rate since the transfers began), we may transfer most of these white mentally retarded patients to Palmetto State Hospital.

Meanwhile, we have kept the Negro mental retardates at Palmetto where they are near Pineland, our training school and hospital for the retarded, where there is an extensive vocational rehabilitation program.

We would like to emphasize that we have far more adult Negro mental retardates than whites. Frankly, South Carolina has lagged somewhat in providing facilities for the mentally retarded generally and the lag in the provision of beds for Negroes has been more serious than the lag in the provision of beds for whites (before desegregation began, Whitten Village, the independent institution for white retardates, had approximately 2,000 acceptable beds and 2,500 trainees crowded into the buildings, whereas Pineland, the institution for Negro retardates, had 360 acceptable beds and approximately 400 trainees crowded into the buildings; Whitten Village had a waiting list of approximately 700 applicants, compared with Pineland's waiting list of 362 applicants.

This regrettable lag in the provision of beds for Negro mental retardates has been on our conscience and we have made considerable efforts to make more adequate provision for long-suffering Negro families. Our efforts have actually been seriously hindered within the past year by civil rights rulings and interpretations made by high Health, Education, and Welfare officials in Washington.

We turned heaven and earth to get Pineland integrated racially, even to the point of encouraging white applicants and giving white applicants priority over Negroes who had been on the waiting list for years, thus practicing reverse discrimination because we were "under the gun".

We also had a major expansion project going in the spring of 1965—a $760,000 evaluation, diagnostic and treatment center for Pineland, to be operated on a racially-inclusive basis. This project was never approved, solely for lack of civil rights clearance. The necessary clearance was withheld because HEW officials insisted on considering as a package all of the mental retardation facilities and institutions in South Carolina in spite of the fact that Whitten Village has its own governing board and is de facto a separate department of State government, reporting directly to the General Assembly and the Governor. Meanwhile, since Whitten Village and Pineland cannot absorb the number of white mentally retarded in the state hospitals, we have left practically all of the Negro mentally retarded at Palmetto State Hospital, both because of its proximity to Pineland and its vocational rehabilitation facility and because Palmetto has been designated as the hospital primarily for geriatric and long-term care. The latter category includes both long-term or continued care psychotics and long-term adult mental retardates. This factor, considered alongside the comparative neglect of the Negro mentally retarded generally compared with whites in South Carolina's history, militates against establishing a strict 50-50 ratio of whites versus Negroes among the patient population at Palmetto State Hospital.

3. We have been unable to transfer 139 white geriatric patients to Palmetto State Hospital for lack of proper building accommodations. This lack was noted in our original compliance report. Particularly needed are dining room facilities in more buildings and various other safety and/or comfort accommodations for older patients who are too infirm to walk to the central dining rooms. Within the past month, we have been given the green light on a $100,000,000 renovations and modernization program at Palmetto State Hospital. In addition, we are bringing to completion a 2.3 million dollar medical-surgical center for Palmetto State Hospital. The medical-surgical center and the $1,000,000 renovations projects should be completed and occupied by patients about January, 1967, after which we will complete the transfer of all geriatric patients to Palmetto State Hospital. This will affect the Negro-white ratio in favor of having more whites at Palmetto State Hospital.

4. Because of various factors, some sociological, some medical and some geographic, the number of Negro patients in our state hospital system has been virtually the same as the number of white patients. This means that the number of Negro patients has been disproportionately large compared to their numbers in the State's populace. There are indications that this racial imbalance is beginning to correct itself. It is still present to a degree that will make it very difficult to create an exact racial balance at Palmetto State Hospital in the immediate future. Correcting it precipitately would create an artificial racial imbalance at South Carolina State Hospital where the active, intensive treatment of younger patients is concentrated.

5. Since January 17, 1966, when our new admissions policies went into effect, 56 per cent of the admissions to Palmetto State Hospital have been white patients. Within

a few more months this factor alone will substantially affect the ratio of Negro and white patients in that hospital.

Before leaving the general subject of Palmetto State Hospital, we would like to report that 51 of that hospital's 57 wards have been desegregated. The others remain segregated primarily for lack of white patients able to negotiate the stairs in buildings with no elevators.

We will report further regarding the racial integration of Pineland later in this formulation. At this point, we would like to summarize the report on the two state hospitals by saying that we feel that the Congressional intent has been fulfilled and that both hospitals are now in total compliance with the Civil Rights Act of 1964, with the possible exception of some multi-bed rooms which are still segregated—primarily for medical considerations.

Therefore, we would like to request another site survey by a HEW team. We believe the team will find that we are in compliance so substantially that no further mass transfers of patients should be attempted, certainly not until January, 1967, when we will be able to send the last 139 geriatric patients to Palmetto on a transfer basis, and when we may send the majority of the white mentally retarded patients to Palmetto State Hospital.

At Pineland, of a current census of 458, there are 27 whites and 431 Negroes. Trainees are admitted without regard to race, color or national origin. We are still practicing reverse discrimination by jumping white applicants over hundreds of Negro applicants who have been on the waiting list for years. In addition, there are seven white trainees in a day care program alongside seven Negroes.

We have completely erased racial discrimination in our employment practices. The figures to demonstrate this would be impressive, but accurate figures are unavailable at this writing because of the crush of budget and year-end payroll work in our data processing division. These figures will be available within a few days and will be on hand for the next site survey group if we are given reasonable notice of the group's arrival time.

In conclusion, we would like again to protest vigorously against the pressure that has forced us to accomplish this integration process on a crash basis instead of with the "deliberate speed" which has been and still is the rule in educational facilities which do not have the terrifying problems of emotional imbalance and mental deprivation which abound in our institutions. We feel that we have been treated unfairly by HEW just because we were a unified program (with the exception of the retardation institutions). It was not so easy to force the schools into line with such precipitate speed because of the existence of so many separate boards and programs and because of the greater extent of citizen and political counteractive pressure that has been exerted.

In this connection we wish to call to HEW officials' attention to our increased death rate which for January through May, 1965 was 240 and for January through May, 1966 amounted to 263, an increase of 10 per cent.

Respectfully submitted.

SOUTH CAROLINA STATE DEPARTMENT OF MENTAL HEALTH,
WILLIAM S. HALL, M.D.,
State Commissioner of Mental Health.

MAY 31, 1966.

LETTERS FROM THE FEDERAL JUDICIARY CONCERNING JUDICIAL FITNESS

Mr. TYDINGS. Mr. President, the Judiciary Committee's Subcommittee on Improvements in Judicial Machinery, of which I am chairman, last February opened an inquiry into the adequacy of existing procedures for the removal, retirement and disciplining of unfit Federal judges. We have held hearings on this subject in Washington in February and July, in New York City in May, and in San Francisco and Los Angeles in June. We plan to hold further hearings early in the next Congress and hope to have legislation ready for the Senate's consideration sometime next year.

In this study, we have received a great deal of support and interest from the organized bar and the Federal bench itself. Today I would like to acknowledge the response of the Federal judiciary and to acquaint the Members of the Senate with some of the ideas and opinions expressed by judges in their communications with the subcommittee.

I was particularly gratified that virtually all of the Federal judges who wrote to the subcommittee viewed our efforts in the spirit in which they have been conducted. We are not engaged in a witchhunt, and we have the utmost respect for the integrity and ability of the Federal judiciary. Our goal is to see to it that the judiciary has adequate tools with which to police its own house, and we are pleased to note that most judges are sympathetic to this objective.

For example, a Federal judge in California wrote:

> I believe all members of the Federal judiciary would concur in the need for some equitable procedure, other than impeachment, to deal with cases of judicial unfitness that occasionally occur.

A Tennessee judge wrote:

> I am in wholehearted agreement with the general purposes of your Subcommittee and . . . I feel the time has come for a careful study to be made by Congress, and indeed by the Judiciary itself, to determine whether and what additional machinery is needed to deal with the problem of unfit Federal judges.

And a New Jersey judge wrote:

> I must agree with you that dealing with judges whose condition or conduct seriously affects their office is in a sort of a state of limbo between doing nothing and impeachment, and it certainly seems necessary that some machinery be established for dealing with this difficult problem.

Without exception, the Federal judges writing to the subcommittee have emphasized that any procedures for review of judicial behavior can be accommodated only within a framework of essentially unimpaired judicial independence. With this bedrock principle the members of the subcommittee fully concur. It will form the baseline of our inquiry. Beyond this, however, there is some diversity of opinion as to what is desirable or possible in procedures for removal, retirement, and disciplining of unfit Federal judges. Some of the judges writing to the subcommittee expressed the opinion that judicial unfitness due to factors other than health is de minimis and therefore calls for no remedial steps whatever.

With the first part of this proposition the subcommittee is in complete agreement. The brilliant history of the Federal courts permits no other opinion. As for the conclusion to be drawn from this happy record, however, our subcommittee takes a different view. As Joseph Borkin, a witness at our February 15, 1966, hearings, aptly observed with respect to corrupt judges, "their number is small, but the damage is great." If the occasion to make use of such machinery arose but a handful of times in a century, its value would thereby be established. Moreover, such a procedure also provides a formal mode of vindication for the judge whose honesty is unjustly impugned. And the mere existence of such a procedure is worthwhile for the effect it may have in deterring improper behavior.

One area that received considerable attention in our correspondence is the composition of any review committee or commission that might be established. Some judges have suggested that the separation of powers will be best preserved by restricting participation in any disciplinary proceedings to members of the bench. Others would be satisfied merely to have participants appointed by the Supreme Court or circuit courts of appeals. Thus a Tennessee judge stated that:

> The agency created for the purpose of taking action in these cases [of judicial unfitness] should be appointed by the Judiciary itself (perhaps by the Supreme Court or the Chief Justice).

Some judges also suggested that any disciplinary committee would be more acceptable if its membership included a cross section of the judiciary, that is, district judges as well as circuit judges. Likewise, some have suggested that such a committee ought to be drawn primarily or solely from the interested circuit itself, in order to insure familiarity with local problems and procedures. A Federal judge from Oregon wrote:

> It appears to me that both Judge, the Judiciary as a whole, and the public would be better served by keeping the subject on a semi-local level.

Our correspondence with the Federal judiciary reveals a considerable degree of consensus on the need for better means of dealing with the problem of judges disabled by mental or physical infirmity. At present, the sole remedy for such a situation is the "certification statute," 28 U.S.C. 372(b). The utility of this provision, however, is vitiated by ambiguities that surround it. The nature of the proceeding by which a judge is determined to be disabled is not spelled out in the statute. Nor is it clear whether he must be unable to perform "some" or "all" of his duties. Then, even if he is certified to be disabled, it is uncertain what steps can be taken to reallocate the district or circuit workload from the disabled judge to the newly appointed supplementary judge. It would appear that clearer language is called for in this respect, and this was urged in several letters from judges, one of whom even suggested a specific provision for medical testimony.

Some judges were willing to go further, and called for compulsory retirement at age 70. As a circuit court judge asserted:

> I can state to you that much of the problem would be eliminated if mandatory re-

tirement at age 70 was provided. There is some question as to whether this may be done by statute. Nevertheless, however done, it will go a long way toward removing problems stemming from senility and the inability of a judge to carry a full load due to failing health.

The same judges tended to approve of compulsory retirement also on grounds of mental or physical incapacity, provided full and fair hearings were assured.

A greater number of letters, however, took a somewhat different view. The opinion was frequently expressed that if general retirement provisions were more equitable and rational it would greatly facilitate voluntary retirement, substantially reducing disabled judges "hanging on." A Massachusetts judge called attention to the fact that many judges stay on too long after having reached the retirement age because their future is so uncertain under section 294—which provides that retired judges shall perform judicial duties only by designation.

For example, a judge who voluntarily retires under title 28, United States Code, section 371 faces the prospect of his career decelerating to the point of total inactivity, unless the chief judge of his circuit chooses under title 28, United States Code, section 294 to assign some work to him. This perhaps places a retiring judge in a less favorable position than one who is certified as disabled with respect to continuing to work at least part time. It was suggested that provisions to guarantee a retiring judge the option of maintaining partial involvement in judicial affairs might encourage voluntary retirement.

Another such anomaly is found in title 28, United States Code, section 372(a), dealing with the retirement of disabled judges. If a judge retires voluntarily under this subsection, but has not yet completed 10 years' service, he retires on half pay only. But if he refuses to retire, and yet is certified as disabled under subsection 372(b), then he may voluntarily reduce his workload to zero while still receiving full pay, for he has not actually retired. As a result, we have a paradoxical situation in which a disabled judge may actually be penalized for voluntarily retiring. Thus, a Pennsylvania judge concluded:

> My own thought is that perhaps the most desirable legislation that should be adopted would be to liberalize the retirement benefits, so that in case of bona fide disability a judge could retire on full pay rather than half pay.

Mr. President, I appreciate this opportunity to thank those members of the Federal bench who have so generously offered our subcommittee their thoughts on this very important matter. We intend to consider seriously these and all subsequent communications that we receive from this source. In this area of the subcommittee's work our progress will depend in large part on the degree of cooperation extended to us by our Federal judges, and if their initial response is an index of the help that we can expect in the future, then I think we are very fortunate indeed.

FREEMAN PLAN TO CUT FARM PRICES EXPOSED

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent to have printed in the Record an article entitled "Exposes Freeman Plan To Cut Farm Prices," written by Clark Mollenhoff, and published in the Des Moines Register of October 13, 1966.

There being no objection, the article was ordered to be printed in the Record, as follows:

Exposes Freeman Plan To Cut Farm Prices—Former Aid Tells Steps Used by Boss—Reveals His Plans To Change Policy

(By Clark Mollenhoff)

Washington, D.C.—A former Agriculture Department official said Wednesday he made several unsuccessful attempts to change Agriculture Secretary Orville Freeman's farm policies—including a visit to the White House.

Frank LeRoux who resigned a week ago as general sales manager of the Department of Agriculture, told The Register he had a long conference at the White House in the last few weeks to outline the reasons he believed Freeman has created "the farmers' worst five years."

LeRoux, a Democrat from Washington state, contends Freeman was "playing consumer politics" with the Agriculture Department.

He said that from conferences within the Department of Agriculture he had knowledge of Freeman's personal interest in "driving down the price of wheat, corn, pork and other agricultural products."

LeRoux said that the "four-stage drive to cut wheat prices was probably the clearest example of a determined drive to sell the farmer down the river" but that the move to get the Defense Department to stop buying pork was "an equally dramatic example of Freeman's desire to cut the prices the Corn Belt farmers were receiving."

He said he was "disillusioned by some of the attitudes expressed by Freeman and others around him" within a few months after he joined the Democratic administration in 1961.

LeRoux said that former Undersecretary of Agriculture Charles Murphy was "a real force for the farmer in the first years" and tended to modify the influence of Freeman and the present Undersecretary of Agriculture John A. Schnittker.

Freeman and Schnittker were "anti-farmer" in their attitudes, regarding the farmer as being of little political significance and the big city consumers to be "the important political group to play with."

"Charley Murphy was out of the Truman administration, and I think he had a real desire to see the farmer get fair prices," LeRoux said. "He was the one man on the top level who would stand up and tell Freeman and the others that he didn't see anything wrong with the farmers getting higher prices."

LeRoux said that when Murphy left the Agriculture Department to become the chairman of the Civil Aeronautics Board, the atmosphere at the Department of Agriculture "deteriorated rapidly."

FOUR-STAGE PLAN

He said his decision to take an outside active role in changing Freeman's operations came in the last six months when he viewed the "four-stage operation to drive the wheat prices down."

"The first stage was a cutback in the sales abroad under the P.L. 480 program," LeRoux said. "Freeman wanted to use it to cut wheat prices, and they sat back gleefully waiting for it to drive prices down."

LeRoux said there was some drop in wheat prices "but not as much as Freeman wanted, so they took the next step—an announcement of an increase of about 7.7 million wheat acres."

"Again they sat back waiting for the price to go down, but it still wasn't enough," LeRoux said. "Then they took the step that was thoroughly dishonest, and they knew it was dishonest at the time."

The department announced "an enormous world wheat crop prediction," LeRoux said. He said that the "dishonesty" of this announcement was best demonstrated by Agriculture Department comments that the increase of about 20 per cent in the wheat acreage in Argentina was one of the reasons why a huge world wheat crop could be expected.

CROP FAILURE

"The Agriculture Department knew at the time that a crop failure in Argentina was going to cut the wheat production in that country from something over 11 million tons to about 5.5 million tons," LeRoux said.

"These three moves and this deception was bad enough, but then the Agriculture Department took the fourth crack at wheat prices," LeRoux said.

"This was the announcement that there would be an additional increase in wheat acreage of about 5 million acres by permitting the use of acres cut back from feed grain production to be put in wheat."

LeRoux declared that Freeman and Schnittker had "knowingly taken those steps to cut wheat prices and they have been successful in dropping the market 25 or 30 cents in the last month."

LeRoux declared that the heavy sale of Commodity Credit Corporation corn last December, January, February and March was "a policy move to depress the price of corn, and to frighten the corn farmers into the program."

LeRoux also said it was Freeman's view that "Hog prices were too high, and that he was going to do something about it." Such views were expressed by Freeman within the Department of Agriculture, and in closed meetings with some small farm groups.

LETTER TO M'NAMARA

LeRoux said the letter that Freeman wrote to Defense Secretary Robert McNamara to recommend that the Defense Department pork purchases be cut "was only indicative of the attitude" that Freeman expressed on many occasions.

It was concern over the "general attitude" of Freeman and Schnittker that caused him to go to Democrats in Congress "in an effort to find a way to get the anti-farmer policies changed," LeRoux said.

LeRoux said that many Democrats in Congress "were equally concerned" over Freeman's policies, and over the charts and figures he had compiled to demonstrate that high costs of equipment, machinery and other goods had put the farmer "in a squeeze that made his real earnings much less than they seemed."

"I was told that it would have to be done at the White House if there was going to be any reversal of Freeman's policies," LeRoux said. "I was also told that it would probably be a good idea to see what [Vice-President Hubert H.] Humphrey could do about it."

It was through a Democratic senator that LeRoux said he made arrangements to go to the White House to talk with one of President Johnson's long-time associates and spell out the details of his contentions that Freeman and Schnittker "were playing consumer politics" with the Agriculture Department.

PRINTS BOOKLET

In that White House meeting, LeRoux said, he went over "most of the main points" of the material that he later had printed in a 63-page booklet entitled "1961 thru 1965—The Worst Five-Year Period for the American Farmer in the History of Modern American Agriculture."

LeRoux said he did not wish to mention the White House aide. "He was thoroughly disturbed, and he seemed sympathetic with the problem," LeRoux said.

"I thought that something might be done, but nothing hapened to correct the situation. Some things that did happen only led me to believe that the White House was taking part in a big cover-up and on some actions was even behind the political abuse of the farm programs."

LeRoux said he went to Humphrey's office to tell the problem to him, and as a long-time Democrat was still eager for some Democratic initiative in changing the Freeman operations in the Agriculture Department.

Humphrey was not present but one of his key assistants with whom LeRoux said he had had "a long and pleasant relationship" talked with him at length.

"He was sympathetic, and said that the vice-president was sympathetic with the problem at the Agriculture Department but that he felt it would be impossible for Humphrey to take any effective action to change things," LeRoux said.

LeRoux said "there seemed to be no way to get action from within the administration, so I decided that it would be necessary to make a public issue out of it in a way that might force corrective action."

He then made arrangements for the printing of the booklet in which he printed the statistics, the diagrams and the positions of the Agriculture Department that he believed demonstrated that farmers had fared worse under five years of Freeman than at any time in history.

PRISONER REHABILITATION ACT OF 1965

Mr. LONG of Missouri. Mr. President, I was delighted with President Johnson's September 14 response to the first year's report on the success of the Prisoner Rehabilitation Act of 1965 which I had the honor of sponsoring as chairman of the U.S. Senate Subcommittee on National Penitentiaries.

As had been anticipated by Director Myrl E. Alexander and others, this act has indeed proven itself to be the most important legislation affecting the Federal Prison system in the past 30 years.

I share the President's satisfaction over the extremely low—5 percent—rate of removal of participants in the work-release program. The successful participation by the other 95 percent on this remarkable program is an excellent testimony to the fine job Director Alexander and the Bureau of Prisons have done implementing the act.

We who contributed to passage of the Prisoner Rehabilitation Act can take great pride in the knowledge that 240 of the first 362 work releasees discharged from their institutions have obtained jobs as a direct result of the act. These men and women and those now on the work-release program have been blessed with a chance that few offenders before have had at true rehabilitation. And the door is now open for many others to follow.

I join with the President in congratulating those in the Department of Justice who have had a share in making this first year of work release so successful and promising.

Mr. President, I ask unanimous consent that President Johnson's letter to Attorney General Nicholas Katzenbach and the progress report on the work release program be printed at this point in the Record.

There being no objection, the material was ordered to be printed in the Record, as follows:

The White House,
Washington, September 14, 1966.

Hon. Nicholas deB. Katzenbach,
Attorney General,
Washington, D.C.

Dear Mr. Attorney General: I have read the Progress Report on the Bureau of Prisons' Work Release Program which was authorized by the Prisoner Rehabilitation Act of 1965. The Director of the Bureau of Prisons, Myrl E. Alexander, and his associates responsible for the successful initiation of this program have my deep appreciation and gratitude. What has been accomplished in the year since I signed the Prisoner Rehabilitation Act is a remarkable achievement.

By means of this program, prisoners can work and earn money in neighboring communities. This prepares them for future release and lets them accumulate savings to start a new life. I was particularly impressed by the fact that 95 percent of those prisoners who participated in the program either successfully completed the program or are still participating. Only five percent have had to be removed.

As I stated in my message on crime last March:

"No national strategy against crime can succeed if we do not restore more of our first offenders to productive society. The best law enforcement has little value if prison sentences are only temporary and embittering way stations for men whose release means a return to crime."

I am confident that all those in the Department of Justice and the Bureau of Prisons responsible for carrying out the Prisoner Rehabilitation Act of 1965 will continue to expand the opportunities provided in this Act—building on the sound foundations of this first year's experience.

Sincerely,

Lyndon B. Johnson.

Progress Report on Work Release Program—Prisoner Rehabilitation Act of 1965, September 12, 1966

THE WORK RELEASE PROGRAM

Work Release is a program under which inmates of Federal correctional institutions may be employed in nearby communities, returning to the institution at night.

The Work Release Program is the most significant provision of the Prisoner Rehabilitation Act of 1965. This Act was signed into law by President Johnson on September 10, 1965.

MAJOR OBJECTIVES OF WORK RELEASE PROGRAM

The Work Release Program has multiple and interrelated objectives.

Provides individuals with opportunities for further preparation for community life as a prerelease technique.

Provides specific training needs as complements to education and training at the institution.

Provides for accumulation of savings for use at time of release, especially to free an inmate from overwhelming financial burden on the day of release.

ACCOMPLISHMENTS DURING FIRST YEAR

The Work Release Program has provided substantial benefits in its first year of operation in terms of redirecting human lives into constructive paths, and in increasing financial responsibility.

More than 1,400 inmates of institutions operated by the United States Bureau of Prisons have participated in the Work Release experience in the first year.

In the period ending June 30, 1966, 362 work releases were discharged from the institutions. Of these, 240 obtained jobs as a direct result of the Work Release Program.

One-hundred-eighty-five were hired by their Work Release employers to continue in their positions.

Nine were hired by their Work Release employers in other capacities.

Forty-six were hired by others for work similar to that performed under Work Release.

More than 95 percent of the 1,400 participants have either successfully completed the experience or are continuing to participate at the close of the first year of Work Release activity. That is, less than 5 percent have been removed for any reason.

A survey of the 27 institutions which have participated in the work release program shows that the inmates earned $762,260.

They have paid $79,656 in Federal, state and local taxes, and have paid $28,650 into the social security trust fund.

In addition, they have forwarded $137,797 to dependent family members, enabling some dependents to leave the public welfare rolls.

These work releasees also have contributed $186,400 to the economies of the communities in which they work, with the majority of expenditures going for transportation, food, work clothing and similar needs.

Since June 1, 1966, they have also reimbursed the government at the rate of $2 per day for their food and quarters within the institution, and $12,793 has been returned to the treasury as miscellaneous receipts. This amount will be substantially larger in the future as the number of inmates on work release expands.

Finally, these inmates have accumulated in their personal savings accounts $272,140 which will be available to them upon release from confinement.

In summary, the work release program is making a substantial impact on the effort of the Bureau of Prisons to insure that its programs for reclaiming offenders will meet with unprecedented success.

DONALD RUSSELL

Mr. ERVIN. Mr. President, although the Senate will suffer a distinct loss when the junior Senator from South Carolina [Mr. Russell] leaves office next month, I am extremely gratified that the Nation will not lose his services. For I am convinced that when Donald Russell is confirmed by the Senate and takes his oath of office as U.S. district judge, he will prove himself to be one of the outstanding members of the Nation's judiciary.

I know of no man who has made a more outstanding and varied contribution to his State and Nation than the junior Senator from South Carolina. He has served as a major in the Armed Forces, as a high official in the War Department, as Assistant Secretary of State, as president of the University of South Carolina, as Governor of South Carolina, and as Senator from South Carolina. To this latter office, he has brought distinction befitting a successor to the great Olin D. Johnston. Although he has been a Member of this body for a relatively short period of time, I know of no Senator who has won as much respect from his colleagues in as brief a period. His tireless and scholarly efforts on behalf of important legislation have made a great contribution to the work of the 89th Congress.

Donald Russell is an experienced attorney with a brilliant legal mind, and he has the education and experience which uniquely qualify him as a judge. In addition, he has that rare quality of both a judicial and scholarly temperament which will add luster to the Federal bench. I predict that Donald Russell will not be just another judge; he will be a great judge. He leaves the Senate with the best wishes of all his colleagues.

ANTIRIOT LEGISLATION

Mr. TOWER. Mr. President, on Monday we begin the last week of the 89th Congress. Much legislation has been passed since we convened on January 4 nearly 2 years ago; it will now be up to history to decide how much actual progress has been made these 2 years.

There is one matter that has not been considered by this Congress, and it is a matter, Mr. President, which deserves our earliest possible attention. I refer to legislation which would attach criminal penalties to travel in interstate commerce for purposes of inciting riots.

During the past summer, the tendency toward summertime lawlessness was reinforced in our major cities. Chaos, in the form of rioting, destruction of property, and killing of innocent citizens, arose in some of our most populous metropolitan areas. We have witnessed the establishment of a pattern which deeply concerns me and, I am sure, my fellow Members. We have noted that certain persons—no longer content to acknowledge the rule of law—have taken the law into their own hands, and are using the U.S. mail, roads, and highways, and our other lines of communications and modes of transportation to mastermind organized outbreaks of collective lawlessness in metropolitan areas throughout the United States.

Beyond doubt, a pattern has been established and is now recognizable. It consists of professional agitators whose task is to organize local outbreaks of violence at various cities, and on various pretexts, in an effort to undermine law enforcement, accomplish destruction of public and private property, and has resulted on occasion in the loss of human life.

Those who mastermind these violent incidents utilize interstate facilities over which the Federal Government maintains control. The ringleaders of these incidents travel from State to State in furtherance of inciting violent civil disorder, and are not concerned in the least with the terrible results of their despicable actions; but neither, at this time, are they denied the use of interstate facilities to further their aims.

It is the 11th hour of the Congress, Mr. President, and I do not intend to further burden this body with considerations which are far reaching and which demand our utmost legislative skills. It is for this reason, Mr. President, that I shall withhold introduction this year of legislation I have prepared to deal with the problems I have just discussed. Much attention must be given to finding a solution to this problem, and with 1 week left in the session there is not sufficient time to consider antiriot legislation properly.

I wish to inform my colleagues, however, that I shall introduce antiriot legislation as soon as Congress convenes in 1967. It is a matter of crucial importance to our country and especially to city dwellers in the Nation who no longer are assured of safe passage on city streets.

My bill, which I shall ask to be printed at the conclusion of my remarks, provides for fines not in excess of $10,000 or imprisonment not more than 5 years, or both, for persons convicted of traveling in interstate commerce, of using interstate facilities to incite riots or of committing acts of violence punishable as a criminal offense under any law of the United States, any State, or any political subdivision of a State.

This legislation is needed to act as a deterrent to lawlessness, and to put the Congress on record as strongly determined to put an end to organized mob rule.

Mr. President, I ask that the text of the bill I have prepared be printed at this point in the Record.

There being no objection, the text of the bill was ordered to be printed in the Record, as follows:

S. ——

A bill to make it a Federal offense to travel in, or use any facility of, interstate or foreign commerce with intent to incite a riot or to incite a riot which impairs interstate or foreign commerce, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 18, United States Code, is amended by inserting, immediately following chapter 101 thereof, the following new chapter:

"CHAPTER 102.—RIOTS

"Sec. 2101. Riots.

"(a) (1) Whoever moves or travels in interstate or foreign commerce or uses any facility, instrumentality, or means for communication, transportation, or travel in interstate or foreign commerce, with intent to—

"(A) incite, promote, encourage, or carry on, or facilitate the incitement, promotion, encouragement, or carrying on of, a riot;

"(B) commit any act of battery, arson, bombing, or other act of violence which is punishable as a criminal offense under any law of the United States, any State, any political subdivision of a State, or the District of Columbia, while acting in furtherance of, or during the commission of, any act specified in clause (A); or

"(C) assist, encourage, induce, or instruct any person to commit or perform any act specified in clause (A) or (B); or

"(2) Whoever willfully incites, promotes, encourages, or carries on, or facilitates the incitement, promotion, encouragement, or carrying on of, a riot which affects adversely the free flow of any part of interstate or foreign commerce, or the functioning or use of any facility, instrumentality, or means for communication, transportation, or travel in interstate or foreign commerce—

"Shall be fined not more than $10,000 or imprisoned not more than five years, or both.

"(b) As used in this section, the term 'riot' means any disturbance of the peace in any State or the District of Columbia by three or more persons which results in unlawful acts of violence against persons or property or threats of the commission of such unlawful acts of violence by three or more persons who have the ability to perform the acts so threatened.

"(c) This section shall not be construed to affect or impair the validity or enforcement of any law of any State or political subdivision of any State, or the District of Columbia."

Sec. 2. The table of contents to "Part I—Crimes" of title 18, United States Code, is amended by inserting after the following chapter reference:

"101. Records and reports .... 2071"

the following new chapter reference:

"102. Riots .... 2101".

THE HONORABLE CLARK THOMPSON, A REPRESENTATIVE FROM TEXAS

Mr. YARBOROUGH. Mr. President, a most distinguished colleague of mine from the Texas delegation—Clark Wallace Thompson—is now observing the closing days of his last congressional session. I have worked closely with Clark Thompson since I came to the Senate in 1957. I knew him before as a longtime friend, and I know him now as a very valued associate. We have campaigned together in Texas and worked together in Washington for principles we thought right. I have no better friend in the Texas delegation, nor does Texas itself. I rise now, Mr. President, to express the enduring gratitude that Texans feel for the productive and honored years he has spent in Washington.

Clark Thompson first became a Representative from Texas during the 73d Congress, and though he declined to seek renomination in 1934, he returned to the 80th Congress and has been here ever since. When he retires at the end of this session, he will leave behind a 19-year record of concerned and enlightened representation for the Ninth District of Texas. During those same 19 years, he has been an able statesman for the interests of the whole Nation.

He served for many years on the House Merchant Marine and Fisheries Committee, benefiting the coastal areas of his district while helping to strengthen and improve the American shipping industry.

He served also on the House Agriculture Committee, for which he was the chairman of the Subcommittee on Rice as well as the Subcommittee on Family Farms. He wrote and managed much of the important legislation that has helped to stabilize the rice-farming industry in this country. He has been an undoubted friend of the small family farmer—the indispensable man in American agriculture—whom he has served with compassion and effectiveness.

He has also been a progressive and vital member of the House Ways and Means Committee, bringing his considerable expertise to the committee's work in the fiscal, tax, tariff, and social security problems of the Nation. A great deal of the legislation that has passed through that committee since 1962 bears the stamp of Clark Thompson's counsel.

CLARK THOMPSON's life outside the corridors of Congress has been equally busy. He operated an enterprising dry goods business in Galveston for 11 years, was later a successful public relations counsel and for 30 years has been active in the Marine Corps Reserve. He first entered the Marines as a private during World War I but had reached the rank of colonel in World War II. He organized the 15th Battalion of the Marine Corps Reserve in Galveston County, Tex., in 1936, led that battalion to combat in the South Pacific, and was later to head the Reserve Division in Marine Corps Headquarters in Washington.

It was while he was in the Marine Corps serving in Galveston in 1918 that he met and married Libby Moody, a gracious and intelligent lady from one of Texas' most famed families. The warmth of CLARK and Libby Thompson's hospitality has become so storied that their Washington home is known as the "Texas Embassy."

On the wall of that house on Massachusetts Avenue hangs a commission from Abraham Lincoln appointing CLARK THOMPSON's grandfather, Clark W. Thompson, Commissioner of Indian Affairs. The long marriage of CLARK and Libby Thompson has brought together one of the great families of Texas and one of the great families of the Lincoln years to produce one of the great families of the United States.

The dignity and intelligence that that family has brought to Washington reflects great credit on their district, the State of Texas, and the Congress itself.

And so, Mr. President, the gentleman from Galveston will not be forgotten when he is no longer seen in these corridors. Rather his absence will make all the more obvious his contributions to the wisdom—and the accomplishments—of this Congress.

CLARK THOMPSON retires from his seat in the House of Representatives, Mr. President, but he will never abandon his interest in public welfare. For CLARK THOMPSON there are many more productive and honored years coming.

FOOD FOR PEACE AND TRADING WITH THE ENEMY

Mr. GRUENING. Mr. President, it is gratifying to find that at long last the Department of State is beginning to take action, as I have been urging for some months, against those countries receiving economic assistance from the United States which continue to permit their ships to carry cargo to Cuba.

This matter was disclosed in hearings held by the Subcommittee on Foreign Aid Expenditures in June 1966 on the administration of the food-for-peace programs. The hearings showed, among other things, that a number of countries to which we were furnishing commodity assistance under Public Law 480 were selling the same or similar commodities to Communist countries notwithstanding the specific prohibition contained in section 304 of Public Law 480. In other cases, countries to which we were providing Public Law 480 assistance had permitted their ships to carry supplies to North Vietnam and Cuba.

The countries sending the largest number of ships to Cuba have been England, Lebanon, and Greece; however, only the latter has been receiving U.S. economic and military assistance since the shipping prohibition was incorporated into the Foreign Assistance Act in 1963. Since 1963, Greek vessels have made over 170 trips carrying supplies to Cuba. Thirty-three Greek ships visited Cuba in 1965 and 1966. In addition, 20 Yugoslavian vessels have carried cargos to Cuba in 1965 and 1966 at a time when that country was receiving substantial assistance from the United States under Public Law 480.

I ask unanimous consent to have printed at this point in the RECORD tables I, II, and III showing, respectively, countries receiving Public Law 480 assistance whose ships have been carrying supplies to Cuba, the increase in rice sales by the United Arab Republic to Communist countries, and the displacement of U.S. commercial wheat sales to the United Arab Republic by Public Law 480 sales.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

EXHIBIT 1

Table I

[Dollar amounts in millions]

	Number of ships visiting Cuba		Value of sales agreements	
	1965	1966	Fiscal year 1965	Fiscal year 1966
Title I:				
Morocco	1	0	$12.9	36.3
Israel	2	0	[1] 17.4	23.5
Greece	23	10	2.5	
Title IV:				
Yugoslavia	15	5	93.9	134.9
Greece			[2] 33.3	
Israel				8.5

[1] In addition a title I agreement in December 1962 provided an additional $17,500,000 for calendar year 1965.

[2] Agreement signed Nov. 17, 1964, provided for varying supply periods, that is fiscal year 1965–66 and calendar years 1965–66.

TABLE II.—*Rice exports by the United Arab Republic to Communist countries*

[In metric tons]

	1960	1964
U.S.S.R.	4,600	131,398
East Germany	8,004	13,451
Hungary		6,350
Bulgaria		4,800
Poland		16,995
Czechoslovakia	1,750	24,919
Rumania		17,127
Yugoslavia		16,145
China		20,000
Cuba	40,973	62,710
Total	55,327	313,945

Wheat exports by Greece, to Communist countries

[In metric tons]

	Fiscal year 1966
North Korea	70,000
Bulgaria	100,000

TABLE III.—*Commercial imports of U.S. wheat by United Arab Republic*

[In metric tons]

	Imports
Before Public Law 480:	
Fiscal year 1952	306,000
Fiscal year 1953	339,000
Fiscal year 1954	242,000
After Public Law 480:	
Fiscal year 1955	23,000
Fiscal year 1956	48,000
Fiscal year 1957	14,000
Fiscal year 1958	10,000
Fiscal year 1959	
Fiscal year 1960	29,000
Fiscal year 1961	57,000
Fiscal year 1962	2,000
Fiscal year 1963	
Fiscal year 1964	

Mr. GRUENING. Mr. President, further, as I pointed out in a speech on the floor of the Senate on September 16, 1966, Greece had shipped more than 300,000 tons of wheat to North Korea and Bulgaria in fiscal year 1966 at a time when it was receiving large amounts of the same commodity from the United States under Public Law 480. I also noted that the United Arab Republic and Brazil were selling substantial quantities of food to Communist countries during periods when they were the recipient of Public Law 480 assistance.

One of the more discouraging aspects of this matter is the failure of the Department of State to do anything about these instances even though they were in clear violation of the prohibitions contained in Public Law 480 and were contrary to the terms of the Public Law 480 sales agreements. The subcommittee hearings brought out that the Department of State arranged for the continued shipment of Public Law 480 food and agricultural commodities even though it was well aware of the fact that the recipient countries were sending the same or like commodities to Communist countries.

The New York Times on October 13, 1966, reported that the U.S. Embassy in Athens has now told the Greek Government that U.S. aid programs will be halted unless that country stops its trade with Communist countries. However, the aid program involved is the military assistance program and not Public Law 480 assistance. This is because the recently enacted Foreign Assistance Appropriation Act prohibits the expenditure of any funds under that act for assistance to countries who trade with the Communists. No provision has as yet been enacted for the Public Law 480 program which would require the termination of agricultural commodity assistance to countries which trade with the Communist nations.

During the subcommittee hearings I attempted to find out how the State Department could justify furnishing aid to Greece when its ships were carrying cargos to Cuba and North Vietnam. State Department officials pointed out that the wording of section 620 of the Foreign Assistance Act was that:

> No funds authorized to be made available under this Act . . . . shall be used to furnish assistance to any country which has failed to take appropriate steps . . . to prevent ships

or aircraft under its registry from transporting to Cuba . . . any items of economic assistance . . . .

It was contended that the Greek Government had issued a decree prohibiting its ships from going to Cuba but that one large shipowner, Achilles Franghistas, is the principal party involved and that he had challenged the legality of the decree in Greek courts where the case had been pending for 3 years.

The State Department contended therefore that the Greek Government had, in fact, taken "appropriate steps" as required by the Foreign Assistance Act.

The subcommittee hearings disclosed however that there were many more shipowners involved who were carrying supplies to Cuba despite the decree of the Greek Government. We furnished a list of 42 Greek vessels to the Maritime Administration which had carried cargos to Cuba since the issuance of the decree in 1963 with the request that the ownership of these vessels be determined. The subcommittee was subsequently informed that only 2 of the 42 vessels were owned by Mr. Franghistas. It is apparent therefore that the Greek Government's decree has been meaningless and that appropriate steps have not been taken by that Government to curtail its ships going to Cuba.

If the subcommittee's inquiry into this matter shows anything it is that the Department of State will exert every effort to find a loophole in the legislation in order to continue economic assistance to these foreign countries. The action of the State Department as reported in the New York Times was caused by the flat prohibition placed by the Congress in the Foreign Assistance Appropriation Act which for the first time did not give the administration the discretion to continue aid to countries trading with the Communists. This action was aided by the subcommittee's disclosures. Unless a similar prohibition is included in the Public Law 480 legislation which is now being considered by the conference committee, we can expect to see a continuation of our food assistance program to countries who are sending the same kind of food to Cuba, North Vietnam, Communist China, and other Communist nations.

I ask unanimous consent to have printed in the RECORD at the conclusion of my remarks the New York Times article of October 13, 1966, and two listings by the Maritime Administration, one of vessels arriving in North Vietnam and the other of vessels arriving in Cuba.

There being no objection, the article and listings were ordered to be printed in the RECORD, as follows:

EXHIBIT 2

[From the New York Times, Oct. 13, 1966]

UNITED STATES GIVES GREECE WARNING ON CUBA—ATHENS TOLD AID WILL CEASE UNLESS TRADE IS HALTED

ATHENS, October 12.—The United States has served notice that all military and economic aid to Greece may be cut off this year if her ships continue to trade with Cuba.

The warning conveyed by the American Embassy, followed approval of the foreign-aid bill, which incorporates restrictions for countries that fail to take steps to keep their ships from trading with Cuba and North Vietnam.

At the request of the United States, Greece has already banned all such trading by decree. But at least one shipowner has continued to trade with Cuba in defiance of the prohibition.

The ban, which went into effect in September, 1963, excluded ships that were on time-charter contracts at the time.

Achilles Franghistas, the recalcitrant shipowner, said today that he still had a time-charter contract from 1963 to deliver 12 more shiploads of goods to Cuba. Fourteen of his ships have visited Cuban ports in the last two months.

SHIPS BUILT IN SOVIET

Mr. Franghistas, who gave a $105-million shipbuilding order to the Soviet Union last December, is leaving for Moscow later this month to negotiate a second shipbuilding contract involving 35 more merchant vessels, mostly 36,000-ton bulk carriers.

The Greek Government has taken legal action against Mr. Franghistas for defying the ban. He is liable to imprisonment of up to six months and a fine. The master's certificate of one of his captains has been removed for defying the ban.

Among Mr. Franghistas' ships that have been trading with Cuba is the 9,500-ton Eftyhia, the first vessel delivered to him by the Soviet Union. She sailed for Cuba a few hours after the official delivery ceremony at Piraeus last Jan. 6. She was in Havana again on Sept. 21.

Mr. Franghistas said today that he believed the decree banning trade with Cuba was unconstitutional and that, if he were prosecuted further, he would challenge its validity before the Greek Supreme Court.

Officials indicated that the action against Mr. Franghistas would take years to come to court because of slow-moving judicial procedures.

It was this delay that prompted the United States Embassy in Athens to direct the Government's attention to the risks involved if more drastic action were not taken to stop traffic with Cuba.

While the United States President in the past was authorized by Congress to waive the foreign-aid restrictions in some cases, the new bill did not renew these discretionary powers.

Qualified sources noted that if Greece did not take more drastic action, she might become ineligible for United States military aid, which amounts to $25 to $65-million a year, as well as aid in the form of agricultural commodities under Public Law 480. The sanction involving this commodity aid was a new addition in the foreign-aid bill.

The Government was notified by the embassy of the "real dangers" involved, particularly as an application for assistance under Public Law 480 is now pending in Washington, these sources said.

EXHIBIT 3

DEPARTMENT OF COMMERCE, MARITIME ADMINISTRATION, REPORT NO. 6—LIST OF FOREIGN FLAG VESSELS ARRIVING IN NORTH VIETNAM ON OR AFTER JANUARY 25, 1966

Section 1. The President has approved a policy of denying United States Government-financed cargoes shipped from the United States to foreign flag vessels which called at North Vietnam ports on or after January 25, 1966.

The Maritime Administration is making available to the appropriate United States Government Departments the following list of such vessels which arrived in North Vietnam ports on or after January 25, 1966, based on information received through July 14, 1966. This list does not include vessels under the registration of countries, including the Soviet Union and Communist China, which normally do not have vessels calling at United States ports.

Flag of registry and name of ship:	Gross tonnage
British:	
Ardtara	5,795
Greenford	2,964
Isabel Erica	7,105
Milford	1,889
Santa Granda	7,229
Shienfoon	7,127
Shirley Christine	6,724
Cypriot:	
Aome	7,173
Amfitriti [1]	7,147
Amon	7,229
Antonia II [1]	7,308
Greek:	
Agenor	7,139
Alkon	7,150
Maltese:	
Amalia [1]	7,304
Polish	
Andrzej Strug [1]	6,919
Beniowski	10,443
Djakarta	6,915
General Sikorski [1]	6,785
Hanka Sawicka	6,944
Jozef Conrad	8,730
Kochanowski	8,231
Lelewel [1]	7,817
Stefan Okrezja	6,620
Wladyslaw Broniewski [1]	6,919

[1] Added to report No. 5, appearing in the Federal Register issue of June 21, 1966.

Section 2. In accordance with approved procedures, the vessels listed below which called at North Vietnam on or after January 25, 1966, have reacquired eligibility to carry United States Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) that such vessels will not, thenceforth, be employed in the North Vietnam trade so long as it remains the policy of the United States Government to discourage such trade and;

(b) that no other vessels under their control will thenceforth be employed in the North Vietnam trade, except as provided in paragraph (c) and;

(c) that vessels under their control which are covered by contractual obligations, including charters, entered into prior to January 25, 1966, requiring their employment in the North Vietnam trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

Flag of registry and name of ship since last report:	Gross tonnage
British (1 ship): *Wakasa Bay*	7,044

Previous reports: None.

By Order of the Acting Maritime Administrator.

Date: July 15, 1966.

JAMES S. DAWSON, Jr.,
Secretary.

EXHIBIT 4

DEPARTMENT OF COMMERCE, MARITIME ADMINISTRATION, REPORT NO. 75—LIST OF FREE WORLD AND POLISH FLAG VESSELS ARRIVING IN CUBA SINCE JANUARY 1, 1963

Section 1. The Maritime Administration is making available to the appropriate Departments the following list of vessels which have arrived in Cuba since January 1, 1963, based on information received through September 22, 1966, exclusive of those vessels that called at Cuba on United States Government-approved noncommercial voyages and those

listed in Section 2. Pursuant to established United States Government policy, the listed vessels are ineligible to carry United States Government-financed cargoes from the United States.

Flag of registry and name of ship:	*Gross tonnage*
Total, all flags, 254 ships	1, 813, 865
British (74 ships)	553, 682
Amalia (now *Maltese*)[1]	----------
Amazon River (now *River*, sold to Dutch breakers)[1]	7, 234
Antarctica	8, 785
Arctic Ocean	8, 791
Ardenode	7, 036
Ardgem	6, 961
Ardmore, (now *Kali Elpis*, British)[1]	4, 664
Ardpatrick (now *Pakistani*)[1]	7, 054
Ardrossmore	5, 820
Ardrowan	7, 300
Ardsirod	7, 025
Ardtara	5, 795
Arlington Court (now *Southgate*, British)[1]	----------
Athelcrown (tanker)	11, 149
Athelduke (tanker)	9, 089
Athelknight (tanker)	9, 087
Athelmere (tanker)	7, 524
Athelmonarch (tanker)	11, 182
Athelsultan (tanker) broken up[1]	9, 194
Avisfaith	7, 868
Baxtergate	8, 813
Cheung Chau	8, 566
Chipbee (sold for scrap)	7, 271
Cosmo Trader (trips to Cuba under ex-name *Ivy Fair*, British)[1]	----------
Dairen (now *Agate*, Panamanian)[1]	4, 909
East Breeze (now *Phoenician Dawn*, British)[1]	----------
Eastfortune	8, 789
Elicos (broken up)[1]	7, 134
Formentor	8, 424
Fortune Enterprise	7, 284
Free Enterprise (now Cypriot)[1]	----------
Free Merchant (now Cypriot)[1]	----------
Garthdale (now *Jeb Lee*, British)[1]	7, 542
Grosvenor Mariner (now *Red Sea*, British)[1]	7, 026
Haselmoor	7, 907
Helka	2, 111
Hemisphere	8, 718
Ho Fung	7, 121
Inchstaffa	5, 255
Inchstuart	7, 042
Ivy Fair (now *Cosmo Trader*, British, broken up)	7, 201
Jeb Lee (trip to Cuba under ex-name, *Garthdale*, British)[1]	----------
Jollity	8, 660
Kali Elpis (trips to Cuba under ex-name, *Ardmore*, British)[1]	----------
Kinross	5, 886
La Hortensia	9, 486
Lady Era (trips to Cuba under ex-name, *Stanwear*, British)[1]	----------
Linkmoor	8, 236
Loradore[1]	8, 078
Magister	2, 839
Nancy Dee	6, 597
Nebula	8, 924
Newdene (now *Free Navigator*, Cypriot)[1]	----------
Newforest (now Cypriot)[1]	----------
Newgate	6, 742
Newglade	7, 868
Newgrove (now Cypriot)[1]	----------
Newheath	7, 642
Newhill	7, 855
Newlane	7, 043
Newmeadow (now Cypriot)[1]	----------
Newmoat	7, 151
Newmoor	7, 168
Nils Amelon	6, 281
Oceantramp	6, 185
Oceantravel	10, 477
Peony	9, 037
Phoenician Dawn (previous trips to Cuba under ex-name, *East Breeze*, British)[1]	8, 708
Red Sea (trip to Cuba under ex-name *Grosvenor Mariner*, British)[1]	----------
Redbrook (now *E. Evangelia*, Greek)[1]	7, 388
Ruthy Ann[1]	7, 361
St. Antonio (now Maltese)[1]	----------
Sandsend	7, 236
Santa Granda	7, 229
Sea Amber	10, 421
Sea Coral	10, 421
Sea Empress	8, 941
Seasage	4, 330
Shienfoon	7, 127
Shun Fung (wrecked)[1]	7, 148
Soclyve (now Maltese)[1]	----------
Southgate (previous trips to Cuba under ex-name *Arlington Court*, British)[1]	9, 662
Stanwear (now *Lady Era*, British)[1]	8, 108
Suva Breeze (now *Cathay Trader*, Panamanian)	4, 970
Swift River (now *Kallithea*, Cypriot)[1]	----------
Timios Stavros (now *Maltese Flag*, previous trips to Cuba, Greek)[1]	----------
Venice	8, 611
Vercharmian	7, 265
Vergmont	7, 381
Yungfutary	5, 388
Yunglutation	5, 414
Zela M.	7, 237
Lebanese (55 ships)	374, 134
Aiolos II	7, 256
AIS Giannis	6, 997
Akamas (now Cypriot)[1]	----------
Al Amin	7, 186
Alaska	6, 989
Anthas	7, 044
Antonis	6, 259
Ares (constructive total loss)[1]	4, 557
Areti	7, 176
Aristefs	6, 995
Astir	5, 324
Athamas (now Cypriot)[1]	4, 729
Carnation (sold Spanish breakers)[1]	4, 884
Claire	5, 411
Cris	6, 032
Dimos	7, 187
E. Myrtidiotissa (aground, trips to Cuba under ex-name, *Kalliopi D. Lemos*, Lebanese)	----------
Free Trade (now Cypriot)	----------
Georgios M. II	5, 028
Giannis	5, 270
Giorgos Tsakiroglou	7, 240
Granikos	7, 282
Ilena	5, 925
Ioannis Aspiotis	7, 207
Kalliopi D. Lemos—(Now *E. Myrtidiotissa*, Lebanese)[1]	5, 103
Katerina	9, 357
Leftric	7, 176
Malou	7, 145
Mantric	7, 255
Maria Despina (broken in two)[1]	7, 254
Maria Renee	7, 203
Marichristina	7, 124
Marymark (sold German ship breakers)[1]	4, 383
Mersinidi	6, 782
Mousse	9, 307
Nictric	7, 296
Noelle	7, 251
Noemi (aground)[1]	7, 070
Olga (now Greek)[1]	7, 199
Panagos	7, 133
Parmarina	6, 721
Razani (broken up)[1]	7, 253
Reneka (now *San Carlo*, Panamanian flag)[1]	7, 250
Rio	7, 194
St. Anthony, (broken up)[1]	5, 349
St. Nicolas	7, 165
San Spyridon	7, 260
Sheik Boutros (trips to Cuba under ex-name, *Cavtat*, Yugoslav)	----------
Stevo	7, 066
Taxiarhis	7, 349
Tertric	7, 045
Theodoros Lemos	7, 198
Tony	7, 176
Toula	6, 426
Troyan	7, 243
Vassiliki	7, 192
Vastric	6, 751
Vergolivada	6, 339
Yanxilas	10, 051
Greek (34 ships)	257, 190
Agios Therapon	5, 617
Akastos (now Cypriot)[1]	----------
Alice	7, 189
Ambassade (sold Hongkong ship breakers)[1]	8, 600
Americana	7, 104
Anacreon	7, 359
Anatoli—(now *Sunrise*, Cypriot)[1]	----------
Andromachi—(previous trips to Cuba under ex name, *Penelope*, Greek)[1]	6, 712
Antonia—(now *Amfithea*, Cypriot)	----------
Apollon	9, 744
Athanassios K	7, 216
Barbarino	7, 084
Calliopi Michalos	7, 249
Embassy (broken up)	8, 418
E. Evangelia (trips to Cuba under ex-name, *Redbrook*, British)	----------
Eftychia	10, 865
Flora M. (now Liberian)[1]	7, 244
Gloria (now *Helen*, Greek)[1]	----------
Helen (previous trips to Cuba under ex-name, *Gloria*, Greek)[1]	7, 128
Irena	7, 232
Istros II	7, 275
Kapetan Kostis (broken up)[1]	5, 032
Kyra Hariklia (broken up)[1]	6, 888
Maria Theresa (now *Ingrid Anne*, South African)[1]	7, 245
Marigo (now *Amfitriti*, Cypriot)[1]	7, 147
Maroudio (now *Thalie*, Panamanian)[1]	7, 369
Mastro-Stelios II (now *Wendy H.*, South African)	7, 282
Nicolaos F. (previous trip to Cuba, under ex-name, *Nicolaos Frangistas*, Greek)[1]	7, 199
Nicolaos Frangistas (now *Nicolaos F.*, Greek)	----------
Nikolis M.	7, 176
Olga (trips to Cuba, Lebanese)[1]	----------
Pantanassa	7, 131
Paxoi	7, 144
Penelope (now *Andromachi*, Greek)[1]	----------
Presvia (broken up)[1]	10, 820
Redestos	5, 911
Roula Maria (tanker)	10, 608
Seirios (broken up)[1]	7, 239
Sophia	7, 030
Stylianos N. Vlassopulos (now *Antonia II*, Cypriot)[1]	7, 303
Timios Stavros (formerly British flag, now Maltese)[1]	----------
Tina	7, 362
Western Trader	9, 268

	Gross tonnage
Polish (18 ships)	136, 680
Baltyk	6, 963
Bialystok	7, 173
Bytom	5, 967
Chopin	9, 148
Chorzow	7, 237
Energetyk	10, 843
Huta Florian	7, 258
Huta Labedy	7, 221
Huta Ostrowiec	7, 175
Huta Zgoda	6, 840
Hutnik	10, 897
Kopalnia Bobrek	7, 221
Kopalnia Czladz	7, 252
Kopalnia Miechowice	7, 223
Kopalnia Siemianowice	7, 165
Kopalnia Wujek	7, 033
Piast	3, 184
Transportowiec	10, 880
Cypriot (19 ships)	129, 385
Acme	7, 159
Adelphos Petrakis	7, 170
Akamas (previous trips to Cuba, Lebanese) [1]	7, 285
Akastos (previous trip to Cuba, Greek) [1]	7, 331
Aktor (sunk) [1]	6, 993
Amfiali	7, 110
Amfithea (previous trip to Cuba under ex-name, *Antonia*, Greek)[1]	5, 171
Amfitriti (trip to Cuba under ex-name, *Marigo*, Greek)[1]	
Amon	7, 229
Antonia II (trip to Cuba under ex-name, *Styliano N. Vlassopulos*, Greek)[1]	
Artemida	7, 247
Athamas (trips to Cuba, Lebanese)[1]	
El Toro	5, 949
Free Enterprise (previous trips to Cuba, British) [1]	6, 807
Free Merchant (previous trips to Cuba, British) [1]	5, 237
Free Navigator (previous trips to Cuba under ex-name, *Newdene*, British) [1]	7, 181
Free Trader (previous trips to Cuba, Lebanese) [1]	7, 067
Kallithea (previous trips to Cuba under ex-name, *Swift River*, British) [1]	7, 251
Newforest (previous trips to Cuba, British) [1]	7, 185
Newgrove (previous trips to Cuba, British and Haitian) [1]	7, 172
Newmeadow (previous trips to Cuba, British) [1]	5, 654
Sunrise (previous trips to Cuba under ex-name, *Anatoli*, Greek) [1]	7, 187
Italian (15 ships)	123, 058
Achille	6, 950
Agostino Bertani	8, 380
Andrea Costa (tanker, broken up) [1]	10, 440
Aspromonte (broken up) [1]	7, 154
Caprera	7, 189
Elia (tanker)	11, 377
Geremia (previous trips to Cuba under ex-name, *Mariasusanna*, Italian) [1]	2, 479
Giuseppe Giulietti (tanker)	17, 519
Graziella Zeta (trips to Cuba under ex-name, *Montiron*, Italian)[1]	
Mariasusanna (Now *Geremia*, Italian)[1]	
Montiron (now *Graziella Zeta*, Italian)[1]	1, 595
Nazareno	7, 173
Nino Bixio	8, 427
San Francesco	9, 284
San Nicola (tanker)	12, 461
Santa Lucia	9, 278
Somalia (now *Chenchang*, Nationalist Chinese)[1]	3, 352
Yugoslav (9 ships)	60, 800
Bar	7, 233
Cavtat (now *Sheik Boutros*, Lebanese)[1]	7, 266
Cetinje	7, 200
Dugi Otok	6, 997
Kolasin	7, 217
Mojkovac	7, 125
Plod	3, 657
Promina	6, 960
Trebisnjica (wrecked)	7, 145
French (9 ships)	48, 758
Arsinoe (tanker, sunk)	10, 426
Avranches	7,282
Circe	2, 874
Enee	1,232
Foulaya	3, 739
Mungo	4, 820
Nelee	2, 874
Neve (now *Drame Oumar*, Guinean)[1]	852
Senanque (tanker)	14, 659
Moroccan (5 ships)	35, 828
Atlas	10, 393
Banora (sunk)[1]	3, 062
Marrakech	3, 214
Mauritanie	10, 392
Toubkal	8, 748
Maltese (5 ships)	33, 788
Amalia (previous trips to Cuba, British)[1]	7, 304
Ispahan	7, 156
St. Antonio (broken up, previous trip to Cuba, British)[1]	6, 704
Soclyve (previous trips to Cuba, British)[1]	7, 291
Timios Stavros (previous trips to Cuba, British and Greek)	5, 333
Finnish (4 ships)	32, 919
Augusta Paulin	7, 096
Hermia (trip to Cuba under ex-name, *Amfred*, Swedish) [1]	
Margrethe Paulin	7, 251
Ragni Paulin	6, 823
Sword (tanker)	11, 749
Netherlands (2 ships)	999
Meike	500
Tempo	499
Norwegian (2 ships)	10, 002
Ole Bratt	5, 252
Tine (now *Jesreel*, Panamanian flag, wrecked) [1]	4, 750
Swedish (2 ships)	9, 318
Amfred (now *Hermia*, Finnish) [1]	2, 828
Dagmar (now *Bali Mariner*, Panamanian) [1]	6, 490
Monaco (1 ship)	7, 314
Saint Lys	7, 314

Guinean: *Drame Oumar* (trip to Cuba under ex-name, *Neve*, French).[1]

Haitian: *Newgrove* (Now Cypriot).[1]

Liberian: *Flora M.* (trips to Cuba, Greek).[1]

Nationalist Chinese: *Chenchang* (trip to Cuba under ex-name, *Somalia*, Italian).[1]

Pakistani: *Ardpatrick* (trip to Cuba, British).[1]

Panamanian:
- *Agate* (trips to Cuba under ex-name, *Dairen*, British).[1]
- *Bali Mariner* (trips to Cuba under ex-name, *Dagmar*, Swedish).[1]
- *Jesreel* (trip to Cuba under ex-name, *Tine*, Norwegian, wrecked).[1]
- *Cathay Trader* (trips to Cuba under ex-name, *Suva Breeze*, British).[1]
- *Thalie* (trip to Cuba under ex-name, *Maroudio*, Greek).[1]
- *San Carlo* (trip to Cuba under ex-name, *Reneka*, Lebanese, broken up).[1]

South African:
- *Wendy H.* (trip to Cuba under ex-name, *Mastro-Stelios II*, Greek).[1]
- *Ingrid Anne* (trip to Cuba under ex-name, *Maria Theresa*, Greek).[1]

[1] Ships appearing on the list that have been scrapped or have had changes in name and/or flag of registry.

[2] Added to Report No. 74, appearing in the Federal Register issue of July 22, 1966.

Section 2. In accordance with approved procedures, the vessels listed below which called at Cuba after January 1, 1963, have reacquired eligibility to carry United States Government-financed cargoes from the United States by virtue of the persons who control the vessels having given satisfactory certification and assurance:

(a) that such vessels will not, thenceforth, be employed in the Cuba trade so long as it remains the policy of the United States Government to discourage such trade; and

(b) that no other vessel under their control will thenceforth be employed in the Cuba trade, except as provided in paragraph (c); and

(c) that vessels under their control which are covered by contractual obligations, including charters, entered into prior to December 16, 1963, requiring their employment in the Cuba trade shall be withdrawn from such trade at the earliest opportunity consistent with such contractual obligations.

Flag of registry and name of ship:

	Gross tonnage
Since last report:	
Greek (1 ship): *Pamit* (now *Bambero*, Liberian)	3, 929

Previous reports, flag of registry:

	Number of ships
Total	95
British	39
Cypriot	2
Danish	1
Finnish	2
French	1
German (West)	1
Greek	25
Israeli	1
Italian	5
Japanese	1
Kuwaiti	1
Lebanese	5
Norwegian	4
Spanish	6
Swedish	1

Section 3. The ships listed in Sections 1 and 2 have made the following number of trips to Cuba since January 1, 1963, based on information received through September 22, 1966.

Flag of registry	1963	1964	1965	1966				Total
				January-June	July	August	September	
British	133	180	126	58	11	6	2	516
Lebanese	64	91	58	18	2	1	1	235
Greek	99	27	23	16	3	3		171
Italian	16	20	24	7		1		68
Yugoslav	12	11	15	6	1	1		46
Cypriot		1	17	20	1			39
French	8	9	9	1	1	1	2	31
Spanish	8	17						25
Norwegian	14	10						24
Moroccan	9	13	1					23
Finnish	1	4	5	6	1			17
Maltese		2	6	1				9
Netherlands		4	2					6
Swedish	3	3						6
Kuwaiti		2	1					3
Israeli			2					2
Danish	1							1
German (West)	1							1
Haitian			1					1
Japanese	1							1
Monaco				1				1
Subtotal	370	394	290	134	20	13	5	1,226
Polish	18	16	12	6	1			53
Grand total	388	410	302	140	21	13	5	1,279

NOTE: Trip totals in this Section exceed ship totals in Sections 1 and 2 because some of the ships made more than one trip to Cuba.

Monthly totals subject to revision as additional data becomes available.

By order of the Acting Maritime Administrator.

Dated: September 26, 1966.

JAMES S. DAWSON, Jr.,
Secretary.

CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Is there further morning business? If not, morning business is closed.

CONSTRUCTION, REPAIR, AND PRESERVATION OF CERTAIN PUBLIC WORKS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1689, S. 3906.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3906) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The ACTING PRESIDENT pro tempore. Without objection, it is ordered.

Mr. RANDOLPH. Mr. President, in our consideration of the pending legislation, S. 3906, I invite the attention of Senators to the fact that since Congressional enactment of the last general omnibus rivers and harbors, flood control, and multiple-purposes bill, which took place last year, we have had many favorable reports on needed water resource developments. These have been transmitted to Congress from the Corps of Engineers. The measure the Senate is considering today provides authorization for initiating these important projects in several sections of the country. Also included in the bill are several matters of general legislation appropriate for consideration in connection with the subject matter the Senate is considering today.

Over the years, the Corps of Engineers has evolved a body of projects worthy of our study and consideration. Congress has also evolved a body of legislation establishing Federal interest in civic works covering many purposes. As a result of a number of authorizing acts, a sound Federal program of projects to benefit the country as a whole—States, counties, communities, and the general public—has been brought to passage.

However, there are many other problems and many meritorious projects which come to our attention because of the complexity of our American developmental programs, industrial growth, population development, regional economic problems, and many other factors, so that there has been a continuing study and revision of the program in keeping with the current and prospective needs essential to realistic regional and national development, and to an efficient use of the Nation's financial and natural resources. The projects which are contained in the legislation today come to us as the result of such study.

The Committee on Public Works held thorough public hearings on the projects and reports favorably recommended by the chief of engineers, and on other proposals for development of the water resources of the Nation.

During these hearings, testimony was received from Members of the Congress, the Corps of Engineers, and other interested groups and individuals.

The survey program conducted by the Corps of Engineers forms the basis for the overall civil works program and should be kept current and abreast of the present needs of different areas and localities of our country. We recognize the validity of this statement by the very fact that our population approaches 200 million persons. The bill includes authorization for additional comprehensive river basin investigations and for surveys at various localities in the interest of flood control, navigation, and other allied water purposes.

The projects, 42 in number, as recommended for authorization by the committee will prove to be a valuable addition to the existing Federal water resource program. The projects have been conceived and recommended by the Corps of Engineers to prevent or reduce the damage caused by rampaging floodwaters; to provide water for municipal, agricultural, and industrial use; to generate hydroelectric power for our cities and farms; to provide recreational facilities; and to develop and improve the Nation's navigation facilities. Prompt authorization will benefit and strengthen the entire country and undergird the general economy.

There have been times when persons have talked about public works projects as being pork barrel in nature.

This is a term, I think, which has been facetiously used, although as the country—through the media of the press, television, and radio—has sometimes been informed of projects in that light, there is an unmerited connotation. The civil works authorized under our Flood Control Acts and river basin authorizations are projects that are not just expenditures of dollars but investments of dollars. The dollars invested in these projects always produce benefits greater than the costs, with the ratio of benefits in some of the projects in the pending measure reaching as high as 8.5 times the costs involved.

Many of the projects include reservoirs for the storage of municipal and industrial water supplies. This is in accordance with the Water Supply Act of 1958. In this respect I stress that the Federal investment in certain multipurpose features, such as water supply, in these reservoirs, will be reimbursed to the Treasury.

Authorization of these important projects at this time will, I am sure, constitute a prudent investment of Federal funds in permanent improvements which are sound from both an engineering standpoint and economic feasibility.

Title I of the bill contains authorization for 11 navigation projects at an estimated cost of $17,872,000, and 4 beach erosion control projects at an estimated cost of $7,011,000.

Title II of the bill contains authorization for 27 flood control and multiple-purpose projects at an estimated Federal cost of $796,352,000.

The total estimated Federal cost of projects in both titles is $821,235,000.

Mr. President, the total of monetary authorization in the bill, broken down into the major categories is indicated in a table which appears on page 2 of the report. On pages 3 and 30 of the report are summary tables listing the project authorizations contained in the bill for rivers and harbors and flood control, respectively.

I ask unanimous consent that these tables be printed in the RECORD for the information of the Members of this body.

I also ask unanimous consent to have printed in the RECORD pertinent information, including the costs and descriptions of the various plans of improvements for each of the projects authorized in this bill.

There being no objection, the tables and excerpts were ordered to be printed in the RECORD, as follows:

Summary and analysis of the bill

MONETARY SUMMARY OF BILL

	Number	Amount
TITLE I		
Navigation projects	11	$17,872,000
Beach erosion	4	7,011,000
Total, title I	15	24,883,000
TITLE II		
Projects	27	796,352,000
Grand total	42	821,235,000

TITLE I—NAVIGATION PROJECTS

Project	Document No.	Federal cost of new work
Newark Bay, Hackensack, and Passaic Rivers, N.J.	H. 494, 89th	$12,899,000
Carolina Beach Harbor, N.C.	H. 515, 89th	Maintenance
Southport Harbor, N.C.	H. 514, 89th	Maintenance
Gulf County Canal, Gulf Intracoastal Waterway, Fla.	H. 481, 89th	477,000
St. Lucie Inlet, Fla.	H. 508, 89th	Maintenance
Pearl River, Miss. and La.	H. 482, 89th	630,000
Biloxi Harbor, Miss.	H. 513, 89th	753,000
Elk Creek Harbor, Pa.	H. 512, 89th	920,000
Conneaut Harbor, Ohio	H. 484, 89th	495,000
Cross Village Harbor, Mich.	H. 490, 89th	723,000
Mississippi River-Fort Madison Harbor, Iowa	H. 507, 89th	975,000
Total navigation (11 projects)		17,872,000

TITLE I—BEACH EROSION PROJECTS

Project	Document No.	Federal cost of new work
Ocracoke Inlet and Beaufort Inlet, N.C.	H. 509, 89th	$5,800,000
Mullet Key, Fla.	H. 516, 89th	286,000
Pinellas County, Fla.	H. 519, 89th	116,000
San Diego (Sunset Cliffs), Calif.	H. 477, 89th	809,000
Total beach erosion (4 projects)		7,011,000
Grand total (15 projects)		24,883,000

TITLE II—FLOOD CONTROL PROJECTS

Project	Document No.	Federal cost of new work
Sudbury River at Saxonville, Mass.	S. 61, 89th	$1,300,000
North Nashua River Basin, Mass.	S. 113, 89th	15,816,000
Pequonnock River Basin, Conn.	S. 115, 89th	5,000,000
Beaufort Inlet to Bogue Inlet, N.C.	H. 479, 89th	320,000
Bogue Inlet to Moore Inlet, N.C.	H. 480, 89th	1,240,000
Cape Fear, N.C., to the North Carolina-South Carolina State line.	H. 511, 89th	12,310,000
Mainland areas of North Carolina	H. 475, 89th	2,048,000
Outer Banks between the Virginia State line and Hatteras Inlet, N.C.	H. 476, 89th	6,652,000
Savannah River Basin—Trotters Shoals Dam and Reservoir, Ga. and S.C.	S. 52, 89th	84,900,000
Teche-Vermilion Basins, La.	H. —, 89th	5,100,000
Bayou Bartholomew and tributaries, Arkansas and Louisiana.	H. 506, 89th	9,360,000
Ouachita River, Monroe, La.	H. 328, 88th	1,160,000
Arkansas-Red River Basins, Tex., Okla., and Kans. (pt. 1).	S. 110, 89th	46,400,000
Stonewall Jackson Dam and Reservoir, West Fork River, W. Va.	S. 109, 89th	34,500,000
Big South Fork of the Cumberland River, Ky. and Tenn.	H. 175, 87th	151,000,000
Kehoe Dam and Reservoir, Tygarts Creek, Ky.	H. 517, 89th	15,000,000
Taylorsville Dam and Reservoir, Salt River, Ky.	H. 502, 89th	24,800,000
Meramec River Basin, Mo.	H. —, 89th	45,971,000
Mississippi River, mile 195 to 300, Illinois and Missouri.	H. 510, 89th	7,193,000
Maumee River at Ottawa, Ohio	H. 485, 89th	3,413,000
Red Creek, Monroe County, N.Y.	S. 107, 89th	1,430,000
Boise River at Boise, Idaho	H. 486, 89th	1,576,000
Skagit River, Wash.	H. 483, 89th	5,804,000
Klamath River, in the vicinity of Klamath, Calif.	H. 478, 89th	2,460,000
Marysville Dam and Reservoir, Yuba River, Calif.	H. 501, 89th	122,900,000
Knights Valley Dam and Reservoir, Russian River, Calif.	H. 518, 89th	166,800,000
Pajaro River, Calif.	H. 491, 89th	11,890,000
Total flood control (27 projects)		796,352,000

NEWARK BAY, HACKENSACK AND PASSAIC RIVERS, N.J.

(H. Doc. 494, 89th Cong.)

Navigation problem.—Growth of terminal facilities and increase in traffic of ocean-going vessels have rendered channel dimensions inadequate. Turning areas for larger vessels are needed because of the increase in waterborne commerce.

Recommended plan of improvement.—Provides for the widening of the authorized 35-foot channel from 550 and 400 feet to 700 feet from Port Newark Branch Channel south; a maneuvering area south of the Central Railroad of New Jersey Bridge with a width of 300 feet, an effective length of 2,200 feet and depths at mean low water of 35 feet in the northern half and 38 feet in the southern half; a maneuvering area north of the Central Railroad of New Jersey bridge with a width of 300 feet, an effective length of 2,200 feet and a depth at mean low water of 35 feet; widening of the entrances into Port Elizabeth to 1,050 feet, with additional removal of 250 feet of the north corner; and widening of the entrance to Port Newark Branch Channel to 800 feet; deepening the Newark Bay 32-foot project channel to a depth at mean low water of 35 feet, and widening from 400 to 500 feet; and a turning basin at the junction of the Hackensack and Passaic Rivers with a depth at mean low water of 35 feet, a length of 1,300 feet and a width of 900 feet; and in the Hackensack River, provides for the deepening of the 12-foot existing project channel to 15 feet at mean low water; and provides further that when the requirements of local cooperation for the improvement of Newark Bay, or the shallow-draft channel in the upper Hackensack River have been fulfilled, construction may be initiated on that part, irrespective of the status of local cooperation for the other parts of the project.

Estimated cost (price level of October 1964)

	Newark Bay	Hackensack River	Total
Federal	$11,865,000	$1,034,000	$12,899,000
Non-Federal	1,050,000	2,166,000	3,216,000
Total	12,915,000	3,200,000	16,115,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Newark Bay:			
Interest and amortization	$474,500	$41,700	$516,200
Maintenance	111,500	300	111,800
Total	586,000	42,000	628,000
Hackensack River:			
Interest and amortization	41,400	86,000	127,400
Maintenance	0	600	600
Total	41,400	86,600	128,000
Annual benefits:			
Transportation savings:			
Newark Bay			1,683,000
Hackensack River			187,000

NOTE.—Benefit-cost ratio: Newark Bay, 2.7; Hackensack River, 1.5.

Remarks.—The committee is aware of the increase in size and efficiency of the larger vessels and the increase in traffic. It also is aware of the accidents that have occurred in the New York Harbor area. The committee considers this a worthy project which should be constructed at an early date.

Carolina Beach Harbor, N.C.

(H. Doc. 515, 89th Cong.)

Navigation problem.—Continued use of the present harbor, provided by local interests, and open waters in Myrtle Sound is dependent on the installation of navigation aids and maintenance of the existing 6-foot channel and turning basin.

Recommended plan of improvement.—Modification of the existing project for the Atlantic Intracoastal Waterway between Norfolk, Va., and St. Johns River, Fla., to provide for maintenance of the locally constructed project consisting of a channel 6-feet deep and 80-feet wide, about 3,000-feet long, in Myrtle Sound between the Atlantic Intracoastal Waterway and the existing boat basin at Carolina Beach, including a turning basin 130-feet wide and 180-feet long of the same depth.

Estimated cost.—Maintenance only.

Project economics

Annual charges:	
Federal	[1] $3,400
Non-Federal	
Total	[1] 3,400
Annual benefits:	
Commercial fishing	7,600
Recreational fishing	2,400
Total	10,000

[1] Including $200 for navigation aids.

Benefit-cost ratio.—2.9

Remarks.—Maintenance of the general navigation features of the locally constructed small boat harbor would be an appropriate Federal undertaking.

Southport Harbor, N.C.

(H. Doc. 514, 89th Cong.)

Navigation problem.—The small boat harbor at Southport was constructed by local interests to provide for existing and future boating needs. In order to realize full utilization of the facilities, periodic dredging of the entrance channel and harbor access channels will be required.

Recommended plan of improvement.—Modification of the existing project for the Atlantic Intracoastal Waterway, between Norfolk, Va., and St. Johns River, Fla., to provide for maintenance of the general navigation features of the small boat harbor constructed by local interests, consisting of an entrance channel 150 feet wide and 400 feet long; an eastern harbor-access, 70 feet wide and 430 feet long; a western harbor-access channel 60 feet wide and 185 feet long to a turning basin 180 feet wide and 550 feet long; all to a depth of 6 feet.

Estimated cost.—Maintenance only.

Project economics

Annual charges: Maintenance (dredging)	[1] $2,000
Annual benefits: Elimination of delays	15,500

[1] All Federal.

Benefit-cost ratio.—7.7.

Remarks.—The committee notes that the small boat harbor at Southport is actively used by fishing and recreational craft in the area. It considers the recommended improvement a very desirable project for the area.

Gulf County Canal, Gulf Intracoastal Waterway, Fla.

(H. Doc. 481, 89th Cong.)

Navigation problem.—According to barge line operators and others familiar with navigation conditions on the waterway, inadequate project dimensions of the canal make it unsafe or inadvisable for carriers using the canal to employ large equipment, such as that normally used on the Intracoastal Waterway. This requires the use of relatively small unit tow capacities and results in high unit costs for transportation. Also, the sharp angle at the intersection of the canal and the Intracoastal Waterway, encountered by tows entering the canal from the west, makes it necessary to double-trip some of the larger tows to avoid grounding. Tows grounding at this point have, on occasion, obstructed the channels and caused serious delays to Intracoastal Waterway traffic.

Recommended plan of improvement.—Modification of the existing project dimensions of Gulf County Canal to provide for a channel 12 feet deep and 125 feet wide. The plan of improvement also includes easing the present sharp angle at the intersection of the canal and the Intracoastal Waterway.

Estimated cost (price level of November 1964)

Federal	$477,000
Non-Federal	64,000
Total	541,000

Project economics

[In thousands of dollars]

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	19,000	3,000	22,000
Maintenance and operation	12,000	4,000	16,000
Total	31,000	7,000	38,000
Annual benefits:			
Transportation savings			46,500
Elimination of delays			3,500
Total			50,000

Benefit-cost ratio.—1.3.

Remarks.—The existing navigation facilities are inadequate to accommodate present and prospective navigation traffic. The committee notes that the improvement would result in transportation cost savings, would eliminate groundings of vessels, and encourage industrial development.

St. Lucie Inlet, Fla.

(H. Doc. 508, 89th Cong.)

Navigation problem.—Navigational difficulties are experienced when northeasterly seas and ground swells break in or near the Federal bar channel and during periods of strong ebb discharge and heavy seas. Many incidents where recreational and charter cruisers have broached and capsized in or near the bar channel have been reported. Loss of life and property has been severe. Vessel groundings at frequently shifting sand bars along the existing natural channel between the bar cut and the Intracoastal Waterway have been reported.

Recommended plan of improvement.—That the existing project for St. Lucie Inlet, Fla., be modified to provide for maintenance of a channel 6 feet deep and 100 feet wide between the authorized bar channel and the Intracoastal Waterway.

Estimated cost.—Maintenance only.

Project economics

Annual charges:	*All Federal*
Interest and amortization	[1] $500
Maintenance	4,000
Maintenance navigation aids	800
Total	5,300
Annual benefits:	
Recreational boating	5,700
Commercial fishing	700
Total	6,400

[1] Based on costs for navigation aids of $12,000.

Benefit-cost ratio.—1.2.

Remarks.—In view of the loss of life and damages to vessels in navigating this inlet, the committee believes there is a need for this improvement.

Pearl River, Miss. and La.

(H. Doc. 482, 89th Cong.)

Navigation problem.—Difficulties are experienced by towboat operators in the West Pearl River channel between the mouth and lock 1 where the waterway is characterized by sharp bends and during low stages, by inadequate depths. These conditions restrict tow lengths and barge capacities which is reflected by relatively high unit transportation costs.

Recommended plan of improvement.—Construction of cutoffs and easement of critical bends at eight locations below lock 1 along West Pearl River in the reach from its mouth to mile 26, with no increase in project depth.

Estimated cost (price level of 1964)

Federal	$630,000
Non-Federal	100,000
Total	730,000

Project economics

[In thousands of dollars]

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	25,000	4,000	29,000
Maintenance	4,000		4,000
Total	29,000	4,000	33,000
Annual benefits: Transportation savings			165,000

Benefit-cost ratio.—5.0.

Remarks.—The modification of the existing project by elimination of the sharp bends in the river would increase the safety and efficiency of traffic using the waterway.

Biloxi Harbor, Miss.

(H. Doc. 513, 89th Cong.)

Navigation problem.—Channels of existing project are inadequate to accommodate increased traffic and larger tows needed as a result of industrial growth.

Recommended plan of improvement.—A through channel 12 feet deep, 150 feet wide from about mile 88.0 on the Gulf Intracoastal Waterway, passing through Mississippi Sound and Biloxi Bay east of Deer Island, Back Bay of Biloxi, and via land cut to Gulfport Lake, including a 500- by 2,600-foot turning basin in the lake, thence a 12- by 100-foot channel about 2 miles long northwestward from the west end of the lake terminating in a 300- by 500-foot turning basin; adoption for maintenance of a 12- by 150-foot spur channel from the main channel in Biloxi Bay westward for about 1 mile, terminating in a 400- by 600-foot turning basin opposite Ott Bayou and abandonment of the existing 6- by 40-foot channel to the bayou; continuation of maintenance of the 12- by 150-foot lateral channel westward about 2.2 miles from the main channel in Biloxi Bay to a point about opposite Oak Street on the Biloxi south waterfront; and continuation of maintenance of the 10- by 150-foot Federal project channel from Mississippi Sound west of Deer Island to the 12- by 150-foot lateral channel along Biloxi's south waterfront, and abandonment of the authorized modification providing for deepening the channel in that reach.

Estimated cost (price level of February 1965)

	Main channel	Ott Bayou [1]	Total
Federal	$753,000		$753,000
Non-Federal			
Total	753,000		753,000

[1] Maintenance only.

Project economics

	Main channel		
	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$31,000		$31,000
Maintenance and operation	114,000	$8,000	122,000
Total	145,000	8,000	153,000
	Ott Bayou		
Annual charges:			
Interest and amortization			
Maintenance and operation	$15,000	$3,000	$18,000
Total	15,000	3,000	18,000
	Main channel	Ott Bayou	Total
Annual benefits: transportation savings	$393,000	$19,000	$412,000

Benefit-cost ratio.—Main channel: 2.6; Ott Bayou, 1.1; total, 2.4.

Remarks.—The committee notes that the recommended improvement will meet the needs of existing and prospective commerce and provide for the needs of navigation anticipated for the prospective development of the harbor.

COAST OF LAKE ERIE—INTERIM REPORT ON ELK CREEK, PA.

(H. Doc. 512, 89th Cong.)

Navigation problem.—Depths are inadequate for even small outboard motor boats. Boats attempting to enter the creek for refuge during storms have capsized, with loss of lives. Larger craft seeking refuge have had to sail to Conneaut Harbor, 11 miles distant.

Recommended plan of improvement.—Breakwaters aggregating 1,600 feet in length; entrance channel 100 feet wide, 1,100 feet long, and 8 feet deep from the lake to an anchorage basin to be constructed 6 acres in extent and 6 feet deep; dock channel 1,700 feet long and 100 feet wide, with 6 and 4 feet depths; berm with 11-foot elevation and 60-foot width from the breakwaters to high ground; removal of shoals; and development of recreational facilities.

Estimated cost, November 1964

Federal	[1] $919,500
Non-Federal	532,500
Total	1,452,000

[1] Non-Federal interests to bear ½ the separable costs of recreational features, currently estimated at $39,500, in accordance with the Federal Water Project Recreation Act of 1965.

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$36,100	$23,400	$59,500
Maintenance and operation	5,300	2,600	7,900
Total	41,400	26,000	67,400
Annual benefits:			
Recreational boating			49,700
Commercial fishing			17,300
Harbor of refuge			10,000
Recreational fishing			15,000
Total			92,000

Benefit-cost ratio.—1.4.

Remarks.—A small-boat harbor at this location would meet recreational boating needs for a harbor of refuge during storm periods and provide a sheltered area for recreational boats. The committee is concerned about pollution of the Great Lakes and notes that this project will not contribute to pollution of the lakes.

CONNEAUT HARBOR, OHIO

(H. Doc. 484, 89th Cong.)

Navigation problem.—There is a lack of well protected mooring facilities for small boats. Wave action in the harbor restricts mooring at docks. Transient craft seeking refuge must moor in the open outer harbor which affords only limited protection.

Recommended plan of improvement.—A pell-mell stone dike 2,200 feel long protecting a mooring area; 2,800 feet of channel extension 6 feet deep and 100 feet wide; a personnel guardrail on the west breakwater for recreational fishing; and closure of gap in west breakwater.

Estimated cost (price level of October 1964)

Federal	$495,500
Non-Federal	495,500
Total	991,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$19,900	$19,700	$39,600
Maintenance and operation	6,200	2,400	8,600
Total	26,100	22,100	48,200
Annual benefits:			
Recreational boating			117,800
Recreational fishing			36,000
Total			153,800

Benefit-cost ratio.—3.2.

Remarks.—The committee notes that the existing harbor cannot accommodate the increasing number of recreation boaters that desire to use it because of inadequate depths. It believes that the improvements in the interests of such boaters, as well as for public sport fishing, are economically justified, and that the work would benefit the economy of the area.

CROSS VILLAGE HARBOR, MICH.

(H. Doc. 490, 89th Cong.)

Navigation problem.—Boating interests state that northern Lake Michigan and in particular the area between Beaver Island and the Michigan mainland is one of the roughest, most treacherous sections of water on the Great Lakes. Summer storms which usually appear with little warning are short and violent, and are the greatest cause of concern to recreational craft operators, particularly those cruising between widely spaced harbors.

Recommended plan of improvement.—Improvement for light-draft vessels by breakwaters with aggregate length of about 2,300 feet; anchorage and maneuver area of about 8 acres, 10 feet deep; flared entrance channel 12 feet deep, decreasing in width to about 140 feet through the breakwaters; and breakwater surfacing to provide access for recreational fishing.

Estimated cost (price level of April 1965)

Federal	$723,000
Non-Federal	449,000
Total	1,172,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$29,000	$17,800	$46,800
Maintenance and operation	3,000	1,000	4,000
Total	32,000	18,800	50,800
Annual benefits:			
Recreational boating			29,000
Harbor of refuge			15,000
Commercial fishing			2,500
Savings to Beaver Island Ferry			5,000
Sport fishing			4,500
Area redevelopment			6,300
Total			62,300

Benefit-cost ratio.—1.1 excluding area redevelopment benefits and 1.2 including area redevelopment benefits.

Remarks.—Harbor construction would benefit recreational boaters and sport and commercial fishermen, and add to the economic base of the community. The committee is pleased that the Corps of Engineers intends to dispose of spoil in such a manner as not to create additional pollution.

FORT MADISON HARBOR, IOWA

(H. Doc. 507, 89th Cong.)

Navigation problem.—The navigation channel of the Mississippi near Fort Madison has silted badly, preventing 9-foot channel traffic approaching the riverfront along the Iowa shore to the industrial area near Fort Madison.

Recommended plan of improvement.—Provision of an access channel, with maneuvering area, at the upper portion of the Fort Madison-Fort Lee industrial area, with a depth of 9 feet below flat pool and bottom width of 200 feet. (The recommendation calls for deauthorization of the existing project for construction of commercial harbor facilities at Fort Madison, Iowa, authorized by the 1948 River and Harbor Act, and modification of the project for the Mississippi River, between the Missouri River and Minneapolis, Minn., to provide the recommended plan.)

Estimated cost (price level of July 1965)

Federal	$975,000
Non-Federal	11,500
Total	986,500

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$40,000	$500	$40,500
Maintenance and operation	45,000		45,000
Total	85,000	500	85,500
Annual benefits: Transportation savings			188,500

Benefit-cost ratio.—8.8.

OCRACOKE INLET TO BEAUFORT INLET, N.C.

(H. Doc. 509, 89th Cong.)

Problem.—Problem is twofold: (*a*) There is continual shoreline erosion (in two parts of the study area) which is produced by waves and currents under normal conditions, and (*b*) some areas are frequently inundated and suffer erosion during storms, particularly during hurricanes.

Recommended plan of improvement.—Protection of the ocean shores of Portsmouth Island, Core Banks, and Shackleford Banks from major storm damage as well as annual storms by providing an integrally constructed sandfill dune and berm structure, and appurtenant work, extending approximately 51.4 miles from Ocracoke Inlet to Beaufort Inlet.

Estimated cost (price level of January 1964)

All project costs are Federal $5,800,000

Project economics

Annual charges:	
Interest and amortization	$230,000
Periodic beach nourishment	350,000
Maintenance	131,400
Total	712,000
Annual benefits:	
Recreational benefits	760,000
Property damage	4,000
Total	764,000

Benefit-cost ratio.—1.1.

Remarks.—The committee notes that the area recommended for improvement has been authorized as the Cape Lookout National Seashore. This reach of the coast is a valuable recreation area and serves a large area of the country.

MULLET KEY, FLA.

(H. Doc. 516, 89th Cong.)

Erosion problem.—The gulf shore of Mullet Key has experienced erosion, breaching, and recession which results from wave action and tidal currents. There is a need for stabilization of the shore and enlargement of the beach for recreational use.

Recommended plan of improvement.—The plan of improvement provides for a protective and recreational beach along 6,750 feet of shore along the north-south leg of Mullet Key, two anchor groins, one as deferred construction, a revetment 1,150 feet long around the southwest point of the key and periodic nourishment of the gulf and south shores of the key, and reimbursement of local interests of the difference between the amount expended by them for preproject work completed after initiation of this survey and their share of project costs apportioned in accordance with Federal policy established by law.

Estimated cost (price level of spring 1965)

Federal	$286,000
Non-Federal	123,000
Total	409,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$11,400	$4,900	$16,300
Periodic beach nourishment	[1] 21,500	[1] 9,200	30,700
Maintenance		4,000	4,000
Total	32,900	18,100	51,000
Annual benefits:			
Prevention of loss of land			18,000
Recreational use of beach			415,000
Total			433,000

[1] For 1st 10 years of project life. After this period local interests will bear full costs of periodic nourishment.

Benefit-cost ratio.—8.5.

Remarks: Restoration and stabilization of the public beaches along the shores of Mullet Key are necessary to restore needed recreational beach widths which have been reduced by erosion. The committee considers the project to be needed.

PINELLAS COUNTY, FLA.

(H. Doc. 519, 89th Cong.)

Beach erosion problem.—Despite public and private attempts to stabilize beaches, erosion is continuing, endangering highly developed shore properties. Storms undermine seawalls, erode the upland, and damage existing development. Restoration and stabilization of recreational beaches and protection of developments are needed.

Recommended plan of improvement.—Beach restoration, periodic nourishment, and revetments for beach erosion control for Clearwater Beach Island, Sand Key, Treasure Island, and Long Key. It is further recommended that local interests be permitted to construct complete island segments, not to exceed $1 million, subject to approval of Chief of Engineers and subsequent reimbursement of Federal share.

Estimated cost: (price level of 1965)

Federal	[1] $116,400
Non-Federal	[1] 2,923,600
Total	3,040,000

[1] Federal cost could increase to $1,520,000 and non-Federal cost decrease to $1,520,000 with the establishment of public ownership and use of all beaches in the recommended project

Project economics (based on present ownership)

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$4,700	$116,200	$120,900
Maintenance		600	600
Periodic nourishment	[1] 15,300	147,400	162,700
Total	20,000	264,200	284,200
Annual benefits:			
Damages prevented			344,200
Enhancement			94,000
Total			438,200

[1] For 1st 10 years of project life. After this period local interests will bear the full cost of nourishment.

Benefit-cost ratio.—1.5.

Remarks.—The committee notes that continued erosion of the shores of Pinellas County is endangering highly developed residential and recreational shore properties. It considers that restoration and stabilization of these beaches are needed.

SAN DIEGO (SUNSET CLIFFS), CALIF.

(H. Doc. 477, 89th Cong.)

Erosion problem.—The Sunset Cliffs coast reach is very rocky with occasional narrow beaches and sheer cliffs rising 50 to 75 feet. Over a long period wave action has eroded cliff areas so that severe loss of public and private property is imminent. It is estimated that continued erosion at past rates would result in losses over a 50-year period of property valued at about $2.4 million.

Recommended plan of improvement.—Provides for placement of beach fill over a reach of about 4,000 feet from Santa Cruz Avenue to Osprey Street with four groins to retain the fill, construction of stone revetment, walls, or dikes of varying lengths from Osprey Street south to Carmelo Street, and sealing or closing of two cave entrances.

Estimated cost (price level of March 1965)

Federal	$809,000
Non-Federal	809,000
Total	1,618,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$32,200	$32,200	$64,400
Maintenance and operation		26,000	26,000
Total	32,200	58,200	90,400
Annual benefits:			
Damages prevented			48,600
Recreation			530,900
Total			579,500

Benefit-cost ratio.—6.4.

Remarks.—Stabilization of the shore and cliffs in this location is believed essential for the protection of public property. The 4,000-foot-long beach resulting from the improvement will provide additional recreation for this thickly populated area. The committee considers this improvement to be urgently needed.

SUDBURY RIVER AT SAXONVILLE, MASS.

(S. Doc. 61, 89th Cong.)

Flood problems.—The maximum flood of record, in August 1955, inundated 22 acres of the left bank to depths up to 8 feet and some 36 acres on the right bank although not to the depths experienced on the left bank. Recurrence of the August 1955 flood under present conditions would result in damages estimated at $1,040,000.

Recommended plan of improvement.—Construction of 2,900 feet of earth dikes, 750 feet of concrete floodwalls, a vehicular gate at Concord Street, a stoplog structure at the railroad spur crossing, a pumping station and appurtenant structures, and 1,200 feet of channel improvement between the New York Central Railroad and the Danforth Street bridges.

Estimated cost (price level of 1964)

Federal	$1,300,000
Non-Federal	190,000
Total	1,490,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$51,700	$7,500	$59,200
Maintenance and operation		4,000	4,000
Loss productivity of land		1,500	1,500
Total	51,700	13,000	64,700
Annual benefits: Damages prevented			73,300

Benefit-cost ratio.—1.1.

Remarks.—A recurrence of the August 1955 flood under present conditions would result in damages estimated at over $1 million. The committee notes the benefit-cost ratio but considers this to be a worthy project.

North Nashua River, Mass.

(S. Doc. 113, 89th Cong.)

Flood problem.—The North Nashua River Basin has experienced numerous minor floods and four floods of moderate to major proportions during the past 28 years, with the flood of March 1936 being the greatest flood of record. A recurrence of the March 1936 flood would cause damages in excess of $24 million under present economic conditions.

Recommended plan of improvement.—Construction of four reservoirs, Whitmanville, Nookagee, Phillips, and Monoosnoc, and three local-protection projects; and that any element of the plan may be undertaken independently of the others whenever funds for that purpose are available and the prescribed local cooperation has been furnished; that immediately following authorization of the four reservoir projects, detailed site investigation and design be made for the purpose of accurately defining the project lands required; that subsequently advance acquisition be made of such title to such lands as may be required to preserve the sites against incompatible developments; and that the Chief of Engineers be authorized to participate in the construction or reconstruction of transportation and utility facilities in advance of project construction, as required to preserve such areas from encroachment and avoid increased costs for relocations.

Estimated cost (price level of 1964)

Federal	[1] $15,816,000
Non-Federal	274,000
Total	16,090,000

[1] Includes reimbursable cost of $3,830,000 for water supply and $312,000 for recreation.

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$529,600	$10,900	$540,500
Maintenance and operation	14,100	45,500	59,600
Total	543,700	56,400	600,100
Annual benefits:			
Damages prevented			1,151,000
Water supply			243,000
Recreation			161,000
Total			1,555,000

Benefit-cost ratio.—2.6.

Remarks.—The committee believes that the recommended project is an important development of the water resources in this area. It notes that the project has a high overall benefit-cost ratio and that over a million dollars in damages will be prevented annually. The committee considers that the project should be authorized as recommended by the Chief of Engineers.

Pequonnock River Basin, Conn.

(S. Doc. 115, 89th Cong.)

Flood problem.—Major floods, usually resulting from heavy rainfall associated with storms of tropical origin, damage residential, commercial, public, and industrial property, and highways. If the record flood of October 1955 were to recur under present conditions, losses in the basin would amount to about $1,500,000.

Recommended plan of improvement.—A dam and reservoir on the Pequonnock River at Trumbull, Conn., about 6 miles above the River Street Bridge, for flood control, water supply, water quality control, and recreation.

Estimated cost (price level of 1965)

Federal	[1] $5,000,000
Non-Federal	-----------
Total	5,000,000

[1] Includes $2,500,000 to be reimbursed by local interests; $2,475,000 for water supply; and $25,000 for recreation.

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$84,200	$84,300	$168,500
Maintenance, operation, and replacement	5,500	22,500	28,000
Loss of taxes		13,800	13,800
Total	89,700	120,600	210,300
Annual benefits:			
Damages prevented			100,700
Water supply			120,000
Fishery			161,000
Water quality			49,000
Recreation			15,000
Total			445,700

Benefit-cost ratio.—2.1.

Remarks.—The committee notes that the project would provide substantial flood control benefits as well as provide much needed water supply in an area where there is a shortage. The committee considers that the project is urgently needed.

Beaufort Inlet to Bogue Inlet, N.C.

(H. Doc. 479, 89th Cong.)

Flood problem.—Coastal areas between Beaufort Inlet and Bogue Inlet and areas fronting on North River, Newport River, the Straits, and Bogue Sound have suffered extensive damages from hurricane-produced tides and wave action.

Recommended plan of improvement.—Protection from hurricane flooding to portions of the North River estuary by construction of a dike about 36,500 feet long from Newby Creek to about 1 mile north of Feltons Creek, including drains at major natural drainage outlets.

Estimated cost (price level of September 1964)

Federal	$320,000
Non-Federal	137,000
Total	457,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$12,700	$5,500	$18,200
Maintenance and operation		5,000	5,000
Replacement of culverts		1,600	1,600
Total	12,700	12,100	24,800
Annual benefits:			
Damages prevented			21,000
Increased land utilization			10,000
Total			31,000

Benefit-cost ratio.—1.3.

Remarks.—The committee notes that this portion of the Outer Banks is exposed to frequent and severe tropical hurricanes. It believes that the recommended improvement which would prevent hurricane flood damage is needed and warranted.

Bogue Inlet to Moore Inlet, N.C.

(H. Doc. 480, 89th Cong.)

Flood problem.—Tidal flooding occurs at mainland communities and at sound shores of barrier beaches, and hurricane damages along the ocean front result from wave and tidal action on beaches, dunes, and structures.

Recommended plan of improvement.—Improvement of about 23,700 feet of shore at Topsail Beach and 31,700 feet at Surf City for hurricane-wave protection and beach stabilization by: An artificial dune with crown width of 25 feet and base at or near the building line with elevation of 14 feet above mean sea level; a beach berm with top width of 50 feet and top elevation of 10 feet above mean sea level constructed integrally with the dune; feeder beaches at the northern limits of Topsail Beach and Surf City; periodic beach nourishment with Federal participation of 50 percent of its cost for an initial period of 10 years after completion of initial fill beach.

Estimated cost (price level of December 1964)

	Topsail Beach	Surf City	Total
Federal	$478,000	$771,000	$1,249,000
Non-Federal	394,000	629,000	1,023,000
Total	872,000	1,400,000	2,272,000

Project economics

	Federal		Non-Federal		Total
	Topsail Beach	Surf City	Topsail Beach	Surf City	
Annual charges:					
Interest and amortization	$19,030	$30,670	$15,670	$25,040	$90,410
Maintenance and operation	0	0	11,300	13,500	24,800
Periodic nourishment	[1] 5,870	[1] 8,680	[1] 14,430	[1] 15,020	44,000
Total	24,900	39,350	41,400	53,560	159,210
				Topsail Beach	Surf City
Annual benefits:					
Damages prevented				$74,000	$62,600
Increased property values				1,800	7,200
Recreation				61,600	77,000
Total				137,400	146,800

[1] For first 10 years of project life. After this period local interests will bear full costs of periodic nourishment.

Benefit-cost ratio.—2.1 and 1.6.

Remarks.—The committee notes that mainland communities and sound shores of the barrier beaches have suffered severe damages from hurricanes. The recommended improvements would provide hurricane flood protection and preserve these natural beaches.

CAPE FEAR TO NORTH CAROLINA-SOUTH CAROLINA STATE LINE

(H. Doc. 511, 89th Cong.)

Flood problem.—Damages to property from hurricane winds, tide, and wave action have been severe in the study area. Erosive action by tides and waves during hurricanes and lesser storms has caused losses of beach and dune material.

Recommended plan of improvement.—Improvement for hurricane-wave protection and beach stabilization of 22.9 miles of ocean shoreline fronting the communities of Yaupon Beach, Long Beach, Holden Beach, Ocean Isle Beach, and Sunset Beach. The improvements would consist of an artificial dune and beach fill, stabilized by periodic nourishment.

Estimated cost (price level of December 1964)

Federal	$12,310,000
Non-Federal	6,941,000
Total	19,251,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$489,950	$276,250	$766,200
Maintenance		41,800	41,800
Beach nourishment	[1] 133,200	[1] 246,200	379,400
Total	623,150	564,250	1,187,400
Annual benefits:			
Damages prevented			1,473,800
Recreational use of beaches			439,200
Total			1,913,000

[1] For 1st 10 years of project life. After this period local interests will bear full costs of periodic nourishment.

Benefit-cost ratio.—1.6.

Remarks.—The committee notes that this portion of the Outer Banks has been hard hit by hurricanes on numerous occasions and considers this a needed and worthy project.

MAINLAND AREAS OF NORTH CAROLINA, EXCLUDING WASHINGTON AND NEW BERN

(H. Doc. 475, 89th Cong.)

Flood problem.—Damages to crops, croplands, urban and rural properties, roads, streets, and utilities result from flooding and wave action from hurricane winds. Tidal flooding has occurred 10 times since 1890; of these, five floods have occurred since 1954.

Recommended plan of improvements.—A project to provide protection from hurricane flooding to portions of Hyde County, by the construction of an earth dike, approximately 48 miles long, from northwest of Sladesville to northeast of Engelhard, including drainage openings, gated navigation openings and canal gates and construction of a sheet-pile bulkhead along the waterfront at Engelhard. The dike would vary in top elevation from 7.0 to 12.1 feet above mean sea level and have a top width of 10 feet.

Estimated cost (price level of 1964)

Federal	$2,048,000
Non-Federal	878,000
Total	2,926,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$81,500	$34,900	$116,400
Maintenance and operation		18,600	18,600
Total	81,500	53,500	135,000
Annual benefits:			
Damages prevented			151,900
Elimination of emergency costs			3,700
Total			155,600

Benefit-cost ratio.—1.2.

Remarks.—The committee notes that there have been heavy recurring losses from hurricane tidal flooding along the mainland. It considers authorization of the proposed improvement desirable.

OUTER BANKS BETWEEN VIRGINIA STATE LINE AND HATTERAS INLET, N.C.

(H. Doc. 476, 89th Cong.)

Flood problem.—The Outer Banks is subject to tidal flooding and erosion by hurricanes and major northeast storms, and subject to erosion by minor storms.

Recommended plan of improvement.—Construction of a dune with a crown width of 25 feet at elevation 14 feet above mean sea level, together with integral construction of a 50-foot beach berm at elevation 11 feet, extending about 18 miles, from a point 3 miles north of Wright Memorial Bridge Road junction on the north to a point about two-thirds of a mile south of Whalebone Junction on the south; initial deposition of approximately 550,000 cubic yards of sand in the northern portion of the project area to serve as advance beach nourishment; and Federal participation in the cost of beach nourishment for a period not to exceed 10 years from the year of completion of the original placement.

Estimated cost (price level of February 1964)

Federal	$6,652,000
Non-Federal	5,428,000
Total	12,080,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$264,700	$216,000	$480,700
Nourishment	[1] 173,500	[1] 192,100	365,600
Maintenance	0	80,200	80,200
Total	438,200	488,300	926,500
Annual benefits:			
Damages prevented			337,000
Recreation			1,234,000
Total			1,571,000

[1] For 1st 10 years of project life. After this period local interests will bear full costs of periodic nourishment.

Benefit-cost ratio.—1.7.

Remarks.—The natural barrier islands of the Outer Banks which provide protection to the mainland are gradually disappearing. The committee considers that the recommended plan is needed to insure preservation of this reach of the Outer Banks.

SAVANNAH RIVER, GA., AND S.C., TROTTERS SHOALS RESERVOIR

(S. Doc. 52, 89th Cong.)

Problem.—To find the best development for the reach of Savannah River between Clark Hill and Hartwell Reservoirs, with particular reference to a dam and reservoir at the Trotters Shoals site.

Recommended plan of improvement.—Provides for further improvement of the Savannah River, Ga., and S.C. by construction of Trotters Shoals Dam and Reservoir for hydroelectric power, general recreation and fish and wildlife recreation to provide optimum use of water resources between Clark Hill Reservoir and Hartwell Dam. The dam with power pool at elevation 475 would have a hydroelectric power installation of 310,000 kilowatts. The plan would make provision for future pumped-storage generating units at the Trotters Shoals project, in lieu of a similar installation upstream at the Hartwell project, and also provide for a diversion dam at Middleton Shoals to be constructed by Duke Power Co. in connection with their proposed steam-electric generating plant.

Estimated cost (price level revised to 1965)

Federal	[1] $84,900,000

[1] Non-Federal interests to bear ½ the separable costs of recreation and fish and wildlife enhancement currently estimated at $375,000.

Project economics (revised to 1965 price levels and current economic standards)

Annual economic costs:	
Interests and amortization	$3,043,000
Maintenance and operation and replacements	520,000
Loss of land productivity	33,000
Economic loss for additional mileage of railroad relocation	100,000
Total	3,696,000
Annual benefits:	
Power	7,160,000
Fish and wildlife	114,000
General recreation	280,000
Total	7,554,000

Benefit-cost ratio.—2.0.

Remarks.—The committee considers that the recommended plan of improvement for the Trotters Shoals site would augment the comprehensive plan of development of the water and related land resources of the basin.

TECHE-VERMILION BASINS, LOUISIANA

Problem.—Construction of the West Atchafalaya River and West Atchafalaya Basin protection levees severed the connection between Bayou Courtableau and the Atchafalaya River. This procluded natural diversions from the Atchafalaya River through Bayou Courtableau resulting in a decrease in fresh water in the Teche-Vermilion area. In 1941, the Bayou Darbonne drainage structure was built to allow diversions from the floodway and thereby restore low water flows in Bayou Courtableau to that which existed before the levee construction. Extension of the West Atchafalaya River levee to the vicinity of Butte LaRose (about 10 miles) lowered backwater stages at the Bayou Darbonne drainage structure to such an extent that diversions through the structure are seldom possible. The low water flows in Bayou Teche, the Vermilion River and the West Atchafalaya Basin protection levee borrow pit drainage system are insufficient for the irrigation and municipal and industrial water needs of the area at this time.

Recommended plan of improvement.—The recommended plan of improvement consists of a pumping plant with installed capacity of 1,050 cubic feet per second at the Atchafalaya River and a channel with appurtenant facilities to convey the water to the Teche-Vermilion Basins and control structures downstream to regulate distribution of flows within the basins.

Estimated cost (price level of January 1966)

Federal	$5,100,000
Non-Federal	48,000
Total	5,148,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$209,200	$1,800	$21,000
Maintenance, operation, and replacement	0	194,100	194,100
Expansion of pumping facilities	0	15,000	15,000
Total	209,200	210,900	420,100
Annual benefits:			
Municipal industrial, and quality control water			324,900
Elimination of salt water intrusion damages			116,000
Increase in fishery values			25,000
Total			465,900

Benefit-cost ratio.—1.1.

Remarks.—The committee believes that this improvement is desirable to permit continued development in this important region.

Mississippi River—Bank Protection Below Baton Rouge, La.

The project for the Mississippi River and tributaries has made important contributions to the physical and economic growth of the Nation. When controlled, this great river is a valuable asset. Uncontrolled, it would be a tremendous liability. The Mississippi River and its tributaries drain an area of 1¼ million square miles in 31 States and 2 Canadian Provinces. This area represents about 41 percent of the total land area of the United States, exclusive of Alaska and Hawaii.

The only outlet for the vast amount of water collected from the fourth largest drainage basin in the world is through the lower Mississippi River formed by the junction of the Ohio and upper Mississippi Rivers at Cairo, Ill. During a major flood year, the volume of water discharged by the lower Mississippi River is sufficient to cover the entire State of Louisiana to a depth of about 26 feet. The problem, therefore, is not only to make the best use of the available flow but to protect the area against the flows that originate in the Mississippi Basin.

Without levees, about 35,000 square miles in the alluvial valley would be flooded by the occurrence of the project flood, which is an infrequent flood somewhat larger than the largest flood of record. Except for backwater areas and floodways, this area is a highly developed agricultural and industrial region. The agricultural development is widely dispersed. The major industrial developments are concentrated near the urban centers and along the river below Baton Rouge, La., and are measured in billions of dollars.

After the disastrous flood of 1927, Congress adopted a comprehensive plan for flood control in the Mississippi River alluvial valley by passage of the Flood Control Act of May 15, 1928. This act has been modified many times and provides for flood protection of the alluvial valley of the Mississippi River between the Head of Passes, La., and Cape Girardeau, Mo. Because of the wide expanse covered by the project and the many problems involved, no single improvement could afford protection against all floods. The existing project contains a combination of features consisting of levees along the main stem of the river and its tributaries in the alluvial plain to confine the floodflow; reservoirs on the tributary streams to hold back peak flows; floodways to divert excess flow from the river; and channel improvement to increase channel capacity by means of bank revetment, dikes, and dredging. There are other features consisting of control structures, cutoffs, pumping plants, floodwalls, and floodgates.

Bank stabilization is important to both flood control and navigation. On the Mississippi River it is flexible in scope and application. The most economical and effective means of protecting banks from erosion and caving is revetment, composed of articulated concrete mattresses underwater, and a riprap or asphalt pavement above the waterline. Revetment presently in place between Cairo, Ill, and Baton Rouge, La., extends over 523 miles of bank, of which 118 miles are in Louisiana.

While many miles of banks have been revetted along the Mississippi River, affording protection to the levees and the foreshore between the levee and the river, there are other areas, particularly below Baton Rouge, where revetment work may be considered necessary. The committee has been informed that along certain areas of the river, extensive improvements have been constructed between the levees and the river in the area commonly referred to as the "batture."

It is understood that one of the criteria used by the Chief of Engineers for determining the priority of bank stabilization measures along the Mississippi River, is the need for protection of the main-line levee system.

The committee is of the opinion that the Chief of Engineers in determining the need for bank stabilization measures below Baton Rouge, not only should consider the need for protecting the levees, but also should take into account the need for placing revetment to protect industrial developments along the foreshore.

One of the areas in need of such treatment is at mile 201.4 above the head-of-passes where bank caving conditions are threatening certain existing industrial facilities. The committee expects that the Chief of Engineers would give early consideration to providing bank stabilization measures along this reach of the river if he finds such work to be justified in accordance with the provisions set forth in this act.

Mississippi River and Tributaries Project

MONETARY AUTHORIZATION

Prior to enactment of the Flood Control Act of 1962 (Public Law 87-874), monetary authorizations made available for prosecution of the Mississippi River and tributaries project, consisted of a great number of separate project items which gave rise to various interpretations as to the total authorization available for appropriation at any given time.

In order to allow for transfers of authorizations between project items and for ease of bookkeeping, the Congress in the Flood Control Act of 1962, authorized the combining into a single sum or account, all of the authorizations made available to the Mississippi River project, or any portion thereof, to be available for application to any portion of the project.

The 1965 Flood Control Act (Public Law 89-298) authorized the improvements recommended by the Chief of Engineers in House Document 308, 88th Congress for further development of the alluvial valley project, at an estimated cost of $181,109,000. However, in order to permit the committee to follow more closely the progress made on the project, the application of the monetary authorization made available by the act was only to be used for seeking appropriations to prosecute the work recommended by the Chief of Engineers in House Document 308.

While the procedure set forth in the 1965 act would enable the committee to follow more closely the progress made on this project, resulting in a better overall understanding of the complexities involved, it also places the monetary authorization accounting system in the same predicament that existed prior to enactment of the 1962 act.

The committee has accordingly included language in the bill providing for inclusion of the authorizations made available in Public Law 89-298, in the basin account for the Mississippi River and tributaries project, to be available for application to any portion of the entire project.

It is noted that the authorization contained in the 1965 act was made available for application to the plan set forth in House Document 308 at an "estimated cost of $181,109,000," which provides full authority for construction of the projects in that document. However, in transferring this authority to the basin account, the committee would expect that the Corps of Engineers would interpret this language as meaning, "not to exceed $181,109,000."

Bayou Bartholomew and Tributaries, Arkansas and Louisiana

(H. Doc. 506, 89th Cong.)

Flood problem.—Since 1927, major floods in the Bayou Bartholomew basin occurred in December 1931–January 1932, April 1945, January 1946, May 1953, and May 1958. The May 1958 flood produced the maximum stages of record in most of the basin. Approximately 336,300 acres in the watershed were flooded during the 1958 flood and an additional 75,000 acres in Boeuf and Tensas Rivers and Bayou Macon basins were flooded by waters that escaped from Bayou Bartholomew. The average annual flood damages under existing conditions are estimated at $268,200.

Recommended plan of improvement.—Construction of 10 detention reservoirs on tributaries along the west escarpment of the basin in Arkansas and a system of 6 local levee units on the main stem in the Louisiana portion of the basin.

Estimated cost (price level of 1962)

Federal	[1] $9,360,000
Non-Federal	360,000
Total	9,720,000

[1] Includes $70,000 to be reimbursed for recreation and fish and wildlife.

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$369,600	$17,000	$386,600
Maintenance, operation, and replacement	13,500	28,300	41,800
Loss of net return on land		63,100	63,100
Total	383,100	108,400	491,500
Annual benefits:			
Damages prevented			144,000
Increased land utilization and land enhancement			1,258,000
Recreation			92,000
Total			1,494,000

Benefit-cost ratio.—3.0

Remarks.—The recommended reservoirs will reduce flooding from hillside runoff onto existing and potential agricultural lands adjacent to the main stem of Bayou Bartholomew in Arkansas and the levees will provide needed protection for agricultural lands in Louisiana.

Ouachita River, Monroe, La.

(H. Doc. 328, 88th Cong.)

Flood problem.—During major floods local interests construct a mud-box type of emergency closure to prevent flooding through the gap. However, there is a possibility that an adequate structure could not be constructed in time or that it might fail leaving a highly developed urban area subject to flood damages.

Existing project.—The existing Federal project for the city of Monroe provides partial protection from floods on the Ouachita River by levees and a floodwall on the left bank at Monroe and the right bank at West Monroe. The Flood Control Act of 1965 authorized closure of the gap in the floodwall at Monroe by construction of a concrete wall generally landward of the top bank of the river known in the report of the Chief of Engineers as plan C (H. Doc. 328, 88th Cong.).

Alternative Plan of Improvement.—One of the alternatives considered by the Chief of Engineers provides for construction of the wall on the river side of all existing buildings known as plan B.

Estimated cost—Plan B (price level of October 1962)

Federal	$1,160,000
Non-Federal	80,000
Total	1,240,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$35,500	$2,400	$37,900
Maintenance, operation, and replacements		2,400	2,400
Total	35,500	4,800	40,300
Annual benefits:			
Flood damages prevented			88,000
Land enhancement			11,700
Total			99,700

Benefit-cost ratio.—Plan B.—2.5.

Local cooperation.—Furnish all lands, easements, and rights-of-way for construction; make relocations and alterations of equipment, utilities, and any obstructions made necessary by the construction works; hold and save the United States free from damages; and maintain and operate.

Remarks.—The committee believes that the plan authorized in the Flood Control Act of 1965 will have adverse effect upon the businesses conducted in the 10 buildings that would be bisected by construction of the wall in the authorized project. It is the committee's opinion that construction of the wall on the river side of these existing buildings will better serve the future growth of Monroe. Furthermore, the committee notes that the plan placing the wall riverward of existing improvements (plan B) has a good benefit cost ratio. Therefore, the committee believes that plan B should be substituted for and in lieu of the presently authorized plan C.

Arkansas-Red River Water Quality Study, Texas, Oklahoma, and Kansas (Pt. I)

(S. Doc. 110, 89th Cong.)

Problem.—Major degradation of Red River Basin waters is caused by natural and manmade chloride emissions. Presently the average chloride concentrations of Lake Kemp on the Wichita River and Lake Texoma on the Red River are 930 milligrams per liter and 300 milligrams per liter, respectively; whereas the Public Health Service drinking water standard is a maximum of 250 milligrams per liter for chlorides. Over 80 percent of the basin chloride load comes from 10 primary natural source areas in the headwater tributaries of the Red River. In the headwaters of Wichita River Basin, three natural chloride areas contribute 525 tons of chloride per day to the river system.

Recommended plan of improvement.—The project plan includes three low-flow dams, one each on the North, Middle, and South Forks of the Wichita River, two brine reservoirs, one on Canal Creek and another on a small tributary of North Fork, and pumping plants and pipelines to transmit the brine from low-flow sites to the brine reservoirs. Each low-flow dam would have a deflatable fabric-type weir located in the spillway section which would be collapsed to pass relatively good-quality high flows downstream. In addition the existing water quality monitoring program would be continued and expanded together with a detailed investigation of ground water hydrology and movement of brine in the project area. The Chief of Engineers further recommends that actual construction of the works not be initiated until related and supporting works in the Red River Basin also have been authorized.

Estimated cost (price level of January 1964)

Federal	$46,400,000
Non-Federal	0
Total	46,400,000

Project economics

Annual charges:	
Interest and amortization	1,638,700
Operation, maintenance replacement and engineering studies	216,300
Total	1,855,000
Annual benefits: Water quality control	[1] 2,084,000

[1] Full realization is dependent upon completion of pt. II projects in the Red River Basin.

Benefit-cost ratio.—1.1.

State of Louisiana: Favorable.

Remarks.—The committee is cognizant of the fact that a large portion of the surface water supply in the Red and Arkansas River basins is contaminated by natural chloride sources. The committee is pleased to note that the coordinated efforts of the concerned States and Federal agencies are resulting in a plan to reduce both natural and manmade chloride pollution of the streams in the basins which will do much to improve the potential for future economic development of the area. The committee believes that the brine control structures recommended by the Chief of Engineers for construction in the Wichita River sub-basin of the Red River are a logical initial unit and the recommendation for continuation and expansion of the existing water quality monitoring program together with a detailed investigation of ground water hydrology and movement of brine in the area is desirable.

West Fork River and Tributaries, West Virginia (Stonewall Jackson Reservoir)

(S. Doc. 109, 89th Cong.)

Flood problem.—West Fork River and its tributaries overflow about once a year causing flood damage in the cities of Weston, Clarksburg, and Fairmont and in the smaller communities of Deanville, West Milford, Shinnston, Enterprise, Worthington, and Monongah. In addition, the uncontrolled discharges from the West Fork River contribute to downstream floods on the Monongahela River. Damages occur to industrial developments, commercial establishments, residential properties, and cultivated lands. Railroads, highways, and utilities facilities are also adversely affected by floods.

Recommended plan of improvement.—Construction of a multiple-purpose dam and reservoir at Brownsville, W. Va., for flood control, water supply, water quality control, recreation, and area redevelopment.

Estimated cost (price level of July 1964)

Federal	[1] $34,500,000
Non-Federal	([2])
Total	34,500,000

[1] Net cost to the United States, $31,835,000.

[2] Non-Federal Interests to bear ½ the separable costs allocated to recreation and fish and wildlife enhancement, currently estimated at $1,415,000 and pay the cost of water supply currently estimated at $1,250,000.

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$1,083,000	$84,000	$1,167,000
Maintenance and operation	54,000	110,000	164,000
Economic loss of land productivity	111,000		111,000
Total	1,248,000	194,000	1,442,000
Annual benefits:			
Damages prevented			765,000
Water supply			82,000
Water quality control			1,001,000
General recreation			434,000
Fish and wildlife			45,000
Area redevelopment			137,000
Total			2,464,000

Benefit-cost ratio.—17.

Remarks.—The committee notes that the proposed reservoir would provide a substantial degree of flood protection in the basin, in addition to increasing available water supplies for municipal and industrial use. Construction of the project, which would be an attractive lake for recreation, will provide employment in the West Fork River Basin where economic redevelopment is needed. It is noted also that this multiple-purpose project is recommended for the region established by the Appalachian Redevelopment Act of 1965. The Appalachian Regional Commission supports the project and urges that prompt action be taken for its early implementation.

Big South Fork Cumberland River, Ky. and Tenn.

(H. Doc. 175, 87th Cong.)

Flood problem.—Local interests desire construction of reservoirs to provide power, flood control, and recreation and to improve the economic status of the area.

Recommended plan of improvement.—Plan provides for a multiple-purpose dam and reservoir on Big South Fork, Cumberland River Basin, Ky. and Tenn., for power, flood control, and other purposes, at Devils Jumps; additional reservoir clearing at Wolf Creek project; and modification of Lake Cumberland operation by transferring 255,000 acre-feet of flood control storage to Devils Jumps Reservoir.

Estimated cost (price level adjusted to 1964)

Federal	[1] $151,000,000

Project economics (revised to 1964 price levels and S. Doc. 97 economic criteria)

Annual charges:	
Interest and amortization	$5,405,400
Maintenance and operation and major replacements	743,600
Economic losses	41,000
Total	6,190,000

Project economics (*Revised to 1964 price levels and S. Doc 97 economic criteria*)—Con.

Annual benefits:	
Hydroelectric power	$10,445,700
Recreation	450,000
Area redevelopment	847,000
Total	11,742,700

[1] Non-Federal interests to bear ½ the separable costs of recreation and fish and wildlife enhancement currently estimated at $993,000.

Benefit-cost ratio.—1.9.

Remarks.—The committee notes that the hydroelectric power produced by the recommended Devils Jumps project could be readily utilized in the area power loads. The committee also notes that provision of the project, which would be located in the Appalachia depressed area, would significantly improve the economic condition of the region.

LITTLE SANDY RIVER AND TYGARTS CREEK, KY. (KEHOE RESERVOIR)

(H. Doc. 517, 89th Cong.)

Flood problem.—Completion of the Grayson Reservoir will alleviate the flood problems on the main stem of Little Sandy River as far as economically feasible; the principal remaining problems are in the Tygarts Creek Basin. Floods in the Tygarts Greek basin are not limited to any specific month or season. The topography of the basin is conducive to rapid concentration of runoff which results in fast rises and recessions of the stream. The upper portion of the basin is subject to headwater floods and the lower portion is subject to either backwater floods from the Ohio River or headwater floods, or a combination of both. The expense and difficulty encountered in building on the steep hillsides necesitate use of the valley floor for economic development. Flood hazards and the lack of dependable streamflow prevent optimum utilization of the flood plain areas.

Recommended plan of improvement.—Construction of the Kehoe multiple-purpose reservoir on Tygarts Creek for flood control, recreation, water quality control and area redevelopment.

Estimated cost (*price level of July 1965*)

Federal	[1] $15,000,000
Non-Federal	(2)
Total	15,000,000

[1] Net cost to the United States, $14,300,000.

[2] Non-Federal interests to bear ½ the separable costs of recreation and fish and wildlife enhancement currently estimated at $700,000.

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$492,000	$21,000	$513,000
Maintenance and operation	51,400	82,600	134,000
Economic loss of land productivity	26,000		26,000
Total	569,400	103,600	673,000
Annual benefits:			
Damages prevented			325,000
Water quality control			215,000
General recreation			317,000
Fish and wildlife			18,000
Area redevelopment			95,000
Total			970,000

Benefit-cost ratio.—1.4.

Remarks.—The recommended Kehoe Dam and Reservoir project would provide needed flood protection, control water quality and enhance recreation and fish and wildlife in the basin. The committee notes that this project is located in the Appalachian region, and would provide employment for persons who otherwise would be unemployed or underemployed, as well as stimulate economic activity.

SALT RIVER BASIN (TAYLORSVILLE RESERVOIR), KENTUCKY

(H. Doc. 502, 89th Cong.)

Flood problem.—Extensive damages were caused by the recent floods of 1961 and 1964. A recurrence of the May 1961 flood would cause damages of $1.7 million and the March 1964 flood damages were estimated at $1.9 million for Salt River. In addition to the problems of uncontrolled floods, there is a need for better water quality and facilities for water oriented recreation and fishing.

Recommended plan of improvement.—The recommended project is the Taylorsville multiple-purpose reservoir, about 3 miles upstream from Taylorsville, controlling a drainage area of 354 square miles. The reservoir would afford a high degree of protection from headwater flooding on the Salt River, reduce flood damages on the Ohio River, provided for water quality control and meet growing demands for recreation and fish and wildlife enhancement.

Estimated cost (*price level of January 1965*)

Federal	[1] $24,800,000
Non-Federal	(2)
Total	24,800,000

[1] Net cost to the United States is $21,133,000.

[2] Non-Federal interests to bear ½ the separable costs allocated to recreation and fish and wildlife enhancement, currently estimated at $3,667,000.

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$730,000	$90,000	$820,000
Maintenance and operation	54,000	315,000	369,000
Land productivity loss	39,000		39,000
Total	823,000	405,000	1,228,000
Annual benefits:			
Damages prevented			735,000
Water quality control			300,000
General recreation			1,120,000
Fishing and wildlife			104,000
Total			2,259,000

Benefit-cost ratio.—1.8.

Remarks.—The committee notes that this multiple-purpose reservoir would afford a high degree of protection from headwater flooding on the Salt River, reduce flood damages on the Ohio River, provide for water quality control and would meet growing demans for recreation and fish and wildlife.

Problems.—Approximately 129,000 acres of land are subject to flooding; annual damages under present conditions are $2 million. There are urgent needs for water supply and control of stream pollution, mainly in the lower basin. With the exception of a few private lakes and minor developments along the streams, water-based recreation facilities are practically nonexistent.

Recommended plan of improvement.—Authorization of a plan of improvement for the Meramec River Basin including construction of three multiple-purpose reservoirs; namely, Pine Ford and Irondale on the Big River and I–38 on the Bourbeuse River for flood control, water supply, water quality control, and recreation; 19 angler-use sites for fishing and recreation along the Big, Bourbeuse, and Meramec Rivers. Also, the presently authorized Meramec Park and Union Reservoirs be included in the comprehensive plan for the Meramec; and the general comprehensive plan for the upper Mississippi River be modified by deleting therefrom the reservoirs in the Meramec River Basin.

Estimated cost (*1965 prices*)

Federal	[1] $45,971,000
Non-Federal	[1] 300,000
Total	46,271,000

[1] $300,500 is 50 percent of construction cost of angler-use sites. In addition, non-Federal interests would repay the United States an estimated $1,597,000 for water supply and $6,291,000 for recreation. The ultimate net cost to the United States is estimated at $38,082,000.

Project economics

Annual charges:	
Interest and amortization	$1,762,200
Maintenance and operation	612,900
Total	2,375,100
Annual benefits:	
Damages prevented	727,700
Water supply	89,000
Water quality	569,900
Navigation	5,800
Recreation	1,967,800
Total	3,360,200

Benefit-cost ratio.—1.4.

Remarks.—The committee notes that the Meramec River and its tributaries, the Bourbeuse and Big Rivers, cause serious flooding to agricultural lands and the communities of Pacific, Valley Park, and suburbs of St. Louis in the lower Meramec basin. The committee believes that the recommended Pine Ford, Irondale, and I–38 reservoirs are necessary additions to the presently authorized but not constructed Meramec Park and Union Reservoirs to reduce flood damages in the Meramec basin and also to reduce flood flows in the Mississippi River south of St. Louis. Furthermore, the conservation storage in these reservoirs will serve such important uses as water supply and water quality control in the lower basin and provide water-based recreation sites within a reasonable distance from Metropolitan St. Louis.

MISSISSIPPI RIVER AGRICULTURE AREAS, MILE 195 TO MILE 300 ABOVE THE OHIO RIVER

(H. Doc. 510, 89th Cong.)

Flood problem.—There are about 116,000 acres along the right bank in this reach that are subject to flooding from high flows on the Mississippi River as well as the tributaries. About 55,000 acres are now afforded a low degree of protection. Main stem floods of long duration cause extensive damage to growing and stored crops, farm properties, and recreational cottages.

Recommended plan of improvement.—Construction of new levees or reconstruction of existing levees fronting on the Mississippi River with tiebacks to high ground for areas designated as 8, 10, and 12 and the installation of pumping plants to remove interior runoff in areas 8 and 10.

Estimated cost (*price level of July 1965*)

Federal	$7,193,000
Non-Federal	637,000
Total	7,830,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$242,000	$31,200	$273,200
Maintenance, operation, and replacement		25,500	25,500
Total	242,000	56,700	298,700

Project economics—Continued

	Federal	Non-Federal	Total
Annual benefits:			
Damages prevented			528,200
Replacement of existing pumping plant			4,400
Total			532,600

Benefit-cost ratio.—Area 8, 1.8; area 10, 1.9; area 12, 1.3.

Local cooperation.—Provide all lands, easements, and rights-of-way; hold and save the United States free from damages; maintain and operate; make alterations and relocations to all utilities, roads, highways, and interior ditching; prohibit encroachment on improved channels or on ponding areas; and, if ponding areas and capacities are impaired, substitute storage capacity or equivalent pumping capacity will be provided promptly. Local interests have indicated their willingness to meet these requirements.

Comments of State and Federal agencies.—

Department of the Interior: Favorable.

Department of Agriculture: Favorable.

Department of Commerce: Favorable.

Department of Health, Education, and Welfare: Favorable.

State of Missouri: Favorable.

State of Illinois: Favorable.

Comments of the Bureau of the Budget.—No objection.

Remarks.—The committee is aware of the serious flood problem that still exists in agricultural areas along the Mississippi River and of the need to provide protection where it is found feasible. The recommended levee units represent important additions to the existing protection system along the Mississippi River.

Maumee River Basin, Ottawa, Ohio

(H. Doc. 485, 89th Cong.)

Flood problem.—High water is experienced annually in the village of Ottawa. Flooding is usually caused by spring rainfall combined with snowmelt and frozen soil conditions. Serious flooding occurs on an average of about once in 3 years. Major floods completely inundate the business district and most of the residential area for several days. Ice jams and debris significantly aggravate flooding as three highway bridges and two railroad bridges obstruct flows. Recurrence of the 1913 record flood of 20,000 cubic feet per second would cause damages estimated on 1963 price levels at $2,542,000.

Recommended plan of improvement.—The Chief of Engineers recommends a system of levees and floodwalls along the north bank of the Blanchard River for its entire course through the village of Ottawa and earth levees from above Williamstown Road to below Meyer Street on the south bank.

Estimated cost (price level of November 1963)

Federal	$3,413,000
Non-Federal	487,000
Total	3,900,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$111,800	$16,900	$128,700
Maintenance and operation		7,700	7,700
Total	111,800	24,600	136,400
Annual benefits:			
Damages prevented			172,200

Benefit-cost ratio.—1.3.

Remarks.—The committee notes that a very serious and frequent flood threat hangs over the business and residential area and that a flood such as occurred in 1913 would presently cause damages of about $2,500,000.

Red Creek, Monroe County, N.Y.

(S. Doc. 107, 89th Cong.)

Flood problem.—Serious flooding on Red Creek occurs most frequently in the spring from snowmelt, rainfall, or a combination of the two. Flooding can occur during any season of the year from either convective or frontal type storms. The lower Red Creek basin is extremely flat and large areas are inundated when high stages in the Genesee River-Barge Canal pool cause backwater flooding along the creek channels, or when the river overtops the low divide separating the two streams.

Recommended plan of improvement.—Enlargement and realinement of channels for 4,400 feet along the east branch, 13,600 feet along the west branch, and 11,900 feet along the main channel, 5,200 feet of which would be a new diversion channel to the Genesee River; construction of two new highway bridges and a service bridge, replacement of a railroad bridge and two highway bridges, modification of three railroad bridges and a highway bridge, and replacement of three highway culverts; construction of 4,650 linear feet of levee along the right bank of the main channel with a gated culvert to the bypassed downstream reach of the existing channel; construction of 1,480 linear feet of levee across the west branch with a gated culvert through the levee; and construction of 14,500 linear feet of levee along the right bank of the Genesee River with ditch improvements for diversion of internal drainage presently discharged to the river.

Estimated cost (price level of 1965)

Federal	$1,430,000
Non-Federal	1,280,000
Total	2,710,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$57,000	$51,000	$108,000
Maintenance and operation		7,000	7,000
Total	57,000	58,000	115,000
Annual benefits:			
Damages prevented			81,000
Land enhancement			53,400
Total			134,400

Benefit-cost ratio.—1.2.

Remarks.—The committee notes that frequent flooding of residential areas occurs and as the areas develop further these damages will increase. Economically feasible improvements can and should be provided for the area.

Boise River, Vicinity of Boise, Idaho

(H. Doc. 486, 89th Cong.)

Flood problem.—Floodwater and sediment originating in Boise Hills is carried by the gulches to the alluvial plain on which Boise is located. The small channels which cross the flood plains from the canyon mouths to Boise River are able to carry only normal low flows without flooding. Because of the nature of the soils and scant vegetation on the watersheds, floodwaters carry large quantities of sediment.

Recommended plan of improvements.—The proposed plan consists of a dam for water and sediment control on Cottonwood Creek and on Stuart Gulch.

Estimated cost (price level of 1964)

	Cottonwood Creek	Stuart Gulch	Total
Federal	$867,000	$709,00	$1,576,000
Non-Federal	130,000	50,000	180,000
Total	997,000	759,000	1,756,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$51,000	$5,900	$57,500
Maintenance and operation		7,000	7,000
Total	51,600	12,900	64,500
Annual benefits: Damages prevented			85,000

Benefit-cost ratio.—1.3.

Remarks.—The committee notes the potential for sudden floods from the tributaries which enter the city and suburban area and considers the recommended improvements to be well justified and urgently needed.

Skagit River, Wash.

(H. Doc. 483, 89th Cong.)

Flood problem.—The 43 miles of riverbank levees built and maintained by local interests do not adequately protect the flat tidelands of the delta area from damaging floods. It is estimated that recurrence of the 1921 flood would cause damages of over $13 million.

Recommended plan of improvement.—Provides for raising and strengthening the existing levee system and providing channel improvements from the mouth to about 20 miles upstream and modification of the authorized Avon Bypass to permit Federal participation in construction of recreation facilities.

Estimated cost (July 1964 price level)

Federal	$5,804,000
Non-Federal	272,000
Total	6,076,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$231,000	$18,240	$249,240
Maintenance and operation	0	11,160	11,160
Total	231,000	29,400	260,400
Annual benefits:			
Damages prevented			660,000
Recreation			201,200
Total			861,200

Benefit-cost ratio.—3.3.

Remarks.—The committee notes that the riverbank levees built and maintained by local interests do not adequately protect the valuable delta farmlands and communities from damaging floods. The committee also notes that the proposed improvements are well justified, as indicated by the benefit-cost ratio of 3.3, and considers the project meritorious for Federal undertaking.

KLAMATH RIVER AT AND IN VICINITY OF KLAMATH, CALIF.

(H. Doc. 478, 89th Cong.)

Flood problem.—Four floods causing damages of about $14 million have occurred in this area since 1953. The maximum known flood occurred in December 1964 and caused practically complete devastation. The damage was estimated at $8,010,000. The towns of Klamath and Klamath Glen, which were almost totally destroyed, service major recreational activity, including internationally known salmon and steelhead trout fishing on the lower Klamath. Resettlement, with serious attendant flood damage, is to be expected in the absence of flood protection.

Recommended plan of improvement.—Construction of levees at a new townsite for Klamath and levees at the existing Klamath Glen townsite; construction of pumping and related interior drainage facilities, ponding areas; management of about 3,200 acres of the remaining flood plain; and Federal participation in the construction or reconstruction of transportation and utility facilities in advance of project construction as may be required to coordinate flood control and highway plans.

Estimated cost (1965 price level)

Federal	$2,460,000
Non-Federal	1,640,000
Total	4,100,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$98,000	$66,000	$164,000
Maintenance and operation	0	16,000	16,000
Total	98,000	82,000	180,000
Annual benefits: Damages prevented			615,000

Benefit-cost ratio.—3.4.

Remarks.—The committee is fully aware of the extreme flood hazard which exists in the Klamath River Basin. The record flood which occurred in December 1964 caused over $8 million in damages and practically destroyed the towns of Klamath and Klamath Glen. The project is urgently needed to prevent recurrence of such devastation.

YUBA RIVER (MARYSVILLE DAM AND RESERVOIR), CALIF.

(H. Doc. 501, 89th Cong.)

Flood problem.—Yuba River Basin has experienced numerous major floods. The 1955 flood resulted in the loss of 40 lives, evacuation of 30,000 people, inundation of dwellings, and loss of livestock, causing in excess of $50 million in damages. Substantial flood damages would remain after construction of the proposed new Bullards Bar Dam and Reservoir which could be alleviated by construction of Marysville Dam and Reservoir.

Recommended plan of improvement.—Construction, operation, and maintenance by the Corps of Engineers of the multiple-purpose Marysville Dam and Reservoir on Yuba River about 13 miles above the mouth for flood control, water supply, recreation, and power. The water supply and power functions to be financially integrated with the Bureau of Reclamation's Central Valley project.

Estimated cost (price level of July 1963)

Federal	[1] $132,900,000
Non-Federal	
Total	132,900,000

[1] $42,870,000 reimbursable for water supply and $950,000 reimbursable for recreation and fish and wildlife.

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$4,476,000	0	$4,476,000
Maintenance and operation	[1] 676,000	[2] $94,000	770,000
Total	5,152,000	94,000	5,246,000
Annual benefits:			
Flood control			1,194,000
Power			1,808,000
Water supply			2,700,000
Recreation and fish and wildlife			2,880,000
Total			8,582,000

[1] Includes $181,000 to be reimbursed for water supply.

[2] For recreation facilities which would be a non-Federal responsibility.

Benefit-cost ratio.—1.6.

Remarks.—The Yuba River Basin has experienced numerous major floods. The 1955 flood resulted in the loss of 40 lives and damages in excess of $50 million. Substantial flood damages, which would remain after construction of the proposed new Bullards Bar Dam, would be alleviated by construction of the multiple-purpose Marysville Dam and Reservoir. The project would provide an urgently needed water supply and would furnish excellent recreational facilities.

It is noted that the Chief of Engineers recommends authorization of electrical transmission lines and appurtenant facilities to be constructed by the Bureau of Reclamation at an estimated cost of $1.2 million, subject to certain further studies as to the economic feasibility of the power output. The committee feels that if, on the basis of an offer of a firm 50-year contract from a local public or private agency, electric transmission or distribution service, can through such contract be obtained at less cost to the Federal Government and the ultimate consumer then by construction and operation of Government facilities, and if such contract would make the power and energy generated at the project available in wholesale quantities for sale on fair and reasonable terms and conditions to facilities owned by the Federal Government, public bodies, cooperatives, and privately owned companies, the Secretary of the Interior should give serious consideration to entering into such contract. However, the committee desires to make it clear that it expresses no opinion as to the desirability of Federal construction versus leasing arrangements for the transmission of power from this project but leaves the matter entirely within the discretion of the Secretary of the Interior.

RUSSIAN RIVER, CALIF.

(H. Doc. 518, 89th Cong.)

Flood problem.—The basin is subject to severe winter storms which cause flooding of agricultural and urban areas. Damages result from inundation, bank erosion, and deposition of debris and silt.

Recommended plan of improvement.—Staged construction of multiple-purpose reservoir at Knights Valley site for flood control, water supply, and recreation.

Estimated cost (price level of July 1963)

Federal	[1] $166,800,000
Non-Federal	0
Total	166,800,000

[1] Includes $144,500,000 allocated to water supply and $5,850,000 allocated to recreation and fish and wildlife enhancement reimbursable by local interests.

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$2,545,000		$2,545,00
Maintenance and operation	[1] 666,000	[2] $144,000	810,000
Total	3,211,000	144,000	3,355,000
Annual benefits:			
Damages prevented			82,000
Water supply			2,791,000
Recreation and fish and wildlife			1,240,000
Total			4,113,000

[1] Includes $638,000 to be repaid by local interests for water supply.

[2] For recreation facilities which would be a non-Federal responsibility.

Benefit-cost ratio.—1.2.

Remarks.—The committee notes that the Russian River Basin is troubled by frequent flooding, is faced by potential shortages of water for municipal and industrial use, and lacks sufficient recreation areas to meet the needs of the rapidly growing nearby urban centers. The basin plan offers an excellent solution to these problems, and, since construction of Knights Valley Dam and Reservoir would further the objective of the basin plan, the committee believes that the project is meritorious for Federal undertaking.

PAJARO RIVER, CALIFORNIA

(H. Doc. 491, 89th Cong.)

Flood problem.—Floods in the Pajaro Valley are caused by severe rainstorms in winter and early spring. The existing project does not provide an adequate degree of protection for the area. Severe bank erosion caused breaching of the north levee above Watsonville during the floods of December 1955 and April 1958.

Recommended plan of improvement.—The plan provides for modification of the existing project by raising and extending the levee system upstream to about mile 12.5 on the Pajaro River and to about mile 4.5 on Corralitos and Salsipuedes Creeks, for improvement of the outlet of College Lake on Salsipuedes Creek, and modification of four highway bridges.

Estimated cost (price level of June 1962)

Federal	$11,890,00
Non-Federal	810,00
Total	12,700,000

Project economics

	Federal	Non-Federal	Total
Annual charges:			
Interest and amortization	$461,000	$31,000	$492,000
Maintenance and operation	0	15,000	15,000
Loss of land productivity	4,000	0	4,000
Total	465,000	46,000	511,000
Annual benefits: Damages prevented			563,000

Benefit-cost ratio.—1.1.

Remarks.—The committee notes the flood hazard at Watsonville resulting from severe rainstorms along the coast in the lower Pajaro River area. The existing levees do not provide adequate protection to the development in this area. The committee also notes the evacuation of approximately 1,000 persons necessitated by the flood in December 1955 and considers the project modification essential.

Mr. RANDOLPH. Mr. President, other provisions of the legislation include:

Section 102, which provides for the deauthorization of the Crooked Reservoir on the Tallapoosa River in Alabama. This action will permit the project to be developed by non-Federal interests if approved by the Federal Power Commission. It was the view of the committee members that since the Tallapoosa River has been extensively developed by local interests, that construction of this project, if approved by the Federal Power Commission, and subject to the terms and conditions of this act, would be in the public interest.

Full development of the site for all water resource purposes will be assured under terms of a Federal Power Commission license, if issued. Section 10a of the Federal Power Act provides, among other purposes, that the development be best adapted to a comprehensive plan for the improvement and utilization of waterpower development and for other beneficial public uses, including recreational uses.

Section 103 of the measure authorizes the Secretary of the Interior to provide for the construction, maintenance, and operation of a bridge, with visitor facilities, over the Washington channel, from the vicinity of 10th Street SW. to East Potomac Park in Washington, D.C.

The bridge will be under the jurisdiction of the Secretary of the Interior and will be administered, operated, maintained, and policed as part of the National Capital Park System. However, before construction is commenced, the location and plans for the bridge must be approved by the Chief of Engineers and the Secretary of the Army, to insure adequate navigational clearances.

Construction of a bridge at this location will permit residents and visitors to the Nation's Capitol to move freely to and from the new national fisheries center and aquarium to be located on the north end of East Potomac Park. The bridge would be used principally for pedestrian travel but would also accommodate certain types of commercial travel, such as minibuses.

This proposed bridge would be constructed and operated by private enterprise in accordance with provisions in the bill. Under such arrangement construction of the bridge and visitor facilities would not result in any cost to the Federal Government.

Mr. President, the bridge is conceived as a "Ponte Vecchio" type of structure, with shops and restaurants, balconies, roof terraces, sidewalk cafes, galleries, exhibit areas, and marina service facilities. The original "Ponte Vecchio," bridging the Arno River in Florence, Italy, dates from 1367, nearly six centuries ago.

A bridge of this type constructed with modern lines will prove to be an important segment of the Washington waterfront. It will be conducive to an active, commercial, recreational, and educational center, attracting hundreds of thousands of visitors and residents.

Section 104 grants the consent of Congress to the Arkansas River Basin compact which was negotiated between the States of Kansas and Oklahoma on a consent resolution adopted in August 1955. After approximately 9 years of negotiations the two States have amicably agreed on the apportionment of the water between the two States, and the legislatures of both States have ratified the compact. Now, to complete the compact, it is necessary to have the ratification, or consent of the Congress.

Section 204 of the bill deals with the flood plain planning program of the Corps of Engineers. As Members know, this provision was enacted in the 1960 Flood Control Act, and authorizes the Secretary of the Army through the chief of engineers to compile and disseminate information of floods and flood damages. This includes identification of areas subject to inundation by floods of various magnitudes and frequencies.

Basic legislation was enacted to meet a growing need at the local level for information about flood problems, damages, and hazards and measures for their amelioration. Under this program the Corps of Engineers has established a program whereby flood plain information reports are prepared at the request of State or local interests.

This effort has proved to be an excellent deterrent in warding off possible flood damages through proper and wise flood plain zoning.

In order to make the present program applicable to Federal agencies as well as States and local interests the committee has included language in the bill amending the basic law. The expanded program will permit the chief of engineers to furnish certain technical services such as publication of material on structural flood proofing, and assistance in interpretation of flood hazard data for purposes of land use regulation.

Section 205 of the bill grants the consent of Congress for the Duke Power Co. to construct a dam across Savannah River between South Carolina and Georgia. Authorization is also included in the bill for construction of the Trotters Shoals project by the Federal Government.

The committee was informed that there is no conflict between the construction proposals for these two projects and accordingly has recommended their authorization.

Mr. TALMADGE. Mr. President, will the Senator yield at that point?

Mr. RANDOLPH. I am happy to yield.

Mr. TALMADGE. I wish to thank the able chairman of the committee for including this project. It is one that has been discussed on the Senate floor on a number of occasions. The Senate itself has authorized this project on two different occasions, but it was not agreed to in the House. There was a controversy between this project and the Duke Power project.

It has always been the position of the Senator from Georgia that these two projects were compatible and should have been authorized simultaneously, and I am happy that the parties in controversy have gotten together and have agreed to both projects.

I commend the distinguished chairman and his committee for the action they have taken.

Mr. RANDOLPH. I thank the distinguished Senator from Georgia. We have had the cooperation of both Senators from Georgia and both Senators from South Carolina. I know that the Senator from South Carolina [Mr. THURMOND], who is not on the floor at the present time, is intensely interested.

For the reason that we know that there is no conflict between the cosponsors of both projects, we have included both projects in the authorization.

Section 206 authorizes a change in the present tenure of the civilian members of the Mississippi River Commission. As the Members of the Senate know, the group has the responsibility of prosecuting works of improvement for flood control in the alluvial valley of the Mississippi River.

This is a highly important program, and the committee felt that the Commission would be strengthened if the pattern for the Board of Directors of the Tennessee Valley Authority were adopted for appointing members of the Commission. Under the arrangement provided for in the bill, as vacancies occur, the civilian members would be appointed for a 9-year term thereby establishing staggered tenure.

Nothing in the bill, of course, prohibits reappointment to the Commission, nor does this measures affect the tenure of the present members of the Commission.

Mr. President, this explanation covers the major provisions of the bill.

I thank the members of the Public Works Committee who devoted their valuable time at this late hour to the consideration and formulation of this bill.

Also, my appreciation is extended to Gen. Walter P. Leber, the Director of Civil Works of the Office, Chief of Engineers, and to his able staff both military and civilian for furnishing the committee with details on the various projects and matters.

And I commend Joseph van Vladricken, of the professional staff of the committee, who has worked under extreme pressures to enable the committee to report this measure during the closing days of the 89th Congress. Mr. Van, as he is known in the committee, joined the committee staff in January 1964, having previously been with the Corps of Engineers. Since that time, he has become a most highly valued member of the staff and one who is virtually indispensable to the smooth functioning of the committee in its consideration of rivers and harbors and flood control legislation.

Mr. President, I consider this to be a well-conceived and carefully developed measure for the improvement of our water resources. The projects which this bill authorizes are urgently needed throughout the country in the interest of flood control, navigation, and other allied water uses. I therefore recommend it to the Senate for favorable action.

I thank all members of the committee who helped to bring out this bill. I thank particularly the Senator from Hawaii [Mr. Fong], who is present in the Chamber today.

I shall place in the Record the names of the members of the committee who were active in the hearings.

I also especially commend Mr. Van Vladricken of the professional staff, who sits on my left. He is a highly valued member of our staff and has become virtually indispensable to the smooth functioning of the committee in its consideration of rivers and harbors and flood control measures.

Mr. FONG. Mr. President, will the Senator yield?

Mr. RANDOLPH. I am happy to yield to the Senator from Florida.

Mr. FONG. I join the distinguished Senator from West Virginia in urging passage of the bill. I also wish to commend the distinguished Senator for his tireless efforts in guiding the bill through the committee. It has the approval of all the members of the committee. It is a very fine bill. As stated by the chairman, all the projects contained in the bill have been explained by the chairman of the committee. I urge the Senate to approve the bill.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to the distinguished majority leader.

Mr. MANSFIELD. Mr. President, I have discussed with the distinguished chairman of the committee an amendment which I had intended to offer before his committee, but when I approached him he told me they had just that day reported out the bill. With his usual graciousness, he suggested it be offered on the Senate floor.

The amendment, if I may explain it, authorizes no additional funds, but permits the transferability of funds for the purpose of supporting schools in areas where Federal projects are going up. It is a provision which will be of benefit to people in all the States where such a need exists.

Mr. President, I call up my amendment.

The ACTING PRESIDENT pro tempore. The amendment of the Senator from Montana will be stated.

The assistant legislative clerk read the amendment, as follows:

> Page 28, line 7, change the period to a comma, and add the following:
>
> "*And provided further*, That appropriations authorized under this title shall be available to the Chief of Engineers for the purposes authorized by Section 6 of the Flood Control Act of 1946 (Public Law 526, 79th Cong.): *And provided further*, That the authority contained therein is extended to include the Libby Dam and Reservoir project, Montana."

Mr. MANSFIELD. Mr. President, the Libby Dam project is faced with a most difficult school problem because of its construction on the Kootenay, which must be supplied under the terms of the Columbia Basin treaty. With the influx of construction workers, school facilities are already overtaxed. Some of the children cannot even go to school. This amendment provides for no additional funds, but relates to funds which have already been approved and enables their transfer for this purpose. This is no precedent. It has been done for the Oahe Dam project in South Dakota, and for other projects along the Missouri River and also in the Columbia River Basin.

Mr. RANDOLPH. Mr. President, I have discussed this matter with the distinguished majority leader and also the distinguished Senator from Hawaii [Mr. Fong]. The Senator explained the amendment prior to its being offered. This amendment will provide funds for schools for the children of workers on these projects, and the amendment offered by the majority leader is in order. It is our desire to accept the amendment.

Mr. MANSFIELD. May I extend my deep personal thanks to the distinguished Senator from West Virginia [Mr. Randolph] and to the distinguished minority member of the committee, the Senator from Hawaii [Mr. Fong].

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Montana.

The amendment was agreed to.

Mr. HOLLAND. Mr. President, first I want to thank the distinguished Senator from West Virginia and his committee, especially for their inclusion of several Florida projects in this authorization.

Second, I wish to offer an amendment which would simply name a dam and lock on the Caloosahatchee River for a gentleman 95 years of age who has been one of the principal proponents of this project. This has already met with favorable action by the Senate. The Senate passed a bill to this effect, but it is tied up in the House in the closing hours of the session. I think this is a satisfactory manner in which to proceed.

Mr. President, the House of Representatives has included in H.R. 18233 a section renaming a number of structures, reservoirs, and dams. S. 3906 does not contain such a section.

The amendment I offer at this time is similar to S. 212, to designate a navigation lock and control structure of the central and southern Florida flood control project known as Structure 79 on the Caloosahatchee River, authorized by the Flood Control Act of 1954 and which was favorably reported by the Public Works Committee and passed by the Senate on September 22, 1966, as the "W. P. Franklin Lock and Control Structure."

Mr. President, Mr. Franklin, of Fort Myers, Fla., is now 95 years of age and is under round-the-clock nursing attention. He is deeply loved by the people of the area for untiring efforts he has put forth in the betterment of his community and for his efforts toward the development of water resources and more particularly, the development of that part of the central and southern Florida flood control project in which this control structure is located—on the Okeechobee Waterway.

Mr. President, in view of the lateness of the session and the distinct probability that no action will be taken on S. 212 by the House Public Works Committee to which it was referred on September 26, I am hopeful that our colleague, the very able and gracious chairman of the Public Works Committee and manager of the pending bill, the Senator from West Virginia, will accept my amendment.

I might add one further note, Mr. President. The present Congress passed H.R. 790, now Public Law 89-582, to rename a lock of the Cross-Florida Barge Canal the "R. W. Bert Dosh lock." This was a most deserving act since Mr. Dosh has been one of the stanchest supporters of the canal and has probably done more to promote the building of the canal than any other person. He is now nearing 80 years of age and certainly highly deserving of having one of the locks on the canal named in his honor.

Mr. President, Mr. Franklin, who would be the beneficiary of a similar honor if my amendment is adopted, is 95 years of age and has been equally forceful in the development of the Okeechobee Waterway which is in the southern part of Florida.

It would appear, Mr. President, that it is proper to ask for consideration of my amendment as I have indicated it would establish no precedent and would be in accord with the action of this Congress in passing H.R. 790.

Mr. President, I am hopeful that my good friend from West Virginia, Senator Randolph, will accept my amendment.

Mr. RANDOLPH. Mr. President, the Senator from Florida, with his customary knowledge of his State and the reason for the naming of the project for a distinguished citizen of Florida, now in his latter years, discussed this proposal. We have, as he has indicated, passed legislation naming the project after that distinguished citizen of Flordia. We see no reason why it is not appropriate to proceed in this way, in an effort to expedite final congressional approval of what the Senate has already done. It is merely a reaffirmation.

I have discussed this matter with the Senator from Hawaii [Mr. Fong], and we are willing to accept the amendment.

Mr. HOLLAND. I thank my distinguished friends for their customary courtesy.

Mr. President, I offer my amendment.

The ACTING PRESIDENT pro tempore. The amendment offered by the Senator from Florida will be stated.

The assistant legislative clerk read the amendment, as follows:

> On page 40 before section 207, insert a new section as follows:
>
> "Sec. 207. The navigation lock and water control structure known as structure 79 of the central and southern Florida flood control project located on the Caloosahatchee River in the State of Florida shall hereafter be known as the W. P. Franklin Lock and Control Structure, and any law, regulation, document, or record of the United States in which such structure is designated or referred to shall be held to refer to such structure under and by the name of the W. P. Franklin Lock and Control Structure."
>
> Redesignate section 207 as section 208, and section 208 as 209.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the amendment of the Senator from Florida.

The amendment was agreed to.

The ACTING PRESIDENT pro tempore. Are there further amendments?

Mr. KUCHEL. Mr. President, I wish first of all to join the Senator from Hawaii in congratulating the committee and in saluting its chairman for presenting to the Senate a sound and solid, forward-looking public works bill, which, as the chairman has said, represents an investment in the future of the United States.

I observe with consummate pride that the committee has seen fit to recommend a project in the State from which I come. On page 35 of the bill, in connection with the Sacramento River Basin, the project for the Marysville Dam and Reservoir, Yuba River, in California, is authorized "in accordance with the recommendations of the Chief of Engineers in House Document No. 501, 89th Congress," at an estimated cost of $132,900,000.

Mr. President, I wish at this point to establish a little legislative history and nail down the intention by which this bill comes unanimously from the committee, and by which it will shortly be approved, I hope unanimously, by the Senate. I wish to engage the distinguished Senator from West Virginia, the floor manager of the bill, in a short colloquy.

Section 203 authorizes the construction of the Marysville Dam and Reservoir in California "substantially in accordance with the recommendations of the Chief of Engineers in House Document No. 501, 89th Congress." That document calls for the Corps of Engineers to build the Marysville Dam and powerhouse which will produce electric power for integration into the Federal central valleys project grid. The power generated at the Marysville powerhouse is to be marketed by the Bureau of Reclamation.

I ask the chairman, is it true that the remarks of the committee at page 78 of its report on this legislation (No. 1720) are not intended to discourage or veto the Federal construction of the interconnection between the Marysville powerplant and the central valleys project grid?

Mr. RANDOLPH. Mr. President, in response to the question by the able Senator from California, the language of the committee report in no way implies that committee intends to interfere with the Federal construction by the Bureau of Reclamation of an intertie between Federal power generating facilities at Marysville Dam, and the federally controlled central valleys project.

Mr. KUCHEL. I thank my able friend very much. I think this does constitute a necessary clarification, or at least a helpful clarification, of the intention with which the committee proceeded.

Mr. RANDOLPH. I know of the interest of my friend from California. He discussed this and other proposals, even before the measure was brought to the floor.

Mr. KUCHEL. I thank the Senator very much indeed.

Mr. RANDOLPH. There are five California projects in our bill: the Klamath River Basin project, the Pajaro River project, the San Diego project, the Russian River project, and the Yuba River project—all very important projects, according to the testimony before the committee.

Mr. KUCHEL. I thank my friend again. Without the understanding and sympathy of the committee, we would not be the great State we are today.

I ask unanimous consent that a letter to me from the distinguished Representative from the Second District of California, Mr. HAROLD T. (BIZZ) JOHNSON, dealing with the Marysville Dam and Reservoir project, and a letter to me from the distinguished Assistant Secretary of the Interior, Mr. Kenneth Holum, on this matter, be printed in the RECORD at this point.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

HOUSE OF REPRESENTATIVES,
Washington, D.C., October 3, 1966.

HON. THOMAS H. KUCHEL,
U.S. Senate,
Washington, D.C.

DEAR TOM: As I am sure you are aware, I have been active for many, many years in the development of the Central Valley Project in California. I have been privileged to enjoy a substantial role in the construction of the Federal power grid which has served the several units of the Central Valley Project.

It has been my position right along that the federally constructed powerhouses should be tied directly to federally constructed transmission lines so that the electrical energy resources of these projects can be used most beneficially for the benefit of the project and for the citizens served by the project.

We are now actively considering the authorization of the next CVT unit known as the Marysville Dam and Reservoir which includes power facilities. Pacific Gas and Electric Company has written the Chairman of the Public Works Committees of the House and Senate requesting consideration for a wheeling arrangement between the powerhouse and the federal transmission lines already established.

I am asking your help in rejecting this proposal. The Federal transmission grid which extends throughout the Central Valley area and is also soon to be connected with an Intertie to the Bonneville Power Administration is only a short distance from the powerhouse which will be constructed in connection with the Marysville Unit.

It seems completely unwise to permit a non-Federal Agency to interject itself between the powerhouse and the transmission grid and thereby force its management on the federal system. PG & E contends that this is no different than the authorization made in the development of the San Luis Unit of the CVP. There is, however, a critical and decisive difference; that is the San Luis Project did not include any generating capacity.

In conclusion may I respectfully appeal to you for assistance in blocking this effort of a private utility to put a toll gate in the middle of a federal power grid. If this is permittted in this case I feel that it will be a precedent which will result in other toll gates being installed not only in the Central Valley Project but also in other public power grids throughout the country.

Sincerely yours,
HAROLD T. (BIZZ) JOHNSON,
Member of Congress.

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., October 11, 1966.

HON. THOMAS H. KUCHEL,
U.S. Senate,
Washington, D.C.

DEAR SENATOR KUCHEL: Pacific Gas and Electric Company, by letter dated September 3, 1966, to Senator JENNINGS RANDOLPH, Chairman, Subcommittee on Flood Control—Rivers and Harbors, Committee on Public Works, requested that language be included in the authorization of Marysville Dam, stating that no transmission or distribution facilities would be constructed unless they would be obtained for less cost than the similar services could be obtained by wheeling over facilities of a local utility.

It has been a longstanding policy of the Bureau of Reclamation to interconnect our generating facilities by Federally constructed transmission facilities and at the present time all the generating plants in the Central Valley Project except for those of the San Luis Unit are so connected. We have also in most instances connected the generation to load centers by Federal facilities.

This policy allows most flexible operation of facilities and best meets the power needs of our preference customers. The existing Central Valley Project facilities are readily available for the interconnection of the Marysville powerplant. These facilities include the Shasta, Folsom, Keswick, Nimbus and Trinity Division powerplants and interconnecting Federal transmission lines and switching stations. The east side line of the Federal transmission network follows a route which passes within about 4 miles of the Marysville development. The Folsom switchyard and the Elverta substantion are also close by.

Construction of facilities to interconnect Marysville powerplant to existing Central Valley Project facilities is consistent with recent Congressional action in authorizing construction of facilities to connect Auburn powerplant to the system.

We firmly believe that no restrictions on transmission should be included in the authorization bill for the Marysville Dam. We have demonstrated our cooperative attitude with the utilities in the area in which we operate, and particularly with the Pacific Gas and Electric Company. Further we are always cognizant of our responsibility to minimize the cost of facilities where we can do so and maintain prudent and economical operations.

During the construction of the Trinity Project, we negotiated with PG&E for wheeling arrangements but ultimately built Federal facilities. Very recently we completed negotiation with PG&E which resulted in the execution of contract under which the PG&E provides wheeling service for the San Luis Unit. Although the San Lius unit does contain generation facilities, the generating pattern is not similar to the pattern of the remainder of the Central Valley generation facilities, inasmuch as the San Luis generation will be intermittent and available mainly during irrigation season.

Sincerely yours,
KENNETH HOLUM,
Assistant Secretary of the Interior.

Mr. KUCHEL. I ask unanimous consent that my letter to the distinguished chairman of the Subcommittee on Rivers and Harbors and Flood Control of the Committee on Public Works [Mr. RANDOLPH], which appears on pages 152 and 153 of the hearings on the pending bill, be printed in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the Record, as follows:

U.S. Senate,
Washington, D.C., September 22, 1966.
Hon. Jennings Randolph,
Chairman, Subcommittee on Rivers and Harbors and Flood Control, Committee on Public Works, U.S. Senate, Washington, D.C.

Dear Jennings: The remarkable growth in the post-War era which carried California to first place in population has given rise, as I am sure you appreciate, to a great variety of environmental problems gravely affecting large numbers of residents and having undeniable impact upon various communities, widely-separated areas, and assorted economic interests.

The extent of our State, with its marked range of climate and unusually varied topography, naturally leads to substantial volume of requests for Federal assistance in dealing with acute problems of the sort referred to your Subcommittee. In the field of natural resources conservation and utilization, there are many mutual concerns involving Federal, State, and other public agencies and bodies.

The planned omnibus public works authorization bill is an effective medium for extending such assistance which in due course will be of national benefit through preservation of irreplaceable resources, protection of lives and invaluable facilities, creation of opportunity, and enhancement of natural attractions. I am hopeful, therefore, that your Subcommittee will have regard for several pressing needs of California for Federal activity in minimizing flood damage threats by including provisions in this measure enabling the Corps of Engineers to join with State and local entities in undertaking carefully-conceived new protective works.

I have consulted with responsible officials of my State relative to proposed projects classified as a prime urgency which I earnestly believe merit thorough consideration by your Subcommittee. In that the light of the fast expansion of hosts of communities and significant establishment of both private and public facilities during recent years, I trust approval may be forthcoming for future construction of the following flood protection projects:

Marysville Dam on the Yuba River.

Knight's Valley Dam in the Russian River Basin.

Works on the Pajaro River, the Sweetwater River, and the Klamath River.

There also is demonstrated need for remedial and protective beach erosion effort on the Sunset Cliffs section of the San Diego coastline.

A grave and unique condition presenting recurrent threats and the cause of tragic and costly past damage in heavily-populated, rapidly-growing Los Angeles requires early attention in the form of intensive investigation. I desire strongly to recommend inclusion in the planned legislation of a survey authorization by which the Corps may gather information about and hopefully propose constructive measures for forestalling landslides in hilly sections of Los Angeles.

The vagaries of weather, peculiar geology, and irregular terrain combine to create serious hazards involving residents, streets, essential utilities and similar structures, and miscellaneous property in numerous sections of this extended municipality. The serious nature of this problem is alarming and an investigation such as has been proposed into its extent and characteristics almost certainly would yield invaluable knowledge with high potential for use elsewhere in our Nation.

As California has demonstrated impressively and repeatedly, the Federal Government can count on a generous degree of cooperation and participation on the part of non-Federal agencies, organizations, and individuals in my State in proceeding with the listed undertakings.

Official reports from the Executive Branch, with reaction comments from other interests properly concerned, have been transmitted to Congress regarding some of the aforementioned needed projects. I understand others still pending are in a stage where final approval hopefully will be forthcoming before your Subcommittee finishes its deliberations.

Sincerely yours,

Thomas H. Kuchel,
U.S. Senator.

Mr. KUCHEL. I thank the Senator from West Virginia.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment.

Mr. DIRKSEN. Mr. President, I offer an amendment, which is now at the desk.

The ACTING PRESIDENT pro tempore. The amendment will be stated.

The Assistant Legislative Clerk. The Senator from Illinois [Mr. Dirksen] proposes an amendment as follows:

On page 42, after line 23, insert the following new title:

"Title 3. General Provisions

"Sec. 301. In view of the requirements for funds to support the operations being carried on in Vietnam by the armed forces of the United States and other nations to effectuate their determination that the people of South Vietnam shall not be deprived of their right of self determination of their form of government, and in view of the unpredictability of the time when the necessity for such operations will be terminated either by victory of such armed forces or by negotiations resulting from the realization by North Vietnam that it cannot impose its will upon the people of South Vietnam, it is hereby declared to be the policy of the Congress to provide the President with the necessary authority to maintain the fiscal strength of the United States and to minimize the dangers of the inflation by authorizing him to defer from the fiscal year ending June 30, 1967, to the fiscal year ending June 30, 1968, the obligation of any funds available for obligation for domestic programs. In view of such policy, the President is hereby authorized to impound not to exceed 20 percent of any funds available for obligation during the fiscal year ending June 30, 1967, for the carrying out of any domestic program whenever he determines that such action is in the public interest. Any funds so impounded shall be available for obligation during the fiscal year ending June 30, 1968, for the same purposes for which they were available for obligation during the fiscal year ending June 30, 1967, if the President, within 10 days after impounding such funds, advises the Senate and the House of Representatives that he has determined that such funds should be available for obligation during the fiscal year ending June 30, 1968."

Mr. DIRKSEN. Mr. President, by way of explanation, this is the same amendment I offered to the public works appropriation bill. At that time, two questions arose. One was, Was it in order? And it clearly was, because it was offered to legislative provisions which were inserted by the House of Representatives.

The second question was—and it had to be resolved under the rule—was it germane? The Senate voted that it was not germane.

However, it is germane here, because this is a legislative bill. Therefore, both items in the rule are properly satisfied.

It is the same amendment, giving the President authority to impound not to exceed 20 percent of the funds available, after advising Congress that he has determined to do so. If he impounds the funds, they remain impounded until the end of the fiscal year. The money would not lapse; it would be available in the following year, for the purposes for which it was appropriated.

Mr. RANDOLPH. Mr. President, I have discussed the amendment with the distinguished minority leader. I recall the legislative history, which he has correctly explained.

I have also discussed the matter with the Senator from Hawaii, and we are ready to take this amendment to conference.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. RANDOLPH. I yield to the distinguished Senator from Delaware.

Mr. WILLIAMS of Delaware. I think this is a very important amendment. I ask the Senator whether it is just being taken to conference with the thought of dropping it there? Perhaps we should at this time have a show of strength by a rollcall vote, to show that the Senate is really serious about this amendment.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. MANSFIELD. Mr. President, the amendment is proposed in all seriousness.

Mr. WILLIAMS of Delaware. I know that it is.

Mr. MANSFIELD. Mr. President, the distinguished committee chairman discussed the amendment with me as well as with the distinguished minority leader and with the distinguished ranking minority member of the committee.

I would hope, in view of the peculiar circumstances on this day at least, that the amendment will be accepted in good faith and that the committee will fight for it.

Mr. RANDOLPH. There is no question that it is being offered in good faith.

Mr. WILLIAMS of Delaware. With that understanding I will not press for a record vote. I think it is very important that this amendment be made a part of the bill.

I am disappointed that the President did not move earlier, as did President Truman, during the Korean war when he authorized a suspension on all projects not related to or essential to our national defense.

At this time, when we have a deficit of something like $500 million a month, some action must be done to curtail Federal expenditures.

With the understanding that the amendment is being accepted in good faith and that a determined effort will be made in conference to keep the amendment in the bill I shall not press for a rollcall vote.

Mr. RANDOLPH. Mr. President, the statement made by the distinguished Senator from Delaware is well-understood by the chairman of the committee.

I had discussed this matter with the majority leader, and with the minority leader before its presentation, as well as with the ranking minority member of the Committee on Public Works.

I think a fiscal matter is involved here as to the conservation of funds. We will take the matter to conference and do our best to prevail in conference.

Mr. FONG. Mr. President, as one who voted for the amendment sometime ago, I join with the distinguished Senator from West Virginia in saying that we will fight in conference for the amendment.

The **ACTING PRESIDENT** pro tempore. The question is on agreeing to the amendment of the Senator from Illinois. [Putting the question.]

The amendment was agreed to.

Mr. THURMOND. Mr. President, I want to express my deep appreciation to the chairman of the Public Works Committee, the distinguished Senator from West Virginia [Mr. Randolph], and the ranking Republican member, the distinguished Senator from Kentucky [Mr. Cooper], for their assistance in including the two projects on the Savannah River in this bill.

I firmly support the provisions of this bill which authorize the construction of the Trotters Shoals project and grant the consent of Congress to the construction by the Duke Power Co. of a small retaining dam. Both of these projects are located on the Savannah River, which forms the border between the States of South Carolina and Georgia.

Neither of these projects are new in the sense that they have not been previously considered by the Senate. Both of them should be familiar to Senators as there has been considerable debate on previous occasions in this Chamber concerning them. There previously was a controversy in connection with the authorization of these two projects; and as a result, the economic benefits which would flow to both the States of South Carolina and Georgia from the construction of these projects was delayed.

I am very pleased that an agreement has been reached among the contending parties on all matters and questions relating to the development of the Trotters Shoals Dam and Reservoir and the Middleton Shoals steam-generating plant by the Duke Power Co. In addition, a third project, which is in no way involved in this bill, has been made possible as a result of the agreement reached on the points in contention—the Keowee-Toxaway complex in Pickens and Oconee Counties, S.C.

The authorization of the two projects involved in this bill, and the one which is not involved in this bill, will contribute substantially to the economic growth and vitality of the Southeast and of the entire United States. The increased power needs of the foreseeable future will be supplied by the generating facilities involved, and there will be incalculable benefits of both a direct and indirect nature. The ready availability of cheap electricity will attract additional industry into this area and will thereby create needed employment opportunities. The Federal, State, and local governments will benefit from increased sources of tax revenue.

The Appalachian region of our country will benefit due to the tremendous amounts of coal required to power the steam generating facility to be built by Duke Power Co. This will create jobs in the coal mining regions of Appalachia and put out-of-work coal miners back to work.

The parties involved are to be commended for reaching an agreement which makes all this possible. In my weekly report to the people, dated July 25, 1966, I termed this "an agreement for progress." I ask unanimous consent that this newsletter appear in the Congressional Record at this point as a part of my remarks.

There being no objection, the newsletter was ordered to be printed in the Record, as follows:

Agreement for Progress

(Strom Thurmond, U.S. Senator from South Carolina, Reports to the People)

The public interest prevailed last week in agreements which remove road-blocks to the construction of four major proposed projects: (1) the $700 million Keowee-Toxaway nuclear and steam power generating facility by Duke Power Company in Pickens and Oconee counties, South Carolina; (2) the $210 million steam plant at Middleton Shoals in Anderson County by Duke Power Company; (3) the Trotters Shoals multi-purpose dam on the Savannah River in Abbeville County by the U.S. Corps of Engineers; and (4) a paper mill by Mead Corporation near the Trotters Shoals site in Abbeville County.

The Trotters Shoals project, as initially proposed, would have precluded the construction of the steam generating plant at Middleton Shoals in Anderson County by Duke Power Company and would have flooded the site purchased by Mead Corporation for construction of a large paper mill. The Middleton Shoals plant would produce 25 times the electric power that Trotters Shoals would produce, and would pay State and local taxes to the extent of $5,590,000 annually, and $7,400,000 in Federal taxes. The proposed Mead paper mill would provide many jobs and would create a new and better market for timber products.

Under such circumstances, Congress has not seen fit to authorize construction of the Trotters Shoals multi-purpose dam. Congressional approval is also necessary for Duke's Middleton Shoals project, however, and this, too, has been forestalled. The question of whether the proposed site for the Mead paper mill would be flooded by the construction of Trotters Shoals left this project hanging in the balance, also.

During this impasse, Duke Power Company announced a proposal to construct a power generating facility, with two of the generators to be nuclear, on the Keowee and Toxaway Rivers in Pickens and Oconee Counties. The Rural Electric Cooperatives in Georgia and North Carolina, organized as the Bi-State Cooperatives, formally opposed granting of a license for the Keowee-Toxaway projects by the Federal Power Commission out of apprehension that this generating facility might in some way preclude the Trotters Shoals project.

With all prospects pointing to a continued stalemate with all projects stalled, Duke Power Company about six weeks ago initiated discussions directly with the Bi-State Cooperatives on points of difference concerning the proposed projects. Last week, The Duke Power Company and the Cooperatives presented to the Senators from South Carolina and Georgia, and to the Congressmen in whose Districts the proposed projects lie, a proposal to unsnarl all the projects.

Under the proposal, Congress would be urged by all concerned to authorize the Duke Middleton Shoals steam generating plant and also to authorize at the same time construction of the Trotters Shoals dam at a reduced height which would be compatible with the Middleton Shoals plant. The Bi-State Cooperatives would withdraw their opposition to Duke Power Company's Keowee-Toxaway project, removing the last obstacle to the granting of a license for this facility by the Federal Power Commission. Duke Power Company officials gave assurance that the Middleton Shoals generating plant would be built when Keowee-Toxaway is completed

Duke Power Company officials also reported at the conference that the proposal to proceed with Trotters Shoals would not now conflict with the construction of a paper mill by Mead Corporation in Abbeville County, for a suitable site is now available which will not be flooded by the reservoir of Trotters Shoals Dam, as would have been the former site.

South Carolina is now assured of adequate electric power to meet her future needs. Industrial development and the jobs created thereby can now continue unimpeded.

The resolution of this long standing controversy is in the best traditions of cooperation in a free society. Even more important, it is the public interest which prevailed. A stumbling block in the road of progress has been eliminated.

Sincerely,

Strom Thurmond.

Mr. DIRKSEN. Mr. President, the senior Senator from Kentucky [Mr. Cooper] is necessarily absent in his State today. I ask unanimous consent that a statement that he has prepared on the public works authorization bill be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement of Senator Cooper

I support S. 3906, the omnibus public works authorization bill of 1966. This bill provides authority for construction and repairs and preservation of public works on rivers and harbors, and for navigation and flood control purposes.

It is my privilege to serve as the ranking Republican Member of the Senate Committee on Public Works, which has jurisdiction over this bill and projects included in it. I know the attention which has been given to the information and recommendation made by the U.S. Army Corps of Engineers, and I have been glad to attend and follow the testimony given on many of these projects this year and in previous years.

The bill includes authorizations for work in many States, and I am also glad that the Committee has voted to include authority for construction of three projects in my State of Kentucky. These projects are known as the Taylorsville Dam and Reservior on the Salt River, the Devils Jump Dam on the Big South Fork of the Cumberland River, and the Kehoe Dam and Reservoir on Tygarts Creek.

Before I conclude, I also want to say that my friend, the distinguished senior Senator from West Virginia, Mr. Randolph, the chairman of the committee, has given his time and thought and leadership to the writing of this bill. In past years, the omnibus bills—which require much work and attention—have generally been developed only once in every two or three years.

This year, Senator Randolph determined that the needs of many parts of the country required the Committee to take testimony and consider writing a bill. As with all of his concern for people and programs which can help meet their needs, and even with the heavy demands on his schedule in his own State, Senator RANDOLPH followed his determination with work and with completion of this task.

This bill is the result of that determination, and on behalf of the members of the Committee, from both sides of the aisle, I pay tribute to the leadership of the chairman, and to his courtesy and consideration.

I support the omnibus authorization bill, and I am hopeful that final action can be taken by the House before the adjournment of the Congress.

The ACTING PRESIDENT pro tempore. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 3906) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3906

An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—RIVERS AND HARBORS

SEC. 101. That the following works of improvement of rivers and harbors and other waterways for navigation, flood control, and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers, in accordance with the plans and subject to the conditions recommended by the Chief of Engineers in the respective reports hereinafter designated: *Provided,* That the provisions of section 1 of the River and Harbor Act approved March 2, 1945 (Public Law Numbered 14, Seventy-ninth Congress, first session), shall govern with respect to projects authorized in this title; and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto, shall apply as if herein set forth in full:

Navigation

Newark Bay, Hackensack and Passaic Rivers, New Jersey; House Document Numbered 494, Eighty-ninth Congress, at an estimated cost of $12,899,000;

Carolina Beach Harbor, North Carolina; House Document Numbered 515, Eighty-ninth Congress, maintenance;

Southport Harbor, North Carolina; House Document Number 514, Eighty-ninth Congress, maintenance;

Gulf County Canal, Gulf Intracoastal Waterway, Florida, House Document Numbered 481, Eighty-ninth Congress at an estimated cost of $477,000;

St. Lucie Inlet, Florida, House Document Numbered 508, Eighty-ninth Congress, maintenance;

Pearl River, Mississippi and Louisiana; House Document Numbered 482, Eighty-ninth Congress, at an estimated cost of $630,000;

Biloxi Harbor, Mississippi, House Document Numbered 513, Eighty-ninth Congress, at an estimated cost of $753,000;

Elk Creek Harbor, Pennsylvania, House Document Numbered 512, Eighty-ninth Congress, at an estimated cost of $920,000;

Conneaut Harbor, Ohio, House Document Numbered 484, Eighty-ninth Congress, at an estimated cost of $495,000;

Cross Village Harbor, Michigan, House Document Numbered 490, Eighty-ninth Congress, at an estimated cost of $723,000;

Mississippi River-Fort Madison Harbor, Iowa, House Document Numbered 507, Eighty-ninth Congress, at an estimated cost of $975,000;

Beach erosion

Ocracoke Inlet and Beaufort Inlet, North Carolina, House Document Numbered 509, Eighty-ninth Congress at an estimated cost of $5,800,000.

Mullet Key, Florida, House Document Numbered 516, Eighty-ninth Congress, at an estimated cost of $286,000;

Pinellas County, Florida, House Document Numbered 519, Eighty-ninth Congress, at an estimated cost of $116,000;

San Diego (Sunset Cliffs), California, House Document Numbered 477, Eighty-ninth Congress, at an estimated cost of $809,000.

SEC. 102. The authorization of the comprehensive plan for the Alabama-Coosa River and tributaries, as provided in the Rivers and Harbors Act, approved March 2, 1945 (59 Stat. 10), as amended, insofar as it authorizes a development of the Crooked Creek site on the Tallapoosa River in Randolph County, Alabama, for electric power and other public purposes is hereby suspended to permit the development of the Tallapoosa River and tributaries by construction, operation, and maintenance of a dam located not more than fifteen miles below the confluence of the Tallapoosa and Little Tallapoosa rivers and by other project works in accordance with the conditions of a license, if issued, pursuant to the provisions of the Federal Power Act (16 U.S.C. 791(a)); *Provided,* That if no application for license is made within two years or upon an order of the Federal Power Commission becoming final denying the application or applications for a license made within such two-year period, the authorization relating to the Crooked Creek site provided for in the Act, approved March 2, 1945 (59 Stat. 10), shall have the same status as it would have had if this Act had not been enacted.

SEC. 103. (a) The Secretary of the Interior is hereby authorized to provide for the construction, maintenance, and operation of a bridge, with visitor facilities, over the Washington Channel, from the vicinity of Tenth Street Southwest to East Potomac Park in Washington, District of Columbia. The structure may be so designed and constructed as to provide facilities for the accomodation of visitors to the Nation's Capital area, and to provide convenient and adequate access to East Potomac Park.

(b) The Secretary may obtain and use such lands or interests therein owned, controlled, or administered by the District of Columbia, the District of Columbia Redevelopment Land Agency, the Corps of Engineers, or any other Government agency, with the prior consent of such agency or agencies as he shall consider necessary for the construction and operation of said bridge, without cost or reimbursement. Before construction is commenced, the location and plans for the bridge shall be approved by the Chief of Engineers and the Secretary of the Army subject to such conditions as they may prescribe in accordance with section 502(b) of the General Bridge Act of 1946 (33 U.S.C. 525).

(c) The Secretary is authorized to enter into appropriate arrangements for the construction and operation of the bridge in accordance with the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535), as amended, except that any such arrangements need not be limited to a maximum term of thirty years. The bridge, at all times, shall be under jurisdiction of the Secretary of the Interior, and shall be administered, operated, maintained, and policed as a part of the park system of the National Capital.

(d) The Secretary of the Interior shall cooperate with other Federal and local agencies with respect to the construction and operation of the bridge by him and the construction and operation of associated facilities by such other Federal and local agencies including the District of Columbia Redevelopment Land Agency which shall enter into appropriate arrangements by negotiation or public bid to (i) lease all or part of the land bounded by Maine Avenue, Ninth Street and the Southwest Freeway, Southwest, to provide for the construction, maintenance and operation of a structured automobile parking facility designed to accommodate visitors to East Potomac Park and (ii) provide for the construction of (a) a public park or overlook, which park is to be maintained and operated by the National Park Service; and (b) roads providing access to the Tenth Street Mall from the Southwest Freeway and to and from Ninth Street, Southwest, which roads shall be maintained and operated by the District of Columbia. Any lease of the aforementioned area, executed by the District of Columbia Redevelopment Land Agency, shall provide appropriate easements for the construction, maintenance and operation of the aforesaid public park and roadways. Local agencies may enter into arrangements with the person, persons, corporation or corporations, as the Secretary may select pursuant to subsection (c) hereof for the construction and operation of necessary associated facilities otherwise authorized.

(e) (1) There is hereby established an advisory committee, which shall be composed of the Chairman, National Capital Planning Commission; the Chairman, Commission of Fine Arts; the President, Board of Commissioners of the District of Columbia; the Chief of Engineers, United States Army; the Chairman, District of Columbia Redevelopment Land Agency; and three members to be appointed by the Secretary of the Interior from among the residents of the Metropolitan Washington area. The ex officio members of the Committee may be represented by their designees.

(2) Members of the Committee shall serve without compensation, but the Secretary is authorized to pay any expenses reasonably incurred by the Committee in carrying out its responsibilities under this section.

(3) The Secretary shall designate one member of the Committee to be Chairman. The Committee shall act and advise by the affirmative vote of a majority of its members.

(4) The Secretary or his designee shall, from time to time, consult with and obtain the advice of the Committee with respect to matters relating to the design, construction, and operation of the bridge and any associated facilities.

(f) The construction and operation of the bridge shall be at no expense to the Federal Government, and there are hereby authorized to be appropriated such sums as may be necessary for maintenance of the bridge and to carry out the other purposes of this section.

SEC. 104. (a) The consent of Congress is hereby given to the compact, signed (after negotiations in which a representative of the United States, duly appointed by the President, participated, and upon which he has reported to the Congress) by the compact representatives for the States of Kansas and Oklahoma on the 31st day of March 1965, at Wichita, Kansas, and thereafter ratified by the legislature of each of the States aforesaid, which compact is as follows:

"ARKANSAS RIVER BASIN COMPACT, KANSAS-OKLAHOMA

"The state of Kansas and the state of Oklahoma, acting through their duly authorized compact representatives, Robert L. Smith and Warden L. Noe, for the state of Kansas, and Geo. R. Benz and Frank Raab, for the state of Oklahoma, after negotiations participated in by Trigg Twichell, appointed by the president as the representative of the

United States of America, and in accordance with the consent to such negotiations granted by an act of congress of the United States of America, approved August 11, 1955 (Public Law 340, 84th Congress, 1st session), have agreed as follows respecting the waters of the Arkansas river and its tributaries:

"*Article I*

"The major purposes of this compact are: A. To promote interstate comity between the states of Kansas and Oklahoma;

"B. To divide and apportion equitably between the states of Kansas and Oklahoma the waters of the Arkansas river basin and to promote the orderly development thereof;

"C. To provide an agency for administering the water apportionment agreed to herein;

"D. To encourage the maintenance of an active pollution-abatement program in each of the two states and to seek the further reduction of both natural and man-made pollution in the waters of the Arkansas river basin.

"*Article II*

"As used in this compact: A. The term 'state' shall mean either state signatory hereto and shall be construed to include any person or persons, entity or agency of either state who, by reason of official responsibility or by designation of the governor of that state, is acting as an official representative of that state;

"B. The term 'Kansas-Oklahoma Arkansas river commission' or the term 'commission' means the agency created by this compact for the administration thereof;

"C. The term 'Arkansas river' means that portion of the Arkansas river from a point immediately below the confluence of the Arkansas and Little Arkansas rivers in the vicinity of Wichita, Kansas, to a point immediately below the confluence of the Arkansas river with the Grand-Neosho river near Muskogee, Oklahoma;

"D. The term 'Arkansas river basin' means all of the drainage basin of the Arkansas river as delimited above, including all tributaries which empty into it between the upstream and downstream limits;

"E. The term 'waters of the Arkansas river and its tributaries' means the waters originating in the Arkansas river basin;

"F. The term 'conservation storage capacity' means that portion of the active storage capacity of reservoirs, including multipurpose reservoirs, with a conservation storage capacity in excess of 100 acre-feet, available for the storage of water for subsequent use, but it excludes any portion of the storage capacity allocated to flood and sediment control and inactive storage capacity allocated to other uses;

"G. The term 'new conservation storage capacity' means conservation storage capacity for which construction is initiated after July 1, 1963, and storage capacity not presently allocated for conservation storage which is converted to conservation storage capacity after July 1, 1963, in excess of the quantities of declared conservation storage capacity as set forth in the storage table attached to and made a part of the minutes of the twenty-fourth meeting of the compact committee dated September 1, 1964, and as filed and identified to this compact in the offices of the secretaries of state of the respective states;

"H. The term 'pollution' means contamination or other alterations of the physical, chemical, biological or radiological properties of water or the discharge of any liquid, gaseous, or solid substances into any waters which creates or is likely to result in a nuisance, or which renders or is likely to render the waters into which it is discharged harmful, detrimental or injurious to public health, safety, or welfare or which is harmful, detrimental or injurious to beneficial uses of the water.

"*Article III*

"The physical and other conditions peculiar to the Arkansas river basin constitute the basis for this compact, and neither of the states hereby, nor the Congress of the United States by its consent hereto, concedes that this compact establishes any general principle with respect to any other interstate stream.

"*Article IV*

"A. For the purpose of apportionment of water between the two states, the Arkansas river basin is hereby divided into major topographic subbasins as follows: (1) the Grand-Neosho river subbasin; (2) the Verdigris river subbasin; (3) the Salt Fork river subbasin; (4) the Cimarron river subbasin; and (5) the mainstem Arkansas river subbasin which shall consist of the Arkansas river basin, excepting the Grand-Neosho river, Verdigris river, Salt Fork river, and Cimarron river subbasins.

"B. The two states recognize that portions of other states not signatory to this compact lie within the drainage area of the Arkansas river basin as herein defined. The water apportionments provided for in this compact are not intended to affect nor do they affect the rights of such other states in and to the use of the waters of the basin.

"*Article V*

"The state of Kansas shall have free and unrestricted use of the waters of the Arkansas river basin within Kansas subject to the provisions of this compact and to the limitations set forth below:

"A. New conservation storage capacity in the Grand-Neosho river subbasin within the state of Kansas shall not exceed 650,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma excepting storage on Spavinaw creek;

"B. New conservation storage capacity in the Verdigris river subbasin within the state of Kansas shall not exceed 300,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma, excepting navigation capacity allocated in Oologah reservoir;

"C. New conservation storage capacity in the mainstem Arkansas river subbasin within the state of Kansas shall not exceed 600,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma;

"D. New conservation storage capacity in the Salt Fork river subbasin within the state of Kansas shall not exceed 300,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma;

"E. New conservation storage capacity in the Cimarron river subbasin within the state of Kansas shall not exceed 5,000 acre-feet, provided that new conservation storage capacity in excess of that amount may be constructed if specific projects have first been submitted to and have received the approval of the commission.

"*Article VI*

"The state of Oklahoma shall have free and unrestricted use of the waters of the Arkansas river basin within Oklahoma subject to the provisions of this compact and to the limitations set forth below:

"New conservation storage capacity in the Cimarron river subbasin within the state of Oklahoma shall not exceed 5,000 acre-feet provided that new conservation storage capacity in excess of that amount may be constructed if specific project plans have first been submitted to and have received the approval of the commission.

"*Article VII*

"A. The commission shall determine the conditions under which one state may construct and operate for its needs new conservation storage capacity in the other state. The construction or utilization of new conservation storage capacity by one state in the other state shall entitle the state whose storage potential is reduced by such construction to construct an equal amount of new conservation storage in a subbasin agreeable to the commission.

"B. New conservation storage capacity constructed by the United States or any of its agencies, instrumentalities or wards, or by a state, political subdivision thereof, or any person or persons shall be charged against the state in which the use is made.

"C. Each state has the unrestricted right to replace within the same subbasin, any conservation storage capacity made unusable by any cause.

"D. In the event reallocation of storage capacity in the Arkansas river basin in Oklahoma should result in the reduction of that state's new conservation storage capacity, such reallocation shall not reduce the total new conservation storage capacities available to Kansas under Article V; provided that a subsequent reinstatement of such storage capacity shall not be charged as an increase in Oklahoma's new conservation storage capacity.

"*Article VIII*

"A. In the event of importation of water to a major subbasin of the Arkansas river basin from another river basin, or from another major subbasin within the same state, the state making the importation shall have exclusive use of such imported waters.

"B. In the event of exportation of water from a major subbasin for use in another major subbasin or for use outside the Arkansas river basin within the same state, the limitations of Articles V and VI on new conservation capacity shall apply against the subbasin from which the exportation is made in the amount of the storage capacity actually used for that purpose within the exporting subbasin, or, in the event of direct diversion of water without storage, on the basis of five acre-feet of conservation storage capacity for each acre-foot of water on the average so diverted annually.

"C. Any reservoir storage capacity which is required for the control and utilization of imported waters shall not be accounted as new conservation storage.

"D. Should a transbasin diversion of water of the Arkansas river basin be made in one state for the use and benefit of the other state or both states, the commission shall determine a proper accounting of new conservation storage capacities in each state in accordance with the above principles and with the project uses to be made in that state.

"*Article IX*

"The states of Kansas and Oklahoma mutually agree to: A. The principle of individual state effort to abate man-made pollution within each state's respective borders, and the continuing support of both states in an active pollution-abatement program;

"B. The cooperation of the appropriate state agencies in Kansas and Oklahoma to investigate and abate sources of alleged interstate pollution within the Arkansas river basin whenever such matters are called to their attention by the commission;

"C. Enter into joint programs for the identification and control of sources of natural pollution within the Arkansas river basin which the commission finds are of interstate significance;

"D. The principle that neither state may require the other to provide water for the purpose of water-quality control as a substitute for adequate waste treatment;

"E. Utilize the provisions of the federal water pollution control act in the resolution of any pollution problems which cannot be resolved within the provisions of this compact.

"Article X

"A. There is hereby created an interstate administrative agency to be known as the 'Kansas-Oklahoma Arkansas river commission.' The commission shall be composed of three commissioners representing each of the states of Kansas and Oklahoma who shall be appointed by the governors of the respective states and, if designated by the president, one commissioner representing the United States. The president is hereby requested to designate a commissioner and an alternate representing the United States. The federal commissioner, if one be designated, shall be the presiding officer of the commission, but shall not have the right to vote in any of the deliberations of the commission.

"B. One Kansas commissioner shall be the state official who now or hereafter shall be responsible for administering water law in the state; the other two commissioners shall reside in the Arkansas river basin in Kansas and shall be appointed to four-year staggered terms.

"C. One Oklahoma commissioner shall be the state official who now or hereafter shall be responsible for administering water law in the state; the other two commissioners shall reside in the Arkansas river basin in Oklahoma and shall be appointed to four-year staggered terms.

"D. A majority of the commissioners of each state and the commissioner or his alternate representing the United States, if so designated, must be present to constitute a quorum. In taking any commission action, each signatory state shall have a single vote representing the majority opinion of the commissioners of that state.

"E. The salaries and personal expenses of each commissioner shall be paid by the government which he represents. All other expenses which are incurred by the commission incident to the administration of this compact shall be borne equally by the two states and shall be paid by the commission out of the 'Kansas-Oklahoma Arkansas river commission fund.' Such fund shall be initiated and maintained by equal payments of each state into the fund. Disbursements shall be made from said fund in such manner as may be authorized by the commission. Such fund shall not be subject to the audit and accounting procedures of the states; however, all receipts and disbursements of funds handled by the commission shall be audited by a qualified independent public accountant at regular intervals, and the report of such audit shall be included in and become a part of the annual report of the commission.

"Article XI

"A. The commission shall have the power to: (1) Employ such engineering, legal, clerical and other personnel as in its judgment may be necessary for the performance of its functions under the compact;

"(2) Enter into contracts with appropriate state or federal agencies for the collection, correlation, and presentation of factual data, for the maintenance of records, and for the preparation of reports;

"(3) Establish and maintain an office for the conduct of its affairs;

"(4) Adopt rules and regulations governing its operations;

"(5) Cooperate with federal agencies in developing principles, consistent with the provisions of this compact and with federal policy, for the storage and release of water from all-federal capacities of federal reservoirs, both existing and future within the Arkansas river basin, for the purpose of assuring their operation in the best interests of the states and the United States;

"(6) Permit either state, with the consent of the proper operating agency, to impound water, for such periods of time deemed necessary or desirable by the commission, in available reservoir storage capacity which is not designated as conservation or new conservation storage capacity for subsequent release and use for any purpose approved by the commission;

"(7) Hold hearings and take testimony and receive evidence at such times and places as it deems necessary;

"(8) Secure from the head of any department or agency of the Federal or state government such information, suggestions, estimates and statistics as it may need or believe to be useful for carrying out its function and as may be available to or procurable by the department or agency to which the request is addressed;

"(9) Print or otherwise reproduce and distribute all of its proceedings and reports.

"B. The commission shall: (1) Cause to be established, maintained and operated such stream, reservoir, or other gaging stations as may be necessary for the proper administration of the compact;

"(2) Collect, analyze and report on data as to stream flows, water quality, conservation storage, and such other information as is necessary for the proper administration of the compact;

"(3) Perform all other functions required of it by the compact and do all things necessary, proper or convenient in the performance of its duties thereunder;

"(4) Prepare and submit an annual report to the governor of such signatory state and to the president of the United States covering the activities of the commission for the preceding fiscal year, together with an accounting of all funds received and expended by it in the conduct of its work;

"(5) Prepare and submit to the governor of each of the states of Kansas and Oklahoma an annual budget covering the anticipated expenses of the commission for the following fiscal year;

"(6) Make available to the governor or any state agency of either state or to any authorized representatives of the United States, upon request, any information within its possession.

"Article XII

"A. Recognizing the present limited uses of the available water supplies of the Arkansas river basin in the two states and the uncertainties of their ultimate water needs, the states of Kansas and Oklahoma deem it imprudent and inadvisable to attempt at this time to make final allocations of the new conservation storage capacity which may ultimately be required in either state, and, by the limitations on storage capacity imposed herein, have not attempted to do so. Accordingly, after the expiration of 25 years following the effective date of this compact, the commission may review any provisions of the compact for the purpose of amending or supplementing the same, and shall meet for the consideration of such review on the request of the commissioners of either state; provided, that the provisions hereof shall remain in full force and effect until changed or amended by unanimous action of the states acting through their commissioners and until such changes are ratified by the legislatures of the respective states and consented to by the Congress in the same manner as this compact is required to be ratified to become effective.

"B. This compact may be terminate at any time by the appropriate action of the legislatures of both signatory states.

"C. In the event of amendment or termination of the compact, all rights established under the compact shall continue unimpaired.

"Article XIII

"Nothing in this compact shall be deemed: A. To impair or affect the powers, rights or obligations of the United States, or those claiming under it authority, in, over and to the waters of the Arkansas River Basin;

"B. To interfere with or impair the right or power of either signatory state to regulate within its boundaries the appropriation, use and control of waters within that state not inconsistent with its obligations under this compact.

"Article XIV

"If any part or application of this compact should be declared invalid by a court of competent jurisdiction, all other provisions and applications of this compact shall remain in full force and effect.

"Article XV

"This compact shall become binding and obligatory when it shall have been ratified by the legislatures of each state and consented to by the Congress of the United States, and when the congressional act consenting to this compact includes the consent of Congress to name and join the United States as a party in any litigation in the United States supreme court, if the United States is an indispensable party, and if the litigation arises out of this compact or its application, and if a signatory state is a party thereto. Notice of ratification by the legislature of each state shall be given by the governor of that state to the governor of the other state and to the president of the United States and the president is hereby requested to give notice to the governor of each state of consent by the Congress of the United States.

"In Witness Whereof, The authorized representatives have executed three counterparts hereof each of which shall be and constitute an original, one of which shall be deposited in the archives of the department of state of the United States, and one of which shall be forwarded to the governor of each state.

"Done at the City of Wichita, state of Kansas, this 31st day of March, A.D. 1965.

"Approved:
"Robert L. Smith,
"Warden L. Noe,
"Compact Representatives for the state of Kansas.
"Geo. R. Benz,
"Frank Raab,
"Compact Representatives for the state of Oklahoma.
"Trigg Twichell,
"Representative of the United States."

(2) In order to carry out the purposes of this section, and the purposes of article XV of this compact consented to by Congress by this section, the congressional consent to this compact includes and expressly gives the consent of Congress to have the United States of America named and joined as a party litigant in any litigation in the United States Supreme Court, if the United States of America is an indispensable party to such litigation, and if the litigation arises out of this compact, or its application, and if a signatory State to this compact is a party litigant, in the litigation.

Sec. 106. The Secretary of the Army is hereby authorized and directed to cause surveys to be made at the following locations and subject to all applicable provisions of section 110 of the River and Harbor Act of 1950.

Mexico Beach, Florida.

Great Lakes, particularly Lake Ontario and Lake Erie, in connection with water supply, pollution abatement, navigation, flood control, hydropower, and related water resources development and control.

Sec. 106. Title I of this Act may be cited as the "River and Harbor Act of 1966".

TITLE II—FLOOD CONTROL

Sec. 201. Section 3 of the Act approved June 22, 1936 (Public Law Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public Law Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this title except that for any channel improvement or channel rectification project, provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall apply thereto, except as otherwise provided by law: *Provided*, That the authorization for any flood control project herein adopted requiring local cooperation shall expire five years from the date on which local interests are notified in writing by the Secretary of the Army or his designee of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of the Army that the required cooperation will be furnished.

Sec. 202. The provisions of section 1 of the Act of December 22, 1944 (Public Law Numbered 534, Seventy-eighth Congress, second session), shall govern with respect to projects authorized in this Act, and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto shall apply as if herein set forth in full.

Sec. 203. The following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein: *Provided*, That the necessary plans, specifications, and preliminary work may be prosecuted on any project authorized in this title with funds from appropriations hereafter made for flood control so as to be ready for rapid inauguration of a construction program: *Provided further*, That the projects authorized herein shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements: *And provided further*, That penstocks and other similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam authorized in this Act for construction by the Department of the Army when approved by the Secretary of the Army on the recommendation of the Chief of Engineers and the Federal Power Commission: *And provided further*, That appropriations authorized under this title shall be available to the Chief of Engineers for the purposes authorized by section 6 of the Flood Control Act of 1946 (Public Law 79–526); *And provided further*, That the authority contained therein is extended to include the Libby Dam and Reservoir project, Montana.

Merrimack River Basin

The project for flood protection on the Sudbury River at Saxonville, Massachusetts, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 61, Eighty-ninth Congress, at an estimated cost of $1,300,000.

The project for flood protection on the North Nashua River, Massachusetts, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 113, Eighty-ninth Congress at an estimated cost of $15,816,000.

Long Island Sound

The project for flood protection in the Pequonnock River, Connecticut, is hereby authorized substantially as recommended by the Chief of Engineers in Senate Document Numbered 115, Eighty-ninth Congress, at an estimated cost of $5,000,000.

Middle Atlantic coastal area

The project for hurricane-flood protection at Beaufort Inlet to Bogue Inlet, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 479, Eighty-ninth Congress, at an estimated cost of $320,000.

The project for hurricane-flood protection and beach erosion control at Bogue Inlet to Moore Inlet, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 480, Eighty-ninth Congress, at an estimated cost of $1,249,000.

The project for hurricane-flood protection from Cape Fear to the North Carolina-South Carolina State line, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 511, Eighty-ninth Congress, at an estimated cost of $12,310,000.

The project for hurricane-flood protection of the Mainland Areas of North Carolina is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 475, Eighty-ninth Congress, at an estimated cost of $2,048,000.

The project for hurricane-flood protection for the Outer Banks between the Virginia State line and Hatteras Inlet, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 476, Eighty-ninth Congress, at an estimated cost of $6,652,000.

Savannah River Basin

The general plan for the comprehensive development of the Savannah River Basin for flood control and other purposes, authorized by the Flood Control Act of December 22, 1944, as amended by subsequent Acts of Congress, is hereby further amended to provide for the construction of the Trotters Shoals Dam and Reservoir substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 52, Eighty-ninth Congress, at an estimated cost of $84,900,000: *Provided*, That nothing in this Act shall be construed to authorize inclusion of pumped storage in this project.

Lower Mississippi River Basin

The project for flood control and improvement of the Lower Mississippi River, adopted by the Act of May 15, 1928 (45 Stat. 534) as amended and modified by subsequent Acts of Congress, including the Flood Control Act of 1965 (Public Law 89–298), is hereby further modified and expanded to include the following items:

(a) The project for flood protection in the Teche-Vermilion Basins, Louisiana, substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered ——, Eighty-ninth Congress, at an estimated cost of $5,100,000.

(b) Bank revetment for the protection of existing industrial facilities along the river below Baton Rouge, Louisiana, where in the discretion of the Chief of Engineers, such bank protection is justified.

(c) The monetary authorization made available for prosecution of the specific plan of improvement for the Lower Mississippi River project by the Flood Control Act of 1965 (Public Law 89–298) as set forth in House Documents 308 and 319, Eighty-eighth Congress, shall be combined with the overall monetary authorization previously made available for prosecution of the entire Mississippi River and tributaries project and be available for application to any portion of the entire project.

Ouachita River Basin

The project for flood protection on Bayou Bartholomew and Tributaries, Arkansas and Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 506, Eighty-ninth Congress, at an estimated cost of $9,360,000.

The project for flood protection on the Ouachita River at Monroe, Louisiana, adopted by the Act of October 27, 1965 (Public Law 89–298) is hereby modified to provide for construction of the plan providing maximum protection (Plan B) as shown in House Document Numbered 328, Eighty-eighth Congress, at an estimated cost of $1,160,000.

Arkansas River Basin

The project for water quality control in the Arkansas-Red River Basins, Texas, Oklahoma, and Kansas, designated as Part I, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 110, Eighty-ninth Congress, at an estimated cost of $46,400,000.

Ohio River Basin

The project for the Stonewall Jackson Dam and Reservoir, West Fork River, West Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 109, Eighty-ninth Congress, at an estimated cost of $34,500,000.

The project for the Big South Fork of the Cumberland River, Kentucky and Tennessee, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 175, Eighty-seventh Congress, at an estimated cost of $151,000,000.

The project for the Kehoe Dam and Reservoir, Tygarts Creek, Kentucky, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 517, Eighty-ninth Congress at an estimated cost of $15,000,000.

The project for the Taylorsville Dam and Reservoir, Salt River, Kentucky, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 502, Eighty-ninth Congress at an estimated cost of $24,800,000.

Meramec River Basin

The project for flood protection and other purposes in the Meramec River Basin, Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered —— Eighty-ninth Congress, at an estimated cost of $45,971,000: *Provided*, That construction of this project shall not be initiated until the President has approved a report prepared by the Secretary of the Army reexamining the basis on which the project was formulated and the arrangements for cost sharing.

Upper Mississippi River Basin

The project for flood protection of agricultural areas on the Mississippi River, Mile 195 to 300, Illinois and Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 510, Eighty-ninth Congress, at an estimated cost of $7,193,000.

Great Lakes Basin

The project for flood protection on the Maumee River at Ottawa, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 485, Eighty-ninth Congress, at an estimated cost of $3,413,000.

The project for flood protection on Red Creek, Monroe County, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 107, Eighty-ninth Congress, at an estimated cost of $1,430,000.

Columbia River Basin

The project for flood protection on the Boise River at Boise, Idaho, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 486, Eighty-ninth Congress, at an estimated cost of $1,576,000.

Skagit River Basin

The project for flood protection on Skagit River, Washington, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 483, Eighty-ninth Congress, at an estimated cost of $5,804,000.

Klamath River Basin

The project for flood protection on the Klamath River in the vicinity of Klamath, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 478, Eighty-ninth Congress, at an estimated cost of $2,460,000.

Sacramento River Basin

The project for the Marysville Dam and Reservoir, Yuba River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 501, Eighty-ninth Congress, at an estimated cost of $132,900,000.

Russian River Basin

The project for the Knights Valley Dam and Reservoir, Russian River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 518, Eighty-ninth Congress, at an estimated cost of $166,800,000.

Pajaro River Basin

The project for flood protection on the Pajaro River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 491, Eighty-ninth Congress, at an estimated cost of $11,890,000.

SEC. 204. Section 206 of the Flood Control Act of 1960 (74 Stat. 500), as amended by the Flood Control Act of 1965 (79 Stat. 1089), is further amended to read as follows:

"SEC. 206. (a) That, in recognition of the increasing use and development of the flood plains of the rivers of the United States and of the need for information on flood hazards to serve as a guide to such development, and as a basis for avoiding future flood hazards by regulation of use by States and political subdivisions thereof, and to assure that Federal departments and agencies may take proper cognizance of flood hazards, the Secretary of the Army, through the Chief of Engineers, Department of the Army, is hereby authorized to compile and disseminate information on floods and flood damages, including identification of areas subject to inundation by floods of various magnitudes and frequencies and general criteria for guidance of Federal and non-Federal interests and agencies in the use of flood plain areas; and to provide advice to other Federal agencies and local interests for their use in planning to ameliorate the flood hazard: *Provided*, That the necessary surveys and guides will be made for States and political subdivisions thereof and such information and advice will be provided to them only upon the request of a State or a responsible local governmental agency and upon approval by the Chief of Engineers.

"(b) The Secretary of the Army is hereby authorized to allot, from any appropriation hereafter made for flood control, sums not to exceed $5,000,000 in any one fiscal year for the compilation and dissemination of such information."

SEC. 205. (a) The consent of Congress is hereby granted to Duke Power Company, its successors and assigns, to construct, maintain, and operate a dam with overflow spillway crest at elevation 475 mean sea level across Savannah River between Anderson County, South Carolina, and Elbert County, Georgia, near Middleton Shoals, and about two hundred and ninety-seven miles above the mouth of said river, for the purpose of providing a pool for condenser water for a steam-electric plant. Construction on such dam shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers, United States Army, and by the Secretary of the Army, and when such plans have been approved by the Chief of Engineers and by the Secretary of the Army, there shall be no deviation from such plans either before or after completion of said dam unless the modification of such plans have previously been submitted to and approved by the Chief of Engineers and the Secretary of the Army. In approving the plans for said dam such conditions and stipulations may be imposed as the Chief of Engineers and the Secretary of the Army may deem necessary to protect the present and future interest of the United States. Nothing in this section shall be construed to authorize the use of such dam to develop water power or generate hydroelectric energy. The grantee and its successors shall hold and save the United States free from all claims arising from damage which may be sustained by the dam authorized in this section, or damage sustained by the appurtenances of the said dam, by reason of the future construction and operation by the United States of Hartwell Dam and Reservoir or the Trotters Shoals Dam and Reservoir authorized in section 203 of this Act, or any other Federal project upstream or downstream from the dam authorized by this section. In order to make feasible the dam and steam-electric generating plant which Duke Power Company intends to construct, it is hereby expressly provided that, should such dam and plant be constructed, (1) no existing or future unit at Hartwell Reservoir will be operated to pump water from below Hartwell Dam back to Hartwell Reservoir, and (2) a volume of water per week equal to at least an average flow of one thousand five hundred cubic feet per second shall be discharged from Hartwell Reservoir. The Secretary of the Army upon his finding that such discharges result in damages to Hartwell Reservoir, and after giving the company reasonable notice and opportunity to be heard, shall determine and fix a reasonable and equitable annual charge to be paid by the company to the United States as compensation for such damages.

(b) The authority granted by this section shall cease and be deemed null and void unless the actual construction of the dam hereby authorized is commenced within twelve years and completed within fifteen years from the date of enactment of this Act: *Provided, however*, That the authority hereby granted shall not be deemed a bar to, or grounds for delaying, the construction of the Trotters Shoals project authorized in section 203 of this Act.

(c) All laborers and mechanics employed by contractors or subcontractors on projects constructed in accordance with the provisions of this section shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5).

(d) The right to alter, or repeal this section is hereby expressly reserved.

SEC. 206. Section 2 of the Act of June 28, 1879 (21 Stat. 37; 33 U.S.C. 642), is amended (1) by inserting in the third sentence thereof after "and the commissioners appointed under this Act" a comma and the following: "except those appointed from civil life,", and (2) by adding at the end thereof the following new sentence: "Each commissioner appointed from civil life after the date of enactment of this sentence shall be appointed for a term of nine years."

SEC. 207. The navigation lock and water control structure known as structure 79 of the central and southern Florida flood control project located on the Caloosahatchee River in the State of Florida shall hereafter be known as the W. P. Franklin Lock and Control Structure, and any law, regulation, document, or record of the United States in which such structure is designated or referred to shall be held to refer to such structure under and by the name of the W. P. Franklin Lock and Control Structure.

SEC. 208. The Secretary of the Army is hereby authorized and directed to cause surveys for flood control and allied purposes, including channel and major drainage improvements and floods aggravated by or due to wind or tidal effects, to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its territorial possessions, which include the following named localities: *Provided*, That after the regular or formal reports made on any survey are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of the Army may cause a review of any examination or survey to be made and a report thereon submitted to Congress, if such review is required by the national defense or by changed physical or economic conditions: *Provided further*, That the Government shall not be deemed to have entered upon any project for the improvement of any waterway or harbor mentioned in this title until the project for the proposed work shall have been adopted by law:

Watersheds and streams of Puerto Rico and the Virgin Islands, with respect to a framework plan for developing water resources of the region.

Watersheds and streams within the alluvial valley of the Mississippi River below Cairo, Illinois, with respect to a framework plan for developing water resources of the region.

Watersheds and streams draining into the Great Lakes including the lake areas within the United States, and into the St. Lawrence River at points within the United States with respect to a framework plan for developing water resources of the region.

The Souris River and the Red River of the north and tributaries within the United States, including adjacent streams in Minnesota draining into Canada, with respect to a framework plan for developing water resources of the region.

The Arkansas, White, and Red Rivers and tributaries, exclusive of their drainage lying in the alluvial valley of the Mississippi River, with respect to a framework plan for developing water resources of the region.

Watersheds and streams and their tributaries which drain into the Gulf of Mexico along the coastline of Texas, exclusive of the Rio Grande River, with respect to a framework plan for developing water resources of the region.

Watersheds and streams of Hawaii, with respect to a framework plan for developing water resources of the region.

Watersheds and streams of Alaska, with respect to a framework plan for developing water resources of the region.

Great South Bay, New York, including the waters of adjoining lesser bays and inlets with respect to water utilization and control. Such investigations and study shall include, but not be limited to, navigation, fisheries, flood control, control of noxious weeds, water pollution, water quality control, beach erosion, and recreation.

Cibolo Creek, in and near the community of Presidio, Texas.

Pacific Palisades Area at and in the vicinity of Los Angeles County, California, study of landslides, soil erosion, surface and subsurface drainage conditions, flood control and seismic disturbances. Such study to be made in cooperation with the United States Geological Survey of the Department of Interior.

Spring Valley Creek, Sweetwater River, California.

Sec. 209. Title II of this Act may be cited as the "Flood Control Act of 1966".

TITLE III—GENERAL PROVISIONS

Sec. 301.—In view of the requirements for funds to support the operations being carried on in Vietnam by the Armed Forces of the United States and other nations to effectuate their determination that the people of South Vietnam shall not be deprived of their right of self-determination of their form of government, and in view of the unpredictability of the time when the necessity for such operations will be terminated either by victory of such Armed Forces or by negotiations resulting from the realization by North Vietnam that it cannot impose its will upon the people of South Vietnam, it is hereby declared to be the policy of the Congress to provide the President with the necessary authority to maintain the fiscal strength of the United States and to minimize the dangers of inflation by authorizing him to defer from the fiscal year ending June 30, 1967, to the fiscal year ending June 30, 1968, the obligation of any funds available for obligation for domestic programs. In view of such policy, the President is hereby authorized to impound not to exceed 20 per centum of any funds available for obligation during the fiscal year ending June 30, 1967, for the carrying out of any domestic program whenever he determines that such action is in the public interest. Any funds so impounded shall be available for obligation during the fiscal year ending June 30, 1968, for the same purposes for which they were available for obligation during the fiscal year ending June 30, 1967, if the President, within ten days after impounding such funds, advises the Senate and the House of Representatives that he has determined that such funds should be available for obligation during the fiscal year ending June 30, 1968.

Mr. RANDOLPH. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. FONG. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MANSFIELD. Mr. President, the distinguished senior Senator from West Virgina [Mr. Randolph] has demonstrated once more his outstanding skill and ability as chairman of the Committee on Public Works. The care and diligence which accompanied his handling of this authorization measure served more than anything to assure its prompt and overwhelming approval. This achievement is just another, however, in the long and abundant record of public service already attained by Senator Randolph.

Our commendation goes also to the distinguished senior Senator from Hawaii [Mr. Fong] for offering his strong cooperative support—both in committee and on the floor today. So too, the distinguished senior Senator from Florida [Mr. Holland] deserves credit, as does the senior Senator from Delaware [Mr. Williams], for joining to assure swift and successful action.

Again, I submit, it is the cooperative spirit of all Members as witnessed on this proposal which brings us just that much closer to an adjournment sine die. I, personally, am deeply grateful.

CLEAN AIR ACT AMENDMENTS OF 1966—CONFERENCE REPORT

Mr. MUSKIE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3112) to amend the Clean Air Act so as to authorize grants to air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 percent of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes. I ask unanimous consent for the present consideration of the report.

The ACTING PRESIDENT pro tempore. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of Oct. 13, 1966, p. 26596, Congressional Record.)

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MUSKIE. Mr. President, today we bring to the Senate additional amendments to the Clean Air Act. These amendments have the vigorous backing of the Members of both Houses. There has been no opposition to this bill at any point in the legislative process. This is significant. It is evidence of the continued concern of the Congress with the problems of air pollution and of the determination of our chairman, Mr. Randolph, and the House Interstate and Foreign Commerce Committee chairman, Mr. Staggers, to maintain our search for improved ways of reducing the hazards of air pollution.

Today's legislation is a step forward, but it is not the end of our efforts. We cannot rest until we have removed the threats to man's health, well-being, and economic advancement which man himself creates in a modern, technological society.

S. 3112 amends the Clean Air Act in order to provide for a stronger, more effective air pollution control effort at the Federal, State, and local level.

S. 3112 is based on legislation proposed by the administration. The primary purposes of the bill are to consolidate appropriation authorizations in the Clean Air Act and to authorize funds to continue the program through 1969.

S. 3112 institutes a new grant program to allow air pollution control agencies up to one-half of the cost of maintaining programs for the prevention and control of air pollution, and authorizes the Secretary to make grants to intermunicipal or interstate air pollution control agencies in an amount up to three-fifths of the cost of maintaining regional air pollution control programs.

S. 3112 removes the limitation in existing law that no more than 20 percent of the sums appropriated annually under the act may be used for support of air pollution control programs, and provides that in determining the eligibility for a program grant nonrecurrent expenditures of the participating agencies in the preceeding year shall not be considered.

Finally, S. 3112 provides that grants for interstate programs, subject to the 12½-percent limitation, shall be allocated by the Secretary according to the portion of such grant that is chargeable to any one State.

The conferees have, therefore, agreed to authorize the requested $46 million for 1967 and provided $66 million for 1968, and $74 million for 1969. These authorizations will provide adequate funds to carry out the new maintenance grant program authorized by this act and give the division of air pollution sufficient funds to support essential research programs—research on sulfur and automobile emission control. The $46 million authorized for 1967 represents a $10-million increase over existing authorization. This increase is, in part, required by the expanded program of research into the control of sulfur emissions and automobile emissions and includes $7 million as the added cost of maintenance grant program.

The authorizations for 1968 and 1969 represent similar increases in the activities of the division and $10 and $13 million, respectively, to carry out the maintenance grant program.

On the latter point, the desirability of providing Federal aid to continuation of air pollution control programs is without question. Existing program grants have stimulated State and local activity by providing Federal matching funds for new or improved programs. They were not designed for sustained State and local control efforts necessary to cope with a continuing air pollution problem. This has discriminated against States and localities who initiated their own excellent programs prior to the Clean Air Act, and it has worked a hardship on other States and localities.

Therefore, the provisions of S. 3112 authorizing the Secretary to make grants for maintaining air pollution control programs are essential. The 50-percent matching grant program to State and local agencies and the three-fifths matching grant program to regional agencies should provide adequate incentive for maintenance of this effort.

Nonrecurrent expenditures of pollution control agencies will not be considered in determining the eligibility for a grant. Many factors may justifiably cause the level of expenditures of a pollution control agency to fluctuate, including, for example, nonrecurrent costs of equipment, of facilities, acquisition of property, or the initiation of studies concerning air quality or other matters. Where the overall workability of the air pollution control program is not impaired, fluctuations in expenditures should not make local agencies ineligible for the Federal matching grants support.

S. 3112 deletes the provision in the Clean Air Act which limits the total for grants in support of air pollution control programs to 20 percent of the total appropriation for any fiscal year.

The existing act imposes a fixed relationship between grant funds to the total appropriations for all Federal air pollution activities. Air pollution and the possibilities for control action are subject to rapid change. Over a period of time, the pattern of needs and desirable program balance with respect to research, technical assistance, training, Federal abatement activities, grants to State and local control agencies, and other activities may vary considerably. The committee believes it would be wise to leave the determination of the relative emphasis to be given to each of these activities to the annual budgetary and appropriation process so that judgments may be based upon the overall requirements existing at the time.

Mr. President, these are the major provisions of the legislation as agreed upon by the Senate-House conference committee. I am sure the Senate will join the other body in unanimously approving this step forward.

Mr. BOGGS. I ask unanimous consent to have printed in the RECORD at this point a statement prepared by the senior Senator from Kentucky [Mr. COOPER].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR COOPER

I support the Conference Report on S. 3112 and urge its adoption by the Senate.

The bill would broaden the present authority of the Department of Health, Education, and Welfare by authorizing grants to air pollution control agencies for program maintenance. It would make the use of appropriations more flexible by consolidating the appropriation authorities of the Clean Air Act. In addition, the bill would amend the Clean Air Act to delete the provision limiting grants for air pollution control programs.

Finally, and most important, the bill would extend the duration of programs authorized by the Clean Air Act of 1969.

I believe that this bill is another demonstration of the determined effort of the Congress to advance solutions to the most challenging problem facing our country today—pollution in the air and in the water.

Extensive hearings were conducted by the Subcommittee on Air and Water Pollution in June of this year which resulted in a thorough and well documented hearing record. I should like to say as a member of the Committee on Public Works that the Subcommittee, headed by the distinguished Senator from Maine [Mr. MUSKIE], with the able assistance of the Ranking Republican Member on the Committee, the Senator from Delaware [Mr. BOGGS], and the entire Committee has worked hard and conscientiously in developing the bill before us.

I would like to make two observations in connection with this bill. This bill makes no provision for grants to industry for research into the problems of air pollution. The bill amending the Federal Water Pollution Control Act, which has just been recommended by the Conferees, includes a provision authorizing for the first time the Secretary of the Interior to make grants to industry for research in the prevention and treatment of water pollution.

I believe it is important that we enlist the initiative and energy of industry in this effort. In this connection, I shall urge the Public Works Committee at a future date when further amendments are being considered to the Clean Air Act to recommend an amendment making industry eligible to receive research grants for experimentation in the field of air pollution controls in the manner that Congress has provided in the field of water pollution.

I also note by the statement of the Chairman of the Subcommittee [Mr. MUSKIE] that the $46 million authorized for 1967 includes a $10 million increase beyond the existing authorization and that this increase will be used for an expanded program of research into sulphur emissions and automobile emissions. The testimony taken by the Subcommittee establishes the need for this additional research.

I support and urge the adoption of the Conference Report.

Mr. MUSKIE. Mr. President, I move that the conference report be adopted.

The ACTING PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

SUSPENSION OF INVESTMENT CREDIT AMENDMENT

Mr. PASTORE. Mr. President, I send to the desk an amendment on H.R. 17607, an act to suspend the investment credit and the allowance of accelerated depreciation in the case of certain real property.

The amendment has to do with striking out an exemption which was placed in the bill in committee with reference to railroad rolling stock.

My position on the matter will be that if we are to have a bill at all, it ought to apply to everyone. If no one calls the matter up, I will call the amendment up myself.

DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES APPROPRIATIONS, 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1694, H.R. 18119. I do this so that it will be made the pending business.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 18119) making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1967, and for other purposes.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. McCLELLAN. Mr. President, my remarks concerning the pending bill will be rather brief.

The hearings before the committees this year on the pending bill have been limited due to its arrival in the Senate just before adjournment, which we hope will occur this week.

The committee gave consideration largely and primarily to appeals made by the various departments and agencies concerning the amounts that had been allowed in the House bill.

In my judgment, however, not withstanding the brevity of the hearings, we are presenting the Senate with a very good bill under the circumstances.

The amounts included for the various activities are believed to be sufficient to meet the estimated expenses for the fiscal year. As the report to the Senate indicates, the sum recommended in direct appropriations is $2,350,886,600. This is a net reduction of $13,122,000 below the House allowance; and it is $283,518,400 under the total budget estimates considered by the committee.

This reduction, however, of $13,122,000 would have exceeded $42 million had it not been for the allowance of $29,450,000 in new supplemental items that have been recently submitted to the Senate, but which were not presented to the House.

Mr. President, the Senate considered budget requests aggregating $35,766,500 which were not submitted to the House of Representatives. In other words, these budget requests came to the Senate after the House had passed its bill.

Of these additional requests, the Senate allowed $29,466,500. Thus, by adding that amount to the $13,122,000, the amount less than the total House bill, we get the sum of $42,588,500 which is the true amount by which the Senate bill reduced the amount that was appropriated by the House.

The committee felt that these new budget requests to the extent that we made appropriations for them were justified.

We also provided in the bill $3,968,400,000 for the highway trust fund program.

The committee added $1.8 million for the State Department. This sum includes $300,000 to provide the cost of the United States share of the joint United States-Mexico effort to resolve the salinity problem that seriously affects agricultural interests in the lower Rio Grande Valley area. This is under the authority of Public Law 89–584. The committee also allowed $1,500,000 for the mutual educational and cultural exchange program.

The latter sum is to be used solely, however, for the purchase of U.S.-owned excess foreign currencies, to assist in the continuance of high priority projects, such as farm and youth exchanges, university programs, and so forth.

For the Justice Department, the committee approved the House allowance of $386,919,000, with the various appropriation items set out in the bill.

For the Commerce Department, the committee recommended a net decrease of $22,920,000 below the total allowed by the House. This decrease represents the differences between $45,250,000 deducted in three appropriations—namely, $10 million in the Economic Development Center assistance program, $250,000 in the Community Relations Service item, and $35 million in the repayable advance to the highway trust fund. Also, there are $22,330,000 increases above the House allowance in seven appropriations—namely, $300,000 for the U.S. Travel Service; $430,000 for salaries and expenses, Environmental Science Service Administration, or ESSA; $500,000 for research and development by ESSA; $1 million for grants and expenses, Office of Technical Services; $100,000 for the export control program; $10 million for traffic and highway safety programs; $10 million for State and community highway safety programs.

The last three items, totalling $21,100,000 involve new submissions to the Senate, and were not before the House for its consideration.

For the judiciary branch, the committee has approved a total increase of $150,000 over the House allowance, in the several items contained under this head. The increases relate to $50,000 for salary and expenses of the Customs Court, to help defray the costs attributed to an unexpected increases in the court's workload, and $100,000 for the cost of 2 additional law clerks in each of the 11 circuit courts of appeals. The additional law clerks—22—were considered necessary because of the increasing caseload in these courts.

For the related agencies, the committee recommended the following changes in the House bill:

For the Southeast hurricane disaster item, the committee allowed $9 million, the supplemental estimate submitted to the Senate, to enable the Small Business Administration and the Farmers Home Administration to complete a loan forgiveness program authorized under the Southeast Hurricane Disaster Relief Act.

For the Tariff Commission, the committee added $30,000 to the House allowance, to help defray the additional expense of the Commission.

For the U.S. Arms Control and Disarmament Agency, a reduction of $1 million was recommended below the House allowance and budget request of $10 million. It was the opinion of a majority of the committee that $9 million was sufficient to cover the necessary expenses of the agency in fiscal 1967.

For the U.S. Information Agency, the committee recommended a decrease of $182,000 in the House allowance of $149 million for salaries and expenses. The committee also instructs that none of this appropriation be used to carry forward the operations of the informational media guarantee program.

The changes to which I have alluded represent probably the highlights of the bill now pending consideration of the Senate. These particularly, Mr. President, are highlights of the bill with respect to disagreement or differences between the Senate bill and the bill as passed by the House of Representatives.

Mr. President, I ask unanimous consent that the committee amendments be considered and agreed to en bloc; that the bill as thus amended be regarded, for purposes of amendment, as original text, provided that no point of order shall be considered to have been waived by reason of agreement to this order.

The PRESIDING OFFICER (Mr. BYRD of Virginia in the chair). Is there objection to the request of the Senator from Arkansas? The Chair hears none, and it is so ordered.

The amendments agreed to en bloc are, as follows:

On page 8, line 26, after "1944", to strike out "$5,454,000" and insert "$5,754,000".

On page 10, line 13, after the word "of", to strike out "one Commissioner" and insert "two Commissioners".

On page 12, line 21, after the word "amended", to strike out "$47,000,000" and insert "$48,500,000", and, in line 22, after the word "than", to strike out "$23,500,000" and insert "$25,000,000".

On page 14, after line 13, to insert a new section, as follows:

"SEC. 106. Existing appointments and assignments to the Foreign Service Reserve in the Department of State which expire during the current fiscal year may be extended in the discretion of the Secretary of State for a period of one year in addition to the period of appointment or assignment otherwise authorized."

On page 25, line 19, after the word "with", to strike out "$20,000,000" and insert "$10,000,000".

On page 30, line 1, after "(22 U.S.C. 401)", to strike out "$4,950,000" and insert "$55,050,000", and in line 2 after the word "exceed", to strike out "$1,658,000" and insert "$1,678,000".

On page 30, line 15, after "(Public Law 88-352)", to strike out "$1,750,000" and insert "$1,500,000".

On page 31, line 2, after the word "abroad", to strike out "$3,000,000" and insert "$3,300,000".

On page 31, line 13, after the word "area", to strike out "$99,400,000" and insert "$99,830,000".

On page 32, line 1, after the word "instrumentation", to strike out "$20,000,000" and insert "$20,500,000".

On page 35, line 18, after "(79 Stat. 679)", to strike out "$5,000,000" and insert "$6,000,000".

On page 36, line 7, after "$106,685,000", to insert a comma and "of which not less than $8,700,000 shall be available only for construction of a ship under contractual option".

On page 44, line 8, to strike out "$100,000,000" and insert "$65,000,000".

On page 44, after line 19, to insert:

"HIGHWAY AND TRAFFIC SAFETY

"Traffic and highway safety programs

"For expenses necessary to carry out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, and the Highway Safety Act of 1966, $10,000,000, to remain available until expended."

At the top of page 45, to insert:

"STATE AND COMMUNITY HIGHWAY SAFETY PROGRAMS

"(Liquidation of contract authorization)

"For the payment of obligations incurred in carrying out the provisions of title 23, United States Code, section 402, as added by the Highway Safety Act of 1966, $10,000,000, to remain available until expended."

On page 45, after line 6, to insert:

"Limitation on administrative expenses

"For necessary administrative expenses for carrying out the provisions of the National Traffic and Motor Vehicle Safety Act of 1966, and the Highway Safety Act of 1966, $2,000,000, to be derived by transfer of $880,000 from the appropriation for the current fiscal year for 'Traffic and highway safety program'; and $1,120,000 from the appropriation for the current fiscal year from 'State and community highway safety programs (liquidation of contract authorization)': *Provided*, That funds available under this head shall be available for services as authorized by section 15 of the Act of August 2, 1946 (5 U.S.C. 55a), but at rates for individuals not to exceed $100 per diem."

On page 46, line 15, after the word "court", to strike out "$1,215,000" and insert "$1,265,000".

On page 49, line 13, after the word "for", to strike out "$37,300,000" and insert "$37,400,000".

On page 57, after line 12, to insert:

"FUNDS APPROPRIATED TO THE PRESIDENT

"SOUTHEAST HURRICANE DISASTER

"For an additional amount for expenses necessary to enable the President to carry out the provisions of the Southeast Hurricane Disaster Relief Act of 1965, Public Law 89-329, $9,000,000, to remain available until expended."

On page 58, line 14, after "(5 U.S.C. 55a)", to strike out "3,500,000" and insert "$3,580,000".

On page 59, line 7, after "(75 Stat. 631; 77 Stat. 341)", to strike out "$10,000,000" and insert "$9,000,000".

On page 61, line 14, after the word "organizations", to strike out "$149,000,000" and insert "$148,818,000".

Mr. SALTONSTALL. Mr. President, as the senior Republican on the Committee on Appropriations, I wish to say that I commend the work of the Senator from Arkansas and the leading Republican on our subcommittee, the Senator from Maine.

I believe that we were unanimous, or practically unanimous, in all the money amounts that were included in this bill. The only question on which I reserved my rights concerned section 304, on page 46 of the bill. I shall read that section:

SEC. 304. No part of any appropriation contained in this title shall be used for the enforcement of any export control order on cattle hides, calf and kip skins and bovine leather.

That restriction, making available no appropriation for the Secretary of Commerce, Mr. Connor, to carry out export controls, vitally concerns those of us in States which have a shoe industry.

I would point out that the domestic consumption of cattle hides in the past 7 months is almost 5 percent above the corresponding period in 1965, while the military demand for shoes has increased since last spring. Defense contract awards for leather footwear for the past 9 months of 1966 were 165 percent above the same period in 1965. I believe that we should take care of our domestic requirements first, particularly our military requirements.

Those are some of the reasons why we, in States which build shoes, believe that this restriction on the Secretary of Commerce should be eliminated from the bill.

I hold in my hand a number of telegrams I have received from the shoe and leather industries and associations in Massachusetts and other New England States.

Secretary Connor issued an order that increased the number of hides that could be shipped abroad, running until December 1966. I believe I am correct in stating that he changed his order in March of this year. He testified before our committee that he needed discretion in this matter, that certainly he wanted to eliminate, as soon as he could, the order pertaining to quotas shipped abroad, but that he believed that those quotas should be kept in effect and that he should be given discretion to carry out that provision of our export business.

I believe, Mr. President, that this section 304, should be eliminated from the bill. I, along with several other Senators on the committee, reserved my rights on this matter in order to discuss it on the floor of the Senate.

A great majority of the Committee on Appropriations believed that this restriction should stay in the law. I hesitate to offer an amendment to strike it because I believe the provision is the will of the majority of the Senate. But I call to the attention of the Senate that this is a restriction that will handicap our shoe industry in the States—I believe there are eight States—which make shoes. Massachusetts was, and I believe that it still is, the second largest shoe manufacturing State in the Union. I wish to call that to the attention of the Senate at this time.

Mr. President, I shall not offer an amendment because I believe, as I say, that the majority of the Senate is opposed to removing this restriction. But I do feel that I would not be doing my duty to the shoe industry if I did not call it to the attention of the Senate.

Mr. MUNDT. Mr. President, I wish to say to the distinguished Senator from Massachusetts [Mr. Saltonstall] that I am pleased that he is not going to offer an amendment to strike our language stopping the embargo on hide exports. I think that the Record, however, should abundantly show the facts so that they may be amply reported in Massachusetts and other areas where the shoe industry is vital to the economy, that the Senator from Massachusetts [Mr. Saltonstall], the Senator from Maine [Mrs. Smith], who is the ranking minority member of the subcommittee, and the Senator from New Hampshire [Mr. Cotton] made a very determined effort both in the subcommittee and in the full committee to call to the attention of the committee the shoe industry. So did the Senator from Rhode Island [Mr. Pastore].

As the Senator has correctly said, by a majority vote in the subcommittee, and by a rollcall vote of 17 to 5 in the full committee, the Committee on Appropriations decided against the removal of this passage in the belief, which I abundantly share and emphatically argued in committee to the effect that other factors which weigh greater in significance than the cost of raw hides purchased by shoe manufacturers are responsible for the fact that they have had to increase the price of shoes, even after the Secretary of Commerce made his export control order on hides.

I am sure that that was not done by any effort on the part of the shoe manufacturers to enhance profits. I am sure they are in an economic squeeze because of the inflation, the cost of labor, transportation, handling, and merchandising, and the pyramiding to the customer of all increased prices. In addition, there is a problem in the foreign importation of shoes. We have a high tariff—and I think wisely so—which protects as much as it can the shoe industry against the importation of cheap merchandise.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I shall be glad to yield the floor, Mr. President.

Mr. President, I ask unanimous consent that I may insert in the Record as a part of my remarks, before the colloquy with the Senator from South Dakota [Mr. Mundt], the testimony of Secretary Connor, at page 345 of the State, Justice, and Commerce hearings which were held this year, together with a letter from Thomas Shannon of the National Footwear Manufacturers.

There being no objection, the material was ordered to be printed in the Record, as follows:

TERMINATION OF PRESENT CONTROL

Senator McClellan. I have looked at your order. Was your order only for calendar year 1966?

Secretary Connor. Yes, sir. It goes to December 31, 1966.

Senator McClellan. Are there any questions on this subject before I leave it? It is better, if we can, to take it by subjects.

Senator Saltonstall. Mr. Connor, it is a question of supply and demand; is it not?

Secretary Connor. Yes, sir.

Senator Saltonstall. You feel that the supply is not enough to take care of all our needs and the market abroad, too, and that you should exercise some control?

Secretary Connor. That was my conclusion last spring, Senator Saltonstall, and for the year 1966. I think it does need to be reviewed, though.

Senator Saltonstall. You want to have discretion?

Secretary Connor. Exactly; yes, sir.

LETTER OF THOMAS L. SHANNON, COUNSEL, NATIONAL FOOTWEAR MANUFACTURERS ASSOCIATION, INC., REQUESTING DEFLECTION OF SECTION 304

(The chairman of the subcommittee has directed that the following letter and memorandum, received by him subsequent to the hearing, be included in the record at this point:)

Collier, Shannon & Rill,
Attorneys at Law,
Washington, D.C., October 6, 1966.

Hon. John L. McClellan,
U.S. Senate,
Washington, D.C.

Dear Senator McClellan: I am enclosing a memorandum as per our telephone conversation this morning. The shoe manufacturers of Arkansas are most interested in seeing that the language in the House Report (H.R. 2160) forbidding money to be spent by the Department of Commerce on administering hide export controls be stricken from such report. It is essential that the Department of Commerce be allowed to administer the orderly flow of such a vital raw material.

Thank you for your consideration.

Sincerely,

Thomas L. Shannon,
Counsel, National Footwear Manufacturers Association, Inc.

MEMORANDUM

The National Footwear Manufacturers Association is a trade association representing manufacturers of 85 percent of the $2.5 billion of leather footwear produced in the United States annually. The National Footwear Manufacturers Association is extremely disturbed by language which the House Appropriations Committee has inserted into H.R. 18119, the 1967 appropriation bill for various executive departments "in connection with General Provisions—Department of Commerce:

"Section 304. No part of any appropriation contained in this title shall be used for the enforcement of any export control order on cattle hides, calf and kip skins, and bovine leather."

Export controls on cattle hides were applied in March 1966 by the Secretary of Commerce, after exhaustive study and full public hearing. This action was a necessary response to extraordinary increases in hide exports, particularly to Russia and other Communist Bloc countries, and a sharp rise in domestic demand brought on by military footwear orders for Viet Nam. Together these factors had almost doubled United States hide prices in 12 months.

Controls were eventually adjusted to permit the export in 1966 of 87 percent of 1965 hide exports. These controls have had the intended effects of stabilizing United States hide prices and assuring an adequate supply of hides in this country.

The quoted language would remove these controls and completely deprive the Department of Commerce of the opportunity to maintain the orderly flow of these precious raw materials. We strongly urge that the above referred to language be stricken from the bill (H.R. 18119), under consideration.

Mr. SALTONSTALL. Mr. President, I yield to the Senator from Montana.

Mr. MANSFIELD. Mr. President, I wish to corroborate what the Senator from South Dakota [Mr. Mundt] has said. His enumeration of the vote is correct. I wish to pay my deepest respects to the distinguished Senator from Maine [Mrs. Smith], the distinguished Senator from Massachusetts [Mr. Saltonstall], the distinguished Senator from New Hampshire [Mr. Cotton], the distinguished Senator from Rhode Island [Mr. Pastore], and the other Senators who voted for this measure. Had I been in their shoes, I would have waged just as vigorous a battle as they did—and they did wage a vigorous battle, because they kept us tied up for 3 hours before we reached an agreement. Unfortunately, the situation with respect to exports was not as the Secretary had told us. He said it would not have caused the increase in the price of shoes that it has. He said it was not a cause of the decrease in the price of hides from 21 cents a pound to 14 cents a pound. I ask the Senator from Nebraska if he will confirm that statement.

Mr. HRUSKA. The Senator is correct.

Mr. MANSFIELD. It was a difficult problem, but I commend them for the vigorous efforts they made to retain controls and give the extra money to the Department of Commerce. Had I been in their shoes, I would have done what they did.

Mr. SALTONSTALL. Mr. President, I wish to say to the distinguished majority leader that while he did not raise his voice very loudly, as he never does, his almighty presence was felt by those in opposition.

Mr. MUNDT. Mr. President, I wish to go further. Not only did the distinguished majority leader enhance the prestige of our position on that bill but he did raise his voice in his customary soft but influential manner in behalf of the cattle industry.

Mr. President, I would not want the people in Cut Bank, Mont., and other places in the cattle country of Montana to feel that he sat in committee and said nothing. The distinguished majority leader did raise important points. I shall have more to say in that regard in just a moment.

Mrs. SMITH. Mr. President, as the ranking minority member of the subcommittee which handled H.R. 18119, the appropriation bill for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1967, I want to compliment the distinguished chairman of the subcommittee [Mr. McClellan] for the excellent manner in which he carried out his assignment and duties in reporting the bill. My thanks also go to the very able staff director, Harold Merrick, and to William J. Kennedy of the staff.

The chairman [Mr. McClellan] and I joined together after the hearings were completed, going over each and every item in the bill in an effort to arrive at equitable recommendations to the subcommittee.

The chairman has already discussed all the money items in the bill, so I shall not take the time of the Senate to expand in this area, except to state that the appropriation bill before us totals $2,350,886,600, which is $13,122,000 under the House bill and $283,518,400 under the budget estimate.

There was a need to preserve a certain balance to maintain the integrity of the most necessary programs, while still indicating that we were aware of the need to avoid adding to inflationary pressures. If Senators will inspect the hearings supplied to them, they will note that I continually asked that departmental witnesses requesting funds, either in the budget request as submitted, or in the form of a request for restoration of funds denied by the House, that they closely reexamine the requests to determine whether or not the items involved could be reduced to a lesser figure or eliminated altogether. Additionally, at my request the chairman directed the staff to consult with the several departments and agencies to determine to what extent they could comply. I want to commend the departments for their high degree of cooperation along these lines in helping to hold the appropriations to acceptable levels.

As far as the money items in this bill are concerned, I support them wholeheartedly. However, the language which appears in the bill dealing with export regulations I cannot support. Section 304 of the bill prohibits the Secretary of Commerce from using any appropriated funds contained in title III for the enforcement of any export control order on cattle hides, calf, kip skins, and bovine leather. A motion to delete the language in the House bill did not prevail in the committee.

I have had many requests from the leather industry, including manufacturers and their workers, to have this language provision deleted. I have spent considerable time exploring the pros and cons of this section of the bill, and I believe the problem is one which is of serious concern to every State in the Union where shoes and other leather goods are manufactured.

In view of the inflationary pressures and the Vietnam situation, I believe that the committee used excellent discretion in their decisions before reporting the bill. It is in keeping with the President's desire to hold down Federal expenditures. I feel that the amounts recommended in the bill for the various departments and agencies will provide adequate funding for the current fiscal year and will meet the obligations of the departments.

Mr. President, I join the chairman of the subcommittee in support of the passage of the bill.

Mr. President, I ask unanimous consent to have printed in the Record some messages I have received on the subject of export controls on cattle hides.

There being no objection, the telegrams and letters were ordered to be printed in the Record, as follows:

G. H. Bass & Co.,
Wilton, Maine, October 7, 1966.

Senator Margaret Chase Smith,
Senate Office Building,
Washington, D.C.:

We strongly urge you do everything possible to remove provision section 304 of the H.R. 11819 which would eliminate funds for enforcing export control on cattle hides. It is important to us as well as to the entire shoe industry that these controls continue.

Thank you.

George H. Bass.

R. P. Hazzard Co.,
Augusta, Maine, October 7, 1966.

Senator Margaret Chase Smith,
Senate Office Building,
Washington, D.C.:

Footwear association advises under farm pressure House inserted provisions on Commerce appropriations bill which would eliminate funds for enforcing export controls. We feel it is essential Commerce Department receipts funds to continue hide licensing. Hide licensing has been sufficiently effective in past 6 months to cause leather prices to drop approximately 9 cents per foot, which means 25 to 35 cents per pair at manufacturing level. Export license plan is an excellent inflationary control.

Frank Marran, *President.*

Eastland Shoe Corp.,
Freeport, Maine,
Northland Shoe Corp.,
Freyburg, Maine, October 7, 1966.

Senator Margaret Chase Smith,
Senate Office Building,
Washington, D.C.:

We call your attention to provision in Commerce appropriations bill which would eliminate funds for enforcing export controls on cattle hides. In view of importance of hide control machinery, it is essential Commerce be given funds to continue hide licensing. We strongly urge you to work for removal of this provision section 304 of H.R. 11819, otherwise controls will be dropped shortly and this would create a very serious and harmful situation.

Jonas B. Klein.

Universal Shoe Corp.,
Sanford, Maine, October 7, 1966.

Senator Margaret Chase Smith,
Senate Office Building,
Washington, D.C.:

Very urgent that funds be given to Department of Commerce to continue hide licensing in view of importance hide control machinery. We would appreciate very much for removal this provision section 304 of H.R. 11819, otherwise control will be dropped. This will greatly hurt the shoe industries. Thank you very much.

Best regards,

Ralph M. Lovell,
Milton Isenberg.

Lown Shoes, Inc.,
Auburn, Maine, October 7, 1966.

Senator Margaret Chase Smith,
Senate Office Buildng,
Washington, D.C.:

Commerce appropriations bill eliminating funds for enforcement of export controls would be death blow to shoe industry in the State of Maine. It is essential that Commerce Department be given enough funds to continue hide licensing. Implore you to fight for removal of section 304 of H.R. 11819.

Lawrence Halpern, *President.*

Gardiner Shoe Co., Inc.,
Gardiner, Maine, October 7, 1966.

Senator Margaret Chase Smith,
Senate Office Building,
Washington, D.C.:

We urge strongly the removal of section 304 of H.R. 11819 dealing with funds for export controls of hides. Your prompt action will mean much to the shoe industry.

Alan A. Rubin, *Vice President.*

Bruce Shoe Co., Inc.,
Biddeford, Maine, October 7, 1966.

Senator Margaret Chase Smith,
Senate Office Building,
Washington, D.C.:

It is imperative for the welfare of the entire Maine shoe manufacturing industries that any provisions in section 304 of H.R. 11819 relevant to eliminating funds for enforcing export control on cattle hide be deleted. I strongly urge that you do everything in your power to assure that hide export control machinery continue to function,

Sydney Spiegel, *President.*

Truitt Bros., Inc.,
Belfast, Maine, October 7, 1966.

Hon. Margaret Chase Smith,
Senate Office Building,
Washington, D.C.:

Kindly assist us for removal section 304 of H.R. 11819. Hide control on export imperative to hold leather and shoe prices. Thanks.

V. J. Klyne.

Pine Tree Tanning Co.,
Howland, Maine, October 7, 1966.

Hon. Margaret Chase Smith,
Senate Office Building,
Washington, D.C.:

We respectfully urge you to oppose the denying of funds for export control of hides. The Commerce Department must have funds available to control hide exports if domestic supply and demand require and to insure full employment in our tanneries.

Russell Hockridge, *Vice President.*

Hartland Tanning Co.,
Hartland, Maine, October 7, 1966.

Hon. Margaret Chase Smith,
Senate Office Building,
Washington, D.C.:

We respectfully urge you to oppose the denying of funds for export control of hides.

The Commerce Department must have funds available to control hide exports if domestic supply and demand require and to insure full employment in our tanneries.

D. E. Connelly, *Vice President.*

E. E. Taylor, Corp.,
Freeport, Maine, October 7, 1966.

Senator Margaret Chase Smith,
Senate Office Building,
Washington, D.C.:

It is my hope funds will be made available in Commerce appropriations to enforce export controls on cattle hides. Controls must not be dropped; if they are we are going to have unbearable inflation in our industry. The rocking of the boat has slowed down recently. Let us not start it rocking again.

Miles Baker, *President.*

Old Town Shoe Co.,
Old Town, Maine, October 8, 1966.

Senator Margaret Chase Smith,
Senate Office Building,
Washington, D.C.

Dear Senator Smith: Although I have not had the opportunity to see you recently, I do follow your statements and activities very closely and usually I am proud of your actions.

About three years ago, I sold my interest in the Lown Shoe Company, but the factory still bears my name and continues to employ many people in Auburn. Beside, I am very much involved in the four factories we operate in Pittsfield, Bangor, and Old Town, as you very likely know.

In the past couple of years the price of leather has risen considerably, as well as the cost of labor and other items that contribute to the cost of manufacturing and we, in common with the entire shoe industry have been forced to increase prices.

Fortunately, last Spring the government imposed an export control on hides, thereby stopping the rapid rise in the price of leather. As a result the prices on shoes became more or less stablized.

After arriving in Chicago to attend the National Shoe Fair, I learned that the farm group in the House inserted a provision in the Commerce appropriation bill to eliminate funds for enforcing export control. I urge you most strongly to oppose such a move; otherwise the prices on hides will skyrocket, and sharp increases in the prices of shoes will result.

I would appreciate it very much, if you would advise me what action you are taking.

With kind personal regards, I am,

Sincerely,

Philip W. Lown, *President.*

Songo Shoe,
Portland, Maine, October 8, 1966.

Senator Margaret Chase Smith,
Senate Office Building,
Washington, D.C.:

We urgently urge you to keep controls on hide section 304 of H.R. 11819.

Abe Berkowitz.

Mr. SALTONSTALL. Mr. President, will the Senator from Maine yield?

Mrs. SMITH. I am glad to yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Speaking as the senior Republican member of the Committee on Appropriations, I know that I express the feelings of all Republicans on the committee, as well, I am sure, of all members of the committee from the other side of the aisle for the conscientiousness and thoroughness with which the senior Senator from Maine exercised her responsibility as the senior Republican member of this subcommittee in carrying forward its work. I agree with her entirely and sympathize thoroughly with her problem, but we have been met with the forceful views of the Senator from South Dakota [Mr. Mundt], backed strongly by Senators on the other side of the aisle, expressed eloquently but inadvisedly, in our opinion.

I also want to commend the senior Senator from New Hampshire [Mr. Cotton] for his efforts to remove this provision. He is a consistently vigorous, forceful and eloquent fighter for the shoe workers and producers of his State.

Mrs. SMITH. I thank the distinguished Senator from Massachusetts for his generous and kind words.

I might also invite his attention to the fact that he was standing in front of another vocal Senator, the Senator from Nebraska [Mr. Hruska]; and at his left, across the aisle, was the distinguished majority leader, who really turned the tables when he came into the committee room.

Mr. MUNDT. Mr. President, if I may resume, I may say, as I said earlier, that the representatives who came from States which manufacture shoes presented their case in a highly commendable and forceful manner. Perhaps the reason why we from the cattle country were able to carry the day so emphatically is, happily, that there are more States that raise cattle than make shoes; I do not know. But I do know that the cattle industry has been seriously damaged by a whole series of economic events, under this administration, of which this particular one, the embargo order on exports, has been of immediate damage in the downgrading of cattle prices. The cattle industry also suffers from the fact that we have recently reached an all-time high in the importation of cattle products into this country which have combined to force down prices.

Let it be said for the cattle industry that it is one segment of the agricultural economy which has survived the ups and downs of agricultural programs and economic cycles. It has stood on its own feet. It has never had a subsidy. It has never had a support price. It has never had to resort to marketing quotas. It has been able, with the assistance of Congress, and sometimes the providing of protections which have however unfortunately been inadequate, but have been helpful, to maintain its solvency.

Having paid due, just, and proper tribute to the members of the subcommittee and the full committee who fought the good fight for the shoe industry, let me say that we were joined in the fight on our side not only by the distinguished majority leader, to whom I have already paid a compliment which is well merited, but also to the distinguished Senator from Nebraska [Mr. Hruska], who has been a great battler on every occasion and who actually was the leader in the fight, some years ago, when we had the importation problem which we hoped to solve by congressional action but during the legislative process it got watered down a bit and did not have quite the impact we had hoped, but which did some good.

Likewise, the distinguished Senator from North Dakota, who is not in the Chamber at the moment, but who is the second ranking member of the Appropriations Committee on the Republican side, was most helpful in arraying statistics, facts, and arguments, as did the distinguished Senator from Texas [Mr. Yarborough].

When the showdown battle came, after long debate yesterday, the vote was gratifying from our standpoint—17 to 5.

I am glad that this issue is going to be settled as I believe it should and can be settled, so that ways and means can be found to help the shoe industry with its problems. We should do it without an approach which shoots the cattlemen out of their saddles and causes them to suffer a price decrease anywhere from $3 to $5 to $7 per "critter" as has been the direct result of the action taken by the Secretary of Commerce and this administration when they put on the embargo which, happily, the action which we are taking in this bill will terminate.

Mr. TYDINGS. Mr. President, I send to the desk an amendment to the judiciary appropriation bill to add one law clerk to each of the circuit courts of appeals, which would increase the amount of money appropriated by some $55,000.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk read the amendment as follows:

On page 49, line 14, strike out "$37,400,000" and insert in lieu thereof "$37,455,000".

Mr. TYDINGS. Mr. President, I am happy that the Senator from Nebraska [Mr. Hruska] is also in the Chamber, because the problem to which I address myself is one in which he is also keenly interested as are many of the members of the Committee on the Judiciary; that is, the problem of getting the greatest amount of judicial efficiency for each dollar expended.

Mr. President, I appeared before the Subcommittee on Appropriations to urge an appropriation which would provide two law clerks for each U.S. Circuit Judge. The administrative office of the U.S. courts requested in the budget submitted by the President, three additional law clerks for each circuit rather than the two law clerks for each circuit judge that I think proper.

The House committee struck out the appropriation for additional law clerks. The Senate subcommittee added two additional law clerks for each circuit court.

My amendment would increase the number from two to three clerks for each circuit court.

I should like, if I might, address my argument to the fact that we should really have two law clerks for each circuit judge.

During the past 6 years, two omnibus judgeship bills have increased the number of Federal judges by almost one-third, yet this increase in the number of judges has not materially decreased the backlog of litigation. Each new judge costs approximately $250,000 when he is appointed—that is, for new chambers, law libraries, and so forth. Yet judges of the various U.S. courts of appeals, with whom I have spoken in the past 2 years have stated without dissent that, if they had two law clerks with them, they would be able to increase their output by as much as one-quarter to one-third.

Mr. President, during the past year, a number of Federal circuit judges have corresponded with me, urging an appropriation to allow the employment of two law clerks by each circuit judge.

I ask unanimous consent to have printed in the RECORD letters from the Honorable Griffin Bell, of the Fifth Circuit Court of Appeals, dated June 18, 1965; the Honorable Walter D. Gawin, of the Fifth Circuit Court of Appeals, dated July 8, 1966; the Honorable Clement T. Haynesworth, chief judge of the Fourth Circuit Court of Appeals, dated June 2, 1966; the Honorable John Biggs, Jr., former chief judge of the Third Circuit Court of Appeals, dated June 3, 1966; and the Honorable J. Edward Lumbard, chief judge of the Second Circuit Court of Appeals, dated June 14, 1966.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

U.S. COURT OF APPEALS,
FOURTH JUDICIAL CIRCUIT,
Greenville, S.C., June 1, 1966.

HON. JOSEPH D. TYDINGS,
U.S. Senate, Washington, D.C.

DEAR SENATOR: Mr. Figinski, of your office, spoke to me this morning of your interest in the need of courts of appeals for additional law clerks. After discussing the matter with him, he suggested that I report my thoughts to you in a letter for your consideration. This, I am very happy to do, for it is a subject which we regard of substantial urgency.

Under the present law, each judge of my court is authorized to employ one law clerk. Each does, of course. Additionally, one messenger is assigned for the court. We have absolutely no need for a messenger, but we have been using that authorization for an additional law clerk for the chief judge, despite the very substantial unfairness in the discrimination in compensation.

We have made one other makeshift arrangement. To procure urgently needed assistance in processing habeas corpus and § 2255 cases, we have appropriated one of the positions of the Clerk's office, which is filled by a qualified law clerk.

At the present time, therefore, each judge of the court has one law clerk, in addition to which I have two other boys who function as law clerks, though one of them is paid as a messenger and the other is technically a deputy clerk of the court.

The payment of one of my regular clerks as a messenger is grossly unfair ($3,814 instead of $7,479). Each has the same high qualifications, and each of the incumbents has a family to support. In order that one boy need not alone bear the unfairness of this discrimination in compensation, I make them change places in the middle of the year, so that, on an annual basis, each of my clerks receives substantially less remuneration than law clerks serving with district judges and other circuit judges. Moreover, the appropriation of the deputy clerk's position for a habeas corpus law clerk has substantially aggravated a rather critical condition in the already understaffed clerk's office. We have been forced into these highly undesirable improvisations, because of the absence of any other congressional authorization.

Under temporary authorization, Judge Sobeloff has a second law clerk, paid as a messenger, however. This is an extension for a limited period of the staff he had when chief judge. There is no doubt that his use of two law clerks very substantially contributes to his productivity. He is of the opinion, as am I, that his productivity would be substantially impaired if his authorized staff is reduced to one law clerk, as it is supposed to be next year.

Judges Boreman, Bryan and Bell now have only one law clerk each. Each of those judges, however, is of the opinion that he could effectively use a second law clerk with substantial improvement in his efficiency and productivity.

Two more judges have been authorized for this court, as you know, for the authorization in no small measure was attributable to your good offices. With the very high volume of cases with which we are now contending, more judges are not a complete answer, however, and still more judges will not be a satisfactory answer some years hence when the volume has grown still larger. If the expenditure of a relatively small sum of money can make the present complement of judges more efficient and more productive, it seems to all of us a highly appropriate means for the improvement of the administration of justice and a more desirable alternative to subsequent increases in the number of judges.

Because of the very heavy burden of administrative matters, all of the judges of this court recognize that the need of the chief judge for the additional assistance of law clerks is the most urgent, but we are all agreed, also, that authorization of a second law clerk for each judge of the court will make a substantial contribution to our capacity, efficiency and productivity, and to the effective administration of justice to the extent that it rests in our hands. Additionally, the court, itself, should have authorization to employ a habeas corpus clerk to work under the direction of the chief judge without having to resort to a deputy clerk's position when use of such a position aggravates an already difficult situation resulting from lack of an adequate staff in the clerk's office to care for the greatly increased volume of cases.

I am firmly of the opinion that authorization of additional regular law clerks and of a habeas corpus law clerk will not only contribute substantially to the cause of justice, but, in the course of a relatively short period, will work substantial economies in the cost of administration of the courts.

We are all grateful to you for your continuing interest in the courts, our problems and the cause of judicial improvement.

With warmest regards,

Sincerely,

CLEMENT F. HAYNESWORTH, Jr.

U.S. COURT OF APPEALS,
New York, N.Y., June 14, 1966.

HON. JOSEPH D. TYDINGS,
Senate Office Building,
Washington, D.C.

DEAR SENATOR TYDINGS: With reference to our talk on the occasion of your visit to New York on May 9, I should like to set forth the reasons why I believe that Congress should provide for additional law clerk assistance for federal appellate court judges. Each circuit judge should be able to appoint two law clerks instead of only one as the law now provides.

The increase in the volume and complexity of litigation in the federal courts has added considerably to the amount of material which each judge must study in order properly to familiarize himself with the facts and precedents which control. In the busiest circuits, and this includes most of the eleven, the volume of reading which must be done is far beyond what may be expected of the judge himself and his one law clerk. The young men who serve as our law clerks are well equipped to do much of this work under the supervision of the judge.

It is the duty of the judges to make an independent search of the record and the law beyond what is made available by the briefs and arguments of counsel. Consequently, much time must be taken to check references, read parts of the record and research the law. The motions which must be passed upon add greatly to the volume of paper work. And, in the Second Circuit Court of Appeals, our traditional and unique system which has each judge preparing and circulating an inter-panel memorandum after the argument of a case and before the conference, increases our workload, as does our practice of fully reading the briefs in advance of argument.

Moreover, in recent years the growing number of state-prisoner habeas corpus proceedings has added hundreds of voluminous applications, difficult to understand or even to read.

In the past few years most of the active circuit judges of our court have found that they cannot do the necessary work with only one law clerk. For the 1965–66 Term five of our nine judges selected messengers who are law school graduates and they have used these messengers to do law clerk work, in addition to their messenger work. For the 1966–1967 Term six of our judges have selected such law clerk-messengers in addition to their law clerk.

These law clerk-messengers have been high-ranking men at law school; they should be paid the law clerk salary of $7,479 per annum, Grade JSP–9, instead of the messenger salary of $3,814, Grade JSP–2, which is even less than the salary of a district court judge's bailiff who may not have any legal education.

Accordingly these law clerk-messengers must be men who are so situated financially that they can absorb a considerable loss of income which they are willing to incur because of the experience and prestige of the position. It needs no argument to point out that the proper handling of important public business should not be governed by such haphazard handicaps as finding a law clerk who is able to work at $3,600 less than his labor is worth.

It is far better management and obviously more economical to meet the more demanding needs of our judicial system by supplying adequate supporting personnel, where that personnel can be effectively used, than it is to multiply the number of judges. Moreover, I think it is generally agreed that it is highly undesirable to increase the size of our federal appellate courts beyond nine active circuit judges—a figure already reached by the Second, Fifth, Ninth and District of Columbia circuits. As you know this is the view of the Judicial Conference of the United States, which approved 13 judges for the Fifth Circuit only as a sui generis temporary expedient.

The increase in supporting personnel of the Supreme Court is a precedent which supports my suggestion. Each justice is now allowed two law clerks and the Chief Justice has three. In many of our courts of appeals the judges are expected to read and study substantially as much printed and written matter as are the justices of the Supreme Court.

In short, I believe the time has come when most of our circuit judges need two additional pairs of trained eyes to assist them. As a rule of thumb, I would suggest that whenever the number of appeals filed in a court of appeals exceeds a certain number per judge, for two consecutive years, each of the active circuit judges of that court should be empowered to appoint two law clerks.

Yours very truly,

J. EDWARD LUMBARD.

THIRD JUDICIAL CIRCUIT,
Wilmington, Del., June 3, 1966.

Re additional law clerk for U.S. circuit judges.

HON. JOSEPH D. TYDINGS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR TYDINGS: Additional law clerks would be of very substantial assistance to circuit judges in active commission. I hope that Congress will see fit to provide them.

Each year the courts of appeals are required to adjudicate more and more difficult problems, problems frequently requiring hours of research if their solutions are to be in accordance with law.

In my opinion additional assistance in the field of legal research is most necessary.

Very cordially yours,

John Biggs, Jr.

U.S. Court of Appeals,
Fifth Judicial Circuit,
Tuscaloosa, Ala., July 5, 1965.

Senator Joseph D. Tydings,
Chairman, Subcommittee on Improvements in Judicial Machinery, Washington, D.C.

Dear Senator Tydings: This is my first opportunity to respond to your letter of June 15 enclosing copy of your subcommittee report. Thank you very kindly.

It is my considered judgment that members of our court would be aided greatly if each judge were authorized to employ two law clerks. For the past several months we have been allowed to have a messenger, who some of us have used as an assistant law clerk. The salary is only $300.00 per month which makes it almost impossible to obtain a competent messenger. We have been advised by the Administrative Office that this arrangement will likely be terminated in September.

Our workload in the Fifth Circuit is overwhelming. In spite of all we do it seems impossible to stay abreast of our work.

Sincerely,

Walter D. Gewin.

U.S. Court of Appeals,
Fifth Judicial Circuit,
Atlanta, Ga., June 18, 1966.

Hon. Joseph D. Tydings,
Chairman, Subcommittee on Improvements in Judicial Machinery, Committee on the Judiciary, U.S. Senate, Washington, D.C.

Dear Senator Tydings: This will thank you for your letter of June 15, 1965 and a copy of the Study of the Federal Judicial System Report. I have read it with much interest.

Eventually some study is going to have to be made regarding an overall reapportionment of the circuits and districts. I am sure that you are aware, based on your experience as a lawyer and as a United States Attorney that the districts and the circuits are much out of balance when considered in the light of caseload and available judges. Litigants in the Fifth Circuit for example are delayed in having their cases decided as compared to litigants in some of the other circuits. The disparity is even more spectacular when some of the districts are compared. Of course, I realize that the alleviation of such disparity presents a large, and perhaps almost insoluble problem.

I do want to mention a small matter to you. It is probably unworthy of the attention of your Committee. However it is an important matter to the judges on our court. About a year ago we were authorized by the Court Administrative Office to employ a messenger. Most of us have employed a law school senior or a lawyer just out of law school under the title of messenger to act as an assistant law clerk. This has afforded us considerable relief in handling our heavy and unprecedented caseload. Today I received a letter, from the Court Administrative Office and I assume that the other members of our court received a similar letter, that the House of Representatives has denied funds with which to employ messengers beginning next fiscal year and that it is unlikely that messengers will be authorized beyond September this year.

This is the season of the year when we employ men in this capacity. Good men are only available for one year. The salary is only $3,680 per annum. I hope that some arrangement can be made to allow us this service in the future. In fact, I would hope that the alternative title of "Assistant Law Clerk" could be used. We will appreciate any help that you can give us. The loss of an assistant law clerk will affect my productivity as a judge at a time when we need more productivity.

With thanks,

Yours sincerely,

Griffin B. Bell.

Mr. TYDINGS. Mr. President, from these letters, it will be noted that in the past, some circuit judges have been getting the assistance of two law clerks through the device of hiring one man with high legal qualifications as a messenger, and yet have him perform essentially the same kind of duties as a law clerk would perform, but paid a very meager salary.

Judges have been glad to get the assistance of a second young lawyer by any means available. They switch the two positions midway through the year so the burden does not fall on one young man; but they are depriving one of the young lawyers of what is a decent day's salary.

Another situation with which I am familiar is that of a distinguished judge paying from his own pocket for an additional law clerk.

According to the figures supplied by the Administrative Office of the U.S. Courts, in fiscal year 1958, 3,694 appeals were brought to the court of appeals. In fiscal year 1962, 4,823 appeals were filed. During fiscal year 1965 the caseload had reached 6,766, a figure almost double that of fiscal 1958.

I contend that the way to improve the judicial machinery is not merely by increasing the number of judges. There are tools to increase the output of each judge. If the cost of some $7,500 for an additional law clerk could increase the output of each judge by 25 to 33 percent, the expenditure would be a wise one.

I would hope that the distinguished chairman of the Subcommittee on Judicial Appropriations would accept my amendment. As he knows, I argued before his committee for an amendment which would permit each circuit judge to employ two law clerks. In his wisdom, he put back two of the three law clerks per circuit, which were asked for by the judiciary. My amendment would put back that additional law clerk per circuit, so that there would be three law clerks per circuit, as requested by the judiciary.

I ask unanimous consent that a prepared statement on this subject, with additional remarks, may be inserted in the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Law Clerk Testimony Before Senate Appropriations Subcommittee

Mr. Chairman, I appear before this Subcommittee today to urge an appropriation that, while small in amount, will enhance the administration of justice in the federal courts. I urge this Subcommittee to amend the judicial appropriation to provide sufficient funds to allow each of the eighty-eight federal circuit judges to hire two law clerks.

Under present appropriations circuit judges have sufficient funds to employ only a single law clerk. This limitation is in contrast to the law clerk assistance that is provided to other members of the federal judiciary. Associate Justices of the United States Supreme Court have sufficient funds to employ two law clerks, and Federal district judges, in addition to a single law clerk, may employ a crier-law clerk who possesses a law degree. The present appropriation calls for 80 crier-law clerk positions.

During the past year a number of Federal circuit judges have corresponded with me urging an appropriation sufficient to allow the employment of two law clerks by each circuit judge. I would like to introduce for the record those letters from the Honorable Griffin Bell of the Fourth Circuit Court of Appeals, dated June 18, 1965; the Honorable Walter D. Gewin of the Fifth Circuit Court of Appeals, dated July 5, 1965; the Honorable Clement F. Haynesworth, Chief Judge of the Fourth Circuit Court of Appeals, dated June 1, 1966; the Honorable John Biggs, Jr., former Chief Judge of the Third Circuit Court of Appeals, dated June 3, 1966; and the Honorable J. Edward Lumbard, Chief Judge of the Second Circuit Court of Appeals, dated June 14, 1966. Each of these letters aptly explains the need for additional law clerks.

From these letters you will note that in the past some circuit judges have been getting the assistance of two law clerks through the device of hiring one man with high legal qualifications as a messenger and having him perform essentially the same type of duties as the law clerk, although he is paid a very meager amount. The judges have been glad to get the assistance of a second young lawyer by whatever means available because the workload of the courts of appeals has been increasing at a great rate over the past several years. According to figures supplied by the Administrative Office of the United States Courts, in fiscal year 1958, 3,694 appeals were brought to the courts of appeals. In fiscal year 1962, 4,823 appeals were filed. During fiscal year 1965 the spiraling caseload had reached 6,766, a figure almost double that of fiscal 1958.

In handling this increasing volume of appeals, heavy burdens are placed on the circuit judges to study the records in the individual cases, check the references cited in the briefs and arguments of counsel, and to research the relevant law. Reliable law clerks, traditionally recent law graduates with outstanding records in their respective law schools, can provide invaluable assistance to the judge in performing these research tasks. During the past year I have attended the Judicial Conferences of the Fourth and Fifth Circuits. At both Conferences the judges were quite candid in expressing their need for an additional clerk to assist him in researching the law. I have heard no circuit judge proclaim a disinterest in additional clerks.

The young men who serve as law clerks not only provide a valuable, indispensable service to the judge who employs them, but they also receive an unmatched educational experience which prepares them to provide a higher quality of legal service to their future clients and the public in general. All of you, I am certain, have known of the invaluable training that judges from your states have provided to talented young men who have gone on to achieve prominence in the legal profession. In Maryland our renowned and beloved Judge Morris A. Soper, long a figure of distinction on the bench of the Fourth Judicial Circuit, employed a series of men as his law clerks who went on eventually to serve in high governmental posts, as judges, and as highly capable attorneys. Each of those men would rank his experience as Judge Soper's law clerk as one of the most broadening and enlightening elements in his career. How valuable to the Maryland Bar and the state of Maryland it would have been if Judge Soper could have had the opportunity to have had the services of and influenced the development of twice as many young men. Making more clerkships available to the circuit judges will be of great benefit to both the judges and the men who will serve in that capacity.

In order to allow each of the eighty-eight federal judges to employ two law clerks, the appropriation for supporting personnel of the Federal judiciary will have to be raised approximately $707,845. This will allow the employment of the additional law clerks in grade JSP–9 at $7,479 per annum. $656,945 will be required for salaries, while $50,900 will be required for related Government contributions to the retirement fund, for group life insurance and health benefits. Not only will the appropriations need to be authorised, but the limitation on staff salaries by circuit judges, contained in Title IV of H.R. 18119, will have to be amended.

I make this plea for additional law clerks for the circuit judges in full knowledge that my request for an appropriation goes beyond the judiciary budget requested in the House. The original judiciary budget asked for funds for the employment of thirty-three additional law clerks for the Courts of Appeals. Such funds amounted to $264,600 and would have allowed each of the eleven courts of appeals to employ three law clerks who would perform such services for the court as the chief judge directed. Employment of thirty-three law clerks and the division of them equally among the circuits would be only a partial, and not particularly effective means of providing the additional law clerks that the circuit judges need. Eight of the eleven circuits have eight or more judges. Only one circuit, the First, has less than six judges. Thus ten of the eleven circuits, even if the provision for the thirty-three additional law clerks were available, would receive at best only a half-way answer to their need for additional supporting personnel.

The PRESIDING OFFICER. The question is on agreeing to the amendment.

Mr. McCLELLAN. Mr. President, personally I am very much in sympathy with the Senator's amendment. I am convinced that there is now a burdensome docket in most of our circuit courts. I know directly from one of the judges that one clerk is wholly inadequate to meet the judge's requirements.

I was inclined, and am inclined, under the circumstances, to support an amendment or an appropriation for an additional clerk for each judge. I believe we would be justified in doing that in view of the increased caseload and workload of the circuit courts of appeals. The docket has been tremendously increased by reason of recent court decisions, particularly decisions which dealt with criminal cases whereby all precedents have been shattered and many persons who have been previously convicted and are serving sentences now have the door open to have further consideration.

Many habeas corpus petitions are being filed. Other areas of litigation have been tremendously increased.

I think we would be justified in allowing another clerk for each judge.

In my own study, there is a member of the eighth circuit court of appeals, who, I know from my personal knowledge, is actually hiring an additional clerk and paying for his services out of his own pocket. He tells me it is imperative if he is to carry on his work and expedite the business which is assigned to him.

I think the distinguished Senator from Maryland has a point, a very potent argument, in that it is much more economical to give each of the judges the tools he needs to work with, rather than to increase the number of judges. At least, we would effectuate some economy by doing that.

I am not authorized by the subcommittee to accept the amendment. If I were, I would accept this amendment, because we will go to conference. There is nothing in the House bill on it. The House has not made allowance for it. If I were free to do so, I would accept the amendment, but I have not had an opportunity to consult with members of the subcommittee. Therefore, I shall not accept it, except to say that if the Senate will adopt it, it will give us an opportunity to consider it further, and in conference it is my hope that the conferees and the full House will agree to this amendment.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Maryland.

The amendment was agreed to.

Mr. HRUSKA. Mr. President, I should like to make some brief comments on section 304, which has been commented upon by several of my colleagues heretofore.

I want to associate myself with the position of the Senator from South Dakota [Mr. Mundt]. We did have a spirited discussion of this matter in committee. Cowhides are not the only component part of shoes that have increased in price. With the price of cowhides at its lowest level since World War II, we can see that this is not a situation in which we should endeavor by statute to control exports to the detriment of the farmers. The price level, until the export quota was set, was about 21 cents a pound. It is now approximately 14 cents a pound. It would seem ill-advised to visit this burden upon a part of our economy that is now struggling with an 80-percent parity ratio and add to the difficulties the farmers now are faced with.

Mr. President, this is the first war in which the farmer is called upon to subsidize a part of the cost of the war by reason of the low level of his parity ratio—80 percent as opposed to in excess of 100 percent in World War II and 100 percent in the Korean war, which was a smaller war than the present military operation.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. HRUSKA. I yield.

Mr. MUNDT. Parity during the Korean war was 107.5 percent as compared with 80 percent at the present time.

The Senator is right when he says that we have never had a war before in which the burden has fallen so heavily on the farmer, not only to supply boys from off the farm but in having to make up for the deficit conditions, which means that he is working to keep up the standards of people living in cities and other areas of our society, by subsidizing the cost of food and clothing to the extent of 20 percent.

Mr. HRUSKA. I thank the Senator for his contribution.

Testimony was put in the Record that there is a shortage of cowhides. Mr. President, how are shortages of any commodities measured? They are measured by the prices received on the market. That is one of the best ways to determine whether there is a surplus or a shortage. It cannot be done by pounds, because that factor must be balanced with added demand and other intricate factors that enter into the market factors.

What are the facts in this regard? I have a telegram in my hand sent by Mr. Davies, of the American Meat Institute, sent to several Senators. It was read into the record of the Appropriations Committee. Mr. Davies, in this telegram, stated that he had dispatched a telegram to Secretary of Commerce John Connor, which reads as follows:

> Your October 5 statement to the Senate Appropriations Subcommittee that "there is a continuing shortage of hides" is not supported by facts.
>
> As in the case of many other commodities, shortages or surpluses of hides are relative terms which are not measurable in pounds or other physical yardsticks, but which are continuously and accurately appraised in the market place by prices at which transactions are taking place.
>
> Prices of heavy native steer hides have dropped from 21¼ cents the first week of March to 14½ cents today. This is hardly evidence of a continuing shortage of hides.
>
> In view of the static condition of the hide market we again urge that export controls on cattle hides, calf and kip skins and bovine leathers be removed forthwith.
>
> All evidence in our possession indicates there is no need to keep export controls on cattle hides, calf and kip skins and bovine leathers.

That is the text of the telegram from Mr. Davies to Mr. Connor. I ask unanimous consent that the entire telegram be printed in the Record at this point.

There being no objection, the telegram was ordered to be printed in the Record, as follows:

> Chicago, Ill.,
> *October 7, 1966.*
>
> Hon. Roman L. Hruska,
> *U.S. Senator,*
> *Senate Office Building,*
> *Washington, D.C.:*
>
> Today the American Meat Institute sent the following telegram to Secretary of Commerce John Connor relative to his statement before the Senate Appropriations Subcommittee on the Departments of State, Justice and Commerce appropriations in which he reiterated the need for continuing export controls on hides:
>
> "Your October 5 statement to the Senate Appropriations Subcommittee that 'there is a continuing shortage of hides' is not supported by facts.
>
> "As in the case of many other commodities, shortages or surpluses of hides are relative terms which are not measurable in pounds or other physical yardsticks, but which are continuously and accurately appraised in the market place by prices at which transactions are taking place.
>
> "Prices of heavy native steel hides have dropped from 21¼ cents the first week of

March to 14½ cents today. This is hardly evidence of a continuing shortage of hides.

"In view of the static condition of the hide market we again urge that export controls of cattle hides, calf and kip skins and bovine leathers be removed forthwith."

All evidence in our possession indicates there is no need to keep export controls on cattle hides, calf and kip skins and bovine leathers.

ALED P. DAVIES.

Mr. PASTORE. Mr. President, I should like to speak for a few moments to this very point. First of all, I should like to say that we do not have any shoe manufacturers in my State, nor do we have cattle industry producing hides, hides being the matter in controversy at this point. But I dare say that a very strong case was made by the producers and as for the shoe manufacturers, much as I was interested in their case. I am afraid that if they do have a case, they have not presented it properly. I do not say this in criticism but I am urging them today to present it properly, because, after all, I think all of us want to do what is right in these premises.

The argument made to me in a telegram I received from the shoe manufacturers was that because of the situation in Vietnam and because hides are in short supply, it is imperative in order to preserve the domestic shoe industry, to curtail exports of hides thus the hides will be available to the American manufacturers, and their manufactured products will, in turn, be available for our own consumers and the boys in Vietnam.

If that is the case—if there is a scarcity—and I do not question their sincerity—then why is it that the price of hides has dropped from 21.25 cents a pound down to 14 cents? This does not indicate a scarcity.

If that is not the situation, I think the manufacturers ought to come forward and give proof. I agree with the Senator on that point; they ought to come forward and give proof. If they are wondering why I have become somewhat lukewarm on this issue, it is only because of the question I am raising here today—the puzzle between their pleas and the market price.

I argued in the committee—and the other members, I think, will corroborate this—how is it that the price falls if the supply is short?

Their argument is that, after all, the reality of the situation is that the price should be 14 cents, and it is inflated at 21.25 cents per pound at the time that this legislation was originally passed.

Mr. President, what I am saying at this point is that if the shoe manufacturers feel that we have not tried to protect their interests in the face of the facts in this case, I think they are in error. I would hope that in the future they would document their case, so that we can present it factually and forcefully. I am not apologizing for anything, Mr. President, but this is one time I was embarrassed in the arguments that I made. I want that clearly understood.

Mr. HRUSKA. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. HRUSKA. The discussion of prices, I think, that was contained in the telegram from Mr. Davies to Mr. Connor, referred to a much shorter time interval, when it was stated as having been reduced from a 21-cent level down to 14 cents.

I call the Senator's attention to the fact that in March of this year, when the first export control directive was promulgated, the quoted price was over 21 cents a pound, as opposed to the present price of 14 cents. There was a sharp and immediate drop immediately upon the closing of the foreign market. I believe the Record should show that at this point, so that we will have the whole picture.

Mr. PASTORE. Mr. President, I have been in public life for 32 years. I have been a member of the General Assembly of my State. I was a prosecutor, and in the courtroom every day. I was Governor of my State for almost 6 years, and I have had the honor to be a Member of the U.S. Senate for almost 16 years.

I have always had deep appreciation for good logic and fair reasoning. I must admit that this time I was a little embarrassed, because I did not have the facts and they did not give me the facts.

Mr. MUNDT. Mr. President, will the Senator yield?

Mr. PASTORE. I yield.

Mr. MUNDT. If the Senator is at all concerned lest anyone think he did not fight a valiant fight for the shoe industry, let me bear witness, as one on the opposite side of the issue, that he parlayed a paucity of information into a most persuasive position. When he ran out of facts, being the sound statesman he is——

Mr. PASTORE. I kept my mouth shut.

Mr. MUNDT. He kept his mouth shut.

Mr. PASTORE. That was the point I wanted to make.

Mr. McGEE. Mr. President, I wish to address myself to a question—a very small question, in the perspective of the whole bill—that is of concern to some of us; and a little later I should like to share a colloquy on the point with the distinguished chairman of the committee.

The question to which I refer has to do with the International Media Guarantee program. This is a program whereby the United States tends to facilitate the exporting of American printed materials overseas, and to guarantee to the American publishers that the foreign currencies they receive will be redeemed or redeemable.

There has been considerable controversy on this question for a long time. For several years, the Appropriations Committee has sought to phase out the program.

We have had, however, strong voices raised in support of the wisdom of the program. The burden of the argument of those who support it basically is, Mr. President, that we are getting more and more American ideas and American-oriented printed materials into countries that would otherwise not have access to them, and that, on balance, this is an exceedingly useful and penetrating program.

The point of my speaking today, is to address myself to language in the Senate committee's report which, once again, would ask us to forbid any moneys from this appropriation going into the USIA's IMG program.

Since the committee's action, my attention has been called to a letter from the chairman of the Committee on Foreign Relations, which was delayed in the mails, written on October 10. That letter addressed to the chairman of this committee [Mr. McClellan] guarantees the calling of a hearing by the legislative committee, the Foreign Relations Committee, to give this question a hard look.

This has been a long time coming. There has been no announced or defined intention of the legislative committee taking such a look since 1958.

Because we now have a firm intent manifesting itself within the legislative committee, I should like to suggest that the Record at least show that there would be wisdom in restraining our language on this matter until after the legislative report is made by the Foreign Relations Committee. I think the matter is open to enough discussion, and subject to enough controversy—in fact, many of the questions about it were kicked back and forth in our own committee hearings at some length—that we might be well advised, to take this question to conference, and, in the light of our floor discussion here, give it some special consideration in conference with the House.

I wonder whether the chairman of the committee would be willing to have the matter taken to conference?

Mr. McCLELLAN. Mr. President, while the issue does go to conference, there is no reason to keep it from going to conference with the report of this committee on the matter of the funds that we struck out. The whole issue is in conference.

I note that the Senator said something about a letter from my distinguished colleague, the chairman of the Foreign Relations Committee. I have not received the letter. I do not know why it has been delayed.

Mr. McGEE. The letter was addressed to the chairman of the committee and mailed on October 10. However, it was mailed instead of being hand delivered, which was apparently a mistake.

Mr. McCLELLAN. I do not say it is not in my office, but it has not come to my attention. I am very sorry about that.

Mr. President, we had a colloquy on the floor of the Senate on December 12, 1963, concerning this item. In that colloquy it was suggested that the Foreign Relations Committee might very well look into this matter. I think the distinguished Senator from New York asked me if I would make a special request and I did not feel that I had any burden or obligation to make a special request of the Foreign Relations Committee to look into the matter.

I said the committee was free to do it and to make recommendations to the Appropriations Committee.

Three whole years have gone by and the Appropriations Committee has been trying to stop this program for the last 4 or 5 years. It has put language in the report, but somehow they find a way to get around the language.

We tried this time to nail it down by taking out that much money. I believe the matter is in conference.

I do not know what the other members of the subcommittee or the conferees will think about it. But I feel I am bound to defend the action of the committee, and I do defend its action. I think the committee is right in what it has done.

Mr. McGEE. The only new ingredient in it—and that is what leads me to make the remarks this morning—is that for the first time we do have a firm commitment from the chairman of the Foreign Relations Committee.

Mr. McCLELLAN. In all fairness, it has been a year or two in getting such a commitment. It seems to me that the action is rather tardy.

There has been no obstruction, and there is no reason why it could not have been done before now.

I think this is the fourth or fifth time that this matter has been before the Senate.

The committees felt that the expenditure should not be made. The committees felt that this subsidy should be discontinued—and that is what it amounts to. It concerns the sale of material to foreign countries.

I recall that the distinguished Senator from New York inquired about the Foreign Relations Subcommittee giving this matter study and making a recommendation to the Appropriations Committee.

Mr. JAVITS. The Senator from New York is here, if the Senator will yield.

Mr. McCLELLAN. I am trying to find the colloquy of the Senator that occurred between us on December 12, 1963.

On December 12, 1963, when we had this bill before us, the distinguished Senator from New York and I had a colloquy in which it was said:

> Mr. Javits. Mr. President, I should like to ask the Senator from Arkansas a question.
>
> There has been a good deal of objection from the supporters of the informational media guarantees program which is a program for the guarantee of payment in dollars instead of local currency, which might be tied up, for various publications sent abroad in the interest of our Nation. These people have appealed to us very strongly on the basis of the provision in the committee report, in which the committee directs that the program be eliminated.
>
> Without trying to change the mind of the committee at this particular time, I should like to ask the chairman a question.
>
> This is really, for all practical purposes, a foreign policy question, as to whether the foreign policy of the Nation is or is not helped by the informational media guarantee program—which has been, I know, under considerable fire. The plea has been made that the question ought to be considered and studied by the Committee on Foreign Relations.
>
> I wish to ask the chairman whether he could consent to making some request of the Committee on Foreign Relations for its opinion, in view of the fact that the provision in the committee report is so strong on that subject. I have it before me. On page 23 of the report it is stated:
>
> The committee has previously expressed its disapproval of this program and directs that it be phased out.
>
> The language is "and directs that it be phased out."
>
> That is pretty drastic language. Of course, the committee cannot compel the program to be phased out. There may be some objection to it.
>
> I ask the chairman whether he would agree that the Foreign Relations Committee should be asked to review the program and give its judgment to the Appropriations Committee on the subject.
>
> Mr. McClellan. There is nothing to prevent the committee from doing that at any time, either informally or formally, so far as I know, if the Committee on Foreign Relations wishes to act and wishes to submit a recommendation to the Appropriations Committee. The position of the Appropriations Committee is known. I do not know why we should make a special request to the Foreign Relations Committee. This is not a new program. It amounts to a subsidy. There is a feeling that it should be phased out.
>
> Mr. Javits. The committee does not content itself by saying that it should be phased out. That is what brought me to my feet. The committee says: "Directs that it be phased out."
>
> There is a very real question as to whether any committee of the Congress has any right to direct a Government department to phase out a program, in the absence of legislation.

(At this point Mrs. Neuberger assumed the chair as Presiding Officer.)

Mr. McCLELLAN. Madam President, I think the Appropriations Committee can direct it by simply withholding the funds, and that is about as strong a direction as I know of. That is what the committee undertakes to do in this instance. Heretofore it has directed that it be done, but the agency did not follow the recommendations or directions of the committee.

The Senator from New York in the colloquy had said:

> There is a very real question as to whether any committee of the Congress has any right to direct a government department to phase out a program, in the absence of legislation.

I read further from the colloquy that occurred on that occasion:

> Mr. McClellan. It can do so indirectly, if it does not appropriate the money.
>
> Mr. Javits. Of course.
>
> Mr. McClellan. This is the indication that the committee feels the program should be phased out, because the committee does not feel it should continue to make appropriations. It might be done in a more gentle way; I do not know. Apparently this is the view of the committee.

This colloquy occurred on December 12, 1963.

I submit, Madam President, that my colleague, who is chairman of the Foreign Relations Committee, is an ex officio member of the Appropriations Committee on this bill, and I feel there has been hesitancy on the part of that committee to act to do anything about the matter. That is true of those who have opposed the discontinuing of this appropriation.

I feel they have not been very diligent in pursuing their suggestion that the Foreign Relations Committee do something to indicate its position on the matter.

I feel, Madam President, that the action of the Committee on Appropriations in this matter should be sustained. The whole issue will be in conference; there will be a number of conferees from the Senate. I do not know how each will feel about it personally. I do not know how the House will feel about it. But at least, Madam President, when an Appropriations Committee of either House requests in its report that a program be phased out and does that over a period of 3 or 4 years, and apparently its request is being ignored, and the committee finally comes to the conclusion that the only way to phase it out is to disallow the funds, the appropriations necessary to carry it on, I think the committee should be sustained.

The agency may disagree. The agency may think that it is a good program and may feel that it is justified.

But the final decision, the final responsibility, rests with Congress, in appropriating funds to carry it on.

I believe that the action of the committee should be sustained.

I thank the Senator for yielding to me.

Mr. McGEE. Madam President, I call attention to the language on pages 12 and 13 of the Appropriations Committee report. The language which concerns me is that which instructs the U.S. Information Agency to liquidate forthwith its informational media guaranty program.

For several years the Appropriations Committee has sought to phase out this program which is authorized by section 1011 of the Smith-Mundt Act.

Aside from questioning the procedure by which the Appropriations Committee seeks to instruct the U.S. Information Agency to cease this program, I question the wisdom of this action.

My attention has been called to a letter to the distinguished chairman of the State, Justice, Commerce Subcommittee on Appropriations [Mr. McClellan]. In a letter dated October 10, the chairman of the Committee on Foreign Relations asked that any action to terminate the IMG program be withheld until the next session.

The recommendation of the Committee on Appropriations that the U.S. Information Agency's informational media guaranty fund program be discontinued is most unfortunate. It loses sight of the fact that this program has been an exceedingly effective one. The Committee on Foreign Relations in 1958—Report No. 1178, January 16, 1958—found that "the IMG program is a small but useful operation" and that it "is beneficial far out of proportion to its costs."

There has never been any finding by the Senate subsequent to that report issued by Senator Mansfield on behalf of the Committee on Foreign Relations which would tend to indicate that anything other than the above findings were correct. The USIA has proposed legislation to modify the program and to improve its operation. This bill is pending, S. 2256, and the Committee on Foreign Relations will consider the bill in the 90th Congress. Consideration has been urged by the Director of USIA, Mr. Leonard Marks. Thus, the conclusion in the Appropriations Committee report is not justified by the facts. Also, it seems inappropriate for the Appropriations Committee to preempt consideration of this field from the Committee on Foreign Relations which has studied the IMG in the past and which plans to hold hearings on a bill on this subject next year, at which time it can thoroughly explore the value of the program.

The IMB program is an exceedingly effective method to get U.S. books and magazines into key countries where it is impossible to do so through normal commercial transactions. This program has been most successful in Afghanistan, Guinea, Korea, Pakistan, Turkey, Vietnam, and Yugoslavia. U.S. publications in those countries were purchased by consumers and readers because they wanted them, and therefore they carry no taint of Government propaganda. The program has proved effective, and it is inexpensive. If it is to be discontinued, it should be done after full hearings to show if the conclusions in the report of the Foreign Relations Committee in 1958 are no longer valid and not upon the hasty action which has been proposed today.

The mills of the gods do grind slowly sometimes, particularly in this body.

I agree that it is regrettable that they have let this matter lag along. However, I think that there is a substantial feeling that there is much good in some of the approaches of this program and that it long since should have had a hard and constructive look, in order to put the program on a real going and useful basis. This has not been done. Therefore, I think that the Committee on Appropriations has been correct in flagging it as it has, in attempting to alert the appropriate committee to get with it.

Until now, there has been no commitment to do that. But we now have that commitment from the legislative committee, the Foreign Relations Committee. I ask, Madam President, that the letter from the chairman of the Foreign Relations Committee to the chairman of the Subcommittee on Appropriations on State and Justice be made a part of the Record, if that is agreeable.

There being no objection, the letter was ordered to be printed in the Record, as follows:

October 10, 1966.

The Honorable John McClellan,
Chairman, Subcommittee on Appropriations for State, Justice, Commerce, Judiciary and Related Agencies, U.S. Senate, Washington, D.C.

Dear Senator: My staff has been concerned that your Subcommittee considering USIA appropriations may discourage the continuation of the Informational Media Guaranty Program (IMG), even though, as I understand it, no funds are to be appropriated this year for the program.

I know that your Subcommittee has been concerned about the IMG program for several years and has urged the appropriate authorizing committees to examine the program. We have not done so as yet even though the U.S. Information Agency has been more than diligent in urging us to do so.

As a matter of fact, I introduced, by request, a bill earlier this Congress (S. 2256) fully intending to examine the program with great care. Other business, however, has intervened and we simply have not been able to get to the subject.

In a recent letter to the Director of the U.S. Information Agency, and after consultation with appropriate members of the House Foreign Affairs Committee, I undertook to pursue this subject early in the next Congress and I intend to do so. I would hope, therefore, that it will not be necessary to do anything which might interrupt the program at this time.

Sincerely yours,
J. W. Fulbright,
Chairman.

Mr. McGEE. It is this new ingredient that, it seems to me, makes it important that this matter become a part of the Record on the floor of the Senate, in advance of going to conference.

I shall be glad to yield to the Senator from New York.

Mr. JAVITS. Madam President, the Senator from Arkansas has properly read the colloquy in which we were engaged in December 1963.

I deprecate the fact that the Committee on Foreign Relations has not gotten at this matter. It is an important and an extremely useful program. I have been for it; I am for it now.

I still say that no Appropriations Committee, with all respect to it, can order any agency to stop something. The committee can withhold the money, for what ever reason it wishes, if the respective House sustains it.

However, the committee instructs that no part of this appropriation is to be used to carry forward the operations of the informational media guarantee program.

Mr. McCLELLAN. Madam President, will the Senator yield?

Mr. JAVITS. Will the Senator allow me to finish my point?

Mr. McCLELLAN. Yes.

Mr. JAVITS. No committee can do that, and no department has to pay any attention to it.

They have deprived the Department, in the committee report—if the Senate does not change it, that is the way it will go to conference—of the money for 17 people who operate the program.

I wish to point out that this program is currently financed through a revolving fund in which there is now about $4 million, and that revolving fund is not being repealed—indeed, I doubt that it could be repealed in this appropriation bill. Therefore, it seems to me that Congress finds itself in somewhat of a contradiction and a little embarrassment.

The Committee on Appropriations is definitely against this program. We do not know how the Committee on Foreign Relations feels about it, and we have not yet ascertained in any way how Congress feels about it, except in this implied peripheral way of what comes out of a conference on appropriations as to the salaries for the officials who actually administer the program.

The Department of State has many people, and it could conceivably use other people for the purpose of carrying on the program, and nothing in this report can stop it. I say that as a lawyer and as a Senator.

I agree with my colleague, the Senator from Wyoming, that this is not the way to run a railroad, as the saying goes. The Committee on Foreign Relations, in my judgment, with all respect, has waited much too long to deal with this matter, which is strictly a foreign policy question, and I urge very strongly that it now deal with it. I hope that the conference will not make itself ridiculous. We should allow a certain amount of money with which to carry on the program for the few months required, until the Committee on Foreign Relations can act, and then we can argue on the floor whatever the Committee on Foreign Relations has decided.

Finally, Madam President, may I say that the two reasons why I am for this appropriation are as follows:

First. It enables us to use the private enterprise system effectively in respect of the foreign information program of the United States. Some of the leading magazines, books, and other types of publications of the United States are distributed in this way—the broad range of leading magazines, indeed—from Harper's to the Ladies Home Journal, in countries where they otherwise could not be sold because of currency exchange difficulties.

Second. The competition with the Soviet Union and the Communist Chinese is unbelievable. They are pouring out the books and magazines and the publications, which they sell for half or give away for nothing, in all the countries of the world, by the tens of millions, and we niggle around about matters of this character, which are infinitestimal compared to the enormous competition we are meeting. We should be delighted that people in these countries want to read our publications. We should be tickled to death to give them the publications for nothing, instead of going through all the gyrations we do on a program of this character.

We complain that people abroad do not understand us. We do not give them a chance to understand us, if we deny them an opportunity to read the best of which we are capable in the private enterprise field.

I ask unanimous consent that three documents showing how the program works may be made part of my remarks.

There being no objection, the documents were ordered to be printed in the Record, as follows:

Informational Media Guaranty Program (IMG)

PURPOSE

A major barrier to the export of American books, periodicals, and motion pictures is the shortage of U.S. dollar exchange in many foreign countries. The Informational Media Guaranty (IMG) program is designed to overcome this barrier by guarantying to American publishers, motion picture distributors, and other exporters of qualified informational materials the conversion of their blocked foreign currency sales receipts into U.S. dollars. Thus the IMG program make it possible for foreign booksellers, magazine distributors, educational institutions, libraries, and motion picture exhibitors in dollar-short countries to buy American informational materials and pay for them in their own currencies. The American exporters can then exchange these local currency payments for U.S. dollars.

STATUTORY BASIS

IMG was initially established as a part of the Economic Assistance Act of 1948. The present statutory basis of the program is contained in Section 1011 of the U.S. Informational and Educational Exchange Act of 1948.

IMG COUNTRY AGREEMENTS

When foreign exchange difficulties occur an IMG program is initiated by an exchange of diplomatic notes, usually between our Ambassador and the Foreign Minister of the participating country. The agreement covers the operation of the program; accords the foreign government the right to approve each IMG contract with an American exporter, and determines the uses which the United States Government may make of the local currency acquired as a result of IMG operations.

HOW IMG OPERATES

The IMG guaranty takes the form of a contract between USIA and an American exporter and specifies the type of materials covered, the dollar amount of the guaranty, the time period and country of sale. An IMG contract is not a guaranty of sales; it is simply a guaranty of currency convertibility. Each exporter pays a fee of about 1½ percent of the dollar amount of the contract for each twelve months of guaranty coverage.

After an exporter has obtained an IMG contract, he opens a bank account in the foreign country. As he makes sales to his foreign importers, they make payment to his local bank in local currency. The American exporter transfers this local currency to the United States Treasury and receives an equivalent amount in U.S. dollars. The foreign currencies are sold by the U.S. Treasury to U.S. agencies operating abroad, and the dollars paid for them are deposited in the IMG revolving fund—where they are under for additional IMG guaranties.

COST OF IMG

Since its inception in 1948, IMG has been financed by a revolving fund created by borrowing from the Treasury. The statutory authorized limit of borrowing is $28 million. Annual appropriations are authorized to pay interest on the borrowing and to restore losses realized through operations. The cumulative impairment to the fund (including interest paid to the Treasury on borrowings) is 35.1 million of which $12.2 million has been restored by appropriation.[1] This results in a net impairment of $22.9 million to the original $28 million.

Accumulated losses to the fund (exclusive of interest on borrowing) result from:

1. The sale of certain currencies by Treasury to government agencies at less favorable rates than the rates at which they were acquired.

2. Unsaleable currencies (due to excess U.S. Government holdings of such currencies) surrendered from the IMG account to the Treasury without reimbursement to the account.

The losses have been greatly reduced in recent years but appropriations have not been sufficient to restore even the small losses. Under the law interest has first claim on annual appropriations. Of the $12.2 million appropriated through fiscal year 1964, $4.7 million was applied to interest. For fiscal years 1965 and 1966, Congress made no appropriation and none has been requested for FY 1967.

Over the last eighteen years, $80 million worth of American informational materials were exported under IMG to critical countries at a net cost (exclusive of interest) of $24.8 million or 32 cents for each dollar of export. During the last three years the average net cost has dropped to 8 cents on the dollar.

DEFECTS OF PRESENT IMG LEGISLATION

The present IMG legislation (22 USC 1442) has been criticized primarily for its public debt funding arrangements—that is borrowings authorized from the Treasury without any specific appropriation action. Also, the present requirement for payment of interest to Treasury on the loans and the excessive requirement for a dollar reserve for each dollar of guaranty result in a large proportion of IMG funds being diverted from guaranties.

PROPOSED IMG AMENDMENTS

S. 2256 submitted by the Agency in the present Congress to amend the IMG legislation would simplify IMG financing by eliminating the present borrowing authority and interest payment requirement and cancel all indebtedness including accumulated interest. It would authorize an IMG fund of $10 million and authorize annual appropriations to restore losses. It would also permit the Agency to make guaranties on the basis of a 50-percent reserve rather than on the basis of the 100-percent reserve presently required. Under the legislation, for example, without appropriation of a single dollar, the program could be doubled from $4 million this year to about $8 million for the next fiscal year.

INFORMATIONAL MEDIA GUARANTY PROGRAM

More than half of the fiscal year 1966 payments were for books, 90% of which were educational books.

In addition to the books exported, about 4% of the payments were for rights to translate or reprint books. The sale of rights carries with it a multiplier effect since it results in much larger quantities for each dollar spent.

The educational books (largely scientific, technical, and vocational) contribute to the achievement of U.S. objectives by supporting economic, social, and technological development.

Very substantial quantities of books for teaching English as a foreign language are exported with IMG assistance. These books directly support other U.S. Government efforts to promote use of the English language abroad.

Important magazines of general circulation in the United States, which are highly respected abroad, are included in the IMG program. Some of the more prominent ones are: Harpers, Readers Digest, Saturday Review, Time, Newsweek, Life, U.S. News and World Report, Saturday Evening Post, McCall's and Ladies Home Journal.

Educational films are important elements in the IMG program in certain countries. They are used for teacher training and for vocational instruction. By their nature they have high value where English technical terminology is not widely understood.

INFORMATIONAL MEDIA GUARANTY PROGRAM

The Informational Media Guaranty program, which has been in operation for 18 years, was designed to overcome the barrier of foreign exchange restrictions occurring in a number of countries. Its purpose is to contribute to the achievement of U.S. policy objectives by facilitating the commercial distribution of selected books, periodicals, films and other media in areas which would otherwise be closed to them.

Since the importers pay for the IMG supported materials with their own currencies, which are subsequently used by the U.S. Government to meet its obligations in those countries, the cost to the U.S. taxpayer is minimal. Moreover, the dollars which are disbursed are paid to American enterprises and thus remain in the United States. The net cost of the program's operations during the past three fiscal years was about 8% of the wholesale value of the materials sold.

The President, as a matter of public policy, has called upon the Government and private enterprise to increase the flow of books and other educational materials in the interest of overcoming ignorance, poverty and disease. In his message to the Congress on February 2 of this year (House Document No. 375) the President specifically called for the enactment of legislation (S. 2256) which had been introduced to strengthen the IMG program. If IMG is further curtailed it will be a step backward as far as that objective is concerned. American free enterprise, which is the world's greatest producer of high quality educational and informational materials, is handicapped in its efforts to expand worldwide distribution by the lack of foreign exchange in a number of important countries.

At the present time IMG operates in seven countries: Afghanistan, Guinea, Korea, Poland, Turkey, Viet-Nam and Yugoslavia. Without IMG the markets in those countries will be closed, and the benefits which accrue to the United States from use of our publications, films, etc. will be lost. There are other countries where there is a need for IMG, but funds which are now available do not permit expansion.

Mr. JAVITS. I hope that with the cooperation of both Houses, permitting this program to carry on for a little while, through the conference, and the Committee on Foreign Relations at long last getting at it, we may obtain a policy which is a congressional policy, not a committee policy.

Again I say, as a lawyer and a Senator, that I am not bound—and nobody is bound—by what the committee may say. It can deny funds, if we sustain it, but the mere recital in the committee report does not cancel a $4 million revolving fund.

I love my colleagues and respect them, but I think the limitations of authority must be made very clear for all of us, me included, as well as the members of the Committee on Appropriations.

Mr. McGEE. May I say, to make the Record complete, that the principal advocate on the subcommittee to remove these funds from the program is the distinguished Senator from Louisiana. He is not able to be here today, and in view of his absence, I think it would be helpful if we made a part of the Record the questions that he raised in the hearings of the subcommittee and the responses to those questions by the USIA. They are illuminating questions, very penetrating. I ask unanimous consent that the questions raised by Senator Ellender, beginning at the bottom of page 526 of the Senate hearings and extending to the middle of page 533, with their answers, be made a part of the Record at this point.

There being no objection, the questions and answers were ordered to be printed in the Record, as follows:

SENATOR ELLENDER'S QUESTIONS TO USIA TO BE ANSWERED FOR THE RECORD

COMMENT BY SENATOR ELLENDER: The following questions were submitted to the USIA for reply, but in view of the fact that I consider many of the answers unresponsive, evasive, and not reflecting the true facts, I have inserted comments after certain answers to the questions.

Question 1. The USIA's Informational Media Guarantee Program is operated through private U.S. publishers and contractors who sell a wide range of so-called "informational media" material, including books, periodicals, newspapers, motion pictures, TV rights, etc., to importers in foreign countries for the local currencies of such countries. For the most part, these are countries which have soft currencies or currencies of limited negotiability. However, the

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[1] All amounts are through FY 1966

U.S. exporters are paid in dollars by the USIA, which accepts the local currencies and realizes whatever it can from them, generally by sale through the U.S. Treasury for the purpose of defraying the local costs of other U.S. programs in such countries.

Answer. The IMG program was started in fiscal year 1949 under authority of the Foreign Assistance Act of 1948 (PL 472, 80th Congress). It was transferred to the Department of State by Executive Order 10368 on July 1, 1952. Under authority of Reorganization Plan #8 it was transferred to the U.S. Information Agency on August 1, 1953. The Mutual Security Act of 1954 (PL 665, 83rd Congress) amended PL 402, 80th Congress, by adding section 1011. This section 1011, as amended in 1958, is the present authority for the Program. (22 USC 1442).

Question 2. How much has the IMG program cost, or lost, to date, broken down by (1) the amount originally appropriated for the revolving fund which was established, and (2) through yearly appropriations to the program?

Answer. From inception of the Program to September 30, 1966, purchases of foreign currencies from American contractors amounted to $80.3 million. On sales of foreign currencies the losses were $12 million. Unsalable foreign currencies amounting to $18.9 million, with a market value of $7 million, were turned over to Treasury Department, without reimbursement to the Agency, pursuant to legislation.

The original borrowing authority from Treasury was $28,000,000. Appropriations to the fund amounted to $12,191,680 of which $4,704,338 were paid to the Treasury for interest.

Senator Ellender's Comment: If $28 million were borrowed from the Treasury and $12,191,680 were appropriated for this program, it has cost $40,191,680, and if the resources, translated into dollars, only amount to about $2 million, the loss of directly appropriated dollars in connection with this program would be approximately $38 million. However, I believe, as I will show later, the losses in this program are far greater.

Question 3. Is it not a fact that for years Congress has criticized this program, particularly because it was a "shot-gun" approach and, in effect, subsidized the export to foreign countries of materials some of which were highly critical of U.S. policy and inimical to the image of the United States?

Answer. Some members of the Congress have criticized the program in the past because, in their opinion, the choice of materials was not sufficiently selective; but it has always been the policy of the Agency to exclude materials judged to be harmful to the United States. Other members of Congress, especially members of the Committee on Foreign Relations who have studied IMG, have spoken in support of the IMG program repeatedly.

Senator Ellender's Comment: I do not agree that the only criticism was that the materials were not sufficiently selective. It was a program run to too great an extent for the benefit of exporters who wanted to sell their materials for dollars in countries which could not pay in dollars. The materials exported contained all sorts of information and comment which might have been proper for U.S. internal consumption but outside the U.S. could be damaging to the best interests of the United States. The members of the Committee on Appropriations also gave close study to this program and that is why they wished to phase it out.

Question 4. Wasn't an attempt made, without too much success, to make the program more selective—but doesn't some of the scientific material which has been sent to Iron Curtain countries almost amount to commercial espionage subsidized by the U.S. Government?

Answer. After a careful review of the program, Mr. Edward R. Murrow, then Director of USIA, informed Chairman McClellan by letter dated September 28, 1961 as follows:

"To render the IMG Program more effective, I want positive rather than negative criteria applied in the selection of the informational materials being exported. This means the application henceforth of a new standard of eligibility; namely, publications and films must make a positive contribution to U.S. policy objectives and reflect favorably upon the United States."

Consistent with the U.S. Government policy of assisting educational and technological development, a substantial portion of the books and periodicals exported to all countries are educational in character. They include scientific and technical works. There is no commercial espionage involved since everything exported under IMG can be purchased in the open market anywhere in the world.

Senator Ellender's Comment: Some members of the Appropriations Committee have found that there was much material in the program, after the review by Director Murrow, which did not make a positive contribution to U.S. foreign policy objectives. In addition, it seemed that technical magazines, such as "Aviation Week" and "Nucleonics", which contain much material on current developments on military, as well as civilian aspects of aviation and nuclear matters, were being subsidized by this government and sent in substantial numbers to Iron Curtain countries. True this material was available in the U.S. to almost anyone who had the dollars to buy, but we permitted much of it to be distributed in countries behind the Iron Curtain with the U.S. subsidizing the material.

Question 5. Is it not a fact that in FY 1964, the Senate appropriations bill covering the USIA's IMG program recommended appropriation of only $650,000, which was to cover only the interest which the original revolving fund of this program owed the U.S. Treasury?

Answer. The appropriation bill for Fiscal Year 1964, as approved by the Senate contained an appropriation of $650,000 for IMG. The Committee's report stipulated that this sum was to be made available for interest only. The bill as finally passed by the Congress, after modification in conference, provided $750,000. It was stated in floor debate on the bill, December 18, 1963, that the additional $100,000 was intended to allow the program to continue.

Question 6. Is it not so that in Senate Committee Report No. 747, dated December 5, 1963, on the State-Justice Appropriation Bill, it was stated:

"The committee has previously expressed its disapproval of this program and directs that it be phased out. The amount appropriated is solely for the payment of interest to the Treasury."

Answer. The quotation from the Committee report is correct.

Question 7. Isn't it true that no new funds were appropriated for the IMG program in either FY 1965 or FY 1966—not even for interest?

Answer. No funds were appropriated for FY 1965 or FY 1966.

Question 8. Isn't it so that in Senate Report on the Appropriations Bill for FY 1965, S. Report 1380, dated August 12, 1964, it was stated:

"The committee recommends no new funds for this program."?

Answer. Yes.

Question 9. It is understood that you are still continuing this program. What is the total amount of the current program? In how many countries is it operating? Give a detailed breakdown by country.

Answer. IMG contracts outstanding on September 30, 1966 amounted to $4,111,908. This included $98,450 in contracts issued in FY 1967. The project program for FY 1967 is $4,200,000. Contract issuances in FY 1966 and estimated for FY 1967 are as follows:

IMG program—Contract issuances

Country	Fiscal year 1966, actual	Fiscal year 1967, estimated
Afghanistan	$2,300	$50,000
Guinea	25,500	50,000
Korea	371,000	400,000
Poland	1,549,705	1,250,000
Turkey	304,200	300,000
Vietnam	641,500	650,000
Yugoslavia	900,200	900,000
New countries		600,000
Total	3,794,405	4,200,000

Question 10. Since the Congress has not appropriated any funds for this program for several years, what resources are being used to operate it?

Answer. The program is financed by a revolving fund derived from authorized borrowing from the Treasury, proceeds from sale of foreign currencies, and fees paid by exporters. The enabling legislation authorizes annual appropriations to restore impairment to the fund. Such appropriations are not mandatory. Obligation of the balance in the fund does not require annual authorization and its continued availability is not dependent upon appropriation action.

Question 11. Instead of continuing the program, why weren't these resources used to pay the Treasury the interest on the debt which the IMG fund owes to it?

Answer. Resources of the revolving fund have not been used to pay interest. As stated in the Senate Hearing record for FY 1964, page 2318, statement B, footnote 1, "Section 1011(h)(3) of Public Law 402., 80th Congress, as amended (22 U.S.C. 1442(h)(3)) authorizes payment of interest on outstanding notes solely from appropriated funds. The lack of an appropriation for IMG would preclude payment of interest on outstanding notes until such time as an appropriation would be made for IMG. In the meantime, payments under IMG contracts would be made from advances under outstanding notes and dollars in the revolving account. All interest payable to the Treasury which accrues after June 30, 1964, must remain unpaid until such time as the Congress appropriates funds for that purpose. The estimated accrual for fiscal year 1964 is $650,000."

Question 12. At present, your largest IMG country program is in Poland and I believe that it has continued at a level of approximately $1.2 million for the past several years. Have you lost any money on the Polish contract, and, if so please furnish the details. If you have not lost any money on the IMG program in Poland, explain how this was possible. If you have made a profit on this program, give the details.

Answer. Losses, from inception of program to date, on the Polish program amount to $2,013,625. Losses on sales of foreign currency amounted to $1,130,259 up until the selling rate became 24 zlotys to $1, which was January 1962. In addition, the program acquired $21,200,783. Zlotys at 24 to $1, which were declared excess and transferred to the Treasury Department without reimbursement. The cost to the IMG program for these zlotys was $883,366. Since 1963 there have been no losses on the Polish program, and no profits have been made on sales of Polish currencies.

Senator Ellender's Comment: The answer to this question would suggest that in addition to the funds given to this program by the Congress, IMG acquired and used the equivalent of $21 million-odd in Polish currencies for $883,366. It is clear that these zlotys were not generated by IMG sales and if they were P.L. 480-generated zlotys, they were dollar denominated. This surely needs further explanation. The reason there have been no losses since 1963 will be brought out later and, in my opinion, it is not a commendable story.

Question 13. It is understood that as the program is operated in Poland, the U.S. contractors sell these books, periodicals, newspapers, motion pictures, TV rights, etc., to an agency of the Polish government which orders only what it wants and not what the people desire. Isn't this so?

Answer. The U.S. contractors sell only to Polish state trading enterprises since, under Polish law, all importing is centralized in state owned monopolies. Eligible materials (as described in 4 above) imported under IMG are purchased by the state trading enterprises for resale to the public and to fill institutional orders.

Senator Ellender's Comment: This answer is not responsive to my question.

Question 14. What collection rate of exchange is used in making these sales for Polish zlotys?

Answer. At the present time IMG imports are paid for in zlotys at the rate of 24 to $1.

Question 15. Isn't the realistic rate of exchange in the neighborhood of 65 to 72 zlotys to $1.00?

Answer. The only legal exchange rate in Poland is 24 zlotys per U.S. $1. Poland is not a member of IMF. There is no agreed par value for the zloty. Polish foreign trade with western countries is transacted in free currencies, not zlotys, so no exchange rate is involved. There are no private importers in Poland, so there is no rate of exchange for private commercial transactions. In previous P.L. 480 negotiations, the Polish Government has advised the United States that taking all Polish imports and exports together and averaging out the price, the average internal prices of the goods exported from, and imported to, Poland comes out at 24 to 1. There is no free market for goods within Poland from which an exchange rate can be independently established. For specific kinds of commodities, such as books, one would have to compare prices of the same item in both countries or use some other external standard of comparison.

Price comparisons yield different rates of exchange. For example, for staple foods, rents and public transportation, a rate of exchange of somewhere between 5 and 10 zlotys to the dollar would be realistic. For clothes or automobiles the rate might be 100 or 150 zlotys to the dollar. For books and magazines a rate as low as 10 to 1 is quite realistic. An average Polish novel is usually priced from about 30 to 60 zlotys compared to a normal U.S. retail price of $5.00 to $6.00. This would indicate a realistic rate of from 5 to 10 zoltys to the dollar. On other items such as construction costs, we have found a realistic rate to be about 65 to 1. Consumer goods outside staple foods tend to be expensive and a realistic rate on such items might be 100 to 1.

Senator Ellender's Comment: It appears to me that this is double talk couched in high falutin' language. Of course, as in all Iron Curtain countries, the prices of everything in Poland are strictly controlled and most of their foreign exchange transactions are effected in the nature of a barter. You may be sure that the countries doing business with Poland fix the prices on their goods to assure that they get equal value. If the realistic exchange rate is not around 65 to 72 zlotys to $1.00, why was the accommodation rate for U.S. employees to cash checks at the Embassy fixed at 65 to $1.00? As to the "realistic exchange rate for books" being 5 to 10 zlotys to $1.00, I can only say that if the material furnished the Polish people by their government is limited to propaganda which it wants them to read, it can afford to put a very low price on such material.

Question 16. Aren't Polish citizens permitted to cash their U.S. dollar checks at banks and department stores in Poland at 72 zlotys to $1.00?

Answer. Polish citizens and permanent residents who receive foreign exchange, such as dollar checks from abroad, are encouraged but not obligated to turn in that foreign exchange through the so-called PKO system. With the foreign exchange, the Polish citizen or resident obtains PKO "goods coupons." These coupons can then be exchanged for commodities and have a bonus value in this commodity exchange such that U.S. $1 worth of goods coupons will pay for about 72 zlotys worth of commodities. No foreign national or foreign government may obtain either goods coupons or commodities with such goods coupons.

The PKO system aims at preventing a black market in foreign exchange within Poland and provides an incentive to comply with Polish foreign exchange regulations. Other governments have comparable regulations to obtain compliance with their foreign exchange rules through penalties or inducements.

Senator Ellender's Comment: In my opinion, this answer intended to confuse. It is my understanding that any number of U.S. tourists have been able to cash their dollar checks in Polish department stores at the rate of 72 zlotys to $1.00, and this must be well known in the State Department, Treasury, and USIA. It would have been more forthright if this had been included in the reply.

Question 17. Doesn't this mean that you are actually selling the IMG materials for non-convertible currencies at about one-third of their true value?

Answer. No. As indicated in the answer to number 15 above, 24 to 1 would be a very favorable rate for books and similar materials.

Senator Ellender's Comment: Again, it seems that this reply takes advantage of the fact that a communist government subsidizes the publications it want its people to read and furnishes them nothing else.

Question 18. How is it possible that you can come out without a loss?

Answer. There is neither loss nor gain to the IMG revolving fund because zlotys are bought and sold at the same rate.

Senator Ellender's Comment: You evidently have specific instructions to use the 24 to 1 rate for the I.M.G. program. The interest of our country is not being protected. There are doubtless losses sustained where it is evident that we dispose of zlotys at more than 24 to 1.

Question 19. The U.S. Embassy disbursing office in Poland advised that between October 1964 and September 1965, it spent the equivalent of $5.3 million in zlotys for U.S. Embassy and other U.S. programs in Poland. You have no reason to question this figure, have you?

Answer. That appears to be approximately correct. Washington records show sales of IMG zlotys at 24 to one totalling $1.1 million for this period and 108.8 million PL 480 zlotys for $4.2 million or an average rate of 25.70 zlotys to the dollar during the same period. In addition $1.2 million in zlotys were obtained from the PL 480 account at 24 to 1 and converted at U.S. request by the Polish Government into other foreign currencies.

Senator Ellender's Comment: The answer, while commenting about the $1.2 million conversion of Polish zlotys at 24 to $1.00, failed to point out that this amount was converted at this rate by the Department of Agriculture and the State Department's Bureau of Cultural Affairs into hard currencies for use in other countries under provisions of P.L. 480 Title I sales contracts, and that this not only resulted in no loss to the U.S. taxpayers, but was supported by dollar appropriations.

Question 20. This disbursing office also advised that during this period withdrawals from the P.L. Title I sales accounts totaled 107 million zlotys ($4.5 million), and that $1.1 million in zlotys were withdrawn from the IMG program and were used first because there was no repurchase provision in the IMG contract. You have no reason to question these facts, have you?

Answer. Washington figures don't coincide exactly. We have 108.8 million zlotys expended for this procedure for which the zloty account was paid $4.2 million or an average rate of 25.70 to the dollar.

Senator Ellender's Comment: The answer is both unresponsive and evasive. Instead of admitting there were instructions from Washington to the Embassy in Poland during this period to give IMG preferential treatment in the sale of zlotys at the 24 to $1.00 rate so this program would lose no money, some statistics have been furnished.

Question 21. During this period, weren't there two different exchange rates employed in the use of U.S.-owned zlotys; i.e., a 65 zlotys to $1.00 rate for "accommodation exchange" and for the Foreign Building Operations program, and a 24 zl. to $1.00 rate for so-called "official" U.S. expenses. Isn't that correct?

Answer. During most of this period, yes. The 65 zloty to 1 dollar rate was instituted in January, 1965.

Question 22. In other words, for "accommodation exchange" and for the Foreign Building Operations program, a U.S. appropriated dollar would buy 65 U.S.-owned zlotys, while at the same time a U.S.-appropriated dollar used to buy U.S.-owned zlotys for general operating expenses of the U.S. in Poland at the "official rate" would buy only 24 zlotys. Is this correct?

Answer. Yes, except that no appropriated dollars are used in the "Accommodation Exchange" which involves only private funds of U.S. Government employees.

Senator Ellender's Comment: I feel the response to this question is misleading on its face. What are the private funds of U.S. government employees but government dollars appropriated for salaries and expenses of such employees? It is my understanding that the reason why the accommodation rate of 65 to $1.00 was employed was to keep these dollars in the U.S. Treasury because a rate of 65 to 72 zlotys to $1.00 could be obtained almost anywhere in Poland.

Question 23. In that the IMG-generated zlotys were being given preferential treatment, this program received a dollar for every 24 zlotys it gave up, while at the same time 65 P.L. 480-generated zlotys were paid out for an appropriated dollar for the "accommodation exchange" and FBO programs. Correct?

Answer. IMG generated zlotys are transferred at 24 to $1, the rate applicable to general operating expenses of the U.S. Embassy, regardless of the source of the zlotys. Zlotys used to pay such general operating expenses are purchased from both IMG and PL 480 accounts. Accommodation exchange is provided at the rate of 65 to $1. Dollars appropriated for FBO projects are also transferred at the rate of 65 to $1.

Senator Ellender's Comment: Again, this answer seems wholly evasive, because the IMG-generated zlotys were being given preferential treatment.

Question 24. However, isn't it also true that with respect to the P.L. 480 Title I sales generated zlotys, there was a clause in the sales agreements that if these local currencies were not used in Poland within the time limit specified in the contracts, Poland must repay in dollars at the 24 to $1.00 rate?

Answer. Correct. The U.S. Government has been exercising its option to demand such payment. It should be noted that zlotys used for local expenses are deducted from the final payment due from the Poles under one of the agreements. These payments run for up to 37 years in the future and we are thus using these zlotys getting goods or services now in exchange for a non-interest-bearing obligation not otherwise payable to us for thirty or more years.

Senator Ellender's Comment: The answer given can hardly be said to be the reason for giving the IMG-generated zlotys preferential treatment. The IMG zloty was not dollar denominated and there was never agreement to repay in dollars. Further, it would seem, particularly when there had been instructions from Congress to phase out the IMG programs, it should have been the IMG zlotys which were used at the 65 to $1.00 rate.

Question 25. Under the procedures employed in permitting the IMG-generated zlotys to be purchased on a preferential basis at 24 zl. to $1.00, weren't you able to run your program without a loss?

Answer. As long as IMG-generated zlotys are sold to the U.S. Embassy Disbursing Officer for use to pay general operating expenses at 24 to $1 there is no loss to the IMG revolving fund.

Senator Ellender's Comment. The answer is correct, but remember that the U.S. Embassy in Poland had been instructed to sell the IMG zlotys at 24 to $1.00 so there would be no loss to the IMG program. This meant that the P.L. 480 zlotys, which were guaranteed to be repayable in dollars, had to be sold at the 65 to $1.00 rate and thus assume the loss.

Question 26. Isn't it equally true that by selling the P.L. 480-generated zlotys which were guaranteed to be repayable in dollars at 24 zlotys to $1.00 for 65 zlotys to $1.00, the IMG program was, in effect, being subsidized with public funds originally appropriated to the Department of Agriculture?

Answer. Zlotys generated by the IMG program are being purchased with dollars appropriated to the Departments of State, Defense and other U.S. agencies having activities in Poland.

Senator Ellender's Comment: This is another evasive answer. By giving preferential treatment to the sale of IMG zlotys at 24 to $1.00 while taking all of the zlotys used at the 65 to $1.00 rate from P.L. 480 accounts, I think it is quite clear that IMG program is being subsidized at the expense of the other program.

Question 27. Isn't it also true that if you didn't have this special arrangement with respect to the IMG-generated zlotys, your operation in Poland would have been wiped out within a matter of months?

Answer. If the IMG program is subject to substantial losses as a result of rate differentials in Poland or any other country, and if those losses are not adequately compensated for by appropriations or by exchange gains elsewhere, the world-wide level of the program must decline progressively as the revolving fund approaches exhaustion.

Senator Ellender's Comment: This answer is not responsive to my question. There is no doubt but that you are violating the intent of Congress and that you are being aided by some other branch of our Government.

Question 28. What legal authority was there to permit the IMG zlotys to be purchased for dollars at 24 to $1.00 and the P.L. 480 zlotys at 65 to $1.00?

Answer. Treasury Department Circular No. 930 issued under the authority of Section 114 of the Budget and Accounting Procedures Act of 1950, 64 Stat. 836, 31 U.S.C. 66b; Section 613 of the Act of September 4, 1961, 75 Stat. 443; Executive Order No. 10488, 18 F.R. 5699, 3 CFR 1949–1953 Comp.; and Executive Order No. 10900, 26 F.R. 143. Under these authorities both PL 480 and IMG zlotys are purchased for official expenses at the 24 to $1 rate.

Senator Ellender's Comment: I haven't time to check all of the citations included in this answer. However, the question really is, what was the legal authority for permitting preferential treatment of the IMG-zlotys and this was not answered.

Question 29. If no legal authority exists, what reasonable rationale was there for doing this?

Answer. Please see answer to Question No. 28.

Senator Ellender's Comment: See my answer to No. 28.

Question 30. Was not the so-called "official" using rate of exchange pegged at 24 zlotys to $1.00 to allow IMG to carry on its program?

Answer. Recognition of the value of continuing the IMG program was an important consideration in the determination to continue use of the rate which had been in effect for several years.

Senator Ellender's Comment: This answer comes closer to the truth than most of your other answers. However, it would seem to me that by continuing the exchange rate at 24 to $1.00 in order to permit the IMG program to operate without loss, millions of dollars in purchasing power were lost by other U.S. using agencies in Poland which had to turn into the U.S. treasury an appropriated dollar for every 24 zlotys they received for local costs when the realistic rate was 65 or more to $1.00.

Question 31. Would you cite the date and text of the authority which permitted this?

Answer. Please see answer to Question No. 28.

Senator Ellender's Comment: This is no answer to the question. It is my understanding that there was a telegram which, in effect, directed that the official rate be kept at 24 zlotys to $1.00 because of the importance of the IMG program, and I would like to be furnished with a copy of this message and any other similar messages.

Question 32. In what other countries are you using, or have you used, similar devices to that used in Poland to perpetuate the IMG program? Give details.

Answer. There are no other countries where the effect on IMG has been a consideration in establishing or continuing the rate of exchange for official expenses.

Question 33. Comment on why you continue to operate the IMG program, particularly under the circumstances in Poland, and what justification there is for doing so in the light of the expressed Congressional direction to the contrary.

Answer. IMG operates under a specific statutory mandate from Congress set forth in Section 1011 of PL 402, 80th Congress, as amended. That Congressional mandate was reaffirmed in 1958 after review by the Committee on Foreign Relations and has never been rescinded. The debate on the floor of the Senate on December 12, and 18, 1963 suggested Congressional intent that the program continue. The Executive Branch has proposed legislation, now pending in Congress, which will assure that the program again receives Congressional review. The legislation will be resubmitted next year if, as now seems certain, it is not acted on this year.

Senator Ellender's Comment: It seems to me that you are only selecting the "authorities" and "mandates" of Congress which best serve your purpose and are reaching for straws in floor debates in order to avoid carrying out the direction of the Appropriations Committee.

Mr. MUNDT. Madam President, will the Senator yield?

Mr. McGEE. I yield.

Mr. MUNDT. I think that I should say something about this controversy, Madam President, because probably I am responsible for it.

I was the author of the informational media guarantee amendment when I was a Member of the House. It was added to a bill which became Public Law 402, 80th Congress, of which I was the author, known as the Smith-Mundt Act.

I thought then, and I think now, that in this idea which we put into law there is considerable merit and considerable useful service; and for many years, in many meetings of the Senate Committee on Appropriations and the particular subcommitte which deals with this matter, of which I am a member, I defended and supported and urged funds for this program.

Madam President, there comes a time when failure to carry out the intent of Congress can no longer, in my opinion, be countenanced unless the Senate is willing to retire and vacate its authority, which seems to be the position of the Senator from New York [Mr. Javits], and permit an executive department to say, "You took the money away and we will put the money some place else with a flexible clause and do it anyway."

I can say, as one member of the Committe on Appropriations on Administrative Agencies, they may do it one time but I do not think they would live long enough to do it the second time. There must be amity between them and the committee to which they come to present their case for funding. On authority, the argument is with the committee and the Congress. If the Senator from New York seeks to test it out, all he has to do is offer an amendment and let the Senate vote on it.

If the Senate adopts this appropriation bill it adopts the deletion removing salaries of the 17 people handling the program. Now, we have written the language in the report this time so tight that I do not believe that a Philadelphia lawyer could find a loophole in it.

Madam President, I ask unanimous consent to have printed in my remarks at this time the language of the committee report dealing with this subject.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

United States Information Agency

Salaries and expenses

1966 appropriation	$144, 005, 000
1967 budget estimate	150, 693, 000
House allowance	149, 000, 000
Committee recommendation	148, 818, 000

The committee recommends an appropriation of $148,818,000, which is $182,000 under the House allowance. Further, the committee instructs that no part of this appropriation is to be used to carry forward the operations of the Informational Media Guarantee Program which, a number of years ago, the committee requested to be phased out and for which no funds have been appropriated for the past three fiscal years. Notwithstanding this instruction, the Agency has continued to operate the program and in at least one country has been doing so through such devious practices as pegging the rate of exchange to accommodate this program at great expense to other U.S. programs within the country and giving the sale of IMG-generated foreign currencies preferential treatment. In addition the Agency has had 17 employees assigned to operate this program, the salaries for which are derived from this annual appropriation item. It is the position of the committee that the cost of liquidating this IMG program would be absorbed within the funds appropriated.

Pursuant to request of USIA, provision has been made to supply uniforms for 14 security guards instead of the six provided in the House bill.

Mr. MUNDT. Madam President, I shall read one sentence:

> It is the position of the committee that the cost of liquidating this IMG program would be absorbed within the funds appropriated.

We call for its liquidation. It has taken a long time for me to switch from the position of a consistent advocate of a specific program to one now supporting action of the committee in eliminating it, and I wish to explain why.

In the first place, the idea of coming in with a letter after the committee has been meeting with the chairman of the committee—the chairman of the committee has been at the hearings himself and is ex officio a member of it—does not impress me a bit. If that is the only new element that crept in, it has crept in far too slowly.

Madam President, we had full discussions on this several years ago, when I was defending this as a lone sponsor in the Committee on Appropriations. In the subcommittee I was the only member who was a member of the Committee on Foreign Relations and this subcommittee.

Mr. McGEE. Along with the Senator from Wyoming.

Mr. MUNDT. Along with the Senator from Wyoming. The Senator from Wyoming is a newcomer, however, and was not then a member of the Foreign Relations Committee. I forgot about that. I am glad that he is now a member. The Senator from Wyoming is a big help. This is, however, the Senator's initial experience with this controversy. I do not know whether the Senator from Wyoming knew about the letter that has been mentioned. I do not think that he did because he would not have kept it to himself. I do not believe that he knew this letter was in existence.

Mr. McGEE. The Senator is correct.

Mr. MUNDT. Madam President, that is point No. 1. I think that a constructive way to eliminate these 17 jobs and whatever they have been doing has not been in conformity with the intent of Congress. I do not charge that against the present Administrator of the Agency. I do not think he knows too much about the IMG program from the answers that he gave the Senator from Louisiana [Mr. ELLENDER].

Let us eliminate it now and have hearings in January, come back with a new program and put some guidelines on it this time with some provisions that will stop the scandalous mistakes that have been made by earlier administrators—not all earlier ones, but some of the administrators preceding Leonard Marks. The original administrator did a fine job. They selected material which anybody would be proud to have read behind the Iron Curtain. But, then, they or their successors got lax. We started sending over material to try to win friends for America, of which any American should be ashamed.

Mr. McCLELLAN. Madam President, will the Senator yield?

Mr. MUNDT. I yield.

Mr. McCLELLAN. I think we exhibit to Mr. Marks a pamphlet he did not know existed, and it is disgraceful. It carried no message. No one knew what it meant.

Mr. MUNDT. The Senator is correct.

Mr. McCLELLAN. If these are illustrations of how this program is being conducted, it should be changed.

Mr. MUNDT. Mr. Marks and Mr. Chernoff have not had time to go into this, but they should be looking at it. If the Senate approves this bill without an amendment we have written a mandate in our vote which will indicate the Senate attitude. I will be happy to renew enthusiastic support of a new program, under this committee or another committee, to carry out the intent of my original amendment which was quite fair, which ran into the difficulty I mentioned. Instead of selected, useful material for which the taxpayer should be happy to spend money, showing the cause of freedom, showing America as it is, and opening a window to see what America is like, they paint a picture which is neither showcase, nor a window. They permit a part of these funds for moving pictures and publication which it is shameful to send overseas as part of a Government operation.

The second thing we did wrong was when we accumulated the savings in foreign currencies. Instead of giving the poor taxpayer a break, and a chance to use those currencies for paying embassy expenses and fixing up the buildings doing something to relieve the taxpayer, we began to enter into contracts whereby foreign governments could spend the foreign currencies any way they wanted. If anyone wants to see a sickening waste of taxpayer funds, study the record of where that money was spent. Those things should be corrected.

They will not be corrected by continuing what has been done. For the fifth time the committee tried to stop it. Let us stop it today by cutting out funds and writing in this language of his report. Let us hold hearings and from the background of trial and experience write a new program helping, as I think we should, the private sector to participate in this program of enlightening the world about America. But let us do it with some commonsense and cut out the nonsense. That is all we are asking today by this committee amendment.

Mr. McGEE. Madam President, first I would like to respond to the Senator from South Dakota [Mr. MUNDT]. I applaud him for his parental sense of responsibility on this legislation. He was indeed the real friend and proud father of this program. Many a proud father has had moments when he wonders, as the child grows, whether perhaps it was not a mistake. But that is not the way we raise children. We try to avoid throwing out the baby with the bath water. With respect to the distinguished Senator's approach on that entire program, there remains a good deal of substantive program and this likewise is thrown out by this action and for that reason——

Mr. MUNDT. Until we initiate a new program.

Mr. McGEE. We should be a compassionate parent on section 502. If given a chance to do right, we can discipline this child and clean him up. We ask the chance to do that. Let us not kill him first.

Mr. MUNDT. I wish to say that a compassionate parent does not ordinarily increase the allowance for a child to spend in ways that do damage to the child. He tries to correct it. This would provide corrective action. Let us come in with a clean slate in January.

Mr. McGEE. It does so at the expense of killing the child.

Mr. MUNDT. It kills it, I hope, under the present operation and present plan, and kills it between now and next January, which is not a very long period of time.

Mr. McGEE. Kill is kill. What form will the "reincarnation" take?

Mr. MUNDT. I will join the Senator in the "resurrection" in January.

Mr. McGEE. We are trying to avoid having to "resurrect" it in the first place. We believe that the substance of the program is basic enough so that its constructive elements will endure enough to enable us to make the corrections to which the Senator rightfully points, and by taking satisfaction that the legislative committee has been galvanized into action. It has been a long time coming, I agree, but it takes a long time, sometimes. Our forthright action in the committee has brought this question to a head. That is the reason it behooves us to put the matter in its proper sequence rather than scrapping everything. We should give the committee a chance to put the pieces together in the right order. Even among members of the committee, and certainly among Members of this body, there are specific and genuine disagreements as to the content of most of what has been sent overseas. We do not all agree on a piece of literature, but we cannot generalize what has been done in the extreme. Many of us believe that there have been controversial——

Mr. MUNDT. Does not the Senator agree, however, that——

Mr. McGEE. If the Senator will let me finish the sentence, I will be glad to yield to him in a moment.

That is what we believe, even in controversial materials, that it tend to strengthen the American image overseas; whereas, under a totalitarian regime it is all what might be termed propaganda in the negative sense. One of our strengths is shown in the fact that many hundreds of people come to us from around the world and tell us that we are certainly not hurting ourselves by exhibiting self-criticism, that it is part of the strength of the American image being made overseas. I think we have tended to put the program in a straitjacket when we make everything laudatory. Thus, a case can be made. The literature which has been protested by some of the critics of the program is the kind of thing that needs to be broadened in restructuring the programing. We need to take a full look at the entire program in its broad perspective.

Now I am happy to yield to the Senator from South Dakota.

Mr. MUNDT. Madam President, the Senator calls it reconstruction. I call it the opposite. But it should be eliminated first so that we can get a little better perspective on what we have been complaining about for 5 years. Belatedly, in the committee, we should take a look at it and keep on taking a look at it.

If we eliminate it now, we will work it out later and better. There is a place for it.

Let me say that we hope that out of the initial debate in the 80th Congress, it was not supposed to be the idea that we would display only the nice things about America and hide the rest. It was supposed to be a mirror of American life, and that material should not be sent out on any other basis. I think we can write that into the law. I think that we can get administrators and officials in the department who will have ordinary, common horse sense so that we do not have to have a law every time for someone to argue a particular idea to downgrade the United States, based on a false premise. This is also called propaganda. It is not just free speech. We are not going to be able to reject or repel the Communist kind of propaganda if we spend too much of our time propagandizing against ourselves.

Mr. McGEE. I agree with the Senator from South Dakota. My point is, now that 95 percent of the material being sent out has met the objectives of the program, we are only penalizing ourselves if we knock it out in an attempt to get the other 1 percent, 4 percent, 5 percent, or whatever it may be; that it is the better part of wisdom for a sophisticated legislative body to keep the overwhelming good in a program and not find ways to cut the throat in order to stop a nosebleed. This is hardly the way to maintain the good which the Senator from South Dakota was responsible for "fathering." Yet, to that extent, we would be well advised, in conference, to take a real, hard look, and also take a little more sophisticated approach toward this problem if we expect to hold the legislative committee to the requirement of following through on this fresh, hard, harsh look at the program and to putting it on a constructive and going basis.

Mr. JAVITS. Madam President, will the Senator from South Dakota yield?

Mr. MUNDT. I yield.

Mr. JAVITS. Madam President, in response to my friend and colleague, the Senator from South Dakota [Mr. MUNDT], let me say that I was in the House and I served with him on the Foreign Affairs Committee there. I yield to no one in my admiration for the great "firsts" for which he was responsible, in this and other fields, in the House of Representatives.

Mr. MUNDT. The Senator was very helpful.

Mr. JAVITS. I love my colleagues, as the Senator knows, and have the deepest regard for them. I know that they cooperate with me, as I cooperate with them. My colleague is a great defender of the freedoms of the individual, including Senators and Representatives.

That the legal situation should be made clear, the committee is entirely right about. As the Senator from South Dakota has said, that brings in here a cut in the staff that anyone, including myself, could move to restore. The practical result would be, I believe, this would not really raise the question in a substantive and fair way. I am not going to do it. I am going to leave it to the conference. Whatever may be the misgivings, the fact it is, I did not do it, and we do not want the implication to be drawn therefrom.

I speak now, as a lawyer with some experience, to the fact that I did not move to restore the 180 odd thousand dollars, which did not give any legislative force—as the statute could not, under the Constitution—to the recital of the Appropriations Committee in its report.

Madam President, I respect that recital. That is why, in 1963, I urged that the Foreign Relations Committee get at this. I have no excuses to make for the Foreign Relations Committee. The Senator from South Dakota [Mr. MUNDT] is himself a distinguished member of this committee. I think it is shameful that they have not got at it yet.

Mr. MUNDT. I agree.

Mr. JAVITS. The only thing I point out is that the executive branch has some rights, too. There is a revolving fund of $4 million which has not been legislatively dealt with. The fact that we may cut off workers operating a program from their salaries—in this case, 17 workers—does not mean that we have repealed the revolving fund. We cannot do that. Obligations still exist which have to be met. There is money in order to meet them. It could not be affected by what was said in the report of the Appropriations Committee. That concerns me as a lawyer. What concerns me more is this: I join in the tremendous respect and admiration for the "firsts" proposed by Senator MUNDT, including the informational media guaranty program. We worked together on that, and I know how much labor went into it.

What disturbs me—because I am familiar with the operations of business, as does the Senator—is that there are certain structures of distribution, and so forth, on the printing, on the delivery channels, and so forth, which may be dismantled if the program is actually cut off, and then we may find that we may not be able to restore it. After all, if we do want to restore it, no matter under what terms, there have to be two parties to the contract—to wit, private enterprise and the U.S. Government. So that I had hoped, at long last, for the "second coming"—to continue the allegory of my colleagues in previous colloquy here—this long-sought-for "second coming" of the Foreign Relations Committee, to look into this thing with imminence, that at least we might keep as much as we could together in the budget, if they could look at it.

I appreciate the feelings of the Senator from South Dakota that it would be better if we cut it off completely, so perhaps if a middle ground could be hewed out here, the situation could be met.

If this legislation is cut off as a result of conference, I should like to make two pleas: One would be the plea that the conference give consideration to the hope to which the Senator from Wyoming [Mr. MCGEE] has addressed himself. The second plea would be, as a matter of law, because the money remains, notwithstanding the cutoff of the workers, to perform the obligations to the extent that the money in that revolving fund is available.

I do not know what that will mean in terms of operation of the department. I only point out that the recital in the report does not cut that off. I have the greatest respect for the Appropriations Committee. I know how they feel. I hope very much that, at long last, we we will get a substantive decision through action by the Foreign Relations Committee.

The Senator was very helpful in that, because he is a member of the committee.

Mr. AIKEN. Madam President, will the Senator yield?

Mr. McGEE. I yield.

Mr. AIKEN. When the Senator from New York referred to the second coming of the Foreign Relations Committee, I wondered if he referred to that committee as existing under heavenly conditions at the present time.

Mr. McGEE. I think he was referring to the immortality of the committee.

Madam President, I ask unanimous consent to have made a part of the RECORD a statement from the senior Senator from Pennsylvania [Mr. CLARK] on this question.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR CLARK

The Informational Media Guaranty Program (IMG) has been a valuable means of getting tens of millions of copies of American books, magazines, newspapers and other informational materials in the hands of foreign consumers in many countries where they would not otherwise be available because of foreign exchange restrictions. This program has been in operation for over twenty years and has been an important channel through which ideas and information have been disseminated from America to the world.

There is now pending an Administration bill to revise the program on which the Chairman of the Foreign Relations Committee has indicated his intention of holding hearings early next year. It would be extremely unfortunate to have the program abruptly terminated at this time because of a "directive" in the report of the Appropriations Committee on H.R. 18119, before a thorough review of the whole program can be conducted by the Foreign Relations Committee within a very few months. I trust that the program will be carried on until that time.

Mr. MUNDT. Madam President, I want to refer very briefly to what my distinguished friend from New York has had to say, primarily concerning his discussion of the proper functioning of the Appropriations Committee and its relationship with the executive agencies, which raises a question of far greater significance than the question of whether we should eliminate the informal media guarantee program, or give it a dying date, or wait until we can meet in January to reach some conclusion as to whether we can support it.

I think we all agree that there is a part to be played in this area by the private sector, provided we write understandable criteria, and provided the moneys we have provided as guarantees, will, in the use of foreign currencies, be made available to American taxpayers for Federal expenditures. We do not want to double the trouble by throwing money away on indefensible projects overseas.

Naturally, there is a "resolution" in the measure and naturally if the action of the committee stands and the bill is adopted without amendment of it, its provisions will have to be met.

The Senator from New York made the statement that, as a matter of law—he is a lawyer and I am not—he feels the State Department or its related agencies could, if they wanted to, go ahead and draw out of that revolving fund, if they get the permission of the head of the agency or department, in complete, total, and direct defiance of the subcommittee and full Appropriations Committee which have initiated that congressional action. He said it could go right ahead and continue to do what it wanted.

Perhaps, as a matter of law, we could not impeach or fire them for doing that; but, as a matter of practical reality and history, I can guarantee the U.S. Senate that it is not going to happen. If it is done once by any agency it is not going to happen a second time.

I think Members of Congress ought to think about what would be the implications of following the legalistic argument of my good friend from New York. His is an argument that, after all, Congress is rather impotent; it can state something in the law; we can state anything we say we stand for, but the agencies can say, "Oh, well, you just represent the people, but we can adopt any formula or practice or course of action that we want to."

That would mean that we might just as well appropriate money in bulk, and provide a revolving fund for the Department of Labor or the Department of Commerce or any other department, and say, "You can have *x* amount of money. Spend it in any way you like." We might write in a flexiblity clause, in which there would be a flexibility of 5, 10, or 15 percent, and give the agencies a revolving fund, and provide that they can only get a revolving fund the second time where they got it the first time, but if they abused it we would dry it up.

We had a reverse angle on this very question right here on the floor of the Senate where, based on misinformation, bad judgment, or whatever the reason of the executive agency was, it decided to close up a number of veterans facilities, including one in the State of my distinguished friend from New York.

In that case, this much abused Appropriations Committee and the Senate, using the Appropriations Committee as a vehicle, wrote into the appropriation bill an amendment which I authored that not one nickel or penny voted for the Veterans' Administration was to be used to close up these Veterans' facilities, including the one in New York.

Mr. JAVITS. And I was in favor of that.

Mr. MUNDT. The Senator from New York and his colleague were mighty glad we did that. They said, "This is a great day."

While legally the agencies may have that right to ignore a congressional mandate, realistically we must maintain the people's control of the purse, and the people are represented in Congress. It was out of that formula that freedom first saw the light of day among the civilized countries of the world. We must protect that right.

I do not believe we are dealing with a speculative situation whereby, in defiance of Congress, Mr. Marks and Mr. Chernoff and other administrators are going to do something which they have been prohibited from doing. Perhaps this can be worked out in conference. I do not know if it will be. I think it can be worked out in the Foreign Relations Committee. I do not think the program should be permanently abandoned, but that it now be terminated and then it should be reexamined, restudied, reexplored, rewritten, and the guarantees we provide should result in having the currencies help the taxpayers of America by being used for their benefit.

Mr. JAVITS. Madam President, I shall be brief. I know the manager of the bill wants the bill passed.

Before I do that, may I call the attention of the Senator from Arkansas [Mr. MCCLELLAN] to the report, the Community Relations Services, which is under the Department of Commerce, which was transferred to Justice.

I hope that this is merely a matter of arrangement in the report and is not reflected in the substantive aspect of the bill, because that particular service is in the Department of Justice. I am sure the staff assistants will examine into the situation.

Madam President, I now wish to say a brief word about the fact that the Committee on Appropriations, in a statesmanlike and sensible way, in my judgment, increased somewhat—indeed, by 10 percent—the allowance for the U.S. Travel Service over and above the House figure of $3 million. The Senate committee has allowed $3,300,000. I express the hope that the Senate conferees will adhere to that figure in conference.

This is an effort to stimulate foreign travel into the United States. The biggest element of imbalance in international payments, one of the complicating factors in our whole monetary and financial picture in the United States, is the so-called travel gap.

In 1965, U.S. tourists abroad spent $1.7 billion more than foreign tourists spent in the United States. For 1966, the figure is estimated to be $1.9 billion. The work of the U.S. Travel Service has been highly useful.

Madam President, I ask unanimous consent to have printed in the RECORD a table showing the average annual increase in visitors from various key centers of the world from which there is travel to the United States, and an appraisal of the annual return per dollar invested as it relates to the added number of visitors.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Expenditures and receipts from USTS office areas

	Annual cost of operation [1]	Visitors to United States		Average annual increase in visitors (1963-66)	Average annual increase in visitor expenditures [2] (1963-66)	Annual return per dollar invested
		1963	1966			
OFFICERS						
London	$372,241	132,098	203,800	23,901	$9,560,400	$25.68
Paris	270,892	44,577	78,700	11,374	4,549,600	16.79
Frankfurt	220,712	72,906	122,000	16,365	6,546,000	29.66
Rome	108,439	23,000	38,300	5,100	2,040,000	18.81
Mexico City	138,683	288,566	471,400	60,945	15,236,000	109.80
Tokyo	171,764	35,631	59,800	8,056	3,222,400	18.76
Sydney	119,408	34,595	51,700	5,702	2,280,800	19.08
REPRESENTATIVES						
Bogotá	80,742	219,218	323,600	34,761	13,904,400	172.21
São Paulo	57,225	37,185	73,500	12,105	4,842,000	35.63
Stockholm	[3] 23,890	28,604	43,900	5,099	2,039,000	(4)
Amsterdam	[5] 28,926	25,270	39,400	4,710	1,884,000	(4)
Total	1,593,012	941,740	1,506,100	188,118	66,104,600	

[1] Based on fiscal year 1966 figures (prior years slightly lower). Includes office salaries and expenses, rent, promotional material distribution costs, local sales promotion allotments, local editorial support contracts, advertising media space costs, and State Department administrative support charges.

[2] Based on an average expenditure of $400 per overseas visitor and $250 per Mexican visitor, as determined by the Office of Business Economics.

[3] Established February 1966. Area previously covered by USTS/London.

[4] Not available.

[5] Established October 1965. Area previously covered by USTS/Paris.

Mr. JAVITS. Madam President, all of that increase, of course, is not attributable to the work of the U.S. Travel Service, but some of it is, as the proportions are extremely great. I think a strong business basis is indicated for a greater investment of U.S. funds.

The budget estimate called for $4.7 million. The Senate committee has certainly done better than the House by recommending $3.3 million. I express the hope, since this is a hardheaded business proposition, involving a key sector of American imbalance in international payments, that the committee will stick by its guns in conference and will retain the Senate figure for the U.S. Travel Service.

I ask unanimous consent to insert in the Record the text of my October 5 statement on the USTS fiscal year 1967 request before the Appropriations Committee and a speech I made on U.S. travel before the 26th U.S. Travel Conference on October 10.

There being no objection, the statements were ordered to be printed in the Record, as follows:

Remarks of Senator Jacob K. Javits Prepared for Testimony Before the Senate Appropriations Committee

In my opinion, the decision of the House Appropriations Committee to approve once more only $3 million for the United States Travel Service (USTS) for fiscal year '67 as against $4.7 million authorized by Congress since 1961 is a grave mistake, and I hope that this Committee will not follow suit but will honor this long standing and what could be a very profitable commitment of Congress.

With the travel gap over $1.7 billion in 1965 and currently running at an estimated annual rate of $1.9 billion, we should do everything in our power to narrow this "gap" through effective positive acts rather than further restrictions. As of now this government has decided—and rightly so—that we will not take the path of restrictions on the travel of our citizens in dealing with our mounting travel "gap." At the same time Congress seems to be unwilling to invest the funds that are required to mount an effective and positive program directed at increasing and facilitating foreign travel to the United States. This is bad from a business point of view, and it does not make sense in our balance of payments.

I do not believe, having had an opportunity to read the hearings of the House Appropriations Committee on the USTS, that the House Committee was justified in denying USTS' request for the full $4.7 million Congress authorized when it established USTS in 1961. Its request is reasonable in terms of the modest program expansion proposed and in terms of the problem to be met.

The $1.4 billion we earned in 1965 from foreign travel in the U.S., $150 million above 1964 and $350 million above 1963, is one of our most important export items. Although it is difficult to establish cause and effect in the role of USTS in this increase I am convinced that it was major factor.

I support the work of the USTS, because it is important to this country at this time because the U.S. balance of payments deficit. Also, because my own New York State in common with many other states is an important travel state and benefits from the services rendered by USTS. According to the estimates of the New York State Travel Bureau, travel in New York is a $3 billion industry, the third largest in the state. More than 500 communities depend on the tourist business as their prime source of income and there are over 1000 tourist attractions in New York State. In New York City alone, tourists spend over $1 billion annually for transportation, entertainment, hotels, sightseeing, etc., and as a result the travel industry is the greatest single employer of unskilled labor in the City. New York City attracts an estimated 16 million out of town visitors each year, of whom about 1 million are visitors from abroad.

My purpose in citing these statistics is to show that my state—like many other states—needs the support given to our own travel promotion efforts by the USTS.

Every modern industrialized nation in the world has a national tourist office which serves as the focal point of the country's effort to attract foreign tourists to its shores. We are latecomers in this area and therefore our efforts should be much greater. In 1965 there were nearly 118 million international travelers, about 7.2 million of whom came to the U.S. By 1972 we should be able to attract 15 million foreign visitors to the U.S., according to USTS estimates, provided we do an effective job.

By every yardstick the USTS budget is inadequate. Other countries spend over $19 million through more than 100 offices in the United States alone to attract our citizens. USTS with a $3 million budget last year was able to spend only $1.7 million abroad to support 11 offices, to advertise our tourist attractions and for public relations. In 1966 Canada alone will spend 80% of its $10 million budget for tourist promotion in the U.S., while we do not even have a travel office in Canada. Seven foreign countries spend more than $4 million in travel oriented advertising in 10 U.S. magazines in 1965 while USTS magazine advertising overseas was $184,712. Spain, Canada, Mexico, the UK, Ireland, France, Greece, Switzerland and Italy all have larger total travel budgets than the USTS for exactly the same purposes.

There is no question that as a first step the Senate should support the $4.7 million requested by USTS for FY 1967. The next year I urge that serious consideration should be given to raise the USTS budget to the $10 to 15 million range. Last July I introduced S. 2305 with the bipartisan cosponsorship of 10 Senators which would assign to the USTS much broader functions than it presently has, including the job to coordinate all travel oriented functions within the Federal Government, to do and support more research and promotion, and to give better direction to the domestic travel expansion program. S. 2305 would also establish a National Tourism Resources Review Commission to conduct a national inventory of our travel resources and to develop recommendations as to the best way to develop our domestic travel assets in coming years.

The travel "gap" is mounting and unless we do a much better job of travel promotion we may well have no choice but to impose restrictions on the right of Americans to travel abroad. This would not only be offensive from a constitutional point of view but also damaging to our commercial interests to our world leadership.

Remarks of Senator Jacob K. Javits, Prepared for Delivery at the U.S. Travel Conference of the National Association of Travel Organizations, October 10, 1966

OUR INADEQUATE NATIONAL TRAVEL PROGRAM

Faced with a relentlessly growing travel gap which is materially worsening our balance of payments problems and which may even lead to restrictions on international travel by U.S. citizens, the Administration has responded with bold words but with little action. This is one of the gravest and yet most remediable of the Administration's failures in foreign economic policy!

Unfortunately, it must also be said that the response of the travel industry itself has not been as effective as it could be.

First, let's consider the response of the Federal Government to the challenge of the travel gap, currently estimated to be causing an adverse effect on our international balance of payments of $1.9 billion for this year. This deficit was $1.7 billion in 1965, and $1.6 billion in 1964.

The U.S. gives the U.S. Travel Service a budget of $3 million, a staff of 82 in 11 overseas offices and tells it to create a flood of foreign tourists to this country. The Administration also launched a Discover America Program, with a budget of a half million dollars to encourage domestic travel, apparently in the hope that this will help convince our people to spend their travel money at home.

In addition, and despite its large majorities in the House of Representatives, the Administration has seemingly been unable to get its members to grant the USTS the $4.7 million it requested for the next fiscal year—$1.7 million above last year's budget. The matter has not yet been settled in the Senate, but even if the Senate votes a higher amount than the House, it will still have to contend with the House-proposed bill.

The Discover America program is now 18 months old, and while it can point to some initial successes, it has not made a dent in the problem and will apparently be unable to do much more in a fundamental way in the future.

Why?

Because our national travel effort is not being adequately researched, financed and led.

Because the Administration permitted—even encouraged—the further fragmentation of the already amorphous U.S. travel industry at a time when it should have encouraged its greater cohesion.

Because it gave no encouragement whatever to the Senate Commerce Committee to hold hearings on a bill—sponsored by 3 Republicans, including myself, and 8 Democrats—which could provide solutions to at least some of our travel problems.

Thus far our government has felt, and rightly so, that the best solution to the travel gap lies in the direction of constructive, positive measures rather than in the direction of restrictions on the right of U.S. citizens to travel abroad freely. However, absence of restraint is not a policy and our efforts to date in the positive direction have been inadequate and therefore unsuccessful.

Rightly or wrongly the world is getting impatient with our persistent balance of payments deficit and we must do something about it in the near future. If we cannot deal positively with the travel gap, which is a major contributor to the U.S. balance of payments deficit, then we will have to do it through restrictions on the free movement of money or by reducing our world responsibilities. This would gravely damage our commercial interests and our world leadership and jeopardize peace and security everywhere.

Therefore let us dispense with half measures, cut our ineffective programs and mount an immediate, well-financed and well coordinated attack on the travel gap.

First, it is essential that the $4.7 million requested by USTS for FY 1967 be appropriated by Congress.

Second, hearings should be held as soon as possible by the Senate Commerce Committee on S. 2305, the travel bill I introduced with bipartisan cosponsorship, and on the overall U.S. travel problem. These hearings were promised 14 months ago.

Third, I believe there should be a major study of U.S. travel resources and policies, in order to lay the basis for an effective domestic and foreign travel promotion program. Ideally, the study should be privately financed and sponsored through the U.S. Travel Advisory Committee.

Every modern industrialized nation in the world has a national tourist office to serve as the focal point of the country's efforts to attract foreign tourists to its shores. They not only do this because tourism is a very lucrative source of income for these nations but also because they realize that tourism is an effective way to establish communications between peoples. We are latecomers in the competition for the world tourist trade and therefore our efforts should be proportionately much greater than those of others.

Our travel problem is soluble through a creative partnership between private enterprise and government. Neither can do it alone. The record to date proves this.

I already described the shortcomings on the part of the Government's efforts. The travel industry, through NATO, "Discover America," and its various component industries, have made only what amounts to a modest beginning in terms of the billion dollar problem facing us. It also must assume part of the blame for failing to devise an appropriate solution to the problems of the ever-widening gap between our tourism earnings and expenditures.

It is my firm conviction that the primary responsibility for the development of American tourism is that of private enterprise and the government's role must be confined to that of catalyst and coordinator. I am all for "Discover America," "See the USA" or any other slogan designed to awaken the American public to the sights and pleasures of our nation. But in the end what counts is whether the amount of effort put behind these slogans is adequate to do the job.

The bill I introduced last July calls for a balanced program of private and government effort. It is cosponsored by Senators Hartke of Indiana, Long of Missouri, McGee of Wyoming, Scott of Pennsylvania, Cannon of Nevada, Williams of New Jersey, Brewster of Maryland, Pearson of Kansas, Bible of Nevada and Clark of Pennsylvania. The bill is designed principally to attract foreign travelers to the U.S. but it would also encourage travel within the United States by Americans, through an expanded and strengthened United States Travel Service with a budget of $15 million. This expanded USTS would be in a position to increase its overseas operations, to adopt modern methods through the use of computers, etc., to advertise more extensively, to compile comprehensive travel statistics and to plan for the future. It would be given statutory authority to coordinate present Federal travel related programs. In the domestic field, it would develop a coherent national travel policy, encourage the construction or expansion of new travel facilities within the United States and act as the Federal Government's link with state, local and private tourist development organizations.

The bill would also authorize $2.5 million for a comprehensive study of our national travel resources and policies and would empower a National Tourism Resources Review Commission, composed of prominent travel experts, to oversee this study and to make recommendations as to the adequacy of our resources and our travel policies over the next decade.

As I have already indicated, I would strongly favor private enterprise undertaking this study through the U.S. Travel Advisory Committee of USTS. The important point is that the study is badly needed. It should be made by private enterprise if possible, but, if not, then by government.

Two very important questions could be answered by such a study, in addition to others I already mentioned: (1) Whether an independent Federal agency should be established as our national travel office or a private organization should be given a Federal charter to do the job; and (2) whether it would be practical to establish a matching fund program to assist the States in developing their own promotion and facilities improvement programs.

Time for a positive effort to deal with our travel gap and our balance of payments is running out. Let us demonstrate that we remain wedded to the principle of a world increasingly free of restrictions and that we retain the capacity to deal with our problems on this basis. I am confident that we do have this capacity, so let us begin.

Mr. BREWSTER. Madam President, I rise to bring to the attention of my colleagues a situation which I consider deplorable.

This morning we are considering appropriations for, among other departments and agencies, the Maritime Administration, a subsidiary of the Department of Commerce. The Appropriations Committee has recommended that the Senate appropriate $106,685,000 to the Maritime Administration for ship construction.

Madam President, I would like to state that this figure, this $106,685,000 is wholly inadequate. It simply is not enough to keep our merchant marine going for very long.

However, low as this figure may be, it is nowhere near so low as the 1967 budget estimate for ship construction. That figure, $85 million, is appalling, and I thank the Appropriations Committee for at least taking a more realistic attitude toward the American Merchant Marine than the Bureau of the Budget.

The fact is, nevertheless, Mr. President, that last year's appropriation for ship construction was $132,150,000, $25 million more than this year. A $25 million reduction from last year's inadequate funds is totally unjustifiable in terms of the best interests of this country.

History will record the heroic contribution of our merchant fleet to the struggle in Vietnam—a struggle to which it now carries 98 percent of the supplies and material and 80 percent of all the personnel. These efforts will have been the more heroic because we simply were not prepared.

Our present unpreparedness has many causes but among these, Government policy, or lack of it, is most at fault. In recent years our Government's conduct in maritime affairs has been characterized by drift. We have had no anchor in policy, no seamanship at the wheel, and no propulsion to move us forward.

In such circumstances, it is imperative that this nation start now on a determined course in maritime affairs, a course which emphasizes "build American," "operate American," "ship American," and provide the essential administrative and financial tools to steer this course.

I am confident that my colleagues are familiar with the deterioration which has characterized our maritime industry in recent years. I am confident that they recognize the dangers to our security, our economy, our industry, and our ports which are inherent in runaway flags, slashed budgets, idle shipyards, and decreasing numbers of skilled operators and laborers.

These weaknesses in our current maritime posture have not developed suddenly, but they have suddenly taken on an urgency which requires our immediate attention.

The American story is a sad one: First. By 1970 we will have only 200 dry-cargo liners under 25 years old. Second. Our tramp and independent fleet currently averages between 23 and 26 years old. Third. The American shipbuilding program is now 90 ships behind. Fourth. Our shipyards are closing. Fifth. The average American seaman is 50. Sixth. Our skilled maritime work force continues to dwindle. Seventh. Strikes idle our ships and cripple our ports. Eighth. A decade ago we carried 40 percent of our waterborne foreign commerce—today we carry less than 9 percent. Ninth. Our reserve fleet is a paper tiger of overaged, obsolescent, snail-paced, or unseaworthy craft. Tenth. As of this date 143 of our commercial ships are on charter to serve the Vietnam sealift and 161 ships are being broken from the mothball fleet. There are 34 Victories and 184 Liberties remaining in reserve, but I am reliably informed that all of the remaining Victories will soon be broken out and that the remaining Liberties are practically useless.

This is the American picture—it is a picture of crisis—all the more alarming when we remember that we have no adequate maritime program for merchant fleet development or replacement.

Madam President, it is unfortunate—perhaps it is tragic—but I believe it is true—that this story, though told and retold, has never been fully understood by the vast majority of Americans.

Traditionally the American public has been most responsive to the need to maintain our competitive position vis-a-vis the Soviet Union. Perhaps those of us concerned with maritime affairs can learn something from the sputnik experience. Perhaps we can bring to the maritime crisis the kind of public appreciation and political support which is needed by telling the Soviet story and comparing it with our own.

Here are the barebones of that story: First. As early as 1960 the Soviet Union had 464 merchant ships of a thousand gross tons or over, under construction or on order. The United States had 39. Second. Since 1960, new ship orders for the United States have been in an almost steady decline—25 in 1960; 25 in 1961; 27 in 1962; 34 in 1963; 16 in 1964, 16 in 1965; and a probable 11 for 1966. Third. Available Russian figures indicate that deliveries to the Soviet Union numbered 103 in 1964 and 132 in 1965. Fourth. During 1965 the Soviet Union spent over $600 million as against our $132 million for new ship construction. Fifth. As of last year, Russia had 1,261 ships in active operation as against 948 U.S. commercial vessels.

Thus, the Russian fleet presently exceeds our own in size and is rapidly approaching us in total dead weight tonnage. It is estimated that by 1968 she will surpass us in deadweight tonnage too.

I believe that this simple statistical analysis clearly demonstrates the degree to which the present administration of our maritime program fails even to meet the constitutional responsibility of the Government.

The duty to provide for the common defense makes it imperative that we maintain a powerful merchant fleet sufficient to provide complete independence from foreign ships or alien crews with no allegiance to the United States.

The responsibility to regulate commerce with foreign nations cannot be discharged by surrendering such commerce to the merchant fleets of these nations. The responsibility to promote the general welfare cannot be discharged by allowing foreign flags to carry most of our cargo, unbalance our international payments, and deplete our gold reserve. The vow to secure the blessings of liberty to ourselves and our posterity cannot be discharged by pulling down the American flag over the seven seas and abandoning our commerce to uncertain friends or the Communist bloc.

It is high time that this country reassessed its maritime strength in terms of its constitutional obligation to adequately defend the Nation and protect its life line in international commerce.

This year the Congress has appropriated billions of dollars for housing, urban renewal, medical care, social security, regional development, the war on poverty, and a host of other programs. This year we will be subsidizing a host of other programs in industry, in research, in education, and in transportation.

I have supported these programs because I believe that they are necessary to meet the essential needs of a growing nation and an expanding population. But, when I hear others say that the approximately $300 million which we have been spending annually on our merchant marine is too much—is too much to provide the second arm of defense—is too much to provide an adequate sealift for our military forces—is too much to promote our essential waterborne commerce—to safeguard our sea-line—to protect our access to strategic materials—and to provide overseas markets for American abundance—to do all this in time of peace and in time of war—then I must tell them that we have lost sight of the basic essentials which sustain a great nation.

We must understand that if we do not sustain our fleet for these purposes, then all other expenditures for social and economic improvement might some day be sacrificed to international disaster.

This is a problem which, unfortunately, has not received sufficient consideration. If it had received this attention, we would not be in the sorry state in which we find ourselves today.

To remedy this situation, I am today introducing a bill, for appropriate reference, which would require annual congressional authorization of funds for certain programs of the Maritime Administration. In this way we would guarantee that the appropriate committees of Congress would make a searching inquiry each year into the needs of the merchant marine.

Hopefully, in this way we will be able to return the United States to the head of the list of international shipping powers. As of the moment, she is falling far, far behind.

Mr. YARBOROUGH. Madam President, the State, Justice, Commerce appropriation bill, H.R. 18119, prohibits the use of any funds for enforcement of export control orders on cattle hides, calf and kip skins and, bovine leather. I argued and voted for this provision in the extensive discussion we had in the Appropriations Committee and I support it on the floor now.

I would have preferred that the Commerce Department take such action on its own motion. The Department, in my opinion, has failed to make a case for its restrictions on the export of cattle hides and calf and kip skins.

On April 18 I submitted testimony to the Commerce Department on this matter. I concluded by saying that taking all the facts into consideration, it seems clear to me that restricting exports of cattle hides will not have the desired effect but will produce undesired effects. I recommend the immediate abandonment of the policy.

Since that time the Department did make minor adjustments in its policy which do not remove any of the basic objections since the policy remains basically unchanged.

I ask unanimous consent that my remarks of April 18 to be Secretary of Commerce be printed at this point in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Mr. Secretary, I wish to thank you for the privilege of testifying on this most important matter. To me, it is both a privilege and a most important responsibility, because I believe that an objective look at all the evidence will indicate the undesirability of the course which the Department of Commerce is following.

First, I wish to acknowledge that we are faced with a difficult situation. Prices, especially for food, have been rising. But the expedient of cutting back exports of hides in order to keep shoe prices from rising imposes a burden upon cattle producers to support a theory which has not worked and which will not work because it flies in the face of the facts, because a free market in hides will not raise the price on shoes.

The theory upon which the Commerce Department policy is based is contained in a statement of Under Secretary of Commerce Collins before the House Agriculture Committee on March 22. Mr. Collins stated:

"The inflationary aspects proceed in a sequence as follows: (1) Shortage of hides; (2) increased prices of hides; (3) increased prices of leather; and (4) increased prices of shoes."

Keeping this in mind, let us consider the following:

1. According to a 1965 USDA study a $10 pair of shoes contains only $.68 worth of cured hides.

2. The recent rise in cattle hides has been from a very depressed market. On the basis of the 1947–49 average for whole-sale prices equal to 100, the January 1966 index stood at 70.4. This compares with the 1951 level of 124.6 and the 1959 level of 79.9.

As another measure, the current price of hides when adjustment is made for increase in the general price level is lower than either the OPA price ceiling of 1942–45 or the OPS price ceiling of 1951.

3. According to an editorial in the April 13, 1966 Wall Street Journal, the shoe industry says that increased operating and labor costs have played the major role in determining the latest increases in shoe prices.

4. And finally, even with export controls on cattle hides, the price of shoes has gone up anyway. The shoe industry has announced that it will raise prices for the fall line of shoes by 3 to 8 per cent.

The above facts tend to indicate that hide prices are not responsible for the increase in shoe prices. There are still other considerations which make the quota restrictions undesirable on their face. First, the restrictions are a violation of the principle of free trade.

Second, we cannot have such short memories that we do not remember the year 1964, when rising imports of beef posed a great problem for the cattle industry. One of the things which the Government told the industry was: "increase your own exports." This is exactly what the industry has done with cattle hides, which are the second most important product obtained from cattle, after beef. It strikes me as something less than consistent to tell cattle producers to try to increase their exports of what comes from the inside of the steer and then turn around and tell them that they must reduce their exports of what comes from the outside of the animal.

The recent drop in hides exported from Argentina has enabled the United States to move into new markets, especially in Europe. Much of the credit goes to the Commerce Department efforts to stimulate the purchase of U.S. products abroad. Now that we have made great progress in reaching this market for cattle hides, we are going to turn around and tell our new customers, "Sorry, you'll have to shop elsewhere." This is a strange way to build up confidence in American reliability.

The Commerce Department policy threatens cattlemen with serious financial setbacks. Since the policy was announced, hide prices have dropped 3 to 4 cents a pound. The future market for hides has dropped about 7 cents. This has resulted in a drop of about $3 per head for the live animal. It is an unwise act to penalize cattle producers at a time when cattle prices are just recovering from a long siege of below normal prices, to support an unworkable theory.

In addition to the drought in Argentina, Australia, from which I returned last night as a member of the United States Congressional Delegation to the Interparliamentary Union, is undergoing a terrible drought, with vast numbers of livestock dying from lack of water. Now that America is building up an export market, due to worldwide conditions, it should not be destroyed by the acts of our own government.

And so, taking all the facts into consideration, it seems clear to me that restricting exports of cattle hides will not have the desired effect but will produce undesired effects. I recommend the immediate abandonment of the policy.

Mr. McCLELLAN. Madam President, if the chairman may have the last word on the issues discussed here, I associate myself with the views of the Senator from South Dakota [Mr. Mundt]. Again, I would suggest that we deal with the U.S. Information Agency as a practical matter. I am not talking about the legality or about the language in the report at the moment, which is subject to argument; but as a practical matter, I suggest to the Director of the U.S. Information Agency that the request or directive in the report should be respected.

Madam President, I ask for the third reading of the bill.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed for a third reading, and the bill to be read the third time.

The bill (H.R. 18119) was read the third time, and passed.

Mr. McCLELLAN. Madam President, I move that the Senate insist on its amendments and request a conference with the House of Representatives thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to, and the Presiding Officer appointed Senators McCLELLAN, ELLENDER, MAGNUSON, HOLLAND, PASTORE, FULBRIGHT, SMITH, SALTONSTALL, and MUNDT conferees on the part of the Senate.

Mr. MANSFIELD. Madam President, the measure just adopted approves appropriations for the Departments of State, Justice, Commerce, the Judiciary, and related agencies. The senior Senator from Arkansas [Mr. McCLELLAN] deserves great credit for its swift and overwhelming passage. His articulate and persuasive presentation assured such favorable action.

Joining Senator McCLELLAN both in committee and on the floor today was the senior Senator from Maine [Mrs. SMITH], whose hard work, careful diligence, and gracious cooperation served immensely to win Senate approval.

Also to be commended for offering astute and convincing views on various aspects of this measure are the senior Senator from Nebraska [Mr. HRUSKA], the senior Senator from South Dakota [Mr. MUNDT], and the junior Senator from Maryland [Mr. TYDINGS]. And may I say to the rest of the membership that the expeditious success of the measure speaks highly for us all and demonstrates once again the outstanding achievements which our cooperative efforts enable.

ALLIED HEALTH PROFESSIONS PERSONNEL TRAINING ACT OF 1966

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1690, H.R. 13196.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (H.R. 13196) to amend the Public Health Service Act to increase the opportunities for training of medical technologists and personnel in other allied health professions, to improve the educational quality of the schools training such allied health professions personnel, and to strengthen and improve the existing student loan programs for medical, osteopathic, dental, podiatry, pharmacy, optometric, and nursing students, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Labor and Public Welfare, with amendments, on page 5, line 12, after the word "hospital", to strike out "(as defined in paragraph (3) of section 724),"; on page 15, line 21, after the word "professions", to strike out "means a department, division, or other administrative unit (in a junior college, college, or university)" and insert "means a junior college, college, or university"; on page 16, line 1, after the word "provides", to strike out "primarily or exclusively" and insert "or can provide"; on page 17, line 9, after the word "medicine", to insert "a school of osteopathy,"; in line 11, after "724", to strike out "or with each of such schools,"; on page 19, after line 7, to insert:

(5) The term "affiliated hospital" means a hospital, as defined in section 625, which is not owned by, but is affiliated (to the extent and in the manner determined in accordance with regulations) with, one or more training centers for allied health professions.

On page 20, after line 10, to strike out:

LOAN REIMBURSEMENT PAYMENTS FOR HEALTH PERSONNEL

And, in lieu thereof, to insert:

ADDITIONAL LOAN CANCELLATION FOR HEALTH PERSONNEL PRACTICING IN LOW-INCOME RURAL AREAS

On page 21, after line 2, to strike out:

(b) Section 741 of the Public Health Service Act is amended by inserting at the end thereof the following new subsection:

"(j) In order to encourage students who have obtained a loan under this part to refinance such loan through the student loan program carried out under part B of title IV of the Higher Education Act of 1965, and likewise to encourage students to obtain new loans under such part B program in lieu of obtaining such loans under this part, a student who does so with the approval of the educational institution involved shall, with respect to so much of the loan under such part B as—

"(1) is a refinancing of a student loan made by the institution under this part, or

"(2) in the case of a loan under such part B obtained in lieu of a loan from the institution, does not exceed the amount which he was eligible to borrow from the institution, be entitled, in accordance with regulations of the Secretary, to have the following loan reimbursement payment paid to him by the Secretary where such person—

"(1) engages in the practice of medicine, dentistry, optometry, or osteopathy in an area in a State determined by the appropriate State health authority, in accordance with regulations prescribed by the Secretary, to have a shortage of and need for physicians, optometrists, or dentists; and

"(2) the appropriate State health authority certifies to the Secretary, in accordance with regulations prescribed by the Secretary, that such practice helps to meet the shortage of and need for physicians, optometrists, or dentists in the area where the practice occurs, then an amount equal to 10 per centum of the total amount of each such loan shall be paid for each year of such practice, up to a total of an amount equal to 50 per centum of such loan. In the case of a physician, dentist, or optometrist, the annual amount shall be 15 per centum (rather than 10 per centum) for each year of such practice in an area in a State which for purposes of this paragraph and for that year has been determined by the Secretary, pursuant to regulations and after consultation with the appropriate State health authority, to be a rural area characterized by low family income, and for the purpose of payments pursuant to this sentence, an amount equal to an additional 50 per centum of any such loan may be paid.

"No payment shall be made under this subsection for service performed more than fifteen years from the execution of the note or written agreement evidencing it."

(c) Section 823 of the Public Health Service Act is amended by inserting at the end thereof the following new subsection:

"(f) In order to encourage students who have obtained a loan under this part to refinance such loan through the student loan program carried out under part B of title IV of the Higher Education Act of 1965, and likewise to encourage students to obtain new loans under such part B program in lieu of obtaining such loans under this part, a student who does so with the approval of the educational institution involved shall, with respect to so much of the loan under such part B as—

"(1) is a refinancing of a student loan made by the institution under this part, or

"(2) in the case of a loan under such part B obtained in lieu of a loan from the institution, does not exceed the amount which he was eligible to borrow from the institution, be entitled, in accordance with regulations of the Secretary, to have paid to such student by the Secretary, as loan reimbursements, an amount equal to 10 per centum of the total principal amount of any such loan for each complete year of service as a full-time professional nurse (including teaching in any of the fields of nursing training and service as an administrator, supervisor, or consultant in any of the fields of nursing) in any public or nonprofit private institution or agency, up to a total of an amount equal to 50 per centum of such loan. No payment shall be made under this subsection for service performed more than fifteen years from the execution of the note or written agreement evidencing it."

(d)(1) The second sentence of section 435(a) of the Higher Education Act of 1965 (relating to the definition of "eligible institution") is amended to read as follows: "Such term also includes any public or other nonprofit school of health or school of nursing, and any school which provides not less than a one-year program of training to prepare students for gainful employment in a recognized occupation and which meets the provisions of clauses (1), (2), (4), and (5)."

(2) Such section 435 is further amended by striking out all that follows subsection (a) and inserting in lieu thereof the following new subsections:

"(b) The term 'school of health' means a school which is accredited as provided in section 721(b)(1)(B) of the Public Health Service Act and which provides training leading to a degree of doctor of medicine, doctor of dentistry, or an equivalent degree, doctor of osteopathy, bachelor of science in pharmacy, or doctor of pharmacy, doctor of podiatry, or doctor of surgical chiropody, or doctor of optometry, or an equivalent degree.

"(c) The term 'school of nursing' means a collegiate, associate degree, or diploma school of nursing.

"(d) The term 'collegiate school of nursing" means a department, division, or other administrative unit in a college or university which provides primarily or exclusively and accredited program of education in professional nursing and allied subjects leading to the degree of bachelor of arts, bachelor of science, bachelor of nursing, or to an equivalent degree, or to a graduate degree in nursing.

"(e) The term 'associate degree school of nursing' means a department, division, or other administrative unit in a junior college, community college, college, or university which provides primarily or exclusively an accredited two year program of education in professional nursing and allied subjects leading to an associate degree in nursing or to an equivalent degree.

"(f) The term 'diploma school of nursing' means a school affiliated with a hospital or university, or an independent school, which provides primarily or exclusively an accredited program of education in professional nursing and allied subjects leading to a diploma or to equivalent indicia that such program has been satisfactorily completed.

"(g) The term 'accredited' when applied to any program of nurse education means a program accredited by a recognized body or bodies approved for such purpose by the Commissioner of Education, except that a program which is not eligible for accreditation by such a recognized body or bodies shall be deemed accredited for purposes of this part if the Commissioner finds, after consultation with the appropriate accreditation body or bodies, that there is reasonable assurance that the program will meet the accreditation standards of such body or bodies prior to the beginning of the academic year following the normal graduation date of students who are in their first year of instruction at such school during the fiscal year in which such finding by the Commissioner is made.

"(h) The term 'eligible lender' means an eligible institution; an agency or instrumentality of a State, or a financial or credit institution (including an insurance company) which is subject to examination and supervision by an agency of the United States or of any State.

"(i) The term 'line of credit' means an arrangement or agreement between the lender and the borrower whereby a loan is paid out by the lender to the borrower in annual installments, or whereby the lender agrees to make, in addition to the initial loan, additional loans in subsequent years."

At the top of page 27, to strike out:

ENCOURAGING PRIVATE CAPITAL FOR LOANS TO STUDENTS IN SCHOOLS OF MEDICINE, OSTEOPATHY, DENTISTRY, PHARMACY, PODIATRY, AND OPTOMETRY

Sec. 5. Part C of title VII of the Public Health Service Act is amended by inserting at the end thereof the following new sections:

"ENCOURAGING PRIVATE CAPITAL FOR STUDENT LOANS

"Sec. 746. (a) For the purpose of substituting for direct Federal support to the maximum extent practicable private and other non-Federal funds for student loans, the Secretary is authorized to provide the following forms of assistance, upon such terms and conditions as he may deem appropriate, for the benefit of students attending schools of medicine, osteopathy, dentistry, pharmacy, podiatry, and optometry:

"(1) If such a school borrows non-Federal funds (or otherwise receives or makes available repayable non-Federal funds) for deposit in a student loan fund established under this part, the Secretary may (A) guarantee timely repayment of all or part of such funds (plus interest thereon), (B) agree to reimburse the school for up to 90 per centum of the loss to it from defaults on student loans made from such funds, and (C) agree to pay to the school the amount of the interest differential (as defined in subsection (c)) with respect to such funds.

"(2) If such a school arranges for a student assistance organization (as defined in subsection (c)) to make loans to students attending the school, the Secretary may enter into an agreement with the organization upon the terms set forth in section 740 and may (A) guarantee timely repayment of funds (plus interest thereon) borrowed by the organization for deposit in its student loan fund established under this part, (B) agree to reimburse the organization for up to 90 per centum of the loss to it from defaults on student loans made from such borrowed funds, and (C) agree to pay to the organization the amount of the interest differential with respect to such borrowed funds. A student assistance organization with which the Secretary makes an agreement pursuant to this paragraph shall be deemed to be a school described in section 740(a) for purpose of applying the other provisions of this part.

"(3) If such a school enters into an arrangement with one or more lenders pursuant to which the lender makes loans (upon terms and conditions set forth in section 741) in such amounts and to such students as the school may determine on the basis of the criteria set forth in subsections (a) and (b) of section 741, the Secretary may (A) guarantee to the lender timely repayment of the loans (including amounts thereof which are canceled), and (B) agree to pay to the lender such amount as the Secretary determines will give the lender, considering the interest on the loan, a reasonable rate of return on such loan. The Secretary shall condition any such assistance upon agreement by the school to pay the Secretary promptly an amount equal to 10 per centum of the amount paid by him to the lender on account of defaults on such student loans.

"(b) The assistance provided by the Secretary pursuant to subsection (a) shall be subject to the following limitations:

"(1) If the interest on an obligation is exempt from income taxation by reason of section 103(a) of the Internal Revenue Code of 1954, the Secretary shall not guarantee timely payment of that obligation except during such time or times as it is held beneficially by a holder which is exempt from income tax because it is a State or an instrumentality of a State or because of section 501(c) of such Code.

"(2) No payment shall be made under this section with respect to a loan if the rate of interest on that loan exceeds such per centum per annum on the principal obligation outstanding as the Secretary (after consultation with the Secretary of the Treasury) determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the rate of interest the borrower pays or would have to pay with respect to other loans of a similar duratin.

"(c) For purposes of this section—

"(1) the term 'interest differential' means the excess of (A) the amount of interest paid by a school or organization with respect to sums deposited by it as capital contributions to a student loan fund established under this part, over (B) the amount of interest received by it on student loans made from such funds,

"(2) the term 'student assistance organization' means a nonprofit organization authorized to make loans to students in one or more schools of medicine, osteopathy, dentistry, pharmacy, podiatry, or optometry.

"REVOLVING FUND; APPROPRIATIONS AUTHORIZED

"Sec. 747. (a) There is hereby created in the Treasury a separate fund (hereinafter in this section called 'the fund') which shall be available to the Secretary without fiscal year limitation as a revolving fund for making deposits into the student loan funds of schools which have agreements with the Secretary under this part but which for legal or other reasons are unable (as determined by the Secretary) to take adequate advantage of assistance under section 746. Deposits made from the fund shall be made upon such terms and conditions as the Secretary may deem appropriate, and they may be made without regard to the allocation provisions of section 742(b). There shall be deposited into the fund all amounts appropriated pursuant to this section and any other moneys, property, or assets derived by the Secretary from his operations in connection with the fund, including any moneys derived directly or indirectly from the sale of assets, or beneficial interests or participations in assets, of the fund. There shall be paid from the fund all payments to schools required by section 741(i) with respect to student loans financed from deposits made from the fund and all expenses and payments of the Secretary in connection with the sale (through the Federal National Mortgage Association or otherwise) of participation in obligations acquired under this part. If at any time the Secretary determines that moneys in the fund exceed the requirements of the fund, such excess shall be transferred to the general fund of the Treasury.

"(b)(1) There are authorized to be appropriated $22,000,000 for the fiscal year ending June 30, 1967, and $20,000,000 for the fiscal year ending June 30, 1968, for making payments into the fund established under subsection (a).

"(2) In order to receive deposits from the fund (and notwithstanding section 741(g)), a school must agree to require each student who receives a loan financed from such capital contributions to authorize in writing assignment to the Secretary of the note or other evidence of that loan, and the note or other evidence of each prior loan made by the school to the student under this part, and the school must agree to assign to the Secretary so much of these notes or other evidence of loans as he may determine. The school shall continue to collect, as agent of the Secretary and for so long as he may determine, payments of principal and interest with respect to any such notes or other evidence of loans which may be assigned. Ten per centum of such payments with respect to notes or other evidence of loans which have been assigned shall be retained by the school and 90 per centum of such payments shall be paid to the Secretary.

"(c)(1) For any fiscal year, the aggregate of (A) the amount of loans which may be guaranteed under clause (A) of paragraph (1), (2), or (3) of subsecton (a) of section 746, (B) the amount of any other loans with respect to which the Secretary agrees to pay the interest differential authorized by section 746(a), (C) the amount of deposits to student loan funds made from the fund established under subsection (a), and (D) the amount of loans (except so much of such amount as is for refinancing loans) with respect to which the Secretary may be required, by virtue of section 741(j), to make loan reimbursement payments, may not exceed such maximum amount as may be authorized by an appropriation Act, except that this amount in turn may not exceed the amount authorized to be appropriated for that year by section 742(a). Whenever a specified maximum amount is so authorized by an appropriation Act, there shall be established on the books of the Treasury as indefinite appropriations such sums as may be necessary from time to time to enable the Secretary to make payments required by a contract of guaranty or by any other undertaking made by him pursuant to section 746 with respect to such maximum amount.

"(2) For any fiscal year, the share of the maximum amount determined under paragraph (1) which shall be available for students attending any school shall be determined by the Secretary by allocating such maximum amount among schools and organizations with which he has agreements under this part in a manner which he deems to be consistent, considering the availability of student assistance under title IV–B of the Higher Education Act of 1965, with the provisions of section 742(b)."

At the top of page 34, to strike out:

ENCOURAGING PRIVATE CAPITAL FOR LOANS TO STUDENTS IN SCHOOLS OF NURSING

Sec. 6. Part B of title VIII of the Public Health Service Act is amended by inserting at the end thereof the following new sections:

"ENCOURAGING PRIVATE CAPITAL FOR STUDENT LOANS

"Sec. 829. (a) For the purpose of substituting for direct Federal support to the maximum extent practicable private and other non-Federal funds for student loans, the Secretary is authorized to provide the following forms of assistance, upon such terms and conditions as he may deem appropriate, for the benefit of students attending schools of nursing:

"(1) If such a school borrows non-Federal funds (or otherwise receives or makes available repayable non-Federal funds) for deposit in a student loan fund established under this part, the Secretary may (A) guarantee timely repayment of all or part of such funds (plus interest thereon), (B) agree to reimburse the school for up to 90 per centum of the loss to it from default on student loans made from such funds, and (C) agree to pay to the school the amount of the interest differential (as defined in subsection (c)) with respect to such funds.

"(2) If such a school arranges for a student assistance organization (as defined in subsection (c)) to make loans to students attending the school, the Secretary may enter into an agreement with the organization upon the terms set forth in section 822(b) and may (A) guarantee timely repayment of funds (plus interest thereon) borrowed by the organization for deposit in a student loan fund established under this part, (B) agree to reimburse the organization for up to 90 per centum of the loss to it from defaults on student loans made from such borrowed funds, and (C) agree to pay to the organization the amount of the interest differential with respect to such borrowed funds. A student assistance organization with which the Secretary makes an agreement pursuant to this paragraph shall be deemed to be a school of nursing for purpose of applying the other provisions of this part.

"(3) If such a school enters into an arrangement with one or more lenders pursuant to which the lender makes loans (upon terms and conditions set forth in section 823 (b)) in such amounts and to such students as the school may determine on the basis of the criteria set forth in section 823, the Secretary may (A) guarantee to the lender timely repayment of the loans (including amounts thereof which are canceled), and (B) agree to pay to the lender such amount as the Secretary determines will give the lender, considering the interest on the loan, a reasonable rate of return on such loan. The Secretary shall condition any such assistance upon agreement by the school to pay the Secretary promptly an amount equal to 10 per centum of the amount paid by him to the lender on account of defaults on such student loans.

"(b) The assistance provided by the Secretary pursuant to subsection (a) shall be subject to the following limitations:

"(1) If the interest on an obligation is exempt from income taxation by reason of section 103(a) of the Internal Revenue Code of 1954, the Secretary shall not guarantee timely payment of that obligation except during such time or times as it is held beneficially by a holder which is exempt from income tax because it is a State or an instrumentality of a State or because of section 501(c) of such Code.

"(2) No payment shall be made under this section with respect to a loan if the rate of interests on that loan exceeds such per centum per annum on the principal obligation outstanding as the Secretary (after consultation with the Secretary of the Treasury) determines to be reasonable, taking into account the range of interest rates prevailing in the private market for similar loans and the rate of interest the borrower pays or would have to pay with respect to other loans of a similar duration.

"(c) For purposes of this section—

"(1) the term 'interest differential' means the excess of (A) the amount of interest paid by a school or organization with respect to sums deposited by it as capital contributions to a student loan fund established under this part, over (B) the amount of interest received by it on student loans made from such funds.

"(2) the term 'student assistance organization' means a nonprofit organization authorized to make loans to students in one or more schools of nursing.

"REVOLVING FUND; APPROPRIATIONS AUTHORIZED

"SEC. 830. (a) There is hereby created in the Treasury a separate fund (hereinafter in this section called 'the fund') which shall be available to the Secretary without fiscal year limitation as a revolving fund for making Federal capital contributions to schools which have agreements with the Secretary under this part but which for legal or other reasons are unable (as determined by the Secretary) to take adequate advantage of assistance under section 829. Federal capital special contributions made from the fund shall be made upon such terms and conditions as the Secretary may deem appropriate, and they may be made without regard to the allocation provisions of section 825. There shall be deposited into the fund all amounts appropriated pursuant to this section and any other moneys, property, or assets derived by the Secretary from his operations in connection with the fund, including any moneys derived directly or indirectly from the sale of assets, or beneficial interest or participation in assets, of the fund. There shall be paid from the fund all payments to schools required by section 823(c) with respect to student loans financed from capital contributions from the fund, and all expenses and payments of the Secretary in connection with the sale(through the Federal National Mortgage Association or otherwise) of participation in obligations acquired under this part. If at any time the Secretary determines that moneys in the fund exceed the requirements of the fund, such excess shall be transferred to the general fund of the Treasury.

"(b) (1) There are authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1967, and $20,000,000 for the fiscal year ending June 30, 1968, for making payments into the fund established under subsection (a).

"(2) In order to receive capital contributions from the fund (and notwithstanding section 823(b)(7)), a school must agree to require each student who receives a loan financed from such capital contributions to authorize, in writing, assignment to the Secretary of the note or other evidence of that loan, and the note or other evidence of each prior loan made by the school to the student under this part, and the school must agree to assign to the Secretary so much of these notes or other evidence of loans as he may determine. The school shall continue to collect, as agent of the Secretary and for so long as he may determine, payments of principal and interest with respect to any such notes or other evidence of loans which may be assigned. Ten per centum of such payments with respect to notes or other evidence of loans which have been assigned shall be retained by the school and 90 per centum of such payment shall be paid to the Secretary.

"(c) (1) For any fiscal year, the aggregate of (A) the amount of loans which may be guaranteed under clause (A) of paragraph (1), (2), or (3) of subsection (a) of section 829, (B) the amount of any other loans with respect to which the Secretary agrees to pay the interest differential authorized by section 829(a), (C) the amount of capital contributions to student loan funds made from the fund established under subsection (a), and (D) the amount of loans (except so much of such amount as is for refinancing loans) with respect to which the Secretary may be required, by virtue of section 823(f), to make loan reimbursement payments, may not exceed such maximum amount as may be authorized by an appropriation Act, except that this amount in turn may not exceed the amount authorized to be appropriated for that year by section 824. Whenever a specified maximum amount is so authorized by an appropriation Act, there shall be established on the books of the Treasury as indefinite appropriation such sums as may be necessary from time to time to enable the Secretary to make payments required by a contract of guaranty or by any other undertaking made by him pursuant to section 829 with respect to such maximum amount.

"(2) For any fiscal year, the share of the maximum amount determined under paragraph (1) which shall be available for students attending any school shall be determined by the Secretary by allocating such maximum amount among schools and organizations with which he has agreements under this part in a manner which he deems to be consistent, considering the availability of student assistance under title IV–B of the Higher Education Act of 1965, with the provisions of section 825."

(b) Paragraph (1) of section 806(c) of the Public Health Service Act is amended by inserting "(A)" after "year" and by inserting the following before the semicolon at the end of such paragraph: ", or (B) a loan of $100 or more (i) pursuant to section 823(f) (except so much as refinances a loan) or (ii) pursuant to section 829(a)(3)".

At the top of page 41, to strike out:

AUTHORIZING LOAN INSURANCE FOR LOANS TO REFINANCE LOANS MADE FROM FEDERALLY ASSISTED STUDENT LOAN FUNDS

SEC. 7. A loan by an eligible lender (as that term is defined in section 435 of the Higher Education Act of 1965) shall also be insurable by the Commissioner of Education, or by a State or nonprofit private institution or organization, under the provisions of title IV-B of that Act if it is made for the purpose of enabling the borrower to repay one or more student loans obtained by him from a loan fund established under title VII or VIII of the Public Health Service Act. The Commissioner of Education shall promulgate such regulations as he may deem appropriate to assure that loans which are insurable by virtue of this section shall be used for the purpose for which they are made. A loan shall be insurable by virtue of this section only if it is evidenced by a note or other written agreement which meets the requirements of section 427(a)(2) of the Higher Education Act of 1965, except that if the repayment period has begun for any loan which is to be repaid, the new loan may not be insured unless its repayment period begins when the loan is paid to the borrower. The amount of any loan which is made insurable by virtue of this section shall not be included in determining whether a student has exceeded the annual or aggregate limits set forth in section 425(a)(1) or section 428 (b)(1)(A) of such Act.

On page 42, after line 4, to insert:

ESTABLISHING A REVOLVING FUND FROM WHICH SCHOOLS MAY OBTAIN LOANS TO CAPITALIZE HEALTH PROFESSIONS STUDENT LOAN FUNDS UNDER TITLE VII–C OF THE PUBLIC HEALTH SERVICE ACT

SEC. 5. (a) Section 744 of the Public Health Service Act (relating to loans to schools) is amended to read as follows:

"LOANS TO SCHOOLS; REVOLVING FUND

"Loan to schools

"SEC. 744. (a) (1) During the fiscal years ending June 30, 1967, and June 30, 1968, the Secretary may make loans, from the revolving fund established by subsection (d), to any public or other nonprofit school referred to in section 740(a) which is located in a State and is accredited as provided in section 721 (b)(1)(B), to provide all or part of the capital needed by any such school for making loans to students under this section (other than capital needed to finance the institutional contributions required by section 740 (b)(2)(B)). Loans to students from such borrowed sums shall be subject to the terms, conditions, and limitations set in section 741. The requirement in section 740(b)(2)(B) with respect to institutional contributions to student loan funds shall not apply to loans made to schools under this section.

"(2) A loan to a school under this section may be upon such terms and conditions, consistent with applicable provisions of section 740, as the Secretary deems appropriate. If the Secretary deems it to be necessary to assure that the purposes of this section will be achieved, these terms and conditions may include provisions making the school's obligation to the Secretary on such a loan payable solely from such revenues or other assets or security (including collections on loans to students) as the Secretary may approve. Such a loan shall bear interest at a rate which the Secretary determines to be adequate to cover (A) the cost of the funds to the Treasury as determined by the Secretary of the Treasury, taking into consideration the current average yields of outstanding marketable obligations of the United States having maturities comparable to the maturities of loans made by the Secretary under this section, and (B) probable losses.

"Payments to schools to cover certain costs incurred in making student loans from borrowed funds

"(b) If a school borrows any sums under this section, the Secretary shall agree to pay to the school (1) an amount equal to 90 per centum of the loss to the school from defaults on student loans made from such sums, (2) the amount by which the interest payable by the school on such sums exceeds the interest received by it on student loans made from such sums, (3) an amount equal to the collection expenses authorized by section 740(b)(3) to be paid out of a student loan fund with respect to such sums, and (4) the amount of principal which is canceled pursuant to section 741 (d) or (f) with respect to student loans made from such funds. There are authorized to be appropriated without fiscal year limitation such sums as may be necessary to carry out the purposes of this subsection.

"Limitation on loans from revolving fund

"(c) The total of the loans made in any fiscal year under this section may not exceed the lesser of (1) such limitations as may be specified in appropriation Acts, and (2) the difference between $35,000,000 and the amount of Federal funds (other than loans under this section) deposited in student loan funds under this part for that year.

"Revolving fund

"(d)(1) There is hereby created within the Treasury a health professions education fund (hereinafter in this section called 'the fund') which shall be available to the Secretary without fiscal-year limitation as a revolving fund for the purposes of this section. A business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act, 31 U.S.C. 847–849) for wholly owned Government Corporations.

"(2) The fund shall consist of appropriations paid into the fund pursuant to section 742(a), appropriations made pursuant to this subsection, all amounts received by the Secretary as interest payments or repayments of principal on loans under this section, and any other moneys, property, or assets derived by him from his operations in connection with this section (other than subsection (b)), including any moneys derived directly or indirectly from the sale of assets, or beneficial interests or participations in assets, of the fund.

"(3) All loans, expenses (other than normal administrative expenses) and payments pursuant to operations of the Secretary under this section (other than subsection (b)) shall be paid from the fund, including (but not limited to) expenses and payments of the Secretary in connection with the sale, under section 302(c) of the Federal National Mortgage Association Charter Act, of participations in obligations acquired under this section. From time to time, and at least at the close of each fiscal year, the Secretary shall pay from the fund into the Treasury as miscellaneous receipts interest on the cumulative amount of appropriations paid out for loans under this section, less the average undisbursed cash balance in the fund during the year. The rate of such interest shall be determined by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding each fiscal year on outstanding Treasury obligations of maturity comparable to the average maturity of loans made from the fund. Interest payments may be deferred with approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest. If at any time the Secretary determines that moneys in the fund exceed the present and any reasonably prospective future requirements of the fund, such excess may be transferred to the general fund of the Treasury.

"(4) In addition to the sums authorized to be appropriated by section 742(a), there are authorized to be appropriated to the fund established by this subsection $10,000,000 for the fiscal year ending June 30, 1967."

Allotment among schools of funds for Federal capital deposits and loans to schools

(b)(1) Subsection (a) of section 742 of the Public Health Service Act is amended by striking out everything after "appropriated" in the last sentence and substituting therefor the following: "under this section for the fiscal year ending June 30, 1967, or any subsequent fiscal year shall be available to the Secretary (1) for payments into the fund established by section 744(d), and (2) for making Federal capital contributions into loan funds at schools which have established loan funds under this part.

(2) Subsection (b)(1) of such section 742 is amended to read as follows: "The Secretary shall from time to time set dates by which schools must file applications for Federal capital contributions, and for loans pursuant to section 744."

(3) That part of the first sentence of subsection (b)(2) of such section 742 which precedes clause (A) is amended by substituting "section" for "part".

(4) Such subsection (b) of such section 742 is further amended by redesignating paragraph (3) as paragraph (4) and by inserting after paragraph (2) the following:

"(3) Funds available in any fiscal year for payment to schools under this part (whether as Federal capital contributions or as loans to schools under section 744) which are in excess of the amount appropriated pursuant to this section for that year shall be allotted among schools in such manner as the Secretary determines will best carry out the purposes of this part."

Conforming changes

(c)(1) Clauses (A) and (B) of subsection (b)(2) of section 740 of such Act are amended to read: "(A) the Federal capital contributions to the fund, (B) an amount equal to not less than one-ninth of such Federal capital contributions, contributed by such institution,".

(2)(A) So much of section 743(a) of such Act as precedes paragraph (1) is amended by striking out "this part" and inserting in lieu thereof "an agreement pursuant to section 740(b)".

(B) Paragraph (1) of such section 743(a) is amended by striking out "total amount of the allotments to such fund by the Secretary under this part bears to the total amounts in such fund derived from such allotments" and inserting in lieu thereof "total amount of the Federal capital contributions to such fund by the Secretary pursuant to section 740(b)(2)(A) bears to the total amount in such fund derived from such Federal capital contributions" and by striking out "the balance" and inserting in lieu thereof "such balance".

(3) Subsection (b) of such section 743 is amended by inserting "(other than so much of such fund as relates to payments from the revolving fund established by section 744(d))" after "loan fund established pursuant to such agreement".

Effective date

(d)(1) The amendments made by this section shall be effective in the case of payments to student loan funds made after the enactment of this Act, except in the case of payments pursuant to commitments (made prior to enactment of this Act) to make loans under section 744 of the Public Health Service Act as in effect prior to the enactment of this Act.

(2) The Secretary of Health, Education, and Welfare is authorized, at the request of any institution, to take such steps as are necessary to convert a Federal capital contribution (which shall include the amount allocated to it under section 740(b)(2)(A) of the Public Health Service Act) to a student loan fund of such institution, made under title VII of the Public Health Service Act from funds appropriated pursuant thereto for the fiscal year ending June 30, 1967, to a loan under section 744 of such Act as amended by this Act.

On page 49, after line 12, to insert:

ESTABLISHING A REVOLVING FUND FROM WHICH SCHOOLS OF NURSING MAY OBTAIN LOANS TO CAPITALIZE STUDENT LOAN FUNDS UNDER TITLE VIII–B OF THE PUBLIC HEALTH SERVICE ACT

SEC. 6. (a) Section 827 of the Public Health Service Act (relating to loans to schools of nursing) is amended to read as follows:

"LOANS TO SCHOOLS; REVOLVING FUND

"Loans to schools

"SEC. 827. (a)(1) During the fiscal years ending June 30, 1967, and June 30, 1968, the Secretary may make loans, from the revolving fund established by subsection (d), to any public or nonprofit private school of nursing which is located in a State, to provide all or part of the capital needed by any such school for making loans to students under this section (other than capital needed to make the institutional contributions required of schools by section 822(b)(2)(B)). Loans to students from such borrowed sums shall be subject to the terms, conditions, and limitations set forth in section 823. The requirement in section 822(b)(2)(B) with respect to institutional contributions by schools to student loan funds shall not apply to loans made to schools under this section.

"(2) A loan to a school under this section may be upon such terms and conditions, consistent with applicable provisions of section 822, as the Secretary deems appropriate. If the Secretary deems it to be necessary to assure that the purposes of this section will be achieved, these terms and conditions may include provisions making the school's obligation to the Secretary on such a loan payable solely from such revenues or other assets or security (including collections on loans to students) as the Secretary may approve. Such a loan shall bear interest at a rate which the Secretary determines to be adequate to cover (A) the cost of the funds to the Treasury as determined by the Secretary of the Treasury, taking into consideration the current average yields of outstanding marketable obligations of the United States having maturities comparable to the maturities of loans made by the Secretary under this section, and (B) probable losses.

"Payments to schools to cover certain costs incurred in making student loans from borrowed funds

"(b) If a school of nursing borrows any sums under this section, the Secretary shall agree to pay to the school (1) an amount equal to 90 per centum of the loss to the school from defaults on student loans made from such sums, (2) the amount by which the interest payable by the school on such sums exceeds the interest received by it on student loans made from such sums, (3) an amount equal to the amount of collection expenses authorized by section 822(b)(3) to be paid out of a student loan fund with respect to such sums and (4) the amount of principal which is canceled pursuant to section 823(b) (3) or (4) with respect to student loans made from such sums. There are authorized to be appropriated without fiscal-year limitation such sums as may be necessary to carry out the purposes of this subsection.

"Limitation on loans

"(c) The total of the loans made in any fiscal year under this section shall not exceed the lesser of (1) such limitations as may be specified in appropriation Acts, and (2) the difference between $35,000,000 and the amount of Federal capital contributions paid under this title for that year.

"Revolving fund

"(d)(1) There is hereby created within the Treasury a nurse training fund (hereinafter in this section called 'the fund') which shall be available to the Secretary without fiscal-year limitation as a revolving fund for the purposes of this section. A business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act, 31 U.S.C. 847–849) for wholly owned Government corporations.

"(2) The fund shall consist of appropriations paid into the fund pursuant to section 824, appropriations made pursuant to this subsection, all amounts received by the Secretary as interests payments or repayments of principal on loans under this section, and any other moneys, property, or assets derived by him from his operations in connection with this section (other than subsection (b)), inculding any moneys derived directly or indirectly from the sale of assets, or beneficial interests or participations in assets, of the fund.

"(3) All loans, expenses (other than normal administrative expenses), and payments pursuant to operations of the Secretary under this section (other than subsection (b)) shall be paid from the fund, including (but not limited to) expenses and payments of the Secretary in connection with the sale, under section 302(c) of the Federal National Mortgage Association Charter Act, of participations in obligations acquired under this section. From time to time, and at least at the close of each fiscal year, the Secretary shall pay from the fund into the Treasury as miscellaneous receipts interest on the cumulative amount of appropriations paid out for loans under this section, less the average undisbursed cash balance in the fund during the year. The rate of such interest shall be determined by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding each fiscal year on outstanding Treasury obligations of maturity comparable to the average maturity of loans made from the fund. Interest payments may be deferred with approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest. If at any time the Secretary determines that moneys in the fund exceed the present and any reasonably prospective future requirements of the fund, such excess may be transferred to the general fund of the Treasury.

"(4) In addition to the sums authorized to be appropriated by section 824, there are authorized to be appropriated to the fund established by this subsection $2,000,000 for the fiscal year ending June 30, 1967."

(b) Section 824 of the Public Health Service Act is amended by striking out the last sentence and substituting therefor the following: "Sums appropriated pursuant to this section for the fiscal year ending June 30, 1967, or any subsequent fiscal year shall be available to the Secretary (1) for payments into the fund established by section 827(d), and (2) in accordance with agreements under this part, for Federal capital contributions to schools with which such agreements have been made, to be used, together with deposits in such funds pursuant to section 822(b)(2)(B), for establishment and maintenance of student loan funds."

Allotment of funds for Federal capital contributions and loans to schools

(c)(1) Section 825(a) of the Public Health Service Act (relating to allotments of appropriations among States) is amended by inserting "for payment as Federal capital contributions or as loans to schools under section 827)" after "shall be allotted" in the first sentence, and by adding at the end of subsection (a) the following new sentence: "Funds available in any fiscal year for payment to schools under this part (whether as Federal capital contributions or as loans to schools under section 827) which are in excess of the amount appropriated pursuant to section 824 for that year shall be allotted among States and among schools within States in such manner as the Secretary determines will best carry out the purposes of this part."

(2) Section 825(b)(1) of such Act (relating to the allocation of Federal capital contributions to schools) is amended to read as follows:

"(b)(1) The Secretary shall from time to time set dates by which schools of nursing in a State must file applications for Federal capital contributions, and for loans pursuant to section 827, from the allotment of such State under the first two sentences of subsection (a) of this section."

Conforming amendment

(d)(1) So much of section 826(a) of such Act as precedes paragraph (1) is amended by striking out "this part" and inserting in lieu thereof "an agreement pursuant to section 822(b)".

(2) Paragraph (1) of such section 826(a) is amended by striking out "the balance" and inserting in lieu thereof "such balance".

(3) Subsection (b) of such section 826 is amended by inserting "(other than so much of such fund as relates to payments from the revolving fund established by section 827 (d))" after "loan fund established pursuant to such agreement".

Effective date

(e)(1) The amendments made by this section shall be effective in the case of payments to student loan funds made after the enactment of this Act, except in the case of payments pursuant to commitments (made prior to enactment of this Act) to make loans under section 827 of the Public Health Service Act as in effect prior to the enactment of this Act.

(2) The Secretary of Health, Education, and Welfare is authorized, at the request of any institution, to take such steps as are necessary to convert a Federal capital contribution (which shall include the amount allocated to it under section 822(b)(2)(A) of the Public Health Service Act) to a student loan fund of such institution, made under title VIII of the Public Health Service Act from funds appropriated pursuant thereto for the fiscal year ending June 30, 1967, to a loan under section 827 of such Act as amended by this Act.

On page 56, after line 16, to insert:

CONFORMING AMENDMENT TO THE FEDERAL NATIONAL MORTGAGE ASSOCIATION CHARTER ACT

Sec. 7. Section 302(c)(2)(B) of the Federal National Mortgage Association Act is amended to read as follows:

"(B) The Department of Health, Education, and Welfare, but only with respect to loans made by the Commissioner of Education for construction of academic facilities, and loans to help finance student loan programs."

At the top of page 57, to insert:

Transferability of construction grants: Opportunity grants for nursing education

Sec. 8. (a) Section 801 of the Public Health Service Act is amended by adding at the end thereof the following new sentence: "Notwithstanding any other provision of this title, whenever the Surgeon General determines that any part of any amount appropriated, for any fiscal year, to carry out the purposes of either paragraph (1) or paragraph (2) of subsection (a) will not likely be utilized for such purposes during such year, he shall transfer such part to the amounts which are appropriated to carry out the purposes of the other such paragraph, if he has reason to believe that such part can be used for such purposes."

(b) Title VIII of the Public Health Service Act is further amended by adding at the end thereof the following:

"PART D—OPPORTUNITY GRANTS FOR NURSING EDUCATION

"Statement of purpose and appropriations authorized

"Sec. 861. (a) It is the purpose of this part to provide, through schools of nursing (as defined in section 843 (b)), nursing educational opportunity grants to assist in making available the benefits of nursing education to qualified high school graduates of exceptional financial need, who for lack of financial means of their own or of their families would be unable to obtain such benefits without such aid.

"(b) There are hereby authorized to be appropriated $3,000,000 for the fiscal year ending June 30, 1967, $5,000,000 for the fiscal year ending June 30, 1968, and $7,000,000 for the fiscal year ending June 30, 1969, to enable the Secretary to make payments to schools of nursing that have agreements with him entered into under section 867, for use by such schools for payments to undergraduate students for the nursing educational opportunity grants awarded to them under this part. Sums appropriated pursuant to this subsection for any fiscal year shall be available for payment to institutions until the close of the fiscal year succeeding the fiscal year for which they were appropriated.

"Amount of nursing educational opportunity grant—Annual determination

"Sec. 862. From the funds received by it for such purpose under this part, a school of nursing which awards a nursing educational opportunity grant to a student under this part shall, for the duration of the grant, pay to that student for each academic year during which he is in need of grant aid to pursue a course of study at such school, an amount determined by the institution for such student with respect to that year, which amount shall not exceed—

"(1) the lesser of $800 or one-half of the sum of the amount of student financial aid (including assistance under title IV of the Higher Education Act of 1965, but excluding assistance under work-study programs) provided such student by such school and any assistance provided such student under any scholarship program established by a State or a private institution or organization, as determined in accordance with regulations of the Secretary, or

"(2) in the case of a student who during the preceding academic year at a school of nursing received grades placing him in the upper half of his class, the amount determined under paragraph (1) plus $200.

If the amount of the payment, determined pursuant to this section, for an academic year is less than $200 for any student, no payment shall be made under this part to such student for such year. The Secretary shall, subject to the foregoing limitation, prescribe for the guidance of participating institutions basic criteria or schedules (or both) for the determination of the amount of any such nursing educational opportunity grant, taking into account the objective of limiting grant aid under this part to students of exceptional financial need and such other factors, including the number of dependents in the family, as the Secretary may deem relevant.

"Duration of nursing educational opportunity grant

"SEC. 863. The duration of a nursing educational opportunity grant awarded under this part shall be the period required for completion by the recipient of his undergraduate course of study in the nursing school from which he received such grant, except that such period shall not exceed four academic years less any such period with respect to which the recipient has previously received payments under this part pursuant to a prior nursing educational opportunity grant (whether made by the same or another school of nursing). An educational opportunity grant awarded under this part shall entitle the recipient to payments only if he (1) is maintaining satisfactory progress in the course of nurse training which he is pursuing, according to the regularly prescribed standards and practices of the school of nursing from which he received the grant, and (2) is devoting essentially full time to such course of study, during the academic year, in attendance at such school. Failure to be in attendance at the school of nursing during vaction periods or periods of military service, or during other periods during which the Secretary determines in accordance with regulations that there is good cause for his nonattendance (during which periods he shall receive no payments) shall not be deemed contrary to clause (2) of the preceding sentence.

"Selection of recipients of nursing educational opportunity grants

"SEC. 864. (a) An individual shall be eligible for the award of a nursing educational opportunity grant under this part at any school of nursing which has made an agreement with the Secretary pursuant to section 867 (which school is hereinafter in this part referred to as an 'eligible school'), if the individual makes application at the time and in the manner prescribed by such school.

"(b) From among those eligible for nursing educational opportunity grants from a school of nursing for each fiscal year, such school shall, in accordance with the provisions of its agreement with the Secretary under section 867 and within the amounts allocated to the school for that purpose for such year under section 866, select individuals who are to be awarded such grants and determine, pursuant to section 862, the amounts to be paid to them. A school of nursing shall not award a nursing educational opportunity grant to an individual unless it determines that—

"(1) he has been accepted for enrollment as a full-time student at such school or, in the case of a student already attending such school, is in good standing and in full-time attendance there as an undergraduate student;

"(2) he shows evidence of academic or creative promise and capability of maintaining good standing in his course of study;

"(3) he is of exceptional financial need; and

"(4) he would not, but for a nursing educational opportunity grant, be financially able to pursue a course of study at such school.

"Allotment of nursing educational opportunity grant funds among States

"SEC. 865. (a) From the sums appropriated pursuant to the first sentence of section 861(b) for any fiscal year, the Secretary shall allot to each State an amount which bears the same ratio to the amount so appropriated as the number of persons enrolled on a full-time basis in schools of nursing in such State bears to the total number of persons enrolled on a full-time basis in schools of nursing in all the States. The number of persons enrolled on a full-time basis in schools of nursing for purposes of this section shall be determined by the Secretary for the most recent year for which satisfactory data are available to him.

"(b) If the total of the sums determined by the Secretary to be required under section 866 for any fiscal year for eligible schools of nursing in a State is less than the amount of the allotment to that State under paragraph (1) for that year, the Secretary may reallot the remaining amount from time to time, on such date or dates as he may fix, to other States in such manner as he determines will best assist in achieving the purposes of this part.

"Allocation of allotted funds to schools of nursing

"SEC. 866. (a) The Secretary shall from time to time set dates by which eligible schools of nursing in any State must file applications for allocation to such schools of nursing educational opportunity grant funds from the allotment to that State (including any reallotment thereto) for any fiscal year pursuant to section 865(a), to be used for the purposes specified in the first sentence of section 861(b). Such allocations shall be made in accordance with equitable criteria which the Secretary shall establish and which shall be designed to achieve such distribution of such funds among eligible schools of nursing within a State as will most effectively carry out the purposes of this part.

"(b) Payment shall be made from allocations under this section to schools of nursing as needed.

"Agreements with schools of nursing—Conditions

"SEC. 867. A school of nursing, which desires to obtain funds for nursing education opportunity grants under this part, shall enter into an agreement with the Secretary. Such agreement shall—

"(1) provide that funds received by the school under this part will be used by it only for the purposes specified in, and in accordance with, the provisions of this part;

"(2) provide that in determining whether an individual meets the requirements of section 864(b)(3) the school will (A) consider the source of such individual's income and that of any individual or individuals upon whom the student relies primarily for support, and (B) make an appropriate review of the assets of the student and of such individuals;

"(3) provide that the school, in cooperation with other schools of nursing where appropriate, will make vigorous efforts to identify qualified youth of exceptional financial need and to encourage them to continue their education in the field of nursing beyond the secondary school through programs and activities such as—

"(A) establishing or strengthening close working relationships with secondary-school principals and guidance counseling personnel with a view toward motivating studies to complete secondary school and pursue post-secondary-school nursing educational opportunities, and

"(B) making, to the extent feasible, conditional commitments for nursing educational opportunity grants to qualified secondary school student with special emphasis on students enrolled in grade 11 or lower grades who show evidences of academic or creative promise;

"(4) provide assurance that the school will continue to spend in its own scholarship and student-aid program, from sources other than funds received under this part, not less than the average expenditure per year made for that purpose during the most recent period of three fiscal years preceding the effective date of the agreement;

"(5) include provisions designed to make nursing educational opportunity grants under this part reasonably available (to the extent of available funds) to all eligible students in the school in need thereof; and

"(6) include such other provisions as may be necessary to protect the financial interest of the United States and promote the purposes of this part.

"Contracts to encourage full utilization of nursing educational talent

"SEC. 868. (a) To assist in achieving the purposes of this part the Secretary is authorized (without regard to section 3709 of the Revised Statutes (41 U.S.C. 5)) to enter into contracts, not to exceed $100,000 per year, with State and local educational agencies and other public or nonprofit organizations and institutions for the purpose of—

"(1) identifying qualified youths of exceptional financial need and encouraging them to complete secondary school and undertake post-secondary educational training in the field of nursing, or

"(2) publicizing existing forms of financial aid for nursing students, including aid furnished under this part.

"(b) There are hereby authorized to be appropriated such sums as may be necessary to carry out this section.

"Definition of 'academic year'

"SEC. 869. As used in this part, the term 'academic year' means an academic year or its equivalent as defined in regulations of the Secretary."

And, on page 66, after line 14, to insert:

REORGANIZATION PLAN NUMBERED 3 OF 1966

SEC. 9. The amendments made by this Act shall be subject to the provisions of Reorganization Plan Numbered 3 of 1966.

Mr. MANSFIELD. Madam President, I ask unanimous consent that the amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc.

Mr. MANSFIELD. Madam President, I yield to the chairman of the committee [Mr. HILL].

Mr. HILL. Madam President, I have the honor to submit to the Senate the Allied Health Professions Personnel Training Act, H.R. 13196. It constitutes a vital step in our continuing efforts to provide the health manpower this country needs. The legislation has already passed the House of Representatives by a vote of 364 to 0. It was recommended by the President in his 1966 Health and Education Message. It was approved by the Committee on Labor and Public Welfare without a dissenting vote.

H.R. 13196 would, first, authorize a new program of financial assistance to expand and improve our training capacity for the allied health professional; second, increase the rate of "forgiveness" in the case of student loans awarded to physicians, dentists, and optometrists who practice in shortage areas; and third, amend the student loan programs under the Health Professions Educational Assistance Act and Nurse Training Act to encourage the use of private capital, and fourth, provide scholarships for nurses and funds to attract young people into the nursing profession.

ALLIED HEALTH PROFESSIONS

The allied health professions represent medical technologists, dental hygienists, physical therapists, occupational therapists, X-ray technologists and many other categories of paramedical personnel.

Let me cite only a few areas of proven shortage. By 1975 our schools will need to graduate:

Twice the present number of medical and X-ray technologists;

Three or four times the number of dental hygienists; and

Even greater increases in the numbers of medical record librarians, occupational therapists, and physical therapists.

The bill would authorize construction grants, basic improvement grants and special improvement grants to be awarded to training centers for the allied health professions at universities, colleges and junior colleges. The bill would also authorize traineeships for advanced training in the allied health professions and grants for the development of programs for training new types of health technologists.

LOAN FORGIVENESS

Existing law provides for the cancellation of 10 percent of a student loan, plus accrued interest, for each year of practice in a "shortage" area in the case of physicians, dentists, and optometrists up to a maximum cancellation of 50 percent. Under H.R. 13196, the rate of cancellation would increase to 15 percent per year for practice in a poor rural area to a maximum of 100 percent.

STUDENT LOANS

The student loan amendments originally proposed by the Department of Health, Education, and Welfare and adopted by the House in H.R. 13196 provide for Federal encouragement of direct loans from private sources for students in medicine, dentistry, nursing and certain other fields of the health professions. Since proposing the amendment, the Department of Health, Education, and Welfare has determined that the proposal is not acceptable to private lending organizations and would not be feasible. HEW now proposes an alternative.

To encourage the use of private capital, the student loan provisions under the Health Professions Educational Assistance Act and the Nurse Training Act would be amended to make the programs comparable to the program for undergraduates under the Higher Education Amendments of 1966 as approved by the Senate.

NURSING

To help relieve the critical shortage of nurses, the committee adopted amendments to the bill that would:

First, establish a new scholarship program, opportunity grants for nursing education, for needy nursing students;

Second, establish a new program to encourage young people to enter into the nursing profession; and

Third, permit funds under the Nurse Training Act for associate degree and diploma programs to be interchangeable with funds for baccalaureate and higher degree programs, and vice versa, in instances where either one of the programs has insufficient applications and the other is underfunded.

The opportunity grants for nursing education are patterned after the educational opportunity grant program contained in title IV, part A, of the Higher Education Act of 1965.

APPROPRIATIONS

As passed by the House, H.R. 13196 would authorize a total of $155 million in appropriations over the 3 fiscal years 1967, 1968, and 1969. This total would be reduced to $105.3 million through the adoption of the legislation as approved by the Committee on Labor and Public Welfare.

SUPPORT FOR THE LEGISLATION

The following organizations support the enactment of H.R. 13196.

American Association of Dental Schools;

American Association of Junior Colleges;

American Dental Association;

American Hospital Association;

American Institute of Biological Sciences;

American Nurses' Association;

American Optometric Association;

American Public Health Association;

American Society of Clinical Pathologists;

American Society of Medical Technologists;

Association of American Medical Colleges;

National Association of Sanitarians; and

National Committee on Careers in Medical Technology.

I urge the Senate to approve H.R. 13196.

I yield to the Senator from New York.

Mr. JAVITS. Madam President, I just wish to call attention to the fact that there is an enormous shortage of nurses. Major testimony was given on this bill that we had to do something for nursing as one of the allied health professions which had the greatest difficulty. The effects of the nursing shortage are unbelievable.

At this point, I should like to refer to my amendment, originally introduced on September 1 as amendment No. 787, which has been incorporated into H.R. 13196 as section 8 of that measure. This provision is designed to help relieve the critical shortage of nurses which is seriously threatening patient care throughout the Nation. This nursing shortage is widespread and universal, striking both affluent and nonaffluent communities, the cities, the suburbs, and rural areas alike.

As the hearings demonstrate, the Department of Health, Education, and Welfare estimates the nursing shortage at 125,000. In New York City, for example, 25 percent of the registered nursing positions in 150 private hospitals are unfilled. For the city's 21 municipal hospitals, the situation is more drastic—60 percent of the positions are unfilled. Just last week, the New York Times carried the revelation that at the Queens Hospital Center in New York City, State health officials found 15 staff nurses on duty for 1,039 patients one afternoon. Due to the nurse shortage, the center's recovery room is closed on weekends and patients are transferred directly from the operating room to understaffed wards.

I ask unanimous consent that the Times article be printed with my remarks at this point:

There being no objection, the article was ordered to be printed in the RECORD, as follows:

FIFTEEN NURSES ON DUTY FOR 1,039 PATIENTS—STATE AIDS SEE CONDITION OF QUEENS HOSPITAL CENTER

(By Martin Tolchin)

State health officials found 15 staff nurses on duty for 1,039 patients yesterday afternoon at the Queens Hospital Center. They also learned that the center's recovery room was closed on weekends and patients were transferred directly from the operating room to the understaffed wards.

"Are patients adversely affected?" State Senator Seymour R. Thaler, ranking Democrat on the Joint Legislative Committee on Public Health and Medicare, asked Dr. Martin Waldman, as associate attending physician.

"I'd have to say 'yes,'" Dr. Waldman replied, "On weekends we do emergency surgery, and the emergency patient needs the most care."

VIGILS AT BEDSIDE

Dr. Waldman explained that in the absence of a recovery room, internes and residents frequently maintained bedside vigils for postoperative patients. But he added:

"If we get 2 or 3 emergencies, the house staff just doesn't have time."

The hospital was the third—and by consensus, the least run down—to be inspected since the State Health Department began its investigation of the municipal system Wednesday. Dr. Donald Dickson, associate State Health Commissioner, said that all 21 municipal hospitals would be visited within the next four weeks.

In the radiology department at Queens, the visitors were informed that an automatic processing machine first requisitioned eight years ago had yet to be delivered. Consequently, the hand-processing created delays in expediting the 1,000 films developed daily, and impaired the quality of the films, the group was told.

"YOU CAN SEE TOO MUCH"

Dr. Alexander Kovak, an attending radiologist, said that hand-processing necessitated "wet readings" in emergency cases.

"Wet readings are frowned upon," the physician said. "You can overlook something, or see too much."

Dr. Gerald Shapiro, the hospital's chief physicist, added that "the quality of the film suffers."

"You can't process with care 1,000 films a day by hand," he said.

The state officials expressed concern over a high voltage circuit exposed on a wall, uncovered, in an X-ray room.

OPERATING ROOMS TOURED

"It's more than a fire hazard," James Jones, a senior sanitarian with the State Health Department, told Dr. Dickson. "It's a hazard to somebody's life."

The officials donned green surgical scrub suits and toured the four operating rooms, where Dr. Erwin Lear, chief anesthesiologist, told them:

"The red tape involved between here and downtown [the Hospitals Department] is unbelievable."

The adequacy of the linen supply was disputed by Marie Alava, housekeeper, and Dr. Philip Kahn, the hospital administrator.

"Every day, some patients go without linen," Miss Alava, the housekeeper, said.

Dr. Kahn acknowledged that a linen problem existed, especially on Mondays, but said that "generally speaking, there is enough linen every day for every patient."

A MISHAP AT BELLEVUE

Bellevue Hospital, visited Wednesday by state officials, underwent a mishap yesterday when a broken hot water pipe dumped three inches of 140-degree water onto the third floor of the outpatient department. The visit to Bellevue took place after the Joint Legislative Committee on Public Health and Medicare had called the institution "a blot on the city's conscience."

The break, which occurred at 5:30 A.M., three hours before the clinics open, was attributed by Dr. Randolph A. Wyman, the hospital administrator, to "our arteriosclerotic water pipes".

"When you are living in an old tenement like this, you get used to it," Dr. Wyman said. "We have this happen once every couple of months—not exactly as bad as this, but we do have floods."

The outpatients were treated in another area until 10:30 A.M., when the clinic section was reopened.

Mr. JAVITS. Briefly explained, my amendment, as found in section 8, first, establishes a new scholarship program—opportunity grants for nursing education—for needy nursing students; second, establishes a new program to encourage young people to enter into the nursing profession; and third, permits funds under the Nurses Training Act for associate degree and diploma programs to be interchangeable with funds for baccalaureate and higher degree programs, and vice versa, in instances where either one of the programs has insufficient applications and the other is unfunded.

The scholarship program is one of the few remaining unfilled recommendations of the Surgeon General's Consultant Group on Nursing which issued its report, "Toward Quality in Nursing—Needs and Goals," in February 1963. Other principal recommendations in the report were brought to fruition in the Nurses Training Act of 1964.

But, important as the Nurses Training Act and these new amendments are, legislation alone is insufficient to relieve the nursing shortage. As Mrs. Judith G. Whitaker, executive director of the American Nurses' Association, recently wrote me:

> Low salaries have had in the past, and continue to have, adverse influence on the ability of health care facilities to recruit and retain adequate numbers of registered nurses. Immediate and substantial economic improvements must be made if nursing services of the quality and quantity required in modern medical care are to be provided.

The House of Delegates of the American Nurses' Association this summer adopted a national annual salary goal of $6,500 for registered nurses beginning their practice. It has been estimated that achieving such a goal would add approximately 85 cents to the daily costs per patient.

I ask unanimous consent to have printed in the RECORD at this point the statement of the American Nurses' Association in support of the resolution of a national salary goal for entrance into nursing.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT IN SUPPORT OF THE RESOLUTION ON A NATIONAL SALARY GOAL FOR ENTRANCE INTO NURSING

QUALITY HEALTH CARE FOR ALL

"The health of our nation is a key to its future—its economic vitality, the efficiency of its citizens."—JOHN F. KENNEDY.

"Adequate health protection and medical care once were considered privileges in America: privileges limited to those who could afford the best. Today our Nation has greater wealth and a greater heart. We are learning to think of good health not as a privilege for the few, but as a basic right for all."—LYNDON B. JOHNSON.

The demands on health care facilities are now at unprecedented levels. For every thousand persons in our population, there were 139.8 admissions to general and special hospitals in 1962, nearly twice the number admitted in 1940.[1] In 1964, hospitals employed at least 2 million persons, one million more than in 1946.[2]

The demands can only continue to expand. Population growth and increasing numbers of young and old mean that a greater quantity of services will be needed. Medical advance, the growth of technology, and a better informed citizenry mean that qualitative improvements will be needed as well. The problems of the immediate future are of necessity compounded by the advent of new programs. Medicare for our nation's older citizens becomes a reality this July. The needs of our combat forces in Vietnam are growing.

Quality nursing care is an obvious and essential component of quality health care. Our nation's ability to provide the quantity of quality nursing services demanded is threatened by the availability of qualified professional nurse personnel. At least 50,000[3] professional nurses are needed to fill the budgeted full-time positions now vacant:

Twenty-one percent of the positions in nonfederal general hospitals were vacant in 1963;[4]

Twenty percent of the positions in psychiatric hospitals were vacant in 1965;[5]

Eight percent of the positions in professional nursing education programs were vacant in January 1964.[6]

In 1963, the Surgeon General's Consultant Group on Nursing reported:[7]

"Because the need for professional and practical nurses is increasing so much faster than the supply, hospitals have employed ever larger numbers of nursing aids, many of whom are inadequately trained. This pragmatic solution to the problem of shortages has produced an alarming dilution of the quality of service. In some hospitals the use of auxiliary workers has reached such extreme proportions that nursing aides give as much as 80 percent of the direct nursing services.

"Between 1950 and 1962, with the increased complexity of medical service in hospitals, the total amount of care per patient has increased. At the same time, the proportion of direct care given by professional nurses dropped from about 40 percent in 1950 to 30 percent in 1962."

Today there are 621,000[8] professional nurses practicing in the United States. By 1970, the Consultant Group concluded that 850,000 professional nurses, 229,000 more than are employed today, would be needed for "safe, therapeutically effective, and efficient nursing service." Another 73,000[9] will be needed to replace those who will leave the profession between 1966 and 1970. With the recent adoption of new government health programs, such as Medicare, even more than 302,000 additional nurses will be needed by 1970.

QUALITY NURSING CARE MUST BE SUPPORTED BY QUALITY NURSING SALARIES

"Until the economic status of the nursing profession is improved, nursing will be unable to compete successfully with other fields where pay and benefits are more attractive." ("Toward Quality In Nursing," Report of the Surgeon General's Consultant Group on Nursing.)

The single most important deterrent to providing the nursing service to which the American public is entitled, is the continued low economic status of registered nurse nursing practitioners. Low noncompetitive salaries that do not reflect the value of nurses' service to society, effectively discourage the recruitment of talented young people and the retention of qualified, able practitioners.

By whatever standards of equity or justice are applied, nurses' salaries are inadequate. See following table:[10]

Average annual earnings across the nation 1964–1965

College faculty	$9,000
Classroom Teachers	6,200
Factory Workers	5,350
Secretaries	5,300
Teachers and Administrators in professional nursing education programs	6,600
Occupational Health Nurses	5,640
Public Health Staff Nurses:	
In non-official health agencies	5,050
In local official health units	5,605
General Duty Nurses in nonfederal short-term hospitals in metropolitan areas	4,700
Office Nurses	4,500

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[1] U.S. Department of Health, Education and Welfare, "Health, Education and Welfare Trends," 1964 edition.

[2] "Guide Issue" of Hospitals, Journal of the American Hospital Association, August 1, 1965, Part II.

[3] ANA Research and Statistics Unit, computed from known vacancy rates.

[4] ANA Research and Statistics Unit, "Spot Check of Current Hospital Nursing Employment Conditions, November 1962."

[5] ANA Research and Statistics Unit, "Survey of Salaries and Employment Conditions in Nonfederal Psychiatric Hospitals, June 1965."

[6] ANA, "Facts About Nursing," 1965 edition.

[7] Report of the Surgeon General's Consultant Group on Nursing, "Toward Quality in Nursing," p. 15.

[8] Interagency Conference on Nursing Statistics (ANA, NLN, PHS Division of Nursing).

[9] ANA Research and Statistics Unit, estimated on basis of current net attrition rate.

[10] ANA Research and Statistics Unit, compiled from various sources.

Society charges nurses with a grave responsibility; the judgment they bring to daily decisions literally determines matters of life and death.

The knowledge and skills required by today's nurse are many times greater than in the past. Advances in medical technology, the development of new and highly complex treatment procedures, and the introduction of new pharmaceuticals have greatly increased the complexity of nursing care functions. More and more, nurses are involved in the coordination of specialized services and the supervision of a growing number of ancillary workers.

No occupation of comparable responsibility is as poorly compensated. Many occupations requiring equal or less preparation are better paid.

Today's nurses and the nurse of tomorrow require better grounding in the sciences and humanities than ever before. College-bound young men and women must be attracted to the profession in growing numbers to assure the country of an increasing number of qualified teachers and practitioners able to cope with the growing complexity of nursing practice. In its recruitment effort, nursing must compete with the growing number of other career opportunities open to young people. Today the economic rewards of a nursing career fall far short of a genuinely competitive level.

A high school senior weighing the advantages and disadvantages of various career choices, needs very little arithmetic to conclude that the financial advantages of less demanding positions than nursing are impressive.

For a sizeable investment, high school seniors can qualify for a position in nursing. For a token investment, our senior can qualify for a 9:00 to 5:00 position often as financially advantageous and without awesome responsibilities for human life, or the working of irregular hours, unpopular shifts and weekends.

As the Surgeon General's report points out, college-bound young people represent the best recruitment potential for nursing. The available data confirm that nursing is losing out in the competition. Between 1955 and 1964, the number of girls entering college more than doubled, rising from 257,000 to 528,000.[11] Admissions to schools of nursing in this period increased by only 24 percent from 45,209 to 57,604.[12] In 1955, for every girl admitted to a nursing program (collegiate or otherwise), six were admitted to college; by 1964, the ratio was 1 to 9.

The continuing low economic status of professional nursing discourages not only entry into the field, but also the retention of qualified practitioners. Time and again, studies have shown that salary ranks significantly high as a factor in influencing a nurse's decision to change a position.[13] In some such changes, nurses are lost to the profession forever. A great many inactive nurses are married women with young children. Higher salaries would make it possible for more of their number to resume practice. But at today's salaries, it just does not pay them to work; the paycheck would barely cover the outlay for carfare, lunches, uniforms, taxes, and necessary household help.

Low salaries also deters the development of a well-qualified nursing force. Higher salaries make it financially possible for nurses to pursue advanced education and otherwise engage in activities that enhance their knowledge, skills, and practice. Loss of experienced practitioners from the field further aggrevates the problem of maintaining a competent nursing complement.

THE ANA NATIONAL SALARY GOAL FOR ENTRANCE INTO NURSING

"The American Nurses' Association is an organization of registered professional nurses. Its purposes are to foster high standards of nursing practice, promote the professional and educational advancement of nurses, and promote the welfare of nurses to the end that all people may have better nursing care. In working toward these broad objectives the association will—

"Promote the recruitment of competent nursing personnel and the more effective utilization of the professional knowledge and skill of nurses.

"Work with appropriate private and public groups to meet the health needs of the country." (From the ANA Platform, 1964–1966.)

In view of ANA's responsibilities to its members, the nursing profession, and to the public, this National Salary Goal is proposed: In 1966, a registered nurse should enter the profession at a yearly salary of not less than $6,500.

In monthly terms, the goal is $541.67. In hourly terms, assuming a forty-hour week, it is $3.13.

An entrance salary into nursing of at least $6,500 is both reasonable and necessary. The amount is well within the ability of the country to pay. The wealthiest country in the world cannot afford anything but quality nursing care.

The additional cost of higher salaries for registered nurses would be neither burdensome to individual consumers of nursing service nor to the economy as a whole.

Nursing salaries represent only a part of the total cost of health care. Moreover, through the development of prepayment and insurance plans, and government programs such as Medicare, the costs of health care are distributed across the population. By the end of 1964, almost four out of every five persons had some form of hospital expense coverage; [14] more than two-thirds of the hospital's income was derived from health insurance plans.[15]

In hopsitals, implementation of the salary goal for entrance into nursing, with concomitant adjustments in the salaries of experienced practitioners would add approximately 85¢ [16] to the daily costs per patients.

On the recommendation of the ANA Committee on Economic and General Welfare with the approval of the Board of Directors, this salary goal is being submitted to the House of Delegates. It is their considered opinion that $6,500 for a beginning practitioner of nursing is:

"The lowest salary required to place nursing on a minimum competitive basis with other careers open to young men and women.

"The minimum salary required to attract new recruits, keep qualified practitioners in the field, and encourage inactive nurses to resume a career in nursing."

In the implementation of the goal, state nurses' associations bear a heavy responsibility. Their membership, employers of nurses and the public must be informed about it. The national salary goal should be used as a guidepost for negotiation of salaries with employers as well as for the minimum employment standards of state sections.

The goal demonstrates the importance the association attaches to the role of economics in the existing health care crisis. It helps to acquaint all those involved with the serious situation created when an adequate economic base is not provided for health care practitioners.

Mr. JAVITS. Permit me another observation with respect to the nursing shortage. Too often, we speak only in terms of recruiting women into the profession. However, there is a place for men and they can be attracted to the field. For example, while only 1 percent of all persons entering into nursing training programs are men, on a national basis, the Rockland Community College of Suffern, N.Y., which conducts an associate degree program in nursing, boasts of 15 percent men students. I hope that more men will consider entering this important service.

The opportunity grants for nursing education contained in my amendment, section 8, of the bill is patterned after the educational opportunity grant program contained in title IV, part A, of the Higher Education Act of 1965 as is the provision designed to encourage recruitment of young people into the nursing profession. Both of these provisions will be especially useful in helping young people from lower-income and from minority groups. For example, although 11 percent of the population, Negroes comprise less than 5 percent of the nursing profession. Nursing offers an excellent opportunity for these young people to expand their horizons and to fill a national need.

A final word. I am aware that my amendment, as approved by the committee, does not meet all needs. As originally introduced, it included an increase in funds for nursing school construction grants and teaching improvement grants. The scholarship provision, while having all the virtues of the educational opportunity grant program of the Higher Education Act, also has its defects. But all in all, section 8 of H.R. 13196 is a significant and vital step forward in meeting a pressing national need. Let us take that step now.

Mr. HILL. I thank the Senator for his very fine cooperation and material contribution to this bill.

Mr. JAVITS. I am grateful to the Senator from Alabama.

Mr. MONTOYA. Madam President, an amendment which has been attached to the Allied Health Professions Personnel Training Act, has an important and direct bearing on a matter of national concern. This concern is centered on the shortage of professional nurses, now estimated at 125,000 throughout the United States.

Efforts are being made in all sectors—private and public—to attempt to alleviate this shortage. Long-range efforts must be directed toward the education of nurses and the recruitment of greater numbers of young people. The amendment will provide much-needed scholarships for nursing students. Eligible young people would be awarded scholarships of $800 annually, and those who prove themselves by ranking in the upper half of their nursing class would be awarded an additional $200.

In addition, the amendment provides funds for a program to encourage young people to go into nursing. A very useful portion of the amendment concerns transferability of funds. This would permit funds authorized for associate degree and diploma programs to be interchangeable with funds for baccalaureate and higher degree programs in instances where one program has insufficient applications and the other is underfunded.

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[11] U.S. Department of Health, Education and Welfare, "Projections of Educational Statistics to 1974–75," 1965 edition.

[12] ANA, "Facts About Nursing," 1966 edition.

[13] "Influence of Wage Rate on Nurse Mobility," 1962, Graduate Program in Hospital Administration of the University of Chicago; and others.

[14] ANA, "Facts About Nursing," 1966 edition.

[15] Ibid.

[16] Estimated by ANA Research and Statistics Unit.

All of the provisions in this bill should assist in recruiting more able young people into the nursing profession and to serve in a capacity they know will benefit the entire Nation in its efforts to improve health care.

It is unfortunate that salaries for nurses are not commensurate with the degree of preparation nor the tasks which they perform. Salaries, of course, are not a matter for Congress. But it should be noted that public concern and consideration must be given to this vital factor which militates against recruiting more young women into nursing.

The Surgeon General of the United States, Dr. William H. Stewart, discussed this entire problem recently in a speech presented at the Health and Welfare Council of Memphis, Tenn.

Madam President, I ask unanimous consent that Dr. Stewart's thoughtful remarks on this subject be printed at this point in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

The Changing Challenge of Health Manpower[1]

(By William H. Stewart, M.D., Surgeon General, Public Health Service, U.S. Department of Health, Education, and Welfare)

We are living in a time in which the miraculous is taken for granted. Nine very short years ago no man-made object, however small, had ever been propelled into orbit around the world. Yet last week when two men joined their craft to a huge orbiting gas tank 160 miles above the earth, having caught up with it in an hour and a half from a standing start most of us were going about our business as usual. I expect it will take the first manned flight to the moon to bring us back to the level of wonder. And by the time that has been done twice, we'll be ready to settle back and wait for the trips to Mars.

This casual acceptance of miracles is not confined to the space sciences. We in the health field experience our share of it. For an audience as knowledgeable as this one I needn't call the roll of medical advances of the past few years. You are as aware as I am that the reach of medical potential has been extended almost beyond the imagination of physicians who practiced a generation ago.

As with the conquest of space, this revolution has been generated by brilliant advances in scientific research and brought to fruition through equally brilliant advances in applied science and technology. Also as with space, people in general have become accustomed to the medical spectacular. I suppose a genuine cancer cure would be our medical equivalent of the trip to the moon in terms of reawakened public excitement.

But there is one critical flaw in the loose analogy I have been drawing between space and medicine. Relatively few people either want or expect to go into orbit. Everybody expects to receive the benefits of modern health science. This expectation generates tremendous pressure on the health team the doctors and dentists and nurses and their allies who have to deliver the goods.

For medicine and its allied disciplines are involved today in two simultaneous revolutions. The scientific revolution has brought an enormous enrichment of medical capability; we can do more things, better, for more people than ever before. The accompanying social and cultural revolution has caused us to raise our aspirations: instead of delivering the best in medical care to some of the people, some of the time, we are now expected to do it for all the people, all of the time.

The resultant of these two powerful forces is what some people are calling the "crisis in American medicine." I prefer to look upon it as an opportunity the greatest opportunity for service that has even been presented to a generation of health workers.

But if we are to meet this challenge, we need to take a cold, hard look at our resources. Where they are inadequate for the job that society expects us to do, we need to plan and undertake realistic actions that will make them strong enough. If such actions require adjustments on our part, we need to adjust. If they require adjustments on the part of society, we need to say so forcefully and repeatedly.

Today I should like you to join me in assessing the most fundamental resource of all—health manpower. I am going to concentrate our attention primarily on a single profession—the profession of nursing. I shall do so partly because the health manpower field is extremely wide and our unsentimental journey must be brief. Chiefly, however, I am concentrating on nursing because no single group is more important to the day-in, day-out delivery of health care, and because none of the health professions is at a more critical moment in its development.

In common with the other health professions, nursing is being severely challenged by the two revolutions to which I have already referred. The scientific revolution has forced an acceleration of specialization among physicians, as the tasks they perform become increasingly complex. This process in turn has forced specialization on nursing, requiring professional nurses to take on new and complex responsibilities.

To cite a single dramatic example, "intensive care units" for coronary patients are proving highly successful in saving lives during hospitalization. These units are based upon continuous monitoring usually by electronic means—of pulse, respiration and other critical indicators. A highly trained nurse is quite literally at the controls. When her panel indicates a moment of emergency, she is at the barricade between life and death. Her call to the physician, and her action until he arrives decide the issue.

Plainly, this is a far cry from the tea-and-sympathy image of nursing. It calls for high capability and highly specialized training. Thus the first impact on nursing of the scientific revolution has been an insistence on quality.

Meanwhile the social forces that have combined to increase the demand for health care have created an overwhelming need for quantity of nursing service. The words "nursing" and "shortage" have been used together so universally and for so long that they seem almost to have merged in general conversation. However, until recent months, the condition seemed to be one of those chronic ailments which cause constant discomfort but produce only an occasional flareup of real pain.

And then, early this year, there appeared to be a marked turn for the worse in the condition of nursing all over the nation. The problem that had been filed in the back of the public mind began to command immediate and urgent attention.

How deep is the nursing shortage? At mid-year, the Public Health Service announced that the shortage of nurses nationwide was 125,000. But this big figure is more meaningful if we look at specific problems around the country.

One hospital in New York was forced to delay opening many of its facilities because of a shortage of nurses, and it was announced that 60 percent of the registered nurse positions in municipal hospitals in New York City are vacant. The Colorado Nurses' Association said that the shortage of nurses in the Denver metropolitan area is conservatively estimated at nearly 300. A unit of a hospital in Philadelphia was closed temporarily because it couldn't find nurses during the summer vacation period. The Georgia Hospital Association, on the basis of a statewide survey, estimated that an additional 400 nurses could be employed in Atlanta alone. A hospital in Florida planned to increase facilities for patient care in that area by erecting a new hospital building and continuing to use the older structure; however, after a period of almost desperate recruitment, they issued a press release stating that the shortage of nurses had forced them to close the older buildings.

The nurse shortage plaguing Massachusetts flared into an emergency situation, and the State issued an appeal to all inactive nurses to return to work immediately. In a letter to every nurse registered or licensed in Massachusetts, the director of the Division of Employment Security said: "If you are not now working as a nurse in Massachusetts and can answer this emergency call, go to the Massachusetts State Employment Office nearest you and ask about a nursing position in your community or for a refresher course."

The situation in Massachusetts underscores an ironic aspect of the nursing problem. There are more than a million registered professional nurses in the United States. But only a little more than half of the nurses are in active practice, and about a fourth of these are working part-time. We are, therefore, confronted with a profession which is actually functioning at less than half of its potential. This fact alone should warn us that all is not right in nursing.

About the same time that shortages began to hit the headlines, the latent discontent among nurses over salaries and working conditions unexpectedly erupted into mass resignations and bargaining sessions from New York to California. The Wall Street Journal wryly commented, "Florence Nightingale all of a sudden is sounding like Samuel Gompers." But it is important to note that their sympathy was with the Florence Nightingales. The Washington, D.C., Star termed nurses the "forgotten profession," and editorialized, "The facts are all on the side of the nurses. They deserve better, and they must get it, soon." The editorial pointed to a U.S. Bureau of Labor Statistics report that in 1963–64, classroom teachers averaged $6,235 a year, Secretaries $5,170, and factory workers $5,075. In the same period, general duty nurses in non-federal city hospitals—the largest group of nurses—averaged $4,500. "This is a problem that feeds on its own shortcomings," they said. "The lower the pay, the more women resign and the fewer students are encouraged to enter the profession. This in turn throws an ever greater burden on those who remain."

If we are amazed or shocked because nurses are protesting throughout the country, it is because we have indeed been taking them for granted. The time is here when we have no choice but to listen. Nurses in an Illinois city declare that the dogcatcher makes more money than they do. The nurses in a California hospital have pointed out that their pay ranges from $425 to $485 a month, while the gardener at the hospital earns $572 a month.

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[1] Presented at a meeting of the Health and Welfare Council of Memphis, Memphis, Tenn., Sept. 19, 1966.

Salaries are the most obvious, most easily demonstrated cause of unrest in the nursing profession. But pay is by no means the only problem. Unsatisfactory working conditions are cited as frequently as low salaries when nurses are asked why they are leaving the profession.

The major complaint seems to be a sense of frustration because they felt that they are not able to do what they entered nursing to do—take care of patients. They point out that professional nurses are deluged by paperwork, supervision and training duties for the many layers of assistants, practical nurses, aides and orderlies—who function between them and the people who need care. In addition, because nursing services operate 24 hours a day, 365 days a year, professional nurses are frequently called upon to absorb the responsibilities of other health workers who work on conventional hours. At various times nurses substitute for physicians, anesthetists, hospital administrators, dietitians, laboratory technicians and scrubwomen. They are worried about the quality of care patients receive in such conditions of stress. They worry about the adequacy of their own training and the training of those who perform nursing tasks while they are doing something else.

Moreover, there are serious problems of career development. Graduates of hospital schools of nursing—about 85 percent of our national nursing resource—quickly find that they cannot advance beyond a certain level without an academic degree. When they seek the degree, they generally find that their three years of hospital training does not merit a single academic credit. They have to start all over. Most of them, understandably, don't.

Thus, to sum it up, we have in nursing a deeply troubled profession. It is beset by multiple problems which are much easier to describe and document than they are to solve.

Consider, for example, the matter of salaries. Nurses serve many types of institutions. Hospitals are the largest single employer group, and it has been the hospital situation that has received the greatest attention. Often the hospital has been portrayed as the villain of the piece, but life is not that simple. Hospital administrators face upward-spiraling costs—many of them stemming from advances in medical science that require costly equipment and procedures. Nursing salaries and services represent a major portion of the hospital budget. It is not easy to work an overnight miracle and raise nursing salaries to the levels where they belong.

Yet I am convinced that it must be done, and done quickly. If corners must be cut, we must look for other corners. Most hospitals are decades behind in business management practices. Moreover new sources of funds are becoming available—Medicare, for example, will pay in full for the care of many patients whose bills were formerly absorbed in part by the hospitals.

With regard to the less tangible but no less important problems of professional stature and conditions of employment, the entire health enterprise has an enormous job to do. Hospitals, physicians, governmental agencies at all levels, and the nursing profession itself need to ask soul-searching questions about the adjustment to scientific medicine which is still in process.

Who should be trained to perform which functions? By whom should they be trained? Should we go on spawning new specialties, subspecialties and supportive subdisciplines? Should the future of nursing be hitched to the star of science? If so, to what extent is this compatible with the traditional patterns of bedside care? Does the present four-track system of nursing education—practical nurse school, junior college, hospital-school and baccalaureate degree—make sense in terms of future needs? If not, how can it be improved and what can be done in the meantime to provide for sensible interlocks and logical career progressions? What relatively simple things can we do to enable women to be wives and mothers and also practicing nurses?

All these questions, and many more, require thoughtful consideration, experimentation, innovation. We cannot light modern medicine with Clara Barton's lamp, any more than we can time it by the traditional country doctor's pocket-watch.

A few years ago the nation stood in grave danger of losing quality in teaching. Then came Sputnik, and suddenly we realized that we needed very badly to do something very quickly for the teaching profession. Whether or not it was for the right reason, a great many right things took place. Private foundations, the universities, the local and state school boards, and the Federal government moved swiftly and decisively to act upon a powerful surge of public insistence on better education. The money wasn't there and the ideas weren't there when we started, but we found them when we wanted them enough.

We have not yet had our medical Sputnik. It is difficult to imagine an externally imposed motivation that would trigger a similar response.

But we do have a strong tide of public expectation for the best in health care. I don't think we need a Sputnik. I think that this public expectation can give us all the impetus we need. It makes the "health crisis" the greatest opportunity we have ever had.

To meet this challenge we need to answer the hard questions. We need to present those answers to the people who look to us for health service. I am confident that they will respond with the support required to fulfill their expectations.

No single element of the health partnership can answer the questions alone—not the individual professions, nor academic medicine, nor the hospitals, nor government. Groups like your health and welfare planning council furnish excellent meeting grounds for hammering out workable solutions, responsive to the needs of the health professions and the people they serve. Working together across artificial boundary lines that separate profession from profession and sector from sector, I know we can do the job.

Mr. YARBOROUGH. Madam President, in recent years, under the leadership of the distinguished Senator from Alabama [Mr. HILL], Congress has passed bills to aid many of the health professions—doctors, and nurses especially. Much more needs to be done in those areas; those programs as they now stand are far from adequate.

But one very important area has been almost completely neglected by Congress thus far. I am speaking of the allied health professions—the dental hygienists, medical record librarians, medical technologists, occupational therapists, physical therapists, professional nurses, speech pathologists and audiologists, X-ray technologists, laboratory assistants, cytotechnologists, dental assistants, dental lab technicians, practical nurses, and others. As medical treatment grows more complex, the need for these specialties increases. Today many of them are in short supply. For example, in 1965 there were 15,000 dental hygienists with 1,470 being graduated each year. Forty-two thousand dental hygienists will be needed by 1975. We need to increase our annual number of graduates to 5,500 to provide enough to meet the anticipated need. Much the same story could be told for the other health professions.

It is necessary then to increase our manpower investment in the allied health professions. That is what this bill is intended to accomplish. It authorizes grants to universities, colleges, and junior colleges to assist in the construction of new facilities and to improve the quality of training in the allied health professions. The bill also authorizes traineeships.

JUNIOR COLLEGES

When the administration bill was introduced junior colleges were not included. This immediately seemed to me to be a serious omission. Our junior colleges are the fastest growing part of the American higher education scene and are adding an important new, uniquely American force to American higher education. Our junior colleges are doing a magnificent job in offering a chance to go to college to young people who otherwise would not be able to attend.

Upon further investigation I found out that the omission was even more serious than I had at first realized. An increasing number of junior colleges are offering substantial programs in health fields, leading to the preparation of medical technologists. The students who graduate from these programs are fully qualified to take many jobs in the allied health professions, thus assisting in relieving the shortage of trained personnel that we have all seen. About 10,000 students are presently enrolled in allied health professions programs in junior colleges in the United States.

It seemed to me that junior colleges certainly belonged in this program and a majority of the committee agreed with me and accepted my amendment to add junior colleges to the bill. The House had also taken such action, so junior colleges are now included in both the Senate and House bills.

Madam President, this is a bill urgently needed to increase our health manpower supply. I heartily endorse it.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and the third reading of the bill.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill (H.R. 13196) was read the third time, and passed.

Mr. JAVITS. Madam President, I move to reconsider the vote by which the bill was passed.

Mr. HILL. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ORDER OF BUSINESS

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1687, H.R. 17285; Calendar No. 1688, H.R. 14355; and Calendar No. 1695, H.R. 11631, in that order.

The PRESIDING OFFICER. Without objection, it is so ordered.

AMENDMENT OF THE RAILROAD RETIREMENT ACT OF 1937 AND THE RAILROAD RETIREMENT TAX ACT

The bill (H.R. 17285) to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act and for other purposes was considered, ordered to a reading, read the third time, and passed.

AMENDMENT OF THE RAILROAD RETIREMENT ACT OF 1957

The bill (H.R. 14355) to amend the Railroad Retirement Act of 1957 to make certain technical changes, to provide for survivor benefits to children, and for other purposes was considered, ordered to a third reading, read the third time, and passed.

TRAINING OF VETERANS' ADMINISTRATION HEALTH SERVICE PERSONNEL

The Senate proceeded to consider the bill (H.R. 11631) to amend title 38 of the United States Code to clarify the responsibility of the Veterans' Administration with respect to the training and education of health service personnel which had been reported from the Committee on Labor and Public Welfare, with amendments, to strike out all after the enacting clause and insert:

SECTION 1. That this Act may be cited as the "Veterans Hospitalization and Medical Services Modernization Amendments of 1966".

TITLE I—AMENDMENTS TO CHAPTER 73 OF TITLE 38, UNITED STATES CODE—DEPARTMENT OF MEDICINE AND SURGERY

Training and education of health service personnel

SEC. 101. Section 4101 of title 38, United States Code, is amended by inserting "(a)" immediately before the first sentence and by adding at the end thereof the following new subsection:

"(b) In order to more effectively carry out the functions imposed on the Department of Medicine and Surgery by subsection (a) of this section, the Administrator shall carry out a program of training and education of health service personnel, acting in cooperation with schools of medicine, dentistry, osteopathy, and nursing; other institutions of higher learning; medical centers; hospitals; and such other public or nonprofit agencies, institutions, or organizatons as the Administrator deems appropriate."

Departmental divisions

SEC. 102. Section 4102 of title 38, United States Code, is amended by deleting "Medical Service, Dental Service, Nursing Service, and Auxiliary Service" and inserting in lieu thereof the following: "a Medical Service, a Dental Service, a Nursing Service, and such other professional and auxiliary services as the Administrator may find to be necessary to carry out the functions of the Department".

Associate Deputy Chief Medical Director; Additional Assistant Chief Medical Director

SEC. 103. (a) Section 4103(a) of title 38, United States Code, is amended to read as follows:

"(a) The Office of the Chief Medical Director shall consist of the following—

"(1) The Chief Medical Director, who shall be the Chief of the Department of Medicine and Surgery and shall be directly responsible to the Administrator for the operations of the Department. He shall be a qualified physician, appointed by the Administrator.

"(2) The Deputy Chief Medical Director, who shall be the principal assistant of the Chief Medical Director. He shall be a qualified physician, appointed by the Administrator.

"(3) The Associate Deputy Chief Medical Director, who shall be an assistant to the Chief Medical Director and the Deputy Chief Medical Director. He shall be a qualified physician, appointed by the Administrator.

"(4) Not to exceed six Assistant Chief Medical Directors, who shall be appointed by the Administrator upon the recommendation of the Chief Medical Director. One Assistant Chief Medical Director shall be a qualified dentist, who shall be responsible to the Chief Medical Director for the operation of the Dental Service.

"(5) Such Medical Directors as may be appointed by the Administrator, upon the recommendation of the Chief Medical Director, to suit the needs of the Department. A Medical Director shall be either a qualified physician or a qualified dentist.

"(6) A Director of Nursing Service, who shall be a qualified register nurse, appointed by the Administrator, and who shall be responsible to the Chief Medical Director for the operation of the Nursing Service.

"(7) A Chief Pharmacist and a Chief Dietitian, appointed by the Administrator.

"(8) Such other personnel and employees as may be authorized by this chapter.

As used herein, the terms 'qualified physician' and 'qualified dentist' refer to a physician or dentist who has the qualifications prescribed in section 4105 of this title."

(b) Such section 4103 is further amended by amending subsection (b) thereof to read as follows:

"(b) Except as provided in subsection (c) of this section—

"(1) any appointment under this section shall be for a period of four years, with reappointment permissible for successive like periods,

"(2) any such appointment or reappointment may be extended by the Administrator for a period not in excess of three years, and

"(3) any person so appointed or reappointed shall be subject to removal by the Administrator for cause."

(c) The compensation of the Associate Deputy Chief Medical Director of the Department of Medicine and Surgery of the Veterans' Administration shall be the same as that of an Assistant Chief Medical Director in such Department.

Deletion of obsolete language

SEC. 104. Section 4104 of title 38, United States Code, is amended by deleting "(2) Managers, pharmacists" and inserting in lieu thereof "(2) Pharmacists", and by deleting "pathologists," in subparagraph (2).

Citizenship requirements applicable to physicians, dentists, and nurses

SEC. 105. Section 4105 of title 38, United States Code, is amended to read as follows:

"§ 4105. Qualifications of appointees

"(a) Any person to be eligible for appointment to the following positions in the Department of Medicine and Surgery must have the applicable qualifications:

"(1) Physician—

"hold the degree of doctor of medicine or of doctor of osteopathy from a college or university approved by the Administrator, have completed an internship satisfactory to the Administrator, and be licensed to practice medicine, surgery, or osteopathy in a State;

"(2) Dentist—

"hold the degree of doctor of dental surgery or dental medicine from a college or university approved by the Administrator, and be licensed to practice dentistry in a State;

"(3) Nurse—

"have successfully completed a full course of nursing in a recognized school of nursing, approved by the Administrator, and be registered as a graduate nurse in a State;

"(4) Director of a hospital, domiciliary, center or outpatient clinic—

"have such business and administrative experience and qualifications as the Administrator shall prescribe;

"(5) Optometrist—

"be licensed to practice optometry in a State;

"(6) Pharmacist—

"hold the degree of bachelor of science in pharmacy, or its equivalent, from a school of pharmacy, approved by the Administrator, and be registered as a pharmacist in a State;

"(7) Physical therapists, occupational therapists, dietitians, and other employees shall have such scientific or technical qualifications as the Administrator shall prescribe.

"(b) Except as provided in section 4114 of this title, no person may be appointed in the Department of Medicine and Surgery as a physician, dentist, or nurse unless he is a citizen of the United States."

Grade and salary adjustments

SEC. 106. Section 4106 of title 38, United States Code, is amended by—

(a) deleting the words "Automatic promotions" in the second sentence of subsection (c) and inserting in lieu thereof the word "Advancement", and

(b) adding at the end thereof the following new subsection (e):

"(e) In accordance with regulations prescribed by the Administrator, the grade level and salary of a physician, dentist, or nurse changed from a level of assignment where the grade level is based on both the nature of the assignment and personal qualifications, may be adjusted to the grade and salary otherwise appropriate."

Pay grade—Hospital, domiciliary and clinic directors

SEC. 107. (a) Section 4107 of title 38, United States Code, is amended by—

(1) deleting "and Deputy Chief Medical Director" in the first sentence of subsection (a), and substituting therefor, ", Deputy Chief Medical Director and Associate Deputy Chief Medical Director,".

(2) deleting "or the position of clinic director at an outpatient clinic," in the second sentence of paragraph (2) of subsection (b), and

(3) adding at the end thereof the following new subsection (c):

"(c) Notwithstanding any other provision of law, the per annum salary rate of each individual serving as a director of a hospital, domiciliary, or center who is not a physician shall not be less than the salary rate which he would receive under this section if his service as a director of a hospital, domiciliary, or center had been service as a physician in the director grade. The position of the director of a hospital, domiciliary, or center shall not be subject to the provisions of the Classification Act of 1949 as amended."

(b) Any physician or dentist in the executive grade on the date of enactment of this Act by virtue of his holding the position of clinic director at an outpatient clinic may be continued in such grade so long as he continues to hold the same position, notwithstanding the amendment made in section 4107(b) of title 38, United States Code, by section 106(b) of this Act.

Technical amendment—Decision of obsolete language

SEC. 108. Section 4111 of title 38, United States Code, is amended by deleting "(a)" in the first line and subsection (b) in its entirety.

Special medical advisory group; other advisory bodies

SEC. 109. (a) Section 4112 of title 38, United States Code, is amended (1) by amending the catchline thereof to read "§ 4112. Special Medical Advisory Group and Other Advisory Bodies", (2) by inserting "(a)" immediately before the first sentence thereof, (3) by deleting "conduct regular calendar quarterly meetings." in the second sentence thereof, and substituting therefor, "meet on a regular basis as prescribed by the Administrator.", and (4) by adding at the end thereof the following new subsection:

"(b) In each case where the Administrator has a contract or agreement with any school, institution of higher learning, medical center, hospital, or other public or nonprofit agency, institution, or organization, for the training or education of health service personnel, he shall establish an advisory committee (that is, deans committee, medical advisory committee or the like). Such advisory committee shall advise the Administrator and the Chief Medical Director with respect to policy matters arising in connection with, and the operation of, the program with respect to which it was appointed and may be established on an institutionwide, multidisciplinary basis or on a regional basis whenever such is found to be feasible. Members of each such advisory committee shall be appointed by the Administrator and shall include personnel of the Veterans' Administration and of the entity with which the Administrator has entered into such contract or agreement. The number of members and terms of members of each advisory committee shall be prescribed by the Administrator."

(b) The analysis at the head of chapter 73 of title 38, United States Code, is amended by deleting:

"4112. Medical advisory groups."

and inserting in lieu thereof:

"4112. Special Medical Advisory Group; other advisory bodies."

Travel expenses for part-time employees

SEC. 110. Section 4113 of title 38, United States Code, is amended by deleting "and paragraph (1) of section 4104" and inserting in lieu thereof ", paragraph (1) of section 4104 and physicians, dentists, and nurses appointed on a temporary full-time or part-time basis under section 4114".

Waiving licensure requirements for part-time employees

SEC. 111. (a) Section 4114 of title 38, United States Code, is amended by deleting the words "or part-time" in paragraph (a)(1)(A) and inserting in lieu thereof ", part-time, or without compensation".

(b) Such section 4114 is further amended by adding at the end thereof the following new subsection:

"(d) The Chief Medical Director may waive for the purpose of appointments under this section the requirements of section 4105(a) of this title that the licensure of a physician or dentist, or the registration of a nurse must be in a 'State', if—

"(1) in the case of a physician, he is to be used on a research or an academic post or where there is no direct responsibility for the care of patients; or

"(2) in any case, where the individual is to serve in a country other than the United States and his licensure or registration is in the country in which he is to serve."

(c) The catchline of such section 4114 is amended to read "Temporary full-time, part-time, and without compensation appointments; residencies or internships".

(d) The analysis at the head of chapter 73 of title 38, United States Code, is amended by deleting:

"4114. Temporary and part-time appointments; residencies and internships."

and inserting in lieu thereof:

"4114. Temporary full-time, part-time and without compensation appointments; residencies or internships."

Contracting for scarce medical services

SEC. 112. (a) Chapter 73 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 4117. Contracts for scarce medical specialist services

"The Administrator may enter into contracts with medical schools and clinics to provide scarce medical specialist services at Veterans' Administration facilities (including, but not limited to, services of radiologists, pathologists, and psychiatrists)."

(b) The analysis of such chapter 73 is amended by adding at the end thereof the following:

"4117. Contracts for scarce medical specialist services."

TITLE II—AMENDMENTS TO CHAPTER 81 OF TITLE 38, UNITED STATES CODE—ACQUISITION AND OPERATION OF HOSPITAL AND DOMICILIARY FACILITIES; PROCUREMENT AND SUPPLY

Acquisition, maintenance, and charge for parking facilities

SEC. 201. (a) Section 5004 of title 38, United States Code, is amended to read as follows:

"§ 5004. Garages and parking facilities

"(a) The Administrator may construct and maintain on reservations of Veterans' Administration hospitals and domiciliaries, garages for the accommodation of privately owned automobiles of employees of such hospitals and domiciliaries. Employees using such garages shall make such reimbursement therefor as the Administrator may deem reasonable.

"(b)(1) The Administrator may establish, operate, and maintain, in conjunction with Veterans' Administration hospitals and domiciliaries, parking facilities for the accommodation of privately owned vehicles of Federal employees, and vehicles of visitors and other individuals having business at such hospitals and domiciliaries.

"(2) The Administrator may establish and collect (or provide for the collection of) fees, for the use of the parking facilities, authorized by subsection (b)(1) of this section, at such rate or rates which he determines would be reasonable under the particular circumstances; but no fee may be charged for the accommodation of any privately owned vehicle used in connection with the transportation of a veteran to or from such a hospital or domiciliary for the purpose of examination or treatment or in connection with a visit to a patient or member in such hospital or domiciliary.

"(3) The Administrator may contract, by lease or otherwise, with responsible persons, firms or corporations, for the operation of such parking facilities, under such terms and conditions as he may prescribe, and without regard to the laws concerning advertising for competitive bids.

"(c) Money received from the use of the garages and from the parking facilities operations authorized by this section, may be credited to the applicable appropriation charged with the cost of operating and maintaining these facilities. Any amount not needed for the maintenance, operation, and repair of these facilities shall be covered into the Treasury of the United States as miscellaneous receipts."

(b) The table of sections, appearing at the beginning of chapter 81 of such title 38, is amended by deleting therefrom:

"5004. Garages on hospital and domiciliary reservations."

and inserting in lieu thereof:

"5004. Garages and parking facilities."

Negotiations for laundry and other common services

SEC. 202. (a) Section 5012 of title 38, United States Code, is amended by adding a new subsection (c) thereto to read as follows:

"(c) The Administrator may procure laundry services, and other common services as specifically approved by him from nonprofit, tax-exempt educational, medical or community institutions, without regard to the requirements of section 302(c) of the Federal Property and Administrative Services Act of 1949, as amended (41 U.S.C. 252(c)), whenever such services are not reasonably available from private commercial sources. Notwithstanding this exclusion, the provisions of section 304 of that Act shall apply to procurement authorized by this subsection."

(b) The catchline of such section 5012 is amended to read:

"Authority to procure and dispose of property and to negotiate for common services".

(c) The table of sections at the head of chapter 81 of title 38, United States Code, is amended by deleting:

"5012. Authority to procure and dispose of property."

and inserting in lieu thereof:

"5012. Authority to procure and dispose of property and to negotiate for common services."

Sharing of medical facilities, equipment, and information

SEC. 203. Chapter 81 of title 38, United States Code, is amended by adding at the end thereof a new subchapter as follows:

"Subchapter IV—Sharing of Medical Facilities, Equipment, and Information

"§ 5051. Statement of congressional purpose

"It is the purpose of this subchapter to improve the quality of hospital care and other medical service provided veterans under this title, by authorizing the Administrator to enter into agreements with medical schools, hospitals, and research centers throughout the country in order to receive from and share with such medical schools, hospitals, and research centers the most advanced medical techniques and information, as well as certain specialized medical resources which otherwise might not be feasibly available or to effectively utilize other medical resources with the surrounding medical community, without diminution of services to veterans. Among other things, it is intended, by these means, to strengthen the medical programs at those Veterans' Administration hospitals which are located in small cities or rural areas and thus are remote from major medical centers.

"§ 5052. Definitions

"For the purposes of this subchapter—

"(a) The term 'research center' means an institution (or part of an institution), the primary function of which is research, training of specialists, and demonstrations and which, in connection therewith, provides specialized, high quality diagnostic and treatment services for inpatients and outpatients.

"(b) The term 'specialized medical resources' means medical resources (whether equipment, space, or personnel) which, because of cost, limited availability, or unusual nature, are either unique in the medical community or are subject to maximum utilization only through mutual use.

"(c) The term 'hospital', unless otherwise specified, includes any Federal, State, local, or other public or private hospital.

"§ 5053. Specialized medical resources

"(a) To secure certain specialized medical resources which otherwise might not be feasibly available, or to effectively utilize certain other medical resources, the Administrator may, when he determines it to be in the best interest of the prevailing standards of the Veterans' Administration medical care program, make arrangements, by contract or other form of agreement, as set forth in paragraphs (1) and (2) below, between Veterans' Administration hospitals and other hospitals (or medical schools or other medical installations having hospital facilities) in the medical community:

"(1) for the exchange of use of specialized medical resources when such an agreement will obviate the need for a similar resource to be provided in a Veterans' Administration facility; or

"(2) for the mutual use, or exchange of use, of specialized medical resources in a Veterans' Administration facility, which have been justified on the basis of veterans' care, but which are not utilized to their maximum effective capacity.

The Administrator may determine the geographical limitations of a medical community as used in this section.

"(b) Arrangements entered into under this section shall provide for reciprocal reimbursement based on a charge which covers the full cost of services rendered, supplies used, and including normal depreciation and amortization costs of equipment. Any proceeds to the Government received therefrom shall be credited to the applicable Veterans' Administration medical appropriation.

"(c) Eligibility for hospital care and medical services furnished any veteran pursuant to this section shall be subject to the same terms as though provided in a Veterans' Administration facility, and provisions of this title applicable to persons receiving hospital care or medical services in a Veterans' Administration facility shall apply to veterans treated hereunder.

"§ 5054. Exchange of medical information

"(a) The Administrator is authorized to enter into agreements with medical schools, hospitals, research centers, and individual members of the medical profession under which medical information and techniques will be freely exchanged and the medical information services of all parties to the agreement will be available for use by any party to the agreement under conditions specified in the agreement. In carrying out the purposes of this section, the Administrator shall utilize recent developments in electronic equipment to provide a close educational, scientific, and professional link between Veterans' Administration hospitals and major medical centers. Such agreements shall be utilized by the Administrator to the maximum extent practicable to create, at each Veterans' Administration hospital which is a part of any such agreement, an environment of academic medicine which will help such hospital attract and retain highly trained and qualified members of the medical profession.

"(b) In order to bring about utilization of all medical information in the surrounding medical community, particularly in remote areas, and to foster and encourage the widest possible cooperation and consultation among all members of the medical profession in such community, the educational facilities and programs established at Veterans' Administration hospitals and the electronic link to medical centers shall be made available for use by surrounding medical community. The Administrator may charge a fee for such services (on annual or like basis) at rates which he determines, after appropriate study, to be fair and equitable. The financial status of any user of such services shall be taken into consideration by the Administrator in establishing the amount of the fee to be paid.

"§ 5055. Pilot programs; grants to medical schools

"(a) The Administrator may establish an Advisory Subcommittee on Programs for Exchange of Medical Information, of the Special Medical Advisory Group, established under section 4112 of this title, to advise him on matters regarding the administration of this section and to coordinate these functions with other research and education programs in the Department of Medicine and Surgery. The Assistant Chief Medical Director for Research and Education in Medicine shall be an ex officio member of this Subcommittee.

"(b) The Administrator, upon the recommendation of the Subcommittee, is authorized to make grants to medical schools, hospitals, and research centers to assist such medical schools, hospitals, and research centers in planning and carrying out agreements authorized by section 5054 of this title. Such grants may be used for the employment of personnel, the construction of facilities, the purchasing of equipment when necessary to implement such programs, and for such other purposes as will facilitate the administration of this section.

"(c)(1) There is hereby authorized to be appropriated an amount not to exceed $3,000,000 for each of the first four fiscal years following the fiscal year in which this subchapter is enacted for the purpose of developing and carrying out medical information programs under this section on a pilot program basis and for the grants authority in subsection (b) of this section. Pilot programs authorized by this subsection shall be carried out at Veterans' Administration hospitals in geographically dispersed areas of the United States.

"(2) Funds authorized under this section shall not be available to pay the cost of hospital, medical, or other care of patients except to the extent that such cost is determined by the Administrator to be incident to research, training, or demonstration activities carried out under this section.

"(d) The Administrator, after consultation with the Subcommittee shall prescribe regulations covering the terms and conditions for making grants under this section.

"(e) Each recipient of a grant under this section shall keep such records as the Administrator may prescribe, including records which fully disclose the amount and disposition by such recipient of the proceeds of such grant, the total cost of the project or undertaking in connection with which such grant is made or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such records as will facilitate an effective audit.

"(f) The Administrator and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access, for the purpose of audit and examination, to any books, documents, papers, and records of the recipient of any grant under this section which are pertinent to any such grant.

"§ 5056. Coordination with programs carried out under the Heart Disease, Cancer, and Stroke Amendments of 1965

"The Administrator and the Secretary of Health, Education, and Welfare shall, to the maximum extent practicable, coordinate programs carried out under this subchapter and programs carried out under title IX of the Public Health Service Act.

"§ 5057. Reports to Congress

"The Administrator shall submit to the Congress not more than sixty days after the end of each fiscal year separate reports on the activities carried out under sections 5053 and 5054 of this subchapter, each report to include (1) an appraisal of the effectiveness of the programs authorized herein and the degree of cooperation from other sources, financial and otherwise, and (2) recommendations for the improvement or more effective administration of such programs."

SEC. 2. The section analysis at the beginning of chapter 81 of title 38, United States Code, is amended by adding at the end thereof the following:

"SUBCHAPTER IV—SHARING OF MEDICAL FACILITIES, EQUIPMENT, AND INFORMATION

"5051. Statement of congressional purpose.
"5052. Definitions.
"5053. Specialized medical resources.
"5054. Exchange of medical information.
"5055. Pilot programs; grants to medical schools.
"5056. Coordination with programs carried out under the Heart Disease, Cancer and Stroke Amendments of 1965.
"5057. Reports to Congress."

TITLE III—MISCELLANEOUS AMENDMENTS

Correction of administrative error

SEC. 301. Section 210 of title 38, United States Code, is amended by adding "(1)" immediately after "(c)" and the following new paragraph:

"(2) If the Administrator determines that benefits administered by the Veterans' Administration have not been provided by reason of administrative error on the part of the Federal Government or any of its employees, he is authorized to provide such relief on account of such error as he determines equitable, including the payment of moneys to any person whom he determines equitably entitled thereto."

Lease of motor vehicles or aircraft

SEC. 302. Section 213 of title 38, United States Code, is amended by adding the following sentence: "The Administrator may also enter into contracts or agreements with private concerns or public agencies for the hiring of passenger motor vehicles or aircraft for official travel whenever, in his judgment, such arrangements are in the interest of efficiency or economy.

Transportation of employees in emergencies

SEC. 303. (a) Section 233 of title 38, United States Code, is amended by inserting "(a)" at the beginning thereof, and by adding a new subsection "(b)" to read as follows:

"(b) The Administrator, when he determines that an emergency situation exists and that such action is necessary for the effective conduct of the affairs of the Veterans' Administration, may utilize Government-owned, or leased, vehicles to transport employees to and from their place of employment and the nearest adequate public transportation, or, if such public transportation is either unavailable or not feasible to use, to and from their place of employment and their home. The Administrator shall establish reasonable rates to cover the cost of the service rendered, and all proceeds collected therefrom shall be applied to the applicable appropriation."

(b) The catchline of such section 233 is amended to read:

"§ 233. Employees' apparel; school transportation; recreational equipment; visual exhibits; personal property; emergency transportation of employees."

(c) The analysis at the head of chapter 3 of title 38, United States Code, is amended by deleting:

"233. Employees' apparel; school transportation; recreational equipment; visual exhibits; personal property."

and inserting in lieu thereof:

"233. Employees' apparel; school transportation; recreational equipment; visual exhibits; personal property; emergency transportation of employees."

Authorizing treatment of non-service-connected disability of veteran hospitalized for service-connected condition

SEC. 304. That section 610 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"(c) While any veteran is receiving hospital care in any Veterans' Administration facility, the Administrator may, within the limits of Veterans' Administration facilities, furnish medical services to correct or treat any non-service-connected disability of such veteran, in addition to treatment incident to the disability for which he is hospitalized, if the veteran is willing, and the Administrator determines that the furnishing of such medical services (1) would be in the interest of the veteran, (2) would not prolong the hospitalization of such veteran, and (3) would not interfere with the furnishing of medical services to other veterans under authority other than this subsection."

The amendments were agreed to.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "A bill to amend title 38 of the United States Code to clarify, improve, and add additional programs relating to the Department of Medicine and Surgery of the Veterans' Administration, and for other purposes."

EXECUTIVE SESSION

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate proceed to consider executive business.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE MESSAGES REFERRED

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF COMMITTEES

The following favorable reports of nominations were submitted:

By Mr. PASTORE, from the Committee on Commerce:

Robert T. Murphy, of Rhode Island, to be a member of the Civil Aeronautics Board.

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

One hundred and fifty-nine postmaster nominations.

Mr. MANSFIELD. Madam President, the first nomination will be offered by the distinguished Senator from Rhode Island [Mr. PASTORE].

CIVIL AERONAUTICS BOARD

Mr. PASTORE. Madam President, I have had the honor to report, on behalf of the Committee on Commerce, the nomination of Robert T. Murphy of Rhode Island to be a member of the Civil Aeronautics Board for the term of 6 years expiring December 31, 1972.

This is a reappointment. It was unanimously endorsed by the members of the committee, it has been cleared by the other side, and I ask for its immediate consideration.

Mr. DIRKSEN. Madam President, although the ranking member of the committee and the subcommittee is not presently on the floor, in view of the fact that this was unanimously reported earlier today, I am sure there will be no objection.

Mr. PASTORE. We went a step further. We checked with Mr. COTTON, and he has given his approbation.

Mr. DIRKSEN. Fine. No objection.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

FEDERAL TRADE COMMISSION

The assistant legislative clerk read the nomination of Mary Gardiner Jones, of New York, to be a member of the Federal Trade Commission for the term of 7 years from September 26, 1966.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

The assistant legislative clerk read the nomination of Werner A. Baum, of New York, to be Deputy Administrator, Environmental Science Services Administration.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

TRAFFIC SAFETY ADMINISTRATOR

The assistant legislative clerk read the nomination of William Haddon, Jr., of New York, to be Traffic Safety Administrator.

The PRESIDING OFFICER. Without objection, the nomination is confirmed.

COAST GUARD—NOMINATIONS ON THE SECRETARY'S DESK

The assistant legislative clerk proceeded to read sundry nominations in the Coast Guard which had been placed on the Secretary's desk.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Madam President, I move that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

TRIBUTE TO AMERICAN SERVICEMEN IN VIETNAM

Mr. DIRKSEN. Madam President, I have a letter written by Jim G. Lucas, a well-known correspondent in Vietnam, to Mrs. Norman of the District of Columbia Chapter of the Daughters of the American Revolution.

It is a very interesting letter and I think it is worthy of inclusion in the RECORD.

Madam President, I ask unanimous consent that this letter under date of September 30, 1966, be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DANANG, VIETNAM,
September 30, 1966.

DEAR MRS. NORMAN: I am honored that you have asked me to address a message to the members of your chapter of the Daughters of the American Revolution, to be read at your October 1 meeting.

Never before have our fighting men been in greater need of the support of loyal Americans at home.

This is a dirty war. Often, it is a war little comprehended by the men who are fighting it. Yet, I am convinced, each of them know in his heart that what he is doing is just and honorable and right. He knows that it is something that has to be done if Communism is to be stopped in this part of the world. And he—as I am—is proud that this country is doing it.

Yet all too often there is evidence that many back home are actively opposing him, that they are blatantly and arrogantly siding with those who would kill and maim and mistreat him. This is difficult for a young soldier, sailor or Marine to understand. You and I know, of course, that these traitors are in the minority. Many of these lads do not know that. And they are puzzled and hurt. No other generation has been forced to fight his country's war under such a cloud. It is damnably unfair.

These are good lads, Mrs. Norman. I know you realize that. Like many people of my years, there have been times I have despaired of the younger generation. My association with these youngsters over the past three years has convinced me, anew, that those fears and those doubts have no real basis. It is heartening, it is heart warming, to live and endure hardships with them. Their courage defies description. Their discipline is a thing of beauty. Their willingness to sacrifice, to take punishment, yes, to endure the unendurable that others may live is awesome and inspiring.

Believe me when I say these boys are every bit as good as we were and twice as smart.

What we are doing here is right. It is just. It is honorable. Communism is on trial here. Specifically, the basic tenets of Mao Tse-tung are at stake. If we can prove him wrong, Red China will crumble, for its ideological base will have been destroyed. And that I want more than anything else in the world. I detest evil. It is for that reason I detest Chinese Communism.

The time to argue whether this is the time and place to make our stand has passed. The argument is academic. We are here. I cannot tell you how long this war will last. But

I can tell you this: We are going to win. And I can tell you why: because we have got to. Too much is at stake.

May God bless you and the DAR.

Sincerely,

JIM G. LUCAS.

ERECTION OF A MEMORIAL IN THE DISTRICT OF COLUMBIA TO GEN. JOHN J. PERSHING

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 2338) to authorize the erection of a memorial in the District of Columbia to Gen. John J. Pershing which was, to strike out all after the enacting clause and insert:

That the American Battle Monuments Commission is authorized to provide for the erection of a memorial to the late John J. Pershing, General of the Armies of the United States, and to the officers and men under his command, such memorial to be erected—

(1) in accordance with a design to be submitted by the American Battle Monuments Commission and approved by the President's Temporary Commission on Pennsylvania Avenue or its successor in interest; and

(2) on that parcel of federally owned land in the northwest section of the District of Columbia, bounded on the north by Pennsylvania Avenue, on the south by E Street, on the west by Fifteenth Street, and on the east by Fourteenth Street.

SEC. 2. The maintenance and care of the memorial herein authorized to be erected shall, upon completion, be the responsibility of the Secretary of the Interior.

SEC. 3. There is hereby authorized to be appropriated such amounts as may be necessary to carry out the provisions of this Act.

Mr. BIBLE. Madam President, this is an amendment by way of a substitute for the Senate-passed bill.

It makes two changes in the Senate-passed bill insofar as the John J. Pershing Memorial is concerned.

The matter has been taken up with the two Senate sponsors, the Senator from Missouri [Mr. SYMINGTON], and the Senator from Missouri [Mr. LONG].

Both Senators are in agreement with the House amendments.

The first House amendment merely provides that the American Battle Monuments Commission shall provide for the erection of a memorial, rather than the Secretary of the Interior.

The second amendment merely provides that the American Battle Monuments Commission must first secure the approval of the President's temporary Commission on Pennsylvania Avenue before proceeding.

Both amendments are agreeable to the members of the Senate Committee on Interior and Insular Affairs.

I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

INCREASED COMPENSATION FOR DISTRICT OF COLUMBIA POLICEMEN, FIREMEN, AND TEACHERS—CONFERENCE REPORT

Mr. BIBLE. Madam President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15857) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police Force and the Fire Department, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of Oct. 17, 1966, pp. 27142–27148, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BIBLE. Madam President, the conference report on the salary bill was signed by all the conferees of both the Senate and the House.

Under the provisions of the bill, police and firemen of the District of Columbia would be provided an average 9.9-percent pay increase, and teachers and other school officers and employees would receive an average increase of 8.9 percent. The House had provided for average increases of 9.9 percent for police and firemen, and 7.9 percent for teachers. The Senate amended the House bill to provide average increases of 8.9 percent for both groups. As resolved by the conferees, the pay increases were agreed to at the higher level for each group. The pay increases would place the District of Columbia on a par with the top 4 or 5 cities in the United States having comparable population; and in the local metropolitan area, the District of Columbia will be in the top bracket.

I am of the opinion that the 9.9 and 8.9 percent increases are fair and justified, and that they will provide an essential inducement to attract qualified applicants to the District of Columbia, and stop the rapidly increasing drain of experienced police and teacher personnel from the District of Columbia.

The House conferees receded with regard to the disability benefits and widows' annuities that were included in the House bill. These retirement provisions would have permitted police and firemen who had retired on maximum disability prior to 1956 to have the same retirement benefits as members who retired after 1956. Also, they would have provided retirement annuity benefits to certain widows who married police and fire department retirees after the members' retirement. The Senate conferees opposed such retirement provisions on the grounds that these police and fire retirees have received far more generous benefits than those accorded Federal and District classified employees. Furthermore, even without congressional approval of the retirement provisions, the pre-1956 retirees would receive the same 9.9-percent increase as active duty police and fire members because of the escalation provision contained in their retirement law. It should be noted that in the 86th and 87th Congresses, substantially similar legislation was passed, and subsequently such legislation was vetoed by President Eisenhower and President Kennedy. The basic reason stated in the veto messages for disapproving the proposed retirement legislation was that the policemen and firemen had already received far more generous benefits than other Federal employees.

The entire retirement problem insofar as it affects the police and firemen and teachers is one that will require further attention of Congress.

I made it very clear during our conference that hearings would be held early next year to make a further study of the retirement problem.

The Senate conferees reached agreement with the House conferees on the number of teacher aids by increasing the limitation to 5 percent from the 4 percent in the House bill, and by tying teacher-aid salaries to the Classification Act salaries paid teacher aids employed under the Elementary and Secondary Education Act.

The Senate conferees receded to the House on the multiple level salary concept for school principals, thus relinquishing the single salary scale adopted in 1962. The agreed-upon principals' pay system would establish salary levels based on various workload factors. A variable salary scale for principals will bring the District into line with the vast majority of cities which now provide for pay differentials for principals on the basis of size or level of the schools or other factors.

The House conferees receded on the Senate provision providing extra duty pay, and also the provision that allowed employment at a full salary to temporary teachers who, because of age only, could not qualify for permanent status. The Senate conferees agreed to continue the Superintendent and Deputy Superintendent of Schools at their present salary level, inasmuch as the House conferees felt strongly that no District employees should receive higher salaries than do the Commissioners. The Senate yielded also on the matter of recruitment incentives for police, firemen, and teachers, as the higher pay provided by the legislation should itself provide additional recruitment inducement.

I believe that the overall bill as agreed to in conference is a good bill. We would hope that it would have the result of strengthening the Police and Fire Departments and encouraging men to make a career of such work in the District of Columbia. I would also hope the same thing would be true of teachers, so that we could encourage the best teachers to work in the District of Columbia. I believe the compromise worked out with the House of Representatives is reasonable, and I recommend adoption of the conference report.

Mr. BREWSTER. Madam President, I should like to offer my enthusiastic congratulations to the House and Senate conferees who recently reported out H.R. 15857, a bill to increase the salaries of policemen, firemen, and teachers in the District of Columbia.

Earlier in this session I introduced S. 2910, legislation calling for a 7-percent increase in the salaries of firemen and policemen in the District of Columbia, and urged speedy approval. Needless to say, I am most delighted with the bill reported out of conference which gives a 9.9-percent increase to police and firemen, and a 8.9-percent increase to teachers, retroactive to July 1, 1966.

The crime problem in the District of Columbia recently reached such proportions that President Johnson appointed a very able Commission to study the situation. Obviously, the problem is related directly to the quality of our police force, and the way we treat our police and firemen is contingent on their resultant performances. No. 1 on the list of working conditions is salary.

It is all too clearly recognized that recruitment and retention are the two most formidable problems facing our Metropolitan Police Force at this time. If we are to recruit and retain the caliber of dedicated young men and women needed to give impetus and strength to the police force, the fire department, and the teaching profession, we must offer them attractive salaries—salaries that are meaningful to young citizens supporting families.

We must not let our police and fire protection or our educational standards in the District lag because we are not willing to pay a living wage to those filling these crucial positions.

For too long a time the salaries of District of Columbia policemen have fallen behind those of comparative cities throughout the Nation. Our policemen have been rapidly drawn to neighboring county forces where the starting salaries are higher.

I know we will all agree that Washington should stand out as a model city in public service for its residents. I firmly believe that it is by progressive legislation such as H.R. 15857 that we will come closer to accomplishing this goal.

The need for these increased salaries has been clearly demonstrated and action was long overdue. I commend the members of the Committee on the District of Columbia for their many months of study and consideration, and the conferees from both Houses who worked so hard in reaching a prompt and suitable resolution. Certainly it is a very welcome result and has given renewed energy and enthusiasm to the District of Columbia policemen, firemen, and teachers. A full measure of benefit from this legislation will undoubtedly be enjoyed by all District of Columbia residents.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

WEATHER MODIFICATION ACT OF 1966

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1693, S. 2916.

The PRESIDING OFFICER. The bill will be stated by title.

The ASSISTANT LEGISLATIVE CLERK. A bill (S. 2916) to provide for a weather modification program to be carried out by the Secretary of Commerce.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Commerce, with an amendment to strike out all after the enacting clause and insert:

That this Act may be cited as the "Weather Modification Act of 1966".

TITLE I—DECLARATION OF POLICY AND DEFINITIONS

Declaration of policy

SEC. 101. (a) The Congress hereby declares that it is the policy of the United States to develop, encourage, and maintain a comprehensive and coordinated program in weather modification in order to contribute to—

(1) the protection of life and property,

(2) the maintenance of adequate water resources for the United States, and

(3) the enhancement of commerce, transportation, agriculture, natural resources, health, and security in the United States.

(b) In order to achieve the objectives of this Act, the weather modification activities of the United States shall be conducted with full consideration of:

(1) the development of the necessary scientific basis in a strong and balanced program in the atmospheric sciences;

(2) the mutual dependence of weather modification, weather forecasting, climatology, and other aspects of atmospheric sciences and meteorological services;

(3) the effective utilization of all applicable scientific and engineering resources of the Nation, including those in industrial, academic, and other public and private organizations, in all regions of the United States;

(4) the close cooperation of all agencies and organizations concerned in order to avoid waste or unnecessary duplication of effort, facilities, or equipment;

(5) the effective utilization of scientific and technical knowledge, instrumentation, equipment, and techniques in all scientific and engineering disciplines applicable to weather modification;

(6) the advancement of education and training in the atmospheric sciences and meteorology; and

(7) the cooperation of the United States with other nations and international organizations, whenever such cooperation is in the national interest, in order to facilitate the exchange of scientific and technical information and the peaceful and beneficial application of weather modification.

(c) Whenever the President deems any transfer of a function of any department or agency of the United States to any other Federal agency having responsibilities under this Act is necessary to carry out the provisions of this Act, he shall accomplish such transfer under the provisions of the Reorganization Act of 1949.

Definitions

SEC. 102. As used in this Act—

(a) The term "weather modification" includes any intentional or inadvertent artificially produced changes in the composition, behavior, or dynamics of the atmosphere.

(b) The term "operational activities" means the construction and the use of devices and systems for weather modification primarily designed to achieve a planned and continuing substantial result of social, economic, commercial, biological, or medical significance.

TITLE II—WEATHER MODIFICATION

Functions of Federal agencies

SEC. 201. In order to carry out the purposes of this Act—

(a) The Secretary of Commerce is authorized to—

(1) carry out a comprehensive program in the field of weather modification, which shall include a specific program designed to control or modify tornadoes, hurricanes, and other severe storms; and

(2) furnish technical assistance and information in the field of weather modification to any other Federal agency requesting such assistance or information.

(b) The Secretary of the Interior is authorized to carry out a program in such aspects of weather modification as relate to the augmentation and improvement of the usable water resources of the United States.

(c) The Secretary of Agriculture is authorized to carry out a program in such aspects of weather modification as relate to the control of lightning and hail, and to the protection of vegetation from the effects of other weather phenomena;

(d) The Secretary of Health, Education, and Welfare is authorized to carry out a program in such aspects of weather modification as relate to the control of air pollution and other similar deleterious effects of urbanization upon the composition of the atmosphere; and

(e) The Administrator of the Federal Aviation Agency is authorized to—

(1) carry out a program for the effective and beneficial dispersal of fog and cloud cover interfering with airport operations or air transportation in the United States; and

(2) conduct operational activities for such fog or cloud cover dispersal.

(f) The National Science Foundation is authorized to advance the state of knowledge in weather and climate modification through the initiation and support of basic and applied research, and programs of education and training, at universities, colleges, and other appropriate institutions, in those sciences which relate to and underlie weather and climate modification technology.

Administrative powers

SEC. 202. In order to carry out the provisions of this Act, the head of any Federal agency charged with responsibilities under section 201 is authorized to—

(1) adopt, amend, and repeal regulations governing the exercise of his duties under this Act;

(2) acquire by purchase, license, lease, donation, or otherwise such inventions, patents, patent applications, licenses, real property and interests therein as he deems necessary;

(3) accept as a gift, money, material, or services and notwithstanding any other provision of law, use of any such gift, if the donor so specifies, may be restricted or limited to certain projects or areas;

(4) enter into and perform such contracts, leases, cooperative agreements, or other transactions, including the making of grants, as may be necessary to carry out his duties under section 201 and on such terms as he may deem appropriate; and

(5) use, with their consent, the services, equipment, personnel, and facilities of other Federal agencies with or without reimbursement, and on a similar basis to cooperate with other public and private agencies and instrumentalities in the use of services, equipment, and facilities, and each department and agency of the Federal Government shall cooperate fully in making its services, equipment, personnel, and facilities available to an agency charged with responsibilities under section 201 and, with the approval of the Director of the Bureau of the Budget, each department or agency is authorized,

notwithstanding any other provision of law, to loan to such agency, without reimbursement, property, equipment, and facilities required for the performance of its duties under this Act.

Hearings

SEC. 203. (a) The head of any Federal agency charged with responsibilities under section 201 or any employee of such agency designated by him, may for the purpose of performing his functions under section 201 hold such hearings and sit and act at such times and places and take such testimony as he deems advisable. The head of any such Federal agency or any employee of such agency designated by him may administer oaths or affirmations to witnesses appearing before the head of such agency or such employee.

Access to information

SEC. 204. Information contained in any statement, report, record, other document furnished pursuant to section 203, and information developed by any agency in the performance of its functions under this Act shall be made available at all reasonable times for public inspection except (1) information authorized or required by statute to be withheld and (2) information classified in accordance with law to protect the national security. Nothing in this subsection shall authorize or require the publication, divulging, or disclosure of any information described in section 1905 of title 18 of the United States Code, except that the head of any Federal agency charged with responsibilities under section 201 may disclose information described in such section 1905, furnished pursuant to section 203, whenever he determines that the withholding thereof would be contrary to the purposes of this Act.

Commercial operations

SEC. 205. (a) The Secretary of Commerce is authorized, after notice and opportunity for a hearing, to issue regulations governing the weather modification activities of private business concerns not engaging in such activities pursuant to contract, lease, cooperative agreement, grant, or other transaction, which conflict with or impede any activities conducted under this Act and to encourage compliance with such regulations by such business concerns.

(b) The Secretary of Commerce, in cooperation with the Secretary of State, the Secretary of Defense, and the heads of other Federal agencies charged with responsibilities under section 201, and after consultation with representatives of such business concerns, shall conduct a thorough study of the need for the regulation of weather modification research, development and operational activities, and report to Congress not later than one year after the enactment of this Act recommendations for additional legislation concerning such regulation including enforcement of such regulation.

TITLE III—FEDERAL COORDINATION AND PLANNING

The President

SEC. 301. In order to achieve the objectives of the weather modification program authorized by this Act;

(1) direct the planning and supervision of the weather modification program authorized by this Act;

(2) establish the goals to be achieved by such program;

(3) establish priorities and resolve conflicts between agencies engaged in such program so that the activities of one agency conducted under this Act will not conflict with or impede activities of any other agency conducted under this Act;

(4) coordinate the activities of each agency engaged in such program in order to insure an effective and balanced effort and to avoid waste and duplication;

(5) consult with the National Academy of Sciences, the National Academy of Engineering, private scientific and educational organizations and individuals on scientific and technological developments and new opportunities for the beneficial application of weather modification; and

(6) conduct a thorough study and investigation, in cooperation with all Federal agencies engaged in such program, including the National Science Foundation, of the need for new national facilities for weather modification research, including a consideration of the adaptability of existing Federal facilities, and shall report to the Congress not later than one year after the effective date of this Act such recommendations for such additional legislation as he deems advisable.

International cooperation

SEC. 302. (a) The Secretary of Commerce is authorized to cooperate in any international activities relating to weather modification consistent with the provisions of this Act. The authority to cooperate in international weather modification activities shall be exercised only with the approval of the Secretary of State to assure that such authority is exercised in a manner consistent with the foreign policy objectives of the United States. Subject to the provisions of this section, if negotiation with foreign countries or agencies thereof becomes necessary, such negotiation shall be carried on by the Secretary of State.

(b) The Secretary of Commerce shall cooperate to the fullest practical extent with the Secretary of State in providing representation at all meetings and conferences relating to weather modification and climate control in which representatives of the United States and foreign countries participate. The Secretary of State shall designate the Secretary of Commerce, or his designee, as a member of the United States delegation attending such meetings and conferences and also as a member of the negotiating team of any such delegation.

Conduct of Federal operational activities

SEC. 303. (a) Before any Federal agency conducts any weather modification activity which is intentionally designed in whole or in part to affect the atmosphere more than one hundred and fifty miles from the source of such activity, the President shall transmit to the Speaker of the House of Representatives and to the President of the Senate and to the Committee on Commerce of the Senate and to the Committee on Interstate and Foreign Commerce of the House of Representatives a written report containing a full and complete statement explaining the goals, operation, precautions to be taken, and other appropriate information on such weather modification activity.

(b) Nowithstanding any other provision of law, unless otherwise specifically authorized in this Act, before any Federal agency conducts directly or by contract, lease, cooperative agreement, grant or other transaction weather modification operational activities, it shall obtain the prior approval of the Congress enacted into law.

Investigations

SEC. 304. (a) The Secretary of Commerce, in cooperation with the Secretaries of the Interior, Agriculture, Health, Education, and Welfare, the Attorney General, and the National Science Foundation, shall conduct a thorough study and investigation to determine under what circumstances the United States and private parties should be liable for damages attributable to weather modification activities, including indemnification and insurance of contractors and grantees of the United States engaged in such activities, and report to the Congress not later than one year after the enactment of this Act recommendations for additional legislation concerning such liability.

(b) The Secretary of Commerce, in cooperation with the Secretaries of Agriculture, Interior, Health, Education, and Welfare, and the National Science Foundation, shall conduct a thorough study and investigation into the social and economic effects, both deliberate and inadvertent, of weather modification activities and report the results of such study to the Congress not later than two years after the enactment of this Act.

(c) The Secretary of Commerce, in cooperation with the Secretaries of Agriculture, Interior, and Health, Education, and Welfare, and the National Science Foundation, shall conduct a thorough study and investigation of the biological and ecological effects of weather modification and report the results of such study to the Congress not later than two years after the enactment of this Act.

TITLE IV—GENERAL

Amendments to National Science Foundation Act of 1950

SEC. 401. (a) Section 3(a)(2) of the National Science Foundation Act of 1950 (42 U.S.C. 1862(a)(2)) is amended by adding "atmospheric," immediately after "engineering,".

(b) Section 3(a)(7) of such Act is amended by adding "and" after the semicolon at the end thereof.

(c) Section 3(a)(8) of such Act is amended by striking out the semicolon at the end thereof and inserting in lieu thereof a period.

(d) Section 3(a)(9) and section 14 of such Act are repealed.

Reports

SEC. 402. The President shall transmit to the Congress in January of each year a report which shall include (1) a comprehensive and detailed description of the activities and accomplishments of each Federal agency under the provisions of this Act during the preceding fiscal year; (2) an evaluation of such activities and accomplishments in terms of obtaining the objectives of this Act; (3) an analysis of recommended expenditures for all weather modification activities authorized by this Act for the succeeding fiscal year; (4) a description of non-Federal weather modification activities; (5) a description of weather modification activities carried out by foreign countries; and (6) any recommendations for additional legislation which the President may consider necessary or desirable.

Records and audit

SEC. 403. (a) Each recipient of a contract grant or party with whom a cooperative agreement is entered into under this Act shall keep such records as the head of the appropriate Federal agency shall prescribe, including records which fully disclose the amount and disposition of the funds received under the grant or cooperative agreement, the total cost of the project or undertaking in connection with which the contract or grant was made or cooperative agreement entered into, and the amount and nature of that portion of the cost of the project or undertaking supplies by other sources, and such other records as will facilitate an effective audit.

(b) The head of each Federal agency charged with responsibilities under section 201 and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipient of the grant or party to the cooperative agreement that are pertinent to the grant received or cooperative agreement entered into, under this Act.

Appropriations

SEC. 404. There are hereby authorized to be appropriated for the purpose of carrying out the provisions of this Act, not to exceed $12,000,000 for fiscal year 1967; $30,000,000 for fiscal year 1968; and $40,000,000 for fiscal year 1969.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "An Act to provide for a weather modification program."

PROGRESS TOWARD AGREEMENT BETWEEN CHILE AND AMERICAN COPPER COMPANIES

Mr. JAVITS. Madam President, I call to the attention of the Senate the fact that the Chilean Government is about to consummate a partnership with private enterprise with regard to the copper mines in Chile. This is an entirely arm's length contract transaction that will be of tremendous help to Chile without nationalizing their mines, as was done, as everyone knows, so damagingly during the Mexican Revolution.

We ought to notice the tremendous achievement of President Frei in this regard and the American companies involved and that they are entitled to American support and applause.

Madam President, I ask unanimous consent that an editorial entitled "Chile Breaks New Ground," published in the New York Times on October 12, 1966, be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Chile Breaks New Ground

The "Chileanization" of that country's vast copper industry has now reached a point where success is simply a matter of ironing out some final details. Between $400 and $450 million of new investments are involved in an industrial that provides 80 per cent of Chile's foreign exchange earnings.

The unique feature of the program that President Frei conceived and patiently nursed through a sometimes recalcitrant Congress is that it gives the Government a majority interest in one private American company and a quarter interest in new mines of the other two large American companies, all negotiated on a voluntary basis.

In the case of Kennecott's subsidiary—the Braden Copper Company's El Teniente, which is the largest underground copper mine in the world—the Chilean Government is purchasing a 51 per cent interest. Anaconda and Cerro will open and develop new mines. In five years, if the program works, Chile will double her installed copper productive capacity to 1,200,000 tons a year and thus become the largest producer in the world.

The political importance of the Chileanization plan is that it provides a new method for meeting and perhaps overcoming one of the most vexing problems in United States-Latin-American relations. This is the invariably disturbing effect of American ownership of a nation's natural resources.

The Mexican Revolution's last violent manifestation was nationalization of the largely American-owned oil industry by President Cárdenas in 1938. After Bolivia's 1962 revolution, the tin mines were expropriated. While the Cuban Revolution had a number of causes, one of them was a nationalistic reaction against the economic dominance of the United States.

The Presidential election that the Christian Democratic leader Eduardo Frei won in 1964 was against an opponent who would probably have nationalized Chile's copper industry had he been elected.

Chileanization of the industry is a victory for common sense, good neighborliness and sound economics. The Frei Government and the American copper companies are on the verge of achieving a landmark in hemispheric relations.

EAST-WEST TRADE INITIATIVES SHOULD BE FOLLOWED THROUGH

Mr. JAVITS. Madam President, I take this opportunity to express my support for the new initiatives taken by the President in his recent speech before the National Conference of Editorial Writers in New York. I believe that if the Soviets reciprocate in kind, the President's initiative could lead to a significant lessening of East-West tensions.

Madam President, I am particularly pleased with the President's new initiative to reduce U.S. restrictions on trade with the Eastern European countries and with his renewed pledge to press for early congressional action on his East-West Trade Relations Act which would give him authority to negotiate trade agreements which could extend the most-favored-nation tariff treatment to European Communist countries.

This is a matter on which I have worked for years as chairman of the Economic Committee of the NATA Parliamentarians' Conference to bring about a harmonization of the policy with the members of the NATO alliance on East-West trade.

I am cosponsor of this bill, which in my view is one of the most important pieces of legislation before Congress at the present time. I am very hopeful that the President's new call for action on this bill will result in early action on it in Congress, as opposition in the other body is what killed any consideration of the bill by Congress soon after it was introduced in early May.

If the momentum started by this new initiative is to be sustained, it should be followed through by the following specific steps:

First. A high-level U.S. business delegation should be dispatched immediately to East European capitals to ascertain specific trade opportunities that could be realized as a result of the President's decision to ease U.S. export controls on hundreds of items assuming that Congress will give the President authority to extend the most-favored-nation tariff treatment to these countries. The businessmen being sent should have previous experience in trading with East European countries as such transactions remain hazardous. They could be drawn from among businessmen who have participated in the Business International Moscow Round Table in November 1964.

I strongly believe in the effectiveness of private initiative in areas where government action is difficult because of political conditions. I have been personally involved in and organized two such efforts, one involving the now successful ADELA Investment Co. in Latin America, and the other, the on-going effort to increase closer economic cooperation between Greece and Turkey. I can vouch from personal experience of the great value and effectiveness of such efforts.

Second. The present atmosphere provides a good opportunity to bring about an agreement between the United States and the other principal trading nations of the free world harmonizing their approach to east-west trade on the basis of a code of fair trade practices. I outlined such a code before the NATO Parliamentarians' Conference in 1964 and also in testimony before the Senate Foreign Relations Committee in early 1965.

Madam President, I ask unanimous consent that the text of this draft code may be printed at this point in the Record.

There being no objection, the text was ordered to be printed in the Record, as follows:

Code of Fair Practices in International Trade

1. Facilitating Access to Markets:

Each government shall permit the entry into and residence and travel within its territory of *bona fide* foreign commercial representatives and salesmen, for the purpose of the normal conduct of their business, including, *inter alia:*

a) opportunity to procure suitable facilities such as office space, warehouse space, space for the public display of merchandise, and facilitation for the post-sales maintenance and servicing of their products;

b) access to importing and exporting interests, banks, insurance companies, publicity and advertising media, and postal and other communications facilities.

c) freedom to bring in advertising material and samples, and to disseminate the same within the national territory;

d) freedom to bring in or employ locally interpreters, translators, secretaries, accountants, technical experts and legal counsel.

2. Publication of Laws, Regulations and Statistics: Each government shall publish promptly all laws, regulations, judicial decisions and administrative decisions affecting foreign trade, and adequately detailed statistics regarding foreign trade, in such a manner as to enable governments and traders to become acquainted with them.

3. Patent and Copyright Protection: Each country shall observe equitable standards of patent and copyright protection, and shall maintain procedures so that foreign nationals are able in practice to obtain adequate, prompt and effective compensation for the use of their industrial and intellectual property.

4. Rules on State Trading: In a country which maintains any state enterprise with exclusive or special privileges regarding purchases or sales (other than purchases purely for governmental use) such enterprises shall make any purchases and sales involving imports or exports solely in accordance with commercial considerations, such as price, quality, availability, marketability, transportation costs and other conditions, and foreign enterprises shall be afforded adequate opportunity to compete on an equal basis in state purchases and sales abroad. Such state enterprises shall not claim sovereign immunity with respect to their commercial operations.

5. Switching of Procurment: Each government shall ensure that its agencies or state trading enterprises shall not arbitrarily change sources of imports for purely political reasons in such a manner as to disrupt the normal marketing arrangements of supplying countries.

6. Re-exportation: Each government shall ensure that its agencies or state trading enterprises do not re-export a commodity imported from another country at a price lower

than that at which it was originally exported, and do not make re-exports contrary to the laws and regulations of the country of origin.

7. Dumping and Market Disruption: Each government shall establish or maintain procedures to insure that its agencies or state trading enterprises do not introduce products into the commerce of another country at such prices, in such quantities, or at such a rate as to cause or threaten serious injury to an established industry in the latter country.

8. Settlement of Commercial Disputes: Each government shall facilitate the use of arbitration in the settlement of disputes that arise in the course of international commerce. To that end, each government shall avoid taking any action to prevent the inclusion in agreements of provisions for settlement of such disputes in third countries or for the appointment of arbitrators who are nationals of third countries.

9. Consultation: Each government shall accord sympathetic consideration to, and shall afford adequate opportunity for, consultation regarding such representations as may be made by another government with respect to any matter affecting the operation of this Code.

Mr. JAVITS. Madam President, I fully agree with the President that the OECD should play an important part in trade and contacts with Eastern Europe. Specifically, I recommend the early establishment of an intergovernmental committee on East-West trade within the OECD. This was recommended in April 1965 by the Committee for Economic Development—CED—in a policy statement on the East-West trade and I fully endorse it.

Third. I would also favor the convening of a conference of countries who are adherents to the "Berne Union" rule which limits State guaranteed credits to 5 years, with the exception of ship and aircraft sales, in an attempt to reestablish a common rule governing such credits. Several of our allies have unfortunately violated that rule and have, in some cases, given credits for as long as 6, 8, and in one case, 12 years to Communist countries.

This is very unwise, and makes the Communists feel that they can profit by putting one industrialized nation against another. We should agree among ourselves on this. The new policy position of the President enables us to call a conference for that purpose.

I see no reason why the United States should depart from its existing position on long-term credits under existing conditions; but I would suggest that, if we could obtain agreement of a major character from the U.S.S.R. or its associates, resulting in a substantial reduction of East-West political tension—such as would result from a major disarmament agreement—it would be worth while to reopen the question of long-term credits.

Increased commercial and cultural contact between Eastern Europe and the United States will in the long run be important elements in reducing cold war tensions and in encouraging greater economic independence among East European countries, and they should be pursued despite any difference we might have with the U.S.S.R. over Vietnam.

Only time will tell whether the new U.S. overtures will have any lasting impact and lead to the solution of long-standing issues. Signs that there may be a break in the United States-Soviet deadlock over a nonproliferation treaty, the resumption of serious negotiations on a United States-Soviet civil air agreement, Soviet readiness to pursue talks on nonmilitary use of outer space, are at least indications that the Soviet Union is not against developing possible areas of agreement with the United States despite the conflict over Vietnam, and the initiative now taken on East-West trade can well prove decisive in this regard.

Madam President, I ask unanimous consent that the following items may be printed in the Record at this point: an editorial published in the Journal of Commerce on October 12, 1966, entitled "The Roads to the East"; an article published in the October 1, 1966, issue of Forbes, entitled "To Russia—Without Love."

There being no objection, the material was ordered to be printed in the Record, as follows:

[From the Journal of Commerce, Oct. 12, 1966]

The Roads to the East

A certain amount of skepticism prevails in many business circles concerning the President's extension of an olive branch in the direction of Eastern Europe with business as well as political relationships much in mind. As a staff report indicated in this newspaper on Monday, the skepticism appears to spring less from a genuine dislike of Communism per se than from a conviction that it will be a long time before the economic measures proposed by Mr. Johnson produce a satisfactory framework for trading. Today no such framework exists.

There may be something to this, perhaps a good deal. But we think it would be mistaken to discount the President's move on the grounds that it won't produce much immediate result or that it won't, for example, make any appreciable dent in the American balance of payments deficit—not right off.

Mr. Johnson's gesture should be taken for what it was primarily meant to be, namely, a move toward creating the proper groundwork for a better future for everyone concerned—America, the Soviet Union and the whole (not just a part) of Europe. In actuality, it was a move toward demolition of a world of frozen ideas and frozen postures which, while at least understandable a decade ago, has so changed in meaning and in substance that today it threatens most of mankind—the economic world included—with possible disaster.

Call it a step toward "detente," or call it toward "rapprochement" or call it whatever seems appropriate—the semantics are unimportant. It is a step that somebody has to take sooner or later if the civilizations that we and the Europeans and others have cherished these many years are to be given a decent chance at survival.

Are memories so short that no one today can remember the consequences of the Treaty of Versailles? In that instance, an attempt was made to hold down a people who, as it turned out, couldn't be held down.

Does anyone think seriously today that the demonstrable power of the Soviet Union and its allies can be effectively curbed by something as futile as an American stipulation against inter-bloc trading in anything much more meaningful than raw materials and a few odd consumer goods? History should have taught us better. And the advances Russia has made in technology over the past two decades should have taught us the same thing even better.

We may slow them down. But we're not going to stop them. This is one of the simple facts of life that many Americans have resisted without quite realizing the consequences, thus making the same mistakes that characterized the period between the first and second world wars. A world so sharply divided—economically, socially and politically—is a world under an ever-present threat of catastrophe.

So it is not enough to downgrade the President's proposals with the argument that we don't like the Communist system any better than it likes ours, and that nothing much would come of a significant easing of inter-bloc trading curbs in the immediate future.

Those who do so have the burden of proof upon themselves. What kind of world do we envisage 10, 30 or 50 years from now, when the responsibilities we bear today devolve upon our children or upon theirs? Are we counting upon the collapse of Russian society? That would be a long shot indeed, especially when it is considered that this society, for all its harshness and cruelty, has already survived a half century. The Republic of the United States, distasteful as it was to European royalty, had achieved the robustness of the year 1826 at this point. Beyond that year our country simply couldn't be stopped.

We readily admit that the Russians and their friends are not the easiest people in the world to get along with. Their doctrines are sterile, their stances impossibly rigid and their capacity for political reasoning extremely limited. But they can change and they are facts of life we simply have to live with.

So we don't quite agree with those who would continue to ban anything approaching normal inter-bloc trading relations between the Soviet area and the mercantile states simply because the former might gain more from this interchange than the mercantile states. The big problem is technological know-how. But this could be solved if the Communist states show a decent disposition to honor licensing, patent agreements and the like.

We concede that this is a problem that should be kept under some control. But the President has not suggested that all wrapc be taken off trading of this sort or that Rumania, for example, be made as free to deal in and out of the U.S. market as Canada or Mexico. He has merely proposed that a few steps in this direction now be taken toward a day where something approaching this state of affairs might become within the realm of possibility.

Admittedly, that day is not now at hand. But is it to be held an absolute impossibility unless and until the Communist world dismantles its entire social structure? If so, what can be expected of the interregnum? Is the game worth the candle, if the postures on both sides are continually negative, if not threatening?

At this point nobody seems to know whether the world of GATT, of the unconditional most-favored-nation clause and the like will survive the conflicts now visible in the Kennedy Round at Geneva. What all of us should realize is that, if it doesn't, a wholly new approach to all major problems of international trading may be found necessary in very short order indeed. If such an approach must be made, the road to the East should be held open. This, basically, is what the President is proposing to do.

[From Forbes magazine, Oct. 1, 1966]

To Russia—Without Love

Not many people want to talk about it, but the fact is that U.S. industry has a major role in the Soviet Union's plans for a vast new automobile industry.

This is the story behind the story that appeared in the *New York Times* of May 5.

It's true, as the *Times* and other newspapers reported, that Italy's Fiat automobile company has made a deal with Aleksandr M. Tarasov, the Soviet Minister for Automotive Production, to help the Soviet Union build a modern automobile plant with a capacity of about 600,000 small and medium-sized cars a year.

What they didn't report was that Fiat will be serving as a middleman for the U.S. machine-tool industry.

Three-quarters of the machinery that Fiat installs for the Russians will come from the U.S., either directly or indirectly through European subsidiaries and licensees of American firms. It will really be the U.S. that puts the Russians on wheels.

Until now, the U.S. Government has refused to permit the export of U.S. machine tool technology to Iron Curtain countries on the grounds that it would help them build up their armed forces. However, this arrangement has the approval of both the State Department and the Department of Commerce. Prof. Dr. Vittorio Valletta, Fiat's 83-year-old former chairman and managing director, cleared the political roadblocks in advance in conferences with Secretary of State Dean Rusk and Secretary of Commerce John T. Connor in Washington early this year. The Office of Export Control stands ready to issue export licenses to U.S. machine-tool manufacturers who participate in the deal. About 30 are expected to eventually.

MILLIONS INVOLVED

The bait is tempting: big money, really big money. The plant is expected to cost $887 million. Of this, Fiat's share will be $322 million. How much of the $322 million the American manufacturers get cannot yet be estimated. It will depend on how much of the machinery Fiat buys directly from the U.S. and how much it buys indirectly. The only certainty is that it will run to a substantial amount.

Some U.S. machine-tool makers already have agreed to supply Fiat with machinery for Russia. Among them is Cleveland's TRW, Inc., which makes steering linkages and sodium-cooled valves. Says John Corson, TRW's sales director for international automotive equipment: "We're supplying them with steering linkages but I'm not sure about the sodium valves." Corson cleared TRW's participation in the deal with State and Commerce "even before we talked with Fiat." He says TRW's motive in supplying equipment for the Soviet plant is not so much the money it will make but fear that, unless it did go into the deal, it might lose Fiat's future business.

Another U.S. company already participating in the deal is U.S. Industries, Inc. Its Clearing division automated stamping machine presses are sold around the world under licenses by such companies as Innocenti of Italy and Vickers-Armstrong of England. Says Chairman Clarence J. Plisky: "We'll be supplying the major portion of the presses for the Soviet plant, but it's not clear yet whether it will be through Innocenti or some other licensee of ours in Europe."

Gleason Works of Rochester, N.Y., will supply gear cutting and heat treating equipment for the plant through Fiat. "This is just a pure business deal as far as we're concerned," says Irving W. Peachey, vice president in charge of sales. "It's just a straightforward business deal, that's all. We have competitors overseas. If we don't supply the Russians, they will."

New Britain Machine Co. will contribute automatic lathes. Says Chairman Julian C. Pease: "Most of the automotive machine tools, not only at Fiat but throughout Europe, are from this country either directly or indirectly though European subsidiaries. Fiat is heavily U.S.-tooled because U.S. equipment is just more productive. Now the USSR wants American machine-tool technology, too."

Says J. C. Danly, president of Chicago's Danly Machine Specialties, Inc., the nation's largest manufacturer of automotive presses: "We haven't yet been approached by Fiat to supply presses for the USSR facility, but we sure would—as long as the Office of Export Control said it was O.K." He added: "As far as presses are concerned, regardless of where they might actually be manufactured, I'm sure that at least 75% would have originated in this country. We have the technology."

DISSENTING OPINION

Not all U.S. machine-tool makers are this eager to get into the deal. Says John F. Herkenhoff, president and chairman of Minster Machine Co., of Minster, O.: "There's just too much intrigue in this deal for us. It's for the big boys in this business that have been after (the Soviet) market for years."

Russell A. Hedden, president and general manager of Sheffield Corp., which manufactures automotive gauging equipment, thinks that business is business and the subterfuge sheer stupidity. "I think we should be in this Fiat deal directly," he says. "If not, then it's just a case of letting our European subsidiaries have the business, using our technology. In other words, we'll let them pick our brains and then sell to the Russians, agreeing to settle for less for our technology. That's ridiculous."

State and Commerce Department officials have kept the U.S. role in the Fiat deal as hush-hush as possible. They were shocked when they heard Forbes had learned of Valletta's conversations with Rusk and Connor. They are frankly scared that, as the real story of the deal emerges, a clamor will arise to prevent U.S. firms from participating. The Department of Defense still could block the export of machine tools by declaring it against the national interest.

The Russians, in contrast, are quite talkative. Sergey A. Shevchenko, chief commercial counselor of the Soviet Embassy in Washington, frankly told Forbes that his government was perfectly aware of the fact that a great percentage of the machine tools would come "from sources other than Fiat."

STATE'S RATIONALE

In off-the-record conversations, State Department officials defend the decision to let the Soviet Union get the machine tools by saying that it will help make the Russians more consumer goods-minded. They reason in this fashion:

In years past, the Soviet Union has been able to devote an extraordinary amount of its gross national product to defense production by keeping consumer production to a minimum. Steel that might have gone into autos, for example, went into tanks and guns. The Soviets have been turning out a mere 201,000 cars a year at two antiquated plants in Moscow and Gorky. Only one Russian in every 250 owns a car. The figure in the U.S. is nearly one in every two.

By not producing automobiles, the government has been able to cut down on many other expenditures, diverting the money to defense. There are less miles of paved highway in the Soviet Union than in California and Illinois. Along one 1,000-mile stretch of road, there are only six motels. In Moscow, a city of nearly 7 million people, there are only eight garages. While the armed forces burn up gasoline, a Russian citizen has to stand in line at his city hall for a coupon book.

The State Department officials believe the Soviet Union is due for an "automobile explosion." It's clear the Kremlin, in a sharp reversal of policy, now wants its citizens to have cars, they say. Not only has it made the deal with Fiat, it also has asked Renault to help it expand and modernize the Moscow plant. By 1970, that plant will be turning out 600,000 cars a year, too. And there is reason to believe the Russians want the Ford Motor Co. to expand the Gorky plant, which was built by Ford in the Thirties. President Arjay R. Miller recently visited the Soviet Union. The company denies that he talked business there, but a Soviet source told Forbes that he spent a good deal of time with the Soviet Minister of Foreign Trade.

As the Soviet newspaper *Izvestia* editorialized recently, "The desire of the people for automobiles is as irresistable as technical progress." So the people are going to get them.

A State Department official said: "The psychological and economic impact of the decision to mass-produce automobiles is hard to overestimate. Look at what has happened in this country."

MORE TO COME?

The psychological and economic impact of the U.S. Government's decision to permit the export of machine tools to Russia is also hard to overestimate, for it could set a precedent that would throw wide open the gates to East-West trade. If U.S. machine-tool manufacturers can export to Russia through Fiat, why couldn't General Electric, for example, do the same with its computer technology, using Olivetti as its middleman? Olivetti has a joint-venture agreement with GE for European computer sales.

Commented one machine-tool manufacturer: "Throw the gates wide open? Hell, this might tear them off their hinges." A bad trend? Perhaps. But will the U.S. really gain by refusing to deal with the Russians in something that they are going to accomplish even without us?

Mr. JAVITS. Madam President, I am grateful to my colleague, the Senator from Louisiana, for yielding this time.

SUSPENSION OF INVESTMENT CREDIT

Mr. MANSFIELD. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1692, H.R. 17607.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (H.R. 17607) to suspend the investment credit and the allowance of accelerated depreciation in the case of certain real property.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Finance, with amendments, on page 2, line 16, after the word "on", to strike out "September 8" and insert "October 9"; in line 22, after the word "on", to strike out "September 8" and insert "October 9"; on page 3, line 10, after the word "before", to strike out "September 9" and insert "October 10"; in line 20, after the word "and", to strike out "(5) (A)" and insert "(6)"; in line 21, after the word "applied.", to insert "For purposes of this paragraph, a special purpose structure shall be treated as a building."; after line 22, to insert:

(5) PLANT FACILITY RULE.—

(A) GENERAL RULE.—If—

(i) pursuant to a plan of the taxpayer in existence on October 9, 1966 (which plan was not substantially modified at any time after such date and before the taxpayer placed the plant facility in service), the taxpayer has constructed, reconstructed, erected, or acquired a plant facility, and either

(ii) the construction, reconstruction, or erection of such plant facility was commenced before October 10, 1966, or

(iii) more than 50 percent of the aggregate adjusted basis of all the property of a character subject to the allowance for depreciation making up such plant facility is attributable to either property the construction, reconstruction, or erection of which was begun by the taxpayer before October 10, 1966, or property the acquisition of which by the taxpayer occurred before such date. then all section 38 property comprising such plant facility shall be treated as section 38 property which is not suspension period property. For purposes of clause (iii) of the preceding sentence, the rules of paragraphs (3) and (6) shall be applied.

(B) Plant facility defined.—For purposes of this paragraph, the term "plant facility" means a facility which does not include any building (or of which buildings constitute an insignificant portion) and which is—

(i) a self-contained, single operating unit or processing operation,

(ii) located on a single site, and

(iii) identified, on October 9, 1966, in the purchasing and internal financial plans of the taxpayer as a single unitary project.

(C) Special rule.—For purposes of this subsection, if—

(i) a certificate of convenience and necessity has been issued before October 10, 1966, by a Federal regulatory agency with respect to two or more plant facilities which are included under a single plan of the taxpayer to construct, reconstruct, erect, or acquire such plant facilities, and

(ii) more than 50 percent of the aggregate adjusted basis of all the property of a character subject to the allowance for depreciation making up such plant facilities is attributable to either property the construction, reconstruction, or erection of which was begun by the taxpayer before October 10, 1966, or property the acquisition of which by the taxpayer occurred before such date,

such plant facilities shall be treated as a single plant facility.

(E) Commencement of construction.—For purposes of subparagraph (A)(ii), the construction, reconstruction, or erection of a plant facility shall not be considered to have commenced until construction, reconstruction, or erection has commenced at the site of such plant facility. The preceding sentence shall not apply if the site of such plant facility is not located on land.

On page 6, after line 12, to strike out:

(5) Machinery or equipment completion rules.

(A) In general.—In the case of any price of machinery or equipment more than 50 percent of the adjusted basis of which is attributable to parts and components which were on hand on September 8, 1966, or were acquired pursuant to a binding contract which was in effect on such date, the parts and components necessary for the completion of such piece of machinery or equipment as a functioning unit shall be treated as property which is not suspension period property.

(B) Certain taxpayers who assemble or produce their own machinery or equipment.—In the case of a taxpayer who regularly assembles or otherwise produces pieces of machinery or equipment for his own use, any piece of machinery or equipment which he assembles or otherwise produces for his own use out of parts and components more than 50 percent of which (determined on the basis of cost) he had on hand on September 8, 1966, or acquired pursuant to a binding contract which was in effect on such date shall be treated as property which is not suspension period property.

And, in lieu thereof, to insert:

(6) Machinery or equipment rule.—Any piece of machinery or equipment—

(A) more than 50 percent of the parts and components of which (determined on the basis of cost) were held by the taxpayer on October 9, 1966, or are acquired by the taxpayer pursuant to a binding contract which was in effect on such date, for inclusion or use in such piece of machinery or equipment, and

(B) the cost of the parts and components of which is not an insignificant portion of the total cost,

shall be treated as property which is not suspension period property.

On page 8, after line 4, to strike out:

(6) Certain financing transactions.—Where, pursuant to a financing transaction, a person who is a party to a binding contract described in paragraph (3) transfers rights in such contract (or in the property to which such contract relates) to another person but a party to such contract retains the right to use the property under a long-term lease with such other person, then to the extent of the transferred rights such other person shall, for purposes of paragraph (3), succeed to the position of the transferor with respect to such binding contract and such property.

And, in lieu thereof, to insert:

(7) Certain lease-back transactions, etc.—Where a person who is a party to a binding contract described in paragraph (3) transfers rights in such contract (or in the property to which such contract relates) to another person but a party to such contract retains a right to use the property under a lease with such other person, then to the extent of the transferred rights such other person shall, for purposes of paragraph (3), succeed to the position of the transferor with respect to such binding contract and such property. The preceding sentence shall apply, in any case in which the lessor does not make an election under subsection (d), only if a party to such contract retains a right to use the property under a long-term lease.

On page 9, at the beginning of line 5, to strike out "(7)" and insert "(8)"; in line 7, after the word "on", to strike out "September 8" and insert "October 9"; in line 18, after the word "on", to strike out "September 8" and insert "October 9"; in line 21, after the word "of", to strike out "this paragraph" and insert "the preceding sentences"; at the top of page 10, to insert "Where, pursuant to a binding contract in effect on October 9, 1966, (i) the taxpayer is required to construct, reconstruct, erect, or acquire property specified in the contract, to be used to produce one or more products, and (ii) the other party is required to take substantially all of the products to be produced over a substantial portion of the expected useful life of the property, then such property shall be treated as property which is not suspension period property. Clause (ii) of the preceding sentence shall not apply if a political subdivision of a State is the other party to the contract and is required by the contract to make substantial expenditures which benefit the taxpayer."; at the beginning of line 14, to strike out "(8)" and insert "(9)"; on page 11, line 11, after the word "before", to strike out "September 9" and insert "October 10"; in line 13, after the word "effect", to strike out "September 8" and insert "October 9"; after line 19, to insert:

(10) Property acquired from affiliated corporation.—For purposes of this subsection, in the case of property acquired by a corporation which is a member of an affiliated group from another member of the same group—

(A) such corporation shall be treated as having acquired such property on the date on which it was acquired by such other member,

(B) such corporation shall be treated as having entered into a binding contract for the construction, reconstruction, erection, or acquisition of such property on the date on which such other member entered into a contract for the construction, reconstruction, erection, or acquisition of such property, and

(C) such corporation shall be treated as having commenced the construction, reconstruction, or erection of such property on the date on which such other member commenced such construction, reconstruction, or erection.

For purposes of the preceding sentence, the term "affiliated group" has the meaning assigned to it by section 1504(a), except that all corporations shall be treated as includible corporations (without any exclusion under section 1504(b)).

On page 12, at the beginning of line 21, to strike out "(9)" and insert "(11)"; on page 13, at the beginning of line 11, to strike out "(10)" and insert "(12)"; on page 15, after line 11, to insert:

(13) Railroad rolling stock.—Any property which is railroad rolling stock designed to carry freight or passengers (other than a self-propelled car) shall be treated as property which is not suspension period property.

After line 16, to insert:

(14) Property to equip new UHF television stations.—In the case of a taxpayer who before October 10, 1966, had been granted by the Federal Communications Commission an authorization for an ultra high frequency television broadcasting station, and had entered into a binding contract for the acquisition of a television broadcasting transmitter, but had not commenced the operation of such station, section 38 property constructed, reconstructed, erected, or acquired by the taxpayer which—

(A) is necessary for the operation of such station, and

(B) is constructed, reconstructed, erected, or acquired in accordance with such authorization (as modified by any subsequent order of the Federal Communications Commission),

shall be treated as property which is not suspension period property.

On page 16, line 11, after the word "of", to strike out "$15,000" and insert "$25,000"; in line 18, after the word "of", to strike out "$15,000" and insert "$25,000"; in line 22, after "(7)", to strike out "and (8)" and insert "(8), (9), and (10)"; on page 17, line 7, after the word "on", where it appears the first time, to strike out "September 9" and insert "October 10"; on page 18, line 12, after "(4)", to strike out "(6), (7), and (8)" and insert "(7), (8), (9), and (10)"; after line 14, to insert:

(2) Exception.—Paragraph (1) shall not apply to any item of real property selected by the taxpayer if the cost of such property (when added to the cost of all other items of real property selected by the taxpayer under this paragraph) does not exceed $100,000. Under regulations prescribed by the Secretary or his delegate, rules similar to the rules

provided by paragraph (2) of section 48(c) shall be applied for purposes of this paragraph.

At the beginning of line 24, to strike out "(2)" and insert "(3)"; on page 19, line 1, after the word "on", to strike out "September 9" and insert "October 10"; on page 20, line 22, after the word "after", to strike out "September 8" and insert "October 9"; and, at the top of page 21, to insert a new section, as follows:

SEC. 5. The Second Liberty Bond Act, as amended, is amended by inserting after section 22 the following new section:

"SEC. 22A. (a) In addition to the United States saving bonds authorized to be issued under section 22 of this Act, the Secretary of the Treasury, with the approval of the President, is authorized to issue from time to time, through the Postal Service or otherwise, United States retirement and savings bonds, the proceeds of which shall be available to meet any public expenditures authorized by law and to retire any outstanding obligations of the United States bearing interest or issued on a discount basis. The various issues and series of United States retirement and savings bonds shall be in such forms, shall be offered in such amounts, subject to the limitations imposed by section 21 of this Act, and shall be issued in such manner and subject to such terms and conditions consistent with subsections (b), (c), and (d) of this section, including any restrictions on their transfer, as the Secretary of the Treasury may from time to time prescribe.

"(b)(1) Retirement and savings bonds shall be issued only on a discount basis, and shall mature not less than ten nor more than thirty years from the date as of which issued, as the terms thereof may provide. Such bonds shall be sold at such price or prices and shall be redeemable before maturity upon such terms and conditions as the Secretary of the Treasury may prescribe, except that the issue price of such bonds, and the terms upon which they may be redeemed at maturity, shall be such as to afford an investment yield of not more than 5 per centum per annum, compounded semiannually (or such higher rate as the Secretary of the Treasury, with the approval of the President, may determine necessary). The denominations of such bonds shall be such as the Secretary of the Treasury may from time to time determine and shall be expressed in terms of their maturity values. The Secretary of the Treasury is authorized by regulations to fix the amount of such bonds issued in any one year that may be held by any one person at any one time, except that such amount shall not be less than $3,000.

"(2) The Secretary of the Treasury, with the approval of the President, is authorized to provide by regulations that owners of retirement and savings bonds may, at their option, retain the bonds after maturity and continue to earn interest upon them at rates which are consistent with the rate of investment yield afforded by retirement and savings bonds.

"(c) For purposes of taxation, any increment in value represented by the difference between the price paid and the redemption value received (whether at, before, or after maturity) for savings and retirement bonds shall be considered as interest. Such bonds shall not bear the circulation privilege.

"(d) The provisions of subsections (c), (e), (g), (h), and (i) of section 22 shall, to the extent not inconsistent with the provisions of this section, apply with respect to retirement and savings bonds issued under this section."

Mr. LONG of Louisiana. Madam President, this bill, H.R. 17607, is intended to eliminate distortions in the economy—particularly those in the money market—and to restrain inflationary pressures. It is part of a broad program of the administration. The other elements in this program supplement and reinforce this bill. They include a reduction in sales of Federal agency securities—a reduction which will ease governmental demands on the long-term money market.

Another element in the program is a reduction in Federal Government orders, contracts, and commitments of at least $3 billion.

The overall program will ease the distortions created in our credit markets by high interest rates and tight money—distortions which have seriously depressed the home building industry in many areas of the country. It will also restrain inflationary pressures in those sectors of the economy where they are most severe and, by so doing, avoid the price increases which would otherwise inevitably follow.

The chief feature of this bill is a temporary suspension of the 7-percent investment credit. The President recommended this measure and the House approved it for the same reasons that I supported such a suspension on the floor of the Senate on August 30.

THE TOLL OF HIGH INTEREST RATES

In my view the most serious problems in our economy today are caused by high interest rates and conditions of tight money. I do not need to remind the Senators that interest rates are higher today than they have been in over 40 years. Nor do I need to remind them that high interest rates on mortgage loans and the diversion of the limited supply of available funds to big corporations has produced a serious slump in the rate of construction of single family homes.

High interest rates, of course, have an impact that is not limited to the housing market. In testimony before the Finance Committee, Mr. Leon Keyserling, former chairman of the Council of Economic Advisers under President Truman, estimated that the increase in interest rates that has taken place since 1952 is costing the Nation's borrowers, private and public combined, at least $10 billion a year. Interest charges on the Federal debt alone have increased by $5 billion in the last 10 years, primarily because of higher interest rates. The burden of higher interest rates, which must be carried by the little man—the farmer, the home buyer, the small businessman, and the installment credit buyer—make all the fuss about the size of the Great Society programs look like a tempest in a teapot.

The Federal Reserve Board is responsible for today's high interest rates and the scarcity of mortgage and other funds. They have refused to allow the supply of money and bank credit to expand as rapidly as the demand for it. This is not the time to discuss the actions of the Federal Reserve Board, although I for one think they have gone too far. We must face the fact that they are not going to ease up on monetary restrictions until satisfied that other actions are being taken to keep the economy from seriously overheating. This bill and the program of which it is a part will provide that assurance. To the extent that this program is effective in restraining inflationary pressures, existing monetary restrictions can be eased to restore better balance to the financial markets, forestall further interest-rate increases, and promote an early reduction in interest rates.

DESCRIPTION OF THE BILL

This bill suspends the investment credit and the use of accelerated depreciation with respect to buildings—other than those eligible for the investment credit—for the period from October 10, 1966 through December 31, 1967. The suspension will apply to equipment and buildings ordered, acquired, or constructed during this period. The exceptions to the suspension are limited but include equipment and buildings that the taxpayer was committed to acquire or construct prior to October 10. The bill also increases the amount of investment credit which may be claimed beginning in 1968, thereby increasing the incentive to defer investment until after the suspension period is over.

THE EFFECT OF THE BILL

The bill will have an immediate effect on orders for new machinery and buildings. Now, because of the 7-percent investment credit, new machinery only costs the taxpayer 93 cents on the dollar. When this bill becomes effective, taxpayers will have to go back to paying the full cost of new equipment. Taxpayers will not be as anxious to make investments, particularly when they know that those investments will only cost them 93 cents on the dollar if they wait until 1968. Some investors will still make investments, of course. With the economy booming, they will decide that they can make profits which will justify paying the full cost for their new equipment. But enough projects will be deferred to relieve inflationary pressures on the capital goods industry.

INFLATIONARY PRESSURES IN THE CAPITAL GOODS INDUSTRIES

Inflationary pressures are severe in the capital goods industries. Statistics gathered in the committee report show this clearly. New orders are coming in faster than the industries can fill them, even when they work overtime. As a result, order backlogs have piled up to the point where it now takes an average of 10½ months to get delivery on a metal-cutting machine tool. In August, unfilled orders for machinery and equipment were nearly double what they were just 3 years ago. This was despite the fact that the length of the average workweek in machinery industries was up to nearly 44 hours.

It is not surprising that there are inflationary pressures in the capital goods industries. Plant and equipment spending has increased rapidly since 1961, when the investment credit was proposed by President Kennedy. In 1961, business plant and equipment spending totaled $34.4 billion. In 1962, it increased by 8 percent to $37.3 billion and in 1963 it increased another 5 percent, to $39.2 billion. Then the capital spending boom really began. In 1964, plant and equipment spending jumped by $5.7 billion, or roughly 15 percent. In 1965, it increased another $7.1 billion, or by 16 percent. This year it is going to increase by almost $9 billion, or by 17 percent.

The industries that produce machinery and equipment and other capital goods just cannot turn out material fast enough to satisfy business demands. This situation is a classic source of inflationary pressure. Prices and wages in the industry have been moving up. Of course, the industry is trying to increase its capacity so that it can supply more, but this process takes time. The excessive demand, on the other hand, is occurring now.

Reducing the incentive to invest in new machinery and equipment will ease some of the demand pressure. It will permit some reduction in order backlogs. Producers will be able to cut down on costly overtime work, and the pressure for inflationary wage and price increases in this sector will diminish.

THE IMPACT OF THE BILL ON THE MONEY MARKET

By encouraging business firms to reduce their current high rate of spending for capital goods, the bill will tend to reduce business demands for loans. One trouble with the current tight-money policy is that it does not ration credit evenly. The big corporations, the banks' best customers, have been able to get just about all the money they want. It is the other borrowers, including home buyers and small builders, who have been shut out. Business loans have increased sharply this year over last year despite high interest rates. Part of this money, and probably a good part, has been borrowed to finance plant and equipment purchases.

Dicouraging these purchases will discourage business borrowing. If the big corporations do not borrow as much there will be more credit available for others.

THE RIGHT PRESCRIPTION FOR INFLATION

It has been a surprise to me that many of those who are the most concerned about inflation are also the most critical of this bill—which seeks to do something about inflation. For example, they have argued that we should not suspend incentives to further investment.

The 7-percent investment credit was a tax incentive introduced to encourage investment at a time when the normal incentives provided by the economy were insufficient to generate enough investment to keep the economy growing at a satisfactory rate.

Mr. LAUSCHE. Madam President, will the Senator yield for a question?

Mr. LONG of Louisiana. I yield.

Mr. LAUSCHE. Is it not a fact that at the time we adopted the bill giving the 7-percent tax credit on capital investment, the reason for the adoption was that we wanted to stimulate the economy?

Mr. LONG of Louisiana. The Senator is correct.

Mr. LAUSCHE. And now the economy is so beefed up that inflation is beginning to run rampant, and the argument is that the reason for the credit does not exist at this time.

Mr. LONG of Louisiana. At the time we passed the investment credit, business expenditures for new plant equipment were running about $34 billion a year, and, since 1954, partly under the stimulus of the accelerated depreciation provision of the law, they had increased by an average of about $1 billion a year. Since that time, such expenditures have zoomed. They are now running at the rate of about $64 billion a year, and they are increasing at the rate of almost $10 billion a year.

Investment in plant and equipment, spurred by these tax incentives, has gone ahead so rapidly that such spending, together with the cost of the war in Vietnam, has caused us to experience inflationary pressures. We do not expect this bill to stop investment in new plant and equipment. We just hope the bill will contribute to a leveling off of such spending and keep it under reasonable restraint.

Mr. LAUSCHE. What was the level of capital investment in the first year, when this bill was passed—$34 billion, did the Senator say?

Mr. LONG of Louisiana. The year before we passed the bill, expenditures for new plant and equipment totaled about $34 billion.

Mr. LAUSCHE. And what are they now?

Mr. LONG of Louisiana. This year they will be about $61 billion.

Mr. LAUSCHE. So such expenditures have risen above a hundred percent?

Mr. LONG of Louisiana. They have about doubled. And they are increasing at the rate of about $10 billion a year.

Mr. LAUSCHE. With respect to the inflationary aspects, I see on page 10 a table showing how the cost of machinery and equipment has gone up; that is, construction machinery, which is in the first column, this year alone has risen practically 3 percent.

Mr. LONG of Louisiana. The Senator is correct.

May I offer the Senator a chart to show how the expenditures for manufacturing plant and equipment have increased since this provision became law? This provision became law in 1962.

Madame President, I ask unanimous consent that this chart be printed at this point.

There being no objection, the chart was ordered to be printed in the RECORD, as follows:

Expenditures for new manufacturing plant and equipment

[Dollar amounts in billions]

Period	Total	Percent increase
1958	$11.43	
1959	12.07	5.6
1960	14.48	20.0
1961	13.68	−5.5
1962	14.68	7.3
1963	15.60	6.9
1964	18.58	18.4
1965	22.45	20.8
1966	27.07	20.6
Total percentage increase		136.8

Mr. LONG of Louisiana. With regard to total expenditures for new plant and equipment, increases averaged about $1 billion a year during the period from 1954 to 1961, just prior to the time the investment credit went into law. It gave a tremendous stimulus. In 1964, we repealed the Long amendment which caused the investment credit to have nearly twice as much incentive as previously. In 1964, plant and equipment expenditures jumped 14.5 percent, in 1965 they went up 15.7 percent; and this year they will rise about 17.1 percent. If we take the $60.86 billion in such expenditures estimated for this year and project a 17-percent increase on top of that—and even the rate of increase has been increasing—we will have an increase of about $11 billion next year. If you compare 1966 to 1965, there is an increase of about $9 billion in 1 year.

Mr. LAUSCHE. There is talk that there will come before Congress in 1967 a bill to increase taxes generally.

My question is: Can we logically and justifiably generally increase the taxes in 1967 without at this time trying to produce more revenue through a temporary elimination of the 7-percent tax credit?

Mr. LONG of Louisiana. The purpose here, of course, is not so much to raise revenue as to moderate the economy to a more sustainable level of growth. In other words, we are trying to build new plants and machine tools—and acquire them from abroad, as well as from within this country—at too rapid a rate at this time.

The rate at which new plant and equipment is being built is nearly two times greater than it was when we passed the investment credit. We hope that under this bill it will not surge ahead at as fast a rate as it is now going. We hope the increase will be held down by several billion dollars.

Mr. LAUSCHE. I notice in metal working machinery in 1966 the index of the cost of metal working machinery jumped from 119.8 in January to 125 in September; that is, metal working machinery prices jumped 6 percent in 9 months.

Mr. LONG of Louisiana. The Senator is correct. If the Senator will compare our present situation to 1958, he will find the percentage increase in manufacturing plant and equipment has been 136.8 percent.

Mr. LAUSCHE. I thank the Senator.

Mr. PASTORE. Madam President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. Madam President, as a preface, I think that the Senator from Louisiana [Mr. LONG] knows that much of the business community is more or less opposed to this bill. They feel the tax credit was passed as a permanent law. They have made plans for expansion and depreciation and now, lo and behold, comes this suspension of 15 months.

In explanation, of course, we have this threat of inflation which is of national concern and interest, and the threat has to be met.

Some persons who are opposed to this suspension feel that this bill would not do what the administration would want it to do.

Be that as it may, the administration has a responsibility in this premise. The administration has shown very clearly that Vietnam is becoming more and more a responsibility and not less and less a responsibility. In addition to that, we have a situation where the economy is overheating and is red hot at the present time. We have more than 77 million Americans working. Unemployment is at its lowest rate in the history of the Nation in the last dozen years, I believe.

The thing that concerns me is if we level this bill off on the ground of inflation and because we are engaged in Vietnam then under what rhyme or reason has the committee seen fit to exempt railroad rolling stock on page 15, section (13), lines 12 through 16?

I realize that an argument can be made for the modernization of our freight cars, or the fact that we need more modern freight cars, or the modernization of passenger trains. I realize that, just as we want to modernize the textile mill of this country, which are in competition—one section with another—as to modern textile machinery.

That is a problem so serious that through the urging of my textile subcommittee President Kennedy in May 1961, laid out seven rules or guidelines included was a provision for fast depreciation of textile mills. That is presently being taken away.

I have an amendment at the desk. I am saying this to the Senator from Louisiana [Mr. LONG] is so that he will not be taken by surprise. I have an amendment at the desk to eliminate this one paragraph. The reason is simple. This action is not protruckers on my part. I am not here as a protagonist for the truckers. I do not owe them anymore than I owe the railroads of this country, and I owe neither of them anything. I am not interested in an industry seeking an exception.

I think if the argument to be made here today is that this action should be taken because of the situation in Vietnam, and because we are trying to avoid inflation, it is the patriotic duty of every industry to share the sacrifice. If we make an exception for one industry, it should be for all industries. If we put the burden on one industry, we should put the same burden on all industries.

At the proper time I shall call up my amendment. I believe that this planned exemption is discriminatory and unfair, and I think it is going to leave a bad taste in the mouths of other industries.

I have already received a letter from Brown & Sharp in my State advocating that I vote against the bill. I have already received a letter from jewelers in my State advocating that I vote against the bill. I have heard from the textile industry advocating that I vote against the bill.

How can I go back and tell these people: You must make the sacrifice in the name of patriotism of America. At the same time I must justify the exemption being made for the railroads which today are making more money than they have ever made before, save in passenger service.

Mr. LONG of Louisiana. I voted in committee against exempting anybody.

Mr. PASTORE. The Senator is correct.

Mr. LONG of Louisiana. Those who proposed the exemption and support it make a strong case. If there is a very critical shortage of railroad rolling stock, and the President himself so stated, something must be done about it.

I feel certain that the supporters of the provision will spell out their case when the Senator offers his amendment. I fully realize the problem presented by the Senator, but I feel that it would be best to keep the bill in the form in which it is.

Mr. PASTORE. The Senator from Louisiana is not leaving the impression that the President is supporting his amendment. Does it have the support of the President?

Mr. LONG of Louisiana. No.

Mr. PASTORE. As a matter of fact, I know he is not.

Mr. LONG of Louisiana. What I said was that the President stated earlier this year that there was a critical shortage of boxcars, and that something ought to be done about it. But in proposing the bill to suspend the investment credit, the President expressed the position of the Senator from Rhode Island. He feels that once one segment of industry is exempt——

Mr. PASTORE. A case can be made for almost any other industry.

In the past 10 years, the gross national product of the Nation has risen from $432 billion until at the end of this year it will be $750 billion, an increase of 100 percent. But during that time, the United States has lost 1,000 textile mills. Why? Because we cannot compete with the modern mills that were built in Japan and in other parts of the world with foreign aid money. That is why we cannot compete. The 7-percent tax credit is one vehicle that gave the American textile industry an opportunity to modernize.

Now we are telling the textile people, "Suffer a little longer; suffer for 15 months."

But the railroads are bulging with profits from freight transportation, and the proposed exemption for railroads is to enable them to acquire more cars in which to carry wheat, and make even greater profits.

I observe the Senator from Kansas [Mr. CARLSON] on his feet. I am aware of his problem. But I hope we will be fair to every American and every industry in this country by treating them alike.

Mr. CARLSON. Madam President, will the Senator yield?

Mr. PASTORE. I do not have the floor; the Senator from Louisiana has the floor.

Mr. LONG of Louisiana. I yield to the Senator from Kansas.

Mr. CARLSON. Madam President, I do not wish to get into an argument with the Senator from Rhode Island concerning textile mills. As a matter of fact, my record with respect to the suspension of the 7-percent investment credit is clear: I am opposed to it and have been opposed to it, because I do not believe it will have the effect on inflation that the administration thinks it will. I believe it will upset industry and that we will have a real problem in the last 6 months of 1967 if we take the action that is here proposed.

I am not particularly interested in the profits of American railroads, but I am concerned about the construction of equipment to carry the goods necessary for the war and for agriculture and industry.

There is no question that real problems exist in the transportation field, particularly with respect to equipment. The distinguished chairman of the Committee on Finance [Mr. LONG] will remember that we eliminated locomotives. The bill does not include an exemption for locomotives. It includes an exemption for the construction of freight cars, which are so necessary today.

The transportation problem as a whole is important in the Nation. If I had my way, I would favor the exemption equally for railroads, for trucks, and for air carriers. Transportation is a separate problem.

I am not unsympathetic toward the problems of the textile mills. I know they have problems, too. But I have stated my position, and it will be my position this afternoon.

Mr. PASTORE. Madam President, will the Senator from Louisiana yield to permit me to comment on that one point?

Mr. LONG of Louisiana. I yield.

Mr. PASTORE. Does not the Senator from Kansas feel that a good, warm suit of clothes on the back of an American boy in Vietnam is just as important?

Where do we think that suit is being made? Where do we think that suit is being woven? In mills that do not exist?

Mr. CARLSON. I have no quarrel with the textile people. I am all for helping them.

Mr. LONG of Louisiana. I believe the Senator voted against the entire bill.

Mr. HARTKE. Madam President, I should like to ask a question of the Senator from Rhode Island, if the Senator from Louisiana will permit me.

Mr. LONG of Louisiana. Well, Madam President, the majority leader asked us to recess, subject to the call of the Chair, at approximately 12:15 p.m. That time has now passed, and——

Mr. PASTORE. I will be back this afternoon. I will be here all day.

Mr. LONG of Louisiana. I believe that we can postpone this colloquy, but if the Senator from Indiana wants to ask a question——

Mr. HARTKE. I do not want to interrupt. I do not want to make everyone late for the luncheon. I would just like to have assurance that I can ask the question when we return.

Mr. LONG of Louisiana. I will be happy to accede to the request of the Senator from Indiana.

RECESS

Mr. LONG of Louisiana. Madam President, in line with the request of the majority leader, the Senator from Montana [Mr. MANSFIELD], I ask unanimous consent that the Senate now stand in recess, subject to the call of the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

(At 12 o'clock and 23 minutes p.m., the Senate took a recess, subject to the call of the Chair.)

At 2:16 p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. RUSSELL of South Carolina in the chair).

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the amendment of the Senate to the bill (H.R. 15748) to amend title 10, United States Code, to authorize a special 30-day period of leave for a member of a uniformed service who voluntarily extends his tour of duty in a hostile-fire area.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 17636) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. NATCHER, Mr. GIAIMO, Mr. SMITH of Iowa, Mr. McFALL, Mr. MAHON, Mr. DAVIS of Wisconsin, Mr. McDADE, and Mr. BOW were appointed managers on the part of the House at the conference.

ENROLLED BILL SIGNED

The message further announced that the Speaker had affixed his signature to the enrolled bill (S. 3158) to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes, and it was signed by the Acting President pro tempore.

SUSPENSION OF INVESTMENT CREDIT

The Senate resumed the consideration of the bill (H.R. 17607) to suspend the investment credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. LONG of Louisiana. Mr. President, I shall continue my explanation of the bill.

Today the incentives provided by the economy are sufficient without the tax credit. The demands of the conflict in southeast Asia have been added to the demands of a civilian economy in which incomes are high and unemployment is low. Under such circumstances the added incentive of the investment credit is unnecessary. It only encourages overheating of the economy.

Furthermore, it is obvious to me that the problem of expanding the capacity to produce today has nothing to do with incentives. It has to do with the fact that supplies of skilled manpower and materials are limited relative to the demand. There is a certain physical limit, in other words, to what can be produced. Incentives can help us to produce up to this limit but they cannot help us to produce beyond it.

INFLATION, NOT RECESSION, IS THE DANGER

I have also heard it said that this bill comes too late. Too late, it is said, because some recent economic indicators show that the capital goods boom has reached its peak and because some business economists predict a recession.

Any housewife knows that the prices of a broad range of goods have risen, and are continuing to rise. This to me is the immediate problem. But let us look for a moment at those economic indicators. It is true that new orders for investment goods dipped a little bit in August and September. In my opinion, however, the most important thing was that new orders in August and September were still above the industries' rate of output so that order backlogs actually increased. As for the business economists, I want to point out that those predicting a recession are in the minority.

In my view, moreover, this bill will help to prevent the development of the type of excesses which have often resulted in recessions in the past. Balance between the various sectors of the economy is essential to continued growth at high levels. There is a danger now that capital spending will get out of line. Our capacity to produce may expand too rapidly. When this happens a period of readjustment—that is, sharply reduced capital spending—becomes inevitable. When the readjustment occurs, of course, it is likely to mean a recession. We only have to go back to the middle and late 1950's to find this type of situation. The capital boom in 1956–57 was followed by the recessions of 1958 and 1961. In 1956–57, nonresidential fixed investment spending was 10.5 percent of gross national product. Such spending is now 10.7 percent of gross national product. Unless we are able to moderate plant and equipment spending a bit, we may be headed for trouble.

THE TERMINATION DATE

I know it has been argued that we should not set December 31, 1967, as the termination date for the suspension because orders for new equipment will fall off very sharply toward the end of next year. It is argued that it would be better if we extended the suspension period, or better yet, made it indefinite.

This is not a tax reform bill. We are not trying to take the investment credit out of the tax code. If we made the suspension indefinite, businessmen would conclude that the credit would not be restored.

If we move the termination date back a year or two, the suspension will not have as much impact next year. The suspension period provided in this bill is short enough so that many businessmen will be willing and able to defer marginal investments. If we put the termination date too far in the future, they will not be as likely to defer investments.

I also want to add that if it appears toward the end of next year suspension of the investment credit and of accelerated depreciation on buildings is having too great an effect, Congress can quickly take action to terminate the suspension provided by this bill. The administration has indicated that it would support such a move if it were needed.

THE BILL WILL NOT WEAKEN THE BALANCE OF PAYMENTS

A short suspension period is important for another reason. As long as the period is short, suspension of the investment credit would not weaken our balance-of-payments position because it would not have any significant effect on the rate at which we modernize our productive capacity. In fact, easing inflationary pressures in the machinery and equipment industries at this time will help to preserve existing export markets by forestalling price increases and by helping to diminish the demand for imports.

THE BILL IS FAIR AND WORKABLE

When the suspension was first proposed, a lot of people said there are too many problems raised by it. They said that it would be unfair and unworkable.

I want to assure the Senate that I am satisfied that this bill is both fair and workable. The House approved a number of rules designed to protect taxpayers who were committed to investments before the proposed suspension of the investment credit and of accelerated depreciation on buildings was announced. The Finance Committee has modified and amplified these rules where necessary. In addition, we changed the effective date from September 9 to October 10. This will provide further assurance that taxpayers who had committed themselves to investments before they were aware of this bill will not be unfairly treated.

VISIT TO THE SENATE BY THE PRESIDENT OF THE UNITED STATES

(At 2:18 p.m. the President of the United States entered the Chamber accompanied by Senators MANSFIELD, SMITH, and NEUBERGER; sat momentarily in the chair of the majority leader, rose, and left the Chamber, during all of which there was standing applause.)

Mr. LONG of Louisiana. Mr. President, the RECORD should show that all of us were extremely delighted to see a former Member of the Senate back here where he made most of his reputation. We were proud to have him once again sit in the seat of the majority leader of the Senate.

SUSPENSION OF INVESTMENT CREDIT

The Senate resumed the consideration of the bill (H.R. 17607) to suspend the investment credit and the allowance of accelerated depreciation in the case of certain real property.

THE BILL WILL SUPPORT DEFENSE OBJECTIVES

Mr. LONG of Louisiana. Mr. President, some critics have argued that this bill will hamper the defense effort by discouraging investment in facilities required to produce arms and munitions.

I do not believe that businessmen will refuse to bid on defense contracts during the suspension period just because they cannot get the 7-percent credit. Furthermore, right now defense contractors are having trouble getting the skilled workers and the equipment they need to fulfill their contracts. The New York Times on Sunday, October 9, for example, reported that aircraft production has encountered bottlenecks because of shortages of skilled labor and delivery delays on aircraft engines. Reducing the demand for capital goods for civilian production will make it easier to step up defense production and may prevent the need for controls over allocation of manpower and materiel.

COMMITTEE AMENDMENTS

In considering the House bill, the Committee on Finance added several amendments which it believed necessary in order to improve the bill.

The committee moved the effective date forward to October 10, 1966, the day we began executive sessions. The earlier effective date in the House bill possesses a character of retroactivity which the Finance Committee thought was unfair to businessmen consummating investments during that time. The effective date in the House bill is the day following President Johnson's message to Congress requesting enactment of the suspension of the investment tax credit and accelerated depreciation. The date we have selected is when it became evident that Congress would complete action on this bill. Our action does not seriously reduce the effectiveness of the suspension because it delays the effective date for only 1 month.

The committee added to the bill an exception for a building or buildings the combined total cost of which is not more than $100,000. This exception primarily will benefit small manufacturers, retail and wholesale operators, farmers, and builders of small apartment houses and residences. These businesses—while a large percentage of total business firms—account for a small proportion of total investment in any given year, and this exception will not have a significant effect in offsetting the suspension of accelerated depreciation.

At the same time, the committee raised the limitation of the exception for investment in machinery and equipment to $25,000 from the $15,000 limitation in the House bill. It considers that the higher limitation is a more realistic one that will cover many single pieces of machinery and equipment purchased by small businessmen and farmers.

In making these exceptions, the committee is continuing a very important, longstanding public policy of fostering small business and farming. In both cases, the investor is limited to only one exception during the suspension period.

The House bill contains exceptions for certain investments in equipment that are designed to reduce air and water pollution which result from various kinds of business activity. The exceptions apply only to those facilities which conform with Federal or State standards for air and water pollution.

The same overriding considerations which justified those exceptions from the suspension apply with equal force to the construction of railroad rolling stock, other than locomotives. In each of the past several years, we have heard reports that there was a shortage of some kind of railroad car needed to move farm produce, export goods, or defense materials.

The suspension of the investment tax credit and accelerated depreciation will only moderate some of the demands for additional rolling stock, while the expansion in farm output for domestic and foreign consumption and increasing production of goods and equipment needed for the Vietnam conflict and continuation of high-level civilian production mean that there will be great demands for railroad equipment during the next 15 months.

The committee is convinced that this additional exception is necessary to enable our economy to operate efficiently and to help us in meeting the military requirements of Vietnam. For these reasons, we urge the Senate's acceptance of the exception.

Several additional amendments of a technical nature were added to clarify the interpretation of how the suspension should be applied. They include the the description of how the suspension applies to an integrated operation which does not require buildings but is a self-contained, single operating unit located on a single site. Instead of taking up the Senate's time in describing these technical changes in the bill, I ask unanimous consent to have printed in the Record a summary of these amendments at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LONG of Louisiana. In conclusion, Mr. President, this bill is an important ingredient in the administration's program to promote a better balanced economy free of inflationary pressures. It merits the Senate's prompt approval.

EXHIBIT 1

SUMMARY OF H.R. 17607

Suspension of the investment credit.—The bill as passed by the House temporarily suspended the investment credit for the period from September 9, 1966, through December 31, 1967. As amended by your committee, the bill suspends the credit from October 10, 1966, through December 31, 1967, or for approximately 15 months instead of 16 months.

Under the House bill, the investment credit, however, would continue to apply to investments of up to $15,000 made by a taxpayer or a business during the suspension period. Your committee has modified this rule to provide that the investment credit will, during the suspension period, continue for investments of up to $25,000 instead of $15,000. Additionally, your committee has provided an exemption for railroad rolling stock (other than locomotives) so that purchases of this property will continue to be eligible for the investment credit. Furthermore, under both versions of the bill, an exception is made—so the suspension will not apply—for water and air pollution facilities. Also, an exception is made for property acquired or constructed pursuant to a contract binding on the taxpayer at all times after the beginning of the suspension period.

Investments for which no credit is allowable, because they represent acquisitions or orders during the suspension period, lower the maximum limitation with respect to which credits may be claimed for investments for the year involved and in that way decrease the amount of other investments for which a credit may be taken during the year—either in the form of investments made during the year or as carryovers from other years.

B. *Suspension of accelerated depreciation on buildings.*—The bill, as passed by the House, also suspends the use of accelerated methods of depreciation with respect to buildings (other than those eligible for the investment credit) which are constructed or ordered during the suspension period. Your committee accepted this provision except that it provided an exception for up to $100,000 of construction during the suspension period for which the accelerated depreciation methods will remain available. This $100,000 is available only where the total construction involved is $100,000 or less. Under both the House and your committee's version of the bill, depreciation on buildings where the accelerated methods are denied will have to be computed under the straight line method or the declining balance method at a rate 1½ times the applicable straight line rate (or under some other method which provides a similar reasonable allowance for depreciation). The double declining balance method and the sum of the years-digits method (except for the $100,000 of construction referred to above) will not be available at any time in the future for buildings constructed or ordered during the suspension period. (This is due to the operation of existing law which provides that these accelerated depreciation methods are available to new assets only.) As in the case of the investment credit, an exception is provided for buildings whose construction was begun prior to the start of the suspension period or whose construction was contracted for under the terms of a contract binding on the taxpayer before the start of the suspension period.

C. *Rules common to the suspensions of the investment credit and of accelerated depreciation.*—As noted, the investment credit and the use of accelerated depreciation methods are not to be denied in the case of property whose physical construction was begun before the beginning of the suspension period. Nor are they to be denied with respect to property constructed or acquired pursuant to a contract which was binding on the taxpayer before the beginning of the suspension period, and at all times thereafter.

Under both versions of the bill a building constructed or equipped pursuant to a plan drawn up before the suspension period and not substantially modified during the period, the investment credit or the use of accelerated methods of depreciation, as the case may be, is not to be denied if more than 50 percent (of the adjusted basis) of the depreciable property making up the equipped building is attributable to items whose construction was begun before the beginning of the suspension period, plus items which were ordered under contracts binding on the taxpayer on or before the beginning of the suspension period. Where an "equipped building" qualifies under this rule for the investment credit or for the use of accelerated depreciation, one or the other of these provisions (depending on the type of asset) is also to be available for incidental appurtenances located outside the building which are necessary to the functioning of the equipped building.

Your committee has added a rule (somewhat similar to the equipped building rule) relating to a "plant facility" which does not include any significant building structure, yet is a self-contained operating unit or processing operation located on a single site and identified on October 9 in the purchasing and internal financing plans of the company as a single unitary project. The investment credit is to be available where a taxpayer had a plan for such a plant facility on October 9, 1966, and either construction began (generally at the plant site) on the facility before October 10, 1966, or more than 50 percent of the basis of the depreciable property making up the plant facility was attributable either to construction which was begun by the taxpayer before October 10 or property the taxpayer had acquired or had under a binding contract before that date.

The bill as passed by the House contained a general rule in determining when machinery and equipment was to be eligible for the investment credit and a special rule applicable in the case of a taxpayer who regularly manufactured or assembled machinery and equipment for his own use. Your committee's amendments substitute a new provision which provides that machinery and equipment is to be eligible for the investment credit where 50 percent of the parts and components were held by the taxpayer on October 9, 1966, or acquired by him under a binding contract in effect on that date. However, for this rule to apply, the parts and components must not be an insignificant portion of the total cost. This report also specifies rules to be followed in determining when the construction of machinery has begun. These rules, in general, provide that the construction of machinery or equipment has begun when significant installation or parts-manufacturing occurs or when assembly has commenced.

The investment credit or the use of accelerated methods of depreciation, as the case may be, is not to be denied where a person who is a party to a contract binding on and after the commencement of the suspension period, transfers either the rights to the contract (or the property to which the contract relates) to another person in which a party to the contract retains the right to use the property under a lease. Under the House bill, these contract transfers involving lease arrangements were required to be in connection with financing transactions. Your committee's bill removes this requirement. In addition, the lease arrangements under the House bill had to be long-term leases. Your committee's bill continues this requirement only where the lessor elects to retain the investment credit.

The investment credit or the use of accelerated methods of depreciation, as the case may be (subject to certain limitations), is not to be denied to property constructed or acquired under the terms of a lease agreement entered into before the beginning of the suspension period, provided the agreement obligates the lessee or lessor to construct or acquire such property. The House bill also applies this same rule in the case of sales contracts. Your committee's amendments retain this rule but clarify its application.

Both the House and your committee's versions of the bill also provide that property transferred at death or in certain other transactions (generally those in which the transferee assumes the transferor's basis in the property) is to have the same status in the hands of the transferee as it had in the hands of the transferor with respect of any binding contracts, etc.

D. The relaxation of certain limits on the investment credit.—The bill also provides that, effective for taxable years beginning after the end of the suspension period (Dec. 31, 1967), the amount of investment credit which may be claimed in any taxable year is to be an amount equal to the entire tax liability up to $25,000 plus 50 percent of any tax liability over $25,000, instead of $25,000 plus 25 percent of any tax liability over $25,000 as is provided by present law. The bill also extends the period in which unused investment credits may be carried forward to 7 years (presently it is 5 years). In the latter case, the extended carryforward period generally will be effective with respect to carryovers from taxable years ending after December 31, 1961.

E. Treasury savings bonds not subject to the interest rate ceiling.—This committee amendment authorizes the Treasury Department to issue a new type of retirement and savings bond at whatever rate of interest is deemed appropriate. The bonds are to mature in not less than 10 years but not more than 30 years.

UNANIMOUS-CONSENT AGREEMENT

Mr. LONG of Louisiana. Mr. President, I should like to ask the Senator from Delaware [Mr. WILLIAMS], the senior Republican member of the Finance Committee, as to his reaction, speaking for the minority side, as to whether a unanimous-consent agreement on the bill at this time would be agreed to.

Mr. WILLIAMS of Delaware. What would it be?

Mr. LONG of Louisiana. I would ask for a time limitation of 1 hour on each amendment, to be equally divided between the Senator in charge of the bill and the sponsor of the amendment. Would that be agreeable? If the Senator needs more time on some amendments, I would be glad to ask for more than 1 hour.

Mr. WILLIAMS of Delaware. I have no objection. I know of no objection on this side of the aisle, but I should like the request to be made subject to the rule that it would not be strictly confined to amendments which are germane. I have no intention of offering any amendment dealing with any phase of civil rights, but on some of the amendments which will be offered—I have one myself and I know that the Senator from New York [Mr. JAVITS] has—there could be a question raised as to germaneness. If we could have it understood that there will be no question on germaneness raised I have no objection.

Mr. LONG of Louisiana. It is not our intention to invoke the civil rights issue.

Mr. WILLIAMS of Delaware. I have no objection.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that debate on amendments on H.R. 17607 be limited to 1 hour, the time to be divided equally between the Senator in charge of the bill and the sponsor of the amendment.

Mr. JAVITS. Mr. President, reserving the right to object, how much time will there be on the bill?

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that there be 2 hours on the bill itself, to be equally divided between the Senator from Louisiana [Mr. LONG] and the Senator from Delaware [Mr. WILLIAMS].

Mr. JAVITS. Mr. President, further reserving the right to object, I have an amendment to the substantive provisions of the 7-percent equipment tax. I want to be sure that I am not going to be faced with a germaneness problem on that.

Mr. WILLIAMS of Delaware. That was one of the points I had in mind, that it would be in order, and that there would be no question of germaneness being raised.

Mr. LONG of Louisiana. We have agreed that the question of germaneness will not be raised, with the further understanding that we will not invoke the civil rights issue on this bill.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that the committee amendments be agreed to en bloc and that the bill as amended be considered as original text for the purpose of considering further amendments.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and the committee amendments are agreed to en bloc.

Mr. SPARKMAN. Mr. President, in its deliberations on the President's request to suspend the investment tax credit and accelerated depreciation, Congress once again has shown the great strength of our Government of balanced powers.

When the measure was proposed on September 8, 1966, the President stated:

> The suspension should be across the board, without exception.

However, in accordance with the Constitution and the rules of the Congress, this measure came to be considered by the House Committee on Ways and Means and by the Senate Committte on Finance, which is under the chairmanship of the Senator from Louisiana [Mr. LONG]. For 18 years Senator LONG has well represented the people of his State in this body, including service on the Select Committee on Small Business since its foundation in 1950. Since 1965, his responsibilities have been broadened by his appointment as assistant majority leader and chairman of the Finance Committee.

The proposed suspension of the tax credit involves goals of major national importance, but also has an impact upon the well-being of every businessman in large cities, small towns and farms across this country. Therefore, the experience in public life of the Senator from Louisiana and the other distinguished members of his committee, make them exceptionally well qualified to consider such matters as H.R. 17607.

As a result of the judgments of the Committee on Finance, several exceptions were added to the bill, which I feel are desirable.

The committee's amendment dealing with railroad cars comes at a critical time for the transportation industry when military and civilian needs are becoming increasingly pressing. The added cars the country may get because of this provision will not only be available to carry supplies required by our Armed Forces, but will be a special help to our farmers and cattlemen who must move their produce to market. I believe, however, that the same treatment should be extended to the trucking industry. I intend to vote for such an amendment.

The committee also added an exception within the accelerated depreciation field for structures under $100,000. This should assist substantially in the construction of plants for our smallest firms and low-unit apartment buildings where construction has been drastically reduced because of tight money conditions.

I was most gratified, however, by the committee's adoption of the small business exemption which I proposed on October 6 on behalf of myself and 17 other Senators. Our recommendation was to allow a tax credit of 7 percent of a $25,000 investment in machinery and equipment—or a maximum tax saving of $1,750. This would have the effect of covering most small businesses, since the typical small business investment eligible for the tax credit has been in the neighborhood of $22,000.

At the same time, the $25,000 figure would not be inflationary because even extraordinary expenditures by small businesses would be denied full credit, and the total amount that would be involved comes to less than 2 percent of the $2 billion in credits expected to be claimed in 1966. Such a provision would allow our small businesses to proceed in confidence with their growth and modernization plans without undue delays.

It is my hope that the Senate will approve these provisions.

I believe that these amendments are improvements which have been brought about by the timely action and exercise of independent legislative judgment by the Finance Committee, its capable chairman, the Senate, and the House.

INVESTMENT TAX CREDIT SHOULD BE CONTINUED FOR SMALL BUSINESSES

Mr. PELL. Mr. President, I am pleased to have joined in initiating the proposal made by the chairman of the Senate Select Committee on Small Business [Mr. SPARKMAN] that the Finance Committee give consideration to the needs of small business in acting upon the President's request to suspend investment tax credit. The Sparkman proposal would amend H.R. 17607 to permit companies to receive tax credit for a maximum of $25,000 of investment in equipment and machinery, or a maximum tax saving of $1,750.

Under the bill as originally proposed, the credit would have been eliminated between September of this year and January 1, 1968. Our proposal would have the effect of preserving these benefits for nearly all small businesses during the suspension period. The proposed suspension has, in my judgment, been made necessary by extraordinary pressures of military and civilian demand upon a few segments of our capital goods industries. This action will enable our country to protect its record of 5½ years of healthy and stable growth.

However, Senator SPARKMAN's research has shown that the amounts that small business might be expected to claim under this type of exemption would probably come to less than 2 percent of the $2 billion in credits which the Secretary of the Treasury estimated would be claimed during this year.

But, even though the impact will be minor nationally, continuing the tax credit for small business will be of great importance to individual small companies, and to States such as Rhode Island, where 94 percent of business population is in the small business category.

It will allow the growing, progressive company which may be developing a beneficial new product to continue with the plans which it has carefully drawn by permitting an investment in equipment or machinery of up to $25,000. It will also allow established business and professional men to order the equipment they need to modernize their operations without unnecessary delay.

We have exhibited our determination to head off inflationary pressures by providing that expenditures of over $25,000, which would be in excess of what even a progressive small business would ordinarily spend, would be denied the full benefit of the credit which we have proposed.

Mr. President, I feel that the continuity which would be accomplished by this "small business exemption" will be desirable as a matter of tax policy and as a matter of practicality to businessmen in Rhode Island and elsewhere who have been making their plans since the law was enacted by Congress in 1962.

Mr. PASTORE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator from Rhode Island will state it.

Mr. PASTORE. What is the pending question?

The PRESIDING OFFICER. The bill is open to further amendment.

Mr. PASTORE. Mr. President, I call up my amendment which is at the desk and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The legislative clerk read the amendment, as follows:

On page 15, strike out lines 12 through 16.

On page 15, line 17, strike out "(14)" and insert "(13)".

Mr. PASTORE. Mr. President, without the time being charged to either side, I suggest the absence of a quorum not to exceed 2 minutes.

The PRESIDING OFFICER. Without objection, the clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. PASTORE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

How much time does the Senator yield himself?

Mr. PASTORE. Five minutes.

Mr. President, my amendment is very simple to explain as to cause and effect.

On page 15 of the bill, starting with line 12 through line 16, which my amendment proposes to delete, we find the one exemption in this bill. This exemption is being made for railroad rolling stock.

I merely want to say to the Members of the Senate who are going to vote for this bill, if this exemption, which is the only exemption in the bill, is allowed to remain, this bill will come back to haunt them. I repeat, it will come back to haunt them.

The same case that is being made for railroad rolling stock, no matter how meritorious—and I do not question or challenge that it is meritorious considered in itself—can be argued for at least a dozen or more businesses in the United States of America.

On the ticker tape, only a short time ago, there was reference to an answer given by the President of the United States to a query made by a reporter at his news conference yesterday afternoon relevant to textiles. The only reason it came up was that the experience of the textile industry of this Nation over the last dozen years has been a sorrowful one.

Mr. President, there has been an increase in our gross national product from $432 billion in 1950 to $750 billion this year. Yet in that period of time more than 1,000 textile mills in the United States of America have closed, and many are closing at this time, at a time when our economy is declared to be overheated at a time when business profits are the highest they have ever been, at a time when the level of wages is the highest ever recorded.

I am not asking that the textile industry be included in the exemption. I am not asking that the small tool industry in my State be included in the exemption. I am not asking that the jewelry industry in my State, which needs help toward expansion and capital investment, be exempted. All I say is, let us be fair.

If it is true that the purpose of this bill, which is sponsored by the administration, is to avoid inflation in this land, because our economy is overheated, if it is because of the war going on in Vietnam, as has been told us by the administration, then I say the time has come for every industry to be a partner in our hardship.

That is all I am asking. That is all I am pleading for.

Mr. President, I have no animosity toward the railroad industry. I am not saying the industry has enough railroad cars. But the same thing can be said for every other industry though it may not have the powerful lobby that the railroad industry enjoys.

I think it is a hurtful reflection on the railroad industry that it should come before us asking for an exemption when a sacrifice is being asked of all other industries. When the railroad industry stands as the sole, sacred exception, that to me is discriminatory and preferential treatment in the extreme.

All my amendment does is to supply equity. I repeat it will not mean much, one way or the other, in my State but I want to say to my colleagues that there are industries in your States who will have questions to ask if you vote for this bill.

First. They will want to know if this bill will do everything the administration says it will do—and there is a reasonable conflict on that question. Second, if the bill passes with this exemption, they will want to know, having done this for the railroads of America, why you do not do it for them.

How are Senators going to answer that question when that question is raised with respect to other industries?

This proposal is merely for a suspension for a limited time. The railroads of this country, so far as freight transportation is concerned—and that goes for every transportation industry—are experiencing profits they never had before. If they want to build something of an emergency nature, they can build it out of profits in the next 15 months. If they do not have the money, they can wait until the 15-month period expires, like everybody else is being asked to do, and then do it at that time.

The essence of my amendment is this: Please clean up this bill; make every American business a partnership in sacrifice, without exception to any, so that all industry may do together what needs to be done at this critical time.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. PASTORE. I yield to the Senator from Delaware.

Mr. WILLIAMS of Delaware. I support the Senator from Rhode Island in his effort to strike out the section of the bill which provides an exception for one industry.

I do not question that a good case could be made by the railroad industry——

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. PASTORE. Mr. President, how much time does the Senator from Delaware want?

Mr. WILLIAMS of Delaware. Three minutes.

Mr. PASTORE. I yield as much time as the Senator wants.

Mr. WILLIAMS of Delaware. I do not question that a good case could be made for the railroad industry. I do not question that a good case could be made for the textile industry or for any other specific industry. But the question confronting us is, Do we want to approve this bill which in my opinion is but a very small step toward combating the inflationary threat?

If we do we must make sure that the bill has equal application to all industries in all States. Once we start making exceptions with respect to one industry, we will be confronted with a long list of proposed exceptions, in which industry after industry will present a good case as to why it should have special consideration.

In the interest of fair play and justice, the amendment of the Senator from Rhode Island should be accepted. Let us have a bill in which there will be no exceptions for any industry but, which will be equally applicable to all.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. PASTORE. Mr. President, I yield the Senator from Vermont such time as he may need.

Mr. AIKEN. I just wish to say I support wholeheartedly the position of the Senator from Rhode Island. We must not show special privilege in this field. It is not necessary to show it.

The railroads are having a good year, thanks to the grain shipments and war orders. I have in my hand Standard & Poor's industries surveys dated July 28, in which they state that for the first quarter of the year, the railroads increased their net profits 31 percent over last year.

I do not see why we should grant special privilege in this instance. If we do grant this special privilege, then, of course, every one of us should vote to grant the same privilege to other industries; and if we do that, then the bill becomes a farce, and will not improve the financial situation of the Government at all.

Mr. PASTORE. I do not mean any impertinence, and I hope the Senator from Kansas will understand the sincerity of my remarks in this respect. He has advocated that this exception remain in the bill; but he went so far as to say that he is opposed to the bill anyway—which of course he has a perfect right to be. Any Senator has a perfect right to amend any bill and seek to perfect the bill, even though he is against the bill in its entirety, and against the philosophy of the bill.

But, while I have the highest respect for that privilege and prerogative, I respectfully say to my fellow Senators who will end up voting for this bill, "It will come back to haunt you when you go back home, for questions will be put to you by other industries which are just as badly affected. You will be asked, 'Why did you vote for a bill that gives an exception to one industry, and not to mine?' "

Mr. AIKEN. May I say to the Senator from Rhode Island, I have no intention of voting for the bill if it carries a special privilege provision such as the Senator is trying to strike out. If that is eliminated, and others are not added, then I intend to vote for the bill.

Mr. PASTORE. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. PASTORE. Mr. President, how much time have I left?

The PRESIDING OFFICER. The Senator has 19 minutes.

Who yields time?

Mr. SMATHERS. Mr. President, I yield myself 5 minutes.

Mr. President, I do not believe we need to spend a great deal of time on this particular amendment. I am one of those on the committee who, along with the chairman, voted not to give the railroads this opportunity. However, the committee saw fit to do it.

It was the judgment of the chairman of the committee, the junior Senator from Florida, and most of the members of the committee, that we ought to try to uphold the committee position on the amendment and on the bill, and support it as it came out of the committee, for the very simple reason that we were going to have to go to conference, presumably, and will go to conference with the House. The House does not have this exception in its bill. There is some justification for it, it seemed to some of us on the committee—even though I did not, as I say, support the exception—because there is and there has been, in the field of railroad equipment, as noted and long-experienced boxcar shortage. All you have to do is talk to the farm community in the Midwest and the South—everywhere but in the East, and perhaps now even in the East to learn that they do not, at times of harvest, have a sufficiently large number of boxcars to move their goods.

We felt that everything considered, it would be better if the Senate supported the committee position, and let us, then, go to conference with the House and try to work out some sensible, reasonable compromise on this particular matter. We will have to go to conference anyway.

I yield to the Senator from Vermont.

Mr. AIKEN. I thank the Senator. Does the Senator share my recollection of what Secretary Fowler told us yesterday, that the railroads already have on order enough boxcars to take almost all the next 18 months for construction?

Mr. SMATHERS. Our figures and the statement by the Secretary before our committee—not only his testimony, but the testimony of the railroad companies as well—indicate that they have an 8-month production backlog at the present time, and believe that by next May 1, production would drop from 6,000 units per month by the contract car builders to 2,000 units. In other words, there would be fewer cars in production at that time.

One other important feature of this bill which I think we should remember, is that we have a $25,000 exclusion in the bill. In other words, any capital investment less than $25,000 will continue to be eligible for the 7-percent investment credit. There are very few trucks which cost more than $25,000. There are very few tractors for those trucks, or trailer bodies, which cost more than $25,000. So no matter what turn this amendment may take, remember that the small trucker is already protected.

This was an amendment first offered by the distinguished Senator from Alabama. The bill came from the House with a limitation of $15,000. The Senator from Alabama wanted to increase it to $25,000, to help small business; and so we raised the limit to $25,000.

Mr. PASTORE. Mr. President, will the Senator yield to me, on my time?

Mr. SMATHERS. I am happy to yield.

Mr. PASTORE. Mr. President, may we have order?

The PRESIDING OFFICER. The Senate will be in order.

Mr. PASTORE. Mr. President, it has come to my attention this morning that an amendment will be proposed to add these van trucks as an exception. Then the textile industry will come along and offer another amendment. Do not Senators see that a Pandora's box would be opened up?

No one is questioning the need, but after all, everybody has got to tighten his belt and make a sacrifice.

What we are asking here is, What is the rhyme and reason? Why did this need spring up just when it was being considered in the Senate Finance Committee? Why did not the administration recognize the need? Why did not the House recognize the need? Was it not, after all, because the pressure was greater when it came to the Senate Finance Committee?

What I am cautioning here, Mr. President, is that we are threatening to open up a Pandora's box. If we do, it will come back to haunt us. If we wish to treat every American alike, let us be fair. Let us be partners in hardship.

Mr. SMATHERS. Mr. President, all I wish to say to that is that the Senator from Rhode Island is a very distinguished member of the Appropriations Committee. One thing I have always admired very much about the Appropriations Committee is that it rather well sticks together. Even though they have great controversies in the committee, when they come out on the floor, they usually stand together.

Some of us, although we were outvoted in the committee on this particular amendment, cannot help but feel that we are going to be in a better position, and better able to fight off other amendments, which we expect to have to do, if we can uphold the committee position.

I yield to the Senator from Kansas.

Mr. CARLSON. Mr. President, I appreciate very much the remarks made on this particular legislation.

The Senator from Rhode Island wonders why the great hurry and haste at this time. It is not many months ago that the distinguished majority leader stood on the floor pleading for boxcars.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SMATHERS. Mr. President, I yield to the Senator from Kansas such time as he may desire.

Mr. CARLSON. There was a problem existing with relation to boxcars then. It still continues. There is not any question about it.

We have a situation existing at the present time in which the great Midwest, which builds boxcars, has a shortage. I can understand why the Senator from Rhode Island, the Senator from Vermont, and the Senator from Delaware do not care about boxcar shortages when we build them and when there is a cheap demurrage charge and companies can keep the cars for this reason.

We cannot get the cars back in the Midwest, although we have received some relief lately.

I would say that we should give some sincere thought to the situation. I do not care about the profits. I am not concerned about that. The profits do not enter into the matter. It is a matter of obtaining boxcars for transportation for raw material and for the grain crop produced in this Nation.

I sincerely hope that the committee will be sustained in the amendment.

Mr. PASTORE. Mr. President, I say to the distinguished Senator from Kansas that the Committee on Commerce did grant relief to the railroads in the matters of boxcars. We raised the per diem rate.

I am not saying that we have no difficulty. All I am saying is that this exemption sticks out like a sore thumb.

My understanding is that the railroads are not investing money in the new boxcars when they can build flatcars, because greater profits are realizable.

Be that as it may, my point is why there should be one exception in the whole panorama of American industry.

Mr. SMATHERS. Mr. President, I yield 5 minutes to the Senator from Minnesota.

Mr. McCARTHY. Mr. President, if we were to deal with every matter in terms of absolute equity, we would pass very little legislation.

The textile industry does have some limitations in the law. There are quotas. There are no quotas in the iron ore industry.

Mr. PASTORE. Mr. President, there are no quotas on wools, worsteds, and manmade fibers.

Mr. McCARTHY. I did not say wools and worsteds and manmade fibers. There are exceptions in the law and practice. One should not get up and say that an exception is a terrible thing, because there are exceptions all over and the Senator knows it.

Is there a case for an exception in this instance? I think there is, and the committee thought that there should be an exception.

We cannot make it on the basis of principle. It is a matter of meeting the practical problems with respect to transportation in the country.

I am not going to make a case with reference to the profits of the railroads. That is incidental. We are not doing this to improve the profit position of the railroads relative to other industries in the country, although the fact is that the railroads' return on equity capital has been running approximately 4.5 percent. This could be taken into account. Manufacturing companies have experienced a 14-percent return rather than 4.5-percent return. The trucking industry has been receiving approximately 12 percent.

If one wants to make a case for the industry in terms of return on capital, he has a good case, but I am not making that case.

We put this provision in the bill because of the transportation needs of the country. We have the Vietnamese war going on. That war is increasing the needs for transportation. We have the prospect of 30 million additional acres of grain production. This grain must be transported. We do not have enough boxcars with which to take care of the existing needs.

I have been in Congress for 15 years and every July we have protested the shortage of boxcars. Whenever the grain begins to come to market, there are not enough boxcars.

The investment tax credit has helped put the railroads in a position where they are able to build boxcars. They are building about 100,000 a year. They are building new boxcars to replace the obsolete ones.

Mr. CARLSON. The Senators from the Eastern States ought to know the situation in the Midwest where we require large shipments by rail transportation, boxcars, and freight cars. They ought to be there and receive some of the pressure that we experience in those areas during this season.

Mr. McCARTHY. There is a need existing in the country for the boxcars.

Mr. MORSE. Mr. President, will the Senator yield?

Mr. McCARTHY. I yield.

Mr. MORSE. Mr. President, I understand that this would be for the railroads and would be an exemption for them in respect to their building of boxcars only.

Mr. McCARTHY. It would not involve locomotives, power units, or other equipment. It would only involve the boxcars.

Mr. MORSE. Mr. President, I ask unanimous consent to have printed in the RECORD some telegrams from my State on behalf of the trucking industry, and other communications opposing repeal of the credit itself, and I know that more will be coming in. I will not take the time to read them, but will place them in the RECORD.

Most of these telegrams are asking for an exemption for the building of trailers and semitrailers necessary to protect the trucking industry so that unfair competition between the trucking industry and the railroads will not result. That is a pretty hot issue in the Western States, too.

This involves what the Senator from Rhode Island said. If we start with one exception, we will have to have the others.

As a Westerner, I think that we need boxcars, but that we also need semitrailers.

I do not see why we should agree to one amendment that discriminates against other transportation facilities.

There being no objection, the communications were ordered to be printed in the RECORD, as follows:

PORTLAND, OREG.,
October 13, 1966.

Senator WAYNE MORSE,
Senate Office Building,
Washington, D.C.:

I note where the Senate Finance Committee is recommending inclusion of rail cars for the continuation of 7% investment credit. It has come to my attention that trucks are excluded. I would sincerely appreciate it if you, as one of our Oregon Senators, would do everything possible to place the trucks on the same basis as rail cars because it is only fair that both industries should be given equal treatment and consideration.

AL TANNLER,
Branch Manager, White Motor Corp.

WASHINGTON, D.C.,
October 14, 1966.

Senator WAYNE MORSE,
Washington, D.C.:

The Senate is about to consider legislation to suspend the 7-percent investment credit. The Senate version contains an exception for railroad rolling stock, and unless the trucking industry is granted a similar exception a serious competitive inequity is created. To correct this inequity, Senator FRED HARRIS, of Oklahoma, will offer an amendment to include highway trailers and semitrailers along with the exception for rail cars. Your support is urgently needed.

W. A. BRESNAHAN,
Managing Director, American Trucking Associations Inc.

Portland, Oreg.,
October 13, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

Senate Finance Committee proposes to retain investment credit for railroads but not motor carriers. Such action unfair to motor transportation industry. I urge exemption apply to both classes of carriers.

Basilio Cinnera,
President, Home Transfer & Storage Co.

Portland, Oreg.,
October 14, 1966.

Senator Wayne Morse,
Senate Office Building,
Washington, D.C.:

I was very surprised to note that the Senate Finance Commiteee is recommending inclusion of rail cars for continuation of the 7 percent investment credit and excluding trucks as one of your supporters I strongly suggest and hope that you as one of Oregons leading senators will do all possible to assure equal treatment of these two great industries. I feel that this is a positive discrimination and will cause serious competitive problems why should the trucking industry be penalized.

Freightliner Corp.
Glenn Watkins.

Portland, Oreg.,
October 13, 1966.

Hon. Wayne Morse,
U.S. Senate,
Washington, D.C.:

Ask that you use your influence to treat all forms of transportation alike regarding seven percent tax credit.

Robert J. Wilhelm.

Portland, Oreg.,
October 13, 1966.

Hon. Wayne Morse,
Senate Office Building,
Washington, D.C.:

Urgent request your support of the amendment passed by Senate Finance Committee to H.R. 17607 exempting rail cars from suspension of investment credit. The impact of the credit exemption to the railroads will allow them to continue procuring cars to alleviate a serious national shortage. Should they not be allowed this credit, the economic impact on our rail car building facility in Portland would be very considerable as we have 1,000 people employed making cars who would not be employed if the railroads ceased buying new equipment, which they would certainly do if the credit were eliminated. Your favorable vote on the amendment will be appreciated by all our employees.

Gunderson Bros. Engineering Corp.
R. E. Gunderson,
Vice President and General Manager.

Portland, Oreg.,
October 13, 1966.

Senator Wayne Morse,
Washington, D.C.:

Local newspapers report Senate Finance Committee recommends exemption for railroad cars in legislation that suspends the seven percent investment tax credit. The Trucking Industry strongly opposes this discrimination against other modes of transportation. We urge that if such exemption is granted to one it should apply to all.

Oregon Trucking Associations,
Robert R. Knipe.

Portland, Oreg.

Senator Wayne Morse,
Washington, D.C.:

As a follow up to our wire yesterday may we ask that you support the amendment being offered by Senator Fred Harris which would include highway freight trailers as an exemption of the investment tax credit suspension omits railroad cars. The trucking industry believes this equal treatment to be fair.

Oregon Trucking Associations,
Robert R. Knipe.

Washington, D.C.,
October 13, 1966.

Senator Wayne Morse,
Washington, D.C.:

The Trucking Industry is shocked at the unfair tax bonanza which would be handed to the railroads if they alone were permitted to retain the seven percent investment tax credit. Allowing the railroads to continue to benefit from the investment tax cerdit, while denying that benefit to every other industry in the country, would constitute the rankest kind of favored treatment. The Trucking Industry is willing to accept the President's proposal that the investment tax credit be suspended across-the-board, without exemption for any industry or any segment of industry. Singling out the Railroad Industry for exemption not only would discriminate against all other forms of transportation, but would create an unbearable competitive situation that cannot be justified under any circumstances. The House has already passed a bill suspending the investment tax credit with no exemptions—all are treated equally. It is a fair approach. Urge your help in correcting this gross inequity.

W. A. Bresnahan,
Managing Director,
American Trucking Associations.

Lake Oswego, Oreg.,
October 12, 1966.

Senator Wayne Morse,
Washington, D.C.:

The suspension of the 7 percent tax credit recommended by President Johnson discriminates most unfairly against the company for which I work. Planned expansion and Modernization program now in progress at our numerous plants around the country have been based on the understanding that the tax credit was a permanent incentive to create new jobs and make our facilities more competitive with aggressive foreign producers. Therefore we urge you to consider a more equitable means of spreading the tax burden when his discriminatory measure comes up for vote this week.

M. R. Ambuhl.

Seven-Up Bottling Co.,
Salem, Oreg., October 7, 1966.

Senator Wayne Morse,
U.S. Senate Building,
Washington, D.C.

Dear Senator Morse: I am writing you concerning the repeal of the seven per cent Investment Credit that President Johnson is trying to repeal. To my dismay the bill has already passed the House of Representatives. You are my remaining hope for the stoppage of this bill.

As a small business man operating a small business it seems that the government is ever increasingly encroaching upon our business in one form or another and gradually reducing our profits and our ability to continue to operate. This bill is an example of this encroachment. This year is our big year to expand with a new building and machinery. We naturally looked with favor on the Investment Credit and used it as a factor in our decision to buy some $70,000.00 of new equipment.

The investment credit is one of the few remaining tax incentives that business still has in its possession. It is a stimulant to the machinery industry in the United States. It has contributed in the healthy growth of the economy in recent years. To keep up with the government spending business buying has to increase. Why get rid of a good thing?

There is one other solution: Stop government Spending and get out of Viet-nam.

Sincerely yours,
James H. Rabe,

Iverson Paints, Inc.,
Eugene, Oreg., October 3, 1966.

Wayne L. Morse,
Senate Office Building,
Washington, D.C.

Dear Senator Morse: As a small business man I am concerned with the proposed suspension of the 7 per cent investment credit. You are aware of the business situation presently existing in the Northwest and this would certainly add to the problem. In this time of rising costs it is very difficult, at the best, to modernize and increase efficiency to keep pace without increasing sale prices.

Therefore, I would urge you to vote against this proposition. If this idea cannot be thrown out entirely, then at least the tax credit should be retained for small business based on some "number of employees" or "gross volume" basis.

Let's cut out some expenses to finance the war effort instead of adding new tax measures. I believe it's time that the Congress should make the laws rather than have programs initiated by the executive branch and approved by "arm twisting" and government handouts. I still think patriotism is a good word and "for the good of the nation as a whole" is an adequate and the only good reason for congressional action.

Sincerely,
Vernon L. Iverson,
President.

Mr. McCARTHY. Mr. President, the Senator can make a minimum case for the trucking industries. Three considerations are involved. First, when the investment credit was first conceived, it was not clearly the intent that it should be available to build trucks. However, the trucking industry has had the advantage of it.

The life of a truck is ordinarily about 3 or 4 years. They have made about a 2.5-percent investment credit in contrast with the 7 percent for railroads and other industries.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. SMATHERS. Mr. President, I yield such time to the Senator from Minnesota as he may desire.

Mr. McCARTHY. The amount of investment credit that the trucking industry has been getting—not merely on bodies, but on the entire unit—amounts to about $15 million a year.

If the Senate were to restrict it to truck bodies, it would be a minimal amount—probably $3 million a year. This is not going to make a great difference in the competitive situation existing between the trucking industry of this country and the railroads.

Second, we give to the trucking industry, to everyone, a $25,000 exemption on equipment which is eligible for investment credit. We also allow $100,000 for the construction of buildings to be eligible for the accelerated depreciation allowance.

Many small trucking firms can therefore build warehouses and get this allowance on their buildings, whereas this is of no advantage to the railroads—$100,000 for buildings or a $25,000 exemption with reference to investment credit means nothing to the railroads.

What we are talking about is the equity of the possible difference of $2 or $3 million. This is not a major factor in the competitive difference between the railroad and the trucking industries.

There is great shortage of railroad boxcars. They are building about 100,000 of these boxcars a year to meet the needs of this country with reference to the Vietnamese war and the expansion of our economy.

I think there is a practical case for granting the exemption. The railroads serve every industry in the country, the textile, the agricultural, and every other industry. This is not for a specialized kind of industry, but it would be of benefit to every industry.

It would be of benefit to many other industries in addition to the transportation industry.

I think the amendment should be agreed to.

Mr. PASTORE. Mr. President, I yield myself 1 minute.

The **PRESIDING OFFICER.** The Senator from Rhode Island is recognized for 1 minute.

Mr. PASTORE. Mr. President, only a short while ago the Defense Department put out proposals for bids for woolen cloth to make clothing for the men in Vietnam. There were three mills in the United States of America that were able to bid. Why was that? They have not been able to expand. On the contrary our textile facilities have been shrinking. If it is important to transport wheat so that our boys can eat bread, why is it not just as important to transport cloth for the uniforms that they put on their backs?

Where are the mills? They have disappeared. Why is this so? They do not have the 7-percent tax credit.

I say to the Senator from Minnesota that he has given the best argument as to why the measure should be defeated.

Mr. McCARTHY. I am for the bill.

Mr. PASTORE. I know the Senator is for the bill. That is the point. If he is for the principle of the bill, he should be willing to take out the exemptions.

The **PRESIDING OFFICER.** Who yields time?

Mr. HARTKE. Will the Senator from Minnesota yield to me?

Mr. SMATHERS. Mr. President, how much time does the Senator from Florida have left?

The **PRESIDING OFFICER.** The Senator from Florida has 12 minutes left.

Mr. SMATHERS. I shall be happy to yield 2 additional minutes to the Senator from Minnesota.

Mr. McCARTHY. If the Senator from Rhode Islands feels as he does about the transportation industry, he should have waited and attempted to put in an exception for the textile industry.

I am supporting the committee position on the bill. I was opposed to the submission of the bill itself, to repeal of the investment credit. But now that that decision has been made, we ought to act on it, so that we will do the least harm to the economy and give support to a position which the administration thinks is advisable for the country.

I reserve the balance of my time.

Mr. PASTORE. Mr. President, how much time do I have remaining?

The **PRESIDING OFFICER.** The Senator from Rhode Island has 17 minutes remaining.

Mr. PASTORE. How much time does the Senator from Tennessee desire?

Mr. GORE. I should like 3 minutes.

Mr. PASTORE. How much time does the Senator from Vermont desire?

Mr. AIKEN. Two minutes.

Mr. PASTORE. How much time does the Senator from New Hampshire desire?

Mr. COTTON. One minute.

Mr. PASTORE. I recognize the Senator from Vermont for 2 minutes.

Mr. AIKEN. Mr. President, permit me to read one statement from Standard & Poor's Industry Surveys relative to railroads and trucking. This is not a radical publication, I understand.

> The railroad industry appears headed for another good gain in profits this year. Traffic is supported by the buoyant economy, plus increased grain and military volume. Margins are aided by benefits from recent heavy equipment additions and greater computer usage. Our projection of Class I profits calls for net income of $900 million, a 10-percent gain over the improved year-earlier total.

In other words, these people are making ungodly amounts of money out of the war, and they do not want to pay anything toward it. It is just as simple as that. I have never seen a more disgusting performance.

I know what the public is going to say about this matter if we vote to give the railroads this special privilege. The Senator from Rhode Island knows what the public will think. I want to say, thank God, I have never accepted a nickel from any railroad for campaign expenses and I never will.

Mr. PASTORE. I yield 1 minute to the Senator from New Hampshire.

Mr. COTTON. Mr. President——

Mr. McCARTHY. I do not think this is a bad bill, but I will say to the Senator from Vermont that not only have I not accepted money from them, but also, they have consistently opposed me in my campaigns.

Mr. COTTON. Mr. President, I am opposed to this bill. It certainly does not check inflation for the Government to spend billions and then take measures to stifle industrial production. But if we are going to have a bill, I want to endorse the position of the Senator from Rhode Island 100 percent. A committee upon which the Senator and I served reported a bill favorably—and Congress passed the bill—to render some aid to the railroads. We understand and recognize their need.

However, as the Senator from Rhode Island has so well said, if the bars are let down, there will be no end. Every segment of industry will be in here for an exemption and an exception. Consequently, the vote on this amendment is very important.

The Senator from Rhode Island is also entirely correct in stating that when we have seen the textile industry go to the wall and the shoe industry on its way, there is no cause, even though we sympathize with the railroads, to make any exception. Let us keep the bill a clean bill.

Mr. PASTORE. I yield 3 minutes to the Senator from Tennessee.

Mr. GORE. Mr. President, I think it might be well for the Senate to consider what this issue is and what it is not.

The question before the Senate is neither whether the country needs more railroad rolling stock nor whether they shall have it. The question is not whether we favor railway transportation or whether we do not. The question is whether, out of all the woof and warp of American industry, we shall allow to the railroads a 7-percent investment credit against their tax liability.

I need not remind the Senate that taxes are calculated as a portion of profits. Therefore, this would only help a railroad that was in a profitable position.

So, it is not a question of bailing out a bankrupt industry.

Whether investment credit, as a principle, is good, is not now before the Senate. This is merely a suspension in order to accomplish the purposes which the President has now recognized as urgent. The question is not a substantive one, but more or less a tactical one.

I ask the Senate how, in good conscience, it will deny the same credit against taxes to the barge lines, trucks, airlines. The Senator from Minnesota has pointed out that the bill provides an exemption of $25,000, and that that will buy a big truck. But, Mr. President, the trucklines operate many trucks; and this is one purchase for one taxpayer per year—a $25,000 exemption. So this would not eliminate the inequity created here as between competing transportation systems. There are the airlines, the barge lines, the railroads, and the trucks that constitute our transportation industry.

I think that the Senate should, in fairness, eliminate this exemption. I voted that way in the committee, as did the chairman of the committee. It is understandable that the chairman of the committee feels obligated to support the position of the Committee on Finance. I feel no such obligation. Indeed, if I always support what the majority of my committee does, in the case of the Committee on Finance, I am afraid that many of the positions I take in the Senate would be impossible for me to take.

But that is beside the point. The question before the Senate is, Shall we suspend this credit against taxes for the whole Nation, because of the inflationary pressures arising out of the Vietnam war, or shall we suspend it for everyone except the railroads?

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. GORE. I submit that the fair thing to do, the expeditious thing to do, is to eliminate this and pass the bill.

Mr. PASTORE. I thank the Senator for his contribution.

The **PRESIDING OFFICER.** Who yields time?

Mr. MORSE. Mr. President, will the Senator yield me 1 minute?

Mr. PASTORE. I yield 1 minute to the Senator from Oregon.

Mr. MORSE. Mr. President, I shall support the Senator from Rhode Island. I am perfectly willing to support him on the basis of principle, although it has been intimated here that principle is not a reason for supporting legislation in the Senate.

I shall also support the amendment on the basis of its economic fairness to the entire transportation industry of the country, and I shall also support it on the basis of the major argument of the Senator from Rhode Island. We cannot begin drawing these discriminatory lines and end up with fairness for the economy as a whole. I think that the entire economy of the country should be treated the same way under this bill, or the bill should be defeated.

The argument has been made that if it is limited, so far as trucklines are concerned, to the trailers——

The **PRESIDING OFFICER.** The time of the Senator has expired.

Mr. MORSE. I ask that I be permitted to continue for 1 more minute.

Mr. PASTORE. I yield 1 additional minute to the Senator from Oregon.

Mr. MORSE. There is quite a difference in the operation of a truck and a train. An engine pulls some 50 or more cars, in many instances. We need the facilities for transportation—if anyone wishes to relate this to the war effort—be they boxcars or trailer trucks or barges or any other form of transportation. I think that there should be one rule for all, and not a half dozen different rules for many, depending upon who has the political power to receive the exceptions in the Senate.

Mr. PASTORE. Mr. President, I yield myself 1 minute, to make a further observation.

Not one Member of the Senate would advocate that in treating the corporation profits for tax purposes in this country, we should charge, let us say, 48 percent of the profits to one kind of industry, 47 percent to another, and 46 percent to another. That is what is being done.

You are beginning to make exceptions. You are beginning to discriminate, and that is the most undemocratic thing you can do. If they need more boxcars, let us invent the legislation to give them the specific relief they need. But to come here, when we are telling all of the American industry to give up the 7-percent tax credit for 15 months and give the exemption only to the railroads, the more one thinks about it, the more it is realized how undemocratic and vicious this is.

Mr. MORSE. Mr. President, will the Senator from Florida [Mr. SMATHERS] yield to me for 1 minute, so that I may ask a question?

Mr. SMATHERS. I am happy to yield to the Senator from Oregon.

Mr. MORSE. Would the committee bill permit the railroads with the piggyback trailers, that are really truck trailers, for which motor carriers get no credit, to be included?

Mr. SMATHERS. The answer is "No." They would not be included.

Mr. MORSE. If the proposal I am suggesting of uniformity is adopted, there should be uniformity with respect to them.

Mr. SMATHERS. Mr. President, I yield 1 minute to the Senator from Indiana.

Mr. HARTKE. Mr. President, I am willing to support the committee proposal. I voted for it in committee.

It is difficult for me to sign a petition to the President asking for more boxcars for this country, and the wheat markets year after year, and then, just as we get them to the point of building more cars to take care of problems that are haunting farmers, to then turn our backs on them and say no.

I commend the Senator from Minnesota and the Senator from Oklahoma for bringing this matter to the Senate.

Mr. PASTORE. What is the Senator going to say about washers and dryers that are made in Indiana? Is it not good to be clean?

Mr. HARTKE. Certainly.

Mr. PASTORE. Does not the Senator think they need to expand to a degree?

Mr. HARTKE. Nobody is. As far as I am concerned, this is the wrong bill, at the wrong time, in the wrong place, and it serves no useful purpose. I am against it.

Mr. PASTORE. That is the point that I wish to make. It is apparent to the Senator from Rhode Island that everybody against this bill is for this amendment. It is crucifixion by indirection.

Mr. HARTKE. It is not inconsistent.

Mr. PASTORE. The weaker it is made the better the chances of killing it.

I say just this to those who are for it and have to explain it to their constituency when they go back home—how much easier it is to say that we treated every American the same way.

Mr. President, I yield back the remainder of my time.

Mr. SMATHERS. Mr. President, I yield back the remainder of my time.

The **PRESIDING OFFICER.** All time having been yielded back, the question is on agreeing to the amendment of the Senator from Rhode Island [Mr. PASTORE].

The clerk will call the roll.

The assistant legislative clerk called the roll.

Mr. HILL (after having voted in the affirmative). On this vote I have a pair with the junior Senator from Montana [Mr. METCALF]. If he were present, he would vote "nay." If I were at liberty to vote, I would vote "yea." I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. BASS], the Senator from West Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Arizona [Mr. HAYDEN], the Senator from South Dakota [Mr. MCGOVERN], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Utah [Mr. MOSS], are necessarily absent.

I also announce that the Senator from Indiana [Mr. BAYH], the Senator from Idaho [Mr. CHURCH], the Senator from Louisiana [Mr. ELLENDER], and the Senator from Massachusetts [Mr. KENNEDY] are absent on official business.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from South Dakota [Mr. MCGOVERN], the Senator from New Mexico [Mr. MONTOYA], and the Senator from Utah [Mr. MOSS] would each vote "nay."

On this vote, the Senator from Louisiana [Mr. ELLENDER] is paired with the Senator from Massachusetts [Mr. KENNEDY]. If present and voting, the Senator from Louisiana would vote "nay," and the Senator from Massachusetts would vote "yea."

Mr. KUCHEL. I announce that the Senators from Colorado [Mr. ALLOTT and Mr. DOMINICK], the Senator from Kentucky [Mr. COOPER], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Michigan [Mr. GRIFFIN], the Senator from Idaho [Mr. JORDAN], the Senator from Iowa [Mr. MILLER], the Senator from Kansas [Mr. PEARSON], and the Senator from Vermont [Mr. PROUTY] are necessarily absent.

The Senator from Kentucky [Mr. MORTON] is detained on official business.

If present and voting, the Senator from Colorado [Mr. DOMINICK], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Idaho [Mr. JORDAN], the Senator from Iowa [Mr. MILLER], and the Senator from Kansas [Mr. PEARSON] would each vote "nay."

The result was announced—yeas 25, nays 45, as follows:

[No. 304 Leg.]

YEAS—25

Aiken
Boggs
Byrd, Va.
Case
Clark
Cotton
Fong
Gore
Hart
Hickenlooper
Inouye
Javits
Kennedy, N.Y.
Monroney
Morse
Muskie
Neuberger
Pastore
Pell
Russell, Ga.
Saltonstall
Smith
Symington
Williams, Del.
Young, Ohio

NAYS—45

Bartlett
Bennett
Bible
Brewster
Burdick
Carlson
Dirksen
Dodd
Ervin
Fannin
Gruening
Harris
Hartke
Holland
Jackson
Jordan, N.C.
Kuchel
Lausche
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
Mundt
Murphy
Nelson
Proxmire
Randolph
Ribicoff
Robertson
Russell, S.C.
Scott
Simpson
Smathers
Sparkman
Stennis
Talmadge
Thurmond
Tower
Tydings
Williams, N.J.
Yarborough
Young, N. Dak.

NOT VOTING—30

Allott
Anderson
Bass
Bayh
Byrd, W. Va.
Cannon
Church
Cooper
Curtis
Dominick
Douglas
Eastland
Ellender
Fulbright
Griffin
Hayden
Hill
Hruska
Jordan, Idaho
Kennedy, Mass.
McGovern
McIntyre
Metcalf
Miller

Mondale
Montoya
Morton
Moss
Pearson
Prouty

So Mr. PASTORE's amendment was rejected.

Mr. McCARTHY. Mr. President, I move that the vote by which the amendment was rejected be reconsidered.

Mr. SMATHERS. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

Mr. RUSSELL of Georgia. Mr. President, I desire to offer an amendment, on page 15 of the bill, on line 14, to strike out the words, "or passengers (other than a self-propelled car)" and insert the word "solely" after the word "freight."

In other words, the language of the provision would then read:

> Any property which is railroad rolling stock designed to carry freight solely shall be treated as property which is not suspension period property.

Mr. President, I am well aware of the shortage of freight cars in this country. Those of us who have been associated with farm legislation, and are particularly interested in transportation of farm commodities, have had to deal with this question of the shortage of boxcars, freight cars, and all forms of freight-carrying cars as well as obtaining permission for the use of cars especially adapted to the transportation of grain.

I can see great merit in the proposal to encourage construction of those cars. I do not know why all the railroads have not constructed them. One of the most progressive railroads in this country, the Southern Railway System, and other progressive railroads have placed orders for freight cars. Unfortunately, the cars seem to get away from the area in which they are purchased to operate and great difficulty has been experienced in getting them back from railroads operating in other sections.

For the life of me, I cannot see how you can exempt passenger cars from this suspension without opening the bill to a number of other exceptions of a similar nature.

Mr. SMATHERS. Mr. President, will the Senator from Georgia yield?

Mr. RUSSELL of Georgia. I yield.

Mr. SMATHERS. Let me say, on behalf of the distinguished chairman of the committee, and those of us interested in this particular proposal, that this is what we believed, when we went to the other body, that we would finally end up with.

Having checked with the chairman, and the author of the original amendment, the Senator from Minnesota, we will be happy to accept the amendment constructed to eliminate the exemption of the 7 percent for railroad passenger cars.

There is apparently no good need to continue the credit for passenger cars. The only need is in the area of boxcars, tank cars, and cars which carry some kind of goods; therefore, we accept the amendment.

The PRESIDING OFFICER. Do Senators yield back their time?

Mr. SMATHERS. Mr. President, I yield back the remainder of my time.

Mr. RUSSELL of Georgia. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The assistant legislative clerk read the amendment, as follows:

> On page 15, line 13, after the word "freight", to insert "solely", and after the amendment just above stated, to strike out "or passengers (other than a self-propelled car)".

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Georgia [Mr. RUSSELL].

The amendment was agreed to.

Mr. HARRIS. Mr. President, I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The assistant legislative clerk read the amendment, as follows:

> On page 15, line 12, strike all of lines 12 through 16, inclusive, and insert in lieu thereof the following:
>
> "(13) Rail and Highway Vehicles.—Any property which is railroad rolling stock designed to carry freight and highway trailers and semi-trailers of the type used in commercial freight transportation shall be treated as property which is not suspension period property."

The PRESIDING OFFICER. How much time does the Senator yield himself?

Mr. HARRIS. Five minutes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 5 minutes.

Mr. HARRIS. I yield 1 minute to the Senator from Pennsylvania.

TAX PRIVILEGES ACCORDED CORPORATIONS UNDER THE REVENUE ACT OF 1962

Mr. SCOTT. Mr. President, the question as to whether Congress should eliminate the tax privilege accorded corporations under the Revenue Act of 1962 merits further study with regard to the goals intended by the pending bill.

Will the suspension of the investment tax credit force more corporations to make use of an abuse that is already of great concern to the Treasury and many State officials?

I refer here to the use of industrial revenue bond financing by private corporations for private gain. More than 30 States permit this practice. My own Commonwealth of Pennsylvania is studying this type of financing even though many regard it as undesirable and not within the true purpose of tax exempt municipal bonds. Pennsylvania, however, could be forced to permit this practice to protect itself from competition from other States which entice new industry with tax-exempt financing.

I suggest, therefore, that as we consider the merits of the pending legislation, let us make sure we are not closing the front door while leaving the back door ajar. Granted, it is too late for this Congress to eliminate the abuse of tax exempt municipal bonds, this matter should nevertheless be given high priority in the 90th Congress next year.

Mr. HARRIS. The condition of this section now, after the adoption of the previous amendment offered by the Senator from Georgia [Mr. RUSSELL], is as follows: It exempts railroad rolling stock designed to carry freight.

My amendment, which is the pending amendment, would add at that point, "and highway trailers and semitrailers of the type used in commercial freight transportation."

I think, with the adoption of the amendment of the Senator from Georgia [Mr. RUSSELL], my amendment now is exactly equalizing. The present language in the bill applies only to freight cars of railroads. My amendment, which is the pending business, applies only to highway trailers and semitrailers. It does not apply to trucks, which are produced annually at the rate of some 1,750,000, at a value of $3.9 billion. It applies only to highway trailers and semitrailers used in commercial freight transportation, of which there are approximately 100,000 produced annually, at a value of approximately $500 million.

I think this is fair. As a member of the Subcommittee on Public Roads, I am interested in the soundness of the highway trust fund, which is involved, to some degree, here. As a member of the Government Operations Committee, which handled the Department of Transportation legislation, which was aimed toward a coordinated policy on transportation in this country, I am interested, as I think the Senate is, in equality of treatment for both modes of transportation, railroads, and trailer trucks——

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. HARRIS. I yield.

Mr. YOUNG of North Dakota. Would the amendment only include trucks which are common carriers, or would it include any firm with trucks used to haul its own products?

Mr. HARRIS. It is not on the basis of the status of ownership, but on the basis of whether it is a highway trailer or a semitrailer. Up in the Senator's part of the country they have these big four-wheel highway trailers, pulled behind a semitrailer. They would be exempted if they are used in commercial-type transportation.

Mr. AIKEN. Mr. President, will the Senator yield for a question?

Mr. HARRIS. I yield to the Senator from Vermont.

Mr. AIKEN. Does the Senator's amendment apply to a farmer's own trucks; for instance, an orchardist, an orange grower, an apple grower, a cattle grower, a grain grower? Can he own his own fleet of trucks and be considered to be using them commercially?

Mr. HARRIS. My amendment would exactly parallel the bill as it stands now, which applies not to locomotives, but to freight cars. My amendment applies to highway trailers and semitrailers. So it will not apply to trucks, but it applies to highway trailers and semitrailers, regardless of by whom they might be owned, of the type used in commercial freight transportation.

Mr. AIKEN. Regardless of whether they were owned by a group of farmers or a corporation licensed by them?

Mr. HARRIS. That is right. The ownership make no difference.

Mr. SMATHERS. Mr. President, will the Senator yield to me on my time?

Mr. HARRIS. Yes.

Mr. SMATHERS. This bill does not suspend the investment credit for any truck costing less than $25,000. So what we are talking about here is actually big trucks and big truck trailers. We have excluded anything costing less than $25,000. So whoever buys a truck would get the 7-percent investment tax credit, if that truck or trucks cost $25,000 or less.

Mr. AIKEN. All I can say is that $25,000 does not go very far.

Mr. MUNDT. Mr. President, will the Senator from Oklahoma yield to me?

Mr. HARRIS. I yield 2 minutes to the Senator from South Dakota.

Mr. MUNDT. Mr. President, I rise to speak in favor of the Senator's amendment. It seems to me, in view of the action the Senate has taken just recently, this amendment is equally required. It is in accordance with the philosophy of the Senator from Rhode Island. It moves in the direction that the Senator from Oregon was talking about. This treats similar kinds of freight carriers precisely the same, whether they are owned by railroads running on trackage or whether they are owned by trucklines running on highways, whether they are owned by a farmer or a number of farmers or a cooperative. If it is a semitrailer or a highway trailer, it will be entitled to the same kind of treatment as a freight car.

This is important, because in different sections of the Nation farmers market their products with different kinds of conveyance. During a shortage of box cars, grain, in my part of the country, will be hauled by semitrailers. So that kind of transportation needs the same treatment as if handled by railroad freight cars.

It seems to me this is a logical, just, and equitable step to bring into the same method of tax treatment those companies or corporations engaged in the transportation business with like vehicles, designed for similar purposes, and to be treated identically for those purposes.

I urge the Senate to adopt the Harris amendment.

Mr. SALTONSTALL. Mr. President, will the Senator from Louisiana yield me 1 minute?

Mr. LONG of Louisiana. I yield the Senator from Massachusetts 1 minute.

Mr. SALTONSTALL. Mr. President, as one who voted against exempting railroad cars, and in favor of the amendment of the Senator from Rhode Island, it seems to me, unless one wants to be inconsistent, he should vote against this amendment in order to make the bill worthwhile.

Furthermore, trucks costing up to $25,000 are exempted. It seems to me consistent to vote against all amendments that apply for exemptions.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. SALTONSTALL. I yield.

Mr. PASTORE. I understand the $25,000 exemption is not per truck, but per organization; so if an organization needs two trucks that cost $100,000, they are out. We had better understand this.

Mr. LONG of Louisiana. Mr. President, I yield myself 5 minutes.

In the committee I voted against any exemption for any particular group. We provided a $25,000 exemption across the board for everybody. So if anybody needs to buy a truck or a trailer and buys one for $25,000 or less he is exempted.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. HOLLAND. Does that mean that up to $25,000 the 7-percent credit does apply?

Mr. LONG of Louisiana. Yes.

Mr. HOLLAND. For everybody?

Mr. LONG of Louisiana. Yes. Everybody gets the 7-percent investment credit on equipment worth up to $25,000. So any farmer or trucker who wants to buy a truck can buy it, up to that price, and receive the tax credit.

Mr. MUNDT. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. I yield.

Mr. MUNDT. The Senator from Rhode Island is precisely correct with respect to the tax exemption not being a matter of ownership——

Mr. LONG of Louisiana. Up to $25,000.

Mr. MUNDT. When the Senator talks about $25,000, he is talking about one truck or perhaps a truck and a half. So a person would not be able to equip himself as the railroad is able to do.

Mr. LONG of Louisiana. The railroad industry pleaded for the right to make its case before the committee. It showed that there is a critical shortage of boxcars throughout the country and that the shortage is getting worse.

For example, this last year, instead of improving, the situation has grown worse, even though the investment tax credit has been available.

Why is that true? One reason is that trucking is so much more profitable these days than railroading. The truckline profits have been far greater than the railroad profits. It has been that way for a great number of years. For example, during the last 10 years, the growth in the trucking industry was 65 percent. By contrast, freight revenues for class 1 railroads declined by 1 percent. So the income of the trucking industry goes up 65 percent while the other fellow's income is decreasing by 1 percent.

In the railroad area, the availability of boxcars and other cars to carry products to market is where the great difficulty exists. One of the reasons for the difficulty is that they are not making nearly the money that the trucking people are making.

That is why the committee saw fit to vote an exemption for a particular group, the railroads, while they would not do it for the trucklines or any other carrier.

Understandably, when the trucking companies saw that something had been done for the railroads, they came to us—not to the committee—but to us as individuals and said, "We did not ask for this and did not expect it, but since you did it for the railroads, we think you ought to do it for us."

Mr. President, we have done all kinds of things for the trucking industry. Look at the magnificent highway system on which the trucks are rolling. We are not replacing tracks and terminals for the railroad industry. In addition to that, the trucks have so much more flexibility—they are not tied to fixed stations, they can go right to the customer's doorstep and make deliveries. The advantages of this efficient trucking industry exist because it has been so very profitable, about 3 times as profitable as the railroads, and in some cases a great deal more than that. Its great profits have permitted it to expand and forge ahead; and what we tried to do here was to give the railroads, which are faced with this critical boxcar shortage, some chance to catch up.

Mr. President, if we are to include the truckers, we cannot justify leaving out the bargelines. They are not making nearly as much money as the trucklines. We cannot justify leaving out the pipelines; they are not making nearly as much money as the trucklines. And if we include all the others, we could not justify leaving out the airlines.

So, in effect, we would have to proceed, then, to exempt the entire regulated transportation industry, and then we would be confronted with others who can make a better case than some of the truckers can make, until the whole bill, in my judgment, would come apart.

The fact is that the truckers are in good shape. There is no shortage of trucks. They have had right up until the 10th day of October to get the trucks on order. Most of the trucks for which a need is anticipated are on order. Truckers are just not suffering, and have no need and no real requirement for this subsidy, while the railroads do have this need. They need to provide boxcars and freight cars. That is the only reason that this one exception was made.

Mr. CARLSON. Mr. President, will the Senator from Oklahoma yield to me?

Mr. HARRIS. I yield 2 minutes to the Senator from Kansas.

Mr. CARLSON. Mr. President, I have enjoyed the discussion today because, as a member of the Finance Committee, I am somewhat familiar with this legislation.

The figure of $25,000 has been mentioned here today as an across-the-board exemption. The bill came over from the House with a $15,000 exemption. I offered an amendment in the committee that it be increased to $25,000, to take care of agricultural equipment. After discussion, the committee finally made the exemption across the board.

As the Senator from Vermont has stated, I think $25,000 does not go far on farm equipment, in this day when a combine can cost $15,000. But that is the situation that applies to all—to the truckers, to the railroads, even to Senator Pastore's textile industry, if it can find any equipment for $25,000.

But speaking of the trucking industry, and the competitiveness of these two transportation agencies, I think it would be most unfortunate, in view of the fact that the Senate included railroad cars and boxcars, not to afford the exemption to the trucks. I think the two industries are competitive. I sincerely hope we will not, this afternoon, vote to give the railroads an unfair competitive advantage. I urge sincerely that the Senate support the pending amendment, and that both matters go to conference. I think, to promote competitive fair play as between transportation industries, that is the position we should take.

Great amounts of grain are moved through the Midwest by these large trucks, which represent a substantial investment. I hope that fact will be kept in mind. I ask unanimous consent to have printed in the Record at this point some telegrams which I have received in connection with this problem.

There being no objection, the telegrams were ordered to be printed in the Record, as follows:

New York, N.Y.,
October 14, 1966.

Hon. Frank Carlson,
U.S. Senate,
Washington, D.C.:

United Parcel Service serves your State and 33 others delivering more small parcels throughout the country than any other non-Government carrier. We need the 7 percent investment tax credit to meet equipment and facility needs produced by substantial annual increase in shipment of our 100,000 regular customers and to keep our cost in line with our tax free Government competition—the parcel post system. We urge that you exempt all regulated motor carriers from suspension of 7 percent tax credit. We urge that railroads not be singled out for an exemption needed at least as badly by the motor carrier industry.

Harold Oberkotter,
Treasurer,
United Parcel Service.

Kansas City, Mo.,
October 13, 1966.

Senator Frank Carlson,
U.S. Senator,
Washington, D.C.:

As we discussed in Wichita, exemption for rail cars in suspension of investment credit would be shocking discrimination against other forms of transportation.

Mark Robeson,
Vice President,
Yellow Transit Freight Lines, Inc.

Iola, Kans.,
October 13, 1966.

Senator Frank Carlson,
Senate Office Building,
Washington, D.C.:

We have been advised that the Senate Finance Committee has made an exception for railroad cars in the investment credit tax law we strongly feel that this is a discrimination against the many trucking companies that have been depending upon this part of the law to help in the addition of new equipment. Why should the railroads enjoy this tax aid, while other forms of transportation are not able to do so, in our opinion all modes of transportation should receive equal treatment in this matter.

L. R. Cyrus,
President, Cyrus Truck Line, Inc.

Washington, D.C.,
October 13, 1966.

Senator Frank Carlson,
Washington, D.C.:

The Senate is about to consider legislation to suspend the 7 percent investment credit. The Senate version contains an exception for railroad rolling stock and unless the trucking industry is granted a similar exception a serious competitive inequity is created to correct this inequity. Senator Fred Harris of Oklahoma will offer an amendment to include highway trailers and semitrailers along with the exception for rail cars, your support is urgently needed.

W. A. Bresnahan,
Managing Director,
American Trucking Associations, Inc.

Louisville, Ky.,
October 14, 1966.

Hon. Frank Carlson,
U.S. Senator,
Senate Office Building,
Washington, D.C.:

I have been advised that the Senate Finance Committee has approved a 16 months' suspension of the 7-percent investment tax credit with an exemption for railroad rolling stock except locomotives. There is an urgent need for the water carrier industry to replace obsolete barges. Many of which were constructed immediately after World War II and which have now outlived their useful life. The present discriminatory exemption which favors the railroads over their competitors is grossly inequitable and should be corrected prior to final congressional action. You are urged to support an exemption for barges owned by carriers subject to the Interstate Commerce Act or in the alternative to eliminate all exemptions.

F. H. Blaske,
President,
American Commercial Lines, Inc.
Jeffersonville, Ind.

Liberty, Mo.,
October 13, 1966.

Senator Frank Carlson,
Senate Office Building,
Washington, D.C.:

As president of Dealers Transport Co. I consider the proposal to exempt railroad cars from the legislation to suspend the 7-percent investment tax credit to be extremely discriminatory against other forms of transportation. I strongly urge that you vigorously oppose this unfair treatment and that if any mode on transportation is accepted that you favor giving all the same break.

S. M. Quimby.
Prairie Village, Kans.

Kansas City, Mo.,
October 13, 1966.

Senator Frank Carlson,
Senate Office Building,
Washington, D.C.:

I am very surprised that the Senate Finance Committee is excluding trucks and recommend inclusion of rail cars for the continuation of the 7 percent investment credit. This is clearly discriminating against the trucking industry and hope that you as one of our Senators will do all possible to assure nondiscriminatory legislature which otherwise could cause serious and unfair competitive problems.

Harry Struby.

Kansas City, Mo.,
October 13, 1966.

Senator Frank Carlson,
Senate Office Building,
Washington, D.C.:

Very surprised to learn that Senate Finance Committee is recommending inclusion of rail cars for continuation of the U–O/O investment credit, and the committee would exclude new trucks. Since I have been a long time Senator Carlson supporter I earnestly suggest and hope that you as one of our Kansas Senators will do all possible to assure equal treatment for these two great transportation industries. In my opinion the legislation as proposed is clearly discriminatory and could cause serious problems.

White Motor Corp.,
Noah O. Cresham,
Regional Vice President.

Salina, Kans.,
October 13, 1966.

Senator Frank Carlson,
Washington, D.C.:

Why should railroad cars be favored with 7 percent investment credit tax and other equipment excepted? This is unfair and discriminating. Request that all modes of transportation be treated in like manner.

Richardson Transfer &
Storage Co., Inc.

Liberty, Mo.,
October 13, 1966.

Senator Frank Carlson,
Senate Office Building,
Washington, D.C.:

As secretary and treasurer of Dealers Transport Co. I consider the proposal to except railroad cars from the legislation to suspend the 7 percent investment tax credit to be extremely discriminatory against other forms of transportation. We strongly urge that you vigorously oppose this unfair treatment and that if any mode of transportation is accepted that you favor giving all the same break.

J. L. Munday.
Prairie Village, Kans.

Mr. LONG of Louisiana. Mr. President, I must say that my good friend, the Senator from Kansas, is consistent, because his record on this matter is that he has voted for every exemption and against the bill.

This is the only measure we have before us that gives us any hope of controlling the inflationary situation with which we are confronted. It could be of substantial help, if we pass it as the committee brought it to us. But if we vote first one exemption and then another, there is no stopping point, and in the end we will have done nothing, in a responsible way, to control inflation, reduce interest rates, and keep prices in line.

Mr. SMATHERS. I ask the Senator from Louisiana, is it not a fact that the testimony developed before the committee clearly demonstrated that in fact there is a shortage of certain types of boxcars, tank cars, and other railroad cars, but that nobody at any time presented any evidence that there was any shortage with respect to trucks, or the trucking industry?

Mr. LONG of Louisiana. No shortage whatever.

Mr. SMATHERS. That being true, the committee was not so much concerned as to whether or not the trucking industry or the aviation industry received some benefits; what we were worried about was how the people, the general public, would best be served, and whether they would better be served if we had a sufficient number of boxcars and other cars to carry grain in.

There was no showing whatsoever that there was a shortage of trucks. Naturally, the truck companies would like to have the exemption. Naturally, aviation would like to have it, and the bargelines would like to have it.

But what we are trying to do is pass a bill for the betterment of the entire economy of our Nation, and not just one segment of the transportation industry.

Mr. SALTONSTALL. Mr. President, will the Senator from Louisiana yield to me?

Mr. LONG of Louisiana. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. Mr. President, it seems to me that here we are voting for a tax bill, because we want to come nearer to balancing the budget, and get more revenue into the Treasury. That is the whole purpose of the pending measure.

As one who voted against exempting railroads, it seems to me to be perfectly consistent that, if you vote against one exemption, you will vote against all exemptions. That, it seems to me, would be the only worthwhile way to get what is essentially a tax bill out of the Senate today.

Mr. MAGNUSON. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Washington.

Mr. MAGNUSON. Mr. President, I support the amendment of the Senator from Oklahoma. It seems to me there has been a lot of talk here about exemptions and tax bills.

I have never seen a tax bill, in the almost 30 years I have been in the House and the Senate, without exemptions. They are only justified because of some special situation.

The important question here is not whether there are enough truck-trailers available now; it is whether you want to slow up production for the next 11 months, and create a shortage which would be almost as bad as, or affect the economy to a greater extent than, the present boxcar shortage.

It seems to me that transportation is a field where we are justified in keeping the industry growing at a pace with our expanding economy. I have said many times on this floor that our American transportation system is our fourth arm of defense. I almost feel that any vote I make to keep it adequate, and to enable it to keep pace with our economy, is a vote for a defense bill, to support any effort we may be making in that field, because transportation is so vital.

There is, of course, a great shortage. The Senator from Kansas [Mr. CARLSON] and I know that. I tried for 18 years to get a boxcar bill passed. It was finally passed.

I support this measure. It does not concern so much the competition involved between the two industries. It concerns the fact that we need to preserve the trucking industry. These big trailers are merely boxcars transported by truck.

I do not think that the effort we are making to assist the transportation needs of the country, whether it be in the defense effort or in the expanded economy, will add to the inflation. I think it will add to the stability of the industries that need this fine American transportation system.

I support the amendment.

Mr. SMATHERS. Mr. President, I yield 1 minute to the Senator from Maryland.

Mr. BREWSTER. Mr. President, I have long supported the maritime industry, the trucking industry, and the rail industry. I understand all of their particular interests in the tax bill. However, the issue is pure and simple.

We are trying to cut down on the inflationary pressures that now face the country. We are trying to raise the taxes with which the U.S. Government pays the bills.

If we are going to be consistent and make sense, we should support the Finance Committee and vote against all amendments except that authorized by the committee for very good reasons.

As a member of the Senate Commerce Committee, I could tell you at length of the recent widespread concern about the freight-car problem, which led to the enactment in May of this year of Public Law 89-430, providing for incentive per diem rates to encourage a more ample supply of freight cars. We should not now, a few short months later, turn about face and apply a measure that would discourage the building and acquisition of more cars.

We cannot afford to relax any of our efforts to develop an adequate supply of freight equipment for the Nation's commerce, particularly at this critical time of mounting demands for Vietnam.

There is no way to determine exactly how much freight-car orders and deliveries would be reduced during the suspension period if H.R. 17607 were applied to railroad cars. But we do know this. The more effective the investment credit suspension would be in postponing additions to the freight-car supply, the worse would be the consequences for the economy and for the national defense. This is an absolutely unique case, however.

The PRESIDING OFFICER. Who yields time?

Mr. HARRIS. Mr. President, I yield 2 minutes to the Senator from Indiana.

Mr. HARTKE. Mr. President, is it true that if this exemption is not provided for the trucking industry, there is a very good possibility after the suspension period is over that the trucking industry will find itself at a competitive disadvantage with relation to the railroad industry because the trucking industry will not be able to modernize and the trucking industry will have to continue its operations without the benefit of the 7-percent credit.

Mr. HARRIS. The Senator is correct. They will find themselves at a competitive disadvantage immediately when the bill is passed unless we amend the bill, because the railroads would have the 7-percent advantage.

Mr. HARTKE. I point out that one of the things the Secretary of the Treasury said in the hearings, at page 254, when I was talking to him about the real cost of living in connection with the consumer price index—that it was inflationary—was that if there was an increased cost of operation in the transportation field, and if they did not have the advantage of being able to modernize their equipment, the transportation costs would go up. It was pointed out that if the transportation industry cannot modernize, the net result would be inflationary, rather than anti-inflationary.

Mr. HARRIS. The Senator is correct.

Mr. HARTKE. Mr. President, I intend to support the amendment of the Senator from Oklahoma. I hope it is agreed to.

Mr. HARRIS. Mr. President, I yield 1 minute to the Senator from Alaska.

The PRESIDING OFFICER. The Senator from Alaska is recognized for 1 minute.

Mr. GRUENING. Mr. President, I rise to support the amendment of the Senator from Oklahoma.

I think it is a fair and a commonsense amendment.

We have just created a Department of Transportation which aims to develop all forms of transportation.

If we have voted for the amendment approved by the committee concerning the shortage of boxcars, we can do no less for a very large and important segment of the transportation industry which is engaged in similar activity.

I hope the amendment is agreed to.

Mr. HARRIS. Mr. President, I yield 1 minute to the Senator from New Hampshire.

The PRESIDING OFFICER. The Senator from New Hampshire is recognized for 1 minute.

Mr. COTTON. Mr. President, for 10 years on the Committee on Commerce we have been dealing with the field of transportation.

We have been impressed with how much the safety and future of our country depends on transportation.

We have been struggling to be fair to all modes of transportation.

Today, when the amendment of the Senator from Rhode Island was defeated, we gave Government favoritism to one mode of transportation. Now that we have opened the door, we must be fair to other transportation industries.

I endorse and support the amendment offered by the distinguished Senator from Oklahoma.

The PRESIDING OFFICER. Who yields time?

Mr. McCARTHY. Mr. President I yield myself 2 minutes.

The PRESIDING OFFICER. The Senator from Minnesota is recognized for 2 minutes.

Mr. McCARTHY. Mr. President, it is not necessary to repeat the arguments that were made earlier to explain why the committee provided an exclusion for the railroad freight cars.

The argument has now been made, in effect, that we should extend the same privilege to trucks.

As the chairman said, the trucking industry did not ask to be heard before our committtee and they presented no witnesses.

The record clearly shows that they are not suffering and that the investment credit has done little to help them. It would do little or nothing to hurt them if it were denied.

We provide a $25,000 exemption. This means that every small trucking firm could buy two small trucks under the committee bill provisions. This should be enough to keep the small trucking firms in business until the suspension runs out.

No case is made for the trucking industry. The figures show that the trucking industry is realizing 12 percent a year in contrast to the 4.5 percent for the railroads.

We had to draw a line somewhere. The whole bill is an arbitrary bill. We had no fixed provision by which it could be carried out, any more than we have with a fixed depletion allowance. We go to 5, 15, and 27.5 in depletion allowances but this is not an absolute matter.

We took a practical look at the problem and said that one exception should be allowed for the good of the country that is, to help provide needed railroad freight cars.

I hope that the Senate will reject the amendment.

Mr. HARRIS. Mr. President, I ask for the yeas and nays on my amendment.

The yeas and nays were ordered.

Mr. DIRKSEN. Mr. President, I yield myself 3 minutes on the bill.

The PRESIDING OFFICER. The Senator from Illinois is recognized for 3 minutes.

Mr. DIRKSEN. Mr. President, when the boxcar amendment was retained in this measure by the Finance Committee, if I remember correctly, it was by one vote.

I subsequently offered a motion to reconsider, for the purpose of having the amendment removed, and that motion to reconsider was defeated by three votes. Consequently, the boxcar amendment had gained support in the Finance Committee.

So, when we talk about this amendment on boxcars, that is a committee position. I now find myself in something of a dilemma, because we had the Secretary of the Treasury in the office of the distinguished majority leader to talk with Members of the Senate from both sides of the aisle. There may have been as many as 20 or more Senators present at the meeting.

The Secretary of the Treasury said that he could live with the boxcar amendment, but he qualified it a little by expressing the hope that no other doors would be opened; namely, for other modes of transportation.

That is an awkward competitive situation to be in, and particularly so when we think of trailers as piggyback and almost identified with flatcars and with the railroad industry.

I presume that the best case is made in favor of the amendment, all things being considered. I just want to make the point as to precisely what happened in the Finance Committee with respect to the boxcar amendment so that when the bill came to the Senate it would be a committee position, sustained by a majority vote in committee.

Mr. HARRIS. Mr. President, I yield myself 3 minutes.

The PRESIDING OFFICER. The Senator from Oklahoma is recognized for 3 minutes.

Mr. HARRIS. Mr. President, it has been said that the people interested in this amendment did not appear before the Senate Finance Committee. That is true for this reason. When this measure was first discussed, it was known as the Ullman bill.

At that time, it was provided to exempt all forms of regulated transportation. Later, the bill was presented to the Congress by the President, and it was provided in that recommendation that there be no exemptions whatever for transportation modes.

A Mr. Saunders of the Pennsylvania Railroad, I understand, appeared before the House committee and said that they were willing to go along with the suspension without a special exemption for railroads. The trucking industry obviously was perfectly agreeable to no exemption for transportation, because they did not appear before the Senate Finance Committee.

However, the bill was changed over here. The exemption was given to railroads. This is simply a fair amendment. It would simply equalize the advantages contained in the bill. If 7-percent tax credit means anything, it is an incentive, and unless we agree to the amendment there will be an incentive on only one side of the equation.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. HARRIS. I yield.

Mr. PASTORE. Mr. President, is the Senator intending to leave the impression that a representative of the railroads appeared before the committee and said that they could live with the suspension for 15 months?

Mr. HARRIS. That was in the other body. I am so informed, that is correct. As the bill came from the other body, there was no such exemption.

I would be glad to be corrected on that if I am incorrect, but that is my information.

Mr. LONG of Louisiana. Mr. President, I believe the Senator would find that Mr. Saunders said, speaking for the Pennsylvania Railroad, that he could live with it, but he was not speaking for the railroad association.

Mr. HARRIS. The important thing is that it did come from the other body with no exemption for railroads. There is now such an exemption in the bill. This amendment would seek to equalize the situation.

Mr. PASTORE. Mr. President, did anybody except Mr. Saunders appear before the House committee on behalf of the railroads?

Mr. LONG of Louisiana. Mr. Loomis appeared for the Association of American Railroads and did ask for railroad exception.

The House committee did not grant it. He appeared before the House Ways and Means Committee and also before the Senate Finance Committee, and he stated the situation. He stated that their rate of return on profits is about 4½ percent. They have been at a competitive disadvantage with the truckers. The truckers have been making 12 percent. The truckers have increased their business 65 percent in 10 years, and the railroads are down minus 1 percent. He said that if the railroads are to do their job, they must be able to acquire rolling stock.

The evidence is that the trucking lines have been expanding rapidly, and they are still expanding; and I should imagine that with their rate of expansion, they already have a great deal of equipment on order. This does not mean as much to them as boxcars mean to a railroad. Because of the relatively short life of trucks and trailers, this only amounts to about 2½ percent of qualified investment to the trucking lines; but it is a much more important item to the railroads on freight cars, which are long-term items.

Mr. HARRIS. Mr. President, I yield myself 1 minute.

Through inadvertence in drafting my amendment, in having the words conform to the amendment of the Senator from Georgia, I left out the word "solely" after the word "freight," which his amendment had included. I ask unanimous consent that my amendment be amended to conform to that.

The PRESIDING OFFICER. Without objection, it is so ordered.

Does the Senator from Louisiana yield back the remainder of his time?

Mr. LONG of Louisiana. I yield back the remainder of my time.

Mr. HARRIS. I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma. The yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. BASS], the Senator from West Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Arizona [Mr. HAYDEN], the Senator from South Dakota [Mr. McGOVERN], the Senator from New Hampshire [Mr. McINTYRE], the Senator from Mentana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Utah [Mr. MOSS], and the Senator from Virginia [Mr. ROBERTSON], are necessarily absent.

I also announce that the Senator from Indiana [Mr. BAYH], the Senator from Idaho [Mr. CHURCH], the Senator from Louisiana [Mr. ELLENDER], the Senator from Massachusetts [Mr. KENNEDY], are absent on official business.

I further anounce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Indiana [Mr. BAYH], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from South Dakota [Mr. Mc-

Govern], the Senator from Montana [Mr. Metcalf], the Senator from Minnesota [Mr. Mondale], and the Senator from Utah [Mr. Moss], would each vote "yea."

On this vote, the Senator from Louisiana [Mr. Ellender] is paired with the Senator from Massachusetts [Mr. Kennedy].

If present and voting, the Senator from Louisiana would vote "yea" and the Senator from Massachusetts would vote "nay."

Mr. KUCHEL. I announce that the Senators from Colorado [Mr. Allott and Mr. Dominick], the Senator from Kentucky [Mr. Cooper], the Senators from Nebraska [Mr. Curtis and Mr. Hruska], the Senator from Michigan [Mr. Griffin], the Senator from Idaho [Mr. Jordan], the Senator from Iowa [Mr. Miller], the Senator from California [Mr. Murphy], the Senator from Kansas [Mr. Pearson], and the Senator from Vermont [Mr. Prouty] are necessarily absent.

The Senator from Kentucky [Mr. Morton] is detained on official business.

If present and voting, the Senator from Colorado [Mr. Dominick], the Senators from Nebraska [Mr. Curtis and Mr. Hruska], the Senator from Idaho [Mr. Jordan], the Senator from California [Mr. Murphy], the Senator from Iowa [Mr. Miller], and the Senator from Kansas [Mr. Pearson], would each vote "yea."

The result was announced—yeas 41, nays 28, as follows:

[No. 305 Leg.]

YEAS—41

Aiken
Bartlett
Bible
Boggs
Burdick
Carlson
Cotton
Dirksen
Dodd
Ervin
Fannin
Gruening
Harris
Hartke
Hickenlooper
Hill
Holland
Inouye
Jackson
Jordan, N.C.
Kuchel
Long, Mo.
Magnuson
McGee
Monroney
Morse
Mundt
Muskie
Nelson
Proxmire
Randolph
Russell, S.C.
Russell, Ga.
Simpson
Smith
Sparkman
Stennis
Thurmond
Tower
Yarborough
Young, N. Dak.

NAYS—28

Bennett
Brewster
Byrd, Va.
Case
Clark
Fong
Gore
Hart
Javits
Kennedy, N.Y.
Lausche
Long, La.
Mansfield
McCarthy
McClellan
Neuberger
Pastore
Pell
Ribicoff
Saltonstall
Scott
Smathers
Symington
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Young, Ohio

NOT VOTING—31

Allott
Anderson
Bass
Bayh
Byrd, W. Va.
Cannon
Church
Cooper
Curtis
Dominick
Douglas
Eastland
Ellender
Fulbright
Griffin
Hayden
Hruska
Jordan, Idaho
Kennedy, Mass.
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Morton
Moss
Murphy
Pearson
Prouty
Robertson

So Mr. Harris' amendment was agreed to.

Mr. HARRIS. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. KUCHEL. Mr. President, I send an amendment to the desk and ask that it be read.

The PRESIDING OFFICER (Mr. Byrd of Virginia in the chair). The amendment will be stated.

The Legislative Clerk. The Senator from California [Mr. Kuchel] proposes on page 10, after line 2, insert:

> (11) Airplanes acquired pursuant to exercise of certain options. Any aircraft acquired by the taxpayer by purchase pursuant to the exercise of an option which was contained in a contract for the purchase of other aircraft, which contract was, on September 1, 1966, and at all times thereafter, binding on the taxpayer, shall be treated as property which is not suspension period property.

Mr. KUCHEL. Mr. President, I yield myself 5 minutes.

Mr. RUSSELL of Georgia. Mr. President, may we have order in the Chamber?

The PRESIDING OFFICER. The Senate will be in order.

The Senator from California may proceed.

Mr. KUCHEL. Mr. President, the bill before us would exempt any property constructed, reconstructed, erected, or acquired to contract which was on October 9, 1966, and at all times thereafter binding on the taxpayer. The original date of the proposed suspension was September 1 of this year.

The committee, in order to exclude or exempt contracts for the puchase of properties to be constructed, advanced that date to October 9. The question then arose in committee as to what should be done with an option to purchase included in a binding contract prior to October 9. The committee endeavored, by language in the report, to restrict an option in such a fashion as to shear away the options that are customarily entered into in the aircraft industry.

Today it is customary in the aircraft industry throughout America to enter into a contract with a buyer for the purchase of one or more planes, and in that same contract the buyer, normally a foreign or domestic, airline, is granted an option to buy one, two, or three more planes in the future.

That is the way the option is created in the aircraft industry. There is no reason for the committee or for Congress to excise out a valid option to purchase a long leadtime manufactured item, to wit, a particular aircraft, and yet, in the same breath, exempt from the operation of this bill other types of options.

Mr. President, I shall draw an example of what I believe the law is and should be. Then, I shall ask the Senate, in the interest of clarity, in the interest of fairness, and in the interest of accepting legal options for long-lead items across the board, to adopt the amendment which I have offered.

An option should be treated as a binding contract if there is a substantial consideration involved. There is no question about that. For the purposes of this legislation, substantial consideration for an option ought to consist of either one of two things: One, the requirement which the committee laid down, the payment of an amount which is more than nominal in relation to the total purchase price of the property; or two, the situation where the option is granted contemporaneously with and because of the purchase of substantially similar units of equipment—where the cost of such equipment exceeds $2 million apiece, and where custom and usage of the industry indicates such options are ordinarily exercised.

Mr. President, in the State which I represent, jet aircraft are manufactured for sale to airlines in America and to airlines overseas. The large DC–8, similar to the 707, is an $8 million product. The smaller DC–9, or Boeing 727, is a $3 million product.

Mr. President, this is a great American industry. In my State of California, there are valid options existing today, which existed before the President or anyone else talked about suspension, which amount to $440 million in options by both foreign and domestic airlines to purchase commercial jet airplanes.

I shall read the text of the amendment again, Mr. President.

Mr. YOUNG of North Dakota. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. YOUNG of North Dakota. How many millions of dollars' worth of planes would be involved in this amendment?

Mr. KUCHEL. I have that information. One California company, Douglas, which employs over 61,000 people, has now on hand valid, subsisting options to purchase DC–8 aircraft in the amount of $280 million. It has now valid and subsisting contracts for options by both domestic and foreign airlines for the purchase of DC–9's in the amount of $160 million.

Thus, together, that results in options, valid and subsisting, in the amount of $440 million, or almost half a billion dollars.

Mr. SALTONSTALL. Mr. President, will the Senator from California yield?

Mr. KUCHEL. I yield.

Mr. SALTONSTALL. Does the Senator mean that the bill would knock out the options which are now existing, if the bill goes through in its present form?

Mr. KUCHEL. The short answer is "Yes," Senator. What the committee has done in this bill is, first, to exempt any contracts for purchases entered into prior to October 9. The original date was September 1. The committee moved it forward so that any contracts entered into for the purchase of machinery and equipment on the 2d, the 3d, up to the 9th of October, would be exempt. But the question remained: What do we do with an option? How do we treat an option to purchase? The committee held that an option is a binding contract if it is granted for a substantial consideration, and defined such consideration as the payment of an amount more than nominal in relation to the total purchase price of the property.

The committee did not consider the situation where a purchaser and a manufacturer of aircraft enter into a binding contract for the purchase of aircraft, and include, as a part of that contract, an option to the purchaser for additional aircraft.

In the comments which have been made today, let me say that we are dealing here with a long leadtime item. The construction of one of these giant jet aircraft takes from 9 months to 3 years to complete. Thus, we are not talking about any impact on inflation as it exists this afternoon. This is a long leadtime item. In the effort, Senator, to have the Senate and Congress judge options together, I have offered the amendment which I wish to read again:

> Any aircraft acquired by the taxpayer by purchase pursuant to the exercise of an option which was contained in a contract for the purchase of other aircraft, which contract was, on September 1, 1966—

Not October 9, but back to September 1—

> and at all times thereafter, binding on the taxpayer, shall be treated as property which is not suspension period property.

Mr. SALTONSTALL. In other words, then, the Senator is saying that part of the contract to buy plane A today contains more than the nominal amount of an option to make another contract for the full plane?

Mr. KUCHEL. No. I say that it is the custom in the aircraft industry to provide for options to purchase in the same contract under which purchases are actually entered into.

Mr. SALTONSTALL. But there must be consideration for those options.

Mr. KUCHEL. I provide that the contract must be binding and valid in order that the option on the contract be exempted from the bill.

Mr. SMATHERS. Mr. President, will the Senator from California yield?

Mr. KUCHEL. I yield.

Mr. SMATHERS. We had this matter up in committee and debated it and discussed it at great length. Actually, the bill now contains a provision—which permits one to sign an option contract, put up a substantial amount of money, and thus get any number of airplanes he wants.

The Senator from California is saying that if one has paid for 10 Boeing 727's at, say $8 million apiece, with an option for more, it automatically makes him eligible to get those additional aircraft, if he exercises the option. That is the way planes are bought.

However, under the Senator's amendment they really do not have to put up any money. What the committee was concerned with is: What is going to happen if one does not actually put up any money? We had said that he should at least, put up more than a nominal amount. That is what we have tried to do. It was our feeling that if we had language as loose and as broad as the Senator from California has offered in his amendment, what will happen is that many people will come in and say, "We are not going to put up anything. We do not have to do anything. We bought 10 airplanes last year and 5 are coming in now; so, therefore, we are in a position to get the investment tax credit, if we want to, on these 5 more."

The purpose of the bill, actually, is to dampen the economy and not to heat it up.

There was an article published in the New York Times recently, which stated that we were already suffering from a shortage of military aircraft.

Why?

Because we cannot get enough skilled workers. If we encourage the airline industry—as great, as marvelous, and as wonderful as it is today—and it is most important in my State, too—if we encourage the aircraft manufacturers, in spite of the shortage of workers, to go into this type of operation, then I cannot help thinking that the military position will be even worse.

We tried to work out what was essential—while protecting the military at the same time—to dampen the economy overall. We arrived at what we think is a fair proposal.

Mr. KUCHEL. Mr. President, in answering to my able friend from Florida, let me say that the amendment provides that the contract containing the option must be binding. In other words, there must be a legal obligation between the parties. That is point No. 1.

Mr. SMATHERS. How can that be, if they do not have to put up any money?

Mr. KUCHEL. Let me finish—these options have been entered into long before the President started talking about a 16-month suspension. Such options entered into the negotiations for the contract. They were included on the assumption that the tax credit would be available. Such options have always been regarded as commitments in the aircraft industry.

Point No. 2. I think it must be conceded that the construction of a giant commercial jet aircraft is a long-time proposition. Therefore, if an option is to be exercised in the next 8, 10, or 12 months, that plane will be delivered long after the 14-month suspension comes to its conclusion. In brief the exercise of these options is not related to the immediate economic effects sought by this proposal.

Mr. YOUNG of North Dakota. Will the Senator from California yield?

Mr. KUCHEL. I yield.

Mr. YOUNG of North Dakota. There is a considerable similarity between the 9-month to 2-year leadtime in getting a plane delivered and the leadtime it takes me to get a reservation on an airplane in order to go home.

Mr. MONRONEY. Mr. President, will the Senator from California yield?

Mr. KUCHEL. I yield.

Mr. MONRONEY. Is it not also a fact that many of these options are firm commitments made with the purchase of other planes, but because of the tightness of the money market, they have to be bought and partially paid for on money borrowed from the large insurance companies. Therefore, the negotiations for the completion of the payment on options consume a great deal of time. For that reason, if we are going to modernize the aviation industry—and we hope that it will continue to have the most modern fleet of airplanes in the world—then we will have to have some provision in this bill, or we will have dozens of cancellations of firm and valid orders.

Therefore, it seems to me that the amendment of the Senator from California should be agreed to, since the Senate has already voted for exemption of railroad rolling stock and truck trailers. The effective date of this amendment predates the whole Presidential order on most of these options.

Mr. KUCHEL. I want to say to the Senator from Oklahoma that he is one of the outstanding experts in this whole field. I have said so publicly many times before. The Senator is completely right. That is exactly the reason why these options have been entered into.

Mr. MONRONEY. The smaller companies need these options, because they have not had the benefit of financing through insurance companies so that they could make the heavy deposits needed for longtime financing at the time of the order.

Mr. KUCHEL. The Senator is correct.

Mr. JACKSON. Mr. President, will the Senator from California yield?

Mr. KUCHEL. I yield.

Mr. JACKSON. Is it not true that it has been the practice and the custom in the aviation industry to include options with the sale of planes?

Mr. KUCHEL. The Senator is correct.

Mr. JACKSON. Is this not almost standard practice now?

Mr. KUCHEL. Indeed, it is, Senator.

Mr. JACKSON. With the exercise of options to take place later?

Mr. KUCHEL. The Senator is correct.

Mr. JACKSON. Is it not a fact that there is another factor that has not been mentioned here, and that is that the foreign commercial airlines that are competing with American carriers have a distinct advantage to the extent that American operators lose their investment credit?

Mr. KUCHEL. The Senator makes a powerful argument, because competition today is exceedingly keen with manufacturers of aircraft in Europe. The Senator's argument is an able one. It is another reason why this amendment should be adopted.

Mr. JACKSON. This is different from the situation which applies to the railroads and trucking industry, because American airlines are in competition with foreign airlines. Is that correct?

Mr. KUCHEL. The Senator is correct.

Mr. RANDOLPH. Mr. President, will the Senator yield?

Mr. KUCHEL. I yield.

Mr. RANDOLPH. I have listened closely to the argument with reference to the pending amendment. I wish to emphasize what the Senator from Oklahoma has said with regard to the smaller companies. I would like to pose a question and perhaps make it in the form of a statement, also; that is, it would be difficult for a smaller company purchasing several aircraft, costing $4 million each, let us say, even if that air transport company made a payment of $50,000 toward each airplane. I am wondering whether, in the opinion of the Federal Government, that payment of $50,000—which would be a large item for a small company—would be counted as a binding contract. I do not believe that is in the report.

Mr. KUCHEL. I am grateful that the Senator asked that question, because in the discussion in the report, to demonstrate how restrictive the committee wants to define the word "option," it goes beyond this, and I read from page 31 of the report:

> A obtains, for $100,000, an option to buy an airplane which the seller-manufacturer is currently selling for a price of $1,200,000. Under the terms of the option, A must pay an additional $1,200,000 if he exercises the option. Because the amount paid for the option was not taken into account in determining the price of the airplane, there is no binding contract for the acquisition of the airplane even though A will forfeit part or all of the $100,000 if he fails to exercise the option.

I simply say that is too restrictive, and the Senator's point is well taken, because a very small airline company will have trouble and ought to have time, in exercising the option, to arrange further financing.

Mr. RANDOLPH. Mr. President, in further colloquy on this subject, I would say that in a State like West Virginia, where we are served by three local service airlines, these airlines would be making payments of this nature and scope. I think the very fact that they are making payments that are considered large, in view of the size of the company, shows they are making those payments in good faith. For instance, a company purchasing six aircraft at $4 million each, might pay only $50,000 each, but the aggregate for that company would be $300,000. For a corporation whose operating income is only about $3 million the sum of $300,000 is not insignificant as a demonstration of good faith.

I want to establish that there would be no penalizing of the smaller companies. They should retain this incentive for growth. If there is to be, the amendment offered by the Senator from California would correct such a penalty being imposed under the tax structure. Is that correct?

Mr. KUCHEL. Yes, because the contracts would emanate from small airlines as well as large ones.

Mr. RANDOLPH. I thank the Senator.

Mr. LONG of Louisiana. Mr. President, when a company orders an airplane or two, it automatically, at no cost, is given the option to order another plane or two. It is recognized that the aircraft company is obligated to furnish that order, even though the purchaser is not obligated to buy.

Adoption of this amendment would exempt hundreds of millions of dollars of orders beyond the orders made by companies that firmly committed themselves before October 10. If the credit were granted in situations where they did not have an option or where their loss would be nominal—it could very well amount to almost a complete exemption for the airlines and for the manufacturers of the aircraft from the suspension.

Some of the airlines have acted while Congress has been considering the legislation. So they obtained contracts for the airplanes they needed. To go beyond this would give an exemption to those who had not intended to do any buying.

Mr. KUCHEL. Mr. President, I yield myself 30 seconds.

This amendment applies only to valid options entered into prior to September 1. I do not say September 15 or October 1. I say prior to September 1.

Mr. LONG of Louisiana. A valid option is not a binding contract to buy an airplane. When a company buys an airplane, the aircraft company gives that company, gratis, an option to buy another one, which in effect is giving him the right to stand in line. In many instances no money is paid. That may be a binding contract as far as the manufacturer is concerned, but the purchaser does not have to buy. Perhaps $400 million worth of sales at Douglas Aircraft would come under this, which the purchasers are not bound to buy under the option. To go beyond the provision in bill and honor these options could very well amount to virtually exempting the whole aircraft industry.

Mr. DODD. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield.

Mr. DODD. I am thinking of a small airline company which last year earned approximately $400,000 and has within the past few months paid $300,000 as an option to purchase additional aircraft. Does not the Senator agree that a purchaser's earnings ought to be considered in determining whether the price paid was nominal?

Mr. LONG of Louisiana. The question of whether this is a substantial amount is what we look to. We gave an example of where 5 percent of the purchase price was put up. That was certainly more than nominal. I do not see why earnings should not be one factor that could be considered; why, the relation between earnings of the prospective purchaser and the amount of the option payment should not be one factor taken into account.

Mr. KUCHEL. Mr. President, I yield back my time.

Mr. LONG of Louisiana. I yield back my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California [putting the question]——

Mr. KUCHEL. Mr. President, I suggest the absence of a quorum——

Mr. SMATHERS. Mr. President, does the Senator want the yeas and nays?

Mr. KUCHEL. Mr. President, I withdraw my request for a quorum call, and I ask for the yeas and nays.

The yeas and nays were ordered.

Mr. SMATHERS. Mr. President, may I have 2 minutes?

Mr. LONG of Louisiana. I yield the Senator from Florida 2 minutes on the bill.

Mr. SMATHERS. Mr. President, I should like to have the attention of the Senate for just a minute. It seems to me that what we have to remember, if we are going to have the yeas and nays, is that we have now already made exceptions for the railroads and for the trucks, and we are about to make an exception for the airlines. That is what the amendment of the Senator from California amounts to.

Certainly, somebody will then have an amendment to take care of the bargelines. Then somebody is going to be able to argue about all the other poor little businesses.

The textile business, which makes uniforms, and contributes to the defense of the country; we have got to have it. Then somebody is going to tell us a sad story about some fellow in the urban renewal business, trying to get rid of ghettos, and so we go.

Every one of them has a great deal of merit. Everyone favors a strong transportation industry. I used to be on the Aviation Subcommittee. I believe in it. I have served as chairman of the Railroad Subcommittee of the Committee on Commerce. I believe in that. I know how the truckers feel.

But what is the purpose of the bill? The bill is only for 15 months, as we try to dampen down some of the inflationary pressure. Everybody ought to back up and restrict and tighten their belts a little. This is where the Senator from Rhode Island was exactly correct.

I voted against the railroad exemption in the committee as did the chairman of the committee, because we were fearful that if we exempted the railroads, it would be hard to withstand the avalanche of tears and pleas, and rightly so, in behalf of all the others.

I voted against the motor transportation amendment, as did the chairman of the committee, because of the belief that if you open it for one, you open it for all.

We have already opened it for railroads and trucks. I have word that everyone will feel we cannot discriminate against the airlines. But as far as the Senator from Florida is concerned, if we vote for that, I would just as soon take all amendments. As far as I am concerned, I would be happy to go to the chairman and say, "Let us take them all." I do not think the House will take them, because they will remember what we are trying to do. We are trying to put a damper, for 15 months, on the economy. If we do not, we are going to take the savings of every man, woman, and child in this country, and depreciate them. We are going to take the pensions of the old people in West Virginia, Florida, and California, and depreciate them. We are going to inflate and inflate, and perhaps destroy, the economy of this country.

Somewhere, sometime, we have got to put the brakes on. That is what the bill is all about. We made a mistake; it was a mistake to exempt the railroads to start with, and it is compounding itself over and over again.

I do not care; as far as I am concerned, if the Senate wishes to vote for an exemption for aircraft, let them vote. I do not think they will vote it down. But I think we must remember what the purpose of the bill is. The purpose is to stop everybody, and try to make everybody take an equal share of the burden of trying to get the economy into a more controlled and manageable rate of growth.

Mr. PASTORE. Mr. President, will the Senator yield?

Mr. LONG of Louisiana. I yield to the Senator from Rhode Island.

Mr. PASTORE. I do not know whether someone else has already said this, but if not, I feel that I ought to say it now: The trouble here this afternoon is favoritism. Favoritism always leads to injustice. We are dictating exemptions and damaging equity. We speak of Vietnam and the sacrifices our boys make—and we hasten to spare from sacrifice segments of the America that is asked to sacrifice in turn.

We do violence to the principle of a bill that calls America to attention—that would curb the excesses of a runaway economy. We are granting favors never intended by the administration that conceived this measure. The basic measure shall have my support, and I shall oppose every amendment that would weaken it and create class distinctions by uncalled for exemptions from our common effort.

Mr. McCARTHY. Mr. President, I do not think the case against this amendment has been clearly made.

The substance of what the Senator from California is talking about was before the committee. He seeks to give the effect of a binding contract to some options issued to prospective purchasers when they have not even bought an airplane. It is just a slip of paper which says, in effect, "When you get to this point in line, if you want to buy an airplane, you can buy one." But if the fellow does not want to buy it, he gives up nothing.

The cost of this amendment would be, if they were to exercise all the options the Senator from California describes, in one company alone, something like $600 million, multiplied by 7 percent. In that one case alone, there would be involved a loss of $40 to $50 million.

The trucking amendment we have adopted involves perhaps a million dollars in revenue. I do not know why the trucking industry wanted to make an issue of a million dollars in revenue, against the Finance Committee, which has given that industry every consideration as we have gone along over the last 5 or 10 years. But a $1 million loss on the trucks we can stand. We ought not to lose the $40 million or $50 million, potentially, which would be involved in adopting the amendment now offered by the Senator from California. If we are to adopt his amendment, we ought to vote down the bill and let the whole thing run. This is the critical point. If we take the amendment of the Senator from California, I shall vote against the bill, and urge everybody else to do likewise, because there is nothing left but a shadow.

Mr. SMATHERS. I would hate to think we would vote against the bill on final passage. I agree that the Senator's amendment would open the floodgates; but we could go to conference and perhaps save something of the bill.

Mr. KUCHEL. Mr. President, I yield myself 30 seconds. I call to the attention of the Senate that my amendment refers to a commitment, a legal obligation which is binding on the taxpayer.

Mr. McCARTHY. On one, but not on both. It is binding on the taxpayer, but not on the purchaser.

Mr. LONG of Louisiana. Mr. President, this is an area where the inflationary pressures are greatest. The commercial aircraft industry uses the same materials and the same skills we need to build military helicopters; and there is nothing we need more, over in Vietnam, to protect the lives of our men and carry out our national commitments, than helicopters; and we need people and materials to build those helicopters and fighter planes we send over there, because we are losing a lot of them.

Here is an industry which takes up more critical materials and skills than any other. Billions of dollars worth of aircraft on order will be protected by this bill anyway. Here is an amendment to say that where a person has an option—for which he pays nothing, which merely follows a tradition in the industry to give a person the right to go ahead and buy an additional plane after he buys the first one—the purchase is to be exempt from the suspension. This could very well amount to almost a complete exemption of the entire aircraft industry.

The airlines have positioned themselves as well as any industry. While the negotiations, the deliberations, and the discussions have been going on in this building, they have gotten their contracts set up. They have been firming up these very options we are talking about, right up until the time when the Senate committee voted to say that October 10 was the cutoff date.

Mr. MANSFIELD. Mr. President, will the Senator yield me 1 minute?

Mr. LONG of Louisiana. I yield 1 minute to the Senator from Montana.

Mr. MANSFIELD. Mr. President, for the purpose of asking a question aside from this particular amendment, I have in my hand a telegram from a small meatpacking company in Missoula, Mont. It reads as follows:

> John R. Daily, Inc. small independent meat packing business has loan commitment, plans out for bid on new plant building and renovation of present slaughtering plant. Immediate need for both necessitated by:
>
> 1. State and Federal meat inspection regulation standards for plant and equipment must be met in immediate future.
>
> 2. Excessive overhead operating costs of present old plant and equipment.
>
> Proposed seven percent investment credit withdrawal and cutback on accelerated depreciation schedule vitally important in this instance to small business and would presume many others of similar circumstances. Small business would need at least $250,000.00 exclusion and amendment to protect expenditures of necessity such as ours.
>
> KERMIT R. SCHWANKE,
> *Vice President, John R. Daily, Inc.*

Does the bill include such protection?

Mr. LONG of Louisiana. The company would be able to take the tax credit on $25,000 of investment in new equipment and to depreciate any new building costing $100,000 or less under one of the presently available methods of accelerated depreciation.

Mr. MANSFIELD. So, there is substantial relief in this bill that may be available to a small business such as this Montana meatpacking company?

Mr. LONG of Louisiana. Yes.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. LONG of Louisiana. I yield.

Mr. LAUSCHE. Much has been made that the airplane exemption would cost about $50 million, and that the trucking exemption would cost $1 million. What will be the cost of the exemption of the railroads?

Mr. LONG of Louisiana. Approximately $50 million.

Mr. LAUSCHE. Mr. President, I voted to keep the railroads in. I regret now that I did so.

I will vote against this measure. I hope that in conference the railroads are knocked out and the truckers also.

Mr. KUCHEL. Mr. President, I yield 2 minutes to the distinguished Senator from North Carolina.

The PRESIDING OFFICER. The Senator from North Carolina is recognized for 2 minutes.

Mr. ERVIN. Mr. President, during the past session of Congress I have been trying to fight inflation in the only effective way in which it can be fought. I have voted against proposals before this Congress to spend approximately $7 billion for nondefense purposes—proposed expenditures which are either unnecessary or which can be postponed until the threat of inflation subsides.

I have been trying to fight inflation in the way that it ought to be fought; that is, by the curtailment or deferment of unnecessary or unwise Federal expenditures. That is the only way in which we can fight inflation with effectiveness.

The pending bill, as I see it, would suspend incentives for the improvement of facilities which would increase production, and provide more efficient services.

In my judgment, these incentives combat inflation and do not stimulate inflation.

The pending measure makes the wrong approach to the problem. As the Senator from Indiana [Mr. HARTKE] has said, the bill is the wrong bill, at the wrong time, with a professed objective which the bill will not accomplish. The most effective way to combat inflation is to stop deficit spending on the part of the Federal Government, to postpone until the completion of the Vietnam war of expenditures which can be postponed, and to curtail the lavish expenditures of Federal funds for unwise or unnecessary purposes. The unwillingness of the Federal Government to take such sensible course is manifested by the fact that it has operated in the red 30 times during the last 36 years—many of these years being years of great prosperity.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from California. On this question, the yeas and nays have been ordered and the clerk will call the roll.

The legislative clerk called the roll.

Mr. LAUSCHE. On this vote I have a pair with the Senator from California [Mr. Murphy]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I therefore withhold my vote.

Mr. LONG of Louisiana. I announce that the Senator from New Mexico [Mr. Anderson], the Senator from Tennessee [Mr. Bass], the Senator from West Virginia [Mr. Byrd], the Senator from Nevada [Mr. Cannon], the Senator from Pennsylvania [Mr. Clark], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Arizona [Mr. Hayden], the Senator from South Dakota [Mr. McGovern], the Senator from New Hampshire [Mr. McIntyre], the Senator from Montana [Mr. Metcalf], the Senator from Minnesota [Mr. Mondale], the Senator from New Mexico [Mr. Montoya], the Senator from Utah [Mr. Moss], and the Senator from Oregon [Mrs. Neuberger] are necessarily absent.

I also announce that the Senator from Indiana [Mr. Bayh], the Senator from Idaho [Mr. Church], the Senator from Louisiana [Mr. Ellender], and the Senator from Massachusetts [Mr. Kennedy] are absent on official business.

I further announce that, if present and voting, the Senator from Pennsylvania [Mr. Clark], the Senator from Mississippi [Mr. Eastland], the Senator from Louisiana [Mr. Ellender], and the Senator from Massachusetts [Mr. Kennedy] would each vote "nay."

Mr. KUCHEL. I announce that the Senators from Colorado [Mr. Allott and Mr. Dominick], the Senator from Kentucky [Mr. Cooper], the Senators from Nebraska [Mr. Curtis and Mr. Hruska], the Senator from Michigan [Mr. Griffin], the Senator from Idaho [Mr. Jordan], the Senator from Iowa [Mr. Miller], the Senator from California [Mr. Murphy], the Senator from Kansas [Mr. Pearson], and the Senator from Vermont [Mr. Prouty] are necessarily absent.

The Senator from Utah [Mr. Bennett], and the Senator from Kentucky [Mr. Morton] are detained on official business.

If present and voting, the Senator from Colorado [Mr. Dominick], the Senators from Nebraska [Mr. Curtis and Mr. Hruska], the Senator from Iowa [Mr. Miller], and the Senator from Kansas [Mr. Pearson] would each vote "yea."

The pair of the Senator from California [Mr. Murphy] has been previously announced.

The result was announced—yeas 27, nays 39, as follows:

[No. 306 Leg.]

YEAS—27

Aiken
Bartlett
Bible
Carlson
Cotton
Dodd
Ervin
Fannin
Harris
Hartke
Hickenlooper
Jackson
Jordan, N.C.
Kuchel
Long, Mo.
Magnuson
Monroney
Morse
Mundt
Proxmire
Randolph
Ribicoff
Scott
Simpson
Smith
Thurmond
Tower

NAYS—39

Boggs
Brewster
Burdick
Byrd, Va.
Case
Dirksen
Fong
Gore
Gruening
Hart
Hill
Holland
Inouye
Javits
Kennedy, N.Y.
Long, La.
Mansfield
McCarthy
McClellan
McGee
Muskie
Nelson
Pastore
Pell
Robertson
Russell, S.C.
Russell, Ga.
Saltonstall
Smathers
Sparkman
Stennis
Symington
Talmadge
Tydings
Williams, N.J.
Williams, Del.
Yarborough
Young, N. Dak.
Young, Ohio

NOT VOTING—34

Allott
Anderson
Bass
Bayh
Bennett
Byrd, W. Va.
Cannon
Church
Clark
Cooper
Curtis
Dominick
Douglas
Eastland
Ellender
Fulbright
Griffin
Hayden
Hruska
Jordan, Idaho
Kennedy, Mass.
Lausche
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Morton
Moss
Murphy
Neuberger
Pearson
Prouty

So Mr. Kuchel's amendment was rejected.

Mr. LONG of Louisiana. Mr. President, I move to reconsider the vote by which the amendment was rejected.

Mr. SMATHERS. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. MUNDT. Mr. President, in anticipation of the floor consideration of this bill I had prepared amendments to cushion the impact of its provisions on farmers and small businessmen. Due to the revisions made by the other body and the substantial strengthening of them by our own Senate Finance Committee, however, I have decided not to offer my amendments and I commend both committees for their actions.

As originally proposed the administration's bill would have suspended the 7-percent tax credit for everyone concerned. In my estimation, such a proposal would have been highly inequitable. The farmer and the small businessman are not the equivalent of a gigantic corporation. Furthermore, both of these two segments of our economic community need additional assistance in the face of the problems with which they are presently confronted. To penalize them further by depriving them of this tax incentive would be a step backward.

If we retain the proposed exemption of up to the first $25,000 we will in effect be exempting most small businessmen and farmers from the most serious consequences of this suspenson of this tax credit.

Representing a farm State as I do, I am of course acutely aware of the plight in which our farmers find themselves. Although the national income, stimulated by the twin misfortunes of war and inflation, is at an alltime high, the farmers have not shared in this national prosperity. Department of Agriculture statistics disclose that although gross farm income has increased slightly, the realized net income—in part due to increased operational expenses and high interest rates—has remained at a shockingly low level.

In addition, the Secretary of Agriculture has recently announced selective crop expansions which could add about 300 million acres in 1967 to land currently under cultivation. This increase is necessary to meet our Nation's food commitments both at home and abroad. To help meet these demands additional machinery and modernization of present equipment will be necessary. Most of this must be purchased on credit with unconscionably high interest rates.

As the farmer makes his plans for the coming year, he will need this tax incentive. He will need to know if he can afford to invest in a new tractor or a new combine. He needs the tax break which will enable him to start his conversion to a modern dairy plant. And as a nation we need him to do these things. Certainly, with parity down to 80 percent we should not deprive the farmer of this 7-percent tax credit under prevailing economic circumstances.

Similarly, the small businessman has not enjoyed the full benefits of our economic upswing. Caught in the middle between increased wage demands and the competition of the giants with their ability to dominate a major part of the market, the small businessman has been faced with the choice between modernizing or perishing. Because of the tight money market marked by high interest rates and unavailability of funds, it was and is necessary to rely partly on the 7-percent investment credit to achieve this modernization. And rely upon it they have. In my own State of South Dakota a recent survey showed that over 90 percent of the small businessmen queried believed that the 7-percent investment credit had contributed to the expansion or modernization of business. The percentage favoring the usefulness of this program was higher than the percentage for any other recently passed tax revision measure.

Once again, Mr. President, I would like to commend the members of the Finance Committee for their foresightedness in liberalizing the effect of the suspension of the tax credit. I believe that by allowing this exemption for small business and farmers they have done much to strengthen our economy.

Finally let me say the exemption of freight hauling railroad cars and their trailer and semitrailer equivalents in the trucking industry we are at long last making some headway and providing some incentive in the matter of meeting the serious shortage of grain hauling facilities which for far too long have prevailed in this country. Thus it is hoped American agriculture will derive some real benefits from the exemptions we have made here today for procurement of new boxcars and freight hauling facilities by both the railroad and the trucking industry.

Mr. SMATHERS. Mr. President, several Senators, particularly the distinguished Senator from Wisconsin [Mr. Proxmire], have advanced a series of interrelated but, I regret to say, not always consistent, arguments against the anti-inflationary fiscal action which is contained in the bill now under consideration.

Reluctantly, but without misgivings as to the essential wisdom of the suspension in the light of the present facts, I now support the suspension legislation in the economic situation we face today. I am constrained to do so by the inescapable realities of the economy of 1966 and prospective conditions in 1967.

Let me first review briefly some of the reasoning which the able senior Senator from Wisconsin has adduced in behalf of continuing a special tax stimulus to business capital expenditures on machinery and equipment, despite pressures of excess demand which have built up large backlogs of unfilled equipment orders and in the process pushed up demands for credit, placed a heavy strain on the money market, and contributed to a higher structure of interest rates.

It has been suggested that suspension of the tax credit is the wrong solution for present-day inflation problems on the ground that there is too much uncertainty whether we will have an inflation problem by the time the investments affected by the suspension are placed in service.

Second, it is maintained that even if there is no such uncertainty, we need additional plant capacity to combat inflation on the supply side, even though the cost in terms of additional demand for resources to make the additional machines may be many times the contribution to supplies.

Third, it is argued that even if we have a boom situation in the capital investment area and elsewhere, the way to correct it is not to dampen the tax stimulus that, once appropriate, now contributes to our problem, but rather to content ourselves with curtailing Government expenditures—and he singles out in this connection supersonic transport development, the space program, and certain public works.

There is a certain plausibleness in such arguments. But let us examine the case in closer perspective to see how well it really hangs together.

IS THE INFLATION PROBLEM TOO UNCERTAIN TO RISK AFFIRMATIVE RESTRAINING ACTION?

There are always uncertainties in the economic outlook, and it always requires a certain boldness to predict as early as October 14 of any year what the economic conditions of the following calendar year may be.

Any uncertainties related to the budget, to the requirements of Vietnam, to associated fiscal actions, and to the response of private investment to this whole complex of events seem to me to suggest clearly the wisdom of salutary restraints, particularly if the restraint merely takes the form of the temporary suspension of a stimulus which is not needed at the present time.

It is my view that any thorough study of present investment levels and trends will lead inevitably to the same conclusion that was reached by Chairman Ackley of the Council of Economic Advisers and by Secretary Fowler of the Treasury that investment demand today is simply too high for the welfare of the economy.

It is overstraining the capacity of our capital goods industries, and it shows little prospect of significant relaxation in the months ahead unless we take appropriate restraining action.

Let me review a few of the basic facts. Plant and equipment outlays of American businesses are increasing by an indicated 17 percent this year, the largest percentage increase in a decade.

This is the third consecutive year in which investment has risen roughly twice as fast as gross national product.

Investment expenditures constitute the largest proportion of gross national product ever recorded in the postwar era, Chairman Ackley of the Council of Economic Advisers has recently observed.

Pressure of this kind of demand is showing up in labor shortages, rising prices, and growing backlogs in our investment goods industries.

Unmistakable as it is that the current pressures of demand on machinery and equipment industries are too strong is, of course, always possible to exploit the argument that the future of investment can never be predicted with full certainty in a free economy.

Since this doubt has been raised let us examine the situation a little closer.

The administration has been highly reluctant to recommend the suspension of the investment incentives which it has consistently urged as necessary to support a strong and growing economy.

The administration has conducted a continuous and careful review of the flow of business investment and its future outlook. It has been alert for any sign that the capital boom might be turning into a more moderate course that would make the present bill unnecessary.

It is true that the President's appeal for restraint in investment led many firms to review and moderate their investment decisions.

Tight money has probably had some impact in combination with the President's appeal in curbing the demand for capital goods.

The Commerce-SEC survey and the latest National Industrial Conference Board survey, which became available in late August and early September, gave convincing evidence that the investment boom, in spite of particular instances of moderation, still had too much steam.

The Commerce-SEC Survey showed that for the 12th consecutive quarter actual investment expenditures this spring had exceeded the plans reported just a few months earlier, disclosed no dampening in the expenditure plans for the second half of this year.

On the contrary, a further rise of $3.5 billion was still projected from the second to the fourth quarter. Moreover, the continuing consistent record of upward revisions leads us to the conclusion that in the absence of restraining action the growth of investment outlay in the second half of 1966 could well turn out higher than now projected.

I understand also that the National Industrial Conference Board survey showed that after a relative pause in the first quarter corporate capital appropriations—representing plans for new projects—increased by an additional 10 percent in the second quarter to a level more than 20 percent for the year earlier and about 30 percent above the current rate of expenditures.

The simple fact is that new orders for machinery and equipment show excessive strength far outrunning shipments and adding to already long order backlogs. It is true that variations have occurred from month to month in particular types of industry. Despite these variations, the machinery and equipment orders, whether they were advancing or retreating, have been considerably higher every single month than the shipments which the machinery and equipment producers were able to make.

The result can only mean one thing, greater backlogs and additional inflationary pressure.

According to the Chairman of the Council of Economic Advisers, the excess of new orders over shipments has ranged from 4 to 12 percent in the first 8 months of this year, pushing backlogs up nearly $3 billion or 18½ percent.

No one has been able to make a quantitative estimate of investment spending in 1967. Any reliable results will have to wait for the Commerce-SEC survey of December which will report business investment plans for the first half in 1967.

Earlier private surveys may give us some indications, but overall the record of private surveys has been less satisfactory than those developed by the Commerce-SEC study.

We have all the ingredients for further expansion of investment next year. There are large backlogs of orders and unspent capital appropriations.

Operating rates of industry are high, sales volume is at record levels, consumer markets are strong, businesses have a tremendous cash flow from record profits and depreciation allowances as well as market and competitive incentives to carry on further campaigns of expansion and modernization in 1967.

We do not wish to interfere with the real purpose of these campaigns, but we can moderate their growth so that they do not spill over into inflationary excess by offering businesses any incentive to stretch out their investment until such time as the economy can accommodate it without unacceptable price rises.

WILL THE EFFECT OF SUSPENSION REALLY BE DELAYED UNTIL A TIME WHEN THE ACTION IS NO LONGER APPROPRIATE?

Many have somewhat uncritically accepted the notion that since there is a long leadtime in modern plant expansion and modernization programs, the effect of the investment credit suspension will be long delayed and may not show up until a year from now when—who knows—recession or deflation may be the problem. In this line of analysis, I believe they have overlooked the importance of the fact that the bill applies the suspension to orders during the suspension period.

The suspension of a tax credit will affect the decision to order today. The impact of the suspension will be immediate in terms of the investment decisions and the inflow of new equipment orders. The cutback in orders will slow down the topheavy growth of unfilled order backlogs. It is the heavy backlog of unfilled orders that creates the pressure for rising capital goods prices. There is not only bidding for available output but the producers of capital goods are driven to competition for scarce labor and materials, and into overtime production. In short, growing order backlogs are simply demand out running supply. This is inflation. Here is where inflation can be stopped.

To assume that the impact of suspension is delayed until the property affected by the suspension is installed is a plain technical error.

THE CAPACITY AND SUPPLY ISSUE

It is urged that the suspension of the credit will slow capacity expansion and modernization and thus be inflationary rather than deflationary.

Of course, investment adds to capacity and cuts cost. But this addition occurs over the lifetime of the investment. In the short run, building more capital goods simply absorbs output. Most of the capital investments that might be affected by this suspension will not begin to make an output contribution of their own until 1969 or 1970, and we are concerned with inflation in 1967 and 1968.

Actually the suspension will result in very little cutback in real investment. Most of what will be affected is increased prices of investment goods. Most of the investment demand cutback will be an attempt to go beyond capacity toward what may be described as "unattainable output." Investment efforts into this zone are just that: efforts not accomplished. Efforts of this kind, spurred on to fever heat by tax incentives can only generate inflationary froth—not real hard investment.

Suspension of the investment credit will not interfere with high priority investment where plant shortage is really a limiting factor. It will help defer lower priority investment in areas where the problem is labor shortage. The resulting effects on the distribution of our capital-development resources will be all to the good.

Let me add a few words on the mistaken notion of "instant capacity" which may be behind the reluctance to moderate investment at this time. A machine costing $1,000 may eventually contribute far more than $1,000 to the supply of goods in the marketplace. But it cannot do so instantly. It takes years for a machine to pay out its costs, even with a comparative short payout period. The machine which takes $1,000 of resource out of the economy today does not magically put $1,000 plus of supply back into the economy today. Far from it. For the current year or some time thereafter, investment means a net drain on our resources. If this were not the case, if investment paid off with a sudden jackpot in excess of its cost, the accumulation of wealth would be painless indeed. The reality we face is that we cannot do everything we would like to do in improving and strengthening our industrial capacity this year or next year. The process takes time. We can hurry it only so much. Beyond a certain point, haste makes waste. And no matter how longingly we contemplate the future contribution on investment expenditure may make, its current effect is to absorb resources more than it adds to the short-run supply picture. The cumulative impact of capital investment on supplies of goods and services builds up over time. But the investments ordered or started during the next 16 months will not ease our basic supply picture during that time. In the interim suspension can ease the strain on inflationary pressure on our resources now being reflected both in the capital goods industries and our money markets.

CAN CURTAILING PUBLIC EXPENDITURES DO THE WHOLE JOB OF ECONOMIC RESTRAINT?

Finally, I wish to say a few words about Senator PROXMIRE's assertion, as reported in the Washington Post of October 13, that the only way to put an immediate damper on price inflation is to sharply cut Federal spending.

The investment tax incentive suspension legislation under consideration is only part of a broader program of fiscal restraint announced by the President. The announced program for reducing Federal expenditures by some $3 billion in fiscal 1967 is an integral part of the set of measures to halt price increase and interest rate escalation.

The President's directive to the Secretary of the Treasury to review all Federal agency participation sales will reduce the burden of Federal finance on the capital markets. The pruning of all Federal lending and borrowing activities by all Federal departments was called for in the President's memorandum of September 9.

State and local governments have been urged to cooperate in reducing lower-priority expenditures to the fullest possible extent.

This concerted program will operate to reduce the Government's take of the Nation's resources—real and financial—for nondefense purposes. All of these measures help build a rounded program. But it is unrealistic to expect restraint in government-civilian expenditures to bear the whole load of restraining the inflationary pressures stemming both from southeast Asia requirements and the unparalleled capital boom in our economy.

THE DEFLATION BOGEY

The Senator from Wisconsin has chosen to dwell on the dangers of deflation or depression which could be aggravated if the investment credit were temporarily withdrawn. If he is really concerned with the possibility of deflation in a hesitant economy by the way, I am not sure that spartan curtailment of Government expenditures are called for.

If the war in southeast Asia ends—as we know it must one day—there may or may not be advance warning. We would want to realine our fiscal policy with other available instruments of national economic policy to deal with such a happy eventuality. But the fear that temporary suspension of the investment credit would precipitate a downturn with the end of hostilities is misplaced. Our prosperity does not rest on defense, and should recession tendencies appear various tax measures along with restoration of investment credit are available to put the economy back on an even keel.

Our problem for now and the immediate future is one of apppropriate restraint on an unmistakable capital goods boom. First let us cross that bridge—and then we can confidently approach the next one. If we let anxiety about possible future recessions distract us from our obligation to take some responsible fiscal steps today, we would surely stumble. I am happy to reject such counsels and support the temporary suspension legislation which focuses so effectively on price and interest rate pressures. And I am satisfied that a majority of the Senators feel the same way.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD two tables, one relating to expenditures for new plant and equipment, and the other to expenditures specifically for new manufacturing plant and equipment.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

Expenditures for new plant and equipment

[Dollar amounts in billions]

Period	Total	Percent increase
1958	$30.53	
1959	32.54	6.6
1960	35.68	9.6
1961	34.37	-3.7
1962	37.31	8.6
1963	39.22	5.1
1964	44.90	14.5
1965	51.96	15.7
1966	60.86	17.1
Total percentage increase		99.3

Expenditures for new manufacturing plant and equipment

[Dollar amounts in billions]

Period	Total	Percent increase
1958	$11.43	
1959	12.07	5.6
1960	14.48	20.0
1961	13.68	-5.5
1962	14.68	7.3
1963	15.69	6.9
1964	18.58	18.4
1965	22.45	20.8
1966	27.07	20.6
Total percentage increase		136.8

Mr. JAVITS. Mr. President, I send an amendment to the desk and ask that it be reported.

The PRESIDING OFFICER. (Mr. BREWSTER in the chair). The amendment will be stated.

The ASSISTANT LEGISLATIVE CLERK. The Senator from New York [Mr. JAVITS] proposes an amendment for himself, Mr. KENNEDY of New York, Mr. RIBICOFF, Mr. DODD, Mr. Williams of New Jersey, Mr. CASE, and Mr. TYDINGS, as follows:

On page 15, line 17, insert the following:

"(14) RAILROAD ROLLING STOCK.—Any property which is railroad rolling stock especially designed and used for local or suburban commuter services shall be treated as property which is not suspension period property."

And renumber the succeeding item.

Mr. JAVITS. Mr. President, none of the cosponsors or I had proposed any such amendment as I am now proposing, which deals strictly with the railroad rolling stock especially designed and used for local and communter transportation. It is very strictly confined. None of us had anticipated offering any such amendment until the committee, rather quickly and suddenly—I do not say that invidiously—took out of the bill what was in it when it came to the floor—to wit, an exemption for passenger cars.

We were thereby faced with sweeping out of the bill an enormous block of property. Included in that block of property was what those of us from States and cities with heavy commuter problems found represented a very critical question to us. Therefore, the effort is now to limit the railroad rolling stock exempted from the suspension to what is essential to commuter services.

Of course, Mr. President, the commuter railroads are in dire need. In New York, for example, we have had to take over, as the State of New York, the Long Island Railroad. As to the New Haven, it is very likely to be taken over by the governments of New York and Connecticut. There is just no money available for commuter service cars.

Mr. LONG of Louisiana. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. LONG of Louisiana. Is the Senator speaking of self-propelled commuter railroad cars?

Mr. JAVITS. The reason I used the words that I did is that this matter came on us so suddenly that we did not know exactly the words to use, so we did the best we could. I said "especially designed and used for local or suburban commuter services." However, if the Senator should decide that this is a fair point we are raising, I would assume that when the matter got to conference, exact wording to meet the situation could be worked out. We all know what it is, but we do not know whether we are using the precise words of art. It is the best collaborative judgment to which we could come.

Mr. LONG of Louisiana. The Senator is talking about a specialized car used for commuter purposes?

Mr. JAVITS. I am.

Mr. LONG of Louisiana. I will take it to conference.

Mr. WILLIAMS of New Jersey. Mr. President, will the Senator yield?

Mr. JAVITS. I yield.

Mr. WILLIAMS of New Jersey. As the junior Senator from New Jersey, I should like to be listed as a cosponsor.

Mr. JAVITS. The Senator is listed as a cosponsor. Senators RIBICOFF, WILLIAMS of New Jersey, TYDINGS, KENNEDY of New York, and DODD are listed as cosponsors. We are deeply concerned about this deplorable problem.

Mr. WILLIAMS of New Jersey. I hope this is not limited to what the Senator from Lousiana called self-propelled.

Mr. JAVITS. No. The Senator from Louisiana understands that. It is to be the commuter-problem car.

Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment offered by the Senator from New York.

The amendment was agreed to.

Mr. JAVITS. I move to reconsider the vote by which the amendment was agreed to.

Mr. MORSE. I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DIRKSEN. Mr. President, sometimes a Congress legislates and then, later on, it aggravates the situation, and somehow we have to bail people out of the difficulties.

Mr. President, that happened in 1965 when we passed S. 2300 in which section 307 declared a part of the East River in New York City as nonnavigable.

They had in mind, because it came as a request from New York City, that the area involved in this nonnavigable stream and the adjacent area was to be used for low-cost housing and for a school for children of United Nations personnel. Construction would take place on platforms supported by open piles, so as not to affect the navigable part of the East River channel.

Promoters undertook to develop a $64 million low-cost housing project. They could not get a 99-year lease, which they needed in order to sell for bonds and debentures. New York City could only give them a 20-year lease. Therefore, Mr. President, action was required by the New York Legislature.

All of the promotional work has been done. The money, in large part, has been expended. The plans are ready. The New York Legislature has not acted. It leaves the people high and dry.

Mr. President, I have an amendment which has been discussed with the chairman and other members of the committee, and I submit it now as a cure for the situation that was brought about by the action of Congress itself.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 18, line 24, renumber "(3)" as "(4)" and after line 23, insert the following:
>
> "(3) HOUSING BUILT ON NONNAVIGABLE WATERS.—Paragraph (1) shall not apply to any item of real property on which housing is built if such housing could not have been provided but for the enactment of section 307 or 308 of the Act of October 27, 1965 (Public Law 89-298, 79 Stat. 1073)."

Mr. LONG of Louisiana. Mr. President, this situation was discussed in committee and most of us were not in a position to tell the Senator from Illinois [Mr. DIRKSEN] whether the situation which he has in mind was protected by the bill or not.

We did point out in the report that where certain commitments had been made, urban renewal projects were protected.

I have no doubt that if the Senator from Illinois [Mr. DIRKSEN] had had all of the details about this matter, we would have been willing to accord these people the same consideration as others. It is true that they have a different situation but the equities are much the same.

Mr. President, I would have no objection to the amendment, now that the Senator has worked it out.

Mr. DIRKSEN. I thank the Senator. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Illinois [Mr. DIRKSEN]. [Putting the question.]

The amendment was agreed to.

Mr. DIRKSEN. Mr. President, I move to reconsider the vote by which the amendment was agreed to.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. DIRKSEN. Mr. President, in connection with my remarks, I wish to submit data, particularly the act of 1965 to show how this matter came about, and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the data was ordered to be printed in the RECORD, as follows:

S. 2300

SEC. 307. That portion of the East River, in New York County, State of New York, lying between the south line of East Seventeenth Street, extended eastwardly, the United States pierhead line as it existed on July 1, 1965, and the south line of East Thirtieth Street, extended eastwardly, is hereby declared to be not a navigable water of the United States within the meaning of the Constitution and the laws of the United States.

RIVER AND HARBOR, BEACH EROSION, FLOOD CONTROL PROJECTS, AND WATER SUPPLY

(Report of the Committee on Public Works on S. 2300)

SECTION 307

The purpose of this section is to declare a certain section of the East River in New York City nonnavigable, so, as to permit the development of the area for housing and other purposes:

The area in question lies between 17th and 30th Streets in Manhattan, at a place where the river makes a significant bend, creating an area of water outside the pierbend line. At the present time, the only structure in the area is a pier used to dock a boat used by the New York City Board of Education, which the city would presumably relocate. There is no navigation taking place in the area, and the Corps of Engineers has testified before this committee that it has no future use contemplated for the area.

In requesting this legislation, the city of New York stated that it desired the area to be used primarily for housing, including facilities for medical personnel of Bellevue Hospital. Shops, restaurants, and a marina would also be built. One portion of the area would be used as the site for a school for children of U.N. personnel. The present U.N. school occupies a site that has been condemned. Construction would take place on platforms supported by open piles, so as not to affect the navigable part of the East River Channel.

This declaration of nonnavigability withdrawn the Federal Government's right to order the structures removed for purposes of navigation under the commerce clause of the Constitution without compensation. This will remove a cloud on the title, and allow local interests to make financial arrangements for the development of the area for useful purposes other than navigation. The section requires no expenditure of Federal funds.

Granik Enterprises, Inc.,
Washington, D.C., February 15, 1965.

Re East River Improvements Pier 67 to Pier 70

Hon. Leo Brown,
Commissioner of Marine and Aviation,
Battery Maritime Building,
New York, N.Y.

Dear Commissioner Brown: In reference to my letter of December 4, 1964 and subsequent meetings with General Evan M. Houseman, Mr. Louis Hewett, and Deputy Commissioner Leonard Cohen, as well as our conference of January 28, 1965, I wish to advise you as follows:

I propose certain improvements in the area located between Avenue C and East 23rd Street on the East River comprising Piers 67, 68, 69 and 70.

This area covers approximately 20 acres. It is adjacent to the residential developments of Stuyvesant Town and Peter Cooper Village. The site is accessible from Avenue C, East 20th Street, East 23rd Street and the Marginal Street passing under the Franklin Delano Roosevelt Drive.

The proposed improvements comprise five (5) high-rise residential towers covering approximately 6% of the site. Extensive recreational and cultural facilities are an integral part of my concept. There will be ample parking and shopping areas, as well as a waterfront restaurant overlooking a large Marina.

Each of the slender residential towers of circular shape is approximately 110 feet in diameter and rises over 500 feet. Each tower contains approximately 600 apartments ranging from efficiencies to 3 bedroom units.

The towers and recreational facilities, since they will replace the present unsightly structures, will serve to "open up" the neighborhood—the entire neighborhood, not merely the immediate area of the residences I shall construct—to the River. Thus, the views of the River from Stuyvesant Town and Peter Cooper Village will, essentially, be enhanced; this is accomplished by placing three towers south of Avenue C, one tower at the foot of 20th Street and the fifth tower at the northern end of the site near 23rd Street.

Large recreational facilities terraced over several parking decks descending toward the River's edge are located between Towers 3 and 4 and Towers 4 and 5. These are connected by pedestrian passages to Stuyvesant Town and Peter Cooper Village which will serve to make available easy access to waterfront recreation to the residents of these developments.

But it is not simply a matter of enhancing the view to the river or beautifying the port area—important as these features are; an integral aspect of the improvements will be the actual creation of new park land without any destruction of housing or business facilities now in operation.

It is impossible to over-emphasize this vitally important consideration: new housing will be built for approximately 3000 family units—without the need to relocate even one family from the site during construction.

The recreational facilities are divided into "Active" (for the young) and "Passive" (for the sedentary-inclined) and comprise:

Active: Playgrounds, Sport Activities, Swimming, Boating, Skating.

Passive: Parks, Sheltered sitting areas, Walks.

Neighborhood shopping and service facilities are located at the West end of the site facing the Marginal Street. Entrances to the parking decks are adjacent to these facilities.

A public restaurant is located at the base of Tower 4 overlooking the Marina and the East River.

In line with my own interest in the communications field over many years, I have had the architects include extensive facilities for educative cultural development, benefiting not only the neighborhood, but beyond: the city and even the nation.

For example, I envisage the creation of a Community Center dedicated to a distinguished New Yorker, where films, still photographs, television and radio tapes will be available, covering the spectrum of American and New York political life for the past four decades. To this center school groups will come for on-the-spot studies in modern social history. I will also arrange—similar to my radio TV programs where the leading figures of government, industry and labor are questioned by youngsters on the issues of the day—for a lecture-series at the Center by prominent leaders in all walks of life. These lectures too will be videotaped and made available, without charge, to youth groups all over the country.

Arrangements will be made for housing within the Center of the offices of the Mayor's Committee for Scholastic Achievement. The Center will be utilized for public functions sponsored by the Committee—with the intention that the Committee and the Center become nation-wide catalysts for improved scholarship effort and performance by youngsters.

I intend to spell out further in a more detailed memorandum my concept of the Community Center, with emphasis on its further use, as a non-profit American Forum Foundation Radio and Television Center. Educational leaders are keenly interested in this Center and we hope to include their suggestions and ideals.

For the present, copies of the site plan and renderings prepared by Katz, Weisman, Weber, and Strauss, the Architect-Engineers, and Guy G. Rothenstein, Designer, have been presented to General Houseman of your office. An aerial photograph of the area was also made available.

The same plans and photographs have been submitted to the Honorable Milton Mollen, former Chairman of the Housing and Redevelopment Board, and the Honorable William F. R. Ballard, Chairman of the Planning Commission. The Honorable Herbert Evans and several other officials of the Housing Board were present at the meeting in Chairman Mollen's office.

At a subsequent meeting in Gracie Mansion on January 27, 1965, the educational aspects of the project were discussed with the following, all associated with the Mayor's Committee on Scholastic Achievement: Judge Louis I. Kaplan, Dr. Jacob Harstein, Dr. H. P. Mantell, and Mr. James J. Wilson. Another meeting was held with these gentlemen on February 2, 1965.

Our architects are consulting with the engineering firm of DiStasio and Van Buren on site engineering, structural and mechanical aspects of the project. A preliminary cost analysis is in preparation.

As per your request this cost analysis will be submitted to your office. A cost analysis has also been requested by the Housing and Redevelopment Board to enable them to study the financial aspects of this development in detail.

As a native New Yorker I have always looked upon my city as the greatest port in the world.

But a great port city—as you know far better than I—must be more than an entrepôt for crates and shipments going in and out; people belong on the waterfront, too, in an atmosphere of good housing and constructive, enjoyable recreational and cultural facilities. All this I am trying to encompass in the plans I have made available: a forward-thrust in waterfront utilization which not only represents a pioneering step in port development but will extend to the benefit and beauty of our city.

May I respectfully request that we be permitted to enter into a lease with you covering the aforementioned area. Would you be good enough to authorize the appropriate official of your agency to discuss the terms of said lease with us.

In reply please refer to my New York address: 770 Lexington Avenue; telephone number, PLaza 1-6868.

Respectfully yours,
Theodore Granik.

Mr. JAVITS. Mr. President, I offer an amendment on behalf of myself and the Senator from Indiana [Mr. Hartke] and the Senator from Pennsylvania [Mr. Scott].

The PRESIDING OFFICER. The amendment of the Senator from New York [Mr. Javits] will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. JAVITS. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered, and the amendment will be printed in the Record.

The amendment is as follows:

At the end of the bill insert the following new section:

"Sec. 6. (a) Section 46(c)(1) of the Internal Revenue Code of 1954 (relating to qualified investment) is amended—

"(1) by striking out 'plus' at the end of subparagraph (A);

"(2) by striking out the period at the end of subparagraph (B) and inserting in lieu thereof ', plus'; and

"(3) by adding after subparagraph (B) the following new subparagraph:

"'(C) the employee training program expenses (as defined in section 48(h)) paid or incurred by the taxpayer during such taxable year.'

"(b) Section 48 of the Internal Revenue Code of 1954 (relating to definitions and special rules) is amended by redesignating subsection (k) (as redesignated by the first section of this Act) as subsection (l), and by inserting before such subsection the following new subsection:

"'(k) Employee Training Program Expenses.—

"'(1) In general.—For purposes of this subpart, the term "employee training program expense" means only an expense which—

"'(A) is allowable as a deduction under this chapter, and

"'(B) is incurred by the taxpayer in providing one or more approved employee training programs in connection with his conduct of a trade or business.

Such term does not include any expense incurred by the taxpayer in the conduct of his trade or business without regard to any approved employee training program provided by him.

"'(2) Approved employee training programs.—For purposes of paragraph (1), the term "approved employee training program" means only a program which—

"'(A) is designed to afford training to employees or prospective employees of the taxpayer in trade, business, industrial, or scientific skills which have been determined by the Secretary of Labor to be necessary—

"'(i) for the national defense,

"'(ii) to replace skills of the individuals receiving training which have become obsolete because of advances in trade, business, industrial, or scientific procedures or techniques, or

"'(iii) to replace skills of the individuals receiving training which have become unneeded because of changes in the national defense program; and

"'(B) has been approved by the Secretary of Labor as fulfilling the standards, requirements, and conditions prescribed by him for purposes of this subsection (including requirements relating to the employment or continued employment by the taxpayer of individuals receiving training).

The Secretary of Labor shall withdraw his approval of an employee training program previously approved by him if he determines that such program no longer fulfills the standards, requirements, and conditions prescribed by him for purposes of this subsection.'

"(c) (1) The heading for section 38 of the Internal Revenue Code of 1954 is amended by inserting after 'property' the following: 'and employee training programs'.

"(2) The table of sections for subpart A of part IV of subchapter A of chapter 1 of such Code is amended by inserting after 'property' in the item relating to section 38 the following: 'and employee training programs.'

"(3) The heading for subpart B of part IV of subchapter A of chapter 1 of such Code is amended by inserting after 'Property' the following: 'and Employee Training Programs'.

"(4) The table of subparts for part IV of subchapter A of chapter 1 of such Code is amended by inserting after 'property' in the item relating to subpart B the following: 'and employee training programs'.

"(5) The heading for section 381(c) (23) of such Code is amended by inserting after 'property' the following: 'and employee programs'.

"(d) The amendments made by this section shall apply to taxable years beginning after December 31, 1967. In applying section 46(b) of the Internal Revenue Code of 1954, to the extent the excess described in such section for any taxable year beginning after December 31, 1967, is attributable to employee training program expenses, such excess shall be an investment credit carryback only to a taxable year beginning after such date."

Mr. JAVITS. Mr. President, the amendment I have sent to the desk on behalf of myself and the Senator from Indiana [Mr. HARTKE] and the Senator from Pennsylvania [Mr. SCOTT] relates to the effort to get manpower training in the 7-percent equipment tax credit. It is a matter of considerable importance. The amendment is a long one.

The Senator from Indiana [Mr. HARTKE] and the Senator from Pennsylvania [Mr. SCOTT] and I agreed that if we can get assurance from the chairman of the committee to have a hearing on this question early in the year we would withhold the amendment.

Mr. President, I wish to say in fairness to the chairman that he made the same arrangement with me before today; a hearing was offered to me, but it was impossible in the time available to get ready and to have available the necessary witnesses.

If the chairman would give us his assurance of a hearing upon this question early in the year we would withdraw the amendment.

Mr. LONG of Louisiana. Is the Senator talking about next year?

Mr. JAVITS. The Senator is correct.

Mr. LONG of Louisiana. The Senator knows that we did arrange a hearing. The Senator's witnesses were not ready. We will be pleased to arrange a meeting.

Mr. JAVITS. Mr. President, I withdraw my amendment and I wish to express my gratitude to the Senator from Louisiana [Mr. LONG].

The PRESIDING OFFICER. The amendment of the Senator from New York [Mr. JAVITS] is withdrawn.

Mr. MONRONEY. Mr. President, I call up my amendment.

The PRESIDING OFFICER. The amendment will be stated.

The legislative clerk read as follows:

On page 16, after line 10, insert the following:

"(15) CARGO AIRCRAFT USED BY AIR CARRIERS.—Any cargo aircraft acquired for use by air carrier (as defined in section 101 of the Federal Aviation Act of 1958 (49 U.S.C. 1301)) in providing air transportation (as defined in such section) to be delivered after July 1, 1968, shall be treated as property which is not suspension period property."

ADDITIONAL COSPONSORS OF AMENDMENT

Mr. MONRONEY. Mr. President, I ask unanimous consent that the distinguished senior Senator from Washington [Mr. MAGNUSON] and the Senator from California [Mr. KUCHEL] be added as cosponsors of my amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MONRONEY. Mr. President, this amendment would do for the air transportation what the Senate has already done for surface transportation. We badly need all three modes of transportation. While the Senate did reject a technical amendment which applied to passenger as well as cargo lines, my amendment applies only to cargo aircraft, just as the railroad and truck exemptions apply only to freight equipment.

Mr. President, I would like to point out to the Senate that the most rapidly growing branch of the transportation industry—as a matter of fact, of any industry in the United States—is the air cargo business. Every quarter they have broken new records by increasing air cargo shipments by more than 100 percent. It continues to grow and is a new frontier in the air transport business. More and more companies find it economical to ship by air than by surface because of the lack of breakage, speed, and lower inventory cost when deliveries are coast to coast.

In carrying on the war in Vietnam, cargo aircraft are busy around the clock. The terminal at Travis Air Force Base in California is stacked with cargo aircraft carrying military cargo to Vietnam. Air cargo is a vital and an indispensable part of modern warfare. Without airlift we could not do the job of supplying troops or delivering the wounded back as rapidly. This service is vital and necessary.

Mr. JACKSON. Mr. President, will the Senator yield?

Mr. MONRONEY. I yield.

Mr. JACKSON. Mr. President, as I understand the amendment, it simply conforms to the action taken by the Senate in connection with the railroads and trucking industry. Is that correct?

Mr. MONRONEY. The Senator is correct.

Mr. JACKSON. In addition, it is my understanding that the amendment would only relate to aircraft that is to be delivered on or after July 1, 1968.

Mr. MONRONEY. The Senator is correct.

Mr. JACKSON. So that it would not have an immediate effect at this time?

Mr. MONRONEY. The Senator is correct. But the long lead time itself makes it imperative that orders be placed now to take their place in the delivery line and for the preparation of the continued escalation of the needs for air cargo to carry on both in peace and in war; and in order to compete with foreign airlines, who are making rapid strides in the development of air cargo.

Mr. MORSE. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. MORSE. I want to associate myself with the position taken by the Senator from Oklahoma [Mr. MONRONEY] and the position taken by the Senator from Washington [Mr. JACKSON].

I voted against the exemption for the railroads. However, once that exemption was voted upon favorably by the Senate, then, it seems to me, the playground of fairness in applying the same rules to all people participating in the game should be applied to the trucking industry and also to the airline industry.

As the Senator points out, this will be applied to the cargo plane which is in an industry vested with the public interest. Every taxpayer has an interest in it from the standpoint of numbers in relation to rates. The airline industry is entitled to the same equality of treatment as the trucking industry, or the railroad industry and, therefore, I shall vote for the amendment.

Mr. MONRONEY. I thank my distinguished colleague from Oregon for his statement.

Mr. KUCHEL. Mr. President, will the Senator from Oklahoma yield to me?

Mr. MONRONEY. I am happy to yield to my distinguished friend, the Senator from California.

Mr. KUCHEL. I am very glad to coauthor the proposed amendment with my good friend from Oklahoma and other Senators who have joined. While I sincerely regret the loss of the earlier amendment, the amendment now pending is precisely on all fours in line with the action taken by the Senate earlier with respect to this segment of the transportation industry.

Mr. MONRONEY. The Senator is correct, and I thank him for his statement.

Mr. SMATHERS. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. SMATHERS. I should like to say, in light of the fact that the Senate has seen fit to add the trucking industry to what the committee has already done with respect to making the cargo part of the railroads an exception under the bill, as acting chairman, I am happy to take the amendment to conference.

Mr. CARLSON. Mr. President, will the Senator from Oklahoma yield?

Mr. MONRONEY. I yield.

Mr. CARLSON. I just wish to state that this is a proposal which I made in committee. I hope that all methods of transportation will be treated fairly—railroads, trucks, and airlines. I hope that the amendment the Senator has offered will be agreed to by the Senate.

Mr. MONRONEY. I thank my distinguished friend.

Mr. President, I reserve the remainder of my time.

The PRESIDING OFFICER. Who yields time?

Mr. GORE. Mr. President, will the Senator from Florida yield me 5 minutes?

Mr. SMATHERS. Mr. President, I yield 5 minutes to the Senator from Tennessee.

The PRESIDING OFFICER. The Senator from Tennessee is recognized for 5 minutes.

Mr. GORE. Mr. President, it is not my purpose to lecture the Senate, and I shall not do so. I do wish to direct its attention, however, to the fact that my distinguished friend from Oklahoma—dear and precious friend that he is—has just given the finest argument I have ever heard as to why investment credit should not be extended to this particular mode of transportation.

The Senator from Oklahoma states that it is the most thriving and the most rapidly growing industry in America.

What is investment credit?

Investment credit is something by way of an incentive.

What incentive is needed here?

This is a profitable industry, and it is growing. It is thriving. Why does it need a tax subsidy as an incentive?

The real incentive here is profits.

In the American free enterprise system—and of course the trucking industry is profitable, too—that is the real basis on which this is offered.

I hope that the conference committee will see fit to reject all of these amendments, including the one for the railroads.

I can see the position in which the Senator in charge of the bill is placed. I can even rationalize the position of the senior Senator from Oklahoma. But, he gave such an eloquent reason why investment credit should not be extended, that I could not resist the temptation to call it to the attention of the Senate.

Mr. SMATHERS. Mr. President, I yield back the remainder of my time.

Mr. MONRONEY. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Oklahoma.

The amendment was agreed to.

Mr. MONRONEY. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. JACKSON. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

AMENDMENT NO. 952

Mr. WILLIAMS of Delaware. Mr. President, I call up my amendment No. 952 and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated for the information of the Senate.

The assistant legislative clerk proceeded to read the amendment.

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent that further reading of the amendment be dispensed with.

The PRESIDING OFFICER. Without objection, it is so ordered; and the amendment will be printed in the RECORD at this point.

The amendment of Mr. WILLIAMS of Delaware (No. 952) is as follows:

At the appropriate place insert the following:

"SEC. 1.—REDUCTION IN NUMBER OF GOVERNMENT EMPLOYEES.

"(a) No appointment shall be made for the purpose of filling any civilian position in or under the executive branch of the Government during any calendar month which begins after the date of enactment of this Act: *Provided*, That this section shall not apply—

"(1) to not to exceed 25 per centum of all vacancies which may occur in such month;

"(2) to any position to be filled by the President, by and with the advice and consent of the Senate;

"(3) to any position the filling of which is determined by the President to be necessary to the national defense, health, or security, a determination which shall be promptly reported to the Congress unless the President is of the opinion that for security reasons the disclosure of information concerning the filling of such position is not consistent with the national interest; or,

"(4) to any position filled by transfer of an employee from another civilian position: *Provided further*, That when the total number of employees holding positions subject to this section at the end of the preceding calendar month, as determined by the Director of the Bureau of the Budget, is less by at least two hundred thousand than the number of employees holding such positions on September 30, 1966, the limitations provided for in this section shall cease to apply and the total number of employees holding such positions at that time shall become a ceiling for such employment, and if that ceiling is exceeded at any time, this section shall again become operative.

"(b) In making the determinations required by subsection (a), the Director of the Bureau of the Budget shall include the full-time equivalent of part-time employment, but may exclude casual employment."

Mr. WILLIAMS of Delaware. Mr. President, let me explain the amendment quickly. I understand the Senator in charge of the bill is willing to accept it. I find that 234,000 employees have been added to the Federal payroll in the past 7 months. This amendment provides that at the end of each month we would tabulate the resignations and the retirements and reemploy but one out of every four. This would be in effect until the total number of Government civilian employees was at least 200,000 less than the number on the public payroll on September 30, 1966.

The purpose of this bill is to combat inflation and the way to do that is to reduce expenditures. This reduction of 200,000 in our civilian payroll will account for a savings of approximately $1,250 million in annual savings once it is fully effective.

Mr. SMATHERS. Mr. President, will the Senator from Delaware yield?

Mr. WILLIAMS of Delaware. I yield.

Mr. SMATHERS. This amendment was discussed in committee and I am willing, as acting Senator in charge of the bill, to take it to conference.

Mr. President, I yield back the remainder of my time.

Mr. WILLIAMS of Delaware. I yield back the remainder of my time.

I ask unanimous consent that a statement by President Johnson as appearing in the New York Times of December 2, 1965, calling for a cut of 25,000 in the Federal civilian payroll along with a chart outlining the rate at which the Federal civilian employment has been increased in the 7 months since that statement all be printed at this point in the RECORD.

There being no objection, the statement and chart were ordered to be printed in the RECORD, as follows:

PRESIDENT BACKS A CUT IN U.S. JOBS—APPROVES PLAN TO RETIRE 25,000—SPENDS QUIET DAY

AUSTIN, TEX., December 1.—President Johnson approved this afternoon a plan that could eliminate 25,000 Government jobs.

The plan, contained in a memorandum from the Budget Bureau and released here, instructs the heads of Government departments and agencies to reduce their employment by 1 to 1.25 per cent by the end of the fiscal year 1966, which ends next June 30.

Joseph Laitin, assistant White House press secretary, said the plan did not mean that present employees would be dismissed. It is designed, he said, to take advantage of stepped-up retirements from Government jobs.

These retirements have been increasing because of a new law offering certain inducements, including larger pensions, to employees who retire before the first of the year.

"The vacancies thus created," the memorandum said, "present an opportunity to take new specific action to carry out the President's long-standing instructions to hold Federal employment at the minimum necessary to carry out Government operations effectively."

The rate at which Federal civilian employment has been increased since President Johnson's statement of December 1965, is as follows:

Month	Employment	Increase
December 1965	2,550,742	
January 1966	2,555,752	4,830
February 1966	2,580,518	24,946
March 1966	2,610,780	30,262
April 1966	2,644,153	33,373
May 1966	2,665,160	21,007
June 1966	2,738,248	73,088
July 1966	2,785,129	46,881

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Delaware [Mr. WILLIAMS].

The amendment (No. 952) was agreed to.

Mr. WILLIAMS of Delaware. Mr. President, I move that the vote by which the amendment was agreed to be reconsidered.

Mr. MANSFIELD. Mr. President, I move that the motion to reconsider be laid on the table.

The motion to lay on the table was agreed to.

The **PRESIDING OFFICER.** The bill is open to further amendment.

AMENDMENT NO. 981

Mr. WILLIAMS of Delaware. Mr. President, the Senator from Florida has taken the principal amendment which I had, and I shall not press for the adoption of this next amendment.

I send to the desk an amendment and ask that it be stated. After a brief explanation this will be withdrawn.

The **PRESIDING OFFICER.** The amendment will be stated for the information of the Senate.

The assistant legislative clerk read the amendment, as follows:

"SEC. —. REPEAL OF PARTICIPATION SALES ACT OF 1966.

"(a) The Participation Sales Act of 1966 (Public Law 89-429) is repealed.

"(b) Each provision of law amended by the Participation Sales Act of 1966 is amended to read as it did immediately prior to the enactment of such Act."

Mr. WILLIAMS of Delaware. Mr. President, this amendment would repeal the authority of the Treasury Department to sell our assets. This was offered in committee and was rejected. I would very much like to see it agreed to; but I recognize the hour is late, and I told the chairman of the committee that if he would accept my other amendment I would be willing to forgo this one. Therefore after a few brief remarks I will withdraw it.

Mr. SMATHERS. I am grateful to the Senator for withdrawing the amendment.

Mr. WILLIAMS of Delaware. Before withdrawing it, Mr. President, I want to say that I think it is regrettable that we have had so many exemptions placed in the bill this afternoon. I shall support this bill, but my feeling is that this does not begin to go far enough in combating inflation.

As one Member of the Senate, I have been very much disappointed that the President did not take a more aggressive step and outline a program which would really be effective.

The other day I outlined a seven-point program which I thought should be taken and which are as follows:

First. Repeal the present 4½-percent ceiling on interest that can be paid on Government bonds with maturities of over 5 years. The retention of this unrealistic ceiling has had the effect of monetizing our debt.

Second. Repeal the FNMA Participation Sales Act—Public Law 89–429. This is the proposal under which we sell our assets, a procedure which everyone now admits has boosted interest rates an extra one-half percent.

Third. A stringent program for reduced Government expenditures backed by both executive and congressional action.

Fourth. Enact a legislative directive which would force a reduction of at least 200,000 in Federal employment. This could be accomplished by attrition and without any suspensions merely by a policy of not hiring new replacements for normal resignations and retirements.

Fifth. Repeal outright, effective as of the date of enactment, the 7-percent investment credit with the understanding that this incentive will be reinstated at the termination of the war.

Sixth. Enact legislation creating a special type of bond to be designated as a retirement bond with 10-, 20-, and 30-year maturity, bearing interest at rates not less than 4½ percent and deferred on a formula similar to that now applicable to series E bonds.. The sale of these bonds would have a dual effect—to promote savings and to siphon money from the spending stream of an overheated economy.

Seventh. Enact effective January 1, 1967, a 5-percent, across-the-board tax increase applicable to both individuals and corporations with the understanding that this increase will terminate at the end of the war.

We hear the persistent rumor that a tax increase will be proposed by the administration after the election. If there is going to be a tax increase next year, the American people have the right to know—and to know it before the election.

With respect to the pending proposal, while it may not go far enough it is a step in the right direction, and I shall support the bill, as I supported it in committee. I shall support it more enthusiastically because the amendment the Senate adopted does provide for a mandatory reduction of 200,000 in the present number of civilian employees. That will have a direct effect of saving $1.250 billion without endangering anyone's job or resulting in the firing of any civilian employee. It merely provides that only one-fourth of the jobs caused by resignations or retirements each month can be filled. It gives the President certain discretionary authority in emergencies under which he may waive that requirement for a certain period. That was done for the purpose of taking care of a situation where three or four scientists might resign, for example, and we would not want to wait to replace them.

This same formula was applied to all agencies in 1954 under the so-called Jensen rider which was put on various appropriation bills at that time.

This is a general provision that applies to the civilian employees of all agencies. The adoption of that amendment will ultimately save $1.250 billion for the taxpayer.

Surely the first step toward combating inflation should be a cut in expenditures. This is a step in the right direction.

Mr. SMATHERS. The Senator from Delaware will be a conferee.

Mr. WILLIAMS of Delaware. I shall be one of the conferees, and I will do my best to have the amendment retained in conference. I feel very strongly that we have to take some steps to combat inflation. I am disappointed that the President did not face up to the problem and take whatever steps were necessary to fight inflation.

Inflation is a real threat to the security of every retired person in America and thus far the only solution offered by the administration is more spending.

That is why I consider the amendment which has just been approved so important.

This mandatory reduction of 200,000 employees will reduce the cost of Government by at least $1,250 million annually.

Mr. President, I yield 5 minutes to the Senator from New York [Mr. JAVITS].

Mr. JAVITS. Mr. President, I have asked for 5 minutes which the Senator from Delaware, with his customary courtesy, has yielded to me. What he has stated with respect to his intentions is how I feel with respect to the bill. I, too, shall vote for the bill, but I think I reflect the sentiments of many of our Members when I say that, in voting for it, I vote for at least something in an effort to take care of a bad situation and, in my judgment, a decision which must have been decided upon at this time because of the time situation; namely, prior to an election.

There is no question that the legislation will not materially improve the situation with respect to inflation. The authorities agree, even apart from the exceptions, that the legislation will not take effect for from 9 months to a year. By that time we may wish we had never done this, because we may be in a recession, rather than in an economy which needs dampening.

What should have been done early this year was to have an across-the-board temporary tax increase to finance the war in Vietnam. This is a "soak business" proposition. It may be more palatable politically, but it is not going to do the job. It is not going to take out of the buying stream more than $1½ to $2 billion. A 1½ to 2 percentage point increase in taxes on individuals and 2½ to 3 percentage point tax increase on corporations would have taken out of the buying stream $5½ billion to $7½ billion, and would have made a measurable difference.

This measure is not going to aid in the fight against inflation. Those who feel as I do in this respect have no alternative but to support this measure for what it is worth, but we must emphasize that it is not worth very much.

In addition, we need to review our agricultural price policy. This is a food-and-services inflation period which we are experiencing. At the same time, we are boosting the agricultural price level by Government policies hung over from another day.

Finally, let me say that we are suffering inordinately from high interest rates and tight money. The administration did not institute a voluntary credit restraint program, which we did in the Korean war. The suspension of the investment tax credit, which was given priority by the administration will be but the mildest kind of palliative. We must devise a temporary increase in taxes across the board. Our people are willing to sacrifice for Vietnam. We must have voluntary credit restraints, organized as they were during the Korean war. We should have an agricultural price policy which will meet the inflationary thrust of the cost of food to the housewife.

If we took all those measures, we would be striking a blow for a sound economy, and against inflation. What we are doing is restrictive and a mere palliative. It is the best we can do under the circumstances, in view of the policy of the administration, but we will rue the day we did so little and so late.

I ask unanimous consent that a statement I made on inflation in the Senate on August 16, a memorandum prepared by the minority staff of the Joint Economic Committee, and a column written by Henry C. Wallich in the October 3 issue of Newsweek may be made part of my remarks.

There being no objection, the material was ordered to be printed in Record, as follows:

PRESIDENT, CONGRESS MUST ACT TO HALT INFLATION

(Remarks of Senator Jacob K. Javits prepared for delivery in the Senate, Tuesday afternoon, August 16, 1966)

Whatever the rationalizations of the President's economic advisors, the country is in the midst of serious inflation. Current indices show the seriousness of the situation and reliable analyses point to a worsening economic situation unless corrective action is taken and soon.

And yet, the Administration's policy has been one of drift. I believe that the American people have a right to know now what it will take to pay for the Vietnam struggle and to continue a high-level of non-inflationary domestic growth. If the Administration is indeed approaching the economic situation with one eye on the November elections, it should realize that there can be no long-range political gain if the voters are led to believe before the elections that the economy will right itself without drastic fiscal action and then find themselves faced with a stiff tax increase after the elections. This would be the height of political irresponsibility.

Even the President cannot perform miracles. The choices before him are limited: he can cut non-defense expenditures in the Federal budget; raise taxes; tighten money even more; impose credit controls; seek authority for price and wage controls or use a combination of these measures. But he must act or face a rapidly-deteriorating economic situation.

After almost four years of steady expansion without a serious increase in prices, prices began to rise sharply in early 1965. Wholesale prices have risen 3.4 percent over the past year, including an increase of .7 percent in July alone. Over the past year consumer prices have increased by 2.5 percent. Unemployment remains, considering the last decade, at the relatively low level of 3.9 percent and every sign indicates the US plant is reaching capacity utilization, with many industries now operating over their preferred rate. There is no evidence that future months will bring a lessening of inflationary pressures, with Vietnam expenditures likely to expand substantially over the near term and important wage contract negotiations coming up in the next 12 months in key economic sectors.

In view of this situation, the President's reluctance to act is difficult to understand outside the political context. Just yesterday, the proposed agreement to settle the airlines strike gave fresh evidence of the machinists union's unwillingness to settle for a contract within the "guidelines;" the steel companies are now telling us that if it is OK for the airline mechanics to violate the "guidelines" why isn't it OK for the steel companies; bread and milk prices are also rising sharply.

The President should not hesitate to deal realistically with inflation any more than he would hesitate to follow what he considers realistic policies in Vietnam. There is no alternative to responsible leadership. In terms of its consequences to the American people and the world economy, it would be no less a tragedy to lose the war on inflation at home than to lose the war in Vietnam.

My own recommendations are, as follows:

First, we should not cut such vital non-defense expenditures as aid to education but we should postpone or stretch-out such postponable Federal expenditures as some government construction or space exploration projects.

Second, the President should ask the Congress to enact a special temporary tax—across the board—to finance rising Vietnam costs and to further dampen civilian demand and to lessen the government's excessive and harmful reliance on monetary policy—tight credit and high interest rates.

Estimates in top economic circles of Government, as reported in the press and various outlook reports, indicate that total defense spending will continue to rise by about $2 billion every three months until mid-1967 at least. This, the experts say, would mean a defense spending pattern about $5 billion higher in the current fiscal year than the estimate last January.

Congress should enact a temporary special Vietnam tax across the board—yielding between $5.5 and $7 billion a year—before we adjourn this year, and the sooner the better. This could take the form of a 5 percent temporary surcharge or a combination of a 1½ to 2 percentage point increase in individual income tax rates and a 2½ to 3 percentage increase in corporate tax rates.

Finally, I propose that there be instituted a voluntary credit restraint program modeled after the Korean War program from March 1951 through May 1952 which met with considerable success. This should be instituted immediately. The purpose of the program would be to encourage lending institutions to extend credit in such a way as to help maintain and increase the strength of the domestic economy through the restraint of inflationary tendencies and at the same time to help finance the requirements of the war in Vietnam and the essential domestic needs.

To make such a program possible, I introduce today an amendment to Section 708(b) of the Defense Production Act of 1950, as amended, to exempt from the antitrust laws lending institutions—commercial banks, mutual savings banks, savings and loan associations, investment banks and life insurance companies—entering into a national voluntary credit restraint program, if such a program first meets the approval of the President.

If Congress passed such a measure, the President could delegate his authority to the Federal Reserve Board, which, in close consultation with leaders from the private lending field, could formulate a program of voluntary credit restraint and establish criteria for distinguishing between credit for essential and nonessential production and distribution. The Board would then appoint a National Voluntary Credit Restraint Committee to implement it. Members of this Committee would consist of representatives of the lending groups participating in the program, with a member of the Federal Reserve Board serving as chairman. Its principal function would be to set the general direction of the program, to appoint regional subcommittees and to interpret the principles of the program and their application to particular areas.

The setting of loan priorities today is left in the hands of individual banks. Many of the banks are pursuing policies much in the public itnerest, but there is no definition of that interest even among themselves. Banks can and sometimes do establish priorities on a substantially different basis from what would be established by a nationwide Voluntary Credit Restraint Program, the main purpose of which would be the maintenance of growth of the economy in a noninflationary manner while meeting the requirements of the war in Vietnam.

We are operating in an atmosphere of a major war with the Federal government relying almost solely on monetary policy to contain inflation.

The burden cast upon monetary policy by fiscal inaction and such a large reliance on the weak "guideline" reed of wage-price restraint has brought distortions in the direction of investment. It has resulted in interest rate wars among the savings and lending institutions. It has affected borrowers unevenly. It has triggered a nervousness among the government regulatory agencies charged with credit management, which has been evidenced by rate-ceiling actions, threats of actions, and a spate of semi-official pronouncements adding to uncertainty.

Interest rates themselves have risen to the highest levels in a generation. The particularly sensitive rate on so-called "Federal funds" exchanged between member banks to adjust their reserve positions have recently traded at 5⅜ percent compared to 4 percent last September. The high cost of money for housing is shown by the rate on new FHA insured conventional mortgages which was 6.32 percent in June 1966, up from 5.45 percent as late as last Fall. Other rates on government securities, installment credit, and prime business loans have risen proportionately.

The inefficacy, or, one should say the unbalancing efficacy, of monetary measures is further attested by the lag in residential construction and the production of consumer items while business investment and, of course, government defense spending have surged ahead. New residential investment has declined from 31.3 percent of total investment in 1964 to 26.4 percent in the second quarter of 1966. Non-residential fixed investment now takes about 10.7 percent of gross national product, or about the same or slightly greater than during the capital goods boom of the mid-1950's, which was incidentally a precursor to the recession of 1957–1958. It might be expected, moreover, that the previously cited defense build-up from an annual rate of $49 billion in the second quarter of 1965 to $57 billion in the same quarter of 1966, and an expected $65 billion by the second quarter of 1967, will tend to have a concentrated impact in some of the same industries—e.g., machinery and aircraft products—that are also the major producers of business investment goods.

The Administration has taken certain fiscal actions this year—much of this of a temporary character—which have had a certain restrictive or dampening effect on the economy. These included the Tax Adjustment Act of 1966 (which restored certain excise taxes, speeded up corporate tax payments and instituted graduated withholding of individual income taxes) and increased payments into Federal trust funds resulting from higher social security taxes and medicare. The overall economic impact of these measures could be estimated roughly at around $7 billion, about half accounted for by the temporary effects of the speed-up of corporate taxes. That these fiscal actions have been inadequate to deal with inflation is evidenced by the drastic rise in consumer and wholesale prices.

In periods such as the present, when private demand for goods and services plus government demand for many of the same goods and services add up to a total greater than the capacity of the economy to produce, hard policy choices cannot be avoided. The Administration has, nevertheless, tried to avoid these hard choices by resort to guideline appeals and by throwing the burden on the monetary authorities while adding, incidentally, to the burden in the monetary field by the sale of government-owned mortgages in the open market.

In view of the clearly unequal and unbalancing effects of tight money already painfully evident, few persons are likely to urge today that the Federal Reserve authorities be left to carry on the fight against inflation by forcing further tightness and increases in the whole spectrum of borrowing and interest rates. Friends and advocates of monetary policy as a stabilization tool should be the first to disavow its greater use under present circumstances. The very independence of the Federal Reserve System would most certainly be placed in jeopardy and long-run usefulness of alternate monetary restraint and ease as a control instrument permanently destroyed if the outcry against high interest rates is encouraged.

As to the voluntary wage-price guideline approach—if it ever did have any merit—its breakdown is all too clear. The airline wage negotiations and the steel price decision have further discredited the scheme if not administered a coup de grace. The Federal Government, the President, and the Council of Economic Advisers can hardly take pride in the hours when their leadership has meant "sitting-in" as an involved third party at interest at major wage-bargaining tables or price-setting conferences. A policy based upon admonishing leaders of industry and labor to be "responsible" and "statesmanlike," even if successful, represents an undermining and distrust of the economizing and resource allocating virtues of the market enterprise system basic to the free political system.

The widely respected research department of the Federal Reserve Bank of St. Louis points out that the so-called "high-employment budget" designed to reflect the impact of the government's operations on the economy has since mid-1965, been at its most stimulative level since 1955. The high-employment surplus, which tends to impose a fiscal drag on the private economy, has declined from a $7.2 billion annual rate during the first half of 1965 to a $0.8 billion drag in the first half of 1966. On the basis of planned government tax rates and expenditures for the last half of 1966, the full employment budget will in fact show a highly stimulative $4 billion deficit, i.e., excess of government payments over receipts, at a time when planned investment already tends to exceed planned saving.

Significantly, a statement released on August 8 by the Federal Reserve Bank of New York supports the conclusions of the Federal Reserve Bank of St. Louis. Summarizing the business outlook section of its "Monthly Review," the Bank reports that current evidence indicates that American economy will expand at an even faster rate in the second half of this year, placing greater strains on an already inflated economy; that the rising consumer price index will rise even higher in the next six months as a result of continued pressure of overall demand and "cost-push" factors. Higher federal salaries, the beginning of medicare payments and capital spending by business and government are cited by the Bank as factors contributing to this situation.

No responsible leader would wish to impose further restrictions on the American economy. But inflation is here and the Administration's actions to date have not prevented its steady increase. The choice before us is to permit inflation to eat away at the gains of millions of low income and fixed income families or to take responsible action.

Further drift and delay can only result in the need for more drastic action; a resort to the wage and price controls practically no one desires; but we may even have to come to that!

The enactment of requisite legislation would involve extended debate and rightly so. I therefore propose that the President ask Congress this Session to grant him standby authority for wage and price controls modeled after Title IV of the Defense Production Act of 1950 which gave the President authority to maintain wage and price stability through voluntary action and, if that failed, through mandatory wage and price controls in areas of his own choosing.

I hope that such controls would never have to be imposed in the absence of a greater escalation of war spending than is now anticipated. I believe that the present inflation and the increased cost of the Vietnam war can still be met through voluntary credit restraint and an improved policy mix—a special Vietnam tax combined with greater monetary ease. But should the spreading war psychology—as evidenced by the airline machinists' strike, last week's steel price increase, higher milk and bread prices—get out of hand the President should have the means to deal with it. It is a responsibility Congress must share with the President by giving him the necessary emergency authority on a temporary basis.

There are some who propose that as part of any new tax measures, the Congress should suspend or repeal the investment tax credit of 1962 on the ground that capital investment is now at record levels and that the tax credit only stimulates further capital investment at a time when the economy is already experiencing a capital goods boom.

I do not agree with this view. This device has never been visualized as one for short-term stimulation or stabilization of investment. It is a device to stimulate modernization and expansion of industrial capacity over the long-run to meet domestic growth needs and to maintain the strong competitive position of the United States. It will be recalled that when this tax credit was originally proposed, business opposed it on the grounds that it would not be a permanent feature of our tax code and that it would be vulnerable to frequent changes. Only after repeated assurances by Secretary of the Treasury Dillon that this was viewed by the Administration as a permanent measure, did the business community change its views.

No one in the Congress who advocates suspension of the credit has denied that the credit must still be allowed with respect to machinery and equipment already on order. This would remove a large amount of current and future expenditures from the scope of suspension and thereby reduce its current economic and revenue effect. Furthermore, credit would also have to be allowed on equipment ordered during the suspension period, but scheduled to be installed after the suspension was to be lifted. This would also reduce the effectiveness of the suspension as a device to dampen capital investment.

In my opinion, investment demand could be influenced more effectively and immediately by corporate tax changes and by variations in individual income tax rates. In other words, just as the current high level of demand is the main reason for the high level of capital investment, the most effective way to dampen it would be to dampen overall demand through fiscal action.

There already has been much damage done by the Administration's failure to move effectively to bring inflation under control at its early stages—six or seven months ago. A moderate and temporary income tax increase then could have stopped this inflation from gaining headway which could lead to a recession and serious unemployment. The longer the President delays action, the more drastic the solution will have to be.

But inflation can still be brought under control with moderate measures. The costs of the Vietnam war have not yet reached the proportions of the Korean conflict. But Vietnam costs are being imposed on a booming economy and it is from this combination—not Vietnam alone—that inflationary pressures arise.

The inflationary situation could worsen and Congress should now provide the President with the necessary authority to act effectively, and in time. The rest is up to the President and the Administration, and they will delay—to await the November elections or for whatever reason—at their peril.

THE INVESTMENT TAX CREDIT: AN INAPPROPRIATE FISCAL TOOL FOR SHORTRUN STABILIZATION

(Memorandum prepared by Minority Staff, Joint Economic Committee, Sept. 19, 1966)

The investment tax credit of 1962 permits business firms to reduce their Federal income tax liabilities by an amount equal to 7 percent of qualified investment during the fiscal year when the investment property is placed in operation (for public utilities, the credit is limited to 3 percent). Qualified investment includes investment in tangible personal property and other depreciable property (other than buildings) used as an integral part of manufacturing, production, transportation, extraction, and communications. The property must have a useful life of at least 4 years before it can qualify for part of the credit, and a useful life of 8 years or more before it becomes eligible for the full 7 percent credit. In any one year, the amount of the credit may not exceed the first $25,000 of tax liability plus one-fourth of any remaining tax liability. However, the unused portion of the credit may be carried back, first to the preceding 3 tax years and then forward for as many as 5 succeeding years. It is estimated that the credit currently reduces business tax liabilities by about $2.1 billion annually. The unused amount of the credit presently eligible for the carry-forward is about $1.5 billion.

The President has now called for suspension of the credit in hopes of stopping inflation by moderating rising investment demand. However, whether suspension of the credit would have the desired effect is highly doubtful and uncertain. There are several persuasive arguments to the effect that suspension will have little immediate anti-inflationary effect and may take a year or more to restrain investment spending to any significant degree.

The reason most often given for believing that suspension of the credit would have a small immediate impact is that there is a substantial lag between original capital authorization or appropriation—the go-ahead sign given by a firm for capital construction to begin—and the completion of most productive facilities, when the credit can actually be taken. This lag has been variously estimated, but 9 or 10 months seems to be most generally accepted. Secretary of the Treasury Fowler estimated in February that suspension of the credit would tend to restrain those projects which might be in the process of construction and operation a year and a half or two years from the date of the suspension.

Further evidence backing up the theory of a substantial lag in impact is given by a recent runthrough of the Wharton Business School econometric model. The model showed that if the credit were suspended in the current quarter, the result would be a reduction of only $400 million in the annual rate of gross national product in the second quarter of next year. By comparison, a $2 billion income tax increase would cut annual GNP growth by $3 billion, while a $2 billion reduction in non-defense spending would reduce it by $4.4 billion.

Dr. Richard M. Bird of Harvard University studied the effects of counter-cyclical changes in tax measures resembling the investment credit in the United Kingdom during the 1950's and found any effects of increases or decreases in the credit doubtful. There was evidence that increases in the investment allowances were effective to some degree in stimulating capital investment, but only with a lag of some 9 months. Decreases in the investment allowances seemed to have had little effect, if any, in curbing investment.

Finally, during hearings last March of the Joint Economic Committee's Subcommittee on Fiscal Policy concerning tax changes for short-run stabilization, 8 witnesses opposed the use of the credit as a counter-cyclical device primarily because of the lag problem, while only 4 supported it. It is significant that in its report, the Subcommittee ignored altogether the use of the investment credit as a short-run stabilization tool.

Because of the lag in impact, suspension of the credit may not only fail to reduce current inflationary pressures, but it may dampen capital investment late next year when investment incentives may be needed as a result of a decline of economic activity. A National Industrial Conference Board survey of the 1,000 largest manufacturers in the United States shows they expect to make capital appropriations of $12.4 billion, seasonally adjusted, in the second half of 1966, down from $13.3 billion in the first half. It is estimated by the Board that the money is actually spent 4 to 5 quarters after it is appropriated, indicating a downturn in capital spending in the latter part of 1967, the first such drop in this indicator since 1961. Economists surveyed at the annual meeting of the American Statistical Association last month estimated that capital spending growth will drop from 17 percent in 1966 to 5.6 percent in 1967, and that the gain in industrial production will decline from 8.3 percent to 4.3 percent. If these estimates are correct, we may find Federal fiscal policy dampening investment demand just when deflationary forces are beginning to make themselves felt.

Beyond the question of whether the suspension would be effective in restraining current inflation, there is evidence that suspension could well have inequitable and injurious effects on the economy. The most productive way to fight inflation is to increase efficiency and the means of supplying growing demand. This should also be a long-run objective of economic policy. Any fiscal measure which unnecessarily interferes with increasing productivity and productiveness is detrimental to the health and growth of the economy.

Finally, some—perhaps most—of the businesses planning to invest before the suspension was proposed will continue to make commitments for productive equipment because the prospects of profitability outweigh the costs of losing the credit. These groups must now turn to the money market to borrow the difference between funds originally available under the investment credit and what will be available after suspension. The effect could be to put even further upward pressure on interest rates.

While on this subject, it should be noted that if the Federal Reserve eases monetary policy and works to reduce interest rates, as the President suggested in his recent message, investment demand will be further stimulated. In spite of any restraining effects which suspension of the investment credit may have, business will react to lower rates and greater availability of funds by increased borrowing and capital spending. It has been estimated that the investment credit is equal to about a one percent reduction in interest rates. Reduction of interest rates to anywhere near this degree would counteract any dampening effects of the suspension. It would be well to wait until fiscal restraint takes visible hold on the economy before monetary policy is eased.

Another inequitable side effect is the selective nature of the impact which suspension would have on business. Those industries which normally receive a large benefit from the investment credit, such as the airline and steel industries, will be hurt relative to those industries which have not received such benefits. Newer firms, which rely on the credit as a source of much-needed capital, will be placed at a further disadvantage relative to larger and better established firms which can more easily obtain funds for investment internally and externally.

There is a critical role the investment credit may well be playing in the prosecution of the Vietnam war. During World War II and the Korean conflict, one of the first things that was done was to pass legislation providing for rapid amortization for facilities needed for war production, since the length of the profitable life of such facilities is very uncertain. It is interesting that in the Vietnam conflict, we have been able to take up the very great strain on capacity expansion related to war purposes without any special legislation. If the investment credit is suspended, some sort of special provisions may be needed to provide for war facilities.

The primary argument advanced by the Administration in proposing the credit in 1961 was that the United States had fallen behind Western Europe and Japan in the modernization of productive equipment. The reason given, and still applicable today, was that foreign tax treatment of business provides greater incentives to business expansion and capital equipment replacement than our own laws do. The credit was a means of resolving this inequity and helping our balance of payments by encouraging greater productivity and lower prices for U.S. exports. It would seem that now when our trade surplus fell in the second quarter of this year to its lowest level since 1963, would be the worst possible time to remove an incentive to lowering productive costs and increasing competitiveness.

Finally, there is the question of the effect of reinstatement of the credit on investment. In 1962, business support was won over from original skepticism by Administration promises that the credit would be a permanent part of the tax code. Business feared that the device would be looked upon as particularly suited to counter-cyclical manipulation and thus would play havoc with business planning. Business prospects are hazy and uncertain enough without having the estimated return on an investment pushed up or down at the will of the Administration. The Administration would then be breaking faith with the business community if the credit were suspended, and it is doubtful that business will look with particular favor upon reinstatement of the credit after having its original fears borne out.

On the other hand, suspensions with a statutory date for reinstatement may have different, yet still undesirable economic effects. If business believes that the credit will be reinstated in January 1968, as the President calls for, an "investment vacuum" between now and that date could well occur to the extent the credit does affect investment planning. Business may begin to postpone substantial capital outlays until after the reinstatement date, causing a larger than anticipated decrease in investment demand. If this occurs, there could then be a significant economic setback and a subsequent disruptive scramble for investment funds and equipment when the credit is reinstated.

As was mentioned earlier, the investment credit does not apply to buildings. The Administration proposes to restrain building demand by suspending the application of accelerated depreciation allowances to structures. The suspension of accelerated depreciation would seem to be even more disruptive to business operation and planning than suspension of the credit, since depreciation procedures are an integral part of business cost determination. The same arguments presented against suspending the investment credit to reduce current inflationary pressures can be applied to suspension of accelerated depreciation as recommended by the President.

To recapitulate, the position of this paper has been that suspension of the investment credit will provide little immediate restraint of current inflationary pressures. Restraint may begin to take hold next year when stimulation might be needed. In addition, the suspension of the investment tax credit could well have seriously damaging effects on productivity, the U.S. balance of trade, and long-run economic growth.

[From Newsweek, Oct. 3, 1966]

THE WRONG TAX INCREASE

(By Henry C. Wallich)

A wrong step in the right direction has finally been taken by the Administration with its much-discussed proposal to suspend the investment tax credit. For almost a year now, this overheated economy has been thirsting for the cooling draft of a tax increase. Reluctant to move in an election year, the President and his advisers have sat on the fence so long that the iron must have entered their souls. Now at long last, the perfect pre-election tax increase has been discovered: the suspension of a tax credit which would hit business, the whole of business, big and small, and nothing but business.

A good and courageous step would have been to accompany this proposal with an across-the-board increase in the personal and perhaps the corporate income tax. Corporate profits are very high and can stand a cut. An across-the-board tax increase would have been a neutral measure, equally unpopular with everybody. A good many economists have been advocating it. It would have been the right choice for a wise tax administrator, who ought to be impervious to unpopularity but not insensitive to constructive criticism.

PROVISIONAL PERMANENCE

Instead, a very one-sided proposal has been framed. It may be good politics. But its first effect, even before it is enacted, is to discredit the new economics, which should rely on neutral tax changes for stabilizing the economy. One must now anticipate that in election years the new economics will not work if higher taxes are called for. The increase will be delayed too long, or the wrong kind of taxes will be raised. The experience makes one wish that fiscal policy could be turned over to the Federal Reserve, which does not need to worry about elections.

The suspension of the tax credit and of accelerated depreciation on structures is intended to be temporary; it should end after sixteen months. Hopefully, the proverbial tendency of the provisional to outlast the permanent will not assert itself this time. Secretary Fowler has been impressively firm on this. But when the investment tax credit comes up for resurrection in 1968, it will once more be an election year. Will the Administration be able to hand this "give-away" to business without some tax sweetener for labor? If that should become the nature of our tax cycles, a few rounds could materially distort the entire tax structure.

The one-sided attack upon business investment must be faulted on the ground also that it does not work fast enough. An income-tax increase would bite immediately. The suspension of the investment credit will for many months remain largely a bark, since projects already on order are to be exempted.

ESCALATION?

Timing is the essence of the problem. We have waited far too long—inflation is already a fact, and next year's excessive wage increases are almost as good as fact. It may be too late to move even now. If the war does not accelerate, the economy a year from now may be showing signs of fatigue. That is just about when the results of the proposed measures will be coming into full bloom.

If the war has to be accelerated, on the other hand, the present proposal will be not only too late, but too little as well. A bigger tax dose will then be needed. It should be administered as soon as possible, although the prospect that a special session of Congress might be called before budget time next January seems remote. A solid tax increase will be needed also to strengthen waning confidence abroad in the soundness of the dollar. We shall have to prove that we are willing to hurt in defense of our currency.

If these insights into the outlook can be taken as approximately valid, the Administration's decision to raise business taxes now, however modestly, could well be a tip-off on military planning. Turn it as one may, the action points toward escalation. The eve of an election is no time for an administration to say this in so many words. But some actions speak louder. If a leveling of the war were anticipated, surely the news would not be withheld. Instead, a tax proposal is offered that makes little sense unless escalation is ahead. We shall be told after the election in any event, but we might as well face it now.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, is there an amendment pending?

The PRESIDING OFFICER. The amendment of the Senator from Delaware [Mr. WILLIAMS] is pending.

Mr. WILLIAMS of Delaware. Mr. President, I withdraw this last amendment.

The PRESIDING OFFICER. The amendment of the Senator from Delaware is withdrawn.

Mr. LONG of Louisiana. Mr. President, I send to the desk an amendment.

The PRESIDING OFFICER. The amendment will be stated.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent to dispense with the reading of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment of Mr. LONG of Louisiana is as follows:

On page 17, line 11, strike out "sentence" and insert "sentences".

On page 17, line 17, before the quotation marks insert: "In the case of section 38 property which (i) is leased after October 9, 1966 (other than pursuant to a binding contract to lease entered into before October 10, 1966), (ii) is not suspension period property with respect to the lessor but is suspension period property if acquired by the lessee, and (iii) is property of the same kind which the lessor ordinarily sold to customers before October 10, 1966, or ordinarily leased before such date and made an election under this subsection, the lessor of such property shall be deemed to have made an election under this subsection with respect to such property."

On page 16, insert after line 10 the following:

"(15) Certain replacement property.—Paragraph (1) shall not apply with respect to property to the extent it is placed in service by the taxpayer to replace property which was

"(A) destroyed or damaged by fire, storm, shipwreck, or other casualty, or

"(B) stolen."

Mr. LONG of Louisiana. Mr. President, this amendment is designed to correct two unintended consequences of the bill before you for consideration. The first provision provides that the effect of suspending the investment credit is not to have any tax effect on a taxpayer who replaces property—destroyed in a casualty—during the suspension period. Under this provision, present law is to continue to apply to allow a taxpayer to replace property destroyed in a casualty and thus avoid the recapture of the investment credit that would otherwise result. Under this provision, a taxpayer may prevent the recapture of the tax credit previously taken with respect to investment property by replacing the property during the suspension period.

The second provision provides that a manufacturer or other supplier of materials who normally sells his products to others cannot overcome the effects of this bill by leasing property—constructed or in the process of construction before the suspension period—during the suspension period. The bill has the same effect on manufacturers, and so forth, who normally lease property and pass on the investment credit. In the absence of this provision, taxpayers who normally sell property and/or lease property and pass on the investment credit could overcome the effects of this bill by leasing the property, claiming the investment credit themselves, and passing the investment credit on to the lessee in the form of a reduced rental. Of course, under the bill before you, the investment credit would not be available if the manufacturer or supplier pursued his normal practice, for in these instances, the buyers or lessees could not claim the investment credit since the property was acquired by them—or in the case of lessees, treated as having been acquired by them—during the suspension period.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had passed the bill (S. 1319) to authorize a work release program for persons sentenced by the courts of the District of Columbia; to define the powers and duties in relation thereto, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 113) to correct an error in the enrollment of H.R. 698.

The message further announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 12047. An act to amend the Internal Security Act of 1950; and

H.R. 16958. An act to authorize the establishment in the District of Columbia of a public college of arts and sciences and a vocational and technical institute.

HOUSE BILL REFERRED

The bill (H.R. 12047) to amend the Internal Security Act of 1950, was read twice by its title and referred to the Committee on the Judiciary.

DEVELOPMENT OF PRACTICABLE AND ECONOMIC MEANS FOR THE PRODUCTION BY THE COMMERCIAL FISHING INDUSTRY OF FISH PROTEIN CONCENTRATE—CONFERENCE REPORT

Mr. BARTLETT. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2720) to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2720) to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the Senate bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That the Secretary of the Interior is authorized to conduct, and through grants to and contracts with public and private agencies to promote studies, research, and experiments designed to develop the best and most economical processes and methods to reduce fish which are in abundant supply and which are not now widely sought after for human food to a nutritious, wholesome, and stable fish protein concentrate, as well as to conduct food technology and feasibility studies with respect to such products.

"SEC. 2. (a) The Secretary is also authorized to construct not to exceed one experiment and demonstration plant for the production of a fish protein concentrate and to acquire by lease one additional plant for such purpose. Such plants shall be designed to demonstrate the reliability and practicability and the economic, engineering, and operating potentials of the processes and methods to reduce fish to fish protein concentrate. Such plants shall be located in such geographical areas as the Secretary determines will demonstrate optimum feasibility from the standpoint of operation, maintenance, and economic potential. The Secretary of the Interior shall not commence construction of or lease any plant pursuant to the provisions of this Act until the Secretary of Health, Education, and Welfare shall have certified that fish protein concentrate produced from whole fish complies with the provisions of the Federal Food, Drug, and Cosmetics Act.

"(b) The Secretary may operate and maintain or contract for the operation and maintenance of such plants. Each operation and maintenance contract shall provide, in addition to such terms and conditions as the Secretary deems desirable, for the compilation by the contractor of complete records, including cost data, with respect to the operation, maintenance, and engineering of the plants. The records so compiled shall be made available to the public and to the Congress by the Secretary at periodic and reasonable intervals. Access by the public to the plants shall be assured during all phases of their operation subject to such reasonable restrictions as to time and place as the Secretary may require or approve.

"(c) All contracts entered into pursuant to subsection (b) of this section shall include a clause to the effect that the Comptroller General of the United States or any of his duly authorized representatives shall until the expiration of three years after final payment have access to and the right to examine any directly pertinent books, documents, papers, and records of the contractor or any of his subcontractors engaged in the performance of and involving transactions related to such contracts or subcontracts.

"(d) Each plant constructed or leased under this Act, and its equipment, upon the expiration of a period deemed adequate by the Secretary for experiment and demonstration purposes, shall, as promptly as practicable, be disposed of in accordance with the applicable provisions of the Federal Property and Administrative Services Act of 1949, as amended.

"(e) The Secretary may acquire lands or interests therein, patents, licenses, technical data, inventions, secret processes, supplies, and equipment by purchase, license, lease, or donation to carry out the provisions of this section.

"Sec. 3. There is authorized to be appropriated not to exceed $1,000,000 for the construction of one experiment and demonstration plant. There is also authorized to be appropriated not to exceed $1,555,000 annually for a period of five fiscal years, beginning with the fiscal year 1968, for the leasing of one additional experiment and demonstration plant, for the operation and maintenance of experiment and demonstration plants leased or constructed under this Act, and for conducting the program authorized by this Act. Sums appropriated under this section are authorized to remain available until expended. Nothing in this Act shall be construed to amend, repeal, or otherwise modify the authority of the Secretary of the Interior to carry out fish protein concentrate research under any other provision of law.

"Sec. 4. The Secretary shall cooperate with public and private agencies, organizations, institutions, and individuals in carrying out the program authorized by this Act.

"Sec. 5. The authority of the Secretary under this Act shall expire at the expiration of five years from the date of enactment of this Act."

And the House agree to the same.

That the House recede from its amendment to the title of the Senate bill.

Alton Lennon,
Harlan Hagen,
Thomas N. Downing,
Thomas M. Pelly,
Hastings Keith,
Managers on the Part of the House.

E. L. Bartlett,
Warren G. Magnuson,
Winston L. Prouty,
Managers on the Part of the Senate.

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MUSKIE. Mr. President, I wish to speak in support of this legislation designed to provide a new and effective weapon against world hunger.

I fully support this legislation. I testified in support of the bill in hearings held before the Senate Commerce Committee. I believe that FPC provides the key to utilization of a vast protein food potential, unharvested fish from the oceans.

I regret that the House did not support the Senate recommendation of five pilot plants. The construction of one plant and operation of one leased plant is not, in my opinion, sufficient to get the job done. Much research needs to be undertaken before the cost of production can be brought to the point where it is economically feasible.

The engineering feasibility of bringing the cost of production as low as 14 cents a pound has been developed. Extensive practical experimentation must be conducted before this result can be achieved.

Adoption of the Senate bill would have permitted the construction and maintenance of five plants placed in localities where operations would yield maximum information and guidance for the establishment of a full-scale industry.

The pending bill is not adequate to accomplish the job. I am hopeful that the Senate Commerce Committee will reconsider this entire issue in the 90th Congress. I plan to introduce legislation to authorize Government operation of three additional plants. With the recent discussions concerning a worldwide food shortage, it is obvious that this is an investment which should and must be made.

Mr. BARTLETT. Mr. President, I move the adoption of the conference report.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

AMENDMENT OF FEDERAL HAZARDOUS SUBSTANCES LABELING ACT

Mr. MAGNUSON. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to the bill (S. 3298) to amend the Federal Hazardous Substances Labeling Act to ban hazardous toys and articles intended for children, and other articles so hazardous as to be dangerous in the household regardless of labeling, and to apply to unpackaged articles intended for household use, and for other purposes.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 3298) to amend the Federal Hazardous Substances Labeling Act to ban hazardous toys and articles intended for children, and other articles so hazardous as to be dangerous in the household regardless of labeling, and to apply to unpackaged articles intended for household use, and for other purposes, which were, on page 1, strike out lines 3 and 4; on page 2, line 1, after "HAZARDOUS", insert "SUBSTANCES"; on page 2, line 4, after "Hazardous", insert "Substances"; on page 2, line 25, strike out "thereto." ", and insert "thereto".", and on page 8, strike out all after line 25 over through and including line 4 on page 17.

Mr. MAGNUSON. Mr. President, the House made one substantive change in the bill; namely, the deletion of title II, which would have established a National Commission on Hazardous Household Products.

The ranking minority member of the committee, the distinguished senior Senator from New Hampshire [Mr. Cotton], and the Senator from Washington had cosponsored title II, and we are keenly disappointed at the action of the House. But in view of the imminent adjournment of Congress and the lack of time for a full and free conference on the bill, we are, reluctantly, going to move concurrence in the House amendments so that title I may become law at the earliest possible date. I might add for the benefit of the Senate, however, that Senator Cotton and the Senator from Washington plan to reintroduce title II immediately after the 90th Congress convenes, and it will have priority consideration by the Committee on Commerce.

Mr. President, I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Washington.

The motion was agreed to.

SUSPENSION OF INVESTMENT CREDIT

The Senate resumed the consideration of the bill (H.R. 17607) to suspend the investment credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. LONG of Louisiana. Mr. President, I yield 7½ minutes to the Senator from Ohio [Mr. Lausche].

Mr. LAUSCHE. Mr. President, in the 10 years of my service on the Committee on Commerce, each year there has been a discussion of the shortage in railroad boxcars. A pointed discussion has raged as between the interests of the Western States and those of the Eastern States. This year, we adopted a bill trying to, in a measure, solve that problem.

My purpose in speaking now is to give to Senators a bit of background or statistical information about the boxcar shortage.

On Wednesday, September 16, 1964, 2 years ago, Mr. Robert L. Murphy, Commissioner of the Interstate Commerce Commission, in an address before the Southern Traffic League, made the following statements:

> The railroads just don't own enough cars to adequately meet present-day requirements, to say nothing of the vastly augmented car supplies that will be required to meet the nation's rapidly expanding population and economy. Most critical, however, is the fact that this car supply is wholly inadequate to meet the needs of national defense.

That is a statement made on September 16, 1964. On June 25, 1965, the Secretary of Commerce, John T. Connor, wrote a letter to the Senator from Washington [Mr. MAGNUSON], chairman of the Committee on Commerce. In the last paragraph of that letter, he stated.

> Any incentive program that will encourage and assist the railroads of the United States to develop a rail car supply position to meet current peacetime demands of the national economy will, of course, concurrently improve the capability to meet the national defense needs.

I now come to a statement that is rather dramatic and pointed, and in my opinion most effective.

On September 27, 1966, Commissioner Virginia Mae Brown of the Interstate Commerce Commission addressed the Delta Nu Alpha Transportation Fraternity. In that address, this member of the Interstate Commerce Commission made the following dramatic statement:

> By 1975, it is predicted——

Mr. MORSE. Mr. President, may we have order? I cannot hear the Senator.

The PRESIDING OFFICER. The Senator from Ohio will suspend until order is restored.

The Senate will be in order.

The Senator may proceed.

Mr. LAUSCHE. I repeat:

> By 1975, it is predicted that we will require a 50 per cent increase in railroad freight service. Can the railroads handle a 50 per cent increase in business? Will they have enough freight cars to do the business, or will truckers and airfreighters have driven or flown off with a still bigger chunk of freight business? Railroads can't handle present traffic demands. There is currently a serious shortage of cars of virtually all types, and especially boxcars.

I ask special attention to what this lady says next:

> At this time, they are using any type of equipment available. Cattle cars are being converted into grain cars. Coal cars are being cleaned and equipped with burlap to prevent leakage of grain. The government has called for a 15 per cent increase in wheat production next year. How are we to handle it?

I have made this statement with the purpose of demonstrating that there is a difference in the merits of the arguments made about the truckers and the airlines and all of the other segments of our economy, which are asking to be exempted from this bill, and the situation of the railroads. Nevertheless, though I based my vote on this statement, I am sorry that there was one exception made, because that exception has led to this avalanche of demands by other industries to be exempted.

I thank the Senator for yielding to me.

The PRESIDING OFFICER. Who yields time?

Mr. LONG of Louisiana. Mr. President, I yield back the remainder of my time on the amendment.

The PRESIDING OFFICER. All time having been yielded back, the question is on agreeing to the amendment of the Senator from Louisiana.

The amendment was agreed to.

Mr. DIRKSEN. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The assistant legislative clerk proceeded to read the amendment.

Mr. DIRKSEN. Mr. President, I ask unanimous consent to dispense with further reading of the amendment.

The PRESIDING OFFICER. Without objection, it is so ordered.

The amendment of Mr. DIRKSEN is as follows:

At the appropriate place in the bill insert the following:

"SEC. —. PROFESSIONAL FOOTBALL LEAGUES.

"(a) Section 501(c)(6) of the Internal Revenue Code of 1954 (relating to exemption of business leagues, boards of trade, etc.) is amended by striking out 'or boards of trade' and inserting in lieu thereof 'boards of trade, or professional football leagues (whether or not administering a pension fund for football players),'.

"(b) Section 512(b) of such Code (relating to unrelated business taxable income) is amended by adding at the end thereof the following new paragraph:

" '(15) There shall be excluded all income derived from promoting or sponsoring any professional football game if such promotion or sponsoring does not occur more than four times during the taxable year with respect to any team.'

"(c)(1) Section 1 of the Act of September 30, 1961 (75 Stat. 732; 15 U.S.C. 1291) is amended by adding at the end thereof: 'In addition, such laws shall not apply to a joint agreement by which the member clubs of two or more professional football leagues, which are exempt from income tax under section 501(c)(6) of the Internal Revenue Code of 1954, combine their operations in expanded single league so exempt from income tax, if such agreement increases rather than decreases the number of professional football clubs so operating, and the provisions of which are directly relevant thereto.'

"(2) Section 2 of such Act is amended by striking out 'described in section 1' and inserting in lieu thereof 'described in the first sentence in section 1'.

"(3) Section 3 of such Act is amended (A) by striking out 'Section 1 of this Act' and inserting in lieu thereof 'The first sentence of section 1 of this Act'; (B) by striking out the word 'intercollegiate' the first and last time it appears in such section and inserting in lieu thereof 'intercollegiate or interscholastic'; (C) by striking out the words 'daily newspaper of general circulation prior to March 1' and inserting in lieu thereof 'newspaper of general circulation prior to August 1'; (D) by redesignating paragraph (2) as paragraph (3); (E) by striking out the word 'and' at the end of paragraph (1) and inserting in lieu thereof the word 'or'; and (F) by adding after paragraph (1) the following new paragraph:

" '(2) in the case of an interscholastic football contest, such contest is between secondary schools, both of which are accredited or certified under the laws of the State or States in which they are situated and offer courses continuing through the twelfth grade of the standard school curriculum, or the equivalent, and'.

"(d) The amendments made by subsections (a) and (b) shall apply to taxable years ending after the date of the enactment of this Act."

Mr. DIRKSEN. Mr. President, I would like to give some background information on the professional football merger bill which was passed by the Senate on September 26, 1966, referred to the House Judiciary Subcommittee for Hearings which yesterday continued questioning Commissioner Pete Rozelle of the National Football League. The hearing was called off abruptly by point of order that the House was in session. No date certain was given for continuation of the hearings even though one member of the House committee indicated that he wished to question Mr. Rozelle further. Chairman of the Federal Trade Commission, Paul Rand Dixon, who was in the audience to testify did not have an opportunity to do so but will be called later. Mr. Donald Turner, head of the Antitrust Division, will be called also. According to the information received by me, Chairman CELLER has indicated that he wishes to hear from the Columbia Broadcasting System and the National Broadcasting System which televise the National Football League and American Football League games respectively. He desires to hear representatives from high schools, colleges, and the football players' associations. This, of course, indicates that it is impossible for the House of Representatives to act on this proposed merger bill during this session although it was unanimously approved by the Senate Judiciary Committee and passed without objection by the Senate, because of the extensive time taken in the passage of S. 950 on August 31, 1965.

Historically, in 1957 the House passed a sports bill exempting professional team sports—football, baseball, basketball, and ice hockey from the antitrust laws. The Senate Antitrust and Monopoly Subcommittee held hearings but it was pigeonholed in subcommittee. Although the bill was reintroduced in each succeeding Congress, it was not until August 31, 1965, that S. 950 passed the Senate and was referred to the House of Representatives. Although this was approximately 14 months ago no hearings have been called by the House Judiciary Subcommittee. Although the merger of the two football leagues and other collateral issues were raised in previous hearings on the sports bill, the official announcements of the proposed merger between the National Football League and the American Football League did not occur until this summer. When it appeared that S. 950, the Professional Team Sports bill, would not be passed in the House of Representatives, Members of the Senate introduced S. 3817 which would make the proposed merger between the NFL and AFL immune from the antitrust laws.

It should also be noted in background information that in order to protect some professional football teams from financial failure the Congress of the United States passed Public Law 87–331 which gave immunity to professional team leagues to collaborate in obtaining a television contract to televise the leagues' professional games with certain limitations protecting college football. Under the proposed bill, S. 3817, this 1961 law, 87–337, will be amended to give the same protection to the high schools that is now enjoyed by the colleges.

Mr. President, the Senate passed the Professional Teams Sports bill, S. 950, in 1965 and the Professional Football Merger bill recently, but the House has failed to act on S. 950 and cannot possibly act on S. 3817, thus, the Senate should pass the pending amendment.

That is the purpose of the amendment, and since it is a tax measure, I offer it to the investment tax bill.

Mr. PROXMIRE. Mr. President, will the Senator yield?

Mr. DIRKSEN. I yield.

Mr. PROXMIRE. Is this measure identical to the bill that was passed by the Senate earlier this session?

Mr. DIRKSEN. The Senator is correct.

The PRESIDING OFFICER. Who yields time?

Mr. DIRKSEN. Mr. President, I yield to the Senator from Louisiana.

Mr. LONG of Louisiana. Mr. President, it is my understanding that the amendment would clarify the existing tax law with regard to the professional football leagues. It would provide that the fact that a league has a pension plan does not cause that league to become taxable in any different fashion than if it had no pension plan. It would be treated in the same way as would a trade, or other association.

The amendment would provide that teams can play four charity games without the income from those games being regarded as unrelated business income. We think that is the law anyway, but there is some doubt about it. It would be well to clarify than provision.

The amendment also provides that the professional football leagues would not televise football games on Friday nights. If they were to do that, they would be in competition with the high school football teams, and the high school football teams cannot very well meet that competition.

The measure also provides that the merger of the leagues can be carried out with respect to everything except the two revenue aspects.

This is what the Senate has done twice.

Mr. DIRKSEN. The Senator is correct.

Mr. LONG of Louisiana. We have sent this to the House twice so far and have had no success in getting the House to talk with us.

The Senator offers the amendment in the hope that we can discuss the matter with the House in the event the Senate sees fit to accept the amendment.

Mr. DIRKSEN. The Senator is correct.

Mr. LONG of Louisiana. The main purpose of what the Senator seeks to do is to do what the Senate has done twice already in this session.

I, for one, hope that we can accept the amendment because insofar as this Senator can help to carry out what the Senate has twice tried to do, he would like to do it.

For one reason, it is my hope that in the event the leagues are merged, New Orleans might be able to obtain a franchise.

Mr. DIRKSEN. Mr. President, I yield back the remainder of my time.

Mr. LONG of Louisiana. Mr. President, I yield back the reminder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Illinois. [Putting the question.]

The amendment was agreed to.

The PRESIDING OFFICER. The bill is open to further amendment.

The Senator from Georgia is recognized.

SENATE LUNCHEON FOR THE PRESIDENT OF THE UNITED STATES

Mr. RUSSELL of Georgia. Mr. President, today at the very delightful luncheon given by the distinguished majority and minority leaders in honor of the President of the United States, practically every Senator who was in town was in attendance.

It was a heartwarming affair in many ways. There were also a number of other interesting features.

I was particularly impressed, Mr. President, by the statement made by the majority leader relative to the Senate and its aspects as a legislative body and his hail and farewell to the Members of the Senate who will leave at the end of this session of the Senate.

I ask unanimous consent that the remarks of the distinguished majority leader, the senior Senator from Montana, may be printed at this point in the Record.

There being no objection, the remarks were ordered to be printed in the Record, as follows:

Statement of Senator Mike Mansfield (Democrat, Montana) at the Luncheon for President, Room S-207, The U.S. Capitol, 12:30 P.M.

In a few days, we hope to close down the 89th Congress. If all goes well and we are not compelled, Mr. President, to return for an additional session after the elections, the end of the Senate, in its current composition is very close.

When the Senate resumes in January, it will be the same Senate and yet not the same. It is the Senate as an institution which is continuous and enduring, not Senators. At the end of each Congress, additions and subtractions are made. Indeed, the transition between the Senate of the 89th and the 90th already involves this basic arithmetic.

I speak of changes which have already taken place or which we know must take place. I speak of Senators who were a part of the Senate of the 89th Congress but who are not now in the Senate. I think of a Senator from Virginia, Harry F. Byrd. I think of a Senator from South Carolina, Olin D. Johnston. I think of a Senator from Michigan, Pat McNamara. Each in his own humble yet magnificent way served his state and the nation. All of them were Senators in the most meaningful sense of the word and in the finest traditions of the Senate. They were decent human beings of the deepest understanding and of the greatest dedication to the United States of America.

I speak, too, of those Senators who will retire at the end of the year. They are men and a woman with whom we have agreed and with whom we have disagreed, with whom we have debated, and with whom we have compromised throughout this session, if not for many sessions. But whether Republicans or Democrats, whether in the Senate for many years or a few, they have all been trusted colleagues, warm friends and steadfast associates. They are linked with us, as they are with the 1,600 or more men and women who have served in the Senate since its beginnings, in a continuum of vital Constitutional service which has been fundamental to the building and preservation of the nation.

As they leave the Senate—Senators Willis Robertson of Virginia, Leverett Saltonstall of Massachusetts, Maurine Neuberger of Oregon, Milward Simpson of Wyoming, Ross Bass of Tennessee, and Donald Russell of South Carolina—I say to all of them for all Senators: You hold a permanent place of deep affection and profound respect in our hearts. You shall be greatly missed. You will be here even when you are no longer here. And to all of you, our very best wishes for all the years which lie ahead.

COMPENDIUM OF STATEMENTS ISSUED BY THE JOINT REPUBLICAN LEADERSHIP OF CONGRESS FOR THE LEGISLATIVE YEAR 1966—PRINTED AS SENATE DOCUMENT

Mr. DIRKSEN. Mr. President, it has been customary throughout the legislative year for the Joint Senate-House Republican leadership to meet in conference and thereafter to hold a press conference and to render some written statements which we carefully document and keep together so that they can be offered at the end of the legislative period and printed in the Congressional Record and then printed as a document.

Mr. President, I ask unanimous consent to have printed at this point in the Record a compendium of all those statements for the legislative year 1966, and that they be printed as a document.

The PRESIDING OFFICER. Is there objection? There being no objection, it is so ordered.

There being no objection, the compendium was ordered to be printed in the Record, as follows:

Foreword

This legislative year marks the sixth year of existence of the Joint Senate-House Republican Leadership, now identified as the Republican Leadership of the Congress, established at the suggestion of former President Dwight D. Eisenhower in January of 1961.

As before, the format of communication from the Leadership continues to be the issuance of policy statements on subjects of both foreign and domestic significance. These statements have, on eighteen regular occasions since January, taken the form of press conference appearances by Senator Dirksen and Representative Ford. In addition, press releases have been issued separately from these conferences by the Leadership and, from time to time, by individual members of the Leadership.

As has been true of Leadership meetings, Republican National Committee Chairman Ray C. Bliss also presided over the quarterly meetings of the Republican Coordinating Committee, an assembly composed of General Dwight D. Eisenhower, former Republican Presidential candidates Alf M. Landon, Richard M. Nixon and Barry Goldwater, the Republican Leadership of the Congress, and representatives of multiple other Republican organizations.

During this past Congressional session the Coordinating Committee held three sessions, maintained 6 task forces and approved and published nationally 13 task force reports. The Republican Coordinating Committee continues as an increasingly positive force in the examination of Party policies and Party operations. Its proposals and task force recommendations represent strong and consistent evidence of Republican thought and action.

As in previous years, the Leadership statements for 1966 are being published as a Senate document. They appear on the following pages and are indexed as to the issue covered.

Budget—Issued Following a Leadership Meeting, March 10, 1966

STATEMENT BY REPRESENTATIVE FORD

The Johnson-Humphrey Administration has been less than fully candid with the American people and the Congress about its spending programs. Its budget explanations have been far from concise and clear.

For three years the budgets have been consistent in two matters—they have contained built-in deficits and they have failed to establish priorities.

During this time the war in Viet Nam has escalated but there was little effort through the budget to set priorities for future needs. The result has been a multitude of sizeable supplemental appropriations.

This year's budget is $13 billion higher than the one submitted a year ago. The President says, however, it contains a deficit of "only" $1.8 billion. What he has failed to tell the American people is that this small deficit is fiscal chicanery. He has cut from this budget some $200 million in popular programs which he knows the Congress will undoubtedly restore. He has grossly understated the needs of the Defense Department for fiscal 1967. He also fails to mention that $5.2 billion of his added revenue is a one-year proposition only. The government will gain in this one year $1.6 billion from coin clippings by removing silver from our coinage and another $3.6 billion from the speedup in tax collections.

In presenting his budget the President said that despite fighting in Viet Nam the war on poverty must also be escalated. For this he asked an increase of $300 million in antipoverty funds. And yet, on March 8, his antipoverty director informed the Congress the poverty war is being curtailed because of the Vietnamese fighting.

The budgets with their yearly deficits have helped breed inflation and yet the Administration scoffs at inflation. With high taxes, high prices, high spending, high deficits—the Great Society has become the High Society.

It is time for the Johnson-Humphrey Administration to present precise, more realistic figures and candid budgetary estimates to the American people so that they may judge truly how much they are spending to meet the Administration's vast commitments here and abroad.

STATEMENT BY SENATOR DIRKSEN

The Johnson-Humphrey Administration has failed to reassure the American people and the Congress concerning inflation, the war in Viet Nam, and its future tax programs.

Inflation is mounting at a rapid rate due in large part to fiscal and budgetary policies of the Johnson-Humphrey Administration. Prices vary from day to day but continue to move higher and higher. This affects not only the public but the purchase of goods and services by the government as well.

The war in Viet Nam is escalating but the Administration has not informed the American people how big it will get nor how costly it will become.

Excise tax cuts given by Congress a year ago are being rescinded at the request of the Johnson-Humphrey Administration. There is continued talk of new tax increases to come later this year.

Perhaps the most dangerous sign of a new Johnson-Humphrey power grab has been the floating of "trial balloons" on standby or emergency powers for the President to raise or lower taxes and perhaps impose direct wage and price controls at will.

Republicans take sharp issue with this proposal. The Congress should not further abdicate its Constitutional taxing responsibility. Republicans are unalterably opposed to granting standby taxing powers, or standby wage and price control authority to the President.

For these reasons, the Joint Senate-House Republican Leadership strongly endorses a resolution adopted by the Senate Republican Policy Committee on March 8. That Resolution reads in part as follows:

"Resolved: In view of the clear language of article I, section 8 of the United States Constitution we are unalterably opposed to granting to the President of the United States any standby, emergency or other authority to raise or lower taxes."

Congress—The Minority Role: Issued Following a Leadership Meeting, September 22, 1966

STATEMENT BY REPRESENTATIVE FORD

Mr. President, our Question-of-the-Week:

Can We Afford Your Automatic-Democratic Congress?

This may be, in some respects, a push-button world. It may be, in some respects, a computer civilization. It may be, here and there, that the rubber stamp has its proper place and function. But, the push-button, the computer and the rubber stamp wielded in the White House have not yet won the approval of the American people where their Representatives and Senators in the Congress are concerned.

Does the Johnson-Humphrey Administration want not only a blank check but push-button, computerized, rubber stamp voting in the Senate and in the House? This the American people will no longer tolerate.

Proof positive of this Administration's push-button psychology is the voting record of those forty-five freshman Democrats, elected in 1964 from districts formerly Republican, whose automatic responses to the wishes of the Johnson-Humphrey Administration are recorded for all to see.

Item: On reduction of foreign aid (authorization), 1965. This was defeated by 41 votes. 38 of these were automatic-Democratic freshman votes.

Item: On foreign aid authorization (recommittal), 1966. Recommittal failed by 2 votes. 36 of the automatic-Democratic freshmen voted against recommittal.

Item: On anti-poverty program expansion (recommittal). Recommittal was defeated by 49 votes. 39 of these were automatic-Democratic freshman votes.

Item: On the repeal of 14B—the right to work. The bill passed by 18 votes. 41 votes for it were automatic-Democratic freshman votes.

Item: On rent subsidies (recommital). The margin was 8 votes. 36 automatic-Democratic freshmen voted to keep this bill alive.

Says Fortune Magazine (September, 1966): ". . . those forty-five provided the saving margin for a number of the more expansive and expensive Administration programs . . ."

This automatic-Democratic response by new members of the House was echoed by that of the rest of the top-heavy Democratic majority in the House. The push-button, the computer, the rubber stamp wielded by the Johnson-Humphrey Administration were in full force in every instance. The result: a travesty on the legislative process, a gross disservice to the will and the wishes of the American people.

No free society can long survive dominance by an unthinking computer, nor dominance by an unthinking, unrestrained, top-heavy legislative majority. This Democratic Congress, with its 294 to 139 majority in the House and its 67 to 33 majority in the Senate, has lost its independence. It is the tool of the Johnson-Humphrey Administration. The Administration and this Democratic Congress must bear full and joint responsibility for the failures and the continuing problems we face. This fact cannot be contradicted. Its simple arithmetic cannot be argued.

In our great tradition, the will of the majority must prevail, yet the will of the minority must both be respected and remain vital if, as has invariably happened in world history, an overwhelming majority, seeking unreasoning power, is not to silence, subdue and then suffocate the essential minority.

We cannot believe for a moment that the American people will any longer accept a push-button Congress or consensus by computer. We believe they agree increasingly that only in a healthy balance of numbers and opinions can this free land survive and prevail.

Therefore, Mr. President: Our Question-of-the-Week:

Can We Afford Your Automatic-Democratic Congress?

STATEMENT BY SENATOR DIRKSEN

Mr. President, our Question-of-the-Week:

Can We Afford Your Automatic-Democratic Congress?

Seldom has the hypocrisy of numbers been better illustrated than in the voting during this past week on the Civil Rights bill. The Republican minority and its Leadership in the Senate have been indicted and damned by the Johnson-Humphrey Administration and its Democratic majority for having killed the Civil Rights bill. How, conceivably, can men of intelligence and good-will so overlook that same simple arithmetic to which Mr. Ford has just made reference?

There are 67 Democrats in the Senate. There are 33 Republicans. This being so, how under Heaven, can it be concluded that the Republicans defeated Civil Rights? Had the Johnson-Humphrey Administration truly wished it, had the Democrats in the Senate truly sought it, the proposed Civil Rights Act of 1966 would, without doubt, at this very moment, be the law of the land. As one writer put it in comment on the classic question of "Who killed Cock Robin?" it had to be a Democratic arrow—not that of the Republican minority.

Happily for the nation's best interest, fortunately for the freedom of the individual, the Republican minority, outnumbered as it was, reflected the will of our people to a degree that made converts of regular Democrats and resulted in a vote that assured the right of every American to preserve the integrity of his own judgment and to determine the future of his own home.

The will of the people in this instance prevailed, but it could never have done so if a determined minority had not made clear the issues involved and in so doing won the respect and the response of many others.

It is unwise, it is dangerous and it can be disastrous, when an overwhelming majority is permitted to prevail without question or hindrance. Only as a majority is repeatedly questioned and checked by a strong minority can the foundations of this Republic be preserved. That we, a present minority, would welcome majority status is undeniable, but until that inevitable day we believe it all-important to the American people that our numbers and our hand be strengthened sufficiently to outlaw forever from Capital Hill the push-button, the computer, the soulless rubber stamp.

Therefore, Mr. President, our Question-of-the-Week:

Can We Afford Your Automatic-Democratic Congress?

Issued Following a Leadership Meeting, March 31, 1966

STATEMENT BY REPRESENTATIVE FORD

There's no longer a "Credibility Gap"—it's become a Credibility Canyon!—and it's widening between the Johnson-Humphrey Administration and the American people with every week that goes by.

Dateline, March 15, the New York Times—"Secretary of the Treasury Henry H. Fowler indicated today that he believed that there had been excessive alarm in business circles about the boom economy."

Dateline, March 23, the New York Times—"President Johnson, citing some decline in business indicators, made clear today that he was not yet convinced that a tax increase was needed to slow down economic expansion and inflation."

Dateline, March 24, the Baltimore Sun—"In a notable exhibition of Administration teamwork, Henry H. Fowler, Secretary of the Treasury, today reiterated what President Johnson said late yesterday—there is no reason at the moment to ask for an anti-inflation tax increase."

And yesterday, March 30, following announcement of a .5% nationwide cost of living increase, the front pages of the press across the country reported that the President favors a 5 to 7 per cent tax rise if one is needed. How do you spell "credibility"? What can we believe?

The Johnson-Humphrey Administration must take about 5 billion dollars annually out of the economy if inflation is to be checked and a recession prevented. It does not have the wish nor the wit nor the will to reduce expenditures, hence it must increase taxes.

The checking of inflation could be achieved, as Republicans have long maintained, by a reduction of wholly unwise Federal expenditures and by other essential fiscal, monetary and economic reforms.

The Johnson-Humphrey Administration has elected the alternative of new taxes.

Dateline, March 30, the Wall Street Journal—"Consumers Boil About Widespread Increases; Many Attempt a Revolt." Whom can we best believe on the high and rising cost of living—America's homemakers and wage-earners or a Democratic Administration that will not see, will not hear, and will not believe these frightening facts of economic life?

The Credibility Gap—Issued Following a Leadership Meeting, June 9, 1966

STATEMENT BY REPRESENTATIVE FORD

James Reston in the New York Times on May 17th last, wrote:

"What he (LBJ) wants is worthy of the faith and confidence of the nation, but this is precisely what he does not have, because his techniques blur his conviction. . . . He is mixing up news and truth. . . . He is confronted, in short, with a crisis of confidence. . . ."

This statement expresses a point of view and a deep regret, both of which we fully share.

On May 25, 1966, nineteen distinguished Republican members of the House of Representatives, including the entire Leadership, catalogued and summarized on the floor of the House the detailed reasons why this crisis of confidence has resulted. We have seen this in almost every aspect of the domestic scene. It has been revealed in the President's Budget messages and management. It has appeared in the War on Poverty. It has emerged relative to the NASA program. It was vivid in wage-price guidepost disputes with labor and with management. It was startling in his action on surplus sales of industrial stockpiles and farm products. It became bewildering in Federal job multiplication figures. It surfaced again in appointments to high level offices. It proved shocking in the President's uncertain assessment of the economy. In all these categories of confidence doubt has developed and the American people have, not at all surprisingly, steadily lost faith in a President who is rapidly losing touch with them. A consensus of no confidence is coming to pass.

Constructively, positively, let it be recorded here and now that the Republican opposition wants with all of its heart and energy to support the President of the United States when he is either right or of the right intent. In such cases it will always do so, but the Republicans in the Congress—and, indeed, the Democrats in Congress as well—cannot know what is right or of right intent in the President's policies unless they have the facts upon which to base their judgments. The facts are all too seldom given us by this Administration.

There are those in this Administration who appear to believe that half-a-truth is better than none. We disagree. Where the American people at home are concerned we must have the whole truth. Where the American people in their foreign interests and national security are concerned, we must be given every fact possible consistent with our safety. Given such facts as to domestic and foreign policy, we in Congress will, with all the people, be reassured that the soundest, the sanest, the best possible decisions will be made in the days to come.

As of this date, as the record so clearly proves, we have not been given and are not being given the vital facts of American life by the Johnson-Humphrey Administration. We do not charge the Administration with falsehood but we do claim it has failed to reveal the whole truth. This being so, this crisis of confidence is inevitable and the consequent danger to the American people is great.

Therefore, our Question-of-the-Week:

Mr. President, what can we believe?

Credibility—Public Trust—Issued Following a Leadership Meeting, September 15, 1966

SENATOR DIRKSEN

Mr. President and Democratic Members of the Congress:

The American people are troubled, confused and terribly uncertain as to the future. Their worry and their uncertainty have their basis in both the actions *and* the inaction of your Administration, to which they look hopefully for a leadership still sadly lacking.

The most recent of the nation-wide surveys of public opinion confirms this fact, indicating clearly that in six vital areas of domestic concern—fiscal and monetary policy, civil rights, the war on poverty, the farm problem, the curbing of inflation, and labor-management relations—less than half of our people have been able to maintain their confidence in you over these many months.

On Thursday last you presented to the Congress and the people a five-point program hopefully designed to cool our nation's growing economic fever and to restore something of the promise a once healthy economy had.

Belatedly acknowledging as "a cruel and unjust tax on all the people" the inflation now raging throughout the country—inflation created in great part by your actions—you indicated, first, an intention to cut all Federal expenditures to the fullest extent possible. Inasmuch as this primary and fundamental brake on inflation was recommended to you by Republicans and documented in detail by us nine months ago, why has this announcement of good intent been so long delayed? Specifically how—specifically where—and specifically when—will you order such budget cuts? Will you demand of your Democrat-controlled Congress that it take the action required on the eight appropriation bills still remaining before it? Will you slow down the multi-million dollar Great Society programs already in your hands? Will you, in short, *act—now?* Republicans stand ready, as always, to help in such actions.

Second, you recommended that the seven per cent investment tax credit be made temporarily inoperative. Could this have any possible effect on our inflated economy for at least another six months? Is your proposal a breach of good faith with the industrial, small business and farm communities?

Third, you recommended suspension of the use of accelerated depreciation on structures started or transferred after September 1 of this year. Do you believe this a factor of consequence in limiting construction activity and costs? Upon what basis was this remarkable conclusion reached? Even if valid, how soon could it have any beneficial effect—if it had any at all?

Fourth, you urged the Federal Reserve Board to lower interest rates and so ease the tight money burden. How odd that your Administration and your Democrats in Congress, allegedly so devoted to low interest rates and loose money should for so long have made high interest rates inevitable by your reckless spending policies and programs!

Fifth, you urged deferment of certain Federal borrowing to alleviate credit pressures. Here again you have at long last but much too late endorsed a clear and firm Republican recommendation of many months ago. As a New York Times editorial put it last Tuesday, September 13: "Even more important, the decision is a sign that the Administration may have finally realized that it cannot really be fiscally responsible so long as it indulges in financial gimmickry." Why this delay, Mr. President? Why such uncertainty? Why such fear of the future?

This is exactly that uncertainty—that growing fear—that is spreading so rapidly among all our people. They are uncertain, they are bewildered as to the future—the future of the economy, the future of their jobs, the future of the nation, the future of their children in every aspect of their lives.

Therefore, Mr. President and Democratic Members of the Congress most sincerely and respectfully, our Question of the Week: When will the trust and confidence of the people be restored?

REPRESENTATIVE FORD

Mr. President and Democratic Members of the Congress:

As these problems multiply at home—and abroad—and as the uncertainty among our people grows, we look to the weeks ahead with apprehension and understandably wonder what the future may hold.

As increasing reference is made to a possible adjournment of the Congress by mid-October, Election Day, November 8th, draws closer and we wonder more and more what the immediate period thereafter may bring.

From time to time, for example, you and your Administration and you Democrats in Congress have suggested a tax increase as one of the means available for checking inflation. Mr. President, do you plan to recommend to your Democratic Congress an increase in our already heavy income taxes, after November 8th?

Equally often, spokesmen for this Administration, including yourself, Mr. President, have made reference to wage-and-price controls as an alternative inflation check. Most recently, a Democratic Senate leader urged that authority for standby controls be given you. Do you have in mind the imposition of wage-and-price controls, after November 8th?

In an address to the American Farm Economics Association, a prominent official of your Administration by inference wrote off as uneconomical and needles more than two million of America's small farms and farmers. Is it contemplated that this farm elimination program shall be undertaken by your Democratic Congress, Mr. President, after November 8th?

The rumor persists with each passing day that the anti-poverty program of your Administration, so loudly hailed and so extravagantly administered, is under survey by the

Bureau of the Budget, at your order, as the first step toward its dismantlement. Is this too, something planned for action by your Democratic Congress, Mr. President, after November 8th?

Your Secretary of the Treasury and your Secretary of Commerce, in testifying this week before the House Ways and Means Committee on certain of your proposals identified them as "an essential and enduring part of our tax structure." Earlier in the year, they said they were opposed to any "tinkering" with these credits for economic purposes. Yet now, apparently under pressure, they blandly endorse such "tinkering." Will this "tinkering" continue, after November 8th?

Our people cannot long endure such uncertainties. They cannot live nor work effectively without trust and confidence. Therefore, Mr. President and Democratic Members of the Congress, most respectfully and sincerely, our Question-of-the-Week: When will the trust and confidence of the people be restored?

THE NATIONAL ECONOMY—ISSUED FOLLOWING A LEADERSHIP MEETING, MARCH 17, 1966

STATEMENT BY REPRESENTATIVE FORD

In its manpower report of last week the Johnson-Humphrey Administration offered a politically attractive but far from complete account of the national economy. The decline in unemployment to 3.7% was hailed as a milestone on the road to realization of our full economic potential.

All Americans are pleased that fewer of their countrymen are without jobs. We hope that every American seeking a job finds one at a decent, living wage. Most of all, however, we hope Americans can find full and continuing employment in a nation at peace.

A sober examination of figures this manpower report did not include, however, raises a cruelly serious question. Is this bright economic picture due to real prosperity as the Administration claims or is it, rather, due to the bloody facts of war in Viet Nam?

The harshest fact is that during the past 12 months over 268,000 Americans were inducted into the Armed Forces. On the surface, one of the most heartening statistics concerns the sharp decline in unemployment among men under 25. The number of unemployed in this age group dropped by 190,000 in the past year. During this same period 264,757 men in this age group were inducted. Obviously, the total decline in unemployment in this group can be accounted for mainly by the draft. This would hardly appear a milestone on the road to national economic health.

Unemployment always declines during wartime. Without blushing, the manpower report states it has been more than 12 years since unemployment was lower than it is now. They chose to emphasize 1953 but failed to mention that the Korean War was still being fought then. They could have cited an even more dramatic figure—the 1.2 per cent unemployment rate of 1944, when a global war was still being fought.

This is another glaring example of the Johnson-Humphrey Administration's political double standards. They are claiming credit for giving the American people prosperity and what they call record peacetime employment. In this they are playing cruelly cynical politics by disregarding the wartime boom and the wartime draft calls that contribute so significantly to their statistics.

STATEMENT BY SENATOR DIRKSEN

A new game has made its appearance in Washington, and the name of the game is "Statistics." To win, you have to be able to tell everybody everything they'd like to hear—and back it up with figures. Relevancy and accuracy of the figures are not important. The Johnson-Humphrey Administration plays the game of "Statistics" with consumate skill.

For instance, a new program is often justified by saying it will cost less than 1 per cent of the Gross National Product, as though GNP were some vast kitty upon which we could draw to finance these programs. And Democratic Administration cohorts point with pride to a 47.6 billion dollar growth in the GNP for last year. Blissfully, they ignore the fact that 13.5 billion dollars of this growth is due to price increase, in other words, inflation. Although of questionable accuracy, GNP is a useful tool in measuring national production of goods and services, but loses its meaning when used for political purposes.

And the Johnson-Humphrey Administration does conjure with GNP figures for political reasons. Every supposedly productive dollar transaction is dutifully tabulated. Notwithstanding the size of the GNP every time the price of bread and milk goes up it's a bang in the paycheck. And, of course, GNP goes up too. Every time rent goes up, it's a bang in the paycheck. And, of course, GNP goes up as well. What's really happening here is that when GNP goes up inflation is tearing off more of your paycheck.

Republicans have mentioned the Johnson-Humphrey sleight-of-hand budget. But how about the national debt? How much does the nation actually owe? Congress and the public know about the $323.7 billion statutory debt. But there are no accurate reports on the indirect debt, meaning debt commitments for which no funds have been made available. This includes the $300 billion owed to the Social Security fund and the $40 billion owed to the Civil Service Retirement fund. It also includes $420 billion in contingent liabilities. In all, they have not accounted for over 1,000 billion dollars—trillion to you—in such indirect debts. Republicans have repeatedly sought such an accounting without success. Twice bills demanding such reports have passed the Senate.

The game of fiscal and statistical hocus-pocus has become the rule of the day in Washington. The American people know blarney when they see it and know they cannot win.

FARM PRICES—ISSUED FOLLOWING A LEADERSHIP MEETING, JUNE 16, 1966

STATEMENT BY REPRESENTATIVE FORD

On March 31st last, the Secretary of Agriculture, Orville L. Freeman, announced that the prices of farm products has dropped during the preceding weeks and expressed delight in this fact. The press throughout the nation reported his elation in detail and farmers throughout America reacted angrily.

The New York Times began its report on the situation in this way:

"Secretary of Agriculture Orville L. Freeman expressed pleasure today with the fact that the prices of farm products had dropped recently.

"It was the first time in the memory of Federal farm officials that a Secretary of Agriculture indicated that he was pleased with a decrease in farm prices. Like Mr. Freeman, the officials were happy to note that consumers would benefit from lower prices by this summer."

Let me repeat that last sentence: "Like Mr. Freeman, the officials were happy to note that consumers would benefit from lower prices by this summer." There is only one flaw in this statement. It simply isn't true. Paradoxically, as farm prices have moved steadily downward, retail food prices have risen even more rapidly and the Department of Labor's cost of living index has continued to climb to record highs.

Secretary Freeman, Economic Advisor Gardner Ackley, and each of the other prominent agricrats have tried, repeatedly and with zeal, to make the American farmer and his family the whipping boys for the inflation that is steadily taking more and more dollars from the pockets of every American. The housewives of America should be told that 61% of the cost of the food in their market baskets is added after it leaves the farm. I repeat—the housewives of America should be told that 61% of the cost of the food in their market baskets is added after it leaves the farm.

The cold hard fact of the matter is that the rising costs of living in this country can be attributed primarily to the excessive, reckless spending of our people's money for wasteful, too often unnecessary programs conceived by the so-called Great Society planners and concurred in by the great majority of Democrats in Congress.

Secretary Freeman has alleged that during his tenure of office the American farmer has enjoyed a fifty per cent increase in his income. Will all the farmers who have enjoyed a real income increase of fifty per cent please stand up? Or, better yet, let the Administration and the Congress hear from you by letter, wire, or telephone. Farm organizations, farm state newspapers, farm leaders and countless individual farmers from coast to coast are boiling with anger over the policies and practices of this Administration which are driving farm prices swiftly downward and consumer costs harshly upward with each passing day.

Let there be no mistake. The Johnson-Humphrey Administration is using and abusing American farmers and ranchers as the scapegoats of inflation. To this statement I attach a listing of specific examples and I invite your attention to it.

When the agricrats of the Johnson-Humphrey Administration impose policies and practices which help no one and harm everyone, the Congress and the American people are fully justified in their anger. The boiling point is near at hand.

Therefore, our Question-of-the-Week:

Mr. President, are you going to keep prices down on the farm?

The Johnson-Humphrey Administration is using and abusing American farmers and ranchers as the scapegoats of inflation:

(1) by domestic fiscal policies which have sharply increased farm production costs;

(2) by market price manipulations which have decreased prices received by farmers, with the result that the present parity ratio stands at only 79, even including direct subsidies, despite Democratic promises of 100;

(3) by refusing to admit that increased consumer prices—increased food costs to the housewife and the wage-earner—have *not* been caused by farmers, such consumer prices having risen steadily as farm prices have as steadily decreased;

(4) by recommending drastic cuts in Congressional appropriations for school milk, school lunches, land grant colleges, and other vital programs;

(5) by the Secretary of Agriculture's dumping of huge quantities of grain at unrealistic prices upon the domestic market in order to break and depress grain and livestock market prices;

(6) by the Department of Commerce action of March 7, 1966 imposing restriction on the export of cattle hides, calf and kip skins, such action resulting in lower domestic livestock products;

(7) by a large and unilateral increase in Cheddar cheese imports, without any attempt being made to secure reciprocal trade concessions from other nations to expand U.S. agricultural exports overseas;

(8) by a sharp curtailment of purchases of pork and of butter and other dairy products

by the Department of Defense; and, I repeat—

(9) by the Secretary of Agriculture's expression of pleasure with the fact that prices of farm products have dropped.

STATEMENT BY SENATOR DIRKSEN

When farm prices go down and farm production costs rise—when the taxpayer's living costs rise and his dollar earnings decrease in value—the American people are experiencing what is known in some circles as "the double whammy". The Johnson-Humphrey Administration's "double whammy" on this nation is now past all endurance.

For the agricrats of this Administration to contend or even to imply that the price of farm products is a cause of inflation is ridiculous. The principal cause of the inflation now upon us throughout America is, rather, the wild, willful and witless spending of the Johnson-Humphrey Administration and its supporters in countless needless areas.

Inflation is on the move throughout the nation. Should it become rampant—as it threatens to do—those who will suffer most will be those in the lowest income brackets. Make no misjudgments about this whatever.

Thus far, this Administration's major attack upon rapidly rising living costs has been directed—wholly misdirected—against farm prices. Living costs cannot be reduced significantly by any such action, even though the Administration's economic advisers appear to think so. With farm prices down 13 percent and retail food prices up 16 percent between America's wars of 1951 in Korea and 1966 in Vietnam, it should be clear even to these agricrats that the real villain confronting them is the inflation so steadily promoted by their reckless spending for needless programs and not by the prices down on the farm.

Let it be recorded here and now that our vigorous protest against these policies is neither partisan nor improperly political.

We invite the attention of the Congress, the press and the public to the several resolutions that have been filed from both sides of the aisle in a dedicated effort to meet this problem squarely—Senate Concurrent Resolution 93 and Senate Concurrent Resolution 88, among others—and we commend without reservation the fair-minded determination of the Republican and Democratic Senators sponsoring them.

Meanwhile, down on the farm, the public anger to which we have referred is finding ever greater expression with each passing day—and we in the Congress are well aware of it. It has found voice with particular force and eloquence in an editorial that first appeared in the Walsh County Record published at Grafton, North Dakota, on May 19 last, in which these two paragraphs seem to me especially pertinent:

"Mr. President: This is either the fifth or sixth draft of this brief comment. The first, written in instantaneous anger a couple of weeks ago was, after overnight reflection, discarded as just too furious. In the intervening days, there's been a mighty struggle going on to temper our fury down to rage, and then to wrath, and then to indignation. That seems to be as far as the emotion can be distilled.

"When you and your appointed aides announce that you are going to control inflation by making war on farm prices, you've set a grass-fire, Mr. President. For the fact is, war is never waged against an abstraction, like prices. War is waged against people. In this case, us."

We repeat ". . . against people. In this case, us."

I suggest that we listen now to the men and the women who feed the nation—taxpayers like all the rest of us. I suggest we stop listening to these agricrats in Washington, far removed from the farmlands and even farther removed from reality.

Therefore, our Question-of-the-Week:

Mr. President, are you going to keep prices down on the farm?

FORM PRICES—"SLIP, SLIDE AND DUCK"—ISSUED FOLLOWING A LEADERSHIP MEETING, AUGUST 5, 1966

STATEMENT BY REPRESENTATIVE FORD

Democratic Secretary of Agriculture, Orville Freeman, met in Washington last week in a closed session with a number of Democratic candidates for reelection to Congress, to discuss Democratic tactics and techniques of the coming campaign.

A reporter from the Chicago Tribune was present and recorded that Democratic political discussion in detail. Among other things, he wrote:

"Secretary of Agriculture Orville Freeman has told Democratic congressional candidates at a closed briefing that they must overcome deep resentment in farm areas and should stay away from discussion of inflation. . . .

"A candidate from Columbus, Ohio, told Freeman that a poll in his school district showed that the major issue was inflation and he sought advice on how to handle questions about the increased cost of living.

" 'I've been trying to figure out an answer to that question for six years,' Freeman replied, 'Slip, slide, and duck any question of higher consumer prices if you possibly can.'

" 'Don't get caught in a debate over higher prices between housewives and farmers,' he cautioned. 'If you do, and have to choose a side, take the farmers' side. It's the right side, and besides, housewives aren't nearly as well organizad.' "

These are unbelievable statements by the Democratic Secretary of Agriculture. The American people will find them unbelievable. America's farmers and America's housewives will find them not only unbelievable but intolerable. A strong reaction to them is both certain and deserved.

The attitude revealed by these statements has consistently characterized the Johnson-Humphrey Administration. Its failure to tell the whole truth about inflation, about Viet Nam, about taxation, about the poverty program, about Government employment, about foreign aid, about the budget, has been almost unequaled in our political history.

As the days go by will the Johnson-Humphrey Administration and its Democrat-controlled Congress continue to "slip, slide and duck" the great and crucial issues that confront the nation? Will The Great Unorganized of the Nation—the housewives, the majority of wage-earners, the small businessmen, the independent professional people, parents and the young people, be increasingly ignored because they do not fit the Freeman formula of "slip, slide and duck" unless they're organized?

Among The Great Unorganized, too, are our school children—the very ones whose daily school milk Secretary Freeman and this Administration seek to cut back so drastically!

In further reference to our farm population, the Chicago Tribune story continues:

" 'There is a reaction far deeper and more bitter than I could ever have anticipated among the nation's farmers over recent remarks by administration officials concerning farm prices,' Freeman told the candidates. 'Farmers know what a tremendous minority they are and they are very sensitive.' "

Are we asked to assume from this disparaging reference that our farmers are an unimportant, as well as a sensitive, minority? Are we expected to conclude from this that The Great Unorganized majority of Americans are to be disregarded by the Johnson-Humphrey Administration in the months ahead? Can we expect, that not alone on the issue of inflation, but on every other issue of importance to our people, this wretched philosophy, this unworthy attitude, this shocking Freeman formula, will prevail?

Therefore, our Question-of-the-Week:

Mr. President, will the Democrats "slip, slide and duck" every issue?

STATEMENT BY SENATOR DIRKSEN

" . . . and besides, housewives aren't nearly as well organized." Thus spake Democratic Secretary Freeman. Must we conclude from this that the age of chivalry is indeed dead? Must we assume that America's housewives are of no consequence in the eyes of the Johnson-Humphrey Administration?

I, for one, do not believe that the age of chivalry has passed. Indeed, I like to believe it is in full flower, despite these Democratic spokesmen. As for Secretary Freeman's indifference to the nation's housewives, I can only conclude that he has sadly underestimated the power of America's women.

There is not a single issue of our time that is not of paramount concern to the housewives of America. Foremost among these are the issues of inflation and the war in Viet Nam. None know their impact so intimately; none are more willing to make whatever sacrifice may be needed to solve them; none are so undeserving of such official scorn as the women who make the homes and shape the future of the nation. I hope, indeed I am certain, that this downgrading of America's housewives will bring forth from them a resentment and a reaction that will be fierce and formidable.

During the past several months, we Republicans in loyal opposition have, in addition to the making of positive and constructive proposals for administrative and legislative action, addressed specific questions to the Johnson-Humphrey Administration. Our intentions in this have been honorable. Our objectives have been in the public interest. These questions, making reference to the important issues of the time, have read as follows:

(On the high cost of living): Mr. President, what are you doing about the rising costs of living?

(On poverty): Mr. President, why is the War on Poverty being lost?

(On credibility): Mr. President, what can we believe?

(On farm prices): Mr. President, are you going to keep prices down on the farm?

(On foreign aid): Mr. President, why are we losing our money AND our frieinds?

(On inflation): Mr. President, why do you brag about inflation?

To date, in reply to these questions, there has come from the Johnson-Humphrey Administration only a deep and pregnant silence, from which we can only assume that the Freeman formula of "slip, slide and duck" is of much earlier origin and application than last week. Will the Democratic campaign theme song this year be: "We Will Slip, Slide and Duck Our Way to Victory"?

In fairness to the Congress and the American people these questions should be answered, these issues must be faced, these problems must be solved. Republicans in Congress and across the country have repeated their willingness and demonstrated their ability to propose, and to cooperate fully with respect to, such solutions but in this great republic of ours, the public interest requires that the majority show an equal readiness to cooperate, an equal willingness to face the facts squarely and with courage. The Freeman formula of "slip, slide and duck" indicates quite clearly that the Administration and its overwhelming Democratic Congressional majorities have neither the wit nor the wish nor the will to do so.

Therefore, our Question-of-the-Week:

Mr. President, will the Democrats "slip, slide and duck" every issue?

Foreign Aid—Issued Following a Leadership Meeting, July 22, 1966

STATEMENT BY SENATOR DIRKSEN

The foreign aid debate in the House of Representatives last week and the continuing debate in the Senate reflect increasingly not merely the concern but the anger and the alarm of the American people with regard to this program.

At the time of its inception in June of 1947, when our then Secretary of State, the late General Marshall, stimulated a massive program of financial assistance to war-torn Europe the need for and the merit of the program were clear. It is no longer true in Europe and in countless other nations around the world to whom the American taxpayers' dollars have been funneled year after year after year.

During these past two decades more than 125 billions of our peoples' money have been shipped abroad for the announced purpose of stemming Communism, creating economic stability, encouraging representative government and nourishing so-called underdeveloped nations.

Lately, these objectives have been poorly served. This global dole must be curtailed! The time to start is NOW!

In my more detailed remarks to this end on the Senate Floor I have offered not only what I believe to be a reliable and a responsible criticism-in-detail with regard to the total foreign aid problem of today but have added, in equal detail, positive and constructive suggestions for immediate and ultimate remedy of many of the program's defects.

Getting dough out of Uncle Sam has become a way of life for the rest of the world—a very happy way of life for many foreign nations but a drain upon America's economic lifeblood that can no longer be tolerated.

Here at home, the General Accounting Office has compiled an almost surgical dissection of the foreign aid program in recent years which, if publicized in detail, would make not only our taxpayers but even the angels weep.

Not only has it required weeks of painstaking effort to learn the true facts about our foreign aid program which I have presented; it is infinitely more difficult—if not impossible—to learn from our alleged friends abroad just how they are spending our money, since in countless instances they will not permit even an elementary auditing of their books. How sharper than a serpent's tooth is an ungrateful friend!

Despite America's extraordinary generosity, Communism continues rampant over half the globe. We make no new friends and we are losing old ones. I am reminded of an old rhyme which reads:

"When I had money, I had friends—
I loaned my money to my friends—
I asked my money of my friends—
And I lost my money and my friends!"

Therefore, our Question-of-the-Week: Mr. President, Why are we losing our money *and* our friends?

STATEMENT BY REPRESENTATIVE FORD

The budget, the President tells us, is in danger—and he calls upon Congress to make drastic cuts in it. He tells us that unless this Democrat-controlled Congress curbs its excessive spending, inflation is inevitable and that he will face the harsh choice of imposing controls or asking for a tax increase.

The recklessly swollen budget which he presented to the Congress is wholly his and his Administration's doing. The excessive spending to which he alludes with alarm can be stopped, overnight, by a word from him to his overwhelming Democratic majority in the Congress. Let me remind the President and his Democratic troops in the Congress that the Republicans have, for 18 months and more, been urging drastic cuts in non-essential government spending.

The primary cause of the inflation which he now fears but which every other American has felt for months is that excessive Federal spending which from the first days of his Administration has been planned, proposed, and pushed.

The alternatives for checking this current inflation are indeed clear: a tax increase as the President intimated, wage and price controls, or a truly effective reduction in non-essential Federal spending. A reduction in non-essential Federal spending is the most desirable and urgent. The President and his top-heavy Congressional majority can do this at once if they have the will to do so. Republicans will continue vigorously to support responsible reduction in non-essential Federal spending.

Senator Dirksen has made crystal clear, as have other Republicans in both the Senate and the House, one wide-open area in which just such a reduction in needless spending can be achieved—that of foreign aid.

Mounting evidence of waste in our foreign aid program in recent years is startling and shocking. It has been pinpointed and dramatized repeatedly not alone by the Republican minority but by the sound recommendations of such highly esteemed and wholly objective private groups as the International Economic Policy Association and the Administration's own bipartisan Advisory Committee on Private Enterprise in Foreign Aid.

1. Emphasis upon private investment projects; 2. increase in our dollar earnings through Public Law 480; 3. far more selective allocation of foreign aid; 4. emphasis on aid to "self-help" nations; 5. a re-examination of the financing activities of the international lending institutions; 6. the imposing of a drastic new discipline upon the Agency for International Development; 7. development of these foreign nations' own resources; 8. a hard-headed, cold-eyed demand that the nations to which we lend or grant funds meet their obligations to us honorably and in full or be promptly cut off—these are among the available, the very practical steps the Johnson-Humphrey Administration and its Democratic majority in Congress can take—and can take now!

Therefore, our Question-of-the-Week: Mr. President, Why are we losing our money and our friends?

Foreign Policy: The All-Asian Conference—Issued Following a Leadership Meeting, August 25, 1966

Never before in American history has this nation been involved in a war more difficult, more unpopular and so little understood. Never before has any Administration been so frustrated in its foreign policy or, as it now appears, so uncertain as to the next step to be taken.

As you know, a proposal has been made, initially by the Foreign Minister of Thailand, recommending the convening of an all-Asian Conference to work toward a just and peaceful settlement of the war in Viet Nam.

Because the securing of a just and honorable peace is the clear desire of every loyal American, we believe that the proposal of an all-Asian Peace Conference deserves prompt and thorough consideration. To those who remind us needlessly that neither Communist China nor Communist North Viet Nam would attend such a Conference, we reply that neither would the United States be a participant, but we endorse unhesitatingly such a peace-seeking effort by all other Asian nations. That Asian Communists disapprove or would oppose such a Conference should not surprise nor discourage us nor should it impede such an endeavor by men of goodwill elsewhere in Asia.

To those who recommend a reconvening of the Geneva Conference, we must insist that such an approach is no longer viable nor valid, because the approach must come from the Asian nations themselves. A peaceful and honorable settlement of the conflict in Viet Nam cannot now be originated, formulated or influenced by non-Asian interests. Only under Asian skies, under Asian auspicies, under Asian responsibility and guidance can such a move now be made with genuine hope of success.

The Republican Leadership emphasizes again its wholehearted support of our armed forces in Southeast Asia. We reaffirm our determination that Communist aggression in South Viet Nam shall be overcome and that peace with freedom shall be re-established in that troubled land.

Our encouragement and endorsement of the proposal of an all-Asian Peace Conference represents, in one respect, a new and important Republican foreign policy position. It emphasizes once more, however, our determination that the Republican Party shall continue strongly to maintain its historic and cherished position as the party of peace.

Foreign Policy—Red Trade

STATEMENT BY REPRESENTATIVE FORD

On the front page of the New York Times on Tuesday, October 4th, in adjoining columns, there appeared the following news reports. The first was headed: "Soviet Announces New Pact for Aid to Hanoi's Regime. Additional program includes assistance for economy and military needs." The second was headed: "Air Talks Revived by U.S. and Soviet . . . Service may be opened next spring."

In the very same week the conflict in Viet Nam became the third largest war America has ever fought. American troop strength in Viet Nam now totals more than 325,000 men, 23,000 more than in the Korean War. The latest U.S. casualty figures report 967 killed and wounded in one week, the highest in any seven-day period so far.

For many months the Russians have supplied—in ever-increasing volume—the weapons and ammunition that are killing American boys every day.

As thousands of American boys fight, bleed and die in Viet Nam—as the Soviet Union—Communist Russia—announces an enormous further increase in its economic and military aid to our enemies—this Administration must stop—and stop now—its trafficking with the Russians in ways that can only result in Communist encouragement, growth and enrichment.

And on Friday, October 7th, the President of the United States, in addressing the National Conference of Editorial Writers, proudly proclaimed:

"We have just signed a new United States-Soviet cultural agreement.

"We intend to press for legislative authority to negotiate trade agreements which would extend most-favored-nation tariff treatment to European Communist states.

"We have just concluded an air agreement with the Soviet Union.

"And today I am announcing the following new steps:

"We will reduce export controls on East-West trade with respect to hundreds of non-strategic items.

"I have just today signed a determination that will allow the Export-Import Bank to guarantee commercial credits to four additional Eastern European countries—Poland and Hungary, Bulgaria and Czechoslovakia . . . The Export-Import Bank is prepared to finance exports for the Soviet-Italian Fiat auto plant.

"We are negotiating a Civil Air Agreement with the Soviet Union . . ."

And with this announcement the President of the United States included the comment: "This is good business and this will help us . . ." If dealing with the enemy—who are dealing in nothing but death to Americans in Viet Nam—is good business, then truth and honor have indeed been perverted beyond recall by this Administration.

In 1952, the Eisenhower Administration ended the Korean War and kept the peace without surrender. That Administration's policy: insistence that Communists toe the line in deeds and performance, refusal to accept Communist words and promises.

Until the Communist world convinces us by act, not by word, that it not only seeks peace but will so act as to *preserve* peace among men, we will not be a party to any deal, any agreement, any arrangement, any treaty with Communists anywhere in the world. Until we—and our allies—commit ourselves without qualifications to such a policy of strength we can expect only more Koreas, more Viet Nams and an ever-widening spread of Communist subversion, deceit and death-dealing around the globe.

Therefore, Our Question-of-the-Week:

Mr. President: At home and abroad, what now—what next?

FOREIGN POLICY: VIETNAM

STATEMENT BY SENATOR DIRKSEN

JUNE 9, 1966

James Madison, fourth President of the United States, at a time when our nation was imperiled wrote:

"Knowledge will forever govern ignorance, and a people who mean to be their own governors must arm themselves with power knowledge gives. A popular government without popular information or the means of acquiring it, is but a prologue to a farce or a tragedy or perhaps both."

Our nation is imperiled now.

On December 13th last, the Republican Coordinating Committee, in a statement unanimously agreed to by its membership, declared its own conviction and position with respect to the conflict in Viet Nam. The first two sentences of that Declaration were these:

"Questions are being raised both at home and abroad as to the devotion of the American people to peace. One cause of this confusion has been the inability of the Johnson Administration to establish a candid and consistently credible statement of our position in Viet Nam."

The two words, "candid" and "credible" are those most meaningful and most relevant to the point we make today: The Johnson-Humphrey Administration refuses even yet to be either candid or consistently credible with respect to its policies and our position in Viet Nam.

If, this, like Madison's, is a time of clear and present danger, it is essential now, as it was then, that the people be fully informed as to the problems and the perils confronting them and as to the effective steps it is planned to take to solve those problems and protect them from those perils.

All too consistently, the Johnson-Humphrey Administration has failed, whether by oversight or intent, to take the Congress and the American people into its proper confidence regarding Viet Nam. Such a failure is inexcusable. It could be tragic.

No American, in public office or in private life, wishes or seeks to know the details of any plan or program that must, in the interest of our national security, be kept in executive confidence, but every American does have the right to know where we are going in Viet Nam and how far and to what clear purpose. Such information as has been given us by the Johnson-Humphrey Administration has been infrequent and incomplete.

For this reason, therefore, I urge again that the President convene immediately a bipartisan Leadership Conference for a discussion and examination of American policy in Viet Nam. I urge this in order that the American people through their elected representatives in the Congress might better understand the shape of things to come. Armed by such understanding, they will be better able to provide that unqualified support so necessary to the winning of a swift, secure and honorable peace.

Unless, by such means, the people are respected in their right to know we cannot help but ask this Question-of-the-Week—and, indeed, of every week:

Mr. President, What can we believe?

INFLATION

STATEMENT BY SENATOR DIRKSEN

The American people are involved in a three-front war—in Viet Nam, against poverty, and now against inflation. Government directly or indirectly controls the money supply. Inflation has swept in upon us because of policies this Administration has adopted. Every major modern inflation has been aggravated by excessive government spending. And that has been the deliberate policy of the Democratic Administrations for the past five years.

This Administration has told us it is promoting inflation as a step toward fuller employment. What they have not told the American people is the extent and cruelty of the burden they have placed on the very poor through this policy of printing money at a rate twice that of our population growth.

The Johnson Administration, now concerned with inflation, prepares to meet it by higher taxes rather than through a prudent budget. This year's budget is $31 billion higher than the last Eisenhower budget and Democrats have added $32 billion to the public debt in five years. As most American workers know payroll tax increases since January 1 have already more than wiped out those tax cuts of a year ago. And there's more to come, more even than the 4.8 billion tax increases now before Congress. The Administration is talking in terms of another 5 per cent income tax increase and an added 2 per cent corporate tax later this year. These increases are over and above the cruel tax of inflation which is already waging war on those with the lowest incomes.

Higher personal income taxes hit hardest those who can least afford them—the young people who are starting a family, building a home and building a future, those in our Society on fixed incomes and those who have the least.

There are alternatives. One is to trim the budget which the President refuses to do except in areas where he knows the cuts will be restored. Another is tighter credit—but when that was tried Democrats wailed in anguish.

This Administration has made its choice: It plans to discipline the American people rather than discipline itself.

STATEMENT BY REPRESENTATIVE FORD

Economists talk of inflation in terms of a sharp rise in the amount of money or credit, or both, relative to goods available for purchase. The American housewife has a sharper definition: You pay more for less.

Bacon was $1.15 a pound at a chain store here in Washington Monday morning. Eggs were 71 cents a dozen. An American favorite—pork chops—were $1.35 a pound. Mothers used to be able to save their budgets with hamburger. But that's climbed to 59 cents a pound. This can of tomatoes was bought Monday morning for 33 cents. Five years ago you could buy it for about 20 cents. And very, very little of this increase has found its way into the farmers' pocket.

Food prices have climbed 3.7 per cent in one year. And this accounts for a major part in the overall 2 per cent rise in the cost of living in the past 12 months. Republicans on the Joint Economic Committee say it is inevitable that prices will rise by another 2 to 3 per cent in 1966. That's a rise of 5 per cent in two years. This amounts to a 5 per cent sales tax on everything you buy. And you'll pay it because of the inflationary policies of the Johnson-Humphrey Administration. The housewife's $10 in 1961 now buys only $9.14 at the grocery store.

Inflation steals from everybody, but hurts most those 26 million Americans who live on pensions or other fixed incomes. It will also certainly do much to nullify whatever benefits might otherwise accrue from programs now pursued in the anti-poverty war.

President Johnson says this Administration has produced an "American economic miracle." Will the American people call it a miracle after they pay their bills and then dig deep enough to pay the big tax increase the Johnson-Humphrey Administration wants.

The National Commission on Food Marketing reports Americans are eating less beef and far less pork now than they did a year ago. The Johnson-Humphrey Administration set out to change America and the American way of life. The Administration seems to be succeeding—and you won't like it.

THE RISING COST OF LIVING—ISSUED FOLLOWING A LEADERSHIP MEETING, APRIL 21, 1966

STATEMENT BY REPRESENTATIVE FORD

The following quotations are excerpts from the Dallas Morning News—that's the Dallas, Texas Morning News of April 15, Ladies and Gentlemen:

"President Johnson's chief economic adviser revealed (in Austin) Thursday that he doesn't place much stock in the American housewife's judgment on inflation.

"Gardner Ackley, speaking at the University of Texas said he received numerous letters from homemakers blaming him personally for high food prices.

" 'But housewives are notoriously poor judges of what's happening to prices except for food,' he quipped during a press conference.

"And Ackley claims that, even on the supermarket level, the housewife is no expert.

" 'She notices when the price of a pork chop or a head of lettuce goes up,' he noted, 'but she's not always aware when the price comes down.' "

I just can't believe that any Administration or other Government spokesman could so misjudge or so underrate the American housewife and homemaker!

Who knows better how rapidly inflation is eating away the family income day by day? Who knows better, who feels more painfully, the rising costs of living as, week by week, those costs discourage every American family in its hopes for the future?

Mr. Ackley, from his privileged economic sanctuary, sadly and cruelly underestimates the knowledge and the power of America's women and I hope that he and the Johnson-Humphrey Administration and the Congress will hear from every American home and hearth on this subject, by letter and by telegram, in the days ahead. I urge every American homemaker to take pen in hand and tell us now—what you know—how you feel—about these terribly harsh, constantly rising costs of living.

Meanwhile, back at the ranch, the Johnson-Humphrey Administration hesitates, vacillates and procrastinates in taking necessary action to stop these sky-rocketing living costs. Again, Mr. Ackley, in reply to a question as to what will happen if we get into an inflationary period: "It depends on how you define inflation. I wouldn't say we'd had much inflation." Will America's homemakers agree? And the President and his Secretary of the Treasury continue to wonder when or whether to "apply the brakes"! This, despite the report of the Department of Commerce on the Gross National Product increase, released Monday, April 18, and stating that more than one-third of the increase in the dollar total represented higher prices and stating further that "the accelerated price increase in the first quarter is largely attributable to the steep rise in food prices."

There are two major fiscal brakes available—either a tax increase or a drastic cut in needless spending—yet the Johnson-Humphrey Administration, with constantly contradictory comments, will *not* tell the American people truthfully what it proposes or plans.

This, therefore, is our Question-of-the-Week: Mr. President, what are you doing about the rising costs of living?

STATEMENT BY SENATOR DIRKSEN

The Government of the United States is the biggest business in the world. It is the biggest borrower, the biggest lender, the biggest hoarder, the biggest spender, the biggest landlord, the biggest tenant, the biggest employer, and the biggest provider in the history of mankind. Inevitably the biggest business in the world has the biggest budget in the world.

No one can claim, of course, that a family budget is or should be comparable, but no one can deny that every family budget is just as important to the wage earner and the homemaker who control it.

If a family's income is not adequate to meet its expenses, the family has only two alternatives: to increase that income or to reduce those expenditures, yet there seems to be no recognition of this whatever in the Johnson-Humphrey Administration.

In a recent appearance before Agriculture Department employees, the President said: "We in government cannot afford the luxury of thinking that nothing so needs reforming as other people's habits. As public servants we know—at least we ought to know—that the habits most in need of reform are our own." How very true!

What he actually said, of course, was: don't do as I do, do as I say, for, quite obviously, while the Johnson-Humphrey Administration's spending habits are in need of drastic reform the President is making no evident effort whatever to reform them and he and his colleagues continue to allude repeatedly to a possible tax increase while urging all others, but not themselves, to reduce expenditures.

The President hasn't hesitated to ask business, to ask labor, to ask the housewives of America to reduce their spending. Why hasn't he asked the Congress to do the same? On the contrary, hardly a month goes by without a request from him for more and more and more spending of the people's money for low priority, non-defense projects and programs.

I have said before and I say again that the role of the opposition must be one of both searching criticism and constructive proposal of alternatives. There has now been published for release today the full text of the Republican Coordinating Committee's report entitled "The Rising Costs of Living—A Report on the Fiscal Policies of the Federal Government," approved at the Committee's last meeting March twenty-eighth. A summary of the report was released at that time, but the text contains an extensive amount of detail in support of the report's conclusions and recommendations. The report was based on a study made by the Task Force on Federal Fiscal and Monetary Policies of which former Budget Director Maurice H. Stans is Chairman.

I commend this report to your attention and study and I urge you to invite your readers to write to the Members of Congress for copies of it. The role of the opposition of which I speak must not be one of "Me too", nor yet one of "Not me". Rather, it must be one of "Here's how". On the harsh question of inflation, with which every homemaker and wage earner is living so painfully today, "Here's how".

The alternatives, as has been said, are clear—either higher taxes or a reduction in spending, yet we have no equally clear idea from this Administration as to which path we will be taking.

Therefore, our Question-of-the-Week: Mr. President, what are you doing about the rising costs of living?

Inflation—Issued Following a Leadership Meeting, July 28, 1966

STATEMENT BY REPRESENTATIVE FORD

Higher prices—higher costs—higher interest rates—higher wages—higher rents—higher taxes! Add them all together and they spell inflation, no matter how you look at them from any point in the economy.

No thinking person—no hard-pressed taxpayer—can help but be alarmed by the pace of this inflation which, for many months now, has been taking the tax dollars from his pocket far more rapidly than he can earn them.

Republicans in Congress and across the nation are of course taking issue with the Johnson-Humphrey Administration in its refusal to take the necessary action to stop these sky-rocketing costs of living. But ours is a protest in which millions of Americans of all political faiths and on all economic levels are now joining. The chart on display here today illustrates the facts of inflation vividly. This chart reveals, in clear and simple terms, the rate of increase of consumer prices from June of 1957 to this very month of July, 1966.

The increase shown is alarming. The *rate* of increase indicated is frightening. The refusal of the Johnson-Humphrey Administration to check non-essential Federal spending and to stem this inflation is beyond all understanding.

When the Government's own Bureau of Labor Statistics records the cold, harsh fact that the rate of increase in living costs during the past six months was *the highest in the past eight years*, the issue is clear for all to see: unless these jet-propelled living costs are checked, the results could spell not just inflation but disaster for every American pocketbook.

If this gravest of economic problems could not be solved, we would feel hopeless and helpless indeed. But it can be—and by a means immediately at hand: the reduction of non-essential Federal spending by the Johnson-Humphrey Administration and its Democrat-dominated Congress.

This is the Administration whose leader in a speech in Des Moines, Iowa, on June 30 said:

"When these folks start talking to you about inflation, you tell them that is something you have to worry about in Democratic administrations".

Seldom has such a public confession been heard.

This is the Johnson-Humphrey Administration whose leader urges everyone else to economize—the housewife to select cheaper cuts of meat, the workingman to hold to wage "guideposts", the businessmen to review his budget, the manufacturer to restrict his spending. Yet this same leader refuses to urge his overwhelming Democratic majority on Capitol Hill to economize in the only way that has any real meaning for every American family.

Republicans in Congress and throughout the nation have for many months now not only seen clearly, but have identified accurately, both the causes of and the cure for these costs of living that threaten all our people. The Johnson-Humphrey Administration has, with its head in the economic sand, been either unwilling or unable to admit these harsh facts of domestic life in America today. We wonder why.

Therefore, our Question-of-the-Week:

Mr. President, why do you brag about inflation?

STATEMENT BY SENATOR DIRKSEN

The President has been gambling with our economy and, despite the warnings of friend and foe over many months, he has been losing steadily. The stakes of the game have been, and are, the well-being of the American people and the point-of-no-concern has long since been passed.

The Republicans in Congress, together with Republicans and millions of worried Americans across the nation, have been pointing with alarm for more than a year to what was so clearly happening to their pocketbooks and to the nation's economic welfare. The time of reckoning so long foreseen has arrived.

The late H. G. Wells, in another connection, once remarked: "I am not prophesying now; I am simply running along beside the marching facts and pointing at them."

We have been prophesying also, month after month after month. We have been running along beside the marching facts and pointing at them, with increasing concern and alarm. But we have been doing far more than this. Republicans have offered the solution to inflation and have consistently worked to help achieve that solution by cutting back all non-essential Federal expenditures.

We have, first and foremost, demanded that non-essential Federal expenditures be drastically reduced. We have urged that immediate action be taken to reduce foreign aid. At our insistence—and only with our help—the prospect of a reduction in foreign aid of over 400 million dollars in this coming year now exists.

We have urged, again and again, that any number of the non-essential, Great Society programs that have been proposed and are being pushed be delayed, if not curtailed, in order that the cost of living for every American might be reduced. In this we have not yet been given a meaningful hearing nor any cooperation by the Johnson-Humphrey Administration.

If non-essential Federal expenditures are substantially reduced—and the initiation of new programs slowed down or eliminated—as they clearly can be without the slightest detriment to our peoples' well-being—there would be no need for the wage and price controls to which the President has referred. There would be no need for the higher taxes to which he alludes. There would be no need for the huge inflationary, budget deficit which, as an alternative, he foresees.

The way out of this inflationary jungle is clear. The need for taking it is imperative. Because these things are so, we cannot understand, nor can millions upon millions of our people understand, why the Johnson-Humphrey Administration has lost sight of the common sense forest in its obsession with the Great Society trees.

Therefore, our Question-of-the-Week:

Mr. President, why do you brag about inflation? (And, we might add, what are you going to do about it?)

Inflation: "L.B.J.—Passing the Buck"—Issued Following a Leadership Meeting, September 1, 1966

STATEMENT BY REPRESENTATIVE FORD

Former President Truman had for several years on his desk a motto which read: "The buck stops here!" In this Johnson Administration that motto appears to have been changed to: "Slip, slide and duck the buck!"

As the recent airline strike continued, the President passed the buck to the Congress.

As labor increases its demands, the President passes the buck in silence.

As industry raises its prices, the President passes the buck to the consumer.

As the cost of food continues to skyrocket in the market, the President passes the buck to the housewife.

As interest rates reach all-time highs and home mortgage money become almost impossible to obtain, the President passes the buck to those millions of our people of modest means, both younger and older, who have hoped for years to have a home of their own.

As too long a mistaken reliance on monetary policy alone fails in the slightest to halt inflation, the President passes the buck to us all. For it is the American people, each and all of us, who continue to suffer increasingly from this buck-passing fever of the Johnson Administration.

Inflation—a dollar declining in value—the cost of living in orbit—call it what you will, in simplest terms it means that the American wage-earner, the American taxpayer, is being cruelly misled and badly hurt.

This Administration appears totally helpless, and even worse, hopeless, in its futile threshing-about for solutions. When our people are given no help—worse yet, when they are given no hope—it's time for a drastic change.

We repeat—and we shall continue to repeat it until action results—we repeat that the solution to onrushing inflation *is* at hand—a solution instantly available to this Administration and its top-heavy majority in this Democratic Congress. That solution: a drastic cut in non-essential Federal spending. It is these billions of non-essential Federal funds that are being poured into the economy that represent the principal cause of inflation, the principal reason for today's high living costs for every family.

The President has asked housewives to buy cheaper cuts of meat. He has suggested that wage and price guideposts—which he himself has torpedoed—be observed. He has requested Government agencies to economize. He has supported none of these things with any vigor at all. There has been no evidence that he means it.

On the contrary he points with peculiar pride to a wartime economy that inevitably produces high employment.

With nearly 3,100,000 men in uniform not now employable in civilian life—in the face of the known fact that at least three men are needed in the labor force at home to provide for each man in uniform—we suggest that the President's boasting has a very hollow ring.

We believe that the time has come for the President of the United States to stop passing the buck with the responsibilities that are his—his responsibilities to labor, to management, to the consumer, to the taxpayer, to all the American people. He can bring about a drastic cut in non-essential Federal expenditures through his huge Democratic majorities in the Congress, if he is willing to do so—if he has the courage to do so.

Therefore, our Question-of-the-Week: Mr. President, When Will You Democrats Stop Passing the Buck?

SENATOR DIRKSEN

SEPTEMBER 1, 1966

President Johnson tells us that what America needs is "a strong dose of self-discipline." To which we can only reply: "Physician, heal thyself".

To ask self-discipline of labor, to ask self-discipline of management, to ask self-discipline of Congress, to ask self-discipline of the consumer, is pious and pointless—until the President asks it of his Administration and his heavy Democratic majorities in the Congress. We are, in short, not impressed.

We are not impressed by timid surrender to labor unions. We are not impressed by fearful deference to management. We are not impressed by "guideposts" for wages and prices that are anything but. We are not impressed by his requests for those reductions in appropriations by Congress—such as school milk and school lunch programs—that the President knows *cannot* be made. We are not impressed by the intriguing fiction of Mr. McNamara's new math, which claims a doubtful savings of billions. We are not impressed by anything, in short, but a clear and courageous demonstration on the part of the Johnson-Humphrey Administration that it has the will and the courage to put the brakes on inflation—to stop the sky-rocketing cost of living—by the powerful means it has readily at hand: the drastic, sweeping reduction of non-essential Federal spending.

We have said before and we repeat, that Republicans in Congress and across the country have for months urged such reductions and have shown clearly where they could be made.

When the Congress was given the Johnson-Humphrey budget for 1967, the Republican Leadership and the Republican membership of the House and Senate Appropriations Committees identified, item by item, those programs where non-essential spending could be cut by hundreds of millions of dollars—and this without depriving our fighting forces of a single thing they need!

The President and his Democratic majorities in Congress have refused to make such savings, despite repeated and valiant Republican efforts to achieve them. Even now, at this point in the appropriations calendar, it is still possible to effect a savings—in nonessential spending—of hundreds of millions of dollars if the President and his Congressional majorities really want to fight inflation.

These, let me emphasize, represent savings in things that we can do without—just as the housewife is asked to do without, just as the wage-earner is asked to do without, just as the would-be home owner is asked to do without—just as American fighting men are being asked to do without the privileges of peace in the frightful jungles of Asia.

We cannot have both guns and butter. We cannot fight a war in Asia and win the war on inflation at home unless this Government of ours, this Administration, is equally willing to do without and to stop its willful, reckless spending of the people's money on non-essential things.

I am in total and enthusiastic agreement with JERRY FORD that the only effective means available to fight inflation, to stem the high cost of living, is to cut non-essential Federal spending drastically and to do it now. The President and his Democratic Congressional majorities have the power so to serve this nation. We cannot help but wonder why they have been unwilling to do so.

Therefore, our question-of-the-Week? Mr. President, When Will You Democrats Stop Passing the Buck?

STATEMENT BY SENATOR DIRKSEN, MARCH 31, 1966

This debt-propelled Johnson-Humphrey Administration continues, whether knowingly or not, to mislead the American people on matters of the most vital importance to them. Whether this Johnson-Humphrey Administration is misinformed, misguided or simply mystified is hard to determine. It is, in any case, mistaken—and the cost of its mistakes in human well-being and in dollars is rapidly becoming far more than the American people can—or will—pay.

The Johnson-Humphrey Administration was grossly mistaken in its budgetary planning, both as regards the cost of the war in Vietnam and expenditures here at home. Fifteen months ago, after proclaiming" an important first step toward a balanced budget" the Administration produced a deficit of over 3 billion dollars. The fiscal 1966 deficit will be at least twice that of the 1965 deficit.

In June of 1965 Representative LAIRD of Wisconsin predicted that estimates of the cost of the war in Vietnam were low by at least 5 billion dollars, only to be harshly rebuked by the Secretary of Defense. Yet, in a matter of months, the Johnson-Humphrey Administration requested of Congress nearly 13 billion dollars in supplemental appropriations for continued conduct of the war.

The Johnson-Humphrey Administration has also been 100 percent mistaken in its estimates of the inflationary forces now stampeding across the country that take the earnings right out of the pocket of the worker—and this despite the early and unanimous warnings not only of dozens of economists outside government but the equally strong and unanimous warnings of members of the Joint Economic Committee of the Congress.

The Johnson-Humphrey Administration has proposed—and has tried to impose—economic guidelines for labor, for management and for the farmer. Democrats are even proposing controls on wages and prices yet the Johnson-Humphrey Administration has made no effort to place guidelines upon its own inflationary excesses.

The Johnson-Humphrey Administration is obsessed with symptoms rather than causes.

The role of the opposition is one of both searching criticism and constructive proposal of alternatives. I commend to you the 13 positive recommendations for effective action in bringing down the cost of living presented earlier this week to the American people by the Republican Coordinating Committee.

THE RISING COSTS OF LIVING

The Republican Party makes the following recommendations:

1. That the Administration prepare and submit promptly to the Congress a new budget for fiscal 1967 which reflects a valid surplus, achieved by postponing or eliminating non-defense expenditures.

2. That the costs of Vietnam be financed within annual balanced budgets by reduction or postponement of domestic programs, not by tax increases.

3. That in times of high-level prosperity and employment, the Administration provide a significant surplus in the Federal budget to reduce inflationary pressures and help protect the dollar.

4. That the Administration pursue prudent fiscal and monetary policies that will make it unnecessary to have the so-called "voluntary" wage and price "guideposts," which are inconsistent with a free market economy.

5. That the Administration lend support to monetary policies which will hold increases in the supply of money to a pace consistent with inflation-free economic growth.

6. That the Administration respect and defend the role of the Federal Reserve System as an independent agency within government.

7. That the Congress amend the Employment Act of 1946 to make general price stability an explicit objective of government policy, along with maximum employment, production and purchasing power.

8. That the Congress remove the unrealistic interest ceiling on government bonds to permit non-inflationary management of the national debt.

9. That, rather than relying on inflationary monetary and fiscal policies to reduce residual unemployment in a high employment economy, the Administration place emphasis on selective programs of job training, counseling and placement, as provided in the Republican-sponsored Manpower Development and Training Act of 1962, and have the Bureau of the Census undertake a survey of job vacancies and a census of the unemployed at intervals to provide a factual basis for such activities.

10. That the Administration give high priority to developing a solution to the balance of payments problem which will be

lasting and constructive for the rest of the world as well as for ourselves (see: "The Balance of Payments, The Gold Drain and Your Dollar," a report of the Republican Coordinating Committee, August 30, 1965).

11. That the Administration enhance the integrity and value of the Federal budgeting process by:

a. The annual dissemination of a five year budget projection for all departments and agencies, to assist long-term consideration of the fiscal consequences of new programs.

b. An annual reporting, as part of the budget, of the unfunded commitments of the government for future spending which have to be met by the taxpayers.

12. That the Administration consolidate and, where appropriate, eliminate as many as possible of the overlapping and duplicating government programs and, where practical, take steps to turn their administration over to States and local governmental bodies.

13. That the Congress create, at regular intervals, an independent, bipartisan, adequately staffed "Hoover Commission"-type organization, composed of Members of the Congress and the public, to review the budget, government programs, and government organization.

L.B.J.—Public Confidence—Issued Following a Leadership Meeting, October 13, 1966

STATEMENT BY SENATOR DIRKSEN

The President has referred to the Republican Party as the party of fear, and, moreover, as having no constructive programs to fight inflation, no programs to ease racial tension. He accused us of not knowing what to do about crime in the streets or how to end the war in Viet Nam.

Is the President bewildered? Was he referring to his Administration? His statements actually spell out the most damning self-indictment in modern political history!

There is only one thing wrong with these Presidential statements about the Republican Party. Like so much else voiced by this Administration, they simply are not true.

We do not admit to being a party of fear. An honest reading of history will prove the contrary. But we do admit, as a people, to being concerned about this Administration and the many unwise courses it has chosen to take.

What lies ahead of us in Viet Nam, under this Administration's leadership, we cannot foresee. We are concerned about high and rising living costs, in the face of which this Administration has been helpless. We are concerned—indeed, we know—that we are losing our money and our friends abroad. We are concerned—for it is a fact—that the "War on Poverty" is being lost, with the poor and the underprivileged receiving little actual help and with millions of the people's dollars being wasted. We are concerned—for we can prove—that the farmer and consumer are, calculatingly, being played ruthlessly against one another. We are concerned—for the proof is undeniable—that an echo-chamber Democratic Congress, with its steamroller majorities, will continue, without thought or question, to carry out the slightest whim and wish of this Administration. We are concerned—for the signs are frightening—that we are being led down the road to national bankruptcy. We are concerned that an all-Asian Peace Conference—a practical first step toward peace in Viet Nam—has now been summarily rejected as a peace hope. We are concerned—for we are convinced—that the American people are not being told the whole truth about their Government and this Administration's plans for them.

Of the charge that the Republican Party has no constructive programs or policies we can only assume that this Administration has from its very first days been blind, deaf and indifferent. To this statement I attach a listing of the specific, positive, constructive recommendations and programs which the Republican Leadership and the Republican Party across the country have presented to the Congress, the Administration and the American people month after month after month. I would remind the leader of the Democratic Party that his Administration has chosen, to our people's detriment, either to ignore or to reject these recommendations, the majority of which would have gone far to correct abuses spawned by the Administration and which would have prevented this onset of confusion and concern.

When the President chooses to speak directly and candidly to the American people, the Republican Leadership and the Republican party will be attentive and responsive but when the President chooses to do otherwise, we are indeed apprehensive and concerned. We hope—we pray—that in the weeks to come we will witness Administration deeds calculated to inspire faith, not fear, belief, not doubt, confidence, not concern, hope and not despair.

Therefore, our Question-of-the-Week:

Mr. President: At home and abroad, what now—what next?

Republican Proposals and Programs—A Chronology of Constructive Recommendations

June 1965: United States Foreign Policy in Vietnam.

August 1965: The Balance of Payments.

September 1965: Equality in America: a Promise Unfulfilled.

December 1965: Viet Nam Policy Statement.

December 1965: Toward a Stronger Federal System.

December 1965: Toward Fair Elections in America.

March 7, 1966: (Economic) Opportunity Crusade Act of 1966.

March 1966: The Case for Revenue Sharing.

March 1966: Latin America—United States: Progress or Failure?

March 1966: The Human Investment—Job Opportunities.

March 1966: The Rising Costs of Living.

June 1966: The United Nations.

June 1966: Effective Water Management.

June 1966: The Challenge of the Modern Metropolis.

June 1966: Federal, State, and Local Responsibilities for Problems of Education.

June 1966: Transportation in Modern America.

June 1966: Housing and Urban Development.

June 1966: The Alleviation of Poverty.

June 1966: Jobs and People—Job Opportunities.

June 1966: The Needs of the Aging.

(Note: each of the above was published by the Republican Coordinating Committee with the exception of the Economic Opportunity Crusade Act of 1966, which originated with eight Republican members of the House Education and Labor Committee.)

Medicare—Statement by the Joint Senate-House Republican Leadership

The Republican Congressional Leadership today introduced Medicare legislation to extend through August 31, 1966 the initial enrollment period for coverage under the program of supplementary medical insurance benefits for the aged.

Senator Everett McKinley Dirksen and Representative Gerald R. Ford announced the filing of identical bills for this purpose in the Senate and House of Representatives in fulfillment of the Republican Coordinating Committee pledge to do so.

The law presently requires registration for these benefits by March 31st but once it became clear that over 5 million older persons would be unable to register by that date, the Republican Congressional Leadership took action to prevent the denial of such benefits to these millions of citizens.

The supplemental benefits portion of the law was added to Medicare on the insistence of Republican Congressmen John W. Byrnes of Wisconsin. Republican congressional agreement and insistence upon extension of the enrollment period is unanimous.

War on Poverty—Issued Following a Leadership Meeting, March 3, 1966

STATEMENT BY SENATOR DIRKSEN

The Johnson-Humphrey Administration by July first will have spent $2.3 billion on the antipoverty campaign and is asking for $1.7 billion more. For these vast sums the American people and the poor have gotten a very shabby product. This program is expensive in terms of money and experienced manpower. It has produced many press releases and high professional salaries but little assistance for those who most need it.

The campaign has been marked by political favoritism and too often has become the tool of political machines. What possible excuse is there for putting children of local politicians and high income families into the Neighborhood Youth Corps designed to keep poor children from dropping out of school?

The program has been marked by political infighting between local Democratic politicians for control of Community Action Program funds. They want the money to build political machines, not to reclaim and dignify human lives.

Mass creation of extravagant Job Corps centers, a lack of discipline and purpose have resulted in disillusionment, rioting and vicious gang rule. The Job Corps budget last year averaged $7,800 for each enrollee for one year, almost twice the cost of sending a boy to college. This, it would seem, could have provided at least minimal screening which would have helped turn these camps into the "residential skill centers" long advocated by Republicans.

Scandalous misuse of funds, involving fraud, has led to Justice Department and Congressional inquiries in a number of areas.

These things need not be. They would not be a part of a properly administered program. Those with the lowest incomes in this country cannot benefit from chicanery, fraud, and political misuse of funds.

The antipoverty campaign was launched with a flurry of publicity by the Johnson-Humphrey Administration. It promised much, and raised the hopes of many, but so far has produced little. The needy must have hope and must be involved in developing their own future. They need help in helping themselves—now.

STATEMENT BY REPRESENTATIVE FORD

To win a war on poverty low income families must have better education, a chance at getting decent jobs and help in helping themselves. To accomplish these goals Republicans recommend:

1. Low income families must become more directly and deeply involved if the campaign is to succeed. Their capable representatives should be elected to serve along with representatives of local officials and social welfare agencies on boards with clearly defined authority. Only through such sound local administration and less intervention from Washington can this program shed the political money grubbing found in so many cities.

2. Operation Head Start, first suggested by Republicans in 1961, has been moderately successful despite administrative bungling but that program now threatens to grind to a halt. It should be encouraged to reach its maximum potential.

3. Productive jobs in private enterprise are the real keys to success. To provide digni-

fied and permanent employment private industry and labor unions must be given realistic incentives—such as the Republican proposal for a Human Investment Act—to widen their participation.

4. Authority and responsibility of the states must be strengthened and they must be brought in as partners to prevent the antipoverty campaign from becoming more deeply mired in bureaucracy.

5. To eliminate de facto racial segregation in many urban renewal projects adequate housing must be provided for all dispossessed families.

6. Waste, abuse of power, political influence and big city bossism can be eliminated by applying the Hatch Act at all levels and through preaudits and tighter accounting. A thorough, honest investigation of the Johnson-Humphrey Administration's handling of the antipoverty war is long overdue. To conduct such an inquiry we are today introducing legislation to create a joint Senate-House bipartisan investigating committee.

THE WAR ON POVERTY—ISSUED FOLLOWING A LEADERSHIP MEETING, JUNE 2, 1966

STATEMENT BY SENATOR DIRKSEN

The Republican Membership of the House Education and Labor Committee have done the Congress and the Nation a signal service in the detailed and vigorous minority report they have issued on the so-called "War on Poverty" program of the Johnson-Humphrey Administration.

In a speech in the Senate on August 19, 1965, I identified the erratic, costly and misdirected course this program was then threatening to take. The Republican minority have now confirmed in every detail the most ominous of my predictions where the genuine welfare of the poor and the dreadful costs to the American taxpayer were concerned. This Minority Report will be printed and available within a day or so and I not only commend it to your attention but strongly urge your careful reading of it. I urge, moreover, that you in turn urge your readers and listeners to write their respective members of the Congress for copies of it. I have seen nothing in a good number of years that will so alert and alarm our people as to the reckless course the Johnson-Humphrey administration has now clearly laid out before us.

Constructively and positively, I therefore urge:

1. That the President institute immediately a thorough review and reappraisal of this disastrous Poverty program under the Congressional Resolutions to this end that have already been filed by me and by Representative FORD and that at the same time he examine objectively and honestly the increasingly harsh impact of the high cost of living upon the American people.

2. The adoption by the Congress and the Administration of the strong clear recommendations of the Opportunity Crusade contained in this superb Minority Report.

When the Representatives of the American people in Congress are asked to appropriate another one and three quarters billions of dollars for a poverty program that has already wastefully consumed two and one-third billions of dollars, the people are fully justified in demanding an explanation of this disastrous program and of how it is now proposed to spend still more of their hard-earned and rapidly vanishing income in this wasteful, reckless way.

Therefore, our Question-of-the-Week: Mr. President, Why is the War on Poverty being lost?

STATEMENT BY REPRESENTATIVE FORD

At the very outset, let me join with Senator DIRKSEN in urging your readers and your listeners to ask their respective Members of Congress for copies of this historic Minority Report on the Poverty program as soon as the Democrat-controlled Committee makes it available. Our people not only have the right to know the harsh facts of that program but, as they now struggle at every income level to make both ends meet, they must be told how frightfully, how disastrously their dollars are being spent in this incredibly mismanaged, almost totally unproductive program of the Johnson-Humphrey Administration.

A very prominent Democrat has used the phrase "the arrogance of power" with respect to his own Administration's foreign policy. That phrase "arrogance of power" far more aptly describes this Poverty program: in the day-to-day administration of that program in countless communities across the country, in the high-handed, steam-rollering of poverty legislation in the House Education and Labor Committee and in the repeated defiance hurled at many of the governors of our states and mayors of our cities by Poverty office bureaucrats.

We Republicans in opposition contend that, in this as on almost every domestic front, the Johnson-Humphrey Administration has regularly substituted promises for performance. When such a policy is applied to the poor it becomes not only harsh, not only cruel, but intolerable and unforgiveable.

Let it be clear, however, that this is by no means a partisan political point of view. Repeated statements on the subject by prominent and dedicated Democrats in the Congress have included such Poverty program charges and phrases as "disastrous," "Programs now mired in the swamp of mediocrity," "a riot and a runaway of ineffective programs," "The rural areas . . . have . . . been lost in the shuffle," "an awful mess," "grandiose sociological studies and anti-social protest movements." These are the words of *Democratic* spokesmen for their constituents and to their reactions can be added the detailed article in the May issue of U.S. News and World Report on "The Mess in the Poverty War", a significant poll taken in one of our most populous states, and endless other evidence from public officials and private leaders of all political faiths.

As Senator DIRKSEN has indicated, we will not be critical only. The Republican Minority on the Committee has proposed an "Opportunity Crusade"—eleven sound and specific recommendations for a total overhaul of the Poverty program. They deserve not only a hearing by the Congress and the country—they deserve to be heeded, immediately, by the Johnson-Humphrey Administration.

Therefore, our Question-of-the-Week: Mr. President, Why is the War on Poverty being lost?

WAGE-AND-PRICE CONTROLS FIVE VITAL ECONOMIC QUESTIONS, SEPTEMBER 28, 1966

Speculation increases daily in both Government and public circles that the Johnson-Humphrey Administration is making definite preparations for the imposition of wage-and-price controls in the near future.

Administration officials are reported as seeing "no way to avoid wage-and-price controls" in the months ahead. This Administration appears unwilling or unable to stem the high and rising costs of living by the clear and certain means available to it—a drastic cut in non-essential Federal spending. As a result, nation-wide alarm at this prospect of wage-and-price controls is increasing daily.

These questions, therefore, appear to be fair and proper:

1. Mr. President, are you now making preparations for wage-and-price controls?

2. Mr. President, despite your earlier reported hesitancy about imposing wide-spread wage-and-price controls, are you planning to impose them piecemeal?

3. Mr. President, is it true that a special wage-policy review board is already contemplated?

4. Mr. President, if wage-and-price controls are imposed, will they be imposed "across the board" or will exceptions and exemptions be specified?

5. Mr. President, do you really believe that wage-and-price controls represent the primary brake on inflation now available?

SUSPENSION OF INVESTMENT CREDIT

The Senate resumed the consideration of the bill (H.R. 17607) to suspend the investment credit and the allowance of accelerated depreciation in the case of certain real property.

Mr. RIBICOFF. Mr. President, I call up my amendment at the desk.

The **PRESIDING OFFICER.** The amendment will be stated.

The assistant legislative clerk read as follows:

> On page 14, line 7, after the word "and" add: "is certified by the Secretary of Interior as being".
>
> On page 14, line 25, after the word "and" add: "is certified by the Secretary of Health, Education, and Welfare as being".

Mr. RIBICOFF. Mr. President, under the bill as passed by the House and reported by the Finance Committee, the investment credit would continue for water and air pollution control facilities.

My amendment is a simple technical amendment to require certification by the Secretary of the Interior and by the Secretary of Health, Education, and Welfare who might have jurisdiction over either the water or air pollution control device.

Mr. President, I ask unanimous consent that a letter addressed to me by Assistant Secretary of the Interior Stanley A. Cain be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF THE INTERIOR,
OFFICE OF THE SECRETARY,
Washington, D.C., October 12, 1966.

Hon. ABRAHAM RIBICOFF,
U.S. Senate,
Washington, D.C.

DEAR SENATOR RIBICOFF: Mr. Sonosky of your staff orally requested on your behalf this Department's views and recommendations on the "water and air pollution control" amendment added during the debate in the House of Representatives on H.R. 17607, a bill "To suspend the investment credit and the allowance of accelerated depreciation in the case of certain real property."

We believe that this amendment, if modified as indicated herein, will be very useful in controlling industrial wastes in our Nation's waters and preventing some of the major causes of air pollution. The amendment would continue the availability of the 7 percent business investment credit for water and air pollution control facilities. As we interpret the amendment, the tax credit is available in any case involving water pollution where a control facility is installed provided it meets applicable Federal, State, or local water quality standards and conformed with the State water pollution control program and complies with the applicable regulations or guidelines of this Department. The person installing the facility need not be under any legal obligation to do so, although that situation is also covered by the amendment.

We recommend the following changes in the House amendment:

1. In paragraph (B)(ii) after the words "water pollution and" insert "is certified by the Secretary of the Interior as being".

2. In paragraph (c)(ii) after the words "air pollution and" insert "is certified by the Secretary of Health, Education, and Welfare as being".

These two changes are technical. The language now requires a certification from a State water pollution control agency that the control facility not only conforms with the State program and requirements, but also complies with applicable Federal regulations. It is, in our opinion, inappropriate for a State agency to certify whether a facility complies with applicable Federal regulations. This is a function of the Secretaries of the Interior and Health, Education, and Welfare.

The Bureau of the Budget has advised that there is no objection to the presentation of this report from the standpoint of the Administration's program.

Sincerely yours,

STANLEY A. CAIN,
Assistant Secretary of the Interior.

Mr. SMATHERS. Mr. President, this is purely a technical amendment, and it has been approved.

I yield back the remainder of my time.

Mr. RIBICOFF. Mr. President, I yield back the remainder of my time.

The PRESIDING OFFICER. The question is on agreeing to the amendment of the Senator from Connecticut. [Putting the question.]

The amendment was agreed to.

Mr. DIRKSEN. Mr. President, I yield 1 minute on the bill to the distinguished Senator from Kansas.

The PRESIDING OFFICER. The Senator from Kansas is recognized for 1 minute.

Mr. CARLSON. Mr. President, there are many provisions in the pending bill that I approve of, but frankly I do not believe the suspension of the 7-percent investment credit will have much effect on our inflationary pressures.

The credit is available only when the investment is substantially completed and in operation.

For many projects, this is 1 to 3 years after the start of the project.

The tax credit cannot be turned on and off to stimulate inflation or curb it, for it has become an integral part of investment, and long-range capital spending plans are, to a great extent, dependent on it.

The 7-percent investment credit was approved by Congress as a permanent part of our tax structure, and I do not believe we should tamper with it by suspension at the whim of the administration or Congress itself.

It is for these reasons that I shall vote against the measure.

Mr. McCARTHY. Mr. President, I ask for the yeas and nays on the bill.

The yeas and nays were ordered.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment of the amendments and third reading of the bill.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read a third time.

Mr. TOWER. Mr. President, let no one be misled. The basic cause of inflation is clear—excessive Government spending. Without an attack on Government spending, further inflation is inevitable. The Government has been on a spending spree. What is needed is a period of restraint—not just on the part of labor or on the part of business—but on the part of Government.

During the past 6 years the administration has proceeded on the assumption that there was no deficiency in our society which the Federal purse and the heavy hand of Federal regulation could not cure. We have seen each piece of legislation beget more legislation—each new expenditure by the Federal Government beget other expenditures.

The level of domestic spending—wholly apart from our defense requirements and the war in Vietnam—has increased from $46 billion in fiscal 1965 to more than $58 billion in fiscal 1967, and it is still going up.

Spending for national defense, including the war in Vietnam, as presented in the President's budget last January increased from about $50 billion in fiscal 1965 to about $61 billion in fiscal 1967. It is already clear that this is an underestimate of the true cost of the war in Vietnam. The chairman of the House Appropriations Committee recently warned the Congress to be prepared for a further increase of as much as $15 billion if the war continues.

Overall the annual Government expenditures already show an increase of more than $35 billion during the past 6 years, and if we are to add another $15 billion for the Vietnam war, this will mean an increase of $50 billion. The Government will be spending $50 billion more in 1967 than it spent 6 years ago.

It should be surprising to no one that this policy would bring about uncontrollable inflationary pressures. Something had to give—and it turned out to be the consumer's pocketbook.

Prices for food, goods, and services have been increasing at an accelerated rate. Increases in the cost-of-living index exceed any period in the past 10 years.

Wages have also been increasing, but the purchasing power of the wage earner has not kept pace with increases in the cost of living.

Interest rates—a part of the cost which the American consumer must pay whether he is buying a house, automobile, or a household appliance—have reached the highest level in 40 years. While the dollar buys less and less, it costs more and more to borrow. The deterioration in the value of the dollar both at home and abroad has led to a steady drain on our gold reserves.

Until recently, the administration regarded suspension of the investment credit as an inappropriate remedy for inflationary pressures in the economy, due in part to the delayed effect of any suspension. In January, the Secretary of the Treasury said:

> The first observation I would want to make is that one of the great advantages that we have now, and we will have in the period ahead, is the continued expansion of this Nation's productive capacity and capacity that may be added. Therefore, I think we want to be very chary of restraining or holding back the enlargement of this productive capacity to meet growing requirements, whether they be for defense or for civilian use.
>
> Second, tinkering with the investment credit, unless there was some very compelling reason for it, which I don't think exists today, would create uncertainties and would impair its long-range effectiveness. Moreover, if it were withdrawn from projects that were underway, this committee and the Congress would be confronted with questions of good faith with respect to companies that had projected new projects.
>
> If, on the other hand, you went a long way toward avoiding removing the credit from projects underway and tried to have it hit sometime later, its impact might come in late 1967 or 1968 in view of the long-term nature of corporate expenditure planning. In this event, the effect might come just at the wrong time.

The bill before us—a tax increase bill—could have precisely the effect which the Secretary stated might be undesirable. The credit is not taken away from projects underway. The real impact will therefore be long delayed insofar as major expenditures are concerned.

As the Secretary later admitted when testifying in support of the bill, the effect of the suspension—if any—will be largely psychological. The Secretary could give no estimates as to the additional revenue which might result. He stated that the bill was not designed to produce additional revenue.

Since the suspension does not apply to projects which are already underway, the large multimillion dollar project, long in the planning stage, will continue and will qualify for the investment credit. The major impact will fall upon the normal replacement of facilities that wear out during the suspension period.

When the investment credit was first proposed as part of the Revenue Act of 1962, we pointed out that it was inherently discriminatory. The subsidy was extended to facilities which had been contracted for, or placed on order, long before any subsidy had been proposed. It penalized taxpayers who had expanded and modernized without having to rely upon any tax inducement. The suspension of the investment credit subsidy at this time will result in similar inequities. Arbitrary rules, bearing little relationship to the respective equities as between taxpayers, will determine whether a taxpayer is affected by the suspension.

While the credit is suspended on orders placed during the period from September 9, 1966, to December 31, 1967, the suspension will not apply to property acquired at any time pursuant to a binding contract made on or before September 8, 1966. The taxpayer who held back on his orders and deferred capital investment plans in response to the request of the President, will be denied the investment credit. The taxpayer who ignored the President's request and placed his orders for new equipment prior to September 9, will get the benefit of the investment credit.

The customary purchase order is not binding on the purchaser until acknowledged. This leaves to pure chance whether two taxpayers, both of whom ordered the same machine at the same time from the same supplier will be entitled to the credit. If the supplier acknowledged the order before September 9, there would be a binding contract. That taxpayer would get the credit. If the supplier did not acknowledge the order until September 9, there would be no binding contract on September 8, and that taxpayer would not get the credit.

The rules for determining which investments will qualify for the investment credit during the suspension period because of prior commitments are exceedingly complex, and subject to manipulation by the taxpayer.

As distinguished from most tax questions, we are not here dealing with the timing of a deduction. Here we are dealing with a direct subsidy—wholly apart from the determination of taxable income. The taxpayer who does not qualify for the investment credit will never get an offsetting deduction or subsidy. This places a premium on manipulation and litigation. In defining eligibility for a credit, the statute should be precise—not vague and subject to manipulation.

I have serious questions concerning the effectiveness of the proposed suspension of the investment credit, not because I do not believe that appropriate measures should be adopted to curtail the inflationary pressures in our economy, but because I feel that the proposal embodied in this bill is not suited for that purpose.

The Secretary of the Treasury clearly expressed the basis for my concern in a statement before the Senate Committee on Finance on February 28, 1966. At that time, Secretary Fowler said:

> In my response to your inquiry, Senator SMATHERS, on Friday as to desirability of suspending the investment credit, I indicated some of the reasons why we considered such a suspension to be unwise. I would like now to recapitulate and supplement the points made in our previous discussion.
>
> 1. The investment credit is a sound long-range measure which provides incentives for expansion and modernization of our productive capacity.
>
> 2. The credit encourages technological advance and the introduction of more efficient processes, which increase our productivity and enable the economy to deal with the periodic wage increases which are characteristic of our economy without price increases.
>
> 3. In this way, as well as by making investment here more attractive, the credit helps us to deal with our balance of payments.
>
> 4. The investment credit is not suitable as a short-range restraining measure—cash flow or revenue effects are delayed. The credit becomes available as the investment project is completed. As a matter of good faith and fairness, a suspension would have to provide an exception for projects already underway or contracted for prior to the effective date. The impact of the suspension in terms of both raising revenue and restraining the cash flow to investing business would therefore be delayed by a considerable period, reflecting the leadtime involved in most investment activity. The real impact of the suspension might not hit us for a year or so following the effective date of the suspension.
>
> 5. Leadtime in modern investment involves more than contractual commitments: In this connection, I would point out that in taking action to suspend the credit, even if prior "orders" or contractual commitments were excepted, considerable injustice and disruption would be caused to businesses which have already gone ahead with in-house design and other preparatory activities for making new investments. Leadtime, viewed realistically, often involves various steps including extensive plant design carried out by the investing business itself. Suspending the credit on projects on which extensive preparatory work has been done may involve about the same losses or penalties to taxpayers as cancellation of an outstanding contract. For obvious reasons however, it would be difficult to draft a suspension provision which would take care of investment already started in the sense described here.
>
> 6. Problem of unused credit carryovers: Businesses are allowed a 3-year carryback and a 5-year carryforward of unused credits—denied currently by the 25 percent of tax and related limitations. Substantial unused credits have accumulated, possibly at the rate of $300 million a year. It would be harsh to deny the use of the unused credit carryover if the current credit were suspended. Removing the credit currently would increase the availability of substantial amounts of credit carryover. The exact amount of this effect is difficult to estimate, but it could potentially cancel a considerable part of the revenue effect of a temporary suspension.
>
> 7. Suspending the investment credit may hit the small plants hardest: The available evidence indicates that the investment leadtime, including design and procurement, varies directly with the size of the plant. Productive facilities for equipping small plants can be designed and completed in a fraction of the time required for large facilities. Temporary suspension of the credit would thus hit small plant construction soonest and hardest. The equipping of large plants already contracted for could go on for a longer time, still receiving the credit on completion, and large plants could be started after the effective date of the suspension, looking forward to completion after the date the credit is restored.
>
> 8. Return of uneconomic repair and maintenance of outmoded equipment: The credit has apparently been helpful in discouraging previous practices of repairing antiquated equipment to eke out its industrial life. Prior to the credit, taxpayers often preferred to spend money keeping the old machine going, partly because they felt they could get current tax deductions for these outlays. The investment credit tipped the balance in favor of getting modern equipment. Suspension of the credit may send many businesses back to the uneconomic repair and maintenance practices so that their expenditures can be expensed for tax purposes. This would not only be bad for our technological progress but also would involve demands on the economy and revenue decreases which would offset both the economic restraint and revenue contribution of suspending the credit.
>
> 9. Suspension of the credit might prove to be most effective in curtailing the type of investment that makes the most anti-inflationary contribution: Suspension of the credit would operate most promptly and effectively on equipment which has a short leadtime between order and delivery and which bunches its contribution to production within a short period of time (that is, has a relatively short useful life). This type of equipment would help round out productive capacity in the next year or two. On the other hand, the long leadtime equipment with a long useful life would be much less affected by suspension of the credit because completion could be scheduled 2 years or so hence, when the credit was to be restored.
>
> 10. Suspension of the credit would create imbalance in the 1966 revenue program and apply too severe a restraint on investment: The program provided in the bill before the committee relies heavily on restraint of corporate cash flow and liquidity to apply a moderate restraining factor on the economy. Of the $4.8 billion revenue total for the fiscal year 1967, $3.2 billion, or about two-thirds, is derived from the acceleration of corporate tax payments. This in itself will provide a moderate and salutary restraint on investment. The other increases in revenue affecting purchasing power generally will also operate to moderate expensive investment activity. If a suspension of the investment credit is added to the program, it will concentrate too much on the business sector and run the risk of slamming on the brakes too hard.

While we may not agree with all of the reasons advanced by the Secretary against suspension of the credit—and some of the problems which he enumerated may have been alleviated in this bill—the substance and thrust of his statement, if sound last February, is equally sound today.

In order to alleviate the impact of the suspension on the small businessman and the farmer, the House adopted an amendment providing a flat exemption of $15,000 which will be entitled to the credit in spite of the suspension. Although the amendment was adopted over the objection of the administration, I believe the exemption is very desirable.

An amendment was also adopted by the House which would permit the completion, without regard to the suspension, of projects on which taxpayers had either already commenced construction and which they were obligated to complete, or had entered into binding contracts for a substantial part of the total cost. I support this improvement.

An amendment to continue the credit and current depreciation rules on facilities which are in furtherance of water and air pollution abatement also was wisely added.

I regard this tax increase bill as wholly inappropriate to meet the inflationary pressures confronting the economy. In my opinion, its effect will be as illusory as the cutback in expenditures proposed by the administration. The bill is intended merely as camouflage.

What is really needed is a drastic curtailment of Federal spending.

For this reason, I am opposed to the bill. I believe the administration should face up to the real problem and take more appropriate action to curtail inflation instead of penalizing its citizens further.

Mr. THURMOND. Mr. President, I am opposed to the enactment of the pending bill which is designed to suspend for approximately 15 months two tax incentives for investment in plant, equipment, and other commercial and industrial property.

I am not unaware of the reasoning of the administration in seeking passage of this proposal, but I am convinced that this is the wrong solution to the problem of inflation. The bill is designed to ease pressures in the money market, reduce capital investment for new plant and equipment and generally reduce demand by temporarily removing these two incentives for business investment.

The problem of inflation is a very real problem which unquestionably requires immediate attention from the Government, from management, from labor, and from all quarters of the economy. In my judgment, however, the proper response from the Government should be to decrease its own expenditures and not to hamper and virtually prohibit private investment. Government spending has a more direct and appreciable inflationary effect than does private spending. The expenditures this Government is making at the present time on nonessential domestic programs is being largely financed by borrowing and is increasing the deficit for the fiscal year.

It is obvious that to decrease the pressures for goods and services, either the demand must be reduced or the supply increased. The private sector of the economy must produce the necessary supply. To do this will require capital investment. The Government should not take steps to keep private individuals from spending their own money while at the same time the Government continues to spend with little or no substantial decrease.

In my judgment then, this bill does not provide an acceptable solution to the problem of inflation. To the contrary, it may in fact be detrimental in the long run. It could contribute in the future to recessionary tendencies and increased unemployment, as it will inhibit the necessary private investment to sustain a growth rate in the private sector. It is designed as only a temporary solution, but it could well prove to be a far-ranging contribution to a serious problem in the months and years ahead.

I urge the Senate not to compound our economic woes by the adoption of this proposal.

Mr. FONG. Mr. President, I intend to vote for this measure, H.R. 17607.

I support this bill because I believe it is necessary to ease inflationary pressures in the sectors of our national economy which are being strained by present productive capacity.

Approval of this legislation will also have the effect of reducing pressures tending to raise interest rates; on the contrary it will promote an increased flow of credit into the home mortgage market and thus ease our tight money situation.

I am well aware of the fact that many economists have warned that the proposal may be poorly timed; they predict that the provisions of this bill will take effect not immediately when inflationary pressures are great, but in late 1967, when the economy may be in a downturn.

But I feel that the proposed suspension is for a reasonable period—15 months; and that by providing for exemptions of $25,000 from the investment credit suspension and $100,000 from accelerated depreciation suspension, the small businessman and the small farmer are protected.

Mr. MORTON. Mr. President, I ask unanimous consent to have printed in the RECORD at this point a statement prepared by my colleague, Senator COOPER.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR COOPER

I support the bill, H.R. 17607, a bill that would temporarily suspend the investment tax credit and accelerated depreciation as reported and amended by the Senate Finance Committee.

The temporary suspension of the investment credit and certain forms of accelerated depreciation on buildings provided for in this bill will moderate the pace of the economy in those areas in which the committee has found inflation most pronounced. This bill will help in restraining inflationary forces in our domestic economy by reducing capital outlays, and it will produce additional tax revenues.

I do not want to see a general tax increase, which would affect individuals and businesses, and for many months, it has been my view that inflation must be curbed and the war must be financed.

The committee report also points out that by slowing down new outlays, the bill will lessen the heavy demand for loans, and will increase the flow of funds throughout the economy. The report states that the bill will help "ease pressure in the money market, thereby promoting a greater flow of credit into the home mortgage market."

This program has been in effect since 1962, and it has helped stimulate expansion and jobs in industry in Kentucky and in other states. The committee has had to take into account the various equities involved and has faced a difficult task.

The committee amendment which provides that investment credit during the suspension period will continue for investments of up to $25,000, rather than the lesser amount of $15,000 of the House bill will be of help to many small businessmen and farmers.

This amendment was proposed to the Finance Committee in testimony given by Senator SPARKMAN, chairman of the Select Committee on Small Business, for himself and various members of the Select Committee. I am a member of that committee, and I was very happy to support and cosponsor this amendment.

The committee adopted another amendment which I believe should be helpful to small businessmen and farmers by continuing the availability of accelerated depreciation for construction of buildings where the total construction involved is less than $100,000.

I am pleased to see that the committee retained the amendment included in the House bill, providing during the suspension period for the continuation and availability of the investment tax credit for the acquisition of air and water pollution control facilities.

In February of this year, I introduced a bill which would increase the present investment credit from 7 to 14 percent for those industries purchasing and installing facilities and equipment controls that would abate or eliminate air and water pollution. When the Finance Committee was holding hearings on H.R. 17607, I submitted my views to the committee, urging that it retain at least the 7 percent House provision for investment in air and water pollution control facilities.

In my testimony, I said: "I am hopeful that when the present inflationary pressures in our economy have subsided, this committee will consider increasing the present investment credit or provide additional tax incentives to industry to assist in the acquisition and installation of pollution control facilities."

In keeping this provision in this bill, the committee has recognized the importance of stimulating private industry to undertake the expense for facilities which would help abate water and air pollution.

I support the bill and urge its adoption by the Senate.

Mr. MORSE. Mr. President, I have reluctantly decided to vote against the credit investment bill.

When the bill was recommended by the administration, I thought it probably was a means of cooling off the economy somewhat and that it would serve to recoup for the taxpayers some of the tremendous profits being made from our war economy.

But, having seen the bill amended with exemption after exemption, I cannot bring myself to vote for the bill as I believe it is an unfair bill because it is applied unevenly to American industry.

It has become, in my judgment, an empty symbol with no real effective inflation control left in it.

Further examination of the economic impact of the bill raises grave doubts with me that it will do much to curb inflation. When excessive purchasing power is loosed in our economy, we traditionally deal with it either by expanding production or by reducing the purchasing power through direct tax increases.

It does not make much sense to me to eliminate a feature of the Internal Revenue Code that is designed to expand productive capacity at a time when inflation is threatening.

If we are going to deal with the economic problems caused by the defense expenditure now at an annual rate of over $61 billion a year, we should do it directly and most effectively by direct tax levies upon the individuals and corporations profiting most from the war boom.

In my opinion, repeal of the investment credit for some industries, but not for all, is only a gimmicky approach, whose real effect may be just the opposite of what the original bill was intended to accomplish.

Mr. President, I also think that we should keep in mind the fact that if we really want to check inflation, we should do it by a tax program based upon the ability of the people of the country to pay, and we should do it by cutting back on some unnecessary expenditures.

As the Senate knows, I think that not only the $3 billion foreign aid bill, but also the approximately $7 billion foreign assistance bill was the place in which to start to curtail the danger of inflation.

The Congress of the United States is not willing to do this and this administration and this Congress is not willing before the election on November 8 to do what I believe to be their clear public duty.

This administration should have sent up its recommendations for a major tax increase bill, and this Congress should have passed such a tax increase bill to pay for this war out of taxes.

So, Mr. President, it may be good politics before the election to go home without a tax bill and go home with what I consider to be a bill that is nothing but a gimmick, nothing but an empty symbol that gives the people the impression that we did something to check inflation. I have not heard any arguments today that show that this bill will have the slightest effect upon inflation.

I shall vote against the bill because in my judgment it is not in the best interest of management or labor. What we need, is an expanding economy rather than a restricting economy. We need to avoid a scarcity of goods if we are to check inflation. It is not an expanding economy that reduces inflation but a surplus of purchasing power that contributes to price spirals.

The crying need of the country for checking inflation is a tax bill that will collect revenue that is necessary in paying the cost of the war.

Our major trouble is that the President, his executive advisors, and Members of Congress have not had the political courage to recommend and pass a tax bill that not only would meet the ever increasing cost of the war but would absorb the increase in purchasing power. This bill on investment credit will restrict production and as a result runs the danger of decreasing employment. It may also very well be an inducement for the flight for American investment capital to foreign countries. This is but another way of saying that this bill may have the result of exporting American jobs to foreign countries as the result of American companies investing their money in new factories abroad.

I am not in favor of substituting foreign workers in new American factories abroad for American workers in needed new American factories in our own country.

This bill is also a legislative alibi for this administration's failure to face up to needed inflation control tax legislation. It is also an attempt to give the administration an alibi for not facing up to the unjustifiable interest rate increases which the administration and the Congress have permitted the Federal Reserve Board to get by with. In my State of Oregon, the interest rate policies of the Johnson administration are resulting in the shutdown of lumber mills or the reduction in the number of work shifts because of the drastic curtailment in home building. This ineffective investment credit bill may be considered a good election gimmick for those who vote for it but when the voters come to see that it is a form of political deception, I think those who vote for it will come to wish that they had not done so.

I shall vote against the bill.

Mr. PROXMIRE. Mr. President, last March, the Senate voted "no" on a similar project, the Gore amendment to suspend investment credit. It is different in some minor technical respects, but it is largely the same amendment.

Why should we reverse that position of last March in view of the present situation?

Mr. President, the only argument in favor of the measure is the economic argument that we are suffering inflation and that this bill is necessary in order to slow down the economy and to keep prices from rising.

Mr. President, I think the record is overwhelmingly clear that whereas the situation did appear inflationary last March, it is far less inflationary now. And within a few months, when this bill can have its only effect, the situation is likely to be recessive and not expansive.

Mr. President, it is true that we have had a big rise in prices in the last 7 months. Since February, prices have risen at a rate of 4.3 percent. If we continue at that rate, it will be the most rapid rise in prices since the Korean war—in the past 15 years.

Mr. President, I think we have to take a look at the situation as it is now, and I think I can bring it out in a few minutes. The effect of this bill will not be felt this month or next month or the following month. It will not begin to have its real effect for probably a year, and most likely for a longer period.

Just yesterday, the newspapers reported that Arthur Okun, one of the three members of the President's Council of Economic Advisers, said that the economic situation had moderated—and moderated it has. For the last 6 months, we have had no decrease in unemployment. As a matter of fact, unemployment is higher now than it was last February or March.

Every Member of the Senate knows that the stock market has dropped, and dropped sharply, in the past 7 or 8 months.

We know that interest rates are higher than they have been in 40 years. Just as the stock market drops in the past have generally preceded a falloff in business, so high interest rates have generally led a recession.

New orders for durable goods, which are at a high level, have dropped in the latest months. They have not gone up. In fact, they have dropped for the latest 3 months.

Commercial and industrial construction—note that I do not say homebuilding—is down in the latest months. I might point out that one important part of this bill which has not been discussed very much, the suspension of accelerated depreciation, will primarily depress construction. That is what it is designed to do.

New orders for machinery and equipment are down in the latest month. I might say that if this has any purpose at all, it is to depress the market for machinery and equipment. As a matter of fact, new orders for durable factory goods fell to a seasonally adjusted $23.1 billion in August, down 4.5 percent from July, and the smallest since last February.

New orders for machinery and equipment dropped by $346 million, or 6 percent.

Private nonfarm housing starts are down—and, as we know, away down. We are having a depression in this area.

Industrial materials prices dropped last month. They have also dropped in the last 3 months.

The purpose of this bill is not to heat the consumer price index. It cannot do so, except indirectly. It will heat industrial prices, and industrial prices are down. They were down in July, August, and September.

Durable goods backlogs have dropped during the last month, and for the last 3 months.

Perhaps the best indication of future activity is what happens to raw material prices. The raw material indication, which was 125 percent in 1957–59, is now down to 109 percent; so that has dropped.

One of the most significant indications is the 25 leading indicators. This concept and program was developed by Julius Shiskin—initially for the National Bureau of Economic Research and later for the Census Bureau.

Incidentally, Mr. Shiskin is a very widely accepted and competent economist. He is currently the Census Bureau's chief economic statistician.

This shows for the first time in 5½ years that a majority of leading indicators are pointing down and indicating that we are more likely to have a recession than an expansion of inflation.

Just 2 weeks ago, business economists met in convention in Washington and disclosed at that time that three-quarters of the business economists in this country—and I submit that there is no group that is more competent to judge our business future; these are men with professional training, who have to work day after day on business problems; they are practical men and well-trained men—estimated that we would have a recession by 1970. One-half of those economists said that the recession would start next year.

Just last week, 45 percent of the purchasing agents indicated concern about our economy—the largest percentage in 4 years.

Pierre Rinfret, who is an outstanding economist and head of Ede & Co., conducted a survey recently in which he estimated that we would have a big escalation in Vietnam—500,000 more troops there; $10 billion more a year spent in Vietnam—and yet concluded that next year, instead of having the 14, 15, 16, or 17 percent increase in investment in plant and equipment that we have had over the past few years, there will be an increase, in his judgment, of between 3 and 5 percent. He said that on that basis we are likely to have some vacant capacity and some unemployment in the industry.

Mr. Okun, to whom I referred earlier, one of the members of the Council of Economic Advisers, indicated yesterday that it would be, in his judgment, reckless and irresponsible for Congress or the Government to put its foot on the brakes now—on the fiscal brakes; and that is just what we are doing when we vote for this bill. He used the term "reckless and irresponsible."

I might say that Mr. Okun is the only Federal official who is giving an estimate of what the situation is likely to be next year. Secretary Fowler, when he appeared before the Committee on Finance and before the Ways and Means Committee, refused to estimate what the economic situation will be when this bill begins to have its economic effect.

This morning there was a report in the newspapers that the real gross national product had increased in the last quarter by some $7.2 billion; and it was also indicated that this is completely consistent with the estimate of the Council of Economic Advisers and the Federal economic experts as to how much this economy can sustain in economic growth without inflation.

In conclusion, so far as these points are concerned—whether Arthur Okun, one of the most competent economists in the country, is right or wrong, that the situation is moderating; whether Pierre Rinfret, a highly reputable economist, is right or wrong; whether the overwhelming majority of business economists are right or wrong when they say a recession is likely to begin; whether the 25 indicators, which for the first time in 5½ years point downward, are right or wrong—if we are to adopt a policy to slow price rise by slowing the economy, it should have its effect now, this month, not 6 months, 8 months, 9 months, or a year from now.

How does the suspension of the investment credit and accelerating depreciation measure up? Mr. President, when Secretary Fowler appeared before the Joint Economic Committee in February, this is what he said about the lag in the effect of the suspension of the investment credit:

> A period of 18 months—

Eighteen months, not a year—

> is sometimes cited as the average leadtime between contractual commitment and completion of capital projects in American industry. This rule of thumb included both plant and equipment.

Of course, this bill would heat both.

Mr. President, we have had an increasing tendency to produce specialized equipment which requires considerable time, and more time. Because of the testimony—which was so well documented that I wish I had more time to go into it—by the Secretary of the Treasury, it has not been disputed, in my judgment, by any economist or by any Member of the Senate or by any member of the Committee on Finance who voted for this bill, that the effect of this bill is not going to be this year. It is not going to be in the first half of next year. It is going to be at a distant time—9 months, a year, or more from now—when there is every indication that we are likely to have a recession economy rather than an expanding economy.

I might say that the distinguished chairman of the Committee on Finance said it very well when he opposed this action last year. Senator LONG said that the effect of suspending the credit would be delayed, since it would not apply to goods on order at the time the suspension becomes effective. The lag between order and delivery would delay the effect of suspending the credit. He said at that time it would be between 9 months and a year.

Mr. President, one of the saddest aspects of the consideration of this bill is that the administration has failed to give Congress any analysis on which it can determine whether 1 year from now, when this will have its only effect, the economy will be growing at an inflationary rate or will not. As Secretary Fowler said, he just did not know, and he would not predict.

Yesterday, as I said, Arthur Okun, the only man who has taken a position on this among the top economic policy advisers, said that in his judgment the economy is in balance, and that it would be reckless and irresponsible for us to jam on the brakes.

Mr. President, I now wish to turn to a part of this matter which I know is controversial.

This investment credit suspension is inflationary in three ways. In the first, place suspension of investment credit will increase the price of equipment. It will do so because the investment credit itself is an effective price cut. If a business is buying a $1,000 piece of equipment and can apply the 7-percent investment tax credit against the net income tax, the real cost of equipment is not $1,000 but $930. The suspension of the investment tax credit would actually increase and not decrease the cost. That increase in cost, in my judgment, will be passed on to consumers under any circumstances.

Furthermore, Mr. President, suspension discourages business from buying the very equipment and building the plants which will enable industry to meet expanding demand in the future.

We can see that inflation in our economy is not in the industrial sector. I have just quoted from figures to show they have been falling. Actually, it is the food and services area.

Mr. President, if this is successful it discourages business from expanding in plant and equipment. We are pressing to 95 percent of capacity but if investment in plant and equipment is made, there is created a situation where business might be operating at 85 percent of capacity which would not be inflationary and we could have a price stability.

If incentives are suspended and the suspension works, and does slow down business plant and equipment expansion, the same demand a year from now could mean operations at 95 percent of capacity. The result is highly inflationary pressures on the industrial capacity.

A vote for suspension cannot win. If beginning late next year we have a recession, then suspension is sure to deepen it. It will not meet rising demand.

Mr. SYMINGTON. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. SYMINGTON. Mr. President, the argument that the Senator is making is interesting.

One of the aspects of the balance of payments that has worried me is the heavy decline in the private sector of exports over imports. As I remember, the Treasury Department the first of the year estimated this would be $6 billion. The last I heard was $3 billion.

If the reasoning of the able Senator from Wisconsin [Mr. PROXMIRE] is correct, then the tax exemption provision would tend to further reduce our excess of exports over imports. Am I correct in that?

Mr. PROXMIRE. There is no question. The Senator is correct.

There is only one problem. In general that is correct. It would prevent business from introducing machinery, which they could do. And furthermore, this is most important, it will make American investment less attractive than foreign investment where they have investment credit. The tendency will be for capital to go abroad.

I think the reasoning of the Senator is correct. The suspension of investment credit will have an adverse effect on the balance of payments.

Mr. SYMINGTON. I thank the Senator.

Mr. PROXMIRE. The investment credit is very important to our balance of payments. In the first place, the credit encourages the modernization of American machinery and equipment. Such modernization makes our exports more competitive in world markets.

The credit has a second important effect on the balance of payments. It tends to make investment opportunities at home more attractive relative to investment opportunities abroad. If the credit were suspended, the pressures leading to an outflow of U.S. capital to take advantage of foreign investment opportunities would become even stronger. As Senators know, the outflow of American capital has been one of the most difficult aspects of the problem faced by the President and the Congress in the effort to eliminate balance-of-payments deficits.

The words of last March from the distinguished chairman of the Finance Committee [Mr. LONG], also expressed the last March views of the Secretary of the Treasury. He, too, then championed the investment credit as crucial for our balance of payments.

But now Secretary Fowler is singing a different tune. He told the Finance Committee that suspension would help our balance of payments by discouraging American industry from buying equipment from abroad and by reducing the pressure on facilities for producing equipment so that available equipment would be better available both for domestic sale and export.

Mr. President, who was right, the Secretary last March or the Secretary this October? On aggregate, it is clear to me that the position of last March made far more sense. True the export-import situation in the machinery industry may be favorably affected by this suspension. But throughout American industry the export-import situation will surely be damaged seriously if American industry sharply slows down its modernization, efficiency, cost-cutting, price-reducing program.

The shortrun effect is mixed. But the balance of payments is an industry-wide problem not a machinery and equipment problem, thus even in the short run this suspension is ill advised. In the long run, it is likely to be a very serious mistake and I remind Senators that this balance-of-payments problem is a long-run not a shortrun problem.

Furthermore, the argument of last March that the investment credit improves investment opportunities in this country especially in comparison with investment opportunities abroad stands stronger than ever right now in October of 1966. Suspension will tend to increase the outflow of U.S. capital to take advantage of foreign investment opportunities.

The effect of suspension will have a devastating effect in the latter half of 1967. The reason is there is a persuasive case. Can one imagine any businessman making that investment on September 1, October 1, or November 1, 1967, when he knows that if he waits a relatively few days or weeks he can get a 7-percent investment credit? Imagine an aircraft concern interested in making a $500 million investment. If they will postpone until the latter half or last quarter of 1967 they can pick up $35 million.

I have discussed this with a number of machine tool people in Wisconsin. They tell me that if we adopt this measure they might as well go on vacation beginning about September 1, 1967, because nobody is going to order machine tools. They will wait until the suspension expires on January 1.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. AIKEN. I am wondering, the situation being as the Senator from Wisconsin describes it, if the end result would not be a good reason for waiting from April 1968, until the first week in November 1968?

Mr. PROXMIRE. I am glad that the Senator raised that point, without regard to political implications. It may be, but that depends on whether or not we have a generally expanding economy.

What happened is that we adopted an investment credit in 1962. It was liberalized in 1964. We have had an expanding economy since that time. Investment credit works well in an expanding economy. No businessman is going to expand if the demand is not there. We may think that if we made a mistake we can rectify it, but it cannot be rectified because once you start going downhill on tax incentives you are not going to persuade business to build more.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. PROXMIRE. I yield.

Mr. AIKEN. Does the Senator have in mind the "best laid plans of mice and men"?

Mr. PROXMIRE. Yes, indeed.

Several Senators. Vote! Vote!

Mr. PROXMIRE. I will be finished shortly. I appreciate the applause. I should be finished in a few minutes.

It has been indicated in colloquy that a vote for the suspension of the investment credit could be a vote to throw men out of work. If a recession were to begin next year, I would not be surprised if many people related it to this action of the Congress this afternoon. They could do so with justification. This is going to arrest a very important sector of industrial production and could result in projecting a deepening recession.

Mr. President, there has been a lot of stress upon the testimony of the Secretary of the treasury that this bill will reduce pressure on capital markets and thereby tend to moderate interest rates. This is not true for the following reasons.

In the first place, virtually all the funds for business investment in plant and equipment come not from capital markets but from cash flow, from reserves and undivided profits. It is true that if undivided profits are not adequate, corporations will go to the market. But what is the cash flow today?

In the second quarter of this year, the last quarter for which we have figures available, the cash flow was $66.1 billion. How much was invested in plant and equipment in the second quarter? That figure is $60.1 billion, or a $6 billion difference. There was $6 billion more available to be invested. There was not an incentive for industry as a whole to go to the capital market.

There is one large and significant group of businesses that does characteristically have to go to the capital market. As one who was formerly active in such a business I know whereof I speak. This is small business, the businesses which would invest $5 or $10,000 or perhaps up to $25,000 in a single year. For this kind of business, cash flow is too limited to permit this kind of internal financing.

These small firms do characteristically go to the financial market and there are literally millions—in fact I would estimate that 90 percent of the firms in America are in this investment of less than $25,000 a year category. But these are exempted from the bill. The bill would not touch these firms. And I think the bill is right. I enthusiastically support that exemption. But, Mr. President, this means that the big sector of our economy that does resort to the banks to finance investment is untouched.

In summary on this point, Mr. President, this suspension will not ease pressure on capital markets and interest rates. The overwhelming proportion of the business investment in plant and equipment is made from the cash flow, the undistributed profits, and depreciation reserves—of American corporations.

That cash flow has been and continues to be ample to finance busines investment. The investment credit may even add to the dependence of business investment on borrowing in the capital market because the suspension would reduce the cash flow.

And finally, the only significant sector of business that characteristically must rely on borrowing to finance investment, small business, is untouched by this bill.

Mr. President, I wish to sum up by saying that 78 Senators are asked to reverse their position of last March. Why? The argument is that we have an inflationary situation today but every indication is that we have less of an inflationary situation now than we did then.

The recession is a real possibility on the basis of economic indicators; the analysis of outstanding experts whose opinions we can assess. If we have a recession the suspension would be a first-class blunder. If there is more inflation the suspension will contribute to it. Mr. President, this is a heads-you-lose, tails-you-lose proposition.

For that reason I hope that Senators vote no on this measure.

The PRESIDING OFFICER. Who yields time?

Mr. WILLIAMS of Delaware. Mr. President, I yield myself 1 minute.

The PRESIDING OFFICER. The Senator from Delaware is recognized for 1 minute.

Mr. WILLIAMS of Delaware. Mr. President, this bill contains one very important provision, the purpose of which is to authorize the Treasury Department to issue a special type of retirement bond for the small investor.

At this point, I ask unanimous consent to have printed in the Record excerpts from the committee report explaning how the bonds will operate, together with a letter from the Treasury Department outlining the price at which they will be sold.

There being no objection, the excerpts and the letter were ordered to be printed in the Record, as follow:

1. REASONS FOR THE AMENDMENT

At the present time, the Treasury is prevented by law from issuing long-term securities at a rate of interest which, on the basis of the face amount of the security, exceeds 4¼ percent. This interest rate ceiling does not, however, prevent the Treasury Department from offering short-term securities at effective rates of interest in excess of 4¼ percent. Indeed, when prevailing market rates of interest significantly exceed 4¼ percent, the Treasury Department has difficulty in obtaining funds in a competitive market. The effect of this has been to force the Treasury to an increasing extent to rely on short-term securities to fund its debt.

2. EXPLANATION OF PROVISION

Your committee approved an amendment which permits the Secretary of the Treasury, at his discretion, to issue a new type of retirement and savings bond which may carry a rate of interest, based on the issue price or the bond, which may exceed the present interest rate ceiling. The bonds are to carry an interest rate up to 5 percent a year compounded semiannually or, with the approval of the President, may carry an even higher interest rate. These retirement and savings bonds are to mature in not less than 10 nor more than 30 years from the date on which they are issued.

The issuance of these retirement and savings bonds will provide the general public with a bond whose interest rate is stated in explicit terms. Furthermore, the issuance of these bonds will tend to lengthen the average maturity of the Federal debt. As of August 31, the average maturity of the Federal debt was only 4 years 11 months. A further reduction in the average maturity of the debt would be undesirable.

The bonds are to be issued on a discount basis. The Secretary of the Treasury, with the approval of the President, is authorized to decide when to issue these bonds, in what forms and what amounts to issue them, whether to issue them through the postal service or otherwise, what maturity between 10 and 30 years to provide for them, what interest rate to establish for them, and what terms and conditions to provide for redemption prior to maturity. The committee understands that, to the extent possible, the Treasury will issue these securities for, terms of 10, 15, 20, 25, or 30 years. He is also authorized to fix the maximum amount of such bonds issued in any one year that any one person may hold at any one time. He may not fix this amount, however, at less than $3,000. The Secretary is also authorized to provide that owners of retirement and savings bonds may, if they wish, retain the bonds after the date of maturity and continue to earn interest upon them at rates consistent with yields on new issues of similar securities.

For tax purposes, the difference between the price paid for such a bond and the value when redeemed, whether at, before, or after maturity, is to be treated as interest income.

The bonds are not to bear the circulation privilege.

These provisions are to be effective following the date of enactment of this bill.

TREASURY DEPARTMENT,
Washington, D.C., August 31, 1966.

Hon. JOHN J. WILLIAMS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR WILLIAMS: Pursuant to your telephone call, I am enclosing a table providing the information you requested respecting issuing prices for discount bonds at various interest rates and maturities.

Sincerely yours,

STANLEY S. SURREY.

(Enclosure.)

Prices of E-type bonds at selected rates and terms

[Prices are for maturity value of $100]

Rate	10 years	20 years	30 years
4.50 percent	$64.08	$41.06	$26.31
5.00 percent	61.03	37.24	22.73

The PRESIDING OFFICER. Who yields time?

Mr. HARTKE. Mr. President, will the Senator from Louisiana yield me 3 minutes?

Mr. LONG of Louisiana. I yield 3 minutes to the Senator from Indiana.

The PRESIDING OFFICER. The Senator from Indiana is recognized for 3 minutes.

Mr. HARTKE. Mr. President, I intend to vote against the bill for the simple reason that it is not a bill to fight inflation or inflationary pressures. In fact, it is in itself inflationary in every sense of the word. This is really action for action's sake alone, without any real thought as to the direction in which it is heading.

To me, it simply says that progress is no longer the American way of life, that we are going to crawl back into our shell and stay there.

This is a shortsighted program. Its long-range effects will certainly be bad. It will eliminate modernization and make us noncompetitive in the world market. It will make it impossible for us to continue to eliminate the question of the shortage of skilled labor in this country.

Certainly, as I have said, this bill is not an anti-inflationary measure.

Today, the real problem in the economy is simple: It is a shortage of sufficient money. This has been a deliberate policy instituted by the Federal Reserve Board. Where the law of supply and demand works well, as it does in the general economic sense in the marketplace, when there is not enough money to go around, the price of money goes up.

The question of interest rates is at the heart of the question, and interest rates have skyrocketed.

In the hearings, I thought there were two important statements made which absolutely astonished me.

I invite the attention of the Senate to the statement made by the Senator in charge of the bill, my dear friend, the chairman of the Finance Committee and the assistant majority leader, the Senator from Louisiana [Mr. LONG].

In his opening statement, he stated that the reason we need this bill is to pay for the cost of the war in Vietnam.

On page 259 of the hearings, I asked Mr. Schultze:

> What is the cost of Vietnam today?

Mr. Schultze replied:

> I do not know, sir.

Also in the hearings there is a statement just recently issued by the distinguished Senator from Georgia, that he had tried in vain to find out what the cost of war is.

I think it is an astonishing figure. Probably those who say it is costing us about $2½ billion a month are right; that it is costing us about $30 billion a year.

But, that still has nothing to do with the bill, for the simple reason that Secretary Fowler admitted in the hearings that one big major industry in the United States is currently in a recession, as the Senator from Wisconsin [Mr. PROXMIRE] has said. He said that we are in a recession in the homebuilding industry today, and we are still to go into one in the general building industry.

I said:

> I do not ask you to accept it. Let me state it so that there is no question about my opinion: The rising cost of living where people are complaining about is primarily in food, is that not correct?

Secretary Fowler replied:

> I think that food and services are the principal contributors to the recent increase in the inflationary pressures.

In other words, he points this out and then comes back and adds mortgage costs. Thus, we have three things here: Food, services, and mortgage costs.

Every single one goes back to one simple point and that is: interest rates.

When Secretary Fowler was pressed, he said the bill would not do anything to reduce the price of food, it would not do anything to reduce the price of services, or reduce mortgage costs; he said that it would probably not help in any significant degree.

I asked him if there was an excess of demand in the industrial section, and in the hearings he specifically said no, that the homebuilding industry was the main reason why the investment suspension credit was needed.

If we take the testimony of A. J. Dewolf, in the House, he points out specifically that this strikes at the wrong end of the supply and demand equation. In other words, what we need today is not less production, but increased production. What we need today is, somehow, to increase the number of skilled workers in this country. This bill does not do anything to increase the number of skilled workers.

In other words, what we are saying is that we are going to effectively cut back in the distribution and supplying of materiel for the war in Vietnam, and also cut back on our ability to produce goods.

There can be only one answer to that, and that is if we cut back on the ability of our people to produce, we shall have to go overseas to get the goods.

This is a ridiculous position in which to find ourselves, to say that we are going to obtain the materiel of war from some foreign country by a measure sponsored by the very administration which says that it wants to win the war and in a hurry.

Mr. President, I certainly think that this situation is most peculiar, that we do not want to modernize, that we do not want to do anything to bring down the cost of food, to bring down the cost of services, or to increase our production. What we seem to want to do is to bring America to a standstill.

I believe that adoption of this bill will be the first in a long series of steps which we will have taken, and will take in the future, to bring this country to the edge of a recession about which President Truman warned the country.

The heart of the problem, as President Truman said, when he spoke out in unmistakable terms, which triggered the action, is that we had better get our house in order in regard to interest rates, or there will be serious trouble in this country.

I should like to see a financial plan to modify our present stand. We do not have it, and I am therefore going to vote "no."

Mr. LONG of Louisiana. Mr. President, I yield myself 30 seconds.

The PRESIDING OFFICER. The Senator from Louisiana is recognized for 30 seconds.

Mr. LONG of Louisiana. Mr. President, my views on this matter have been made before the bill was introduced and in this Chamber today. I therefore yield back the remainder of my time.

The PRESIDING OFFICER. All time has been yielded back. The bill having been read the third time, the question is, Shall it pass?

On this question the yeas and nays have been ordered; and the clerk will call the roll.

The legislative clerk called the roll.

Mr. COTTON. On this vote I have a live pair with the senior Senator from Rhode Island [Mr. PASTORE]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withhold my vote.

Mr. LONG of Louisiana. I announce that the Senator from Indiana [Mr. BAYH], the Senator from Idaho [Mr. CHURCH], the Senator from Louisiana [Mr. ELLENDER], the Senator from Michigan [Mr. HART], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Rhode Island [Mr. PASTORE], the Senator from Maryland [Mr. TYDINGS], and the Senator from Ohio [Mr. YOUNG] are absent on official business.

I also announce that the Senator from New Mexico [Mr. ANDERSON], the Senator from Tennessee [Mr. BASS], the Senator from West Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Pennsylvania [Mr. CLARK], the Senator from Illinois [Mr. DOUGLAS], the Senator from Mississippi [Mr. EASTLAND], the Senator from Arkansas [Mr. FULBRIGHT], the Senator from Arizona

[Mr. HAYDEN], the Senator from Ohio [Mr. LAUSCHE], the Senator from South Dakota [Mr. MCGOVERN], the Senator from New Hampshire [Mr. MCINTYRE], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from South Carolina [Mr. RUSSELL], the Senator from Georgia [Mr. RUSSELL], the Senator from Florida [Mr. SMATHERS], and the Senator from Alabama [Mr. SPARKMAN] are necessarily absent.

I further announce that, if present and voting, the Senator from New Mexico [Mr. ANDERSON], the Senator from Indiana [Mr. BAYH], the Senator from West Virginia [Mr. BYRD], the Senator from Nevada [Mr. CANNON], the Senator from Idaho [Mr. CHURCH], the Senator from Pennsylvania [Mr. CLARK], the Senator from Mississippi [Mr. EASTLAND], the Senator from Louisiana [Mr. ELLENDER], the Senator from Michigan [Mr. HART], the Senator from Massachusetts [Mr. KENNEDY], the Senator from Ohio [Mr. LAUSCHE], the Senator from South Dakota [Mr. MCGOVERN], the Senator from Montana [Mr. METCALF], the Senator from Minnesota [Mr. MONDALE], the Senator from New Mexico [Mr. MONTOYA], the Senator from Utah [Mr. MOSS], the Senator from Maine [Mr. MUSKIE], the Senator from Oregon [Mrs. NEUBERGER], the Senator from Alabama [Mr. SPARKMAN], the Senator from Maryland [Mr. TYDINGS], and the Senator from Ohio [Mr. YOUNG] would each vote "yea."

On this vote, the Senator from Arkansas [Mr. FULBRIGHT] is paired with the Senator from Georgia [Mr. RUSSELL]. If present and voting, the Senator from Arkansas would vote "nay" and the Senator from Georgia would vote "yea."

On this vote, the Senator from South Carolina [Mr. RUSSELL] is paired with the Senator from Florida [Mr. SMATHERS]. If present and voting, the Senator from South Carolina would vote "nay" and the Senator from Florida would vote "yea."

Mr. KUCHEL. I announce that the Senators from Colorado [Mr. ALLOTT and Mr. DOMINICK], the Senator from Kentucky [Mr. COOPER], the Senators from Nebraska [Mr. CURTIS and Mr. HRUSKA], the Senator from Michigan [Mr. GRIFFIN], the Senator from Idaho [Mr. JORDAN], the Senator from Iowa [Mr. MILLER], the Senator from California [Mr. MURPHY], the Senator from Kansas [Mr. PEARSON], and the Senator from Vermont [Mr. PROUTY] are necessarily absent.

The Senator from North Dakota [Mr. YOUNG] is detained on official business.

If present and voting, the Senator from California [Mr. MURPHY] would vote "nay."

On this vote, the Senator from Kentucky [Mr. COOPER] is paired with the Senator from Nebraska [Mr. CURTIS]. If present and voting, the Senator from Kentucky would vote "yea" and the Senator from Nebraska would vote "nay."

On this vote, the Senator from Michigan [Mr. GRIFFIN] is paired with the Senator from Colorado [Mr. DOMINICK]. If present and voting, the Senator from Michigan would vote "yea" and the Senator from Colorado would vote "nay."

On this vote, the Senator from Idaho [Mr. JORDAN] is paired with the Senator from Nebraska [Mr. HRUSKA]. If present and voting, the Senator from Idaho would vote "yea" and the Senator from Nebraska would vote "nay."

On this vote, the Senator from Iowa [Mr. MILLER] is paired with the Senator from Kansas [Mr. PEARSON]. If present and voting, the Senator from Iowa would vote "yea" and the Senator from Kansas would vote "nay."

The result was announced—yeas 38, nays 19, as follows:

[No. 307 Leg.]

YEAS—38

Bartlett
Bennett
Bible
Boggs
Brewster
Burdick
Case
Dirksen
Dodd
Fong
Gore
Gruening
Harris
Hill
Holland
Inouye
Jackson
Javits
Kennedy, N.Y.
Long, Mo.
Long, La.
Magnuson
Mansfield
McCarthy
McClellan
McGee
Monroney
Mundt
Pell
Randolph
Ribicoff
Robertson
Smith
Stennis
Talmadge
Williams, N.J.
Williams, Del.
Yarborough

NAYS—19

Aiken
Byrd, Va.
Carlson
Ervin
Fannin
Hartke
Hickenlooper
Jordan, N.C.
Kuchel
Morse
Morton
Nelson
Proxmire
Saltonstall
Scott
Simpson
Symington
Thurmond
Tower

NOT VOTING—43

Allott
Anderson
Bass
Bayh
Byrd, W. Va.
Cannon
Church
Clark
Cooper
Cotton
Curtis
Dominick
Douglas
Eastland
Ellender
Fulbright
Griffin
Hart
Hayden
Hruska
Jordan, Idaho
Kennedy, Mass.
Lausche
McGovern
McIntyre
Metcalf
Miller
Mondale
Montoya
Moss
Murphy
Muskie
Neuberger
Pastore
Pearson
Prouty
Russell, S.C.
Russell, Ga.
Smathers
Sparkman
Tydings
Young, N. Dak.
Young, Ohio

So the bill (H.R. 17607) was passed.

Mr. LONG of Louisiana. Mr. President, I move to reconsider the vote by which the bill was passed.

Mr. YARBOROUGH. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

Mr. LONG of Louisiana. Mr. President, I move that the Senate insist on its amendments to H.R. 17607 and ask for a conference with the House on the disagreeing votes thereon, and that the Chair appoint conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. LONG of Louisiana, Mr. SMATHERS, Mr. ANDERSON, Mr. WILLIAMS of Delaware and Mr. CARLSON conferees on the part of the Senate.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent that H.R. 17607 be printed with the amendments of the Senate numbered, and that in the engrossment of the amendments of the Senate to the bill the Secretary of the Senate be authorized to make all necessary technical and clerical changes and corrections, including corrections in section, subsection, and so forth, designations, and cross references thereto.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, the passage of the investment tax credit suspension marks effectively the end of a most productive day so far as legislative achievements are concerned. The leadership deeply appreciates the cooperation of Senators who were compelled to cancel important engagements elsewhere to enable a vote on final passage this evening.

Commendation of the highest order for bringing the measure to its successful conclusion goes to the distinguished junior Senator from Louisiana [Mr. LONG], the outstanding and very talented chairman of the Committee on Finance. With yesterday's action on the measure which included an adjustment of the tax treatment of foreign investors coupled with his handling of this proposal which would suspend two widely used tax incentives, Senator LONG has truly earned the gratitude of the Senate and, indeed, the Nation.

Supporting Senator LONG in obtaining successful action today and with equally articulate and strong advocacy was the distinguished junior Senator from Florida [Mr. SMATHERS], whose broad expertise on fiscal matters is always welcome in this body. Along with Senator SMATHERS, the distinguished senior Senator from Minnesota [Mr. MCCARTHY] is to be thanked for joining to support the measure with his highly persuasive abilities.

The distinguished senior Senator from Delaware [Mr. WILLIAMS], who has served so faithfully as the ranking minority member of the committee, likewise deserves much of the credit for assuring final action on the measure this evening. In the final anaysis, it is cooperation of the nature displayed by Senator WILLIAMS which makes possible an effective legislative process. All of us are deeply grateful.

Others, too, played vital roles in assuring the disposition of this measure. Noteworthy were the cooperative efforts of the senior Senator from Wisconsin [Mr. PROXMIRE], the senior Senator from Rhode Island [Mr. PASTORE], the senior Senator from Oklahoma [Mr. MONRONEY], and his junior colleague [Mr. HARRIS]. Their keen interest and helpful views are always greatly appreciated, as are the sincere views of the senior Senator from Kansas [Mr. CARLSON], the senior Senator from Vermont [Mr. AIKEN], and, of course, the distinguished minority leader [Mr. DIRKSEN].

So to these Senators and others, and particularly to Senator LONG and the committee, go the thanks of the membership for providing so ably and willingly the necessary cooperation to assure what hopefully will become a reality next week—an adjournment sine die.

LEGISLATIVE PROGRAM—ORDER FOR ADJOURNMENT

Mr. DIRKSEN. Mr. President, if we may have it sufficiently quiet for a moment, I should like to query the majority leader about the program for the remainder of the day, tomorrow, and early next week.

Mr. MANSFIELD. Mr. President, in response to the question raised by the distinguished minority leader, I first ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon Monday next.

The **PRESIDING OFFICER** (Mr. WILLIAMS of New Jersey in the chair). Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, it is anticipated that next week we will consider a few remaining measures on the calendar, measures which will have come out of committees after hearings in some detail. We do not anticipate any new legislation, and I should say that as far as the work of the Senate is concerned, except for conference reports and the supplemental appropriation, the major items, to the best of my knowledge, have been disposed of. Would the distinguished minority leader agree?

Mr. DIRKSEN. Yes; I would agree. Mr. President, I ask a further question: Is it in the mind of the majority leader to suggest to the various chairmen of standing committees that we have now reached the point where no legislation should be entertained that will involve hearings or any kind of protracted legislative process?

Mr. MANSFIELD. The Senator has stated my feeling exactly.

Mr. JAVITS. Mr. President, will the Senator yield at that point?

Mr. MANSFIELD. I yield.

Mr. JAVITS. There has been some question about amendments which may be coming over from the House of Representatives to title XIX of the Social Security Act, dealing with the so-called medicaid program, a hotly controverted subject. I think it would be useful for any of us to know whether the majority leader is telling is, impliedly, that that is the end of that for this session, or whether he is not.

Mr. MANSFIELD. I understand that on that particular proposal there is a date of March 31 or April 1. It appears to me that because of the lateness of the session, and the desire of so many of us to get home, that that would come under the category of bills which would perhaps require hearings; and I think it would hinder the adjournment of the Senate sine die.

I noted in the colloquy which the distinguished Senator from Louisiana, the chairman of the Finance Committee, had on yesterday, that he did not indicate, in reality, one way or the other, what his committee intended to do. But I would hope, speaking personally, that it would be postponed until next year.

Mr. LONG of Louisiana. Mr. President, will the Senator yield to me?

Mr. MANSFIELD. I yield.

Mr. LONG of Louisiana. After these long wearying hours, I feel less and less like conducting any more hearings during this session. I think that is about the way most of the members of the Finance Committee feel. We feel that we have just about done our job, and we would try to cooperate on adjournment.

Mr. MANSFIELD. I appreciate very much what the distinguished chairman of the committee has said.

Mr. JAVITS. I thank the Senator.

Mr. WILLIAMS of Delaware. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. WILLIAMS of Delaware. Did I understand the chairman of the committee to say that title XIX will not be taken up now, at this session of Congress? Is that definite?

Mr. LONG of Louisiana. The majority leader indicated that if it was felt that hearings were necessary, that would be controlling.

It is my thought that the feeling of the committee is not in favor of holding any more hearings this session, unless it is absolutely necessary, and I do not quite see this measure to be of that type of pressing nature, that we cannot consider it next year, although I do realize it is an important issue and we will have to deal with it next year.

It may be that we might discuss with the Senator and those on both sides of the aisle the possibility that something might be worked upon in the nature of a continuing resolution, or something like that. But as far as conducting hearings on the bill, and trying to pass the measure, it is my present inclination to say that we would not try to do that, but that we will try to close shop.

Mr. WILLIAMS of Delaware. This is not something in the nature of a continuing resolution, but the Senator is well aware of the fact that what this embraces is that apparently the bill and the sponsors of the bill have promised more to the elderly than the administration feels it can afford, and it is going to be requested that they be cut back.

I have checked with the members of the committee on our side, and they are willing to cooperate if it is the intention of the chairman to pursue the matter.

Frankly, personally, I have been very much disappointed that the administration, which admitted it recognized this problem at least 5 months ago before our committee, and admitted they had this blooper in the bill, has waited until this late date, and I wonder why.

I am willing to abide by the decision of the chairman, but if the chairman wishes to pursue the matter, the members of the committee on our side have promised that they will be there.

Mr. MANSFIELD. I think the chairman of the committee has explained his position very explicitly, and that would apply not only to medicaid, but to other bills of major significance which would require hearings. There may be minor bills which could be considered, but as far as major bills, I would say they are out.

Mr. COTTON. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. COTTON. Perhaps I missed it when the Senator was making his statement. Does the Senator have information as to when the supplemental appropriation will be ready for the Senate to consider?

Mr. MANSFIELD. No. Perhaps the distinguished Senator from Massachusetts would have more information than I.

Mr. SALTONSTALL. Yes, if the Senator will yield.

Mr. MANSFIELD. I yield.

Mr. SALTONSTALL. This afternoon I talked with the Senator from Rhode Island [Mr. PASTORE], who will be in charge of the supplemental appropriation bill, and he said he planned to start hearings on it at 2 o'clock on Monday, if the session for this week is finished tonight.

The session is finished, and he has gone home, and I assume the hearings will start at 2 o'clock on Monday.

Mr. DIRKSEN. Mr. President, one further inquiry.

I wonder if the majority leader anticipates, under all the circumstances, that the Senate and Congress could adjourn prior to Saturday, October 22.

Mr. MANSFIELD. I do, and I think that would fit in with the wishes of the great majority of the members.

Mr. DIRKSEN. I am sure it would.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 360) to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes, with an amendment, in which it requested the concurrence of the Senate.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate go into executive session, for action on a nomination reported favorably earlier today.

The **PRESIDING OFFICER.** The nomination will be stated.

POSTMASTER

The legislative clerk read the nomination of Robert M. Cassell, of Cary, N.C., to be postmaster.

The **PRESIDING OFFICER.** Without objection, the nomination is confirmed.

Mr. MANSFIELD. Mr. President, I move that the President be immediately notified of the confirmation of this nomination.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

FOREIGN INVESTORS TAX ACT—ANNOUNCEMENT OF POSITION ON VOTES

Mr. CASE. Mr. President, I was unavoidably absent during consideration of the Foreign Investors Tax Act and was therefore unable to express my position on the amendments offered to that bill. Had I been present, I would have voted "nay" on the three amendments offered by Senator WILLIAMS of Delaware to strike various portions of the bill—Nos. 296, 297, 298; "nay" on Senator HARTKE's amendment regarding sewer pipe clay—No. 299; "yea" on Senator HARTKE's amendment to incorporate provisions of H.R. 10 in the bill—No. 300; "yea" on Senator YARBOROUGH's amendment concerning deposits of nonresident aliens—No. 301; and "yea" on final passage—No. 302.

SECRETARY FREEMAN'S FIGHT AGAINST THE FARMER

Mr. MUNDT. Mr. President, a shocking, disillusioning, and most discouraging disclosure was made in a special news story published in the Des Moines Register of Iowa's capital city yesterday. It was written by one of Washington's most respected, highly regarded, and objective reporters, and frequent prize-winning White House reporter, Clark Mollenhoff. It reveals a first-hand report of the inner workings of the Department of Agriculture under Secretary Freeman and his Under Secretary Mr. Schnittker and discloses a deliberate plan by these consumer-minded administrators of a Department designed to be helpful to agriculture but which for the past few years has been playing consumer politics with such reckless abandonment of the farmers' interests that America's farmers and ranchers are suffering from the most unfair price-income discriminations ever occuring in American history in time of war.

The entire report by Mr. Mollenhoff should be read by every farm organization official—yes, by every farmer and rancher in America. Since I understand the entire article by Clark Mollenhoff has been entered in today's CONGRESSIONAL RECORD by a Member of the House and by the Senator from Iowa [Mr. HICKENLOOPER], I shall quote only a few excerpts from this amazing report on the manipulations and plans being carried out by the Department of Agriculture officials of this administration.

The fact that a totally unsuccessful effort was made to induce both President Johnson and Vice President HUMPHREY to step in to protect the farmers against these grossly unfair programs of the consumer-minded heads of the Department in itself emphasizes the dark days and the dim future confronting the American farmer. It is indeed no wonder that farm parity has dropped back to 80 percent, in the only era of history in time of war that farm products have had to be produced at such unfavorable parity ratios.

Said Mr. Mollenhoff, in part, in his article:

> Frank LeRoux, who resigned a week ago as general sales manager of the Department of Agriculture, told The Register he had a long conference at the White House in the last few weeks to outline the reasons he believed Freeman has created "the farmers' worst five years."
>
> LeRoux, a Democrat from Washington state, contends Freeman was "playing consumer politics" with the Agriculture Department.
>
> He said that from conferences within the Department of Agriculture he had knowledge of Freeman's personal interest in "driving down the price of wheat, corn, pork and other agricultural products."
>
> LeRoux said that the "four-stage drive to cut wheat prices was probably the clearest example of a determined drive to sell the farmer down the river" but that the move to get the Defense Department to stop buying pork was "an equally dramatic example of Freeman's desire to cut the prices the Corn Belt farmers were receiving."
>
> He said he was "disillusioned by some of the attitudes expressed by Freeman and others around him" within a few months after he joined the Democratic administration in 1961.
>
> LeRoux said that former Undersecretary of Agriculture Charles Murphy was "a real force for the farmer in the first years" and tended to modify the influence of Freeman and the present Undersecretary of Agriculture John A. Schnittker.
>
> Freeman and Schnittker were "anti-farmer" in their attitudes, regarding the farmer as being of little political significance and the big city consumers to be "the important political group to play with."
>
> "Charley Murphy was out of the Truman administration, and I think he had a real desire to see the farmer get fair prices," LeRoux said. He was the one man on the top level who would stand up and tell Freeman and the others that he didn't see anything wrong with the farmers getting higher prices."
>
> LeRoux said that when Murphy left the Agriculture Department to become the chairman of the Civil Aeronautics Board, the atmosphere at the Department of Agriculture "deteriorated rapidly."
>
> ### FOUR-STAGE PLAN
>
> He said his decision to take an outside active role in changing Freeman's operations came in the last six months when he viewed the "four-stage operation to drive the wheat prices down."
>
> "The first stage was a cut-back in the sales abroad under the P.L. 480 program," LeRoux said. "Freeman wanted to use it to cut wheat prices, and they sat back gleefully waiting for it to drive prices down."
>
> LeRoux said there was some drop in wheat prices "but not as much as Freeman wanted, so they took the next step—an announcement of an increase of about 7.7 million wheat acres."
>
> "Again they sat back waiting for the price to go down, but it still wasn't enough," LeRoux said. "Then they took the step that was thoroughly dishonest, and they knew it was dishonest at the time."
>
> The department announced "an enormous world wheat crop prediction," LeRoux said. He said that the "dishonesty" of this announcement was best demonstrated by Agriculture Department comments that the increase of about 20 per cent in the wheat acreage in Argentina was one of the reasons why a huge world wheat crop could be expected.
>
> ### CROP FAILURE
>
> "The Agriculture Department knew at the time that a crop failure in Argentina was going to cut the wheat production in that country from something over 11 million tons to about 5.5 million tons," LeRoux said.
>
> "These three moves and this deception was bad enough, but then the Agriculture Department took the fourth crack at wheat prices," LeRoux said.
>
> "This was the announcement that there would be an additional increase in wheat acreage of about 5 million acres by permitting the use of acres cut back from feed grain production to be put in wheat."
>
> LeRoux declared that Freeman and Schnittker had "knowingly taken those steps to cut wheat prices and they have been successful in dropping the market 25 or 30 cents in the last month."
>
> LeRoux declared that the heavy sale of Commodity Credit Corporation corn last December, January, February and March was "a policy move to depress the price of corn, and to frighten the corn farmers into the program."
>
> LeRoux also said it was Freeman's view that "Hog prices were too high, and that he was going to do something about it." Such views were expressed by Freeman within the Department of Agriculture, and in closed meetings with some small farm groups.
>
> ### LETTER TO M'NAMARA
>
> LeRoux said the letter that Freeman wrote to Defense Secretary Robert McNamara to recommend that the Defense Department pork purchases be cut "was only indicative of the attitude" that Freeman expressed on many occasions.
>
> It was concern over the "general attitude" of Freeman and Schnittker that caused him to go to Democrats in Congress "in an effort to find a way to get the anti-farmer policies changed," LeRoux said.

Mr. President, in spite of the spirited and sustained efforts of Frank LeRoux, a top official of the Department of Agriculture and before that a distinguished and active member of the Democratic Party in the State of Washington, to change the policies and the goals of the Department of Agriculture so that once again it would endeavor to increase net farm income rather than to decrease the costs of foods and fibers for the big consumers classes, and despite his attempts to solicit support for the farmer in his appeals at the White House and to the office of the Vice President, Mr. LeRoux was unsuccessful in his crusade to improve farm parity.

Finally, he turned to the public press and decided to get the whole story before agricultural America in the hope that farm leaders, their organizations, farm magazines, and all others interested in better days for agriculture would act before it became completely too late to rescue our farmers and ranchers from their serious economic predicament and even more perilous future which they confront under the Freeman-Schittker leadership in the Department of Agriculture.

Mr. LeRoux prepared a 64-page monograph—in appearance about the size of Life or Look magazine—documented it with charts and diagrams, utilized the statistics of the Government Departments of Agriculture, Commerce, and Labor, and is courageously and convincingly carrying his crusade to rural America.

The tidal wave of protest and disenchantment relating itself to this administration's farm policies has been rolling into Washington with increasing vehemence ever since. For those interested in reading the entire LeRoux research presentation and disclosure, it can be ordered for $2 by requesting "1961 through 1965—The Farmers' Worst 5 Years." Checks should be made payable to the name of the book and mailed to Box Ph-1; address, 1301 South Arlington Ridge, Arlington, Va. The LeRoux book will be sent postpaid for the purchase price of $2.

Mr. President, it is bad enough to confront our farmers with a situation in which their boys are being drafted to fight on foreign soil, but it is virtually disgraceful to have this happen while the farmers and ranchers of America are forced to fight against their own Government on the home front in order to achieve economic stability and success. The determined, documented attempts of this administration to force down farm prices in a vote-seeking effort to win votes in the major consumer areas of our country—our vast metropolitan cities—is in brazen disregard of the best interests of all Americans, because by keeping farm prices down around 80 percent of parity in wartime, so many farm families are moving to the city and abandoning farm life that our future sources of adequate supplies of foods and fabrics are being placed in serious jeopardy.

ESTABLISHMENT OF PUBLIC COLLEGE OF ARTS AND SCIENCES AND A VOCATIONAL AND TECHNICAL INSTITUTE IN THE DISTRICT OF COLUMBIA

Mr. MORSE. Mr. President, before all the Senators leave the Chamber, I wish to make a unanimous-consent request. Before I make the request, I wish to explain it to the Senate. It has been cleared with the majority leader and the minority leader, and with all the members of the Committee on the District of Columbia. The leadership of the committee is desirous of disposing of this bill tonight, in the interest of saving a great deal of the Senate's time.

Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 16958, authorizing the establishment of a public community and vocational college and a public college of arts and sciences in the District of Columbia. The bill passed the House of Representatives yesterday.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 16958) to authorize the establishment in the District of Columbia of a public college of arts and sciences and a vocational and technical institute.

The PRESIDING OFFICER. Is there objection to the request of the senior Senator from Oregon?

There being no objection, the Senate proceeded to consider the bill (H.R. 16958) which was read twice by its title.

Mr. MORSE. Mr. President, I shall be very brief in explaining the bill.

The Senate passed S. 293, which is my bill, relating to the establishment of a public college of arts and sciences and a public junior vocational college in the District of Columbia on September 21, 1966. The bill which the House passed yesterday incorporates the major features contained in S. 293. So, I urge the Senate to adopt the House bill.

In view of the fact that the provisions of both bills are similar, a conference with the House, in my judgment, is not necessary.

As the Senate will recall, I introduced legislation to establish public institutions of higher learning for the District of Columbia on March 5, 1964. This was the first bill to be introduced in either the House or the Senate dealing with the establishment of both a 4-year liberal arts college and a junior college.

On January 6, 1965, I reintroduced a similar bill, S. 293. On March 25, 1965, Senator BIBLE introduced in the Senate, at the request of the administration, S. 1612. S. 1612 closely resembled my bills which I introduced in 1964 and 1965.

As chairman of the Subcommittee on Public Health, Education, Welfare, and Safety, I conducted extensive hearings on S. 293 and S. 1612 on March 14, 15, and 24, 1966. S. 293 was unanimously reported to the Senate by the Senate District of Columbia Committee on August 31 and passed the Senate on September 21, 1966.

It was very pleasing that the House District Committee planned to and did conduct hearings shortly before and after the Senate passed S. 293. Congressman DOWDY stated yesterday in floor debate:

> No opposition was expressed to the objectives of the bill, which in principal are identical to those in S. 293 which was approved by the Senate on September 21, 1966.

Congressman DOWDY's statement is correct. The House bill does incorporate most of the features contained in S. 293.

Although the bill before the Senate today has a House number attached to it, I am deeply pleased and wish to congratulate the members of the House District Committee for incorporating so many of the provisions of S. 293 in the House bill. I think the bill is a good one.

I think the entire membership of the House Committee on the District of Columbia is deserving of the gratitude of the people of the District and, for that matter, the people of the country.

The District of Columbia has a population that is larger than that of 11 States, and it is the only area in the country with any such population that does not provide to the young people of the area some public schools for higher education.

As we know, in all of our States we have such public institutions, particularly to meet the educational needs of the young people of the State that cannot afford to go on to private colleges or to go out of the State and pay the tuition in out-of-State institutions.

I want to particularly express my gratitude and my feelings of appreciation to Congressman ANCHER NELSEN. He is a member of the full District of Columbia Committee. I had many conferences with him. We worked with the staff of the House District Committee.

The RECORD should show that it happens to be my opinion, for whatever it is worth, that I would not be standing here offering a bill for enactment tonight to establish these public college facilities in the District of Columbia if it were not for the leadership in the House of Congressman ANCHER NELSEN.

I also pay my very high respects to Representative DOWDY and Representative WHITENER on the subcommittee and the chairman of the full committee, Representative MCMILLAN. For that matter, I pay my very high regards to every member of the House committee because they, without an expression of opposition recorded, joined with us in the Senate committee in making possible what I think is a very eventful occasion tonight, as we proceed to pass the bill.

Mr. President, I also express my appreciation to the members of the Senate District of Columbia Committee. The Senator from Nevada [Mr. BIBLE], the chairman of the District of Columbia Committee, gave me full support at all times as I sought to steer this bill through the committee and through the Senate.

On my subcommittee, Senators KENNEDY of New York, and PROUTY were in complete agreement with me in a desire to get this bill through Congress. Senators DOMINICK and MCINTYRE were also very helpful.

This bill will bring higher educational assistance to a population of more than 800,000 people in the District of Columbia.

The bill provides for a Federal City College offering both a 2-year and a 4-year liberal arts course, and also authorizes the establishment of the Washington Institute of Technology to be operated separately from the Federal City College.

The members of the board of higher education for the Federal City College would be composed of nine members appointed by the District of Columbia Commissioners. The board of trustees provided for under the bill for the Washington Institute of Technology would also be composed of nine members, but they will be appointed by the President of the United States rather than by the District of Columbia Commissioners.

The tuition charged by both institutions would be minimal.

There is no provision in the bill requiring either school to be located on the same campus.

Fifty million dollars is authorized to be borrowed by the District of Columbia government from the Federal Government for capital construction purposes.

Mr. President, I think this is an historic day for every man, woman, and child living in this city. I know of no legislation enacted by Congress directly affecting the people of the District of Columbia, that will do more to serve the people of this great city than the bill which the Senate is about to approve and send to the President of the United States for his signature.

Mr. DIRKSEN. Mr. President, the Senator has talked to me about this matter several times. I know that the committee was unanimous on this.

The PRESIDING OFFICER. The bill is open to amendment. If there be no further amendment to be proposed, the question is on the the third reading and passage of the bill.

The bill was ordered to a third reading, read the third time, and passed.

NATIONAL NEWSPAPER WEEK: AN EDITOR'S COMMENT

Mr. BOGGS. Mr. President, we are now celebrating National Newspaper

Week, and of all the special "weeks" in the year, I believe this one deserves particular emphasis.

Our very system of government depends on a free press disseminating the news freely. The check-and-balance principle is involved over and over again in our Government, but nothing is more basic than the ultimate check being in the hands of the citizens. And to make good decisions our citizens must be informed.

The editor and publisher of the Delaware State News in Dover, Del., our capital, is a man who believes deeply in a free exchange of ideas. Jack Smyth's editorial page is daily evidence of this belief.

His comments about National Newspaper Week are well chosen and timely, and in the interest of giving others the benefit of his views, I ask unanimous consent that Jack Smyth's editorial in the October 7, 1966, issue, "The Truth—The Greatest Goal," be inserted at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Dover (Del.) State News, Oct. 7, 1966]

THE TRUTH—THE GREATEST GOAL

(By Jack Smyth)

This Sunday National Newspaper Week gets underway.

Now observance of a "week" for this and a "week" for that—from apricots to zen—is terribly overdone.

Yet I find myself, when this particular week arrives, making an exception to the rule.

This may be a bit selfish. Yet it is such a fascinating job—being associated with a newspaper in any capacity. For there is no other vocation affording the opportunity to observe the varied facets of human behavior.

Reporting and commenting on the many activities of our fellow man, the good, the bad and the indifferent, presents a unique challenge.

It carries with it a tremendous responsibility—one that makes me feel, personally, quite humble.

There are many objects of beauty in life. Truth is a gem of the first water. It is even more precious because it is so elusive—so difficult to achieve. Yet there is nothing more satisfactory than to get the facts—and check them out.

So this is our daily task—those of us fortunate enough to work for a newspaper. To inform our readers, to gather the knowledge they require to make decisions required in a democracy. And to present it in a coherent, sense-making manner.

For knowledge of the truth leads to understanding. And this, in turn, leads to love—which is a basic requirement in learning to live together in peace.

So my feeling about Newspaper Week is one of rededication. A free press, of which the DSN is part, guarantees the right of the people to know the truth.

I didn't understand the words of greeting to the editors and publishers of United Press International from President Diaz Ordaz of Mexico since they were in Spanish.

But I did hear the translation—and later read the speech. The president of our neighbor nation to the south put what I have been striving to express above quite succinctly. He said journalism must be directed toward "better service to the public, but above all better service to the truth."

For, after all, it is the truth—which is the greatest of all goals.

IRAN TODAY

Mr. PELL. Mr. President, the Washington Post's distinguished reporter, Alfred Friendly, has recently completed a series of articles entitled "Progress for Persia." Since Iran has been for so long a recipient of massive U.S. aid, I think it is important that Americans know more about the progress that American assistance may well have triggered.

Alfred Friendly provides a revealing and critical look at Iran and its Shah today in terms of success in effecting land reforms, planning other democratization measures, and efforts to create an economic infrastructure that may move Iran out of the underdeveloped nation category.

I ask unanimous consent that this important series of articles be printed in the RECORD.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, July 5, 1966]

PROGRESS FOR PERSIA: LIBERAL-MINDED SHAH RUNS TIGHT SHIP

(By Alfred Friendly)

TEHRAN.—On his visit to Bucharest last month, the Shah of Iran spoke to the Rumanian Parliament, leaving his listeners awed and on one point puzzled.

"You have a socialist for a king," a Communist official in the audience whispered to a member of the Shah's party.

If he meant a political idealogue or a doctrinaire subscriber to Marxist economic theory, he was wrong, the 47-year-old monarch is neither of these. But if, as was likely, he meant a liberal idealist, a kind of mid-Twentieth Century European Social Democrat, he was close to the truth.

But the paradox of Mohammad Reza Pahlavi, Shahanshah Aria-Mehr, is that however earnest his intellectual commitment to the principles of social democracy—and there is no reason to doubt his sincerity—he operates a tight one-man government, with all significant power and decision-making undiluted in his hands.

It is enough to puzzle anyone, not only a Rumanian Communist. And how he can escape from the paradox may puzzle the Shah himself.

His problem is one of success. For the last two or three years, operating as an autocrat, His Imperial Majesty (HIM, in the universal shorthand of foreigners here) has scored a triumph. He knows it, and he also knows that during past periods when ruling power was diffused along more democratic lines, Iran made a mess of itself.

To be sure, the outward trappings of absolute monarchy are absent, and semblances of democracy abound: The majority of Iran's Parliament are workers and farmers; the Cabinet ministers are predominantly able, young, middle-class, Eurpoean-educated and Western-minded technicians; two political parties compete with all the democratic forms; there is even a timid burgeoning of village and city councils.

But the Parliament, while not a rubber stamp, is obeisant; the ministers are in reality only excellent career undersecretaries executing decisions made in the palace; the political parties vie mainly in the ardor of their support of the Shah's programs, and the councils in towns and villages are not yet weaned from the Shah's government.

Complaints against this situation are to be heard, but mostly in theoretical terms:

The most naive are those clamoring for instant democracy—in a country less than 30 percent literate and devoid of democratic tradition. One hears the cries most loudly, unconvincingly and irresponsibility among a dwindling band of expatriate "students."

The most vicious are the broadcasts of the two clandestine Russian-operated radio stations, steadily denouncing the Shah as a tyrannical beast.

The most realistic and responsible are those of the politically-minded who support the regime and concede that the Shah is doing just about what he should be doing, but who fret at the absence of a formula that will lead to *future democracy.*

They worry about one of Iran's most valuable assets, the sturdy beginning of an urban middle class unique (except in Lebanon) in the Islamic world, and about the growth of an army of skilled workers in the cities. How long will these groups be content without a real role in the affairs of government and without effective political institutions?

The Shah is concerned about it himself. He flares in disagreement with those who seek to reassure him that Iran is not yet ripe for democratic institutions; he insists instead, that such institutions must be begun at once.

QUOTES HIS FATHER

He is fond of telling visitors of an episode just before his father, Reza Shah, was forced out by the Allies early in World War II (for having chosen the wrong side). The old monarch was thinking out loud in a stroll with the prince, and lamenting that there were no institutions in Iran to carry on when he died, and how hard it was to create them. The young man was deeply hurt, thinking his father had no confidence in his heir.

"His government was all based on one man," the Shah relates today. "I now realize how right he was. I'm trying to do the same thing, to create those institutions, myself.

"That has been the history of my country for 2500 years. Whenever we've had a wise and good king, he did great things, but always, in a few years, came a bad king and with him decadence and miseries."

SHAH HAS AN ANSWER

The Shah's answer to the problem of succession, which plagues good and bad monarchies alike, is the creation of new governmental institutions to which power can be granted and in which political life can flourish.

They are the village cooperatives that are now being organized to deal with problems of the farmers newly freed from the landowner's feudal control; the city and town councils; the Parliament, and the political parties. So far, however, they are more hopes than realities.

And with the future promise—or threat—of political activity in the cities, where political ferment in the 20th Century is bound to begin and be strongest, the Shah does not seem to have any concrete procedures in mind.

But for the moment, politics is no problem. The Shah is riding high and Iran is doing fine.

[From the Washington (D.C.) Post, Wed. July 6, 1966]

PROGRESS FOR PERSIA: SHAH'S IMAGE ESTABLISHED, HIS PROGRAM ACCEPTED

(By Alfred Friendly)

TEHRAN.—The Shah of Iran has never been more firmly in the saddle and has never been running a better race.

He has overcome an opposition that a few years ago looked invincible and he has scored an astonishing series of social, economic and political successes.

Four years ago, when I last visited the country, the view was ugly:

Students rioting in opposition to the Shah had forced the closing of Tehren University.

A political grouping, the National Front, infiltrated and in large part led by the outlawed Tudeh (Communist) Party, was agitating furiously.

Parliament was suspended with the certainty that new elections would return to power those who had held it for years in a seemingly invincible grip; the feudal landlords and the barons of the bazaars, implacably fighting the Shah's proposed land reform and anti-corruption drives.

The most reactionary elements of the Islamic clergy, equally fearing reform and modernization, were preaching what amounted to a jihad against the King.

Tribal chieftains in the south were preparing a revolt which was soon to materialize.

An ill-starred, American-backed premier was trying to forward an economic austerity program which led not to recovery but to severe depression.

Today, land reform is a reality. Disgruntled landlords either lick their wounds or buckle down to modern methods on what land remains to them, and make money. They have lost all vestiges of political power.

FRONT HAS DISSOLVED

The National Front has almost disappeared. The remnants are mostly abroad, as small in numbers as in hopes.

The bazaars bustle; consumer goods are abundant, of good quality and price. The middle class swells (there are 100,000 private automobiles in Tehren and even more television sets). Iran's economic growth last year was, by government figures, a staggering 12.5 percent, and by more cautious foreign estimates 8 percent, still sensationally high.

The once rebellious tribes are reconciled. The mullahs (Islamic priests) seem to have been converted to reform. Parliament (handpicked, to be sure, and complaisant) consists in large majority of workers and peasants, and churns amiably.

Four years ago the cry was that the Shah should reign and not rule. He totally disregarded it. He seems to have been right. He is certainly the smartest politician in the country and beyond doubt the only man who can govern Iran at the present moment.

MOSTLY NOISE

In a recent interview, he made light of his political victories.

"The opposition really didn't amount to anything," he said. "They had no mass support. Their asset was an ability to speak English, so they contacted foreign journalists in the hotels and diplomats in the embassies. They mostly made noise."

Assadollah Alam, the Shah's premier when the crisis came to a head in 1963, was a little less debonair about it.

"We beat the mullahs by force," was his disarmingly frank answer to a question on the matter, "by prison, exile and hanging."

The riots in the bazaars were suppressed by shooting. More than 90 persons were killed (there seems to be no reason to doubt the government figures or to trust the claims of the National Front that "thousands" were slain.

MOSTLY PROMISE

But all this is not to say that Iran basks in idyllic calm and promise.

Its democratic reality is close to non-existent and the new institutions created to achieve it are more promise than fact.

And if, as is almost universally granted, the Shah cannot follow a course much different from the present one in democratizing Iran and decentralizing the decision-making power, the problem nevertheless remains and the solution is a long way off.

Press criticism and free comment about the government is virtually nil. Political argument, even political chatter, that marks most capitals is likewise absent. Prominent public and private figures are quiet on these matters not so much because they fear the still present security police (SAVAK) but because they worry about losing their good positions and good connections.

By Middle East standards, the 100 to 200 political prisoners now in the jails is a relatively small total. But individual instances of outrageous perversions of justice are still to be found.

SMELL OF FRAMEUP

The most notorious case at the moment is the 32 months' imprisonment without trial of the former Lord Mayor of Tehran, Ahmed Nafisi. Once highly regarded and favored by the Shah, Nafisi was accused (justly or otherwise, depending on whom one listens to) of corruption in connection with certain municipal contracts. The case smells of a frame-up by his personal and political enemies.

A few weeks ago, after 2000 pages of interrogation were taken down, the prosecuting attorney found no case against him. But instead of his release, the consequence was the initiation of a new interrogation. Nafisi may remain in jail for years without trial.

But far overriding the political deficiencies in Iran is a single gigantic political achievement:

CONVINCING PERFORMANCE

After 2500 years during which the nation existed for the benefit of the King and was squeezed dry by his Grand Vizier, the Shah has convinced his people that his government exists for them.

For all of the fact that Mohammad Reza Pahlavi may not have the charisma of a Roosevelt or a Kennedy and may not evoke frenzied adoration among his subjects, he is seen as a man who is dedicated to the welfare of the country and its citizens, not to their exploitation. The image of the monarch is established, his programs are accepted.

In the light of Persia's history, the accomplishment is not to be minimized.

[From the Washington (D.C.) Post, July 7, 1966]

PROGRESS FOR PERSIA: IRAN BUILDS FOR YEAR 2000—OIL CONSORTIUM PRESSED BY SHAH TO INCREASE NATION'S REVENUES

(By Alfred Friendly)

TEHRAN.—Iran is impatient.

Its able and singularly popular Prime Minister, Amir Abas Hoveyda, puts the problem urgently and plaintively: "We have only 35 years to get into the Third Millennium."

His goal for the year 2000 is for ancient Persia to be "close to" the Western nations in economic and social development—not close to where they are now, but to where they will be then.

One statistic gives a measure of the immensity of the task: Iran's annual per capita income stands now somewhere around $200.

The consequence of the size of the job and the breathless impatience to do it has been the adoption of a steamed-up development program that is giving cautious economists a case of the shudders.

But, as a recent perspicacious piece in the London Economist points out, had the Shah of Iran heeded the advice of cautious economists in the past, his country would be nowhere near as far along the road as it now is. Its progress in the last few years has been phenomenal, and it enjoys one of the highest economic growth rates in the world.

That has been made possible, of course, by its oil revenue, now running at about $600 million a year (or closer to $800 million if account is taken of the internal expenditures of the international oil consortium).

Iran's present difficulty, however, is that it has projected a development program beyond the potential of its present revenue. The Shah declines to escape the dilemma by cutting back his program. Instead, he is hitting the oil consortium for more money, and at the same time turning to the Communist bloc for more trade and credits.

Both courses promise uncertain results.

"It's crazy but it's typical of my country," one distinguished (and uniquely outspoken) Iranian financier declares. "Instead of framing a program to match anticipated income, the government decides what it would like and then thrashes about to get the money.

"I attribute it to the way we write our figures, with Arabic forms. The zero, as you know, is a tiny diamond-shaped dot, one-tenth the size of the other nine digits. You don't see it, you pass over it.

"So we come up with budgets off by a decimal point or two or three. Nobody cares."

What the government now proposes is that the oil consortium extract from Persian wells a larger proportion of its total draw of Middle East oil. This is simple to say and from Iran's viewpoint eminently sensible. But Iraq, Kuwait and the other sheikdoms in the Persian Gulf doubtless take a poor view of the idea. The issue is currently under negotiation.

Iran's second gambit, trade with the Communist bloc, is epitomized by its current deal with Russia for a steel mill. The project may prove to be a disappointment, but it is utterly irresistible.

The status symbol for a developing country used to be a dam and in the future will be an atomic reactor, but for the present it is a steel mill. To Western economists' argument that the Iranian one may be needless and uneconomic, Iran has replied acerbly that this is its own business and it does not propose to have any other country make the decision for it.

Iran negotiated three times with Western nations for construction of the mill; three times the negotiations failed. Then Russia stepped in with what looked like a something-for-nothing proposition.

It offered to supply and erect the steel plant and take payment over a long term in an Iranian product that is now going completely to waste: the gas from the Persian Gulf wells.

The idea plucked an harmonic chord. For decades, the flames over Abadan that marked the destruction of a valuable but unmarketable product kindled one thing only: bitter Iranian resentment.

The story goes that the Shah's father, viewing the flames for the first time, years ago, asked who was responsible. He was told that it was the British, who held the oil concession in those days.

"Then curse the British!" he shouted.

But to get the gas to the Russian Caucasus the Iranians must build a pipeline. The estimated cost is $250 million. The actual cost may be twice as much. And the modernity of the mill and the competitive price of the ultimate product are both dubious.

Foreign observers' concern over the project does not focus on any fear that the Russians will convert their operation into a piece of political subversion. Persians have lived on their 1200-mile Russian border for thousands of years and are not a flock of political innocents. And luckily—at least for the moment—Iran is not in a susceptible posture to Communist propaganda.

The worry, rather, is whether Iran is overextending its commitments, whether it can avoid set-backs and inflation, and whether it is setting the wisest priorities.

The Iranian government is not unaware of the risks. But, as its spokesmen point out, there are worse political risks in dawdling in an era of rising popular expectations. If you have to compress 500 years of economic development into the next 35, you can't escape taking some gambles.

[From the Washington (D.C.) Post, July 8, 1966]

Progress for Persia: Shah Now Dreams of Corporate Farming

(By Alfred Friendly)

Tehran.—Having accomplished the most successful and painless land reforms in the modern world—counter to the almost universal prediction of failure—the Shah of Iran is now dreaming of another one, even more daring and ambitious.

He is thinking about leap-frogging intermediary stages and plunging into what amounts to corporate agriculture. It would convert what a bare three years ago were sharecroppers into stockholders. It is a far-out plan even by American standards.

The idea, disclosed in a recent interview with the Shah, has not yet been made public in Iran.

The background from which the idea springs is long and unhappy.

VIRTUAL SERFDOM

For hundreds, perhaps thousands of years, farming in Iran was conducted under an evil feudal system. The 70-odd percent of the population who lived on the land were for all practical purposes serfs. They were bound to the fields economically if not legally, and lived huddled in some 30,000 to 50,000 mud villages (statistics in Iran are wildly diverse, and the more so here because of differences in definition of what a village is).

A landlord might own anywhere from half a dozen to several hundred villages. He supplied seed, fertilizer and a little equipment, and was supposed to see to the water supply. He doled out a minimum of credit to the sharecroppers and made every decision about the farming. In return, he received from two-fifths to three-fifths of the revenue.

The system was hideously inefficient, something his miserable existence made clear to the farmer but which was apparently not recognized by the landlords, who fought land reform proposals with fury.

Their battle, which almost brought the Shah's government to its knees three or four years ago, was lost. Today, toward the end of the second stage of the reform program, the bulk of the peasants are either small landowners themselves, paying off their mortgages in easy terms, or tenants on 30-year leases with similarly light rental payments. The rest are day laborers, working on that land that the old landlords were allowed to retain—orchards, mechanized farms or uncultivated land newly brought into production.

Thus, the landlords were not utterly deposed, and most are making more money than before. They have been forced into mechanization, to modern methods and to give personal attention to their property, on which they formerly lavished large amounts of absentee non-care.

PRODUCTION MAINTAINED

The statistics suggest that agricultural production has remained about as before, which is not the defeat that it sounds. That it has not fallen during the revolutionary change is, rather something of a miracle. Somehow, the farmers who heretofore depended on the landlord for everything are managing to fill the gap, mostly through village cooperatives still in their infant stage. And their production of food for their own consumption, mostly fruit and vegetables, has probably increased substantially.

But psychologically—and therefore politically—the victory is stupendous. The former sharecropper has become a man, and he feels it.

Without pre-arrangement, I visited a village of 450 people near Isfahan which three years ago had one well; now it has 39.

There were many new dwellings, spartan by our standards, but compared to the mud stable-cum-living quarters of a few years ago, startlingly clean and comfortable. Flower and kitchen gardens, both rare before, were flourishing. The farmers said their incomes had increased "a hundred times," which is to say, quite a lot.

WORKING FURIOUSLY

No one in Iran, including foreign agricultural experts, entertains much doubt that the next few years will see good increases in farm production. The government is working furiously and successfully to train the great army of agronomists, extension officers, technicians and cooperative managers needed for the future.

Why then, the Shah's thought about a further change in the system?

His explanation is that the average 20-acre holding of the small farmer is impossible for the Twentieth Century, the era of modern, mechanized and large-scale agriculture.

The small farmer alone cannot afford the machinery, the credit, the technical expertise necessary to compete with the big holdings. He cannot achieve their economies.

INHERITANCE PROBLEM

Worse, under Islamic law, his already too meager holding is doomed for further fragmentation when he dies. His sons divide two-thirds among them, his widow gets one-eighth, his daughters the rest. The curse of tiny, insufficient holdings that plagued European farming will come to Iran.

The solution the Shah is exploring with his own experts is what he chooses to call "societies," to hold the land of all the farmers in one village in a corporate organization. The farmers would retain the important psychological position of being owners, but of shares, not of discrete parcels of land.

VOLUME ADVANTAGES

The societies would be run like an industry, with hired experts and managers. This corporation would buy the needed seed, fertilizer and machines, and provide the water and the roads. The operation would have the advantage of large-scale production and marketing.

And the individual owners could pass their shares on their heirs, by Islamic law or otherwise, in as fragmented fashion as they chose without such transfers breaking up the "society" that runs the enterprise.

If the plan is adopted, it will be gradually realized over, perhaps, the next 20 years; it is not for tomorrow.

Even so, the idea of last year's serf becoming the next decade's stockholder is staggering, and for the Middle East almost beyond believing.

But, flushed with the success of the land reform he bulled through singlehanded in the last few years amid predictions of doom and disaster, the Shah is willing to think even bigger and more boldly.

Shah To Be Crowned on Birthday in 1967

Tehran.—The Shah of Iran will be crowned King in his 48th birthday, Oct. 26, 1967, a royal court source has told the newspaper Ettelaat.

The Shah had postponed the crowning ceremony for 25 years because "it is not a pride to be King of a poor and hungry people." But the success of drastic social reforms has apparently changed his mind.

The source said overseas royalty, heads of foreign states and students of Iranian history and affairs will be invited to see a new jewel-encrusted crown placed upon the Shah's head.

[From the Washington (D.C.) Post, July 9, 1966]

Progress for Persia: Shah Steers an Independent Course

(By Alfred Friendly)

Tehran.—American aid to Iran has been notably successful in one of its avowed aims: helping to make the beneficiary independent.

From the viewpoint of the State Department, however, this may not be an unmixed blessing. The Shah of Iran is no longer obliged to be the obedient follower of American dictates on foreign policy and military affairs. He is now riding his own horse—and quite possibly in several directions at once.

It would be an error to overstate the differences between the two countries. The Shah is firmly oriented toward the West and the dynamics of Iran push it inexorably toward the goals and principles of the free world. The Shah is under no illusions about which of the two great world powers would gobble him up and which would sustain him. He knows the American shield protects him against all-out frontal military attack from the Soviet Union.

But the Shah and the United States differ in their appraisal of the menaces that assail him from other quarters and on the means needed to protect Iran against them. There is, incidentally, no convincing evidence that his reading of the situation is less accurate than ours.

NASSER BIG PROBLEM

His present problem is less the threat of Russian encroachment than the machinations of President Gamal Abdul Nasser of Egypt. As the Shah sees it, Nasser presumes to dominate the Middle East. Should his camp triumph, knocking over the Saudi Arabian and Jordanian regimes and thereby bringing under his wing other Arab states, the threat to Iran would be grave indeed.

For years, Nasser's emnity to the Shah has been implacable and virulent. Iran is the target of ceaseless denunciation from Egypt as a traitor to the Islamic world. The Shah has no doubt of Nasser's political and economic designs on Iran.

His concern is intensified by his conviction that sooner or later the British will liquidate their commitments "east of Suez," particularly their protectorates of Aden and the small, oil-rich sheikdoms of Trucial Oman.

Were Nasser in a position of power at that time, the Shah entertains no doubts that he would try to rush in to take the south side of the Persian Gulf and, for that matter, the whole Arabian peninsula. The Shah seeks a substantial buildup of his military power against this and related contingencies.

The issue on this score with the United States boils down to the need, the amount and the supply.

HAS MORE MEANS NOW

For years, the United States was Iran's armorer, although never in the volume the Shah deemed necessary. But he was not in a position to do much about it. Now, he has more means.

The Shah is clearly unhappy that American military aid has ended, but is resigned to it. He would now like to buy American arms, and has so stated publicly. But failing to get them on terms and conditions he believes Iran can afford, he has proposed buying them from the Communist bloc. His visit last month to Rumania and Yugoslavia, and his projected trip soon to Czechoslovakia and Poland, are clearly related to that gambit.

The Shah is bitter at the lack of accommodation on arms from the United States and speaks of it with as much acerbity as a basically polite and charming man can bring himself to do.

"You forced Pakistan to buy arms from the Chinese," he said in a recent interview. "Since you and the British dropped Pakistan (in the war with India), even though it was a member of CENTO and even though India violated its national territory, I figure it can happen to me.

"What is your attitude toward your best friend in this area? Who defended your position in Vietnam to the Russians in Moscow itself? Yet you give Egypt aid, while Russian arms pour in to it, but no aid to me. If we were to have a little trouble with Iraq, you would remain neutral.

HINTS PRICE IS FACTOR

"My motto is that we have got to have friends, but you cannot entirely depend on friends. You have to depend on yourself first.

"Now you're in a position of selling arms, not giving them—so don't be surprised to see me trying to get them at the cheapest price."

The Shah noted that Iraq has Mig-21s, far better aircraft than his, and that the armament buildup of Egypt from Communist suppliers continues apace.

He dismisses American arguments that the menace is not as serious as he sees it, that a further large increase of military equipment in Iran is unnecessary and wrongly diverts money from the development projects the country needs.

He appears determined to spend the $200 million recently voted for more arms, and wherever he can get the best terms.

VERDICT OF HISTORY

Is it not imprudent, he was asked, to depend on the Russian bloc as his quartermaster, when its long-term hostility is so clear, and when it is also supplying his most feared enemies in the Arab world? If a moment of decision came, would the Communists not cut him off and continue supplying them?

"How can I take the verdict of history," he answered, "on the question: 'You, who are responsible for the safety of your country, how could you have neglected any possibility for its defense?'

"You look at matters very coldly in Washington, and worry about the danger 30 years from now (of a nation having become dependent of its connections with the Communist countries). The nationalist in this part of the world says, 'How do I know what will happen then, and what difference will it make if I perish now?'

"Why do you make life so difficult for me? Must I wait for help from you until I see the face of my friend Nasser across the Persian Gulf?"

[Last Wednesday, Iran announced the formation of a new 3d army to defend the southern part of the country and the Persian Gulf, the Associated Press reported. Lt. Gen. Nematullah Minbashian, the army commander, said his force would include land, air, and marine units and would be primarily responsible for protecting Fars Province, the oil-rich province of Khuzistan and the Persian Gulf.]

The Shah can play a poker hand as cannily as the next man, and doubtless some of his rhetoric is for effect. But that the United States can continue, as it once did, to set the conditions for his military and foreign policy may no longer be a plausible notion.

A typographical error in yesterday's article in this series resulted in an overstatement. The first paragraph of the article should have said that the Iranian land reform was one of the most—not the most—successful of modern times.

[From the Washington (D.C.) Post, July 10, 1966]

PROGRESS IN PERSIA: UNIQUE IRANIAN ARMY LOADS CHILDREN INSTEAD OF GUNS

(By Alfred Friendly)

ISFAHAN, IRAN.—The village of 450 people, surrounded by a 12-foot high mud wall with round bastions at the gates and corners, sweltered in dust and 100-degree heat.

Sgt. Hamid Aryan, 22, sweating in his woolen uniform, shuttled back and forth between the two rooms of his new school-house, keeping some 30 first- and second-graders busy with their reading assignments and drilling a like number of third- and fourth-graders in arithmetic.

When school ended in late afternoon, he would have time for a cup of tea, a session with the Boy Scout troop he had organized, a conference with the village cooperative board and a bit of supper before he returned to teach the adult literacy class.

Aryan, who had a few words of English, conceded that the work was hard—he had twice as many pupils as the rule book said he should and the living conditions were Spartan—but it was a great deal better than slinging a rifle for two years.

Some 20,000 young Iranians have reached the same conclusion. They are operating the major part of one of the world's most interesting and exciting educational programs. They are trying to compress into three or four years what in the normal course of events would take 50.

Their immediate goal—by our standards modest and by Iran's stupendous—is to raise the number of literate school-age children from a ratio of 24 per cent a couple of years ago to more than 55 per cent by the end of the next year.

THE KNOWLEDGE ARMY

The young men are in the Knowledge Army, part of Iran's regular army.

Universal military service for two years is the rule in Iran. But for those boys who finish high school (or, after deferment, college), an option is offered. They can cut their service to 18 months if they agree to teach school in one of the 50,000 villages or rural clusters where 70 per cent of the total population lives.

Until the land reform program, under way for the last three years, only 6000 of those villages had schools. Now, thanks to the Knowledge Army, there are schools in more than 25,000.

The Knowledge Corpsman gets four months of basic training, one-third of it in military skills and the rest in intensive teacher training, plus as much knowledge of first aid, community development, Boy Scouting, health care, sanitation and village law as can be crammed in. Armed with this, his high school diploma and sergeant's chevrons, he is dispatched to a village, usually one without a school.

His first task is to get the school built, with a small dollop of cash from the Ministry of Education and a huge supply of good-will and muscle from the villagers, to whom a school is invariably the first item on their list of desires.

Well before he has finished his 14-month duty, the young man will have become, in effect, "counsel" to the village council and farm cooperative; he will have helped build a new road or possibly a mosque; he will certainly have been the moving spirit in erecting a new communal bath with that great (and to Islam unorthodox) device, the shower.

He is strictly forbidden to take sides in village controversies or to get into the position of pushing peasants around. But typically, he becomes arbiter and mediator of all family disputes.

He is looked up to as the "man of education" in the village. Though he is a youngster just out of high school, he pulls it off. The rate of failure, where the boy goofs up or cannot get along, is only 5 or 6 per cent.

FURTHER TRAINING

At the end of his stint, if he has proved to be a good teacher and passes an appropriate examination, he can take six months more of intensive teacher training and become a certified teacher, with permanent status and regular standing as a civil service employe of the Ministry of Education.

But there is one major proviso: his first job must be to teach for three years in the same village where he taught before. Of the first 18,000 who completed their stint, 6000 have followed this route and are back in their old villages. More than a few have married village girls; their prospects for becoming village headmen are bright.

The Iranian army looks with favor on the program. Its annual drafts provide it with all the manpower it needs without the high school graduates, and it holds no fastidious objections to accepting uneducated and even illiterate recruits (although it does try to make them literate during their service).

Since April, 1963, when the Shah of Iran initiated the program as a "holy war," the Knowledge Army has built more schools than were erected in the preceding 50 years. The cost of schooling per child is one-fourth that of the regular schools.

Khtoonabad, where Sgt. Aryan holds forth, is only 20 minutes from Iran's industrial center, Isfahan, and most of that by paved road. Yet it never had a school until the young man and the villagers built their own—complete with one basketball hoop. Here as elsewhere, the condition precedent was land reform, the freeing of initiative once the yoke of the landlord was removed.

Aryan has been successful, as have almost all his colleagues, in breaking down the Islamic tradition of separate classes for boys and girls. His adult classes, however, are almost totally male. A woman does not choose to attend (or her husband does not choose to let her attend) a class taught by a man.

Quite the opposite is the case in the adult literary classes in the urban areas, operated as a half-private, half-public national program. There, most of the teachers and two-thirds of the students are women (although still in segregated classrooms).

The teachers are either professionals, working after hours, or men and women with a high school education moonlighting after their regular jobs. They are paid on a piece rate basis—not by the number of pupils they teach but by the number who pass the periodic state-administered examinations. The aim is to bring illiterates up to a second-grade education in one year and to a fourth-grade reading and writing competence in two years.

THE NIGHT SHIFT

In Tehran, where the literacy rate is relatively high only 400,000 illiterates among its 2.5 million population—some 35,000 adult students are attending 1234 classes. At night or in the late afternoon, parents occupy the same benches their children sat on earlier in the day.

The goal of the Shah is a completely literate Iran in ten years. It is much too optimistic, but it expresses the mood. It is sought after in the cities and villages with fantastic enthusiasm.

It is the dream child of the Shah, who has been assailed throughout the years as undemocratic. Yet it marks him as holding rather different views from those of colonial Virginia's royal governor, Sir William Berkeley, who declared on going there, "I thank God we have not free schools nor printing; and I hope we shall not have these in a hundred years."

MAJOR ACTIONS TAKEN BY PRESIDENT JOHNSON TODAY

Mr. PELL. Mr. President, I take particular pleasure in bringing to the attention of the Senate a statement made by President Lyndon B. Johnson today.

The statement relates to three major actions the President has taken: He signed today a proclamation announcing formal acceptance of the audio-visual agreement of Beirut; he signed a bill to implement the Agreement on the Importation of Educational, Scientific, and Cultural Materials, known as the Florence Agreement; and he also signed an Executive order to facilitate art exchanges with foreign countries.

These actions are highly significant to our cultural welfare and demonstrate the exceptional leadership which President Johnson is giving us in developing progress in the arts, both within the United States and internationally.

I ask unanimous consent that the full text of the President's statement be printed at this point in my remarks.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY THE PRESIDENT

A little over a year ago, in my speech at the Smithsonian Bicentennial Celebration, I pledged that we would embark "on a new and noble adventure"—the adventure of international education. One of the five central tasks of this adventure would be "to increase the free flow of books and ideas and art, of works of science and imagination."

Today, I am happy that with the help of Congress, we have taken three major steps forward to fulfill this task.

I am today signing a Proclamation that announces our formal Acceptance of the Audio-Visual Agreement of Beirut. This final step is now possible because last Saturday, October 8, I signed a Joint Resolution of the Congress to bring our tariff laws into conformity with this treaty. Today, I am issuing an Executive Order that designates the U.S. Information Agency to carry out the Beirut Agreement for this Government.

The Beirut Agreement removes import duties and every other barrier to the international movement of educational materials of the type called "audio-visual"—classroom motion pictures, slides, video-tapes, recordings, and the like.

Our exports of these educational materials has grown to the present annual level of $3.5 million. I feel confident that our acceptance of the Beirut Agreement will soon bring a doubling in number of nations now full partners to the Agreement. I believe it will increase many times the volume of American educational tools flowing abroad.

I also sign today a bill to implement the Agreement on the Importation of Educational, Scientific and Cultural Materials, commonly known as the Florence Agreement.

Through this legislation the United States now joins with 51 other countries in dropping tariff barriers that have limited the free access of nations to all tools of learning—including books and scientific instruments—which other nations create.

The United States helped negotiate this Agreement in 1959, and Senate ratification followed in 1960. Final action by the 89th Congress now permits full U.S. participation in this multi-national effort.

I have also signed an Executive Order facilitating art exchanges with foreign countries. This is a follow-up to an authority given me by the 89th Congress. I am designating the Secretary of State, in consultation with the Smithsonian Institution, as the responsible person to allow art works to come into this country for exhibitions.

I am particularly pleased that we take these steps in the year of UNESCO's 20th anniversary. The ideals for which that organization stands are being given fresh vitality and renewed purpose.

We know that knowledge has no national boundaries and that the instruments of learning should be fully and freely accessible to all. We know that ideas, not armaments, will shape our lasting prospects for peace.

DENVER ART CENTER IS ADDING LUSTER TO THE QUALITY OF THE AMERICAN SOCIETY

Mr. PELL. Mr. President, as chairman of the Subcommittee on the Arts and Humanities, I would like to call attention to a development that is taking place in the great American West.

Denver, Colo., is far from the settlements of early American history, which have had nearly 3½ centuries to develop their cultural resources, and are regarded by many as the centers of art in this country.

Following the discovery of precious metals in the Rocky Mountains in 1859, Colorado was created as a territory in 1861 and became the 38th State in 1876. In 106 years, the capital at Denver has grown from a mining camp to a thriving, graceful city; and a major center of the arts for the entire Rocky Mountain region.

In 1893 the residents organized the Denver Art Museum without a collection, a biulding, or capital with which to acquire either. The group's charter devoted it "to cultivate and promote a general interest in, and appreciation of, the arts, and to advance such interest and appreciation by any appropriate means."

Although less than fourscore years have passed, the Denver Art Museum has been impressive in finding the means to fulfill these purposes. Its exhibits, annual competitions, seminars, apprenticeships, and other activities have drawn students and visitors from every State and virtually every country in the world. Typical is the fine exhibition now in progress on "The Western Frontier." More than four dozen institutions contributed works to this display which is undoubtedly one of the finest ever seen depicting the trials and triumphs of America's westward movement.

The museum can also take some credit for stimulating the lively interest in the arts in the Denver area, which is presently enjoying about 40 exhibits in the galleries, banks, restaurants, and other public and private buildings.

The progress of the Denver Museum has been such that it has run out of space to show its permanent and trust collections. So, in the spirit of the pioneers, it has embarked on the building program for a modern six-story complex on the south edge of the Denver Mall and Civic Center. This will nearly double the exhibition space to 80,000 square feet. The building will cost $3.8 million, and 70 percent has already been received, including substantial amounts from museum personnel and a capital grant from the city of Denver. It is hoped that ground may be broken during the next year. The structure was designed by architects James Sudler Associates in Denver in cooperation with Gio Ponti of Milan. A notable feature of the building is that the architects have consulted with the museum's major department heads in order to assure that the space for each operation will be conformative with present and future needs. This is an indication of the sentient way that the museum and this construction project are being conducted by its campaign committee, trustees, officers, and distinguished director, Otto K. Bach.

In these days when our country is striving to establish itself as a great society, it can be reassured by the performance and progress of the Denver Art Museum and its bright promise. Its efforts deserve the recognition and support of those in the Rocky Mountain area, which it will directly serve; and in a larger sense, all who are interested in the quality of American society—to which the mile-high arts center in Denver will be one of the sparkling additions.

POLLUTION CONTROL PROJECT TO BENEFIT TEXAS AND OKLAHOMA

Mr. YARBOROUGH. Mr. President, the omnibus rivers and harbors bill passed by the Senate this morning contains an authorization of $46,400,000 for an urgently needed water pollution control project benefiting Texas and Oklahoma.

The staggering pollution of the rivers and streams in this country has become a major national problem. Today's authorization will help considerably in continuing the fight to halt the growing contamination of our national water supply.

The project to be established under the bill will include the construction of low flow dams and brine storage reservoirs on the Wichita River which will help stop salting of the Wichita and the Red River.

Some 525 tons of chloride are poured into the headwaters of the Wichita each day, producing river water unfit for human use. The drinking water standard approved by the Public Health Service is 250 milligrams per liter for chlorides and yet the average chloride concentration of Lake Kemp on the Wichita River is 930 milligrams per liter and the concentration in Lake Texoma on the Red River is 300 milligrams per liter.

The Red River is of vast importance to thousands of residents of northern Texas, southern Oklahoma, Arkansas, and Louisiana, Mr. President, and today's authorization, if it reaches final passage, will help make those vital waters cleaner and more usable.

ENZYME TREATMENT OF CANCER

Mr. LONG of Missouri. Mr. President, I rise to address the Senate to add to my remarks last Wednesday about the promising results which Dr. Shively, of Dayton, Ohio, has obtained in the enzyme treatment of cancer.

I have now learned that another surgeon, Dr. C. J. Michet, when he was medical director of the Cancer Research Foundation of the Holy Cross Hospital in Chicago, obtained the same remarkable results as Dr. Shively in the treatment of advanced cancer, using one of the enzymes Dr. Shively used, chymotrypsin.

Dr. Michet has records of about 40 cases of advanced cancer treated with this enzyme. Many tumors markedly decreased in size or melted away entirely; cancerous skin ulcers showed signs of healing; great improvement in pain and other symptoms took place; some patients were able to get out of their hospital beds and go home and return to a normal life, including one patient who was moribund.

Now if just one of these advanced cancer patients had been permanently cured by an enzyme, it would, of course, have been the marvelous news which we are all waiting for in the treatment of this terrible disease. And Dr. Shively and Dr. Michet would be excellent candidates for the Nobel Prize in medicine.

The point is that the kind of results which Mr. Michet and Dr. Shively have obtained appear to be not only as good or better than the results obtained by the highly toxic chemicals presently approved by the FDA for the treatment of advanced cancer, but also the enzymes are essentially nontoxic and physiological in nature which means that future varieties and combinations of them have great theoretical promise.

Some of Dr. Michet's cases were plagued with marked allergic reactions, and some troublesome but scientifically very significant pain caused by the enzymes in the cancerous tumors. But Dr. Shively, with his slow infusions of a combination of six highly purified enzymes, seems to have solved the problem of allergic and other undesirable reactions.

I would like to call attention again to the fact that Dr. Bergel, the dean on the Cancer Institute of the Royal Cancer Hospital in England, has confirmed that some of these enzymes cause animal cancers to regress, and urged 5 years ago that these enzymes be given a thorough trial in the treatment of human cancer.

Yet not only has the Food and Drug Administration done everything it could to discourage Dr. Shively and his enzyme treatment of human cancer, but also the National Cancer Institute appears to have been negligent in not pursuing this whole line of investigation.

In my remarks last week, I pointed out the bad effects of government monopolization of cancer research, and of the FDA use of double standards in its regulation of the independent investigator versus the Government-paid research worker in the cancer field.

We now have confirmatory evidence from two reputable physicians, working entirely independently of each other, that the enzyme treatment of cancer is modestly but genuinely effective. Of the greatest importance, it is essentially nontoxic and physiological in nature, and thus holds out real promise for the future.

It would seem that the FDA and the NCI should thoroughly investigate this new approach in the treatment of cancer.

SAVE OUR FORESTS

Mr. BARTLETT. Mr. President, in the near future, America and the world may be confronted with a very serious problem—the problem of a timber shortage. Although presently there are large timber resources in the United States, and throughout the world, the world's timber needs are growing. It is probable that in another 10 years our supply will meet our demand and that by the year 2000 there will be a timber shortage. We must recognize this problem and prepare for it. Not only must we try to conserve our current sources but we must also try to find new sources.

Mr. President, my State, Alaska, provides these new sources; it is perhaps the only undeveloped potential source left in the United States. There are 40 million acres of untapped timber resource in Alaska which is thought to be of use commercially. However conservation of this land presents a grave problem, for Alaska has always been plagued by forest fires. In the last 10 years many thousands of acres of forest land have burned in Alaska, and in 1966 vast acreages have been burned over with threat to life and property. One reason for the extent of this burned acreage is that a fire in Alaska frequently spreads to thousands of acres if it is not controlled within the first 300 acres. An average of 4,400 acres per fire are destroyed in Alaska as compared to a 30-acre average in the rest of the United States.

Such high statistics are due to a variety of conditions typical only to Alaska in the United States. Weather conditions constitute one of the major reasons. Glaciers can cause extremes in weather; their presence may affect wind velocity, giving it added force and increased irregularity. The winds tend to become stronger in late afternoon at which time most lightning storms occur. These storms account for a large percentage of burned acreage because controlling methods are not always as available to areas with lightning fires as they are to areas with man-caused fires. Remote, uninhabited areas are susceptible to lightning fires but not to man-caused fires. Air pressure units, which affect the strength and development of the fire, also tend to build up in sections of Alaska. Grass, moss, and other rapid burning plants are present in all of Alaska's vegetative area. The enormity and lack of communication facilities in some of the more sparsely populated areas of Alaska increase the problems and the necessity of better detection methods.

The need for improved fire detection methods exists not only in Alaska but in every one of the 50 States. Each year millions of acres of valuable forest land are destroyed by fire. With the increasing need for timber we must conserve as many of our timber resources as possible. Even if enough new sources were found and utilized there would still exist the exigency of preservation. In the past people have relied upon visual observation for fire detection. This has proved ineffective for obvious reasons. Weather conditions, illumination, topography and even the extent of the delay from the time the fire ignites until it is discovered are the most prevalent reasons. Realization of visual limitations and concern over our growing timber needs have resulted in great progress in new detection methods. The Northern Forest Fire Laboratory began a research program in the latter part of 1961 which has resulted in newly developed detection systems using remote sensing. These new methods of remote surveillance make detection not only of going forest fires foreseeable in the future but also the possibility of mapping a fire and of locating storms resulting in fire. Let me briefly describe some of the more promising and advanced methods.

The most developed and effective of the new remote sensing detection systems is an infrared system. Infrared is the name assigned to a "specific wavelength region of the entire electromagnetic radiation spectrum." Its value is in its ability to detect fires by the energy emitted from the fire by wavelengths rather than by illumination. Thus problems of night detection would be eliminated as would the problem of discovering fires which went unobserved until after a previous fire had been controlled because of heavy smoke. The infrared system also provides a method for measuring the size of the fire and for mapping its location to the extent that rivers, roads and other landscape characteristics are shown. The fire's exact location is then determined and the best approach to the fire is revealed. The intensity and velocity of a fire can be calculated by this system. The infrared system is being experimented with in aircraft; the system requires an unobstructed view of the source of the energy or heat to be effective and thus a high observation point is essential.

Radar and sferics are two types of remote sensing being tested for use in tracking lightning storm situations. Radar is employed by the U.S. Weather Bureau to track "cumulonimbus cloud formations, normally associated with thunderstorm activity." The radar set operates by transmitting pulses of microwave energy in a narrow beam and detecting the energy reflected by a target. Radar is quite effective in determining the location of a possible storm but it cannot, as of now, distinguish between an actual storm and one that does not develop. It would thus be used primarily as a planning method in detection and as a study device to learn more about "the specific nature of fire-setting lightning storms." From the knowledge, techniques can be developed for early storm warnings and evaluations of wet or dry storms, fast or slow moving storms, and severe or moderate storms. Sferics is a method of tracking lightning by means of electromagnetic energy discharged by the lightning and carried in wavelengths of the radio wave spectrum. This travels along the earth's surface, as well as a straight line, giving the sferics device the ability to detect lightning from thousands of miles. This, in addition to a very low cost as compared to radar, cause the sferics equipment to be considered quite important. Television is also being considered. Although it has the same limitations as a human, it has the added advantage of being used in uninhabitable regions.

And so, Mr. President, it is clear just how far fire-detection methods are progressing. The potentialities of remote surveillance are enormous. They broaden the scope of fire detection immensely.

I commend the Northern Forest Fire Laboratory for its outstanding work thus far and urge that these efforts continue. This research merits our full support. Preservation of timber resources from fire now appears in the realm of the possible. As a member of the Senate Appropriations Subcommittee handling Forest Service appropriations, I pledge my support to the continuation of these efforts.

AUTHORITY TO SIGN BILLS, RECEIVE MESSAGES, AND FILE REPORTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the session from today until noon on Monday next, the Vice President or the President pro tempore be authorized to sign duly enrolled bills; the Secretary of the Senate to receive messages; and committees to file reports.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ADJOURNMENT UNTIL NOON ON MONDAY

Mr. KUCHEL. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 12 o'clock noon, Monday, October 17, 1966.

The motion was agreed to; and (at 7 o'clock p.m.) the Senate adjourned until Monday, October 17, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate October 14, 1966:

U.S. Arms Control and Disarmament Agency

Samuel De Palma, of Maryland, a Foreign Service officer of class 1, to be an Assistant Director of the U.S. Arms Control and Disarmament Agency, vice Jacob D. Beam.

In the Judiciary

Robert M. Draper, of Ohio, to be U.S. attorney for the southern district of Ohio for the term of 4 years vice Joseph F. Kinneary, resigned.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 14, 1966:

Civil Aeronautics Board

Robert T. Murphy, of Rhode Island, to be a member of the Civil Aeronautics Board for the term of 6 years expiring December 31, 1972.

Federal Trade Commission

Mary Gardiner Jones, of New York, to be a Federal Trade Commissioner for the term of 7 years from September 26, 1966.

Environmental Science Services Administration

Werner A. Baum, of New York, to be Deputy Administrator, Environmental Science Services Administration.

Traffic Safety Administrator

William Haddon, Jr., of New York, to be Traffic Safety Administrator.

In the Coast Guard

The nominations beginning Dwight W. Shores, to be lieutenant (jg.), and ending John P. DeLeonardis, Jr., to be lieutenant, which nominations were received by the Senate and appeared in the Congressional Record on October 11, 1966.

Postmaster

Robert M. Cassell, Cary, N.C.

* * *

HOUSE OF REPRESENTATIVES

Friday, October 14, 1966

The House met at 11 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Why are thou cast down, O my soul? and why art thou disquieted in me—hope thou in God.—Psalm 42: 5.

Eternal God, our Father, from whom our spirits come, with whom they live and unto whom they return when life on earth is over—in the quiet of this moment we humbly lift our hearts unto Thee in prayer. We believe in Thee with all our minds—do Thou make Thyself real to us in our hearts. Grant unto us a song on our lips in the morning, strength for the day, good will for one another, a steadfast loyalty to our country, courage to maintain high ideals in our political life, and a faith that gives us confidence and helps us to overcome the evil in the world.

Give to us an inner spirit of hospitality to that which is high in life and send us forth masters of ourself because we are mastered by Thee. By Thy spirit of truth alive within us may we be among that company of Thy children who lift the world and do not lean upon it, and who leave it a better place in which to live. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3112) entitled "An act to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 per centum of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15857) entitled "An act to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes."

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 3348. An act to authorize a program for the construction of facilities for the teaching of veterinary medicine and a program of loans for students of veterinary medicine;

H.R. 11256. An act to amend the Internal Revenue Code of 1954 with respect to the priority and effect of Federal tax liens and levies, and for other purposes; and

H.R. 13955. An act to establish the past and present location of a certain portion of the Colorado River for certain purposes.

DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 17636) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments and agree to the conference asked by the Senate.

The **SPEAKER.** Is there objection to the request of the gentleman from Kentucky? The Chair hears none, and appoints the following conferees: Messrs. Natcher, Giaimo, Smith of Iowa, McFall, Mahon, Davis of Wisconsin, McDade, and Bow.

TEXTILE IMPORTS MUST BE LIMITED

Mr. DORN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The **SPEAKER.** Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. DORN. Mr. Speaker, it is imperative and in the interest of the entire textile industry that manmade fiber products be omitted from reductions in duty during the Kennedy round of tariff reductions. It is urgent that the United States initiate international discussions which will lead to an early negotiation of an all-fiber textile arrangement including manmade fiber and wool textiles. It is high time that we explore the possibility of a modification of the long-term cotton textile arrangement to include manmade fiber and wool.

Mr. Speaker, as long as manmade fiber is permitted to come into the United States virtually unrestrained, then the entire textile industry and the jobs of its employees are in jeopardy. It is relatively easy for our foreign competitors to convert almost overnight from cotton to manmade fiber and thus circumvent the long-term voluntary textile agreement.

Imports of manmade fibers, yarns, fabrics, and apparel of a related nature are increasing at a phenomenal rate. In fact, imports of manmade fiber during the first 6 months of 1966 totaled 111 million pounds while our exports were approximately 103 million pounds. The overall American textile picture cannot remain healthy as long as manmade fiber and wool are permitted to pour into our country from the far corners of the earth with little real restriction.

Mr. Speaker, the Chemstrand manmade fiber plant at my hometown of Greenwood is a classic example of how an industry can greatly benefit an area threatened by unemployment and recession. Chemstrand has been a fantastic boost to the economy of my home county.

Now, Mr. Speaker, are we to sacrifice the interest of my own area and countless other communities in a similar situation throughout the Nation by permitting low-wage foreign imports to flood the American market? Wool textiles are in a similar category to manmade fibers. Woolen textiles are likewise threatened by excessive foreign imports.

Mr. Speaker, there should be no reduction at this time in U.S. import duties on manmade fibers, filaments, yarns, fabrics, apparel, and other manufactured products including cotton textiles. The negotiation of a separate agreement on man-made fiber textiles is now in order. Modification of the Geneva long-term cotton textile arrangements to include manmade fiber and woolen textiles is urgent. This action is necessary now to maintain our entire textile industry and protect the jobs of its employees from excessive low-wage, slave labor foreign imports.

GOVERNOR BRANIGIN'S POSITION ON THE INDIANA DUNES

Mr. ROUSH. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ROUSH. Mr. Speaker, I hold in my hand a "Dear Colleague" letter which was written by our colleague, the gentleman from Kansas [JOE SKUBITZ]. In this letter he states:

> The enclosed article taken from the Indiana Star of Thursday, October 13, 1966 is positive proof of the attitude of Governor Branigin with regard to the Udall amendment.

The article is headed "Branigin May Boycott Roush Fund Dinner."

First I want to tell my colleagues that the dinner was held last evening. Governor Branigin was present. Governor Branigin and I had a very cordial and fine meeting one with the other. And Governor Branigin spoke in complimentary terms of the Democratic members of the Indiana delegation, including the Member who is standing in the well of the House.

This article is based on an erroneous newspaper report that I had quoted Governor Branigin during the first day of debate as saying he was for noncontiguous areas with respect to the Indiana Dunes National Lakeshore. The gentleman from Kansas [Mr. SKUBITZ], as I recall, was on the floor during that entire debate on Tuesday and he knows that I did not make such a statement. He also knows that on the following day I made Governor Branigin's position that he was opposed to the inclusion of noncontiguous areas quite clear. What I did say was that Governor Branigin was for the port-park compromise.

COMMITTEE ON EDUCATION AND LABOR

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may have until midnight Saturday night to file a conference report on H.R. 15111.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. HALL. Mr. Speaker, reserving the right to object, may I inquire of the gentleman if this has been cleared with the minority side of the aisle, in view of last evening's colloquy.

Mr. GIBBONS. It has not. The reason for making this request is to give the minority side an opportunity to see the report before it is filed. If I do not obtain unanimous consent, I can file the report today while the House is in session, without consent. I am merely trying to give an opportunity for the Members to see the report before it is filed.

Mr. HALL. Mr. Speaker, I understand thoroughly the rules of the House and the ability of the gentleman who is chairman of the subcommittee to file the report at any time the House is in session. I would respectfully ask him—in view of the prior colloquy, at which time I understood he could file it at any time today—that he withhold the request until we have cleared with the minority members of the Committee on Education and Labor. Otherwise, I shall be constrained to object.

Mr. GIBBONS. Mr. Speaker, I withdraw my request.

The SPEAKER. The gentleman withdraws his request.

REPLACEMENT OF MILITARY PERSONNEL WORKING IN CIVILIAN-TYPE POSITIONS

Mr. HENDERSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. HENDERSON. Mr. Speaker, yesterday, Hon. Tom Morris, Assistant Secretary of Defense for Manpower advised me that the Department of Defense will replace an additional 40,000 combat-trained military personnel, now working in civilian-type positions, with civil service employees, in fiscal year 1968. Not only will this result in economies, but of perhaps greater importance is the fact that the number of young men to be drafted will be lessened by this action.

Slightly over a year ago, I reported that there were at least 50,000 active-duty military men in our armed service performing civilian-type work who could and should be moved into combat units.

The Secretary of Defense, Hon. Robert S. McNamara, and his staff reacted promptly. Studies by Department of Defense officials disclosed that 74,000 of the combat-trained military personnel working on civilian-type functions could be returned to military duties and be replaced by 60,500 civilians, at a savings of many millions of dollars.

Subsequent thereto, these Defense studies resulted in a conclusion that approximately 3,500 military personnel working in commissary stores, post exchanges, bowling alleys, theaters, officers' clubs, and similar activities could also be replaced by civilians.

I want to commend the Secretary of Defense for these decisions.

CONFERENCE REPORT ON S. 2947

Mr. FALLON. Mr. Speaker, I ask unanimous consent that the conferees may have until midnight tomorrow night to file a conference report on the bill S. 2947.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

PEOPLE HAVE A RIGHT TO BE AFRAID

Mr. CEDERBERG. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CEDERBERG. Mr. Speaker, I am extremely concerned when I read in the newspapers, as I did in the Washington Post this morning, the statement of a leader of the Soviet Union. He said because of the Red Chinese they could not get their equipment into North Vietnam to help defeat the U.S. aggressors in Vietnam. Then last week Andrei Gromyko of the Soviet Union came to the White House and discussions were held at the White House and the State Department. The President of the United States announced that he wants to expand our trade with the Soviet Union and the Red bloc nations. It seems to me, Mr. Speaker, we must be losing our minds. I agree with the President when he said that he did not want to halt bombing because he did not want our boys to be fighting with their hands tied behind their backs. Yet we propose to increase trade with the Soviet Union and the Red Communist nations who are dedicated to the destruction of these very same boys in Vietnam. This makes no sense to me. The President talks about people being afraid. You bet I am afraid. I am afraid of what is happening in South Vietnam. I am afraid and there are over 300,000 men over there that are afraid, and they have parents, wives, and friends in this country that are afraid, too. If these are the policies we are going to pursue in this country, then they have a right to be afraid.

INDIANA DUNES NATIONAL LAKESHORE

The SPEAKER. The unfinished business before the House is the further consideration of the bill H.R. 51, which the Clerk will report by title.

The Clerk read the title of the bill.

The SPEAKER. The question now occurs on the amendment of the gentleman from Arizona [Mr. UDALL], on which a separate vote has been demanded. Without objection the Clerk will report the amendment of the gentleman from Arizona [Mr. UDALL].

There was no objection.

The Clerk read as follows:

> Amendment offered by Mr. UDALL as a substitute for the committee amendment: On page 2, line 6, strike out "the Committee amendment." and insert "The lakeshore shall comprise the area within the boundaries delineated on a map identified as 'A Proposed Indiana Dunes National Lakeshore', dated September 1966, and bearing the number 'LNPNE–1008–ID', which map is on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior."

The SPEAKER. The question is on the amendment.

The question was taken and the Speaker announced that the "ayes" appeared to have it.

Mr. SAYLOR. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. On the amendment?

Mr. SAYLOR. Mr. Speaker, on the amendment.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 183, nays 147, answered "present" 2, not voting 100, as follows:

[Roll No. 362]

YEAS—183

Adams
Addabbo
Anderson, Ill.
Annunzio
Ashley
Bandstra
Barrett
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Callan
Cameron
Clark
Clevenger
Cohelan
Conyers
Daddario
Daniels
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dow
Dulski
Dyal
Edwards, Calif.
Edwards, La.
Erlenborn
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Fino
Flood
Fogarty
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Green, Pa.
Greigg
Grider
Griffiths
Halpern
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Holifield
Holland
Howard
Hungate
Irwin
Jacobs
Jennings
Joelson
Jones, Ala.
Karsten
Kastenmeier
Kee
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Leggett
Long, La.
Long, Md.
Love
McCarthy
McClory
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Madden
Mathias
Matthews
Meeds
Miller
Minish
Mink
Monagan
Moorhead
Morgan
Morris
Morrison
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
O'Neill, Mass.
Ottinger
Patman
Patten
Perkins
Philbin
Pike
Poage
Price
Randall
Rees
Reuss
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
St Germain
St. Onge
Saylor
Scheuer
Schmidhauser
Schweiker
Secrest
Senner
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Springer
Staggers
Stalbaum
Stratton
Stubblefield
Sullivan
Taylor
Tenzer
Thomas
Tupper
Tuten
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Vivian
Waldie
Walker, N. Mex.
Wilson, Charles H.
Wolff
Wright
Yates
Young
Zablocki

NAYS—147

Abbitt
Andrews, George W.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Bates
Battin
Beckworth
Belcher
Bell
Berry
Betts
Bolton
Bow
Bray
Brock
Broomfield
Brown, Clarence J., Jr.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Byrnes, Wis.
Carter
Casey
Cederberg
Chamberlain
Chelf
Clawson, Del
Cleveland
Collier
Colmer
Conable
Cramer
Cunningham
Curtis
Dague
Davis, Wis.
Derwinski
Devine
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Everett
Findley
Ford, Gerald R.
Fountain
Fulton, Pa.
Gathings
Goodell
Grover
Gubser
Gurney
Haley
Hall
Halleck
Hardy
Harsha
Harvey, Mich.
Henderson
Herlong
Horton
Hosmer
Hull
Hutchinson
Ichord
Jarman
Johnson, Calif.
Jonas
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
Kornegay
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
McDade
McEwen
MacGregor
Mahon
Mailliard
Marsh
Martin, Nebr.
May
Michel
Mills
Mize
Moore
Morse
Morton
Mosher
Natcher
Nelsen
O'Neal, Ga.
Passman
Pelly
Pickle
Pirnie
Poff
Quie
Reid, Ill.
Reifel
Rhodes, Ariz.
Rivers, S.C.
Roberts
Rogers, Fla.
Roudebush
Satterfield
Schneebeli
Selden
Shriver
Sikes
Skubitz
Smith, N.Y.
Smith, Va.
Stanton
Talcott
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Utt
Waggonner
Walker, Miss.
Watkins
Watson
Watts
Whalley
White, Tex.
Whitener
Whitten
Williams
Willis
Wilson, Bob
Wydler
Younger

ANSWERED "PRESENT"—2

Race
Widnall

NOT VOTING—100

Abernethy
Adair
Albert
Anderson, Tenn.
Andrews, Glenn
Aspinall
Baring
Burton, Utah
Cabell
Cahill
Callaway
Carey
Celler
Clancy
Clausen, Don H.
Conte
Cooley
Corbett
Corman
Craley
Culver
Curtin
Davis, Ga.
Dawson
Denton
Dickinson
Duncan, Oreg.
Edmondson
Evans, Colo.
Evins, Tenn.
Fisher
Flynt
Foley
Frelinghuysen
Fuqua
Gallagher
Gray
Green, Oreg.
Gross
Hagan, Ga.
Hagen, Calif.
Hamilton
Hansen, Idaho
Harvey, Ind.
Hébert
Hicks
Huot
Johnson, Okla.
Johnson, Pa.
Karth
Kelly
Keogh
Kupferman
Landrum
McCulloch
McMillan
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Matsunaga
Minshall
Moeller
Moss
Murray
O'Konski
Olson, Minn.
Pepper
Pool
Powell
Pucinski
Purcell
Quillen
Redlin
Reid, N.Y.
Reinecke
Resnick
Rhodes, Pa.
Rivers, Alaska
Robison
Rogers, Tex.
Roncalio
Rooney, Pa.
Ryan
Schisler
Scott
Smith, Calif.
Stafford
Steed
Stephens
Sweeney
Thompson, N.J.
Thompson, Tex.
Todd
Toll
Trimble
Tunney
Weltner
White, Idaho
Wyatt

So the amendment was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hamilton for, with Mr. Widnall against.

Until further notice:

Mr. Hébert with Mr. Martin of Massachusetts.

Mr. Albert with Mr. Frelinghuysen.

Mr. Rooney of Pennsylvania with Mr. Corbett.

Mr. Aspinall with Mr. Adair.

Mr. Foley with Mr. McCulloch.

Mr. Cabell with Mr. O'Konski

Mr. Schisler with Mr. Minshall.

Mr. Keogh with Mr. Hansen of Idaho.

Mr. Denton with Mr. Quillen.

Mr. Edmondson with Mr. Johnson of Pennsylvania.

Mr. Evins of Tennessee with Mr. Burton of Utah.

Mr. Landrum with Mr. Wyatt.

Mr. Mackay with Mr. Martin of Alabama.

Mr. Stephens with Mr. Callaway.

Mr. Scott with Mr. Dickinson.

Mr. Mackie with Mr. Conte.

Mr. Abernethy with Mr. Harvey of Indiana.

Mr. Steed with Mr. Reid of New York.

Mr. Purcell with Mr. Clancy.

Mr. Hagan of Georgia with Mr. Curtin.

Mr. Corman with Mr. Reinecke.

Mr. Evans of Colorado with Mr. Don H. Clausen.

Mr. Olson of Minnesota with Mr. Kupferman.

Mr. Rivers of Alaska with Mr. Smith of California.

Mr. Fisher with Mr. Hicks.

Mr. Flynt with Mr. Craley.

Mr. Davis of Georgia with Mr. Fuqua.

Mr. Moss with Mr. Stafford.

Mr. Matsunaga with Mr. Resnick.

Mr. Rogers of Texas with Mr. Rhodes of Pennsylvania.

Mr. Moeller with Mr. McMillan.

Mrs. Kelly with Mr. Karth.

Mr. Ryan with Mr. Dawson.

Mr. White of Idaho with Mr. Thompson of New Jersey.

Mr. Pucinski with Mrs. Green of Oregon.

Mr. Gray with Mr. Pepper.

Mr. Redlin with Mr. Weltner.

Mr. Culver with Mr. Duncan of Oregon.

Mr. Celler with Mr. Baring.

Mr. Johnson of Oklahoma with Mr. Huot.

Mr. Carey with Mr. Thompson of Texas.

Mr. Todd with Mr. Trimble.

Mr. Pool with Mr. Tunney.

Mr. Anderson of Tennessee with Mr. Roncalio.

Mr. Cooley with Mr. Glenn Andrews.

Mr. Sweeney with Mr. Murray.

Mr. POAGE changed his vote from "nay" to "yea."

Mr. WIDNALL. Mr. Speaker, I have a live pair with the gentleman from

Indiana [Mr. HAMILTON]. If he were present he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. SAYLOR. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 204, nays 141, answered "present" 2, not voting 85, as follows:

[Roll No. 363]

YEAS—204

Adams
Addabbo
Anderson, Ill.
Annunzio
Ashley
Bandstra
Barrett
Bennett
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Burke
Burton, Calif.
Byrne, Pa.
Callan
Cameron
Carey
Casey
Celler
Chelf
Clark
Clevenger
Cohelan
Collier
Conyers
Daddario
Daniels
de la Garza
Delaney
Dent
Derwinski
Diggs
Dingell
Donohue
Dow
Dulski
Dyal
Edwards, Calif.
Edwards, La.
Erlenborn
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Findley
Fino
Flood
Ford, William D.
Fraser
Friedel
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Pa.
Greigg
Grider
Griffiths
Hagen, Calif.
Halpern
Hanley
Hanna
Hansen, Iowa
Hansen, Wash.
Hathaway
Hawkins
Hays
Hechler
Helstoski
Holifield
Holland
Howard
Hungate
Irwin
Jacobs
Jennings
Joelson
Johnson, Calif.
Jones, Ala.
Karsten
Kastenmeier
Kee
Keith
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Leggett
Long, La.
Long, Md.
Love
McCarthy
McClory
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Madden
Mathias
Matthews
Meeds
Miller
Mills
Minish
Mink
Monagan
Moorhead
Morgan
Morris
Morrison
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pike
Poage
Powell
Price
Pucinski
Race
Randall
Rees
Reid, N.Y.
Reuss
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
Ryan
St Germain
St. Onge
Saylor
Scheuer
Schmidhauser
Schweiker
Secrest
Shipley
Sickles
Sisk
Slack
Smith, Iowa
Springer
Staggers
Stalbaum
Stratton
Stubblefield
Sullivan
Taylor
Tenzer
Thomas
Todd
Tunney
Tupper
Tuten
Udall
Van Deerlin
Vanik
Vigorito
Vivian
Waldie
Walker, N. Mex.
Weltner
White, Tex.
Willis
Wilson, Charles H.
Wolff
Wright
Wydler
Yates
Zablocki

NAYS—141

Abbitt
Andrews, George W.
Bates
Battin
Beckworth
Belcher
Bell
Berry
Betts
Bolton
Bow
Bray
Brock
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Byrnes, Wis.
Cahill
Carter
Cederberg
Chamberlain
Clawson, Del
Cleveland
Colmer
Conable
Cramer
Cunningham
Curtis
Dague
Davis, Wis.
Devine
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Dwyer
Edwards, Ala.
Ellsworth
Everett
Ford, Gerald R.
Fountain
Andrews, N. Dak.
Arends
Fulton, Pa.
Gathings
Gettys
Goodell
Grover
Gubser
Gurney
Haley
Hall
Halleck
Hardy
Harsha
Harvey, Mich.
Henderson
Herlong
Horton
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jonas
Jones, Mo.
Jones, N.C.
King, N.Y.
Kornegay
Kunkel
Laird
Langen
Latta
Lennon
Lipscomb
McDade
McEwen
MacGregor
Mahon
Mailliard
Marsh
Martin, Nebr.
May
Michel
Minshall
Mize
Moore
Morse
Ashbrook
Ashmore
Ayres
Morton
Mosher
Nelsen
O'Neal, Ga.
Passman
Pelly
Pickle
Pirnie
Poff
Quie
Quillen
Reid, Ill.
Reifel
Rhodes, Ariz.
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Roudebush
Satterfield
Schneebeli
Selden
Senner
Shriver
Sikes
Skubitz
Smith, N.Y.
Smith, Va.
Stanton
Talcott
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Waggonner
Walker, Miss.
Watkins
Watson
Watts
Whalley
Whitener
Whitten
Williams
Wilson, Bob
Younger

ANSWERED "PRESENT"—2

Utt
Widnall

NOT VOTING—85

Abernethy
Adair
Albert
Anderson, Tenn.
Andrews, Glenn
Aspinall
Baring
Burton, Utah
Cabell
Callaway
Clancy
Clausen, Don H.
Conte
Cooley
Corbett
Corman
Craley
Culver
Curtin
Davis, Ga.
Dawson
Denton
Dickinson
Duncan, Oreg.
Edmondson
Evans, Colo.
Evins, Tenn.
Fisher
Flynt
Fogarty
Foley
Frelinghuysen
Fuqua
Gallagher
Green, Oreg.
Gross
Hagan, Ga.
Hamilton
Hansen, Idaho
Harvey, Ind.
Hébert
Hicks
Huot
Johnson, Okla.
Johnson, Pa.
Karth
Kupferman
Landrum
McCulloch
McMillan
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Matsunaga
Moeller
Moss
Murray
O'Konski
Olson, Minn.
Pool
Purcell
Redlin
Reinecke
Resnick
Rhodes, Pa.
Rivers, Alaska
Rogers, Tex.
Roncalio
Rooney, Pa.
Schisler
Scott
Smith, Calif.
Stafford
Steed
Stephens
Sweeney
Thompson, N.J.
Thompson, Tex.
Toll
Trimble
Ullman
White, Idaho
Wyatt
Young

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hamilton for, with Mr. Widnall against.

Mr. Denton for, with Mr. Utt against.

Mr. Conte for, with Mr. Hébert against.

Mr. Foley for, with Mr. Wyatt against.

Mr. Fogarty for, with Mr. Smith of California against.

Mr. Resnick for, with Mr. Reinecke against.

Mr. Rivers of Alaska for, with Mr. Dickinson against.

Mr. Matsunaga for, with Mr. Glenn Andrews against.

Mr. Kupferman for, with Mr. Cabell against.

Mr. Rhodes of Pennsylvania for, with Mr. Fisher against.

Mr. Schisler for, with Mr. McMillan against.

Mr. Aspinall for, with Mr. Stephens against.

Mr. Albert for, with Mr. Scott against.

Mr. Moss for, with Mr. Rooney of Pennsylvania against.

Mr. Mackie for, with Mr. Abernethy against.

Mr. Mackay for, with Mr. Cooley against.

Mr. Johnson of Oklahoma for, with Mr. Hagan of Georgia against.

Mr. Thompson of New Jersey for, with Mr. Murray against.

Mr. Fuqua for, with Mr. Rogers of Texas against.

Until further notice:

Mr. Anderson of Tennessee with Mr. Callaway.

Mr. Hicks with Mr. Burton of Utah.

Mr. Steed with Mr. Don H. Clausen.

Mr. Ullman with Mr. Curtin.

Mr. White of Idaho with Mr. Harvey of Indiana.

Mr. Moeller with Mr. Martin of Massachusetts.

Mr. Evins of Tennessee with Mr. Stafford.

Mr. Duncan of Oregon with Mr. McCulloch.

Mr. Evans of Colorado with Mr. Hansen of Idaho.

Mr. Flynt with Mr. Johnson of Pennsylvania.

Mr. Olson of Minnesota with Mr. Martin of Alabama.

Mr. Young with Mr. O'Konski.

Mr. Trimble with Mr. Adair.

Mr. Landrum with Mr. Clancy.

Mr. Culver with Mr. Roncalio.

Mr. Craley with Mr. Baring.

Mr. Corman with Mr. Pool.

Mrs. Green of Oregon with Mr. Redlin.

Mr. Purcell with Mr. Sweeney.

Mr. Huot with Mr. Davis of Georgia.

Mr. Karth with Mr. Dawson.

Mr. Thompson of Texas with Mr. Toll.

Mr. McDOWELL changed his vote from "nay" to "yea."

Mr. HORTON changed his vote from "yea" to "nay."

Mr. UTT. Mr. Speaker, I have a live pair with the gentleman from Indiana [Mr. DENTON]. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

Mr. WIDNALL. Mr. Speaker, I have a live pair with the gentleman from Indiana [Mr. HAMILTON]. If he were present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 1024, the Committee on Interior and Insular Affairs is discharged from further consideration of the bill S. 360.

MOTION OFFERED BY MR. UDALL OF ARIZONA

Mr. UDALL. Mr. Speaker, I offer a motion.

The clerk read as follows:

Motion offered by Mr. UDALL: Strike out all after the enacting clause of S. 360 and insert in lieu thereof the provisions of the bill H.R. 51, as passed as follows:

"That in order to preserve for the educational, inspirational, and recreational use of the public certain portions of the Indiana dunes and other areas of scenic, scientific, and historic interest and recreational value in the State of Indiana, the Secretary of the Interior is authorized to establish and administer the Indiana Dunes National Lakeshore (hereinafter referred to as the 'lakeshore') in accordance with the provisions of this Act. The lakeshore shall comprise the area within the boundaries delineated on a map identified as 'A Proposed Indiana Dunes National Lakeshore', dated September 1966, and bearing the number 'LNPNE–1008–ID', which map is on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior.

"SEC. 2. (a) Within the boundaries of the lakeshore the Secretary of the Interior (hereinafter referred to as the 'Secretary') is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange, or otherwise. The Indiana Dunes State Park may be acquired only by donation of the State of Indiana, and the Secretary is hereby directed to negotiate with the State for the acquisition of said park. In exercising his authority to acquire property by exchange for the purposes of this Act, the Secretary may accept title to non-Federal property located within the area described in section 1 of this Act and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary which he classifies as suitable for exchange or other disposal within the State of Indiana or Illinois. Properties so exchanged shall be approximately equal in fair market value, as determined by the Secretary who may, in his discretion, base his determination on an independent appraisal obtained by him: *Provided*, That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

"(b) In exercising his authority to acquire property under subsection (a) of this section, the Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized to be appropriated by section 10 of this Act, but the liability of the United States under any such contract shall be contingent on the appropriation of funds sufficient to fulfill the obligations thereby incurred.

"SEC. 3. As soon as practicable after the effective date of this Act and following the acquisition by the Secretary of an acreage within the boundaries of the area described in section 1 of this Act which in his opinion is efficiently administrable for the purposes of this Act, he shall establish the Indiana Dunes National Lakeshore by publication of notice thereof in the Federal Register. Following such establishment and subject to the limitations and conditions prescribed in section 1 hereof, the Secretary may continue to acquire lands and interests in lands for the lakeshore.

"SEC. 4. (a) The Secretary's authority to acquire property by condemnation shall be suspended with respect to all improved property located within the boundaries of the lakeshore during all times when an appropriate zoning agency shall have in force and applicable to such property a duly adopted, valid zoning ordinance approved by the Secretary in accordance with the provisions of section 5 of this Act.

"(b) The term 'improved property', whenever used in this Act, shall mean a detached, one-family dwelling, construction of which was begun before January 4, 1965, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary may designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the lands so designated. The amount of land so designated shall in every case be not more than three acres in area, and in making such designation the Secretary shall take into account the manner of noncommercial residential use in which the dwelling and land have customarily been enjoyed: *Provided*, That the Secretary may exclude from the land so designated any beach or waters, together with so much of the land adjoining such beach or waters, as he may deem necessary for public access thereto or public use thereof.

"SEC. 5. (a) As soon as practicable after enactment of this Act, the Secretary shall issue regulations specifying standards for approval by him of zoning ordinances for the purposes of sections 4 and 6 of this Act. The Secertary may issue amended regulations specifying standards for approval by him of zoning ordinances whenever he shall consider such amended regulations to be desirable due to changed or unforeseen conditions. The Secretary shall approve any zoning ordinance and any amendment to any approved zoning ordinance submitted to him which conforms to the standards contained in the regulations in effect at the time of adoption of such ordinance or amendment by the zoning agency. Such approval shall not be withdrawn or revoked, by issuance of any amended regulations after the date of such approval, for so long as such ordinance or amendment remains in effect as approved.

"(b) The standards specified in such regulations and amended regulations for approval of any zoning ordinance or zoning ordinance amendment shall contribute to the effect of (1) prohibiting the commercial and industrial use, other than any commercial or industrial use which is permitted by the Secretary, of all property covered by the ordinance within the boundaries of the lakeshore; and (2) promoting the preservation and development, in accordance with the purposes of this Act, of the area covered by the ordinance within the lakeshore by means of acreage, frontage, and setback requirements and other provisions which may be required by such regulations to be included in a zoning ordinance consistent with the laws of the State of Indiana.

"(c) No zoning ordinance or amendment thereof shall be approved by the Secretary which (1) contains any provision which he may consider adverse to the preservation and development, in accordance with the purposes of this Act, of the area comprising the lakeshore; or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under and any exception made to the application of such ordinance or amendment.

"(d) If any improved property, with respect to which the Secretary's authority to acquire by condemnation has been suspended according to the provisions of this Act, is made the subject of a variance under or exception to such zoning ordinance, or is subjected to any use, which variance, exception, or use fails to conform to or is inconsistent with any applicable standard contained in regulations issued pursuant to this section and in effect at the time of passage of such ordinance, the Secretary may, in his discretion, terminate the suspension of his authority to acquire such improved property by condemnation.

"(e) The Secretary shall furnish to any party in interest requesting the same a certificate indicating, with respect to any property located within the lakeshore as to which the Secretary's authority to acquire such property by condemnation has been suspended in accordance with provisions of this Act, that such authority has been so suspended and the reason therefor.

"SEC. 6. (a) Any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the improved property for noncommercial residential purposes for a term of twenty-five years, or for such lesser time as the said owner or owners may elect at the time of acquisition by the Secretary. Where any such owner retains a right of use and occupancy as herein provided, such right during its existence may be conveyed or leased for noncommercial residential purposes. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the right retained by the owner.

"(b) The Secretary shall have authority to terminate any right of use and occupancy retained as provided in subsection (a) of this section at any time after the date upon which any use occurs with respect to such property which fails to conform or is in any manner opposed to or inconsistent with the applicable standards contained in regulations issued pursuant to section 5 of this Act and which is in effect on said date: *Provided*, That no use which is in conformity with the provisions of a zoning ordinance approved in accordance with said section 5 and applicable to such property shall be held to fail to conform or be opposed to or inconsistent with any such standard. In the event the Secretary terminates a right of use and occupancy under this subsection, he shall pay to the owner of the right so terminated an amount equal to the fair market value of the portion of said right which remained unexpired on the date of termination.

"SEC. 7. (a) In the administration of the lakeshore the Secretary may utilize such statutory authorities relating to areas of the national park system and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

"(b) In order that the lakeshore shall be permanently preserved in its present state, no development or plan for the convenience of visitors shall be undertaken therein which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions now prevailing or with the preservation of such historic sites and structures as the Secretary may designate: *Provided*, That the Secretary may provide for the public enjoyment and understanding of the unique natural, historic, and scientific features within the lakeshore by establishing such trails, observation points, and exhibits and providing such services as he may deem desirable for such public enjoyment and understanding: *Provided further*, That the Secretary may develop for appropriate public uses such portions of the lakeshore as he deems especially adaptable for such uses.

"SEC. 8. (a) There is hereby established an Indiana Dunes National Lakeshore Advisory Commission. Said Commission shall terminate ten years after the date of establishment of the national lakeshore pursuant to this Act.

"(b) The Commission shall be composed of seven members, each appointed for a term of two years by the Secretary, as follows: (1) one member who is a year-round resident of Porter County to be appointed from recommendations made by the commissioners of such county; (2) one member who is a year-round resident of the town of Beverly Shores to be appointed from the recommendations made by the board of trustees of such town; (3) one member who is a year-round resident of the towns of Porter, Dune Acres, Portage, Pines, Chesterton, Ogden Dunes, or the village of Tremont, such member to be appointed from recommendations made by the boards of trustees or the trustee of the affected town or township; (4) one member who is a year-round resident of the city of Michigan City to be appointed from recommendations made by such city; (5) two members to be appointed from recommendations made by the Governor of the State of Indiana; and (6) one member to be designated by the Secretary.

"(c) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

"(d) A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expense reasonably incurred by the Commission in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

"(e) The Secretary or his designee shall, from time to time, consult with the Commission with respect to matters relating to the development of the Indiana Dunes National Lakeshore and with respect to the provisions of sections 4, 5, and 6 of this Act.

"SEC. 9. Nothing in this Act shall deprive the State of Indiana or any political subdivision thereof of its civil and criminal jurisdiction over persons found, acts performed, and offenses committed within the boundaries of the Indiana Dunes National Lakeshore or of its right to tax persons, corporations, franchises, or other non-Federal property on lands included therein.

"SEC. 10. There are hereby authorized to be appropriated not more than $27,900,000 for the acquisition of land and interests in land pursuant to this Act."

The SPEAKER. The question is on the motion of the gentleman from Arizona [Mr. UDALL].

The motion was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H.R. 51, was laid on the table.

Mr. KLUCZYNSKI. Mr. Speaker, we have come again today, in this body, to another of those ever more frequently recurring hours when we must choose between the immediate present and the long future, between the dictates of tangible dollar profit and the truly significant, but difficult to define, values of heritage and spirit.

There is a special magic where the land and the water meet, and wild lands that are washed by waves are in short supply. All too little of the magic remains. Such a wild land lies in the Indiana dunes, an area of sand ridges and valleys, marshes and bogs, and a thousand different flowering plants and ferns.

Fifty years ago, when the struggle began to preserve the dunes, there were 25 miles of unspoiled lands. Today less than 10 miles of shoreline is left, and even that is not unbroken.

Nearly 10 million people live within 100 miles of the dunes lakeshore. A principal purpose of the national lakeshore is to permit preservation of the magnificent dunes that have remained unspoiled in the State park by providing areas in the national park for intensive visitor use, especially for swimming and camping.

With our ever-expanding population and industrialization, fewer and fewer areas of the land as it came to us remain for us to pass on to our children. For 250 years, in the name of development and progress, we have heedlessly abused the land, systematically taking away from it, but only rarely replenishing it.

Opponents of preservation of the dunes cry out in despair that we would deprive them of economic development. It is an old and familiar complaint. One hundred and thirteen years ago, precisely the same protest was made against the establishment of Central Park in New York City. Who among us would venture to measure what the existence of Central Park has meant, not only to that great city but to the Nation? Vision well ahead of its time won the battle for Central Park.

Today, we have run out of time. Now we must decide what we will preserve and pass on, to the generations who will succeed us, of the land as God gave it to us. We cannot expect of our children an appreciation of their heritage if we ceaselessly condone its destruction. It is difficult to feel reverence for concrete and belching smoke—awe, perhaps, but not reverence.

I would like to believe that 200 years from today it will still be possible for Americans to stand on some part of the warm wet shoreline of Lake Michigan, listening to the whispering sound of wind and water, watching a summer sun rise or descend, freed for a brief time from the day-to-day struggle and able to contemplate the foundations on which our riches rest, and the immensity of the gifts it has been our privilege to enjoy.

All too little such land is left accessible to most of us. We must do our part to preserve at least some of what there is. We cannot replace the lakeshore once it is gone, and we have already lost far too much of it. I hope you will join me in voting to preserve what is left.

There is one other aspect of this matter that I, personally, feel the Members of the House should bear in mind. Last year, when the Committee on Public Works had before it the recommendation for authorization for the construction of Burns Harbor on this lakeshore, we were confronted by this same question. We believed that Burns Harbor was a good plan, and a needed one. We weighed that economic consideration against the preservation of that part of the lakeshore, and found in favor of the harbor. In doing so, however, we amended the action of the other body, which had made approval of the harbor conditional upon approval of the dunes national park. As a procedural matter, we felt the condition was unwise, but as a practical matter, we recognized that some such commitment was essential. A substantial number of the members of the Public Works Committee made that commitment—we would recommend approval of the harbor but we were committed to working for approval of the park.

Most of you have far more talent for lyric prose than I. When I say that what is left of the dunes must be saved for the future, I must say it simply. And when I say that I ask you to uphold me and the other members of my committee in my commitment of last year, I say that simply, too. Respect for the land and obligation to honor are two fundamental responsibilities we cannot escape if we would have our country, and our people, maintain their greatness. By voting for this legislation we can affirm our willingness to meet those responsibilities.

Mr. KUPFERMAN. Mr. Speaker, this morning at 7 a.m. I started from New York City in order to be present to vote for the Udall amendment to the Indiana dunes bill, H.R. 51, and then to vote for the bill itself on final passage.

Due to the inclement weather, with Washington, D.C., fogged in, and then to the poor airplane equipment, I arrived just after the conclusion of the rollcall.

I am happy that the Udall amendment was successful and that the bill passed, and if I had been here on time I would have voted to that effect.

It is unfortunate that having been here Wednesday, October 12, when the bill was discussed, and Thursday, October 13, when it would have been voted upon in the normal course, that I could not have been here for the final vote.

Mr. McCLORY. Mr. Speaker, I am happy to support the Indiana Dunes National Lakeshore bill—H.R. 51—in order to assure for this and future generations a great natural sanctuary of dunes, ponds, marshes, swamps, and bogs that combine with unique white sand beaches and a collection of flora and fauna to create an asset that is unequaled anywhere.

While the area in question is not located within my district in the State of Illinois, it is within a region with which I am intimately acquainted and where I have had occasion to spend many of the formative days of my life. In addition to those experiences on the southern and eastern shores of Lake Michigan, I am much better acquainted with the Illinois dunes on the western shore of Lake Michigan north of Waukegan. The Illinois dunes consist of a vast desert-like area, with native cacti, evergreens and other rare vegetation and wildlife.

As a member of the Illinois State Legislature for many years, I assumed a large measure of the responsibility for expanding and preserving the Illinois dunes. This area in Illinois has been enlarged to include some 3 miles of lakeshore, and several thousand acres of dunes, marshes, and open land.

The Illinois Dunesland Preservation Society is one of the organizations that has spearheaded the preservation of this unique area. My friend and constituent, Fred J. Helgren of Waukegan, former president of that organization, has been among the leaders promoting the program to save the Illinois dunes.

It is true that the Illinois dunes are enjoyed by many thousands who come to my district from Wisconsin and elsewhere, just as the Indiana dunes will continue to be frequented by visitors from other States and primarily from Illinois. However, the Indiana and Illinois dunes must be regarded as resources to be shared by all Americans who choose to visit them. In addition to the recreational and healthful aspects of these dunes areas, they serve as unequaled outside laboratories for either casual observation or scientific study.

It is for these reasons, Mr. Speaker, and because of the interest of my 12th District constituents and the vast majority of citizens from the metropolitan area of northeastern Illinois, Indiana, and southern Michigan, that I regard this measure to acquire the Indiana dunes as a national park or lakeshore as one designed to benefit all of the citizens of our Nation.

Mr. O'HARA of Illinois. Mr. Speaker, in 1953 Senator Douglas introduced in the other body and I in this body a bill to preserve the dunes as a national park that was known as the Douglas-O'Hara bill. The bill now before us is the outgrowth of the Douglas-O'Hara bill of 13 years ago. It is not all that I would have it, but it will save for science, for history, and for future generations a considerable portion of the dunes and give to millions of people in Chicago, as well as in other congested areas of the region, a beautiful seashore for recreation and for relaxation. It has well been worth the 13 years of hard driving work that has gone into the fight, and I am happy to have had the privilege of being a participant in that fight from the onset.

The district that I have the honor to represent lies very close to the dunes. During the 13 years that the project has been before the Congress, I have received thousands of letters from my constituents urging its authorizations. I would say that I have received more mail, all favorable, on this bill than any other one measure.

Too much credit cannot be given the senior Senator from Illinois, who has earned the gratitude of America's millions of nature lovers by his stanch championship over the years of this good measure, at times combating discouraging odds. I deem it one of my greatest honors to have worked with him, introducing in the House the original bill in 1953 that Senator Douglas introduced in the other body.

I am confident that today the House will pass the pending bill, with an amendment extending the area of the seashore and making it joyously acceptable to my constituents.

In conclusion I extend my congratulations to the gentleman from Indiana [Mr. Roush] and the gentleman from Arizona [Mr. Udall] for a masterful job of leadership and convey to them, and their coworkers, expression of the undying appreciation of my constituents.

Mr. REID of New York. Mr. Speaker, we have just passed—with my affirmative vote—H.R. 51, a bill to provide for the establishment of the Indiana Dunes National Lakeshore. I would like to state for the record that had I been present I would also have voted for the amendment to the bill offered by the gentleman from Arizona [Mr. Udall]. This amendment adds an additional 478 acres and a mile-long stretch of beach to the national lakeshore. It is a vital part of the bill, and I am happy it was adopted before final passage.

Because of the dense fog over Washington this morning, the 9 a.m. plane from LaGuardia—normally a 1-hour trip—did not land at National Airport until almost noon. Therefore, I was not present for the rollcall vote on the Udall amendment—which I strongly support.

GENERAL LEAVE TO EXTEND

Mr. UDALL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

AUTHORIZING 30-DAY LEAVE FOR MEMBER OF UNIFORMED SERVICE WHO VOLUNTARILY EXTENDS TOUR OF DUTY

Mr. PRICE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 15748) to amend title 10, United States Code, to authorize a special 30-day period of leave for a member of a uniformed service who voluntarily extends his tour of duty in a hostile fire area, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

> Page 2, line 10, strike out "title.'" and insert "title. The provisions of this subsection shall be effective only in the case of members who extend their required tours of duty on or before June 30, 1968.'"

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

Mr. HALL. Mr. Speaker, reserving the right to object, will the gentleman from Illinois advise the House that the Senate amendment, as read by the Clerk, is the only change in the bill as passed by the House and that all Senate changes are germane and in accordance with the House rules?

Mr. PRICE. The gentleman is correct.

The Senate amendment has to do with the date change and is the only change in the bill from the version passed by the House previously.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

Mr. PRICE. Mr. Speaker, the purpose of H.R. 15748 is to provide men serving in Vietnam an incentive to voluntarily extend their tour of duty. It would provide a 30-day leave, not chargeable to any other leave account, for individuals who voluntarily extend their tour for at least 6 additional months in a hostile fire area. The leave would be at a selected location, which in most cases could be expected to be in the United States, and transportation would be provided at Government expense.

The Senate added one amendment which provides that the authority under the bill would expire on June 30, 1968. The Senate felt that while the legislation is desirable at the present time, the authority should not be in the form of permanent legislation. The authority could always be extended if circumstance necessitates at a later date.

A normal tour of duty at present is 12 months. From the military standpoint, it would be advisable to have longer tours, particularly for individuals in positions of leadership, positions involving close liaison with Vietnamese or other forces, and positions involving civic actions and critical skills. However, an increase in the length of tour would not be equitable except on a voluntary basis. The intent of H.R. 15748 is to provide an incentive to persons in Vietnam to voluntarily extend their tour of duty.

The SPEAKER. Is there objection to the request of the gentleman from Illinois [Mr. Price]?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

DEMONSTRATION CITIES AND METROPOLITAN DEVELOPMENT ACT OF 1966

Mr. PATMAN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (S. 3708) to assist comprehensive city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill, S. 3708, with Mr. Flood in the chair.

The CHAIRMAN. The House is in the Committee of the Whole House on the State of the Union for the further consideration of the bill S. 3708, which the Clerk will report by title.

The Clerk read the title of the bill.

The CHAIRMAN. The Chair might say to the Members, he is not going to pound this gavel. The Chair is going to wait until you settle down or simmer down. The Chair hates to pound the gavel.

Will the gentlemen in the rear get out of the hall and will the gentlemen on the rails get out of the way, please—all of you.

When the Committee rose on yesterday, the Committee had agreed that the further reading of title I of the committee amendment in the nature of a substitute be considered as read and open for amendment at any point.

Let the Chair make this statement. Today is October 14.

The leadership on both sides of the aisle have assured me that they do not want any session on Saturday. I am delighted to hear that and so are you—providing we do our job today.

We are going to run a very tight ship here today because I believe that is the way you want it done.

Yesterday was extraordinary because of your cooperation.

The Chair said he hoped there would be no quorum calls and, believe it or not, there were no quorum calls. So you all had a picnic—and today we have to work.

The Chair wants to extend his compliments to the members of the Committee on Banking and Currency on both sides of the aisle. They command this bill completely. The Chair especially commends the distinguished chairman of the full committee, the gentleman from Texas [Mr. PATMAN], for his leadership and the distinguished minority leader, the gentleman from New Jersey [Mr. WIDNALL], for his leadership. It was a tough, hard debate on the highest possible level.

Let us set the stage before we take the curtain up.

The Chair has talked with the Sergeant at Arms and the Clerk of the House and to the Doorkeeper. All employees of the House and all attachés of any of the committees except the one on the floor will be off the floor. We do not want to see them or hear them all day—none of them—except one man on each side to report to the Members.

The minority leadership have assured the Chair of the same thing.

The pages in both corners will be permitted to breathe provided they do not breathe too loud.

The telephone operators have been advised of the same thing.

We still have some table hoppers among the membership who run around bending over seats and talking to Members and interfering with this discussion. So far at the present occupant of the chair is concerned, the only person who is going to talk here today is the Member who has the floor and nobody else. The Chair is your friend and he does not want to embarrass you. So if you want to talk to somebody, get off the floor.

For the information of the Committee, under the rule this bill must be read by title and not by section.

Title I is considered as having been read.

Are there any amendments to title I?

AMENDMENT OFFERED BY MR. MULTER

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: On page 39, after line 23, add the following new subsection:

"(d) Nothing in this section shall authorize the Secretary to require (or condition the availability or amount of financial assistance authorized to be provided under this title upon) the adoption by any community of a program (1) by which pupils now resident in a school district not within the confines of the area covered by the city demonstration program shall be transferred to a school or school district including all or part of such area, or (2) by which pupils now resident in a school district within the confines of the area covered by the city demonstration program shall be transferred to a school or school district not including a part of such area."

Mr. MULTER. Mr. Chairman, we have had a great deal of debate on and off the floor about what this bill would do. I want to say now that the bill would not do many of the things that have been charged against it. To make sure that no one can misinterpret it, this amendment is being offered to reemphasize the fact that there is nothing in the bill that has anything to do with compulsory busing or forced busing of children. There is nothing in this bill—and this amendment will make certain that no one can misinterpret the bill or even infer that it would in any way attempt to affect, destroy, or change the neighborhood school concept.

I am more surprised than most that the argument has been made by our distinguished colleague from New York [Mr. FINO], that this bill does require forced busing. I quote his language: "Forced school busing, pairing, and redistricting."

I say I am more surprised than most because for more than 3 years he and I have stood shoulder to shoulder in New York City in fighting for the continuance of the neighborhood school concept and fighting against compulsory or forced busing of children.

I have in my hand a bill which he introduced earlier this year, H.R. 13048, February 24, 1966, which uses practically the identical language of this bill now before us with reference to educational and recreational facilities.

I am sure that when he introduced that bill he had in mind precisely what we have in mind about this bill now before us. He did not intend then, and we do not intend now, to force busing of children from one area to another or to in any way change the neighborhood school concept.

For years, as long as I have been here—and that goes back to 1947—every time we have brought a bill to the House involving housing we have made it clear that housing is worthless standing alone as four walls. Without educational facilities in the community, without recreational facilities in the community, without industry nearby, housing is useless. It is just four walls. It is a house; it can never be a home.

We make sure that in this bill we have in mind the overall American way of life, which includes not only decent living and decent places in which to live, but all the necessary facilities to make living in a home human and decent and American.

So I repeat that the amendment I have offered to title I makes it eminently clear, so that no one can dispute the fact, there is nothing in this title—and before we get through we will make it just as eminently clear that there is nothing anywhere in the bill—which will require forced busing of children or that will change the neighborhood concept of schools.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I am happy to yield to the distinguished chairman of the committee.

Mr. PATMAN. I state to the gentleman that the Members on this side are willing to accept this amendment offered by the gentleman from New York.

Mr. MULTER. I thank the gentleman. I hope the ranking minority member will say as much. I will be glad to yield to him if he is willing to make the same concession.

Obviously, he is not prepared to do so.

I urge adoption of the amendment.

Mr. FINO. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the red herring or pipsqueak amendment just offered by the gentleman from New York. You cannot cure the "demonstration cities" bill by an antibusing amendment. As the gentleman knows, I offered such an amendment in committee before I discovered the proposed 1967 "racial balance in education" bill. When I offered my amendment, I thought that such an amendment might do the job. As I look back, I admit I must have been naive.

I say "naive" because I thought that an antibusing amendment would be meaningful. Back in committee, the secret friends of busing laughed off my amendment. They said it was irrelevant to the bill. How is it now relevant? It is relevant only because the gentlemen who are planning to scrap the neighborhood school have been caught with their hand in the cookie jar. They know they have been caught. Now they desperately want to pretend to prohibit busing so that they can save the title in order to plan school redistricting, educational parks, coercion of parochial schools, and all the other rotten little ideas that keep popping off Harold Howe's drawing boards. Let me say this about the friend of busing and pairing. They are trying to surrender one trick to save a bag of them.

But think carefully. This amendment does not even prevent busing. It certainly will not prevent the city from being pressured into setting up educational parks or redrawing school district lines. If children are bused to such facilities—and I do not suppose we would want them to walk—then such busing would not be covered by this amendment. That is why this amendment is a farce.

The only reason it is being offered—and remember that the administration was against this amendment before they got caught—is to try and trick this House into voting money for a scheme which will require cities to set up educational parks, revised school districts, and other racial balance schemes in education and housing.

I hope that the gentleman opposed to Commissioner Howe will not vote to tie just one of his fingers so that his hands can remain free. Commissioner Howe's admirers in this House are trying to save his bacon with this amendment. So do not vote to tie one of Commissioner Howe's fingers in order to leave the other nine fingers free. The way to deal with the problem is to cut this title back to planning.

If you do not think that this bill is one of the most dangerous ever drawn, I suggest you reread the letter you received recently from the chairman of the Banking and Currency Committee. He said—and I quote—this program "welds together the full arsenal of Federal physical and social renewal programs in a coordinated, comprehensive total attack on urban problems." This is just the admission I have been seeking. Read the language of the bill and you will know what is going to be attacked. Quiet residential neighborhoods are going to be attacked and made to plan housing with the slums—neighborhood schools are going to be attacked in the name of educational parks and "quality" education.

No antibusing amendment will blunt this attack. What we must do is cut the bill back to mere planning money so it can be redesigned sensibly. Such an amendment will be offered. Defeat the "pipsqueak" amendment. It is just a trick.

Mr. PATMAN. Mr. Chairman, I move to strike the last word.

Mr. Chairman, the amendment which has been offered by the gentleman from New York [Mr. Multer] has the approval of the Members on this side of the aisle. We believe that it completely answers the false propaganda that has been put out with reference to this particular bill during the past few weeks.

Mr. Chairman, the gentleman from New York [Mr. Fino] addressed a letter to the Secretary of the Department of Housing and Urban Development, Dr. Weaver, on October 5, in which he expressed the hope to obtain some encouragement from the testimony of Dr. Weaver in support of the viewpoint to which he has ascribed on this legislation.

But, Mr. Chairman, contrary to receiving any consolation or gratification on his viewpoint, Dr. Weaver points out the fact that he is entirely mistaken about it and in one part of his letter Dr. Weaver did reply to the charges and statements of the gentleman from New York [Mr. Fino]:

> The legislation itself makes very clear that it is State and local planning and programing which is being assisted. Local communities, in voluntary cooperation with their neighboring communities in the metropolitan area, will control the content and the programing of their metropolitan planning.

And, in the concluding paragraph, Dr. Weaver says:

> I sincerely regret that irrelevant and divisive issues have been injected into the consideration of the demonstration cities and metropolitan development bill—legislation which is of vital concern to the well-being of our Nation's cities. In view of this, I want to take this opportunity to point out that nothing in this legislation would require that any community abandon or alter its neighborhood school system, or set the boundaries of its school districts in any prescribed way, or provide for the busing of schoolchildren.

Mr. Chairman, in view of the unanimous-consent request which was granted yesterday, I shall insert both letters in the Record at this point.

Congress of the United States,
House of Representatives,
Washington, D.C., October 5, 1966.

Hon. Robert C. Weaver,
Secretary of Housing and Urban Development, Washington, D.C.

My Dear Mr. Secretary: Regarding the proposed omnibus housing bill, I would appreciate your acknowledgment of several points made regarding this bill.

Would you please confirm the following:

1. That you submitted to the Housing Subcommittee a statement (page 52 of the hearings) which said that one of the considerations of metropolitan planning would be "education, health, and other institutions and services".

2. That you submitted to the Housing Subcommittee a statement (page 45 of the hearings) which said that demonstration city programs must provide for "educational and social services necessary to serve the poor and disadvantaged in the area".

3. That you submitted to the Housing Subcommittee a list of programs to be included in the demonstration program which included 12 programs from the Office of Education.

Your prompt reply would be appreciated.

Sincerely yours,

Paul A. Fino.

The Secretary of Housing
and Urban Development,
Washington, D.C., October 12, 1966.

Hon. Paul A. Fino,
House of Representatives,
Washington, D.C.

Dear Mr. Fino: I have received your recent letter asking me to confirm three brief portions of the written statement submitted by me to the Housing Subcommittee of the Banking and Currency Committee in support of the administration's housing and urban development legislation:

1. The words taken from my statement and quoted in the paragraph numbered "1." of your letter were used in the context of a full explanation of the provisions of the Administration's legislation authorizing new incentives for effective metropolitan planning and development. These provisions are now contained in title II—the Planned Metropolitan Development Title—of the House-reported bill, S. 3708.

The new incentives for effective metropolitan planning and development consist of supplemental grants which would be available only for Federally-assisted projects of types which generally affect the growth of metropolitan areas. The grants could be made only in metropolitan areas which had established areawide comprehensive planning and programming.

The language you quote is taken from a paragraph which describes the typical elements which would ordinarily be considered in developing metropolitan-wide comprehensive planning and programming. The paragraph in full reads as follows:

"The required metropolitanwide comprehensive planning and programming would include such elements as areawide population and employment forecasts; forecasts of where and under what conditions residential areas, employment centers, and other major land uses will be located throughout the area; and comprehensive short-range programs for the provision of needed facilities and services, taking into account both the needs and financial capabilities of the various communities within the area. Planning and programming would generally cover at least land use; transportation; water, sewer, and other public facilities; housing and relocation; education, health, and other institutions and services; parks, recreation, and other open space; and air and water pollution."

The legislation itself makes very clear that it is State and local planning and programming which is being assisted. Local communities, in voluntary cooperation with their neighboring communities in the metropolitan area, will control the content and the programming of their metropolitan planning.

2. The words taken from my statement and quoted in the paragraph numbered '2." of your letter were used in the context of a full explanation of the characteristics of a comprehensive city demonstration program. The words quoted by you are almost verbatim the words of the statute which requires that a comprehensive city demonstration program ". . . provide educational, health, and social services necessary to serve the poor and disadvantaged in the area".

The legislation contemplates that the educational, health and social service needs of the poor in slum and blighted areas are to be met while the physical restoration of the area is taking place. We have learned that brick and mortar activities alone are not enough, and that we must deal with the problems of the people who live in the slums as we rebuild and restore the neighborhoods in which they live. But the important fact is that each demonstration city program must be a local program developed in accordance with local policies by local public officials.

3. I am also pleased to confirm, as your letter requests, that I did submit to the Housing Subcommittee a list of Federal grant-in-aid programs (set out in full on page 106 of the published hearings). That list is prefaced by the following paragraph (which also appears on page 106 of the published hearings):

"The programs on the attached list are those Federal grant-in-aid programs deemed most likely to be utilized by a city in developing a city demonstration program 'of sufficient magnitude in both physical and social dimensions' to meet the criteria of the demonstration cities bill. It is not implied that these programs necessarily will or should be used in any one demonstration or that other programs may not also be used."

I sincerely regret that irrelevant and divisive issues have been injected into the consideration of the Demonstration Cities and Metropolitan Development bill—legislation which is of vital concern to the well-being of our Nation's cities. In view of this, I want to take this opportunity to point out that nothing in this legislation would require that any community abandon or alter its neighborhood school system, or set the boundaries of its school districts in any prescribed way, or provide for the bussing of school children.

Sincerely yours,

Robert C. Weaver.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from New York.

Mr. MULTER. I thank the distinguished gentleman for yielding to me, and I am very happy to note that the roar of my distinguished colleague from the Bronx, the gentleman from New York [Mr. Fino], has now turned into a little squeak.

The CHAIRMAN. May the Chair make the observation under the rule of the House you will address your colleague by State. This is not parochial.

Mr. MULTER. Mr. Chairman, I accept the Chairman's suggestion. I will change my reference to the distinguished gentleman from the Bronx to the State of New York and I hope, although I am very proud of Brooklyn, the gentleman will change his reference accordingly.

The CHAIRMAN. I am sure the gentleman will.

Mr. MULTER. So that we will both be referred to as representing the State of New York.

Mr. Chairman, if the distinguished chairman of our committee will continue to yield to me, I would like to make this further observation. I want to call the Members' attention to the fact that the distinguished gentleman from the State of New York [Mr. Fino] has very carefully and nicely evaded the statement I made in support of this amendment that he used in his bill, the identical language of this bill. The gentleman used in his bill of February 24, 1966—I invite the Members to turn to page 37 of the bill, S. 3708, which we reported on September 1, 1966—and I will refer the Members first to page 36 of that bill and ask the Members to note the identical language—as I read it from his bill—identical to that proposed in the bill as introduced by our able colleague from New York State as follows:

> The rebuilding or restoration * * * in accordance with the program will contribute to a well balanced city with adequate public facilities (including those needed for transportation, education and recreation).

Continuing reading the language of his bill—and again note the similarity of his language in his bill with that as reported in ours, the identical language:

> The program provides for educational and social services necessary—

And so on and so forth.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent for an additional 2 minutes.

The CHAIRMAN. The gentleman from Texas has asked unanimous consent to proceed for an additional 2 minutes.

Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Chairman, I yield 2 minutes to the gentleman from New York [Mr. Multer].

Mr. MULTER. Again continuing to read from the bill introduced by the distinguished gentleman from New York, and pointing out the identical language—the gentleman referred to this part as representing the heart of the bill, word for word:

> The program meets such additional requirements as the Secretary may establish to carry out the purposes of this Act.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I will yield to the gentleman in a moment.

The fact of the matter is that there is and was nothing in this bill that affects the busing of children. And in order to eliminate any doubt, and that is the only reason I offered the amendment, so that there will be no question in the minds of anybody—and many have been confused by the statements made on and off the floor about what the bill does, and I can assure every Member on behalf of this committee that there is no requirement for busing in this bill, and there is no attempt to change the neighborhood school concept, and to make that clear is the sole purpose for the precise language of my amendment.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent for an additional 2 minutes, so that the gentleman from New York [Mr. Multer] can yield to the gentleman from New York [Mr. Fino].

The CHAIRMAN. The gentleman from Texas asks unanimous consent for permission to proceed for 2 additional minutes. Is there objection to the request of the gentleman from Texas?

The CHAIRMAN. The gentleman from Texas is recognized for 2 additional minutes.

Mr. PATMAN. Mr. Chairman, I yield to the gentleman from New York [Mr. Multer].

Mr. MULTER. Mr. Chairman, I ask unanimous consent that I be permitted to yield to the gentleman from New York [Mr. Fino].

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. FINO. Mr. Chairman, I thank the gentleman for yielding.

I would like to ask the gentleman from New York, my colleague, to tell the Members of this House the date that this bill was introduced?

Mr. MULTER. The date the gentleman's bill was introduced?

Mr. FINO. Yes.

Mr. MULTER. Certainly. I stated the date before and I will repeat it again—February 24, 1966.

Mr. FINO. Mr. Chairman, that was 6 months or 5 months before I discovered and exposed and unveiled the Equal Educational Opportunity Act of 1967 which was uncovered and unveiled September 14.

Mr. MULTER. Mr. Chairman, I refuse to yield to the gentleman further.

Mr. FINO. I just want the Record to show that that bill was introduced before.

Mr. MULTER. Mr. Chairman, I refuse to yield further.

The CHAIRMAN. We will have regular order.

Mr. MULTER. I am sorry.

The CHAIRMAN. The Chair will say that the time is controlled by the gentleman from Texas. What does the gentleman from Texas wish to do?

Mr. PATMAN. Mr. Chairman, I yield to the gentleman from New York.

Mr. MULTER. I thank the gentleman for yielding.

The fact of the matter is that the reference here to a bill of 1967, I repeat again, and as the gentleman from New York knows, we have no such bill here and no such bill has ever been introduced.

I repeat—no bill of 1967 has been introduced. It was a piece of paper that was prepared for discussion purposes only and it has been repudiated by everybody to whom it was submitted except the gentleman from New York to whom it was never submitted.

Mr. FINO. Mr. Chairman, will the gentleman from Texas yield?

Mr. PATMAN. I yield to the gentleman.

Mr. FINO. I would hope that the gentleman from New York would consult and discuss this with members of the Committee on Rules and find out whether the statement he has just made is accurate about repudiating or denying the existence of this proposed legislation.

Mr. MULTER. Mr. Chairman, will the gentleman from Texas yield?

Mr. PATMAN. I yield to the gentleman from New York.

Mr. MULTER. I repeat—the document referred to by the gentleman from New York has been repudiated by everybody to whom it was submitted. The testimony before the Committee on Rules sustains what I am saying to this body today.

There is nothing in this bill before us nor was it ever intended that there be anything in this bill before us or in the bill that the gentleman from New York [Mr. Fino] submitted that would affect school busing or the neighborhood school concept.

Mr. CAHILL. Mr. Chairman, will the gentleman from Texas yield?

Mr. PATMAN. I yield to the gentleman.

Mr. CAHILL. I would like to ask this question of the gentleman from Texas. It is my understanding that he has correctly stated the situation that planning is entirely the responsibility of the local authorities. I am correct in that, am I not?

Mr. PATMAN. Yes; you are correct.

Mr. CAHILL. However, who has the responsibility and authority of approving the plans finally and allocating the funds for demonstration cities?

Mr. PATMAN. The Department, of course—Dr. Weaver's Department.

Mr. CAHILL. Now last year—and I would like to ask the gentleman if he will continue to yield—does the gentleman have any expression as to the Secretary's opinion as to the continuation of the neighborhood school concept?

The CHAIRMAN. The time of the gentleman from Texas has again expired.

(At the request of Mr. Waggonner, Mr. Patman was granted 2 additional minutes.)

Mr. PATMAN. Mr. Chairman, I yield further to the gentleman from New Jersey [Mr. Cahill].

Mr. CAHILL. Mr. Chairman, this is my final question. Does the gentleman from Texas have anything that he can inform the House as to the Secretary's opinion so far as the continuation of the neighborhood school concept?

Mr. PATMAN. He makes it very plain in this letter, I will state, in reply to the letter from the gentleman from New York [Mr. Fino]. He says:

> I want to take this opportunity to point out that nothing in this legislation would require that any community abandon or alter its neighborhood school system——

Mr. CAHILL. I recognize that.

Mr. PATMAN. Further:

> or set the boundaries of the school district in any prescribed way or provide for busing of schoolchildren.

Mr. CAHILL. I understand that. There is nothing that requires it.

Mr. PATMAN. It is not contemplated.

Mr. CAHILL. My question is this. I think it would be helpful for the House to know about whether the Secretary has any preconceived notions concerning the neighborhood school concept. Because if a program, while it originated with the local authorities, may concede that that is what they want—if it gets to the Secretary's desk it may be something that he does not want and therefore he might disapprove the plan.

What I am trying to find out is what, if you know and if you can tell us, is the Secretary's personal opinion as to the neighborhood school concept?

Mr. PATMAN. His personal opinion is stated here. I believe that is the correct and full way to answer the gentleman's question. The question generally, however, is too iffy—a preconceived notion? I do not suppose anyone could answer that.

But I will state to the gentleman that Dr. Weaver was interrogated by all members—the 33 members of the House Committee on Banking and Currency.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. CAHILL. Mr. Chairman, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may address the Committee for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATMAN. Mr. Chairman, I yield to the gentleman from New Jersey [Mr. CAHILL].

Mr. CAHILL. Mr. Chairman, I would appreciate it if the gentleman from Texas would obtain a statement from the Secretary to be included in the RECORD so that all of us will have complete knowledge of what the Secretary's views are in relation to this important subject before we are called upon to vote on it.

Mr. PATMAN. I know what the gentleman is asking. If the gentleman will get the hearings and read them—the hearings of the House committee and the Senate committee, I believe you will find an answer to every question you can think of to ask the Secretary and especially and particularly the questions you have asked here. They are in the hearings. The Members of the other body and the Members of this body have asked the Secretary every question in the world that could be asked along that line and all I ask you to do is to read the hearings.

Mr. CAHILL. I would appreciate it if the learned gentleman, who knows more about it than anyone else in the House, would select the answer to the question from the hearings and insert it in the RECORD.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Ohio.

Mr. ASHLEY. This may answer the gentleman's question. I refer to a letter dated September 20, which the chairman referred to a moment ago, from Dr. Weaver to Chairman PATMAN.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. ASHLEY. Mr. Chairman, I ask unanimous consent that the gentleman from Texas may be permitted to proceed for 1 additional minute.

The CHAIRMAN. Without objection, it is so ordered. The gentleman from Texas is recognized for 1 additional minute.

Mr. PATMAN. Mr. Chairman, I yield to the gentleman from Ohio.

Mr. ASHLEY. The fourth paragraph of this letter, I may say to my friend from New Jersey, should answer his question. This is what Dr. Weaver said—and may I point out that this letter is dated September 20. He said:

> At no time did this Department give any thought to the possibility that this legislation would provide a vehicle for any future program of assistance for school bussing. Such a suggestion came to my attention for the first time 10 days ago in a newspaper column, and then again last week when Representatives BROCK and FINO referred to such a proposal originating within the Department of Health, Education, and Welfare. We had no knowledge of any such proposal prior to 10 days ago, and I can categorically state that it in no sense represents the views either of my Department or of the Department of Health, Education, and Welfare, let alone the administration.

I hope that will satisfy the inquiry of the gentleman from New Jersey as to the private and official position of Secretary Weaver about which the gentleman has expressed an interest.

Mr. BROCK. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Tennessee is recognized for 5 minutes.

Mr. BROCK. Mr. Chairman, I rise in support of the amendment of the gentleman from New York. I do so with some reluctance, not liking to disagree with my colleague on this side of the aisle, but I think insofar as title I is concerned, this amendment does aptly and completely illustrate the intent of Congress. We do not intend for this money to be used for the transportation of children across district or county lines. I do not think, however, that the amendment would be adequate if applied to title II, as that was the bill to which the gentleman from New York [Mr. FINO] has referred as it relates to the Educational Opportunities Act of 1967, the so-called act of 1967, which I well recognize is no act. It has not been introduced and has no force of law.

I might say to the Members of the Committee that when we are talking about the intention of people who are going to be administering these programs—and the gentleman from New Jersey raised the question—I would like to quote the Commissioner of Education, Mr. Howe, on this point. He said:

> Traditional school boundaries often serve education badly and may have to be changed. New York and New Jersey surrendered State prerogatives to form the Port of New York Authority in the interests of improved transportation. If we can make such concessions for transportation, I suggest that we can make them for education. We could, for example, alter political boundaries to bring the social, economic and intellectual strengths of the suburbs to bear on the problem of city schools.

In all honesty, I think the intention of the gentleman from New York is salutary. I support him on this amendment to title I. I do reserve the right to disagree on title II, because in all sincerity I am not sure that this would be adequate as it relates to the metro title, the metropolitan community title.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from New York.

Mr. MULTER. I am sure the gentleman will agree that what Mr. Howe was referring to when he spoke of port activities, he was talking about the communities doing as they did when they agreed to the port authorities, which necessarily crossed State lines.

I hope the gentleman will also agree that what Mr. Howe is talking about there is that if the communities decided that there must be some change, they would make the change. He did not say that he would require a change.

Mr. BROCK. Let me read a second statement of the Commissioner perhaps to show what he does think he would do. This is Commissioner Howe again:

> Altering political boundaries or consolidating the educational facilities of a large city would involve major organizational changes—major educational surgery. But I believe that major surgery is required if we are to liberate the children of the slums.

Mr. MULTER. Mr. Chairman, will the gentleman yield further?

Mr. BROCK. I yield to the gentleman from New York.

Mr. MULTER. That is his personal opinion. I am sure the gentleman will agree there is nothing in this bill that will give him any authority. What we deal with here is the authority of the Department of Housing and Urban Development, of which Secretary Weaver is the head and not Mr. Howe.

Mr. BROCK. Let me say that I fully agree with the gentleman's intention. I understand his point. But I was brought up to believe that this is a government of law and not of men. I do not believe it is within the prerogatives of Congress to worry about the intentions of a particular Commissioner of Education or of a Secretary of HUD or anybody else. I believe we have to write a law which fully spells out the intention of this legislative body.

This bill does not.

The gentleman is correct in saying it does not require racial balance, busing, transportation or any other such vehicle. But it does give him the authority to do so if he should so desire at some point in the future.

That is what I am concerned about.

I do not believe we should have an open-end bill.

That is what my amendment, which will be offered next, I hope, will take of. It will stop this program and leave the planning money until we can see the plans. Then we will know where we are going on this bill.

I do not believe we should legislate based upon what we think the desire of the Secretary of HUD is.

Mr. MULTER. I believe, in general, we are in agreement. That is why I am happy to note the gentleman supports the amendment, to make sure the intent of Congress is expressed.

Mr. BROCK. Certainly.

Mr. MULTER. No matter what anybody says either on or off the floor, we are not in this bill providing any requirement for busing any children or for changing the neighborhood school concept.

Mr. PATMAN. Mr. Chairman, I wonder if we could agree to vote on this particular amendment only at this time.

The **CHAIRMAN.** Does the gentleman make a motion?

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that the vote be taken on this particular amendment.

The **CHAIRMAN.** The request should be that all debate on this amendment end in a certain length of time.

Mr. PATMAN. Now. I ask unanimous consent that all debate end now on this particular amendment.

The **CHAIRMAN.** The gentleman from Texas asks unanimous consent that all debate on this amendment terminate now. Is there objection to the request of the gentleman from Texas?

Mr. WAGGONNER. Mr. Chairman, reserving the right to object, I do not propose to speak on this particular amendment, but this request comes rather suddenly. It can be observed that at least one Member of the House apparently desires to speak, and he is entitled to that right.

I withdraw my reservation.

Mr. PATMAN. Mr. Chairman, we want him to speak. The gentleman from New York [Mr. Ryan] apparently wants to speak.

Mr. Chairman, I ask unanimous consent that debate on this amendment conclude in 5 minutes.

The **CHAIRMAN.** The gentleman from Texas asks unanimous consent that all debate on this amendment end in 5 minutes. Is there objection to the request from the gentleman from Texas?

Mr. ANDERSON of Illinois. Mr. Chairman, reserving the right to object, I do not want 5 minutes, but I would like to have about 2 minutes.

I withdraw my reservation.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment conclude in 10 minutes.

The **CHAIRMAN.** The gentleman from Texas asks unanimous consent that all debate on this amendment end in 10 minutes.

Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. RYAN. Mr. Chairman, I move to strike the last word.

Mr. MULTER. Mr. Chairman, a parliamentary inquiry.

The **CHAIRMAN.** The gentleman will state his parliamentary inquiry.

Mr. MULTER. May we know how many Members were standing and how the time will be divided?

The **CHAIRMAN.** The Chair observed standing the gentleman from New York, the gentleman from California, the gentleman from Pennsylvania, the gentleman from Illinois, and the gentleman from Texas.

Each Member will be recognized for 2 minutes.

The Chair recognizes the gentleman from New York [Mr. Ryan].

Mr. RYAN. Mr. Chariman, I am disturbed by this amendment. I oppose it, and I regret that the committee feels compelled to offer such an amendment.

I am disturbed by the tenor of the debate. I feel very strongly that we, on this side of the aisle, should not be on the defensive at all on this question. It is unfortunate that it appears that the gentleman from New York [Mr. Fino] has put this side of the aisle on the defensive.

This bill speaks for itself. It does not require any community to adopt a program involving the transportation of school pupils.

However, efforts of local officials to achieve quality, integrated education should be encouraged and given special consideration. The unique feature of this bill is the concept of a total attack on the problems besetting our cities.

It seems to me that we ought to face the fact that, if we are going to cure the sickness of the ghetto, we have to deal with the problem of de facto segregation. Regardless of that, I was under the impression that the Republicans stood for local self-government and local autonomy. That is exactly what this bill provides. It leaves plans in the hands of the local authorities. It is curious that Republicans would attempt to tie the hands of the local authorities.

There is also another danger to this amendment. It may be characterized or interpreted in some quarters as an "antibusing amendment." It may be suggested that the House is going on record as opposed to busing. I opposed a similar amendment to the Elementary and Secondary Education Act which was adopted last week for this very same reason. In fact, I was one of five Members of the House to vote against it. There is no logic in writing negatives into these bills. Let us not do anything to discourage local authorities from providing a means for overcoming de facto segregation which exists in the ghetto areas of our urban centers.

Mr. Chairman, this session of Congress has witnessed already too many setbacks for civil rights.

The amendment should be defeated.

The **CHAIRMAN.** The time of the gentleman from New York [Mr. Ryan] has expired.

The Chair recognizes the gentleman from Illinois [Mr. Anderson] for 2 minutes.

Mr. ANDERSON of Illinois. Mr. Chairman, I take this time because I cannot concur in what the gentleman from New York [Mr. Multer] said, that in the discussion of the document called the Equal Educational Opportunities Act of 1967 before the Committee on Rules it was totally repudiated by the Commissioner of Education, Mr. Howe. I particularly want to call the attention of the committee in this regard to some language on pages 44 and 45 of the hearings before the Committee on Rules on September 29, 1966, where I asked this question of Commissioner Howe:

> Can you deny that if we move in this direction and provide these so-called bonus and incentive grants and condition the eligibility of a metropolitan area for these grants on their willingness to go along with this kind of a program—

We were talking about busing—

> as described in this draft legislation, that, whether the schools or the cities want to or not, they are almost going to be obliged to have to go along with your plans; is that not the effect of what is being accomplished here?
>
> Mr. Howe. I think, if this sort of thing were enacted into law as you suggest, there would be incentives to move in this direction.

I do not have the time, unfortunately, to read all of those hearings to you or to call your attention to all of the language that Commissioner Howe used in his testimony before the Committee on Rules, but I think that the implication is fair and the conclusion is fair that, by holding out the incentives that would be offered under title II, the metro planning section, it is quite clear that the objectives outlined by Commissioner Howe in his draft of the Educational Opportunities Act of 1967 could be accomplished by holding out the carrot of Federal bonuses or grants under the legislation which we are now considering.

The **CHAIRMAN.** The time of the gentleman from Illinois [Mr. Anderson] has expired.

The Chair recognizes the gentleman from California [Mr. Hanna] for 2 minutes.

Mr. HANNA. Mr. Chairman, I think one of the significant things in Dr. Weaver's letter was his expression of sincere regret that irrelevant and divisive issues have been injected into the consideration of this bill. I think it is more clear after the amendment of the gentleman from New York [Mr. Multer] that the concerns about school district boundaries or busing of students that have been here expressed and the statements that have been made relative to opposition to this particular amendment have been made even more irrelevant and certainly no less divisive the issues that are now attempted to be drawn. So I would suggest that what this does is to set very much at ease every Member who might have raised the question, however irrelevant, and it puts very firmly into the legislation the clear, expressed intent of this body. I should think it should have the unanimous approval of all of the persons voting.

The **CHAIRMAN.** The Chair recognizes the gentleman from Pennsylvania [Mr. Barrett].

Mr. BARRETT. Mr. Chairman, I ask unanimous consent to yield the time allotted to me to the gentleman from Louisiana [Mr. Waggonner].

The **CHAIRMAN.** Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. WAGGONNER. Mr. Chairman, I thank the gentleman from Pennsylvania for yielding to me at this time.

Mr. Chairman, I would like to try to clarify this amendment if clarification indeed is needed. The author of this amendment and the chairman of this committee are on the floor so I ask a question.

Mr. Chairman, I would like to pose this question: Does not the gentleman intend his amendment as offered here today to effectively remove the authority or possibility of the Federal Government or any agent thereof to either grant or deny Federal funds in those demonstration cities projects made possible by this legislation for any city wherein an effort might be made to insist on assignment or busing schoolchildren into districts in order to comply with the desires of any agent of the Federal Government as a criteria or prerequisite for participation in this program?

Mr. Chairman, I accept in good faith this explanation, but I would like to pose this question:

Would the gentleman, or could the gentleman, give the Members of the Committee of the Whole House on the State of the Union his assurance that should some abuse be made as to the intent of this amendment, would the gentleman be willing to bring corrective legislation back through this committee and to the Congress to prevent this abuse?

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from New York.

Mr. MULTER. If, Mr. Chairman, any such contingency should arise I shall be in the forefront of the movement to get such corrective legislation.

Frankly, I cannot possibly foresee how any such thing could occur, our having made it clear that we never intended any such thing to occur under the terms of the bill.

Mr. Chairman, I do not understand how anyone could get the idea that we could do otherwise but to leave the carrying out of the intent and purposes of this bill entirely to the local authorities, and we do not have nor do we intend to change that in the slightest.

Mr. WAGGONNER. Mr. Chairman, I thank the gentleman from New York for his answer, and I accept his answer in good faith and shall vote for the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. GONZALEZ].

Mr. GONZALEZ. Mr. Chairman, I rise because I cannot help but sympathize with and share the views expressed by my distinguished colleague, the gentleman from New York [Mr. RYAN]. He has made pertinent and important points.

Mr. Chairman, most of us who serve on this subcommittee know that this bill has been carefully considered for 10 months and that this type of amendment was offered in committee and rejected.

Mr. Chairman, I deplore the fact that we have reached the point where we are legislating irrelevancy because of the defensive posture assumed by the proponents of the amendment and not because it is necessary.

Mr. Chairman, I yield the balance of my time to the gentleman from New York [Mr. RYAN].

The CHAIRMAN. The gentleman from New York is recognized for 2 minutes.

Mr. RYAN. Mr. Chairman, I thank the distinguished gentleman from Texas for yielding.

Mr. Chairman, I certainly think the RECORD should be clear as to the effect of this amendment. And, I refer back to the question that was raised previously by the gentleman from Louisiana [Mr. WAGGONNER].

The gentleman from Louisiana asked in his question if the purpose was not to remove discretionary authority either to grant or deny projects dealing with racial imbalance.

Mr. Chairman, I certainly hope that this is not the purpose of this amendment. The purpose of this amendment, as I understood it to be, was to state the obvious, that nothing in this title required a community to adopt a program involving the transportation of school pupils. I take vehement exception to anyone leaving the inference that the Secretary will not have the authority to approve plans which do seek to overcome racial imbalance.

Mr. MULTER. Mr. Chairman, I did not quite get the import of the gentleman's statement. But let us not quibble about this. There is nothing in this bill, there is nothing intended to be in this bill, and we are trying to make it clear that there is nothing intended in this bill to require any compulsory busing or to in any way interfere with the neighborhood school concept. This has always been left to the local authorities and that is where it will remain. The whole concept here is that the local authorities will do the planning in the first instance. That remains and that will always remain. I wish we could stop arguing the question of what the education bill provides and what we did there. We are doing nothing here to amend the education laws.

The CHAIRMAN. The time of the gentleman from New York has expired. There is no further time.

The question is on the amendment offered by the gentleman from New York [Mr. MULTER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BROCK

Mr. BROCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. BROCK: Strike out page 46, line 25, and all that follows down through page 47, line 5.
>
> Page 47, line 5, strike out "(c)" and insert in lieu thereof "(b)".

The CHAIRMAN. The gentleman from Tennessee is recognized for 5 minutes in support of his amendment.

Mr. BROCK. Mr. Chairman, the purpose of this amendment and the thrust of it is to postpone the authorization of the $900 million for the funding of this program. It leaves in the full authorization for the planning money of $24 million. It simply says that until plans are submitted to the Congress and until we see the import of them and the implication of those plans, we should postpone action on implementing the full demonstration cities program. It strikes $900 million from title I of the bill.

First, let me say that the minority position throughout the debate, the committee hearings, and our deliberations, was that the plight of the cities was sufficient to warrant the authorization of planning funds.

This was the position of the full subcommittee as I understand it throughout most of our deliberations until the last day when the administration decided that they needed the overall program and the position was reversed.

We thought, however, that we ought to at least have a look into the kind of plans that have been made before we signed a blank check for approximately $1 billion with no limit as to its future expenditure level.

We stated in the report which is before the House:

> But to hold out as bait, the hope that Federal funds for this purpose may be made available to every nook and cranny of the United States, is neither the part of sense nor honesty.

Let me repeat that last sentence because I think this is the thrust of the political problem we face today:

> But to hold out as bait, the hope that Federal funds for this purpose may be made available to every nook and cranny of the United States is neither the part of sense nor honesty.

I think we ought to recognize the fact that the staff of HUD has been visiting every undecided Member on this bill telling him the principal city in his district is eligible to be included in the demonstration cities operation. This is true, but it is a classic half-truth. Every city in the country over 2,500 people with any blight in it whatsoever is, of course, eligible.

How many will be chosen? What is the law of probability? I heard the gentleman from New York say he was for this bill because the city of Poughkeepsie was going to be a demonstration city.

I asked the gentleman from Ohio what the odds were against Poughkeepsie being part of this demonstration city program. He refused to answer.

I do not blame him because it is incalculable.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. ASHLEY. The gentleman knows that I am in no position as a Member of this body to assess or to respond to a question of that kind—which is a determination which must come from the administration.

Mr. BROCK. I understand the gentleman's position. But I might add that there are several thousand cities in the United States, and if we are fortunate we may have two dozen included in this bill. The most optimistic estimate that I have seen is 50, by the gentleman from Wisconsin. That would mean only one per State and that means that there would be at least 385 Members of this body who were disappointed.

Mr. MACGREGOR. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. MACGREGOR. Did I understand correctly that title I vests in the Secretary of HUD exclusive discretionary authority to determine which cities will or will not benefit under this program?

Mr. BROCK. He has absolute and total authority to make this determination.

Mr. ASHLEY. Does he have any more authority in this regard than is vested with respect to the approval of the general urban renewal project applications that come to him?

Mr. BROCK. I would say to the gentleman that his authority is no broader because he has total authority there. But there are no standards in this bill which I consider—and of course this is a personal opinion obviously—which I consider to be adequate criteria in the selection of a demonstration city.

Mr. WELTNER. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. WELTNER. Does the gentleman feel that this body, the Congress, should select which cities are to be included as demonstration cities?

Mr. BROCK. The gentleman knows full well what kind of political pork barrel would result from that. My answer is that I do not. I do think we have a responsibility to our constituents and we ought to write in hard, fast, and specific criteria. As the gentleman knows, I am opposed to the concept of the bill. But I do say this:

The CHAIRMAN. The time of the gentleman has expired.

Mr. BROCK. Mr. Chairman, I ask unanimous consent to proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. BROCK. I do think if this House is going to pass a bill of this magnitude, with its long-range implications, that we have a major responsibility upon us to insure that that program is going to meet its desired objectives. I do not see that we have any standards on which to make such a judgment. We have no plans submitted. These funds do not start until 1968 anyway—the fiscal year 1968—so why not take the time to let the cities come in and present their plans to us. We have 6 months from January to June of next year in which to pass an authorization for spending under the demonstration cities bill. Why not take this 6 months to study the plans and see what they are going to do for our communities—or to our communities—as the case may be?

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman.

Mr. MULTER. Which of the cities under this planning, assuming that your amendment were to prevail, and I must say I hope it does not—but suppose it does—then all we would have is planning money. Which of the cities will come in under for planning money?

Mr. BROCK. With $24 million you can have a substantial number of cities. In addition, they would have time to plan programs and determine their needs under the demonstration cities bill.

Mr. MULTER. Which cities should have their plans looked at and approved?

Mr. BROCK. Obviously, virtually any city could qualify under the terms of your own bill. The Secretary is going to allow anybody to make a plan.

Mr. MULTER. Then in other words, the city of Poughkeepsie or any other city could come in and say—here is our plan—do you think it is all right?

Mr. BROCK. That is right. The majority of those submitting plans under this particular section are going to get the authorization approved.

Mr. MACGREGOR. Would the elimination of the $900 million make any difference as to which city is going to come in under this?

Mr. BROCK. No. Every city is equally qualified. This amendment does not stop the study and planning for the implementation of this program. It simply says, let us take our time and let us find out whether the $400 million is needed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Tennessee. The gentleman's amendment would strike from the authorization $900 million for this purpose, $400 million the year after next, fiscal year 1968, and $500 million the year after that. During the interim there would be $24 million—$12 million for each year—provided for a study and an evaluation of applications that would be put in.

There is a longtime lapse there anyway. The President in his message requested $2,300 million. We have actually cut it down nearly a billion and a half by reducing it to $900 million. That is quite a reduction.

If we are going to have any demonstration cities bill at all, certainly this is as small a start as we could think about taking. The gentleman from Tennessee was very frank and forthright about his feeling about the bill. He is against the bill. He is against the concept of demonstration cities. So he is bringing up this amendment now. Members who are for the demonstration cities program should vote against his amendment, and those who are against the demonstration cities program should vote for his amendment.

Mr. Chairman, if title I is passed as a planning only measure I seriously doubt that thoughtful communities will be interested in participating in the program. This amendment is aimed at the vitals of title I.

This is really reaching for the jugular vein to destroy this bill.

Local communities have had some experience with arousing the hopes of their constituents only to find the resources for providing the necessary relief not readily available.

Local communities are not interested in planning comprehensive programs which will arouse the hopes of the disadvantaged if Congress is not prepared to commit the Federal Government to the funding of such plans.

If this authorization is knocked out, certainly the Federal Government will not be in a position to come forward.

It is becoming apparent that local communities intend to do more than plan for the solution of their problems, and it is up to the Federal Government to see to it that their plans are not left to die on the shelf of some local development office.

If we are to arouse the hopes of the local community and its citizens, then we must have the courage to provide the funds necessary to realize those hopes.

Mr. Chairman, Congress must face up to its responsibility to the local communities that have given their support to this measure by authorizing funds for supplemental grants to back up the planning funds authorized elsewhere in the bill. To do less would play a cruel hoax on the critical needs of our Nation's cities and towns.

This amendment just must be voted down if we are to have a demonstration cities bill.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from Tennessee.

Mr. BROCK. I thank the gentleman for yielding. I would like to read a statement of the President of the United States:

> The investments you are making in your cities are vital to our future. We would like to complete them all at once. But if we attempt to do too much, too soon, we will end by accomplishing less by borrowing our money, by issuing bonds when the cost of money is at the highest point in several years—when costs are skyrocketing and materials and skilled labor are scarce * * *. I ask you to go home and get out your lead pencil—and take a good hard look at your next quarterly budget expenditures.

That was said by the President of the United States this year.

Mr. PATMAN. The answer to that is this is only an authorization. When the program comes to the appropriation stage, the factors which the gentleman has brought up, interest and other points, will be considered by the Appropriations Committee. This measure will merely give the power. If the Congress at that time still wants funds, then we will have to start anew for the funds in an appropriation bill and get the Appropriations Committees of the two Houses to agree and to recommend appropriations. This is just the initial step.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. WIDNALL. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Tennessee [Mr. BROCK].

When we were considering the omnibus housing bill and the demonstration cities bill before the subcommittee, and later before the full Committee on Banking and Currency, as I said in my initial statement, I was very much impressed by the goals and desires of the proposed program, as to what we sought to do by way of a mass demonstration in the cities.

I did become increasingly alarmed by some of the statements that have been made by proponents of the bill, and I do not mean particularly on the House floor, but by remarks in radio and news editorials, and by those who are lobbying the Members of Congress. These remarks pertain to what they claim can be done with the appropriations that would be authorized under this bill.

I believe that time should be taken to clarify what is really meant to be done with such appropriations.

We heard a statement on the House floor yesterday by the gentleman from New York [Mr. FARBSTEIN], in which he emphasized the fact that they ought to use a lot of this money for wharf repairs or removal of the docks in New York, to take away the unsightliness.

I had understood that the purpose of this legislation was to concentrate on the hard core areas in the cities, where the people do not have a decent living environment and particularly do not have decent housing, to help and to aid through a massive demonstration to improve their living quarters and the living surroundings of those people. There the residents have become so restive largely because of the failure of this country under the existing urban renewal program to put the money where it should have been going, instead of channeling it to high-rise luxury buildings and great shopping centers and, in many instances, on cultural centers. These programs are all wanted by many, but concentration should not have been in that direction under the existing urban renewal programs.

I should like to call the attention of our Chairman and of the Members of the House to the fact that this is not a reduction of the President's proposal. The President's proposal was for $2.3 billion for a 6-year period. That averages out to $383 million per year.

This proposal is for $400 million the first year and $500 million the second year, a substantial increase.

I have read the very forcible things in the press as to what the President has said with respect to the Congress, that the Congress should be holding the line on authorizations and, if anything, postponing and giving priority to those things most urgent.

This is an urgent matter, but there is certainly no urgency with respect to the first authorization, which is for the fiscal year 1968. What harm would be done at this time by postponing this full authorization and allowing the full amount for planning which has been requested, thus giving that time for wise and adequate planning and for presenting to the Congress the picture of what the problem really is so that we can more intelligently act upon it?

The appropriation itself cannot be made until next year. It would not be made until next year.

Certainly I cannot see what harm would be done to those few cities which would benefit from the demonstration cities program by cutting down this first title to just the planning money.

I urge the adoption of the amendment.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, this amendment would naturally cut the heart out of title I. The Housing Subcommittee considered and rejected the draft bill that would provide planning funds only for the demonstration cities and no funds for supplemental grants to carry out the planning. We rejected the planning only because of the approach, on the grounds that local communities could not be expected to enter into an elaborate plan for the alleviation of their problems without the assurance that supplemental grant funds would be available to carry out those plans. This amendment would reduce the demonstration cities program just to a planning program. It would hold out only the vague promise, with no commitment on the part of the Congress, that such funds would ever be made available.

Mr. Chairman, there has been an awful lot said about this bill and title I thereof and why the money was cut down from $2.3 billion to $900 million for 14 years.

Mr. Chairman, I think we first ought to have a definition of a comprehensive demonstration cities program. It would be defined as a locally prepared and scheduled program for rebuilding or restoring entire sections or neighborhoods in slum and blighted areas to the concentrated and coordinated use of all the Federal aids, local, private, and governmental resources, including citywide aids and resources necessary to improve the general welfare of the people living and working in the area.

You know, Mr. Chairman, they criticized us highly yesterday because of these demonstrations that are going on throughout the country. You know, this program and this bill could have had another title and I think a very appropriate one. It could have been called a comprehensive program to bring respectability to every American city in this great democracy. When we make an observation of the criteria necessary to get the application accepted in section 103 of this bill, we find that all available Federal aids, private and local governmental resources, citywide aids, and all other necessary aids would be pooled and on that basis would be submitted to the Secretary of HUD. If that application were accepted, it would get 80 percent of that non-Federal contribution.

Ladies and gentlemen, this is the greatest bill that has ever been offered since urban renewal came into being. The urban renewal moneys were always handled by an individual, by an agency, and in this bill, in this demonstration cities program, many agencies would be interested in it because their money would be put into it in order that they may participate.

Mr. Chairman, this would represent raising an observation tower, with the private sector having a window in that observation tower, out of which it could look and see exactly how its money was being spent and how the money of the other agencies was being spent.

And, Mr. Chairman, it could call the attention to the other agencies involved to the fact that the money was not being expended properly and adequately.

Therefore, Mr. Chairman, we could tell them that this program does not call for waste in a time when authorities must adjust themselves.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. BARRETT. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. BARRETT. Mr. Chairman, these multipurpose watchdogs over the demonstration cities program, cause the taxpayers of this great country to be the recipients of moneys allocated through urban renewal, antipoverty, and other programs receiving money from the Federal Government to aid in their respective cities in these projects.

Mr. Chairman, I believe it would, in general, improve the living conditions for these people who live in such areas and would accomplish these objectives under the most effective and economic concentration and coordination of Federal, State, and local and private funds. This would affect and improve the entire quality of urban life.

Mr. Chairman, I hope that this amendment is voted down.

Mr. FINO. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment of the gentleman from Tennessee. There is no doubt that demonstration cities ought to be cut back to mere planning money so that it can be more intelligently redesigned.

As I noted earlier—the other day—there is a very real danger that black power is going to ride the demonstration cities gravy train in some cities. I refer to the Washington Post article of August 28, saying that the San Francisco City Redevelopment Director was dickering with black power for control of the local demonstration cities project. Judging from the behavior of black power in San Francisco, what we would get would be demonstration rioting and demonstration anarchy.

This we do not need. On Tuesday, I wrote to the President asking him to hold up demonstration cities until the Justice Department of the House Un-American Activities Committee could look into the question of a black power takeover. If it worries the Washington Post it ought to worry us.

Next I want to stress that this program, as now drawn, is an incredible vehicle for imposing Federal social standards on our cities. To become a demonstration city, a city will have to demonstrate how it can remake its school system to conform with the racial balance guidelines of Harold Howe—I mean rezoning, educational parks, and the busing necessary to implement these and other Commissioner Howe brainstorms. This is in section 103(2).

Then there is section 103(4) which keeps cities from being picked as demonstration cities unless they modify their local laws the way Dr. Weaver wants, and draw up any necessary open housing and civil rights ordinances. He told this to the Housing Subcommittee—see pages 45–46 of the hearings. He also bragged that one of the benefits of the program would be encouraging cities to revise their zoning laws and real estate tax structure. No thanks. I do not want

Dr. Weaver's planners setting the assessments on real property in my district or any other part of New York City.

You will be interested to know that Dr. Weaver, back in April, told a Cleveland gathering of the ADA how cities would have to plan rent supplement housing as part of the demonstration cities program. This means that the residential sections of our cities will have to submit to rent supplement housing, like it or not.

Let me close by noting that the demonstration cities program is to run 2 years at a cost of $900 million plus $250 million for urban renewal. This means that it is the same multibillion dollar 6-year program that came up to the Hill originally. What we are voting on today is a $3-billion program to begin with, which the President's advisers told him will ultimately cost $100 billion.

I do not for a minute believe that this tricky program is going to rebuild American cities where $96 billion in Federal money, according to Senator RIBICOFF, has failed over the last 10 years.

This program is just a gimmick—a gimmick to centralize power, to give the Federal Government power to promulgate zebra colored housing and education guidelines along the lines desired by Weaver and Howe. It may well be, if we are to credit the Washington Post, that this carelessly planned program will be a gravy train for black power. I urge you to support the amendment to cut the title I money and program back to planning.

We can come up with a much better program next year. For my part, I have introduced a bill to set up a Bank for Urban Renewal and Development. Others have proposed setting up private corporations. There are many things we can do that would be better than this. I grant you that time breathes down our neck in our struggle to help the cities, but I suggest that funding, a half-baked racial balance scheme that may well be a bankroll for black power is no solution at all. I urge you to support this amendment.

Mr. JONAS. Mr. Chairman, if the gentleman will yield on that point?

Mr. FINO. I yield to the gentleman.

Mr. JONAS. Mr. Chairman, it might be interesting to the Committee to know that the supplemental appropriation bill will be on the floor for consideration in the next few days and that it contains another $750 million for urban renewal. We are continuing to fund that program at the $750 million level per year, and this is superimposed on top of that.

Mr. FINO. Mr. Chairman, I am very happy the gentleman made the comment.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WELTNER. Mr. Chairman, I move to strike out the last word and I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Georgia [Mr. WELTNER] is recognized for 5 minutes.

Mr. WELTNER. Mr. Chairman, I have heard several of our friends on the other side of the aisle ask the question, "What is the rush?" I think, properly, the question should be, "Why the delay?" The question is: Why is it that the Congress has waited for such a long time to give some degree of proper emphasis to the needs of people who live in the cities? Why is it that the Congress has waited until this year of 1966 to bring before this body a bill which would give some measure of hope for the rebuilding of American cities. The question is not why the rush, but why the delay?

I note that only a few days ago this body adopted a conference report for the spending of $4 billion for public works. Now we are being beset by our friends on the other side of the aisle for suggesting that there be authorized to be appropriated for the fiscal year 1968 the sum of $400 million. Four hundred million dollars—that is 10 percent of the amount that is already appropriated for public works—to try to alleviate the oppressing and seemingly impossible conditions of so many millions of Americans who live in cities.

Mr. Chairman, this is no longer a nation of small farmers and shopkeepers. Many wish that it were so. But I, for one, am content that this Nation has grown to be a mighty, industrial, urban Nation. I am content that this is a land where 70 percent of our people have chosen, through their own free will and volition, to live in cities.

I am content that we have rising throughout this whole Nation great urban complexes.

I am very proud to be a representative of one of those great urban complexes, the city of Atlanta. I know what this program can do for a city that plans, and for a city that takes advantage of what is made available through Federal legislation, and I know that the legislation we already have is not enough.

The gentleman from North Carolina says that we are going to consider a $750 million supplemental appropriations for urban renewal—$750 million—three-fourths of $1 billion. That is less than 1 percent of the revenues of this country. Yet, we can spend $5 billion or $6 billion or $7 billion a year on farm programs, and spend $4 billion to build up lakes, rivers, and harbors. But they say we cannot spend $400 million to build up our cities.

Mr. JONAS. Mr. Chairman, will the gentleman yield since he mentioned my name?

Mr. WELTNER. I am sorry, I must decline to yield to the gentleman.

Mr. Chairman, we have a massive program of land reclamation in this country, to take land and convert it so that it may be used to grow food. Why can we not add this additional program for the reclamation of human habitations in the United States of America?

The other side of the aisle issued a report the other day talking about crime in the streets. The steering committee, or some such body of the Republican Party, issued some report the other day saying that the great issue facing Americans is "crime in the streets."

I agree that that is an explosive proposition, and it could create more difficulties than we have dreamed of.

I hope that the authors of that report agree with me that now is not the time to decry the possibility of crime in the streets but the time is now to do something about it. This is what this bill will do. It does no good whatsoever to stand here in the well of the House, or to go back home and mount the platform, and talk about crime in the streets.

The only constructive approach is to come here to the Congress and to fashion and pass legislation that will rebuild these centers where crime breeds just as the night follows day.

If the minority in this body are interested in crime in the streets, and are interested in the problems of the cities, and if they are interested in the problems of mobs roaming the city streets, then let us do something for the people who live in those cities.

Mr. HANNA. Mr. Chairman, will the gentleman yield?

Mr. WELTNER. I yield to the gentleman from California.

Mr. HANNA. Mr. Chairman, I want to commend the gentleman from Georgia for his statement and to associate myself with his remarks.

I would like to ask him these questions. In looking over the work of this Congress, and the money that has been spent in a very good and rightful way for farm programs and public works projects in the great expanse of the outdoors, is it not true that we have derived the funds that we have spent much more from the people of the cities—the 70 percent of our population that is involved in industrial work? Have we not derived our funds substantially from these people?

Mr. WELTNER. I am sure the gentleman has stated the situation correctly. I am sure the gentleman knows that the interests of the people in the cities have gone ignored and have been slighted ever since we began to emerge from a nation of small shopkeepers and small farmers.

The CHAIRMAN. The time of the gentleman from Georgia has expired.

Mr. HARVEY of Michigan. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, I have heard this bill referred to as an aid to eliminating crime in the streets in the next year, and I hear it said, "What is the reason for the delay?"

Well, let me say to the membership here that there is not one single thing in this bill that will do anything for eliminating crime in the streets in the next year. You can eliminate everything but the planning funds and all that these communities are going to be able to do next year in any event is to plan and that is precisely what we want them to do.

Earlier I heard my distinguished chairman of the subcommittee, for whom I have great regard, term this bill "the greatest comprehensive aid to every American city that exists."

Mr. Chairman, that is unadulterated nonsense. That is how this bill is being passed, or, rather, how they are attempting to pass this bill, by holding it out as a false hope to the cities across America.

There are more than 5,000 American cities, and it will not comprehensively aid those 5,000 American cities. We will be lucky if there are 50 American cities that will benefit from the bill after the planning takes place.

I also heard my distinguished chairman say that the amendment "would cut the heart out of title I."

Mr. Chairman, it would not cut the heart out of it one bit. What it would do is to permit the cities to do precisely what they would do with this money in here, and that is plan during the next year, and that is what we want them to plan.

I might say that I was very surprised to hear the chairman of the Subcommittee on Housing make these statements. I have in my hand the committee print of the bill that we used for the first several weeks, which I believe was introduced by him and from which we worked. This original bill, very coincidentally, provided only the planning funds, because that is what we thought would enable the cities to do the job and what we on this side of the aisle now feel will enable them to do the job if they want to do it.

I submit one final question to the Members of the House: How do you know what we are going to be doing over in southeast Asia, in Vietnam, in 1967 and 1968? In the last month we have increased the number of men over there from 300,000 to 325,000, and I support the President in that effort. But I say to you, How do you know you are not going to have 700,000 men over there in 1968? Is your vote on this authorization bill going to be the same then?

Let me submit one other question. Every administration spokesman I hear tells me that we are very likely to get a tax increase, personal and corporate, right after January 1, 1967, after the next Congress convenes.

I am not going back to my district and tell my people that I am voting for this particular bill, without seeing these plans, and not knowing what that tax increase is going to be, or not knowing what we are going to be needing in Vietnam at that time.

Mr. Chairman, this is a sound amendment. All it does is say to the cities, "You start out with the $25 million planning funds. We think this is a worthwhile effort. This is the most you will get in the next year in any event. We will look at it very closely next year." And, believe me, you will get my support at that time, also.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. HARVEY of Michigan. I yield to my distinguished ranking Member, the gentleman from New Jersey.

Mr. WIDNALL. I would like to join my colleague, the gentleman from Michigan [Mr. HARVEY] and support his remarks. I hope the gentleman from Georgia [Mr. WELTNER] has not left the floor. He made a very impassioned plea to the emotions. I am sure he will get some beautiful editorials written about the words that he has uttered in connection with the needs that we do not recognize. We must have heart. We must address ourselves to securing these things, and everyone interested in it should vote for this bill.

There is not one single person on this side of the aisle who is not interested in curing the cancerous sores of the city. But this bill at this time is not going to do it. I wish the gentleman from Georgia and the others on the other side of the aisle would discuss the facts as to what is in this bill and not try to emotionalize and editorialize.

Mr. ASHLEY. Mr. Chairman, I rise in opposition to the amendment.

Several questions have been raised by Members of the minority who are in opposition to this title. The gentleman from Michigan has suggested that Members of the majority are engaging in some kind of subterfuge when we bring forward a bill which promises, we say, to hold out hope for the cities of this country. He says that this subterfuge is based upon the fact that there will be only a relatively few cities participating in this program, and that we have not been quite honest with our colleagues or with the public in the presentation of the bill.

I would say to the gentleman that this title is called the demonstration cities program. What could be more clear? We do not say that this is a program that is going to encompass each and every city, the 5,000 cities the gentleman suggested, not for a minute.

We make it clear in two ways that this is a demonstration cities program.

First, we call it a demonstration cities program.

Second, we authorize for appropriations $12 million for planning in the first year and $12 million in the second year.

The gentleman knows full well that I inquired, as have other members of the committee, of officials of the Department of Housing and Urban Development as to the cost of planning. There was a little vagueness on this, because the cost depends upon the size of the city project. In any event, it was suggested that the planning of a particular project would be in the neighborhood of between $250,000 to a half million dollars.

If we have $24 million for planning, how many applications for planning can be approved?

Is this subterfuge, I ask my friend from Michigan?

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Michigan.

Mr. HARVEY of Michigan. What brought this up, as the gentleman will recall, is that I quoted our subcommittee chairman when he said, "This is the greatest comprehensive aid to every American city." I wrote it down at the time.

I have been besieged by Members on this side of the aisle and on that side of the aisle who have said, "My hometown of Podunk," or "My hometown of so-and-so wants to be a demonstration city. My city manager and mayor have written to me. What chance do they have?"

I say to the gentleman that if one of the Members on his side gets up, such as the chairman, and says, "This is the greatest comprehensive aid to every American city," that is exactly what the tactics are, to encourage every city to believe this.

Mr. ASHLEY. I say that there are two ways to interpret this.

One is to interpret it as the gentleman has, that the gentleman from Pennsylvania is suggesting to the membership—which I do not believe to be the case—that every city in America is going to participate initially in the program.

Let us just suppose that this program is in fact an effective technique for demonstrating new mechanisms to bring about better living in our cities. Would it not follow, from the 50 to 60 cities in which there will be demonstration projects, that there would be the beneficial follow-on impact on other cities derived by what has been demonstrated in those project areas? Would that not be so?

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield.

Mr. HARVEY of Michigan. I do not quarrel with that proposition one bit. I do not quarrel with the proposition of demonstration cities. What I say is that they cannot do any more than use the planning funds next year, because this is all they are going to do next year. That is what the amendment of the gentleman from Tennessee would do, to give them planning funds which were in the original bill our subcommittee considered.

Mr. ASHLEY. That is right. I will get to that point.

Mr. HARVEY of Michigan. I agree with the proposition; it would help.

Mr. ASHLEY. Fine. I am happy to have the gentleman agree with me.

Mr. Chairman, I ask unanimous consent to proceed for an additional 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. My purpose in requesting this, Mr. Chairman, is to respond as briefly as possible to my good and valued colleague from New Jersey, the ranking minority member of the subcommittee and the committee, who has on two occasions raised the issue as to what in fact is in the measure before us which will help people, which will help cities, which will provide—and I believe this is the heart of his inquiry—better housing within our cities for people of low and moderate income.

I suggest, Mr. Chairman, it is absolutely and abundantly clear, both in the bill and in the report, in the criteria spelled out and in the statement of purpose, that the main thrust of this bill is to provide better housing for families of low and moderate income.

We look at the statement of purpose on page 34 of the bill entitled "Findings and Declaration of Purpose." It states there on line 15:

> The persistence of widespread urban slums and blight, the concentration of persons of low income in older urban areas, and the unmet needs for additional housing and community facilities and services arising from rapid expansion of our urban population have resulted in a marked deterioration in the quality of the environment and the lives of large numbers of our people while the Nation as a whole prospers.

We go to the next section, 103, on page 36 entitled "Eligibility for Assistance," and we find it says:

> A comprehensive city demonstration program is eligible for assistance under sections 105 and 107 only if—
>
> (2) the program is of sufficient magnitude to make a substantial impact on the physical and social problems and to remove or arrest blight and decay in entire sections or neighborhoods.

Then on page 37 it says a city demonstration program is eligible only if—

> (3) The program, including rebuilding or restoration, will contribute to a well-balanced city with a substantial increase in the supply of standard housing of low and moderate cost.

So I would say to the gentleman from New Jersey, who I know is sympathetic to the proposition that our cities are in need and that low- and moderate-income families do need assistance in providing better shelter than is now available, that this bill does in fact spell out that this is its principal purpose.

Mr. Chairman, finally let me say with respect to the pending amendment that we might just as well be voting on final passage, because if there is no authorization—contrary to what has been said by the gentlemen in the minority, all of whom, to my knowledge, are against this measure—then I say there is no program, and if there is no program, then there is no hope for cities and no hope of help for cities at the very moment in our history when assistance from the Federal Government is most urgently needed.

It is not as if we plan the first year so let us just have planning money. This is a specious argument. What mayor do you know who would be interested if at this point we gutted the bill by striking out the authorization for funds later on? Would we not then be saying to them, "Look. We have $12 million for you to engage in planning." Planning for what? We woud perforce reply. "Sorry. With the help of the minority, the guts of our program were struck out—there is no program."

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. Yes. I yield to the gentleman.

Mr. WIDNALL. The only thing being stricken from title I is the money authorization for fiscal years 1968 and 1969. Every blessed word that you have just read is in there and every single mayor would be looking for planning money. I do not know any mayor who would not be.

Mr. ASHLEY. What are they planning toward? If we say that we so little mean this program that we strike the funds for carrying it out, then what incentive would they have for planning?

Mr. BARRETT. Mr. Chairman, will the gentleman yield to me?

Mr. ASHLEY. Yes.

Mr. BARRETT. I thank the gentleman for yielding.

I understand the gentleman from Michigan, when I was not on the floor, said that I was advocating at the beginning for planning money only. I want to tell the gentleman that that is true. I did at the very beginning, and I think the minority leader also agreed that this would be fine, but my attention was called to the fact that this planning money would be not appropriate. You could not get the cities to go into a demonstration program unless they had the money to carry out the program when the application was accepted. They must have assurance of the availability of grant funds.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. BARRETT. Mr. Chairman, I ask unanimous consent that the gentleman from Ohio [Mr. ASHLEY] may proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. ASHLEY. I yield further to the gentleman from Pennsylvania.

Mr. BARRETT. When this was pointed out to me, I saw the fallacy of my approach to this problem and I said, "Yes, I can agree, because I do not think any businessman with any kind of business or political acumen would enter into this type of program if he would not be able to get the money for his program after his application was accepted."

Mr. Chairman, I do hope that the gentleman on the other side of the aisle will not make the mistake that I was going to make at that time.

Mr. Chairman, I thank the gentleman from Ohio [Mr. ASHLEY] for yielding.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Michigan.

Mr. HARVEY of Michigan. Mr. Chairman, I would hope that the chairman would agree with me that in the consideration and the deliberation of the committee we were all agreed upon planning funds; that there was no dissent on the subcommittee whatsoever; that we all felt that planning funds should be authorized and I do not believe there should be any question about that.

Mr. Chairman, will the gentleman answer that question?

The CHAIRMAN. The time of the gentleman from Ohio has again expired.

Mr. MOORHEAD. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in opposition to the amendment.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I yield to the chairman of the full committee.

Mr. PATMAN. Mr. Chairman, I wonder if we can reach an agreement to end the discussion on this matter and vote?

Mr. Chairman, I would like to see how many Members would like to speak on this subject.

Well, Mr. Chairman, there are just too many Members who would like to speak on this subject. Therefore, Mr. Chairman, I withdraw the request.

Mr. MOORHEAD. Mr. Chairman, I want to make two points as to why this amendment should be defeated.

First, Mr. Chairman, as the gentleman indicated, at one time the subcommittee was considering merely having planning money contained in this bill.

However, at that time the mayors and community leaders came to us and said to us, "Can you tell us whether the Congress is really committed to this program or not—if you just have planning money."

We said, "No; we have to have a commitment of the Congress to authorize some money for the program. This is a commitment. Barring some catastrophe, this is a commitment by the Congress to go ahead. This is a justification for the mayors and other leaders to expend their time, money, and effort for the planning of this program. That is why the Congress should authorize the money at this time."

Furthermore, Mr. Chairman, as the gentleman from Georgia so ably said, we should have been doing it a long time ago. We have found in past years that we have despoiled our natural resources through uncontrolled strip mining, lumbering, and industrialization, and that we have despoiled and polluted our rivers and our air to the point now where we know that we have to be farsighted and preserve our natural resources.

Therefore, Mr. Chairman, we have our national parks, national forests, and sanctuaries and our various other conservation programs.

Mr. Chairman, what we propose to do in this legislation is apply to our cities the lessons which we have learned with reference to conservation and rehabilitation of our natural resources.

Mr. Chairman, I believe the time has come, if it had not, a long time ago, when we should enact this legislation. But, first, we should defeat the pending amendment.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, may I ask again if we cannot agree upon the period of 20 minutes for the remainder of the discussion concerning this amendment?

Mr. Chairman, I ask unanimous consent that the discussion on this amendment conclude in 20 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. WAGGONNER. Mr. Chairman, I object.

Mr. ST GERMAIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, yesterday and again today we heard the most amazing argument, and the most specious one in my opinion, from one who is a member of the subcommittee, with reference to black power and citing the city of San Francisco, I believe it was, with respect to a story that had been carried in the Washington Post.

Everyone knows that no projects to date have been approved, so how could one, who should know better, make a statement to the effect that the black-power interests in San Francisco in—I think the area was Hunter Point, or something of the sort—are going to take over on a particular project.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. I will be happy to.

Mr. FINO. Mr. Chairman, may I ask whether the gentleman was here yesterday?

Mr. ST GERMAIN. I was here yesterday.

Mr. FINO. Was the gentleman paying attention?

Mr. ST GERMAIN. I was paying attention and I was also at all of the hearings, and I paid attention there to what was said also.

Mr. FINO. I made reference to an article that appeared in the Washington Post. It was not my own thinking.

Mr. ST GERMAIN. That is right.

Mr. FINO. This was an article that appeared in the Washington Post of August 28, which talked about a conversation or an interview the writer of this column had with a Mr. Herman, who is the director of redevelopment out there.

Mr. ST GERMAIN. Mr. Chairman, I do not wish to yield for a speech by the gentleman.

Mr. FINO. I am only repeating what I read.

Mr. ST GERMAIN. The gentleman read it yesterday and the gentleman reiterated it today. I say to the gentleman as a member of the subcommittee that the gentleman should know better than to take something such as that as the gospel truth.

Mr. Chairman, I have respect for the gentleman's intelligence and for the gentleman's ability, and I feel it difficult to believe that he believes the words printed in that article.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. ST GERMAIN. Certainly I will yield to the gentleman.

Mr. FINO. Mr. Chairman, I trust that the gentleman will be on the floor a little later on, because I have an amendment which I will offer and, in the discussion of that amendment that I will offer, I will tell the gentleman a little more about this article and the writer of this article.

Mr. ST GERMAIN. That will be fine. I will look forward to that.

Mr. FINO. I appreciate that.

Mr. ST GERMAIN. Mr. Chairman, I say once again I am still greatly amazed at the gentleman's position.

Mr. FINO. I would say to the gentleman to not be amazed but to just listen.

Mr. ST GERMAIN. Mr. Chariman, I would like to ask the chairman of the subcommittee a question.

The chairman will recall, I am sure, that throughout the hearings on this legislation in questioning the administration witnesses, I asked the gentlemen, I think, to emphasize the fact that this program should not be limited to the larger cities. Because if that were the case, the funds would be expended very rapidly and have a minimum of effect even as a demonstration or model in these United States in that just a few cities would be able to take advantage of it.

The chairman will recall that the gentleman from Michigan stated there are 5,000 cities that perhaps would be interested.

I ask the chairman is it not a fact that as the legislation is now written, as it comes before us, that a sincere attempt is going to be made, and that it has been made clear in the record of the hearings, that the demonstration cities that are approved should be of different sizes, so that all sizes of cities will be affected by this legislation?

Mr. BARRETT. Mr. Chairman, I certainly wish to commend the gentleman from Rhode Island because of his foresight in this program because I think it was the gentleman who established the fact that large and small cities would be given consideration.

Mr. ST GERMAIN. If I might say to the chairman, equal consideration.

Mr. BARRETT. I thank the gentleman. Ultimately we came up with this program. As the gentleman has pointed out in the very beginning, we say small cities as well as large cities ought to be given consideration if the deterioration of that city is such that it needs a demonstration city plan.

Mr. ST GERMAIN. Mr. Chairman, I thank the chairman.

Mr. BARRETT. Mr. Chairman, I wish to thank the gentleman for bringing that to the attention of the House.

Mr. ST GERMAIN. Mr. Chairman, there are many Members of the House who have questioned me on the floor both yesterday afternoon and today on this very point because of their concern that this might be limited just to the larger cities.

In conclusion, Mr. Chairman, I would like to state I wish to associate myself with the remarks of the gentleman from Ohio [Mr. ASHLEY], when he stated so clearly—and the gentleman from Pennsylvania [Mr. MOORHEAD] made the same statement, that you just cannot give the people in the cities the planning funds and say to them perhaps, maybe, someday you may have some money to implement these plans. Because the planning funds that will be granted by HUD to the cities that are selected will be granted after these cities have expended moneys to come up with their first prospectus. And certainly anyone who is aware of the magnitude of these plans realizes that in most instances these municipalities are going to be expending more funds than are granted by the Federal Government for these purposes.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DEL CLAWSON. Mr. Chairman, I move to strike out the last word and rise in support of the amendment.

Mr. Chairman, I was interested in the remarks of the gentleman from Rhode Island, particularly in connection with the colloquy about the article in the Sunday Washington Post of August 28, to which the gentleman from New York referred. I would be the last one to accept everything that you read in an article. However, I would like to bring this article to the attention of a wider audience and perhaps we can get to the meat of the subject and discover whether or not the accusations and some of the charges that have been made here may be true. If they are, then certainly this Congress has an obligation to carry on further investigation, I think, into what the Federal Government might be doing.

This article reads as follows:

[From the Washington Post, Aug. 28, 1966]

"PROGRAMS" STIFLE A LOFTY GHETTO—VIEW OF SAN FRANCISCO IS GREAT BUT 3 YEARS OF AID LEAVE HUNTERS POINT UNCHANGED

(By Nicholas von Hoffman)

SAN FRANCISCO.—A chilly, noncommittal sun bored through the morning fog. It raised the cloudy curtain, as it does almost every morning, so that the people who live here, high up in the Ghetto-in-the-Clouds, could enjoy their million-dollar panoramic view of the Candlestick Park across the cove, their view of the pastel, ticky-tacky row houses of South San Francisco stairstepping up the hills, of the great naval shipyard, of Butchertown's old factories, of the Bay Bridge leapfrogging on to Treasure Island and across the water to Oakland, of precipitous and horizontal downtown San Francisco, Gotham of the West.

The Negro people who live on this promontory called Hunters Point pay their rich man's view, as they say, "no, never mind." Like their always air-conditioned weather, they take it for granted as some of them get into old cars to drive to work and mothers take little ones down the back of the hill to the Head Start nurseries, and social workers drive up the hill while adolescents sleep late and the rhythm of the day begins.

Hunters Point is the ghetto complete to its latest, most advanced stage of urban development, a society with a polity and an economy of its own, distinct, separate, different, segregated and segregating. What is happening on Hunters Point may be an abnormal deviation or it may represent a national compromise on the problem of dealing with poor Negroes in the big cities.

One morning last week, two men stood talking in the doorway of the Youth Opportunity Center, a wooden World War II prefab located on the little peninsula's crest. Sloping away from them on all sides, on curling hilly roads that descend toward the water and the Bayview section of San Francisco, are some 2000 units of public housing.

The immediate sight from the Center's doorway is not encouraging. There is a cement, carless parking lot, some boys on a distant sidewalk playing dice as they do every morning and an almost abandoned shopping center. Private enterprise has tried, failed and fled. The only remaining example of free-market activity in this center, orginally built to serve World War II shipyard workers who lived on Hunters Point, is the liquor store.

A MOUSE BROUGHT FORTH

Now the largest dollar volume activity in the ghetto is the Youth Opportunity Center, but that also, in the bureaucratic language the people on the hill are learning to use, is phasing out. Begun three years ago as a ten-agency, "coordinated" attack on youthful unemployment, the Center, if not a flat failure, has hardly been a roaring success.

After three years work and more than half a million dollars spent by the Ford Foundation and twice that much by Federal, state and local governments, probably no more than 300 people got full-time, permanent jobs. As with so many poverty programs, the records are incomplete and inconclusive, but the indications are that it cost from $5000 to $10,000 apiece to recruit, train and place this handful of Negro youngsters into jobs as office boys, "groundsmen-gardeners" and "clerk-typists." In the segregated and special economy of Hunters Point, the ordinary measures of cost do not apply.

The two men standing in disconsolate frustration at the Center's door knew this.

"Sometimes I wonder what I'm doing up here, why I'm breaking my head against this," Wilfred Ho, the Center's director, remarked. "You can't really say anything. If you report your program's a failure, who's going to pick you up for the next job?"

His companion, an energetic and vehement Negro psychologist who has been a consultant with the Center since its beginning, assented. "Nobody's willing to admit what's going on," said Gene Orro. "I talked to Ralph Sussman from HEW in Washington and his idea was, 'I know all these things, but I don't want to say anything.' That's the name of the game today. It's a charade, but what we're doing isn't worth an obscenity.

"The naivete: when San Francisco State College did its study of the Center (a highly critical one), we laughed at the questionnaires. They asked what the Center had done to eliminate racial prejudice. Why, we haven't even gotten to the point of coming into contact with racial prejudice up here on this hill."

"It's so isolated. The citizens don't want to move out of here," said Ho, agreeing that racial prejudice is a purely academic consideration for many in the ghetto-with-a-view.

Next, Orro described how a black power structure, brought to prominence and influence by the new poverty programs, fends off and bamboozles visiting inspectors general from Washington:

"People like me are trotted out of the way naturally and the whole superstructure of big niggers takes over. Smile or be a Mau Mau. You may James-Baldwin it through. You know, kick him, stomp him in the guts, while the visitor says, 'Yes, yes, we're guilty.' Even the ministry is saying kill the whites and the middle class."

Dismayed astonishment at Washington's lack of knowledge about local conditions and the consequences of its programs does not stop with Gene Orro. Oreitha Eggleston, a Negro social worker with a master's degree, had similar words for the Office of Economic Opportunity's summer youth project, a $44,000 jobs-for-kids "crash program" that seems to have crashed before it took off from Hunters Point.

"Oh, so much could have been done with that money, but the worst thing they could have done was making all of it available this summer the way they did. The children didn't work. They did absolutely nothing. They just sat there day after day doing nothing, getting in everybody's hair and being paid for it. One parent complained she didn't want her son getting this money for doing nothing."

Mrs. Eggleston and others like her are not simply complaining that people are being paid for work they are not doing. They are worried about the wisdom of paying young people not to throw bricks and Molotov cocktails. They are concerned about rewarding people for antisocial behavior and creating a drifting, purposeless, isolated style of life as outside the Nation's economy as Hunter's Point is removed from San Francisco.

For Gene Orro, Hunters Point is already a special kind of ghetto, a new ghetto without the pain and anger and striving of the old:

"The people here don't want jobs, not real jobs. Jobs take away the one thing they want: leisure time, sitting in front of the liquor store over there and bulling. I'm talking philosophically but this is important. You have to realize the security they have up here on this hill is fantastic. You rob and steal and you can come back up on this hill and be accepted. A mother says the teacher isn't nice to 'my black son' when the teacher tries, because the people here don't try. They're out of it.

"Everything that goes to Washington says we're doing great, but really every leader has found that every problem he solves puts him in danger of losing his position. So they don't want to solve problems.

"Instead they push the ideas that any white person who comes around is in danger. But look what's happened to this community in the meantime. Two years ago we had three Little League baseball teams and two Pop Warner football teams, but now we don't play with anybody outside the community. They even want to build their own high school. The work has been going in the other direction—toward segregation."

SWARMS OF AIDS

A staff member of the California Department of Employment, familiar with Hunters Point statistics, recently estimated that most of the area's job growth arises out of poverty program jobs. The community swarms with "subprofessionals" and "aids" whose duties are imprecisely described as attending meetings, providing contacts, passing out leaflets, "interpreting needs" and "making resources available." One such program (paid for by OEO) in Hunters Point will soon have over 100 people engaged in this sort of nebulous work.

This program is directed, as are many others, by a candid, hard-working young man who makes no pretense at depicting things as other than they are. In fact, George Napper, like Orro and Ho, would welcome more criticism and less praise:

"We have five district offices where all the people work and basically nothing is really being done in this community organization project. We have a lot of people who come here from colleges and universities and say what a fantastic job we're doing, but I just can't see it. Sometimes I think I'm prostituting the community by drawing such a fabulous salary." (Napper is a 26-year-old Negro who is resigning to resume postgraduate studies at the University of California at far less than the $12,000 a year he is making in his poverty job.)

If Hunters Point is not dynamic, it may be owing to its vast isolation from the dynamic points of American society. There is no business cycle in Hunters Point. The community does not go from boom to bust; instead it follows the more softly modulated, bureaucratic cycle of funding to phasing out.

Moreover, the new programs seem designed to pull Hunters Point yet further away from white America. On Sept. 1, the Agriculture Department's food stamp program will begin in Hunters Point so that the people in the community can even have a currency different from the rest of the population.

FINANCING REVOLUTION

San Francisco's OEO poverty programs are not run by City Hall. Hunters Point and the adjacent Bay View area has its own locally selected poverty board which, within very wide limits, devises and controls what's done in the community. The system does not set well with some people like M. Justin Herman, head of the city's Redevelopment Agency.

"This is perhaps the first time in the history of our country that the Federal Government has decided to finance open and overt revolution," Herman declared on a recent visit to Hunters Point. Herman is dickering with the local Black Power structure over who will control the Demonstration Cities program to be put into Hunters Point if Congress completes action on the bill that would bring into existence yet one more system of coordination.

But many people working in the community see no revolution, only a separatist, growing vested interest which wants to maintain the system, not destroy it. Observes case worker Bob Ellis: "I think the poverty program has effectively bought off Hunters Point. Some way has got to be found to generate conflict. They ought to bring in a bad police chief. (Hunters Point even likes the police.) Everybody's happy out here. But I wonder, if they keep piling on more and more, doesn't it have to collapse? You do reach a point when you can't absorb any more programs and policies."

Yet everywhere on Hunters Point there are more programs and policies, and all of them seem to detach the community from the rest of the world. In general they are conduits for money to build institutions parallel to the ones already in existence. Thus side by side with the public school system there has sprung up a cluster of OEO and Labor Department-financed educational programs. The rationale for them is that because the more vocal people in the community want them, they enjoy a popular support that will make them more effective.

In truth, they appear to be shabby and undercapitalized. Since they offer neither tenure, fringe benefits nor guaranteed continuity of employment, it's hard for them to recruit teachers. Sometimes, as with the summer "crash" program that was supposed to provide education as well as jobs, the project was doomed before it started.

The overworked administrators had about one week to train and set up a staff organization to run a citywide program involving 400 kids and more than $400,000. Before the program was six weeks old, the director and three staff members in the Hunters Point section had been fired.

Should anyone care to reverse the growing segregation of Hunters Point, he will face some formidable impediments.

When Hunters Point people are asked what would happen if the jobs were cut out, they shake their heads and predict an "explosion." The community's leaders and/or troublemakers—depending on how you look at them—are the people on the payroll. If their newly created jobs are taken away, the assumption is that they will start marching or, worse yet, rioting.

But, jobs aside, the prevailing tone in California among articulate, militant Negroes is to clear out of white society. In Watts, the "free city" movement is hoping to detach the area from the rest of Los Angeles and set up as a separate municipality. A few miles south along the bay, a Negro group in East Palo Alto has taken the first steps to do the same thing.

California whites may not be averse to the idea either. There is another drive here to get rid of the state's open occupancy law, and in the gubernatorial campaign, neither the liberal, Democratic incumbent, Pat Brown, nor the conservative, Republican challenger, Ronald Reagan, is talking about much besides the importance of protecting property rights.

For the whites, a subsidized and separated Hunters Point may seem a more humane answer to the question of race and poverty than the National Guard, but there are other questions it does not answer. If America has been going through a second reconstruction, is this its end? Is this the final settlement meant for this generation, the price of peace in the city streets?

Hunters Point people pay such questions no-never-mind. They treat these as words unheard, words unspoken, as they do the roar of the crowd when Willie Mays hits a home run and the noisy cheers rise up to the Ghetto-in-the-Clouds.

Now we have been talking about the respectability of cities.

This Hunters Point project is a Federal program—a program of some 2,000 units with a beautiful view of the bay. It is a place where you look out over the bay—it is a paradise if it were not for the kind of ghetto that it is.

The subject article describes the crime that breeds here, how they go down into the central city and then come back and are protected.

Throwing more money into such programs in my opinion is not going to solve the problems that we are talking about. I believe we ought to have investigation; we ought to have planning and surveys and do that first, then come back to the Congress and let us see if we can provide programs that will avoid another situation of the kind that has been described at Hunters Point.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. DEL CLAWSON. I yield to the gentleman.

Mr. ST GERMAIN. Is it not the concept of the demonstration cities program to do exactly that which the gentleman just said, to find out how to prevent this crime?

Mr. DEL CLAWSON. The gentleman is absolutely correct. This is certainly what I suggest we do before we engage in another program that might result in what has been done at Hunter's Point, because that was a Federal program. Let us get the planning on the books and then come to Congress.

Mr. ST GERMAIN. May I ask the gentleman this question: Does the gentleman feel as though there is any indication, from what he has read, that this was black power on the move?

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. WAGGONNER. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Louisiana is recognized for 5 minutes.

Mr. BARRETT. Mr. Chairman, will the gentleman yield to me?

Mr. WAGGONNER. I am glad to yield to the chairman of the subcommittee.

Mr. BARRETT. I am very much interested, and I know all the Members on both sides of the aisle are, in trying to conclude this bill early tonight so the Members will not have to come in tomorrow. I was wondering if we could agree upon a limitation of time after the gentleman's 5 minutes.

The CHAIRMAN. Will the gentleman make a unanimous-consent request?

Mr. BARRETT. Mr. Chairman, I ask unanimous consent that we conclude all debate on this amendment after the gentleman concludes and 15 minutes.

The CHAIRMAN. The gentleman from Pennsylvania makes a unanimous-consent request that all debate on the amendment conclude in 15 minutes after the statement of the gentleman from Louisiana. Is there objection? The Chair hears none, and it is so ordered.

There was no objection.

The CHAIRMAN. The Chair observed standing Mr. PELLY, Mr. RYAN, Mr. MACGREGOR, Mr. MORTON, Mrs. SULLIVAN, and Mr. MULTER.

Mr. WAGGONNER. Mr. Chairman, it has been my observation through the years that those people nearest the forest have trouble seeing the trees. I do not live in a city. I live in the country near a little town of 1,237 people when they are all home. The Howard Johnson has only one flavor and that is vanilla. But I think people in the cities are having just a little bit of a problem in seeing what they ought to see.

The question has been asked, "Why the rush for this legislation?" The question has been posed in retort, "Why the delay?"

If these cities are as bad as you who live in them proclaim they are, perhaps we ought to build more highways and provide for an accelerated Federal highway program to help people get out of them. I think I have visited most all of the cities at one time or another. Seriously, I do not believe they are all as bad as you say. I do not argue that problems are nonexistent. I know they do exist. I think you ought to ask yourselves why the conditions which you describe exist in the first place, and I think this might be the reason: when the gentleman from Georgia stood in the well and the gentleman from Tennessee asked him to yield, he declined to yield, because until you can answer this question, you cannot solve the problem.

I submit to you that it is rather illogical to assume that the same people who live in the cities and who have allowed these problems to develop and to exist, if given the responsibility to try to correct them with Federal dollars, would come any nearer correcting the problems than they have in trying to prevent them from developing or existing in the first place. If you will be honest with yourselves you must admit that a lack of leadership caused the problem in the first place. I submit that leadership is lacking for corrective action in these cities.

So we have come to the point in the debate that we should ask ourselves some honest questions about what the problems of the cities really are and see if there are any answers.

I submit to you that the cities that you attempt to help with this legislation in fact cannot be helped with the legislation that is proposed. They are practically beyond help. We scoff at De Gaulle and his delusions of grandeur as he admits he seeks to restore France as the number one nation of the world. The idea is futile. So is the idea that this proposal will solve the problems of the cities. It will only add to the power of a centralized Federal Government, bring more people to Washington with their hat in their hand. It will make a joke of city halls and State capitols. Very little can be done for our cities.

Why? Because the cities have long since exceeded their ability to provide the services needed for the people who live therein. The physical limitations of these subject cities have long since been exceeded, and the resources are not available, nor will they be available under this program, to meet what the people demand—and they do demand, I know. Only so many people can be put on an acre of land. Only so many can be transported at a given time. It is as simple as a can being full of beans.

You cannot provide the needs of transportation, you cannot provide for the living accommodations, you cannot provide for the educational needs, nor can you provide the other public services such as utilities which these overcrowded cities require. There is no available tax base. Race relations is a factor. Crime is a factor. People want out of these overcrowded cities.

It is tragic that this is the situation. But it is.

I have long held to the attitude that no man was entitled to criticize unless he had an alternative to offer.

The alternative is not simply to come to the Congress and say, "Give us dollars to rebuild our cities," because you cannot expend enough tax dollars, and enough tax dollars are not available to rebuild these cities. You cannot rebuild one portion of these decaying cities today without another section growing old at the same time. It is a never-ending process.

There is an answer. The answer is decentralization. This is an answer which is preventive in nature. Cure is not then needed. The President echoed the same thing when he visited Pennsylvania not long ago. The Secretary of Agriculture echoed the same thing in a farm report he made available to Congress this week, when he said, "Get the people out of the cities."

Thank goodness we still have many cities who are capable of solving and meeting their problems. Don't penalize those who provide for themselves. Decentralization is a far cheaper answer than coming to Congress and asking for a 2-year authorization, which we all know is only a drop in the bucket as compared to future requests. The request now is for $400 million for program money for 1968 and $500 million for program money for 1969. We should realize that the only thing to be done is to make those cities who get money, and others as well who want money, thirst for more money. This will only whet an appetite, and even with a trillion dollars today you could not do what needs to be done in rebuilding these cities. There is testimony to substantiate this fantastic figure.

The CHAIRMAN. The Chair recognizes the gentleman from Washington [Mr. PELLY].

Mr. PELLY. Mr. Chairman, one great argument against the demonstration cities bill is the amount of the money to be spent. But even in view of present inflation due to excessive Federal Government spending, I would suggest other more persuasive reasons to oppose the legislation. For example I am concerned about its undue extension of Federal power. Cities should be doing the job of renewal and rehabilitation without Federal assistance. Furthermore this bill does not make it clear what is to be demonstrated or what relationship the program would have to existing urban renewal and public housing. No one has convinced me, moreover, what this measure would not create a Federal czar who would have absolute control over local affairs. Furthermore under this legislation there seems to be a definite attack on the concept of neighborhood schools through the use of grants. In other words a metropolitan area could be required to locate its schools and fix its policy under Federal guidelines.

Mr. Chairman, in this period of severe inflation, soaring prices, and ever-increasing Government spending at home and abroad, it is time to call a halt. When money is necessary for education, or poverty, or slums. I have long favored return to the States of tax revenues so local decisions as to spending remain free of Federal control. We have witnessed under programs such as urban renewal, the erosion of local responsibility, and this growth of centralization of Federal control. One judge in my congressional district, reluctantly passing on a case where condemnation powers were used to expand a university campus called it morally and economically wrong, although on legal grounds he was forced to rule in favor of the procedure.

This is an omnibus bill and anyone in opposition will be charged with being against education and improvements of municipal conditions and many needed changes.

Nevertheless will we support local incentive and while I fully understand the support for this bill of the mayors of big cities and municipal officers, I think the bill in the overall is not the answer to the major crises under which our cities suffer.

So unless the bill is substantially amended and improved, I could be forced to vote against it.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Chairman, I rise in opposition to the amendment. As has been stated earlier by the distinguished chairman of the Committee on Banking and Currency and by the distinguished chairman of the subcommittee, this amendment would in effect destroy the bill. It would destroy the hope which has been kindled in the major cities of this country by the proposed demonstration cities bill.

Last winter the President of the United States called for a rebirth of the American city, and he submitted this program—which is not a panacea, which is not going to solve the problems overnight, but which is a start, which is a beginning, and which says to the cities, "If you come forward with a plan, a comprehensive plan, that will take in not only physical renewal but social renewal and human renewal, the Federal Government will help you fund it."

No one should be more aware of the needs of the city of New York than the gentleman from New York [Mr. FINO], who took the floor to try to gut this bill. His Republican administration of the city of New York will benefit if this bill is passed. This bill is a beginning.

New York City has a shortage of housing; some 400,000 units of housing need to be built in the city of New York right now. It is a city which has myriad problems.

This is the result of years of neglect, to be true, but also years of failure on the part of the Congress to recognize that it has an obligation to help the urban dweller and the city resident, just as it long ago assumed an obligation to the farmer. The Federal Government is spending some $3 billion per year for price supports, cropland diversion, and various agricultural programs. Many of us have supported those programs because we recognized the interdependence of the city and the rural area.

Now in our major cities we need assistance in order to rebuild not only the physical condition of cities which have been permitted to deteriorate but to rebuild human beings and to salvage human resources.

We need a bold plan, an Appalachian program for urban America which I have long advocated.

In terms of the magnitude of the problem, the Demonstration Cities and Metropolitan Development Act of 1966 is a disappointment.

Mr. Chairman, I have watched title I of this bill, the provision for demonstration city programs, change from a 5-year, $2.3 billion program to a 2-year, $1.2 billion one, and now to the sum of $924 million for 2 years. Even $2.3 billion would not have been enough. Indeed, the mayors of the cities of New York and Detroit, in testimony before the Senate Subcommittee on Executive Reorganization, both indicated how inadequate this amount would be. Testifying before the House Housing Subcommittee on March 21 of this year, I proposed that the $2 billion be made available for the first year alone, or that the bill we are now considering authorize $10 billion over a 5-year period. I maintain that this is a far more realistic figure when we consider the magnitude of the problem in our cities, when we consider that we plan to spend about $3 billion in fiscal 1967 for price supports, cropland diversion, and other farm income stabilization measures, when we consider that we will spend over $3 billion for the maintenance of natural resources in fiscal 1967. In fact under this bill we will spend for demonstration cities less in 1 year than we spend in 1 week in Vietnam. What a woefully inadequate sum for the salvation of our human resources.

I am further disturbed, Mr. Chairman, that our colleagues in the other body added a 15-percent limit on the amount of funds any one State shall receive. As I said in arguing against a similar provision in the Housing and Urban Development Act of 1965, this limit is arbitrary, unreasonable, and ill conceived. The total urban population of New York State is 17.5 percent of the national urban population, if we consider cities of 50,000 or more to be urban, as of 1965. Let us assume that at least 50 cities will be selected for demonstration projects. The sum total population of the 50 most populous cities in this country in 1965, according to the 1966 Rand McNally Atlas, was 40,512,000, and the population of New York City alone—8,080,000—is 20 percent of the total population of these 50 cities. Adding Buffalo and Rochester, the populations of all the cities of New York State appearing among the top 50 cities is 22 percent of the national total. Since probably not all of the top 50 cities will receive grants for demonstration projects, the total population in cities selected will be considerably less than 40,512,000. Therefore, New York City's population would be much more than 20 percent of all people in cities conducting demonstration projects. Since New York City will have to share the 15 percent with any other demonstration cities in New York State, it is obvious that New York City and other cities in New York State will be adversely affected by the 15-percent provision.

Reliable estimates place the number of persons in New York City living in poverty-stricken households at more than 1.5 million. New York City's welfare program costs have soared to more than half a billion dollars per year. Since 1949 New York has received an aggregate of only $286 million in Federal funds for urban renewal out of a total of $5.3 billion spent nationwide. At the time when the bill contained a $2.3 billion authorization, the mayors of New York, Detroit, Chicago, all stated that the entire $2.3 billion could be used exclusively for rejuvenating neighborhoods in their own cities. Compared with the need of New York City alone, the $60 million available to New York State for the fiscal year 1968 under this program will hardly alleviate the conditions under which millions of our citizens live in New York City. It is no wonder that there are those who out of desperate frustration become alienated from the democratic process.

Nevertheless the demonstration cities, program is an approach to the problems of the city, an approach which may prove to have the potential its framers envisioned. The opportunity to marshal all the existing programs and proposals, some of which are as yet only bold ideas, into a coordinated, concentrated attack on a specific target area desperately in need of help is an exciting prospect.

The bill before us states that the purpose of demonstrations programs are—

To provide additional financial and technical assistance to enable cities of all sizes;

To plan, develop, and carry out locally prepared and scheduled comprehensive city demonstration programs containing new and imaginative proposals;

To rebuild or revitalize large slum and blighted areas;

To expand housing, job, and income opportunities;

To reduce dependence on welfare payments;

To improve educational facilities and programs;

To combat disease and ill health;

To reduce the incidence of crime and delinquency;

To enchance recreational and cultural opportunities;

To establish better access between homes and jobs; and generally to improve living conditions for the people who live in such areas, and to accomplish these objectives through the most effective and economical concentration and coordination of Federal, State, and local public and private efforts to improve the quality of urban life.

I approve of this concept of coupling physical and human rehabilitation into a single, massive effort.

It is also significant that this proposal is to be a flexible, adaptable program, not one which would exclude subsequent suggestions or ideas related to a particular locality. Rather, this proposal has room for these according to how the locality plans its demonstration project. Indeed, all the forces of businesses, churches, labor, foundations, and universities can be mobilized under it. There is room under demonstration cities for new concepts such as projects which encourage the maximum participation of the residents of the demonstration area by providing jobs in construction and opportunities to participate in social work, training programs, adult education, recreation, and in other areas in which the residents can play a part. Such meaningful participation develops neighborhood, civic, and human pride, a dignity which has been lacking, and a hope for the future.

At the same time, this proposal is not meant to be the final answer, the last word in urban rejuvenation. We would be deluding ourselves if we expected this proposal to solve once and for all the cities' problems. We must still search for new solutions to urban problems and look to the results of the demonstration programs to determine its successes and its failures. Attorney General Katzenbach testified before Senator RIBICOFF's subcommittee:

> There are, in truth, a number of plausible methods of organizing our efforts. . . . No single umbrella will cover the whole system of urban affairs.

And the President, in his message on cities, said:

> Let there be debates over means and priorities. Let there be experiment with a dozen approaches, or a hundred.

If this is to be an experiment, then cities should not be selected on the basis of their potential for success, as Secretary Weaver suggested, but rather on the basis of the manifest need of a particular neighborhood. Also, let me warn again, as I did before the Subcommittee on Housing, against sacrificing total planning to speed and expediency. If cities rush to get their proposal in as early as possible to compete with the proposals of other cities, then much will be lost during the initial planning stages, and the overall success of the demonstration program threatened. Cities should be selected neither on a first come first served basis, nor on the basis of their chances for a palpable success, but on the needs of the city and the merits of the program.

The second title of this bill is closely related to the first, as closely related as are the suburbs to the central cities.

As the President observed in his January 26 message on demonstration cities:

> The absence of cooperation between contiguous areas is wasteful.

It is wasteful, Mr. Chairman, because of the duplication and inefficiency. It is wasteful because the suburbs have for too long contributed to the problems of the central city without contributing to the solutions of these problems. In addition to the demands of the commuters, the suburbs impose additional hardship on the cities as havens for those wealthy enough to move. Discriminatory housing practices also result in systematic exclusion from the suburbs. The poor remain locked in the central city.

This title, however, should encourage contiguous areas, neighboring local governments, and conflicting or overlapping jurisdiction in the same metropolitan area to work and plan together on the local level to confront the vast number of common problems which have too often been left to the cities exclusively.

This title requires that all applications for Federal loans or grants for projects for open-space land, or hospitals, airports, libraries, water supply and distribution facilities, sewerage facilities, or water development and land conservation, highway, transportation facilities within any metropolitan area must, after June 30, 1967, be submitted for review and comments by a metropolitanwide comprehensive planning agency.

This section also provides for a "metropolitan expediter" who would on request of local officials be appointed by the Secretary of Housing and Urban Development to provide information and assistance to local authorities and to Federal agencies with respect to HUD's programs and activities.

Title III includes provisions for liberalizing the FHA cooperative housing program and for preventing premature foreclosures on FHA-financed multifamily housing projects. The most significant parts of this title, though, are the provisions for raising the limits of mortgages financed under the FHA home mortgage insurance program for low- and moderate-income families, and for a new innovation in FHA below market interest rate financing of housing for low-income families. This latter would provide for FHA-insured mortgages for nonprofit organizations for purchase and rehabilitation of single family dwellings for resale to low-income individuals or families. Both these measures will contribute substantially to the desirable goal of homeownership for low-income families, which is a necessary complement for the construction of housing projects, and to a sense of pride and self-respect among low-income families which homeownership provides.

Title IV opens up an exciting possibility for a new kind of Federal program, that of FHA mortgage insurance for planned, new communities. The need for such a program is adequately demonstrated by the fact that, between 1960 and 1965, the suburbs have grown in population by 17.7 percent, while the central cities have grown by 3.2 percent during this period, and this trend is likely to continue. The mushrooming suburbs should not be allowed to become metropolitan oases which hide from the central cities behind a lily-white curtain. Rather, this title should encourage the construction of new communities which would be a contributing part of a planned metropolitan network. We must be wary, however, that these new communities do not become the middle-class ghettos, the closed suburban communities which many privately financed new towns have become. These new communities must provide housing for all income groups, permitting rich and poor alike to have the option of moving away from the central city if they so desire. We must make sure, in view of the defeat of the civil rights bill of 1966 in the Senate, that these new communities do not discriminate in any way in the sale of homes.

The authorization for FHA mortgage insurance for the construction of facilities for the group practice of medicine, optometry, and dentistry is contained in title V. This provision is of critical importance to those individuals who cannot get adequate medical care because of rising costs—hospital and doctor bills have risen 3.4 percent in the past 6 months—and to the cities which provide public health facilities for the indigent poor. Considering that the demand for health care is rising while the doctor-patient ratio is expected to remain about the same, group practice is one solution.

Title VI of this bill provides grants to localities for the recognition, relocation, and restoration of historic and architecturally valuable structures in urban renewal areas and loans to tenants or owners of these types of structures for their acquisition and rehabilitation. These are commendable provisions. Only recently was the grand Metropolitan Opera House in New York City saved from the wrecker's ball. Regretfully, many other valuable buildings are not so fortunate and are destroyed. It is my hope that this measure can help prevent such losses.

Title VII also grants permission to use air rights sites in urban renewal areas for industrial development. This may contribute to the urban renewal plan if the industry is compatible with the residential area, if it can provide substantial employment opportunities for the residents of the urban renewal area, especially the poorer residents, and if it is made manifestly clear that the sites are indisputably unsuitable for low- and moderate-income housing. But who, I wonder, will determine whether the site is unsuitable? The local urban renewal agency, I suspect, the same type of agency which has authorized the construction of high rent, luxury apartments for urban renewal sites in the past and has systematically excluded low- and moderate-income housing. This situation must be halted. The provision that the site must be determined to be unsuitable for the use for low- and moderate-income housing must be carried out explicitly.

In title VIII, changes are made in legislation pertaining to rural housing, including extending the eligibility for and raising the ceilings of certain loans for purchase, rental, or repair of rural dwellings. The housing problem is a national problem, and the needs of our rural citizens must not be overlooked. As an urban Congressman, I recognize the relationship between the urban and rural areas of our country, and I recognize that providing adequate housing and opportunities in rural areas may well preclude the necessity for many of the rural poor to move to the city. By making more of our rural citizens eligible for low income housing and government loans, we can help both rural and urban areas.

Finally, title IX, besides including many clarifying amendments, also provides additional FHA assistance for cooperative housing, including FHA-insured advances during the construction of such housing, and for low-income housing under the section 221(d)(3) program. Also included are provisions: First, for Federal grants for the development of open-space areas whether or not these areas were acquired under a Federal grant program; second, for the Secretary of Defense to acquire the homes of servicemen and other employees of military bases slated to close or to reimburse them for losses, resulting from such closings, suffered in the sale of their homes, and third, for extending to 6 months after the passage of this bill the time allowed for submission of the report on the Secretary of the Department of Housing and Urban Development's study of relief for homeowners in the vicinity of airports.

Mr. Chairman, I am concerned, however, that of the three research and development projects, those in technology relating to design and construction of housing, urban environment, and hydrology, provided in this bill, only one project, the technology study, was granted a specific appropriation authorization. Considering the $5.3 billion appropriated to NASA for space research, the $15 million for the application of advances in technology is a token sum.

Mr. Chairman, despite the bill's weaknesses, its limitations and its deficiences, it is urgently needed. The cities cannot begin to solve their problems without substantial Federal assistance. In New York City, for example, the fight for decent housing is being lost. The rate of decay of city housing has outstripped the role of rejuvenation and replacement. Unsound housing units in New York City, exclusive of rooming houses, have increased from 420,000 in 1960 to 525,000 despite present local, State, and Federal programs. At the same time, the rent-to-income ratio has increased from 18.4 to 20.4 percent.

The mayor of New York, testifying before Senator RIBICOFF's subcommittee stated that, in New York City, some 350,000 dwelling units are in buildings constructed before 1900, and a full 800,000 units are substandard, or one-fourth of New York City's total housing. Compare this latter figure with the 500,600 units which represents the total effort of Federal, State, and local authorities all over the country over a 5-year period in low- and moderate-income housing, including Federal, State, and local public housing, below market interest rate financing, low interest loans, and rehabilitation. The total 5-year effort of every level of government in this country could not adequately resolve the needs of the Nation's greatest city. And, by 1970, it is anticipated that almost 70 percent of all housing units in New York City will be more than 40 years old.

Let us look further at New York City, where nearly 2 million people live in poverty, enough people to be the fourth largest city in the country. Welfare payments amount to $650 million a year, 14 percent of the city's budget, while only 7 percent of New York City welfare recipients live in public housing. This means that welfare payments to nearly all New York City's welfare recipients, payments which represent tax dollars, go to slumlords. New York City will spend $571 million this year on hospitals and health services, and, despite this, $400 million is urgently required to renovate or rebuild obsolete hospital facilities. And New York City's rapid transit system which every day transports 3½ million people, many of whom are commuters, in and out of the 9 square miles of Manhattan south of Central Park, requires $4 billion over the next 10 years, 40 percent of New York City's capital budget for that period, for modernization. Yet this is the city which Secretary Weaver said before the authorization was cut, can expect to receive about $50 million a year. This is an inadequate sum, to put it mildly.

The national picture is no less bleak. In a few years, 80 percent of all Americans will live in cities or dependent metropolitan areas. And right now, some 7 million urban homes are run down or deteriorating, and some 3 million are without adequate plumbing. It is estimated that by 1975, 2 million new homes will be needed; the cities will have 10 million additional school children; and they will have to move 200 million people and 80 million autos per day.

But even these figures are mute when we consider the desperate plight of the ghettos, the blighted neighborhoods which the demonstration cities legislation anticipates rehabilitating. In these areas, over 35 percent of the families live in poverty, over 40 percent of the housing is substandard, unemployment is as high as 20 percent, school dropout rates are as high as 70 percent, infant mortality is twice the normal rate, and the incidence of deaths from TB, pneumonia, and influenza is two or three times that outside the ghetto.

Clearly, the closer we look, the more hopeless conditions appear—hopeless because the cities have exhausted all the remedies available to them. Their local tax base is eroding, for each new tax is followed by an exodus of the middle-income class and of businesses. The amount of decent housing declines as the low-income market increasingly predominates, for private builders will invariably build where the money is. And, as builders move out, job opportunities and city revenues decline still further. This is a vicious cycle. As more housing is needed, less is available. As more jobs are needed, fewer are available. As the need for more city revenues increases, the tax base withers.

Some of the results of these conditions have erupted in violence. As Attorney General Katzenbach observed:

> These riots were indeed formented by agitators—agitators named disease and despair, joblessness and hopelessness, rat-infested housing and long imparted cynicism.

Mr. Chairman, we have before us a bill which can help snap the spiraling vicious cycle of poverty. The cities of America need massive infusions of Federal assistance. Two years is obviously not enough, but if, after 2 years, the Congress will enlarge the program both in scope, to assist many more cities, and in size, to make a meaningful financial commitment, then we may reap some of the benefits this legislation promises. If, however, the Congress does not grant adequate financial authorization, the demonstration cities will be doomed without a chance, and the urban rebirth which the President has promised for the Nation may well be a miscarriage.

The CHAIRMAN. The time of the gentleman from New York [Mr. RYAN] has expired.

The gentleman from Minnesota [Mr. MACGREGOR], is recognized for something less than 3 minutes.

Mr. MACGREGOR. Thank you, Mr. Chairman. I rise in support of this amendment.

Mr. Chairman, this bill consisting of some 102 pages accompanied by a committee report of 156 pages was first available to the Members of this body 6 weeks ago. This amendment we are considering is to the comprehensive city demonstration program title, title I of the bill, which in and of itself is 15 pages long. For those of us who are not privileged to serve on the Committee on Banking and Currency, there has indeed been precious little time to carefully consider each and every one of the 82 subsections in this 102-page bill.

The first section is most attractive in concept. The idea of mobilizing Federal, State, and local resources, both public and private, in a concentrated effort to improve the physical and social environment of an existing slum neighborhood is undoubtedly the right approach.

I am impressed by the fact that the present amendment does not in any way do damage to what appears to be a very hopeful concept in title I of this bill. This amendment says, "Let us plan intelligently before we commit ourselves to the exact direction in which we go forward." The Department of HUD says it needs a year for planning. Let us go forward with comprehensive plans during the course of the next 9 months and then see before the end of this fiscal year, on June 30, 1967, what direction would be the best direction to take in order to implement the plans that are deemed appropriate by the executive and the legislative branches of this Government.

What could be more sound? Mr. Chairman, all of us in this body know that we are now facing expenditures in this fiscal year of approximately $130 billion with a proposed $14 to $15 billion supplemental appropriation bill for Vietnam in January. We know in this body that receipts of our Government for fiscal year 1967 are now estimated to be in the neighborhood of $117 billion.

Mr. Chairman, we are facing at the present time a projected deficit for this fiscal year of $13 billion. I appreciate that this amendment does not in any way affect the $24 million for planning. That will go forward. However, the gentleman from Pennsylvania [Mr. MOORHEAD], talked about us making a commitment here today on a new program that will bind a new Congress elected by the American people 3 weeks from Tuesday. I think it unwise, Mr. Chairman, to bind a new Congress on a new program, not an ongoing program but a new program, when the American people are going to have an opportunity in just 3 weeks from now to express themselves on whether they want these expensive programs and the tax increases that will be absolutely necessary in order to pay for them.

The Minneapolis-St. Paul metropolitan area has an excellent attitude and a progressive record of accomplishment in cooperative efforts through a five-county area to attack the problems facing all of our metropolitan centers. I feel sure that our metropolitan planning commission in cooperation with State and local officials and interested private citizens could develop a plan consistent with the purposes of the first section of this bill. Hopefully, the planning in my area and other additional plans would persuade the House Committee on Banking and Currency to authorize grants to carry the planning forward into reality.

It has been made abundantly clear here that no money will be appropriated this year to finance anything but planning during the next 8 or 9 months. We will have a new Congress in 3 months consisting of newly elected Representatives of the American people. That Congress will be obliged to consider a supplemental appropriation well in excess of $10 billion for Vietnam together with a broad tax increase proposal of perhaps $10 billion. Surely it would be more intelligent, since the majority does not plan in any event to grant any money under this title until next July 1, to have the members of the Banking and Currency Committee of the 90th Congress together with all of the Members of this body carefully evaluate expenditure priorities in this and other domestic programs.

The CHAIRMAN. The time of the gentleman from Minnesota has expired.

The Chair recognizes the gentlewoman from Missouri [Mrs. Sullivan].

Mrs. SULLIVAN. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Multer].

Mr. MULTER. Mr. Chairman, it is awfully strange to hear some of the arguments against this bill, and all of them can be summed up to mean that if this amendment prevails, there will be little or nothing left to the bill and, certainly, nothing left to the new programs as now called for by the bill.

Mr. Chairman, permit me to direct the attention of the Members of the Committee of the Whole House on the State of the Union to the bill, S. 3708, which we are considering here.

Mr. Chairman, this bill was passed in the other body in August of 1966.

Mr. Chairman, we have two volumes of testimony taken over a period of 18 days on this subject matter.

Permit me to call your attention further to the fact that the distinguished gentleman from New York [Mr. Fino], who is raising so much objection to this legislation and who finds so many ghosts and scareheads in it, that gentleman on February 24, 1966, introduced a bill which provided, and I read:

> There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this Act.

Without any limitation of any kind whatsoever.

Mr. Chairman, we bring the bill here to the floor of the House now and we limit the provisions thereof to planning for the 2 fiscal years ahead, and then we provide only an authorization for the next 2 fiscal years.

Mr. Chairman, we are not appropriating now. We are merely authorizing.

Mr. Chairman, all of those who are saying, "Now, let us not spend any money; let us reduce the deficit," let me say to them, "Let us consider the deficit that exists today in the human lives, and in the lack of housing, and in the lack of educational facilities and in the lack of adequate community facilities.

Mr. Chairman, let me urge those of you that do not like the bill, then vote with the gentleman from New York [Mr. Fino] and vote against it.

But, Mr. Chairman, let us not try to gut it first by adopting an amendment such as this.

Mr. Chairman, let us not pass just a title. Let us pass a bill. Let us defeat this amendment and then proceed to a vote on the bill.

The CHAIRMAN. The Chair recognizes the gentleman from Rhode Island [Mr. St Germain].

Mr. ST GERMAIN. Mr. Chairman, I would like to get just one point across to the Members of the Committee of the Whole House on the State of the Union.

Mr. Chairman, I think the ranking member of the committee and the chairman of the committee might help in this also.

Mr. Chairman, there has been a cloud cast upon this legislation. I believe that we should make it clear that it is in no way a civil rights bill and in no way directed toward helping only the Negro ghetto. But, it is directed toward helping the sick cities, no matter where they may be or no matter whom the residents thereof are.

Is that not a clear statement of fact?

Mr. BARRETT. Mr. Chairman, if the gentleman will yield; that is correct.

The CHAIRMAN. Under the unanimous-consent agreement all time has expired.

Mr. ASHLEY. Mr. Chairman, I make a point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Ninety-four Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 364]

Abernethy
Adair
Albert
Andrews, Glenn
Aspinall
Baring
Burton, Utah
Cabell
Callaway
Celler
Clancy
Clausen, Don H.
Conte
Cooley
Corbett
Corman
Culver
Curtin
Davis, Ga.
Dawson
Denton
Derwinski
Dickinson
Dowdy
Duncan, Oreg.
Edmondson
Evans, Colo.
Evins, Tenn.
Fisher
Flynt
Foley
Frelinghuysen
Fuqua
Green, Oreg.
Greigg
Gross
Hagan, Ga.
Hamilton
Hansen, Idaho
Harvey, Ind.
Hébert
Hicks
Johnson, Okla.
Johnson, Pa.
Karth
Latta
McCulloch
McMillan
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Matsunaga
Michel
Moeller
Morrison
Moss
Murray
O'Konski
Pool
Powell
Purcell
Redlin
Reinecke
Resnick
Rivers, Alaska
Rogers, Tex.
Roncalio
Schisler
Scott
Selden
Smith, Calif.
Smith, Va.
Stafford
Stephens
Teague, Tex.
Thompson, N.J.
Thompson, Tex.
Toll
Trimble
Ullman
White, Idaho
Willis
Wilson, Charles H.
Wyatt

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Flood, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill S. 3708 and finding itself without a quorum, he had directed the roll to be called, when 348 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee [Mr. Brock].

The question was taken and the Chairman announced that the "noes" appeared to have it.

Mr. BROCK. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Brock and Mr. Barrett.

The Committee divided and the tellers reported that there were—ayes 110, noes 141.

So the amendment was rejected.

Mr. OTTINGER. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. OTTINGER. I am very proud to have this opportunity to play a role in shaping and enacting this badly needed legislation. In my opinion, the Demonstration Cities Act, S. 3708, offers us our first real chance to deal with the crisis of urban blight and poverty and the tremendous social and economic problems that result.

As a member of the House Banking and Currency Committee, I have been deeply involved in the difficult job of shaping this legislation and I could not let this moment pass without paying a public tribute to the skill and leadership of the distinguished gentleman from Pennsylvania [Mr. Barrett]. As the chairman of the Housing Subcommittee, it was his responsibility to guide this legislation from its inception as a bold new idea to its enactment here today.

I have great confidence in the enduring contribution that this legislation will make to improving the quality of American life and I can attest that that improvement will be in no small part a monument to our colleague [Mr. BARRETT].

AMENDMENT OFFERED BY MR. HARDY

Mr. HARDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARDY: On page 38, line 20, strike out the period and insert in lieu thereof the following: ": *Provided*, That the authority of the Secretary under this paragraph shall not be used to impose criteria or establish requirements except those which are related and essential to the specific provisions of this title."

The CHAIRMAN. The gentleman from Virginia [Mr. HARDY] is recognized in support of his amendment.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman.

Mr. PATMAN. Mr. Chairman, we are acquainted with the gentleman's amendment. He gave it to us in plenty of time to discuss it and evaluate it. We are willing to accept it on this side.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman.

Mr. WIDNALL. For the purposes of the RECORD, I would like to have an explanation of what this amendment does?

Mr. HARDY. Mr. Chairman, I have given, as the gentleman from Texas [Mr. PATMAN] has said, a copy to him, and also to the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. But will the gentleman state for the purposes of the RECORD what this amendment does?

Mr. HARDY. Mr. Chairman, the subsection (5) which begins on line 18 reads as follows:

The program meets such additional requirements as the Secretary may establish to carry out the purposes of this title.

Mr. Chairman, this seems entirely too broad to me and puts no limit whatever on the requirements which the Secretary may impose. My amendment attempts to limit the authority somewhat by stipulating that the Secretary shall not impose criteria or requirements except those which are related and essential to the specific provisions of the title. Actually, I am not sure that my amendment is sufficiently restrictive, but I think it helps a little.

I am grateful to the chairman of the committee, the gentleman from Texas [Mr. PATMAN], for accepting the amendment, and I hope that the gentleman from New Jersey will do likewise and that the amendment will be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. HARDY].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. WIDNALL: On page 47, line 2, strike out "and 107" and insert the following: "and 107 of this Act and grants under the second sentence of section 103(b) of the Housing Act of 1949".

On page 48, line 11, strike out "shall be exercised only" and insert the following: "shall be exercised only to the extent that funds for such grants have theretofore been appropriated pursuant to section 111(b) of the Demonstration Cities and Metropolitan Development Act of 1966, and only".

On page 48, lines 16 and 17, strike out "the Demonstration Cities and Metropolitan Development Act of 1966" and insert "such Act".

Mr. WIDNALL. Mr. Chairman, in voting down the Brock amendment, the House has in fact given approval to the $900 million authorization for 2 years, fiscal year 1968 and fiscal year 1969.

It must be said that as title I is now written, it earmarks the great bulk of existing, already authorized urban renewal funds for demonstration cities as well. This is a very important point. This applies to not only the $900 million authorized in this bill but also to previous urban renewal funds amounting to $1.5 billion. This means that for every dollar of demonstration cities money used for urban renewal operations, the Federal Government will have to cough up on a priority basis an additional 2 to 3 matching dollars of urban renewal funds for just a few cities, 50 at the most.

Testimony before the Housing Subcommittee, and yesterday on the floor, indicates these funds will go to a few cities, to possibly less than the 50 I just mentioned. I think it is unfair that we give so much to a few cities, and at the same time shut so many more out of the regular urban renewal program, which is oversubscribed right now.

My amendment will make all the demonstration cities use only those urban renewal dollars that come from appropriations authorized under this bill. It will leave the urban renewal authorization already in existence for those cities that do not qualify under Secretary Weaver's criteria as a demonstration city. They can still obtain urban renewal funds if my amendment passes.

I would think the majority would welcome this amendment, since it cures the basic defect in the bill: A great deal for a few and very little, perhaps nothing, for many.

I am thinking of the statement made yesterday on the House floor by the gentleman from New York about the Poughkeepsies and whether they would still be able to keep their urban renewal money.

My amendment, if adopted, would still allow the Poughkeepsies and other cities in the United States to obtain urban renewal money under the urban renewal program, even though they were not selected as demonstration cities.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. Is it not true that what the gentleman is trying to do with the amendment is to take out the $250 million of urban renewal money which is within the demonstration cities program from the $900 million to be appropriated for the 2 years for the demonstration cities program?

What is the shift here?

Mr. WIDNALL. The $250 million, as I understand it, would be for the one-third contribution with respect to the cities. Now, there is another two-thirds contribution that would also be earmarked under this bill and would become a priority item for demonstration cities, as I understand the proposal now before the House.

Mr. BARRETT. Much as I hate to disagree with my colleague and the leader of the minority on the committee, his amendment does nothing to help either urban renewal or the demonstration cities program. This will take out of the urban renewal $250 million which could be used to benefit the demonstration cities program by wiping it out and taking the $250 million out of the $900 million to be appropriated for the demonstration cities program.

I am sorry to say, Mr. Chairman, I do not believe the amendment is well thought out, and it will not have the effect the gentleman intends it to have.

I hope the amendment is voted down, to save time.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

(By unanimous consent, Mr. WIDNALL was allowed to proceed for 2 additional minutes.)

Mr. WIDNALL. Mr. Chairman, we just had extensive debate over the $900 million to go into the demonstration cities program, all earmarked for that purpose. We did not debate the $250 million of other urban renewal authorizations presently in existence.

As I understand the remarks of the distinguished leader of the House majority on the subcommittee, the $250 million in this bill for urban renewal is intended just for the 50 demonstration cities; but, the existing authorizations for urban renewal for which many, many nondemonstration cities have needs at the present time, would be affected. These nondemonstration cities could end up with nothing, the money would go to the 50 demonstration cities.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman from Ohio.

Mr. ASHLEY. The gentleman will recall that during the days when our subcommittee was considering this bill he and I and others on the subcommittee were concerned lest urban renewal funds which would otherwise be available to cities not participating in the demonstration cities program might, because of the priority of the program, be channeled into the demonstration cities program. The gentleman will recall that the answer of the subcommittee to this problem was to make available additional urban renewal funds specifically earmarked for the demonstration cities program.

The $250 million to which the gentleman is referring in his amendment are funds for urban renewal that will go directly and specifically for demonstration city projects so that there will not be a drain on urban renewal funds under the general program; funds which will go to support urban renewal projects which are independent of demonstration cities projects.

Mr. WIDNALL. Also at the time this was discussed it was decided to put in $600 million in additional urban renewal funds in order to prevent this, and it went to the Senate and they cut it by $350 million.

The CHAIRMAN. The time of the gentleman from New Jersey has expired.

Mr. WIDNALL. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. ASHLEY. Mr. Chairman, if the gentleman will yield further, he is entirely correct. We did most certainly put that in at $600 million. That was when we were considering a demonstration cities bill of a magnitude of $2.3 billion.

Mr. WIDNALL. It is a greater magnitude now. Let us not discuss that here.

Mr. ASHLEY. That is the point. It was cut down in the Senate to $250 million because grant funds for demonstration cities were cut from $2.3 billion to $900 million.

The CHAIRMAN. The time of the gentleman from New Jersey has again expired.

Mr. WIDNALL. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. CAHILL. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. CAHILL. I am not clear myself—and I suppose some of the others may have the same problems that I have—as to what exactly the gentleman's amendment means. Do I understand that in addition to the $400 million authorized under the demonstration cities title of this bill that there will be an additional $250 million coming from urban renewal funds and that if a city is entitled to urban renewal but not selected as a demonstration city, that there will be $250 million less for those cities qualified but not eligible as demonstration cities?

Mr. WIDNALL. The urban renewal funds in this, $250 million, could not be touched by other cities in an urban renewal project. It would have to be a demonstration city to touch the $250 million. And that $250 million will not be enough unless the Demonstration City program is a failure.

The CHAIRMAN. The time of the gentleman from New Jersey has again expired.

Mr. WATSON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Chairman, should we pass this so-called demonstration cities bill, we will be opening the door to one of, if not, the most expensive programs ever considered by us. Frankly, I doubt that we would even be able to afford the printing presses to print the money that will be necessary, much less finance this program to its completion.

Instead of trying to bribe the cities with their own money, why do we not allow the cities to keep some of their own money? Frankly, most of the financial problems in our communities and cities are primarily the result of Washington preempting their tax base and diminishing their ability to meeting the needs of their own citizens. What is happening today is that the Federal Government has so choked and stifled our State and local governments in the realm of taxation, that our local governmental officials are being forced to turn to us in desperation.

Just as we are facing serious problems in our educational systems because of the illegal guidelines promulgated by the Commissioner of Education Harold Howe, passage of this legislation will bring further guidelines in the area of housing as well as education. We have allowed too much Federal money into our schoolhouses, and now Washington seeks a further invasion and takeover of our city halls and county courthouses.

According to the proponents of this measure, and I quote:

> The Federal Government will help with technical and financial assistance, those cities presenting imaginative and effective ways of dealing with the physical and social problems of our urban areas.

Under the provisions of this measure, only those cities which are willing to submit to certain criteria as laid down by the Federal Government will be the beneficiaries of this financial aid. This means, they must conform with such plans as may be laid down by the Federal Government.

Without question, this bill would place unprecedented power in the hands of Commissioner of Education Howe, and the Secretary of Housing and Urban Development Robert Weaver. Past experience should convince us that these funds would be used primarily for the purpose of racial, social, and economic integration and not to remove the blight in our cities.

Many of our communities and States have earlier experienced the heavy hand of Federal "registrars" attempting to direct our elections. But under the provisions of this bill, we will find new Federal commissars roaming the country under the name of "expediters." As one of our noted columnists properly said, this bill is truly a "Trojan horse," and if the people knew what was in it, they would "hang its sponsors."

Let us not pass this measure which would put an economic pistol to the heads of our cities to be used primarily for further racial integration in housing and in our neighborhood schools. The people are tired of Washington's effort to buy or bribe them with their own money.

Certainly, no one could allow title II of this omnibus bill to be passed. Under its provisions, no metropolitan community would be able to get financial assistance, even for the development of water or sewage facilities, or any other program, without Secretary Weaver imposing such terms and conditions as he deems necessary on other projects that are federally assisted. The Secretary could make any grant for any project contingent upon areawide school mixing, or, for that matter, any other contingency of his choosing. Even zoning of land, or busing of children could be forced upon the metropolitan area prior to approval of a grant for any purpose, although totally unrelated.

Mr. Chairman, while the local governments need additional funds to meet increased demands as the result of increased population and depreciating facilities, I believe the price of this program, particularly in terms of money and in loss of local control, is too high to pay. We would be opening a Pandora's box, from which only a few cities, who are willing to succumb to all Federal demands, would be benefited, and the others would continue wrestling with their own problems, with even a heavier individual Federal tax burden. It is time we realize that Federal money is not the answer to all of our problems. The magnitude of this program is difficult to imagine, for the President himself has said that it would eventually require upward of $100 billion.

Mr. CAHILL. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I take this time merely to ask some questions, because frankly I am still perplexed. I ask any member of the committee this question: Assuming that a city is eligible for urban renewal funds and, as a project, it is qualified but that city does not qualify as a city under the demonstration cities program, will there be $250 million less for the city qualified under urban renewal but not qualified under the demonstration cities?

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. CAHILL. I will be happy to.

Mr. ST GERMAIN. The $750 million appropriation referred to by Mr. JONAS of North Carolina earlier this afternoon is $750 million for urban renewal in existing communities that have filed applications. When we had the hearings on this bill some of us questioned the Secretary of HUD as to whether or not the bill passed, if a city selected as a demonstration city were to have an urban renewal project in it, would it then have a priority on urban renewal funds, on the existing authorization, the annual yearly authorization. He said, "No. We are not going to rob Peter to pay Paul." By the same token, when asked where those funds would come from, he had no answer. Therefore, the subcommittee put in $600 million which has been now cut to $250 million for the specific purpose of funding urban renewal projects in demonstration cities. This is to protect other cities without demonstration cities projects to see to if they can continue to get their urban renewal funds.

Mr. CAHILL. So, what the gentleman is saying is that, in effect, there will be $250 million additional urban renewal funds?

Mr. ST GERMAIN. That is correct.

Mr. CAHILL. And, which will be available for those cities which qualify under the demonstration cities program?

Mr. ST GERMAIN. That is correct.

Mr. CAHILL. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. WIDNALL].

The question was taken; and on a division (demanded by Mr. WIDNALL) there were—ayes 29, noes, 54.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. FINO

Mr. FINO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINO: On page 38, line 17, strike out "and".

Page 38, after line 17, insert the following: "the Secretary shall not approve any until a list shall have been furnished of local groups which will be participating in such program, and these shall have been investigated by the Department of Justice to see if any among them shall be subversive, or connected with 'black power' or any other racist organizations."

Page 38, line 18, strike out "(5)" and insert "(6)".

Mr. FINO. Mr. Chairman, the purpose of this amendment is to require the Justice Department to check out any groups which are to participate in demonstration cities programs.

I do this in order to tell this House about the big lie of Dr. Robert C. Weaver, who has pressured the San Francisco redevelopment director, Justin Herman, into denying his earlier statements about "black power" lining up for control of the demonstration cities program.

On Tuesday, I wrote to President Johnson to tell him of a report in the August 28 Washington Post that the San Francisco redevelopment director was dickering with black power for control of the demonstration cities program. The President sent my letter to Dr. Weaver. What did Dr. Weaver do? Dr. Weaver called Justin Herman in San Francisco. I guess he told Herman "deny this black power business or we are sunk." So Herman sent Weaver a telegram. In his telegram—which the gentleman from New York [Mr. SCHEUER] put in the RECORD yesterday—he said that the Washington Post story was "absolutely without foundation." He said that Post Reporter Nicholas Von Hoffman's charges were "ridiculous."

Now it occurred to me that the Washington Post is not the newspaper to be making up things that talk about black power. I checked and I found out that Justin Herman, out in San Francisco, was an old friend of Dr. Weaver's and a typical social planner from way back. He has been working with black power in San Francisco both before and after the riots. I guessed that perhaps Mr. Herman and Mr. Weaver had worked this out together—that they would cover up for black power. For this reason, Herman sent the telegram to Weaver calling Post Reporter Von Hoffman a liar.

This morning, one of my aids called Von Hoffman. He was staying at the Admiral Benbow Hotel in Jackson, Miss., covering a civil rights story. Nicholas Von Hoffman confirmed his story. He said that Justin Herman said "literally" everything that he, Von Hoffman, had quoted, both about black power and about the Government financing overt revolution.

Regarding the Herman denial, Nicholas Von Hoffman said Justin Herman, was full of bull, although the implication was much stronger. According to Mr. Von Hoffman, Herman said all this at a site office dedication in Hunters Point, San Francisco, in late August. He could not be more exact.

One month later, these quiet little friends of Mr. Herman and Dr. Weaver rioted in the streets of San Francisco; burning, looting, and pillaging. Shall we give them a present of money? Are we going to fund black power? That is exactly what you will be doing if you pass this bill.

I accuse Dr. Robert C. Weaver of the Department of Housing and Urban Development of having designed legislation to force school and residential racial balance schemes on this Nation against the people's will.

I accuse Weaver of having tried to hide this from the Housing Subcommittee of this House.

I accuse Weaver of having conspired with Justin Herman, the San Francisco redevelopment director, to hide and falsely deny to this House the position of black power vis-a-vis the demonstration cities program.

The CHAIRMAN. The time of the gentleman from New York [Mr. FINO] has expired.

Mr. FINO. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

Mr. MULTER. Mr. Chairman, I object.

The CHAIRMAN. The Chair has not put the question yet.

The gentleman from New York asks unanimous consent to proceed for 1 additional minute. Is there objection?

Mr. MULTER. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. PELLY. Mr. Chairman, I move to strike out the last word.

I yield to the gentleman from New York who may have the 5 additional minutes.

Mr. FINO. I thank the gentleman from Washington for yielding to me.

Mr. MULTER. Mr. Chairman, I would ask that the regular order be observed. There were several Members of the Committee on their feet who were seeking recognition.

The CHAIRMAN. The Chair has already recognized the gentleman.

Mr. FINO. Mr. Chairman, this House must not set up a $900 million program tainted by the false statements of the Department of Housing and Urban Development and susceptible of use as a gravy train for "black power." Before we take any further action on this bill, Dr. Weaver, Mr. Herman, and other persons concerned should be called before a special House committee and questioned. It is a shocking thing to see a member of the U.S. Cabinet covering up for and maybe even working with—"black power." These charges should be investigated, and if they are true, Secretary Weaver ought to resign.

I hope that this Committee will adopt this amendment.

Mr. PELLY. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. For what purpose does the gentleman from Pennsylvania [Mr. BARRETT] rise?

Mr. BARRETT. Mr. Chairman, in the interest of time, I ask unanimous consent that we vote on this amendment immediately.

Mr. MULTER. Mr. Chairman, I object.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. BARRETT] makes the unanimous-consent request that the vote be taken on this amendment at once.

Is there objection?

Mr. MULTER. Mr. Chairman, I object, and I am seeking recognition.

The CHAIRMAN. Objection is heard. For what purpose does the gentleman from New York rise?

Mr. MULTER. Mr. Chairman, I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New York will be heard for 5 minutes in opposition to the amendment.

Mr. PATMAN. Mr. Chairman, will the gentleman yield for a unanimous-consent request?

Mr. MULTER. I yield to the gentleman.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that at the conclusion of the 5 minutes by the gentleman from New York [Mr. MULTER] that we vote on this amendment only.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]?

There was no objection.

Mr. MULTER. Mr. Chairman, I suppose there is a first time for everything. This is the first time since I have served in this House, and that is since 1947, that I have ever objected to a request for an extension of time that was asked for by any Member. This is the first time I have objected to the closing of time in order to expedite action on a bill.

Mr. Chairman, I have had it up to here. I am nauseated by the arguments that have been made on this floor today about the civil rights that are supposed to be in this bill, when, as a matter of fact, there are no civil rights provisions in this bill.

I recall with great amusement the argument made by the gentleman from Michigan [Mr. WILLIAM D. FORD] in answer to some of the same arguments that were made here, when they were made against the education bill by the same gentleman from New York. You may remember the story that was then told about the old maid looking under the bed hopefully for what was not there. Our colleague has looked under the bed and found nothing but invective and scare words. Having found no civil rights in this bill, he has now found black power. In support of this amendment he drags in black power. Few, if any have been frightened by him. Most have been disgusted by his arguments.

As a member of a minority group that has suffered many persecutions, I know what it means to have these false insinuations hurled around without rhyme or reason. I want to say here, and I say it most deliberately, that the use of the words "black power" here today in order to malign all the nonwhite people of the country and all the Negroes should be stricken from the RECORD.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. MULTER. Not at the moment.

The CHAIRMAN. The gentleman refuses to yield. The gentleman will proceed.

Mr. MULTER. The use of the term "black power" here today in opposition to this bill and in support of this amendment is as bad as if some Member should rise and say that every Italian is a member of the Black Hand. Yes, it is just as bad—and I would resent that kind of statement as vigorously as I do now resent the use of the words "black power," only to try to smear all of the Negroes of the country and to insinuate that there is anything in this bill about black power.

There is nothing in this bill about black power. None of the members of this committee on either side of the aisle—none of them—should be subjected to the charge we are trying to inject black power into this bill or are trying to get it enacted because of any of the insidious and invidious implications hurled here today.

I resent it with all the vigor at my command, and I ask that the amendment be voted down. Not only for the reason just stated, but because it is nonsensical. It uses the words and asks for an investigation of local groups that may be planning something under this bill. Nowhere in this bill—and I have searched it through—is there any use of the words "local groups." I am certain that the gentleman cannot tell you what he means by "local groups." There is no mention of local groups anywhere in this bill. This is one more attempt by him to create some emotional reaction against the bill.

He should have heeded what the ranking minority member of his committee urged when he said that we should ignore the appeals to the emotions and asked us to talk about the merits of the bill.

Mr. JOELSON. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from New Jersey.

Mr. JOELSON. I think the gentleman should have let the gentleman from New York [Mr. FINO] speak, because I think in speaking for the "Fino fear amendment" the gentleman from New York [Mr. FINO] is proving what the President of the United States has been saying these past few weeks, that many people on the opposition side of the aisle have a platform composed of one word—"fear." This fear is being stirred up here today, and it is completely unjustified.

Mr. MULTER. The gentleman is correct, but I want to emphasize that by "many" he does not mean all, because I would not charge all members of the minority with that attempt to drag in emotional appeals and to create the fears and scares, because, although some of them are doing it, not all are doing it.

Mr. JOELSON. Mr. Chairman, will the gentleman yield further?

Mr. MULTER. I yield to the gentleman from New Jersey.

Mr. JOELSON. I chose my words very carefully, because I have many good friends on the other side of the aisle who certainly do not resort to such tactics, and I want that clearly understood.

Mr. MULTER. As per permission granted, I include the following editorial from today's Washington Post. It speaks loud and well against all that the gentleman from New York [Mr. FINO] has said. It follows:

FALSE ACCUSATION

The Demonstration Cities Bill will come to a vote in the House in an atmosphere polluted by increasingly gross attempts to stir up racial antipathies. The chief responsibility for this ugly campaign lies with Rep. PAUL A. FINO, a Republican from New York City, and the Republican Policy Committee. They have been going at it, hammer and tongs, to persuade the House that the bill conceals a Federal plot to coerce cities into programs of school integration and busing. This charge is, as we have earlier stated, a fantasy.

Mr. FINO's letter to this newspaper, printed on Wednesday, selectively quotes from the testimony of Secretary Weaver to misrepresent the Administration's repeated position. It is correct, as Mr. FINO says, that metropolitan planning under Title II of the bill must take account of schools. It must also take account of topography, but it is not a bill to move mountains. It must take account of land use, but it does not empower the Federal Government to zone the suburbs. Neither does this bill, nor any other legislation, contain any power whatever enabling the Federal Government to set standards of racial balance in classrooms. The Demonstration Cities Bill gives neither metropolitan planners nor Federal Government any authority to influence school policy either by holding up grants or by any other method. Mr. FINO's charge is flatly wrong.

But while the charge is wrong, it has its uses for a Republican leadership that hopes to force Southerners to vote against the bill. That event would be a tragedy, for the Southern cities as well as Mr. FINO's New York urgently need this bill. If Mr. FINO has any doubts about that need, he might profitably read the testimony offered by New York City's Republican mayor.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from New York.

The CHAIRMAN. The time of the gentleman from New York has expired. All time has expired.

The question is on the amendment of the gentleman from New York [Mr. FINO].

The amendment was rejected.

AMENDMENT OFFERED BY MR. CASEY

Mr. CASEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASEY: Page 38, line 20 add the following language: "In no instance shall the Secretary require a zoning ordinance and map as a requirement for participation in this program".

Mr. CASEY. Mr. Chairman and Members of the Committee, yesterday I placed in the RECORD, on page 26629, a list of cities of over 10,000 that do not have zoning which was furnished to me by the American Municipal Association, I believe it is. I have since found out that the RECORD I received is not completely accurate. I used the city of the charming gentlewoman from Hawaii, Honolulu, as an example. She corrected me, and I have since looked over the list and found that there were one or two other errors.

But there are over 290 and some odd cities of over 10,000 without zoning. One of those cities is the city of Houston, Tex., one of the largest in our Nation, one of the top 10. I will not get into an argument with anyone today as to which city is larger. I have been through that before, you will recall. But Houston is definitely in the top 10 of the largest cities in the Nation, and it does not have zoning.

The people of the city themselves have voted down zoning three times in the last several years.

Mind you, if the amendment is not adopted, I am confident that the same type of regulation with reference to title I of this bill will be adopted as was adopted for urban renewal.

On urban renewal, the minimum requirement is that one must have a zoning ordinance and map and subdivision regulations.

Let us not cut out all of these cities which do not have zoning. Let us make it so that the Secretary will consider every city which submits its application.

I do not know how many cities of under 10,000 there are which do not have zoning, but you can bet your bottom dollar that they will be excluded and they cannot qualify unless they adopt zoning.

I do not believe that Houston really has suffered from not having zoning. It is not a perfect city. We do not qualify for urban renewal, either, from that standpoint, because we do not have enough unemployment, and we do not have any depressed area recognition.

What I want to do is to put this in here so that should this bill be passed my city and all these other cities which do not have zoning will have an opportunity to make application.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. CASEY. I am glad to yield to the gentleman from Pennsylvania.

Mr. BARRETT. I note that, as the gentleman pointed out, there are several errors in his bill, and certain people called attention to them.

Mr. CASEY. Not in my bill. That is in the list of cities I put in the RECORD.

Mr. BARRETT. We did not have the opportunity to hear any testimony on the gentleman's bill.

I do not see the need for this amendment. I am fearful it might distort the program. I would hope that the gentleman would withdraw his amendment and let the Banking and Currency Committee have an opportunity to give him a hearing on it, to learn the merits of it, in order that we might be helpful to him.

Mr. CASEY. I do not believe it takes any great hearing to determine whether or not we are going to give every city in this country an equal opportunity to participate in this program.

Merely because a city might not have an adopted zoning ordinance, I believe the Secretary could consider what other steps they have taken. In my city, since the people voted down the zoning, they have set up a planning commission. They have insisted that on any subdivision the subdivider submit proper covenants running with the land, to protect the growth. I believe it would be fair for the Secretary to take that into consideration.

But I do not believe we should have a hard and fast rule, like there is on urban renewal, that if a city does not have a zoning ordinance it cannot apply.

Mr. BARRETT. The gentleman certainly does not want to pass on such an important amendment as this——

Mr. CASEY. I certainly do want to pass on this amendment. I also want it to be adopted, because it is the fair thing to do.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I am glad to yield.

Mr. ASHLEY. The gentleman wants us to adopt the amendment, but he has shown it to us for the first time today.

Mr. CASEY. It has been sitting at the desk since this morning.

Mr. ASHLEY. We have been considering this bill for 6 months.

Mr. CASEY. Surely, but the gentleman does not expect the House to accept this bill without any amendments whatsoever.

Mr. ASHLEY. Not at all.

Mr. CASEY. I dare say the gentleman, in his long tenure, has offered many amendments which were not submitted first to another committee.

Mr. ASHLEY. And I plan to.

Mr. CASEY. I urge the adoption of the amendment.

Mr. BARRETT. Mr. Chairman, I rise in opposition to the amendment.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Ohio.

Mr. ASHLEY. I would point out very briefly, Mr. Chairman, that there is no requirement in the measure before us for zoning. The gentleman raises, it seems to me, an issue which does not exist.

Mr. CASEY. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Texas.

Mr. CASEY. I do not believe there is any requirement in the Urban Renewal Act, either, but it is required by the Secretary. I just want to see that he does not make it a prerequisite.

Mr. ASHLEY. I would say this: If he does, frankly, in my view, it would not be a cataclysmic mistake. Zoning, by most cities and by most authorities in the field of planning and urban development, is considered an extremely useful tool. I know the gentleman's city of Houston has not adopted this.

It would seem to me that the Department is fully aware of this. If the gentleman's city would wish to qualify, it might well draw its plan around the fact that it does not believe in zoning, but this afternoon I do not think we want to carve out a little enclave for Houston, Tex., and say to the rest of the cities of the country in effect that zoning is not important and that there need be no requirement for you to utilize this tool as you have in the past. It does not make any sense to me at all, and I certainly urge the Members of this body to oppose the amendment.

Mr. CASEY. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. Yes. I yield to the gentleman.

Mr. CASEY. I am not pleading here for just one city, I will say to the gentleman. It is true, although I am interested in my own city, I am also interested in the other 200-and-some-odd cities of over 10,000 population, to say nothing of the countless cities under 10,000 population who are in the same category. I do not want them to be precluded by saying that they cannot apply because they do not have any zoning.

Mr. ASHLEY. There is no suggestion in the bill about it.

Mr. CASEY. They are not in the urban renewal bill but in the other parts they say you have to have a zoning ordinance.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. Yes. I yield to the gentleman.

Mr. WIDNALL. I am grateful to the gentleman from Texas [Mr. Casey] for pointing out how Houston has been able successfully to get so many Government contracts and Government installations down there. Maybe they have pointed the way to other cities of the United States by not having zoning ordinances. Actually, I do not believe there is anything unfair about this provision at all, and I certainly hope the amendment will be voted down at this time. We can consider it later on, as the majority chairman suggested.

Mr. MOORHEAD. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman.

Mr. MOORHEAD. I think this amendment is not only possibly dangerous but certainly unnecessary in view of the fact that the House adopted the Hardy amendment, which says that the Secretary shall not establish any requirements or criteria except those which are related to and essential to the specific provisions of this title. I think this amendment should be defeated.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. Yes. I yield to the gentleman.

Mr. BROCK. I appreciate the gentleman's yielding.

I rise in support of the amendment of the gentleman from Texas. I can see no possible reason to exclude 200 major cities of the United States, not just in Texas but in 44 States of the Union. Whether you are for this bill or not, you have no right to discriminate against those cities because by their own choice they have no zoning ordinance. It is commonsense that we should prohibit the Secretary from doing exactly what he is doing. This amendment makes a great deal of sense.

Mr. MIZE. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman.

Mr. MIZE. I notice in the material that was put in the Record by the gentleman from Texas, Congressman Casey, that Wichita, Kans., is one of the cities that does not have zoning laws and will apparently be affected by this. However, I know they have an urban renewal program in Wichita.

Mr. BARRETT. Mr. Chairman, I ask unanimous consent that we vote on this amendment immediately.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. Casey].

The question was taken; and on a division (demanded by Mr. Casey) there were—ayes 28, noes 47.

So the amendment was rejected.

Mr. JARMAN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I take this time to place on record the opposition of thousands of Oklahomans to this bill.

Mr. Chairman, this week I have received at least 5,000 telegrams, letters, and postcards expressing that opposition.

Mr. Chairman, in this morning's mail I received these petitions contained in this box, signed by 5,877 Oklahomans.

I am advised that these people signed these petitions after reading editorials on the demonstration cities bill that were carried in the Daily Oklahoman and in the Oklahoma City Times.

Mr. Chairman, I shall insert these editorials at this point in my remarks.

The editorials referred to follow:

[From the Oklahoma City (Okla.) Daily Oklahoman, Oct. 4, 1966]

Biggest Pork Barrel Yet

While President Johnson was asking the governors to cut their spending, the house was preparing to consider a measure of his own that would open up the biggest political pork barrel in history.

The bill in question would commit the federal government to a new urban spending program of vast and nearly limitless dimensions. It would reduce the cities to federal chattels in accordance with the supreme court's dictum that the federal government controls what it subsidizes. It would be useful politically to any incumbent administration as an instrument for rewarding friends and punishing foes.

This pending legislation is the Demonstration Cities and Metropolitan Development Act of 1966. It has passed the senate and has cleared the house committee on banking and currency. Its final passage would hasten the trend toward the eventual extinction of local and state government and the consolidation of all powers in Washington.

The senate version contains a $900 million authorization for a two-year "demonstration cities" program affecting an estimated 60 to 70 cities. Participating cities would receive up to 80 percent of local costs for a wide range of federal housing, welfare and transportation aid programs.

To note the bottomless needs of the cities is to have some faint idea of the eventual burden that the President is calling on the federal government to assume in the midst of war and threatened galloping inflation.

Mayor John Lindsay of New York City told a senate subcommittee last month that federal aid of $50 billion in the next 10 years would be needed to make his city "thoroughly livable." Detroit Mayor Jerome B. Cavanaugh said Detroit alone needed $15 billion in the next 10 years. Sen. Robert Kennedy, a member of the subcommittee, noted that Lindsay had asked for $50 billion, and inquired concerning how much would be needed if all urban centers in the nation received federal aid at a similar rate. An aide of Mayor Cavanaugh estimated the amount at $1.1 trillion.

The house banking and currency committee says the "demonstration cities" program is to "be planned, developed and carried out by local people." But the bill itself puts almost unlimited powers in the hands of the secretary of housing and urban development.

Interesting in this connection are the supplemental views of Rep. Paul A. Fino of New York City, as appended to the house committee report recommending passage. Rep. Fino says that not one of his constituents has written to support the bill, "but scores have written to protest the way it would give Secretary Weaver and U.S. Education Commissioner Howe dictatorial powers over city living patterns." He says his people "know what Dr. Weaver wants this control for." He says Weaver "wants to control zoning, locations of rent supplement housing, and other facets of so-called open occupancy."

Certainly a proposal calling for such vast new spending is at least debatable at a time when the President professes to be so deeply concerned about inflation. Moreover, the city officials who are running to Washington with outstretched hands might profitably consider what is happening to the public schools and the hospitals as an inevitable corollary of federal subsidy. Along with the federal money, they're now getting their orders from Washington. And right up to the end, a lot of them were insisting that federal money didn't necessarily mean federal control. The Oklahoma house delegation ought to vote in opposition to this attempted federal power grab.

[From the Oklahoma City (Okla.) Daily Oklahoman, October 4, 1966]

HIGHLY QUESTIONABLE

The United States House of Representatives in the next few days will be taking up the Demonstration Cities and Metropolitan Development Act of 1966.

This measure was passed handily in the senate August 19 by a 53 to 22 roll-call vote, but far from enough public discussion has been heard on such a sweeping measure. The public must be made aware of it, and swiftly, before it is too late to do anything about it.

The bill as it now stands would authorize a two-year, $900 million "demonstration cities" plan for concentrated and co-ordinated attacks on urban blight.

Participating cities would receive up to 80 percent of local costs for an array of federal housing, welfare, and transportation programs. The bill contemplates aid to 60 to 70 cities.

The senate did trim down the original request from the $2.3 billion, five-year program requested by the President. But it is the principle of the program, and not just the initial spending involved, that is significant.

What may happen if this bill is passed is that before too long the central government will, in effect, be running the largest cities of our nation.

GREAT POWER

This would give inordinate power over the destines of these major cities to the President of the United States and, in day-to-day details, to the secretary of the department of Housing and Urban Development (HUD).

It would make possible a system of reward and punishment to the cities involved ("stay in line, or else!"). And it doesn't take much imagination to see how much this would help the party in power, and particularly the Democrats who are strong in most of the cities anyhow.

The states with the big cities have the electoral votes, so it can be seen how such a program would be of great aid to the Democrats. It could consolidate the Democrats in power forever, casting into discard the two-party concept.

Certainly the "demonstration cities" approach would be discriminatory against the many municipalities which were not included. Even with their ordinary slice of federal funds, they would be at a disadvantage against the special favors granted the others.

As the centralization of government grows rapidly, there is a feeling that nothing can be done to check it. But here is one positive place where a "no farther" protest could be registered.

This newspaper urges the Oklahoma delegation to join Rep. John Jarman, who is avowedly against the bill, in voting against the "demonstration cities" measure.

[From the Oklahoma City (Okla.) Daily Oklahoman, Oct. 5, 1966]

PROPOSAL STUDIED: STATE'S DELEGATES EYE BILL FOR CITIES

(By Allan Cromley)

Washington.—A dark cloud is on the legislative horizon for members of the Oklahoma house delegation.

The house next week is expected to take up a bill authorizing "demonstration city" grants for community renewal and other programs which are accumulating controversy as the legislation approaches the roll call stage.

The Sooners are not unique—the bill is causing discomfort among many members, and predictions are that its passage or defeat will be by a narrow margin.

The bill, a version of one passed by the Senate, also does these things:

One—Authorizes "incentive" grants to encourage metropolitan-wide planning.

Two—Provides Federal Housing Administration mortgage insurance for developers of entire new towns and communities.

Three—Establishes FHA mortgage insurance to finance and equip facilities for group medical and dental practices.

Proponents of the legislation claim it allows communities to pull themselves up by Uncle Sam's bootstraps. Opponents contend the result will be dangerous federal control of nearly every kind of community activity—including schools.

The bill calls for a two-year authorization of $400 million next fiscal year and $500 million the following year.

Except for Representative John Jarman, Sooner representatives are hesitant about committing themselves.

Jarman said, "It's a program this nation can do without. The administration originally asked $2.5 billion for it over the next five years, and the President has been quoted as saying it could cost $100 billion.

"With the tremendous financial demands of Viet Nam and other domestic programs, I think the bill is not justified at the present time and I will vote against it."

Rep. Page Belcher, the delegation's only Republican, was almost as definitely opposed as Jarman.

Belcher said he could not vote for the bill "unless it is drastically changed."

He said Oklahoma City and Tulsa are "out of it . . . nobody knows who the demonstration cities will be. There's a lot of politics in this one. I've received a lot of mail against it."

Rep. Jed Johnson, Jr., said he could make "no firm comment now," but he added that he has "serious reservations."

He said there is "some interest" for the bill in Lawton.

Johnson added that he would "have to make cottonpickin' sure that a city in my district would be selected as a demonstration city."

Rep. Ed Edmondson said he "hasn't been sold on the legislation . . . but I'll keep an open mind until the debate."

Rep. Tom Steed said he is "not opposed to demonstration cities per se. If Oklahoma City and Tulsa could participate, I'd be for it.

"I've heard talk that some big cities were earmarked for the program and we'd be cut out. It depends on who is chosen.

"That may sound provincial, but unless it has that broad scope, we don't want any part of it."

Rep. Carl Albert is recuperating from a heart attack, and could not be reached for comment. However, as majority leader he has supported virtually all Great Society programs in the past and presumably would be for the legislation.

[From the Oklahoma City (Okla.) Sunday Oklahoman, Oct. 9, 1966]

HEADED FOR DISASTER

Recently the President of the United States called 15 governors into the White House and solemnly warned them to cut back the spending of their states as it was adding to inflation.

He said nothing about the fact that more than half of each state's expenditures is in matching funds to meet the requirements of federal demands for aid to welfare recipients, schools and colleges, agricultural programs, highway construction and literally dozens of other federal programs.

If the federal government would cut back its demands of matching funds, state expenditures would automatically decline. The savings which governors could make would be peanuts compared with the untold billions broadcast throughout the world by the federal administration.

Almost daily the White House comes out with new or additional proposals for scattering billions of dollars at home and abroad. One of the latest proposals is the most gigantic give-away ever devised by a prodigal government.

A bill already has passed the senate by a vote of 53 to 22 to select 60 or 70 cities in which the federal government will furnish most of the money to entirely rehabilitate and modernize each city, including its public transportation. This bill is highly discriminatory for the 60 cities would be selected with presidential approval and all rival cities and towns would be taxed to pay for the benefits in politically selected cities.

Some congressmen say that they have been told by the President that this project will take $100 billions. That is an under-estimate for it could take several hundred billions since every city left out of the give-away group will be howling for its share of the flood of money from the United States treasury.

The mayor of New York City has said that his city alone would need $50 billions.

Every town of even 5,000 or 10,000 could justly rise up and demand that it be given similar donations for public improvements.

MONEY GETS VOTES

The poverty program and other giant giveaways are not supposed to be discriminatory, but this record breaking proposed flood of free funds can always be managed to go only where it will produce the greatest number of votes for the benefit of the Democratic Party.

Great numbers of senators and congressmen are afraid to vote against this bill for if they did, their states and their cities would be left out in the cold. The house may vote on this bill this week. Wire or call your congressman today.

The majority of congressmen and senators are not voting their honest convictions. The White House often obtains their vote either by bludgeoning threats or reprisals or by sugaring them up with promises of great rewards for voting as the White House dictates.

Most American voters are blindly unaware of the abyss of debt which lies ahead. The interest on the national debt is now about $13 billions per year. This sum of more than $1 billion monthly means that the monthly interest payment for every man, woman and child in the United States averages more than $5.00 and is rapidly going higher. A family of five with an average income is paying more than 25 per month interest on the national debt.

Soon the outstanding debt, costing perhaps 3½ percent to 5 percent interest, will have to be refunded at near 6 percent and the monthly bill of interest for each man, woman and child will soar above $7.00 per month.

Unless American citizens wake up and elect only representatives who have the backbone to stand up for their own convictions and refuse to be intimidated by threats or seduced by promises of pie in the sky, then this country is heading for bankruptcy.

This newspaper is fully aware that this editorial will cause Oklahoma City to be blacklisted off the favored city lists.

[From the Oklahoma City (Okla.) Daily Oklahoman, Oct, 10, 1966]

NOW OR NEVER

Voters in all 50 states now have only a few days' time within which to head off the most gigantic raid on the federal treasury which was ever devised. Protests by the thousands must be sent to all congressman and senators.

A vote is scheduled this week or next by the lower house of Congress on a bill entitled, "Demonstration Cities and Metropolitan Development Act of 1966." Already this bill has passed the senate by a vote of 53 to 22 and has been approved by the house committee on banking and currency.

The measure provides for the administration to select 60 or 70 cities for a complete remodeling and developing, including public transportation. The President is quoted as saying the measure will require $100 billion. This is sure to be a gross under-estimate, for few metropolitan cities could be remodeled without an expenditure of several billion dollars and when the treasury begins financing the initial list of 60 or 70 cities, hundreds of other cities will demand the same bountiful treatment.

Every farmer, every workman, every individual and every corporation will be taxed to rebuild these cities.

The government will have no money for this project except what it may borrow at high rates of interest from the sale of government bonds or new taxes.

The government's present income from taxes and other sources is insufficient to meet its present expenditures for the war and the "Great Society," hence additional taxes and additional bond issues would be necessary to meet the cost of remodeling our cities.

No one can doubt that the list of cities would be politically selected and the most money spent where the most votes could be garnered.

The newspapers and the public throughout the United States apparently were asleep when this project for gutting the federal treasury was devised.

Write, wire or talk to your congressman, for it is the only way to prevent the house of representatives from bringing financial disaster to the nation.

[From the Oklahoma City (Okla.) Daily Oklahoman, Oct. 10, 1966]

EDITORIAL SPARKS PETITION CAMPAIGN

Political affiliations took a back seat Sunday night as Oklahoma City residents responded to a petition campaign against a massive congressional spending program on city development.

The petition drive was started by several city men after they read an editorial on the front page of The Sunday Oklahoman.

A table was placed in front of the new Oklahoma Publishing Co. building on NW 4 about 6 p.m. Sunday. The drive had been publicized on city radio stations, and, within minutes, cars began arriving from as far away as Guthrie.

At midnight, 384 persons had signed the petition which will be sent to Oklahoma congressmen.

Petition sponsors said they would return to the NW 4 location Monday at 8:30 a.m. so others might sign.

Honorary chairman of the petition committee is Jim Wade sales representative for an aircraft plant. He said the idea for the petition was a "spontaneous thing to show approval of the editorial."

Thomas J. Harris, city management consultant, was one of the men instrumental in organizing the petitioners. He called city radio stations, announcing that a table would be set up for those concerned about the proposed $100 billion city development bill.

The petition states, in part: ". . . We wish to identify ourselves with the position stated in that editorial (The Sunday Oklahoman) and call upon our representatives in the senate and house in Washington to act accordingly. Now is the time to stand up and be counted."

Signers appeared fairly evenly divided between Republicans and Democrats, judging from those who volunteered political affiliations, petition sponsors said. Of course, political party is not noted on the petition, the sponsors added.

Mr. JARMAN. Mr. Chairman, I am advised that several of these petitions were signed by 500 people last Sunday evening, from 6:20 p.m. to midnight, after they heard by radio and television that said petitions could be signed at a table outside the Oklahoma Publishing Co. on Fourth Street in Oklahoma City. I am advised that these people left parties, quiet evenings at home, church meetings, and some even got out of bed to make a special trip to town just to sign the petition.

Mr. Chairman, these signatures were obtained with little or no effort except the simple announcement that a petition was available—no organization headed this effort—and most of the people had to go to the petition rather than have the petition brought to them. I am advised that there are many more such petitions on the way to me here in Washington.

Mr. Chairman, the petitions referred to carried this message to Mr. E. K. Gaylord, publisher of the Oklahoma Publishing Co.:

> We the undersigned, citizens of Oklahoma, do hereby record our approval and express our appreciation for the front page editorial in the Sunday Oklahoman dated October 9, 1966.
>
> We wish to identify ourselves with the position stated in the editorial and call upon our representatives in the Senate and in the House in Washington to act accordingly. Now is the time to stand up and be counted—if, in fact, Oklahoma City does lose a Federal aid program but the Nation is saved from bankruptcy, we believe all responsible citizens will join in supporting this action.

Mr. Chairman, with reference to the final thought expressed in the petition, let me point out that the editorial carried in last Sunday's Oklahoma City paper stated in part:

> This newspaper is fully aware that this editorial will cause Oklahoma City to be blacklisted off the favored city lists.

Mr. Chairman, these petitions, editorials, telegrams, postcards, and letters represent the strongest expression of position on any bill by the people I represent during my 16 years in the Congress. It is clear-cut evidence that they are fed up with Federal programs that jeopardize the fiscal integrity of our Nation, with Federal handouts that inevitably mean Federal control at State and local levels, with a consistently unbalanced budget and a tremendous, always increasing national debt that now exceeds $324 billion.

Mr. Chairman, I share the sentiments of the people I represent and I believe that millions of Americans feel exactly the same way. I urge the defeat of this demonstration cities bill.

Mr. BELCHER. Mr. Chairman, will the gentleman yield?

Mr. JARMAN. I am glad to yield to my colleague.

Mr. BELCHER. Mr. Chairman, I wish to associate myself with the remarks of my colleague from Oklahoma and state that I have received literally thousands of telegrams, letters, communications of every kind, not only from Oklahoma City of people that have read the Daily Oklahoman, but people from all parts of Oklahoma.

I might say that the Tulsa World carried an editorial a day or two ago opposing this bill. I have not counted the number of communications, but we received upward of 500 letters in the quickest mail that could get here after the editorial appeared in the Daily Oklahoman.

We have received probably upward of 3,000 or 4,000 communications opposing the bill, and we have received 4 letters supporting the bill.

Mr. Chairman, as I said, I wish to associate myself with the remarks of my colleague.

Mr. JARMAN. I thank the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. PATMAN. Mr. Chairman, since there are no further amendments pending, I ask unanimous consent that the Clerk be instructed to read.

The CHAIRMAN. If there are no further amendments to title I, the Chair would remind the Committee that under the rule, the bill must be read by title, rather than by section.

The Clerk will read title II.

The Clerk read as follows:

TITLE II—PLANNED METROPOLITAN DEVELOPMENT

Findings and declaration of purpose

Sec. 201. (a) The Congress hereby finds that the welfare of the Nation and of its people is directly dependent upon the sound and orderly development and the effective organization and functioning of the metropolitan areas in which two-thirds of its people live and work.

It further finds that the continuing rapid growth of these areas makes it essential that they prepare, keep current, and carry out comprehensive plans and programs for their orderly physical development with a view to meeting efficiently all their economic and social needs.

It further finds that metropolitan areas are especially handicapped in this task by the complexity and scope of governmental services required in such rapidly growing areas, the multiplicity of political jurisdictions and agencies involved, and the inadequacy of the operational and administrative arrangements available for cooperation among them.

It further finds that present requirements for areawide planning and programing in connection with various Federal programs have materially assisted in the solution of metropolitan problems, but that greater coordination of Federal programs and additional participation and cooperation are needed from the States and localities in perfecting and carrying out such efforts.

(b) It is the purpose of this title to provide, through greater coordination of Federal programs and through supplementary grants for certain federally assisted development projects, additional encouragement and assistance to States and localities for making comprehensive metropolitan planning and programing effective.

Cooperation between Federal agencies

Sec. 202. In order to insure that all Federal programs related to metropolitan development are carried out in a coordinated manner—

(1) the Secretary is authorized to call upon other Federal agencies to supply such statistical data, program reports, and other materials as he deems necessary to discharge his responsibilities for metropolitan development, and to assist the President in coordinating the metropolitan development efforts of all Federal agencies; and

(2) all Federal agencies which are engaged in administering programs related to metropolitan development, or which otherwise perform functions relating thereto, shall, to the maximum extent practicable, consult with and seek advice from all other significantly affected Federal departments and agencies in an effort to assure fully coordinated programs.

Metropolitan expediters

Sec. 203. Upon the request of one or more duly authorized local officials and after consultation with local governmental authorities in a metropolitan area, the Secretary may appoint a metropolitan expediter for such area whenever he finds a need for the services specified in this section. The metropolitan expediter shall provide information, data, and assistance to local authorities and private individuals and entities within the metropolitan area, and to all relevant Federal departments and agencies, with respect to all programs and activities conducted within such metropolitan area by the Department of Housing and Urban Development, and with respect to other public and private activities and needs within such metropolitan area which relate to the programs and activities of the Department.

Coordination of Federal aids in metropolitan areas

Sec. 204. (a) All applications made after June 30, 1967, for Federal loans or grants to assist in carrying out open-space land projects or for the planning or construction of hospitals, airports, libraries, water supply and distribution facilities, sewerage facilities and waste treatment works, highways, transportation facilities, and water development and land conservation projects within any metropolitan area shall be submitted for review—

(1) to any areawide agency which is deignated to perform metropolitan or regional planning for the area within which the assistance is to be used, and which is, to the greatest practicable extent, composed of or responsible to the elected officials of the units of general local government within whose jurisdiction such agency is authorized to engage in such planning, and

(2) if made by a special purpose unit of local government, to the unit or units of general local government with authority to operate in the area within which the project is to be located.

(b)(1) Except as provided in paragraph (2) of this subsection, each application shall be accompanied (A) by the comments and recommendations with respect to the project involved by the areawide agency and governing bodies of the units of general local government to which the application has been submitted for review, and (B) by a statement by the applicant that such comments and recommendations have been considered prior to formal submission of the application. Such comments shall include information concerning the extent to which the project is consistent with comprehensive planning developed or in the process of development for the metropolitan area or the unit of general local government, as the case may be, and the extent to which such project contributes to the fulfillment of such planning. The comments and recommendations and the statement referred to in this paragraph shall, except in the case referred to in paragraph (2) of this subsection, be reviewed by the agency of the Federal Government to which such application is submitted for the sole purpose of assisting it in determining whether the application is in accordance with the provisions of Federal law which govern the making of the loans or grants.

(2) An application for a Federal loan or grant need not be accompanied by the comments and recommendations and the statements referred to in paragraph (1) of this subsection, if the applicant certifies that a plan or description of the project, meeting the requirements of such rules and regulations as may be prescribed under subsection (c), or such application, has lain before and appropriate areawide agency or instrumentality or unit of general local government for a period of sixty days without comments or recommendations thereon being made by such agency or instrumentality.

(3) The requirements of paragraphs (1) and (2) shall also apply to any amendment of the application which, in light of the purposes of this title, involves a major change in the project covered by the application prior to such amendment.

(c) The Bureau of the Budget, or such other agency as may be designated by the President, is hereby authorized to prescribe such rules and regulations as are deemed appropriate for the effective administration of this section.

Grants to assist in planned metropolitan development

Sec. 205. (a) The Secretary is authorized to make supplementary grants to applicant State and local public bodies and agencies carrying out, or assisting in carrying out, metropolitan development projects meeting the requirements of this section.

(b) Grants may be made under this section only for metropolitan development projects in metropolitan areas for which it has been demonstrated, to the satisfaction of the Secretary, that—

(1) metropolitanwide comprehensive planning and programing provide an adequate basis for evaluating (A) the location, financing, and scheduling of individual public facility projects (including but not limited to hospitals and libraries; sewer, water, and sewage treatment facilities; highway, mass transit, airport, and other transportation facilities; and recreation and other open-space areas) whether or not federally assisted; and (B) other proposed land development or uses, which projects or uses, because of their size, density, type, or location, have public metropolitanwide or interjurisdictional significance;

(2) adequate metropolitanwide institutional or other arrangements exist for coordinating, on the basis of such metropolitanwide comprehensive planning and programing, local public policies and activities affecting the development of the area; and

(3) public facility projects and other land development or uses which have a major impact on the development of the area are, in fact, being carried out in accord with such metropolitanwide comprehensive planning and programing.

(c)(1) Where the applicant for a grant under this section is a unit of general local government, it must demonstrate to the satisfaction of the Secretary that, taking into consideration the scope of its authority and responsibilities, it is adequately assuring that public facility projects and other land development or uses of public metropolitanwide or interjurisdictional significance are being, and will be, carried out in accord with metropolitan planning and programing meeting the requirements of subsection (b). In making this determination the Secretary shall give special consideration to whether the applicant is effectively assisting in, and conforming to, metropolitan planning and programing through (A) the location and scheduling of public facility projects, whether or not federally assisted; and (B) the establishment and consistent administration of zoning codes, subdivision regulations, and similar land-use and density controls.

(2) Where the applicant for a grant under this section is not a unit of general local government, both it and the unit of general local government having jurisdiction over the location of the project must meet the requirements of this subsection.

(d) In making the determinations required under this section, the Secretary shall obtain, and give full consideration to, the comments of the body or bodies (State or local) responsible for comprehensive planning and programing for the metropolitan area.

(e) No grant shall be made under this section with respect to a metropolitan development project for which a Federal grant has been made or a contract of assistance has been entered into, under the legislation referred to in paragraph (2) of section 208, prior to February 21, 1966, or more than one year prior to the date on which the Secretary has made the determinations required under this section with respect to the applicant and to the area in which the project is located: *Provided*, That in the case of a project for which a contract of assistance under the legislation referred to in paragraph (2) of section 208 has been entered into after June 30, 1967, no grant shall be made under this section unless an application for such grant has been made on or before the date of such contract.

Extent of grant

SEC. 206. (a) A grant under section 205 shall not exceed (1) 20 per centum of the cost of the project for which the grant is made; nor (2) the Federal grant made with respect to the project under the legislation referred to in paragraph (2) of section 208. In no case shall the total Federal contributions to the cost of such project be more than 80 per centum. Notwithstanding any other provision of law, including requirements with respect to non-Federal contributions, grants under section 205 shall be eligible for inclusion (directly or through refunds or credits) as part of the financing for such projects: *Provided*, That projects or activities on the basis of which assistance is provided under section 105(c) shall not be eligible for assistance under section 205.

(b) There are authorized to be appropriated for grants under section 205 not to exceed $25,000,000 for the fiscal year ending June 30, 1967, and not to exceed $50,000,000 for the fiscal year ending June 30, 1968. Appropriations authorized under this section shall remain available until expended.

Consultation and certification

SEC. 207. In carrying out his authority under section 205, including the issuance of regulations, the Secretary shall consult with the Department of the Interior; the Department of Health, Education, and Welfare; the Department of Commerce; and the Federal Aviation Agency with respect to metropolitan development projects assisted by those departments and agencies; and he shall, for the purpose of section 206, accept their respective certifications as to the cost of those projects and the amount of the non-Federal contribution paid or to be paid to that cost.

Definitions

SEC. 208. As used in this title—

(1) "Metropolitan development" means all projects or programs for the acquisition, use, and development of open-space land; and the planning and construction of hospitals, libraries, airports, water supply and distribution facilities, sewerage facilities and waste treatment works, transportation facilities, highways, water development and land conservation, and other public works facilities.

(2) "Metropolitan development project" means a project assisted or to be assisted under section 702 of the Housing and Urban Development Act of 1965; title II of the Library Services and Construction Act; section 606 of the Public Health Service Act; section 8 of the Federal Water Pollution Control Act; section 120(a) of title 23, United States Code; section 12 of the Federal Airport Act; section 3 of the Urban Mass Transportation Act of 1964; title VII of the Housing Act of 1961; or section 5(e) of the Land and Water Conservation Fund Act of 1965; or under section 101(a)(1) of the Public Works and Economic Development Act of 1965 (for a project of a type which the Secretary determines to be eligible for assistance under any of the other provisions listed above).

(3) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, or an agency or instrumentality of any of the foregoing.

(4) "Metropolitan area" means a standard metropolitan statistical area as established by the Bureau of the Budget, subject however to such modifications and extensions as the Secreatry may determine to be appropriate for the purposes of this title.

(5) "Comprehensive planning" includes the following, to the extent directly related to area needs or needs of a unit of general local government: (A) Preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities, including transportation facilities; (B) programing of capital improvements based on a determination of relative urgency; (C) long-range fiscal plans for implementing such plans and programs; and (D) proposed regulatory and administrative measures which aid in achieving coordination of all related plans of the departments or subdivisions of the governments concerned and intergovernmental coordination of related planned activities among the State and local governmental agencies concerned.

(6) "Hospital" means any public health center or general, tuberculosis, mental, chronic disease, and other type of hospital and related facilities, such as laboratories, outpatient departments, nurses' home and training facilities, and central service facilities normally operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care.

(7) "Areawide agency" means an official State or metropolitan or regional agency empowered under State or local laws or under an interstate compact or agreement to perform comprehensive planning in an area; an organization of the type referred to in section 701(g) of the Housing Act of 1954; or such other agency or instrumentality as may be designated by the Governor (or, in the case of metropolitan areas crossing State lines, any one or more of such agencies or instrumentalities as may be designated by the Governors of the States involved) to perform such planning.

(8) "Special purpose unit of local government" means any special district, public-purpose corporation, or other limited-purpose political subdivision of a State, but shall not include a school district.

(9) "Unit of general local government" means any city, county, town, parish, village, or other general-purpose political subdivision of a State.

(10) "Secretary" means the Secretary of Housing and Urban Development.

State limit

SEC. 209. Grants made under section 205 for projects in any one State shall not exceed in the aggregate 15 per centum of the aggregate amount of funds authorized to be appropriated pursuant to section 206(b).

Mr. PATMAN (during the course of the reading). Mr. Chairman, I ask unanimous consent that title II down to page 61 be considered as read and included in the RECORD at this point, subject to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. Title II is now open to amendment.

AMENDMENT OFFERED BY MR. MULTER

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: On page 57, after line 6, add the following new subsection:

"(f) Nothing in this section shall authorize the Secretary to require (or condition the availability or amount of financial assistance authorized to be provided under this title upon) the adoption by any community of a program to achieve a racial balance or to eliminate racial imbalance within school districts within the metropolitanwide area."

The CHAIRMAN. The gentleman from New York [Mr. MULTER] is recognized for 5 minutes in support of his amendment.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I will be glad to yield to the gentleman.

Mr. PATMAN. Mr. Chairman, since this is the same amendment that was inserted in title I by an overwhelming vote, I do not think that there will be much objection to this amendment in title II. I ask unanimous consent that we now vote on the amendment.

Mr. HALL. Mr. Chairman, I make a point of order against the amendment on the basis that it is not germane, and because it is well established in the rules of the House—Cannon's Precedents, volume 8, page 2995—that "the burden of proof as to the germaneness of a proposition has been held to rest upon its proponents."

The CHAIRMAN. The Chair will say to the gentleman from Missouri that the Chair had already recognized the gentleman from New York. The amendment had been read, and even further than that, the Chair had recognized the gentleman in support of his amendment.

Mr. HALL. Mr. Chairman, I submit that I was on my feet to make the point of order at the time that the amendment was read and thereafter before the Chair recognized the gentleman from New York.

The CHAIRMAN. Then the fault is that of the Chair, the Chair would say to the gentleman.

Mr. HALL. Mr. Chairman, I hold the Chair blameless.

The CHAIRMAN. The Chair recognizes the gentleman from New York for 5 minutes in support of his amendment.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the distinguished chairman.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that the debate be limited to a total of 10 minutes, 5 minutes on this side of the aisle and 5 minutes on the other side of the aisle.

Mr. FINO. Mr. Chairman, I object.

Mr. PATMAN. Let us limit it to 15 minutes, Mr. Chairman.

The CHAIRMAN. The gentleman from Texas makes a unanimous-consent request that all debate on this amendment and all amendments thereto end in 15 minutes.

Is there objection?

Mr. FINO. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that all debate on this amendment close in 20 minutes.

The CHAIRMAN. The gentleman from Texas extends his unanimous request of the same nature to 20 minutes.

Mr. FINO. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

The gentleman from New York is recognized for 5 minutes in support of his amendment.

Mr. MULTER. Mr. Chairman, I will not take the 5 minutes and I do not intend to repeat the arguments that have already been made so many times today.

As our distinguished chairman of the Committee on Banking and Currency has already pointed out, this amendment is quite the same in intent and purport and it is in the language of the amendment we have already adopted to title I.

It makes it perfectly clear that there is nothing in this title and nothing in this bill that calls for or directs compulsory busing or forced busing of children and there is nothing in this title and nothing in this bill that directs or requires any impairment even to the slightest degree, of the neighborhood school concept.

Mr. Chairman, this amendment is quite the same as the amendment offered by the gentleman from Michigan [Mr. O'HARA] which was adopted in connection with the education bill at which time the same attempt was made to inject into the debate on that bill the racial conflict that has been sought to be injected into this debate on this bill.

Mr. O'HARA of Michigan. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman.

Mr. O'HARA of Michigan. Mr. Chairman, I wish to say a few words in support of the amendment proposed by the gentleman from New York, which would add a new subsection (f) to section 205 of the Demonstration Cities and Metropolitan Development Act of 1966. This amendment would provide that in passing on applications for supplementary grants for metropolitan development projects under section 205 the Secretary of Housing and Urban Development would not be authorized to require—or condition the availability or amount of financial assistance authorized to be provided under this title upon—the adoption by any community of a program to achieve a racial balance or to eliminate racial balance within school districts within the metropolitan area.

The amendment means that the Secretary cannot compel community action to overcome racial balance; he has no power to coerce a community into following that course. By supporting this amendment I do not mean to suggest that anything in section 205 would have authorized the Secretary to do this in the absence of the amendment. But to be certain and to quiet some fears which have been expressed on the floor about it, we ought to make this intention clear.

Of course, the amendment would not preclude communities from dealing with the racial-balance problem in their schools as they see fit as part of metropolitan planning programs. That is a question to be decided on the local level. Nor would it prevent the Secretary from giving sympathetic consideration to such proposals under title II of the bill.

Finally, the amendment would not in any way restrict or hamper the Secretary in his efforts to enforce title VI of the Civil Rights Act of 1964. Title VI of that act does not permit the Secretary to require action to overcome racial imbalance in schools if that imbalance is not the result of unconstitutional racial discrimination with respect to assignments, zoning plans, or otherwise. This amendment would simply restate that limitation on title VI. But the Secretary would continue to be free to take into account any school assignment or zoning policies that are unconstitutional—that the courts would strike down under the 14th amendment. If such unconstitutional zoning or assignments would be perpetuated by metropolitan planning proposals the Secretary could refuse to make grants under title II.

Mr. ROBERTS. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I am happy to yield to the gentleman.

Mr. ROBERTS. Mr. Chairman, would the gentleman explain the last line of his amendment where he specifies "within the metropolitanwide area"?

Would the gentleman's amendment not apply to towns that are smaller than those designated as metropolitan areas?

Mr. MULTER. We must bear in mind that the words as used in this amendment is the language of the words in this title of this bill. While in colloquial language, and usually when talking of metropolitan areas, we would exclude towns and villages such as the gentleman has in mind, this is intended to cover all of the areas as described within title II. There we are using language that is slightly different from what we would use colloquially when referring to a metropolitan area. We definitely include within the meaning of the title and within the meaning of my amendment, towns, villages, and small cities that qualify under title II.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman.

Mr. BROCK. Is it the intention of the gentleman's amendment, when accepted and when it becomes law, that the Secretary of HUD shall have no authority to withhold funds to achieve racial balance or to correct imbalances or to in any manner affect the operation of the schools as they relate to the complex of population in the area?

Mr. MULTER. I think the gentleman's statement is accurate. We do not intend to write anything in this bill and, as I see it, we intend to make it crystal clear with the amendment that we are not going to allow any civil rights restrictions to get into this bill or into the administration of what is provided for in this bill.

Mr. BROCK. This would preclude him from exercising any jurisdiction over zoning ordinances or school districts in that same respect?

Mr. MULTER. If he is going to try to rewrite zoning laws and zoning ordinances and restrictions in order to create racial balance, of course, there is nothing in this bill that permits him to do it and the amendment says he is not going to be permitted to do so.

Mr. BROCK. That is the intention of the gentleman's amendment, to preclude him from such activities?

Mr. MULTER. That is correct. That is the intent of my amendment.

Mr. BROCK. I thank the gentleman.

Mr. MULTER. Mr. Chairman, I yield back the balance of my time.

Mr. FINO. Mr. Chairman, I rise in opposition to the amendment.

The antibusing amendment would accomplish absolutely nothing. It removes virtually none of the objections raised against the metro planning title. It only addresses itself to the question of busing and not to the far more important question of the creation of metropolitanwide school districts as called for by the U.S. Office of Education.

Can anyone in this House deny that at this very moment a comprehensive draft bill for 1967 is on the desk of Secretary of HEW Gardner?

Can anyone deny that that draft includes plans for using the metro title of this bill for supplemental grants to school districts to eliminate neighborhood schools and create metropolitanwide school districts?

Does this so-called racial balance amendment address itself to such things as metrowide school redistricting, pairing of adjacent schools, teacher assignments, and development of new curricular materials? Of course it does not.

If this House is sincere in its effort to eliminate any possibility of the U.S. Office of Education from using the metro title for metrowide school rezoning, then it should vote against the antibusing amendment.

For weeks now we have been hearing that there was absolutely no mention of education in title II. Contrary to Secretary Weaver's own testimony before the House Banking and Currency Committee there has been a massive effort to confuse the Members of this House into thinking that educational planning would not be a prerequisite to metropolitan planning agencies receiving incentive Federal aid grants. Now the proponents have admitted that education is involved. They come forth with a phony amendment that places absolutely no obstacle in the way of Federal planners who have admitted publically before committees of this House that they want to use the metro planning title for metropolitanwide school rezoning.

There is only one way to clear the doubt, and that is to vote against the antibusing amendment and to vote for the amendment to strike title II.

We will have a record vote on this issue regardless of what occurs here in Committee, and if Members of this House want to go home and face the voters in 2 weeks having voted for the destruction of our neighborhood schools then they have lost complete sight of the sentiment of an overwhelming majority of American families. This is the No. 1 domestic issue facing the voters this fall and I for one will be happy to have chosen this as my political battlefield.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that all debate on the amendment now close and that we now vote on the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. RYAN. Objection, Mr. Chairman.

Mr. PATMAN. Mr. Chairman, I move that all debate on the amendment do now close and that the House vote on the amendment.

The CHAIRMAN. The question is on agreeing to the motion of the gentleman from Texas.

The motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. MULTER].

The amendment was agreed to.

Mr. RYAN. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Chairman, I opposed a similar amendment to title I, and I oppose this. My reasons are the same. I deplore the erosion of civil rights which has taken place this year. I deplore the capitalization upon the so-called white backlash by some and the catering to it by others.

AMENDMENT OFFERED BY MR. ASHLEY

Mr. ASHLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASHLEY: On page 51, strike out lines 5 through 19, and renumber the succeeding sections accordingly.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, all through the hearings and deliberations of the subcommittee and the full committee this new official drew as much fire as any other section of the bill. I understand some important mayors are opposed to the metropolitan expediters, and in the interest of harmony I see no reason why the amendment cannot be adopted. We accept it on this side.

Mr. ASHLEY. Mr. Chairman, I am delighted, as always, to have the cooperation and support of my chairman.

There is no real necessity, Mr. Chairman, for lengthy explanation of this amendment. It would strike section 203, which provides for metropolitan expediters.

I might say that there are some of us who feel this is a worthy and desirable provision, but that it is not essential, at least at this time.

For this reason, and in the interests of economy, I offer the amendment.

Does the gentleman from Wisconsin [Mr. REUSS] wish to have me yield?

Mr. REUSS. I do.

Mr. ASHLEY. I yield to the gentleman from Wisconsin.

Mr. REUSS. I thank the gentleman, but since I must oppose the amendment I shall ask recognition when the gentleman is through.

Mr. ASHLEY. Mr. Chairman, if the gentleman is going to oppose the amendment I will amplify my explanation.

Title II, the planned metropolitan development title, contains four essential provisions.

First, we call upon Federal departments and agencies to coordinate their activities. There has been no controversy with respect to this.

Second, provision is made for metropolitan expediters who, at local request, can achieve coordination in metropolitan areas.

Third, we require minimum levels of coordination and cooperation at the local level as a condition for receiving a grant of Federal funds for metropolitan development.

Finally, we provide incentive grants for more effective coordination of metropolitan planning and development.

Mr. Chairman, in reviewing the thrust of these four provisions it struck me clearly that the third is the least important, and in some respects it would impose a burden in terms of financing of the program, a burden which is not essential at this time.

It was for this reason, Mr. Chairman, that I offered my amendment. I ask that the amendment be approved.

Mr. REUSS. Mr. Chairman, I rise in opposition to the amendment.

I shall be brief and I hope moderate and modulated in tone.

This amendment comes as a surprise to me, because this is a dandy section of the bill, one of the finest in the whole bill. For the life of me I cannot understand why anybody wants to take it out.

What this section would do is to meet the needs of metropolitan areas, large and small, all over the country who are complaining because they can never get anyone from Washington to tell them about what these Federal plans and programs are.

The metropolitan expediter would authorize and direct the Secretary of HUD, whenever a locality wants one and needs one, and in consultation with the locality, to make sure they get a personna who is grata to the locals. It is one of the finest things in the bill, I believe, and I am completely at a loss as to why we want to do in our own baby here. I hope, without prolonging debate further, that this amendment will be voted down. I think the issue is perfectly clear. This admirable metropolian expediter should be kept in the bill.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. ASHLEY].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. CASEY

Mr. CASEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. CASEY: On page 55, line 24, after the parenthesis (b), strike all of the remaining portions of line 24 and 25, and on page 56, strike all of the portions of lines 1 through 7, and insert the following:

"In making this determination, the Secretary may give consideration to the applicant's program of metropolitan planning. He may consider the location and scheduling of public facility projects, whether or not federally assisted; and he may consider the applicant's efforts whether successful or not to establish zoning codes, to consistently administer subdivision regulations or similar land-use and density controls, and to establish and administer a planning commission to chart orderly community growth in the absence of a specific zoning code and zoning commission. In no instance shall a zoning code be a requirement for participation in this program."

Mr. PATMAN. Mr. Chairman, will the gentleman yield to me for a unanimous-consent request?

Mr. CASEY. I will be glad to.

Mr. PATMAN. I ask unanimous consent that all debate on this close in 10 minutes, with 5 minutes for the gentleman from Texas [Mr. CASEY] and 5 minutes for the opposition.

The CHAIRMAN. The gentleman from Texas makes a unanimous-consent request that all debate on this amendment end in 10 minutes, including 5 minutes for the gentleman from Texas [Mr. CASEY] and 5 minutes for those in opposition.

Is there objection to the request of the gentleman from Texas?

Mr. FINO. Mr. Chairman, reserving the right to object, is this only on the Casey amendment?

Mr. PATMAN. Yes. Just on the Casey amendment.

Mr. FINO. Thank you. I withdraw my reservation.

Mr. HALL. Mr. Chairman, I make a point of order. The time cannot be specified on a unanimous-consent request.

Mr. PATMAN. Mr. Chairman, I will change my request to 10 minutes.

The CHAIRMAN. Is there objection to that?

There was no objection.

The CHAIRMAN. The gentleman from Texas [Mr. CASEY] will be recognized now for 5 minutes in support of his amendment.

Mr. CASEY. Thank you, Mr. Chairman.

This again is an endeavor to see to it that cities such as my own hometown of Houston, one of the chairman's cities, Marshall, Tex., one of the gentleman from New Jersey's cities, Fairlawn, and others who do not have zoning, have the opportunity to participate in this program. I see no reason why they should object to the fact that the Secretary would have all of the latitude that he wants to sit down and determine whether or not a city would qualify, but to put in there that they would not have to have as a prerequisite zoning ordinances in order to comply. They have opposed my previous amendment along this line. One of the arguments made was that they felt zoning was a very high type of thing to have. They indicated it might be necessary. I do not argue that point, but I am just saying this: Our own city and its officials and citizens have tried three times in the past but were unsuccessful. The people voted it down. That is their privilege if it is their desire, but let us not set up a program here which precludes hundreds of cities from even applying in order to participate in this program.

For the life of me, I cannot understand why this committee wants to object to that, but it does.

Mr. Chairman, the only thing that I can see is that this bill and language, if adopted and enacted, will place into the hands of the Secretary, with all of the latitude he has got in this bill, power to be the lord mayor of every city and town in this country and I, for one, shall not support the bill for that reason.

Mr. MULTER. Mr. Chairman, will the gentleman yield to me at that point?

Mr. CASEY. No, I am not going to yield.

Mr. ASHLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, it will not be necessary for me to take more than a few seconds in opposition to this amendment.

Of course, Mr. Chairman, it is the same amendment that the gentleman from Texas has offered to title I.

I believe it is necessary only to point out that, of course, there are no requirements contained in the bill, as the gentleman seems to believe there are.

Mr. Chairman, I might say that the gentleman is flailing at windmills, and inasmuch as we have covered this ground before, not longer than 2 hours ago, I would hope that we could dispose of this amendment and that the members of the Committee would join me in voting it down.

Mr. CASEY. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Texas.

Mr. CASEY. Mr. Chairman, can the gentleman from Ohio assure me that this will not be a definite requirement, a requirement that they have zoning ordinances?

Mr. ASHLEY. Mr. Chairman, I believe the bill speaks for itself, if I may say to the gentleman from Texas and, it is not possible for me to give assurance to the gentleman with respect to all facets of the operation of the bill.

Mr. CASEY. Mr. Chairman, if the gentleman will yield further, I will ask the gentleman this question:

Should the Secretary see fit to set minimum requirements, as he has done upon urban renewal projects to the effect that there must be a zoning ordinance, will the gentleman assist me in trying to see that he relaxes that provision?

Mr. ASHLEY. I think that to entertain any expression of interest on the part of the gentleman from Texas——

Mr. CASEY. Wait a minute. If it is going to take legislation, we ought to do it now. But, as I understand it, the gentleman from Ohio does not think it might be necessary to have legislation thereon.

Mr. ASHLEY. Mr. Chairman, I see no reason to feel that this subject needs additional legislation.

Mr. Chairman, I believe the gentleman from Kansas pointed out earlier that in his city, which has zoning requirements——

Mr. CASEY. Mr. Chairman, if the gentleman will yield further, I did not say that. This is not correct. This organization said, and the gentleman made a statement——

Mr. ASHLEY. The gentleman from Kansas pointed out the fact that he does have zoning in his city.

Mr. CASEY. Well, Mr. Chairman, I did not understand the gentleman to say that.

Mr. ASHLEY. Mr. Chairman, the gentleman from Texas is anticipating difficulties that I do not think will arise.

Mr. CASEY. Mr. Chairman, if the gentleman will yield further, I appreciate the gentleman's remarks, and I simply hope that the gentleman is right, that in any of these great metropolitan areas—and I can anticipate that Houston will have problems—it will want to at least participate.

Mr. ASHLEY. Mr. Chairman, I can appreciate the gentleman's concern and I do feel that he is a fine legislator and a gentleman for whom I have a very high regard and respect.

However, Mr. Chairman, I believe the gentleman is anticipating something in advance which I do not believe we should anticipate and I do not believe that we should legislate on that basis.

Mr. CASEY. Mr. Chairman, if the gentleman will yield further, I am sure that the gentleman from Ohio can see why I am anticipating that in advance, based upon what the Secretary did before?

Mr. ASHLEY. Can the gentleman from Texas show me wherein he has not been treated properly with reference to urban renewal? If the gentleman can do that, then I would be much more persuaded than by other mere statements.

Mr. CASEY. Oh, all I can show you is the planning regulations of the Secretary as to the requirements involved in urban renewal, and one of them is a zoning ordinance and a map.

Mr. ASHLEY. Well, Mr. Chairman, I believe the gentleman's point has been made, but I am sure that the gentleman can understand the position I am taking and I ask for a vote on the amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. FINO] for 3 minutes.

Mr. FINO. Mr. Chairman, I rise in reluctant opposition to the amendment offered by the gentleman from Texas [Mr. CASEY]. I read with interest the speech of the gentleman of yesterday in opposition to title II as presently drafted where he said that title II would "create a Federal Lord Mayor over our cities, telling them what must be done on a local level." The gentleman was particularly bothered by the language on page 55 of the bill which would grant broad powers to the Secretary of HUD to determine whether metropolitanwide planning agencies had sufficient control over local zoning ordinances.

But his amendment in no way would cure the situation. All his amendment would do would be to make eligible several metropolitan areas that would be prohibited from participating in the program because they lack local zoning ordinances. But listen to what the amendment of the gentleman from Texas would permit:

Secretary Weaver would still have vast control over metropolitan planning. He would have control over both the location and the scheduling of all public facility projects in that metropolitan area, even those projects which are being built without Federal aid. As Secretary Weaver himself testified on page 53 of the printed hearings, the Casey amendment would still permit Secretary Weaver to have broad discretionary controls over metropolitanwide education facilities.

The Casey amendment would still permit Secretary Weaver to seek establishment of metrowide zoning controls as a prerequisite to Federal aid.

I can well understand why the gentleman is upset by title II and I commend him for calling the attention of the House to the huge power grab by the Department of HUD over purely local matters, such as zoning, land use patterns, subdivision regulations, as well as the location and scheduling of all public facility projects within a metropolitan area.

It makes little difference to me whether or not the House accepts or rejects this amendment, because the amendment would change nothing. It would merely permit the Secretary of HUD to hold a club over the heads of more metropolitan areas than the bill before us would permit.

Nevertheless because acceptance of this amendment might further confuse the House, I urge that it be rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. CASEY].

The question was taken and, on a division demanded by Mr. CASEY, there were—ayes, 15; noes, 38.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. FRASER

Mr. FRASER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. FRASER: Page 52, lines 9 and 10, strike out "elected officials of the units of general local government" and insert in lieu thereof "elected officials of a unit of areawide government or of the units of general local government."

The CHAIRMAN. The gentleman from Minnesota is recognized for 5 minutes in support of his amendment.

Mr. COLMER. Mr. Chairman, will the gentleman yield?

Mr. FRASER. I will be glad to yield to the gentleman.

Mr. COLMER. Mr. Chairman, I appreciate the gentleman yielding to me.

I merely wanted to announce that the Members have already received an invitation to attend the unveiling of a portrait of our friend, the chairman of the Committee on Rules, at 5 o'clock in the Committee on Ways and Means room in the Longworth Building. Those Members who can find it convenient to get away from here and go over there, we would be very happy to see them there.

I thank the gentleman for yielding.

Mr. FRASER. I thank the gentleman.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. FRASER. I yield to the gentleman.

Mr. BARRETT. Mr. Chairman, if it is agreeable to the other side, I want to state that the gentleman from Minnesota [Mr. FRASER] has discussed this amendment with me and with the chairman of the Committee on Banking and Currency and with others. The Department has no objection to this and I think the gentleman's amendment is a good one and I hope that it can be adopted.

Mr. FINO. Mr. Chairman, will the gentleman yield?

Mr. FRASER. I yield to the gentleman.

Mr. FINO. Mr. Chairman, in the absence of the ranking minority Member on this side, may I ask for a brief explanation of the amendment.

Mr. FRASER. Mr. Chairman, this amendment seeks to deal with the requirement for the planning agency in section 204.

On page 52 of the bill, line 5, paragraph (1), there is a requirement for a planning agency which is composed of or responsible to the elected officials of the units of general local government.

This is the way that our metropolitan planning commission is organized today in the Minneapolis-St. Paul area.

However, there is under discussion by some citizens of our community and by some of our officials of the possibility of having an agency with areawide responsibility which may be elected directly by the people.

The purpose of my amendment simply is to make more flexible the kinds of arrangements at the local level which will qualify under this provision of the bill.

This amendment is simply designed to enlarge local options and local choices with respect to this matter.

I might say that I have spoken to the gentleman from New Jersey briefly about this and while he indicated no position to it, I did furnish him with a copy of the amendment.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. FRASER. I yield to the gentleman.

Mr. BARRETT. Mr. Chairman, if it is agreeable with the other side, I want to state that the chairman of the full Committee on Banking and Currency has discussed this with me and with the gentleman and we are willing to accept the gentleman's amendment.

Mr. FRASER. Mr. Chairman, section 204 of S. 3708, which begins on page 51 of the bill, is titled "Coordination of Federal Aids in Metropolitan Areas." It provides that all Federal loans or grants made after next June 30 for certain kinds of projects in a metropolitan area shall be submitted for review to an areawide agency. The section pertains to open-space land projects and to the planning and construction of hospitals, airports, libraries, water supply and distribution facilities, sewerage facilities and waste treatment works, highways, transportation facilities, and water development and land conservation projects.

As the language of 204(a)(1), starting on line 5 of page 52 of S. 3708, now reads, the areawide agency designated to perform metropolitan or regional planning would be, "to the greatest practicable extent, composed of or responsible to the elected officials of the units of general local government within whose jurisdiction such agency is authorized to engage in such planning."

The amendment I am proposing would strike out the words "elected officials of the units of general local government" on lines 9 and 10. The substitute language would read instead, "elected officials of a unit of areawide government or of the units of general local government."

The present language contains little flexibility and could inhibit experimentation by State and local units of government in determining the type of agency that would be most suitable to their metropolitan areas.

My amendment is designed to assure that flexibility by broadening the language. In many metropolitan areas, such as the one I represent, there is a great proliferation of local units of government. The most effective areawide agency in some of these areas undoubtedly could best be chosen in some manner besides the "council of governments" approach written into the bill.

This amendment would not eliminate such an approach, which has proven effective in some metropolitan areas. All the amendment would do is give State and local governments the option of following another course of their own choosing.

Under our federal system, the scheme of Federal grants in aid is one of the most progressive and effective devices for carrying out programs of benefit to our local communities. Congress has established grant-in-aid programs where there is a national problem to be met but a strong desire to have administration of the program kept at the local level.

But we have used the grant-in-aid principle for so many different programs that there is now a real need for coordination of these activities, especially in our metropolitan areas.

The President's budget for fiscal 1967 proposed Federal aid to State and local governments in the amount of 14.6 billion dollars. This is three times the level of Federal aid 10 years ago.

The latest catalog of Federal aid to State and local governments prepared by the Senate Committee on Government Operations, lists nearly 400 separate authorizations for Federal assistance to State and local governments. Most of the executive departments and a large number of independent agencies operate Federal-aid programs.

Section 204 of S. 3708, "Coordination of Federal Aids in Metropolitan Areas," would insure that Federal agencies dispensing aid would have the benefit of the suggestions of a central planning agency for the metropolitan area. No longer would each Federal department operate without regard to the plans of other Government agencies and interest groups.

Since the Minneapolis-St. Paul metropolitan area is a good example of proliferation of governmental units, I would like to address myself to the important question of how we can create an areawide agency capable of formulating a development plan and policy for the metropolitan area. This is extraordinarily difficult. It will have to be an agency that is, all at the same time, first, genuinely representative of the area; second, politically responsible to the area; and third, capable of making positive and effective decisions on the most sensitive and controversial issues.

I do not think any area in the country has come really close to a solution yet. The councils of governments approach now in use in the Washington area and in a dozen or so other metropolitan areas around the country is an important advance, in that it promises to involve political officials more closely in consideration of these issues of metropolitan growth. It has been given careful consideration in Minnesota. There is a strong feeling among people who have looked at this proposal for the Twin Cities area, however, that no formula for representation on an areawide council has yet been worked out which will make it possible for such a council to make the difficult and binding voting decisions which will inevitably be required if the hard issues of metropolitan development are to be settled effectively.

In the Twin Cities area we have 45 urban towns, 107 villages, 25 cities, 1 borough, and 7 counties. We have, in addition, as special units of local government, 69 school districts, 25 rural towns, 1 Federal reservation, and 19 districts handling everything from airports to mosquito abatement. Most important is that these cities and villages range in population from 500,000 down to 500. How—with this variation—are we to design an effective system of representation and voting? One of the interesting ideas put forward—by, among others, the municipal leaders in the Twin Cities area who are interested in forming some sort of areawide agency—is to base the representation not on local units directly but rather on the framework of the State legislative districts, which are now, after two reapportionments—and should remain—remarkably equal in population size. This would make possible a council in which the members would sit as equals and could vote on a one-man, one-vote basis. The unsolved problem is how to select the representatives within this framework. This is still being actively discussed.

I mention all this simply to suggest the tremendous variation that exists in the governmental situation among the various metropolitan areas of this country—and to emphasize the need that still remains for the broadest kind of experimentation with new forms of organization at the metropolitan level. I think it is important in drawing up the needed Federal incentives to encourage the creation of areawide agencies to prepare metropolitan plans, and to review proposed Federal-aid projects for conformity with these plans, that the Congress follow a double policy:

First, it should be careful to leave room for areas, such as Twin Cities, to pioneer with entirely new arrangements for making areawide development policy.

Second, the Federal interest should be to encourage the creation of agencies which are as representative as possible of the full range of governmental organizations carrying on statutory activities, and levying taxes, within the metropolitan area—the State, the counties, the municipalities, and the school and other special districts.

We have very little really solid experience to rely on yet, to know what sort of institutional arrangements actually work effectively. While we may anticipate only slow, steady progress—through the cooperation and consultation of local units—in most of our urban area, we should be careful not to discourage the possibility that some State or metropolitan area may decide it wants to try a real breakthrough into some more advanced form of organization.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Minnesota [Mr. FRASER].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. FINO

Mr. FINO. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINO: Strike out title II, beginning on page 49, line 1, and ending on page 61, line 16.

And redesignate the succeeding titles and sections (and the references thereto on page 77, lines 5 and 10, and page 125, line 2) accordingly.

Mr. FINO. Mr. Chairman, the purpose of my amendment is to strike title II—the metro title—of this bill. The gentleman from New York has offered and has been successful with a "red herring" amendment to make you think that metro is now harmless. But gentlemen, what have we achieved with an amendment that prohibits the metro planners from requiring busing as a condition of aid? I suggest to you that metro planning does not force or require communities to adopt busing schemes any more than the President forces Members of this Chamber to vote like he wants. What the metro planners, just like the President, will do is suggest this type of scheme. Just because you hear twisted arms cracking does not legally mean that local communities are being required, by law, to come up with school balance schemes. This phony amendment we passed is a pro-busing amendment, it will not slow down one Weaver-Howe schoolbus.

Besides, some of you act as if you think that busing was the only forced integration scheme in the book. There are many. Under this metro plan, our communities are going to have to volunteer to do a lot of things. Busing is just one of many—and the trick amendment passed does not stop even busing. On top of this, we have pairing and school redistricting. Then there will be educational parks. All these are racial balance schemes, and they will require busing coincidentally, but the busing will not be for racial balance, it will just be to get kids to school in the district they live.

Mr. Chairman, the amendment passed earlier is one of the biggest suckerbait amendments I have ever seen in my life. I know the Howe forces and the Weaver fans who drew it up were not trying to fool Republicans: they knew we were against it. They were trying to fool Democrats. Let me pose a question: Suppose someone asked you how this amendment would actually prevent busing. Could you give a good technical explanation? If not, you better vote to kill metro. I do not want any of my good friends to be left out on the limb with only the suckerbait amendment when metro gets rolling.

Educational facilities are not the only type facilities that are to be planned under metro. Dr. Weaver has also talked about "housing and relocation." This means that suburbs and slums will have to plan housing together as well as education. Just in case there is not enough forced racial balance in the schools after all these metrowide plans, Dr. Weaver will see to it that there is forced integration in housing. For example, he will use metro planning to force rent supplement housing on unwilling communities in such a way as to undermine the "local option" proviso the Appropriations Committee tacked onto the rent supplement appropriation.

Let me return to metro. It is to be used to plan the metropolitan areawide location of all publicly assisted facilities. This includes not only public schools, but any parochial schools getting Federal assistance. Nor is metro planning limited to only the location of such facilities. The metro government is going to be allowed to plan the financing of such facilities. That means that suburbs are going to be forced to plan schools with central city slums—at the expense of those suburbs, whose tax structure will be supervised by the metro government.

Listen to the type of metro school planning U.S. Education Commissioner Howe has in mind. No antibusing amendment, even a legitimate one, can block him—only the demise of metro. This is a quote from Howe:

> Traditional school boundaries often serve education badly and may have to be changed. New York and New Jersey surrendered state prerogatives to form the Port of New York Authority in the interests of improved transportation. If we can make such concessions for transportation, I suggest that we can make them for education. We could, for example, alter political boundaries to bring the social, intellectual and intellectual strength of the suburbs to bear on the problem of cities schools.

This is exactly what metro plans to do. Set up metro and you give the slums access of suburban taxpayers. Listen to the ultimate objective of metro. Now I will quote the Washington Post of July 3, which discussed the way the metro idea has found favor at a White House Conference "To Fulfill These Rights." Listen to the plans the social planners have for metro:

> Essentially, the idea is that the Federal Government must provide the lever for Negroes to crack the suburbs. The way to do it? Put all the Federal funds for housing, school, anti-poverty programs into one bag. To get the money, local officials would be required to draw up plans on a metropolitan wide basis. Suburbs would be asked to build scattered low-income housing and work out areawide plans for school integration.

I submit that metro is a dangerous thing to set up. No amendment can make anything decent out of it. No amendment has. I urge you to defeat the metro title by supporting my amendment.

Mr. PATMAN. Mr. Chairman, I rise in opposition to the amendment. I can see no reason to remove from the bill a genuinely effective incentive for well-planned metropolitan development.

Twenty years from now we will have added at least 54 million people to our metropolitan population, the great bulk of them in suburbs. This is the equivalent of adding 5 New Yorks or 27 Washingtons.

That is a vast amount of construction, a vast amount of new sewer lines, a vast amount of new highways, and parks, and houses. It is also a vast amount of Federal-aid funds. It is enough to make you wonder what our countryside, and our downtowns, are going to look like in 20 years.

It is clear that without good planning, the result will be an expensive and disorderly tangle of highways cutting carelessly through communities, disappearing parklands, and neon-lit strips substituted for quiet, residential neighborhoods. Words alone are not going to meet this problem.

What does title II do? It provides a new approach to making planning effective. It increases Federal assistance to cities and other State and local bodies which actually develop projects and administer local zoning and subdivision controls consistently with their own metropolitanwide plans. The increase in aid will come in the form of a supplement to the Federal share of projects already being assisted under 10 different programs. The supplementary grant cannot exceed 20 percent of the cost of these projects.

A 20-percent increase in a Federal grant is a real incentive for good local planning, and for actually putting the local plans into effect.

At the same time, the bill will take a major step forward in coordinating the present 140 different programs and 21 different Federal agencies which offer aid to our cities.

The arguments against title II are very thin indeed. There has been a suggestion that the title might be amended next year to encourage busing of schoolchildren. I have been personally, and emphatically, assured by Secretaries Weaver and Gardner that no such intent exists, or ever did exist, on the part of the administration. Furthermore, to quote a telling point from Secretary Weaver's letter to me:

> No legislation, no matter how worthy, would ever be enacted if it were delayed whenever there was a possibility that undesirable amendments might be added in the future.

Let us remember, busing cannot be added to this title unless the Congress itself adds it.

Opponents of the title have raised the familiar specter of Federal domination. Yet, no community is compelled to enter the program, nor will it lose a penny of aid under already existing Federal programs, if it does not participate. In addition, there is no provision in this title, or anywhere else in the bill, which allows the Federal Government to dictate the decisions of any development plan.

Mr. Chairman, title II should be retained and I urge rejection of the amendment.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. PATMAN. I yield to the gentleman from New York.

Mr. MULTER. I thank the gentleman for yielding. I merely wish to supplement what the distinguished chairman of our committee has said.

I want to indicate in opposition to the proposed amendment to strike this title that the language of my amendment, which has been adopted, says very clearly, beyond peradventure of doubt or argument, that nothing may be done in the bill or in the title that will in any manner authorize any requirement to achieve racial balance or to eliminate racial imbalance.

Mr. STANTON. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York.

Mr. Chairman, I rise in support of the amendment offered by the gentleman from New York, and in so doing I can honestly say that I know of few Members of this body who have had more experience with suburban growing pains in the last 8 years than the speaker in the well at the present time.

As a former county commissioner of a suburban county adjoining Cleveland, Ohio, I can fully appreciate the growing pains that many of our suburban communities in our metropolitan areas are going through. For 8 years I was faced with these problems in the fastest growing county in the State of Ohio.

I fully agree that there are entirely too many political subdivisions through which metropolitanwide problems are often left unsolved. I can attest to the fact that there is a real need for greater coordination between the central city and suburban governments.

As a matter of fact, I can even agree that, in certain instances, the Federal Government can provide the initiative and the leadership for better coordination of our metropolitan area problems.

For example, I fully agreed when the Federal Government insisted that the seven counties surrounding Cleveland form a seven-county transportation commission in order to implement the highway program that was authorized by a previous Congress.

But I think it would be a tragic mistake for this Congress to approve a program that we are now considering that would place the Federal Government in a position of bribing metropolitan areas with millions of additional Federal aid in an effort to seek an answer to our metropolitan problems.

The real danger in title II is a potential one. A careful reading of this section leaves serious doubt if the creation of the metro form of government, as described in title II, would not in reality create a metro form of government under the complete control of the Federal planners in Washington.

In reading the testimony of Dr. Weaver in hearings before the other body on the demonstration cities program, he clearly states that, in order to cooperate, the cities will have to:

> 1. First examine their existing laws to determine the extent to which these laws impede substantial progress in carrying out their demonstration programs and to take appropriate action, if necesary, to make those laws consistent with the objectives of their program.
>
> 2. In many localities the structure of real estate taxes, inadequate and often obsolete housing codes, zoning laws and artificial restraints on building practices retard the prompt and proper development of the cities' physical characteristics. Local efforts to remove these restrictions can be one of the major benefits of the Cities Demonstrations Program.
>
> 3. Encourage good community relations and counteract the segregation of housing by race or income. Non-discrimination in any housing assisted under a Demonstration Program is a legal requirement.
>
> 4. Indicate that the projects and activities carried on under the program will be consistent with comprehensive planning for the entire urban and metropolitan area.
>
> 5. A program meeting the statutory criteria for a comprehensive Demonstration Cities Program—and committing the city to take these additional actions which may be expected of them—is not lightly undertaken.

The Secretary then adds:

> But nothing less will do.

The bill clearly states that the Secretary of HUD will make the final determination as to the proper type of metropolitan planning. I think that we should make no mistake today that we are voting not simply on a question of metropolitan government on a volunteer basis, but a question of metropolitan government in the broadest and most comprehensive form.

But far more important than the argument of for or against metropolitan government is the more far-reaching question of whether or not metro government should be defined, controlled, and guided by Federal guidelines.

Mr. Chairman, I urge support of the amendment of the gentleman from New York.

Mr. CRAMER. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I rise in support of the amendment.

Mr. PATMAN. Mr. Chairman, will the gentleman yield to me for the purpose of propounding an unanimous-consent request?

Mr. CRAMER. Mr. Chairman, I do not care to have debate cut off at this point. Therefore, I do not yield to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, I would hope that the gentleman from Florida would yield for a unanimous-consent request.

Mr. CRAMER. Mr. Chairman, if it is to cut off debate, no; I decline to yield, because I believe it is necessary to find out, frankly, what this title does, and I am taking this time, largely, in an effort to find out what this title proposes to do.

Frankly, Mr. Chairman, if the title does what it proposes to do—and I have sat here this afternoon and have read and reread not only the bill, I have not only read and reread title I, but I have read and reread title II; and not only the majority report, but the minority views as well, and frankly, I am afraid that the Committee is going much farther than it intends to go.

Mr. Chairman, I am talking about something other than the busing of students or about setting up these school communes under a metro plan, a plan which envisions 10,000 or 12,000 children being required to go to one large school in one large metropolitan area, and the destruction of the neighborhood school system, and which I do not like.

Mr. Chairman, I am going to talk about something other than that. That is bad enough as it is.

However, Mr. Chairman, I would like to ask this question of the chairman of the committee, the gentleman from Texas [Mr. PATMAN].

Mr. Chairman, I read under title II in section 204 on page 51 of the bill language to this effect:

> All applications made—

This is under "Federal Aids," and I would like some member of the committee to answer this question and I wish the Members would listen to this—

> All applications made after June 30, 1967 for Federal loans or grants to assist in carrying out open-space land projects or for the planning or construction of hospitals, airports, libraries, water supply and distribution facilities, sewerage facilities and waste treatment works, highways, transportation facilities, and water development and land conservation projects within any metropolitan area shall be submitted for review—to a metropolitan planning agency—

Mr. Chairman, this is a matter that has bothered me. It again involves a standard metropolitan statistical area, a statistic established by the Bureau of the Budget, and we know what the statistical area is today in Washington, D.C.

Mr. Chairman, in Washington, D.C., it means the southern part of Maryland, near Washington, and all outlying areas of Maryland; it means the eastern part of Virginia near Washington.

Mr. Chairman, that is an example of the metropolitan area about which this bill speaks; is that not right?

Mr. BARRETT. Yes.

Mr. CRAMER. Mr. Chairman, a member of the committee says "Yes."

So, Mr. Chairman, it means that by June of 1967—that is 7 months—8 months from now—the whole metropolitan area of Washington, D.C., in Maryland, in Virginia—yes, and in the central east coast area of Florida, Tampa, St. Petersburg, Clearwater—have got to get together and form an areawide planning group which they have no legislative authority to do—or lose Federal funds. There is no authority which those three communities have under State legislation to get together in a planning group.

I say to you the area here in Washington does not have adequate authority to do so, and it cannot be done so without approval. As to all of the Governors involved in this case—as is defined in "areawide agency" on page 60, what happens if they do not do it? That is the point.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. Mr. Chairman, I will yield when I finish. I have not finished my thought.

Mr. REUSS. Mr. Chairman, I am sorry. I thought the gentleman wanted an answer to his question.

Mr. CRAMER. Let me finish my thought. Then I will be glad to yield to the gentleman.

As I said, what happens? They lose their money. So that this areawide plan has to take place by June of 1967 or they lose—not the bonus, listen to this, now. They not only lose the bonus that brings them up to 80 percent of the local cost, under section 205, but they lose everything under section 204.

Is that not right? They lose all this Federal granted money. They not only lose the bonus but the grant itself. The bonus is the next section dealing with grants to assist in planned metropolitan development.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. If the gentleman will let me finish, I will yield.

I am talking now about Federal aid in metropolitan areas. It says all applications for grants for all these programs after June 30, 1967, must conform to this metropolitan plan or the money is lost under section 204.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. Yes, I will yield to the gentleman.

Mr. REUSS. Mr. Chairman, the gentleman keeps propounding questions but not permit time for an answer, so it is a little difficult to answer his questions.

Mr. CRAMER. If the gentleman wishes to answer, I will be glad to yield for an answer.

Mr. REUSS. I will be glad to answer.

Mr. CRAMER. If you want to answer my question, I will yield.

Mr. REUSS. Mr. Chairman, if the gentleman will read on pages 60 and 61, subparagraph (7), in lines 22 to 25, inclusive, it says that the areawide agency that can approve these plans can be any other agency such as may be designated by the Governor.

Mr. CRAMER. That is true.

The CHAIRMAN. The time of the gentleman from Florida has expired.

Mr. CRAMER. Mr. Chairman, I ask unanimous consent that I be permitted to proceed for an additional 5 minutes.

The CHAIRMAN. The gentleman from Florida makes a unanimous-consent request that he be permitted to proceed for an additional 5 minutes.

Mr. REUSS. Mr. Chairman, reserving the right to object.

The CHAIRMAN. The gentleman from Wisconsin reserves the right to object.

Mr. REUSS. Mr. Chairman, is the gentleman who a moment ago refused to yield for a unanimous-consent request to the chairman of the Committee on Banking and Currency——

Mr. CRAMER. Yes, to cut off debate.

Mr. REUSS. Is the gentleman now asking for a unanimous-consent request to proceed further?

Mr. CRAMER. Mr. Chairman, I said I would decline to yield if he wanted to move to cut off debate. I said I would be happy to yield for any other purpose.

Mr. PATMAN. Mr. Chairman, would the gentleman yield to me at this time for a unanimous-consent request?

The CHAIRMAN. Is there an objection?

Mr. CRAMER. Mr. Chairman, is the unanimous-consent request of the gentleman from Texas to cut off debate?

Mr. PATMAN. Yes.

The CHAIRMAN. Let us have regular order, please.

Does the gentleman from Wisconsin withdraw his reservation of objection?

Mr. REUSS. Mr. Chairman, I withdraw my reservation of objection.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that the debate close on this amendment in 10 minutes after the gentleman from Florida concludes his 5 minutes.

The CHAIRMAN. The gentleman from Texas makes a unanimous-consent request that at the conclusion of the statement of the gentleman from Florida, all debate close in 10 minutes on this amendment.

Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Florida for 5 additional minutes.

Mr. CRAMER. Mr. Chairman, the gentleman from Wisconsin has said that the Governor can designate what the metropolitan area should be. Who is the Governor of Washington, D.C., to make such a designation? I do not see in here any special exception for Washington, D.C.

Mr. REUSS. Mr. Chairman, if the gentleman will yield, I will be pleased to answer him.

Mr. CRAMER. I do not see any exception insofar as Washington, D.C., at least is concerned.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. Yes, I yield.

Mr. REUSS. Mr. Chairman, I would say in reply to the gentleman that in the Washington area, instead of an uncoordinated group of isolated and self-Balkanizing communities, we have a Washington Metropolitan Council of Governments, which under section (7), lines 17 to 22, would be the regional agency empowered under State and local laws, or under an interstate compact or agreement, to perform comprehensive planning in this area.

So you do not need the Governor in Washington, D.C.

Mr. CRAMER. I understand that.

Mr. REUSS. So that the gentleman's fears for the Nation's Capital are groundless.

Mr. CRAMER. I understand that in the District there is an agency—but for limited purposes and not for planning sewage for instance. The Governor of the State of Florida does not have the authority under State law to appoint or designate such an agency and what is going to happen there in June of 1967 if there is going to be a cutoff thereafter, because the legislature will not have been able to act by that time to designate somebody. And the money going to these metropolitan areas, because they have not conformed, will be cut off for hospitals, airports, libraries, water supplies, sewage treatment facilities, highway and water development facilities.

That is precisely what is going to happen. I do not know whether the committee intended to do that or not. But I am giving you this word of caution that that is what is likely to happen. All of these grants, under the terminology of this section 204, it seems to me, are going to come to an end as of June 30, 1967, as this bill is drafted.

Now is that the penalty we are going to have to pay in order to get these statistical areas, these large metropolitan areas that include two or three municipalities into a planning program? Is that the price we are going to have to pay to force those two or three municipalities that have no legislative authority to plan in unison at the present time and who have a governor who has no power to appoint anybody to do their planning for them? They are helpless—they are helpless and they cannot possibly conform to the requirements of this section.

I fail to understand how anyone could possibly write a mandatory provision affecting all present grants affecting all of the highway programs, the interstate program, the primary and secondary, the rural and urban programs within these metropolitan areas—they are all going to be adversely affected. All of this sewage treatment money that we just voted out in conference the other day, $3.4 billion—those municipalities that need this help so badly—by June of 1967, and therefore, it will be cut off of the sewage treatment construction money merely because they do not have an areawide metropolitan planning agency that conforms to what the Secretary says he thinks it ought to be.

Mr. FRASER. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. FRASER. I have been reading this language that the gentleman has been referring to, and I am looking for the section which the gentleman seems to say will cut off these funds.

Mr. CRAMER. It is on page 51, in section 204.

Mr. FRASER. I have read that. What it says is that it shall be submitted to any areawide agency which is designated.

Mr. CRAMER. Yes; and there is no possibility of designating an areawide agency.

Mr. FRASER. Exactly.

Mr. CRAMER. And it is mandatory, it says it shall be submitted. It does not say "may be." It says it "shall be submitted."

Mr. FRASER. It says: "to any areawide agency which is designated."

If there is none designated, obviously it is not a requirement, as I read it, unless the gentleman has found other language.

But it seems to me that this says if a local community or a State government, or whatever agency there is at the local level, has established this kind of areawide agency, then the gentleman is right—it must be submitted. But if there is no such agency designated, I find no language anywhere here that cuts off the grant in the manner that the gentleman has suggested.

Mr. CRAMER. All applications under section 204 made after June 30 shall be cut off, and as I read it, it is mandatory to have such a planning agency after June 30, 1967, or the money will be lost. Reading paragraphs 1 and 2 on page 52 together it says such projects "shall" be, first, submitted to an area agency or, if none exists; second, to the local unit in conformity with areawide metropolitan plans and, therefore, such plans must be in force by June 30, 1967. I repeat, this bill says to conform or get cut off.

The CHAIRMAN. For what purpose does the gentlewoman from Ohio [Mrs. BOLTON] rise?

Mrs. BOLTON. Mr. Chairman, I move to strike out the last word.

Mr. HANNA. Mr. Chairman, will the gentlewoman yield for a parliamentary inquiry?

Mrs. BOLTON. I yield to the gentleman.

Mr. HANNA. Mr. Chairman, I wish to inquire of the Chair, if I am not correct in the assumption that there had been a limit of time established following the speech that has just been made. I would point out to the Chair that after the conclusion of the remarks of the gentleman who just concluded, there were several Members of the Committee standing. I thought the Chair would then divide the time between those persons then standing; am I right?

The CHAIRMAN. As I remember, if your statement were correct, you would be right. However, I only saw one person standing at the time it was closed and I so advised the Clerk. It did not include the gentlewoman. There are 10 minutes remaining. There are still 5 minutes remaining for that one person who I will name when the time comes. It did not include the gentleman from California.

The gentlewoman from Ohio will proceed for 5 minutes.

Mrs. BOLTON. Mr. Chairman, title II, the metro title of this bill, S. 3708, is the most far-reaching piece of legislation to come before the House in many years—all too far reaching.

How can any Member who believes in restoring and preserving the powers of local government, read pages 55 and 56 and still vote for this bill?

Why should the Secretary of Housing and Urban Development have discretionary powers over such purely local matters as zoning, subdivision regulations, land-use patterns in metropolitan areas, and so on? Why should the Secretary of HUD have discretionary powers over the location, scheduling, and financing of all public works projects in a metropolitan area, whether or not such projects receive Federal aid? Why should metro government and metro planning be placed under the thumbs of Federal planners?

Why should metro planning funds be contingent upon metrowide planning of our neighborhood schools, as outlined by Secretary Weaver in his testimony before the Housing subcommittee on page 53 of the printed hearings?

Mr. Chairman, how many of us would be truly representing our constituents if we vote for a metrogovernment for virtually every metropolitan area, under the complete control of a "Federal expediter" who would take his orders from Washington?

How many areas of our country have voted for metro government? The answer is, hardly any.

How many areas overwhelmingly have turned down, on public referendums, the metro concept? Practically every one, where a vote has been taken.

The people have rejected this, and now we are being asked—or is it forced—to circumvent their expressed desires.

Mr. Chairman, if this is still a "representative body," which I am beginning to question, then we will reject the metro title of this bill. I cannot tell you how unbelievable this whole bill is to me.

We Ohio people have a way, a history indeed, of not necessarily conforming to Federal ideas, and I, for one, though I originated as a Connecticut Yankee, am definitely an Ohio woman. I deeply resent the effort being made to change our entire form of government without opportunity being given to the people of these United States to express themselves.

The CHAIRMAN. The only person standing at the time the gentleman from Texas made his motion to limit debate was the gentleman from Tennessee [Mr. BROCK]. He will now be heard for 5 minutes.

Mr. PATMAN. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. PATMAN. At the time the gentlewoman from Ohio was recognized, the gentleman from Pennsylvania [Mr. BARRETT] was on his feet asking for recognition.

The CHAIRMAN. That may be, but the Chair did not see the gentleman from Pennsylvania, and merely standing is not sufficient.

Mr. PATMAN. He asked for recognition.

The CHAIRMAN. May I point out that the Chair did not see the gentleman from Pennsylvania standing.

Mr. PATMAN. Perhaps I should make another unanimous-consent request.

The CHAIRMAN. The gentleman will state it.

Mr. PATMAN. Otherwise the members of the minority will have the last 15 minutes of debate, and I do not think that was intended.

The CHAIRMAN. I have no idea what was intended at the time the motion was made. At the time the motion was made by the gentleman from Texas to suspend debate the only Member standing was the gentleman from Tennessee [Mr. BROCK].

Mr. ST GERMAIN. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. ST GERMAIN. At the time the gentleman from Texas made his unanimous-consent request he was standing.

The CHAIRMAN. That is correct.

Mr. ST GERMAIN. Why is he not recognized?

The CHAIRMAN. He is entitled to 2½ minutes if he wishes it.

Mr. ST GERMAIN. Thank you, Mr. Chairman.

Mr. MULTER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MULTER. I understood that there were only 5 minutes remaining, and the Chair has recognized the gentleman from Tennessee [Mr. BROCK] for 5 minutes.

The CHAIRMAN. If the gentleman from Texas desires 2½ minutes, the gentleman from Tennessee [Mr. BROCK] will be recognized for 2½ minutes only.

The gentleman from Tennessee will proceed for 5 minutes. The gentleman from Texas is always very gracious.

Mr. BARRETT. Mr. Chairman, will the gentleman from Tennessee yield to me?

Mr. BROCK. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I want to call the attention of the gentlewoman who spoke prevously to the fact that we have stricken the expediter from the bill. The metropolitan expediter was stricken this afternoon.

I also wanted to relate a message to the gentleman from Florida. He probably does not know that his own State is one of the 22 States which has a very strong metropolitan plan.

Mr. BROCK. I thank the gentleman.

Mr. CRAMER. Mr. Chairman, will the gentleman yield, since I was referred to?

Mr. BROCK. I yield to the gentleman from Florida.

Mr. CRAMER. My district is not a metropolitan area. My district does not want to be. It does not want any part of it. It does not want any part of this bill.

The report of the majority, on page 18, clearly shows that what I said was correct. This is a mandatory program—either conform or get cut off from all these funds. That is what is say on page 18 of the report.

Is that not the gentleman's understanding?

Mr. BROCK. I believe the gentleman is substantially correct.

Mr. BARRETT. I just want to call the attention of the gentleman from Florida to the fact that I know he does not want his State to be considered one of the backward States. I am only calling his attention to that fact.

Mr. BROCK. I appreciate the gentleman's contribution.

Mr. Chairman, my State has the only other working metropolitan area I know of, in Nashville, Tenn. Just because we have a working metropolitan plan in Nashville does not mean we have a prerogative in this body to impose metropolitan government on every other community in the United States.

In my own community we had metropolitan government proposed and it was defeated 2 to 1. That is the people's choice, not ours.

I believe the step proposed in title II here today is a very dangerous step. I would suggest that Members read this particular section of this bill, because when we talk about a metropolitan planning committee we should note that there is no requirement whatsoever that these people be elected. None whatsoever.

I question whether some of our constitutents are going to be very happy if they are included in a metropolitan district in which they represent a minority viewpoint, in which their projects may not be approved by this metropolitan council because it does not happen to suit the whims of larger communities in that same metropolitan district.

I believe this title represents the sum and substance of why we are opposed to this bill. It represents an effort by this administration to impose a new form of government upon our local communities. I believe it is the height of irresponsibility for us to do this without giving the people the right to vote on being included in such a form of government. I do not believe we have the right, either legally or morally, to impose ourselves on every local community in this Nation to this degree.

I hope the amendment will be agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Fino].

Mr. FINO. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. Fino and Mr. Barrett.

The Committee divided, and the tellers reported that there were—ayes 63, noes 93.

So the amendment was rejected.

The CHAIRMAN. Are there any further amendments to title II?

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that the further reading of the bill be dispensed with in its entirety and that it be printed at this point in the Record and be open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The bill is as follows:

TITLE III—FHA INSURANCE OPERATIONS

FHA mortgage financing for veterans

Sec. 301. The next to last sentence of section 203(b)(2) of the National Housing Act is amended by striking out "If the mortgagor is a veteran who has not received any direct, guaranteed, or insured loan under laws administered by the Veterans' Administration for the purchase, construction, or repair of a dwelling (including a farm dwelling) which was to be owned and occupied by him as his home," and inserting in lieu thereof the following: "If the mortgagor is a veteran,".

Cooperative housing insurance fund

Sec. 302. (2) Section 213(m) of the National Housing Act is amended by striking out ", but only in cases where the consent of the mortgagee or lender to the transfer is obtained or a request by the mortgagee or lender for the transfer is received by the Commissioner within such period of time after the date of the enactment of this subsection as the Commissioner shall prescribe".

(b) Section 213(n) of such Act is amended—

(1) by striking out "insured under this section and sections 207, 231, and 232" and inserting in lieu thereof "the insurance of which is the obligation of either the Management Fund or the General Insurance Fund"; and

(2) by adding at the end thereof the following new sentence: "Premium charges on the insurance of mortgages or loans transferred to the Management Fund or insured pursuant to commitments transferred to the Management Fund may be payable in debentures which are the obligation of either the Management Fund or the General Insurance Fund."

(c)(1) The fourth sentence of section 213(k) of such Act is amended to read as follows: "The Secretary is directed to transfer to the Management Fund from the General Insurance Fund an amount equal to the total of the premium payments theretofore made with respect to the insurance of mortgages and loans transferred to the Management Fund pursuant to subsection (m) minus the total of any administrative expenses theretofore incurred in connection with such mortgages and loans, plus such other amounts as the Secretary determines to be necessary and appropriate."

(2) The second proviso in section 213(1) of such Act is amended by striking out "pursuant to subsection (k) or (o)" and inserting in lieu thereof "pursuant to subsection (o)".

Mortgage limits for cooperative housing

Sec. 303. Section 213(b)(2) of the National Housing Act is amended—

(1) by striking out "$9,000", "$12,500", "$15,000", "$18,500", and "$21,000" in the matter preceding the first proviso and inserting in lieu thereof "$11,500", "$15,000", "$17,500", "$21,000", and "$23,500", respectively; and

(2) by striking out "$10,500", $"15,000", "$18,000", "$22,500" and "$25,500" in the first proviso and inserting in lieu thereof "$13,000", "$17,500", "$20,500", "$25,000", and "$28,000", respectively.

Supplementary financing for cooperative housing

Sec. 304. Section 213(j)(2)(A) of the National Housing Act is amended by adding at the end thereof the following: "except that, in the case of improvements or additional community facilities, the outstanding indebtedness may be increased by an amount equal to 97 per centum of the amount which the Secretary estimates will be the value of such improvements or facilities, and the new outstanding indebtedness may exceed the original principal obligation of the mortgage if such new outstanding indebtedness does not exceed the limitations imposed by subsection (b);".

Mortgage limits under section 220 sales housing mortgage insurance program

Sec. 305. (a) Section 220(d)(3)(A)(1) of the National Housing Act is amended by striking out "(3) 75 per centum of such replacement cost in excess of $20,000" and inserting in lieu thereof "(3) 80 per centum of such replacement cost in excess of $20,000".

(b) Section 220(d)(3)(A)(i) of such Act is further amended by adding before the semicolon at the end thereof the following: ": *Provided further,* That if the mortgagor is a veteran and the mortgage to be insured under this section covers property upon which there is located a dwelling designed principally for a one-family residence, the principal obligation may be in an amount equal to the sum of (1) 100 per centum of $15,000 of the Commissioner's estimate of replacement cost of the property, as of the date the mortgage is accepted for insurance, (2) 90 per centum of such replacement cost in excess of $15,000 but not in excess of $20,000, and (3) 85 per centum of such replacement cost in excess of $20,000. As used herein, the term 'veteran' means any person who served on active duty in the Armed Forces of the United States for a period of not less than ninety days (or is certified by the Secretary of Defense as having performed extra-hazardous service), and who was discharged or released therefrom under conditions other than dishonorable".

Mortgage limits for homes under section 221(d)(2)

Sec. 306. Section 221(d)(2)(A) of the National Housing Act is amended by striking out "$11,000" and "$18,000" and inserting in lieu thereof "$12,500" and "$20,000", respectively.

Nondwelling facilities in section 221 projects in urban renewal areas

Sec. 307. Section 221(f) of the National Housing Act is amended by inserting before the period at the end of the first sentence the following: ": *Provided,* That in the case of any such property or project located in an urban renewal area, the provisions of section 220(d)(3)(B)(iv) shall apply with respect to the nondwelling facilities which may be included in the mortgage if the mortgagor waives the right to receive dividends on its equity investment in the portion thereof devoted to community and shopping facilities".

Single occupants in section 221(d)(3) housing

Sec. 308. Section 221(f) of the National Housing Act is amended by adding at the end thereof the following new sentence: "Low- and moderate-income persons who are less than 62 years of age shall be eligible for occupancy of dwelling units in a project financed with a mortgage insured under subsection (d)(3), but not more than 10 per centum of the dwelling units in any such project shall be available for occupancy by such persons."

Insurance of mortgages under section 221 to finance purchase and rehabilitation by nonprofit organizations of housing for resale to low-income purchasers

Sec. 309. (a) Section 221 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(h)(1) In addition to mortgages insured under the other provisions of this section, the Secretary is authorized, upon application by the mortgagee, to insure under this subsection as hereinafter provided any mortgage (including advances under such mortgage during rehabilitation) which is executed by a nonprofit organization to finance the purchase and rehabilitation of deteriorating or substandard housing for subsequent resale to low-income home purchasers and, upon such terms and conditions as the Secretary may prescribe, to make commitments for the insurance of such mortgages prior to the date of their execution or disbursement thereon.

"(2) To be eligible for insurance under paragraph (1) of this subsection, a mortgage shall—

"(A) be executed by a private nonprofit corporation or association approved for purposes of this subsection by the Secretary, for the purpose of financing the purchase of property (comprising one or more tracts or parcels, whether or not contiguous) upon which there is located deteriorating or substandard housing consisting of five or more single-family dwellings of detached, semidetached, or row construction and of rehabilitating such dwellings with a view to subsequent resale as hereinafter provided;

"(B) be secured by the property which is to be purchased and rehabilitated with the proceeds thereof;

"(C) be in a principal amount not exceeding the appraised value of the property at the time of its purchase under the mortgage plus the estimated cost of the rehabilitation;

"(D) bear interest (exclusive of premium charges for insurance and service charge, if any) at the rate in effect under the proviso in subsection (d)(5) at the time of execution;

"(E) provide for complete amortization (subject to paragraph (5)(E)) by periodic payments within such term as the Secretary may prescribe; and

"(F) provide for the release of individual single-family dwellings from the lien of the mortgage upon the sale of the rehabilitated dwellings in accordance with paragraph (5).

"(3) No mortgage shall be insured under paragraph (1) unless the mortgagor shall have demonstrated to the satisfaction of the Secretary that (A) the property to be rehabilitated is located in a neighborhood which is sufficient stable and contains sufficient public facilities and amenities to support long-term values, or (B) the rehabilitation to be carried out by the mortgagor plus its related activities and the activities of other owners of housing in the neighborhood, together with actions to be taken by public authorities, will be of such scope and quality as to give reasonable promise that a stable environment will be created in the neighborhood.

"(4) The aggregate principal balance of all mortgages insured under paragraph (1) and outstanding at any one time shall not exceed $20,000,000.

"(5)(A) No mortgage shall be insured under paragraph (1) unless the mortgagor enters into an agreement (in form and substance satisfactory to the Secretary) that it will offer to sell the dwellings involved, upon completion of their rehabilitation, to individuals or families (hereinafter referred to as 'low-income purchasers') determined by the Secretary to have incomes below the maximum amount specified (with respect to the area involved) in section 101(c)(1) of the Housing and Urban Development Act of 1966.

"(B) The Secretary is authorized to insure under this paragraph mortgages executed to finance the sale of individual dwellings to low-income purchasers as provided in subparagraph (A). Any such mortgage shall—

"(i) be in a principal amount equal to that portion of the unpaid balance of the principal mortgage covering the property (insured under paragraph (1)) which is allocable to the individual dwelling involved; and

"(ii) bear interest at the same rate as the principal mortagage, and provide for complete amortization by periodic payments within a term equal to the remaining term (determined without regard to subparagraph (E)) of such principal mortgage.

"(C) The price for which any individual dwelling is sold to a low-income purchaser under this paragraph shall be the amount of the mortgage covering the sale as determined under subparagraph (B), except that the purchaser shall in addition thereto be required to pay on account of the property at the time of purchase such amount (which shall not be less than $200, but which may be applied in whole or in part toward closing costs) as the Secretary may determine to be reasonable and appropriate in the circumstances.

"(D) Upon the sale under this paragraph of any individual dwelling, such dwelling shall be released from the lien of the principal mortgage, and such mortgage shall thereupon be replaced by an individual mortgage insured under this paragraph to the extent of the portion of its unpaid balance which is allocable to the dwelling covered by such individual mortgage. Until all of the individual dwellings in the property covered by the principal mortgage have been sold, the mortgagor shall hold and operate the dwellings remaining unsold at any given time as though they constituted rental units in a project covered by a mortgage which is insured under subsection (d)(3) (and which receives the benefits of the interest rate provided for in the proviso in subsection (d)(5)).

"(E) Upon the sale under this paragraph of all of the individual dwellings in the property covered by the principal mortgage, and the release of all individual dwellings from the lien of the principal mortgage, the insurance of the principal mortgage shall be terminated and no adjusted premium charge shall be charged by the Secretary upon such termination.

"(F) Any mortgage insured under this paragraph shall contain a provision that if the low-income mortgagor does not continue to occupy the property the interest rate shall increase to the highest rate permissible under this section and the regulations of the Secretary effective at the time of commitment for insurance of the principal mortgage; except that the increase in interest rate shall not be applicable if the property is sold and the purchaser is (i) the nonprofit organization which executed the principal mortgage, (ii) a public housing agency having jurisdiction under the United States Housing Act of 1937 over the area where the dwelling is located, or (iii) a low-income purchaser approved for the purposes of this paragraph by the Secretary."

(b)(1) Section 221(g)(1) of such Act is amended by inserting after "paragraph (2) of subsection (d) of this section" the following: "or paragraph (5) of subsection (h) of this section".

(2) Section 221(g)(2) of such Act is amended by inserting after "paragraph (3) or (4) of subsection (d) of this section" the following: "or paragraph (1) of subsection (h) of this section".

(c) Section 221(f) of such Act is amended by inserting after "Housing Act of 1961," in the fourth sentence "or which meet the requirements of subsection (h),".

(d) Section 305(h) of such Act is amended by striking out "section 221(d)(3)" and inserting in lieu thereof "sections 221(d)(3) and 221(h)".

Application of Davis-Bacon Act to cooperative housing projects insured under section 221 (d)(3) and (d)(4) and mortgages insured under section 221(h)(1)

SEC. 310. The third sentence of section 212(a) of the National Housing Act is amended by striking out "subsection (d)(3) or (d)(4)." and inserting in lieu thereof "subsection (d)(3) or (d)(4) and (deeming the term 'construction' as used in the first sentence of this subsection to mean rehabilitation) of any mortgage described in subsection (h)(1) which covers property on which there is located a dwelling or dwellings designed principally for residential use for more than eight families; except that compliance with such provisions may be waived by the Secretary—

"(1) with respect to mortgages described in such subsection (d)(3) or (d)(4), in cases or classes of cases where laborers or mechanics (not otherwise employed at any time in the construction of the project) voluntarily donate their services without compensation for the purpose of lowering their housing costs in a cooperative housing project and the Secretary determines that any amounts saved thereby are fully credited to the cooperative undertaking the construction, and

"(2) with respect to mortgages described in such subsection (h)(1), in cases or classes of cases where prospective owners of such dwellings voluntarily donate their services without compensation, or other persons (not otherwise employed at any time in the rehabilitation of the property) voluntarily donate their services without compensation, and the Secretary determines that any amounts saved thereby are fully credited to the nonprofit organization undertaking the rehabilitation."

Waiver of deduction on assignment of property to secretary in lieu of foreclosure

SEC. 311. Title V of the National Housing Act is amended by adding at the end thereof the following new section:

"Waiver of deduction on assignment of property to Secretary in lieu of foreclosure

"SEC. 523. Notwithstanding any other provision of this Act, from and after the date of the enactment of the Housing and Urban Development Act of 1966, the Secretary, under such terms and conditions as he may approve, may waive all or a part of the 1 per centum deduction otherwise made from insurance benefits with respect to multifamily housing or land development mortgages assigned to him, where the assignment is made at his request in lieu of foreclosure of the mortgage."

Armed services housing mortgage insurance program

SEC. 312. (a) Section 803(a) of the National Housing Act is amended—

(1) by striking out "$2,300,000,000" and inserting in lieu thereof "$3,350,000,000";

(2) by striking out "October 1, 1962" and inserting in lieu thereof "October 1, 1969"; and

(3) by striking out "twenty-eight thousand" and inserting in lieu thereof "eighty-eight thousand".

(b) Section 803(b) of such is amended—

(1) by striking out "$16,500" each place it appears in paragraph (3)(B) and inserting in lieu thereof "$17,500"; and

(2) by striking out "4½ per centum" in the sentence following paragraph (3)(C) and inserting in lieu thereof "5½ per centum".

Increase in units insurable under section 810 program

SEC. 313. Section 810(i) of the National Housing Act is amended by striking out "five thousand dwelling units" and inserting in lieu thereof "ten thousand dwelling units".

TITLE IV—LAND DEVELOPMENT AND NEW COMMUNITIES

Mortgage insurance for new communities

SEC. 401. Title X of the National Housing Act is amended by inserting after section 1003 the following new section 1004 and redesignating the remaining sections accordingly:

"New communities

"SEC. 1004. (a) New communities consisting of developments, satisfying all other requirements under this title, may be approved under this section by the Secretary for mortgage insurance if they meet the requirements of subsection (b) of this section.

"(b) A development shall be eligible for approval as a new community if the Secretary determines it will, in view of its size and scope, make a substantial contribution to the sound and economic growth of the area within which it is located in the form of—

"(1) substantial economies, made possible through large-scale development, in the provision of improved residential sites;

"(2) adequate housing to be provided for those who would be employed in the community or the surrounding area;

"(3) maximum accessibility from the new residential sites to industrial or other employment centers and commercial, recreational, and cultural facilities in or near the community; and

"(4) maximum accessibility to any major central city in the area".

Mortgage amount and term

SEC. 402. (a) Section 1002(c) of the National Housing Act is amended by striking out "$10,000,000" and inserting in lieu thereof "$25,000,000".

(b) Section 1002(d)(1) of such Act is amended to read as follows:

"(1) contain repayment provisions satisfactory to the Secretary and have a maturity not to exceed seven years, or such longer maturity as the Secretary deems reasonable (A) in the case of a privately owned system for water or sewerage, and (B) in the case of a new community approved under section 1004;".

Encouragement of small builders

SEC. 403. The section of the National Housing Act redesignated as section 1005 by section 401 of this Act is amended by inserting "particularly small builders," after "broad participation by builders,".

Water and sewerage facilities

SEC. 404. The section of the National Housing Act redesignated as section 1006 by section 401 of this Act is amended to read as follows:

"Water and sewerage facilities

"SEC. 1006. After development of the land it shall be served by public systems for water and sewerage which are consistent with other existing or prospective systems within the area, except that—

"(a) in the case of systems for water, the land may be served by privately or cooperatively owned systems which are consistent with other existing or prospective systems within the area; are approved as adequate by the Secretary; and are regulated in a manner acceptable to him with respect to user rates and charges, capital structure, methods of operation, rate of return, and conditions and terms of any sale or transfer; and

"(b) in the case of systems for sewage, the land may be served by—

"(1) existing privately or cooperatively owned systems (including reasonable extensions thereto) which are approved as adequate by the Secretary and are regulated in a manner acceptable to him; or

"(2) if it is necessary to develop a new system and the Secretary determines that public ownership of such a system is not feasible, an adequate privately or cooperatively owned new system (A) which he finds consistent with other existing or prospective systems within the area, (B) which will be regulated, during the period of such ownership, in a manner acceptable to him with respect to user rates and charges, capital structure, methods of operation, and rate of return, and (C) regarding which he receives assurances, satisfactory to him, with respect to eventual public ownership and operation of the system and with respect to the conditions and terms of any sale or transfer."

Federal National Mortgage Association special assistance for new communities

SEC. 405. Section 302(b) of the National Housing Act is amended by inserting after "or title VIII," in the proviso the following: "or under title X with respect to a new community approved under section 1004 thereof,".

Urban planning grants

SEC. 406. Section 701(a)(4) of the Housing Act of 1954 is amended by inserting before the semicolon at the end thereof the following: ", or for areas where rapid urbanization is expected to result on land developed or to be developed as a new community approved under section 1004 of the National Housing Act".

Public facility loans

SEC. 407. Section 202(b)(4) of the Housing Amendments of 1955 is amended by adding before the period at the end of the second sentence the following: ", or (iii) to be provided in connection with the establishment of a new community approved under section 1004 of the National Housing Act".

TITLE V—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES

Purpose

SEC. 501. It is the purpose of this title to assure the availability of credit on reasonable terms to units or organizations engaged in the group practice of medicine, optometry, or dentistry, particularly those in smaller communities, to assist in financing the construction and equipment of group practice facilities.

Establishment of program

SEC. 502. (a) The National Housing Act is amended by adding at the end thereof the following new title:

"TITLE XI—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES

"Insurance of mortgages

"SEC. 1101. (a) The Secretary is authorized (1) to insure mortgages (including advances on such mortgages during construction), upon such terms and conditions as he may prescribe, in accordance with the provisions of this title, and (2) to make commitments for the insuring of such mortgages prior to the date of their execution or disbursement thereon. No mortgage shall be insured under this title after October 1, 1969, except pursuant to a commitment to insure issued before that date.

"(b) To be eligible for insurance under this title, the mortgage shall (1) be executed by a mortgagor that is a group practice unit or organization, approved by the Secretary, (2) be made to and held by a mortgagee approved by the Secretary as responsible and able to service the mortgage properly, and (3) cover a property or project which is approved for mortgage insurance prior to the beginning of construction or rehabilitation and is designed for use as a group practice facility which the Secretary finds will be constructed in an economical manner, will not be of elaborate or extravagant design or materials, and will be adequate and suitable for carrying out the purposes of this title. No mortgage shall be insured under this title unless it is shown to the satisfaction of the Secretary that the applicant would be unable to obtain the mortgage loan without such insurance on terms comparable to those specified in subsection (c).

"(c) The mortgage shall—

"(1) not exceed $5,000,000;

"(2) not exceed 90 per centum of the amount which the Secretary estimates will be the value of the property or project when construction or rehabilitation is completed. The value of the property may include the land and the proposed physical improvements, equipment, utilities within the boundaries of the property, architects' fees, taxes, and interest accruing during construction or rehabilitation, and other miscellaneous charges incident to construction or rehabilitation and approved by the Secretary;

"(3) have a maturity satisfactory to the Secretary but not to exceed twenty-five years, and provide for complete amortization of the principal obligation by periodic payments within such term as the Secretary shall prescribe; and

"(4) bear interest (exclusive of premium charges for insurance, and service charges if any) at a rate of not to exceed 5 per centum per annum of the amount of the principal obligation outstanding at any time, or not to exceed such rate (not in excess of 6 per centum per annum) as the Secretary finds necessary to meet the mortgage market.

"(d) Any contract of insurance executed by the Secretary under this title shall be conclusive evidence of the eligibility of the mortgage for insurance, and the validity of any contract for insurance so executed shall be incontestable in the hands of an approved mortgagee from the date of the execution of such contract, except for fraud or misrepresentation on the part of such approved mortgagee.

"(e) Each mortgage insured under this title shall contain an undertaking (in accordance with regulations prescribed under this title and in force at the time the mortgage is approved for insurance) to the effect that, except as authorized by the Secretary and the mortgagee, the property will be used as a group practice facility until the mortgage has been paid in full or the contract of insurance otherwise terminated.

"(f) No mortage shall be insured under this title unless the mortgagor and the mortgagee certify (1) that they will keep such records relating to the mortgage transaction and indebtedness, to the construction of the facility covered by the mortgage, and to the use of such facility as a group practice facility as are prescribed by the Secretary at the time of such certification, (2) that they will make such reports as may from time to time be required by the Secretary pertaining to such matters, and (3) that the Secretary shall have access to and the right to examine and audit such records.

"Premiums

"SEC. 1102. The Secretary shall fix premium charges for the insurance of mortgages under this title, but such charges shall not be more than 1 per centum per annum of the amount of the principal obligation of the mortgage outstanding at any time, without taking into account delinquent payments or prepayments. In addition to the premium charge, the Secretary is authorized to charge and collect such amounts as he may deem reasonable for the analysis of a proposed project and the appraisal and inspection of the property and improvements. Where the principal obligation of any mortgage accepted for insurance under this title is paid in full prior to the maturity date, the Secretary is authorized to require the payment by the mortgagee of an adjusted premium charge. This charge shall be in such amount as the Secretary determines to be equitable, but not in excess of the aggregate amount of the premium charges that the mortgagee would otherwise have been required to pay if the mortgage had continued to be insured until the maturity date. Where such prepayment occurs, the Secretary is authorized to refund to the mortgagee for the account of the mortgagor all, or such portion as he shall determine to be equitable, of the current unearned premium charges theretofore paid. Premium charges fixed under this section shall be payable by the mortgagee either in cash, or in debentures which are the obligation of the General Insurance Fund at par plus accrued interest, at such times and in such manner as may be prescribed by the Secretary.

"Payment of insurance benefits

"SEC. 1103. The mortgagee shall be entitled to receive the benefits of the insurance under this title in the manner provided in subsection (g) of section 207 with respect to mortgages insured under that section. For such purpose the provisions of subsections (g), (h), (i), (j), (k), (l), and (n) of section 207 shall apply to mortgages insured under this title and all references in such subsections to section 207 shall be deemed to refer to this title.

"Regulations

"SEC. 1104. The Secretary shall prescribe such regulations as may be necessary to carry out this title, after consulting with the Secretary of Health, Education, and Welfare with respect to any health or medical aspects of the program under this title which may be involved in such regulations.

"Administration

"SEC. 1105. (a) At the request of individuals or organizations operating or contemplating the operation of group practice facilities (as defined in section 1106(1)), the Secretary may provide or obtain technical assistance in the planning for and construction of such facilities.

"(b) With a view to avoiding unnecessary duplication of existing staffs and facilities of the Federal Government, the Secretary is authorized to utilize available services and facilities of any agency of the Federal Government in carrying out the provisions of this title, and to pay for such services and facilities, either in advance or by way of reimbursement, in accordance with an agreement between the Secretary and the head of such agency.

"Definitions

"SEC. 1106. For the purposes of this title—

"(1) The term 'group practice facility' means a facility in a State for the provision of preventive, diagnostic, and treatment services to ambulatory patients (in which patient care is under the professional supervision of persons licensed to practice medicine or surgery in the State or, in the case of optometric care or treatment, is under the professional supervision of persons licensed to practice optometry in the State, or, in the case of dental diagnosis or treatment, is under the professional supervision of persons licensed to practice dentistry in the State) and which is primarily for the provision of such health services by a medical or dental group.

"(2) The term 'medical or dental group' means a partnership or other association or group of persons licensed to practice medicine or surgery in the State, or of persons licensed to practice optometry in the State, or of persons licensed to practice dentistry in the State, or of any combination of such persons, who, as their principal professional activity and as a group responsibility, engage or undertake to engage in the coordinated practice of their profession primarily in one or more group practice facilities, and who (in this connection) share common overhead expenses (if and to the extent such expenses are paid by members of the group), medical and other records, and substantial portions of the equipment and the professional, technical, and administrative staffs, and which partnership or association or group is composed of at least such professional personnel and makes available at least such health services as may be provided in regulations prescribed under this title.

"(3) The term 'group practice unit or organization' means—

"(A) a private nonprofit agency or organization undertaking to provide, directly or through arrangements with a medical or dental group, comprehensive medical care, optometric care, or dental care, or any combination thereof, which may include hospitalization, to members or subscribers primarily on a group practice prepayments basis;

"(B) a private nonprofit agency or organization established for the purpose of improving the availability of medical, optometric, or dental care in the community or having some function or functions related to the provision of such care, which will, through lease or other arrangement, make the group practice facility with respect to which assistance has been requested under this title available to a medical or dental group for use by it; or

"(C) a medical or dental group.

"(4) The term 'nonprofit organization' means a corporation, association, foundation, trust, or other organization no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual except, in the case of an organization the purposes of which include the provision of personal health services to its members or subscribers or their dependents under a plan of such organization for the provision of such services to them (which plan may include the provision of other services or insurance benefits to them), through the provision of such health services (or such other services or insurance benefits) to such members or subscribers or dependents under such plan.

"(5) The term 'State' includes the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and the District of Columbia.

"(6) The term 'mortgage' means a first mortgage on real estate in fee simple, or on the interest of either the lessor or lessee thereof (A) under a lease for not less than ninety-nine years which is renewable, or (B) under a lease having a period of not less than fifty years to run from the date the mortgage was executed. The term 'first mortgage' means such classes of first liens as are commonly given to secure advances (including but not limited to advances during construction) on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located, together with the credit instrument or instruments, if any, secured thereby, and any mortgage may be in the form of one or more trust mortgages or mortgage indentures or deeds of trust, securing notes, bonds, or other credit instruments, and, by the same instrument or by a separate instrument, may create a security interest in initial equipment, whether or not attached to the realty.

"(7) The term 'mortgagee" means the original lender under a mortgage, and his or its successors and assigns, and includes the holders of credit instruments issued under a trust mortgage or deed of trust pursuant to which such holders act by and through a trustee named therein.

"(8) The term 'mortgagor' means the original borrower under a mortgage and his or its successors and assigns."

(b) The first sentence of section 227 of such Act is amended by inserting after "new or rehabilitated multifamily housing" the following: "or a property or project described in title XI".

Labor standards

SEC. 503. Section 212(a) of the National Housing Act is amended by adding at the end thereof the following new sentence: "The provisions of this section shall also apply to the insurance of any mortgage under title XI; and each laborer or mechanic employed on any facility covered by a mortgage insured under such title shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in any workweek in excess of eight hours in any workday or forty hours in the workweek, as the case may be."

Amendments to other Federal laws

SEC. 504. (a)(1) The sixth sentence of paragraph "Seventh" of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), is amended by inserting after "Federal Home Loan Banks," the following: "or obligations which are insured by the Secretary of Housing and Urban Development under title XI of the National Housing Act".

(2) The third sentence of the first paragraph of section 24 of the Federal Reserve Act, as amended (12 U.S.C. 371), is amended by inserting after "or sections 1471–1484 of title 42," the following: "or which are insured by the Secretary of Housing and Urban Development pursuant to title XI of the National Housing Act.".

(b) Subsection (a) of section 304 of the Trust Indenture Act of 1939 (15 U.S.C. 77ddd) is amended by striking out the word "or" at the end of paragraph (8); by striking out the period at the end of paragraph (9) and inserting in lieu thereof a semicolon and the word "or"; and by adding after paragraph (9) a new paragraph as follows:

"(10) any security issued under a mortgage or trust deed indenture as to which a contract of insurance under title XI of the National Housing Act is in effect; and any such security shall be deemed to be exempt from the provisions of the Securities Act of 1933 to the same extent as though such security were specifically enumerated in section 3(a)(2), as amended, of the Securities Act of 1933 (15 U.S.C. 77c(a)(2))."

(c) Section 263 of chapter X of the Bankruptcy Act (11 U.S.C. 663) is amended by adding at the end thereof the following: "Nothing contained in this chapter shall be deemed to affect or apply to the creditors of any corporation under a mortgage insured pursuant to title XI of the National Housing Act."

TITLE VI—PRESERVATION OF HISTORIC STRUCTURES

Preservation of historic structures as part of urban renewal projects

SEC. 601. (a) Section 110(b) of the Housing Act of 1949 is amended by inserting "historic and architectural preservation," after "land acquisition,".

(b) Section 110(c)(6) of such Act is amended by inserting "to promote historic and architectural preservation," after "deterioration,".

(c) Section 110(c) of such Act is further amended by striking out "and" at the end of clause (8), and by striking out clause (9) and inserting in lieu thereof the following:

"(9) relocation within or outside the project area of structures which will be restored and maintained for architectural or historic purposes; and

"(10) restoration of acquired properties of historic or architectural value."

Local grant-in-aid credit for relocation and restoration of historic structures

SEC. 602. Clause (2) of section 110(d) of the Housing Act of 1949 is amended by striking out "clause (2) and clause (3)" and inserting in lieu thereof "clauses (2), (3), (9), and (10)".

Grants to national trust for historic preservation to cover restoration costs

SEC. 603. (a) The Secretary of Housing and Urban Development is authorized to make grants to the National Trust for Historic Preservation, on such terms and conditions and in such amounts (not exceeding $90,000 with respect to any one structure) as he deems appropriate, to cover the costs incurred by such Trust in renovating or restoring structures which it considers to be of historic or architectural value and which it has accepted and will maintain (after such renovation or restoration) for historic purposes.

(b) There are authorized to be appropriated such sums as may be necessary for the grants to be made under subsection (a).

Urban planning grants for surveys of historic structures

SEC. 604. Section 701 of the Housing Act of 1954 is amended by adding at the end thereof the following new subsection:

"(h) In addition to the other grants authorized by this section, the Secretary is authorized to make grants to assist any city, other municipality, or county in making a survey of the structures and sites in such locality which are determined by its appropriate authorities to be of historic or architectural value. Any such survey shall be designed to identify the historic structures and sites in the locality, determine the cost of their rehabilitation or restoration, and provide such other information as may be necessary or appropriate to serve as a foundation for a balanced and effective program of historic preservation in such locality. The aspects of any such survey which relate to the identification of historic and architectural values shall be conducted in accordance with criteria found by the Secretary to be comparable to those used in establishing the National Register maintained by the Secretary of the Interior under other provisions of law; and the results of each such survey shall be made available to the Secretary of the Interior. A grant under this subsection shall not exceed two-thirds of the cost of the survey for which it is made, and shall be made to the appropriate agency or entity specified in paragraphs (1) through (9) of subsection (a) or, if there is no such agency or entity which is qualified and willing to receive the grant and provide for its utilization in accordance with this subsection, directly to the city, other municipality, or county involved."

Loans for acquisition and rehabilitation of historic structures

SEC. 605. (a) Section 312(a) of the Housing Act of 1964 is amended by inserting "(1)" after "(a)", by striking out the second sentence, and by adding at the end thereof the following new paragraphs:

"(2) To assist in the preservation of historic structures both within and outside of urban renewal areas, the Secretary is also authorized under this section to make loans to the owners or tenants of structures which are determined in accordance with regulations prescribed by him to be of historic or architectural value to finance the rehabilitation or restoration of such structures, and to make loans to other persons to finance the acquisition and rehabilitation or restoration by them of structures which are determined in accordance with such regulations to be of historic or architectural value.

"(3) No loan shall be made under this section unless the Secretary finds (A) that the applicant is unable to secure the necessary funds from other sources upon comparable terms and conditions, and (B) the loan is an acceptable risk, taking into consideration the security available for the loan, the ability of the applicant to repay the loan, and the need for the rehabilitation or restoration involved.

"(4) Nothing in this section shall prevent a person from receiving a loan under this section with respect to property in connection with which he receives a grant under section 115 of the Housing Act of 1949, if and to the extent that such person is otherwise eligible to receive such loan under this section."

(b) (1) The heading of section 312 of such Act is amended to read as follows:

"Loans for rehabilitation or historic preservation"

(2) Section 312(b) (1) of such Act is amended by striking out "or the urban renewal plan" and inserting in lieu thereof ", or the urban renewal plan if any,".

(3) Section 312(b) (3) of such Act is amended by striking out "rehabilitation loan" and inserting in lieu thereof "loan".

(4) So much of section 312(c) of such Act as precedes paragraph (1) thereof as amended by striking out "rehabilitation loan" and inserting in lieu thereof "loan".

(5) Section 312(c) (4) of such Act is amended by striking out "the cost of rehabilitation" in subparagraphs (A) and (B) and inserting in lieu thereof in each instance "the cost of the rehabilitation, restoration, or acquisition and restoration".

Grants for historic preservation

SEC. 606. (a) The heading of title VII of the Housing Act of 1961 is amended to read as follows:

"TITLE VII—OPEN-SPACE LAND, URBAN BEAUTIFICATION, AND HISTORIC PRESERVATION"

(b) Section 701 of such Act, is amended by redesignating subsection (c) as subsection (d), and by inserting after subsection (b) a new subsection as follows:

"(c) The Congress further finds that there is a need for timely action to preserve and restore areas, sites, and structures of historic or architectural value in order that these remaining evidences of our past history and heritage shall not be lost or destroyed through the expansion and development of the Nation's urban areas."

(c) Section 701(d) of such Act (as redesignated by subsection (b) of this section) is amended—

(1) by inserting after "urban development," the following: "to assist in preserving areas and properties of historic or architectural value,"; and

(2) by striking out "and (2)" and inserting in lieu thereof "(2) acquire, improve, and restore areas, sites, and structures of historic or architectural value, and (3)".

(d) Section 702(e) of such Act is amended to read as follows:

"(e) The Secretary shall consult with the Secretary of the Interior on the general policies to be followed in reviewing applications for grants under this title. To assist the Secretary in such review, the Secretary of the Interior shall furnish him (1) appropriate information on the status of national and statewide recreation and historic preservation planning as it affects the areas to be assisted with such grants, and (2) the current listing of any districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture which may be contained on a National Register maintained by the Secretary of the Interior pursuant to other provisions of law. The Secretary shall provide current information to the Secretary of the Interior from time to time on significant program developments."

(e) Section 706 of such Act is amended by striking out the proviso.

(f) Section 708 of such Act is amended by inserting "(a)" after "SEC. 708", by inserting "(b)" before "The" in the second paragraph, and by adding at the end thereof a new subsection as follows:

"(c) Notwithstanding any other provision of this title, the Secretary may use not to exceed $10,000,000 of the sum authorized for contracts under this title for the purpose of entering into contracts to make grants in amounts not to exceed 90 per centum of the cost of activities which he determines have special value in developing and demonstrating new and improved methods and materials for use in carrying out the purposes of this title."

(g) Title VII of such Act is amended by redesignating section 709 as section 710, and by adding after section 708 a new section as follows:

"Grants for historic preservation

"SEC. 709. The Secretary is authorized to enter into contracts to make grants to States and local public bodies to assist in the acquisition of title to or other permanent interests in areas, sites, and structures of historic or architectural value in urban areas, and in their restoration and improvement for public use and benefit in accord with the comprehensively planned development of the locality. The amount of any such grant shall not exceed 50 per centum of the total cost, as approved by the Secretary, of the assisted activities. The remainder of such cost shall be provided from non-Federal sources.

(h) Commencing three years after the date of the enactment of this Act, no grant shall be made (except pursuant to a contract or commitment entered into less than three years after such date) under section 709 of the Housing Act of 1961 or section 701(h) of the Housing Act of 1954, or under section 103 of the Housing Act of 1949 to the extent that it is to be used for historic or architectural preservation, except with respect to districts, sites, buildings, structures, and objects which the Secretary of Housing and Urban Development finds meet criteria comparable to those used in establishing the National Register maintained by the Secretary of the Interior pursuant to other provisions of law.

TITLE VII—URBAN RENEWAL

Local grants-in-aid

SEC. 701. Section 110(d) of the Housing Act of 1949 is amended by inserting immediately after the colon at the end of the first proviso the following: *"Provided further,* That any publicly owned facility, the construction of which was begun not earlier than three years prior to the date of enactment of the Demonstration Cities and Metropolitan Development Act of 1966, shall be deemed to benefit an urban renewal project or projects to the extent of 25 per centum of the total benefits of such facility, if such facility (A) is used, or is to be used, by the public predominantly for cultural, exhibition, civic, or municipal purposes; (B) is located within, adjacent to, or in the immediate vicinity of such urban renewal project or projects; (C) is found to contribute materially to the objectives of the urban renewal plan or plans for such project or projects; and (D) is not otherwise eligible as a local grant-in-aid:".

Air rights sites in urban renewal projects

SEC. 702. (a) Section 110(c) (1) of the Housing Act of 1949 is amended by inserting in clause (iv), between the word "income" and the colon immediately preceding the first proviso, the following: "or, if the area is found by the local public agency to be unsuitable for use for low or moderate income housing, for use for industrial development".

(b) Section 110(c) (7) of such Act is amended by inserting immediately before the semicolon the following: ", or construction of foundations and platforms necessary for the provision of air rights sites for industrial development".

Application of Davis-Bacon Act to multifamily housing construction in urban renewal areas

SEC. 703. Section 105 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"(f) All laborers and mechanics employed by contractors or subcontractors in the construction of any multifamily housing (as defined for purposes of this subsection by the Secretary of Housing and Urban Development or his designee) which may be involved in the redevelopment of the urban renewal area, and which is not subject to the provisions of section 212 of the National Housing Act or to other provisions of Federal law imposing similar standards, will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). No contract for loan or capital grant shall be entered into under this title with respect to an urban renewal area whose redevelopment will involve the construction of such housing without first obtaining adequate assurance that the labor standards imposed by the preceding sentence (or, in the case of housing which is subject to the provisions of section 212 of the National Housing Act or to other provisions of Federal law imposing similar standards, the labor standards imposed by such provisions) will be maintained upon the construction work. The Secretary of Labor shall have, with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c)."

TITLE VIII—RURAL HOUSING

SEC. 801. Section 501(a) of the Housing Act of 1949 is amended by striking out "previously occupied" wherever it appears.

SEC. 802. Section 502(a) of the Housing Act of 1949 is amended by striking out "In cases of applicants who are elderly persons, the" and inserting in lieu thereof "The".

SEC. 803. Section 504 of the Housing Act of 1949 is amended by striking out "$1,000" and inserting in lieu thereof "$1,500".

SEC. 804. (a) Section 515(a) of the Housing Act of 1949 is amended by inserting after "income" the following: "or other persons and families of low income".

(b) Section 515(d)(1) of such Act is amended by striking out "elderly persons or elderly families" and inserting in lieu thereof "occupants eligible under this section".

SEC. 805. (a) Subsections (a) and (b) of section 515 of the Housing Act of 1949 are each amended by striking out "rental housing" and inserting in lieu thereof "rental or cooperative housing".

(b) Section 515(b) of such Act is amended by inserting after "families" the following: "or other persons and families of moderate income".

(c) Section 515(d)(4) of such Act is amended by adding at the end thereof the following: "Such fees and charges may include payments to qualified consulting organizations or foundations which operate on a nonprofit basis and which render services or assistance to nonprofit corporations or consumer cooperatives who provide housing and related facilities."

SEC. 806. Section 517(a)(1) of the Housing Act of 1949 is amended—

(1) by inserting "and" before "(B)"; and

(2) by striking out ", and (C)" and all that follows and inserting in lieu thereof the following: "; but no loan under this paragraph shall be insured or made after October 1, 1969, except pursuant to a commitment entered into before that date; and".

TITLE IX—MISCELLANEOUS

Housing for the elderly or handicapped

SEC. 901. Section 105(b) of the Housing and Urban Development Act of 1965 as amended—

(1) by inserting "(1)" after "(b)";

(2) by striking out "Effective with respect to loans made on or after the date of the enactment of this Act, section" and inserting in lieu thereof "Section"; and

(3) by adding at the end thereof a new paragraph as follows:

"(2) The interest rate provided by the amendment made in paragraph (1) shall be applicable (A) with respect to any loan made on or after August 10, 1965, and (B) with respect to any loan made prior to such date if construction of the housing or related facilities to be assisted by such loan was not commenced prior to such date, and not completed prior to the filing of an application for the benefits of such interest rate."

Low-rent housing in private accommodations for displaced families—term of lease

SEC. 902. Section 23(d) of the United States Housing Act of 1937 is amended by inserting after "thirty-six months" the following: "(except that it may be for a term of up to sixty months in any case in which the public housing agency determines that the housing to be leased thereunder is needed for displaced families)".

Application of Davis-Bacon Act to low-rent housing projects consisting of privately built housing

SEC. 903. Section 16(2) of the United States Housing Act of 1937 is amended by inserting after "the development of the project involved" the following: "(including a project for the use of privately built housing in any case, other than under the authority of section 23 of this Act, where the public housing agency and the builder or sponsor enter into an agreement for such use before construction or rehabilitation is commenced), and that each such laborer or mechanic shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in any workweek in excess of eight hours in any workday or forty hours in the workweek, as the case may be".

Assistance for housing in Alaska

SEC. 904. (a) The Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") is authorized to make loans and grants to the State of Alaska, or any duly authorized agency or instrumentality thereof, in accordance with a statewide program prepared by such State, agency, or instrumentality, and approved by the Secretary, to assist in the provision of housing and related facilities for Alaska natives and other Alaska residents who are otherwise unable to finance such housing and related facilities upon terms and conditions which they can afford. The program shall (1) specify the minimum and maximum standards for such housing and related facilities (not to exceed an average of $7,500 per dwelling unit); (2) to the extent feasible, encourage the proposed users of such housing and related facilities to utilize mutual and self-help in the construction thereof; and (3) provide experience, and encourage continued participation, in self-government and individual home ownership.

(b) Grants under this section shall not exceed 75 per centum of the aggregate cost of the housing and related facilities to be constructed under an approved program.

(c) There is authorized to be appropriated not to exceed $10,000,000 to carry out the purposes of this section.

Federal National Mortgage Association participation in Federal Housing Administration-insured construction financing

SEC. 905. Section 305 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(i) In any case where the Association makes a commitment to purchase under this section (1) a mortgage insured under section 213, or (2) a mortgage insured under section 221(d)(3) and executed by a cooperative (including an investor-sponsor), a private nonprofit corporation or association, or a mortgagor qualified under section 221(e), such commitment may provide for participation by the Association in the making of insured advances on the mortgage during construction. Such participation shall be limited to 95 per centum of the amount of each of the advances involved, and the mortgagee providing the balance of such amount shall perform all necessary servicing and processing of such advances until the final insurance endorsement of the mortgage. The Secretary of Housing and Urban Development shall approve the reasonableness of the fee to be paid a participating mortgagee, taking into account its services and the extent of its participation in the advances."

Federal National Mortgage Association standby commitments

SEC. 906. Section 304(a)(1) of the National Housing Act is amended by striking out the last sentence.

Planning grants for research on State statutes affecting local governments

SEC. 907. Section 701(b) of the Housing Act of 1954 is amended by inserting before the period at the end thereof the following: ", and for grants to assist in the conduct of studies and research relating to needed revisions in State statutes which create, govern, or control local governments and local governmental operations".

Public facility loans

SEC. 908. Section 202 of the Housing Amendments of 1955 is amended by adding at the end thereof a new subsection as follows:

"(f) The restrictions and limitations set forth in subsection (c) of this section shall not apply to assistance to municipalities, other political subdivisions and instrumentalities of one or more States, and Indian tribes, for specific projects for cultural centers, including but not limited to, museums, art centers and galleries, and theaters and other physical facilities for the performing arts, which would be of cultural, educational, and informational value to the communities and areas where the centers would be located."

Use of open-space grants for development of existing open-space land

SEC. 909. (a) Section 701(b) of the Housing Act of 1961 is amended by inserting ", for the development and redevelopment of existing parks and other open space," after "the Nation's urban areas".

(b)(1) The first sentence of section 702(a) of such Act is amended by inserting before the period at the end thereof the following: ", or the development or redevelopment, for open-space uses, of existing open-space land".

(2) The second sentence of section 702(a) of such Act is amended by inserting before the period at the end thereof the following: "or such development or redevelopment".

Applying advances in technology to housing and urban development

SEC. 910. (a) To encourage and assist the housing industry to continue to reduce the cost and improve the quality of housing by the application to home construction of advances in technology, and to encourage and assist the application of advances in technology to urban development activities, the Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") is directed to—

(1) conduct research and studies to test and demonstrate new and improved techniques and methods of applying advances in technology to housing construction, rehabilitation, and maintenance, and to urban development activities; and

(2) encourage and promote the acceptance and application of new and improved techniques and methods of constructing, rehabilitating, and maintaining housing, and the application of advances in technology to urban development activities, by all segments of the housing industry, communities, industries engaged in urban development activities, and the general public.

(b) Research and studies conducted under this section shall be designed to test and demonstrate the applicability to housing construction, rehabilitation, and maintenance, and urban development activities, of advances in technology relating to (1) design concepts, (2) construction and rehabilitation methods, (3) manufacturing processes, (4) materials and products, and (5) building components.

(c) The Secretary is authorized to carry out the research and studies authorized by this section either directly or by contract with public or private bodies or agencies, or by working agreement with departments and agencies of the Federal Government, as he may determine to be desirable. Contracts may be made by the Secretary for research and studies authorized by this section for work to continue not more than two years from the date of any such contract.

(d) There are authorized to be appropriated to carry out the provisions of this section not to exceed $5,000,000 for the fiscal year ending June 30, 1967, and not to exceed $10,000,000 for the fiscal year ending June 30, 1968. All funds so appropriated shall remain available until expended.

(e) Nothing contained in this section shall limit any authority of the Secretary under title III of the Housing Act of 1948, section 602 of the Housing Act of 1956, or any other provision of law.

Urban environmental studies

SEC. 911. (a) The Congress finds that, with the ever-increasing concentration of the Nation's population in urban centers, there has occurred a marked change in the environmental conditions under which most people live and work; that such change is characterized by the progressive substitution of a highly complex, man-contrived environment for an environment conditioned primarily by nature; that the beneficent or malignant influence of environment on all living creatures is well recognized; and that much more knowledge is urgently needed concerning the effect on human beings of highly urbanized surroundings. It is the purpose of this section to authorize a comprehensive program of research, studies, surveys, and analyses to improve understanding of the environmental conditions necessary for the well-being of an urban society, and for the intelligent planning and development of viable urban centers.

(b) In order to carry out the purpose of this section, the Secretary is authorized and directed to—

(1) conduct studies, surveys, research, and analyses with respect to the ecological factors involved in urban living;

(2) document and define urban environmental factors which need to be controlled or eliminated for the well-being of urban life;

(3) establish a system of collecting and receiving information and data on urban ecological research and evaluations which are in process or are being planned by public or private agencies, or individuals;

(4) evaluate and disseminate information pertaining to urban ecology to public and private agencies or organizations, or individuals, in the form of reports or otherwise;

(5) initiate and utilize urban ecological information in urban development projects initiated or assisted by the Department of Housing and Urban Development; and

(6) establish through interagency consultation the coordinated utilization of urban ecological information in projects undertaken or asisted by the Federal Government which affect the growth or development of urban areas.

(c) (1) The Secretary is authorized to establish such advisory committees as he deems desirable for the purpose of rendering advice and submitting recommendations for carrying out the purpose of this section. Such advisory committees shall render such advice to the Secretary upon his request and may submit such recommendations to the Secretary at any time on their own initiative. The Secretary may designate employees of the Department of Housing and Urban Development to assist such committees.

(2) Members of such advisory committees shall receive not to exceed $100 per day when engaged in the actual performance of their duties, in addition to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

(d) The Secretary is authorized to carry out the studies, surveys, research, and analyses authorized by this section either directly or by contract with public or private bodies or agencies, or by working agreement with departments and agencies of the Federal Government, as he may determine to be desirable. Contracts may be made by the Secretary for work under this subsection to continue not more than two years from the date of any such contract.

(e) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section. All funds so appropriated shall remain available until expended when so provided in appropriation Acts.

Mortgage relief for certain homeowners

SEC. 912. That part of section 107 of the Housing and Urban Development Act of 1965 which precedes subsection (f) is amended to read as follows:

"*Mortgage relief for certain homeowners*

"SEC. 107. (a) For the purposes of this section—

"(1) The term 'mortgage' means a mortgage which (A) is insured under the National Housing Act, or (B) secures a home loan guaranteed or insured under the Servicemen's Readjustment Act of 1944 or chapter 37 of title 38, United States Code.

"(2) The term 'Federal mortgage agency' means—

"(A) the Secretary of Housing and Urban Development when used in connection with mortgages insured under the National Housing Act, and

"(B) the Administrator of Veterans' Affairs when used in connection with mortgages securing home loans guaranteed or insured under the Servicemen's Readjustment Act of 1944 or chapter 37 of title 38, United States Code.

"(3) The term 'distressed mortgagor' means an individual who—

"(A) was employed by the Federal Government at, or was assigned as a serviceman to, a military base or other Federal installation and whose employment or service at such base or installation was terminated subsequent to November 1, 1964, as the result of the closing (in whole or in part) of such base or installation; and

"(B) is the owner-occupant of a dwelling situated at or near such base or installation and upon which there is a mortgage securing a loan which is in default because of the inability of such individual to make payments due under such mortgage.

"(b) (1) Any distressed mortgagor, for the purpose of avoiding foreclosure of his mortgage, may apply to the appropriate Federal mortgage agency for a determination that suspension of his obligation to make payments due under such mortgage during a temporary period is necessary in order to avoid such foreclosure.

"(2) Upon receipt of an application made under this subsection by a distressed mortgagor, the Federal mortgage agency shall issue to such mortgagor a certificate of moratorium if it determines, after consultation with the interested mortgagee, that such action is necessary to avoid foreclosure.

"(3) Prior to the issuance to any distressed mortgagor of a certificate of moratorium under paragraph (2), the Federal mortgage agency, the mortgagor, and the mortgagee shall enter into a binding agreement under which—

"(A) the mortgagor will be required to make payments to such agency, after the expiration of such certificate, in an aggregate amount equal to the amount paid by such agency on behalf of such mortgagor as provided in subsection (c), together with interest thereon at a rate not to exceed the rate provided in the mortgage; the manner and time in which such payments shall be made to be determined by the Federal mortgage agency having due regard for the purposes sought to be achieved by this section; and

"(B) the Federal mortgage agency will be subrogated to the rights of the mortgagee to the extent of payments made pursuant to such certificate, which rights, however, shall be subject to the prior right of the mortgagee to receive the full amount payable under the mortgage.

"(4) Any certificate of moratorium issued under this subsection shall expire on whichever of the following dates is the earliest—

"(A) two years from the date on which such certificate was issued;

"(B) thirty days after the date on which the mortgagor gives notice in writing to the Federal mortgage agency that he is able to resume his obligation to make payments due under his mortgage; or

"(C) thirty days after the date on which the Federal mortgage agency determines that the mortgagor to whom such certificate was issued has ceased to be a distressed mortgagor as defined in subsection (a) (3).

"(c) (1) Whenever a Federal mortgage agency issues a certificate of moratorium to any distressed mortgagor with respect to any mortgage, it shall transmit to the mortgagee a copy of such certificate, together with a notice stating that, while such certificate is in effect, such agency will assume the obligation of such mortgagor to make payments due under the mortgage.

"(2) Payments made by any Federal mortgage agency pursuant to a certificate of moratorium issued under this section with respect to the mortgage of any distressed mortgagor may include, in addition to the payments referred to in paragraph (1), an amount equal to the unpaid payments under such mortgage prior to the issuance of such certificate, plus a reasonable allowance for foreclosure costs actually paid by the mortgagee if a foreclosure action was dismissed as a result of the issuance of a moratorium certificate. Payments by the Federal mortgage agency may also include payments of taxes and insurance premiums on the mortgaged property as deemed necessary when these items are not provided for through payments to a tax and insurance account held by the interested mortgagee.

"(3) While any certificate of moratorium issued under this section is in effect with respect to the mortgage of any distressed mortgagor, no further payments due under the mortgage shall be required of such mortgagor, and no action (legal or otherwise) shall be taken or maintained by the mortgagee to enforce or collect such payments. Upon the expiration of such certificate, the mortgagor shall again be liable for the payment of all amounts due under the mortgage in accordance with its terms.

"(4) Each Federal mortgage agency shall give prompt notice in writing to the interested mortgagor and mortgagee of the expiration of any certificate of moratorium issued by it under this section.

"(d) The Federal mortgage agencies are authorized to issue such individual and joint regulations as may be necessary to carry out this section and to insure the uniform administration thereof.

"(e) There shall be in the Treasury (1) a fund which shall be available to the Secretary of Housing and Urban Development for the purpose of extending financial assistance in behalf of distressed mortgagors as provided in subsection (c) and for paying administrative expenses incurred in connection with such assistance, and (2) a fund which shall be available to the Administrator of Veterans' Affairs for the same purpose, except adminstrative expenses. The capital of each such fund shall consist of such sums as may, from time to time, be appropriated thereto, and any sums so appropriated shall remain available until expended. Receipts arising from the programs of assistance under subsection (c) shall be credited to the fund from which such assistance was extended. Moneys in either of such funds not needed for current operations, as determined by the Secretary of Housing and Urban Development, or the Administrator of Veterans' Affairs, as the case may be, shall be invested in bonds or other obligations of the United States, or paid into the Treasury as miscellaneous receipts."

Acquisition of certain properties situated at or near military bases which have been ordered to be closed

Sec. 913. (a) Notwithstanding any other provision of law, the Secretary of Defense is authorized to acquire title to, hold, manage, and dispose of, or, in lieu thereof, to reimburse for certain losses upon private sale of, or foreclosure against, any property improved with a one- or two-family dwelling which is situated at or near a military base or installation which the Department of Defense has, subsequent to November 1, 1964, ordered to be closed in whole or in part, if he determines—

(1) that the owner of such property is, or has been, a Federal employee employed at or in connection with such base or installation (other than a temporary employee serving under a time limitation) or a serviceman assigned thereto;

(2) that the closing of such base or installation, in whole or in part, has required or will require the termination of such owner's employment or service at or in connection with such base or installation; and

(3) that as the result of the actual or pending closing of such base or installation, in whole or in part, there is no present market for the sale of such property upon reasonable terms and conditions.

(b) In order to be eligible for the benefits of this section such employees or military personnel must be or have been—

(1) assigned to or employed at or in connection with the installation or activity at the time of public announcement of the closure action,

(2) transferred from such installation or activity, or terminated as employees as a result of reduction-in-force, within six months prior to public announcement of the closure action, or

(3) transferred from the installation or activity on an overseas tour unaccompanied by dependents within fifteen months prior to public announcement of the closure action:

Provided, That, at the time of public announcement of the closure action, or at the time of transfer or termination as set forth above, such personnel or employees must—

(i) have been the owner-occupant of the dwelling, or

(ii) have vacated the owned dwelling as a result of being ordered into on-post housing during a six-month period prior to the closure announcement:

Provided further, That as a consequence of such closure such employees or personnel must—

(i) be required to relocate because of military transfer or acceptance of employment beyond a normal commuting distance from the dwelling for which compensation is sought, or

(ii) be unemployed, not as a matter of personal choice, and able to demonstrate such financial hardship that they are unable to meet their mortgage payments and related expenses.

(c) Such persons as the Secretary of Defense may determine to be eligible under the criteria set forth above shall elect either (1) to receive a cash payment as compensation for losses which may be or have been sustained in a private sale or foreclosure, in an amount not to exceed the difference between (A) 95 per centum of the fair market value of their property prior to public announcement of intention to close all or part of the military base or installation and (B) the fair market value of such property at the time of the sale or foreclosure, or (2) to receive, as purchase price for their property, an amount not to exceed 90 per centum of prior fair market value as such value is determined by the Secretary of Defense, or the amount of the outstanding mortgages. An election to receive a cash payment as compensation for loss sustained in a private sale shall not be effective in any case in which the property at the time of the sale is encumbered by a mortgage loan guaranteed, insured, or held by a Federal agency unless such mortgage loan is paid or otherwise fully satisfied at or prior to the time such cash payment is made, or is assumed by the purchaser (who must be determined to be satisfactory to such Federal agency in the case of a sale occurring after the date of the enactment of this Act). In the event of foreclosure by mortgagees commenced prior to the one hundred and twentieth day after the date of the enactment of this Act, the Secretary may pay or reimburse for direct costs of foreclosure, including deficiency judgments.

(d) There shall be in the Treasury a fund which shall be available to the Secretary of Defense for the purpose of extending the financial assistance provided above. The capital of such fund shall consist of such sums as may, from time to time, be appropriated thereto, and shall consist also of receipts from the management, rental, or sale of properties acquired under this section which receipts shall be credited to the fund and shall be available, together with funds appropriated therefor, for purchase or reimbursement purposes as provided above, as well as to defray expenses arising in connection with the acquisition, management, and disposal of such properties, including payment of principal, interest, and expenses of mortgages or other indebtedness thereon, and including the cost of staff services and contract services, costs of insurance, and other indemnity. Any part of such receipts not required for such expenses shall be covered into the Treasury as miscellaneous receipts. Properties acquired under this section shall be conveyed to, and acquired in the name of, the United States. The Secretary of Defense shall have the power to deal with, rent, renovate, and dispose of, whether by sales for cash or credit or otherwise, any properties so acquired: *Provided, however*, That no contract for acquisition, or acquisition, shall be deemed to constitute a contract for or acquisition of family housing units in support of military installations or activities within the meaning of section 406 (a) of the Act of August 30, 1957 (42 U.S.C. 1594i), nor shall it be deemed a transaction within the contemplation of section 2662 of title 10, United States Code.

(e) Payments from the fund created by this section may be made in lieu of taxes to any State or political subdivision thereof, with respect to real property, including improvements thereon, acquired and held under this section. The amount so paid for any year upon such property shall not exceed the taxes which would be paid to the State or subdivision, as the case may be, upon such property if it were not exempt from taxation, and shall reflect such allowance as may be considered appropriate for expenditures, if any, by the Government for streets, utilities, or other public services to serve such property.

(f) The title to any property acquired under this section, the eligibility for, and the amounts of, cash payable, and the administration of the preceding provisions of this section, shall conform to such requirements, and shall be administered under such conditions and regulations, as the Secretary of Defense may prescribe. Such regulations shall also prescribe the terms and conditions under which payments may be made and instruments accepted under this section, and all the determinations and decisions made pursuant to such regulations by the Secretary of Defense regarding such payments and conveyances and the terms and conditions under which they are approved or disapproved, shall be final and conclusive and shall not be subject to judicial review.

(g) The Secretary of Defense is authorized to enter into such agreement with the Secretary of Housing and Urban Development as may be appropriate for the purposes of economy and efficiency of administration of this section. Such agreement may provide authority to the Secretary of Housing and Urban Development and his designee to make any or all of the determinations and take any or all of the actions which the Secretary of Defense is authorized to undertake pursuant to the preceding provisions of this section. Any such determinations shall be entitled to finality to the same extent as if made by the Secretary of Defense, and, in event the Secretaries of Defense and Housing and Urban Development so elect, the fund established pursuant to subsection (d) of this section shall be available to the Secretary of Housing and Urban Development to carry out the purposes thereof.

(h) Section 223(a)(8) of the National Housing Act is amended to read as follows:

"(8) executed in connection with the sale by the Government of any housing acquired pursuant to section 915 of the Demonstration Cities and Metropolitan Development Act of 1966."

(i) No funds may be appropriated for the acquisition of any property under authority of this section unless such funds have been specifically authorized for such purpose in a military construction authorization Act, and no moneys in the fund created pursuant to subsection (d) of this section may be expended for any purpose except as may be provided in appropriation Acts.

(j) Section 108 of the Housing and Urban Development Act of 1965 is repealed.

College housing

Sec. 914. Section 404(b)(4) of the Housing Act of 1950 is amended by striking out "public" immediately before "educational institution".

Study concerning relief of homeowners in proximity to airports

Sec. 915. Section 1113 of the Housing and Urban Development Act of 1965 is amended—

(1) by inserting "(a)" after "Sec. 1113.";

(2) by striking out "one year after the date of the enactment of this Act" and inserting in lieu thereof "six months after the date of the enactment of the Demonstration Cities and Metropolitan Development Act of 1966"; and

(3) by adding at the end thereof the following new subsection:

"(b) There is authorized to be appropriated the sum of $100,000 to carry out subsection (a)."

Hydrology research for urban development

Sec. 916. (a) The Congress finds that there is an increasingly severe impact upon the national economy occasioned by storm water damages and costs of storm drainage control in urban and metropolitan areas; that engineering technology directed toward the specialized storm drainage problems of urbanized areas has not kept pace with the growth of drainage problems in such areas; and that effective areawide comprehensive planning requires efficient planning and design of all elements of urban drainage systems.

(b) The Secretary of Housing and Urban Development is authorized—

(1) by contract with public or private agencies to conduct studies, investigations, research, and demonstrations to develop and improve all aspects of the science and technology of urban hydrology as it relates to storm drainage systems for urban and metropolitan areas and to collection sewers for such areas, and by working agreements with other departments and agencies of the Federal Government to conduct studies, investigations, research, and demonstrations to de-

velop and improve all aspects of the science and technology of urban hydrology;

(2) to evaluate the studies, investigations, research, and demonstrations authorized by this section; and

(3) to make available, through publications and other appropriate means, the information resulting from such studies, investigations, research, and demonstrations.

(c) The Secretary shall annually submit a report to the President and to the Congress concerning the studies, investigations, research, and demonstrations undertaken under this section with such recommendations as he deems desirable for additional legislation to develop the science of urban hydrology and its application.

(d) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

(e) Nothing contained in this section shall limit any authority of the Secretary under title III of the Housing Act of 1948, section 602 of the Housing Act of 1956, or any other provision of law.

Quarters and facilities for Federal home loan banks and the Federal Home Loan Bank Board

SEC. 917. (a) The second sentence of section 12 of the Federal Home Loan Bank Act (12 U.S.C. 1432) is amended by striking out "but no bank building shall be bought or erected to house any such bank, nor shall any such bank make any lease" and inserting in lieu thereof "but, except with the prior approval of the Board, no bank building shall be bought or erected to house any such bank, or leased by such bank under any lease".

(b) Section 18 of such Act (12 U.S.C. 1438) is amended—

(1) by adding at the end of subsection (b) the following new sentence: "Such assessments may include such amounts as the Board may deem advisable for carrying out the provisions of subsection (c) of this section."; and

(2) by adding at the end thereof the following new subsection:

"(c) (1) The Board, utilizing the services of the Administrator of General Services (hereinafter referred to as the 'Administrator'), and subject to any limitation hereon which may hereafter be imposed in appropriation Acts, is hereby authorized—

"(A) to acquire, in the name of the United States, real property in the District of Columbia, for the purposes set forth in this subsection;

"(B) to construct, develop, furnish, and equip such buildings thereon and such facilities as in its judgment may be appropriate to provide, to such extent as the board may deem advisable, suitable and adequate quarters and facilities for the board and the agencies under its administration or supervision;

"(C) to enlarge, remodel, or reconstruct any of the same; and

"(D) to make or enter into contracts for any of the foregoing.

"(2) The board may require of the respective banks, and they shall make to the board, such advances of funds for the purposes set out in paragraph (1) as in the sole judgment of the board may from time to time be advisable. Such advances shall be in addition to the assessments authorized in subsection (b) and shall be apportioned by the board among the banks in proportion to the total assets of the respective banks, determined in such manner and as of such times as the board may prescribe. Each such advance shall bear interest at the rate of 4½ per centum per annum from the date of the advance and shall be repaid by the board in such installments and over such period, not longer than twenty-five years from the making of the advance, as the board may determine. Payments of interest and principal upon such advances shall be made from receipts of the board or from other sources which may from time to time be available to the board. The obligation of the board to make any such payment shall not be regarded as an obligation of the United States. To such extent as the board may prescribe any such obligation shall be regarded as a legal investment for the purposes of subsections (g) and (h) of section 11 and for the purposes of section 16.

"(3) The plans and designs for such buildings and facilities and for any such enlargement, remodeling, or reconstruction shall, to such extent as the chairman of the board may request, be subject to his approval.

"(4) Upon the making of arrangements mutually agreeable to the board and the Administrator, which arrangements may be modified from time to time by mutual agreement between them and may include but shall not be limited to the making of payments by the board and such agencies to the Administrator and by the Administrator to the board, the custody, management, and control of such buildings and facilities and of such real property shall be vested in the Administrator in accordance therewith. Until the making of such arrangements such custody, management, and control, including the assignment and allotment and the reassignment and reallotment of building and other space, shall be vested in the board.

"(5) Any proceeds (including advances) received by the board in connection with this subsection, and any proceeds from the sale or other disposition of real or other property acquired by the board under this subsection, shall be considered as receipts of the board, and obligations and expenditures of the board and such agencies in connection with this subsection shall not be considered as administrative expenses. As used in this subsection, the term 'property' shall include interests in property.

"(6) With respect to its functions under this subsection the board shall (A) annually prepare and submit a budget program as provided in title I of the Government Corporation Control Act with regard to wholly owned Government corporations, and for purposes of this sentence, the terms 'wholly owned Government corporations' and 'Government corporations', wherever used in such title, shall include the board, and (B) maintain an integral set of accounts which shall be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions as provided in such title, and no other audit, settlement, or adjustment shall be required with respect to transactions under this subsection or with respect to claims, demands, or accounts by or against any person arising thereunder. Except as otherwise provided in this subsection or by the board, the provisions of this subsection and the functions thereby or thereunder subsisting shall be applicable and exercisable notwithstanding and without regard to the Act of June 20, 1938 (D.C. Code, secs. 5-413—5-428), except that the proviso of section 16 thereof shall apply to any building constructed under this subsection, and section 306 of the Act of July 30, 1947 (61 Stat. 584), or any other provision of law relating to the construction, alteration, repair, or furnishing of public or other buildings or structures or the obtaining of sites therefor, but any person or body in whom any such function is vested may provide for delegation or redelegation of the exercise of such function.

"(7) No obligation shall be incurred and no expenditure, except in liquidation of obligation, shall be made pursuant to the first two subparagraphs of paragraph (1) of this subsection if the total amount of all obligations incurred pursuant thereto would thereupon exceed $13,200,000 or such greater amount as may be proivded in an appropriation Act or other law."

Small Business Act

SEC. 918. Paragraph (1) of section 8(b) of the Small Business Act is amended by inserting "(A)" after "(1)" by inserting "and" after "Administration;", and by adding at the end thereof a new subparagraph as follows:

"(B) to allow an individual or group of persons cooperating with it in furtherance of the purposes of subparagaph (A) to make such use of its office facilities and related materials and services as it deems appropriate;".

Use of certain lands for civil defense purposes

SEC. 919. Section 2 of the Act entitled "An Act to provide for the conveyance of a tract of land in Prince Georges County, Maryland, to the State of Maryland for use as a site for a National Guard Armory and for training the National Guard or for other military purposes", approved August 10, 1949 (63 Stat. 592), is amended by striking out "The land" and inserting in lieu thereof "(a) Except as provided in subsection (b) of this section, the land" and by adding at the end thereof the following new subsection:

"(b) The Secretary of Housing and Urban Development shall execute the necessary instrument or instruments to provide that a certain portion of land, not to exced two acres, on the easterly side of the land described in the first section of this Act, as more particularly determined and designated by the Secretary of the Army, may be used for civil defense or other emergency preparedness purposes or the purposes stated in subsection (a) and that such use shall not cause the reverter clause set forth herein to become operable."

Mortgage insurance for land development—Clarifying amendments

SEC. 920. Section 1001(d) of the National Housing Act is amended—

(1) by striking out "sewerage disposal installations," and inserting in lieu thereof "sewage disposal installations, steam, gas, and electric lines and installations,";

(2) by striking out the semicolon after "or common use", and inserting in lieu thereof a period and the following new sentence: "Related uses may include industrial uses, with sites for such uses to be in proper proportion to the size and scope of the development.";

(3) by striking out "but such term" and inserting in lieu thereof: "The term improvements"; and

(4) by inserting after "sewage disposal installation," in clause (1) the following: "or a steam, gas, or electric line or installation,".

Miscellaneous and technical amendments

SEC. 921. (a) Section 106(d) of the Housing Act of 1949 is repealed.

(b) Section 227(a) of the National Housing Act is amended by striking out "subsection (b)(2)" in clause (vi) and inserting in lieu thereof "subsection (b)".

(c) The last sentence of section 305(e) of the National Housing Act is amended by striking out "supplementing" and inserting in lieu thereof "supplementary".

(d) Section 308 of the National Housing Act is amended by striking out "(a)".

(e) Section 512 of the National Housing Act is amended by striking out "or IX" and inserting in lieu of "IX, X, or XI".

(f) Section 1001(c) of the National Housing Act is amended by striking out " 'mortgage' " and inserting in lieu thereof " 'mortgagee' ".

(g) Section 1 of the National Housing Act is amended by striking out "and X" wherever it appears and inserting in lieu thereof "X, and XI".

(h) Section 102(h) of the Housing Amendments of 1955 is amended by striking out "section 213 of the National Housing Act, as amended, the Commissioner" and inserting in lieu thereof "section 213 of the National Housing Act, section 221(d)(3) of the National Housing Act, and section 101 of the

Housing and Urban Development Act of 1965 (insofar as the provisions of such sections relate to cooperative housing), the Secretary of Housing and Urban Development", and by striking out "such section" each place it appears and inserting in lieu thereof "such sections".

AMENDMENT OFFERED BY MR. ASHLEY

Mr. ASHLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ASHLEY: Strike out page 99, line 21, and all that follows down through page 100, line 11, and insert in lieu thereof the following:

"SEC. 701. (a) Section 110(d) of the Housing Act of 1949 is amended by inserting immediately after the colon at the end of the first proviso the following: '*Provided further*, That any publicly-owned facility, the construction of which was begun not earlier than three years prior to the date of the enactment of the Demonstration Cities and Metropolitan Development Act of 1966, shall be deemed to benefit an urban renewal project or projects to the extent of 25 per centum of the total benefits of such facility, if such facility (A) is used, or is to be used, by the public predominantly for cultural, exhibition, or civic purposes; (B) is located within, adjacent to, or in the immediate vicinity of such urban renewal project or projects; (C) is found to contribute materially to the objectives of the urban renewal plan or plans for such project or projects; and (D) is not otherwise eligible as a local grant-in-aid:'.

"(b) Section 112(a) of such Act is amended by inserting before the period at the end thereof the following: ': *Provided further*, That no such expenditure shall be deemed ineligible as a local grant-in-aid in connection with an urban renewal project, to the extent that the expenditure is otherwise eligible, if the facilities, land, buildings, or structures with respect to which the expenditure is made are located within one mile of the project (or within such greater distance from the project as the Secretary may specify in the case of an expenditure and project which the Secretary determines meet the objectives of this section but cannot be encompassed within the one-mile limitation)'.

"(c) In view of the fact that a substantial proportion of the local share of urban renewal costs is being met by local noncash grants-in-aid, and that the success of many projects is dependent upon the credits allowed therefor, the Secretary is authorized and directed to make a study of the ways in which local communities are meeting their share of these costs and recommend to the Congress policies to govern the recognition of local expenditures for such credits. The appropriation of such sums as may be necessary to carry out such study is hereby authorized."

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes in support of his amendment.

Mr. ASHLEY. Mr. Chairman, this is an important amendment. It has just three parts. Section 701 as it appears in the reported bill would give the communities credit toward their share of urban renewal of 25 percent of costs of civic, community, exhibition facilities, and municipal projects.

The word "municipal" was added at the last minute in our committee and it has met with vigorous opposition from the Department, from communities throughout the country and from various other sources. The term "municipal" is not defined and the Department points out that it is so inconsistent with the rest of the section as to be practically meaningless.

The Department is deeply concerned, as I and as other members of the committee are, that the wide open term might lead to impossible pressure on the funds authorized for the urban renewal program and might well distort that program by encouraging lower priority projects for the sake of taking advantage of these credits.

To meet those objections, my amendment would strike from the provisions of the bill the word "municipal", thereby leaving that section in the same form as was approved by the Senate.

This, without question, is the most important proviso in my amendment, Mr. Chairman, but there are two other portions which I should like to comment on.

The second provision would liberalize section 712 in the existing urban renewal law by permitting certain expenditures by universities and hospitals to be counted toward the community share of urban renewal projects. Existing law allows the expenditures if they meet the criteria in section 112 and if they are made in or in the vicinity of an urban renewal project.

The phrase "in the vicinity" has never been defined by the Congress and many universities feel that the Department has interpreted it too restrictively in their definition of a quarter of a mile from the urban renewal project.

It seems to me that this interpretation by the Department does not take into account many local factors and the different shapes of some campuses.

My amendment would simply define "in the vicinity" to mean within 1 mile. And I would like to emphasize that before any expenditure could be counted in this area it would have to meet the guidelines created in the law to assure that the expenditures are truly related to the purposes of the urban renewal project.

The final section of my amendment, Mr. Chairman, would direct the Secretary to undertake a special study of the way in which communities are now meeting their share of urban renewal cost and the problems they are having in providing their one-third share or their one-fourth share as the circumstances may be.

The Secretary would report back to the Congress next year with any recommendations he might wish to make on changes in the law with respect to local financing to assure that all communities are treated equitably.

I think, and I feel certain, that the Subcommittee on Housing will welcome this study and take action on any recommedations that he makes.

Mr. HANNA. Mr. Chairman, will the gentleman yield on that point?

Mr. ASHLEY. Mr. Chairman, I will be glad to yield.

Mr. HANNA. Mr. Chairman, if the gentleman recalls, there were substantial problems that were raised relative to the language in section 701 as it appeared in the bill that eliminates for consideration facilities whose construction were less than the 3-year period, which was kind of an arbitrary dropoff date. And there were suggestions that some flexibility in relation to that should be evolved.

Mr. ASHLEY. Mr. Chairman, is the gentleman referring to individual projects such as mine in Toledo, Ohio, which do not quite meet the definition of the law that construction of the facility for which there is sought to be taken a noncash credit, was not constructed within 3 years prior to approval of an urban renewal project?

Mr. HANNA. That is precisely the point.

Mr. ASHLEY. In drawing this amendmentment if I may say so, I drew it deliberately to exclude consideration for the time being of that kind of special exception.

Mr. HANNA. Is this what the report is supposed to have developed—an approach to this problem?

Mr. ASHLEY. My amendment does not go to that kind of situation. The reason it does not is because I feel it is very important for us to come up with general language that will cover every type of situation.

The language I have come up with does cover those situations that can be covered by general language at least at this time.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ASHLEY. Mr. Chairman, I ask unanimous consent to proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHLEY. Mr. Chairman, I have asked for these few additional minutes to make clear the principal thrust of my amendment which goes to this proposition: by inclusion of the word "municipal" in section 701 we say to the cities that any municipal facilities, be they police stations, municipal office buildings, courthouses, firehouses or whatever they may be—that the construction of these facilities within an urban renewal project will generate 25-percent noncash credit.

If my amendment is not adopted, these communities will generate untold millions of dollars of noncash credit—and each of these noncash credit dollars, let me point out, generates 2 Federal dollars.

This is the thrust of my amendment.

I would like to make it clear at the same time that I am not eliminating the 25 percent that would be allowed as noncash credit for civic facilities that benefit and that are located within and benefit an urban renewal project.

I might say, Mr. Chairman, the distinction was drawn out well in the language of the Senate report which I would recommend to this body at this time.

It reads as follows:

> While the legislative language is quite broad, the committee wishes to make clear that it had very specific types of facilities in mind. It intends this provision to apply to public auditoriums, concert halls, theaters, central libraries, museums, exhibition halls, art galleries, band shells, settings for historical sites, meeting halls and similar facilities for general use. It does not intend this provision to apply to facilities associated with normal governmental functions, such as city

halls, municipal office buildings, or courthouses, nor should it be applicable to facilities provided principally for athletic or recreational purposes, such as stadiums, gymnasiums, or skating rinks.

The CHAIRMAN. The time of the gentleman has expired.

For what purpose does the gentleman from New Jersey rise?

Mr. WIDNALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. WIDNALL. Is it in order to offer a substitute for the amendment offered by the gentleman from Ohio [Mr. ASHLEY]?

The CHAIRMAN. It is always in order to offer a substitute.

Mr. WIDNALL. If so, when should it be offered? At this time?

The CHAIRMAN. If the gentlewoman from New Jersey wishes to offer a substitute, it can be offered now.

Mrs. DWYER. Mr. Chairman, I offer a substitute amendment to the Ashley amendment.

Mr. PATMAN. Mr. Chairman, will the gentlewoman yield for a unanimous-consent request?

Mrs. DWYER. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that debate close at the end of the 5 minutes allotted to the gentlewoman.

The CHAIRMAN. I did not hear the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that from now until the end of the consideration of the bill all debate on amendments be limited to 10 minutes.

Mr. WIDNALL. Mr. Chairman, I object.

The CHAIRMAN. Objection is heard.

AMENDMENT OFFERED BY MRS. DWYER

Mrs. DWYER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. DWYER as a substitute for the amendment offered by Mr. ASHLEY: Strike out section 701 beginning on page 99, line 20, and ending on page 100, line 11, and renumber the succeeding sections accordingly.

Mr. PATMAN. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman will state it.

Mr. PATMAN. I rise to a point of order against the amendment on the ground of germaneness. It is a simple motion to strike out.

The CHAIRMAN. The Chair advises the gentlewoman from New Jersey that this is obviously a motion to strike out and cannot be submitted at this time.

Mr. ST GERMAIN. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman and Members of the Committee, I listened very attentively to the remarks of my esteemed senior colleague on the subcommittee from Ohio, and among some of the phrases I picked out were the fact that the agency had voiced vigorous opposition, and evidently in voicing their opposition to certain Members in the Congress and on the committee, neglected to inform other members of the subcommittee and the full committee of this vigorous opposition.

When we consider the words—and despite the Senate committee's report—"cultural, exhibition, or civic purposes," I do not see that there should be any greater problem in determining what a municipal purpose is. I think it is a whole lot simpler to define municipal purpose than it is to define cultural, exhibition, or civic purposes.

I feel that if there is any validity to the gentleman's argument, then we should strike section 701 in toto, in its entirety, and then wait for that report to come in a year from now. But if we can go along with the words "cultural, exhibition, or civic purposes" that are not defined, then I feel certainly that there is a strong argument that can be made for municipal purposes.

I for one am certainly in favor of cultural and civic purposes. By the same token, I am also in favor of the necessary facilities that many of our communities need, and I certainly feel that a central police headquarters is just as important to the well-being of the citizens of a community as is an exhibition center or a cultural center.

By comparison, in fact, if we were to grade these in importance, I would certainly feel that the "municipal" should come first and the others later if there were funds remaining.

Additionally, in the arguments which were given in proposing this particular amendment, there was no breakdown on what the total cost would be either way.

No figures have been propounded, nor could they be projected, for the possible cost of the "cultural, exhibition, or civic" purposes, as the three words that remain in the amendment offered by the gentleman from Ohio.

Nor have any figures been projected for the cost that the word "municipal" would mean in this amendment.

Therefore, Mr. Chairman, I hope that the Members will reject this amendment.

Let us make a real decision. Either we are going to allow these lofty, very important projects to be given a 25-percent credit, and allow all of them, or, if that is not the case, let us not be prejudiced against municipal projects but let us delete the entire section. I am sure there will be a motion offered to do that subsequent to the vote on the Ashley amendment, in view of the parliamentary situation.

Mr. ASHLEY. Mr. Chairman, will the the gentleman yield?

Mr. ST GERMAIN. I yield to the gentleman from Ohio.

Mr. ASHLEY. The gentleman indicated that there was no breakdown of the cost figures. I believe that is an admission of the first water.

The plain fact of the matter is that the amendment of the gentleman to include "municipal" was made at the last minute. There was no hearing on the inclusion. There was no request for testimony. The gentleman offered this after the subcommittee concluded hearings when the bill was being taken up before the full committee.

Mr. ST GERMAIN. That is correct. By the same token, no hearings were held, and no evidence or testimony was taken, on the words "cultural, exhibition, or civic."

Mr. ASHLEY. There was, before the other body.

Mr. ST GERMAIN. None was presented to us. Not one single bit of evidence was before our committee.

Mr. HARDY. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am disturbed by this amendment.

When the bill came over from the other body, as I recall, there were quite a number of special projects included. Frankly, I have always felt that was the wrong approach to this kind of legislation.

The House Committee came in with a substitute approach, and included this section, which embodies a credit of 25 percent for a number of types of buildings that can be included. To me that is a much more fair approach.

But if we leave out the credit for municipal buildings, this would destroy it, so far as I am concerned. I believe the point made by the gentleman from Rhode Island was a very good point. Certainly there cannot be anything which would contribute more to a community or to its redevelopment than a police station or than a modernized jail, if that is necessary, or, if it fitted in with the redevelopment program, for that matter, even a city hall, if it were a necessary part of the redevelopment program.

Mr. Chairman, it is utterly foolish, it seems to me, for us to try to decimate this particular section. I think it is both proper and desirable to include this type of facility and to permit a percentage of credit. It is a much better approach than having the special projects brought out specifically in the bill as was done in the other body. I hope that this amendment will be defeated.

Mr. DOWNING. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to my neighbor from Virginia.

Mr. DOWNING. I must say, Mr. Chairman, that I concur completely with the gentleman from Virginia. As I recall it, when this bill was being marked up, it had some 40 or 50 projects in it which were municipal projects.

Mr. HARDY. A great many of them were municipal projects.

Mr. DOWNING. Then it was very wisely decided to delete these projects and put in qualification language or general language by which any city that qualified could make application for municipal projects.

Mr. HARDY. I will say to the gentleman that under the language in this bill there is 25-percent credit instead of the 100-percent credit which is allowed for specific projects in the Senate bill.

Mr. DOWNING. Exactly. I do hope that my colleagues will vote this amendment down.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman from Ohio.

Mr. ASHLEY. Is it not true that what we are trying to do is get away from the special exception legislation that we have had year in and year out where privileged Members can come in and say that for the city of Norfolk or the city of Toledo we will be treated a little differently?

Mr. HARDY. I will say to the gentleman that is exactly what the committee was attempting to do when they included this section in here. They included municipal building, which was entirely proper. If you leave these out, you defeat the whole purpose of the section.

Mr. ASHLEY. Will the gentleman yield further?

Mr. HARDY. I yield to the gentleman.

Mr. ASHLEY. We are talking about cities going forward with the construction of municipal and cultural facilities. These are cities that will be getting undreamed of credits—and Mr. WIDNALL should agree with this—the result will be that small cities that want to do something with urban redevelopment where it is really needed will be precluded from doing so.

Mr. HARDY. I will say to the gentleman that I do not think he is making a proper distinction here, because there are cities—and I have one in my district and, as a matter of fact, it was one included in the Senate bill—that had a municipal project in it. Under the language before us it is left out entirely. That city is certainly as entitled to include a municipal type of facility in its urban redevelopment as any other city and, as a matter of fact, it must do it in order to have a proper redevelopment program.

Mr. ASHLEY. It does not have to be included, does it?

Mr. HARDY. There is no more reason why you should exclude that than a civic center.

Mr. ASHLEY. May I ask the gentleman, does he understand whether the use of the word "municipal" expands the scope of the entire program by tens and tens and tens of millions of dollars?

Mr. HARDY. I will say to the gentleman that he sits on the committee. I have not undertaken to try to see how far this thing goes, but I do know if you do not have something of that kind in the bill, you are leaving a lot of good projects out that should be included.

Mr. ST GERMAIN. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. I thank the gentleman for yielding.

I heard the colloquy between the gentleman from Virginia and the gentleman from Ohio. The gentleman from Ohio said that smaller cities will be hurt. Let us be realistic about this. I think the gentleman will agree that the smaller cities cannot afford exhibition, civic, or cultural centers. What they need most is a police station, a firehouse, a city hall, a jailhouse, or a courthouse.

Mr. HARDY. Actually, the city I am speaking about in my district might be classified as one of the smaller cities, and I will say that it will be hurt if you leave this out.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. ASHLEY].

The amendment was rejected.

AMENDMENT OFFERED BY MR. MULTER

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: Starting with line 18 of the bill, on page 92, strike out all the material through line 10 on page 95.

On page 96, line 12, strike out "Sec. 606." and substitute "Sec. 603."

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Texas [Mr. PATMAN].

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that, hereafter, each amendment and debate thereon be limited to 10 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. WIDNALL. Mr. Chairman, may I suggest that we up that to 15 minutes on each amendment?

Mr. PATMAN. Well, if the gentleman from New Jersey insists.

Mr. WIDNALL. Mr. Chairman, we can yield back such time as remains on any amendment, which is not consumed. I am sure, and I hope, that many of the amendments will not require any more than 2 or 3 minutes.

Mr. PATMAN. Mr. Chairman, I put that unanimous-consent request to conform to the wishes of the gentleman from New Jersey [Mr. WIDNALL] that there be allocated 15 minutes for the discussion of each amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. WHITTEN. Mr. Chairman, reserving the right to object, it is reported or rumored that the rural development bill from the Committee on Agriculture on which a rule has been granted providing for 3 hours of debate will be offered as an amendment to this bill. If that be true, I shall object.

Mr. PATMAN. Certainly that will not be taken up under this 15-minute limitation.

The CHAIRMAN. In view of that assurance, does the gentleman from Mississippi withdraw his reservation of objection?

Mr. WHITTEN. Mr. Speaker, I withdraw my reservation of objection.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield further to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, I would like to amend my request to provide that the last 5 minutes of the 15 minutes granted upon each amendment be reserved to the committee.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. GERALD R. FORD. Mr. Chairman, reserving the right to object, I believe that the Chair ought to proceed along the thoughts of the gentleman from Pennsylvania. I believe we ought to defer to the judgment of the gentleman from Pennsylvania. I believe the gentleman will protect the interests of the Committee.

Mr. PATMAN. Mr. Chairman, I am willing to trust the gentleman from New Jersey, with the understanding that the minority leader and the gentleman from Pennsylvania, who is the chairman of the subcommittee—I am willing to trust them thereon and I am confident that the Chair will rule in accordance therewith.

The CHAIRMAN. The gentleman from Texas [Mr. PATMAN] asks unanimous consent that debate on all amendments upon the remainder of the bill be limited to 15 minutes, and not to exceed 15 minutes.

Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MULTER. Mr. Chairman, I am offering this amendment to strike three sections of the historic preservation title in the bill. I want to make clear that this is by no means because I am opposed to either the purpose or the main provisions of this title. I agree fully with the Special Committee on Historic Preservation that the Federal Government must take far more responsibility in this area than they are now doing. However, I think that we should not run off in all directions on this subject. We must avoid a scattergun approach.

My amendment would strike sections 603, 604, and 605 of the bill. These would authorize grants to the National Trust for Historic Preservation; special grants for historic surveys, under the section 701 comprehensive urban planning program; and the use of the limited funds for low interest-rate loans for acquisition and rehabilitation of historic structures. I believe all three of these provisions are either duplications or undesirable.

The first of these, which authorizes the Secretary of Housing and Urban Development to make grants to the National Trust for Historic Preservation, completely duplicates legislation contained in S. 3035, which has already passed both the Senate and the House. That bill would authorize grants to the National Trust from the Secretary of the Interior. The authority is even broader than in our bill, since it covers grants for acquisition and maintenance of property as well as for renovation and restoration.

I think the national trust has been doing a fine job, and I particularly commend its efforts because of its demonstrated ability to involve private efforts and contributions for this very important work. However, I think it is simply poor Federal organization to provide competing grant programs to assist this organization.

Further, I believe it is more appropriate for the grants to be made by the Secretary of the Interior rather than the Secretary of Housing and Urban Development. Most of the activities of the national trust relate to properties of nationwide importance. This type of historic preservation activity is closely related to the activities of the Secretary of the Interior.

Section 604 of the bill, which I also propose to strike would add special provisions to the section 701 comprehensive urban planning program. This program already assists in areawide historic surveys. The effect of the new provisions would be to authorize more detailed studies of individual historic structures. Also, it would allow a locality to undertake such historic surveys and planning regardless of whether it was undertaking a general program of comprehensive planning.

Such historic activities are certainly desirable, and can be useful if carried out separately from a general planning program. However, the section 701 program is simply unable to carry any extra burden of this sort at this time. The recent independent Offices Appropriation Act provides $33 million for the program. Applications are already on hand for about $25 million of this amount. New applications are coming in at an average rate of about 65 a month, and it is obvious that stringent priorities must be established to assure the best use of the limited available funds.

The last of the sections which I propose to strike is, in many respects, the most objectionable of the three. It would amend the present rehabilitation loan program, under section 312 of the Housing Act of 1964. It would make available the special 3-percent, long-term loans under that section to owners or tenants of historical or architecturally valuable properties to finance their restoration. These loans would be used primarily by private individuals, and could be used to refinance existing mortgage debt, as well as the restoration work.

I have no objection to pouring new legislative wine into old statutory bottles when there is some purpose to be served thereby. However, I see no purpose in diverting a good program to an entirely different purpose.

The rehabilitation loan program has as its purpose the provision of low interest loans to persons who are being required to upgrade their property or have it taken by public condemnation—either because they are in an urban renewal rehabilitation area or a code enforcement area. Moreover, these loans are available only to persons otherwise unable to meet their mortgage payments with 20 percent of their income. It makes good sense to help such persons to stay where they are and bring their properties up to the new standards for the area, rather than to evict them and pay them an even greater subsidy for the cost of moving them and finding adequate quarters for them elsewhere. The funds for this program should not be diverted for historic preservation purposes.

That, also, raises the question of whether a separate loan program should be proposed instead. I think that would be premature. We are authorizing, in the other provisions of the historic preservation title, very substantial new grant assistance to State and local public bodies for historic preservation activities, including both acquisition and restoration, under the existing open space and urban beautification program. These public bodies do not need loans in addition to grants.

Mr. Chairman, I urge adoption of my amendment which would strike these three provisions. To do so will result in more, rather than less, effective Federal assistance for historic preservation.

Mr. HAYS. Mr. Chairman, will the gentleman yield?

Mr. MULTER. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Chairman, in other words, this is in the bill and you are seeking to strike it out of the bill. Is that correct?

Mr. MULTER. The gentleman is correct.

Mr. HAYS. Why was not this bill settled in the committee? I never saw such a disorganized mess on this floor. The committee members themselves do not know what is in it.

Mr. MULTER. I appreciate the kind comments of the gentleman from Ohio. We have heard that same comment so often, no one will take it seriously. I think the committee has labored long and well and arduously on this bill. Like many another bill of the length of this bill, things get into it that ought not to be in it, and some things are left out that ought to be in it. The purpose of the 5-minute rule is to permit us to correct such matter and to improve the bill.

Mr. Chairman, I urge the adoption of my amendment.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. WIDNALL. Mr. Chairman, I move to strike out the last word, and I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from New Jersey is recognized for 5 minutes in opposition to the amendment.

Mr. WIDNALL. Mr. Chairman, I am particularly surprised by the amendment offered by the gentleman from New York [Mr. MULTER]. As I recall, he voted to report this bill in its entirety. This was incorporated in the bill when he voted on it in the committee.

I cannot help but think that this might be coming up at this time as a punishment to me for some of the positions that I have taken in connection with this bill, because this is a section of the bill I sponsored originally. Actually it had been prepared through a commission that was appointed after a Ford Foundation grant. On that commission Senator MUSKIE of Maine served for the Senate and I served for the House. Former Congressman Rains of Alabama was one of those who were very prominent in the formulation of the suggested legislation. It is a proposal that has received considerable thought. Similar bills have been introduced in both Houses. There is tremendous interest in this bill and the amount of funds involved in this is miniscule compared to the rest of the funds that are in this bill.

Mr. Chairman, we must do something urgently in this area, or we are going to bulldoze out of existence almost every historic site in the United States. It is tragic to think today that many people think it is not important to consider something such as this immediately. We are really losing part of our heritage day by day through the highway and other projects all over this country. This is meaningful legislation. I believe that the people of the United States back it. I certainly would hope that the amendment is going to be rejected.

Mr. REUSS. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. REUSS. Mr. Chairman, I would like to associate myself with the remarks of the gentleman from New Jersey [Mr. WIDNALL] and urge Members to vote down the amendment.

I think these three sections of the historic preservation bill are important.

The organization to which section 603 permits grants, the national trust for historic preservation is a very distinguished public organization.

As the gentleman from New Jersey has said, a very high level bipartisan commission has worked out the details of this bill. I voted for it in committee and I support it. Irrespective of the disagreements I may have on other sections of this bill, and they are deep seated, I would hope that we would retain these sections in the bill and vote down the amendment.

Mr. WIDNALL. I thank the gentleman.

Mr. MULTER. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. MULTER. The gentleman from New Jersey and I agree on almost everything that he has said except when he said that this may be intended to punish him for some of the positions he has taken.

Mr. Chairman, the gentleman from New Jersey is one of the most respected Members of this House. I certainly have the highest respect for him. We have worked together very closely on many matters in and out of committee.

But, Mr. Chairman, I am sorry to take a position opposite to his position on this particular amendment. At the same time I want to assure him, I am not seeking any revenge or trying to take anything out on him for any position that he has taken. I know that whatever position he has taken is a conscientious position in accordance with what he thinks is right.

The only reason for offering this amendment at this time is that I think this does not belong in this bill.

I do not have any doubt that when the appropriate bill comes before this House covering this matter, I will be happy to join with the gentleman in urging its enactment. But we ought not to take out of this bill the small amount of funds that we have available here and divert them to this purpose when we have another fund that is available for them. Mind you, I am not touching the grants but only touching the loan provisions here.

The CHAIRMAN. The time of the gentleman from New Jersey has expired. The question is on the amendment of the gentleman from New York [Mr. MULTER].

The amendment was rejected.

AMENDMENT OFFERED BY MR. MOORHEAD

Mr. MOORHEAD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MOORHEAD: Page 106, lines 16 through 19, strike out "or (2) a mortgage insured under section 221(d) (3) and executed by a cooperative (including an investor-sponsor)," and inserting in lieu thereof "(2) a mortgage insured under section 220, or (3) a mortgage insured under section 221(d)(3) and executed by a cooperative (including an investor-sponsor), a limited dividend corporation,".

Mr. MOORHEAD. Mr. Chairman, FHA section 220 permits the FHA to insure mortgage loans for housing and urban renewal areas.

FHA section 221(d)(3) does the same thing for FHA for housing for low income families.

These programs work because in past years for construction money, borrowers have been able to get money from existing lending institutions on the assurance that Fannie Mae would buy them out.

The present mortgage market, even for construction mortgages, is so tight that these builders cannot get their construction money. In this bill—before my amendment—we authorize Fannie Mae to come up with construction money for a few of these institutions. But we did not cover section 220, urban renewal housing, nor section 221(d)(3) programs where there was a limited dividend corporation.

My amendment takes into account this fact. It liberalizes this situation and would permit Fannie Mae to participate in construction mortgages in the section 220 urban renewal housing program and in the section 221(d)(3) program where there is a limited dividend corporation.

In today's housing market, where we are trying to get housing, and particularly in the slum areas, this bill, particularly as amended by my amendment, will do something to give us such housing.

Mr. BARRETT. Mr. Chairman, will the gentleman yield?

Mr. MOORHEAD. I yield to the gentleman from Pennsylvania.

Mr. BARRETT. I see no reason why we cannot accept the amendment, if it is agreeable with the minority.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Pennsylvania [Mr. MOORHEAD].

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. DWYER

Mrs. DWYER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. DWYER: Strike out section 701, beginning on page 99, line 20, and ending on page 100, line 11.

And renumber the succeeding sections accordingly.

Mrs. DWYER. Mr. Chairman, I do not see how, in good conscience, this House can allow section 701 to remain in the bill.

To those who favor the legislation, it will be a fatal millstone around the necks of the urban renewal and demonstration cities programs.

To those who oppose the program, it will stand as a billion-dollar embarrassment to every Member of Congress.

Unless our colleagues, Mr. Chairman, accept my amendment, every Member of this body will be saddled with responsibility for perpetrating the biggest "pork barrel" operation in the history of housing legislation—held responsible by a public that has grown sick and tired of unjustified Federal subsidies, handed out by the billions to people who do not need them.

Unless we strike out section 701, Mr. Chairman, it will remain in the bill and there will be little the conferees will be able to do about it. Except for the addition of the word "municipal" in the House committee, section 701 is identical in both the House and Senate versions of the legislation.

So the decision is up to us. What we do on this amendment will determine the fate of the urban renewal program. There will not be much left if section 701 stays in.

For those of our colleagues who did not hear or read my remarks on section 701 yesterday or who have not yet had an opportunity to read my letter to them, I would summarize the case against the section this way: it will cost billions; it will radically transform urban renewal; it will subsidize public projects which have already been built; it will require the Federal urban renewal program to help pay for citywide or areawide facilities which have no specific relationship to an urban renewal project; it would, in effect, take from the poor and give to the rich; and with 800 cities being invited to get something for nothing, there will be very little left after the earliest and the biggest and the hungriest get finished.

In case there is any doubt as to the position of the Secretary of Housing and Urban Development on the subject of section 701 or noncash grant-in-aid credits generally, I am glad to assure our colleagues that the Secretary strongly supports my position—both with regard to the 52 special exception subsidies, which the committee eliminated from the bill, and section 701 which would do, at a 25-percent rate, what the special exceptions would have done, but this time for more than 800 instead of 52 cities.

In my remarks yesterday and in my letter to our colleagues, I quoted pertinent comments of the Secretary about the 52 special projects—it was 48 when he wrote—and about section 701. At the close of my remarks today, I shall include the texts of an exchange of letters between the Secretary and myself on this subject.

I do not criticize, Mr. Chairman, any great city for wanting a mammoth new auditorium, or a vast new opera house, or a beautiful new museum, but I resent deeply taking money away from the poor to pay for it, and I resent deeply charging a large part of the cost to the U.S. Treasury when this Congress has never authorized subsidies for opera houses—or for any of the variety of projects which cities would rush to build under the generous incentives of section 701.

How, I wonder, could we ever explain this section—in the event it is approved—to our constituents?

How, for instance, could we justify authorizing billions of dollars of new subsidies—unnecessary and unproductive subsidies, subsidies which will help defeat the very purposes of this legislation?

How could we excuse an act which would turn the urban renewal program away from those who need decent homes and turn it over instead to office buildings, shopping centers, exhibition halls, and the like—facilities which, in many cases, have already been built and would be built, in any event, with local funds as they should be and always have been.

How could we convince constituents that it is right to hand over a valuable program to those who are looking for something for nothing?

One final word, Mr. Chairman. To those of our colleagues who may think their own communities will gain something from section 701, let me add a note of caution. They probably will not. In fact, they may find that they no longer can obtain any urban renewal assistance at all.

Why? Because this section will be so expensive there will not be enough money to go around. I remind our colleagues that Secretary Weaver said he would have to stop accepting new applications for capital grant funds if Congress approved 48 special exceptions. In section 701, there is the potential for at least four times the impact of the 48, or 52, special subsidies. So I fear there will be a great many disappointed cities in America if we let this provision stay in.

It is time for restraint, Mr. Chairman, for reason and responsibility. I urge our colleagues to support my amendment to strike section 701.

The letters referred to follow:

THE SECRETARY OF HOUSING
AND URBAN DEVELOPMENT,
Washington, D.C.

Hon. WRIGHT PATMAN,
House of Representatives,
Washington, D.C.

DEAR MR. PATMAN: I wish to state in the strongest possible terms this Department's opposition to the 48 special non-cash grant-in-aid exceptions contained in section 704 of the August 27 Committee Print of the draft "Housing and Urban Development Act of 1966."

With two exceptions (those for Garden City, Michigan and Sacramento, California) these exceptions in the draft are without justification or merit.

It is our estimate that the cost of the facilities involved in the special exceptions will be on the order of $350 million. These estimates are conservative. A major proportion of the exceptions deal with facilities proposed but not yet constructed, and traditionally early estimates of construction costs tend to be very low. It is not inconceivable that these figures will double before the facilities are in place. If the same generous treatment were to be extended to all of the projects still active in the urban renewal program, it would result in additional demand for capital grant funds on the order of $3.7 billion, far more than has been authorized for the entire urban renewal program since it was authorized in 1949.

If these exceptions are passed, we may well expect a similar deluge in future years. I would go even further than this. If we establish a principle that any locality can ignore all of the legislative and administrative rules involved in the carrying out of urban renewal projects, through the ready and unquestioned recourse to special exception legislation, we will then have reached a point at which the program has become completely unmanageable.

The effect of the enactment of these provisions on the urban renewal program would be devastating. If we are to act in a financial prudent manner, it will be necessary for us to set aside, from current urban renewal capital grant authorization, the necessary funds to meet future capital grant needs generated by these provisions. If we take this course of action, which I believe to be prudent and necessary, we will not be able to approve any further projects for any other localities until further authorization becomes available in fiscal 1968. For the sake of the few localities benefiting from the special provisions, other deserving localities would suffer.

Accordingly, the immediate effect of approving these special provisions would be to preclude approval of new urban renewal projects, cripple the newly authorized demonstration cities program, and dissipate the funds Congress has already authorized to fight slums and blight.

Adoption of these special provisions would use up almost one-half of the $725 million authorized by Congress to be spent for the elimination of slums and blight during fiscal 1967. All of the money required by the special provisions would be added to the amount of urban renewal grant funds to be paid to cities which already have urban renewal projects. The funds would be used to pay for cultural centers, civic centers, and huge stadiums—not to make possible additional housing for low-income people.

These special provisions would preempt urban renewal funds to pay for luxury items of communities which are already benefiting from participation in the urban renewal program. This would constitute the most drastic discrimination against the many localities in the country which would be deprived of an opportunity to participate in the urban renewal program. It would take money the Congress has earmarked for the elimination of slums and blight and convert it to the financing of huge civic and cultural monuments, baseball stadiums and the like. It would move directly away from the very desirable objective of the Committee that we place greater emphasis on residential construction in urban renewal areas.

Approval of these 48 special provisions would severely hamper the demonstration cities program—the most important and socially necessary legislative item in the Committee bill—by severely limiting the number of new urban renewal projects that could be approved to help provide low-income housing as part of a demonstration program.

Sincerely yours,

Robert C. Weaver.

September 13, 1966.

Hon. Robert C. Weaver,
Secretary of Housing and Urban Development, Washington, D.C.

Dear Mr. Secretary: In reporting favorably the "Demonstration Cities and Metropolitan Development Act of 1966," the House Banking and Currency Committee has, as you know, retained with an amendment section 701 from the Senate-passed housing bill. In the haste and confusion attendant upon approving this legislation, I am concerned that the committee did not devote adequate consideration to the import and potential consequences of this section. I would greatly appreciate it, therefore, if you would furnish me—at your earliest convenience—with a detailed analysis of section 701 together with your views as to its impact on the future of the urban renewal program with special reference to the limited funds authorized for the program and the program's primary emphasis on residential construction.

In this regard, I refer to your recent letter to Chairman Patman expressing your strong opposition to the special non-cash grant-in-aid exceptions contained in section 704 of the committee's draft housing bill. It would seem to me that your objections to these special provisions or subsidies would apply with at least equal force to section 701. As I interpret this section, it would open up to all communities having urban renewal projects the same extra benefits or subsidies which the 52 special exception provisions proposed to give a selected number of communities—though at a rate reduced from 100% to 25%. If my interpretation is correct, therefore, the very same 52 special projects which we succeeded, with your help, in striking from the committee's draft bill would become eligible (at the 25% rate) as local grants-in-aid. But, even more important, every similar project in every other urban renewal community would also be entitled to this generous treatment.

Even at the reduced rate, the impact of such a provision of law on both the cost and the character of urban renewal is awesome to imagine. Using your own estimate of $8.7 billion as the cost, in terms of additional demand for capital grant funds, of extending special treatment to all active urban renewal projects, reducing this figure to 25%, and limiting it to those public facilities begun within three years of the date of enactment of the present housing bill, it would seem reasonable to suppose that the cost of section 701 could quickly approach $2 billion. As you point out, too, these are conservative figures which, "not inconceivably," could double before the facilities are in place. Furthermore—and I again refer to our mutual concern about retaining and strengthening the residential housing character of the urban renewal program—by diverting such a huge amount of capital grant funds (assuming Congress could be persuaded to authorize them) to non-residential purposes, the fundamental nature of urban renewal would be drastically changed. And it would be changed without Congress ever having seriously considered what it was doing and in the face of overwhelming evidence of the need to employ urban renewal more effectively in order to reduce the growing shortage of decent low- and middle-income residential housing in the nation's urban areas.

Considered in the light of these potential consequences, this simple little section 701 begins to assume the aspect of a pretty horrible example of bad legislation. I recognize that these are speculations on my part—though I suggest they have considerable validity—and so I am coming to you for the information and professional judgment I require. In the event, however, that my fears are even partially valid, I would hope you will join with me in vigorously opposing what could become a most serious setback to what is probably the most valuable urban area program we have.

May I also, in closing, express my appreciation for the candor and vigor with which you communicated your objections to the projects in the proposed section 704. I would hope that our success in striking this attempted raid on the Treasury from the committee-reported bill augurs well for similar success in preserving the urban renewal program as Congress intended it to be and as the people need it.

Thank you very much for your cooperation.

Sincerely yours,

Florence P. Dwyer,
Member of Congress.

The Secretary of Housing and Urban Development,
Washington, D.C., September 27, 1966.

Hon. Florence P. Dwyer,
House of Representatives,
Washington, D.C.

Dear Mrs. Dwyer: This is in reply to your recent letter asking for an analysis of section 701 of S. 3708, as reported to the House, and our views as to its impact on the urban renewal program.

This provision would require certain publicly owned, city-wide facilities used by the public for cultural, exhibition, civic or municipal purposes to be deemed to benefit an urban renewal project to the extent of 25 percent of the cost of the facility. The provision originated in the Senate and, as passed by the Senate in S. 3711, its benefits were limited to facilities used by the public for cultural, exhibition, or civic purposes. Section 701 of the bill reported to the House would extend the provision to include facilities used by the public for municipal purposes.

As passed by the Senate, the provision was designed to establish a uniform method of providing noncash grant-in-aid credit for expenditures made in connection with certain city-wide facilities which serve the objectives of specific urban renewal projects. The report of the Committee on Banking and Currency to accompany S. 3711, which makes clear the purpose of the provision, states:

"In recent years there has been an increasing municipal concern for the provision of public facilities for cultural, exhibition, and civic purposes. Under present regulations, such facilities are entirely excluded from consideration as noncash grants-in-aid because they serve the entire city and are not of special benefit to the project areas.

"In the case of public facilities intended for cultural, exhibition, or civic purposes there appears to be a different relationship to urban renewal projects than is the case with the more traditional municipal facilities. These facilities serve as centers of attraction for people from the entire urban area and bring a vitality to the project area as well as to a large surrounding area. In creating that vitality, they serve urban renewal objectives in a different way than the normal municipal facility, but they are equally important from the standpoint of serving the project area and creating an appropriate environment.

"The provision recommended by the committee assigns a 25-percent apportioned benefit for such facilities which are within, adjacent to, or in the immediate vicinity of one or more urban renewal projects. This apportionment would continue to recognize that while such facilities do serve the project area in some measure, they also serve a much broader need. It was felt that a 25-percent fixed apportionment of benefits between the project and the city as a whole provided a reasonable measure of the extent which such facilities generally serve several objectives. Consideration was given to estimating the benefits on a case-by-case basis, but this was rejected because of the difficulties inherent in trying to establish a precise measure of benefit.

"While the legislative language is quite broad, the committee wishes to make clear that it had very specific types of facilities in mind. It intends this provision to apply to public auditoriums, concert halls, theaters, central libraries, museums, exhibition halls, art galleries, band shells, settings for historical sites, meeting halls and similar facilities for general use. It does not intend this provision to apply to facilities associated with normal governmental functions, such as city halls, municipal office buildings, or courthouses, nor should it be applicable to facilities provided principally for athletic or recreational purposes, such as stadiums, gymnasiums, or skating rinks."

Extension of this 25 percent noncash grant-in-aid provision to facilities used by the public predominantly for "municipal" purposes is obviously inconsistent with the purpose underlying the provision as it was proposed to, and adopted by, the Senate. City-wide facilities associated with normal governmental functions serve the city—not a specific urban renewal project area. Moreover, rough preliminary estimates indicate that extension of the provision to facilities used for municipal purposes would more than double the amount of noncash credit that could be generated by it.

We have made strenuous efforts to determine the cost of this provision and have undertaken surveys of citywide facilities which would be made eligible for credit in a wide sampling of cities. It is extremely difficult, however, to obtain meaningful estimates of the impact of either the House or the Senate provision on the existing urban renewal authorization. Over 800 cities are presently participating in the urban renewal program. To estimate the impact of the provision in each city, it would be necessary to determine whether a citywide facility, eligible for credit under the criteria of the provision, has been constructed, is under construction, or is to be constructed in sufficient time to be related to an existing urban renewal project.

The information needed for this purpose does not appear in any existing application or material filed with the Renewal Projects Administration, and in each case it would have to be obtained on the basis of the best knowledge available to local people. Moreover, once the citywide facility is identified, reasonable estimates as to the cost of the facility could vary greatly.

In addition, many of the cities which could claim additional credit because of the provision have no immediate need for it—i.e., their project financing plans already identify sufficient noncash credit to cover their required share of the cost of existing urban renewal projects. Other cities, which would appear to be able to immediately utilize the credit, may not do so since they have other sources of noncash credit available to them which they have not yet utilized. It is impossible, therefore, to determine the extent to which the new noncash grants-in-aid generated by this provision would be immediately utilized by such cities. On the other hand, the availability of this additional credit may induce an indeterminate number of cities to submit amendatory applications substantially increasing the cost of projects already approved.

For these reasons, it is impossible to make any meaningful estimate of the charge against the urban renewal authorization that will immediately result from enactment of either the House or Senate provision.

It is clear, however, that either provision would ultimately be costly—both in terms of dollars and in terms of the emphasis of local urban renewal programs. There is a real danger that this provision would induce cities to delay projects which provide additional low- and moderate-income housing and undertake instead downtown urban renewal projects which would benefit from the additional credits provided by this provision.

In many cities this provision would generate great amounts of noncash grant-in-aid credit available only for pooling. This might result in many public facilities useful to the proper development of an urban renewal project no longer being provided as a noncash grant-in-aid because these cities would already have sufficient pooling credits to meet a large portion of the required local share of their future urban renewal projects.

I believe the potentially harmful effects of this provision could be greatly reduced without changing its essential purpose.

First, the extension of the provision to facilities used for municipal purposes could be eliminated. The extension is inconsistent with the underlying purpose of the provision. Citywide facilities used for municipal purposes are in no way related to undertaking a specific urban renewal project, and in almost every case would have been constructed by the city whether or not a specific urban renewal project was undertaken.

Second, the pooling privileges could be eliminated with respect to the grant-in-aid credit generated by the provision. This would avoid the danger that a large amount of such pooling credits might have a harmful effect (1) on the emphasis of local urban renewal programs and (2) on the provision of schools and other desirable facilities usually constructed by cities as noncash contributions to a project.

If these changes are made in the provision, the grant-in-aid credit generated by the citywide facilities would still be available to the extent the city needs them for the specific urban renewal project which the facilities are deemed to benefit.

Your interest in this matter again demonstrates your concern that the urban renewal program effectively serve the needs of our Nation's cities. I am most grateful for your efforts to maintain and improve our urban programs and I look forward to your continued cooperation.

Sincerely yours,

ROBERT C. WEAVER.

Mr. ASHLEY. Mr. Chairman, I rise in opposition to the amendment.

It is with some reluctance that I rise to oppose the amendment of the gentlewoman from New Jersey. I do so only because I feel her motion to strike goes too far.

The amendment I offered a few minutes ago sought to limit the scope of section 701, but of course it did not go so far as to eliminate the section in its entirety. That would be the effect of the amendment of the gentlewoman from New Jersey.

Were this to be adopted, we should understand that the provision adopted by the other body after full hearings—which did not meet the objection, to the best of my knowledge, of the Department—which includes 25 percent noncash credit for communities building certain facilities for communitywide use, would not be able to be taken as a noncash credit against the local share of urban renewal projects. This would have a vast impact on the plans and projects of many communities throughout the length and breadth of our land.

For that reason I oppose the amendment, and I hope I will be joined by my colleague in opposing the amendment.

Mr. WELTNER. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I am happy to yield to my friend from Georgia.

Mr. WELTNER. Mr. Chairman, I wish to associate myself with the remarks of the gentleman from Ohio. I should like to state that section 701 would not diminish the amount of local funds which would have to be expended. It would simply be a matter of crediting certain worthwhile expenditures toward the local share.

There are certain instances that arise which show the rigid rules we have are of necessity not quite in accord with reality. For instance, if within an urban renewal area a neighborhood auditorium were constructed, under the present law it would be eligible now as a noncash credit. If it serves a small area or if it serves a small number of people, it is eligible. Under section 701, if it is serving a greater number of people or a greater area, it would be eligible for a 25-percent credit of the amount expended.

Mr. ASHLEY. Or greater.

Mr. WELTNER. Up to 25 percent of the cost.

Mr. ASHLEY. A minimum of 25 percent but more if it benefits the project area to a greater extent.

Mr. WELTNER. I thank the gentleman for yielding. I think that point needs to be raised. It is not a grant as such but is a credit. It does not diminish the amount of money being spent by the local communities in developing all of their facilities for the benefit of the local people.

Mr. ASHLEY. I think the gentleman made a good point.

Mr. BRADEMAS. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from Indiana.

Mr. BRADEMAS. I want to associate myself as well with the remarks just made by the distinguished gentleman from Georgia, and I urge defeat of the amendment.

Mr. BOLAND. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman.

Mr. BOLAND. Can the gentleman give us any idea as to what it would cost the Government? This noncash credit would have to be made up by a more substantial contribution by the Federal Government, would it not?

Mr. ASHLEY. That is assuming the noncash credits are accepted with regard to a project and that project on the part of a community is approved by the department. As a matter of fact, to answer the gentleman from Massachusetts directly, the department did not come up with any specific figures but did indicate adoption of the total provision for structural as well as municipal facilities in allowing all of these as noncash credits would have a significant impact on the program. For that reason I offered the amendment I did a few moments ago.

Mr. BOLAND. I thank the gentleman.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New Jersey [Mrs. DWYER].

The question was taken; and on a division (demanded by Mrs. DWYER) there were—ayes 35, noes 52.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. HANNA

Mr. HANNA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HANNA: Page 64, after line 12, insert the following new section:

"EXTERIOR LAND IMPROVEMENTS UNDER COOPERATIVE HOUSING MORTGAGES

"SEC. 305. Section 213(b)(2) of the Housing Act is amended by striking out 'as defined by the Commissioner' and inserting in lieu thereof 'as defined by the Secretary, and the increase in the value of the land subject to the mortgage by reason of off-site special improvements, as defined by the Secretary, which are for the use and benefit of the occupants of the mortgaged property'."

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. Hanna].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. REES

Mr. REES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Rees: On page 62, between lines 2 and 3, insert a new section as follows:

"AREAS AFFECTED BY CIVIL DISORDERS

"Sec. 302. (a) Section 203 of the National Housing Act is amended by adding after subsection (l) (added by section 101 of this Act) a new subsection as follows:

"(m) The Secretary is authorized to insure under this section any mortgage meeting the requirements of this section, other than the requirement in subsection (c) relating to economic soundness, if he determines that (1) the dwelling covered by the mortgage is situated in an area in which rioting or other civil disorders have occurred or are threatened, (2) as a result of such actual or threatened rioting or other disorders the property with respect to which the mortgage is executed cannot meet the normal requirements with respect to economic soundness, and (3) such property is an acceptable risk giving due consideration to the need for providing adequate housing for families of low and moderate income in such area."

The CHAIRMAN. The gentleman from California is recognized for 5 minutes in support of his amendment.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. REES. I yield to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, the intentions of the amendment of the gentleman from California are very desirable. It is my understanding that the Federal Housing Administration would administer it. The Members on our side are willing to accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. Rees].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. WIDNALL

Mr. WIDNALL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Widnall: On page 102, after line 4, insert the following new section:

"ADDITIONAL REQUIREMENTS FOR REDEVELOPMENT OF URBAN RENEWAL AREA

"Sec. 704. (a) Section 105 of the Housing Act of 1949 is amended by adding at the end thereof (after the new subsection added by section 703 of this Act) the following new subsection:

"'(g) The redevelopment of the urban renewal area, unless such redevelopment is for predominantly nonresidential uses, will provide a substantial number of units of standard housing of low and moderate cost and result in marked progress in serving the poor and disadvantaged people living in slum and blighted areas.'

"(b) The amendment made by subsection (a) shall apply only in the case of contracts for loans or capital grants which are made with respect to urban renewal projects undertaken pursuant to urban renewal plans approved after the date of the enactment of this Act."

The CHAIRMAN. The gentleman from New Jersey [Mr. Widnall], is recognized for 5 minutes in support of his amendment.

Mr. WIDNALL. Mr. Chairman, the amendment is the one that I sent to every Member of the House with a covering letter and called their attention to the fact that I would offer it on the House floor. I think it is an important amendment.

If the Members truly believe in a demonstration cities bill, it seems to me that this should become part of the law at the same time so that you can have a true demonstration of what can be done to aid the low income and moderate income housing for the people in such circumstances.

We have had urban renewal on the statute book since 1949 as the Committee all know. In connection with residential development which was intended to provide a decent home and a decent living environment to the low-income citizens or the underprivileged who were the slum dwellers, it has failed to do the job. We have wandered far afield from the original purpose.

This amendment would not curb having a commercial redevelopment for other purposes. It merely says that in cases of a residential redevelopment, there shall be a substantial supply of low and moderate housing in any replacement construction that is undertaken.

I think that if we are to attack the hard core areas, and certainly the arguments for a demonstration cities bill indicate that, to make it truly meaningful, you have got to do the same job in using your regular urban renewal in the residential areas for the low-income citizens.

It is not anything that wanders afield from the announced purposes of the bill that we are considering. I believe we can do a great deal to be helpful by concentrating the effort in both areas of approach.

It seems to me that we are likely to not give this the full consideration it deserves because we are late in the session, and it is late tonight, and we are all anxious to get through and to go home and do the things that we have to do back in our districts.

This has been discussed for some time. I have offered the amendment before. Others in the Congress have been offering amendments of a like nature in the past.

Our colleague, the gentleman from New York [Mr. Farbstein] is seeking recognition. I know of his longtime interest.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. FARBSTEIN. Do I understand that your amendment requires that on every project low- and middle-income housing be part of every proposed development?

Mr. WIDNALL. In future residential projects, that there shall be a substantial supply of low and moderate housing in any replacement construction that is undertaken.

Mr. FARBSTEIN. So far as I am concerned, I would restrict all housing under Federal aid to low and middle income.

I would not permit any luxury housing to be aided by any Federal money because there is no reason for it.

Under the circumstances, it would seem to me the gentleman's amendment is a very salutary amendment and I favor it.

Mr. WIDNALL. Mr. Chairman, I will not speak further on this amendment. I think most of the Members are pretty well acquainted with it.

I hope my amendment receives the overwhelming support of the committee.

Mr. RYAN. Mr. Chairman, will the gentleman yield?

Mr. WIDNALL. I yield to the gentleman.

Mr. RYAN. As one who has offered amendments to previous housing bills and introduced legislation which would require that title I funds be used for low-income and moderate-income housing and not for luxury housing, I think it is a meritorious amendment and should be supported. I have constantly fought against the use of title I land for luxury housing.

Mr. WIDNALL. I thank the gentleman.

The CHAIRMAN. For what purpose does the gentleman from Ohio [Mr. Ashley], a member of the committee, rise?

AMENDMENT OFFERED BY MR. ASHLEY

Mr. ASHLEY. Mr. Chairman, I offer an amendment as a substitute for the amendment offered by the gentleman from New Jersey [Mr. Widnall].

The Clerk read as follows:

Amendment offered by Mr. Ashley as a substitute for the amendment offered by Mr. Widnall: On page 102, after line 4, insert the following new section:

"LOW AND MODERATE INCOME HOUSING IN URBAN RENEWAL PROJECTS

"Sec. 704. (a) Section 105 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"'(g) Before approving assistance for any urban renewal project under this title, the Secretary shall determine that the urban renewal program in the locality includes, or will include, a substantial increase in the supply of standard housing within the means of families of low or moderate income.'

"(b) The amendment made by subsection (a) of this section shall apply only in the case of contracts for loans or capital grants which are made with respect to urban renewal projects undertaken pursuant to urban renewal plans approved after the date of the enactment of this Act."

Mr. ASHLEY. Mr. Chairman, the essential purpose of the amendment offered by the gentleman from New Jersey and the substitute that I have offered is much the same.

I am constrained to offer my substitute amendment, Mr. Chairman, because I feel that the Widnall amendment goes so far in its effort to achieve a good purpose that no administration flexibility would remain.

May I take just a moment to point out the difference between his amendment and my substitute amendment.

What the amendment offered by the gentleman from New Jersey [Mr. WIDNALL] says is that in the future in each and every residential renewal project there must be a substantial number of units of standard housing of low or moderate cost and that the result must be marked progress in serving the poor and disadvantaged people living in the slum and blighted areas.

My substitute does not require that there be this infusion of new housing for low and moderate income families in each and every project.

On the contrary, what my amendment says is that before any residential renewal project can be approved, there must be a substantial increase in the supply of standard housing provided by the urban renewal program of the community.

What I am getting at is this, suppose there is a project comprising two or three blocks, a small project area. The city indicates that it has a renewal plan, and that outside the project area there is going to be constructed substantial numbers of housing units for low- and moderate-income families. Then I say, Mr. Chairman, should we insist, inasmuch as this construction is going on outside the project area but within an urban renewal plan, that there be this construction of low- and moderate-income housing within the two- or three-block project area itself?

What we are really saying is that regardless of the plans for housing for low- and moderate-income families, regardless of a renewal plan, if we break down the number of urban renewal projects within a city, it will be necessary for each to comply with the amendment of the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I am happy to yield to the gentleman from New Jersey.

Mr. WIDNALL. I do not believe that the gentleman's proposal would have any material effect for 5 or 6 years, because you would have to go all the way back to the very first step that was taken by urban renewal within the cities, and it certainly seems to me that there would be delay, delay, and delay in effectiveness of the amendment.

I would also like to call attention to the fact that it does not define the area.

Mr. ASHLEY. Mr. Chairman, I decline to yield further only for this reason: I want to point out to the gentleman from New Jersey that section (b) of his amendment and my substitute are identical with respect to when the provision takes place. I would say with regard to the substantive aspect of my substitute that, the Secretary must determine that the urban renewal program in the locality includes a substantial increase in the supply of standard housing for families of low and moderate income.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I yield to the gentleman from New York.

Mr. FARBSTEIN. Does your amendment presuppose the fact that an urban renewal area will contain projects other than dwellings?

Mr. ASHLEY. I would say to the gentleman that you can have a general renewal area, and in one area you will have a project that is residential, next to it you may have a commercial project, and next to that you may have again a residential area. This is why I say the thrust of the amendment of the gentleman from New Jersey imposes an inflexibility on the program that is clearly not within the best interests of the country.

Mr. BARRETT. Mr. Chairman, I rise in support of the substitute. I do not think there is anyone in the House who is more inclined to want low-income housing than I. But I do think that the amendment offered by the gentleman from New Jersey is too rigid. It should have some flexibility in it. This substitute does not change the character of the area, but it does give them flexibility to do what they think is in the best interests and, by the same token, give them low- and moderate-income housing.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from New Jersey.

Mr. WIDNALL. I think it should be said that the argument that has been used for the existing urban renewal program ever since 1949 is that you have got to preserve flexibility in the program, and it has been so flexible that we have gotten no cure for the hard-core areas of the cities.

What I want to do is concentrate the effort for at least the next few years in the areas of greatest need, particularly when it is a residential project. I am not talking about combined projects or commercial projects, but the residential projects. There should be a substantial increase.

The amendment offered by the gentleman from Ohio would not limit the impact to a specific area in the city. It could be any part of the city, with vague promises from the administrator of the program that he is going to do something in another area in order to help those people in the area of urban redevelopment.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I yield to the gentleman from Ohio.

Mr. ASHLEY. I should like to ask the gentleman from New Jersey if he would agree to this statement? We have both been concerned with this problem for some time. We have never been entirely in agreement, but we have been substantially so. His amendment would go further than mine.

Would the gentleman not agree that my amendment represents a considerable improvement over existing law?

Mr. WIDNALL. We are not sure. We believe there is still too much flexibility in it, and the administrator could do what has been done in the past and channel the funds in a direction which is not going to hit hard-core problems of the cities. I believe this has reached the point that we have to concentrate our efforts and not spread it too thin.

Mr. BROOMFIELD. Mr. Chairman, will the gentleman yield?

Mr. BARRETT. I am glad to yield to the gentleman from Michigan.

Mr. BROOMFIELD. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BROOMFIELD. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New Jersey [Mr. WIDNALL].

The amendment he has offered would help put the urban renewal program back on the path from which it strayed so many years ago, and that is to provide the means by which low- and middle-income families can obtain decent housing.

In far too many cases, urban renewal has been more interested in removing people from the areas it encompasses than in providing decent housing for them.

It is no wonder that we have explosive social situations in our cities when those who are supposed to be helped by this program find, that instead of being used as it should, as a tool to assist them, it is being used as a weapon against them.

I support the gentleman's amendment with enthusiasm. I have an amendment which has a similar purpose to the one introduced by the gentleman from New Jersey, and which I will submit later in the evening.

Passage of the Widnall amendment would, in my estimation, be a large step toward a goal which has been too long ignored and forgotten.

Mr. BARRETT. Mr. Chairman, I hope the substitute amendment will be supported.

Mr. DOWDY. Mr. Chairman, I move to strike the last word.

As I understand it, when the urban renewal law was passed the purpose was to eliminate slums and to give to the people living in the slums better housing in which to live.

I do not know which one of these two proposals will come closer to accomplishing the purpose, but I believe the original amendment would.

As chairman of a subcommittee dealing with the District of Columbia, I learned from investigations that several hundred thousand dollars had been spent in urban renewal here, and thousands of homes were destroyed in the so-called slum areas. Luxury construction was put up in place of the destroyed homes. No one who lived in the area could even afford to rent a broom closet in what was constructed to take the place of the homes that were torn down.

In the District of Columbia, in urban renewal areas, there has not been one unit—not one—either of low- or medium-income housing built in place of it.

If the amendment of the gentleman from New Jersey [Mr. WIDNALL], would mean there would be at least a few low-income or medium-income housing units built in place of what is torn down, it ought to be adopted.

As I listened to the substitute amendment that was offered, it appeared to me it would leave the same discretion in the local redevelopment agencies as they have now, and there would not be any low- or medium-income housing built in any urban renewal area if the substitute were adopted.

I do not know whether the Widnall amendment would help much, but the way the thing has been run in the past, using the District of Columbia as an example, the result has been not one unit of low- or medium-income housing built. It has all been luxury, and only the wealthiest people can live in it. Not many Members of Congress could afford to live in these luxury buildings of the urban renewal areas. I trust the Widnall amendment shall be adopted, and I support it.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Ohio [Mr. ASHLEY].

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey [Mr. WIDNALL].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BROCK

Mr. BROCK. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROCK: On page 66, line 6, strike out "Single".

On page 66, line 7, insert "(a)" after "Sec. 308."

On page 66, after line 14, insert the following:

"(b) Section 221(f) of such Act is further amended by adding at the end thereof (after the sentence added by subsection (a) of this section) the following new sentence: 'For purposes of determining eligibility for occupancy of dwelling units in a project financed with a mortgage insured under subsection (d)(3) which receives the benefits of the interest rate provided for in the proviso in subsection (d)(5), a family or person with an annual income of more than $7,500 shall in no case be considered to be a family or person of low or moderate income.' "

Mr. BROCK. Mr. Chairman, the amendment I have just offered would place a maximum family income ceiling of $7,500 per year on families who are eligible to have their rents subsidized by the Federal Government.

According to the Census Bureau the median family income in the United States today is around $6,800. It is my understanding that in no section of the country does the median family income exceed $7,500.

When the below-market interest rate rent subsidy program was enacted in 1961 there is no question that Members of Congress were led to believe that it was to benefit primarily lower income families. On June 8, 1961, volume 107, part 8, page 9872 of the RECORD, Senator SPARKMAN referred to the provision in the then pending housing bill which created this program as "representing a phasing out of the public housing program as we have known it in the past." Shortly thereafter, during the Senate debate, this provision was eliminated from the bill. Subsequently, the below-market interest rent subsidy program was restored. During that debate it was again reiterated that this program represented a phasing out of the public housing program and Members of the Congress were led to believe that this would primarily be for low- and moderate-income families.

Let me quote from another portion of that debate. It was said by the Senator from Alabama:

> The purpose of this program is to phase out that part and to try to find some other plan for low income housing which would be less costly to the government and more satisfactory to the people and which they can afford.

Mr. Chairman, it is clear to me that Members of Congress were misled in believing that this below-market interest rent subsidy program was to: First, replace public housing; and second, to provide housing for low- and moderate-income families.

As of last month this rent subsidy program is committed to spending $1.4 billion through FHA insurance at below-market interest rates for both new and existing construction.

I have in my hand the list of maximum income limits for occupancy under this below-market interest rent subsidy program issued by FHA in June of this year. Let me give you just a few of the maximum income limits permitted under this program for families with three children:

In Anaheim, California $9,700 annual income.

San Diego, California $9,900.
District of Columbia $9,350.
Honolulu $10,300.
Chicago $9,850.
Portland, Maine $8,300.
Boston, Mass. $8,400.
St. Louis, Missouri $9,200.
Concord, N.H. $9,150.
Patterson, N.J. $9,150.
Portland, Oregon $9,200.
Charleston, W. Va. $8,400.
New York City $9,450.
Petersburg, Alaska $12,550.

Mr. Chairman, these are just a few of the maximum annual family income limits permitted by FHA to benefit from a multibillion-dollar Federal rent subsidy program, and these figures do not include certain extra income that is not counted for purposes of determining eligibility.

Currently, there are more of these below-market interest rent subsidy projects being built than there are public housing units. Only last year an overwhelming majority of this House voted to restrict the latest addition of the rent subsidy program to families whose incomes do not exceed public housing maximum income limits—in most cases $4,000 per year. How can we do less here?

It is regulations such as these which greatly exceed congressional intent that caused so many Members of this House to vote against last year's rent subsidy program. Many of us knew that the Department of Housing and Urban Development really wants to use that program for middle-income families as well.

In this period of tight mortgage credit where millions of families earning $6,000 or $7,000 per year income cannot get private loans to build their own houses because of competition in the private credit market from Federal programs such as this, how can we justify a multibillion-dollar Federal rent subsidy program benefiting families earning $2,000 and $3,000 per year more than the median family income in the United States?

My amendment would not immobilize this program. On the contrary, my amendment does not even place a ceiling as low as the current median family income in the United States. My amendment would still leave administrators of the program ample opportunity to permit extra uncounted income over and above $7,500 per year. But my amendment would prevent families earning $8,000, $9,000, $10,000, $11,000, and $12,000 per year from benefiting from a massive Federal rent subsidy program, while millions earning less than $5,000 per year do not receive any Federal housing benefits whatsoever.

Mr. Chairman, I invite all the Members of the House to come over to the committee table and inspect the list of maximum family income limits in their own districts. I am sure that if you do, you will be as shocked as I was. These below-market interest rate apartment units yield an indirect Federal subsidy of between $20 and $30 per month to eligible families.

There is no excuse for this type of abuse of congressional intent.

I earnestly ask for your support in my effort to get this program back to where it will benefit truly low- and moderate-income families. To do less would be inexcusable.

Mr. FARBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. BROCK. I yield to the gentleman from New York.

Mr. FARBSTEIN. Mr. Chairman, is there any limitation upon the number of children in the family, a family whose only income amounts to $150 a week?

Mr. BROCK. Mr. Chairman, the limitation is, of course, dependent upon the number of children, and that would vary.

Mr. FARBSTEIN. And, Mr. Chairman, if the gentleman from Tennessee will yield further, if a family has an income of $7,500, without a limitation on the number of children——

Mr. BROCK. That is correct. The top limit regardless of number of children would be $7,500 in income.

Mr. FARBSTEIN. And if a family has eight children, under the proposed amendment which has been offered by the gentleman from Tennessee it would, if adopted, only permit an income of $7,500? This is unrealistic; do you not think so?

Mr. BROCK. Regardless of area, regardless of children, no family could qualify for interest subsidy if its income exceeded $7,500. The limit is now $6,000 in many communities of the United States, and this would not be effected by my amendment. It merely sets a maximum ceiling.

And, Mr. Chairman, unless we limit income allowed a family receiving a subsidy—I am talking of a family unit of five or six, a mother and father and three or four children—unless we limit it to $7,500, the people who have poverty level incomes will not obtain assistance under this program. In other words, today's bill permits subsidies to people with incomes of $10,000, $11,000, or $12,000.

Mr. Chairman, it seems to me it is only the better part of wisdom to limit the application of this program to those whose incomes do not exceed the national medium by more than 10 percent. I do not believe this is unreasonable.

Mr. Chairman, I ask the support of the Committee of the Whole House on the State of the Union for my amendment.

Mr. ASHLEY. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I simply want to say that the committee has heard no testimony upon this proposal.

Mr. Chairman, the gentleman's amendment as proposed does not take into account the size of a family unit. Furthermore, this is the first indication of interest which I know about on the part of the gentleman from Tennessee [Mr. Brock] as manifested in his proposed amendment. It is the first indication to the committee of the gentleman's interest.

Mr. Chairman, I would simply suggest, in view of the fact that the gentleman from Tennessee did not bring it before the Committee on Banking and Currency, the amendment should be voted down at this time.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Tennessee.

The amendment was rejected.

AMENDMENT OFFERED BY MR. SIKES

Mr. SIKES. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Sikes: On page 125, after line 12, insert the following new section:

"LEASING OF FACILITIES FOR HOUSING BACHELOR MILITARY PERSONNEL

"Sec. 914. Notwithstanding any other provision of law, the Secretary of a military department may acquire by lease in the United States, its territories or possessions, structures and real property relating thereto that are not located on a military base and that are needed for housing bachelor military personnel. A lease under the authority of this section may not be for a period of more than fifteen years."

And renumber the succeeding sections accordingly.

The CHAIRMAN. The gentleman from Florida [Mr. Sikes], is recognized for 5 minutes in support of his amendment.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. SIKES. Mr. Chairman, I yield to the distinguished gentleman, the chairman of the committee.

Mr. PATMAN. Mr. Chairman, the members of the full committee and I have discussed this amendment fully, and we are thoroughly familiar with it. We have no objection to it and we would be glad to accept it if it is agreeable to the minority.

Mr. BROCK. Mr. Chairman, if the gentleman would yield, I would appreciate the gentleman explaining the amendment.

Mr. SIKES. Mr. Chairman, I will be happy to do so.

This would constitute a voluntary program. It carries no appropriation. It would stimulate private industry by making it possible for suitable quarters to be erected for bachelor military personnel by private individuals whose investment would have the protection of a lease for a scheduled period not to exceed 15 years. Presumably the quarters allowance would pay for the program.

As everyone here knows, there is a serious deficit in the number of adequate on-base quarters for military personnel at the present time. A great many military personnel have to live in very substandard facilities. At the present rate that we are replacing the substandard quarters with modern facilities, it is going to take a lifetime to give them a decent place to live. My proposal would bring in the resources of private industry in an effort to speed up that process.

Mr. BARRETT. Mr. Chairman, I ask unanimous consent that we vote immediately on the amendment.

Mr. WIDNALL. Mr. Chairman, may I ask, did the chairman of the subcommittee say he would accept the amendment?

The CHAIRMAN. Yes, he did.

Mr. WIDNALL. We will accept it on this side.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. Sikes].

The amendment was agreed to.

AMENDMENT OFFERED BY MRS. DWYER

Mrs. DWYER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mrs. Dwyer: Page 102, after line 4, insert the following new section:

Requirement of Referendum on Proposed Urban Renewal Projects in Communities of 150,000 or Less

"Sec. 704. Section 101 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"'(f) Notwithstanding any other provision of this title, no contract shall be entered into for a loan or capital grant under this title with respect to any urban renewal project to be carried out in a municipality having a population of 150,000 or less according to the most recent decennial census less such project shall have been submitted to the inhabitants of the municipality and approved by a majority of them in a referendum held for that purpose by the local governing body.'"

The CHAIRMAN. The gentlewoman from New Jersey [Mrs. Dwyer] is recognized.

Mr. PATMAN. Mr. Chairman, will the gentlewoman yield for a unanimous-consent request, and I hope it will not be taken out of her time.

Mrs. DWYER. I yield to the gentleman.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that all debate on the bill, and all amendments thereto, close in 30 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. DINGELL. I object.

Mr. PATMAN. Mr. Chairman, I ask unanimous consent that all debate on the bill, and all amendments thereto, close in 35 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas [Mr. Patman]?

Mr. DINGELL. Mr. Chairman, I object.

Mr. PATMAN. Mr. Chairman, I move that all debate on the bill, and all amendments thereto, close in 40 minutes.

The CHAIRMAN. The gentleman from Texas moves that all debate close in 40 minutes, and the Chair takes for granted that this is after the time of the gentlewoman from New Jersey?

Mr. PATMAN. Yes, sir.

The CHAIRMAN. The gentleman from Texas [Mr. Patman] moves that all debate on the bill, and all amendments thereto, close in 40 minutes.

Mr. DOW. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. DOW. Mr. Chairman, does this mean that certain amendments will be eliminated?

The CHAIRMAN. No, no; it does not mean that. It means that all amendments will be read, but if the time has expired, that is if the motion of the gentleman from Texas is adopted, and 40 minutes is the time limit, if that time has been used, then all amendments that have not been called up by that time will be read but they cannot be debated.

Mr. DOW. I thank the Chairman.

Mr. WIDNALL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. WIDNALL. Mr. Chairman, is it possible to determine the number of amendments that are at the clerk's desk?

The CHAIRMAN. The Chair thinks so. Will the Clerk report to us?

I am advised that there are approximately 23.

Mr. PATMAN. Mr. Chairman, of course, that includes amendments that will not be presented. I know some of these amendments will not be presented. I have some amendments of mine that will not be presented. The gentleman from Tennessee [Mr. Anderson] has one that has to do with agriculture which will not be presented. There are many other amendments also.

Some of these amendments will not be contested and some of them will be accepted.

So, Mr. Chairman, I renew my motion.

Mr. ASHLEY. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state the parliamentary inquiry.

Mr. ASHLEY. Mr. Chairman, I was in the cloak room at the time this request motion was made. I have an amendment. Am I counted among those who have amendments at the desk?

The CHAIRMAN. We have not counted anyone. The Chair has just stated that there are so many amend-

ments at the Clerk's desk. And if the gentleman has an amendment at the Clerk's desk it has been included in the number.

The question is on the motion offered by the gentleman from Texas [Mr. Patman] that all debate on the bill, and all amendments thereto, close in 40 minutes.

The motion was agreed to.

The CHAIRMAN. I am sure that all Members who are standing are not seeking recognition. Will those seeking recognition remain standing so that the Clerk can note their names.

Mr. O'NEILL of Massachusetts. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. O'NEILL of Massachusetts. Mr. Chairman, in what order will the Chair recognize Members to offer their amendments?

The CHAIRMAN. That is up to the Chairman. The Chair always recognizes Members in a difficult situation like this by seniority and, of course, going from one side to the other, naturally.

Mr. IRWIN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. IRWIN. Mr. Chairman, will Members who have amendments at the desk be recognized before other Members?

The CHAIRMAN. Oh, yes. As far as the Chair is concerned, any Member who has an amendment here—and, of course, this is not a necessary procedure—but the Chair assures you that the Chair will recognize Members who have an amendment at the desk before recognizing Members to strike out the last word. It is not necessary but I will so rule.

Mr. DEL CLAWSON. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. DEL CLAWSON. Will members of the committee be recognized before other Members?

The CHAIRMAN. Members of the Committee on Banking and Currency, under the rules, will be recognized before any other Member.

Mr. DEL CLAWSON. I thank the Chair.

The CHAIRMAN. If they have amendments at the desk.

The Chair observed standing Mr. Harvey of Michigan, Mr. O'Neill of Massachusetts, Mr. Widnall of New Jersey, Mr. Dowdy of Texas, Mr. Delaney of New York, Mr. Dingell of Michigan, Mr. O'Brien of New York, Mr. Hanna of California, Mr. Patman of Texas, Mr. Pickle of Texas, Mr. Gerald R. Ford of Michigan, Mr. William D. Ford of Michigan, Mr. Rumsfeld of Illinois, Mr. McDade of Pennsylvania, Mr. Boland of Massachusetts, Mr. Cahill of New Jersey, Mr. Broomfield of Michigan, Mr. Del Clawson of California, Mr. Talcott of California, Mr. Anderson of Illinois, Mr. Stubblefield of Kentucky, Mr. Reuss of Wisconsin, Mr. Moorhead of Pennsylvania, Mr. Barrett of Pennsylvania, Mr. Fraser of Minnesota, Mr. Irwin of Connecticut, Mr. Scheuer of New York, Mr. Dow of New York, and Mr. Hardy of Virigina.

Is there anyone who is standing and whose name the Clerk did not record?

Mr. DEL CLAWSON. Mr. Chairman, the gentleman from Tennessee [Mr. Brock] was standing in the aisle. He had been called for a long-distance telephone.

The CHAIRMAN. We will add the gentleman from Tennessee [Mr. Brock].

Mr. ASHLEY. Mr. Chairman, I was standing at the time and my name was not called.

The CHAIRMAN. The gentleman from Ohio [Mr. Ashley] will be added.

The gentlewoman from New Jersey, who has been very patiently waiting, I might add, is recognized for 5 minutes.

Mrs. DWYER. Mr. Chairman, this is not an antiurban renewal amendment. I have supported urban renewal legislation throughout my service in Congress, and I believe that, wisely administered, urban renewal can make increased contributions toward the rebuilding of urban areas.

As a practical matter, however, there is probably more popular antagonism toward the program today than ever before—the result, in part, of both misunderstanding and of projects poorly designed and carried out. It is necessary, therefore, to renew public confidence in urban renewal.

My amendment would help restore this confidence in several ways:

It would give people an opportunity to vote on specific urban renewal projects in their own communities.

It would force local governing bodies and redevelopment agencies to do a better job of "selling" their local programs in order to win referendums.

It would involve the entire community in the process of making the basic decision on urban renewal, after weighing the pros and cons—and this is supposed to be a fundamental objective of urban redevelopment legislation.

And it would encourage redevelopment agencies to do maximum planning in advance of any referendum in order to justify the project, thereby reducing administrative delays which have been major factors in public disaffection with urban renewal.

A referendum would be required, under my amendment, Mr. Chairman, only in communities with populations of 150,000 or less, for the following reasons:

First, the bigger the city, the higher and more prohibitive the cost of a referendum would be;

Second, a single urban renewal project in a larger city does not directly affect or interest the population as a whole; it is more of a neighborhood problem;

Third, in a smaller community, an urban renewal project would involve the people of the community as a whole, and their vote in a referendum would be meaningful; and

Fourth, many of the most serious urban renewal problems have occurred in smaller communities, so it is here that the protections and benefits of a referendum are most needed, and most feasible.

To my knowledge, only two significant objections have been raised to the referendum requirement: First, the theoretical one that a referendum interferes with the concept of representative government in which elected local officials have the responsibility of making urban renewal decisions, and second, the practical one that most communities would defeat urban renewal referendums.

Neither objection is convincing in my judgment. The country has a long history of submitting public questions to a referendum, including such issues as State constitutional amendments, local school budgets, bond issues, and so forth, as well as urban renewal in certain States and localities. No discernible damage to the principle of representative government has resulted. Nor, judging from the record during the past 3 years of urban renewal, bond issue, and related questions submitted to local referendums, do communities invariably reject them. Of 60 such referendums, in the past 3 or 4 years, 30 have received majorities and 30 have been defeated.

It is a question of trusting the people. As they do in other elections, people tend to vote on the merits of a referendum issue as they see them. I am confident that, given a sound urban renewal plan and the expectation of a competent job of administration, the people will vote accordingly.

In view of the fact that the present bill includes an authorization of $250 million for urban renewal, over and above existing authorizations, this is an appropriate opportunity to strengthen the urban renewal program by giving the people the right to participate in decisions that have such a fundamental impact on the future of their communities.

I urge the adoption of the amendment.

Mr. DOWDY. Mr. Chairman, I rise in support of Mrs. Dwyer's amendment just offered.

Many of the States of the Union give to their communities the privilege of having referendums on questions of this sort. I believe sincerely that the Congress of the United States ought to be as willing to give to the people of the various communities the privilege of deciding for themselves whether they should have an urban renewal project in their city.

We must realize that whenever one of these projects is set up people lose their homes. Their homes are taken without their consent, and in many places and many times they are left without places to live and without a place to go. We have seen that happen here in the city of Washington when a large area was torn down and the people, having no place to go, crowded into another area and made that a worse slum than the one torn down.

I certainly believe, from the depths of my heart, that people who are to lose their homes, many without adequate compensation, should have the right to vote as to whether there is to be an urban renewal project in their city.

Surely anyone who believes in our form of government, and has faith in the intelligence of the American people, will support this amendment offered by Mrs. Dwyer. Why should this Congress give any bureaucrat the dictatorial authority

to cast American citizens from their homes—particularly when a majority of them object. After all, this amendment merely gives the people the right to vote, and provides that the majority shall prevail.

I urge the adoption of the amendment.

Mr. BARRETT. Mr. Chairman, as much as I dislike doing so, I rise in opposition to the amendment.

I want to point out that this amendment has been brought before the subcommittee and was turned down at that time almost unanimously. We had it before the full Committee on Banking and Currency, and on that occasion it was likewise turned down substantially. This would do a tremendous amount of harm to the urban renewal program. Certainly where there are referendums asked for, it would prevent what we considered in our meeting as doing something that would do the greatest good for the greatest number.

Mr. Chairman, I do hope we can vote this down and vote on it immediately.

Mr. TALCOTT. Mr. Chairman, I rise in favor of the amendment.

Mr. Chairman, I would like to rise in support of this amendment, and because of the situation that is now occurring, which is typical whenever the Committee on Banking and Currency has a bill before the House, and the very limited time, I simply ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. TALCOTT. Mr. Chairman, there are many compelling, general and special, reasons for this amendment to the Housing Act of 1949. I intend to present only a few today.

I am not opposed to the principle of urban renewal. We need to renew our dilapidated urban areas—this is a constant task which should concern and involve every citizen and segment of the community. Blighted areas should be eradicated. Deterioration should be stemmed. One section of our environment cannot be permitted to unnecessarily spoil another. But we must also preserve functional and pleasant residential, business, and industrial areas.

These goals cannot be accomplished without cooperation and some coordination. Urban renewal can provide a vehicle otherwise unavailable—especially when the various private property owners in a substandard section cannot, or will not, get together—in a common effort for the public necessity.

But the urban renewal project must fit and suit the community. Bureaucrats in Washington, far removed from the persons involved, unknowledgeable about the local habits, attitudes, and wishes should not be making the basic decisions.

Individual persons are the most important ingredient of a community. Urban renewal must deal primarily with people—not just with slums, buildings, and property.

Urban renewal must be personal, compassionate—but unfortunately, it has not always been.

Urban renewal should serve the needs of the whole community, but unfortunately, it has not always done so.

Advocates of Federal urban renewal have too often flooded the news media with good intentions and platitudes.

Urban renewal now exists upon large amounts of public moneys and Government power, but too little public or individual support.

Urban renewal is expensive.

Urban renewal is not a free Federal bonanza. We pay dearly for it through Federal taxes. The local community pays heavily also. Urban renewal projects are not done cheaply. Enormous profits have been made in urban renewal, but not for the community and the taxpayer who cares about the expense.

The typical urban renewal project destroys a great many homes, at least 126,000 between 1950 and 1960; 25,000 of these were in good condition. In the 1950 decade, no more than 30,000 units were constructed in urban renewal project areas; 126,000 down, 30,000 up. Unfortunately, for the dislocated families who must find a place to live, the 30,000 put up were out of the reach of their pocketbooks. The community cares about this.

Families displaced from an urban renewal area find it practically impossible to move back into the area. Rents in the renewed area go up, but the tenant's wherewithal does not. Many of the displaced families must move to less favorable homes—less space, worse conditions—but they pay higher rents, for less desirable locations. Thus, the net effect of urban renewal in the field of housing has not been helpful. The community cares about its displaced persons.

At least 1 million persons have been evicted. The manner of the eviction is not always pleasant or decent. You should know about the infamous Patania case in my district. The urban renewal project is 6 years old. Mr. Patania is 72. He and his wife lived in their modest home for 42 years. It was in good condition, but in an area designated for commercial urban renewal. They were offered the "fair market value" of their home—$12,500, I think—not nearly adequate to replace their home today. They declined. They were ordered evicted. They refused to leave. The sheriff was ordered to evict them. Mrs. Patania was forcibly subdued, placed in a straitjacket, and removed via stretcher—under the gaze of nationwide TV and other reporters. Mr. Patania was forcibly removed also. Then, to add to their ignominy, both were jailed until their home was bulldozed to the ground to prevent their reentry. They have also been sued for contempt of court and damages for the costs of the evictions and the special, premature demolition of their home. Urban renewal had little compassion for this old couple who could not speak English and who only wanted to keep their most valuable and precious possession—next to life itself— their home of 42 years. Urban renewal did not have compassion. Urban renewal could not devise a better way to relocate the Patanias. Urban renewal did not care about people; it cared only about clearing property.

Now the community should and does care about evicted people and how it is done and where they relocate. Relocation is not just a worry for the evicted family, but a concern and burden of the community which cannot be discharged simply by paying money. The community cares.

In every urban renewal project which forces people from their homes, the evicted persons suffer severe anguish. Sentimental attachments to homes, areas, and neighbors, developed through years of association are not severed by pronouncement from an urban renewal agency. The public good must truly be great to justify such inhuman cruelty to fellow man.

In their exuberance to create something better, have developers and agency personnel neglected to consider some basic rights which were at one time considered fundamental to our society?

Justice C. J. Bell, of the Pennsylvania Superior Court, in his concurring opinion in the decision remanding the case of Tony Foranda against the Redevelopment Authority of Lancaster, Pa., to the court of common pleas, has very poignantly set forth the issues.

What single step can we take to promote best the socially desirable goals of urban renewal which genuinely renews decayed and decaying cities but eliminates the heart-rending eviction of thousands from their homes, which can be better rehabilitated through other means?

I recommend the incorporation of a community referendum in the project approval process.

The people in the community are smart enough, concerned enough, and wise enough to make the decisions which are best for them and their communities.

The whole community should understand, approve, and support worthy urban renewal projects—but this, unfortunately, has not always been so.

It is not inconsistent with democracy, representative government, or citizen participation to require proposed urban renewal projects to be approved by majority referendum.

A referendum would serve three essential purposes almost wholly lacking now: First, marshal public support; second, encourage community involvement in public affairs; and third, put urban renewal proponents on their mettle and force them to develop and sell a project which has merit and will serve the total public interest, rather than benefit a small coterie of speculators at public expense and the diminution of the rights of individual persons and businesses.

If a renewal project is not well enough planned or explained to satisfy a majority of the community which will be expected to pay a heavy portion of the million dollar costs and share a portion of the burdens as well as enjoy the benefits, then there is no justification of it in our present-day community.

If a slum area needs to be renewed and there are two competing proposals, the community should have a direct voice in the choice.

Elections are a small cost to insure free public knowledge and support. The many economic and social manifestations of any renewal project affects the whole community. The whole community should be intimately involved to insure success. A referendum is the best method for obtaining support and insuring this success.

Referendums have been held in a number of communities on some phase of an urban renewal project—bond issue, establishment of a local renewal authority, or project approval—over the past few years.

Mr. Chairman, support for this amendment has come from many quarters in almost every congressional district.

The whole urban renewal program will be immeasurably strengthened by passage of the Dwyer amendment providing for a public referendum for urban renewal projects in communities of less than 150,000. I urge the committee's support.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. TALCOTT. I yield to the gentleman from Tennessee.

Mr. BROCK. I would just like to comment briefly on what the chairman said, that this is for the greatest good of the greatest number. How can it be that if the majority do not want it?

Mr. TALCOTT. You are correct. It is not accurate. Neither is it accurate that we voted on this amendment in our committee, because we did not.

The CHAIRMAN. The question is on the amendment offered by the gentlewoman from New Jersey [Mrs. Dwyer].

The question was taken; and on a division (demanded by Mr. Talcott) there were—ayes 26, noes 56.

So the amendment was rejected.

Mr. ASHBROOK. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The gentleman from Ohio makes the point of order that a quorum is not present. The Chair will count. [After counting.] One hundred and eight Members are present, a quorum.

AMENDMENT OFFERED BY MR. ASHLEY

Mr. ASHLEY. Mr. Chairman, I offer an amendment:

The Clerk read as follows:

Amendment offered by Mr. Ashley: Page 103, after line 17, insert the following new section:

"Sec. 807. (a) Section 501(a) of the Housing Act of 1949 is amended by inserting before the period at the end thereof the following: ", and (4) to an owner described in clause (1), (2), or (3) for refinancing indebtedness which—

" '(A) was incurred for an eligible purpose described in such clause,

" '(B) if not refinanced, is likely to result at an early date in loss of the applicant's necessary dwelling or essential farm service buildings,

" '(C) is not held or insured by the United States or any agency thereof, and

" '(D) was incurred prior to the enactment of this clause.'

"(b) Section 501(c) of such Act is amended by inserting before the semicolon at the end of clause (1) the following: ', or that he is the owner of a farm or other real estate in a rural area who needs refinancing of indebtedness described in clause (4) of subsection (a)'."

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. I shall be glad to yield to the gentleman from Texas.

Mr. PATMAN. Mr. Chairman, I know the problems which the amendment of the gentlemen from Ohio is designed to meet. It would simply save the homes of those families in rural areas who are faced with the problem of refinancing their interim loans on their homes. Without this amendment many of those families would lose their homes. This provision has been worked out with the Farmers Home Administration which has no objection to it and I hope it will be adopted.

Mr. WIDNALL. Mr. Chairman, will the gentleman yield?

Mr. ASHLEY. Mr. Chairman, I yield to the gentleman from New Jersey.

Mr. WIDNALL. Mr. Chairman, on this side of the aisle we accept the amendment which has been offered by the gentleman from Ohio [Mr. Ashley].

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio [Mr. Ashley].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HARVEY OF MICHIGAN

Mr. HARVEY of Michigan. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Harvey of Michigan: Strike out page 75, line 10, and all that follows down through page 79, line 20, and redesignate the succeeding titles and sections (and the reference on page 125, line 2) accordingly.

The CHAIRMAN. The gentleman from Michigan [Mr. Harvey] is recognized for 2½ minutes in support of his amendment.

Mr. HARVEY of Michigan. Mr. Chairman, this is a very simple amendment. It would strike title IV from this bill which is the new towns and new communities section. Under that particular section I call to your attention that we insure loans up to $25 million for any new town or new subdivision.

Let me point out that my amendment is supported by the mayors of the United States of America, and the mayors' conference. My amendment is supported by the National Homebuilders' Association as the Members know, because of the letter I put in the Record yesterday.

Let me point out further, Mr. Chairman, that this is not a new title. Actually it was in the 1964 bill. Then it was taken out by both the Senate and the House subcommittees.

It was put in the 1965 bill and it was taken out by both the Senate and the House subcommittees.

Somehow or other it has found its way back into the 1966 bill. As far as I am concerned, the only ones in favor of it are the department people down at HUD. The mayors are against it. The homebuilders are against it. Why are they against it? Ladies and gentleman, they are against it for two reasons.

First of all, this new title providing help for new towns is totally inconsistent with the thrust of this bill which is to help and to rehabilitate the older established cities. What we are doing is taking help from them and giving it to the others—the new towns.

Mr. Chairman, the homebuilders, as I say, are also opposed to it. Why are they opposed to it? They are opposed to it because of the tight money situation that they find themselves in today.

Let met point out that the House just recently approved and directed money through FNMA into the homebuilding industry and into the residential real estate market. If you pass this bill, with this title IV in it, what you are doing is taking money from the money that we allotted to FNMA and instead of it going into the homebuilding market, it is going into these $25 million in loans on new towns.

Do not try to tell me that this is simply insuring loans, because it is not. Section 405 of this bill—mind you, provides for FNMA to purchase these loans after they are insured. I do not have to tell you what that means. That means that FNMA then takes the loan and goes over to the Treasury and gets the $25 million.

So I say to the Members that this particular section would be defeating the purpose of the entire act. The mayors of America are against it and want to see it defeated, because they want the help to go into the cities that need the help. The homebuilders want to see it defeated because they want this money to go into the homebuilding market and into the residential area market.

So I hope that the Members will see fit to support this very worthy amendment.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. REUSS. Mr. Chairman, I move to strike out the last word, and I rise in opposition to the amendment.

The CHAIRMAN. The gentleman from Wisconsin is recognized for 1¼ minutes.

Mr. REUSS. Mr. Chairman, I vigorously oppose this amendment because it would take out of the bill one of the most vital and important parts of the bill, the section which would insure private developers who wish to build whole new communities, one of the things that this country most needs. This is an important and responsible part of President Johnson's program.

And lest it be thought that this is purely a Democratic measure, let me quote the following from the Senate Republican Policy Committee paper which was put into the Record by Senator Hickenlooper just a few days ago:

> The buildup of suburban areas continues unabated. This is where the majority of American voters—particularly the young ones—expect to live. Thus it is a better answer to plan and develop whole communities—new towns—shaped, defined, protected, and served by systems of transportation over which people easily flow to their multiple destinations.

Mr. Chairman, I hope the amendment is voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. Harvey].

The question was taken; and on a division (demanded by Mr. Harvey of Michigan), there were—ayes 26, noes 53.

So the amendment was rejected.

The CHAIRMAN. For what purpose does the gentleman from California, a member of the committee, rise?

AMENDMENT OFFERED BY MR. DEL CLAWSON

Mr. DEL CLAWSON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. DEL CLAWSON: On page 110, strike out line 15 and all that follows down through page 113, line 8, and redesignate the succeeding sections and the reference on page 125, line 2, accordingly.

Mr. DEL CLAWSON. Mr. Chairman, a memorandum was made available by the Housing Subcommittee which describes itself as a brief summary of S. 3708. After summarizing committee action on the bill, the memorandum takes a positive approach toward explaining what the bill would do title by title.

The first two titles, concerned with demonstration cities and planned metropolitan development, get 50 percent of the explanation: The seven remaining titles get two or three lines each at the most. Mr. Chairman, my remarks are directed to the explanation for title IX of two and a half lines, as follows:

> Among other provisions, title IX would authorize FNMA to make construction loans for certain FHA programs and would authorize assistance to home owners who suffered loss through the closing of military bases.

This title is the one for miscellaneous items and is abbreviated "Misc." It is my purpose to focus attention on one section only, and if my interpretation is correct, and I believe it is, the abbreviation for this portion of the title at least, might appropriately stand for "mischief." This is section 911 of title IX dubbed "Urban Environmental Studies." Normally, I would not—as I am sure 90 percent of the other Members of the House would not—boggle at this title and I am aware that the Secretary has complained in the latest issue of the magazine House & Home that the Congress has not given him "a red cent for basic research." But under the wide open language of this section, we are providing the Secretary of Housing and Urban Development, whoever he may be, with a ready made campaign fund and precinct organization with which to support or oppose any Member of this House. This would also apply in the case of the Senate. To my knowledge this power and authority was not requested by the present Secretary nor do I believe he would desire it.

No hint of anything like this is contained in the subcommittee's summary so I think the Congress can ask, How serious is this?

In my opinion, quite serious. Either by accident or design, the Secretary of HUD has been handed an unlimited campaign fund which he can exercise as he sees fit—if this legislation passes and is funded—for the next 2 years. He can not only enter general elections, but primaries as well as an active participant. Primaries, I repeat for the benefit of majority Members, particularly those who have disputed with the Secretary. The Secretary, under this proposed legislation would have only his own leanings and interests to guide him in either supporting or opposing any Member of this or subsequent Congresses.

If any of the honorable Members of the House believe to the contrary, and I am sure some who have not read section 911 of the bill might very well question such a sweeping statement, let me read a few passages from section 911. May I suggest that Members also read this section beginning on page 110 of the printed copy of the bill.

Section 911(b)(3) reads as follows and authorizes and directs the Secretary to—

> (3) establish a system of collecting and receiving information and data on urban ecological research and evaluations which are in process or are being planned by public or private agencies, or individuals.

Note the "public, private agencies, or individuals." Without doubt that covers the well known waterfront. The Secretary could hire the services of the Gallup or the Harris poll organizations; he could contract with the Nielson rating service; he could employ the Democratic or Republican precinct organizations of Philadelphia, Pa., or those of any city down to a population of 2,500. Public agencies—private agencies or individuals—every Member must recognize the implications and potential power, politically, economically, and socially, held in the hands of the Secretary with this broad authority. What could happen if it were abused or misused?

Then there is section (b)(4) of 911.

Once again the Secretary is authorized and directed to—

> (4) evaluate and disseminate information pertaining to urban ecology to public and private agencies or organizations, or individuals, in the form of reports or otherwise.

Once again the waterfront is covered by this subsection. Note that it mentions the dissemination of materials, to both public and private agencies or organizations, that may be in the form of reports or otherwise. Otherwise is a rather comprehensive word. There is not anyone he could not propagandize—he has full rein—and he can go any direction he wishes.

To continue, under (c)(1)—

> The Secretary is authorized to establish such advisory committees as he deems desirable for the purpose of rendering advice and submitting recommendations for carrying out the purpose of this section. Such advisory committees shall render such advice to the Secretary upon his request and may submit such recommendations to the Secretary at any time on their own initiative. The Secretary may designate employees of the Department of Housing and Urban Development to assist such committees.

There is—please note—no limit to the number or size of committees that the Secretary can set up under this subsection. He may detail any or all of HUD's employees to help them. The committees can report at his call or on their own initiative.

Now as to pay—there is section (c)(2):

> Members of such advisory committees shall receive not to exceed $100 per day when engaged in the actual performance of their duties, in addition to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

If any of these people are certified as working 365 days a year, and there may be some who would be willing to so certify, they could be paid under this section 911, $36,500 plus expenses.

Take a second look at the lush contract possibilities which can run for 2 years—or the length of the next congressional and presidential campaign. Permit me to further read section (d) of 911:

> The Secretary is authorized to carry out the studies, surveys, research, and analyses authorized by this section either directly or by contract with public or private bodies or agencies, or by working agreement with departments and agencies of the Federal Government, as he may determine to be desirable. Contracts may be made by the Secretary for work under this subsection to continue not more than two years from the date of any such contract.

As to appropriations listen to section (e):

> (e) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section. All funds so appropriated shall remain available until expended when so provided in appropriation acts.

Do you need a better description than the language of the bill itself for an open-ended legislative provision? I do not think so.

Let me sum it up for the House. If this bill, with section 911 passes, the Secretary will no longer need approval of this Congress. The Congress will need his.

Mr. Chairman, I urge the adoption of this amendment.

Mrs. BOLTON. Mr. Chairman, I ask unanimous consent to extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentlewoman from Ohio?

There was no objection.

Mrs. BOLTON. Mr. Chairman, there has been a great deal of discussion during this past year over finding ways and means to cut down the considerable expense entailed by political campaigns. We have been searching for a solution. The bill just passed provides a solution. In section 911 we have delegated all responsibility to the Secretary of Department of Housing and Urban Development.

Section 911 refers to urban environmental studies.

This is a pretty crude camouflage for so very many things.

Under a stated purpose to investigate every living creature including flies, rats, roaches, and all such within urban environmental studies, we are in this bill empowering the Secretary of HUD with or without the Harris poll to enter our campaigns whether they be primaries or general elections. The bill says that he can hire whoever he pleases and how many he pleases and makes it possible if this legislation becomes law, for him to pay them in excess of $30,000 a year each.

Furthermore, the bill gives him contractual rights and allows him to hire whom he wants. This can be any polling organization, any precinct organization, or any extremist group that he may so designate. The funds authorized are unlimited and remain available until expended. Now the majority can say this was not the intention of the Secretary. I say to them if it was not his intention or their intention, they are guilty of very careless draftsmanship. These things are easily possible under the bill and all who read section 911 will know it.

I think it is time that we look at ourselves and realize what, in these high-pressured, confused closing days of the Congress, can be accomplished by hiding in the provisions of a housing bill something which should be considered at great length.

I have seen many radical proposals presented to the Congress in the years that I have served here, but never before have I seen a time when the Congress was willing to delegate so much power to a member of the executive branch which he can wield, if he so desires, as a club against every Member of this body. The Congress is, in fact, digging its own grave.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California [Mr. Del Clawson].

The amendment was rejected.

The CHAIRMAN. The gentleman from California [Mr. Hanna] is recognized.

AMENDMENT OFFERED BY MR. HANNA

Mr. HANNA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Hanna: Page 107, after line 5, insert the following new section:

"FEDERAL NATIONAL MORTGAGE ASSOCIATION SPECIAL ASSISTANCE FOR FINANCING LOW-COST HOMES

"Sec. 906. The Congress hereby finds that the sharp decline in new home construction over the past year threatens to undercut our present high level of prosperity and employment as such declines have in the past; that the substantial reduction which has taken place has had its greatest impact on families of modest income who are seeking to achieve the goal of home ownership; that this decline in home building is due primarily to the shortage of mortgage financing on terms which moderate income families can afford; and that our national policy objectives in the field of housing and community development are thereby being thwarted. The Congress therefore expresses its intent that the special assistance funds made available to the Federal National Mortgage Association for the financing of new low-cost homes by the Act of September 10, 1966 (Public Law 89–556), should be released immediately to halt the continuing decline in the construction of new homes for families of moderate income."

And renumber the succeding sections accordingly.

Mr. HANNA (interrupting the reading). Mr. Chairman, I ask unanimous consent that the reading of the amendment be dispensed with and that it be printed in the Record at this point.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

Mr. HANNA. Mr. Chairman, I can give you the sense of the amendment in one quick sentence. The amendment would express the intent of Congress that the special assistance funds that were made available for financing new low-cost homes under the FNMA program back in September would be made available.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. HANNA. I yield to the distinguished chairman of the committee.

Mr. PATMAN. We have examined the gentleman's amendment, and the Members on this side are willing to accept it.

The CHAIRMAN. The question is on the amendment of the gentleman from California.

The amendment was agreed to.

The CHAIRMAN. Does the gentleman from Tennessee [Mr. Brock] have an amendment?

Mr. BROCK. Mr. Chairman, I have no amendment to offer.

The CHAIRMAN. At the request of the leaders of the committee, I should like to make this observation. I address this to the chairman of the full committee. We have a list of the amendments that remain at the desk. Are there amendments that can be agreed to and accepted without debate?

Mr. PATMAN. Yes, Mr. Chairman, there are several such amendments. I will ask that the Members who desire to offer them seek recognition. They know which ones have been accepted. They will be considered first.

AMENDMENT OFFERED BY MR. O'NEILL OF MASSACHUSETTS

Mr. O'NEILL of Massachusetts. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'Neill of Massachusetts: Page 102, after line 4, insert the following new section:

"EXPENDITURES BY EDUCATIONAL INSTITUTIONS AND HOSPITALS

"Sec. 704. Section 112(a) of the Housing Act of 1949 is amended by inserting before the period at the end thereof the following: ': *Provided further*, That no such expenditure shall be deemed ineligible as a local grant-in-aid in connection with an urban renewal project, to the extent that the expenditure is otherwise eligible, if the facilities, land, buildings, or structures with respect to which the expenditure is made are located within one mile of the project (or within such greater distance from the project as the Secretary may specify in the case of an expenditure and project which the Secretary determines meet the objectives of this section but cannot be encompassed within the one-mile limitation)'."

Mr. O'NEILL of Massachusetts. Mr. Chairman, this amendment has been accepted by the gentleman from New Jersey and by the gentleman from Pennsylvania.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts [Mr. O'Neill].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. M'DADE

Mr. McDADE. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. McDade: Page 102, after line 4, insert the following:

"THREE-FOURTHS GRANTS FOR PROJECTS IN CERTAIN REDEVELOPMENT AREAS

"Sec. 704. Section 103(a)(2)(B) of the Housing Act of 1949 is amended by inserting after 'to avoid hardship,' the following: 'or at any time after such contract or contracts are entered into and prior to the time the final grant payment has been made pursuant thereto,'".

Mr. McDADE. Mr. Chairman, the amendment which I have offered has a very clear purpose. That purpose is to force the Department of Urban Affairs to give full implementation to the Housing Act of 1965 which this House passed by a substantial vote.

We made an effort in that act—as well as housing acts passed in the 88th and 87th Congresses to provide that the percentage of Federal contribution in an urban renewal project would be three-fourths and not two-thirds if the project was being conducted in an area that suffered from substantial or persistent unemployment.

The city of Scranton and the county of Lackawanna in Pennsylvania are so designated and the unemployment rate was about 14 percent when the urban renewal contracts were signed.

Yet, the Urban Renewal Administration has refused to convert all our urban renewal contracts into three-fourths financed projects.

The amendment which I have offered will effect such a conversion.

If you, the members of this Committee, believe that the executive branch must be responsive to the Congress, then you will support my amendment.

And those of you who wish to see justice done will vote for my amendment for it directs the Department of Urban Affairs to abandon an unwarranted and restrictive approach to our legislative acts.

This amendment will encourage the men and women of my congressional district to continue their unparalleled efforts at self-help which has meant so much to our economic rebirth. We are building a new area that enjoys the warm sunshine of new jobs and new prosperity.

This amendment, which I have written, will be of substantial help as we strive to attain a new era of prosperity. I urge its adoption.

Mr. Chairman, this amendment is acceptable to both my colleagues, the gentleman from New Jersey [Mr. Widnall] and the gentleman from Pennsylvania [Mr. Barrett] who is the chairman of the subcommittee.

The CHAIRMAN. The question is on the amendment of the gentleman from Pennsylvania [Mr. McDade].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DELANEY

Mr. DELANEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Delaney: Page 125, in line 14 insert "(a)" after "Sec. 914.", and after line 16 insert the following:

"(b) Section 401(d) of such Act is amended by inserting before the period at the end thereof the following: 'and, notwithstanding the first proviso of this subsection, the amount of this annual increase which is not utilized for loans for hospitals may be utilized for loans for other educational facilities, as defined herein'."

Mr. DELANEY. Mr. Chairman, I understand this amendment has been examined by both sides and is acceptable.

Mr. Chairman, the amendment which I have offered is needed to give parity to our great downtown colleges and universities. It involves no increase in the existing authorization for the college housing loan fund, but would simply permit greater flexibility in the use of the loan funds already authorized.

In a great many cases, downtown community colleges draw a high proportion of their student body from the cities in which they are located, so the students are able to live at home even though they may be some distance from the university. For these schools, dormitories may not be their most pressing problem. However, they are still faced with an urgent need for dining facilities for students and faculty, and student recreation and assembly halls to provide wholesome surroundings for students between classes, and a focal point for campus activity. An important part of college is the spirit of the student body, and their identification with the university. Because of this, a student recreation building is not a luxury. It is an important part of the college process.

In recognition of the importance of these facilities, the Congress has authorized a set-aside of $30 million out of the total $300 million authorized for college loans for such facilities. But, because of the heavy volume of applications for this kind of loan, the Department has set restrictive regulations.

In addition, the Congress has authorized the use of $30 million for student nurse and intern housing. However, the demand for these loans has been running at less than half that amount.

My amendment would not change these set-asides. It would simply say that in a year when the full amount is not needed for the second set-aside, the excess could be used for student recreation and assembly halls. Let me emphasize that these funds could be transferred only if not needed for student nursing and intern housing.

Mr. Chairman, this amendment is important to all universities, but particularly to our downtown community colleges. I hope it will be adopted.

Mr. PATMAN. Mr. Chairman, we accept the amendment, on both sides.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. DELANEY].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. IRWIN

Mr. IRWIN. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. IRWIN: On page 75, strike out "SEC. 313" on line 6 and insert in lieu thereof "SEC. 313(a)"; and insert after line 9 the following new subsection:

"(b)(1) The first sentence of section 810(e) of such Act is amended by inserting before the period at the end thereof 'or other mortgagor approved by the Commissioner'.

"(2) The third sentence of section 810(e) of such Act is amended by inserting after 'or trust' the following 'or other mortgagor'."

Mr. IRWIN. Mr. Chairman, under existing law, section 810 armed service housing rental projects may be sponsored only by private corporations, associations, cooperative societies, or trusts. Private individuals and partnerships are precluded from sponsoring such projects.

Private individuals and partnerships are eligible sponsors of multifamily rental projects under all other FHA programs. This amendment, essentially technical in nature, would extend the benefits of FHA mortgage insurance under the section 810 program to projects owned by sponsors now eligible under all other FHA programs.

Mr. Chairman, the chairman of the full committee and the minority have accepted the amendment.

Mr. PATMAN. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Connecticut [Mr. IRWIN].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. HARDY

Mr. HARDY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARDY: Page 77, lines 21 and 22, strike out "and are regulated in a manner acceptable to him" and insert in lieu thereof the following: "and are regulated or supervised by the State or politcal subdivision or an agency thereof, or (in the absence of such State or local regulation or supervision) are otherwise regulated in a manner acceptable to the Secretary,".

Page 78, line 6, strike out "and are regulated in a manner acceptable to him" and insert in lieu thereof the following: ", and which are regulated or supervised by the State or political subdivision or an agency thereof, or (in the absence of such State or local regulation or supervision) are otherwise regulated in a manner acceptable to the Secretary".

Page 78, lines 13 through 15, strike out "which will be regulated, during the period of such ownership, in a manner acceptable to him" and insert in lieu thereof the following: "which during the period of such ownership will be regulated or supervised by the State or political subdivision or an agency thereof or (in the absence of such State or local regulation or supervision) will be otherwise regulated in a manner acceptable to the Secretary,".

Mr. HARDY (interrupting the reading). Mr. Chairman, I ask unanimous consent that further reading of the amendment be dispensed with and that it be printed in the RECORD. It is in three parts which are identical.

The CHAIRMAN. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. PATMAN. Mr. Chairman, we are willing to accept the amendment on this side.

Mr. HARDY. I hope it is acceptable to the other side.

Mr. HARVEY of Michigan. Mr. Chairman, we would like to hear the amendment explained.

Mr. HARDY. Mr. Chairman, this amendment to title IV will not permit the Secretary to override State regulatory agencies. The amendment is in three parts, and in each it has the identical objective. It applies first to subsection (a) of section 1006. The language in the bill would permit the Secretary to regulate the user rates and charges, capital structure and method of operation and other conditions with respect to the operation of private water systems.

Mr. Chairman, I do not think the Secretary has any business regulating these matters if there is a State agency which is supervising or regulating them. My amendment simply provides that, where regulation is provided by a State or political subdivision or an agency thereof, the Secretary's authority would not be permitted to override that regulation. In like manner, the other two parts of the amendment accomplish this identical purpose with respect to subsection (b)1 and (b)2.

I am grateful to the chairman of the committee [Mr. PATMAN], for accepting this amendment, and I trust that it will be acceptable to the gentleman from New Jersey and that it will be adopted.

It does that in three places in the same section, section 1006.

Mr. BROCK. Mr. Chairman, will the gentleman yield?

Mr. HARDY. I yield to the gentleman.

Mr. BROCK. The first part constitutes the State?

Mr. HARDY. That is right.

Mr. BROCK. That is not preemptable by the Secretary if the State has regulations that are enforcible?

Mr. HARDY. That is right.

Mr. BROCK. Mr. Chairman, we accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia [Mr. HARDY].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. DINGELL

Mr. DINGELL. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DINGELL: Page 102, after line 4, insert the following new section:

"REQUIREMENT OF SEPARATE SEWER SYSTEMS IN REDEVELOPMENT OF URBAN RENEWAL AREA

"SEC. 704. Section 105 of the Housing Act of 1949 is amended by adding at the end thereof (after the new subsection added by section 703 of this Act) the following new subsection:

"'(g) The urban renewal area will be served to the maximum extent feasible after its redevelopment by a storm sewer system or systems separate from and independent of the area's sanitary sewer system or systems.'"

Mr. DINGELL. Mr. Chairman, the purpose of my amendment is to put a halt to the expenditure of Federal funds for projects which perpetuate and make worse our already bad water pollution problem.

During the last decade, Congress made major advances in developing a program that looks to the elimination of the water pollution problem. In 1956, we adopted the Federal Water Pollution Control Act. We expanded this program with the wide-ranging Federal Water Pollution Control Act amendments of 1961. The Water Quality Act of 1965 authorized additional funds and enforcement procedures. And, we will soon be taking final action on S. 2947, a bill authorizing additional billions of dollars to carry out the purposes of the Federal Water Pollution Control Act.

From this it is obvious that Congress wants to clean up the Nation's streams, lakes, and shore areas.

However, the Housing Act of 1949 still permits Federal funds to be expended on combined sanitary and storm sewer systems.

A recent study by the Department of Health, Education, and Welfare—the preliminary report was issued in November 1964—shows that one of the most important sources of impairment to water is the storm water and overflow from combined sewers.

This study showed that some 60 million persons live in U.S. communities now served by sewer systems which allow overflows. During storms, this overflow contains as much as 95 percent untreated sewage.

HEW stated:

> The quality of the overflows reflects a high degree of pollutional load to water courses as measured by the usual standards of biochemical oxygen demand, coliform organisms, solids, etc. Stormwater alone was demonstrated to carry significant amounts of pollutional load, particularly in the early portions of storms when a flushing action occurs.

The study continues:

> Effects (of these overflows) were found to be uniformly adverse and it was learned that control measures do exist. Complete separation of sanitary and storm sewers and treatment is now considered to be the ultimate solution. This includes separation of all sources of stormwater from the sanitary system.

There is no question that the cost of providing complete separation of storm and sanitary sewers throughout the country would be substantial. Present estimates put the cost at about $30 billion. The cost of providing such a system for New York City would be about $4 billion; for Detroit, Mich., about $1.3 billion; for Chicago, about $2.3 billion; Spokane, Wash., about $50 million; Washington, D.C., about $214 million; Concord, N.H., about $8 million; and New Haven, Conn., about $10 million. These are all large sums of money and needless to say these projects would have to be carried out over a protracted period of time. But, we should get started with the job, and a good place to start would be in our urban renewal programs.

My amendment would require that after an urban renewal area has been redeveloped, it must be served to the maximum extent feasible by sewer systems which make provision for the separate conveyance and disposition of storm water and sanitary sewage. We are going to have sewer systems of one sort or another and I see no reason for not building the best possible systems. It is true that the cost of building a combined system is less than the cost of separate systems. But then, if we were interested only in the cost of sewage disposal, we could handle the problem quite nicely by digging a little ditch along the road and let the sewage flow where it would.

On this matter of costs, the House Government Operations Subcommittee on Natural Resources and Power, of which the gentleman from Alabama [Mr. Jones] is chairman, has provided us with some data in its excellent report, "Separating Storm and Sanitary Sewers in Urban Renewal." The report noted that the separate sewers to be built in a large Cleveland, Ohio, urban renewal area would cost about 50 percent more than the combined system which was first planned. The cost estimate for a system of separate sewers was $1,166,280, while the cost estimate for the combined system was $740,714. It is true that the difference in construction costs is significant, but it certainly is not prohibitive. And, for the extra $425,566 we would be making a start on correcting a situation which has gone far in making Lake Erie America's "Dead Sea."

In accomplishing the objectives I seek with my amendment, I am, of course, concerned with the best utilization of Federal funds, as well as State and local funds. If the research programs we in Congress have authorized provide us with new and less costly devices or means to accomplish the objectives of assuring clean water, I would be the first to urge the utilization of these new devices and means. But, until such time as these hoped-for improvements are a fact rather than a mere hope, I believe that we must make use of known techniques.

The Federal Water Pollution Control Administration, through enforcement activities affecting Detroit, Cleveland, Buffalo, New York City, and other great urban centers, is attempting to cope with the critical effects of overflows from combined sewers. Through the facilities demonstration program the Administration is seeking to alleviate that major pollution problem. It makes sense to me, in acting on this great demonstration cities bill, that the House put the urban renewal program solidly in line with the national goal of cleaner waters for America. To this end, I urge adoption of my amendment.

Mr. PATMAN. Mr. Chairman, will the gentleman yield?

Mr. DINGELL. I am happy to yield to the chairman.

Mr. PATMAN. We have accepted the amendment and I understand the other side has accepted it.

Mr. DINGELL. That is correct. The gentleman from New Jersey, Mr. Widnall, has agreed to the amendment.

Mr. HARVEY of Michigan. Mr. Chairman, we will accept the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. Dingell].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. STUBBLEFIELD

Mr. STUBBLEFIELD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Stubblefield: On page 99, line 21, insert "(a)" after "Sec. 701.".

On page 100, after line 11, insert the following: "(b) Notwithstanding the date of the commencement of construction of the Earlington High School, in Earlington, Kentucky, local expenditures made in connection with the construction of such school shall, to the extent otherwise eligible, be counted as local grants-in-aid toward urban renewal project Kentucky R–60 in accordance with the provisions of title I of the Housing Act of 1949."

On page 134, after line 9, insert the following new section:

"LOCAL GRANTS-IN-AID FOR SPECIFIC URBAN RENEWAL PROJECT

"Sec. 920. Notwithstanding the date of the commencement of construction of the Earlington High School, in Earlington, Kentucky, local expenditures made in connection with the construction of such school shall, to the extent otherwise eligible, be counted as local grants-in-aid toward urban renewal project Kentucky R–60 in accordance with the provisions of title I of the Housing Act of 1949."

And renumber the succeeding sections accordingly.

Mr. STUBBLEFIELD. Mr. Chairman, I am asking that the legislation before us be amended to provide that certain expenses incurred by the city of Earlington, Ky., be made eligible as local grants-in-aid for purposes of title I of the Housing Act of 1949.

The reason for this requested amendment is that the urban renewal project of Earlington, Ky., which is an area containing approximately 41 acres located adjacent to the new high school, is almost totally dependent on the city's being able to use the noncash credits established through 100-percent locally financed projects—the main one being the benefits to be derived from the construction of the Earlington High School.

When the noncash credit in the approximate amount of $80,000 from construction of this high school expired in January 1966, based on the fact that such a credit expires 3 years after work begins unless the allocation order for the loan and grant is executed before the 3-year period expires, a reduction in size and cost of the initial project was necessary in order to make the project financially feasible. However, when the planner submitted a preliminary of part I application for loan and grant to the Atlanta, Ga., regional office of the Housing and Urban Development Department in June 1966, it was noted that increased project costs—due to higher value on real estate purchases—revealed by acquisition appraisals—increased the local share estimate by about $36,300 over the amount planned for just 6 months before as the local share.

There is no question that the Earlington project's success is totally dependent on the recovery of this lost credit since the local financial situation is such that cash moneys are simply not available for use as matching funds without jeopardizing further capital improvements needed. Since similar exceptions have been made through congressional action in the past, I feel that Earlington should likewise receive this consideration and ask that my amendment be accepted.

Mr. PATMAN. Mr. Chairman, will the gentleman yield to me?

Mr. STUBBLEFIELD. I will be happy to yield.

Mr. PATMAN. This is a special bill for a special purpose. The gentleman will get consideration from our committee in a special bill, but if you attempt to put it in here, there are 1,429 others that are comparable to it and would have the same claim. We would never get through with this bill then, I will say to the distinguished gentleman from Kentucky. I hope you do not urge it.

Mr. STUBBLEFIELD. Mr. Chairman, I appreciate those remarks, but I feel obligated to offer the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Kentucky [Mr. STUBBLEFIELD].

The amendment was rejected.

The CHAIRMAN. There are now no members of the committee with amendments. The Chair now recognizes with what he hopes is some semblance of seniority the various Members. The Chair recognizes the gentleman from Michigan [Mr. BROOMFIELD].

AMENDMENT OFFERED BY MR. BROOMFIELD

Mr. BROOMFIELD. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BROOMFIELD: Page 102, after line 4, insert the following new section:

"RETURN OF DISPLACED HOMEOWNERS TO PROJECT AREA AFTER REDEVELOPMENT

"SEC. 704. Section 105 of the Housing Act of 1949 is amended by adding at the end thereof (after the new subsection added by section 703 of this Act) the following new subsection:

"'(g) The urban renewal plan shall provide that in the redevelopment of the project area (1) suitable housing (within the financial means of the individuals and families involved) within the boundaries of the project area for all homeowners who are displaced by the project and who desire to relocate within the area after its redevelopment, and (2) residential construction and rehabilitation will be given priority, to the maximum extent feasible, over other activities.'"

Mr. BROOMFIELD. Mr. Chairman, the amendment I am offering is quite simple.

It provides that in any urban renewal project in which there are homeowners who will be displaced by the project, that suitable housing must be provided for those who desire it within the boundaries of the project area.

The amendment further provides that, where feasible, construction of such housing for those displaced will be given top priority during the construction phase of the project.

The differences between the amendment I am offering and existing law are these:

Present law requires that suitable housing must be provided for those who are displaced by an urban renewal project. However, it does not say where.

My amendment would require that as far as homeowners who live in their homes are concerned, those who express the desire to remain must be offered adequate housing within their financial reach, and this housing must be located specifically within the project area.

It further instructs the Housing and Urban Development Department that first priority for this housing must be given to construction of this housing for the displaced homeowner.

Mr. Chairman, I believe that the reasons why this amendment is necessary are the same reasons why we are considering the demonstration cities bill today.

If, after 15 years, the Federal urban renewal program could be considered a success, there would be no need for consideration of a demonstration cities bill today.

The failure is stated in the original law in which Federal urban renewal was created, the Housing Act of 1949, in which the stated objectives are to:

Eliminate substandard and other inadequate housing through clearance of slums and blighted areas.

Stimulate housing production and community development sufficient to remedy the housing shortage.

Realize the goal of a decent home and suitable living environment for every American family.

Now, I ask this question: After 15 years and billions of dollars, which of these goals can we say that urban renewal has attacked successfully?

On the elimination of substandard housing, I think that urban renewal might be able to make a case for itself. Almost every one of us has in his congressional district at least one example of this phase of urban renewal.

There are sections of our cities which have been wiped out, demolished, destroyed as completely as those blocks of London hit by Hitler's buzzbombs during World War II.

There certainly can be no question of the destroyer power of urban renewal. The next question is, can it create? And if it can create, can it create that which is useful as well as that which is beautiful; that which is necessary as well as that which is desired?

Has urban renewal, in other words, become the tool for the creation of unlivable Brazilia's marble and concrete monuments to nothingness at the expense of those for whom this program was designed in the first place?

This program, urban renewal, was to provide decent, vermin-free, livable housing, particularly for the low- and middle-income groups, in a healthy environment.

Urban renewal often creates the environment envisioned under this act. The only trouble is that it does not let anybody live there. Urban renewal has had a net loss of housing during the 15 years it has been in business. Think of it. That means that urban renewal not only is not solving the housing problem, it is actually making it worse.

Furthermore, the housing which is being built under urban renewal is more often than not the $300-a-month apartments or the $100,000 town houses into which our distinguished Vice President recently moved.

Mr. Chairman, I am not urging the abolishment of urban renewal with my amendment. I am not urging that its funds be cut or its programs be trimmed. I am urging, indeed I am pleading, that this first tiny step be taken right here, today, to head urban renewal toward its stated goals, and these are to provide decent housing for every American.

Let us not let this program compound our urban problems by compressing our explosive housing problems with increasing pressure. Let us work toward the goal of making urban renewal a solution rather than a gesture.

Urban renewal should not—indeed must not—have as its primary goal the creation of pretty places for pretty people.

It should be a device to fill a growing, monumental need—decent housing—rather than the creation of meaningless monuments.

Mr. Chairman, I urge adoption of this amendment.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. BROOMFIELD. I am delighted to yield to the gentleman from Michigan.

Mr. HARVEY of Michigan. Mr. Chairman, I want to tell the gentleman from Michigan that I believe the gentleman has put his finger upon one of the major faults which now exist in the urban renewal program.

Mr. Chairman, it is my opinion that the amendment which has been offered by the gentleman from Michigan [Mr. BROOMFIELD] is very worth while and I certainly want to commend the gentleman for his interest in this subject and wish to tell the gentleman that I accept his amendment wholeheartedly.

Mr. Chairman, the amendment which has been offered by the gentleman from Michigan [Mr. BROOMFIELD] is accepted on this side of the aisle.

Mr. ASHLEY. Mr. Chairman, will the gentleman yield?

Mr. BROOMFIELD. I yield to the gentleman from Ohio.

Mr. ASHLEY. Mr. Chairman, I thank the gentleman from Michigan for yielding.

However, Mr. Chairman, I will say that this amendment is not dissimiliar to the amendment which was previously offered by the gentleman from New Jersey [Mr. WIDNALL], which was accepted.

However, this proposed amendment goes considerably further than the amendment which was offered by the gentleman from New Jersey [Mr. WIDNALL], and on this basis, Mr. Chairman, we oppose the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan [Mr. BROOMFIELD].

The amendment was rejected.

AMENDMENT OFFERED BY MR. MULTER

Mr. MULTER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MULTER: On page 65, after line 13, insert the following new section:

"INCREASED MORTGAGE LIMITATIONS UNDER SECTION 220(d)(3)(B) FOR SMALL PROJECTS CONTAINING LARGER FAMILY DWELLING UNITS

"SEC. 306. (a) Section 220(d)(3)(B)(iii) of the National Housing Act is amended by inserting after '; and except that' the following: 'with respect to rehabilitation projects involving not more than five family units, the Secretary may by regulation increase by 25 per centum any of the foregoing dollar amount limitations contained in this clause which are applicable to units with two, three, or four or more bedrooms: *Provided*, That'.

"(b) Section 220(d)(3)(B)(iii) of such Act is further amended—

"(1) by inserting immediately before 'by not to exceed 45 per centum' the following: '(as determined after the application of the preceding proviso)'; and

"(2) by striking out '*provided*, That nothing' and inserting in lieu thereof '*Provided further*, That nothing'."

And renumber the succeeding sections accordingly.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. MULTER] in support of his amendment.

Mr. MULTER. Mr. Chairman, this amendment improves the bill. It is the amendment which has been circulated to the members of the committee by our colleague from New York [Mr. RYAN]. The language, not the intent or purport, but the language as such has been approved by the agency. I am not implying that the agency approves the amendment. However, I do understand they can live with the amendment, as they put it. It will improve the bill. It is necessary in the city of New York and other large cities so rehabilitation projects can go ahead. Without it, we will run into difficulty in approving projects for those old buildings, which contain five or less family units. I urge its adoption.

Mr. Chairman, I yield to the gentleman from New York [Mr. SCHEUER].

Mr. SCHEUER. Mr. Chairman, I thank the gentleman for yielding.

As the mortgage allowances are now secured when a man rebuilds a home, it makes sense for him to rehabilitate the home into small units, into one or two efficiencies and perhaps a one-bedroom unit, rather than a several-bedroom unit, where the mortgage allowance is less.

Mr. Chairman, if this amendment passes it will make owners of homes more receptive to rehabilitating the home into several large suites of two bedrooms or more. This will enable them to provide moderate housing in New York and other large urban areas for middle-class families with children, so that they can stay in the urban center rather than forcing them to go to the suburbs, which is now the unfortunate situation that we face in these areas.

Mr. RYAN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Chairman, because of the lateness of the hour and the rigid limitation upon debate under which we are operating, and in order to achieve my objective of amending this bill to increase the mortgage limitations in rehabilitation projects under section 220 (d) (3) (B) (iii), I have waived to a member of the committee my right, as the author of this amendment, to offer it. I appreciate the support which I have received from those members who understand the problem and recognize the need for an adjustment of the mortgage limitations so that living accommodations can be provided for families with children.

The purpose of this amendment is to encourage the creation of family-size apartments—two and three bedrooms—in a rehabilitation project which contains five units or less.

Under section 220(d) (3) (B) (iii) the mortgage limits make it economically more attractive to create efficiency and one-bedroom apartments rather than two- or three-bedroom apartments.

In New York City in my district we have a major urban renewal program underway—the west side urban renewal project. An integral part of this project is the rehabilitation of brownstones, which will help to achieve economic and racial integration and stabilize the neighborhood. This kind of housing should help keep families in the city instead of driving them to the suburbs.

Under present law a sponsor can get a mortgage for $18,125 for a one-bedroom apartment. If he uses a floor for two small one-bedroom apartments, he can get $36,250. On the other hand, if he uses the same space for a two-bedroom apartment, the permissible mortgage is $21,750. There is a $14,450 economic incentive to subdivide—two one-bedroom apartments instead of one two-bedroom apartment. Or worse, two efficiencies may be created. The result is that family-size apartments are not being planned.

I drafted the amendment now pending before us in consulation with the Department of Housing and Urban Development. It is frankly a compromise which does not go as far as my bill H.R. 7311, which I introduced in April 1965, and which provided an equal mortgage for equal space, but it is addressed to the same problem, and I have discussed it at length with the distinguished chairman of the subcommittee [Mr. BARRETT] and with Secretary Weaver. With respect to rehabilitation projects involving not more than five family units, it permits the Secretary by regulation to increase by 25 percent the mortgage limitations for units with two, three, or four, or more bedrooms.

I urge its adoption.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. MULTER].

The amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Illinois [Mr. RUMSFELD].

Mr. RUMSFELD. Mr. Chairman, I yield my time to the gentleman from Illinois [Mr. ANDERSON].

The CHAIRMAN. Without objection, the gentleman from Illinois [Mr. RUMSFELD], yields his time to Mr. ANDERSON of Illinois.

There was no objection.

AMENDMENT OFFERED BY MR. ANDERSON OF ILLINOIS

Mr. ANDERSON of Illinois. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. ANDERSON of Illinois: On page 66, line 6, strike out "Single".

On page 66, line 7, insert "(a)" after "SEC. 306."

On page 66, after line 14, insert the following:

"(b) Section 221(f) of such Act is further amended by adding at the end thereof (after the sentence added by subsection (a) of this section) the following new sentence: 'For purposes of determining eligibility for occupancy of dwelling units in a project financed with a mortgage insured under subsection (d)(3) which receives the benefits of the interest rate provided for in the proviso in subsection (d)(5), a family or person with an annual income of more than $10,000 shall in no case be considered to be a family or person of low or moderate income.'"

Mr. ANDERSON of Illinois. Mr. Chairman, those of you who were present earlier this afternoon in the Committee of the Whole will recognize that this amendment is a restatement in a slightly different form of the amendment offered by the gentleman from Tennessee [Mr. BROCK].

All I seek to do is to impose an income ceiling or an income limitation of $10,000 for those families who would be eligible for admission to projects constructed under section 221(d) (3), the below market rate of interest program.

To me, it is fantastic that anyone would even have to stand up in the well of the House this evening and propose that a limitation of this kind be imposed on this program.

This illustrates the extent to which the Congress has lost its control of the 221(d) (3) program. I propose to recapture at least some portion of that lost control.

I did some research earlier today, and I find that in my own hometown in northwest Illinois, Rockford, Ill., under this below market interest rate program, a family of five could qualify for admission to one of these so-called middle income subsidized housing projects, if they have an income of $9,600.

I cannot go home to my constituents and propose that we grant a subsidy that I am informed amounts to about between $20 and $30 a month on every single apartment constructed pursuant to this below market interest rate program.

I cannot go home and propose that we continue to grant a subsidy of between $20 and $30 a month of that kind when in this House not many months ago 188 of you voted to deny rent supplements to families with incomes low enough so that they had to qualify, as you recall, for public housing before they could be granted rent supplements.

One hundred and eighty-eight Members of this House voted against that program which was for an appropriation, as I recall it, of only $20 million.

Now unless you adopt this amendment and put at least some limitation—a $10,000 ceiling on this kind of program, then I submit that you are helping people who do not need the help while you are ignoring those who may have some right and some claim to this kind of assistance from the Federal Treasury.

To date $1,800 million has been authorized in direct loans out of the special assistance fund of the Federal National Mortgage Association—Fannie Mae—to fund this program.

It has all been backdoor financing, coming out of the Federal Treasury. It amounts to $1,800 million.

I would suggest to my colleagues, and I am fully conscious of the fact that we want to finish this bill, that this is an amendment with a serious purpose and I would urge you to adopt this amendment putting a $10,000 ceiling on this program.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. Anderson].

The amendment was agreed to.

The CHAIRMAN. The Chair recognizes the gentleman from Tennessee [Mr. Anderson].

The Chair hearing no response, the Chair recognizes the gentleman from Michigan [Mr. William D. Ford].

Does the gentleman from Michigan have an amendment?

Mr. WILLIAM D. FORD. Mr. Chairman, I withdraw my amendment and ask unanimous consent to yield my time to the chairman of the committee, the gentleman from Texas [Mr. Patman].

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from New York [Mr. Dow].

Does the gentleman from New York [Mr. Dow] have an amendment?

AMENDMENT OFFERED BY MR. DOW

Mr. DOW. Mr. Chairman, yes, I have an amendment and I offer the amendment at this time.

The Clerk read as follows:

Amendment offered by Mr. Dow: On page 108, after line 5, insert a new section as follows:

"GRANTS FOR BASIC WATER AND SEWER FACILITIES

"Sec. 909. (a) Section 702 of the Housing and Urban Development Act of 1965 is amended by adding at the end thereof a new subsection as follows:

"'(d) If, prior to the commencement of construction of any project to provide basic public water or sewer facilities and in advance of the availability of funds for a grant under this section, the Secretary of Housing and Urban Development approves such project as meeting the requirements of this section, and the local public body or agency thereafter constructs such project and submits an application to the Secretary for a grant for such project, the Secretary, upon his approval of such application, is authorized to make a grant under this section for such project to be paid from future appropriations made pursuant to Section 708(a) (1). No such grant shall be made (1) unless the provisions of this section have been complied with to the same extent and with the same effect as though the grant were to be made for future construction of the project, or (2) in an amount exceeding a grant which would otherwise be made under this section for the future construction of such project. Neither an approval of a project by the Secretary prior to construction, nor the making of a grant by the Secretary for such project to be paid from a future appropriation, nor any other provision of this subsection shall be construed to constitute a commitment or obligation of the United States to provide funds to make or pay any grant for such project.'

"(b) The amendment made by subsection (a) of this section shall apply to any project on which construction is initiated after June 30, 1966; except that in the case of any project on which construction was initiated after June 30, 1966, and before the date of enactment of this Act, the Secretary may approve such project for the purposes of Section 702 (d) of the Housing and Urban Development Act of 1965 subsequent to the commencement of construction."

Renumber the succeeding sections accordingly.

Mr. DOW. Mr. Chairman, I have acquainted all Members with this amendment during the past week or two.

Mr. Chairman, my amendment would, commencing on July 1, 1966, allow a community to go ahead with the construction of lateral sewers and water systems without disqualification to receive Federal funding at a later date.

Only $100 million is now available under current appropriations to fill applications aggregating $2.6 billion. There is a great backlog of facilities needing to be funded. These are disqualified for Federal funding under existing law if construction is commenced.

I understand that the conference report on the Federal Water Pollution Control Act to be submitted next week will carry such a provision, as I understand. All such projects must be approved by the Federal Government before construction commences, but that contains no guarantee of Federal funding. It merely establishes eligibility. This amendment will not cost additional amounts of Federal funds.

Mr. Chairman, I move the adoption of the amendment.

Mr. BOLAND. Mr. Chairman, I rise in opposition to the amendment. I dislike opposing the amendment offered by the gentleman from New York. I am conscious of his concern and his persistency on matters of pollution and basic water and sewage facilities. I commend him for his excellent record in these areas. But actually what would happen is that the amendment would constitute a lien against future projects. The Housing and Urban Development Department would be put in the position to obligate these projects on a priority basis. This is not good procedure.

Mr. Chairman, there are 4,500 communities in the United States that have applications for basic sewer and water facilities pending before HUD. The total dollar amount of the applications is approximately $2.7 billion. It is all right to say that this does not constitute an obligation, but in a sense it would, because if HUD approves these applications, there is no question about the fact that in the days, months, and years to come there will be terrific pressure on HUD to come in and finance those applications that have been approved and where the local community has gone ahead and constructed facilities.

The 1966 budget carries an appropriation of $100 million under section 702.

The 1967 budget carries an appropriation of $100 million under section 702.

The administration did not ask for the total authorization of $200 million for either year. This amendment is a quasi back-door approach to the Treasury. It ought not to be adopted.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York [Mr. Dow].

The amendment was rejected.

The CHAIRMAN. All amendments that were on the desk have now been heard and disposed of.

I now recognize the gentleman from New Jersey [Mr. Cahill], for 1¼ minutes.

Mr. CAHILL. Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Minnesota [Mr. Fraser], for 1¼ minutes.

AMENDMENT OFFERED BY MR. FRASER

Mr. FRASER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Fraser: In section 702, page 100, line 18, after the word "industrial", insert a comma and the words "open space or other".

And on line 22 after the word "industrial", insert a comma and the words "open space or other".

Mr. FRASER. Mr. Chairman, this amendment has been shown——

Mr. BARRETT. Mr. Chairman, will the gentleman yield to me?

Mr. FRASER. I am glad to yield to the gentleman from Pennsylvania.

Mr. BARRETT. Earlier this evening I cooperated with you. We know very little about the amendment you are now offering. It would certainly necessitate some study, and I hope the gentleman will not offer the amendment.

Mr. FRASER. I have checked with a number of Members, including the gentleman from New Jersey [Mr. Widnall], the gentleman from Tennessee [Mr. Brock], the gentleman from New York [Mr. Multer], and others, and they apparently found no objection to it.

Does the gentleman feel that he is still constrained to object?

Mr. BARRETT. I hope the gentleman will withdraw the amendment. We can talk about it.

Mr. FRASER. Mr. Chairman, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Pennsylvania [Mr. Moorhead].

(By unanimous consent, Mr. Moorhead yielded his time to Mr. Patman.)

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. Pickle].

Mr. PICKLE. Mr. Chairman, I have asked for this time to point out to the House that one title in this measure had been considered by a committee of this House previously and had not been recommended. It ought to come out of that committee, rather than come under this particular bill.

Title V, Mortgage Insurance for Group Practice Facilities, was introduced in the first session of the Congress as H.R. 2987. It was referred to the House Committee on Interstate and Foreign Commerce.

This is the caption of that bill:

To authorize mortgage insurance and loans to help finance the cost of constructing and equipping facilities for the group practice of medicine and dentistry.

At this hour I shall not offer an amendment. I had thought that one probably would be offered. I believe it would be futile to do so at this point, but this bill or title should come out of the House Committee on Interstate and Foreign Commerce, where the jurisdiction lies and to which it was previously referred. It has no more business in this bill than, we might say, home rule.

I believe this will take away a prerogative of the House Commerce Committee.

Mr. HARVEY of Michigan. Mr. Chairman, will the gentleman yield?

Mr. PICKLE. I yield to the gentleman from Michigan.

Mr. HARVEY of Michigan. I agree wholeheartedly. I have an amendment here which I intended to offer, but since I was limited to one amendment I could do nothing else.

Mr. PICKLE. I want to make it plain that when we get into a discussion of group practice insurance a great many of us would want to discuss the merits and demerits of it. I do not want to say whether it is good or bad in itself, but it gets into prepayments of groups to patients and subscribers. It is a highly technical matter, and ought to be heard by our full committee.

Mr. PATMAN. Mr. Chairman, I am glad the motion to strike title IV of the bill was rejected by this body.

This land development and new communities title would amend the new title X added to the National Housing Act last year. Title X has as its principal aim to stimulate the production of an increased supply of well-planned and improved residential building sites. It stems from the need, overwhelmingly supported by testimony before the committee, to provide new ways of avoiding the disordered sprawl which has marked recent metropolitan development.

The program approved in 1965 has gained much attention and support throughout the country. As of August 31, the Department of Housing and Urban Development had received 275 applications for insurance under title X, involving more than 80 percent of the FHA offices throughout the country.

This figure would undoubtedly be far higher if it were not for the present tight money market. Project sponsors have even been going to the extreme of asking the FHA to hold up approval until fund sources can be obtained. This is yet another indication of the need for this Congress and administration to put a stop to the present profiteering from high interest rates.

Title IV of the bill we are considering would extend the scope of the existing land development program. It would make FHA mortgage insurance available for land acquisition and site development costs for whole new communities, in addition to the large subdivisions which can now be assisted.

Such new communities are already underway in limited number throughout the country. This is an important and promising development.

We all must face the fact that most of the future growth of this country will take place on the fringes of our large metropolitan concentrations. We cannot stand idly by as this precious land is developed in a helter-skelter manner. New community planning by private developers provides an opportunity for private enterprise to meet this challenge and to contribute to effective development—for recreation, industry, shopping, and all the other land uses needed in new urban areas.

I see this legislation as primarily of benefit to small- and medium-sized builders. New community development has, so far, been the province of large corporate developers, who have the financial resources to assemble the large tracts of land required, and who can then sustain the large capital outlay required for basic improvements to the land before residential construction can start. This new provision would open up to medium- and small-size builders, also, the possibility of engaging in this same sort of large-scale activity. They could do this cooperatively or by buying improved building sites from land developers who make use of the new provisions. In fact, this title of the bill includes specific directions to the Secretary to assure participation by small- and medium-volume builders.

Mr. Chairman, if private enterprise is not given the assistance it needs to create improved land for new communities, I predict that local governments will be increasingly driven to take over this job themselves. I am happy title IV of the bill was not deleted.

Mr. ANDERSON of Tennessee. Mr. Chairman, as I understand it, the demonstration cities bill represents an effort to cure a most serious national cancer—the blight, despair, hopelessness, and crime which has spread through our cities.

The distinguished chairman of the House Committee on Banking and Currency has characterized this cancer as the most central and critical domestic problem of this time. Twenty-two giants of American industry and banking have likewise said that it is the single most important domestic issue before Congress. Cancer, then, is not too strong a word.

The bill before us will probably pass the House today. In a few days we will be going home to give an accounting to the people, and because of the seriousness of problems facing us across the land, we will not be unlike the surgeon who goes from the operating room to report to waiting relatives on the removal of a cancerous growth in a loved one. Just as the surgeon, we will inevitably be asked, "Did you get it all?" And no matter how good the bill is before us, and how much related good legislation has passed the House this Congress, we are going to have to say, "No, we did not get it all."

To solve the problems of our cities we must first look to the countryside. The cities are in trouble because the countryside got into trouble. With poor utilities, poor roads, poor housing, poor schools, high unemployment, poor incomes, low industrialization, meager recreation and community facilities of all kinds, and less and less satisfaction from family farming, people from small towns and rural areas have flocked to the cities and compounded their problems.

With our population to double in just 33 years, this country is going to have to spread out, and the plight of our cities today tells us we are already late in getting started.

Mr. Chairman, the essence of the problem is that we are in the same boat whether we dwell in the cities or in the countryside. I consider it most distressing that some Members seem to view the problems I have referred to in terms of competition for attention and funds between the urban and rural areas. I hope the matter before us and the debate which is being made will show everyone that the demonstration cities and metropolitan development plan should be followed on an urgent basis by a comprehensive program of rural community planning and development. As I have pointed out, if we can make the countryside and the small town blossom, our cities will have found a new broad avenue of deliverance from many, if not most, of their ills.

Therefore, I appeal to the Members and to the administration to get going and do something to get started with a comprehensive and strong program of rural development. While some excellent things have been done in this regard, our rural planning and development is in mesh neither with the severity nor the urgency of the overall national domestic problems we face.

I have joined in the introduction and support of a rural community development bill which has been thoroughly worked out and which has the support of the administration. This bill, S. 2934, has already passed the Senate by a 2-to-1 majority with bipartisan support. It has been favorably reported on by the House Committee on Agriculture. It is a modest proposal, a pilot program of 3 years' authorization and its entire purpose is to make available to rural communities the same type of assistance and development planning as is now available to urban areas under section 701 of the Housing Act of 1954 as amended. Not more than $5 million would be spent on this program the first year. We have been spending about six times as much each year for urban planning and will, of course, spend a great deal more if the demonstration cities bill is enacted.

This proposal would vest in State governments the responsibility for designating community development districts at the request of local governments. State governments would be responsible also for receiving and disbursing Federal planning grants. I understand the proposal is endorsed by quite a number of Governors, including Governor Connally of Texas, Governor Romney of Michigan, and my own Governor, Governor Clement of Tennessee. Many major organizations have expressed approval. Among them, the Farmers Union, the National Grange, the National Rural Electric Cooperative Association, the National Association of Counties, and the National League of Cities.

Mr. Chairman, I urge that the 89th Congress do something about our present fragmented planning in rural America. I believe the rural community development bill will be a most worthwhile step in that direction, to the great benefit not only of rural America but urban America as well.

Mr. DONOHUE. Mr. Chairman, I urge and hope that this House, after full discussion and debate, will overwhelmingly approve this bill, S. 3708, the Demonstration Cities and Metropolitan Development Act of 1966, without any suffocating amendments.

As all Members are aware this measure includes both the demonstration cities and metropolitan development proposals, together with the more general provisions contained in this year's omnibus housing legislation so it is necessarily long and somewhat complex. However, all the titles and provisions have been clearly and completely explained by the most able floor managers on both sides and any itemized repetition now would be both burdensome and superfluous.

In summary, the basic purpose of this measure is an attempted reorganization and coordination of the existent single-purpose urban programs currently being projected to help solve the increasingly varied and complex problems of our cities.

Too many of our city governments are being too much and too often challenged and sometimes baffled by the multiplicity of new Federal programs and the technicalities of city unit relationships with dozens of Federal agencies dealing with hundreds of different Federal assistance programs.

The great and inherent value of this measure is that it provides a beginning toward the more orderly arrangement of all these Federal programs so that their individual aids can be combined into a coordinated plan for the most effective use in the most economical manner.

The bill, as we all know, has been overwhelmingly endorsed by most of the recognized authorities, at all levels, on city problems and it has the unique endorsement of some of America's most respected and acclaimed industrial leaders who have realistically commended the measure as a "fiscally responsible" approach to the "most pressing domestic problem of our time."

Mr. Chairman, the urgent need for the Federal Government to assist in comprehensive city demonstration programs for rebuilding in slum and blighted areas and providing the public facilities and services required to improve the general welfare of the people in these areas and to assist and encourage planned metropolitan government is so obvious throughout this country that it has not even been questioned here.

If there are any deficiencies in this bill it would be that this proposal has been too long delayed and its present containment is too modest for the great purposes intended. It is nevertheless a beginning and, by the voice of authority, a wise and prudent beginning in the best interests of all the people of the United States.

As a first step toward the rejuvenation of large numbers of our people and the reinvigoration of major sectors within this great Nation let us overwhelmingly approve this measure.

Mr. WOLFF. Mr. Chairman, I support the demonstration cities bill. Because of my great concern over the incubation of crime that stems from the intolerable conditions that exist in a great many cities of this Nation, I feel this bill is a meaningful step in crime prevention.

Recently the mayor of New York City, John Lindsay, made the statement that he needs $50 billion to bring New York City to a point where it will be a decent place to live. Certainly we cannot provide the fantastic amount of funds necessary to do the total job. But unless we take some steps to improve the conditions of our cities, we will add fuel to the fires of crime that will ultimately make a "hell" of our suburbs.

We on Long Island find a spillover of criminals from New York who prey on our populace.

Crime spawns in poverty, in want, and in poor housing. It is time that those who shout so loudly of the lack of law and order in our society, make their deeds match their words, and find it in their hearts to bring order out of the chaos, by supporting this bill, instead of putting phony obstacles in its path. This bill will cut crime off at its source.

There has been attached to this bill—by certain people politically motivated—the unfounded charge that it would encourage the busing of schoolchildren from one area to another, or that it would permit the merging of suburban and city school districts—the debate today proved nothing is further from the true facts.

However, to once again put to rest these spurious politically inspired charges—as has been the case with the recent education bill and now the demonstration cities bill—we have added amendments to each title of the bill so that it is impossible for anyone, or any agency to misinterpret the intent of Congress. These amendments specifically bar busing or any incentive to achieve racial balance through the use of any section of this bill.

It is indeed a sorry state of affairs that "political pool" is being played with the needs of our people by those who seek to ply prejudice for votes. The groundless charges of busing—which never really existed in fact, or was intended in this, or the education bill—is a sophisticated "racist ruse" that threatened a necessary bill. Hopefully this fiction is now put to rest by the amendments, and the benefits of building our cities and the surrounding areas will proceed without further impediment.

Mr. TENZER. Mr. Chairman, I rise in support of S. 3708 and I would like to read a letter from the Honorable Eugene H. Nickerson, county executive of Nassau County, N.Y., and chairman of the Urban Area Problems Committee of the National Association of Counties:

Office of the Executive,
Nassau County Executive Building,
Mineola, N.Y., October 11, 1966.

Hon. Herbert Tenzer,
House Office Building,
Washington, D.C.

Dear Herbert: In my capacity as Nassau County Executive and as Chairman of the Urban Area Problems Committee of the National Association of Counties, I urge you to give your full support to the Demonstration Cities Bill which is scheduled for debate and vote October 13 and 14.

There is no question in my mind that this program will have a major effect on the quality of life, not only for those in the demonstration areas, but, through development of new materials and techniques, for all our citizens. The problems of the cities inevitably reach out into the suburbs and beyond. County governments are instrumentalities which cannot be neglected in the search for a better society more able to cope with the problems of housing, slums, poverty, air and water pollution and transportation.

The Demonstration Cities Bill can give us the technique and experience to correct the errors of the past and avoid the pitfalls of the future. Passage of this bill will bring further credit to the productive, forward-looking 89th Congress.

With kind regards.

Sincerely yours,

Eugene H. Nickerson.

Mr. BOLAND. Mr. Chairman, New England cities, too, are beset by the great problems of central city decay. We are an old part of this Nation.

One of every 10 housing units in my own area of Springfield was rated substandard at last report. That involves 12,600 dwellings and at least that number of families. Multiply the families by an average of 4 persons, and you have over 50,000 people affected by substandard conditions in one community alone.

This substandardness blights the lives of some 4 million families in cities throughout our land. It is this blight to which the demonstration cities program is directed.

I urge, Mr. Chairman, that we approve the demonstration cities program.

Many, many cities throughout the country need the help that this bill can provide—and they need it urgently.

For the first time, in the evolution of Federal programs of urban assistance, we have reached the stage at which we can hope to attack total city blight and make durable improvements.

The key to that likely is provided by this demonstration cities legislation, which is based on a recognition of the root-problem which we all know exists—the fact that there is an inescapable relationship between the conditions of the slums and the conditions of the people who live in them.

Demonstration cities programing will enable a massed, coordinated approach to these complex problems, with the programs of rehabilitation and reconstruction, and with effective programs for social rehabilitation. The net effect cannot help but be an improvement on our past record of achievements.

In addition to providing a greater supply of adequate housing at low and moderate cost, this program will help make it possible for our cities to go into the neglected places in our communities, and to provide a balanced range of necessary public facilities and educational, health, and social services. Without these services and facilities, our problem areas will remain out of balance and will be a city blight, more damaging to our urban health, than any physical dilapidation with which we may have to deal.

A comprehensive, well-planned demonstration cities program cannot help but have a speedy upgrading effect in our cities. It will contribute measurably to replacing idleness with jobs, and with an equivalent cutback in welfare costs.

Recreation facilities will encourage healthy play and help to get idle youngsters off the streets and into productive ways of doing and thinking. Centers for neighborhood activity will serve as meeting places for young and old—for here can be located the social services for the neighborhoods; health services, youth-serving activities, and special programs for the elderly.

Let me stress that, while the Federal Government is providing vitally needed funds, it is the cities themselves which must initiate and develop and carry out their demonstration programs. This is a local effort—that is the heart of the program.

The Demonstration Cities Act provides the vehicle needed for an intensive drive against the various barriers that stand between us and the full realization of our democratic heritage. It expresses our national resolve that we are a people who apply our thoughts, our resources, and our wills to tackling any job that will promote the common well-being.

Because this is our heritage—in word and practice—it is all the more puzzling that Republican Party spokesmen are opposing this legislation to meet our critical housing problems.

Mr. Chairman, frankly I do not understand the position of my friends on the other side of the aisle. In a recently issued policy statement the Republicans agree that our cities are faced with a major crisis. Here is a chance in this bill for my Republican friends to do something positive. The Republicans agree that crime is increasing. The Republicans agree that slums and blighted areas demand immediate attention. Here is a chance in this bill for my Republican friends to do something positive. The Republicans agree that public transportation must be expanded and improved. The Republicans agree that educational and social services have not kept pace with the growing population.

Mr. Chairman, this bill will help the cities of America face the crisis that is before them. This bill will give the cities of America yet another tool to do something about slums and blighted areas. This bill, Mr. Chairman, will encourage the cities to do something about the social services which my Republican friends say have not kept pace with the growing population.

Mr. Chairman, the Republicans also say that the taxes collected by the cities have proven inadequate as urban blight has drained at the property tax base and yet when we try to do something to aid the cities, we find that our Republican friends say that this is not the year to do it. They say wait until later. They say this, this year; they said it with the rent supplement program last year; and I regret to say, Mr. Chairman, they have said it on any number of occasions in the years past. The Republicans have said, Mr. Chairman, that many of the upper and middle income groups who formerly provided leadership and stability have moved to the suburbs. Yet, Mr. Chairman, I do not see what our Republican friends are doing to reverse this trend.

This bill, Mr. Chairman, is not going to provide a one-step solution to all of our urban problems. It is essentially an experimental program one, which if it can succeed—and I know it will succeed—will provide our cities with the answers to many of the problems now before them.

We are at a crossroads in our national life, and in the lives of our cities.

The problems we face may be described, without any exaggeration, as being key to our survival—and to the future form of nation and cities to which we will commit generations to come.

There can be no dispute about the scope of the urban problem—even its adversaries of this act are frank to state that it is complex, of great magnitude, and demanding of attention.

We have no legislation—or program—with which to tackle them. We do have at hand the most advised guidance which our urban professionals are able to give us.

We have it before us with committee recommendations which, on the one hand, give the program enough support for an honest effort at filling its promise—and on the other with a very adequate reserve of time, in which the Congress and the Nation can survey the movement of the demonstration cities program through the next fiscal year, before committing large budgets to be spent.

Let us pass this bill, Mr. Chairman and start a program that points the way to solving and attempting to solve some of the crushing burdens that weight the cities of this country.

Mr. DADDARIO. Mr. Chairman, I want to commend the committee for inclusion in this legislation of section 1914, which would amend the Housing Act of 1950 to strike out a limitation imposed by description of educational institutions eligible for certain college housing aid to "public" institutions.

Our States, seeking to strengthen the educational structure with the warm encouragement of the Congress, have, in some instances, instructed State agencies, authorities, or other instrumentalities to provide or finance housing. Under the existing language, these qualified borrowers may be restricted to just dealing with public institutions, and some doubt has arisen regarding the means to help many institutions.

In Connecticut, we have a great tradition of private education. Schools have existed since prior to the Revolutionary War, and have grown and strengthened with the years. I find, in reviewing the legislative history of the college housing, that the purpose of the act was to help all educational institutions, and the use of the word "public" was originally inserted as one example.

The Connecticut Educational Facilities Authority was established in 1965 to provide financing for institutions in Connecticut. Similar authorities exist in New York and Vermont. The Connecticut authority is set up by law to provide financing for both public and private institutions.

This amendment would remove any question as to the legality of the authority dealing with the private institution on the same footing as the public institution, and would make the borrowing more efficient, less costly, and simpler by combining financing under the college housing program. It does not remove the need to justify all college requirements for the funds. It is distinctly in the public interest.

Mr. HOLLAND. Mr. Chairman, these remarks, which are in support of the bill in general, should have been made yesterday during general debate. But I was present yesterday, and listening carefully to the general debate, and I felt that I would wait until I had had a chance to read the RECORD this morning, because I did not really believe my ears when I thought over the arguments that had been advanced against this very worthwhile bill. But, when I read this morning's RECORD, there they were, in all their glory. The arguments I thought I heard yesterday were actually made.

First we were told, Mr. Chairman, that this bill would not make it possible to solve all the problems of all the cities because the amount of funds was limited. The gentleman advancing this argument did not feel that these problems ought not to be attacked, nor did they seem to suggest that the programs set forth in the bill were unwise investments. No, their argument was directed to the fact—the obvious fact, Mr. Chairman—that the bill does not contain enough money to make it possible to undertake programs in all American cities. So far, the arguments made sense. I expected, then, to hear my friends on the other side of the aisle propose that the funds be increased, so that more cities could be covered. But to my amazement, they contended instead that the bill ought to be totally defeated because it was not a guaranteed solution for all the problems of all the cities.

Am I completely mistaken, Mr. Chairman, in suggesting that this argument, in effect, says that if we cannot do everything the first time we should do nothing at all? That is what it sounds like to me.

My hopes and dreams for my country are perhaps more modest, Mr. Chairman. I have, as Justice Holmes once said, "No faith in panaceas and almost none in sudden ruin." Though I hope to be here in several Congresses to come, I do not expect to see the millennium achieved in my time in the Congress. In the unforgettable words of our late beloved President:

> All this will not be finished in the first 100 days. Nor will it be finished in the first 1,000 days, nor in the life of this administration, nor even perhaps in our lifetime on this planet. But let us begin.

So, in that spirit, I say to those who would have us defeat this bill because it does not hold out the promise of total victory over the problems that beset our cities, "Let us begin." I do not know, Mr. Chairman, whether Pittsburgh will immediately get anything out of this bill or not. Maybe she will. Maybe not. But the problems of the cities of this country are not limited to Pittsburgh. I will not vote against a bill to begin meeting some of the most crucial challenges facing our Nation just because that bill does not have some "pork" in it for my district.

If we can begin to solve our problems, if we can find ways and means of meeting the challenges which urbanization has brought with it, then every city, every town, every individual in this Republic will gain from our efforts. I have voted here for flood control and reclamation projects in States a thousand miles from Pittsburgh—not because I thought my vote for them would persuade their Representatives to vote for projects in my district, but because I thought, and I still think, that flood control and reclamation is good for the whole country. The provisions of this bill, Mr. Chairman, are good for the entire country. My district, Mr. Chairman, is not an island—but I will not paraphrase all of John Donne's famous truism, except to say that we need not send to ask whom the urban problems of the Nation threaten—they threaten us all.

But that, Mr. Chairman, was not the only argument. We also heard, as we have been hearing for some time, that this bill, somewhere between its lines, in some mysterious, unprinted section, visible only to those of particularly pure insight, threatens all kinds of dictatorial power over our local governments. As I understood this argument, when it was stripped of the thinly clad racism which characterized much of it, the bill will enable the Federal Government to help local governments improve educational and other public facilities for their own citizens, if they wish to do so. And, in the name of "preserving local self-government," we are urged to make sure that there is no Federal help to the local government even to do the things they want to do. Mr. Chairman, if that reasoning is difficult for you to follow, you have my complete sympathy. I found it difficult to follow, too.

This bill requires nothing of any city which does not wish to participate. It requires very little of any city which does. But if a city wants to attack some of the problems which are festering in the heart of every one of our great urban centers, I do not really think we are safeguarding local rights by withholding assistance. I do not really think the Federal Government poses such a threat if it offers assistance.

This is, of course, an old argument. Those who like the status quo are always fighting efforts to meet new challenges by arguing about jurisdiction. It is easier to mouth slogans about "local self-government" than it is to honestly come out in opposition to the substance of new programs designed to make local self-government more responsive to the people, and local conditions more bearable. But I trust this House has heard this argument often enough not be fooled. I trust this House is mature enough a body to recognize a "red herring" and to make its decisions on what is actually in a bill, not what someone dreams may someday be in some other bill. We were told, Mr. Chairman, that this bill would destroy the neighborhood school, put rent supplement housing in every suburb throughout America, and let Secretary Weaver draw up civil rights and open housing ordinances in every American city. I read the report. I read the bill. I listened with care to the debate, and I could not imagine where these arguments originated. But now, Mr. Chairman, I think I know. The Members who advanced these arguments, Mr. Chairman, probably won them as third prize in a lottery.

Well, Mr. Chairman, I do not believe in legislating by lottery. I believe in voting on the facts. And the facts are that this bill deserves the support of this House and the enthusiastic blessing of the American people. I will vote for it.

Mr. KUPFERMAN. Mr. Chairman, the leaders of business are to be commended for their interest in aid to our cities.

The bill under discussion before us, S. 3708, putting aside for the moment possible objections to some of the sections, presents a step forward in the fight against urban decay.

It is encouraging to see businessmen leading the fight, and I commend to my colleagues the article in the New York Times of Tuesday, October 11, which discusses it.

DEMONSTRATION CITIES BILL URGED BY 22 TOP BUSINESS EXECUTIVES

(By Robert B. Semple, Jr.)

WASHINGTON, October 10—A group of 22 chief executives of major American corporations—including David Rockefeller and Henry Ford 2d—joined the drive today to insure Congressional passage of the Administration's demonstration cities bill.

The bill, regarded by President Johnson as the main weapon in his attack on urban blight and poverty, passed the Senate by a wide margin but faces a severe test in the House. Debate is scheduled to begin Thursday, and a vote is forecast for Friday.

In a statement issued here early this afternoon, the business group said that urban decay constituted "the most pressing domestic problem of our time." The statement described the bill as an "imaginative" response to this problem and urged "prompt passage" by the House.

GATES AND M'CONE ON LIST

In addition to Mr. Rockefeller, president of the Chase Manhattan Bank, and Mr. Ford, chairman of the board of the Ford Motor Company, the group included several leading Republicans, among John A. McCone, investment banker and former director of Central Intelligence; Thomas S. Gates Jr., chairman of the board of the Morgan Guaranty Trust Company and former Defense Secretary in the Eisenhower Administration; and Thomas J. Watson Jr., chairman of the International Business Machines Corporation.

The guiding spirit behind the two-page statement was said to be Edgar F. Kaiser, president of Kaiser Industries and a member of a Presidential study group that developed the demonstration cities proposals.

White House officials, who welcomed the statement, said that Mr. Johnson himself had not promoted the gesture in any way and that it had been undertaken at Mr. Kaiser's initiative.

"Our cities are being submerged by a rising tide of confluent forces—disease and despair, joblessness and hopelessness, excessive dependence on welfare payments and the grim threats of crime, disorder and delinquency," the group declared.

Accordingly, the businessmen said, "America needs the demonstration cities act."

They said they were mindful of inflationary pressures and the need to hold down Federal expenditures. But they argued that the measure was "fiscally responsible" and that in any case the problems of the city presented a "crucial" and unavoidable "challenge."

"In our business judgment," the statement concluded, "it deserves to be ranked as high on any list of national priorities as any program we know."

The bill as passed by the Senate would authorize about $900-million over three years to help selected "demonstration" cities develop and carry out comprehensive plans for rebuilding blighted neighborhoods.

The plan would go beyond urban renewal as traditionally practiced in the sense that it would incorporate the welfare and social programs of the Great Society in any rebuilding program.

The Administration is now thought to have sufficient strength to pass the bill by a slim margin if it can persuade enough Representatives to return to the capital in time for the vote. Many are home campaigning for the elections Nov. 8.

Congressional mail on the bill has recently taken a favorable turn. One Administration strategist said that what he termed "right-wing" mail opposing the bill had dropped off and had been replaced by letters supporting it.

A check of Congressional offices confirmed that although the mail was light—as it often is on complex pieces of legislation—it generally favored the measure.

However, Administration sources would make no firm predictions on the outcome, acknowledging that much depended on Representatives who had declared themselves undecided.

Other signers of the businessmen's statement were as follows:

Stephen D. Bechtel, chairman, Bechtel Corporation.

Fred J. Borch, president, General Electric.

Howard L. Clark, president, the American Express Company.

Donald Cook, president, American Electric Power Service Corporation.

Justin Dart, president, Rexall Drug Company.

R. Gwin Follis, chairman, Standard Oil of California.

Ben Heineman, chairman, Chicago & North Western Railway and also a member of the Presidential study group.

David Kennedy, chairman, Continental Illinois National Bank and Trust Company.

Robert Lehman, chairman, Lehman Brothers, investment bankers.

Cyril J. Magnin, president, Joseph Magnin Company.

Stanley Marcus, president, Neiman-Marcus.

Alfred E. Perlman, president, Pennsylvania-New York Central Transportation Company.

Herman H. Pevler, president, Norfolk & Western Railway.

Herbert R. Silverman, chairman, James Talcott, Inc.

Jack I. Strauss, chairman, R. H. Macy, Inc.

Opposition stems partly from those who are reluctant to vote $900 million in new authorizations at a time of inflationary pressure; and partly from those who fear that one section of the bill, Title II, would promote busing of pupils to achieve racial balance in schools.

The Administration has angrily and repeatedly denied that the bill grants such authority.

Mr. MACHEN. Mr. Chairman, I wish to express my support for S. 3708, the measure now pending before this House, and particularly to call attention to section 919 which is virtually identical to H.R. 5044, a bill I introduced in the first session of this Congress.

Legislation similar to H.R. 5044 has been pending in the Congress for many years with the result that the Board of County Commissioners of Prince Georges County have had to wait with their plans to construct an underground emergency operating center for civil defense purposes to insure the continuity of county government in the event of an emergency.

The Prince Georges County commissioners have been leaders in the field of civil defense for many years, as they have in so many areas. Passage of the pending measure including section 919 will permit them to continue this leadership by allowing them to proceed with their plans for this valuable civil defense center.

At this time I also wish to extend my sincere appreciation to the gentleman from Texas [Mr. PATMAN] and the gentleman from Pennsylvania [Mr. BARRETT] for their generous leadership in incorporating my bill, H.R. 5044, into the measure now before us.

Mr. FARBSTEIN. Mr. Chairman, I rise to announce my support for the demonstration cities bill. I know it comes as no surprise that I support this measure, since it is in the interest of New York and of my constituency to do so. But I support it with particular enthusiasm because it has a fresh, exciting quality to it, because it holds out new promise, because it incorporates untried techniques in a domain where old techniques have been found wanting.

The demonstration cities program defines "comprehensive city demonstration program" as one that is:

First. Locally prepared and scheduled.

Second. Aimed at rebuilding or restoring entire sections and neighborhoods in slum or blighted areas.

Third. Planned to make concentrated and coordinated use of all available private and governmental aids and resources necessary to improve general welfare of people living or working in the areas.

The demonstration cities program provides Federal assistance in the following ways:

First. Planning grants available to meet up to 80 percent of costs of planning and developing comprehensive city demonstration programs.

The bill authorizes $12 million for fiscal 1967 for these grants, which the administration feels can finance planning for 60 to 80 cities.

Second. Grants for approved city demonstration programs available to pay up to 80 percent of the administrative costs for approved programs, excluding costs of administering any project or activity assisted under a Federal grant-in-aid program.

Third. Existing Federal grant-in-aid program funds now available for these programs will be utilized, where feasible, in carrying out projects or activities that, though part of an approved city demonstration program, are eligible for assistance under existing grant-in-aid programs.

Fourth. Supplemental grants available to pay up to 80 percent of the city's share in the cost of activities that are part of a demonstration program. Would supplement help available under existing grant-in-aid program. These special grants would be available for any project or activity included as a part of the approved demonstration program, but could not be used to reduce prior level or local expenditures.

Mr. Chairman, I do not pretend to know any better than any man here today that the comprehensive approach of the demonstration cities program will restore our cities. But I do know that it is worth trying. This bill encourages the municipality to utilize every tool—municipal, State, and Federal, as well as private initiative—to stop blight and reverse the downward trends. It utilizes Federal money not alone to devise plans that utilize all money better but also makes provisions for a start in this very necessary program. The demonstration cities program, as I understand it, aims to encourage the urban areas to make the best possible use of the men and the funds they have at their command, to stop the piecemeal use of resources, to see problems in their total context. The bill intends to make provisions not only for better housing but for comprehensive planning that will make for a better place in which to live for our people.

The bill intends to revivify broken-down slum neighborhoods. It seeks to provide services that make for decent homes, playgrounds, schools, and so forth. The bill seeks to make possible better streets, sewage, water, and so forth. For that reason it has my enthusiastic backing.

Mr. Chairman, the demonstration cities program will encourage our local governments to make use of Federal assistance as a comprehensive whole. I am hopeful that within the forthcoming weeks, before the adjournment of this Congress, the neighborhood assistance amendment to the Economic Development Act will be added to the instruments currently at the cities' disposal. If it is, I am sure it will prove an exceedingly effective tool. I can envisage the neighborhood assistance amendment, which is my bill, as part of a total offense against urban degeneration. The demonstration cities program will make my program a more useful one.

I know, Mr. Chairman, that there is a natural disinclination among many of my colleagues toward experimentation. But I urge all of them to think this problem through. I call upon them to see that this is a concept with great potential. I ask the support of my colleagues. I can make no promises that this measure will revive our cities—but I think it encompasses the approach which has a better chance of success than any I have ever encountered.

Mr. MATHIAS. Mr. Chairman, traditionally the building blocks of American society have been communities. In colonial times, the first settlers banded together for mutual protection, for commerce and trade, for culture, and for the conduct of government. The expansion of the young United States was accented by the rapid growth of new towns in fertile lands and along the paths of trade. With the advent of the first industrial revolution, Americans were drawn into larger and much denser communities until by 1890, when the Census Bureau announced that our frontiers had officially disappeared, the vitality and opportunity of urban life had already created most of the large cities which have become the metropolitan giants of today.

Despite the great changes which the 20th century has wrought in American life, communities—whether they be the teeming cities of millions of people, or the relatively quiet towns of 20,000 or 50,000—still occupy the central place in our national life. Within the physical embrace of these communities we still find our marketplaces and our courthouses, our commercial crossroads and the intersections of many ways of life which have given this Nation its dynamism and creativity. Yet today our communities, large and small, to varying degrees are afflicted with physical age, social strains, and financial exhaustion, and the whole vitality of American life is suffering.

In communities of every size, buildings are growing older. Transportation problems are growing worse. Public services are becoming more expensive. Land for necessary open space is becoming more scarce. Education is suffering as the total demand on local tax revenues becomes almost unbearable. The people with the most mobility are moving out; the people with the least mobility must stay. Demands for social services increase, just as tax revenues are becoming more strained. We have seen all these difficulties and their tragic results in many major cities, including Baltimore and Washington; we have seen some of these problems, and can anticipate others, in smaller cities where taxes have risen sharply and local resources are increasingly inadequate.

The problem is not whether the cities need rejuvenation. Rather, the question before us today is how to do the job.

We have tried physical renewal, often on a massive scale. It has not worked. In the 17 years since passage of the Housing Act of 1949, urban renewal has had some constructive results, but has also torn up too many neighborhoods, scattered too many families and businesses, and in too many cases simply disrupted local life and substituted new problems for the old.

We have tried human renewal, through manpower training, adult education, improved health facilities, better recreation and community action, and have seen individual programs, no matter how constructive, become tangled in administrative redtape and bureaucratic contradictions.

We have tried many avenues, and have found that no single answer, no matter how enlightened and compassionate, can resolve the interlocking problems which our cities face.

Title I of this bill, the "demonstration cities" title, would bring together for the first time all available and appropriate programs in a comprehensive effort to lessen the particular difficulties of each participating city and town. The title authorizes $12 million in fiscal 1966 and an additional $12 million in fiscal 1967 to cover 80 percent of the cost of surveying local needs in detail and planning a comprehensive demonstration program. This preliminary work should be focused on one or more of the areas within a city which require the most intensive rehabilitation. It must be carried out by a new or existing local agency which has sufficient supervisory authority and is responsive to the elected local government.

As reported by the House Banking and Currency Committee, this title and the planning procedure it establishes are grounded on three important premises:

First, that we should not break faith with our traditional concept of local control over public programs at the local level;

Second, that each community has unique needs and strengths, and thus requires a program carefully tailored to fit;

Third, that an intensive assault on the worst woes of a city or town can build a better foundation for the whole community.

It is anticipated that the plans developed in individual cities will vary tremendously. For example, the officials of one city may decide that a particular neighborhood needs expanded public health services, a new manpower training program, rehabilitation of existing housing, daycare facilities for young children, a year-round Headstart program, and improved community facilities. A second city may develop a combination of supplementary grade-school and secondary education, vocational training, small business development programs and a small urban renewal project. A third may shape still another combination of programs. Every city will be completely free to choose, from among the more than 50 federally assisted programs now authorized, those which are most responsive to its own unique and pressing needs.

While most of the individual ingredients in this comprehensive effort will be programs which receive Federal support, virtually all of them will require some outlay of local funds. Title I recognizes that, given the tremendous financial burdens which are already straining city treasuries, most communities will not be able to afford the prescribed non-Federal share of all the programs which it wishes to use. Thus the title provides that, where a program is employed as part of an overall demonstration plan, the Federal Government will contribute up to 80 percent of the share which the city would normally have to pay. This supplemental aid will be given only where demonstration programs supplement, and do not replace, ongoing federally aided endeavors.

This title has the full support of men who are among the most conscientious, creative and perceptive chief executives of American cities today. The Honorable Theodore R. McKeldin is one of the most experienced administrators in America, twice Governor of Maryland and twice mayor of Baltimore, and a national leader of the Republican Party. He wrote to me recently that the demonstration cities program "represents the first major piece of legislation to combine an attack on the physical problems of blight and slums with social welfare programs aimed at problems of health, welfare, education, and economic opportunity."

The dynamic mayor of the city of New York, the Honorable John V. Lindsay, wrote me to repeat what he has told me in several recent conversations:

> I want you to know that based on my experience here in New York and what I have heard from mayors all over the country, this bill is vital.

Both of these prominent public servants recognize that this program is an experiment, but an experiment soundly based on faith in the durability of our cities and the perception of their elected officials. I believe that the Congress should give men like Mayor McKeldin and Mayor Lindsay the opportunity to prove that this experiment can work.

Mr. Chairman, some American cities have been spared, so far, the severe problems which have so distressed others. Most have not been so fortunate. The Department of Housing and Urban Development, and the House and Senate Committees, recognize that this program, since it is a demonstration and a start, cannot and should not be large enough to meet the needs even of all the communities which might benefit from it. Eligibility for participation will depend on the energy and initiative of local officials, and on their ability to make realistic and reasonable plans. In this regard, I am pleased that the House Committee, in its report on the bill, expressly recognized that smaller cities, because of their size and circumstances, may not suffer from all of the problems which larger cities face, and may not have the specialized planning staffs enabling them to move quickly in implementing the types of more limited demonstration programs which they do need. Every assurance has been given that interested and energetic smaller cities will receive full consideration as planning funds for the program are allotted.

Mr. Chairman, in addition to authorizing $24 million during fiscal 1966–67 for planning, title I as reported to the House also authorized $400 million in fiscal 1967 and $500 million for fiscal 1968 for the supplemental Federal grants to be given to participating cities. Year-by-year appropriations, of course, would be made later.

In my judgment, even the authorization of operating funds at this time is premature. Until the cities have submitted their plans, we do not know precisely how much their individual programs will cost. Until we know what the national economic picture will be next year, we cannot know how much we should invest in this particular effort. Thus I would far prefer not to authorize any specific amount at this time, but rather to wait until next year, with the understandnig that I would then support operation of this program at whatever level then appears to be feasible and wise. For this reason I supported the Brock amendment to defer a portion of the funding for this session which is nearly over. Since the operating funds could not be spent until after July 1, 1967, in any case, this brief delay would not have retarded the program, and would have given us the benefit of reviewing local officials' recommendations and requests.

I might add that one aspect of the program which can have great benefits for all American communities is its promise of greater coordination of Federal programs at the Federal level. I have spoken many times of the bureaucratic confusion, contradictions and delays which have snarled individual programs too many times, and which have made applying for Federal assistance a long, tedious and complicated task. Throughout his testimony on the bill, the Secretary of Housing and Urban Development has pledged to implement provisions of the bill which authorize him to take the lead in coordinating not just the programs within his own department, but all programs which relate to urban needs. I, for one, intend to hold the Secretary to that pledge.

Mr. Chairman, S. 3708 would be a valuable and constructive bill if it contained only its title I. It is, however, far more, for it includes several other titles of great significance. Prominent among these is title II, which establishes a modest but important stimulus to metropolitan areawide planning, and encourages attempts by local governments to resolve regional problems, such as transportation, water supply and open space, on a regionwide basis. Title VI is also worthy of note, for it creates a new effort to preserve and restore structures and sites of real historical significance.

In summary, I feel that this omnibus bill offers programs which are creative and flexible. It challenges our imagination and invites us to new efforts to improve the health of our communities, thus bringing additional vigor and strength to the entire Nation. I am confident that we can meet that challenge and accept that invitation.

The CHAIRMAN. At this time the Chair recognizes, to close debate for the minority, the minority leader of the committee, the gentleman from New Jersey [Mr. WIDNALL].

Mr. WIDNALL. I thank the Chairman.

I should like to commend the Chairman for having presided during the 2 long days of debate with the utmost of good humor and with full recognition of the rights of the minority and the rights of the majority and of all the individual Members.

I am sure we have tried hard to have the House work its will on this legislation.

I regret very much, of course, that we reach a point, when housing legislation is under consideration, of closing out the time on the bill, limiting debate and not having as complete a record as we should have.

I hope that someday a housing bill will come up before the end of the session, because then we could do a far better job than we do in the late hours of the session, such as today.

I believe we have improved the bill, since it came to the House floor. We have certainly discussed very fully some of the major sections.

I urge the Members to fully consider the motion to recommit which will be offered and then to vote their will with respect to it. I believe it is something which requires the best of consideration of each individual Member.

PREFERENTIAL MOTION OFFERED BY MR. GERALD R. FORD

Mr. GERALD R. FORD. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

> Mr. Gerald R. Ford moves that the Committee do now rise and report the bill back to the House with the recommendation that the enacting clause be stricken out.

Mr. GERALD R. FORD. Mr. Chairman, I do not take this time for the purpose of having the basic issue decided on this particular time. I do take this time because I wish to explain the motion to recommit.

Mr. Chairman, the motion to recommit will be offered by the gentleman from Tennessee [Mr. Brock]. It will be a motion that will strike from title I the authorization of $400 million for fiscal year 1968. It will also strike from title I the authorization for fiscal year 1969 of $500 million. It will leave intact the remaining portions of title I, which includes $24 million for planning. This $24 million is there to see whether or not this kind of a program should be undertaken and, if so, it will provide the wherewithal for some reasonable, intelligent, constructive determination of policies.

Mr. Chairman, I might point out that the House Committee on Appropriations just concluded action today, as I understand it, on the supplemental appropriation bill for 1967. There is not one penny of obligational authority included in this final supplemental appropriation bill for the demonstration cities program. Naturally, it could not be included, because the program is not authorized.

Let me make one other comment if I might. The motion to recommit will include striking title II, the metro portion of the proposed bill. As I understand it from listening to the debate on the floor of the House, there are only two metro organizations or govermental units in the total United States at the present time. Such proposed metro programs for one area or another have repeatedly been rejected by the voters of the affected areas. Now, if you have the so-called Federal metro program included in this legislation, there will be Federal funds used to tempt voters in these local areas to do things because of the lure of Federal money that they have not done in the past and should not do. It is, therefore, my strong recommendations that the title II portion of this bill, the metro section, be deleted. This provision will be included in the motion to recommit.

May I make one final observation. In the last 2 hours we have seen a very deplorable demonstration, in my judgment, of sound parliamentary procedures. Here is a very substantial bill involving billions that came from the Committee on Banking and Currency, we assume after careful consideration, and after adequate hearings. Yet this afternoon in the last 2 hours we have seen a score or more of amendments that have been offered on the floor and accepted virtually without discussion that obviously have never been considered at any time by the Committee on Banking and Currency.

Mr. Chairman, it seems to me that these amendments should have been brought to the attention of the committee. If justifiable on the merits they should have been accepted in the usual manner by the committee.

Mr. Chairman, instead we see the very unwise action taking place here today, where the Committee is accepting amendments that were never considered, and on this basis of this slipshod procedure, as well as others, this legislation should be defeated.

Mr. BOGGS. Mr. Chairman, I rise in opposition to the preferential motion.

Mr. Chairman, I would first like to take exception to the remarks of the distinguished minority leader relative to the debate with respect to this proposed legislation.

Mr. Chairman, I am always somewhat amazed to see how people can take any side of an argument that happens to fit the particular occasion.

Now, Mr. Chairman, sometimes we bring in proposals here under what we call a closed rule, and the objection is made, because there is no debate provided on amendments.

Now, Mr. Chairman, here tonight we hear objections because amendments have been offered and debated—and some have been accepted—and I do not know how you would legislate in any better fashion than that.

Mr. Chairman, the idea that we would cut off a Member from offering an amendment is that the criticism would be we were trying to stifle full debate thereon.

Mr. Chairman, the alternative thereto is to permit amendments, and those that have been good, we have adopted; those that we felt were not good, after debate, have been rejected.

Now, Mr. Chairman, let us take a look at this motion to recommit, what it does, and what it seeks to do, and what is behind it.

Mr. Chairman, as I understand the motion to recommit, it proposes to strike title I almost entirely. If adopted, it would reduce the authorization from $900 million which, incidentally, represents a reduction over the original request by the other body, and I might say in that connection that the other body passed this proposal by an overwhelming vote of 53 to 22, which was bipartisan in nature.

Mr. Chairman, what this motion will do, if adopted, would be to strike the $900 million from the bill and leave a small sum of money for planning purposes.

Therefore, Mr. Chairman, the effect of the adoption of this motion would be to gut this bill. That is what it will do and that is what it is intended to do and we may as well understand that objective.

Mr. Chairman, let us take a look at the other objectives contained in the motion to recommit.

Mr. Chairman, if this motion to recommit is adopted, it would strike title II. What does title II do? It, if adopted, tries to help the metropolitan areas in this country.

Mr. Chairman, all of us know that through the inventive genius of our country, people have moved to the suburbs and have gone to the urban centers, to the point that 70 percent of our population of almost 200 million is now living in metropolitan centers.

Mr. Chairman, one of our great problems pending before this Nation is a decline of our cities and the problem which comes about as a result of this great influx of new people.

Mr. Chairman, this represents a modest program directed toward doing something about one of the basic problems facing the United States in 1966.

Mr. Chairman, what the minority leader proposes is a negative approach in each instance and provides no solution to the problem whatsoever.

Mr. Chairman, I would say that this is not unique, nor the first time.

Mr. Chairman, the gentleman from New Hampshire, I believe, complained on yesterday about the fact that they have made much of the device of the motion to recommit.

It is a device that can be used as a motion to recommit to gut the bill, and then if the motion does not prevail, vote for the bill on final passage. Then when you get around to explaining it, you can be on both sides.

Mr. Chairman, we have the same thing here that we have had on medicare, that we have had on the wage and hour bill, that we have had on the housing bill, that we have had on social security, on education, and so on.

I say to you, Mr. Chairman, that if there was ever the charge of a motion to recommit being used as a device to gut a constructive piece of legislation and also negativism, we have it here tonight. Mr. Chairman, I hope the House will resoundingly reject this motion to recommit.

The CHAIRMAN. The question is on the preferential motion offered by the gentleman from Michigan [Mr. Gerald R. Ford].

The question was taken and on a division, demanded by Mr. Patman, there were—ayes 75, noes 116.

So the preferential motion was rejected.

AMENDMENT OFFERED BY MR. PATMAN

Mr. PATMAN. Mr. Chairman, I offer a technical amendment to correct certain obsolete references in the bill.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas [Mr. Patman], chairman of the Committee on Banking and Currency.

Mr. PATMAN. Mr. Chairman, the minority has a copy of this amendment, and I ask unanimous consent that the reading of the amendment be dispensed with. It is just a technical amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

Mr. BROCK. Mr. Chairman, reserving the right to object, I would like to simply ask the chairman, Am I correct in my assumption that there is no substantive change involved whatsoever?

Mr. PATMAN. The gentleman is correct. There is no substantive change.

Mr. WIDNALL. Mr. Chairman, reserving the right to object, as I understand it these are suggestions that have been made by counsel to the committee?

Mr. HAYS. Mr. Chairman, I object.

Mr. TALCOTT. I object.

The CHAIRMAN. Objection is heard.

The Clerk will report the amendment offered by the gentleman from Texas [Mr. Patman].

The Clerk read as follows:

Amendment offered by Mr. Patman: On page 136, after line 8, add the following new section:

"CONFORMING NOMENCLATURE AND STATUTES TO DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT ACT

"Sec. 922——

Mr. PATMAN. Mr. Chairman, since there was objection to the request to dispense with the full reading of the amendment, and since the amendment is over 25 pages long, I ask unanimous consent to withdraw the amendment.

The CHAIRMAN. Without objection, the amendment is withdrawn.

There was no objection.

The CHAIRMAN. The question is on the committee amendment, as amended.

The committee amendment, as amended, was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. Flood, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (S. 3708) to assist comprehensively city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes, pursuant to House Resolution 1023, he reported the bill back to the House with an amendment adopted in the Committee of the Whole.

The SPEAKER. Under the rule, the previous question is ordered.

Under the rule, a separate vote may be demanded on any of the amendments adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute.

Is a separate vote demanded on any amendment?

If not, the Chair will put the question on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The question is on engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT

Mr. BROCK. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BROCK. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Brock moves to recommit the bill (S. 3708) to the Committee on Banking and Currency with instructions to report the same back to the House forthwith with the following amendments:

"Strike out page 46, line 25, and all that follows down through page 47, line 5.

"On page 47, line 6, strike out '(c)' and insert '(b)'.

"Strike out title II (beginning on page 49, line 1, and ending on page 61, line 16), and redesignate the succeeding titles and sections (and the references on page 77, lines 5 and 10, and page 125, line 2) accordingly."

The SPEAKER. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

Mr. BROCK. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 149, nays 175, answered "present" 1, not voting 107, as follows:

[Roll No. 365]

YEAS—149

Abbitt
Anderson, Ill.
Andrews, George W.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Bates
Belcher
Bennett
Betts
Bolton
Bow
Bray
Brock
Broomfield
Broyhill, N.C.
Buchanan
Burleson
Byrnes, Wis.
Cahill
Callan
Callaway
Carter
Casey
Cederberg
Chamberlain
Clawson, Del
Cleveland
Collier
Colmer
Conable
Cramer
Cunningham
Curtis
Davis, Wis.
de la Garza
Derwinski
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Dwyer
Edwards, Ala.
Edwards, La.
Ellsworth
Everett
Fino
Ford, Gerald R.
Fountain
Gathings
Gettys
Goodell
Grover
Gubser
Gurney
Haley
Halleck
Harsha
Harvey, Mich.
Henderson
Herlong
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
Keith
King, N.Y.
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McEwen
MacGregor
Mahon
Mailliard
Marsh
Martin, Nebr.
May
Mills
Minshall
Mize
Moore
Morris
Morton
Natcher
O'Neal, Ga.
Passman
Pelly
Pike
Poage
Poff
Quie
Randall
Reid, Ill.
Rhodes, Ariz.
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Rumsfeld
Satterfield
Schneebeli
Secrest
Shriver
Sikes
Smith, Iowa
Smith, N.Y.
Smith, Va.
Stalbaum
Stanton
Steed
Stubblefield
Sweeney
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Utt
Waggonner
Walker, N. Mex.
Watson
Watts
Whalley
White, Tex.
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wright
Wydler
Younger

NAYS—175

Adams
Addabbo
Anderson, Tenn.
Annunzio
Ashley
Barrett
Beckworth
Bell
Bingham
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Cameron
Carey
Celler
Clevenger
Cohelan
Conyers
Daddario
Dawson
Delaney
Dent
Diggs
Dingell
Donohue
Dow
Dulski
Dyal
Edwards, Calif.
Farbstein
Farnsley
Farnum
Fascell
Feighan
Flood
Fogarty
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Green, Pa.
Grider
Griffiths
Hagen, Calif.
Halpern
Hanley
Hanna
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays
Hechler
Helstoski
Holifield
Holland
Horton
Howard
Hungate
Huot
Irwin
Jacobs
Joelson
Johnson, Calif.
Karsten
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Kluczynski
Krebs
Kupferman
Leggett
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Madden
Matthews
Meeds
Miller
Minish
Mink
Monagan
Moorhead
Morgan
Morrison
Morse
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Powell
Price
Race
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schweiker
Senner
Sickles
Sisk
Slack
Staggers
Stratton
Sullivan
Tenzer
Thomas
Tupper
Tuten
Udall
Van Deerlin
Vanik
Vigorito
Vivian
Waldie
Weltner
Wilson, Charles H.
Wolff
Yates
Young

ANSWERED "PRESENT"—1

Roush

NOT VOTING—107

Abernethy
Adair
Albert
Andrews, Glenn
Aspinall
Bandstra
Baring
Battin
Berry
Blatnik
Brown, Clarence J., Jr.
Broyhill, Va.
Burton, Utah
Cabell
Chelf
Clancy
Clark
Clausen, Don H.
Conte
Cooley
Corbett
Corman
Craley
Culver
Curtin
Dague
Daniels
Davis, Ga.
Denton
Devine
Dickinson
Duncan, Oreg.
Edmondson
Erlenborn
Evans, Colo.
Evins, Tenn.
Fallon
Findley
Fisher
Flynt
Foley
Frelinghuysen
Fuqua
Gray
Green, Oreg.
Greigg
Gross
Hagan, Ga.
Hall
Hamilton
Hansen, Idaho
Hansen, Iowa
Harvey, Ind.
Hébert
Hicks
Jennings
Johnson, Okla.
Johnson, Pa.
Karth
McCulloch
McMillan
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Mathias
Matsunaga
Michel
Moeller
Moss
Murray
Nelsen
O'Konski
Pirnie
Pool
Pucinski
Purcell
Quillen
Redlin
Reifel
Reinecke
Rogers, Tex.
Roncalio
Roudebush
Saylor
Schisler
Schmidhauser
Scott
Selden
Shipley
Skubitz
Smith, Calif.
Springer
Stafford
Stephens
Thompson, N.J.
Thompson, Tex.
Todd
Toll
Trimble
Ullman
Walker, Miss.
Watkins
White, Idaho
Willis
Wyatt
Zablocki

So the motion to recommit was rejected.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Thompson of New Jersey against.

Mr. Cabell for, with Mr. Matsunaga against.

Mr. Foley for, with Mr. Evins of Tennessee against.

Mr. Shipley for, with Mr. Evans of Colorado against.

Mr. Fuqua for, with Mr. Conte against.
Mr. Abernethy for, Mr. Chelf against.
Mr. Hicks for, with Mr. Zablocki against.
Mr. Schmidhauser for, with Mr. White of Idaho against.
Mr. Stephens for, with Mr. Craley against.
Mr. Johnson of Okahoma for, with Mr. Mackie against.
Mr. Roush for, with Mr. Denton against.
Mr. Selden for, with Mr. Albert against.
Mr. Scott for, with Mr. Aspinall against.
Mr. Schisler for, with Mr. Blatnik against.
Mr. Moeller for, with Mr. Fallon against.
Mr. Hagan of Georgia for, with Mr. Hansen of Iowa against.
Mr. Fisher for, with Mr. Mackay against.
Mr. Duncan of Oregon for, with Mr. Moss against.
Mr. Cooley for, with Mr. Toll against.
Mr. Smith of California for, with Mr. Corman against.
Mr. Wyatt for, with Mr. Daniels against.
Mr. Hall for, with Mr. Ullman against.
Mr. Baring for, with Mr. Trimble against.
Mr. Battin for, with Mr. Clark against.
Mr. Don H. Clausen for, with Mr. Gray against.
Mr. Burton of Utah for, with Mr. Pucinski against.

Until further notice:

Mr. Bandstra with Mr. Adair.
Mr. Rogers of Texas with Mr. Berry.
Mr. Jennings with Mr. Broyhill of Virginia.
Mr. Karth with Mr. Don H. Clausen.
Mr. Edmondson with Mr. Devine.
Mr. Pool with Mr. Glenn Andrews.
Mr. Purcell with Mr. Hansen of Idaho.
Mr. Willis with Mr. Quillen.
Mr. Todd with Mr. Findley.
Mr. Roncalio with Mr. Erlenborn.
Mr. Culver with Mr. Reinecke.
Mr. Davis of Georgia with Mr. Michel.
Mr. Flynt with Mr. Nelsen.
Mr. Redlin with Mr. Roudebush.
Mrs. Green of Oregon with Mr. Clancy.
Mr. Greigg with Mr. Skubitz.
Mr. Murray with Mr. Dickinson.

Mr. DULSKI changed his vote from "yea" to "nay."

Mr. GROVER changed his vote from "nay" to "yea."

Mr. ROUSH. Mr. Speaker, I have a live pair with the gentleman from Indiana [Mr. DENTON]. If he were present he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on passage of the bill.

Mr. GERALD R. FORD. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 178, nays 141, answered "present" 3, not voting 111, as follows:

[Roll No. 366]

YEAS—178

Adams
Addabbo
Anderson, Tenn.
Annunzio
Ashley
Barrett
Beckworth
Bell
Bingham
Blatnik
Boggs
Boland
Bolling
Brademas
Brooks
Brown, Calif.
Burke
Burton, Calif.
Byrne, Pa.
Cameron
Carey
Celler
Clevenger
Cohelan
Conyers
Daddario
Dawson
Delaney
Dent
Diggs
Dingell
Donohue
Dow
Dulski
Dyal
Edwards, Calif.
Edwards, La.
Ellsworth
Farbstein
Farnsley
Farnum
Fascell
Feighan
Flood
Fogarty
Ford, William D.
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Green, Pa.
Grider
Griffiths
Hagen, Calif.
Halpern
Hanley
Hanna
Hansen, Wash.
Hardy
Hathaway
Hawkins
Hays
Hechler
Helstoski
Holifield
Holland
Horton
Howard
Hungate
Huot
Irwin
Jacobs
Joelson
Karsten
Kastenmeier
Keith
Kelly
Keogh
King, Calif.
King, Utah
Kirwan
Krebs
Kupferman
Long, Md.
Love
McCarthy
McDade
McDowell
McFall
McGrath
McVicker
Macdonald
Machen
Madden
Matthews
Meeds
Miller
Minish
Mink
Monagan
Moore
Moorhead
Morgan
Morrison
Morse
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Nedzi
Nix
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olsen, Mont.
Olson, Minn.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Powell
Price
Race
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, Alaska
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Scheuer
Schweiker
Senner
Sickles
Sisk
Smith, Iowa
Smith, N.Y.
Staggers
Stalbaum
Stratton
Sullivan
Tenzer
Thomas
Tupper
Udall
Van Deerlin
Vanik
Vigorito
Vivian
Waldie
Weltner
Widnall
Wilson, Charles H.
Wolff
Yates
Young

NAYS—141

Abbitt
Anderson, Ill.
Andrews, George W.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Bates
Belcher
Bennett
Betts
Bolton
Bow
Bray
Brock
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Byrnes, Wis.
Cahill
Callan
Callaway
Carter
Casey
Cederberg
Chamberlain
Clawson, Del
Cleveland
Collier
Colmer
Conable
Cramer
Cunningham
Curtis
de la Garza
Derwinski
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Dwyer
Edwards, Ala.
Fino
Ford, Gerald R.
Fountain
Gathings
Gettys
Goodell
Grover
Gubser
Gurney
Haley
Halleck
Harsha
Harvey, Mich.
Henderson
Herlong
Hosmer
Hull
Hutchinson
Ichord
Jarman
Johnson, Calif.
Jonas
Jones, Ala.
Jones, Mo.
Jones, N.C.
King, N.Y.
Kornegay
Kunkel
Laird
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McEwen
MacGregor
Mahon
Mailliard
Marsh
Martin, Nebr.
May
Mills
Minshall
Mize
Morris
Morton
Natcher
O'Neal, Ga.
Passman
Pelly
Poage
Poff
Quie
Randall
Reid, Ill.
Rhodes, Ariz.
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Rumsfeld
Satterfield
Schneebeli
Secrest
Shriver
Sikes
Smith, Va.
Springer
Stanton
Steed
Stubblefield
Sweeney
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thomson, Wis.
Tuck
Tunney
Utt
Waggonner
Walker, N. Mex.
Watson
Watts
Whalley
White, Tex.
Whitener
Whitten
Williams
Wilson, Bob
Wright
Wydler
Younger

NOT VOTING—111

Abernethy
Adair
Albert
Andrews, Glenn
Aspinall
Bandstra
Baring
Battin
Berry
Brown, Clarence J., Jr.
Burton, Utah
Cabell
Chelf
Clancy
Clark
Clausen, Don H.
Conte
Cooley
Corbett
Corman
Craley
Culver
Curtin
Dague
Daniels
Davis, Ga.
Davis, Wis.
Denton
Devine
Dickinson
Duncan, Oreg.
Edmondson
Erlenborn
Evans, Colo.
Evins, Tenn.
Fallon
Findley
Fisher
Flynt
Foley
Frelinghuysen
Fuqua
Gallagher
Gray
Green, Oreg.
Greigg
Gross
Hagan, Ga.
Hall
Hamilton
Hansen, Idaho
Hansen, Iowa
Harvey, Ind.
Hébert
Hicks
Jennings
Johnson, Okla.
Johnson, Pa.
Karth
Kee
Kluczynski
McCulloch
McMillan
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Mathias
Matsunaga
Michel
Moeller
Moss
Murray
Nelsen
O'Konski
Pirnie
Pool
Pucinski
Purcell
Quillen
Redlin
Reifel
Reinecke
Rogers, Tex.
Roncalio
Roudebush
Saylor
Schisler
Schmidhauser
Scott
Selden
Shipley
Skubitz
Slack
Smith, Calif.
Stafford
Stephens
Thompson, N.J.
Thompson, Tex.
Todd
Toll
Trimble
Tuten
Ullman
Walker, Miss.
Watkins
White, Idaho
Willis
Wyatt
Zablocki

ANSWERED "PRESENT"—3

Everett
Leggett
Roush

So the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Denton for, with Mr. Roush against.
Mr. Evins of Tennessee for, with Mr. Everett against.
Mr. Moss for, with Mr. Leggett against.
Mr. Thompson of New Jersey for, with Mr. Moeller against.
Mr. Matsunaga for, with Mr. Hicks against.
Mr. Conte for, with Mr. Hébert against.
Mr. Chelf for, with Mr. Schisler against.
Mr. Zablocki for, with Mr. Foley against.
Mr. White of Idaho for, with Mr. Hagan of Georgia against.
Mr. Craley for, with Mr. Baring against.
Mr. Mackay for, with Mr. Shipley against.
Mr. Corbett for, with Mr. Fuqua against.
Mr. Mackie for, with Mr. Abernethy against.
Mr. Clark for, with Mr. Battin against.
Mr. Albert for, with Mr. Stephens against.
Mr. Mathias for, with Mr. Duncan of Oregon against.
Mr. Aspinall for, with Mr. Johnson of Oklahoma against.
Mr. Corman for, with Mr. Schmidhauser against.
Mr. Kluczynski for, with Mr. Cabell against.
Mr. Trimble for, Mr. Cooley against.
Mr. Kee for, with Mr. Fisher against.
Mr. Daniels for, Mr. Selden against.
Mr. Evans of Colorado for, with Mr. Adair against.
Mr. Fallon for, with Mr. Hall against.
Mr. Gallagher for, with Mr. Erlenborn against.
Mr. Gray for, with Mr. Nelsen against.
Mr. Hansen of Iowa for, with Mr. Quillen against.
Mr. Pucinski for, with Mr. Roudebush against.
Mr. Ullman for, with Mr. Skubitz against.
Mr. Toll for, with Mr. Wyatt against.

Until further notice:

Mr. Jennings with Mr. Glenn Andrews.
Mr. Culver with Mr. Berry.
Mr. Davis of Georgia with Mr. Don H. Clausen.
Mr. Bandstra with Mr. Davis of Wisconsin.
Mr. Rogers of Texas with Mr. Hansen of Idaho.
Mr. Scott with Mr. Reifel.
Mr. Karth with Mr. Pirnie.
Mr. Purcell with Mr. Reinecke.
Mr. Pool with Mr. Walker of Mississippi.
Mrs. Green of Oregon with Mr. Saylor.
Mr. Flynt with Mr. Dickinson.
Mr. Greigg with Mr. Smith of California.

Mr. Redlin with Mr. Stafford.

Mr. Tuten with Mr. Michel.

Mr. Todd with Mr. Burton of Utah.

Mr. Slack with Mr. Clancy.

Mr. Roncalio with Mr. Devine.

Mr. Thompson of Texas with Mr. McCulloch.

Mr. Willis with Mr. Martin of Massachusetts.

Mr. Edmondson with Mr. Johnson of Pennsylvania.

Mr. Murray with Mr. Findley.

Mr. LEGGETT. Mr. Speaker, I have a live pair with the gentleman from California [Mr. MOSS]. If he were present, he would have voted "yea." I voted "nay," and withdraw my vote of "nay," and vote "present."

Mr. ROUSH. Mr. Speaker, I have a live pair with the gentleman from Indiana [Mr. DENTON]. Had he been present, he would have voted "yea." I voted "nay," therefore I withdraw my vote of "nay," and vote "present."

Mr. EVERETT. Mr. Speaker, on this vote I have a live pair with the gentleman from Tennessee [Mr. EVINS]. If he were present, he would vote "yea." I voted "nay." I withdraw my vote of "nay," and vote "present."

Mr. MIZE changed his vote from "present" to "nay."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

A similar House bill, H.R. 15890 was laid on the table.

APPOINTMENT OF CONFEREES ON DEMONSTRATION CITIES AND METROPOLITAN DEVELOPMENT ACT OF 1966

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the House insist on its amendment to the bill, S. 3708, to assist comprehensive city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes, and request a conference with the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. PATMAN]? The Chair hears none and appoints the following conferees: Messrs. PATMAN, MULTER, BARRETT, Mrs. SULLIVAN and Messrs. REUSS, and ASHLEY, WIDNALL, FINO, and Mrs. DWYER.

GENERAL LEAVE TO EXTEND REMARKS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and include extraneous matter on the bill just passed.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment bills of the House of the following titles:

H.R. 14355. An act to amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and the Railroad Retirement Tax Act to make certain technical changes, to provide for survivor benefits to children ages 18 to 21, inclusive, and for other purposes; and

H.R. 17285. An act to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 13103. An act to amend the Internal Revenue Code of 1954 to provide equitable tax treatment for foreign investment in the United States;

H.R. 14643. An act to provide for the strengthening of American educational resources for international studies and research; and

H.R. 17607. An act to suspend the investment credit and the allowance of accelerated depreciation in the case of certain real property.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 17607) entitled "An act to suspend the investment credit and the allowance of accelerated depreciation in the case of certain real property," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LONG of Louisiana, Mr. SMATHERS, Mr. ANDERSON, Mr. WILLIAMS of Delaware, and Mr. CARLSON to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 13103) entitled "An act to amend the Internal Revenue Code of 1954 to provide equitable tax treatment for foreign investment in the United States;" requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. LONG of Louisiana, Mr. SMATHERS, Mr. ANDERSON, Mr. MCCARTHY, Mr. CARLSON, and Mr. BENNETT to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2720) entitled "An act to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate."

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 2336. An act to authorize the erection of a memorial in the District of Columbia to Gen. John J. Pershing.

ELEMENTARY AND SECONDARY EDUCATION AMENDMENTS OF 1966

Mr. POWELL. Mr. Speaker, I ask unanimous consent that the Republican conferees on the bill (H.R. 13161) to strengthen and improve programs of assistance for our elementary and secondary schools, be excused, and that the Speaker be empowered to appoint new Republican conferees.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, is the gentleman from New York going to submit the names of the additional conferees?

The SPEAKER. As the gentleman from Michigan knows, the Chair makes the appointment. The Chair always seeks the counsel and advice of the chairman, assuming that the chairman has in turn conferred with the members of his own committee on both sides. The Chair will state that he has four names.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. WILLIAMS. Mr. Speaker, reserving the right to object, I think perhaps the House should have an explanation of what this is all about.

The SPEAKER. This is simply to excuse certain Republican conferees heretofore appointed on the secondary and elementary school bill from serving, and appointing other Republican conferees in lieu thereof.

Mr. WILLIAMS. That is with the concurrence of the Republican leadership, I presume.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman yield?

Mr. POWELL. I yield to the gentleman from Michigan.

Mr. GERALD R. FORD. This has our full approval.

Mr. WILLIAMS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York? The Chair hears none, and appoints the following conferees: Messrs. AYRES, QUIE, GOODELL, and BELL, and the Senate will be so notified.

HIGHER EDUCATION FACILITIES ACT OF 1963

Mr. POWELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 14644), to amend the Higher Education Facilities Act of 1963 to extend it for 3 years, and for other purposes; and to authorize assistance to developing institutions for an additional year, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York? The Chair hears none, and appoints the following conferees: Mr. Powell, Mrs. Green of Oregon, Messrs. Brademas, Sickles, Gibbons, Carey, Hathaway, Burton of California, Ayres, Quie, Reid of New York, and Erlenborn.

LEGISLATIVE PROGRAM FOR THE WEEK OF OCTOBER 17, 1966

Mr. GERALD R. FORD. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of inquiring of the distinguished majority leader the program for the remainder of this week and for next.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman from Louisiana.

Mr. BOGGS. Mr. Speaker, in response to the question of the gentleman from Michigan, it is my intention to ask that when the House adjourns today, that it adjourn to meet on Monday next. So there is no program for tomorrow.

On Monday we will call up the Consent Calendar plus 14 suspension bills, as follows:

H.R. 18231, comprehensive health planning;

S. 1861, Disaster Relief Act of 1966;

H.R. 9339, Children's Summer Lunch Program Act;

H.R. 14323, amending the Vocational Rehabilitation Act;

H.R. 11089, increasing authorization for airports at national parks;

S. 3389, Joseph H. Hirshhorn Museum and Sculpture Garden;

S. 1349, concerning certain vessels on inland waterways;

S. 3391, exemptions from Shipping Act, 1916;

H.R. 18217, home leave for Federal seafaring personnel;

S. 688, to provide for additional means and measures for land conservation and land utilization;

S. 3675, claims of U.S. nationals against the Chinese Communist regime;

S. 3230, relating to concessions at National Zoological Park;

H.R. 14249, in lieu payments on property transferred by Reconstruction Finance Corporation to other Government agencies; and

S. 1760, settlement of Greek loans.

On Tuesday the Private Calendar will be called.

On Tuesday also, and the balance of the week the following bills and resolutions will be considered:

H.R. 18381, supplemental appropriations bill, fiscal year 1967;

Three contempt citations—Committee on Un-American Activities;

House Resolution 1047, authorizing the Committee on House Administration to sit, hold hearings, and issue subpenas in carrying out its duties;

House Resolution 1043, supplemental investigative authority, Committee on Banking and Currency;

House Resolution 1044, supplemental investigative authority, Committee on Education and Labor;

House Resolution 1045, supplemental investigative authority, Committee on Public Works;

House Resolution 1048, supplemental investigative authority, Committee on Post Office and Civil Service;

H.R. 18233, omnibus rivers and harbors bill—open rule, 2 hours' debate, waiving points of order;

H.R. 13447, preservation of estuarine areas—open rule, 1 hour debate; and

House Resolution 1013, creating a permanent Select Committee on Standards and Conduct.

As the gentleman knows, conference reports will be called up at any time. There are a number of conference reports of importance which are pending, as all Members know.

We will call them up when they are ready.

COMMITTEE ON RULES

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the Committee on Rules may have until midnight tomorrow to file certain privileged reports.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

DISPENSING WITH CALENDAR WEDNESDAY BUSINESS ON WEDNESDAY NEXT

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to dispense with business in order under the Calendar Wednesday rule on Wednesday next.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

AUTHORIZATION FOR CLERK TO RECEIVE MESSAGES AND FOR SPEAKER TO SIGN BILLS AND JOINT RESOLUTIONS

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that, notwithstanding the adjournment of the House until October 17, the Clerk be authorized to receive messages from the Senate, and that the Speaker be authorized to sign any enrolled bills and joint resolutions duly passed by the two Houses and found truly enrolled.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

HOUR OF MEETING ON MONDAY, OCTOBER 17

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock on Monday next.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. MacGREGOR. Mr. Speaker, reserving the right to object—and I shall not object—I was pleased to hear the acting majority leader recite the list of legislative bills which may be brought up for consideration next week.

I noted that the acting majority leader did not list two bills of great importance to many of us, which many of us serving on the House Committee on the Judiciary hope we may be able to clear at our meeting on next Tuesday for consideration by this body.

Those bills—one of them of great interest to the acting majority leader—are: the bill to grant limited antitrust immunity to the AFL–NFL football merger and, second, the antiriot legislation.

May I ask the acting majority leader whether, if the Committee on the Judiciary is able to approve these two items at its meeting Tuesday morning next, the acting majority leader may consider scheduling them before the adjournment of this Congress?

Mr. BOGGS. I will say to the gentleman that the list read was certainly not all inclusive by any stretch of the imagination. There are measures pending not only before the Committee on the Judiciary but also before other committees in our body which may be called up.

I believe I am not expressing something that has not already been expressed when I say that this Congress will be able to adjourn by the end of next week, and in the process next week many measures will be considered.

I have an interest in both measures the gentleman mentioned. I might say that my community is very much interested in the football matter.

Mr. MacGREGOR. I thank the acting majority leader.

Mr. Speaker, I withdraw my reservation.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

MILITARY CONSTRUCTION APPROPRIATION BILL, 1967—CONFERENCE REPORT

Mr. SIKES. Mr. Speaker, I call up the conference report on the bill (H.R. 17637) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2275)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17637) "making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendments of the Senate numbered 4, 5, 6, and 7; and agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$126,918,000"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 1 and 3.

ROBERT L. F. SIKES,
JOHN J. MCFALL,
EDWARD J. PATTEN,
CLARENCE D. LONG,
GEORGE MAHON,
E. A. CEDERBERG,
CHARLES R. JONAS,
FRANK T. BOW,
Managers on the Part of the House.

JOHN STENNIS,
WILLIAM PROXMIRE,
RALPH YARBOROUGH,
STUART SYMINGTON,
LEVERETT SALTONSTALL,
ROMAN L. HRUSKA,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17637) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

Amendment No. 1—Military construction, Army: Reported in technical disagreement. The managers on the part of the House will offer a motion to appropriate $114,014,000 instead of $146,406,000 as proposed by the House and $117,314,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

Edgewood Arsenal, Md., explosion test chamber	+$636,000
New Cumberland Depot, Pa., POL laboratory	+55,000
Minor construction	+700,000
South Vietnam (MAP)	—33,000,000
Fort Richardson, Alaska, air defense control center	—783,000

Amendment No. 2.—Military construction, Navy: Appropriates $126,918,000 instead of $126,227,000 as proposed by the House and $127,418,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

NSY, Portsmouth, N.H., steam distribution system	+$295,000
NAS, Memphis, Tenn., applied training building	+1,188,000
NSC, Puget Sound, Wash., conversion to commissary	+$404,000
NF, Chichi Jima, Bonin Islands, community facilities	+204,000
South Vietnam (MAP)	−1,400,000

Amendment No. 3—Military construction, Air Force: Reported in technical disagreement. The managers on the part of the House will offer a motion to appropriate $205,495,000 instead of $209,564,000 as proposed by the House and $206,643,000 as proposed by the Senate. The conferees have agreed to the following additions and deletions to the amounts and line items as proposed by the House:

Hill Air Force Base, Utah	(+$770,000)
Test range	+515,000
Reconnaissance photo laboratory	+114,000
Warehouse	+141,000
Tinker Air Force Base, Okla., officers quarters	+450,000
Holloman Air Force Base, N. Mex., maintenance hangar	+1,447,000
Offutt Air Force Base, Nebr., headquarters facilities	+560,000
Dover Air Force Base, Del., sewage treatment facilities	+250,000
Tyndall Air Force Base, Fla., jet engine test cell	+473,000
Travis Air Force Base, Calif., fleet service facility	+374,000
Malmstrom Air Force Base, Mont	(+1,588,000)
Auto storage, heated	+300,000
Civil engineer facility	+888,000
Dormitory, airmen	+400,000
Minor construction	+1,000,000
South Vietnam (MAP)	−5,700,000
Protective facilities	−5,281,000

The conferees are in agreement that the Department of Defense should make serious attempts to acquire a major portion of the additional land required for the air-to-ground gunnery range at Cannon Air Force Base, New Mexico through the exchange of federal lands for those sought from the State of New Mexico and private landowners.

Amendment No. 4—Family housing, Defense: Appropriates $507,196,000 as proposed by the Senate instead of $511,196,000 as proposed by the House.

Amendment No. 5—Family housing, Defense: Authorizes not to exceed $127,287,000 for operation and maintenance of family housing for the Army as proposed by the Senate instead of $128,287,000 as proposed by the House.

Amendment No. 6—Family housing, Defense: Authorizes not to exceed $72,934,000 for operation and maintenance of family housing for the Navy and Marine Corps as proposed by the Senate instead of $74,434,000 as proposed by the House.

Amendment No. 7—Family housing, Defense: Authorizes not to exceed $135,382,000 for operation and maintenance of family housing for the Air Force as proposed by the Senate instead of $136,882,000 as proposed by the House.

ROBERT L. F. SIKES,
JOHN J. MCFALL,
EDWARD J. PATTEN,
CLARENCE D. LONG,
GEORGE MAHON,
E. A. CEDERBERG,
CHARLES R. JONAS,
FRANK T. BOW,
Managers on the Part of the House.

Mr. SIKES. Mr. Speaker, this is one of those unusual occasions when it is possible to bring to the House a conference report on an appropriation which is lower than the budget estimate, lower than the House bill, and lower than the Senate bill. I do not think it has occurred previously in this session.

The amount of the conference agreement is: $979,570,000 which is $6,948,000 below the Senate, $39,770,000 below the House, $135,377,000 below the Budget, and $2,015,465,000 below appropriation for fiscal year 1966.

The principal item in conference was $40,100,000 for MAP-type construction in support of Vietnamese and non-U.S. allied troops in South Vietnam. The House approved this program; however, it was eliminated by the Senate. The other body felt that the requirements and standards for the various items requested were not in sufficient detail. When such details were available, the other body felt that the Secretary of Defense had enough flexibility and funds to cover the cost of this construction in the $200 million contingency fund approved in the Supplementary Defense Appropriations Act for fiscal year 1966. The House managers received no letter or official word from the Department of Defense objecting to the action of the other body. Assuming, therefore, that there was no real objection to this method of funding the requirement by the Department, and noting the Senate report that only approximately $100 million of the contingency fund has been utilized as of the present time, the managers on the part of the House were forced to accept the Senate position on this matter.

The conferees acted on each of the individual line items and in all except one instance, involving specific facilities, either approved or disapproved the item in toto. At Tinker Air Force Base, Okla., the Senate restored the House deletion of $956,000 for the construction of three buildings for officers quarters. The conferees have approved $450,000 for the construction of a single building to meet a portion of the requested requirement. They will expect the Air Force to meet the remainder of this requirement in a single building for which funds can be requested in a subsequent program.

The details of the action of the conference is contained in the conference report. It is a fair settlement of the differences between the two Houses. If the Secretary of Defense will keep faith with the Congress and release the funds for family housing and military construction which he deferred last year, then these funds plus those recommended by the conferees will provide for a realistic military construction program for fiscal year 1967, exclusive of any additional requirements occasioned by the continuation of the conflict in southeast Asia.

Finally let me call attention, as I have in the past, to the dedicated cooperative, and able work of my distinguished colleagues on the subcommittee and of the staff. Their services have been outstanding throughout a long and exacting year.

The following table shows the legislative history of this bill.

Military construction appropriation bill, 1967

Item	1966 appropriation	1967 budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1966 appropriation	1967 budget estimate	House	Senate
Military construction, Army	$833,143,000	$190,600,000	$146,406,000	$117,314,000	$114,014,000	−$719,129,000	−$76,586,000	−$32,392,000	−$3,300,000
Military construction, Navy	570,905,000	133,600,000	126,227,000	127,418,000	126,918,000	−443,987,000	−6,682,000	+691,000	−500,000
Military construction, Air Force	622,373,000	242,900,000	209,564,000	208,643,000	205,495,000	−416,878,000	−37,405,000	−4,069,000	−3,148,000
Military construction, Defense agencies [1]	269,268,000	7,547,000	7,547,000	7,547,000	7,547,000	−261,721,000			
Military construction, Naval Reserve	9,500,000	5,400,000	5,400,000	5,400,000	5,400,000	−4,100,000			
Military construction, Air Force Reserve	4,000,000	3,600,000	3,600,000	3,600,000	3,600,000	−400,000			
Military construction, Army National Guard	10,000,000					−10,000,000			
Military construction, Air National Guard	10,000,000	9,400,000	9,400,000	9,400,000	9,400,000	−600,000			
Total, military construction	2,329,189,000	593,047,000	508,144,000	479,322,000	472,374,000	−1,856,815,000	−120,673,000	−35,770,000	−6,948,000
Family housing, Army: Operation, maintenance, and debt payments	220,494,000	178,907,000	175,633,000	174,633,000	174,633,000	−45,861,000	−4,274,000	−1,000,000	
Family housing, Navy and Marine Corps: Operation, maintenance, and debt payments	162,674,000	110,524,000	105,298,000	103,798,000	103,798,000	−58,876,000	−6,726,000	−1,500,000	
Family housing, Air Force: Operation, maintenance, and debt payments	279,983,000	228,114,000	225,910,000	224,410,000	224,410,000	−55,573,000	−3,704,000	−1,500,000	
Family housing, Defense agencies: Operation, maintenance, and debt payments	2,695,000	4,355,000	4,355,000	4,355,000	4,355,000	+1,660,000			
Total, family housing	665,846,000	521,900,000	511,196,000	507,196,000	507,196,000	−158,650,000	−14,704,000	−4,000,000	
Grand total	2,995,035,000	1,114,947,000	1,019,340,000	986,518,000	979,570,000	−2,015,465,000	−135,377,000	−39,770,000	−6,948,000

[1] Includes $5,000,000 for loran stations.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the distinguished gentleman from Michigan, the ranking minority member of the subcommittee.

Mr. CEDERBERG. Mr. Speaker, the minority concurs in this conference report. We feel it is a good one and will provide the necessary funds for the coming fiscal year for military construction.

Mr. Speaker, we have no further requests for time, and we urge adoption of the conference report.

Mr. SIKES. Mr. Speaker, I yield such time as he may require to the distinguished gentleman from Ohio [Mr. Bow].

Mr. BOW. Mr. Speaker, I would like to congratulate the committee on bringing in this report. It is an excellent report. They have done a fine job, and I support it completely.

Mr. SIKES. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 1, page 2, line 4, strike out "$146,406,000" and insert "$117,314,000".

Mr. SIKES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. SIKES moves that the House recede from its disagreement to the amendment of the Senate numbered 1 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "$114,014,000".

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 3, page 2, line 22, strike out "209,564,000" and insert "$208,643,000".

Mr. SIKES. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. SIKES moves that the House recede from its disagreement to the amendment of the Senate numbered 3 and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert: "$205,495,000".

The motion was agreed to.

A motion to reconsider the votes by which action was taken on the several motions was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. SIKES. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the conference report just adopted and to include certain tables and extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

SAN XAVIER AND SALT RIVER PIMA-MARICOPA INDIAN RESERVATIONS

Mr. HALEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 7648) to authorize long-term leases on the San Xavier and Salt River Pima-Maricopa Indian Reservations, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 5, strike out all after line 9 over to and including line 18 on page 7.

Page 7, line 19, strike out "SEC. 11." and insert "SEC. 9.".

Page 8, line 4, strike out "SEC. 12." and insert "SEC. 10.".

Page 8, strike out lines 5 to 11, inclusive.

Page 8, line 12, strike out "(b)" and insert "(a)".

Page 9, line 3, strike out "(c)" and insert "(b)".

Page 9, line 7, strike out "(d)" and insert "(c)".

Page 9, line 10, strike out "(e)" and insert "(d)".

Page 9, line 13, strike out "SEC. 13." and insert "SEC. 11.".

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. UDALL. Mr. Speaker, reserving the right to object, I would like to ask a question of the gentleman from Florida.

I appreciate the hard work that the gentleman from Florida has put in on this bill, and I wish to congratulate him and the members of the great Committee on Interior and Insular Affairs for what may well be a history making bill.

This bill is critically needed for the benefit of these hard pressed Indian tribes.

In the report of the Senate Committee on Interior and Insular Affairs, the following language appears:

> For the reasons cited in the communication relating to H.R. 7648 from the Department of Justice, the committee believes the State of Arizona should take affirmative action under the authority of section VII of the act of August 15, 1953 (67th Stat. 590) relating to the assumption by the States of jurisdiction over criminal offenses and civil causes of action in Indian country.
>
> Further, it is the committee's recommendation that the Secretary of the Interior not approve leases on these reservations for terms beyond those presently authorized by law until the State of Arizona acts to assume jurisdiction under the authority of the 1953 act.

The gentleman from Florida will recall that the Senate amendments have stricken from the bill language which would allow the State of Arizona to assume jurisdiction over the Indian lands involved piecemeal, in accordance with agreements between the Indians and the

State. This deletion leaves the question of jurisdiction of civil and criminal matters in these reservations in accordance with Public Law 280, 1953, which is the law cited in the Senate report. I should like to ask the gentleman from Florida whether or not he concurs in the statements and the recommendations quoted from the Senate report.

Mr. HALEY. I thank the gentleman for asking me this question. I certainly concur with the expression of opinion that the State of Arizona should take affirmative action as authorized under Public Law 280, of the 83d Congress. I hope the State will do this promptly.

However, it should be pointed out that the State of Arizona could have assumed this jurisdiction any time within the last 13 years. I have no way of knowing, and I presume the gentleman has no way of knowing as to when, if ever, the State of Arizona intends to assume such jurisdiction.

These Indian lands are ripe for development. In at least one reservation, there are allotted lands which could be disposed of now, without any plan, and without any regulation by the laws of zoning, sanitation, or construction of any jurisdiction. There are plans afoot, particularly in the Salt River Pima-Maricopa Reservation for planned development of the whole reservation, including the allotted lands. I can well imagine that this plan might fall apart unless it is implemented within a reasonable period of time.

Certainly, the Secretary of the Interior should give the State of Arizona a reasonable time to allow it to assume the jurisdiction contemplated by Public Law 208. However, it is certainly not my intention that development of these reservations must await forever this type of action by the legislature of Arizona. We have no way of knowing whether the legislature will ever act or not. It would certainly be manifestly unfair to make the Indians wait for an indeterminate period of time to develop their lands, pending the resolution of a situation which is not in their control, and over which they have no possibility of control.

Mr. UDALL. I fully agree with the distinguished Chairman of our Indian Affairs Subcommittee, one of the best friends the American Indians ever had. This vitally important bill would never have been passed without his efforts. Actually, may I state to my colleague that I believe Public Law 280, 83d Congress, is sufficiently broad to permit the State of Arizona to assume jurisdiction over the two reservations named in this bill without affecting the other reservations in the State. May I state that in the States of Washington and Montana such assumptions were made without an amendment to their respective constitutions, but merely by the enactment of a statute in each case. The assumption in Washington was challenged but the legislative action was upheld by the State supreme court.

I thank the gentleman from Florida. I withdraw my reservation.

Mr. RHODES of Arizona. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Arizona?

There was no objection.

Mr. RHODES of Arizona. Mr. Speaker, this bill is the result of long and arduous work, and many hours of negotiations. I would be less than candid if I did not say that some people in Arizona, while realizing the necessity for such a bill, still have some fears as to the effect it will have on the presently established communities.

This is probably not a perfect bill, but it is a necessary bill. The Salt River Pima-Maricopa Reservation has plans for development which might not survive much more delay. The haphazard development of allotted lands on that reservation would result in a chaotic situation, and could result in construction which would be inimical to the best interests of both the Indian and white communities. Therefore, I am pleased that the bill has been passed by both Houses, and I sincerely hope that the President will sign it into law expeditiously. I am convinced that it will prove to be for the long-range benefit of all Arizonans.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FUR SEAL ACT OF 1966

Mr. LENNON. Mr. Speaker, I call up the conference report on the bill (S. 2102) to protect and conserve the North Pacific fur seals, and to administer the Pribilof Islands for the conservation of fur seals and other wildlife, and for other purposes.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement follow:

Conference Report (H. Rept. No. 2274)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2102) to protect and conserve the North Pacific fur seals, and to administer the Pribilof Islands for the conservation of fur seals and other wildlife, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 4, 8, 9, 10, and 11, and agree to the same.

Amendment numbered 5: That the Senate recede from its disagreement to the amendment of the House numbered 5 and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken out by the House amendment, insert the matter proposed to be inserted by the House amendment, and on page 10, line 23, of the Senate engrossed bill, immediately after "section" insert: "and the costs of such items, including medical and dental care, shall be charged to the budget of the Secretary of Health, Education, and Welfare".

And the House agree to the same.

Amendment numbered 6: That the Senate recede from its disagreement to the amendment of the House numbered 6 and agree to the same with amendments as follows: Restore the matter proposed to be stricken out by the House amendment and on page 10, line 25, of the Senate engrossed bill, strike out "Surgeon General of the Public Health Service" and insert: "Secretary of Health, Education, and Welfare".

And the House agree to the same.

Amendment numbered 7: That the Senate recede from its disagreement to the amendment of the House numbered 7 and agree to the same with an amendment as follows: Strike out the matter proposed to be stricken out by the House amendment, and in lieu of the matter proposed to be inserted by the House amendment, insert the following: "the title conveyed is inalienable for a period of twenty years from the date of conveyance except upon approval of the Secretary. Any deed issued after twenty years from the date of conveyance shall not require approval of the Secretary."

And the House agree to the same.

Amendment numbered 12: That the Senate recede from its disagreement to the amendment of the House numbered 12 and agree to the same with an amendment as follows: Page 4, beginning in line 1 of the House engrossed amendments, strike out "this Act and to the civil service retirement and disability fund pursuant to section 208 of this Act." and insert in lieu thereof the following: "section 206 of the Fur Seal Act of 1966 and to the civil service retirement and disability fund pursuant to section 208 of the Fur Seal Act of 1966. In administering the Pribilof Islands fund established by section 407 of the Fur Seal Act of 1966, the Secretary shall consult with the State of Alaska annually."

And the House agree to the same.

Alton Lennon,
Harlan Hagen,
Thomas Downing,
Thomas M. Pelly,
Hastings Keith,
Managers on the Part of the House.

E. L. Bartlett,
Warren G. Magnuson,
Winston L. Prouty,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2102) to protect and conserve the North Pacific fur seals, and to administer the Pribilof Islands for the conservation of fur seals and other wildlife, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The following House amendments made technical, clerical, clarifying, or conforming changes: 1, 2, 3, 8, 9, 10, and 11. With respect to these amendments the Senate recedes. The remaining House amendments are discussed below:

Amendment No. 4: Section 204(a) of the Senate bill contained a requirement that when the State of Alaska assumed the responsibility for furnishing education to the natives of the Pribilof Islands it also assumed the full cost of educating these natives. Up to now the costs of furnishing such education has been financed from the Pribilof Islands fund. The House amendment would assure that such costs will continue to be paid from the Pribilof Islands fund.

The Senate recedes.

Amendments Nos. 5 and 6: Section 205 of the Senate bill authorized the Surgeon General of the Public Health Service to take over entirely the operation of the Pribilof Islands medical program and intended that the funding of the program be through the regular budget of the Public Health Service rather than charged against the Pribilof Islands fund. The House amendments deleted references to the Surgeon General and substituted references to the Secretary of Health, Education, and Welfare to conform with changes in existing law effected by Reorganization Plan No. 3 of 1966, effective June 25, 1966. The House amendments also deleted as unnecessary the language of the Senate bill relating to the authority of the Surgeon General to contract for medical services. Under the House amendments, the medical program would be funded, as in the past, from the Pribilof Islands fund.

The Senate recedes with amendments which accept the substitution of references to the Secretary of Health, Education, and Welfare in lieu of references to the Surgeon General, but add language making it clear that the costs of the medical program will be charged to the regular budget of the Secretary of Health, Education, and Welfare, and restoring the Senate language relating to the authority of the Secretary to contract for medical services.

Amendment No. 7: Section 206(a) of the Senate bill provided for a method of conveying title to lots in a townsite to natives of the Pribilof Islands for the purpose of fostering self-sufficiency and encouraging the development of local self-government. Each title so conveyed would be inalienable for a period of ten years from the date of enactment of this legislation except with the approval of the Secretary of the Interior. The House amendment provided that such title would be inalienable forever except with the approval of the Secretary.

The Senate recedes with an amendment which provides that such title will be inalienable for a period of twenty years from the date of conveyance, rather than the date of enactment of this legislation, except with the approval of the Secretary.

Amendment No. 12: Section 408(b) of the Senate bill contained a provision dealing with the manner of determining the net proceeds from sales made under this legislation. The Senate bill enumerated certain cost items, such as payments to municipal corporations established under this legislation, required to be deducted in determining such net proceeds. The House amendment added to the list of cost items to be deducted payments to the civil service retirement and disability fund under this legislation.

The Senate recedes with amendments making technical corrections and adding a requirement that the Secretary of the Interior shall consult annually with the State of Alaska in administering the Pribilof Islands fund established by this legislation.

ALTON LENNON,
HARLAN HAGEN,
THOMAS N. DOWNING,
THOMAS M. PELLY,
HASTINGS KEITH,
Managers on the Part of the House.

Mr. LENNON. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

GENERAL LEAVE TO EXTEND

Mr. LENNON. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the conference report just agreed to.

SAFETY OF LIFE AT SEA

Mr. LENNON submitted a conference report and statement on the bill (H.R. 10327) to require operators of ocean cruises by water between the United States, its possessions and territories, and foreign countries to file evidence of financial security and other information.

UNFAIR OR DECEPTIVE METHODS OF PACKAGING OR LABELING OF CERTAIN CONSUMER COMMODITIES

Mr. McFALL, on behalf of the chairman on Interstate and Foreign Commerce, submitted a conference report and statement on the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

NATIONAL DAY OF MALAGASY REPUBLIC

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, today marks the national day of the Malagasy Republic, the sixth anniversary of the proclamation of the Republic. It is my pleasure to extend the greetings of my countrymen to the people of that island republic.

Her early history is truly a fascinating story. The Malagasy Republic comprises the island of Madagascar and its island dependencies—Nosy Be, Nosy Mitsio, Ste. Marie, Iles Barren, and Nosy Faly. Situated in the Indian Ocean, 250 miles across the Mozambique Channel from the southeast coast of Africa, Madagascar is the fourth largest island in the world. It is 995 miles long and 360 miles wide and is 228,000 square miles in area, slightly smaller than Texas.

Madagascar was sighted in the 1500's by Diego Dias, a Portuguese captain whose ship had become separated from a fleet bound for India. Before then, as early as the seventh century, Arab settlements had been established on the northwest and southeast coasts of the island. In the latter part of the 17th century the French attempted to colonize the southeast coast but met with ill fortune at the hands of the neighboring tribes and were forced to settle for trading bases on the east coast during most of the next century.

United States relations with Madagascar date back at least to the early 18th century. An American trader named Marks—or Max—resided at Majunga on the west coast of the island around 1830–31, conducting a considerable trade in Malagasy skins, woods, honey, pitch, and salt fish against imports of American textiles, glass, and other manufactured articles. It was probably the same Marks who in 1874 presented Queen Ranavalona II a gift of the first paneglass known on the island. A commercial convention was concluded between the two countries in 1867, and a treaty of peace, friendship, and commerce in 1881.

The Malagasy Republic was proclaimed on October 14, 1958, as an autonomous state within the French community. A period of provisional government ended with the adoption of a constitution by the Constituent Assembly on April 28, 1959. The first President of the Republic, Philbert Tsiranana, was elected on May 1, 1959, by a congress of the National Assembly and the Senate, and on June 26, 1960, independence was proclaimed in Tananarive.

Madagascar's economy is principally agricultural. The main crops are rice, manioc, coffee, vanilla, cloves, and tobacco. Graphite, mica, and other minerals are found on the island but are difficult to exploit. Although cattle raising is extensive, the herds are not widely utilized for economic purposes. Imports consist primarily of textiles, machinery and metal manufactures, foodstuffs, and petroleum products. Over 90 percent of total exports are agricultural products.

The Malagasy Government is a strong supporter of the West and is stanchly anti-Communist. It maintains close economic and cultural ties with France, which provides important funds for development and specialists for many technical positions in the government. It is a member of the United Nations and its specialized agencies.

The United States seeks to encourage economic development and political stability in the Malagasy Republic. Modest amounts of American aid have been provided to complement the efforts made by other countries and to demonstrate American interest in Madagascar. U.S. policy is to support the Malagasy pro-Western stand in international affairs.

Under agreement with the Malagasy Government, National Aeronautic Space Agency has built a space-tracking station in Madagascar which is important to the American space program. Through information and cultural programs the United States has sought to provide the Malagasy Government and people with a greater understanding of the United States.

My sincere best wishes to President Tsiranana who has served his country faithfully and well, and to my good friend, Malagasy's Ambassador to the United States, His Excellency Louis Rakotomalala.

HIGH INTEREST RATES CAUSE HIGH PRICES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, in recent weeks there has been much talk about raising corporate income taxes as a means of combating inflation.

With these suggestions, we are once again reminded that taxes, like other costs of doing business, are invariably passed on to the consumer. So when we talk about raising taxes and interest rates, we are also talking about raising consumer prices.

The fact that these costs are passed on to the consumer is illustrated by a short article which appeared in the Wall Street Journal of October 12, 1966. I place this article in the Record:

Anti-Inflation Tax Boost Might Prompt Price Rises

Chicago.—A corporate income tax increase, if Congress enacts one, will be designed to reduce inflationary pressures by draining some purchasing power out of the private economy. But a few companies, viewing taxes as a cost, say a tax increase would prompt them to try to raise prices to offset that cost.

If the corporate income tax rate goes up to 50% from the present 48%, Clark Equipment Co., Buchanan, Mich., maker of auto parts, will try to raise prices 1% to 1.5% on most of its products, says Walter E. Schirmer, president. If the tax rate goes up to 52%, he says, Clark will try to raise prices 2% to 3%. The object, he says, would be to try to keep Clark's profit margin at 5.5% to 6% of sales in 1967, despite a bigger tax bite.

"If there's no tax increase, I don't think the market will take another increase in prices," says Mr. Schirmer. Buyers, he says, "expect you'd be smart enough to be able to absorb the normal labor and material (cost) increases." Rightly or wrongly, Mr. Schirmer doesn't seem to think buyers would expect Clark to absorb the costs of a tax increase.

JONES PAYS THE FREIGHT

So it is the little man in the American economy who eventually pays these costs. It is the same with interest rates.

When the Federal Reserve Board raised interest rates last December by 37½ percent, this helped to fan the fires of inflation. Higher interest rates, like the taxes mentioned in the Wall Street Journal, are passed on to the consumer in the form of higher prices.

Many of the higher prices which have occurred over the past year can be traced directly to the actions of the Federal Reserve Board. When a manufacturer pays more for the money he borrows, you can be sure that he will pass this charge on to the consumer.

As a result, the American consumer really pays twice when interest rates are raised. The higher interest rates are reflected in the product he buys. At the same time, many consumers must borrow money themselves to pay for that product. So, he is hit twice.

By now, I hope the apologists for the Federal Reserve Board have come to realize that high interest rates are not the cure for inflation. High interest rates, in many sectors of the economy, feed inflationary fires and cause higher prices for the American people. Higher interest rates are in reality a tax on the poor, a tax on the people least able to pay in our economy.

ILLINOIS BUSINESS REVIEW DENOUNCES FEDERAL RESERVE'S MONETARY POLICIES

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, the Illinois Business Review, published monthly by the Bureau of Economic and Business Research of the University of Illinois, has come up with an excellent analysis of the Nation's monetary policies since the disastrous action of the Federal Reserve Board last December.

In its current issue, the Illinois Business Review notes:

> The 1966 experience gives new support to those who object to high interest rates as a method of economic control: they are ineffective in overall terms; they are discriminatory against small and weak enterprises; they enrich creditors at the expense of debtors; and they are too slow and unselective in their action.

This article also discredits the widely held notion that the Federal Reserve Board raised interest rates as a means of combating inflation. In actual fact, the Illinois Business Review states, the fight against inflation is little more than a slogan for rallying policy support.

I place this article in the Record, entitled "Money Business As Usual."

Money Business As Usual

Right through August interest rates continued up. As the month ended, financial leaders were predicting extension of the movement into high ground that had not been penetrated for almost half a century. In explanation, they cited tight money, scarcity of credit, inflationary pressures, and the absence of adequate restraints on demand. A governor of the Federal Reserve stated that "if the Administration is going to rely on monetary policy" to carry the burden of the fight against inflation, "then inevitably we are going to have high interest rates."

In actual fact, the "fight against inflation" is little more than a slogan for rallying policy support. What we have had is not a tight-money policy, merely a high-interest-rate policy. The growth of bank loans and investments, of deposits and currency, and of reserve bank credit has continued in 1966 at rates close to those that had prevailed since 1961. Those earlier years were characterized by "policies of relative monetary ease," and the main change has been in the rates of interest and yields demanded on loans and investments of all kinds.

When the Fed put up its discount rate last December from 4 to 4½ percent, the highest level since 1930, it permitted and encouraged the financial community to advance other rates still faster. The prime rate on bank loans to business matched the initial ½ percent increase, and by August it had been put up another 1 percent, for a total move from 4½ to 6 percent. It is necessary to go back beyond 1929 for a similar figure.

EXPANSION OF MONEY AND CREDIT

Some of the reasoning underlying the Fed's decision is spelled out in this month's special article (page 6). The illustration provided under the heading, "Relation to Bank Liquidity," shows that, on the assumptions given, for each $100 decrease of certificates of deposit (CD's), there would be an increase of only $20 in demand deposits, making a net reduction of $80 in total deposits and earning assets of the banking system (assumed to be Treasury bills but in actuality loans to business and individuals). The reverse also holds, so that an increase of $100 of CD's would lead to a net creation of $80 in total deposits and an equal increase in loans. Thus, the December change in Regulation Q to permit the banks to retain and increase their time deposits, far from restricting the "dollars chasing goods," helped to increase them.

This process is not confined to CD's of course, but inheres in the lower percentages of reserves required on all time and savings deposits. Each time funds are shifted, excess reserves are created; and these become the basis for a new expansion of loans and deposits. As long as the desired volume of transactions can be handled with only part of the increment of demand deposits, some of the newly created deposits can again be shifted and the whole process is repeated. Since 1961, total deposits have increased by over one-half. Close to four-fifths of the increase went into time deposits, which have almost doubled.

Every time the interest rates payable on time and savings deposits are raised, they induce further shifting from demand deposits further expansion of total deposits, and further use of bank credit to "inflate" the economy. Increases in the maximum rates payable were made effective by the Fed in January, 1962; July, 1963; November, 1964; and December, 1965.

The Fed has also contributed to deposit and loan expansion by issuing more of its own credit. In the 1950's, fluctuations in reserve bank credit were largely cyclical. In the early 1960's policy changed and increases have been continuing at the rate of $3 billion a year. Presumably the Fed did not want this expansion to continue in 1966, but after it had opened the floodgates, it found itself in a mire of inconsistent duties and goals.

APOLOGIAS FOR HIGH INTEREST RATES

One way out is to shift the blame to the Administration, which refused to take fiscal action and so "forced an impossible task on the Fed." Actually, the task was self-imposed. The Administration opposed the increase in interest rates last December. It has not "relied on monetary policy" since then. It has been relying on the productive power of the economy and, aside from monetary excesses, this appears fully adequate to the task. All the Administration wanted in the money market was a reasonable degree of stability, and the failure to obtain it was embarrassing. The basic question here concerns the need for restrictive action, a need which neither has been or could be firmly established.

Another defense is to cite the excessive demands for credit. These have been temporarily stimulated by the war and are partly speculative in character. Their magnitude is greatly exaggerated; thus, the would-be home buyer whose loan request is turned down goes from one financial institution to another, and his multiple requests create an impression of many times the actual need. Threats about tightening money further also have stimulated speculative demands for money. Once it is clear that the peak is past, it will become apparent that these demands are neither unending nor cumulatively growing.

Similarly, a moderate annual rate of price advance for a few months can only mistakenly be identified with "all-out inflation." No serious analysis of the situation has revealed a "frightening acceleration" in price increases. Some of the sensitive prices that contributed so much to the early upsurge have already begun to drop back; and some service items are either beyond control by monetary measures or reflect the rise in interest rates itself. The more widespread but smaller advances that are occurring are not at all unusual for the prevailing conditions of prosperity. The danger of "going through the ceiling" is purely imaginary.

Increased interest rates paid on time deposits are also made an excuse for higher rates on business loans. "If a bank has to pay more, it has to charge more." But the top rate payable is on only $20 billion of CD's, whereas the high rates chargeable apply, with some lag, to the full $200 billion of loans.

None of these apologias is convincing. The financial community appears to be making the most of an unusually favorable opportunity. What other industry has been able to raise its prices 20 to 35 percent in the past year?

THE EFFECTIVENESS OF MONETARY POLICY

If the rise in interest rates showed any sign of doing what it was supposed to do, namely, restrain a speculative boom, then the special advantages conferred on lenders might be forgiven. But it has failed signally to put a curb on business enthusiasm. The boom has progressed in the usual way—to unsustainable rates of business investment and a rate of inventory accumulation that threatens deflation—and there are indications that it is already topping out. Promises that monetary policy will be effective after the end of the year are meaningless; too many other influences are working in the same direction.

The one activity that has been definitely curtailed is home-building. Housing starts have dropped to a five-year low. The inflexibility of interest rates on mortgages has resulted in a shifting of funds that has left the mortgage market stranded. Here, tight money was effected through differential pricing in competitive markets, despite the general lack of restraint on money and credit. It may be inferred that other small-scale businesses were adversely affected in the same way.

If rates could be held as they are for a long period, there would be trickle-down deflationary effects: construction labor would become unemployed and eventually its income would run out and its consumption would be restricted. However, no one sees the point of letting the building industry and its workers suffer unnecessary idleness to gain an ultimate, minor lessening of overall demand. Therefore, a bill to provide funds for construction has quickly progressed through Congress.

The 1966 experience gives new supoprt to those who object to high interest rates as a method of economic control: they are ineffective in overall terms; they are discriminatory against small and weak enterprises; they enrich creditors at the expense of debtors; and they are too slow and unselective in their action.

Secretary of the Treasury Fowler recently stated that there must be a better way of rationing credit. That is what was needed. Allocation of resources would quickly have been imposed in a real emergency. But Viet Nam is only a small war, with no apparent threat to this country, and it lacks the full popular support that would ordinarily force self-seekers into line. The President's guidelines served for a while as a restraint on prices and wages; they were breached by the raising of the discount rate in December and were given the coup de grace by the airline strike in July.

The Fed has pursued a business-as-usual course in accordance with its established principles of operation. It has consistently adhered to a philosophy of free markets for money and capital, rejecting specific controls by type of credit or class of borrower and avoiding actions that would adversely affect the earnings of the banks. It could have made a real contribution to healthy prosperity by taking a firm stand for keeping both interest rates and the supply of credit more nearly steady. This would have averted the competitive struggle for savings and most of the recent confusion in financial markets.

Belatedly, on September 1, the Fed sent a letter urging the banks to slow down the rate of bank-lending to business. This mild slap could be more than an ineffectual gesture if it were backed with determination. The Fed's authority to purchase in the open market and to force cutbacks by raising reserve requirements gives it a coercive power that could have been put to good use early in the year. Instead, it devoted itself, in the words of Professor Samuelson, "to nagging the President to introduce a tax increase. . . ."

The Fed's policies have resulted in the worst problem faced by the banking system in a generation. Awareness of the profit possibilities of effective cash management is spreading; individuals as well as corporations are gaining familiarity with the advantages of shifting their holdings from one savings outlet to another. Over 80 percent of the increase in time deposits this year have been of the consumer types. New authority over interest rates and perhaps a wider spread in the legal requirements for reserves on time deposits may help the Fed cope with emerging problems. More important is the use of all its powers in accordance with a new problem-solving approach that would depart from tradition and bring public welfare to the fore.

CROP AND LIVESTOCK ESTIMATES

Mr. WHITTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WHITTEN. Mr. Speaker, the present crop and livestock reporting system of the Department of Agriculture, which has become an essential part of our modern agricultural economy, was first started in 1866. I want to take the occasion of its 100th anniversary to recognize its important contribution to the growth of our national economy during this period.

The need for reliable statistics on agricultural production was recognized during the early days of this country. It was apparent even then that the successful conduct of agriculture and related business activities was dependent upon "official" agricultural data upon which everyone could rely. Efforts to gather such information go back to the time of George Washington.

The first crop reports in 1866 covered 10 crops and 4 species of livestock. These reports have grown in number and scope with the increasing complexity of agriculture and related industries. The agriculture business complex now engages three-tenths of all employed persons in the United States. There are about 5.6 million farmworkers, 10 million workers in industries that produce and distribute farm products, and 6 million workers engaged in the industries that provide the production goods and services use by farmers.

Farmers and Government are not the only ones who use the information provided by this service. Suppliers of the goods that farmers must buy require these statistics to measure current and future trends in their sales. Buyers and processors of farm products must have accurate data if they are to provide adequate storage space in the right locations as well as transportation and processing facilities. Consumers are increasingly aware of the data as family food purchases are influenced by supplies, grades, and differences in quality and price.

At the present time, to supply the need for agricultural statistics, some 700 reports are issued each year in Washington and hundreds more in the States. They cover nearly 200 farm products. Yet both the demands for increased information by the industry and the increasing complexity of modern commerical farming make the job of obtaining sufficient reliable information more difficult each year.

The Department, through its Statistical Reporting Service, has made great progress in employing new techniques. New computers are being used in making projections from sample surveys and in determining the validity of the results. However, the enormity of the job, which makes sampling a necessity, makes it impossible to project agricultural estimates with 100 percent accuracy.

Mr. Speaker, the men and women who are responsible for providing these vital statistics for our agricultural industry deserve special commendation. Crop and livestock reporting could not operate as it does without the efforts of hundreds of thousands of voluntary crop and livestock reporters, local merchants and processors who submit information as to their operations, and State agricultural agencies and State universities which cooperate with the U.S. Department of Agriculture. This vital public service could not be provided without the dedicated civil servants in the Statistical Reporting Service of the Department of Agriculture, many of them in the various States, who analyze, check, sift, and assemble the final information into usable form. A great deal more can be done through the development and use of new techniques and improved computers for this purpose. In the final analysis, however, it is the dedication, competence, and integrity of all these people that we must rely on to give us the facts to keep this country's agriculture, on which we all so heavily depend, second to none.

THE OZARKA BILL PROPOSAL

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, further to my extension of remarks entitled "Hanky-Panky" in the Appendix of the CONGRESSIONAL RECORD dated October 6, 1966, and pertaining to the costly, hastily construed, and questionably effective "Ozarka bill," I insert herewith a further news report from the Sunday Oklahoman of October 9, 1966, by Allan Cromley of their Washington bureau, entitled "A $681 Million Egg Hatched in Dark"; and an editorial from the Joplin, Mo., Globe, entitled "Crude Political Play" dated October 8, 1966. These are self-explanatory.

In the interim I have received on October 8, 1966, a draft copy of the proposed bill "whomped up" by a self-styled congressional noncoordinating committee, who do not even see fit to consult their own, let alone we of the opposite political faith. In the interest of comity, I am also inserting a copy of an expensive telegram from Muskogee, Okla., dated October 7, 1966, and purportedly signed by the Representative from the Second Congressional District. I truly appreciate the latter, Mr. Speaker, and accept the proffered apology with the simple observation that in the future I prefer being "wounded" by commission, rather than by omission. The inference that I might oppose the regional development program in the Ozarks is premature, conclusive, self-aggrandizing, and warped. Careful reading of the editorials will show considerable question about the extent of coordination, even among the Oklahomans on the Commission. It would seem apparent that ambitious and harried people forget the "rules of the game," and neither conceive, coordinate, nor plan wisely.

Compared to good land and water management practices — conservation programs—one cannot begin to equate rehabilitation of worked out mine shafts. I would caution the writer to look well into his own party dogma and taxpayers' money-spending proclivities, at a time when the Chief Executive—Democrat—has said we must tighten our belts while at war overseas and reduce nonessential domestic spending, and leave the driving of the Republican Party to us.

I am certain of my facts and, apparently, the people as represented by their writers in both States, feel exactly the same way. Haste and pursuit of office can be damaging and is no virtue, while being extremely correct financially with the taxpayers' money is prudent.

[From the Oklahoma City Sunday Oklahoman, Oct. 9, 1966]

A $681 MILLION EGG HATCHED IN DARK

(By Allan Cromley)

A $681 million economic development program for the Ozarks region, including part of Oklahoma, was laid on the president's desk this week without consulting the agency which would spend the money.

Several congressmen in the region—most notably a Republican—were left out of the picture entirely. Others who signed a letter to the president were vague about the plan they were espousing.

But there was nothing vague about Rep. Ed Edmondson, the principal proponent. He energetically rounded up legislative sponsors, helped arrange drafting a bill, and issued a news release.

It surprised members of the Ozark Regional Commission, who were meeting that day in Washington.

The news release said five senators and five representatives had signed a letter to the president, which was accompanied by a sample bill outlining the general shape of the plan for 44 counties in Missouri, 44 in Arkansas, and 37 in Oklahoma.

One of the signers was Sen. Mike Monroney, who said he did not know where the plan originated but thought the Ozark commission had done preliminary staff work.

Another signer was Sen. Edward V. Long (D-Mo.), whose administrative assistant said the plan came from either Sen. Fred R. Harris or Edmondson.

An assistant to Harris, who signed the letter, said, "The plan originated in the house, I think . . . I wish I knew where some of these things come from."

Rep. Paul C. Jones (D-Mo.) did not sign the letter, because he had not been contacted.

"I think it rather peculiar, since I have seven counties in that area . . . I received copies of the bill and the press release this morning in an unmarked envelope."

Hopping mad was Rep. Durward Hall, a Republican whose 20-county district in southwest Missouri is entirely within the Ozark regional development area. He, too, had been left in the cold.

His first target was William McCandless, the federal cochairman of the Ozarks commission, who presumably had bypassed Hall.

However, it turned out McCandless was as much in the dark as Hall.

Hall fulminated in the Congressional Record that the program was a "hastily concocted hodge-podge of projects and figures, offered even before the Ozarks commission . . . had time to consider specific plans."

He quoted McCandless as saying the figures were "picked out of thin air" and he had no idea where they came from.

A day or two later Edmondson, who was then in Oklahoma, sent a telegram to Hall. It said the $681 million project "was discussed in depth with Oklahoma's representative on the Ozarks Regional Commission."

Frank Lyons, Oklahoma State highway director, is Oklahoma's representative on the commission. He told a reporter, "We didn't know about this program. We didn't act on it. But we're delighted with it . . . tickled to death."

An Edmondson staff member said the letter to the president originated in his office. The bill was drafted by the staff of the house public works committee, of which Edmondson is a high-ranking member.

The famous economic development program for Appalachia was used as a model for the Ozark proposal.

But how they arrived at specific recommendations for roads ($360 million), construction of health facilities ($21 million), waterways and port facilities ($15 million), and other projects was not clear.

Monroney said he thought they were "just figures to be submitted to the budget bureau . . . all we were doing was asking the president to submit the plan to the budget bureau."

Hall, the 20-county Republican, said, "I don't believe in a scatter-gun approach which could not stand up under close scrutiny by the bureau of the budget. . . .

"If I'm not even to be consulted on a program of such magnitude affecting every county of the district I represent, and if I must forsake reelection because of my unwillingness to endorse a program about which no one has even mentioned to me, so be it.

"This is one taxpayer who doesn't believe in that sort of 'hanky-panky.'"

Edmondson said in his telegram to Hall, "I can understand your chagrin over our failure to discuss details. I personally regret it and would like to see you support it."

He advised Hall to re-check his facts.

[From the Joplin (Mo.) Globe, Oct. 8, 1966]

CRUDE POLITICAL PLAY

The shotgun $700 million proposal for a Missouri-Arkansas-Oklahoma Ozarks development program suggested to President Johnson by ten Democratic members of Congress from the three states is transparently a crude political scheme trumped up just ahead of the congressional elections.

Not even the Ozark Regional Commission, recently created to study and prepare a legitimate long-range program for the Ozarks, knew in advance about the congressional plan. Neither did the only Republican member of Congress from the 144-county three-state territory involved, Dr. Durward G. Hall. And neither did the most conservative Democratic member of the House within the region, Congressman Paul Jones of Southeast Missouri. One would have to be naive to consider this an oversight.

Obviously hastily thrown together to make political hay, the danger in this sort of a maneuver is that it could have the effect of discrediting in advance any worthy program that later might be worked up simply by stigmatizing Ozarks as a political boondoggle.

Equally regrettable, even shocking, is that responsible members of Congress would lend their names to a loosely drawn plan to recklessly play around with hundreds of millions of dollars of the peoples' money, and at a time of economic crisis and war. It ought to backfire against those participants up for reelection this year, including members of the House and Senator Fred Harris of Oklahoma.

There seems to be no doubt that some good programs to improve the economy of the Ozarks could be drafted after proper research, study and planning. These especially would be in the areas of soil and water conservation and industrial and recreational development, along with speeding up road building. This, as we understand it, is what is contemplated by the Ozarks Regional Commission, just organized to set up a plans staff.

But a few weeks before the election, these ten legislators come out of the blue with what Dr. Hall calls a "scatter gun" assortment of figures totaling $681 million, and suggest that President Johnson incorporate them in the budget starting next year for what now has all the earmarks of political baiting in the Ozarks. This is proposed in the face of talk about higher taxes to fight inflation produced in large measure by excessive Federal spending.

MUSKOGEE, OKLA.,
October 7, 1966.

Congressman Durward Hall,
House of Representatives,
Washington, D.C.:

You are entitled to oppose the Ozarks regional development program which ten Members of Congress submitted to the President this week and I can understand your chargin over our failure to discuss details with you. I personally regret this omission and would like to see you support the program. For your further information the proposed program was discussed in depth with Oklahoma's representative on the Ozarks regional commission and it was my understanding that similar consultations took place with the Arkansas and Missouri representatives on the commission. I suggest you recheck your facts on this point with Congressmen Ichord and Mills. You should also recheck your facts regarding what you described as preferential treatment for Oklahoma. The plan which we submitted to the President for Executive consideration as part of the administration program in the 90th Congress did not recommend any allocations or diversions of funds between or among the three States, and would leave decisions as to such allocations and divisions to the commission itself. With Missouri's able Governor participating in such decisions I do not believe your State would be at a disadvantage in any way. Finally, I am surprised that you as a Republican object to the idea of Congressmen proposing constructive ideas to the Executive. We had the impression down here that you folks were in favor of more congressional initiative in connection with programs of Government, and that is our objective in urging the Ozarks development program at this time.

ED EDMONDSON.

ARMY HELPS FAMILIES TO SPOT FALSE VIETNAM CASUALTY CALLS

Mr. ASHBROOK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, last September I introduced legislation along with other Members, to punish those responsible for the cruel and malicious practice of harassing the families of soldiers in Vietnam by means of telephone calls. Unfortunately, no action has so far been taken on these proposals to date. The Army Times of October 19, 1966, provided a real service to the relatives of soldiers in Vietnam by presenting information and suggesting a course of action for recipients of such phone calls. Consequently, I believe the article entitled "Army Helps Families To Spot False Vietnam Casualty Calls," should be given the widest dissemination, and for this reason I ask that it be inserted in the RECORD at this point:

ARMY HELPS FAMILIES TO SPOT FALSE VIETNAM CASUALTY CALLS

(By a Times staff writer)

WASHINGTON.—Families of soldiers serving in Vietnam have been victims of cruel hoaxes recently involving false casualty reports. Army officials say false reports have been delivered by telephone, telegram and in person. In each case the hoax was revealed when the relative of the supposed casualty sought further details from official sources.

Crank phone calls and other harassment of service families have been among the more tragic elements of the Vietnam war and the Army is doing what it can to avert such suffering.

One of the best safeguards, officials believe, is a better understanding by soldiers' relatives of the procedures used by the Army in notifying next-of-kin of serious casualties.

The official notification that an Army member is dead, missing in action or seriously wounded is never sent by telephone or telegram, the Army says.

Instead, notification is always delivered in person by an officer or senior noncommissioned officer. Also, this officer or NCO always is prepared to show official proof of his identity if asked.

Thus, if a soldier's relative receives his first information through an allegedly "official" phone call or telegram, he can be sure it is false. And a caller at his door who declines to show military identification may be set down as a crank.

Normally, the officer or NCO delivering the initial notification will come from a military installation located near the home of the next-of-kin. Within a few days after, the next-of-kin will receive written verification and more information from the Army.

Soldiers' relatives should be suspicious of any casualty reports they receive either from anonymous callers or from self-styled "buddies." While there may be something in the report, it could be either mistaken or an outright lie.

The truth can be learned quickly. Any suspicious unofficial contact can be checked by calling an Army Community Services officer (or the duty officer after regular work hours) at the nearest Army installation.

These officers have available direct communication lines to the Pentagon and normally will be able to report the facts back to the family within a few hours.

It's also possible for the relative to call or write directly to the Army's Casualty Branch in the Office of the Adjutant General in the Pentagon. But, officials recommend contact with local posts as the speediest method of getting a reliable answer.

When a serviceman dies, the next-of-kin are contacted by a survivor assistance officer who provides help in all possible ways without charge. Surviving dependents have been warned to beware of anyone offering to help them get military, veterans or other benefits faster "for a fee."

Families of sick or injured soldiers have free help of many types available from the nearest Army Community Services center.

RED CHINA SHOULD NOT BE ADMITTED TO UNITED NATIONS

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent to revise and extend my remarks in the RECORD at this point and include a statement by Mr. FISHER.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, in the necessary absence of our colleague, O. C. FISHER, I wish to insert a paper which sets out with force and conviction some of the many reasons why Red China should not be admitted to the United Nations.

It is a scholarly presentation which makes readily evident that our interests would be ill served by any relaxation of our policy to exclude Communist China from the United Nations. I find myself in complete agreement with Mr. FISHER's views and I am pleased that I have the opportunity to place this important document in the RECORD:

REMARKS OF O. C. FISHER

Mr. Speaker, at the beginning of my remarks I would like to quote two statements:

United Nations Charter, article IV: "(1) Membership in the United Nations is open to all other peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations."

"Political power grows out of the barrel of a gun." Mao Tse-tung.

We all know, Mr. Speaker, that rumors are abroad that portend a change in an important element of our foreign policy. Pressures have arisen and appear to be finding some favor in our country for a change in our policy toward Red China. The essence of this potential change in our policy is the proposal—if it can at this time be called a proposal—that we bow before the patent intention of Red China to rule all of Asia. We all know that every evidence of recent years points in this direction.

In 1949, the Communists seized power in China and ever since that time there have been those both in our own country and abroad who have urged support of that Communist government. We are today in grave danger, because of the pressures which surround us, that we might change, and at the same time weaken, the position of the United States in its policy toward the Far East. These pressures are directed at this time toward the admission of Red China to the United Nations, and even go beyond that to United States diplomatic recognition of Red China. Some of these pressure groups within our country recommend trade relations between the United States and Red China and still others recommend other steps which would lend dignity and strengthen internationally a grossly aggressive enemy of our country, our allies, the Chinese people and indeed, the United Nations itself.

Red China's enmity toward the United States, toward its membership, its fundamental principles, its leadership and its activities is well known. But even in the light of all the evidence against it, it is being suggested that the honor of membership in the United Nations be conferred upon a government which recommends and supports rather than condemns the use of force in the settlement of international issues, which looks upon subversion, open aggression and intervention in the affairs of other sovereign nations as a sacred right and duty—a sacred right and duty which flows from the Marxist-Leninist revolutionary theory.

Only last year a resolution was introduced in the General Assembly by certain foreign nations which actually suggested that the Assembly expel from the United Nations the representatives of a member state, the Republic of China, which is a sovereign, independent and, I am happy to say, economically prosperous and militarily strong nation. Indeed, the Red Chinese Foreign Minister went further than this in his approach to this resolution in demanding, as still another and new condition for Peiping's participation in the United Nations, that some unknown number of other undesignated countries also be expelled.

It would be reassuring if this could be considered as bombast, if it could be dismissed as being merely ridiculous. But unfortunately these escapes from the reality of the Red Chinese demands are not available. In their arrogance and with their delusions of grandeur, they actually mean what they say and there is ample evidence to support the correctness of this appraisal. This is indeed not fantasy but reality and as has been said: "The dictates of realism is not to admit to the United Nations a regime dedicated to its destruction."

There are those who have said that the admission of Red China to the United Nations would have a moderating influence on its policies. Their thesis is that Peiping suffers from a neurosis that arises from a feeling of rejection and that their reaction, therefore, is one of less restraint than if it were, so to speak, a member of the club. This is pure rationalization which ignores both old and current history and the very ideology which is the basis for Communist China's attitudes.

Do we need to look further to substantiate the essence of that attitude than to sum up the price that Communist China demands for entering the UN? If we do then let us recall that on September 29, 1965, the Chinese Communist Premier made the following demands:

(1) The expulsion of the Republic of China from the United Nations;

(2) The complete reorganization of the United Nations;

(3) The withdrawal of the General Assembly Resolution condemning Communist China as an aggressor in the Korean conflict;

(4) The branding of the United States as an aggressor in that conflict.

Merely to state these conditions is to reject them.

The Republic of China is one of the original signatories of the United Nations Charter. It has lived up to its obligations as a UN member. More than 13 million people live on the Island of Formosa. This is a larger population than that of 83 members of the United Nations.

The United States for many years has had close and friendly relations with the Republic of China, and since 1954 has been bound by treaty to join with it in its defense. It would be both unthinkable and morally wrong to expel the GRC from the UN to meet this demand of Peiping's.

Only a single example of the difficulty inherent in membership of Communist China in the UN is brought into focus when we ask the question: Had Communist China been in the UN could there have been a cease fire resolution on the India-Pakistan conflict; could Secretary General U Thant have received a mandate to halt that conflict which Peiping denounced as "a new chapter in the disgraceful record of the United Nations."

We will remember Peiping's critical—even vicious—comments on the proceedings at Tashkent. There is not the slightest doubt that as a matter of fundamental principle Red China would sabotage every peace-making effort in which the United Nations might engage. Violent revolution as the heart of Communist China's policy and their current support of North Vietnam's aggression against South Vietnam would, in effect, receive approbation rather than condemnation were Red China admitted to the United Nations as the representative of the Chinese people.

We have all heard frequent reference to the so-called "two-China policy." This is a concept that should be rejected. Such a policy is fraught with many dangers. One of them is the very serious problem of China's Security Council seat. The question immediately arises: Which China should have this seat? Needless to say, it cannot be split up between the two Chinas, but without any doubt, both of them would claim it.

While I am wholly opposed, for the reasons set out in this paper, to any participation of Red China in the United Nations, it is clearly evident that for Communist China to be one of the voting members in the General Assembly would be bad enough, but for Communist China to take a place as a permanent member of the Security Council is wholly unthinkable. Either action would be a serious blow to the Republic of China. It would give evidence that we were departing from our long-time friendship with one of our staunchest allies and would have the additional effect of shaking the confidence of our other friends in Southeast Asia.

As has been made quite evident, the Chinese Communists have a hatred for the West and particularly towards our own country. There can be no doubt whatsoever that in the light of communist statements and actions and its complete hostility to the West, that the Chinese Communists would use the veto to block any and all constructive UN actions sponsored by the West.

So far as the UN is concerned, there are not two Chinas. There is one China and that is the Republic of China.

Ambassador Goldberg, on November 8, 1965, when addressing the United Nations in Plenary Session on the question of Chinese representation in the United Nations said in part:

"It is, of course, no secret that events before, and, more significantly for the debate today, since 1963, have raised serious and wide-spread doubts as to Peiping's true aims in the world and its true intentions towards the United Nations—even among those who have traditionally favored Peiping's representation here. As to communist China's attitude towards the United Nations, for example, the Yugoslav newspaper Borba only last month expressed the view that '. . . the belittling of the efforts of a large number of countries to admit China to the United Nations . . . has demonstrated that Peiping now hardly cares to be represented'. The Czech radio broadcasts have come to a similar conclusion. The Bratislava Domestic Service, for instance, said on September 30 that 'China's strictures on the United Nations, as well as the new conditions stipulated . . . for joining the world forum . . . have raised doubts about Peiping's desire to become a Member of the United Nations'.

"But my purpose here today is not to discuss conclusions reached by others. They can do that better than I. It is, rather, to state that my Government—after carefully, thoughtfully and thoroughly assessing developments since 1963—has been strengthened in its conviction that this Assembly should not reverse its judgment of years past. This conviction is based upon grave reasons which I wish to share with this Assembly today.

"First, a reversal now of this Assembly's past judgments would be tantamount, in the light of Communist China's belligerent attitudes, to yielding to undisguised blackmail. Is there anyone in this Hall who believes that this Organization should be dictated to and told the conditions it must fulfill if it would have a Government join its ranks? I should have thought that the Charter stated the conditions for admission to this Organization. And yet that is precisely what Communist China is doing in laying down its conditions, rather than the Charter's conditions, for membership."

Mr. Goldberg then went on to refer to the fact that the oldest of Peiping's condition is the expulsion from the United Nations of the Republic of China and he asked: "How can this Assembly even consider meeting that condition?"

He noted—as had been noted so often—that the Republic of China is a founding Member of the United Nations, that it participated in the consultations and conferences which lead to the adoption of the UN Charter, is a signatory to, and named in, the Charter itself. And Ambassador Goldberg asked whether anyone could deny that the Republic of China exercises the responsibilities of a sovereign state.

Let us now look for a moment at Red China's own, both historic and current, attitude toward international relations and let their statements speak for themselves. Mao Tse-tung in his "Problems of War and Strategy," said:

"The seizure of power by armed force, the settlement of the issue by war is the central task and the highest form of revolution. This Marxist-Leninist principle of revolution holds good universally for China and for all other countries."

In the same vein Lin Piao, Red Chinese Minister of National Defense, stated in September, 1965:

"In the final analysis, the whole cause of world revolution hinges on the revolutionary struggles of the Asian, African, and Latin American peoples who make up the overwhelming majority of the world's population. The socialist countries should regard it as their internationalist duty to support the people's revolutionary struggles in Asia, Africa, and Latin America."

In that same speech Lin Piao stated: "Comrade Mao Tse-tung's theory of the new democratic revolution is the Marxist-Leninist theory of uninterrupted revolution," and, "The occupation of Taiwan by U.S. imperialism is absolutely unjustified. Taiwan province is an inalienable part of Chinese territory. The U.S. imperialists must get out of Taiwan. The Chinese people are determined to liberate Taiwan."

Do these fundamental policy statements reflect an attitude consistent with Article IV of the United Nations Charter which states that membership in the United Nations is open to all other "peace-loving states which accept the obligations contained in the present charter and . . . are able and willing to carry out these obligations."?

Communist China has contended time and again that it is the United States who has isolated her from the world community. In truth, it is Communist China herself that has sought, and to its detriment found, its own isolation. It is true that there are advantages to not being a "team player" but not in the field of international relations, not in a world of international tensions and potential nuclear catastrophy. If there is one single element that is the very keystone of membership in the United Nations, it is attitude—attitude which manifests the willingness to discuss, the withholding of judgment until the facts have been examined, the lack of innate aggressiveness, and a certain tolerance toward those other members who find themselves in difficulty or experiencing strained relations with another state. It would take a willing suspension of disbelief to view Red China as having an attitude which mirrors any one of these elements of what could well be called international political maturity.

One must ask whether there is any reason of political expediency or even basic morality which requires that we invite our sworn enemy to our dinner table. It would be an arcane philosophy indeed which would dictate that we must accept as a member of our club, to use a further analogy, one who as a requirement for his entrance demands that we rewrite the charter and rules of the club. But this is precisely what is being sought by Red China. It demands that the United Nations Charter be a mere paraphrase of the teachings of Mao Tse-tung.

I think it not inappropriate that we look within ourselves—in a political sense—to see how this country, as its feelings are reflected by its major political parties, has reacted toward the admission of Communist China to the United Nations. In the 1964 National Platform of both the Democratic and Republican parties were the following planks. The Democratic Platform states categorically: "We continue to oppose the admission of Red China to the United Nations."

The Republican Platform included a plank which said: "We are opposed to the recognition of Red China. We oppose its admission into the UN. We steadfastly support Free China."

Mr. Speaker, from the foregoing it is obvious that Republicans and Democrats have no divergence of views on this question. This is emphasized by the reference which I will now make to a bipartisan organization devoted to the same principles which I am attempting to enunciate here.

An organization known as the Committee of One Million Against the Admission of Communist China to the United Nations which has a Steering Committee, the members of which are both conservatives and liberals as those terms are normally used, has circulated a statement throughout the nation which says in part:

"We are opposed to the admission of Communist China to the United Nations.

"We are opposed to granting United States diplomatic recognition to the Peiping regime.

"We are opposed to trade relations between the United States and Communist China.

"We are opposed to any policy of accommodation which might be interpreted as US acquiescence in, or approval of, Communist China's aggression, direct or indirect, against her neighbors.

"In endorsing the above, we earnestly believe we are acting in our national interest and the interest of freedom throughout the world and that this statement represents the thinking of the great majority of the American people."

This statement already has the endorsement of the vast majority of the Members of the 89th Congress of the United States—Representatives and Senators, Democrats and Republicans. What better expression of national feeling could there be than that embodied in the foregoing statement, and what more revealing example of the unanimity of our people.

I have referred previously to Article IV of the United Nations Charter and made note of that so important provision in paragraph one which stipulates that membership is open to all "peace-loving states which accept the obligations contained in the present Charter and, in the judgment of the Organization, are able and willing to carry out these obligations."

Red China seeks to avoid that provision, claiming that China as a soverign country is already a member of the United Nations and that Article IV applies only to new members. In other words, the Red Chinese want their membership to be be accepted on, as it has been called, a "technicality of credentials". But so far as this country, its allies, and all peace-loving members of the world are concerned, this is simply begging the question. The fact that must be faced and the question that must be asked is who truly is the representative of the Chinese people in the light of the spirit and letter of the United Nations Charter. The answer is obvious—the Republic of China.

Do we need further evidence? In the Peoples Daily, official organ of the Communist Party of China, there appeared on December 4, 1964 the following statement:

"Whether China is in the United Nations or not, the Chinese Government and people will, as always, adhere to the general line of their foreign policy. They will firmly support the peoples' just struggle to combat imperialism, colonialism and neo-colonialism and to win and safeguard national independence."

Red China not only rejects international law, it actively supports every kind of action against it. International Problems Research Monthly, a Red China periodical, stated on July 3, 1959 that—

" 'Bourgeois international law' is the concentrated expression of the quality of imperialist foreign policies. 'It is only by administering a severe blow to this code of international law and making it thoroughly detestable in the eyes of the people throughout the world that more favorable conditions can be procured for educating the vast masses of people of the whole world.' "

And the same article—

"We have given active support to the national independence movement of peoples in Asia, Africa and Latin America, thus dealing a severe blow to the reactionary theory and practice of bourgeois international law in defense of modern international law as generally recognized."

In the light of these statements has Red China any place in an international organization such as the United Nations?

On November 10, 1965 a French representative in the United Nations expressed the view that the South Vietnamese problem could be more easily solved were Communist China a member of the United Nations.

To this expression of views, the United States Deputy Representative, Charles Yost, responded: "It is the absence of will, not its absence from the United Nations which has prevented Peiping from helping to solve the serious crisis in Southeast Asia. It had the opportunity at Geneva in 1954, and again in 1962; it has the opportunity now in 1965—by simply agreeing itself or permitting its friends in Hanoi to enter into unconditional negotiations, in Geneva or any other place. There has been no hint or suggestion from Peiping or its supporters here that Peiping would be any less opposed to negotiations concerning Vietnam if it were granted a seat here on its extravagant and unacceptable terms."

Ambassador Yost went on to say:

"The sponsors of this item (the resolution to admit Communist China) have not presented us with any evidence that Peiping wishes to be represented here, nor have they said anything to dispel the serious doubts on this score which have become widespread in the light of Peiping's open enmity toward the United Nations—its membership, its principles, its leadership and its activities. . . . The sponsors have failed to state, moreover, whether Peiping—if offered a seat on its conditions—would cease to insist that there are certain areas of the world—the Indo-Chinese and Korean peninsulas—where the United Nations has and can have no competence; or whether Peiping would forego its plans to establish a rival revolutionary international organization."

Rumors to the contrary, I cannot believe that our foreign policy so far as Red China is concerned could ever be so shortsighted nor our leaders so supine as to change our often expressed opposition to the admission of Communist China to the United Nations. I find support for my belief in a statement made by Ambassador Goldberg in the Plenary Session in General Debate as recently as September 22, 1966. Ambassador Goldberg referred to the hope of our country to see representatives of Peking join us and others in meaningful negotiations on disarmament, a nuclear test ban, and a ban on the further spread of nuclear weapons. Immediately following this reference he made a statement which I find very encouraging. He said:

"But the international community cannot countenance Peking's doctrine and policy of intervening by violence and subversion in other nations, whether under the guise of so-called wars of national liberation against independent countries or under any other guise. Such intervention finds no place in the United Nations Charter, nor in the resolutions of the General Assembly. Yet dozens of nations represented in this hall have had direct experience of these illegal activities.

"It is in the light of these facts, and of our desire for a better atmosphere, that the United States has carefully considered the issues arising from the absence of representation of Peking from the United Nations.

"Two facts bear on this issue and on the attitude of my country toward any attempted solution.

"First, the Republic of China on Taiwan is a founding member of the United Nations and its rights are clear. The United States will vigorously oppose any effort to exclude the representative of the Republic of China from the United Nations in order to put representatives of Communist China in their place.

"The second fact is that Communist China, unlike anyone else in the history of this Organization, has put forward special and extraordinary terms for consenting to enter the United Nations. In addition to the expulsion of the Republic of China, there are also demands to transform and pervert this Organization from its Charter purposes—some of them put forward as recently as yesterday."

Later he said: "Will they refrain from putting forward clearly unacceptable terms; and are they prepared to assume the obligations of the United Nations Charter, in particular the basic Charter obligation to refrain from the threat or use of force against the territorial integrity or political independence of any state?"

I submit, Mr. Speaker, that the answer is a clear and emphatic "No".

Mr. Speaker, we are approaching a crossroad at which we either educate ourselves, our allies, and our enemies in the nature of human behavior, using this knowledge to promote future behavior, or we continue along a road leading to serious impairment or dissolution of the United Nations as we know it today.

There is a Chinese ideograph for "crisis". It is made up of two characters. The first is "challenge" and the second is "opportunity". We are faced with both challenge and opportunity today. So far as the entrance into the United Nations of Communist China is concerned let us face the one and seize the other.

TENTH ANNIVERSARY OF THE HUNGARIAN REVOLT

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, October 23 will mark the 10th anniversary of the Hungarian revolt during which the Hungarian patriots demonstrated again in world history that men who love freedom will not submit to enslavement and will fight and die rather than live under tyranny and oppression.

The swift explosive action of the Hungarian patriots in rebelling against Soviet domination on October 23, 1956, appeared at first victorious. A new government was formed under Imre Nagy, and on October 31 it was announced that the Kremlin had agreed to withdraw Soviet troops from Hungary. Their evacuation began that day.

On November 2, in a sudden and shocking repudiation of their pledge, Russian tanks, troops, and other equipment streamed back across the Hungarian border defeating the Hungarian forces with sheer might, and by November 4, any effective resistance of the Hungarian rebels had been crushed.

Once again, the Government of the Soviet Union had given to the nations of the world proof of its treachery and duplicity. Again, it was made clear that Communist promises and agreements are worthless, whenever it serves Communist purposes to break them.

During the 13 days of the Hungarian revolt, 40,000 Hungarians were arrested, 2,400 were executed, and an estimated 200,000 fled into exile. Over 25,000 Hungarians were reported killed in Budapest alone, many of them civilians taking part in the fighting, and at least 50,000 were wounded.

Of the refugees who fled into Austria, many were free Hungarian fighters and Hungarian soldiers who crossed the border after firing their last cartridges at the Russians.

The courage and determination with which the Hungarian rebels—with no help from any outside source—armed only with a few guns and farm implements—faced the military might of the Soviet Union is a source of inspiration to all of us.

The sympathy of the people of America was with the freedom fighters during the fateful 13 days of the Hungarian revolt. Today, the American people join with Americans of Hungarian descent in our Nation and with the Hungarian people abroad in the prayer for the ultimate full restoration of Hungary's independence.

IMPROVED AIRLINE SERVICE FOR PIEDMONT CAROLINAS

Mr. WHITENER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, I was delighted to read in the public press that the Charlotte, N.C., Chamber of Commerce has launched an effort to improve commercial airline service into the Charlotte area.

While the Charlotte Airport is owned and operated by the city of Charlotte, the service of the airlines is of great concern to people in a much wider area. A great portion of the Piedmont Carolinas is served by this air facility, and unless adequate service is provided by the airlines people throughout our area suffer.

Charlotte is currently served by Delta, Eastern, Piedmont, Southern, and United Airlines. The long-haul traffic is the primary responsibility of Delta, Eastern, and United. It is in this long-haul service that our people find their principal complaint as to the inadequacy of service.

I am advised that during the past 5 years Delta Airlines has reduced the number of flights serving Charlotte from 4 to 2 and that United Airlines has made a similar reduction in service. The Eastern Airlines schedule on the North-South line are grossly inadequate and are not as satisfactory as was the schedule several years ago.

It is my opinion that the Civil Aeronautics Board should join hands with the Charlotte Chamber of Commerce in an effort to see that the present carriers serving the Charlotte area furnish adequate airline service. If they are not willing to provide such service it would be my hope that other carriers who will give adequate service might be authorized to serve the Charlotte area public.

This is a matter of great concern to the people of my congressional district, and I stand ready to be of any assistance that I can to them in bringing about a more adequate airline service at the Charlotte Airport.

CONGRESSMAN STRATTON REPORTS ON RESULTS OF 1966 CONGRESSIONAL QUESTIONNAIRE, 35TH DISTRICT OF NEW YORK

Mr. STRATTON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. STRATTON. Mr. Speaker, as I have done each year, I am herewith incorporating into the RECORD the tabulated results of the annual questionnaire sent out to the people of my district in upstate New York.

I make no claim to presenting a scientific poll, but over the years have found its results interesting, instructive, and pretty much in line with what seem from other indication to be the real sentiments of the people of my district.

Before presenting the formal tabluation may I just point out that the party enrollment in this upstate New York district is 2½ to 1 Republican. President Johnson carried the district in 1964. But it traditionally votes Republican in State and national contests, and most of the district was represented in this House for 40 years by our late esteemed colleague and friend from New York, Hon. John Taber.

Mr. Speaker, some 120,000 questionnaire cards were mailed out in early Setpember. More than 11,000 have been returned, a response of almost 10 percent, which is usually regarded as a very good measure of response.

The questions, the tabulation of the answers, and a few brief comments on them follow:

Questions

	Percent
1. Which course would you prefer in Vietnam:	
(a) Increased military actions to halt aggression	55.0
(b) Continuation of present military and political policies	19.0
(c) Unilateral U.S. reduction of military effort, including withdrawal of U.S. troops	21.0
Other	5.0
2. Which one of the following general courses of action would you perfer to deal with inflation:	
(a) Reductions in domestic spending programs	60.0
(b) A Federal tax increase	5.0
(c) Wage and price controls	35.0
3. If cuts are made, which programs could be cut most: [1]	
(a) Water and sewer construction	4.1
(b) Antipoverty	42.6
(c) Urban renewal	44.4
(d) Agricultural supports	36.8
(e) Foreign aid	73.5
(f) Space	36.9
(g) Education	5.1
(h) Economic development	10.7
(i) Manpower training	11.8
Other	.9

[1] Based on average of 3 choices per response.

Do you favor—	Yes	No	Undecided
	Percent	Percent	Percent
4. Expanded trade with the Soviet Union and other Eastern Europe Iron Curtain countries?	38.7	51.8	9.5
5. Federal standards for auto safety?	65.1	28.8	6.1
6. The administration's rent supplement program?	8.1	69.0	22.9
7. A constitutional amendment to permit voluntary, nonsectarian prayers in public schools?	79.7	14.0	6.3
8. Limitations on foreign imports of dairy products?	66.4	19.4	14.2
9. Income tax deduction for college tuition payments?	72.9	19.0	8.1
10. Federal legislation to end racial discrimination in the sale or rental of housing?	33.9	51.8	14.3
11. A $34,000,000 extension of the west front of the Capitol, covering last visible portion of original building?	7.4	79.8	12.8
12. Extending Federal minimum wage and hour legislation to cover farm employees?	49.4	37.2	13.4
13. Creation of new U.S. Department of Transportation?	29.2	46.1	24.7
14. In general do you approve of the way in which President Johnson has been handling his job?	38.7	43.9	17.5

Some specific comments: Several points come out clearly on these returns. For example, there is very strong sentiment for doing more to wind up the Viet Nam war, and almost equal support for withdrawing, and for continuing as we have been doing.

As for inflation, the overwhelming preference is for cutting non-defense spending, almost no support for a tax increase.

With regard to what programs should be cut, foreign aid, anti-poverty, urban renewal, space, and farm supports are the favorites. Cuts for education and water and sewer construction would be least popular.

My fight to save the west front of the Capitol is supported overwhelmingly. So is my legislation to allow tax credits for college tuition, and for stopping foreign dairy imports. My consistent opposition to appropriating funds for the rent supplement program this year, and my vote in favor of auto safety standards are both approved.

On the other hand the key provision of the 1966 civil rights bill and the new Department of Transportation, both of which passed the House by wide margins, with my support, are not favored. But the extension of minimum wage legislation to farm employees, which I opposed, is favored by a modest margin. The remaining issues have not yet come up for a vote.

As for the President's handling of his job, it is interesting to note that his current popularity, at 38.7%, has slipped substantially since last year's poll when it stood at 64%.

TRIBUTE TO CONGRESSMAN HARLEY O. STAGGERS

The SPEAKER. Under previous order of the House the gentleman from West Virginia [Mr. KEE] is recognized for 10 minutes.

Mr. KEE. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. KEE. Mr. Speaker, as we approach the closing hours of the historic 89th Congress, a Congress that will stand out in history as the responsible Congress, the Congress that has been responsive to the needs of the American people, I rise in my humble way to pay tribute to West Virginia's native son and distinguished statesman, Congressman HARLEY O. STAGGERS.

Congressman STAGGERS is the dean of our delegation. He has brought honor to our home State by his effective service as chairman of the House Committee on Interstate and Foreign Commerce.

The chairmanship of this extremely important committee is one of the most difficult and demanding assignments in the U.S. Congress.

He has reflected utmost credit upon his district, our home State, and our Nation.

By his dedicated service in the House of Representatives, Representative STAGGERS has substantially contributed to the record of this Congress that will soon be permanently recorded in the history of our Nation.

Congressman STAGGERS was first elected to Congress on November 12, 1948, as a Member of the 81st Congress. On April 6, 1951, he became a member of the Interstate and Foreign Commerce Committee. On January 13, 1966, Representative STAGGERS assumed the responsibilities of the chairmanship of this committee. Under his leadership during this 9-month period approximately 28 major bills have been reported by his committee.

For example, the National Traffic and Motor Safety Act of 1966 was reported from his committee and passed the House of Representatives on a record vote of 371–0.

Another major bill passed the House of Representatives the other day by a vote of 300–8. This legislation, the Fair Packaging and Labeling Act, should be properly called the housewives' bill.

The Congress passed H.R. 706 which established the Railroad Adjustment Board in an effort to eliminate the backlog of undecided claims of railroad employees pending before the Railroad Adjustment Board. It should be noted that this measure passed the House of Representatives by a vote of 380–0.

The Allied Health Professions Personnel Training Act of 1966, which was reported by this committee, passed the House of Representatives by a vote of 364–0.

The railroad freight car supply bill passed the House by a vote of 306–27.

In addition, there have been many important health bills which have been reported under his leadership and time does not permit a listing at this time of the other important legislative measures successfully considered by the Interstate and Foreign Commerce Committee.

A composite picture of my distinguished colleague—of his character, his approach to current issues, his methods, his aims—is clearly described from the published appraisals of competent and experienced newsmen who have no personal interest in his career. Some of them may be of interest.

Broadcasting, January 3, 1966:

Representative HARLEY ORRIN STAGGERS, Democrat of West Virginia, is a quiet man. . . . He succeeds to the Chair of the House Commerce Committee. . . . At that time, Member STAGGERS will be transformed to Chairman STAGGERS, and there could be a change in his demeanor.

Mr. STAGGERS will be called upon to hear all sides and to weigh the evidence presented both for and against new legislation. He intends to hear all sides. As he said last week: "Any segment of society we have to deal with has no fear of me. I intend to give every one his fair say on each issue."

Roll Call, January 20, 1966:

For 18 years HARLEY O. STAGGERS, of Keyser, W. Va., was a quiet hard-working Congressman, well-liked by his colleagues, but relatively unknown away from Capitol Hill.

Now STAGGERS, 57, is one of the most important men in America, a lawmaker who will move increasingly into national prominence in years to come. A white-haired, gregarious Congressman with an intellectual bent, he has been given immense power of leadership . . . in keeping with STAGGERS' past tendency to minimize publicity, the event seemed to attract little public notice—but the board chairman and corporate moguls of American industry were watching with keen interest, and they were well aware that much attention would have to be paid from now on to the thoughts and objectives of the new chairman.

. . . STAGGERS has been called a liberal. But STAGGERS sees himself as merely moving along with the current swing of modern events—a swing which will stop of its own accord when it has moved far enough. "The history of the United States has been filed with successive swings toward liberalism and conservatism—toward the right or the left, as we say," he believes. "While we are in one of the swings, whether it is toward the left or the right, we find it impossible to see how change in that direction should ever cease, and reverse itself. Up to the present time, it always has." Because of this, the Congressman lacks . . . fears of change. "Actually," he says, "no world-shaking change has been forced on the Nation, either economically, socially, or politically. What has happened is that little changes have occurred with striking speed. . . . The changes that have been brought about are changes in the availability of things. They are not changes in our basic structure.

"The genius of America lies in our readiness to make small changes without altering the basic nature of society," says STAGGERS. This is heady philosophy for a former "callboy" and brakeman for the Baltimore and Ohio Railroad, but STAGGERS has come a long way from his humble beginnings. . . .

STAGGERS is a lawmaker with strong awareness of the importance of the Commerce Committee's work. Communication and transportation are, he believes, the two basic factors that make our Nation great. Because it deals with these basics, he said, the committee has more responsibility than any other over the things that affect the welfare of individual American citizens. He views its mission to be that of carrying out a chief purpose enunciated in the preamble of our Constitution—to "promote the general welfare."

Emory and Henry alumnus, spring, 1966:

Representative HARLEY O. STAGGERS, '31, has been named Chairman of the House Committee on Interstate and Foreign Commerce.

After graduating from E&H where he played fullback for the late "Pedie" Jackson's Wasps, he coached football and taught science and math at Norton (Va.) High School, coached football at Potomac State College, was a sheriff in Mineral County (W. Va.), and was a navigator for four years during World War II.

He did graduate work at Duke and Northwestern Universities. In 1953 E&H awarded him the honorary degree of Doctor of Laws.

He was elected to the House from West Virginia's Second District in 1948, and has been a Member since then.

A few lines from a letter to the editor column of the Charleston Gazette, February 11, 1966:

Representative STAGGERS is noted for being intensely loyal; he possesses a quiet dignity and personal charm that is contagious, and an unassuming manner combined with unfailing courtesy which bears the genuine ring of sincerity at all times. These traits, combined with hard work and dedicated service, have endeared him to his constituency with a lasting respect.

Rail Pension Forum News, March 1966:

The wealth of experience and the specialized committee service in the House will certainly prove invaluable in Mr. STAGGERS' direction of the important Interstate and Foreign Commerce Committee, which plays such a part in the social and economic advancement of the Nation.

Roll Call, August 18, 1966:

Chairman HARLEY STAGGERS, Democrat of West Virginia, the man on the spot in Capitol Hill's dealing with the airline strike, won sincere praise from industry spokesmen for his unbiased role. Though long identified as a liberal Democrat whose sympathy lies with the working man, STAGGERS in his first big test as chairman gave an equal break to both sides.

Washington Post, August 30, 1966:

Chairman STAGGERS . . . (on auto safety bill) led the floor debate skillfully. In conference he proved an effective negotiator.

Mr. Speaker, his leadership has been established, the verdict, "Well done thy good and faithful servant." In conclusion, may our Nation continue to have the benefit of his experience—the benefit of his invaluable service—for many years to come.

HON. HARLEY O. STAGGERS

Mr. FRIEDEL. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. FRIEDEL. Mr. Speaker, it is a great pleasure for me to join my colleagues today in paying just tribute to a great statesman from West Virginia, the Honorable Harley Staggers.

I have had the privilege of serving on the important Interstate and Foreign Commerce Committee with Mr. Staggers for many years and have come to know and respect him for his outstanding ability as a legislator. Since he became chairman of our committee this year he has displayed talents for leadership, patience, and fairness which we all admire. The enviable record he has compiled during the past 18 years as a Member of this body has earned great praise for him, not only in his native State but from every section of the country.

As the 89th Congress moves toward adjournment I commend Congressman Staggers for his great contributions to our country's record of progress. I am confident that the people of the Second District of West Virginia will reelect him as their Representative for many years so that our country will continue to have the benefit of his experience and wisdom.

COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. SPRINGER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman from Illinois will state his parliamentary inquiry.

Mr. SPRINGER. Mr. Speaker, I was on my feet and I was requesting recognition in an effort to understand the report filed by the gentleman from California [Mr. McFall] with reference to the Committee on Interstate and Foreign Commerce.

Mr. Speaker, I would like to know what the report thereon contains.

The SPEAKER. The Chair will state that the gentleman from California [Mr. McFall] on behalf of the chairman of the Committee on Interstate and Foreign Commerce, filed a conference report on the bill S. 985, the Fair Packaging and Labeling Act.

THE PRESIDENT'S POSITION ON SOCIAL SECURITY BENEFITS

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from South Dakota [Mr. Berry] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BERRY. Mr. Speaker, President Johnson has told the American people that senior citizens should be receiving larger checks to cover the increased cost of living. I wish to point out that the Republicans have been concerned by lack of action to correct this tragic situation and there have been a hundred of us Republicans in the House who have sponsored legislation providing a cost-of-living escalation to those on social security but the administration has blocked our effort until now on the eve of election.

If the President was really interested in helping our older citizens meet rising living costs, he would have supported these Republican efforts 10 months ago, and our senior citizens could have been receiving compensation commensurate with the higher cost of living, which the President in another speech referred to as "so-called inflation."

The President's decison to wait until 3 weeks before the election to spread around his campaign manna raises serious question about his sincerity. The symptoms point to an election eve ailment which will probably heal up after November 8.

TENTH ANNIVERSARY OF THE HUNGARIAN REVOLT AGAINST RED RUSSIAN TYRANNY

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bob Wilson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. BOB WILSON. Mr. Speaker, this week marks the 10th anniversary of the Hungarian revolt against Red Russian tyranny. Instead of holding out hope for this and neighboring lands, until recently free and God fearing, the President links Eastern Europe with the Soviet Union.

In his New York speech, President Johnson said:

> We want the Soviet Union and the nations of Eastern Europe to know that we and our allies shall go step-by-step with them just as far as they are willing to advance.

I would like to suggest that the quickest way to get peace with honor in Vietnam might well be to give moral support to the Eastern European nations in their aspirations for freedom.

Nikita Khrushchev's fall from power eventually was aided because he allowed conditions to develop which led Hungarians to fight Soviet troops with their bare hands and, second, because of the brutal and treacherous way he reestablished Soviet power in Hungary with the whole world looking on aghast.

Even before that, Eastern Europe was a sensitive nerve in Russian home politics; Vietnam, far away, is not. Pressure in Eastern Europe has in the past, and might well again, get results from the masters of the Kremlin which neither more and more troops nor abject pleading have achieved in Vietnam.

Peace with the Soviet Union at the expense of human freedom is not peace with honor. Peace at any price may be a useful ploy domestically but it will complete the downfall of dwindling American influence abroad under this administration.

The Hungarian freedom fighters demonstrated anew to the world, man's inborn opposition to, and hatred of, tyranny, however, mechanized and modernized. Why not make use of the spirit still active in Eastern Europe to force a peace with honor instead of selling out?

TOP FHA APPRAISERS RETIRE RATHER THAN TWIST PRINCIPLES

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Del Clawson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DEL CLAWSON. Mr. Speaker, my attention was recently invited to the September issue of the Appraiser, a publication of the American Institute of Real Estate Appraisers, an affiliate of the National Association of Real Estate Boards. The article to which I invite the attention of the House is entitled "Top FHA Appraisers Retire Rather Than Twist Principles."

The article discusses the recent retirement of two professional appraisers from the Federal Housing Administration. One was the Chief of the Valuation Section of FHA who has served 14 years with the Agency. The other was Director of the Appraisal and Mortgage Risk Division who had served the FHA for 29 years.

The reason given for these two retirements, according to the Appraisal Institute article, is that the FHA in administering the rent supplement program is violating fundamental concepts of fair market value. Realizing the controversy generated in the Congress over this program and the narrow vote with which it survived, I am sure that the House is interested in this alleged perversion of basic appraisal principles by the FHA in administering this program.

Section 101(d) of the 1965 Housing Act provides that the rent supplement for any unit may not exceed the amount by which the fair market rental for such unit exceeds one-fourth of the tenant's income as determined by the administrator. "Fair market rental" is a phrase of art in the appraisal profession and with respect to all other FHA programs the Agency follows the definition of the appraisal profession. However, with respect to rent supplement projects, apparently the FHA has adopted a different and unique definition. With respect to rent supplement projects, the FHA has decided that "fair market rental" will be deemed to be the lower of only two figures: First, the national maximum rents for such housing as approved by FHA which may be increased as much as 25 percent in high-cost areas, or second, the rents that would be needed to cover the costs of a project, including all mortgage charges and a limited dividend or a 5-percent contingency reserve income for the sponsor owner.

This means that a rent supplement project could exist alongside another FHA unsubsidized project with the latter charging $80 per month rent because that is the fair market rental, while the rent supplement project for a comparable unit is charging $100 per month rent. This is a program for poor people? Thus with the new definition the rent supplement is increased because the FHA has not followed the customary definition of fair market value.

It is not practical to offer a statutory definition of "fair market rental." However, the FHA should not have one definition for fair market value for one program and another definition for all the other programs.

I hope that when the FHA Commissioner appears before the House Independent Offices Subcommittee next year in connection with rent supplement funds for fiscal year 1968 that the members of that subcommittee will succeed in bringing the FHA back to basic concepts of real estate appraisals. I ask unanimous consent that the article from the appraiser be printed in the Record at this point.

[From The Appraiser, September 1966]

Top FHA Appraisers Retire Rather Than Twist Principles

John R. Lynch, a Member of the Appraisal Institute for 25 years (#972), retired early this summer as Chief of the Valuation Section at the headquarters of the Federal Housing Administration in Washington, D.C., with which he had been associated 14 years.

He elected to retire rather than sacrifice his principles as an M.A.I. and otherwise violate the maxims and tenets of the real estate appraisal profession. At approximately the same time Waldemar Weichbrodt, SRA and Director of the FHA's Appraisal and Mortgage Risk Division also left the agency after 29 years service, reportedly for the same reasons.

The situation that precipitated Mr. Lynch's retirement was administrative action by other officials in FHA that grossly distorted the meaning of recognized appraisal terminology in a manner that also might be susceptible to interpretation as a deliberate violation of the intent of the new rent supplement program enacted as part of the Housing and Urban Development Act of 1965.

In the simplest terms, the rent supplement program legislation, which was enacted with the support of NAREB, authorizes federal subsidy payments to the owners of FHA-financed housing erected for certain categories of low-income families to cover the amount of each tenet's rent in excess of one-quarter of his income and up to "the *fair market rental*" of his unit (Section 101, subparagraph d).

When non-appraisal personnel at FHA headquarters drafted the regulations to implement this program last spring, however, they wrote a provision that: when the terms "economic rent," "fair market rental," or "FHA-approved rent" are used in connection with this program they will be deemed to the lower of only two figures: (A), the national maximum rents for such housing approved by FHA, which may be increased as much as 25 per cent in "high cost" areas, or, (B), the rents that would be needed to cover the costs of a project, including all mortgage charges and a limited-dividend or a 5% "contingency reserve" income for the sponsor-owner organization.

By this approach, it can be seen, the following situation could arise. In an area where the true "economic rent" or "fair market rental" for a low-income housing unit was $80 a month (1) because of the prevailing vacancy factor, it might require a rent of $110 a month (2) to cover the costs in option B in the FHA formula outlined above, and the maximum rent for such units allowed by FHA might be $120 per month (3).

In such a situation, under the FHA regulations, an appraiser would be required to disregard the true $80 "economic rent" and instead identify and process the $110 figure as "economic rent" or "fair market rental," notwithstanding the availability of comparable units in the market for $80 a month. In complete disregard of the "fair market rental" provision in the law, it also would appear, the subsidy payments in such a case would cost taxpayers the difference between one-quarter of a subsidized tenant's income and $110 per month, instead of $80 per month, the true "fair market rental" value for such a unit.

The ultimate in economic folly under this distorted definition of "economic rent" and "fair market rental" by FHA could be two buildings side by side containing generally comparable units: one erected in 1962 and occupied by non-subsidized tenants paying $80 a month, and with a 20 per cent vacancy, for example; the other fully occupied at $110 a month by subsidized tenants, because their rents above one-quarter of their income and in excess of genuine *fair market rental* as defined by the appraisal profession was being paid by Washington out of taxpayers' funds. (Or, if not occupied by a sufficient number of subsidized tenants, and unable to compete against *economic rents*, the rent supplement program building would soon default on its mortagage and become another FHA distress property.)

Mr. Lynch's discussions with higher FHA officials about the way the regulations misconstrued appraisal terms and in effect *direct appraisers to adopt spurious concepts* were unheeded. Unwilling to condone them, he retired. So did Mr. Weichbrodt.

If appraisers in other federal agencies in Washington have not publicly expressed any support for the actions of their confreres, they have been equally discreet in not handing any bouquets to the FHA or the Department of Housing and Urban Development either.

TRADE EMBARGO WITH RHODESIA FOOLISH AND IRRESPONSIBLE

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Utt] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. UTT. Mr. Speaker, in view of the fact that the Johnson administration is opening the door to trade with most of the Communist nations, it becomes completely foolish and irresponsible for the administration to maintain its trade embargo with Rhodesia. This awkward position was taken at the behest of Great Britain, who continues by subterfuge to trade with Rhodesia on all items important to the economy of Great Britain, which includes copper, chrome, and tobacco. This nonsensical position is pointed up by a letter which I received yesterday from one of my constitutents, a nurseryman who grows, among other things, Macadamia nut trees for sale throughout the world. He received an order for a shipment of 30 bare-root trees from Rhodesia, accompanied by a bank draft to pay for them, plus the air freight delivery. The purchaser had been told by our American Consul General in Salisbury, Rhodesia, that there was no restriction on American export of horticultural planting material on humanitarian grounds.

My constituent, Mr. Wells W. Miller, of Vista, Calif., proceeded to prepare the trees for air shipment, and delivered them to the International Airport in Los Angeles, where the U.S. customs official refused to grant a clearance to Rhodesia. This is the height of irresponsibility. Our position vis-a-vis Rhodesia, as announced by Ambassador Goldberg, and President Johnson, is based on the fact that the United States does not recognize nor do business with a "minority government." If that were true, we would be forced to sever diplomatic relations with about 80 percent of the countries which are "minority governments," some headed by native Africans, and others headed by native Arabics. Nasser was never elected by popular vote. He became President by way of the revolution, and is simply the head of a ruling elite. Who elected Haile Selassie, the Lion of Juda, and the Dictator of Ethopia? Would anybody dare say that that about the President of the Congo, or of Ghana, or Nigeria, or Zanzibar, or Burundi, or Molli, or Zambodia? The answer is a simple and emphatic "nobody." They simply arrogated unto themselves the peculiar privilege of power. Many of the governments which we recognize are de-fact of governments, but because Rhodesia happens to have a white head of state, he is not acceptable to the United States, even though it has been proved beyond any question that Rhodesia is one of the most democratic and representative governments in all of Africa, and has brought to that country the highest standards of education and living that exists in the other emerging countries of Africa, with the exception of South Africa. This is the height of discrimination on our part. Discrimination which we so abhor in our own country, but practice worldwide.

I sent the above referred to letter to the State Department with the simple notation, "What is all this nonsense about?"

Commonsense and common dignity demands that this country revise its foreign policy. It should point out that Rhodesia is one country that is not giving aid and comfort to the enemies in North Vietnam, but we want to trade with the Communist bloc, which is furnishing the air fighters, ammunition, and material to destroy our own fighting American boys in South Vietnam. Stupid. Stupid. Stupid.

WHAT POLL IS FREEMAN READING?

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. NELSEN. Mr. Speaker, Secretary of Agriculture Orville Freeman held a press conference earlier this week at which he predicted that his party would receive a big farm vote in this year's elections. An article in the Washington Post on October 12 reported that Freeman "predicted yesterday that Democrats would draw the biggest farm vote in almost 20 years." The article continued:

> Freeman produced the "white paper" to show what the Administration has been doing for rural America lately. He recommended it as a handy campaign document for Democratic candidates with a farm vote to cultivate this fall.

There is another publication that the Freeman candidates should take along with their "white paper" when they go out to talk to the farmers. I am referring to a book entitled "1961 Through 1965: The Farmers' Worst Five Years," written by a high official in the Department of Agriculture. The author, Mr. Frank LeRoux, who recently resigned as the General Sales Manager of the Foreign Argicultural Service, has presented a devastatingly accurate account of the Freeman farm policies during the past 5 years. Using the USDA's own statistics, LeRoux proves that the Freeman years have produced the lowest levels for farmers in the history of farm programs in the following categories: First, share of gross national product; second, return on gross sales; third, return on total capital investment; fourth, return on capital investment per farm; fifth, share of the consumer dollar; sixth, share of the food dollar; seventh, level of parity of income; eighth, return for farmers versus Government salaries; ninth, return for farming versus all other major businesses; and tenth, performance on campaign promises.

Mr. LeRoux concludes:

> By almost every conceivable standard, this has been the worst 5 years for the American farmer of any administrative period regardless of party in modern American agricultural history.

The Washington Post article quoted Freeman as saying:

> Farm policy under the Democrats is a plus factor, more so than in any election since I have been Secretary. In spite of the political flak about this, the farmers in this country are a pretty shrewd group. They know this (prosperity) didn't happen by accident.

Is the "prosperity" to which Freeman is referring the fact that farmers' parity has averaged 78 percent during the Freeman years, the lowest in history? Is it merely "political flak" when LeRoux, a devout Democrat who was appointed to a high departmental post by a Democratic administration, charges in his book:

> During the greatest prosperity in the history of man, a record such as this 78 percent of parity could only have been accomplished through intent.

The Post article continues:

> Freeman acknowledged that the dollar's value "has eroded somewhat."

Freeman is getting almost as good at understatement and "oneliners" as Bob Hope.

Mr. Speaker, the first Republican President said: "You can't fool all the people all of the time." In the case of farmers, you connot fool them at all. Mr. Freeman must have been greatly shocked at the results of the Farm Journal poll for 1966, which were released today.

The press release which accompanied the poll results summarized:

> A majority of farm owners and operators responding to a survey conducted by Farm Journal, national farm magaine, summed up their feelings by voting that both President Johnson and Secretary of Agriculture Freeman are doing a "poor" job. Nine out of 10 were against continuing our present policy in Vietnam. The same number felt the best way to curb inflation would be to cut Federal spending. Nearly two out of three want the government to get "completely out" of the business of farm supports and controls.

Mr. Speaker, with permission I will now insert the results of the Farm Journal poll for the interest of my colleagues and for the benefit of our Secretary of Agriculture:

Farm Journal Poll,[1] November 1966

[In percent]

	United States	East	Central	Southeast	Southwest	West
GOVERNMENT						
What kind of a job would you say that President Johnson has been doing?						
Excellent	2	2	2	2	3	3
Good	7	9	7	5	7	6
Fair	28	35	30	19	26	26
Poor	63	54	61	74	64	65
What kind of a job would you say that Secretary Freeman has been doing?						
Excellent	3	2	3	2	2	2
Good	6	7	7	6	7	5
Fair	23	27	21	27	21	21
Poor	68	64	69	65	70	72
VIETNAM						
Which of the following would you most like to see us do in Vietnam? (Check one):						
☐ Continue about what we have been doing	7	8	7	6	7	7
☐ Throw more men and materials into the war; hit North Vietnam harder; try to get the war settled more quickly	57	50	56	56	64	61
☐ Ease off in Vietnam; save what face we can; and pull out soon	36	42	37	38	29	32
INFLATION						
Which of these would you like to see the country do to fight inflation? (Put the figure 1 in front of your 1st choice; check any others that you think we ought to do):						
☐ Increase taxes on individuals and on corporations	4	3	5	2	3	3
☐ Crack down harder on bank reserves to dry up some credit—and raise interest rates higher	1	2	1	2	2	1
☐ Spend less money on Government domestic programs; cut back on the Federal budget	87	86	86	89	87	87
☐ Put on nationwide wage and price controls	7	7	7	7	6	7
☐ Remove the 7-percent investment credit on machinery and equipment for farmers and businessmen; disallow accelerated depreciation on new buildings	1	2	1	1	2	2
FARM PROGRAMS						
What direction would you like to see Government farm programs take now?						
☐ Get completely out of the business of farm price supports and controls	63	70	60	58	63	71
☐ Adopt a middle course: Maintain "stop loss" supports at about 90 percent of the 3-year average market price. Sop up any extra land with a long-range reserve; have few controls on what is planted on the rest	27	25	29	29	28	22
☐ Go on as present with support and acreage control programs about the way they are	10	5	11	13	9	7

[1] Ballot published in October 1966 issue of Farm Journal. Tabulation made of 5,000 ballots selected at random from reader replies representing all sections of the country. Some 19,000 ballots received by press time for November issue, in which results will be published.

INTERNAL SECURITY ACT

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentlewoman from Illinois [Mrs. REID] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mrs. REID of Illinois. Mr. Speaker, I regret that I was not present in the House yesterday when the vote was taken on H.R. 12047, a bill to amend the Internal Security Act of 1950. Let me say, however, that had I been present, I would have voted "aye."

I support H.R. 12047 because I feel it serves a special need in a special situation. I am aware, as are all Members of the House, that we do have statutes at this time relating to trading with the enemy, export control, foreign agents registration, sabotage, treason, and others designed to protect our internal security in time of national emergency or declared war. I feel, nevertheless, that present laws are limited in their effectiveness in protecting the United States and its Armed Forces against intentional injury by those who would furnish money and supplies to forces now fighting against us in Vietnam. Yet, our committee has cited in its report incidents where citizens who disagree with our Government's Vietnam policy, for whatever reason, have organized to furnish aid to the aggressors or have deliberately attempted to obstruct troop movements. The fact that there has been no official declaration of war or national emergency apparently permits them to avoid prosecution under existing statutes.

I fully recognize the right of any American to disagree with policies of our Government, and our Constitution provides for orderly dissent. There is both a legal and moral question in the situation with which we are dealing in this legislation, which the Congress, in my judgment, has an obligation to clarify. A number of our Members have visited with our troops in Vietnam, as I did less than a year ago; and those of us who have been there know that to our GI's who are fighting and dying there, the war is just as real, even if undeclared. I am glad, therefore, that the House has acted favorably on H.R. 12047.

DEMONSTRATION CITIES ACT

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. WALKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. WALKER of Mississippi. Mr. Speaker, I am strongly opposed to the proposed Demonstration Cities Act for many reasons:

First and foremost, this bill is nothing more than a further step by the so-called Great Society in its drive to take over all areas of government from the smallest local government—through the proposed Rural Community Development Act—on up to the largest metropolitan complex—through this so-called Demonstration Cities Act.

Already the various agencies within the Great Society's bureaucracy are assuming legislative authority in establishing illegal guidelines. The recent school desegregation guidelines and the guidelines forced on hospitals in compliance with the Medicare program are typical examples of the misuse of the law to achieve purposes outside the original intent of the laws. Now, this bill will merely add more open-end power to the bureaucratic heads of the so-called Great Society.

Mr. Speaker, this bill is not in the best interest of most Americans. In one section it proposes zoning and school busing strictly for the purpose of integration, no matter what the cost will be to the taxpayer in his rights or in his pocketbook. This bill is discrimination in reverse. Just as so many other pieces of legislation that has passed this body, it assumes the rights and liberties of one group in order to pacify another group.

In our own Nation's Capital, the most dependent city in America on the Federal Government, we have the fastest growing ghetto in the world, with a greater increase in crime, immorality, theft, and disrespect for law and order than in any other area in America. Yet, all of the tax money being spent in Washington on welfare programs has offered no improvement.

The observation has been made that a man, his wife, and two children that work for a living in the Nation's Capital for $5,200 a year are no better off than a man, his wife, and two children on all of Washington's giveaway programs.

There is a shortage of workers throughout our country. When a group of people are paid not to work, they have no incentive. I believe in busing people to jobs in order that they might earn themselves an honest living, instead of busing children across our cities to try to comply with the demands of our "one worlders" who are so immoral they would make the many races created by God into one race.

HOW MUCH DOES THE PUBLIC NEED TO KNOW?

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MORTON. Mr. Speaker, recently, my colleague from Ohio [Mr. CLARENCE J. BROWN, JR.], addressed the Maryland-Delaware Press Association. As a former newspaperman, he has firsthand knowledge of the responsibility of the press. His comments are worthy of note by the Members of this House, and I offer the text of his speech to be printed at this point in the CONGRESSIONAL RECORD:

HOW MUCH DOES THE PUBLIC NEED TO KNOW?

I come to you today as a newspaperman more than as a politician. I have been a newspaperman longer and if I had to make a choice between the two careers—rather than being in them concurrently—I feel confident that I would choose to continue to be a newspaperman.

Perhaps I am influenced by one of my newspaper colleagues who is the great and talented editor of the morning paper in the largest city in my District. He opposed my nomination and election last year, and one of the arguments he made to another friend of mine was that the world desperately needs good newspapermen.

I considered that this was damning politically with high praise, rather than faint praise. I responded that the business of journalism equips a person most effectively for public service, and I would submit as evidence the existence in the Congress of a "Three and a Half Club" which is made up of about 50 journalists who serve in the House and Senate of the United States today.

This means almost ten percent of the membership in Congress is made up of men and women who have had journalistic backgrounds in newspaper, radio or television—many of whom still maintain their interests as publishers and in other ways.

Incidentally, the Three and a Half Club draws its name from the fact that government is the third estate and journalism the fourth estate.

My late father, who served in Congress for 27 years and had a public service career which spanned almost 50 years of office holding at the State and national level, shared my dedication to the profession. He always listed himself first as a newspaper publisher.

Having said that, let me go on to point out that I think journalists are the natural enemies of politicians and that that is the way it should be. Politicians fear exposure of their errors to the public, and the job of journalists—among other things—is exposing political error.

And I am not referring merely to corruption or personal impropriety, but to those errors of substantive judgment—the honest mistakes of omission or commission and the decisions which turn sour—which all politicians, no matter how dedicated or capable, are bound to make.

Today we are living in a rapidly changing world. New and changing times multiply the chances for political error. The dangers of being wrong are greater than ever for politicians, as they are for any citizen. The repercussions of error on the part of prominent American politicians can be worldwide—and this was not the case a generation or so ago.

And so newspapers must be ever more watchful to be sure that public officials do not err. And I am not just talking about the White House Press Corps.

I am talking about the man who covers city council and the police beat and the court house.

An unwise decision by the city council of a rapidly growing community can cost the taxpayers dearly if community utilities for an exploding population are poorly planned.

In the tinderbox which some of our racial areas have become, an error in police judgment can set off a destructive wave of riot.

Poor decisions on curriculum or teacher qualification can warp the life of a youngster in a society where good education seems to pay off better than anything else.

Inattention to county zoning and planning can blight a countryside for the next generation.

And so journalists, if we are to maintain our traditional watchdog role over the public weal, must be increasingly capable, concerned, aggressive and articulate in our coverage of public servants and public service.

During my journalistic career, both before and since my personal entry into politics last year, I frequently have had public servants suggest, "Why don't you just omit any report of this or that action because it will be awfully hard to explain it properly to your readers." My response is always, "If I can't explain it to my readers, how are you going to explain it to your children?"

And frequently I have had public officials look at me slyly and say, "You must understand why this should not be reported. After all, you are in politics." Again my reaction is to suggest that I am apparently not in the same kind of politics they are.

But in this group I presume I do not have to defend the public's right to know. If there is any place where Jefferson's quotation preferring newspapers to government as a civilizing influence need not be labored, it should be at a meeting of the Maryland-Delaware Press Association.

But in this summer's issue of The Columbia Journalism Review, Robert O. Blanchard, acting chairman of the Department of Journalism, Public Relations, and Broadcasting at American University in Washington, writes a disturbing article (beginning on page 17) in which he alleges that we are in a time of decay in the freedom of information crusade. In "A Watchdog In Decline" he argues that there is less militancy in the freedom of information movement since the signing of the so-called Freedom of Information Bill this summer. This limited accomplishment may have taken the edge off of journalism's crusade, but the need is still there.

I would agree thoroughly with Professor Blanchard's concern. Public Law 89–487, signed into law by President Johnson on July 4th, 1966, requires every Federal agency to publish in the Federal Register:

(a) a description of its central and field organizations and the places and persons and methods whereby the public may secure information, submit requests, or obtain decisions;

(b) statements as to how its functions are channeled and requirements of formal and informal procedures;

(c) rules of procedure and descriptions of forms available and the places at which forms may be obtained;

(d) substantive rules of general applicability adopted and statements of general policy;

(e) all amendments and revisions to the things which I have mentioned.

In addition, it requires agencies to make available for public inspection and copy:

(a) all opinions, including concurring and dissenting views;

(b) statements and interpretations of policy not published in the Federal Register;

(c) administrative staff manuals and instructions.

The legislation provides that the journalist or other representative of the public can get an injunction against the agency from withholding records covered by this law, and the burden is on the agency to sustain the withholding. It also provides for such injunctions to take precedent over other court actions and for non-compliance to be punished by contempt of court proceedings. It also requires all agencies with more than one member to keep records of final decisions by members and that these records be open to the public.

Exempted from the provisions of the law are matters:

(a) specifically required by Executive order to be kept secret in the interest of the national defense or foreign policy;

(b) related solely to the internal personnel rules and practices of any agency;

(c) matters specifically exempted from disclosure by statute;

(d) trade secrets and commercial or financial information obtained from private individuals;

(e) inter-agency or intra-agency memorandums which would not be available by law to a private party in litigation with the agency;

(f) personnel and medical files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(g) investigatory files compiled for law enforcement purposes;

(h) matters relating to the Federal regulation of financial institutions;

(j) geological and geophysical information and data concerning wells.

The legislation takes effect next July 4, 1967.

But the Freedom of Information Bill, passed by Congress this year and signed by President Johnson, speaks only to the Federal government and not to the local level.

In Ohio we have had for years a Freedom of Information Law that requires open meetings and easy access to public records. The laws in many other States have been patterned after the Ohio law.

But local attention must be constant to insure its observance for reasons already discussed. Public officials want job security as much as anyone else, and one of the ways to prevent unemployment is to prevent the public from discovering any of their errors.

Ohio journalists have not pushed this law to the extremity where it might suffer from reaction. We do not insist generally that all Juvenile Court hearings be fully reported, or that a newspaper reporter must be on hand every time two members of village council sit down for coffee together, but the law is there for use when necessary and its responsible application by the newspapers has been met generally with responsible observance by public bodies at the state and local level.

We are now working on a Freedom of Advertising law in an effort to hold off the activities of some business groups who have tried to eliminate advertising and thus combine to restrain competition in trade in the name of professional ethics.

I call this rampant professionalism and feel that it is a dodge in an effort to keep the public from having the advantages of the free enterprise system as expressed through advertising.

In addition to these two obvious areas of defense of the public's right to know, our Ohio Newspaper Association Executive Director maintains a close association with the Executive Directors of other trade associations and business groups.

Thus, when newspapermen begin to experience undue difficulty with hospitals or doctors in the release of newsworthy information, our Newspaper Association Director and the heads of the State Medical Association and Hospital Administrator's bring together persons from our profession and theirs to discuss and come to a mutual understanding on the battle front of our common problems.

I suppose you might say that we use the various lobbying organizations in the State capital as a kind of United Nations Security Council to debate and act on skirmishes in the area of freedom of information before any full-scale war on the subject breaks out.

Such a series of meetings were held in Ohio a year or so ago with representatives of the Ohio State Bar Association on the general topic of Free Press and Free Trial.

You will recall, I am sure, the Shepard murder case, to which the Cleveland newspapers gave considerable, questionable publicity. This problem has been in existence for many years throughout the nation, but the Shepard murder case publicity and subsequent setting aside of the verdict brought it to a head, along with the massive publicity surrounding the assassination of President Kennedy.

But, I do not anticipate any state legislation in Ohio which would represent any retreat from the traditional concepts of free press consistent with responsible journalism.

The reason I do not anticipate any reactionary legislation in the wake of the Supreme Court's decision in the Shepard case is because of this dialogue between Ohio attorneys and jurists and Ohio journalists, representing newspaper, radio and television. This dialogue has bene extremely valuable in shaping the definition between conflicting professional interests and in keeping the differences which could grow out of this natural antipathy down to a manageable minimum in order to maintain responsibility on both sides.

Now a few minutes ago I suggested that journalists were the "natural enemies" of public servants, because politicians live in fear of being proven wrong. And we are all living in an unknown and untried era, when it is easy to make mistakes and when the cost of error can be extremely high.

This same thing is true in the field of journalism. Being wrong in the eyes of the public can be fatal to a journalist or his journal. As cases in point I submit the Literary Digest, Colliers, the New York Herald Tribune, and perhaps the Saturday Evening Post and Walter Cronkite and a lot of other lesser lights on the journalistic scene.

The newspaper business, in particular, is challenged today by advertising's preoccupation with the mass market. Television and radio have challenged the traditional newspaper dominance as an advertising medium to the mass market during the last generation.

Both are particularly well-equipped to appeal to the mass market and each has reduced its standards progressively in order to broaden its base to the maximum extent possible.

It seems that financial success is dependent upon the broadest possible public acceptance. And this brings us face up to the recognition that the first rule in the newspaper business, or any other, is to meet the payroll.

In reaction to the competitive challenge of television and radio, many newspayers have undertaken to try to prove untrue the old axiom that "you can't please all the people all the time." They have softened their editorial positions almost to meaninglessness (some have even eliminated editorials all together). And they have replaced initiative reporting with interesque entertainment.

Some newspapers have become "tissue papers."

By that I mean they have no strength and vitality. Rather than rely on journalistic endeavor, they are pre-occupied with six items that spell the word Tissue.

For the T—typography. Let's make it easy to read, but don't worry about whether it says anything.

I is for interesque items which amuse and entertain without really informing or involving.

The first S is for sales—sales or circulation to bring in the maximum amount of income so that we can have the largest number of subscribers in order to sell more ads and have even bigger income.

The second S is for seniority of employees, which does not always contribute to initiative and effort in a profession that is—or should be—creative if it is nothing else.

The U is for union rules, and I am sure I do not have to elaborate on that.

The E is for equipment which will cut expenses and speed production.

But let me ask you, "Where is the concern for content and journalistic effort?"

When the New York Herald Tribune expired, (or was suffocated) nobody praised it for having the best union contract in the business, or for printing some unique comic strips in its day, or suggested that its demise would have an adverse effect on advertisers. And no mention was made of what equipment it was printed on.

The obituaries I read for the New York Herald Tribune talked about the great journalists who had made it a vital newspaper and even reviewed some of the great stories and initiative journalism which had made the Herald Tribune a great newspaper.

As a matter of fact, in some of the obituaries I saw the conclusion was reached that the paper died in spite of advanced typography and some imaginative interesque efforts to attract readers, and in spite of some of the cleverest circulation and advertising promotion the newspaper business has seen in many years.

Seniority of employees was blamed, rather than praised; and, of course, the union problems came in for their share of the responsibility.

But other papers which have survived and still maintain some degree of financial success have these same union problems, so it's got to be more than that.

Now please do not misunderstand me. I am not critical of attention to typography and interesque features, circulation and advertising sales efforts, and the rest.

I am only saying that something is lacking if these are the only areas of concern to publishers.

At the same time that newspapers have been dying, many specialized magazines with strong editorial positions and vibrant journalistic approaches have been born and survived.

The reason for their success in many cases is that more of their costs are carried by circulation. People are willing to pay a little extra because of their content.

I think there is a message here for newspapers. By its very nature, any printed medium requires more intellectual effort to enjoy than an electronic medium.

Shouldn't we recognize this and capitalize on it by asserting ourselves as the intellectual daily and weekly recorders of history, which we are?

But rather than spend our budgets on the editorial side in order to perform this function, many newspapers have cut editorial budgets to feed the advertising, circulation or mechanical departments. Or have reoriented editorial budgets to expend an increasing proportion on entertainment features which have little intellectual or historic value.

Perhaps this explains why we are having a decline of interest in the freedom of information. If we fail to attract the best minds to journalism, as a result of inadequate salaries or inadequate challenge, we are going to have to settle for the results we get. It is as true in politics and journalism as it is in other arts and sciences: second rate efforts usually bring about second rate results.

The criticism that many reporters are willing to settle for handouts from Federal agencies, rather than dig into the facts independently, is more damning to journalists than it is to public officials.

The Federal Freedom of Information bill, passed this year, will do nothing to protect the public's right to know without the vigorous efforts of capable and responsible journalists—any more than the much more effective and stringent law which has been on the books for several years in Ohio.

Perhaps protection of the public's need to know and an answer to the economic problems of many newspapers can be found in the operational budgeting of newspapers. Perhaps if we increase, rather than reduce, the editorial budgets for hard-nosed, suspicious and energetic reporters with initiative and intuition, we will find that newspapers have grown stronger and freedom of information has been better protected.

And who knows, perhaps we will get better government and better public servants.

RED TRADE INCREASE NAIVE AND DANGEROUS

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Chamberlain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. CHAMBERLAIN. Mr. Speaker, at the very beginning of this session the President in his state of the Union message called for increased trade with the Soviet Union and the Communist countries of Eastern Europe. His subsequent proposals to a Congress greatly concerned over the war in Vietnam, however, were received with a marked lack of enthusiasm. The distinguished gentleman from Arkansas [Mr. Mills], chairman of the Ways and Means Committee, simply said that he planned no hearings on these proposals. Now, a few days before adjournment, the President has announced that on his own authority he will reduce export controls on East-West trade with respect to hundreds of nonstrategic items and that he has signed a determination that will allow the Export-Import Bank to guarantee commercial credits to Poland, Hungary, Bulgaria, and Czechoslovakia.

Other steps in this direction also are indicated on the grounds, says the President, that—

> We want the Soviet Union and the nations of Eastern Europe to know that we and our allies shall go step by step with them just as far as they are willing to advance.

Mr. Speaker, we all know that North Vietnam derives a substantial amount of its military hardware from the Soviet Union and that it is heavily dependent upon ships from Eastern Europe and the Soviet Union to resupply its war machine. We know, also, that this trade has been on the increase in recent months. I simply cannot see how this indicates a willingness on their part to improve East-West relationships. I cannot see how weakening of our trade restrictions with the Communist world can be interpreted by the Kremlin except to mean that somehow Communist aggression pays off.

It need only be recalled that the so-called wheat deal of a few years ago was sold to the American people as a means by which to allay the savage appetites of Communist aggression. Since that time, in fact, over 5,000 American boys have been killed in Vietnam; and there are estimates that as many as 750,000 American troops will be stationed there by the end of next year. Yet the administration would willingly grant great trade benefits to those countries subsidizing this bloody conflict without apparently seeking any concessions on their part, as if it was the United States that had to prove its peaceful intentions to the Communist world.

I cannot help but agree with an editorial appearing in the State Journal of Lansing, Mich., on Tuesday, October 11, 1966, entitled "Red Trade Increase Naive and Dangerous" which raises some important points about this new East-West trade policy and I commend it to the attention of my colleagues:

Red Trade Increase Naive and Dangerous

In his continuing effort to thaw out relations between the United States and the Soviet Union, President Johnson again has trotted out what he calls his program for building "bridges" between East and West.

In a major foreign policy speech last week, the President announced plans to increase U.S. trade with Russia and other Communist nations in Europe.

Johnson said his administration would "reduce export controls on East-West trade with respect to hundreds of non-strategic items." White House aides said these included textiles and some machinery, metal products and chemicals.

He also announced the Export-Import Bank was prepared to finance American exports for an automobile plant Russia is building in cooperation with an Italian company.

Johnson said such steps, plus efforts to negotiate a civil air agreement with Moscow and the liberalization of U.S. travel to Communist countries, were a major attempt to "build bridges" between East and West.

The time may some time come when it would make sense for the United States to increase trade with Russia and the rest of the Communist bloc.

Under the present circumstances, however, the President's moves along this line are not only naive but downright dangerous.

The Red leaders in Moscow have not given the slightest hint of willingness to cooperate with the United States in matters other than those which would serve their own interests by strengthening the Soviet economy and making life more attractive, with respect to the availability of more material goods, for the people they rule with an iron hand.

Reduction of export controls on "non-strategic" goods such as textiles, machinery, metal products and chemicals would enable Russia to devote more of its resources to production of supplies for Communist North Viet Nam where Soviet specialists are training crews to fire Soviet missiles in order to strengthen support for Red aggression against South Viet Nam.

Russia is not only helping the aggressors but immediately says "nyet" to U.S. and other overtures in behalf of a peaceful settlement of the war.

As matters now stand, Moscow would be interested in the bridges Johnson proposes to build only for the use of one-way traffic that would benefit Russia.

Cooperation in behalf of improvement of world conditions has no place in the Communist lexicon. It strains credulity to hear the President of a country whose young men are dying in the Soviet-backed war in Viet Nam talking about and taking actions toward the expansion of trade with Russia or any other country which is supporting the Communists in South Viet Nam.

SECRETARY OF AGRICULTURE FREEMAN SHOULD RESIGN

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Langen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. LANGEN. Mr. Speaker, an article by reporter Clark Mollenhoff of the Minneapolis Tribune and Des Moines Register sheds more light on the shocking antifarmer activities of this administration and its Department of Agriculture.

In this article, Mollenhoff describes an interview with Frank M. LeRoux, a former Agriculture Department official who resigned from that Agency last week in protest over the administration's agricultural policies.

Mr. Speaker, in view of the statements of Mr. LeRoux to Mr. Mollenhoff identifying the antifarmer attitudes and actions of the Secretary, and in view of Mr. LeRoux's analysis of the administration's destructive agricultural policies, Orville L. Freeman should immediately submit his resignation as Secretary of Agriculture.

At this point I ask permission under unanimous consent to insert the article in the Record for the information of my colleagues.

Exposes Freeman Plan To Cut Farm Prices—Former Aide Tells Steps Used by Boss—Reveals His Plans To Change Policy

(By Clark Mollenhoff)

Washington, D.C.—A former Agriculture Department official said Wednesday he made several unsuccessful attempts to change Agriculture Secretary Orville Freeman's farm policies—including a visit to the White House.

Frank LeRoux, who resigned a week ago as general sales manager of the Department of Agriculture, told The Register he had a long conference at the White House in the last few weeks to outline the reasons he believed Freeman has created "the farmers' worst five years."

LeRoux, a Democrat from Washington state, contends Freeman was "playing consumer politics" with the Agriculture Department.

He said that from conferences within the Department of Agriculture he had knowledge of Freeman's personal interest in "driving down the price of wheat, corn, pork and other agricultural products."

LeRoux said that the "four-stage drive to cut wheat prices was probably the clearest example of a determined drive to sell the farmer down the river" but that the move to get the Defense Department to stop buying pork was "an equally dramatic example of Freeman's desire to cut the prices the Corn Belt farmers were receiving."

He said he was "disillusioned by some of the attitudes expressed by Freeman and others around him" within a few months after he joined the Democratic administration in 1961.

LeRoux said that former Undersecretary of Agriculture Charles Murphy was "a real force for the farmer in the first years" and tended to modify the influence of Freeman and the present Undersecretary of Agriculture John A. Schnittker.

Freeman and Schnittker were "anti-farmer" in their attitudes, regarding the farmer as being of little political significance and the big city consumers to be "the important political group to play with."

"Charley Murphy was out of the Truman administration, and I think he had a real desire to see the farmer get fair prices," Le Roux said. "He was the one man on the top level who would stand up and tell Freeman and the others that he didn't see anything wrong with the farmers getting higher prices."

LeRoux said that when Murphy left the Agriculture Department to become the chairman of the Civil Aeronautics Board, the atmosphere at the Department of Agriculture "deteriorated rapidly."

FOUR-STAGE PLAN

He said his decision to take an outside active role in changing Freeman's operations came in the last six months when he viewed the "four-stage operation to drive the wheat prices down."

"The first stage was a cutback in the sales abroad under the P. L. 480 program," LeRoux said. "Freeman wanted to use it to cut wheat prices, and they sat back gleefully waiting for it to drive prices down."

LeRoux said there was some drop in wheat prices "but not as much as Freeman wanted, so they took the next step—an announcement of an increase of about 7.7 million wheat acres."

"Again they sat back waiting for the price to go down, but it still wasn't enough," LeRoux said. "Then they took the step that was thoroughly dishonest, and they knew it was dishonest at the time."

The department announced "an enormous world wheat crop prediction," LeRoux said. He said that the "dishonesty" of this announcement was best demonstrated by Agriculture Department comments that the increase of about 20 per cent in the wheat acreage in Argentina was one of the reasons why a huge world wheat crop could be expected.

CROP FAILURE

"The Agriculture Department knew at the time that a crop failure in Argentina was going to cut the wheat production in that country from something over 11 million tons to about 5.5 million tons," LeRoux said.

"These three moves and this deception was bad enough, but then the Agriculture Department took the fourth crack at wheat prices," LeRoux said.

"This was the announcement that there would be an additional increase in wheat acreage of about 5 million acres by permitting the use of acres cut back from feed grain production to be put in wheat."

LeRoux declared that Freeman and Schnittker had "knowingly taken those steps to cut wheat prices and they have been successful in dropping the market 25 or 30 cents in the last month."

LeRoux declared that the heavy sale of Commodity Credit Corporation corn last December, January, February and March was "a policy move to depress the price of corn, and to frighten the corn farmers into the program."

LeRoux also said it was Freeman's view that "Hog prices were too high, and that he was going to do something about it." Such views were expressed by Freeman within the Department of Agriculture, and in closed meetings with some small farm groups.

LETTER TO M'NAMARA

LeRoux said the letter that Freeman wrote to Defense Secretary Robert McNamara to recommend that the Defense Department pork purchases be cut "was only indicative of the attitude" that Freeman expressed on many occasions.

It was concern over the "general attitude" of Freeman and Schnittker that caused him to go to Democrats in Congress "in an effort to find a way to get the anti-farmer policies changed," LeRoux said.

LeRoux said that many Democrats in Congress "were equally concerned" over Freeman's policies, and over the charts and figures he had compiled to demonstrate that high costs of equipment, machinery and other goods had put the farmer "in a squeeze that made his real earning much less than they seemed."

"I was told that it would have to be done at the White House if there was going to be any reversal of Freeman's policies," LeRoux said. "I was also told that it would probably be a good idea to see what [Vice-President Hubert H.] Humphrey could do about it."

It was through a Democratic senator that LeRoux said he made arrangements to go to the White House to talk with one of President Johnson's long-time associates and spell out the details of his contentions that Freeman and Schnittker "were playing consumer politics" with the Agriculture Department.

PRINTS BOOKLET

In that White House meeting, LeRoux said, he went over "most of the main points" of the material that he later had printed in a 63-page booklet entitled "1961 thru 1965—The Worst Five-Year Period for the American Farmer in the History of Modern American Agriculture."

LeRoux said he did not wish to mention the White House aide. "He was thoroughly disturbed, and he seemed sympathetic with the problem," LeRoux said.

"I thought that something might be done, but nothing happened to correct the situation. Some things that did happen only led me to believe that the White House was taking part in a big cover-up and on some actions was even behind the political abuse of the farm programs."

LeRoux said he went to Humphrey's office to tell the problem to him, and as a long-time Democrat was still eager for some Democratic initiative in changing the Freeman operations in the Agriculture Department.

Humphrey was not present, but one of his key assistants with whom LeRoux said he had had "a long and pleasant relationship" talked with him at length.

"He was sympathetic, and said that the vice-president was sympathetic with the problem of the Agriculture Department, but that he felt it would be impossible for Humphrey to take any effective action to change things," LeRoux said.

LeRoux said "there seemed to be no way to get action from within the administration, so I decided that it would be necessary to make a public issue out of it in a way that might force corrective action."

He then made arrangements for the printing of the booklet in which he printed the statistics, the diagrams and the positions of the Agriculture Department that he believed demonstrated that farmers had fared worse under five years of Freeman than at any time in history.

POST OFFICE DEPARTMENT

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Ellsworth] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. ELLSWORTH. Mr. Speaker, the Post Office Department is in deep trouble. For months I have been receiving vigorous complaints from citizens in my State of Kansas about the postal service. Slow delivery. Inadequate or nonexistent door-to-door service. Lack of pick-up boxes.

I hold in my hands hundreds of copies of a form which the Post Office Department calls 1571. These forms are all from the post office of Kansas City, Kans.—and each one indicates a serious curtailment of—or failure to deliver—first-class mail.

The mail service today is worse than it ever has been in modern history. The mail is piling up, and there is no one to work it. In Chicago alone there are more than a million pieces backlogged with little hope for improvement in the near future.

Mr. Speaker, the Christmas rush has not even begun yet. If the postal employees cannot handle the current volume—what is going to happen when the avalanche of Christmas mail comes roaring through the post office doors?

Unless we do something about this situation before we adjourn, we are going to be faced with a postal disaster before the year is out.

What has caused this crisis?

There are many causes. But, principally, it amounts to a combination of these ingredients.

The volume has mushroomed—in some places more than 15 percent over the conservative Post Office Department prognostications.

The Post Office Department was far too conservative in its estimates of the volume and far too modest in it's request for appropriations. By the time the Bureau of the Budget got through with the original request, it was clearly inadequate.

Then, trying to live within the budget, the Department put into effect some ill-advised plans to effect economy. One of these was to insist that overtime be restricted to 1 hour for every 100 hours of regular time worked. This has meant that in a crisis situation—such as in Chicago—the postmaster cannot order his men to work overtime until the mess is cleaned up. The only way the mail can be moved expeditiously is by using skilled, experienced, dedicated postal workers. It can never be moved by hiring casual, untrained, and uninterested labor from off the streets.

On top of all this, the President, in his aggressive search for frugality, has put a freeze on the hiring of new Federal employees. This makes it impossible for a Postmaster to take on new help—even in those areas where new employees would be available. Unfortunately, we are paying our postal employees such low wages that recruitment and retention of good employees is becoming most difficult. We are not competitive in the Post Office. There are easier jobs available, paying far better wages. That is another cause of the crisis.

This, then, Mr. Speaker, is the crisis—and these are the major causes. What is the solution?

The distinguished senior Senator from Maryland has suggested a wise course and I am glad to unite with him in his endeavor.

The solution is to pass emergency legislation which would do the following two things:

First. Permit the Post Office Department to start spending its appropriation for the fourth quarter of the current fiscal year now—and permit it to come back for a substantial and adquate supplemental appropriation to see it through the rest of the year.

Second. Permit the Post Office Department an exemption from the Presidential order freezing the appointment of new employees. The Post Office Department should never have been included in the first place. Alone, among all agencies of the Government, it has no control over the business it must do. The American people determine the volume of the mail and the Post Office Department must do what the American people ask them to do.

The Post Office Department needs money and it needs men.

It is very much the fault of the present management that it finds itself in its present plight—but the sufferers are going to be the American people. If we pass this emergency legislation we shall not be "bailing out" the top brass of the Department—we shall be "bailing out" the American people who have been the innocent victims of bureaucratic inefficiency. We should act on this legislation now—before we adjourn.

I would like to introduce as a conclusion to my remarks, a letter I received Tuesday from a constituent of mine, who is also a letter carrier. It tells—from the professional point of view—a good deal about what is wrong with our postal service and its present management.

This is the letter:

The Honorable ROBERT ELLSWORTH,
House of Representatives,
Washington, D.C.

DEAR SIR: Although I am but a lowly Level Four, low seniority carrier, I feel I should exercise my God-given right as a citizen of this country to voice my opinion of a dire and highly unsatisfactory condition existing in the Postal Service.

Are we, the letter carriers such lowly and woe-be-gone creatures that we can be treated like a pack of mules, to be whipped, threatened, harrassed, and cajoled at the very whim of any Level Nine scratching and clawing his way up the ladder to level ten?

Why should we be subjected to such treatment simply because we are unable, through no fault of our own, to put up three and four thousand pieces of mail everyday, work a mountain of forwards, carry the whole route, and still maintain an eight hour schedule?

Why do we have people in high level positions who have had little or no actual experience, telling carriers with upwards of thirty years dedicated service, how to carry mail?

Why is the Department determined to drive the mail service into a morass of confusion, inefficiency, complacency, curtailment slips, and letters of resignation?

What kind of answers are "Whatever is fair", "Make it in eight, and don't be late", "I'm not going to like what I see", when you ask your supervisor for instructions on the heavy days when it is not possible to "Make it in eight"?

What kind of people would harass and belittle a carrier, who, with a serious injury volunteered to go in and "case up" when he was actually in no condition to do so?

What excuses are there for our patrons who wonder why their magazines, parcels, etc., are delivered two weeks late?

How are we to maintain eight hour schedules with the almost unbelievable volume of mail we have now, without auxiliary assistance, overtime, or intelligent answers and/or instructions from supervision.

How are we expected to take and maintain pride in our work when everything possible is being done to discourage it?

How does the Service expect to hold people in the Postal Service when they are subjected to the daily abuse, harrassment, and intimidation so prevalant in the department? A man of age 35 or more has little choice but to stick with it, but who can expect a young man just out of school to work for Stone Age wages, and take the abuse meted out by supervision, when he can make more money with a shovel?

Where is the answer?

The logical remedy in my humble opinion is a complete overhaul of management from top to bottom, with experience the key and prime pre-requisite, but I would not allow myself to be so naive as to expect management to forsake the age-old method of political appointments, in favor of appointments by merit.

I feel I speak for every carrier in the service, when I extend heartfelt thanks and appreciation for everything you and all concerned, who are fighting for, and championing our cause, have done for us.

Respectfully yours,

GEORGE MORRISON.

OVERLAND PARK, KANS.

VOTING RECORD AND REPORT

Mr. MACGREGOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. MACGREGOR. Mr. Speaker, every 2 years I provide my constituents in Minnesota's Third Congressional District with a report at the conclusion of each Congress. Although adjournment is still about a week away, we have acted on virtually all the substantive issues to come before us.

As I have done previously, I continued in this Congress to support bills favored by the Johnson administration when they were sound. I opposed them when they were not. But more important, I worked to improve all legislation. Where it was possible to do so when the Democrats took a wrong approach, I voted for and frequently coauthored constructive alternative programs to solve the problem. This was particularly true with matters of education, welfare and social security, and medical care for our older citizens.

I am including this report in the RECORD because I believe that the people of Anoka and suburban and rural Hennepin Counties should know how their Congressman has voted. In order for our representative system of government to prosper, the people must be fully informed of the actions of their elected representatives.

All of the people will obviously not agree with their Congressman on every issue, as it is impossible for any two men or women to always be in agreement. My constituents should have this opportunity to fairly and factually examine my record on each of the vital issues to come before this Congress. Because the list is so long, I have omitted votes on purely procedural issues and on some legislation passed by unanimous or near-unanimous votes.

After serving his conscience and his principles, a legislator's first responsibility is to the people he represents. I have manifested this belief in the questionnaire sent earlier this year to each home in the Third Congressional District. I was gratified to receive more than 18,500 responses. In this way, as through a heavy correspondence and a broad and frequent participation in public meetings at home during the past 2 years, I have encouraged each and every citizen to express his views and ideas to me.

VITAL JUDICIARY ASSIGNMENT

This has been my sixth year in the House of Representatives and my third term of service on the vital Committee on the Judiciary where I am a member of three subcommittees: Antitrust and Constitutional Rights; Bankruptcy and Reorganization—where I serve as the senior Republican—and State Taxation of Interstate Commerce. In the first session of this Congress I was also a member of the Subcommittee on Immigration and Nationality.

The Judiciary Committee has dealt with much important legislation during 1965 and 1966. Among our bills approved by the House are: revision of the immigration laws, including my amendment putting a generous and nondiscriminatory annual worldwide ceiling on immigration; Voting Rights Act of 1965; a constitutional amendment dealing with presidential disability and succession; a bill to eliminate "gerrymandering" in congressional redistricting; legislation to establish a National Commission on the Reform of Criminal Law; correctional rehabilitation study; Law Enforcement Assistance Act; bail reform; and "halfway houses" for the treatment of criminals.

The work of the Judiciary Committee to date has been highly successful and rewarding. I am proud to have had a part in the draftsmanship of much of the legislation which the committee has approved. Unfortunately, we have not yet acted on needed antiriot legislation or the bill to give added protection to high school and college sports while granting the pro football merger limited antitrust immunity.

EDUCATION, SOCIAL SECURITY, AND WELFARE MATTERS

I have continued my support for those educational and welfare programs which were wisely written and which properly exercised the Federal responsibility. This Congress, controlled 2 to 1 by Democrats, has too often extended the discretionary power of Federal bureaucracy into decisionmaking which could be done better by State and local officials.

In the field of education, I voted for the vocational student loan insurance program; for the Higher Education amendments as they were originally passed by the House; for a program of health education aid; and for a significant extension and expansion of the Library Services Act. My support for these programs dates back to early 1961 when I first took my seat in Congress. In 1961 and 1962 I voted in favor of aid to school districts in federally impacted areas; for an extension of the National Defense Education Act; for a 5-year program of grants and loans for our Nation's colleges; the Manpower Development and Training Act; and educational television grants. In 1963 and 1964 I cast votes in favor of an expanded and more flexible program of vocational education; legislation to provide construction funds for colleges; and for further amendments and extension of the National Defense Education Act. This legislation, for the most part, was well conceived and is now successfully at work.

The area of health, welfare, and social security has also been a matter of prime importance to me. I have supported many of these programs with the same thought in mind as my positive votes on education—that in certain areas the Federal Government has a legitimate role to play. I voted for the Drug Abuse Control Act; for the Republican program to provide for a voluntary system of medical care for our aged; for an extension and increase of health research facility grants; for bills to remedy water and air pollution; for the mental health program; for an extension of the medicare enrollment period; for legislation to provide for narcotic addict rehabilitation; and for the Public Health Service Act.

My record of support for proper welfare and public assistance programs also dates back to 1961. I voted in favor of the 1961 Social Security Amendments; for the welfare program revisions; and for housing for the elderly. In the 88th Congress I voted for the mental health program; for the mental retardation program; for an increase in social security benefits; and for the housing bill.

This record of concern for those in need has extended to the legislation I have introduced. I have authored bills to provide a tax credit for those aiding students with college costs; to provide an incentive for private enterprise to aid significantly in the fight against pollution, poverty, and unemployment; to provide for an automatic cost-of-living increase in social security benefits; and to provide tax relief for our teachers seeking to further their education and improve the quality of the teaching of our young men and women.

INFLATION AND VIETNAM

Government has a responsibility to meet people's needs, but how best can we do so? What level of government can best respond?

This Congress has utterly failed to meet the needs of more than 30 million Americans living on fixed incomes. Inflation with its escalating cost of living is the direct result of Government overspending. During the past 2 years I have repeatedly sought the establishment of expenditure priorities and fought for the elimination or postponement of unnecessary spending. I led the effort to save hundreds of millions of taxpayers' money in the commercial supersonic transport program. When Government fails to live within its means, we hurt millions of Americans who must make do with less purchasing power from their shrinking but fixed dollar income.

As one who served in World War II in a guerrilla and intelligence unit of the U.S. Army in southeast Asia, and as one who has been on the scene in Vietnam, I have made many constructive suggestions to the President and his top advisers at White House conferences. Some of these suggestions, particularly with respect to our nonmilitary efforts, have been accepted. I shall continue to urge that we advance the cause of peace in southeast Asia through the security afforded by a strong new alliance of free Asian and Pacific nations, by firmness in employing our many economic weapons against the Communist North Vietnamese, and by closing the port of Haiphong where death-dealing weapons begin their journey down the Ho Chi Minh trail.

My voting record follows:

Voting record, Congressman Clark MacGregor, 89th Cong., 1st sess.

Date, 1965	Measure, question, and result	Vote
Jan. 4	Election of Speaker. (McCormack, 289; G. Ford, 139; "present," 3.)	Ford.
Jan. 4	H. Res. 1. A resolution authorizing and directing the Speaker to administer the oath of office to Mississippi's Congressmen. On ordering previous question. (Yeas 276, nays 149, "present" 1.)	Yes.
Jan. 4	H. Res. 8. A resolution adopting changes in Rules of the House of Representatives for the 89th Cong. without privilege of amendment. (Yeas 224, nays 202.)	No.
Jan. 19	H. Res. 126. A resolution dismissing the notice of contest of election by James R. Frankenberry of the 25th New York Congressional District. (Yeas 245, nays 102, "present" 3.)	No.
Jan. 26	H.J. Res. 234. A joint resolution making supplemental appropriations for the fiscal year ending June 30, 1965, for certain activities of the Department of Agriculture, and for other purposes. On motion to recommit with instructions (to amend by outlawing commercial food and fiber sales to the United Arab Republic) (yeas 204, nays 177).	Yes.
Feb. 8	H.J. Res. 234. A joint resolution making supplemental appropriations for the fiscal year ending June 30, 1965, for certain activities of the Department of Agriculture, on motion to instruct conferees to insist on House position established Jan. 26. (Failed.) (Yeas 165, nays 241.)	Yes.
Feb. 9	H.R. 3818. A bill to eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit liabilities. On motion to recommit. (Failed.) (Yeas 93, nays 289.)	Yes.
Feb. 9	H.R. 3818. A bill to eliminate the requirement that Federal Reserve banks maintain certain reserves in gold certificates against deposit liabilities. On passage. (Yeas 300, nays 82.)	Yes.
Feb. 17	H.R. 2998. A bill to amend the Arms Control and Disarmament Act, as amended, in order to increase the authorization for appropriations. On passage. (Yeas 302, nays 63.)	Yes.
Feb. 18	H.R. 45. A bill to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank. On motion to recommit with instructions to amend by saving $50,000,000. (Failed.) (Yeas 142, nays 237.)	Not voting. (CQ yes.)
Feb. 18	H.R. 45. A bill to amend the Inter-American Development Bank Act to authorize the United States to participate in an increase in the resources of the Fund for Special Operations of the Inter-American Development Bank. On passage. (Yeas 288, nays 93.)	Not voting. (CQ yes.)
Feb. 25	H. Res. 188. A resolution authorizing the expenditure of certain funds for the expenses of the Committee on Un-American Activities. On motion to recommit with instructions. (To amend by requiring open hearings.) (Failed.) (Yeas 58, nays 333.)	No.
Feb. 25	H. Res. 188. A resolution authorizing the expenditure of certain funds for the expenses of the Committee on Un-American Activities. On agreeing to resolution. (Yeas 360, nays 29.)	Yes.
Mar. 3	S. 3. An act to provide public works and economic development programs and the planning and coordination needed to assist in the development of the Appalachian region. On motion to recommit with instructions (to amend by substituting the Republican alternative proposal.) (Failed.) (Yeas 100, nays 323.)	Yes.

Voting record, Congressman Clark MacGregor, 89th Cong., 1st sess.—Continued

Date, 1965	Measure, question, and result	Vote
Mar. 3	S. 3. An act to provide public works and economic development programs and the planning and coordination needed to assist in the development of the Appalachian region. On passage. (Yeas 257, nays 165.)	No.
Mar. 10	H.R. 2. A bill to protect the public health and safety by amending the Federal Food, Drug, and Cosmetic Act to establish special controls for depressant and stimulant drugs. (Yeas 402, nays 0.)	Yes.
Mar. 15	H.R. 4714. A bill to amend the National Arts and Cultural Development Act of 1964 to provide annual funding of $150,000. On motion to suspend rules and pass. (Two-thirds required.) (Failed.) (Yeas 217, nays 113.)	Yes.
Mar. 16	H.R. 5505. A bill to require the establishment, on the basis of the 18th and subsequent decennial censuses, of congressional districts composed of contiguous and compact territory for the election of Representatives with a population deviation of no more than 15 percent. On Mathias amendment. (Failed.) (Yeas 147, nays 255.)	Yes.
Mar. 17	H. Res. 276. A resolution providing for consideration of H.R. 5374, a bill relating to the salaries of the Chief Justice of the United States and of the Associate Justices of the Supreme Court of the United States. On agreeing to take up the bill. (Yeas 202, nays 183.)	Yes.
Mar. 17	H.R. 5374. On passage of the bill to raise the salaries of the Supreme Court Judges of the United States. (Failed.) (Yeas 178, nays 202.)	No.
Mar. 22	H.R. 5688. A bill relating to crime and criminal procedure in the District of Columbia. On motion to recommit with instructions to amend by requiring public hearings. (Failed.) (Yeas 166, nays 216.)	Yes.
Mar. 22	H.R. 5688. A bill relating to crime and criminal procedure in the District of Columbia. On passage. (Yeas 251, nays 131.)	Yes.
Mar. 23	H.R. 5721. A bill to amend the Agricultural Adjustment Act of 1938, as amended, to provide for acreage-poundage marketing quotas for tobacco, to amend the tobacco price support provisions of the Agricultural Act of 1949, as amended. On passage. (Yeas 206, nays 170.)	No.
Mar. 26	H.R. 2362. A bill to strengthen and improve educational quality and educational opportunities in the Nation's elementary and secondary schools. On motion to recommit with instructions (to amend by changing the distribution formula). (Failed.) (Yeas 149, nays 267.)	Not voting (paired for).
Mar. 26	H.R. 2362. The Elementary and Secondary Education Act of 1965. On passage. (Yeas 263, nays 153.)	Not voting (paired against).
Mar. 31	H.R. 3708. A bill to provide assistance in the development of new or improved programs to help older persons through grants to the States for community planning and services and for training, through research, development, or training project grants, and to establish within the Department of Health, Education, and Welfare an operating agency to be designated as the "Administration on Aging." On passage. (Yeas 396, nays 1.)	Not voting (CQ yes).
Mar. 31	H.R. 1111. A bill to provide for the optimum development of the Nation's natural resources through the coordinated planning of water and related land resources, through the establishment of a water resources council and river basin commissions, and by providing financial assistance to the States in order to increase State participation in such planning. On passage. (Yeas 384, nays 0, "present" 1.)	Not voting. (CQ yes.)
Apr. 1	H.R. 4257. A bill to amend the Manpower Development and Training Act of 1962, as amended. On passage. (Yeas 395, nays 0.)	Not voting. (CQ yes.)
Apr. 5	H.R. 980. A bill to provide for the return of obscene mail matter. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 360, nays 21.)	Not voting. (CQ yes.)
Apr. 5	H.R. 7064. A bill to amend the Foreign Service Buildings Act of 1926, as amended. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 378, nays 0.)	Not voting. (CQ yes.)
Apr. 5	H.R. 7060. A bill making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies for the fiscal year ending June 30, 1966. On passage. (Yeas 347, nays 7.)	Not voting. (CQ yes.)
Apr. 6	H.R. 7091. A bill making supplemental appropriations for the fiscal year ending June 30, 1965. On passage. (Yeas 348, nays 62, "present" 1.)	Yes.
Apr. 8	H.R. 6675. A bill to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs, and for other purposes. On motion to recommit with instructions (to amend by substituting the Republican alternative proposal). (Failed.) (Yeas 191, nays 236, "present" 1.)	Yes.
Apr. 8	H.R. 6675. The medicare bill. On passage. (Yeas 313, nays 115.)	No.
Apr. 13	H.R. 2998. An act to amend the Arms Control and Disarmament Act, as amended, in order to increase the authorization for appropriations. Conference report, on adoption. (Yeas 316, nays 65.)	Yes.
Apr. 13	H. J. Res. 1. A joint resolution proposing an amendment to the Constitution of the United States relating to succession to the Presidency and Vice-Presidency and to cases where the President is unable to discharge the powers and duties of his office. On passage. (Two-thirds required.) (Yeas 368, nays 29.)	Yes.
Apr. 14	H. Res. 310. A resolution authorizing the expenditure of certain funds for additional expenses of the Committee on Un-American Activities. On agreeing to resolution. (Yeas 313, nays, 43.)	Not voting. (CQ yes.)
Apr. 27	H.R. 6497. A bill to amend the Bretton Woods Agreements Act to authorize an increase in the International Monetary Fund quota of the United States. On motion to recommit. (Failed.) (Yeas 113, nays 275.)	Yes.
Apr. 27	H.R. 6497. A bill to amend the Bretton Woods Agreements Act. On passage. (Yeas 301, nays 88.)	Yes.
Apr. 28	S. 4. An act to amend the Federal Water Pollution Control Act, as amended, to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters. On passage. (Yeas 396, nays 0.)	Yes.
Apr. 29	H.R. 7091. An act making supplemental appropriations for the fiscal year ending June 30, 1965, and for other purposes. Conference report, on adoption. (Yeas 316, nays 55.)	No.
Apr. 29	H.R. 7091. An act making supplemental appropriations for the fiscal year ending June 30, 1965. On preferential motion of Mr. Keogh to continue Federal subsidy to helicopter services. (Failed.) (Yeas 144, nays 228.)	No.
Apr. 20	H.R. 4714. A bill to amend the National Arts and Cultural Development Act of 1964 with respect to the authorization of appropriations therein. On passage. (Yeas 239, nays 116.)	Yes.
May 3	H.R. 2986. A bill to extend and otherwise amend the Public Health Service Act relating to community health services. On passage. (Yeas 347, nays 0.)	Not voting. (CQ yes.)
May 4	H.R. 2985. A bill to authorize assistance in meeting the initial cost of professional and technical personnel for comprehensive community mental health centers. On passage. (Yeas 380, nays 0.)	Not voting. (CQ yes.)
May 5	H. J. Res. 447. A joint resolution making a supplemental appropriation for the fiscal year ending June 30, 1965, for military functions of the Department of Defense. On passage. (Yeas 408, nays 7.)	Not voting. (CQ yes.)
May 5	H.R. 7657. A bill to authorize appropriations during fiscal year 1966 for procurement of aircraft, missiles, and naval vessels, and research, development, test, and evaluation, for the Armed Forces. On passage. (Yeas 396, nays 0.)	Not voting. (CQ yes.)
May 6	H. Res. 366. A resolution providing for consideration of H.R. 7717, a bill to authorize appropriations to the National Aeronautics and Space Administration for research and development, construction of facilities, and administrative operations. On agreeing to bring up the bill. (Yeas 389, nays 0.)	Yes.
May 6	H.R. 7717. Passage of the NASA appropriations bill. (Yeas 389, nays 11.)	Not voting. (CQ yes.)
May 10	H.R. 2984. A bill to amend the Public Health Service Act provisions for construction of health research facilities by extending the expiration date thereof and providing increased support for the program, to authorize additional Assistant Secretaries in the Department of Health, Education, and Welfare. On passage. (Yeas 384, nays 4.)	Yes.
May 12	S. 701. An act to implement the International Coffee Agreement signed at New York on Sept. 28, 1962. On passage. (Yeas 300, nays 97.)	No.
May 20	H.R. 8122. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended. On motion to recommit with instructions (to amend by deleting a section calling for development of a reactor). (Failed.) (Yeas 43, nays 313.)	No.
May 20	H.R. 8122. A bill to authorize appropriations to the Atomic Energy Commission in accordance with section 261 of the Atomic Energy Act of 1954, as amended. On passage. (Yeas 352, nays 1.)	Yes.
May 25	H.R. 7750. A bill to amend further the Foreign Assistance Act of 1961, as amended. On motion to recommit with instructions (Adair amendment to reduce amount of authorization bill by $130,958,000). (Failed.) (Yeas 178, nays 219.)	Yes.
May 25	H.R. 7750. A bill to amend further the Foreign Assistance Act of 1961, as amended. On passage. (Yeas 249, nays 148.)	Yes.
May 26	H.R. 8370. A bill making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966. On motion to recommit with instructions (to amend by outlawing United Arab Republic sales). (Failed.) (Yeas 187, nays 208.)	Yes.
May 26	H.R. 8370. A bill making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1966. On passage. (Yeas 354, nays 41.)	Yes.
June 1	H.R. 8639. A bill making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1966. On passage. (Yeas 322, nays 60.)	Yes.
June 1	H.R. 3584. A bill to amend the Federal Coal Mine Safety Act so as to provide further for the prevention of accidents in coal mines. On passage. (Yeas 336, nays 42.)	Yes.
June 2	H.R. 8371. A bill to reduce excise taxes. On passage. (Yeas 401, nays 6.)	Yes.
June 3	H.R. 7777. A bill to authorize the President to appoint Gen. William F. McKee (U.S. Air Force, retired) to the office of Administrator of the Federal Aviation Agency. On passage. (Yeas 228, nays 137.)	No.
June 7	H.R. 3157. A bill to amend the Railroad Retirement Act of 1937 to eliminate the provisions which reduce the annuities of the spouses of retired employees by the amount of certain monthly benefits. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 323, nays 0.)	Yes.
June 8	H.R. 8775. A bill making appropriations for the legislative ranch for the fiscal year ending June 30, 1966, and for other purposes. On motion to recommit with instructions (to amend by eliminating 16 patronage employees.) (Failed.) (Yeas 140, nays 244.)	Yes.
June 8	H.R. 7105. A bill to provide for continuation of authority for regulation of exports. On passage. (Yeas 388, nays 1.)	Yes.
June 9	H. Res. 413. Resolution cutting off debate on H.R. 8464, a bill to provide, for the period beginning on July 1, 1965, and ending on June 30, 1966, a temporary increase in the public debt limit set forth in section 21 of the Second Liberty Bond Act. (Yeas 273 ,nays 109.)	Yes.
June 9	H.R. 8464. A bill to provide for the temporary increase in the public debt limit outlined above. On passage. (Yeas 229, nays 165.)	No.
June 9	H. Con. Res. 285. Concurrent resolution to allow the showing in the United States of the U.S. Information Agency film "John F. Kennedy—Years of Lightning, Day of Drums." On Mailliard amendment to outlaw commercialization of the film. (Failed.) (Yeas 174, nays 216.)	Yes.

Voting record, Congressman Clark MacGregor, 89th Cong., 1st sess.—Continued

Date, 1965	Measure, question, and result	Vote
June 9	H. Con. Res. 285. Concurrent resolution to allow the showing in the United States of the U.S. Information Agency film "John F. Kennedy—Years of Lightning, Day of Drums." On agreeing to concurrent resolution. (Yeas 311, nays 75.)	No.
June 16	H.R. 6927. A bill to establish a Department of Housing and Urban Development. On motion to recommit with instructions (to amend by substituting the Republican alternative proposal). (Failed.) (Yeas 141, nays 259.)	Yes.
June 16	H.R. 6927. A bill to establish a Department of Housing and Urban Development. On passage. (Yeas 217, nays 184.)	No.
June 16	H. Res. 416. Resolution to authorize each Member of the House of Representatives to employ annually, on a temporary basis, a student congressional intern. On agreeing to resolution. (Yeas 229, nays 153.)	Yes.
June 21	H.R. 7743. A bill to establish a system of loan insurance and a supplementary system of direct loans, to assist students to attend postsecondary business, trade, technical, and other vocational schools. On motion to suspend rules and pass. (Yeas 300, nays 0.) (Two-thirds required.)	Yes.
June 21	H.R. 8620. A bill to amend the Agricultural Act of 1949 and the Agricultural Adjustment Act of 1938, to take into consideration floods and other natural disasters in reference to the feed grains, cotton, and wheat programs for 1965. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 297, nays 2.)	Yes.
June 21	H. Con. Res. 416. Concurrent resolution to request the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 298, nays 0.)	Yes.
June 23	H.R. 9221. A bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1966. On passage. (Yeas 407, nays 0.)	Yes.
June 24	H.J. Res. 541. Joint resolution to extend the Area Redevelopment Act for a period of 2 months. On passage. (Yeas 224, nays 167.)	No.
June 28	H. Res. 425. Resolution providing for consideration of H.R. 7984, the housing and urban development bill with rent supplement provisions. On agreeing to take up the bill. (Yeas 230, nays 115.)	No. No.
June 30	H.R. 7984. On Stephens' amendment to qualify the rent supplement provisions. (Yeas 240, nays 179, "present" 1.)	No.
June 30	H.R. 7984. A bill to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities. On motion to recommit with instructions (to amend by approving the bill except for the rent supplement provisions). (Failed.) (Yeas 202, nays 208, "present" 5.)	Yes.
June 30	H.R. 7984. On final passage of the Housing and Urban Development Act. (Yeas 245, nays 169, "present" 3.)	No.
July 6	H. Res. 440. Resolution providing for consideration of H.R. 6400, the Voting Rights Act of 1965. (Yeas 308, nays 58.)	Yes.
July 9	H.R. 6400. On adoption of the clean elections amendment to the Voting Rights Act. (Yeas 253, nays 165.)	Yes.
July 9	H.R. 6400. On adoption of the Boggs amendment to terminate registration procedures under the Voting Rights Act. (Yeas 155, nays 262.)	No.
July 9	H.R. 6400. On adoption of the Gulbert amendment to the Voting Rights Act invalidating certain qualifications to vote under New York State laws. (Failed.) (Yeas 202, nays 216, "present" 1.)	No.
July 9	H.R. 6400. The Voting Rights Act. On motion to recommit with instructions to amend by substituting the Republican alternative proposal. (Failed.) (Yeas 171, nays 248.)	Yes.
July 9	H.R. 6400. A bill to enforce the 15th amendment to the Constitution of the United States. On passage of the Voting Rights Act. (Yeas 333, nays 85.)	Yes.
July 12	H.R. 8856. A bill to amend sec. 271 of the Atomic Energy Act of 1954, as amended. On motion to suspend rules and pass. (Two-thirds required.) (Failed.) (Yeas 216, nays 139.)	No.
July 12	H.R. 242. A bill to extend the apportionment requirement in the Civil Service Act of Jan. 16, 1883, to temporary summer employment. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 336, nays 22.)	Yes.
July 13	S. 559. A bill to regulate the labeling of cigarettes. Conference report, on adoption. (Yeas 286, nays 103, "present" 1.)	Yes.
July 14	H.R. 8926. A bill to provide for changes in the coinage of the United States. On Battin amendment to continue 40 percent silver content in dimes and quarters. (Failed.) (Yeas 187, nays 218.)	Yes.
July 14	H.R. 8926. A bill to reduce and in some cases eliminate silver in the coinage of the United States. On passage. (Yeas 255, nays 151.)	No.
July 20	H.R. 9075. A bill to amend title 37, United States Code, to increase the rates of basic pay for members of the uniformed services. On passage. (Yeas 410, nays 0.)	Yes.
July 22	H.R. 8283. A bill to expand the war on poverty and extend the Economic Opportunity Act of 1964. On motion to recommit with instructions (to amend by holding spending at current levels). (Failed.) (Yeas 178, nays 227.)	Yes.
July 22	H.R. 8283. A bill to expand and extend the war on poverty. On passage. (Yeas 245, nays 158.)	No.
July 26	H. Res. 437. Resolution providing for consideration of the bill (H.R. 77) to repeal sec. 14(b) of the National Labor Relations Act, as amended, and sec. 705(b) of the Labor-Management Reporting and Disclosure Act of 1959 and to amend the first proviso of sec. 8(a)(3) of the National Labor Relations Act, as amended. On rule sharply limiting amendments. (Yeas 248, nays 171.)	No.
July 27	H.R. 6675. An act to provide a hospital insurance program for the aged under the Social Security Act with a supplementary health benefits program and an expanded program of medical assistance, to increase benefits under the old-age, survivors, and disability insurance system, to improve the Federal-State public assistance programs. Conference report, on adoption. (Yeas 307, nays 116.)	No.
July 27	H.R. 7984. An act to assist in the provision of housing for low- and moderate-income families, to promote orderly urban development, to improve living environment in urban areas, and to extend and amend laws relating to housing, urban renewal, and community facilities. Conference report, on adoption. (Yeas 251, nays 168, "present" 2.)	No.
July 27	H.R. 2985. An act to authorize assistance in meeting the initial cost of professional and technical personnel for comprehensive community mental health centers. Conference report, on adoption. (Yeas 414, nays 0.)	Yes.
July 28	H.R. 77. A bill to repeal sec. 14(b) of the National Labor Relations Act, as amended, and related statutes. On motion to recommit. (Failed.) (Yeas 200, nays 223.)	Yes.
July 28	H.R. 77. A bill to repeal sec. 14(b) of the National Labor Relations Act, as amended, and related statutes. On passage. (Yeas 221, nays 203, "present" 1.)	No.
July 29	H.R. 8856. A bill to amend sec. 271 of the Atomic Energy Act of 1954 to erect overhead powerlines notwithstanding local opposition. On passage. (Yeas 275, nays 126.)	No.
Aug. 2	S.J. Res. 81. Joint resolution to authorize the Secretary of Commerce to apportion the sum authorized for the fiscal year ending June 30, 1967, for the National System of Interstate and Defense Highways. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 314, nays 11.)	Not voting. (CQ yes.)
Aug. 2	H.R. 8027. A bill to provide assistance in training State and local law enforcement officers and other personnel, and in improving capabilities, techniques, and practices in State and local law enforcement and prevention and control of crime. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 326, nays 0.)	Not voting. (CQ yes.)
Aug. 2	H.R. 6964. A bill to amend sec. 4082 of title 18, United States Code, to facilitate the rehabilitation of persons convicted of offenses against the United States. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 325, nays 0.)	Not voting. (CQ yes.)
Aug. 3	S. 1564. The Voting Rights Act of 1965. Conference report, on motion to recommit with instructions to the managers on the part of the House to insist upon the House version. (Failed.) (Yeas 118, nays 284.)	Yes.
Aug. 3	S. 1564. The Voting Rights Act of 1965. Conference report, on adoption. (Yeas 328, nays 74.)	Yes.
Aug. 3	H.R. 8469. A bill to provide certain increases in annuities payable from the civil service retirement and disability fund, and for other purposes. On passage. (Yeas 396, nays 0.)	Yes.
Aug. 4	S. 1742. An act to authorize the U.S. Governor to agree to amendments to the articles of agreements of the International Bank for Reconstruction and Development and the International Finance Corporation. On passage. (Yeas 331, nays 54.)	Yes.
Aug. 5	H. Res. 498. Resolution providing for consideration of H.R. 4750, a bill to provide a 2-year extension of the interest equalization tax. On agreeing to resolution. (Yeas 329, nays 44.)	Not voting. (CQ yes.)
Aug. 5	H.R. 4750. A bill to provide a 2-year extension of the interest equalization tax. On passage. (Yeas 274, nays 97.)	No.
Aug. 9	H.R. 9918. A bill to amend the Fire and Casualty Act and the Motor Vehicle Safety Responsibility Act of the District of Columbia. On Sickles amendment. (Yeas 173, nays 156.)	Not voting. (CQ no.)
Aug. 10	H.R. 10306. A bill to amend the Universal Military Training and Service Act of 1951, as amended. On passage. (Yeas 393, nays 1.)	Yes.
Aug. 12	S. 1648. Sisk amendment to provide for accelerated spending for the Regional Development Act. (Yeas 196, nays 194.)	No.
Aug. 12	S. 1648. An act (regional development) to provide grants for public works and development facilities, other financial assistance and planning in economically distressed areas and regions. On motion to recommit with instructions (to amend by substituting Republican alternative proposal). (Failed.) (Yeas 163, nays 224, "present" 1.)	Yes.
Aug. 12	S. 1648. On passage of the Regional Development Act. (Yeas 246, nays 138, "present" 1.)	No.
Aug. 16	H.R. 6431. A bill to amend the Tariff Act of 1930 to provide that certain forms of nickel be admitted free of duty. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 298, nays 48.)	Not voting.
Aug. 16	H.R. 8635. A bill to establish and prescribe the duties of a Federal Boxing Commission for the purpose of insuring that the channels of interstate commerce are free from false or fraudulent descriptions or depictions of professional boxing contests. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 346, nays 4.)	Not voting. (CQ yes.)
Aug. 19	H.R. 7750. An act to amend further the Foreign Assistance Act of 1961, as amended. Conference report, on adoption. (Yeas 244, nays 150.)	Yes.
Aug. 19	H.R. 9811. A bill to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs, and promote foreign trade, to afford greater economic opportunity in rural areas. On motion to recommit. (Failed.) (Yeas 169, nays 224, "present" 2.)	Yes.
Aug. 19	H.R. 9811. On passage of the farm bill. On passage. (Yeas 221, nays 172, "present" 3.)	Yes.
Aug. 24	H.R. 10586. A bill making supplemental appropriations for the Departments of Labor, and Health, Education, and Welfare for the fiscal year ending June 30, 1966. On motion to recommit. (Failed.) (Yeas 139, nays 263.)	Yes.
Aug. 25	H.R. 2580. A bill to amend the Immigration and Nationality Act, and for other purposes. On MacGregor amendment. (Numerical ceiling of 115,000 immigrants per year from the Western Hemisphere.) (Failed.) (Yeas 189, nays 218, "present" 6.)	Yes.

Voting record, Congressman Clark MacGregor, 89th Cong., 1st sess.—Continued

Date, 1965	Measure, question, and result	Vote
Aug. 25	H.R. 2580. A bill to amend the Immigration and Nationality Act, and for other purposes. On passage. (Yeas 318, nays 95.)	Yes.
Aug. 26	H.R. 9567. A bill to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in post-secondary and higher education. On passage. (Yeas 368, nays 22, "present" 2.)	Yes.
Aug. 30	H.R. 9022. A bill to amend Public Laws 815 and 874, 81st Congress, to provide financial assistance in the construction and operation of public elementary and secondary schools in areas affected by a major disaster; to eliminate inequities in the application of Public Law 815 in certain military base closings; to make uniform eligibility requirements for school districts in Public Law 874. On passage. (Yeas 305, nays 37.)	Not voting. (CQ yes.)
Aug. 31	H. Res. 551. Resolution providing for consideration of H.R. 9042, a bill to provide for the implementation of the Agreement Concerning Automotive Products between the Government of the United States of America and the Government of Canada. On agreeing to resolution. (Yeas 363, nays 23.)	Yes.
Aug. 31	H.R. 9042. A bill to provide for the implementation of the Agreement Concerning Automotive Products. On passage. (Yeas 280, nays 113)	No.
Sept. 1	H.R. 3141. A bill to amend the Public Health Service Act to improve the educational quality of schools of medicine, dentistry, and osteopathy, to authorize grants under that act to such schools for the awarding of scholarships to needy students, and to extend expiring provisions of that act for student loans and for aid in construction of teaching facilities for students in such schools and schools of other health professions. On passage. (Yeas 340, nays 47.)	Yes.
Sept. 2	H.R. 5863. A bill to authorize the Secretary of Commerce to undertake research and development in high-speed ground transportation. On passage. (Yeas 317, nays 24.)	Not voting. (CQ yes.)
Sept. 8	H.R. 10871. A bill making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966, and for other purposes. On passage. (Yeas 239, nays 143.)	Not voting (paired for).
Sept. 13	H. Res. 506. Resolution providing for consideration of the bill (H.R. 10065) to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin. On agreeing to resolution. (Yeas 259, nays 121, "present" 2.)	Yes.
Sept. 13	H. Res. 506. Resolution providing for consideration of the bill (H.R. 10065) to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin, and for other purposes. Motion by Mr. McCulloch that the vote by which H. Res. 506 was adopted be now reconsidered. On Albert motion to lay on table. (Yeas 194, nays 181.)	No.
Sept. 13	H. Res. 499. Resolution providing for the consideration of the bill (H.R. 7371) to amend the Bank Holding Company Act of 1956. On agreeing to resolution. (Yeas 201, nays 171, "present" 3.)	No.
Sept. 13	H. Res. 478. Resolution to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States. On agreeing to resolution. (Yeas 260, nays 114, "present" 1.)	Yes.
Sept. 13	H. Res. 536. Resolution providing for consideration of H.R. 10281, to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission. On agreeing to resolution. (Yeas 289, nays 84.)	Yes.
Sept. 14	H.R. 2091. A bill relating to the establishment of private compensatory concession policies in the areas administered by National Park Service. On motion to recommit. (Failed.) (Yeas 73, nays 298.)	No.
Sept. 15	H.R. 8283. An act to expand the war on poverty and enhance the effectiveness of programs under the Economic Opportunity Act of 1964. Conference report. On motion to recommit with instructions. (Insist on the language of sec. 10 of the House bill, which retains the veto power of State Governors in the form approved by the House.) (Yeas 209, nays 180.)	Not voting (paired for).
Sept. 15	H.R. 9460. A bill to provide for the establishment of the National Foundation on the Arts and the Humanities to promote progress and scholarship in the humanities and the arts in the United States. On motion to recommit. (Failed.) (Yeas 128, nays 251.)	Not voting (paired against).
Sept. 16	H. Res. 574. Resolution directing the Postmaster General to provide the names of temporary employees employed by the Post Office Department during the summer of 1965. On Morrison motion to lay on table. (Yeas 185, nays 181.)	Not voting. (CQ no.)
Sept. 16	S. 2042. A bill to amend sec. 170 of the Atomic Energy Act of 1954, as amended. On passage. (Yeas 338, nays 30.)	Not voting. (CQ yes.)
Sept. 17	H.R. 9221. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1966. Conference report, on adoption. (Yeas 382, nays 0.)	Yes.
Sept. 17	H. Res. 585. Resolution dismissing the 5 Mississippi election contests. On agreeing to resolution. (Yeas 228, nays 143, "present" 10.)	No.
Sept. 20	H.R. 10873. A bill to amend title 38 of the United States Code to establish a program of group life insurance which shall be provided by private insurance companies for members of the uniformed services who are on active duty. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 362, nays 0.)	Not voting. (CQ yes.)
Sept. 20	H. Res. 560. Resolution to express the sense of the House of Representatives declaring the policy of the United States relative to the intervention of the international communistic movement in the Western Hemisphere. On motion to suspend rules and agree to. (Two-thirds required.) (Yeas 312, nays 52, "present" 3.)	Not voting. (CQ yes.)
Sept. 21	S. 4. An act to amend the Federal Water Pollution Control Act, as amended to establish the Federal Water Pollution Control Administration, to provide grants for research and development, to increase grants for construction of municipal sewage treatment works, to authorize the establishment of standards of water quality to aid in preventing, controlling, and abating pollution of interstate waters. Conference report, on adoption. (Yeas 381, nays 0.)	Yes.
Sept. 22	S. 2300. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes. On Clark amendment to delete the Dickey-Lincoln project. (Yeas 207, nays 185, "present" 1.)	Yes.
Sept. 22	H.R. 30. A bill to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Fla. On passage. (Yeas 225, nays 112, "present" 1.)	No.
Sept. 23	H.R. 7371. A bill to amend the Bank Holding Company Act of 1956. On Bennett amendment. (Yeas 199, nays 178, "present" 3.)	Yes.
Sept. 23	H. Res. 580. Resolution providing for consideration of H.R. 10232, a bill to amend the Consolidated Farmers Home Administration Act of 1961. On motion cutting off debate. (Yeas 280, nays 70.)	No.
Sept. 23	H.R. 10232. A bill to amend the Consolidated Farmers Home Administration Act of 1961. On passage. (Yeas 326, nays 10.)	Yes.
Sept. 24	S. 306. An act to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles, to establish a Federal Air Pollution Control Laboratory. On motion to recommit with instructions (to amend by deleting solid waste disposal program). (Failed.) (Yeas 80, nays 220.)	No.
Sept. 24	S. 306. An act to amend the Clean Air Act to require standards for controlling the emission of pollutants from gasoline-powered or diesel-powered vehicles, to establish a Federal Air Pollution Control Laboratory. On passage. (Yeas 294, nays 4, "present" 1.)	Yes.
Sept. 27	H. Res. 515. On Multer motion to discharge Committee on Rules from further consideration of a home rule bill for the District of Columbia. (Pursuant to clause 4, rule XXVII—Motion No. 5.) (Yeas 213, nays 183.)	No.
Sept. 27	H. Res. 515. Resolution providing for the consideration of the District of Columbia home rule bill. On agreeing to resolution. (Yeas 223, nays 179.)	Yes.
Sept. 27	H.R. 4644. The District of Columbia home rule bill. On Multer motion that House resolve itself into the Committee of the Whole House on the State of the Union for its consideration. (Yeas 234, nays 155.)	No.
Sept. 29	H.R. 4644. The District of Columbia home rule bill. On recommendation of the Committee of the Whole House on the State of the Union that the enacting clause be stricken out. (Failed.) (Yeas 179, nays 219, "present" 2.)	Yes.
Sept. 29	H.R. 4644. The District of Columbia home rule bill. On Multer amendment substituting an alternative proposal. (Yeas 277, nays 174, "present" 1.)	Yes.
Sept. 29	H.R. 4644. A bill authorizing the residents of the District of Columbia to make known their preference on the question of home rule and, if they wish, to elect a board for the purpose of preparing a municipal charter for submission to the voters and to Congress, and for other purposes. On motion to recommit. (Failed.) (Yeas 134, nays 267, "present" 2.)	No.
Sept. 29	H.R. 4644. The substitute District of Columbia home rule bill. On passage. (Yeas 283, nays 117, "present" 2.)	Yes.
Sept. 30	H.R. 2580. An act to amend the Immigration and Nationality Act. Conference report, on adoption. (Yeas 320, nays 69.)	Yes.
Sept. 30	H.R. 10281. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission, and for other purposes. On motion to recommit with instructions to amend by deleting provisions for automatic congressional pay raises. (Yeas 238, nays 140, "present" 1.)	Yes.
Sept. 30	H.R. 10281. A bill to adjust the rates of basic compensation of certain officers and employees in the Federal Government, to establish the Federal Salary Review Commission. On passage. (Yeas 370, nays 7, "present" 1.)	Yes.
Oct. 1	H.J. Res. 642. A joint resolution to authorize the Architect of the Capitol to construct the third Library of Congress building in square 732 in the District of Columbia to be named the James Madison Memorial Building and to contain a Madison Memorial Hall. On motion to recommit with instructions (Cleveland amendment on tourist accommodations). (Failed.) (Yeas 17, nays 321, "present" 1.)	No.
Oct. 1	H.J. Res. 642. A joint resolution to authorize the Architect of the Capitol to construct the third Library of Congress building. On passage. (Yeas 328, nays 5, "present" 1.)	Yes.
Oct. 1	H.R. 10871. An act making appropriations for Foreign Assistance and related agencies for the fiscal year ending June 30, 1966. Conference report, on motion to recommit with instructions to outlaw aid to nations involved in commerce with North Vietnam. (Failed.) (Yeas 164, nays 174.)	Yes.
Oct. 1	H.R. 10871. An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1966. Conference report, on adoption. (Yeas 204, nays 127.)	Not voting (paired for).
Oct. 1	H.R. 3142. A bill to amend the Public Health Service Act to provide for a program of grants to assist in meeting the need for adequate medical library services and facilities. On passage. (Yeas 296, nays 3.)	Not voting. (CQ yes.)
Oct. 1	H.R. 6519. A bill to amend the act of May 17, 1954 (68 Stat. 98), as amended, providing for the construction of the Jefferson National Expansion Memorial at the site of old St. Louis, Missouri, and for other purposes. On passage. (Yeas 250, nays 12, "present" 1.)	Not voting. (CQ yes.)
Oct. 7	S.J. Res. 32. Joint resolution to authorize a contribution to certain inhabitants of the Ryukyu Islands for death and injury to persons, and for use of and damage to private property, arising from acts and omissions of the U.S. Armed Forces, or members thereof, after Aug. 15, 1945, and before Apr. 28, 1952. On passage. (Yeas 312, nays 55.)	Not voting. (CQ yes.)
Oct. 7	H.R. 2020. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the southern Nevada water project, Nevada. On passage. (Yeas 240, nays 134, "present" 1.)	Not voting. (CQ no.)

Voting record, Congressman Clark MacGregor, 89th Cong., 1st sess.—**Continued**

Date, 1965	Measure, question, and result	Vote
Oct. 7	S. 2084. An act to provide for scenic development and road beautification of the Federal-aid highway systems. On motion to recommit with instructions (to amend by making State zoning laws applicable). (Failed.) (Yeas 153, nays 230.)	Not voting. (CQ yes.)
Oct. 7	S. 2084. An act to provide for scenic development and road beautification of the Federal-aid highway systems. On passage. (Yeas 245, nays 138.)	Not voting. (CQ no.)
Oct. 8	H.R. 9811. An act to maintain farm income, to stabilize prices and assure adequate supplies of agricultural commodities, to reduce surpluses, lower Government costs, and promote foreign trade, to afford greater economic opportunity in rural areas. Conference report, on adoption. (Yeas 219, nays 150.)	Yes.
Oct. 12	H. Res. 598. A resolution providing for consideration of H.R. 11135, a bill to amend and extend the provisions of the Sugar Act of 1948, as amended. On agreeing to resolution. (Yeas 253, nays 80.)	Yes.
Oct. 13	H.R. 11135. A bill to amend and extend the provisions of the Sugar Act of 1948, as amended. On motion to recommit with instructions (to amend by placing an import fee on foreign sugar imports). (Yeas 160, nays 230.)	Yes.
Oct. 13	H.R. 11135. A bill to amend and extend the provisions of the Sugar Act of 1948, as amended. On passage. (Yeas 246, nays 147.)	No.
Oct. 14	H.R. 11588. A bill making supplemental appropriations for the fiscal year ending June 30, 1966, and for other purposes. On Harvey of Michigan amendment to eliminate funds for rent supplement program. (Yeas 185, nays 162, "present" 2.)	Yes.
Oct. 14	H.R. 11588. A bill making supplemental appropriations for the fiscal year ending June 30, 1966. On passage. (Yeas 242, nays 100, "present" 1.)	No.
Oct. 20	H.R. 9567. An act to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education. Conference report, on motion to recommit with instructions to the managers on the part of the House to insist upon the deletion of pt. B of title V of the bill, the establishment of a National Teachers Corps. (Failed.) (Yeas 152, nays 226.)	Yes.
Oct. 20	H.R. 9567. An act to strengthen the educational resources of our colleges and universities and to provide financial assistance for students in postsecondary and higher education. Conference report, on adoption. (Yeas 313, nays 63.)	No.
Oct. 20	S. 2300. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control. Conference report, on adoption. (Yeas 221, nays 139, "present" 5.)	Not voting. (Paired against.)
Oct. 21	H.R. 11588. An act making supplemental appropriations for the fiscal year ending June 30, 1966. Conference report, on adoption. (Yeas 250, nays 84.)	Not voting. (Paired against.)
Oct. 21	H.R. 11588. An act making supplemental appropriations for the fiscal year ending June 30, 1966. Conference report, on motion to recede and concur in Senate amendment No. 66 wtih an amendment (retain planning for Dickey-Lincoln project). (Yeas 166, nays 162, "present" 1.)	Not voting. (Paired against.)
Oct. 22	H.R. 11135. An act to amend and extend the provisions of the Sugar Act of 1948, as amended. Conference report, on adoption. (Yeas 174, nays 88.)	Not voting. (Paired for.)

Voting record, Congressman Clark MacGregor, 89th Cong., 2d sess.

Date, 1966	Measure, question, and result	Vote
Jan. 27	H. Res. 665. A resolution authorizing the expenditure of certain funds for the expenses of the Committee on Un-American Activities. On agreeing to resolution. (Yeas 290, nays 24.)	Yes.
Feb. 2	H. Res. 699. A resolution certifying the report of the Committee on Un-American Activities as to the refusals of Robert M. Shelton to produce certain pertinent papers. On agreeing to resolution. (Yeas 344, nays 28.)	Yes.
Feb. 2	H.Res. 700. A resolution certifying the report of the Committee on Un-American Activities as to the refusals of Calvin Fred Craig to produce certain pertinent papers. On motion to recommit with instructions. (Select committee to examine sufficiency of citations.) (Failed.) (Yeas 57, nays 307.)	No.
Feb. 3	H.Res. 706. A resolution taking H.R. 30, an act to provide for participation of the United States in the Inter-American Cultural and Trade Center in Dade County, Fla., from the Speaker's table and agreeing to Senate amendments. On agreeing to resolution. (Yeas 201, nays 141, "present" 3.)	No.
Feb. 7	H.R. 12410. A bill to enhance the benefits of service in the Armed Forces of the United States and further extend the benefits of higher education by providing a broad program of educational benefits for veterans of service after Jan. 31, 1955. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 381, nays 0.)	Not voting. (CQ yes.)
Feb. 8	S. 1698. An act to establish a procedure for the review of proposed bank mergers. On passage. (Yeas 372, nays 17, "present" 2.)	Yes.
Feb. 9	H.R. 12563. A bill to provide for the participation of the United States in the Asian Development Bank. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 293, nays 80.)	Yes.
Feb. 23	H.R. 12752. A bill to provide for graduated withholding of income tax from wages, to require declarations of estimated tax with respect to self-employment income, to accelerate current payments of estimated income tax by corporations, to postpone certain excise tax rate reductions, and for other purposes. On motion to recommit with instructions to amend by adjusting collection procedures and strike out reimposition of certain excise taxes. (Failed.) (Yeas 187, nays 207.)	Yes.
Feb. 23	H.R. 12752. Tax revision (described above). On passage. (Yeas 246, nays 146.)	No.
Feb. 24	H.R. 12169. A bill to amend further the Foreign Assistance Act of 1961, as amended. On motion to recommit with instructions (to amend by establishing dollar limitations in certain countries). (Failed.) (Yeas 169, nays 213.)	Yes.
Feb. 24	H.R. 12169. A bill to amend further the Foreign Assistance Act of 1961. On passage. (Yeas 350, nays 27, "present" 3.)	Yes.
Mar. 1	H.R. 12889. A bill to authorize appropriations during the fiscal year 1966 for procurement of aircraft, missiles, naval vessels, tracked combat vehicles, research, development, test, evaluation, and military construction for the Armed Forces. On passage. (Yeas 393, nays 4, "present" 1.)	Yes.
Mar. 2	S. 1666. An act to provide for the appointment of additional circuit and district judges. On passage. (Yeas 371, nays 23.)	Yes.
Mar. 2	H.R. 9963. A bill to provide for U.S. participation in the statewide exposition to be held in Alaska during 1967. On passage. (Yeas 202, nays 173.)	No.
Mar. 3	H.R. 12322. A bill to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton. On motion to recommit with instructions (to amend). (Marketing order referendums approval by two-thirds of farmers only.) (Failed.) (Yeas 185, nays 191, "present" 1.)	Yes.
Mar. 3	H.R. 12322. A bill to enable cottongrowers to establish, finance, and carry out a coordinated program of research and promotion to improve the competitive position of, and to expand markets for, cotton. On passage. (Yeas 189, nays 183, "present" 1.)	No.
Mar. 15	H.R. 12752. Excise tax increases. Conference report, on adoption. (Yeas 288, nays 102.)	No.
Mar. 15	H.R. 13546. A bill making supplemental appropriations (Defense) for the fiscal year ending June 30, 1966. On passage. (Yeas 389, nays 3.)	Yes.
Mar. 16	H.R. 6785. A bill to establish uniform dates throughout the United States for daylight saving time. On passage. (Yeas 292, nays 93.)	Yes.
Mar. 21	H.R. 13448. A bill to amend title 39, United States Code, with respect to mailing privileges of members of the U.S. Armed Forces and other Federal Government personnel overseas. On motion to suspend rules and pass. (Yeas 304, nays 0.)	Yes.
Mar. 22	H. Res. 774. A resolution providing for consideration of S. 2394, a bill to provide for the acquisition of an official residence for the Vice President of the United States. On agreeing to resolution. (Yeas 236, nays 135.)	No.
Mar. 22	S. 2394. Vice-Presidential home. On passage. (Yeas 197, nays 184, "present" 1.)	No.
Mar. 29	H.R. 14012. A bill making supplemental appropriations for the fiscal year ending June 30, 1966, and for other purposes. On motion to recommit with instructions (to amend by deleting rent subsidy program). (Failed.) (Yeas 190, nays 198, "present" 3.)	Not voting. (CQ yes.)
Mar. 29	H.R. 14012. A bill making supplemental appropriations for the fiscal year ending June 30, 1966. On passage. (Yeas 269, nays 122, "present" 2.)	Not voting (paired against).
Mar. 30	S. 1404. An act to promote the observance of a uniform system of time throughout the United States. Conference report, on adoption. (Yeas 282, nays 91.)	Not voting. (CQ yes.)
Mar. 31	S. 2729. An act to amend sec. 4(c) of the Small Business Act. On passage. (Yeas 373, nays 0)	Not voting. (CQ yes.)
Apr. 6	H.R. 14224. A bill to amend pt. B of title XVIII of the Social Security Act so as to extend through May 31, 1966, the initial period for enrolling under medicare program. On passage. (Yeas 387, nays 0.)	Yes.
Apr. 6	H.R. 14122. A bill to adjust the rates of basic compensation of certain employees of the Federal Government, and for other purposes. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 393, nays 1.)	Yes.
Apr. 6	H.R. 14215. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1967. On motion to recommit with instructions (to amend). (To limit to 95 percent of budget estimate.) (Failed.) (Yeas 157, nays 233.)	Yes.
Apr. 6	H.R. 14215. A bill making appropriations for the Department of the Interior and related agencies for the fiscal year ending June 30, 1967. On passage. (Yeas 370, nays 16.)	Yes.
Apr. 6	H.R. 14266. A bill making appropriations for the Treasury and Post Office Departments, the Executive Office of the President, and certain independent agencies, for the fiscal year ending June 30, 1967. On motion to recommit with instructions (to amend). (To limit to 95 percent of budget estimate.) (Failed.) (Yeas 127, nays 244.)	Yes.
Apr. 6	H.R. 14266. Treasury, Post Office, Executive appropriations. On passage. (Yeas 368, nays 2)	Yes.
Apr. 19	H.R. 7406. A bill to authorize the Secretary of the Interior to construct, operate, and maintain a 3d powerplant at the Grand Coulee Dam, Columbia Basin project, Washington. On committee amendment. (Yeas 240, nays 111, "present" 2.)	No.
Apr. 19	S. 1761. Grand Coulee Dam. On Rogers of Texas motion to substitute House bill. (Yeas 240, nays 79.)	No.

Voting record, Congressman Clark MacGregor, 89th Cong., 2d sess.—Continued

Date, 1966	Measure, question, and result	Vote
Apr. 20	H. Res. 756. A resolution expressing the disapproval of the House of Representatives of Reorganization Plan No. 1 of 1966. (Transfer of Community Relations Service.) On agreeing to resolution. (Failed.) (Yeas 163, nays 220.)	Yes.
Apr. 26	H.R. 14596. A bill making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1967, and for other purposes. On motion to recommit with instructions (to amend). (Prohibit sales to nations doing business with North Vietnam so long as it is under Communist regime.) (Yeas 290, nays 98.)	Yes.
Apr. 26	H.R. 14596. A bill making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1967. On passage. (Yeas 366, nays 23.)	Yes.
Apr. 27	H.R. 10065. A bill to more effectively prohibit discrimination in employment because of race, color, religion, sex, or national origin. On passage. (Yeas 300, nays 93.)	Yes.
Apr. 28	H.R. 13881. A bill to authorize the Secretary of Agriculture to regulate the transportation, sale, and handling of dogs, cats, and other animals to be used for purposes of research or experimentation. On passage. (Yeas 352, nays 10.)	Yes.
May 3	H.R. 14324. A bill to authorize appropriations to the National Aeronautics and Space Administration. On motion to recommit with instructions (to amend). (For research on aircraft noise.) (Failed.) (Yeas 90, nays 271.)	Yes.
May 3	H.R. 14324. A bill to authorize appropriations to the National Aeronautics and Space Administration. On passage. (Yeas 349, nays 10, "present" 1.)	Yes.
May 5	H.R. 14745. A bill making appropriations for the Departments of Labor, and Health, Education, and Welfare, and related agencies, for the fiscal year ending June 30, 1967. On motion to recommit with instructions (to amend). (To limit to 95 percent of budget estimate.) (Failed.) Yeas 143, nays 236.).	Yes.
May 5	H.R. 14745. Labor, and Health, Education, and Welfare appropriations. On passage. (Yeas 355, nays 27.)	Yes.
May 10	H.R. 14921. A bill making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1967. On Boland of Massachusetts amendment to add rent subsidy. (Yeas 192, nays 188, "present" 4.)	No.
May 10	H.R. 14921. Independent Officers, Housing, and Urban Development appropriations, 1967. On passage. (Yeas 297, nays 82)	No.
May 11	H.R. 14088. A bill to authorize an improved health benefits program for retired members and members of the uniformed services and their dependents. On passage. (Yeas 358, nays 0.)	Yes.
May 12	S. 1098. An act to insure the adequacy of the national railroad freight car supply. On passage. (Yeas 306, nays 27.)	Yes.
May 16	S. 693. An act to amend the Foreign Agents Registration Act of 1938, as amended. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 285, nays 0.)	Not voting. (CQ yes).
May 18	H.R. 14215. Department of the Interior Appropriations. Conference report, on adoption. (Yeas 378, nays 10.)	Not voting. (CQ yes).
May 18	H.R. 14544. A bill to promote private financing of credit needs and to provide for an efficient and orderly method of liquidating financial assets held by Federal credit agencies, and for other purposes. On motion to recommit with instructions (to amend). (Limit interest rate on participation sales.) (Failed.) (Yeas 180, nays 217.)	Not voting. (CQ yes).
May 18	H.R. 14544. Federal credit agencies. On passage. (Yeas 206, nays 190.)	Not voting. (CQ no.)
May 26	H.R. 13712. A bill to amend the Fair Labor Standards Act of 1938 to extend its protection to additional employees, to raise the minimum wage, and for other purposes. On Anderson of Illinois amendment to limit coverage to larger businesses. (Failed.) (Yeas 195, nays 200, "present" 3.)	Not voting. (CQ yes.)
May 26	H.R. 13712. Minimum wage. On Ayres of Ohio-Morris of New Mexico amendment to provide for slow-down on effective date. (Yeas 205, nays 194.)	Not voting. (CQ yes.)
May 26	H.R. 13712. Minimum wage. On motion to recommit with instructions to amend. (To delete agricultural and food processing employees.) (Failed.) (Yeas 167, nays 232.)	Not voting. (CQ yes.)
May 26	H.R. 13712. Minimum wage. On passage. (Yeas 303, nays 93, "present" 1.)	Not voting. (CQ yes.)
June 1	H.R. 9167. A bill to enable the courts to deal more effectively with the problem of narcotic addiction. On motion to recommit with instructions (to amend). (Yeas 198, nays 168.)	Yes.
June 1	H.R. 9167. Narcotic addiction. On passage. (Yeas 367, nays 1.)	Yes.
June 2	H.R. 14050. A bill to extend and amend the Library Services and Construction Act. On passage. (Yeas 336, nays 2, "present" 2.)	Yes.
June 6	H.R. 14643. A bill to provide for the strengthening of American educational resources for international studies and research. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 194, nays 90.)	Yes.
June 6	H.R. 10. A bill to amend the Internal Revenue Code of 1954 to permit pension and profit-sharing plans to provide contributions or benefits on a nondiscriminatory basis for certain self-employed individuals without special limitations on the amount of contributions. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 291, nays 0.)	Yes.
June 7	H.R. 15456. A bill making appropriations for the legislative branch for the fiscal year ending June 30, 1967. On passage. (Yeas 341, nays 2.)	Yes.
June 7	S. 1357. An act to revise existing bail practices in courts of the United States. On passage. (Yeas 319, nays 14.)	Yes.
June 8	H.R. 15202. A bill to provide for the period beginning on July 1, 1966, and ending on June 30, 1967, a temporary increase in the public debt limit set forth in sec. 21 of the Second Liberty Bond Act. On passage. (Yeas 199, nays 165.)	No.
June 9	H.R. 14929. A bill to promote international trade in agricultural commodities, to combat hunger and malnutrition, to further economic development. On second committee amendment. (Provide 40-year financing and 10-year grace period.) (Yeas 193, nays 165.)	No.
June 9	H.R. 14929. International agricultural trade. On motion to recommit with instructions (to amend so as to bar subsidized dollar sales to Communist countries and to prohibit feed grain and wheat sales at less than 80 percent of parity.) (Failed.) (Yeas 157, nays 200.)	Yes.
June 9	H.R. 14929. International agricultural trade. On passage. (Yeas 333, nays 20.)	Yes.
June 13	H.R. 14019. A bill to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations. On passage. (Yeas 290, nays 3.)	Yes.
June 14	S. 2950. An act to authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces. On passage. (Yeas 356, nays 2.)	Not voting. (CQ yes.)
June 16	H.R. 14025. A bill to extend the Defense Production Act of 1950. On 2d committee amendment to provide President with standby controls on consumer credit. (Failed.) (Yeas 73, nays 275, "present" 1.)	Not voting. (CQ no.)
June 20	S. 1160. An act to amend sec. 3 of the Administrative Procedure Act, ch. 324, of the act of June 11, 1946 (60 Stat. 238), to clarify and protect the right of the public to information. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 307, nays 0.)	Yes.
June 20	H.R. 16660. A bill to promote the general welfare, public policy, and security of the United States. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 308, nays 1.)	Yes.
June 22	H.R. 15119. A bill to extend and improve the Federal-State unemployment compensation program. On passage. (Yeas 375, nays 10.)	Yes.
June 23	H.R. 13196. A bill to amend the Public Health Service Act to increase the opportunities for training of medical technologists and personnel in other allied health professions, to improve the educational quality of the schools training such allied health professions personnel, and to strengthen and improve the existing student loan programs for medical, osteopathic, dental, podiatry, pharmacy, optometric, and nursing students. On passage. (Yeas 364, nays 0.)	Yes.
June 27	H. Res. 875. A resolution providing for the consideration of the bill H.R. 14904, to revise postal rates on certain fourth-class mail. (21-day rule.) On agreeing to resolution. (Yeas 222, nays 148.)	No.
June 27	H.R. 5426. A bill to provide that common-law marriages may not be contracted in the District of Columbia. On motion to recommit. (Failed.) (Yeas 39, nays 328.)	No.
July 12	S. 2950. An act to authorize appropriations during the fiscal year 1967 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and research, development, test, and evaluation for the Armed Forces. Conference report, on adoption. (Yeas 360, nays 2.)	Yes.
July 14	H.R. 15750. A bill to amend further the Foreign Assistance Act of 1961, as amended, and for other purposes. On motion to recommit with instructions (to amend). (To reduce program from 2-year to 1-year authorization and to reduce certain funds.) (Failed.) (Yeas 191, nays 193.)	Not voting (paired for).
July 14	H.R. 15750. A bill to amend further the Foreign Assistance Act of 1961, as amended. On passage. (Yeas 237, nays 146.)	Not voting (paired for).
July 20	H.R. 15941. A bill making appropriations for the Department of Defense for the fiscal year ending June 30, 1967. On passage. (Yeas 393, nays 1.)	Yes.
July 21	S. 602. An act to amend the Small Reclamation Projects Act of 1956. Conference report, on adoption. (Rejected.) (Yeas 136, nays 204, "present" 1.)	No.
July 25	H. Res. 910. A resolution to provide for the consideration of the bill (H.R. 14765) to assure nondiscrimination in Federal and State jury selection and service, to facilitate the desegregation of public education and other public facilities, to provide judicial relief against discriminatory housing practices, to prescribe penalties for certain acts of violence or intimidation. (21-day rule.) On agreeing to resolution. (Yeas 200, nays 180, "present" 3.)	Yes.
Aug. 9	H.R. 14765. Civil Rights Act of 1966. On Mathias of Maryland amendment to enlarge exemption from coverage. (Yeas 237, nays 176.)	No.
Aug. 9	H.R. 14765. Civil Rights Act of 1966. On Cramer of Florida-Ashmore of South Carolina amendment to make it a Federal offense to use interstate facilities for inciting riot. (Yeas 389, nays 25.)	Yes.
Aug. 9	H.R. 14765. Civil Rights Act of 1966. On Whitener of North Carolina amendment. (Written complaints must be used to initiate school desegregation suits. (Yeas 214, nays 201.)	No.
Aug. 9	H.R. 14765. Civil Rights Act of 1966. On motion to recommit with instructions (to amend by deleting section on fair housing). (Failed.) (Yeas 190, nays 222, "present" 1.)	No.
Aug. 9	H.R. 14765. Civil Rights Act of 1966. On passage. (Yeas 259, nays 157, "present" 1.)	Yes.
Aug. 10	S. 3105. An act to authorize certain construction at military installations, and for other purposes. On passage. (Yeas 390, nays 1.)	Yes.
Aug. 11	H.R. 14359. A bill to authorize appropriations for the fiscal years 1968 and 1969 for the construction of certain highways in accordance with title 23 of the United States Code. On motion to recommit with instructions (to amend). (To delete authorization of appropriations for beautification.) (Failed.) (Yeas 173, nays 175.)	Yes.

Voting record, Congressman Clark MacGregor, 89th Cong., 2d sess.—Continued

Date, 1966	Measure, question, and result	Vote
Aug. 11	H.R. 14359. Highway construction funds. On passage. (Yeas 341, nays 1, "present" 2.)	Not voting. (CQ yes.)
Aug. 15	S. 3688. A bill to increase the authority of the Federal National Mortgage Association to obtain funds for use in its secondary market operations. On motion to suspend rules and pass. (Two-thirds required.) (Yeas 314, nays 1.)	Not voting. (CQ yes.)
Aug. 15	H.R. 16114. A bill to correct inequities with respect to the determination of basic compensation of employees of the Federal Government for purposes of certain employment benefits. Motion to suspend rules and pass. (Two-thirds required.) (Yeas 313, nays 0.)	Not voting. (CQ yes.)
Aug. 15	H.R. 14604. A bill to authorize the study of facilities and services to be furnished visitors and students coming to the Nation's Capitol. Motion to suspend rules and pass. (Two-thirds required.) (Failed.) (Yeas 209, nays 108.)	Not voting. (CQ yes.)
Aug. 15	H.R. 11555. A bill to provide a border highway along the U.S. bank of the Rio Grande in connection with the settlement of the Chamizal boundary dispute between the United States and Mexico. (Two-thirds required.) (Failed.) (Yeas 174, nays 133.)	Not voting.
Aug. 16	H.R. 14810. A bill to amend the Urban Mass Transportation Act of 1964 to authorize additional amounts for assistance thereunder, to authorize grants for certain technical studies, and to provide for an expedient program of research, development, and demonstration of new urban transportation systems. Motion to recommit with instructions (to amend to cut spending by $25,000,000). (Yeas 205, nays 161.)	Yes.
Aug. 16	H.R. 14810. A bill to amend the Urban Mass Transportation Act. (Passage.) (Yeas 236, nays 127.)	Yes.
Aug. 17	H.R. 13228. The National Traffic and Motor Vehicle Safety Act of 1966. Amendment on Advisory Council appointment. (Yeas 168, nays 205.)	Yes.
Aug. 17	H.R. 13228. The National Traffic and Motor Vehicle Safety Act of 1966. (Passage.) (Yeas 371, nays 0.)	Yes.
Aug. 18	H.R. 14921. Independent offices appropriations. Conference report. Motion to recommit the conference report with instructions to insist on House amendment. (Failed.) (Yeas 176, nays 190.)	Yes.
Aug. 18	H.R. 13290. Highway Safety Act, to provide for highway safety research and development, certain highway safety programs, a national driver register and a highway accident research and test facility. (Yeas 317, nays 3.)	Yes.
Aug. 22	S. 602. A bill to broaden the scope of the Small Reclamation Project Act. Conference report. (Yeas 198, nays 81.)	No.
Aug. 22	H.R. 16340. A bill to prohibit picketing in the District of Columbia within 500 feet of any church. Motion to recommit with instructions to hold hearings. (Yeas 55, nays 287.)	No.
Aug. 22	H.R. 16340. A bill to prohibit picketing in the District of Columbia within 500 feet of any church. (Passage.) (Yeas 349, nays 44.)	No.
Aug. 24	H.R. 14596. Department of Agriculture appropriations. Conference report. (Yeas 324, nays 29.)	Yes.
Aug. 25	H.R. 15941. Department of Defense appropriations. Conference report. (Yeas 383, nays 1.)	Yes.
Aug. 25	H.R. 15941. Department of Defense appropriations. Motion that House insist on disagreement on amendment relating to calling the National Guard. (Yeas 378, nays 3.)	Yes.
Aug. 26	S. 3688. A bill to expand the Federal National Mortgage Association. Conference report. (Yeas 235, nays 1.)	Yes.
Aug. 26	S. 3700. The Urban Mass Transportation Act of 1964 amendments. Conference report. (Yeas 156, nays 86.)	Yes.
Aug. 29	H.J. Res. 1284. A resolution making continuing appropriations for fiscal year 1967. (Yeas 323, nays, 6.)	Not voting. (CQ yes.)
Aug. 30	H.R. 15963. A bill to establish a Department of Transportation. Amendment designed to exclude jurisdiction of maritime activities. (Yeas 260, nays 117.)	Yes.
Aug. 30	H.R. 15963. A bill to establish a Department of Transportation. Recommit motion with instructions (to amend) (to delete air safety functions). (Yeas 143, nays 238.)	Yes.
Aug. 30	H.R. 15963. A bill to establish a Department of Transportation. (Passage.) (Yeas 336, nays 42.)	Yes.
Aug. 31	S. 3155. The Federal Aid Highway Act of 1966. Conference report. (Yeas 359, nays 1.)	Yes.
Aug. 31	S. 3005. National Traffic and Motor Vehicle Safety Act of 1966. Conference report. (Yeas 365, nays 0.)	Yes.
Aug. 31	S. 3052. The Highway Safety Act of 1966. Conference report. (Yeas 360, nays 3.)	Yes.
Aug. 31	H.R. 16574. A bill to amend the Peace Corps Act. (Yeas 322, nays 15.)	Yes.
Sept. 1	H.R. 15750. A bill to amend further the Foreign Assistance Act of 1966. Conference report. (Yeas 217, nays 127.)	Yes.
Sept. 1	H.R. 15098. A bill relating to the participation of the United States in the HemisFair in the 1968 exposition to be held in San Antonio, Tex. Motion to recommit. (Failed.) (Yeas 147, nays 184.)	Yes.
Sept. 6	H.R. 15766. A bill to establish a National Commission on Reform of Federal Criminal Laws. (Yeas 259, nays 0.)	Yes.
Sept. 7	H.R. 13717. Minimum wage. Conference report. Motion to recommit with instructions (to amend). Ayres amendment to "stretch out" effective date. (Yeas 163, nays 163.)	Yes.
Sept. 7	H.R. 13717. Minimum wage. Conference report. (Yeas 259, nays 89.)	Yes.
Sept. 8	H.R. 14026. A bill to provide temporary controls of bank interest rates. Motion to recommit. (Yeas 130, nays 214.)	No.
Sept. 8	H.R. 14026. A bill to provide temporary controls of bank interest rates. On passage. (Yeas 271, nays 68.)	Yes.
Sept. 13	H.R. 17636. District of Columbia appropriations. Motion to recommit with instructions (to amend). (To limit to 95 percent of budget estimate.) (Yeas 103, nays 217.)	Not voting. (CQ yes.)
Sept. 13	H.R. 17636. District of Columbia appropriations. On passage. (Yeas 320, nays 3.)	Not voting. (CQ yes.)
Sept. 14	H.R. 17637. The Military construction appropriations. (Yeas 346, nays 3.)	Yes.
Sept. 19	H.R. 8678. A bill to establish the Pictured Rocks National Lakeshore in Michigan. (Yeas 247, nays 70.)	Not voting.
Sept. 19	H.R. 17488. A bill to increase the rates of pension payable to certain veterans and their widows. (Yeas 315, nays 2.)	Not voting. (CQ yes.)
Sept. 19	H.R. 15183. A bill to adjust the status of Cuban refugees to that of lawful residents of the United States. (Yeas 300, nays 25.)	Yes.
Sept. 19	S.J. Res. 167. A resolution to enable the United States to organize and hold an International Conference on Water for Peace in the United States and to authorize an appropriation therefore. Motion to suspend rules and pass. (Two-thirds required.) (Failed.) (Yeas 161, nays 154.)	No.
Sept. 19	S. 3423. A bill to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va. Motion to suspend rules and pass. (Two-thirds required.) (Failed.) (Yeas 195, nays 105.)	No.
Sept. 20	H.R. 17788. The Foreign Assistance Appropriations Act. Motion to recommit with instructions (to amend). (To cut spending by about 10 percent.) (Yeas 187, nays 182.)	Yes.
Sept. 20	H.R. 17788. The Foreign Assistance Appropriations Act. On passage. (Yeas 224, nays 141.)	Yes.
Sept. 21	H.R. 17787. The Public Works Appropriation Act. (Yeas 254, nays 25.)	No.
Sept. 21	H.R. 17195. The Reserve Forces bill. (Yeas 332, nays 6.)	Yes.
Sept. 22	H.R. 11555. A bill to provide for the Chamizal Memorial Highway. On motion to recommit with instructions (to amend). (To cut funds by $4,000,000.) (Yeas 149, nays 199.)	Yes.
Sept. 22	H.R. 13825. The Tijuana River project. (Yeas 293, nays 42.)	Yes.
Sept. 29	H.R. 15111. The Economic Opportunity Act Amendments of 1966. On motion to strike the enacting clause. (Yeas 156, nays 208.)	Yes.
Sept. 29	H.R. 15111. The Economic Opportunity Act Amendments 1966. Amendment limiting supergrades. (Yeas 257, nays 108.)	Yes.
Sept. 29	H.R. 15111. The Economic Opportunity Act Amendments of 1966. On motion to recommit with instructions (to amend) (to adopt the Republican alternative). (Yeas 162, nays 203.)	Yes.
Sept. 29	H.R. 15111. The Economic Opportunity Act Amendments of 1966. On passage. (Yeas 210, nays 156.)	No.
Sept. 30	H.R. 17607. A bill to provide for the temporary suspension of the 7-percent investment credit. Committee amendments. (Yeas 330, nays 2.)	Yes.
Sept. 30	H.R. 17607. A bill to provide for the temporary suspension of the 7-percent investment credit. On passage. (Yeas 221, nays 118.)	Yes.
Sept. 30	H.R. 16067. A bill to amend the Water Pollution Control Act. (Yeas 312, nays 0.)	Yes.
Oct. 3	S. 985. The Fair Packaging and Labeling Act. (Yeas 300, nays 8.)	Yes.
Oct. 3	S. 3807. A bill authorized the AEC to participate in a scale combination nuclear power desalting project. (Yeas 316, nays 1.)	Yes.
Oct. 3	H.R. 13447. A bill to provide for the preservation of estuarine areas. Motion to suspend rules and pass. (Two-thirds required.) (Yeas 207, nays 108.)	No.
Oct. 4	H.R. 18119. State, Commerce, Justice, and judiciary appropriations. On motion to recommit, with instructions to limit to 95 percent of budget estimate. (Yeas 152, nays 201.)	Yes.
Oct. 5	H.R. 18119. State, Commerce, Justice, judiciary appropriations. Passage. (Yeas 319, nays 38.)	Yes.
Oct. 5	H.R. 14929. The Food for Peace Act. (Conference report.) On motion to recommit with instructions to insist on House language prohibiting shipments to Cuba and North Vietnam. (Yeas 306, nays 61.)	Yes.
Oct. 6	H.R. 13161. Elementary and Secondary Education Act Amendments of 1966. Amendment regarding compliance with Civil Rights Act of 1964. (Yeas 220, nays 116.)	Yes.
Oct. 6	H.R. 13161. The Elementary and Secondary Education Act Amendments of 1966. On motion to recommit with instructions (to amend). (To reduce funds by $343,000,000.) (Yeas 150, nays 185.)	Yes.
Oct. 6	H.R. 13161. The Elementary and Secondary Education Act Amendments of 1966. On passage. (Yeas 237, nays 97.)	No.
Oct. 7	H.R. 17788. Foreign Assistance Appropriations. Conference report. (Yeas 189, nays 80.)	Not voting. (Paired for.)
Oct. 11	H.R. 15941. Department of Defense Appropriations. Conference report. On motion to adopt Senate amendment. (Yeas 305, nays 42.)	No.
Oct. 11	H.R. 17787. The Public Works Appropriation Act. On motion to recommit to conference. (Yeas 91, nays 255.)	Yes.
Oct. 13	H.R. 12047. A bill to amend the Internal Security Act of 1950 to prevent the obstruction of the Armed Forces. (Yeas 275, nays 64.)	Yes.

EISENHOWER ON VIOLENCE

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Gerald R. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, I was impressed with an editorial in the Christian Science Monitor for Thursday, October 6, which commented on General Eisenhower's statement on violence and crime.

All of us recognize that crime and violence is one of our major problems today and one which demands our immediate attention.

Under leave to extend my remarks I include the editorial:

Eisenhower on Violence

> There can no longer be much doubt but that the American people are more angrily aroused against crime, violence, and rioting on the streets of the United States than at almost any time in national history. This reaction has resulted in growing demands for corrective action. It has also made itself felt in the outcome of elections in the East, the Deep South, and the Far West. It has even frightened or persuaded many congressmen to withhold further support for civil-rights legislation, defeating the 1966 Civil Rights bill, and jeopardizing funds for the implementation of earlier legislation.
>
> Thus former President Eisenhower was doubtless giving Republican Party leaders sound advice when he called upon them to take "the strongest possible position" for action to halt violence, crime, and rioting. Few observers can doubt but that such a political position would have strong and immediate appeal to a heavy majority of American citizens.
>
> This does not mean, nor did General Eisenhowever mean, that curbs should be placed upon legitimate protest against the manifold grievances under which large numbers of Americans, above all Negroes, suffer. It is not suggested that orderly protest demonstrations, such, for example, as those led by Dr. Martin Luther King, Jr. in the Chicago area late this summer, be halted.
>
> But the public has come to see that there is a far cry from such orderly demonstrations and the outbursts of sniping, burning, and looting which have embarrassed sincere and thoughtful civil-rights leaders as much as they have alienated the sympathy of the general public. General Eisenhower was doing no more than express general will when he demanded that steps be taken to bring such action (along with other types of street crime) to an end.
>
> Yet no authoritative student of social conditions believes that mere repression, however stern, can of itself halt, the violence which is begotten by poverty, frustration, racial discrimination, inadequate education and poor home environment. This can be done only by the hope, promise, and proof of a better future.
>
> Thus we trust that if the suppression of disorder continues to be a major political issue, it will be recognized as one which must be dealt with on two different but concurrent levels. Crime and rioting must be put down by resolute police action. But the seeds of violence must be rooted out by a compassionate understanding of what produces them and a generous willingness to undergo any sacrifice needed to sterilize the soil in which they grow.

RECOGNITION OF CENTER OF SCIENCE AND INDUSTRY IN COLUMBUS, OHIO

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Devine] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DEVINE. Mr. Speaker, residents throughout the State of Ohio are proud of the achievements of the center of science and industry operating under the Franklin County Historical Society which has distinguished itself as one of the world's most progressive cultural institutions.

Hundreds of thousands of citizens have used facilities of the center, attended special classes, participated in lectures related to careers, medicine, travel, and virtually every phase of American life in the space age. But, the prehistoric growth to modern civilization has not been neglected.

The center of science and industry is a positive influence for education, entertainment, and enlightenment operated on a nonprofit basis. It is a memorial to the free enterprise system and the fact that local citizens can devise, on their own, presentations honoring our heritage and offering inspiration for the future.

The quality offerings of diverse topics have evoked commendation, seldom given, by the Smithsonian Institute, greatest of American Museums, recognizing the fantastic progress of the center of science and industry in less than 3 years. The commendation follows:

> The exhibit "Triumph of Man" will be a significant cultural and educational presentation to the people of Central Ohio. The excellent program presented by the Center of Science and Industry in the short period since its establishment gives promise of great things for the future.

TIME TO INVESTIGATE

Mr. HUTCHINSON. Mr. Speaker, I ask unanimous consent that the gentleman from Kansas [Mr. Dole] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DOLE. Mr. Speaker, the five Congressmen from Kansas, "The Wheat State," myself, Chester Mize, Bob Ellsworth, Garner Shriver, and Joe Skubitz, wired President Johnson today suggesting an investigation be made of the charges made by Frank LeRoux, a Democrat, who last week resigned a $25,000 per year position as General Sales Manager of the Department of Agriculture. The Telegram to Johnson was prompted by new revelations which appeared in the October 13 issue of the Des Moines, Iowa, Register. We suggest that Secretary of Agriculture, Orville Freeman, should voluntarily resign or be discharged, if LeRoux's statements are accurate. LeRoux said in the interview that 6 months ago Freeman, and other high-ranking USDA officials, deliberately initiated a four-stage plan to drive wheat prices down.

According to LeRoux:

> The first stage was a cutback in the sales abroad under the Public Law 480 program. Freeman wanted to use it to cut wheat prices, and they sat back gleefully waiting for it to drive prices down.

LeRoux said that while this caused some drop in the prices, it was "not as much as Freeman wanted, so they took the next step—an announcement of an increase of about 7.7 million wheat acres. Again they sat back waiting for the price to go down, but it still wasn't enough."

LeRoux said:

> Then they took the step that was thoroughly dishonest, and they knew it was dishonest at the time.

The Department announced "an enormous world wheat crop prediction." LeRoux said the "dishonesty" of this announcement was best demonstrated by Agriculture Department comments that the increase of about 20 percent in the wheat acreage in Argentina was one of the reasons why a huge world wheat crop could be expected.

LeRoux continued:

> The Agriculture Department knew at the time that a crop failure in Argentina was going to cut the wheat production in that country from something over 11 million tons to about 5.5 million tons. These three moves and this deception was bad enough, but then the Agriculture Department took the fourth crack at wheat prices. This was the announcement that there would be an additional increase in wheat acreage of about 5 million acres by permitting the use of acres cut back from feed grain production to be put in wheat.

LeRoux further declared that Secretary Freeman and Under Secretary of Agriculture, John Schnittker, had "knowingly taken those steps to cut wheat prices and they have been successful in dropping the market 25 or 30 cents in the last month."

In the exclusive interview, LeRoux also related how Freeman deliberately moved to depress the price of corn, hogs, and feed grains.

Mr. Speaker, if a Republican had made these charges he would have been blasted by administration leaders as playing politics before election, but it so happens that Mr. LeRoux was and is a Democrat. LeRoux, a farmer, came to the Department from the State of Washington with the sole objective of bolstering farm income and upgrading the role of the American farmer. His statements have gone unchallenged. It is obvious that Secretary Freeman and other USDA officials are playing consumer politics at the expense of the American farmer. Freeman has not been a Secretary "of" Agriculture, but a Secretary "against"

Agriculture and should either resign or be discharged by President Johnson for his antifarmer policies if the statements by LeRoux in his book, "The Farmers' Worst Five Years," or his statements in the Des Moines Register interview are not promptly refuted. It seems obvious to me that the wrong USDA official quit.

The text of the telegram to President Johnson is as follows:

We respectfully request an investigation of the statements made by Frank Le Roux, who resigned last week as general sales manager of the Department of Agriculture, which appeared in the October 13 issue of of the Des Moines, Iowa, Register. Mr. Le Roux states that Secretary of Agriculture, Orville Freeman, and other high ranking USDA officials deliberately initiated a four-stage plan to drive wheat prices down. Mr. Le Roux further states that he had knowledge of Secretary Freeman's personal interest in driving the price of wheat, corn, pork, and other agricultural products down.

We respectfully suggest that if these statements are accurate, Secretary Freeman be asked to resign. The American farmer cannot have confidence in a Secretary of Agriculture if he in fact has deliberately carried out a policy which would depress farm commodity prices.

The farmers of Kansas and of all America look to you for a prompt, thorough and objective investigation of this serious situation.

BOB DOLE,
First District, Kansas.
CHESTER MIZE,
Second District, Kansas.
BOB ELLSWORTH,
Third District, Kansas.
GARNER SHRIVER,
Fourth District, Kansas.
JOE SKUBITZ,
Fifth District, Kansas.

THIS IS WASHINGTON: 1,500 DRAW CITY'S PORTRAIT

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, in the past several weeks an extremely interesting series of articles entitled "This Is Washington" appeared in the Washington Post. These articles are based on an extensive survey conducted by Louis Harris & Associates. I would like to include in the RECORD the first two articles of this series which appeared in the Post on October 2 and October 3, 1966:

THIS IS WASHINGTON: 1,500 DRAW CITY'S PORTRAIT

"This Is Washington" is a self-portrait of a community by the people living in it.

What kind of people are they? How do they feel about Washington as a hometown? What are their complaints, hopes, likes and dislikes, frustrations, and opinions on public issues—from race relations to losing baseball teams?

To try to find out, The Washington Post turned to Louis Harris and Associates, the firm of public opinion analysts. Fifty interviewers talked to 1,500 persons, chosen by a statistician's random sampling to cut a cross-section across the District and its Maryland-Virginia suburbs.

They turned up, among others, a Buddhist and an 18-year-old bride just married that morning (she completed the questionnaire but wasn't too concerned about civil problems at the time).

The questionnaires—almost 400 pounds of them—were sent to New York City. There the answers were digested by computers and dissected by public opinion specialists. Three Washington Post reporters gleaned quotes from the questionnaires and reviewed the results.

This is the basis for the series that starts today.

[From the Washington Post, Oct. 2, 1966]

THIS IS WASHINGTON—I: CRIME IS TOP PROBLEM IN DISTRICT, AREA'S NEGRO AND WHITES AGREE

The No. 1 worry in Washington is crime. And Negroes are more worried than whites.

When a cross-section of 1500 people was asked to name the two or three biggest problems that "something should be done about" in the Washington area, more than half singled out crime and other areas of law enforcement.

"More than in most cities crime is a top issue in Washington," reports Louis Harris, who carried out the survey of public attitudes for The Washington Post.

The Post-Harris survey reflects the deep concern of Negroes, who, as is often forgotten by whites, are the ones who suffer the most from crimes carried out by other Negroes (more than 4 in 5 such victims are Negroes themselves). It is Negro families who are most threatened and hurt by a rising crime wave in a community.

Fifty-seven per cent of the Negroes interviewed saw crime as the top-priority problem for the Washington area. Fifty per cent of the whites expressed the same concern.

Other big problems that Washington people want to see something done about are: Traffic and transportation (the No. 2 irritant to commuting whites); bad housing (second to crime as a concern for Negroes); civil rights, education, and jobs and poverty (especially for Negroes).

Here are the priority lineups when whites and Negroes list community problems:

NEGROES

1. Crime and law enforcement
2. Housing
3. Education
4. Jobs and poverty
5. Transportation; Civil rights and race
6. Home rule; High cost of living

WHITES

1. Crime and law enforcement
2. Transportation and traffic.
3. Civil rights and race
4. Housing
5. Education
6. High cost of living; Home rule

A sampling of quotations from both Negroes and whites underscores the feelings about the crime menace:

"It is the worst problem. We had three killings within two blocks in two weeks."—Gabriel Barbieri, a white waiter, who lives at 3172 18th St. N.W.

"I'm scared stiff to go out alone. How can decent people expect to live if we can't go out at night."—A young Negro woman who lives in Foggy Bottom.

"I'd like to get out in the evening or daytime even, but I don't anymore. It's not safe."—A 74-year-old white woman who lives alone in an Alexandria apartment.

"I haven't gone out after dark by myself for two years . . . I was held up eight times . . . My nerves were going to pieces. I sold out."—A 48-year-old Negro woman who sold her grocery near the Navy Yard.

These quotes reflect the very real fear of crime in Washington. Other cities may have higher crime rates but Washington seems to worry more.

White suburbanites tend to view crime in the streets as a Washington problem and a Negro problem. It is crime in Washington streets, where the area's Negroes live. It is also the ghetto of the area's poor—a fact they often overlook.

"Negroes and crime" was the combination answer from a young Arlington housewife when she was asked what Washington's biggest problems are.

Again and again, whites talked about the "undesirables" in the streets of Washington. They left no doubt as to the color of the "undesirables."

Actually, more Negroes (14 per cent) than whites (10 per cent) mentioned the need "to wipe out crime." And Negroes and whites equally called for stricter law enforcement.

But twice as many whites wanted more policemen to fight crime. For Negroes, the situation is double-edged: They want more police protection but there is still the underlying distrust of the policeman as the white man's figure of authority. Yet 1 in 10 replied they wanted a larger—and better—police force.

TRAFFIC PROBLEM CITED

The commuting white people of the area see traffic and transportation as second only to crime as the city's biggest problem. Whereas crime makes them afraid, the state of transportation makes them angry and frustrated.

Forty-three per cent of the people interviewed—the whites far more than the Negroes—say that something must be done to lessen the ordeal of getting from one place to the other in the Washington area.

Nothing angers a suburbanite more than fighting traffic jams and then being unable to find a parking space when he finally gets where he wants to go.

"Sometimes I think there are more cars than people. I dread going downtown into the District," said one Arlington woman. More than a third of suburban families own two cars.

DISTRUST FREEWAYS

Negroes also have their transportation complaints, although they are not nearly so upset as the white people are. They are dissatisfied with the existing bus service. But to many Negroes, highways—which often slice through their neighborhoods—are freeways for the white commuter to speed to his segregated neighborhood in the suburbs.

Both Negroes and whites agree that there should be better public transportation and want some form of high-speed rapid transit.

"The subway would be a solution. Better still the monorail. Anything but buses," says James Deckert, of 4414 N. Carlyn Spring rd., Arlington, a computer programmer.

Rapid transit, he feels, would help alleviate air pollution and go a long way toward solving the parking problem too.

If traffic angers white suburbanites, bad housing deeply distresses the Negro in the District.

HOUSING PROBLEM

Harris found that 45 per cent of the Negroes feel housing is a major problem that needs public action. Only a third as many whites are disturbed about housing.

Negroes want more public housing, a drive to wipe out the slums, lower rents, Government subsidies and stricter building codes.

The personal complaints tend to bear out statistics recently compiled by the National Capital Planning Commission. The Commission called housing the foremost problem for the city. The report said 41.5 per cent of Washington families occupy housing that is either inadequate or too costly.

"This slum stinks," said a Negro woman who rents a four-room house in the Southeast. "We pay $125 a month rent for this shack . . . the noise of the people on the streets all night long. I would live anywhere else but in this stinking place.

POOR BEAR BURDEN

It is the poor—white as well as Negro—who bear the main burden of bad housing.

"You call this hole in a wall with windows and doors a decent living?" asked a white woman who also lives in the Southeast. "My welfare checks allows only $37 a month for shelter."

Many whites are just as quick to point out that the District is far from a haven for any middle-class white family. Both Negroes and whites complain of high rents and the lack of housing that middle-income people can afford.

The problem of getting a good education for their children was mentioned by 1 of 4 Negroes interviewed. It was their third priority, and they said the city needs more schools and more money for teachers. Their concern is double that of whites, who have little personal stake in a District school system now more than 90 per cent Negro.

For whites, civil rights—and the implied problems of race relations—is third on the problem list. One in four mentioned this. Only half as many Negroes did. But race also permeates many of the other problems mentioned.

Both Negroes and whites see the need to break up the city ghetto. For some whites, the answer to all their problems is simple: "Keep the Negroes in their place" or "Get them out of the Capital."

One in five Negroes is worried about jobs and poverty. It is the No. 1 problem both for a 17-year-old Negro youth who can't find a job and an unemployed father of six.

"Poverty, jobs, and crime: They are all related," said a young Negro who broke the cycle for himself recently by gratuating from college. "You find jobs, you stop crime. You eliminate poverty, and you stop crime."

[From the Washington Post, Oct. 3, 1966]

THIS IS WASHINGTON—II: 73 PERCENT OF THE CITY'S NEGROES HAVE LIVED HERE AT LEAST 10 YEARS

The people with the deepest roots in the Washington community are the Negroes.

Nearly 3 of 4 Negroes have lived in this area ten years or more—a figure that shatters the myth that Washington is peopled largely by rural Negroes fresh off the farms of the South.

Only 1 in 25 Negroes who moved here in the last ten years came directly from rural homes. Another third lived in small towns. But slightly more than half of Washington's Negroes—the same as for area whites—are from a big city-suburbs background if they came here in the last decade.

Negroes have a feeling of pride in Washington, and most feel at home here, their answers show in a survey conducted by Public Opinion Analyst Louis Harris for The Washington Post.

"There is little of the hollow feeling that Negroes express in Harlem, Bedford-Stuyvesant, Southside Chicago, or Philadelphia," Harris observes.

Many of Washington's Negro families are in the second and even third generation, many coming here early in the great World War II migration from Southern farms to Northern manufacturing cities and jobs. Newcomers from the South form a relatively small part of Washington's stable Negro community, the survey indicates.

Washington has still another undeserved reputation. It is often pictured as a restless transient town of revolving-door residents without roots or allegiance to the community.

The myth of transiency has been nurtured in surface impressions of moving vans, prospering real estate agents, short stopovers of military and Government people shuttling between posts, and the constant changing of the political guard.

But these are the findings of the Post-Harris survey.

Most of the people in the Washington area—3 of 5—have lived here ten years or more. Just over half the whites and 73 per cent of the Negroes qualify as long-term residents.

[In percent]

	Total	Total Negro	Total White	District of Columbia	Prince Georges	Montgomery	Arlington	Fairfax
Under 1 year	8	4	10	5	5	12	13	13
1 to 3 years	12	9	14	11	12	11	20	13
4 to 5 years	7	5	8	6	5	10	5	12
6 to 10 years	13	9	14	9	12	13	14	21
Over 10 years	43	53	38	53	37	40	35	28
Always	17	20	16	16	29	14	13	13

And, yes, there is such a thing as a Washington native. Breaking the figures out of the above chart, one in every 5 Negroes and 1 in 12 whites who live in the District were born here.

What is forgotten in talking about Washington's transient population is that the stiff backbone of the working population is made up of a large cadre of civil servants, who hold the surest and steadiest jobs outside of a hereditary sinecure.

They form a stable white-collar enclave that more than holds its ground during receding and rising national crises. Depression-proof Government business generates a third of the jobs here. And, of course, many more jobs are tied to the presence of the Government and its employes.

The myth of Washington transiency perhaps can be traced in part to what Constance McLaughlin Green has characterized as "psychological impermanence."

Mrs. Green, the Pulitzer Prize historian on Washington, see this as a particular affliction of much of the upper-strata residents who hold high-position Government posts.

These are the permanent temporary residents in "uncounted thousands . . . who have lived here pleasurably for years (and) have never labeled themselves Washingtonians or . . . delayed so long in acknowledging their allegiance that the community lost much of the benefit of their participating presence."

They are joined by the many others who still talk about going "back home" to Boise, Idaho, or Canton, Ohio. It is a state of mind—and talk—that fosters the impression of high transiency. A little more than a quarter of Washington area residents still think of another place as home, they told survey interviewers.

Washington does have the mobility of the fastest-growing metropolitan area in the United States.

A high 32 per cent of the whites (nearly double the figure for Negroes) have come to live in the area within the last five years.

The most volatile of the suburbs is Arlington, which serves as a kind of reception center for white newcomers with families looking for reasonably priced apartments within commuting range of Government jobs in Washington. A third of the Arlingtonians have been here three years or less. But many also stay and settle down in the County. Nearly half are long-term residents of ten years or more.

If half of Washington's people come from big cities and suburbs, there is another half coming from small cities, and rural areas.

For many of these Washington offers their first experience in the urban living of a metropolitan center. Substantial majorities feel the Nation's Capital sets a good example in cultural opportunities, integration, and helping people live decently when compared with other big cities.

The following table shows in percentages where the people came from who have moved to the Washington area in the last 10 years:

[In percent]

	Total	Total Negro	Total White	District of Columbia	Prince Georges	Montgomery	Arlington	Fairfax
Big city	37	33	30	45	68	22	30	31
Suburbs	15	19	14	14	--------	32	6	23
Small city	18	13	20	19	8	16	20	23
Small town	24	31	20	19	16	25	36	15
Rural	6	4	7	3	8	5	8	8

HIGHWAY REVENUE ACT OF 1956

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, I am today introducing a bill similar to a number of other bills that have been introduced to repeal the so-called "pay-as-you-go" provision of the Highway Revenue Act of 1956. Following is the text of this bill:

H.R. 18376

A bill to amend the Highway Revenue Act of 1956 by repealing section 209(g)

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 209(g) of the Highway Revenue Act of 1956 (23 U.S.C. 120, note) is hereby repealed.

SOCIAL SECURITY IMPROVEMENTS NEEDED

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. RODINO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. RODINO. Mr. Speaker, President Johnson has just announced that he will submit recommendations to Congress next January to liberalize the social security program. These proposals will provide: an average 10-percent increase in benefits; an increase in minimum benefits from $44 to $100 a month; a raise in the ceiling on income a retired person can earn without losing benefits; and the extension of medicare coverage to permanently disabled beneficiaries under 65.

I most strongly endorse these changes, which would be wise, humanitarian, and realistic and would help make the social security program a truly fair and effective social insurance system which will meet the needs of our growing number of senior citizens who rely upon it for protection in their later years. A fine editorial in the Newark Star-Ledger of October 13, 1966, comments upon the President's proposal, and concludes that "it constitutes an acknowledgment that the Federal Government has become a vital social instrument in accommodating the growing needs of the elderly." I ask permission that this editorial be printed in the CONGRESSIONAL RECORD following my remarks.

SOCIAL RESPONSIBILITY

A broader social responsibility for the nation's elderly would be established under President Johnson's plan to increase social security benefits by an average of at least 10 per cent.

This would be the long-range view of the President's proposal, outlined yesterday in a short address at the Social Security Administration in Baltimore.

But the proposal, to be submitted to the new Congress in January, has a basic economic urgency that has been apparent for the past several months. The recent wave of price rises has put another squeeze on Americans receiving social security and those with fixed, static incomes from pensions.

The last social security hike of seven per cent was virtually wiped out by a combination of inflationary price rises and the payment in connection with supplemental coverage in medicare.

Mr. Johnson's proposal was drawn from a six-month study of the entire soical security program, designed to establish formulas that would realistically recognize the growing economic needs of older folks.

Most of the cost of the $2.2 billion package would be met under the present rate structure, the remainder would have to be underwritten by a small percentage increase on social security taxes or by raising the amount of earnings now taxed for this purpose, a $6,600 maximum.

In a related move, Mr. Johnson revealed the formation of a committee to review the nation's nursing home situation. The advent of medicare has shown that most of them are inadequate by medical and safety standards. A preliminary survey has uncovered a number of these institutions that are "shockingly" below standards.

Mr. Johnson's proposal to substantially beef up the social security benefit base comes at a time when the American people have shown a growing maturity and awareness of social responsibility. It constitutes an acknowledgment that the federal government has become a vital social instrument in accommodating the growing needs of the elderly.

REPORT ON THE 89TH CONGRESS

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. GIAIMO] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GIAIMO. Mr. Speaker, upon the conclusion of each Congress it has been my custom to report to the residents of the Third Congressional District on my work and the work of the Congress during the previous 2-year term. This is my report to you on the 89th Congress.

The record of the 89th Congress reads like a text book in legislative progress. This Congress has been rightly called the most productive in history. In our determination to provide a better life for every man, woman, and child in this country and to create the conditions for peace in the world, we have forged a record of which I, for one, am extremely proud. In the 8 years that I have been privileged to be a Member of the House of Representatives, there has never been such a vast legislative record, or one to match such quality and substance. Unfortunately, this report of necessity must be confined to the highlights.

COMMITTEE WORK

Because of the complex nature of Government every Congressman specializes in that area of operations supervised by his committee. I am a Member of the House Appropriations Committee and of its subcommittees on Independent Offices, and the District of Columbia. The Appropriations Committee, as you know, is one of the most powerful bodies in our National Government's structure. I feel deeply honored to have been elected by my colleagues to this committee and to sit, now, as the first Congressman from Connecticut in more than 20 years to be a member of this influential panel.

The jurisdiction of the Independent Offices subcommittee encompasses the fight against the very real social problems which the Department of Housing and Urban Development was created to solve. We also appropriate the funds for our Nation's space programs and their administering agency, the National Aeronautics and Space Administration. We hold the purse strings for our Nation's civil defense program and for the vast mechanism of the Veterans' Administration—hospitals, pensions, et cetera. We supervise the work of our Government's important regulatory agencies—the Securities and Exchange Commission, the Civil Aeronautics Board, the Federal Aviation Agency, the Interstate Commerce Commission, the Federal Communications Commission, the Federal Power Commission and the Federal Trade Commission. The Government's builder and housekeeper—the General Services Administration—comes under our scrutiny as does the Federal Home Loan Bank Board.

The Department of Housing and Urban Development, which was one of the new agencies created by this Congress, also includes FHA, Public Housing and Community Facilities Administration, and the Urban Renewal Agency.

These agencies, and the others which come under my subcommittee's jurisdiction, account for $14 billion a year in appropriations. We spend many months pouring over their budgets and reviewing their requests for funding programs. It is our responsibility to see that the legislative intent for all Federal programs is followed and that no programs are initiated which are not justified in the light of need and cost.

The District of Columbia Subcommittee has the responsibility of administering the budget for our Nation's Capital. As a member of this subcommittee I have endeavored to insure that the District is given as much as possible in the way of school funds, welfare appropriations and the like.

This is far from the ideal way to run a city. As one of the early movers for home rule for the District, I am hopeful that a way can be found wherein the residents of our Nation's Capital can have a workable, sound method of self-government.

As of this writing—October 12—the House has acted on all the 1967 appropriations bills with the exception of one, which is due to be acted on this week—$109,911 million in appropriations were approved by the House last year. This covers all aspects of Federal activity. It amounts to less than 15 percent of our Nation's national income.

THE EDUCATION CONGRESS

I doubt that any Congress has ever equalled—or even approached—the magnificent record set by this Congress in the field of education. For the first 4 years that I was a Member of Congress, I served on the House Education and Labor Committee. Many of the bills which reached final passage in the past 2 years were first worked on when I was a member of that committee. It has given me a great deal of satisfaction to see such land-mark bills become reality. To list just a few:

Elementary and secondary education—Public Law 89-10: This bill authorized $1.3 billion for the first year of a Federal grant program to improve elementary and secondary education with $1.06 billion going to local school districts where there are large concentrations of poverty-stricken children. It was passed in 1965. As this newsletter goes to press, both the Senate and the House have agreed to enlarge and continue this education program. I am confident the new programs will be executed before the end of this Congress. The need is great, in our State alone. There is now a shortage of 2,100 classrooms and the population of youngsters is expected to increase by 10 percent before 1970.

Higher Education Act—Public Law 89-329: Authorizes educational opportunity grants for needy undergraduate students; provides guaranteed reduced interest loans for graduate and undergraduate students; broadens college work-study programs to include all students in financial need of part-time jobs. Doubles funds for construction of academic facilities. Provides special help for college libraries and for community service programs. This bill represents the culmination of many years of efforts in which I personally played a role, and signals the first real nationwide help for students of colleges and universities. I happen to believe that there are very few things in our society which can take precedence over education. In our own State, by 1970, the college age population will increase 20 percent. We must have the schools and the teachers ready to meet this generation's needs.

Handicapped children—Public Law 89-105: Authorizes $224.1 million through fiscal year 1972 for grants to community mental health centers for professional and technical staffing; $205.5 million for training of teachers of handicapped and retarded children, and $80 million for research, demonstration projects and construction of facilities in this field through fiscal 1971. This is an extension and improvement of legislation which I originally introduced for the training of teachers of handicapped children. The first bill passed in 1963 and this represents more money and also additional programs for the staffing of mental health centers.

Vocational school loans—Public Law 89-287: Provides insured loans and interest payments for students in post high school business, trade, technical and other vocational education.

Juvenile delinquency—Public Law 89-69: Extended for another year the existing law, which I first authored in 1961, to help communities fight the causes of youth crime and delinquency.

G.I. bill of rights—Public Law 89-358: Provides permanent program of educational and other benefits, including guaranteed home loans, Federal job preference, VA medical care for financially needy veterans, and so forth, for over 5 million veterans who have served in the Armed Forces since January 21, 1955.

Medical-dental school facilities—Public Law 89-290: Authorizes $755 million for 3-year extension of matching grants program for construction of teaching facilities for physicians, dentists, professional health personnel, optometrists, pharmacists, and podiatrists; for 3-year extension of student loan program; for new 4-year programs to aid such schools, to improve scope and quality of their teaching and for grants for scholarship aid to their students.

Vocational rehabilitation of the disabled—Public Law 89-333: Expands program of aid to States for vocational rehabilitation of disabled persons and to increase supply of trained counselors; authorized $1.05 million for 3 years through fiscal 1968.

Library Services Act—Public Law 89-511: Extends Library Services and Construction Act of 1964 for 5 years. This is a measure which I personally sponsored and helped author.

Arts and humanities—Public Law 89-209: This bill, which was similar to legislation I have sponsored in the past, establishes a national foundation on the arts and humanities and provides up to $21 million annually for 3 years to individuals and groups to encourage and to support the arts and humanities in the United States.

THE HEALTH AND HUMAN WELFARE CONGRESS

The 89th Congress passed so many important pieces of health legislation that it also has a right to be called the health Congress. Some of them, such as those providing community mental health centers and health professions education, I have listed above, but among the other significant accomplishments are:

Medicare and social security—Public Law 89-97: Provides hospitalization and nursing home care for persons 65 and over, financed through the social security system; a voluntary supplemental insurance program to cover physicians' services and home nursing visits, and a 7 percent increase in social security benefits.

Regional medical centers—Public Law 89-239: Launches a 3-year, $340 million program of grants to establish 25 regional centers to fight heart disease, cancer, stroke and other diseases.

Community health services—Public Law 89-109: Extends and improves several existing health programs, including vaccination of children and health services for migrant workers.

Senior citizens—Public Law 89-73: Creates an Administration on Aging, under the direction of a Commissioner, within the Department of Health, Education, and Welfare, to be a coordinating center for information and service to State and local governments, administer grants, promote research, gather statistics, and prepare and publish other significant data.

Social security supplements—Public Law 89-368: Provides social security benefits to persons not otherwise eligible who are 72 or over by 1968 and receive no other pension or relief. This we felt to be equitable and needed, since there were so many of our senior citizens who were being deprived because of inability to collect any pension or relief funds.

Drug controls—Public Law 89-74: Expands Federal control over certain depressant and stimulant drugs, in order to reduce their illegal use and distribution.

Federal safety standards—Public Law 89-563: Requires mandatory Federal safety standards for all new cars, buses, and trucks, to be fixed by the Secretary of Commerce by January 31, 1967, and to apply to 1968 models, with up-dated revisions every 2 years thereafter. It also requires standards for tires and for used cars.

Highway safety program—Public Law 89-564: Authorizes 3-year $322-million highway safety program administered by the Secretary of Commerce to assist and encourage State and local governments to expedite action for safety; provides for cooperation with industry and public and private agencies through contracts for research; and broadens exchange of information on revocation or suspension of driver permits.

THE CONSERVATION AND ANTIPOLLUTION CONGRESS

Certainly a concomitant to efforts to improve our Nation's general health are efforts to combat water and air pollution. It is no secret to any of us in Connecticut that we face a very serious problem with the pollution of our waterways. Not only do they present health hazards, but they are presenting a very real problem in that they affect the supply of usable water.

As a sponsor of the water pollution control acts of 1961, 1963, and 1965, I have been very active in efforts to improve the Federal Government's role in cooperating with States and local government in the fight to clean up our waterways. In the 89th Congress, several significant bills were passed. Among those laws adopted and already on the books:

Federal Water Resources Council and River Basin Commission—Public Law 89-80: Established to coordinate Federal, State and local planning for maximum use of resources.

Water pollution control amendments—Public Law 89-234: This measure improves upon earlier water pollution control measures. It increases the authorization for aid to communities to combat water pollution, establishes a Water Pollution Control Administration in the Department of Health, Education, and Welfare; permits the Federal Government to fix quality standards for interstate waterways when local authorities fail to do so within 2 years. This final version was similar to my 1965 water pollution bill. I am presently working to support a bill which will improve upon this measure and I have hopes that it will be passed by the 89th Congress before adjournment.

Air pollution control—Public Law 89-272: Attempts to meet another increasingly dangerous health problem by authorizing a $3.9 million 4-year program for control of air pollution by gasoline and diesel powered vehicles, and $92.5 million for action and research programs to improve methods of disposal of solid waste.

Among the bills aimed at the preservation of our natural resources, the 89th Congress adopted the following programs:

Long-range water needs—Public Law 89-298: Authorizes $1.97 billion for program of navigation improvement, flood and beach erosion control, and hydroelectric power projects in 38 States and, of special interest to our area, a long-range plan to meet the water needs of the Northeast United States via a system of reservoirs and aquaducts.

Saline water conversion—Public Law 89-118: Extends for 5 years and expands the very important research and development of food, mineral, and other resources of the seas, continental shelves and Great Lakes. This is the coming program in our Nation's efforts to solve the challenge of our environment. It is the space program of the future and I have great hopes for its success.

Highway beautification—Public Law 89-285: Authorizes program of roadside planting and control of billboards and auto junkyards along interstate and primary highway systems.

URBAN AFFAIRS

The 89th Congress also took extraordinary notice of the growing problems facing our cities. By the creation of the Department of Housing and Urban Development and the new Department of Transportation we have given Cabinet-level status and recognition to the fact that over 80 percent of our Nation's people live in urban areas and that their housing, transportation, and environmental problems are growing daily. We have long had a Department of Agriculture concerned with farming and rural areas. I think it is about time we have won recognition for the needs of our people in the cities and I was pleased to work for these new departments.

High speed ground transportation—Public Law 89-220: This bill, which I introduced in this Congress should be of a great help to our area. Basically, the bill provides a 3-year, $90 million program of research and demonstration projects for development of high-speed, intercity railroad transportation. This is an outgrowth of efforts which Senator PELL, Democrat, of Rhode Island, and I began in 1962. We were concerned with the megalopolis—the great area of urban growth that extends from Boston to Washington. Transportation was becoming incredibly antiquated—as all of us well know. This bill authorizes a special study of high speed ground transportation between Boston and Washington. Later on in this report, I shall go into greater detail about some of the problems we faced—and solved.

Omnibus housing—Public Law 89-117: Authorizes a $7 billion housing program for 4 years including FHA, urban renewal, housing for the elderly, college housing, 60,000 new units of public housing per year, and $800 million annually in matching grants to communities for water and sewer facilities; authorizes rent subsidy for some low-income families. The program limits interest charges to elderly and moderate income home buyers and permits no-downpayment insured loans to veterans.

Urban mass transit—Public Law 89-562: Another program which I have sponsored over the years, this act authorizes $150 million a year for 2 years for urban mass transportation grants. It provides for demonstration projects and for research to develop new systems.

THE HUMAN RIGHTS CONGRESS

All of the programs I have mentioned, and the others passed by this landmark Congress, have one primary goal in mind—a better life for all of our citizens. To assure that the legal groundwork was possible for all Americans to enjoy equal opportunities to work and enjoy the benefits of our rich land, the 89th Congress passed the historic voting rights law of 1965—Public Law 89-110—which effectuates and enforces the 15th amendment to the Constitution, guaranteeing the right to vote. It authorizes the appointment of Federal voting registrars in areas where discrimination prevails, barred literacy and other tests, directs U.S. court suits to invalidate poll taxes and fixed penalties for threats, intimidation, and violence. The bill has a special significance for me inasmuch as I and a small group of Congressmen first proposed such a measure in 1960 and debated it for several days. At that time we lost after a strong uphill fight. It is pleasing to see the very law I first suggested in 1960 become law.

IMMIGRATION LAW REFORM

Of major importance and interest to me was the passage of the immigration reform bill—Public Law 89-326. This is a measure for which I had worked since my early days in Congress and the passage of the bill represents a new approach for our Nation in handling immigration matters. Determination of the qualifications of immigrants will henceforth be based on their skills and potential contribution to our country and not on national origin as in the past.

The immigration reform bill erased a blot from our escutcheon as the leader of the free world by totally eliminating the disgraceful and discriminatory national origins system. Enactment of this bill was a victory for our historic principles and again, I must say I was pleased to have played a part in bringing this law to enactment.

LEGISLATION FOR THE WORKINGMAN, THE CONSUMER, AND THE GENERAL HEALTH OF THE ECONOMY

Congress, of course, did not neglect its very real responsibility to the health of the Nation's economy. We all realize that our economy is in the sixth year of unprecedented growth, but Congress is acutely aware of the need to safeguard it from the attendant evils of inflation.

Early in the session, we passed legislation repealing the inequitable, outmoded excise taxes on furs, jewelry, and other luxury items, and on radio, TV sets, cameras, household appliances, and other similar articles. That bill—Public Law 89-44—also cut the excise tax on automobiles and eliminated the communications tax.

Early in 1966, the President found it necessary to ask that the automobile and telephone taxes be reinstated temporarily, although not in the full 10 percent. I opposed this move because I felt that cars and telephones can no longer be considered luxury items in our modern society and the tax, therefore, falls upon rich and poor alike—often unfairly on the poor. This measure also accelerated the rate of payment of corporate income tax and graduated income tax withholding to speed the flow of money into the Treasury and reduce inflationary pressures.

Congress has also acted on other measures to halt unbridled expansion and assure a stabilized economy.

Public Law 89-566 increased the borrowing authority of the Federal National Mortgage Association, a move to stimulate homebuilding and the mortgage market. Other legislation benefited small businesses by improving and expanding loan procedures of the SBA.

To further improve economic conditions for our lower income groups, Congress amended the Fair Labor Standards Act by increasing the minimum wage from $1.25 to $1.60 per hour by 1968 and increased the coverage to 8 million additional workers—Public Law 89-601. Inasmuch as Connecticut is a high wage paying State, such laws as this not only help the workers affected but also help our industries compete against southern plants trying to exploit sweatshop conditions.

Still to receive final congressional approval, although it has passed both Houses, is a bill to bring 2.3 million more workers into the unemployment compensation system, fix minimum standards and provide, under certain conditions, for an additional 21 weeks of benefits after the expiration of the normal period, with the Federal and State Governments sharing the cost equally. If action on this bill is not completed I am sure it will be the first order of business on the agenda of the 90th Congress.

The Congress has authorized $1.8 billion for fiscal 1966 for the economic opportunity programs—the war on poverty—and the extension of this program is now awaiting final congressional approval. Since first coming to Congress in 1959 I have worked to develop an all-out war to eradicate the blight of poverty. Many of my proposals are now part of the program. But, as with everything else, there is room for improvement and I intend to work for such improvement in this new program.

One of the most successful Federal programs has been the Manpower Development and Training Act of 1962, a program which I helped to formulate. In the 89th Congress, a 3-year extension of this program was passed. It sets full Federal support of projects at 90 percent, except for payment of allowances for training, extends the maximum training period from 52 weeks to 104 and authorizes $454 million for 1 year.

Public Law 89-136 authorized a 4-year, $3.3 billion program of public works programs through loans and grants to local government and other public and private groups in economically depressed areas, communities, or regions, so that they could develop industries, facilities, and create new jobs.

A highly controversial program was the establishment of the Appalachia Regional Commission to initiate and coordinate public works and other programs. Public Law 89-4 authorized $1.1 billion for 1 year. Many of our leading economists criticized this program as an inefficient and probably ineffectual approach to solving the economic ills of this region and the Nation. What with all the other truly national programs on the books, many of which I have described above the need for a special Appalachia program was lessened. For this reason I opposed the President on this bill. Nevertheless Congress enacted it and since majority rules, I have agreed to support the programs' appropriations. I sincerely hope my estimate of the program will be proven wrong.

FOR THE CONSUMER

One area of legislative effort which I feel has been neglected for too long is that involving the consumer. All of us, I believe, have felt this neglect. Of particular concern to me was the fact that food prices continued to rise during the past 2 years while farm incomes continue to dwindle. I opposed the administration's 1965 farm bill, especially those provisions dealing with our wheat program because I thought it ill considered from the consumer's point of view.

A portion of that bill, had it been enacted, would have put a tax on bread, and the Secretary of Agriculture admitted that the new program would result in a price increase. Such an increase would fall heaviest upon those least able to afford it. Those of us who fought this provision were successful in having it eliminated.

This Congress has also virtually completed action on a truth-in-packaging bill, designed to save the consumer from misleading, deceptive advertising. Although it is in some respects not as strong as many of us would have liked, it is a start in the right direction.

INTERNATIONAL AFFAIRS

Congress was also significantly active in the field of international affairs. We have reappraised certain aspects of our foreign aid program, and this year an authorization of $3.5 million for foreign economic, technical, and military aid was limited to 1 year except for a 3-year authorization for development loans to aid the promising Alliance for Progress programs. I opposed the President's request for a long-term commitment from Congress on this program because I feel that it would weaken Congress' role still further in foreign affairs. I do not approve of Congress giving the Executive what amounts to a blank check to do as he pleases with little congressional supervision. I think the absence of adequate review by Congress of these programs in the mid-1950's helped get us so vulnerably entangled in the Vietnam situation, and I would not like to see it repeated.

We also extended the highly successful Peace Corps Act and authorized $100 million for its program for fiscal 1967. I was pleased to be among the original supporters of the Peace Corps and I am more than gratified by its success.

Another program in whose birth I took a part is the Arms Control and Disarmament Agency, whose authority has also been extended by the 89th Congress for a period of 3 fiscal years.

The situation in Vietnam has, of course, hung like a cloud over all the work of this Congress. The function of the House of Representatives, unlike that of the Senate, is severely restricted by the Constitution when it comes to matters of foreign policy, for although the Senate has the power of life and death over treaties and the ability to veto the appointment of high officials dealing with international relations, the House has only an indirect influence through its ability to control the budget. While at first blush this may seem to be adequate, every House since the beginning of our Republic has found it to be a cumbersome tool in dealing with the President as Commander in Chief. Indeed, all experts on the subject are agreed that an attempt by Congress to closely control our troops and the policies governing them through committee action would be highly irresponsible.

I strongly believe we must maintain troops in South Vietnam to frustrate the aggressive designs of North Vietnam and establish the principle that grievances between nations cannot be resolved by armed force but must be submitted to negotiation and international mediation. In 1954, the Geneva accords established a cease-fire between North and South Vietnam pending elections which would pave the way to reuniting the country. Elections were to be held in 1956 but were not. North Vietnam felt aggrieved by this and she should have brought her case to the International Control Commission, which she agreed would be the arbiter of her affairs with South Vietnam, or she should have brought her complaints to the U.N. She did neither, but instead, resorted to force and the subversion of South Vietnamese institutions. The world would be in a truly fine mess today if North or South Korea decided to violate their cease-fire line and reunite the country, or if Israel and her Arab State neighbors ignored the "temporary" boundaries established in Palestine, or if East and West Germany ignored the temporary boundaries dividing their country as North Vietnam has done. These are all sore spots in the world, but we cannot condone efforts to eliminate them by the employment of brute force. And so we are in South Vietnam to assert, again, observance of the laws governing the peaceful and orderly adjudication of disputes.

This is our overall purpose and I support it. However, there have been times when I disagreed with the tactics adopted by the Executive, and at those times, I have spoken out in Congress. At various times, I have found it necessary to: First, urge our Government to make extraordinary efforts to place the Vietnam situation before the U.N.—and I now think it has; second, ask the President to extend the moratorium on bombing the North so that additional time could be used to arrange a cease-fire and meaningful negotiations with all combatants—including the Vietcong; and third, urge the President not to escalate the war and harden the desires of the Vietminh to resist. In these efforts, I have been joined by many of my colleagues. We have acted, each time, in a manner which we believed was consistent with the constitutional and traditional relationship between the executive and the legislative branch and wholly responsible to interests of our general welfare.

I am appalled that the U.N. has found itself so impotent in dealing with this conflict. I am satisfied that our Government has exhausted every method for involving the U.N. or other agencies for international mediation and is earnestly seeking an honorable arrangement for negotiations with the Communist leaders. The negative, inflammatory responses of the Communist bloc are, to my mind, wholly inconsistent with any standard of responsible behavior in these dangerous times. Nevertheless, I believe we must persist in our efforts to restore peace because the stakes are nothing less than the world and civilization itself.

HIGH-SPEED TRAIN DEMONSTRATION GRANT

The saga of the northeast corridor high-speed demonstration grant reads like the "Perils of Pauline." At one point, it looked very much as though southern New England would be left out of the project completely—an omission that to me seemed to completely negate the purpose of the bill.

Briefly, what happened is this: When Congress passed the high-speed ground transportation demonstration grant, it was announced that a certain percentage of the funds involved would be used to test the efficiency of high speed trains on the Boston-to-Washington rail corridor.

The original study, as announced by the Department of Commerce, called for an electrified train to run from Washington to New York and a revolutionary new turbine train to run from Boston to Providence. Connecticut was left out.

I immediately went to work with railroad officials, the Department of Commerce, and the manufacturers of the trains to see what could be done to expand the grant to include southern New England. After some effort, the study was redrafted to include the shoreline of Connecticut.

These revolutionary new trains will cut the time between Boston and New York to little better than 3 hours, and from New Haven to New York to 1 hour. The trains will be able to use the existing New Haven Railroad roadbed, thereby saving many years and many thousands of dollars in repair. And this is only the beginning.

The new service is scheduled to begin early in 1967. We have great hopes that the success of this experiment will initiate a new era for efficient, comfortable transportation in Connecticut and New England.

NEW HAVEN RAILROAD

During these past 2 years, I have also been deeply involved with the many problems of the bankrupt New Haven Railroad. They now seem close to solution. The line will be included in the merged Pennsylvania-New York Central system and service will not be terminated. The States of New York and Connecticut have arrived at a method for supporting commuter traffic between New Haven and New York and the mass transit program which I supported in Congress should help them get their plans working.

GIAIMO LEGISLATION—89TH CONGRESS

Although this has been an exciting and productive Congress, there are some measures which I introduced which did not receive final approval.

Two of these bills had to do with the expenses of education. One, H.R. 9035, would have amended the Internal Revenue Code to authorize the deduction from gross income by teachers for the expenses of furthering their education. I have always felt that this was an inadequacy in our tax policies, that our teachers were being penalized for seeking to continue their education.

Although the Internal Revenue Service has come out with new regulations which modify its stand on this matter, I believe further action is still required.

The other bill, H.R. 15787, seeks to assist those who are employed but who wish to take courses to improve their skills or to train for new and more lucrative employment. At present, the cost of these courses may not be deducted from income taxes. My bill would make such a deduction possible.

I also introduced legislation which would exclude from income certain moving expenses that are reimbursed by employers. This bill, H.R. 16052, will end the present situation wherein employees who are asked to move to other areas by their company have to pay taxes on their reimbursed expenses. Hearings have been held on this measure, but no action has as yet been taken. This measure would not only benefit the workers involved but would do much in increasing labor mobility in our land.

I have also introduced bills in the water pollution field, one of which was similar to the new law passed by the Congress, described above. The other, H.R. 10029, encourages the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement projects over a period of 36 months.

Another bill which I consider to be of extreme importance is my bill, H.R. 15723, which would impose an 18-month moratorium on the discontinuance of passenger service by rail. I have been troubled for some time by the increasing tendency of many railroads to petition the Interstate Commerce Commission to terminate their nonprofitable passenger service. The current procedure places the burden of proof on the passengers themselves. It is very difficult to prove need and to marshal the necessary public witnesses. Under the bill, the burden of proof to justify discontinuance would rest with the railroads. I believe this bill is necessary to preserve our rail service which is depended upon by so many people—especially those in the lower income groups.

IMPORTANT COMMUNITY PROJECTS FOR THE THIRD DISTRICT

I have exerted every effort to cooperate with our local towns and cities in establishing projects which will improve the economy of our area and the lives of our citizens.

Over the past 2 years, I have assisted in gaining the approval of:

A new $7,500,000 Federal post office and courthouse for New Haven;

Construction loans for our colleges, including $2,155,000 for Quinnipiac;

A $6.2-million urban renewal project for West Haven, Savin Rock II;

Millions of dollars in contracts for our area's industry;

Antipoverty program grants which make New Haven first in the country in such funds per capita; and

My office has also assisted more than 2,000 individuals to unravel the complexities of Government bureaucracy and obtain needed service.

In summary, it has been a busy and productive Congress. We have made good starts in many areas. Some programs will have to be reviewed and streamlined. Others may need drastic revision.

Should you wish any additional information on any of the measures I have outlined, please do not hesitate to write. It will always be my pleasure to hear from you.

A GUIDE TO THE GUIDELINES

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. VIVIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. VIVIAN. Mr. Speaker, the Atlanta Constitution is one of the most responsible and respected newspapers in the United States. I believe that an editorial written by its editor, Eugene Patterson, entitled "A Guide to the Guidelines" merits the attention of the Members and readers of the CONGRESSIONAL RECORD.

It follows:

[From the Atlanta (Ga.) Constitution, Oct. 6, 1966]

A GUIDE TO THE GUIDELINES

(By Eugene Patterson)

The poor, forgotten school superintendents of Georgia and their local boards of education are paying the price for the guidelines game the politicians are playing. The school people are trying to honor the law, educate children, and if possible, survive. Heedless office-seekers are trying to win votes regardless of the damage they may do.

Riding the backlash, Southern politicians have staged a regular tournament in Washington, setting up Education Commissioner Harold Howe for everybody to take a run at. Mr. Howe has shown an uncommon ability to avoid being unhorsed and to keep the record straight in the face of misrepresentation.

It is the local-level school people in Georgia who are unable to speak for themselves. No prudent ones would dare to.

Not simply in Washington, but on the campaign trail in Georgia, the state's political poohbahs are exhorting the hosts to rise up against desegregation guidelines which local school people have been trying to tell them they must live with.

A county school superintendent who has persuaded his community to comply with a minimum of desegregation, as it was spelled out to him, must feel pretty defenseless to find both candidates for governor now stirring up passions in breasts he tried to pacify.

It is small service to the educational good of the state for the politicians to do this. And while it is unrealistic to expect them to lay off of an emotional issue when emotional issues decide elections, the people may as well see plainly what a bind their school officials are being caught in.

The law forbids them to segregate schools on account of race. It directs the Office of Education to cut off federal funds if they do. The law was handed to Howe to enforce.

He would have hoped school people would comply without being forced. But in most places they couldn't move, unless they were forced to move, because political opinion wouldn't let them move.

When Howe pressed them to move into compliance with the law, they demanded to know how much was enough.

So he laid down guidelines suggesting how much would be accepted as enough—and they accused him of trying to dictate illegal quotas.

He wasn't trying to go beyond the law and dictate quotas, he patiently explained. He was simply trying, with his guidelines, to give local school people some rough guide as to how much desegregation would be accepted on its face as enough.

No school had to come up to that quota, or stop at it.

It was simply a measurement he would use in checking off schools automatically as being in compliance.

Schools falling short of the guideline figures might be investigated, then judged in compliance. (The fact of the matter is, any school that has made almost any kind of good faith start toward compliance is being certified by Howe.)

Hobbled by plenty of federal bureaucratic incompetence, he is trying to find reasonable ways to guide local school people toward compliance with a law Congress passed, and the layer of politicians between them isn't being much help.

TRAVEL CONTROL OF CHILDREN WHO ARE CITIZENS OF THE UNITED STATES

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. DOW] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. DOW. Friday morning last March in Monroe, N.Y., a little 7-year-old boy and his 6-year-old sister set out routinely for school. They never reached school. Today they are halfway around the world in Turkey, and their mother, an American citizen and a constituent of mine, is being forced to argue for their return in the Turkish courts. She wants her children back and the U.S. Department of State is trying to help her, but in many ways their hands are tied.

The complications in this case arise because the children were abducted by their father, a Turkish national, who was separated from his wife. The children have dual citizenship, being citizens of the United States by birth, and of Turkey through papers filed by the mother and father when they returned to that country several years ago.

It is an upsetting situation for young children when their mother and father decide they must live apart. Under laws of our Nation the courts must decide the custody of minors in situations such as this.

In this case, our courts had awarded the children to the mother. But now the father has been able to circumvent this decision by abducting them to a foreign land, where they seemingly are out of the jurisdiction of our laws.

To me this is a serious miscarriage of justice. Unfortunately, this is not an isolated case. Similar situations occur far too often throughout our Nation.

My involvement in this case, which is now being investigated by our State Department, led me to discover what I believe to be a serious lapse in our immigration and passport laws.

Here are two young American citizens, barely of school age, who were taken from their mother and transported to a foreign country without her knowledge or permission.

This never should have happened and to prevent it from happening in the future, I am today introducing an amendment to the Immigration and Nationality Act.

My bill will add a new section entitled "Travel Control of Children Who Are Citizens of the United States," to chapter 2 of the law. Under this amendment, no minor child who is a citizen of the United States would be permitted to leave the country unless there is certified evidence on the face of the passport or other travel document that includes the minor or minors that such inclusion occurred with the consent, first, of both parents of child; or second, of the sole surviving parent; or third, of the legal guardian of such child if neither parent is living.

I urge passage of this measure to correct a serious oversight in our present passport and foreign travel procedures.

NEW YORK STATE GOVERNOR'S CONFERENCE ON MANPOWER TRAINING

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. HOLLAND. Mr. Speaker, last June a number of officials of the Federal Government, State officials, and interested private citizens from labor, management, and the academic world met in Buffalo, N.Y., in the New York State Governors' conference on manpower training. This was a most constructive meeting, featuring panel discussions of a great many questions of great interest to the Congress, as well as to those who participated. Recently, I have been given a copy of the proceedings of that conference, and I was particularly impressed by the discussion of the public employment service. That discussion, which was held on Thursday, June 2, 1966, was chaired by John J. Corson, professor of public and international affairs, the Woodrow Wilson School, Princeton University. Panelists were Mr. Charles Odell, then special assistant to the Director of the U.S. Employment Service; Frederick C. Fisher, senior vice president for personnel of Macy's in New York; and Dr. Leonard P. Adams, professor and director of research and publications, New York School of Industrial and Labor Relations, Cornell University.

These panelists covered a great many of the questions that have been asked about the legislation which is currently before by subcommittee, to update the public employment service. Without necessarily endorsing everything that was said by all the participants, I think it appropriate to have the transcript of that discussion inserted in the CONGRESSIONAL RECORD.

PRESENTATIONS

Chairman Corson: At this particular point in time, when for peacetime we have less unemployment than at any previous time in years, the role of the Public Employment Service is changing significantly. Without further ado, I'm going to ask our first speaker to concern himself with the changing concept of the Public Employment Service. Mr. Odell.

Mr. Odell: In releasing the report of the Task Force on the Employment Service, which was made up of a distinguished group of representatives from labor, management and the public interested in the general manpower field, Secretary Wirtz said, "If the Employment Service is to meet today's demand, it must be a comprehensive manpower service agency rather than a simple labor exchange which was called for when it was established 33 years ago."

As I understand it, my mission at this conference is to present a view of the Employment Service not necessarily reflecting what it is but what it should be, in particular, to focus upon its manpower managerial functions and responsibilities in relation to manpower training and human resources development.

Therefore, I will briefly summarize the Task Force's recommendations and then make some interpretations of their meaning in relation to the meaning and purpose of this conference. The Task Force first recommended:

1—A new legislative mandate to clarify the role and mission of the Employment Service within the framework of the federal-State system and with the recognition of the existence of other labor market intermediaries both public and private.

2—A separate identifiable Employment Service, including administrative separation from unemployment compensation, and separate State Employment Service director with his own staff and line of authority who reports to an administrative head of an overall agency, including physical separation of all Employment Service facilities from unemployment compensation claimants and job seekers.

3—No arbitrary limit on clientele served. The Employment Service must be able to serve all classes of clientele. Special efforts should be extended to reach out to persons in need of specialized manpower services to improve their employability. The Employment Service should explore all possible ways to develop a more effective two-way flow of information and contacts with private employment agencies which adhere to professional standards in their placement activities. The Employment Service should seek to serve in a co-ordinating role in an effort to implement various government training programs. It should be given legislative authority to enter into contractual relations with non-government groups, to supply specialized manpower services to certain clientele.

4—A strengthening of personnel in the federal-State system. Higher salaries should be commensurate with the qualifications and standards for these positions as prescribed by the Secretary of Labor. Federal funds would be made available to those states which meet higher qualifications, higher salary requirements.

The Secretary of Labor should require from each state an annual plan of operations to include a well developed training program including provisions for orientating in-service and out-service training, tuition refunds and educational development. The Secretary of Labor should be authorized to make supporting grants to colleges and universities for development of proper curricula and training materials and the establishment of regional training centers for Employment Service personnel.

Legislation should be enacted to enable an employe of a state agency to be appointed to a federal position if he had been permanently in the state agency under specified conditions. The Secretary of Labor should be given legislative authority to develop a system permitting transfer or temporary leaves of absence for personnel to move between federal and state agencies without losing any employment status.

5—A great extension and expansion in the development and dissemination of labor market information. The Secretary of Labor should take the lead in clarifying the assignment of responsibilities for collecting labor market information within the Department of Labor or by other government agencies. The Employment Service should collect and analyze manpower information required for the efficient functioning of the service and for the administration of federal programs dealing with manpower utilization. The Employment Service should be recognized as a major source for the development of information for occupational guidance, testing and employment counseling. It should work closely with employers, especially defense industries, to obtain specific information as to job openings and to obtain advance notices of mass layoff in order to facilitate worker-job adjustments.

Vigorous measures must be adopted to assure that labor market information is widely and regularly disseminated to other public and private organizations with an interest in labor market trends and behavior.

6—Multi-market clearance centers should be established throughout the federal-state system and the centers themselves operated on a national basis. These centers would improve the operation of interarea recruitment procedures and the flow of job information. The Secretary of Labor should appoint a committee to study and recommend the use of automatic data processing for interarea recruitment purposes.

7—The cost of administering the work test aspects of Employment Service should come from the Federal Unemployment Tax Fund; the cost of other manpower services from general tax revenues. The Employment Service should take the necessary steps to develop plans and techniques for handling emergency situations in the labor market such as mass layoffs, plant closing and unrest stemming from chronic unemployment. An adequately financed emergency planning unit should be established with the U.S. Employment Service to plan for such emergencies.

A separate National Advisory and Review Committee should be established for USES and specific functions assigned. Members would be appointed for four-year terms by the Secretary of Labor. The committee would have a fulltime staff director, adequate secretarial assistance and separate budget. A State Advisory and Review Committee should be established in each state, their functions to parallel those of the national committee, with members to be appointed by the Governor.

The state committee would file an annual report on the overall assessment of the State Employment Service. The director of the USES would be required to file an annual report at the end of the year to the Secretary of Labor. This report would contain an analysis of both the manpower services provided and its internal operations. The State Employment Service director would be required to file a similar report to the Governor and to the national director of the USES. This report should take the form of a state annual manpower report.

I would like to comment briefly on several aspects of the recommendations because they do bear significance at this conference. First, I call your attention to the suggestion that the Employment Service must be able to serve all classes of clientele and special efforts must be extended to reach out to persons in need of special manpower services to improve their employability. Any of you in New York State will wonder what is particularly new about this suggestion because the New York State Employment Service has had a long and honorable history of employment services to special groups such as youth, the old, the veteran and the handicapped, minority groups and so forth. And yet in today's job market we are finding it necessary as well as socially desirable to reach out to the disadvantaged as we have never reached out before. This commendable and long overdue thrust into the ghettos of our great cities and rural slums presents a great challenge and an equally great conflict for the Employment Service because like all "good" personnel people we have been trained to minimize our risks by a traditional unwritten policy or practice which tends to exclude the vast majority of the so-called hard core unemployed.

Now, as a matter of national policy and of job market necessity, we have a responsibility to find the disadvantaged and do our utmost to improve their employability. We also have a responsibility for encouraging employers to hire greater numbers of disadvantaged people and to make special arrangements by way of training, supervision and better on-the-job human relations programs to ensure that those hired among the disadvantaged do not simply get caught in the revolving doors of company employment offices, as they have frequently been caught in the revolving doors of the public employment services and the private employment agencies in the past.

During the next fiscal year 65 per cent of all MDTA and on-the-job training slots are intended nationally and state by state to go to adult disadvantaged people. And most of the remainder are by and large intended for disadvantaged youth. A large number of new Employment Service positions in national and state programs are earmarked for so-called "Adult Outreach," which means that we will be sending mobile teams headed by Employment Service interviewers and counselors into ghettos and neighborhoods where paid indigenous workers will be knocking on doors and establishing a friendly contact with those who need and want training and employment.

Only in the wartime labor market conditions of '41 to '45 has the Employment Service ever engaged in this kind of outreach and recruitment effort on such an extended scale. And then it was much easier because there were certain financial incentives which made it fairly easy to find jobs and training opportunities.

In today's job market too many employers still believe that they can be relatively selective concerning educational requirements, test scores, physical standards, security regulations concerning arrests and so forth, all of which stand in the way of the hiring of these disadvantaged people.

The Employment Service is charged with taking the leadership in persuading employers to lower their arbitrary barriers to employment opportunities by doing its best not only to find training opportunities to improve employability but by directing appeals to employers to hire and accommodate increased numbers of disadvantaged young people and adults. We hope to find out soon in Rochester, New York, which has a severe labor shortage, whether a planned outreach program can be effective in ameliorating local labor requirements and at the same time find jobs for those who have been traditionally excluded.

A second major point in the Task Force's recommendations has to do with planning and coordination of manpower services. The proliferation of agencies, federal, State and local, public and voluntary, with manpower functions and responsibilities is beyond belief. The Congress, which must share some of the responsibility for this proliferation, is now becoming greatly concerned about better co-ordination and planning of manpower services.

A significant step in the right direction, through a small beginning, has been the appointment of three-man teams from OEO, the Labor Department and Department of Health, Education and Welfare, representing the President's Committee on Manpower, to visit major metropolitan areas and to review manpower coordination and planning problems. We are hopeful that their findings will help us to determine how best to proceed in achieving better planning and co-ordination, particularly at the local level where the job really needs to be done.

Another important step has been the initiation of annual state manpower training plans which require the principal training agencies, the Employment Service along with the representatives of the State Manpower Training Advisory Committee, to sit down together and develop a comprehensive annual Manpower Training Blueprint. These plans are now being developed in all states. They will be reviewed on a regional level and in Washington and used as the basis for allocating MDTA funds for the states in fiscal 1967. Certainly, this would improve manpower planning and co-ordination for state and local levels, although as we have seen, manpower training is only one facet of the total manpower problem.

In conclusion, let me say that I believe that we are moving in the direction of a more effective Public Employment Service: The Task Force Report; legislative proposals to implement it; the appointment of a new USES director, Mr. Frank Cassell, formerly an assistant to the vice president of Inland Steel in charge of industrial and labor relations; the growing concern and effectiveness of the President's Committee on Manpower; the initiation of annual federal-State planning in the field of manpower training; the initiation of a human resources development program—such as that now getting underway in Rochester on a demonstrational basis; also the tightening labor market and above all the will to extend employment and training opportunities to the disadvantaged.

These are all, I think, hopeful signs of change and the emergence of a new Public Employment Service that can and shall become in fact a comprehensive manpower service center.

Chairman Corson: As I listened to Chuck describe the succession of proposals from the Schultz-Fischer Committee—it hasn't been termed that before, but it has now—I can't help but wonder how much they represent progress. Now, if you have to find something to argue about, well that's a good start. Out of six points, four of them are essentially to strengthen the Employment Service. And that is good but that was in this point of time almost inevitable.

Think back if you will for a moment at least, well, to let's say the years of the Eisenhower drought. We didn't do much about the Employment Service. For the years of Kennedy we were, so far as employment was concerned in this country, consumed by the Heller philosophy that if you would just pump enough money into the system it would take care of itself. And we pumped money into the system and created a substantial demand and reduced unemployment.

But we got out of that experience a bit of understanding that those of you who worked in the Employment Service have known for a long time.

I can remember well that Bill Haber, who was at one time in charge of the Employment Service in Michigan, wrote as early as 1937 that, "If you were to employ every readily employable, able-bodied citizen, you would still have a very substantial volume of unemployment." As a consequence, after the Heller deluge and we had pumped enough purchasing power into the economy, we got down to the rock bottom. And we still have a significant volume of unemployment. And what we find is made up of the least skilled, the handicapped and those who are disadvantaged by color or other handicaps.

And now, Chuck says we have a new program. You know, to have a new program you also have to coin a nice term for it. And they have got a good one, the "Outreach." This is just, well, it's unintelligible enough to be a real stimulator. You wonder what the heck it is they are talking about. The outreach, well, it has meaning that has significance in this setting.

From 1935 to 1938 the problem was that the Employment Service was handling the WPA bum and the employer didn't want to have anything to do with him. Then, during the war you had a different climate but after the war you have gotten to the point of handling only those boys on unemployment—any coming under relief—and the employers didn't want to have anything to do with them.

But with outreach we hope to solve that problem. And among the recommendations of the Schultz-Fischer Committee, which of them would help solve that essential problem? That's unfair. I suppose it's unfair to Mr. Fischer. In presenting him to you now, he hasn't really had any time to think about this. I'm really addressing this to Chuck as he's had a lot of time to think about it.

Mr. Fischer: When I served on the Task Force to which our chairman has referred, I was reminded that our so-called national manpower policy, if it could be termed that, was based on several pieces of legislation such as the Wagner-Peyser Act of 1933, the Employment Act of 1946, the National Defense Education Act of 1958, the Area Redevelopment Act of 1961, the Manpower Development and Training Act of 1962 and the Vocational Education Act of 1963; plus a large number of federal directives. Altogether, as Secretary of Labor Wirtz pointed out in our first meeting, the Employment Service is involved in all or part of the administration of more than 20 laws.

It seemed reasonable, perhaps imperative, that the time had come to review the operations of the Employment Service and to consider what was needed to improve its operations as the front-line agency for translating manpower, education and training, and war-on-poverty policy into operational reality.

So we set to work and the result was a unanimous report, much of which is now being presented to Congress in the form of legislation.

As our deliberations started, the management representatives on the Task Force had the privilege of getting the advice, suggestions and recommendations of a representative cross section of some of the biggest American businesses which, of course, had experience with the Employment Service. I am not talking about the information we received from associations but that volunteered by the top management of individual firms.

A cross section of these employers' comments show there is still a long way to go to achieve the maximum in cooperation and understanding between employers and the Employment Service—cooperation that is vital, in my opinion, if we are to solve the problems of unemployment in our country with dispatch and imagination.

First, frankly, I was surprised at the number of bouquets that were tossed in the direction of the Service. Let me give you an example. I'll quote comments made by the vice president for personnel of a national manufacturing company.

"The image of the Employment Service held by our company has changed substantially over the past 20 years. In the 1940's and early 1950's we tended to list jobs with the Service only when other sources could not fill our needs. Today the situation is almost entirely reversed. Throughout the country, we tend to rely on the Employment Service for the bulk of our employment needs. Applicants who appear at the gate are referred to the Employment Service for screening tests prior to consideration for employment.

"The Employment Service worked patiently with one or two cooperative employment managers and developed test batteries for entry into our work force which proved so satisfactory that we took the initiative in having them extended across the nation."

Here's another:

"The image of the USES in the states in which we do business is good. Our experience with our state's Employment Service has been satisying. We have received every available assistance from their representatives during our frequent contacts. Our company voluntarily lists nonsalaried jobs with the state's Employment Service and my understanding is that the greater part of the aerospace industry does the same. Again, this is a voluntary effort on our part and one we would not wish to change."

There was also a considerable number of what I might call middle-of-the-road employers as far as their opinions of the Employment Service are concerned. I don't mean they are not informed or have no position. And I would not group them as adversaries of the Service. I am talking about their doubts about the direction and administration of the operation, based on actual experience. If these reservations could be resolved by specific action or information, it's my view that the Service could make a still greater contribution.

Here's a typical comment:

"The USES, as it manifests itself in the State Employment Service, has a reasonably good image. In many instances, their testing services have been utilized as a preliminary to the company's own applicant program. In a number of instances, however, screening is superficial. The general quality of applicants from the USES offices, at several plant locations, has not been good. To improve its image the USES must train its staff to look upon the Service as an employment agency and not as a social agency.

"Moreover, the recent movement of the USES into broader areas of activity has aroused concern. The major areas of concern are the increasingly aggressive actions of the Service in the field of professional employment, in the upgrading placement of those presently employed, the job vacancy program and the expanded testing and counseling service. These actions are quite different than what has been understood to be the original mandate. This expansion can only lead to increased expenditures, increased competition with private employment agencies, and increased control of the USES over the destiny of workers, especially among the younger segment of the population."

Another firm said:

"The USES has a good image and they have been generally quite helpful to us in various parts of the country. In my opinion, they are as good as the companies which take advantage of them and use their services and capabilities. This requires that the employer communicate fully, cooperate openly, and establish an effective rapport with the local office."

Parenthetically, I might say the Task Force report treats at some length the need for the development and dissemination of better labor market information to public and private organizations. It suggests, for example, the designation of labor market information offices to contact such organizations. Their job would be to establish what in too many cases is a long-needed direct contact, not only with potential users but also with present users of the Service in an effort to build better relations with employers.

Perhaps such information and contacts would have given one large regional employer a better image of the Employment Service than he has. He said of the Service: "They have, for the most part, poorly qualified applicants. They are primarily interested in 'helping' the so-called disadvantaged. They are intensely interested in expanding their scope and power and would, if they could, exercise a complete monopoly of the placement market. The staff has a large proportion of liberal do-gooders with copiously bleeding hearts."

To get back to serious matters—in our deliberations we also had the benefit of much employer association research. One of the largest of these groups surveyed 4,500 employers with 3,600,000 workers. The job categories covered by the survey ranged from the unskilled to the professional and managerial occupations.

The Employment Service is not leading the league as far as their position in the national placement standings is concerned. Word of mouth recruiting by current employes, advertising and the services of private employment agencies were all ahead of the public employment service as principal methods of recruiting.

Statistics are tedious I know, but a few may be of interest: Less than 8 per cent of the 4,500 employers said they used the State Employment Service extensively. Forty-four per cent used it occasionally and 47 per cent not at all, despite the fact that together they hired about 650,000 employes annually. About two-thirds of the jobs were permanent and the rest were temporary or seasonal. About 55 per cent of the 650,000 jobs were unskilled or semi-skilled.

Ninety-three per cent of the employers felt that no government agency should actively seek out any one person, with one skill or another, who is working for one employer and try to place him in some other job with another employer.

When questioned regarding special tests and services such as those that are available to assist an employer to determine the aptitudes of job applicants or on the development of job descriptions by the USES, 74 per cent of the 4,500 employers thought that employers who use such special services should pay for them—a "user charge." As you know these special services of the USES that are used by some employers are financed out of the federal unemployment compensation taxes paid by all employers. Our Task Force report recommends the separation of the Employment Service from the administration of unemployment compensation. I, for one, see no reason for using an employer's unemployment compensation tax money to finance Employment Service functions of an entirely different nature. I believe the latter programs should be financed out of general revenues and subject to yearly scrutiny by Congress.

I'd like to wind up my portion of this discussion by talking about one of my pet themes—which was mentioned this morning. As you know there is a new title in the land today—the job developer. These devoted men and women try to place the trainees of the various training programs—private, city, state and federal. From the employer's point of view the job developer's role is an important one and it is made even more important by the many programs now in existence. These programs, in my opinion, should be under one umbrella. Let me give you an example of what I mean. Macy's is cooperating with governmental and quasi-governmental groups such as the Cooperative Education Commission of the New York city, state and federal. From the Employment Service, which is part of the N.Y. State Employment Service; Mobilization for Youth, Inc.; JOIN; HARYOU; to say nothing of private agencies, philanthropic groups and other organizations having roughly the same common purpose.

Before I came up here, I took it upon myself to make a list of the other groups who have called us within the past year for assistance in their placement programs. They include:

The Distributive Education Department of the New York City Board of Education; Federation Employment and Guidance Service; and PAL. In addition there were casual contacts with the YMCA, YWCA, YMHA, YWHA, Catholic Charities, various settlement and neighborhood houses, etc.

The inevitable question in an employer's mind, when one of these job developers visits him, is, "What does your program do that others don't do?" and I believe other employers, like myself, sense an atmosphere of competition among the various programs. Obviously, since I am in the retail business, I believe in competition. But I think it is a reasonable question to ask whether or not competition in this nonprofit area is healthy.

For a long time I have argued, when I attend meetings at home regarding this subject, that there should be a group, person, or council that could coordinate all the various efforts. A rough analysis of JOIN, HARYOU and Mobilization for Youth indicates that their programs, while not exactly identical, overlap. While they are useful they do not really command the impact or get the results that they would, in my opinion, if there was coordination that could lead to the assignment of specific responsibilities to each of these groups. Of course I will not even try to estimate the huge amount of money that is being wasted in these duplicating programs.

As I said earlier much of the Task Force report is contained in legislation now before Congress. There have been amendments to the original bills, of course, but in my opinion, none better than the one proposed by Senator JAVITS that would insure and strengthen the long-needed coordination of economic opportunity programs with the activities of the USES.

I wish that a whole meeting could be devoted to listening to George Bennett, who unfortunately cannot be here today. The coordination of programs by his Community Progress, Inc. in New Haven represents the type of plan I think should be followed. Such a system would secure the complete cooperation of the management of the majority of businesses in any city.

I suggest as a goal for all of us in the future—better relationships and increased cooperation and coordination between government agencies and the employer. Why? So that we may utilize most effectively the obvious assets of the Public Employment Service and so that we may secure the most profitable training and use of our manpower resources.

Mr. Adams: It was suggested to me that I confine my remarks to the operations of the Federal-State Employment Service from the public point of view.

Some of the questions that I was asked to address myself to are: Where should the Employment Service be moving? What recruitment programs should it emphasize? And what relationship should it have with other means of recruitment, including employers and private agencies and so forth?

One definition of a professor, John, is a person who thinks otherwise. At the present time I find myself, however, in considerable agreement with what our two previous speakers have already said. There are some points on which I would like to elaborate further. Then I would like to make one or two suggestions about how some of the weaknesses that your employer group feels are inherent in the present system might conceivably be overcome. We might establish some better standards than we have at the present time and some clear ideas as to what it is we really want from a Public Employment Service.

First, let me say that in discussing a Public Employment Service from a public point of view requires some consideration of what it is that we ask a public service to do and what the significance is of the assignment that we give to it.

If you consider what it is that our Public Employment Service has tried to do over the years, we find a long list of duties. They include functioning as a labor exchange, as an information agency, as an agency that provides tools and technicians for personnel management to use as well as for its own staff to use and as an agency which provides assistance to special groups of people who may be disadvantaged in one way or another. This agency in recent years has been called upon to act as the operating agency for the National Manpower Planning Policy. It seems to me that if a public service performs on all of any of these fronts, it is really acting in the public interest.

And when it seeks out job opportunities from employers by field visits, when it succeeds in placing individuals in jobs for which they are suited, it's helping the individual and also helping the public. It is something like Adam Smith's "unseen hand" in operating in market except Adam Smith was talking about the price system, which he called the unseen hand, and here we are talking about an agency which obviously operates in the open.

It seems to me that fundamentally the Public Employment Service is truly an operating arm rather than a policy making agency.

I was quite impressed in reading in Professor Schlesinger's book about what he reported to be an interview between James Reston of the "New York Times" and President Kennedy some time after the President and been in office for a little time and presumably had some sense of direction.

Reston was asking these questions: "Mr. President, what is it that you would have liked to have accomplished by the time that you ride down Pennsylvania Avenue to the Capitol with your successor," whereupon he drew just a blank stare.

So he tried again. He said: "What guidepost do you have in your mind that would help you make day to day decisions about the direction in which you'd want to go?" Again he drew a blank stare. He said it was only later when he asked specific questions about very tangible practical problems that the President responded with a torrent of statistics which indicated he was very much aware of the nature of those problems and had some idea about what he wanted to do.

Reston concluded from this episode that President Kennedy had no real sense of long range problems or a sense of direction. Schlesinger drew another interpretation, which was that the President was sort of overwhelmed by the impracticality of this kind of a question because he was very much concerned at that time not with a blueprint but with a process.

And I think that the Public Employment Service, like the President's frame of mind at that time, is much more concerned with a process than it is with a blueprint. But I submit to you that when you try to answer general questions of the sort that have been posed to me, that you have to establish some sort of criteria by which you can make any kind of answer at all.

It seems to me there are three principal ones we might consider in appraising the question of where the Employment Service is moving. It is moving all right. It is moving so fast that I can hardly keep up with it and whatever I write today I find will be out of date tomorrow.

These three criteria, it seems to me, are:

1—What is it doing as an operating arm for manpower policies—national, state, and local?

2—How effective is it as a job market organizing agency?

3—How effective is it in dealing with the so-called disadvantaged groups?

Let's look at each one of these very briefly. I'm not at all sure that I have any of the answers but perhaps I can raise some additional questions.

In terms of manpower policies, because this group is such a knowledgeable group. I'm not going to spend much time here. But if you look at the list of what Secretary Wirtz said—"Constitute a component of an active, comprehensive labor market policy"—you see what a tremendous job it is that the Employment Service is being asked to do.

I have listed seven of these, based on Secretary Wirtz' testimony before the Clark Subcommittee: Information on the job market, an agency that would be concerned with the establishment of an early warning system, an effective vocational, guidance and counseling agency, a research agency dealing with the findings of and problems related to the educational system, an agency that would be nationally oriented in terms of job markets, at least some of them; an agency concerned with training and retraining, an agency also concerned with helping to facilitate the mobility of workers industrially, whatever is required.

The Employment Service isn't the only agency that is concerned with active manpower policies of this sort, but it seems to me that we are asking it to take an active part in most of them if not all of them. As we learned this morning at least one State in the country is beginning to take a much more active policy in shaping manpower activities. Here we learned from the Governor that we are going to have additional State funds put into the training program.

Who is going to administer this? Well, you know that the Employment Service is going to be asked to do a considerable amount of work on it. We know, too, that the Employment Service is the agency that is going to help this summer to try to find jobs for the thousands of college students and others who need summer employment. So we are asking in terms of policies and programs for a tremendous amount from this agency.

In terms of labor market changes, if you look back just for a short period of time—only four or five years—it seems to me that we had at least three major changes of great significance that have taken place in the labor market which have a distinct bearing on what it is that the Employment Service can or should do.

First, there is a tremendous economic growth which has been stimulated by national factors not the least of which was the tax cut in the past two or three years. This tremendous growth has reversed to a large extent the primary concern of many of us, who were worrying about problems of unemployment, to situations in which we now have at least a mixed concern. But, perhaps more importantly, if we are going to keep the economy moving, we face the problem of how we deal with occupational shortages and shortages of skilled workers. If we are successful in keeping this boom going, these shortages are probably going to increase rather than decrease.

Secondly, we have had a reduction in this country in the farm manpower situation. The movement of people off the southern farms, the sharecroppers and so forth, has meant tremendous exodus of people with relatively little education and a very low level of skills into the great metropolitan areas of our country. This, it seems to me, accounts to a large extent for the kinds of problems that the Employment Service is encountering now in these large metropolitan areas in finding some kind of job opportunities for the disadvantaged.

The technical changes in agriculture have also created serious problems. I have been told by many people who follow closely the problem of migratory workers, for example, that the introduction of machinery now in harvesting of some crops has upset the flow of workers to the extent that it is no longer quite as attractive for southern migratory Negroes to take the trip north in the spring because work has become much more irregular. They just don't have the same work flow.

The bean picking machine, for example, has come into the picture and has taken a large part of that work. The apple picking machine has taken another part of the job, so that finding even seasonal work for some of these people is much more difficult. The effects of the postwar baby boom, which is now beginning to show up in the job market, has created a tremendous problem in finding employment for young people of all sorts and our unemployment clearly indicates this problem.

The unemployment rates for Negroes and some other groups are twice as high as they are for some of our white youth looking for work.

When you ask what the Employment Service has done in response to these demands on it from the policy side, from the labor market side, I find myself somewhat stumped as to how to provide an answer.

But I have tried to do it in two ways. First, I took a look at the statistics that are available on the Employment Services' operations. There aren't nearly as many as I'd like to have. In fact I find it rather difficult to find out what the Employment Service is doing in some respects. But we do have some quantitative measures. Secondly, there are qualitative aspects of the Service which I thought were worth looking at.

First, on the quantitative side there is an input item that ought to be mentioned. As I think you all know, the Employment Service took part in President Kennedy's efforts to get the country moving. He felt that getting the Employment Service moving was an important part of that job. As a result of his efforts the Employment Service was granted additional budgetary funds. This resulted in an increase, as far as I can make out, in the staff in the Service of some three thousand or so positions in fiscal '61 and '62. Thereafter, that source of additional staffing dried up.

But in recent times Mr. Odell tells me that the Employment Service has been acquiring additional funds because it's taken on jobs from OEO and other organizations and it is getting paid for taking on those jobs. I presume that this has resulted in some additional staffing. If you look at some of the quantitative measures of what it is the Employment Service has done such as placement and so forth, the published reports supply the same data. These figures for me are somewhat enlightening although I can't say that they are very supportive of any particular line of thought.

Placement in the Employment Service between the year 1960 and 1965 showed a tremendous change but the change is almost all in agricultural fields. There was an increase in the non-agricultural placement volume of somewhere around 10–12 per cent in those five years. As for farm placement the picture shows the decline of about 50 per cent.

There were no major changes in the industrial or occupational distribution of the placements in the non-farm field. In 1965, the Employment Service was still making about 30 per cent of its placements in the short term category. This hasn't changed substantially. About the same proportion of jobs in these two years were in the service and in the unskilled group; these constitute about two-thirds of the total in 1960 and in 1965.

Only 3 to 4 per cent of the placements made by the Service were in the professional and managerial category. It is hard for me to understand why some of the private agencies are so disturbed about what Public Employment Service has done even with its additional funds and additional staff.

When you look at applications you find that the Employment Service has apparently been taking in a larger number of applicants. Applications were up about 8 per cent between 1960 and 1965. When you come to look at services to special groups you find here a very major change in activities. The change here is largely in the past two or three years and in the direction of additional service to youths.

Counseling and testing shows up the same sort of picture—much more counseling and testing. Counseling interviews were up 23 per cent. Testing was up 46 per cent.

But when you come to look at what the Employment Service has been doing with employers on a national basis you see here another trend. Employer visits—for whatever reason—declined. We cannot tell why this happened or what services were omitted, if any. Employer visits declined about 2 per cent and this may well have meant that staff time was diverted elsewhere.

Some of the qualitative or non-statistical changes that I could identify are these: That there has been a substantial effort to increase the quality of the staff, especially the counseling staff, by a training program of various sorts in cooperation with the community and in-service training.

I think too from what I can gather from reading the "Employment Service Review" that there have been made available from the federal side more funds for special programs. For example, you had one here on Long Island, the follow-up of the displaced aircraft workers from Republic Aircraft.

A very interesting program in Philadelphia was worked out between the Employment Service and the Jewish Vocational Educational Organization there. There were four or five very interesting reports on that experimental program.

A special program in Philadelphia was concerned primarily with school dropouts. The final article in the series of reports on this project dealt with what they called the "failures" in the program. There were some 350 or so youngsters taken into the program with the idea of giving them some orientation to the world of work and some incentive to get a job and some ability to keep a job once they got it. An analysis of the reasons why about a third of them who either didn't finish the program because they dropped out or because they were asked to leave makes a very interesting story. I think this is one of the forerunners of the program that Mr. Odell referred to here which is going to be expanded.

One of the conclusions I drew from it concerns many of these disadvantaged youths who are really alienated from the values most of us have toward work and the significance of work in our society. Many of them were in need of an intermediate experience between their attitude before the program began and their entry into competitive industry, where they are expected to perform eight hours a day in a factory or some other job. This suggests that perhaps what we ought to think about for these young people—and perhaps for some of the older people too—is an extension of the Sheltered Work Shop Program to provide this kind of an intermediary step.

Some of the questions that have been raised here this afternoon about the Public Employment Service in this country are the same sort of questions that are being raised about Public Employment Services elsewhere. I was quite interested to read some of the reports of the seminars that have been held by the Office of Economic Cooperation and Development in Europe. There are about 20 of them that have submitted reports or participated in these seminar discussions. They have indicated that they too are taking a fresh look at the Public Employment Service and its operations in their own countries.

There seems to be a consensus all along the line as to what sort of framework the Public Employment Service can be expected to operate within. For one thing most people agree that it will have to be a voluntary service. This means that it must win friends on the basis of the quality of the service provided. Very little recognition has been given by the general public of the role of the public employment agency as a manpower service. Nowhere does the manpower service play a dominant role in the job market. No matter what has been said in this country about the manpower program, the figures just show that nowhere in the world, even in Sweden, in Great Britain, or West Germany, and other countries where public employment services have been established for a long time, do they fill more than about 30 per cent of the job openings.

In this country, of course, we know from what limited information we have that our Employment Service probably only fills about 15 or 16 per cent of the openings. In some of these European countries as in the United States, private employment agencies are flourishing. It's a very profitable business.

Let me conclude here by making a couple of suggestions. I think we recognize a number of weaknesses in our present Employment Service program. What we need to a considerable extent in overcoming these weaknesses is a better set of standards than we now have by which to appraise the effectiveness of a public service. I'd like to suggest that now is a very appropriate time for us to learn while we are engaged in doing a lot of things.

It would seem to me that funds might be made available now for a number of remedial and research programs. There are two questions that strike me as being worth researching particularly. One is: What is the optimum staffing pattern that should be established for a manpower service center operating in a community? And here it seems to me that an operational research project might well be undertaken. You will recall that some 35 years ago there were a number of experimental programs launched in different parts of the country. None of them I think was directed toward answering this particular question.

There was one in Rochester which was concerned with what kind of an office setup would make the most sense in serving that community. Funds were obtained to provide additional staffing, to obtain the best possible quarters and so forth. Out of that project came some very interesting suggestions about how a local office ought to be staffed and operated.

It seems to me that we are up against the same question now. What is it that would make for a model operation? I think that what we need is to spend some of our money—that seems to be available in such large quantities—for an experimental program or two.

Secondly, I'd like to see some work done on this question of what is the optimum penetration rate for the Public Employment Service to shoot at. Should it be to fill 25 percent of the job openings as they do in Sweden and in Great Britain, or should it be something less in this country? And here again I don't think we are really going to get any answers on this unless we conduct some experimental programs where we try putting more input by way of staff into the operation until we find a point of diminishing returns.

So it seems to me that the answer I would make to the general question—Is the Public Employment Service on the right track?—is: Yes, it is on the right track all right but at the present time it is something like the Mississippi steamboat they tell about. It had such a large whistle that everytime it blew the boat stopped. The Employment Service in this country, it seems to me, has been asked to do such difficult things that everytime it gets a mammoth new program tossed on it the operation stops as far as other things are concerned.

DISCUSSION

Question: The disadvantaged are, in part, a problem in mobility. If there is a problem for the Employment Service, that would be it—to find a program that was more thoroughly related to the problem of real mobility in society. I don't know whether anything that is presently planned really deals with that very much.

Mr. Odell: Part of this deals with developing a really advisable interarea recruitment and clearance system. And this, you know, is not just a problem related to moving from one state to another state. It's realistically a problem that I don't think has been effectively looked at from the point of view of mobility within a metropolitan area.

For example, one of the great problems in Watts is not exclusively the question of unemployability. It's a question of mobility as it relates to the cost of public transportation. If one member of the family, usually the wife, is working and has the car—if there is a car—the rest of the family is immobilized from the point of view where the job is. It costs $1.65 one way and five transfers at an hour and a half to an hour and forty-five minutes of time on public transportation to get from the heartland of the problem in Watts to the nearest defense contractor of any significance in the area. It costs $3.50 to get to Lockheed, where the jobs are.

Dr. Catherwood was speaking fondly and with some pride about the Youth Opportunity Centers. One of my concerns with the Youth Opportunity Centers is that in order to develop jobs for young people in offices that are more closely related to the ghetto neighborhoods in which a good many of the people we are talking about live, you have to develop a job development program of the type Mr. Fischer was describing. It tends to become a job development program in the immediate neighborhood.

There is a problem of transferability of the people to the job as you decentralize your operation to these neighborhoods. You're moving farther away from where the jobs are. I think this is a very critical aspect of the problem.

I do think that an effective system of data processing, in which there is a sensible relationship on an areawide and statewide and an interstate basis for job opportunities and job applicants, might considerably improve our ability to deal with mobility.

I think the great problem in this whole area is the concept of manpower planning. In fact the use of the word "planning" nationally now has been unpopular in this country for a long period of time. We really now are beginning for the first time in maybe 15 or 20 years in a relative nonwartime situation to talk publicly and with some meaning about planning in the manpower field. It seems to me that until we lose our sense of guilt about the idea that planning, you know, is a bad thing if it's done by government but is a good thing if it's done by private industry, we really aren't going to address ourselves to the solution of these problems.

Chairman Corson: I'm not clear, Chuck, that you really have answered his question. I think that he says there is a problem with respect to mobility and then he asked really whether the Employment Service has now developed a new program to meet this. And I think you were talking of mobility but only from a standpoint of geography. And I think you're saying, Chuck, that from a standpoint of the geographical you really haven't accomplished much in the Employment Service as yet. Secondly, from the standpoint of occupational mobility, although the training efforts that we are now engaging in do represent an effort to meet this problem, the degree of success achieved is still to be proven.

Mr. Odell: Well, I'm as frustrated as you are, John, but take a forthright position on what the answer is. I think the answer lies in a meaningful national manpower planning policy and as our friend from Sweden will tell you tonight, with a sufficiently broad mandate in terms of legislative authorization and money to implement manpower mobility. That addresses itself both geographically and to occupational and industrial transportation. The dilemma we are faced with is that we are trying to do all this in a situation where on the one hand the Employment Service is accused of trafficking in unskilled, semiskilled and disadvantaged people, and on the other hand intruding itself in competition with private agencies and private employers in the field of job placement of professional, technical, managerial and skilled personnel.

This is an ambiguity really in terms of an intelligent approach to the role of the Public Employment Service. We can't have it both ways. It seems to me a matter of public policy. And I think an answer to this is a specific mandate for somebody to plan and coordinate the manpower policy in the United States.

I think that is what Mr. Fischer was complaining about in regard to competition among public agencies.

I think that we don't have a clear mandate in law, or the appropriations to substantiate a mandate if it were in law, to do an effective job of manpower coordination and planning.

Mr. Adams: I'd like to say, Chuck, that the Public Employment Service from the days of Wagner has had a very clear mandate to establish a very effective clearance system for moving people among geographical areas and for filling jobs across the state lines. It seems to me that one of the serious criticisms that can be made of the Employment Service is that it has never fulfilled that mandate very effectively.

You now have a network of 120 professional offices and you have tried some experimental programs with the use of teletype equipment. I understand that experiment has been dropped for some reason or other.

Mr. Odell: It's been dropped because it worked better within the area than it worked on an interstate basis.

Chairman Corson: Let me try to relate the points that you made. Chuck Odell is saying that there is no clear mandate. I think that's asking for what you haven't earned yet.

Leonard Adams is saying that there is a clear mandate, at least for a clearance system.

I'm saying that that's been in the statute since I was director of the U.S. Employment Service and you could enforce it then but I don't know if you can do it now.

Let me tell you a story about World War II when migrant workers were coming up the East Coast. Labor was scarce in those days. Workers from South Carolina were going north. Then the governor of South Carolina issued orders to the director of the Employment Service that he was not to refer any of those workers further north. You could imagine what had happened in North Carolina. Farmers had begun to complain really bitterly. You remember the Federal Service was supposed to be the boss. I was supposed to be able to tell that director in South Carolina that he should refer those workers along. I did, but he said, "Look, we have got to live with the governor down here. If I don't do what you say, I might lose my job and I might not. If I don't do what he says, he says he's going to jail me."

So then I called up the then executive director of the Council of State Governments and I said, "Frank, I wish you'd call your governor down there and get him to be reasonable. He should realize I'm supposed to be in charge of the Employment Services these days." He says, "Yes, you're supposed to be, but after all, he's calling the shots, isn't he?"

All it meant was, it seems to me, that we have not yet gotten to the point where we are willing to make the shift of people from one area to another when it endangers local applicants. We have not yet gotten to the point where we accept that shift, that mobility we think of ideally.

We have not yet gotten there, but having said that and thinking about Chuck's point as to the need for acceptance of manpower planning, I'd urge you to think how far we have come since 1946 with the enactment of the Full Employment Act. We have gotten to the point where we are concerned with keeping that index of unemployment down.

What statistics do we have that are better publicized every month? Perhaps the price index, but if there is any other, it is not the net index of unemployment. As a venturesome soul and a fellow committed to wager when the odds are good, I would lay you a bet that there will be no President re-elected within whose term that index does up two full points.

Well, we've talked about manpower planning. I'm saying that in those 20 years we have emerged to the point that we have accepted the goal that our government should do what is necessary to keep unemployment down. We have raised our sights now. We are not content with 6 per cent after we are no longer content with 5 per cent. We have gotten down below 4 per cent and we are finding that to reach further we have got to do some things we haven't done before. We have got to reach out and train the disadvantaged. We have got to reach out and find the disadvantaged that really have given up looking for jobs.

And that poses the ugly problem that has already been stated. And I think it was Chuck who stated it: How does the Employment Service break what has for 30 years been an intolerable problem? How does it find all of the qualified workers in the community? How does it become important in the labor market so that it can become in fact a comprehensive manpower agency and at the same time reach for the disadvantaged and help them equip themselves?

Some of Fred Fischer's quotations from employers are cast in terms to the effect that the Employment Service has an oversupply of many copious "do-gooders." Well, this is what they're talking about. The Employment Service wants to find the disadvantaged, wants to help them rise up this ladder of occupational mobility. If we are going to accept this goal of getting that 3.7 down to 3.5 or 3.2, we have to do that.

How do we bring within the confines of the Employment Service both of these activities, the professional worker and the disadvantaged youth or Negro or older worker who has been disadvantaged?

Mr. Fischer: I wanted to talk about this particular comment. There is some reference in the Task Force report to mobility but I have heard this subject discussed many times. There is just one thing that was left out. Supposing a guy doesn't want to go?

An employer would like to get men to move from Watts to the plant in Burbank. But think of the guy in the corner wrapping bundles and saying, "Look, there's a better light over here and it's nice and cool." He won't go from that corner of the room to this, and here you're telling us he's going to go from Watts to, say San Francisco with no guarantee of permanent employment, no house generally and where there is one its rent is higher than he wants to pay, and all of the rest of the things that goes with this. Forget mobility. The guy won't go.

Remarks: It seems to me if the Employment Service has been concentrating on the semiskilled and unskilled and is trying to work out with the disadvantaged, one of the significant problems is that they are the very people alienated from the Employment Service by the attitudes of the people that work there.

One of the big problems that we have with people that come to our office is that they refuse, absolutely refuse, to use the Service. Before you can start planning and before you can start talking in terms of manpower training, before you can start talking about mobility or any other programs, you have to start dealing with the people who need these programs.

Whether they have seen them once or twice or three times, they are completely alienated from this Service. It's not an accusation in saying that the Employment Service is not doing its job. It's just a question of the people whom you're trying to deal with and their attitudes towards the Service, forgetting the employers' irrational concept of the Employment Service.

And I would mention just one thing: There is rather an effective program in Philadelphia which branched out in Watts.

Mr. Odell: Yes. I'd like to speak on this. It happened to be concerned a good bit with what is being said. One of the reasons in implementing this idea of an adult outreach, that we try to involve indigenous personnel in neighborhoods is because of our experiences in Chicago, Houston and other places where we have tried to establish some kind of meaningful relationship with the people you're talking about.

They are not just alienated to the Employment Service. They are disengaged and alienated from the establishment as they see it, and the Employment Service is one part of it.

We have had some success in Houston, for example, because we have used neighborhood workers to do the essential outreach contact with the Corps. We have worked very hard to develop some kind of immediate, visible evidence of the fact that something is going to happen as a result of outreach in terms of spotting people into both jobs and training opportunities.

We have had very little slippage from the point of initial contact with the people who say they are interested in employment or training. They are showing up at employment offices for screening and referral.

Remarks: The big problem, it seems to me, is that all the governmental agencies—OEO, the Employment Service, any other services or welfare bureaus—refuse to give up any of their autonomy to deal with the central problem.

Mr. Fischer: May I address myself to the statement being made, which is not alone true of the Employment Service. It's also true of every agency that works with the disadvantaged people in communities. In New York City one large agency working directly with the disadvantaged was trying to recruit people for what we call a basic education program. There were 250 openings to fill. They were unable to recruit that number. They went to the Employment Service for assistance.

Chairman Corson: Well, I find something missing in this conversation. We are talking about alienation. We talk about a refusal to go to the agency. I find missing the "why."

Have we learned this? What do we do about it until we learn why this alienation exists? With the conversations so far it suggests that it's not only the Employment

Service. It is most of the established agencies, but why——

Remarks: Well, to answer your specific question as to the "why," I think historically you have to go back to the beginning. At one time you couldn't find jobs for these people—the indigent, the disadvantaged, the noneducated and the unskilled—because the employers wouldn't hire them. And that started this vicious circle that you're talking about. If you couldn't get them jobs, they no longer came to your agency and they thought it was a waste of time to come to your agency. That's the "why."

Chairman Corson: There is one other point I would talk about and it was started today in the words of Willard Wirtz. The Employment Service must treat individuals as individuals rather than give them an institutional treatment.

Now, to carry what I'm saying one step further, it suggests that the Employment Service has got to cope with a damnable problem of great size and still keep their services individualized.

Question: Wouldn't it be correct to say that most disadvantaged people are this way or have this attitude towards any social agency because none have every helped them before? Why should they start going to the State Employment Service and new social agencies when they didn't have any success in the first place?

Mr. Odell: This gentleman who mentioned the OIC in Philadelphia—this is in line with what Leonard Adams was talking about. He used the term "Sheltered Work Shop."

I'm not sure we want to have that for the disadvantaged as such. But conceivably what Leon Sullivan has done in Philadelphia is to provide a bridge, an arrangement in which these people are moved into a program which ranges from so-called basic education—that starts really with trying to instill a sense of worth, of their own value—to what is called pre-vocational education.

Later, they move on into some kind of specific vocational training. Our evaluation is, however, that he is doing something that no one else is really prepared to do and in that sense it serves as a sort of visible model of the fact that something effective can be done and should be done. This is very similar to what happened with much of the war training that all of us abhored. People moved in and out of training spots in the war training program, never really completing a course but giving visible evidence to employers who were hungry for workers regardless of the fact that however disadvantaged they may have thought these people were in the past, they could do something at a machine station. . . . Therefore, we were willing to come in and take them off the line before everyone finished the training. Now, that is essentially Leon Sullivan's program and I think it has real merit in bridging the gap that you're talking about between where these people are, how they feel about the established agencies and where they go in moving into competitive employment.

Incidentally, employers have also had their arms twisted that it's their responsibility to hire.

My favorite story, John, is the neighborhood boycott of Pepsi Cola and Tasty Cake. They boycotted them until both companies came around and agreed to hire a significant number of people. They didn't call it a boycott. They called it something else. But the net effect of it was to convince each employer that he had to change his attitude toward hiring many of these people because they were largely consumers of this products.

Remarks: You asked a rhetorical question, I think, John, as to whether or not the Employment Service is or can be that service which can encompass all of these various policies and procedures that you were talking about. I'm biased. I think, yes. I think the example is that of the European countries about which Leonard Adams is concerned which have all of these programs under one agency.

GUERRILLA GROUPS IN LATIN AMERICAN COUNTRIES

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I want to call the attention of the Members of the House to an important article by Juan de Onis, in which he describes the steady reversal of the fortunes of Castro-Communist guerrilla groups in several Latin American countries. We can all be heartened by this for it is dramatic evidence that our neighbors to the south have rejected violent revolution with its bloodshed and murder. They have chosen the path of peaceful, democratic revolution, the Alliance for Progress under the rule of law, to achieve individual and national progress toward a better life for themselves now and for their children tomorrow.

I submit also, that we can all be heartened by the fact that the countries of Latin America are paying close attention to this threat to their national security and freedom. With our assistance, they have assumed the responsibility for developing their capability in counterinsurgency operations.

The Castro-sponsored Tricontinental Conference held in Havana in January of this year, resolved to intensify its support of so-called wars of liberation in this hemisphere. This blatant threat has served to alert our Latin American neighbors even more to new attempts at subversion.

The guerrilla failures have shown that Castro has not succeeded in exporting his own brand of social revolution, as many people once thought he might.

However, there is no room for complacency. In spite of their success in cutting out or controlling the cancer of Castro-Communist subversion in many areas, our Latin American friends must remain ever vigilant and prepared. And we must continue to be ready to assist them in defending themselves from its ravages wherever it may next appear.

The article referred to follows:

LATIN MILITARY TACTICS BLUNTING CASTRO-STYLE GUERRILLA WARFARE

(By Juan de Onis)

BOGOTA, COLOMBIA, August 29.—The military in some key Latin-American countries has become so expert in dealing with guerrillas that Cuba's hopes for this type of subversion have been blunted, United States and Latin-American military men say.

In 1961 Premier Fidel Castro made his celebrated prediction that the Andean range would be for South American revolutionaries what the Sierra Maestra had been for his movement in Cuba.

Mr. Castro led his revolution from headquarters deep in the Sierra Maestra of Oriente Province, supported with money and arms from abroad, protected by the peasantry and aided by widespread urban violence. His forces, which overthrew President Fulgencio Batista's corrupt dictatorship, scarcely totaled 2,000 men in two years of fighting.

In the Andes, the story has been different.

Self-styled guerrilla forces of National Liberation—using Cuban tactics, often led by revolutionaries trained in Cuba, and financed by Communist movements abroad—have been destroyed, as in Peru, or have been seriously crippled and are on the run, as in Colombia and Venezuela.

"The Communist myth that victory is inevitable for the guerrillas employing National Liberation tactics has been disproved in Latin-American practice," said a high Unitel States military official who works with Latin-American counter-insurgency programs.

United States military advisers think it likely that Communist groups in Latin America will continue to use guerrilla operations. There is particular concern about the guerrilla movement in Guatemala, where Communist insurgents have rejected an offer of a political amnesty from the new President, Mario Mendez Montenegro, and operate largely unharassed.

Mr. Castro's latest exhortation to "revolutionary action" by Latin-American Communists was delivered in a speech July 26. But United States advisers feel that it can be coped with by the military doctrine developed in most Latin-American countries if it is correctly applied.

In Venezuela, extensive urban terrorism and rural guerrilla action was begun in 1961. The activity has been sharply reduced by political divisions among the rebels. Much of the Communist leadership has abandoned the tactic of armed struggle after the killing or capture of key guerrilla leaders by army patrols and the police.

In Colombia, an army patrol suffered 15 killed and 15 wounded two weeks ago in an ambush attributed to the guerrilla band of Pedro Marin. Better known as Tiro Fijo, or Sure Shot, he is a rural outlaw oriented politically toward Havana, according to his own statements.

There are several hundred Colombian troops experienced in counterinsurgency operating in the department of Huila, 140 miles southwest of here, where the mountain ambush took place.

"They will kill Tiro Fijo sooner or later," said a United States military expert. This expert has watched the Colombian military and police significantly reduce rural banditry, political and otherwise, in the last four years to what is now believed to be 150 Communist-led guerrillas. The cost to the armed forces has been 400 killed since 1962.

BANDS DESTROYED IN PERU

In what is regarded as an outstanding example of anti-guerrilla action, the Peruvian armed forces destroyed in seven months an operation mounted by Cuban-trained guerrillas in highly difficult Andean terrain.

Luis de la Puente Uceda, a Marxist lawyer, and Guillermo Lobaton, who studied political science at the Sorbonne in Paris, appeared last year leading two coordinated guerrilla bands. They had a total of 60 to 80 armed men in the Andes west of Cuzco and Huancayo. Some had returned from training in Cuba as long as four years ago, the military said.

They set up a network of camps in isolated regions. They bought arms and supplies and obtained some collaboration from peasants and Indians of the Campa tribe.

Then the guerrillas attacked a rural police patrol, killing seven men. This all followed closely the manual of Maj. Ernesto Che Guevara, a leader of Mr. Castro's revolution.

The Peruvian armed forces then went into action. President Fernando Belaunde Terry declared an emergency area of military operations in the mountain region.

A coordinated command of the military and the police sealed off the region from outside urban support. Intelligence agents moved into the area and persuaded the populace to avoid contacts with the guerrillas, reducing their supplies.

The elite Peruvian Ranger Battalion, which has been in training since 1961 in the rigors of antiguerrilla combat, was called in. The Rangers tracked down the fleeing guerrillas.

Peruvian security forces lost 30 men in action, but the military has kept secret how many guerrillas were killed. Both guerrilla leaders and most of their men are reported dead and there were only a handful of prisoners.

The Peruvian, Venezuelan and Colombian military has been supplied with a few personnel-carrying helicopters under United States military assistance programs, about five for each country. Mobility, communications, good field intelligence and specially trained combat units are the keys to effective antiguerrilla work, from current experience.

Good intelligence is one objective of military "civic action" programs that put the armed forces into contact with isolated rural communities through economic and social improvement projects, but on a national scale this remains overwhelmingly a job for the civil administration.

"Sidearms and shoe leather are not enough to make conscript forces a match for guerrillas that often have years of experience and knowledge of their terrain," said a United States military adviser. "But with proper leadership, training and equipment, the Latin-American military can do the job."

PULASKI DAY

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. Flood] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. FLOOD. Mr. Speaker, on Saturday, October 8, as has been my practice for many years, I had the distinct pleasure of attending the annual Pulaski Day dinner held in my hometown of Wilkes-Barre. As always, it was again a very fine affair. The principal address was delivered by Mr. Walter Zachariasiewicz, Deputy Special Assistant to the Postmaster General for International Organizations. A copy of his remarks, which were well received, has been forwarded to me, and as part of my remarks today I would like to insert at this point in the Record, Mr. Zachariasiewicz' address:

Address by Walter Zachariasiewicz at a Pulaski Day Dinner, General Pulaski Memorial Committee, Gus Genetti Hotel, Wilkes-Barre, Pa., October 8, 1966

I deem it a great honor and a distinct pleasure to address you tonight at this significant observance honoring the 187th anniversary of the death of General Casimir Pulaski and commemorating Poland's Millennium of Christianity.

I am pleased to meet many of my old friends here once again.

While addressing you tonight, I carry with me the vivid impression of last Sunday's Pulaski Parade in New York City. This year's Parade was dedicated not only to our great Polish and American hero but also to the thousand years of Poland's continuing contributions to the Western World. To see approximately 200,000 American Poles marching proudly up Fifth Avenue and pledging their allegiance to the principles of our Founding Fathers and to the great heritage of the country of yours and my ancestry was to me a moving, and unforgettable experience. It was by far the greatest, the most colorful and most stirring manifestation Polonia ever staged in this world metropolis. Its scope matched the occasion it celebrated. About forty floats depicting the great moments of Poland's history reminded millions of Americans that for a thousand years heroic and devout sons and daughters of Poland have written some of mankind's most inspiring chapters of dedication to love of freedom, brotherhood and teachings of God.

And tonight I am joining you and my many good friends here as a private citizen and one who like most of you is proud of his heritage and who believes in the importance of well organized and effective Polonia. The thoughts and comments I will share with you tonight are strictly my own and do not reflect any official doctrine, nor were they the subject of any official approval. So, I speak to you from the heart, my friends.

While my remarks are unofficial, I do want to say that I am proud of my association with a government agency that has accorded to Poland's Millennium a most eloquent tribute. "The beautiful and very symbolic Poland's Millennium stamp," as Postmaster General O'Brien so ably said, "should bring to millions of American homes the splendid story of the profound impact made by Polish immigrants on the development of this great country of ours. To the Poles in their native land, we sincerely hope it will symbolize our continued strong interest in the past and the future of Poland, and our deep desire to strengthen the bonds of friendship that have existed between our two nations since the origins of our Republic."

The man who is now carrying out the difficult and delicate task of representing our country in Warsaw during these trying times—Polonia's own son—Ambassador John A. Gronouski, expressed similar sentiments saying that the stamp "reflects deep understanding and appreciation of the rich and endearing contributions made by the Polish people, in America and throughout the world, during the 1,000 years of turbulent history."

The United States of America, like Poland a believing nation, a "nation under God," whose founding fathers put their trust in God, by issuing Poland's Millennium Stamp acknowledged that this relationship is still an abiding tenet of our country.

I know you will be pleased to know—and as a matter of fact you are the first group with whom I am able to share this good news—that the Millennium Stamp was a smashing success.

The Millennium stamp has proven one of the best selling commemorative stamps in recent history. The Post Office Department anticipated this and ordered an extra number of stamps to be printed. Over 124 million of these stamps have already been shipped out to our post offices all over the country, leaving less than four million on hand in the Government Printing Office.

Another statistic which I am sure will interest you is that since 1953, Poland's Millennium Stamp ranks sixth in the overall stamps sold on a First Day of Issue, totalling 3,278,116.

So popular was this stamp among Polish American and our American friends that its sales on the First Day almost tripled that of the Paderewski stamp, and its total printing was almost equal to those of the Kosciuszko and Pulaski stamps combined. This response is one more proof that our community is proud, as it should be proud, of its great heritage.

For, us, Americans of Polish extraction, Poland's Millennium is of particular importance. It reminds us that we stem from a nation which is proud of its millennial culture. But it is also an important event for the whole of the Western world. For it marks a thousand years of Polish identification with the West. Whenever Poland has been free, it has freely chosen to be part of the Western community.

During the past thousand years, Poland and her people have again and again shown their devotion to Christianity and to Western civilization. As you well know, during this period, Poland was, at different times, the greatest nation in Central Europe; at other times, she was enslaved. But whether her power was great or weak, Poland and her people always earned the admiration of the world.

From the viewpoint of Poland's role in the world, it must be remembered that she is the nation that gave the world of learning the genius of the astronomer Copernicus, and Mme. Curie Sklodowski; she is the land that gave the immortal Chopin to the world of music; she is the land that gave to America the names of Kosciuszko and Pulaski. Poland, moreover, developed ideas by which—although they some times became warped—she frequently surpassed or preceded many other countries.

It was in Poland that political liberty, individual freedom and the civil rights were respected. If the history of Poland tells us anything, it tells that Poles always resented absolutism and self-imposed governments.

It was Poland that fostered and realized the idea of a voluntary union of nations, as opposed to the idea of conquest. It was Poland that by winning the battle at Grunwald in 1410 prevented the subjugation of Central Europe by Prussia. While Poland itself was being devastated by wars particularly in the 17th century, King Jan Sobieski led his legions to the defense of Vienna—and rescued it from a Turkish siege in 1683.

And it was Poland again that in the year of 1920 the year of her victory over Soviet Russia, played the role of a rampart of the Western world, and of Christianity against the dangers threatening from the East.

In 1939 Poland was the first to fight Hitler. The long and heroic defense of Warsaw and the Soviet stab in Poland's back will long be remembered, as will the heroic deeds of Poland's Army, Navy, Air Force and Merchant Marine during all of World War II.

But Poland has produced not only legions of warriors, but also legions of professors, educators, artists and architects, artisans and craftsmen. Immortality has been achieved not only on the battlefields but through the genius of writers, artisans, composers, musicians and scientists. Poland can boast of one of the oldest Universities. The Jagiellonian University in Cracow, founded in 1364 was chronologically the second one in Mideastern Europe after that of Prague, and is a year older than that of Vienna.

Another Polish trait deserving special mention was religious tolerance. This became particularly evident in the times of reformation. While the rest of Europe was drenched in blood by religious wars that plagued that continent in the 16th century, Poland guaranteed religious freedom to all denominations. Catholics, Protestants, Jews and Orthodox Christians lived in a peace and tranquility in Poland that was unknown anywhere else in Europe.

Only a few years after the American Declaration of Independence, on May 3, 1791, the Polish people adopted a Constitution of their own, one of the early efforts by any European nation to establish the principles of justice and self-rule. The keystone of that Polish Constitution was a clause which read: "All power in civic society should be derived from the will of the people, its end and object being the preservation and integrity of the state, the civil liberty, and the good order of society, on an equal scale and on a lasting foundation."

Though these concepts were revolutionary for 18th Century Europe, they were nonetheless consistent with the Polish tradition, where else did the pulse of freedom beat so strongly. The Polish Constitution stirred the hopes of the entire European continent with these heroic words: "Free from the disgraceful shackles of foreign influence; prizing more than life, and every personal consideration, the political existence, external independence and internal liberty of the nation whose care is entrusted to us, we do solemnly establish the present Constitution."

It is no accident that this great Polish document was written only four years after the American Constitution, or that they were so similar in content and spirit.

The same spark of freedom that ignited into the American Revolution burned no less brightly in the hearts of the Polish people. Our Revolution was theirs, and to these shores came two of the greatest champions of liberty the world has ever known—Casimir Pulaski and Thaddeus Kosciuszko. Pulaski expressed the spirit of free men in words that will ring forever in history: "Wherever on the globe men are fighting for liberty, it is as if it were our own affair." He gave his life in witness to that conviction.

The love of liberty and respect for the dignity of the individual had been characteristic of Poland from its earliest days. It is to be seen in the adoption of the principle of Habeas Corpus, as far back as in the 15th century, 1430, which gave the citizens of Poland immunity from arbitrary arrest. Most textbooks refer to the fact that the Habeas Corpus Act, passed in England in 1685, was the first such act in the history of our Western World. If these authors were familiar with Polish history, they would have realized that this act was in existence in Poland over two hundred years before it was adopted in England.

Tragically, the past two centuries have witnessed unparalleled disasters for Poland as a nation. During that period of time Poland had more than her share of national calamities and political enslavement, particularly, since the three treacherous partitions at the end of the 18th century. But even throughout these disasters, the spirit of the Polish people has remained unbowed and unbroken. United by both language and faith, they have defied all efforts to divide them and to change their national character and to smother their quest for liberty. And Poles during these hard years not only endured foreign oppression but produced in rich abundance poets, novelists, dramatists, painters like Matejko and Grottger and above all champions of music—Chopin and later Paderewski.

After each of the three partitions of Poland, larger groups of intellectuals, artisans and laborers emigrated to all parts of the World.

The United States has drawn the largest number of them.

Millions came here to pledge their allegiance to the Stars and Stripes.

Why did these Polish immigrants choose the United States and later adopt it as their own?

This question has many answers—perhaps the most appropriate answer is that they came to the new land to be free—free from foreign oppression, free from poverty, free from intolerance which wracked their native soil.

America was a land of promise.

It represented the fulfillment of the age-long quest for political and spiritual freedom.

More important, it harmonized with the Polish nature and spirit of love of freedom and independence and answered the search of the Polish people for political, educational and economic opportunity.

At the end of the last and beginning of this century we see Poles working in the coal mines of Pennsylvania, in the steel mills of Detroit, Pittsburgh, and Toledo, on the farms of the Midwest, in the slaughter houses of Chicago and Milwaukee, in the laboratories of California's industrial plants, in the classrooms of American universities and in the concert halls of New York City. They were a vital element in the tremendous growth and development of the United States economy. Polish muscle and Polish brain has played no small role in the forward surge of America toward world leadership.

But we must also recognize that there were times when immigrants from the Slavic countries were not greeted with open hands. For, in many parts of America there was a widespread feeling that in order to be a real American it was necessary for your ancestors to have arrived on the Mayflower. Or at the very least to have fought in the Revolutionary War. And some, a minority, of Americans seemed to feel that there was something almost sinister about a man who wanted to be an American but who had a name that was long and unpronounceable, by Anglo-Saxon standards—like Zachariasiewicz.

Fortunately, times have changed! And let us not forget that it was our fathers and grandfathers who helped them to change. For by their very actions, their hard labor, their loyalty and dedication to the new land, they showed themselves to be good Americans in the finest traditions. In community service, in religious participation, in political responsibility, these men and women demonstrated that they knew the true meaning of democracy. And when it was necessary to fight to protect democracy, they fought and fought gallently. Millions of G.I.'s of Polish descent fought with courage and determination for America in the Armed Forces on all the battlefronts of the last 100 years from the Civil War on.

Today, Polish names, in their stubborn original or in their more simplified spellings, appear in every field of activity—business, finance, banking, politics, law, medicine, arts, sciences, schools and every endeavor that makes our society dynamic. Americans of Polish descent have thus become an integral part of the character and vitality of the United States whose matchless strength and unity have been welded so dramatically out of a great diversity of peoples.

Few Americans know that these large waves of Polish immigrants were preceded by Polish settlers who came to America some twelve years before the Mayflower brought its cargo of Pilgrims to Plymouth.

According to the writings of Captain John Smith, who established the first English settlement in the New World, at Jamestown, Virginia, in 1607, a number of Poles arrived in Jamestown in 1608, and established the first industries in the history of our nation.

But even less known is the fact that these Polish immigrants staged the first strike for Civil Liberties in American History in the attempt to remove the political discriminations against them.

The beginnings of this strike go back to the origins of the Virginia House of Burgesses in 1619, the first representative institution organized in the history of our country. Under the provision of the decree that instituted the Virginia House of Burgesses, only Englishmen were entitled to vote and to be represented in it. As the Poles were making a major contribution to the economic development of the colony, they demanded the right to vote and to be represented in the Burgesses, just like free born Englishmen. As their initial requests were denied, they went on strike, inflicting such havoc on the economic life of the colony that the matter was referred to London, where the officers of the Virginia Company, which owned the colony, consented to grant the Poles their request. This was the first strike recorded in American history. And it was not a strike for economic advancement, but for political equality.

Today, we don't have to conceal our origin. We don't have to disguise our names either. But the road has been long and up hill. In spite of various pressures our churches, our organizations, our clubs encouraged immigrants to preserve their cultural heritage, and to preserve their identity in the diversified America.

They did this for the sake of giving the individuals pride of ancestral roots, and also, and equally, for the sake of enriching the culture of our American society. They acted with the conviction that a man who denies an alien origin and who ignores his ancestral heritage is a man without roots; a man who does not respect his own past, admits inferiority, and will not gain the respect of others.

The Great Seal of the United States portrays a soaring eagle. Above it is a strand of ribbon carrying the words: "E Pluribus—Unum" literally saying: "Out of many—One" and popularly translated: "Political Unity of the widest diversity." This motto has been the boast of our country. It had opened its doors wide to the hungry, the tired and poor of the world. It offered warm shelter to the refugees and to the persecuted. We believe that America's greatness emanates from the fact that she is not molding people into one form or type but it is a rich mosaic of a pluralistic society—a society of plural cultures, religions, schools, charitable institutions, political parties, and ethnic groups. A rope of many strands is the strongest rope.

Today in Vietnam, American soldiers of different ethnical backgrounds, of different colors and races, educated in different schools—public, private and parochial—and of different political persuasions, moved abreast in the face of enemy fire. They fight as true and loyal Americans. They risk their lives, shed their blood, and some make the supreme sacrifice of laying down their lives for the America they cherish and love.

Vice President HUMPHREY said on a recent occasion: "Today we learned that Irish-Americans, and Italian-Americans and Polish-Americans are not less than Americans, but Americans plus—plus the rich heritage of their former national cultures and traditions.

This struggle in Vietnam is of great concern to our nation as well as to the entire free world. No one can remain a silent observer or avoid taking a position on this issue which involves every freedom loving American and our entire nation as such.

Why did President Kennedy—and President Eisenhower before him—choose to commit this Nation to defend a country so far from our shores? Why is President Johnson continuing that commitment?

Why didn't these three Presidents choose instead to say, as did Chamberlain shortly before the last World War, that we should not be concerned over a far away country and about a people of whom we know little? Chamberlain told the British people that he brought them peace, and that they should "Go home and get a nice quiet sleep."

Chamberlain and many others did not recognize that Czechoslovakia was the frontline of England. They did not see that a scrap of paper signed at Munich would soon mean, not a nice quiet sleep, but bombs in Manchester.

History is full of examples of dead societies that did not learn the harsh lessons of existence.

One of the lessons of existence in this Twentieth Century is that appeasement is but a down payment on a mortgage that comes due quickly and is payable in blood. Former President Harry Truman remembered Chamberlain and Munich when he stopped Communism in Korea.

President Kennedy's ultimatum to Russian missiles black mail in Cuba was but another proof that when necessary we mean business.

President Truman's three successors learned a hard lesson of history that in order to secure peace in Asia and elsewhere we must prove to aggressive nations that the use of force to conquer others is a losing game.

As long as the leaders of North Vietnam believe they can take over the people of South Vietnam by force, we must not let them succeed. We are determined to make their aggression unprofitable and we will keep on until the Communists in North Vietnam realize the price of aggression is too high.

As President Johnson said: "We are not trying to gain one inch of new territory. Our objective is the independence of South Vietnam and its freedom from attack. We want nothing for ourselves—only that the people of South Vietnam be allowed to decide their own destiny and to guide their own country in their own way. We will do everything necessary to reach that objective."

If we do not stand firm, who will?

If we cannot keep our commitment to that embattled nation which has suffered heavy casualties day after day, year after year, rather than bend their knee to Communism, where then will we keep it?

If we do not keep our trust with those who trust us now, who will trust us in the future?

Do you, incidentally, think for a moment that Indonesia, the sixth largest nation in the world would have the courage to rise up and throw Communism if it weren't for our example of standing firm in Vietnam?

I believe that our continued firmness will drive the lesson home to present and potential aggressors. And this is why Vietnam conflict is not only an Asian issue but its implications and ramifications are world wide.

Needless to say, this conflict requires great physical courage, great patience and persistence from all of us. But, if we persist and speak with one voice—as President Johnson said—"we will make the price of aggression too high to the aggressor."

Defending Freedom is our historic position, it is our position now and always will be. The same spirit animates millions of Polish Americans headed by the Polish American Congress who were the first to join the overwhelming majority of Americans ready to stand as guardians at the gate of peace and freedom. After all it was a Polish national motto for centuries: "For your Freedom and Ours."

As I said before, the Vietnam conflict has its broader implications. Our policies there will affect many other vital areas including Eastern Europe. The Communist defeat in Vietnam will certainly hearten our friends in Poland and other captive nations. It will send out new rays of freedom and will spark new hope and trust in us. It will tell them once more that we are not indifferent to their just aspirations for full national independence and human liberty. And it will assure them that self-determination for all nations remains the basic foundation of our foreign policy. To bring this day closer when Poland and other Communist dominated nations will be able to choose their own destiny we must continue to maintain closest relations with the people of Poland. We must seek channels to secure the free flow of ideas and people and goods. These are the best tools for opening closed minds and closed societies.

My friends, when we look at the world today—I believe that there is a good cause for optimism about the future. The Communists have failed in Africa and they are losing in Asia. In Europe the Communists monolith is crumbling and steadily disintegrating. In almost every Communist-dominated country the party in power is in a state of internal turmoil.

Our task is to pursue a policy that encourages freedom and resists tyranny, a policy that looks toward change, but depends on peace and not on war. This policy must succeed, and when it does, the restless spirit of liberty that has forever found a home in Poland will once again be free.

Tonight we commemorate Poland's first Millennium. This joyous occasion is only marred by the absence in our country of the spiritual leader of Poland, Cardinal Wyszynski. The Communist regime declared him persona non grata because, according to Mr. Gomulka's recent statement, he is guilty of "wanting to win Poland over to the West." For Mr. Gomulka, Poland's history began only when his post-war Communist government came to power by the grace of the Soviet benefactors. But 32 million Poles in Poland, and 12 million people of Polish heritage in the Free World know that Poland never was and never will be part of the Asiatic East and will remain faithful to its thousand years old ties with Western civilization.

And this Poland we salute tonight. We salute her glorious past. We salute her courageous present. And we pray for her hopeful future.

INCREASED SOCIAL SECURITY BENEFITS

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. St Germain] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ST GERMAIN. Mr. Speaker, I was very pleased to learn the President has publicly acknowledged the need for substantial increases in social security benefits.

Under the President's proposals, the minimum monthly payments to any worker regularly employed for 25 years would be increased up to $100. This would be accompanied by an increase in the total income allowed to persons who continue to work after reaching retirement age.

Though these proposals made by the President would lend temporary relief to the problem of inadequate social security benefits, it would in no way serve to meet these problems on a permanent basis.

The Congress should not have to be faced with this problem of periodic adjustments in social security benefits and our senior citizens should not have to wait 2, 5, 10, or 15 years for a reluctant Congress to take legislative action to provide them with adequate benefits.

What is needed is a realistic and elastic system of social security payments that will closely adhere to our cost-of-living index. I have introduced a bill, H.R. 18292, which in my mind would provide such a system of payments. It accomplishes this by providing an escalation clause whereby any 2½-percent rise in the cost-of-living index would be accompanied by a matching rise in social security benefits.

Increases in the cost of living create an extreme hardship for our senior citizens who must rely upon a small fixed pension. It seems to me that it should be our task to come forth with legislation that will enable these citizens, who have contributed so much to our Nation, an adequate income on which to subsist. They should not be restrained to a fixed pension while the cost of living leaps far ahead. Under the type of legislation that I have introduced, this problem of fixed pensions and rising costs of living would no longer exist.

I call upon the support of all my colleagues in helping to overcome this problem and ask that we not stand idly by while rising costs of living rob our social security beneficiaries of a decent standard of living.

DEMONSTRATION CITIES ACT OF 1966

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Gilligan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. GILLIGAN. Mr. Speaker, today we take action on the Demonstration Cities Act of 1966. We have a rare opportunity to cast a vote against poverty, hopelessness, despair, and crime. The most pressing domestic problem of our time is the problem of the American city, and a solution must be found. The Demonstration Cities Act of 1966 is a beginning. It provides the means by which neighborhoods may be revived, crime eliminated, poverty defeated, and offers our citizens a better chance to achieve the full promise of our inalienable rights—those rights of life, liberty, and the pursuit of happiness.

We have present statutes that provide Federal assistance to the cities, but these stress renewal of urban areas. This is not enough. The Demonstration Cities Act brings a new approach to the problems besetting those citizens who live in urban areas. The cities are being submerged by disease and despair, joblessness and hopelessness, poverty, and disorder. The quality of American urban life is being threatened on all sides. This bill will coordinate present physical and social renewal programs into one single attack on urban problems. It will provide approval of program by local governments as well as widespread citizen participation. It is a bold step forward, incorporating the best of the past, and the hope of the future.

Support for the enactment of the demonstration cities bill has come from many and varied sources throughout the country, including chief executives of major corporations, leading businessmen, all levels of government leadership, citizens interested in people and their children, and the places in which children must grow up.

In Metropolitan Cincinnati, which is the 17th largest of metropolitan areas by population as of December 1, 1965, the Demonstration Cities Act has received enthusiastic support. I quote the following telegram received a few days ago from the Honorable W. C. Wichman, city manager:

> Congressman JOHN J. GILLIGAN,
> *442 Cannon House Office Building:*
>
> I have met today with representatives of public and private agencies of Cincinnati who are involved with the aims and objectives of the Demonstration Cities Bill. I have been authorized by them to express their endorsement of the concept of the Demonstration Cities Bill and indicate to you their willingness to cooperate in the preparation of an application. Your support would be appreciated in bringing this bill to the House for action. The agencies represented were Community Action Commission, Better Housing League, Health and Welfare Council, Citizens Committee on Youth, Board of Education, Greater Cincinnati Hospital Council, Human Relations Commission, Bureau of Unemployment Compensation, Public Library of Cincinnati and Hamilton County, Recreation Commission, Park Board, Hamilton County Welfare Department, Council of Churches, Family Services, Federal Housing Administration, Neighborhood Youth Corps, Metropolitan Housing Association and the Planning Commission.

I consider it a privilege to vote for the Demonstration Cities Act of 1966. To me, it is the beginning of a step forward to fulfill our hopes and expectations for life in the American city.

STATUS OF THE APPROPRIATION BILLS, 89TH CONGRESS, 2D SESSION, AS OF FRIDAY, OCTOBER 14, 1966

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. MAHON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MAHON. Mr. Speaker, with the reporting to the House this afternoon of the closing supplemental bill for the session, the appropriations business, after months of waiting upon enactment of some of the necessary authorization bills, is at long last moving toward conclusion. Adoption of the closing supplemental in the House next week will draw that phase of the work to a close.

The Senate has now passed all 14 bills sent to it this session. They are waiting for the closing supplemental.

Three bills are in conference: Labor-HEW, on which virtually full agreement has been reached: the District of Columbia bill, set down for conference early next week; and the State-Justice-Commerce-Judiciary bill passed by the Senate today. It also will be in conference next week. And then, conference—presumably—on the closing supplemental. So that there is every basis of expectation that the appropriation bills will not delay the adjournment.

HOUSE ACTION

Mr. Speaker, continuing our practice of keeping Members and others currently posted in the matter, and under leave to extend, I include two updated tables on the status of the appropriations business.

The first table is a summarization of the totals of the appropriation budget requests and amounts approved; the second one is a more detailed itemization by bills.

Counting the closing supplemental as reported to the House today—that is, assuming no floor change—the House, in all 15 bills of the session—2 supplements for fiscal 1966 and 13 bills for fiscal 1967—has considered budget estimates of appropriations of $130,791 million. Against that, the House will have approved $130,531 million in appropriations, a net reduction overall of some $260 million.

One of the 15 bills were reported and adopted unchanged from the budget; that was the defense supplemental last spring.

Twelve of the fifteen bills were cut below the budget requests for appropriations.

Two of the fifteen bills were reported and adopted above the budget. The Labor-HEW bill was $490 million above.

The Defense bill for 1967 was $952 million above the budget, the principal reason being the addition of $569 million for pay of some 108,000 military personnel on duty on July 1, 1966, above the number originally budgeted.

But, Mr. Speaker, if we exclude the defense bills of the session—that is, the defense supplemental of last spring, the regular defense bill for 1967, and the military construction bill for 1967—and, again, counting the pending supplemental bill as reported, the House will have made a net reduction, overall, of $1,117 million from the budget requests for appropriations in the 12 nondefense bills of the session.

FINAL CONGRESSIONAL ACTION

Including the military construction bill on which the conference report has been filed, 11 bills have cleared in the Congress—2 supplements for fiscal 1966 and 9 regular bills for fiscal 1967; $113,202,529,457 of budget requests for appropriations were reduced in the aggregate to $112,391,838,801—a cut, overall, of $810,690,656 as measured by the traditional appropriations method of counting. That situation will, of course, change as the remaining bills clear to the President.

BILLS PENDING FINAL DISPOSITION

Aside from the closing supplemental reported today, there are three bills pending final disposition.

The Labor-HEW bill, which the House raised by $490 million above the budget and the Senate lowered to $390 million above the budget, is well advanced in conference. It will finalize at a total well above the budget requests.

The District of Columbia bill is set for conference early next week. It is below the budget.

The State-Justice-Commerce-Judiciary bill passed the Senate today, and will also be in conference next week. It is also below the budget.

APPROPRIATIONS OUTLOOK

It is, of course, too early to say with absolute certainty, but there is now every basis of expectation that in the aggregate, the appropriation totals of the 15 bills for this session will probably be within the overall budget requests for appropriations considered in those 15 bills—in fact, perhaps as much as several hundred millions of dollars below, even after counting in the net increases above the budget in the defense bill.

There are, in addition, the permanent appropriations that recur under standing law without annual action by the Congress. The exact amounts cannot be known until the fiscal year is over, but the tentative estimate in the budget last January was about $13,800 million. Counting these—and to get a realistic picture of the situation they must be counted—it now looks like appropriations this session will roughly approximate $144–$145 billion. I am speaking of the session, not the fiscal year. And that would compare with roughly $119–$120 billion last session. Most, though by no means all of the approximate $25 billion increase between the two sessions is in the defense area.

The figures I have given and the tables I am inserting are on the basis of the time-honored and generally well-understood "appropriation" concept. The President's spending authority budget is stated on the slightly different "new obligational authority" basis, which, however, consists largely of appropriations but which also omits, for example, "appropriations to liquidate prior contract authority." But unlike the appropriations basis, new obligational authority includes contract authority; public-debt borrowing or loan authority; and reappropriation of unobligated balances of prior appropriations.

And generally speaking, the President uses the new obligational authority basis in his statements assessing what Congress has done and is doing to his budgetary pending requests. Moreover, bills that do not actually appropriate additional funds but which mandate additional obligation or expenditure rates in advance of appropriation, such as general pay-raise bills, and bills with backdoor appropriation characteristics get into the calculations of what Congress has done and is doing to the President's overall budget spending requests. So, there are these differences to be kept in mind when assessing fiscal prospects and results—and they sometimes lead to confusion.

The two tabulations follow:

Summary of totals of appropriation amounts in the appropriation bills, 89th Cong., 2d sess., to Oct. 14, 1966

[Does not include any back-door appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	Bills for fiscal 1966	Bills for fiscal 1967	Bills for the session
A. House actions:			
1. Budget requests (including supplemental as reported)	$15,949,000,000	$114,842,000,000	$130,791,000,000
2. Amounts in 14 bills passed by House (including supplemental as reported)	15,701,000,000	114,830,000,000	130,531,000,000
3. Change from corresponding budget requests	−248,000,000	−12,000,000	−260,000,000
B. Senate actions:			
1. Budget requests	16,156,000,000	109,817,000,000	125,973,000,000
2. Amounts in 14 bills passed by Senate	15,937,000,000	109,624,000,000	125,561,000,000
3. Change from corresponding budget requests	−219,000,000	−193,000,000	−412,000,000
4. Compared with House amounts in these 14 bills	+236,000,000	−287,000,000	−51,000,000
C. Final actions:			
1. Budget requests	16,156,000,000	97,046,000,000	113,202,000,000
2. Amounts approved in [2] 11 bills	15,924,000,000	[3] 96,468,000,000	[3] 112,392,000,000
3. Comparisons—			
a. With corresponding budget requests	−232,000,000	−578,000,000	−810,000,000

[1] Permanent appropriations were tentatively estimated in January budget at about $13,800 million for fiscal year 1967.

[2] Consists of 2 supplementals for 1966 and these 1967 bills: Interior; Treasury-Post Office; Agriculture; Independent Offices; Legislative; Foreign Assistance; Defense; Public Works; and military construction (conference report filed, pending floor action).

[3] Includes $55 million for fiscal 1968 (grant for mass transportation).

Source: Committee on Appropriations, House of Representatives.

NOTE.—All figures are rounded amounts.

Summary of action on budget estimates in appropriation bills, 89th Cong., 2d sess., as of Oct. 14, 1966

	Budget estimates to House	Passed House	Budget estimates to Senate	Passed Senate	Enacted	Increase or decrease, latest stage of action compared to budget
Bills for fiscal 1967:						
Interior	$1,329,960,500	$1,295,169,500	$1,340,260,500	$1,329,755,000	$1,321,615,800	−$18,644,700
Borrowing authority	(26,000,000)	(26,000,000)	(26,000,000)	(26,000,000)	(26,000,000)	
Treasury-Post Office	7,246,720,000	7,210,177,135	7,246,720,000	7,210,049,135	7,196,429,135	−50,290,865
Agriculture	7,022,638,000	6,876,027,000	7,022,938,000	7,064,343,300	6,994,590,150	−28,347,850
Borrowing authority	(702,100,000)	(852,000,000)	(702,100,000)	(932,000,000)	(932,000,000)	(+229,900,000)
Labor-Health, Education and Welfare	10,083,184,500	10,573,272,500	10,083,184,500	10,473,309,500		+390,125,000
Independent offices	14,319,611,291	14,017,299,000	14,329,863,291	14,118,607,000	14,065,851,000	−264,012,291
Legislative	173,793,578	172,146,333	214,749,763	214,418,213	214,463,913	−285,850
Defense	57,664,353,000	58,616,445,000	57,664,353,000	58,189,872,000	58,067,472,000	+403,119,000
District of Columbia:						
Federal funds	53,394,000	52,394,000	53,394,000	53,394,000		
Loan authorization	(26,225,000)	(23,000,000)	(38,225,000)	(37,527,500)		(−697,500)
Military construction	1,114,947,000	1,019,340,000	1,114,947,000	986,518,000	[1] 979,570,000	[1] −135,377,000
Foreign assistance	3,945,095,000	3,604,048,800	3,945,095,000	3,493,473,500	3,493,473,500	−451,621,500
Public works	4,167,073,000	4,110,932,000	4,167,073,000	4,139,244,000	4,134,511,000	−32,562,000
State, Justice, Commerce, and the Judiciary	2,598,638,500	2,364,008,600	2,634,405,000	2,350,941,600		−283,463,400
Supplemental	5,122,760,629	[2] 4,919,076,929				[2] −203,683,700
Subtotal, 1967 bills	114,842,168,998	114,820,336,797	109,816,983,054	100,623,925,248	96,467,976,498	−675,045,156
Supplementals for fiscal 1966:						
Defense supplemental (Vietnam)	13,135,719,000	13,135,719,000	13,135,719,000	13,135,719,000	13,135,719,000	
2d supplemental	2,813,552,168	2,564,872,568	3,020,810,903	2,801,226,003	2,788,143,303	−232,667,600
Subtotal, 1966 bills	15,949,271,168	15,700,591,568	16,156,529,903	15,936,945,003	15,923,862,303	−232,667,600
Cumulative totals for the session:						
Running cumulative comparison of all bills (at their latest stage of action)						−907,712,756
House	130,791,440,166	130,530,928,365				−260,511,801
Senate			125,973,512,957	125,560,870,251		−412,642,706
Enacted			113,202,529,457		112,391,838,801	−810,690,656

[1] Conference report filed (pending floor action).

[2] As reported Oct. 14 (pending floor consideration).

THE HONORABLE JOE L. EVINS

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. FULTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. FULTON of Tennessee. Mr. Speaker, in the Sunday, October 9, 1966, issue of the Nashville Tennessean a two-part article was begun on our very distinguished and able colleague from Tennessee and our very good friend, the Honorable JOE L. EVINS, of Smithville.

It is an excellent article, though mere words cannot convey a complete report of his service to the House, the people, and his Nation.

However, I would like to place in the RECORD the first installment of the story of JOE L. EVINS. The second will appear in the Sunday, October 16, 1966, edition of the Nashville Tennessean and I will also place it in the RECORD with my commendation for its consideration by all Members.

The article is as follows:

A RISING STAR NAMED JOE

(By Max York and Ed Willingham)

SMITHVILLE, TENN.—When JOE EVINS was 13 years old, his father took him on a trip to Washington, D.C.

J. E. Evins showed his son all the sights that made Washington the heart of the nation: the White House, the Capitol, the monuments, all of it.

Then the man and the boy dropped by to say hello to a couple of Tennessee congressmen, Ewin L. Davis and Cordell Hull.

Young JOE EVINS looked, listened, and made up his mind. He wanted to be a congressman.

Tuesday, Oct. 18 will be Joe Evins Day.

People from throughout the Fourth District of Tennessee will come to Cookeville to watch a parade, eat barbecue, listen to speeches, and say thanks to JOE EVINS, U.S. Congressman.

Today, after 20 years of representing the Fourth District, the Congress and "his people" are still his passion.

"I've heard him *say* many times that this is the only thing he *ever* wanted to do," says his wife, Ann Evins. "There was never a doubt. When he gets to feeling discouraged in Washington, he can go back to his district and he feels fine again. It intoxicates him."

Tennesseans are beginning to realize that EVINS is one of the most influential men in Congress.

As chairman of the House appropriation subcommittee on independent offices, he is the man two dozen federal agencies look to for their money. They spend $15 billion a year—nearly 15 per cent of the federal budget.

He is also chairman of the House Select Committee on Small Business and a member of the public works subcommittee.

Evins is tall, gray-haired and handsome.

He has a strong orator's voice.

He is one of those fortunate men who can eat well but don't have to watch their weight.

He is given to conservative suits and dark, broad-brimmed hats.

Tennesseans visiting his office in the Sam Rayburn house office building get a warm pat on the back, as if they were friends.

A lot of them apparently are Evin's strength in his district is such that he is sometimes unopposed and hasn't had strong opposition since his first term.

Home to Joe Evins, Democrat, means Smithville and the two-storied brick colonial house his grandfather built on East Main Street about 1889.

Evins was born 55 years ago on a farm out from Smithville, but his family moved to the house in town when he was still a child. His earliest memories are of this house.

"I remember the first time I ever saw him," says Miss Willie D. Gist, now of Sparta. She was his third grade teacher in Smithville. "He was wearing a pink blouse, white trousers and a skull cap. He was one of the finest little boys I ever had in school. He was good-natured and he liked to make speeches, even then. I knew he would turn out to be something good.

"He used to invite me home to spend the night with his family. I remember he would always shine my shoes for me. He still comes by to see me now and then. I always get a Christmas card from him. I'm awfully proud of him."

Growing up in Smithville was much like growing up anywhere in small town America.

"I lived a lot around the courthouse," Evins recalls. "My father was a magistrate for 35 years and mayor for 15. Everybody assumed that some day I would make myself useful to the people of the area."

The courthouse was only three blocks from the house. His father took the boy with him often to the courthouse, the mayor's office, and to the state senate in Nashville after he was elected to that office.

"Son," the father said, "always remember three things. Loyalty, honesty and sincerity. Make that your motto."

There was time for less serious things too. "When I was a teen-ager, I used to like to hunt possums, coons and foxes," Evins says. "I had some beagle hounds. Used to go out at night, build a rail fire, and listen to the dogs run. No time for that these days.

"In 1926, they organized the first football team in the county, at De Kalb County High. We didn't have enough uniforms to go around. There wasn't much equipment. I got to play only because our star left end broke his arm. I weighed about 135 pounds."

Left ends weighing 135 pounds were not in great demand at Vanderbilt, even back then. So Joe Evins decided on the next best thing. He became the manager of the football team.

"I wrapped ankles and looked after equipment," he recalls. "This was during the last years of the Dan McGugin era. The depression was in full force.

"The manager got to eat at the training table. This helped out. I was the agent for the laundry in my fraternity, Phi Kappa Sigma, so I got my pressing free and my laundry at a reduced rate. I wanted to help work my way through college."

He graduated from Vanderbilt in 1933. His father encouraged him to enter Cumberland University Law School. He graduated in 1934.

"My father took me to Nashville to see some of his friends in the legal profession," Evins recalls. "They told him I could learn more law in a small town. I would just be a clerk in the big city. So I came back to Smithville."

Meanwhile, Evins had been courting Ann Smartt, a McMinnville girl teaching school in his hometown. She was the daughter of the beloved Judge R. W. Smartt.

"He was gay, lighthearted, rather daring," Mrs. Evins says. "I was staid. Come to think of it, he was exactly as he is now. To me, he was debonair. He had no inhibitions, but he wasn't wild. He was outgoing, spontaneous. He was always interested in people rather than things, not material things. He still doesn't like to talk about them."

Evins practiced law in Smithville for a while. The year 1934 wasn't a good year for beginning ventures. The depression was still on. A few cases came along, some of them by way of the pauper's oath.

One case, a suit involving the school board, came before his future father-in-law, Judge Smartt. When it was over, the judge began to say nice things about Evins and his partner. Evins knew he had lost.

Once Evins and Judge Smartt were returning from the Lincoln County Fair. They wanted to stop for a cup of coffee or a glass of buttermilk. The only place open was a roadhouse.

"You don't want to stop here, do you?" Evins asked.

"Sure," said Smartt. "This place has been through my court. It's cleaned up."

By then ex-Congressman Ewin Davis, the man Evins visited as a boy in Washington, was head of the Federal Trade Commission. One day Evins got a telegram from Davis offering him a job. The job was temporary and was available only if funds were forthcoming. Evins took the job.

"There is nothing so permanent as a temporary job in Washington," Evins says. "I was still there when the war broke out. I was married and had two children. I had a vital position in the government, but I figured someone else could do the job. I quit and volunteered for the Army."

When the war was over, he had risen to the rank of major, with two years overseas. An army lawyer, he was a member of a board of review handling black market, desertion in combat, security and failure-to-fly cases, in England, France and Germany.

"I was scarcely back home, when people started saying this would be an opportune time to return to Washington," Evins remembers. "This was a new era and the GIs wanted one of their own in Congress. I received encouragement. I didn't need much. This was what I had always wanted. Joe Hatcher predicted in his column in THE TENNESSEAN that I would run.

"I talked it over with my father. He said for me to make up my own mind. I decided to run. I became GI Joe, soldier-lawyer and candidate for Congress."

A lot of people figured he couldn't win. They were wrong. He was elected to Congress on Nov. 5, 1946.

His Fourth District is vast, spreading over 23 counties south, east and northeast of Nashville. It reaches from the Kentucky line to the Alabama border. His hometown of Smithville is in De Kalb County, about as close to the center of his district as you can get.

The work in Washington seems to take longer each year. This means less time back in the district. Even then, coming home doesn't mean rest.

"There is always somebody knocking at his door," says Ramon Adcock, Smithville attorney and friend of Evins. "The phone is always ringing. He doesn't try to get away. I guess the only rest he gets is on the train trip back and forth to Washington. He doesn't like to fly.

"He's a Congressman, period. His only passion is doing his job well. He has no other hobby. He's very religious. When you are out campaigning and 11 o'clock comes on Sunday morning, he's going to find a church."

Those knocks on the door down in Smithville can mean just about anything. On a recent visit, a drunk dropped by at 6 a.m., wanting passes to the county fair.

Ask people in the district what Joe Evins has done for them and you get a variety of answers. They point to big projects like the Cordell Hull and Tim's Ford dams. But one family treasures a letter from Joe Evins telling them that Uncle Sam will go to the extra trouble of bringing the mail up a rural road to their house. This is more important to them than a dam.

"I've been around with him in the district," Adcock says. "It's amazing how many people stop to thank him for a letter he wrote. If you write to him, you get an answer."

Like most politicians, Evins is a story teller.

"I remember one year, I made a commencement address at Belfast High School," he tells. "We had a good crowd. I thought the speech was acceptable. The next August, in the primary, I carried every precinct in the county, except Belfast."

Evins also likes to tell about the time he was down in the district after six years in Congress. Naturally, he imagined he was a well-known figure. One day he picked up a hitchhiker who wanted the name of his benefactor.

"I'm J. E. Evins' son."

"Oh, you're the one who raises walking horses?"

"No. That was my brother."

"Now I know," the man said. "You're Judge Smartt's son-in-law!"

Evins laughs with his listeners.

"I can't remember his ever missing an opportunity to talk to anyone—even Republicans," says Dick Mitchell, a Cookeville attorney who is counsel for Evins' Select Committee on Small Business. "He doesn't overlook anybody.

"He knows the pulse of his district. When he is in the district, he stops at every country store. He knows how to talk to them and they don't mind talking with him. He is more completely atune with his constituents than any politician I know."

Mitchell recalls a Cookeville rally a while back. There were many people there. It had been a long day that had stretched well into the night. Members of the campaign party were ready to go back to the motel.

But Evins remembered a man who once was a political leader. Now he was retired from politics, and ill. Evins wanted to go by and pay his respects. The old man was happy to see him.

"This man wasn't in politics any more," Mitchell says. "He couldn't help Joe.

"Joe is just that kind of guy.

"Thoughtful."

VIETNAM

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Farnum] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. FARNUM. Mr. Speaker, in my continuing examination of our Nation's involvement in the situation in Vietnam, I have been greatly aided by studying a number of documents which provide insight into the events that have taken place in that troubled area of the world.

On September 29, 1966, I introduced into the Record some results of my long and thoughtful review of this matter. Since then in my continuing study I have come across further material which would be of additional interest to all who study our contemporary situation.

From Freedom House in New York I have obtained one of their reprinted documents, with permission to reproduce its contents, and I have asked unanimous consent to print in the Record, at the end of these remarks, the contents of that document which contains a statement of the views of Adlai E. Stevenson in a letter written shortly before his death, along with a brief article by John P. Roche which originally appeared in the Reporter magazine of December 16, 1965. Both Mr. Stevenson and Mr. Roche were replying to critics of United States-Vietnam policy and their comments are worthy of note here.

First, however, and to further aid in an understanding of the Vietnam situation, I would like to offer a 12-year chronology of events relative to Vietnam which I have drawn together from several published sources. The chronology which originally appeared in a certain publication—Vietnam Perspectives, August 1965—provided the germ for this sequential listing. I have attempted to draw together further information to bring up-to-date that original chronology, and the results are interesting and useful enough to deserve much further careful study. Therefore, I present here this "Chronology on Vietnam" covering events from May 1954 through September 27, 1966:

Chronology of Events Relative to Vietnam, May 1954 Through September 1966

1954

May 8–July 21.—Geneva Conference on Indochina. Joint chairmen; Great Britain and U.S.S.R. Conference members; France, the United States, Communist China, Cambodia, Laos, Vietnam, and the Vietminh regime. Agreements signed July 20 and 21. Provisions; (1) Partition of Vietnam into the North and South at 17th parallel. (2) Restrictions on foreign military bases, personnel, and increased armaments, (3) Elections in North and South Vietnam to be held July 20, 1956 leading to unification, and; (4) establishment of an International Control Commission (ICC) to implement the Agreements. Neither the Government of South Vietnam nor the United States were signatory to the Agreements.

July 7.—Head of State, former Emperor Bao Dai appoints Ngo Dinh Diem as Premier of Vietnam.

August.—Flow of more than 800,000 refugees begins from North Vietnam to South Vietnam.

October 11.—The Vietminh Communist regime takes official control of Hanoi and North Vietnam.

October 24.—President Eisenhower in letter to Premier Diem states that American aid will from now on be given directly to the Government of South Vietnam and not through the French authorities.

December 29.—Economic and customs union between France and the Associated States of Cambodia, Laos, and Vietnam terminated.

1955

January 1.—Based on the pentalateral agreements of December 1950, United States promises direct aid for support of the Vietnamese Armed Forces.

February 5.—First in a series of land reform laws decreed by Premier Diem.

February 12.—U.S. Military Assistance Advisory Group (MAAG) assumes training of South Vietnamese Army after command authority by French is relinquished.

February 19.—Southeast Asia Collective Defense Treaty (SEATO) with its protocol covering Vietnam, Cambodia, and Laos, comes into effect.

March 7.—United States and South Vietnam sign agreement to supplement agreement of September 1951 for economic cooperation

March 29.—Armed revolt of Binh Xuyen political bandit-group in Saigon, later to be joined by elements of the Cao Dai and Hoa Hoa religious sects in the southern provinces.

April 17.—South Vietnamese government appeals to U.N. stating that North Vietnamese Communists are violating the Geneva agreements by preventing the migration of northerners into South Vietnam.

May 10.—New Cabinet formed by Premier Diem.

July.—First appearance in South Vietnam of communist propaganda literature signed by North Vietnam's "National United Front."

July 1–7.—France relinquishes command authority over Vietnamese Navy and transfers Nha Prang Airbase to control of Vietnamese.

July 20.—Elections scheduled by Geneva Agreements for this date not held. Government of South Vietnam rejects invitation of the North Vietnam regime to discuss such elections observing that in North Vietnam, the people could not express themselves freely, and that falsified votes in the North could cancel out votes in South Vietnam.

August 16.—Last French High Commissioner in Vietnam leaves Saigon.

October.—Binh Xuyen political-bandit group defeated as an organized insurgent force.

October 23.—National referendum deposes former Emperor Bao Dai, since March 7, 1949, head of State of Vietnam. Ninety-eight percent of the electorate show preference for Premier Diem.

October 26.—Republic of Vietnam proclaimed by Ngo Dinh Diem who becomes its first President.

December 12.—U.S. consulate in Hanoi closed.

1956

January.—Vietnamese Army units take Tay Ninh, main Cao Dai political center, which leads to breakup of Cao Dai armed insurgency. Agreement on February 28 between Vietnam Government and Cao Dai legalizes the sect's religious practices but forbids its engaging in political activities.

February 12.—Tran Van Soai, leader of Hoa Hoa faction, surrenders. Ba Cut, another leader captured April 13, leading to breakup of organized Hoa Hoa armed insurgency.

March 4.—General elections for South Vietnam's 123-member National Constituent Assembly. Victory goes to the National Revolutionary Movement and other parties supporting President Diem.

April 6.—Vietnam Government announces it will continue to cooperate with the ICC and restates its willingness to support Vietnam-wide elections when conditions in North Vietnam allow for a free vote.

July 4.—Vietnamese Constituent Assembly unanimously approves draft constitution providing for a strong executive and with safeguards for individual citizens. President, whose term is five years, has power to veto all legislation of the unicameral parliament and may rule by decree when National Assembly is not in session.

July 6.—U.S. Vice President Richard Nixon visits Vietnam, hands letter to President Diem from President Eisenhower in which President Eisenhower declares he is looking forward to many years of partnership between the two countries.

October 26.—South Vietnam's first constitution is promulgated. National Constituent Assembly is officially made into a National Assembly.

1957

January 3.—ICC reports that between December 1955 and August 1956 neither of the Vietnams have been observing their obligations under the armistice agreement of 1954.

May 5–19.—President Diem visits the United States, addressing a joint session of Congress on May 9. Joint communique issued by President Eisenhower and President Diem, May 11, declares that both countries will work toward a "peaceful unification" of Vietnam.

July 29.—United States opens consulate in Hue.

October 22.—U.S. MAAG and USIS installations bombed in Saigon; U.S. personnel injured.

1958

January 4.—Large Communist guerrilla band attacks plantation north of Saigon, showing the steady increase of Communist armed activity in South Vietnam since mid-1957.

May 17.—North Vietnamese liaison mission to ICC withdraws from Saigon.

September 10.—South Vietnam and France sign agreement for French aid to the Vietnamese Government's agrarian reform program—1,490 million francs.

1959

May 13.—Japan signs World War II reparations and loan agreement with South Vietnam.

July 8.—Communist guerrillas attack Vietnamese military base at Bien Hoa. Several U.S. MAAG personnel killed and wounded.

July 10.—Ho Chi Minh, head of the North Vietnamese Communist regime states in *Red Flag*, Belgian Communist publication, that "we are building socialism in Vietnam, but we are building it in only one part of the country, while in the other part we still have to direct and bring to a close the middle-class democratic and anti-imperialist revolution."

August 30.—National Revolutionary Movement and other pro-government political parties win majority in South Vietnam's National Assembly in second national elections.

November 14.—France and Vietnam initial agreement in Saigon for settlement of financial claims between the two countries and for a French loan of 7 billion (old) francs (about $14 million) and a credit of 11 billion (old) francs (about $22 million) for purchase of capital equipment by South Vietnam.

1960

April 17.—North Vietnam protest to chairmen of 1954 Geneva Conference (Great Britain and U.S.S.R. (against "formidable" increase in American military personnel in South Vietnam; accuse U.S. of turning South Vietnam into "U.S. military base for preparation of new war."

April 30.—Committee for Progress and Liberty, a group of 18 Vietnamese, opposed to present government, send President Diem a letter demanding drastic administrative, economic, and military reforms.

May 5.—U.S. announces MAAG will be increased by year's end from 327 to 685 at request of Government of South Vietnam.

June–October.—Increase of Communist guerrilla activity in South Vietnam.

July 20.—National Assembly delegation leaves Saigon for 6-week visit to United States.

November 10.—South Vietnam Government protests to ICC that Communist attacks in the Kontum-Pleiku area in October involved regular army forces from North

Vietnam entering through Laos; that such actions constituted open aggression, planned and commanded by high-ranking officers, directing regular forces trained in North Vietnam and employing weapons made in North Vietnam and other communist countries.

November 11.—Military coup attempted by paratroop battalions led by Col. Nguyen Van Thi and Lt. Col. Vuong Van Dong. Besiege presidential palace.

November 12.—Loyalist troops enter Saigon and subdue rebels.

November 16.—Ngo Dinh Nhu, President Diem's brother and political adviser, announces President Diem's plan to appoint new Government and to introduce a far-reaching reform program based on reports of the Ford Foundation and of a French study group.

1961

February 6.—President Diem announces his administrative reform program.

February 7.—President Diem announces his candidacy for reelection in the presidential elections to be held April 9.

March 10.—Newly formed National Front for the Liberation of South Vietnam announces a guerrilla offensive against the Government to prevent holding of elections on April 9.

April 3.—Treaty of Amity and Economic Relations signed in Saigon between Republic of Vietnam and the United States. Treaty ratified by Vietnamese National Assembly, June 14.

April 9.—President Diem and Vice President Tho re-elected by overwhelming majority in Vietnamese presidential elections.

May 11–13.—Vice President Johnson in South Vietnam. Joint communique of May 13 says additional U.S. military and economic aid will be given to assist South Vietnam in its fight against Communist guerrilla forces.

August 2.—President Kennedy states that the United States will do all possible to save South Vietnam from communism.

October 11.—At White House news conference, President Kennedy announces that he is sending Gen. Maxwell D. Taylor to South Vietnam to investigate the military situation there.

October 18.—President Diem declares a state of emergency in South Vietnam; begins a series of consultations with Gen. Maxwell D. Taylor.

November 16.—With the approval of the National Security Council, and following the recommendations in Gen. Taylor's report, President Kennedy decides to bolster military strength of South Vietnam but not to commit U.S. combat forces at this time.

December 8.—U.S. Department of State publishes "white paper" stating that South Vietnam is threatened by a "clear and present danger" of Communist conquest.

December 14.—Increased aid to South Vietnam pledged by President Kennedy.

1962

January 4.—Joint United States-South Vietnamese communique announces "broad economic and social program" to raise living standards.

February 8.—United States reorganizes South Vietnam military command; establishes new "U.S. Military Assistance Command, Vietnam" under General Paul D. Harkins.

March 17.—Soviet news agency, Tass, publishes Soviet Ministry note to the signatories of the 1954 Geneva agreements, charging U.S. of creating "a serious danger to peace" by its "interference" in South Vietnam and demands immediate withdrawal of all U.S. forces.

April 20.—National Assembly pledges support to President Diem's plan to establish thousands of "strategic hamlets" in the Mekong Delta area.

May 22.—President Diem promulgates the protection of morality laws, prohibiting all dancing and beauty contests. Prostitution and "unnatural methods" of birth control declared illegal.

June 2.—Indian and Canadian members of ICC find North Vietnam guilty of subversion and covert aggression against South Vietnam. Polish members reject charge.

June 26.—National Assembly votes to extend its term of office to August 1963, explaining that to hold elections at this time would tie down troops needed in the fight against Communist guerrillas.

October 26.—National Assembly extends President Diem's emergency powers to rule by decree by 1 year.

December 29.—Saigon announces that of a total of 11,182 strategic hamlets to be built, 4,077 have been completed, housing 39 percent of South Vietnam's population.

1963

April 8–10.—SEATO Ministerial Council issues communique from Paris on April 10 stating "concern over the continuing and widening threats to security" of the treaty area. Notes that "considerable progress" has been made in South Vietnam in its fight against Communist subversion and emphasizes that effective measures to "prevent and counter subversion continue to be a major task facing the member countries . . ."

April 17.—President Diem proclaims an "open arms" campaign to convince Vietcong guerrillas to give up their weapons and return to the side of South Vietnam.

May 8.—Riot erupts in Hue involving Buddhist celebration of the anniversary of Buddha's birth and the flying of Buddhist flags on that day.

June 3.—Martial law imposed in Hue against Buddhist demonstrations.

June 7.—President Diem broadcasts appeal for calm and makes a partial concession to Buddhist demands that the Government accept full responsibility for the incidents in Hue.

June 15.—Representatives of President Diem and the Buddhist leaders reach tentative agreement to end alleged religious discrimination.

June 27.—Henry Cabot Lodge nominated by President Kennedy to be next Ambassador to Vietnam, succeeding Frederick Nolting.

July.—Continued agitation by Buddhist groups against alleged religious discrimination by Vietnamese Government.

August 21.—Martial law proclaimed throughout South Vietnam by President Diem after armed police and government troops raid main Buddhist pagoda of Xa Loi in Saigon.

August 22.—Foreign Minister Vu Van Mau, a Buddhist, resigns as does Vietnam's Ambassador to the United States, Tran Van Chuong. U.S. Department of State issues statement deploring Vietnam Government action against pagodas.

August 26.—U.S. Ambassador Henry Cabot Lodge presents his credentials to President Diem.

September 5.—In a press interview, President Diem says that, "the Government considers this (Buddhist) affair closed." Denies reports that his brother Ngo Dinh Nhu has taken control of the Government.

September 14.—Presidential decree brings end of martial law in Vietnam effective September 16.

September 21.—Secretary of Defense Robert S. McNamara and Gen. Maxwell D. Taylor ordered to South Vietnam by President Kennedy to review military efforts against the Viet Cong. Both in Vietnam from September 24 to October 1.

September 27.—Elections held for 123-member National Assembly. All candidates approved in advance by Government; many unopposed including President Diem's brother, Ngo Dinh Nhu and his wife, Mme. Nhu.

October 2.—Secretary McNamara and Gen. Taylor report to President Kennedy and the National Security Council on their mission to South Vietnam. Resulting statement says that the U.S. will continue its "policy of working with the people and Government of South Vietnam to deny this country to communism and to suppress the externally stimulated and supported insurgency of the Viet Cong as promptly as possible. Effective performance in this undertaking is the central object of our policy in South Vietnam."

October 8.—U.N. General Assembly agrees to send factfinding mission to South Vietnam to investigate charges of Government oppression of Buddhists. Invitation to do so had been extended by Diem government on October 4.

November 1.—Military coup, organized by key generals of the armed forces, against Diem regime, lay seige to Presidential palace in Saigon which is captured next morning. President Diem and his brother, Ngo Dinh Nhu, escaped but are captured a few hours later and while being transported to rebel headquarters in an armored car are assassinated. Coup leaders, a council of generals, headed by Maj. Gen. Duong Van Minh, declare they have "no political ambitions," and that they will continue the fight against the Communists.

November 2.—Military leaders set up provisional Government, naming former Vice-President Nguyen Ngoc Tho, a Buddhist, as Premier. Constitution suspended and National Assembly dissolved.

November 4—Premier Ngoc Tho announces formation of mixed military-civilian Cabinet approved by military leaders. U.S. recognizes new provisional Government of South Vietnam.

November 22.—President John F. Kennedy assassinated in Dallas, Texas. His successor, Lyndon B. Johnson, on November 24, affirms U.S. intention to continue its military and economic support of South Vietnam in their struggle against the Communist Viet Cong.

December 19–20.—Secretary McNamara and Director of CIA, John A McCone, in Saigon to evaluate new Government's war effort against Viet Cong.

1964

January 2.—Secretary Rusk, in news conference states that a Vietnamese Army group in the delta area of Vietnam has captured some 300,000 rounds of small arm ammunition, mortars, and recoilless ammunition made in China, indicating that Hanoi was primarily responsible for their infiltration into South Vietnam.

January 6.—Government decrees three-man military command over Vietnamese military forces and Government; Maj. Gen. Duong Van Minh, chief of State, Maj. Gen. Tran Van Don and Maj. Gen. Le Van Kim.

January 30.—Military coup under direction of Maj. Gen. Nguyen Khanh, ousts Maj. Gen. Duong Van Minh.

February 8.—Maj. Gen. Khanh announces a new Vietnamese Government with himself as Premier, Maj. Gen. Duong Van Minh as nominal chief of state, and cabinet of both military and civilians in charge of administration.

March 7.—Maj. Gen. Khanh announces a 1-year reform program to rebuild South Vietnam's political and administrative structure and raise standard of living.

April 13–15.—SEATO Ministerial Council declares the defeat of Viet Cong as "essential" to the security of southeast Asia.

May 12.—Secretary Rusk asks NATO members to give greater support to South Vietnam.

June 12.—President de Gaulle calls for an end to all foreign intervention in South Vietnam.

June 23.—President Johnson appoints Gen. Maxwell D. Taylor to be Ambassador to South Vietnam.

August 4.—After attacks by North Vietnamese PT boats against American vessels in international waters, President Johnson orders "air action" against "gunboats and certain supporting facilities in North Vietnam."

August 5.—President Johnson's message to Congress; joint resolution is introduced "To promote the maintenance of international peace and security in southeast Asia."

August 7.—U.S. Congress approves southeast Asia resolution (Senate, 88-2; House, 416-0). Gen Khanh declares state of emergency in Vietnam.

August 11.—President Johnson signs southeast Asia resolution into law (Public Law 88-408).

August 16.—Gen. Khanh elected President by Military Revolutionary Council; installs new constitution and ousts Gen. Duong Van Minh as Chief of State.

August 27.—Revolutionary Council disbands; new Constitution withdrawn. Gen. Khanh, Duong Van Minh, and Tran Thien Khiem named provisional leaders.

August 29.—Nguyen Xuan Oanh named acting premier of Vietnam to head caretaker government for 2 months.

September 3.—Gen. Khanh resumes premiership. Gen. Duong Van Minh restored to position as Chief of State.

September 13.—Bloodless coup by Brig. Gen. Lam Van Phat against Gen. Khanh in Saigon. Forces loyal to Gen. Khanh regain control of Government.

September 26.—Vietnam High National Council inaugurated and charged with preparing new constitution.

October 20.—New constitution presented.

October 26.—Phan Khac Suu elected Chief of State by Vietnam Revolutionary Council.

November 1.—Tran Van Huong named Premier of Vietnam.

December 4.—Military leaders announce that they will support Premier Tran Van Huong's government.

December 20.—Military stage purge; dissolve High National Council (provisional legislature). United States appeals against the military takeover of power and the dissolution of the civilian parliament. Gen. Khanh supports the power of the military as against the United States appeals, and declares that the Vietnam forces would not fight "to carry out the policy of any foreign country."

1965

January 8.—South Korea sends 2,000 military advisors to South Vietnam.

January 27.—Premier Huong ousted and Gen. Khanh is asked to solve political crisis.

January 28.—Nguyen Xuan Oanh nominated by Gen. Khanh as acting Premier.

February 7.—U.S. planes strike targets in North Vietnam. U.S. dependents evacuated from South Vietnam.

February 11.—Secretary General U Thant calls for international negotiations on Vietnam, either in or out of the United Nations.

February 16.—Armed Forces Council states that Phan Huy Quat has been named as new Premier.

February 18.—Army and Marine units stage bloodless coup in Saigon and oust Gen. Khanh.

February 19.—Gen. Khanh regains control of government.

February 20.—Armed Forces Council demands resignation of Gen. Khanh.

February 21.—Gen. Khanh resigns under pressure from Armed Forces Council.

February 25.—North Vietnam officials state peace negotiations would be considered if all American troops were withdrawn from South Vietnam.

February 28.—United States and South Vietnamese officials announce that President Johnson has decided to start continuous limited air strikes against North Vietnam to bring about a negotiated settlement.

March 1.—Premier Phan Huy Quat says there will be no peace until North Vietnam stops its infiltration into South Vietnam.

March 8.—Secretary General U Thant proposes that the U.S., U.S.S.R., Great Britain, France, Communist China, and North and South Vietnam participate in a preliminary conference.

March 9.—United States rejects U Thant's offer until North Vietnam stops aggression against South Vietnam.

March 25.—President Johnson suggests the prospect of economic aid to both Vietnams if peace is secured.

April 1.—Seventeen nonaligned nations, meeting in Belgrade, appeal for immediate negotiations in Vietnam.

April 7.—In speech at Johns Hopkins University, President Johnson stresses U.S. willingness to negotiate and suggests a $1 billion aid program for southeast Asia.

April 11.—North Vietnam denounces President Johnson's offer for peace negotiations.

April 12.—British attempt, through Gordon Walker, to meet officials in Hanoi and Peiping unsuccessful.

April 14.—United States urges Hanoi to consider plea of 17 nonaligned nations for peace talks.

May 4.—President Johnson requests supplemental appropriation of $700 million for Department of Defense effort in South Vietnam. House of Representatives approves (408 to 7) on May 5. Senate approves (88 to 3) on May 6.

May 13.—Bombing missions on North Vietnam halted.

May 19.—Bombing missions on North Vietnam resumed.

May 25.—U.S.S.R. announces construction of antiaircraft missile sites are underway around Hanoi.

June 7.—U.S. military authorities disclose that American military strength in Vietnam has passed the 50,000 mark.

June 8.—U.S. military command in South Vietnam authorized to send American troops into combat with Vietnamese forces if such "combat support" is requested by South Vietnam.

June 11.—Premier Phan Huy Quat resigns handing reins of government to the military.

June 12.—Military leaders in Saigon begin formation of new government. Maj. Gen. Nguyen Van Thieu calls for a "war government" and an all-inclusive austerity policy to help the nation.

June 16.—Secretary McNamara announces new troop movements to Vietnam bringing total to over 70,000.

June 17.—Maj. Gen. Nguyen Van Thieu appoints Brig. Gen. Nguyen Cao Ky as Premier.

June 18.—London announces that British Commonwealth will send five-nation peace mission headed by Prime Minister Wilson to every principal capital involved in the Vietnam war. President Johnson welcomes the proposal. Secretary Rusk, in Washington, says United States would not question makeup of a negotiation delegation on Vietnam.

June 20.—Premier Nguyen Cao Ky presents 26-point program for Government. Second article in new convention stresses that national sovereignty resides in the armed forces until a permanent constitution is written.

June 24.—Soviet Union rejects British Commonwealth delegation and suggests they consult directly with Hanoi and the National Liberation Front for South Vietnam.

June 24.—Premier Ky shifts curfew in Saigon, removes some privileges of government employees, cuts salaries of high officials. Indicates he will close 36 daily newspapers for one month to permit consolidation to a less unwieldy number.

June 29.—American paratroopers join for the first time with South Vietnamese forces for a combined offensive against the Communist stronghold in Zone D.

July 1—North Vietnam formally rejects a request by the British Commonwealth peace mission on Vietnam for talks in Hanoi.

July 4.—Secretary Rusk says the U.S. has sought in vain to learn what North Vietnam would offer in exchange for a halt of the air attacks.

July 10.—President Johnson declares at a press conference that in Vietnam "we committed our power and our honor, and that has been reaffirmed by three Presidents."

July 14–21.—Henry Cabot Lodge (reappointed Ambassador to Vietnam) and Defense Secretary McNamara confer in Saigon with retiring Ambassador Maxwell Taylor, General William Westmoreland, and South Vietnamese Premier Nguyen Cao Ky.

July 15–22.—Ambassador at Large W. Averell Harriman holds informal talks in Moscow with Soviet Premier Alexey Kosygin.

July 20.—Ho Chi Minh, President of North Vietnam, declares that the Vietnamese people in the North and in the South have "united like one man and are determined to fight until final victory, even if we have to go on fighting another 5 years, 10 years, or even longer."

July 28.—President Johnson announces that the number of U.S. troops in Vietnam will be increased from 75,000 to 125,000 and the monthly draft raised from 17,000 to 35,000 and that the U.S. is prepared to discuss any proposals, including those put forward by Hanoi, for a peaceful settlement.

President Johnson instructs the U.S. Ambassador to the U.N., Arthur Goldberg, to undertake continuous mutual consultations with Secretary-General U Thant and asks the U.N. to employ its "resources, energy and immense prestige" in finding ways "to halt aggression and bring peace in Vietnam."

July 30.—Ambassador Goldberg informs the U.N. Security Council that on at least 15 occasions in the past 4½ years the United States had initiated or supported efforts to resolve the issues in Southeast Asia by peaceful negotiations.

August 4.—Secretary of Defense McNamara asks Congress for $1.7 billion in extra defense appropriations to wage the Vietnam war; the bill authorizing these funds is signed into law, September 29.

August 8.—The United States declares, in a note to the British Government, that it "does not rule out the possibility of another and perhaps more prolonged suspension in the bombing of North Vietnam," if Hanoi gives some clear indication of "appropriate and commensurate action".

August 13.—The National Assembly of the Republic of Korea approves the dispatch of a Korean combat division to Vietnam.

August 18.—Australian Prime Minister Robert Gordon Menzies announces that additional troops are being sent to reinforce the Australian battalion in South Vietnam.

September 1.—In a Senate address, Senator MIKE MANSFIELD lays down five conditions for a peaceful settlement of the Vietnam conflict: (1) a government in South Vietnam produced by genuinely free elections; (2) two separate Vietnams or a reunified Vietnam brought about by the "verified expression of the wish of the people in each segment"; (3) withdrawal of all foreign forces from North and South Vietnam following international guarantees of noninterference in Vietnam, Laos, and Cambodia; (4) a general amnesty on both sides; and (5) a cease-fire and stand-fast willingly accepted by both sides.

September 7.—Secretary Rusk, in an interview recorded for Belgian television, declares "the President has directed me as Secretary of State to explore, to exhaust, every political and diplomatic possibility of bringing this matter [in Vietnam] away from the battlefield to the conference table. I would be in Geneva tomorrow if there were anyone there to talk to when I get there."

September 20.—North Vietnam declares that American and Vietnamese pilots captured in its territory will be treated as war criminals.

October 4.—Pope Paul VI flies to New York and addresses the United Nations General Assembly, where he makes a plea for an end to the war in Vietnam.

October 14.—The Department of Defense orders a military draft call of 45,224 men for December, the biggest quota since the Korean war.

November 11.—Secretary of Defense Robert S. McNamara says that U.S. forces in Vietnam total 160,000 men and that more will be sent before the end of the year.

November 15.—The State Department, commenting on a story that U Thant had told Ambassador Stevenson in the fall of 1964 that Hanoi was willing to send an emissary to Rangoon to talk to American representatives, stated that "on the basis of the total evidence available to us, we did not believe at any time that North Vietnam was prepared for serious peace talks."

November 17.—Commenting on a story that Hanoi had offered during the May bombing pause to begin unconditional peace talks with the United States, the State Department said that a few days after the pause was over the French Government told us that it had had a talk with a Hanoi representative in Paris, who, however, had made it clear that Hanoi was still insisting on prior conditions that were clearly unacceptable. The talk did not take place during the pause, the Department noted.

December 1–2.—In the course of an official peace mission by British Foreign Secretary Michael Stewart in Moscow, Soviet Foreign Minister Andrei Gromyko declares that peace talks on the Vietnamese war must be conditioned on the halting of U.S. air strikes against North Vietnam and the withdrawal of U.S. troops from South Vietnam.

December 9.—Ho Chi Minh, in an interview with British journalist Felix Greene, calls President Johnson's offer of unconditional talks "absolutely unacceptable".

December 17.—President Johnson, at the Pageant of Peace ceremony, declares "once more" that the United States wishes "to discuss an honorable peace in Viet-Nam", knowing "that nothing is to be gained by further delay in talking."

December 18.—The North Vietnam regime denies it is seeking to open peace talks with the U.S. to end the war in Vietnam.

December 24–25.—U.S. and Communist forces in Vietnam observe a 1-day Christmas truce.

December 25–26.—Upon expiration of the 30-hour cease-fire, General Westmoreland issues an order to U.S. and allied troops not to fire unless attacked; heavy Vietcong attacks force resumption of the U.S. and South Vietnamese ground offensive; air attacks on North Vietnam remain suspended until January 31.

December 29–January 3.—President Johnson sends Vice President Hubert Humphrey, Ambassador at Large Averell Harriman, Ambassador Arthur J. Goldberg, and others to various countries in a major diplomatic effort to settle the Vietnam question.

December 31.—Pope Paul VI sends messages to Moscow, Peking, Hanoi, and Saigon urging their leaders to seek an end to the Vietnam war.

1966

January 6.—The Senate Foreign Relations Committee publishes a report by Senator MIKE MANSFIELD on a trip to South Vietnam and other countries, expressing the view that a "rapid solution to the conflict in Vietnam is not in immediate prospect".

January 7–13.—A Soviet delegation headed by A. N. Shelepin, Secretary of the Central Committee of the CPSU, visits North Vietnam, stopping off en route at Peking, and signs an agreement on "additional Soviet assistance" to the Hanoi regime.

January 12.—President Johnson, in his State of the Union message, pledges the U.S. to stay in Vietnam "until aggression has been stopped," but declares the search for an honorable settlement must go on.

January 15–16.—Secretary of State Rusk and Prime Minister Nguyen Cao Ky confer in Saigon and agree that Vietnam and its allies must continue to take all necessary military measures, while remaining alert to all proposals and initiatives that might lead to peace.

January 19.—President Johnson requests an additional $12.76 billion in supplemental funds, primarily for Vietnam expenses.

January 20.—U.N. Secretary-General U Thant infers at a news conference that any future South Vietnamese Government should include the National Liberation Front, the political arm of the Vietcong.

January 21.—Secretary of State Dean Rusk says at a Washington news conference: "I regret that I cannot report . . . any positive and encouraging response [from North Vietnam] to the hopes of the overwhelming majority of mankind" for negotiations to end the Vietnamese war.

January 24.—President Johnson submits his budget for the fiscal year 1967, requesting $9.1 billion of new obligational authority for Vietnam expenses; total Vietnam expenditures for the fiscal year 1967 are estimated at $10.5 billion.

January 28.—Radio Hanoi broadcasts a letter from Ho Chi Minh to the heads of Communist states, calling for withdrawal of all U.S. troops from South Vietnam, U.S. recognition of the National Liberation Front as the sole representative of the South Vietnamese people, U.S. negotiations with the NLF, and acceptance of its program, including the "4 Points", as a prelude to a political settlement in Vietnam.

January 28–February 18.—The Senate Foreign Relations Committee holds extensive hearings on the military and diplomatic aspects of the Vietnam conflict.

January 31.—President Johnson announces resumption of U.S. air strikes against North Vietnam and requests the U.N. Security Council to bring about an international conference to end the war.

February 1.—The North Vietnamese Foreign Ministry formally rejects any U.N. action on the Vietnamese war, repeating that only the 1954 Geneva Conference is competent to deal with the Vietnam issue.

February 1–2.—The U.N. Security Council meets to consider a U.S. draft resolution calling for Council action in arranging an international conference to bring peace to South Vietnam and Southeast Asia, and decides not to debate (and therefore take action on) the resolution.

February 6.—W. Averell Harriman, Ambassador at Large, states that the U.S. would be willing to have the South Vietnamese National Liberation Front participate as an "independent group" in any peace talks about Vietnam.

February 6–8.—President Johnson and Premier Ky confer in Honolulu and state their determination to continue the battle against aggression as well as the battle for social reconstruction in Vietnam.

February 9–23.—Vice President HUBERT HUMPHREY undertakes a 9-nation Asian tour to explain the decisions of the Johnson-Ky meeting in Honolulu.

February 10.—In a letter to Prime Minister Pearson of Canada, Ho Chi Minh repeats Hanoi's 4 points and insists that the United States recognize the NLF as the "sole genuine representative" of the people of South Vietnam and negotiate with it.

February 17.—Soviet note to Japan protests use by the U.S. of bases in Japan for military operations in Vietnam.

February 19.—Senator ROBERT F. KENNEDY states that the NLF should be included in any postwar Saigon Government—a statement concurred in by Senator FULBRIGHT and later (February 22) clarified to mean the NLF should not be "automatically excluded" from power in an interim Government preceding elections.

February 28.—The Republic of Korea announces it will send an additional division and a regiment to South Vietnam.

March 2.—Secretary McNamara reveals that the U.S. has 215,000 military men in South Vietnam, with 20,000 additional men on their way.

March 9.—U.S. planes carry out heaviest bombardment of the war, and U.N. Secretary-General U Thant issues appeal for cessation of bombing, reduction of military activities, and participation of the National Liberation Front in any peaceful settlement.

March 12.—Vice President HUMPHREY bars any settlement that would give the Viet Cong a role in a coalition government not earned in free elections.

March 10.—Lt. General Nguyen Chanh Thi of South Vietnam is removed as District Commander in Hué on the ground that he was acting independently of the Government.

Protests in Hué and Danang ensue and become increasingly anti-American, urging U.S. support against the Government.

March 16.—Buddhist demonstrations begin in Saigon to protest General Thi's removal; demand for a return to civilian rule mounts.

March 23.—General strikes in Danang and Hué exhibit anti-American overtones.

March 25.—Premier Ky announces a committee will be appointed to draft a constitution, to be followed by elections.

March 31.—10,000 Buddhists demonstrate in Saigon.

April 2–5.—Anti-government demonstrations intensify in Saigon and spread to other leading towns in South Vietnam; Premier Ky threatens use of troops and flies to Danang to quell rebellion.

April 6.—Secretary-General U Thant states that all parties in the Vietnam conflict must accept the concept of a unified, independent, and non-aligned country, guaranteed by all the major powers.

April 5.—Premier Ky promises that elections to a constituent assembly will be held shortly.

April 12–14.—The National Political Congress (boycotted by Buddhist and Catholic organizations) meets in Saigon and adopts a program meeting Buddhist demands, whereupon the Buddhist demonstrations terminate.

April 12.—B 52's from the U.S. Strategic Air Command base in Guam bomb North Vietnam for the first time.

April 18.—Senator MANSFIELD proposes a "direct confrontation across a peace table" between the United States, Communist China, North Vietnam, and essential elements from South Vietnam, to be held in either Japan or Burma—a proposal rejected by Peiping, April 21.

April 25.—Communist MIG–17s appear in strength for the first time in the air war in North Vietnam.

April 26.—The Department of State reiterates previous warnings that planes of Communist China or other nations attacking allied aircraft over North Vietnam would be pursued in the territory of their home "sanctuary" if necessary.

May 1.—An American battalion drives Communist units across the ill-defined frontier into Cambodia.

May 7.—Marshall Ky declares he has no intention of resigning following the election of a constituent assembly.

May 13.—Communist China charges that 5 U.S. planes had "flagrantly intruded over Yunnan Province May 12."

May 6, 9–10.—Ambassador Harriman and Senator EDWARD KENNEDY confer separately with Red Cross authorities in Geneva on the possibility of exchange of prisoners of war in Vietnam.

May 15–23.—Vietnamese Government troops regain control of Danang from rebel, pro-Buddhist army units.

May 20-23.—Saigon police and army units break up massive Buddhist demonstrations.

May 24.—Secretary-General U Thant calls on the parties for the Vietnamese war to "start scaling down military operations and to agree to discussions which include the actual combatant"—specifically the Viet Cong. He says: "The solution lies in the hands of those who have the power, and the responsibility, to decide."

May 26.—Anti-American Buddhist students sack and burn the U.S. cultural center and library in Hué.

May 31.—Buddhist leaders and South Vietnamese Government officials begin talks in Saigon in an attempt to resolve the 2½-month-old political crisis.

June 6.—South Vietnam's ruling military National Leadership Committee of 10 generals is expanded to include 10 civilians.

June 8.—Buddhist leader Tri Quang begins his fast in protest against American support of Premier Ky.

June 11.—The Department of Defense announces an increase of U.S. forces in Vietnam to 285,000 men.

June 19.—South Vietnamese units complete suppression of the Buddhist rebellion in Hué.

June 19.—Canadian Ambassador Ronning returns to Ottawa following unsuccessful talks in Hanoi designed to seek a basis for peace.

June 20.—Premier Ky signs a decree setting September 11 as the date for the election of a constituent assembly to be known as The National Constituent Assembly—to draft a new constitution.

June 23.—A South Vietnamese military force seizes the principal Buddhist stronghold in Saigon—The Unified Buddhist Church's Secular Affairs Institute.

June 29.—American bombers conduct the first of continuing attacks on oil installations in the areas of Hanoi and Haiphong.

June 30.—Speaking in Omaha and Des Moines, President Johnson warns that attacks on military targets in North Vietnam "will continue to impose a growing burden and a high price on those who wage war against the freedom of their neighbors," and calls for unconditional peace talks, saying "there need only be a room and a table and people willing to talk respectfully."

July 6.—Several captured American pilots are paraded through the streets of Hanoi; Communist mobs demand their punishment.

July 12.—Addressing the American Alumni Council meeting in White Sulphur Springs, President Johnson says: "I want the Communists in Hanoi to know where we stand: 'First, victory for your armies is impossible. You cannot drive us from South Vietnam. . . . Second, the minute that you realize that a military victory is out of the question and you turn from the use of force, you will find us ready to reciprocate.' "

July 15.—Eighteen U.S. Senators opposed to the Vietnam conflict (among them Senators FULBRIGHT, MORSE, and CHURCH) sign a statement calling on North Vietnam "to refrain from any act of vengeance against American airmen," for their execution "would initiate a public demand for retaliation swift and sure, . . . fixing more firmly still the seal of an implacable war."

July 16.—U.N. Secretary-General U Thant urges North Vietnam "to exercise restraint in its treatment of American prisoners," and both sides to observe the 1949 Geneva Convention on prisoners of war.

July 19.—North Vietnamese Ambassadors in Peiping and Prague confirm that captured American pilots will go on trial.

July 20.—At a news conference, President Johnson warns Hanoi that the American people would regard war-crime trials of American prisoners as "very revolting and repulsive" and that they would "react accordingly".

Pope Paul VI calls on North Vietnam to accord American prisoners "the safety and the treatment provided for by international norms."

July 23.—In response to a cable from the President of CBS, Ho Chi Minh declares there is "no trial in view" for American prisoners.

Speaking in Indianapolis, President Johnson says: "We are not going to run out on South Vietnam. . . . However long it takes, we will persist until the Communists end the fighting or negotiate an honorable peace."

July 25.—In an interview published in *U.S. News and World Report*, Premier Ky urges an allied invasion of North Vietnam even at the risk of military confrontation with Communist China, as the sole alternative to a long war.

The Department of State assures reporters that the U.S. is "not seeking any wider war. . . . We do not threaten any regime."

July 30.—B-52 bombers initiate the first of a series of attacks on growing North Vietnamese troop concentrations in and around the demilitarized zone.

August 3-6.—The three-nation Association of Southeast Asia (Malaysia, the Philippines, and Thailand) meets in Bangkok and agrees "to request all those nations interested in bringing about peace in Vietnam to join together in an appeal to leaders of all countries involved in the Vietnam conflict to come to the conference table."

August 9.—Premier Ky expresses willingness to negotiate an end of the war with the North Vietnamese, provided "they would be willing to compromise" by agreeing to accept the 17th parallel as the border and "to withdraw their agents and soldiers from South Vietnam."

August 13-14.—At the end of the two days of conferences with General Westmoreland in Texas, President Johnson warns that, while "a Communist military take-over in South Vietnam is . . . impossible," there "will be no quick victory."

August 18.—North Vietnam denounces the proposed all-Asia peace conference as "shopworn merchandise" from President Johnson's "clique."

August 22.—Secretary Rusk tells the Veterans of Foreign Wars that, if the U.S. withdraws from Vietnam prematurely, "we can . . . await the great catastrophe that surely awaits at the end of the trail"; a withdrawal could, however, take place "tomorrow if the [North Vietnamese] infiltration stopped and those who have no business in South Vietnam would go home."

August 24.—President Johnson endorses proposals for an all-Asian conference to settle the Vietnamese war, but cautions "we do not want to make it appear that we are trying to direct it or force it . . . because it would have an opposite effect".

September 1.—French President Charles de Gaulle calls on the U.S. to pledge to withdraw from South Vietnam in a fixed period as a step toward restoring peace, declaring that such a pledge of U.S. military withdrawal would be a prelude to genuine international negotiations on peace in Vietnam.

September 11.—South Vietnamese voters (80.8 percent of those eligible) elect a 117-member constituent assembly to draft a new constitution and pave the way for restoration of civilian government in 1967.

September 19.—Pope Paul VI issues an Encyclical appealing for a negotiated peace in Vietnam and designating October as a month of prayer among Catholics to this end.

September 22.—Ambassador Goldberg tells the U.N. General Assembly the United States wants "a political solution, not a military solution, to this conflict," and adds: "We will support a reconvening of the Geneva Conference or an Asia conference or any other generally acceptable forum."

September 27.—President Johnson accepts the invitation of President Marcos of the Philippines to attend a heads-of-government conference in Manila in October (in which the other participants will be Australia, Thailand, the Republic of Korea, New Zealand, the Philippines, and South Vietnam) to discuss the Vietnamese conflict.

ADLAI STEVENSON EXPRESSED HIS VIEWS ON AMERICAN FOREIGN POLICY IN A LETTER WRITTEN SHORTLY BEFORE HIS DEATH

(In one of the last letters he wrote, Mr. Stevenson replied to Paul Goodman who had joined with others in urging him to resign as Ambassador to the U.N. in protest against American policies in Vietnam. The unposted letter was released by Mr. Stevenson's son.)

DEAR MR. GOODMAN: Thank you for your letter. Its arguments, I think, rest on a simple presupposition: that I share your belief in the disastrous trend of American foreign policy and that I must therefore resign to underline my disagreement, rally public opinion against it and nail the "lies" into which it is being presented to the people.

But it is precisely this presupposition that I do not share with you, and I would like to send you my reasons for believing that, whatever criticisms may be made over the detail and emphasis of American foreign policy, its purpose and direction are sound.

Our overriding purpose must be to avoid war. Yet we still live in a state of international anarchy in which each nation claims absolute sovereignty and great powers believe they can enforce the aims and interests which they consider paramount.

I believe that the ultimate disaster of atomic conflict can be avoided in this situation only by the pursuit of two clear lines of policy.

The first is to establish a tacitly agreed frontier between Communist and non-Communist areas of influence on the understanding that neither power system will use force to change the status quo. The other side of it may change, of course, but not by outside intervention.

The second is to move from this position of precarious stability toward agreed international procedures for settling differences, towards the building of an international juridical and policing system and toward a whole variety of policies designed to turn our small vulnerable planet into a genuine economic and social community.

THE FRONTIERS OF PEACE

If you like, the first policy is static and defensive, the second creative and constructive. Both have to be pursued together.

The period from 1947 to 1962 was largely occupied in fixing the postwar line with the Soviet line. It is not a very satisfactory one since it divides Germany and Berlin. But the Russians respect it in Europe. So do we.

The Russians are perhaps not wholly committed to it since their doctrine included the right to encourage "wars of national liberation." These, we know, can lead to the imposition of governments which are not later answerable to any form of popular approbation or control. However, the missile crisis of 1962 may have convinced the Russian leaders that interventions of this sort beyond the tacit frontier of the two worlds are in fact too costly and dangerous.

We have no such line with the Chinese. Since they are in an earlier, more radical stage in their revolution, it may be more difficult to establish one. Should we try? And is the line we stand on half way across Vietnam a reasonable line? Should we hold it?

Let me take the second point first. I have no doubt that if France had handled the forces of decolonization in the prompt and orderly fashion of the British, the situation in Southeast Asia might be much more stable today. It can even be argued that in 1954 we should not have taken any action to guarantee a non-Communist regime to South

Vietnam. Yet we did so in South Korea and it was reasonable to argue that the refugees streaming south from Hanoi had as much desire to avoid Communism as the people of South Korea. In any case, the line inherited by the Democratic Administration is the 17th Parallel. History does not always give us the most convenient choice. What sane statesman would choose West Berlin, for instance? Yet can one doubt its pivotal significance?

CHINESE CALLED AGGRESSIVE

Since this is the line, should we hold it? The answer depends on the assumptions made about Chinese power. In the past, some Chinese dynasties have been aggressive, claiming sovereignty over wide areas of Asia, including all Southeast Asia and even some of India. So far, the new Communist "dynasty" has been very aggressive. Tibet was swallowed, India attacked, the Malays had to fight 12 years to resist a "national liberation" they could receive from the British by a more peaceful route. Today, the apparatus of infiltration and aggression is already at work in North Thailand. Chinese maps show to the world's chagrin the furthest limits of the old empire marked as Chinese. I do not think the idea of Chinese expansionism is so fanciful that the effort to check it is irrational.

And if one argues that it should not be checked, I believe you set us off on the old, old route whereby expansive powers push at more and more doors, believing they will open until, at the ultimate door, resistance is unavoidable and major war breaks out.

As President Johnson pointed out the other day, my country has suffered 160,000 casualties since the last war, but aggression didn't succeed—with your help—in Greece or Turkey, Iran or Formosa, Korea or Lebanon. And I think timely resistance has vastly enhanced the hope for peace and the prospects for the evolution of the principle of peaceful settlement of disputes underlined in the U.N. Charter.

While I hesitate to draw historical comparisons with the Chinese, I remind you that the French Revolution led to prolonged war before the limits of France's power to control its neighbors were established.

CHANGES THROUGH NEGOTIATION

My hope in Vietnam is that relatively small-scale resistance now may establish the fact that changes in Asia are not to be precipitated by outside force. This was the point of the Korean War. This is the point of the conflict in Vietnam. I believe Asia will be more stable if the outcome is the same in both—a negotiated line and a negotiated peace—a just and honorable peace which leaves the future of the people of South Vietnam to be decided by them and not by force from North Vietnam.

This brings me to my second point—the hope of transcending the static policy of "containment" and moving to the more creative tasks of building a world security based on law and peaceful settlement.

I believe that we must seek a negotiated peace in Vietnam based upon the internationalization of the whole area's security, on a big effort to develop, under the U.N., the resources of the Mekong River and guarantees that Vietnam, North and South, can choose, again under international supervision, the kind of governments, the form of association and, if so decreed, the type of reunification of the two states they genuinely want to establish.

INDEPENDENCE FOR SMALL NATIONS

If we can achieve this, we begin to offer the small nations of the world an alternative to being within spheres of influence. We are more decisively beyond the age of empires. We would begin to establish procedures by which local revolutionary movements, such as the rising in the Dominican Republic, and for that matter Zanzibar, are not automatically a prey to outside intervention.

I believe, for instance, that the U.N. effort in the Congo did prevent Central Africa from becoming a Southeast Asia, and I would make the strengthening of these U.N. procedures and activities a cardinal principle in a policy aimed at substituting "due process" for violence as the basis of international life. Meanwhile, I do not believe the opposite policy of retreat in Asia or anywhere else would make any contribution whatsoever to the ideal that violence shall not be the formal arbitrator in world affairs.

It is my conviction that American policy is groping its way toward this difficult but essential ideal, and this is the reason both for my support of the policy and for my continuance in a position which gives me some hope of assisting its advance in that direction.

Now it is possible for honest men to differ on every aspect of this interpretation. You may believe that Communist powers are not expansive. Or you may believe that the changes they seek to support by violence are beneficent changes which can be achieved by no other route. Again, you may believe that a return to some form of non-involvement in world affairs is the best posture for America. Or you may genuinely believe that America is in Vietnam "for sheer capitalist greed." These are all possible attitudes and I do not impugn the good faith of those who hold different views.

I would only ask them, in the name of the courtesies and decencies of a free society, that they should equally refrain from impugning mine.

Yours sincerely,

ADLAI E. STEVENSON.

DISSENT, CONSENSUS, AND McCARTHYISM

(By John P. Roche)

About once a week I have been receiving statements from the American Civil Liberties Union and similar organizations deploring in strong terms an alleged revival of McCarthyism. As one document put it, "Dissent is again being denounced as treason and nonconformity as giving aid and comfort to the enemy."

Let me make it clear at the outset that I have no patience with the argument that the Peace in Vietnam agitation plays into the hands of the enemy. To say this is to endorse tacitly the theory of "objective guilt" which reached its apotheosis in the Moscow Trials. Indeed, even if we were formally at war in Vietnam I would support the right of peace groups—of any political or nonpolitical complexion—to state their views.

Similarly, with regard to draftcard burning, I am far more distressed by adults acting like hysterical, insecure fools than I am by youngsters acting like spoiled, arrogant children.

However, what about the strident accusation that the United States is moving into a period of violent chauvinism, that there are concerted efforts to "stifle public debate over Vietnam"?

In balance, I believe, there is little substance to this charge. Those who are opposing our policy in Vietnam seem to think that unless their views are accepted, they are being stifled. Their demand, in short, is not that they be heard but that their orders be obeyed. This goes far beyond any reasonable construction of freedom of speech or opinion; in essence it confuses the (guaranteed) right to be heard with the right to be taken seriously.

Debating issues like war and peace is bound to arouse strong emotions on all sides. The person who opposes majority opinion must expect to be denounced by his exasperated opponents; he can hardly expect a civil-service berth as "Dissenter (GS 15)." Being denounced is a routine affair—one who dissents has to be a big boy and not expect to be loved for his labors. Besides, the majority too has freedom of speech—even the right to call people it disagrees with "traitors."

The important consideration is what happens to the dissenter, not how much verbal dung is thrown at him. And if we accept this standard as valid, the anti-war organizations have unprecedented freedom. Even the President has glumly stated that dissent is "healthy" and the National Guard has been asked to protect anti-war marches in Oakland. As usual, some intellectuals claim to be terrorized, but in my experience they were simply born with that chromosome.

At a time when newspapers and TV go to great pains to get "both sides," when "teach-ins" are nationally televised, and when a state university (in the midst of a nasty campaign in which academic freedom became an issue) defends the right of a professor to endorse the Vietcong, one cannot complain that opposition views are being suppressed. They are not being accepted—but that is an entirely different matter.

What is also intriguing is the inverted McCarthyism that is operating in the intellectual subculture. Here a supporter of our Vietnam policy is liable to find himself ostracized, and students in our more politicized schools who endorse the government position seem to be going underground. This, as I point out to colleagues and students who complain, is the price of nonconformity!

I found it rather funny, for example, that in a loosely organized attack on me in the New York *Times*, Senator ERNEST GRUENING (D., Alaska) suggested that it was shocking that Brandeis had a man of my bias teaching political science.

Had Senator DODD written a similar letter to the *Times* in regard to Professor Genovese of Rutgers, the air would have been full of protest. The permanent floating ad hoc committee of protest in Cambridge would have taken a full-page ad in the *Times* denouncing McCarthyism and the students would have burned the senator in effigy.

I don't want to be misunderstood—I lost no sleep over the matter even when I heard a rumor (later denied) that the president of Brandeis was trying to trade me to Rutgers for Genovese and two outfielders. (Fortunately I can always go back to hod carrying—and even get into the union.) But the fact is that Senator GRUENING's attack on my academic competence was based on his opposition to my political views—precisely the issue that has been at stake in the Genovese case.

When I go into an argument, all I ask is that I be heard. And that is all my opponents can ask. The fact that they are a minority confers no special grace. Clearly the majority is not always right, but then again it is not always wrong.

INDO-PAKISTAN "HOTLINE"

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. ZABLOCKI] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. ZABLOCKI. Mr. Speaker, I am gratified to have read various press reports during the last few days and the fine Washington Post editorial of September 26 about the agreement reached on September 14 by Indian and Pakistani military commanders to prevent any recurrence of tension along the Indo-Pakistan border.

The agreement calls for the establishment of a telephonic "hotline" between the commander in chief of the Pakistan Army and the chief of army staff of India, for prior notification of the time and place of any exercises at divisional level or above and a restoration of the cease-fire line. This is a welcome indication that these Governments are determined to follow the principles agreed upon in the Tashkent agreement and to devote their energies to the attainment of internal stability and economic progress.

Those of us who have supported the AID programs through which the United States has assisted in the economic development of these two countries have been concerned lest India and Pakistan forfeit their hard-won economic progress through a recurrence of hostilities such as those of last September.

I am now happy to see that India and Pakistan are working hard to maintain the peace. I am sure that we all look forward to the development of this new spirit between them, a spirit which could lead to a broader understanding on the many issues facing these two countries.

For the reference of my colleagues I am pleased to insert the Washington Post editorial at this point:

Hotline in South Asia

The signing of a "hot line" agreement between Indian and Pakistani military commanders is a heartening sign that the spirit of accommodation engendered at Tashkent has not yet faded away. It is no more than a modest first step which will, hopefully, be followed in the months and years ahead by a general pullback of forces along the border and a gradual stabilization of the arms race in South Asia. But New Delhi and Rawalpindi have now signified their desire to avoid mindless escalation resulting from accident or misunderstanding. Prior notice of the time and place of divisional exercises has been promised by each side under the agreement, and in the case of Kashmir, even brigade-level exercises are to be covered by advance notifications to U.N. observers.

Both Mrs. Gandhi and President Ayub Khan are to be commended for their efforts to contain domestic hawk sentiment at considerable cost to their personal political positions. With India moving into a pre-election period, Mrs. Gandhi, in particular, faces a continuing barrage of criticism from hard-line Hindu elements oposed to her conciliatory approach toward Pakistan.

SPAIN AND THE NEW WORLD

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. de la Garza] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. de la GARZA. Mr. Speaker, on Wednesday, October 12, we observed a holiday which is of special significance to all of the nations of the Western Hemisphere, to the whole world—more particularly to Spain, the Spanish people and to all Americans of Spanish descent. On that date, 474 years ago, a group of Spaniards, outfitted and financed by King Ferdinand II at the request of the great and gracious Queen of Spain, Queen Isabella, landed on an island in the Western Hemisphere—an event known in history as the discovery of America.

This Spanish expedition overcame almost unbelievable obstacles to launch, with the help of the Queen of Spain, this historical voyage into the then uncharted regions of the western Atlantic. The expedition was led by a sailor named Christopher Columbus who believed that he would find a new route to the East Indies. This Spanish group with their small sailing vessels, the *Nina*, the *Pinta*, and the *Santa Maria*, set sail on August 3, 1492, with the blessings and at the direction of the Queen of Spain, from Palos, Spain.

Finally on October 12 this group of Spaniards came in sight of land and the opening of the New World for the other Spaniards which were to follow and colonize in the 1550's and 1600's. I am proud and happy to inform my colleagues that not too long after these dates the members of my family came to the New World.

It is worth while to remember that the Spaniards returned again and again to the New World with more ships and more men and landed on what are now Puerto Rico, Santo Domingo, and the Virgin Islands. Later on they ventured into the area which is now South America, Central America, and North America. I am happy to pay tribute to King Ferdinand and Queen Isabella, to the Spanish people—to that courageous group of sailors for their outstanding example of courage and determination and to the dedication which has marked the Spanish people in their great history. We should further pay tribute to them for the exploration of what is now Florida, Louisiana, the States of the Southwest and the Far West, and for bringing to the New World all of the people who were to begin the making of America.

Yes, we have much for which to be thankful to Spain and to all those courageous Spaniards who launched the New World and if we are today the greatest nation in the world we should never forget that it is so because a gracious Queen of Spain so willed it, and her subjects so made it. So to all Spaniards, and the descendants, we offer a special tribute, and our everlasting gratitude.

EMERGENCY HOSPITAL ASSISTANCE ACT OF 1966

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Ottinger] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. OTTINGER. Mr. Speaker, a child is brought to the emergency room of a hospital and is turned away because there are no beds. An elderly man is admitted for surgery but wakes to find his bedroom is in the hospital hallway. An expectant mother is induced to restrain the birth of her child because of a waiting line in the delivery room.

These are not descriptions from a muckraker novel of 50 years ago. Unfortunately, they are events that are taking place daily in a large number of hard-pressed hospitals in this country today. While our population has burgeoned and our ability to cure and correct maladies has progressed rapidly, not all of our hospitals have been able to keep pace. In 143 public and nonprofit private hospitals serving 97 communities, the situation is critical. As the need for facilities grows daily, more and more hospitals are finding themselves swamped by the demand for services and are being pushed into this critical category.

These institutions—which I listed in the Congressional Record of June 27, 1966, on page 14351—are desperately in need of assistance if the communities they serve are to have even the minimally adequate hospital facilities.

On June 27, I introduced a bill, H.R. 15969, to permit critical hospitals—those in desperate need of expansion and renovation on an emergency basis—to obtain both grants and loans from the Federal Government to enable them to provide proper care to the communities they serve.

This bill, the Emergency Hospital Assistance Act of 1966, would authorize the Secretary of Health, Education and Welfare to make grants of up to 66⅔ percent of expansion or renovation costs. For hospitals without its financial resources to raise the remaining 33⅓ percent, the Secretary could make loans to pay as much as 90 percent of the non-Federal contribution. Loans would bear interest at a rate of 2.5 percent and would be repayable over a 50-year period.

In order to understand the seriousness of the special problems my bill is designed to attack, let us take a look at exactly what is meant by a critical hospital—according to Public Health Service—PHS—standards.

According to the PHS, there are 143 hospitals across the country which maintain over 90-percent average occupancy rates—some even going as high as 120 percent. Where demand exceeds available bedspace, the hospital is forced to accommodate patients wherever there is a spare corner: by adding new beds to already overcrowded wards, or lining them up in hallways, or even converting storage areas to makeshift wards. The sad fact is that such accommodations are not unusual.

These are the critical hospitals. For them, the future can only bring greater strain on already overworked facilities.

Another 5,500 hospitals, according to Public Health Service figures, are operating at an average 80 to 90 percent occupancy. The pressure of population increases and projected increased demand for services as a result of new Government programs are guaranteed to push many of these into the critical category in the very near future.

Existing Federal aid to medical institutions—such as the Hill-Burton Act, which has been instrumental in meeting the long-term requirements of many medical institutions—is not geared to meet the emergency needs of these critical and precritical institutions. In some instances, Hill-Burton money has already been of assistance to a hospital and the institution is still in the process of repaying its loan for facilities which have already become overcrowded. In others, the communities do not have the financial resources to pay the non-Federal share of an improvement program.

This legislation is not intended to replace the Hill-Burton Act, a proven and successful Federal aid-to-hospitals program. My bill is designed to attack certain temporary, critical problems which Hill-Burton is not, and should not be, expected to handle. It is designed to raise the critical hospital to the level at which the orderly, long-term Hill-Burton programs can be effective. In fact, the grant provisions in my bill are drawn according to the Hill-Burton formula, except that aid goes directly to the hospitals and is not filtered through State programs, and covers renovation projects not included in Hill-Burton.

Since introducing my bill, I have received letters and telegrams from both hospitals and communities—in every section of the country—which are in dire straits because of the lack of proper medical facilities and the means for obtaining funds to alleviate this situation.

I would like to enter in the Record at this time many of these communications which express, far more eloquently than any official report, the urgent need for emergency assistance—now:

Carmel, N.Y.,
August 30, 1966.

Hon. Richard L. Ottinger,
1215 Longworth House Office Building,
Washington, D.C.:

Putnam Community Hospital is facing an ever increasing bed shortage with continued occupancy in excess of 100 percent. This is due to the advent of medicare. Our daily occupancy of over age 65 patients has risen from 15 percent to 30–35 percent patients for elective surgery, a high percentage being over age 65 are faced with admission delays of two to four weeks. The introduction of your bill number H.R. 15969 in the Senate at this time and prompt hearings in both the House and the Senate are vital if we are to provide expanded and necessary care at this hospital.

Ambrose LaVigne,
Administrator,
Putnam Community Hospital.

The Secretary of Health, Education, and Welfare,
Washington, September 19, 1966.

Hon. Richard L. Ottinger,
House of Representatives,
Washington, D.C.

Dear Mr. Ottinger: This is in reply to your letter of September 2 expressing your concern about hospital occupancy rates, and the conditions of hospital facilities throughout the country.

I am sure you are aware that in this session the Administration recommended legislation to provide for the modernization of hospital facilities, particularly in urban areas (H.R. 13198).

Recently, you introduced H.R. 15969 to authorize an emergency program of Federal grants and loans to overcrowded hospitals. Your bill is now under consideration within the Department.

I am pleased that it is our common desire and objective to find an appropriate way of improving the nation's health care facilities. I hope that we will be able to secure Congressional action on hospital legislation at an early date.

Sincerely,

Wilbur J. Cohen,
Acting Secretary.

Putnam Community Hospital,
Carmel, N.Y., September 2, 1966.

Hon. Robert F. Kennedy,
Senate Office Building,
Washington, D.C.

Dear Senator Kennedy: As Administrator of Putnam Community Hospital, I would like to express my thanks for the courtesy extended to Mr. Nobart Schapiro, a member of my Board of Directors, by Mr. Pigman and his associates during his visit to your office.

Mr. Schapiro was soliciting your support for a Senate companion bill to bill HR 15969 introduced by Congressman Ottinger.

As suggested by Mr. Pigman, we are enclosing information pertinent to the Bill, and specific information regarding Putnam Community Hospital.

Our particular need has been made more acute since the inception of Medicare. Prior to Medicare, our average daily census for patients over 65 was 15% of our total census. It now has reached 35% of total census, while total census runs over 100%, 79% of the time.

I will be happy to furnish any further information that you feel is pertinent in making your decision.

Sincerely,

Ambrose LaVigne,
Administrator.

Putnam Community Hospital,
Carmel, N.Y.

On June 27, 1966, The Emergency Hospital Assistance Act of 1966 was introduced by Congressman Richard L. Ottinger (25th C.D., N.Y.).

This bill would provide direct assistance to 143 critical hospitals to resolve the serious problem caused by lack of adequate bed space to meet the demand for service under Medicare.

The Health, Education and Welfare Secretary would require eligible Hospitals—those having average daily occupancy in excess of 90 percent—to conform to reasonable medical standards.

A study prepared by the Public Health Service shows that 143 Hospitals serving 97 communities in 30 States cannot meet the expected demands for beds by Medicare recipients.

Public Health Service shows that $40,000,000 in grants and $180,000,000 in loans would meet the immediate need in the critical hospitals.

Important is the fact that this is an emergency program—not a long range answer to the nation's hospital needs—the Bill would avert the impending Medicare crisis without embarking on a big new federal spending program at a time of severe inflationary pressure.

July 25, 1966.

Hon. Robert F. Kennedy,
U.S. Senate,
Washington, D.C.

Dear Senator Kennedy: This will acknowledge your letter of June 20th in response to my letter of June 2nd.

Shortly after writing our original letter to you, several members of our board did visit Washington and we did have conversation both with a representative of the Health, Education and Welfare Department and a representative of the Economic Development Administration.

On the same day we visited our Congressman, Richard Ottinger, who, as you know, represents the 25th New York Congressional District. Congressman Ottinger is very familiar with our hospital and our problems and has tried to be helpful to us. As a result of our conversations in his office, a bill was introduced by Congressman Ottinger on June 27th. This bill is H.R. 5969 and was introduced to establish an emergency program of direct financial assistance in the form of grants and loans to certain hospitals in critical need of additional beds and related facilities in order to meet the demands for service resulting from new and expanded Federal programs. This bill was referred to the Committee on Interstate and Foreign Commerce.

Congressman Ottinger's bill was prepared as a direct result of a survey conducted by the Social Security Administration to ascertain those hospitals throughout the United States that would be gravely affected by lack of facilities due to the advent of Medicare. This survey revealed approximately 150 hospitals in 88 counties in the United States were facing serious problems due to the continuing extremely high occupancy and general shortage of beds prior to Medicare.

Our hospital has been designated, along with others, as a potential trouble spot because of continued high occupancy and insufficient beds to meet the expending needs under Medicare.

Over a period of five years three fund drives have been conducted in the communities and a total of about one million, two hundred fifty thousand dollars was raised towards the cost of the hospital. Our board feels at this time we cannot go back again with another drive to obtain approximately $450,000 additional to complete an already existing shell which would give us approximately 50 additional beds.

Our best information at this time is that this bill has not yet been introduced in the Senate. However, we have been advised by Congressman Ottinger's office that he is hopeful it will be introduced in the very near future, will be assigned a Senate number and will be referred to committee. If this bill is approved by committees of both the Senate and the House and is approved by the members of each, it will be most helpful to us in resolving our problems and to the other 150 hospitals affected.

For your information the other hospitals indicated by S.S.A. in New York State are:

Edward John Noble Hospital of Alexandria Bay, Alexandria Bay, N.Y.

Mercy Hospital, Watertown, N.Y.

House of the Good Samaritan, Watertown, N.Y.

We earnestly solicit your support of this bill when it is introduced.

Thanking you for your cooperation and assistance in this matter on behalf of our hospital as well as all the hospitals involved, I am,

Sincerely,

Marvin D. Arnold,
Executive Vice President.

Hon. Harley O. Staggers,
Chairman, House Interstate and Foreign Commerce Committee, Rayburn House Office Building, Washington, D.C.

Dear Congressman Staggers: On June 27th, Congressman Richard Ottinger introduced a bill, HR 15969, to establish an emergency program of direct financial assistance in the form of grants and loans to certain hospitals in critical need of additional beds and related facilities in order to meet the demands for service resulting from new and expanded Federal programs. This bill was referred to the Committee on Interstate and Foreign Commerce, of which you are Chairman.

Congressman Ottinger's bill was prepared as a direct result of a survey conducted by the Social Security Administration to ascertain those hospitals throughout the United States that would be gravely affected by lack of facilities due to the advent of Medicare. This survey revealed approximately 133 hospitals in 88 counties in the United States were facing serious problems due to continuing extremely high occupancy and general shortage of beds prior to Medicare.

Weirton General Hospital has been designated, along with others, as a potential trouble spot because of continuing high occupancy and insufficient beds to meet the expanding needs under Medicare.

We earnestly solicit your support of this bill in Committee and also your continued support when the bill reaches the floor for a vote.

Thank you for your cooperation and assistance in this matter on behalf of our hospital as well as all the hospitals involved.

Very truly yours,
WEIRTON GENERAL HOSPITAL,
CHARLES A. OKEY,
Administrator.

WEIRTON, W. VA.

ST. ANTHONY'S HOSPITAL,
Rock Island, Ill., August 26, 1966.

HON. PAUL H. DOUGLAS,
U.S. Senate,
Washington, D.C.

DEAR SENATOR DOUGLAS: I am writing to you to ask your support of the companion legislation to H.R. 15969.

The House bill, as you know, would provide financial assistance to enable those hospitals considered critical by the Social Security Administration to provide additional beds and services. St. Anthony's is one of the five hospitals in the state of Illinois which have been designated as critically short.

The occupancy at St. Anthony's today is 96%. This means that in our medical-surgical divisions we cannot accommodate patients in the facilities that they desire. Since the advent of Medicare the occupancy has increased at a steady pace.

You are aware also that St. Anthony's is engaged in planning a new 350 bed facility on a new site. The hospital has qualified for nearly $1,000,000 in federal funds for a comprehensive mental health center and a rehabilitation center. The citizens and industries in the community have pledged $2,000,000 to the Rock Island Franciscan Hospital building campaign. The balance of the $11,100,000 construction cost must come from capital generated from operations and from borrowed funds. Generating the necessary funds from operations would require several more years. In the meantime the expansion program must be slowed.

We feel that the need for additional beds and services in Rock Island is critical and will become increasingly so as Medicare continues. For this reason we would appreciate any support you can give to companion legislation to H.R. 15969.

Sincerely,
SISTER MARY BASIL, O.S.F.,
Administrator.

JULY 15, 1966.

MR. AMBROSE LAVIGNE,
Administrator, Putnam Community Hospital, Carmel, N.Y.

DEAR MR. LAVIGNE: We were delighted to receive information of the introduction of Bill #HR 15969 relative to the Emergency Hospital Assistance Act.

Ontonagon Memorial Hospital has serious problems caused by the lack of adequate bed space and related facilities for proper patient care. This hospital presently has received a Hill-Burton Grant of approximately 50%, and we are also attempting to receive supplementary financing for the hospital's portion through the Community Facilities Administration with the Regional Office in Chicago, Illinois. To date the progress has been extremely slow in this area.

With the impact of Medicare on July 1, the hospital has been running well over 60% of its occupancy related to patients age 65. The County has a total population of 11,000 people with an estimated 1400 of them eligible for Medicare. This makes it extremely difficult to function as an acute hospital.

In 1964, the average occupancy of this 37-bed hospital was approximately 94%. For the first three months of 1965 it was 100.6%; and in 1966 in the first five months, the hospital exceeded 102%. In 1964 on every fifth day the hospital was over capacity. In 1965, 57 of the first 120 days were over 100% occupancy.

This institution has employed an architect, acquired land, and to date we have completed preliminary drawings for the construction of a new 40-bed facility on a new site. In addition, we have requested CFA supplementary financing for the hospital's portion which will make the financial operations of this hospital extremely difficult over the next 20 or 30 years if this loan is granted. This is attributed to the fact that the interest rate is high, and there is a limitation on the number of years for which the loan could be acquired.

We therefore urge that HR Bill 15969 be adopted to assist the hospital in meeting community needs of patient care and to undertake construction with great dispatch in order to elevate the burden of an overcrowded institution. With the construction of a new hospital, we would also be able to participate in some of the Federal Programs such as Medicare for the benefit of the citizens of Onotonagon County.

Sincerely yours,
LEE REICH,
Administrator.

JULY 21, 1966.

Senator ROBERT KENNEDY,
Senate Office Building,
Washington, D.C.

DEAR SENATOR KENNEDY: Congressman OTTINGER's pending legislation—H.R. 15969, known as the "Emergency Hospital Assistance Act of 1966" would enable the Putnam Community Hospital to finish off the 60 bed shell on its third floor, which is desperately needed at the present time in order to handle Medicare in this area which has been considered one of the 133 critical hospital areas in the United States.

In view of the fact that we just completed the present new 60 bed hospital three years ago, we are faced with the responsibility of raising funds from the people in our area who helped to finance (through pledges) the new two million dollar hospital that we have here at the present time.

Your co-operation in supporting the Senate companion bill when it is introduced will be very much appreciated.

Very sincerely,
DAVID M. EDES,
President; Member, Board of Directors.

P.S.—Because we have drained the area quite completely for funds, we find it impossible to go ahead on the above completion of the third floor shell unless we receive outside financial assistance. Thanks for all your interest and personal help.

D. M. E.

BLANCHARD VALLEY HOSPITAL AND
BLANCHARD VALLEY NURSING HOME,
Findlay, Ohio, July 29, 1966.

Hon. STEPHEN M. YOUNG,
U.S. Senate,
Washington, D.C.

SIR: On June 27, 1966 there was introduced in the House of Representatives, and referred to the Committee on Interstate and Foreign Commerce, a bill to establish an emergency program of direct federal assistance in the form of grants and loans to certain hospitals in critical need of new beds and related facilities in order to meet the demands for service resulting from new and expanded federal programs. This bill (HR 15969), known as the "Emergency Hospital Assistance Act of 1966", was introduced by Congressman RICHARD L. OTTINGER of New York.

After reviewing the contents of this legislation, we earnestly request that you favorably consider supporting the provisions of this act. Specifically, the act calls for federal grants up to 66⅔ per centum of the cost of renovation or expansion and loans up to 90 per cent of the portion of the cost of the project not covered by grants. The loans would be amortized with an interest rate of 2½ per cent per annum of the unpaid balance.

The act specifies that the Secretary of Health, Education and Welfare shall prepare a list of "critical hospitals", said critical hospitals to be determined by the lack of bed space and related facilities to serve the present and future needs of their communities.

Among the determining factors spelled out in the act, a critical hospital is deemed to be a hospital with an average annual occupancy rate in excess of 90 per cent of reasonable capacity. In 1965, the average daily occupancy of Blanchard Valley Hospital was 92.7 per cent. The medical and surgical floors operated at 102.5 and 102.7 per cent of capacity respectively.

The Social Security Administration has recently conducted a survey to ascertain those hospitals throughout the United States that would be gravely affected by the lack of facilities due to the advent of Medicare. The survey revealed that approximately one hundred and fifty hospitals in eighty-eight counties in the United States were facing serious problems due to continuing extremely high occupancy and general shortage of beds prior to Medicare. Blanchard Valley Hospital is one of the one hundred and fifty hospitals listed and we are attaching to this correspondence a list of those hospitals in the State of Ohio listed by the S.S.A.

On the day this letter is written, the 170-bed Blanchard Valley Hospital has a census of 174 patients, approximately seventy of which are Medicare patients. Due to continued pressures on census, an emergency admitting policy has recently been established to admit patients in priority of the type of medical care necessary. Those patients deemed to be less than emergency cases are placed on a waiting list and the patients are subsequently admitted upon the availability of beds.

In respect of your busy schedule, we are enclosing for your review a copy of H.R. 15969. The Board of Trustees and the personnel of Blanchard Valley Hospital join with me in asking that you favorably consider support of this legislation. We feel this will have a profound effect on the health of the citizens of Findlay and Hancock County. Should you require additional information, please do not hesitate to write at your convenience.

Very truly yours,
WILLIAM E. RUSE,
Administrator.

WATERTOWN, N.Y.,
August 27, 1966.

Hon. JACOB K. JAVITS,
Senate Chambers,
Washington, D.C.:

Respectfully request your additional urgent attention for quick passage Ottinger bill, H.R. 15969, Emergency Hospital Assistance Act of 1966, to enable critical hospitals to meet expanding demands for services under new government health programs.

SISTER MARY ENDA, R.S.M.,
Administrator, Mercy Hospital of Watertown.

A POSITIVE PROGRAM TO COMBAT HIGH FOOD PRICES

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from Colorado [Mr. McVicker] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. McVICKER. Mr. Speaker, in the last few months there has been a great deal of concern expressed about the increasing cost of living and particularly about the rise in food costs. We read of consumer boycotts being led by housewives. And we hear from our own wives who complain about how difficult it is these days to stretch the budget in order to pay for the higher prices that are being asked for all sorts of food items. These complaints are legitimate complaints. There has been an increase in the cost of living. It is one of our most serious concerns these days. However, it is very important that we understand the underlying factors responsible for these price rises. It is no use just complaining, complaining, and complaining. We must first know the facts and then organize our efforts to restore price stability in this country. But without facts we cannot rationally undertake to bring about creative action.

I have given this matter a great deal of thought and I have made a number of inquiries among the key agencies in Washington to ascertain just what the facts are. I have looked into the situation particularly as it applies to my own community, Denver, and I have also undertaken to inquire as to the economic forces that may be responsible for these changes.

LET US LOOK AT THE FACTS

Let us take a look at some facts. For the last several years we have enjoyed not only increasing employment in this country but a long period of price stability. This price stability has not been universal. For a period of some 10 years, according to the Bureau of Labor Statistics index, nonfood items making up the consumer's price index have increased. The principal factors responsible for this increase in the cost of nonfood items have been the increasing cost of services, most notably medical services and similar items. The cost of food for the housewife, on the other hand, remained fairly constant during the 1960's and until just recently. So, when anyone complains about the increased cost of living he must not overlook the fact that much of the increase has arisen where we have experienced enormous shortages. We do not have enough doctors, we do not have enough hospitals, and we do not have enough of the associated services so important to our welfare.

Fortunately most of us are well most of the time and the creeping inflation in the cost of medical and other health services only strikes us occasionally. But this is not the situation with food products. The best purchasing agents in the world are the housewives of America. When the price of bread and milk, meat and potatoes and all the other important items that go into the kitchen are increased we hear about it, and soon.

Let me cite a few statistics.

According to the Bureau of Labor Statistics, the food index in August 1966 reached a point about one-third above the 1947–49 level. Nonfoods, on the other hand, had risen more than 42 percent during the same period of years. Mind you, this is the picture after allowance for the sharp increases in food prices we have experienced during the past year.

Now what has been happening to food prices in Denver? I have made inquiries in regard to two key food items that have risen a lot recently, bread and milk.

During the past year, the price of bread in Denver has risen from an average of about 20 cents a pound to around 26 cents. That is a substantial boost. The cost of milk per half gallon has risen from about 47 cents to nearly 51 cents—another substantial boost. There is no question about it, these price increases hurt. We do not like to see them.

DENVER HOUSEWIVES ARE JUSTIFIABLY CONCERNED ABOUT HIGH FOOD PRICES

Actually, Denver is no worse than the average of cities throughout the country. In many cities prices have risen faster and more than ours. On the other hand, in other cities the increases have been less. But this is no comfort to the housewife. She wants to know why.

Well, the best way to find out why these increases have occurred is to turn to the key agencies of the Government who have the pertinent facts and figures at their fingertips—or better yet, who are equipped to go out and investigate the situation.

I am one of those who urged, 2 months ago, that the Federal Trade Commission, the people's guardian against monopoly, look into this matter in depth. In conversation with Denver businessmen I have learned that the Commission is making an in-depth study of recent milk price increases in Denver.

I suspect we will be hearing from the Commission soon. But in the meantime I have made inquiries myself and I have learned some facts which seem relevant to the situation Denver housewives are so concerned about today.

First of all, Denver seems to be unique in several respects. Our area has been plagued by price wars of late. Naturally, for a short time while a price war is going on the housewife enjoys it. She is getting real bargains.

In the summer of 1965 when the price of milk in Denver dropped to about 36 cents a half gallon I am sure a lot of Denver housewives enjoyed this, and thought they were in the Garden of Eden. Back in February 1965 bread prices fell about 18 cents for a 1-pound loaf. That was pretty nice too, many of our lovely wives thought. But they didn't like it when milk rebounded to 47 cents and then these past few months rose to more than 50 cents a half gallon. Nor did they like it when bread prices jumped back up to around 23 cents a pound and hiked up recently to around 26 cents.

What I am describing is a price war. Price wars, like opiates, are short lived and do not benefit anyone, except perhaps a few monopolists who expect to knock all their rivals out of the field. Anyone who has studied the causes of price wars knows that they develop in situations where a few giant firms are struggling among themselves to gain control of the market. After the war is settled they divide up the spoils. So where you have undue concentration in any market you may expect either price wars or a live-and-let-live policy among the industry to share in high noncompetitive profits.

DENVER: THE NATION'S MOST CONCENTRATED BIG CITY MARKET

Recent developments in the concentration of food marketing have affected Denver much as they have the country as a whole. A recent study of the National Commission on Food Retailing reported that food store sales in Denver were concentrated among a few very large food chains. Today just four large chains account for over 70 percent of the grocery store business in the entire Denver metropolitan area—which includes all of Aurora, Boulder, and Denver Counties. This is a higher level of concentration than exists in any other large metropolitan area in the Nation. See "Food Retailing," technical study No. 7, National Commission on Food Marketing, June 1966, page 45.

Now this matter of the concentration of economic power is more than just of academic interest. Dairy farmers, dairy processors, and baking companies have felt the cutting edge of this power for years. As I noted earlier, consumers frequently are the temporary beneficiaries of price wars triggered by the big chains. But to repeat a truism, we cannot expect to get something for nothing in the long run. In practice, this means that the inevitable peace that follows a price war is accompanied by prices higher than existed before the war.

A recent antitrust case demonstrates what the concentration of economic power can mean—in dollars and cents—to the consumer. A recent decision of the Federal Trade Commission, which found that the National Tea Co. had violated the Clayton Antimerger Act, developed some interesting facts on this point. It showed that where National Tea held a strong market position it had much higher gross profit margins than in markets where it met keen competition. Significantly, the record in this case shows that Denver was one of National Tea's strong towns. It also shows that it had higher average margins in Denver than any other market. Its gross profit margins in Denver were higher than in nearly any other city. Moreover, the record of that case showed that National Tea used profits in its high profit towns, including Denver, to subsidize its operations elsewhere. In other words, high food prices in Denver were used to subsidize—temporarily at least—low prices elsewhere.[1]

As I said, farmers and food manufacturers have felt the buying power of large chains for some years. On this point the FTC found:

> For a local supplier serving only a particular city, the effects of this increasing

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[1] "In the Matter of National Tea Co.," D. 7453, p. 55 of Findings as to the Facts, Conclusions and Order.

concentration at the retail level can be particularly adverse. For example, 3 chains (Safeway, National Tea, and Dillon) had 64.1 percent of all food store sales—and thus of all food store purchases—in Denver, Colorado, in 1958. . . . In this and numerous other markets the local food suppliers are faced with the necessity of selling to 3 or 5 chains on the latters' terms or not at all."[2]

When the power of large chains is used to beat down supplier prices, consumers may be the temporary recipients. But I fear that too often when food prices rebound after a price war, the farmer, the baker, or the milk dealer is made the scapegoat. This may well have happened in Denver over the last year.

A PROGRAM FOR PROTESTING HOUSEWIVES

I. LOWER PRICES AND FEWER GIMMICKS

What can the housewife do now to combat high prices? I think housewives in Denver can learn a few lessons from what housewives are doing in some other cities. One of the things pushing up retail prices has been the proliferation of trading stamps, bogus bingo and other gimmicks given out by some chains to attract customers. According to final report of the National Commission on Food, these gimmicks have been the main cause for rising grocery store margins in recent years. As they put it:

> When stamps were first introduced, retailers giving them frequently attained sufficient additional volume to more than pay for the stamps. Consumers, therefore, did not have to pay higher prices for food but benefited from the stamps and the premiums they obtained for stamps. As more and more of the industry adopted stamps and competing forms of promotion, however, it was no longer possible for retailers as a whole to obtain additional volume by using trading stamp promotion. As a result, the cost of the stamps represented an additional cost of retailing, and prices rose.[3]

I think a lot of housewives are getting sick and tired of paying for these added gimmicks when they shop for food. I suspect an individual housewife feels there is nothing she can do but go along. But when a number of housewives get together and switch their patronage to the supermarket that emphasizes price instead of gimmicks, this serves as a powerful incentive for supermarkets to once again emphasize price competition.

This is not idle speculation. It has worked elsewhere. Just this week the Jewel Tea Co. in Chicago, which does not give stamps, slashed its prices on many items up to 20 percent below those of stores emphasizing stamps and other gimmicks. This is three times greater than the increase in the food prices over the last year. Yes, the housewife can have a voice in bringing about a return to price competition in Denver as well as other communities.

II. LET'S STOP PRICE PYRAMIDING

Business leaders also have a special responsibility today. Based on conversations with businessmen and on our experiences of World War II and the Korean conflict, I anticipate many large supermarket chains are applying a standard markup to any price increases of the products they buy. The result is pyramiding, or built-in price hiking. Now there is no justification for this when profit margins are already adequate, especially in time of war.

Most of us do not want to see wartime controls put into effect. We want to avoid this as long as we can because we do not want to become involved in the Government expenditures and the inevitable bureaucratic redtape that this would involve. But it is important to recall that during the period when OPA operated during World War II and when we had price control regulations during the Korean conflict retailers were not permitted to hike prices by applying automatic markups. The result was that inflation was held in check.

Now there is no doubt that we are in a wartime situation. So we must appeal to the supermarket chains not to hike prices through pyramiding. This is one area where we must direct our effort. They stand at the threshhold of inflation, and if they take a statesmanlike attitude and do not take advantage of the present situation, we can lick inflation without invoking Government price controls.

I think every housewife should petition the leading national chain supermarket organizations not to pyramid prices—not to apply an automatic markup policy at this crucial time, but rather to snuff the inflationary fires before they get started. Because of the enormous concentration in food retailing only a very few chainstore operators have the power to make or break this effort to stem the tide of inflation. I appeal to them to become statesmen in these trying times. I appeal to the Safeway chain which is the leading supermarket chain in my community of Denver to be statesmen. I appeal to the National Tea chain which operates Miller's Supermarkets in Denver to be statesmen. I appeal to the rest of the supermarket operators to exercise restraint and not to expand their margins. This is something specific. It is a specific program which the housewives who are protesting against the increased prices of food can get behind and promote.

III. CONTINUED SURVEILLANCE: A NECESSITY

The basic premise of a free enterprise economy is an informed public. This is especially true today. Consumers have a right to know the facts about what makes the competitive process work. This also means putting the spotlight of publicity on situations where competition breaks down.

But above all else, we need the facts. Discussion, debate or whatever we label the dialog so much a part of the democratic process, can only be well directed when we get at the facts.

Shortly after the conclusion of my town meetings in which food price increases were the main topic of discussion, I urged the FTC to look into the recent price development in Denver. The FTC promised to make a report of these developments in Denver, as they are now doing in other leading cities throughout the country. This report will be forthcoming soon and I have checked again with FTC to find its status.

The issues, however, which bother our housewives today cannot be left to brushfire treatment—simply getting excited at the time the increases hit us. What is needed is constant, informed surveillance of these problems and the use of the Congress, the administration, independent agencies and the people.

The bill that I have introduced, H.R. 18351, to direct the Federal Trade Commission to make a continuing review of market structure and competition in the food industry and to report annually thereon to the Congress, was prepared after consultation with the FTC, the special assistant to the President's Commission on Consumer Affairs and based on a recommendation of the National Commission of Food Marketing.

I am very confident that this bill can be enacted into law certainly at the next session of the Congress and its immediate purpose is to provide a spur to the FTC to promote investigations within its present authority in the food market.

I have found nothing but support for the bill and am confident that speedy action will be taken at the beginning of the next Congress.

Most importantly, however, is its effect in the interim period of providing a basis upon which action by the FTC, unofficial as it may be, is influenced and emphasized.

IV. RESTRAINTS BY ALL

Some $15 billion have been placed into the economy this year by direct Government spending with this Nation's effort in Vietnam. The disruption in the economy because of our war effort as it affects the basic mechanisms of our economy is the prime reason for inflationary pressures that we are coping with in all segments of our economy.

The real defense of this country lies not just in our arms, but in the strength and vitality of our free enterprise system as it now reaches a gross national product of $730 billion per year. Just as cooperation among the major segments of our economy—business, labor, and Government—have helped produce this growth and strength, so must these same component parts impose upon themselves restraints and disciplines to ward off the inflationary pressures and at the same time keep the economy strong and growing.

As I have voted restraints on Government cuts in spending as well as programs strengthening my country, so must leadership in business and labor—especially in the area of the subject of this program relating to food prices—impose upon themselves restraints and disciplines on their own marketing procedures.

TRIBUTE TO JUDGE MATTHEW F. McGUIRE

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

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[2] *Ibid.*, p. 67.

[3] Food from Farmer to Consumer, "report of the National Commission on Food Marketing, June 1966, p. 77.

Mr. McCORMACK. Mr. Speaker, after a quarter century of distinguished judicial service, Chief Judge Matthew F. McGuire of the U.S. District Court for the District of Columbia, an eminent son of Massachusetts and a dear personal friend, will begin a well-earned retirement.

Approving Judge McGuire's retirement, the President wrote to him saying:

> Yours has been a distinguished career, comporting as it has with the great traditions of the Federal judiciary.

Judge McGuire was first sworn to his judicial office on October 7, 1941, and his retirement was effective on October 7 of this year, marking 25 years of dedication to his profession and to his position of high trust and responsibility.

He was graduated from Holy Cross College in Worcester, Mass., in 1921, and from the Boston University Law School in 1926. He practiced his profession privately in Massachusetts for 9 years before being called to Washington in 1934 for a 3-month assignment as an assistant to the Attorney General. The 3 months have now become 32 years, during which he has seen his home in Massachusetts only during the summer. He was named a Special Assistant Attorney General in 1938, a Deputy Attorney General, and then appointed to the bench.

He served his country during the First World War in the Navy, and received the Navy's Distinguished Civilian Service Medal in 1945 for his work as chairman of a committee which drew up changes in Navy legal procedures.

During his years on the bench, Judge McGuire achieved much to expedite trials and to relieve judges of duties that were incompatible with their heavy responsibilities. He has instituted reforms that simplified the operations of his court, and that reduced delays between the times of indictment and trial. In so doing he was displaying the concern for expediting the administration of justice that he had shown earlier in his Justice Department days. He had then recommended to the Attorney General that the District's municipal and police courts be consolidated in a new municipal court with its own court of appeals, a recommendation which was soon put into effect; the new municipal court eventually became the District's court of general sessions.

I have long known his integrity, his scrupulous adherence to the highest standards of justice and fairness, his enormous capacity for hard work, and his devotion to the obligations of his judicial oath.

I hope for him a productive and happy retirement, and assure Judge McGuire and his beloved wife Eleanor of my enduring respect and friendship.

SAVING REDWOODS

The SPEAKER pro tempore (Mr. Brooks). Under previous order of the House the gentleman from California [Mr. Cohelan] is recognized for 30 minutes.

Mr. COHELAN. Mr. Speaker, I know that all of us who are concerned with establishing a Redwood National Park were interested in the proposal made by our colleague, the gentleman from California [Mr. Clausen], from California's First Congressional District, on Wednesday of this week.

There is undeniable value in taking a careful look at any new plan for the redwood region, especially when it is labeled as "an entirely new proposal for a National Redwood Park, recreation, and seashore plan." Today, I would like to offer a few comments on this proposal.

In the first place, Mr. Speaker, there is hardly anything "new" in urging that land acquisition and development of the Point Reyes National Seashore be completed. The original legislation authorizing this seashore, which I coauthored with our late and beloved colleague, Clem Miller, was approved back in the 87th Congress. Since then, land speculation and rising land costs have eaten up the original appropriation before the park could be completed, and a number of us have been urging that additional funds, sufficient to finish the job, be approved. I am pleased to note that the $5 million supplemental authorization for Point Reyes, passed a few weeks ago, was clearly recognized as only a "stopgap" measure and I am very hopeful that further and early action will be taken next year.

Similarly, Mr. Speaker, there is little "new" in proposing that the federally owned King Range Conservation Area be exchanged to the State of California. This proposal is already included in the administration's plan for a Redwood National Park, and is really more a question of how best to manage this land rather than of how best to save redwoods.

Relabeling the Forest Service's northern redwood purchase unit as a Redwood National Forest, as our colleague has suggested, is probably a harmless gesture. But there is probably some legitimate question as to whether this small 14,000-acre unit qualifies as a national forest. This tract is only a fraction of the size of the average ranger district, which in turn is just a component unit of a national forest.

More important, Mr. Speaker, this "new" proposal misses the whole point of the campaign for a Redwood National Park. It does not address itself at all to the major question, which is clearly protection for the few important stands of virgin redwoods that remain today.

Relabeling three State parks does not accomplish this goal. A postage-stamp sized unit around the tall trees on Redwood Creek will not guarantee their survival. Ignoring the great virgin stands in Redwood Creek Valley hardly justifies the statement that this proposal "includes the best of the Sierra Club's plan."

This so-called "new" proposal would save practically no old growth redwoods that are not already in one of the scattered State parks, or that have not already been pledged for conservation. It is simply a parody of planning for a Redwood National Park to avoid everything of substance that needs saving.

Mr. Speaker, the proposal made by our colleague is really more of a plan for a new national seashore than a plan for a redwood national park. The 50-mile coastline from Patricks Point to Crescent City is magnificent and is worth saving. But the job of saving it, on any standard of priorities, must await completion of the job of saving redwoods. The trees are going faster than the shoreline.

Mr. Speaker, when the 90th Congress convenes in January, I hope that priority consideration will be given to establishing a Redwood National Park that will protect the best that remains of this priceless natural heritage. Time is of the essence and the Redwood Creek Valley is the place where we can preserve the most and best for our money.

CONGRESSMAN STRATTON REPORTS TO THE PEOPLE OF THE 35TH DISTRICT OF NEW YORK ON THE ACCOMPLISHMENTS OF THE 2D SESSION OF THE 89TH CONGRESS

Mr. ROUSH. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Stratton] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. STRATTON. Mr. Speaker, in these closing days of the 2d session of the 89th Congress I take this opportunity to report, as I have each year, to the people of my district on the accomplishments of this session.

Though this has been one of the longest sessions of Congress in an election year, our accomplishments have not been as impressive as were those of the first session. Nevertheless we have passed some significant bills, we have presided over the discharge of our commitment to freedom in South Vietnam, and we have endeavored to insure that the disruption of our national economy resulting from that conflict is as little as possible.

THE WAR IN VIETNAM

The conduct of the war in Vietnam has naturally dominated all our actions in this session. We have provided the armed services with all they have asked for in terms of weapons and other support for Vietnam. In spite of individual criticism both in and out of Congress, both parties have fully supported our commitment there. When the chips were down in votes for or against the funds essential for continuing our Vietnam operations, only 7 to 10 out of the combined total of 535 Senators and Congressmen were recorded in opposition. Spending for the Vietnam war today is at a rate of some $1.5 billion a month. Yet we have reached this sizable rate, and have put almost as many troops in Vietnam as we had in Korea, without anything like the disruption to our normal civilian economy that occurred then.

As a fairly senior member of the House Armed Services Committee I have had the privilege of following developments in Vietnam closely, on a day-to-day basis, with full access to classified military information. Our committee is briefed regularly on the war. And all Members of Congress have had many chances to meet with the President and the Secretary of State to discuss all aspects of this conflict. I doubt whether any Congress has ever been kept more fully informed, or has been more regularly consulted on any military operation of our country.

Last Easter I had the privilege of visiting South Vietnam as chairman of a special investigating subcommittee of the House Armed Services Committee. Our subcommittee inspected most of the major combat areas. We came back most impressed with the job our troops are doing and with the very high level of their morale. We were encouraged with prospects for the future, and deeply impressed by the fine performance of Ambassador Lodge and General Westmoreland. Our formal report on our trip reflected this optimism and made a number of concrete suggestions for further improvement. These suggestions were very warmly received by the President, with whom I conferred personally, and have already been mostly implemented by Secretary McNamara at the direction of the White House.

A number of groups in our district expressed an interest in seeing the color slides of Vietnam I took during our trip, and over the past several weeks I have shown them repeatedly around our district.

All of us, I am sure, share the hope that the continued success of our Armed Forces in Vietnam, the encouraging start toward a more representative government made in the September 11 elections, and the forthcoming Manila conference may soon bring some positive response from Hanoi to the admirable peace proposals made recently in the U.N. by Ambassador Goldberg.

Vietnam is far and away the most important matter with which Congress has been, and must continue to be, concerned. As one who served 6 years on active Navy duty in World War II and again in the Korean war, I have followed this present struggle with deep concern. As your Congressman I have devoted a very substantial portion of my time and energies during this past year to carrying out my responsibilities with regard to it, in the light of my own experience and service in the Far East.

MAJOR LEGISLATION ENACTED

Because over the years I have kept the people of our district posted regularly on pending legislation by newsletter, weekly newspaper reports, and regular radio and television comments, it is not necessary to go into great detail in reviewing here the major pieces of legislation enacted in this session. Let me instead just run through them briefly:

A Vietnam GI bill of rights—which I had cosponsored in the 88th Congress in somewhat different form; a broad new program of water resources research; an increased program of help to local communities to fight water pollution; pension increases for disabled veterans and their widows and orphans; providing limited social security benefits for persons over 72 not previously covered by social security; a bill to outlaw dognapping and provide more humane treatment for dogs and other animals in medical research; a broad program of automobile safety standards; a new program of highway safety; a new Child Nutrition Act—which I also cosponsored—to continue the popular school milk program and add an experimental breakfast program for needy children; legislation to extend the time for eligible senior citizens to apply for medicare—which I cosponsored; cheaper and faster mail service to our troops in Vietnam; a new Federal Department of Transportation; pay increases both for service personnel and for government civilian employees; a pay increase for teachers serving overseas in schools for children of American service personnel—which I also cosponsored; legislation guaranteeing access to information in government files; continued operation of heavy airlift squadrons of the Air National Guard, like the one at Schenectady; and a bill to postpone the removal of two excise taxes for 2 years to meet increased costs of the Vietnam war.

SOME BILLS STILL IN PROCESS

Several other important measures are still in various stages in the legislative process, and may be enacted into law before this session concludes. Among these are a new bill of rights for military reservists, preventing a merger of the Guard and the Reserves and also giving full status to National Guard technicians; legislation—which I was largely responsible for initiating—to put reasonable cost limits on the New York State medicaid program; a new minimum wage bill—I supported efforts to give a larger exemption to small businesses, and to exclude farm employees—and repeal of the 7 percent investment tax credit for business, which I opposed. Some of these measures may be enacted before we finally adjourn; most, including a bill to increase social security benefits, will be deferred until the start of the new 90th Congress.

REJECTED BILLS

Other measures of interest to our district have been rejected by Congress this year. Whether they will be revived next year is problematical. Among these are the Dodd anti-gun bills, the proposed 4-year term for Members of Congress—which I opposed—and the 1966 Civil Rights Bill. I did, however, join in cosponsoring as a separate bill a provision introduced by Congressman CRAMER, Republican of Florida, originally as an amendment to the civil rights bill. It would make it a Federal crime to move in interstate commerce with intent to start a riot. It has not yet been reported out of committee.

THE FIGHT AGAINST INFLATION

Apart from Vietnam, the most persistent and important problem Congress has faced this year is how best to handle the economic impact of that conflict, in a word, inflation. With heavy expenditures occasioned by Vietnam, with businesses operating close to full capacity, with labor in short supply and unemployment at rock bottom, we have found ourselves with more money to spend and fewer goods to spend it on. More money thus competes for each item, and prices inevitably go up. For a time it appeared that limited measures might deal with this threat. President Johnson even suggested in his State of the Union message in January that this Nation could have both guns and butter, though his own budget did not support that conclusion, and I seriously questioned the whole contention at the time. The only action taken to deal directly with inflation was taken by the independent Federal Reserve Board, which increased bank interest rates. That action led to the present high rates, though it also probably headed off, to be perfectly frank, an even more damaging inflation.

In any case, it became increasingly clear that if we were to fight inflation successfully we had to make sizable cuts in nondefense spending. Thus I have crossed party lines repeatedly in this session to support 5-percent across-the-board cuts in appropriation bills, and have opposed spending programs I felt could safely be deferred, such as rent supplements, highway beautification, and participation sales, the last a measure which the President himself eventually abandoned for the same reason I did, that it could only make interest rates soar even higher. Near the end of the present session, legislation was introduced to combat inflation by eliminating the 7 percent tax credit on business expansion and new machinery purchases. I opposed this bill, because it could not prevent inflation, I believed, and might well end up working in exactly the opposite direction. Even its proponents admitted it could not be fully effective until next year, and by that time we might need other legislation, depending upon circumstances at the time.

NECESSARY EXPENDITURES

Of course I recognize that while we must reduce nondefense spending during the Vietnam emergency, we cannot expect to eliminate it altogether. The biggest question Congress has faced, therefore, has been to determine the priorities to give various nondefense spending categories. To sound the sentiment of our district I sent out some 120,000 questionnaires at the end of August to each home. The 12,000 replies we got back clearly indicate that fighting water pollution and education are the two areas where you folks least want us to make cuts. I have tried to govern myself accordingly.

We certainly do need to keep funds coming for the many water and sewer projects already underway or applied for in our area, a far larger proportion of which, by the way, have been approved than with most other congressional districts.

We need to continue to help schools and colleges in our district, as we have already done for Keuka, Hartwick, Eisenhower, Oneonta State and others.

We need to keep the Federal airport program in operation, so that communities like Cortland can get the kind of impressive Federal help in developing new air transportation facilities that Oneonta got earlier this year.

And we need to keep funds moving into the construction of senior citizens housing in communities like Geneva, Cortland, and Amsterdam, and push through to completion without delay urban renewal programs already started in Penn Yan, Geneva, Auburn, Oneonta, Norwich, and Amsterdam.

LOCAL PROJECTS

Throughout my service in Congress I have worked hard to make certain that people and communities in our district get their fair share of every available government program. Certainly we pay high enough taxes. But until recently upstate New York has not been getting a proportionate share of the benefits of programs which our taxes have been paying for. In the past few years, however, as a result of persistent efforts on the part of my staff and myself, the total number of projects coming into our district has sharply increased.

For example, we have just had two urban renewal projects approved for Penn Yan, totaling eventually almost $1 million. Amsterdam recently received a $3.1 million loan for a new housing program, geared especially to senior citizens. Oneonta received $158,000 of Federal help for a new airport. Eisenhower College in Seneca Falls has been awarded loans of over $2 million for new buildings. Hartwick College in Oneonta recently received a Federal grant of over one-half million dollars for a new athletic center, and prior to that Hartwick had gotten help for a new library, new laboratories, and several dormitories. Oneonta State received a $600,000 grant for classrooms. Keuka College got a $900,000 loan for a new dormitory. Auburn received Federal help to improve and develop Emerson Park. Bainbridge, Greene, Weedsport, Port Byron, St. Johnsville, Romulus, Oxford, Owasco, and the town of Seneca in Ontario County all got impressive Federal help with vital water and sewer projects. Supplementary educational centers, with grants to keep them going, have been set up in Homer, Amsterdam, and Canajoharie. Headstart programs were established and funded for Geneva, Amsterdam, Cayuga County, Cortland County, Montgomery County, Auburn, Oneonta, Laurens, Milford, and Unadilla.

New post offices have been approved, and will be constructed, at Port Gibson, Milford, Cincinnatus, Worcester, and Sherburne, though in some instances problems involving exact sites are still being worked out with Post Office Department officials.

To sum it up, during the 2 years of the 89th Congress, Federal project funds coming into the 35th congressional district under all these programs reached the amazing total of $93,732,108.

STRATTON BILLS

Once again a substantial number of the bills which I have introduced in the House have been enacted into law in this session of Congress, either with my own name as sponsor or as a cosponsor. These include the concurrent resolution formally recognizing Waterloo as the birthplace of Memorial Day, which I sponsored personally and guided through to enactment. The following bills which I cosponsored were also enacted into law: the Vietnam GI bill of rights which I had cosponsored in the 88th Congress, the bill to increase the pay of teachers in overseas schools for the children of service personnel, the Child Nutrition Act of 1966, and a bill to authorize regular commissions in the armed services for male nurses, to help relieve the critical nursing shortage.

OTHER STRATTON ACTIONS

Not all important legislative activities in Congress involve the adoption of complete bills. Many might, for example, involve changes or amendments to other bills, the stimulation of legislation, and even the blocking of other suggested action. Some of my achievements in these categories during this session are listed below, and may be of interest to you:

First. As a result of a fight I led, Congress blocked for at least 1 year efforts to begin an unnecessary $34 million project to extend the West Front of the Capitol, thereby covering up the last remaining visible portion of the original Capitol building of 1800. You may have seen an article I wrote which appeared in the Parade Sunday supplement for September 25 on this fight. I hope that the wide national interest the Parade article has stirred up may put a permanent end to this ill-advised project.

Second. Last year I persuaded the State Department and the White House to add Finger Lakes wines to their list of products approved for serving in formal government entertaining at home and abroad. Recently I made the further suggestion that one good way to strike back at General De Gaulle's efforts to undermine our American dollar would be to stop buying French products, thus denying De Gaulle dollars which he can then exchange for our limited gold supplies. I mentioned specifically French wines and champagne. I suggested New York State wines and champagne instead. The reaction, as you may have seen, was both instantaneous and worldwide. Within hours the French franc experienced its worst selloff since 1958. Huntley and Brinkley carried the story on nationwide television. Moscow radio attacked me personally for my proposal. And syndicated Columnist Art Buchwald devoted an entire column to my idea. Whether these various comments were critical or humorous sallies was beside the point. What was important was that all the world was suddenly talking—and is still talking—about Finger Lakes wines and grapes. And Americans from coast to coast now are thinking twice before they patronize French wines, or any French products again.

Third. As a result of a fight I led within the House Armed Services Committee, Congress this year struck $3.3 million from the administration's defense construction bill, thus blocking a projected transfer of the East Coast Branch of the Defense Language School to the westernmost tip of Texas. This committee action not only saves the Government a lot of money, but it also prevents, at least for the time being, a serious disruption in one of the weakest links in our defense chain, our capacity to train top military men to speak foreign languages.

Fourth. Early this year I joined in a successful bipartisan fight to keep the school milk program operating at full tilt, in spite of the administration's efforts to end it. I was also the only New York Congressman to testify in person at a USDA hearing to raise the return for fluid milk to the farmer. In line with my urging, that boost was approved, bringing farmers today a top milk price of 11.5 cents a quart.

Fifth. As a result of my prodding, and detailed research I was able to do on the subject, the U.S. Department of HEW has delayed its approval of the costly New York State medicaid program, which goes far beyond what Congress ever intended. The House Ways and Means Committee has also reported out a bill putting reasonable cost limits of the type I had proposed on the New York program, thus keeping both the Federal and State taxpayer from finding himself committed to vastly greater costs for the program than anyone had ever anticipated. Actually, the Ways and Means bill does not go as far as I would have liked to see it go. But it is a start.

Sixth. I am glad to report that no effort was made this year to revive pressures to construct those big dams at Genegantslet and Davenport Center, which I had successfully opposed last year.

Seventh. In line with recommendations in our Vietnam subcommittee's report, the Defense Department has been moving rapidly to send our troops in Vietnam milk which tastes a whole lot more like fresh milk than what they were drinking when we were there.

Eighth. Congressman FRANK HORTON, of Rochester, and I have gotten preliminary Federal approval for a five-county planning district, under the Economic Development Administration, including Ontario, Yates, and Seneca Counties in our district, and Wayne County in Mr. HORTON's district. This new pilot program has great possibilities for future development in the Finger Lakes.

Ninth. In cooperation with other local officials I protested strongly a month ago to the ICC and the Lehigh Valley Railroad their efforts to close down the Manchester freight terminal and throw hundreds of people into economic disaster. Besides protesting I also met personally with community leaders on the problem, and got the National Mediation Board to look into the problem and the ICC to send officials to Manchester to meet with local leaders. As a result of this action I am pleased to see reports that the Lehigh has now restored most of these jobs and is expected to restore others.

VOTING SUMMARY

On the basis of my votes in this session of Congress I have been rated at 54 percent, by the Americans for Constitutional Action, the highest rating for any New York Democrat, and at 40 percent by the National Associated Businessmen, Inc. in their "economy" rating, also—with Congressman OTTINGER, of Westchester—the highest rating for any New York Democrat. If nothing else, both ratings indicate that my votes have reflected the interests of my district and my own conscience, not narrow partisan considerations.

During this Congress I have been honored to receive the Pope John XXIII Award from the American Committee for Italian Migration—ACIM—of the Albany Catholic Diocese, and the award of the National Collegiate Athletic Association to "one of those eminent members of the legislative and executive branches of the Government who distinguished themselves academically and athletically during their undergraduate years at member institutions of this association." I was also honored to be elected a trustee of Eisenhower College, named to membership on the Board of Visitors of the U.S. Naval Academy, and late this summer appointed as chairman of a select subcommittee of the House Armed Services Committee to make a thorough study of the problems of antisubmarine warfare.

Let me conclude by just expressing my sincere appreciation to all the people of the 35th District for the opportunity they have given me to serve them here. It has been a fantastic privilege and honor. I have tried my best to serve them diligently and effectively. I am especially appreciative of the overwhelming response to my 1966 congressional questionnaire. I feel confident that many of the actions of this session can indeed go far to advance the interests of our district and the ideals and dreams of this America of the sixties.

IMPLEMENTATION OF THE NEW IMMIGRATION ACT

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Ohio [Mr. Feighan] is recognized for 10 minutes.

Mr. FEIGHAN. Mr. Speaker, on October 3, the anniversary of the enactment of the Immigration Act of 1965, I spoke on the accomplishments under that legislation in the first 7 months of its operation. As I indicated at the time, most of my data were from the annual report of the Visa Office of the Department of State, which was then in the process of publication.

The report has now been distributed. I have read it with great interest and I think it only fitting there be a public recognition of a job so very well done.

The Director of the Visa Office, Mr. J. Raymond Ylitalo, his staff, and the many hundreds of Foreign Service officers and employees engaged in visa work stationed around the world, are to be commended. The report presents an impressive picture of smooth and early implementation of our immigration reform legislation. It is readily apparent that this report, which reflects real achievement, is the result of outstanding dedication to duty and sustained work effort.

In addition to the informative statistics, the report includes a conscientious and highly effective effort to summarize the meaning of the statistical tables. It provides an objective analysis of what our laws say and what effect they have.

I should like to commend to your particular attention, therefore, a few of the more striking aspects of this work. The graph on immigration from the Eastern and Western Hemispheres for the past 5 years on page 9, while interesting in itself, is rendered even more meaningful when studied in conjunction with tables III and IV which show the changes in immigration from those areas after December 1, 1965. Table II, which shows comparative issuance within fiscal year 1966 under prior legislation and under the recent amendments by category of applicants, highlights the fulfillment of our desire to reunite families as quickly as possible. The narrative explaining the visa function should be as usefully interesting to students and other laymen as the summarization of the effect of the major provisions of the Immigration Act of 1965 which I included in my remarks on October 3. Even for those of us with more intimate knowledge of our immigration laws, the comparison outlines of numerical limitation systems and geographic distinctions in appendixes A and B are extremely useful and concise reference materials.

The graph on page 10 showing the steady climb in issuance to applicants most affected by the amended section 212(a)(14) should be a reassurance to the early critics of this provision and reflects credit on the Labor Department for the manner in which the provision is being administered. Finally, although this area of the visa function was not markedly affected by last year's legislation, the nonimmigrant report, particularly the 10-year table beginning on page 71, is of especial significance in this era of emphasis on travel facilitation and the effect of tourism on the balance of payments.

I have touched on only a few of the reasons this annual report of the Visa Office is so interesting and valuable a tool in our continuing consideration of immigration policy and legislation. I would urge its serious study by all Members of this body.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Meeds, for the week beginning October 17, on account of official business.

Mr. Cooley (at the request of Mr. Boggs), for today, on account of official business.

Mr. McMillan (at the request of Mr. Boggs), for the remainder of the week, on account of official business.

Mr. Foley (at the request of Mrs. Hansen of Washington), for an indefinite period, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. Roush) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. Cohelan, for 10 minutes, today.

Mr. Feighan, for 10 minutes, today.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

(The following Members (at the request of Mr. Hutchinson) and to include extraneous matter:)

Mr. Utt.

Mr. Bow.

Mr. Springer.

(The following Members (at the request of Mr. Roush) and to include extraneous matter:)

Mr. Rees.

Mr. Powell.

Mr. Howard.

Mr. McVicker.

Mr. Wright.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 698. An act to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes;

H.R. 9424. An act to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the national wildlife refuge system; and for other purposes;

H.R. 15963. An act to establish a Department of Transportation, and for other purposes;

H.R. 16774. An act to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay; and

H.R. 17190. An act to authorize the establishment and operation by Gallaudet College of a model secondary school for the deaf to serve the National Capital region.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 3112. An act to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 per centum of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes;

S. 3158. An act to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes; and

S. 3488. An act to grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact to establish an organization empowered to provide transit facilities in the National Capital Region and for other purposes and to enact said amendment for the District of Columbia.

BILL PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on this day present to the President, for his approval, bill of the House of the following title:

H.R. 15941. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes.

ADJOURNMENT

Mr. ROUSH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 24 minutes p.m.), under its previous order, the House adjourned until Monday, October 17, 1966, at 11 o'clock a.m.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 15283. A bill to authorize the carriage of military cargoes by U.S.-flag vessels at reduced rates which are fair and reasonable; without amendment (Rept. No. 2278). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee on Agriculture. H.R. 9151. A bill to amend the Consolidated Farmers Home Administration Act of 1961, as amended, to provide for more effective security servicing, and for other purposes; with amendments (Rept. No. 2279). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. S. 1013. An act to clarify the components of, and to assist in the management of, the national debt and the tax structure; with amendment (Rept. No. 2280). Referred to the Committee of the Whole House on the State of the Union.

Mr. KING of California: Committee on Ways and Means. H.R. 13363. A bill to extend the time within which certain requests may be filed under the Tariff Schedules Technical Amendments Act of 1965; without amendment (Rept. No. 2281). Referred to the Committee of the Whole House on the State of the Union.

Mr. ULLMAN: Committee on Ways and Means. H.R. 16160. A bill to amend the Tariff Schedules of the United States with respect to the classification of Chinese gooseberries; with amendment (Rept. No. 2282). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee on Ways and Means. H.R. 16092. A bill to provide that certain television and radio receiving tubes be appraised under section 402 of the Tariff Act of 1930; with amendments (Rept. No. 2283). Referred to the Committee of the Whole House on the State of the Union.

Mr. MAHON: Committee on Appropriations. H.R. 18381. A bill making supplemental appropriations for the fiscal year ending June 30, 1967, and for other purposes; without amendment (Rept. No. 2284). Referred to the Committee of the Whole House on the State of the Union.

Mr. DOWNING: Committee of conference. H.R. 10327. An act to require operators of ocean cruises by water between the United States, its possessions and territories, and foreign countries to file evidence of financial security and other information (Rept. No. 2285). Ordered to be printed.

Mr. STAGGERS: Committee of conference. S. 985. An act to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes (Rept. No. 2286). Ordered to be printed.

Mr. PATMAN: Committee on Banking and Currency. H.R. 17658. A bill to provide for the striking of medals in commemoration of the U.S. Naval Construction Battalions (Seabees) 25th anniversary and the U.S. Navy Civil Engineer Corps (CEC) 100th anniversary; without amendment (Rept. No. 2287). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. GLENN ANDREWS:

H.R. 18372. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. BYRNES of Wisconsin:

H.R. 18373. A bill to amend title II of the Social Security Act to provide an 8-percent across-the-board benefit increase; to the Committee on Ways and Means.

By Mr. DENT:

H.R. 18374. A bill to amend title II of the Social Security Act to provide a 10-percent across-the-board benefit increase, with a minimum of $100 a month for individuals with 25 years' service, to increase the earnings base for benefit and tax purposes, to liberalize the retirement test, and to cover disability insurance beneficiaries under the health insurance benefits program; to the Committee on Ways and Means.

By Mr. DOW:

H.R. 18375. A bill to amend the Immigration and Nationality Act to require that certain information appear on the face of travel documents issued to minor children who are citizens of the United States; to the Committee on the Judiciary.

By Mr. FARNSLEY:

H.R. 18376. A bill to amend the Highway Revenue Act of 1956 by repealing section 209(g); to the Committee on Ways and Means.

By Mr. HALEY:

H.R. 18377. A bill authorizing the conveyance of certain surplus property of the United States to the Board of Commissioners of State Institutions of the State of Florida; to the Committee on Government Operations.

By Mr. NIX:

H.R. 18378. A bill to amend title 5, United States Code, to eliminate the reduction in annuity when the potential survivor-annuitant predeceases the retired employee; to the Committee on Post Office and Civil Service.

By Mr. RODINO:

H.R. 18379. A bill to amend title 39, United States Code, to provide for the air transportation of certain parcels mailed at or addressed to Armed Forces post offices; to the Committee on Post Office and Civil Service.

By Mr. ROUDEBUSH:

H.R. 18380. A bill to amend the National Defense Education Act of 1958 to raise the limits on the amount of loans to undergraduate students; to the Committee on Education and Labor.

By Mr. MAHON:

H.R. 18381. A bill making supplemental appropriations for the fiscal year ending June 30, 1967, and for other purposes.

By Mr. GROVER:

H.R. 18382. A bill to amend title II of the Social Security Act so as to remove the limitation upon the amount of outside income which an individual may earn while receiving benefits thereunder; to the Committee on Ways and Means.

By Mr. LOVE:

H.R. 18383. A bill to amend the Internal Revenue Code of 1954 to increase from $600 to $1,000 the personal income tax exemptions of a taxpayer (including the exemption for a spouse, the exemption for a dependent, and the additional exemptions for old age and blindness); to the Committee on Ways and Means.

By Mr. PUCINSKI:

H.R. 18384. A bill to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. HANSEN of Washington:

H.J. Res. 1317. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. FASCELL:

H.J. Res. 1318. Joint resolution to authorize the President to proclaim October 15 of each year as National Poetry Day; to the Committee on the Judiciary.

By Mr. BROWN of California:

H. Con. Res. 1038. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. FRIEDEL:

H. Res. 1055. Resolution relating to the compensation of certain personnel of the House Press Gallery, the Official Reporters of Debates and the clerks to the Official Reporters of Debates of the House of Representatives; to the Committee on House Administration.

H. Res. 1056. Resolution providing additional compensation for services performed by employees in the House Publications Distribution Service; to the Committee on House Administration.

By Mrs. KELLY:

H. Res. 1057. Resolution to authorize the Committee on Armed Services to conduct an investigation and study of the legal and economic problems confronting the families of members of the Armed Forces captured or missing in connection with the hostilities in Vietnam; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Illinois:

H.R. 18385. A bill for the relief of Mr. Vincenzo Gabriele; to the Committee on the Judiciary.

By Mr. BINGHAM:

H.R. 18386. A bill for the relief of Mr. Thomas McNamara; to the Committee on the Judiciary.

By Mr. BUCHANAN:

H.R. 18387. A bill for the relief of Aina Iraida McDermott; to the Committee on the Judiciary.

By Mr. MATSUNAGA:

H.R. 18388. A bill for the relief of Jesus S. Ventura; to the Committee on the Judiciary.

By Mr. O'HARA of Illinois:

H.R. 18389. A bill for the relief of Spyridon B. Adam; to the Committee on the Judiciary.

By Mr. RESNICK:

H.R. 18390. A bill for the relief of Cherbun Langenstein; to the Committee on the Judiciary.

By Mr. ROYBAL:

H.R. 18391. A bill for the relief of Miss Francesca D'Altan; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 18392. A bill for the relief of Isaac Destin; to the Committee on the Judiciary.

By Mr. SCHMIDHAUSER:

H.R. 18393. A bill for the relief of Carl Bennard Nelson; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

What Is a Policeman?

EXTENSION OF REMARKS

OF

HON. JAMES J. HOWARD

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Friday, October 14, 1966

Mr. HOWARD. Mr. Speaker, are we as a nation doing enough for our policemen? I think not and am hopeful that we can make some great strides in the future which will improve the lot of the policeman and—in doing so—help ourselves.

On August 26, 1966, I joined with other Members of Congress who are concerned with the plight of the policeman and introduced H.R. 17373. Under this bill the wife and children of local law-enforcement officers killed while in the pursuit of a Federal violator would be eligible for compensation.

What this bill would do is take a very small step in the right direction—the direction of facing up to our responsibility to law-enforcement officers and also to say thank you for a job well done. The bill would provide an income for the families of the deceased officers for 8 years. The U.S. Attorney General would determine the eligibility of a family and they in turn would receive up to $250 per month per family.

In the United States more than 300 policemen have been killed in the line of duty since 1960. Surely this should shock us into doing something more for the law-enforcement officers of America whose jobs have become increasingly more difficult through a series of court decisions, and a general attitude among the public to neglect its own responsibilities in working for the betterment of policemen throughout the country.

Mr. Speaker, at this time I am including in the RECORD my thoughts on the policeman of today.

WHAT IS A POLICEMAN?

The policeman is the rare workingman who may be asked to save a life, take a life, or give his own in the course of duty. He is the heroic defender of our public safety, a man sworn to maintain—impartially, objectively, and equally—the law and order without which there can be no peace, freedom, or rights for anyone.

He is a nice kind of guy, who likes people, who wants to help people. That is why he is a policeman. But he is underpaid and overworked on a job that requires long hours, irregular schedules, night work, holiday work, paperwork, the adaptability of a chameleon, the courage of a lion, the temper of a lamb, the forbearance of a Job, and the virtues of a Boy Scout.

His public image lies somewhere between devil and saint, a symbol of authority always does. He is devoted to the protection of his fellow citizens, but he does not expect much. He has come to accept the idea that he may receive—at best—a degree of toleration from his community and—at worst—vilification, that is, until someone needs help.

He does not make the laws, he upholds them. But he must have the mind of a lawyer, the understanding of a social worker, and the prudence of a judge. He is asked to make split-second decisions and always be right. He must be able to balance the protection of society against the rights of the individual. He must be courteous, polite, well mannered, even tempered, and never show fear, even in the worst of circumstances. He must contend with complicating sociological, economic, and civic factors, not to mention growing legal complexities and, possibly, ulcers.

In the course of a day, he may find a lost child, make an arrest, direct traffic, investigate an accident, guide a confused tourist, deliver a baby, obtain a confession, mediate a marital dispute, quell a riot, issue a parking ticket, take part in a gun battle or a battle of wits, umpire a baseball game for the kids on the block, rescue a cat, or fill out papers. For one traffic violation, he may fill in a summons, two stubs, a form for the State, an affidavit, a summons card, plus entries in his own book. Or he may be required by archaic law to enforce the unenforceable.

A policeman's eyes will light up at little things, a little cooperation, a little compliance, a little understanding, a little thank you, or a little hint that his community does think of him as a vital, dedicated partner in its efforts to stem the almost overwhelming increase in crime. He does not like to be cast in the role of member in an occupying army.

And through it all, he must remember a massive volume of rules and procedures. Yet, when confronted by an escaping criminal, the carefully circumscribed policeman is suddenly all on his own.

The average policeman does not conform to the popular stereotype of a tough, hardbitten cop. He is, instead, a decent, kindly man intent on doing his job, a job he endows with marked social service values. He is typically energetic, enterprising and outspoken. He is outgoing, socially skilled and enjoys the company of others. He does not dwell on personal weaknesses. He is intensely loyal to his fellow workers and his department and is deeply concerned with its reputation. Somehow, he even remains optimistic performing what is often a thankless, unpleasant, dangerous, unpopular job. He really is a man a little boy can look up to.

The policeman of today is far different from many of his early predecessors. He is better educated and better trained. He is determined to make law enforcement his career and to make his career into a profession.

Self-improvement is the mark of professionalism. So is self-discipline. He recognizes the importance of both. But in many ways he still stands on the frontiers.

He stands, often lonely, on the frontiers of the race-relations problem in America. Neither Marshal Dillon nor Wyatt Earp ever faced a challenge so threatening, so ominous, or so explosive. He must maintain public order by every legal means. But he must have the diplomacy of a Ben Franklin and the psychiatry of a Alfred Adler. A race riot can start from a traffic incident and has. But his tolerance and skill can stretch only as far as the laws which society gives him to defend. Good laws make good policemen.

The policeman is harassed and harassing, but who else would you turn to if danger stood behind your door. Who else is so dedicated to your safety. Who else will risk his life daily to protect you.

There is no sight quite as welcome as you cross, in darkness, a silent street, than that blue uniform and shiny buttons standing tall. And when you are hurrying home from a busy day, tense and tired, what can give you more relief, more joy, than when, from that stern, commanding face outside the window, you hear those magic words, "OK, this time I will just give you a warning ticket."

National Business Women's Week

EXTENSION OF REMARKS

OF

HON. FRANK T. BOW

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 14, 1966

Mr. BOW. Mr. Speaker, my attention is called to the fact that this week is National Business Women's Week and I wish to join in recognition of the great contribution to our society which is made by the many thousands of women in business and in the professions, including the gracious ladies who serve with us here in the Congress of the United States.

During my service here I have been pleased to support the legislative program of the Business and Professional Women's Clubs of the Nation, and have sponsored the equal rights amendment in this and other sessions.

At this time of the year our thoughts are often turned to the political campaigns, and I should not let this opportunity pass to express my appreciation for the work and support of the many women, including business and professional women, who are active in my campaign, and my respects to those who are active in the other party. Women in politics, as in business and the professions, are hard working, effective, responsible, and highly valued.

Tremendous progress has been made in recent years under the leadership of the BPW and other women's organizations, and I am confident that progress will continue in the future as women take upon themselves more responsible and more active participation in the life of the Nation.

Equitable Tax Treatment for Teachers

EXTENSION OF REMARKS

OF

HON. ROY. H. McVICKER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Friday, October 14, 1966

Mr. McVICKER. Mr. Speaker, I have consistently urged that action be taken on my bill, H.R. 16957, and the companion bills that have been introduced to allow more definitive and extensive tax deductions for education expenses incurred by teachers.

I have felt that this is one of the particularly important bills presented to this Congress if we want to encourage qualified and experienced teachers to continue in the teaching profession. Not only would it provide an incentive for individual teachers to improve upon their own excellence, but it would do this in a manner which would not bring any type of Federal control into the picture nor cause a great loss of finances to the Treasury.

In July 1966, the Internal Revenue Service published proposed regulations in the Federal Register which would virtually wipe out what small gains had been made in providing tax justice for teachers. However, in response to my bill and similar bills and from the strong objections of teachers' organizations the IRS withdrew its proposed regulations, and issued a revised proposal on October 1.

The addition in the regulations are good insofar as they go, but it is my strong feeling that they do not go far enough. I have, therefore, pressed for immediate hearings on my bill and a copy of the letter to Chairman MILLS follows:

OCTOBER 11, 1966.

HON. WILBUR MILLS,
Chairman,
House Committee on Ways and Means,
Washington, D.C.

DEAR CHAIRMAN MILLS: I wish to continue to urge that every possible action be taken this Session on H.R. 16957 which I introduced and which is similar to Mr. KING's bill.

The IRS regulations proposed in the October 1 Federal Register are an improvement over the regulations of last July 7. However, I have reviewed the new proposed regulations and they are still not satisfactory. I am convinced that this situation cannot be settled fairly without legislation.

There is entirely too much opportunity for varied interpretations, on the whim of individual IRS agents, which have been the cause of all the difficulties the teachers have had to date.

The key point of my bill is to allow teachers to do as salesmen now do; that is, deduct from their gross income educational expenses incurred for improving their professional competence. This can only be done by legislation. Teachers are (1) engaged in public service in a non-profit making capacity and (2) there is a shortage of competent qualified teachers. Also, there is a need to encourage teachers to improve their teaching skills. This bill would provide an incentive to them to improve themselves. At the same time, it would not bring any type of Federal control into the picture nor cause a great loss of finances to the Treasury.

In addition to the deduction from gross incomes provision in my bill, there are two other points which will clarify the present state of confusion in IRS interpretations—confusion which the October 1 regulations do not correct.

(1) Under my bill, the definition of teacher would permit those who are on emergency credentials to deduct expenses. The IRS regulations provide that teachers must meet minimum standards, which vary from state to state, without clearly instructing the IRS agent as to which standards are to be applied. The right to determine who is a teacher is not a proper role for an IRS agent—nor for any other Federal authority.

(2) My bill specifically lists the expenses that are deductible, including fees, tuition, books, supplies, traveling expenses, etc. The IRS regulations do not so specify—again leaving the IRS agent great latitude to use his own personal judgment, a source of the present problems with which teachers are faced.

Sincerely yours,

ROY H. MCVICKER.

In response to this action that I have taken in pressing for action on my bill I have just received the following telegram from the National Education Association:

Without question your support for legislation for tax deductions of educational expenses was most influential in moving IRS into a more reasonable position. There is now general agreement with NEA and IRS on those issues which can be resolved by new regulations. The matter of deductions from gross income which is a major feature of your bill will be a matter for legislation by the 90th Congress. Your fine support on this issue is most appreciated by teachers in your state and by NEA.

JOHN M. LUMLEY,
Director, Division of Federal Regulations, NEA.

Following are the latest proposed IRS regulations:

REVISED TREASURY PROPOSED REGULATIONS ON DEDUCTIBILITY OF EDUCATIONAL EXPENSES OF TEACHERS AND OTHER TAXPAYERS

BACKGROUND

On July 7, 1966, the Treasury Department issued proposed regulations regarding the tax deductibility of educational expenses incurred by employees and self-employed individuals. The purpose of these regulations was to set forth clear and concise rules for determining the tax status of these expenses and thereby eliminate the inconsistencies which have developed, both at the administrative and judicial levels, under the existing regulations.

Comments were received on the proposed regulations to the effect that they were an unduly restrictive interpretation of present law. Particular stress was put on the point that the proposed rules did not give adequate recognition to the fact that continuing education is inherent for those in the teaching profession and, therefore realistically the costs of the continuing education represent an ordinary and necessary business expense which should qualify for a tax deduction under present law.

As a result of a re-evaluation of the proposed regulations in light of the comments received, the Treasury Department has withdrawn those proposed regulations and issued a new set of proposed rules in their place. These new proposed regulations were published in the Federal Register for October 1, 1966, along with a notice that a public hearing on them has been scheduled beginning on November 15, 1966. This action was taken because it is believed that this matter can be materially expedited by making available, prior to the public hearings, the revised proposal reflecting the Treasury Department's consideration of the comments received.

SUMMARY OF REVISED PROPOSED REGULATION

Basically, the revised rules would permit an income tax deduction for an individual's education expenses where the education serves to maintain or improve skills required to his present position or is undertaken to fulfill additional educational requirements imposed on him by his employer.

Under this general provision, if a state requires its teachers to continue to take educational courses or to obtain a high level of education, the costs of this education will ordinarily be completely deductible for income tax purposes. Similarly, the cost of specialized courses which a state may require its teachers to take will usually be deductible if the teacher otherwise meets the basic level of education required for her position. If a teacher or other taxpayer voluntarily undertakes additional education to improve his skills, the costs he incurs for this will also generally be deductible. Moreover, unlike the first set of proposed rules, the revised rules do not measure the tax deductibility of particular educational courses by whether or not they will lead to a degree. In this regard, the proposed regulations recognize that continuing education is, in many instances, an essential tool in an individual's trade or business.

Two qualifications are provided to this rule of deductibility, under which an individual will not be granted a tax deduction for the basic or minimum education necessary initially to qualify him for his job or for education which will qualify him for a new trade or business, position, or specialty. The following is a more detailed discussion of these two qualifications as well as of the application of the revised rules in different situations.

(1) Minimum Educational Requirements for the Individual's Present Employment. The first category of non-deductible expenses are those incurred for education which is required of an individual in order for him to meet the minimum educational requirements for qualification in his present position. In the case of teachers, the rule for non-deductibility extends to courses which she must take to bring herself up to the minimum level of education (in terms of college hours or a degree) which is normally required of an individual initially being employed in such a position. For example, if a state normally requires that beginning teachers have at least a bachelors degree, but because of a shortage of applicants, hires an individual with only three years of college on the condition that she obtain her fourth year, the expenses incurred by this teacher in obtaining her fourth year of college would not be deductible. On the other hand, once she has obtained her bachelors

degree, the expenses for any additional education, such as a fifth year of college, which she may be required to take by her employer in order to maintain her position or which maintains or improves her skills as a teacher would ordinarily be deductible. The one exception would be if this further education is part of a program of study which will lead to qualifying her for a new trade or business, position, or specialty, as explained below.

If an educational institution has prescribed no normal educational qualifications, then this non-deductible category covers the education which an individual is required to take in order to qualify as a member of the faculty of the institution. Once he has so qualified, expenses for any additional education which is required by the institution or which maintains or improves his teaching skills will also be deductible, unless the education is part of a program which will lead to qualifying him for a new trade or business, position, or specialty.

(2) Education Qualifying an Individual for a New Trade or Business, Position or Specialty. The second category of non-deductible educational expenses are those incurred by an individual for education which is part of a program of study being pursued by him which will lead to qualifying him for a new trade or business, position, or specialty. Thus, if a public school teacher should go to law school for a law degree, the expenses for this education would not be deductible. On the other hand, the mere fact that educational courses undertaken by a teacher may qualify her to teach a different subject or at a different grade level or will qualify her for a position related to teaching (such as a guidance counselor) will not disqualify the expenses for such education from a tax deduction.

* * * * *

In summary therefore, the revised proposed rules recognize that continuing education is an inherent and necessary aspect of many positions, especially those in the teaching profession. On the other hand, they would not extend the tax deduction to the basic or minimum education which an individual is taking in order to equip himself for his intended profession or to education which will qualify an individual for a new profession or specialty. These two instances represent types of education which all individuals must take to qualify themselves for their future profession or employment. If an individual takes such education before accepting employment, it is clear that he does not receive a tax deduction. It would appear to be an inequitable application of the tax laws if a tax deduction were allowed to an individual for this type of basic education merely because he accepts employment while still obtaining the basic education.

I shall continue to support this legislation as strongly as I am able.

Republic Day—The Malagasy Republic

EXTENSION OF REMARKS

OF

HON. ADAM C. POWELL

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Friday, October 14, 1966

Mr. POWELL. Mr. Speaker, I would like to take a few moments today to commend the people of the Malagasy Republic on their observance of Republic Day; and extend warm greetings to His Excellency Philibert Tsiranana, President of the Republic; and His Excellency Louis Rakotomalala, Ambassador of the Malagasy Republic to the United States.

It was on October 14, 1958, that the Republic was proclaimed as an autonomous state within the French community. Shortly thereafter a constitution was adopted in April 1959 and her first President, Philibert Tsiranana, was elected in May 1959. An independent republic was proclaimed on June 26, 1960.

The Republic's principal component is Madagascar, an island almost the size of Texas. It is situated off the southern coast of Africa, but has still played an active role in matters relating to the African Continent. Its membership in the Organization of African Unity—OAU—and the Organization Commune Africaine et Malagache—OCAM—attests to the fact of its dedication to furtherance of good relations with its African neighbors.

The United States has attempted to assist the Malagasy people in their efforts at creating a more prosperous nation. To this end, our AID programs, though modest have concentrated on items such as agricultural development and extension work, and police communications.

I salute the people of the Malagasy Republic on their observance and wish them every success in their quest for a more prosperous country.

Vice President Humphrey's Speech in Fort Worth Takes On Added Significance

EXTENSION OF REMARKS

OF

HON. JIM WRIGHT

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 14, 1966

Mr. WRIGHT. Mr. Speaker, President Johnson's forthcoming Asian tour has given added significance to a major speech delivered in Fort Worth last July by Vice President Hubert H. Humphrey.

Mr. Humphrey's remarks were delivered to a convocation of several thousand high school and college students in Daniel Meyer Coliseum at Texas Christian University.

Never have I witnessed a more enthusiastic and attentive audience. These young people listened in rapt attention as the Vice President described how free Asia, despite the Vietnam war, is beginning to come alive with the sights and sounds of brotherhood and peace.

Citing numerous specific examples, Mr. Humphrey told how the free people of the Far East are demonstrating that they can work together to build a better world for themselves and their children.

In view of developments since then, the Vice President's speech was prophetic. For now, as the President prepares to undertake the most extensive Asian tour ever made by an American Chief Executive, we are seeing a heartening continuation of the spirit of friendship and cooperation that the Vice President described so well in Fort Worth last July.

For these reasons I would like to share with my colleagues the text of Mr. Humphrey's remarks:

Remarks of Vice President Hubert Humphrey, Texas Christian University and Area Colleges, Fort Worth, Tex., July 15, 1966

In America, and in the world, Texans are known for their courage and for their love of freedom.

The people of Texas have always believed in and fought for the freedom of man to make his own choices—to blaze his own trail . . . to make his own way . . . to choose his own government.

Today, in the 191st year of our American liberty, I want to talk about a struggle taking place in another part of the world—a struggle of another people to make their own way . . . to choose their own government . . . to keep their independence.

Not many months ago the body of Captain George Markos, a 1961 graduate of Texas Christian University, came home to rest in Greenwood Cemetery. Since that time 13 other young men from this city have given their lives in Viet Nam.

Were their lives given in vain?

It is a question each of us must ask each day. It is a question, above all, that the President of the United States must weigh as he considers the course of action in which he leads this country.

We value life. Life is precious.

The hardy men and women who built this country stood firm for the principle that man's freedom and independence were worth the risk of life—yes, worth the risk of life, fortune and sacred honor.

Yet the risks American patriots faced at the time of the American Revolution were far less than those we face today in the Nuclear Age.

I think we would do well today to heed the words written by John F. Kennedy more than two and one-half years ago. They were to be delivered in a speech—but were not—on November 22, 1963 in Dallas.

What President Kennedy would have said that day was this:

". . . as our power has grown, so has our peril. Today we give our thanks, most of all, for the ideals of honor and faith we inherit from our forefathers—for the decency of purpose, steadfastness of resolve and strength of will, for the courage and the humility, which they possessed and which we must seek every day to emulate . . . we must never forget that the highest appreciation is not to utter words but to live by them.

"Let us therefore proclaim our gratitude to Providence for manifold blessings—let us be humbly thankful for inherited ideals—and let us resolve to share those blessings and those ideals with our fellow human beings throughout the world."

Today we are resolved to share our blessings and our ideals with our fellow men throughout the world.

And we are resolved, as well, that those blessings and ideals shall not be denied by those who would live by the rule of force.

In these postwar years we have been tested many times in many places by those who would live by the rule of force.

But we have stood fast each time—with firmness in Berlin . . . with the founding of NATO . . . with aid to Greece and Turkey . . . with the support of Iran when her integrity was threatened . . . with armed resistance in Korea . . . with the determination that hostile nuclear missiles should not be introduced into the Western Hemisphere.

And we have met the challenge of totalitarianism, too, with imaginative initiatives designed to build a stable and more just world—the United Nations . . . the Marshall

Plan . . . Point Four . . . the Alliance for Progress . . . the Peace Corps . . . the Asian Development Bank . . . the International Monetary Fund and World Bank . . . Food for Peace and Food for Freedom . . . the Nuclear Test Ban Treaty.

We have been there, standing fast, when we were needed.

In the past 20 years we have provided some 120 billion dollars of assistance to others.

In the past 20 years our Armed Forces have suffered more than 165 thousand casualties on foreign soil.

We have not done these things as conquerors or empire-builders. We have not done them for commercial advantage or to establish spheres of influence.

We have done them because to have done otherwise would have been to deny what President Kennedy called "The ideals of honor and faith we inherit from our forefathers . . . the decency of purpose, steadfastness of resolve and strength of will . . . the courage and the humility, which they possessed."

And we have, I believe, helped the cause of man's freedom.

During these 20 years over one billion people have been freed from foreign rule. Over 70 new countries have been born—but none has turned to Communism. And world war has been averted.

Today, in Viet Nam, we face one more Communist effort to seize power by force. But this time the environment is not so familiar.

South Viet Nam is not in Europe or Latin America. Here people do not bear names such as Smith or Jones. We have no relatives living there. She has been no American tourist mecca. And there are no familiar newspaper photographs of hostile armored columns or dive-bombing Stukas.

Yet South Viet Nam is nevertheless a nation under siege by the classic tactics of totalitarianism—subversion, propaganda, rioting, guerrilla warfare, the "Front" movement, assassination, armed attack by regular military units. She is under siege by a regime in the North which seeks to deny both self-determination and independence to 15 million South Viet Namese.

South Viet Nam does not exist in isolation. Nor can it be seen in isolation.

South Viet Nam lies at a strategic point in the continent where three-fifths of the world's people live.

South Viet Nam, if you will, is the infected thumb on the palm of Asia. And our troubles there have focused our attention on the larger problems of a continent desperately striving to break free from centuries of oppression, poverty and injustice.

As President Johnson said in his address Tuesday night to the American people, "Asia is the critical arena for man's striving for independence and order".

What of that "critical arena"?

Conflict and violence make news. It is conflict and violence, unfortunately, that make news in Asia.

But I think we would do well to rise above the din and take a hard look at far more important news in Asia—news not of conflict but of cooperation . . . news of men working together within their own countries and across national boundaries to build a new future.

How many of you have read, for instance, that the Cabinet Ministers of nine Asian and Pacific countries, ranging all the way from New Zealand to Japan, met in Korea last month to discuss how they could work together for the best interests of all their peoples—almost 250 million in all.

They shared—and forthrightly declared—their determination "to preserve their integrity in the face of external aggression".

But their real business was peaceful cooperation. They discussed how best to work together in the economic, technical, cultural, and social welfare fields. They decided to study a possible commodities and fertilizer bank, a technicians' pool, a mutual information service, and a Council of Asian and Pacific Studies.

And they agreed to set up an Asian and Pacific Council, and to enlist the participation of other nations in the area.

There were two important aspects to this meeting.

First, it was initiated by Asians themselves.

Second, its sponsors indulged in no visions of brown or yellow power. Instead, they welcomed the delegations of Australia and New Zealand, and these delegations took a very active part in the deliberations.

But this meeting, important as it was, was not unique.

Everywhere, there is a new surge of construction work. The Southeast Asian Education Ministers today meet regularly together. So do the Agricultural experts.

This April in Tokyo the Japanese Government acted as host for an important gathering of the Economic Ministers of Southeast Asia.

There are enterprises of great promise underway.

Agreement has been reached on the charter of the new Asian Development Bank, and it is now going through Parliamentary ratification by the countries concerned.

Later this year it will open for business in Manila.

The development of the Mekong River Basin is underway. Two dams have already been completed and dedicated in Thailand. The construction of the first dam in Laos has been approved, and work on it will begin next year.

This new cooperation is solidly based upon economic vigor and performance within independent Asian countries. For years Japan has led the whole world in economic growth. The Gross National Product of South Korea has surged forward nearly 8 per cent in each of the last three years, and Taiwan, Malaysia, and Thailand are moving forward at almost the same rate.

Meanwhile, old quarrels are being settled or set aside. Increasingly, the leaders of Asia are deciding that there is more to be gained by working together—and with their friends outside Asia—than by working against one another.

The Communist thrust for power in Indonesia has been decisively repulsed, and that nation—the largest in Southeast Asia—has ended here warlike "confrontation" of Malaysia.

The Philippine Republic, led by a dynamic new President, Ferdinand Marcos, has established diplomatic relations with Malaysia, with which it has hitherto had a territorial dispute.

Three years ago Japan and her former colony, Korea, seemed unable to agree on anything. Now they have negotiated a treaty of friendship and cooperation. It was bitterly opposed in both countries—but it is already working out so well in practice that it has ceased to be an issue.

India and Pakistan, at war less than a year ago, are today at peace and concentrating on the needs of their own peoples.

Ceylon increasingly looks west and toward cooperation with her neighbors.

Laos, so often written off by so-called "realists," is gaining stability while resisting the Communist threat to her independence.

The principal credit for this growing record of accomplishment belongs, of course, to Asians themselves. But help from outside has been gladly given, and not only by the United States.

Thirty-one nations have joined the Asian Development Bank and pledged to contribute to its capital. Eight nations have joined in underwriting the proposed dam in Laos which I mentioned earlier. There has been extensive Western European participation in both these undertakings.

Last year, in his historic Johns-Hopkins address, President Johnson pledged one billion dollars to the economic development of Southeast Asia.

Already it is clear that his offer will generate much more than its equivalent in self-help, not counting the contributions of other non-Asian countries.

Free Asia is astir with the sights and sounds of peace—of people working hard, and working together, to build a better world for themselves and their children.

Yet do any of us doubt that aggression in Asia, if allowed to go unchecked, could destroy the work of these people?

That is why our help is welcomed there.

All the independent nations of Asia feel the pressure from the North. All of them feel they have a stake in what is happening in Viet Nam. Most of them have met, or are meeting, Communist insurrections or aggressions in their own countries since World War II.

I found on my missions to Asia and the Pacific earlier this year that not one national leader opposed our presence in Viet Nam or our role there.

They know that we are standing fast in Viet Nam—as we have elsewhere—to convince aggressors that the price of their aggression comes too high, and that man's right to self-determination is no less dear to us elsewhere than it is at home.

Today we have reason for measured confidence, not only because of the new purpose and unity throughout Asia, but because of events in Viet Nam itself.

In Viet Nam we are gaining on all four major fronts . . . the economic front . . . the political front . . . the diplomatic front . . . and the military front.

On the economic front, Viet Nam is taking the steps and decisions necessary to carry forward a program of economic development, and to defeat inflation.

Land is being redistributed. Wells are being dug. Schools are being built. Agricultural production steadily increases. Hospitals and roads are being completed. New leadership is being trained.

These things are not dramatic. But every day the Viet Namese economy—and the life of the Viet Namese citizen—becomes a little better, despite calculated Communist disruption and terror.

On the political front, work goes forward toward election this September for a Constituent Assembly. Representatives of all major South Viet Namese groups have been meeting to prepare the way for democratic government.

The Viet Namese people are finding their way toward self-government, and they are doing it their own way—with tumult and confusion, it is true—but not under the direction of any Communist Commissar.

On the diplomatic front, we continue our search for a just and peaceful solution to the conflict.

We have repeated again and again our willingness to come to the conference table anywhere, anytime, under any auspices, in order to bring the violence to an end. Again and again we have said that there is no bar to the inclusion of the Viet Cong in any such negotiations.

We shall continue these efforts. And we shall maintain our offer to aid in the peaceful development of North as well as South Viet Nam if only Hanoi will leave her neighbors alone.

On the military front, we are gaining, each day.

The American troops in Viet Nam are the finest men who have ever worn this nation's uniform. They are superbly led. They are superbly trained. They are superbly equipped. And we will back them to the hilt.

They perform as brilliantly in civic action, in rebuilding villages, as they do in combat. They are great citizen soldiers.

A succession of defeats has been dealt to the North Viet Namese and Viet Cong main force units in recent months. Clearly the initiative has shifted to the Allied Forces.

The recent bombing of oil storage depots in the North was a military action against clear military objectives. The decision was carefully weighed.

It was designed for two purposes—to slow down the rate of infiltration, which has been taking a toll of Allied lives; and to help convince the North Viet Namese leadership that their aggression in the South will be too costly to sustain.

Today there must be some hard thinking taking place in Hanoi.

Our adversary must know that time is not on his side—that what President Johnson said more than a year ago remains true today:

"We will not be defeated.

"We will not grow tired.

"We will not withdraw, either openly or under the cloak of a meaningless agreement . . ."

He must also know that we have no designs on his independence or territory.

We would, in fact, welcome the opportunity to extend our cooperation in the works of peaceful development to all the nations of Asia willing to live in peace—including Communist China.

He should know, too, that our objectives have not changed—and I will repeat them once more:

The halting of aggression from the North; the opportunity for the people of South Viet Nam to decide their own future; and the pursuit of a better life for the ordinary people of that part of the world.

Our objectives are served by one result in Asia: the emergence of nations dedicated to their own national independence, to the well-being of their people, and to the pursuit of peace.

But I think our adversary must come, above all, to know one thing: that we are united—as Texans, as Minnesotans; as liberals, as conservatives; as farmers, as businessmen; as students, as teachers—that we are united as Americans in the cause of man's right to make his own choice. He must know that the American people have the vision, the courage, and the endurance to see it through—no matter how long it may take.

And when he does, the day will come when the Vietnamese people—and the people of Asia—may finally look ahead to a future without fear, a future filled with hope, a future well worth the sacrifice made by a great people.

"MERBISC"—Most Extraordinary Recreational Bargain in Southern California

EXTENSION OF REMARKS

OF

HON. THOMAS M. REES

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 14, 1966

Mr. REES. Mr. Speaker, this new word "Merbisc," I am proud to say, has been created in southern California. I am proud of MERBISC because it has much deeper significance than it implies, or perhaps was ever intended to imply by its creators. The word itself is made up of the first letters of the words "most extraordinary recreation bargain in southern California." But to me it is a new idea of city development that can do much to solve Federal and State problems of supplying adequate park and recreation areas for all of our people across the country.

This idea of MERBISC stems from a brandnew community in southern California called California City, which is located in a region known as the Antelope Valley in East Kern County, just north of my own home city, Los Angeles.

California City was incorporated in December of 1965, and in area is the third largest city in the State. It was designed by its developers as a completely planned and recreation-oriented city.

To me California City is as fine an example as I know of the happy cooperation between a private developer and a community.

The voters of California City approved a $1 million bond issue to finance public recreational facilities, and two lakes were built, one on an island in the middle of the first lake; a waterfall, cascading down into the lake from a lookout park 42 feet above it; an 18-hole, 3-par, night-lighted golf course; several tennis courts, a swimming pool, baseball field, a barbecue and large picnic area, and many other sports. Only just recently the developers created a 12-mile-long paved parkway, all within the city limits, paralleling the historic 20-Mule Team Road over which borax was hauled just before the turn of the century. The old historic roadway itself has also been dedicated to public use in perpetuity and will be preserved in its original dirt road condition for equestrians and hikers. Secretary Udall has appealed for preservation of just this kind of meaningful open space. The 12-mile parkway ends at Galileo Hill, a 500-foot butte that rises dramatically above the 3,000-foot floor of this high desert area. Here will be a regional park with pasture and barn facilities for horses, trailer and camping facilities, a sanctuary for birds, and, in general, an area where the wide-open western way of life will be preserved.

When you consider that the population of California City hardly exceeds 1,000 souls at the present time, you can appreciate the abundance of recreation this offers them, and still more is promised.

For California City was planned for the future, not just for today. And that future, in population numbers, is anticipated by this California city, and by its planners, to eventually achieve a good round 1 million. When you contemplate the figures of the vast migration that is taking place daily into southern California, that future may not be so very far distant.

Leading the way into California City's future is the MERBISC plan. For MERBISC is not just the first initials of a series of promotional words, but a plan for the maintenance of the presently operating recreational facilities, and the addition and creation of more as the city grows. Under the MERBISC plan any family can use all of the recreation facilities in California City for just $10 per year. When compared with the several hundred dollars per year spent by the average American family for its recreation, this MERBISC plan is truly a remarkable one. Not only is the cost of MERBISC—$10 per family per year—remarkable, but the arrangement between the city and the private development company guaranteeing adequate revenues to operate and extend these recreational facilities—without loss—is truly remarkable because it is done without taxation of California City's 20,000 property owners.

The California City Development Co., the private developers, has taken a long-range view and underwritten this program, satisfied that a growing city offering a rich way-of-life for families of modest means, will surely pay big dividends.

Now what is also noteworthy about the MERBISC plan is that it has been initiated without the help or encouragement of a Federal or State governmental agency, but springs from the grassroots of a small American community. It seems to me this little city is telling us all something. It is telling us that it is possible to provide a richness of variety of recreational experience right within our own city limits.

I enter this into the CONGRESSIONAL RECORD because problems of urban congestion, neighborhood decay, the rigidity, the lack of openness of the big city, are among the most serious we have to face in this explosive era of population growth throughout our land. And I feel that this MERBISC program, stemming from a small planned southern California community, supplies us with guidelines that can auspiciously affect for the better, the health and well-being of all American communities, large and small, that emulate the example I have set forth here.

Establishment of District of Columbia Municipal Parking Board

EXTENSION OF REMARKS

OF

HON. WILLIAM L. SPRINGER

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

Friday, October 14, 1966

Mr. SPRINGER. Mr. Speaker, the parking situation in the Nation's Capital has, for a long time, been a matter of concern to me. I have, therefore, introduced into the House of Representatives a bill, H.R. 17040, identical to S. 2769, which passed the Senate on the 21st of June of this year. This bill should do a great deal to ameliorate the unpleasant situation which now exists in the District of Columbia. It provides for the establishment of a municipal parking board with an advisory council to assist it and make periodic reports on parking in the District. The board would be authorized to acquire property for the operation of off-street parking facilities, construct parking facilities or lease the land for the same purpose to private operators, lease or sell facilities constructed by it, fix the rates in these facilities, and issue nontaxable obligations to finance the acquisition and construction of parking facilities.

The reasons behind this legislation are numerous and are listed as follows:

First, Washington, at this time, lacks an adequate number of well located parking spaces, and nothing is being done to improve this situation as it exists now or as it will exist in the future. The General Services Administration reported that there was a deficit of 11,000 spaces for Government employees alone while Edwards and Kelsey, an independent engineering consultant firm, stated in their 1961 comprehensive parking study that, by 1971, there will be a shortage of at least 11,000 spaces in the central business district. The need for a new modus operandi is obvious.

Second, the limited parking facilities that Washington does provide are 20 years behind the times in that there is not one self-park facility in the downtown area.

Third, adequate parking is an integral part of a balanced transportation system since parking facilities serve as terminals for automobile drivers. Washington's future Interstate Highway System will not be of much value to the commuter, shopper, or tourist if parking is not provided at their downtown destinations.

Fourth, Washington, as the Federal City, has an obligation to the tourists who visit each year. In 1960 alone, 15.4 million people from outside the Washington metropolitan area visited their Capital. They are the ones who are most affected by the lack of parking and the least likely to be helped by private enterprise.

Fifth, lack of adequate parking is economically detrimental to the downtown area. Shoppers and businessmen cannot conveniently use their automobiles for transportation to the downtown area. As a result, much of the business that might ordinarily have taken place in the District has been lost to the suburbs.

Sixth, because of this fact, the tendency for the urban area to "sprawl" in an unorganized fashion is increasing, and the downtown area has lost much of its value and desirability as a place of business.

Seventh, lack of offstreet parking results in the clogging of streets by parked vehicles and vehicles looking for parking places, causing increased transportation problems and loss of efficiency due to loss of time.

Eighth, the owners of parking lots are using many of them for speculative purposes. Parking revenue enables these entrepreneurs to hold on to the land until the prices go up. They can then sell the lots for office space. The result is a loss of parking space in the District with an increased demand for it.

Ninth, there is a need in the Washington area for more fringe lots in which automobile commuters can park their cars and then take public transportation to places of employment. This project would have to be undertaken by a municipal authority since the profit would not be enough—if any—to stimulate private enterprise.

Tenth, it has been shown in Pittsburgh and other cities that private garage owners can survive and prosper in competition with a municipal parking authority. Thus, the argument that legislation of this sort would be unfair to free enterprise is fallacious.

Eleventh, local parking management will benefit in that management contracts will be awarded, where possible, to private citizens.

Twelfth, well constructed public garages can renovate and even beautify an area.

Thirteenth, shoppers and commuters contribute a great deal to the prosperity of Washington and, therefore, deserve proper facilities.

In sum, Mr. Speaker, a parking authority could make a valuable contribution to the amelioration of many of the problems which confront the District of Columbia, the one city in which we all have a common interest. A parking authority, the District of Columbia Motor Vehicle Parking Agency, was created by Congress in 1942, but was rendered ineffective due to pressure by Washington's powerful parking lobby. Every large American city—and many less populated cities and towns including Decatur and Champaign in my own district—have effective municipal parking agencies. I see no reason why this valuable service should not be extended to the Capital of our Nation.

The United Nations—The Graveyard of American Independence

EXTENSION OF REMARKS

OF

HON. JAMES B. UTT

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Friday, October 14, 1966

Mr. UTT. Mr. Speaker, under unanimous consent to insert my remarks in the CONGRESSIONAL RECORD, I wish to include a speech which I delivered in Evanston, Ill., at a United States Day rally, on October 24, 1963:

THE UNITED NATIONS—THE GRAVEYARD OF AMERICAN INDEPENDENCE

My fellow members of the constitutional underground, it would appear to me to be highly fitting and proper to examine the fabric and structure of the American system and the American way of life before we toss it overboard and follow the weird music of the Pied Piper as he leads us to destruction and oblivion. This Republic is something special, conceived in liberty, and dedicated to the preservation of the God-given rights of man. Government is the natural enemy of man, and the tendency of all governments is to extend control and dominion over the life of the individual. Our Forefathers recognized this tenet, and provided a limited government which would provide freedom and liberty without license. It was conceived with the idea that God was the High Sovereign, and we placed our dependence on Him to preserve this a nation of free men.

It is a known fact that the seeds of death are implanted in every individual before he draws his first breath. So also are the seeds of destruction planted in every nation at its birth. But, as the life of man can be extended beyond the threescore years and ten, by prudent living, self-discipline and eternal vigilance, so also can the life of a nation be extended beyond the normal cycle of great civilizations. But this can only be done by following the precepts laid down for us by the Founding Fathers. Under these precepts America has grown strong economically, militarily and spiritually, far beyond the fondest hopes of those who instituted our Government.

We have ignored the precepts of and reliance upon a divine providence, as set forth by Benjamin Franklin. We have ignored the precepts of fiscal responsibility set forth so clearly by Thomas Jefferson. We have ignored many of the precepts laid down by George Washington in his farewell address, including his admonition that we should beware of foreign entanglements. We have shifted our reliance from God to man and from spiritual values to material values. These are the seeds of destruction to which I have referred.

The worst entangling alliance, ever entered into by a free country, was the United Nations Treaty, designed and promulgated to reduce this country to the lowest common denominator among the nations of the world. It is the vehicle by which this Nation surrenders its sovereignty to an alien government and will subject every American citizen to the oppressive will of evil men. I would like to quote from 2 Corinthians 6:14 "Be ye not unequally yoked together with unbelievers: for what fellowship hath righteousness with unrighteousness? And what communion hath light with darkness?"

We have not only failed to give heed to the admonitions of our Founding Fathers, but also to the admonition of the Lord which I have just quoted.

Many years before the United Nations Charter was signed, Dimitry Manuilsky, speaking at the Lenin School of Political Warfare in 1930, said, "War to the hilt between communism and capitalism is inevitable. Today, of course, we are not strong enough to attack. Our time will come in 20 to 30 years. To win, we shall need the element of surprise. The bourgeoisie will have to be put to sleep. So we shall begin by launching the most spectacular peace movement on record. There will be electrifying overtures and unheard-of concessions. The capitalist countries, stupid and decadent, will rejoice to cooperate in their own destruction. They will leap at another chance to be friends. As soon as their guard is down, we shall smash them with our clenched fist." This was more than thirty years ago, and his prophecy is coming true today.

Khrushchev said he would bury us, but he neglected to say that the United Nations would be the graveyard. When he made that statement, little did he expect or hope that he would find so much cooperation from his intended victim. By means of peaceful coexistence, Soviet Russia and the International Communist Conspiracy have been able to subvert the mental and moral integrity of a great portion of our globe, and the march continues unabated.

The President of the United States has either forgotten his oath of office, or fails to understand the pledge of allegiance to this country. This was evident in a speech he made on the Fourth of July at Independence Hall last year. In one brief minute, he turned his back on independence and turned the American clock back 186 years. Interdependence is one step away from abject slavery, both in the rise and fall of every civilization. Is that what America wants? Political ties with Europe? We fought the Revolutionary War to break these bonds asunder. Is President Kennedy saying that America must be interdependent to survive? Is he saying that our economic structure has become so weakened since he took office that we must depend upon England, Germany and Japan to bail us out? Unless Congress puts a halter on him, President John F. Kennedy will commit the lives, the fortunes, and the sacred honor of the citizens of the United States to the formation of a world government in which we will be outnumbered, outgunned, and outvoted.

The Administration is surfeited with men of that same persuasion. One of the chief architects of this plan, Walt W. Rostow, chief policy planner of the State Department, has spelled out the outcome of all this in his volume, "The United States in the World Arena":

"It is the legitimate American national objective to see removed from all nations including the United States . . . the right to use substantial military force to pursue their own interests. Since this residual right is the right of national sovereignty and the basis for the existence of an international arena of power, it is, therefore, an American interest to see an end of nationhood as it has been historically defined."

That, ladies and gentlemen, is nothing short of treason, and should be dealt with accordingly.

At a military conference held in California in 1960, Mr. Paul Nitze, now Acting Secretary of the Navy, made the following statement:

"In brief, my proposal is . . . that we accept the improbability that we can achieve a true class 'A' nuclear capability . . . that . . . the aim of our foreign policy is to construct a world system compatible with the survival and development of nations with purposes like ours, and . . . that a possible route toward the aim is a series of unilateral actions designed to produce reciprocal action on the part of our allies and also on the part of our enemies.

"The actions I propose are the following: (1) That we concentrate on building a variety of secure, purely retaliatory systems, (2) That . . . we scrap the fixed-base vulnerable systems that have their principal utility as components of a class 'A' capability, (3) That we multilateralize the command of our retaliatory systems by making SAC (the U.S. Strategic Air Command) a NATO command, and (4) That we inform the United Nations that NATO will turn over ultimate power of decision on the use of these systems to the General Assembly of the United Nations, subject to the following conditions:

(a) That we and our allies will assume continuing responsibility for manning, maintaining, and improving these systems.

(b) That U.N. inspectors would be invited to inspect and satisfy themselves that these are the only nuclear systems we are maintaining.

(c) That a U.N. order to use them will be honored only in the event some nation has initiated the use of nuclear weapons other than on or over its own territory in self-defense against military aggression."

You will note that Mr. Nitze spoke about U.N. inspectors who would be invited to inspect and satisfy themselves that these are the only nuclear systems we are maintaining. Just why did Mr. Nitze invite the U.N. inspectors to satisfy themselves as to the nuclear systems which we are maintaining—why did he limit it to "we"?

He recommended that the Strategic Air Command be made a NATO command and that NATO would turn over the final power of decision on the use of these systems to the United Nations. I must point out that Great Britain is one of our NATO allies and has just discovered a gigantic Communist infiltration into its civil service system. Thus, Great Britain would become a stopping place for the transmission of military intelligence on its way to Moscow. It should be noted here that we have about as many security leaks in our own State Department.

When the State Department was asked about these statements of Mr. Nitze, the replies came back with the normal double-talk and gobbledygook to the effect that Mr. Nitze was not a member of the Administration in 1960, and that he didn't really mean what he said. However, Mr. Nitze was one of the early appointments of the President to a sensitive spot in the Defense Department, and is now Acting Secretary of the Navy. I assume he was brought into the Administration to implement his proposal. Again, the State Department denied this, mind you, even after the State Department had prepared the now-famous Document 7277 entitled, "Freedom From War, the U.S. Program for General and Complete Disarmament in a Peaceful World," which outlines in full the proposals of Acting Secretary of the Navy Nitze, made at the California conference. And the U.N. Secretary General can hardly wait to take over control of our Military Establishment.

Benedict Arnold was a piker!

Let us never forget that Alger Hiss was the moving force in drafting the United Nations Charter. The State Department will deny this, but I have in my office a photostatic copy of a picture of Alger Hiss, which appeared on the front cover of Life magazine, showing him as Secretary-General of the United Nations Conference in San Francisco, leaving that city with the charter in a locked briefcase held in his hands. He was returning to Washington to deliver this document of disaster to the United States Senate for ratification.

The U.S. Senate ratified the treaty, believing it to be nothing more than a public forum dealing with international problems, and relying heavily upon Article 2, subparagraph 7, which states: "Nothing contained in the present charter shall authorize the United Nations to intervene in matters which are essentially within the domestic jurisdiction of any state or shall require the members to submit such matters to settlement under the present charter."

Under our Constitution, a treaty shares the same dignity with the Constitution and, when these treaties are in conflict with the Constitution, most cases have been resolved in favor of the treaty. John Foster Dulles, former Secretary of State, in a speech before the American Bar Association in Louisville, Kentucky, April 12, 1952, said: "Treaty law can override the Constitution . . . they (treaties) can cut across the rights given the people by the constitutional Bill of Rights." This conversion of our limited Republic to an unlimited democracy is a death blow to this Nation.

It was not long before it was evident that the jurisdiction of the United Nations was expanded to include domestic matters. Mr. Moses Moskowitz, a noted internationalist, made the following statement in the American Bar Association Journal of April 1949 (35 A.B.A.J. 283, 285):

"Once a matter has become, in one way or another, the subject of regulation by the United Nations, be it by resolution of the General Assembly or by convention between member states at the instance of the United Nations, that subject ceases to be a matter being 'essentially within the domestic jurisdiction of the member states.' As a matter of fact, such a position represents the official view of the United Nations, as well as of the member states that have voted in favor of the Universal Declaration of Human Rights. Hence, neither the declaration nor the projected covenant, nor any agreement that may be reached in the future on the machinery of implementation of human rights, can in any way be considered as violative of the letter or spirit of Article 2 of the Charter."

Following this, the Acheson State Department made this official declaration: "There is now no longer any real difference between domestic and foreign affairs."

Now let us examine the proof of the pudding. Just recently the United Nations General Assembly voted 106 to 1 against some internal affairs of South Africa, condemning it for its policy of "apartheid." The resolution went further, and demanded that the South African Government cancel the trial of, and set free, several persons accused of sabotage and conspiracy aimed at the violent overthrow of Prime Minister Verwoerd and his white regime. By the same token, the General Assembly could vote 106 to 1 demanding that the United States free all of its convicted Communists and spies. By the same vote, it could demand that we nationalize all of our industries, that we recognize Cuba and Red China, and that we surrender the Panama Canal to the jurisdiction of the U.N., as recommended in 1946 by Alger Hiss. These are dangerous precedents.

The United Nations General Assembly has condemned our allies, Portugal, Holland and France. It has demanded that Portugal surrender Angola and Mozambigue, which are as much an integral part of Portugal as are the Hawaiian Islands to the United States.

It passed no resolution of condemnation of India for taking Portuguese Goa by military force. It has passed no resolution of condemnation of Russia for its military invasion of Hungary. On September 9th of this year, Ceylon, Cambodia, India and Indonesia joined sixteen other Afro-Asian nations in the formal demand that "the violation of human rights in South Vietnam" (i.e., the alleged persecution of Buddhists by the Diem regime) be placed on the General Assembly's agenda with a high priority suited to "the urgency and importance of the subject."

Six weeks later, Cambodia, India and Indonesia abstained from voting on a motion to condemn Communist China for its denial of human rights to the Buddhists in Tibet, after hearing a report from the International Commission of Justice that 50,000 Buddhist Tibetans had been killed in the Red Chinese invasion and that China had engaged in a campaign of kidnapping, murder and other outrages against Buddhist "religious figures because of their religious beliefs and practices."

The United Nations met its first major military defeat in the so-called Korean police action, fought under the restraining hand of the United Nations. The peace-keeping activities of the U.N. in the Congo which you have just viewed in the film preceding this meeting, present living evidence of the fact that the U.N. is not interested in peace, but rather in a power play supported by military might to subdue a free people who are entitled to self-determination, and bring them under the control of the Central Congo Government. This action cost the American taxpayers many millions of dollars, and peace has not yet come to the Congo. The U.N. is badly in need of $16 million to give military support to the Central Congo Government which has evolved into a complete dictatorship, having abolished all parliamentary procedures, and there is internal revolt by the people in Leopoldville, who were promised so much and given so little by Adoula. No one knows how much of this money is going to support the so-called Angola government in exile, headed by Holden Roberto, to conduct his Congo-based raids of rape, murder and arson, on the people of northern Angola, with the tacit consent of the U.N.

The failure at the Bay of Pigs can be laid at the door of the United Nations, and the Berlin Wall is one of the fruits of that failure. Our foreign policy seems to consist of four points: appeasement, accommodation, co-existence, and surrender. We are now in the third stage of this policy, namely co-existence.

From the inception of the United Nations, by tacit agreement, there has always been a

Communist named to the post of Undersecretary for Political and Security Council Affairs, the latest one being Vladimir Suslov. He, together with Secretary General U Thant, and Undersecretary for Special Political Affairs Dr. Ralph Bunche, are the troika, who rule the United Nations, and since the power in the U.N. has shifted from the Security Council to the General Assembly, this poses a threat to the security of this Republic.

U Thant is an admitted Marxist, who advances the concept of co-existence. Speaking before the American Academy of Political Science in Philadelphia, on April 11, 1958, among other things, he said: "Fear and suspicion are very undesirable states of mind. They breed hatred, and hatred in turn breeds cruelty and intolerance. Fear of Soviet Communism has led the United States, and those who follow her lead, to take a distorted view of the world situation, and of the forces that are at work in modern society. When I say (this), I think I reflect the views of most thinking Asians. The weapons of the Soviet are in the first instance economic, social, and ideological: only secondarily military. If she relied primarily upon military action, why has she not resorted to it before now?"

The answer to that is simple. Russia has not had to resort to its military power, winning every point by appeasement and accommodation on our part.

Khrushchev's strategy is also co-existence. "Peace," he said, "is inevitable. War will not help us reach our goal—it will spoil it. We must rest on the position of co-existence and nonintervention, and eventually Communism will be in force all over the earth." These were the words of Khrushchev, spoken on November 21, 1960, at the departure of the Red Chinese Vice-Premier. He further said, "We stand for noninterference by states in the domestic affairs of other states. That precisely is peaceful co-existence." * * * "In conditions of peaceful co-existence favorable opportunities are provided for the development of the class struggle in the capitalist countries * * * in their turn, the successes of the revolutionary class and national-liberation struggle promote peaceful co-existence."

Vladimir Suslov, of course, is a confirmed Communist. The third member of this ruling troika is Dr. Ralph Bunche. There are many dedicated, patriotic and qualified Negroes in America who could be assigned to this sensitive position, but Dr. Bunche does not have these qualities. His writings, over the years, have promoted race and class hatred, with disparaging remarks about the imperialistic capital system. In an article written for the Journal of Negro Education in 1936, Volume 5, No. 3, page 356, he wrote as follows:

"We are now witnessing an unusual era of academic repression, but the controls are always present, in good times or bad. The repressive measures, Red riders, gag laws, and oath clauses of the present period of hysteria, are merely forceful reminders of the fundamental bias of our educational system."

Dr. Bunche organized the National Negro Congress, and was closely associated with W. E. Du Bois, R. A. Carter, John P. Davis, James W. Ford, and other leading members of the American Communist Party. The National Negro Congress was first cited as subversive and Communist by Attorney General Tom Clark.

A special Committee on Un-American Activities reported, January 3, 1939, and again in 1942, as follows: "The Communist-front movement in the United States among Negroes is known as the National Negro Congress. The officers of the National Negro Congress are outspoken Communist sympathizers, and a majority of those on the executive board are out-right Communists."

It is to the credit of A. Philip Randolph, one of the present Negro leaders, that he refused to run again for president of the National Negro Congress in 1940, on the ground that it was deliberately packed with Communists.

Dr. Bunche was a contributing editor of Science and Society, a Marxian quarterly. He was an active participant in the Institute of Pacific Relations, along with Alger Hiss, Laughlin Currie, Frederick Vanderbilt Field, and Harry Dexter White.

Surely, this Republic can find a more qualified American to hold this sensitive position, as Undersecretary for Special Political Affairs.

Time does not permit me to deal with the subversive activities of the United Nations' related agencies, but I cannot close without referring to the dangers of the International Court of Justice. The Connally Reservation has preserved us from disaster on this score. The Connally Reservation has been under attack by the internationalists for many years, but the attack has always been beaten off.

Less than two-fifths of the members of the United Nations have subjected themselves to the jurisdiction of the World Court. Eleven nations can withdraw any time without reason. Seven nations have Connally-type reservations. A dozen or more can withdraw on short notice. More than 63 members of the United Nations have never accepted the jurisdiction of the Court, including Russia, and its satellites, but even though not subject to the jurisdiction of the Court, any of these 63 nations can select a judge to be on the Court.

There is now pending in the United States Senate a resolution by Senator Long of Louisiana to revamp the International Court of Justice, which, if adopted by two-thirds of the members of the U.N., all members of the U.N. would then be bound. This bit of hocus-pocus would scrap the Connally Amendment and America would then be faced with an absolute alternative of withdrawing immediately our membership in the U.N. or to submit to complete legal disarmament, the consequences of which would be equivalent to military disarmament. Otherwise, our entire domestic judicial system would be subjected to the International Court of Justice because, by a vote of 10 of the 15 members of the Court, any subject would be considered appropriate to the jurisdiction of the World Court.

Under this new setup the judges of the World Court would be appointed for life, and would become citizens of the United Nations, renouncing their allegiance to the country from which they came. I would here like to state that it is my belief that any American who takes the oath of allegiance to an alien government should lose his American citizenship forthwith, and that it is unconstitutional and morally wrong to draft a young man into the Armed Forces of the United States and then assign him to serve in a foreign army, and the U.N. armed forces constitute an alien armed force.

The Advertising Council of America is just concluding a five million dollar propaganda program favoring the United Nations and, in one of their first advertisements, made the statement that the only alternative to the United Nations was nuclear annihilation. I say that there is another alternative, and that is a free, strong, courageous America, under the Stars and Stripes. Peace is maintained from a posture of strength and is only lost through fear and lack of courage. I agree with Winston Churchill when he said, "If you will not fight for the right when you can easily win without bloodshed: If you will not fight when your victory will be sure and not too costly: You may come to the moment when you will have to fight with all the odds against you and only a precarious chance of survival . . . There may even be a worse case. You may have to fight when there is no hope of victory, because it is better to perish than live as slaves."

Someone has been tampering with the soul of America, and it is not only the Communists, but far, far too many Americans who have lost their faith in the destiny of this Republic.

"Our fathers' God, to Thee
Author of liberty,
To Thee we sing.
Long may our land be bright
With freedom's holy light.
Protect us by Thy might,
Great God, our King!"

HOUSE OF REPRESENTATIVES

Monday, October 17, 1966

The House met at 11 o'clock a.m.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

Search me, O God, and know my heart: Try me and know my thoughts: And lead me in the way everlasting.—Psalm 139: 24.

O Thou who dost ever speak to prayerful hearts in the quiet moments of meditation—speak to us now as we open our minds to Thee before this altar of prayer.

Give us clear minds, clean hands, and courageous spirits that we may lead our Nation in the paths of righteousness and justice and good will. Now and always may we be mindful of Thy presence, glad to do Thy will and eager to be of help to our fellow man. Upon us may there come the blessing of a faith that dares to adventure with Thee and a love that reaches out to lift life everywhere to nobler heights. In the Master's name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Friday, October 14, 1966, was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 16958. An act to authorize the establishment in the District of Columbia of a public college of arts and sciences and a vocational and technical institute.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 11631. An act to amend title 38 of the United States Code to clarify the responsibility of the Veterans' Administration with respect to the training and education of health service personnel;

H.R. 13196. An act to amend the Public Health Service Act to increase the opportunities for training of medical technologists and personnel in other allied health professions, to improve the educational quality of the schools training such allied health professions personnel, and to strengthen and improve the existing student loan programs for medical, osteopathic, dental, podiatry, pharmacy, optometric, and nursing students, and for other purposes; and

H.R. 18119. An act making appropriations for the Departments of State, Justice, and Commerce, the judiciary, and related agencies for the fiscal year ending June 30, 1967, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 18119) entitled "An act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1967, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. McClellan, Mr. Ellender, Mr. Magnuson, Mr. Holland, Mr. Pastore, Mr. Fulbright, Mrs. Smith, Mr. Saltonstall, and Mr. Mundt to be the conferees on the part of the Senate.

The message also announced that the Senate had passed bills of the following titles, in which the concurrence of the House is requested:

S. 2916. An act to provide for a weather modification program; and

S. 3906. An act authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The message also announced that the Senate agrees to the amendment of the House to a bill of the Senate of the following title:

S. 3298. An act to amend the Federal Hazardous Substances Labeling Act to ban hazardous toys and articles intended for children, and other articles so hazardous as to be dangerous in the household regardless of labeling, and to apply to unpackaged articles intended for household use, and for other purposes.

PROVIDING EQUITABLE TAX TREATMENT FOR FOREIGN INVESTMENTS IN THE UNITED STATES

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 13103) to amend the Internal Revenue Code of 1954 to provide equitable tax treatment for foreign investment in the United States, together with amendments of the Senate thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? The Chair hears none and appoints the following conferees: Messrs. Mills, King of California, Boggs, Keogh, Byrnes of Wisconsin, Curtis, and Utt.

SUSPENDING INVESTMENT CREDIT AND ALLOWANCE OF ACCELERATED DEPRECIATION IN CASE OF CERTAIN REAL PROPERTY

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 17607) to suspend the investment credit and the allowance of accelerated depreciation in the case of certain real property, together with amendments of the Senate thereto, disagree to the Senate amendments, and agree to the conference requested by the Senate.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas? The Chair hears none and appoints the following conferees: Messrs. Mills, King of California, Boggs, Keogh, Byrnes of Wisconsin, Curtis, and Utt.

ESTABLISH PAST AND PRESENT LOCATION OF CERTAIN PORTION OF COLORADO RIVER

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 13955) to establish the past and present location of a certain portion of the Colorado River for certain purposes, with amendments of the Senate thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 7, strike out "13.20" and insert "13.17".

Page 1, line 9, strike out all after "California," " down to and including "thereto," in line 11 and insert "approved August 11, 1966 (Public Law 89-531; 80 Stat. 340),".

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. HALL. Mr. Speaker, reserving the right to object, will the gentleman from New York advise the House as to whether or not the Senate amendments are germane and whether or not there is an increase in the cost to the taxpayers, or whether or not they are merely conforming amendments?

Mr. O'BRIEN. I would say to the gentleman from Missouri there is no increase in cost, they are germane, and they are conforming amendments.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

BEST WISHES TO THE PRESIDENT ON HIS TRIP TO THE FAR EAST

Mr. MONAGAN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Connecticut?

There was no objection.

Mr. MONAGAN. Mr. Speaker, I was privileged this morning, along with the Speaker and other Members of the House and Senate, to be present at the departure ceremony at Dulles Airport when the President left for the forthcoming conference in Manila. I think all of us agree that this is a critical point in the war in Vietnam. We are all agreed that this is a delicate time. I am sure that there will be great opportunity for progress in the meeting with the other nations of the southeast Pacific who are actively engaged with us in the war there, when the President meets with their representatives.

I am confident that, regardless of party, we wish him well in this conference. He will meet with our allies there, and I am confident that I speak the sentiment of the House when I say we wish, and fondly hope, that an adequate solution of the current problem may be forthcoming which will protect our interests and will also insure the security of South Vietnam and the peace of that entire area.

Mr. BOLAND. Mr. Speaker, will the gentleman yield?

Mr. MONAGAN. I yield to the gentleman from Massachusetts.

Mr. BOLAND. I know that all Members of the House join with the distinguished member of the House Committee on Foreign Affairs in the wish that he expresses this morning.

The President's 25,000-mile trip, a long, arduous and difficult trip is made in the pursuit of peace. He will meet with many of our Asian friends to discuss the very difficult problem of Vietnam that faces, not alone the United States but also the entire world.

As the gentleman himself has so well expressed, both sides of the aisle, Republicans and Democrats, join in the hope that this will be a successful trip, and it will be a safe, successful trip for the President of the United States and one that brings hope to the people of the United States and the world.

Mr. MONAGAN. I thank the gentleman for his comment.

LEWIS AND CLARK TRAIL COMMISSION—RESIGNATION FROM COMMISSION

The SPEAKER laid before the House the following resignation from a committee:

Congress of the United States,
House of Representatives,
Washington, D.C. October 11, 1966.

Hon. John W. McCormack,
The Speaker,
House of Representatives,
Washington, D.C.

Dear Mr. Speaker: When I accepted appointment as a member of the Lewis and Clark Trail Commission I was then a member of the House Committee on Interior and Insular Affairs.

Since that time I have been appointed to the House Committee on Appropriations which required me to give up my seat on the House Committee on Interior and Insular Affairs.

Since then, my legislative duties have been such that I have not been able to fully participate as a member of the Lewis and Clark Trail Commission. I think it best, under these circumstances, that I offer my resignation so that this vacancy might be filled with a more active member.

Sincerely yours,

Thomas G. Morris.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

APPOINTMENT TO COMMISSION

The SPEAKER. Pursuant to the provisions of section 3, Public Law 88-630, the Chair appoints as a member of the Lewis and Clark Trail Commission the gentleman from Missouri [Mr. HUNGATE] to fill an existing vacancy thereon.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

REIMBURSEMENT OF THE STATE OF WYOMING

The Clerk called the bill (H.R. 4429) to provide for reimbursement to the State of Wyoming for improvements made on certain lands in Sweetwater County, Wyo., if and when such lands revert to the United States.

There being no objection, the Clerk read the bill, as follows:

H.R. 4429

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture, having conveyed certain lands situated in Sweetwater County, Wyoming, to the State of Wyoming by reason of and in accordance wih the provisions of that deed of June 6, 1962, executed pursuant to the Act of March 20, 1962 (76 Stat. 44), and having included in such deed provision that, if the lands so conveyed to the State of Wyoming should cease to be used in the cooperative agricultural demonstration work of the United States, Department of Agriculture, and the State of Wyoming, title to the lands thus conveyed shall revert to and become revested in the United States of America; the Secretary of the Interior be hereby authorized, at such time as said reversionary provision might become effective, to reimburse the State of Wyoming from whatever funds may be available to him, for those permanent improvements made by said State of Wyoming and remaining on said lands at the time such reversion of title becomes effective in an amount not to exceed the current fair market value of said improvements as determined by appraisal made at that time.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. BOLAND. Mr. Speaker, I ask unanimous consent for the immediate consideration of a similar Senate bill, S. 84.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There being no objection, the Clerk read the Senate bill, as follows:

S. 84

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture, having conveyed certain lands situated in Sweetwater County, Wyoming, to the State of Wyoming by reason of and in accordance with the provisions of that deed of June 6, 1962, executed pursuant to the Act of March 20, 1962 (76 Stat. 44), and having included in such deed provision that, if the lands so conveyed to the State of Wyoming should cease to be used in the cooperative agricultural demonstration work of the United States, Department of Agriculture, and the State of Wyoming, title to the lands thus conveyed shall revert to and become revested in the United States of America; the Secretary of the Interior be hereby authorized, at such time as said reversionary provision might become effective, to reimburse the State of Wyoming from whatever funds may be available to him, for those permanent improvements made by said State of Wyoming and remaining on said lands at the time such reversion of title becomes effective in an amount not to exceed the current fair market value of said improvement as determined by appraisal made at that time.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill (H.R. 4429) was laid on the table.

PROVIDING FOR ANNUAL, INSTEAD OF QUARTERLY MEETINGS OF A NATIONAL ADVISORY COMMITTEE

The Clerk called the bill (H.R. 9147) to amend section 301 of title III of the act of August 14, 1946, relating to the establishment by the Secretary of Agriculture of a national advisory committee, to provide for annual meetings of such committee.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri.

There was no objection.

RURAL RENEWAL AMENDMENTS

The Clerk called the bill (H.R. 13669) to amend title III of the Bankhead-Jones Farm Tenant Act, as amended, to provide for additional means and measures for land conservation and land utilization, and for other purposes.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

EXTENDING FOR 2 YEARS THE PERIOD FOR WHICH PAYMENTS IN LIEU OF TAXES MAY BE MADE WITH RESPECT TO CERTAIN REAL PROPERTY TRANSFERRED BY THE RECONSTRUCTION FINANCE CORPORATION AND ITS SUBSIDIARIES TO OTHER GOVERNMENT DEPARTMENTS

The Clerk called the bill (H.R. 14249) to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments.

There being no objection, the Clerk read the bill, as follows:

H.R. 14249

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 703 of the Federal Property and Administrative Services Act of 1949 (69 Stat. 722) is amended by striking out the figures "1967", and inserting in lieu thereof the figures "1969".

(b) Section 704 of such Act (69 Stat. 723) is amended by striking out the figures "966", and inserting in lieu thereof the figures "1968".

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

NAMING THE FEDERAL OFFICE BUILDING, DETROIT, MICH., IN HONOR OF THE LATE PATRICK V. McNAMARA

The Clerk called the bill (S. 3748) to provide that the Federal office building to be constructed in Detroit, Mich., shall be named the "Patrick V. McNamara Federal Office Building" in memory of the late Patrick V. McNamara, a U.S. Senator from the State of Michigan from 1955 to 1966.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

AMENDING SECTION 301(a)(7) OF THE IMMIGRATION AND NATIONALITY ACT

The Clerk called the bill (S. 2829) to amend section 301(a)(7) of the Immigration and Nationality Act.

There being no objection, the Clerk read the bill, as follows:

S. 2829

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the proviso to section 301(a)(7) of the Immigration and Nationality Act (66 Stat. 235; 8 U.S.C. 1401) be amended to read as follows: "*Provided,* That any periods of honorable service in the Armed Forces of the United States, or periods of employment with the United States Government or with an international organization as that term is defined in section 1 of the International Organizations Immunities Act (59 Stat. 669; 22 U.S.C. 288) by such citizen parent, or any periods during which such citizen parent is physically present abroad as the dependent unmarried son or daughter and a member of the household of a person (A) honorably serving with the Armed Forces of the United States, or (B) employed by the United States Government or an international organization as defined in section 1 of the International Organizations Immunities Act, may be included in order to satisfy the physical-presence requirement of this paragraph. This proviso shall be applicable to persons born on or after December 24, 1952, to the same extent as if it had become effective in its present form on that date."

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

UNIFORM CIVIL APPELLATE RULES

The Clerk called the bill (S. 3254) to amend sections 2072 and 2112 of title 28, United States Code, with respect to the scope of the Federal Rules of Civil Procedure and to repeal inconsistent legislation.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

LAND CONVEYANCE TO THE CITY OF EL PASO, TEX.

The Clerk called the bill (S. 3148) to provide for the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the city of El Paso, Tex.

There being no objection, the Clerk read the bill, as follows:

S. 3148

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Army is authorized and directed to convey to the city of El Paso, Texas, all of the right, title, and interest of the United States reserved or retained in approximately one hundred and forty-eight acres of land described in section 2 of this Act, said land being a portion of certain lands conveyed by the United States to the city of El Paso, Texas, by quitclaim deed dated June 27, 1957, for itself, its grantees, successors, and assigns to forego (1) any use of the property which will be noxious by the emission of smoke, noise, odor, or dust, and (2) the erection on the premises of any structure exceeding 60 feet in height above the ground.

(b) That the city shall pay to the United States the fair market value, as determined by the Secretary of the Army, of the property interest conveyed under the first section of this Act.

With the following committee amendment:

Strike all after the enacting clause and insert in lieu thereof the following:

"That the Secretary of the Army is authorized and directed to convey to the city of El Paso, Texas, all of the right, title, and interest of the United States reserved or retained in approximately 148 acres of land described in section 2 of this Act, said land being a portion of certain lands conveyed by the United States to the city of El Paso, Texas, by quitclaim deed dated June 27, 1957, pursuant to authority contained in the Act of August 2, 1956 (70 Stat. 950; Public Law 929, Eighty-fourth Congress).

"SEC. 2. The land referred to in section 1 is located in El Paso County, Texas, and is more particularly described as follows: Beginning at a point which bears north 81 degrees 10 minutes east a distance of 875.23 feet from a point which is the intersection of the west line of section 40, block 80, township 2, and the northerly ROW line of United States Highway 62:

"thence north 46 degrees 0.2 minutes west a distance of 560.48 feet;

"thence north 1 degree 0.1 minutes 50 seconds west a distance of 1,249.44 feet;

"thence south 86 degrees 43 minutes 15 seconds east a distance of 6,422.58 feet;

"thence south 08 degrees 50 minutes east a distance of 336.26 feet;

"thence south 81 degrees 10 minutes west along the north ROW line of United States highway 62 a distance of 6,110.0 feet to the point of beginning: Containing approximately 148 acres.

"SEC. 3. The conveyance authorized herein shall be subject to the following conditions:

"(a) That the city, in accepting the conveyance, agrees for itself, its grantees, successors, and assigns to forego (1) any use of the property which will be noxious by the emission of smoke, noise, odor, or dust, and (2) the erection on the premises of any structure exceeding 60 feet in height above the ground.

"(b) That the city shall pay to the United States the fair market value, as determined by the Secretary of the Army, of the property interest conveyed under the first section of this Act."

The committee amendment was agreed to.

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. WHITE] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. WHITE of Texas. Mr. Speaker, the bill now under consideration, S. 3148, is a companion to my bill, H.R. 13832. It provides for the conveyance to the city of El Paso of certain rights and interests retained by the Army in 148 acres of land, conveyed by the Army to the city of El Paso in 1957. This 148 acres is a part of an area totaling 2,255.43 acres of land, conveyed to the city in a land exchange agreement. The agreement contained a reverter clause, requiring the city of El Paso to permit the construction by the Air Force of an interconnecting taxi-way between Biggs Air Force Base and El Paso International Airport, and the use of El Paso International Airport by military aircraft. It provided further that the property should revert to the United States for breach of any of the terms and conditions by the city of El Paso, its successors or assigns.

The 148 acres involved in this bill is not concerned in any way with the planned uses of El Paso International Airport, except that it is located near enough to the airport that certain restrictions are necessary in my bill. As for Biggs Air Force Base, it has been inactivated, and the Defense Department has announced its transfer to the Department of the Army.

The city of El Paso wishes to convey this 148 acres to private interests, for developing in accordance with a city plan for the orderly development of the entire area adjacent to the El Paso International Airport.

In accordance with this plan, the bill we are considering restricts any building on the lands to a height of 60 feet. It also provides that the land cannot be put to any noxious uses, and that the city of El Paso shall pay the fair market value for the rights released by the Department of the Army.

Mr. Speaker, this bill will require no expenditure of Federal funds. Indeed, it will bring a small amount of revenue to the Department of the Army for the release of its rights. The bill has the approval of the House Armed Services Committee, the Secretary of the Army, the General Services Administration, the Federal Aviation Agency, and the Bureau of the Budget.

To assist the city of El Paso in the orderly development of its airport area, I ask unanimous consent for the passage of S. 3148.

Mr. BENNETT. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BENNETT. Mr. Speaker, S. 3148 is a bill to remove a reverter clause contained in the original deed and to give the new owners a title clear of encumbrances imposed in a 1957 deed from the United States upon payment of the fair market value of the residual rights.

The land in question was part of an exchange of land under which the United States conveyed to the city of El Paso, Tex., certain lands in exchange for lands of equal value.

When the lands were exchanged between the United States and the city of El Paso, the deed from the United States provided, first that the city of El Paso agree to construction by the Department of the Air Force of an interconnecting taxiway between Biggs Air Force Base and El Paso International Airport; second, the use of El Paso International Airport by military aircraft; and third, that the property shall revert to the United States at the election of the Secretary of the Army for breach of any of the terms and conditions by the city of El Paso, its successors and assigns.

On June 27, 1957, the city of El Paso accepted this deed and on the same date executed a quitclaim deed conveying to the United States fee title to 318.11 acres of land adjacent to Fort Bliss as its part of the exchange transaction.

Now, the city of El Paso is selling or has sold some of the lands involved and desires to give the new owners a title clear of encumbrances imposed in the 1957 deed from the United States. Actually, the only point at issue is the reversionary clause contained in the original deed.

Special legislation is required to release the conditions imposed upon the 148 acres pursuant to the act of August 2, 1956, and the objectives of this bill could not be accomplished administratively under the laws of general application for the distribution of Federal property.

Appraisals indicate that the residual rights involved are estimated to be worth between $7,000 and $10,000 which the city of El Paso must pay to the Treasury of the United States.

The committee amended the bill by striking out everything after the enacting clause and substituting its own language. These changes were made because there were several errors in the description of the property in the bill as it passed the Senate.

The bill was ordered to be read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

AUTHORIZING THE EXTENSION OF LOANS OF NAVAL VESSELS TO FRIENDLY FOREIGN COUNTRIES

The Clerk called the bill (H.R. 12822) to authorize the extension of certain naval vessel loans now in existence, and for other purposes.

The **SPEAKER.** Is there objection to the present consideration of the bill?

Mr. **PELLY.** Mr. Speaker, reserving the right to object, within the past 2 or 3 weeks the Peruvian Government has seized several of our tunafish boats, and it does not seem to me fitting and proper that we should turn over a destroyer, when these vessels were taken into possession 28 miles off the coast.

Therefore, Mr. Speaker, I withdraw my reservation and I ask unanimous consent that the bill be passed over without prejudice.

The **SPEAKER.** Is there objection to the request of the gentleman from Washington?

There was no objection.

TO REPEAL THE PROVISIONS OF LAW CODIFIED IN TITLE 5, SECTION 39, UNITED STATES CODE, AND FOR OTHER PURPOSES

The Clerk called the bill (S. 1496) to repeal the provisions of law codified in title 5, section 39, United States Code, and for other purposes.

Mr. **HALL.** Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

RETAINING THE PERQUISITES OF OFFICE FOR OFFICERS DESIGNATED TO OCCUPY CERTAIN POSITIONS IN THE NAVAL MATERIAL COMMAND

The Clerk called the bill (H.R. 17451) to amend titles 10 and 37, United States Code, to authorize certain rank, pay, and retirement privileges for officers serving in certain positions, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

H.R. 17451

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 10, United States Code, is amended as follows:

(1) Section 5133 is amended to read as follows—

"§ 5133. Vice Chief of Naval Material: Bureau Chiefs; and certain officers of the Naval Material Command: rank; retirement

"(a) Unless appointed to a higher grade under another provision of law, an officer of the Navy, while serving as Vice Chief of Naval Material, as a chief of bureau, or in command of one of the principal subordinate commands of the Naval Material Command, has the rank of rear admiral. Unless appointed to a higher grade under another provision of law, an officer of the Marine Corps, while serving in command of one of the principal subordinate commands of the Naval Material Command, has the rank of major general.

"(b) Except for an officer who is serving or has served in the grade of vice admiral under section 5137(a) of this title, an officer who is retired while serving as Vice Chief of Naval Material, as a chief of bureau, or in command of one of the principal subordinate commands of the Naval Material Command, or who, after serving at least two and one half years as Vice Chief of Naval Material, as a chief of bureau or in command of one of the principal subordinate commands of the Naval Material Command or who, after completing at least two and one half years of combined service in two or more of these offices, is retired after completion of that service while serving in a lower rank or grade, may, in the discretion of the President, be retired with the grade of rear admiral or major general, as appropriate, and with retired pay based on that grade. If he is retired with the grade of rear admiral, he is entitled to the retired pay of a rear admiral in the upper half of that grade. An officer who is serving or has served in the grade of vice admiral under section 5137(a) of this title may, upon retirement, be appointed by the President, by and with the advice and consent of the Senate, to the highest grade held by him while on the active list and with retired pay based on that grade.

"(c) Except in time of war, any officer of a staff corps who has served as Vice Chief of Naval Material, as a chief of bureau, or in command of one of the principal subordinate commands of the Naval Material Command for a full term is exempt from sea duty."

(2) The analysis of chapter 513 is amended by striking out the following item:

"5133. Bureau Chiefs: rank; pay and allowances; retirement."

and inserting the following item in place thereof:

"5133. Vice Chief of Naval Material; Bureau Chiefs; and certain officers of the Naval Material Command: rank; retirement."

(3) Section 5148(b) is amended by inserting the words "or officers in command of one of the principal subordinate commands of the Naval Material Command, as appropriate," after the words "chiefs of bureaus".

(4) Sections 5444(a), 5444(d), 5449(a), and 5449(b) are each amended by striking out the words "as chief of bureau" and substituting in place thereof the words "as Vice Chief of Naval Material, as a chief of bureau, or in command of one of the principal subordinate commands of the Naval Material Command".

(5) Section 5444(d) and 5449(b) are each amended by inserting the words "or his detail as Vice Chief of Naval Material or as an officer in command of one of the principal subordinate commands of the Naval Material Command" after the words "as chief of bureau".

(6) Section 5504(g) is amended—

(A) by inserting the words "or detailed" after the word "appointed" wherever it appears; and

(B) by inserting the words "or detail" after the words "his appointment".

SEC. 2. Title 37, United States Code, is amended as follows:

(1) Section 202(g) is amended to read as follows—

"(g) Unless appointed to a higher grade under another provision of law, an officer of the Marine Corps, while serving as Judge Advocate General of the Navy or as commander of one of the principal subordinate commands of the Naval Material Command, is entitled to the basic pay of a major general."

(2) Section 202(h) is amended—

(A) by striking out the word "or" at the end of clause (6);

(B) by striking out the period at the end of clause (7) and inserting a semicolon in place thereof; and

(C) by adding the following new clauses at the end thereof:

"(8) Vice Chief of Naval Material; or

"(9) commander of one of the principal subordinate commands of the Naval Material Command."

SEC. 3. (a) Subject to subsection (b), each officer who was serving in one of the following offices on the day before the date on which that office was abolished pursuant to Department of Defense Reorganization Order, dated March 9, 1966, continues to be eligible for the rank, pay, and retirement privileges, as appropriate, authorized by laws in effect on the day before the date on which the office in which he was then serving was abolished until the date on which he is required to assume new duties to which assigned or detailed by official orders:

(1) Chief of Naval Material.

(2) Vice Chief of Naval Material, or Chief of the Bureau of Naval Weapons, the Bureau of Ships, the Bureau of Supplies and Accounts, or the Bureau of Yards and Docks.

(3) Deputy Chief of one of the Bureaus enumerated in clause (2).

(b) An officer described in clause (2) of subsection (a) who is involuntarily retired before his entitlement to the benefits authorized by that subsection terminates shall be eligible for the retirement privileges authorized by section 5133 of title 10, United States Code, on the day before the date on which the office in which he was then serving was abolished pursuant to Department of Defense Reorganization Order, dated March 9, 1966.

(c) For the purpose of determining his eligibility for the retirement benefits authorized by section 5133 of title 10, United States Code, as amended by this Act, an officer described in clause (2) of subsection (a) whose entitlement to the benefits authorized by that subsection is terminated because of official orders detailing him to serve as Vice Chief of Naval Material, as a chief of bureau, or as commander of one of the principal subordinate commands of the Naval Material Command shall be credited with all service he previously performed or is considered to have performed as a chief of bureau. For the purpose of this subsection an officer is considered to be serving in an office during the period in which he is entitled to any of the benefits authorized by subsection (a). Service performed in the office of Vice Chief of Naval Material at any time before that office was abolished pursuant to Department of Defense Reorganization Order, dated March 9, 1966, is not creditable under this section.

(d) For the purpose of section 5504(e) of title 10, United States Code, the officer who was serving as the Chief of Naval Material on the day before that date on which that office was abolished pursuant to Department of Defense Reorganization Order, dated March 9, 1966, shall, if his entitlement to the benefits authorized by subsection (a) is terminated because of official orders detailing him to serve as Chief of Naval Material, be considered to have the rank he held on the day before the date on which that office was abolished.

(e) For the purposes of section 5504(g) of title 10, United States Code, as amended by this Act, the rank of an officer described in subsection (c) is determined from the date of his detail or appointment to the office which was abolished pursuant to Department of Defense Reorganization Order, dated March 9, 1966. The provisions of this subsection apply to the officer who was serving as Vice Chief of Naval Material on the day before the date on which that office was abolished pursuant to Department of Defense Reorganization Order, dated March 9, 1966.

(f) An officer who was serving as deputy chief of one of the bureaus enumerated in clause (2) of subsection (a) on the day before the date on which the office in which he was serving was abolished pursuant to Department of Defense Reorganization Order, dated March 9, 1966, and who, on or after the effective date of that order, was assigned or detailed as vice commander of one of the principal subordinate commands of the Naval Material Command, is considered, while serving as such vice commander, to be assigned and detailed to duty, and serving, as a deputy chief of a bureau for the purposes of rank, pay, retirement privileges, and any other benefits provided by section 202(1)(2) of title 37, United States Code, and any other law.

(g) Nothing in this Act shall operate to decrease the rank, pay, or retirement privileges to which an officer described in subsection (a) was entitled under laws in effect on the day before the date on which the office in which he was then serving was abolished pursuant to Department of Defense Reorganization Order, dated March 9, 1966.

Sec. 4. This Act shall be effective on the effective date of Department of Defense Reorganization Order, dated March 9, 1966.

With the following committee amendment:

Strike all after the enacting clause, and insert in lieu thereof the following:

"That title 10, United States Code, is amended as follows:

"(1) Section 5133 is amended to read as follows—

"'§ 5133. Chief of Naval Material; Vice Chief of Naval Material; Bureau Chiefs; and certain officers of the Naval Material Command; rank; retirement.

"'(a) Unless appointed to a higher grade under another provision of law, an officer of the Navy, while serving as Chief of Naval Material, as Vice Chief of Naval Material, as a chief of bureau, or in command of one of the principal subordinate commands of the Naval Material Command, has the rank of rear admiral. Unless appointed to a higher grade under another provision of law, an officer of the Marine Corps, while serving in command of one of the principal subordinate commands of the Naval Material Command, has the rank of major general.

"'(b) Except for an officer who is serving or has served in the grade of vice admiral under section 5137(a) of this title, an officer who is retired while serving in one of the offices described in subsection (a) or who, after serving at least two and one-half years in one of those offices or after completing at least two and one-half years of combined service in two or more of those offices, is retired while serving in a lower rank or grade may, in the discretion of the President, be retired with the grade of rear admiral or major general, as appropriate, and with retired pay based on that grade. If he is retired with the grade of rear admiral, he is entitled to the retired pay of a rear admiral in the upper half of that grade. An officer who is serving or has served in the grade of vice admiral under section 5137(a) of this title may, upon retirement, be appointed by the President, by and with the advice and consent of the Senate, to the highest grade held by him on the active list and with retired pay based on that grade.

"'(c) Except in time of war, any officer of a staff corps who has served in one of the offices described in subsection (a) for a full term is exempt from sea duty.

"'(d) To be eligible for the benefits authorized by subsections (a)-(c) of this section and section 202(h) of title 37, United States Code, an officer serving in one of the following offices must be appointed to that office by the President, by and with the advice and consent of the Senate:

"'(1) Chief of Naval Material.

"'(2) Vice Chief of Naval Material.

"'(3) Commander of one of the six principal subordinate commands of the Naval Material Command established on May 1, 1966.'

"(2) The analysis of chapter 513 is amended by striking out the following item:

"'5133. Bureau Chiefs: rank; pay and allowances; retirement.'

and inserting the following item in place thereof:

"'5133. Chief of Naval Material; Vice Chief of Naval Material; Bureau Chiefs; and certain officers of the Naval Material Command; rank; retirement.'

"(3) Section 5148(b) is amended by inserting the words 'or officers in command of one of the principal subordinate commands of the Naval Material Command, as appropriate,' after the words 'chiefs of bureaus'.

"(4) The first sentences of sections 5444(a) and 5449(a) are each amended by striking out 'serving as a chief of bureau' and substituting in place thereof 'appointed and serving as Chief of Naval Material, as Vice Chief of Naval Material, as a chief of bureau, or in command of one of the principal subordinate commands of the Naval Material Command'.

"(5) Sections 5444(d) and 5449(b) are each amended by striking out 'as a chief of bureau' and 'as chief of bureau' and substituting in place thereof 'in one of the offices described in subsection (a)' and 'to that office', respectively.

"Sec. 2. Title 37, United States Code, is amended as follows:

"(1) Section 202(g) is amended to read as follows—

"'(g) Unless appointed to a higher grade under another provision of law, an officer of the Marine Corps, while serving as Judge Advocate General of the Navy or as commander of one of the principal subordinate commands of the Naval Material Command, is entitled to the basic pay of a major general.'

"(2) Section 202(h) is amended by striking out 'Materiel' in clause (2) and substituting in place thereof 'Material'; by striking out the word 'or' at the end of clause (6); by striking out the period at the end of clause (7) and inserting a semicolon in place thereof; and by adding the following new clauses at the end thereof:

"'(8) Vice Chief of Naval Material; or

"'(9) commander of one of the principal subordinate commands of the Naval Material Command.'

"Sec. 3. (a) An officer who either on the effective date of this Act or prior to October 1, 1966, was detailed to serve in one of the following offices is entitled, from the date on which so detailed, to the benefits of subsections (a)-(c) of section 5133 of title 10, United States Code, as amended by this Act, and of subsection (h) of section 202, title 37, United States Code, as amended by this Act:

"(1) Chief of Naval Material.

"(2) Vice Chief of Naval Material.

"(3) Commander of one of the six principal subordinate commands of the Naval Material Command.

The exclusions contained in subsection (a) of section 5444 and subsection (a) of section 5449, title 10, United States Code, as amended by this Act, and the provisions of subsection (d) of section 5444 and subsection (b) of section 5449, title 10, United States Code, as amended by this Act, apply to an officer described in the first sentence of this subsection.

"(b) The officer who was detailed to serve as the Chief of Naval Material on the effective date of this Act shall, while so serving, be considered to have the rank he held as Chief of Naval Material on the day before that effective date.

"(c) An officer who on the effective date of this Act was detailed to serve in one of the offices described in clauses (2) and (3) of subsection (a) shall, while so serving, be considered to have the rank he held as Vice Chief of Naval Material or as a bureau chief, as the case may be, on the day before that effective date.

"(d) An officer who on the day before the effective date of this Act was serving as the deputy chief of the Bureau of Naval Weapons, the Bureau of Ships, the Bureau of Supplies and Accounts, or the Bureau of Yards and Docks, and who on that effective date was detailed to serve as the vice commander of one of the six principal subordinate commands of the Naval Material Command, is entitled to the pay authorized by section 202(1) of title 37, United States Code, from the effective date of this Act and as long as he continues to serve in the office to which then detailed.

"(e) Any officer who has served or hereafter serves in one of the positions enumerated in section 202(1) of title 37, United States Code, is entitled to receive retired pay based on the basic pay which he received under authority of that section.

"(f) Nothing in this Act shall operate to decrease the rank, pay, or retirement privileges to which an officer described in subsection (a) was entitled under laws in effect on the day before the effective date of this Act.

"Sec. 4. This Act shall be effective on May 1, 1966."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

INCLUSION OF GUAM IN STATE TECHNICAL SERVICES ACT

The Clerk called the bill (S. 2979) to extend coverage of the State Technical Services Act of 1965 to the territory of Guam.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to know what preliminary plans have been made for the development under the State Technical Services Act, for its being extended to the Island of Guam?

Mr. O'BRIEN. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am glad to yield to the gentleman from New York.

Mr. O'BRIEN. There are a number of projects which would be of benefit to Guam, but Guam has been blocked out largely through an oversight in the original bill which extended the Technical Services Act to the 50 States, Puerto Rico, and the Virgin Islands. There was never any thought that I know of by anyone to exclude Guam, but somehow it was excluded. I think sometimes that distance from Washington makes people forget that there is a Guam. It would be in the same general area as the use of the act in the Virgin Islands.

Mr. HALL. Mr. Speaker, further reserving the right to object, is there any specific industrial development planned on the Island of Guam in addition to our

Armed Services support, and the installations there, and the rehabilitation which is following the devastation wrought by a recent hurricane and the other funds made available by the Congress to Guam? At this time is there any specific industrial development known to the gentleman from New York?

Mr. O'BRIEN. If the gentleman will yield, nothing of a major nature such as we know in the States, but there is a very spirited effort in Guam to establish a number of small industries, such as watchmaking, and so forth, which might employ 100 to 200 persons. They are gradually trying to fill the vacuum there created by a complete reliance on the naval operation of the U.S. Navy.

Mr. HALL. Mr. Speaker, I wish our Guamanians better success with their watchmaking industry than we have had in the United States where we recently let it go under the impact of foreign imports. However, I understand this Technical Services Act will not cost more than an additional $40,000 a year in the Island of Guam. Therefore, with the explanation of the gentleman from New York, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

S. 2979

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(f) of the State Technical Services Act of 1965 (79 Stat. 680) be amended by inserting "Guam," immediately after "Puerto Rico,".

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROFESSIONAL TRAINING AND COOPERATION AMENDMENTS

The Clerk called the bill (H.R. 13884) to protect the public health by amending the Federal Food, Drug, and Cosmetic Act for the purpose of strengthening and facilitating mutual cooperation and assistance, including training of personnel, in the administration and enforcement of that act and of State and local laws relating to food, drugs, devices, or cosmetics, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object, I would like to know why we should pay the respective States and the Commonwealth of the Union in advance for this assistance. I would like to know whether or not the gentleman realizes that the Public Health Service is being decimated under the Reorganization Act; and, I would like to know inasmuch as this provides additional training and travel and per diem for State personnel, whether this bill should be passed without further consideration and debate.

Mr. O'BRIEN. Mr. Speaker, will the gentleman yield?

Mr. HALL. I will be glad to yield to the gentleman.

Mr. O'BRIEN. I might point out that this bill does not deal with the Public Health Service in a general way, but deals specifically with the Food and Drug Administration. And, it was described to us—and there was no opposition—as a housekeeping operation.

Mr. Speaker, we have these Federal regulations which require a rather enormous amount of consideration at the State level, and we have had occasions where it was necessary or desirable to bring local FDA people, or local health authorities, into Washington. When you do not provide the travel for these 3- to 5-day seminars or lecture courses, sometimes you do not get the attendance which is required.

Mr. Speaker, it is to my mind largely a housekeeping operation, but an operation which will lead to a better cooperation between the Federal Government and the States in the administration of these food and drug laws.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's explanation and, of course, I do know that is involves the Federal Food, Drug, and Cosmetic Act.

However, my point still remains that it does further involve the Federal Government in purloining and use of the various States' personnel, in effect; and this law, which is currently under active consideration for the purpose of revision, rewriting, and consideration will be before the next Congress.

Mr. Speaker, I believe, perhaps, this is needed.

Mr. Speaker, I understand that the adoption of this act will not involve any more than $200,000 a year as additional expense or per diem travel to these training seminars.

I presume—and does the gentleman from New York know or can he advise the House—whether my presumption is correct or incorrect—whether this would be subject to the veto of the Governors when this personnel is withdrawn from the respective States and Commonwealths for any such training seminars, and that there is no preemption on the part of the Federal Food, Drug, and Cosmetics Act of this personnel which exists in the various States?

Mr. O'BRIEN. Mr. Speaker, the gentleman from Missouri is absolutely correct. The States could participate or not participate, if they saw fit.

And, further, I might point out the fact that the bill was supported by the State people—the Association of Food and Drug People of the United States—and there will not be a draining of their personnel. I believe, further, that it is their opinion that such seminars would be helpful, to a considerable degree, in the training of State personnel.

Mr. HALL. Mr. Speaker, with that explanation, but realizing that there is some danger of constantly increasing Federal encroachment upon the duties heretofore assumed by the various States, and always being alert against any perversion of the 10th amendment to the Constitution, I will withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 13884

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Professional Training and Cooperation Amendments of 1966".

SEC. 2. Section 702 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 372) is amended by adding at the end thereof the following new subsection:

"(f) (1) The Secretary is authorized to accept from State and local authorities, on a reimbursable basis or otherwise, any assistance in the administration and enforcement of this Act which he may request and which they may be able and willing to provide and, if so agreed, may pay in advance or otherwise for the reasonable cost of such assistance.

"(2) The Secretary may cooperate with and give technical and other assistance to State and local authorities in the administration and enforcement of their laws and regulations relating to food, drugs, devices, or cosmetics.

"(3) In order to assist in carrying out the purposes of this subsection, the Secretary may provide training (including necessary curricular and instructional materials and equipment) to personnel of State or local authorities (in matters relating to the administration or enforcement of this Act or of the laws administered by such authorities) as an integral part of any training program for personnel of the Department, or may (pursuant to arrangement with such authorities) establish and carry out a special training program or programs in such matters for personnel of such authorities either directly or through contracts or arrangements with appropriate institutions or agencies, including Federal agencies, and may in either case pay to such State or local personnel, while attending such training programs away from their homes or regular places of employment and while traveling in connection therewith, their travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b 2), for persons in the Government service employed intermittently."

SEC. 3. Section 702 of such Act is further amended by adding at the end of subsection (a) of such section the following new sentences: "In carrying out this subsection, the Secretary may make contracts for the conduct of special tests and analyses and may pay therefor in advance or otherwise, as he may determine. The Secretary may likewise contract, and pay in advance or otherwise, for information (1) furnished to him by hospitals or other institutions or organizations or informants (except information furnished to him by manufacturers and others required by or pursuant to this Act to furnish such information) and (2) bearing on the safety or effectiveness of drugs or other articles within the scope of this Act."

With the following committee amendment:

On page 3, beginning in line 4, strike out "section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2)" and insert in lieu thereof the following "section 5703 of title 5, United States Code,".

The committee amendment was agreed to.

The bill, as amended, was ordered to be engrossed and read a third time, and was read the third time, and passed, and a motion to reconsider was laid on the table.

FEDERAL RESERVE BOARD DELEGATIONS

The Clerk called the bill (S. 1556) to authorize the Board of Governors of the Federal Reserve System to delegate certain of its functions, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

S. 1556

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11 of the Federal Reserve Act (12 U.S.C. 248) is amended by adding after subsection (j) the following subsection:

"(k) To delegate, by published order or rule and subject to the Administrative Procedure Act, any of its functions, other than those relating to rulemaking or pertaining principally to monetary and credit policies, to one or more hearing examiners, members or employees of the Board, or Federal Reserve banks. The assignment of responsibility for the performance of any function that the Board determines to delegate shall be a function of the Chairman. The Board shall, upon the vote of one member, review action taken at a delegated level within such time and in such manner as the Board shall by rule prescribe."

The bill was ordered to be read a third time, and was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, S. 1556 would authorize the Board of Governors of the Federal Reserve System to delegate any of its functions, other than those relating to rulemaking or pertaining principally to monetary and credit policies, to one or more hearing examiners, members, or employees of the Board, or Federal Reserve banks.

The Chairman of the Board would be authorized to assign responsibility for the performance of functions delegated by the Board. Any one member of the Board might under the bill require the Board to review actions taken under the delegation.

S. 1556 would give the Federal Reserve Board the same powers of delegation which have been granted to most independent boards and commissions. Such authority is possessed, for example, by the Interstate Commerce Commission, the Federal Trade Commission, the Federal Home Loan Bank Board, the Civil Aeronautics Board, the Federal Maritime Commission, and the Securities and Exchange Commission.

It is expected that the enactment of this bill, by relieving the Board of unnecessary detail, would enable it to act more effectively and more expeditiously on the major functions which would not be delegated. It would be appropriate for the Board to indicate in future annual reports the extent to which this authority to delegate is exercised and the benefits resulting from such delegations.

The legislation has been requested and recommended for enactment by the Board of Governors of the Federal Reserve System.

SMALL BUSINESS INVESTMENT ACT AMENDMENTS OF 1966

The Clerk called the bill (H.R. 18021) to amend the Small Business Investment Act of 1958, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, I note that in the committee report accompanying this bill there are no department reports printed, and the objectors have no way of knowing how the various departments of Government feel about this legislation.

We have had information to the effect that two amendments will be offered. It is our further understanding that those who were planning to offer those amendments are not present today. Further, we have a number of questions on this bill.

Mr. PATMAN. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I will be glad to yield.

Mr. PATMAN. Mr. Speaker, I appreciate the gentleman yielding to me. This is important legislation, and it is urgent. We cannot understand why the Members are not here who expressed interest, because each Member was notified that this would be up on the Consent Calendar. Mr. Widnall told me personally it would be all right with him. So did Mr. Multer. And the others, of course, I have not seen, but they were notified that this was coming up, and they are not here.

It is an urgent piece of legislation involving the Small Business Administration and the SBIC. I hope that the objectors can afford to let it pass, because it is so much needed and so necessary.

Mr. Speaker, H.R. 18021, a bill to amend the Small Business Investment Act of 1958, would grant the Administrator of the Small Business Administration powers urgently needed to assist him in the fulfillment of his responsibilities in supervising the very important small business investment company program.

THE SMALL BUSINESS INVESTMENT COMPANY PROGRAM

Under the small business investment company program, SBA is authorized to license SBIC's, to provide capital funds to them through the provision of subordinate debentures from each such company in the amount not to exceed $700,000. The SBIC so licensed must match dollar for dollar the funds obtained from SBA from private sources. In addition to these matching funds, SBA is authorized to lend funds for operating purposes to an SBIC in an amount not to exceed 50 percent of the company's statutory capital and surplus, or $4 million, whichever is less. There are 686 licensed small business investment companies at the present time. The total Government investment in these companies, as of May 31, 1966, amounted to $270,588,000, while the investment from private sources in these companies totaled $462,310,000. Since the inception of the small business investment company program in 1958, as an industry all of the SBIC's have made nearly $1 billion available to small businesses in over 20,000 separate financial transactions. I know of no program that greater exemplifies the determination of Congress and preserve and protect our free enterprise system. The small business investment company program, although not considered as part of the body of our antitrust laws, is one of the bulwarks against the inroads of monopolies and anticompetitive practices. Lying at the very foundation of our private enterprise system is the concept of preserving the competitive rights of small business concerns. The small business investment company program accomplishes this basic goal by insuring the availability of financial resources to small businesses throughout the United States.

NEED FOR THIS LEGISLATION

The bill before us today is designed to provide SBA with tools needed to insure the proper and effective regulation of the program. As we all know, this program has not yet fulfilled its potential. In large measure, its shortcomings have stemmed from the inability of the SBA Administrator to take necessary administrative action to correct deficiencies.

The best current information available indicates that there are at present approximately 250 "problem" SBIC's. These companies have about $125 million of private capital and $75 million of Government funds. H.R. 18021 would enable SBA to deal more effectively with these problem companies.

WHAT THE BILL DOES

The bill provides SBA with necessary additional administrative power to remove or suspend officers and directors of an SBIC, after record hearings, wherein it has been established that the officer or director knowingly and willingly has committed a substantial violation of law or has willingly and knowingly substantially breached his fiduciary duty when such violation of law or breach of duty is one involving personal dishonesty. The bill further provides SBA with the authority to administratively revoke the license of an SBIC. In addition, SBA is given administrative authority for the issuance of cease-and-desist orders against officers, directors, and other persons involved with the SBIC program. Of course, and I do want to stress this, all of the foregoing administrative tools can only be exercised under the bill in the context of fair adjudicatory hearings. This bill provides for appropriate administrative proceedings, as well as judicial review, to insure procedural safeguards where these powers are applied.

Another provision of the bill designed to provide for more effective administration of the program is that imposing civil penalties on a small business investment company for its failure to make a timely filing of required reports. The penalties provided for by this section, however, will not apply where such failure is due to reasonable cause and not due to willful neglect.

THE HOUSE AND SENATE BILLS

S. 3695, which passed the Senate on September 6, 1966, is in substance a companion bill to the bill reported by the House Banking and Currency Committee, H.R. 18021. The House and Senate bills are virtually the same and are equally intended to provide the Small Business Administration with needed tools to improve the operation of the SBIC program. Pages 2 and 3 of your committee's report set forth in detail the differences between the House and Senate bills. I have already received some indication that the Senate will accept the House version of the bill if the bill is adopted by the House as reported from committee. In addition to such support, your committee's bill has received the support of the Small Business Administration, as well as the National Association of Small Business Investment Companies.

Mr. Speaker, I urge the House to adopt the bill, H.R. 18021. This is a vital piece of remedial legislation urgently needed to insure the future success of the small business investment company program.

Mr. PELLY. Mr. Speaker, again I say to the gentleman that there are no department reports printed in the report accompanying the bill. I do not know how these departments feel. That is one of the criteria that the committee of objectors uses in deciding whether or not this bill should go through under this Consent Calendar.

Mr. PATMAN. Mr. Speaker, would the gentleman yield further?

Mr. PELLY. I yield to the gentleman.

Mr. PATMAN. Mr. Speaker, I can assure the gentleman that Mr. Boutin testified that he had the approval of the Bureau of the Budget on this, and this was worked out with the Small Business Committee. I know the Senate Committee on Banking and Currency and the House Committee on Banking and Currency, the Small Business Administration and the Bureau of the Budget testified it was considered urgent and necessary. They worked night and day for several days and finally got a complete agreement.

Mr. PELLY. Mr. Speaker, the objectors realize that it is a late hour in the session, and it is sometimes difficult to provide full information. In connection with this we do not know why it is necessary to grant additional powers to the SBA Administrator, or why it is necessary to provide needed tools for tighter enforcement of the SBA Act, or what violations have occurred which necessitated receiving civil penalties of the SBIC for failure to file reports.

In other words, Mr. Speaker, we think that this is not the proper way that important legislation like this should be adopted by the House. Therefore, Mr. Speaker, I am constrained to withdraw my reservation of objection and ask unanimous consent that the measure be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

IN ASSIGNMENT OF PAYMENTS

The Clerk called the bill (H.R. 17588) to amend section 8(g) of the Soil Conservation and Domestic Allotment Act with respect to assignments.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, may I interrogate the chief sponsor of this measure?

Mr. Speaker, first of all I would like the gentleman to explain the bill.

Mr. POAGE. I will be glad to, Mr. Speaker.

This bill provides that assignments of Government payments may be witnessed before a little larger group has heretofore been the case. Heretofore, when a farmer came in and wanted to assign his payments he had to go to the county committee to execute the assignment. The assignment is usually made at the bank for the benefit of some creditor. That is the normal place where you make the assignments. This bill provides that in addition to an employee of the CCC or of the local PCA office, that you may make the assignment before an officer of a bank or before any member or employee of the local county committee.

It also allows the assignments to be made before officers of the Farmers Home Administration, or a supervisor of the Farm Credit Administration.

The only purpose of the bill is to make it a little more convenient to make the assignments that are currently made by the thousands during the year.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I take it by the explanation that it will be in this way easier to make assignments, and permit them to be witnessed out in the field by an employee of the association.

Let me ask this question, Mr. Speaker. In view of the Billie Sol Estes scandal and the salad oil scandal recently in New York and New Jersey involving assignments in matters of this kind, do you think it is good to let down the bars and make it easier for assignments of this nature to be made?

Is not the present safeguard a pretty good one—you have to come into the office and make out an assignment in front of a member of the committee.

Mr. POAGE. Frankly, it seems to me as a practical matter, you actually get more protection by going to a bank than you do coming into a county office.

What you do as a practical matter is you walk into the county office and there is some clerk sitting there and you say, "I want to sign my name." And you sign it. She signs as a witness. She has not the slightest idea of what is in the instrument. That is all there is to it. Of course, I realize our whole notary system is notorious for that kind of practice. But I believe our banks, and this is confined to banks whose deposits are guaranteed under the Federal Deposit Insurance Corporation—I believe our banks are generally a little more likely to be alert as to what is being assigned than are these county PCA offices.

It is often a burden to come to a county office. For instance, in my home county the county office is in Waco, my hometown. McLennan County is a rather large county, there are banks located 20 miles from Waco. Those people who do business out there have to come to the county seat to sign these assignments. It seems to me an impracticable thing to require every one of these assignments which day by day go through these banks should be witnessed in the county office while there are private or individual assignments by the thousands which are witnessed just as this bill would require. To require that the parties have to come to the county seat to sign them just seems to be putting a little extra burden on the people with no corresponding benefit. None of the scandals to which the gentleman has referred occurred as a result of any signing before any official of a bank or another agency of government.

Mr. JOHNSON of Pennsylvania. Yes, but this bill permits the assignment to be made out in the field—in the country—on the farm where it can be witnessed by an employee.

Mr. POAGE. By an official of a bank that has its deposits insured by the Federal Deposit Insurance Corporation—yes.

Mr. JOHNSON of Pennsylvania. I do not recall that that is what the bill provides. It seems to me it can be an employee of the Farmers Home Administration.

Mr. POAGE. The bill requires that the execution be before a bonded officer of one of the lending institutions named or bank whose deposits are insured by the FDIC or by the Farmers Home Administration or the PCA supervisor of the Farm Credit Administration.

Those are all agencies that are considered responsible, and I think their record is just as good—and I make no charge of any bad record on the part of anybody else, but their record is just as good as the record of the county officers.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I would like to ask the gentleman one more question.

The bill also requires that the notice of assignment be filed with the county committee.

Is there any penalty or is the assignment void if they fail to file notice of it with the committee? I am thinking again of not making it easier so that a wholesale fraud can again occur in some of the Department of Agriculture activities involving money for farmers.

Mr. POAGE. I think the gentleman has raised a question that is certainly a legitimate and proper question.

My own view as a lawyer would be that if you do not conform to the full requirements, you have no assignment which is good against third parties. I think that is the general rule of law. It was felt that there was no purpose in putting it in here because if you are dealing with assignments and if the requirements which are stipulated by law are not carried out, you simply have not made any valid transfer. I think until the assignment is filed with the county committee that you simply have not carried out the required formalities and you are in the same position that you would be with a mortgage that you have not filed with the county clerk. That is what you have to do under the laws of practically every State in the Union.

You have got to do the same thing here and file it with the county committee in order to make it valid and binding against third parties. If you want to take the chance and just rely on the parties doing what they are supposed to do, of course, you do not have to file it. It would still be binding between the parties.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, inasmuch as the gentleman seems to make a good legislative record, and it does not open the door to fraud and it is for the convenience of farmers, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 17588

A bill to amend section 8(g) of the Soil Conservation and Domestic Allotment Act with respect to assignments

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 8(g) of the Soil Conservation and Domestic Allotment Act, as amended (16 U.S.C. 590h(g)), is amended to read as follows:

"(g) A payment which may be made to a farmer under this section, may be assigned, without discount, by him in writing as security for cash or advances to finance making a crop, handling or marketing an agricultural commodity, or performing a conservation practice. Such assignment shall be signed by the farmer and witnessed by a member of the county committee or by an employee of such committee, except that where the assignee is a bank whose deposits are insured by the Federal Deposit Insurance Corporation, the Farmers Home Administration, or a production credit association supervised by the Farm Credit Administration, such assignment may be witnessed by a bonded officer of the lending institution. Such assignment shall be filed with the county committee. Such assignment shall not be made to pay or secure any preexisting indebtedness. This provision shall not authorize any suit against or impose any liability upon the Secretary or any disbursing agent if payment to the farmer is made without regard to the existence of any such assignment. The Secretary shall prescribe such regulations as he determines necessary to carry out the provisions of this subsection."

With the following committee amendment:

Page 2, line 16, strike the word "subsection" and insert in lieu thereof the word "subsection".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

RELOCATION OF PLEASANTON PLANT MATERIALS CENTER

The Clerk called the bill (H.R. 15304) to authorize the Secretary of Agriculture to sell the Pleasanton Plant Materials Center in Alameda County, Calif., and to provide for the establishment of a plant materials center at a more suitable location to replace the Pleasanton Plant Materials Center, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, reserving the right to object——

Mr. POAGE. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am delighted to yield to the gentleman from Texas.

Mr. POAGE. Mr. Speaker, I wish to call the gentleman's attention to one or two phases of this bill before we pass it over. It seems to me that this bill has some especial merit. It is a long ways from any area in which I have a personal interest. It is in California. But it seems to me that there are some pretty valid reasons which we should consider before we repudiate the bill.

The Federal Government now owns the Plant Materials Center in Alameda County, Calif. The city has grown almost completely around this plant center. It has become urban property, and is neither suitable for the purpose for which it was originally established, nor is it in a good location, because we do not need these kinds of centers in urban areas.

Alameda County, of course, wants the land. They want to enlarge their county fair. The State of California, which contributes half of the cost of the operations of the center, feels that it is better to relocate the center, and it has urged the Federal Government to join in the relocation. The relocation can be made at an advantage to all of the parties concerned. We propose to allow the sale of the property to Alameda County and they are to pay for it, to pay its full present appraised value, and with that money the Federal Government can go to a more rural area and with less money buy a site better suited to the needs of the Deparment of Agriculture, and presumably at a substantial saving.

The committee has also required that before they buy anything else that they give consideration to Government-owned land in the same area, particularly to Camp San Luis Obispo Military Reservation, which is now owned by the Federal Government, and where it seems quite probable that we have all of the natural conditions needed for this type of plant propagation center.

It is one of those things that has come before our committee that appears to us to give the Federal Government a real opportunity to make a right good trade, and if we pass up the opportunity we will have helped no one, because we now have our operations where they are at a big disadvantage from the agriculture standpoint.

I at least wanted to present the facts and I appreciate the gentleman's forbearance in allowing me to do so, because while I have no personal interest in the situation—it seems to me we should give consideration to these points.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's vocal explanation of the merit of this case. It came through loud and clear. I submit that it is not the position of the objectors to rule on the merits of legislation per se. After a distinguished committee like the Committee on Agriculture and the gentleman from Texas has reported a bill, we can assume they are so. The question here is simply one of procedure; namely, whether it should happen by unanimous consent, or not.

I submit that this would authorize the Secretary unusual powers with the proceeds of the sale of the center, including use of the proceeds of the sale until such time as expended "for the purposes hereof."

In sum total, Mr. Speaker, what it amounts to is that this is a subject which should be discussed and debated and not handled by unanimous consent in the waning days of the Congress.

For that reason I again ask unanimous consent that this bill be passed over without prejudice.

Mr. POAGE. I appreciate the gentleman's suggestion and his cooperation. I realize that he is trying to do this in a responsible manner.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

WORLD FARM CENTER

The Clerk called the resolution (H. Con. Res. 313) to endorse the concept of World Farm Center.

Mr. PELLY. Mr. Speaker, I ask unanimous consent that the concurrent resolution be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. HANNA. Mr. Speaker, I feel compelled to express my great disappointment at the action of our colleague from Washington in taking exception to the intent of House Concurrent Resolution 313.

I believe very strongly that the House of Representatives is doing a great disservice to the many people who are working so diligently on the global problem of providing the required food for the world's expanding population. The United States is the world's leading food producer, and California's agricultural industry is our country's largest. The proposed World Farm Center, which is entirely a private undertaking and would not require the expenditure of Government funds, would serve to expand the understanding of all our people on the rapid advances being made, what can be done, and what we can anticipate in the future in the world's most vital industry.

It is my earnest hope that we can correct this situation. Therefore, under unanimous consent I place my letter to our colleagues from Washington, which explains in more detail the measure to which he excepted in the RECORD at this point in my remarks:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 17, 1966.

HON. THOMAS M. PELLY,
House Office Building,
Washington, D.C.

DEAR MR. PELLY: I appreciate the opportunity to bring to your attention the strong feeling we entertain as to the importance of

H. Con. Res. 313 passed over at your request this morning.

As the original author of this proposal, some 3½ years ago, I can state with authority the background and content of the measure. If I am not impressive with the logic of my presentation, I hope you will realize the strength of my sincerity and convictions.

That anyone would fail to perceive the great National interest implicit in the project referred to in the resolution, honestly escaped my consideration. The great problem of the world food supply has so dominated the arena of political discussions recently, it seemed elementary that a constructive, imaginative and creative proposal to serve this great need would be seen as a National contribution. It is my concern with the central problem of world famine and food shortage that originally attracted my interest in and support for the World Farm Center.

This idea which I shall outline briefly below originated with a group of Californians in farm equipment, farm production, food processing, food packaging and farm finance. After six years of preliminary planning, research and education groundwork, the group has attracted the support of every responsible segment of agri-business in our State and has as one of its directors the State Director of Agriculture, Mr. Charles Paul. The project last year was recognized by a resolution passed by both the Senate and Assembly of the State of California.

It is my belief, and that of those who are committed to the World Farm Center, that the growing of foods stuff cannot be separated from the important development of fertilizers and insecticides; the necessary improvements in farm machinery and the latest technology of seed advancement. All of these operate in tandem with the growing of crops. Then there is the important marriage between the farm and overall flood control, irrigation and soil conservation. Finally, after the harvest, the farmer is immediately interrelated to marketing, processing, packaging and distribution. All of these together are the great team effort of American agri-business, unique in the world today.

The tremendous showing of America's food production has rested upon the mutual growth, development and technological advance in each sector of this great business complex to which we have referred. This full fold plan is the real effective way to demonstrate the agricultural revolution of the United States. Too often our approaches internationally have been segmented. We insist that land reform is the great answer. Or, we insist that fertilizers and chemicals hold the miracle of progress. Again forces move ahead who hail improved seed as the sole key to success.

The farm center concept born and nourished out of the experience of the private entrepreneurs who have lived this revolution presents the over-view—a powerful unit project where the inter-related, interdependent aspects of agri-business can be seen as a whole in one gigantic show-place. The miniature of what the Department of Commerce shows to be a $140 billion section of our Gross National Product.

The farm center is designed to demonstrate in one place the inter-workings of the various supporting elements that in the United States has brought the greatest yield per acre in the history of mankind and has delivered it to the consumer at the lowest unit cost.

The questions that you have had in your mind were raised before the Committee on Agriculture. They were persuaded, as I hope you will be, that in this day of emphasis upon urbanization that the vitally important and great role of agriculture in the life of all of us can and should be emphasized. It is to the credit of the representatives of the various components of agri-business that they had this vision long before it was entertained in the legislative halls.

It would be an unjustified and, I think, unfortunate slight to these representatives of our farm orientated free enterprise if we failed to extend the recognition of the importance this kind of program could hold, especially at a time when we are groping for the answers to this massive and frustrating problem of increasing the bread of mankind. I am sure my Republican colleagues do not wish to discourage these private efforts. They have not, do not, and will not seek public funds for the accomplishment and maintenance of their project.

I hope that you will reconsider your position and allow a unanimous consent for us to bring back on the floor H. Con. Res. 313.

I appreciate your patience and courteous consideration, and remain

Yours sincerely,
Richard T. Hanna,
U.S. Congressman.

PERMITTING PERSONS FROM COUNTRIES ASSISTING THE UNITED STATES IN ITS EFFORTS IN VIETNAM TO RECEIVE INSTRUCTION AT THE THREE SERVICE ACADEMIES

The Clerk called the bill (S. 3887) to amend title 10, United States Code, to permit persons from countries friendly to the United States to receive instruction at the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy, and for other purposes.

There being no objection, the Clerk read the bill, as follows:

S. 3887

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 403 of title 10, United States Code, is amended as follows:

(1) by inserting the following section after section 4345:

"§ 4345a. Selection of persons from other friendly countries

"(a) Upon designation by the President, the Secretary of the Army may permit not more than 4 persons at any one time from countries friendly to the United States (other than Canada, the American Republics, and the Republic of the Philippines) to receive instruction at the Academy.

"(b) A person receiving instruction under this section is entitled to the pay, allowances, and emoluments of a cadet appointed from the United States, and from the same appropriations.

"(c) Except as the Secretary determines, a person receiving instruction under this section is subject to the same regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation as a cadet at the Academy appointed from the United States. However, a person receiving instruction under this section is not entitled to an appointment in the United States Army by reason of his graduation from the Academy.

"(d) A person receiving instruction under this section is not subject to section 4346(d) of this title."

(3) the following item is inserted in the analysis:

"4345a. Selection of persons from other friendly countries."

Sec. 2. Section 6957 of title 10, United States Code, is amended:

(1) by inserting the following clause immediately after clause (2) of subsection (b):

"(3) Not more than 4 at a time from other countries friendly to the United States."

Sec. 3. Chapter 903 of title 10, United States Code, is amended as follows:

(1) by inserting the following section after section 9345:

"§ 934a. Selection of persons from other friendly countries

"(a) Upon designation by the President, the Secretary of the Air Force may permit not more than 4 persons at any one time from countries friendly to the United States (other than Canada, the American Republics, and the Republic of the Philippines) to receive instruction at the Academy.

"(b) A person receiving instruction under this section is entitled to the pay, allowances, and emoluments of a cadet appointed from the United States, and from the same appropriations.

"(c) Except as the Secretary determines, a person receiving instruction under this section is subject to the same regulations governing admission, attendance, discipline, resignation, discharge, dismissal, and graduation as a cadet at the Academy appointed from the United States. However, a person receiving instruction under this section is not entitled to appointment in the Air Force by reason of his graduation from the Academy."

(3) the following item is inserted in the analysis:

"9345a. Selection of persons from other friendly countries."

With the following committee amendment:

Strike all after the enacting clause and substitute the following new language:

"(a) Notwithstanding any other provision of law, upon designation by the President, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, respectively, may permit persons from foreign countries to receive instruction at the Military Academy, the Naval Academy, and the Air Force Academy.

"(b) A person may not be admitted to an Academy for instruction under this Act unless his country at the time of his admission is assisting the United States in Viet Nam by the provision of manpower or bases.

"(c) Not more than four persons may receive instruction under this Act at any one Academy at any one time.

"(d) No person may be admitted to an Academy under this Act after October 1, 1970.

"(e) A person receiving instruction under this Act is entitled to the pay, allowances, and emoluments of a Cadet or Midshipman appointed from the United States and from the same appropriations.

"(f) Except as the Secretary determines a person receiving instruction under this Act is subject to the same regulations governing admission, attendance, discipline, resignation, discharge, dismissal and graduation as a Cadet or Midshipman appointed from the United States. However, a person receiving instruction under this Act is not entitled to an appointment in the Armed Forces of the United States by reason of his graduation from an Academy.

"(g) A person receiving instruction under this Act is not subject to section 4346(d) of title 10, United States Code."

Mr. BATES. Mr. Speaker, I move to strike the last word. I should like to have an explanation of this bill as reported.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. BATES. I yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. This bill originated in the other body. It was sent over by the Department of Defense, to request that 12 students from friendly countries be permitted to attend the Military Academies. The other body cut it down to 4 at one time at an Academy, or 12 at any one time.

Under the Senate change, which as I mentioned, was concurred in by our committee, there can be no more than four students in each of the Academies, at any one time, under the authority proposed in this bill.

Stated another way, there can be a maximum of 12 students at all 3 service academies under this authority at any one time.

Our committee, however, did not accept the other body's definition of "friendly nation" since that language is easily susceptible of very broad and loose interpretation. Therefore, the committee directed that that language be modified to limit the countries from which these students may be admitted to those countries in the Pacific Ocean area who are assisting the United States in its efforts to establish peace in South Vietnam through the availability of manpower and/or bases. This refined language, therefore, would include, for example Nationalist China.

Mr. BATES. I thank the gentleman for his explanation.

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

EXEMPTIONS FROM SHIPPING ACT, 1916

The Clerk called the bill (S. 3391) to amend the Shipping Act, 1916, as amended, to authorize exemption from the provisions of the act.

There being no objection, the Clerk read the bill, as follows:

S. 3391

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Shipping Act, 1916 (46 U.S.C. 801 et seq.), is amended by adding thereto the following new section:

"SEC. 35. The Federal Maritime Commission, upon application or on its own motion, may by order or rule exempt for the future any class of agreements between persons subject to this Act or any specified activity of such persons from any requirement of the Shipping Act, 1916, or Intercoastal Shipping Act, 1933, where it finds that such exemption will not substantially impair effective regulation by the Federal Maritime Commission, be unjustly discriminatory, or be detrimental to commerce.

"The Commission may attach conditions to any such exemptions and may, by order, revoke any such exemption.

"No order or rule of exemption or revocation of exemption shall be issued unless opportunity for hearing has been afforded interested persons."

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. MAILLIARD] may extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MAILLIARD. Mr. Speaker, I wish to join with my distinguished colleagues on our Committee on Merchant Marine in urging the favorable consideration of the bill, S. 3391.

The purpose of the bill is to provide the Federal Maritime Commission, which has jurisdiction over certain regulatory matters affecting our waterborne commerce, with discretionary authority to exempt persons or activities subject to the Shipping Act of 1916 and the Intercoastal Shipping Act of 1933 where circumstances warrant such an exemption. Comparable exempting authority exists in the Civil Aeronautics Board and to a degree in the Interstate Commerce Commission.

It is the intention to relieve from strict and rigid regulation now required under existing law those water carriers or other persons subject to the acts which have only a slight effect upon our commerce and are not of significance in the overall design of the contemplated regulations. As the Chairman of the Federal Maritime Commission, Rear Adm. John Harllee, U.S. Navy, retired, testified before our committee:

> Requirement of strict compliance with the acts is sometimes unnecessary to both the the industry and the public interest under these circumstances.

The bill also provides for safeguards against any possible abuses arising out of this authority by requiring that an order of exemption may be issued only after opportunity for hearings and after thorough analysis. Also, any resultant findings from such a hearing would be subject to judicial review.

Therefore, in view of our growing oceanborne commerce and this attendant increase in regulatory activity in this field, passage of this bill should enable the Federal Maritime Commission to function more efficiently and to this end I urge that S. 3391 do pass the House.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. This concludes the call of the Consent Calendar.

AUTHORIZING THE EXTENSION OF LOANS OF NAVAL VESSELS TO FRIENDLY FOREIGN COUNTRIES

Mr. RIVERS of South Carolina. Mr. Speaker, I ask unanimous consent that the House reconsider the action whereby H.R. 12822 was passed over and that the House return to the consideration of Calendar No. 390, H.R. 12822.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

Mr. PELLY. Mr. Speaker, reserving the right to object, when this bill was called up earlier today I asked that it be passed over because of the fact that some of our fish boats had been apprehended outside the 12-mile limit by the Peruvians and I did not want to add another government vessel to the Peruvian Navy to be used against our fishermen.

However, since that bill was passed over, I have been told this one destroyer for Peru is in their possession now. So I feel that I can leave this whole matter under the discretion of the President. Therefore, Mr. Speaker, I am willing to relinquish my request that it be passed over.

Mr. RIVERS of South Carolina. Mr. Speaker, will the gentleman yield?

Mr. PELLY. I am glad to yield to the gentleman from South Carolina.

Mr. RIVERS of South Carolina. Mr. Speaker, I can understand the concern held by the distinguished gentleman from Washington with regard to any of our fishing boats being stopped. We do not want this to occur. This bill only extends the loan of vessels to those friendly countries, Peru not being the only one, with these ships in their possession now. It extends the loans for another 5 years and an additional 5 years if the President sees that such is in the interest of this country. I will do anything I can to overcome the objection that the gentleman has, which is a valid one. We do not want this kind of thing to occur.

Mr. PELLY. Mr. Speaker, I do not want to penalize the other countries. I am sure the gentleman will do what he can. Therefore, Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 12822

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding section 7307 of title 10, United States Code, or any other law, the President may extend on such terms and under such conditions as he deems appropriate the loan of ships, previously authorized as indicated, as follows: (1) Argentina, three destroyers (Act of July 18, 1958 (72 Stat. 376)); (2) Brazil, two destroyers (Act of July 18, 1958 (72 Stat. 376)); (3) Chile, one submarine (Act of July 18, 1958 (72 Stat. 376)); (4) Colombia, one destroyer (Act of July 18, 1958 (72 Stat. 376)); (5) Korea, two destroyer escorts (Act of August 5, 1953 (67 Stat. 363), as amended); (6) Peru, one destroyer (Act of July 18, 1958 (72 Stat. 376)).

SEC. 2. All loan extensions executed under this Act shall be for periods not exceeding five years, but the President may in his discretion extend such loans for an additional period of not more than five years. They shall be made on the condition that they may be terminated at an earlier date if necessitated by the defense requirements of the United States.

SEC. 3. The President may promulgate such rules and regulations as he deems necessary to carry out the provisions of this Act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

DETAILS OF EMPLOYEES FROM FIELD SERVICE

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent to return for immediate consideration to Consent Calendar No. 395, the bill S. 1496, to repeal the provisions of law codified in title 5, section 39, United States Code, and for other purposes.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

Mr. **HALL**. Mr. Speaker, having asked unanimous consent to have this bill put over without prejudice previously, I again reserve the right to object, in order to have an explanation by the gentleman from Texas for its reconsideration.

Mr. **BECKWORTH**. Mr. Speaker, S. 1496 is an official administrative proposal also recommended by the Comptroller General to repeal obsolete laws. Its enactment will contribute to improving manpower utilization. Subsection (a) repeals a 74-year-old law which generally prohibits the detailing of field employees' position in the District of Columbia. When the prohibition was enacted, in 1882, and for many years after that, appropriation acts were required to specify authorizations for personal services in the District.

That requirement—and this is the meat in the coconut—that requirement was repealed by the Administration Expenses Act of 1950. What this, in effect, provides has actually been going on since that act was passed in 1950. This is simply a cleanup bill and one which would clean up the statutes on these particular points. It passed the Senate in June. The distinguished gentleman from Pennsylvania [Mr. JOHNSON], a member of the subcommittee, is familiar with the fact that it is a cleanup bill only.

Mr. **HALL**. Mr. Speaker, I appreciate the gentleman from Texas advising the House on this matter. Again I say it was put over as a procedural matter because the report, in and of itself, does not make it clear that there is an intervening statute that does authorize bringing of this personnel into Washington.

Mr. **BECKWORTH**. That is right.

Mr. **HALL**. It would appear certainly with the rapid growth rate of personnel assigned to Federal positions in Washington, that this should be generally eschewed, but with the explanation of the gentleman from Pennsylvania who serves on that committee, as the gentleman says, I will withdraw my reservation of objection, Mr. Speaker.

The **SPEAKER**. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

S. 1496

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 4 of the Act of August 5, 1882 (22 Stat. 255), as amended, and section 6 of the Act of June 22, 1906 (34 Stat. 449), as amended (5 U.S.C. 39), which prohibit the detail of field personnel to duty in the District of Columbia except for the performance of duties in connection with their respective field offices, are hereby repealed.

Sec. 2. Section 1 of the Act of August 5, 1882 (22 Stat. 255), as amended (5 U.S.C. 40), and section 525 of the Act of June 17, 1930 (46 Stat. 741), as amended (19 U.S.C. 1525), which provide exceptions to the Treasury Department from the restrictions imposed by title 5, section 39, United States Code, are hereby repealed.

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That (a) section 3342 of title 5, United States Code, relating to the prohibition of details of employees from the field service to the departmental service, is hereby repealed.

"(b) The table of contents of subchapter III of chapter 33 of title 5, United States Code, is amended by striking out—

"'3342. Details; field to departmental service prohibited.'.

"Sec. 2. Section 525 of the Act of June 17, 1930 (46 Stat. 741; 19 U.S.C. 1525), which provides exception to the Department of the Treasury from the restrictions imposed by section 3342 of title 5, United States Code, is hereby repealed."

The amendment was agreed to.

The bill, as amended, was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An Act to repeal section 3342 of title 5, United States Code, relating to the prohibition of employee details from the field service to the departmental service, and for other purposes."

A motion to reconsider was laid on the table.

PERMISSION TO FILE CONFERENCE REPORT ON H.R. 17636, DISTRICT OF COLUMBIA APPROPRIATIONS

Mr. **NATCHER**. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report on the bill (H.R. 17636) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes.

The **SPEAKER**. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

FISH PROTEIN CONCENTRATE

Mr. **LENNON** submitted a conference report and statement on the bill (S. 2720) to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate.

CALL OF THE HOUSE

Mr. **CEDERBERG**. Mr. Speaker, I make the point of order that a quorum is not present.

The **SPEAKER**. Evidently a quorum is not present.

Mr. **McFALL**. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 367]

Abbitt
Abernethy
Adair
Albert
Anderson, Ill.
Anderson, Tenn.
Annunzio
Ashley
Aspinall
Bandstra
Baring
Belcher
Berry
Betts
Bolling
Brock
Brooks
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Buchanan
Burton, Calif.
Callaway
Carter
Celler
Clawson, Del
Cleveland
Clevenger
Conable
Conte
Cooley
Corman
Craley
Curtis
Daddario
Davis, Ga.
Delaney
Dent
Denton
Devine
Dickinson
Dingell
Dorn
Dow
Duncan, Oreg.
Dyal
Edmondson
Edwards, Ala.
Erlenborn
Evans, Colo.
Evins, Tenn.
Farbstein
Farnsley
Farnum
Fino
Fisher
Flynt
Foley
Fraser
Fulton, Tenn.
Fuqua
Gallagher
Giaimo
Gilligan
Grabowski
Greigg
Grider
Gross
Gurney
Hagan, Ga.
Halpern
Hansen, Idaho
Hansen, Iowa
Harsha
Harvey, Ind.
Harvey, Mich.
Hawkins
Hays
Hébert
Helstoski
Hicks
Howard
Hungate
Huot
Jacobs
Jennings
Johnson, Okla.
Jonas
Jones, N.C.
Kastenmeier
Kelly
King, Utah
Kluczynski
Kornegay
Kupferman
Laird
Love
McCarthy
McClory
McCulloch
McDowell
McMillan
McVicker
MacGregor
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Meeds
Michel
Mize
Moeller
Morrison
Morse
Mosher
Moss
Murphy, N.Y.
Murray
Nelsen
Nix
O'Hara, Mich.
O'Konski
Olsen, Mont.
Olson, Minn.
Ottinger
Pepper
Pirnie
Pool
Pucinski
Purcell
Race
Reifel
Reinecke
Resnick
Rhodes, Ariz.
Rivers, Alaska
Roberts
Rogers, Tex.
Ronan
Roncalio
Rooney, Pa.
Roudebush
St Germain
St. Onge
Saylor
Schisler
Schmidhauser
Senner
Shipley
Sisk
Skubitz
Slack
Smith, Calif.
Smith, N.Y.
Stafford
Stalbaum
Stanton
Steed
Stephens
Stratton
Sullivan
Sweeney
Taylor
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tuck
Tunney
Udall
Ullman
Vigorito
Vivian
Walker, Miss.
Watkins
White, Idaho
Whitener
Widnall
Willis
Wilson, Bob
Wolff
Yates

The **SPEAKER**. On this rollcall, 243 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

COMPREHENSIVE HEALTH PLANNING AND PUBLIC HEALTH SERVICES AMENDMENTS OF 1966

Mr. **STAGGERS**. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 18231) to amend section 314 of the Public Health Service Act to promote and assist in the extension and improvement of comprehensive health planning and public health services, to provide for a more effective use of available Federal funds for such planning and services, and for other purposes, as amended.

The Clerk read as follows:

H.R. 18231

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Comprehensive Health Planning and Public Health Services Amendments of 1966".

FINDINGS AND DECLARATION OF PURPOSE

Sec. 2. (a) The Congress declares that fulfillment of our national purpose depends on promoting and assuring the highest level of health attainable for every person, in an environment which contributes positively to healthful individual and family living; that attainment of this goal depends on an effective partnership, involving close intergovernmental collaboration, official and voluntary efforts, and participation of individuals and organizations; that Federal financial assistance must be directed to support the marshaling of all health resources—national, State, and local—to assure comprehensive health services of high quality for every person, but without interference with existing patterns of private professional practice of medicine, dentistry, and related healing arts.

(b) To carry out such purpose, and recognizing the changing character of health problems, the Congress finds that comprehensive planning for health services, health manpower, and health facilities is essential at every level of government; that desirable administration requires strengthening the leadership and capacities of State health agencies; and that support of health services provided people in their communities should be broadened and made more flexible.

GRANTS FOR COMPREHENSIVE HEALTH PLANNING AND PUBLIC HEALTH SERVICES

SEC. 3. Section 314 of the Public Health Service Act (42 U.S.C. 246) is amended to read as follows:

"GRANTS FOR COMPREHENSIVE HEALTH PLANNING AND PUBLIC HEALTH SERVICES

"Grants to States for comprehensive State health planning

"SEC. 314. (a) (1) AUTHORIZATION.—In order to assist the States in comprehensive and continuing planning for their current and future health needs, the Surgeon General is authorized during the period beginning July 1, 1966, and ending June 30, 1968, to make grants to States which have submitted, and had approved by the Surgeon General, State plans for comprehensive State health planning. For the purposes of carrying out this subsection, there are hereby authorized to be appropriated $2,500,000 for the fiscal year ending June 30, 1967, and $5,000,000 for the fiscal year ending June 30, 1968.

"(2) STATE PLANS FOR COMPREHENSIVE STATE HEALTH PLANNING.—In order to be approved for purposes of this subsection, a State plan for comprehensive State health planning must—

"(A) designate, or provide for the establishment of, a single State agency, which may be an interdepartmental agency, as the sole agency for administering or supervising the administration of the State's health planning functions under the plan;

"(B) provide for the establishment of a State health planning council, which shall include representatives of State and local agencies and nongovernmental organizations and groups concerned with health, and of consumers of health services, to advise such State agency in carrying out its functions under the plan, and a majority of the membership of such council shall consist of representatives of consumers of health services;

"(C) set forth policies and procedures for the expenditure of funds under the plan, which, in the judgment of the Surgeon General, are designed to provide for comprehensive State planning for health services (both public and private), including the facilities and persons required for the provision of such services, to meet the health needs of the people of the State;

"(D) provide for encouraging cooperative efforts among governmental or nongovernmental agencies, organizations and groups concerned with health services, facilities, or manpower, and for cooperative efforts between such agencies, organizations, and groups and similar agencies, organizations, and groups in the fields of education, welfare, and rehabilitation;

"(E) contain or be supported by assurances satisfactory to the Surgeon General that the funds paid under this subsection will be used to supplement and, to the extent practicable, to increase the level of funds that would otherwise be made available by the State for the purpose of comprehensive health planning and not to supplant such non-Federal funds;

"(F) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Surgeon General shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Surgeon General to be necessary for the proper and efficient operation of the plan;

"(G) provide that the State agency will make such reports, in such form and containing such information, as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General finds necessary to assure the correctness and verification of such reports;

"(H) provide that the State agency will from time to time, but not less often than annually, review its State plan approved under this subsection and submit to the Surgeon General appropriate modifications thereof;

"(I) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the State under this subsection; and

"(J) contain such additional information and assurances as the Surgeon General may find necessary to carry out the purposes of this subsection.

"(3) (A) STATE ALLOTMENTS.—From the sums appropriated for such purpose for each fiscal year, the several States shall be entitled to allotments determined, in accordance with regulations, on the basis of the population and the per capita income of the respective States; except that no such allotment to any State for any fiscal year shall be less than 1 per centum of the sum appropriated for such fiscal year pursuant to paragraph (1). Any such allotment to a State for a fiscal year shall remain available for obligation by the State, in accordance with the provisions of this subsection and the State's plan approved thereunder, until the close of the succeeding fiscal year.

"(B) The amount of any allotment to a State under subparagraph (A) for any fiscal year which the Surgeon General determines will not be required by the State, during the period for which it is available, for the purposes for which allotted shall be available for reallotment by the Surgeon General from time to time, on such date or dates as he may fix, to other States with respect to which such a determination has not been made, in proportion to the original allotments to such States under subparagraph (A) for such fiscal year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Surgeon General estimates such State needs and will be able to use during such period; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount so reallotted to a State from funds appropriated pursuant to this subsection for a fiscal year shall be deemed part of its allotment under subparagraph (A) for such fiscal year.

"(4) PAYMENTS TO STATES.—From each State's allotment for a fiscal year under this subsection, the State shall from time to time be paid the Federal share of the expenditures incurred during that year or the succeeding year pursuant to its State plan approved under this subsection. Such payments shall be made on the basis of estimates by the Surgeon General of the sums the State will need in order to perform the planning under its approved State plan under this subsection, but with such adjustments as may be necessary to take account of previously made underpayments or overpayments. The 'Federal share' for any State for purposes of this subsection shall be all, or such part as the Surgeon General may determine, of the cost of such planning.

"Project Grants for Areawide Health Planning

"(b) The Surgeon General is authorized, during the period beginning July 1, 1966, and ending June 30, 1968, to make, with the approval of the State agency administering or supervising the administration of the State plan approved under subsection (a), project grants to any other public or nonprofit private agency or organization to cover not to exceed 75 per centum of the costs of projects for developing (and from time to time revising) comprehensive regional, metropolitan area, or other local area plans for coordination of existing and planned health services, including the facilities and persons required for provision of such services; except that in the case of project grants made in any State prior to July 1, 1968, approval of such State agency shall be required only if such State has such a State plan in effect at the time of such grants. For the purposes of carrying out this subsection, there are hereby authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1967, and $7,500,000 for the fiscal year ending June 30, 1968.

"Project grants for training, studies, and demonstrations

"(c) The Surgeon General is also authorized, during the period beginning July 1, 1966, and ending June 30, 1968, to make grants to any public or nonprofit private agency, institution, or other organization to cover all or any part of the cost of projects for training, studies, or demonstrations looking toward the development of improved or more effective comprehensive health planning throughout the Nation. For the purposes of carrying out this subsection, there are hereby authorized to be appropriated $1,500,000 for the fiscal year ending June 30, 1967, and $2,500,000 for the fiscal year ending June 30, 1968.

"Grants for comprehensive public health services

"(d) (1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $62,500,000 for the fiscal year ending June 30, 1968, to enable the Surgeon General to make grants to State health or mental health authorities to assist the States in establishing and maintaining adequate public health services, including the training of personnel for State and local health work. The sums so appropriated shall be used for making payments to States which have submitted, and had approved by the Surgeon General, State plans for provisions of public health services.

"(2) STATE PLANS FOR PROVISION OF PUBLIC HEALTH SERVICES.—In order to be approved under this subsection, a State plan for provision of public health services must—

"(A) provide for administration or supervision of administration by the State health authority or, with respect to mental health services, the State mental health authority;

"(B) set forth the policies and procedures to be followed in the expenditure of the funds paid under this subsection;

"(C) contain or be supported by assurances satisfactory to the Surgeon General that (i) the funds paid to the State under this subsection will be used to make a significant contribution toward providing and strengthening public health services in the various political subdivisions in order to improve the health of the people; (ii) such funds will be made available to other public or nonprofit private agencies, institutions, and organizations, in accordance with criteria which the Surgeon General determines are designed to secure maximum participation of local, regional, or metropolitan agencies and groups in the provision of such services; and (iii) such funds will be used to supplement and, to the extent practical, to increase the level of funds that would otherwise be made available for the purposes for which the Federal funds are provided and not to supplant such non-Federal funds;

"(D) provide for the furnishing of public health services under the State plan in accordance with such plans as have been developed pursuant to subsection (a);

"(E) provide that public health services furnished under the plan will be in accordance with standards prescribed by regulations, including standards as to the scope and quality of such services;

"(F) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Surgeon General shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Surgeon General to be necessary for the proper and efficient operation of the plan;

"(G) provide that the State health authority or, with respect to mental health services, the State mental health authority, will from time to time, but not less often than annually, review and evaluate its State plan approved under this subsection and submit to the Surgeon General appropriate modifications thereof;

"(H) provide that the State health authority or, with respect to mental health services, the State mental health authority, will make such reports, in such form and containing such information, as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General finds necessary to assure the correctness and verification of such reports;

"(I) provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of and accounting for funds paid to the State under this subsection; and

"(J) contain such additional information and assurances as the Surgeon General may find necessary to carry out the purposes of this subsection.

"(3) STATE ALLOTMENTS.—From the sums appropriated to carry out the provisions of this subsection the several States shall be entitled for each fiscal year to allotments determined, in accordance with regulations, on the basis of the population and financial need of the respective States, except that no State's allotment shall be less for any year than the total amounts allotted to such State under formula grants for cancer control, plus other allotments under this section, for the fiscal year ending June 30, 1967.

"(4)(A) PAYMENTS TO STATES.—From each State's allotment under this subsection for a fiscal year, the State shall be paid the Federal share of the expenditures incurred during such year under its State plan approved under this subsection. Such payments shall be made from time to time in advance on the basis of estimates by the Surgeon General of the sums the State will expend under the State plan, except that such adjustments as may be necessary shall be made on account of previously made underpayments or overpayments under this subsection.

"(B) For the purpose of determining the Federal share for any State, expenditures by nonprofit private agencies, organizations, and groups shall, subject to such limitations and conditions as may be prescribed by regulations, be regarded as expenditures by such State or a political subdivision thereof.

"(5) FEDERAL SHARE.—The 'Federal share' for any State for purposes of this subsection shall be 100 per centum less than percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the United States; except that in no case shall such percentage be less than 33⅓ per centum or more than 66⅔ per centum, and except that the Federal share for the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 66⅔ per centum.

"(6) DETERMINATION OF FEDERAL SHARES.—The Federal shares shall be determined by the Surgeon General between July 1 and September 1 of each year, on the basis of the average per capita incomes of each of the States and of the United States for the most recent year for which satisfactory data are available from the Department of Commerce, and such determination shall be conclusive for the fiscal year beginning on the next July 1. The population of the several States shall be determined on the basis of the latest figures for the population of the several States available from the Department of Commerce.

"(7) ALLOCATION OF FUNDS WITHIN THE STATES.—At least 15 per centum of a State's allotment under this subsection shall be available only to the State mental health authority for the provision under the State plan of mental health services.

"Project grants for health services development

"(e) There are authorized to be appropriated $62,500,000 for the fiscal year ending June 30, 1968, for grants to any public or nonprofit private agency, institution, or organization to cover part of the cost of (1) providing services to meet health needs of limited geographic scope or of specialized regional or national significance, (2) stimulating and supporting for an initial period new program of health services, or (3) undertaking studies, demonstrations, or training designed to develop new methods or improve existing methods of providing health services. Such grants may be made pursuant to clause (1) or (2) of the preceding sentence with respect to projects involving the furnishing of public health services only if such services are provided in accordance with such plans as have been developed pursuant to subsection (a).

"Interchange of personnel with States

"(f)(1) For the purposes of this subsection, the term 'State' means a State or a political subdivision of a State, or any agency of either of the foregoing engaged in any activities related to health or designated or established pursuant to subparagraph (A) of paragraph (2) of subsection (a); the term 'Secretary' means (except when used in paragraph (3)(D)) the Secretary of Health, Education, and Welfare; and the term 'Department' means the Department of Health, Education, and Welfare.

"(2) The Secretary is authorized, through agreements or otherwise, to arrange for assignment of officers and employees of States to the Department and assignment to States of officers and employees in the Department engaged in work related to health, for work which the Secretary determines will aid the Department in more effective discharge of its responsibilities in the field of health as authorized by law, including cooperation with States and the provision of technical or other assistance. The period of assignment of any officer or employee under an arrangement shall not exceed two years.

"(3) (A) Officers and employees in the Department assigned to any State pursuant to this subsection shall be considered, during such assignment, to be (i) on detail to a regular work assignment in the Department, or (ii) on leave without pay from their positions in the Department.

"(B) Persons considered to be so detailed shall remain as officers or employees, as the case may be, in the Department for all purposes, except that the supervision of their duties during the period of detail may be governed by agreement between the Department and the State involved.

"(C) In the case of persons so assigned and on leave without pay—

"(i) if the rate of compensation (including allowances) for their employment by the State is less than the rate of compensation (including allowances) they would be receiving had they continued in their regular assignment in the Department, they may receive supplemental salary payments from the Department in the amount considered by the Secretary to be justified, but not at a rate in excess of the difference between the State rate and the Department rate; and

"(ii) they may be granted annual leave and sick leave to the extent authorized by law, but only in circumstances considered by the Secretary to justify approval of such leave.

Such officers and employees on leave without pay shall, notwithstanding any other provision of law, be entitled—

"(iii) to continuation of their insurance under the Federal Employees' Group Life Insurance Act of 1954, and coverage under the Federal Employees Health Benefits Act of 1959, so long as the Department continues to collect the employee's contribution from the officer or employee involved and to transmit for timely deposit into the funds created under such Acts the amount of the employee's contributions and the Government's contribution from appropriations of the Department; and

"(iv)(I) in the case of commissioned officers of the Service, to have their service during their assignment treated as provided in section 214(d) for such officers on leave without pay, or (II) in the case of other officers and employees in the Department, to credit the period of their assignment under the arrangement under this subsection toward periodic or longevity step increases and for retention and leave accrual purposes, and, upon payment into the civil service retirement and disability fund of the percentage of their State salary, and of their supplemental salary payments, if any, which would have been deducted from a like Federal salary for the period of such assignment and payment by the Secretary into such fund of the amount which would have been payable by him during the period of such assignment with respect to a like Federal salary, to treat (notwithstanding the provisions of the Independent Offices Appropriation Act, 1959, under the head 'Civil Service Retirement and Disability Fund') their service during such period as service within the meaning of the Civil Service Retirement Act;

except that no officer or employee or his beneficiary may receive any benefits under the Civil Service Retirement Act, the Federal Employees Health Benefits Act of 1959, or the Federal Employees' Group Life Insurance Act of 1954, based on service during an assignment hereunder for which the officer or employee or (if he dies without making such election) his beneficiary elects to receive benefits, under any State retirement or insurance law or program, which the Civil Service Commission determines to be similar. The Department shall deposit currently in the funds created under the Federal Employees' Group Life Insurance Act of 1954, the Federal Employees Health Benefits Act of 1959, and the civil service retirement and disability fund, respectively, the amount of the Government's contribution under these Acts on account of service with respect to which employee contributions are collected as provided in subparagraph (iii) and the amount of the Government's contribution under the Civil Service Retirement Act on account of service with respect to which payments (of the amount which would have been deducted under that Act) referred to in subparagraph (iv) are made to such civil service retirement and disability fund.

"(D) Any such officer or employee on leave without pay (other than a commissioned officer of the Service) who suffers disability or death as a result of personal injury sustained while in the performance of his duty during an assignment hereunder, shall be treated, for the purposes of the Federal Employees' Compensation Act, as though he were an employee, as defined in such Act, who had sustained such injury in the performance of duty. When such person (or his dependents, in case of death) entitled by reason of injury or death to benefits under that Act is also entitled to benefits from a State for the same injury or death, he (or his dependents in case of death) shall elect which benefits he will receive. Such election shall be made within one year after the injury or death, or such further time as the Secretary of Labor may for good cause allow, and when made shall be irrevocable unless otherwise provided by law.

"(4) Assignment of any officer or employee in the Department to a State under this subsection may be made with or without reimbursement by the State for the compensation (or supplementary compensation), travel and transportation expenses (to or from the place of assignment), and allowances, or any part thereof, of such officer or employee during the period of assignment, and any such reimbursement shall be credited to the appropriation utilized for paying such compensation, travel or transportation expenses, or allowances.

"(5) Appropriations to the Department shall be available, in accordance with the standardized Government travel regulations or, with respect to commissioned officers of the Service, the joint travel regulations, the expenses of travel of officers and employees assigned to States under an arrangement under this subsection on either a detail or leave-without-pay basis and, in accordance with applicable law, orders, and regulations, for expenses of transportation of their immediate families and expenses of transportation of their household goods and personal effects, in connection with the travel of such officers and employees to the location of their posts of assignment and their return to their official stations.

"(6) Officers and employees of States who are assigned to the Department under an arrangement under this subsection may (A) be given appointments in the Department covering the periods of such assignments, or (B) be considered to be on detail to the Department. Appointments of persons so assigned may be made without regard to the civil service laws. Persons so appointed in the Department shall be paid at rates of compensation determined in accordance with the Classification Act of 1949, and shall not be considered to be officers or employees of the Service for the purposes of (A) the Civil Service Retirement Act, (B) the Federal Employees' Group Life Insurance Act of 1954, or (C) unless their appointments result in the loss of coverage in a group health benefits plan whose premium has been paid in whole or in part by a State contribution, the Federal Employees Health Benefits Act of 1959. State officers and employees who are assigned to the Department without appointment shall not be considered to be officers or employees of the Department, except as provided in subsection (7), nor shall they be paid a salary or wage by the Service during the period of their assignment. The supervision of the duties of such persons during the assignment may be governed by agreement between the Secretary and the State involved.

"(7) (A) Any State officer or employee who is assigned to the Department without appointment shall nevertheless be subject to the provisions of sections 203, 205, 207, 208, and 209 of title 18 of the United States Code.

"(B) Any State officer or employee who is given an appointment while assigned to the Department, or who is assigned to the Department without appointment, under an arrangement under this subsection, and who suffers disability or death as a result of personal injury sustained while in the performance of his duty during such assignment shall be treated, for the purpose of the Federal Employees' Compensation Act, as though he were an employee, as defined in such Act, who had sustained such injury in the performance of duty. When such person (or his dependents, in case of death) entitled by reason of injury or death to benefits under that Act is also entitled to benefits from a State for the same injury or death, he (or his dependents, in case of death) shall elect which benefits he will receive. Such election shall be made within one year after the injury or death, or such further time as the Secretary of Labor may for good cause allow, and when made shall be irrevocable unless otherwise provided by law.

"(8) The appropriations to the Department shall be available, in accordance with the standardized Government travel regulations, during the period of assignment and in the case of travel to and from their places of assignment or appointment, for the payment of expenses of travel of persons assigned to, or given appointments by, the Service under an arrangement under this subsection.

"(9) All arrangements under this subsection for assignment of officers or employees in the Department to States or for assignments of officers or employees of States to the Department shall be made in accordance with regulations of the Secretary.

"General

"(g) (1) All regulations and amendments thereto with respect to grants to States under subsection (a) shall be made after consultation with a conference of the State health planning agencies designated or established pursuant to subparagraph (A) of paragraph (2) of subsection (a). All regulations and amendments thereto with respect to grants to States under subsection (d) shall be made after consultation with a conference of State health authorities and, in the case of regulations and amendments which relate to or in any way affect grants for services or other activities in the field of mental health, the State mental health authorities. Insofar as practicable, the Surgeon General shall obtain the agreement, prior to the issuance of such regulations or amendments, of the State authorities or agencies with whom such consultation is required.

"(2) The Surgeon General, at the request of any recipient of a grant under this section, may reduce the payments to such recipient by the fair market value of any equipment or supplies furnished to such recipient and by the amount of the pay, allowances, traveling expenses, and any other costs in connection with the detail of an officer or employee to the recipient when such furnishing or such detail, as the case may be, is for the convenience of and at the request of such recipient and for the purpose of carrying out the State plan or the project with respect to which the grant under this section is made. The amount by which such payments are so reduced shall be available for payment of such costs (including the costs of such equipment and supplies) by the Surgeon General, but shall, for purposes of determining the Federal share under subsection (a) or (d), be deemed to have been paid to the State.

"(3) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the health authority or, where appropriate, the mental health authority of a State or a State health planning agency designated or established pursuant to subparagraph (A) of paragraph (2) of subsection (a), finds that, with respect to money paid to the State out of appropriations under subsection (a) or (d), there is a failure to comply substantially with either—

"(A) the applicable provisions of this section;

"(B) the State plan submitted under such subsection; or

"(C) applicable regulations under this section;

the Surgeon General shall notify such State health authority, mental health authority, or health planning agency, as the case may be, that further payments will not be made to the State from appropriations under such subsection (or in his discretion that further payments will not be made to the State from such appropriations for activities in which there is such failure), until he is satisfied that there will no longer be such failure. Until he is so satisfied, the Surgeon General shall make no payment to such State from appropriations under such subsection, or shall limit payment to activities in which there is no such failure.

"(4) For the purposes of this section—

"(A) The term 'nonprofit' as applied to any private agency, institution, or organization means one which is a corporation or association, or is owned and operated by one or more corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and

"(B) The term 'State' includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the District of Columbia and the term 'United States' means the fifty States and the District of Columbia."

CONTINUATION OF GRANTS TO SCHOOLS OF PUBLIC HEALTH

SEC. 4. Effective July 1, 1967, section 309 of the Public Health Service Act is amended by adding after subsection (b) the following new subsection:

"(c) There are also authorized to be appropriated $5,000,000 each for the fiscal year ending June 30, 1968, to enable the Surgeon General to make grants, under such terms and conditions as may be prescribed by regulations, for provision, in public or nonprofit private schools of public health accredited by a body or bodies recognized by the Surgeon General, of comprehensive professional training, specialized consultive services, and technical assistance in the fields of public health and in the administration of State or local public health programs, except that in allocating funds made available under this subsection among such schools of public health, the Surgeon General shall give primary consideration to the number of federally sponsored students attending each such school."

CONTINUATION OF AUTHORIZATION FOR TRAINING OF PERSONNEL FOR STATE AND LOCAL HEALTH WORK; COOPERATION BETWEEN THE STATES

SEC. 5. (a) Effective July 1, 1966, section 311 of the Public Health Service Act is amended by inserting "(a)" after "311." and by adding at the end of such section the following new subsection:

"(b) The Surgeon General shall encourage cooperative activities between the States with respect to comprehensive and continuing planning as to their current and future health needs, the establishment and maintenance of adequate public health services, and otherwise carrying out the purposes of section 314."

(b) Effective July 1, 1967, section 311 of the Public Health Service Act is further amended by adding at the end of subsection (b) thereof the following new sentence: "The Surgeon General is also authorized to train personnel for State and local health work."

EFFECTIVE DATE AND REPEALER

SEC. 6. The amendments made by section 3 shall become effective as of July 1, 1966, except that the provisions of section 314 of the Public Health Service Act as in effect prior to the enactment of this Act shall be effective until July 1, 1967, in lieu of the provisions of subsections (d) and (e), and the provisions of subsection (g) insofar as they relate to such subsections (d) and (e), of section 314 of the Public Health Service Act as amended by this Act. Effective July 1, 1967, sections 316 and 318 of the Public Health Service Act are repealed.

REORGANIZATION PLAN

SEC. 7. The provisions enacted by this Act shall be subject to the provisions of Reorganization Plan Numbered 3 of 1966.

The **SPEAKER**. Is a second demanded?

Mr. **SPRINGER**. Mr. Speaker, I demand a second.

The **SPEAKER**. Without objection, a second will be considered as ordered.

There was no objection.

Mr. **STAGGERS**. Mr. Speaker, this bill was an administration proposal originally providing a 6-year program of grants to the States for comprehensive health planning and for grants to the States for health services.

The Senate passed a 4-year version of this bill on October 4. There was not time for our committee to have the full hearings this subject needs, so this bill was introduced, and as reported to the House today, follows the Senate bill very closely except that it provides authorizations only for the current fiscal year for planning and for the fiscal year 1968 for both planning and for formula grants and project grants for health services in the States.

Existing authorizations for formula grants expire at the end of the current fiscal year, and this bill extends this authorization for an additional year, and provides a modest increase in the amounts.

The bill also abolishes the so-called categorical formula grants, so as to provide flexibility for the States in determining the type of health services they will provide. It also authorizes project grants to the States for 1968 in amounts slightly above existing authorizations.

Our committee intends to go into this entire subject thoroughly during the next Congress. Pending that thorough study, this is a stopgap measure.

The bill was reported out of our committee unanimously and we recommend its passage to the House.

Mr. **SPRINGER**. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, for many years the Federal Government has assisted State and local entities in creating and maintaining organizations to promote and carry out public health activities. The history of this effort goes back as far as 1918. Over the years the need for efforts in new areas and new categories has resulted in the piecemeal addition of grant programs to support State and local efforts to combat these additional diseases and health problems. As a result there are now 16 different formula and project grants, including such categories as cancer, dental disease, mental illness, tuberculosis and venereal disease.

It has been the feeling within the Halls of Congress, in the executive departments concerned and in the State governments that eventually these fragmented efforts should be brought together and handled in a consolidated and flexible fashion. Studies have been underway for some years attempting to visualize and work out the details of such a consolidation. To track down the various provisions of law which support these programs has become very difficult. Some of them have specific money authorizations from the appropriate committee. Many of them have open-end authorizations which leave the entire matter of funding to the appropriations process. This, in itself, is bad business.

In the 1st session of the 89th Congress the authorizations under section 314(c) of the Public Health Service Act were extended for 1 year in the amount of $60 million. This represented the same authorization to be found in the act at that time. It was fully expected when this extension was granted that before the 89th Congress adjourned a complete study of this situation would be available to assist the committee in working out an entirely new and long-range program. Unfortunately, this did not happen.

Bills to create such a new program were introduced in both Houses of Congress, and eventually the other body did come forth with a bill which would provide money for comprehensive planning and at the same time authorize funds for such a program for a period of 4 years. By the time this bill reached the House it was entirely too late in the session to give it adequate study and consideration.

The principle of comprehensive planning is good. The principle of consolidation of the myriad health programs is also good. We are not ready, however, to embark on a full scale program without a great deal of study and consideration.

As an example of the problems still remaining we find that various segments of the health community wish to have special recognition. They want varying percentages of the funds earmarked for particular efforts. This is exactly what we are trying to eliminate.

The bill which the committee brings to the House recognizes the principles of comprehensive planning and program consolidation. Its main thrust, however, is on the planning phase. It provides $9 million for this year and $15 million for next year to promote and accelerate the comprehensive health plans of the States and other governmental entities. Meanwhile, it provides the sum of $125 million to finance formula grants and project grants covering the categories now in being. It is in this regard merely an extension of present authority for an additional year.

In this manner we fervently hope that great effort will be made in the States in consultation with, and with the assistance of, local governments, professional groups, and users of these services to create comprehensive plans for the use of health services. We are fully aware that these plans will vary greatly from State to State. We cannot expect all plans to be completed. A few good examples of plans to be used under this new system will be most helpful in the creation of the long-range legislation which the Committee will consider at great length beginning early next year.

Another issue was the one example of earmarking in the bill—the setting aside of 15 percent of the total funds for mental health activities. It may seem like a contradiction. We find, however, that at the present time 42 States have separate mental health organizations and public health organizations. The reasons for this development are not particularly pertinent here. It is because of this existing situation, however, that the set-aside seems to be necessary. The percentage was determined by comparing the amounts now being spent in the mental health area against the total amounts being spent for all of these activities. This issue, too, will be thoroughly explored during the next Congress.

For these reasons I commend this legislation to the House of Representatives and recommend that it be passed.

Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. YOUNGER].

Mr. **YOUNGER**. Mr. Speaker, I thank the gentleman from Illinois for yielding this time to me.

Mr. Speaker, I would like to ask the chairman of the Committee on Interstate and Foreign Commerce, the gentleman from West Virginia, [Mr. STAGGERS], a question.

In regard to the provision to the effect that in addition to medicine and dentistry we can provide services in the healing arts insofar as the States are concerned, will that include optometry, if in the States they decide they want to spend some of this money for the training of optometrists?

Mr. **STAGGERS**. Yes; I would say in reply to the gentleman from California that in my opinion it certainly would, and that I am sure is the intention of the committee.

So long as the program is a public health program and conforms to regulations, the States may determine the programs they are to carry out. It is a State responsibility.

Mr. **YOUNGER**. In other words, we are not trying to dictate to the States?

Mr. **STAGGERS**. That is right.

Mr. **YOUNGER**. We are not trying to dictate to the States how this money shall be used?

Mr. **STAGGERS**. That is correct. That is one of the big changes in the bill that we are allowing the States more flexibility in the use of their money.

Mr. **YOUNGER**. Thank you.

Mr. **SPRINGER**. Mr. Speaker, there is one further thing I did not mention in my previous remarks, and that was the removal of the categorical limitations on formula grants. It is our belief, and I think it has proved itself out over the last few years, that there ought to be more flexibility in the public health programs undertaken by these States. By removing the categorical grants we are making it possible for the States to have more flexible programs. We retained the 15 percent minimum for mental health however. Our experience with that program has been good in the past, and it was our belief that in this limited area, we should retain some earmarking. The whole subject will be looked at again next year.

Mr. Speaker, at this time I yield to the gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding to me. As the gentleman said in his responding remarks to the distinguished chairman from West Virginia, and indeed, as the report states, there has not been time for full hearings. I commend the committee for cutting back and retrenching in lieu thereof, as much as they have.

But I am concerned that hasty action, even for a 2-year period for fiscal years 1967 and 1968, in the amount of $154 million, might be taken at a time when we are again, as stated in the report, fragmenting the public health concept of State and commonwealth public health service requirements. This is being fragmented.

Do either one of the gentlemen, for example, know about the new Office of Equal Health Opportunity established under the Department of Health, Education, and Welfare?

Mr. SPRINGER. Mr. Speaker, I do not have particular knowledge of that myself. Perhaps the chairman of the committee could give an answer to that.

Mr. STAGGERS. Mr. Speaker, I must confess I do not know about that, either.

Mr. HALL. Mr. Speaker, I certainly did not mean to embarrass the distinguished chairman and the ranking minority member, but I know that these gentleman do not have knowledge of this because it was brought to my attention only on Friday last.

But there has been established, without congressional authorization, under the Secretary of Health, Education, and Welfare, an equal health opportunity program which is, first, rated as top priority in the U.S. Public Health Service at the present time, and, second, public services have been frozen in connection with their clinical services and State health department related services, and third, in the Institutes of Health.

I know that this comes as a surprise and as a shock to the Committee on Interstate and Foreign Commerce. It has been related and referred by me to the Subcommittee on Appropriations only because the Secretary has failed to go to any congressional implemented funds with which to do this. So what did it do for this purpose? One, they detailed personnel to the OEHO—the Office of Equal Health Opportunity from the Health, Education, and Welfare work in clinical services, the research services, the State-related services, the Public Health Service headquarters, the regional districts. And this might be perfectly all right, and I presume that it is the opinion of counsel somewhere in the Department of Health, Education, and Welfare that there is authority to do this, but the statement has been made that the money to be used to finance this program will come out of the service agencies, the Public Health Service, the National Committee on Health, the Bureau of Medical Services, the Division of Hospital Health, the Division of Indian Health, until such time as they can get it authorized. And those detailed in there, whether on a voluntary or involuntary basis, regardless of their time in service, regardless of whether they are on clinical services, are left dangling, and many of them are away on this work for the OEHO as much as several months at a time. I submit to the gentlemen that the clinical services and the research services and the funds therefor are being preempted and used erroneously in this regard.

I certainly think that we should curtail such action. High officials including the Assistant Surgeon General have stated that this program will go regardless of what effort the Congress makes about it. Those who refuse assignment to OEHO, may resign. This reminds me of what I said before your distinguished committee a year ago in April. The question is whether the uniformed U.S. Public Health Service will survive and be governed by professional people who are dedicated to good clinical service and quality medical care in Government, and whether this uniformed service that has made such a proud record in the history of the merchant marine and the Maritime Commission is going to be emasculated and run by social workers.

It has been stated that American tradition must go. That the status quo must go; that the Hippocratic oath of physicians must go and that they—social workers—are going to run this service regardless of what the Congress has to say about it.

This is ruining the morale of the Public Health Service and indeed in many areas of the Department of Health, Education, and Welfare.

I strongly submit, and I have here supporting copies of the travel authorization for this detailed staff in the OEHO sending people from different existing agencies after an "orientation course" in Dallas, Atlanta, or Kansas City, for other communities, OEHO priorities, guidelines, evidence required for adequate hearing, community surveys to be made by these people. This long questionnaire to be filled out and followed by a community profile to determine or prove that the man who filled out the interview in the Public Health Service was telling the truth or not.

I think I have made my point, Mr. Speaker. I simply want to say when your report says that without adequate hearings we are spending another $154 million on a fragmented program and we have admitted this in the report that is in front of us, maybe this is the time for some caution.

Mr. STAGGERS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I yield to the gentleman.

Mr. STAGGERS. Of course, if the gentleman from Missouri could give me the information he has with him, we will get a letter out to the Department tomorrow and ask what this is all about and go into it fully. Of course, we want to know and I think the Congress would like to know.

But this has nothing to do with the bill that is before us today. This bill is an extension of authority provided by laws passed in previous Congresses. We are just trying to pass a limited revision for 1 year so that we can have adequate hearings next year.

Mr. HALL. Mr. Speaker, I am delighted with the assurance of the gentleman. I certainly want to assure him that nothing has been closer to my heart than getting this information here at the earliest possible moment. We would have had it up before us on Friday had it not been necessary to meet in joint Committee on Appropriations conference, with this body and the other body and to meet that afternoon on the same subject.

But just to say further, the report on page 3 says, for example, so far as the relation of this bill to others is concerned, that this will permit—or I will read from the report itself on page 3:

> The bill * * * has adopted also the provisions of the Senate bill permitting the interchange of personnel of the Public Health Service with personnel of State agencies, and the provisions of the Senate bill authorizing training of personnel.

So it is not quite fair, is it, to say that it is completely disassociated so far as this bill is concerned with the other efforts of the Department at this time.

Mr. STAGGERS. The bill does permit interchange of health personnel, that is true. I would say, of course, that anything that has to do with health is related somewhat and there is a relationship, I can assure the gentleman.

Mr. HALL. Of course, Mr. Speaker, the President's reorganization bill which he sent down and I believe was referred to the Committee on Government Operations, in effect, eliminated the Surgeon General, U.S. Public Health Service, and simply is making that service another department of the Department of Health, Education, and Welfare itself. That, of course, went into effective law under the Reorganization Act of 1949 because neither our committee nor the other body objected to it within the 30-day limitation after printing in the Federal Register. It gives further credence to the control of the Public Health Service by social workers or an appointed officer of a Cabinet bureau rather than the Surgeon General or the Public Health Service who as an appointee has been in the Department of Interior, or a separate agency reporting directly to the President of the United States, and finally a separate Department of Health, Education, and Welfare, has been to establish that such has been placed under a different authority or a different status of another commission. Is that not correct?

Mr. STAGGERS. That is correct.

Mr. SPRINGER. May I say in reply to my distinguished colleague, the gentleman from Missouri, that we had a special subcommittee this year on health which went into all aspects of the HEW in an effort to come up with some kind of recommendations as to what ought to be done with that agency. I wish that I had known about the matter which the gentleman has mentioned. Our subcommittee would have been glad to go into it. The report is now ready for printing. Therefore, it is impossible for us to do anything at this time.

But if the gentleman will be so good as to give the chairman a letter, if we do not get a solution to this, I can assure you that we will take this up in January in the Subcommittee on Health and Safety.

Mr. HALL. I thank the gentleman for his statement. I wish I had had that report before last Friday morning myself. I am sorry we are acting on legislation involving $154 million of the taxpayers' money before the report is printed of the distinguished subcommittee that the gentleman refers to.

There is a real question in my mind about whether it is emergency legislation, which should come up for consideration under the suspension of rules.

Mr. STAGGERS. Mr. Speaker, I yield to the gentleman from New York [Mr. BINGHAM].

Mr. BINGHAM. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. BINGHAM. Mr. Speaker, I rise in support of the comprehensive health planning bill which is before us today. It marks another milestone in the record of this Congress in the field of health care. Though not so dramatic as medicare, nor so emotionally appealing as the Community Mental Health Facilities Act and the allied health training bill, it does make a significant contribution.

The bill before us today will stimulate coordinated community planning for health programs as a condition of receiving Federal grants-in-aid for health programs. This will not only reduce overlapping health programs on the local level and reduce the danger of gaps in such programs, but it will also make it more certain that priorities are established and maintained.

I was one of the original cosponsors of the package of three bills introduced by the chairman of the Interstate and Foreign Commerce Committee of which the bill before us today is a part. The first part, the allied health training bill, was enacted by this House in June of this year. Unfortunately, the third part of this package, a hospital modernization bill, has not even been the subject of hearings by the committee.

The hospital modernization bill would provide grants and low-interest loans, which are desperately needed by hospitals to update their facilities and equipment. Our hospitals are overcrowded and growing more obsolete every day. Scientists are making great breakthroughs in the struggle to free man of disease and pain, but the dream of modern medicine remains beyond the reach of millions whose community hospitals lack the modern facilities to make the scientific advances available.

Of all of the social services essential in today's life, I know of none in greater need in New York City than the hospitals. I venture to say that the same thing is true in city after city across this country. I find it a sad paradox that we vote millions of dollars for research to find cures for illness and enact programs such as medicare to reduce the financial barriers between the ailing and needed medical treatment, but we fail to provide the modern facilities and technology in our local hospitals which are essential to translate theory into treatment.

Mr. Speaker, if I am reelected, I plan to reintroduce the hospital modernization bill early in the next session of the Congress and I hope that it will receive speedy and careful consideration and early enactment.

I congratulate the chairman and the members of the Interstate and Foreign Commerce Committee for the great contributions they have made in the health field. Nonetheless, I see what remains undone and its effect on what we have tried to do and I believe that we must address ourselves, as quickly as possible, to the vital field of modernizing and expanding hospital facilities.

Mr. STAGGERS. Mr. Speaker, I yield to the gentleman from New York [Mr. O'BRIEN].

Mr. O'BRIEN. Mr. Speaker, I have no desire to prolong this discussion. But the gentleman from California [Mr. YOUNGER] raised a very important point when he asked if this bill would include optometrists. The reply by the chairman of the committee was that it could if the States so desire. I think in the enacting of this legislation we should make very clear that we are not here today stamping Federal approval on these various forms of flexibility in the health field which might be proposed by the States.

In other words, we are establishing here a maximum amount of States rights in the field of public health. At the Federal level all we are doing is extending this program and giving it a degree of flexibility. Any interpretation beyond that is the application of this law is not justified here or elsewhere.

Mr. FOGARTY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Rhode Island?

There was no objection.

Mr. FOGARTY. Mr. Speaker, H.R. 18231 proposes to amend Sections 314, 316, and 318 of the Public Health Service Act to achieve a more effective "Partnership for Health"—a more dynamic cooperation among State, local, and Federal governments and health authorities to plan, to develop and to provide the health facilities and services which truly meet the needs of our people.

I urge the passage of these amendments. They offer a realistic and workable method of overcoming the gaps and duplication, the fragmentation and inequities that currently weaken so much of health programing today.

These weaknesses exist despite the continuing efforts of States and counties and communities alike to achieve balance and comprehensiveness in programs to meet public health responsibilities. The fact remains, however, that the best of these efforts have been only partially successful.

The geographic and political boundary lines which so specifically define and limit jurisdictional responsibility do not define and, certainly, do not limit human needs. The population of a great city spills over its town limits and spreads out with no regard for boundary lines. This fact complicates the organization of health services, but it does not erase the common need for such services.

Many rural States, county after county, sometimes back to back, have neither the population nor the resources to permit comprehensive health service programs. This does not obscure the truth that the citizens of these counties stand just as much in need of such services as their counterparts in more populous areas. It does emphasize, however, that the coordinated and cooperative planning of services for broad areas offers a practical avenue toward eventual solution.

It is this kind of avenue which these proposed amendments are intended to open up. I think they will accomplish just that. For without going into any detailed description of their content—that I know is unnecessary—I would like to point out that they not only support the actual planning of facilities and resources, but establish and support the machinery through which the coordination of planning can be achieved. The amendments not only support planning but the development of programs to deliver services. They support not only the coordination of current activities but seek to stimulate the development and testing of new ideas and new methods. And this is vital. For, if we are to meet today's health needs, we must marshal current community resources to meet current needs while undertaking at the same time to plan and to grow to keep pace with future needs.

Let me emphasize again that these amendments tailor Federal grants support to the realities of the modern community and the total health needs of the people in the community. They will stimulate the fusion of prevention, treatment, and rehabilitation services into a meaningful whole—meaningful not just to this individual or that but to all who need health services.

This goal cannot be met with continuation of the "many splintered" approach and tunnel vision that by definition comes with strict specialization and categorical emphasis. Efficiency is what these amendments mean to me, and while more efficient use of what we have may not be the total answer, it is clearly an essential one. It is not simply a matter of using resources to provide the same services to a greater number of people. By coordinating our resources in some cases, regrouping them in others, we will find new directions, new dimensions, and better health services.

The concept is not new. As early as 1949, the first "Hoover Commission" pointed out that the categorical grants system "makes it difficult for the States to balance their own fiscal and administrative activities." At frequent intervals since then, studies by committees set up at the several levels and branches of government have pointed in the same direction. Again and again attention has been called to the difficulties imposed by the lack of flexibility of categorical grants and by the variety of formulas under which they are made.

Sixteen years ago Dr. Joseph W. Mountin—a pioneer in public health—wrote, "While accepting emphasis on categories as a necessary transition from the orthodox concept of public health based on environmental sanitation and communicable disease control to the emerging one of personal health service, let us all recognize the need, at some time, of putting public health together again."

We would probably all agree that most of the gains that have been made in the health fields over the past 30 years or so were made possible by specialization, and that the categorical grants were a reflection of that specialization. But more and more we are being forced to face the fact that the other side of the coin is fragmentation.

In speaking before the White House Conference on Health about this time last year, I said that there is a connecting thread between all of our many and diverse efforts to protect the health of our people—and it is that there exists an interrelatedness and interdependence between every one of them. This is just another way of agreeing with Joe Mountin that the time has come "to put public health together again."

Furthermore, I know that this view is shared by many health authorities who have first responsibility for administering health programs in the States and communities. I have talked with many of these people on this subject, including Dr. Joseph Cannon, health director from my own State of Rhode Island. In addition to being daily involved in the business of running a State program, Dr. Cannon participated in a joint task force involving spokesmen for the State health offices, the mental health authorities, and the Public Health Service—a task force charged with reviewing the overall grants structure of the Public Health Service. Many of the basic principles in the amendments before you today were set forth in the recommendations of this task force.

Finally, I would say this: The realinement of services to provide comprehensive care focused on the individual and his family in the community in which they live will not only produce better health care, but it will give us more for our money. And in the long run this point could easily be the difference between success and failure.

For we are now spending about 6 percent of our gross national product on health and medical care. Specialists in the field estimate that it may go as high as 8 or 10 percent. Obviously, there is a limit somewhere.

These amendments provide a fundamental revision in the Federal approach to support for public health. They are sound in principle and vital to our ultimate success in advancing the cause of health. They deserve our wholehearted support.

The SPEAKER. The question is on the motion of the gentleman from West Virginia that the House suspend the rules and pass the bill H.R. 18231.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

Without objection, a motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate bill (S. 3008) to amend the Public Health Service Act to promote and assist in the extension and improvement of comprehensive health planning and public health services, to provide for a more effective use of available Federal funds for such planning and services, and for other purposes, strike out all after the enacting clause and insert in lieu thereof the provisions of H.R. 18231 just passed.

The Clerk read the title of the Senate bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read as follows:

S. 3008

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Comprehensive Health Planning and Public Health Services Amendments of 1966".

Findings and Declaration of Purpose

SEC. 2. (a) The Congress declares that fulfillment of our national purpose depends on promoting and assuring the highest level of health attainable for every person, in an environment which contributes positively to healthful individual and family living; that attainment of this goal depends on an effective partnership, involving close intergovernmental collaboration, official and voluntary efforts, and participation of individuals and organizations; that Federal financial assistance must be directed to support the marshaling of all health resources—national, State, and local—to assure comprehensive health services of high quality for every person, but without interference with existing patterns of private professional practice of medicine, dentistry, and related healing arts.

(b) To carry out such purpose, and recognizing the changing character of health problems, the Congress finds that comprehensive planning for health services, health manpower, and health facilities is essential at every level of government; that desirable administration requires strengthening the leadership and capacities of State health agencies; and that support of health services provided people in their communities should be broadened and made more flexible.

National Health Policy

SEC. 3. In order to assure planning and direction on the national level leading to the construction of a national health policy, the Surgeon General is authorized during the period beginning July 1, 1966, and ending June 30, 1972, to conduct studies, research, and investigations to establish a coherent set of national health goals and to formulate comprehensive guidelines to assist States in developing health plans consistent with the purposes of this Act.

Grants for Comprehensive Health Planning and Public Health Services

SEC. 4. Section 314 of the Public Health Service Act (42 U.S.C. 246) is amended to read as follows:

"Grants for Comprehensive Health Planning and Public Health Services

"*Grants to States for comprehensive State health planning*

"SEC. 314. (a) (1) AUTHORIZATION.—In order to assist the States in comprehensive and continuing planning for their current and future health needs, the Surgeon General is authorized during the period beginning July 1, 1966, and ending June 30, 1972, to make grants to States which have submitted, and had approved by the Surgeon General, State plans for comprehensive State health planning. For the purposes of carrying out this subsection, there are hereby authorized to be appropriated $2,500,000 for the fiscal year ending June 30, 1967, $5,000,000 for the fiscal year ending June 30, 1968, $10,000,000 each for the fiscal year ending June 30, 1969, and for the fiscal year ending June 30, 1970.

"(2) STATE PLANS FOR COMPREHENSIVE STATE HEALTH PLANNING.—In order to be approved for purposes of this subsection, a State plan for comprehensive State health planning must—

"(A) designate, or provide for the establishment of, a single State agency, which may be an interdepartmental agency, as the sole agency for administering or supervising the administration of the State's health planning functions under the plan;

"(B) provide for the establishment of a State health planning council, which shall include representatives of State and local agencies and nongovernmental organizations and groups concerned with health, and of consumers of health services, to advise such State agency in carrying out its functions under the plan;

"(C) set forth policies and procedures for the expenditure of funds under the plan, which, in the judgment of the Surgeon General, are designed to provide for comprehensive State planning for health services (both public and private), including the facilities and persons required for the provision of such services, to meet the health needs of the people of the State;

"(D) provide for encouraging cooperative efforts among governmental or nongovernmental agencies, organizations and groups concerned with health services, facilities, or manpower, and for cooperative efforts between such agencies, organizations, and groups and similar agencies, organizations, and groups in the fields of education, welfare, and rehabilitation;

"(E) contain or be supported by assurances satisfactory to the Surgeon General that the funds paid under this subsection will be used to supplement and, to the extent practicable, to increase the level of funds that would otherwise be made available by the State for the purpose of comprehensive health planning and not to supplant such non-Federal funds;

"(F) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Surgeon General shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Surgeon General to be necessary for the proper and efficient operation of the plan;

"(G) provide that the State agency will make such reports, in such form and containing such information, as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General finds necessary to assure the correctness and verification of such reports;

"(H) provide that the State agency will from time to time, but not less often than annually, review its State plan approved under this subsection and submit to the Surgeon General appropriate modifications thereof;

"(I) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the State under this subsection; and

"(J) contain such additional information and assurances as the Surgeon General may find necessary to carry out the purposes of this subsection.

"(3)(A) STATE ALLOTMENTS.—From the sums appropriated for such purpose for each fiscal year, the several States shall be entitled to allotments determined, in accordance with regulations, on the basis of the population and the per capita income of the respective States; except that no such allotment to any State for any fiscal year shall be less than 1 per centum of the sum appropriated for such fiscal year pursuant to paragraph (1). Any such allotment to a State for a fiscal year shall remain available for obligation by the State, in accordance with the provisions of this subsection and the State's plan approved thereunder, until the close of the succeeding fiscal year.

"(B) The amount of any allotment to a State under subparagraph (A) for any fiscal year which the Surgeon General determines will not be required by the State, during the period for which it is available, for the purposes for which allotted shall be available for reallotment by the Surgeon General from time to time, on such date or dates as he may fix, to other States with respect to which such a determination has not been made, in proportion to the original allotments to such States under subparagraph (A) for such fiscal year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Surgeon General estimates such State needs and will be able to use during such period; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount so reallotted to a State from funds appropriated pursuant to this subsection for a fiscal year shall be deemed part of its allotment under subparagraph (A) for such fiscal year.

"(4) PAYMENTS TO STATES.—From each State's allotment for a fiscal year under this subsection, the State shall from time to time be paid the Federal share of the expenditures incurred during that year or the succeeding year pursuant to its State plan approved under this subsection. Such payments shall be made on the basis of estimates by the Surgeon General of the sums the State will need in order to perform the planning under its approved State plan under this subsection, but with such adjustments as may be necessary to take account of previously made underpayments or overpayments. The 'Federal share' for any State for purposes of this subsection shall be all, or such part as the Surgeon General may determine, of the cost of such planning, except that in the case of the allotments for the fiscal year ending June 30, 1970, and for each of the next two fiscal years, it shall not exceed 75 per centum of such cost.

"Project grants for areawide health planning

"(b) The Surgeon General is authorized, during the period beginning July 1, 1966, and ending June 30, 1972, to make, with the approval of the State agency administering or supervising the administration of the State plan approved under subsection (a), project grants to any other public or nonprofit private agency or organization to cover not to exceed 75 per centum of the costs of projects for developing (and from time to time revising) comprehensive regional, metropolitan area, or other local area plans for coordination of existing and planned health services, including the facilities and persons required for provision of such services; except that in the case of project grants made in any State prior to July 1, 1968, approval of such State agency shall be required only if such State has such a State plan in effect at the time of such grants. For the purposes of carrying out this subsection, there are hereby authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1967, $10,000,000 each for the fiscal year ending June 30, 1968, for the fiscal year ending June 30, 1969, and for the fiscal year ending June 30, 1970.

"Project grants for training, studies, and demonstrations

"(c) The Surgeon General is also authorized, during the period beginning July 1, 1966, and ending June 30, 1972, to make grants to any public or nonprofit private agency, institution, or other organization to cover all or any part of the cost of projects for training, studies, or demonstrations looking toward the development of improved or more effective comprehensive health planning throughout the nation. For the purposes of carrying out this subsection, there are hereby authorized to be appropriated $1,500,000 for the fiscal year ending June 30, 1967, $5,000,000 each for the fiscal year ending June 30, 1968, for the fiscal year ending June 30, 1969, and for the fiscal year ending June 30, 1970.

"Grants for comprehensive public health services

"(d)(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated, $170,500,000 for the fiscal year ending June 30, 1968, and for each of the next two fiscal years $230,700,000 to enable the Surgeon General to make grants to State health or mental health authorities to assist the States in establishing and maintaining adequate public health services, including the training of personnel for State and local health work. The sums so appropriated shall be used for making payments to States which have submitted, and had approved by the Surgeon General, State plans for provision of public health services.

"(2) STATE PLANS FOR PROVISION OF PUBLIC HEALTH SERVICES.—In order to be approved under this subsection, a State plan for provision of public health services must—

"(A) provide for administration or supervision of administration by the State health authority or, with respect to mental health services, the State mental health authority;

"(B) set forth the policies and procedures to be followed in the expenditure of the funds paid under this subsection;

"(C) contain or be supported by assurances satisfactory to the Surgeon General that (i) the funds paid to the State under this subsection will be used to make a significant contribution toward providing and strengthening public health services in the various political subdivisions in order to improve the health of the people; (ii) such funds will be made available to other public or nonprofit private agencies, institutions, and organizations, in accordance with criteria which the Surgeon General determines are designed to secure maximum participation of local, regional, or metropolitan agencies and groups in the provision of such services; (iii) such funds will be used to supplement and, to the extent practical, to increase the level of funds that would otherwise be made available for the purposes for which the Federal funds are provided and not to supplant such non-Federal funds; and (iv) public health services under the plan will be established and maintained for individuals confined to institutions for the mentally ill and mentally retarded;

"(D) provide for the furnishing of public health services under the State plan in accordance with such plans as have been developed pursuant to subsection (a) and, effective July 1, 1970, provide that except to the extent permitted in regulations, such services will be provided thereunder only to the extent included in and in accordance with the plans so developed;

"(E) provide that public health services furnished under the plan will be in accordance with standards prescribed by regulations, including standards as to the scope and quality of such services;

"(F) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Surgeon General shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Surgeon General to be necessary for the proper and efficient operation of the plan;

"(G) provide that the State health authority or, with respect to mental health services, the State mental health authority, will from time to time, but not less often than annually, review and evaluate its State plan approved under this subsection and submit to the Surgeon General appropriate modifications thereof;

"(H) provide that the State health authority or, with respect to mental health services, the State mental health authority, will make such reports, in such form and containing such information, as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General finds necessary to assure the correctness and verification of such reports;

"(I) provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of an accounting for funds paid to the State under this subsection; and

"(J) contain such additional information and assurances as the Surgeon General may find necessary to carry out the purposes of this subsection.

"(3) STATE ALLOTMENTS.—From the sums appropriated to carry out the provisions of this subsection the several States shall be entitled for each fiscal year to allotments determined, in accordance with regulations, on the basis of the population and financial need of the respective States.

"(4)(A) PAYMENTS TO STATES.—From each State's allotment under this subsection for a fiscal year, the State shall be paid the Federal share of the expenditures incurred during such year under its State plan approved under this subsection. Such payments shall be made from time to time in advance on the basis of estimates by the Surgeon General of the sums the State will expend under the State plan, except that such adjustments as may be necessary shall be made on account of previously made underpayments or overpayments under this subsection.

"(B) For the purpose of determining the Federal share for any State, expenditures by nonprofit private agencies, organizations, and groups shall, subject to such limitations and conditions as may be prescribed by regulations, be regarded as expenditures by such State or a political subdivision thereof.

"(5) FEDERAL SHARE.—The 'Federal share' for any State for purposes of this subsection shall be 100 per centum less than percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the United States; except that in no case shall such percentage be less than 33⅓ per centum or more than 66⅔ per centum, and except that the Federal share for the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 66⅔ per centum.

"(6) Determination of Federal Shares.—The Federal shares shall be determined by the Surgeon General between July 1 and September 1 of each year, on the basis of the average per capita incomes of each of the States and of the United States for the most recent year for which satisfactory data are available from the Department of Commerce, and such determination shall be conclusive for the fiscal year beginning on the next July 1. The populations of the several States shall be determined on the basis of the latest figures for the population of the several States available from the Department of Commerce.

"(7) Allocation of Funds Within the States.—At least 15 per centum of a State's allotment under this subsection shall be available only to the State mental health authority for the provision under the State plan of mental health services. At least 70 per centum of such amount and at least 70 per centum of the remainder of a State's allotment under this subsection shall be available only for the provision under that State plan of services in the communities of the State.

"Project grants for health services development

"(e) There are authorized to be appropriated $100,000,000 for the fiscal year ending July 30, 1968, $125,000,000 each for the fiscal year ending June 30, 1969, and for the fiscal year ending June 30, 1970, for grants to any public or nonprofit private agency, institution, or organization to cover part of the cost of (1) providing services to meet health needs of limited geographic scope or of specialized regional or national significance, (2) stimulating and supporting for an initial period new programs of health services, or (3) undertaking studies, demonstrations, or training designed to develop new methods or improve existing methods of providing health services. Such grants may be made pursuant to clause (1) or (2) of the preceding sentence with respect to projects involving the furnishing of public health services only if such services are provided in accordance with such plans as have been developed pursuant to subsection (a) and, effective July 1, 1970, except to the extent permitted in regulations, only to the extent such services are included in and are furnished in accordance with plans so developed.

"Interchange of personnel with States

"(f) (1) For the purposes of this subsection, the term 'State' means a State or a political subdivision of a State, or any agency of either of the foregoing engaged in any activities related to health or designated or established pursuant to subparagraph (A) of paragraph (2) of subsection (a); the term 'Secretary' means (except when used in paragraph (3) (D)) the Secretary of Health, Education, and Welfare; and the term 'Department' means the Department of Health, Education, and Welfare.

"(2) The Secretary is authorized, through agreements or otherwise, to arrange for assignment of officers and employees of States to the Department and assignment to States of officers and employees in the Department engaged in work related to health, for work which the Secretary determines will aid the Department in more effective discharge of its responsibilities in the field of health as authorized by law, including cooperation with States and the provision of technical or other assistance. The period of assignment of any officer or employee under an arrangement shall not exceed two years.

"(3) (A) Officers and employees in the Department assigned to any State pursuant to this subsection shall be considered, during such assignment, to be (i) on detail to a regular work assignment in the Department, or (ii) on leave without pay from their positions in the Department.

"(B) Persons considered to be so detailed shall remain as officers or employees, as the case may be, in the Department for all purposes, except that the supervision of their duties during the period of detail may be governed by agreement between the Department and the State involved.

"(C) In the case of persons so assigned and on leave without pay—

"(i) if the rate of compensation (including allowances) for their employment by the State is less than the rate of compensation (including allowances) they would be receiving had they continued in their regular assignment in the Department, they may receive supplemental salary payments from the Department in the amount considered by the Secretary to be justified, but not at a rate in excess of the difference between the State rate and the Department rate; and

"(ii) they may be granted annual leave and sick leave to the extent authorized by law, but only in circumstances considered by the Secretary to justify approval of such leave.

Such officers and employees on leave without pay shall, notwithstanding any other provision of law, be entitled—

"(iii) to continuation of their insurance under the Federal Employees' Group Life Insurance Act of 1954, and coverage under the Federal Employees Health Benefits Act of 1959, so long as the Department continues to collect the employee's contribution from the officer or employee involved and to transmit for timely deposit into the funds created under such Acts the amount of the employee's contributions and the Government's contribution from appropriations of the Department; and

"(iv) (I) in the case of commissioned officers of the Service, to have their service during their assignment treated as provided in section 214(d) for such officers on leave without pay, or (II) in the case of other officers and employees in the Department, to credit the period of their assignment under the arrangement under this subsection toward periodic or longevity step increases and for retention and leave accrual purposes, and, upon payment into the civil service retirement and disability fund of the percentage of their State salary, and of their supplemental salary payments, if any, which would have been deducted from a like Federal salary for the period of such assignment and payment by the Secretary into such fund of the amount which would have been payable by him during the period of such assignment with respect to a like Federal salary, to treat (notwithstanding the provisions of the Independent Offices Appropriation Act, 1959, under the head 'Civil Service Retirement and Disability Fund') their service during such period as service within the meaning of the Civil Service Retirement Act; except that no officer or employee or his beneficiary may receive any benefits under the Civil Service Retirement Act, the Federal Employees Health Benefits Act of 1959, or the Federal Employees' Group Life Insurance Act of 1954, based on service during an assignment hereunder for which the officer or employee or (if he dies without making such election) his beneficiary elects to receive benefits, under any State retirement or insurance law or program, which the Civil Service Commission determines to be similar. The Department shall deposit currently in the funds created under the Federal Employees' Group Life Insurance Act of 1954, the Federal Employees Health Benefits Act of 1959, and the civil service retirement and disability fund, respectively, the amount of the Government's contribution under these Acts on account of service with respect to which employee contributions are collected as provided in subparagraph (iii) and the amount of the Government's contribution under the Civil Service Retirement Act on account of service with respect to which payments (of the amount which would have been deducted under that Act) referred to in subparagraph (iv) are made to such civil service retirement and disability fund.

"(D) Any such officer or employee on leave without pay (other than a commissioned officer of the Service) who suffers disability or death as a result of personal injury sustained while in the performance of this duty during an assignment hereunder, shall be treated, for the purposes of the Federal Employees' Compensation Act, as though he were an employee, as defined in such Act, who had sustained such injury in the performance of duty. When such person (or his dependents, in case of death) entitled by reason of injury or death to benefits under that Act is also entitled to benefits from a State for the same injury or death, he (or his dependents in case of death) shall elect which benefits he will receive. Such election shall be made within one year after the injury or death, or such further time as the Secretary of Labor may for good cause allow, and when made shall be irrevocable unless otherwise provided by law.

"(4) Assignment of any officer or employee in the Department to a State under this subsection may be made with or without reimbursement by the State for the compensation (or supplementary compensation), travel and transportation expenses (to or from the place of assignment), and allowances, or any part thereof, of such officer or employee during the period of assignment, and any such reimbursement shall be credited to the appropriation utilized for paying such compensation, travel or transportation expenses, or allowances.

"(5) Appropriations to the Department shall be available, in accordance with the standardized Government travel regulations or, with respect to commissioned officers of the Service, the joint travel regulations, the expenses of travel of officers and employees assigned to States under an arrangement under this subsection on either a detail or leave-without-pay basis, in accordance with applicable law, orders, and regulations, for expenses of transportation of their immediate families and expenses of transportation of their household goods and personal effects, in connection with the travel of such officers and employees to the location of their posts of assignment and their return to their official stations.

"(6) Officers and employees of States who are assigned to the Department under an arrangement under this subsection may (A) be given appointments in the Department covering the periods of such assignments, or (B) be considered to be on detail to the Department. Appointments of persons so assigned may be made without regard to the civil service laws. Persons so appointed in the Department shall be paid at rates of compensation determined in accordance with the Classification Act of 1949, and shall not be considered to be officers or employees of the Service for the purposes of (A) the Civil Service Retirement Act, (B) the Federal Employees' Group Life Insurance Act of 1954, or (C) unless their appointments result in the loss of coverage in a group health benefits plan whose premium has been paid in whole or in part by a State contribution, the Federal Employees Health Benefits Act of 1959. State officers and employees who are assigned to the Department without appointment shall not be considered to be considered to be officers or employees of the Department, except as provided in subsection (7), nor shall they be paid a salary or wage by the Service during the period of their assignment. The supervision of the duties of such persons during the assignment may be governed by agreement between the Secretary and the State involved.

"(7)(A) Any State officer or employee who is assigned to the Department without appointment shall nevertheless be subject to the provisions of sections 203, 205, 207, 208, and 209 of title 18 of the United States Code.

"(B) Any State officer or employee who is given an appointment while assigned to the Department, or who is assigned to the Department without appointment, under an arrangement under this subsection, and who suffers disability or death as a result of personal injury sustained while in the performance of his duty during such assignment shall be treated, for the purpose of the Federal Employees' Compensation Act, as though he were an employee, as defined in such Act, who had sustained such injury in the performance of duty. When such person (or his dependents, in case of death) entitled by reason of injury or death to benefits under that Act is also entitled to benefits from a State for the same injury or death, he (or his dependents, in case of death) shall elect which benefits he will receive. Such election shall be made within one year after the injury or death, or such further time as the Secretary of Labor may for good cause allow, and when made shall be irrevocable unless otherwise provided by law.

"(8) The appropriations to the Department shall be available, in accordance with the standardized Government travel regulations, during the period of assignment and in the case of travel to and from their places of assignment or appointment, for the payment of expenses of travel of persons assigned to, or given appointments by, the Service under an arrangement under this subsection.

"(9) All arrangements under this subsection for assignment of officers or employees in the Department to States or for assignments of officers or employees of States to the Department shall be made in accordance with regulations of the Secretary.

"General

"(g)(1) All regulations and amendments thereto with respect to grants to States under subsection (a) shall be made after consultation with a conference of the State health planning agencies designated or established pursuant to subparagraph (A) of paragraph (2) of subsection (a). All regulations and amendments thereto with respect to grants to States under subsection (d) shall be made after consultation with a conference of State health authorities and, in the case of regulations and amendments which relate to or in any way affect grants for services or other activities in the field of mental health, the State mental health authorities. Insofar as practicable, the Surgeon General shall obtain the agreement, prior to the issuance of such regulations or amendments, of the State authorities or agencies with whom such consultation is required.

"(2) The Surgeon General, at the request of any recipient of a grant under this section, may reduce the payments to such recipient by the fair market value of any equipment or supplies furnished to such recipient and by the amount of the pay, allowances, traveling expenses, and any other costs in connection with the detail of an officer or employee to the recipient when such furnishing or such detail, as the case may be, is for the convenience of and at the request of such recipient and for the purpose of carrying out the State plan or the project with respect to which the grant under this section is made. The amount by which such payments are so reduced shall be available for payment of such costs (including the costs of such equipment and supplies) by the Surgeon General, but shall, for purposes of determining the Federal share under subsection (a) or (d), be deemed to have been paid to the State.

"(3) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the health authority or, where appropriate, the mental health authority of a State or a State health planning agency designated or established pursuant to subparagraph (A) of paragraph (2) of subsection (a), finds that, with respect to money paid to the State out of appropriations under subsection (a) or (d), there is a failure to comply substantially with either—

"(A) the applicable provisions of this section;

"(B) the State plan submitted under such subsection; or

"(C) applicable regulations under this section;

the Surgeon General shall notify such State health authority, mental health authority, or health planning agency, as the case may be, that further payments will not be made to the State from appropriations under such subsection (or in his discretion that further payments will not be made to the State from such appropriations for activities in which there is such failure), until he is satisfied that there will no longer be such failure. Until he is so satisfied, the Surgeon General shall make no payment to such State from appropriations under such subsection, or shall limit payment to activities in which there is no such failure.

"(4) For the purposes of this section—

"(A) The term 'nonprofit' as applied to any private agency, institution, or organization means one which is a corporation or association, or is owned and and operated by one or more corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and

"(B) The term 'State' includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the District of Columbia; and the term 'United States' means the fifty States and the District of Columbia."

Continuation of Grants to Schools of Public Health

Sec. 5. Effective July 1, 1967, section 309 of the Public Health Service Act is amended by adding after subsection (b) the following new subsection:

"(c) There are also authorized to be appropriated $5,000,000 each for the fiscal year ending June 30, 1968, and the fiscal year ending June 30, 1969, to enable the Surgeon General to make grants, under such terms and conditions as may be prescribed by regulations, for provision, in public or nonprofit private schools of public health accredited by a body or bodies recognized by the Surgeon General, of comprehensive professional training, specialized consultive services, and technical assistance in the fields of public health and in the administration of State or local public health programs, except that in allocating funds made available under this subsection among such schools of public health, the Surgeon General shall give primary consideration to the number of federally sponsored students attending each such school."

Continuation of Authorization for Training of Personnel for State and Local Health Work; Cooperation Between the States

Sec. 6. (a) Effective July 1, 1966, section 311 of the Public Health Service Act is amended by inserting "(a)" after "311." and by adding at the end of such section the following new subsection:

"(b) The Surgeon General shall encourage cooperative activities between the States with respect to comprehensive and continuing planning as to their current and future health needs, the establishment and maintenance of adequate public health services, and otherwise carrying out the purposes of section 314."

(b) Effective July 1, 1967, section 311 of the Public Health Service Act is further amended by adding at the end of subsection (b) thereof the following new sentence: "The Surgeon General is also authorized to train personnel for State and local health work."

Effective Date and Repealer

Sec. 7. The amendments made by section 4 shall become effective, and section 318 of the Public Health Service Act shall be repealed, as of July 1, 1966, except that the provisions of sections 314 of the Public Health Service Act as in effect prior to the enactment of this Act shall be effective until July 1, 1967, in lieu of the provisions of subsections (d) and (e), and the provisions of subsection (g) insofar as they relate to such subsections (d) and (e), of section 314 of the Public Health Service Act as amended by this Act. Effective July 1, 1967, section 316 of the Public Health Service Act is repealed.

Grants for Initiating Services at Mental Retardation Facilities

Sec. 8. The Mental Retardation Facilities and Community Mental Health Centers Construction Act is amended by adding at the end of title I, the following new part:

"Part D—Grants for costs of initiating services in community mental retardation facilities

"Authorization of Grants

"Sec. 141. For the purpose of assisting public and nonprofit private agencies, organizations, or institutions to initiate, extend, and improve services in facilities for the mentally retarded principally designed to serve the needs of the particular community or communities in or near which the facility is situated, the Secretary may, in accordance with the provisions of this part, make grants to meet not to exceed 75 per centum of the costs (determined pursuant to regulations under section 144) of providing services in such facilities for the mentally retarded.

"In making such grants after June 30, 1968, the Secretary shall give preference to new or expanded services part of the cost of which will be borne out of State or local public funds.

"Applications and Conditions for Approval

"Sec. 142. Grants under this part with respect to any facility for the mentally retarded may be made only upon application, and only if—

"(1) the applicant is a public or nonprofit private agency, organization, or institution which owns or operates the facility;

"(2) the services to be provided by the facility will provide principally for persons residing in a particular community or communities in or near which such facility is situated, one or more of the types of services for the mentally retarded which are determined by the Secretary to be basic and necessary services for the mentally retarded;

"(3) the Secretary determines that the types of services to be supported are not sufficiently available in other facilities in said communities;

"(4) the Secretary determines that, with respect to the particular type or types of service to be so assisted, Federal financial assistance is not, in fact, available to the applicant under any other Act (or portion thereof) which is administered by the Department of Health, Education, and Welfare.

"(5) the Secretary determines that there is satisfactory assurance that Federal funds made available under this part for any period will be so used as to supplement and, to the extent practical, increase the level of State, local, and other non-Federal funds for mental retardation services that would in the absence of such Federal funds be made available for the services described in paragraph

(2) of this subsection, and will in no event supplant such State, local, and other non-Federal funds; and

"(6) in the case of an applicant in a State which has in existence a State plan relating to the provision of services for the mentally retarded, the services to be provided by the facility are consistent with the plan.

"Payments

"Sec. 143. Payment of grants under this part may be made (after necessary adjustment on account of previously made overpayments or underpayments) in advance or by way of reimbursement, and on such terms and conditions and in such installments, as the Secretary may determine.

"Regulations

"Sec. 144. The Secretary shall prescribe general regulations concerning the eligibility of facilities under this part, determination of eligible costs with respect to which grants may be made, and the terms and conditions (including those specified in section 142) for approving applications under this part.

"Payments under this part with respect to any project may be made for a period of not to exceed five years beginning with the commencement of the first fiscal year for which any payment is made.

"Authorization of Appropriations

"Sec. 145. There are authorized to be appropriated $1,000,000 for the fiscal year ending June 30, 1967, $7,000,000 for the fiscal year ending June 30, 1968, $12,000,000 each for the fiscal year ending June 30, 1969, and for the fiscal year ending June 30, 1970, to enable the Secretary to make grants under the provisions of this part."

Definition of Construction

Sec. 9. Subsections (e) and (f) of section 401 of the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963, as amended, are amended to read as follows:

"(e) The term 'construction' includes construction of new buildings, acquisition of existing buildings, and expansion, remodeling, alteration, and renovation of existing buildings, and initial equipment of such new, newly acquired, expanded, remodeled, altered, or renovated buildings.

"(f) The term 'cost of construction' includes the cost of architects' fees and acquisition of land in connection with construction, but does not include the cost of off-site improvements."

Sec. 10. The Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963 is amended by adding at the end thereof the following:

"TITLE V—TRAINING OF PHYSICAL EDUCATORS AND RECREATION PERSONNEL FOR MENTALLY RETARDED AND OTHER HANDICAPPED CHILDREN

"Grant; Authorization of Appropriations

"Sec. 501. (a) The Secretary is authorized to make grants to public and other nonprofit institutions of higher learning to assist them in providing professional or advanced training for personnel engaged or preparing to engage in employment as physical educators or recreation personnel for mentally retarded and other handcapped children or as supervisors of such personnel, or engaged or preparing to engage in research or teaching in fields related to the physical education or recreation of such children.

"(b) For the purpose of making the grants authorized under subsection (a), there is authorized to be appropriated for the fiscal year ending June 30, 1968, $1,000,000, for the fiscal year ending June 30, 1969, and for the fiscal year ending June 30, 1970, $2,000,000 each. Any sums appropriated for any such fiscal year and not obligated before the end thereof shall remain available for the succeeding fiscal year for the purpose for which appropriated.

"Research and Demonstration Projects in Physical Education and Recreation for Mentally Retarded and other Handicapped Children

"Sec. 502. (a) (1) There is authorized to be appropriated for the fiscal year ending June 30, 1968, $1,000,000, and for each of the two succeeding fiscal years, $1,500,000, to enable the Secretary to make grants to States, State or local educational agencies, public and nonprofit private institutions of higher learning, and other public or nonprofit private educational or research agencies and organizations, for research or demonstration projects relating to physical education or recreation for mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other children with specific or serious learning disabilities, who by reason thereof require special or modified physical education and recreation activities to enhance their physical and mental development.

"(2) Grants under paragraph (1) shall be made in installments, in advance or by way of reimbursement, and on such conditions as the Secretary may determine.

"(b) The Secretary shall from time to time appoint panels of experts who are competent to evaluate various types of research or demonstration projects under this section, and shall secure the advice and recommendations of one such panel before making any grant under this section.

"Advisory Committee

"Sec. 503. (a) (1) The Secretary shall appoint an advisory committee which shall consist of fifteen members to advise him on matters of general policy relating to the administration of this title. Seven members of such committee shall be individuals from the field of physical education, five members thereof shall be individuals from the field of recreation, and three members thereof shall be individuals with experience or special interest in the education of the mentally retarded or other handicapped children.

"(2) The Secretary shall, from time to time, designate one of the members of such committee to serve as the chairman thereof.

"(b) Members of the advisory committee and members of any panel appointed pursuant to section 502(b), who are not regular full-time employees of the United States, shall, while serving on the business of such committee or such panel, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $100 per day, including travel time; and, while so serving away from their homes or regular place of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

"Delegation of Functions

"Sec. 504. The Secretary is authorized to delegate any of his functions under this title to any officer or employee of the Department of Health, Education, and Welfare."

Reorganization Plan

Sec. 11. The provisions enacted by this Act shall be subject to the provisions of Reorganization Plan Numbered 3 of 1966.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. Staggers: Strike out all after the enacting clause and insert the provisions of H.R. 18231, just passed.

The amendment was agreed to.

The Senate bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill was laid on the table.

DISASTER RELIEF ACT OF 1966

Mr. WRIGHT. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1861), to provide additional assistance for areas suffering a major disaster, as reported by the Committee on Public Works, with a further committee amendment which is at the Clerk's desk.

The Clerk read as follows:

S. 1861

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Disaster Relief Act of 1966".

DEFINITION

Sec. 2. As used in this Act, the term "major disaster" means a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g).

FEDERAL LOAN ADJUSTMENTS

Sec. 3. (a) Where such action is found to be necessary because of loss, destruction, or damage of the property, or impairment of the economic feasibility of the system, of borrowers under programs administered by the Rural Electrification Administration, resulting from a major disaster, the Secretary of Agriculture is authorized to adjust and to readjust the schedules for payment of principal and interest on loans to such borrowers, and to extend the maturity dates of such loans to a period not beyond forty years from the dates of such loans. The authority herein conferred is in addition to the loan extension authority provided in section 12 of the Rural Electrification Act.

(b) The Secretary of Housing and Urban Development is authorized to refinance any note or other obligation which is held by him in connection with any loan made by the Department of Housing and Urban Development or its predecessor in interest, or which is included within the revolving fund for liquidating programs established by the Independent Offices Appropriation Act of 1955, where he finds such refinancing necessary because of the loss, destruction, or damage to property or facilities securing such obligations as a result of a major disaster. The interest rate on any note or other obligation refinanced under this subsection may be reduced to a rate not less than (i) a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of such note or other obligation, adjusted to the nearest one-eighth of 1 per centum, less (ii) not to exceed 2 per centum per annum, and the term thereof may be extended for such period as will provide a maturity of not to exceed forty years. The Secretary may authorize a suspension in the payment of principal and interest charges on, and an additional extension in the maturity of, any such loan for a period not to exceed five years if he determines that such action is necessary to avoid severe financial hardship.

(c) Section 1820 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"(f) The Administrator is authorized to refinance any loan made or acquired by the Veterans' Administration when he finds such refinancing necessary because of the loss, destruction, or damage to property securing such loan as the result of a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g). The interest rate on any loan refinanced under this subsection may be reduced to a rate not less than (i) a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of such loan, adjusted to the nearest one-eighth of 1 per centum, less (ii) not to exceed 2 per centum per annum, and the term thereof may be extended for such period as will provide a maturity of not to exceed forty years; except that the Administrator may authorize a suspension in the payment of principal and interest charges on, and an additional extension in the maturity of, any such loan for a period not to exceed five years if he determines that such action is necessary to avoid severe financial hardship."

FEDERAL HOUSING ADMINISTRATION—INSURED DISASTER LOANS

SEC. 4. (a) Section 221 of the National Housing Act is amended by striking out "family displaced from an urban renewal area or as a result of governmental action", "families displaced from urban renewal areas or as a result of governmental action", and "families displaced by urban renewal or other governmental action" each place they appear in subsections (a), (d)(2), (d)(3)(iii), (d)(6), and (f), and inserting in lieu thereof, as appropriate, "displaced family" or "displaced families".

(b) Section 221(f) of such Act is further amended by adding the following sentence at the end thereof: "As used in this section the terms 'displaced family' and 'displaced families' shall mean a family or families displaced from an urban renewal area, or as a result of governmental action, or as a result of a major disaster as determined by the President pursuant to the Act entitled 'An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes', approved September 30, 1950, as amended (42 U.S.C. 1855–1855g)."

ASSISTANCE TO FARMERS IN MAJOR DISASTER AREAS

SEC. 5. (a) The Secretary of Agriculture may make grants to farmers to replace income-producing livestock which are injured or killed as a result of a major disaster occurring before January 1, 1969, and income-producing growing crops (including timber) which are damaged or destroyed as a result of a major disaster occurring before January 1, 1969, in the event and to the extent that he finds a farmer is unable to qualify for loans to replace livestock or growing crops lost as a result of the disaster, and that insurance against such loss of livestock or growing crops was not available at reasonable rates.

(b) The amount of the grant authorized under this section in the case of any farmer for income-producing livestock or growing crops shall not exceed an amount determined by the Secretary to be equal to two-thirds of the value of the livestock or growing crops destroyed and in no event shall the amount of any such grant in the case of any farmer exceed $10,000.

(c) The Secretary is authorized to impose such reasonable terms and conditions on the making of such grants as he determines necessary to carry out effectively the purposes of this section.

DISASTER WARNINGS

SEC. 6. The Secretary of Defense is authorized to utilize or to make available to other agencies the facilities of the civil defense communications system established and maintained pursuant to section 201(c) of the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2281(c)), for the purpose of providing needed warning to governmental authorities and the civilian population in areas endangered by imminent natural disasters.

ASSISTANCE TO UNINCORPORATED COMMUNITIES

SEC. 7. (a) The Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855), is amended by inserting before the semicolon at the end of section 2(e) a comma and the following: "and includes any rural community or unincorporated town or village for which an application for assistance is made by a State or local government or governmental agency".

(b) Section 306 of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1926), is amended by adding at the end thereof the following new subsection:

"(c) In areas which have suffered major disasters the Secretary is authorized, without regard to the annual grant limitation in subsection (a)(2), to make or insure loans to associations, including corporations not operated for profit and public and quasi-public agencies, for the acquisition, construction, improvement, replacement, or extension of waste disposal systems and other public facilities damaged or destroyed as a result of a major disaster providing for community services in rural areas, when the Secretary determines that such action is necessary for the rebuilding of a community or a portion thereof damaged by a disaster, and to make grants not to exceed 50 per centum of the cost of repair, reconstruction, or replacement of waste disposal systems, water systems, and other public facilities damaged or destroyed as a result of a major disaster providing for community services in these areas in any case in which repayment of a loan for such purposes from income would require a charge for such service which the Secretary determines to be beyond the ability of a majority of the users who might be served thereby to pay such charges and if such charge would exceed cost of such services in comparable communities in the State."

HIGHER EDUCATION FACILITIES ASSISTANCE IN DISASTER AREAS

SEC. 8. (a) The Higher Education Facilities Act of 1963 (20 U.S.C. 701–757) is amended by inserting immediately after the last section of such Act the following new section:

"HIGHER EDUCATION FACILITIES CONSTRUCTION ASSISTANCE IN MAJOR DISASTER AREAS

"SEC. 408. (a) If the Director of the Office of Emergency Planning determines that a public institution of higher education is located in whole or in part within an area which, before July 1, 1967, has suffered a disaster which is a 'major disaster' as defined in section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), and if the Commissioner determines with respect to such public institution of higher education that—

"(1) the academic facilities of the institution have been destroyed or seriously damaged as a result of the disaster;

"(2) the institution is exercising due diligence in availing itself of State and other financial assistance available for the restoration or replacement of the facilities; and

"(3) the institution does not have sufficient funds available to it from other sources, including the proceeds of insurance on the facilities, to provide for the restoration or replacement of the academic facilities so destroyed or seriously damaged,

the Commissioner may provide the additional assistance necessary to enable the institution to carry out construction necessary to restore or replace the facilities, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest; but such additional assistance, plus the amount which he determines to be available to the institution from other sources, including the proceeds of insurance on the facilities, may not exceed the cost of construction incident to the restoration or replacement of the academic facilities destroyed or seriously damaged as a result of the disaster.

"(b) In addition to and apart from the assistance provided to a public institution of higher education under subsection (a), the Commissioner may provide funds to such institution in an amount which he considers necessary to replace equipment, maintenance supplies, and instructional supplies (including books, and curricular and program materials) destroyed or seriously damaged as a result of the disaster, or to lease or otherwise provide (other than by acquisition of land or construction of academic facilities) such facilities needed to replace temporarily those academic facilities which have been made unavailable as a result of the disaster, or both.

"(c) In any case deemed appropriate by the Commissioner, disaster assistance provided under subsection (a) or (b) may be in the form of a repayable advance subject to such terms and conditions as he considers to be in the public interest.

"(d) There are hereby authorized to be appropriated for each fiscal year such amounts as may be necessary to carry out the provisions of this section.

"(e) No payment may be made to a public institution of higher education for academic facilities under subsection (a) or for assistance under subsection (b) unless an application therefor is submitted through the appropriate State commission and is filed with the Commissioner in accordance with regulations prescribed by him. In determining the order in which such applications shall be approved, the Commissioner shall consider the relative educational and financial needs of the institutions which have submitted approvable applications. No payment may be made under subsection (a) unless the Commissioner finds, after consultation with the State commission, that the project or projects with respect to which it is made are not inconsistent with overall State plans, submitted under section 105(a), for the construction of academic facilities. All determinations made by the Commissioner under this section shall be made only after consultation with the appropriate State commission.

"(f) Amounts paid by the Commissioner to a public institution of higher education under subsection (a) or (b) may be paid in advance or by way of reimbursement and in such installments as the Commissioner may determine. Any funds paid to an institution which are not expended or otherwise used for the purposes for which paid shall be repaid to the Treasury of the United States.

"(g) For the purposes of this section an institution of higher education is deemed to be a 'public institution of higher education' if the institution is under public supervision and control."

(b) Section 7 of the Small Business Act, as amended (15 U.S.C. 636), is amended by adding thereto the following new subsection:

"(e) In the administration of the disaster loan program under subsection (b)(1) of this section, in the case of property loss or damage as a result of a disaster which is a 'major disaster' as defined in section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855(a)), the Small Business Administration, to the extent such loss or damage is not compensated for by insurance or otherwise, may lend to a privately owned college or university without regard to whether the required financial assistance is otherwise available from private sources, and may waive interest payments and defer principal payments on such a loan for the first three years of the term of the loan."

PRIORITY TO CERTAIN APPLICATIONS FOR PUBLIC FACILITY AND PUBLIC HOUSING ASSISTANCE

SEC. 9. In the processing of applications for assistance—

(1) under title II of the Housing Amendments of 1955, or any other Act providing assistance for the repair, construction, or extension of public facilities;

(2) under the United States Housing Act of 1937 for the provision of low-rent housing;

(3) under section 702 of the Housing Act of 1954 for assistance in public works planning;

(4) under section 702 of the Housing and Urban Development Act of 1965 providing for grants for public facilities; or

(5) under section 306 of the Consolidated Farmers Home Administration Act

priority and immediate consideration shall be given, during such period as the President shall by proclamation prescribe, to applications from public bodies situated in major disaster areas.

RESTORATION OF PUBLIC FACILITIES

SEC. 10. There is hereby authorized to be appropriated such sums as may be necessary to reimburse not more than 50 per centum of eligible costs incurred to repair, restore, or reconstruct any project of a State, county, municipal, or other local government agency for flood control, navigation, irrigation, reclamation, public power, sewage treatment, water treatment, watershed development, or airport construction which was damaged or destroyed as a result of a major disaster, and of the resulting additional eligible costs incurred to complete any such facility which was in the process of construction when damaged or destroyed as a result of such major disaster. Eligible costs are defined to mean those costs determined by the Director of the Office of Emergency Planning as incurred or to be incurred in (1) restoring a public facility to substantially the same condition as existed prior to the damage resulting from the major disaster, and (2) completing construction not performed prior to the major disaster to the extent the increase of such costs over original construction costs is attributable to changed conditions resulting from the major disaster. Reimbursement under this section shall be made to the State, county, municipal, or other local governmental agency which is constructing the public facility or for which it is being constructed, except that if the economic burden of the eligible costs of repair, restoration, reconstruction or completion is incurred by an individual, partnership, corporation, agency, or other entity (other than an organization engaged in the business or insurance), the State, county, municipality, or other local governmental agency shall reimburse such individual, partnership, corporation, agency, or other entity not to exceed 50 per centum of those costs. Eligible costs shall not include any costs for which reimbursement is received pursuant to insurance contracts or otherwise by the party incurring the economic burden of such costs.

DUPLICATION OF BENEFITS

SEC. 11. The head of each department or agency of the Federal government administering any program providing financial assistance to persons, business concerns, or other entities suffering losses as the result of a major disaster shall administer such program in a manner which will assure that no such persons, concern, or other entity will receive such assistance with respect to any part of such loss as to which he has received financial assistance under any other such program.

EXTENSIONS OF TIME IN PUBLIC LAND MATTERS

SEC. 12. The Secretary of the Interior, upon application therefor, is authorized to grant an extension of time to the holder of any lease, license, permit, contract or entry issued by him in connection with any lands administered by him through the Bureau of Land Management where the Secretary finds that a major disaster has impeded timely fulfillment of requirements and such relief will not prejudice the rights of another party.

COORDINATION OF EFFORT

SEC. 13. The President, acting through the Office of Emergency Planning, shall plan and coordinate all Federal programs providing assistance to persons, business concerns, or other entities suffering losses as the result of a major disaster, and shall conduct periodic reviews (at least annually) of the activities of State and Federal departments or agencies to assure maximum coordination of such programs, and to evaluate progress being made in the development of State and local organizations and plans to cope with major disasters. Nothing in this section shall be deemed to relieve the head of any department or agency of any function, duty, or responsibility vested in him by any provision of law.

DISASTER ASSISTANCE STUDY

SEC. 14. The Director of the Office of Emergency Planning is authorized and directed to make, in cooperation with the Secretary of Agriculture, the Secretary of the Interior, and other affected Federal and State agencies, a full and complete study and investigation for the purpose of determining what additional or improved air operation facilities are needed to provide immediate effective action to prevent or minimize loss of publicly or privately owned property and personal injury or death which could result from forest fires or grass fires which are or threaten to become major disasters. The study and investigation shall include but not be limited to—

(1) the need for new or improved airports, heliports, or helispots at specific locations where present transportation facilities are inadequate to provide for immediate and effective action in case of forest fires or grass fires;

(2) the need for additional or improved material, equipment (including aircraft) and personnel at specific locations to provide for immediate and effective action in case of forest fires or grass fires; and

(3) the estimated cost of providing such new or improved air operation facilities (including additional or improved material, equipment, and personnel) at each specific location.

Not later than six months after the enactment of this Act the Director of the Office of Emergency Planning shall report the findings of the study and investigation to the Congress together with his recommendations for an action program, including an equitable plan for the sharing of the cost of the program by the Federal, State and local governments and private persons and organizations.

EFFECTIVE DATE

SEC. 15. This Act and the amendments made by this Act shall apply with respect to any major disaster occurring after October 3, 1964.

With the following further committee amendment:

Committee amendment: Page 29, strike out section 5 and renumber the succeeding sections.

The **SPEAKER**. Is a second demanded?

Mr. **CRAMER**. Mr. Speaker, I demand a second.

The **SPEAKER**. Without objection, a second will be considered as ordered.

There was no objection.

The **SPEAKER**. The gentleman from Texas is recognized for 20 minutes.

Mr. **WRIGHT**. Mr. Speaker, I yield myself such time as I may consume.

The need for this bill can be traced in chronicles as old as recorded times and as recent as last Saturday's headlines.

For a full week this month, our southern tier of States cringed in fear of the unpredictable path cast by the wandering Hurricane Inez before its violent fury lashed the Mexican coast, isolating 80,000 people in an aftermath of torrential floods.

During the weekend just past, killer tornadoes and sudden blizzards ravaged sections of the Midwestern United States, leaving a heavy toll of dead and injured and reducing the town of Belmond, Iowa to a rubble of ruin.

Since the flood of Noah, man has known that nature can be both rewarding and punishing, both bountiful and fickle.

The story of our American civilization has been punctuated by manmade and natural disasters. The heroic recoveries from the San Francisco earthquake, the Chicago fire, the Johnstown flood, the Dust Bowl, and the wild Missouri comprise a cherished part of our folklore. I believe we have learned through sound engineering that all but the most unusual floods can be prevented and damages minimized. But hurricanes, tornadoes, and earthquakes are merely three forms of nature's excesses which still defy man's capacity to foretell and forestall. All we can do is to try to help the hapless victims to recovery.

Just since the 89th Congress convened in January 1965—in less than 2 years—55 different areas of the United States have been so stricken as to be declared disaster areas by the President. In more intimate terms for us, some form of disaster occurred during this brief period in 207 congressional districts.

Congress always has been responsive. It has been concerned. It has been generous. Too often, however, our well-intentioned response on the individual problem-centered basis has been too little and too late. Special bills have had to be enacted by Congress to permit an availing governmental response in many separate and individual cases.

This bill codifies a hodge-podge of existing laws relating to disaster relief and seeks to fill in the gaps left by those laws. It brings together in one statute the variety of tools available to assist in the rehabilitation of disaster victims. It coordinates the activities of 14 different agencies and expedites the accessibility of their help.

In the interest of time, I will try to summarize its basic provisions as succinctly as possible.

Where the generating facilities or electric power lines of a rural electrification system are cataclysmically disrupted, requiring expensive renovations or repairs to restore service, section 3 of the bill permits the Secretary of Agriculture to adjust the payment schedules due from the local group on REA loans and to extend the maturity dates of those loans where warranted.

As an aid to families whose homes are seriously damaged by floods or hurricanes or similar disasters, FHA and VA home loans would be eligible under this section for refinancing—and even for suspension of payments by extension of the loans not to exceed 5 years—in order that the stricken family may have a breathing spell in which to get back on its feet.

To help restore those families utterly displaced from their homes by the totally destructive force of any disastrous natural phenomenon, the Government would be permitted under section 4 to assist—as it now can do for those displaced by urban renewal projects—in helping them to make the necessary transition to new quarters.

As a form of preventive assistance, the Secretary of Defense is authorized by section 6 of the bill to make available the facilities of the civil defense communications system to provide warning to governmental officials and civilian populations in areas endangered by imminent holocaust.

An important gap is filled by section 7 which extends to rural and unincorporated communities the same helping hand which now is available for established municipalities by way of direct or insured loans for the replacement or restoration of needed public facilities.

This bill in section 8 will also throw the same lifeline to public institutions of higher education, that now is thrown to public, elementary, and secondary schools, when disaster strikes. Both grants and loans would be available to help reconstruct these public school facilities. For privately owned colleges and universities, loans only would be available, in keeping with the basic and historic distinctions existing between public and private educational institutions in our general body of Federal law.

To avoid delays in restoring and rehabilitating smitten communities and individual families, section 9 of the bill directs all Federal agencies administering its various sections to give immediate priority—as the emergency nature of the situation would direct—to applications for assistance under this act.

In the restoration of public facilities, the bill in section 10 corrects another omission of existing law by restoring a public facility to approximately the same condition as existed prior to the damage and making this apply—as it now does not apply—to those costly facilities which were not completed but in the process of construction at the time the disaster struck.

The final sections of the bill require coordination of effort among administering agencies, protect against the payment of duplicate benefits to any recipient, allow extensions of time to damaged leaseholders in public land matters, and direct the Office of Emergency Planning to study and report to Congress upon the possible need for additional airstrips or heliports in minimizing injury from forest fires.

The committee considered with a high degree of sympathy a somewhat more controversial provision which appeared in the Senate-passed bill, but decided in the interest of harmony to delete it.

That provision appears as section 5 on page 29 of your committee print. A committee motion will be offered to delete that section. It would have permitted the Secretary of Agriculture under certain conditions to replace income-producing livestock or other growing crops damaged or destroyed as result of a major disaster.

Since a voluminous study relating to Government-subsidized insurance for the private sector against natural disasters has been prepared and submitted to the Congress in eight thick volumes, and since the Congress will devote detailed consideration to these proposals next year, it was thought wise at this time to delete that particular section from this bill.

The bill is not a cure-all. But it does make a substantial advance in disaster relief and brings together in one package the work of 14 different agencies of our Government.

It seems to me that there can be no question as to its desirability. It is in the finest American tradition. Whenever any portion of the big American family has fallen on evil days, we traditionally have pitched in just as we did in pioneer times when a neighbor's barn burned down.

We want to come to the rescue in such ways as we can. This bill permits us to do it on an intelligent, coordinated basis. If man can cope with the environment of the moon, we certainly can accommodate ourselves better and with more enlightenment to the natural moods of the earth, especially here on our own American piece of its real estate. A compassionate, sympathy, and enlightened American public would have us do no less.

Mr. JONES of Alabama. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. I am glad to yield to the distinguished gentleman from Alabama [Mr. JONES], the chairman of the subcommittee.

Mr. JONES of Alabama. Mr. Speaker, I wish to commend the gentleman from Texas and the subcommittee which added to the bill and performed that which in my opinion was one of the most difficult problems to undertake that I have experienced since I have been a Member of Congress and a member of the Committee on Public Works.

Mr. Speaker, I do not believe that under the circumstances the committee, under the leadership of our colleague, the gentleman from Texas [Mr. WRIGHT], could have performed a greater art of draftsmanship, one that would embrace the notion of relief in the circumstances of disaster, better than this bill.

So, Mr. Speaker, I wish to commend the gentleman from Texas [Mr. WRIGHT] for performing an excellent and an outstanding job, the type of job which he always performs.

Mr. WRIGHT. Mr. Speaker, I thank the gentleman from Alabama [Mr. JONES].

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. Of course, I yield to the distinguished gentleman from Missouri [Mr. HALL].

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding. It was my first impression that the gentleman was going to yield to the other side of the aisle again, otherwise I would have been on my feet.

However, Mr. Speaker, I associate myself with the remarks, in general, that have been made about the need for disaster relief.

Mr. Speaker, it would be foolhardy and certainly would make it appear a person was untouched with the milk of human kindness, to think that there are not times of natural disaster and others when communities and individuals and industries do not need relief.

Mr. Speaker, I believe the bill, and particularly the report as written, coordinating these agencies will cover most exceptions taken to it whatsoever. Mr. Speaker, under "Purpose" which appears on pages 1 and 2 of the committee report as to disaster relief, this coordination, involving the different departments of the Cabinet, is certainly worthwhile.

However, I am just a little concerned about two points, and my first question of the distinguished gentleman from Texas [Mr. WRIGHT] is this:

What about our pilot program on crop insurance?

That program has been going on for years in selected counties of the various States.

Is it not perhaps time, if this has proved to be a good pilot experience, that it be inculcated and codified into the law and adopted in all areas subject to hurricane, hail, or whatever the crop damage might be; instead of seeking relief through the various agencies such as the OEP, the Department of Agriculture, and so forth?

Mr. WRIGHT. I would say to the gentleman from Missouri that this bill does not in any way disturb the crop insurance program. Further, it is my conviction, and I believe that of the committee, that this has been a good program and that it does need to be expanded.

Next year, the committee intends to get fully into the question of insurance of various types for the protection of the private sectors against disaster, but we felt we did not have time at this session of Congress to go fully into that question and for that reason, that matter was deleted from the bill and deferred until next year.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, the main thrust of my interrogation comes under "Monetary Authorization," which appears on page 5 of the committee report, wherein it says that the amount of funds needed could not be specific, but would be determined by the magnitude of the damage involved.

Do I interpret that properly, and the bill properly, that with each disaster—each huge disaster—then you would have to come to the Congress for a definite determination of the amount involved and for a determination as to whether it were covered?

Mr. WRIGHT. No, I do not believe that is exactly correct. Each disaster does not have to come to the Congress for determination. This is one of the things that the program avoids. If we waited until we could come to Congress for an authorization in each specific case, then oftentimes the relief would come too late to perform the desired aid and rehabilitation of the smitten victims. When a disaster strikes, the greatest need for assistance exists immediately.

Mr. Speaker, there is not any way to gage how much money a disaster program is going to cost on an annual basis, because there is no way to predict how many disasters will occur or how devastating and costly they will be.

To give a general idea of the cost range, the two most expensive ones which have occurred during the past 2 years have been Hurricane Betsy that struck the New Orleans area and the floods that ravaged the northwest Pacific coast in December of 1964. Each of these inflicted damage requiring a total response to the extent of about $35 million when one considers all of the ramifications of the program. The least, by contrast, was a disturbance that struck in the Sanderson, Tex., area, which cost approximately $100,000. So perhaps this information may bracket into comparative figures a general answer to the question of the gentleman from Missouri.

Mr. HALL. A corollary to that question, then is, Does the gentleman's bill make this an open-ended matter to be determined?

Mr. WRIGHT. The law presently is open ended. I would say to the gentleman our bill does not seek to change that status.

Mr. HALL. Mr. Speaker, if the gentleman will yield for one final question?

Mr. WRIGHT. I am happy to yield to the gentleman.

Mr. HALL. On page 2 it says that the need for disaster relief goes back to the 1800's, and it gives classic examples of disaster relief and cites Federal participation in disaster relief.

On the other hand, there have been some rather classic examples, for example, of charitable purposes for not using the taxpayers' money, and one of the earlier Senators from the great State of Texas by the name of Sam Houston made a classic appeal on the floor of this Congress against so using the taxpayers' money. And there are other similar examples, such as this:

> I feel obliged to withhold my approval of the plan to indulge a benevolent and charitable sentiment through the appropriation of public funds for that purpose. I find no warrant for such an appropriation in the Constitution.

That was the President of the United States in a veto message to the Congress on an act to enable the Commissioner of Agriculture to make a special distribution of seed in the drought-stricken counties of Texas in 1887. That was President Grover Cleveland.

Does the gentleman feel that we have come to the place where the Federal Government must match or supplement such funds or implement them to the various States for handling their own problems in these natural or manmade disasters?

Mr. WRIGHT. I think, clearly with respect to those areas declared by the President to be disaster areas, that the Federal Government has a role to play. This is not a new role for Government by any manner of means. As early as 1824, Webster, Clay, and Calhoun almost exhausted the resources of rhetoric in congressional debate over what the Government should do about the floods in Maryland. In 1848, Abraham Lincoln, then a Member of this House, spoke in Congress in defense of a related matter. We long have provided various types of assistance to disaster victims. The question here is really one of how we can do it in the most effective, intelligent, and coordinated fashion.

Mr. Speaker, I might suggest also that I have come to the place where, if I do not reserve the balance of my time, then I shall not be able to give some of my other colleagues an opportunity to speak. I think particularly of the gentleman from California [Mr. JOHNSON] who was very active in the committee consideration of this bill, and the gentleman from Indiana [Mr. ROUSH] who appeared before our committee in behalf of this bill and who has been vitally and effectively interested in this legislation. There are several others, as well, who deserve to be heard. Therefore, I reserve the remainder of the time in order that we may hear them.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. WRIGHT. Of course, I yield to our distinguished Speaker.

Mr. McCORMACK. I know all my colleagues, like myself, were very much concerned and exceedingly sorry when some 3 weeks ago we learned that our dear friend, our outstanding Parliamentarian, Lew Deschler, had entered the hospital. All of us followed his progress while he was in the hospital. If there is one man who enjoys the deep friendship, respect, admiration, and esteem of the Members of the House, with special emphasis, it is our distinguished Parliamentarian Lew Deschler. He is not only a brilliant gentleman as we all know but dedicated to the service of the House of Representatives. He is the No. 1 Parliamentarian of the world. He serves all the Members impartially and fairly. However, over and above everything his dedication to the House will always be a very prominent part of the history of this great body. I know my colleagues will join with me when I express my pleasure and your pleasure in seeing back with us again our dear friend, Lew Deschler.

Mr. GERALD R. FORD. Mr. Speaker, I wish to join our distinguished Speaker, the gentleman from Massachusetts [Mr. McCORMACK] in welcoming back Lew Deschler, our Parliamentarian.

Mr. Speaker, Lew has been gone longer than any of us anticipated. It is wonderful to see him back and to see him looking so much better, with all of the expectations that his health will improve even more in the months ahead.

Mr. CRAMER. Mr. Speaker, I rise for such time as I may consume.

The SPEAKER pro tempore. The gentleman is recognized.

Mr. HALLECK. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I am happy to yield.

Mr. HALLECK. Mr. Speaker, as a member of the Committee on Public Works, I was glad to participate and do what I could in the drafting of this legislation. I am supporting this as I have supported other similar pieces of legislation in the past.

Mr. CRAMER. Mr. Speaker, I thank the gentleman.

I should like to say that the distinguished gentleman from Indiana [Mr. HALLECK] has been most helpful in the drafting and in the support of disaster relief legislation this year, and in the past, on the Committee on Public Works. We are delighted to have him on that committee. I thank him for his comments.

Mr. Speaker, this bill is dealing with the subject matter that is of tremendous importance and interest to the entire Nation, for no one knows when or where a national disaster will strike. Nobody knows whose home or whose income may be destroyed, or whose life will be jeopardized by an act of nature.

Up to this time it has been the basic concept of the Federal Government that no responsibility exists except for assisting local communities in recovering from public facility destruction caused by such natural disasters that are declared to be national disasters by the President of the United States.

There is no more devastating and there is no more community-shaking experience than for a national or natural disaster to strike. There is no quicker way that a fortune can be destroyed or a life imperiled. There is no quicker way for a teeming city to be brought to an abrupt halt in most respects, than by an act of a natural disaster.

It is for that reason that our committee has felt, and on a bipartisan basis, that it is essential that this legislation having general application be brought out this year.

A few years ago we had a serious flood condition in the Northwestern United States. We dealt with that as the northwest flood disaster relief bill.

When we had a serious storm damage problem that arose out of Betsy in the Gulf of Mexico, we dealt with that as a separate disaster problem.

Now, it apears to me—and it has to our committee—that it is justified that all people in America should have the same Federal Government relief available to them on a uniform basis, and that these problems should not be dealt with on a piecemeal, storm-by-storm, tornado-by-tornado, flood-by-flood basis, but on a uniform, nationwide basis, so that the communities and individuals will know in advance and will have available, immediately, should such an unforeseen circumstance occur, relief uniformly applied throughout the Nation.

Of course, this is of particular concern and interest to the great State of Florida, that has for a number of years been in the path of a number of these storms coming up through the Caribbean.

The most recent, of course, was Inez where fortunately the damage in Florida was slight. With Betsy, prior thereto, the damage was heavy.

So I am glad to see that our committee is accepting its responsibility and coming forth with a nationwide uniform program and uniform applicability and thus possibly not necessitating in the future dealing piecemeal with individual disaster relief areas and problems.

There was serious consideration given to the question of what should be done relating to destruction of farms and private personal property. This has been a matter that has been discussed for sometime. There was passed back in 1956, as a matter of fact, the Federal Flood Insurance Act which has never been implemented for numerous reasons but concerning which there has been submitted to the Congress just recently by the Department of Housing and Urban Development a report on that legislation of the possibility sometime of implementing a nationwide flood insurance program sometime in the future under certain recommended conditions.

No relief is available other than on forgiveness of loans or limited other basis to homeowners at the present time or farmers except that farmers have the Farmers Home Administration loans that are available to assist them.

Farmers also have in about one-third of the communities and counties throughout the United States a Federal insurance program under the Department of Agriculture.

So there is some relief available to farmers and a slight relief available to homeowners from the standpoint of forgiveness of loans and to businessmen from the Small Business Administration.

What this bill does is to bring together all of the existing programs for purposes which make available additional forgiveness power and other authorities which the gentleman from Texas has discussed just a few moments ago.

So I say this legislation dealing with general application for one of the first times since 1950 when Public Law 81–875 was passed dealing with disaster relief on a nationwide basis—there is no question but that it is outdated—for the first time it brings into nationwide application all legislation dealing with disaster relief. Feeling that it was essential, not knowing what might happen even between now and January of next year and not knowing what national disaster might occur between now and then, I joined with the gentleman from Texas and our committee as did the rest of the minority in suggesting that the Congress should act to the extent possible this year. Congress should put into the law these necessary provisions and nationwide application for protection now and in the future not knowing what havoc Mother Nature might wrought between now and the middle of next year when the legislation might be acted upon at that time.

A committee amendment has been proposed as I understood it, and I will ask the gentleman from Texas, is it not true the amendment being offered by the gentleman as a committee amendment has the effect of striking section 5 which is the farmers' grant section contained in the committee bill?

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. WRIGHT. In response to the distinguished gentleman from Florida, the ranking minority member of our committee, the answer is, "Yes."

It is definitely the intention of the committee to offer—and I hope it will be approved—an amendment as a committee amendment which will eliminate section 5 from the bill as it presently appears.

Section 5, as the gentleman from Florida knows, is that section which relates to the possibility of giving help through the Secretary of Agriculture to farmers whose income or livelihood through the production of livestock or cash crops might have been damaged or destroyed. It was decided by the committee that this would be deferred, in connection with other matters that the gentleman from Florida has just been discussing, in order that there might be thorough consideration given next year to the questions of insurance coverage for the private sector.

Mr. CRAMER. Mr. Speaker, may I ask the distinguished gentleman further—it would be my hope that the position of the House on this legislation would be insisted on, and, of course, the other body may take the House amendments and pass them without a conference. I hope that would be the intended action. I do not think the time is available to permit us to go to conference and hassle over provisions of the legislation. Could I ask the gentleman, Is that the gentleman's present contemplated modus operandi?

Mr. WRIGHT. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman.

Mr. WRIGHT. To attempt to predict what the other body might do is always somewhat reckless, as the gentleman knows. However, I would join the gentleman from Florida in the hope that the other body might see the wisdom of accepting the House amendments to the Senate-passed bill in order to obviate the need for a conference. I think the shortness of time also makes it a moot question at this point. I should not want to see the bill die for want of our ability to pass a piece of legislation.

Mr. CRAMER. I thank the gentleman. I, too, cannot predict what the other body will do. But I would hope that the bill will be passed as an amended Senate version, which is its present form, and then let the other body act as it sees fit. I would hope that they would adopt the legislation in the form I trust the House will pass it very shortly.

Mr. de la GARZA. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Texas.

Mr. de la GARZA. I regret very much that my colleague from Texas has agreed with the gentleman in relation to section 5, and that the motion includes a request to delete section 5 from the bill. But in reading the minority views of the gentleman, along with other Members, I would like to ask the gentleman how the language on page 6 right below "section 5," and on the next five pages, coincides.

Mr. CRAMER. Yes; I will yield further.

Mr. de la GARZA. It seems to me here you say "where no other help is available," then section 5 would come into action. Does that coincide with the thinking of the gentleman through the explanation he has given in his minority views?

Mr. CRAMER. In my opinion this year is not the time to consider the question of grants. We have before us, as I mentioned, a report from the Department of Housing and Urban Development that did not come down to the Congress until a very recent date. It deals with the general subject of what relief should be made available to all persons, if any, be they farmers or be they nonfarmers, who lose their homes or their income-producing property. Should there be any relief on a national basis, such as the insurance program enacted in 1956 which might be implemented, this is a decision, as has been determined on both sides of the aisle, that can best be accomplished after adequate consideration of this lengthy report presently before us.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Kansas.

Mr. DOLE. I wish to make it perfectly clear—and I think the gentleman from Texas may have—that the program will be retroactive until sometime in October 1964. Is that correct?

Mr. CRAMER. That is right. It will be retroactive to the date of the adjournment of the 89th Congress, meaning October 1964 and will include the subsequent period under this legislation as recommended by the Bureau of the Budget. It will include the disaster caused by the December flood in the Northwest United States in December of 1964 as an example. That is the objective and purpose of the retroactive provision.

Mr. DOLE. I thank the gentleman.

Mr. WRIGHT. Mr. Speaker, I yield such time as he may require to the gentleman from Indiana [Mr. Roush].

Mr. ROUSH. Mr. Speaker, I rise in support of this legislation.

Mr. Speaker, my conscience is somewhat relieved today as we have at last arrived at the stage whereby disaster victims will have the opportunity to receive more comprehensive immediate relief. The birth of this blatant need to supply comprehensive aid to those suffering from the devastating effects of a disaster originated in my own district in Indiana on Palm Sunday, 1965, when a tornado ripped through the State. The entire town of Russiaville, in my district, was nearly leveled to the ground. As is normally the unfortunate case, it took such a tragedy to occur before the need was realized for omnibus legislation which would cover public as well as private areas without having to pass disaster relief legislation for each individual case.

The story of Russiaville is far from completed; it has now been over a year and a half since the tornado first struck, and the townspeople are courageously exploring every avenue of aid to rebuild their entire town. These people are to be praised for their fortitude in tackling a project which has no immediate end in sight. With insurmountable odds, Russiaville's town fathers have carefully mapped out a logical development plan as they proceed to apply for Federal funds.

My point, Mr. Speaker, is this: if "omnibus" disaster relief legislation, as is up for consideration today, had existed, towns such as Russiaville and all those affected by tornado, hurricane, and flood disasters could have proceeded immediately after the disaster with construction plans because the application for funds would not have to follow a long, laborious legislative process.

I wish to praise the Committee on Public Works and the Subcommittee on Flood Control for producing this legislation; it begins to solve the problem of delayed time versus immediate aid. However, I only consider this legislation a beginning and see a future need for improvements in order to fully accommodate the needs of disaster victims in their rebuilding process. The full committee deleted two areas which I consider necessary to effective omnibus legislation: Grants to States for assistance to homeowners and businesses; and the grants to farmers for replacement of their income-producing livestock. I sincerely hope that the House will not consider its job completed in providing assistance to disaster victims. The deletion of these two sections needs careful attention as future improvements are made in omnibus disaster legislation.

Mr. WRIGHT. Mr. Speaker, I yield such time as he may require to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Speaker, I rise in support of this legislation.

Mr. Speaker, the Public Works Committee has worked long and hard in an effort to write a good piece of legislation for major disaster relief. There is nothing wrong with providing loan adjustments in instances where extreme financial hardship results to borrowers under programs administered by REA, HUD, and VA, all of which have good programs. The legislation has many features which I believe are good. Especially, I am pleased that by committee amendment the provisions which will make grants to farmers in major disaster areas to restore production will be deleted. I question seriously this proposal for grants in such cases for anyone, not just to farmers. Much study is needed before such a step is taken if indeed it ever is. Mr. Speaker, I support this legislation.

Mr. WRIGHT. Mr. Speaker, I yield such time as he may require to the gentleman from California [Mr. JOHNSON].

Mr. JOHNSON of California. Mr. Speaker, I rise in support of S. 1861 as amended. I want to take this time to commend the chairman, Mr. Wright of Texas, of this special subcommittee that is handling this particular bill.

I do believe it is well worked out now and will be of great benefit. I hope the House will see fit to pass it.

Mr. WRIGHT. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Oregon [Mrs. GREEN].

Mrs. GREEN of Oregon. Mr. Speaker, I rise in support of this legislation.

Mr. Speaker, I want to take this opportunity to congratulate the distinguished chairman, Congressman FALLON, the chairman of the Subcommittee on Flood Control, Congressman JONES—and in particular, I wish to express my commendation to my good friend, Congressman WRIGHT, who chaired the hearings and was responsible for drafting this thoroughly fine piece of legislation. That we have needed a better coordinated program for Federal aid to disaster areas has, I think, been evident for some time. This bill is a substantial step in the right direction.

Hardly a year passes that some section of the Nation does not suffer severe damage from floods, earthquakes, or tornadoes. The Office of Emergency Planning, which was established under terms of a 1950 bill, has provided valuable aid from the Federal Government to the stricken area.

In addition, Congress has been generous in its response when special aid has been needed. The Christmas floods of 1964, swept through the Northwest, leaving in their wake millions of dollars of damage, death, and personal tragedy for thousands, are still very vivid in my mind, as I know they are also for everyone from the disaster areas. We from the Northwest area are grateful to the Congress for the Northwest disaster relief bill of 1965 which has helped us to restore some of the estimated half-billion-dollar damage. I know that other States in the Nation, such as Alaska, are also very grateful for the special bills which Congress has enacted to help relieve them in their time of trial and grief. But, without seeming unappreciative, may I also remind this House that the Northwest disaster relief bill did not become effective until 6 months after the misfortune.

This delay between the time of destruction, and aid made available, simply adds a preventable burden of fear, anxiety, and dismay to already substantial distress. I am particularly impressed with the lines in the committee report which state:

> What good does a 30-year, 3-percent refinancing do a man who, because of the press of his creditors, has had to go into bankruptcy and surrender to the trustee in bankruptcy all but a few hundred dollars of his personal belongings and the tools of his trade? For him relief is too late no matter how liberal the terms. As in the case of justice, disaster relief delayed is quite often relief denied.

We in the Northwest can appreciate the value of quick, effective relief. That this legislation provides for just this is, to my mind, its great virtue, and I strongly support it.

Mr. WRIGHT. Mr. Speaker, I yield such time as he may consume to the gentleman from Texas [Mr. DE LA GARZA].

Mr. DE LA GARZA. Mr. Speaker, I rise in support of this legislation with one small reservation.

Mr. Speaker, I wish to commend my distinguished colleague from Texas [Mr. WRIGHT] for his usual very capable handling of an important piece of legislation, the Disaster Relief Act of 1966, S. 1861. I agree with this legislation, although I am sorry to learn that the committee has decided to delete section 5 of the bill due to what I believe are the objections of the minority. I do not agree with these views for the following reasons: The recently released HUD report was, I am informed, for flood relief only. There are programs for loans and grants available, it is true, but this legislation is to supplement those or when a farmer or rancher cannot avail himself of these loans or grants.

I do not think it is discriminatory at all, for if any one needs help it is the farmer, and we cannot on the one hand praise someone for saying the last 5 years were the worst the farmers had, and then turn around and say we refuse to help the farmer in his hour of need, when his crops are lost by a disaster, or the rancher when he loses his animals by saying it will be discriminatory to help him. To say that we do not know how much the program will cost would under ordinary circumstances be a valid argument, but these are not ordinary circumstances and anyone who so wishes could offer a limitation of funds.

Additionally the majority has very clearly stated:

> This relief is available only in those cases where both a farmer is unable to qualify for loans to replace livestock or growing crop losses as a result of the disaster and where insurance against such loss of livestock or growing crops was not available at reasonable rates.

This certainly explains their position on section 5.

In my district, basically an agricultural area, while we are blessed by the good Lord in terms of climate and usually superlative crop-growing conditions, we are also, on the other hand, prone to lose much by natural disasters.

Recently, blessed by the Lord, my district was missed by hurricane Inez. The damage we would have suffered was borne by Mexico. But to go on its final days, through Brownsville, Tex., there would have been a requirement for help, for the kind of help that would have been provided under this legislation. The majority of the committee realize this fact—and they are to be commended for their interest and effort—while none of the people in my area are interested in a handout, had the hurricane situation been as charted, something might have been required. Although I am very disappointed that section 5 will be deleted Mr. Speaker, I shall nonetheless support the legislation and urge the committee to at the earliest possible moment, seek to restore the intent of the deleted section.

I thank my colleague for yielding.

Mr. CRAMER. Mr. Speaker, I yield such time as he may consume to the gentleman from California [Mr. DON H. CLAUSEN].

Mr. DON H. CLAUSEN. Mr. Speaker, I rise, quite obviously, in enthusiastic support of this legislation, because of the fact that I have served on this committee during the entire consideration of the legislation as we were drafting it and have traveled throughout the country in regard to it.

Certainly everyone realizes that this legislation is desperately needed.

I am also pleased to remind the House that it will be the intent of our Public Works Committee to move early next year toward the consideration and recommendation of an adequate flood disaster insurance program on a nationwide scale.

The private sector desperately needs this type of coverage and with the filing of the HUD report, which our committee requested, we will have a base of information upon which to hold hearings and offer reasonable and responsible recommendations.

I believe it will require a partnership concept between the insurance industry and the Federal Government as I outlined in my recommendations to the committee. This will cover the category included in section 5 of the bill that by committee amendment, we are deleting.

Also, I am pleased to advise the Members that an amendment, I offered in committee, to request a study by OEP to determine the current capability of preventing major forest and grass fires throughout the country. We are asking for a complete inventory of existing firefighting programs, including equipment, surface and airborne, helispots, heliports, and airports.

In this day of advanced technology, it is inconceivable to me that we should not have on a standby basis the finest firefighting program that money can buy.

Once a fire breaks out and reaches major forest or grass fire proportions, the losses and threats to property are heavy and frightening.

With a broad background of experience as a former forest fire patrol pilot and a firsthand observer of the annual forest fires of my district, I think I am somewhat qualified to bring this problem to the attention of the Congress. I deeply appreciate the committee's acceptance of my study amendment.

I urge unanimous support of this bill and further want to admonish the House to be prepared to act on our disaster insurance program recommendations for next year.

Mr. CRAMER. Mr. Speaker, I believe the gentleman from California [Mr. DON H. CLAUSEN] should be congratulated for the effort he has put into this legislation, and particularly for his draftsmanship of section 14, which provides that the OEP survey and study will be made with respect to the need for additional or improved air operation facilities which are needed to prevent or to minimize loss of property and personal injury or death which could result from grass or forest fires. The gentleman's interest in this subject is well known.

I also congratulate him for having been one of those persons who gave of their time and effort to visit personally, as has the committee, the various areas that have been stricken by disaster, getting an onsite inspection of it and a discussion of what relief is needed and what is available under the legislation.

I also wish to congratulate the committee, under the chairmanship of our distinguished colleague, the gentleman from Maryland [Mr. FALLON] for taking this approach to serious disaster problems throughout this country. This is the first time I know of that the Committee on Public Works, at least in the past few years, has taken it upon itself to get an onsite, firsthand look at what happens when one of these major disasters strikes, and the need for relief. I hope this policy will be continued in the future.

The gentleman from California [Mr. DON H. CLAUSEN], has been consistent in his willingness to attend these hearings on site through the United States. I congratulate him and the other members of the committee, who have done likewise.

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Kansas.

Mr. DOLE. I rise in support of this legislation.

I also take the time to thank the members of the committee, who visited my district in July of 1965, following the very disastrous flood in June.

Mr. Speaker, the Arkansas River flood of June 1965 was called the worst in Kansas history. The flood was born on the eastern slope of Colorado's Rocky Mountains, the product of severe rain and hail storms that swept the foothills areas. After 3 days of wind, rain, and hail hammered the Denver area, the floods followed. The combined flooding of East Plum Creek, Plum Creek, the South Platte River, Clay Creek, Bijou Creek, the Fountain and the Purgatorie, and other swollen minor streams all met the Arkansas River in eastern Colorado, and from there the floodwaters raced toward the Kansas State line. The flood reached Hamilton County early Thursday, June 17, only hours after 4 inches of quick rain drenched the Coolidge vicinity 14 miles west of Syracuse. The damage there was tremendous to the homes, farms, crops, and livestock, and later that day it was Syracuse's turn. The crest reached Syracuse at 5:30 p.m. on June 17, and here again there was extensive damage and nearly 300 persons were evacuated from their homes. Next came Kendall, a small town of about 100, 12 miles east of Syracuse. There the water never crossed the protective railroad dike, but it was a different story in rural areas where the spreading Arkansas River reached a width of 5 miles. The flood reached Lakin at 9 a.m. on Friday, June 18, and in this area several residents who did not believe the extent of the oncoming flood had to be rescued by boat. From there the flood moved to Garden City, and here some 300 families were evacuated. Garden City was among the hardest hit communities along the path of the rampaging Arkansas River, and the damage would have been more extensive had it not been for a tremendous community effort. The Arkansas River rumbled out of Garden City toward Pierceville where all the residents had already been evacuated. At Ingalls the water rose 15 feet, and in Cimarron the water crested at 17 feet at 11:45 a.m. on Saturday, June 19, causing extensive damage to homes and businesses south of the Santa Fe tracks.

The flood rocked Dodge City, arriving at 9:30 p.m., Saturday, in a 1½-mile-wide sheet of water which rose to a maximum of 17.12 feet, almost 3 feet higher than the previous record set in 1951. Dodge City was extensively flood damaged, and nearly 1,500 residents left their homes. From Dodge City the flood moved to Kinsley, some 6 feet above flood stage, and Kinsley took a drubbing not only from the Arkansas on the west, but also from Coon Creek on the east. Next in line was Garfield, and then on to Larned 12 miles downstream, but Larned was ready and its soggy dikes contained most of the water. The crest then arrived in Great Bend at 10 a.m., Wednesday, June 23, and the 13.2-foot crest was 2 feet higher than any in the town's history, but Great Bend won its battle of the bulge by means of an effective dike system. The flood was gradually slackening as it reached Ellinwood later than evening, and from there the floodwaters moved slowly through Alden, Raymond, Sterling, Nickerson, Hutchinson, Wichita, and on into Oklahoma.

The total flood loss was pegged at $22 million by Gov. William Avery even before the flood reached Hutchinson. The wheat crop damage alone was estimated to be $3 million, and the damage inflicted upon hundreds of thousands of acres of farmland could not even be estimated. Following this historic disaster, the area was declared a "disaster area," and the President's Office of Emergency Planning under Public Law 81–875, moved quickly to aid the stricken area.

I agree that Public Law 81–875 is effective, but also agree that it is limited. There are many problems yet unsolved along the Arkansas River and others that seem to have become bogged down in perhaps necessary, but frustrating, bureaucratic review. Passage of S. 1861 by the Congress would make the administration of Public Law 81–875 more efficient. There must be a more effective response to natural disasters, and in my opinion, S. 1861 is a determined effort to assist those in disaster areas immediately. It will also coordinate existing programs, and the fact that the act is made retroactive to October 3, 1964, may be helpful to many along the Arkansas River who are still suffering as a result of the June 1965 flood.

I did have questions with reference to section 5, but understand the committee has decided to defer action on this section until next year. It does seem that Congress should consider early next year a comprehensive flood insurance program, in cooperation with private insurance carriers. There is a need for such insurance, and I for one will strongly support any such efforts of this committee and, in fact, recommended last year that such a program be initiated.

Mr. WRIGHT. Mr. Speaker, I yield such time as he may consume to the gentleman from Kentucky [Mr. CHELF].

Mr. CHELF. Mr. Speaker, I should like to identify myself with this piece of legislation.

Some 15 years ago, the gentleman from Texas will recall, Texas City was almost completely and literally blown off the map. I have had an interest since that time in seeing that Federal help be provided for cities and communities which, through no fault of their own, are unable to cope with their tragic disasters. I believe it is a responsibility of the Federal Government to help local people in matters of this kind. It is like all the neighbors coming in to rebuild one's barn that is lost by fire or cyclone. I have felt this way since I have been a Member of Congress for the past 22 years.

I join with the gentleman from Texas and all others on both sides of the aisle, irrespective of political views, in the support of this bill.

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. RANDALL] may extend his remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. RANDALL. Mr. Speaker, I rise in support of S. 1861, the Disaster Relief Act of 1966.

My interest in a measure of this kind is very much like that of other Members whose congressional district has been the victim to a natural disaster.

In northeast Cass County is situated the city of Pleasant Hill, Mo. It was struck by a severe tornado which in the Middle West is sometimes referred to as a cyclone. Damage was widespread. Our Governor recommended to the President that the area be declared as a disaster area. We had always believed that when these events happened that there would be some immediate and realistic assistance forthcoming to the community. None of my constituents or myself expected any kind of a handout but we did expect that there would be some coordinated disaster relief program go into effect when help was so urgently needed. About all that happened was that some representatives of the Small Business Administration came down from Kansas City, Mo., and offered to take applications for some loans. They took the applications but that was about all that happened. There was so much redtape and so many preliminary requirements that my constituents finally gave up and tried to get financial help from other sources.

It was for that reason that I introduced H.R. 10332 to establish a 12-point program of Federal disaster relief. It was designed to provide equitable treatment to disaster victims and it was a sincere effort toward a substantial improvement over existing enactments.

One of the most important provisions was to supplement the cost of replacing damaged school buildings and equipment. Next in importance was low-interest loans to rehabilitate damaged or destroyed family residences. Another provision was to authorize the President to secure temporary housing for displaced families to rent and at not more than 25 percent of their monthly income. There were several other provisions which I will not take the time to enumerate. I testified before the House Public works Committee in August 1965.

Perhaps S. 1861 is not as comprehensive as provisions of our own H.R. 10332 but it is certainly a great improvement and a substantial advance forward over existing disaster legislation. It is for this reason that it is a privilege to endorse provisions of the Senate bill and urge that the rules be suspended and this bill be passed before the 89th Congress adjourns sine die.

Before I conclude, I think it is appropriate to compliment the Public Works Committee for their effort to push this bill through before adjournment and our colleague JIM WRIGHT deserves special commendation to see that the House acted on this bill prior to adjournment.

Mr. CLEVELAND. Mr. Speaker, I rise in support of this legislation, the Disaster Relief Act of 1966, S. 1861.

It is a matter of particular pleasure that the majority has acceded to the minority views so this important legislation now has the support of the full Public Works Committee on which it is my pleasure to serve.

It is comforting to know that Republican minority views are commanding increasing respect. The legislation itself has been quite well explained during this discussion and debate on the floor, and I do not intend to speak for too long—particularly at a period such as this when time is so important to all of us. This legislation does a good job of providing, as the gentleman from Texas [Mr. WRIGHT] has pointed out:

> An ever-ready arsenal of available weapons, in one package, so as to obviate the necessity of scrambling, after the act, in each instance for individual relief legislation.

Besides paying a particular word of praise to the gentleman from Florida [Mr. CRAMER] and the gentleman from California [Mr. DON H. CLAUSEN] for their important contribution to this legislation, I think the committee staff, both majority and minority, deserve particular praise for the well-written report accompanying S. 1861. This report, House Report No. 2141, is excellent. As I have previously indicated, I am glad that the points raised in our minority views have been acceded to.

Mrs. DWYER. Mr. Speaker, the Disaster Relief Act of 1966 presents us with a valuable opportunity to provide a quicker, more effective way of helping communities and individual victims of natural disasters.

In recent years, Congress has exercised commendable concern for and an admirable sense of responsibility toward those who have been victimized by the holocausts of an unbridled nature. But spread as they are among many separate agencies of the Federal Government, the programs we have enacted have resisted effective coordination.

The pending bill makes its greatest contribution by giving the Government a greatly improved means of channeling all available Federal assistance to disaster victims when and where and how they need it most.

I have had occasion recently to see at first hand how important this legislation can be. My own community of Elizabeth, N.J., was struck by a devastating flood last month as the result of a daylong downpour of between 6 and 7 inches of rain. The flooding of the Elizabeth River, according to the U.S. Army Corps of Engineers, caused in excess of $2 million in damage, left dozens of families homeless, knocked out communitywide sources of power, and left hundreds of families and small businesses seriously hurt.

It was an interesting coincidence, however, that at the very time the Elizabeth flood was raging, the House of Representatives was approving an item in the public works appropriations bill for advanced planning and design of the Elizabeth River flood control project, to which I have devoted much effort in the past 5 years.

Our experience in Elizabeth, Mr. Speaker, represents a timely example of how suddenly and unexpectedly disaster can strike, leaving its victims without homes or possessions and threatening them with the loss of years of hard work and careful saving.

We cannot always prevent floods or hurricanes, earthquakes or tornadoes, but we must be prepared in advance to rush our help to victims in time to be of assistance. Loans, emergency repairs, communications equipment, and other forms of help can mean a more complete and expeditious recovery from disaster, but relief delayed is often relief denied.

Closely related to what we are doing today, Mr. Speaker, is the question—often debated here but never resolved—of flood insurance, the provisions of protection before disaster strikes. This is an appropriate occasion, I believe, to urge our colleagues to intensify the effort to develop a practical, workable flood insurance program.

Several years ago, Congress rejected a proposal for flood insurance, on the sound grounds of the prohibitively high premiums which those seeking protection would have to pay. A flood insurance program can be useful only when the people who need it can afford to buy it, and Congress must continue to devote attention to this important objective.

We can take a good measure of pride in the present bill, Mr. Speaker, especially if we resolve to pursue the effort to deal humanely and effectively with natural disasters, a phenomenon which will always be with us. What happened to Elizabeth can happen to any other community, and we owe it to those we represent to be well prepared.

GENERAL LEAVE

Mr. **WRIGHT**. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on this subject.

The **SPEAKER** pro tempore [Mr. McFall]. Is there objection to the request of the gentleman from Texas?

There was no objection.

The **SPEAKER**. The question is on the motion of the gentleman from Texas [Mr. Wright] that the House suspend the rules and pass the bill S. 1861, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington one of its clerks announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2947) entitled "An act to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act".

APPROPRIATION BILL FOR THE DEPARTMENTS OF STATE, JUSTICE, AND COMMERCE, THE JUDICIARY, AND RELATED AGENCIES FOR THE FISCAL YEAR ENDING JUNE 30, 1967, AND FOR OTHER PURPOSES

Mr. **ROONEY** of New York. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 18119) an act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1967, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate.

The **SPEAKER**. Is there objection to the request of the gentleman from New York? The Chair hears none, and appoints the following conferees: Messrs. Rooney of New York, Sikes, Slack, Smith of Iowa, Flynt, Joelson, Mahon, Bow, Lipscomb, and Cederberg.

CHILDREN'S SUMMER LUNCH PROGRAM ACT

Mrs. **GREEN** of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 9339) to protect the health and well-being of the Nation's children by establishing a special summer lunch program, as amended.

The Clerk read as follows:

H.R. 9339

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the National School Lunch Act (42 U.S.C. 1751–1760) is amended—

(1) by striking out the first section and inserting in lieu thereof the following:

"TITLE I—NATIONAL SCHOOL LUNCH PROGRAM

"Short title

"Section 1. This title may be cited as the 'National School Lunch Act'.";

(2) by striking out "this Act" and "the Act" wherever they appear in sections 2 through 12, inclusive, and inserting in lieu thereof "this title"; and

(3) by adding after section 12 the following new title:

"TITLE II—CHILDREN'S SUMMER LUNCH PROGRAM

"Short title

"Sec. 201. This title may be cited as the 'Children's Summer Lunch Program Act'.

"Declaration of purpose

"Sec. 202. In recognition of the demonstrated relationship between good nutrition and the capacity of children to develop and learn, based on the years of cumulative successful experience under the national school lunch program, it is hereby declared to be the purpose of this title to further safeguard and promote the health, education, and well-being of the Nation's children and to encourage the domestic consumption of agricultural and other foods, by establishing a special summer lunch program for children to complement the regular school lunch program carried out under the National School Lunch Act.

"Appropriations authorized

"Sec. 203. For the purpose of enabling the Secretary of Agriculture (hereinafter in this title referred to as the 'Secretary') to carry out the provisions of this title, there is hereby authorized to be appropriated the sum of $8,000,000 for the fiscal year ending June 30, 1967; but for each fiscal year thereafter only such sums may be appropriated as Congress may hereafter authorize by law.

"Special summer lunch program for children

"Sec. 204. The Secretary shall formulate and carry out a special summer lunch program for children as provided in this title under which lunches shall be made available for children between the ages of three and eighteen, inclusive, attending summer youth centers. The sums appropriated for any fiscal year for carrying out such program, excluding the sum specified in section 205, shall be available to the Secretary for supplying agricultural commodities and other foods for the program in accordance with the provisions of this title. The Secretary shall apportion among the States during each fiscal year not less than 75 per centum of the funds made available for such year for supplying agricultural commodities and other foods under the provisions of section 203 of this title. For the fiscal year ending June 30, 1967, the Secretary shall apportion funds among the States on the same basis as funds are apportioned under section 4 of the National School Lunch Act to carry out the national school lunch program. Apportionment among the States for each fiscal year thereafter shall be made upon the basis of two factors: (1) the participation rate for the State, and (2) the assistance need rate for the State. The amount of apportionment to any State shall be determined by the following method: First, determine an index for the State by multiplying factors (1) and (2); second, divide this index by the sum of the indices for all the States; and third, apply the figure thus obtained to the total funds to be apportioned. If any State cannot utilize all funds so apportioned to it, or if additional funds are made available under section 203 for apportionment among the States, the Secretary shall make further apportionments to the remaining States in the same manner. The program authorized under this title shall be carried out in a State only during the summer vacation period when the elementary and high schools of such State are normally closed or open only on a limited summer schedule.

"Nonfood assistance

"Sec. 205. Of the sums appropriated for any fiscal year to carry out the special summer lunch program for children authorized by this title, $1,000,000 shall be available to the Secretary for the purpose of providing, during such fiscal year, nonfood assistance for such special program pursuant to the provisions of this title. The Secretary shall apportion among the States during each fiscal year such sum of $1,000,000, and such apportionment among the States shall be on the same basis as the apportionment of funds for agricultural commodities and other foods is made under section 204 of this title.

"Direct Federal expenditures

"Sec. 206. The funds appropriated for any fiscal year for carrying out the provisions of this title, less not to exceed 3½ per centum thereof hereby made available to the Secretary for his administrative expenses, less the amount apportioned by him pursuant to sections 204, 205, and 211, and less the amount of grants made under section 208, shall be available to the Secretary during such year for direct expenditure by him for agricultural commodities and other foods to be distributed among the States and summer youth centers participating in the special program under this title in accordance with the needs as determined by the appropriate local authorities. The provisions of law contained in the proviso of the Act of June 28, 1937 (50 Stat. 323), facilitating operations with respect to the purchase and disposition of surplus agricultural commodities under section 32 of the Act approved August 24, 1935 (49 Stat. 774), as amended, shall, to the extent not inconsistent with the provisions of this title, also be applicable to expenditures of funds by the Secretary under this title.

"Payments to States

"Sec. 207. Funds apportioned to any State pursuant to section 204 or 205 of this title during any fiscal year shall be available for payment to such State for disbursement by the State educational agency, in accordance with such agreements not inconsistent with the provisions of this title, as may be entered into by the Secretary and such State agency, for the purpose of assisting summer youth centers of that State during such fiscal year, in supplying (1) agricultural commodities and other foods for consumption by children between the ages of three and eighteen, inclusive, and (2) nonfood assistance in furtherance of the special summer lunch program for children authorized under this title. Such payments to any State in any fiscal year shall be made upon the condition that an amount equal to not less than 10 per centum of such payments will be matched during such year from sources within the State determined by the Secretary to have been expended in connection with the special summer lunch program for children carried out under this title. For the purpose of determining whether the matching requirements of this section and section 211, respectively, have been met, the reasonable value of donated services, supplies, facilities, and equipment as certified, respectively, by the appropriate State agency and in case of summer youth centers receiving funds pursuant to section 211, by such summer youth centers (but not the cost or value of land, of the acquisition, construction, or alteration of buildings or commodities donated by the Secretary, or of Federal contributions, or the cost or value of any facility paid for in whole or part with funds counted as matching funds under the National School Lunch Act), may be regarded as funds from sources within the State expended in connection with the special summer lunch program. The Secretary shall certify to the Secretary of the Treasury from time to time the amounts to be paid to any State under this section and the time or times such amounts are to be paid; and the Secretary of the Treasury shall pay to the State at the time or times fixed by the Secretary the amounts so certified.

"*State administrative expenses*

"SEC. 208. From 1½ per centum of the sums appropriated under section 203 for carrying out this title for each fiscal year, the Secretary may make grants to each State educational agency for its administrative expenses in carrying out programs under this title. Payments pursuant to grants under this section may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments, as the Secretary may determine. No such agency shall receive a grant under this section which is greater than 1 per centum of the funds apportioned to it under this title, or $7,500, whichever is greater.

"*State disbursement to summer youth centers*

"SEC. 209. Funds paid to any State during any fiscal year pursuant to section 204 or 205 of this title shall be disbursed by the State educational agency, in accordance with such agreements approved by the Secretary as may be entered into by such State agency and the summer youth centers in the State, to those summer youth centers in the State which the State educational agency, taking into account need and attendance, determines are eligible to participate in the special summer lunch program for children authorized by this title. Such disbursement to any summer youth center shall be made only for the purpose of reimbursing it for the cost of obtaining agricultural commodities and other foods for consumption by children in the special summer lunch program for children and nonfood assistance in connection with such program. Such food costs may include, in addition to the purchase price of agricultural commodities and other foods, the cost of processing, distributing, transporting, storing, or handling thereof. In no event shall such disbursement for food to any summer youth center for any fiscal year exceed an amount determined by multiplying the number of lunches served in the summer youth center under the special summer lunch program for children during such year by the maximum Federal food-cost contribution rate for the State, for the type of lunch served, as prescribed by the Secretary.

"*Nutritional and other program requirements*

"SEC. 210. Lunches served by summer youth centers under this title shall meet minimum nutritional requirements prescribed by the Secretary on the basis of tested nutritional research. Such meals shall be served without cost or at a reduced cost to children who are determined by local authorities to be unable to pay the full cost of the lunch. No physical segregation of or other discrimination against any child shall be made by the summer youth center because of his inability to pay. Lunch programs under this title shall be operated on a nonprofit basis. Each summer youth center shall, insofar as practicable, utilize in its lunch program commodities designated from time to time by the Secretary as being in abundance, either nationally or in the summer youth center area, or commodities donated by the Secretary. Commodities purchased under the authority of section 32 of the Act of August 24, 1935 (49 Stat. 774), as amended, may be donated by the Secretary to summer youth centers, in accordance with the needs as determined by local authorities, for utilization in the special summer lunch program under this title.

"*Private, nonprofit summer youth centers*

"SEC. 211. If, in any State, the State educational agency is not permitted by law to disburse the funds paid to it under this title to private, nonprofit summer youth centers in the State, or is not permitted by law to match Federal funds made available for use by such private, nonprofit summer youth center, the Secretary shall withhold from the funds apportioned to any such State under sections 204 and 205 of this title an amount which would otherwise be made available, as determined by the Secretary, to such State on account of such private, nonprofit summer youth centers in the State. The Secretary shall disburse the funds so withheld directly to the private, nonprofit summer youth centers within such State for the same purposes and subject to the same conditions as are authorized or required with respect to the disbursements to other summer youth centers within the State by the State educational agency, including the requirement that any such payment or payments shall be matched, in the proportion specified in section 207 for such State, by funds from sources within the State expended by private, nonprofit summer youth centers within the State participating in the special summer lunch program for children under this title. Such funds shall not be considered a part of the funds constituting the matching funds under the terms of section 207.

"*Miscellaneous provisions and definitions*

"SEC. 12. (a) States, the State educational agencies, and summer youth centers participating in the special summer lunch program for children under this title shall keep such accounts and records as may be necessary to enable the Secretary to determine whether the provisions of this title are being complied with. Such accounts and records shall at all times be available for inspection and audit by representatives of the Secretary and shall be preserved for such period of time, not in excess of five years, as the Secretary determines necessary.

"(b) The Secretary shall encourage, and in cases in which he determines appropriate, require as a condition of eligibility to participate, the use of existing facilities utilized for serving lunches under the national school lunch program.

"(c) The Secretary shall incorporate in his agreements with the State educational agencies the express requirements prescribed in this title with respect to the operation of the special summer lunch program for children insofar as they may be applicable and such other provisions as in his opinion are reasonably necessary or appropriate to effectuate the purposes of this title.

"(d) For purposes of this title—

"(1) The term 'State' means any of the fifty States, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, or American Samoa.

"(2) The term 'State educational agency' means, as the State legislature may determine, (A) the chief State school officer (such as the State superintendent of public instruction, commissioner of education, or similar officer), or (B) a board of education controlling the State department of education; except that in the District of Columbia it shall mean the Board of Education.

"(3) The term 'private, nonprofit' as applied to the summer youth centers means that the summer youth center is operated by a private school or organization exempt from income taxes under section 501(c)(3) of the Internal Revenue Code of 1954.

"(4) The term 'nonfood assistance' means equipment used by summer youth centers in storing, preparing, or serving food for children under this title.

"(5) The term 'participation rate' for a State means a number equal to the number of lunches, consisting of a combination of foods and meeting the minimum requirements prescribed by the Secretary pursuant to section 210, served in the preceding fiscal year by summer youth centers participating in the program under this title in the State, as determined by the Secretary.

"(6) The term 'assistance need rate' (A) in the case of any State having an average annual per capita income equal to or greater than the average annual per capita income for all the States, shall be 5; and (B) in the case of any State having an average annual per capita income less than the average annual per capita income for all the States, shall be the product of 5 and the quotient obtained by dividing the average annual per capita income for all the States by the average annual per capita income for such State, except that such product may not exceed 9 for any such State. For the purposes of this paragraph the average annual per capita income for any State and for all the States for the three most recent years for which such data are available and certified to the Secretary by the Department of Commerce.

"(7) The term 'summer youth center' means a public or private, nonprofit center operated to promote the health, education, or recreation of children such as a public recreation center, public or private, nonprofit day camp, public or private, nonprofit summer camp, or a center operated as part of a community action program approved under title II of the Economic Opportunity Act of 1964."

The SPEAKER. Is a second demanded?

Mr. BELL. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, I yield now to the gentleman from New York [Mr. SCHEUER] the author of this legislation.

Mr. SCHEUER. Mr. Speaker, I thank my colleague, the gentlewoman from Oregon, for yielding to me.

Mr. Speaker, this is a very simple bill. In effect, it expands the present school lunch program to fill in the 3 months summer gap when children are away from school. The purpose of the school lunch program, as it was stated on passage in 1946, was "to provide a measure of maximum security to safeguard the health and well-being of the Nation's children and to encourage the domestic consumption of nutritious agricultural commodities and other foods."

Mr. Speaker, it is a matter of common knowledge that the school lunch program has been a magnificent program. It has been extraordinarily successful in promoting the health and development of our school children and in promoting the stability and prosperity of our agricultural community by vastly expanding the market for food and other agricultural products. At the present time under the National School Lunch Act we are serving 3 billion lunches a year to about 18 million of our young people in the schools. What this bill would do would be to provide a demonstration program extending nutritious mid-day lunches to these selfsame kids during the summer when they need it more, not less. We would not attempt to serve the 18 million children currently taking advantage of our school lunch program during the winter months. The proposed demonstration program would serve approximately a quarter of a million, or about 1 percent of the kids eligible for school lunches during the regular school year. We are providing the Department of Agriculture $8 million to administer the program, an amount approved by the Administration. I might say that the Administration is wholeheartedly in favor of this program.

Mr. BINGHAM. Mr. Speaker, will the gentleman yield?

Mr. SCHEUER. I am happy to yield to my distinguished colleague from New York.

Mr. BINGHAM. Mr. Speaker, I would like to commend and congratulate my colleague from Bronx County, N.Y., on his initiative in introducing this legislation. I think it does fill a very important gap in our attempt to bring about good health and development in our children. I think the initiative and the imagination of the gentleman from New York [Mr. SCHEUER] in bringing this program to the attention of the House is greatly to be commended. I also wish to commend the subcommittee and the full committee for bringing this measure before the House today.

Mr. SCHEUER. Mr. Speaker, I thank my colleague. Let me say in summation that the program would be administered by the Department of Agriculture on the same basis as the present school lunch program is administered, simply as a complement to the National School Lunch Act.

Mr. BELL. Mr. Speaker, will the gentleman yield?

Mr. SCHEUER. I am very happy to yield to my distinguished colleague, the gentleman from California [Mr. BELL].

Mr. BELL. Mr. Speaker, I rise in support of this program.

Mr. Speaker, the enactment of this legislation would represent an extension of the school lunch program.

Further, I might say that at one time we had some question as to whether we should hold hearings. Then, we did have hearings, upon the insistence of some of us. We had 2 days or so of hearings that were quite thorough.

Mr. Speaker, I believe that the program is a good program and that we should pass the bill.

Mr. SCHEUER. Mr. Speaker, I would like to thank my distinguished colleague, the gentleman from California [Mr. BELL] for his support of this legislation, and especially to thank the gentleman for the highly thoughtful and intelligent contributions which he has made to the development of this bill.

Mr. Speaker, the gentleman from California [Mr. BELL] was one of those who felt that even though time was pressing upon us, it would be constructive and advisable to have several days of hearings. We did so at his initiative and urging, and we received some very fine testimony, both here and in New York City.

Mr. Speaker, I believe the gentleman from California [Mr. BELL] has made a notable contribution to the subcommittee's consideration of this measure and again at the time the full committee considered this legislation.

Mr. Speaker, it is my feeling that we owe a great debt of gratitude to the gentleman from California [Mr. BELL].

Mr. DOLE. Mr. Speaker, will the gentleman yield?

Mr. SCHEUER. I am happy to yield to the gentleman from Kansas.

Mr. DOLE. I am wondering about the cost of the program for a year, and as to how it would be administered.

Mr. SCHEUER. The program is budgeted at $8 million for this year. It will be administered by the Department of Agriculture, working with the local State agencies, exactly as is the present school lunch program. There will be absolutely no change in the administration of the program whatsoever.

Mr. DOLE. Mr. Speaker, if the gentleman from New York will yield further, are they going to take care of the child in school, or is every child who goes to youth camps eligible?

Mr. SCHEUER. Mr. Speaker, the bill does not propose to interfere with the present summer school lunch program. There are a few of them in operation throughout the country. The program applies where children go to summer programs run by public agencies or nonprofit institutions. It would include programs operated by day care centers, for instance, summer camps, settlement houses, and city playground and recreation agencies.

Mr. DOLE. Mr. Speaker, if the gentleman will yield further, is there some requirement contained in the legislation to the effect that those who attend the summer youth camps only must be in need, or is everyone eligible to participate in the program?

Mr. SCHEUER. No, there is no requirement that there must be a need, any more than there is a requirement in the school lunch program that they must be in need.

Mr. Speaker, in the school lunch program 90 percent of the children, as my colleague knows, pay the maximum cost of the meals they receive. It does not represent the full cost, but they pay the maximum cost, while only 10 percent of the children pay less than that. That is how the lunches the children receive are subsidized.

Mr. Speaker, it is anticipated that this program would function substantially in the same fashion where a child is enrolled in a settlement house or day care center and cannot afford to pay the full cost of his summer lunch.

Mr. DOLE. Mr. Speaker, if the gentleman will yield further, in addition to the $8 million authorization, will there be surplus commodities made available in addition to the other costs involved?

Mr. SCHEUER. Yes, there would be surplus commodities available according to same provision of the National School Lunch Act.

Mr. Speaker, I believe this legislation represents a desirable stabilizer of the market for agricultural products and will provide over the long run a significant expansion of the market for agricultural food products.

Mr. DOLE. Finally, are there any expenditures authorized for other than food purposes, such as supplies or other material?

Mr. SCHEUER. Yes, there is $1 million allotted out of the $8 million for nonfood purposes. This would enable the local public agency or the nonprofit private agency to lease or purchase machinery and equipment for the storage, preparation, and service of food.

Mr. DOLE. Thank you.

Mr. O'HARA of Michigan. Mr. Speaker, will the gentleman yield?

Mr. SCHEUER. I yield to the gentleman.

Mr. O'HARA of Michigan. Mr. Speaker, I take this time to compliment the gentleman from New York on the work he has done on this bill. I think it is an excellent program. I cannot understand, for the life of me, why we did not do this before, but we needed the inspiration and the spirit that was provided by the gentleman from New York.

I believe it is very fair to say that had it not been for his persistence and diligence with respect to this legislation that it probably would not be before the House today. I believe that those children who will benefit from this program and their families will owe a debt of gratitude to the gentleman from New York for the passage of this legislation.

Mr. SCHEUER. Mr. Speaker, my colleague's generosity leaves me speechless.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. SCHEUER. I yield to the gentleman.

Mr. WAGGONNER. Mr. Speaker, do I understand correctly that the purpose of this legislation is to fill in the nutritional gap that exists with some of these youngsters around the country by amending the National School Lunch Program Act to make available a good diet for these youngsters during the summer?

Mr. SCHEUER. My colleague is absolutely correct.

I believe it is quite obvious that children who need the nourishing mid-day meal during the school year, when they are most often sitting quietly in school, have no less a need for a nourishing midday meal when they are very actively engaged in play and recreation during the summer months.

Mr. WAGGONNER. Mr. Speaker, the gentleman mentioned that there would be day care centers eligible along with settlement houses and playgrounds for participation in this program. Is participation limited to only those day care centers, and so forth, that are on a nonprofit basis?

Mr. SCHEUER. Yes. Let me say to the gentleman that there is a very clear limitation that it would apply only to programs set up by public agencies or nonprofit private agencies. No profitmaking institution, whether it be a settlement house, a camp, or any other type of institution, can participate in this program.

Mr. WAGGONNER. Could the gentleman please tell me why, if the purpose of the legislation is to fill in the nutritional gap during the summer months, why those that are entitled to participate in this program would not be limited to only those who are in need of it?

Mr. SCHEUER. We thought that it was better, rather than to pinpoint and publicize the difference between needy children and those not in need to follow the established pattern that has worked so well in the operation of the school lunch program since 1946.

In the operation of that program approximately 18 million kids from 3 to 18 are participating. About 10 percent of them get those lunches at reduced payment or free. Ninety percent pay the full subsidized price of the lunch. This is done quietly and anonymously. The kids are not identified as poor kids from poverty families. That has worked out so well that we have simply used the modus operandi in the National School Lunch Act and placed it in this bill rather than stamping a "poverty" label on those kids who come from deprived families.

Mr. WAGGONNER. Could the gentleman tell me what overlapping the committee anticipates between this program and the Office of Economic Opportunity in the Headstart program?

Mr. SCHEUER. There will not be any overlapping. Obviously a summer Headstart program that is being funded by the OEO can not apply under this program if it is already obtaining summer lunches paid for through the community action program. I cannot envisage there would be any overlapping.

Mr. WAGGONNER. Would the gentleman tell me if participation in this program will be limited to the one noon meal?

Mr. SCHEUER. Under the summer lunch program it will by definition be one meal a day.

Mr. WAGGONNER. Never any more?

Mr. SCHEUER. Not under this legislation. I cannot anticipate what a future Congress will do. We have a demonstration breakfast program that is already in the Child Nutrition Act, but so far as this legislation is concerned it applies only to the summer lunch program for public and nonprofit private agencies.

Mr. WAGGONNER. Has the committee had a number of requests from nonprofit agencies or public bodies to institute such a program as this?

Mr. SCHEUER. We had 2 days of excellent hearings—1 day in Washington and 1 day in New York—in which we had very distinguished representatives from the States, cities, and local nonprofit agencies and we have received very strong support for this proposal.

Mr. WAGGONNER. Could the gentleman tell me who was represented at each of the hearings generally speaking? Was there a representative cross section of the Nation as a whole or was this limited in New York to the State of New York?

Mr. SCHEUER. The witnesses in our New York hearing, I believe, came from the agencies in the State, the city, and nonprofit private agencies.

Mr. WAGGONNER. That is in New York alone?

Mr. SCHEUER. In New York State—yes. There were not any witnesses from out of State who appeared at our New York hearing. We did have a hearing in Washington with a variety of witnesses.

Mr. WAGGONNER. Did the school lunch representatives or officials—public officials—from any of the other 49 States offer any testimony in support of or in opposition to this legislation when hearings were held in Washington?

Mr. SCHEUER. We have not had any opposition to this bill whatsoever from anyone.

As far as the school officials are concerned, there is the summer school lunch program which is funded separately and apart from this. This legislative proposal is to take care of the children who are going to nonschool public agency and nonprofit private agency programs during the summer.

Mr. WAGGONNER. Can the gentleman tell me whether or not someone from the other 49 States ever offered any testimony either during the hearings in Washington or in New York?

Mr. SCHEUER. Is the gentleman referring to school officials?

Mr. WAGGONNER. I am referring to school officials or to anyone who may have testified.

Mr. SCHEUER. Oh, yes.

Mr. BELL. Mr. Speaker, will the gentleman yield so that I may answer the gentleman's question?

Mr. SCHEUER. I yield to the gentleman.

Mr. BELL. In reference to the witnesses, there were I believe a total of 13 witnesses who appeared before the subcommittee.

Among them was Howard P. Davis, Deputy Administrator, Consumer and Marketing Service, U.S. Department of Agriculture.

Timothy Costello, deputy mayor, City of New York.

Herman Badillo, president, Borough of the Bronx.

Thomas Fitzpatrick, deputy superintendent of schools, New York City.

Mr. WAGGONNER. I think the gentleman bears out my impression that only representatives from New York have been heard on this matter. It seems to me that the hearings have been very inadequate.

Mr. BELL. We heard also, as I said, from the administrator here and various Members of the House of Representatives was heard.

Mr. WAGGONNER. What publicity was given to the fact that hearings were going to be held in Washington for the 1 day of hearings that were held so that representatives from the Nation as a whole might say whatever they had in mind about this program?

Mr. SCHEUER. This committee in a formal way gave notice of the hearings in the same as any other committee does. We were in touch with many of the welfare agencies and child care agencies that have their headquarters either in Washington or in New York. Some testified at the New York hearings and some testified at the Washington hearings. We were also in touch with the public agencies that are concerned with the problems of child development.

Mr. WAGGONNER. What are the age limits; that is, the minimum and the maximum age for participation in this program?

Mr. SCHEUER. From age 3 to 18.

Mr. WAGGONNER. From age 3 to 18; and there could be considerable overlapping, could there not in the Headstart program?

Mr. SCHEUER. A child could not obtain lunches in both programs at one time. If a child is going in the summer school program, he would be covered by the existing summer school lunch program and if he was going in the Headstart program, he would be covered by the funding under the OEO. If he was going to a settlement house program or a program run by a city's park and recreation department, then he would be covered by this bill. I cannot see that there is overlapping. They seem to me to be obviously complementary.

Mr. WAGGONNER. Let me say that I am not opposed to helping those who are in need, but it seems, admittedly, that this legislation is straying from its avowed purpose when the Congress thinks that its purpose is to fill the nutritional deficiency gap which exists for some in need but still no one is prohibited from coming under the program.

Mr. SCHEUER. To the same extent, sir, that a child who comes from an affluent family can participate in the school lunch program, but then he pays the maximum fee.

Mr. WAGGONNER. Is there going to be a system of audits established so that profit can be removed as a possible method of operation to subsidize further phases of day care center operations, for example?

Mr. SCHEUER. I am sure that the Department of Agriculture will carry out its normal auditing procedures. I would be astonished if anything else were to be the case. There are strict regulations on what the local noncash contributions can be in terms of facilities, services, and labor, and these criteria have been clearly defined. They apply during the regular school lunch program, and I presume that these precise and exacting standards would also be applied to this program, too.

Mr. WAGGONNER. Then you are saying that no one is eligible to participate in this program who is not at the same time eligible under the same rules to participate in the school lunch program during school.

Mr. SCHEUER. I did not say that, because a settlement house or YWCA could not participate in a school lunch program. What I am saying is that we would add to those who can run the lunch programs public agencies other than schools and nonprofit private agencies.

The same auditing and financial criteria that are now applied to local educational agencies to make sure that they do not make a profit will be applied in this program to the new local sponsors.

Mr. WAGGONNER. I thank the gentleman for yielding.

Mr. BELL. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. Ryan].

Mr. RYAN. Mr. Speaker, I thank the gentleman for yielding. I am very happy to support this legislation and the compliment my colleague from New York on the role that he has played in bringing it to the floor of the House. It indeed fills a gap, and it is important that this gap be filled. I hope in the future either the Committee on Education and Labor or the Committee on Agriculture will move to fill the gap of the child under school age who is in a Headstart program which is not part of the school system and which operates beyond the summer months.

My colleagues may remember that, when the Child Nutrition Act was considered on the floor, I offered an amendment which would have covered those children in year-round Headstart programs which are not part of the school system. A nutrition program also should be provided for them in the future. I realize we cannot offer any amendments to this bill today because it has been called up under the suspension of the rules procedure.

The other point I wish to make is that I hope the Secretary of Agriculture will not administer this program as he has the national school lunch program with respect to title VI of the Civil Rights Act of 1964, for he has failed to carry out the intent of Congress.

Mr. Speaker, I fear the Secretary of Agriculture will find some tortured reasoning to exempt the children's summer lunch program from title VI of the Civil Rights Act of 1964, as he did with the national school lunch program, which this bill amends. Despite the clear intent of Congress, the Department of Agriculture has not enforced title VI. In fact, the Department issued a memorandum which specifically exempts the school lunch program and permits the school lunch program to operate in segregated schools. As I stated on September 1, when I brought this matter to the attention of the House, this is a flagrant flaunting of the will of the Congress. Title VI was intended to cover the school lunch program. In a letter of December 2, 1963, to the chairman of the Judiciary Committee [Mr. Celler], then Deputy Attorney General Katzenbach included the school lunch program in a list of programs intended to be covered.

In the debate in the House on September 1 on the Child Nutrition Act, several of us reiterated that the school lunch program was intended to be covered and called upon the Secretary of Agriculture to implement title VI. He has still refused to do so. This is another example of the erosion of civil rights which is taking place in this country.

The administration has not effectively implemented the Civil Rights Act of 1964, or the Civil Rights Act of 1965 for that matter. When a conscientious administrator such as Commissioner of Education Howe attempted to begin to carry out the intent of the Congress, he came under vicious attack from the die-hard segregationists who have resisted the Supreme Court desegregation decision ever since 1954. I have yet to see any evidence of administration backing and support for his efforts. Only today the New York Times carried an article which reported that southern school officials laugh at the Office of Education when it seeks compliance with the guidelines. Local school officials have learned that they can get away without really desegregating the schools. The shocking fact is that the most optimistic estimate is that only 7½ percent of the Negro pupils in southern schools are attending schools with white students. The Department of Agriculture is an accomplice in the perpetuation of segregation. It refuses to enforce the law which Congress wrote and to use the national school lunch program as a means to desegregate the southern schools.

As far as the summer lunch program now before us is concerned, we must make it very clear on the record that we expect the Secretary of Agriculture to apply title VI and not to provide any assistance under this bill to any summer youth program which is segregated or where discrimination exists.

Mr. BELL. Mr. Speaker, I yield back the balance of my time.

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from Rhode Island [Mr. Fogarty] may extend his remarks at this point in the Record.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FOGARTY. Mr. Speaker, in his health message to Congress on March 1, 1966, President Johnson said:

> No child in affluent America should be without an adequate diet.

Summer lunch programs would help to meet this objective. Several programs now in existence are contributing to the eradication of malnutrition among the vulnerable groups, for example, the preschool child, the children of school age, and adolescents. However, a complementary program is needed to extend through the summer months so that nutritional gains of the school year are not lost. The socioeconomic and cultural factors which affect the dietary practices of these children do not change in the summer months. The basic needs remain. For large numbers of children the school lunch is the best meal of the day in terms of the essential nutrients it provides. Without this meal there are great gaps in nutrient intake. A feeding program which extends to the preschool age groups is also needed. Summer lunch programs are a specific way by which the children who are in need of nutritional improvement can be served and they should be available regardless of ability to pay.

Numerous examples document the need for a year-round program. A study of the dietary intake of children in families receiving crippled children's services in five counties in eastern North Carolina showed that approximately three-fourths of the children in these families had inadequate diets when school lunches were not available. In these same communities some of the schools did not have facilities for lunches and if they had, it would have been nearly impossible to support a program unless 100 percent of the cost came from Federal, State, or county sources.

In a recent study of children from preschool programs, in one county it was found that 40 percent did not eat breakfast at home. Their diets were lacking in some of the essential food groups, that is, citrus fruits, leafy green and yellow vegetables and fruits which are the sources of vitamin C and vitamin A.

Other studies of dietary practices show that the greatest percentage of children with inadequate diets are from the low-income groups; however, unwise selection of food is not limited to the low-income groups. The educational aspect of any feeding program is valuable since nutrition principles are best taught in conjunction with a feeding program.

A continuing lunch program is a supportive measure to other child health services; for example, the projects for comprehensive health services for children and youth. It is important that preventive and treatment services be accompanied by other measures which contribute to the health status of children such as the summer lunch program.

The SPEAKER pro tempore. The question is on the motion of the gentleman from New York that the House suspend the rules and pass the bill, H.R. 9339, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

PROVIDE A FIXED ALLOTMENT PERCENTAGE FOR THE DISTRICT OF COLUMBIA

Mrs. GREEN of Oregon. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14323), to amend the Vocational Rehabilitation Act to reduce the amount of matching funds required from the District of Columbia.

The Clerk read as follows:

H.R. 14323

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 11(h) (1) (B) of the Vocational Rehabilitation Act is amended by inserting "the District of Columbia," after "the allotment percentage for".

Sec. 2. The amendment made by the first section shall take effect July 1, 1966.

Amend the title so as to read: "A bill to amend the Vocational Rehabilitation Act to provide a fixed allotment percentage for the District of Columbia."

The SPEAKER pro tempore. Is a second demanded?

Mr. BELL. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mrs. GREEN of Oregon. Mr. Speaker, last year, the Vocational Rehabilitation

Act was amended to expand the scope and level of vocational rehabilitation services urgently needed by 3½ million disabled and handicapped men and women in the Nation. It was a comprehensive piece of legislation, designed in recognition of the fact that specially designed programs of services and training could enable the disabled, the handicapped, the mentally retarded, the deaf and the blind, the cerebral palsied, the heart, cancer, and stroke victims to become gainfully employed. With such training, these men and women could be given an opportunity to lead more active, productive, and independent lives, and they could make a positive contribution to the labor force of the Nation and to the life of their own communities.

In all 50 States, the increased Federal commitment allowed and encouraged vocational rehabilitation programs to be expanded and extended to reach greater numbers and categories of the handicapped in need of rehabilitation in order to become employable.

However, the formula for Federal allotments is working to the disadvantage of the District of Columbia.

The District is regarded a "State" in computing the Federal allotment percentages. According to the formula by which Federal funds are made available—the higher the per capita income of a "State," the lower the Federal allotment percentage. Being an entirely urban area, the District has a higher per capita income than does the normally constituted and true "State," where the lower income levels of rural areas and small communities pull down the overall per capita income level.

Yet, the District of Columbia has the same proportion of disabled people, in relation to its population, as does any other State or jurisdiction. It must be given the same opportunities to assist their disabled as exist in all of the rest of the Nation. I do not believe that it was the intent of Congress, in passing last year's amendments, to attach an exclusive penalty to the disabled person living in the District of Columbia.

The Committee on Education and Labor clearly spelled out its intent in the report on last year's vocation rehabilitation amendments when it said, and I quote:

> Any revision of the allocation formula had to provide for program growth in those States which were able to move ahead, while at the same time the revision had to insure that no State would be entitled to less than it was presently entitled.

At the time that this report was written, it was not realized that the effect of the 1965 amendments on the District of Columbia would be precisely the opposite of that which was intended. Instead of having increased Federal funds to bolster up its program, the Vocational Rehabilitation Department of the District of Columbia today finds itself getting less money to carry on the important work of rehabilitation than the amount to which it had been previously entitled.

It is in the critical position of not being able to maintain its services, and has had to resort to emergency measures to balance program requirements with available funds. As matters currently stand, rather than expanding its services, the District must restrict and curtail its services to certain disability groups, and it cannot begin to fulfill its hopes of working with all types of disabilities and all age groups.

H.R. 14323—introduced by Representative McMILLAN, chairman of the Committee on the District of Coumbia, in recognition of the need for a more equitable allotment of funds—would correct the inequities which presently exist. With the changes proposed in this bill, the District will be able to keep apace with other areas of the Nation, which have been able to expand their programs with funds authorized in the 1965 amendments.

There are about 80,000 disabled men and women residing in the District of Columbia who need the services of the Public Vocational Rehabilitation Program. Last year, the District was able to reach some 5,000 of these. Under the adjusted formula, as provided by H.R. 14323, the needs of an additional 5,000 persons could be met. Thus, the bill would make it possible to serve double the number of persons presently being reached by existing programs in vocational rehabilitation within the District, and urgently needed new programs for special categories of handicapped can be initiated.

All of us here who live within the District or on its perimeter can recognize and appreciate the need for expanded services in vocational rehabilitation, and the previous oversight certainly deserves our prompt attention to correct the present inequity.

Mr. HALEY. Mr. Speaker, will the gentlewoman yield?

Mrs. GREEN of Oregon. I yield to the gentleman from Florida.

Mr. HALEY. Did I correctly understand the gentlewoman to say that the chairman of the Committee on the District of Columbia [Mr. McMILLAN] introduced a similar bill?

Mrs. GREEN of Oregon. H.R. 14323, which is up for consideration at this moment, was introduced by the chairman of the Committee on the District of Columbia [Mr. McMILLAN] and an identical bill was introduced by the gentleman from Minnesota [Mr. NELSEN].

Mr. HALEY. I thank the gentlewoman.

Mr. BELL. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I rise in support of this bill. It did come out of our committee unanimously. There was no opposition to it whatsoever.

I move the passage of the bill.

Mrs. GREEN of Oregon. Mr. Speaker, I yield such time as he may consume to the distinguished gentleman from Kentucky [Mr. CHELF].

Mr. CHELF. Mr. Speaker, I would like to add my support for H.R. 14323 which would add Vocational Rehabilitation funds for the District of Columbia.

I want to take this opportunity to commend, congratulate, and to salute each and every member of the Education and Labor Committee of the House for the splendid cooperation they have given to me and to the officials of the District of Columbia who are charged with the responsibility of the rehabilitation of our unfortunate poor. Especially, Mr. Speaker, do I want to commend Chairman POWELL and Mrs. EDITH GREEN, chairman of the Special Subcommittee on Education which reported this legislation.

My good friend, Dr. Paul Benoit, Chief, Operations Research and Program Planning, Department of Vocational Rehabilitation, Government of the District of Columbia, came to me and pointed out most graphically, not only the human need, but convinced me that this authorization legislation would help him and his associates in the Department of Health, Education, and Welfare systematically to remove from the streets literally thousands of alcoholics, mentally retarded, and mentally ill persons who, unfortunately, without attention, aid, assistance, or medication, form a vast potential criminal element.

According to the data gathered by Vital and Health Statistics, of the Department of Health, Education, and Welfare, it is estimated that there are about 80,000 individuals in the District of Columbia who are potential recipients of rehabilitation services. These thousands of poor people in the District of Columbia very much need the proposed legislation so that they can truly profit by the provisions of the law in keeping with the original intentions of Congress.

When an unfortunate derelict has a craving for liquor, dope, or other stimulant, he becomes desperate and, therefore, in most instances, will stop at nothing to obtain the money necessary for his addiction.

Congress has authorized $350 million for the current fiscal year, for rehabilitation services throughout the country but because of the nature of the formula utilized in allotting the shares of the appropriations, the District of Columbia did not receive a nickel more, although it continues to receive thousands of families per year from various parts of the country looking for opportunity but finding poverty. It should not be said that a person can be worse off in our Nation's Capital than anywhere else in the country.

In my honest estimation, Mr. Speaker, there will be an additional star in the crowns of all those who have given a helping hand toward the passage of this vitally needed legislation here in the District of Columbia.

As I said, it will not only help those who need help but, at the same time, it will greatly reduce potential crime and violence on the streets of the Nation's Capital.

If, but for no other reason, this safety feature makes this legislation desirable, necessary, and an absolute must.

Mrs. GREEN of Oregon. Mr. Speaker, I yield such time as he may consume to the gentleman from Louisiana [Mr. WAGGONNER].

Mr. WAGGONNER. Mr. Speaker, everything, about the retarded individual, requires something special. We must make every effort to rehabilitate, where rehabilitation is possible, and to prepare for life those who are unfortunately retarded. This legislation will make contributing citizens out of at least a few of these unfortunate people. I am sure it will have the support of this Congress.

Mr. BELL. Mr. Speaker, the gentlewoman from Oregon is to be commended for her work on this committee and for bringing this bill to the floor of the House.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. BELL. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, this is the regular extension of the National Vocational Rehabilitation Act, in equity to the citizens of the District of Columbia.

Is that not a correct statement?

Mr. BELL. It is.

Mr. HALL. I merely wish to point out for the record that this involves physical restoration as well as educational restoration and many other types of rehabilitation of all individuals who might be considered. Certainly it does involve those who are mentally unsound insofar as they can be rehabilitated and reconstituted for general jobs and for earning their own way.

It was my privilege to serve for more than 9 years as consultant to the southwestern Missouri vocational rehabilitation program.

This is one of the great programs for rehabilitating and reconstituting people so that they can bear their own weight and indeed become taxpayers again. It has proved itself many times over. However, I thought that so much had been said on the floor of the House about reconstituting people because of the fact that they were of unsound mind, or those who are indeed mentally retarded because of a genetic disarray of their genes, or some other reason, that that was the sole purpose of the bill. It is actually in addition to that. Most of these have been reexamined and helped through various bills many times. Vocational rehabilitation has various actual, down-to-earth, practical applications in which the Congress and the Commissioner of Vocational Rehabilitation, and the Department of Health, Education, and Welfare should be and are most proud of their physical restoration as well as educational programs.

Mr. Speaker, I do think this is a good bill. I am in favor of its passage.

The SPEAKER pro tempore (Mr. McFALL). The question is on the motion that the House suspend the rules and pass the bill (H.R. 14323) to amend the Vocational Rehabilitation Act to reduce the amount of matching funds required from the District of Columbia.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The title was amended so as to read: "A bill to amend the Vocational Rehabilitation Act to provide a fixed allotment percentage for the District of Columbia."

A motion to reconsider was laid on the table.

AMENDMENT OF ACT APPROVED MARCH 18, 1950, PROVIDING FOR THE CONSTRUCTION OF AIRPORTS IN OR IN CLOSE PROXIMITY TO NATIONAL PARKS, NATIONAL MONUMENTS, AND NATIONAL RECREATION AREAS, AND FOR OTHER PURPOSES

Mr. STAGGERS. Mr. Speaker, I move to suspend the rules and pass the bill, S. 476, to amend the act approved March 18, 1950, providing for the construction of airports in or in close proximity to national parks, national monuments, and national recreation areas, and for other purposes, which is identical to the House bill, H.R. 11089, scheduled for consideration today under suspension of the rules.

The Clerk read as follows:

S. 476

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act approved March 18, 1950 (64 Stat. 27; 16 U.S.C. 7a–7e), is amended by striking the figure "$2,000,000" at the end of section 2 and inserting in lieu thereof the figure "$3,500,000".

The SPEAKER pro tempore. Is a second demanded?

Mr. YOUNGER. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. STAGGERS. Mr. Speaker, this bill would amend a 1950 act which authorized $2 million for the construction of airports in or near national parks, national monuments, and national recreation areas.

Over the years since 1950, the Department of Interior has spent or committed $1,695,000 of the $2 million authorization. Present and prospective proposals for improvements in or construction of airports which will meet the purpose of this warrant an increased authorization of $1,500,000.

The Department of Interior and the Federal Aviation Agency support this legislation. It has been reported unanimously by the Subcommittee on Transportation and Aeronautics, and by the full Committee on Interstate and Foreign Commerce. I know of no opposition to it and I urge its passage by the House.

Mr. YOUNGER. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I know of no opposition to this bill. This legislation has been carefully considered and thorough hearings have been held thereon.

Mr. Speaker, this legislation represents an extension of a previous act and will give to our national parks an opportunity to establish airfields with which to accommodate visitors who want to travel through these parks by air rather than by other means of transportation.

Mr. Speaker, I yield back the balance of my time and I have no further requests for time.

The SPEAKER pro tempore (Mr. McFALL). The question is on the motion of the gentleman from West Virginia [Mr. STAGGERS] that the House suspend the rules and pass the bill S. 476.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

A similar House bill, H.R. 11089, was laid on the table.

JOSEPH H. HIRSHHORN MUSEUM AND SCULPTURE GARDEN

Mr. GRAY. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3389) to provide for the establishment of the Joseph H. Hirshhorn Museum and Sculpture Garden, and for other purposes.

The Clerk read the bill as follows:

S. 3389

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That—

SECTION 1. (a) The area bounded by Seventh Street, Independence Avenue, Ninth Street, and Jefferson Drive, in the District of Columbia, is hereby appropriated to the Smithsonian Institution as the permanent site of a museum and the area bounded by Seventh Street, Jefferson Drive, Ninth Street, and Madison Drive, in the District of Columbia is hereby made available to the Smithsonian Institution as the permanent site of a sculpture garden, both areas to be used for the exhibition of works of art.

(b) The Board of Regents of the Smithsonian Institution is authorized to remove any existing structure, to prepare architectural and engineering designs, plans, and specifications, and to construct a suitable museum within said area lying south of Jefferson Drive and to provide a sculpture gardent for the use of the Smithsonian Institution within the areas designated in section 1(a) of this Act.

SEC. 2. (a) The museum and sculpture garden provided for by this Act shall be designated and known in perpetuity as the Joseph H. Hirshhorn Museum and Sculpture Garden, and shall be a free public museum and sculpture garden under the administration of the Board of Regents of the Smithsonian Institution. In administering the sculpture garden the Board shall cooperate with the Secretary of Interior so that the development and use of the Garden is consistent with the open-space concept of the Mall, for which the Secretary of Interior is responsible, and with related development regarding underground garages and street development.

(b) The faith of the United States is pledged that the United States shall provide such funds as may be necessary for the upkeep, operation, and administration of the Joseph H. Hirshhorn Museum and Sculpture Garden.

(c) The Joseph H. Hirshhorn Museum and Sculpture Garden shall be the permanent home of the collections of art of Joseph H. Hirshhorn and the Joseph H. Hirshhorn Foundation, and shall be used for the storage, exhibition, and study of works of art, and for the administration of the affairs of the Joseph H. Hirshhorn Museum and Sculpture Garden.

SEC. 3. (a) There is established in the Smithsonian Institution a Board of Trustees to be known as the Trustees of the Joseph H. Hirshhorn Museum and Sculpture Garden, which shall provide advice and assistance to the Board of Regents of the Smithsonian Institution on all matters relating to the administration, operation, maintenance, and preservation of the Joseph H. Hirshhorn Museum and Sculpture Garden; and which shall have the sole authority (i) to purchase or otherwise acquire (whether by gift, exchange, or other means) works of art for the Joseph H. Hirshhorn Museum and Sculpture Garden, (ii) to loan, exchange, sell, or otherwise dispose of said works of art, and (iii) to determine policy as to the method of display of the works of art contained in said museum and sculpture garden.

(b) The Board of Trustees shall be composed of the Chief Justice of the United States and the Secretary of the Smithsonian Institution, who shall serve as ex officio members, and eight general members to be appointed as follows: Four of the general members first taking office shall be appointed by the President of the United States from among nominations submitted by Joseph H. Hirshhorn and four shall be appointed by the President from among nominations submitted by the Board of Regents of the Smithsonian Institution. The general members so appointed by the President shall have terms expiring one each on July 1, 1968, 1969, 1970, 1971, 1972, 1973, 1974, and 1975, as designated by the President. Successor general members (who may be elected from among members whose terms have expired) shall serve for a term of six years, except that a successor chosen to fill a vacancy occurring prior to the expiration of the term of office of his predecessor shall be chosen only for the remainder of such term. Vacancies occurring among general members of the Board of Trustees of the Joseph H. Hirshhorn Museum and Sculpture Garden shall be filled by a vote of not less than four-fifths of the then acting members of the Board of Trustees.

SEC. 4. The Board of Regents of the Smithsonian Institution may appoint and fix the compensation and duties of a director and, subject to his supervision, an administrator and two curators of the Joseph H. Hirshhorn Museum and Sculpture Garden, none of whose appointment, compensation, or duties shall be subject to the civil service laws or the Classification Act of 1949, as amended. The Board of Regents may employ such other officers and employees as may be necessary for the efficient administration, operation, and maintenance of the Joseph H. Hirshhorn Museum and Sculpture Garden.

SEC. 5. There is authorized to be appropriated not to exceed $15,000,000 for the planning and construction of the Joseph H. Hirshhorn Museum and Sculpture Garden, and such additional sums as may be necessary for the maintenance and operation of such museum and sculpture garden.

The SPEAKER pro tempore (Mr. MCFALL). Is a second demanded?

Mr. KUNKEL. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. GRAY. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GRAY. Mr. Speaker, the bill, S. 3389, would establish the Hirshhorn Museum and Sculpture Garden in the Smithsonian Institution on the Mall.

Mr. Speaker, through the personal efforts of the President of the United States and Mrs. Johnson, one of the largest and most important private art collections in the world, valued at between $25 and $50 million has been offered by Joseph H. Hirshhorn to the Smithsonian Institution, on behalf of all of the American people.

Mr. Speaker, the legislation requested by the President on May 17, 1966, and passed by the other body on September 1, 1966, will make possible the acceptance of this magnificent offer and gift.

Mr. Speaker, the legislation will provide an appropriate site on the Mall by authorizing the Smithsonian's Board of Regents to construct a beautiful gallery of art and a garden of sculpture. The sculpture garden will be recessed to preserve the open space beauty of the Mall.

Mr. Speaker, S. 3383 contemplates using a site on the Mall between Seventh and Ninth Streets, Independence Avenue and Madison Drive, for the museum and sculpture garden. At present, a portion of this site is occupied by the Armed Forces Institute of Pathology Annex, housing the medical museum and a research unit.

Mr. Speaker, enactment of the related legislation, H.R. 18019, which has passed the House will authorize the Secretary of the Army to construct an addition to the existing main building of the Armed Forces Institute of Pathology located at the Walter Reed Army Medical Center, to house the Armed Forces Institute of Pathology, at a cost of not to exceed $7,570,000. The construction to be authorized is needed to upgrade the research facilities and to accommodate the permanent relocation of the medical museum and research activity of the Armed Forces Institute of Pathology which would be displaced by development of the Hirshhorn Museum and Sculpture Garden.

Mr. Speaker, while on my feet, I want to commend all of the members of the Committee on Public Works and particularly our very able chairman, the gentleman from Maryland [Mr. FALLON], and the ranking minority member of the Subcommittee on Public Buildings and Grounds, the distinguished gentleman from Pennsylvania [Mr. KUNKEL], for their hard work on this historic legislation.

And, Mr. Speaker, I see our distinguished colleague, the gentleman from Missouri [Mr. HALL], here.

Mr. Speaker, Dr. HALL appeared before our committee and pointed out the very fine work being carried on through the research activities at the Armed Forces Institute of Pathology, and it was through his insistence that this great Institute of Pathology be preserved that this dual compromise legislation has been brought about.

Mr. Speaker, I want to commend the very distinguished doctor and Member of this House, the gentleman from Missouri [Mr. HALL] for his efforts.

Mr. Speaker, some may say that the $15 million maximum authorization contained in this legislation is an item that could be deferred because of the outlays occurring in Vietnam.

Mr. Speaker, I wish to inform the Members of the House that I have before me a letter from the Secretary of the Smithsonian Institution pointing out that no funds—I repeat, no funds—will be required in this fiscal year, because the Smithsonian has a small amount of planning funds that can be used for preliminary design work.

So, Mr. Speaker, this will not require any outlay of cash in this fiscal year.

Mr. Speaker, I am happy to say that the day of the princely giver is not over. I doubt whether any other nation can equal our own with such a splendid roster of great donors, who have enriched our cultural and academic life. It is a noble rollcall, including the names of Carnegie, Rockefeller, Mellon, Phillips, French, and Freer among many others. To this list we can now add the name of Joseph Hirshhorn.

You will recall, I am sure, that on May 17, President Johnson accepted Mr. Hirshhorn's gift of his private art collection on behalf of the American people. The President said, "This is a magnificent day for the Nation's Capital and for millions of Americans who will visit Washington in the years to come," in accepting the gift.

I agree that superlatives are in order to describe Mr. Hirshhorn's great gesture. The Hirshhorn collection has more than 5,000 paintings and 1,600 pieces of sculpture. It is said to be the largest collection of great art in private holdings. Using the crass yardstick of monetary value—which is the handiest we have, after all—the Hirshhorn collection is valued now at $25 to $50 million. And of course this value will grow with the years.

In addition to his collection, which several other countries wanted desperately, Mr. Hirshhorn donated $1 million to buy additional works for the collection which now belongs to all of the American people.

Our Capital City for some years has been said to be almost as good an art center as the capitals of several other nations abroad. With the Hirshhorn collection properly housed, Washington will not only be the equal of any other world art center, but will excel most of them.

This princely offer demands a princely response.

And this legislation before us today gives us an opportunity to give it.

But putting it very simply, we are lucky. It is like someone saying—I will give you a shiny new car if you will build a garage to keep it in. Plus Mr. Hirshhorn has agreed to contribute the $1 million in cash for further acquisition of both art and sculpture. I think it is a very good investment for us to spend in the next few years a total not to exceed $15 million in order that we may get this valuable gift that is conservatively estimated to be worth between $25 and $50 million. That is a good trade in any language.

So I hope the House will unanimously approve this legislation so that we can show the world on behalf of all of the American people that we appreciate this great gift that will be located out here on the Mall for all to see. Thank you.

Mr. GRAY. Mr. Speaker, I yield to the gentleman from Pennsylvania [Mr. Kunkel].

Mr. KUNKEL. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous material.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. KUNKEL. Mr. Speaker, this bill to establish a Joseph H. Hirshhorn Museum and Sculpture Garden—being brought up under suspension of the rules in the midst of our rush toward adjournment—is presented today under circumstances in which its great significance may be overlooked. I trust there will be no misjudgment on the part of this body on that account.

In terms of making a really lasting contribution to our society—a contribution of unquestionable merit—this piece of legislation is one of those standing head and shoulders above the crowd in this 89th Congress. It provides for the acceptance of one of the most valuable and wonderful gifts ever offered to the U.S. Government. It marks one of the three or four most outstanding cultural events of the Nation's Capital in this century—and one of the half dozen, possibly, in our whole history.

The art collection of Joseph H. Hirshhorn, to be brought to Washington under this measure, is a truly splendid one. It is one of the world's great private collections and is among the largest. It is valued at around $25 million. It includes some 4,000 paintings and drawings and more than 1,500 pieces of sculpture by dozens of the foremost artists of the world, particularly of the past century.

Moreover, Mr. Speaker, the collection contains what is undoubtedly the largest assemblage of American art in existence. For that reason, if for no other, it is entirely appropriate and desirable that our Government accept this gift and do whatever is necessary to provide a suitable place for its display. In accordance with that, this bill authorizes construction of a museum and sculpture garden on the Mall, next to the Smithsonian Arts and Industries Building and almost directly across from the National Gallery of Art.

Failure now to bring this legislation to a favorable culmination could mean the loss of this collection to the United States altogether. As I said on this floor when the offer of this gift first came to light:

> If we are to secure this collection for our National Capital—and if we are to assure that it remains permanently in the United States—then action must be taken at once. Otherwise, it will be lost to us forever.

Mr. Hirshhorn has received a number of bids for it, including some from interested parties in this country—from the State of New York, the city of Beverly Hills and the Baltimore Museum of Art, for example. But he also has received tempting offers from several foreign countries. As Overseer of the Royal Properties, representing the British Government, Lord Perth visited Mr. Hirshhorn and proposed to build a museum for his collection in Regent's Park in London. From Israel, he received an offer of a building and sculpture garden at the site of that country's new museum in Jerusalem. He was similarly approached by the Mayor of Zurich, Switzerland. This kind of international competition attests both to the value and the broad appeal of the Hirshhorn collection.

Aside from assuring the collection remains in the United States, there are excellent reasons why our Government should obtain it and bring it here. In the first place, it will satisfy two important needs in the art offerings of Washington. It has what our capital city now lacks most in that respect. This is modern sculpture in general and modern American painting in particular—that is, American paintings extending from the present time back approximately 100 years.

The Corcoran Gallery here is known as the leading museum of American art in Washington. But its real strengths lie in colonial portraiture and in 19th century painting. With respect to American art, the National Gallery offers little beyond the year 1900 to compare with its glorious representation of European artists. So, in a real sense, the Hirshhorn collection takes up where these two older institutions leave off. It will bring Washington up to date in the world of art.

Secondly, it is most fitting that this magnificent collection be placed in the Nation's Capital. It is a gift not only to Washington but to all of our people. It will be situated in the midst of the museums and art galleries which grace the Mall—and therefore will be most accessible to the millions of people who visit these great attractions every year.

Indeed, it is the unique character of Washington as our capital city—and its emergence as a major cultural center of the world—that is said to have played a large part in Mr. Hirshhorn's decision to make this offer. There was also the encouragement and active, personal interest on the part of the President and Mrs. Johnson. In that connection, I insert the communication to the Speaker from the President, dated May 17, 1966, recommended this legislation, in the Record at this point:

Communication From the President of the United States Transmitting a Recommendation of Legislation Enabling the Smithsonian Institution To Accept the Joseph H. Hirshhorn Collection of Contemporary Sculpture and Paintings

The White House,
Washington, May 17, 1966.

Hon. John W. McCormack,
Speaker of the House of Representatives,
Washington, D.C.

Dear Mr. Speaker: One of the greatest privately owned collections of contemporary sculpture and paintings in the world has been offered to the people of the United States by Mr. Joseph H. Hirshhorn of New York City, and the Hirshhorn Foundation.

I commend to the consideration of the Congress legislation enabling the Smithsonian Institution to accept this gift on behalf of all our people.

GIFTS OF THE PAST

The Nation has been fortunate in the great tradition of private contributions which have enriched the cultural life of its Capital City.

James Smithson's bequest, for the increase and diffusion of knowledge, led to the establishment of the Smithsonian Institution in 1846, and thus to the foundation of a national center of learning and the arts. William Corcoran made an enduring contribution to the life of the Capital by founding, in 1859, the gallery that bears his name. Early in this century Charles Freer donated to the Institution the splendid collection of oriental art that since 1922 has been housed in the Freer Gallery.

In 1937 Congress accepted the magnificent gift of Andrew Mellon that led to the erection of the National Gallery of Art. Then in 1938, farsighted legislation laid out the program of the National Collection of Fine Arts, which is joining the National Portrait Gallery in the Smithsonian's restored Patent Office Building.

Washington is emerging as a major cultural center, befitting the capital of a great nation. During recent years, the tempo of this development has quickened, and our citizens have caught the vision of a Washington equal in beauty and learning to the power of its institutions. Encouraging evidence of this is the outpouring of gifts for the John F. Kennedy Center for the Performing Arts.

THE HIRSHHORN GIFT

Now a superlative collection of works of contemporary art, enough to furnish an entire museum, has been offered to the Smithsonian Institution. It affords Washington a brilliant opportunity to broaden and strengthen its cultural offerings.

That we may seize the opportunity I am transmitting, for the consideration of the Congress, the attached bill to provide for the establishment of the Joseph H. Hirshhorn Museum and Sculpture Garden. This legislation would provide an appropriate Mall site on which the Board of Regents of the Smithsonian Institution would be authorized to construct a gallery of art and a garden of sculpture, to be known as the Joseph H. Hirshhorn Museum and Sculpture Garden.

The Hirshhorn Collection is the fruit of a lifetime of dedicated effort and discerning judgment, and its presentation to America is a testament to the generosity and public spirit of its donor. More than 1,500 pieces of sculpture and over 4,800 paintings and drawings, with a total value in excess of $25 million, have been offered, together with a million dollars for the purchase of additional works.

The enjoyment of our people, and the contributions to knowledge that will result from the acceptance of this grand offer, are truly beyond price. Millions of Americans will soon be able to see, within walking distance of the National Gallery and its masterpieces of painting from earlier centuries, the work of those who have shaped the art of our time.

Thus Joseph Hirshhorn's gift will enrich, not only the city of Washington, but the citizens of every State who visit their Nation's Capital.

I urge the Congress to respond to this magnificent offer by adopting the measure I am forwarding today.

Sincerely,

Lyndon B. Johnson.

Mr. Speaker, in view of our heavy war expenditures and the fiscal problems faced by our Government, I know there may be considerable interest in what this legislation will cost. The bill authorizes appropriations not to exceed $15 million to plan and construct the Hirshhorn Museum and Sculpture Garden.

However, I wish to point out that it will be approximately 2 years, at least, before much money is spent on this project. The fact is, there is no specific appropriation for it in the present fiscal year's budget, and none is to be requested. Planning funds already appropriated to the Smithsonian Institution will finance any preliminary work this year. For next fiscal year, 1968, only enough funds will be requested to pay for preparation of contract drawings and specifications. Not until fiscal 1969, 2 years hence, will an appropriation for construction be required.

In that regard, it is important to take note of a part of the agreement under which Mr. Hirshhorn and the Hirshhorn Foundation will donate this art collection. This is to the effect that construction moneys must be appropriated by the end of the next Congress—the 90th Congress. That gives us until about 2 years from now. Of course, it should also be noted that if construction moneys are not appropriated by that time, then we could face the very serious risk of losing this collection.

I wish to point out, also, Mr. Speaker that the Bureau of the Budget has advised that enactment of this bill will be consistent with the administration's legislative objectives and with its fiscal year 1967 budget. All of this information regarding the budgetary and fiscal aspects of this legislation is spelled out in a letter from Mr. James Bradley, Acting Secretary of the Smithsonian Institution, to my colleague, the gentleman from Illinois, KENNETH GRAY, chairman of our Subcommittee on Public Buildings and Grounds. I offer a copy of this letter for the RECORD:

SMITHSONIAN INSTITUTION,
Washington, D.C., October 7, 1966.

HON. KENNETH J. GRAY,
Chairman, Subcommittee on Public Buildings and Grounds, Committee on Public Works, U.S. House of Representatives, Washington, D.C.

DEAR MR. GRAY: This letter responds to your request for advice as to the relationship of the legislation to authorize the Hirshhorn Museum and Sculpture Garden (H.R. 15121 or S. 3389) to the President's Budget.

As passed by the Senate on September 1, 1966, S. 3389 would authorize to be appropriated not to exceed $15,000,000 for the planning and construction of the Hirshhorn Museum and Sculpture Garden. It will be recalled that the President transmitted a recommendation to the Speaker on May 17, 1966, urging the Congress to respond to the magnificent offer of Mr. Hirshhorn by the enactment of legislation essentially the same as S. 3389, as passed by the Senate, and as reported by the House Committee on Public Works.

No request for an appropriation will be submitted to the Congress for current fiscal year, 1967. Planning funds already appropriated to the Smithsonian Institution for this fiscal year were expressly justified to the Congress for preliminary studies of various potential needs of the Institution, including the proposed museum and sculpture garden. Consequently, the Smithsonian is already in position to finance the necessary preliminary planning during the remainder of the current fiscal year.

A request for an appropriation to finance the preparation of contract drawings and specifications is being considered in connection with the Budget for the next fiscal year, 1968.

The Bureau of the Budget has advised that enactment of this legislation to authorize the Hirshhorn Museum and Sculpture Garden would be consistent with the Administration's legislative objectives and with its Fiscal Year 1967 Budget.

Sincerely yours,
JAMES BRADLEY,
Acting Secretary.

Mr. Speaker, the other body has acted favorably on this bill. It is important that we pass it in essentially the same form—in identical form, preferably—to make sure it will be in accordance with the agreement Mr. Hirshhorn reached with the Smithsonian Institution. The collection will be administered by the Smithsonian.

The site designated by this bill for the Hirshhorn Museum and Sculpture Garden is between Seventh and Ninth Streets and between Independence Avenue and Jefferson Drive, bordering the open section of the Mall. The plan also calls for a sunken sculpture garden extending across the Mall to Madison Drive on the other side, where there is reserved an open space for a sculpture garden associated with the National Gallery. This accomplishes two things. First, it preserves the traditional, uninterrupted vista along the Mall from the Capitol to the Washington Monument. Second, it implements a longstanding plan for a cross-axis marking the midpoint of the Mall.

Some other features of the bill are these:

It places the Board of Regents of the Smithsonian Institution in charge of the planning and construction of the project. It provides that the museum and sculpture garden shall be the permanent home of the Hirshhorn collection and that it shall be a free public museum under administration of the Smithsonian. It also pledges the faith of the United States to provide the necessary funds for upkeep, operation, and administration.

In addition, the bill establishes within the Smithsonian Institution a Board of Trustees as the sole authority to purchase or acquire works of art from the museum, to loan, exchange, sell or otherwise dispose of art objects, and to determine policy as to the methods of display of the collection. This board will be composed of the Chief Justice of the United States and the Secretary of the Smithsonian Institution, as ex officio members, and eight general members appointed by the President, initially from among nominations by Mr. Hirshhorn and the Smithsonian's Board of Regents.

Mr. Speaker, our Nation and its cultural life have been blessed by some of the most curious twists of fate. That could be said of the origins of the Smithsonian Institution. It can be said now of this marvelous gift of art works we are asked to accept.

When Joseph Hirshhorn emigrated from Latvia in 1905 with his mother and 12 brothers and sisters, to be reared in the Jewish ghettos of Brooklyn, no one dreamed he would one day bless his adopted country with treasures of art of such splendor. But he had an eye for art. He also had an eye for amassing a fortune. It is said his collection has been accumulated over a period of more than 40 years, his purchases financed in large part from the mining of uranium in Ontario's Algoma Basin.

His collection is split now between his home on Round Hill in Greenwich, Conn., and his office and storage buildings in New York City. Upon completion of the museum and sculpture garden made possible by this legislation, his acquisitions will all be brought together for the first time. It will be a tremendous sight to behold.

Besides affording a broad view of modern sculpture and painting, it has the virtue of presenting large bodies of work by individual artists—providing an understanding and insight into their development and change. In its antiquities, it has the additional virtue of setting the background out of which modern art has grown.

Mr. Hirshhorn might be said to feel a great debt of gratitude toward the country which gave him the opportunity to rise so high. It is without question, in view of his encouragement of young artists, that he wishes to stimulate a deeper appreciation of modern art among our people. But for one man to give so much to his country is truly astounding. By the agreement he has entered, he will also donate $1 million for the purchase of additional works to fill out parts of his collection. His generosity—his patriotic spirit—are surely without match.

By his act, Joseph Hirshhorn has joined the distinguished and select company of James Smithson, Andrew Mellon, and Charles Freer as men whose contributions have done so much to make Washington not only a center of government but of culture as well. Great impetus in this direction was provided early in this century when Charles Lang Freer donated his splendid collection of oriental art to the Smithsonian Institution. It has been the nucleus of the renowned Freer Gallery of Art since 1922. Then came Andrew Mellon's magnificent gift of art works, accepted by the Congress in 1937 and leading to the establishment of the National Gallery of Art. This most certainly placed Washington on the road toward attaining the cultural status it enjoys today.

The Mellon family continues to make gifts toward the further enhancement of the National Gallery. It is my understanding that Mr. Hirshhorn intends to continue his art collecting, and there is the strong probability that he also will give some of his newer acquisitions to the Hirshhorn museum as time goes on. These accretions, therefore, will add immeasurably to the Hirshhorn museum just as the continuing gifts of the Mellon family have added immeasurably to the National Gallery of Art.

But it was the bequest of an Englishman, Mr. Speaker—an Englishman who never saw America and who apparently knew little about this country—that really laid the foundation for all of this. In one of those curious twists of fate, that man, James Smithson, bequeathed his entire fortune "to the United States of America, to found at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men."

Without the Smithsonian Institution—without its appeal and its constant quest for the finer things—I am sure that Washington today would not be the magnet it is for cultural treasures like the Hirshhorn collection. Nor would this be true except for the great fight waged in the Congress by a former President, John Quincy Adams, to gain acceptance of Smithson's bequest and to employ it constructively.

In a biography of Adams, written by Bennett Champ Clark, I happened across some interesting passages regarding the origins of the Smithsonian Institution and the part that Adams played in its establishment in 1846. I quoted from those passages in my newsletter of June 2 of this year. I offer that newsletter for the RECORD:

CONGRESSMAN JOHN C. KUNKEL REPORTS FROM WASHINGTON—NEWSLETTER NO. 21

Many of you have been here to Washington to visit the world-famous Smithsonian Institution. Recently I read a most interesting account of how the Smithsonian got its start. Whether you have been there or not you will no doubt be interested in reading about it. This account was in a biography of John Quincy Adams, written by Bennett Champ Clark. I will quote from it from here on in:

"James Smithson was the illegitimate son of the first Duke of Northumberland and the half brother of that Lord Percy who had attempted to relieve the British raiding party on its retreat from Lexington and Concord. From both his father and his mother there flowed in Smithson's veins the proudest blood of the English nobility; he possessed fine talents and noble character; he was given the best education which England then afforded; he was left a sumptuous fortune. But these attributes of fortune were offset and Smithson's life was embittered by the bar sinister which shadowed his career.

"He was a distinguished scientist, being eminent both as a chemist and as a mineralogist, and he was the friend and associate of the leading scientific men of the time. But the humiliation of his birth rankled within him. Talent, wealth, and character could not wipe (this) out. . . . He resolved to leave a monument which would out-last the proud honors of the Percys. So he wrote: 'The best blood of England flows in my veins; on my father's side I am a Northumberland, on my mother's I am related to kings, but this avails me not. My name shall live in the memory of men when the titles of the Northumberlands and the Percys are extinct and forgotten.'

"After providing a contingent life estate for a nephew, nameless like himself, Smithson's will disposed of his fortune as follows: 'I bequeath the whole of my property to the United States of America, to found at Washington, under the name of the Smithsonian Institution, an establishment for the increase and diffusion of knowledge among men.' Smithson's purpose, to build a monument for himself and to keep the Percys from fingering any of his cash, is perfectly clear. How he happened to select the United States as the recipient of his munificence and the instrument of his vengeance against the Percys is still obscure. He had never expressed any particular admiration for the American Republic and its institutions. He had never visited America; he had not even a single correspondent in this country. In none of his voluminous papers was found any reference to this country or to any of its distinguished men. Only two books in his extensive library contained any mention of the United States, and these were of insignificant importance.

"Many attempts have been made to discern his motives. It is probable that his animosity toward his aristocratic kin of the proudest nobility in England made him look with a kindly eye on the free institutions of the Republic of the West. Moreover, in a new and rapidly growing nation there would be greater opportunity for the institution which was to be his monument to thrive with the growth of the country. Doubtless, too, he feared the hostility of the powerful Percy influence on his bid for immortality if his institution where launched in his native country. The news of the bequest was transmitted to Washington in July, 1835, by the American Charge d' affaires in London. (President) Jackson, feeling that he had no power to take any step toward accepting the trust without specific authorization from Congress, transmitted the facts at hand without recommendation.

"In the Senate there was much divergence of opinion as to the acceptance of the bequest. It was recognized that in order to accept the trust and claim the estate it would be necessary for the United States to become a claimant in an English Chancery Court. (John C.) Calhoun scornfully declared that 'it was beneath the dignity of the United States to receive presents of this kind from anyone.' His colleague, (Senator) Preston, maintained that the government had no constitutional power to receive the money. Moreover, he was opposed to it on general principles. Smithson, he said, was trying to immortalize himself and it was 'too cheap a way of conferring immortality.'

"From the beginning, the imagination of John Quincy Adams was captivated by Smithson's conception. His generous sympathy was immediately aroused and he set about ascertaining the facts about the life of the man whom he considered a national benefactor. . . .

"Meanwhile, he had secured the creation of a select House committee to consider the bequest, and had been appointed its chairman. In the committee, he encountered great opposition to the acceptance of this bequest, but his ardent enthusiasm overcame the antagonism. He was finally authorized to report a bill empowering the President to appoint an agent to prosecute a suit in the British Chancery Court for Smithson's legacy. . . .

"The vehemence of the old man overbore all opposition, and his bill became a law. Jackson selected Richard Rush as his agent. Rush promptly instituted a suit in the British Chancery Court in the name of Andrew Jackson, on behalf of the United States of America. This in itself was a dramatic circumstance. It was a far cry for the man born, a British subject, in an immigrant cabin in the Waxhaw Settlement to sue in an English court as the responsible head of a sovereign power, to the establishment of which he had lent his boyish aid against British might. Through Rush's energy, the suit was determined with an expedition unusual to the cumbersome Chancery procedure. The proceeds of the estate, when converted to gold and minted into American money, amounted to $508,318.46. To this was later added the sum of $54,165.38.

"The receipt of the legacy was announced to Congress in a message from President Van Buren in December 1838. But it then appeared that the controversy over the institution had only begun. There was wide divergence of opinion as to the manner in which the designs of the testator should be carried out. It seemed that every interested party had a different theory of the function and scope of the proposed Institution.

"(John Qunicy Adams) had his heart set on the establisment of an astronomical observatory. His interest in this science had long been intense, and he was ashamed of the fact that there were no observatories in this country. . . .

"The ex-President's plan met with much opposition, which he persisted in regarding as malevblent persecution of himself. When he learned that Van Buren had consulted the eminent Dr. Thomas Cooper, President of the College of South Carolina, and that Cooper had suggested a post-graduate university, he bitingly described him as 'the English atheist South Carolina professor, a man whose very breath is pestilential to every good purpose.'

"But Cooper was not alone in suggesting a scheme of his own. President Wayland of Brown University proposed a classical university for the teaching of language, rhetoric, and philosophy. Richard Rush favored an establishment which could produce garden seeds for free public distribution, and also suggested a course of lectures on physical and moral science. Charles L. Fleischmann proposed an agricultural experiment station, while Professor Walter R. Johnson advocated a great laboratory of the physical sciences. Rufus Choate was the champion of a great public library. As a result of these clashing views, it was not until 1846 that an agreement was finally reached.

"This delay was no fault of Adams. Rather his dogged persistence prevented the trust from being neglected. In three different Congresses he secured the appointment of committees, with himself as chairman, to consider the matter. Three times did his committee report a bill in accordance with the chairman's ideas, and three times did he defend his proposals with extraordinary vigor and brilliance. But each time the measure failed of becoming law.

"He steadfastly opposed any suggestion of using any portion of the fund for the establishment of a school or college. For, he said, 'We should in no case avail ourselves of a stranger's munificence to rear our children.' On another occasion he asserted that he would rather see Smithson's money thrown into the Potomac than to have it devoted to the cause of education.

"This insistence almost certainly kept the fund from being dissipated. In 1838, a joker had been slipped in as a rider on the Military Academy Appropriation Bill providing that when the money was secured it should be invested in State stocks. On its receipt it was therefore promptly invested in stocks of Arkansas, Illinois, Michigan, and Ohio. These stocks speedily depreciated and it was doubtful if they had any real value. Adams besieged Presidents, Cabinet officers, Senators, and Congressmen, with the proposition that the national honor was committed to see the Smithson's bequest was not diminished through bad investment. At times, he was bitter in his foreboding that his efforts would not be successful.

"In 1846, however, an act was finally passed providing that the Smithson fund should be considered a permanent loan to the United States, bearing interest at the rate of 6 per cent, and that only the interest should be annually appropriated for the support of the Institution. The act also provided for the establishment and scope of the Institution with which we are so familiar today. By this time there had already been established a government observatory and Adams was satisfied, although he scornfully remarked that the appropriation for it had been 'clandestinely smuggled into the law, under the head of a depot for charts.' Other observatories were being projected. He stated proudly that in his whole life no conferring of honor, of interest, of office, had given him more delight than the belief that he had contributed to produce these observatories. He therefore joined in the establishment of the Smithsonian Institution in its present form (as a great museum and also as a place of broad scientific research, reaching through expeditions into all parts of the world). The great scientific foundation which it has become stands as a monument to John Quincy Adams almost as much as to James Smithson."

Mr. Speaker, not unlike James Smithson's bequest, the gift offered by Mr. Joseph H. Hirshhorn will be a great force "for the increase and diffusion of knowledge among men." The price we are to pay for housing these works of art is as nothing compared with the priceless contribution they will make to the cultural future of this Nation. I ask the passage of this bill to secure that opportunity.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. REID] may extend his remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. REID of New York. Mr. Speaker, I rise in strong support of S. 3389, a bill "to provide for the establishment of the Joseph H. Hirshhorn Museum and Sculpture Gardens."

This collection—one of the last great ones in private hands—consists of 4,000 paintings and drawings and 1,500 pieces of sculpture. The permanent showing of this collection in a museum and a sculpture garden built especially for it will elevate our national concern and commitment for excellence in the arts.

Some of the more notable pieces in the collection are 53 works of Sir Henry Moore—the largest private holding of Moore's in the world. Among these sculptures are the "King and Queen" whose grace and quiet dignity is unique. Other distinguished pieces of sculpture include the "Burghers of Calais," by Rodin; Brancusi's "Torso of a Young Man;" "Ratapoil," a bronze sculpture by Daumier; and works by Jacques Lipchitz and Giacometti.

Mr. Speaker, with the passage of this legislation, the Congress will meet its obligation in the terms under which this gift is made to the United States. Washington residents and visitors to the Capitol are one step nearer to benefiting from Mr. Hirshhorn's generosity.

Mr. THOMPSON of New Jersey. Mr. Speaker, I support S. 3389, to authorize the construction of the Hirshhorn Museum, and make meaningful the great gift of 1,500 pieces of sculpture and 4,000 paintings and drawings, valued conservatively at $25 million, being donated by Mr. Joseph Hirshhorn.

It will implement and make meaningful the dedication to culture on the part of President and Mrs. Johnson, without which this great art treasure might very well have gone to a government other than that of the United States.

The enactment of this legislation gives to the United States, in its Capital City, a complex of cultural facilities and beautiful park on the Mall that will rival, if not surpass, the great Paris complex of the Louvre, the Carousel, and the Tuileries.

When the Hirshhorn Gallery and Sculpture Garden is built, the Mall area will be one of the great art centers of the world, if not the very greatest. This splendid collection will fully complement the great collection housed in the National Gallery of Art and the equally great collection of oriental art and "Whistleriana" in the Freer Gallery.

On a north-south axis—for the development of the Mall and the proposed location of this new gallery are both coordinated with the plans of the Pennsylvania Avenue Commission—the Hirshhorn collection will fully complement the National Portrait Gallery and the National Collection of Fine Arts, to be housed in the old Patent Office Building. I had something to do with preserving the Patent Office Building for these purposes, and I find that the creation of separate facilities for the Hirshhorn collection fully complements my earlier interest.

Now envisage the plans of the Park Service for the Mall; underground parking; underground traffic; landscaping. Add to that the other existing and future technical and natural history galleries of the Smithsonian, together with an upgraded medical museum.

We shall have a tremendous cultural complex, set in an area of exquisite beauty, with unobstructed views of the Capitol to the east and the Washington Monument to the west.

I doubt if any other world capital will have any similar complex which shall be more complete, or located in more esthetic surroundings.

This legislation stands on its own merely to provide facilities to exhibit the Hirshhorn collection. This is a great collection. It did not just come to the U.S. Government because no one else wanted it. Britain desired it. Israel desired it. Baltimore wanted it. Governor Rockefeller wanted it for the State of New York. Beverly Hills, Calif., wanted it. Zurich wanted it. Each offered to provide a building to house it.

The Government of the United States is indeed fortunate to be able to acquire this collection for all the people of the United States.

Critics from all over the world have praised the Hirshhorn collection for its completeness and its quality.

I am proud and pleased that S. 3389 has passed this body unanimously. It is a great step forward for the overall cultural development of our Nation.

GENERAL LEAVE TO EXTEND

Mr. GRAY. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill S. 3389.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Illinois that the House suspend the rules and pass the bill S. 3389, as amended.

The question was taken, and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

CHANGING INLAND, GREAT LAKES, AND WESTERN RIVERS RULES

Mr. CLARK. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1349) to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length, as amended.

The Clerk read as follows:

S. 1349

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That article 20 of section 1 of the Act of June 7, 1897 (33 U.S.C. 205), is amended by adding the following sentence at the end thereof: "This rule shall not give to a sailing vessel the right to hamper, in a narrow channel, the safe passage of a steam vessel which can navigate only inside that channel."

SEC. 2. Article 25 of section 1 of the Act of June 7, 1897 (33 U.S.C. 210), is amended by adding the following paragraph at the end thereof: "In narrow channels a steam vessel of less than sixty-five feet in length shall not hamper the safe passage of a vessel which can navigate only inside that channel."

SEC. 3. Rule 19 of section 1 of the Act of February 8, 1895 (33 U.S.C. 284), is amended by adding the following sentence at the end thereof: "This rule shall not give to a sailing vessel the right to hamper, in a narrow channel, the safe passage of a steam vessel which can navigate only inside that channel."

SEC. 4. Rule 24 of section 1 of the Act of February 8, 1895 (33 U.S.C. 289), is amended by adding the following paragraph at the end thereof: "In all narrow channels a steam vessel of less than sixty-five feet in length shall not hamper the safe passage of a vessel which can navigate only inside that channel."

SEC. 5. The rule numbered 20 in section 4233 of the Revised Statutes, as amended (33 U.S.C. 345), is further amended by adding the following sentence at the end thereof: "This rule shall not give to a sailing vessel the right to hamper the safe passage of a large steam vessel or vessel with tow that is ascending or descending a river."

SEC. 6. Section 4233 of the Revised Statutes, as amended, is further amended by adding the following new rule after rule numbered 23:

"Rule twenty-three (A). A steam vessel of less than sixty-five feet in length which can maneuver easily shall not hamper the safe passage of a large vessel or vessel with tow that is ascending or descending a river."

SEC. 7. The amendments made by this Act shall take effect as of the ninetieth day after the date of enactment of this Act.

The SPEAKER. Is a second demanded?

Mr. TUPPER. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Pennsylvania is recognized for 20 minutes.

Mr. CLARK. Mr. Speaker, the purpose of this bill is to amend the inland, Great Lakes, and western rivers navigation rules concerning sailing vessels and vessels under 65 feet in length.

The amendments to these nautical rules of the road apply specifically to the rights and duties of the operator of a small vessel when operating in narrow channels in which large deep-draft vessels are also navigating.

The basic problem involves the fact that large deep-draft vessels when operating in narrow channels are limited in their maneuverability by the width of the particular channel. The same is true with regard to tugs operating in rivers, or other narrow channels, with tows of barges.

Simply put, the net effect of the amendments to the rules contained in this bill is to state clearly that small vessels operating in the areas where there are narrow channels "shall not hamper the safe passage of a vessel which can navigate only inside that channel."

Under the general rules of the nautical road, no distinction is made in regard to the size of the vessels concerned. And in most situations such uniform application presents no serious problem. However, there have been instances in which small shallow-draft readily maneuverable vessels have insisted upon what they considered their right-of-way over larger oceangoing ships, or tugs with tows, which because of their draft must navigate only within the channel.

The bill would provide a clear positive obligation on the part of the growing number of small craft operators to become aware of the commonsense demands of safety when operating in the areas of limited narrow channels where larger and less maneuverable vessels can maneuver only within the confines of such channels are also operated.

These amendments closely parallel similar amendments made to the international rules of the road, which became effective September 1, 1965.

In recognition of the fact that these amendments to the existing rules will affect recreational boatsmen, the Committee amended the bill to provide that it would not become effective until 90 days after enactment.

This would appear ample time for full notice of the changes to be given by all usual information media to vessel operators, both large and small, navigating in the inland waterways, the Great Lakes and the western rivers.

In this connection, we have been assured by the Coast Guard that immediately upon enactment of this bill notice of the changes effected thereby will be published in the Federal Register, the Proceedings of the Merchant Marine Council, and Notices to Mariners.

In addition, press releases will be issued by the various Coast Guard district commanders throughout the country and notification will also be given to such widely read information media as yachting and trade journals.

Mr. LENNON. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield to the gentleman.

Mr. LENNON. Mr. Speaker, it is my understanding, of course, that the Coast Guard will have the responsibility for the administration of this act.

Mr. CLARK. That is correct.

Mr. LENNON. I commend the chairman of the Coast Guard subcommittee as well as the other members of the committee for insisting on this amendment which gives the Coast Guard the opportunity to avail themselves of this 90-day period of time for the wide dissemination of this information to the operators of our small boats, sailboats as well as other boats, on our inland waters and streams.

I think this a good piece of legislation and I am sure that the House will see fit to accept it.

Mr. CLARK. I thank the gentleman. I want the Members of the House to know that it was on the advice and recommendation of the distinguished gentleman from North Carolina [Mr. LENNON] that we adopted this 90-day provision and that is why the amendment was approved.

Mr. GARMATZ. Mr. Speaker, will the gentleman yield?

Mr. CLARK. I yield to the chairman of the full Committee on Merchant Marine and Fisheries, the gentleman from Maryland.

Mr. GARMATZ. Mr. Speaker, I want to congratulate the chairman of the subcommittee on the Coast Guard for this fine piece of legislation.

I endorse this legislation wholeheartedly and hope that there will be no objection to it.

Mr. CLARK. I thank my chairman very much.

Mr. TUPPER. Mr. Speaker, I yield myself such time as I may require.

Mr. Speaker, I wish to add my support to the efforts of my distinguished colleagues on our Committee on Merchant Marine in urging favorable consideration of the bill, S. 1349.

Under the existing inland, Great Lakes, and western rivers rules of the road, the duties of small craft when operating in narrow channels in which large vessels also are navigating are not clear. No distinction is made in regard to the size of the vessels concerned and their ability to maneuver in the confined areas of narrow channels. It is the purpose of this bill, S. 1349, to clarify this situation by amending the inland, Great Lakes, and western rivers navigation rules so as to clarify the rights and duties of the operator of a small power-driven vessel less than 65 feet in length and any sailing vessel operating in narrow channels in which large deep-draft vessels are also navigating.

The effect of the amendments made by the bill to the rules of the road would be to furnish a clear and positive obligation on the part of the increasing number of small-craft operators to become cognizant of the restricted maneuvering ability of larger vessels in narrow channels. It is a clarification of existing rules dictated by the commonsense, and is designed to meet the problem of the burgeoning number of small pleasure craft and the ever-increasing size of commercial vessels.

In fairness to the small boat community, your committee has amended this bill so as to take effect 90 days after enactment. The purpose of this amendment is to insure that there is sufficient time for the Coast Guard to widely advertise this clarification of the rules to all parties concerned, and particularly to the small boat operators making them aware of their obligation not to hamper the safe passage of larger and more cumbersome vessels in the confined quarters of a narrow channel.

Accordingly, in the interest of navigation safety, I urge the favorable consideration and passage of the bill S. 1349.

The SPEAKER pro tempore (Mr. McFALL). The question is, Shall the House suspend the rules and pass the bill, S. 1349, to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length, with amendments?

The question was taken; and (two-thirds having voted in favor thereof), the rules were suspended and the bill, with amendments, was passed.

A motion to reconsider was laid on the table.

HOME LEAVE FOR FEDERAL SEAFARING PERSONNEL

Mr. BECKWORTH. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 18217) to provide home leave for Federal seafaring personnel, and for other purposes.

The Clerk read as follows:

H.R. 18217

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 5, United States Code, is amended as follows:

(1) Section 6305 is amended by inserting the following new subsection at the end thereof:

"(c) An officer, crewmember, or other employee serving aboard an oceangoing vessel on an extended voyage may be granted leave of absence, under regulations of the Civil Service Commission, at a rate not to exceed two days for each thirty calendar days of that service without regard to other leave provided by this subchapter. Leave so granted—

"(1) accumulates for future use without regard to the limitation in section 6304(b) of this title;

"(2) may not be made the basis for a lump-sum payment; and

"(3) may not be made the basis for terminal leave except under such special or emergency circumstances as may be prescribed under the regulations of the Commission."

(2) Section 6305 is further amended by amending the catchline to read as follows:

"§ 6305. Home leave; leave for Chiefs of Missions; leave for crews of vessels".

(3) The analysis of chapter 63 is amended by striking out the following item:

"6305. Home leave; leave for Chiefs of Missions."

and by inserting the following item in place thereof:

"6305. Home leave; leave for Chiefs of Missions; leave for crews of vessels."

The SPEAKER. Is a second demanded?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The Chair recognizes the gentleman from Texas [Mr. BECKWORTH].

Mr. BECKWORTH. Mr. Speaker, I yield myself such time as I may use.

Mr. Speaker, the enactment of H.R. 18217 is urgently needed as an aid to the recruitment and retention by the Government of qualified personnel to man its oceangoing vessels. The legislation will contribute materially to this purpose by providing an up-to-date home-leave plan for services performed by such personnel on extended voyages. It is an official recommendation of the U.S. Civil Service Commission.

Government agencies which have critical responsibilities for offshore transportation of personnel and cargo, in support of troops in Vietnam and other commitments abroad, are experiencing serious difficulty in recruiting and keeping the crew members they must have. Their operations already are hampered by shortages of licensed engineers, deck officers, skilled deck and operating personnel, and radio officers for oceangoing ships. The turnover in Federal marine employment is far greater than the turnover of employees in other Government activities. The shortages and excessive turnover will become more acute as the demand for ocean shipping increases.

The four operations most concerned are the Military Sea Transportation Service, the tugs and floating cranes of the Department of the Army, and the research and survey ships of the Departments of the Interior and Commerce. Certain vessels of the Panama Canal Company also are involved. These vessels are manned by civilian Government crews, and approximately 10,000 employees are affected.

On the basis of inquiries and requests by our Civil Service Subcommittee, the Civil Service Commission conducted a survey of personnel requirements and operations in the agencies I have mentioned. The survey disclosed that a dangerous situation has developed because of the unfavorable position of the Government in competing with the maritime industry for qualified oceangoing personnel. The most important cause of the unsatisfactory competitive position of the Government was shown to be the inadequacy of certain fringe benefits—especially vacation privileges—available to the Government's seafaring employees. Since the pay of such Government employees is based on practices in the maritime industry, it is the fringe benefits which constitute the real problem.

The leave benefits for Government maritime employees, which are the same as they are for all other Government employees, are substantially less favorable than leave benefits of crewmen in the maritime industry. The Civil Service Commission survey stresses this disparity in leave benefits as a principal cause of the Government's difficulty in the efficient manning of oceangoing vessels.

Enactment of H.R. 18217 will materially improve the Government's competitive position. The bill authorizes home leave for personnel who serve on oceangoing vessels on extended voyages, at the rate of not over 2 days' leave for each 30 calendar days of such service. This home leave will be added to their regular annual leave and will accumulate for future use. It cannot be used for lump-sum payment upon separation, but can be granted as terminal leave under such special or emergency circumstances as are provided for by civil service regulations.

Mr. Speaker, the record would not be complete if it did not show that this legislation is largely a tribute to the vice chairman of the Committee on Post Office and Civil Service, the distinguished gentleman from Louisiana [Mr. MORRISON]. He sponsored the original bill on the subject, and has vigorously supported our subcommittee in the development of H.R. 18217. This exemplifies his dedication to the strengthening of the Federal civil service and to giving fair and equitable treatment to all Government employees.

I hope that the House will give overwhelming approval to this needed legislation.

Recently I read a letter written by Chairman John Macy of the Civil Service Commission to Chairman MURRAY of the Committee on Post Office and Civil Service. The letter was written on August 11, 1966, and here is a very clear and significant sentence in it:

> The findings clearly show that the Government is having serious difficulty staffing many of its ocean-going marine positions. The rate of turnover is high, and replacements are hard to find in a generally tight labor market. A substantial lag behind industry in vacation benefits places the Government at a disadvantage in recruiting from the limited manpower resources available.

In substance, this is the basic reason for H.R. 18217. A seaman, who works for the Federal Government, today has the same amount of leave that any other Government employee has; but that does not compare favorably with what a seaman who works for the private maritime industry gets in the way of leave.

I emphasize that this bill would cost about $4.3 million annually. It has the approval of all the divisions of our Government that are concerned. It is felt that it is very necessary at this time.

I might say that our very able colleague, Representative JIMMIE MORRISON, has done a great deal of work on this legislation, as has the very distinguished gentleman from Hawaii [Mr. MATSUNAGA]. Both have been very effective and constructive in their efforts to make this legislation good legislation. It was passed unanimously by the House Post Office and Civil Service Committee. As I understand the situation, it definitely will be considered by the Senate, if it is passed here, because it is badly needed.

I do hope that the membership of the House will see fit to pass it.

Roughly, the average Government employee gets anywhere from 13 to 26 days leave at this time. This bill would give the seagoing employee of the Government about 20 additional days on an average annually, which would bring him up to that which the average person who is a seaman for private industry gets.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. BECKWORTH. I yield to the gentleman from Missouri.

Mr. HALL. Is the leave accumulated based on trip and time away from port of embarkation to port of debarkation?

Mr. BECKWORTH. That is correct. Actually, it would provide an average of 2 days' leave for each month that he is at sea. It would accumulate in that fashion. It is designed, in effect, to give him an opportunity to have on an average of about 20 additional days of leave a year in addition to what he now has, which is about what private industry gives him, and which causes him to be in many instances more interested in going to private industry at this time.

The Navy Department is interested in this; the Department of the Army is interested; the Commerce Department is interested; the Department of the Interior is interested. It is my impression that the Panama Canal Company is also interested in this proposed legislation.

Mr. HALL. Mr. Speaker, I thank the gentleman. If the gentleman will yield further, it is clearly stipulated that there will be no lump-sum payment in lieu of leave at any one time on the basis of separation? Is that not true, plus avoiding jumping ship between each employment?

Mr. BECKWORTH. That is my understanding, yes.

Mr. HALL. Is there any money in this additional $4.3 million per annum to handle the additional leave with pay which would pay expenses or give transportation requests from the point of debarkation to the point designated for leave, or would that be borne by the deck officer or the electronics officer or the chief petty officer?

Mr. BECKWORTH. It is my impression that the seafaring employee would have to get to the place from which he is to sail.

Mr. HALL. I thank the gentleman for yielding.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. BECKWORTH. I yield to the gentleman from Pennsylvania.

Mr. JOHNSON of Pennsylvania. In behalf of the minority, I wish to associate myself with the remarks of the gentleman from Texas and urge the adoption of this bill.

I might say that I happen to be, by choice of our ranking minority Member, the ranking minority member of the subcommittee of the Committee on Post Office and Civil Service which handled this. It has been my great pleasure to work with the gentleman from Texas on this subcommittee.

I wish to say for the RECORD that the gentleman from Texas has done an outstanding job and has been a great credit to this House, to the Congress, and to his district. He will be sorely missed on the Committee on Post Office and Civil Service. I wish to bid him well and to thank him for a job well done.

Mr. BECKWORTH. I surely appreciate the kind words of the very able and distinguished gentleman from Pennsylvania [Mr. JOHNSON]. I can certainly return them manyfold in respect to the fine work our colleague from Pennsylvania has done as the ranking minority member of the Civil Service Subcommittee of the Committee on Post Office and Civil Service. Representative JOHNSON is always on the job; he attended our meetings regularly and never fails to be most helpful and constructive in his suggestions.

Mr. BUCHANAN. Mr. Speaker, will the gentleman yield?

Mr. BECKWORTH. I yield to the gentleman from Alabama.

Mr. BUCHANAN. As a member of the full committee, I certainly wish to associate myself with the remarks of the gentleman from Pennsylvania concerning the gentleman from Texas, who is a distinguished Member of this House, and has been a valuable and leading member of the committee, rendering outstanding service as a subcommittee chairman.

I also join in support of this legislation. It is reasonably certain that anything John Macy and the Civil Service Commission recommend is both sound and conservative. This seems to be a definite step toward comparability for seafaring personnel. At a time when the Vietnamese conflict is requiring more shipping, we need this to attract an adequate number of seafaring personnel to Federal service.

I congratulate the gentleman for bringing this bill before the House.

Mr. BECKWORTH. I surely appreciate what the gentleman has said. The gentleman from Alabama [Mr. BUCHANAN] is a very valuable member of the House Committee on Post Office and Civil Service, and at all times does an excellent job of work because he is a real student of legislation. He consistently attends the sessions of our committee. Indeed, his many, many constructive contributions are appreciated by all the Democrats and Republicans of our committee.

STATEMENT BY REPRESENTATIVE JAMES H. MORRISON IN SUPPORT OF H.R. 18217, OCTOBER 17, 1966

Mr. Speaker, I deeply appreciate the generous comments of the distinguished gentleman from Texas, Mr. BECKWORTH—the very able Chairman of our Civil Service Subcommittee—about my work on this legislation.

As the gentleman has indicated, the problem of an adequate leave system for the Government's maritime employees first engaged my attention several years ago, and it was my privilege to introduce H.R. 3002, to correct the situation, early in this Congress.

I became deeply concerned after my conversations with representatives of the AFL-CIO Government Employe's Council, the AFL-CIO Maritime Committee, and the National Maritime Union, disclosed employment conditions that are adverse to the interests of both the Government and its seafaring employees. My further inquiries into official Government records, and discussions with responsible Federal authorities, confirmed my conclusion that prompt legislative relief is imperative.

Although H.R. 18217 represents a modification of the policies of my bill, H.R. 3002, in view of the overruling matters of public necessity I believe it will provide the immediate relief needed, and I strongly recommend enactment of H.R. 18217.

By way of background, the present unfortunate circumstances stem from misunderstanding of certain language in the Classification Act of 1949. That Act in effect lays down the principles for fixing the pay of seamen employed by the Government. This is done by excluding these seamen from the salary schedules of the Act and then providing that their "compensation shall be fixed and adjusted from time to time as nearly as is consistent with the public interest in accordance with prevailing rates and practices in the maritime industry * * *."

The misunderstanding relates to the words "practices in the maritime industry." This language was intended to give Government seafaring employees both pay and benefits reasonably comparable to those in private enterprise, subject to requirements of the public interest. It also was designed to prevent the Government from adversely affecting labor conditions in the maritime industry. Among the benefits I believe were meant to be considered was the leave or vacation privilege. However, when the Annual and Sick Leave Act of 1951 was passed, spelling out the numbers of days of leave to which Government employees are entitled and the periods of service which control, it did not contain a specific exclusion with respect to the leave rights of seamen—as had been done with respect to their pay in the Classification Act 2 years earlier.

Early in 1964 the Department of the Navy submitted the question of seamen's leave for decision by the Comptroller General, because of difficulties even then faced by the Military Sea Transportation Service in recruiting and retaining qualified crews for its vessels. The specific question submitted was whether or not MSTS seamen might, by administrative action, be granted leave benefits in accordance with the prevailing practice of the maritime industry, rather than in accordance with the Annual and Sick Leave Act of 1951.

The Comptroller General, in a decision of April 3, 1964 (B-153544), after reviewing the legislative history, ruled that these seamen are entitled only to leave benefits under the Annual and Sick Leave Act—that is, the same leave rights as all other Government employees have—and that there is no authority for granting the seamen leave benefits prevailing in the maritime industry.

My bill, H.R. 3002, was drafted by the Department of the Navy at my request, and would have guaranteed seamen employed by the Government leave benefits equal to those enjoyed by seamen in the maritime industry. After hearings on my bill earlier this year before our Civil Service Subcommittee, it became apparent, from Civil Service Commission reports, that full matching by the Government of industry practices, dollar for dollar and benefit for benefit, would not be practicable or desirable. Employment practices in Government must be responsive to the public interest and necessity. The Commission stated that the industry benefit system, with its numerous variations based on position and location, is simply not suitable to Federal employment and that it would be inequitable, costly, and administratively unfeasible.

All parties concerned are in complete agreement that the disparity in leave benefits between Government and industry seamen is the principal cause of the Government's difficulty in manning its vessels, as well as the chief inequity suffered by Government-employed seamen. Enactment of H.R. 18217 will provide a large measure of relief for both the Government and its seamen. It is the official recommendation of the Administration, and has been agreed to by representatives of the AFL-CIO Government Employe's Council, the AFL-CIO Maritime Committee, and the National Maritime Union. Our Committee has received literally hundreds of telegrams and letters from officials of maritime union locals and individual seamen strongly endorsing this legislation.

Mr. Speaker, Chairman LINDLEY BECKWORTH of our Civil Service Subcommittee, and all Members of the Subcommittee, are to be highly commended for their outstanding work in developing this legislation and bringing it to the Floor. I am confident it will be promptly enacted by this House, and have every assurance that the other body will give it early approval.

The SPEAKER. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill H.R. 18217.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE

Mr. BECKWORTH. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

APPOINTMENT OF MEMBERS OF THE COMMISSION ON POLITICAL ACTIVITY OF GOVERNMENT PERSONNEL

The SPEAKER. Pursuant to the provisions of section 2, Public Law 89-617, the Chair appoints as members of the Commission on Political Activity of Government Personnel the following Members on the part of the House: Mr. OLSEN of Montana, and Mr. NELSEN; and the following from private life: Mr. Robert Ramspeck, of Maryland; and Mr. Charles Oscar Jones, of Arizona.

RURAL RENEWAL LOANS TO LOCAL NONPROFIT ORGANIZATIONS

Mr. POAGE. Mr. Speaker, I move to suspend the rules and pass the bill (S. 688) to amend title III of the Bankhead-Jones Farm Tenant Act, as amended, to provide for additional means and measures for land conservation and land utilization, and for other purposes.

The Clerk read as follows:

S. 688

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 31 of title III of the Bankhead-Jones Farm Tenant Act, as amended (7 U.S.C. 1010), is amended by inserting "developing and protecting recreational facilities," immediately after "protecting fish and wildlife,".

(b) Section 32(e) of title III of such Act is amended by—

(1) inserting "and local nonprofit organizations" immediately after "public agencies" each place it occurs in the first sentence thereof; and

(2) inserting "and to local nonprofit organizations" immediately after "local public agencies" in the second sentence thereof.

The SPEAKER. Is a second demanded?

Mr. TEAGUE of California. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. POAGE. Mr. Speaker, this bill is merely a broadening of the present authority to local agencies for the development of rural areas. The present law confines this authority to governmental agencies. This will extend it to nonprofit organizations in rural areas.

The basic necessity is that oftimes the area is considerably larger than and not contiguous with the area of any governmental agency. If one tries to establish control in the hands of an agency that does not cover all of the area, one finds a loss of interest of the people in a good part of the area.

This is the same bill that has been presented to this body for a number of years by our colleague from Florida [Mr. Sikes]. The same bill was presented to our committee this year by our colleague from Iowa [Mr. Bandstra]. The committee reported the Bandstra bill.

We have before us the Senate bill rather than the House bill. The only substantial difference between the two is that the Senate bill gives the Secretary of Agriculture specific authority to deal with local nonprofit organizations in planning. There is no other substantial difference. Both plans provide for loans to the local organizations to assist them in carrying out development plans. While the planning assistance might be implied, specific authority therefor should assist in securing the bill's objective, which is the objective in the Senate bill.

Mr. Speaker, believing that he would be in a position to explain this matter rather thoroughly, I would like to yield at this time 5 minutes to the gentleman from Florida [Mr. Sikes].

Mr. SIKES. Mr. Speaker, this has to do with rural renewal program amendments. It will involve no additional costs. The annual appropriation for the rural renewal program will govern expenditures. The amendments set forth in the bill are recommended by the Department of Agriculture. Additional amendments were also recommended by the Department but these are somewhat controversial and they are not included in the bill before you.

The present program as authorized by the Food and Agriculture Act of 1962 enables local public groups to acquire lands and perform certain limited measures of development. However, the act falls short of providing one of the best possible uses of land—the development of recreation facilities.

In many areas recreational facilities are needed to justify basic resources development and to provide for the maximum use of such resources. This measure would make the rural renewal program uniform with other Farmers Home Administration programs.

The growing need for outdoor recreation facilities is well established. It is now of major importance throughout the Nation—people have time and money for recreation. It has become one of the most profitable crops a farmer can produce.

It is obvious that we have a surplus of land, at least currently, for agricultural production. This fits like a glove with the use of land for recreational purposes.

But, funds for the development of recreation areas are not easy to come by especially in areas where rural renewal efforts are needed. I am personally aware of areas where the economic growth of local communities is impeded by the lack of financing for much needed recreational facilities.

S. 688 would permit the advancement of loan funds for the development of needed recreation areas. This would be done as part of a total package of rural areas development and in support of all of the services that are available to stimulate rural economic growth.

S. 688 would also broaden the rural renewal authority to permit any corporation not operated for profit to participate in the planning and carrying out of a program of rural renewal.

As presently constituted, the rural renewal program only permits loans to public bodies. This rules out the many nonprofit groups that have been formed through the intensive rural areas development efforts of recent years.

Actually, some of the most dedicated and knowing leadership in rural America today, so far as community development is concerned, can be found in the ranks of the informal organizations that have studied and sought solutions to local rural problems.

These groups make admirable organizations for rural community development. They have the zeal, the drive, and the knowhow. But, currently they are barred from Federal rural renewal funds.

S. 688 would make it possible for the Farmers Home Administration to capitalize upon the skill, dedication, and expertise of these groups. They already are being utilized in other FHA programs. There is ample provision in existing law for security for protecting group investments.

These groups also are organized in a manner that fits the rural problem area. Unlike public bodies that are welded to set lines, a nonprofit organization can encompass part of township or an area that involves parts of two political bodies. Unlike public bodies that are limited in the functions they can assume, nonprofit groups can be organized on the broadest possible base.

I am firmly convinced after a thorough study of our initial rural renewal efforts that both of the amendments proposed in S. 688 are essential. We do need the extra authority for recreation area development if we are to meet the needs and demands of land resource development and spur economic growth and we must widen the types of organizations that can borrow funds, to include the dedicated nonprofit organizations that are struggling to rebuild rural America, if we are to provide the kind of service that is needed to the kind of people that can make the best use of rural renewal.

Mr. POAGE. Mr. Speaker, would the gentleman yield?

Mr. SIKES. Yes, of course.

Mr. POAGE. Might the gentleman not make it clear that any of these rural renewal programs contemplated here must be developed by these local agencies, and they are subject to veto by the appropriate State agency or, if there is no such State agency, by the Governor of the State involved?

Mr. SIKES. That is correct. There is ample security for any Federal funds advanced to these local nonprofit groups, just as there is under existing programs carried on by the Farmers Home Administration through such groups.

Mr. POAGE. Would the gentleman agree it is also true there is a limitation of $250,000 in the size of any of these loans that can be made?

Mr. SIKES. That is correct.

Mr. POAGE. So there cannot be any large loans made under this proposal, and any project must have State approval.

Mr. SIKES. That is correct.

Mr. TEAGUE of California. Mr. Speaker, I would like to express our thanks to the gentleman from Florida [Mr. Sikes] for his interest in this bill and his continued interest over a good many years. I would like to ask a question of the chairman of the subcommittee, the gentleman from Texas [Mr. Poage]. As he and I know, our Subcommittee on Conservation and Credit has been a very active committee, which meets frequently, and deals with a great variety of subjects. I think Mr. Poage would agree that I am almost always there. However, I must confess, I do not remember whether we had hearings on this particular bill. I would appreciate it if he would enlighten the House on that matter.

Mr. POAGE. We held no hearings on the Senate bill. We held hearings on the House bill and heard witnesses on the House bill. As the gentleman will recall, the hearings were actually held way back in March of this year. And, then there was another day or two that was devoted to it, within the last 6 weeks.

Mr. TEAGUE of California. Would the chairman of the subcommittee refresh my memory as to this:

Did anyone appear in opposition to this legislation?

Mr. POAGE. Mr. Speaker, if the gentleman will yield further, I do not recall a single witness that said he was opposed to it; no, sir.

We have a list of the witnesses here. The hearings were held on Monday morning, September 26, 1966, and there were some seven witnesses who appeared. Insofar as I can recall, every one of them was favorable to the enactment of this legislation.

Mr. TEAGUE of California. Mr. Speaker, I thank the gentleman from Texas very much.

The SPEAKER. The question is on the motion offered by the gentleman from Texas that the House suspend the rules and pass the bill S. 688.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

CLAIMS OF NATIONALS OF THE UNITED STATES AGAINST THE CHINESE COMMUNIST REGIME

Mr. ZABLOCKI. Mr. Speaker, I move to suspend the rules and pass the bill

(S. 3675) to amend title V of the International Claims Settlement Act of 1949 to provide for the determination of the amounts of claims of nationals of the United States against the Chinese Communist regime.

The Clerk read as follows:

S. 3675

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 501 of the International Claims Settlement Act of 1949 (22 U.S.C. 1643) is amended as follows:

(1) After "the Government of Cuba" at each place it appears in such section insert ", or the Chinese Communist regime,"; and

(2) After "since January 1, 1959," insert "in the case of claims against the Government of Cuba, or since October 1, 1949, in the case of claims against the Chinese Communist regime,".

SEC. 2. Section 502 of such Act (22 U.S.C. 1643a) is amended as follows:

(1) In paragraph (3), after "the Government of Cuba" at each place it appears insert "or the Chinese Communist regime"; and

(2) Add the following new paragraph at the end thereof:

"(5) The term 'Chinese Communist regime' means the so-called Peoples Republic of China, including any political subdivision, agency, or instrumentality thereof.

SEC. 3. Section 503 of such Act (22 U.S.C. 1643b) is amended as follows:

(1) After "the Government of Cuba" at each place it appears in subsections (a) and (b) thereof insert ", or the Chinese Communist regime,";

(2) After "since January 1, 1959," at each place it appears in subsections (a) and (b) thereof insert "in the case of claims against the Government of Cuba, or since October 1, 1949, in the case of claims against the Chinese Communist regime,";

(3) After "within sixty days after the enactment of this title" insert "or sixty days after the enactment of the amendments made thereto with respect to claims against the Chinese Communist regime,"; and

(4) After "carrying out its functions" insert "with respect to each respective claims program authorized,".

SEC. 4. Section 505(a) of such Act (22 U.S.C. 1643d) is amended by inserting before the period at the end thereof a comma and the following: "or the Chinese Communist regime".

SEC. 5. Section 510 of such Act (22 U.S.C. 1643i) is amended by inserting "with respect to each respective claims program authorized" after "carrying out its functions".

The **SPEAKER**. Is a second demanded?

Mr. **MAILLIARD**. Mr. Speaker, I demand a second.

The **SPEAKER**. Without objection, a second will be considered as ordered.

There was no objection.

Mr. **ZABLOCKI**. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I ask unanimous consent to extend my remarks and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. **ZABLOCKI**. Mr. Speaker, S. 3675 simply amends the Cuban Claims Act which the Congress passed in 1964, and amended in 1965.

This bill adds the claims of American nationals against the Chinese Communist regime, by amending title V of the International Claims Settlement Act of 1949, as amended, to insert the new phrase "or the Chinese Communist regime" and other language, as appropriate.

Mr. Speaker, insofar as I know there is no opposition to this bill. It passed the other body unanimously and was voted out of the subcommittee and the full committee unanimously.

Mr. Speaker, the original Cuban Claims Act, as I am sure the Speaker will recall, passed in the House of Representatives on the Consent Calendar in 1964. Some technical amendments were added to the Cuban claims bill last year. These amendments passed the House under a suspension of the rules, but without opposition during the course of the debate thereon.

Mr. Speaker, I know of no opposition to the legislation, but if there are any questions, I shall be delighted to attempt to answer them.

Mr. **HALL**. Mr. Speaker, will the gentleman yield?

Mr. **ZABLOCKI**. I am delighted to yield to the gentleman from Missouri.

Mr. **HALL**. Mr. Speaker, I appreciate the distinguished gentleman from Wisconsin, a member of the Committee on Foreign Affairs and chairman of this subcommittee handling this bill, yielding to me at this point.

Mr. Speaker, I am not sure that his all-inclusive statement, to the effect that he knows of no opposition to the bill, is true insofar as the gentleman from Missouri is concerned.

Mr. Speaker, I have reasonable doubts about this bill and I wonder if the gentleman from Wisconsin would not agree with me that one of the prime purposes of it is to keep alive the Foreign Claims Settlement Commission.

Mr. **ZABLOCKI**. No, that is not quite true.

Mr. **HALL**. "Not quite"? How close, Mr. Speaker?

Mr. **ZABLOCKI**. It is not true at all, because the Foreign Claims Settlement Commission is now processing the Cuban claims and will be in operation at least until 1970. It is presently involved in the presettlement adjudication of the claims of American citizens against the Government of Cuba. The adjudication of the Cuban claims was authorized by the Congress in 1964 by Public Law 88–666 and amended in 1965 by Public Law 89–262. Public Law 88–666 and Public Law 89–262 both passed the House without opposition.

The Commission has just started to process the Cuban claims. The claims of Americans against Communist China will be processed concurrently with the adjudication of the Cuban claims. The Cuban claims are expected, as I said earlier, to be completed by 1970. The claims against Communist China either would be completed by then or within a few months thereafter, depending upon the amount and number of claims involved.

Therefore I can assure the gentleman that this legislation would not appreciably extend the life and operation of the Foreign Claims Settlement Commission.

Mr. **HALL**. Mr. Speaker, I appreciate the gentleman's opinion and his statement, and I am glad to have it as a matter of legislative record. But I think probably of greatest concern to me is the question of, "Then what?"

I can full well understand, Mr. Speaker, that there is definitely value in the opinion of the gentleman and perhaps in the opinion of the Commission for having this Commission adjudicate claims while records and witnesses are still available. It would seem to me to be a terrible thing, for example, as this House acted last week on the Philippine Claims Commission, to try and seek out after 25 years some of the guerrillas that were hidden out in the hills during World War II—some of whom were friends of mine during that war, incidentally—and try to reconstitute a definite claim. And there must be a statute of limitations on time for filing and submitting such claims. And I think there even should be for private bills toward the same end. But the question of "then what?" does occur, after we get all this material correlated and confirmed or verified, the gentleman certainly would not expect that we are going to get a settlement out of the Chicoms to pay off all of these claims when they are dedicated to burying us, or hanging us from the lamp posts, and their philosophy is alien to our ideas of capitalism, or that the period will ever emerge when we can be expecting reparations. So my real fear is that, as, indeed, it is stated in the gentleman's committee report, before long we will be coming back and asking for additional appropriations with which to settle these claims by the individuals or corporate bodies that have lost land or have lost goods in Red China. And this seems foolhardy to me. It is not a taxpayer's responsibility.

Mr. **ZABLOCKI**. Mr. Speaker, let me explain to the gentleman that I, too, was also concerned and apprehensive as to whether a future appropriation of U.S. funds would have to be made in this regard. I want to advise the gentleman that I have no illusions that the Chicoms will pay these claims after they have been adjudicated.

I am sure, and I appreciate the gentleman's viewpoint, that we need to have these claims documented and ready for the State Department when another government comes to power in China. Should a more reasonable government than the Communist government now presently ruling in China come to power we will have the documented basis on which to negotiate and settle the claims for the American-owned properties that were nationalized and expropriated by the Communists.

Concerned as the gentleman is, and I appreciate the gentleman's concern, I asked witnesses during the hearings whether they anticipated there would be any necessity in the future to appropriate U.S. funds to pay claimants. I would particularly like to call the attention of the gentleman to page 8 and page 9 of the hearings, wherein Mr.

Richard D. Kearney, Deputy Legal Adviser of the State Department, replied to my questions concerning this matter. I asked Mr. Kearney:

> Would you anticipate that under these circumstances there may be a request for the U.S. Government to pay such outstanding claims.

He replied:

> I find it hard to speculate on this point, considering the number of people who will be involved.
>
> I will say this, Mr. Chairman: It has been the unvarying position of the executive branch of the U.S. Government to oppose paying claims of this character out of appropriated funds.

He goes on by stating:

> I will say that insofar as the disposition of the executive is concerned, we will continue to oppose any attempts to obtain such appropriations.

I might further state, Mr. Speaker, that should we have a negotiated settlement in the future, it will be necessary to get authorizing legislation in order to pay the claims after the money is made available by the foreign government. But until then there will be no need to worry about it and no appropriated funds will be necessary.

Mr. HALL. Mr. Speaker, do I understand that the additional appropriation that the chairman of the subcommittee refers to would presumably be out of the settlement gained with the Chinese Communists and not from appropriated funds?

Mr. ZABLOCKI. That is exactly right.

Mr. HALL. Can the gentleman tell me whether or not in all candor he considers this a foot-in-the-door technique for someday coming back and asking funds to be appropriated out of the Federal Treasury for the settlement of these claims especially in view of the statement in the report on page 2 under the title "Appropriations" where it says:

> Additional legislation will be required for an authorization to pay such adjudicated claims and to deduct a percentage from the amount collected sufficient to fully reimburse the United States for administrative expenses incurred in the adjudication of these claims.

Mr. ZABLOCKI. That refers to money collected from the future Chinese government with whom the settlement is made.

Let me assure the gentleman that if there was any possibility that this was a foot-in-the-door approach, as the gentleman has stated, I would not support the legislation.

Mr. HALL. I appreciate the gentleman citing the hearings and I appreciate this legislative record that has been made. I am not sure that I am in support of this bill, but certainly the gentleman has made it much clearer to me, and I thank him.

Mr. MAILLIARD. Mr. Speaker, I think it is a very useful thing that the gentleman from Missouri has raised the questions that he has raised. In view of the responses of the chairman of the subcommittee, I think we can approve this bill.

I think it is a very important legislative record that is being made, that this bill is not construed by those of us who are members of the subcommittee and of the full committee as any open door to the Treasury.

The SPEAKER. The question is, Shall the House suspend the rules and pass the bill (S. 3675) to amend title V of the International Claims Settlement Act of 1949 to provide for the determination of the amounts of claims of nationals of the United States against the Chinese Communist regime.

The question was taken.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

The doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 249, nays 3, not voting 180, as follows:

[Roll No. 368]

YEAS—249

Adams
Addabbo
Andrews, George W.
Andrews, N. Dak.
Ashley
Ashmore
Ayres
Barrett
Bates
Battin
Beckworth
Bell
Bennett
Blatnik
Boggs
Boland
Bolton
Bow
Brademas
Bray
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Cameron
Carey
Casey
Cederberg
Celler
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Collier
Colmer
Conte
Conyers
Corbett
Cramer
Culver
Cunningham
Curtin
Dague
Daniels
Davis, Wis.
Dawson
de la Garza
Derwinski
Dole
Donohue
Dowdy
Downing
Dulski
Duncan, Tenn.
Dwyer
Edmondson
Edwards, Calif.
Edwards, La.
Everett
Fallon
Farnsley
Feighan
Findley
Flood
Fogarty
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Hagen, Calif.
Haley
Halleck
Hamilton
Hanley
Hanna
Hansen, Wash.
Hardy
Harsha
Hathaway
Hechler
Henderson
Herlong
Holifield
Horton
Hosmer
Hull
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jones, Ala.
Jones, Mo.
Karsten
Kee
Keith
Keogh
King, Calif.
Kornegay
Krebs
Kunkel
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
McDade
McEwen
McFall
McGrath
Macdonald
Machen
Mahon
Mailliard
Marsh
Mathias
Matthews
May
Miller
Mills
Minish
Mink
Minshall
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Morton
Multer
Murphy, Ill.
Natcher
Nedzi
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Perkins
Philbin
Pickle
Pike
Poage
Poff
Powell
Price
Quie
Quillen
Randall
Redlin
Rees
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes, Pa.
Rivers, S.C.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
Ryan
Satterfield
St Germain
Saylor
Scheuer
Schneebeli
Schweiker
Scott
Secrest
Selden
Shriver
Sickles
Sikes
Slack
Smith, Iowa
Smith, Va.
Springer
Staggers
Stubblefield
Talcott
Teague, Calif.
Teague, Tex.
Tenzer
Tuck
Tupper
Tuten
Utt
Van Deerlin
Vanik
Vivian
Waggonner
Waldie
Walker, N. Mex.
Watson
Watts
Weltner
Whalley
White, Tex.
Whitten
Williams
Wright
Wyatt
Wydler
Young
Younger
Zablocki

NAYS—3

Ashbrook
Hall
McClory

NOT VOTING—180

Abbitt
Abernethy
Adair
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Annunzio
Arends
Aspinall
Bandstra
Baring
Belcher
Berry
Betts
Bingham
Bolling
Brock
Brooks
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Burton, Calif.
Callaway
Carter
Clawson, Del
Clevenger
Conable
Cooley
Corman
Craley
Curtis
Daddario
Davis, Ga.
Delaney
Dent
Denton
Devine
Dickinson
Diggs
Dingell
Dorn
Dow
Duncan, Oreg.
Dyal
Edwards, Ala.
Ellsworth
Erlenborn
Evans, Colo.
Evins, Tenn.
Farbstein
Farnum
Fascell
Fino
Fisher
Flynt
Foley
Fulton, Tenn.
Fuqua
Gallagher
Giaimo
Gilligan
Grabowski
Greigg
Grider
Gross
Gurney
Hagan, Ga.
Halpern
Hansen, Idaho
Hansen, Iowa
Harvey, Ind.
Harvey, Mich.
Hawkins
Hays
Hébert
Helstoski
Hicks
Holland
Howard
Hungate
Huot
Jacobs
Jennings
Jonas
Jones, N.C.
Karth
Kastenmeier
Kelly
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kupferman
Laird
Love
McCarthy
McCulloch
McDowell
McMillan
McVicker
MacGregor
Mackay
Mackie
Madden
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Meeds
Michel
Mize
Moeller
Morse
Mosher
Moss
Murphy, N.Y.
Murray
Nelsen
Nix
O'Konski
Olsen, Mont.
Olson, Minn.
Ottinger
Pepper
Pirnie
Pool
Pucinski
Purcell
Race
Reifel
Reinecke
Resnick
Rhodes, Ariz.
Rivers, Alaska
Roberts
Rogers, Tex.
Ronan
Roncalio
Rooney, Pa.
Roudebush
St. Onge
Schisler
Schmidhauser
Senner
Shipley
Sisk
Skubitz
Smith, Calif.
Smith, N.Y.
Stafford
Stalbaum
Stanton
Steed
Stephens
Stratton
Sullivan
Sweeney
Taylor
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Udall
Ullman
Vigorito
Walker, Miss.
Watkins
White, Idaho
Whitener
Widnall
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Yates

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Stanton.

Mr. Kirwan with Mr. Widnall.

Mr. Madden with Mr. Adair.

Mr. Kluczynski with Mr. Anderson of Illinois.

Mr. Albert with Mr. Arends.

Mr. Foley with Mr. Bob Wilson.

Mr. Murphy of New York with Mr. Michel.

Mr. Farbstein with Mr. Martin of Massachusetts.

Mr. Evins of Tennessee with Mr. Morse.

Mr. Daddario with Mr. Del Clawson.

Mr. Giaimo with Mr. Conable.

Mr. Gilligan with Mr. Fino.

Mr. Fascell with Mr. Erlenborn.

Mr. Brown of California with Mr. Pirnie.

Mr. Aspinall with Mr. Nelsen.

Mr. Annunzio with Mr. Mosher.

Mr. Bingham with Mr. Rhodes of Arizona.

Mr. Jennings with Mr. Reinecke.

Mr. Howard with Mr. Reifel.

Mr. Hays with Mr. Smith of California.

Mr. Rooney of Pennsylvania with Mr. Skubitz.

Mr. Schmidhauser with Mr. Smith of New York.

Mr. Schisler with Mr. Watkins.

Mr. Wolff with Mr. Broomfield.

Mr. Charles H. Wilson with Mr. Brock.

Mr. Ottinger with Mr. Clarence J. Brown, Jr.

Mr. Fuqua with Mr. Carter.

Mr. Gallagher with Mr. Belcher.

Mr. Hagan of Georgia with Mr. Betts.

Mr. Dyal with Mr. MacGregor.

Mr. Evans of Colorado with Mr. Berry.

Mr. Cooley with Mr. Martin of Nebraska.

Mrs. Kelly with Mr. Mize.

Mr. King of Utah with Mr. O'Konski.

Mr. Stephens with Mr. Stafford.

Mr. Stratton with Mr. Curtis.

Mr. Fulton of Tennessee with Mr. Devine.

Mr. Mackay with Mr. Dickinson.

Mr. Mackie with Mr. Gurney.

Mr. McCarthy with Mr. Halpern.

Mr. Love with Mr. Hansen of Idaho.

Mr. McDowell with Mr. McCulloch.

Mrs. Thomas with Mr. Laird.

Mr. Todd with Mr. Kupferman.

Mr. Udall with Mr. Jonas.

Mr. Tunney with Mr. King of New York.

Mr. Ullman with Mr. Harvey of Michigan.

Mr. Vigorito with Mr. Edwards of Alabama.

Mr. Purcell with Mr. Callaway.

Mr. Race with Mr. Roudebush.

Mr. Pucinski with Mr. Ellsworth.

Mr. Pool with Mr. Martin of Alabama.

Mr. Hansen of Iowa, with Mr. Thomson of Wisconsin.

Mr. Dorn with Mr. Harvey of Indiana.

Mr. Flynt with Mr. Walker of Mississipi.

Mr. Fisher with Mr. Glenn Andrews.

Mr. Matsunaga with Mr. Nix.

Mr. Thompson of New Jersey with Mr. Trimble.

Mr. Kastenmeier with Mr. Huot.

Mr. Brooks with Mr. Baring.

Mr. Bandstra with Mr. Abernethy.

Mr. Roberts with Mr. Abbitt.

Mr. Rogers of Texas with Mr. Burton of California.

Mr. Anderson of Tennessee with Mr. Roncalio.

Mr. Ronan with Mr. Sisk.

Mr. St. Onge with Mr. Holland.

Mr. Hicks with Mr. Shipley.

Mr. Senner with Mr. Helstoski.

Mr. Corman with Mr. Diggs.

Mr. Davis of Georgia with Mr. Dow.

Mr. Craley with Mr. Duncan of Oregon.

Mr. Delaney with Mr. Farnum.

Mr. Dent with Mr. Willis.

Mr. Denton with Mr. Karth.

Mr. White of Idaho with Mr. Hungate.

Mr. Hawkins with Mr. Grabowski.

Mr. Clevenger with Mr. Grider.

Mr. Pepper with Mr. Greigg.

Mr. Rivers of Alaska with Mr. Resnick.

Mr. Moss with Mr. Olsen of Montana.

Mr. Olson of Minnesota with Mr. McMillan.

Mr. McVicker with Mr. Stalbaum.

Mr. Steed with Mr. Sweeney.

Mr. Thompson of Texas with Mr. Moeller.

Mr. Yates with Mr. Meeds.

Mr. Whitener with Mr. Dingell.

Mr. Johnson of North Carolina with Mr. Toll.

Mr. Taylor with Mr. Murray.

Mr. Jacobs with Mrs. Sullivan.

Mr. BRAY changed is vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington one of its clerks announced that the Senate had passed a concurrent resolution of the following title, in which the concurrence of the House is requested:

S. Con. Res. 115

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, requested to return to the Senate the enrolled bill (S. 3488) entitled "An Act to grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact to establish an organization empowered to provide transit facilities in the National Capital Region and for other purposes and to enact said amendment for the District of Columbia"; that upon its return, the action of the Speaker of the House of Representatives and the President Pro Tempore of the Senate in signing the said bill be deemed to be rescinded; and that in the reenrollment of said bill, the Secretary of the Senate be, and he is hereby, authorized and directed to make the following change, *viz.:* In section 3 of the engrossed bill, change subsection (a) to read: "To assure uninterrupted progress in the development of the facilities authorized by the National Capital Transportation Act of 1965, the transfer of the functions and duties of the National Capital Transportation Agency (herein referred to as the Agency) to the Washington Metropolitan Area Transit Authority (herein referred to as the Authority) as required by Section 301(b) of the National Capital Transportation Act of 1960 shall take place on September 30, 1967."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17637) entitled "An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes."

The message also announced that the Senate disagrees to the amendments of the House to the bill (S. 3708) entitled "An act to assist comprehensive city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes," agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. Sparkman, Mr. Douglas, Mr. Proxmire, Mr. Williams of New Jersey, Mr. Muskie, Mr. Long of Missouri, Mr. McIntyre, Mr. Tower, Mr. Bennett, and Mr. Hickenlooper to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10327) entitled "An act to require operators of ocean cruises by water between the United States, its possessions and territories, and foreign countries to file evidence of financial security and other information."

FILING OF CONFERENCE REPORT ON H.R. 15111—WAR ON POVERTY

Mr. POWELL. Mr. Speaker, I ask unanimous consent that the conferees may have until midnight tonight to file a conference report on the bill, H.R. 15111, to provide for continued progress in the Nation's war on poverty.

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object—and of course I do not intend to object—but if the conference report is ready, is there any need or necessity for this request?

Mr. POWELL. Mr. Speaker, will the gentleman yield so that I may reply to him?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. POWELL. The only reason for this request, may I say to the distinguished minority leader, is that the gentleman from Minnesota [Mr. Quie] wanted to look over a portion of the report and give his advice concerning it. There are other members of the conferees on the part of the House who want to look at the report also.

Mr. GERALD R. FORD. Is my understanding correct that the report is virtually prepared, if not completely prepared?

Mr. POWELL. That is correct.

Mr. GERALD R. FORD. If that is so, then it can be filed without the need for the request being made by the gentleman from New York.

Mr. POWELL. If the report were to be filed without the advice and constructive criticism of the conferees on the gentleman's side—and I mentioned one gentleman, the gentleman from Minnesota [Mr. Quie]—as well as without the advice and constructive criticism and suggestions of Members on our side, then that might be done.

Mr. QUIE. Mr. Speaker, will the gentleman yield?

Mr. GERALD R. FORD. I yield to my colleague, the gentleman from Minnesota.

Mr. QUIE. My colleagues know of my interest in this. As I recall, we adopted the provisions that one-third of any community action board had to be representing the poor and in order that it might be understood what a community action agency is, there will be language in the report, and I want to find out what the language is.

I have not signed the report and I do not intend to sign the report and I do not accept the final agreement in conference. However, on this part I want to be sure I have the chance to look at it and it will only take me about 15 minutes to do so.

Mr. GERALD R. FORD. Mr. Speaker, I withdraw by reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. POWELL]?

There was no objection.

CORRECTION IN ENROLLMENT OF S. 3488—WASHINGTON METROPOLITAN AREA TRANSIT REGULATION COMPACT

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the Senate concurrent resolution (S. Con. Res. 115) and ask for its immediate consideration.

Mr. Speaker, this is being done to correct an error made by the Clerk in enrolling the bill, S. 3488, which was passed by the House on October 7, 1966.

The SPEAKER. The Clerk will read the Senate concurrent resolution.

The Clerk read as follows:

S. CON. RES. 115

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, requested to return to the Senate the enrolled bill (S. 3488) entitled "An Act to grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact to establish an organization empowered to provide transit facilities in the National Capital Region and for other purposes and to enact said amendment for the District of Columbia"; that upon its return, the action of the Speaker of the House of Representatives and the President pro tempore of the Senate in signing the said bill be deemed to be rescinded; and that in the reenrollment of said bill, the Secretary of the Senate be, and he is hereby, authorized and directed to make the following change, viz: In Section 3 of the engrossed bill, change subsection (a) to read: "To assure uninterrupted progress in the development of the facilities authorized by the National Capital Transportation Act of 1965, the transfer of the functions and duties of the National Capital Transportation Agency (herein referred to as the Agency) to the Washington Metropolitan Area Transit Authority (herein referred to as the Authority), as required by Section 301(b) of the National Capital Transportation Act of 1960 shall take place on September 30, 1967."

The SPEAKER. Is there objection to the request of the gentleman from New York?

Mr. POFF. Mr. Speaker, reserving the right to object, and I shall not object, my understanding, Mr. Speaker, is that what is involved here is simply a ministerial misadventure and that the resolution is necessary simply to give effect to the original intent of the House.

Mr. CELLER. The gentleman is correct.

Mr. POFF. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. CELLER]?

There was no objection.

The Senate concurrent resolution was agreed to.

Motion to reconsider was laid on the table.

AUTHORIZING THE BOARD OF REGENTS OF THE SMITHSONIAN INSTITUTION TO NEGOTIATE COOPERATIVE AGREEMENTS GRANTING CONCESSIONS AT THE NATIONAL ZOOLOGICAL PARK TO CERTAIN NONPROFIT ORGANIZATIONS AND TO ACCEPT VOLUNTARY SERVICES OF SUCH ORGANIZATIONS OR OF INDIVIDUALS, AND FOR OTHER PURPOSES

Mr. JONES of Missouri. Mr. Speaker, I move to suspend the rules and pass the bill (S. 3230) to authorize the Board of Regents of the Smithsonian Institution to negotiate cooperative agreements granting concessions at the National Zoological Park to certain nonprofit organizations and to accept voluntary services of such organizations or of individuals, and for other purposes.

The Clerk read as follows:

S. 3230

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the Board of Regents of the Smithsonian Institution, in furtherance of the mission of the National Zoological Park to provide for the advancement of science and instruction and recreation of the people, is authorized to negotiate agreements granting concessions at the National Zoological Park to nonprofit scientific, educational, or historic organizations. The net proceeds of such organizations gained from such concessions granted under this subsection shall be used exclusively for research and educational work for the benefit of the National Zoological Park.

(b) The Smithsonian Institution is authorized to accept the voluntary services of such organizations, and the voluntary services of individuals, for the benefit of the National Zoological Park.

The SPEAKER. Is a second demanded?

Mr. LIPSCOMB. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. JONES of Missouri. Mr. Speaker, S. 3230 authorizes the Smithsonian Institution to negotiate cooperative agreements granting concessions at the zoo.

A recent decision of the Comptroller General held that a nonprofit organization called the Friends of the National Zoological Park could not conduct a coin-operated audio lecture system concession although the proceeds of the concession were used exclusively for educational purposes at the zoo.

The bill would grant concession privileges to nonprofit organizations at the zoo, the proceeds to be used for research and educational purposes for the benefit of the zoo. It also provides that the zoo may accept voluntary services of the group or individuals.

The concession which provides the audio lecture about zoo exhibits is a device which plays a recording relating to the subject at hand and is very popular. The proceeds would go toward publication of educational literature relating to zoo exhibits, and for zoo research activities.

No money is involved, and this bill would clear up the situation which has existed for some time, but which the Comptroller General rules should be authorized by Congress.

Mr. LIPSCOMB. Mr. Speaker, I think the gentleman from Missouri has adequately explained the bill. There is no money involved. As a result of an investigation or study by the Comptroller General the action is sought. Therefore, I ask the House to pass the bill.

The SPEAKER pro tempore. The question is on the motion of the gentleman from Missouri that the House suspend the rules and pass the bill S. 3230.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

GREEK LOAN OF 1929 SETTLEMENT ACT

Mrs. GRIFFITHS. Mr. Speaker, I move to suspend the rules and pass the bill (S. 1760) to authorize the acceptance of a settlement of certain indebtedness of Greece to the United States and to authorize the use of the payments resulting from the settlement for a cultural and educational exchange program, as amended.

The Clerk read as follows:

S. 1760

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Greek Loan of 1929 Settlement Act".

SEC. 2. The Secretary of the Treasury is hereby authorized to accept a bond from the Kingdom of Greece (hereinafter referred to as "Greece") in the principal amount of $13,155,921 in settlement of the indebtedness of Greece to the United States under part II of the agreement of May 10, 1929, and under paragraph 1(b) of the Agreement of May 24, 1932. The terms and conditions of such bond shall be those set forth in the agreement between the United States and Greece of May 28, 1964. Upon the delivery of said bond by Greece to the United States, the Secretary of the Treasury is hereby authorized to surrender to Greece all the bonds issued pursuant to part II of the agreement of May 10, 1929, and discharge Greece of its obligations under paragraph 1(b) of the agreement of May 24, 1932.

SEC. 3. The sums paid by Greece to the United States as interest on or in retirement of the principal of the bond issued as provided in section 2 shall be deposited in the Treasury of the United States. Amounts equivalent to the sums so deposited are hereby authorized to be appropriated for use in financing educational and cultural exchange programs authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451-2458), in relation to Greece and the people of Greece.

The SPEAKER. Is a second demanded?

Mr. BROYHILL of Virginia. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mrs. GRIFFITHS. Mr. Speaker, S. 1760 would give approval to an agreement signed in 1964 settling a $12 million loan to Greece authorized by Congress in 1929. The agreement provides full principal repayment and partial payment of interest arrearages. Interest will be at 2 percent. The loan has been in default for many years. However, once Congress approves the settlement, we will begin to collect principal and interest.

The 81 annual repayments of $329,000 are to be used in financing the United States-Greek exchange program. This program presently costs $750,000 to operate. The Greek payments will pay for part of this present program. Thus, there will be a saving to the U.S. Government. The Greek payments will also benefit our balance of payments.

The agreement constitutes the most favorable settlement the United States could negotiate; it generally follows the lines of the private dollar bondholders settlement with Greece.

The bill has passed the Senate. It has been unanimously reported by the Ways and Means Committee with a small technical amendment. It would be desirable to take the final steps to bring the settlement agreement into force.

Mr. BROYHILL of Virginia. Mr. Speaker, I recommend favorable action on S. 1760, the Greek Loan of 1929 Settlement Act. There is no objection to this bill, and as the gentlewoman from Michigan pointed out, the Ways and Means Committee was unanimous in recommending favorable action.

This bill legislatively implements a settlement agreement for a loan made by the United States to Greece in 1929. No payments have been made on this loan since the early years of World War II.

Under the terms of the settlement, Greece will repay $13,155,921, with interest, in 82 annual installments—a total of $26.7 million. Under the terms of the bill now before the House, the payments by Greece will be deposited in the Treasury, and appropriations of an equivalent amount are authorized for use in financing educational and cultural exchange programs, between the people of the United States and the people of Greece, authorized by the Mutual Educational Cultural Exchange Act of 1961.

Mr. Speaker, this legislation is mutually beneficial to both Greece and the United States. The United States will receive payment on a debt that has been in arrears for a quarter of a century. The Greek Government will thereby be able to strengthen its international credit standing. The funds made available will enable the people of Greece and the people of the United States to become better acquainted with each other through the cultural exchange programs that Congress authorized 5 years ago.

Mr. Speaker, in view of the unanimous support of the Ways and Means Committee for this legislation and the benefits that will accrue to both the United States and Greece, I urge favorable action by the House.

The SPEAKER. The question is on the motion of the gentlewoman from Michigan that the House suspend the rules and pass the bill S. 1760, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

FAIR PACKAGING AND LABELING ACT—CONFERENCE REPORT

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2286)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows:

In lieu of the matter proposed to be inserted by the House amendment insert the following: "That this Act may be cited as the 'Fair Packaging and Labeling Act'.

"DECLARATION OF POLICY

"SEC. 2. Informed consumers are essential to the fair and efficient functioning of a free market economy. Packages and their labels should enable consumers to obtain accurate information as to the quantity of the contents and should facilitate value comparisons. Therefore, it is hereby declared to be the policy of the Congress to assist consumers and manufacturers in reaching these goals in the marketing of consumer goods.

"PROHIBITION OF UNFAIR AND DECEPTIVE PACKAGING AND LABELING

"SEC. 3. (a) It shall be unlawful for any person engaged in the packaging or labeling of any consumer commodity (as defined in this Act) for distribution in commerce, or for any person (other than a common carrier for hire, a contract carrier for hire, or a freight forwarder for hire) engaged in the distribution in commerce of any packaged or labeled consumer commodity, to distribute or to cause to be distributed in commerce any such commodity if such commodity is contained in a package, or if there is affixed to that commodity a label, which does not conform to the provisions of this Act and of regulations promulgated under the authority of this Act.

"(b) The prohibition contained in subsection (a) shall not apply to persons engaged in business as wholesale or retail distributors of consumer commodities except to the extent that such persons (1) are engaged in the packaging or labeling of such commodities, or (2) prescribe or specify by any means the manner in which such commodities are packaged or labeled.

"REQUIREMENTS AND PROHIBITIONS

"SEC. 4. (a) No person subject to the prohibition contained in section 3 shall distribute or cause to be distributed in commerce any packaged consumer commodity unless in conformity with regulations which shall be established by the promulgating authority pursuant to section 6 of this Act which shall provide that—

"(1) The commodity shall bear a label specifying the identity of the commodity and the name and place of business of the manufacturer, packer, or distributor;

"(2) The net quantity of contents (in terms of weight, measure, or numerical count) shall be separately and accurately stated in a uniform location upon the principal display panel of that label;

"(3) The separate label statement of net quantity of contents appearing upon or affixed to any package—

"(A)(i) if on a package containing less than four pounds or one gallon and labeled in terms of weight or fluid measure, shall, unless subparagraph (ii) applies and such statement is set forth in accordance with such subparagraph, be expressed both in ounces (with identification as to avoirdupois or fluid ounces) and, if applicable, in pounds for weight units, with any remainder in terms of ounces or common or decimal fractions of the pound; or in the case of liquid measure, in the largest whole unit (quarts, quarts and pints, or pints, as appropriate) with any remainder in terms of fluid ounces or common or decimal fractions of the pint or quart;

"(ii) if on a random package, may be expressed in terms of pounds and decimal fractions of the pound carried out to not more than two decimal places;

"(iii) if on a package labeled in terms of linear measure, shall be expressed both in terms of inches and the largest whole unit (yards, yards and feet, or feet, as appropriate) with any remainder in terms of inches or common or decimal fractions of the foot or yard;

"(iv) if on a package labeled in terms of measure of area, shall be expressed both in terms of square inches and the largest whole square unit (square yards, square yards and square feet, or square feet, as appropriate) with any remainder in terms of square inches or common or decimal fractions of the square foot or square yard;

"(B) shall appear in conspicuous and easily legible type in distinct contrast (by typography, layout, color, embossing, or molding) with other matter on the package;

"(C) shall contain letters or numerals in a type size which shall be (i) established in relationship to the area of the principal display panel of the package, and (ii) uniform for all packages of substantially the same size; and

"(D) shall be so placed that the lines of printed matter included in that statement are generally parallel to the base on which the package rests as it is designed to be displayed; and

"(4) The label of any package of a consumer commodity which bears a representation as to the number of servings of such commodity contained in such package shall bear a statement of the net quantity (in terms of weight, measure, or numerical count) of each such serving.

"(5) For purposes of paragraph (3)(A)(ii) of this subsection the term 'random package' means a package which is one of a lot, shipment, or delivery of packages of the same consumer commodity with varying weights, that is, packages with no fixed weight pattern.

"(b) No person subject to the prohibition contained in section 3 shall distribute or cause to be distributed in commerce any

packaged consumer commodity if any qualifying words or phrases appear in conjunction with the separate statement of the net quantity of contents required by subsection (a), but nothing in this subsection or in paragraph (2) of subsection (a) shall prohibit supplemental statements, at other places on the package, describing in nondeceptive terms the net quantity of contents: *Provided*, That such supplemental statements of net quantity of contents shall not include any term qualifying a unit of weight, measure, or count that tends to exaggerate the amount of the commodity contained in the package.

"ADDITIONAL REGULATIONS

"SEC. 5. (a) The authority to promulgate regulations under this Act is vested in (A) the Secretary of Health, Education, and Welfare (referred to hereinafter as the 'Secretary') with respect to any consumer commodity which is a food, drug, device, or cosmetic, as each such term is defined by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321); and (B) the Federal Trade Commission (referred to hereinafter as the 'Commission') with respect to any other consumer commodity.

"(b) If the promulgating authority specified in this section finds that, because of the nature, form, or quantity of a particular consumer commodity, or for other good and sufficient reasons, full compliance with all the requirements otherwise applicable under section 4 of this Act is impracticable or is not necessary for the adequate protection of consumers, the Secretary or the Commission (whichever the case may be) shall promulgate regulations exempting such commodity from those requirements to the extent and under such conditions as the promulgating authority determines to be consistent with section 2 of this Act.

"(c) Whenever the promulgating authority determines that regulations containing prohibitions or requirements other than those prescribed by section 4 are necessary to prevent the deception of consumers or to facilitate value comparisons as to any consumer commodity, such authority shall promulgate with respect to that commodity regulations effective to—

"(1) establish and define standards for characterization of the size of a package enclosing any consumer commodity, which may be used to supplement the label statement of net quantity of contents of packages containing such commodity, but this paragraph shall not be construed as authorizing any limitation on the size, shape, weight, dimensions, or number of packages which may be used to enclose any commodity;

"(2) regulate the placement upon any package containing any commodity, or upon any label affixed to such commodity, of any printed matter stating or representing by implication that such commodity is offered for retail sale at a price lower than the ordinary and customary retail sale price or that a retail sale price advantage is accorded to purchasers thereof by reason of the size of that package or the quantity of its contents;

"(3) require that the label on each package of a consumer commodity (other than one which is a food within the meaning of section 201(f) of the Federal Food, Drug, and Cosmetic Act) bear (A) the common or usual name of such consumer commodity, if any, and (B) in case such consumer commodity consists of two or more ingredients, the common or usual name of each such ingredient listed in order of decreasing predominance, but nothing in this paragraph shall be deemed to require that any trade secret be divulged; or

"(4) prevent the nonfunctional-slack-fill of packages containing consumer commodities.

For purposes of paragraph (4) of this subsection, a package shall be deemed to be nonfunctionally slack-filled if it is filled to substantially less than its capacity for reasons other than (A) protection of the contents of such package or (B) the requirements of machines used for enclosing the contents in such package.

"(d) Whenever the Secretary of Commerce determines that there is undue proliferation of the weights, measures, or quantities in which any consumer commodity or reasonably comparable consumer commodities are being distributed in packages for sale at retail and such undue proliferation impairs the reasonable ability of consumers to make value comparisons with respect to such consumer commodity or commodities, he shall request manufacturers, packers, and distributors of the commodity or commodities to participate in the development of a voluntary product standard for such commodity or commodities under the procedures for the development of voluntary products standards established by the Secretary pursuant to section 2 of the Act of March 3, 1901 (31 Stat. 1449, as amended; 15 U.S.C. 272). Such procedures shall provide adequate manufacturer, packer, distributor, and consumer representation.

"(e) If (1) after one year after the date on which the Secretary of Commerce first makes the request of manufacturers, packers, and distributors to participate in the development of a voluntary product standard as provided in subsection (d) of this section, he determines that such a standard will not be published pursuant to the provisions of such subsection (d), or (2) if such a standard is published and the Secretary of Commerce determines that it has not been observed, he shall promptly report such determination to the Congress with a statement of the efforts that have been made under the voluntary standards program and his recommendation as to whether Congress should enact legislation providing regulatory authority to deal with the situation in question.

"PROCEDURE FOR PROMULGATION OF REGULATIONS

"SEC. 6. (a) Regulations promulgated by the Secretary under section 4 or section 5 of this Act shall be promulgated, and shall be subject to judicial review, pursuant to the provisions of subsections (e), (f), and (g) of section 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371 (e), (f), and (g)). Hearings authorized or required for the promulgation of any such regulations by the Secretary shall be conducted by the Secretary or by such officer or employee of the Department of Health, Education, and Welfare as he may designate for that purpose.

"(b) Regulations promulgated by the Commission under section 4 or section 5 of this Act shall be promulgated, and shall be subject to judicial review, by proceedings taken in conformity with the provisions of subsections (e), (f), and (g) of section 701 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 371 (e), (f), and (g) in the same manner, and with the same effect, as if such proceedings were taken by the Secretary pursuant to subsection (a) of this section. Hearings authorized or required for the promulgation of any such regulations by the Commission shall be conducted by the Commission or by such officer or employee of the Commission as the Commission may designate for that purpose.

"(c) In carrying into effect the provisions of this Act, the Secretary and the Commission are authorized to cooperate with any department or agency of the United States, with any State, Commonwealth, or possession of the United States, and with any department, agency, or political subdivision of any such State, Commonwealth, or possession.

"(d) No regulation adopted under this Act shall preclude the continued use of returnable or reusable glass containers for beverages in inventory or with the trade as of the effective date of this Act, nor shall any regulation under this Act preclude the orderly disposal of packages in inventory or with the trade as of the effective date of such regulation.

"ENFORCEMENT

"SEC. 7. (a) Any consumer commodity which is a food, drug, device, or cosmetic, as each such term is defined by section 201 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 321), and which is introduced or delivered for introduction into commerce in violation of any of the provisions of this Act, or the regulations issued pursuant to this Act, shall be deemed to be misbranded within the meaning of chapter III of the Federal Food, Drug, and Cosmetic Act, but the provisions of section 303 of that Act (21 U.S.C. 333) shall have no application to any violation of section 3 of this Act .

"(b) Any violation of any of the provisions of this Act, or the regulations issued pursuant to this Act, with respect to any consumer commodity which is not a food, drug, device, or cosmetic, shall constitute an unfair or deceptive act or practice in commerce in violation of section 5(a) of the Federal Trade Commission Act and shall be subject to enforcement under section 5(b) of the Federal Trade Commission Act.

"(c) In the case of any imports into the United States of any consumer commodity covered by this Act, the provisions of sections 4 and 5 of this Act shall be enforced by the Secretary of the Treasury pursuant to section 801 (a) and (b) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 381).

"REPORTS TO THE CONGRESS

"SEC. 8. Each officer or agency required or authorized by this Act to promulgate regulations for the packaging or labeling of any consumer commodity, or to participate in the development of voluntary product standards with respect to any consumer commodity under procedures referred to in section 5(d) of this Act, shall transmit to the Congress in January of each year a report containing a full and complete description of the activities of that officer or agency for the administration and enforcement of this Act during the preceding fiscal year.

"COOPERATION WITH STATE AUTHORITIES

"SEC. 9. (a) A copy of each regulation promulgated under this Act shall be transmitted promptly to the Secretary of Commerce, who shall (1) transmit copies thereof to all appropriate State officers and agencies, and (2) furnish to such State officers and agencies information and assistance to promote to the greatest practicable extent uniformity in State and Federal regulation of the labeling of consumer commodities.

"(b) Nothing contained in this section shall be construed to impair or otherwise interfere with any program carried into effect by the Secretary of Health, Education, and Welfare under other provisions of law in cooperation with State governments or agencies, instrumentalities, or political subdivisions thereof.

"DEFINITIONS

"SEC. 10. For the purposes of this Act—

"(a) The term 'consumer commodity', except as otherwise specifically provided by this subsection, means any food, drug, device, or cosmetic (as those terms are defined by the Federal Food, Drug, and Cosmetic Act), and any other article, product, or commodity of any kind or class which is customarily produced or distributed for sale through retail sales agencies or instrumentalities for consumption by individuals, or use by individuals for purposes of personal care or in the performance of services ordinarily rendered within the household, and which usually is consumed or expended in

the course of such consumption or use. Such term does not include—

"(1) any meat or meat product, poultry or poultry product, or tobacco or tobacco product;

"(2) any commodity subject to packaging or labeling requirements imposed by the Secretary of Agriculture pursuant to the Federal Insecticide, Fungicide, and Rodenticide Act, or the provisions of the eighth paragraph under the heading 'Bureau of Animal Industry' of the Act of March 4, 1913 (37 Stat. 832–833; 21 U.S.C. 151–157), commonly known as the Virus-Serum-Toxin Act;

"(3) any drug subject to the provisions of section 503(b) (1) or 506 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 353(b) (1) and 356);

"(4) any beverage subject to or complying with packaging or labeling requirements imposed under the Federal Alcohol Administration Act (27 U.S.C. 201 et seq.); or

"(5) any commodity subject to the provisions of the Federal Seed Act (7 U.S.C. 1551–1610).

"(b) The term 'package' means any container or wrapping in which any consumer commodity is enclosed for use in the delivery or display of that consumer commodity to retail purchasers, but does not include—

"(1) shipping containers or wrappings used solely for the transportation of any consumer commodity in bulk or in quantity to manufacturers, packers, or processors, or to wholesale or retail distributors thereof;

"(2) Shipping containers or outer wrappings used by retailers to ship or deliver any commodity to retail customers if such containers and wrappings bear no printed matter pertaining to any particular commodity; or

"(3) containers subject to the provisions of the Act of August 3, 1912 (37 Stat. 250, as amended; 15 U.S.C. 231–233), the Act of March 4, 1915 (38 Stat. 1186, as amended; 15 U.S.C. 234–236), the Act of August 31, 1916 (39 Stat. 673, as amended; 15 U.S.C. 251–256), or the Act of May 21, 1928 (45 Stat. 685, as amended; 15 U.S.C. 257–2571).

"(c) The term 'label' means any written, printed, or graphic matter affixed to any consumer commodity or affixed to or appearing upon a package containing any consumer commodity.

"(d) The term 'person' includes any firm, corporation, or association.

"(e) The term 'commerce' means (1) commerce between any State, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or possession of the United States, and any place outside thereof, and (2) commerce within the District of Columbia or within any territory or possession of the United States not organized with a legislative body, but shall not include exports to foreign countries.

"(f) The term 'principal display panel' means that part of a label that is most likely to be displayed, presented, shown, or examined under normal and customary conditions of display for retail sale.

"SAVING PROVISION

"Sec. 11. Nothing contained in this Act shall be construed to repeal, invalidate, or supersede—

"(a) the Federal Trade Commission Act or any statute defined therein as an antitrust Act;

"(b) the Federal Food, Drug, and Cosmetic Act; or

"(c) the Federal Hazardous Substances Labeling Act.

"EFFECT UPON STATE LAW

"Sec. 12. It is hereby declared that it is the express intent of Congress to supersede any and all laws of the States or political subdivisions thereof insofar as they may now or hereafter provide for the labeling of the net quantity of contents of the package of any consumer commodity covered by this Act which are less stringent than or require information different from the requirements of section 4 of this Act or regulations promulgated pursuant thereto.

"EFFECTIVE DATE

"Sec. 13. This Act shall take effect on July 1, 1967: *Provided*, That the Secretary (with respect to any consumer commodity which is a food, drug, device, or cosmetic, as those terms are defined by the Federal Food, Drug, and Cosmetic Act), and the Commission (with respect to any other consumer commodity) may by regulation postpone, for an additional twelve-month period, the effective date of this Act with respect to any class or type of consumer commodity on the basis of a finding that such a postponement would be in the public interest."

And the House agree to the same.

Harley O. Staggers,
Samuel N. Friedel,
Torbert H. Macdonald,
John Jarman,
William L. Springer,
J. Arthur Younger,
Managers on the Part of the House.

Warren G. Magnuson,
John O. Pastore,
Philip A. Hart,
Howard Cannon,
Norris Cotton,
Thruston B. Morton,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 935) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment strikes out all of the Senate bill after the enacting clause and inserts a substitute. The Senate recedes from its disagreement to the amendment of the House with an amendment which is a substitute for both the Senate bill and the House amendment. The differences between the House amendment and the conference substitute are described below, except for clarifying, technical, and conforming changes.

"PRICE" VERSUS "VALUE" COMPARISONS

Section 2 of the Senate-passed bill states that the label on packages of consumer commodities should facilitate "price" comparisons, and section 5(c) of the Senate-passed bill provides that the discretionary regulatory requirements would be applicable where necessary to facilitate "price" comparisons. In both instances, the House amendment uses the term "value" in lieu of "price." The conference substitute adopts the House version and uses the term "value" in both instances. The conferees wish to make clear that the concept of "value comparison" is broader than the concept of "price comparison" and includes the latter within the former as a very important factor in making a value comparison.

STATEMENT OF NET QUANTITY

The Senate-passed bill provided that the statement of net quantity, if expressed in terms of weight or liquid measure, on any package of a consumer commodity containing less than 4 pounds or 1 gallon, would have to be expressed in ounces or in whole units of pounds, pints, or quarts. The House amendment, on the other hand, provided that in the case of such a package, the statement of net quantity be expressed both in ounces (with identification as to avoirdupois or fluid ounces) and, if applicable, in pounds for weight units, with any remainder in terms of ounces or common or decimal fractions of the pound; or, in the case of liquid measure, in the largest whole unit (quarts, quarts and pints, or pints, as appropriate) with any remainder in terms of fluid ounces or common or decimal fractions of the pint or quart.

The House amendment also made special provisions for "random packages." Random packages, under the House amendment, would have the statement of net quantity set forth in pounds and decimal fractions of the pound carried out to not more than two decimal places to permit the continued use of automatic weighing machines.

The House amendment also specified the statement of net quantity which must appear on packages of consumer commodities which are labeled in terms of linear or area measure. The Senate-passed bill contained no special provisions with respect to these packages.

The conference substitute is the same in all these respects as the House amendment.

SERVINGS

Under section 5(c) (2) of the Senate-passed bill, the appropriate promulgating authority was given authority to establish and define the net quantity of any commodity which would constitute a serving, if that commodity was distributed to retail purchasers in a package with a label which bore a representation as to the number of servings provided by the net quantity of the contents contained in the package. In the same context, the House amendment provided that the promulgating authority could require that the label of any package of a consumer commodity which bears a representation as to the number of servings of such commodity contained in such package shall also bear a statement of the net quantity of each such serving.

The conference substitute adopts the language of the House amendment but transfers it from section 5(c) (the discretionary provisions) to section 4(a) of the legislation (the mandatory provisions). Thus, under the conference substitute, the appropriate promulgating authority would be required to issue regulations providing that the label of any package of a consumer commodity which bears a representation as to the number of servings of such commodity contained in such package also bear a statement of the net quantity of each such serving.

INGREDIENTS

Section 5(c) (4) of the Senate-passed bill would have authorized each promulgating authority to require that information with respect to the ingredients and composition of any consumer commodity be placed upon the label of the package containing that commodity. The House amendment would authorize each promulgating authority to require that the label of each package containing a nonfood bear (A) the common or usual name of such commodity and (B) in case such commodity consists of two or more ingredients, the common or usual name of each such ingredient listed in order of decreasing predominance.

The conference substitute is the same in this respect as the House amendment.

SLACK-FILL

The House amendment would authorize the promulgating authority to prevent the nonfunctional slack-fill of packages containing consumer commodities. The Senate-passed bill contained no comparable provisions.

The conference substitute is the same in this repsect as the House amendment.

STANDARDIZATION OF WEIGHTS AND MEASURES

Section 5(d) of the Senate-passed bill provides that the promulgating authority may determine that the weights or quantities in which any consumer commodity is being distributed for retail sale are likely to impair the ability of consumers to make price per unit comparisons. In case of such a determination, unless the industry adopts voluntary product standards, the promulgating authority may issue regulations effective to establish reasonable weights or quantities, and fractions or multiples thereof, in which any such consumer commodity would have to be packaged in order to be distributed in commerce for retail sale.

The House amendment would authorize the Secretary of Commerce to determine that there is undue proliferation of the weights, measures, or quantities in which any consumer commodity or reasonably comparable consumer commodities are being distributed, and such undue proliferation impairs the reasonable ability of consumers to make value comparisons with respect to such consumer commodity or commodities. In such a case, the Secretary is directed to request manufacturers, packers, and distributors of the commodity or commodities to participate in the development of a voluntary product standard for such a commodity or commodities. If, after 1 year after the date of such request, the Secretary determined that such a standard will not be published or, if such a standard has been published, that it has not been observed, he would be required to promptly report such determination to the Congress with a statement of the efforts that have been made under the voluntary standards program and his recommendation as to whether Congress should enact legislation providing regulatory authority to deal with the situation in question.

The conference substitute is the same in this respect as the House amendment.

FEDERAL PREEMPTION OF STATE LAWS

Section 12 of the Senate-passed bill provides that it is the intent of the Congress to supersede any and all laws of the States and political subdivisions thereof insofar as they may now or hereafter provide for the labeling of the net quantity of the contents of the package of any consumer commodity covered by the act which differs from the requirements of section 4 of the act or regulations promulgated pursuant thereto.

The House amendment would preempt the laws of the States or political subdivisions insofar as they may now or hereafter provide for the labeling of net quantity of contents of the package of any consumer commodity covered by the act which are less stringent than or require information different from the requirements of section 4 of the act or regulations promulgated pursuant thereto. Language from the House report explaining these provisions is pertinent. It provides that preemption would take place to the extent that "State laws or State regulations with respect to the labeling of net quantity of contents of packages impose inconsistent or less stringent requirements than are imposed under section 4 of this legislation." The conference substitute is the same in this respect as the House amendment.

EFFECTIVE DATE

Section 13 of the Senate-passed bill provides that it shall take effect on the first day of the sixth month beginning after the date of its enactment.

The House amendment provides that the legislation shall take effect on July 1, 1967. Both bills provide authority for extending the effective date for a period of 1 year with respect to any class or type of consumer commodity on the basis of a finding that such a postponement would be in the public interest.

The conference substitute is the same in this respect as the House amendment.

HARLEY O. STAGGERS,
SAMUEL N. FRIEDEL,
TORBERT H. MACDONALD,
JOHN JARMAN,
WILLIAM L. SPRINGER,
J. ARTHUR YOUNGER,
Managers on the Part of the House.

Mr. STAGGERS (interrupting the reading). Mr. Speaker, I ask unanimous consent that further reading of the statement on the part of the managers be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, as a brief explanation of what happened in conference, this is principally the same bill that passed the House a few days ago. We have not changed the context of the bill in any way.

We did make two changes. They are not substantive changes at all.

We moved one part of the bill from the permissive section over to the mandatory section, in the labeling of cups or servings. If they are going to put this on the package, it will be mandatory that they tell what is in it and what they mean by "serving."

The other part of the bill we changed made no substantive change. We added the words "shall" or "there shall be," which was implied in the bill anyway.

Those are the only changes in the bill as it passed the House.

Mr. YOUNGER. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from California.

Mr. YOUNGER. I want to inform the House that the committee and our chairman stood fast on the instructions we received to stand by the House bill. We did. The Senate accepted the House bill in toto as against its own bill.

I congratulate the chairman for carrying out in detail the instructions which the Members of the House passed along to us.

Mr. STAGGERS. I thank the gentleman from California.

I wish to say, in behalf of the gentleman from California, he was one of the Members who did insist that not even a word be changed or an "i" be dotted in a different way. I should like to congratulate him for being one of the very punctual members of our committee, who has always been at committee meetings on time—contributed helpfully to our deliberations, and has always looked out for the interests of his constituents and the general public.

Mr. SPRINGER. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield to the gentleman from Illinois.

Mr. SPRINGER. There has been a lot written about the so-called fair labeling and packaging bill. I wish to say to my colleagues that this was indeed a difficult bill in the committee. No one got everything he wanted.

I believe that the first day the bill came before the committee it probably would not have had 5 or 6 votes against it, but after 8 weeks of hearings I doubt if there would have been 6 or 8 votes out of the 33 for the bill, unless the bill had been substantially changed.

I believe sincerely that the House committee did the very best job it could in getting a bill which could come from the committee with more than half of the Members for it, so that we could get a bill to the floor.

Finally, may I say that we were able to get a bill which came from our committee unanimously. Insofar as I know, at the time the bill came out there was not a single Member on either side of the aisle opposed to the bill.

It was an extremely difficult bill, but I believe the committee for 8 weeks faithfully heard all the evidence it could get about what ought to be in the bill. There was a feeling in the committee, which was expressed very forcefully by a large majority—I believe with the exception of only two or three Members—that the bill would not have come out of the committee unless the chairman himself and the conferees were willing to stand for the House version.

If the chairman himself or I had indicated we were going to surrender on the House version in the conference, there would have been no bill to come from the committee.

Mr. Chairman, I believe I am stating this exactly as it happened in the committee. Is that correct?

Mr. STAGGERS. I might say to my colleague from Illinois that that is correct. At this point I certainly want to thank him for all of his help on this bill as well as thank all of the other members of the committee. I say that because without working together on both sides, we could not have reported this bill or any of the many others which came from our committee unanimously.

Mr. SPRINGER. Mr. Speaker, I thank the chairman of the committee for his kind words. I did want to get before the House the extreme difficulty that the chairman and I had in getting any bill out of the committee dealing with this matter this year.

I felt this explanation was due my colleagues before we voted on the conference report. I believe in the conference we did as our colleagues on our committee instructed us to do before the bill was released and allowed to come to the floor.

Mr. STAGGERS. Mr. Speaker, I thank the gentleman for his statement. I think it is a very correct explanation of this situation.

While I am thanking the gentleman and the other members of the committee for their cooperation and readiness in working out a good bill, I do wish to take the opportunity here to mention the continuing helpfulness which Senator HART has shown in working out legislation in this important field. Indeed, I think it fair to say that it was PHIL HART who early stimulated and kept alive an interest in seeing that something was done in the packaging area to provide greater protection and information to the public.

For the edification of the Congress, I would like to say that we got an extremely good bill here and one which is in the interests of America. It is a strong bill, I think. In many ways we have strengthened the Senate bill with things that they could not get into their version.

I think this bill will work out better than any of us on the committee dreamed that it would for the housewives of America. I still call this the housewives' bill, and I think it is a good bill and urge its passage.

Mr. Speaker, I yield to the gentleman from West Virginia [Mr. KEE].

Mr. KEE. Mr. Speaker, I rise to commend the distinguished gentleman from West Virginia [Mr. STAGGERS], chairman of the Committee on Interstate and Foreign Commerce of the House of Representatives, and the members of his committee, for bringing before the House today the conference report on S. 985, the Fair Packaging and Labeling Act.

In my judgment, Mr. Speaker, this legislative proposal should properly be known as "The Housewives' Bill."

The proper administration of this legislation will serve as a real aid to the housewives of America in particular. This legislation will help in accurately determining the quantity of the contents of the merchandise, as well as identifying the value received for the dollar spent.

It is primarily the housewife of America who is responsible for the family budget. It is the housewife of America who has the responsibility for purchasing the groceries for her family. Therefore, under this legislation, the housewife will be able to more accurately determine the actual value received for each dollar she spends.

It is a privilege to support this conference report.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentlewoman from Washington [Mrs. MAY] may extend her remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mrs. MAY. Mr. Speaker, I am glad that the packaging bill conferees from the other body wisely agreed to accept the House version of the packaging bill. This is a good bill for America's consumers and housewives, because it clarifies the laws and regulations protecting food and grocery shoppers from deceptive practices in the marketplace. It would have been extremely unfortunate had the two branches been unable to reach agreement on this matter of safeguarding the interests of the consuming public.

Once again, I want to commend the House Interstate and Foreign Commerce Committee and its distinguished chairman, for their conscientious efforts leading to formulation of this packaging legislation.

I realize that there are those critics of the bill who would have preferred legislation containing mandatory packaging standardization provisions. However, these critics apparently overlook considerable expert testimony to the effect that such mandatory standardization would lead to increased manufacturing costs and subsequent higher retail food and grocery prices.

Considering that inflation is today the consumer's No. 1 enemy, I cannot say how inclusion of standardization provisions in a packaging bill could be in the best interests of the country's consumers. The House committee, having heard the testimony on this subject, arrived at the same conclusion. Therefore, I can only believe that the critics are perhaps more interested in testing a theory than dealing with the realities of today's food and grocery economy. The country's consumers can be thankful that in the last analysis the realists outnumbered the theorists in both Houses. As a result, this Congress will enact packaging legislation which advances and serves consumer interests within the framework of the country's free-market economy.

Mr. STAGGERS. I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on the conference report.

The question was taken; and the Speaker announced that the ayes appeared to have it.

Mr. SPRINGER. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 242, nays 6, not voting 184, as follows:

[Roll No. 369]

YEAS—242

Adams
Addabbo
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Ashbrook
Ashley
Ashmore
Ayres
Bandstra
Barrett
Bates
Battin
Beckworth
Bell
Bennett
Bingham
Blatnik
Boggs
Boland
Bolton
Bow
Brademas
Bray
Broyhill, N.C.
Broyhill, Va.
Burke
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Cameron
Carey
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Collier
Colmer
Conte
Conyers
Corbett
Cramer
Culver
Cunningham
Curtin
Dague
Daniels
Davis, Wis.
Dawson
Derwinski
Dole
Donohue
Dowdy
Downing
Dulski
Duncan, Tenn.
Dwyer
Edmondson
Edwards, Calif.
Edwards, La.
Everett
Fallon
Farnsley
Feighan
Findley
Flood
Fogarty
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodell
Gray
Green, Oreg.
Green, Pa.
Griffiths
Grover
Gubser
Hagen, Calif.
Haley
Hall
Hamilton
Hanley
Hanna
Hardy
Harsha
Hathaway
Hechler
Henderson
Herlong
Holifield
Holland
Horton
Hosmer
Hull
Hutchinson
Ichord
Irwin
Jarman
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jones, Ala.
Karsten
Karth
Kee
Keith
Keogh
King, Calif.
Kirwan
Krebs
Kunkel
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
McClory
McDade
McEwen
McFall
McGrath
Machen
Mahon
Mailliard
Marsh
Mathias
Matthews
May
Miller
Mills
Minish
Mink
Minshall
Monagan
Moore
Moorhead
Morgan
Morris
Morrison
Multer
Murphy, Ill.
Natcher
Nedzi
O'Hara, Ill.
O'Hara, Mich.
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Perkins
Philbin
Pickle
Pike
Poage
Poff
Powell
Price
Quie
Quillen
Randall
Redlin
Reid, Ill.
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rivers, S.C.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
Ryan
Satterfield
St Germain
Saylor
Scheuer
Schneebeli
Schweiker
Scott
Secrest
Selden
Shriver
Sickles
Sikes
Slack
Smith, Va.
Springer
Staggers
Talcott
Teague, Calif.
Teague, Tex.
Tenzer
Tuck
Tuten
Utt
Van Deerlin
Vanik
Vivian
Waldie
Walker, N. Mex.
Watson
Watts
Whalley
White, Tex.
Whitten
Williams
Wright
Wyatt
Wydler
Young
Younger
Zablocki

NAYS—6

Buchanan
Burleson
de la Garza
Jones, Mo.
Morton
Waggonner

NOT VOTING—184

Abbitt
Abernethy
Adair
Albert
Anderson, Ill.
Anderson, Tenn.
Annunzio
Arends
Aspinall
Baring
Belcher
Berry
Betts
Bolling
Brock
Brooks
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Burton, Calif.
Callaway
Carter
Celler
Clawson, Del
Clevenger
Conable
Cooley
Corman
Craley
Curtis
Daddario
Davis, Ga.
Delaney
Dent
Denton
Devine
Dickinson
Diggs
Dingell
Dorn
Dow
Duncan, Oreg.
Dyal
Edwards, Ala.
Ellsworth
Erlenborn
Evans, Colo.
Evins, Tenn.
Farbstein
Farnum
Fascell
Fino
Fisher
Flynt
Foley
Fulton, Tenn.
Fuqua
Gallagher
Giaimo
Gilligan
Grabowski
Greigg
Grider
Gross
Gurney
Hagan, Ga.
Halleck
Halpern
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Harvey, Mich.
Hawkins
Hays
Hébert
Helstoski
Hicks
Howard
Hungate
Huot
Jacobs
Jennings
Jonas
Jones, N.C.
Kastenmeier
Kelly
King, N.Y.
King, Utah
Kluczynski
Kornegay
Kupferman
Laird
Love
McCarthy
McCulloch
McDowell
McMillan
McVicker
Macdonald
MacGregor
Mackay
Mackie
Madden
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Meeds
Michel
Mize
Moeller
Morse
Mosher
Moss
Murphy, N.Y.
Murray
Nelsen
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
Ottinger
Pepper
Pirnie
Pool
Pucinski
Purcell
Race
Rees
Reifel
Reinecke
Rhodes, Ariz.
Rivers, Alaska
Roberts
Rogers, Tex.
Ronan
Roncalio
Rooney, Pa.
Roudebush
St. Onge
Schisler
Schmidhauser
Senner
Shipley
Sisk
Skubitz
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Stafford
Stalbaum
Stanton
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Tupper
Udall
Ullman

Vigorito
Walker, Miss.
Watkins
Weltner
White, Idaho
Whitener
Widnall
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Yates

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Adair.
Mr. Albert with Mr. Arends.
Mr. Jennings with Mr. Berry.
Mr. Annunzio with Mr. Carter.
Mr. Celler with Mr. Del Clawson.
Mrs. Kelly with Mr. Bob Wilson.
Mr. Howard with Mr. Watkins.
Mr. Evins of Tennessee with Mr. Stafford.
Mr. Aspinall with Mr. Reinecke.
Mr. Giaimo with Mr. O'Konski.
Mr. Daddario with Mr. Nelsen.
Mr. Kluczynski with Mr. Michel.
Mr. Matsunaga with Mr. Kupferman.
Mr. Abernethy with Mr. Jonas.
Mr. Fuqua with Mr. Hansen of Idaho.
Mr. Gilligan with Mr. Gurney.
Mr. Farbstein with Mr. Fino.
Mr. Dyal with Mr. Erlenborn.
Mr. Mackay with Mr. Edwards of Alabama.
Mr. Thompson of New Jersey with Mr. Conable.
Mr. Sweeney with Mr. Devine.
Mr. St. Onge with Mr. Dickinson.
Mr. Brown of California with Mr. Anderson of Illinois.
Mr. Foley with Mr. Clarence J. Brown, Jr.
Mr. Hagan of Georgia with Mr. Callaway.
Mr. Abbitt with Mr. Walker of Mississippi.
Mr. White of Idaho with Mr. Smith of California.
Mr. Schmidhauser with Mr. Morse.
Mr. Schisler with Mr. Martin of Nebraska.
Mr. Rivers of Alaska with Mr. Martin of Massachusetts.
Mr. Jacobs with Mr. King of New York.
Mr. Craley with Mr. Harvey of Michigan.
Mr. Burton of California with Mr. Harvey of Indiana.
Mr. Ronan with Mr. Halpern.
Mr. Helstoski with Mr. Thomson of Wisconsin.
Mr. Rooney of Pennsylvania with Mr. Roudebush.
Mr. Cooley with Mr. Belcher.
Mr. Senner with Mr. Betts.
Mr. Shipley with Mr. Brock.
Mr. Trimble with Mr. Broomfield.
Mr. McVicker with Mr. Widnall.
Mr. Olsen of Montana with Mr. Stanton.
Mr. Ottinger with Mr. Smith of New York.
Mr. Whitener with Mr. Skubitz.
Mr. Yates with Mr. Roudebush.
Mr. Wolff with Mr. Rhodes of Arizona.
Mr. Moss with Mr. Reifel.
Mr. Fisher with Mr. Pirnie.
Mr. Gallagher with Mr. Martin of Alabama.
Mr. Grabowski with Mr. Mize.
Mr. Dent with Mr. MacGregor.
Mr. Dingell with Mr. McCulloch.
Mr. Corman with Mr. Halleck.
Mr. Hicks with Mr. Curtis.
Mr. Roncalio with Mr. Mosher.
Mr. Clevenger with Mr. Tupper.
Mr. Davis of Georgia with Mr. Ellsworth.
Mr. Pucinski with Mr. Hansen of Iowa.
Mr. Charles H. Wilson with Mr. Todd.
Mrs. Thomas with Mr. Tunney.
Mr. McCarthy with Mr. McDowell.
Mr. Sisk with Mr. Rogers of Texas.
Mr. Roberts with Mr. Anderson of Tennessee.
Mr. Brooks with Mr. Dorn.
Mr. Dow with Mr. Duncan of Oregon.
Mr. Evans of Colorado with Mr. Flynt.
Mr. Pool with Mr. Pepper.
Mr. Grider with Mr. Purcell.
Mr. Moeller with Mr. Mackie.
Mr. Udall with Mr. Vigorito.
Mr. Ullman with Mr. Weltner.
Mr. Kornegay with Mr. Kastenmeier.
Mr. Steed with Mr. Taylor.
Mr. Stephens with Mr. Stanton.
Mr. Hays with Mr. Delaney.
Mr. Denton with Mr. Diggs.
Mr. Fascell with Mr. Fulton of Tennessee.
Mr. Olson of Minnesota with Mr. O'Brien.
Mr. Murphy of New York with Mr. Willis.
Mrs. Sullivan with Mr. Thompson of Texas.
Mr. Stalbaum with Mr. Huot.
Mr. Hungate with Mr. Baring.
Mr. Greigg with Mr. Meeds.
Mr. Love with Mr. Macdonald.
Mr. Stubblefield with Mr. Toll.
Mr. Hawkins with Mr. Farnum.
Mrs. Hansen of Washington with Mr. Rees.
Mr. Edwards of Louisiana with Mr. Race.
Mr. Madden with Mr. McMillan.
Mr. King of Utah with Mr. Jones of North Carolina.
Mr. Smith of Iowa with Mr. Murray.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

MOTOR CARRIER INCIDENTAL CHARTER RIGHTS

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (S. 2893) to amend section 208(c) of the Interstate Commerce Act to provide that certificates issued in the future to motor common carriers of passengers shall not confer, as an incident to the grant of regular route authority, the right to engage in special or charter operations, and ask for its immediate consideration.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Clerk read the bill, as follows:

S. 2893

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 208(c) of the Interstate Commerce Act is amended to read as follows:

"(c) Any common carrier by motor vehicle transporting passengers under a certificate issued under this part on or before January 1, 1967, or under any reissuance of the operating rights contained in such certificate, may transport in interstate or foreign commerce to any place special or chartered parties under such rules and regulations as the Commission shall have prescribed."

With the following committee amendment:

On the first page, line 6, immediately after "part" insert the following: "pursuant to an application filed".

Mr. SPRINGER. Mr. Speaker, I move to strike the requisite number of words. Mr. Speaker, I take this time for the purpose of yielding to the chairman of the committee [Mr. STAGGERS], for an explanation of the bill.

Mr. STAGGERS. Mr. Speaker, the purpose of S. 2893 is to require future applicants to the Interstate Commerce Commission for motor common carrier passenger operating authority to show a need for the transportation of special or chartered parties, instead of automatically acquiring the right to perform such transportation as an incident to obtaining a certificate to transport passengers over a regular route or routes.

The Interstate Commerce Commission has sponsored this legislation. It says that:

> In recent years abuses have been observed respecting "incidental charter operations." Carriers have frequently applied for the right to transport passengers over a short regular route solely for the purpose of obtaining the incidental charter rights from points on such routes to all points in the United States. Some carriers conduct only token operations over their authorized routes in order to retain the right to engage in transportation of charter parties throughout the country.

The proposed amendment would in no way affect the operations of presently authorized carriers. The committee amendment makes it clear that the proposal would not affect carriers who have applications pending if they should be granted. The bill is supported by the motorbus industry. No one appeared, or has filed a statement, in opposition to the enactment of the legislation.

Mr. SPRINGER. Mr. Speaker, in addition, I might say that the Commission itself requested this legislation to prevent a proliferation of so many charter routes by companies who merely apply for a route in order to carry on a charter business. Under this legislation in the future when they apply for a charter, if they seek charter bus operations also, then they must justify the charter bus operations in addition to getting the route for which they applied. This is certainly good business practice. The Commission is better able to regulate the situation with this legislation and it has my support.

The amendment was agreed to.

The bill, as amended, was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read "An Act to amend section 208(c) to provide that certificates issued to motor common carriers of passengers pursuant to future applications shall not confer, as an incident to the grant of regular route authority, the right to transport special or chartered parties."

A motion to reconsider was laid on the table.

AUTHORIZATION OF A PROGRAM FOR THE CONSTRUCTION OF FACILITIES FOR THE TEACHING OF VETERINARY MEDICINE AND A PROGRAM OF LOANS FOR STUDENTS OF VETERINARY MEDICINE

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 3348), an act to authorize a program for the construction of facilities for the teaching of veterinary medicine and a program of loans for students of veterinary medicine, with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 7, after "(a)" insert "(1)".

Page 1, after line 9, insert:

"(2) Section 720 of such Act is further amended by inserting immediately after the first sentence thereof the following new paragraph:

" 'In addition to the sums authorized to be appropriated by the preceding sentence, there are authorized to be appropriated $17,000,000 for each fiscal year, commencing with the fiscal year ending June 30, 1967, and ending with the fiscal year ending June 30, 1969, which sums shall be available for carrying out clauses (1) and (3) of the preceding sentence solely with respect to veterinarians.' "

Page 3, after line 13, insert:

"(e) Section 742(a) of the Public Health Service Act is amended by inserting immediately after the first sentence thereof the following new sentence: 'In addition to the sums authorized to be appropriated by the preceding sentence, there are authorized to be appropriated $500,000 for the fiscal year ending June 30, 1967, $1,000,000 for the fiscal year ending June 30, 1968, and $1,500,000 for the fiscal year ending June 30, 1969, which sums shall be available for carrying out this part (other than section 744) solely with respect to students of veterinary medicine.' "

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. SPRINGER. Mr. Speaker, reserving the right to object, I would like the chairman of the Committee on Interstate and Foreign Commerce to explain what is proposed to be done under this bill.

Mr. STAGGERS. Well, Mr. Speaker, if the gentleman will yield, I might explain that the Senate amended the bill to authorize an appropriation of $3 million for student loans to students in schools of veterinary medicine, and it authorizes $51 million in appropriations over a period of 3 years for construction. I intend to move that the House agree to the $3 million authorized for a 3-year period for the student loans, and disagree to the $51 million approved by the Senate for construction at these schools.

Mr. Speaker, I believe this in a nutshell explains the bill.

Mr. SPRINGER. Mr. Speaker, would the distinguished chairman tell the House the difference between the proposal that we are considering today and the bill as it originally passed the House of Representatives?

Mr. STAGGERS. Mr. Speaker, if the gentleman will yield further, as originally passed in the House, we added veterinary schools to the Health Profession Educational Assistance Act on the same basis as other health professions are included, but only for purposes of construction assistance and student loans. We did not increase authorizations for either program. The Senate added $51 million for construction over 3 years, although the full $160 million authorization for this year was not used, so there is a $25 million carryover under existing law that can be used to meet the needs in this area. On student loans the full authorized amount has been appropriated for existing programs, so some increase has been provided here along the lines we generally have provided—a limited amount the first year, more the second, and more in the third.

Mr. SPRINGER. In other words, the student loan program complies with the same provisions of other legislation having to do with other students under similar programs; is that correct?

Mr. STAGGERS. It does; that is correct.

Mr. SPRINGER. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. STAGGERS. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. STAGGERS moves that the House disagree with the Senate amendments Nos. 1 and 2 and concur in Senate amendment No. 3.

The motion was agreed to.

A motion to reconsider was laid on the table.

Mr. PICKLE. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PICKLE. Mr. Speaker, I thank the gentleman from West Virginia for yielding to me. At first blush it appeared to me that the veterinarians were having funds taken from them, but this is not exactly the situation, I am glad to report. The House version did not include this $51 million in construction funds, but did for the students loans and grants. However, in the House version veterinarians could participate in the Health Profession Act and obtain regular funds. The money added in the Senate was, in many ways, desirable and helpful to veterinarians.

At the same time, some $25 million for construction purposes was not used this year, and this amount will be carried over into the next year, I am advised. Thus, veterinarians will have ample sources for funds during the next fiscal year. And if this amount is not sufficient, I believe we might be able to add it during the coming year. The additional funds were not included in the budget, and I can understand the conferees of the House agreeing with the student loan and grant provisions but not with the extra additional construction funds.

The veterinarians of my district render a high-type quality service to the public and I believe this bill is of particular help to them and needed. It is particularly needed for students of veterinary medicine.

TO AMEND THE PUBLIC HEALTH SERVICE ACT

Mr. STAGGERS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 13196) to amend the Public Health Service Act to increase the opportunities for training of medical technologists and personnel in other allied health professions, to improve the educational quality of the schools training such allied health professions personnel, and to strengthen and improve the existing student loan programs for medical, osteopathic, dental, podiatry, pharmacy, optometric, and nursing students, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 5, lines 12 and 13, strike out "(as defined in paragraph (3) of section 724)".

Page 15, lines 23 and 24, strike out "means a department, division, or other administrative unit (in a junior college, college, or university—" and insert "means a junior college, college, or university—".

Page 16, line 1, strike out "primarily or exclusively," and insert "or can provide,".

Page 17, line 9, after "medicine," insert "a school of osteopathy,".

Page 17, line 11, strike out "or with each of such schools,".

Page 19, after line 7, insert:

" '(5) The term "affiliated hospital" means a hospital, as defined in section 625, which is not owned by, but is affiliated (to the extent and in the manner determined in accordance with regulations) with, one or more training centers for allied health professions.' "

Page 20, strike out lines 7 and 8 and insert:

"ADDITIONAL LOAN CANCELLATION FOR HEALTH PERSONNEL PRACTICING IN LOW-INCOME RURAL AREAS"

Page 20, strike out all after line 21 over to and including line 4 on page 42 and insert:

"ESTABLISHING A REVOLVING FUND FROM WHICH SCHOOLS MAY OBTAIN LOANS TO CAPITALIZE HEALTH PROFESSIONS STUDENT LOAN FUNDS UNDER TITLE VII–C OF THE PUBLIC HEALTH SERVICE ACT

"SEC. 5. (a) Section 744 of the Public Health Service Act (relating to loans to schools) is amended to read as follows:

" 'LOANS TO SCHOOLS; REVOLVING FUND

" 'Loans to schools

" 'SEC. 744. (a) (1) During the fiscal years ending June 30, 1967, and June 30, 1968, the Secretary may make loans, from the revolving fund established by subsection (d), to any public or other nonprofit school referred to in section 740(a) which is located in a State and is accredited as provided in section 721(b) (1) (B), to provide all or part of the capital needed by any such school for making loans to students under this section (other than capital needed to finance the institutional contributions required by section 740(b) (2) (B)). Loans to students from such borrowed sums shall be subject to the terms, conditions, and limitations set forth in section 741. The requirement in section 740(b) (2) (B) with respect to institutional contributions to student loan funds shall not apply to loans made to schools under this section.

" '(2) A loan to a school under this section may be upon such terms and conditions, consistent with applicable provisions of section 740, as the Secretary deems appropriate. If the Secretary deems it to be necessary to assure that the purposes of this section will be achieved, these terms and conditions may include provisions making the school's obligation to the Secretary on such a loan payable solely from such revenues or other assets or security (including collections on loans to students) as the Secretary may approve. Such a loan shall bear interest at a rate which the Secretary determines to be adequate to cover (A) the cost of the funds to the Treasury as determined by the Secretary of the Treasury, taking into consideration the current average yields of outstanding marketable obligations of the United States having maturities comparable to the maturities of loans made by the Secretary under this section, and (B) probable losses.

"'Payments to schools to cover certain costs incurred in making student loans from borrowed funds

"'(b) If a school borrows any sums under this section, the Secretary shall agree to pay to the school (1) an amount equal to 90 per centum of the loss to the school from defaults on student loans made from such sums, (2) the amount by which the interest payable by the school on such sums exceeds the interest received by it on student loans made from such sums, (3) an amount equal to the collection expenses authorized by section 740(b)(3) to be paid out of a student loan fund with respect to such sums, and (4) the amount of principal which is canceled pursuant to section 741 (d) or (f) with respect to student loans made from such funds. There are authorized to be appropriated without fiscal year limitation such sums as may be necessary to carry out the purposes of this subsection.

"'Limitations on loans from revolving fund

"'(c) The total of the loans made in any fiscal year under this section may not exceed the lesser of (1) such limitations as may be specified in appropriation Acts, and (2) the difference between $35,000,000 and the amount of Federal funds (other than loans under this section) deposited in student loan funds under this part for that year.

"'Revolving fund

"'(d) There is hereby created within the Treasury a health professions education fund (hereinafter in this section called "the fund") which shall be available to the Secretary without fiscal-year limitation as a revolving fund for the purposes of this section. A business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act, 31 U.S.C. 847–849) for wholly owned Government Corporations.

"'(2) The fund shall consist of appropriations paid into the fund pursuant to section 742(a), appropriations made pursuant to this subsection, all amounts received by the Secretary as interest payments or repayments of principal on loans under this section, and any other moneys, property, or assets derived by him from his operations in connection with this section (other than subsection (b)), including any moneys derived directly or indirectly from the sale of assets, or beneficial interests or participations in assets, of the fund.

"'(3) All loans, expenses (other than normal administrative expenses), and payments pursuant to operations of the Secretary under this section (other than subsection (b)) shall be paid from the fund, including (but not limited to) expenses and payments of the Secretary in connection with the sale, under section 302(c) of the Federal National Mortgage Association Charter Act, of participations in obligations acquired under this section. From time to time, and at least at the close of each fiscal year, the Secretary shall pay from the fund into the Treasury as miscellaneous receipts interest on the cumulative amount of appropriations paid out for loans under this section, less the average undisbursed cash balance in the fund during the year. The rate of such interest shall be determined by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding each fiscal year on outstanding Treasury obligations of maturity comparable to the average maturity of loans made from the fund. Interest payments may be deferred with approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest. If at any time the Secretary determines that moneys in the fund exceed the present and any reasonably prospective future requirements of the fund, such access may be transferred to the general fund of the Treasury.

"'(4) In addition to the sums authorized to be appropriated by section 742(a), there are authorized to be appropriated to the fund established by this subsection $10,000,000 for the fiscal year ending June 30, 1967.'

"Allotment among schools of funds for Federal capital deposits and loans to schools

"(b)(1) Subsection (a) of section 742 of the Public Health Service Act is amended by striking out everything after 'appropriated' in the last sentence and substituting therefor the following: 'under this section for the fiscal year ending June 30, 1967, or any subsequent fiscal year shall be available to the Secretary (1) for payments into the fund established by section 744(d), and (2) for making Federal capital contributions into loan funds at schools which have established loan funds under this part.'

"(2) Subsection (b)(1) of such section 742 is amended to read as follows: 'The Secretary shall from time to time set dates by which schools must file applications for Federal capital contributions, and for loans pursuant to section 744.'

"(3) That part of the first sentence of subsection (b)(2) of such section 742 which precedes clause (A) is amended by substituting 'section' for 'part'.

"(4) Such subsection (b) of such section 742 is further amended by redesignating paragraph (3) as paragraph (4) and by inserting after paragraph (2) the following:

"'(3) Funds available in any fiscal year for payment to schools under this part (whether as Federal capital contributions or as loans to schools under section 744) which are in excess of the amount appropriated pursuant to this section for that year shall be allotted among schools in such manner as the Secretary determines will best carry out the purposes of this part.'

"Conforming changes

"(c)(1) Clauses (A) and (B) of subsection (b)(2) of section 740 of such Act are amended to read: '(A) the Federal capital contributions to the fund, (B) an amount equal to not less than one-ninth of such Federal capital contributions, contributed by such institution,'.

"(2)(A) So much of section 743(a) of such Act as precedes paragraph (1) is amended by striking out 'this part' and inserting in lieu thereof 'an agreement pursuant to section 740(b)'.

"(B) Paragraph (1) of such section 743(a) is amended by striking out 'total amount of the allotments to such fund by the Secretary under this part bears to the total amounts in such fund derived from such allotments' and inserting in lieu thereof 'total amount of the Federal capital contributions to such fund by the Secretary pursuant to section 740(b)(2)(A) bears to the total amount in such fund derived from such Federal capital contributions' and by striking out 'the balance' and inserting in lieu thereof 'such balance'.

"(3) Subsection (b) of such section 743 is amended by inserting '(other than so much of such fund as relates to payments from the revolving fund established by section 744(d))' after 'loan fund established pursuant to such agreement'.

"Effective date

"(d)(1) The amendments made by this section shall be effective in the case of payments to student loan funds made after the enactment of this Act, except in the case of payments pursuant to commitments (made prior to enactment of this Act) to make loans under section 744 of the Public Health Service Act as in effect prior to the enactment of this Act.

"(2) The Secretary of Health, Education, and Welfare is authorized, at the request of any institution, to take such steps as are necessary to convert a Federal capital contribution (which shall include the amount allocated to it under section 740(b)(2)(A) of the Public Health Service Act) to a student loan fund of such institution, made under title VII of the Public Health Service Act from funds appropriated pursuant thereto for the fiscal year ending June 30, 1967, to a loan under section 744 of such Act as amended by this Act.

"ESTABLISHING A REVOLVING FUND FROM WHICH SCHOOLS OF NURSING MAY OBTAIN LOANS TO CAPITALIZE STUDENT LOAN FUNDS UNDER TITLE VIII–B OF THE PUBLIC HEALTH SERVICE ACT

"SEC. 6. (a) Section 827 of the Public Health Service Act (relating to loans to schools of nursing) is amended to read as follows:

"'LOANS TO SCHOOLS; REVOLVING FUND

"'Loans to schools

"'SEC. 827. (a)(1) During the fiscal years ending June 30, 1967, and June 30, 1968, the Secretary may make loans, from the revolving fund established by subsection (d), to any public or nonprofit private school of nursing which is located in a State, to provide all or part of the capital needed by any such school for making loans to students under this section (other than capital needed to make the institutional contributions required of schools by section 822(b)(2)(B)). Loans to students from such borrowed sums shall be subject to the terms, conditions, and limitations set forth in section 823. The requirement in section 822(b)(2)(B) with respect to institutional contributions by schools to student loan funds shall not apply to loans made to schools under this section.

"'(2) A loan to a school under this section may be upon such terms and conditions, consistent with applicable provisions of section 822, as the Secretary deems appropriate. If the Secretary deems it to be necessary to assure that the purposes of this section will be achieved, these terms and conditions may include provisions making the school's obligation to the Secretary on such a loan payable solely from such revenues or other assets or security (including collections on loans to students) as the Secretary may approve. Such a loan shall bear interest at a rate which the Secretary determines to be adequate to cover (A) the cost of the funds to the Treasury as determined by the Secretary of the Treasury, taking into consideration the current average yields of outstanding marketable obligations of the United States having maturities comparable to the maturities of loans made by the Secretary under this section, and (B) probable losses.

"'Payments to schools to cover certain costs incurred in making student loans from borrowed funds

"'(b) If a school of nursing borrows any sums under this section, the Secretary shall agree to pay to the school (1) an amount equal to 90 per centum of the loss to the school from defaults on student loans made from such sums, (2) the amount by which the interest payable by the school on such sums exceeds the interest received by it on student loans made from such sums, (3) an amount equal to the amount of collection expenses authorized by section 822(b)(3) to be paid out of a student loan fund with respect to such sums and (4) the amount of principal which is canceled pursuant to section 823(b) (3) or (4) with respect to student loans made from such sums. There are authorized to be appropriated without fiscal-year limitation such sums as may be necessary to carry out the purposes of this subsection.

"'Limitation on loans

"'(c) The total of the loans made in any fiscal year under this section shall not exceed the lesser of (1) such limitations as may be specified in appropriation Acts, and (2) the difference between $35,000,000 and the amount of Federal capital contributions paid under this title for that year.

"'Revolving fund

"'(d)(1) There is hereby created within the Treasury a nurse training fund (hereinafter in this section called "the fund") which shall be available to the Secretary without fiscal-year limitation as a revolving fund for the purposes of this section. A business-type budget for the fund shall be prepared, transmitted to the Congress, considered, and enacted in the manner prescribed by law (sections 102, 103, and 104 of the Government Corporation Control Act, 31 U.S.C. 847–849) for wholly owned Government corporations.

"'(2) The fund shall consist of appropriations paid into the fund pursuant to section 824, appropriations made pursuant to this subsection, all amounts received by the Secretary as interest payments or repayments of principal on loans under this section, and any other moneys, property, or assets derived by him from his operations in connection with this section (other than subsection (b)), including any moneys derived directly or indirectly from the sale of assets, or beneficial interests or participations in assets, of the fund.

"'(3) All loans, expenses (other than normal administrative expenses), and payments pursuant to operations of the Secretary under this section (other than subsection (b)) shall be paid from the fund, including (but not limited to) expenses and payments of the Secretary in connection with the sale, under section 302(c) of the Federal National Mortgage Association Charter Act, of participations in obligations acquired under this section. From time to time, and at least at the close of each fiscal year, the Secretary shall pay from the fund into the Treasury as miscellaneous receipts interest on the cumulative amount of appropriations paid out for loans under this section, less the average undisbursed cash balance in the fund during the year. The rate of such interest shall be determined by the Secretary of the Treasury, taking into consideration the average market yield during the month preceding each fiscal year on outstanding Treasury obligations of maturity comparable to the average maturity of loans made from the fund. Interest payments may be deferred with approval of the Secretary of the Treasury, but any interest payments so deferred shall themselves bear interest. If at any time the Secretary determines that moneys in the funds exceed the present and any reasonably prospective future requirements of the fund, such excess may be transferred to the general fund of the Treasury.

"'(4) In addition to the sums authorized to be appropriated by section 824, there are authorized to be appropriated to the fund established by this subsection $2,000,000 for the fiscal year ending June 30, 1967.'

"(b) Section 824 of the Public Health Service Act is amended by striking out the last sentence and substituting therefor the following: 'Sums appropriated pursuant to this section for the fiscal year ending June 30, 1967, or any subsequent fiscal year shall be available to the Secretary (1) for payments into the fund established by section 827(d), and (2) in accordance with agreements under this part, for Federal capital contributions to schools with which such agreements have been made, to be used, together with deposits in such funds pursuant to section 822(b)(2)(B), for establishment and maintenance of student loan funds.'

"Allotment of funds for Federal capital contributions and loans to schools

"(c)(1) Section 825(a) of the Public Health Service Act (relating to allotments of appropriations among States) is amended by inserting 'for payment as Federal capital contributions or as loans to schools under section 827)' after 'shall be allotted' in the first sentence, and by adding at the end of subsection (a) the following new sentence 'Funds available in any fiscal year for payment to schools under this part (whether as Federal capital contributions or as loans to schools under section 827) which are in excess of the amount appropriated pursuant to section 824 for that year shall be allotted among States and among schools within States in such manner as the Secretary determines will best carry out the purposes of this part.'

"(2) Section 825(b)(1) of such Act (relating to the allocation of Federal capital contributions to schools) is amended to read as follows:

"'(b)(1) The Secretary shall from time to time set dates by which schools of nursing in a State must file applications for Federal capital contributions, and for loans pursuant to section 827, from the allotment of such State under the first two sentences of subsection (a) of this section.'

"Conforming amendment

"(d)(1) So much of section 826(a) of such Act as precedes paragraph (1) is amended by striking out 'this part' and inserting in lieu thereof 'an agreement pursuant to section 822(b)'.

"(2) Paragraph (1) of such section 826(a) is amended by striking out 'the balanced' and inserting in lieu thereof 'such balance'.

"(3) Subsection (b) of such section 826 is amended by inserting '(other than so much of such fund as relates to payments from the revolving fund established by section 827(d))' after 'loan fund established pursuant to such agreement'.

"Effective date

"(e)(1) The amendments made by this section shall be effective in the case of payments to student loan funds made after the enactment of this Act, except in the case of payments pursuant to commitments (made prior to enactment of this Act) to make loans under section 827 of the Public Health Service Act as in effect prior to the enactment of this Act.

"(2) The Secretary of Health, Education, and Welfare is authorized, at the request of any institution, to take such steps as are necessary to convert a Federal capital contribution (which shall include the amount allocated to it under section 822(b)(2)(A) of the Public Health Service Act) to a student loan fund of such institution, made under title VIII of the Public Health Service Act from funds appropriated pursuant thereto for the fiscal year ending June 30, 1967, to a loan under section 827 of such Act as amended by this Act.

"CONFORMING AMENDMENT TO THE FEDERAL NATIONAL MORTGAGE ASSOCIATION CHARTER ACT

"SEC. 7. Section 302(c)(2)(B) of the Federal National Mortgage Association Act is amended to read as follows:

"'(B) The Department of Health, Education, and Welfare, but only with respect to loans made by the Commissioner of Education for construction of academic facilities, and loans to help finance student loan programs.'

"TRANSFERABILITY OF CONSTRUCTION GRANTS: OPPORTUNITY GRANTS FOR NURSING EDUCATION

"SEC. 8. (a) Section 801 of the Public Health Service Act is amended by adding at the end thereof the following new sentence: 'Notwithstanding any other provision of this title, whenever the Surgeon General determines that any part of any amount appropriated, for any fiscal year, to carry out the purposes of either paragraph (1) or paragraph (2) of subsection (a) will not likely be utilized for such purposes during such year, he shall transfer such part to the amounts which are appropriated to carry out the purposes of the other such paragraph, if he has reason to believe that such part can be used for such purposes.'

"(b) Title VIII of the Public Health Service Act is further amended by adding at the end thereof the following:

"'PART D—OPPORTUNITY GRANTS FOR NURSING EDUCATION

"'Statement of purpose and appropriations authorized

"'SEC. 861. (a) It is the purpose of this part to provide, through schools of nursing (as defined in section 843(b)), nursing educational opportunity grants to assist in making available the benefits of nursing education to qualified high school graduates of exceptional financial need, who for lack of financial means of their own or of their families would be unable to obtain such benefits without such aid.

"'(b) There are hereby authorized to be appropriated $3,000,000 for the fiscal year ending June 30, 1967, $5,000,000 for the fiscal year ending June 30, 1968, and $7,000,000 for the fiscal year ending June 30, 1969, to enable the Secretary to make payments to schools of nursing that have agreements with him entered into under section 867, for use by such schools for payments to undergraduate students for the nursing educational opportunity grants awarded to them under this part. Sums appropriated pursuant to this subsection for any fiscal year shall be available for payment to institutions until the close of the fiscal year succeeding the fiscal year for which they are appropriated.

"'Amount of nursing educational opportunity grant—Annual determination

"'SEC. 862. From the funds received by it for such purpose under this part, a school of nursing which awards a nursing educational opportunity grant to a student under this part shall, for the duration of the grant, pay to that student for each academic year during which he is in need of grant aid to pursue a course of study at such school, an amount determined by the institution for such student with respect to that year, which amount shall not exceed—

"'(1) the lesser of $800 or one-half of the sum of the amount of student financial aid (including assistance under title IV of the Higher Education Act of 1965, but excluding assistance under work-study programs) provided such student by such school and any assistance provided such student under any scholarship program established by a State or a private institution or organization, as determined in accordance with regulations of the Secretary, or

"'(2) in the case of a student who during the preceding academic year at a school of nursing received grades placing him in the upper half of his class, the amount determined under paragraph (1) plus $200.

If the amount of the payment, determined pursuant to this section, for an academic year is less than $200 for any student, no payment shall be made under this part to such student for such year. The Secretary shall, subject to the foregoing limitation, prescribe for the guidance of participating institutions basic criteria or schedules (or both) for the determination of the amount of any such nursing educational opportunity grant, taking into account the objective of limiting grant aid under this part to students of exceptional financial need and such other factors, including the number of dependents in the family, as the Secretary may deem relevant.

"'Duration of nursing educational opportunity grant

"'SEC. 863. The duration of a nursing educational opportunity grant awarded under this part shall be the period required for completion by the recipient of his undergraduate course of study in the nursing school from which he received such grant, except that such period shall not exceed four academic years less any such period with respect to which the recipient has previously received payments under this part pursuant to a prior nursing educational opportunity grant (whether made by the same or another school of nursing). An educational opportunity grant awarded under this part shall entitle the recipient to payments only if he (1) is maintaining satisfactory progress in the course of nurse training which he is pursuing, according to the regularly prescribed standards and practices of the school of nursing from which he received the grant, and (2) is devoting essentially full time to such course of study, during the academic year, in attendance at such school. Failure to be in attendance at the school of nursing during vacation periods or periods of military service, or during other periods during which the Secretary determines in accordance with regulations that there is good cause for his nonattendance (during which periods he shall receive no payments) shall not be deemed contrary to clause (2) of the preceding sentence.

"'Selection of recipients of nursing educational opportunity grants

"'SEC. 864. (a) An individual shall be eligible for the award of a nursing educational opportunity grant under this part at any school of nursing which has made an agreement with the Secretary pursuant to section 867 (which school is hereinafter in this part referred to as an "eligible school") if the individual makes application at the time and in the manner prescribed by such school.

"'(b) From among those eligible for nursing educational opportunity grants from a school of nursing for each fiscal year, such school shall, in accordance with the provisions of its agreement with the Secretary under section 867 and within the amounts allocated to the school for that purpose for such year under section 866, select individuals who are to be awarded such grants and determine, pursuant to section 862, the amounts to be paid to them. A school of nursing shall not award a nursing educational opportunity grant to an individual unless it determines that—

"'(1) he has been accepted for enrollment as a full-time student at such school or, in the case of a student already attending such school, is in good standing and in full-time attendance there as an undergraduate student;

"'(2) he shows evidence of academic or creative promise and capability of maintaining good standing in his course of study;

"'(3) he is of exceptional financial need; and

"'(1) he would not, but for a nursing educational opportunity grant, be financially able to pursue a course of study at such school.

"'Allotment of nursing educational opportunity grant funds among states

"'SEC. 865. (a) From the sums appropriated pursuant to the first sentence of section 861(b) for any fiscal year, the Secretary shall allot to each State an amount which bears the same ratio to the amount so appropriated as the number of persons enrolled on a full-time basis in schools of nursing in such State bears to the total number of persons enrolled on a full-time basis in schools of nursing in all the States. The number of persons enrolled on a full-time basis in schools of nursing for purposes of this section shall be determined by the Secretary for the most recent year for which satisfactory data are available to him.

"'(b) If the total of the sums determined by the Secretary to be required under section 866 for any fiscal year for eligible schools of nursing in a State is less than the amount of the allotment to that State under paragraph (1) for that year, the Secretary may reallot the remaining amount from time to time, on such date or dates as he may fix, to other States in such manner as he determines will best assist in achieving the purposes of this part.

"'Allocation of allotted funds to schools of nursing

"'SEC. 866. (a) The Secretary shall from time to time set dates by which eligible schools of nursing in any State must file applications for allocation to such schools of nursing educational opportunity grant funds from the allotment to that State (including any reallotment thereto) for any fiscal year pursuant to section 865(a), to be used for the purposes specified in the first sentence of section 861(b). Such allocations shall be made in accordance with equitable criteria which the Secretary shall establish and which shall be designed to achieve such distribution of such funds among eligible schools of nursing within a State as will most effectively carry out the purposes of this part.

"'(b) Payment shall be made from allocations under this section to schools of nursing as needed.

"'Agreements with schools of nursing—Conditions

"'SEC. 867. A school of nursing, which desires to obtain funds for nursing education opportunity grants under this part, shall enter into an agreement with the Secretary. Such agreement shall—

"'(1) provide that funds received by the school under this part will be used by it only for the purposes specified in, and in accordance with, the provisions of this part;

"'(2) provide that in determining whether an individual meets the requirements of section 864(b)(3) the school will (A) consider the source of such individual's income and that of any individual or individuals upon whom the student relies primarily for support, and (B) make an appropriate review of the assets of the student and of such individuals;

"'(3) provide that the school, in cooperation with other schools of nursing where appropriate, will make vigorous efforts to identify qualified youth of exceptional financial need and to encourage them to continue their education in the field of nursing beyond the secondary school through programs and activities such as—

"'(A) establishing or strengthening close working relationships with secondary-school principals and guidance counseling personnel with a view toward motivating studies to complete secondary school and pursue post-secondary-school nursing educational opportunities, and

"'(B) making, to the extent feasible, conditional commitments for nursing educational opportunity grants to qualified secondary school students with special emphasis on students enrolled in grade 11 or lower grades who show evidences of academic or creative promise;

"'(4) provide assurance that the school will continue to spend in its own scholarship and student-aid program, from sources other than funds received under this part, not less than the average expenditure per year made for that purpose during the most recent period of three fiscal years preceding the effective date of the agreement;

"'(5) include provisions designed to make nursing educational opportunity grants under this part reasonably available (to the extent of available funds) to all eligible students in the school in need thereof; and

"'(6) include such other provisions as may be necessary to protect the financial interest of the United States and promote the purposes of this part.

"'Contracts to encourage full utilization of nursing educational talent

"'SEC. 868. (a) To assist in achieving the purposes of this part the Secretary is authorized (without regard to section 3709 of the Revised Statutes (41 U.S.C. 5)) to enter into contracts, not to exceed $100,000 per year, with State and local educational agencies and other public or nonprofit organizations and institutions for the purpose of—

"'(1) identifying qualified youths of exceptional financial need and encouraging them to complete secondary school and undertake post-secondary educational training in the field of nursing, or

"'(2) publicizing existing forms of financial aid for nursing students, including aid furnished under this part.

"'(b) There are hereby authorized to be appropriated such sums as may be necessary to carry out this section.

"'Definition of academic year

"'SEC. 869. As used in this part, the term "academic year" means an academic year or its equivalent as defined in regulations of the Secretary.'"

Page 42, line 6, strike out "8." and insert "9.".

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

Mr. SPRINGER. Mr. Speaker, reserving the right to object, will the distinguished chairman of the Committee on Interstate and Foreign Commerce please explain the purpose of the legislation and the Senate amendments?

Mr. STAGGERS. Mr. Speaker, will the distinguished gentleman from Illinois yield?

Mr. SPRINGER. I yield to the gentleman from West Virginia.

Mr. STAGGERS. Mr. Speaker, the Senate amended this bill in two respects. First it provided a revision of the existing student loan program to provide that in addition to the existing program for student loans at health professions schools, a new program be authorized permitting the schools to borrow 100 percent of the Federal funds to be used for student loans, and give the United States a note in return for this loan. The Federal National Mortgage Association can then sell participations in these notes.

In addition, the Senate amended the bill to authorize scholarships up to $800 per year for students at schools of nursing, and also authorizes transfer of unused construction funds from one category of nursing schools to another. The bill also permits programs of recruitment of students at these schools.

The provisions dealing with nurse training were not contained in the allied health professions bill as we passed it and we had some objection on the floor of the House to the effect that we had not included nursing and that further assistance for training nurses was desperately needed.

Mr. Speaker, I will say to the gentleman from Illinois that I believe this is a good amendment.

Mr. SPRINGER. In other words, nurses were the only ones left out of the original allied health profession bill?

Mr. STAGGERS. That is correct.

Mr. SPRINGER. And, the demand today is tremendous in the nursing field, and that is the reason that these scholarships were provided for in this legislation; is that true?

Mr. STAGGERS. That is true; that is correct.

Mr. SPRINGER. Mr. Speaker, I withdraw my reservation of objection.

The **SPEAKER.** Is there objection to the request of the gentleman from West Virginia?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CLEAN WATER RESTORATION ACT OF 1966—CONFERENCE REPORT

Mr. BLATNIK. On October 15, 1966, pursuant to the order of the House on October 14, 1966, I submitted the following concurrence report and statement on the bill (S. 2947) to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act:

CONFERENCE REPORT (H. REPT. No. 2289)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2947) to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That this Act may be cited as the 'Clean Waters Restoration Act of 1966'.

"TITLE I

"SEC. 101. Section 3 of the Federal Water Pollution Control Act, as amended, is amended by adding at the end thereof the following:

"'(c)(1) The Secretary shall, at the request of the Governor of a State, or a majority of the governors when more than one State is involved, make a grant to pay not to exceed 50 per centum of the administrative expenses of a planning agency for a period not to exceed 3 years, if such agency provides for adequate representation of appropriate State, interstate, local, or (when appropropriate) international, interests in the basin or portion thereof involved and is capable of developing an effective, comprehensive water quality control and abatement plan for a basin.

"'(2) Each planning agency receiving a grant under this subsection shall develop a comprehensive pollution control and abatement plan for the basin which—

"'(A) is consistent with any applicable water quality standards established pursuant to current law within the basin;

"'(B) recommends such treatment works and sewer systems as will provide the most effective and economical means of collection, storage, treatment, and purification of wastes and recommends means to encourage both municipal and industrial use of such works and systems; and

"'(C) recommends maintenance and improvement of water quality standards within the basin or portion thereof and recommends methods of adequately financing those facilities as may be necessary to implement the plan.

"'(3) For the purposes of this subsection the term "basin" includes, but is not limited to, rivers and their tributaries, streams, coastal waters, sounds, estuaries, bays, lakes, and portions thereof, as well as the lands drained thereby.'

"TITLE II

"SEC. 201. (a) Section 6 of the Federal Water Pollution Control Act is amended to read as follows:

"'*Grants for research and development*

"'SEC. 6. (a) The Secretary is authorized to make grants to any State, municipality, or intermunicipal or interstate agency for the purpose of—

"'(1) assisting in the development of any project which will demonstrate a new or improved method of controlling the discharge into any waters of untreated or inadequately treated sewage or other wastes from sewers which carry storm water or both storm water and sewage or other wastes, or

"'(2) assisting in the development of any project which will demonstrate advanced waste treatment and water purification methods (including the temporary use of new or improved chemical additives which provide substantial immediate improvement to existing treatment processes) or new or improved methods of joint treatment systems for municipal and industrial wastes,

and for the purpose of reports, plans, and specifications in connection therewith.

"'(b) The Secretary is authorized to make grants to persons for research and demonstration projects for prevention of pollution of waters by industry including, but not limited to, treatment of industrial waste.

"'(c) Federal grants under subsection (a) of this section shall be subject to the following limitations:

"'(1) No grant shall be made for any project pursuant to this section unless such project shall have been approved by the appropriate State water pollution control agency or agencies and by the Secretary;

"'(2) No grant shall be made for any project in an amount exceeding 75 per centum of the estimated reasonable cost thereof as determined by the Secretary; and

"'(3) No grant shall be made for any project under this section unless the Secretary determines that such project will serve as a useful demonstration for the purpose set forth in clause (1) or (2) of subsection (a).

"'(d) Federal grants under subsection (b) of this section shall be subject to the following limitations:

"'(1) No grant shall be made under this section in excess of $1,000,000;

"'(2) No grant shall be made for more than 70 per centum of the cost of the project; and

"'(3) No grant shall be made for any project unless the Secretary determines that such project will serve a useful purpose in the development or demonstration of a new or improved method of treating industrial wastes or otherwise preventing pollution of waters by industry, which method shall have industry-wide application.

"'(e) For the purposes of this section there are authorized to be appropriated—

"'(1) for the fiscal year ending June 30, 1966, and for each of the next three succeeding fiscal years, the sum of $20,000,000 per fiscal year for the purposes set forth in subsections (a) and (b) of this section, including contracts pursuant to such subsections for such purposes;

"'(2) for the fiscal year ending June 30, 1967, and for each of the next two succeeding fiscal years, the sum of $20,000,000 per fiscal year for the purpose set forth in clause (2) of subsection (a); and

"'(3) for the fiscal year ending June 30, 1967, and for each of the next two succeeding fiscal years, the sum of $20,000,000 per fiscal year for the purpose set forth in subsection (b).'

"(b) Section 5 of such Act is amended by adding at the end thereof the following new subsections:

"'(g)(1) The Secretary shall, in cooperation with the Secretary of the Army, the Secretary of Agriculture, the Water Resources Council, and with other appropriate Federal, State, interstate, or local public bodies and private organizations, institutions, and individuals, conduct and promote, and encourage contributions to, a comprehensive study of the effects of pollution, including sedimentation, in the estuaries and estuarine zones of the United States on fish and wildlife, on sport and commercial fishing, on recreation, on water supply and water power, and on other beneficial purposes. Such study shall also consider the effect of demographic trends, the exploitation of mineral resources and fossil fuels, land and industrial development, navigation, flood and erosion control, and other uses of estuaries and estuarine zones upon the pollution of the waters therein.

"'(2) In conducting the above study, the Secretary shall assemble, coordinate, and organize all existing pertinent information on the Nation's estuaries and estuarine zones; carry out a program of investigations and surveys to supplement existing information in representative estuaries and estuarine zones; and identify the problems and areas where further research and study are required.

"'(3) The Secretary shall submit to the Congress a final report of the study authorized by this subsection not later than three years after the date of enactment of this subsection. Copies of the report shall be made available to all interested parties, public and private. The report shall include, but not be limited to—

"'(A) an analysis of the importance of estuaries to the economic and social well-being of the people of the United States and of the effects of pollution upon the use and enjoyment of such estuaries;

"'(B) a discussion of the major economic, social, and ecological trends occurring in the estuarine zones of the Nation;

"'(C) recommendations for a comprehensive national program for the preservation, study, use, and development of estuaries of the Nation, and the respective responsibilities which should be assumed by Federal, State, and local governments and by public and private interests.

"'(4) There is authorized to be appropriated the sum of $1,000,000 per fiscal year for the fiscal years ending June 30, 1967, June 30, 1968, and June 30, 1969, to carry out the purposes of this subsection.

"'(5) For the purpose of this subsection, the term "estuarine zones" means an environmental system consisting of an estuary and those transitional areas which are consistently influenced or affected by water from an estuary such as, but not limited to, salt marshes, coastal and intertidal areas, bays, harbors, lagoons, inshore waters, and channels, and the term "estuary" means all or part of the mouth of a navigable or interstate river or stream or other body of water having unimpaired natural connection with open sea and within which the sea water is measurably diluted with fresh water derived from land drainage.

"'(h) There is authorized to be appropriated to carry out this section, other than subsection (g), not to exceed $60,000,000 for the fiscal year ending June 30, 1968, and $65,000,000 for the fiscal year ending June 30, 1969. Sums so appropriated shall remain available until expended.'

"(c)(1) Subsection (d) of section 5 of the Federal Water Pollution Control Act is amended by striking out '(1)' and by striking out all of paragraph (2) of such subsection.

"(2) The amendment made by this subsection shall take effect July 1, 1967.

"SEC. 202. (a) Subsection (a) of section 7 of the Federal Water Pollution Control Act is amended by striking out 'and for each succeeding fiscal year to and including the fiscal year ending June 30, 1968, $5,000,000' and inserting in lieu thereof 'for each succeeding fiscal year to and including the fiscal year ending June 30, 1967, $5,000,000, and for each succeeding fiscal year to and including the fiscal year ending June 30, 1971, $10,000,000'.

"(b) Subsection (a) of section 7 of the Federal Water Pollution Control Act is further amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: 'including the training of personnel of public agencies.'

"Sec. 203. (a) Subsection (b) of section 8 of the Federal Water Pollution Control Act is amended to read as follows:

"'(b) Federal grants under this section shall be subject to the following limitations: (1) No grant shall be made for any project pursuant to this section unless such project shall have been approved by the appropriate State water pollution control agency or agencies and by the Secretary and unless such project is included in a comprehensive program developed pursuant to this Act; (2) no grant shall be made for any project in an amount exceeding 30 per centum of the estimated reasonable cost thereof as determined by the Secretary; (3) no grant shall be made unless the grantee agrees to pay the remaining cost; (4) no grant shall be made for any project under this section until the applicant has made provision satisfactory to the Secretary for assuring proper and efficient operation and maintenance of the treatment works after completion of the construction thereof; and (5) no grant shall be made for any project under this section unless such project is in conformity with the State water pollution control plan submitted pursuant to the provisions of section 7 and has been certified by the appropriate State water pollution control agency as entitled to priority over other eligible projects on the basis of financial as well as water pollution control needs; (6) the percentage limitation of 30 per centum imposed by clause (2) of this subsection shall be increased to a maximum of 40 per centum in the case of grants made under this section from funds allocated for a fiscal year to a State under subsection (c) of this section if the State agrees to pay not less than 30 per centum of the estimated reasonable cost (as determined by the Secretary) of all projects for which Federal grants are to be made under this section from such allocation; (7) the percentage limitations imposed by clause (2) of this subsection shall be increased to a maximum of 50 per centum in the case of grants made under this section from funds allocated for a fiscal year to a State under subsection (c) of this section if the State agrees to pay not less than 25 per centum of the estimated reasonable costs (as determined by the Secretary) of all projects for which Federal grants are to be made under this section from such allocation and if enforceable water quality standards have been established for the waters into which the project discharges, in accordance with section 10(c) of this Act in the case of interstate waters, and under State law in the case of intrastate waters.'

"(b) The amendment made by subsection (a) of this section shall take effect July 1, 1967.

"Sec. 204. The next to the last sentence of subsection (c) of section 8 of the Federal Water Pollution Control Act is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: 'except that in the case of any project on which construction was initiated in such State after June 30, 1966, which was approved by the appropriate State water pollution control agency and which the Secretary finds meets the requirements of this section but was constructed without such assistance, such allotments for any fiscal year ending prior to July 1, 1971, shall also be available for payments in reimbursement of State or local funds used for such project prior to July 1, 1971, to the extent that assistance could have been provided under this section if such project had been approved pursuant to this section and adequate funds had been available. In the case of any project on which construction was initiated in such State after June 30, 1966, and which was constructed with assistance pursuant to this section but the amount of such assistance was a lesser per centum of the cost of construction than was allowable pursuant to this section, such allotments shall also be available for payments in reimbursement of State or local funds used for such project prior to July 1, 1971, to the extent that assistance could have been provided under this section if adequate funds had been available. Neither a finding by the Secretary that a project meets the requirements of this subsection, nor any other provision of this subsection, shall be construed to constitute a commitment or obligation of the United States to provide funds to make or pay any grant for such project.'

"Sec. 205. Subsection (d) of section 8 of the Federal Water Pollution Control Act is amended by striking out 'and $150,000,000 for the fiscal year ending June 30, 1967.' and inserting in lieu thereof the following: '$150,000,000 for the fiscal year ending June 30, 1967; $450,000,000 for the fiscal year ending June 30, 1968; $700,000,000 for the fiscal year ending June 30, 1969; $1,000,000,000 for the fiscal year ending June 30, 1970; and $1,250,000,000 for the fiscal year ending June 30, 1971.'

"Sec. 206. Section 10(d) of the Federal Water Pollution Control Act is amended by redesignating paragraphs (2) and (3) as paragraphs (3) and (4), respectively, and by inserting immediately after paragraph (1) the following new paragraph:

"'(2) Whenever the Secretary, upon receipt of reports, surveys, or studies from any duly constituted international agency, has reason to believe that any pollution referred to in subsection (a) of this section which endangers the health or welfare of persons in a foreign country is occurring, and the Secretary of State requests him to abate such pollution, he shall give formal notification thereof to the State water pollution control agency of the State in which such discharge or discharges originate and to the interstate water pollution control agency, if any, and shall call promptly a conference of such agency or agencies, if he believes that such pollution is occurring in sufficient quantity to warrant such action. The Secretary, through the Secretary of State, shall invite the foreign country which may be adversely affected by the pollution to attend and participate in the conference, and the representative of such country shall, for the purpose of the conference and any further proceeding resulting from such conference, have all the rights of a State water pollution control agency. This paragraph shall apply only to a foreign country which the Secretary determines has given the United States essentially the same rights with respect to the prevention and control of water pollution occurring in that country as is given that country by this paragraph. Nothing in this paragraph shall be construed to modify, amend, repeal, or otherwise affect the provisions of the 1909 Boundary Waters Treaty between Canada and the United States or the Water Utilization Treaty of 1944 between Mexico and the United States (59 Stat. 1219), relative to the control and abatement of water pollution in waters covered by those treaties.'

"Sec. 207. Section 10(d)(3) of the Federal Water Pollution Control Act (as redesignated by this Act) is amended by inserting after the first sentence thereof the following: 'In addition, it shall be the responsibility of the chairman of the conference to give every person contributing to the alleged pollution or affected by it an opportunity to make a full statement of his views to the conference.'

"Sec. 208. (a) Section 10 of the Federal Water Pollution Control Act is further amended by adding at the end thereof the following new subsection:

"'(k)(1) At the request of a majority of the conferees in any conference called under this section the Secretary is authorized to request any person whose alleged activities result in discharges causing or contributing to water pollution, to file with him a report (in such form as may be prescribed in regulations promulgated by him) based on existing data, furnishing such information as may reasonably be requested as to the character, kind, and quantity of such discharges and the use of facilities or other means to prevent or reduce such discharges by the person filing such a report. No person shall be required in such report to divulge trade secrets or secret processes, and all information reported shall be considered confidential for the purposes of section 1905 of title 18 of the United States Code.

"'(2) If any person required to file any report under this subsection shall fail to do so within the time fixed by regulations for filing the same, and such failure shall continue for thirty days after notice of such default, such person may, by order of a majority of the conferees, be subject to a forfeiture of $100 for each and every day of the continuance of such failure which forfeiture shall be payable into the Treasury of the United States and shall be recoverable in a civil suit in the name of the United States brought in the district where such person has his principal office or in any district in which he does business. The Secretary may upon application therefor remit or mitigate any forfeiture provided for under this subsection and he shall have authority to determine the facts upon all such applications.

"'(3) It shall be the duty of the various United States attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of such forfeitures.'

"(b) Subsection (f) of section 10 of the Federal Water Pollution Control Act is amended (1) by striking out '(f)' and inserting in lieu thereof '(f)(1)', (2) by inserting immediately after the third sentence thereof the following: 'It shall be the responsibility of the Hearing Board to give every person contributing to the alleged pollution or affected by it an opportunity to make a full statement of his views to the Hearing Board.', and (3) by adding at the end thereof the following new paragraphs:

"'(2) In connection with any hearing called under this section, the Secretary is authorized to require any person whose alleged activities result in discharges causing or contributing to water pollution to file with him, in such form as he may prescribe, a report based on existing data, furnishing such information as may reasonably be required as to the character, kind, and quantity of such discharges and the use of facilities or other means to prevent or reduce such discharges by the person filing such a report. Such report shall be made under oath or otherwise. as the Secretary may prescribe, and shall be filed with the Secretary within such reasonable period as the Secretary may prescribe, unless additional time be granted by the Secretary. No person shall be required in such report to divulge trade secrets or secret processes, and all information reported shall be considered confidential for the purposes of section 1905 of title 18 of the United States Code.

"'(3) If any person required to file any report under paragraph (2) of this subsection shall fail to do so within the time fixed by the Secretary for filing the same, and such failure shall continue for thirty days after notice of such default, such person shall forfeit to the United States the sum of $100 for each and every day of the continuance of such failure, which forfeiture shall be payable into the Treasury of the United States, and shall be recoverable in a civil suit in the name of the United States brought in the district where such person has his principal office or in any district in which he does business. The Secretary may upon application therefor remit or mitigate any forfeiture provided for under this paragraph and he shall have authority to determine the facts upon all such applications.

"'(4) It shall be the duty of the various United States attorneys, under the direction of the Attorney General of the United States, to prosecute for the recovery of such forfeitures.'

"Sec. 209. Paragraph (f) of section 13 of the Federal Water Pollution Control Act is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: 'and an Indian tribe or an authorized Indian tribal organization.'

"Sec. 210. The Federal Water Pollution Control Act, as amended, is amended by renumbering existing section 16 as section 19 and by adding immediately after section 15 the following new sections:

"'Sec. 16. (a) In order to provide the basis for evaluating programs authorized by this Act, the development of new programs, and to furnish the Congress with the information necessary for authorization of appropriations for fiscal years beginning after June 30, 1968, the Secretary, in cooperation with State water pollution control agencies and other water pollution control planning agencies shall make a detailed estimate of the cost of carrying out the provisions of this Act; a comprehensive study of the economic impact on affected units of government of the cost of installation of treatment facilities; and a comprehensive analysis of the national requirements for and the cost of treating municipal, industrial, and other effluent to attain such water quality standards as established pursuant to this Act or applicable State law. The Secretary shall submit such detailed estimate and such comprehensive study of such cost for the five-year period beginning July 1, 1968, to the Congress no later than January 10, 1968, such study to be updated each year thereafter.

"'(b) The Secretary shall also make a complete investigation and study to determine (1) the need for additional trained State and local personnel to carry out programs assisted pursuant to this Act and other programs for the same purpose as this Act, and (2) means of using existing Federal training programs to train such personnel. He shall report the results of such investigation and study to the President and the Congress not later than July 1, 1967.

"'Sec. 17. The Secretary of the Interior shall, in consultation with the Secretary of the Army, the Secretary of the department in which the Coast Guard is operating, the Secretary of Health, Education, and Welfare, and the Secretary of Commerce, conduct a full and complete investigation and study of the extent of the pollution of all navigable waters of the United States from litter and sewage discharged, dumped, or otherwise deposited into such waters from watercraft using such waters, and methods of abating either in whole or in part such pollution. The Secretary shall submit a report of such investigation to Congress, together with his recommendations for any necessary legislation, not later than July 1, 1967.

"'Sec. 18. The Secretary of the Interior shall conduct a full and complete investigation and study of methods for providing incentives designed to assist in the construction of facilities and works by industry designed to reduce or abate water pollution. Such study shall include, but not be limited to, the possible use of tax incentives as well as other methods of financial assistance. In carrying out this study the Secretary shall consult with the Secretary of the Treasury as well as the head of any other appropriate department or agency of the Federal Government. The Secretary shall report the results of such investigation and study, together with his recommendations, to the Congress not later than January 30, 1968.'

"Sec. 211. (a) The Oil Pollution Act, 1924 (43 Stat. 604; 33 U.S.C. 431 et seq.), is amended to read as follows: 'That this Act may be cited as the "Oil Pollution Act, 1924".

"'Sec. 2. When used in this Act, unless the context otherwise requires—

"'(1) "oil" means oil of any kind or in any form, including fuel oil, sludge, and oil refuse;

"'(2) "person" means an individual, company, partnership, corporation, or association; any owner, operator, master, officer, or employee of a vessel; and any officer, agent or employee of the United States;

"'(3) "discharge" means any grossly negligent, or willful spilling, leaking, pumping, pouring, emitting, or emptying of oil;

"'(4) "navigable waters of the United States" means all portions of the sea within the territorial jurisdiction of the United States, and all inland waters navigable in fact; and

"'(5) "Secretary" means the Secretary of the Interior.

"'Sec. 3. (a) Except in case of emergency imperiling life or property, or unavoidable accident, collision, or stranding, and except as otherwise permitted by regulations prescribed by the Secretary as hereinafter authorized, it is unlawful for any person to discharge or permit the discharge from any boat or vessel of oil by any method, means, or manner into or upon the navigable waters of the United States, and adjoining shorelines of the United States.

"'(b) Any person discharging or permitting the discharge of oil from any boat or vessel, into or upon the navigable waters of the United States shall remove the same from the navigable waters of the United States, and adjoining shorelines immediately. If such person fails to do so, the Secretary may remove the oil or may arrange for its removal, and such person shall be liable to the United States, in addition to the penalties prescribed in section 4 of this Act, for all costs and expenses reasonably incurred by the Secretary in removing the oil from the navigable waters of the United States, and adjoining shorelines of the United States. These costs and expenses shall constitute a lien on such boat or vessel which may be recovered in proceedings by libel in rem.

"'(c) The Secretary may prescribe regulation which—

"'(1) permit the discharge of oil from boats or vessels in such quantities under such conditions, and at such times and places as in his opinion will not be deleterious to health or marine life or a menace to navigation, or dangerous to persons or property engaged in commerce on navigable waters of the United States; and

"'(2) relate to the removal or cost of removal, or both, of oil from the navigable waters of the United States, and adjoining shorelines of the United States.

"'Sec. 4. (a) Any person who violates section 3(a) of this Act shall, upon conviction thereof, be punished by a fine not exceeding $2,500, or by imprisonment not exceeding one year, or by both such fine and imprisonment for each offense.

"'(b) Any boat or vessel other than a boat or vessel owned and operated by the United States from which oil is discharged in violation of section 3(a) of this Act shall be liable for a penalty of not more than $10,000. Clearance of a boat or vessel liable for this penalty from a port of the United States may be withheld until the penalty is paid. The penalty shall constitute a lien on such boat or vessel which may be recovered in proceedings by libel in rem in the district court of the United States for any district within which such boat or vessel may be.

"'Sec. 5. The Commandant of the Coast Guard may, subject to the provisions of section 4450 of the Revised Statutes, as amended (46 U.S.C. 239), suspend or revoke a license issued to the master or other licensed officer of any boat or vessel found violating the provisions of section 3 of this Act.

"'Sec. 6. In the administration of this Act the Secretary may, with the consent of the Commandant of the Coast Guard or the Secretary of the Army, make use of the organization, equipment, and agencies, including engineering, clerical, and other personnel, employed by the Coast Guard or the Department of the Army, respectively, for the preservation and protection of navigable waters of the United States. For the better enforcement of the provisions of this Act, the officers and agents of the United States in charge of river and harbor improvements and persons employed under them by authority of the Secretary of the Army, and persons employed by the Secretary, and officers of the Customs and Coast Guard of the United States shall have the power and authority and it shall be their duty to swear out process and to arrest and take into custody, with or without process, any person who may violate any of such provisions, except that no person shall be arrested without process for a violation not committed in the presence of some one of the aforesaid persons. Whenever any arrest is made under the provisions of this Act the person so arrested shall be brought forthwith before a commissioner, judge, or court of the United States for examination of the offenses alleged against him, and such commissioner, judge or court shall proceed in respect thereto as authorized by law in cases of crimes against the United States.

"'Sec. 7. This Act shall be in addition to other laws for the preservation and protection of navigable waters of the United States and shall not be construed as repealing, modifying, or in any manner affecting the provisions of such laws.'

"(b) The amendment made by subsection (a) of this section shall take effect on the thirtieth day which begins after the date of enactment of this Act."

Geo. H. Fallon,
John A. Blatnik,
Robert E. Jones,
John C. Kluczynski,
Jim Wright,
William C. Cramer,
William H. Harsha,
John C. Kunkel,
Managers on the Part of the House.

Jennings Randolph,
Edmund S. Muskie,
Frank E. Moss,
Fred R. Harris,
J. Caleb Boggs,
George Murphy,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2947) to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendment struck out all of the Senate bill after the enacting clause and inserted a substitute text.

The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House with an amendment, which is a substitute for both the text of the Senate bill and the text of the House amendment, and that the House agree to the same.

Except for conforming clerical and technical changes, the differences between the House amendment and the substitute agreed to in conference are noted below.

TITLE I

House Amendment

Title I of the House amendment amends the Federal Water Pollution Control Act by adding to it a new title containing sections 201 through 211 the provisions of which are hereafter set forth.

The purposes of this new title II is stated in section 201 to be the acceleration of pollution control and abatement programs through preparation and development of basin pollution control and abatement plans and through the establishment of additional incentives to encourage waste treatment consistent with quality standards.

Section 202 of the proposed title II authorizes the Governor of a State to develop a basin plan in the case of intrastate waters and the Governors of States and appropriate interstate agencies to develop a basin plan in the case of interstate waters. Certain specific requirements for majority approval are established in the case of the Upper Colorado River Basin, the Columbia River Basin, and the Hudson River Basin.

Section 203 of the proposed title II provides for review of the proposed basin plan after its submission to the Secretary of the Interior, by the Secretary of the Department of Housing and Urban Development, the Water Resources Council and, when appropriate, the Secretary of State. After this review the Secretary of the Interior is required to approve the plan if he determines that it will adequately and effectively maintain the waters covered by it at a level of quality established by the applicable water quality standards.

Section 204 of the proposed title II provides for the transmission of the plan by the Secretary of the Interior to Congress for its approval by specific statute.

Section 205 of the proposed title II authorizes grants to aid in financing construction of treatment works within a basin after a basin plan therefor has been approved. The basic amount of the grant is 40 percent, but this can be increased to 50 percent if the State agrees to pay at least 25 percent of the cost of all projects for which Federal grants are to be made from the same allocation. A further provision of this section prohibits duplication of grants, except supplementary grants under the Appalachia Act or the Economic Development Act. In addition the section prohibits a grant unless the treatment works have been approved by the appropriate State water pollution control agency and certified as entitled to priority over other projects.

Section 206 of the proposed title II prohibits other Federal grants from being made under any other provision of law once a basin plan has been approved unless in the judgment of the Secretary the works for which the grant is to be made conform to the basin plan.

Section 207 of the proposed title II authorizes the Secretary to make grants of up to 50 percent of the administrative expenses of a planning agency in preparing a basin plan. In the case of intrastate waters this planning agency must be an agency of State government. In the case of interstate waters the planning agency must be either agencies of State governments or an interstate agency.

Section 208 of the proposed title II authorizes the detail of Federal employees to assist a State or interstate agency in the preparation of a basin plan.

Section 209 of the proposed title II specifically provides that the Tennessee River Valley Authority and the Delaware River Basin Commission are planning agencies for the purposes of this act and provides that basin plans prepared by them are to be submitted directly by them to Congress.

Section 210 of the proposed title II makes the provisions of the act, commonly referred to as the Davis-Bacon Act, applicable to these grants.

Section 211 of the proposed title II defines the terms "basin" and "construction" for the purposes of the title.

Conference Substitute

The conference substitute proposes a new title I in place of both the title I contained in the Senate bill and the title I contained in the House amendment.

Section 101 of title I of the proposed conference substitute amends section 3 of the Federal Water Pollution Control Act by adding a new subsection (c) to that section. Paragraph (1) of this subsection (c) requires the Secretary to make a grant to pay up to 50 percent of the administrative expenses of a planning agency for a period not to exceed 3 years if such agency provides for adequate representation of appropriate State, interstate, local, or (when appropriate) international, interests in the basin or portion thereof involved, and is capable of developing an effective, comprehensive water quality control and abatement plan for a basin. This grant is to be made only upon request of the Governor of a State, or a majority of the Governors when more than one State is involved.

Paragraph (2) of this new subsection (c) requires a planning agency receiving a grant to develop a comprehensive pollution control and abatement plan for the basin (1) which is consistent with any applicable water quality standards established pursuant to current law within the basin, (2) which recommends such treatment works and sewer systems as will provide the most effective and economical means of collecting, storing, treating, and purifying wastes, (3) which recommends means to encourage both municipal and industrial use of such works and systems, (4) which recommends maintenance and improvement of water quality standards within the basin or portion thereof, and (5) which recommends methods of adequately financing those facilities necessary to implement the plan.

Paragraph (3) of this subsection (c) defines the term "basin" to include rivers and their tributaries, streams, coastal waters, sounds, estuaries, bays, lakes, and portions thereof, as well as the lands drained thereby. This is the same definition of this term as is contained in the House amendment.

It is the intention of the conferees that administrative expenses as used in this subsection includes planning expenses.

TITLE II

Research and development

House Amendment

Section 202 of the House amendment makes five amendments to section 5 of the Federal Water Pollution Control Act. The first of these amendments includes within the scope of the research authorized to be carried out by section 5, (1) research with respect to pollution resulting from the discharge of untreated or inadequately treated sewage or other wastes from sewers which carry storm water, or both storm waters and sewage or other wastes, and (2) research into the temporary use of new or improved chemical additives which provide substantial immediate improvement to existing treatment processes.

The second of these amendments adds a new subsection (d) to section 5 authorizing grants for research and demonstration for prevention of pollution of water by industry, including, but not limited to, the treatment of industrial wastes. No grant can be made for more than $1 million nor be more than 70 percent of the cost of the project, and the project must serve a useful purpose in the development or demonstration of a method for preventing pollution which has industrywide application.

The third of these amendments would repeal paragraph (2) of subsection (d) of the existing law which is a limitation on the appropriations to carry out that subsection of not more than $5 million per year with an overall limitation of $25 million to carry out the subsection.

The fourth of these amendments adds a new subsection (h) to section 5 requiring a comprehensive study of the effects of pollution in the estuaries and estuarine zones of the United States.

The fifth of these amendments adds a new subsection (i) to section 5 containing an overall limitation on the authorization of appropriations to carry out section 5 of not to exceed $75 million per fiscal year for fiscal 1967, 1968, and 1969, with a requirement that at least 25 percent of the appropriation for each fiscal year must be expended in carrying out research on industry pollution as authorized by subsection (d).

Conference Substitute

Section 201(a) of the conference substitute amends section 6 of the Federal Water Pollution Control Act to authorize in subsection (a) thereof the Secretary to make grants to States, municipalities, or intermunicipal or interstate agencies for the purpose of assisting in developing projects to demonstrate new or improved methods of controlling the discharge of untreated or inadequately treated sewage or other wastes from sewers carrying storm water or both storm water and sewage or other wastes, and grants to assist in developing projects to demonstrate advanced waste treatment and water purification methods (including temporary use of new or improved chemical additives) or new or improved methods of joint treatment systems for municipal and industrial wastes and to make grants for the purpose of reports, plans, and specifications in connection therewith. These grants shall be subject to the following limitations: (1) the project must have been approved by the appropriate State water pollution control agencies and the Secretary, (2) no grant shall be made in an amount exceeding 75 percent of the estimated reasonable cost of the project, and (3) no grant shall be made for a project unless it will serve as a useful demonstration for a purpose set forth in subsection (a).

Subsection (b) of the proposed new section 6 authorizes the Secretary to make grants for research and demonstration projects for prevention of pollution of water by industry including the treating of industrial waste. These grants shall be subject to the following limitations: (1) no grant shall be made in excess of $1 million; (2) no grant shall be made for more than 70 percent of the cost of the project; and (3) no grant shall be made for any project unless it will serve a useful purpose in developing or demonstrating a new or improved method of treating industrial wastes or otherwise preventing pollution by industry, which method must have an industry-wide application.

Subection (e) of the proposed new section 6 authorizes for fiscal years 1966, 1967, 1968, and 1969, $20 million per year to carry out this section. It is the intention of the conferees that these funds shall first be available for the purposes of section 6(a)(1) (storm and dual sewer systems research) and to the extent not needed for such purposes for the other research authorized by this section. For fiscal years 1967, 1968, and 1969, $20 million per year is authorized for projects for advanced waste treatment and water purification or new or improved methods of joint treatment systems, as provided in clause (2) of subsection (a) of the revised section 6, and $20 million per fiscal year is authorized for the fiscal years 1967, 1968, and 1969 for research on industrial pollution as provided in subsection (b) of the revised section 6.

Section 201(b) of the conference substitute amends section 5 of the Federal Water Pollution Control Act to add a new subsection (g) requiring a comprehensive study of the effects of pollution including sedimentation in the estuaries and estuarine zones of the United States. This subsection provides for the same study as is contained in the House amendment. In addition, this section of the conference substitute adds to such section 5 a new subsection (h) which authorizes not to exceed $60 million for fiscal year 1968, and $65 million for fiscal year 1969 to carry out section 5 (other than subsec. (g) which contains its own authorization of $1 million per fiscal year through fiscal year 1969).

Section 201(c) amends section 5(d) of the Federal Water Pollution Control Act to repeal paragraph (2) thereof which contains a specific limitation on appropriations for that subsection. This is no longer necessary in view of the overall limitation provided in the new subsection (h) of this section.

Cost estimate and study

House Amendment

Section 203 of the House amendment amends section 6 of the Federal Water Pollution Control Act to require the Secretary of the Interior to make a detailed estimate of the cost of carrying out the Federal Water Pollution Control Act, a comprehensive study of the economic impact on affected units of Government of the cost of treatment facilities, and a comprehensive analysis of the national requirements for, and the cost of, treating waste to attain such water quality standards as are established pursuant to the Federal Water Pollution Control Act or applicable law. The Secretary is required to submit this estimate and study for the 3-year period beginning July 1, 1968, to Congress by January 10, 1968, and to update the study each year thereafter. In addition, the Secretary is required to make an investigation and study to determine (1) the need for additional trained State and local personnel to carry out water pollution control programs and (2) means of using existing Federal training programs to train such personnel. This report is to be given to the President and Congress not later than July 1, 1967.

Conference Substitute

Section 210 of the conference substitute amends the Federal Water Pollution Control Act by adding thereto a new section 16 which would require the same studies as are required by section 203 of the House amendment except that the House amendment requires the study for a 3-year period beginning July 1, 1968, and the conference substitute requires it for a 5-year period beginning on that date, and the House amendment requires the study for the purpose of information for fiscal years beginning after June 30, 1967, and the conference substitute requires it with respect to fiscal years beginning after June 30, 1968.

Grants for water pollution control programs

House Amendment

Section 204 of the House amendment increases the authorization for grants for water pollution control programs authorized by section 7 of the Federal Water Pollution Control Act from $5 to $10 million for the fiscal year ending June 30, 1968, and authorizes $10 million for the fiscal year ending June 30, 1969.

Conference Substitute

Section 202(a) of the conference substitute increases the authorizations for grants for water pollution control programs authorized by section 7 of the Federal Water Pollution Control Act from $5 to $10 million for the fiscal year ending June 30, 1968, and authorizes $10 million per fiscal year for each subsequent fiscal year to and including fiscal year ending June 30, 1971.

In addition, subsection (b) of section 202 of the conference substitute amends section 7 of the Federal Water Pollution Control Act to include specifically the training of personnel of public agencies as one of the purposes for which grants authorized by that section may be used.

Limitation on grants for construction

House Amendment

Section 205 of the House amendment amends subsection (b) of section 8 of the Federal Water Pollution and Control Act by increasing the existing dollar limitations on construction grants from $1.2 million and $4.8 million to $2.4 million and $9.6 million, respectively. It makes a conforming amendment to this subsection by striking out clause (2)(B) which is required as a result of the amendment made to subsection (d) of section 8 by section 206 of the House amendment. It further amends subsection (b) of section 8 by providing that the 30-percent limitation on construction grants shall be increased to 40 percent and the dollar limitation be made inapplicable in the case of a specific allocation if the State agrees to pay at least 30 percent of the estimated reasonable cost of all projects for which Federal grants are made from that allocation. These amendments are to take effect July 1, 1966.

Conference Substitute

Section 203 of the conference substitute amends section 8(b) of the Federal Water Pollution Control Act to provide that Federal grants under section 8 shall be subject to the following limitations: No grants shall be made (1) unless the project is approved by appropriate State water pollution control agencies and by the Secretary and is included in a comprehensive program developed pursuant to this act (this requirement is contained in existing law); (2) in an amount exceeding 30 percent of the estimated reasonable cost of the project as determined by the Secretary (the dollar limitations in existing law are deleted); (3) unless the grantee agrees to pay the remaining cost (this is a provision of existing law); (4) until the applicant has made provision for assuring proper operation and maintenance of the treatment works after construction (this is a condition of existing law); and (5) unless the project conforms to the State plan submitted in accordance with section 7 and has been certified by the State water pollution control agency as entitled to priority over other eligible projects (this provision is the same as existing law). The 30-percent limitation imposed by clause (2) shall be increased to a maximum of 40 percent in the case of grants made from funds allocated to a State if the State agrees to pay not less than 30 percent of the estimated reasonable cost of all projects for which Federal grants are to be made from that allocation. The 30-percent limitation shall be increased to a maximum of 50 percent in the case of grants made from funds allocated to the State if the State agrees to pay not less than 25 percent of the estimated reasonable cost of all projects for which Federal grants are to be made from that allocation and if enforceable water quality standards have been established for the waters into which the project discharges, in accordance with section 10(c) of the act in the case of interstate waters, and under State law in the case of intrastate waters.

The conferees agree that the adequacy of enforceable water quality standards established by the State for intrastate waters shall not be subject to review by the Secretary.

The amendment made to section 8(b) by section 204 of the conference substitute is to take effect July 1, 1967.

Authorization for construction grants

House Amendment

Section 206 of the House amendment amends subsection (d) of section 8 of the Federal Water Pollution Control Act by striking out the requirement that at least 50 percent of the first $100 million appropriated for fiscal years beginning on or after July 1, 1965, shall be used for grants in municipalities of 125,000 population or under. This section further amends subsection (d) of section 8 by authorizing $300 million for construction grants for fiscal year 1968, $400 million for fiscal year 1969, $650 million for fiscal year 1970, and $950 million for fiscal year 1971.

Conference Substitute

Section 205 of the conference substitute retains the requirement in section 8(d) of the Federal Water Pollution Control Act that at least 50 percent of the first $100 million appropriated for fiscal years beginning on or after July 1, 1965, shall be used for grants in municipalities of 125,000 population or under. Section 8(d) is amended to authorize $450 million for construction grants for fiscal 1968, $700 million for fiscal year 1969, $1 billion for fiscal year 1970, and $1,250 million for fiscal year 1971.

This represents an increase of $1,100 million over the total amount authorized for this purpose in the House amendment for 4 fiscal years and a decrease of $2,450 million under the total amount so authorized in the Senate bill for 5 fiscal years.

Reimbursement

House Amendment

Section 207 of the House amendment adds a new subsection (h) to section 8 of the Federal Water Pollution Control Act. This new subsection (h) provides that if before construction of a treatment works the Secretary approves the project and the State, local, or interstate agency thereafter constructs it and submits an application approved by the appropriate State water pollution control agency for a grant, the Secretary upon his approval of the application is authorized to make a grant for such project to be paid from future appropriations. No such grant shall be made unless all of the provisions of this act are complied with to the same extent and with the same effect as though this were a grant for future construction and no such grant shall be made in an amount exceeding that which would otherwise be made under this section for future construction of the project. Neither approval of the project by the Secretary nor the making of a grant to be paid from future appropriations is to be construed to constitute a commitment or obligation of the United States to provide the funds to make or pay any grant. The application of this provision is made retroactive to any project the construction of which is initiated after June 30, 1966.

Conference Substitute

Section 204 of the conference substitute amends section 8(c) of the Federal Water Pollution Control Act to provide that in the case of any project on which construction was initiated after June 30, 1966, which was approved by the appropriate State water pollution control agency and which the Secretary finds meets the requirements of section 8 but which was constructed without Federal financial assistance, the allotments for construction grants for any fiscal year ending before July 1, 1971, shall also be available to make payments for reimbursement of State or local funds used for that project before July 1, 1971, to the extent that financial assistance could have been provided under section 8 if the project had been approved pursuant to section 8 and adequate funds had been available to make a grant for the project. In the case of a project on which construction was initiated after June 30, 1966, and which was constructed with financial assistance pursuant to section 8 but the amount of such assistance was a lesser percent of the cost of construction than was allowable pursuant to section 8, such allotments shall also be available for payments and reimbursement of State or local funds used for such project before July 1, 1971, to the extent that assistance could have been provided under this section if adequate funds had been available. Neither a finding by the Secretary that a project meets the requirements of this section nor any other provision of section 8(c) is to be construed to constitute a commitment or obligation of the United States to provide funds or to make or pay any grant for such project.

In the case of projects commenced after June 30, 1966, which were constructed with assistance pursuant to section 8 but which assistance was a lesser percent of the cost than allowable pursuant to this section, the conferees intend that reimbursement of amounts shall be subject to the limitations of law in effect at the time the project is initiated.

The conferees do not intend to create a preferred class of projects that would be entitled to reimbursement at these higher percentages provided in the conference substitute.

Enforcement measures against pollution

House Amendment

Section 206 of the House amendment amends subsection (f) of section 10 of the Federal Water Pollution Control Act to require the hearing board to give every person contributing to the alleged pollution or affected by it an opportunity to make a full statement of his views to the board. In addition, this subsection is amended to provide that in connection with any hearing the Secretary is authorized to require any person whose alleged activities result in discharges causing or contributing to water pollution to file a report furnishing such information as may reasonably be required as to the character, kind, and quality of the discharges and the use of facilities or other means to prevent or reduce such discharges by the person filing the report. No person shall be required to divulge trade secrets or secret processes. Failure to file a report after 30 days' notice shall be punishable by a civil penalty of $100 per day.

Conference Substitute

Section 207 of the conference substitute amends section 10(d)(3) of the Federal Water Pollution Control Act (as redesignated) to provide that it shall be the responsibility of the chairman of the conference to give every person contributing to the alleged pollution or affected by it an opportunity to make a full statement of his views to the conference. There was no comparable provision in the House amendment.

It is the understanding of the conferees that the chairman of a conference called in connection with water pollution control or abatement may require the statements of the persons contributing to or affected by the alleged pollution to be filed with the conference in writing rather than being given orally in every instance.

Section 208 of the conference substitute amends section 10 of the Federal Water Pollution Control Act to add a new subsection (k) to that section. Paragraph (1) of this new subsection (k) provides that at the request of a majority of the conferees in any conference called under section 10 the Secretary is authorized to request any person whose alleged activities result in discharges causing or contributing to water pollution, to file with him a report (in a form prescribed by the Secretary in regulations) based on existing data, furnishing such information as may reasonably be requested as to the character, kind, and quantity of such discharges and the use of facilities or other means to prevent or reduce such discharges by the person filing the report. No one is to be required in such report to divulge trade secrets or secret processes, and all information reported is to be considered confidential for the purposes of section 1905 of title 18 of the United States Code.

Paragraph (2) of the new subsection (k) provides that if a person required to file a report shall fail to do so within the time fixed by regulations for filing it and he continues to fail to do so for 30 days after notice of his default such person may, by order of a majority of the conferees, be subject to a forfeiture of $100 per day for each day such failure continues. Such forfeiture is recoverable in a civil suit in the name of the United States brought in the district where such person has his principal office or in any district in which he does business. The Secretary on application may remit or mitigate any such forfeiture. It is established that it is the duty of the U.S. attorneys to prosecute for the recovery of such forfeitures.

It is the intention of the conferees that nothing in this new subsection (k) shall be construed to require any person to submit a report to the conference if he does not wish to do so. If, however, he agrees to file such a report and thereafter fails to do so, he shall be subject to the penalties provided in paragraph (2) of such subsection.

Section 208(b) of the conference substitute amends section 10(f) of the Federal Water Pollution Control Act in the same manner as is provided in section 206 of the House amendment.

Definitions

House Amendment

Section 209 of the House amendment amends the definition of "municipality" contained in section 13(f) of the Federal Water Pollution Control Act to provide that for the purposes of such act that term shall include "an Indian tribe or an authorized Indian tribal organization."

Conference Substitute

Section 209 of the conference substitute is the same as section 209 of the House amendment. It is the intention of the conferees that this amendment to the definition of municipality shall be applicable to Indians on State as well as Federal reservations.

Oil Pollution Act, 1924

House Amendment

Section 210 of the House amendment makes two amendments to the Oil Pollution Act, 1924.

The first of these substitutes the Secretary of the Interior for the Secretary of the Army as the Federal officer responsible for administering the Act.

The second of these amendments makes certain technical changes in section 7 of the Oil Pollution Act, 1924, to authorize the Secretary of the Interior to utilize certain employees of the Secretary of the Army and to authorize certain persons employed by the Secretary of the Army, the Secretary of the Interior, officers of the customs and Coast Guard of the United States, to arrest any person violating the provisions of the act.

Conference Substitute

Section 211 of the conference substitute amends the Oil Pollution Act, 1924, to make the following changes in that law.

(1) In section (2) the term "discharge" is defined to mean any grossly negligent, or willful spilling, leaking, pumping, pouring, emitting, or emptying of oil, the term "navigable waters of the United States" is defined to mean all portions of the seas within the territorial jurisdiction of the United States and all inland waters navigable in fact, and the term "Secretary" is defined to mean the Secretary of the Interior.

(2) Section 3 is amended to provide that except in case of an emergency imperiling life or property or unavoidable accidents, collision, or stranding, and, except as otherwise permitted by regulations prescribed by the Secretary, it is unlawful for any person to discharge or permit the discharge from any boat or vessel of oil by any method, means, or manner into or upon the navigable waters of the United States and adjoining shorelines of the United States. Any person so discharging or permitting the discharge of oil shall remove it from the waters and shorelines immediately. If such person fails to do so the Secretary may remove the oil, arrange for its removal and in addition to the penalties described in section 4, such person shall be liable for all costs and expenses reasonably incurred by the Secretary in so doing. These costs and expenses constitute a lien on the boat or vessel recoverable in proceedings by libel in rem. The Secretary is authorized to prescribe regulations permitting the discharge of oil so as not to be deleterious to health, marine life, a menace to navigation, or dangerous to persons or property engaged in commerce on navigable waters, as well as regulations relating to the removal or cost of removal, or both, of oil from the navigable waters and adjoining shorelines of the United States.

(3) Section 4 provides that a person who violates section 3(a) shall be punished by a fine not exceeding $2,500 or imprisonment not exceeding 1 year, or both, and any boat or vessel except one owned and operated by the United States, from which oil is discharged in violation of section 3(a) is to be liable for a penalty of not more than $10,000. Clearance from port for a boat or vessel liable for this penalty may be withheld until the penalty is paid, and such penalty is a lien on such boat or vessel recoverable in proceedings by libel in rem.

(4) Section 5, except for technical amendments, is the same as existing law, and would permit the suspension or revocation of a license of a master or other officer of a vessel found violating section 3 of the act.

(5) Section 6 is amended to authorize the Secretary of the Interior, with the consent of the Commandant of the Coast Guard or the Secretary of the Army, as the case may be, to utilize certain persons employed by the Coast Guard or the Department of the Army, and to authorize certain persons employed by the Secretary of the Army, the Department of the Interior, officers of the customs and Coast Guard of the United States, to arrest persons violating the act.

(6) Section 7 provides that the Oil Pollution Act, 1924, is in addition to other laws for the preservation and protection of the navigable waters of the United States, and is not to be construed as repealing, modifying, or in any manner affecting the provisions of such laws.

Incentive study

House Amendment

Section 211 of the House amendment authorizes the Secretary of the Interior to make a full and complete investigation and study of methods for providing incentives to assist in constructing facilities and works by industry to reduce or abate water pollution, including possible use of tax incentives. In making this study he is required to consult with the Secretary of the Treasury as well as other department and agency heads. The report shall be submitted to Congress on this study not later than January 30, 1968.

Conference Substitute

Section 210 of the conference substitute amends the Federal Water Pollution Control Act to add thereto a new section 18 requiring the same investigation and study as is required by section 211 of the House amendment.

Investigation of pollution from watercraft

House Amendment

Section 212 of the House amendment requires the Secretary of the Interior to conduct a full and complete investigation and study of pollution of the navigable waters of the United States from litter and sewage from watercraft using such waters and methods of abating this pollution. This report shall be submitted to Congress not later than July 1, 1967.

Conference Substitute

Section 210 of the conference substitute amends the Federal Water Pollution Control Act by adding a new section 17 thereto which requires the Secretary of the Interior, in consultation with the Secretary of the Army, the Secretary of the Department in which the Coast Guard is operating, the Secretary of Health, Education, and Welfare, and the Secretary of Commerce, to conduct a full and complete investigation and study of pollution of all navigable waters of the United States from litter and sewage from watercraft using such waters and methods or abating such pollution. This report shall be submitted to Congress not later than July 1, 1967.

Pollution Affecting Foreign Countries

Section 206 of the conference substitute adds a new paragraph (2) to section 10(d) of the Federal Water Pollution Control Act which provides that whenever the Secretary, upon receipt of certain information from an international agency, has reason to believe that pollution endangering the health and welfare of persons in a foreign country is occurring, and is requested to abate such pollution by the Secretary of State, to give notice to the State water pollution control agency of the State in which the discharge or discharges originate and to the interstate water pollution control agency involved, if any, and to call a conference if he believes such pollution is sufficient to warrant such action. The foreign country adversely affected shall be invited through the Secretary of State to attend and participate and is given the right of a State pollution control agency. This paragraph is to apply only to a foreign country which the Secretary determines has given the United States essentially the same rights with respect to prevention and control of water pollution as is given that country by this paragraph. Neither the 1909 boundary treaty between the United States and Canada nor the water utilization treaty of 1944 between Mexico and the United States is modified, amended, repealed, or otherwise affected as a result of this paragraph.

House Amendment

The House amendment contained no such provision.

GEO. H. FALLON,
JOHN A. BLATNIK,
ROBERT E. JONES,
JOHN C. KLUCZYNSKI,
JIM WRIGHT,
WILLIAM C. CRAMER,
WILLIAM C. HARSHA,
JOHN C. KUNKEL,
Managers on the Part of the House.

Mr. BLATNIK. Mr. Speaker, I call up the conference report on the bill (S. 2947) to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

The Clerk read the statement.

The SPEAKER. The Chair recognizes the gentleman from Minnesota [Mr. BLATNIK].

Mr. BLATNIK. Mr. Speaker, I am proud and privileged to report back to the House today with the conference report on the "Clean Waters Restoration Act of 1966," S. 2947. This House unanimously passed legislation covering the field of water pollution several weeks ago. As a result of amicable and far-reaching meetings with conferees of the other body we come before you today with a conference report which has the unanimous support of all Members of the conferees on both sides of the aisle and in both bodies.

This is a forward-looking and far-reaching piece of legislation we present for your approval today. It moves the fight against the pollution of all of our Nation's waters forward on a proper and intelligently escalated scale. As the New York Times said "it is a good piece of legislation." I strongly recommend the approval of this conference report.

I would like to pay particular tribute to my fellow conferees on both sides of the aisle; to our distinguished chairman, another fighter in the field of water pollution, the gentleman from Maryland [Mr. FALLON]; one of the outstanding experts in the field of water pollution and a man who has traveled all sections of this country in an effort to help clean up our waters, the gentleman from Alabama [Mr. JONES]; another outstanding advocate in the field of water pollution, the gentleman from Illinois [Mr. KLUCZYNSKI], and finally a man who has contributed mightily over the years to the drive for a stronger and more effective Federal program in the field of water pollution, the gentleman from Texas [Mr. WRIGHT], as well as the ranking minority Member, the gentleman from Florida [Mr. CRAMER] and his associates, the gentleman from Ohio [Mr. HARSHA], and the gentleman from Pennsylvania [Mr. KUNKEL].

Some of the highlights of the conference report are as follows: This report authorizes $3.4 billion for construction grants for sewage treatment plants for the fiscal years 1968 through 1971; $450 million for fiscal year 1968, $700 million for fiscal year 1969, $1 billion for fiscal year 1970, and $1,250 million for fiscal year 1971. This represents an increase of $1,100 million over the total amount originally authorized by the House for 4 fiscal years and a decrease of some $2,450 million in the original version of the other body for 5 fiscal years. Under the conference report the dollar limitation on individual grants and combined grants is done away with and in all cases the amount authorized for a Federal share for a single project or a combined one is 30 percent of the total cost. In addition thereto we continue under the conference report we present today to make every effort to make the State a partner in the program as was first brought about by the Committee on Public Works when it reported last year's water pollution bill. If a State agrees to match 30 percent of the total cost of an individual or combined project, the Federal share is increased to 40 percent and the municipal share, in turn, becomes 30 percent. We thus have a Federal-State-municipal partnership. Further, if a State will match 25 percent of the total cost of an individual or combined project and agrees to establish intrastate standards covering streams flowing wholly within its boundaries under rules and regulations to be established by the Governor of the State or a State water pollution control board and not subject to review by any Federal agency, then in that case the Federal share of an individual or combined project becomes 50 percent and the local share is 25 percent. This, we believe, is another move forward to bring about a working combination so that all levels of government throughout this great country can participate in this major effort to clean up our waters.

The report before you also contains for the first time language to allow grants to be made to industry for research in the fields of water pollution.

It contains as well a section somewhat similar to language now contained in Federal aid highway legislation covering reimbursement. This section would do the following:

Section 204 of the conference substitute amends section 8(c) of the Federal Water Pollution Control Act to provide that in the case of any project on which construction was initiated after June 30, 1966, which was approved by the appropriate State water pollution control agency and which the Secretary finds meets the requirements of section 8 but which was constructed without Federal financial assistance, the allotments for construction grants for any fiscal year ending before July 1, 1971, shall also be available to make payments for reimbursement of State or local funds used for that project before July 1, 1971, to the extent that financial assistance could have been provided under section 8 if the project had been approved pursuant to section 8 and adequate funds had been available to make a grant for the project. In the case of a project on which construction was initiated after June 30, 1966, and which was constructed with financial assistance pursuant to section 8 but the amount of such assistance was a lesser percent of the cost of construction than was allowable pursuant to section 8, such allotments shall also be available for payments and reimbursement of State or local funds used for such project before July 1, 1971, to the extent that assistance could have been provided under this section if adequate funds had been available. Neither a finding by the Secretary that a project meets the requirements of this section nor any other provision of section 8(c) is to be construed to constitute a commitment or obligation of the United States to provide funds or to make or to pay any grant for such project.

In the case of projects commenced after June 30, 1966, which were constructed with assistance pursuant to section 8 but which assistance was a lesser percent of the cost than allowable pursuant to this section, the conferees intend that reimbursement of amounts shall be subject to the limitations of law in effect at the time the project is initiated.

The conferees do not intend to create a preferred class of projects that would be entitled to reimbursement at these higher percentages provided in the conference substitute.

The conference report adds a new section 16 to the Federal Water Pollution Control Act to require the Secretary of the Interior to make a detailed estimate of the cost of carrying out the Federal Water Pollution Control Act, a comprehensive study of the economic impact on affected units of Government of the cost of treatment facilities, and a comprehensive analysis of the national requirements for, and the cost of, treating waste to attain such water quality standards as are established pursuant to the Federal Water Pollution Control Act or applicable law.

Section 210 of the conference report authorizes the Secretary of the Interior to make a full and complete investigation and study of methods for providing incentives to assist in constructing facilities and works by industry to reduce or abate water pollution, including possible use of tax incentives. In making this study he is required to consult with the Secretary of the Treasury as well as other department and agency heads. The report shall be submitted to Congress on this study not later than January 30, 1968.

It contains needed and necessary amendments to the Oil Pollution Act strengthening that section insofar as the spillage of oil from vessels in our Nation's waters are concerned and at the same time transfers this jurisdiction to the Secretary of the Interior.

The bill as agreed to by the House and Senate conferees contains a "Clean Waters Restoration" title. This is the same title as suggested by the administration except that the word "rivers" was changed to "waters" to provide for those towns and cities which might lie on the coastlines of the oceans, the gulf, and the Great Lakes, which might not normally be considered to be within a specific river basin.

The conferees adopted the principles contained in the administration bill which provided for the development of a comprehensive pollution control and abatement plan for a basin, coastal area, estuary, inlet, and so forth. It includes those provisions contemplated in the administration proposal whereby the comprehensive plan would be consistent with any applicable water quality standards; would recommend such works as would provide the most effective means of treatment; recommends both municipal and industrial use of such works; would recommend maintenance and improvements of water quality standards within the basin and methods of adequately financing these facilities.

To achieve the development of a comprehensive water pollution control and abatement plan the conferees agreed that the Secretary could assist if requested by a Governor or Governors in the financing of the administrative expenses of the States of the development of such a plan up to a total of 50 percent of the cost of these expenses for a planning agency for a period not to exceed 3 years. This will, of course, encourage the Governors of the various States affected to do their utmost to assist in the development of comprehensive plans for clean waters. In this sense the establishment of clean waters is the end goal of both the administration concept and the bill as agreed upon by the conferees.

Finally let me point out the following. It is the intention of the conferees that the existing contract authority which is now available to the Secretary of the Interior in various sections of the law dealing with research in the fields of water pollution should be continued.

Section 5 of the Federal Water Pollution Control Act presently gives the Secretary a very broad authority in conducting research for various purposes, including but not limited to, research on separate and combined sewers, on advanced waste treatment, and on industrial wastes. He is authorized to conduct this research directly and by grant, contract, agreement or otherwise, with public and private authorities, agencies and institutions as well as individuals. This authority, particularly as to conducting research by contract, encompasses authority to conduct research for which grants are specifically authorized in section 6, and the $20 million per fiscal year which is authorized in section 6(e)(1) is by the phrase "including contracts" in that subsection made specifically available for the purpose of conducting this research by contract.

This is a worthwhile conference report. I urge the adoption of the conference report.

Mr. Speaker, I yield such time as he may consume to the gentleman from Florida.

Mr. **CRAMER**. Mr. Speaker, I want to thank the gentleman.

I too think that this is one of the most significant pieces of legislation that has been brought before the House in recent years in relation to cleaning up the streams throughout America. I think the tools are here along with the Water Pollution Control Act of 1965 for eventually cleaning up all of the streams in this Nation. I think tremendous headway legislatively is being made, and this bill will provide the needed incentive to the States to participate in the program, which has been an objective of many members of the committee for some time to provide an incentive to the local communities to build treatment plants and the States to come in with matching State funds.

This is a concept that I think will result in a true partnership approach to this problem, Federal, State, and local governments. Only with all levels of government participating can the program be a success. This has been much needed for some time.

Mr. Speaker, I urge the adoption of this conference report on S. 2947, the Clean Waters Restoration Act of 1966, because I think it is a fair compromise between the House-passed and the Senate-passed versions of the legislation and because I sincerely feel that the House in many ways, if not in most, was able to retain the provisions of the legislation which it felt essential throughout the full and free discussions in the conference committee on this bill. I am confident that the provisions of S. 2947, as agreed upon by the conference committee, will improve and make more effective certain programs under the Federal Water Pollution Control Act, as amended.

BASINWIDE PLANNING PROVISIONS

Mr. Speaker, the section of the conference substitute which provides for the establishment of basinwide planning agencies is a substantial improvement over the proposal made earlier this year by the administration.

Section 101 of title I of the proposed substitute amends section 3 of the Federal Water Pollution Control Act by adding a new subsection (c) which requires the Secretary of the Interior to make a grant to pay up to 50 percent of the administrative expenses of a basinwide planning agency for a period of not to exceed 3 years if such agency provides for adequate representation of appropriate State, interstate, local, or, when appropriate, international interests in the basin or portion thereof involved, and if it is capable of developing an effective, comprehensive water quality control and abatement plan for the basin. This grant is to be made only upon the request of the Governor of a State or a majority of the Governors when more than one State is involved.

Mr. Speaker, I feel that this is in keeping with the intent of the House that the State and local bodies not only should but must be brought into the water pollution control program to the fullest extent if the nationwide effort is to be successful. Unfortunately, the other body has not always sought to bring non-Federal entities fully into the water pollution control and abatement program. The House position was further upheld by retaining provisions that the grant is to be made only, and I repeat only, upon the request of the Governor of a State or a majority of the Governors when more than one State is involved.

RESEARCH AND DEVELOPMENT

Mr. Speaker, the conferees were able to agree upon provisions expanding the research and development authority of the existing law. The intent of the House that industries should be brought into the research and development program under the Federal act has been retained.

The conference substitute amends section 6 of the Federal Water Pollution Control Act to authorize the Secretary to make grants to States, municipalities, or intermunicipal or interstate agencies for the purpose of assisting in developing projects to demonstrate new or improved methods of controlling the discharge of untreated or inadequately treated sewage of other wastes from sewers carrying storm water or both storm water and sewage or other wastes. The conference substitute also authorizes the Secretary to make grants to those entities to assist in developing projects to demonstrate advanced waste treatment and water purification methods, including temporary use of new or improved chemical additives, or new or improved methods of joint treatment systems for municipal and industrial wastes and to make grants for the purpose of reports, plans, and specifications in connection therewith.

These grants are subject to limitations that the project must have been approved by the appropriate State water pollution control agencies and the Secretary, that no grant shall be made in an amount exceeding 75 percent of the estimated reasonable cost of the project, and that no grant shall be made for a project unless it will serve as a useful demonstration for the purposes set forth in this section.

The conference substitute subsection (b) of the proposed new section 6 brings into focus the industrial problems associated with water pollution control by authorizing the Secretary to make grants for research and demonstration projects for prevention of pollution of water by industry including the treating of industrial waste. These grants shall be subject to limitations that no grant shall be made in excess of $1 million, that no grant shall be made for more than 70 percent of the cost of the project, and that no grant shall be made for any project unless it will serve a useful purpose in developing or demonstrating a new or improved method of treating industrial wastes or otherwise preventing pollution by industry, which method must have industrywide application. The provisions of this portion of the conference substitute are almost identical to the House-passed version, and they clearly reflect the intent of the House that the industries be brought into the research and development program to such an extent that there will be positive results in the near future.

Section 5 of the Federal Water Pollution Control Act presently gives the Secretary a very broad authority in conducting research for various purposes, including but not limited to, research on separate and combined sewers, on advanced waste treatment, and on industrial wastes. He is authorized to conduct this research directly and by grant, contract, agreement, or otherwise, with public and private authorities, agencies, and institutions as well as individuals. This authority, particularly as to conducting research by contract, encompasses authority to conduct research for which grants are specifically authorized in section 6, and the $20 million per fiscal year which is authorized in section 6(e)(1) is by the phrase "including contracts" in that subsection made specifically available for the purpose of conducting this research by contract.

I think that each Member can clearly ascertain that the House position that additional research and development is needed in this field, that the industries should be brought into the research program, and that these research and development efforts should contribute toward the control of water pollution in as effective a way as possible has been upheld.

GRANTS FOR THE CONSTRUCTION OF SEWAGE TREATMENT WORKS

Mr. Speaker, the figures which the conference committee agreed upon with respect to authorizations for appropriations for the construction of sewage treatment works and other water pollution control programs are not those which the House passed. However, they are far below the Senate-passed authorization levels.

I personally think, and I believe the record bears me out on this, that the authorization levels agreed upon by the conference committee may prove to be too high; however, in light of other provisions retained in the bill and the studies and cost estimate required, and with a view toward reaching an agreement in conference so that the bill could be reported out and acted upon by both Houses, the Senate figures are palatable, and we should not vote down this conference report on the basis of those figures being higher than the House figures and in excess of the proven needs according to the House hearings.

The cost estimate which is required to be submitted to the Congress by the Secretary of the Interior not later than July 1, 1967, should give the Congress a detailed presentation of the actual needs for authorizations for construction grants for treatment works, and appropriate adjustments can be made in the authorizations next Congress.

RETENTION OF STATE MATCHING

Mr. Speaker, the minority members of the Committee on Public Works have advocated, since 1959 that the States be brought into the effort to meet the financial burden of constructing necessary sewage treatment works. Last year's act, the Water Quality Act of 1965, made provision for waiving the dollar ceiling on grants for the construction of sewage treatment works, if the States match equally Federal grants from the additional authorization increase of $50 million per annum over the then ceiling of $100 million per annum. This was an outstanding achievement on the part of the minority and the House, but we felt that the procedure needed to be expanded to include all funds authorized for the construction program.

This year's act, as passed by the House, provided for increased Federal grants in those cases where the State agreed to contribute toward the cost of constructing all sewage treatment works financed out of Federal monies allocated to a State for a particular fiscal year. This was a great step forward. If this measure had been adopted when the minority members of the committee first officially proposed it in 1959, the overall national effort to control water pollution would be much further along now than it is. The total amount contributed toward the cost of constructing sewage treatment works by all levels of government would have been accelerated, and, thereby, the construction program would have moved ahead much more rapidly.

This past March, I introduced a bill to provide for the reimbursement to States, municipalities, intermunicipal, and interstate agencies by the Federal Government for the construction of sewage treatment works where those agencies wanted to construct such works in advance of the availability of Federal participating funds. This had nationwide application, whereas many similar proposals were limited entirely to reimbursement where the States had bonded themselves to meet the extra cost of constructing these works. The text of my bill was passed by the House as a section of this bill. The conference substitute carries out the concept of Federal reimbursement, and I think this is another step forward of which the House can be proud. Such claims for reimbursement, however, are not claims against the Treasury, unless approved by the State agency, the Secretary and the funds must be appropriated.

Mr. Speaker, the House conferees have upheld the House's position on this bill to the best of their ability and to the extent that an agreement could be reached to permit final action on the bill. While the authorizations are too high, in my opinion, the cost estimate should make it possible for the Congress to take whatever steps might be necessary in the future to properly adjust the conference substitute figures.

I urge the adoption of this conference report.

This is a most significant conference report and bill that we have before us. I wholeheartedly support it as does the gentleman from Minnesota and I congratulate the conferees for a difficult, long 3-week conference and finally coming to a successful conclusion which I think is in the best interest of the country.

Mr. **CLEVELAND**. Mr. Speaker, will the gentleman yield?

Mr. **BLATNIK**. I yield to the gentleman from New Hampshire, a member of the committee.

Mr. **CLEVELAND**. Mr. Speaker, I have asked for this time simply to inquire with reference to and to make clear that the 10-percent incentive which we wrote into the bill in the Committee on Public Works is still in the bill.

This is a matter of particular interest to me and we discussed this when the bill was being considered on the floor of the House. I just want to be sure that this 10-percent incentive feature is still in the bill as it comes to us from the conference.

Mr. **BLATNIK**. The gentleman is referring to the 10 percent for State participation in the cost of the project; is that what the gentleman is referring to?

Mr. **CLEVELAND**. I am referring to the 10-percent incentive provision that goes to those States that are contributing at least 30 percent as New Hampshire does, in fact, New Hampshire contributes 40 percent.

Mr. **BLATNIK**. That is what I meant—that is to the States that are participating. Yes; it is still in the bill.

Mr. CLEVELAND. That is still in the bill?

Mr. BLATNIK. Yes, sir.

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, I would like to commend the leadership of the House Public Works Committee and their entire staff for their excellent work in writing the Water Pollution Control Act of 1966. Needless to say, I am pleased that I was able to make a contribution to the drafting of this legislation—particularly in connection with the 10-percent incentive bonus for States. In the future, we will have to devise incentives for industry to more fully join the battle. Probably the best way would be through the tax-credit route which, unfortunately, is not under the jurisdiction of our committee.

Mr. Speaker, as has been frequently stated, this is a matter of broad national interest. Just today I received from my district office a letter from Edward S. LeBlanc, city clerk of Nashua, N.H., enclosing a resolution passed by the board of aldermen and approved by my friend, Mayor Dennis J. Sullivan. This resolution is so timely that I enclosed it at this point in the RECORD, as it points up the widespread public interest and support for our continuing battle against water pollution.

RESOLUTION ENDORSING PROJECT PURE WATER, CITY OF NASHUA

In the Year of Our Lord One Thousand Nine Hundred and Sixty-six,

Resolved, By the Board of Aldermen of the City of Nashua, That the City of Nashua endorse Project Purewater and its drive to abate pollution of the Nashua and Merrimack Rivers, and to clear out the pollution and impurities which now are allowed to be discharged into them.

And that whereas the Federal Government has seen fit to enact a public law designed to enhance the purity of waters and to abate the pollution of our waters, it is urged that the proper authorities of our State Government take immediate action to put into execution the said law so that the State may avail itself of any and all funds provided by the Federal Government under said law for the purpose of abating pollution in our interstate waterways.

Mr. BLATNIK. Mr. Speaker, I yield to the gentleman from Alabama [Mr. JONES] who has played a major role in this legislation from its inception 10 years ago.

Mr. JONES of Alabama. Mr. Speaker, I want to add my support to the conference report on S. 2947, the water pollution control bill of 1966. The distinguished gentleman from Minnesota [Mr. BLATNIK] who has presided over the deliberations in the committee and in conference, and who has managed the bill on the floor is to be commended for the energy and dedication which he has given to this legislation.

As I am sure the Members know, Mr. BLATNIK has been considered the father of the water pollution program in the House of Representatives from the day that the first authorization for appropriations was made in 1956. Since that time he has been at hand whenever he was needed to introduce and to secure the passage of necessary amendatory legislation. Last year the Water Quality Control Act of 1965, with which he is credited, represents the most substantial monetary step ever made in this field. Today I am proud to see that this bill takes a major step in the provision of construction grants for this problem which has grown so tremendously in magnitude. It will provide approximately $3½ billion for construction grants for sewage treatment works, which is many times in excess of the grants previously authorized. It will also remove the dollar limitations on the smaller projects, thereby permitting the larger towns and cities to receive grants which will be of some significance in their financing of sewage treatment works. It will broaden and at the same time focus activities devoted to research and development which are badly needed to solve the many problems in this field.

I think that Mr. BLATNIK deserves a great deal of credit, since he more than anyone else has been the architect of this very worthwhile and much needed legislation.

Mr. Speaker, I would also like to call attention at this point to one of the strongest members of our committee in the field of water pollution, Congressman JIM WRIGHT, of Texas. He has been actively interested in pollution control since he has been in Congress and has been of great assistance to the committee in solving the many complex problems that have come before us in this exceedingly complex field. As a member of the Committee on Government Operations on which I also serve he has had the advantage of becoming familiar with the problems of water pollution control and abatement on both that committee and the Public Works Committee. Therefore, I am taking this opportunity to commend him for his dedication to this most important activity.

I also want to pay tribute at this time, Mr. Speaker, to Congressman ROBERT MCCLORY, of Illinois, who as a former member of the House Committee on Government Operations has been so helpful in supplying information to the committee that has been of great value in its deliberations on the subject of water pollution.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. BLATNIK. I yield to the gentleman.

Mr. McCLORY. Mr. Speaker, I am pleased to give my support to the conference report on the Clean Waters Restoration Act of 1966 (S. 2947).

The diligent work of the House and Senate conferees reflects the many contributions of time and effort which have been made by National, State, local, and civic leaders—all of whom are concerned about the pollution of our Nation's waters.

I am proud to note a number of provision's consistent with various recommendations made by the Subcommittee on Natural Resources of the House Committee on Government Operations. I had the privilege of serving for 2 years on this subcommittee under the chairmanship of the distinguished gentleman from Alabama [Mr. JONES]. The Jones subcommittee conducted a thorough study into all types of water pollution in various sections of the country.

The conference committee report reconciles the differences between the House and Senate versions for augmenting the attack against water pollution. Under the bill, the Federal Government commits $3½ billion of its funds. In addition, States and local governments receive substantial encouragement to contribute to this solution of pollution problems.

The conference committee report reenacts the Oil Pollution Control Act with certain amendments along lines recommended by the Jones committee.

The conferees have also given support to a bill which several of my colleagues and I introduced earlier in the session to encourage industry to solve its pollution problems. My bill (H.R. 17253) would provide tax incentives to industries which provide water pollution facilities. As the conference committee report recites the Secretary of the Interior shall "make a full and complete study of methods for providing incentives to assist in constructing facilities and works by industry to reduce or abate water pollution, including possible use of tax incentives."

I am pleased that this study will be made, and I feel confident that it will support tax incentives as an appropriate part of a nationwide attack on water pollution.

Mr. Speaker, the conference report represents a great forward step in combating water pollution. I am proud to give this landmark legislation my full support.

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. KLUCZYNSKI] may extend his remarks at this point in the RECORD.

The **SPEAKER.** Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. KLUCZYNSKI. Mr. Speaker, the Clean Waters Restoration Act which is before us in the conference report is an outstanding example of what the House and the Senate, working together to create legislation that will be of lasting and substantial benefit to all the people, can accomplish.

This legislation, based on the more than 10 years' experience since the Federal Government actively assumed its responsibility to provide both leadership and funds in the effort to bring an end to pollution of our water resources and to restore the already polluted waters, probably marks the first time that anything approaching a sufficient amount of money has been authorized for either treatment facilities or much-needed research.

This legislation is a benchmark, not only because it at last recognizes the tremendous financial commitment that pollution control and abatement require, but because it recognizes that our cities and States must be given every possible encouragement and assistance in meeting their part of the obligation in this program. This legislation can substantially alleviate the difficulties the larger cities have had in financing the construction of their treatment facilities, at the same time providing for the small municipalities on small streams that also face serious pollution problems.

It was a privilege to have had the opportunity to serve on the conference from which this legislation developed. It would not be possible to exaggerate my respect for all the participants, and particularly my admiration for Representative BOB JONES, of Alabama, and JOHN BLATNIK, of Minnesota, for the patience, wisdom, and vision with which they worked with this most critical of our resource problems.

Mrs. DWYER. Mr. Speaker, I am pleased to support the amendments to the Federal Water Pollution Control Act as embodied in the conference report on H.R. 16076.

If this is a compromise, Mr. Speaker, then it is a good one.

The conference report does not purport to do the whole job, but the clean rivers restoration program passed as a new title to the Federal Water Pollution Control Act is another step along the right road.

Requiring the combined efforts of all levels of government and assuring an expanded role for industry in solving the problem, the report authorizes $3.6 billion over the next 5 years to help States and localities build sewage treatment plants for the Nation's water resources that have for so long been neglected.

Further, the conference report eliminates the ceiling of $1.2 million per project which will permit larger cities and their suburbs, where the need is great, to become eligible for grants up to 30 percent of project cost.

The water pollution abatement program is now on its way. The stake which America has in its river basins, every one of which is so badly polluted, warrants this effort, Mr. Speaker, and more.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken.

Mr. CRAMER. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently, a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 247, nays 0, not voting 185, as follows:

[Roll No. 370]

YEAS—247

Adams
Addabbo
Andrews, George W.
Andrews, Glenn
Andrews, N. Dak.
Ashbrook
Ashley
Ashmore
Ayres
Barrett
Battin
Beckworth
Bell
Bennett
Bingham
Blatnik
Boggs
Boland
Bolton
Brademas
Bray
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Cameron
Carey
Casey
Cederberg
Celler
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Cleveland
Cohelan
Collier
Colmer
Conte
Conyers
Corbett
Cramer
Culver
Cunningham
Curtin
Curtis
Dague
Daniels
Davis, Wis.
Dawson
Derwinski
Dole
Donohue
Dowdy
Downing
Dulski
Duncan, Tenn.
Dwyer
Edmondson
Edwards, La.
Everett
Fallon
Farnsley
Feighan
Findley
Flood
Fogarty
Ford, Gerald R.
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Garmatz
Gathings
Gettys
Gibbons
Gilbert
Gonzalez
Goodell
Gray
Green, Pa.
Griffiths
Grover
Gubser
Hagen, Calif.
Haley
Hall
Hamilton
Hanley
Hanna
Hansen, Wash.
Hardy
Harsha
Hathaway
Hechler
Henderson
Herlong
Holifield
Holland
Horton
Hosmer
Hull
Hutchinson
Ichord
Jarman
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kee
Keith
Keogh
King, Calif.
Kirwan
Krebs
Kunkel
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
McClory
McDade
McEwen
McFall
McGrath
Macdonald
Machen
Mahon
Mailliard
Marsh
Mathias
Matthews
May
Miller
Mills
Minish
Mink
Minshall
Monagan
Moore
Moorhead
Morgan
Morris
Morton
Multer
Murphy, Ill.
Natcher
Nedzi
O'Hara, Ill.
O'Hara, Mich.
O'Neal, Ga.
O'Neill, Mass.
Passman
Patman
Patten
Pelly
Perkins
Philbin
Pickle
Pike
Poage
Poff
Powell
Price
Quie
Quillen
Randall
Redlin
Rees
Reid, Ill.
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Robison
Rodino
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
Ryan
Satterfield
St Germain
Saylor
Scheuer
Schneebeli
Schweiker
Scott
Secrest
Selden
Shriver
Sickles
Sikes
Slack
Smith, Iowa
Smith, Va.
Springer
Staggers
Stubblefield
Talcott
Teague, Calif.
Teague, Tex.
Tenzer
Tuck
Tupper
Tuten
Utt
Van Deerlin
Vanik
Vivian
Waggonner
Waldie
Walker, N. Mex.
Watson
Watts
Weltner
Whalley
White, Tex.
Whitten
Williams
Wright
Wyatt
Wydler
Younger
Zablocki

NAYS—0

NOT VOTING—185

Abbitt
Abernethy
Adair
Albert
Anderson, Ill.
Anderson, Tenn.
Annunzio
Arends
Aspinall
Bandstra
Baring
Bates
Belcher
Berry
Betts
Bolling
Bow
Brock
Brooks
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Burton, Calif.
Callaway
Carter
Clawson, Del
Clevenger
Conable
Cooley
Corman
Craley
Daddario
Davis, Ga.
de la Garza
Delaney
Dent
Denton
Devine
Dickinson
Diggs
Dingell
Dorn
Dow
Duncan, Oreg.
Dyal
Edwards, Ala.
Edwards, Calif.
Ellsworth
Erlenborn
Evans, Colo.
Evins, Tenn.
Farbstein
Farnum
Fascell
Fino
Fisher
Flynt
Foley
Fulton, Tenn.
Fuqua
Gallagher
Giaimo
Gilligan
Grabowski
Green, Oreg.
Greigg
Grider
Gross
Gurney
Hagan, Ga.
Halleck
Halpern
Hansen, Idaho
Hansen, Iowa
Harvey, Ind.
Harvey, Mich.
Hawkins
Hays
Hébert
Helstoski
Hicks
Howard
Hungate
Huot
Irwin
Jacobs
Jennings
Jonas
Jones, N.C.
Kastenmeier
Kelly
King, N.Y.
King, Utah
Kluczynski
Kornegay
Kupferman
Laird
Love
McCarthy
McCulloch
McDowell
McMillan
McVicker
MacGregor
Mackay
Mackie
Madden
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Meeds
Michel
Mize
Moeller
Morrison
Morse
Mosher
Moss
Murphy, N.Y.
Murray
Nelsen
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
Ottinger
Pepper
Pirnie
Pool
Pucinski
Purcell
Race
Reifel
Reinecke
Rhodes, Ariz.
Rivers, Alaska
Rivers, S.C.
Roberts
Rogers, Tex.
Ronan
Roncalio
Rooney, Pa.
Roudebush
St. Onge
Schisler
Schmidhauser
Senner
Shipley
Sisk
Skubitz
Smith, Calif.
Smith, N.Y.
Stafford
Stalbaum
Stanton
Steed
Stephens
Stratton
Sullivan
Sweeney
Taylor
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Udall
Ullman
Vigorito
Walker, Miss.
Watkins
White, Idaho
Whitener
Widnall
Willis
Wilson, Bob
Wilson, Charles H.
Wolff
Yates
Young

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Adair.
Mr. Albert with Mr. Arends.
Mr. Jennings with Mr. Berry.
Mr. Annunzio with Mr. Carter.
Mr. Bandstra with Mr. Del Clawson.
Mrs. Kelly with Mr. Bob Wilson.
Mr. Howard with Mr. Watkins.
Mr. Evins of Tennessee with Mr. Stafford.
Mr. Aspinall with Mr. Reinecke.
Mr. Giaimo with Mr. O'Konski.
Mr. Daddario with Mr. Nelsen.
Mr. Kluczynski with Mr. Michel.
Mr. Matsunaga with Mr. Kupferman.
Mr. Abernethy with Mr. Jonas.
Mr. Fuqua with Mr. Hansen of Idaho.
Mr. Gilligan with Mr. Gurney.
Mr. Farbstein with Mr. Fino.
Mr. Dyal with Mr. Erlenborn.
Mr. Mackay of Georgia with Mr. Edwards of Alabama.
Mr. Thompson of New Jersey with Mr. Conable.
Mr. Sweeney with Mr. Devine.
Mr. St. Onge with Mr. Dickinson.
Mr. Brown of California with Mr. Anderson of Illinois.
Mr. Foley with Mr. Brown of Ohio.
Mr. Hagan of Georgia with Mr. Callaway.
Mr. Abbitt with Mr. Walker of Mississippi.
Mr. White of Idaho with Mr. Smith of California.
Mr. Schmidhauser with Mr. Morse.
Mr. Schisler with Mr. Martin of Nebraska.
Mr. Rivers of Alaska with Mr. Martin of Massachusetts.
Mr. Jacobs with Mr. King of New York.
Mr. Craley with Mr. Harvey of Michigan.
Mr. Burton of California with Mr. Harvey of Indiana.
Mr. Ronan with Mr. Halpern.
Mr. Helstoski with Mr. Thomson of Wisconsin.
Mr. Rooney of Pennsylvania with Mr. Roudebush.
Mr. Cooley with Mr. Belcher.
Mr. Senner with Mr. Betts.
Mr. Shipley with Mr. Brock.
Mr. Trimble with Mr. Broomfield.
Mr. McVicker with Mr. Widnall.
Mr. Olsen of Montana with Mr. Stanton.
Mr. Ottinger with Mr. Smith of New York.
Mr. Whitener with Mr. Skubitz.
Mr. Yates with Mr. Bates.
Mr. Wolff with Mr. Rhodes of Arizona.
Mr. Moss with Mr. Reifel.
Mr. Fisher with Mr. Pirnie.

Mr. Gallagher with Mr. Martin of Alabama.
Mr. Grabowski with Mr. Mize.
Mr. Dent with Mr. MacGregor.
Mr. Dingell with Mr. McCulloch.
Mr. Corman with Mr. Halleck.
Mr. Hicks with Mr. Bow.
Mr. Roncalio with Mr. Mosher.
Mr. Clevenger with Mr. Laird.
Mr. Davis of Georgia with Mr. Ellsworth.
Mr. Pucinski with Mr. Hansen of Iowa.
Mr. Charles H. Wilson with Mr. Todd.
Mrs. Thomas with Mr. Tunney.
Mr. McCarthy with Mr. McDowell.
Mr. Sisk with Mr. Rogers of Texas.
Mr. Roberts with Mr. Anderson of Tennessee.
Mr. Brooks with Mr. Dorn.
Mr. Dow with Mr. Duncan of Oregon.
Mr. Evans of Colorado with Mr. Flynt.
Mr. Pool with Mr. Pepper.
Mr. Grider with Mr. Purcell.
Mr. Moeller with Mr. Mackie.
Mr. Udall with Mr. Vigorito.
Mr. Ullman with Mr. Rivers of South Carolina.
Mr. Kornegay with Mr. Kastenmeier.
Mr. Steed with Mr. Taylor.
Mr. Stephens with Mr. Stratton.
Mr. Hays with Mr. Delaney.
Mr. Denton with Mr. Diggs.
Mr. Fascell with Mr. Fulton of Tennessee.
Mr. Olson of Minnesota with Mr. O'Brien.
Mr. Murphy of New York with Mr. Willis.
Mrs. Sullivan with Mr. Thompson of Texas.
Mr. Stalbaum with Mr. Huot.
Mr. Hungate with Mr. Baring.
Mr. Greigg with Mr. Meeds.
Mr. Love with Mr. de la Garza.
Mr. Jones of North Carolina with Mr. Toll.
Mr. Hawkins with Mr. Farnum.
Mr. Edwards of California with Mr. Nix.
Mr. Morrison with Mr. Race.
Mr. Madden with Mr. King of Utah.
Mr. Irwin with Mr. Murray.
Mrs. Green of Oregon with Mr. McMillan.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The **SPEAKER.** Without objection it is so ordered.

There was no objection.

HOUR OF MEETING TUESDAY, OCTOBER 18, 1966

Mr. McFALL. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

The **SPEAKER.** Is there objection to the request of the gentleman from California?

There was no objection.

PAY INCREASES FOR THE DISTRICT OF COLUMBIA POLICE, FIREMEN, AND TEACHERS

Mr. DOWDY. Mr. Speaker, I call up the conference report on the bill (H.R. 15857) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 2276)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15857) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment to the text of the bill insert the following:

"TITLE I—SALARY INCREASES FOR DISTRICT OF COLUMBIA POLICEMEN AND FIREMEN

"Section 101. Section 101 of the District of Columbia Police and Firemen's Salary Act of 1958 (D.C. Code, sec. 4-823) is amended to read as follows:

"'Sec. 101. The annual rates of basic compensation of the officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia shall be fixed in accordance with the following schedule of rates:

"'*Salary schedule*

"'Salary class and title	Service step						Longevity step		
	1	2	3	4	5	6	7	8	9
Class 1:									
Subclass (a) Fire private. Police private.	$6,700	$7,040	$7,380	$7,720	$8,060	$8,400	$8,740	$9,080	$9,420
Subclass (b) Private assigned as: Technician I. Plainclothesman.	6,990	7,330	7,670	8,010	8,350	8,690	9,030	9,370	9,710
Subclass (c) Private assigned as: Technician II. Station clerk. Motorcycle officer.	7,280	7,620	7,960	8,300	8,640	8,980	9,320	9,660	10,000
Class 2:									
Subclass (a) Fire inspector.	8,060	8,400	8,740	9,080			9,420	9,760	10,100
Subclass (b) Fire inspector assigned as: Technician I.	8,350	8,690	9,030	9,370			9,710	10,050	10,390
Subclass (c) Fire inspector assigned as: Technician II.	8,640	8,980	9,320	9,660			10,000	10,340	10,680
Class 3 Assistant marine engineer. Assistant pilot. Detective.	8,690	9,030	9,370	9,710			10,050	10,390	10,730
Class 4:									
Subclass (a) Fire sergeant. Police sergeant.	8,975	9,315	9,655	9,995			10,335	10,675	11,015
Subclass (b) Detective sergeant.	9,485	9,825	10,165	10,505			10,845	11,185	11,525
Subclass (c) Police sergeant assigned as: Motorcycle officer.	9,555	9,895	10,235	10,575			10,915	11,255	11,595
Class 5 Fire lieutenant. Police lieutenant. Detective lieutenant.	10,710	11,138	11,566	11,994			12,422	12,850	
Class 6 Marine engineer. Pilot.	11,781	12,209	12,637	13,065			13,493	13,921	
Class 7 Fire captain. Police captain. Detective captain.	12,852	13,387	13,922	14,457			14,992	15,527	

“ ‘*Salary schedule*—Continued

“ ‘Salary class and title	Service step						Longevity step		
	1	2	3	4	5	6	7	8	9
Class 8	$14,994	$15,529	$16,064	$16,599			$17,134	$17,669	
Battalion fire chief.									
Police inspector.									
Class 9:									
Subclass (a)	17,671	18,206	18,741	19,276			19,811	20,346	
Deputy fire chief.									
Deputy chief of police.									
Subclass (b)	18,742	19,277	19,812	20,347			20,882	21,417	
Deputy chief assigned as the:									
Assistant fire chief.									
Police executive officer.									
Commanding officer of the White House Police.									
Commanding officer of the United States Park Police.									
Class 10	22,491	23,026	23,561	24,096			24,631	25,166	
Fire chief.									
Chief of police.									

“Sec. 102. The rates of basic compensation of officers and members to whom the amendment made by section 101 of this title applies shall be adjusted in accordance with this section, and on and after the effective date of this title, section 102 of the Act approved September 2, 1964 (D.C. Code, sec. 4-823c), shall not apply to any such officer or member whose rate of basic compensation is so adjusted in accordance with this section. Such rates of basic compensation shall be adjusted as follows:

“(1) Except as otherwise provided in paragraph (2), (3), or (4), each officer and member receiving basic compensation immediately prior to the effective date of this title at one of the scheduled service or longevity rates of a class or subclass in the salary schedule in section 101 of the District of Columbia Police and Firemen's Salary Act of 1958 shall receive a rate of basic compensation at the corresponding rate in effect on and after the effective date of this title.

“(2) Each private in service step 6, longevity step 7, or longevity step 8 in any subclass in class 1, upon completing a minimum of nineteen years of continuous service as a private, including service in the Armed Forces of the United States but excluding any period of time determined not to have been satisfactory service, shall be advanced to longevity step 9 in class 1, and receive the appropriate scheduled rate of basic compensation for such step in the subclass in which he is serving.

“(3) Each officer in longevity step 7 in class 5 or 8, upon completing a minimum of fourteen years of continuous service in his respective class, including service in the Armed Forces of the United States but excluding any period of time determined not to have been satisfactory service, shall be advanced to longevity step 8 in his respective class, and receive the appropriate scheduled rate of basic compensation for such step in the class in which he was serving.

“(4) Each officer or member of the Metropolitan Police force who is performing the duty of a dog handler on or after the effective date of this title shall receive in addition to his basic compensation an additional $580 per annum, except that if a police private is classed as technician II in subclass (c) of salary class (1) in the salary schedule in section 101 of the District of Columbia Police and Firemen's Salary Act of 1958 solely on account of his duties as a dog handler, such police private shall not be entitled to the additional compensation authorized by this paragraph.

“Sec. 103. Section 303 of the District of Columbia Police and Fireman's Salary Act of 1958 (D.C. Code, sec. 4-829) is amended by adding at the end the following new subsection:

“ ‘(e) As used in this Act, the term “calendar week of active service” includes all periods of leave with pay, and periods of nonpay status which do not cumulatively equal one basic workweek.’

“Sec. 104. (a) Retroactive compensation or salary shall be paid by reason of this title only in the case of an individual in the service of the District of Columbia government or of the United States (including service in the Armed Forces of the United States) on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to an officer or member of the Metropolitan Police force, the Fire Department of the District of Columbia, the United States Park Police force, or the White House Police force, who retired during the period beginning on the first day of the first pay period which begins on or after July 1, 1966, and ending on the date of enactment of this Act, for services rendered during such period, and (2) in accordance with the provisions of subchapter 8 of chapter 55 of title 5, United States Code (relating to settlement of accounts of deceased employees), for services rendered during the period beginning on the first day of the first pay period which begins on or after July 1, 1966, and ending on the date of enactment of this Act, by an officer or member who dies during such period.

“(b) For the purposes of this section, service in the Armed Forces of the United States, in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the Federal Government or the municipal government of the District of Columbia.

“Sec. 105. For the purpose of determining the amount of insurance for which an officer or member is eligible under the provisions of chapter 87 of title 5, United States Code (relating to government employees group life insurance), all changes in rates of compensation or salary which result from the enactment of this title shall be held and considered to be effective as of the date of enactment of this Act.

“Sec. 106. This title and the amendments made by this title shall take effect on the first day of the first pay period beginning on or after July 1, 1966.

“Sec. 107. This title may be cited as the ‘District of Columbia Policemen and Firemen's Salary Act Amendments of 1966’.

“TITLE II—SALARY INCREASES FOR DISTRICT OF COLUMBIA TEACHERS

“Sec. 201. This title may be cited as the ‘District of Columbia Teachers' Salary Act Amendments of 1966’.

“Sec. 202. The District of Columbia Teachers' Salary Act of 1955 is amended as follows:

“(1) Section 1 (D.C. Code, sec. 31-1501) is amended to read as follows:

“ ‘Section 1. The following are the salary schedules for teachers, school officers, and certain other employees of the Board of Education whose positions are included therein:

“ ‘Salary class and group	Step								
	1	2	3	4	5	6	7	8	9
Class 1	$26,000								
Superintendent.									
Class 2	22,000								
Deputy superintendent.									
Class 3	16,555	$16,865	$17,175	$17,485	$17,795	$18,115	$18,415	$18,725	$19,035
Assistant superintendent.									
President, teachers college.									
Class 4	14,650	14,960	15,270	15,580	15,890	16,200	16,510	16,820	17,130
Director, curriculum.									
Dean, teachers college.									
Executive assistant to superintendent.									
Class 5:									
Group A, bachelor's degree	12,845	13,135	13,425	13,715	14,005	14,295	14,585	14,875	15,165
Group B, master's degree	13,390	13,680	13,970	14,260	14,550	14,840	15,130	15,420	15,710
Group C, master's degree plus 30 credit hours	13,610	13,900	14,190	14,480	14,770	15,060	15,350	15,640	15,930
Group D, doctor's degree	13,830	14,120	14,410	14,700	14,990	15,280	15,570	15,860	16,150
Chief examiner.									
Director, food services.									
Director, industrial adult education.									
Executive assistant to deputy superintendent.									

“ ‘Salary class and group	Step								
	1	2	3	4	5	6	7	8	9
Class 6:									
Group B, master's degree	$12,915	$13,205	$13,495	$13,785	$14,075	$14,365	$14,655	$14,945	$15,235
Principal level IV	12,915	13,205	13,495	13,785	14,075	14,365	14,655	14,945	15,235
Principal level III	12,715	13,005	13,295	13,585	13,875	14,165	14,455	14,745	15,035
Principal level II	12,515	12,805	13,095	13,385	13,675	13,965	14,255	14,545	14,835
Principal level I	12,315	12,605	12,895	13,185	13,475	13,765	14,055	14,345	14,635
Group C, master's degree plus 30 credit hours	13,135	13,425	13,715	14,005	14,295	14,585	14,875	15,165	15,455
Principal level IV	13,135	13,425	13,715	13,005	14,295	14,585	14,875	15,165	15,455
Principal level III	12,935	13,225	13,515	13,805	13,905	14,385	14,675	14,965	15,255
Principal level II	12,735	13,025	13,315	13,605	13,895	14,185	14,475	14,765	15,055
Principal level I	12,535	12,825	13,115	13,405	13,695	13,985	14,275	14,565	14,855
Group D, doctor's degree	13,355	13,645	13,935	14,225	14,515	14,805	15,095	15,385	15,675
Principal level IV	13,355	13,645	13,935	14,225	14,515	14,805	15,095	15,385	15,675
Principal level III	13,155	13,445	13,735	14,025	14,315	14,605	14,895	15,185	15,475
Principal level II	12,955	13,245	13,535	13,825	14,115	14,405	14,695	14,985	15,275
Principal level I	12,755	13,045	13,335	13,625	13,915	14,205	14,495	14,785	15,075
Assistant to assistant superintendent (elementary schools).									
Assistant to assistant superintendent (junior and senior high schools).									
Assistant to assistant superintendent (general research, budget, and legislation).									
Assistant to assistant superintendent (pupil personnel services).									
Assistant to assistant superintendent (industrial and adult education, vocational education, evening and summer school).									
Director, elementary education (supervision and instruction).									
Director, health, physical education, athletics and safety.									
Director, special education.									
Principal, senior high school.									
Principal, junior high school.									
Principal, elementary school.									
Principal, vocational high school.									
Principal, Americanization school.									
Principal, boys' junior-senior high school.									
Principal, Capitol Page school.									
Principal, health school.									
Principal, laboratory school.									
Principal, veterans' high school.									
Class 7:									
Group B, master's degree	11,960	12,250	12,540	12,830	13,120	13,410	13,700	13,990	14,280
Group C, master's degree plus 30 credit hours	12,180	12,470	12,760	13,050	13,340	13,630	13,920	14,210	14,500
Group D, doctor's degree	12,400	12,690	12,980	13,270	13,560	13,850	14,140	14,430	14,720
Supervising director, elementary education (supervision and instruction).									
Supervising director, audiovisual instruction.									
Supervising director, adult education and summer school.									
Supervising director, subject field.									
Supervising director, reading clinic.									
Director, school attendance.									
Supervising director, curriculum.									
Director, elementary education.									
Director, elementary education (administration).									
Class 8:									
Group B, master's degree	11,490	11,780	12,070	12,360	12,650	12,940	13,230	13,520	13,810
Group C, master's degree plus 30 credit hours	11,710	12,000	12,290	12,580	12,870	13,160	13,450	13,740	14,030
Group D, doctor's degree	11,930	12,220	12,510	12,800	13,090	12,380	13,670	13,960	14,250
Dean of students, teachers college.									
Professor, teachers college.									
Registrar, teachers college.									
Statistical analyst.									
Assistant principal, senior high school.									
Assistant principal, junior high school.									
Assistant principal, elementary school.									
Assistant principal, vocational high school.									
Assistant principal, Americanization school.									
Assistant principal, health school.									
Class 9:									
Group A, bachelor's degree	10,470	10,760	11,050	11,340	11,630	11,920	12,210	12,500	12,790
Group B, master's degree	11,015	11,305	11,595	11,885	12,175	12,465	12,755	13,045	13,335
Group C, master's degree plus 30 credit hours	11,235	11,525	11,815	12,105	12,395	12,685	12,975	13,265	13,555
Group D, doctor's degree	11,455	11,745	12,035	12,325	12,615	12,905	13,195	13,485	13,755
Assistant director, food services.									
Class 10:									
Group B, master's degree	10,535	10,825	11,115	11,405	11,695	11,985	12,275	12,565	12,855
Group C, master's degree plus 30 credit hours	10,755	11,045	11,335	11,625	11,915	12,205	12,495	12,785	13,075
Group D, doctor's degree	10,975	11,265	11,555	11,845	12,135	12,425	12,715	13,005	13,295
Assistant director, audiovisual instruction.									
Assistant director, subject field.									
Assistant director, adult education and summer school.									
Supervisor, elementary education.									

“ ‘Salary class and group	Step						
	1	2	3	4	5	6	7
Class 11:							
Group B, master's degree	$10,060	$10,350	$10,640	$10,930	$11,220	$11,510	$11,800
Group C, master's degree plus 30 credit hours	10,280	10,570	10,860	11,150	11,440	11,730	12,020
Group D, doctor's degree	10,500	10,790	11,080	11,370	11,660	11,950	12,240
Assistant director, practical nursing.							
Associate professor, teachers college.							
Chief librarian, teachers college.							
Class 12:							
Group B, master's degree	9,590	9,880	10,170	10,460	10,750	11,040	11,330
Group C, master's degree plus 30 credit hours	9,810	10,100	10,390	10,680	10,970	11,260	11,550
Group D, doctor's degree	10,030	10,320	10,610	10,900	11,190	11,480	11,770
Chief attendance officer.							
Clinical psychologist.							
Class 13:							
Group B, master's degree	8,600	8,955	9,310	9,665	10,020	10,375	10,730
Group C, master's degree plus 30 credit hours	8,820	9,175	9,530	9,885	10,240	10,595	10,950
Group D, doctor's degree	9,040	9,395	9,750	10,105	10,460	10,815	11,170
Assistant professor, teachers college.							
Assistant professor, laboratory school.							
Psychiatric social worker.							

Salary class and group	Step						
	1	2	3	4	5	6	7
Class 14:							
Group A, bachelor's degree	$7,005	$7,300	$7,595	$7,890	$8,185	$8,480	$8,775
Group B, master's degree	7,550	7,845	8,140	8,435	8,730	9,025	9,320
Group C, master's degree plus 30 credit hours	7,770	8,065	8,360	8,655	8,950	9,245	9,540
Group D, doctor's degree	7,990	8,285	8,580	8,875	9,170	9,465	9,760
Coordinator of practical nursing.							
Census supervisor.							
Class 15:							
Group A, bachelor's degree	5,840	6,105	6,370	6,635	6,895	7,155	7,415
Group B, master's degree	6,385	6,650	6,915	7,180	7,440	7,700	7,960
Group C, master's degree plus 30 credit hours	6,605	6,870	7,135	7,400	7,660	7,920	8,180
Group D, master's degree plus 60 credit hours or doctor's degree	6,825	7,090	7,355	7,620	7,880	8,140	8,400'
Teacher, elementary and secondary schools.							
Attendance officer.							
Child labor inspector.							
Counselor, placement.							
Counselor, elementary and secondary schools.							
Librarian, elementary and secondary schools.							
Librarian, teachers college.							
Research assistant.							
School social worker.							
Speech correctionist.							
Instructor, teachers college.							
Instructor, laboratory school.							
School psychologist.							

"'Salary class and group	Step						Longevity	
	8	9	10	11	12	13	X	Y
Class 11:								
Group B, master's degree	$12,090	$12,380						
Group C, master's degree plus 30 credit hours	12,310	12,600						
Group D, doctor's degree	12,530	12,820						
Assistant director, practical nursing.								
Associate professor, teachers college.								
Chief librarian, teachers college.								
Class 12:								
Group B, master's degree	11,620	11,910						
Group C, master's degree plus 30 credit hours	11,840	12,130						
Group D, doctor's degree	12,060	12,350						
Chief attendance officer.								
Clinical psychologist.								
Class 13:								
Group B, master's degree	11,085	11,440						
Group C, master's degree plus 30 credit hours	11,305	11,660						
Group D, doctor's degree	11,525	11,880						
Assistant professor, teachers college.								
Assistant professor, laboratory school.								
Psychiatric social worker.								
Class 14:								
Group A, bachelor's degree	9,070	9,365	$9,660	$9,955	$10,250	$10,545		
Group B, master's degree	9,615	9,910	10,205	10,500	10,795	11,090		
Group C, master's degree plus 30 credit hours	9,835	10,130	10,425	10,720	11,015	11,310		
Group D, doctor's degree	10,055	10,350	10,645	10,940	11,235	11,530		
Coordinator of practical nursing.								
Census supervisor.								
Class 15:								
Group A, bachelor's degree	7,675	7,935	8,195	8,455	8,715	8,975	$9,580	$10,185
Group B, master's degree	8,220	8,480	8,740	9,000	9,260	9,520	10,125	10,730
Group C, master's degree plus 30 credit hours	8,440	8,700	8,960	9,220	9,480	9,740	10,345	10,950
Group D, master's degree plus 60 credit hours or doctor's degree	8,660	8,920	9,180	9,440	9,700	9,960	10,565	11,170'
Teacher, elementary and secondary schools.								
Attendance officer.								
Child labor inspectors.								
Counselor, placement.								
Counselor, elementary and secondary schools.								
Librarian, elementary and secondary schools.								
Librarian, teachers college.								
Research assistant.								
School social worker.								
Speech correctionist.								
Instructor, teachers college.								
Instructor, laboratory school.								
School psychologist.								

"(2)(A) Section 2(c)(1) (D.C. Code, sec. 31-1511(c)(1)) is amended to read as follows:

"'(1) The terms "master's degree" and "doctor's degree" mean, respectively, a master's degree and a doctor's degree granted in course by an accredited higher educational institution.'

"(B) Section 2(c)(2) (D.C. Code, sec. 31-1511(c)(2)) is amended by adding at the end thereof the following new sentence: 'The term "plus sixty credit hours" means the equivalent of not less than sixty graduate semester hours in academic, vocational, or professional courses beyond a master's degree, representing a definite educational program satisfactory to the Board, except that in the case of a shop teacher in the vocational education program the sixty semester hours need not be graduate semester hours. Graduate credit hours beyond thirty which were earned prior to obtaining a master's degree may be applied in computing such sixty credit hours.'

"(3) Section 4 (D.C. Code, sec. 31-1521) is amended to read as follows:

"'SEC. 4. Any employee of the Board of Education in group C of a salary class in the salary schedule in section 1 of this Act who possesses a doctor's degree, and any employee of the Board of Education in group C of salary class 15 of such salary schedule who possesses a master's degree plus sixty credit hours, shall be transferred in accordance with section 10(a) to group D of such salary class.'

"(4) Section 5 (D.C. Code, sec. 31-1522) is amended by adding the following new subsections:

"'(c) The Board of Education, with the concurrence of the Board of Commissioners of the District of Columbia, is authorized to establish a position which shall be designated "teacher-aide (noninstructional)". Such positions shall be classified, in accordance with sections 5102 and 5106 of title 5, United States Code, at a grade not higher than GS-4, and shall be compensated in accordance with the General Schedule in section 5333(a) of title 5, United States Code. The minimum qualification for appointment to such position shall be successful completion of at least sixty semester hours at an accredited junior college, college, or university. A person appointed to such position shall be a noninstructional employee, and his primary duty shall be to assist the instructional staff in tasks related to instruction. The total of the number of teacher-aides (noninstructional) appointed under this Act and the number of persons appointed under any other Act to perform in the public school system of the District of

Columbia the same duties as teacher-aides (noninstructional) shall at no time exceed 5 per centum of the number of classroom teachers in salary class 15.

"'(d) The initial assignment of each position of school principal in the public school system of the District of Columbia to one of the four principal levels within salary class 6 of the salary schedule in section 1 of this Act shall be made in accordance with the following provisions:

"'(1) Within 60 days following the date of enactment of this subsection, the Board of Education, with the cooperation of the Board of Commissioners of the District of Columbia, shall assign each position of school principal to one of the four principal levels within salary class 6 of the salary schedule in section 1. Such assignment shall be made on the basis of an evaluation by the Board of Education, with the cooperation of the Commissioners of the District of Columbia, of the duties and responsibilities of each position of school principal in the school administered by the person holding such position. Such evaluation shall be based on (A) such workload factors as (i) the academic program, (ii) the number of teachers, nonteaching personnel and other professional and nonprofessional personnel supervised, (iii) school enrollment, (iv) cocurricular activities, (v) extracurricular activities, and (vi) community activities; and (B) such other factors as the Board of Education deems appropriate. The initial assignment of a position of school principal to a principal level within salary class 6 shall be effective on the effective date of this subsection.

"'(2) In the case of a person holding the position of school principal on the effective date of this subsection, the initial assignment of the position held by such person to one of the four principal levels within salary class 6 shall not (A) affect the group and service step occupied by such person, or (B) for the period during which such person holds such position, reduce his rate of compensation below the rate of compensation to which he was entitled immediately prior to such effective date.

"'(3) During the period beginning on such effective date and ending on the date of such initial assignment, each person holding the position of school principal on such effective date shall have his compensation fixed in accordance with the rate of compensation prescribed for that service step, corresponding to his creditable years of service, of principal level I in that group within salary class 6 which corresponds to his academic qualifications. Each such person shall be paid for such period the difference, if any, between the amount of compensation he received during such period and the amount of compensation that he would have been paid during such period if his compensation had been fixed in accordance with the rate of compensation prescribed for the principal level in salary class 6 to which his position was assigned.

"'(e) On July 1, 1967, and on July 1 of each year thereafter, the Board of Education, with the cooperation of the Board of Commissioners of the District of Columbia, shall evaluate the duties and responsibilities of each position of school principal on the basis of the factors prescribed in paragraph (1) of subsection (d) to determine whether the principal level within salary class 6 which such position is assigned is commensurate to the duties and responsibilities of such position. The Board of Education may assign a position of school principal to a different principal level within salary class 6 only if it determines on the basis of three consecutive annual evaluations that such assignment should be made. A person holding a position of school principal which the Board of Education has assigned to a different principal level shall not be placed in a lower service step in the new principal level than the service step he occupied immediately prior to such assignment.'

"(5) Subsection (a) of section 7 (D.C. Code, sec. 31-1532(a)) is amended to read as follows:

"'(a)(1) Each employee who is newly appointed or reappointed to any position in salary classes 3 to 15, inclusive, of the salary schedule in section 1 shall be assigned to the service step numbered next above the number of years of service with which he is credited for the purpose of salary placement. The Board, on the written recommendation of the Superintendent of Schools, is authorized to evaluate the previous experience of each such employee to determine the number of years with which he may be so credited. Employees newly appointed, reappointed or reassigned to any position in salary class 15 shall receive one year of such placement credit for each year of satisfactory service, not exceeding nine years, in the District of Columbia in salary class 15, or in the same type of position regardless of school level, in an educational system or institution of recognized standing outside the District of Columbia public schools, as determined by the Board. Employees newly appointed, reappointed, or reassigned to any position in salary classes 3 to 14, inclusive, except the positions of chief librarian and assistant professor, associate professor and professor, shall receive no placement credit for educational service or trade experience outside the District of Columbia public schools. Employees reappointed or reassigned to positions in salary classes 3 to 14 inclusive, shall receive one year of placement credit for each year of satisfactory service in the same salary class or in a position of equivalent or higher rank within the District of Columbia public schools, except that no such employee shall receive more than five years of placement credit for previous service rendered as a temporary employee within such system. Persons appointed to the position of shop teacher in the vocational education program shall receive one year of placement credit for each year of approved experience in the trades, as determined by the Board but not in excess of nine years for any combination of trade experience and educational service outside the school system. Employees newly appointed or reappointed to positions of assistant professor (salary class 13), chief librarian and associate professor (salary class 11), and professor (salary class 8) shall receive one year of placement credit for each year of satisfactory service, not in excess of five years, in a position of the same or higher rank in a college or university of recognized standing outside the District of Columbia public schools, as determined by the Board.

"'(2) Salary placement credit for service rendered either inside or outside the public school system of the District of Columbia shall be effective on the date of appointment or on the first day of the twelfth month prior to the date of approval of such placement credit by the Board, whichever is later.

"'(3) Each probationary or permanent employee in salary class 15 who is in the employ of the Board of Education on the effective date of this paragraph shall move to the numerical service step or longevity step, as the case may be, commensurate with the additional creditable service allowed such employee under the amendments made by the District of Columbia Teachers' Salary Act Amendments of 1966.'

"(6) Section 9 (D.C. Code, sec. 31-1534) is amended by inserting '(a)' immediately after 'Sec. 9.' and by adding at the end thereof the following new subsections:

"'(b) The following provisions shall apply to all temporary employees in salary class 15:

"'(A) Each temporary employee in salary class 15 employed cumulatively as such an employee in such salary class less than three full years as of July 1, 1966, must qualify as a probationary employee within five years after the date of employment or July 1, 1966, whichever date is later, or his employment shall be terminated as of the date of completion of the then current school year.

"'(B) Each temporary employee in salary class 15 employed cumulatively as of July 1, 1966, for more than three but less than ten full years as such an employee in such salary class, must qualify as a probationary employee within seven years after July 1, 1966, or his employment shall be terminated as of the date of completion of the then current school year.

"'(C) Each temporary employee in salary class 15 who has accumulated more than ten full years of satisfactory service as of July 1, 1966, as such an employee in such salary class, may be continued as temporary teacher contingent upon satisfactory service.

"'(c)(1) A temporary employee in salary class 15 who receives a permanent appointment shall be advanced on and after the date of such appointment in double annual increments to the place in the salary schedule which he would have occupied if he had been employed as a probationary employee from the date of his appointment as a temporary employee. A temporary employee in salary class 15 who receives a probationary appointment within two years of the date of his appointment as a temporary employee shall receive full placement credit on the date of his appointment as a probationary employee as if he had been employed as a probationary employee from the date of his appointment as a temporary employee.

"'(2) Temporary employees in salary class 15 with fifteen or more total years of satisfactory service in the District of Columbia public schools shall be advanced to service step 10, effective July 1, 1966.

"'(d) An employee who is on temporary status only because of the age limitation, but is otherwise qualified, shall receive salary placement on the same basis as a probationary or permanent teacher, and may continue as temporary teacher contingent upon satisfactory service.'

"(7) Section 10 (D.C. Code, sec. 31-1535) is amended to read as follows:

"'Sec. 10. (a) On and after the effective date of the District of Columbia Teachers' Salary Act Amendments of 1966, each promotion to group B, group C, or group D, within a salary class, shall become effective—

"'(1) on the date of the regular meeting of the Board immediately preceding the date of approval of that promotion by the Board, or

"'(2) on the effective date of the master's degree or doctor's degree or on the completion of thirty or sixty credit hours beyond the master's degree, as the case may be, whichever is later.

"'(b) Any employee in a position in a salary class in the salary schedules in section 1 of this Act who is promoted to group B, group C, or group D of such salary class, shall be placed in the same numerical service step in his new group which he would have occupied in the group from which promoted.'

"(8)(A) Section 13(a) (D.C. Code, sec. 31-1542(a)) is amended to read as follows:

"'(a) The Board is authorized to conduct as part of its public school system the following: extended school year programs, adult education school programs, and an Americanization school, under and within appropriations made by Congress. The pay for teachers, officers, and other educational employees in the summer schools, adult education schools, and veteran's summer high school centers shall be as follows:

" 'Classification	Step 1	Step 2	Step 3
SUMMER SCHOOL (REGULAR)	Per diem		
Teacher, elementary and secondary schools; counselor, elementary and secondary schools; librarian, elementary and secondary schools; school social worker; speech correctionist; school psychologist and instructor, District of Columbia Teachers College	$22.73	$25.11	$27.50
Psychiatric social worker and assistant professor, District of Columbia Teachers College	27.28	30.13	33.00
Clinical psychologist	28.41	31.39	34.33
Associate professor, District of Columbia Teachers College	29.55	32.64	35.75
Assistant principal, elementary and secondary schools and professor, District of Columbia Teachers College	32.96	36.41	39.89
Supervising director	34.10	37.67	41.25
Principal, elementary and secondary schools	36.37	40.18	44.00
VETERANS SUMMER HIGH SCHOOL CENTERS	Per diem		
Teacher	$34.10	$37.67	$41.25
ADULT EDUCATION SCHOOLS	Per period		
Teacher	$5.56	$6.14	$6.72
Assistant principal	8.06	8.90	9.74
Principal	8.90	9.82	10.75'

"(B) Section 13 is further amended by adding at the end the following new subsection:

" '(d)(1) The Board is authorized to pay to a classroom teacher in salary class 15 who performs an extra duty activity, on a continuing basis, in addition to the standard teaching load assigned for a regular day school teacher at his particular school level, the additional annual compensation prescribed for such extra duty activity by the Board in accordance with this subsection. The Board may, with the approval of the Board of Commissioners of the District of Columbia and on the written recommendation of the Superintendent of Schools, prescribe the amount of additional compensation for a teacher who performs an extra duty activity, except that the amount of additional compensation for each such activity may not in any school year exceed $750.

" '(2) The additional compensation authorized by this subsection shall be in addition to the compensation prescribed by the salary schedule in section 1 of this Act for classroom teachers in salary class 15. Payment of such additional compensation shall be made monthly following the performance of such extra duty activity. Such additional compensation shall not be subject to deduction or withholding for retirement or insurance, and such additional compensation shall not be considered as salary (A) for the purpose of computing annuities pursuant to the Act entitled "An Act for the retirement of public-school teachers in the District of Columbia", approved August 7, 1946 (D.C. Code, sec. 31-721 et seq.), and the provisions of section 8323 and subchapter III of chapter 81 of title 5, United States Code, or (B) for the purpose of computing insurance coverage under the provisions of chapter 87 of title 5, United States Code. Such additional compensation may be paid for more than one activity assigned to a classroom teacher so long as such activities are not performed concurrently.

" '(3) The Board may make such regulations as may be necessary to carry out the purposes of this subsection.'

"Sec. 203 (a) Retroactive compensation or salary shall be paid by reason of this title only in the case of an individual in the service of the Board of Education of the District of Columbia (including service in the Armed Forces of the United States) on the date of enactment of this Act, except that such retroactive compensation or salary shall be paid (1) to any employee covered in this title who retired during the period beginning on July 1, 1966, and ending on the date of enactment of this Act, for services rendered during such period, and (2) in accordance with the provisions of subchapter 8 of chapter 55 of title 5, United States Code (relating to settlement of accounts of deceased employees), for services rendered during the period beginning on July 1, 1966, and ending on the date of enactment of this Act, by any such employee who dies during such period.

"(d) For purposes of this section, service in the Armed Forces of the United States in the case of an individual relieved from training and service in the Armed Forces of the United States or discharged from hospitalization following such training and service, shall include the period provided by law for the mandatory restoration of such individual to a position in or under the municipal government of the District of Columbia.

"Sec. 204. For the purpose of determining the amount of insurance for which an individual is eligible under the provisions of chapter 87 of title 5, United States Code (relating to Government employees group life insurance), all changes in rates of compensation or salary which result from the enactment of this title shall be held and considered to be effective as of the date of enactment of this Act.

"Sec. 205. (a) Except as provided in subsection (b) of this section, this title and the amendments made by this title shall take effect on July 1, 1966.

"(b) Paragraph 2 of section 7(a) of the District of Columbia Teachers Salary Act of 1955 (as added by paragraph (5) of section 202 of this title) shall take effect with respect to appointments made by the Board of Education of the District of Columbia after July 1, 1965."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill.

John L. McMillan,
Basil Whitener,
John Dowdy,
Ancher Nelsen,
Frank J. Horton,
Joel T. Broyhill,
Managers on the Part of the House.

Alan Bible,
Tom McIntyre,
Joseph D. Tydings,
Winston L. Prouty,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15857) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all the House bill after the enacting clause and inserted a substitute amendment which in addition to amending H.R. 15857 (providing pay increases for District of Columbia policemen and firemen) also includes pay increases for District of Columbia teachers. The House provided pay increases for District of Columbia teachers in H.R. 16337. The committee of conference has agreed to a substitue for both the House bill and the Senate amendment. Except for technical, clarifying, and conforming changes, the following statement explains the differences between the bills H.R. 15857 and H.R. 16337, as passed the House, and the substitute agreed to in conference.

Dog handler's pay.—The House bill, H.R. 15857, provided that certain officers and members of the Metropolitan Police force who performed the duty of dog handler should receive an additional $610 per annum. The Senate amendment was identical to the House bill, except the amount of additional compensation per annum was set at $580. The conference substitute conforms to the provision of the Senate amendment.

Disability benefits.—The House bill, H.R. 15857, in an amendment to the Policemen and Firemen's Retirement and Disability Act provided that officers and members of the Metropolitan Police force, the District of Columbia Fire Department, the United States Park Police force, the White House Police force, and the United States Secret Service who, for injury received or disease contracted in line of duty, retired for permanent total disability prior to October 1, 1956, would receive retirement benefits after July 1, 1966, computed on the basis of the retirement law which went into effect after October 1, 1956. The Senate amendment contained no similar provision and neither does the conference substitute.

Widow's annuities.—The House bill, H.R. 15857, amended the definition of the term "widow" in the Policemen and Firemen's Retirement and Disability Act so that a widow of a retired officer or member would be eligible for an annuity if she had been married to the retired member before his retirement or at least two years preceding his death or if she was the mother of issue by such marriage. Present law provides that a widow is not eligible for benefits unless she was married to the retired officer or member before his retirement. The Senate amendment did not contain a similar provision and neither does the conference substitute.

Teacher's pay scales.—The House bill, H.R. 16337, provided an overall increase of approximately 7.9 percent in the salaries of all professional personnel in the public school system of the District of Columbia, except the superintendent and deputy superintendent. The Senate amendment provided an increase of approximately 8.9 percent in the salaries of all professional personnel in the public school system, including the superintendent and deputy superintendent. The conference substitute provides a salary increase of approximately 8.9 percent but this increase does not affect the salaries of the superintendent and deputy superintendent.

Teacher-aides pay.—The House bill, H.R. 16337, provided a salary schedule for the position of teacher-aide which began at

$4,715 per annum and rose to $6,605 per annum. The Senate amendment to H.R. 15587 provided a salary schedule for such position beginning at $4,965 and rising to $6,990 per annum.

The conference substitute does not provide for a salary schedule for the position of teacher-aide within the District of Columbia Teachers' Salary Act of 1955. It is the understanding of the conferees that the positions of teacher-aide are now classified at grades GS-2 and GS-4 and are compensated in accordance with the General Schedule in section 5332(a) of title 5, United States Code. It is the intent of the conferees in not providing a salary schedule for the position of teacher-aide within the District of Columbia Teachers' Salary Act of 1955 that such positions will continue to be classified and compensated at a grade not higher than GS-4.

Limit on number of teacher-aide positions in school system.—The House bill, H.R. 16337, provided that the total number of persons who could occupy the position of teacher-aide—whether appointed under the District of Columbia Teachers' Salary Act of 1955 or any other Act—could not exceed 4 percent of the number of classroom teachers in salary class 15. The Senate amendment contained no comparable provision. The conference substitute is identical to the House bill H.R. 16337, except that the limitation is 5 percent of the number of classroom teachers in salary class 15.

Overage temporary teachers.—The Senate amendment contained a provision not in the House bill, H.R. 16337, which provided that those teachers who are temporary because of age limitations only but who are otherwise qualified shall be treated as permanent teachers for step placement purposes and shall be retained in the school system. The conference substitute is identical to the Senate amendment's provision.

Extra-duty pay.—The House bill, H.R. 16337, provided a schedule of additional annual compensation for teachers in salary class 15 who performed extra duty activities. Such schedule had a ceiling of $750 per annum for any one activity. To qualify for such additional compensation a teacher had to perform, in addition to a standard teaching load, an activity approved by the Board of Education which required at least 25 hours in any one semester and which involved students who had voluntarily selected such activity. The Senate amendment also provided additional compensation for the performance of an extra duty activity. However, the Board of Education, with the approval of the Commissioners and on the written recommendation of the superintendent, was authorized to establish the amount of additional compensation, and the only qualification for such compensation was that the teacher perform the extra duty activity on a continuing basis and in addition to the standard teaching load. The conference substitute is identical to the Senate amendment, except that there is a ceiling of $750 per school year for any one extra duty activity.

John L. McMillan,
Basil Whitener,
John Dowdy,
Ancher Nelsen,
Frank J. Horton,
Joel T. Broyhill,
Managers on the Part of the House.

Mr. DOWDY. Mr. Speaker, I ask unanimous consent that the gentleman from North Carolina [Mr. Whitener] may extend his remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PURPOSES OF THE BILL

Mr. WHITENER. Mr. Speaker, the purposes of title I of H.R. 15857 are to increase the salaries of the officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia, to correct certain inequities existing in the present salary schedule, and to equalize the pensions of the members of these forces who have been retired for permanent total disability incurred in the line of duty, regardless of the date of their retirement.

NEED FOR LEGISLATION

On October 1, 1965, all Federal classified workers and all District of Columbia government employees with the exception of policemen, firemen, and teachers were granted a salary increase of 3.6 percent. In addition, another salary increase for these same government employees this year appears to be a certainty. Simple equity alone demands a substantial increase in salaries at this time for the gallant, dedicated officers and members of these vital forces who daily risk their lives in the protection of the property and lives of the residents of and visitors to the Nation's Capital. In this connection, implicit in the failure of the Congress to include the police and firemen in last year's cost-of-living salary increases was an assurance that this would be rectified with an increase in this session of the Congress which would be retroactive to the date of last year's pay raise to the other government employees.

In addition, however, there is a very acute problem of recruitment for these forces in the District, and also of retention of the younger men in the ranks, which must be faced and which can be solved in part by realistic salary increases, particularly in the four lowest salary classes.

Your committee is informed that the Metropolitan Police force has not been at full authorized strength since February 1964, and that since that time the number of vacancies has increased steadily until on May 13, 1966, there were 218 vacancies on the force with an authorized strength of 3,100 men. In an effort to solve this problem, during the past year the number of recruiting teams was increased to 20, which were sent out to a number of cities in 11 of the Eastern and Middle States. The efforts of these teams have resulted in the appointment of 72 new policemen out of a total of 1,043 applicants who were examined. In addition, examination for applicants have been arranged for Saturdays and at night, and advertisements have been placed weekly in many newspapers. Despite these and other efforts, however, the Metropolitan Police force is operating below the authorized strength needed as a minimum to control and prevent crime in the District of Columbia.

During the past fiscal year, 112 men resigned from the Metropolitan Police force for various reasons, some of them to join police departments in other jurisdictions. During this same year 102 men retired and there were 28 other types of separations.

Recent statistics show that major crime in the District of Columbia increased 11.5 percent in 1965 as compared to 1964. Also, since 1963, the District of Columbia has continued to rank 4th highest in the number of major crime offenses among the 16 cities with a population of 500,000 to 1 million.

PRESIDENT'S MESSAGE

In the face of the ever-mounting crime rate in the Nation's Capital, it is incumbent upon the Congress to provide every means within its power to assure adequate and capable manpower to the Metropolitan Police force. In this connection, the President in his budget message on January 25, 1966, for the District of Columbia, stated:

> The Police Department has been encountering great difficulties in recruiting qualified candidates. An increase in the salaries of policemen is necessary to bring the police force to its currently authorized strength. Legislation to accomplish this will be proposed to Congress.

The Fire Department of the District of Columbia also has a recruitment and retention problem, which may be somewhat less acute than that of the Police Department, but nevertheless poses a dangerous situation for the adequate protection of the city against fire. Your committee is informed that, in order to maintain an adequate firefighting force, the District of Columbia Fire Department in recent years has been obliged to accept applicants whose civil service examination scores are in the low seventies. Actually, a mark of 70 on this relatively simple examination is assigned for only 40 correct answers out of 80 questions. In these times when urban firefighting has become a highly technical occupation, demanding an in-training program with a heavy emphasis upon educational accomplishment, to be obliged to accept subpar recruits will inevitably lead to a deterioration in the quality of the force and also of its general morale and esprit de corps. The District of Columbia cannot afford to permit this deterioration to take place in its Fire Department which for years has been regarded as one of the finest in the United States.

At least a partial solution to the above-cited problems of recruitment and retention in these forces so essential to public safety lies in realistic salary increases, weighted appropriately to present an attractive career opportunity for qualified young men. It is the opinion of your committee that H.R. 15857 embodies a minimum such salary schedule with an average increase of approximately 9.9 percent effective as of July 1, 1966.

At present, only privates in the police force who are assigned as dog handlers are entitled to extra remuneration to compensate them for the expense of housing, feeding, care, and transportation of the dogs. However, since the innovation of the Canine Corps as a part of the Metropolitan Police force, it has been found expedient in some few instances to assign members of higher rank, including sergeants, to this duty of dog handler. Your committee has included a provision in H.R. 15857 to afford the same extra pay for all dog handlers in the force, regardless of rank.

PROVISIONS OF THE BILL

Title I amends the District of Columbia Police and Firemen's Salary Act of 1958, as follows:

First. A new salary schedule is provided for officers and members of the Metropolitan Police force and the Fire Department of the District of Columbia. This new salary schedule will provide an increase of 11.4 percent for beginning privates, and increases for the other categories of privates ranging from 10.4 percent to 10.9 percent. Fire inspectors, who comprise class 2, will receive salary increases ranging from 9.7 percent to 10.5 percent. Members in salary class 3, which includes detectives, will be increased by 10 percent. The various grades of sergeants who comprise salary class 4, will be increased from 9 percent to 9.6 percent, and all officer personnel, who occupy the remaining salary classes 5 through 10, will receive an increase of 7.1 percent.

The average increase in salaries provided by this new salary scale is approximately 9.9 percent. The reason for weighting the increases in favor of the four lowest salary classes, and particularly in the starting salary figure, is that the critical problems of recruitment and retention of personnel in these vital forces are most acute in these areas.

This proposed salary schedule will place the minimum salary for privates in the Police and Fire Departments of the District at $6,700, with a maximum of $8,400 attainable in 19 years of service. These figures will change the relative position of the District of Columbia in respect to these salaries among the jurisdictions of the Washington Metropolitan area and among the 21 U.S. cities of population greater than 500,000, as shown in the following table:

	In Washington metropolitan area		Among 21 largest cities	
	Minimum	Maximum	Minimum	Maximum
Police:				
Present	2	3	11	6
Proposed	1	1	5	5
Firemen:				
Present	1	1	10	5
Proposed	1	1	5	5

In the opinion of our committee, this will afford the Metropolitan Police force and the Fire Department of the District of Columbia an excellent competitive position for the recruitment of qualified new personnel, and will go far toward a solution of this very serious problem.

Our committee believes that the somewhat higher percentage increases for the four lowest classes in the salary schedule, as compared with the more modest increases for officers, will prove an invaluable aid to recruitment and retention of well-qualified personnel, to a far greater extent than could any across-the-board increase.

Therefore, our committee feels that this proposed salary schedule, slightly higher in average percentage than was recommended by the District of Columbia Commissioners and effective July 1, 1966, will properly compensate the members of the Police and Fire Departments for having received no salary increase in 1965, and at the same time from the standpoint of all considerations comes reasonably close to the limitations contained in the Commissioners' bill.

Second. All privates who at this time are not at the top longevity step, but who have more than 19 years of service as a private, shall be advanced to the top longevity step. Previous legislation reduced the service time requirement from 28 years to 19 years for a private to reach the top longevity step. At present, however, there are a few privates who have more than 19 years of service but who because of previous legislation will have to wait until they have at least 21 years of service before being advanced to the top longevity step. This provision is designed to afford these privates the same benefits as newly appointed privates.

Third. All officers in longevity step 7 of class 5 or 8, with at least 14 years of service, shall be advanced to the top longevity step 8. This is for a reason similar to that described above, for privates.

Fourth. All officers and members of the Police Department assigned to duty as dog handlers shall receive extra pay in the amount of $610 per year, as compensation for their expense of feeding, housing, caring for, and transporting these dogs. This extra compensation has heretofore been extended only to privates who are assigned as dog handlers. At present, however, there are five sergeants acting also in this capacity, and it is the feeling of your committee that they should also receive this extra pay.

Fifth. Addition of a subsection to define a "calendar week of active service" as contained in the District of Columbia Police and Firemen's Salary Act of 1958, as amended, for step increase purposes when periods of leave with pay or periods of nonpay status may be involved. This subsection conforms with the nonpay status principle used for step increases for those District employees under the Classification Act of 1949.

Sixth. Certain technical provisions as to the effective date of the salary increases, which is the first day of the first pay period beginning on or after July 1, 1966, service in the Armed Forces of the United States, and redetermination of insurance amounts.

COST OF TITLE I OF THE BILL

The estimated annual cost of title I of this bill, as computed by the District of Columbia Personnel Office, is tabulated as follows:

	Police	Firemen
Salary increases	$2,401,800	$1,112,200
Overtime	354,800	11,200
Holiday pay	38,600	43,000
District of Columbia share of U.S. Park Police salaries	76,600	
Total	2,881,800	1,166,400
Grand total	4,048,200	

Public hearings on this legislation were conducted by Subcommittee No. 5 on May 17 and 23, 1966. All witnesses concurred in the necessity for and desirability of increased compensation to the police and firemen of the District of Columbia.

The President of the United States has requested the assistance of the Congress in making the Nation's Capital a model city, to which end this committee has earnestly labored through the years.

In his special message to the Congress against crime on March 9, 1966, the President included in his first-stage recommendations—calling for immediate action—the following:

> I recommend a susbtantial increase in police salaries to attract and retain the best qualified officers in the District of Columbia.

Your committee believes that H.R. 15857 as reported meets this desire.

CONFERENCE ACTION: DISABILITY BENEFITS AND WIDOW'S ANNUITIES

Title I of the House bill contains two main provisions not in the Senate bill, pertaining to retirement benefits, as follows:

First. Officers and members of the Metropolitan Police force, the District of Columbia Fire Department, the U.S. Park Police force, the White House Police force, or the U.S. Secret Service who were retired for permanent total disability prior to October 1, 1956, will receive retirement benefits after July 1, 1966, computed on the basis of the retirement law which went into effect after that date.

Under existing law (39 Stat. 718), an officer or member who was retired for disability incurred in line of duty prior to October 1, 1956, receives a maximum annuity of 50 percent of his last annual salary. No minimum percentage was provided for such retirees, and your committee regards the granting of a 50-percent annuity as indicating total disability on the part of a retiree under that law. Public Law 85-157, however, approved August 21, 1957 (71 Stat. 391), provides that officers or members of these forces who are retired subsequent to October 1, 1956, for disability incurred in line of duty shall receive an annuity computed at 2 percent of his last annual salary per year of service, with a minimum of 66⅔ percent and a maximum of 70 percent. Thus, under H.R. 15857, the older retirees for total disability incurred in the performance of duty would have their annuities increased from the present 50 percent to at least 66⅔ percent of their last annual salary and in some cases to as much as 70 percent, depending upon their number of years of service.

The House regarded this provision as a simple matter of justice to these disabled public servants, who faced the same hazards of service and suffered the same loss of physical ability to earn their living as did those who retired under identical circumstances at a later date, and, for this reason, the existing difference of from 16⅔ percent to 20 percent in the annuities with which they must face the same costs of living should be eliminated.

Our committee is advised that some 748 older retired members will be affected by this provision. No estimate of the annual cost is readily available.

Second. In the event that a retired officer or member of the District of Columbia Police or Fire Department marries after his retirement, his widow will be entitled to full benefits as provided in subsection (a)(3) of the Policemen and Firemen's Retirement and Disability Act. However, such widow must have been married to the retired officer or member for at least 2 years prior to his death.

Under existing law, a widow in such circumstances would not be entitled to any annuity or benefits whatever. The House was of the opinion that this is an inequity and should be corrected.

The conferees agreed that both these provisions should be the subject of further consideration, and that hearings would be held by both committees early in the next Congress. Hence the conference substitute contains neither of these provisions.

For its part, the House Committee on the District of Columbia feels strongly the inequity resulting from the present law with regard to both retirees and widows of retirees as stated above, and hopes that proper legislation to correct same may be enacted soon after the next Congress convenes; otherwise, a gross injustice will continue as to these two groups.

Mr. DOWDY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

PROVISIONS OF TITLE II OF THE BILL

Mr. DOWDY. Mr. Speaker, the principal provisions of title II of H.R. 15857 are the following:

First. Increase the salaries of District of Columbia teachers and school officers an average of 8.9 percent, effective as of July 1, 1966.

Second. Authorize the position of "teacher-aid — noninstructional" — to provide assistance to the classroom teachers in various nonteaching functions.

Third. Establish four salary levels in each group in salary step 6 for principalships, based upon factors common to all principalships but without regard to school level.

Fourth. Extend from 5 years to 9 years the salary placement credit given for previous acceptable teaching experience to persons appointed or reappointed in the District of Columbia school system.

Fifth. Require temporary teachers to qualify fully for probationary appointment within a prescribed period of years dependent upon length of previous service in the District of Columbia system.

Sixth. Authorize extra pay for classroom teachers who perform extra duty activity on a continuing basis during hours beyond the regular school day.

NEED FOR LEGISLATION

On October 1, 1965, all Federal classified workers and all District of Columbia government employees with the exception of teachers, policemen, and firemen were granted a salary increase of 3.6 percent. In addition, another salary increase of 3.2 percent for these same government employees, to take effect July 1, 1966, has just been signed into law. Further, a bill to increase the salaries of the District of Columbia policemen and firemen as of July 1, 1966, was approved by the House on June 27.

In this situation, simple equity alone demands a substantial increase in salaries at this time for the capable and dedicated teachers and school officers whose work is so vital to the welfare of the Nation's Capital. Further, implicit in the failure of the Congress to include teachers in last year's cost-of-living salary increases was the intent that this would be rectified by an increase for them in this session of the Congress commensurate with last year's pay raise for the other Government employees.

In addition, there is a very acute problem of recruitment and retention of qualified teachers in the District of Columbia, which can be solved in part by realistic salary increases. The most vigorous competition for the recruitment of new teachers and the retention of experienced teachers comes, of course, from the six surrounding school jurisdictions, comprising Alexandria, Arlington, Fairfax County, Falls Church, in Virginia, and Prince Georges County, and Montgomery County in Maryland.

COMPETITIVE POSITION

In 1964, all area systems placed into effect substantial teacher salary adjustments. At that time, the District maintained a good competitive position by the enactment of a 7-percent salary increase. This competitive position was short-lived, however, because of new salary adjustments approved for the 1965–66 school year by all the other area systems except Falls Church, whose competitive position is currently quite favorable. Further, the District's position is now in more serious jeopardy by reason of further increase recently adopted in several of these surrounding areas for the school year 1966–67. In short, whereas in past years salary adjustments made by these six local school systems could be predicted on a 3-year cycle, this cycle has now been shortened to 2 years and seems to be moving toward an annual basis.

This proposed legislation will provide for the District of Columbia the recruitment and retention of teaching personnel, both as compared with the other six jurisdictions in the Washington metropolitan area and also with all the U.S. cities with populations in excess of 500,000 persons.

In addition to direct comparisons of pay, two other facts should be remembered in comparing annual salaries of various school systems. First, that the length of the work year varies by as much as 4 weeks among the school systems. New York, for example, has a 190–195-day work year versus 184 in the District. The second fact is that only two other large cities provide both health and life insurance benefits, and these are not as extensive as those provided by the District of Columbia government, as are shown in the following table prepared by the District of Columbia Accounting Division:

Cost of fringe benefits for District of Columbia teachers and school officers, fiscal year 1966

Regular teachers retirement	$7,369,400
Civil service retirement (temporary teachers)	1,154,700
Health benefits	170,000
Life insurance	128,200
Social security	55,000
Total	8,877,300

Your committee is of the opinion that this proposed salary scale will permit the District to compete adequately in a labor market where there has been a chronic teacher shortage for 20 years, and where the need for the most dedicated teachers is greater than ever before.

I. SALARY INCREASES

The bill is designed to provide an overall increase of approximately 8.9 percent in the salaries of all professional personnel in the District of Columbia public school system except for the Superintendent and the Deputy Superintendent, effective as of July 1, 1966. Your committee is of the opinion that inasmuch as the present salary of the Superintendent of Schools is equal to that of the members of the District of Columbia Board of Commissioners, a further increase at this time would be inappropriate, and that the salary of the Deputy Superintendent is properly related at its present level both to the salary of the Superintendent and to the salary assigned to the Assistant Superintendents by the new salary scale.

II. TEACHER-AID POSITIONS

This bill authorizes the District of Columbia Board of Education to establish positions of "teacher aid—noninstructional"—as assistants to the classroom teachers. The function of these teacher-aids will be to assist teachers by performing such noninstructional duties, as setting up science experiments, monitoring libraries or homerooms, acting as lay readers, correcting test papers, and similar duties. Such teacher aids must have had at least 2 years of successful work in an accredited college and will be paid a starting wage as at present under grades GS-2–$3,814 and GS-4–$4,641.

Actually, during the past school year and during the current summer school session, the District of Columbia school system has employed two types of noninstructional aids, under authority granted in title I of the Elementary and Secondary Education Act of 1965—Public Law 89-10, approved April 11, 1965. The numbers and distribution of these employees in the different school levels are as follows:

	1965–66	Summer 1966
Number at elementary schools	212	153
Number at junior high schools	26	26
Number at senior high schools	50	50
Total	288	229

These aids are employed under the Classification Act, and are paid with Federal grant funds. It is stipulated that they may be designated to serve only in public schools in deprived or impoverished areas, and their qualifications and duties depend upon their placement in either class 2 or class 4 of the classified pay schedule.

Of these employees, only those in class 4 are designated as "teacher aids" and perform duties comparable to those which will be assigned to the teacher aids authorized by this bill. The purpose of authorizing these positions in this legislation, therefore, is to install the teacher aid as a permanent entity and an integral part of the District of Columbia public school system. Also, your committee is advised that the number of teacher aids—class 4—employed in the District of Columbia last session and in the present summer school is to be reduced next year.

The bill limits the total number of teacher aids who may be employed under this act and under the Elementary and Secondary Education Act of 1965 together, to 5 percent of the number of classroom teachers in the District of Columbia school system. At present, this would be a maximum of approximately 310 such employees.

Your committee is advised that more than 30 percent of the large school systems utilize positions of this type, while many other systems are presently considering their use. Montgomery County, Md., has used such teacher aids for at least 5 years, and its current budget provides for the assignment of these positions in every elementary school in the county.

The use of teacher aids to carry out routine clerical and nonteaching tasks is a promising development in conserving the time of the teacher for her vital role in actual teaching.

III. PRINCIPALS' SALARIES

Prior to 1962, salary scales for the principals in the District of Columbia public school system were based upon school levels. That is, the principals of the senior and vocational high schools were all in class 7, junior high school principals in class 8, and elementary school principals were assigned to class 9 of the salary schedule in existence at that time.

Under Public Law 87-881 (76 Stat. 1229), approved October 24, 1962, amending the District of Columbia Teachers' Salary Act of 1955, however, all public school principals were placed in the same salary class 6 without regard to the varying degrees of their responsibilities and the relative complexities of their positions. Thus, the principal of the Capitol Page School, with an enrollment of approximately 70 pupils, is paid the same salary as the principal of the largest high school in the city.

In acknowledgment of the obvious inequity of this situation, the District of Columbia Board of Education requested the District of Columbia Superintendent of Schools several years ago to review this entire matter and to submit an appropriate recommendation.

As a result of this request, representatives of the District of Columbia Personnel Office and the District Public Schools Administration worked for the past year and a half on a reasonable and equitable evaluation plan for school principals. The plan as developed takes into account factors which are common to all principals' positions, properly weighted in accordance with their relative significance, to constitute a scale which will serve as a truly equitable yardstick of comparative evaluation for salary placement purposes. The implementation of this plan comprises paragraph (4) of section 2 of the bill.

The Superintendent of Schools recommended this plan to the Board of Education, who voted its adoption. It also has the unanimous approval of the District of Columbia Board of Commissioners.

DETAILS OF PROPOSED PLAN

The plan recommended by the District of Columbia Board of Education and incorporated in this proposed legislation continues to retain all principals in salary class 6, but with a variable base establishing four levels of principals, with an appropriate differentiation of salaries. Under the provisions of the bill, however, no principal now in the District of Columbia system will be paid a lower salary than he is presently receiving.

The plan is quantitative and allows each principalship to be rated on factors which are common to all principals' positions without regard to educational levels. Further, these factors can be applied with administrative ease without special interpretation.

The factors developed and the process of evaluation on the basis of a maximum of 1,000 points are as follows:

Workload factors instrument for salary group determination of school principals

	Numerical points
Academic program	300
Each principal has the responsibility of the academic program in his school.	
Supervision of teachers	300
The number of teachers supervised (an eight interval scale with a range of 30 to 300 points utilized).	
School enrollment	200
School size of the building according to single day and cumulative enrollment determined by the formula [single day + 50% (cumulative-single day)].	
Cocurricular, extra-curricular, volunteer	150
Program and community activities based on the following rating scale: First 10 activities (4 points each); next additional 5 activities (6 points each); next additional 5 activities (8 points each); next additional 4 or more activities (10 points each), maximum of 40 points.	
Supervision of nonteaching personnel	50
1. Professional (30 points). Each individual rated 3 points with a maximum of supervisees 10.	
2. Nonprofessional (20 points). Each individual rated 1 point with a maximum of supervisees of 20.	
Total	1,000

BONUS POINTS

Special educational programs: Each program rated 10 points with a maximum number of 5 programs.

Extra administrative responsibility: In administrative units 15 points per building over one, evening school program 25 points.

IV. ESTIMATED COSTS

The following is an analysis of the estimated annual costs of title II of this proposed legislation as agreed upon in conference prepared by the District of Columbia Personnel Office:

Salary increases averaging 8.9 percent:	
Total cost of increased salaries	$4,486,025
Interest in advance (retirement)	412,714
Added normal cost (retirement)	273,647
Civil service retirement (temporary teachers)	121,122
Cost of summer and evening schools	75,000
Cost of life insurance	15,000
Total	5,383,508
Estimate of cost for 9-year placement credit proposal	220,000
Estimate of cost for extra-duty pay for classroom teachers	225,000
Estimate of maximum cost for 310 teachers aids if implemented fully in fiscal year 1968:[1]	
Initial cost at step 1	1,495,000
Civil service retirement	97,175
Total	1,592,175
Grand total	7,420,683

[1] This is the total cost which would accrue if all these teachers aids were appointed under the authority provided in this legislation. Actually, at least some of these aids will presumably be appointed under the Federal authority referred to earlier in this report. Hence, the cost to the District of Columbia apparently will not reach this figure.

CONFERENCE ACTION

Teachers' pay scales: The original teachers' pay bill, H.R. 16337, provided an overall increase of approximately 7.9 percent in the salaries of all professional personnel in the public school system of the District of Columbia, except the Superintendent and Deputy Superintendent. The Senate amendment provided an increase of approximately 8.9 percent in the salaries of all professional personnel in the public school system, including the Superintendent and Deputy Superintendent. The conference substitute provides a salary increase of approximately 8.9 percent but this increase does not affect the salaries of the Superintendent and Deputy Superintendent.

Teacher-aids pay: The House bill, H.R. 16337, provided a salary schedule for the position of teacher-aid which began at $4,715 per annum and rose to $6,605 per annum. The Senate amendment to H.R. 15587 provided a salary schedule for such position beginning at $4,965 and rising to $6,990 per annum.

The conference substitute does not provide for a salary schedule for the position of teacher-aid within the District of Columbia Teachers' Salary Act of 1955. It is the understanding of the conferees that the positions of teacher-aid are now classified at grades GS-2, $3,814—and GS-4, $4,641—and are compensated in accordance with the general schedule in section 5332(a) of title 5, United States Code. It is the intent of the conferees in not providing a salary schedule for the position of teacher-aid within the District of Columbia Teachers' Salary Act of 1955 that such positions will continue to be classified and compensated at a grade not higher than GS-4.

LIMIT ON NUMBER OF TEACHER-AID POSITIONS IN SCHOOL SYSTEM

The House bill, H.R. 16337, provided that the total number of persons who could occupy the position of teacher-aid—whether appointed under the District of Columbia Teachers' Salary Act of 1955 or any other act—could not exceed 4 percent of the number of classroom teachers in salary class 15. The Senate amendment contained no comparable provision. The conference substitute is identical to the House bill, H.R. 16337, except that the limitation is 5 percent of the number of classroom teachers in salary class 15, or approximately 310 aids.

Overage temporary teachers: The Senate amendment contained a provision not in the House bill, H.R. 16337, which provided that those teachers who are temporary because of age limitations only but are otherwise qualified shall be treated as permanent teachers for step placement purposes and shall be retained in the school system. The conference substitute is identical to the Senate amendment's provision.

Extra-duty pay: The House bill, H.R. 16337, provided a schedule of additional annual compensation for teachers in salary class 15 who performed extra duty activities. Such schedule had a ceiling of $750 per annum for any one activity. To qualify for such additional compensation a teacher had to perform, in addition to a standard teaching load, an activity approved by the Board of Education which required at least 25 hours in any one semester and which involved students who had voluntarily selected such activity. The Senate amendment also provided additional compensation for the performance of an extra duty activity. However, the Board of Education, with the approval of the Commissioners and on the written recommendation of the superintendent, was authorized to establish the amount of additional compensation, and the only qualification for such compensation was that the teacher perform the extra duty activity on a continuing basis and in addition to the standard teaching load. The conference substitute is identical to the Senate amendment, except that there is a ceiling of $750 per school year for any one extra duty activity.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

Mr. DOWDY. Mr. Speaker, in connection with the conference report just passed, I call up the concurrent resolution (H. Con. Res. 1039) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Con. Res. 1039

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives in the enrollment of the bill (H.R. 15857) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes, is authorized and directed to make the following corrections in the salary schedule for teachers, school officers, and certain other employees of the District of Columbia Board of Education, which is provided in section 202(1) of the bill:

(1) In class 3, step 2, strike out "$16,856" and insert in lieu thereof "$16,865".

(2) In class 3, step 6, strike out "18,115" and insert in lieu thereof "18,105".

(3) In class 6, group C, principal level III, step 5, strike out "14,905" and insert "14,095".

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

Mr. HARSHA. Mr. Speaker, reserving the right to object—and I shall not object—I wonder if the gentleman would explain the need for this resolution?

Mr. DOWDY. This resolution is necessitated because of three printing errors that were made in printing up the conference report. The same mistakes were made on the Senate side, but the Senate adopted the conference report before this was discovered. So that is the necessity for this resolution.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. HARSHA. Yes; I yield to the gentleman.

Mr. HALL. Mr. Speaker, may we have a little more explanation about the difference in the case of the bill and the conference report, from that that left the House, and how the House conferees came out in the general conference?

I know the need for expediting this, and I do not want a long and detailed report, but I would like to know whether or not the Senate amendments that we acceded to are germane, and if this is much more expensive than when it left the House?

Mr. DOWDY. Mr. Speaker, I would say to the gentleman that I cannot tell him exactly, but I doubt if the bill costs much more than it did when it left the House.

The police remain the same as when it passed the House. Police officers and firemen remain the same as when it left the House, and the teachers were increased 1 percent, but we struck out retirement features of the bill.

I thought perhaps the total cost would be a little more, but I am advised that the total cost is approximately the same as the two House-passed bills which became part of the Senate bill.

Mr. HALL. I thank the gentleman.

Were all of the additional amendments put on in the other body germane; is that correct?

Mr. DOWDY. Yes, they were.

What the other body did was combine into one bill the two bills that the House passed, and that was the bill, of course, that was in conference.

Mr. HALL. I thank the gentleman.

Mr. HARSHA. Mr. Speaker, I withdraw by reservation of objection.

The House concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

RECORDATION OF LIENS CREATED BY JUDGMENTS OR DECREES OF THE DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

Mr. DOWDY. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R.17798) to provide that a judgment or decree of the District of Columbia court of general sessions shall not constitute a lien until filed and recorded in the office of the Recorder of Deeds of the District of Columbia, and for other purposes.

The Clerk read the title of the bill.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

Mr. HARSHA. Mr. Speaker, reserving the right to object, and I shall not object, could the gentleman give us a brief résumé of the contents of the bill and the need for it?

PURPOSE OF THE BILL

Mr. DOWDY. Mr. Speaker, the purpose of H.R. 17798 is to provide a suitable means for recording liens established by judgments or decrees entered, or recognizances declared forfeited, by the District of Columbia court of general sessions, hereinafter in this report referred to as the "court of general sessions."

NEED FOR THE LEGISLATION

At present, a judgment or decree of, or a recognizance declared forfeited by, the court of general sessions does not become a lien on interests in real property until it is filed in the Office of the Clerk of the U.S. District Court for the District of Columbia. However, effective November 1, 1966, under the amendments made to chapter I of title 15, District of Columbia Code, by Public Law 89-493 (80 Stat. 263), judgments, liens, or forfeited recognizances will become liens without recordation. There will be no provision for recordation of such liens after November 1, 1966. The obvious confusion and uncertainty in title searches that will develop makes urgent the provision of a system of recordation before such date.

The bill provides that such judgments, decrees, or forfeited recognizances will not become a lien until a certified copy of the judgment, decree, or order of forfeiture of recognizance is filed and recorded in the Office of the Recorder of Deeds of the District of Columbia. Thus suitable records for research to determine the existence of liens on interests in real property will be provided.

In the civil division of the court of general sessions alone, more than 100,000 civil action cases are filed in the clerk's office annually. The only index available is an index to cases filed. More than 400 judgments, decrees, or forfeitures are entered daily by that court.

There is no judgment index or judgment docket. Any person desiring to determine whether a lien exists against a particular parcel of land must run the index of all cases filed to determine whether a judgment has ever been entered.

If the court of general sessions were to set up a judgment index or judgment docket, it would be an expensive and wasteful procedure. New clerical staff would be required to establish and maintain such records. All judgments would have to be entered in such records regardless of whether the amount was significant or the defendant had any interest in real property. Information from the court indicates that only a small percentage of the total number of judgments involve amounts or interests in real property which warrant the expenditure of the nominal fees totaling $1.50 for filing a judgment to create a lien. In 1965, out of more than a total of 107,000 civil cases filed in the court of general sessions, only approximately 6,000 judgments were filed with the clerk of the U.S. District Court for the District of Columbia to create liens on interests in real property. In view of these facts, more than 90 percent of any judgment docket or index set up in the clerk's office in the court of general sessions would be valueless.

The foregoing facts and problem did not become apparent until after the enactment of Public Law 89–493. The need of continuation of a system for the recordation of such liens is obvious. The great urgency for the enactment of the provisions of H.R. 17798 is because of the imminence of the effective date for Public Law 89–493, November 1 of this year. Without the bill's enactment, thousands of money judgments, decrees, and forfeitures of recognizances entered by the court of general sessions will automatically become liens and will then have to be researched repeatedly for many years even though the great percentage of the judgments, decrees, or forfeited recognizances would not be used to establish a lien if there was a prerequisite of recordation.

To accomplish the foregoing objectives, the bill proposes the repeal of sections 8, 9, and 10 of Public Law 89–493, which sections amended those sections of the District of Columbia Code to which some amendments in this bill are directed. The repeal of the above sections becomes effective upon enactment. Otherwise, the provisions of the bill are to become effective on the effective date of Public Law 89–493; namely, November 1, 1966. The bill would also reenact an important provision of the District of Columbia Code which provided that such liens on equitable interests in real property "may be enforced only by an action to foreclose." The fees established in the bill for filing and recording will cover the costs to the Recorder of Deeds without the necessity of use of public funds.

COMMITTEE HEARINGS

At a public hearing by Subcommittee No. 4 of your committee on September 26, 1966, testimony was received in support of the bill and urging its prompt enactment. Representatives of the Board of Commissioners of the District of Columbia, the District of Columbia Bar Association, and local title companies were heard. No opposition was expressed to the enactment of the bill.

ANALYSIS OF BILL

To require recordation of judgments, decrees, and entries or orders of forfeiture of recognizances, of the court of general sessions before they can become liens, the bill amends chapter 1 of title 15 of the District of Columbia Code—relating to judgments and decrees.

Section 1 amends section 15–101 to provide that a judgment or decree of the court of general sessions which is recorded in the Office of the Recorder of Deeds will have an enforceable period of 12 years, beginning on the date when an execution might first be issued thereon or from the date of the last order of revival thereof.

Section 2 amends section 15–102(a) to require recordation in the Office of the Recorder of Deeds before such judgments, decrees, or forfeited recognizances may become liens.

Section 3, as amended by the committee amendment, amends section 15–132 to provide that an unrecorded judgment of the court of general sessions has an enforcible period of 6 years. Judgments in the domestic relations branch of the court of general sessions will continue to have the same legal status as a lien upon real property as a judgment of the U.S. District Court. The amendment to section 15–101 provides an enforcible period of 12 years for a recorded judgment. There can be no tacking of the 6-year and 12-year periods since both begin on the same date.

Sections 4 and 5 amend sections 15–310 and 15–311, as those sections were amended by Public Law 89–943, to provide that executions on writs of fieri facias issued on such judgments may not be levied until such judgments are recorded.

Section 6 provides that a fee of $1 may be charged for the filing of such judgments, decrees, and entries of forfeiture of recognizances.

Section 7 makes a technical amendment to Public Law 89–493.

Section 8 provides an effective date for the amendments which assures that the provisions of law amended will remain in effect until after November 1, 1966, the effective date of Public Law 89–493. It is further provided that a judgment or decree rendered, or an entry or order of forfeiture of a recognizance made, before November 1, 1966, by the District of Columbia Court of General Sessions which was not docketed in the office of the clerk of the U.S. District Court for the District of Columbia before such date may be filed and recorded in the office of the Recorder of Deeds of the District of Columbia on and after such date but not later than 6 years following the date such judgment or decree was rendered or entry or order made.

Mr. HARSHA. Mr. Speaker, I thank the gentleman and withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Texas [Mr. DOWDY]?

There was no objection.

The Clerk read the bill, as follows:

H.R. 17798

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. (a) Section 15–101(a)(2) of the District of Columbia Code is amended by striking out "when certified to and docketed in the clerk's office of the District Court" and inserting in lieu thereof "when filed and recorded in the office of the Recorder of Deeds of the District of Columbia".

SEC. 2. (a) Section 15–102(a) of the District of Columbia Code is amended to read as follows:

"(a) Each—

"(1) final judgment or decree for the payment of money rendered in the United States District Court for the District of Columbia, from the date when it is rendered,

"(2) final judgment or decree rendered in the civil division of the District of Columbia Court of General Sessions, from the date such judgment or decree is filed and recorded in the office of the Recorder of Deeds of the District of Columbia,

"(3) recognizance taken by the United States District Court for the District of Columbia, or a judge thereof, from the date when such recognizance is declared forfeited, and

"(4) recognizance taken by the criminal division of the District of Columbia Court of General Sessions, or a judge thereof, from the date the entry or order of forfeiture of such recognizance is filed and recorded in the office of the Recorder of Deeds of the District of Columbia,

shall constitute a lien on all the freehold and leasehold estates, legal and equitable, of the defendants bound by such judgment, decree, or recognizance, in any land, tenements, or hereditaments in the District of Columbia, where the estates are in possession or are reversions or remainders, vested or contingent. Such liens on equitable interests may be enforced only by an action to foreclose."

(b) Subsection (b) of section 15–102 of the District of Columbia Code is repealed and subsection (c) is redesignated subsection (b).

SEC. 3. (a) Section 15–132 of the District of Columbia Code is amended to read as follows:

"§ 15–132. Enforceable period of unrecorded judgments—Enforcement of judgments, etc., of the District of Columbia Court of General Sessions

"(a) A judgment entered by the District of Columbia Court of General Sessions shall remain in force only during the six-year period beginning on the date such judgment is entered unless it is filed and recorded in the office of the Recorder of Deeds of the District of Columbia within such six-year period. The provisions of this title relating to enforcement of judgments, executions thereon, and writs and proceedings in aid of execution thereof, shall be applicable to judgments entered on or after November 1, 1966, in the District of Columbia Court of General Sessions."

(b) The table of sections for chapter 1 of title 15, District of Columbia Code, is amended by striking out—

"15–132. Enforceable period of judgments—Effect of docketing in District Court—Domestic Relations Branch."

and inserting in lieu thereof—

"15–132. Enforceable period of unrecorded judgments—Enforcement of judgments, etc., of the District of Columbia Court of General Sessions."

SEC. 4. Section 15–310(b) of the District of Columbia Code is amended by striking out "may be levied on real estate" and inserting in lieu thereof the following: "may be levied on real estate, but only after such judgment has been filed and recorded in the office of the Recorder of Deeds of the District of Columbia".

SEC. 5. Section 15-311(b) of the District of Columbia Code is amended by striking out "debtor in land" and inserting in lieu thereof the following: "debtor in land, but only after such judgment has been filed and recorded in the office of the Recorder of Deeds of the District of Columbia".

SEC. 6. Section 552 of the Act of March 3, 1901 (D.C. Code, sec. 45-708), is amended by inserting after the ninth paragraph the following paragraphs:

"For filing and recording a certified copy of a judgment, decree, or entry or order of forfeiture of a recognizance, filed and recorded under section 15-102(a) of the District of Columbia Code, $1.00.

"For recording the release of a lien established by the recordation of a judgment, decree, or an entry or order of forfeiture of a recognizance under section 15-102(a) of the District of Columbia Code, 50 cents."

SEC. 7. Sections 8, 9, and 10 of the Act of July 5, 1966 (Public Law 89-493), are repealed.

SEC. 8. (a)(1) Except as otherwise provided in paragraph (2), the amendments made by sections 1, 2, and 3 of this Act shall apply only with respect to a judgment or decree rendered, or a recognizance declared forfeited, by the United States District Court for the District of Columbia or the District of Columbia Court of General Sessions on and after November 1, 1966.

(2) A judgment or decree rendered, or an entry or order of forfeiture of a recognizance made, before November 1, 1966, by the District of Columbia Court of General Sessions which was not docketed in the office of the clerk of the United States District Court for the District of Columbia before such date may be filed and recorded in the office of the Recorder of Deeds of the District of Columbia on and after such date but not later than six years following the date such judgment or decree was rendered or entry or order made.

(b) The amendments made by sections 4 and 5 of this Act shall apply only with respect to executions and writs of fieri facias issued on and after November 1, 1966.

(c) The amendment made by section 6 of this Act shall take effect on and after November 1, 1966.

(d) The amendment made by section 7 of this Act shall take effect on the date of the enactment of this Act.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendments: Page 3, strike out lines 6 and 7 and insert in lieu thereof the following:

"SEC. 3. (a) The section heading for section 15-132 of the District of Columbia Code and subsection (a) of such section are amended to read as follows:".

Page 3, line 11, insert "(a)" immediately after the quotation marks.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time and passed, and a motion to reconsider was laid on the table.

DEPARTMENT OF TRANSPORTATION

Mr. McCORMACK. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. McCORMACK. Mr. Speaker, on Saturday last, President Johnson signed the very important bill to establish a Department of Transportation. The establishment of this new Department was recommended to this Congress by President Johnson.

This new Department represents a very important step in the field of transportation, from which tremendous results to our country will follow.

I herewith include remarks made by President Johnson when he signed in the East Room of the White House, this bill establishing a Department of Transportation.

REMARKS OF THE PRESIDENT UPON SIGNING A BILL CREATING A DEPARTMENT OF TRANSPORTATION, THE EAST ROOM, THE WHITE HOUSE, OCTOBER 15, 1966

Secretary Connor, Secretary Fowler, Senator MANSFIELD, Senator MCCLELLAN, Senator JACKSON, distinguished Speaker MCCORMACK, Chairman DAWSON, Congressman HOLIFIELD, Mrs. Congresswoman DWYER, other Members of Congress, ladies and gentlemen, distinguished mayors, we are deeply grateful for your presence in the East Room of the White House today.

In large measure, America's history is a history of her transportation.

Our early cities were located by deep water harbors and inland waterways; they were nurtured by ocean vessels and by flatboats.

The railroad allowed us to move East and West. A thousand towns and more grew up along the railroad's gleaming rails.

The automobile stretched out over cities and created suburbia in America.

Trucks and modern highways brought bounty to remote regions.

Airplanes helped knit our nation together, and knitted it together with other nations throughout the world.

Today, all Americans are really neighbors.

Transportation is the biggest industry we have in this country. It involves one out of every five dollars in our economy.

Our system of transportation is the greatest of any country in the world.

But we must face facts. We must be realistic. We must know—and we must have the courage to let our people know—that our system is no longer adequate.

During the next two decades, the demand for transportation in this country is going to more than double. But we are already falling far behind with the demand as it is. Our lifeline is tangled.

Today we are confronted by traffic jams. Today we are confronted by commuter crises, by crowded airports, by crowded airlines, by screeching airplanes, by archaic equipment, by safety abuses, and roads that scar our Nation's beauty.

We have come to this historic East Room of the White House today to establish and to bring into being a Department of Transportation, the second Cabinet office to be added to the President's Cabinet in recent months.

This Department of Transportation that we are establishing will have a mammoth task—to untangle, to coordinate, and to build the national transportation system for America that America is deserving of.

Because the job is great, I intend to appoint a strong man to fill it. The new Secretary will be my principal adviser and my strong right arm on all transportation matters. I hope he will be the best equipped man in this country to give leadership to the country, to the President, to the Cabinet, to the Congress.

Among the many duties the new Department will have, several deserve very special notice.

To improve the safety in every means of transportation, safety of our automobiles, our trains, our planes and our ships.

To bring new technology to every mode of transportation by supporting and promoting research and development.

To solve our most pressing transportation problems.

A day will come in America when people and freight will move through this land of ours speedily, efficiently, safely, dependably and cheaply. That will be a good day and a great day in America.

Our transportation system was built by the genius of free enterprise. As long as I am President, it will be sustained by free enterprise.

In a few respects, this bill falls short of our original hopes. It does not include the Maritime Administration. As experience is gained in the Department, I would hope that the Congress could re-examine its decision to leave this key transportation activity alone, outside its jurisdiction.

But what is most important, I think, is that you, for the first time in modern history, have created and have brought for me to sign, a measure giving us a new Cabinet department. It was proposed, it will be established and it will be in operation in the same year. All of these things took place in the same year.

It is the second major step in bringing our Government up to date with the times. Last year this Congress established the Department of Housing and Urban Affairs.

Today you bring 31 agencies and their bureaus, going in all directions, into a single Department of Transportation under the guidance and leadership of a Secretary of Transportation.

I think in fairness, candor requires me to review that this recommendation was made many years ago by the Hoover Commission, headed by the distinguished former President. This recommendation was urged upon the Congress and the people, and recommended many years ago by a most distinguished and popular President, President Dwight David Eisenhower.

This recommendation was made and urged upon the President and the Congress many years ago by the Senate Commerce Committee, and by dozens and dozens of enlightened, intelligent Members of both Houses of both parties.

What we are here today to do is to salute the Members of both parties, the leadership of both parties, and everyone who contributed to finally bringing our performance in line with our promise.

I don't imagine it would be good to say this, and I may even be criticized for saying it, but this, in effect, is another coonskin on the wall.

SELLING TO THE REDS

The SPEAKER. Under previous order of the House, the gentleman from California [Mr. LIPSCOMB] is recognized for 60 minutes.

Mr. LIPSCOMB. Mr. Speaker, does the administration really expect that the American people should, through the use of their tax money, finance the sale of automotive manufacturing equipment shipped to Communist U.S.S.R. from the United States which could be used to produce vehicles for Communist aggression such as in Vietnam and elsewhere now and in the future?

That, in cold terms, is one of the incredible questions laid at the doorstep of all Americans by the President's October 7 announcement that the United States would supply the precision machinery to equip the huge automotive manufacturing plant which the Fiat Co. of Italy is selling to Soviet Russia and that the Export-Import Bank would finance the sales.

The full significance of this announcement and the even more incredible announcement that export controls on shipments to Communist countries would be greatly weakened across-the-board are hard to imagine. This is a matter of deepest concern to every citizen.

There is no question that if this policy is carried out, it represents a massive breakthrough for the Soviets who for years have used every method, including subterfuge and spying, to get the benefits of American technical, industrial, and scientific advancements.

The policy that has been announced represents a massive, ill-conceived concession on our part to Communist machinations and deceit that can be an immense detriment to our national security and welfare for many years to come.

This announcement represents the culmination of a carefully plotted and laid out campaign to drum up support for opening up the floodgates on trade with the very regimes that are arming and supplying the North Vietnamese and which from a longer range point of view are committed to the goal of extending communism over the world.

This campaign has of course been accompanied by strategically planted propaganda. Just recently, on September 27, I discussed with the membership of the House a propaganda booklet being distributed by the State Department. The major purpose of the booklet was to build up pressure for legislation to give most-favored-nations treatment to East European Communist nations. An ancillary purpose was to say how really awful the Department believes people are who try to express themselves on this issue by not buying Communist goods.

In addition, spokesmen for the Departments of State and Commerce have been circulating around the country trying to peddle the idea of selling to the Reds.

This has been accompanied over recent years by a loosening of controls on selling industrial equipment and information to the Soviets and other Communist countries which could have no other effect than to help greatly the Communist regimes to build up their industrial and economic base and hence make them stronger.

Congress has declared under the Export Control Act that controls must be placed on goods going to the Communist bloc. The restraints thus imposed by law would be rendered practically meaningless under the new policy.

What are some of the implications of administration policies to open up trading with the Soviets? What can be expected as a result of the new policy?

How about this for an opener. In a recent radio dispatch from Hanoi, a Soviet reporter told this to the Soviet people—Moscow Domestic Service in Russian 1700 GMT August 27, 1966:

> The port of Haiphong is working at full capacity. Enormous ocean-going vessels are by the wharves. For several blocks around the port one sees on every street neat crates shining with fresh paint, trucks and cars made by Soviet and Czechoslovak works. All this cargo has come mainly from the Soviet Union and other socialist countries.

Note that this Communist reporter tells his people that cars and trucks made by the Soviets and Czechoslovakia are part of the supplies being shipped to North Vietnam. Obviously any kind of vehicles are vitally important to the North Vietnamese war effort.

Or consider a picture out of the July 14, 1966, issue of Izvestia, the official Soviet Government publication. The caption, translated, says:

> IL'ICHEVSK.—One of the largest ports of the Soviet Black Sea area. Port personnel is working very hard these days. From the piers of this port depart ships to the shores of heroic Vietnam. On the morning of 13 of July the editors (of Izvestia) contacted the directorate of the port. Here is what they told us: "The port personnel worked very well today. Many varied cargoes have been shipped to the brotherly Vietnam." (The caption then cites for outstanding work a longshoreman brigade, its leader, and two other individuals.)

The picture shows a dock heavily laden with supplies. It has many crates of all sizes and various kinds of trucks and other vehicles.

I think it is worthy to reflect upon the fact that it is the policy of the Soviet Union to supply "brotherly Vietnam" with military and economic aid.

It had long been rumored that the agreement by the Fiat Automobile Co. of Italy to construct a large automobile factory in the Soviet Union, which became publicly known early in May of this year, really hinged on a secret agreement by officials of the U.S. Government that we would authorize shipment of machine tools from the United States for use in this plant. This has now been confirmed.

But the President's announcement astoundingly not only indicates that these automotive manufacturing machines would be supplied by U.S. sources, but that financing would be done by the Export-Import Bank. His statement says:

> The Export-Import Bank is prepared to finance American exports for the Soviet-Italian Fiat auto plant.

The October 1, 1966, Forbes magazine, which incidentally reported that the U.S. Government had cleared the Fiat deal a week before the President's announcement, has some enlightening comment and information.

The article is entitled "To Russia, Without Love," and is subtitled "Not Many People Want To Talk About It, but the Fact Is That U.S. Industry Has a Major Role in the Soviet Union's Plans for a Vast New Automobile Industry." It reported that—

> Three-quarters of the machinery that Fiat installs for the Russians will come from the U.S., either directly or indirectly through European subsidiaries and licensees of American firms. It will really be the U.S. that puts the Russians on wheels.

The magazine reported that "this arrangement has the approval of both the State Department and the Department of Commerce." It further says that Fiat's former chairman and managing director, Vittorio Valletta, cleared this in advance in conference with Secretary of State Rusk and Secretary of Commerce Connor here in Washington early this year.

Forbes further says that some U.S. machine tool makers already have agreed to supply Fiat with machinery for the U.S.S.R. The machinery according to the magazine, includes automated stamping machine presses, gear cutting and heat treatment equipment, automatic lathes, and others.

The chairman of one machine tool company is quoted in the article as saying:

> Most of the automotive machine tools, not only at Fiat but throughout Europe, are from this country either directly or indirectly through European subsidiaries. Fiat is heavily U.S.-tooled because U.S. equipment is just more productive. Now the USSR wants American machine-tools technology, too.

The President of a large firm which manufactures automotive presses is quoted by the magazine as saying:

> We haven't yet been approached by Fiat to supply presses for the USSR facility, but we sure would—as long as the Office of Export Control said it was O.K.

He is further quoted as saying:

> As far as presses are concerned, regardless of where they might actually be manufactured, I'm sure that at least 75% would have originated in this country. We have the technology.

The Forbes magazine article has another interesting comment. The article states:

> State and Commerce Department officials have kept the U.S. role in the Fiat deal as hush-hush as possible. They were shocked when they heard Forbes had learned of Valletta's conversations with Rusk and Connor. They are frankly scared that, as the real story of the deal emerges, a clamor will arise to prevent U.S. firms from participating. The Department of Defense still could block the export of machine tools by declaring it against the national interest.

I have written to the Secretary of Defense calling on the Department to recommend strongly against issuing licenses for this machinery on the basis that it is directly contrary to our national interest.

The President's announcement about weakening controls generally on sales to the Communists and to finance such highly suspect trade through the Export-Import Bank represents a "new" policy only insofar as it would open the floodgates wide.

Actually the administration has been working toward this over recent years and has been granting increasingly more significant licenses authorizing sales to the Communist bloc.

Take fertilizers for example. Fertilizer is known to be a vitally needed product for food production all over the world, including in the Communist bloc. One of the big goals of the Soviet Union is to raise its agriculture production and to do so it has placed great emphasis on building up its fertilizer industry.

The large-scale effort to accommodate the U.S.S.R. in this field began several years ago. In 1963, a license was granted authorizing shipping to Russia of $9.5 million worth of highly automated mining machinery to mine potash for use in manufacturing fertilizers. The Commerce Department in response to my questioning admitted that this equipment would make a significant contribution to the economic potential of the U.S.S.R.

The license was granted after Secretary of Agriculture Freeman toured the U.S.S.R. in 1963. On his return he said that Khrushchev told him strong emphasis would be placed on agriculture during the upcoming 5 years.

Since then, numerous licenses have been granted to ship fertilizer-producing data to the U.S.S.R. and other Communist bloc countries.

Just during this year so far, the Commerce Department has quietly approved applications to sell the Soviets technical data for at least 15 fertilizer plants.

On January 19, 1966, the Commerce Department authorized shipment to the U.S.S.R. of technical data for the construction and operation of a plant to produce synthetic ammonia. The plant would have two units, each of which would have the capacity of 1,200 tons of ammonia per day. Ammonia is used primarily as a fertilizer, either directly or for conversion to other fertilizers, such as ammonium nitrate or urea.

On January 28, 1966, the Department of Commerce issued a license to authorize shipment to the U.S.S.R. of technical data for six fertilizer plants. The license covers technical data for plants to produce 700 tons of ammonia per day; 550 tons of nitric acid per day; 330 tons of urea per day; 1,160 tons of ammonium nitrate per day; 330 tons of nitrogen solutions per day; and mixed fertilizers from 460 to 1,760 tons per day.

On March 2, 1966, the Department of Commerce issued a license to authorize sending technical information to the U.S.S.R. for three more fertilizer plants—one an ammonia plant, another a nitric acid plant, and the other an ammonium nitrate plant. The proposed plants would have a capacity of producing 1,500 tons of ammonia per day; 1,400 tons of nitric acid per day; 1,800 tons of ammonium nitrate per day; and 1,500 tons of urea per day.

On August 3, 1966, a license was issued by the Commerce Department to authorize shipment to the U.S.S.R. of another ammonia plant. This plant would have a capacity of 1,500 tons of ammonia per day, the principal use of which is to produce fertilizers such as ammonium nitrate, ammonium sulfate, and urea.

That same day, August 3, 1966, the Commerce Department issued a license authorizing shipment to the U.S.S.R. of technical data for four additional plants. One of these was for an ammonia plant with a capacity of 1,500 tons per day; one an 1,800 tons per day ammonium nitrate plant; another a urea plant with a 1,500 tons per day capacity; and a nitric acid plant to produce 1,400 tons per day.

There can be absolutely no doubt that such fertilizer-production equipment and data have been highly significant to the Soviet economy and the Soviet Union's ability to use fertilizer as a tool to attempt to advance the cause of communism.

What is the state of the Soviet Union's agriculture economy? Last week in a dispatch out of Moscow it was stated that the Soviet Union reported a record-smashing grain harvest of about 160 to 165 million tons which the dispatch said "astonished Western experts."

The report predicted that this bumper crop would have a world impact and predicted that one of the effects would be a major gain in East-West trade, saying that "the Soviet now can use its scarce dollars to buy needed industrial supplies, instead of wheat."

Because of the food situation in North Vietnam, one of the major types of supplies being shipped to North Vietnam by the U.S.S.R. according to many reports is fertilizer to help sustain Communist North Vietnam's aggression against the South Vietnamese. This fertilizer, of course, is being shipped in addition to military equipment such as trucks, antiaircraft weapons, ammunition, and technical advisers, among other things.

It is possible, unfortunately, to cite many other instances of where proposals to sell precision equipment and data to the U.S.S.R. and other Communist bloc countries are being given the green light.

On September 16, 1966, the Commerce Department issued a license authorizing shipment to Moscow, U.S.S.R., of 62 gear-manufacturing machines and parts valued at $2,832,015. This equipment is to be used to produce complete gear sets for the main drive and differential of the Moskvitch model 408 automobile.

Here is another clear indication that accurate, dependable, and highly advanced machine tools such as are available only from U.S. technology are one of the major items sought by the Soviets from the United States.

On September 15, 1966, a license was granted to authorize the shipment to Bulgaria of a metal cutting machine valued at $93,590. The equipment consists of three precision grinding machines used in the production of ball bearings. What will be their use by Bulgaria? The Commerce Department gives no specific information, but says that "the completely assembled ball bearings would find application in all sectors of Bulgarian industry." This could well mean, of course, that ball bearings produced with this machine could find their way into military equipment sent to North Vietnam by Bulgaria.

Early this year a license was issued to authorize shipment of a precision grinder valued at $29,506 to Bulgaria. This equipment is described as a "super precision external conjugate grinder for grinding the taper and shoulder on taper roller bearing inner rings up to 4.5 inches diameter complete with standard equipment, fixtures, tooling, spare parts."

Other recent licenses issued included approvals to ship industrial machines for use in a metalworking plant to the U.S.S.R.; a horizontal precision boring machine for the manufacture of pistons for automobile engines to Rumania; technical data for steel mills to Rumania; a complete mill valued at $643,815 for the manufacture of aluminum tubing and coils to Czechoslovakia; technical data for a continuous steel strip galvanizing line to Bulgaria; chemical antiozonant which is used with synthetic rubber in the manufacture of tires to Rumania; and many others.

Several months ago, June 3, 1966, the Commerce Department issued a license authorizing selling to the U.S.S.R. of technical data to design and construct a glycerol plant capable of producing 24,000 metric tons of glycerol per year. Glycerol, of course, has many uses. A major use is to manufacture explosives.

So that the Members of the House can have an even better appreciation of the nature and flow of goods and data to the Communist bloc, I am including at the end of my remarks a list of commodities and technical data authorized for shipment to the U.S.S.R. and Eastern Europe from the United States beginning with the first of this year.

It is an impressive list of commodities and there can be no doubt, of course, that the goods and technical data cleared for shipment could have a significant impact on the economic buildup of the Communist bloc.

The list shows another example of a pattern emerging where U.S. technology is being tapped to fulfill a Communist need. As I have mentioned earlier, in strengthening their military and economic potential, the Kremlin planners have concentrated on such fields as fertilizer to increase agriculture production, machine tools to boost their industrial base generally, and automatic precision equipment for their automotive field. In an article in March 1966 in Pravda, the Communist Party newspaper, a Soviet scientist called for the importation of large amounts of Western machinery and know-how in the computer field. Lo and behold, as can be seen from the list of licenses, computers are being licensed for shipment to the U.S.S.R. and other bloc countries. Here we go again, helping to fill in a void in the Communist economy.

This, then, is administration policy, even though the Communist Party of the Soviet Union has publicly stated its great need for U.S. technology in order to build a Communist society and even though the House of Representatives recently publicly proclaimed that the Government of the Soviet Union is depriving fundamental human rights to people who live in that Communist society.

The administration is promulgating its policy of increasing U.S. trade with the Communists by means of a propaganda campaign which uses the theme "building bridges." This theme was introduced in December 1964 when the President expressed an intent "to build new bridges to Eastern Europe" to include trade and technical cooperation.

It should be made clear to the American public that the Communist Party of the Soviet Union for a long time has been working on the idea of increasing this trade.

Pravda on February 15, 1956, quotes Mr. Khrushchev's statement that—

> The task for the Communist Party in foreign policy is to pursue a vigorous policy of further improving relations with the United States of America, Britain, France . . . and other countries, with a view to strengthening mutual confidence, extensively developing trade, and expanding contacts and cooperation in the sphere of culture and science.

Apologists may say that conditions have changed since those days when Bulganin and Khrushchev were leading the Communist Party. Yes; conditions have changed. Cuba is now controlled by Communists. Communists are now openly fighting to take over Vietnam and other areas of southeast Asia. They are more active in South America and Africa, to name a few examples of things that have changed. However I see no changes which justify the administration's present efforts to increase the shipments of U.S. commodities and U.S. technology to the Communists of Eastern Europe.

Let me quote Mr. Bulganin's words in 1955:

> When the Party Central Committee emphasizes the great importance of introducing advanced technology into our national economy, it bases itself on the fact that the struggle for technical progress in our country is the struggle for the building of a Communist society.

Perhaps the administration sees nothing wrong with the United States helping the Soviet Union to build a Communist society. However I believe the American public does see something wrong.

In 1955 Mr. Bulganin also addressed the following words to the Central Committee of the Soviet Communist Party:

> Everything new being created by world science and technology must be constantly studied. Scientific technical information should be improved; relations with the research establishments and progressive scientists of foreign countries should be expanded; the purchase of foreign technical literature and its publication in the U.S.S.R. should be increased.

Ten years later, in September 1965, Premier Kosygin said to the Communist Party:

> It is necessary to considerably expand the production of progressive types of machines and equipment. In the first place we must increase the production of forging press equipment, precision molding machines, machine tools, and machines for working metals by the application of electro-physical, electro-chemical, and other highly productive methods. In thoroughly developing our country's machine building, we must make wider use of the achievements of foreign technology. The quality of our goods must be not lower than the best world models. For this we must raise technological and production discipline at all enterprises, and raise the culture of production in order to really satisfy both domestic and export demands.

Let there be no mistake, the Communists have aimed for a long time and are succeeding in increasing imports of our technology in order to build and strengthen the Communist society.

Over the strong objections of the State Department the Congress in 1962 amended the Export Control Act of 1949 adding that the economic impact of proposed exports must be considered in determining whether clearance is given on requests to ship goods and data to the Communist bloc.

It is clear, however, that in administering the act, the administration has systematically in every way possible ignored the requirement that the economic potential of exports to the bloc must be considered.

This has been the case in spite of the fact that it is widely known that the economic strength of a nation is the cornerstone of its overall strength, militarily, politically, and otherwise.

This fact certainly is recognized by the Soviets. The following are excerpts from an article written by a Soviet military man which appeared in a recent edition of the Soviet Military Review—U.S.S.R.:

> We have shown that military might depends on the economic potential. This implies the ability of a country, under a given economic and political system, to satisfy society's material requirements to the maximum and also produce everything necessary for war. We may therefore say that, essentially speaking, the economic foundation of military might includes a country's entire economy, primarily its power engineering, metallurgy, heavy engineering and other industries, its agriculture, transport, communications and so forth, without which large-scale war and non-war industry cannot be organized. The level of scientific development and the availability of skilled personnel are likewise of supreme importance. All this, together with the armed forces themselves, constitutes the material foundation of military might. The economy supplies the army with everything it needs: armaments, ammunition, equipment, food and clothes. Scientific and technical progress determines the technical equipment of the troops, their real striking power. The level of mobilization, number and quality of the manpower resources of a country's army depend on the availability of technically trained personnel and the population's level of education and culture. Economic might is thus a tangible quantity.

According to the administration's "bridgebuilders," there is no harm in increasing the export of commodities and data to the Communist bloc. Everything sold to the bloc is labeled as "peaceful."

Rumania has been receiving special attention over the last 2 years and many licenses have been issued to ship advanced goods and equipment. Rumania was picked by the administration to get special attention on the claim that it is steering a course independent of Moscow. How independent is Rumania?

The following portion of a joint North Vietnam-Rumanian communique dated May 12, 1966 tells the story very well.

> The Rumanian nation fully and resolutely upholds the just struggle of the brotherly Vietnam nation against the aggressive American imperialism. . . ."
>
> * * * * *
>
> The communique declares full support of the 4 points advanced by North Vietnam and the 5 points advanced by the National Liberation Movement (Viet Cong) on the settlement of the Vietnam problem.

It is known that as part of its trade arrangements with North Vietnam, Rumania supplies vehicles to the Hanoi regime. For the most part Communist vehicles are multipurpose and can be used interchangeably for military and commercial purposes. Any vehicles sent therefore can be assumed to support Hanoi's military operations.

Last year U.S. exports to Czechoslovakia were almost 2½ times the amount exported the year earlier. And the figures for this year indicate exports to Czechoslovakia could be more than twice as great as last year. Radio Prague told the Czechoslovakian people on September 15, 1966, in commenting on the agreement signed with North Vietnam:

> We shall deliver . . . machines and equipment, means of transportation.

On about the same date a Soviet official according to a press report told an American in Moscow:

> We are not mediators, we are parties to the conflict. Our only responsibility is to supply military assistance to a fraternal Socialistic nation under attack.

In the light of the foregoing, the administration policy is confusing, it is ironic, and it is tragic.

In my view the President has received incredibly bad advice in connection with the decision to lower the export control bars, and to finance sales to the Communists through the Export-Import Bank.

I believe the President should repudiate these proposals in the national interest. I believe the Congress must exercise firm leadership in rejecting any proposed legislation to help open up trade and in working to bring about a revision of the decision to sell to the Reds the very tools and implements they seek to advance communism.

A first order of business next year must be the creation of a Select Committee on Export Control to maintain a continuing study and evaluation of all developments. What is occurring is so vital to our national security that Congress must take up this problem in the fulfillment of its duties to the people.

Following is the listing I referred to earlier of licenses approved authorizing shipments to the Communist bloc in 1966. Some of the references are to the commodities; others refer to technical data cleared for shipment.

U.S.S.R.: Airborne communications equipment; tin ore concentrating machinery; generator for electronic equipment used to control aircraft; silicone siliclad; boring machine; micro switches; oil seals; tire cord factory; instrument transformers; insecticides; herbicides; synthetic resins; organic chemicals; rubber antioxidants; chemical corrosion inhibitor; cellulose acetate butyrate; ball bearings; special purpose vehicle; magnesium oxide; mining equipment; diethylene glycol; ammonia factory; nitric acid factory; information on how to make foamed polystyrene; rubber compounding agents; methyl bromide; methyl pyrrolidone; methylene chloride; diethylene glycol; isobutyl alcohol; phenyl dimethyl urea; fingerprinting kits; lift truck; grinding machines and parts; construction equipment; ball and roller bearings; communications equipment; airborne navigation equipment; electronic computer and parts; electrical testing instruments and parts; electric motors and transformers; rubber processing machines and parts; diamond core bits; tungsten carbide bits; synthetic rubber; chemical woodpulp; ethylene chlorohydrin; oxygen analyzers and handling system; filtering and purifying machines; magnetic tape instruments and spares; liquid

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scintillation system and accessories; radiation measuring instruments; diesel engines and spare parts; steel tubing; statistical machines and parts; tires, tubes and flaps; relief maps; coast and geodetic charts; ammonia; nitric acid; urea; ammonium nitrate; nitrogen solution factories; glass envelopes for TV tubes; ethylene oxide; ethylbenzene; pulp mill equipment; waste gas disposal units; glycol evaporator; sodium chloride crystallization; chlorine dioxide; electrostatic precipitation; pyrite roasting and reduction; alunite processing equipment; styrene; polyethylene tubes; iron ore pelletizing; tin ore dressing tables; rotary earth digging augers; shankplates and digging teeth; carbon tetrachloride; fractional hp refrigerator compressors and cabinets; melamine; iron ore concentrates; ship stabilization system; petroleum coke; analgetic agent; pulp mill; synthetic Vitamin A; carbon tetrachloride and perchloroethylene glycerol; sufuric acid.

Czechoslovakia: Ethyl cellulose; semi-conductors; synthetic rubber; ball and roller bearings; petroleum products; hydrogen plant; electric lift trucks; neoprene latex; electron tubes; instrument parts for measuring and checking temperature; nuclear radiation detection and measuring instruments; synthetic rubber; methyl bromide; neoprene; resin; polyethane glycol; monoethylene glycol; methyl cellulose; nuclear radiation detecting and measuring instruments; nylon filament; metal valves and parts; ball and roller bearings; electronic computer system; polishing machine and converter; aluminum alloy; vanadium pentoxide; cellulose acetate butyrate; neoprene; isophthalic acid; rubber compounding agent; electrical measuring and testing instruments; nylon strapping; disk-file and parts; electronic computers and parts; pyrotechnical rocket engines; heat transfer oil; nickel alloy; woodpulp for rayon tire yarn; semiconductors and resistors; transmitter radio beacon and parts; glass fibers; pulp mill equipment; cold tube reducing mill; diamond wheels; carbon dioxide removal; atmospheric crude distillation, vacuum distillation and hydrosulfurization units; ethylene oxide/ethylene glycol; xyleneisomerization; hydrogen plant; para-xylene.

Rumania: Industrial instruments and parts; synthetic rubber; iron oxide catalyst; airborne radar, navigational equipment and parts; automotive replacement parts; petroleum drilling and production equipment; electrical testing instrument; signal generators; material and equipment for construction and maintenance of catalystic cracking unit; transceivers; diesel fuel; rubber antiozonant; iron oxide catalysts; petroleum and gas equipment; gas compressor and recorder; lubricating oil; samples of iron and steel; sheet glass and fibrous glass material; compressors; benzene; cold rolling mill; copper rod mill; acrylonitrile; carbon dioxide removal; blooming mill; ethylene/propylene; heaters for ethylene plant; polybutadiene/polyisoprene; detergent; pipeline centrifugal compressors; vinyl chloride; synthetic glycerine; ethylene dichloride pyrolyses furnace; polyvinylchloride; paraxylene; carbon tetrachloride and perchloroethylene; polyethylene; hot aluminum sheet mill; aluminum cold strip mill.

Bulgaria: Chemical analysis equipment; pumps and compressors; glass fiber factory; ammonia phosphoric acid factory; superphosphate factory; enzymes; catalysts; industrial equipment and parts; electrical and electronic equipment and parts; lubricating and fuel oil and grease; roller bearings; isobutyl alcohol; molybdenum catalyst; palladium catalyst; industrial chemicals; refining equipment and parts; metal cutting machine; airborne communications equipment; airborne radar (transponders) equipment; airborne navigation equipment; steel powder; sulfate crystallization; ammonia, phosphoric acid, sulphuric acid, nitric acid and complex fertilizer factories; sulphuric acid; hot dip tinning line; 2, 4-dicholorophenoxyacitic acid; carbon disulfide; heat exchangers; turbine and generator; tires and tubes; electrolytic tinning line; automotive tires and tubes; iron ore pelletizing.

Poland: Copper cable; spectrum measuring instrument; styrene factory; hypoid generator and tooling; electrical steel sheets; electrolytic tinning and coil preparation line; components and tubes for electrical equipment; magnetic tape units; metal working and cutting machine and parts; computer equipment and parts; radiocommunication receiver and parts; coaxial cable; aromatics extraction unit; subcritical oil fired steam generators; glass fibers; aluminum foil; diesel engine valves; valves, steering linkages, ball joint suspensions, manual steering gears and piston rings; sulphuric acid; control and piston valves; fractional hp refrigerator compressors; grinding machine; aroma chemicals; polyethylene; benzene; high speed turbine-driven generators.

Hungary: Scientific and professional instrument parts; electron tubes; crankshaft welder; physical properties testing equipment; statistical machine parts; optical measuring and checking instruments; steel samples; vacuum gauges; cellulose acetate; ethyl cellulose; triethylene diamine; ethylene glycol; methyl cellulose; electronic navigational aids; digital computer; radiation detection and measuring instruments; airborne communication equipment and parts; micro switches; butanol (butyl alcohol); electronic computer systems and parts; nuclear-radiation detection and measuring instruments; metal cutting and working machines and accessories; diesel engine exhaust manifolds; electronic testing, measuring and recording instruments; railway equipment and parts; tire recapping and repair parts; metal samples; heat transfer oil; airborne navigational equipment and parts; synthetic rubber; electrostatic precipitator; herbicides.

Yugoslavia: Copper scrap; semi-conductors; oscillioscopes; electrical measuring instruments; electronic computer parts; petroleum products; aircraft parts; communication cable.

East Germany: Gas chromatograph; machine for manufacture of polystyrene powder; nuclear radiation detecting and measuring instruments; boring and drilling machines; magnetic tape; data processing system; tractor shovel loader; electronic computer input/output device; virgin mercury; synthetic rubber; electronic computer with spare parts; spectrometer system; lubricating oil; glass fibers; V-belt cord treating system; impregnating system for belt fabric; ethylene oxide/ethylene glycol; lime mud reburning system; crude oil topping and coke unit; cold strip rolling mill and tandem temper mill; pulp mill equipment; cyclohexane; rotary combustion engines; air separation; dimethylformamide/methylamines; synthetic ammonia.

TRIBUTE TO THE HONORABLE D. R. (BILLY) MATTHEWS

The SPEAKER. Under previous order of the House, the gentleman from Florida [Mr. SIKES] is recognized for 60 minutes.

GENERAL LEAVE TO EXTEND

Mr. SIKES. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the subject of the retirement of our distinguished colleague, the gentleman from Florida [Mr. MATTHEWS].

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. SIKES. Mr. Speaker, I have reserved this time to talk about the contributions of BILLY MATTHEWS to Florida and to the Nation during his 14 years in Congress. His has been an inspiring record. Throughout his service here he has given untiring support and cooperation to his delegation. He has earned the warm friendship of the entire Congress. Few men are more genuinely or more affectionate regarded wherever they are known, than is BILLY MATTHEWS. And the things that I shall say for BILLY, I say also for BILLY's lovely wife, Sara. Sara is a devoted wife and mother and is an inspiration and helpmate to BILLY. Throughout the years she has won the love and affection of all who know her. To BILLY and to Sara and to their children, Carolyn, Ann, and Donald Ray, Jr., I know that I voice the sentiments of the House when I say Godspeed and good fortune, health, and happiness in all the years ahead—families like these are the strength of America.

Now let us talk about the Honorable D. R. MATTHEWS and his career. He was born in Micanopy, Fla., in 1907. He was educated in the public schools of Florida and attended the University of Florida. There he was chancellor of the honor court, vice president and president of student body, and was president of the Florida Blue Key Honor Society. He received both his A.B. and M.A. degrees from the university. He served as a member of the Florida Legislature in 1935.

He has been a high school teacher and principal, a 4–H worker, and director of the Florida Union, the Student Activities Center at the University of Florida. After 4 years of service in World War II, when he was a captain of infantry, he became director of alumni affairs at the University of Florida. There he served until he was elected to Congress from the Eighth District in 1952. He was reelected successively to all succeeding Congresses.

He is an elder in the Presbyterian church in his home city of Gainesville. He has been president of the House of Representatives prayer breakfast group and belongs to Kiwanis, Elks, Moose, Lions, and Knights of Pythias, and many other civic and fraternal organizations.

In Congress, he has served with distinction as a member of the House Committee on Veterans' Affairs, the House Committee on Agriculture, and the House Committee on Appropriations.

Those of us who have served with BILLY MATTHEWS for the past 14 years are familiar with the constructive record he has achieved, and the hard work which has brought numerous projects to his district. During BILLY's years in Congress, over 60 post offices and Federal buildings have been constructed in his district. He has worked to modernize completely the Veterans' Administration hospital at Lake City, and one of the two new veterans' hospitals being constructed in Florida is being built adjacent to the medical center at the University of Florida.

Other projects that have been actively sponsored by BILLY MATTHEWS include the Federal Communications Center in Hilliard, the beach revetment program at Fernandina Beach; the $158 million Cross Florida Barge Canal; and numerous other projects, such as rehabilitation of the National Fish Hatchery at Welaka; building of a turning basin at Horseshoe; maintenance work on the East Pass of the Suwannee River; a $100,000 appropriation for a study of the Suwannee River with recommendations for its development; location of a defense radar installation in Cross City; relocation of the Entomology Laboratory from Orlando to the University of Florida; additions to the Olustee Forestry Experiment Station and the adjoining naval stores research station; improvements in Cedar Key Harbor; building of National Guard and Reserve Armories; building of hospitals with Federal Hill-Burton funds; and promotion of all the waterways of Florida.

BILLY MATTHEWS has sponsored laws for water research, prevention of beach erosion, and antipollution of our waterways.

He has been a strong advocate of extending the services of libraries. He is the author of a law which has enabled the Veterans' Administration to speed up delivery of veterans' checks. It was through his efforts that certain historical material can be procured for the museums of our country.

He has always cooperated with the elected officials in the cities, towns, and counties in his district in promoting sewage disposal facilities, better roads, better housing, and other community projects.

In recognition of his constructive record in Congress, BILLY MATTHEWS has received citations from the American Legion, the Veterans of Foreign Wars, the Florida Forestry Association, and many others.

We are familiar also with his record on the House Committee on Agriculture where he served for 10 years. While serving on that committee, he was the coauthor of many laws in the field of agriculture relating to the multiple use of the national forests; public watersheds; Public Law 480—this law permits the use of surplus agricultural commodities for the security of our country; screw-worm eradication program; food stamp program; soil conservation; and general farm programs to maintain parity of income for the American farmer. He has supported the great REA programs and the extension of telephone service into the rural counties.

He is the author of laws to tighten restrictions on the importation of animals exposed to hoof-and-mouth disease; to permit the lease and transfer of tobacco acreage allotments; and to permit the planting of peanuts for boiling without acreage allotments.

He served as chairman of the Subcommittee on Family Farms and as a member of the Subcommittees on Livestock and Feed Grains; Forestry; Tobacco; and Foreign Agricultural Operations.

I think it is most important to point out that BILLY MATTHEWS has been on the job with an overall attendance record of approximately 95 percent, despite three primary campaigns; and since his loss in the May primary election in Florida, he has been on the job constantly. He is also attending to his important duties as a member of the House Committee on Appropriations, and his Subcommittee on Labor, Health, Education, and Welfare.

It is a privilege to serve with a man like BILLY MATTHEWS. He has brought to the Congress a wonderful sense of humor, one which is unsurpassed and which is badly needed. He has renewed our belief in integrity and dedication to service. Throughout his long and capable service, there never was the slightest doubt that his vote on each issue would be a conscientious one and on the side of right as he saw it. Congress is a better place because of the service that BILLY MATTHEWS has rendered here.

The memory of our association with him and the image of his contributions here will live long in the annals of Congress.

Mr. HERLONG. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I yield to the gentleman from Florida.

Mr. HERLONG. Mr. Speaker, I wish to join with the distinguished dean of our Florida delegation in paying tribute to the service of one of my dearest friends, a man whom I have known since both of our boyhood days.

I first met our colleague, "BILLY" MATTHEWS, when he was a freshman at the University of Florida. I will not say how long ago that was. At that time he lived in Hawthorne, Fla., which was the big town that he moved to when he left Micanopy. "BILLY" then described Hawthorne as being the largest town north and south between Micanopy and Grove Park. It was not much of a town until it became famous for the fact that "BILLY" MATTHEWS lived there. He made an enviable record at the University of Florida. He had more friends there than any other single person on the campus, and he has kept up that friendship all during his lifetime.

As sometimes happens, Members of Congress are pitted against each other in elections due to redistricting.

This, unfortunately, happened to the State of Florida, and two fine men were pitted against each other. May I say, as testimony to the character of this man and of his opponent, for that matter, the people of the State of Florida are still talking about what a clean campaign was run between these people.

I can state this is not always the case. Sometimes, when people have to run against each other, they forget former friendships and they forget principles. Not so with "BILLY" MATTHEWS. He ran what I am sure can be said to be as clean a campaign as ever has been run in politics.

Surely, he was defeated. He was defeated by another good man. But the reason he was defeated was simply that there were more people from the other man's part of the district put in than there were from "BILLY'S" district. "BILLY'S" district was for "BILLY," and the other man's district was for him—our colleague the gentleman from Florida, DON FUQUA, who, as I say, is also a splendid gentleman.

People like "BILLY" MATTHEWS will be sorely missed in this Congress, and we can ill afford to lose them.

As another tribute to the character of this man, he has stayed on the job since the primary, as diligently as he did prior to the primary and much longer than that. He has always been dedicated to the service of his people.

As my colleague, the gentleman from Florida [Mr. SIKES] so ably said, he has contributed a great deal. I know that every vote he made was made out of the depths of his heart as a conscientious vote. He has never done, I know, a willfully wrong or mean thing. He certainly never hurt anyone.

I only hope that the things which can be said from the heart about "BILLY" MATTHEWS can be said about me when my time comes, because he is certainly a gentleman, a great American, and a great family man.

I join with my colleague in wishing Godspeed to him and his wonderful family. I know there is a place for people like them in this world, be it politics or something else. I am sure the people are going to find them and request of them the help "BILLY" can so well give.

Mr. SIKES. I thank the gentleman.

Mr. Speaker, I am pleased to yield now to my distinguished friend the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Speaker, it is my belief that there never has been a more beloved Member of Congress than D. R. MATTHEWS, "BILLY" as we know him. This is true for a variety of reasons. In the first place, he is a man of solid dedication to the highest moral principles; and to God and country at every step of the way. Laced through his personality is a tremendous sense of humor and a warm love and affection for everyone he has ever met.

With all of these fine qualities it is no surprise to any observer that he has made a great record in the Congress of the United States, as a legislator and as a leader. His legislative accomplishments have been many, and always good ones for the country and for his area as well. There are many things that I would like to compliment him on specifically, but I will restrict myself to complimenting him specifically on his tremendous leadership for the Cross-Florida Barge Canal, a 400-year-old dream which came to reality in recent years and in which his great leadership played an outstanding part. It will always be a lasting memorial to him and his fine service here in Congress.

No one can think about BILLY MATTHEWS without also thinking about his beloved wife, Sara, whose charm, beauty, and sparkling intelligence add a lot to the Matthews team. Like her husband, she is a great person. Mr. Speaker, in concluding my remarks I would like to quote the following chapter from the book: "Clem Miller, Member of the House"—New York, 1962, Charles

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Scribner's Sons. It describes our beloved friend, Congressman MATTHEWS, as follows:

> There are all sorts of ways to get things done in Congress. The best way is to live long enough to get to be a committee chairman, and resilient enough to be a good one. Chairmen complain to me that they are frustrated too, but this is really beside the point. If things can be done, they can do them; we are very sure of that.
>
> However, there are other ways, and one of the most effective persons is a congressman from Florida. I first met him at a congressional children's party where he was joyously and enthusiastically larruping up the crowd with imitations of frogs, pigs, and other noisy animals.
>
> I soon learned that this is the man's trademark—the joyful and enthusiastic acceptance of life. His brief appearances on the House Floor are always heralded with high good humor. The somber aspect of the Chamber takes on a lighter hue. Members stream in from the cloakroom. "——— is on," is the word. "Did you hear what he told them?"
>
> After one of his speeches, everyone feels better and usually the Member from Florida feels the best of all. This congressman rarely speaks without a purpose, larded as it is with friendliness and cheer.
>
> He has an angular face with turned up chin, giving it a puckish cast. His voice is melodious enough, but when he calls out, he can be heard through a six-inch mahogany door. As he talks he leans into his audience (most of our good talkers are leaners) and cocks his head to one side like a mocking bird.
>
> And this man can charm the birds out of the trees. Partisan lines soften, and political gunboats cease cannonading, and the hard-bitten appropriations chairmen vie with one another for the nicest things to say.
>
> To tackle the Appropriations Committee on the Floor of the House is a major decision, frequently the most important decision a Member will make that term of Congress. Here is the choice. If he is silent, perhaps the Senate will restore the item to the bill. If he speaks up and is beaten, he will never get it back. And the chances of winning are better than five hundred to one against. These odds mean silence to most congressmen, but not to the Florida representative.
>
> First, he sets the stage in the hearing on the Rule by telling everyone what he is going to do.
>
> "Mr. Chairman, at the appropriate time, I intend very humbly and very prayerfully to offer an amendment. I hope the gentleman from Texas, my distinguished, intellectual leader and my athletic leader, will help me a little bit with it and if he would I would bestow upon him the highest accolade of all and call him my spiritual leader, if he will help me to correct an injustice that I know he does not want to be meted out upon the gentleman from Florida. . . . I know that this Committee will not be unfair to the gentleman from Florida and deny him his laboratory when some of you have received so much."
>
> Everyone is put in a receptive mood by being told with what fear and trepidation he approaches the task. Everyone trembles before the Appropriations Committee so that his well-planned fright is shared by all, and vastly appreciated. He casts an apprehensive eye to the Committee Chairman.
>
> He spins out his dilemma. He knows he can get this entomological laboratory if he will wait till January, 1961, but for this, that, and the other reason he wants to get started in 1960. We all understand these dilemmas. We share the explicit and implicit direction of his remarks; our empathy adds savor to the whole performance.
>
> Then he goes to work on the main redoubts. He offers an amendment. He cocks his head. The Committee Chairman, on his feet in an instant, says, "Mr. Chairman, I reserve a point of order." Ruefully, but with the utmost grace, the Florida congressman backs away: "I ask unanimous consent to withdraw the amendment and offer another one." No one objects.
>
> "Mr. Chairman, I appreciate the courtesy of my beloved chairman." When this congressman says "beloved" the word has substance and meaning. He really likes people; and usually, in politics, among professionals, this is hard to get across.
>
> There follows a lightning-quick description of what the amendment would do. He ripples over it like a dancer. No waste motion, no bogging down in boring detail. Enough, but not too much. Thus he disarms the opposition with his nimble tracery.
>
> "I want to apologize to many of my friends because I told you this amendment would not cost you any more money. If my first amendment had been in order it would not have. Please forgive that error. I would like you to vote against me if you think I have misled you."
>
> There follows a neat fencing match with the Floridian tripping a light step between the ranking Republican and the Committee Chairman, the master, who realizes he has a past master on his hands. He begs his friend from Florida to hold off until January, to which the latter responds:
>
> "Sir, I am put in an embarrassing situation. Mr. Chairman, may I say I would be grateful if I could have action now; and if I am not successful I know my dear friend would not hold it against me for making this attempt. Then if I am not successful in this attempt, I can come back in January."
>
> His five minutes expire, but the delighted House, by unanimous consent, permits him to proceed for three more minutes. In the general levity which followed, I admitted we have bugs in my district and we want them eradicated. He beamed his broadest and repeated with comical inflection: "Bugs in California? I thank the gentleman." The House roared in enjoyment.
>
> A Member from Ohio rose to suggest that we delete some funds for a monument and use it to get rid of insects.
>
> Another Congressman from Iowa suggested we not only want to get rid of bugs but we want to return this wonderful person to Congress next year.
>
> Our Florida colleague beamed and bobbed at the Speaker's lectern, telling us he would be overjoyed to yield to Members who would say such nice things about his laboratory.
>
> The Committee Chairman threw up his hands and sat down. The amendment was agreed to by voice vote.
>
> Everyone was happy.

Mr. SIKES. I thank the gentleman.

Mr. Speaker, I am pleased to yield now to the distinguished gentleman from Florida [Mr. ROGERS].

Mr. ROGERS of Florida. Mr. Speaker, I would like to add my praise to those of my colleagues for a close friend and outstanding legislator.

BILLY MATTHEWS has earned the respect of all those who have known him during the seven terms he has served the Nation and the State of Florida in the Congress.

But BILLY's interests go far beyond his district. He has been one of the major advocates of the food-for-peace bill, one that shows through legislation this man's concern for all the people of the world. This bill, which would help feed the hungry of the world, is a legislative extension of his Christian dedication and his feeling for his fellow man.

He has long been an advocate of water pollution legislation which would bring back to the Nation the lost natural resources of our rivers, streams, and lakes. Water research has also been one of BILLY's early concerns and now I think the entire Nation realizes the worth of such projects.

BILLY MATTHEWS is a fine Christian man. His personality has added to each of our lives. His warm personality and his wit have picked up each of us through the years.

We of the Florida delegation owe BILLY MATTHEWS more than we can say here today.

And the Nation owes BILLY MATTHEWS just as many thanks.

I wish BILLY, his wife, Sara, and their fine family the best in the coming years.

Mr. SIKES. Mr. Speaker, I am pleased to yield now to the distinguished gentleman from Texas [Mr. POAGE].

Mr. POAGE. Mr. Speaker, I do not feel any of us could add to the fine tribute that our colleague, the gentleman from Florida [Mr. SIKES] has just paid to BILLY MATTHEWS. He has expressed our feelings well, and much more beautifully than I could do. However, I would not want to let this day go by without adding the testimony of one who lives a long way from the Orange Blossom State to the fine friendship that we have all enjoyed with BILLY MATTHEWS.

He served for a long time on the Committee on Agriculture—the committee on which I serve. The only mistake that I know he has made while he has been in Congress was when he left us. We all regret it. We wish he had stayed with us because he was a real asset to our committee, an inspiration to our Members, and a magnificent example to his colleagues.

We have all, wherever our residence may be, appreciated the inspiration that BILLY has given us and the help he has given his country, and the splendid example he has left for all of his colleagues.

You know, they sometimes say the best way in the world to know a man is to travel with him. I have traveled with BILLY MATTHEWS. I started out as his friend and came back as his friend. When you can do that sort of thing, you are dealing with a man of character and personality.

I would also want to be one of those who joins in expressing my gratitude at having had the opportunity of knowing his fine family. We are delighted that Sara is here with us this evening, and that they have been with us. We hope you and they, BILLY, will be with us and visit with us for a long, long time in the future.

Mr. SIKES. Mr. Speaker, I am pleased to yield now to the distinguished gentleman from New Mexico [Mr. MORRIS].

Mr. MORRIS. Mr. Speaker, I appreciate the gentleman from Florida [Mr. SIKES], yielding to me. I want to add my own personal testimonial to the sentences uttered here and the many fine things that have been said about a man whom I consider to be not only a great legislator but a great man. I think "BILLY" MATTHEWS' fine moral and

Christian leadership in this Congress has been a source of inspiration to every Member regardless of his political affiliation.

Mr. Speaker, I have only had the pleasure of serving in this Congress for 8 years. However, during those 8 years I do not know anyone whom I have admired more than I have admired "BILLY" MATTHEWS.

And, Mr. Speaker, I want to say this to the membership of this Congress and to the people of this Nation: The Congress of the United States and our country is better off for the service that "BILLY" MATTHEWS has rendered.

Mr. Speaker, I take this opportunity to wish him well, and to wish his family well, and to express the hope that he shall continue to enjoy the same success that he has enjoyed here in the Congress of the United States in whatever endeavor he chooses to participate in the future.

Mr. SIKES. I thank the distinguished gentleman from New Mexico.

Mr. GERALD R. FORD. Mr. Speaker, will the distinguished gentleman from Florida yield?

Mr. SIKES. Mr. Speaker, I yield to the distinguished gentleman from Michigan, the minority leader and my longtime friend [Mr. GERALD R. FORD].

Mr. GERALD R. FORD. Mr. Speaker, I appreciate the gentleman from Florida yielding and I want to join with him and with others who have spoken out so highly and so favorably in behalf of our mutual friend and colleague, BILLY MATTHEWS.

Mr. Speaker, BILLY is a friend of mine and I look forward to his returning to the Nation's Capital. When he does, under any circumstances, I hope and trust that we may be able to renew our friendship.

Mr. Speaker, BILLY and I on many occasions have voted in a similar fashion. We on this side of the aisle have appreciated his help on those occasions when he has joined us. We trust that he and his family in the years ahead will continue to enjoy health and happiness for the rest of their life.

Mr. LENNON. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I am glad to yield to the distinguished gentleman from North Carolina.

Mr. LENNON. Mr. Speaker, I am both privileged and honored to raise my voice this afternoon in tribute to a Member whom we all admire, whom all of us respect, whom we all love and whom we all trust.

Mr. Speaker, I believe one will find in Emerson's "Essay on Friendship" therein stated that the true secret of friendship is trust.

Mr. Speaker, those of us who have been privileged to know BILLY MATTHEWS for just a few years—10 years in my instance—know him to be a man whom we can trust. We admire him. We respect him. We love him. We trust him.

Mr. Speaker, we wish BILLY MATTHEWS Godspeed in the great service that we know he will render to his State and to his Nation in the future.

Mr. SIKES. I thank the distinguished gentleman from North Carolina.

Mr. McCLORY. Mr. Speaker, will the gentleman yield?

Mr. SIKES. I am glad to yield to the gentleman from Illinois.

Mr. McCLORY. Mr. Speaker, I am pleased to participate in this tribute to my longtime friend and colleague, BILLY MATTHEWS.

Mr. Speaker, I have not only witnessed BILLY participating in effective and spirited debate here on the floor of the House of Representatives and do not only know of his legislative record, but I have also had the opportunity to participate in the weekly congressional prayer breakfasts and to see and to hear this highly spiritual-minded gentleman participate and impart—that is the word I am seeking—the spiritual mindedness to the others of us who have occasion to join together at these morning breakfast meetings.

Mr. Speaker, in addition to this opportunity that I personally have had, Mrs. McClory has had the opportunity to take part in a number of the activities while participating in the Congressional Club where BILLY's devoted and talented wife, I may say, Sara Matthews, has been a good and longtime friend of Mrs. McClory.

Mr. Speaker, Mrs. Matthews has demonstrated her particular talents there in contributing to the benefits which our wives participate as they join together in this important activity.

So it is a privilege to have known BILLY and to have worked with him. And for Mrs. McClory also to have had the privilege of working and serving and enjoying the companionship and the friendship of Mrs. Matthews.

Mr. SIKES. Mr. Speaker, I yield to the distinguished gentleman from Alabama [Mr. SELDEN].

Mr. SELDEN. Mr. Speaker, I would like to join with my colleagues today in paying tribute to the distinguished gentleman from Florida, the Honorable D. R. "BILLY" MATTHEWS.

BILLY MATTHEWS and I came to Congress at the same time, having been elected to the 83d Congress in 1952. Since that time, he has been one of my closest friends in the House of Representatives, and his wonderful wife, Sara, and my wife also have been close friends. I have had ample opportunity to observe his service in this body, and I know of no Member who is more dedicated, diligent, articulate, or effective than BILLY MATTHEWS. He has rendered outstanding service to his constituents during his 14 years as a Member of Congress, and he has won the admiration and respect of all who have served with him.

Mr. Speaker, BILLY MATTHEWS' many attributes have endeared him to his colleagues, and the Members of the House of Representatives are going to miss BILLY MATTHEWS and the benefit of his wise counsel. I join with my colleagues in wishing for BILLY, his lovely wife, and their three fine children much happiness and success.

Mr. SIKES. Mr. Speaker, I am privileged to yield to the distinguished Chairman of the House Committee on Appropriations, the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Speaker, I thank my friend from Florida for yielding to me.

Some very fine men have come to Washington to represent the State of Florida in the House of Representatives. It is interesting to think of them here today as we pay tribute to the work of our colleague, BILLY MATTHEWS.

Among those who have come here from Florida, and elsewhere, BILLY MATTHEWS is a man who stands tall as a Member of this body.

BILLY MATTHEWS has added to the tone and the stature of the Congress. He has always stood for something. No one has ever thought of him other than as a man of the greatest integrity, a man of great wisdom, a man with a sense of humor, a man with a sense of purpose, a man who has been dedicated to the interests of his people in Florida and to the people of the Nation and the world.

He is a man of compassion.

For all of these reasons, it was my great privilege and honor to assign him to the very important Subcommittee on Appropriations having to do with Labor and Health, Education, and Welfare, where he has performed significant service for the country in these very important fields. The appropriations under the jurisdiction of that subcommittee, and consequently the workload of its members, has grown rapidly in recent years. The many new programs that have been enacted in the fields of education, public health, and public assistance have caused this increase.

I knew that a Member possessing his attributes would be able to make significant contributions to our efforts to secure careful administration of these new programs during their all-important formative years.

He put his shoulder to the wheel and served well. I would like to note that after he knew he would not return to Congress, he continued to aggressively pursue his committee duties. His constant participation in the hearings, which are long and arduous, including those on the pending supplemental bill which was reported to the House last Friday, has been in the best tradition of the House.

The day-to-day work of reviewing budget estimates is not glamorous. It is just plain hard work. But it is the kind of work that keeps the machinery of government operating. It is indispensable. I often feel that the Members do not receive sufficient recognition for the long hours they spend wrestling with the details of complex, difficult programs. They work outside of the spotlight of public recognition but their work is vital to the public well-being. BILLY MATTHEWS is the kind of dedicated and hardworking man who makes the weight of this House, which so well reflects the will of the people, felt in the governing councils of our country.

I regret that his experience will be lost to us next year.

We will miss him.

But I do not think of him as discontinuing his life of usefulness at all. I think of him as leaving his place of service here, but wherever he goes he is going to be working for the best interests of the country and the world.

He will go with the blessings and good wishes of the Members of this House on both sides of the aisle.

So, God bless you, BILLY, and your family, as you undertake other responsibilities.

Mr. SIKES. Mr. Speaker, I yield to the distinguished gentleman from Virginia.

Mr. DOWNING. Mr. Speaker, I wish I possessed words to describe adequately my feelings for my friend and colleague, BILLY MATTHEWS.

I suppose, BILLY, many years from now when you are by yourself you will pick up the CONGRESSIONAL RECORD and read and reread some of these wonderful things that are being said about you. You may be reminded of the story of the corpse that rose from the grave after hundreds of years. He was sitting there and reading the glowing epitaph on the tombstone. He read—and he read—and he read—and finally he said, "My Lord, they put me in the wrong hole."

But the remarks you are hearing this evening are coming from truthful hearts and they are sincere.

We all know BILLY MATTHEWS was an outstanding Congressman and legislator—a man who has ably represented the First Congressional District of the State of Florida.

I do not suppose I have known in my time in the Congress any man who has had as much personal influence with his fellow Members as BILLY MATTHEWS. When BILLY takes the well of this House to support legislation—or particularly when it is his own legislation—that bill was bound to pass. This is because we all love BILLY so much that anything he wants, we want.

BILLY, we are all going to miss you. We wish for you and your lovely wife, Sara, every happiness for many, many years to come.

Mr. SIKES. Mr. Speaker, I yield to the distinguished gentleman from Alabama [Mr. GEORGE W. ANDREWS].

Mr. GEORGE W. ANDREWS. Mr. Speaker, I want to thank the dean of the Florida delegation, my friend [Mr. SIKES], for yielding to me and I want to concur in all the fine things he has said about the gentleman from Florida, "BILLY" MATTHEWS.

In the late 1940's or early 1950's, I had the pleasure of meeting "BILLY" MATTHEWS for the first time at the University of Florida. I was there as a guest of Congressman HERLONG. Former Congressman Grant was with us. "BILLY" was our host the night before the Florida-Alabama game at a wonderful dinner given by the University of Florida. I fell in love with "BILLY" that night. I recognized the qualities of leadership that he has and since that time I have considered him to be a dear friend.

"BILLY" came to the Congress with a sense of humility and a great amount of ability. I have seen some men come here for the first time and think that they could actually remove the dome from the Capitol. "BILLY" came here to learn. He came to learn the very intricate processes of government and he has been an apt student.

It has been said that "BILLY" has a good sense of humor—and he does—the best. I know of no finer storyteller than "BILLY" MATTHEWS. "BILLY" has made more friends in the cloakroom and outside of this Chamber than any man I know of. The gentleman from Virginia hit the nail on the head when he said that "BILLY," because of his unusual and lovable personality, has been able to get things that he was interested in passed by the Congress. I learned years ago that it is not so much what you know here in Washington—it is who you know.

"BILLY" brought some very fine traits of character to this Chamber. As I said, "BILLY" MATTHEWS was humble when he came here—and he is today.

He was honest when he came here—and he is honest today.

He was a hard worker when he came here—and he is today.

He went out of Congress in a very unique way.

I want to say that his loss of a seat in Congress is nothing comparable, in my opinion, with the loss that the State of Florida has experienced because of his leaving.

"BILLY" is a deeply religious man. He came as a religious man and he will leave as a religious man, a man who believes in the principles of Christianity, and he not only believes in them but practices them. Recently a young man in my office told me that "BILLY" spoke to a youth group in his church. I wish "BILLY" knew the impression that he made on these young people.

"BILLY" is a good family man. With his lovely wife and his children he came here as an ever-loving husband and a devoted father, and he leaves in that capacity. A lot of men lose those traits when they come to this Nation's Capital.

Recently, within the last 2 or 3 years, he went on our Appropriations Committee and I got to know him even better than I knew him before he came on that committee. But above all things about "BILLY" MATTHEWS, he is sincere, and that, too, is a trait that is not found too easily in the Nation's Capital.

Many times we will find that friendship is based on convenience and necessity. You know that as well as I. But "BILLY" is sincere, and I want "BILLY" to know that as he leaves us, he leaves with the best wishes of his friends, who are legion, in this Congress.

I might say that he leaves with an abundance of experience, and any Government agency that gets him will be lucky. Any private business that can employ him will be lucky. Any institution of higher learning that gets him will be lucky. Frankly, I have talked to him and tried to get him to go to that great university in my district at Auburn, Ala., where he could be with his old friend, Dr. Philpott, who recently became president of Auburn, coming there from Florida.

In my opinion, "BILLY" MATTHEWS possesses the three qualifications that are essential not only for that public official, but for a business or an educator. First, he is honest; second, he is able; third, he is courageous.

In closing, I want to say to "BILLY" that one of my favorite poems is "Heart of a Friend":

The heart of friendship never wanders or doubts
No matter if years intervene;
The old faith is there but naught can compare
With the company that it give to them unseen.
Yes, the heart of a friend is the one thing I prize
As life lengthens and twilight descends.
It is the last boon I will ask when I finish my task,
That I live in the hearts of my friends.

I can assure you, "BILLY," that you will live in the hearts of your friends forever. God bless you, and the best of everything. You have deserved it because of the many years of devoted service you have given to your State and to your Nation.

Mr. SIKES. Mr. Speaker, the distinguished gentleman from Tennessee [Mr. EVERETT] has been sitting patiently throughout this wonderful discussion, and I am happy to yield to him.

Mr. EVERETT. Mr. Speaker, I wish to thank my distinguished friend from Florida for yielding to me to say a few words in behalf of our friend, D. R. "BILLY" MATTHEWS. Never in all of my lifetime have I ever known a finer man than "BILLY" MATTHEWS. As a freshman some 8 years ago, when I first came to this body, he was kind and considerate to me. He was always trying to help all of us with problems that we had.

I just want to concur in what has been said in behalf of "BILLY" MATTHEWS, and to wish for him and his fine family the finest of everything in the many years to come.

Mr. SIKES. Mr. Speaker, I yield to the gentleman from Texas.

Mr. BURLESON. Mr. Speaker, I thank the gentleman from Florida very much for yielding. The fine things that have been said about a man dedicated to his responsibilities here in Congress—his impeccable integrity and all of the other fine characteristics which have been pointed out—I believe we expect of one another. We assume we are here under that claim for ourselves. It helps us to get here, for at least our constituents think so.

But there are characteristics which I believe many of us are lacking. I wish I had more of those possessed by our esteemed colleague, BILLY MATTHEWS.

In 20 years here I have seen a few men come and go. I have respected them all for what they stood for and their beliefs, whether we agreed or not.

Some, over the years, have gone after contributing a great deal to a great many things. From the personal side, after a little while we are inclined to be a little vague about who they were, what they did, what they stood for.

But I can say to our friend BILLY MATTHEWS I do not believe anyone will ever forget BILLY MATTHEWS—for his personality, for his warm response and friendship, for giving so much more than he ever receives, for making one feel, "Here is a friend on whom I can depend."

So, "Billy," they may come and they may go, but those of us who are here—whether we stay here or wherever we may be, if we go back to our homes—will remember Billy Matthews with warm friendship.

I trust that you will have the best of good things as you leave the Halls of Congress.

Mr. SIKES. I thank the gentleman from Texas.

Mr. Speaker, I yield to the distinguished gentleman from Texas [Mr. White].

Mr. WHITE of Texas. Mr. Speaker, I thank the gentleman from Florida.

As a first termer I have not had the opportunity, as many here have had, of knowing the gentleman from Florida, Congressman "Billy" Matthews, over the years, so therefore, as a first termer, by expediency I must in part judge people by the reaction of others to them. I have noted from the reaction of others that "Billy" Matthews is a seat filler instead of a seat emptier. Whenever "Billy" Matthews walks to the microphone we can be sure that from the cloakrooms or the Halls of Congress people will go to their seats to listen. For example, on an agricultural bill we will hear people, as they nudge each other, say, "This is going to be good. Here goes 'Billy'."

"Billy" will carry a point by congeniality, good will, and by logic. I have seen him carry them by the ability he has to make all respect him.

In the short term I have had, I have gotten to know "Billy" Matthews, and I understand now why this Congress loves him.

There are positive men and there are negative men. I would say that "Billy" Matthews is a positive man, a constructive man.

So I expect to see him many times here in the Halls of Congress, visiting us, or in other areas of public service continuing to be constructive to society.

Mr. SIKES. I thank the gentleman from Texas.

Mr. Speaker, I now yield to the distinguished gentleman from Georgia [Mr. O'Neal].

Mr. O'NEAL of Georgia. Mr. Speaker, I thank my fine friend from Florida for yielding to me so that I may join this large group of friends who are paying tribute to the gentleman from Florida, "Billy" Matthews, at this time.

Mr. Speaker, I wish, at time like this, that I had the powers of oratory and word selection to truthfully express my feelings, because they are deep.

I will content myself by saying, very briefly and very simply but nevertheless very sincerely, that I agree with every single word that has been said here today.

I will miss "Billy" Matthews as much as any man who has taken this floor. It is a matter of great regret to me that the State of Florida found it necessary to redistrict in such a way that they would lose "Billy" Matthews and that we would lose him.

Everyone has told about his warm, friendly personality and his great ability as a joketeller. I might confess at this point I have plagiarized on a number of "Billy's" jokes and speeches in my district.

I am one who will miss "Billy" sincerely in the 90th Congress. I do not know who we are going to find to take up the great burden of defending the boiled peanut program.

I thank my distinguished friend from Florida for yielding to me and allowing me to join this group.

Mr. SIKES. Mr. Speaker, I yield to the distinguished gentleman from Oklahoma [Mr. Edmondson].

Mr. EDMONDSON. I thank the gentleman for yielding. Mr. Speaker, the State of Florida has a wonderful delegation in Congress. The State of Florida has made many wonderful contributions to this land of ours, but I do not believe that that great Sunshine State ever sent a finer or more beloved man to the Halls of Congress than the gentleman from Florida, D. R. "Billy" Matthews. Billy and Sara are two of the first people my wife and I got to know when we came to Washington. To know them was to love them and to serve with him has been one of the joys of the years I have spent in this body.

I want to wish to both of them a wealth of happiness in the years ahead and tell them both that they will be very sorely missed by their friends.

I thank the gentleman for yielding.

Mr. SIKES. Mr. Speaker, I yield to the distinguished gentleman from Massachusetts [Mr. Philbin].

Mr. PHILBIN. Mr. Speaker, I thank the very gracious gentleman from Florida for yielding this time to me.

I have been very much edified and gratified to listen to the splendid, highly merited, and well-deserved encomiums that have been expressed here in this historic Chamber today with reference to the service, the personality, the dedication, and the very wonderful outstanding qualities of my dear and esteemed friend, the gentleman from Florida, "Billy" Matthews.

It has not been my privilege nor my pleasure to know of anyone who precisely measured up more fittingly, in a real sense, to those high values of character, conduct, patriotism, morality, and friendship that are so much a part of the nature and makeup of this outstanding son of the great State of Florida.

"Billy" Matthews, as we all know, is a man of many gifts. He has been greatly blessed by the creator with personal charm, magnetism, and personality, and with a rich and lofty character that could never be surpassed.

He is endowed with an abundant and overflowing ability which stands as rich testimony to the outstanding achievements and memorable contributions he has made in this body. Then too, in a different but compelling sense, there is the wonderful sense of humor which he has and his rare ability as a raconteur, which certainly could never be excelled.

The warmth and the charm of his personality are an inspiration to his many colleagues and friends. The wholehearted friendship which he exemplifies and his ever-present, smiling countenance have endeared him to us.

His courage and his steadfastness to his duties, and his fine loyalty and devotion to his friends are something that we admire, gratefully appreciate, and will always remember.

Mr. Speaker, may I say that these and many other noble qualities have greatly endeared "Billy" Matthews to every Member of this House, and I am sure that he not only enjoys the great esteem and high regard, but also the warm affection and sincere admiration of every one of us.

It is a deep personal disappointment to me, as I know it is to all other Members of the House, to realize that he is departing from this great body where he has served with such outstanding ability, dedication, and distinction.

It is a real disappointment, as has been so well observed here, that this Congress of the United States should lose such an outstanding Member as "Billy" Matthews at this time, a time when, to be sure, we need outstanding Members, and that we should especially lose one to whom we are so deeply devoted and for whom we have such great respect and affection. It is unfortunate that the vicissitudes of redistricting should have produced such a truly regrettable development.

Mr. Speaker, it is with deep regret that I shall see my esteemed friend "Billy" Matthews, leave this historic Chamber, and the many true firends he has here. But in the annals of the House and in the hearts of our colleagues there will be an imperishable recollection of his achievements for the Nation and the people.

We shall all greatly miss "Billy" here, and I wish for him and his dear ones in the future—and I know he will enjoy a distinguished, successful future just as he has enjoyed a most distinguished record of service here—all of the choicest blessings in the time to come.

May I express the hope that "Billy" Matthews and his family will continue to enjoy good health and success in all of their endeavors, prosperity and happiness and peace for many years to come. And I hope, too, that our beloved friend "Billy" Matthews will come back and visit with us here on frequent occasions as he goes with confidence, courage, and buoyancy still higher up the ladder of success.

God love you and your dear ones always, "Billy."

Mr. SIKES. Mr. Speaker, I thank the distinguished gentleman from Massachusetts for those remarks.

Mr. Speaker, this is not a bill on which debate must be concluded within a certain period of time. There shall never be an end to the expressions of appreciation and sentiment for "Billy" Matthews from his friends in the Congress.

Mr. Speaker, the hour is late, but I yield to our distinguished friend, the gentleman from Florida [Mr. Haley].

Mr. HALEY. Mr. Speaker, I wish to thank my distinguished senior Member

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of the Florida congressional delegation for taking this time to pay—and allow me and the other Members of this Congress who have such a high regard for the gentleman from Florida, "BILLY" MATTHEWS—this tribute to "BILLY."

Mr. Speaker, "BILLY" has not only been a great legislator in the Halls of this Congress. He has been a great educator in our great State of Florida. He has served in that position with outstanding ability. He also served in the Florida Legislature with the same outstanding ability which he has manifested here in the Congress of the United States.

Mr. Speaker, "BILLY" served for 16 years as one of the administrative staff of the University of Florida, at a time when that great university was struggling to reach the great heights which it has today attained. To a large extent, probably, this man brought about the standing of that great educational institution.

Mr. Speaker, "BILLY" has not only served as an outstanding educator and legislator, but he has also served outstandingly in the Armed Forces of the United States. He served for 4 years in World War II and was discharged as a captain.

Mr. Speaker, as my friend, the gentleman from Alabama [Mr. GEORGE W. ANDREWS] has said, "BILLY" MATTHEWS is a good man, he is a church man, he believes in the Christian philosophy to which this great Nation has held so dearly throughout its entire history. He has served in many capacities. And, as the gentleman from Alabama says, he has always been interested in young people.

"BILLY" is young, as we all know, in spirit, and I am sure that he will always remain so. I am sure that every Member of this Congress and past Congresses who have had the opportunity to meet and know "BILLY" MATTHEWS hold him in the highest respect because, Mr. Speaker, this man has served not only Florida well, but he has served this Nation well. He is a man of courage. He has proven that time and time again.

As "BILLY" retires from the Congress, and I am sorry that two such men as "BILLY" MATTHEWS and DON FUQUA, because of the situation we had in Florida, would be put together so that only one could continue to serve, I am sure that "BILLY" will find some place where he can continue to serve with the distinction that he has served his Nation and his State in the past.

"BILLY," as you leave the Congress, so to speak, I wish you and Sara and your three fine children all the happiness in the world. I know that you leave the Congress and the Florida delegation with the regrets of every Member of this great legislative body.

Thank you.

Mr. SMITH of Iowa. Mr. Speaker, I am pleased to have this opportunity to participate with my colleagues in showing my admiration and respect for the gentleman from Florida, "BILLY" MATTHEWS. While I have recently had the privilege of serving with "BILLY" on the Appropriations Committee, I was first very much aware of his presence in the House and his influence when he was a member of the Agriculture Committee. While diligently protecting the interests of his constituents who are engaged in agriculture in Florida, including those who sell boiled peanuts, he had a good grasp of agricultural problems throughout the Nation. He has served his State and Nation diligently and with a conscientious devotion to duty, with a deep sense of integrity and with deep feeling for other people throughout this great Nation and the world. His accomplishments will be long remembered and I am glad to have this opportunity to show my respect for his service in the House of Representatives. I join with others in wishing him the very greatest success in whatever endeavor he undertakes.

Mr. BOLAND. Mr. Speaker, I want to take this opportunity to join with my colleagues in paying tribute to a hardworking Congressman and a warm and wonderful person, the gentleman from Florida, "BILLY" MATTHEWS. He and I came to the House of Representatives together in the 83d Congress, and we have been serving together for the last 2 years on the Appropriations Committee.

"BILLY" MATTHEWS is a delightful, stimulating, and hard-working colleague. He is a remarkable public servant who has given unstintingly of his time here in Washington for his own congressional district, the people of his native State of Florida, and the people of America. "BILLY" MATTHEWS was noted in the Halls of Congress for the fine service he gave to his constituents.

Mr. Speaker, as one of the most popular Members who came here in the 83d Congress, "BILLY" MATTHEWS won the hearts and respect of all Members of the House of Representatives. He will be greatly missed by us all. He was truly a dedicated Congressman. I want to extend my sincere best wishes to him for the future.

Mr. FUQUA. Mr. Speaker, I want to join with my colleagues in paying tribute to my good friend, the gentleman from Florida, "BILLY" MATTHEWS, on his long and distinguished tenure as a Member of this great body.

During the many years that I have had the privilege of knowing and being associated with "BILLY", he has always exhibited those attributes that every man should possess. He has worked diligently on behalf of the people of the Eighth District of Florida which he has had the privilege of representing for the past 14 years.

I want to join with my colleagues in wishing him, Sara, and their family many happy returns in the coming years.

Mr. KEOGH. Mr. Speaker, I am most happy to have this opportunity of joining with my colleagues in paying these well-deserved tributes to the gentleman from Florida, "BILLY" MATTHEWS. It seems to me that this is one time when we can well disregard Lord Chesterfield's admonition to his son not to be complimentary of a man in his presence. There are occasions when public acknowledgment of a man's true worth should be made—and this is one of those occasions.

"BILLY" MATTHEWS brought to the Congress, 14 years ago, an unusually happy combination of scholarly and practical characteristics. Those traits have enabled him to serve well the people of the Eighth District of Florida and of the entire United States. And that he has served them well is attested to today by these expressions of warm approbation on the part of those who know him best—his colleagues of the House of Representatives. His constituents are to lose the invaluable services of a Representative who has served them well in the noble tradition of Edmund Burke who, nearly two centuries ago, speaking from his heart to the electors of Bristol, defined the relationship between the electors and their representative:

> Your representative—

He told them—

> owes you not his industry only but his judgment; and he betrays instead of serves you if he sacrifices it to your opinion.

Mr. Speaker, along with his many friends in the House of Representatives, I wish "BILLY" MATTHEWS the greatest success in his future endeavors.

Mr. GATHINGS. Mr. Speaker, it is fitting and proper that recognition be given to our friend and colleague, the gentleman from Florida, W. R. "BILLY" MATTHEWS, for the many years of splendid service he has rendered his people and the Nation.

For quite a number of years "BILLY" and I worked together on the House Committee on Agriculture. He zealously guarded the interests of his constituents who were engaged in farming or business related to that industry while serving on that committee. He is a Christian gentleman without hypocrisy.

I was privileged to visit in his northern Florida district a few years ago. I can attest to the high esteem with which he is held at home as well as in the Committee on Agriculture and the House. He is worthy of any trust.

"BILLY" MATTHEWS has brought erudition, wit, and good humor as well as dedication in his service, his associations, and work as a Member of the House. He is genial, cheerful, and a true friend. I hope that we will see him from time to time and that our associations will continue even though he will not be serving here in the 90th Congress.

I wish for "BILLY" and his fine family everything good—fine health and an abundance of happiness in the years that lie ahead.

Mr. UDALL. Mr. Speaker, it did not take long after my arrival in the House of Representatives to find that the gentleman from Florida, "BILLY" MATTHEWS, holds a unique and very special place in the hearts of his colleagues.

In this body there is a great and fraternal spirit of mutual respect and courtesy, though occasionally personal rivalries and conflicts lie beneath the surface. I suppose that nearly all of us have colleagues whose admiration and trust is less than complete. Yet, I think I can honestly say of "BILLY" MATTHEWS, as of few other Members, that I have never met a Congressman who did not genuinely and totally like this kindly Floridian. I think this is because he, like

Will Rogers, can truly say that he never met a man he did not like.

After this tolerant, humble, effective, eloquent, and diligent man leaves us this fall, the House for me will never again be quite the same.

I wish I were sufficiently gifted to convey in this brief address something of the personality and charm that set him apart. However, I offer an article by a former Member which, in my judgment, comes close to the mark. The late Representative Clem Miller, of California, in his outstanding "Dear Friend" letters to his constituents, collected in a book entitled, "Member of the House," came as close as perhaps any writer to grasping and conveying the inner workings of the House and the interplay of its Members. He devoted one chapter to "Billy" Matthews, though he did not identify him by name. I think this well-deserved series of addresses would be incomplete without a reprinting of that chapter, and under unanimous consent I insert it herewith.

I join my colleagues in saluting a great American and a great Congressman. I wish for him and his family all the things they wish for themselves.

The article by Representative Miller follows:

Dear Friend: There are all sorts of ways to get things done in Congress. The best way is to live long enough to get to be a committee chairman, and resilient enough to be a good one. Chairmen complain to me that they are frustrated too, but this is really beside the point. If things can be done, they can do them; we are very sure of that.

However, there are other ways, and one of the most effective persons is a Congressman from Florida. I first met him at a congressional children's party where he was joyously and enthusiastically larruping up the crowd with imitations of frogs, pigs, and other noisy animals.

I soon learned that this is the man's trademark—the joyful and enthusiastic acceptance of life. His brief appearances on the House floor are always heralded with high good humor. The somber aspect of the Chamber takes on a lighter hue. Members stream in from the cloakroom. "——— is on," is the word. "Did you hear what he told them?"

After one of his speeches, everyone feels better and usually the Member of Florida feels the best of all. This Congressman rarely speaks without a purpose, larded as it is with friendliness and cheer.

He has an angular face with a turned up chin, giving it a puckish cast. His voice is melodious enough, but when he calls out, he can be heard through a six-inch mahogany door. As he talks he leans into his audience (most of our good talkers are leaners) and cocks his head to one side like a mocking bird.

And this man can charm the birds out of the trees. Partisan lines soften, and political gunboats cease cannonading, and the hard-bitten appropriations chairmen vie with one another for the nicest things to say.

To tackle the Appropriations Committee on the floor of the House is a major decision, frequently the most important decision a Member will make that term of Congress. Here is the choice. If he is silent, perhaps the Senate will restore the item to the bill. If he speaks up and is beaten, he will never get it back. And the chances of winning are better than five hundred to one against. These odds mean silence to most congressmen, but not to the Florida representative.

First, he sets the stage in the hearing on the Rule by telling everyone what he is going to do.

"Mr. Chairman, at the appropriate time, I intend very humbly and very prayerfully to offer an amendment. I hope the gentleman from Texas, my distinguished, intellectual leader and my athletic leader, will help me a little bit with it and if he would I would bestow upon him the highest accolade of all and call him my spiritual leader, if he will help me to correct an injustice that I know he does not want to be meted out upon the gentleman from Florida. . . . I know that this Committee will not be unfair to the gentleman from Florida and deny him his laboratory when some of you have received so much."

Everyone is put in a receptive mood by being told with what fear and trepidation he approaches the task. Everyone trembles before the Appropriations Committee so that his well-planned fright is shared by all, and vastly appreciated. He casts an apprehensive eye at the Committee Chairman.

He spins out his dilemma. He knows he can get this entomological laboratory if he will wait until January, 1961, but for this, that, and the other reason he wants to get started in 1960. We all understand these dilemmas. We share the explicit and implicit direction of his remarks; our empathy adds savor to the whole performance.

Then he goes to work on the main redoubts. He offers an amendment. He cocks his head. The Committee Chairman, on his feet in an instant, says, "Mr. Chairman, I reserve a point of order." Ruefully, but with the utmost grace, the Florida congressman backs away: "I ask unanimous consent to withdraw the amendment and offer another one." No one objects.

"Mr. Chairman, I appreciate the courtesy of my beloved chairman." When this congressman says "beloved" the word has substance and meaning. He likes people; and usually, in politics, among professionals, this is hard to get across.

There follows a lightning-quick description of what the amendment would do. He ripples over it like a dancer. No waste motion, no bogging down in boring detail. Enough, but not too much. Thus he disarms the opposition with his nimble tracery.

"I want to apologize to many of my friends because I told you this amendment would not cost you any more money. If my first amendment had been in order it would not have. Please forgive that error. I would like you to vote against me if you think I have misled you."

There follows a neat fencing match with the Floridian tripping a light step between the ranking Republican and the Committee Chairman, the master, who realizes he has a past master on his hands. He begs his friend from Florida to hold off until January, to which the latter responds:

"Sir, I am put in an embarrassing situation. Mr. Chairman, may I say I would be grateful if I could have action now; and if I am not successful I know my dear friend would not hold it against me for making this attempt. Then if I am not successful in this attempt, I can come back in January."

His five minutes expire, but the delighted House, by unanimous consent, permits him to proceed for three more minutes. In the general levity which followed, I admitted we have bugs in my district and we want them eradicated. He beamed his broadcast and repeated with comical inflection: "Bugs in California? I thank the gentleman . . ." The House roared in enjoyment.

A Member from Ohio rose to suggest that we delete some funds for a monument and use it to get rid of insects.

Another Congressman from Iowa suggested we not only want to get rid of bugs but we want to return this wonderful person to Congress next year.

Our Florida colleague beamed and bobbed at the Speaker's lectern, telling us he would be overjoyed to yield to Members who would say such nice things about his laboratory.

The Committee Chairman threw up his hands and sat down. The amendment was agreed to by voice vote.

Everyone was happy.

Very sincerely,

Clem Miller.

Mr. BOB WILSON. Mr. Speaker, "Billy" Matthews and I entered Congress together in January of 1953 and now, 14 long and busy years later we have adjoining offices. What I mean to underline is that we have liked and respected each other from the start, even though we are from opposing political parties and naturally have not always agreed on issues.

I have observed "Billy" Matthews to be a Congressman of integrity, conviction and a hard worker for his constituents. And outside of Congress, I know that he has labored quietly and effectively for those who have needed his help. He once served as chairman of the Alachua County chapter of the National Foundation for Infantile Paralysis.

He is a fighting man when it is necessary. Billy proved that in 4 years of World War II which found him at the end a captain of infantry and he has proved this many times on the House floor when he has worked and voted for what he believed right, let the chips fall where they might.

I regard his departure as a loss for this Congress and I, personally, shall miss him as a friend. I want to be most firmly identified with those in the House who wish him future happiness and usefulness. As many other Members of this House, who have served their districts well and faithfully, have found: Redistricting can be hell. Godspeed, "Billy" Matthews.

Mr. MORGAN. Mr. Speaker, as the present session draws to a close, it is particularly appropriate that we pause for a moment to speak about our dear friend and colleague, "Billy" Matthews, who is now completing his seventh term of distinguished service in the House of Representatives.

When "Billy" came to Congress in 1953 he had already won his laurels as an infantry officer in World War II, in the field of education, and as a member of the Legislature of the State of Florida. He had already demonstrated a degree of dedication to public service which was to make him one of the most valuable Members of the House.

"Billy" Matthews has rendered outstanding service as a member of the Committee on Agriculture and also the powerful Appropriations Committee. He is a persuasive and convincing debater of great skill and I have always listened to his speeches with the keenest interest and pleasure. I think one of the real secrets of "Billy's" success is his humanitarianism. He really likes his fellow men and really enjoys being of help and service. He has devoted much of his time and effort to aiding the blind and assisting those crippled by the scourge of infantile paralysis, and he has always

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shown a particular interest in helpful activities for students.

I mention these as some of the reasons why I believe we, his friends and colleagues, are proud of our friendship for him. They are qualities that make for the finest in patriotism and citizenship and they enhance his leadership as a legislator. We are all sorry to see "Billy" Matthews leaving this historic Chamber of the House of Representatives. We shall miss his sunny disposition and his outstanding statesmanship.

I hope that I can speak for all of us when I express the wish that "Billy" remain in Washington in some official capacity. He is too valuable a public servant to allow to go back to private life. Besides, it would be pleasant for him to be able to drop in and visit us frequently. It would not only be good to maintain our friendship, but also helpful to have the benefit of his sage comments and advice on legislative problems that may arise from time to time in the future.

Mr. DULSKI. Mr. Speaker, as the 89th Congress draws to a close, we are not unmindful that adjournment will mean the severing of many fraternal ties that have bound us to good and true friends. During my 8 years of service here in this body, I have had the privilege to work with many outstanding legislators dedicated to public service.

Sadly, we bid adieu to some of these great gentlemen, one of whom is our esteemed colleague, the Honorable D. R. "Billy" Matthews. He has brought together a rare combination of zeal, sincerity, sympathy, understanding, and know-how in his day-to-day efforts in serving his constituents. He has personified the highest ideals of public service which others will emulate but seldom match.

"Billy" Matthews has every reason to take satisfaction in his accomplishments of the past 14 years, and the people of his district may take intense pride in reviewing his record. We know, too, that his "way of life" will not change when he leaves these halls, for whenever and wherever he sees an opportunity for service the same spontaneous helpfulness will be evident.

I have appreciated his friendship and the privilege of knowing him, and, after all, these are the things that count. We will all miss "Billy's jovial and pleasing personality, his genuine good sense of humor, and his many witticisms.

I can only wish for him many more years of happiness and satisfaction in whatever he undertakes, enjoying life to the fullest.

Mr. FULTON of Tennessee. Mr. Speaker, it is an honor, though an honor coupled with sadness and regret, that I join with my colleagues and many, many friends of Representative D. R. Matthews in salute to our "Mr. Billy."

There is little I can add to what has been said except to repeat that he has worked long and diligently with determination and Christian charity for the people of his district, the people of the State of Florida, and the people of our great Nation.

When I came to this body as a freshman, Mr. "Billy" was one of the veterans who had time for a kind word and a welcome word or two of good advice.

It has been a pleasure to know him and a privilege to serve with him. The House is losing a true friend and the people are losing one of their ablest legislators.

Mr. COOLEY. Mr. Speaker, I wish to join the gentleman from Florida [Mr. Sikes] in paying a loving tribute to our colleague, affectionately known to us as "Mr. Billy."

That D. R. "Billy" Matthews is leaving the Congress is sadness for all of us. I never have known a more genuine person. I never have known a person more capable of true friendship. I never have known a more conscientious and effective Member of this Congress.

His departure will be a heavy loss not only to his great State of Florida, but to our Nation as well.

When you speak of "Mr. Billy" you associate him with everything good and splendid. I extend to him all the best wishes of health and happiness for him and his family, and in all the expressed expectations of even greater accomplishments and triumphs for him in the many years ahead.

I commend you personally for leading this salute to one of the best among us.

Mr. ROSTENKOWSKI. Mr. Speaker, in my 8 years of service as a Congressman the most rewarding experience has been the opportunity to meet and work with so many fine persons. This opportunity, I am sure, we all treasure.

When considering the fine people that make up our National Assembly, it is difficult to assume that one could stand out above the rest, and yet, there are some who qualify for special recognition. Today we pay tribute to one of these gentlemen, D. R. "Billy" Matthews, of Florida.

Although I have been privileged to serve with "Billy" for only 8 of the 14 years that he has worked in this Chamber, these 8 years have been delightful and knowledgeable where "Billy" is concerned. His contributions toward the progress of our Nation are a matter of record, for which he can be proud. He has rendered outstanding service to the people of his district, the State of Florida, and most important to his Nation. As a dedicated public servant he has been conscientious in his duty, but he never lost sight of the need for wit and humor to blend the seriousness with the lightheartedness when making a point in his deliberations of the important matters we face each day. I recall a congressional trip to the New York World's Fair where "Billy's" witticisms added to the enjoyment of the trip. He has the pleasing personality that is so necessary to be a good public servant.

"Billy" is indeed a credit to the Floridians he has ably represented these past 14 years. I am certain that his ability will never be lost in their minds and they will turn to him for leadership and guidance as they have for these many years in which he has served them. We will hear many great things about "Billy" Matthews in the days to come for a good man is never forgotten but encouraged to continue his work. This is as it should be where the Nation's welfare is concerned.

It is a pleasure for me to join on this occasion to recognize D. R. "Billy" Matthews for his important work in Congress.

Mr. BECKWORTH. Mr. Speaker, in the 24 years I have been in Congress I have been acquainted with many Members. There is no Member whose friendship I have appreciated more than that of Representative "Billy" Matthews. We all are aware of his great ability and his abundance of fine qualities. "Billy" has done an excellent job of work as a Member of Congress. He will be missed greatly by his friends who will be in the next Congress.

Certainly my family and I wish for "Billy" and his wonderful family every success, happiness, and joy in the future.

Mr. EVINS of Tennessee. Mr. Speaker, I would like to associate myself with the remarks of the distinguished gentleman from Florida [Mr. Sikes] in paying tribute to our colleague, the Honorable R. B. "Billy" Matthews, who is retiring from Congress at the end of this session.

We will miss "Billy" Matthews—he is completing seven terms of outstanding service to the Nation, to his beloved State of Florida, and to his fine district.

All respect "Billy" Matthews. I know of his great dedication and his great abilities. I have seen him work as a fellow member of the Committee on Appropriations. He has worked tirelessly and effectively. His contributions have been great and lasting.

"Billy" Matthews is a fine gentleman and we will miss him. I wish him the best of good luck and every success as he leaves the Congress.

Mr. CHELF. Mr. Speaker, it is a real privilege, upon this occasion, to add my personal expression of appreciation for the great contribution made by the Honorable D. R. "Billy" Matthews, of Florida, during his seven terms of distinguished service here in the House.

His work has always been characterized by good judgment, loyalty, conscientiousness, and tenacity of purpose. He is a dedicated and highly competent Member of Congress. His imminent departure from these Halls is the tragic result of redistricting when two able, outstanding, honest, fearless incumbents have to meet in mortal political combat and it is only the district, State, and the Nation which lose.

In addition to the value of "Billy" Matthews as a legislator and Representative of his district, he is a wonderful person of genial nature and splendid personality. To know him is to like and admire him.

I want to take this opportunity to wish him good luck and good fortune in a future filled with happiness and success. Our "Billy" will succeed in anything that he attempts to do, and, if some company is really on the ball, they will bearhug the opportunity to forthwith employ him. He would make them a most valuable asset. The type of loyalty and knowhow that is not for sale anywhere.

Mr. HENDERSON. Mr. Speaker, I appreciate this opportunity to speak a few words regarding our colleague, the Honorable "BILLY" MATTHEWS. "BILLY" has served his district faithfully and effectively for seven terms here in the Congress and will be long remembered by his colleagues after his return to private life.

Not to detract from "BILLY'S" ability as an able advocate for the needs of his constituents and his skill as a legislator, but my chief memories of "BILLY" will be of his annual bill to provide special exemptions from agricultural quotas to raise peanuts for boiling; of a group of Congressmen in the cloakroom doubled up with laughter while "BILLY" regaled them with humorous anecdotes.

We will especially miss "BILLY" as the discussion leader at the congressional prayer breakfasts.

I want to wish "BILLY" Godspeed in whatever undertaking he pursues in a future which I am certain will be bright, promising, and enjoyable for this man who loved both his Lord and the people he represented while he served as a Member of this great body.

Mr. PURCELL. Mr. Speaker, I welcome this opportunity to express my appreciation to Congressman "BILLY" MATTHEWS for all the kindnesses and wise counsel he has given me.

It was just about 5 years ago that I first came to Congress and was appointed to the Committee on Agriculture. "BILLY" was particularly helpful to me in those early days on the committee, giving me valuable advice and assistance at the times I needed it most.

"BILLY" MATTHEWS is a gentleman in the finest tradition. The Congress needs men like him, and it will not be quite the same without him. He has been a credit to his district, to his country, and to himself. I do not know his plans, but I know that he is one of those outstanding individuals who will continue to make contributions which will benefit his country, wherever he is.

I appreciate this opportunity to join with his friends in recognizing him for the great American he is, and in wishing the best of everything to him in the future, even as he has given the best of himself to his country these past 14 years.

Mr. BROYHILL of North Carolina. Mr. Speaker, I want to thank the gentleman from Florida [Mr. SIKES] for taking this time for our colleague "BILLY" MATTHEWS, who is leaving this body after many years of faithful service to his district, his State, and Nation.

I met "BILLY" MATTHEWS shortly after becoming a Member of the House of Representatives, and have always appreciated the fact that he took the time and went out of his way to befriend me, and to help me along the way. I have had opportunity and need to consult with him on legislation on several occasions, and have always found him to be attentive and knowledgeable in his responses. Also I have had the chance to observe his actions on the floor of this House. He is respected and beloved by his colleagues.

I know that I will miss him; I know that his colleagues will miss him. I extend to him my sincere best wishes as he leaves us.

Mr. PICKLE. Mr. Speaker, it is with sweet sadness that I rise to say these words in behalf of the gentleman from Florida, Representative W. R. "BILLY" MATTHEWS. Sad because it literally tears at our heart strings to realize that "BILLY" MATTHEWS will not be here to answer "Here" when the roll is called next January. It is sweet, nevertheless, to be able to say what we really think about our lovable, kind, and able friend, the gentleman from Florida.

"BILLY" MATTHEWS is perhaps the best liked and loved man in the House. He has applied himself so extremely well in his Agriculture Committee and other assignments, and in his regular legislative work that he is recognized as a leader in the House. On the floor, he is attentive, well-informed, and knowledgeable. He knows what is going on, for he has been a part of the work that has brought much of this legislation to the floor. And he knows what is right about the legislation. As a result we seek him for his advice and good judgment. As a legislator, he is thorough and competent. I know his district will miss him greatly, and his departure is due only to the reapportionment that has so cruelly separated several Members from our midst. We are happy that we can keep our good friend, the gentleman from Florida, Representative DON FUQUA, here, for he is indeed a good Member of Congress. But all of us—and DON FUQUA would be among the first to lead the marchers—would cross the river for "BILLY" MATTHEWS. We will have great debates and loud argument in the future, Mr. Speaker. We will amend and revise and extend. And we will compromise many points of view to finally bring a bill to completion for that moment of consensus. But, Mr. Speaker, the voices will not be the same, the reasoning not as clear, and the tempo not as exciting without the individual voice of "BILLY" MATTHEWS.

And I would like to add, Mr. Speaker, in the Democratic cloakroom, where men get to know each other best—where Members have become better acquainted—there we will miss "BILLY" so much it brings tears to the eyes. You know, Mr. Speaker, it is said that if you really want to know a man, go on a hunting trip with him in the wide open spaces and sit around the campfire or out in the woods and you soon know a man for what he really is. And so, it is here, Mr. Speaker, in the cloakroom where tempers need cooling, an understanding word can mean so much and tenseness can be broken by a pleasant exchange that we will miss "BILLY" more. And so, Mr. Speaker we will look around for some good healthy humor of "BILLY'S" and then sadly recall that he has gone for a while. We hope, Mr. Speaker, that this good man knows just how much he will be missed and our fondness for him.

We wish him well, we hope his work for the people will keep him close to us so that we can enjoy the goodness and delightful character of our friend who has served his people in the highest sense of public service.

Mr. FRIEDEL. Mr. Speaker, I wish to join my colleagues and add to what they have had to say about the gentleman who represents the Eighth Congressional District of the great State of Florida, Representative DONALD RAY "BILLY" MATTHEWS. It is with deep regret that we see his service in this House of Representatives drawing to a close and know that the Members of this Chamber will no longer have the benefit of his profound wisdom, superb talents and experience. I will especially miss him because we started our service in the House together in 1953. His broad and humanitarian service in the Congress and to the Nation have been indelibly recorded in the annals of our proceedings.

Because the Congress has enacted many important bills to aid and assist education, I feel that we fully appreciate the importance of teachers to the Nation. Our colleague, whom we honor today, taught in the public schools of his native State and later served as principal of the Newberry High School.

It is needless for me, I am sure, to remind my colleagues in the House of the outstanding record of achievement made by this distinguished colleague of ours. He served for 2 years as a member of the House Committee on Veterans' Affairs bringing the experience he gained during his 4 years with the Army in World War II to that committee. Subsequently, the House Committee on Agriculture had the benefit of his talents for 10 years. This proved to be an important assignment to our colleague because his native State of Florida is important in agriculture.

Congressman MATTHEWS' present assignment as a member of the powerful Appropriations Committee of the House of Representatives and as a member of the Subcommittee on Appropriations for Labor, Health, Education, and Welfare gave him an opportunity to contribute his knowledge and experience for the lasting benefit of our Nation.

From my association with this distinguished legislator, I know all will agree that he upheld to the fullest the highest standards of humanness, fairness, and justice. We shall all remember him for his unfailing courtesy and kindness. To say that we shall miss him in the next Congress is to make a great understatement.

Although we bid our farewell to him as a Member of this great body, I am sure that his beloved State of Florida and the Nation will present him with opportunities for further dedicated public service and I know that all of us wish him a healthy, happy, and successful future.

Mr. PEPPER. Mr. Speaker, I am glad to join my colleagues in paying tribute to our able, dedicated, and delightful friend, BILLY MATTHEWS, who is now, unhappily, about to retire from the House of Representatives. The highlights of BILLY'S life are well known.

"BILLY" MATTHEWS was born in Micanopy, Fla., the son of a farmer and

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naval stores operator. He was educated in the public schools of Hawthorne, Fla., and attended the University of Florida where he was chancellor of the Honor Court, vice president and president of the student body and was president of the Florida Blue Key Honor Society. At the university he received his A.B. and M.A. degrees.

After teaching in the high schools of the State, he became the first director of the Florida Union, the student activity center at the University of Florida. After serving 4 years in the Army, where he was a captain in the infantry, he became director of alumni affairs at the University of Florida, in 1947 and retired from that position in 1952 to make the race for Congress from the new Eighth District. He was elected to the 83d Congress and was reelected successively to all succeeding Congresses.

"Billy" is married to a wonderful woman, the former Sara Lewis of Orlando, Fla., who is a graduate of Florida State University in Tallahassee, and they have three fine children, Carolyn, who teaches school at Lake Butler, Fla., and Ann and Donald Ray, Jr., who are enrolled in college.

Those of us who have known "Billy" Matthews as a Member for the past 14 years are familiar with the positive record he has achieved, and the hard work which has brought numerous projects to his district. During "Billy's" years in Congress, he has sponsored laws for water research, the prevention of beach erosion, and to combat pollution of our waterways. He has been a strong advocate of extending the services of libraries. He is the author of a law which has enabled the Veterans' Administration to speed up delivery of veterans' checks. It was through his efforts that certain historical material can be procured for the museums of our country.

He has always cooperated with the elected officials in the cities, towns, and counties in his district in promoting sewage disposal facilities, better roads, better housing, and other community projects.

In recognition of his constructive record in Congress, "Billy" Matthews has received citations from the American Legion, the Veterans of Foreign Wars, the Florida Forestry Association, and many others.

He has been outstanding in his record on the House Committee on Agriculture where he served for 10 years. While serving on that committee, he was the coauthor of many laws in the field of agriculture relating to the multiple use of the national forests; public watersheds; Public Law 480—this law permits the use of surplus agricultural commodities for the security of our country—screw-worm eradication program; food stamp program; soil conservation; and general farm programs to maintain parity of income for the American farmer. He has supported the great REA programs and the extension of telephone service into the rural counties.

He is the author of laws to tighten restrictions on the importation of animals exposed to hoof-and-mouth disease; to permit the lease and transfer of tobacco acreage allotments; and to permit the planting of peanuts for boiling without acreage allotments.

He served as chairman of the Subcommittee on Family Farms and as a members of the Subcommittees on Livestock and Feed Grains; Forestry; Tobacco; and Foreign Agricultural Operations.

"Billy" Matthews has been on the job with an overall attendance record of approximately 95 percent, and he has been effective in that job. Throughout his congressional service he has reserved his freedom of conscience and he has always voted on every issue on the basis of what he thought was right. I salute a dedicated public servant and a warm personal friend.

"Billy" Matthews is an able man; he has a keen intellect, a great capacity to grasp facts and to understand issues; his jovial manner and his delightful humor often conceal the outstanding intellect which he possesses and the great capacity which he has to amass and mobilize knowledge.

"Billy" is a man truly dedicated to the service of the people. He cares about the problems which his constituents and his fellow human beings have to bear; he is a man of warm heart and compassionate disposition; he has a great understanding of human nature and of people; the little problems of his constituents have always been matters of deep concern to him as well as their large problems; he strives to help people to make their lives richer, healthier, happier, and fuller. When "Billy" Matthews leaves this House the people of his district, the people of Florida, will have lost a champion and a friend.

"Billy" Matthews is truly dedicated to his country; he is a symbol of an American boy who made good; he wants America to be a nation whose doors are ever open to other boys and to girls who may struggle upward with confidence and with hope. He wants America to be strong so that her people may be safe; and he wants America to continue ever the mighty leader of the forces of freedom in the world, protecting the weak against the aggression of the strong and those of good will against the designs of the evil; he wants the American flag, countless ages from now, to float in all of its glory over an America, not weaker, but immeasurably stronger than that we now know.

As one who has long served on the Agriculture Committee he has tried to strengthen America by making the lot of the farmers of this land a better and a happier lot; he wants the farmer to live well, agreeably, and pleasantly in his home, his children to have all the opportunities of the urban child, and the farmer to be able to make a greater contribution to supplying the food and fiber needs of America and of those in other parts of the world who need such help.

All of us will ever remember Billy Matthews for the charm of his manner, his magnificent wit, his keen sense of humor, his mastery of storytelling and his ever-ready anecdote. All of us have seen times when Billy has had around him in the cloakroom almost as many Members as were on the floor hearing debate and we will always recall the peals of laughter which followed those stories which he so inimitably told.

The House is not only the poorer because his great ability will no longer be here after the first of the year but the House will be a sadder House because Billy Matthews will not be here to delight us.

And all of us who had the privilege to know Billy's lovely, gracious wife, Sara, will immeasurably miss her; she has all of the charm of the traditional southern lady; she has been of immeasurable help to Billy not only in his private but in his public life.

All of us of the Florida delegation are proud to have been the friends and colleagues of Billy Matthews and the admiring friend of lovely Sara. Our heartfelt good wishes and warmest friendship will go with them wherever they shall be in the years ahead. Above all, we pray that they shall enjoy many years of good health, rewarding service, and abiding happiness.

Mr. CONTE. Mr. Speaker, I am proud and pleased to be able to add my own voice to those presently raised in tribute to our esteemed colleague, the honorable gentleman from Florida [Mr. Matthews].

It has been my distinct pleasure and high honor to serve with the gentleman on the Appropriations Committee where I have always found his judgements to be penetrating, fair, and in keeping with his commitment to the public welfare. His contributions to the activities of that committee, as to the deliberations of this body, have always been thoughtful and well informed. Hasty judgments were never a part of his reputation.

In addition, he has contributed leadership of a more subtle but no less vital nature. He is a Christian gentleman in every sense of the word and his constant example in this regard has been one of the most important assets we have enjoyed over the tenure of his career. We are bound to be disadvantaged without it.

Knowing my good friend and esteemed colleague as I do, I am sure he will continue to seek and find ways to continue serving the needs and interest of the good people of Florida and the United States, even though the 90th Congress is destined to convene without him. I am proud to extend him my sincere best wishes and a fervent prayer for health and happiness in the years ahead.

If those years are as fruitful and rewarding as the preceding ones must have been, I am certain my friend's happiness is assured.

Mr. SLACK. Mr. Speaker, along with the many others who pay tribute today, I would like to express my affection and respect for Congressman "Billy" Matthews, and my admiration for the manner in which he has conducted his official duties. As a fellow member of the Committee on Appropriations I have had many opportunities to observe his sense of fairness combined with a determination to meet responsibility squarely.

Words like patience, tolerance, and good humor take on deep meaning when they describe a particular human personality, and it is with these words that

I can best describe his approach to the work which we shared. A man who is honest within himself, who holds firmly to his convictions, leaves behind him a legacy of strength to the process of representative government. All of us have been made stronger by his work and his presence during the seven terms of his distinguished service.

We must anticipate reports of his future accomplishments in another area of public service, because his courage and industry must certainly combine to establish stature for him in whatever field he may employ his talents. I wish him well and trust that fortune will respond in kind with the favor his service in the Congress has earned for him.

Mr. FALLON. Mr. Speaker, as I was listening to these well-deserved tributes to our old colleague, "BILLY" MATTHEWS, it just occurred to me that we are following the advice of the immortal bard.

In one of his plays, Shakespeare recommended that any man who did notable things in any human endeavor, be given "as many farewells as the stars." We cannot wish the gentleman from Florida good luck and Godspeed in that number, but we can compensate for this with sincere good wishes.

In a real sense, Mr. Speaker, this is not a farewell, or a goodby for "BILLY" MATTHEWS. He may be leaving this House physically, but a lot of his effort, his idealism, and his spirit will remain here.

This is so, because when he came here in 1952, "BILLY" MATTHEWS brought a wealth of talents, experience, and the determination to use them well, with him. What he has accomplished will have healthy, practical application for years to come.

When he came to this House, he brought with him a wide culture from his profession of teacher, and high school principal. He knew the problems of youth and the problems facing education, not only in Florida, but in the Nation itself. He was particularly fitted to serve 10 years on the Committee on Agriculture, because of his 4-H work in his district and State. He came with the fine humanitarian instincts which made him the first chairman of the Florida Commission for the Blind and his activities to find a remedy for infantile paralysis, especially work for crippled children.

Highly knowledgeable about the problems and the aspirations of his own district and of his State, his service here was an expansion of these same projects for the Nation at large. "BILLY" MATTHEWS leaves a splendid record as an advocate of conservation, particularly in the field of water use and water abuse, and Florida owes much to his efforts for its barge canal.

His work on the food-for-peace program would be notable alone. Those in charge of this program are lucky, if he chooses to continue working for it.

"BILLY" MATTHEWS in his dedicated career here was a model for all of us here now and for those who come after us. He has earned the respite from his labors. We know his vacation will be short. In this and his future work, we wish him all content and happiness.

Mr. DICKINSON. Mr. Speaker, in one way, this is a sad occasion for those of us who have had the privilege of knowing and serving with "BILLY" MATTHEWS, for today we pause to say goodbye to him. "BILLY" will not be with us next year and, speaking for myself at least, he will be sorely missed, both personally and professionally.

On the other hand, it gives us an opportunity to do honor to him and to give him the recognition which he so richly deserves for his many years of honorable and distinguished public service.

I am grateful for the opportunity to join in letting this fine gentleman know that he is held in high esteem by his colleagues on both sides of the aisle and to wish him Godspeed.

Mr. STALBAUM. Mr. Speaker, I am pleased to join in this tribute to "BILLY" MATTHEWS.

In spite of the many years he has served here, Congressman MATTHEWS is the type of man who always evinced a genuine personal interest in all of his colleagues. It did not take long to get to know him—and to know him is to like him.

Perhaps no other man in the House knows how to use humor more effectively in debate than he. Yet, his jests and wit are neither caustic nor idle. He uses them effectively to make his point.

Therefore, while he is one of the most congenial of colleagues and cleverest of speakers, all of us recognize his serious concern about the problems of the people of his district and his effective representation of those people.

"BILLY" MATTHEWS is the type of man who will long be remembered by his colleagues.

Mr. McMILLAN. Mr. Speaker, I consider it a great privilege and high honor to say a few words concerning the wonderful service rendered by the Honorable "BILLY" MATTHEWS who will not be with us next year. I do not know of any man that I have served with during the past 28 years that has rendered more efficient service to his constituents and has done more to keep our Government solvent and preserve our Constitution than "BILLY" MATTHEWS.

"BILLY" was a power of strength on the Agriculture Committee where he served for a number of years with me and also when he served on the House District Committee where he used his influence to make the Nation's Capital a safe and decent place to live. We Members who have had the privilege of serving with "BILLY" will certainly miss his great leadership here on the floor of the House.

It is extremely regrettable that the State Legislature of Florida placed two great Congressmen, the Honorable "BILLY" MATTHEWS and the Honorable DON FUQUA, in the same district as this automatically eliminated one of these fine gentlemen from the U.S. Congress.

I have thoroughly enjoyed serving with both of these gentlemen and we certainly could use more people with their fine character and ability in the House of Representatives during these critical times.

My best wishes go out to "BILLY" MATTHEWS and his fine family. I am certain every Member of this House today wishes for "BILLY" a great future in any private undertaking. I know that he is much too young to step out of public life, however, if he decides to enter the field of private industry or accept a position with the U.S. Government, we will all be with him 100 percent.

Again, I want to say it has been a great privilege and one of the finest experiences I have had since I have been in Congress to serve in the House of Representatives with "BILLY" MATTHEWS.

Mr. DUNCAN of Oregon. Mr. Speaker, I think it is right and fitting that during the closing days of the 89th Congress we should be speaking in tribute to the Honorable D. R. "BILLY" MATTHEWS, my very fine friend from the State of Florida. As all of us know, "BILLY" MATTHEWS has the reputation for being one of the wittiest men in the House of Representatives. I know from having served with "BILLY" on the Committee on Appropriations and sitting with him on the same subcommittee, that he is also a man of great depth. I believe that we in the Congress, as well as the people of the great State of Florida, will miss his services sorely.

Mr. PIRNIE. Mr. Speaker, I greatly regret that our good friend, D. R. "BILLY" MATTHEWS, who has so ably represented the Eighth District of Florida for 14 years, will not return for the 90th Congress. He is a friendly, sincere gentleman with a keen sense of humor. We will long remember his effective arguments and appealing delivery. When he takes the floor, we listen and are never disappointed.

He has given his district faithful, dedicated service. We congratulate our distinguished colleague on the contribution he has made to his country and wish for him health and happiness in the years ahead. He carries with him our deep respect and great affection.

Mr. STUBBLEFIELD. Mr. Speaker, no one who has had the privilege of serving with "BILLY" MATTHEWS will ever forget this dynamic, lovable man who has so ably represented the people of his beloved Florida for 14 years. Likewise, no State has ever cherished a more eloquent ambassador of its interests nor has our country known a man more knowledgeable of its problems and perils.

Those of us who have been associated with "BILLY" over the years will long remember his warmth, his energy, and his unusual ability to create a cheerful atmosphere which so often helped to resolve differences of opinion on vital issues.

I have a deep feeling of personal gratitude for having been privileged to know and serve in the House and on committees with "BILLY" MATTHEWS.

Mr. VAN DEERLIN. Mr. Speaker, in the tenseness that sometimes accompanies congressional business, no colleague I have known accomplishes more than "BILLY" MATTHEWS to make life here endurable.

I remember particularly a night-long wait for Rules Committee action during the civil rights debate of 1964. "BILLY"

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helped keep spirits alive in the cloakroom with hours of jokes and mimicry that would have done credit to a network performer.

In addition to his able representation for the people of his Florida district, "Billy" Matthews has been a veritable "Gunga Din" to colleagues—ever present with a swig of humor when needed.

He will always be welcome back.

Mr. KLUCZYNSKI. Mr. Speaker, I want to join my colleagues in this much-deserved tribute to our friend and fellow Member, the Honorable D. R. "Billy" Matthews.

"Billy" has devoted his lifetime to service, and it has been a privilege for me to have shared with him his seven terms in the House.

Words of praise flow freely in political life, but it is not often that we have the opportunity to offer praise with the depth of affection and sincerity that we all feel here today. "Billy" Matthews has, it is true, been a most able and distinguished Member of this body and servant of the people and the Nation. But equally important, he has been unfailingly honest in his work, unfailingly loyal to his principles and to his friends, unfailingly considerate of the viewpoint of his opponents, and a gentlemen always. I hope the years ahead will bring him the full measure of reward and contentment he has so truly earned.

Mr. SCHNEEBELI. Mr. Speaker, from the other side of the aisle I have listened many times with interest and admiration to the remarks of our good friend and colleague, the Honorable "Billy" Matthews, and I have a genuine appreciation of the legislative capabilities of this veteran of seven terms of service. I have been especially impressed with his amazing talent for reducing difficult problems to a commonsense approach and with his rare ability to present his points in such a way as to lend them an aura of optimism and happiness. His remarks have many times served to relieve the tension that inevitably builds up during times of strenuous debate, and it is then that his many friends have particularly welcomed his commonsense presentations.

The Congress is going to miss the whimsical approach to a sound philosophy that has been afforded for the past 14 years by our genial friend from Florida. During his years of service in the House, he has distinguished himself as an able legislator and has earned the respect and affection of his fellow Members. We wish him well in whatever activities he may now choose to engage wherein his fine talents may be put to good use.

Mr. SPRINGER. Mr. Speaker, in the closing moments of this Congress, it is appropriate that we pause to pay tribute to a distinguished and gifted colleague, the Honorable D. R. "Billy" Matthews, for his years of service to the House of Representatives and to the United States. Congressman Matthews can point with pride to the seven terms he has served in this body and to his contributions to the House Committees on Veterans' Affairs, Agriculture, and Appropriations.

Congressman Matthews came to the House of Representatives in January of 1953, following a distinguished career as a teacher and educator in Florida. His years in the classroom as well as his experience in school administration provided a firm background upon which he has drawn frequently. He brought with him the experience that comes after working closely with people and the knowledge of government that only devotion to the American ideal can provide.

In citing his main contributions, one must point to the Cross-Florida Barge Canal, now under construction, which will aid the central area of his native State. This $16 million project is a model of public works.

As one of the early sponsors of both the watershed program and the food-for-peace program, Mr. Matthews has been instrumental in the fulfillment of two of this country's most ambitious projects at home and abroad. Recognition of such contributions is richly deserved.

His conscientious willingness to work hard for the goals his judgment set for him is well known to every Member of this body. His determined efforts in behalf of the causes he supported sets an example to be emulated by elected representatives at all levels now and in the future.

Mr. PATTEN. Mr. Speaker, I join my colleagues in paying tribute to "Billy" Matthews. He is really the man most people feel should be in the Congress. It has been a pleasure to be associated with him because he is intelligent, educated, and industrious. I am sorry that we will lose him.

Mr. GALLAGHER. Mr. Speaker, "Billy" Matthews, an able Congressman, a dedicated American, and above everything else, a kind man.

He was devoted to representing the people who elected him and he was devoted to his country. He enriched the Congress by his presence.

All of us at some time must leave the Congress, and, when we leave, we can but hope that we have made some small contribution to the continuity of this body and to the future of our country. "Billy" Matthews has made a major contribution in both of these essential areas.

Perhaps he will come back or perhaps he will want to walk another path, but whatever he does, wherever he walks, he can walk with pride and dignity, knowing that he has performed his job with excellence and with the full measure of admiration of those who were privileged to serve with him in the Congress of the United States.

Mr. FASCELL. Mr. Speaker, "Billy" Matthews leaving the Congress of the United States is not happy news. His absence from this Chamber and this body will be sorely noted by his colleagues, friends, constituents, and people of the United States, for "Billy" Matthews by every measurement is an outstanding representative of his people, truly concerned for the interests of his beloved Eighth District, the State of Florida, and the Nation.

The high regard in which "Billy" Matthews is held by his colleagues is vividly demonstrated here today. In the 12 years I have been here I cannot recall a similar occasion where so many Members have personally expressed so many well-deserved words of tribute to a man so genuinely loved and appreciated. I join with the host of "Billy's" friends and distinguished colleagues in this House in the well-deserved tribute to "Billy" Matthews, for the years of consecrated and dedicated public service which he has given.

I remember as a freshman Member of this body the wonderful help I received from "Billy." His sincere interest in my behalf I shall not forget, and I am always grateful for the words of advice and wisdom which he has continued to give me. "Billy" Matthews has always been a leader. One of the principal reasons is that he has a genuine interest in, a liking for, and respect for people.

We all know that in committee and during legislative sessions of the House, as well as in carrying out the other functions of his congressional office, "Billy" Matthews works very hard. As a member of the powerful Committee on Appropriations, "Billy" revealed a rare talent for financial considerations. Opposed to overspending, but by no means stingy, he worked constantly for reasonable expenditures, in the knowledge that this is really the object of the people of his district and Americans in general.

"Billy" Matthews is also effective on the floor of this House. We all look forward to his speeches which bring us so much in logic, and humor and which gain so much support for what "Billy" is trying to accomplish. He is, and rightly so, considered one of the top speakers in this body.

I would be remiss if I did not mention "Billy's" prowess in the cloakroom. Here I am sure we will all agree "Billy" is without peer. No man can hold the attention of his colleagues as "Billy" does. No one can regale distraught colleagues with friendly anecdotes which bring a smile to the faces of all and lift everyone's spirit like "Billy" Matthews can. "Billy's sense of humor is a legend in the Halls of Congress and he has brightened many a weary day and cheered many a downcast colleague.

"Billy" Matthews is a wonderful husband and father. A man of deep religious conviction and family tradition. I know that he is a great source of pride and love to his family. We all join them in the respect and love which each of them holds for him. "Billy's" lovely wife, Sara, and their fine children also must share in this tribute being expressed by us here today because they have, side by side, suffered and endured the difficult years of work, the trials and tribulations of "Billy's" extremely active life and his 14 years of service in the Congress of the United States.

Mr. WHITENER. Mr. Speaker, when I took my seat in the House of Representatives in January 1957, one of the first Members I met was our distinguished friend and colleague, "Billy" Matthews.

He was very considerate and in his kind and courteous way was of great help to me during those first months of my service in the House. From the very beginning of our association I admired and greatly respected the many sterling qualities exemplified in the character of "BILLY" MATTHEWS.

We became close friends. It has been my pleasure and honor to have "BILLY" MATTHEWS visit my home and speak in my district. The people of North Carolina share my respect and affection for "BILLY" MATTHEWS, and they have always enjoyed having him with them.

I have never known a person in or out of public life who was more dedicated to his fellow man and had a more pleasant and understanding nature than "BILLY" MATTHEWS. Our distinguished colleague from Florida has been the same person at all times and in all places.

His personality has radiated some of the warmth and sunshine of his great State. He has been a dedicated public servant and one who has labored long and hard for the best interests of his district, State, and Nation. As a teacher, churchman, soldier, and legislator "BILLY" MATTHEWS has made an outstanding record. The same has been true of his public service during the 14 years he has been a Member of the House of Representatives.

Mr. Speaker, every Member of the House will feel a keen sense of loss over the retirement this year of "BILLY" MATTHEWS. I shall feel a great personal loss as he bids farewell to the Congress. Together with every Member of the House, I shall miss the infectious smile, the outstretched hand, and the gentle heart of "BILLY" MATTHEWS in the days that lie ahead.

As "BILLY" takes leave of his service in the House, he can carry with him the deep sense of satisfaction that he performed the exacting duties of his high office with courage, integrity, and humility. His service reflects credit upon himself, the people he represents, and the Nation.

Mr. DON H. CLAUSEN. Mr. Speaker, in joining my colleagues in honor of our friend "BILLY" MATTHEWS, of Florida, I can say, without reservation, we are paying tribute to one of the most loved Members of this Congress. When a Republican from California salutes a Democrat from our rival Sunshine State of Florida, there must be good and sufficient reason.

Anyone privileged to know this genial southern gentleman, came to the immediate realization that here was a man of great wit, possessing an extraordinary mind, unusual sensitivity, and an outward display of warmth and affection for his fellow Members of Congress.

When "BILLY" MATTHEWS took the floor of the House, there was never a problem of having a quorum present because we all wanted to hear "BILLY" deliver his message. "BILLY" never lost in any amendment he offered or request he made of the House. How could anyone turn him down? I daresay, that if a popularity contest were to be staged in the House of Representatives, "BILLY" MATTHEWS would win hands down.

It was my great privilege to get to really know "BILLY" as one of the regular attenders of the Thursday morning congressional prayer breakfast sessions. The exchange of fellowship among our congressional brethren was always enhanced by "BILLY'S" candid response to the remarks of the discussion leader of the day. With his rare combination of wit and dexterity, he would always entertain you as he summarized the context of the speaker's remarks. Yet in every instance, his deep religious convictions came shining through in a manner appreciated by everyone present.

He was truly one of the leaders and certainly one of the pioneers of the congressional prayer breakfast group. I am hopeful that "BILLY" will somehow be able to direct his future efforts toward the expansion of the international Christian leadership cause. I have told him personally of my feelings in this regard.

For those of us dedicated to the preservation of full religious liberty and the total separation of church and state, we can only hope and pray that "BILLY" MATTHEWS can see fit to apply his great talents toward influencing men in public office to adhere to the contents of our cherished first amendment to the Constitution. With the full realization that Jesus Christ can influence the destiny of all mankind, I am certain this great Christian soldier will march onward, promoting peace on earth and good will toward men in typical "BILLY" MATTHEWS style. I am proud to call him my friend.

Mr. DAGUE. Mr. Speaker, as a prospective retiree myself, it hardly seems fitting that I should undertake to assess the overall loss to this House that will be occasioned by the retirement of so many valued Members at the close of this session.

We can, however, with perfect propriety, voice our regret over the end of the tenure of one of our Members who, during his congressional service, has earned for himself the affection and esteem of our entire membership, regardless of political affiliation. I refer to our good friend and distinguished colleague, "BILLY" MATTHEWS.

When Congressman MATTHEWS joined us in the 83d Congress, he was given a place on our House Committee on Agriculture, and he immediately gained the admiration of his committee associates by his ceaseless quest for benefits for his beloved district. As one who has visited his old district, I know of the esteem in which he is still held by his former constituents, and it was only through the medium of congressional reapportionment that he was denied reelection.

"BILLY" MATTHEWS is a lovable individual with a fund of stories and a flair for telling them that has endeared him to everyone who has had the privilege of his friendship. Aside from that, he is a deeply religious man and his contributions to our House prayer group have been meaningful and inspirational. I am sure I am joined by his host of friends in wishing him well, and an even fuller utilization of his unquestioned talents in the public service.

Mr. ROONEY of New York. Mr. Speaker, 14 years ago the people of the Eighth Congressional District of northern Florida sent to this House of Representatives a man who had a distinguished career as an educator. In those 14 years the Honorable D. R. "BILLY" MATTHEWS compiled another distinguished career—that of representing the people of his district. Those of us who have had the privilege of serving with BILLY on the Appropriations Committee know well of his hard and vital work in matters concerning not only the people of Florida but of the entire country. But more than that, Mr. Speaker, in those 14 years "BILLY" MATTHEWS has become a true and valued friend. We wish him well.

Mr. YOUNGER. Mr. Speaker, one of the unpleasant features about the closing of a Congress is the knowledge that certain of our warm personal friends will not be Members in the next Congress. This particularly applies to Congressman D. R. "BILLY" MATTHEWS, of Florida, one of my very warm personal friends with whom I have enjoyed a close relationship ever since I became a Member of the Congress.

I know of no Member who has been more devoted to his duties as a Congressman than "BILLY" and his pleasant smile and cheerful greeting will be missed by all of the Members who return for the 90th Congress. In my mind he will always be classed as a fine devoted and gentlemanly Congressman who has been helpful to me on many occasions.

Mr. GURNEY. Mr. Speaker, sometimes during the heat of politics, dedicated public servants tend to debate along party lines, pushing forth ideas and principles which they believe in wholeheartedly. This is good and fine in our competitive form of government and politics.

But there comes a time when partisan politics must be transcended, set aside.

The closing of this session is such an occasion. For one of our colleagues is retiring who commands the respect of all his Florida colleagues on both sides of the political aisle and for that matter, all of the Congress, that is D. R. "BILLY" MATTHEWS.

"Mr. BILLY," as our friend is affectionately known in this Chamber and throughout our State, truly has served his country well. He is the kind of splendid man who will continue to give his leadership to the Nation when he leaves this body.

Congressman "BILLY" MATTHEWS is rounding out a long and distinguished career as a public servant. As we all know, he is not retiring voluntarily from the Congress that he dearly loves, for "Mr. BILLY" was a victim of redistricting, as have been many other Members of Congress throughout the Nation in these changing times.

I take great pleasure in joining with my Florida colleagues on both sides of the aisle in this tribute to our friend, "Mr. BILLY." We will miss him sorely.

Whatever Congressman MATTHEWS decides to do following his congressional service, I am sure that he will enjoy as great success as he forged during his

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long and distinguished career in Congress. Whatever he decides to do, we all wish him the best of everything which he so highly deserves.

Mr. ASHMORE. Mr. Speaker, I wish to join the large number of my colleagues who today pay tribute to the record of our esteemed colleague, D. R. "BILLY" MATTHEWS from the State of Florida. Over the several years I have known him, two things have most impressed me with this man, his forthright sincerity and his ability to get significant work done rapidly without offending anyone. He is a master of wit, and yet, we all know he is earnest and serious when he sets out to do something. We can be assured that when "BILLY" sets his goals, they are worthwhile and worthy of every man's attention.

One of our colleagues has mentioned the fairness with which his recent primary campaign was conducted. I would have expected no other type of campaign from this man, or his opponent, for that matter. "BILLY" brings to us a lesson in triumph and success even in the face of technical defeat. His warmth and disarming manner and his optimism are attributes we can sorely do without during these days in Congress.

When fate has played her game and the results are such as they have been in this instance, we are prone to question why it had to be this way. Some are even preoccupied with mental gymnastics on how the situation could have been changed. I would prefer to adopt the same good-natured philosophy of my colleague, "BILLY" MATTHEWS, and look forward to the even greater accomplishments which lie ahead for him.

Although his present tenure of office in the U.S. House of Representatives is rapidly drawing to an end, we are convinced that his days of outstanding service to his State, his people, and his Nation will continue for many, many years. So I bid him God's blessing and farewell for the present, but I do so with eager anticipation for a very bright and useful future for one of the finest men I have ever known.

Mr. KUNKEL. Mr. Speaker, the Congress simply will not be the same without D. R. "BILLY MATHEWS. I feel deep regret in the knowledge that the floor of this House soon is no longer to be enlivened and graced by such a man.

It was within a short time after my return to the House 6 years ago that I felt a growing and considerable respect and affection for "BILLY" MATTHEWS. Not only has he been a dedicated and faithful servant of the nation and his district. He has also approached his tasks with such zest and good-naturedness as to be a constant source of enjoyment and inspiration for us all.

His wife, Sara, has been a fine helper and friend of my wife in their activities in the Congressional Club. She and "BILLY" make a great team. So it is also through that association that I have come to know "BILLY" MATTHEWS as a good Christian and wonderful family man.

But it is here on the floor, Mr. Speaker, where this man will be missed the most. His great gems of reason and common sense—intoned so often by the levity and natural poetry that flows from him—have brightened this Chamber and brought this body down to earth on many occasions.

There are all kinds of ways by which an effective and respected Member of the House gets his job done. I submit that "BILLY" MATTHEWS is a master of every one of them. His departure will leave a real and lasting void. I salute him and wish him many more happy years of accomplishment and good works.

Mr. CASEY. Mr. Speaker, for the past 8 years, it has been a privilege and a pleasure to serve with "BILLY" MATTHEWS.

His warm friendship, his counsel and advice, the vigor of his debate on issues before this body will be sorely missed in the 90th Congress.

For 14 years, he has ably represented the people of his district and of his country in the greatest legislative body in the world. As a member of the Appropriations Committee, upon which I am privileged to serve, he has had a strong hand in the funding of vital government operations.

The past 14 years have brought monumental changes in our way of life, and will shape the world of tomorrow in which our descendants must live. "BILLY" MATTHEWS has had a strong hand in helping shape these tomorrows, and a lesser man would look back in pleasure on these accomplishments. But "BILLY" MATTHEWS is a leader, and not one prone to accept a life of leisure, and I predict that we shall hear again of great things being accomplished by our friend and colleague.

As this Congress draws to a close, I join with "BILLY'S" many friends and colleagues in wishing him well in the years to come. He has earned the respect, the admiration, and the friendship of his colleagues in the Congress, and the debt of gratitude our country owes for his years of service can never be fully repaid.

Mr. WILLIAMS. Mr. Speaker, nearly 50 Members of this body have risen to pay tribute to D. R. "BILLY" MATTHEWS for his innumerable contributions and achievements during the 14 years he has served so well in Congress. I wholeheartedly agree with those who spoke out so highly and so favorably in behalf of our mutual friend and colleague because he has been indeed one of his most personable and valuable Members of the House.

As a lawmaker, he has been diligent, dedicated, articulate, and effective. He rightfully earned the respect of all of his colleagues for the valuable service rendered as a member of the House Committee on Veterans' Affairs, the House Committee on Agriculture, and the House Committee on Appropriations. The entire Nation owes him a debt of gratitude for many of the constructive and highly desirable laws he sponsored and nourished to final enactment.

"BILLY" MATTHEWS, however, has been much more than an able legislator during the years he served in Congress. His dedication to the highest moral principles and to God and country have been a source of real inspiration to those of us who have had the great fortune of serving with him.

It is a distinct privilege to join with others in extending to "BILLY" very best wishes for the future health and happiness of him and his family. There can be no doubt that he will pursue his new undertakings with the same zeal and dedication which have characterized his service in Congress. Knowing this, I can predict with confidence that his State and the Nation will continue to profit as a result of his endeavors.

Mr. HARDY. Mr. Speaker, I want to join with my colleagues in paying tribute to our good and valued friend, BILLY MATTHEWS. I share with my colleagues deep regret that he will not be with us next year.

I have admired BILLY for his integrity, his forthrightness, his sincerity, and his perpetual good humor. But, most of all, I have appreciated him for his genuine friendship.

I join with others in wishing him unbounded personal satisfaction and a full measure of success in whatever undertakings he may pursue during the years ahead.

Mr. TEAGUE of Texas. Mr. Speaker, the House of Representatives will certainly not be the same without the presence of the much respected and inspiring D. R. "BILLY" MATTHEWS. "BILLY" was much loved by all his colleagues on both sides of the aisle and I want to join with the many others in the Congress who have paid tribute to this very dedicated man who has served his constituency, his State, and his Nation well.

Those of us who have had the privilege of serving with "BILLY" MATTHEWS will long remember his enriching speeches, his warm sense of humor, and his ready wit which so often brought a cheerful moment of relief and brightness during otherwise trying and weary days.

I had the privilege of serving with him on the Committee on Veterans Affairs; and it was while he served on this committee that through his diligent and untiring efforts he was able to begin hard work toward final legislative approval of the new VA hospital in Gainesville, Fla., which is now nearing completion.

"BILLY" will be sorely missed by all of us; and I want to wish him and his family many years of happiness and success in their future endeavors.

Mr. KORNEGAY. Mr. Speaker, it is a matter of deep personal regret to me that I will not have the privilege and pleasure of serving in the 90th Congress with my esteemed colleague and good friend, Congressman "BILLY" MATTHEWS of Florida, if I am fortunate enough to be reelected from my district. Congressman MATTHEWS has endeared himself to all who knew him by his sparkling personality and his delightful sense of humor, which was always of a benign nature and never calculated to offend. His dedication to the people of the district he represented and his devotion to his congressional duties and committee assignments have earned the respect and admiration of all who knew him.

It has been of great spiritual value to me to be associated with "BILLY"

MATTHEWS in the House prayer breakfast group, where he will be greatly missed. Before his election to the 83d Congress, Congressman MATTHEWS had already chalked up an impressive record of achievements in many fields. I am sure that he will continue to render meaningful service to his State and the Nation in the future, and I wish him Godspeed and every success in his future endeavors. It has been a rewarding experience for me to have served in the House with and enjoyed the friendship of "BILLY" MATTHEWS.

Mr. DORN. Mr. Speaker, the gentleman from Florida, the Honorable "BILLY" MATTHEWS, always brings to my mind two great qualities, his spiritual depth and his keen sense of humor.

"BILLY," I came to know well in the Christian breakfast group which met regularly in the House. As all the Members can testify, "BILLY" MATTHEWS made a unique and lasting contribution to this group.

Congressman MATTHEWS is a storyteller par excellence. He has kept friends in stitches for years and what is even better his humor is of a gentle kindly variety. We in the House are going to miss his cloakroom wit.

One of the most memorable experiences of my congressional career was a visit with "BILLY" MATTHEWS to his congressional district. "BILLY" MATTHEWS is a great American; courageous, forthright, honest, and loyal. His service here in the House was always characterized by his dedication and loyalty to his country, his congressional district, and his great State.

Mrs. Dorn joins me in wishing for "BILLY" and his lovely wife, Sara, much happiness, success, and best wishes always.

Mr. SIKES. Mr. Speaker, those of you who have spoken today are among those who believe in flowers for the living. "BILLY" MATTHEWS is very much among the living.

"BILLY," I am sure that you and Sara will join me in saying that these have been lovely flowers indeed, and theirs is the sweetest odor.

"BILLY," I yield to you.

Mr. MATTHEWS. Mr. Speaker, my dear friends, and the great dean of the Florida delegation, BOB SIKES, my other colleagues from Florida, and those of you from all over this great country who have stayed here so long to pay me this tribute: I thank you from the bottom of a grateful heart.

I am reminded of a story about Cardinal Spellman in New York. He hailed a taxi one day. When he sat in the rear seat the taxi driver recognized him, and he said "You are Cardinal Spellman, aren't you?" The Cardinal said "Yes."

The taxi driver said "Well, I am John Green, and I am a Baptist." The Cardinal said nothing. They drove on.

In a few minutes the taxicab driver, Mr. Green, said "My wife is Mary Green, and she is a Baptist." Cardinal Spellman said nothing.

A few moments later the taxicab driver looked around and said "I have three children. Tom, Harry, and John, and they are all Baptists." The Cardinal said nothing.

By that time they had reached their destination. The Cardinal stepped out of the taxicab, he paid the driver, and he said, "My friend, can I say something to you?" The taxicab driver said, "Sure."

The Cardinal said "When you die and go to Heaven, and I believe you will, when St. Peter greets you, please just give him your name, and then keep your big mouth shut."

Mr. Speaker, I think it would be best for me, perhaps, to follow that advice, but if I may I should like to take just several minutes of the time of this distinguished audience.

Mr. Speaker, I am so indebted to my wife, my staff, my colleagues, to all who work on this noble Hill, and especially to my constituents who have kept me here for seven consecutive Congresses. They have permitted me to exercise the freedom of my conscience and on every vote I have tried humbly to ask the question—"What is right?" As many of you, I have sought divine guidance—the bulwark of our Nation. The cynic is probably not aware of our weekly prayer meeting, attended by Congressmen of all faiths who seek divine guidance, or of the special Prayer Room, reserved for Members who in meditation seek the answers to perplexing personal and national problems.

During my tenure in Congress, three Presidents have graced the White House, and three Speakers have wielded the gavel in this solemn and historic Chamber. They have all given more to America than they have received from it. That is the secret of our greatness. In great moments of national crisis, we have had exalted leadership exorcising the evils of the Nation. Washington, Jefferson, Lincoln, and yes, Eisenhower, Kennedy, and Johnson, all, have valiantly and with true patriotism served America.

What is my political philosophy? Born in Florida in a southern environment, I have an ambivalent attitude toward the Federal Government. At my mother's knee, I was taught self-reliance and individual responsibility—and if these traits be a part of the puritan ethic scoffed by some, I hope I shall never depart from them. The many problems of modern civilization—sanitation, conservation, the burgeoning of our population, the conquering of space, national security—created the need for new State-Federal relationships. But I have always maintained that we should attempt to solve as many problems as possible through our local and State governments. When these problems are not solved, however, our thwarted constituencies will demand Federal redress.

It has been my opportunity to participate in legislation which I believe has been good for the country, and by service on four different committees in Congress, there has come a deep appreciation of committee procedure and the unheralded dedication of scores of colleagues who have given devoted service to the legislative processes.

What is a defeated Congressman's attitude? First, I bear no rancor or ill will toward any living person. When the Florida Legislature combined my Eighth Congressional District with the Ninth Congressional District of my friend and opponent [Mr. FUQUA], I faced a numerical disadvantage that could not be overcome. To my victorious opponent I have long since extended sincere congratulations, and now wish him great success in his representation of the new Second Congressional District of Florida.

To the dean of our delegation, the able BOB SIKES, and my other colleagues from Florida, and to all of you, my friends, I express reciprocal sentiments of affection and high esteem. A thousand thanks to you, my colleagues in the House, for your many acts of kindness to me. Forever and forever as long as I live, sentiments of deep emotion forged in this Chamber, sentiments of patriotism, democracy, justice, opportunity for all, will sustain me to the very final hour of this mortal life.

What of my future? First of all, it is my intention to keep working, now as a Member of Congress until my term expires in January. It is with reluctance that I leave these legislative halls. Robert Frost, in his poem, "Reluctance" wrote so beautifully—

Out through the fields and the woods
And over the walls I have wended;
I have climbed the hills of view
And looked at the world, and descended;
I have come by the highway home,
And lo, it is ended.

The leaves are all dead on the ground,
Save those that the oak is keeping
To ravel them one by one
And let them go scraping and creeping
Out over the crusted snow,
When others are sleeping.

And the dead leaves lie huddled and still,
No longer blown hither and thither;
The last lone aster is gone;
The flowers of the witch-hazel wither;
The heart is still aching to seek,
But the feet question "Whither?"

Ah, when to the heart of man
Was it ever less than a treason
To go with the drift of things,
To yield with a grace to reason,
And bow and accept the end
Of a love or a season?

This, then, is but the end of a season. In Ecclesiastes, we read:

> To everything there is a Season, and a Time to every purpose under the Heaven—A Time to get, and a Time to lose.

I have lost a political election, but I have gained the encomiums of my colleagues, and the approbation of friends who have known me through the years.

I came to Congress empty-handed, in a material sense, and I leave in the same way. But I go fortified with a zest for future service.

To all of you, I extend an invitation to visit me someday in the future—to visit our beautiful Suwannee River. This is a fabled stream of myriad charms, of dripping fern and succulent palm, of dazzling waters clean and cool in the July sun, the angler's delight, the poet's inspiration, the romantic Eden,

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Here in this fairyland, I hope to greet you, my friends, with boiled peanuts, Suwannee catfish, and swamp cabbage. We shall eat these delicacies and talk of yesteryear.

Mr. Speaker, from a grateful heart I extend to each of you, the ancient Roman greeting—"Hail friend, hail and farewell."

RESPONSIBILITY IN THE CONDUCT OF FOREIGN AFFAIRS

The SPEAKER. Under previous order of the House, the gentleman from Michigan [Mr. VIVIAN], is recognized for 15 minutes.

Mr. VIVIAN. Mr. Speaker, in recent weeks, the President and his principal advisors have been engaged in a reexamination of the possible approaches to peace in Vietnam. New initiatives toward a negotiated settlement were advanced a few weeks ago at the United Nations by our Ambassador to the U.N. The Secretary of Defense has just returned from Vietnam. The President himself departed today en route to southeast Asia, to meet with leaders of nations there. This is an appropriate moment, I believe, for both those of us in Congress and for our constituents, the American public, to consider thoughtfully the various alternative courses before us. I would like at this time to define several of these possible courses and the problems of each, as they appear to me.

Before I begin, Mr. Speaker, I would like to point out to those of my constituents who later may read these remarks, that we who represent them in the House of Representatives, as individuals, have a less grand role in the day-by-day and month-by-month conduct of our Nation's foreign and military affairs than many constituents appear to recognize.

The Constitution of the United States assigns to the President direct authority and primary responsibility for the conduct of foreign and military affairs. True, the Constitution assigns to the Congress, particularly the House of Representatives, power to deny the President resources he may desire to commit; but this essentially negative power cannot readily be employed by the Congress to redirect any important course of action in foreign and military affairs once clearly set by our President, except by humiliating him—a step never to be taken lightly, and certainly not to be taken by the Congress without thorough consideration and sure and enduring commitment to a clear, responsible alternative. All of us, the President, the Congress, the public, have an obligation to direct our efforts toward discerning any promising alternatives.

But let me hope that none of us, in Congress or at home, would tear and shred apart our Nation's unity, our loyalty one to another, solely to damn the past, its frustrations and failures, rather than facing the future. And I would hope that we will face the future with hope, but in realism.

In this light, we as individual Members of Congress certainly have an obligation to convey to the Executive as lucidly and positively as we can the various views of our constituents on international affairs; we have an obligation to become as informed as possible on problems at hand, and to attempt to influence the course of the administration in the direction that we think in the best interests of our country; we have an obligation to inform our constituents of the facts, our views, and the prospects of the various alternatives under consideration; and we each have an obligation to dissent from our cohorts and the administration when we feel that to do otherwise would be to court disaster or waste valued resources. But in all these actions we must seek to build, rather than destroy; we must seek to deal with what can be done, rather than only what we hope.

In accordance with this view of the role of a Congressman, in the past 100 weeks I have met at times with the President, and often with members of the White House staff and the State Department, with many newsmen and others who have spent years in the Far East, with native Vietnamese, and with my people in the Second District of Michigan, to discuss the crisis in Vietnam and related international matters. On such occasions when a public expression of my views seemed likely to be of effect on policy, I have stated my position.

For example, last January, during the pause in the bombing of North Vietnam, I participated in preparing a public statement, later signed by many Members of this House, urging the President to take the issue of Vietnam to the Security Council of the United Nations. In June, when elections for a constituent assembly were pending in South Vietnam, I repeatedly spoke on the floor of the House to stress the need for making those elections as free and open as possible. At the time, I noted that my constituents had shown strong support for such action, by their responses as elicited in a districtwide poll which I had conducted and reported. In July, when Premier Ky, of South Vietnam, issued a call for an invasion of North Vietnam, I joined others in Congress—of both parties—in publicly rejecting such a step.

Mr. Speaker, in perspective, Vietnam today is a militarily divided nation, caught up in the throes of a worldwide revolutionary ferment. This ferment can be viewed as a revolution of rising expectations, a striving by the peoples of the world for increasing national dignity, for a growing national independence, and for a rising standard of living.

In many respects, this revolutionary process can be traced back to the rise of nationalism in the 18th and 19th centuries. We in America led the way through our War of Independence. This was basically a revolution to assure self-determination for our people—to guarantee us a free choice over our own destiny. In a sense, the worldwide changes we have been witnessing since World War II are a very similar process. We see the disintegration of colonial empires, the rise of former colonies in Asia and Africa, and their struggle for national independence and self-determination.

In keeping with ideals born out of our own struggle for independence, our foreign policy has avowedly been dedicated to promoting the self-determination of peoples everywhere. At times we have been tempted to sacrifice this long-run goal for short-run friendship or temporary expediency; but we have learned time and again that, in the long run, our only real friends are governments based on broad popular support, committed to free choice and self-government by their peoples.

In Vietnam, which was for about 70 years under French rule—and for centuries before that under some form of Chinese domination—the revolution and the search for national independence have been greatly complicated by another struggle intimately intertwined with it; namely, a struggle for the soul of the revolution between Communist, democratic, militaristic, and other elements. Therefore, ultimately, the conflict in Vietnam is principally a civil war, a war waged to capture this revolution against colonialism, yet a civil war in which indigenous combatants, on both sides, receive large-scale outside support, now including massive troops contingents, North Vietnam has sent tens of thousands of fighters. We have sent more. And China and Russia provide important supplies. It is in effect, then, a civil war in a small country which has become internationalized by the involvement of powerful adversaries. There is a constant threat that the colonialism of the past now will be only replaced by some new form, equally invidious.

In the face of this situation, what is our avowed objective in Vietnam? In the broadest terms and in keeping with our historical commitment to the principle of self-determination, it is to assure the Vietnamese people of control over their own destiny. This means, concretely, that we must: First, assure the Vietnamese people of freedom of choice over their own form of government; second, guarantee the national development of Vietnam free from outside interference by any power whatsoever; third, protect the Vietnamese people from all forms of political terror—wanton killing, brutal murder—from whatever quarter it may come; fourth, help the economic recovery of Vietnam and promote its economic development and rising standards of living for its people; fifth, assist movements for economic and social reform, both to facilitate economic development and to narrow the wide inequalities in income and opportunity.

To achieve this social, economic, and political development, the speedy achievement of peace and security in Vietnam is and should be a prime and immediate goal of U.S. policy. Security and peace, however, cannot be attained without the protection of Vietnam from external incursions.

In pursuing this goal, we must start from the realities of the present, rather than from the might-have-beens of the past. We must seek a solution in terms of where we are now—by whatever paths or means we got to this particular point in history. Given the situation as it is, an approach to peace must be sought relentlessly but, at the same time, responsibly. This means that both immediate unconditional withdrawal and continued escalation of the war are alternatives that should be rejected.

Immediate unconditional withdrawal is fraught with many grave dangers for the people of Vietnam, for the people of southeast Asia, and for the people of the United States. Such a withdrawal without appropriate guarantees to provide the minimum of security and political stability would deny the people of South Vietnam effective self-determination. It would, moreover, be interpreted as a military and political defeat for the United States—with far-reaching repercussions in southeast Asia. There is no doubt that a number of countries, such as Malaysia, Indonesia, the Philippines, Thailand, and even Burma, now partly depend for their security and national integrity upon some form of U.S. military presence in the western Pacific. A sudden unconditional withdrawal from Vietnam without a prior political settlement would inevitably jeopardize the integrity of the countries concerned. Finally, a sudden withdrawal would endanger the lives of many Vietnamese who have sincerely trusted us and worked for economic, social, and political progress in Vietnam.

At the same time, continued escalation or intensification of the war carries with it dangers equally grave. Such escalation contributes to tremendous destruction, to increasing misery and poverty, to increasingly severe casualties, loss of lives, and bombing of villages by error. It also inevitably leads to disintegration of native institutions, to a growing flow of refugees, and to increasing internal chaos. Further, continued escalation, irrespective of our intentions, sooner or later will give the people of Vietnam an unshakeable sense that their country is once again an occupied colony. Such a policy of continued escalation thus will erode the possibilities for orderly and peaceful national development, and hence undermine the very objectives of our policy.

Continued escalation, moreover, though it may constantly raise the cost of the war to the other side, likewise raises new tensions and mistrust, thus creating new barries to negotiations. Finally, continued escalation increases the threat of U.S. involvement in a much wider war. For example, a decade ago in Korea, an escalation of the war was initiated designed "to bring the boys back by Christmas"; but it led to a greater conflict, a vast rise in casualties, and no positive benefit.

If both immediate unconditional withdrawal and escalation are to be rejected, then what is to be done? The only sensible way out of the present impasse, for all concerned, is a deliberate and reciprocal reduction in the level of conflict and of the tensions between the contesting forces. Can this goal be attained? If we take steps to reduce gradually the level of conflict, will any valid response ensue? Will the Vietcong and North Vietnam accept some settlement beneficial to their peoples, or will they fight on regardless, hoping for a total victory for their forces? No one knows. But to find out if any useful response can be gained, I propose the following:

Having demonstrated our ability to effect a massive buildup of troops and to deny victory on the ground to the Vietcong and North Vietnamese troops, let us for at least an extended period of time contain and not further escalate the level of conflict. Let us concentrate on providing security and beneficial government to at least limited areas, in order to create a meaningful and attractive goal for others. Efforts to determine workable preconditions for a political settlement in Vietnam can continue during this time.

Second. We must press the South Vietnamese Government to complete the transition to civilian control. The constituent assembly elected in September provides a start. But a much stronger, locally rooted base for civilian government is needed. Until a decade ago, the local government officials in the hamlets and villages of South Vietnam were determined by popular choice, by fairly democratic procedures. I am convinced that our rural reconstruction efforts will continue to fail unless this practice is reinstated. Furthermore, at the present time, about a million Vietnamese refugee women, children, and older men exist in marginally acceptable temporary camps distributed throughout the coastal areas. These individuals, already uprooted from their homes, need to be far better cared for and given a far better opportunity to participate in the development of the nation. They could be a symbol of accomplishment, rather than, as today, a symbol of misery and social disintegration.

Third. Having demonstrated our capacity to bomb North Vietnam, let us now be ready deliberately to reduce the extent of bombing as an instrument to induce negotiation. Top officials in our Government tell me that few targets in North Vietnam remain worth bombing, except centers of population—and I hope none of us countenances bombing these. The present bombing of supply arteries in the north does slow delivery of supplies to the Vietcong and North Vietnamese troops in South Vietnam. But the cost we pay in aircraft and men is significant, often high compared to the cost of supplies and transportation which are damaged.

Fourth. Let us assure all parties to the conflict of a seat at any negotiating table, and let the door to negotiations remain open at all times. Negotiations could lead to the formation of a broadly and fairly representative government; if so, we should accept the outcome.

Fifth. Let us commit ourselves to phased withdrawal of American forces at the time such a government can be formed.

Sixth. Let us seek a neutral role for Vietnam, internationally guaranteed, with participation by an ongoing international entity, preferably the United Nations.

Seventh. Let us urge a generous amnesty to be instituted as soon as the process of political settlement is initiated.

Eighth. A political settlement should be accompanied and followed by a program of economic and social development and reform to which the United States and other powers should contribute through the United Nations and other agencies.

If the above course fails, we can seek other alternatives. But in appraising the situation in Vietnam and our role in it, let us continue to bear in mind that we are facing a most complex and difficult situation, one that does not lend itself to quick or easy solutions. To resolve the problems confronting Vietnam will require time, patience, endurance of serious human and economic costs, tolerance of discouragingly slow improvement.

The history of Asia suggests that protagonists who cultivate patience may succeed, but that those who lack patience earn false victories. Oversimplified solutions can easily end in disaster for the people of both the United States and Vietnam. We must patiently explore all avenues which show promise of leading to a just and honorable settlement, and thus demonstrate through our actions and our words that our search for lasting peace is genuine.

CALIFORNIA THE BOUNTIFUL

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Hosmer] may extend his remarks at this point in the Record and include extraneous matter

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HOSMER. Mr. Speaker, frequently I receive inquiries about my home State of California from persons interested in visiting, settling, or doing business there. Inquiries are also received from colleges and graduates doing research on this remarkable area of the Nation and of the world. For this reason I believe a somewhat detailed discussion of industrial development factors in California is warranted.

As the Nation's leading State in population, personal income, and consumer expenditures, California is the keystone of the 13-State western distribution area, extending eastward to the Rocky Mountains and westward to the far reaches of the Pacific trading area. The 13 Western States alone had a combined population of over 32 million people in mid-1965; according to recent Census Bureau projections, this total is expected to increase more than 27 percent to over 41 million by 1975—the rest of the Nation has a 14-percent growth projection. Purchasing power of this western area, as measured by personal income, was $95.5 billion in 1965. This is 22 percent greater than personal income of the entire Nation in 1940.

BUYING POWER

California citizens earn more and spend more than their counterparts elsewhere in the Nation. Personal income for Californians rose to $59.5 billion in 1965, a gain of more than $3.2 billion over the previous year. California, with

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9.6 percent of the U.S. population, accounts for 11.3 percent of the Nation's total personal income, showing steady increases yearly. In 1965, California's per capita personal income was 17 percent over the national average.

RETAIL SALES

California moved ahead of New York in total retail sales 4 years ago to become the leading retail State. The 1965 volume was $29½ billion, a gain of about 5 percent over 1964. Importance of the State as a fast-growing retail market is a highly significant factor for alert planners of industrial location. The Los Angeles-Long Beach metropolitan area ranks second in the Nation in retail sales. Ten California metropolitan areas rank among the 100 top areas in the country in retail sales. Citizens of the State are known as pace setters in trying out new products, with per capita retail expenditures in 1965 about 8 percent above the national average. It is estimated that by 1970 retail sales in California will be well above $40 billion.

AGRICULTURAL PRODUCTION

Agriculture pours more wealth into California each year than all the gold ever mined in the State. For years California has been the Nation's leading farm State. Although cattle, dairy products, and cotton are, in that order, the State's leading farm products from the standpoint of cash farm income, California nevertheless accounts for more than one-third of all commercial vegetables, fruits, and nuts grown in the United States. Gross cash farm income in California is approaching $4 billion annually.

RAW MATERIALS

Mineral production in California in 1965 was valued at $1.6 billion, third highest among the States. Petroleum and natural gas are produced in large volume, as well as the indispensable industrial minerals—gypsum, cement, sand and gravel, clay, and the fertilizer components. Others produced in quantity are iron ores, magnesium compounds, boron minerals, lime, rare earths, and "space age" minerals. More than 700 different minerals are known to occur in California—including some 46 that are not known to occur anywhere else in the world.

Growing and processing of timber is an enormous industry in California. The State is now the leader in number of persons employed in logging, forestry, and wood products manufacturing and distribution. A major reason for this strength is the increase in the number of plants making and converting pulp, paper, and paperboard, plus a tenfold increase in the volume of the plywood industry in recent years.

MANUFACTURING

Value added by manufacture in California in 1963 amounted to $17.2 billion, according to the most recent census of manufactures. This total valuation was second only to New York State. California showed the highest dollar value increase of any State in the 1958–63 intercensus period, amounting to $5.1 billion or a growth of 42 percent. By 1965, "value added" had increased to an estimated $18.3 billion.

The State has a wide diversity of manufacturing, leading all others in food processing, ordnance, and miscellaneous manufacturing. California is a major producer of transportation equipment—largely aircraft and automobiles—machinery, fabricated metal products, printing and publishing, chemicals, primary metals, and building products.

MANPOWER

An outstanding apprenticeship program, supplemented by on-the-job training conducted by many California employers, has developed a work force highly skilled and versatile. The total labor force is approximately 7½ million persons, many of whom are products of California's superior educational system. According to the National Science Foundation, there were 172,800 scientists and engineers in California in 1963. This exceeded the total in New York by 24 percent and is more than twice the number living in Pennsylvania, the third State. In breadth of skills, training, and education, California's human resources provide the answer to challenging manpower problems of this decade, and have the ability to produce the manifold products needed by a growing population.

EDUCATION AND TRAINING

California's public school and collegiate systems are the largest in the United States. The 1965 annual survey of the School and Society Journal showed that California now leads the Nation in the number of students attending classes at accredited colleges and universities. Of the 30 largest institutions in total enrollment in the Nation, California State colleges rank first with 177,324 full- and part-time students. The University of California is third with 134,789—including extension courses. In addition, California pioneered in junior college education and today leads all States by a wide margin, with a fall 1965 enrollment of 460,119 in its 81 junior colleges.

California is also the first State in vocational education, with 451,792 students enrolled during the 1964–65 school year in programs receiving assistance from Federal vocational education acts alone. In addition, a large though undetermined number of persons are enrolled in various special programs.

Abundant technical skill for industry is available to nourish a wide range of industrial activities. Emphasis on aerospace research and development in recent years has developed a large pool of highly educated, scientifically oriented persons in the California work force.

POWER, WATER, AND FUEL

The efficiency and favorable rate structures of California utilities is reflected in the fact that generation of electricity by industrial establishments averages less than 100 million kilowatt-hours monthly, a volume far less than that in most other leading industrial States. Obviously, manufacturers here find it more advantageous to buy power than to produce it themselves. The State's generating and distribution system is the most extensive in the Nation, with energy rates among the country's lowest—an important factor for industry seeking new location. Industrial and residential needs for waterpower, fuel oil, natural gas, and petroleum are amply met in California. Natural gas is distributed in all urban centers. Liquid fuels and liquefied petroleum gases are available in virtually all inhabited areas.

Through a vast water storage and distribution system, incorporating some 1,061 major surface reservoirs, California assures a continuing supply of water to meet the probable ultimate requirements of urban and industrial centers together with irrigation facilities for agriculture. Development carried out under the State's $2 billion water program—the world's largest—involves reservoirs and aqueducts which will carry water, as needs arise, from areas with excess supply to users often hundreds of miles distant.

TRANSPORTATION

A highly developed complex of interstate and intrastate transportation facilities is available to business, industry, and agriculture in the State. California's 7 class I railroads and the 31 smaller terminal and switching lines provide all-weather access to all parts of the Nation.

The California highway program and the master plan enacted by the State legislature provide a superior highway system for surface transportation. The program authorizes construction of a 12,414 mile, $10 billion freeway and expressway system by 1980. The system will connect all cities of 5,000 or more population and will serve every major industrial, agricultural, commercial, and recreational region when completed.

California leads all States in the number of operating trucks, trailers, and commercial carriers of property. In the decade ending January 1, 1966, the number of vehicles operated by for-hire motor carriers in California increased 33 percent to a total of 179,064 vehicles—95,738 power units and 83,326 trailers. The volume of freight handled increased at an even faster rate because of larger average trailer capacity and shorter delivery times. The immense network of highways and this record number of carriers provide 1-day and overnight delivery to all points throughout California and to other Western States.

PLANT SITE INFORMATION

Planning for industry throughout the State is widespread and far reaching, with master plans in many areas providing for the most effective use of land for commercial, residential, and industrial purposes. An extensive list of some 320 industrial parks in California, compiled and published by the California State Chamber of Commerce, is proof of the encouragement and interest given to industry by developers. The California State Chamber also publishes comparative data on communities within the State. These individual community reports provide vital information on available sites, water and power services, and a host of indispensable facts required by the plant site seeker.

"Plant Location Services," a single sheet, two-page summary of State chamber publications and services in this field, is available on request from the Economic Development and Research Department, California State Chamber of Commerce, 415 Capitol Mall, Sacramento 95814.

Major banks, utilities, and railroads throughout the State maintain departments concerned with industrial development activities and many publish a wide variety of informative statistical and economic data.

FINANCIAL RESOURCES

Banking and lending institutions in California are well equipped to finance new plants and expansion of industry, as well as to handle foreign transactions. Statewide banking facilities, developed to a high degree of efficiency, make it possible for industrial and commercial organizations to have access to extensive banking services in all parts of the State. It is not necessary for customers to be close to the major financial centers when specialized service or large resources are required.

California banks in the Federal Reserve System had assets of nearly $35.8 billion at midyear 1965. This represents approximately 93 percent of all banking resources in the State. The same group had deposits of almost $32 billion and loans outstanding of over $21½ billion. In addition, the largest network of savings and loan associations in the Nation provides resources for many types of construction loans and mortgages.

LIVING IN CALIFORNIA

Within its 158,693 square miles, California offers a diversity of topography, climate, soils, minerals, plant and animal life unmatched anywhere in the United States. Its cities and towns range from casual suburban and rural villages to cosmopolitan business centers. Forests, snow-capped mountains, ocean beaches, and inland lakes and streams provide ample opportunity for outdoor recreation. There are sports for the active and the passive, the doer and the observer. Art galleries, museums, fine orchestras, and other cultural activities abound, creating a stimulating leisure-time environment. Nowhere are there more attractions for people and for industry. California is a land of great achievements and still greater promise.

POVERTY, THE PRESIDENT'S CLUB, AND MISSISSIPPI OR "DON'T BOTHER TO APPLY—THE MONEY'S ON ITS WAY"

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. GOODELL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. GOODELL. Mr. Speaker, recently OEO announced discontinuance of the Headstart program with the Child Development Group of Mississippi—CDGM—after expenditure of $7.1 million since May 1965. Now a new group has been funded, known as Mississippi Action for Progress—MAP. Coincidentally, two directors of MAP are $1,000 members of the President's Club: Mr. Leroy Percy of Greenville, Miss.; and Mrs. Charles Young of Meridian, Miss.

Through a maze of charges and countercharges, it is difficult to evaluate the transfer of Headstart responsibility from CDGM to MAP. It is evident, however, that once again poverty is enmeshed in politics, and that OEO has jumped in to spend money without thought or preparation.

MAP's Headstart program is to be implemented in part, apparently, through a $1.2-million grant to Rust College in Holly Springs, Miss. The chairman of the board of directors of the college is W. Astor Kirk, who just happens also to be the deputy director of the southwest regional office of OEO.

The same day the grant to Rust College was announced, October 12, the college's president, Mr. Ernest A. Smith, remarked that he "hoped to complete by today an application explaining how the money he has been given will be spent." Obviously, Rust College was awarded this grant without even having signed an application for it. Indications are that the MAP Headstart program will cost more than $600 per enrollee above the maximum figures indicated by OEO.

Under all the circumstances, it is obvious that OEO has done it again. The funding of MAP and Rust College appears to be wholly improper—precipitated by panic and overhaste. The entire grant to MAP is enshrouded in doubt about both its ability to perform and the use of political influence through the President's Club.

An effective program for Headstart is imperative in Mississippi, but Congress should investigate this entire matter immediately. Until OEO removes politics from the war on poverty, we can expect more confusion and inefficiency and less help for the poor.

REPORT ON THE 89TH CONGRESS

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. QUILLEN] may extend his remarks at his point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. QUILLEN. Mr. Speaker, I am making a report on the 89th Congress, and I am pleased to make it available to the readers of the RECORD. This report will be mailed to the families in my district on a postal patron basis.

DEAR FRIENDS: As your Representative in Washington, I am sending you this report to summarize the decisions and activities in which I have been involved during the past two years in both Sessions of the 89th Congress.

This Congress, commencing in January, 1965, will go down in history as the "Spending 89th." Against my objections, it has thrown public money around in totally irresponsible ways, put the spurs to inflation, and set up unworkable programs. In reality, it has been little more than a long shadow cast by the White House.

The expenses of the war in Viet Nam, coupled with the uncontrolled spending of the Johnson Administration's domestic programs, have led us into rampant inflation and an ever-tightening money situation. The interest rates are now at the highest level in more than 40 years, and I do not need to detail for the housewives just how high the price of food has risen in recent months.

One of the greatest dangers facing this Nation at this time is the flagrant violation of law and order throughout the land. The spirit of respect and faith in the law that is the basis of our system has been thrown aside in emotional, selfish outbreaks.

We must not tolerate those who would burn their draft cards, desecrate our flag, and unlawfully demonstrate against our Country and our fighting men in Viet Nam. I have never said that we should be in Viet Nam, but we are there, and our men are dying. We must back our fighting forces to the fullest extent, and I have consistently voted for legislation to appropriate the necessary funds for our servicemen and for the war in order to bring it to an honorable conclusion as quickly as possible. We need to bring our boys back home.

Truly, both at home and abroad, we are a government in crisis. In the four years that I have been in the Congress, and particularly during the past two years, I have seen the Executive Branch grasp an all-powerful position. This is the shocking and terrible situation in which we find ourselves today. It has happened so swiftly that it is hard to believe; but nevertheless, the facts speak loudly.

Those of my colleagues who have tried with me to sustain Constitutional Government and who have accepted with me the responsibility to spend our taxpayers' money wisely and well, have been brushed aside by a steamroller majority that has been determined to establish a spending record. Unfortunately, it has succeeded. This Government is spending more today than at any time in our history—including the costly days of World War II.

As your Congressman, I could not, and did not, lend my support to the Great Society programs, which provided for billions of dollars for unproven, power-grabbing ventures. I have concentrated my efforts on those worthwhile programs that I felt could be maintained within a balanced budget.

On the following pages, I will discuss many of the areas in which I have endeavored to bring about legislation that would be of help to you and to our Nation. Space will not permit a discussion of all the activities of the Congress, and I must by necessity highlight only a few.

HOUSE RULES COMMITTEE

At the beginning of the 89th Congress, I was honored to be appointed a Member of the powerful House Rules Committee, which establishes the rules of procedure under which the bills are brought to the floor for debate. As a Member of this Committee, I have been studying a wide range of bills that affect every area of our society.

Now that I have been on the Rules Committee about two years, it is my privilege to handle on the floor of the House many of the bills during the debate on the rule. My speeches, as well as those of my colleagues, are always reprinted in the CONGRESSIONAL RECORD.

At the present time, I am the fourth ranking Republican Member of the Rules Committee.

I am real sorry that these Committee meetings and the debates on the floor of the House prevented me from visiting with some of you who were so kind as to stop by my office during your stay in Washington, but I want you to know that I am very grateful that you took the time to come by and say "hello."

VETERANS

During the past two years, we have done much to assist our veterans. Early in 1966,

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the Cold War GI Bill, to which I gave my full support, became a law. Approximately 10,720 veterans in the First District are receiving or are potentially eligible for benefits under the provisions of this legislation, which is generally patterned after the highly successful GI Bills of World War II and the Korean Conflict.

The measure went into effect on June 1, 1966, and it provides for educational benefits, as well as guaranteed and direct loans, to those veterans who have been on active duty more than 180 days after January 31, 1955. Those who were discharged with less than 180 days service because of a service-connected disability are also eligible.

In March, 1966, I introduced a bill to increase the rate of pension payable to certain veterans, their widows, and other dependents. The House Veterans Affairs Committee held hearings on this measure in July, and in September the House passed by the overwhelming margin of 315–2 the Veterans' Pension Act of 1966, which included one phase of my bill—that which made it possible for veterans who have reached the age of 65 to be considered totally disabled for pension purposes. However, the 1966 Act does not include an increase in benefits for veterans who are under the old Part III Law, which my bill endeavored to do. Much more legislation is needed in this area of veterans' pensions, and I am sure that we will see more enacted soon.

I have also pushed for legislation to correct inequities brought about by the Social Security Amendments of 1965, which resulted in some veterans receiving damaging cuts in their veterans' pensions. The bill, which I introduced along with several of my colleagues, would restore this loss of veterans' benefits.

It is an honor to have the fine Veterans Administration facility in the First District, located at Mountain Home, and I want to see it expanded so that it can continue to give the excellent service it is giving to our veterans.

I fought the Administration's proposed closing of veterans' hospitals throughout the Country, as I have first-hand knowledge of how much these hospitals are needed and how much they assist our veterans in receiving topnotch medical care. I appeared before the House Veterans Affairs Committee in March, 1965, requesting that these VA hospitals remain open. As I stated before the Committee:

"I am proud of the VA facility in my District and the wonderful work it does for veterans . . . The closing (of VA hospitals) will do no good, but it will do a lot of harm. If the Administration intends to double-talk by hurting veterans while preaching heaven on earth as its legislative goal, I, for one, intend to be heard objecting."

On July 4, 1966, I received the Tennessee Commander's Award from the outgoing State Commander of the American Legion, Ollie T. Frith, in a special ceremony at Hammond Post No. 3 in Kingsport. It is always a great pleasure for me to assist our veterans, and I was extremely honored to be given this award in recognition of my service to the veterans of the First District and the State of Tennessee.

SOCIAL SECURITY INCREASE

I have not forgotten the elder and disabled citizens in the First District. I introduced, and followed until it was signed into law in 1965, a bill which provided a seven per cent increase in Social Security benefits. I felt that the rise in the cost of living demanded that we aid those who receive Social Security benefits at that time.

With the cost of living continuing to increase at a rapid rate, I feel that an increase in Social Security benefits is in order for all by cutting out altogether or reducing appreciably our foreign aid give-away program.

Another step that I took in this line was to arrange with the Social Security Administration to have branch offices opened in Greenville, Kingsport, and Morristown, so that better service would be had by all in the First District.

OUR FARMERS

A sad commentary on these past 24 months is the story of our farmers. It has certainly become more and more evident that in the inflationary trend of our economy, the farmers are taking the hardest knocks of all. This has been true ever since the Federal Government jumped into farm control, and it is deplorable that the Administration will not begin to take steps to help the farmers. Rather it seems that the Administration slaps the farmers with the back of its hand every chance it gets.

I have attempted to fight and halt the abuses to which our farmers have been and are being subjected. Their problems should be at the top—not at the bottom—of the Congressional agenda.

In the spring of this year, I was very upset by the treatment our burley tobacco farmers received from the Department of Agriculture when the acreage-poundage referendum was ordered. As I stated in the CONGRESSIONAL RECORD:

"I do not feel that any cut (in allotments) is justified, and the Department of Agriculture should leave the allotments as they are.

"I am hopeful that, in the future, we can prevent the Department of Agriculture from blackmailing our tobacco growers by supposedly giving them a choice, but in actuality, forcing them to take a stand that can do nothing but harm them."

TVA

In June of this year, I strongly supported the legislation to increase the bond authority of TVA from $750,000,000 to $1,750,000,000. Urging the passage of this bill, I stated in the CONGRESSIONAL RECORD:

"The demands for additional electric power in the area served by TVA continue to grow, and this continual growth is of utmost importance to the people of the Valley territory. TVA cannot now neglect its responsibilities to the farms, towns, and cities that it serves. More than 150 municipalities and cooperatives have invested large sums in electric distribution facilities on the strength of their contracts with TVA and on the assurance that TVA will continue to supply the power which their customers require . . .

"I wholeheartedly support TVA, and take great pride in it as an example of how our Federal Government and private enterprise cooperate for the betterment of our people."

I was extremely pleased when this measure overwhelmingly passed the House and Senate and was signed into law.

I am working closely with TVA on the flood control needs of the First District. In Sevier County alone, $2,600,000 has already been appropriated by the Congress for a flood control project there, and work is progressing rapidly. Other flood control projects in my District have been approved, and many more are in the planning stage, including a plan for Gatlinburg.

As I said on September 21, 1966, on the floor of the House, during the debate on TVA appropriations for fiscal year 1967: "TVA has been referred to as the heartbeat of the valley, and I agree."

INDUSTRIAL GROWTH

Our industrial growth has been remarkable. During the past two years, the First District has had a great influx of new industry, providing more jobs for our people and raising the economic level of the entire region and State. In 1965, Tennessee's economic growth was above the national average, and much of this development was in the First District.

I have lent my support in every way possible to those industries that desire to begin plants in the First District, as well as to those that are already there and starting to expand, because I feel that this is and will be of great benefit to all of our people. I want to see us continue to grow and thus provide better facilities of all kinds for our citizens. We are making great strides, and I am confident that our pace will quicken in the next few years.

To spur job training by the American free enterprise system, I introduced in the House, along with many of my colleagues, the Human Investment Act, which would allow a seven per cent tax credit to employers for certain expenses incurred in training their employees in new job skills. I felt this Act would be a healthy thing for not only the people of the First District, but all over the U.S. as well. The bill had wide support both in the House and Senate before the policies of the Administration led to the tight money situation in which we are today.

INCOME TAX REDUCTION BILL

Ever since I came to the Congress, I have tried to see that our people are given the opportunity to keep their money, while the aid to foreign countries is reduced or stopped completely. Early in the First Session of this Congress, I introduced a bill to increase income tax exemptions for a spouse and dependents from $600 to $1,200. Over eighty-three per cent of you who answered my questionnaire in the spring of 1965 favored such a tax reduction.

I believe, as you do, that such an increase in tax exemptions would be an honest-to-goodness tax reduction for all the people, which would throw billions of dollars into our economy. I am still hopeful of getting action on my bill, particularly if the war in Viet Nam can be ended and some of the Great Society programs can be curbed, and I will introduce this legislation again next year.

FOREIGN AID

When good legislation, such as my income tax reduction bill, is delayed, the truth of our foreign aid program, as seen in the following table, becomes all the more shocking. These revelations are extremely dismaying when we think of the treatment that we have received from our allies in recent years. I believe that it is obvious that money will not buy friends and that we are really throwing away the hard-earned dollars of our citizens by continuing to play "rich uncle" to the world.

In the four years that I have been in the Congress, I have opposed foreign aid, and I have no intention of changing my mind.

WHERE U.S. AID HAS GONE

Here is how $115 billion in foreign aid has been distributed since 1945:

[Figures in millions]

Afghanistan	$306
Albania	20
Algeria	167
Argentina	723
Australia	147
Austria	1,199
Belgium-Luxembourg	1,998
Berlin (West)	132
Bolivia	430
Brazil	2,819
Burma	114
Burundi	7
Cambodia (since 1955)	351
Cameroon	25
Canada	36
Central African Republic	3
Ceylon	91
Chad	4
Chile	1,130
China (Taiwan)	4,494
Colombia	722
Congo (Brazzaville)	5
Congo (Léopoldville)	315
Costa Rica	137

[Figures in millions]

Cuba	52
Cyprus	19
Czechoslovakia	193
Dahomey	9
Denmark	$983
Dominican Republic	206
Ecuador	248
El Salvador	97
Ethiopia	245
Finland	134
France	9, 429
Gabon	4
Germany (East)	1
Germany (West)	4, 995
Ghana	165
Greece	3, 744
Guatemala	204
Guiana (British)	17
Guinea	75
Haiti	103
Honduras	74
Honduras (British)	4
Hong Kong	41
Hungary	32
Iceland	77
India	5, 917
Indochina (to 1955)	1, 535
Iran	1, 580
Iraq	113
Ireland	147
Israel	1, 098
Italy	6, 190
Ivory Coast	26
Jamaica	39
Japan	3, 977
Jordan	509
Kenya	35
Laos (since 1955)	420
Lebanon	89
Liberia	236
Libya	231
Malagasy	8
Malaysia	36
Mali	17
Mauritania	3
Mexico	1, 122
Morocco	513
Nepal	86
Netherlands	2, 522
New Zealand	22
Nicaragua	111
Niger	8
Nigeria	160
Norway	1, 240
Pakistan	2, 979
Panama	156
Paraguay	91
Peru	627
Philippines	1, 889
Poland	551
Portugal	515
Rhodesia-Nyasaland	41
Rwanda	1
Ryukyus	318
Saudi Arabia	139
Senegal	19
Sierra Leone	27
Somalia	48
South Africa	154
Spain	1, 931
Sudan	89
Surinam	5
Sweden	109
Syria	83
Tanzania	44
Thailand	433
Togo	10
Trinidad-Tobago	43
Tunisia	472
Turkey	4, 786
Uganda	18
U.S.S.R.	186
United Arab Republic (Egypt)	186
United Kingdom	8, 714
U.S. trust territory	107
Upper Volta	6
Uruguay	122
Venezuela	445
Vietnam (since 1955)	2, 387
Yemen	40
Yugoslavia	2, 688
Zambia	1
Total	104, 220

Additional funds for general aid undifferentiated by country or region total over $11 billion bringing grand total to over $115 billion as of June 30, 1965.

MILITARY DRAFT

In military affairs, we have been confronted with one crisis after another because of the way in which this Administration is handling the conflict in Viet Nam. I can list in total the Administration's failures, but I will confine myself to the situation that has ben of gravest concern to me.

Because of the expanded war in Viet Nam, our national draft laws have come under fire from many Members of the Congress, and from citizens throughout the country.

A special House Committee has been set up to investigate the draft and to offer recommendations for correcting the inequities of the present system. The Committee should be making its report early next year, and I am sure that by using their suggestions as a basis, the Congress will take a good hard look at the whole situation.

DESECRATION OF THE FLAG

Relative to the grave crisis in crime in our Nation, which I discussed earlier in this report, and in regard to the demonstrations directed against our troops in Viet Nam, is the treatment that our flag has received in these riots and demonstrations.

Recently, I joined 30 other Members of the House in introducing a bill which would prohibit the desecration of our flag. I have received encouragement and support for this legislation from all over the District and throughout the Nation.

My mail has shown that you, as I am, are revolted and distressed over the mistreatment that our flag has received in these demonstrations and riots that have burst forth in every corner of our country in recent months.

METCALF

One of the activities in which I was engaged during the past two years was to assist Mr. Wilford Metcalf of Del Rio in Cocke County to win his "war" with the Federal Government. The story that unfolded received national and international recognition by being published in a regional edition of Life magazine and in Reader's Digest.

When Mr. Metcalf came to me, the U.S. Justice Department was threatening to sue him for some timber which they claimed he had cut down on United States Government property. Maintaining that the land on which he had cut the timber belonged to him, Mr. Metcalf asked me to help him get through the Federal red tape and see that the $1,717.52 suit against him was dropped and to see that his land was returned to him.

I told the Metcalf story on the floor of the House, and the entire proceedings, plus documentation, were published in the Congressional Rerord.

Our efforts were successful, as the Government realized, after resurveying the land, that it did indeed belong to Mr. Metcalf.

As a result of the widespread recognition given to the Metcalf Story, thousands of letters received by me stressed that the handling of the case was "in the best tradition of true representation of a District by a Congressman who is interested in seeing that his constituents are treated fairly by the Government."

JIMMY QUILLEN DAY

A high personal honor which I received during this Congress was the occasion of "Jimmy Quillen Day" on the floor of the House on February 3, 1965, when I was singled out for congratulations because of my 71.8 per cent winning margin in the 1964 election. Congressman Gerald Ford, the Republican leader in the House, commented in the Congressional Record:

"As House Minority Leader, I share with my colleagues the pride in the fine record compiled by a fellow Republican Member of Congress, and congratulate the fine people of his District for their wise judgment in continuing Jimmy Quillen's service to the Nation and his District."

Other Congressmen also spoke and included their praise in the Record.

I also was privileged to serve as Assistant Minority Leader of the House from May 24 to May 29, 1965. These honors that I have received on the floor of the House, I owe to you. Your confidence and trust in me have made them possible.

OPEN DOORS

Between June and September of 1965—as I did in 1963—I held Open Doors in each County of the First District. The turnouts at these meetings were beyond my expectations.

To provide an Open Door throughout the year, I have Congressional District Offices in Kingsport and Morristown, which are open every week day and every Saturday until noon. In Kingsport, my office is in Room B-8 of the Post Office Building; in Morristown, it is in Room 208 of the Old Post Office Building. With these District offices and my Washington office, my door remains always open to help you.

It has been helpful to me to discuss the current issues with you on my trips back to the District, and it is my pleasure to assist you with your problems. Your ideas and suggestions are very important to me, as I want to do everything that I can in your best interest.

QUESTIONNAIRE

I also appreciate your wonderful response to my questionnaire, which I sent out in the spring of 1965. The response of 28,983 returns—28 per cent—was far above the national average of 15 per cent and was approximately a 12 per cent increase over my 1963 questionnaire.

This expression of your views has been extremely helpful to me in considering the important legislation before the Congress.

BIRTHDAY PARTY

I took time out from a busy legislative schedule for a birthday party given to me by my staff. My wife, Cecile, joined us and helped blow out the candles.

IN CONCLUSION

In the short space available on these pages, I have tried to let you know a few of the things that I have been doing during the 89th Congress. As I mentioned in the beginning, it is impossible to recount all of the activities, but I feel that this report gives you a broad view of the Congressional picture.

The Federal Government today has become so complex and diverse in its operations that it is oftentimes difficult for our people to receive that which they are due. I have tried during these past two years to see that the overpowering Federal bureaucracy does not encroach on the rights of our people.

I will continue to do everything in my power to uphold the Constitution, which gives broad powers to the Federal Government, but which also leaves with the people and the States a wide range of responsibility in the governing of their affairs.

In closing, I want to take this opportunity to say many thanks for the wonderful help which you have given me as your Congressman, and I pledge my continued efforts to represent all of the people. I will greatly appreciate any comments you may wish to pass on to me in regard to your feelings on

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these and other important measures that come before the Congress.

Sincerely,

JAMES H. QUILLEN.

WAR ON CRIME

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. POFF] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. POFF. Mr. Speaker, I commend and congratulate President Johnson for addressing himself to the national crisis in crime in the speech he delivered Saturday night to the Conference of State Committees on Criminal Administration.

The fact that the President in one of his busiest hours preceding his departure for Manila would take the time to underscore this subject is a dramatic acknowledgement that it constitutes one of the greatest if not the greatest problem on the domestic scene.

In an Associated Press dispatch, I found the following:

> Mr. Johnson said he also expects Congress to complete action on a bill setting up a 12-member national commission on revisions of criminal laws. The commission would also seek ways "to close gaps that permit guilty persons to escape punishment," the President said.

The President has reference to H.R. 15766 which I introduced on June 16, 1966, and which passed the House on September 6, 1966.

I join the President in the hope that Congress will be able to complete action on this bill at this session in order that the new commission may begin its work early next year. I am satisfied that the commission can make a most salutary contribution to the prosecution of the war on crime.

TO PREVENT PAYMENT OF FEDERAL FUNDS TO INDIVIDUALS WHO INCITE RIOTS OR OTHER CIVIL DISOBEDIENCE

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. BROYHILL] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BROYHILL of Virginia. Mr. Speaker, the first amendment of the Constitution of the United States provides protection for those who seek redress for wrongs, alleged or real, by peaceable assembly and by petition.

It does not allow, however, an assault on almost every segment of our society, or immunity from such actions, which are designed to force direct action outside the law. And certainly it does not provide for leadership of such actions by those honored with positions and paid for their efforts by the Federal Government.

The first amendment of the Constitution clearly states that—

> Congress shall make no law . . . abridging . . . the rights of the people peaceably to assemble and to petition the government for a redress of grievances.

It does not grant a license for destruction.

It does not legalize the ransacking of homes or business establishments.

It does not authorize street warfare by any group of citizens, minority or otherwise. Nor does it authorize civil servants to use their time, public facilities, and Federal funds to encourage anyone to do so.

It is incredible, Mr. Speaker, that in America we would have to remind any of our citizens that lawlessness is criminal disobedience, despite any and all efforts to stuff it under an umbrella of civil rights. And, as such it is punishable and has been, by every decent society that has survived since the signing of the Magna Carta.

Yet, we have appeased and even rewarded leaders who incite riots.

We have allowed criminals and rioters to trespass on public and private property and to deny peaceable citizens use of that property.

Our flags are desecrated—defiance of military duty is applauded—rabble rousers, criminals, and Communists are encouraged to use the Halls of Congress and its committee rooms for vicious demonstrations.

We have allowed the innocent segments of our society to suffer indecencies, danger, and death—not because they are intolerant, but because of their patience and tolerance.

A disorderly society, wracked by disregard for its laws and disrespect for those assigned to enforce it, cannot survive. None ever has in the history of civilized man.

Discriminations against our fellow man are redressable in the courts of this Nation. We have been lavish in recent years in providing, through judicial and legislative efforts, legal and policy decisions to enforce and encourage swift redress when wrongs are detected.

But when a government, large or small, denies permission of its elected or appointed officials to enforce the law, then law enforcement becomes meaningless, and lawlessness a way of life.

This is precisely the position in which we find ourselves today, and even more alarming, we find Government-paid employees at the forefront of such activities in many cases.

Either we confine mass protests within the framework of legality or we abandon control of government.

Either we have public order in this county or we abdicate our right to protection under any law, anywhere, anytime.

We can have equal protection, or no protection.

We can have due process in righting our wrongs, or no process.

And what we will have is exactly what we ask for.

Policemen come to me; their wives come to me; their officials come to me—all with the same discouraging recital of public indifference to their plight.

Many are denied the right to defend themselves—in fact, some are ordered not to do so by federally paid employees, of all things.

Police are berated in the press, denounced from the pulpit, charged with brutality by superiors, cursed, spat on, and physically assaulted on our streets—in the name of being tolerant of the downtrodden.

They are tolerant, just as we are. But it is asking a great deal of police and other law enforcement officials to smile in sympathy when the bricks and bullets are flying.

The police are easy to blame. So are the politicians.

Like others, I am called constantly and demands are made that I do something about crime and riots.

I try. And I try to stay in office so that I can do more. And while I am working on that, the minority bloc voters are organizing to defeat me and others who feel as I do.

Recently I spent a night in a police patrol car, seeing first hand what I had been hearing from policemen, their officials, and their wives and children.

I have also seen the police and other records concerning some of our more violent agitators. Many of them perform their agitation while on the Government payroll—a situation I hope to have corrected by the legislation I am introducing at this time.

I assume, in doing so, I will be assailed as a bigot, accused of being antipoor and against civil rights.

The wives of police officers who recently visited my office, who picketed the office of the Washington Post, who are going to continue to make their views known on Capitol Hill and elsewhere, will not accuse me or other Members of Congress who support this legislation of bigotry. Their husbands are in danger and they are making their demands known now, not after their husbands are injured or dead.

We can take here a position alongside those worried mothers and wives, in seeing to it that the Government we are sworn to uphold is not financing its own destruction by paying individuals to wreck it.

A big step forward will be in the banning of Federal funds which are used in part or in whole, in any fashion, by anyone, to encourage the disobedience of our laws.

If our Government employees, even a small segment of them, cannot be at the forefront of civil obedience instead of civil disobedience, they should be relieved of their positions and their salaries.

This is the intent of the legislation I introduce at this time, Mr. Speaker. I urge its passage, not only for the protection of the people of my own district, but for all of our citizens whose lives and property are now in constant danger.

CONGRESSWOMAN DWYER REPORTS TO THE PEOPLE OF THE NEW 12TH DISTRICT

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentlewoman from New Jersey [Mrs. DWYER] may extend her remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mrs. DWYER. Mr. Speaker, if the record of a Congress is judged by the quality and substance of the legislation it passes—as I believe it should be—then the 2d session of the 89th Congress must be rated only "fair."

In this, my annual report to the people I represent, I shall review the accomplishments and the failures, the good and the bad, of a Congress the President describes as the greatest in history, and explain why I believe its record warrants a much lower grade.

In my evaluation last year of the 1st session of the 89th, I criticized the majority's too-frequent reliance on quantity rather than quality as the mark of Congress' achievement, and I expressed the hope—first voiced by the majority leader of the Senate—that the second session might devote much of its attention in 1966 to correcting the mistakes and improving the quality of legislation too hastily adopted in 1965.

This hope, regrettably, was not fulfilled. Although the pace of the second session was slower and the legislative product smaller, the result was spotty and inconsistent, reflecting an uncertain response to new foreign and domestic problems and the pressures of an election year.

The difference in the character of the two sessions can be explained largely by these three factors:

First, the emergence of inflation as a serious threat to the health of the domestic economy and the escalation of the war in Vietnam—two issues which dominated and colored nearly everything Congress did.

Second, the diminishing confidence in the Presidency on the part of both the country and the Congress—the result, at least in part, of conflicting statements, insufficient information, and indecisiveness in handling inflation and the war, as well as a general lack of credibility in many White House statements.

Third, Congress continued failure to reform itself, improve its procedures, and apply to itself the same high standard of ethics it insists on for the rest of the Government.

A FAILURE OF CANDOR

Clearly, the most frustrating area in which the administration's policies are uncertain is the war in Vietnam. Throughout 1966, the heavy cloud of Vietnam hung over Washington, confusing nearly everyone with its shifting currents, full of hope one moment, despair the next. Faced with hard and well thought-out questions posed by experts like Ambassador Kennan and General Gavin, the administration has consistently failed to give us the kind of candid picture that is necessary to convince Congress and the people our military policies in Asia are correct.

I greatly welcomed Ambassador Goldberg's effort to initiate negotiations in his United Nations speech, but this belated initiative must be followed through with sincerity and conviction. While we must not withdraw from Vietnam without assuring our goal of a peaceful and independent country, we must explore every possibility of reaching an honorable agreement and stopping the bloodshed and destruction.

The decline in Presidential credibility was reflected in another area. Many of us in Congress—myself included—feel that the administration's highly political economic policies—characterized more by political slogans than by economic substance—have contributed to the serious inflationary pressures which today beset our economy. I was particularly disturbed by the administration's unwillingness to act decisively to reduce unwise and unnecessary Government spending in the spring of this year because of its exaggerated fears about the political consequences of such actions. In the face of rapidly rising prices, politics cannot substitute for responsible economics.

One among many illustrations of administration inconsistency was its insistence upon pushing through my Banking and Currency Committee a bill to permit the sale of "participations" in pooled holdings of Federal Government financial assets, a plan guaranteed to add to inflationary pressures and high interest rates, but which the administration pressed in order to make the budget's total spending figure look smaller. Long after this bill passed—without my vote—the administration finally realized the error of its ways and suspended the sales.

But this has been the pattern all year. The administration continues to rely all too heavily on persuasion to have management hold prices down, to have unions hold down wage demands, and to have Government officials tighten the belt on State and local spending. Meanwhile, the Federal budget deficit figure keeps going up—with the blame always put on Congress—prices keep spiraling, and family budgets get tighter.

WAR AND ECONOMY ISSUES DOMINANT

With hundreds of thousands of Americans fighting a war in Asia, defense appropriations were more important than ever. Few would argue that once our country sends men to battle, they must be equipped as well as possible, and they must be backed up by the necessary forces and supplies. Congress provided these funds and, by doing so, we were telling our fighting men in Vietnam how much their courage and dedication mean to us here at home.

As another and related expression of these sentiments, Congress in 1966 passed the post-Korean GI bill of rights, with special job, education, and housing benefits. There was not a single dissenting vote in either Chamber. As I pointed out in my remarks in the House, this new law is a richly deserved recognition of service, as well as a wise investment in the future.

Another defense-related issue on which I worked this session, with 22 of my colleagues, was a program to demonstrate the need for reform of the present unfair military draft procedures. This entire subject is now being reviewed by a top-level committee appointed by the President in recognition of the efforts of our group, and others, to call attention to the need for action in this area—action which is especially urgent at a time when our country is at war and the fairness of the draft is of such critical importance.

Many of the major measures before Congress this year directly concerned, or were related to, our economic situation. A very minimal tax bill was passed in February to speed up tax collections and restore automobile and telephone excises—a most inadequate measure. My own efforts, in addition to opposing the Sales Participation Act, were concentrated on working with other responsible Republicans to hold down appropriation bills, a step which the administration should have taken much earlier and much more decisively than it eventually did. This was the most effective way for Congress to fight high prices.

In September of this year, at least 6 months after the first signs of inflation had become serious and apparent, the administration requested a delayed and again rather limited anti-inflation program to eliminate both the 7-percent investment tax credit and accelerated depreciation allowances on growth-producing business activities. I have serious doubts about whether this program will take effect soon enough to reduce the present pressure on prices and interest rates. It is too little and too late, and I opposed it. In the long run, it could cost more in the way of new jobs and new business enterprises than it could help as a useful short-term anti-inflationary weapon.

PUTTING THE LID ON THE "PORK BARREL"

With the economy in trouble and spending too high, "pork barrel" subsidies were especially unjustified this year.

And so I was particularly proud of winning approval of my amendment to cut special exemptions—subsidies—out of the urban renewal program. These special exemptions, regularly and routinely approved by the Congress, provide credit against required local contributions for federally aided urban renewal projects—credits covering stadiums, museums, auditoriums, and other facilities which do not qualify for credits under the urban renewal agency's regulations. This is an unwise and costly practice of Congress which adds hundreds of millions of dollars to the Federal Government's costs for urban renewal and sharply cuts down the effectiveness of this vital program to rehabilitate urban slums. This year it would have cost the urban renewal program $750 million. After three attempts, my Banking and Currency Committee accepted my amendment.

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As you know, improvement of commuter transportation has long been one of my major concerns. In September of this year, the President signed into law a 2-year extension of the critically important—particularly for New Jersey's suburbs—mass transportation program. The bill included my amendment to permit the use of more of these funds for much needed research and development purposes and mass transit demonstration projects. As an original sponsor of mass transit legislation, I participated in the signing ceremony, but I am convinced that this program, useful as it is, should involve a higher priority commitment, and I shall continue to work toward this objective.

In a related area, I am pleased to report that Congress this year passed legislation to establish a Cabinet-level Department of Transportation, which I and many others hope in the future will mean more attention to, and higher priority for, mass transit programs. The new law contains my amendment requiring the Secretaries of Transportation and Housing and Urban Development to recommend within 1 year the best way of organizing the mass transportation program—an amendment which should result in upgrading this vital effort.

Another bill in which I have long been interested and which passed this year was the Freedom of Information Act to prevent improper withholding of information by Federal officials. As a sponsor of this bill, I am hopeful the legislation, which was long resisted by the administration, will go far to assure that the people's right to know about their Government's activities will be respected.

ECONOMY AND EFFICIENCY

Both the Department of Transportation bill and the freedom of information bill were products of my Government Operations Committee, of which I am privileged to be the ranking minority member. With primary responsibility for assuring the economy and efficiency of Government programs, our subcommittees—and by virtue of my ranking position, I am a member of each—conducted wide-ranging investigations, from water pollution to drug safety to our economic and military assistance programs in Vietnam.

Congress also made progress this year in the field of automobile and highway safety. A major bill which I supported was passed and signed into law this year providing mandatory Federal safety standards for automobiles.

Congress raised the minimum wage in 1966 for 30 million workers to $1.60 per hour by 1968 and covered 8 million new workers under the minimum wage law. I have always believed, as the name of this law implies, that there should be a reasonable "minimum" standard for those in the lowest job classification. Accordingly, I voted for the 1966 minimum wage revisions to keep up with rising prices and living standards, and expand this program to more low-income workers.

Congress also enacted this year an accelerated water pollution control program to aid localities in the construction of sewage treatment works—probably the most significant advance yet made in this crucial area. Many New Jersey suburban communities have substantial needs for pollution abatement facilities and this bill, which I strongly supported, will make possible some very substantial progress.

The fight against air pollution, too, was strengthened with progressive amendments to the important Clean Air Act.

In the field of education, so vital for our youth in the complex economy and society of the mid-1960's, Congress this year extended the landmark 1964 Elementary and Secondary Education Act. New funds were also provided for the construction of college facilities to help strengthen developing institutions of higher education.

The 1966 session was also marked by an extension—although this was not nearly so unanimous—of the antipoverty program. While I supported this bill at the level of the Presidential request, I also voted for a major organizational overhaul of the poverty programs which, among other improvements, would have focused more attention to the key Headstart and community action programs and increased the involvement of the poor, themselves. Though this motion failed, we must, as soon as possible in the future, take a hard look at how we can do a better job of managing the comprehensive Federal programs in this area so that we can achieve maximum results for every dollar spent.

For the disadvantaged overseas, Congress continued the foreign aid program, though at a reduced level from prior years, and enacted a new "food for freedom" program which will provide food on a more rational and effective basis to the hungry of the world.

UNFINISHED BUSINESS

Among the major items requested by the President which have not, with adjournment only 3 or 4 days away, yet been passed, are: the civil rights bill, which would prohibit discrimination in jury selection and in the sale and rental of nonfamily housing; the repeal of section 14(b) of the Taft-Hartley Act; reforms in campaign financing; improvements in the unemployment compensation system; revisions of Federal laws to deal with emergency labor-management disputes; and the constitutional amendment to extend the terms of Members of the House to 4 years. A subsidy-loaded Demonstration Cities bill may yet be enacted, though I voted against it in the House, and a watered-down truth-in-packaging bill may also become law.

Other instances of this Congress failure to act include the proposal to give the States a share of Federal revenues to be utilized, under State and local direction, with maximum effectiveness and with the purpose of strengthening the federal system, by helping the States reassert their authority and responsibilities. I am a cosponsor of this bill.

Another is the strong need for tax relief for parents faced with the increasingly difficult task of putting their children through college. An income tax credit against these tuition costs should be a "must" in the next Congress, and this I consider one of my most important bills.

Still another is in the social security field. The President has recommended an average increase of 10 percent in benefits to be enacted next year. He also will seek to ease the limitations of existing law which penalize those who want to work past age 65 by denying them social security benefits if they do.

I regret that the President asked us so belatedly to face up to these problems next year. If inflation is the threat the President purports to believe—and it is—Congress should have begun work immediately, not later, on social security legislation geared to the cost of living and liberalizing the earnings limitation—both of which are embodied in legislation I introduced months ago and which are already pending before Congress.

LOOKING AHEAD TO THE 90TH CONGRESS

Congress, beginning early in 1967, should attend to these and many other problems still unsolved. I also hope and expect that Congress will devote more effort toward achieving better organization and administration of existing Federal programs, providing for more coordination and less conflict. We are a rich nation and we are using our wealth, and rightly so, for many desirable and worthy public purposes. But the commitment of funds alone is not enough. We must concentrate harder on getting these jobs done effectively, that is, without waste and on a basis which strengthens and enhances our overall governmental system at the Federal, State, and local levels.

Along related lines, I also support a new and broader approach to Federal aid which would provide aid for major expenditure areas, health, education, and welfare, for example, and at the same time let States and localities decide what needs to be done most in these areas. This would move us away from the heavy-handed, "strings attached" Federal dole approach where States and localities only receive aid if they are willing to do what the Federal Government wants done. My new and broader Federal aid approach would not automatically cancel out these existing programs—save perhaps a handful of the most outdated ones—but it would move in the direction of giving greater discretion and initiative to States and localities, and thereby, I believe, help to strengthen our Federal-State system and, parenthetically, the basic strength of our democracy.

There are reasons for pride and reasons for disappointment in the record Congress has made this year. But there is no reason for contentment. Congress' obligation to the people we represent is a continuing one—with new problems, new situations, new challenges to be met in the never-ending struggle to make our representative democracy work and to help make the quality of life in America a little bit better.

Despite the legislative responsibilities which often kept me occupied in committees and on the floor of the House, I was delighted again this year that so many constituents took the time to visit my Washington office, to write me and join in my annual congressional questionnaire, and to talk with me in my district office or at home and over the telephone. This kind of direct and personal contact with the people I represent has always been for me the most valuable and rewarding kind of experience, and it is fundamental to representative government.

I look forward to seeing many of you in the weeks and months ahead now that we are in our last hours before adjournment of the 89th Congress. Thank you for your friendship, your constructive thoughts and ideas, and your understanding.

DEDICATION OF SHERMAN FAIRCHILD TECHNOLOGY CENTER AT GERMANTOWN, MD.

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MATHIAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. MATHIAS. Mr. Speaker, an event of significance in the Nation's effort to advance our scientific knowledge and our technological skill was the dedication this morning of the Sherman Fairchild Technology Center at Germantown, Md. The president of Fairchild Hiller Corp., Edward G. Uhl, has said:

> The new Sherman Fairchild Technology Center is . . . the physical realization of creative thought. It is a place; it is people; it is the tools and the facilities, the climate and the planning for growth in the dynamic world of aerospace research and development. Above all, it is Fairchild Hiller's response to the need for a primary resource devoted to the development of advanced concepts and technologies in those areas of opportunity that are the future.

The ceremony today was attended by the Governor of Maryland, the Honorable J. Millard Tawes, former Gov. William Preston Lane, Jr., Senator DANIEL B. BREWSTER, Mayor H. L. Mills, of Hagerstown, and a large number of members of the General Assembly of Maryland. The guest of honor was Sherman Fairchild, founder of the company, whose contributions to advances in technology in general and to aviation in particular were recognized by giving his name to the center.

During my service in the Congress I have had many occasions to work closely with my friends at every corporate level and in every department of Fairchild. There have been days when we shared bad news—bad for the community as well as for the company. It was therefore a particular pleasure to attend this happy event with so much promise for the future. At this point I place in the RECORD the story of Fairchild Hiller Corp.:

A CAPSULE HISTORY

> Since 1925, Fairchild has played a distinguished role in American aviation. Today, in addition to aviation, it is identified increasingly with the great national effort in missiles and space, and electronics.
>
> In the 1920s, the Fairchild company introduced many aircraft "firsts;" among them: enclosed cabin and folding wings . . . brakes and hydraulically-operated landing gear . . . an all-metal amphibian. Fairchild aircraft flew Admiral Richard E. Byrd over the South Pole, completed an around-the-world flight, and helped inaugurate international airmail service.
>
> The company, headed by Sherman Fairchild (now Chairman of the Board of Directors) originated the concept of military cargo aircraft and produced aircraft which, among other things, opened the Alaska-Canada "bush" country.
>
> During World War II, Fairchild (then the Fairchild Engine and Airplane Company) built more than 8,000 trainers and launched production of the C–82 cargo transport. A larger, improved version—the C–119 "Flying Boxcar"—became operational in 1949 and more than 1,200 were built. During the Korean War, C–119s were the backbone of the U.S. airlift.
>
> In the 1950s, activity centered on mass production of C–123 assault transports, major sub-contract work on the B–52 bomber and the Century series fighters. In 1958, Fairchild entered the airline and corporate aircraft market with its twin prop-jet F–27.
>
> Since 1961, under the stewardship of President Edward G. Uhl, the company has diversified across the aircraft and missiles and space markets. The result: a broader technical base . . . new product lines . . . a re-orientation of facilities . . . a "new look."
>
> Early in 1964, Fairchild acquired Hiller Aircraft Company, Inc., a producer of light helicopters. In September 1964, the company name became Fairchild Hiller Corporation.
>
> In 1965, Fairchild Hiller purchased operating assets of Republic Aviation Corporation, Farmingdale, L.I., New York, designer, developer and manufacturer of military aircraft.
>
> Today's Fairchild Hiller Corporation is comprised of six major operating divisions or groups with 12 facilities located in five states. They are Aircraft, Aircraft Service, Electronics and Information Systems, Space Systems, Stratos and Republic Aviation.
>
> The company is engaged in the design, development, manufacture and sale of commercial and military aircraft, manned and unmanned space systems, electronics systems and aerospace accessories.
>
> Fairchild Hiller at present employs more than 11,000 people. The core of its growing pool of scientific and technical personnel are assigned to the Sherman Fairchild Technology Center.

KOKOSING PROJECT UNDERWAY

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, there has been great interest in the Kokosing flood control project in my 17th Congressional District. We just approved $700,000 for initial construction work in the recently passed bill.

I discussed this project with Colonel Falck today and he informed me that, on receipt of these construction funds, a public meeting will be held to inform the interested public and landowners whose property is affected of the Corps of Engineers policies and procedures in the matter of land acquisition. His best judgment was that this meeting would be held sometime in early 1967. A 30-day notice will be given. According to their present plans, there will be between 50 and 60 tracts involved for purchase and easement rights. He noted that the corps had not anticipated the $700,000 appropriation and this makes them slightly behind in doing preliminary work.

Some interest has centered on whether or not the corps has had enough money to move expeditiously on the overall project.

In fact, Mr. Speaker, at no time during this 7½-year period has the Corps of Engineers been without the money it requested and needed with the possible exception of one short period following the completion of the initial work in December 1965. The corps has what it calls a "fiscal capability" for a project. In effect, this means that their many projects are allocated among the engineers and crews working on the diverse projects in the Huntington district in such a manner that they know precisely the amount of money that they will be able to expend on a specific project in a specific year. In June 1965, after determining that all of the initial work would be completed by the end of 1965, I directed a letter to the district engineer, Col. William D. Falck, to determine how much could be used this year. I received the following reply:

> From a strictly engineering standpoint, considering the North Branch of the Kokosing project by itself without reference to our overall program, our overall capability or fiscal consideration, an amount of $700,000 could be utilized for this project in fiscal year 1967.

Our reply from the Bureau of the Budget was disheartening. In so many words it meant we were not going to get our $700,000 through the front door so we would have to go to work in the Congress and have the project added. This is a difficult task. The Budget reply said:

> EXECUTIVE OFFICE OF THE PRESIDENT, BUREAU OF THE BUDGET,
> *Washington, D.C., July 14, 1965.*
>
> Hon. JOHN M. ASHBROOK,
> *House of Representatives,*
> *Washington, D.C.*
>
> DEAR MR. ASHBROOK: This is in response to your letter of June 30, 1965, urging that funds be included in the 1966 budget to initiate construction of the North Branch of the Kokosing River Reservoir, Ohio.
>
> The importance you attach to this urban protection project is fully appreciated. However, as I am sure you are aware, the President was faced with the difficult task of assigning priorities—deferring, restricting, or rejecting some programs in arriving at decisions regarding the make-up of the fiscal year 1966 budget. It simply was not possible to provide funds for all authorized water resource projects.
>
> I regret that because of these considerations, funds could not be included in the 1966 budget for the North Branch Reservoir project. However, you may be sure that your interest will be carefully kept in mind during formulation of the fiscal year 1967 budget, on which initial work has already begun.
>
> Sincerely,
>
> ELMER B. STAATS,
> *Deputy Director.*

THE UNIVERSITY OF MICHIGAN LIBRARIES

Fiscal years run from July 1 through June 30. Action in 1965 or early 1966 was out but there was hope of getting our request included in the President's fiscal 1967 budget which was sent to the Congress in January 1966. This was our next effort.

The current plan of the corps is to acquire approximately 1,000 acres by outright purchase in fee simple and an additional 670 acres for easement. As noted before, the minimum pool of the dam will cover approximately 98 acres but the maximum flood pool is in the neighborhood of 1,140 acres.

A BILL OF RIGHTS FOR CIVIL SERVICE EMPLOYEES

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. Watson] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. WATSON. Mr. Speaker, in the final big push to tie a neat ribbon on the Great Society legislative package, Congress is conveniently thrusting aside several proposals which merit immediate attention. Included among these is a bill of rights for our civil service employees.

I am amazed that anyone who believes in honesty and fairplay would oppose legislation specifically designed to protect Government employees from undue harassment and encroachments upon their private lives by the Federal Government. Yet, it has become obvious that forces within the administration are sabotaging efforts to gain approval of such legislation.

All we hear these days are the various methods which should be used to protect individual rights. Congress and the Supreme Court have certainly gone the extra mile in recent years to assure that so-called civil rights are not violated or that schools cannot subject individuals to the recitation of a prayer or law enforcement officers cannot question a criminal suspect for fear of violating his individual rights.

Yet, loyal and devoted employees of the U.S. Government are being asked to answer all types of questions completely beyond the scope and nature of their employment. This harassment and interference in the private lives of civil servants is actually disrupting the efficiency and effectiveness of governmental agencies.

Obvious examples of the invasion of privacy occur when employees are pressured into buying savings bonds, as commendable as these bonds are, or making various contributions to political fundraising affairs, but more sinister means of intimidation occur when employees are subjected to impertinent questions about their personal finances as well as their attitude toward such things as religion and sex.

It appears that opposition to an employees rights bill stems from a fear on the part of some liberals that the bill would result in a form of reverse racism in that applicants would not be required to list their race on various application forms. A thorough examination of this section of the bill reveals that it is fair enough, but in reality this is why some are fearful of the bill. Negroes are receiving preferential treatment in the selection of applicants for Federal jobs, and it would be very difficult for some bureaucrats to secure a position for a Negro if race were not included on an application.

Congress should not adjourn without passing a bill to protect the rights of Government employees. The idea for this type of legislation has widespread bipartisan support. I have introduced a comparable bill to protect these rights and at the same time I would like to urge my colleagues to support the intent of this legislation. We must do our part to assure civil service employees that Federal employment does not mean that they lose their rights as citizens. It is not too late to pass this much-needed legislation.

TO INCREASE SOCIAL SECURITY BENEFITS

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Frelinghuysen] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. FRELINGHUYSEN. Mr. Speaker, I have today introduced a bill providing for an increase in benefits payable under social security as well as for periodic subsequent cost-of-living increases in these benefits.

I feel that legislation of this type is urgently needed, particularly now that inflation is destroying the purchasing power of the pension dollar almost daily.

The legislation I have introduced today is a combination of the President's recent proposal for an immediate across-the-board increase of 10 percent in social security benefits, coupled with a Republican proposal made earlier this year for an increase in benefits to keep pace with the rising cost of living.

It is indeed heartening to see that the President has finally recognized the fact that inflation is adversely affecting social security recipients. I can only say that the Republicans recognized this harsh fact some months ago. Despite repeated warnings, the President has waited until this late date to recognize the need for action.

If Republican warnings had been heeded and Republican proposals followed, legislation would have been enacted already to ease the tremendous financial burden on social security recipients.

It is ironical that Congress now is being asked to liberalize social security benefits, since the Democrats in this Congress, under the President's leadership, have contributed to the fires of inflation, thus making this action necessary.

I wonder, also, about the timing of the President's proposal, coming as it did some 3 weeks before election day.

I submit that to wait until the dying days of this session to point to a problem which should have been disposed of months ago can only be motivated by a desire to make political capital.

I would remind my colleagues that the Republicans last July introduced legislation calling for an automatic cost of living increase in social security payments.

I repeat, Mr. Speaker, that prompt action is necessary to offset the hardship caused social security recipients by inflation and rising prices.

Mr. Speaker, I ask that the bill be reprinted in the Record in full, as follows:

A bill to amend title II of the Social Security Act to provide for an immediate 10-percent across-the-board increase in the benefits payable thereunder, and for subsequent cost-of-living increases in such benefits

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 215(a) of the Social Security Act is amended by striking out "whichever of the following is the largest" and inserting in lieu thereof "whichever of the following (after the application of the second sentence of this subsection) is the largest".

(b) Section 215(a) of such Act is further amended by inserting after and below paragraph (4) the following new sentence: "Notwithstanding any other provision of this section, each of the figures in columns IV and V of such table shall be increased by 10 percent before applying the foregoing provisions of this section and the provisions of section 203(a)."

(c) (1) The first sentence of section 202(l) of such Act is amended by striking out "$255" and inserting in lieu thereof "$280.50".

(2) Section 202(m) of such Act is amended by inserting after "the first figure in column IV of the table in section 215(a)" each place it appears the following: "(after the application of the second sentence of such section)".

(3) Section 203(a) of such Act is amended by adding at the end thereof the following new sentence: "For purposes of this subsection, the second sentence of section 215(a) shall apply."

(d) Section 227 of such Act is amended—

(1) by striking out "$35" in subsections (a) and (b) and inserting in lieu thereof "$38.50"; and

(2) by striking out "$17.50" in subsection (a) and inserting in lieu thereof "$19.30".

(e) Section 228 of such Act is amended—

(1) by striking out "$35" in subsections (b) (1), (b) (2), and (c) (3) (A) and inserting in lieu thereof "$38.50"; and

(2) by striking out "$17.50" in subsections (b) (2), (c) (2), and (c) (3) (B) and inserting in lieu thereof "$19.30".

(f) The amendments made by this section shall apply only with respect to monthly benefits under title II of the Social Security Act for months after the month in which this Act is enacted, and with respect to lump-sum death payments under such title in the case of deaths occurring after the date of the enactment of this Act.

Sec. 2. (a) Title II of the Social Security Act is further amended by adding at the end thereof the following new section:

"COST-OF-LIVING INCREASES IN BENEFITS

"Sec. 229. (a) As soon as possible after the beginning of each calendar quarter, the Secretary shall determine the extent by which the price index in the preceding calendar quarter was higher than the price index in the applicable base period (as those terms are defined in subsection (e)). If he determines that the price index had risen by a percentage (of its level in the base period) equal to 3 per centum or more, the amount of each benefit otherwise payable under this title shall be increased by the same percentage (adjusted to the nearest one-tenth of 1 per centum), effective with respect to monthly insurance benefits under section 202 and section 223 and monthly benefits under section 228 for months after the quarter in which the determination is made and with respect to lump-sum death payments under section 202(l) in the case of deaths occurring after such quarter.

"(b) In the case of any individual who first becomes entitled to a monthly insurance insurance benefit under section 202 or section 223 or a monthly benefit under section 228 (or, with respect to the lump-sum death payment under section 202(l), who dies) in or after the month in which an increase becomes effective under subsection (a), the amount of the benefit payable to or with respect to him on the basis of such entitlement (or death) shall be determined by applying such increase (or, if more than one increase has become effective under subsection (a), by applying all such increases successively) to the amount of the benefit which would be payable under the provisions of this title without regard to this section.

"(c) Any increase under subsection (a) shall apply with respect to all benefits payable under this title during the period in which such increase is effective regardless of the provisions under which such benefits are payable or the manner in which the amounts payable are determined, but shall be applied with respect to the benefit payable to or with respect to any particular individual only after all of the other provisions of this title which related to eligibility for and the amount of such benefit, and all prior increases made in such benefit under this section, have been applied; except that (1) the provisions of section 203 (b) through (l), section 222(b), and section 228(c) shall not be applied until after such increase is applied, and (2) in determining the amount of any individual's monthly benefit for purposes of applying section 203(a), any amounts payable by reason of this section shall not be regarded as part of such benefit.

"(d) If the amount of the increase in any benefit under subsection (a) is not a multiple of $0.10, it shall be raised to the next higher multiple of $0.10 in the case of a multiple of $0.05 or adjusted to the nearest multiple of $0.10 in any other case.

"(e) For purposes of this section—

"(1) the term 'price index' means the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics; and the average level of the price index for the three months in any calendar quarter shall be deemed to be the level of the price index in such quarter; and

"(2) the term 'base period' means—

"(A) the calendar quarter commencing October 1, 1966, with respect to the first increase under subsection (a), and

"(B) the calendar quarter immediately preceding the quarter in which the determination constituting the basis of the most recent increase under subsection (a) was made, with respect to any increase under subsection (a) after the first such increase."

(b) The amendment made by subsection (a) shall apply only with respect to increases in monthly benefits under title II of the Social Security Act for months in and after the second calendar quarter beginning after the date of the enactment of this Act and lump-sum death payments under section 202 (i) of such Act in the case of deaths occurring in and after such second calendar quarter, on the basis of determinations made (under section 229 of such Act, as added by subsection (a) of this section) in and after the first calendar quarter beginning after the date of the enactment of this Act.

UNACCEPTABLE CONDUCT OF RANKING U.S. PUBLIC HEALTH SERVICE OFFICIAL

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Alabama [Mr. GLENN ANDREWS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. GLENN ANDREWS. Mr. Speaker, when a Member of this august body makes a straightforward inquiry of a Federal civil servant into some matter within the knowledge of that Federal employee and pertaining to his public service, is it too much to expect that the Member receive a straightforward and truthful answer? Public policy and the wisdom of Congress have cloaked the civil servant with the protective mantle of the Hatch Act, thereby shielding him against untoward political fortunes and insuring that a political honesty and candor will be protected. Surely then, honesty and candor are expected and self-serving hyperbole and political exaggeration are decidedly not expected.

An example of unacceptable conduct in a civil servant may be found in the minutes of a recent meeting of the body known as the Plumbing Standards Correlating Committee of the Construction Standards Board, American Standards Association. The meeting was held at ASA headquarters in New York City on July 14, 1966.

The civil servant in question is one Malcolm C. Hope, a ranking official of the Public Health Service, U.S. Department of Health, Education, and Welfare. In connection with his public employment, Hope represents PHS on American Standards Association Sectional Committee A40, and serves as secretary of the committee. This committee is engaged in the work of revising the National Plumbing Code, and Hope, because of his parliamentary adroitness and talent for maneuvering within the committee, has succeeded in keeping alive the question of plastic pipe approval in the revised National Plumbing Code. Without Hope, plastic pipe would be a dead issue, a matter I have already discussed on this floor—CONGRESSIONAL RECORD, June 30, 1966, page 14904 and September 26, 1966, page 23788.

According to the minutes of the July 14, 1966, meeting referred to, Malcolm C. Hope—who attended the meeting not in his personal capacity, but specifically as a representative of PHS—was quoted to the effect that Congressmen who were prompted by vested interests in older type materials "had been convinced about the acceptability of ABS and PVC pipe."

I was one of the Congressmen referred to by Mr. Hope. I charge that this is a deliberate falsehood, and fits into a questionable pattern of Mr. Hope's entire performance relating to plastic pipe. Surely elected representatives of the American people are entitled to greater candor.

I spoke on the House floor originally after conferring and giving Mr. Hope an opportunity to explain these remarks, which merely quoted charges, to the Surgeon General, and asked his report to me on the validity of the charges.

Over 4 weeks later, Hope responded to my letter to the Surgeon General. I then telephoned the Surgeon General, who professes never to have gotten my communication on the activities of the man—Hope. Under these bizarre circumstances, it is my judgment that before the American Standards Association publishes a revised National Plumbing Code, with plastic pipe approval questionably maneuvered into it by Malcolm C. Hope, a rundown on plastic pipe—where it was tested and the peculiar circumstances of its approval—should be examined.

Mr. Speaker, an article concerning this incident entitled "Hope's Code Meeting Comments Called False," appeared in the September 15, 1966, issue of the Contractor, a trade publication of the plumbing-heating-cooling industry. Under permission granted, I place this article in the RECORD in order that the Surgeon General and the appropriate committees of this House may proceed with this information to conduct whatever investigation they might consider necessary for the protection of the public health and welfare:

[From the Contractor, Sept. 15, 1966]

HOPE'S CODE MEETING COMMENTS CALLED FALSE

WASHINGTON.—Rep. GLENN ANDREWS, R., Ala., last month labeled Malcolm Hope's plumbing code committee comments "a deliberate falsehood."

Hope, a U.S. Public Health Service careerman, is the controversial secretary of the Sectional Committee A40 which is now reviewing the long-delayed National Plumbing Code revision.

The minutes of the July 14 meeting of the Plumbing Standards Correlating Committee (Contractor Sept. 1), quoted Hope as saying that "congressmen who were prompted by vested interests of the older type materials, upon knowing the complete facts, had been convinced about the acceptability of ABS and PVC pipe."

Rep. ANDREWS said he was one of the congressmen referred to by Hope. The comments as quoted in the minutes, ANDREWS charged, "fit into a questionable pattern of Mr. Hope's entire performance relating to plastic pipe."

ANDREWS made his remarks on Hope in a letter to Raymond L. Brandes, chairman of the Plumbing Standards Correlating Committee of the Construction Standards Board in New York.

"I spoke on the House floor originally after conferring with and giving Mr. Hope an opportunity to explain the machinations of which he was accused," ANDREWS said in the letter.

"I later remitted these remarks, which merely quoted charges, to the Surgeon General, and asked his report to me on the validity of the charges.

THE UNIVERSITY OF MICHIGAN LIBRARIES

TOOK 4 WEEKS TO ANSWER

"Over four weeks later, Mr. Hope responded to my letter to the Surgeon General. I have just telephoned the Surgeon General, who professes never to have gotten my communication on the activities of Mr. Hope.

"Under continuing bizarre circumstances, it is my judgment that before your organization (the PSCC) endorses new plumbing standards, maneuvered questionably into your forthcoming code by Mr. Hope, a rundown on plastic pipe—where it was tested and the peculiar circumstances of its approval—be examined."

DISTRICT OF COLUMBIA COMMITTEE

Mr. MATTHEWS. Mr. Speaker, on behalf of the gentleman from North Carolina [Mr. Whitener], I ask unanimous consent that the Committee on the District of Columbia may have until midnight to file a conference report on H.R. 5688.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

Mr. HALL. Mr. Speaker, reserving the right to object, do I understand correctly that this has been cleared with the minority members?

Mr. MATTHEWS. I would like to say to my distinguished friend that it has been cleared with the gentleman from Minnesota [Mr. Nelsen].

Mr. HALL. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

COMMITTEE ON WAYS AND MEANS

Mr. MATTHEWS. Mr. Speaker, on behalf of my colleague, the gentleman from Arkansas [Mr. Mills], I ask unanimous consent that the Committee on Ways and Means may have until midnight tonight to file a conference report on the bill H.R. 11216.

Mr. HALL. Mr. Speaker, reserving the right to object, do I understand correctly that the request has been cleared with the minority members?

Mr. MATTHEWS. I am sure it has been cleared with the gentleman from Wisconsin [Mr. Byrnes] and the minority leader, the gentleman from Michigan [Mr. Gerald R. Ford].

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

THE 10TH ANNIVERSARY OF THE HUNGARIAN REVOLUTION

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Rodino] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. RODINO. Mr. Speaker, the United States recently celebrated the 190th anniversary of the Declaration of Independence, the daring act which led to our freedom and which has served as an example to the oppressed peoples of the world. Next Sunday is another anniversary in the history of freedom. On October 23, 1956, a small band of men and women began a rebellion in Budapest, Hungary, that again illustrated the deep-felt determination that all men have the right to direct their own destinies.

Unfortunately, the Hungarian revolt of 10 years ago did not enjoy the success of our Revolution against the oppression of an English King, but those who took part in it demonstrated once more that liberty is sought by free-thinking men even though the risks are high and the consequences grave. To the families and friends of the 30,000 who lost their lives in Hungary, we can offer our condolences along with the assurance that they have not been forgotten and that they did not die in vain. To many of the 200,000 refugees of those holocaust days of 1956, the United States has opened its doors and the American people their hearts to provide homes and a new, free life. To the men and women held in the prisons of communism, we can offer the hope expressed by freemen everywhere that one day they too shall relish the gifts of liberty.

Mr. Speaker, it is with a great deal of pride that I join my colleagues and fellow Americans in our humble attempts to honor the courageous spirit engendered in Hungary in 1956. Our small efforts to commemorate the deeds of the freedom fighters are dwarfed by the overwhelming regard for the Hungarians held by all Americans and freemen around the world.

ACHIEVEMENTS OF 89TH CONGRESS

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Hanley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HANLEY. Mr. Speaker, the days of the 89th Congress will soon be over, and we will be returning to bring before the citizens the proud achievements of the 89th. It is necessary also to reflect on the things we did not do and the things we intend to take up in the 90th Congress.

For myself, I am disappointed that the House of Representatives failed to consider legislation to establish a National Eye Institute. The House Appropriations Committee, in reporting out the budget for the Department of Health, Education, and Welfare for the current fiscal year, expressed dissatisfaction with the national research effort into the causes of blindness. The committee stated that much more could and should be done to press forward with research on those eye diseases about which too little is known. I find it a horror that in this age of progress in science and technology, 80 percent of all loss of vision in this country results from diseases whose causes are unknown.

The report indicates that approximately 45 million persons in the United States are severely handicapped because of myopia or nearsightedness. In itself myopia is a handicap to vision but it also predisposes to many other serious eye conditions and can lead to complete loss of blindness. Too little is being done to find the causes of this disease, too little is being done to detect it in its early stages.

Mr. Speaker, in my judgment, one concrete step the 90th Congress can take in the face of these facts is to establish a National Eye Institute and to invest it with the mandate and the resources to vigorously get on with the job. Perhaps we ought to be as concerned with the preservation of the ability to see as we are with the preservation of natural beauty.

When the 90th Congress convenes, I intend to reintroduce my legislation to create the National Eye Institute, and I will join with like-minded colleagues to accomplish this needed purpose.

PRESIDENT JOHNSON'S JOURNEY TO WESTERN PACIFIC AREA

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Hanley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HANLEY. Mr. Speaker, President Johnson has departed on his 25,000-mile journey through the western Pacific area to visit those countries allied with the United States in the defense of South Vietnam and to consult with the leaders of those nations in an effort to discover a just and reasonable path leading to the end of the armed hostilities.

I hope that all of my colleagues here in the House of Representatives will join with me in praying to Almighty God that He will bless the President's trip and permit it to be the vehicle of the solution to the war in Vietnam. There is a story that the British Prime Minister, Lloyd-George, had a plaque inscribed with the words:

> There is a path which no fowl knows and which the eye of the eagle has not seen.

Let us hope and pray that the leaders of the Asian nations, in consultation with our President, will help us find the path to peace.

ASSISTANT SECRETARY HAAR OUTLINES NEW DIRECTIONS IN MASS TRANSIT

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. Reuss] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. REUSS. Mr. Speaker, the distinguished Assistant Secretary for Metropolitan Development of the Department of Housing and Urban Development, Charles M. Haar, addressed the 84th American Transit Association convention in San Francisco on October 3. Because his speech contains a thorough discussion of trends in mass transportation—one of the most vexing problems facing our urban centers today and in the future—I believe it will be of interest to the Members of this body. The text of Secretary Haar's speech is included herewith:

New Directions in Mass Transit

Mr. President, Members, and friends of the American Transit Association, I am glad to have the opportunity to meet you and talk about our mutual interests and concerns.

On our way here, Leo Cusick and I visited the Los Angeles area, where the State of California and the Department of Housing and Urban Development are working together to find out more about the relationships between public transportation and the job opportunities of low-income groups.

We are also examining the technological advances being made in the Bay Area in connection with the building of the BART system and the possibilities for technological innovation which may be offered by the aerospace industry.

These are exciting visits for me, because they span the work which we have to do as transit operators and as government officials if public transportation is to help us achieve an efficient growth for urban America.

One thing I need not talk about today are the financial problems facing an urban transportation system. You are of course all too familiar with these. They have been brought to my attention most recently by applications for capital grants. These sometimes read like excerpts from the "Perils of Pauline"—with the local transit system dangling on the edge of a cliff in desperate need of a financial rope.

During the last three years the Department has been throwing this rope, not only to help save local transit, private and public, but also to aid the consumer in his search for more efficient and comfortable service.

And this we will continue to do. For there is evidence of a chronic illness which in time we must cure.

But our subject today is new directions. And our meeting in California is highly appropriate. In Los Angeles we are trying to learn how we can do better our primary job of making transit more responsive to human needs. In the Bay Area and elsewhere we see examples of how technology can provide us with better means of meeting those human needs. These, then, point to at least two major new directions in mass transportation. And they underline the new approaches so necessary to a public acceptance of our programs, and to discharging their necessary mission—the enhancement of the quality of life in our metropolitan areas where 70 percent of us now live.

The Urban Mass Transportation Act of 1964 was a milestone in urban legislation. President Johnson called it "one of the most profoundly significant domestic measures to be enacted by the Congress during the 1960's."

Under the 1964 Act, more than $185 million in Federal grants have been made available in 27 States, to assist both private and public transit systems in the improvement of the vital services they render.

The bulk of these grants—$170 million—have been made for capital improvements—for the vehicles, structures, and hardware that make physically possible the efficient and economical operation of transit systems and their extensions into areas of new growth.

Another $15 million have been made available since 1964 to assist in carrying out demonstrations of new ideas, new techniques, and new methods for the improvement of public transportation services. Reports on these projects will be available to you, in the expectation that you will be able to use the documented experience of others in your own operations.

A month ago—on September 8—President Johnson signed an Act amending the basic legislation contained in the Urban Mass Transportation Act of 1964.

The consideration, enactment, and approval of this legislation—in the face of competing domestic and military demands for scarce national resources—is proof indeed that the 1964 Act has been, and is, meeting a vital need in the building of the Great Society.

And the provisions of the new 1966 Act are proof that this Administration is aware of your needs as transit operators and is actively seeking out ways in which we can best help you meet these needs.

The Act which President Johnson signed last month extends the grant provisions of the 1964 legislation—for both capital improvement and demonstration projects—for an additional two years, through June 30, 1969. It authorizes appropriations of $150 million a year for each of these two years.

The 1966 Act also establishes four new programs. With your cooperation, they will have a great impact on the future of the industry and the country.

Briefly, these are:

First: Matching grants to State and local public agencies for two-thirds of the costs of planning, engineering, and designing mass transportation projects, and of the technical studies needed in developing the transit improvement program for an urban area.

This vital program, in effect, fills the gap between comprehensive area-wide transportation planning of the kind assisted under the 701 urban planning assistance program and the capital grant program. And, as in the case of demonstration projects, the local share of costs can come from any source, including the carrier.

The responsibilities delegated to me by Secretary Weaver include both urban transportation and grants for comprehensive metropolitan planning. These are not distinct areas. HUD does not regard a transportation system as something that can be superimposed on a city after all else is planned or built. It is our firm conviction that transportation systems are a vital component of metropolitan development, and that effective metropolitan planning must bring the people operating the transportation system into the planning process at an early stage of the deliberations. This was prescribed by the Congress in calling for "a unified or officially coordinated urban transportation system as part of the comprehensively planned development of the urban area. . . ."

In planning the growth of our cities it is necessary to be certain that the people are served by good transportation, and that the economic base that enables a transportation system to operate is present. Neither of these can exist without the other, a fact too often neglected by the planning process.

We are also concerned with the use of transportation as a leading-edge investment in metropolitan development. The type and quality of transportation originally put into an area can have great impact on the manner in which that area develops, how its scarce land resource is used, where industry develops, where housing goes, where shopping centers flourish. Too often our metropolitan areas miss this opportunity.

So the first thing that all of you could do to ease your lot in life, and mine, is to become involved in the metropolitan planning and programming process. When planning and transit operations proceed with only cursory regard for each other it means that the planners and budgeters, the mayors and city officials to whom they report, and the transit operators are simply not talking to each other enough.

We think that all of you will find this new program of great benefit—and one which together with § 701 gives us a chance to view and act upon metropolitan development as a system. As soon as it is funded and implemented, it will allow us to help with all phases of the transportation spectrum, from broad metropolitan planning through detailed engineering and, finally, actual construction.

Second: Grants to public agencies to provide fellowships for up to one year of advanced schooling for persons employed in managerial, technical, and professional positions in the urban mass transportation field.

While these grants go to public agencies, we have no doubt that private companies will be participating in this through their local public agencies. We think that this will be a great help to you in solving your problems of training personnel, and of coping with the knowledge explosion.

Third: Grants, aggregating up to $3 million a year, to non-profit educational institutions to assist in establishing or carrying on comprehensive research and training programs for urban transportation. The Act requires that preference be given to institutions of higher learning that bring together knowledge and expertise in the various social and technical disciplines that relate to urban transportation problems.

This program, too, should be of great benefit to you. We hope that it will feed you ideas and suggestions and do the continuing research and training essential for the modernization of the industry.

Finally, and in several ways most significantly for the future, the 1966 Act provides that the Department of Housing and Urban Development shall prepare, for submission to the President and the Congress within 18 months, a program of research, development, and demonstration of new system of urban transportation.

The Act specifies that this program shall (1) concern itself with all aspects of new systems of urban transportation for metropolitan areas of various sizes; (2) take into account the most advanced technologies and materials; and (3) provide national leadership to the efforts of States, localities, private industry, universities, and foundations.

The enactment of this law means that we have the opportunity of examining closely the technological, financial, economic, institutional, and social dimensions of public transportation; it means that we can develop, for consideration by the Congress, a well-integrated and practical program of research and development for new systems of urban transportation, involving fully both the private and public sectors, on a scale scarcely thought of two or three years ago.

We have the opportunity of using, in the solution of urban transportation problems and in the development of new transportation technology and systems, the kinds of technical and professional skills that have within the past decade become available in other parts of the nation's domestic economy and in the development of our space and defense programs.

Certainly, with only a fraction of the time and cost of placing a man on the moon, we can find better ways than we now have for

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getting that man home for dinner when he returns to earth.

This may sound glamorous and exciting. I think it is glamorous and exciting. But, in all of this, we have to keep our true function clearly in mind.

Our true function is not to run buses or trains—indispensable as that function may be. Nor is it to invent new and exotic hardware. It is not even to transport people, willy-nilly, from here to there. Our function is to improve the conditions of urban life.

It means that our transit systems have to be designed and operated as an integral part of the whole urban complex, drawing strength from and contributing to the comprehensively planned growth of that complex.

It means that our transit systems have to serve a real purpose in making the city a more meaningful and productive place for the individuals who live and work in it and for those who visit it.

And it means particularly that we cannot—through the deterioration or loss of transit service or the failure of that service to keep abreast of the city's growth—deprive large segments of our urban population of the means of seeking and holding a job, or of securing adequate medical attention, or of ready access to cultural and recreational centers.

The strategic role of public transportation in the Johnson Administration's War on Poverty is fully recognized by Secretary Weaver and his staff.

Public transportation can and must play an active role in breaking down the isolation of low-income neighborhoods by providing adequate access to and communication with the rest of the metropolitan area.

Disadvantaged citizens must have an opportunity to escape the despair of the ghetto by linking themselves to opportunities outside the areas in which they now live.

Although the inadequacy of public transportation for low-income groups is a problem common to many urban areas, it has been especially well-documented with respect to the Watts section of Los Angeles.

The McCone Commission, in its report to Governor Brown, pointed out that the despair and frustration which pervaded the area in which the riots of last year occurred was "intensified by what may well be the least adequate network of public transportation in any major city in America." The report concluded that the high cost of transportation—in time and money—deprived the residents of the area of adequate access to other parts of the metropolitan area and exaggerated the isolation of the ghetto itself.

The testimony before the Commission gives many, almost unbelievable, examples of the hardships caused low-income persons and families by inadequate and uncoordinated public transportation services.

Mrs. Helen Nelson, consumer counsel for the State of California, stated that stores, jobs and medical care were often inaccessible without an automobile. The residents, locked in for lack of transportation, faced financial insolvency when they overextended their credit to purchase automobiles to meet their essential personal needs. Even where public transportation was reasonably available, the costs of using two or more separate systems without transfer arrangements represented an excessively large percentage of the average consumer's budget.

With these problems in mind, the Department, in cooperation with Governor Brown and the California Transportation Agency, has approved a $2,700,000 research project to study the relationship between the public transportation system and job and other opportunities of low-income groups in the South Central and East Los Angeles areas. A large part of this money is earmarked for actually establishing new services.

Another demonstration grant, for $482,000, has been made to Nashville to test the impact of direct bus service linking 8 separate medical centers with each other and with the central bus terminal in downtown Nashville.

Other possible demonstrations concerning this problem are in the pre-application stage.

I urge each of you to look at your transportation system to determine whether the system gives the maximum possible opportunity to low-income people to reach jobs, medical facilities, recreation areas and shopping centers.

You should ask yourselves whether your system provides good service from low-income areas to the developing suburban employment centers.

You should look for ways in which you can provide better service to peripheral employment centers. Indeed, may not the provisions of the additional service increase the system's revenues as people use the service to get and hold jobs?

For this program coincides with and reinforces market trends. The greatest growth in employment opportunities in both industry and service during the last decade has been in the suburbs. A recent Labor Department survey showed that 62% of industrial construction and 52% of commercial construction in the country's metropolitan areas during the last 5 years was in the suburbs.

As our demonstrations proceed, we will be able to give you information on these issues. But we can only help. The primary responsibility for trying to combine good service for low-income groups with profitable operation must be yours.

The demonstration program is intended not only to help develop new techniques in transportation but also to demonstrate ideas and techniques in actual operation. Simulations and theoretical calculations are excellent things. But the fact remains—nothing convinces like actual operation.

There is one vital difference between the research and the demonstration programs. While the Department can undertake a program of research, there is no way in the world it can undertake a demonstration program on its own. It holds no transit franchises; it owns no buses or trains.

The success and utility of the demonstration program is dependent directly upon you who are in intimate contact with the constant problems of urban transportation. You have the opportunity to actually implement changes on your own systems. You must give the government and the country the benefit of your ideas and experience in designing and carrying out projects to test new types of service, new uses of equipment, or any other aspects of transportation which might be of benefit to all transit systems.

I think you will find that we are very anxious to help you put such ideas into effect and will do everything possible to give you the technical and financial assistance necessary to implement such suggestions.

Technology and technical innovation is the other key area in which the Department is moving.

The Department has already begun to explore the design of new systems of urban transportation called for in the 1966 Act. Some of our urban mass transportation demonstrations, under the 1964 Act, have been oriented to new technology, and will provide inputs to the new research. A demonstration in Pittsburgh has packaged automated controls, automated scheduling, light-weight construction metals, and electrical power.

Computerized fare-collection devices have been tested in three cities. Two-way radios have been provided to the subway system of New York City, and this demonstration experience should help us to relate transportation to communication in the new research effort.

Under the intensified approach launched by the 1966 Act, we will be looking at technologically ideal urban transportation systems. This involves an examination of such potentially revolutionary new systems as portal-to-portal automated vehicles for entire metropolitan areas, freeways incorporating automatic guidance of automobiles, transit trains which ride on air cushions and are propelled by linear electric power, and downtown systems such as moving sidewalks.

It includes, as well, a consideration of evolutionary improvements in the engineering of our urban transportation: electronic route display, gas turbine or linear electric engines, computerized traffic control devices, special provisions for entrance and exit from transit vehicles. A focus will be on engineering innovations which might lead on through evolutionary steps to entirely new transportation systems; this can be thought of as the "middle-period" study, or "evolutionary" study.

Throughout, we hope to place stress on producing early, tangible benefits and spinoffs. This means rearrangements and better uses of existing technologies.

Interactions between transportation demand, transportation technologies, and the shape and pattern of the city and metropolitan areas determine the absorptive rate of technological change. Improvements in transportation may have a circular effect, stimulating new increases in the demand for transportation—and thus tending to overload even the "best" new transportation systems. Changes in transportation act as catalysts which bring on changes in land uses—and in fact changes in the shape of the city.

I think it is clear that the country is ready for bold new departures in urban transportation techniques. Imaginative solutions to particular transit problems will prove of great benefit both to your companies and to the public.

We are entering into a new era in public transportation—one in which the services you provide must receive full recognition as an essential component in the balanced, coordinated, efficient and orderly development of our cities—great and small.

There is now, more than ever before in the history of the industry, the need for cooperative and coordinated action involving the transit operator, the planner, community interest groups, and the local public officials who make and carry out community development policy.

The time is ripe—in terms of technology and public outcry—for great innovations. The challenge of conceiving and carrying out these changes is dazzling, and can be as satisfying as those advances taking place in other parts of our society—from automation to landings on the moon. Moreover, there is the special importance of innovation in urban transportation that solutions that we reach, and that improvements we make, will touch the daily lives of most of our citizens, and will contribute in the most fundamental way to the productivity, health and happiness of our citizens.

This presents a challenge to the transit operator, which he must meet with imagination and initiative, and, perhaps, with more awareness than may have been necessary in the past, of the role public transportation plays in the lives of people and of the interfaces between transit and other aspects of community growth.

I am pleased to have a part in helping you meet this challenge.

WATER POLLUTION

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. HOWARD] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HOWARD. Mr. Speaker, as a result of the unceasing efforts of the distinguished gentleman from Minnesota, the Honorable JOHN A. BLATNIK, another long step forward in the battle against water pollution has been taken.

Mr. BLATNIK, known as the father of water pollution control legislation, 10 years ago authored the original Federal Water Pollution Control Act of 1956, and has continued a decade-long struggle against the pollution of our Nation's waters. In recognition of his having steered the current bill through the House with a record 313 to 0 vote, "Mr. Clean Water," as Mr. BLATNIK is affectionately called by his colleagues in both the House and Senate, was elected chairman of the 5-day-long conference between the Senate and House on the measure. The conferees met on October 5, 6, 7, 11, and 13, 1966, on the legislation and as a result of the deliberations, chaired by Mr. BLATNIK, successfully brought out a measure that greatly strengthens Mr. BLATNIK's original 1956 bill.

The new bill, the Clean Waters Restoration Act of 1966, is one we can all be proud of and bears testimony to the indefatigable work of Mr. BLATNIK. As I have served on the House Public Works Committee with Mr. BLATNIK, I am personally aware of the great esteem in which he is held by all of his colleagues and the respect they have for his vast knowledge of the subject of water pollution control. No one is more conversant in this field than "Mr. Clean Water" and I feel we all owe him a vote of thanks on behalf of all of our citizens for the 1966 act. In this connection, I would like to include an editorial from the New York Times about the legislation entitled "Toward Purer Water and":

TOWARD PURER WATER AND . . .

Congress has made another substantial advance in the long struggle to check the foul tide of pollution and restore the nation's rivers and lakes to safe and usable, if not absolutely pure, condition.

House-Senate conferees have agreed to a compromise in which the Senate accepted a smaller financial authorization for the anti-pollution program in exchange for an agreement by the House to drop some of the restrictions it had included in its bill. The old ceiling of $1,200,000 for any single project has been dropped. That limit meant that the Federal program had become primarily a rural and small town affair, since projects in big cities far exceed that figure. Now cities will be eligible for Federal aid up at 30 per cent of the cost, regardless of the size of the project.

In terms of a decade ago, this latest bill marks real progress. In terms of the distance still to be traveled, it is a modest measure. Ten years ago the argument was whether there even ought to be a Federal program in this field.

This year's bill authorizes $3,600,000,000 over the next five years at a gradually rising rate of expenditure to help states and municipalities build modern sewage plants. This is a large, impressive sum, but the nation's water has been neglected and misused for so long that the pollution problem is titanic. New York State alone has undertaken a six-year program costing almost half that much. Experts estimate that twenty billion dollars would have to be spent to bring municipal sewage treatment up to modern standards. That figure does not take into account the sums private industry will have to spend on treatment facilities if the forthcoming water quality standards to be established by all fifty states are to be enforced.

Every major river system in the nation is polluted. The United States runs the risk of a catastrophic water shortage in the years just ahead. These two harsh facts define the context of the pollution problem. They explain why the latest bill, although it is a good piece of legislation, is still only an interim measure in what is going to be an extended, expensive complex effort.

CRISIS AND COMMITMENT

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. SCHEUER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. SCHEUER. Mr. Speaker, I would like to bring to the attention of my colleagues, a statement which appeared in the New York Times of Friday, October 14, signed by seven leaders of the Negro community—Dorothy Height, president, National Council of Negro Women; A. Philip Randolph, president, Brotherhood of Sleeping Car Porters, AFL–CIO; Bayard Rustin, director, A. Philip Randolph Institute; Roy Wilkins, executive director, National Association for the Advancement of Colored People; Whitney M. Young, Jr., executive director, National Urban League; Amos T. Hall, executive secretary, Conference of Grand Masters, Prince Hall Masons of America; Hobson R. Reynolds, grand exalted ruler, Improved Benevolent and Protective Order of the Elks of the World.

I urge every American to read this statement, particularly those who in recent months may have developed reservations about further support of programs of equal rights and opportunities for minority group members.

One of the problems created by our media—newspapers, television, magazines, and radio—is that they play up the sensational melodramatic statement at the expense of the restrained and thoughtful one.

Irresponsible statements by a few extremists with minute followings among the minority population have created scare headlines which do great injustice to the Negro community.

This statement exemplifies the militant but patient and nonviolent leadership in the Negro community, which must be joined by comparable determination of responsible leaders in the white community to do their share and play their historic role in finally finishing the job of eradicating the patterns of discrimination in housing, education, and jobs that still blight our society.

Only then will we have the elements of a truly Great Society.

[From the New York Times, Oct. 14, 1966]

CRISIS AND COMMITMENT

No one can any longer doubt or ignore the depth of crisis which today confronts Negro Americans struggling to enjoy full and equal citizenship in their native land. This year's events have piled confusion and uncertainty on underlying racial prejudices in the majority population. The consequence has been intensified resistance to change at a time when the need for change is greatest. We consider it imperative, therefore, to make crystal clear to Americans of every origin and of every degree of commitment to justice the principles upon which the civil rights movement rests.

There is nothing new about these principles. What is new are the conditions which compel us to re-state them—not the least of which is their abandonment by some individuals and groups whose positions are nevertheless frequently interpreted as representing the civil rights movement.

I. We are committed to the attainment of racial justice by the democratic process. The force of law and its fulfillment in the courts, legislative halls and implementing agencies, the appeal to conscience, and the exercise of the rights of peaceful assembly and petition are the instrumentalities of our choice. We propose to win genuine partnership for all our people in the United States, within the framework of this nation's constitution.

II. We repudiate any strategies of violence, reprisal or vigilantism, and we condemn both rioting and the demagoguery that feeds it, for these are the final resort of despair, and we have not yielded to despair. Defense of one's family, home and self against attack is not an issue; it is a basic American principle and must not be perverted into a cover for aggressive violence.

III. We are committed to integration, by which we mean an end to every barrier which segregation and other forms of discrimination have raised against the enjoyment by Negro Americans of their human and constitutional rights. We believe that a sense of personal worth and a pride in race are vital to integration in a pluralistic society, but we believe that these are best nurtured by success in achieving equality. We reject the way of separatism, either moral or spatial.

IV. As we are committed to the goal of integration into every aspect of the national life, we are equally committed to the common responsibility of all Americans, both white and black, for bringing integration to pass. We not only welcome, we urge, the full cooperation of white Americans in what must be a joint endeavor if it is to prosper. It should go without saying, that, in seeking full equality for Negroes, we cannot and will not deny it to others who join our fight.

The reaffirmation of these principles must do more than simply distinguish between those who accept them and those who, for one reason or another, no longer choose to operate under them. For us, these principles are inextricably joined with obligations to which we have consistently devoted our meager resources and our energies. We call upon the nation as a whole to assume the same obligations; its failure to do so will not only extend and perhaps complete the sabotage of our efforts, but will ultimately undermine domestic security and United States leadership in the world of nations.

It is not condoning riots to cry out against the conditions in the Negro ghettos which

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render some Negroes susceptible to the emotional gratification of pillage, looting and destruction. It is not condoning riots, but demanding the means to end them, that compels us to note the steady worsening of the average Negro's lot in the face of unprecedented general prosperity. It is not turning our backs on the need for education to note that the average Negro college graduate can expect a lifetime's earnings no greater than those of a white high school graduate. It is not an abdication of responsibility, but an affirmation of it, to say that society cannot perpetuate discrimination against Negroes and then blame the victims or their leaders for the outbursts of those who have been made desperate.

It is an obligation of the whole of American society to take the massive actions which alone can turn the downward tide of Negro economic status with its concomitant growth of frustration and bitterness. It is the special obligation of those who can see more clearly and feel more keenly than the rest to assume their own leadership burden and to spare no effort to bring their fellows to an equal comprehension. It is the obligation, in particular, of the mass media to moderate their obsession with sensation and conflict and to help create a climate of genuine knowledge and understanding in which perspective is restored.

The near-total absence of this perspective is reflected in the survey figures showing declines in public sentiment favoring civil rights. Has the nation forgotten, for example, that for every Negro youth who throws a brick, there are a hundred thousand suffering the same disadvantages who do not? That for every Negro who tosses a Molotov cocktail, there are a thousand fighting and dying on the battlefields of Vietnam? It is a cruel and bitter abuse to judge the worth of these larger numbers, the overwhelming preponderance of the Negro population, by the misdeeds of a few.

We cannot ignore the signs of a retreat by white America from the national commitment to racial justice. The inadequacies of enforcement of this commitment, which has been hammered out over long years of judicial, legislative and administrative pronouncement, have been a scandal; yet we have seen the United States Senate scuttling enforcement of antidiscrimination law and refusing to act on legislation to protect Negroes against racist assault. We have seen the appeal of bigotry elevated to a major political instrument, with votes being sought and won across the nation, by exploiting the so-called "white backlash." We have seen sometime friends pulling back in full retreat and yielding to the battlefield scavengers ground which could have been held if it had been fought for.

This trend can be disastrous to the nation's, as well as the Negro's, welfare if it is not checked, if our forces are not rallied and if the hard, demanding job of building lasting public support is not pressed forward now. It can be worse than disastrous for the generation of younger Americans, white as well as black, who would then indeed face a future without viable idealism. Thousands of them have been personally involved in the civil rights movement over the last few years, many in situations involving hazardous confrontations. They are needed now more than ever before, in work which, while seeming more routine and less adventurous, is in many ways harder and more vital. They can be effectively drawn to these new tasks only if they have assurance that the adult world is solidly engaged to the same purpose.

Ninety years ago, this nation permitted the democratic promise of Emancipation to wither and die before a rampant reaction which condemned the Negro to segregation, disfranchisement, peonage and death. Then, as now, the voices of temporary liberalism sounded discouragement and disillusionment with the capacity of the freedmen for full citizenship. Then, as now, the South capitalized on Northern weariness with the "race problem" and was enabled to shut off the hope of freedom. But the "race problem" remained, and today we are paying for yesterday's default.

We are determined that this history shall not repeat itself and we call upon all our countrymen, black and white, of all faiths and origins, to move with us.

Dorothy Height,
President, National Council of Negro Women.
A. Philip Randolph,
President, Brotherhood of Sleeping Car Porters, AFL–CIO.
Bayard Rustin,
Director, A. Philip Randolph Institute.
Roy Wilkins,
Executive Director, National Association for the Advancement of Colored People.
Whitney M. Young, Jr.,
Executive Director, National Urban League.
Amos T. Hall,
Executive Secretary, Conference of Grand Masters; Prince Hall Masons of America.
Hobson R. Reynolds,
Grand Exalted Ruler, Improved Benevolent and Protective Order of the Elks of the World.

NATIONAL BUSINESS WOMEN'S WEEK

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Johnson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, October 16 to 22 will mark the annual observance of National Business Women's Week by the National Federation of Business and Professional Women's Clubs, Inc.

This year, there will be approximately 177,500 members of the national federation who will salute the achievements of all business and professional women in their communities, States, and Nation. The national federation is composed of over 3,750 local clubs in all 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands.

As all of us realize women are playing an ever-increasing role in our Nation's economy, as well as in civic and community activities, and I would like to salute the women who devote so much time, energy, and dedication to the well-being of their families and their country.

HENRY B. GONZALEZ TESTIFIES IN OPPOSITION TO H.R. 17642, THE SO-CALLED ANTIRIOT BILL

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Gonzalez] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, I have submitted my testimony to the House Judiciary Committee in opposition to H.R. 17642, the so-called antiriot bill. I believe that this proposed legislation represents a great danger to our traditional freedoms and rights, guaranteed by the Constitution. It would be more aptly cited as the antirights bill.

Because of my strong objections to the bill, I have requested unanimous consent that my testimony be inserted in the Record for the consideration of my colleagues in the House:

TESTIMONY OF HENRY B. GONZALEZ, MEMBER OF CONGRESS, BEFORE THE HOUSE JUDICIARY COMMITTEE ON H.R. 17642, THE SO-CALLED ANTIRIOT BILL, OCTOBER 14, 1966

Mr. Chairman, members of the House Judiciary Committee, thank you very much for this opportunity to give my testimony on H.R. 17642, the so-called Anti-Riot Bill. I am opposed to riots and I am opposed to this bill. In fact, I consider this bill a riotous and panicky attempt to cope with a complex and deep rooted situation in a simplistic and superficial way.

As you know, this bill was first debated on the floor of the House, August 8, during the debate of the Civil Rights Act of 1966. It was brought up as an amendment to title V of that bill. A number of cogent and, in my opinion, unanswerable arguments against the language of the Cramer amendment were made during that debate. These arguments carry equal weight today against H.R. 17642, which is identical to the language of the Cramer amendment.

The most obvious objection to this bill is that it is unconstitutional. The Assistant Attorney General, John Doar, has already testified to the committee on this point. I certainly agree that the bill, in responding to the outbreak of riots and other violent incidents in cities across the country, reaches too far and employs vague and uncertain language. The bill places a restriction on speech, and as Mr. Doar testified, any statute restricting speech touches an area which the First Amendment to the Constitution requires the courts to protect. The courts have, indeed, vigilantly protected free speech.

The bill goes even beyond the question of free speech. In my opinion, it violates almost every clause of the first amendment, including free speech. The first amendment states:

"Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances."

This bill not only violates the free speech provision. It violates the freedom of the press, and the right of the people to peaceably assemble and to petition the Government for a redress of grievances.

H.R. 17642 states:

"Whoever moves or travels in interstate or foreign commerce or uses any facility in interstate or foreign commerce, including the mail, with intent to—(1) incite, promote, encourage, or carry on, or facilitate the incitement, promotion, encouragement, or carrying on of, a riot or other violent civil disturbance . . ." shall be guilty of a crime punishable by fine or imprisonment up to five years, or both.

Note that the bill applies not only to the movement of a person across a State line, but the use by a person of any facility in interstate commerce, including the mail. Note also, that the bill would make it a crime not merely to engage in a riot after crossing a State line, but to cross a State line with the intent to engage in a riot, or with the intent to engage in the other acts enumerated in the bill. Further, a person would not have to actually cross a State line to be subject to the penalties in this new crime. He could simply send an object, a letter or a book, through the mails and be subject to prosecution under the proposed law.

Mr. Chairman, the courts have struggled for many years with acts and ordinances which have prohibited certain overt acts and which were subsequently challenged as invasions of rights guaranteed by the first amendment.

The courts have protected these rights very carefully. But what this bill attempts to do is to outlaw not the overt act, whether it be by word or deed. This bill attempts to outlaw the intent to commit the overt act. That is, it attempts to outlaw a man's thoughts, his frame of mind.

In other words, this bill would make it a criminal offense to think the wrong kind of thoughts while crossing a state line or while using the mails to send a letter or a book across a state line. This, in light of the language of the first amendment, is such a flagrant and fantastic violation of the spirit and the letter of the Constitution, that I am frankly surprised and somewhat disturbed that the bill has received the serious attention it has.

I respectfully urge the committee not to allow itself to be swept along with the tide of panic and confusion which seems to have affected persons in and out of Congress. The riots which have occurred in some cities will seem mild compared to the one which would be reflected right here in Congress by passage of this bill.

ROBERT C. LEARY RETIRES FROM GOVERNMENT

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Patman] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PATMAN. Mr. Speaker, only 12 present Members of the House and Senate were in Congress back in 1936 when a young man from Butte, Mont., Mr. Robert C. Leary, went to work for the old Resettlement Administration, one of the best of the New Deal agencies—so remarkably beneficial in fact was the work of this agency that it survived several transformations, and became successively the Farm Security Administration; part of the War Foods Administration; and last, the highly successful and useful agency known today as the Farmers Home Administration.

During all these years Bob Leary was working his way up through the ranks to the position he holds today, that of FHA's Assistant Administrator for Management. Bob Leary worked for FHA in almost every part of this country, including about 7 years in Texas. For the record let me state that it took him some time to finish his education because he had to work his way through law school, earning his law degree at Georgetown University in 1932. For some of those years, and for a period after his graduation he worked as a U.S. deputy marshal, making his total Government service an impressive 38 years, so that Bob Leary and I both started our Federal careers in the same year, 1928.

Having this background in common, and sharing a tremendous interest in the welfare of rural areas, I would like to comment upon the type of man who over so many years has worked diligently for one of the best of causes. Incidentally, Bob Leary did take leave of absence during World War II to serve in the Navy with the rank of lieutenant commander.

Too little is said about the good people in Government, the individuals who work steadily, with imagination, fine judgment, balance, and intelligence on the programs established by Congress, but which then depend upon the able officials of the executive branch to make them work properly.

Bob Leary is a quiet, unassuming, genial, effective program administrator, whose good sense, natural wit and diplomacy, and humanity, have earned him the deep respect and admiration of all his associates and friends throughout Government. Bob Leary will retire at the end of this year and I wish him every possible success in his new career as a practicing attorney at law. And I thank him most sincerely for his great and dedicated service to the rural families of America.

REPORT TO PEOPLE OF DISTRICT OF CONGRESSMAN PICKLE

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Pickle] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PICKLE. Mr. Speaker, under leave to extend my remarks, I submit for the Record as public information, my report to the people of my district:

Washington Report, Congressman J. J. Pickle, 10th Congressional District, State of Texas

Lawmakers have written the final note to the 89th Congress. I am glad to send to you a copy of my annual report on major legislation during this session and my activities on these measures.

WORLD LEADERSHIP—VIETNAM

Any discussion of this country's foreign policy more often than not centers around U.S. involvement in Southeast Asia, and primarily the war in Vietnam. In terms of human life and financial participation, this conflict has been the most costly and most vexing confrontation the U.S. has been involved in during the past 20 years. The financial costs have been staggering, and it is for this reason that nearly 70 percent of the national budget is being channeled into some form of national defense.

Because of the costs of our involvement in this war and its length, some Americans have a blurred perspective of its objectives, and its current status. Contrary to what some believe, Vietnam has not been a "no win" war. The fact is we are winning a very important victory, not only in Vietnam, but in all Southeast Asia and around the globe. And it is because of this that what we are doing in Vietnam is right for us—and for the free world.

Essentially, our military and ideological victories have blunted—if not stopped—the spread of communism in Southeast Asia and many other parts of the world. Vietnam just happens to be the place where the fight between Communism and the free world is taking place now. Communism is world-wide and the fight is world-wide. When the line was drawn in Vietnam, the unrelenting flow of Communism came to a sharp slowdown.

Now free and independent nations have concrete proof that someone does care for their right to a free government, and that the U.S. will keep its word and help against any aggressor of force. This type of policy is having a formidable effect in Asia, in Africa and in South America. Communism is losing its lustre. For example, Indonesia was raked by riots and violence when Sukarno flirted with Communists. Indonesians want a free and independent government. Likewise, there is disenchantment even in Communist camps as evidenced by the growing split between Red China and Russia.

Peace, of course, is the overriding issue, but to achieve a lasting peace we realize that we must remain militarily strong and resist Communist aggression in Vietnam, or wherever free people may be threatened. Despite our strong military efforts in Southeast Asia during the past year, we have always shown that we are ready to move the Vietnam conflict from the battlefield to the peace table.

SANTO DOMINGO

One of the foremost achievements of American foreign policy in the past decade was the administration's handling of the Santo Domingo crisis. With admirable boldness, President Johnson sent U.S. Marines to that Latin American country, and in doing so stopped short the development of another communist-oriented Cuba. Then with the help of other Latin American countries procedures for free elections were set up. These elections have taken place, and Santo Domingo is now headed towards a free and democratic government. If Santo Domingo can maintain its progress, it will undoubtedly be acclaimed as one of the finest diplomatic accomplishments since the Monroe Doctrine was formulated.

These are just two examples of the extent of American leadership in the world. Our United States, under dynamic leadership of President Johnson, is a leader of the free world, and as such, we must give leadership—in men, ideas, materials and resources—if we are to continue in this important role. We could pull out of Asia, and other parts of the globe, but in keeping our commitments in those countries, we are actually safeguarding our country from aggression.

To enable America to keep these commitments, the Congress passed another foreign assistance program. It is significant because the money appropriated this year is the lowest—$2.9 billion—in the past 15 years. I voted for the original reduction of this figure even lower and to keep these aid programs on a one-year basis so that Congressional control can be maintained more effectively.

The only programs to receive three-year authorizations were for development loans and the Latin American Alliance for Progress programs.

NATIONAL ECONOMY

The Congress approved a bill to extend the minimum wage law to cover an additional 7.2 million additional workers and to raise the minimum wage in stages from $1.25 an hour to $1.60 an hour for workers already covered by 1968. I supported this bill only after voting for amendments to give broader exemptions to smaller businesses and to stretch out the wage hike over an

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extra 12-month period. I also voted not to include agricultural processing workers in the coverage.

As it was finally approved, the law will provide a 15-cent-an-hour pay boost to those who are presently covered on Feb. 1, 1967, and will bring to $1-an-hour minimum the wages to be paid to newly covered workers.

This law will affect very few of the smaller businesses in our District and hardly any of the ranchers and farmers. Although I differed with the schedule of salary increases, I felt compelled to vote for the measure in the House since it is impossible for an individual to raise a family and be a useful citizen when he is being paid wages that are at a poverty level.

The House also gave its approval to a modest revision of the unemployment compensation laws when it passed H.R. 15119. The bill was a reasonable measure that provides for unemployment compensation to 2.3 million more workers, while at the same time raises tax rates and wage bases moderately. This bill received the support of most of the employers in our state because it retains for the states the determination of rules for eligibility, disqualification and duration of benefits.

The measure also contained a section, which I introduced, to allow for judicial review in the U.S. Court of Appeals in cases where an adverse decision was handed down by the Secretary of Labor. The provision will give employers the means to dispute rulings of the Department of Labor in unemployment compensation matters.

The bill is now before a House-Senate conference committee, where there have been attempts to put federal standards in the bill. I am hopeful that the House will not approve the conference report if these standards, which would destroy the autonomy of state programs, are included.

The repeal of 14(b), the *right-to-work* law, died on the vine during the last session. This measure was passed by the House (I opposed this bill) during the first session and sent to the Senate, where it has stayed bottled up for more than a year.

INFLATION

To a certain degree there is inflation in this country. Prices have gone up, but so have wages. Much of this "inflation" is a symptom of a booming economy, one which is going into an *unprecedented 68th continuous month*. Some of the by-products of this growth, however, have not been beneficial to our economy. "Tight money" has been one of these.

The Congress, however, has taken action to correct this national problem. It has directed the Federal Reserve Board and the Home Loan Bank Board to set certain limits on time deposits, and it has passed legislation to suspend the 7 per cent investment tax credit for 16 months and likewise suspended the accelerated depreciation allowances. We also fixed the scale of personal income withholding taxes on a graduated basis from 14 to 30 per cent, in an effort to make them more realistic with the economy.

The symptoms of inflation should start to level off in the near future, but if they don't chances are there will be a tax increase after the first of the year. The Congress has overspent this year again, mainly because of the war in Vietnam. As soon as Congress adjourns, the President can study the spending figures, and he is likely to recommend an increase to cover the difference. That should cool off critics who have clamored many months for an immediate tax bill to slow down the economy.

EDUCATION

Last year's Congress approved the first general school aid bill and several pieces of landmark legislation in the area of education, so most of the measures before us this year were for the *continuation* of these programs.

I supported the Library Services and Construction Act, renewal of the Elementary and Secondary Education Act, the Teachers Corps bill (after the appropriation for it was cut down in size) and the Higher Education Facilities Act—which authorizes grants and loans to schools for construction of facilities and for student scholarships under the National Defense Education Act. These programs have received the strong support of the State education agency and local school districts.

Austin and Central Texas has long been recognized as an educational center. Indeed, education is our life blood and along with agriculture ranks as a back-bone industry in our economy.

CIVIL RIGHTS

No one can be proud of the lawlessness in our cities, and the racial violence that has swept our country. Such upheavals must be stopped, by force if necessary. It is better, however, to seek and cure the causes of this discontent and violence and resolve the problems in a peaceful, nonviolent manner.

It is regrettable that "peaceful" marches for civil rights have turned into bubbling confrontations of hate. Such rioting was one of two major factors which helped defeat the 1966 civil rights bill in Congress. The other was the controversial Title IV, or open housing section of the bill.

This section would have put sharp limitations on the rights of property owners to sell, rent or otherwise dispose of their property as they saw fit. I voted against Title IV, and when it was not taken out the bill, I voted against the entire measure because it raised serious questions of constitutionality.

SAFETY

Two measures that were signed into law this session—the highway safety act and the automobile safety act—should help greatly to curb the slaughter of Americans on our highways.

The auto safety law, which originated in my committee, requires the Secretary of Commerce to set minimum motor vehicle safety standards beginning next year to apply to the 1968 models. Such standards would be revised and up-dated every two years thereafter, all in an effort to make American cars safer.

The highway safety bill will assist states in establishing coordinated safety programs including drivers' education, motor vehicle inspection and licensing. The states are given the strong or controlling voice in the establishment of these safety programs.

THE 10TH DISTRICT

Our Congressional District continues to grow and prosper—far better than many sections of the country. The rains have been good this year, making the country-side greener than in years past and producing bumper-size crops. More significant is that unemployment has been at its lowest in the past 25 years. Bank deposits and savings are at *all-time highs* despite reports of "tight money" and many of the cities in the District are experiencing growing pains.

During the past year, we have seen certain projects materialize for us in which you and I have worked together. Some of these include:

Approval of new postal facilities at Liberty Hill, Del Valle, Washington, Lexington, Chappel Hill and in South Austin; approval of low-rent housing projects in San Marcos, Marble Falls, Georgetown, Austin, Smithville, and Granger; approval of a public facilities loan for the construction of a new hospital in Bastrop; urban renewal projects for Georgetown and Austin; public works water and sewer projects for Somerville and Johnson City; establishment of the Veterans Administration Computer Center and the Economic Development Administration and Neighborhood Youth Corps Regional Office in Austin; appropriations for the Somerville Reservoir and planning funds for the San Gabriel River dams; rural electric loans for the Pedernales Electric Cooperative and the Bluebonnett Electric Cooperative; facilities construction loans and grants for Southwest Texas State College and The University of Texas; St. Edwards, and Blinn College; and Neighborhood Youth Corps, Head Start and Community Action projects for more than a dozen cities.

FISCAL CONTROL

Throughout this session I have been concerned with finding the means to economize in the overall spending policies of the government. I have approached this problem of controlling annual expenditures from two sides—(1) By introducing a resolution designed to modernize the Congressional budgetary process to force Congress to consider the national budget—both intake and outgo—as a unified whole so that we can get away from deficit spending; and (2) By voting to recommit appropriation bills with instructions to cut the amount of the bill by 5 percent.

CONSERVATIVE OR LIBERAL

Different organizations publish listings each session in which they attempt to classify legislators in "liberal or conservative" categories. Such evaluations more often than not are not conclusive, and recently I received this year's ratings from the two most prominent of these organizations—the Americans for Democratic Action (ADA) and the Americans for Constitutional Action (ACA). The ADA rated me 33 percent effective in the areas they are concerned with, and the ACA rated me 45 percent effective in the areas that they are concerned with.

The ratings, obviously, depend on who is doing the evaluating and what is being evaluated. Perhaps the only definite conclusion that can be drawn is that I am rated as neither a "big conservative or a big liberal."

What concerns me is that 33 percent and 45 percent add up to 78 percent. I wonder where they thought I was the other 22 percent of the time. Hopefully, it was for all the people of the 10th District whom I try to represent well.

MISCELLANEOUS

Time and space do not permit me to enumerate all of the legislation considered during this session of Congress. Some of the other major issues that were acted on include:

Approval of the Cold War GI Bill to provide veterans with educational and housing benefits similar to those under the World War II GI Bill.

Passage of the truth-in-packaging bill, which is designed to prevent deceptive packaging and labeling.

Approval of funds to continue the Administration's anti-poverty program. The program will be continued at the same level as last year.

Approval of a planning commission to work for the establishment of a National Capital Visitors Center in Washington, D.C. I introduced a bill last year for this purpose.

Authorization of funds for the National Aeronautics and Space Administration for facilities construction and operation and for research and development of America's space program.

Passage of the cotton research bill to establish a program of research and promotion, on a voluntary basis, for the cotton industry and cotton producers.

Passage of the rent supplement program. (I opposed this bill in its original form, but did vote for a small appropriation after the measure was approved.)

ADDENDUM

I welcome your suggestions and comments. My report this year does not cover activities for the 10th District's five new counties—Austin, Colorado, Fayette, Waller and Wharton—since they do not officially become a part of the district until after the first of the year. I certainly welcome them, however, and deem it an honor to represent them in Washington.

INTERPARLIAMENTARY UNION ACTIVITIES

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from Connecticut [Mr. MONAGAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MONAGAN. Mr. Speaker, as a further report on proceedings at the recent meeting of the Interparliamentary Union in Teheran, I include here with my remarks two letters which I sent to Senator HERMAN E. TALMADGE, the president of the U.S. Interparliamentary group. The first constitutes a report of my activities as rapporteur for the U.S. delegation at the meetings of the Committee on Non-Self-Governing Territories and Ethnic Questions.

The second constitutes a report of the meetings and activities of the Conference of American Interparliamentary delegates.

I hope that these reports will give Members a further understanding of the activities and concerns of the Interparliamentary Union.

The letters follow:

OCTOBER 5, 1966.

Hon. HERMAN E. TALMADGE,
President, Inter-Parliamentary Union, U.S. Group, 347 Old Senate Office Building, Washington, D.C.

DEAR SENATOR TALMADGE: By letter dated August 30, 1966, I was honored to receive your appointment as Rapporteur for the United States Delegation at the meetings of the Committee on Non-Self-Governing Territories and Ethnic Questions at Tehran. This letter will serve as a brief report of these meetings.

The Committee met on Sunday, October 2, at 10 a.m. and at 2:30 p.m. I attended both meetings of the Committee. Speeches were made by Representatives of the U.S.S.R., Great Britain, The Netherlands, Belgium, Tunisia, Japan, Rumania, Senegal, Mongolia, France and Israel.

I spoke on behalf of the United States. Since certain remarks had previously been made about our policies, it seemed advisable that I should speak in reply.

With relation to the charges of United States aggression in Vietnam I pointed out that it was a very unusual sort of aggression where the aggressor was invited to enter the country by the government of the nation supposedly the victim of aggression.

I stated that the United States had originally been a colonial subject and had even at one time toyed with the idea of being a colonial power, but that we had compiled a record in the field of colonialism that few nations could equal. I pointed to our grant of independence to the Philippines, the taking of Hawaii and Alaska into the Union and the economic bull lup of Puerto Rico and our departure from Cuba at an earlier stage in our history.

I disagreed with the suggestion of the British Delegate that the evolution of colonial peoples had now been largely achieved and pointed out that in the Baltic States of Europe, in Asia and in Africa there were still situations in which individual citizens were denied the rights guaranteed by the Declaration of Human Rights of the United Nations and the Constitution of the United States. I referred to the strong statement of the Irish Delegate, Mr. MacEntee, relating to the captive status of Lithuania, Latvia and Estonia.

I emphasized the importance of not developing new colonial overlords to take the place of the old.

I expressed regret at the criticism by the Tunisian Delegate of what he called "colonialism in Palestine" and I emphasized the complexity of the refugee problem in 1948 and deplored the criticism of the Arab world without then or later offering any reasonable alternative.

I stated that the charge of the Soviets of exploitation of Japan by the United States was amusing to me, since I represented an industrial district which considered that we were being exploited by the Japanese by imports of low-wage manufactured articles.

I stressed that we should eliminate the basis for colonialism through economic and political means. The former would be through strategically placed applications of financial assistance. The latter would be through calling the attention of the world to the plight of colonial nations and making efforts in this way to bring about a gradual evolution and the institution of reforms which would bring to people throughout the world the human rights which all should enjoy.

No action was taken on any specific resolutions, although the British draft resolution on colonialism was discussed, as was a Belgian resolution.

Two subjects were proposed by the United States, two by France, one by Yugoslavia and one by Senegal for consideration at the spring meeting in Majorca.

Sincerely yours,

JOHN S. MONAGAN,
Member of Congress.

OCTOBER 5, 1966.

Hon. HERMAN E. TALMADGE,
President, Inter-Parliamentary Union, U.S. Group, 347 Old Senate Office Building, Washington, D.C.

DEAR SENATOR TALMADGE: On September 15, 1966, you designated Representative BRADFORD MORSE and myself to represent the United States Delegation at the Fifth American Inter-Parliamentary Union Conference in Tehran.

It is a pleasure for me to report that Mr. MORSE and I attended one formal meeting of this group and had several informal conferences with the members of the group during the time we were in Tehran.

At the formal meeting held on Thursday, September 29, two proposals were made by Latin American members of the group. The first was an expression of solidarity with the members of the deposed Parliament of Argentina and an expression of support. The second was a resolution stating the sense of the Inter-Parliamentary Union that members of a parliament whose functions were interrupted by force should be permitted to continue as members of the Inter-Parliamentary Union for the remainder of the parliamentary term to which they had been elected with the right to speak, but not the right to vote.

These resolutions were approved but the Secretary General ruled them ineligible for consideration at the current meeting. It was the consensus of the group that their consideration at the spring meeting should be requested.

During these meetings there was also productive discussion of the possibilities of United States cooperation with moves for Latin American and Inter-American unity, with particular emphasis on the desirability of bringing other Latin American nations into the Inter-Parliamentary Union.

It was also stated to be highly desirable that the United States should have representatives at the fall meeting of the Parliamento Latina Americano.

Sincerely yours,

JOHN S. MONAGAN,
Member of Congress.

J. RUSSELL BLANDFORD RECEIVED ROCKEFELLER AWARD

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. RIVERS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. RIVERS of South Carolina. Mr. Speaker, it gives me the greatest possible pleasure to take this opportunity to call the attention of the House to a signal honor which has been paid to one of its employees.

The press today announced that John Russell Blandford, chief counsel of the Committee on Armed Services, was named by President Robert F. Goheen, of Princeton University, as a recipient of the 1966 Rockefeller Public Service Award for Law and Legislation.

The Rockefeller Award is the highest privately sustained national honor for Federal career officials and is administered by Princeton University under a program conceived and financed by John D. Rockefeller III.

Each year the Rockefeller Awards for Public Service are made to five men and women whose career in the Federal Government have been marked by sustained excellence in service to their Nation.

This honor and recognition given to Mr. Blandford, who we all affectionately call "Russ," is so clearly deserved and merited that my only question might be—"Why had it not been done sooner?"

Russ Blandford needs no introductions to the oldtimers in this body for he has been with the Armed Services Committee for almost 20 years. During that time he has endeared himself to countless Members on both sides of the aisle because of his constant willingness to provide every Member with the benefit of his genuinely sought after counsel and advice. It is not necessary for me to extoll Russ' abilities and accomplishments—they are legend.

However, John R. Blandford, like hundreds of his contemporaries in the Federal Government, is an unsung hero of the legislative branch. The general public has little or no idea of the vital role our committee staff personnel play in the fashioning and development of legislative programs. Therefore, the timeliness and importance of this award given Mr. Blandford is heightened by the fact that in a very large sense it also provides recognition to all of those other "unsung heroes" who make possible the continued

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effectiveness of this our democratic form of government.

The Rockefeller Award has as its fundamental purpose the strengthening of public service by bringing special recognition to some of the truly distinguished civilians in the Federal Government and thereby to improve the public image of Government service as a career worthy of the best efforts of our most capable citizens.

The Rockefeller Award therefore provides a great public service in that it will act as an inspiration to those so honored, to further strengthen the public service by passing on to others some of the fruits of their career experience, and to carry on in their own careers with renewed dedication and enthusiasm.

As chief counsel of the Committee on Armed Services, Russ Blandford has been the rock on which I and every other member of the committee has, at one time or another, had occasion to lean. He is strong, he is patient, he is wise. Let our merciful Almighty continue to bless our great Nation with men of this caliber who are willing to dedicate their lives to Government service and we may then remain confident that our country and our Nation will endure forever.

I include the following material at this point in the Record:

Biographical Sketch of John Russell Blandford, Chief Counsel, Committee on Armed Services, U.S. House of Representatives

John Russell Blandford was born in Buffalo, New York, on February 20, 1918. He is a graduate of Lafayette High School, Buffalo, New York (1935), Hobart College, Geneva, New York (1939, cum laude, B.A. degree), and Yale Law School (1946, primi honoris, LLB degree).

He majored in history and sociology at Hobart College, and while there joined the U.S. Marine Corps Reserve. He was commissioned a Second Lieutenant, U.S. Marine Corps Reserve, in May 1939.

Mr. Blandford entered Yale Law School in the fall of 1939. He interrupted his studies during World War II to serve on active duty with the Marine Corps from September 1941 to March 1946. Entering on active duty as a Second Lieutenant, he attended Artillery School prior to going overseas with the 2nd Battalion, 11th Marines, 1st Marine Division. He served in the Pacific Theater of Operations, and participated in the Tulagi-Guadalcanal Campaigns and the Cape Gloucester-New Britain Campaigns. Returning to the United States in July 1944, Mr. Blandford reverted to inactive status in March 1946. Since that time he has continued to participate in the Marine Corps Reserve Program and now holds the rank of Colonel, USMCR.

He returned to the Yale Law School in February 1946 and received his Bachelor of Law degree in October 1946. Immediately following his graduation he joined the law firm of Hodgson, Russ, Andrews, Woods, and Goodyear, in Buffalo, New York.

In January 1947, Mr. Blandford was appointed as Counsel to the Committee on Armed Services, House of Representatives, and served continuously in that capacity until his appointment as Chief Counsel of the Committee on December 1, 1963.

Mr. Blandford resides with his family at tice law in the State of New York, District of Columbia, and before the U.S. Supreme Court. He is a member of the Phi Beta Kappa and Tau Kappa Alpha fraternities.

He was married to the former Barbara Jane Waterhouse, of Buffalo, New York, in 1944. They have one daughter, Marcia Ann, who is now a student at Averett College, Danville, Virginia. He is the son of Mr. and Mrs. Raymond S. Blandford, of Kenmore, New York.

Mr. Blandford resides with his family at 4520 North 39th Street, Arlington, Virginia.

Princeton University: Rockefeller Public Service Awards, 1960

(Administered by the Woodrow Wilson School of Public and International Affairs)

The Rockefeller Public Service Awards will be given annually to men and women whose careers in the Federal Government have been marked by sustained excellence in service to the Nation. Normally five awards will be given each year; one each in five broad fields of government activity:

Administration: Activities involved at home or abroad in the policy leadership, planning, or management of a large and complex organization, or the policy leadership, planning, or management of a major program, requiring a high degree of intelligence; and experience of a general or special nature.

Foreign Affairs or International Operations: Activities involved at home or abroad in planning, developing, or executing the foreign policies of the United States, or in the policy leadership, planning, development or management of the foreign programs of the United States. These activities may relate to diplomacy, or to national security affairs, or to international economic affairs, or to strategic psychological operations, or to any combination of these various aspects of the United States' foreign relations.

The General Welfare or National Resources: Activities involved in policy leadership, planning, development, or management of programs concerned with strengthening the Nation's human resources or its natural resources, or of safeguarding or bettering the conditions of life for the American people. These activities, often in the general area of the social sciences, may relate to the total level of economic and social well-being of the Nation or to such important components of it as the education, health, housing, work, recreation, transportation, or safety of persons. Or they might relate, in the areas of the social or physical sciences, to the proper use or replenishment of the Nation's natural resources.

Law, Legislation, or Regulation: Activities in the executive or legislative branches or in the independent regulatory agencies involved in the development, interpretation, application, or enforcement of legislation, rules, or regulations.

Science, Technology, or Engineering: Activities in policy leadership, planning, development, or management of programs concerned with the Nation's use of, or aid to, or distinguished research in, the biological, medical, or physical sciences, or activities involved in policy leadership, planning, development or management of programs concerned with the Nation's use of, or aid to, technology or engineering.

Purpose

The purpose of the program is to strengthen the public service by bringing special recognition to a small number of truly distinguished civilians in the Federal Government, and to improve the public image of government service as a career worthy of the best efforts of four most capable citizens. It is hoped that this recognition will inspire those so honored further to strengthen the public service by passing on to others some of the fruits of their career experience, and to carry on in their own careers with renewed dedication and enthusiasm.

In recognition of outstanding individual accomplishments and to further public awareness of the degree to which excellence exists in the civilian career services of the Federal Government, an award of $10,000 will be given to Rockefeller Public Service Award winners in each of the five broad fields of government activity.

Eligibility

Nominations for awards shall be made from among civilian men and women in the employ of the Federal Government, either in the executive or legislative branch, who have performed truly outstanding service to the Nation. The Committee particularly invites nominations of persons who, because of the nature of their work or the geographic location of their posts would not readily come to public attention.

Normally candidates shall have been in the employ of the Federal Government for a minimum of 15 years and shall be between the ages of 45 and 60 years. These awards are designed to honor "career service." Federal employees serving by Presidential appointment in noncareer positions are eligible for the award only if it is apparent from their records that they achieved their present posts through demonstrated distinction and extended service in career positions.

Nominating procedure

Any past or present employee of the Federal Government may nominate a candidate other than himself, a member of his family, or one of his superiors for a Rockefeller Public Service Award simply by writing the Committee on Selection. The Committee also invites nominations from persons not previously or presently employed by the Federal Government but who, because of their work or interests, are well informed about some phase of public service.

Nominating letters must contain a full and factual explanation and justification for the nomination. They must emphasize the nominee's past accomplishments and his future potential.

These letters should also include the names of four other persons who know the candidate and his work intimately, and who are both competent and willing to support his candidacy upon inquiry by the Committee. The nominee need not know that he has been nominated until the Committee communicates with him. If the nominator so desires, the nominee will not be informed of the identity of the person nominating him.

All nominators should know that the Committee on Selection reserves the right to consult, with respect to particular nominations, with leaders in the Government (including the nominee's agency head) to obtain their opinions and other pertinent evidence.

Administration

The program is made possible through personal contributions to Princeton by Mr. John D. Rockefeller 3rd, an alumnus and Charter Trustee of the University. It is administered as a national trust by the Woodrow Wilson School of Public and International Affairs, Princeton University.

A Committee on Selection, made up of prominent citizens, will review nominations and will recommend to the Trustees of the University the nominee it considers best qualified in each "area." The final awards will be made by the Trustees of the University.

Nominations for the 1966 awards should reach Princeton anytime prior to April 30, 1966. It is anticipated that an announcement of the awards will be made in the autumn of 1966.

Communications should be addressed to: Rockefeller Public Service Awards, Woodrow Wilson School, Princeton University, Princeton, New Jersey.

PREVIOUS AWARD RECIPIENTS

The 1960 awards were the first in the revised program honoring senior career employees of the Federal Government. The 1960–1965 awards were given to the following persons for distinguished service in the fields indicated. The titles and positions are those which were applicable at the time of the award:

Administration

In 1960: Robert M. Ball, Deputy Director, Bureau of Old Age and Survivors Insurance, Social Security Administration, Department of Health, Education, and Welfare.

In 1961: Elmer B. Staats, Deputy Director, Bureau of the Budget, Executive Office of the President.

In 1962: J. Stanley Baughman, President, Federal National Mortgage Association, Housing and Home Finance Agency.

In 1963: Eugene W. Weber, Chief, Civil Works Planning Division, Office of the Chief of Engineers, Department of the Army.

In 1964: William D. Carey, Executive Assistant Director, Bureau of the Budget, Executive Office of the President.

In 1965: Bertrand M. Harding, Deputy Commissioner, Internal Revenue Service, Department of the Treasury.

Foreign affairs or international operations

In 1960: Charles E. Bohlen, Special Assistant to the Secretary of State, Department of State.

In 1961: Livingston T. Merchant, Ambassador to Canada, Department of State.

In 1962: Llewellyn E. Thompson, Ambassador to the U.S.S.R., Department of State.

In 1963: Henry Loomis, Director, International Broadcasting Service, United States Information Agency.

In 1964: Charles W. Yost, Deputy United States Representative to the United Nations, Department of State.

In 1965: U. Alexis Johnson, Deputy Under Secretary for Political Affairs, Department of State.

The general welfare or national resources

In 1960 (A dual award): Richard E. McArdle, Chief, Forest Service, Department of Agriculture.

Conrad L. Wirth, Director, National Park Service, Department of the Interior.

In 1961: Thomas B. Nolan, Director, Geological Survey, Department of the Interior.

In 1962: Morris H. Hansen, Assistant Director for Research and Development, Bureau of the Census, Department of Commerce.

In 1963: Gabriel O. Wessenauer, Manager of Power, Tennessee Valley Authority.

In 1964: Gordon E. Howard, Assistant Commissioner in Urban Renewal Administration, Housing and Home Finance Agency.

In 1965 (A divided award): Margaret G. Arnstein, Senior Nursing Advisor for International Health, U.S. Public Health Service, Department of Health, Education, and Welfare.

Huntington Cairns, Secretary, Treasurer, and General Counsel, National Gallery of Art.

Law, legislation, or regulation

In 1960: Leonard Niederlehner, Deputy General Counsel, Department of Defense.

In 1961: Colin F. Stam, Chief of Staff, Joint Committee on Internal Revenue Taxation, United States Congress.

In 1962: Reginald G. Conley, Assistant General Counsel, Department of Health, Education, and Welfare.

In 1963: Carl M. Marcy, Chief of Staff, Senate Foreign Relations Committee, United States Congress.

In 1964: Harold F. Reis, First Assistant, Office of Legal Counsel, Department of Justice.

In 1965: Robert F. Keller, General Counsel, General Accounting Office.

Science, technology, or engineering

In 1960: Sterling Brown Hendricks, Chief Scientist, Mineral Nutrition Laboratory for Pioneering Research, Agriculture Research Service, Department of Agriculture.

In 1961: Robert H. Felix, Director, Institute of Mental Health, National Institutes of Health, Department of Health, Education, and Welfare.

In 1962: Hugh L. Dryden, Deputy Administrator, National Aeronautics and Space Administration.

In 1963: Allen V. Astin, Director, National Bureau of Standards, Department of Commerce.

In 1964: James A. Shannon, Director, National Institutes of Health, Department of Health, Education, and Welfare.

In 1965: William B. McLean, Technical Director, U.S. Naval Ordnance Test Station, China Lake, Department of the Navy.

THE COMMITTEE ON SELECTION

Chairman

Dr. Lloyd V. Berkner, President, Graduate Research Center of the Southwest.

Members

Dr. Marver H. Bernstein, Professor of Politics, Dean, Woodrow Wilson School of Public and International Affairs, Princeton University.

The Honorable William H. Hastie, Judge, United States Court of Appeals for the Third Circuit.

Mr. David E. Lilienthal, former Director, Tennessee Valley Authority, and Chairman, Atomic Commission; Chairman, Development and Resources Corporation.

Dr. Robert F. Loeb, Professor of Medicine, Emeritus, College of Physicians and Surgeons, Columbia University.

Mr. Donald H. McLean, Jr., President, Lahey Clinic Foundation Inc.

Dr. Joseph E. McLean, former N.J. Government official; Director, International Urban Studies Project, Institute of Public Administration.

Mr. James M. Mitchell, former Commissioner, U.S. Civil Service Commission; Director, Advanced Study Program, The Brookings Institution.

Mr. Robert D. Murphy, former Under Secretary of State for Political Affairs, and Career Ambassador; President, Corning Glass International.

Mr. Robert R. Nathan, former U.S. Government official; President, Robert R. Nathan Associates, Inc.

Dr. Don K. Price, former U.S. Government official; Dean, Graduate School of Public Administration, Harvard University.

Dr. Wallace S. Sayre, Professor, Department of Government and Public Law, Columbia University.

Faculty secretary

Dr. Robert W. van de Velde, Lecturer, Woodrow Wilson School of Public and International Affairs, Princeton University.

COLUMBUS DAY DINNER ADDRESSED BY PRESIDENT JOHNSON

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. ROONEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, on Wednesday evening last, the evening of Columbus Day, the President of the United States addressed the 24th annual Columbus Day dinner of the Italian-American Professional and Businessmen's Association at the Hotel St. George in Brooklyn, N.Y. It is my pleasure and privilege to include with these few words the remarks of President Johnson on that occasion:

Reverend Clergy, Mr. O'Connor, Mr. Vice President, Mr. Ambassador, Honorable Judges, noble candidates, Members of the greatest Congress ever, ladies and gentlemen, my friends:

First, I want to thank you for your friendship and for your asking me to come here to celebrate this great Columbus Day with you.

What we celebrate on October 12 is not the fact that one Italian discovered America, but that five million American-Italians discovered America.

I might add tonight that there are eight million Americans of Italian descent—eight million and one. One is in Rome tonight—Jack Valenti—but he is coming back I am told.

On Columbus Day, we celebrate those sons of Italy who have helped to make this Nation the great Nation that it is. But we also celebrate America—which has brought out the greatness in so many sons of Italy.

We celebrate Arturo Toscanini, Fiorello LaGuardia, and Enrico Fermi. And we celebrate Rocky Marciano and Joe Dimaggio.

We celebrate the memory of those poverty-stricken immigrants from South Italy whose descendants today are in the American mainstream.

We celebrate the facts about today's Americans who trace their heritage to Italy.

The statistics about education—as I pointed out last evening in our meeting with my beloved friend Senator PASTORE—the statistics point out this fact: that the second-generation Italian-American has finished more years of school than the average American.

The statistics about jobs point to the fact that the second-generation Italian-American is more likely to be a doctor, or a lawyer, or an engineer, or an executive than the average American.

And the statistics about income reveal a natural parallel—I don't know that I should say this with money as tight as it is, but the second-generation Italian-American makes more money than the average American.

Yet it hasn't been too many years since Italian-Americans have felt the raw pain of discrimination right here in America.

So our historical perspective should remind us that, as newer members of the majority, Italians, of all people, understand and practice the cardinal American virtue: fairness to all, regardless of race, or religion, or place of national origin.

Now you have a wonderful evening planned. You have a great American, my beloved friend, a most high public official, one of the greatest I have known here to speak to you and I didn't come to butt in his party.

I did feel somewhat like the little boy who didn't get the invitation to the dance. I just sat down and wrote myself one.

But after having been engaged in my vocation for 35 years, it is pretty difficult for me to be spending the night in New York City, after having visited in various areas of it all day, and to be here to meet the Premier of Laos in the morning, and to overlook a congregation as numerous as this this evening.

I just want to leave this one thought, because I have already talked long enough. And that thought is this: There are many Americans tonight who are feeling the same weight which you and your families once felt. There are many Americans who need to see the cardinal American virtue of fairness to all, regardless of their religion, or their ancestry, or their race come into play.

And for other Americans who are now feeling that need, I ask those of you who have crossed the river to extend to them a helping hand.

I was at my home the other Sunday and my younger daughter insisted that I go to church with her very, very, very early in the morning. We went to a little church, a very poor church, very humble people, God-fearing, God-loving people. I went there and the priest talked about peace and our relations with our fellow human beings. And he

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spoke as his text: "Love thy neighbor as thyself."

Then I went on back at eight o'clock and had my breakfast with my daughter and with her husband. Then about ten o'clock my older daughter got up and came down and asked me to go to church with her. We went across the mountains about 40 or 50 miles into a completely new area of the world.

We went to a completely different church. And the preacher started talking about our relations with our fellow human beings. He started talking about the Pope's request that we all pray for peace. And he concluded by discussing at some length the text: "Love thy neighbor as thyself."

To me that was a very encouraging sign that in this period, regardless of which side of the mountains you are on, regardless of which church you were in, regardless of which daughter you went out with that day that the people of this country were taking the high road and were thinking along the same line: "Love thy neighbor as thyself."

THE HUNGARIAN UPRISING OF 1956

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from Pennsylvania [Mr. HOLLAND] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HOLLAND. Mr. Speaker, the spirit of freedom is the most explosive force in the human being. It refuses to be chained and bottled up for any length of time under oppressive forces; and if by some misfortune it is subdued by sheer brute force, then at the first opportune moment it makes good its release with a shattering explosion. Such was the Hungarian uprising in 1956 against Communist tyrants.

These gallant and gifted people, the sturdiest opponents of totalitarianism, had put up with the detested Communist regime imposed upon them by the Kremlin after the last war, but they had not given up their birthright of freedom. While suffering under the Communist yoke, they marked their time and patiently awaited for the opportune moment to throw the rascals out and take charge of their destiny. They had prepared for this task, and late in October of 1956, in the course of a single day, they successfully attained their goal. All leading Communists were either expelled, escaped, or went underground. They set up their own non-Communist government and asked the Soviet Union to withdraw its troops from Hungary.

For a while the Soviets were caught, and readily agreed to withdraw. Actually, however, instead of withdrawing, Soviet forces in Hungary were maneuvering for a position from which to attack the Hungarians. In the course of a few days, additional Soviet forces arrived in Hungary, and then began a ferocious battle. From the very beginning it was clear that, unless quick and effective outside aid was given to the Hungarians, they and their righteous cause were doomed. By November 6 the uprising had been crushed in a bloodbath. Today in observing the 10th anniversary of the Hungarian uprising of 1956 we pay tribute to the memory of the victims of that memorable event.

NOT A DOVE, BUT NO LONGER A HAWK

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FRASER. Mr. Speaker, an article written by Neil Sheehan in the New York Times magazine of October 9 coincides more clearly with my own thinking about the Vietnam war than does anything I have read in many months.

Mr. Sheehan, a reporter for the Times who has covered the conflict on two separate occasions, has seen his attitude toward the war evolve from one of optimism to one of skepticism. His first assignment in Vietnam began in 1962. Of that tour, he writes:

> We are fighting now, I used to think, and some day we will triumph and this will be a better country.

In 1965 Mr. Sheehan returned to Vietnam for a year. And, having seen the number of U.S. troops in that country grow from 17,000 to 317,000 between 1964 and 1966, he writes:

> I realize now, perhaps because this past year has impressed upon me more forcefully the realities of the war and of Vietnamese society, that I was naive in believing the non-Communist Vietnamese could defeat the Communist insurgency and build a decent and progressive social structure.

Mr. Sheehan's article ends with a poignant plea that echoes one of the great worries that gnaws at me and, I know, at many other Americans today:

> But I simply cannot help worrying that, in the process of waging this war, we are corrupting ourselves. I wonder, when I look at the bombed-out peasant hamlets, the orphans begging and stealing on the streets of Saigon and the women and children with napalm burns lying on the hospital cots, whether the United States or any nation has the right to inflict this suffering and degradation on another people for its own ends. And I hope we will not, in the name of some anti-Communist crusade, do this again.

Mr. Speaker, I insert the full article to be reprinted in the RECORD:

NOT A DOVE, BUT NO LONGER A HAWK

(By Neil Sheehan)

Americans, because they are Americans, arrive in Vietnam full of enthusiasm and with the best of intentions. After a prolonged period of residence, they leave with their enthusiasm a victim of the cynicism that pervades Vietnamese life and with their good intentions lost somewhere in a paddy field. I am no exception. When I first walked across the tarmac of Saigon's Tansonnhut Airport on a warm evening in April, 1962, nervous that the customs officers might not accept the journalist's visa I had hurriedly obtained from the South Vietnamese consulate in Hong Kong, I believed in what my country was doing in Vietnam. With military and economic aid and a few thousand pilots and Army advisers, the United States was attempting to help the non-Communist Vietnamese build a viable and independent nation-state and defeat a Communist guerrilla insurgency that would subject them to a dour tyranny. This seemed to me a worthy cause and something that needed to be done if other Southeast Asian peoples were to be allowed some freedom of choice in determining their course in history. Although I often disagreed with the implementation of American policy during my first two years in Vietnam, I was in accord with its basic aims.

I remember distinctly the thrill of climbing aboard a U.S. Army helicopter in the cool of the morning, and taking off across the rice fields with a South Vietnamese battalion for a day's jousting with the Vietcong guerrillas. There was hope then that the non-Communist Vietnamese might win their war. I was proud of the young American pilots sitting at the controls in the cockpit and I was grateful for the opportunity to witness this adventure and to report it. We are fighting now, I used to think, and some day we will triumph and this will be a better country.

There were many disappointments those first two years, but when I left Vietnam in 1964, I was still, to use the current parlance, a hawk. I returned to Saigon in 1965 for another year. Now I have left again, and much has changed. There were 17,000 American servicemen in Vietnam at the time of my first departure and there are now 317,000 and I, while not a dove, am no longer a hawk.

If I had been wiser and could have foreseen the present consequences of that earlier and relatively small-scale American intervention in the affairs of this country, I doubt that I would have been enthusiastic during those first two years. I realize now, perhaps because this past year has impressed upon me more forcefully the realities of the war and of Vietnamese society, that I was naive in believing the non-Communist Vietnamese could defeat the Communist insurgency and build a decent and progressive social structure.

At a farewell dinner before my second departure from Saigon, the conversation drifted to the endlessly discussed but never resolved problem of gaining the sympathy of the peasantry. My host was a Vietnamese general, involuntarily retired through the vagaries of Saigon politics. To amuse us, he recounted an episode that had occurred in mid-1953 while he was commander of Franco-Vietnamese troops in the province of Buichu in what is now Communist North Vietnam.

That year, the Vietminh guerrillas, as the Vietcong were formerly called, accelerated their land-reform program. Communist cadres began confiscating the rice fields of landlords and dividing them up among the peasantry. To compete with the Vietminh and to arouse some popular support for the cause of his feeble Government and for France, the pro-French Emperor, Bao Dai, issued a decree reducing land rents from the traditional 40 to 50 per cent of the rice crop to 15 per cent.

Buichu was a predominantly Roman Catholic province. The two principal landlords there were the Catholic Bishop and the father of the Interior Minister in Bao Dai's Government. My host knew he would have to gain the Bishop's cooperation if he was successfully to enforce the decree.

"Impossible," said the Bishop. "How can I feed 3,000 priests, nuns, seminarians and coolies on 15 per cent of the crop?"

"I agree, Your Excellency," said my host. "It will be difficult. But perhaps it is better to make sacrifices now while there is still time. If we don't do something to win the sympathy of the population, you may lose more than your rice. You may lose your Bishopric, your land and perhaps even your head."

"Impossible," said the Bishop. "I will write to the Interior Minister."

Three months later, for attempting to implement the decree despite the Bishop's opposition, my friend was removed on the initiative of the Interior Minister. By the following summer, the Vietminh were so strong in Buichu that the French decided to evacuate the province. The Bishop, his priests, nuns and seminarians fled to Hanoi and thence to South Vietnam when the Geneva accords shortly thereafter sealed France's defeat at Dienbienphu and divided Vietnam at the 17th Parallel.

Over the 13 years since 1953, the United States has supplanted France in Vietnam. Yet among the Vietnamese themselves, the two opposing sides have changed little.

Precolonial Vietnam was administered by mandarins drawn from the merchant and land-owning families. When France colonized the country in the 19th century, much of this native aristocracy became, in effect, colonial civil servants, intermediaries between their own people and the foreigner. During the First Indochina War these Vietnamese, with a stake in the traditional society which a French presence would preserve, cooperated with France. Now the same Vietnamese, for identical reasons, cooperate with the United States.

Air Vice Marshal Nguyen Cao Ky, the current Premier of South Vietnam, was a French pilot. On occasional visits to the countryside he appears before the peasants in a trim black flight suit with a lavender scarf around his neck and a pearl-handled pistol at his waist—a kind of Asian Captain Marvel.

The Deputy Premier, Lieut. Gen. Nguyen Huu Co, and other generals in the Saigon military junta, were officers or sergeants in the French colonial forces. Their fondness for French cuisine, snappy uniforms and cocktail parties and receptions creates a pale but faithful reflection of the social round of colonial days. They are the Vietnamese who have inherited the worst of two cultures—the pretentiousness of the native mandarins and the rigidity of the French colonial officers and administrators. Premier Ky and the earlier successors of Bao Dai have also promulgated rent-reduction and land-reform laws at the urging of American advisers eager for social progress. All of these measures have been sabotaged because the regimes were and are composed of men who are members of, or who are allied with, mandarin families that held title to properties they have no intention of renouncing. While there are some patriotic and decent individuals among them, most of the men who rule Saigon have, like the Bourbons, learned nothing and forgotten nothing. They seek to retain what privileges they have and to regain those they have lost.

In Vietnam, only the Communists represent revolution and social change, for better or worse according to a man's politics. The Communist party is the one truly national organization that permeates both North and South Vietnam. The men who lead the party today, Ho Chi Minh and the other members of the Politburo in Hanoi, directed the struggle for independence from France and in the process captured much of the deeply felt nationalism of the Vietnamese people. Perhaps because of this, the Communists, despite their brutality and deceit, remain the only Vietnamese capable of rallying millions of their countrymen to sacrifice and hardship in the name of the nation and the only group not dependent on foreign bayonets for survival.

It is the tragedy of Vietnam that what began as a war of independence from France developed, as a result of its Communist leadership, into a civil conflict. Attempts to describe the current war as a geographically based struggle between North and South Vietnam breaks down almost immediately when it is recalled that Premier Ky and several other important members of his Government are North Vietnamese by birth, who fled south after the French defeat, while Pham Van Dong, the Premier of North Vietnam, was born in the South. The war is, rather, a struggle between differing elements of the Vietnamese people as a whole.

The division of the country into two separate states at the 17th Parallel in 1954 was a provisional arrangement ending one scene in the drama. Vietnam's larger political realities extended then and still extend now in both directions across the demarcation line. North Vietnam controls and supports with men and matériel the Vietcong guerrillas in the South because the Vietcong leaders, although native Southerners, are members of the Vietnamese Communist party and obey orders from the Politburo in Hanoi.

In 1958 the late President Ngo Dinh Diem organized a Committee for the Liberation of North Vietnam, and since 1960 the Saigon Government, with American connivance and aid, has been smuggling saboteurs and commando teams into the North in a so-far vain effort to instigate a guerrilla movement among the Northern Catholics and mountain tribesmen. The opposing sides, in short, have never recognized the 17th Parallel as a permanent boundary and have violated the frontier whenever it suited them.

Communist leadership of the anti-colonial movement led to the involvement of Vietnam in the larger context of the cold war and brought the intervention of the United States, first to aid the French, and then to develop and support a non-Communist administration and army in the South. For its own strategic and political ends, the United States is thus protecting a non-Communist Vietnamese social structure that cannot defend itself and that perhaps does not deserve to be defended. Our responsibility for prolonging what is essentially a civil conflict may be one of the major reasons for the considerable amount of confusion, guilt and soul-searching among Americans over the Vietnam war.

I know this is true in my own case and in the case of many Americans of my acquaintance who have lived for long periods in Vietnam. We are continually chagrined to discover that idealism and dedication are largely the prerogative of the enemy. The American soldier makes the lack of aggressiveness of the Government forces the butt of unending gibes. He grows to hate "Charlie," the G.I. slang name for the Vietcong guerrilla and the North Vietnamese regular, because "Charlie" kills his friends, but he soon learns to respect Communist bravery and cunning.

An American general recently paid a strange tribute to a Vietcong guerrilla who held up an entire U.S. Army infantry company for an hour in the jungle north of Saigon. The guerrilla was the lone survivor of several Communists defending a bunker. He fired off all his own ammunition and that of his dead comrades, and hurled back at the Americans the grenades they tossed into the bunker. He was finally killed while throwing rocks in a last gesture of defiance. "If one of our men had fought like that," the general said, "he would have been awarded the Medal of Honor."

Since the beginning of last year, Hanoi has increased the size of its regular army contingent in the South to a total of about 47,000 men. In the face of sustained bombing of the road and rail system in the North and the Ho Chi Minh Trail through Laos, the Communists continue to infiltrate men at an estimated rate of 4,500 to 5,000 a month. Many of these young men are conscripts who march south because of pressure on themselves and their families. Yet, once in the South, they fight well, and desertions are few despite the hardships and the severe losses through disease and battle. The Vietcong guerrillas have also managed steadily to expand their forces through recruitment and conscription.

The Saigon regime, on the other hand, has experienced great difficulty in increasing the strength of its armed forces because of a very high desertion rate. Desertions are greatest among conscripts, an indication that the average South Vietnamese feels little or no commitment to defend his own society. About 85 per cent of Saigon's armed forces are, consequently, volunteers who take up arms for pay. This gives the Government forces a distinctly mercenary cast that affects both their attitude toward the population and, except for a few elite units, their performance in combat.

From the contrast in behavior of the two sides, I can only conclude that Vietnamese will die more willingly for a regime which, though Communist, is at least genuinely Vietnamese and offers them some hope of of improving their lives, than for one which is committed to the galling status quo and is the creation of Washington. The official assertion that the Communist soldier endures the appalling conditions of his daily life and behaves so commendably in combat out of terror of his superiors becomes patently ridiculous to anyone who has witnessed a battle. Terror may drive a man to march toward the enemy's guns, but it will not make him fight valiantly. The course of the conflict has made apparent that the Communists are able to arouse and to exploit the native Vietnamese qualities of hardihood and resilience, and to convince large numbers of their people that the cause of *their* Government is just.

Most non-Communist Vietnamese are incapable, because of the values of the society in which they live, of looking beyond individual and family interests. Their overwhelming concern with "me and my relatives" deprives the society of a social consciousness Americans take for granted in their own culture and fosters the corruption and nepotism that exist throughout the administration. The disease of corruption appears to be worsening in direct proportion to the burgeoning amounts of American aid flowing into the country. Stories of embezzlement are legion and repeatedly embitter Americans.

Province and district chiefs' positions are frequently sold to the highest bidders by those responsible for making the appointments. The incumbent is then expected both to recoup the cost of his job from corruption and to make payoffs to the higher officials who sold it to him. Some American officials with long experience in Vietnam estimate that about 20 per cent of United States aid supplied for counter-insurgency projects in the countryside finds its way to the Vietcong and that another 30 to 40 per cent is diverted by Government officials. Cement, roofing, steel bars and other building materials destined for schools and refugee housing mysteriously end up on the open market or in private villas and apartment buildings. "What gets down to the poor son of a gun in the paddy field," one official said, "is a trickle." A U.S. Army Special Forces captain once told me how he had arranged for rice to be flown in American planes to a camp of several thousand refugees in a remote area who were suffering from malnutrition. The local district chief confiscated the rice and sold it to the refugees at exorbitant prices.

While Americans worry about winning the war and creating an effective Vietnamese Government that can gain the support of its people, the mandarin families that run the regime have a different set of priorities. In one important province on the central coast this spring a rare honest and effective Vietnamese official, who was a favorite of the Americans, was fired because he began to talk about corruption by the two senior military commanders in the region. He was replaced by a cousin of one of the generals.

Numerous complaints from the American Embassy led Premier Ky to warn his fellow generals at one meeting of the junta that they were embezzling too much and should exercise some restraint. Their reply was that they had to think of their families. Vows by the Premier that corrupt officials will be shot have brought periodic headlines in the Saigon newspapers and the execution

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of one Chinese businessman and a half-dozen common hoodlums. Ordinary Vietnamese assume that Premier Ky has found it imprudent to arrange firing squads for some of his colleagues on the junta. One general's wife is sometimes referred to as "Queen of the Payoff."

Promises of land reform are solemnly reported in the American press and are apparently taken with some seriousness in official circles in Washington. I have often wondered why, since the promises are never carried out and the speeches made today are practically identical in content and phrasing to those made four years ago by some other Government leader. To gain their own ends, Asians frequently tell Americans what they think Americans want to hear. The Vietnamese, possibly because of their greater experience with Americans, seem to have developed a particular talent for this. Last April, during one of his more candid moments, Premier Ky told a group of correspondents: "Never believe what any Vietnamese tells you, including me."

In February, amid the hoopla following the Honolulu conference that was to lead to an intensive program of social, political and economic reform, the junta organized a "Social Revolution Day" in Saigon. Two thousand civil servants, soldiers, students and religious leaders were assembled on the lawn of the former presidential palace in the center of the city. The social reformers arrived in their Mercedes-Benz sedans and, dressed in well-tailored suits or bemedaled uniforms, began to read the usual speeches. The scene had a disturbing atmosphere of *déjà vu*. Within 10 minutes, a segment of the crowd, less polite than the rest, began walking out in boredom. The police, having apparently anticipated what would happen, had locked the gates of the palace grounds. No one was allowed to leave until the speeches had ended, despite a good deal of shouting and arguing back and forth through the steel bars.

The current social system discriminates against the poor and prevents social mobility. The mandarin families resist all efforts to change it, since it works in their favor. Although the United States has spent millions of dollars building primary schools in Vietnam, for example, it has been unable to bring about any fundamental reform of the Vietnamese educational structure, which makes certain that the sons of the prosperous, and almost no one else, will achieve the secondary education necessary to social advancement—whether in the army, the civil service or the professions.

Sending a peasant boy to primary school and then making it virtually impossible for him to achieve a decent secondary-school education fosters discontent, rather than lessening it. There is considerable evidence that many young Vietnamese of peasant origin join the Vietcong because the Communists, who have been forced by the nature of their revolution to develop leadership from the countryside, offer them their best hope of avoiding a life on the rung of the ladder where they began—at the bottom.

A friend of mine once visited a hamlet with a South Vietnamese Army major who is one of the few field grade officers to defeat the system by rising from a humble beginning. The major spoke to the farmers in peasant dialect instead of in the sophisticated urban Vietnamese most Government officials use.

"You're not a major," said one farmer in astonishment.

"Yes, I am," said the major.

"No, you're not," said the farmer. "You talk like a peasant and no peasant could become a major."

A drive through Saigon demonstrates another fashion in which the social system works. Virtually all the new construction consists of luxury apartments, hotels and office buildings financed by Chinese businessmen or affluent Vietnamese with relatives or connections within the regime. The buildings are destined to be rented to Americans. Saigon's workers live, as they always have, in fetid slums on the city's outskirts.

Since 1954, the United States has poured more than $3.2-billion of economic aid into South Vietnam, but no Saigon regime has ever undertaken a low-cost housing project of any size. The Singapore Government, in contrast, is erecting thousands of low-cost housing units for its people.

While Vietnamese with influence prosper in the cities and towns, the war has created a different world in the countryside. It is a world in which the masses of the peasantry no longer live—they endure.

Each afternoon, in the air-conditioned press-briefing room in Saigon, the United States Military Command releases a communique reporting that 300 or more "enemy structures" have been destroyed by American fighter-bombers or by the guns of Seventh Fleet warships that day. The statistics imply sound military progress until a visit to the countryside reveals that what is meant by an "enemy structure" is usually a peasant hut in a hamlet the Communists control, or which the American and South Vietnamese authorities suspect the Communists control.

No comprehensive statistics on civilian casualties are available. The nature of the war would make the assembling of such statistics very difficult, but the military authorities have also never seriously attempted to gather them.

An indication of what civilian casualties may be, however, is given by the fact that American and other foreign medical teams working in three-quarters of the country's 43 provinces treat 2,000 civilian war-wounded each month. If one accepts the normal military ratio of one dead for two wounded, the monthly figure is 1,000 civilian dead.

The number of wounded handled by the medical teams, I believe from my own observation, is merely a fraction of the total. The medical teams treat only those wounded who reach the hospitals in provincial capitals. There are undoubtedly many more who never get that far. These victims are helped at Government district headquarters or militia outposts, or by Vietcong field hospitals and dispensaries—or they simply survive, or die, without treatment. Most of the wounds I have seen in the provincial hospitals are the type a victim could survive for two or three days without medical attention. Wounds that require rapid treatment are not usually in evidence, presumably because the victims die before they can obtain hospitalization.

Although civilians are being killed and wounded by both sides, my own investigations have indicated that the majority of civilian casualties result from American and South Vietnamese airstrikes and artillery and naval gunfire. Last November, I found one fishing village in Quangngai province, on the central coast north of Saigon, in which at least 180 persons—and possibly 600—had been killed during the previous two months by aircraft and Seventh Fleet destroyers. The five hamlets that composed the village, once a prosperous community of 15,000 people, had been reduced to rubble.

The gun and the knife of the Vietcong assassin are, in contrast, far more selective than cannon and fragmentation bombs; the victims are usually limited to Government officials and sympathizers. It has been estimated that, over the past decade, about 20,000 persons have been assassinated by Communist terrorists. This is a gruesome total, but the annual average is a great deal lower than the probable yearly number of ordinary civilian victims of the war.

Lack of sufficient American troops to occupy and hold ground when it has been wrested from the Communists is one of the major reasons for the extent of damage to civilian life and property. Once a battle has ended, the American and South Vietnamese troops withdraw. The theoretical follow-up by South Vietnamese territorial forces, police and administrators to pacify the region does not materialize except in a very limited number of instances, and the Vietcong guerrillas and their North Vietnamese allies move in again. The Americans eventually return and the same region is thus fought over repeatedly.

It would be easy to blame the American military authorities for the destruction, but this would not be fair. The Vietcong and the North Vietnamese regulars habitually fortify hamlets with elaborate trenchwork and bunker systems. Infantry attacking in classic style across open paddy fields would suffer prohibitive casualties. Under these circumstances, military commanders can only be expected to use whatever force is at their disposal.

Gen. William C. Westmoreland, the United States military commander in Vietnam, has ordered that all possible care be taken to avoid killing and wounding the innocent and that, whenever feasible, civilians be warned to leave their hamlets prior to airstrikes and artillery bombardments. Unfortunately, General Westmoreland's order has sometimes been ignored by subordinate commanders.

Hamlets are also habitually bombed and shelled at the request of a South Vietnamese province or district chief who has been told by some paid informer that Communist troops are present there. Information from informers is notoriously unreliable, the peasants are often not responsible for the presence of the Communists and, since ground units do not exploit the bombings and shellings, these attacks seem to have negligible military value. American officials excuse the practice by claiming that the Vietnamese, as the legal authorities, have the right to destroy their own hamlets, even if Americans perform the destructive acts—a fine bit of legalism that ignores the basic moral issue. I have occasionally thought that the practice results largely from the cynicism of South Vietnamese officialdom and a superfluity of aircraft and artillery.

The extraordinary firepower of American weaponry, whose ferocity must be witnessed to be comprehended, is another contributing factor to widespread civilian suffering. On an average day, U.S. warplanes alone loose 175 to 200 tons of explosives on the South Vietnamese countryside. Then there are the thousands of artillery and naval shells and the hundreds of thousands of rounds of mortar and small-arms ammunition. The cratered landscape seen from an airplane window is an excellent advertisement for the ingenuity of American munitions makers.

The flow of refugees from the countryside is the most eloquent evidence available of the gradual destruction of rural society under the impact of the war. The number of refugees has now passed the million mark. It takes a great deal to make a Vietnamese peasant forsake his land and the graves of his ancestors.

Most refugees I have questioned told me that the Vietcong taxed them and made them work harder than usual, but that they could live with the Communists. They left their homes, they said, because they could no longer bear American and South Vietnamese bombs and shells.

If resettled properly, the refugees could conceivably develop into an asset for the Saigon Government. Yet, true to its usual behavior, the regime neglects them and the majority are left to shift for themselves. Refugee slums have risen in the cities almost as fast as G.I. bars.

Deserted hamlets and barren rice fields, now a common sight, are other evidence of what the war is doing to rural South Vietnam. In several provinces on the northern central coast as much as one-third of the rice land has been foresaken. The American policy of killing crops in Communist-held areas by spraying them with chemical defoliants from aircraft is hastening this process. During the first six months of this year 59,000 acres were destroyed.

The corrosive effect on the country of the American presence is not confined to military operations. Economically and culturally, the advent of the Americans has introduced maladies only time can cure. One is inflation. The primitive economy, already seriously disrupted by the war, has now been swamped by the purchasing power of tens of millions of dollars being dispensed for the construction of bases, airfields and port facilities and by the free spending of the individual American soldier.

This year the United States will pump a minimum of $140-million into the Vietnamese economy to cover the locally generated costs of the construction of new bases and the maintenance of existing ones. This sum constitutes about one-seventh of the country's entire money supply. American troops are themselves currently spending another $7-million a month.

The moral degeneration caused by the G.I. culture that has mushroomed in the cities and towns is another malady. Bars and bordellos, thousands of young Vietnamese women degrading themselves as bar girls and prostitutes, gangs of hoodlums and beggars and children selling their older sisters and picking pockets have become ubiquitous features of urban life. I have sometimes thought, when a street urchin with sores covering his legs, stopped me and begged for a few cents' worth of Vietnamese piastres, that he might be better off growing up as a political commissar. He would then, at least, have some self-respect.

Rarely in any war has the name of the people been evoked more by both sides than in the Vietnam conflict. Yet the Vietnamese peasantry, who serve as cannon fodder for Communists and non-Communists, remain curiously mute—a hushed Greek chorus to their own tragedy.

The conditions of life in Vietnam will probably always make an accurate assessment of the peasant's attitudes toward the war impossible to obtain. I have received the impression, however, on visits to accessible hamlets, that many of the peasants are so weary of the fighting they would accept any settlement that brought them peace.

Last March, I spent two days in one hamlet south of the port of Danang on the central coast. A company of U.S. Marines had seized the hamlet from the Vietcong six months previously, and a Government pacification team, protected by the Marines, was working there. In three years, the hamlet had changed hands three times. There were almost no young men in the community. Roughly half of the families had sons, brothers or husbands in the Communist ranks. The remaining families were about equally divided between those with neutral attitudes and those who were Government sympathizers.

The morning after I arrived, the peasants, under the supervision of the Government pacification workers, began constructing a fence around the hamlet perimeter to keep out Vietcong infiltrators. Through an interpreter, I asked two farmers among a group of old men, women and children digging postholes if they thought the fence would be of any use.

"Maybe it will," one said, "but I don't think so. A fence won't keep out the Vietcong."

"What did the Vietcong make you do when they controlled the hamlet?" I asked.

"They made us pull down the fence we had put up before, and dig trenches and lay booby traps," the second farmer said.

"Well, if you don't think the fence will do any good," I asked, "why are you putting it up?"

"We are just plain farmers," the first peasant said, glancing apprehensively at a policeman a few feet away with a carbine slung across his arm. "We have to obey any Government here."

As he spoke, a Vietcong sniper, hidden in a patch of sugar cane beyond the paddy fields, fired two shots. The old men, women and children scurried for cover, their fear and lack of enthusiasm for fence-building evident on their faces.

During a tour of South Vietnam in 1963, Gen. Earle G. Wheeler, chairman of the Joint Chiefs of Staff, referred to the conflict as a "dirty little war." While the Vietnam conflict may be even dirtier now than it was in 1963, it can no longer be termed little.

Reliable statistics are very elusive in Vietnam, but I would estimate that at least 250,000 persons have been killed since the war began in 1957. Last year, according to official figures, 34,585 Communists were killed and the Saigon Government forces suffered 11,200 deaths. Through mid-September of this year, again according to official statistics, 37,299 Vietcong and North Vietnamese regulars have died in battle and 7,017 Government troops have been killed.

American losses remained at a relatively low level until 1965, when the Johnson Administration committed ground combat units and began to create an expeditionary corps. That year, 1,369 American servicemen died in North and South Vietnam and neighboring Laos, and 6,114 were wounded. This year, as American offensive operations have picked up stride with the strengthening of the logistical apparatus, casualties have soared to 3,524 killed and 21,107 wounded, through mid-September. American dead are now averaging nearly a hundred a week and can be expected to increase as the expeditionary corps grows and more Americans are exposed to hostile fire.

The attitudes of the leadership in Hanoi and Washington indicate that the contest is far from being resolved. The rate at which North Vietnam is infiltrating its regular troops into the South and the willingness of the United States to engage its own ground forces and to escalate the air war against the North portend several more years of serious bloodshed. The world may hope for peace, but neither side has yet hurt the other sufficiently to prevent it from continuing. Both sides are trapped in a dilemma created by their history and political and strategic considerations. Washington cannot withdraw its troops from South Vietnam, as Hanoi demands, without making certain an eventual Communist seizure of power there and negating all the efforts of the last decade to maintain a friendly Government in Saigon.

Hanoi's best chance of winning now lies in prolonging the boodletting to the point where the American public will tire of a war for a small land whose name most Americans cannot even pronounce correctly (they tend to say "Veetnam"). If the North de-escalates the fighting it will remove the principal source of political pressure on the Johnson Administration—the number of coffins being flown home from Saigon. Without the killing, the United States might be able to occupy South Vietnam indefinitely. The fact that 60,000 U.S. troops are stationed in South Korea brings no demonstrators into the streets and arouses no anxiety among American mothers, because the shooting in Korea has stopped.

A year ago, I worried that the patience of the American people would run out, that Ho Chi Minh would have his way and that the United States would lose the Vietnam war. This fear no longer troubles me nearly as much. I have the feeling that somehow we can muddle through this grim business. We may not win in Vietnam as we won in World War II, yet we may well prevail. Given our overwhelming military superiority, it is entirely possible that Washington, over a period of years, may be able to destroy the Vietcong and North Vietnamese main-force units in the South, and to transform what is currently a militarily sound but politically weak position into one of some, if doubtful, political strength.

Rather, my quiet worry concerns what we are doing to ourselves in the course of prosecuting and possibly some day winning this war. In World War II and in Korea the aggression of one state against another was an established fact. The United States acted with clear moral justification and Americans fought as they always like to think they fight—for human freedom and dignity. In Vietnam this moral superiority has given way to the amorality of great power politics, specifically, to the problem of maintaining the United States as the paramount power in Southeast Asia. The Vietnamese people have become mere pawns in the struggle. Whatever desires they might possess have become incidental. The United States can no longer make any pretense of fighting to safeguard South Vietnam's independence. The presence of 317,000 American troops in the country has made a mockery of its sovereignty and the military junta in Saigon would not last a week without American bayonets to protect it.

Precisely because the Saigon Government represents nothing beyond its administration and army, the United States has had to fall back on its own military force to maintain its position and to win the war. Washington can dispense the latest in weaponry, but the First Air Cavalry Division and the Third Marine Amphibious Force cannot inspire the loyalty of the Vietnamese peasantry, and General Motors cannot manufacture decent non-Communist Vietnamese leadership, effective government and dedication. Only Vietnamese can supply these and the non-Communist Vietnamese have proven themselves incapable of providing them.

Thus, in the final analysis, American strategy in Vietnam consists of creating a killing machine in the form of a highly equipped expeditionary corps and then turning this machine on the enemy in the hope that over the years enough killing will be done to force the enemy's collapse through exhaustion and despair. This strategy, although possibly the only feasible alternative open to a modern industrial power in such a situation, is of necessity brutal and heedless of many of its victims.

Despite these misgivings, I do not see how we can do anything but continue to prosecute the war. We can and should limit the violence and the suffering being inflicted on the civilians as much as possible, but, for whatever reasons, successive Administrations in Washington have carried the commitment in Vietnam to the point where it would be very difficult to prevent any precipitate retreat from degenerating into a rout. If the United States were to disengage from Vietnam under adverse conditions, I believe that the resulting political and psychological shockwaves might undermine our entire position in Southeast Asia. We shall, I am afraid, have to put up with our Vietnamese mandarin allies. We shall not be able to reform them and it is unlikely that we shall be able to find any other Vietnamese willing to cooperate with us. We shall have to continue to rely mainly on our military power, accept the odium attached to its use and hope that someday this power will bring us to a favorable settlement.

But I simply cannot help worrying that, in the process of waging this war, we are corrupting ourselves. I wonder, when I look at the bombed-out peasant hamlets, the orphans begging and stealing on the streets of Saigon and the women and children with napalm burns lying on the hospital cots, whether the United States or any nation has the right to inflict this suffering and degradation on another people for its own ends. And I hope we will not, in the name of some anti-Communist crusade, do this again.

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THIS IS WASHINGTON

Mr. MATTHEWS. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Farnsley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro empore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, I would like to include in the Record the third and fourth articles of the series based on a recent Harris survey that appeared in the Washington Post entitled "This Is Washington":

[From the Washington Post, Oct. 4, 1966]

This Is Washington—III: Area Backs Home Rule, but It's Not a Hot Issue

Home rule is a low-grade issue in Washington because it has not been sold to the people as a bread-and-butter issue.

Yet most Washington-area residents favor home rule—and more than two thirds of the people who live in the District want it. But they haven't worked up a political lather over it because they haven't been told (or at least haven't understood) what they could get out of home rule.

This becomes clear from responses to questions asked of a cross-section of area residents in a survey made by Louis Harris and Associates for the Washington Post.

Like motherhood and the flag, self-government is a fine American abstraction.

But people seldom get excited over abstractions. They don't see how home rule is going to help much in getting better schools for their kids, nicer houses, or quicker transportation to work. And these are the problems that they live with every day.

"Can you eat and sleep home rule?" asked one Negro woman. "Can they make jobs with home rule? What are they going to do with home rule when they get it?"

When the Post-Harris interviewers asked for two or three "biggest" problems facing people living in the Washington area, less than 1 in 12 singled out home rule as a priority concern. It ranked sixth on the roster of problems, tied with the high cost of living and trailing behind crime, transportation, housing, race relations, and education.

Yet when the direct question: "Would you oppose or favor home rule for the District of Columbia?" was put to a cross-section of 1500 area residents, these were the results:

Those who have made up their mind clearly favor local self-government in the Nation's Capital. It draws the hard-core support of 52 per cent of the Metropolitan Area and 69 per cent of the District.

Negroes almost unanimously want home rule.

But District home rule splits whites down the middle. A bare majority of whites who have made up their minds endorse self-government (41 per cent) over the opposition (39 per cent). But a substantial number—1 in 5—haven't made up their minds.

If a referendum were held in the District itself, home rule would pass by as much as a 3-to-1 margin because of the overwhelming support of Negroes, who are in the majority.

The suburbs, with the exception of liberal-leaning Montgomery County, don't want the central city to have a local vote.

This is the breakdown on the home rule question:

	Favor,	*oppose,*	*and not sure*
Area total	52	31	17
District of Columbia total	69	20	11
Area Negro	84	5	11
Area white	41	39	20
District of Columbia white	45	42	13
Montgomery	51	29	20
Prince Georges	34	43	23
Arlington	39	41	20
Fairfax	37	40	23

LITTLE TALK OF BENEFITS

Why hasn't home rule caught fire as a burning issue here?

Analyst Harris feels home rule has not been sold in terms of political end results by its advocates. Washington has, he says, an "undereducated electorate." Supporters have talked too much of the lofty aim of self-government and not enough to how people will benefit from it.

"When you talk about home rule in Washington, you're talking about an abstraction and not a dynamic new form of government that will yield more benefits for the people," Harris explains.

The chief reasons that have been given for home rule are the satisfaction that comes from self-government, better housing, better schools and higher morale among District residents. The arguments against home rule center on higher taxes (feared by both Negroes and whites), corruption, less Federal aid and Negro control of the Capital.

RACIAL OVERTONES

There is no doubt that home rule carries strong racial overtones for many whites.

"Lord help us if those niggers ever get home rule," said a retired white lawyer who views the scene from suburban Arlington. "The whites won't move back. And it isn't right that the Nation's Capital be all colored."

This view is shared by Leonard Pelky, of 540 Thomas st., Arlington.

"I'm opposed to it because it's going to be all colored,' he said. "They dont have the education to do the right job."

In the end, the opposition of a sizable number of whites boiled down to one thing: "Because a colored fellow would be mayor—no other reason," as one Prince Georges resident summed it up.

Another argument used to rebut the case for home rule is the "Federal City" concept.

This was cited by Carsen W. Culp, a retired House staffer and resident of Kensington. His point is that Washington is the Federal City and "ought to belong to and be governed by the Nation."

HITS COLONY IDEA

Home rule proponents counter that Washington would be better governed by people who know and live its problems instead of being run as a "colony under a few segregationist Senators and Congressmen." They argue that everyone should have a voice in his own government affairs and that lack of local government in the Nation's Capital is tarnishing the American image overseas.

Robert Boyd, principal of Roosevelt High School, presents this case for home rule:

"First, the people who are responsible for the way the District is run do not have a vested interest in the problems. Thus, the problems of the District do not mean much to them. Second, I and others pay taxes and, according to the Constitution, we have a legal right to have a voice in the government."

The lack of home rule, adds James McGiffin, a white Federal worker who lives in Fairfax, is an "embarrassment to this country . . . to have a community that can't elect its own government and exercise its right to vote."

One 86-year-old woman who takes in roomers to help support herself has a special reason for her skepticism about home rule.

"I think it's a man's job, and I don't know if there are enough men in Washington who know what they're doing," she told the interviewer.

And perhaps one of the most honest answers came from a 17-year-old who said: "I don't quite understand what it's all about."

[From the Washington Post, Oct. 5, 1966]

This Is Washington—IV: Riots Can Happen Here, 80 Percent of Residents Believe

Half of Washington's Negroes think riots have hurt the cause of civil rights.

But the more significant figure could prove to be that a substantial minority—nearly one third—feel the ghetto uprisings have helped the push for equal rights. The rest of the Negroes (19 per cent) feel the riots have made no difference.

There is not much doubt in the minds of the white people of the Washington area. A vast majority, by more than 8 to 1, feel riots have damaged the civil rights drive.

The third riot summer for Northern cities is now over, and the Nation's Capital has gotten through with two near-brushes that could have erupted into full-blown violence in the streets of the Southeast.

Could riots happen here?

That question was put to 1500 area Negroes and whites during a Louis Harris survey of public attitudes for The Washington Post.

More than 4 in 5 say they think riots can break out in Washington—not because conditions are necessarily that bad but mainly because violence can explode anywhere in the tinderbox slums of the Nation's big cities.

More whites (87 per cent) than Negroes (77 per cent) fear Washington's riot potential.

These are the reasons the two groups gave for believing there could be Watts-type rioting in Washington:

Negroes—Riots can happen anywhere, slum and ghetto conditions, discrimination, same conditions as Watts, police brutality, Glen Echo as one example, Negroes want civil rights, things are improving too slowly, teenage hoodlums and the large Negro population.

Whites—Riots can happen anywhere, depends on leaders, growing resentment and hostility, Glen Echo as one example, the large Negro population, same conditions as Watts, Negroes like to riot, bad elements, slum and ghetto conditions and Negroes expect too much in too big a hurry.

"The problems facing people here are really no different than those of other places, including Watts . . . People are the same all over," says Melvin Dockett, a 23-year-old Negro soldier who moved from Watts a few months ago with his wife and two children to live in Washington's Southeast.

There are also whites who point out that the same deprivations and frustrations of ghetto life exist in Washington as exist in Watts—or in Cleveland, Chicago, Omaha, or Dayton. A young white woman in Arlington spoke of the "utter frustration and being so completely deprived."

"And now they have an image of what living can be," she said.

Samuel Rhodes, a Negro who is a Government scientist, agrees with this white woman's view. Rhodes, of 6631 13th st. nw., puts it this way:

"You have the same frustration here as in any metropolitan area. The have-nots are exposed to what the haves have and their own inability to get these things. Some people have nothing to lose—no job, no home, no future, nothing."

That may be the feeling of a 40-year-old Negro woman who lives in the heart of Washington's slumland. She did not know why rioting had broken out in Chicago or Los Angeles, she told the interviewer as they talked on her front stoop in the Cardozo neighborhood. But she had no doubt violence could come to Washington.

"We Negroes are getting tired of all this stuff," she said.

One in 10 Negroes gave slum and ghetto conditions as a reason for thinking Watts-style rioting is possible in Washington. Also on the Negro list was police brutality—believed, whether true or not—which has triggered much of the big-city street violence.

Negro and white responses on the causes of riots point up two views that seem to be pulling the races farther apart at this stage in the civil rights revolution.

Negroes want equal rights here and now and feel things have been improving too slowly; whites think Negroes expect too much and are in too big a hurry.

Both recognize an element of teen-age hooliganism in the ghetto rioting. Then there are the whites who put the blame on "outside instigation."

A white painter who lives in Hyattsville thinks "Communists and criminals" had a big part in the Watts outburst and adds: "I don't think police brutality has anything to do with it."

For every Negro riot action, there may also be a white reaction.

It is clear from the interviews that self-destructive violence in Negro ghettos has led to the disaffection of some whites who once thought themselves sympathetic to the civil rights cause.

And some whites now use the riots as justification to support old prejudices. There were responses such as these:

"The Negroes are real pushy. It's those bad elements. Look at Watts. They're not civilized."—From a housewife in Arlington.

"It's now riot for riot's sake. At least, we haven't experienced any Mau-Mau butchery yet. But we're not far from it, judging from what I've seen on television."—From a District woman.

"They've been babied too much. People keep telling them they've had a hard time and they've come to believe it. We poor whites have been pushed around too."—From a retired machinist in suburban Maryland.

"The Negro wants to frighten us. But we can fight back."—From a man in a rooming house in a mixed neighborhood of the District.

In a different vein, there were whites who cited the need for responsible Negro leadership to channel the pent-up frustrations of ghetto Negroes into channels to get reforms by peaceful means.

Roughly 1 in 6 people interviewed do not feel riots are likely in Washington. They generally feel that Negroes have it better here than they do in other cities.

"Negroes have too much to lose here,," says Cherry Tsutsumida, an educational consultant for the Government, who lives in the District.

And a 48-year-old Negro woman explained her feeling that riots are unlikely this way: "I don't think colored people would dare to doublecross LBJ in his home town."

Many of those who say the violence did accomplish something positive see riots as a form of communication—a kind of eloquence by violence. They feel this may have been the only way for the ghetto Negro to "get through" with his message of grievances.

"It was the only way they could get attention," said one white Arlingtonian.

REPORT TO THE PEOPLE OF THE EIGHTH CONGRESSIONAL DISTRICT OF WISCONSIN—XX

Mr. HALL. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. BYRNES] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. BYRNES of Wisconsin. Mr. Speaker, under leave to extend my remarks, I include a report to the people of the Eighth Congressional District of Wisconsin on my voting and attendance record for the 2d session of the 89th Congress.

The report includes all rollcall votes through today. Its purpose is to collect in one place and in concise form information which is scattered through 26,000 pages of the CONGRESSIONAL RECORD.

I regret the report cannot include all votes in this session. Even though there will be additional rollcall votes this week, I am publishing it now in order to make it available to my constituents at once. I believe they should have this record before the election so they can properly evaluate my stewardship.

The description of the bills and the amendments or motions in the report are for purposes of identification only; no attempt is made to describe the legislation completely or to elaborate upon the issues involved. This word of caution is advisable in view of the fact that the descriptions used are, for the most part, taken from the official titles of the bill which, unfortunately, do not always reflect the nature or true purpose of the legislation. Upon request, I will be pleased to furnish more complete information concerning any particular bill as well as a summary of the issues involved and the reasons for my vote.

The furnishing of this report continues a service I began in the 1st session of the 80th Congress. This is the 20th report of my voting and attendance record. These 20 reports show how I voted on 2,652 questions in the House of Representatives. Based on quorum calls and the record votes, they also show an attendance record of 93 percent.

In addition to the votes shown in this report, there were 196 quorum calls in the House which are omitted to conserve space. This accounts for the nonconsecutive numbering of the rollcalls. I answered "present" to 184 quorum calls, and I was absent for 12 quorum calls.

89th Congress, 2d session

Roll-call No.	Date 1966	Measure, question, and result	Vote
		H. Res. 665, authorizing funds for expenses of House Un-American Activities Committee:	
3	Jan. 27	On resolution. (Adopted 299 to 24.)	Yea.
		H. Res. 699, citing Robert M. Shelton for contempt of Congress during Ku Klux Klan hearings:	
6	Feb. 2	On resolution. (Adopted 344 to 28.)	Yea.
		H. Res. 700, citing Calvin Fred Craig for contempt of Congress during Ku Klux Klan hearings:	
7	Feb. 2	On motion to recommit to special committee for study. (Rejected 57 to 307.)	Nay.
		H. Res. 706, agreeing to Senate amendments to H.R. 30, providing $9,500,000 for U.S. participation in Inter-American Cultural Center in Florida:	
9	Feb. 3	On agreeing to resolution. (Agreed to 201 to 140.)	Nay.
		H.R. 12410, providing education and other benefits for veterans who served after expiration of Korean GI bill:	
11	Feb. 7	On motion to suspend rules and pass. (Passed 381 to 0)	Yea.
		S. 1698, establishing a procedure for the review of proposed bank mergers:	
13	Feb. 8	On passage as amended. (Passed 372 to 17)	Yea.
		H.R. 12563, authorizing United States to join Asian Development Bank and to pay $200 million subscription:	
15	Feb. 9	On motion to suspend rules and pass. (Passed 292 to 80)	Nay.
		H.R. 706, providing for special boards to eliminate backlog of undecided claims before National Railroad Adjustment Board:	
16	Feb. 9	On passage. (Passed 380 to 0)	Yea.
		H. Res. 736, providing for consideration of H.R. 12752, Tax Adjustment Act of 1966:	
18	Feb. 23	On agreeing to resolution. (Agreed to 326 to 50)	Yea.
		H.R. 12752, Tax Adjustment Act of 1966:	
19	Feb. 23	On motion to recommit with instructions to delete section postponing auto and telephone excise tax cuts. (Rejected 187 to 207)	Nay.
20	Feb. 23	On passage. (Passed 246 to 146)	Yea.
		H. Res. 742, providing for consideration of H.R. 12169, authorizing supplemental foreign aid funds for southeast Asia including Vietnam in 1966:	
22	Feb. 24	On agreeing to resolution. (Agreed to 359 to 11)	Yea.
		H.R. 12169, authorizing supplemental foreign aid funds for southeast Asia including Vietnam in 1966:	
23	Feb. 24	On motion to recommit with instructions to specify countries where funds are to be spent. (Rejected 169 to 213)	Yea.
24	Feb. 24	On passage. (Passed 350 to 27)	Yea.
		H.R. 12889, authorizing supplemental funds in fiscal 1966 for military equipment for southeast Asia:	
26	Mar. 1	On passage. (Passed 392 to 4)	Yea.
		S. 1666, providing for appointment of additional circuit and district judges:	
28	Mar. 2	On passage. (Passed 371 to 23)	Yea.
		H.R. 9963, authorizing $4,600,000 in U.S. funds for Alaska exposition:	
30	Mar. 2	On passage. (Passed 202 to 173)	Nay.
		H.R. 12322, authorizing referendum to compel cotton growers to pay assessments for cotton research and promotion:	
33	Mar. 3	Motion to recommit with instructions to allow each producer 1 vote in referendum regardless of amount produced. (Rejected 185 to 191).	Yea.
34	Mar. 3	On passage. (Passed 189 to 183)	Nay.
		H.R. 12752, Tax Adjustment Act of 1966:	
36	Mar. 15	On agreeing to conference report. (Agreed to 288 to 102)	Yea.
		H.R. 13546, making fiscal 1966 supplemental defense and foreign aid appropriations primarily for Vietnam:	
38	Mar. 15	On passage. (Passed 389 to 2)	Yea.

THE UNIVERSITY OF MICHIGAN LIBRARIES

89th Congress, 2d session—Continued

Roll-call No.	Date 1966	Measure, question, and result	Vote
		H.R. 6785, providing uniform date for beginning and ending of daylight saving time throughout the United States:	
40	Mar. 16	On passage. (Passed 292 to 93)	Yea.
		H.R. 13448, providing the benefits of faster and less expensive mail service to servicemen overseas:	
42	Mar. 21	On motion to suspend rules and pass. (Passed 308 to 0)	Yea.
		H. Res. 774, providing for consideration of S. 2394, authorizing $750,000 residence for the Vice President:	
44	Mar. 22	On agreeing to resolution. (Agreed to 236 to 135)	Nay.
		S. 2394, authorizing $750,000 residence for the Vice President:	
45	Mar. 22	On passage. (Passed 197 to 184)	Nay.
		H.R. 14012, making supplemental appropriations of $2.5 billion, including funds for a new rent subsidy program and Teachers Corps for fiscal 1966:	
48	Mar. 29	Motion to recommit with instructions to delete $12 million for rent subsidies. (Rejected 190 to 198)	Yea.
49	Mar. 29	On passage. (Passed 269 to 122)	Nay.
		S. 1404, providing uniform date for beginning and ending of daylight saving time throughout the United States:	
50	Mar. 30	On agreeing to conference report. (Agreed to 281 to 91)	Yea.
		H. Res. 802, providing for consideration oi S. 2729, increasing lending authority of Small Business Administration and separating disaster loans from regular business funds:	
53	Mar. 31	On agreeing to resolution. (Agreed to 362 to 4)	Yea.
		S. 2729, increasing lending authority of Small Business Administration and separating disaster loans from regular business funds:	
54	Mar. 31	On passage. (Passed 372 to 0)	Yea.
		H.R. 14224, extending initial period for enrollment in supplementary health insurance program for the aged:	
58	Apr. 6	On passage. (Passed 387 to 0)	Yea.
		H.R. 14122, providing Federal pay increase:	
59	Apr. 6	On motion to suspend rules and pass. (Passed 398 to 1)	Yea.
		H.R. 14215, making appropriations for Department of Interior and related agencies for fiscal 1967:	
60	Apr. 6	On motion to recommit with instructions to reduce bill by 5 percent. (Rejected 156 to 232)	Yea.
61	Apr. 6	On passage. (Passed 370 to 16)	Nay.
		H.R. 14266, making appropriations for Post Office, Treasury, Executive Office and two independent agencies for fiscal 1967:	
62	Apr. 6	On motion to recommit with instructions to reduce bill by 5 percent. (Rejected 127 to 244)	Yea.
63	Apr. 6	On passage. (Passed 368 to 2)	Yea.
		H.R. 7406, authorizing $390,000,000 for construction of 3d Grand Coulee Dam powerplant in Washington:	
65	Apr. 19	On amendment establishing a consolidated Columbia River basin accounting procedure. (Agreed to 239 to 111.)	Nay.
		S. 1761, authorizing construction of 3d Grand Coulee Dam powerplant:	
66	Apr. 19	On motion to insert text of House-passed H.R. 7406 in lieu of Senate-passed language. (Agreed to 246 to 78.)	Not voting.[1]
		H. Res. 756, disapproving transfer of the Community Relations Service from Department of Commerce to Department of Justice:	
68	Apr. 20	On agreeing to resolution. (Rejected 163 to 220.)	Yea.
		H.R. 14596, making appropriations for Department of Agriculture for fiscal 1967:	
70	Apr. 26	On motion to recommit with instructions to add amendment prohibiting sale of agricultural commodities to any nation trading with North Vietnam. (Agreed to 290 to 98.)	Yea.
71	Apr. 26	On passage. (Passed 366 to 23)	Yea.
		H.R. 10065, to provide the Equal Employment Opportunity Commission with enforcement authority patterned after the National Labor Relations Board:	
74	Apr. 27	On passage. (Passed 290 to 94)	Nay.
		H.R. 13881, requiring the licensing of buyers and sellers of dogs and cats used for research purposes:	
76	Apr. 28	On passage. (Passed 352 to 10)	Yea.
		H.R. 14324, making appropriations of $5,000,000,000 for NASA for fiscal 1967:	
80	May 3	On motion to recommit with instructions to designate $20,000,000 for noise research. (Rejected 90 to 271)	Nay.
81	May 3	On passage. (Passed 349 to 10)	Nay.
		H.R. 14745, making appropriations for the Departments of Labor and Health, Education, and Welfare for fiscal 1967:	
86	May 5	On motion to recommit with instructions to limit expenditures to 95 percent of budget estimates. (Rejected 143 to 236)	Yea.
87	May 5	On passage. (Passed 354 to 27)	Yea.
		H.R. 14921, making appropriations for Independent Offices and HUD for fiscal 1967:	
91	May 10	On amendment providing $2,000,000 for rent subsidies. (Agreed to 192 to 188)	Nay.
92	May 10	On passage. (Passed 296 to 82)	Yea.
		H.R. 14088, providing for improved medical benefits for military personnel and dependents:	
94	May 11	On passage. (Passed 356 to 0)	Yea.
		S. 1098, encouraging construction of more railroad boxcars by increasing rental rates:	
97	May 12	On passage. (Passed 306 to 27)	Yea.
		S. 693, clarifying Foreign Agents Registration Act:	
98	May 16	On passage. (Passed 285 to 0)	Yea.
		H. Res. 852, providing for consideration of H.R. 14544, Participation Sales Act; authorizing Federal borrowing not subject to debt and interest limits:	
100	May 16	On agreeing to resolution. (Agreed to 184 to 120)	Nay.
		H.R. 14215, making appropriations for Department of Interior and related agencies for fiscal 1967:	
105	May 18	On conference report. (Agreed to 378 to 10)	Yea.
		H.R. 14544, Participation Sales Act, authorizing Federal borrowing not subject to debt and interest limits:	
106	May 18	On motion to recommit with instructions to limit interest on participation holdings to 4.75 percent. (Rejected 180 to 218)	Yea.
107	May 18	On passage. (Passed 206 to 190)	Nay.
		H.R. 13712, increasing Federal minimum wage to $1.60 an hour and extending coverage to additional employees:	
113	May 26	On amendment to exempt small retail firms and service stations. (Rejected 195 to 200)	Yea.
114	May 26	On amendment delaying minimum wage increase to $1.60 an hour until Feb. 1, 1969. (Agreed to 205 to 194)	Yea.
115	May 26	On motion to recommit with instructions to eliminate coverage of farmworkers and broaden seasonal industries' exemptions. (Rejected 168 to 231)	Yea.
116	May 26	On passage. (Passed 303 to 93)	Nay.
		H.R. 9167, authorizing civil commitment of narcotic addicts for long-term rehabilitation:	
120	June 1	On motion to recommit with instructions to exclude from benefits persons charged with selling or importing narcotics. (Agreed to 198 to 168)	Yea.
121	June 1	On passage. (Passed 367 to 1)	Yea.
		H.R. 14050, extending the Library Services and Construction Act:	
123	June 2	On passage. (Passed 336 to 2)	Yea.
		H.R. 14643, authorizing $140 million for international studies at U.S. colleges and universities:	
124	June 6	On motion to suspend rules and pass. (Passed 194 to 89)	Nay.
		H.R. 10, broadening Self-Employed Individuals Retirement Act:	
125	June 6	On motion to suspend rules and pass. (Passed 291 to 0)	Yea.
		H.R. 15456, making appropriations for House of Representatives and related offices:	
127	June 7	On passage. (Passed 341 to 2)	Yea.
		S. 1357, revising existing bail practices in U.S. Courts:	
128	June 7	On passage. (Passed 319 to 14)	Yea.
		H. Res. 882, providing for consideration of H.R. 15202, increasing temporary national debt limit to $330,000,000,000	
130	June 8	On agreeing to resolution. (Agreed to 205 to 153)	Yea.
		H.R. 15202, increasing temporary national debt limit to $330,000,000,000:	
131	June 8	On passage. (Passed 199 to 165)	Nay.
		H.R. 14929, Food for Freedom Act, promoting international trade in agricultural commodities:	
133	June 9	On amendment to extend credit from 20 to 40 years. (Agreed to 193 to 165)	Nay.
134	June 9	On motion to recommit with instructions to prohibit credit sales to Communist countries and to change resale formula to prevent Government sales at less than 80 percent of parity. (Rejected 157 to 200.)	Yea.
135	June 9	On passage. (Passed 333 to 20)	Yea.
		H.R. 14019, authorizing funds for acquisition and maintenance of Department of State buildings overseas:	
137	June 13	On passage. (Passed 290 to 3)	Yea.
		S. 2950, authorizing procurement of military weapons and providing 3.2 percent military pay increase:	
141	June 14	On passage. (Passed 356 to 2)	Yea.
		H.R. 14025, extending the Defense Production Act:	
145	June 16	On amendment giving President power to impose consumer credit controls. (Rejected 73 to 275)	Nay.
		S. 1160, freedom of information bill, providing for greater public access to Federal records:	
147	June 20	On motion to suspend rules and pass. (Passed 307 to 0)	Yea.
		H.R. 10860, allowing States to sell confiscated oil in interstate commerce:	
148	June 20	On motion to suspend rules and pass. (Passed 306 to 1)	Yea.

Footnotes at end of table.

89th Congress, 2d session—Continued

Roll-call No.	Date 1966	Measure, question, and result	Vote
		H.R. 15119, extending unemployment compensation benefits and preserving State control of system:	
150	June 22	On passage. (Passed 374 to 10)	Yea.
		H.R. 13196, authorizing program for training of health professions personnel:	
152	June 23	On passage. (Passed 364 to 0)	Yea.
		H. Res. 875, providing for consideration of H.R. 14904, increasing parcel post rates and size and weight restrictions; under procedure bypassing Rules Committee:	
154	June 27	On agreeing to resolution. (Agreed to 222 to 148)	Nay.
		H.R. 5426, prohibiting common law marriages in the District of Columbia:	
155	June 27	On motion to recommit. (Rejected 39 to 328)	Nay.
		S. 2950, authorizing procurement of military weapons and providing 3.2-percent military pay raise:	
159	July 12	On agreeing to conference report. (Agreed to 358 to 2.)	Yea.
		H.R. 15750, authorizing foreign aid:	
164	July 14	On motion to recommit with instructions to limit authorizations to 1 year instead of 2 years and to reduce Development Loan Fund from $1,000,000,000 to $750,000,000 annually. (Rejected 191 to 193.)	Yea.
165	July 14	On passage. (Passed 237 to 146.)	Nay.
		H.R. 15941, making appropriations for Department of Defense for fiscal 1967:	
171	July 20	On passage. (Passed 392 to 1.)	Yea.
		S. 602, increasing and extending small reclamation projects program:	
173	July 21	On agreeing to conference report extending program to all States. (Rejected 136 to 204.)	Yea.
		H. Res. 910, providing for consideration of H.R. 14765, Civil Rights Act of 1966; under procedure bypassing Rules Committee:	
175	July 25	On agreeing to resolution. (Agreed to 200 to 180.)	Nay.
		H.R. 14765, Civil Rights Act of 1966:	
206	Aug. 9	On amendment to exempt agents acting under instructions of owners in the sale or rental of dwellings. (Agreed to 237 to 176.)	Yea.
207	Aug. 9	On amendment making it a Federal crime to incite riots. (Agreed to 389 to 25.)	Yea.
208	Aug. 9	On amendment requiring written complaint before Federal suit to desegregate public facilities can be filed. (Agreed to 214 to 201.)	Yea.
209	Aug. 9	On motion to recommit with instructions to delete housing provisions. (Rejected 190 to 222.)	Nay.
210	Aug. 9	On passage. (Passed 259 to 157.)	Yea.
		S. 3105, authorizing $1,000,000,000 for military construction in fiscal 1967:	
213	Aug. 10	On passage. (Passed 389 to 1.)	Yea.
		H.R. 14359, authorizing funds for highway construction:	
215	Aug. 11	On motion to recommit with instructions to delete $493,000,000 for highway beautification. (Rejected 173 to 175.)	Yea.
216	Aug. 11	On passage. (Passed 341 to 1.)	Yea.
		S. 3688, providing funds to FNMA for home financing:	
218	Aug. 15	On motion to suspend rules and pass. (Passed 314 to 1.)	Not voting.[3]
		H.R. 16114, increasing fringe benefits to Federal civilian firefighters:	
219	Aug. 15	On motion to suspend rules and pass. (Passed 313 to 0.)	Not voting.[3]
		H.R. 14604, authorizing $60,000 for study of visitors' services in District of Columbia:	
220	Aug. 15	On motion to suspend rules and pass. (Rejected 209 to 108, a ⅔ majority being required.)	Not voting.[1]
		H.R. 11555, authorizing $12,000,000 for border highway in El Paso, Tex.:	
221	Aug. 15	On motion to suspend rules and pass. (Rejected 174 to 133, a ⅔ majority being required.)	Not voting.[1]
		H.R. 14810, extending urban mass transportation program indefinitely at $175,000,000 per year:	
224	Aug. 16	On motion to recommit with instructions to reduce funds to $150,000,000 and limit extension to 1 year, through fiscal 1968. (Agreed to 205 to 161.)	Yea.
225	Aug. 16	On passage. (Passed 235 to 127.)	Nay.
		H.R. 13228, Traffic Safety Act, establishing safety standards for autos and tires:	
228	Aug. 17	On amendment providing that members of the Safety Advisory Council be appointed by President instead of Commerce Secretary. (Rejected 168 to 205.)	Yea.
229	Aug. 17	On passage. (Passed 371 to 0.)	Yea.
		H.R. 14921, making appropriations for independent offices and HUD for fiscal 1967:	
231	Aug. 18	On motion to recommit conference report with instructions to eliminate participation sales program authorizing Federal borrowing not subject to debt and interest limits. (Rejected 176 to 190.)	Yea.
		H.R. 13290, Highway Safety Act, establishing highway safety program:	
232	Aug. 18	On passage. (Passed 317 to 3.)	Yea.
		S. 602, increasing and extending small reclamation projects program:	
233	Aug. 22	On agreeing to second conference report restricting program to Western States. (Agreed to 198 to 81.)	Nay.
		H.R. 16340, prohibiting picketing near churches in District of Columbia during religious services:	
234	Aug. 22	On motion to recommit with instructions to hold public hearings and request Justice Department report and testimony from Attorney General. (Rejected 55 to 237.)	Nay.
235	Aug. 22	On passage. (Passed 249 to 44.)	Yea.
		H.R. 14596, making appropriations for Department of Agriculture for fiscal 1967:	
238	Aug. 24	On agreeing to conference report. (Agreed to 325 to 28.)	Yea.
		H.R. 15941, making appropriations for Department of Defense for fiscal 1967:	
241	Aug. 25	On agreeing to conference report. (Agreed to 383 to 1.)	Yea.
242	Aug. 25	On motion to disagree to Senate amendment authorizing President to call up individual reservists and National Guardsmen without declaring a national emergency. (Agreed to 378 to 3.)	Yea.
		S. 3688, providing funds to FNMA for home financing:	
244	Aug. 26	On agreeing to conference report. (Agreed to 234 to 1.)	Yea.
		S. 3700, extending urban mass transportation program for 3 years at $150,000,000 per year:	
245	Aug. 26	On agreeing to conference report. (Agreed to 156 to 86.)	Nay.
		H.J. Res. 1284, funding certain Federal agencies until Congress enacts fiscal year appropriation bills:	
246	Aug. 29	On agreeing to resolution. (Agreed to 323 to 6.)	Yea.
		H.R. 15963, establishing Department of Transportation:	
251	Aug. 30	On amendment to exclude Maritime Administration from the Department's jurisdiction. (Agreed to 261 to 117.)	Yea.
252	Aug. 30	On motion to recommit with instructions to assign air accident investigation functions to Transportation Safety Board. (Rejected 143 to 238.)	Yea.
253	Aug. 30	On passage. (Passed 336 to 42.)	Yea.
		S. 3155, authorizing funds for highway construction:	
255	Aug. 31	On agreeing to conference report. (Agreed to 359 to 1.)	Yea.
		S. 3005, Traffic Safety Act, establishing safety standards for autos and tires:	
257	Aug. 31	On agreeing to conference report. (Agreed to 365 to 0.)	Yea.
		S. 3052, Highway Safety Act, establishing highway safety program:	
258	Aug. 31	On agreeing to conference report. (Agreed to 360 to 3.)	Yea.
		H.R. 16574, authorizing $100 million for Peace Corps in fiscal 1967:	
259	Aug. 31	On passage. (Passed 322 to 15.)	Yea.
		H.R. 15750, authorizing foreign aid:	
261	Sept. 1	On agreeing to conference report. (Agreed to 217 to 127.)	Nay.
		H.R. 15098, authorizing $10,000,000 for U.S. participation in HemisFair Exposition in Texas:	
262	Sept. 1	On motion to recommit. (Rejected 147 to 184.)	Yea.
		H.R. 15766, establishing a commission to study and recommend reform of Federal criminal laws:	
265	Sept. 6	On motion to suspend rules and pass. (Passed 259 to 0.)	Yea.
		H.R. 13712, increasing Federal minimum wage to $1.60 an hour and extending coverage to additional employees:	
267	Sept. 7	On motion to recommit conference report with instructions to insist on final effective date of Feb. 1, 1969, instead of 1968. (Rejected 163 to 183.)	Yea.
268	Sept. 7	On passage. (Passed 259 to 89.)	Nay.
		H.R. 14026, broadening authority of federal banking officials to control interest rates:	
271	Sept. 8	On motion to recommit. (Rejected 130 to 214.)	Nay.
272	Sept. 8	On passage. (Passed 271 to 68.)	Yea.
		H. Res. 1002, providing for consideration of H.J. Res. 688, implementing Beirut Agreement on facilitating international circulation of visual and auditory material of educational, scientific, and cultural character:	
274	Sept. 12	On agreeing to resolution. (Agreed to 242 to 2.)	Yea.
		H. Res. 1005, providing for consideration of H.R. 11256, to improve the Federal tax lien laws:	
275	Sept. 12	On agreeing to resolution. (Agreed to 243 to 9.)	Yea.
		H. Res. 1004, providing for consideration of H.R. 8664, implementing Florence Agreement on duty-free entry of certain educational, scientific, and cultural materials:	
276	Sept. 12	On agreeing to resolution. (Agreed to 241 to 7.)	Yea.

Footnotes at end of table.

THE UNIVERSITY OF MICHIGAN LIBRARIES

89th Congress, 2d session—Continued

Roll-call No.	Date 1966	Measure, question, and result	Vote
		H. Res. 976, providing for consideration of H.R. 11555, authorizing $12,000,000 for border highway in El Paso, Tex.:	
277	Sept. 12	On agreeing to resolution. (Agreed to 202 to 48.)	Nay.
		H.R. 17636, making appropriations for District of Columbia for fiscal 1967:	
279	Sept. 13	On motion to recommit with instructions to reduce bill by 5 percent (Rejected 103 to 217.)	Not voting.[2]
280	Sept. 13	On passage. (Passed 320 to 3.)	Not voting.[2]
		H.R. 17637, making appropriations for military construction for fiscal 1967:	
284	Sept. 14	On passage. (Passed 346 to 3.)	Yea.
		H.R. 8678, establishing of Pictured Rocks National Lakeshore in Michigan:	
286	Sept. 19	On motion to suspend rules and pass. (Passed 247 to 70.)	Not voting.[2]
		H.R. 17488, increasing non-service-connected disability and death pensions for veterans and their survivors:	
287	Sept. 19	On motion to suspend rules and pass. (Passed 315 to 2.)	Not voting.[2]
		H.R. 15183, permitting Cuban refugees to apply for permanent residence status:	
288	Sept. 19	On motion to suspend rules and pass. (Passed 300 to 25.)	Not voting.[2]
		S.J. Res. 167, authorizing $1.2 million for International Conference on Water for Peace:	
289	Sept. 19	On motion to suspend rules and pass. (Rejected 161 to 154, a ⅔ majority being required.)	Not voting.[1]
		S. 3423, authorizing $600,000 to establish cultural and recreation area in Fairfax County, Va.:	
290	Sept. 19	On motion to suspend rules and pass. (Rejected 195 to 105, a ⅔ majority being required.)	Not voting.[1]
		H.R. 17788, making appropriations for foreign aid and other programs for fiscal 1967:	
293	Sept. 20	On motion to recommit with instructions to reduce economic aid by 1.9 percent. (Agreed to 187 to 182.)	Yea.
294	Sept. 20	On passage. (Passed 234 to 141.)	Nay.
		H.R. 17787, making appropriations for public works for fiscal 1967:	
296	Sept. 21	On passage. (Passed 354 to 25.)	Nay.
		H.R. 17195, authorizing the President to call up reserves without declaring a national emergency and barring merger of Reserves and National Guard:	
298	Sept. 21	On passage. (Passed 332 to 6.)	Yea.
		H.R. 11555, authorizing $12,000,000 for border highway in El Paso, Tex.:	
300	Sept. 22	On motion to recommit with instructions to reduce Federal funds to $8,000,000 and to require that El Paso or Texas pay 50 percent of highway cost. (Rejected 149 to 199.)	Yea.
		H.R. 13825, authorizing funds for Tijuana River flood control project:	
301	Sept. 22	On passage. (Passed 293 to 42.)	Yea.
		H.R. 15111, authorizing $1,750,000,000 for antipoverty program for fiscal 1967:	
317	Sept. 29	On motion to strike enacting clause. (Rejected 156 to 208.)	Yea.
318	Sept. 29	On amendment to limit supergrades to 1 for each 100 employees. (Agreed to 257 to 108.)	Yea.
319	Sept. 29	On motion to recommit with instructions to substitute Opportunity Crusade. (Rejected 162 to 203.)	Yea.
320	Sept. 29	On passage. (Passed 210 to 156.)	Nay.
		H.R. 17607, suspending 7 percent investment tax credit:	
323	Sept. 30	On Byrnes amendment continuing credit for construction of water and air pollution control facilities. (Agreed to 330 to 2.)	Yea.
324	Sept. 30	On passage. (Passed 221 to 118.)	Yea.
		H.R. 16076, authorizing funds for water pollution control:	
325	Sept. 30	On passage. (Passed 312 to 0.)	Yea.
		S. 985, establishing certain fair packaging and labeling standards:	
326	Oct. 3	On motion to suspend rules and pass. (Passed 300 to 8.)	Not voting.[2]
		S. 3807, authorizing $15,000,000 for nuclear power-desalting project:	
327	Oct. 3	On motion to suspend rules and pass. (Passed 316 to 1.)	Not voting.[2]
		H.R. 13447, authorizing $15,000,000 for estuarine areas:	
328	Oct. 3	On motion to suspend rules and pass. (Rejected 208 to 108, a ⅔ majority being required.)	Not voting.[1]
		H.R. 18119, making appropriations for Departments of State, Justice, and Commerce for fiscal 1967:	
330	Oct. 4	On motion to recommit with instructions to reduce all but FBI funds by 5 percent. (Rejected 152 to 201.)	Not voting[2]
331	Oct. 4	On passage. (Passed 319 to 38.)	Yea.
		H.R. 14929, Food for Freedom Act, promoting international trade in agricultural commodities:	
335	Oct. 5	On motion to recommit conference report with instructions to insist on banning sales to nations trading with Cuba or North Vietnam. (Agreed to 306 to 61.)	Yea.
		H.R. 13161, authorizing $5.6 billion for Federal aid to elementary and secondary education for fiscal 1967–68:	
343	Oct. 6	On amendment allowing withholding of funds for non-compliance with Civil Rights Act of 1964 only after hearings and findings. (Agreed to 221 to 116.)	Yea.
344	Oct. 6	On motion to recommit with instructions to reduce funds by $1,300,000,000. (Rejected 150 to 185.)	Yea.
345	Oct. 6	On passage. (Passed 237 to 97.)	Nay.
		H.R. 17788, making appropriations for foreign aid and other programs for fiscal 1967:	
346	Oct. 7	On agreeing to conference report appropriating $110,600,000 less than House bill. (Agreed to 189 to 89.)	Yea.
		H.R. 15941, making appropriations for Department of Defense for fiscal 1967:	
349	Oct. 11	On motion to agree to amendment in conference report authorizing President to call up Reservists and Guardsmen individually and by unit without declaring a national emergency. (Agreed to 305 to 42.)	Nay.
		H.R. 17787, making appropriations for public works for fiscal 1967:	
350	Oct. 11	On motion to recommit conference report with instructions to cut $23,600,000. (Rejected 91 to 255.)	Yea.
		H.R. 12047, amending the Internal Security Act to impose criminal punishment on those who support through contributions or goods any country in armed conflict with the United States:	
360	Oct. 13	On passage. (Passed 275 to 64.)	Yea.
		H.R. 51, establishing the Indiana Dunes National Lakeshore:	
362	Oct. 14	On amendment adding 478 acres. (Agreed to 182 to 147.)	Nay.
363	Oct. 14	On passage. (Passed 204 to 141.)	Nay.
		S. 3708, Demonstration Cities and Metropolitan Development Act:	
365	Oct. 14	On motion to recommit with instructions to cut $900,000,000 and delete Federal metropolitan program. (Rejected 149 to 175.)	Yea.
366	Oct. 14	On passage. (Passed 178 to 141.)	Nay.
		S. 3675, providing for consideration of claims of U.S. nationals against Chinese Communists:	
368	Oct. 17	On motion to suspend rules and pass. (Passed 249 to 3.)	Yea.
		S. 985, establishing certain fair packaging and labeling standards:	
369	Oct. 17	On agreeing to conference report. (Agreed to 242 to 6.)	Yea.
		S. 2947, authorizing funds for water pollution control:	
370	Oct. 17	On agreeing to conference report. (Agreed to 247 to 0.)	Yea.

[1] Absent. If present, would have voted "nay."

[2] Absent. If present, would have voted "yea."

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New York [Mr. Carey] is recognized for 10 minutes.

CRIME AND CRIMINAL PROCEDURE IN THE DISTRICT OF COLUMBIA—CONFERENCE REPORT

Mr. WHITENER submitted a conference report and statement on the bill (H.R. 5688) relating to crime and criminal procedure in the District of Columbia.

TARIFF TREATMENT OF CERTAIN ARTICLES

Mr. MILLS submitted a conference report and statement on the bill (H.R. 11216) relating to tariff treatment of articles assembled abroad of products of the United States.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. Roncalio, for the week of October 17, 1966, on account of official business.

Mr. Dyal (at the request of Mr. McFall), for the week of October 17, on account of official business.

Mr. Ottinger (at the request of Mr. Krebs), for Monday, October 17, 1966, on account of official business.

Mr. Roberts (at the request of Mr. White of Texas), for the balance of the week, on account of illness in his family.

Mr. Adams, for October 18 to October 22, on account of official business.

Mr. Cooley (at the request of Mr. Young), for remainder of week, on account of official business.

Mr. McMillan (at the request of Mr. Young), for the remainder of the week, on account of official business.

Mr. Stalbaum (at the request of Mr. Young), for today, on account of official business.

Mr. Roberts (at the request of Mr. Young), for remainder of week, on account of illness in family.

Mr. Hansen of Iowa (at the request of Mr. Young), for the remainder of the week, on account of official business.

Mr. Stanton (at the request of Mr. Gerald R. Ford), on account of the death of his father.

Mr. McDowell (at the request of Mr. Landrum), for today and tomorrow, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. Vivian, for today, for 15 minutes; and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. Matthews) and to include extraneous matter:

Mr. Carey, for 10 minutes, today.

Mr. Kee, for 30 minutes, on Wednesday, October 19.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. McCormack (at the request of Mr. McFall), notwithstanding the cost estimated by the Public Printer to be $412.50 to extend remarks in the Record and to include extraneous matter.

Mr. Rhodes of Arizona in two instances.

(The following Members (at the request of Mr. Hall) and to include extraneous matter:)

Mr. Bray in three instances.

Mr. Dole.

(The following Members (at the request of Mr. Matthews) and to include extraneous matter:)

Mr. Tenzer.

Mr. Murphy of New York.

Mr. Jacobs.

Mr. Marsh.

Mr. Randall.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2916. An act to provide for a weather modification program; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 7648. An act to authorize long-term leases on the San Xavier and Salt River Pima-Maricopa Indian Reservations, and for other purposes;

H.R. 9985. An act to provide for the mandatory reporting by physicians and hospitals or similar institutions in the District of Columbia of injuries caused by firearms or other dangerous weapons;

H.R. 10304. An act to provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children;

H.R. 11660. An act relating to interest on income tax refunds made within 45 days after the filing of the tax return, and for other purposes;

H.R. 11782. An act to amend the Internal Revenue Code of 1954 to allow a deduction for additions to a reserve for certain guaranteed debt obligations, and for other purposes;

H.R. 13448. An act to amend title 39, United States Code, with respect to mailing privileges of members of the U.S. Armed Forces and other Federal Government personnel overseas, and for other purposes;

H.R. 15748. An act to amend title 10, United States Code, to authorize a special 30-day period of leave for a member of a uniformed service who voluntarily extends his tour of duty in a hostile fire area;

H.R. 16715. An act to amend the Manpower Development and Training Act to 1962; and

H.R. 17637. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 2338. An act to authorize the erection of a memorial in the District of Columbia to Gen. John J. Pershing; and

S. 3298. An act to amend the Federal Hazardous Substances Labeling Act to ban hazardous toys and articles intended for children, and other articles so hazardous as to be dangerous in the household regardless of labeling, and to apply to unpackaged articles intended for household use, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. BURLESON, from the Committee on House Administration, reported that that committee did on October 15, 1966, present to the President, for his approval, bills of the House of the following titles:

H.R. 698. An act to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes;

H.R. 1665. An act to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to provide for the reporting of congressional reference cases by commissioners of the U.S. Court of Claims;

H.R. 3314. An act to require premarital examinations in the District of Columbia, and for other purposes;

H.R. 5213. An act for the relief of Winston Lloyd McKay;

H.R. 9424. An act to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the national wildlife refuge system, and for other purposes;

H.R. 15963. An act to establish a Department of Transportation, and for other purposes;

H.R. 16774. An act to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay; and

H.R. 17190. An act to authorize the establishment and operation by Gallaudet College of a model secondary school for the deaf to serve the National Capital region.

ADJOURNMENT

Mr. MATTHEWS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 43 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, October 18, 1966, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2820. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 26, 1966, submitting a report, together with accompanying papers and illustrations, on Teche-Vermilion Basins, La., in partial response to provisions of the Flood Control Act approved December 22, 1944, and the River and Harbor Act approved March 2, 1945 (H. Doc. No. 524); to the Committee on Public Works and ordered to be printed with illustrations.

2821. A letter from the Secretary of the Army, transmitting a letter from the Chief of Engineers, Department of the Army, dated September 21, 1966, submitting a report, together with accompanying papers and illustrations, on Meramec River Basin, Mo., requested by a resolution of the Committee on Public Works, House of Representatives, adopted April 6, 1960 (H. Doc. No. 525); to the Committee on Public Works and ordered to be printed with illustrations.

2822. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting plans for works of improvement as follows: Georgia, Eli Whitney; Idaho and Wyoming, Trail Creek; Kansas, Lower Wakarusa; Maine and New Hampshire, Cold River-Old Course Saco; Ohio, Dick's Creek-Little Muddy Creek (supplemental), pursuant to the provisions of 16 U.S.C. 1005, and delegated to the Director of the Bureau of the Budget by Executive Order No. 10654 of January 20, 1965; to the Committee on Agriculture.

2823. A letter from the Administrator, Veterans' Administration, transmitting a report of personnel claims paid during the fiscal year which ended June 30, 1966, pursuant to the provisions of Public Law 89–185; to the Committee on the Judiciary.

2824. A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting plans for works of improvement as follows: Georgia, Little River; Illinois, Coal and Crane Creek; Indiana, West Boggs Creek; Kansas, Upper Wakarusa; Pennsylvania and West Virginia, Wheeling Creek, pursuant to the provisions of 16 U.S.C. 1005, and delegated to the Director of the Bureau of the Budget by Executive Order No. 10654 of January 20, 1956; to the Committee on Public Works.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk

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for printing and reference to the proper calendar, as follows:

Mr. MADDEN: Committee on Rules. House Resolution 1056. Resolution waiving all points of order against H.R. 18381, a bill making supplemental appropriations for the fiscal year ending June 30, 1967, and for other purposes (Rept. No. 2288). Referred to the House Calendar.

Mr. BLATNIK: Committee of conference. S. 2947. An act to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act (Rept. No. 2289). Ordered to be printed.

Mr. LENNON: Committee of conference. S. 2720. An act to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate (Rept. No. 2290). Ordered to be printed.

Mr. GALLAGHER: Canada-United States Interparliamentary Group. Report of the ninth meeting of the Canada-United States Interparliamentary Group (Rept. No. 2291). Referred to the Committee of the Whole House on the State of the Union.

Mr. MILLS: Committee of conference. H.R. 11216. An act relating to the tariff treatment of articles assembled abroad of products of the United States (Rept. No. 2297). Ordered to be printed.

Mr. NATCHER: Committee of conference. H.R. 17636. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes (Rept. No. 2292). Ordered to be printed.

Mr. MILLS: Committee on Ways and Means. H.R. 5950. A bill to amend the Tariff Act of 1930, as amended, to provide for the duty-free entry of limestone, when imported, to be used in the manufacture of cement; with amendments (Rept. No. 2293). Referred to the Committee of the Whole House on the State of the Union.

Mr. BOGGS: Committee on Ways and Means. H.R. 16077. A bill to amend the Tariff Act of 1930 to provide that dicyandiamide be admitted free of duty; with amendments (Rept. No. 2294). Referred to the Committee of the Whole House on the State of the Union.

Mr. WHITENER: Committee of conference. H.R. 5688. An act relating to crime and criminal procedure in the District of Columbia (Rept. No. 2295). Ordered to be printed.

Mr. MILLS: Committee on Ways and Means. H.R. 18085. A bill to amend title II of the Social Security Act to reduce from 1 year to 6 months the period for which an insured individual's wife or stepchild (not otherwise qualified) must have occupied that status in order to qualify as his "widow" or "stepchild" for benefit purposes; with amendments (Rept. No. 2296). Referred to the Committee of the Whole House on the State of the Union.

Mr. POWELL: Committee of conference. H.R. 15111. An act to provide continued progress in the Nation's war on poverty (Rept. No. 2298). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred, as follows:

By Mr. BROYHILL of Virginia:

H.R. 18394. A bill to prohibit the use of Federal funds to provide payments, assistance, or services with respect to individuals who incite riots or certain other civil disturbances, and for other purposes; to the Committee on the Judiciary.

H.R. 18395. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mrs. GREEN of Oregon:

H.R. 18396. A bill to provide for the issuance of a special U.S. postage stamp in commemoration of those who are dedicated to helping retarded children; to the Committee on Post Office and Civil Service.

By Mr. HATHAWAY:

H.R. 18397. A bill granting the consent of the Congress to the State of Maine to negotiate and enter into an agreement with the Dominion of Canada relating to the construction of certain road, and for other purposes; to the Committee on Foreign Affairs.

By Mr. MOORE:

H.R. 18398. A bill to amend the Internal Revenue Code of 1954 to provide an accelerated amortization deduction in certain cases for industrial or commercial plants and facilities constructed or established in economically depressed areas; to the Committee on Ways and Means.

By Mr. COLLIER:

H.R. 18399. A bill to amend the Internal Revenue Code of 1954 to provide for a refund of an employee's hospital insurance taxes paid under the social security program where his combined remuneration under that program and the railroad retirement program exceeds the maximum which is subject to tax under either such program; to the Committee on Ways and Means.

By Mr. FRELINGHUYSEN:

H.R. 18400. A bill to amend title II of the Social Security Act to provide for an immediate 10-percent across-the-board increase in the benefits payable thereunder, and for subsequent cost-of-living increases in such benefits; to the Committee on Ways and Means.

By Mr. McFALL:

H.R. 18401. A bill to authorize the Secretary of the Interior to construct and to provide for operation and maintenance of the Peripheral Canal unit of the Delta division of the Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. RANDALL:

H.R. 18402. A bill to provide criminal penalties for incitement of riots and civil disturbances, and for other purposes; to the Committee on the Judiciary.

H.R. 18403. A bill to establish the Federal Advisory Commission on Law Enforcement; to the Committee on the Judiciary.

By Mr. WATSON:

H.R. 18404. A bill to protect the employees of the executive branch of the U.S. Government of their constitutional rights and to prevent unwarranted governmental invasions of their privacy; to the Committee on Post Office and Civil Service.

By Mr. HOSMER:

H. Con. Res. 1040. Concurrent resolution expressing the sense of the Congress that the regulations proposed by the Food and Drug Administration of the Department of Health, Education, and Welfare on June 17, 1966, with respect to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. CHARLES H. WILSON:

H. Con. Res. 1041. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. BROYHILL of Virginia:

H. Res. 1059. Resolution to authorize the Committee on Armed Services to conduct an investigation and study of the legal and economic problems confronting the families of members of the Armed Forces captured or missing in connection with the hostilities in Vietnam; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. GILBERT:

H.R. 18405. A bill for the relief of Mr. Yacov Shimon; to the Committee on the Judiciary.

By Mr. GUBSER:

H.R. 18406. A bill for the relief of S & S Vending Machine Co.; to the Committee on the Judiciary.

By Mr. JOHNSON of California:

H.R. 18407. A bill for the relief of Yolanda Carlotta Oneto; to the Committee on the Judiciary.

By Mr. MACDONALD:

H.R. 18408. A bill to provide for the free entry of one rheogoniometer for the use of Tufts University, Boston, Mass.; to the Committee on Ways and Means.

By Mr. POWELL:

H.R. 18409. A bill for the relief of Lillina Freda; to the Committee on the Judiciary.

H.R. 18410. A bill for the relief of Ethlin Gardner; to the Committee on the Judiciary.

H.R. 18411. A bill for the relief of Ethel McLeod; to the Committee on the Judiciary.

H.R. 18412. A bill for the relief of Hazel Chin Quee; to the Committee on the Judiciary.

H.R. 18413. A bill for the relief of Enid May Reid; to the Committee on the Judiciary.

H.R. 18414. A bill for the relief of Yvonne St. Louis; to the Committee on the Judiciary.

H.R. 18415. A bill for the relief of Gladys Maud Scott; to the Committee on the Judiciary.

By Mr. SATTERFIELD:

H.R. 18416. A bill for the relief of Andrew G. Briggs; to the Committee on the Judiciary.

By Mr. WYATT:

H.R. 18417. A bill for the relief of Harold Gilbertson, Raymond Nelson, Lawrence Powell, Marvin Holland, Erling Ellison, Haakon Pederson, Marvel Blix, all of Cathlamet, Wash., and Charles F. Gann, of Westport, Oreg.; to the Committee on the Judiciary.

H.R. 18418. A bill for the relief of Yung-Shing Hsu; to the Committee on the Judiciary.

By Mr. ZABLOCKI:

H.R. 18419. A bill for the relief of Piotr Pankiewicz; to the Committee on the Judiciary.

SENATE

MONDAY, OCTOBER 17, 1966

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Eternal God, Father of our spirits, with a faith that will not shrink though pressed by every foe, we would this day climb the altar stairs which slope through darkness up to Thee. For our greatest need is of Thee.

In this day of destiny for us and for the world make us worthy of our high calling as keepers of the sacred flame.

Guide and direct the thoughts and aspirations of Thy servants here, that in the deliberations of this day they may ordain for the governance of our Nation only such things as shall please Thee, to the glory of Thy name and the safety, honor, and welfare of our people; that justice and truth being established among us we may lead the nations of the world into that enduring peace which alone is the fruit of righteousness.

Steady our hands as to us is given the torch of righteousness with a new commission, for this Thy glorious day—*Arise, shine, for Thy light is come, and the glory of the Lord is risen upon Thee.* Amen.

THE JOURNAL

On request of Mr. Mansfield, and by unanimous consent, the reading of the Journal of the proceedings of Friday, October 14, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States, submitting nominations, were communicated to the Senate by Mr. Jones, one of his secretaries.

MESSAGE FROM THE HOUSE RECEIVED DURING ADJOURNMENT—ENROLLED BILLS SIGNED

Under authority of the order of the Senate of October, 14, 1966,

The Secretary of the Senate, on October 14, 1966, received a message from the House of Representatives, which announced that the Speaker had affixed his signature to the following bills, on October 14, 1966, and they were signed by the President pro tempore on October 15, 1966:

S. 3112. An act to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 percent of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes;

S. 3488. An act to grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact to establish an organization empowered to provide transit facilities in the National Capital region and for other purposes and to enact said amendment for the District of Columbia;

H.R. 698. An act to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes;

H.R. 9424. An act to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the National Wildlife Refuge System; and for other purposes;

H.R. 15963. An act to establish a Department of Transportation, and for other purposes;

H.R. 16774. An act to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay; and

H.R. 17190. An act to authorize the establishment and operation by Gallaudet College of a model secondary school for the deaf to serve the National Capital region.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2102) to protect and conserve the North Pacific fur seals, to provide for the administration of the Pribilof Islands, to conserve the fur seals and other wildlife on the Pribilof Islands, and to protect sea otters on the high seas.

The message also announced that the House had passed the bill (S. 3708) to assist comprehensive city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist, and encourage planned metropolitan development, and for other purposes with an amendment, that the House insisted upon its amendment to the bill, asked a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Patman, Mr. Multer, Mr. Barrett, Mrs. Sullivan, Mr. Reuss, Mr. Ashley, Mr. Widnall, Mr. Fino, and Mrs. Dwyer were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H.R. 7648) to authorize long-term leases on the San Xavier and Salt River Pima-Maricopa Indian Reservations, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 14644) to amend the Higher Education Facilities Act of 1963 to extend it for 3 years, and for other purposes; and to authorize assistance to developing institutions for an additional year; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. Powell, Mrs. Green of Oregon, Mr. Brademas, Mr. Sickles, Mr. Gibbons, Mr. Casey, Mr. Hathaway, Mr. Burton of California, Mr. Ayres, Mr. Quie, Mr. Reid of New York, and Mr. Erlenborn were appointed managers on the part of the House at the conference.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17637) making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes; that the House receded from its disagreement to the amendments of the Senate numbered 1 and 3 to the bill, and concurred therein, each with an amendment, in which it requested the concurrence of the Senate.

The message informed the Senate that Mr. Ayres of Ohio, Mr. Quie of Minnesota, Mr. Goodell of New York, and Mr. Bell of California had been appointed as conferees on the disagreeing votes of the two Houses thereon to the bill (H.R. 13161) to strengthen and improve programs of assistance for our elementary and secondary schools, vice the Republican conferees, excused.

EXECUTIVE COMMUNICATIONS, ETC.

The VICE PRESIDENT laid before the Senate the following communication and letters, which were referred as indicated:

Proposed Supplemental Appropriations, Fiscal Year 1967, for Various Agencies (S. Doc. No. 117)

A communication from the President of the United States, transmitting proposed supplemental appropriations, for the fiscal year 1967, in the amount of $67,512,000, for various agencies (with an accompanying paper); to the Committee on Appropriations and ordered to be printed.

Plans for Works of Improvement in Various States

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Eli Whitney watershed, Georgia, Trail Creek, Idaho and Wyoming, Lower Wakarusa watershed, Kansas, Cold River-Old Course Saco watershed, Maine and New Hampshire, and Dick's Creek-Little Muddy Creek, Ohio (supplemental) (with accompanying papers); to the Committee on Agriculture and Forestry.

Plans for Works of Improvement in Various States

A letter from the Acting Director, Bureau of the Budget, Executive Office of the President, transmitting, pursuant to law, plans for works of improvement on Little River, Georgia, Coal and Crane Creek, Illinois, West Boggs Creek, Indiana, Upper Wakarusa watershed, Kansas, and Wheeling Creek, Pennsylvania and West Virginia (with accompanying papers); to the Committee on Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. JACKSON, from the Committee on Interior and Insular Affairs, with amendments:

H.R. 14604. An act to authorize a study of facilities and services to be furnished visitors and students coming to the Nation's Capital (Rept. No. 1745).

By Mr. ROBERTSON, from the Committee on Banking and Currency, without amendment:

S. 3881. A bill to provide for the striking of medals in commemoration of the U.S. Naval Construction Battalions (Seabees) 25th anniversary and the U.S. Navy Civil Engineer Corps (CEC) 100th anniversary (Rept. No. 1746).

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. SMATHERS:

S. 3916. A bill for the relief of Dr. Eduardo Gonzales; to the Committee on the Judiciary.

S. 3917. A bill to amend title II of the Social Security Act so as to permit individuals entitled to monthly insurance benefits thereunder to waive their entitlement to all or any part of such benefits; to the Committee on Finance.

(See the remarks of Mr. SMATHERS when he introduced the last above-mentioned bill, which appear under a separate heading.)

By Mr. SMATHERS (for himself, Mr. HARRIS, and Mr. MONDALE):

S. 3918. A bill to amend the Social Security Act to revise the provisions thereof relating to the adjustment of underpayments of old-age, survivors, and disability insurance benefits, and to provide for the settlement of claims for unpaid medical insurance benefits in cases where the enrollee dies without making an assignment of his benefits; to the Committee on Finance.

(See the remarks of Mr. SMATHERS when he introduced the above bill, which appear under a separate heading.)

CONCURRENT RESOLUTION

REQUEST FOR RETURN OF S. 3488 FROM THE PRESIDENT

Mr. MANSFIELD submitted a concurrent resolution (S. Con. Res. 115) to request return of S. 3488 from the President of the United States, to rescind the signatures of the Speaker and President pro tempore of the Senate, and reenroll it with correction, which was considered and agreed to.

(See the above concurrent resolution printed in full when submitted by Mr. MANSFIELD, which appears under a separate heading.)

RESOLUTION

DIRECTING THE TARIFF COMMISSION TO CONDUCT AN INVESTIGATION UNDER SECTION 332 OF THE TARIFF ACT OF 1930, RELATING TO OLIVES

Mr. KUCHEL (for Mr. DIRKSEN) submitted a resolution (S. Res. 315) directing the Tariff Commission to conduct a section 332 investigation of olives and to report their findings to the Senate by March 31, 1967, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. KUCHEL, which appears under a separate heading.)

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

WAIVER OF ENTITLEMENT TO CERTAIN SOCIAL SECURITY BENEFITS

Mr. SMATHERS. Mr. President, I am today introducing a bill to permit social security beneficiaries to waive all or any part of the benefits to which they are entitled.

The need for this amendment was dramatically shown by a large number of letters which I received both from Florida veterans and from veterans who reside in other States soon after passage of the Social Security Amendments of 1965. I presume that other Senators also received considerable mail on this issue. These veterans complained that because of the social security benefit increase which had been enacted, their income had been forced over the specified limits for receiving non-service-connected veterans pensions. In some cases, these veterans suffered losses in pensions which far exceeded the social security increase. Thus while Congress intended to improve senior citizen income by enacting social security benefit increases it actually reduced the overall incomes of those senior citizens who were veterans or widows of veterans receiving non-service-connected benefits. I believe this was a cruel twist of fate entirely contrary to our intent in enacting those increases.

The Social Security Administration has advised me that there is nothing presently in the Social Security Act which permits the waiver of benefits. In fact, I am advised that the statute pertaining to non-service-connected veterans pensions actually provides that any waiver of such benefits will be disregarded for purposes of determining whether a veteran's other income exceeds income limits. Accordingly, veterans and veterans' widows who are just under such limits are helpless to prevent a reduction in their total incomes as a result of social security benefit increases.

My bill proposes instead to permit a veteran or a veteran's widow to waive a part of his social security benefit, thus bringing himself or herself within income limits and preserving his entitlement to non-service-connected pension benefits. Not only would this increase total incomes of these senior citizens it would do so at no cost to the social security system. In all probability, my bill would mean a saving to that system.

I understand that recipients of other retirement benefits would also benefit from a permission to waive a portion of their social security benefits. Other pension systems have arbitrary limits on the recipients' other income. When social security benefits slightly exceed those limits, the result can be a great reduction or complete loss of retirement benefits under those systems. By waiving only a small portion of social security benefits, some of those elderly individuals can substantially increase their total incomes.

Some of those who are presently suffering deprivation as a result of arbitrary limits on retirement incomes might prefer that instead of permitting them to waive social security benefits, we require that they be paid both the full amounts of their social security benefits and the full amounts of their veterans' pensions, just as if there were no income limits. I would advise them that it would be wiser for them to support my proposed waiver privilege.

Realistically, we must recognize that there is almost no possibility that an amendment could be enacted permitting them to receive both benefits without reduction. My amendment would permit them to choose the smaller reduction instead of being forced to take the larger reduction.

I have no illusion, Mr. President, that sufficient time remains in this Congress to consider and enact this bill. However, it is my hope that by introducing it at this time, some of the groundwork will have been laid for its consideration by the time we return for the beginning of the 90th Congress in January.

The VICE PRESIDENT. The bill will be received and appropriately referred.

The bill (S. 3917) to amend title II of the Social Security Act so as to permit individuals entitled to monthly insurance benefits thereunder to waive their entitlement to all or any part of such benefits, introduced by Mr. SMATHERS, was received, read twice by its title, and referred to the Committee on Finance.

IMPROVEMENT OF SOCIAL SECURITY ACT RELATING TO THE HANDLING OF CERTAIN CASES

Mr. SMATHERS. Mr. President, I introduce a bill which will make a necessary technical improvement in the provisions of the Social Security Act governing the handling of cases where a person dies and there are social security benefits owing him.

Presently under the social security law, benefits owed to a beneficiary who has died can generally be paid only to the legal representative of his estate. The only exception is where the amount due to 1 month's benefit or less, in which case it can be paid to the spouse of the deceased beneficiary if the spouse was living with him when he died. Thus, when a person dies before benefits due him have been paid, the only way for his survivors to claim the unpaid benefits is to go through the costly and complicated process of setting up formal administration of the estate so that there will be a legal representative to collect. In many cases there is no other reason to go through formal administration, and the lawyers' fees and court costs exceed the amount of the unpaid benefits. In such cases the survivors are naturally resentful about not being able to collect the payments. Even where formal administration is set up and the unpaid benefits are paid to the legal representative, the survivors resent the fact that they must go through this nuisance and expense in order to claim benefits which they feel are rightfully theirs.

There are now over 82,000 cases where a social security beneficiary has died and benefits are due him which cannot be paid. The number of such cases is growing rapidly—at a rate of roughly 2,000 a week. This is a serious and growing problem for the survivors, who feel—and rightly—that there should be some reasonable way for them to claim the amounts due the beneficiary when he died.

As you may recall, this present situation came about as a result of a 1965 amendment to the Social Security Act, one that few of us realized would give rise to the really impossible situation that later has developed.

In 1965 it was not well understood how very many cases there would be where payment could not be made—where there was no eligible spouse or where the underpayment would slightly exceed 1 month's benefit, or where no legal representative had been appointed and the size of the estate, including the unpaid benefits, would not be large enough to justify the costs of formal administration.

The amendment I propose would relieve the present situation by specifying that certain groups of survivors could be paid without requiring that a legal representative be appointed. Under this proposal, an order of priority for settling claims for underpayments would be set forth in the law. Under the proposed order, the spouse of the deceased beneficiary would have first claim on the benefits that were owing; if there were no spouse the children of the deceased beneficiary could get the unpaid benefits. If there were neither spouse nor children, payment would be made to the legal representative of the estate, if any; and then, if there were none, to those relatives of the deceased beneficiary who would be able to inherit his intestate personal property under applicable State law.

I believe that the solution embodied in this proposal will be satisfactory to both Houses. I am advised by the Department of Health, Education, and Welfare that this proposal will effectively alleviate the problems that have arisen under the present provision.

This amendment includes also provisions to facilitate the disposition of underpayments of medical insurance benefits under the medicare program after the death of the beneficiary.

I ask unanimous consent to insert a more detailed analysis of the proposed legislation, which in my opinion would have no significant cost.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the analysis will be printed in the RECORD.

The bill (S. 3918) to amend the Social Security Act to revise the provisions thereof relating to the adjustment of underpayments of old-age, survivors, and disability insurance benefits, and to provide for the settlement of claims for unpaid medical insurance benefits in cases where the enrollee dies without making an assignment of his benefits, introduced by Mr. SMATHERS (for himself and other Senators), was received, read twice by its title, and referred to the Committee on Finance.

The analysis presented by Mr. SMATHERS is as follows:

EXTEND THE ORDER OF PRIORITY IN PRESENT LAW FOR SETTLEMENT OF CLAIMS FOR UNDERPAYMENTS, AND AUTHORIZE THE SECRETARY TO SETTLE CLAIMS FOR UNPAID MEDICAL INSURANCE BENEFITS

Under the 1965 amendments the provision in title II of the Social Security Act relating to underpayments of cash benefits owing to a person who has died was modified to provide that: (1) an underpayment amounting to one month's benefit or less is to be paid to a surviving spouse who was living in the same household with the deceased underpaid person at the time of his death or, if there is no such spouse, to a legal representative of the deceased person's estate; and (2) an underpayment greater than one month's benefit can be made only to a legal representative of the estate.

The effect of this provision is that in cases involving an underpayment amounting to more than one month's benefit, and in all cases where there is no surviving spouse, the underpayment can be paid only to a legal representative of the deceased person's estate. If there is no legal representative of the estate, as is often true, the payment cannot be made. As of September 10, there were nearly 80,000 cases in which claims for underpayments of cash benefits cannot be paid under present law, and this figure is increasing at a rate of about 2,000 cases a week.

State laws govern the procedures for appointing a legal representative of a deceased person's estate. Since very few State laws, even where small-estate statutes are in effect, provide a simple means by which a person can be appointed to act as the legal representative of an estate, most people require the services of an attorney to claim the underpayment. In many such cases involving cash benefits the cost involved in claiming the payment is more than the amount of the underpayment. Even where a legal representative is appointed and the underpayment is made, there is likely to be resentment at having to go through elaborate and expensive legal procedures. There has been considerable adverse public reaction to the provision now in the law.

Cases involving unpaid medical insurance benefits have given rise to the same kind of problems as are involved in underpayments of cash benefits. In many cases a beneficiary dies without having received the benefits due him or having assigned his benefits to the persons who provided the services. The law makes no specific provision for the payment of benefits under the medical insurance part of the program in these circumstances. In order to facilitate the disposition of such underpayments of medical insurance benefits, there should be a specific indication in the law of how these payments are to be made.

In order to alleviate the problems involved, both with respect to cash benefits and with respect to unpaid medical insurance benefits, it is proposed that the law be amended to provide for payment of the claims for underpayments without having a legal representative of the estate appointed.

A. CASH BENEFITS

Under this proposal, claims for underpayments of cash benefits (regardless of the amounts) would be settled according to the following order of priority, which would be specified in the law:

1. To the spouse of the underpaid deceased individual if the spouse was living in the same household with him at the time of his death; or, if there is no such spouse, to a spouse who was, for the month in which the beneficiary died, entitled to a monthly benefit on the basis of the same wages and self-employment income as was the deceased beneficiary;
2. To a surviving child;
3. To the legal representative of the estate, if any;
4. To those relatives of the deceased individual who would be entitled to inherit his interstate personal property under applicable State law.

B. MEDICAL INSURANCE BENEFITS

Under the proposal, underpayments with respect to medical insurance benefits would be settled in somewhat different manner than would be used for settlement of cash-benefit underpayments, because of the different nature of the benefits involved.

1. One of the most common instances in which medical insurance benefits are due a deceased individual will involve cases where the covered services were not paid for before the individual died.

In such cases, priority would be given to making sure that the person who provided the services (for instance, the physician) gets paid. Under the proposal, therefore, in cases where the covered services had not been paid for before the death of the enrollee, payments would be made to the person (including the physician) whom the Secretary determines to be equitably entitled to such payments on the basis of his having provided or paid for the services. However, the person who provided the services would be entitled to reimbursement only on the condition that he accept the reasonable charge as his full charge for the services, as in assignment cases generally. Payment on the basis of equitable entitlement could also be made to persons who paid for the covered medical services on behalf of the deceased individual after his death.

2. In some cases the covered services would have been paid for before the death of the enrollee. In such cases, payment would be made to the legal representative of the deceased individual's estate, if any; if an estate has not been established within 90 days after the individual died, payment would be made in the following order of priority, which would be specified in the law:

a. To the spouse of the underpaid deceased individual if the spouse was living in the same household with him at the time of his death; or, if there is no such spouse, to a spouse who was, for the month in which the beneficiary died, entitled to a monthly benefit on the basis of the same wages and self-employment income as was the deceased beneficiary;

b. To the person or persons determined by the Secretary to be equitably entitled thereto—that is, to the person or persons who paid the medical bill for which reimbursement is being made.

Payment would be made to the spouse without regard to the 90-day waiting period in cases where the spouse of the deceased individual who was living in the same household with him at the time of his death signed a statement that no estate has been established and none is contemplated.

The legal representative of the estate, where one exists or is expected to be appointed, is given priority in the proposed settlement process because of the possibility that the medical bills may have been paid by someone other than the deceased. The legal representative could reimburse the person who paid the bill or otherwise distribute the funds as appropriate. The deceased individual's spouse would receive the unpaid amount if it appears likely that no legal representative will be appointed. The provision for paying equitably entitled persons is included because of the possibility that persons other than the deceased individual or his spouse paid the bills with the expectation of repayment when the beneficiary received reimbursement.

RESOLUTION DIRECTING TARIFF COMMISSION TO CONDUCT A SECTION 332 INVESTIGATION OF OLIVES

Mr. KUCHEL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of a resolution which I send to the desk.

The VICE PRESIDENT. The resolution will be stated.

The LEGISLATIVE CLERK. A resolution (S. Res. 315) directing the Tariff Commission to conduct a section 332 investigation of olives and to report their findings to the Senate by March 31, 1967.

The VICE PRESIDENT. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution.

Mr. KUCHEL. Mr. President, in the absence of our able minority leader who adorns this parliamentary body, I shall read some comments which he had desired to make with respect to the resolution.

Mr. President, I ask unanimous consent that my name may be added as a cosponsor of the resolution.

The VICE PRESIDENT. Without objection, it is so ordered.

Mr. KUCHEL. Mr. President, I ask unanimous consent that a statement prepared by the Senator from Illinois [Mr. DIRKSEN] be printed in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR DIRKSEN

This is a simple resolution that directs the Tariff Commission, pursuant to Section 332 of the Tariff Act of 1930, to make an investigation with respect to the importation of olives into the United States, including (but not limited to) the conditions of competition in the United States between olives bottled or canned in the United States (whether or not grown in the United States) in containers suitable for retail sale and olives bottled or canned outside the United States and imported into the United States in containers suitable for retail sale. The resolution directs the Commission to report back the results of the investigation on or before March 31, 1967.

The reason for this resolution is quite simple. At the time the tariff rate was established there was no packing of foreign olives abroad for shipment to the United States and sale at retail. As a result an extremely low rate of duty, some 20¢ per gallon, was placed on bulk olives. These were purchased by domestic packers who in turn packed them in containers for sale at retail.

The situation has changed somewhat in the last few months and there has been a beginning of importation of olives in containers ready for sale at retail. In the month of September alone, 70,714 cases of stuffed olives in glass containers arrived in this country, and there is another 200 tons in transit. This has caused considerable concern to the domestic packers and as members know, they have requested legislation. However, I do not feel that it would be appropriate to legislate in this field without the benefit of information from the Tariff Commission. That is the sole reason for this resolution; it does not require any recommendations on the part of the Commission, merely a finding of fact.

This resolution could have been in the form of a Finance Committee resolution, but it does not appear that the Committee will meet again this year. For this reason I offer the amendment as a Senate Resolution and ask unanimous consent for immediate consideration.

Mr. KUCHEL. Mr. President, the resolution would simply direct the Tariff Commission to make a study.

Mr. MANSFIELD. Mr. President, I have no objection.

The VICE PRESIDENT. The question is on agreeing to the resolution.

The resolution was agreed to, as follows:

Resolved, That (a) the United States Tariff Commission is directed, pursuant to section 332 of the Tariff Act of 1930, to make an investigation with respect to the importation of olives into the United States, including (but not limited to) the conditions of competition in the United States between olives bottled or canned in the United States (whether or not grown in the United States) in containers suitable for retail sale and olives bottled or canned outside the United States and imported into the United States in containers suitable for retail sale.

(b) For purposes of subsection (a), the Commission may utilize all information and data previously obtained or compiled by it in carrying out the duties and exercising the power conferred on it by section 332 of the Tariff Act of 1930.

(c) The Commission shall report the results of the investigation made by it pursuant to subsection (a) to the Senate on or before March 31, 1967.

Mr. KUCHEL. Mr. President, I move that the vote by which the resolution was agreed to be reconsidered.

Mr. MANSFIELD. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ADDITIONAL COSPONSOR OF BILL

Mr. ERVIN. Mr. President, I ask unanimous consent that at his request the senior Senator from Mississippi [Mr. EASTLAND] be added as cosponsor of S. 3779, a bill to protect the constitutional rights of employees of the executive branch and to prohibit unwarranted invasions of their privacy, at its next printing.

The VICE PRESIDENT. Without objection, it is so ordered.

NOTICE OF RECEIPT OF NOMINATIONS BY COMMITTEE ON FOREIGN RELATIONS

Mr. SPARKMAN. Mr. President, as acting chairman of the Committee on Foreign Relations, I desire to announce that today the Senate received the nominations of Robert C. Neumann, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Afghanistan; Rutherford M. Poats, of Virginia, to be Deputy Administrator, Agency for International Development; and, Emmett J. Rice, of New York, to be U.S. Alternate Executive Director of the International Bank for Reconstruction and Development.

In accordance with the committee rule, these pending nominations may not be considered prior to the expiration of 6 days of its receipt in the Senate.

ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on October 15, 1966, he presented to the President of the United States the following enrolled bills:

S. 3112. An act to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 percent of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes; and

S. 3488. An act to grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact to establish an organization empowered to provide transit facilities in the National Capital region and for other purposes and to enact said amendment for the District of Columbia.

WAIVER OF CALL OF THE CALENDAR

Mr. MUSKIE. Mr. President, under rule VIII, I ask unanimous consent to waive the call of the calendar of measures that are not objected to.

The VICE PRESIDENT. Without objection, it is so ordered.

EXECUTIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate proceeded to consider executive business.

EXECUTIVE MESSAGES REFERRED

The VICE PRESIDENT laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted:

By Mr. BIBLE, from the Committee on the District of Columbia:

Harold H. Greene, of Maryland, to be chief judge for the District of Columbia court of general sessions;

Richard R. Atkinson, of the District of Columbia, to be an associate judge of the District of Columbia court of general sessions, domestic relations branch;

Harry T. Alexander, of the District of Columbia, to be an associated judge of the District of Columbia court of general sessions;

Justin L. Edgerton, of Maryland, to be an associate judge of the District of Columbia court of general sessions;

Timothy C. Murphy, of the District of Columbia, to be an associate judge of the District of Columbia court of general sessions; and

William L. Porter, of the District of Columbia, to be a member of the Public Service Commission of the District of Columbia.

The VICE PRESIDENT. If there be no further reports of committees, the nominations on the Executive Calendar will be stated.

POSTMASTERS

The Chief Clerk proceeded to read sundry nominations in the Post Office Department.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

U.S. COMMITTEE ON HUMAN RIGHTS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1685.

The VICE PRESIDENT. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3101) to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as "International Human Rights Year," and for other purposes.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill which had been reported from the Committee on Foreign Relations, with amendments, on page 2, line 3, after the word "is", to strike out "hereby"; in line 5, after "(herein", to insert "after in this Act"; in the heading in line 7, after the word "Membership" to insert "of the Committee"; in line 8, after the word "shall", to strike out "consist" and insert "be composed"; at the beginning of line 11, to strike out "one from each political party,"; in line 12, after "House of Representatives", to strike out the semicolon and insert a comma and "one from each of the two major political parties"; in line 14, after the word "Senate", to strike out the comma and "one from each political party,"; in line 16, after the word "Senate", to strike out the semicolon and "and" and insert a comma and "one from each of the two major political parties"; in line 18, after the word "seven", to strike out "members"; in the same line, after the word "appointed", to strike out "from private life"; in line 19, after "United States", to strike out the period and insert a comma and "one of whom he shall designate to serve as Chairman of the Committee."; in line 21, after the word "elect", to strike out "a Chairman and"; in line 24, after the word "manner", to strike out "as" and insert "in which"; in the same line, after the word "appointment", to strike out the period and insert "was made."; on page 3, after line 2, to strike out:

(c) Members of the Committee each shall be entitled to receive $100 per diem when engaged in the actual performance of the powers and duties of the Committee, including travel time, and may receive travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

After line 10, to insert a new section, as follows:

COMPENSATION OF MEMBERS OF THE COMMITTEE

SEC. 3. Members of the Committee who are officers or employees of the United States shall serve without compensation in addition to that received for the service as such officers or employees. Members of the Committee appointed from private life each shall receive $100 per diem when actually engaged in the performance of duties vested in the Committee. Each member of the Committee shall be allowed travel expenses in the same manner as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

In the heading in line 23, after the word "Duties", to insert "Of the Committee"; at the beginning of line 24, to change the section number from "3" to "4"; in the same line, after the word "Committee", to strike out "is authorized and directed to conduct studies and" and insert "shall"; on page 4, line 3, after the word "In", to strike out "the conduct of its activities," and insert "order to carry out the provisions of this Act"; in line 18, after the word "as", to insert "it"; in the same line, after the word "may", to strike out "be" and insert "deem"; on page 5, at the beginning of line 3, to change the section number from "4" to "5"; in line 6, after the word "to", to insert "assist"; in line 7, after the word "the", to strike out "functions of the Committee under" and insert "provisions of"; in line 9, after the word "instrumentality", to strike out "is authorized to" and insert "shall"; in line 17, after the word "in", to strike out "the performance of the functions of the Committee" and insert "carrying out the provisions of this Act"; at the top of page 6, to insert:

(c) The Administrator of General Services shall provide administrative services for the Committee on a reimbursable basis.

At the beginning of line 5, to change the section number from "5" to "6"; in line 9, after the word "amended", to strike out "79 Stat. 1111," and insert "5"; in line 16, after the word "procure", to strike out the comma and "in accordance with section 15 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 55a), the"; in line 18, after the word "temporary", to strike out "or" and insert "and"; in line 19, after the word "services", to strike out "of experts and consultants. Individuals so employed shall be paid compensation at a rate to be fixed by the Committee but not in excess of $100 per diem, including travel time, and, while away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946, as amended (5 U.S.C. 73b–2), for persons in the Government service employed intermittently." and insert "to the same extent as is authorized for the departments by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), but at rates not to exceed $100 per diem for individuals."; on page 7, at the beginning of line 7, to change the section number from "6" to "7"; in line 8, after the word "than", to strike out "July" and insert "April"; in line 18, after the word "world", to strike out "in" and insert "during"; on page 8, line 3, after the word "may", to strike out "impose upon it" and insert "prescribe"; after line 5, to strike out:

AUTHORIZATION OF APPROPRIATIONS

SEC. 7. There are authorized to be appropriated such sums as may be necessary to carry out the provisions and accomplish the purposes of this Act.

And, in lieu thereof, to insert:

ACCEPTANCE OF DONATIONS; AUTHORIZATION OF APPROPRIATIONS

SEC. 8. (a) The Committee is authorized to accept donations of money, property, and personal services in carrying out the provisions of this Act.

(b) There are authorized to be appropriated such sums, not to exceed $300,000, as may be necessary to carry out the provisions of this Act.

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

ESTABLISHMENT OF UNITED STATES COMMITTEE ON HUMAN RIGHTS

SECTION 1. That, in order to provide for effective and coordinated preparation for participation by the United States in the observance of the year 1968, designated by the General Assembly of the United Nations as "International Human Rights Year", there is established an advisory and coordinating committee, to be known as the "United States Committee on Human Rights" (hereinafter in this Act referred to as the "Committee").

MEMBERSHIP OF THE COMMITTEE

SEC. 2. (a) The Committee shall be composed of eleven members, as follows:

(1) two Members of the House of Representatives, appointed by the Speaker of the House of Representatives, one from each of the two major political parties.

(2) two Members of the Senate appointed by the President of the Senate, one from each of the two major political parties.

(3) seven appointed by the President of the United States, one of whom he shall designate to serve as Chairman of the Committee.

(b) The Committee shall elect a Vice Chairman from among its members.

(c) A vacancy in the Committee shall be filled in the same manner in which the original appointment was made.

(d) The Committee is authorized to issue such rules and regulations as it deems advisable to conduct its activities.

COMPENSATION OF MEMBERS OF THE COMMITTEE

SEC. 3. Members of the Committee who are officers or employees of the United States shall serve without compensation in addition to that received for the service as such officers or employees. Members of the Committee appointed from private life each shall receive $100 per diem when actually engaged in the performance of duties vested in the Committee. Each member of the Committee shall be allowed travel expenses in the same manner as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b–2) for persons in the Government service employed intermittently.

POWERS AND DUTIES OF THE COMMITTEE

SEC. 4. The Committee shall formulate plans for effective and coordinated participation by the United States in the observance of the year 1968 as "International Human Rights Year". In order to carry out the provisions of this Act the Committee is authorized to—

(1) conduct studies, seminars, and meetings with appropriate parties in order to provide for effective participation in the observance of International Human Rights Year at the Federal, State, and local levels of government in the United States;

(2) explore the role of the United States in defining, expressing, and expanding the application of human rights principles in the United States and throughout the world;

(3) review past and present policies of the United States with respect to the universal application and preservation of human rights principles; and

(4) take such other action and conduct such other activities as it may deem appropriate to provide a basis for the observance by the United States of International Human Rights Year.

COOPERATION WITH COMMITTEE BY EXECUTIVE AGENCIES

SEC. 5. (a) The Committee is authorized to request any department, agency, independent establishment, or instrumentality in the executive branch of the Government to furnish suggestions and information to assist the Committee in carrying out the provisions of this Act. The head of each such department, agency, independent establishment, or instrumentality shall furnish such suggestions and information to the Committee upon request of the Chairman or Vice Chairman.

(b) Upon request of the Chairman or Vice Chairman of the Committee, the head of each department, agency, independent establishment, or instrumentality in the executive branch of the Government shall otherwise cooperate with the Committee in carrying out the provisions of this Act and shall provide the Committee with such additional assistance and services as may be available.

(c) The Administrator of General Services shall provide administrative services for the Committee on a reimbursable basis.

STAFF OF COMMITTEE

SEC. 6. (a) The Committee shall appoint an executive secretary without regard to the civil service laws, prescribe his duties, and fix his compensation at a rate not to exceed the maximum rate payable under the General Schedule of the Classification Act of 1949, as amended (5 U.S.C. 1113(b)).

(b) The Committee is authorized to appoint, without regard to the civil service laws, and fix the compensation, in accordance with the Classification Act of 1949, as amended, of such personnel as it deems advisable to carry out the purposes of this Act.

(c) The Committee may procure temporary and intermittent services to the same extent as is authorized for the departments by section 15 of the Administrative Expenses Act of 1946 (5 U.S.C. 55a), but at rates not to exceed $100 per diem for individuals.

REPORT AND TERMINATION OF COMMITTEE

SEC. 7. The Committee shall submit to the President, not later than April 1, 1967, for transmittal to the Congress a report of the activities of the Committee under this Act together with its recommendations, including recommendations as to the manner in which the most effective and coordinated participation by the United States in the observance of the year 1968 as "International Human Rights Year" may be accomplished and including recommendations as to the means by which the United States may contribute most effectively to the acceptance, observance, practice, and enforcement of the principles of human rights throughout the world during "International Human Rights Year" and thereafter.

(b) From and after the submission of its report to the President under subsection (a), the Committee shall, under the direction of the President, continue as an informational and coordinating clearinghouse and center of United States participation in the observance of the year 1968 as "International Human Rights Year" and, to carry out such purpose, shall perform such additional duties as the President may prescribe.

(c) The Committee shall cease to exist at the close of December 31, 1968.

ACCEPTANCE OF DONATIONS; AUTHORIZATION OF APPROPRIATIONS

SEC. 8. (a) The Committee is authorized to accept donations of money, property, and personal services in carrying out the provisions of this Act.

(b) There are authorized to be appropriated such sums, not to exceed $300,000, as may be necessary to carry out the provisions of this Act.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended so as to read: "A bill to establish a United States Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes."

CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar, beginning with Calendar No. 1699 and the succeeding measures in sequence.

The VICE PRESIDENT. Without objection, it is so ordered.

ANSLEY WILCOX HOUSE, BUFFALO, N.Y.—NATIONAL HISTORIC SITE

The Senate proceeded to consider the bill (H.R. 2600) to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, N.Y., as a national historic site which had been reported from the Committee on Interior and Insular Affairs, with amendments on page 1, line 4, after the word "Interior", to strike out "shall" and insert "shall, subject to the provisions of section 2 of this Act,"; in line 6, after the word "section", to strike out "2" and insert "3"; on page 2, line 2, after the word "shall", to strike out "maintain and preserve" and insert "provide, in accordance with section 2 of this Act, for the operation and maintenance, at no expense to the United States of"; after line 6, to insert a new section, as follows:

SEC. 2. (a) The Secretary shall not obligate or expend any moneys herein authorized to be appropriated for acquisition and restoration of the real property described in section 3, nor shall he establish such property as a national historic site in Federal ownership, unless and until commitments are obtained for donations of funds or services in an amount which in the judgment of the Secretary is sufficient to complete restoration of the property and to operate and maintain it for public benefit.

(b) The Secretary shall determine at the beginning of each fiscal year, beginning the first full fiscal year following the date of enactment of this Act, whether and to what extent donations of funds or services will be forthcoming for the purposes of subsection (a) of this section. If at any time following the acquisition of the property referred to in the first section of this Act the Secretary finds that during the next full fiscal year donated funds or services will not be forthcoming in amounts sufficient to satisfactorily carry on or complete restoration or to continue the operation and maintenance of the property as a national historic site in Federal ownership he shall, in accordance with such regulations as he may prescribe, dispose of such property at not less than its fair market value, as determined by him. The proceeds received from such disposal shall be credited to the Land and Water Conservation Fund in the Treasury of the United States.

On page 3, at the beginning of line 9, to change the section number from "2" to "3"; on page 5, at the beginning of line 1, to change the section number from "3" to "4"; in line 2, after the word "acquisition", to insert "and not more than $50,000 for the restoration"; and, on line 4, after the word "section", to strike out "2" and insert "3".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1731), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 2600, and a companion measure, S. 1055, sponsored by Senators JAVITS and KENNEDY of New York, is to authorize the Secretary of the Interior to acquire and to administer as a national historic site the house in Buffalo, N.Y., at which Theodore Roosevelt took his oath of office as President of the United States.

NEED

Theodore Roosevelt became the 26th President of the United States upon the assassination of his predecessor, President William McKinley. President Roosevelt took his oath of office on September 14, 1901, at the Ansley Wilcox House in Buffalo, the subject of the present bill. The oath was administered by Judge John R. Hazel. The Ansley House is one of the few places outside of Washington, D.C., where the Presidential oath of office has ever been administered. In view of the importance to the history of the United States of Theodore Roosevelt's accession to the Presidency and of other historical associations of the house—as officers' quarters of the Poinsett Barracks during the "patriot war" for instance—and in view of it being an excellent example of the Greek revival period of American architecture, the committee believes it will be a worthwhile addition to the national park system.

PRINTING OF CERTAIN HEARINGS OF THE ANTITRUST AND MONOPOLY SUBCOMMITTEE

The concurrent resolution (S. Con. Res. 109) authorizing the printing of certain hearings of the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary was considered and agreed to, as follows:

S. CON. RES. 109

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary one thousand additional copies each of the hearings held by its Subcommittee on Antitrust and Monopoly on physician ownership in pharmacies and drug companies (Eighty-eighth Congress, second session), price discrimination legislation (Eighty-ninth Congress, first session) and distribution problems affecting small business (Eighty-ninth Congress, first session).

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1732), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Concurrent Resolution 109 would authorize the printing for the use of the Senate Committee on the Judiciary of 1,000 additional copies each of 3 hearings held by its Subcommittee on Antitrust and Monopoly, as follows:

"Physician Ownership in Pharmacies and Drug Companies" (88th Cong., 2d sess.);

"Price Discrimination Legislation" (89th Cong., 1st sess.); and

"Distribution Problems Affecting Small Business," part 1 (89th Cong., 1st sess.).

The Public Printer has estimated that printing 1,000 copies of each of the 3 volumes would cost, respectively, $3,089, $1,903.01, and $2.540.46, for a total estimated cost under the concurrent resolution of $7,532.47.

PRINTING OF ADDITIONAL COPIES OF HEARINGS BY THE SPECIAL COMMITTEE ON AGING ON "DETECTION AND PREVENTION OF CHRONIC DISEASE UTILIZING MULTIPHASIC HEALTH SCREENING TECHNIQUES"

The concurrent resolution (S. Con. Res. 110) authorizing the printing of additional copies of hearings by the Special Committee on Aging on "Detection and Prevention of Chronic Disease Utilizing Multiphasic Health Screening Techniques" was considered and agreed to, as follows:

S. CON. RES. 110

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Special Committee on Aging four thousand additional copies of hearings held September 20, 21, and 22, 1966, in Washington, District of Columbia, titled "Detection and Prevention of Chronic Disease Utilizing Multiphasic Health Screening Techniques."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1733), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Concurrent Resolution 110 would authorize the printing for the use of the Special Committee on Aging of 4,000 additional copies of its hearings of the current session entitled "Detection and Prevention of Chronic Disease Utilizing Multiphasic Health Screening Techniques."

The printing cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

4,000 additional copies, at $493.65 per thousand	$1, 974. 60

PRINTING AS SENATE DOCUMENT OF FINAL REPORT OF THE WOODROW WILSON COMMISSION

The resolution (S. Res. 307) authorizing the printing as a Senate document of the final report of the Woodrow Wilson Commission was considered and agreed to, as follows:

S. RES. 307

Resolved, That there be printed as a Senate document the "Woodrow Wilson Memorial Commission: Final Report", September 1966.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1734), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 307 would authorize the printing as a Senate document of the final report to the President and the Congress of the United States of the Woodrow Wilson Memorial Commission. The Commission was established by Public Law 87-364, approved October 4, 1961, for the purpose of considering and formulating plans for the construction in the District of Columbia of an appropriate permanent memorial to former President Woodrow Wilson. This report is the result of the Commission's deliberations, hearings, and research, and includes a specific legislative proposal which would implement its recommendations.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

To print as a document (1,500 copies)	$228. 85

PRINTING OF A REPORT ENTITLED "PROFILE OF YOUTH—1966" AS A SENATE DOCUMENT

The resolution (S. Res. 312) authorizing the printing of a report entitled "Profile of Youth—1966" as a Senate document was considered and agreed to, as follows:

S. RES. 312

Resolved, That a committee print in two parts entitled "Profile of Youth—1966", a report prepared at the request of Senator CLAIBORNE PELL for the Subcommittee on Employment, Manpower, and Poverty of the Senate Committee on Labor and Public Welfare by the Legislative Reference Service, Library of Congress, be printed as a Senate document; and that there be printed eight hundred additional copies of such document for the use of that committee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1735), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 312 would provide that a committee print in two parts entitled "Profile of Youth—1966," a report prepared at the request of Senator CLAIBORNE PELL for the Subcommittee on Employment, Manpower, and Poverty of the Senate Committee on Labor and Public Welfare by the Legislative Reference Service, Library of Congress, be printed as a Senate document, and that there be printed 800 additional copies of such document for the use of that committee.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

To print as a document (1,500 copies)	$5, 155. 16
800 additional copies, at $1,448.56 per thousand	1, 158. 88
Total estimated cost, S. Res. 312	6, 314. 04

PRINTING AS SENATE DOCUMENT OF STUDY ENTITLED "ASPECTS OF INTELLECTUAL FERMENT IN THE SOVIET UNION"

The resolution (S. Res. 313) to authorize the printing as a Senate document of the study entitled "Aspects of Intellectual Ferment in the Soviet Union" was considered and agreed to, as follows:

S. RES. 313

Resolved, That the study entitled "Aspects of Intellectual Ferment in the Soviet Union", prepared by the Legislative Reference Service of the Library of Congress, shall be printed as a Senate document.

SEC. 2. There shall be printed fifteen thousand additional copies of such Senate document, of which eight thousand copies shall be for the use of the Committee on the Judiciary of the Senate and seven thousand copies shall be for the use of the Senate.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1736), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 313 would provide that the study entitled "Aspects of Intellectual Ferment in the Soviet Union," prepared by the Legislative Reference Service of the Library of Congress, be printed as a Senate document. The resolution further would authorize the printing of 15,000 additional copies of such document, of which 8,000 would be for the use of the Committee on the Judiciary and 7,000 would be for the use of the Senate (67 per Member).

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

To print as a document (1,500 copies)	$425. 00
15,000 additional copies, at $49.12 per thousand	736. 80
Total estimated cost, S. Res. 313	1, 161. 80

PRINTING OF REPORT ON INTERNATIONAL EDUCATION BY THE HOUSE EDUCATION AND LABOR COMMITTEE

The concurrent resolution (H. Con. Res. 1007) authorizing the printing of a report on international education by the House Education and Labor Committee was considered and agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1737), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

House Concurrent Resolution 1007 would provide that the document entitled "International Education: Past, Present, Problems and Prospects," a report by the task force on international education of the Committee on Education and Labor, House of Representatives, be printed as a House document, and that 7,000 additional copies of such document be printed for the use of the House Committee on Education and Labor.

The printing cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

To print as a document (1,500 copies)	$9,352.87
7,000 additional copies, at $911.38 per thousand	6,379.66
Total estimate cost, H. Con. Res. 1007	15,732.53

PRINTING OF ADDITIONAL HEARINGS AND OTHER MATERIALS BY THE COMMITTEE ON AGRICULTURE

The concurrent resolution (H. Con. Res. 1017) to authorize the printing of additional hearings and other materials by the Committee on Agriculture was considered and agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1738), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

House Concurrent Resolution 1017 would authorize the printing for the use of the House Committee on Agriculture of 1,000 additional copies of its hearings entitled "World War on Hunger," parts 1, 2, and 3, together with a committee print entitled "World War on Hunger—Staff Summary of Testimony Presented by Public Witnesses at Hearings on World Food and Population Problems."

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

Back to press, 1,000 copies	$3,654.91

PRINTING AS A HOUSE DOCUMENT THE PAMPHLET ENTITLED, "OUR AMERICAN GOVERNMENT. WHAT IS IT? HOW DOES IT FUNCTION?"

The concurrent resolution (H. Con. Res. 1022) to authorize the printing as a House document the pamphlet entitled "Our American Government. What Is It? How Does It Function?" was considered and agreed to.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1739), explaining the purposes of the concurrent resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

House Concurrent Resolution 1022 would provide that with the permission of the copyright owner of the book "Our American Government—1001 Questions on How It Works," with answer by WRIGHT PATMAN, published by Scholastic Magazines, Inc., there be printed as a House document, with emendations, the pamphlet entitled "Our American Government. What Is It? How Does It Function?"; and that there be printed 1,084,000 additional copies of such document, of which 206,000 copies would be for the use of the Senate (2,000 per Member) and 878,000 copies would be for the use of the House of Representatives (2,000 per Member).

The additional copies would be prorated to Members of the Senate and House of Representatives for a period of 60 days, after which the unused balances would be available for distribution by the respective Senate and House document rooms.

The printing-cost estimate, supplied by the Public Printer, is as follows:

Printing cost estimate

To print as a document (1,500 copies)	$903.38
1,084,000 additional copies, at $61.54 per 1,000	66,709.36
Total estimated cost, H. Con. Res. 1022	67,612.74

MOSES TALFORD AND ALICE LUCY

The resolution (S. Res. 314) to pay a gratuity to Moses Talford and Alice Lucy was considered and agreed to, as follows:

S. RES. 314

Resolved, That the Secretary of the Senate hereby is authorized and directed to pay, from the contingent fund of the Senate, to Moses Talford, brother, and Alice Lucy, sister of Cora T. Lemon, an employee of the Architect of the Capitol assigned to duty in the Senate office buildings at the time of her death, a sum to each equal to three months' compensation at the rate she was receiving by law at the time of her death, said sum to be considered inclusive of funeral expenses and all other allowances.

RESOLUTION PASSED OVER

The resolution (S. Res. 305) providing for the appointment of a special subcommittee of the Judiciary Committee to study encroachments by the executive and judicial branches upon the powers of Congress was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MANSFIELD. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

EXPENDITURES BY THE SPECIAL COMMITTEE ON THE ORGANIZATION OF THE CONGRESS

The resolution (S. Res. 311) authorizing expenditures by the Special Committee on the Organization of the Congress was considered and agreed to, as follows:

S. RES. 311

Resolved, That the Special Committee on the Organization of the Congress, in carrying out the duties imposed upon it by S. Res. 293, Eighty-ninth Congress, agreed to August 26, 1966, is authorized to sit and act during the sessions, recesses, and adjourned periods of the Eighty-ninth Congress and during the Ninetieth Congress until such committee shall cease to exist on March 31, 1967, for the purpose of receiving and considering a bill, when introduced, and germane amendments relating thereto, having for its purpose the carrying out of the recommendations contained in the report of the Joint Committee on the Organization of the Congress, Report Numbered 1414, July 28, 1966. Such bill, when introduced, and amendments shall be referred to the committee for its consideration and such committee is hereby authorized to report to the Senate with respect to any such matter referred to it, together with such recommendations as it may deem advisable. Nothing in this resolution shall be construed to authorize the committee to report any bill or amendment containing any provision which has the effect of changing the rules, parliamentary procedure, practices, or precedents of either House, or which has the effect of changing in any manner the consideration of any matter on the floor of either House, unless such provision is to carry out a recommendation contained in such report of July 28, 1966. Any vacancy occurring in the membership of the committee shall be filled by appointment by the President of the Senate.

SEC. 2. For the purposes of this resolution, the committee, through January 31, 1967, is authorized (1) to make such expenditures as it deems advisable; (2) to employ, upon a temporary basis, technical, clerical, and other assistants and consultants; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

SEC. 3. The committee shall report its findings, together with its recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date.

SEC. 4. Expenses of the committee under this resolution which shall not exceed $15,000, through January 31, 1967, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1740), explaining the purposes of the resolution.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

Senate Resolution 311 would reiterate the authority of the Special Committee on the Organization of the Congress to report an omnibus legislative reorganization bill no later than March 31, 1967, and would authorize expenditures by the special committee not to exceed $15,000 through January 31, 1967.

The Special Committee on the Organization of the Congress was established by Senate Resolution 293, agreed to August 26, 1966, for the purpose of receiving, considering, and reporting to the Senate legislation designed to implement the recommendations of the Joint Committee on the Organization of the Congress in its final report (S. Rept. 1414), issued July 28, 1966. On September 21, 1966, Senator A. S. MIKE MONRONEY, chairman of the special committee, reported such a reorganization bill (S. 3848) to the Senate for its consideration.

Due to the imposing backlog of other important legislation requiring action by the Senate, sufficient time for adequate consideration of legislative reorganization appears not to be available during the remaining days of this session. The leadership, however, has expressed the hope that the matter of legislative reform may be considered early in the next Congress. Senate Resolution 311 would provide the special committee with the necessary funds for its operation through January 1967.

BILL PASSED OVER

The bill (S. 2980) to increase from $75 to $100 per month the amount of benefits payable to widows of certain former employees of the Lighthouse Service was announced as next in order.

The VICE PRESIDENT. Is there objection to the present consideration of the bill?

Mr. MANSFIELD. I ask that the bill go over.

The VICE PRESIDENT. The bill will be passed over.

PERMIT USE OF VESSEL "JOHN F. DREWS" IN THE COASTWISE TRADE

The bill (H.R. 14517) to amend Private Law 86–203 to permit the use of the vessel *John F. Drews* in the coastwise trade while it is still owned by a citizen of the United States was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1743), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of H.R. 14517 is to continue coastwise privileges for an American-built, American-owned vessel operating in the Great Lakes.

BACKGROUND

The vessel *John F. Drews* is a former Coast Guard tug that in 1958 was transferred to Canadian registry by the contractor-owner for the purpose of working on the St. Lawrence Seaway. Subsequently, on the completion of the work, the owner, Merritt-Chapman & Scott Corp., through Private Law 86–203, effected its transfer to American registry with coastwise privileges. That law authorized the continuance of the coastwise privileges "so long as such vessel is from the date of the enactment of this act continually owned by Merritt-Chapman & Scott Corp. of New York."

The owner has ceased operations on the lakes and has transferred the vessel to another American corporation and the purpose of this bill is to continue coastwise privileges for the vessel to the new corporation or to any other citizen of the United States that might subsequently acquire it.

The committee recommends enactment.

COST

Enactment of H.R. 14517 would entail no expense to the U.S. Government.

REPORT OF SENATE MAJORITY LEADER, MIKE MANSFIELD

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the report of the majority leader be published as a part of my remarks in the Record, and I ask also that it be published as a document.

The VICE PRESIDENT. Without objection, it is so ordered.

LAS VEGAS-LINKED FUND AND JUSTICE DOUGLAS

Mr. WILLIAMS of Delaware. Mr. President, in yesterday's issue of the Washington Post there appeared an article entitled "Vegas-Linked Fund Pays $12,000 to Justice Douglas."

In this article it is charged that Supreme Court Justice Douglas has for the past 4 years been accepting a fee of $12,000 per year from a Las Vegas operation. According to this report this fee has been paid under the guise of being an "expense allowance," and apparently no accounting was required.

Justice Douglas' acceptance of payments totaling around $50,000 over the past 4 years from this Las Vegas operation raises a serious question as to its propriety as well as its legality. It also raises a serious question as to whether he should now be permitted to remain on the Court.

Membership on the Supreme Court is a lifetime appointment. The Associate Justices receive a lifetime annual salary of $39,500 per year which continues even after they retire. The lifetime appointment with this liberal pension was provided in order to insulate members of the Supreme Court from any necessity of being dependent upon outside income either during or after their appointments.

We cannot overlook the fact that there is now pending before the Supreme Court the Black case wherein it is being alleged that a Government agency may have monitored certain telephone conversations between Mr. Black and some of the interests that are associated with the same group that has been paying this $12,000 fee to Justice Douglas.

Chief Justice Warren should take prompt notice of the seriousness of these allegations and publicly outline the Court's policy by telling the American people whether the acceptance of this $12,000 fee from outside interests by Justice Douglas violates the rules of propriety as governing the actions of the Supreme Court; or is this a standard procedure?

If the Court does not condone the acceptance of such fees by its members then what steps will be taken to protect the reputation and the integrity of the Court?

Unless the Court itself takes prompt action to handle this incident the Senate Judiciary Committee should initiate a full-scale investigation as to how far this practice may exist.

To condone the right of any member of the Supreme Court to accept fees from outside clients would be indefensible, and it would raise grave questions as to the integrity of the Court itself.

I am today directing an inquiry to Chief Justice Warren calling these allegations to his attention and asking what steps the Court will be taking.

I ask unanimous consent that the article as appearing on yesterday's Washington Post entitled "Vegas-Linked Fund Pays Justice Douglas" be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

VEGAS-LINKED FUND PAYS JUSTICE DOUGLAS

(By Ronald J. Ostrow)

An unusual situation involving Supreme Court Justice William O. Douglas has come to light bearing upon the broad issue of a judge's sources of income and outside activity.

The uncontested facts are these:

Douglas receives $12,000 a year from the tax-exempt Albert Parvin Foundation that derives much of its income from a mortgage on a Las Vegas hotel and gambling casino.

A principal asset of the Foundation is an interest in the first mortgage on the Hotel Flamingo. Albert B. Parvin, chief benefactor of the Foundation, has an interest in three other Las Vegas gambling casinos.

Based in Los Angeles, the Foundation supports fellowship programs for students from underdeveloped nations to study at Princeton University and UCLA as a means of promoting international peace and understanding.

The Foundation's board of directors includes two of the Nation's best known educators—Robert M. Hutchins and Robert F. Goheen. Hutchins, former president of the University of Chicago, now heads the Center for the Study of Democratic Institutions in Santa Barbara, Calif. Goheen is president of Princeton.

Douglas, however, according to the Foundation's tax returns, is the only official of the organization to receive regular compensation.

Douglas, in an interview, said the $12,000 a year is assigned to him "largely as an expense account" for trips in connection with Foundation work. He said drawing the funds, almost one-third of his annual $39,000 salary as a Justice, raises no ethical question in his mind.

Douglas has been with the Foundation, which he serves as president, since its formation in 1960. But the allowance did not begin until about 1962. It was instituted over Douglas' strenuous objections, according to Parvin, a Los Angeles businessman.

Douglas said that expenses he incurs in serving the Foundation are "pretty close" to the $12,000. According to Parvin, the Foundation asks for no itemization of Douglas' expenses and the Justice submits none.

In addition to the income it derives from the Flamingo mortgage, the Foundation has another, less direct link with Las Vegas—stock in Parvin-Dohrmann Co., which was donated by Parvin and other individuals.

CLIENTS ON STRIP

Parvin is president and chief executive officer of Parvin-Dohrmann, a Los Angeles concern that specializes in furnishing restaurants and hotels. Its top clients include major hotels on the Las Vegas Strip.

Last July, the company, after nearly a year of intense negotiations, acquired the Fremont Hotel and gambling casino in Las Vegas.

Purchase terms provided five-year employment contracts for two officers of the Fremont, Edward Levinson and Edward Torres. Their salaries: $100,000 a year each.

Levinson invoked his Fifth Amendment privilege against possible self-incrimination in 1964 and raised other objections in refusing to answer questions in the Senate Rules Committee investigating the dealings of Bobby Baker, former secretary to the Senate Democrats.

Regardless of the Las Vegas connection, Douglas' expense account would appear to raise an ethical question that is not clearly answered by the American Bar Association's Canons of Judicial Ethics.

Many observers regard the 36 canons as being far from definitive. The fourth canon, for example, known as the "Caesar's wife" doctrine, says that "a judge's official conduct should be free from impropriety and the appearance of impropriety."

Federal judges are not required to disclose their financial holdings, outside income or activities under present law.

Under existing statutes, they cannot practice law, and they are required to disqualify themselves from ruling on cases in which they have an interest. But assessing personal involvement or interest is left up to the individual judge.

Douglas cited the power to disqualify oneself as a safeguard against conflicts of interest that may arise from any justice's outside activities. He noted that no case involving a company in which the Parvin Foundation has an interest has been before the Court.

Competent authorities on the Nation's judicial system privately expressed concern over details of Douglas' relationship with the Foundation. None of these authorities, however, was willing to speak for the record.

"While I don't think this is entirely proper," said one eminent student of the Supreme Court, "I don't want to say anything that will detract from the popularity of the Court and give ammunition to the 'know-nothings.' The problem with criticizing Justice Douglas is that he's attacked by the wrong people for the wrong reasons."

The Foundation was established in 1960 by Parvin with 75 per cent of the proceeds he realized from the 1959 sale of the Hotel Flamingo. The Foundation's share amounted to between $1.5 million to $2 million, he estimated.

Parvin put together a group to buy the Flamingo in 1954 when the hotel ran into problems in meeting its payments to the furnishing firm that Parvin heads. The group sold the facilities in 1959, but retains a first mortgage.

Parvin recounted how the Flamingo sale led to establishing the Foundation. He said he found himself with $2.5 million and no need for the money.

"I felt I wanted to do something to pay a vote of thanks for the good fortune I had," he said.

On the strength of reading Douglas' books, particularly the volume "America Challenged," Parvin wrote the Justice and told him of his desire to teach people of emerging countries about the American way of life.

Douglas responded; he and Parvin met to discuss plans and select directors, and the foundation was launched.

In addition to Douglas, Hutchins, Goheen and Parvin, the Foundation's board includes Illinois U.S. District Judge William J. Campbell and journalist Harry Ashmore.

Douglas recalled that when he agreed to head the organization he knew its assets included the Flamingo investment. He stressed that the Flamingo is a legitimate enterprise.

But Douglas, 27 years on the High Court and one-time Chairman of the Securities and Exchange Commission, said he thought the interest in the Flamingo "was owned for a brief period, but disposed of by the (Foundation's) finance committee," which he does not serve on.

Known as Parvin Fellows, the Foundation recipients—12 to 16 each year—attend Woodrow Wilson School at Princeton. Most come from Africa, the Middle East and Asia, Douglas said. The Foundation sponsors a similar program at UCLA for Latin Americans.

The two universities select the fellowship recipients. Douglas travels to the campuses to advise the fellows, to bring them to Washington and to make appointments for them with Government officials.

In addition to this work, Douglas also serves as "a sort of clearing house" for the Foundation board in assessing requests for funds. Proposals for as many as 24 to 36 different projects flow into the Foundation each week.

As Parvin recalls, it was after Douglas returned from a trip to South America on Foundation business that the $12,000 first was provided.

The Foundation's board was meeting in Santa Barbara, and Hutchins suggested providing the funds, Parvin said. Despite Douglas' objections, the board voted the money.

The concern of legal observers stems in part from clashes between Federal law authorities and some Las Vegas gambling figures, such as Levinson, who now is employed by Parvin-Dohrmann. .

Levinson, who had business dealings with Bobby Baker, has a suit for damages pending against the FBI in a Nevada court, charging that the FBI's bugging of his office invaded his privacy.

The bugging issue already is before the Supreme Court in the appeal of Fred B. Black Jr., a Baker associate who has been convicted of income tax evasion. The Justice Department has admitted the FBI bugged Black's hotel suite.

In Black's petition to the Court he maintains that he telephoned his lawyer from various sites in Las Vegas, including the Fremont Hotel. He alleges that FBI agents may have monitored some of these conversations.

Justices Abe Fortas and Byron White have disqualified themselves in the case, Fortas because he was Baker's lawyer, White because he was a government prosecutor.

DONOR BLACKJACKING CHARGED ON LBJ RANCH PARK FUND

Mr. WILLIAMS of Delaware. Mr. President, I ask unanimous consent to have printed in the body of the RECORD an article appearing in the Washington Star of October 16, entitled "Donor Blackjacking Charged on LBJ Ranch Park Fund."

The Attorney General of the United States should examine these allegations to determine whether these high-powered solicitations involve companies doing business with a Federal agency—and whether or not any Federal law has been violated.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

DONOR BLACKJACKING CHARGED ON LBJ RANCH PARK FUND

(By Bo Byers)

AUSTIN.—The chairman of the Texas Senate general investigating committee charged in a statement yesterday that people and companies have been "blackjacked" to contribute to the Lyndon B. Johnson State Park fund

Sen. Jim Bates of Edinburg aimed the accusation at the three-man State Parks and Wildlife Commission. The commission set up the private fund May 31, 1965, as a means of collecting money to purchase the desired acreage near the LBJ ranch.

Bates said the commission has refused the Senate committee's request to divulge how much money has been collected or who the contributors are.

He emphasized that he spoke only as an individual senator, saying he did not do so as chairman of the investigating committee.

No other members of the five-man committee joined in the statement. Asked for comment, one said Bates acted without his knowledge and said he sees no reason for an investigation. A second said he didn't know enough about it to comment. A third said he does not know whether there are grounds for an investigation, but he thinks Bates and the press are entitled to the information they want from the commission about the fund.

Bates said he has reason to believe that Weldon Watson resigned as executive director of the Parks and Wildlife Commission in June partly because he objected to the commission's fund-raising methods.

Watson's resignation became public information by chance two days after a secret meeting of the commission. Informed sources said he was forced out.

Bates, 43, is a former district attorney. He has been a senator since 1962 and was a state representative four years.

He said he has importuned Gov. John Connally to request the information from the commission but this has brought no results.

Bates said pressure has been brought to bear to prevent a full investigation.

He charged commission Chairman Will E. Odom of Austin with "bad faith" and said the commission's refusal to divulge information to the Senate Committee is "blatantly contemptible" toward the entire Senate.

Bates called for refund of all money in the LBJ park fund to the contributors and resignation of all three commissioners.

None of the three commission members—Odom, A. W. Moursund of Johnson City, or J. M. Dellinger of Corpus Christi—was available for immediate comment. All were appointed by Connally under 1963 parks and wildlife merger legislation. Moursund is trustee for the Lyndon B. Johnson interests.

Connally said he did not wish to comment at this time. His office said he wanted time to study Bates' statement.

Bates said he wrote to the acting deputy director of the Parks and Wildlife Commission July 14 and obtained certified copies of minutes of meetings of the commission dealing with establishment of the park. Those actions date back to Nov. 17, 1964.

He said he made the request because he had received "numerous requests and complaints."

"The nature of the complaints alleged to me were, briefly, that the commission was using the name and prestige of the President of the United States to "blackjack" contributions by various individuals, firms and corporations who were, and are, directly under and controlled by the rules, regulations and supervision of the Parks and Wildlife Commission."

Bates said he has been led to believe that a $25,000 contribution was secured from the person after one commission member asked for "twenty-five" and a second commission member told the man, "hell, we're talking about $25,000."

Bates said the "absolute refusal of the commission to provide either the governor of this state or this committee the information requested constitutes an admission that at least some pressures were used of either an unethical or immoral nature to secure contributions to the Lyndon B. Johnson state park fund."

Controversy has surrounded the effort to create the park from its inception.

The commission voted to establish the park after it learned promoters were planning to buy the acreage across from the LBJ ranch for a tourist attraction.

The Gillespie County Commissioners Court, in the face of stiff local opposition, finally agreed to condemn 245 acres that landowners wouldn't agree to sell to the state.

The fund about which Bates is complaining was set up by the three Parks and Wildlife Commission members as a private charitable fund to receive contributions as no state appropriation had been available to buy the land.

The three men named themselves administrators. They have refused to answer about where the money is deposited or how much has been collected or from whom.

A UNITED STATES-SOVIET ALLIANCE?

Mr. KUCHEL. Mr. President, yesterday, in the Washington Post, the distinguished newspaper columnist Mr. Roscoe Drummond wrote, in a provocative and perceptive way, about the feasibility of the Soviet Union moving toward a peacekeeping alliance with the Government of the United States. He raises a question on why that is a rational possibility, and he answers by saying that it is because an expansionist Red China is a peril to both the United States and Russia, and only by acting together, can that peril be securely countered.

The truth is, Mr. President, that an expansionist China, armed with nuclear weapons, represents an enormous hazard to the entire human race.

Mr. President, I ask unanimous consent that the article by Mr. Roscoe Drummond be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A UNITED STATES-SOVIET ALLIANCE?

(By Roscoe Drummond)

It is entirely possible that the cordial, responsive, let's-move-ahead talk between President Johnson and Soviet Foreign Minister Andrei Gromyko is the most important single event in behalf of a better peace since World War II.

This is not because of the immediate effect of clearing the path to a world-wide treaty to prevent the perilous spread of nuclear weapons, which is breath-takingly welcome.

But the potential of this new climate of Soviet-American relations is tremendous. It is now probable that we are at the beginning stage of forming a United States-Soviet alliance to keep the peace in the most combustible areas of the world.

Obviously, this is reading a good deal into the Johnson-Gromyko, Rusk-Gromyko talks. But they portend far more than any of the participants can say at the moment.

What, then, is the shape of events which provides the impetus to move toward a mutual security alliance?

1. Red China is in turmoil and trouble. Its leaders are divided and quarreling. A massive purge is still raging and Mao Tse-tung may soon be replaced.

2. Russia sees repeated Chinese encroachments against the Soviet eastern borders affecting territory to which Peking claims title. Moscow rightly asks itself: Are Chinese forces getting ready to move into the disputed territory?

3. By now, Red China has virtually isolated itself from the Communist world and the violence and recklessness of the Red Guards have alienated the support of even the Asian Communist Parties. The North Korean and Japanese Communists are now pro-Soviet. The Indonesian Communists are decimated. Hanoi needs Soviet protection more than it needs Chinese help.

4. Since Moscow has won the sympathy and understanding of nearly the entire Communist world over the Sino-Soviet split, the Soviets are now in a position to take a bold and unconventional step to protect themselves from an expansionist, aggressive, anti-Soviet Red China.

And what would that bold step be?

It could well be a United States-Soviet mutual security alliance to contain Red China to its present frontiers and to guarantee the independence and peace of all Southeast Asia.

Since, with mounting vituperation, Peking has been accusing Moscow of coming into "an unholy alliance" with the United States, the Soviets can well conclude that they might as well have the advantage—and not just the epithets—of such an alliance.

Such an alliance alone could really secure the peace and neutrality of Southeast Asia. It would, of course, require a peaceful settlement of the Vietnam war, as a result of which the independence of both North and South Vietnam could be guaranteed.

Why is a United States-Soviet Asian security alliance a rational potential? Because an expansionist Red China is a peril to both the United States and Russia and only by acting together can that peril be securely countered.

COSTING HUMAN LIFE

Mr. KUCHEL. Mr. President, there are many wonders in the new world. Our Nation has discovered the secrets of the atom and has embarked on the conquest of space. It has achieved a rate of national income higher than ever before in the history of mankind. The great driving force in this growth has been our national marketplace where goods produced by man's ingenuity are exchanged in a system of free bargaining to meet his needs and his desires.

The early economists claimed that supply creates its own demand. In the years of the great depression our Nation learned that it was possible to overproduce, indeed, industrial capacity might be left unused for years. Happily we have passed beyond that era.

Continued inflation tells us that today we are in an age of excess demand. Many of the goals of our Nation have no price tag. Our efforts to achieve these objectives are not subject to the restraints of the law of supply and demand. We believe in peace with justice for all men. We believe in national security and freedom; a decent standard of living under our unique competitive system of free enterprise for all our citizens. We seek a better education for all of our children and for the children of all the earth. There are many other such items, including our foreign aid program which expresses our hopes that other free nations may share in this bounty through their own productive efforts. We are on the brink of an age of demands no longer based solely on the psychology of the marketplace—and this fact casts a long shadow over our entire economic system.

We build missile and military equipment because in these dangerous times we are assured we cannot afford not to have them. As technology expands we believe we cannot afford not to go into space. We are on the threshold, I believe, of a similar economy for our Nation's health. What value can we place on human lives? My distinguished colleagues from the State of Washington have introduced legislation to expand the benefits of the discovery of the artificial kidney. The cost of treatment by this process is estimated at $7,000 to $10,000 per annum; quite beyond the purse of most of our citizens. I understand that there may soon be other such discoveries that will permit a full life for those whose store of hopes would otherwise be exhausted.

As a member of the Senate Committee on Appropriations, I suggest that the political and economic implications of these discoveries require serious deliberation in this Chamber. I am gravely concerned over the implications of changing technology on our free competitive enterprise economy. How can these costly benefits be shared by our citizens without succumbing to a system of total domination of our system of production and distribution by government? If we cannot afford not to consider the health of our people, we cannot afford not to consider the health of our body politic. I will not succumb to the sophistry that the well-being of one is incompatible with the well-being of the other.

My friend, the distinguished Nobel Prize laureate, Dr. Joshua Lederberg of Stanford University, has written an eloquent statement of this problem which I ask unanimous consent to insert in the RECORD at this point.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

COSTING HUMAN LIFE—A DILEMMA OF MEDICAL PROGRESS

(By Joshua Lederberg)

This year's news is and will continue to be full of the trial runs of new medical machines which are a turning point in the joining of medicine and technology. For several years, the artificial kidney has been a technical success, but a soul-ache for being out of reach of many whose lives might be sustained by this scarce and costly mechanical substitute.

The artificial heart is now moving inevitably to a level of practical utility. No matter how discouraging the early trials of recent weeks, we must think of the policies needed to cope with the eventual success of this machine.

At first thought, such an advance appears to be an unmitigated blessing, but power does not come to man without matching responsibilities, and this applies especially to a power for life and death. As is often the case, the worst perplexity comes from a technological imbalance. At this point it appears likely that machinery that could save the lives of at least 100,000 Americans a year could be perfected by 1970. But we will then face several cruel dilemmas, during the "heart gap." The first machines, by the mere postponement of a personal doom, will be miraculous blessings. But it is certain that within our present framework of political decision, confusion about automation, and technical organization, the machines and the clinical skills needed to apply them will be pathetically scarce for several years thereafter. How to choose the few percent that should receive the benefit may not be the worst dilemma. It is equally certain that the early versions of the heart might prolong life, but will leave alive many cardiac cripples, irrevocably tied to their machines. The worst stage of the gap will be the period when on a large scale the machine saves life, not livelihood—a "plastic heart", rather like an iron lung, being the fount from which the patient cannot long depart. Such a gap could well last 10 or more years, say from 1970 to 1980, at an economic cost of the order of $100 billion.

It has been suggested that plastic hearts not be used until they give livelihood as well as life. The suggestion flies in the face of human nature as well as medical ethics, especially where there is substantial hope of future improvement that will alleviate the burden if the patient can only be sustained a few years longer.

This problem and its possible remedies—e.g., a more explicit push for industrial technological support—are part of many larger issues of human and social responsibility. Reason and compassion join in mobilizing every useful economic resource that can forfend death. On this argument, medical machines—substitutes for failing human organs—will become our predominant industry. Medicine indeed does take a growing part of our gross national product. What is new here is the availability of increasingly expensive opportunities just because sophisticated technology is brought to bear on medical problems. Our arms budget is so high for quite comparable reasons—we feel we cannot afford not to invest several millions of dollars each for an advanced aircraft or missile, but only because that costly technology has made it available. The human issues—like the shift in age composition and its impact on family life are no less perplexing, nor are the implications for world order of ever more poignant demonstrations of the use of wealth. The public arousal and private conscience that are the root energy of democracy must start somewhere.

Should we not have begun yesterday to start thinking of human biology as one of the main sectors of political responsibility?

ADDRESS BY VICE PRESIDENT HUBERT H. HUMPHREY ON THE ROLE OF THE UNIVERSITIES IN HELPING TO BUILD A BETTER WORLD

Mr. CLARK. Mr. President, I ask unanimous consent that a brilliant speech made by Vice President HUBERT H. HUMPHREY at a convocation at Temple University in Philadelphia, Pa., on June 16, 1966, be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

ADDRESS BY HONORABLE HUBERT H. HUMPHREY, VICE PRESIDENT OF THE UNITED STATES AT TEMPLE UNIVERSITY, PHILADELPHIA, PA., JUNE 16, 1966

Two years ago this nation launched a new kind of war—the war against poverty . . . not only poverty of the purse, which is bad enough, but poverty of the spirit, which is worse.

In one way or another, we Americans have been fighting poverty throughout our history. Indeed, it has always been the American dream to create a society in which each citizen would have unfettered opportunity to lift himself and his family to something better.

Yet it was not until this century that government played a real part in the struggle. Those who in the past held industrial and political power long rejected any government intervention on behalf of the poor.

Their attitude was not unlike that which Anatole France had flayed in Europe with bitter irony:

"The law, in its majestic equality, forbids the rich as well as the poor to sleep under bridges, to beg in the streets, and to steal bread."

The tide began to turn with Theodore Roosevelt and Woodrow Wilson, and came in strong with Franklin Delano Roosevelt and the social and economic advances of the New Deal.

It is on these beginnings that we are building today.

THE POOR NOW VISIBLE

"The poor of the earth," says the Book of Job, "hide themselves together."

And, here in America, they were so well hidden in urban and rural slums that it was all too easy, even for men and women of good will, not to see them—although they make up almost one-fifth of our population.

They were not only invisible, they were largely inaudible. Except in the civil rights movement, they had no voice.

Now they are standing up and speaking for themselves. Sometimes their words may sound harsh and angry. But that is infinitely better than bitter and frustrated silence.

Yes, we can see and hear the poor nowadays.

They are very much on our minds and consciences—and this is all to the good. It's very much to the credit of this great and rich nation to remember the needy and the disadvantaged among its people.

In America's cities, poverty takes a form we know all too well. I call it slumism.

Slumism is more than old and rundown buildings.

Slumism is ungathered garbage and inadequate sanitary facilities.

Slumism is second-rate schooling for children who urgently need the best that we can give them.

Slumism is danger on the stair and violence in the street.

Slumism is the bitter feeling that nobody cares.

Slumism is the voice of a Negro mother telling why her sons went wrong:

"I wonder, do people who never have to worry about work know what happens to you when you keep knocking your head on a stone wall and there's still no work? . . . I'll tell you what happens, you just fold up and die. That's what drugs and liquor mean. They mean you've died. They mean you've hung up on the world, because you just keep calling and there just ain't no answer on the other end of the line."

THE CALL WE MUST ANSWER

This is the call we Americans must answer—with human kindness, with understanding, and, above all, we must answer it now.

We have ample reason today to heed Aristotle's grim warning that poverty is the parent of revolution and crime.

No people should know this better than we, for violence and crime are daily realities in our cities, and revolution racks the poverty-stricken two-thirds of the world.

The reason for crime and violence in our cities is all too clear—the degradation and rank injustice that pervade our urban ghettoes. And things may get worse, not better, unless we win our war against poverty.

Poverty takes many forms and arises from many causes—and we are learning that no single answer will suffice.

We are seeking the answers for every age of poverty—from our pre-school youngsters to our senior citizens. We are seeking answers for every place of poverty, from the city slums to depressed rural areas like Appalachia. Poverty is the only common denominator that binds these people together in sorrow, in resentment, and in rebellion against their lot.

Civil rights legislation is an essential part of the war on poverty.

So is aid to our elementary and secondary schools, focused particularly—as it is—on the children of the poor. So is aid to depressed areas. So is Medicare.

So are the new undertakings generally called the Poverty Program—community action, Head Start, the Job Corps, the Neighborhood Youth Corps, and others.

We are moving into new ground, and there are no blazed trails for us to follow.

Some of the approaches we try may not work out, and you may read about them in blaring headlines. This is bound to happen. Doctors have tried for years to find a cure for cancer, and we are not dismayed that they haven't; we simply ask them to try and try again.

On the other hand, some of the things we try may work out far better than we expected.

We must change or discard those programs which are not making headway, and we must expand those that are.

There can be no dogma or doctrine about this. We must find out from experience what works.

FOUR WAYS FORWARD

We have already made a significant impact on poverty.

For example, Department of Labor figures show that the Great Society programs, in their totality, accounted for half the substantial reduction in unemployment in 1966.

And we have also, I think, begun to identify the major directions in which we must move forward. I would stress four in particular—education, income maintenance, job development, and the enhancement of human dignity.

The more we examine the facts and figures, the more we confirm what Americans seem always instinctively to have known—that education is, has been, and always will be our soundest and most productive investment as a nation.

And this is as true of the war on poverty as of every aspect of our life.

Perhaps the biggest gain we have scored so far against poverty has been in keeping hundreds of thousands of young Americans in high school and college, so that they can meet the stricter standards for employment in this technological age.

At the other end of the spectrum, we need to do more to assure an adequate income to those who are too old or too handicapped to work.

Just this month, the President reiterated his commitment to "the basic right of every older American to a decent income."

We should look forward to a time when these deserving people not only receive enough to live on, but share in the continuing rise of our standard of living.

We must do more, too, about jobs for the poor.

NO WASTED AMERICANS

We must regard the untrained and unemployed *not* as drags on our society, but as unused national resources.

Our nation needs and wants the services these "wasted Americans" can provide.

Today there are at least five million jobs waiting to be developed and filled in the expanding field of human services—health, education, welfare, and recreation.

That is why our government programs are training people for them. In doing this, we do three important things at once: provide jobs for the unemployed; provide essential services for all Americans; and provide the professionals in these fields the non-professional support they need.

There is opportunity, too, for the employment of the poor in the poverty program itself—and great advantage, as well. No one can understand poverty so well, or bring to people who suffer from its intimate and sympathetic understanding, as those who have known it at first hand.

TOWARD REAL HUMAN DIGNITY

This brings me to the most intangible, but most important, direction in which we need to move—the enhancement of human dignity.

That is why community action programs are so important a part of the war on poverty. That is why the participation of the poor in the development and management of these programs is absolutely vital. For the essence of human dignity is the right of people to have a say in determining their own future. That's what the Declaration of Independence is about, and that's what the Constitution stands for.

We need to use a new kind of grammar in speaking and writing about poverty—a grammar in which the poor are the subjects, the people who act, rather than the objects, the people who are acted upon.

We need to involve the poor actively because we need to learn from them.

We need to find out why it is that our schools are not reaching many of their children, why urban renewal is not really eliminating slums, and why welfare programs are not breaking the cycle of dependency.

And I think we would do well to listen to people who have hard, practical knowledge about all this.

Moreover, we must apply the baisc principle of democracy—that people, in their wisdom and even in their folly, know what is best for them. We need to bear in mind George Bernard Shaw's cautionary words:

"Do not do unto others as you would they should do unto you—their tastes may not be the same."

THE PARTICIPATING POOR

Today there are 8,000 new leaders in communities throughout the country—in less than two years! They are men and women from areas of poverty serving on community action boards—men and women previously unrecognized, unheard, unheeded.

Today they meet, consult, and make decisions along with their communities' bankers, labor leaders and public officials. This is democracy at work.

And there are today over 30,000 additional men and women from the ranks of the poor serving as paid workers in community action programs.

Progress *is* being made. The poor have a major role to play in their own escape from poverty. But they cannot do it alone.

There is a place in this war for every American. There is a place, particularly, for our universities.

The American university cannot be an oasis for quiet meditation in a desert of human need.

We must go back to the early European idea of the university as part of the city, and away from the English idea—so prevalent here in the 1800's—that the institution of higher learning must be isolated from life by acres and acres of well-tended lawn.

THE ROLE OF THE UNIVERSITY

Universities need to be involved in everyday life. They need to be where the action is, where people live and work.

American universities have much to give to American cities, and our cities have a great deal to give in return.

There are many community problems which would benefit more from research than from argument, and the university should be in the midst of all of them.

The learning of its faculty should always be at the service of the community. University expertise is urgently needed for the solution of dozens of complex problems—problems of transportation, of housing, of management, of law enforcement, of urban and area planning, of public welfare—yes, and of human relations.

The university can—and should—become an integral, catalytic part of the community.

Indeed, the most important laboratory of today's university can be the community itself.

Temple University has recognized this responsibility for some time. And recently, as you know, Temple has received a 500,000-dollar grant from the Office of Economic Opportunity to become part of a network of seven universities that will help train both the officers and the foot soldiers in the war against poverty, many of them recruited from the ranks of the poor themselves.

The university can be even more than a center of learning and enlightenment in the community. It can be a well-spring of progressive social action.

It can be a center of ferment of good, not merely ferment for ferment's sake. And to those of you in the faculty and student body who feel deeply about man's inhumanity to man—let me say there's work to be done and a peace to be won.

THIS VOLUNTEER GENERATION

Now, a word to you who are graduating today.

Of those to whom much is given, much is expected.

This generation of young Americans is living and acting in this fine old tradition. Many of you have already enlisted in the battle against poverty in communities throughout the country.

Almost two-thirds of all VISTA volunteers to date have been college students—or recent graduates—taking a year off for this service.

Just this week, 500 college students boarded a so-called Troop Train at Union Station in Washington. They were VISTA Associates—devoting their summer to work in the Appalachian hills and hollows.

VISTA offers great scope for service in the war on poverty. But there are other opportunities too. And there is of course the opportunity for service abroad—in the Peace Corps and in other international programs.

You have earned the right to be called the volunteer generation.

I hope that all of you will see such service as an essential part of your responsibility to your country—and to yourselves.

FROM POVERTY TO PEACE

Finally, let me place this all in a wider context—an international context. As we tear down the tattered tarpaper that separates the poor from the rest of us in our own fortunate land, we must rededicate ourselves to the fight against poverty and injustice in other parts of the world.

Two-thirds of mankind—nearly all the people of Asia, Africa, and Latin America—are beset by hunger, disease, and misery every day of their lives. It is in soil like this that the seeds of violence, despair, and revolution take root.

As the late Pope John so often said, where there is constant want, there is no peace.

If we seek peace, therefore, we must fight want. To achieve peace is not easy, and it will not come merely from our wishing it. Peace is work and sacrifice. It is education, overseas aid, the Peace Corps, the United Nations. It is food and medicine and engineering work. It will not come because you ask for it, but because you live for it—and, if need be, die for it.

More than ever, what we do here at home is intimately related to what we can accomplish abroad. People everywhere urgently seek and demand human dignity.

By pressing the good fight against poverty both at home and abroad, we identify ourselves with the deepest aspirations of the whole family of man.

Therefore, let our nation be known not only for its power, but for its compassion—not only for its brave soldiers but for its creative scholars—not only for its wealth, but for its willingness to share it with those less fortunate.

Let us show, in deeds as well as in words, the warm humanity and the spirit of brotherhood which have always characterized America at its best—an America which is not a global gendarme, but a giver of life and of hope to the dispossessed of the earth.

Mr. CLARK. Mr. President, it is most encouraging to note the increasing involvement of our great institutions of higher learning in a wide range of programs designed to deal with the problems of American life.

Universities are, for example, reaching out into the cities to help serve the poor, the slum dwellers, the handicapped, disadvantaged minorities, and others in need.

The excellent address of the Vice President points this fact out with great cogency.

A MARSHALL PLAN FOR YOUTH

Mr. CLARK. Mr. President, I ask unanimous consent that a column which appeared in the New York Times of Sunday, October 16, 1966, entitled "Washington: A Marshall Plan for Youth?" by James Reston be printed in the RECORD.

There being no objection, the column was ordered to be printed in the RECORD, as follows:

WASHINGTON: A MARSHALL PLAN FOR YOUTH?

(By James Reston)

WASHINGTON, October 15.—One of the odd things about the college students and the Government of this country is that they seldom seem to get together at the right time. The students are always protesting about policies after, rather than before, the policies are set, which is like courting the girl after she has married the other guy.

The President's National Advisory Commission on the Selective Service illustrates the point. It was announced publicly by President Johnson early last summer. It is engaged in the most interesting inquiry now going on in Washington, and its recommendations to the President, due at the end of this year, will not only deal with the question of the military draft, but with the whole concept of voluntary or compulsory service to the poor, the sick and the aged. Yet even the young activists in the universities, who insist quite rightly that their generation should be heard, are saying very little to the commission, and apparently do not even know that the commission exists.

THE MISSING WITNESSES

Well, it does. The commission is established with a staff in the old State Department Building across the street from the White House. Its members include the president of Yale, Kingman Brewster; Anna Rosenberg Hoffman, former Assistant Secretary of Defense for Manpower; Thomas Gates, chairman of the board of Morgan Guaranty Trust Company of New York and former Secretary of Defense; George Reedy, former White House press secretary; James Suffridge, president of the Retail Clerks International Union, and various other busy people who are struggling with this problem in their spare time under the chairmanship of Burke Marshall, former civil rights chief at the Justice Department and now vice president and general counsel of International Business Machines.

One day before long, when Mr. Marshall makes his report, the press will inevitably announce "a new Marshall Plan for youth," but meanwhile before the commission makes up its mind, the views of the young people primarily concerned would be interesting.

THE BIG QUESTIONS

The questions being asked by the commission when its members talked to the Cabinet, military leaders, labor union chiefs, social service workers and many others, illustrate the range and depth of the inquiry.

What are the present inequities of the Selective Service system and how can they be modified?

Should we have only a compulsory system of service for the armed services alone, or a National Service Corps to work in the slums, the hospitals and the underdeveloped countries?

If the latter, should the service include women as well as men, should it be voluntary or compulsory, and should service in nonmilitary activities such as the Peace Corps or the domestic Teacher Corps defer young people from compulsory military service?

Should a National Service Corps of young men and women deal with the social as well as the security problems of the nation—with the misfits, the dropouts and the hoodlums, as well as with the requirements of the military services? What would such a larger system of nonmilitary as well as military service cost, and how would it be administered?

There are many other questions—the Marshall Commission has an exhaustive catalogue of them—but these are enough to illustrate the importance of the inquiry now going on in Washington.

For example, the Secretary of Labor, Willard Wirtz, was asked by the commission the other day: "How would a policy of no student deferments affect the labor market?" He replied:

"Not enough to matter. This question is one that ought to be resolved on the basis of the boy and his education. The labor market can readily accommodate itself to whatever is the sensible decision in terms of elevating the human race."

WIRTZ'S TESTIMONY

Secretary Wirtz's main point was that the commission should be asking, not primarily what is best for the Labor Department or the labor market or the Pentagon, but what is best for American society as a whole.

"We have asked for too long," he told the commission, "about the needs of the system of things for 'manpower' or womanpower [both of these terms derive from 'horsepower']. The question . . . is what opportunities individuals ought to have."

The problems involved in all this are obviously staggering. There are now about 750,000 Americans from 18 to 25 years of age out of school and out of work, and probably at least that many more doing only part-time work. Wirtz estimates that the country could use, without competing seriously with paid labor, between 700,000 and 1.2 million men in non-military service jobs, and almost twice that many if we include young women. About 600,000 of the 1.8 million men who reach military draft age each year are judged physically, mentally or morally unfit for military service, and the commission is troubled about that too.

WHAT IS YOUTH THINKING?

Accordingly, it would be interesting to know what the thoughtful young men and women of the country think should be done about all this. They obviously have a stake in the outcome. They love ad hoc committees on the campuses these days and one more on the problem of national service probably wouldn't hurt.

This is not only an officials' but a young people's problem. Their views on national service must be as important as their opinions on whether the President should stop the bombing around Hanoi and Haiphong, or whether he should negotiate with the National Liberation Front. After all, the dreams and duties of youth are too serious to be left to the judgment of middle-aged men and women, and in the long run, the recommendations of the Marshall Commission are likely to be more important than most of the headline points now troubling both officials and students.

Mr. CLARK. Mr. President, this column calls attention to the need to solicit the views of American youth before we rewrite the draft law merely in the manner in which the Department of Defense would like to see it rewritten.

As chairman of the Subcommittee on Employment and Manpower, I wish to state that our subcommittee takes a keen interest in any change in the draft that may be forthcoming. It is my hope that we will hold hearings sometime next year.

A CONVERSATION WITH FORMER AMBASSADOR REISCHAUER

Mr. CLARK. Mr. President, I ask unanimous consent that an article entitled "A Conversation With Former Ambassador Reischauer," our Ambassador to Japan, which appeared in the Harvard Alumni Bulletin of October 15, 1966, be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

A Conversation With Former Ambassador Reischauer

This is a frank, informal conversation between two experts on the Far East who returned to Harvard this fall after tours of government service.

Edwin Oldfather Reischauer, Oberlin '31, A.M. Harvard '32, Ph. D. '39, began teaching Far Eastern history and language at Harvard in 1938. In July 1960 he published in *Foreign Affairs* an article critical of United States policy toward Japan. Within six months he was appointed Ambassador to Japan by the late President Kennedy. Returning to the country of his birth (he is the son of missionaries) with his wife, a Japanese native, Mr. Reischauer dedicated his efforts to mending the "broken dialogue" between the United States and Japan. He returned to Harvard last August to become a University Professor, amid international acclaim for his successes as Ambassador.

James Claude Thomson Jr., Yale '53, Ph. D. Harvard '61, was once a course assistant in Mr. Reischauer's Social Science 111. He left his Harvard teaching fellowship in December 1959 to serve in Washington, where he worked successively for Chester Bowles, Roger Hilsman, William P. Bundy, McGeorge Bundy, and most recently, Walt W. Rostow. Reared in China (he is also a missionary offspring), Mr. Thomson specialized in the Far East. He returns to Harvard as an Assistant Professor of History.

At the Bulletin's request, Mr. Reischauer and Mr. Thomson recorded the following conversation shortly after they returned to Cambridge.

"I WENT AWAY A PROFESSOR OF PRE-MODERN HISTORY, AND I COME BACK—I'M NOT SURE JUST WHAT"

Mr. Thomson. How does it feel to be back? Do you find Harvard much the same, except that the skirts are shorter and hair longer?

Mr. Reischauer: I don't know; I find so much *growth* here that I feel I have to do a lot of discovering before I know what Harvard is today.

Mr. Thomson. I remember a rather charming moment during your first return to Washington, after you'd been in Japan for a few months—your delight in discovering you could walk the street anonymously, without throngs of cheering schoolchildren. How long do you think you can tolerate anonymity?

Mr. Reischauer. I love anonymity. In fact I can hardly remember any other time when I wasn't anonymous. But when we first came back to the United States, this was a very great—and pleasant—shock, to suddenly realize that people don't know you on the street. You therefore don't have to wear a smile at all times; your muscles relax. Another great pleasure is to eat simple food and begin to enjoy it again. I had so much rich food there that the sight of a filet mignon practically made me tremble. I was just so tired of that kind of food. I enjoy it so much more when there's less of it.

Mr. Thomson. How are you facing the problem of "decompression?" Are you feeling the bends as you move from the pressure and pace of your previous job?

Mr. Reischauer. I find it very confusing, but that's simply because it's a very sudden and complete change in a way of life. While five and a half years at that job may not seem like very long, still it was a very intensive, very full experience. We put in night and day, and every hour of night and day, for so long that it seems like a lot longer than six years. There's a lot of readjustment to the old way of life, compounded by the fact that I went away a professor of pre-modern history, and I come back—not that, but I'm not sure just what.

Mr. Thomson. I should think the problem of personal logistics would be almost overwhelming to a man who'd been driven around in sleek black limousines, whose days had been scheduled from dawn to midnight by large, efficient staffs. How do you face up to it?

Mr. Reischauer. Well, this is a problem too. It's a very abrupt way to change one's manner of living, from a day in which every minute is scheduled and supported and planned and organized by a supporting staff running into the hundreds, to one in which I do it all myself, including standing in line. It makes you feel, at best, about one-tenth as productive as you were before. This makes you feel frustrated—sort of premature old age. But I'd expected that, so I'm not getting the bends, particularly.

Mr. Thomson. What did you miss most when you were Ambassador?

Mr. Reischauer. For one thing, time to read. You just don't have that—outside of the vast amount of paper that passes across your desk that *has* to be read. You cannot read things in depth, and you can't read as broadly as you'd want. Beyond that, I missed not being able to really study deeply into things and do research. I took advantage of past thinking and past study to do a lot of popular writing—a great number of articles in Japaneese. But these were really just capitalizing on my past knowledge rather than exploiting anything new that I was learning there.

Mr. Thomson. That vast amount of paper crossing your desk reminds me of a mutual friend in Washington who had come back and forth between Harvard and Washington on several types of assignments. When I asked him what he found most difficult in the transition to the University, his answer was the "Empty In-Box Syndrome"—that you did not have three inches of material facing you to be worked on the minute you arrived at your office. I asked him how he solved the problem, and he said he subscribed in his first term to seven newspapers. Which got him through the morning quickly.

Mr. Reischauer. Well, I'm doing quite the reverse, because while I was in Japan I read something like eleven newspapers every day, six in Japanese and five in English. Not thoroughly, but here I'm hardly looking at one, or more than one.

Mr. Thomson. What do you think you're going to miss most now that you're back?

Mr. Reischauer. Well, there's a great variety and interest in life there. As I said, I did ten times as much as I possibly could do here, including lots of dull things too, but loads of fascinating things. I had a chance to meet endless interesting people who passed through there—Americans, Europeans, Japanese. But I think that what one misses the most is that in a job like that you have a central focus of interest: the maintenance of

Japanese-American relations. You do your best to develop understanding and chart the course for these relations. Everything was focused around that one activity. Here there's no such comparable focus of activity, no sense of holding the helm of anything, unless it's my own personal affairs. And you lack the satisfaction of being sure that what you're doing is worthwhile.

Mr. Thomson. Yet you're now holding down a very distinguished University professorship. How do you intend to earn your pay?

Mr. Reischauer. This is the problem that bothers me the most. I have to find out what I am in the way of a scholar now, after this lapse of six years in my scholarly life. In a sense I'm changing my field of scholarship. And after I find out what I am as a scholar then I have to find out how it fits into the Harvard scene.

Mr. Thomson. You are really shifting from a pre-modern historian and a specialist in culture and language—

Mr. Reischauer. From cultural history, broadly, to much more of a modern, contemporary interest. I presume my chief areas of interest will be contemporary Japan, recent Japan, and American relations, not just with Japan, but with all Asia.

Mr. Thomson. Do you plan to give any specific courses as yet?

Mr. Reischauer. I don't think my ideas have jelled to the point where I could suggest what kind of courses I'll give.

Mr. Thomson. If this were a German university, your titles would be four or five. How do you want to be addressed?

Mr. Reischauer. At Harvard, people have always said Mister, which I think is a very fine title.

"THE STATE DEPARTMENT IS OFTEN MUCH TOO TIMID IN ITS RELATIONS WITH CONGRESS"

Mr. Thomson. Let me do a little probing on the Japan assignment. You arrived there in April 1961.

Mr. Reischauer. April 19, and I left five years and four months later.

Mr. Thomson. You returned with extraordinary praise from all quarters, in Japan and in this country. I wonder how you yourself would account for the success of this mission. My own hunch is that your secret weapon was your wife.

Mr. Reischauer. Entirely true. Haru did a magnificent job. The United States got two ambassadors for the price of one.

Mr. Thomson. Yours was a unique opportunity because you had published an article in 1960, as I recall, which was highly critical of our handling of our relations with Japan—an article focusing on the "broken dialogue"—and within a few months you were asked to put up or shut up and show what you could do to repair that broken dialogue. What are your thoughts on how and why this worked so well?

Mr. Reischauer. Well, the chief reason is that Japan is the kind of country it is. If you want to have a pleasant, successful ambassadorship, then choose your country well. Japan is moving ahead very rapidly. She's made tremendous economic gains, but these last five years have been perhaps particularly notable for psychological gains—gradual overcoming of the problems that came out of the past war. Not all of them, but a good many. And with this great progress, which was just natural to the situation, has gone a great improvement in Japanese-American relations, because of a growing understanding. I tried to contribute to that, but it would be absurd for me to claim any major role. I think I did manage to encourage it, push it along somewhat, but it was basically the result of the times. Certainly there is in Japan, as of today, a feeling that they can talk fully and easily and frankly with us, which they obviously did lack in 1960.

Mr. Thomson. I know that you personally felt a special need to open a dialogue with the Japanese intelligentsia, the Japanese Left, students, and intellectuals. How much progress were you able to make?

Mr. Reischauer. In some parts of the Left I think a certain amount of progress was made. The extreme Left, the Communists and the virtual fellow-travelers, are not people with whom we can establish a very meaningful dialogue, because our fundamental premises are so different that it's almost impossible really to talk with them. But the greater part of the Left is not that doctrinaire at all. And with these people I think a great deal of understanding can be built up, because we do, underneath it all, share many ideals together. I think maybe I was successful in changing an attitude on our part toward the relationship with the Japanese Left. We have so often fallen into the trap of assuming that anyone who does not fully support us in our policies is therefore against us. I started out in Japan with quite a different assumption, that anyone who was not announcedly our enemy was presumably our friend. And much of the Left responded to this, and was willing to be friends and try to find an area of understanding.

Mr. Thomson. What were the areas of greatest disappointment, opportunities missed, things that didn't go as well as you hoped?

Mr. Reischauer. Many of the things took longer than one could have hoped for. Take the normalization of relations between Japan and Korea, which are very much to the interest of both Japan and Korea, and also to the interest of the United States. They moved ahead at a very, very slow pace. They weren't finally achieved until 1965. The most specific disappointment I had was when our Congress refused to utilize $25 million of the GARIOA settlement. That was the return of $490-million by the Japanese to us toward the aid that had been given during the occupation. Twenty-five million of those dollars were earmarked for the development of further cultural relations between the United States and Japan. And this could have been put into a permanent fund for a permanent endowment of a foundation, and as such would have had many times the value of $25 million used anonymously, just appropriated year by year by the Congress. But the Congress insisted on just doling it out piece by piece . . .

Mr. Thomson. Why?

Mr. Reischauer. Well, it simply has the rule that does not like to appropriate anything except year-by-year. And the departmental people could not convince them of the value of using the fund for a permanent foundation, investing the money and utilizing the interest from it.

Mr. Thomson. Taking that kind of issue as an example, to what extent did you feel fully supported and backstopped by the State Department and the Administration on issues that you regarded as critical in these years?

Mr. Reischauer. Within the State Department there's what's known as the Japan desk, a group that has to deal with the Embassy, and that group always gave us magnificent support. But they're relatively low-ranking officers. The chief problem, I think, was to get the State Department sometimes to push hard enough for desirable things with Congress. I've always felt the State Department often is much too timid in its relation with Congress. And the other problem would be to get high-enough-level consideration of issues. Sometimes you had to shout pretty loud in Tokyo in order to get this high-level consideration, because people would be so involved in the problems of Vietman or China or other things that they would not have time for the lesser crises. . .

Mr. Thomson. The problem of executive preoccupation.

Mr. Reischauer. Yes, that's right. Not enough people at the top levels can look at all the problems of the world, and therefore the crisis problems—even though they may essentially be less important than the long-range, slow-developing ones—get the most attention.

Mr. Thomson. My own experience in this regard was that from about 1961 onward, every Far East assistant secretary we had—and I think there have been four—has really been an honorary Vietnam desk officer three-quarters to nine-tenths of the time. It's a terrible shame because we're forgetting that Vietnam is only one chunk of a much larger Asian picture. Preventive diplomacy goes by the boards.

Mr. Reischauer. I think you're absolutely right, Jim. Of course, you were in a position to see that much better than I. And I might say that if you had not been in the White House many of those years, we'd have not gotten as much attention for many things as we did.

Mr. Thomson. I'm not sure that's a valid comment, since my own preoccupation was mainly with China. But does what you're saying also relate to what we periodically get from the Japanese—the complaint that we tended to take Japan for granted?

Mr. Reischauer. I don't think we get as much complaint on that from the Japanese as we used to. And I feel that the top people in Washington, when they stop to think about it, realize the vast importance of Japan. The trouble is that so much of the time they just don't have the leisure to think about Japan, and in this way she may be taken for granted.

Mr. Thomson. The Japanese don't cause us enough trouble to force issues to the highest levels.

Mr. Reischauer. Not enough immediate trouble. The Japanese problem is where Japan will be in 1970. Will it be pulling its full weight, that it *can* pull, by 1975? People who are worrying about next week in Vietnam aren't going to think too much about 1970 or 1975. And by the time we get to 1970 or 1975, what happened this year in Vietnam may seem very insignificant. But Japan is sure to be vastly more important.

Mr. Thomson. I've asked about how you were supported in Washington. How well were you serviced by your own people in the Embassy, and what sort of conclusions do you reach about the qualities, assets and liabilities, of the career foreign service?

Mr. Reischauer. Well, I thought I was excellently served in Japan. At the Embassy in Tokyo the people were loyal, hard-working, devoted, and completely willing to take the leadership of a person who had come in from the outside. I don't think we support our foreign service in this country the way we should. I think it's abominable the way we treat them.

Mr. Thomson. How so?

Mr. Reischauer. Well, the penny-pinching attitude toward our whole diplomatic representation is not befitting the dignity of a country that is as great as the United States is. And it damages its interests, because we often do not have resources to do things which should be done—which can be done by much poorer countries, on a much larger scale, much more fully. This whole attitude, and the pinching of the whole diplomatic foreign service, means that we drive away a lot of talent. I'm surprised we have such fine people in it as we do, when I see how we treat them.

Mr. Thomson. In regard to the financial pinch, how were you able to survive? You're not independently wealthy, and yet the post certainly made tremendous financial demands on you.

Mr. Reischauer. The Japanese Embassy, while one of our major ones and comparable to our embassies in London and Paris and Rome, still has been one traditionally held by career foreign service officers who do not have money. This has been possible because Japan does not have a tradition of a kind of social life like our social life. So lavish entertainment is not significant in the job, as it may be in London and Paris and so on. It can be done on a much simpler scale there, though it's done on a very large scale. And the State Department, realizing that I had no outside funds, tried to make the appropriations for entertainment and other things more generous than they were before. The net result was that we managed to come close to breaking even.

Mr. Thomson. Did you have to dip into savings or go into debt?

Mr. Reischauer. No, but I think probably some of my income from past writing did get diverted to keeping us afloat in Tokyo.

Mr. Thomson. I've been somewhat depressed by the number of bright younger people who either don't enter the Foreign Service, or enter and depart after two or three years of frustration. What would be your advice, to college people? Would you urge them to join the Foreign Service despite the problems and drawbacks?

Mr. Reischauer. I think the possibilities for meaningful service are very, very great. If a person has enough drive to want to do that and face the difficulties, why this is a great thing for him to go into, because some of them will reach the really fascinating jobs and be very much rewarded. But they have to do it with a great deal of bravery. First of all, they often face many years of deadly dull apprenticeship before they get to the interesting jobs.

Mr. Thomson. A process that I once heard praised as "the discipline of disappointment." But you would nonetheless urge young men to go in, with their eyes open.

Mr. Reischauer. If they have enough dedication. But they've got to have a great deal of dedication to stick it out.

Mr. Thomson. I was surprised to see in the current issue of the Department of State Newsletter a message from the new Director General of the Foreign Service, Ambassador Steeves, which contains the following two sentences: "If a career service is a sound concept, and experience has proven that it is, then placement must have a strong presumption in favor of career officers. If a career officer can do the job adequately, we must be unswayed by information that a paragon of a non-career man is waiting in the wings for an offer of employment." What bothers me is that on the basis of that formula, a good many of the most distinguished appointments that were made in the first months of the Kennedy administration—outsiders like yourself, John Badeau, Professor Galbraith, Bill Atwood, Lincoln Gordon, and others—would simply not have been made.

Mr. Reischauer. Well, John Steeves is an old friend. And, after all, he's head of the trade union right now. If he didn't say that for his own trade union, it would simply seem rather strange. I don't think we should take that too seriously, because we've already learned from decades of experience that it's valuable to have outsiders come in.

Mr. Thomson. Do you think it's advisable for men not to linger too long in jobs of such high level, and high pressure?

Mr. Reischauer. That's probably true. You need a kind of freshness. Both my wife and I did feel this lack of a sense of freshness—things that had once been an interesting challenge came to be merely irritations. There is this problem of just getting stale in a job. At the same time, I must say it was a fascinating job, and a wonderful life, and I gave it up with a great deal of regret.

Mr. Thomson. This same concept of staleness, or tired blood, has spurred a good deal of criticism of the length of tenure on the Seventh Floor of State. This reminds me of the question someone asked Henry Stimson late in his life, "Mr. Secretary, how do you bring peace to the world?" Stimson said, "You bring to Washington a handful of people who believe that it's possible, and you work them to the bone until they no longer believe it's possible, and then you turn them out and bring in a new bunch."

Mr. Reischauer. Well, maybe I should ask you why you left Washington, after about the same length of service as myself.

Mr. Thomson. Tired blood. I feel very strongly that you need to be refreshed, by moving to a new environment, by attempting to read and think and write and clear your own mind a bit, so that you can be of better service at a later time. What about you? Are you available for future employment?

Mr. Reischauer. If the right sort of thing came, that I felt I could make a real contribution to, of course I'd be available. Commenting on your tired-blood remarks, I think this is very much more true, perhaps, of Washington than in the field. Every time I went back to Washington, I was appalled by the exhaustion of people there, by the terrible rut of constant activity in which they were mired. Being in the field is a much more exhilarating experience than being in Washington. Your chief enemies are not your own colleagues in other parts of the government, as they are in Washington. You're looking outward, towards a big world, and I think you're less likely to go stale than you are in a Washington department.

Mr. Thomson. You've hit on a very important point, I think—the amount of time and energy that is consumed in bureaucratic infighting. The amount of time and energy, for instance, that State must expend in trying to deal with Capitol Hill is a very disheartening thing. It takes a terrible toll on the people who work there. My own view is that *people* are infinitely more important than procedures, in the business of foreign affairs, and that turnover of people in high-pressure jobs is a desirable objective, within certain obvious limits.

"I DON'T THINK WE HAVE AN ASIAN POLICY"

Mr. Thomson. You wrote a book in 1955 called "Wanted: An Asian Policy." How would you update that book? Do we have one yet?

Mr. Reischauer. No, I don't think we have an Asian policy, and I believe the basic points I was trying to make in the book are still worth making today. We still have not come fully to grips with the problems we face with this great mass of population—half the population of the world—most of it in underdeveloped countries facing great difficulties. I don't think we've really come to grips with the importance of nationalism. We talk about nationalism all the time, but we still have not realized that Asian nationalism is a thing that we must back more than anything else.

Mr. Thomson. And that it will take a variety of disparate forms, often ugly—

Mr. Reischauer. Many disparate forms. But the very fact of backing Asian nationalism means the United States cannot take a leading role. Because we do not happen to be an Asian regime ourselves. We have to learn how to be strong in a supplementary role rather than a leading role.

Mr. Thomson. I sense in those words an enthusiasm that Japan take the leading role.

Mr. Reischauer. No, I don't think any one nation should take the leading role. Of course, Japan has obviously got to take a much larger role in the future than it has in the past. It is a halfway outside nation, being a modernized nation located in Asia; but even its capacity to take a leading role is very definitely limited.

Mr. Thomson. Though there have been a lot of striking changes in Japan's interest in pursuing an active foreign policy in—

Mr. Reischauer. Oh, yes, and as compared with the recent past, when it's taken virtually no role, why, there's going to be a great change in the near future, because she is moving into a phase in her history where she will be making a very large contribution to the future of the Orient.

"TO BE INVOLVED IN MAJOR FIGHTING ON THE ASIATIC CONTINENT, I THINK IS WRONG"

Mr. Thomson. I suppose that the worst problem you faced in the latter part of your Japan service involved Vietnam. How much headway do you think you have made, and we have made as a nation, in explaining our purposes in Vietnam—first to the Japanese government, and second to the Japanese people?

Mr. Reischauer. We made maybe more progress there than almost anywhere I can think of. The initial Japanese reaction, in early 1965, to our bombings in the North, was almost catastrophic for Japanese-American relations. The Japanese became terribly excited and worried. It had a very adverse influence on the development of Japanese politics. There was a growing consensus coming in Japan, and Japan was getting ready to move out and take a more responsible role in the world. Her relationship with us had made great progress. But all three of these things were very much stopped—and to some extent, reversed—by this strong emotional reaction of fear on the part of the Japanese, particularly in the first half of 1965, because they saw this spreading of the bombing in North Vietnam leading very quickly to an American-Chinese war that would then somehow engulf them because of American bases in Japan and Okinawa. When this didn't happen, and we showed some ability to use restraint in our great military strength, they began to be somewhat less excited, but I must admit that all of 1965 was a year in which I devoted myself primarily to explaining what our fundamental aims were, and hopes, in the Vietnam situation, and what our problems were. I think we did, finally, get a better understanding. The Japanese reacted in a very good way to the effort, last Christmas, and the following weeks, when we stopped the bombing and did our best to get negotiations going, I think that finally convinced them of our sincerity and desire for a peaceful solution, and since then, they have been much more sympathetic. Now the Japanese Government, practically all along, has been fairly understanding of our position. The Japanese public has not. But it has gradually come to be at least less critical, and is beginning to give us the benefit of the doubt on our motivation, if not always on our actions.

Mr. Thomson. You surprised some of your friends in recent months by sounding like a stronger supporter of our actions in Vietnam over these past several years than many of us had thought. I recall, for instance, that you shared my strong doubts, in the early part of 1965, about the wisdom of bombing North Vietnam. Have your views changed?

Mr. Reischauer. No. I felt that the situation we're in in Vietnam is obviously the kind of thing we should have avoided if we'd had enough perspicacity soon enough. We made a lot of bad judgments. To be involved in major fighting on the Asiatic continent, I think is——

Mr. Thomson. Is wrong.

Mr. Reischauer. Is wrong, and almost everybody agrees that it's wrong. Where did we make our mistakes? Well, if you're a historian you can go back and say we started making mistakes in 1945, when we did not back Asian nationalism against the survival of Colonialism, failed to take a clear stand because we didn't want to hurt our European friends, who were already hurt by the war in Europe. So we got off to a bad start and made some other poor decisions subsequently that gradually led us, by all sorts of small turns in the road, into an undesirable situation. Unfortunately, the historical road can't be retraced. You always stand where you are at the moment. I had doubts about the bombing of the North. These things you can never be sure about in advance, there will always be historical might-have-been arguments. But we're stuck with the bombing of the North now. You can perhaps gradually cut it off. My own feeling would be, probably that would be the wise course.

Mr. THOMSON. Looking over these years since 1961, what would you cite as opportunities lost, where we might have prevented the escalation of our involvement in Vietnam?

Mr. REISCHAUER. Well, I'm not nearly as much an expert on this as probably you are. I think we've been awfully slow in getting around to some of the more meaningful build-up activities—political build-up activities in Vietnam, which in the long run are going to be the answer rather than the military power. We're getting around to them slowly at last. But we could have started many of them years and years ago.

Mr. THOMSON. In my own view the last real opportunity to de-escalate was immediately after the election of 1964, when the President emerged with the largest mandate in history and could have brought about any solution to that problem he cared or dared to undertake. I believe he was ill-served by some of his senior advisors in the critical months between November '64 and January or February '65. Now this was very much the eleventh hour and a solution, a de-escalation and even a loss, would have been extremely hard to bring about and swallow. Nonetheless, the President did have the opportunity and the mandate. Since then I've seen no further opportunities for a radical shift in direction. Looking back from the present—with the appalling costs of Vietnam at home and abroad—I wonder if the President would do again what he did at that critical juncture.

Mr. REISCHAUER. I'm not so sure that the President, with his great mandate, could have done that much, because you know, they faced a pretty dismal military situation.

Mr. THOMSON. What's your solution for Vietnam?

Mr. REISCHAUER. I think we just have to stick it through. I'm worried about the fact that all we can think of is a further escalation. I think the time has come to find ways to de-escalate the war, and certainly not let it escalate further. Beyond that, all we can do is stick it out.

Mr. THOMSON. A thing that people keep forgetting is the hope in Ho Chi Minh's heart—and not necessarily a vain hope. His point is that they live there, and we don't. And in due course, there is no place for them to go; but for us, there is always home.

Mr. REISCHAUER. Yes. But that's why we have to build up the South. They live there too. If we get enough of a system working there, that will be enough to hold the South someday.

Mr. THOMSON. To what extent do you think our escalation has been compounded by "rhetorical escalation"—the problem of having to sell the American people on an unpopular course of action, by invoking grandiose concepts, by phrasing our objectives in terms that are excessive for the situation? For instance, the unfortunate use in mid-1965 of the term "national honor"?

Mr. REISCHAUER. Yes, that sort of thing is unfortunate. On the other hand, you could probably argue that the Vietnam peace movement in the United States is helping to prolong the war more than anything else, because it's giving great hope to the other side that they're going to win on their present course. "Rhetorical escalation" on both sides challenges people who feel the other way to state their point of view too strongly, and this has a bad influence. If this were not a democracy, we could probably handle this much more easily. But this is true of practically all our foreign policies. They would not have to be explained, and thus perhaps overstated.

Mr. THOMSON. But the problem of dissent is built into our society, and I would argue that it is perhaps dubious, and certainly dangerous, to cite dissenters as factors in prolonging the war.

Mr. REISCHAUER. If you lived abroad, and saw the problem as it seems to be there, you would see that the more extreme manifestations of dissent—not the reasoned argument, which I'm all for, but the more extreme manifestations of dissent—are viewed all out of proportion to their real signficance, their real power in American political life, and give a very false picture of the United States.

Mr. THOMSON. And yet this is simply a built-in factor of our society, with which we must live. So you certainly don't mean to imply by what you say that dissenters border on treason and should be shut up.

Mr. REISCHAUER. No, that would be much, much worse. I just wish that dissenters—this of course is wishing more than human nature is capable of—would be responsible in their dissent.

Mr. THOMSON. Who is to determine the criteria of responsibility? The Secretary of State? The Chairman of the History Department at Harvard?

Mr. REISCHAUER. According to basic democratic philosophy, no one can decide it. All you can hope for is a more educated public, so that both support and dissent will be better argued.

Mr. THOMSON. Apropos of the breakdown in the dialogue with Japan and our dialogue with Japanese intellectuals, are you baffled by the alleged breakdown between the current Administration and the intellectual community in this country? Do you think it exists?

Mr. REISCHAUER. Viewing it from Japan, one cannot help but see some of the least attractive features of Japanese society appearing more and more in the United States. This breakdown between intellectuals and government, and some of the rather frenetic activity that is taking place around some campuses are very reminiscent of certain things in Japan.

Mr. THOMSON. Have you been picketed yet by American students?

Mr. REISCHAUER. Here? I haven't seen anything that looked remotely like a picket anywhere around Harvard or New England so far. And so I still have to judge just what the reality of this is. I do sometimes feel that there is a distressing tendency on the part of our American intellectual community to be more concerned with style than content as far as the government is concerned. In the present Administration I can understand what it is that bothers them. But I don't think this is a really intellectual reaction. This is an emotional and slightly petty reaction, which I don't particularly admire.

"IT IS IN OUR LONG-RANGE INTEREST TO OPEN DOORS FOR CHINA TO COME OUT INTO THE WORLD"

Mr. THOMSON. In talking about Vietnam and even in talking about Japan, I suggest that you and I have been tiptoeing around the central problem of Far Eastern policy—I mean the problem of our relations with that together with the control of nuclear weapons and the control of population growth, the "domestication" of the Chinese revolution in its relations with other states is the central problem confronting all of us and all of China's neighbors—beginning with the Japanese and Koreans, ourselves, the Soviets, the Indians, the Southeast Asians—over the next two or three decades?

Mr. REISCHAUER. Well, certainly the China problem is one of the great problems of modern world history, because China is such a vast mass, with such a large part of the world's population. I probably differ from you in feeling that on the whole we have tended to overemphasize it in the United States. We overemphasize the strength and the potentialities of China, rather than underestimate them. I think China is a smaller nation than you think it is. Japan is a bigger nation than China, for all——

Mr. THOMSON. You once proved this point rather well with a map.

Mr. REISCHAUER. I did two maps, to show to the Japanese public where Japan really stood in the world. One is by population, and when you look at it that way, why then East and South Asia, what we normally call Asia, seem to be over half of the total world, and China looks simply tremendous. When you do it by gross national product, which comes closer to being national power and potentialities for the time being, then you get a very different picture in which the so-called North is just overwhelmingly large, and you get little tiny tails like Africa and South America dripping off from this great North; and on this one, Japan, with a gross national product in 1964 of $68-billion, probably was somewhat ahead of China. Nobody knows what China's gross national product is, and you can get great differences in estimates. But in any case, Japan is either well past it, or is going past it very rapidly. And since what she produces is eaten up by only 100-million people, rather than 700-million, you can see how much more is left over to do something with, if they want to do something with it. So in this sense it's a much bigger country.

Mr. THOMSON. Are you generally satisfied with the progress we have made over the past five or six years in attempting to reclaim Communist China to the community of nations?

Mr. REISCHAUER. Obviously we've made no progress at all. We've gone backwards. And leaving aside how big this problem is—we'll both agree it's awfully big—I feel that this is probably the area of our foreign policy that has been least satisfactory, and I would feel myself least in agreement with what has been accepted policy. I did not leave Japan because of any difference of opinion on this, because this did not really fundamentally affect my role there. But I do feel some disagreement, in that I think the long-range problem is to get the Chinese Communists back in touch with the outside world, so they begin to learn something about it, and eventually begin to accommodate to the realities of the world. Our policy doesn't seem to be aimed in that direction at all. It seems a much more short-sighted policy of somehow temporarily keeping them away from the world, for immediate benefits, rather than thinking about the long-range interest of trying to get them to know the world better.

Mr. THOMSON. Then you would agree that we should attempt to break down the barriers of China's isolation, regardless of China's present state of behavior, and regardless of Peking's predictably negative response to our initiatives?

Mr. REISCHAUER. Of course, yes. I think we ought to make it clear that we would like to see a time when the Chinese Communists are willing to come into the United Nations on the terms of other countries coming into the United Nations, and that we are hoping for a time when they will allow us to have normal relations with them.

Mr. Thomson. Many of us in Washington who worked on the China problem felt that after the tie vote in the United Nations last autumn, we were given an opportunity this autumn to change our strategy—to permit a two-China solution or what Professor Fairbank refers to as a "dual-representation" solution. Either through taking the lead ourselves, or more appropriately, through letting other nations such as Canada, Japan, Nigeria, etc., move ahead with our good wishes. It was our view that at a time when we were demonstrating as never before our firm anti-Communism in Vietnam, we had an ideal chance to move on the China question this autumn. And you would have supported?

Mr. Reischauer. Oh, of course I would have. Almost to a man, those who know much about it do think this way. Actually, the tie-vote aspect of it is not the real reason. That's a reason why some doubters might be convinced to change their minds, but it'd be the wrong reason for doing it. I mean, it is in our long-range interest to open doors for China to come out into the world. She won't go through those doors for a long time, but there's no point in our keeping the doors closed.

Mr. Thomson. In this regard—some distinguished statesmen to the contrary—the United Nations is a reform school; it certainly isn't a Good Guys' Club. It is one of several places in which paranoid, outlaw nations can try to face life in the Twentieth Century, and gradually learn how to behave. It's an ideal place for group therapy. Of course, it wouldn't make life easier for the rest of us, because we already have enough problems there already; but I don't see that it would cause major new problems. I'd be fascinated to see what a Chinese delegation in New York would do in devising a strategy of behavior—vis-a-vis us, vis-a-vis the Soviet Union, and vis-a-vis the neutral nations. It would cause them immense policy problems, far beyond any it would cause us. At the same time, there would be no harm in having seventy or eighty Chinese with their eyes opened by life in New York City.

Mr. Reischauer. If the Chinese were in the United Nations, of course they could do disruptive things. But I think they'd find that the difficulties for them would be very much greater than they are for us, just as you pointed out. Of course one basic problem is what one does about Taiwan. Chinese are worried about the concept of there being two Chinas. We don't care how many Chinas there are. We just recognize whether or not governments exist, and there are two political units—one that controls the island of Taiwan, another that controls the mainland. But we shouldn't define whether there are two Chinas, two successor states, or what. That's their problem.

Mr. Thomson. You have pointed out, I think, that Japan is the one country that comes closest to sharing our view of Taiwan.

Mr. Reischauer. One of the difficulties in Japanese-American relations has been the fact that the Japanese have a much greater emotional closeness to China, and have felt a much greater emotional urge, a push, to have normal relations with Communist China. And they have, until quite recently, blamed the fact that they did not have normal relations with Peking on the fact that they're closely associated with us. Now they're beginning to see the reality, and actually they're in exactly the same position we're in. They're the only other major country that is really very much interested in Formosa, for historical, emotional, trade, and other reasons; and as long as the two Chinese regimes insist that you cannot recognize both of them, the Japanese find themselves in exactly the same position we're in.

Mr. Thomson. I want to take exception to the point you made about our total lack of progress on China policy over the past five years. I would much prefer to have said that myself, but to modify it by adding that we did make some progress: it took us five years to spring the travel package, which had bounced up and down to the Seventh Floor and back from 1960 onward; last December, with fear and trembling, we finally did allow doctors to have validated passports for travel to Communist China; and we've now expanded the categories, and the results have been, on our side, entirely peaceful. The press and the Congress have supported these moves.

Mr. Reischauer. In absolute terms, yes, that is a small progress. But when you look at how fast history flows along, we're losing ground relatively.

Mr. Thomson. True. Let me just add, though, that we have also changed our rhetoric on China. This creates a container into which you can pour substance. We have not yet poured the substance, but beginning with Secretary Rusk's testimony at the Zablocki hearings last March, the Vice-President's use of the term "containment without isolation," and finally the President's use in July of the concept of "reconciliation" with mainland China, we have moved very far along the rhetorical road. That leaves content still to be devised—other unilateral initiatives besides the end of the travel band.

Mr. Reischauer. I think we've made great progress there, in the rhetorical way. I think one of the problems, though, is that we have *this* rhetoric, and conflicting rhetoric that also goes on at the same time. It takes only a rather small change to eliminate that other rhetoric and stick to the containment-without-isolation, peace-and-reconciliation, phrases of this sort. I think it might be just a very small change that would bring us to the kind of policy that you and I are both advocating. We're almost there.

Mr. CLARK. Mr. President, this article sets forth a very stimulating and interesting colloquy between Ambassador Reischauer and James Claude Thomson, Jr., who recently left the White House staff to accept an associate professorship at Harvard University. The article brings out in dramatic style the point of view toward our Far Eastern policy held by our former Ambassador, with which I find myself in complete accord, and which differs to a substantial extent from the official line of the Department of State. I hope that readers of the Congressional Record will note the important comments made by Ambassador Reischauer, and that they will be guided accordingly. A good, hard look should be taken at this article.

ASIAN AND VIETNAM POLICY

Mr. CLARK. Mr. President, I am satisfied that President Johnson is now turning toward a peace offensive and away from the advice of the warmongers, away from the advice of those who advocate winning by total victory in a holy war against godless communism, and who would rather fight than switch. This new peace offensive deserves the support of all of us.

Mr. President, in that connection, I ask unanimous consent to have printed in the Record an interview with President Johnson which appeared in America Illustrated, the American magazine published by the U.S. Information Agency, which is circulated in the Soviet Union.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From America Illustrated, September 1966]

Interview With President Johnson

Question. Mr. President, 10 years have elapsed since the United States and the Soviet Union began to exchange *America* magazine and *Soviet Life* in an effort to achieve better understanding between our countries. I wonder, sir, if you would comment on the state of relations between the two countries over the past decade?

Answer. That's a question frequently asked, and one which is always difficult to answer. It is easy to be a hopeful optimist—and just as easy to be a fearful pessimist. What is important in these complicated times is to be a realist. Time and again, in many parts of the world, we and the Soviet Union find ourselves on the opposite sides of a question. But, over the years, we've gained a lot of experience in working out many of our differences. And we've taken a few very important constructive steps together. I have in mind the Nuclear Test Ban Treaty, which forbids testing of these destructive weapons in the atmosphere or under the ocean and thus eliminates the dangerous hazard of fallout. I also think of the history of the cultural exchange program which broadened the opportunities for our best scientists, teachers and artists to share their creativity with one another. These are positive, concrete steps. They help create a more favorable atmosphere for further steps, and further normalization of relations between countries. My prayerful hope is that they will endure and expand, despite differences of view we may have.

Question. What do you consider to be some of the future possibilities for additional constructive steps?

Answer. I think we must work toward progress in the field of disarmament and in greater cooperative efforts between our two countries in space exploration, medical research and communications. This administration strongly supports these efforts. And then, too, there are what you might call the basics.

You know, in Texas, when we go to buy a farm, we don't put too much importance on the man-made disappointments—like a rundown barn or a badly fenced pasture. A good farmer goes out to the fields and sees what's growing. He stoops down and tastes a little bit of the soil. He looks at the stock and the streams and the spring. If these are ample or can be made so by the sweat of his brow, the farmer knows the place holds a future. I grew up on that land. Some of it was mighty poor and rocky—but some of it was good. I learned not to be afraid of disappointments—of the weeds and rocks—but to value the good soil and the hard, constructive work.

I think there's considerable good soil for U.S.-Soviet relations to grow and prosper with the right cultivation and care. We have more in common than we sometimes realize. I have considerable faith in the people of the Soviet Union. We are both large countries. We both possess an incredible variety of natural resources. Our people are energetic, generous and talented. We Americans really came to know and to admire the Russian people in World War II. And, I hope, they share some of the same feeling for us. So, I would say that our people are more naturally friends than enemies. I would like to see us exchange goods and ideas and technology—all of the means to achieving common progress and prosperity.

Question. Mr. President, this decade has been one of economic progress for both the

United States and the Soviet Union. Does this progress directly affect the issues of war and peace?

Answer. This decade of progress has undermined the goals of those who have preached that the ideological differences between America and the Soviet Union must inevitably lead to war. We see now that we can both prosper in spite of the differences. The two nations have never gone to war with one another. The fact is that no two nations have more to lose in war than the United States or the Soviet Union.

The past 10 years are a good example of what I mean. Just think how much we've achieved here in America: We've reached out into space, we've begun a new era of progress for our Negro citizens, our poor, our elderly, our students. We've realized so many of the dreams of the New Deal of the 1930's and 40's. We were prompted to act then because of a great depression. Today, we are acting at a time when our economy is at the highest point in history. But we want to have all our people share in our bounties. And we want to inject excellence into all aspects of our national life—on our farms, in our cities, in our classrooms, in the arts, in our factories. This is the Great Society.

But we are not the only ones building on our dreams. Think of what the Soviet people have accomplished after experiencing a most destructive war in which they lost 20 million people. They have not only rebuilt their country, but they also have achieved splendid technological and scientific accomplishments. Neither country would like to see all these advances go up in smoke.

Question. Do you think then, sir, that we have reached a point in our relations with the Soviets where both sides accept the proposition that nuclear war is impossible?

Answer. There is no question but that the American people and the Russian people are absolutely opposed to war. I wish I could say that nuclear war is impossible. The United States, as I said before, will never start any war, nuclear or otherwise. But this world of ours is filled with dangers. We can never know what may suddenly erupt to bring new tensions and threats to the peace.

Under President Kennedy's leadership we proposed the most comprehensive plan yet advanced for general disarmament in stages, so that no nation would be at a disadvantage at any stage. Pending action on this broad plan, we have proposed a treaty to curb proliferation of nuclear weapons and to reduce stockpiles. We hope that current disarmament talks will produce progress toward such a treaty. This government has devoted considerable time and effort to this problem. In fact, we began negotiating right after the war. At that time we were the only nation in the world with the atomic bomb, but our reason then was no less compelling than it is today: the world simply cannot be free of danger as long as any nation possesses a nuclear arsenal. But general disarmament will not, in my view, become a universal fact until we can develop a compelling substitute for armed might in international relations. Once we had a terrible bloody war between the states here in America. Since that time, we have established a rule of law that regulates our national life and shapes the relations between the national government and the state and local governments. I think that the United Nations, through principles enunciated in its founding charter, points the way toward a truly ordered structure of world law.

World law can bring world order. But it also must reflect the desires of men and nations. When law ignores this cardinal principle, law itself is ignored. I think we may be evolving a world consensus on which law can stand. For example, in the time since I became President, the United States has participated in more international conferences—about 650, I believe—than during the first 150 years of our history. And so, I believe we must pursue avenues of cooperative effort and agreement with the Soviet Union wherever they are to be found. We've got to get into the habit of peaceful cooperation. The Test Ban Treaty was a significant step. There have been others since 1963. We have agreed not to put bombs in orbit, we are working together on a number of other important ventures—in desalination, weather information, exchanges of scientists, artists, and yes, magazines.

Question. What about the ideological barriers, Mr. President? Do you think we can really find social and political accord with the Soviet Union as long as we are in such diverse ideological camps?

Answer. I think both sides must realize that neither is going to convert the other. The United States has no interest in remaking the Soviet Union in our image. And I don't see any evidence that America will go communist. I think that the real interests of nations transcend the ideological differences. For instance, some of the nations with which we work closely have moved toward planned economies. But this makes no difference to us—or to them. We work together out of mutual trust and respect and because we share many of the same ideals and aspirations.

We Americans believe that our democracy and our system of a mixed economy with a wide scope for free enterprise works best for us. But we support and respect the rights of all peoples freely to choose their own system. We oppose the practice of imposing one's system on others. If everyone would abide by the principle of self-determination and reject aggression and subversion, the world would be a happier place.

Question. Mr. President, as a practitioner of what has been called "consensus politics," I wonder if you would comment on the differences between achieving a popular consensus for your domestic programs and for matters dealing with foreign policy?

Answer: We are a democracy, and Americans have the basic right to disagree with any policy of their government—foreign or domestic. As we well know, Americans are not bashful about using this right. Now, there are a few important points I'd like to make about achieving a so-called consensus. First, I am a firm believer in the principle of national unity. I believe that our people have more reason to work together than apart to build a country we can be proud of. We may divide along many sectional, regional, political and special interest lines on the best way of approaching some of our problems—but I do think the vast majority agrees on what our problems are and the need for doing something about them. The challenge then is for the President to assert his leadership, to take a position on these issues by formulating legislative programs on which the Congress can act. The Congress, of course, can reject the President's programs—and it often does. But a President must do what he thinks is right. He must think in terms of the national interest and the nation's security—even if this means stirring up some segments of public opinion, no matter how vociferous. I confess that on the home front it is easier for the public to understand what an Administration is trying to do. They see that some of our schools are overcrowded, that we must do something to help our Negro citizens, that we are rapidly outgrowing our cities, and they are responsive to programs that seek remedies. But when the President takes an extremely serious step in foreign matters, then it is really a more difficult proposition for people to grasp. Certainly, there are dissenters—those who disagree. But the great majority of the American people strongly support their government. You know, the concept of consensus politics is just one expression in day-to-day political terms of the fundamental proposition of American government—government by consent of the governed. Either a President has achieved a popular mandate in office, or after his four years were up the people achieved a consensus of their own and voted him into retirement. So, in either case, the principle of government by consent of the governed has always been upheld.

Question. Mr. President, what are your hopes for the next 10 years?

Answer: You know, I've been in public life now for 35 years. And it's a sad commentary on the human condition when we realize that not once in any of those years has the world been wholly at peace. We've seen a lot of social and scientific advancement in the past 10 years. My hope for the next 10, like any sane man's hope, is that this will be matched in building a peaceful world. Then we will have something really to be proud of. Peace, after all, is the bedrock of all our hopes. Without peace, all of our work and progress come to naught. Think of all the important and beneficial work that the United States and the Soviet Union could undertake with the vast sums now being spent on the instruments of war. Why, it staggers the imagination. We could use that wealth to help the two thirds of the world that is afflicted with poverty, hunger, illiteracy and disease. These have-not nations want their place in the sun, their chance for a better life. And as I have often said, the wall between the rich and poor is made of glass, through which all can see. Men everywhere want the opportunity to grow, to become what they are capable of becoming. And this has a special meaning for me. Fifty years ago I stood as a boy in the Texas hill country and wondered whether there would ever be any opportunity beyond those hills. We who have attained our dreams must respond to the dreams of others—the revolution of rising expectations. I hope we can work toward a world of greater interdependence among nations—where countries will increasingly cooperate in economic, social and cultural undertakings.

The United States and the Soviet Union still have an agenda of unresolved differences, some of them quite serious. I believe we can settle disputes, honorably and peacefully. We in the United States are determined to try. What has changed in recent years is not the size of our problems, but the means for solving them. The United States and the Soviet Union now possess—for the first time in history—the technology and productive capacity for extending mankind's benefits to all men. The alternative, of course, is that the world can fall victim to its fears and antagonisms and plunge humanity into the nuclear abyss. I happen to prefer the positive way.

Question. Do you see any indication that we can achieve this "positive way?"

Answer. Oh, yes, I do. I think that cultural exchange between our two countries is extremely important. We must get to know each other better. The political realities are such that we too often dwell on one another's mistakes and weaknesses. Let's admit that every nation has its infirmities. We all make mistakes, and injustice is not the product of any one geographic area. That's why I value this magazine exchange: *America Illustrated* and *Soviet Life* show what both countries are doing in constructive social and cultural ways. Here, both nations put their best foot forward, show their best products, their finest accomplishments, their creative ability. This is a most positive step toward better understanding. And understanding is essential to the quest for peace.

As I said earlier: If you take an objective look at our two countries—not just at the issues which divide us—you see the two most powerful nations on earth with every reason to want peace and no rational reason to want war. I am an optimist about mankind. I believe men, with enough effort, can get what they want. And so I believe that the good soil will prevail over the rocks and weeds. The responsibility for the future rests in large part on the United States and the Soviet Union. We differ on many things. The Soviet leaders are often convinced of the rightness of their actions when we think they are wrong. And they sometimes think we are wrong when we feel strongly that our cause is just. As great powers, our two nations will undoubtedly have commitments that will conflict. But there is one commitment I hope we both share: the commitment to a warless world. However you define it, this is mankind's age of greatest promise. We must move toward it—not toward war. We must find ways toward disarmament and an international rule of law strong enough to take the place of arms.

As President of the United States, as a citizen of this troubled planet, as the father of two daughters who want to bring children into a peaceful world, I say we not only want peace—we in America are willing to expend every effort to achieve this goal. And, really, as responsible citizens living in the nuclear age, we can do no less.

Question. Thank you, Mr. President.

Mr. CLARK. Mr. President, I ask unanimous consent to have printed in the RECORD the lead editorial in the Washington Post of today entitled "Brezhnev's Reply."

The **PRESIDING OFFICER** (Mr. INOUYE in the chair). Without objection, it is so ordered.

The editorial was ordered to be printed in the RECORD, as follows:

BREZHNEV'S REPLY

The negative response of Leonid I. Brezhnev, head of the Soviet Communist Party, to the peace overtures of President Lyndon Johnson is disappointing. It is hardly dismaying. And it certainly is not surprising.

The Communist Party, at Brest-Litovsk in 1917, introduced its own brand of diplomacy and it has not often parted from the principles then embraced. It is a diplomacy that derived its novelty and originality from two considerations. The first was that it involved, no longer, the objectives of diplomacy of the old order. It was no longer a diplomacy aimed at reconciling the views of nations in general agreement within the old framework of Europe. It was a diplomacy aimed at breaking up the old order, not at preserving it. It was a diplomacy, moreover, conducted not so much between the negotiators as it was over their heads—to the opinion of the world.

The Brezhnev response is faithful to these old Bolshevik conventions. Peace is not something to be sought for its own virtues, but for whatever can be got out of it for communism. Diplomacy is not a matter of negotiating with other heads of state or their representatives but a matter of propaganda.

Still, it is not altogether unpromising. Since the outlines of the nuclear age were made clear in the Cuban missile crisis, Soviet diplomacy has had to put a value on mutual survival as the diplomacy of the world did before World War I. And that instinct has not been abandoned entirely, at this time, in spite of the customary abusive words and epithets that have so often disfigured the expression of Soviet views.

The suggestion that the Soviet Union would like to develop mutually beneficial relations with the United States is worth something—even if the situation in Vietnam, in Mr. Brezhnev's view, now precludes this. Sooner or later, perhaps sooner rather than later, the situation in Vietnam will change. And then the door will stand open for "mutually beneficial" relations.

This country, on its part, should do nothing to close it. The friendly proffer of "peaceful engagement" has been somewhat rudely rebuffed. It will not and of course should not be withdrawn. A "peaceful engagement" will be brought about, one day, through the irresistible compulsion of a sheer instinct for survival. It may never very closely resemble the cordial and fraternal relations that passed as "peace" in some earlier periods when great powers operated within the framework of universally accepted institutions, systems and values. But it will suffice if it prevents destruction. Efforts to achieve such a peace must not flag, even if overtures for peace meet with rebuff a thousand times.

Mr. CLARK. Mr. President, the editorial points out that we should not be discouraged in our efforts toward "peaceful engagement" with the Soviet Union.

The editorial also points out that Russian diplomacy does not always reveal the true view of the Soviet Union, which, in my opinion, is toward a long-range detente with the United States.

Mr. President, I ask unanimous consent that an article entitled "The Rich and the Poor: 1966," by Paul G. Hoffman, which appeared in the Saturday Review of September 17, 1966, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Saturday Review, Sept. 17, 1966]

THE RICH AND THE POOR: 1966

(By Paul G. Hoffman)

It's a rich world for some—and the rich are getting richer. In 1965, the more developed countries, including the United States, Canada, most of Western Europe, the Soviet Union, Japan, Australia, New Zealand, and South Africa, had a Gross National Product of approximately $1.4 trillion. What is more, the $1.4 trillion figure is increasing by $40 billion to $50 billion annually, thus assuring the one-third of humanity living in the richer countries a rapidly rising standard of living.

But is is a distressingly poor world for most. The estimated Gross National Product for the less developed countries, excluding China, is about $250 billion a year. While this figure is going up by some $10 billion to $12 billion annually, population growth is cutting the average annual increase in per capita income to 1 per cent. At this rate, the people of the less developed world will not reach even a $200 level in average annual per capita income by the end of this century. For hundreds of millions of people the average will be close to $100.

The contrast between riches and poverty on our planet is one of the tragedies of this century. "In an age when man is literally soaring to the stars," U.S. Ambassador to the U.N. Arthur Goldberg has said, "he has not yet managed to raise to decent heights the conditions of life for some two billion of the earth's three billion people" On a planet of unimaginable wealth and potential, some 3,000,000 human beings are dying each year as a result of starvation and nutritional diseases. At a time when the frontiers of knowledge are expanding at an explosive rate, a majority of men live and die without benefiting from the wonders of science and technology.

Poverty, of course, is nothing new. What is new is that the poor no longer accept poverty as an inevitable way of life and are determined to do something about it. What is also new is that for the first time in history men command the means to launch a global attack on poverty. Many of the developed countries have devoted substantial resources to bilateral and multilateral development assistance programs. In designating the 1960s as a Development Decade, the United Nations has called upon all member states to unite in a substanted world war on hunger, disease, ignorance, and poverty.

There is much confusion as to the dollar value of goods and services flowing from the richer to the poorer countries for development purposes. My estimate, based on the study of many conflicting reports, is that it was approximately $11 billion in 1965. It should be added, however, that only about half of that $11 billion represents a burden on the world's taxpayers. The other half represents private investment and commercial loans meeting strict banking criteria.

What has been largely overlooked in appraising the flow of development capital from the richer to the poorer countries is the contra-flow of resources. In 1965, this reverse flow, consisting of interest and dividend payments and loan repayments, amounted to approximately $4.5 billion—leaving a net development assistance total of $6.5 billion. It has also been overlooked that, from 1961 to 1965, the annual flow of development resources to the emerging nations increased by less than $1 billion. As a percentage of Gross National Product, less was devoted to development assistance in 1965 than in 1961. The figure now stands at little more than one half of 1 per cent, despite wide agreement that at least 1 per cent of Gross National Product should be devoted to development purposes. What has occurred in the United States is indicative. Though this country's Gross National Product has jumped by some 35 to 40 per cent since 1961, U.S. foreign aid expenditures are no larger today than they were five years ago.

The contrast between what has been happening to resources allocated for development and resources allocated for defense and weapons of destruction is sharp and devastating. While the amount of funds set aside by the richer counties for development assistance purposes has remained almost static, appropriations for armaments and war purposes have increased from $120 billion to $150 billion since 1961.

It is a rich world—and a mad one.

What explains this apparent unwillingness of the richer countries to devote more of their resources to meet the enormity of the development challenge? In the first place, the very concept of utilizing one's own resources to assist others in the development of their country is a new idea. Being new, it has been subject to misunderstanding. Many believed, for instance, that foreign aid could and should be used to win friends. Before long, however, it was evident that the countries of the less developed world could not be bought, or, if bought, were hardly reliable allies.

In addition, the staggering dimensions and complexity of the development process were little appreciated in the early days of economic assistance. People had the notion that the developed countries merely have to export their know-how. What was not realized is the fact that whole nations have to be brought to the point where they want and appreciate know-how. Some people had a different notion—that money alone can solve all development problems. They ignored the reality that meaningful development cannot occur unless people are educated and trained in a variety of skills. Capital is a vital factor in a well-rounded development program, but it is only one factor among many.

To build the necessary skills and administrative institutions is a complex and time-consuming affair. Thus, development is not, as some supposed, a task which will take years, but one which will occupy men for decades and perhaps even generations. The quick results achieved by Marshall Plan aid to Western Europe cannot be duplicated. The Marshall Plan had the relatively uncomplicated job of speeding recovery from wartime destruction in an area which possessed all the necessary skills and facilities for rehabilitation. Present development efforts, by contrast, must often start at the very beginning—a vastly more difficult proposition.

Considering all this, it is not altogether surprising that both the public and the national legislatures in some of the richer countries should have become disenchanted with the entire development effort. In fact, when the taxpayers hear that in certain respects the plight of the poorer countries its worsening—for instance, in some areas of Asia and Latin America there is less food per capita today than there was at the beginning of the decade—they sometimes doubt that any amount of assistance can help solve the problems of the emerging nations. For these and other reasons, impatience and exasperation with foreign aid have grown over the years.

But there is a bright side to the development story. It is not the lack of resources, physical or human, which is responsible for the plight of the poorer countries. Almost without exception, they possess sufficient resources to assure a more decent life for all their citizens. What is responsible for the poverty of these countries is the underutilization of their resources.

Recently, I put two questions to a cross section of members of the Society for International Development, the only interdisciplinary organization in the development field. I asked them, first, what percentage of the total natural resources of the emerging nations is currently being put to productive use; and second, what percentage of these countries' human resources is now being utilized? You may find their answers rather startling. The average estimate of present natural resource utilization was about 20 per cent of annual capacity, and that of human resource utilization, only 10 per cent. This means that almost 80 per cent of the natural resources and 90 per cent of the human resources that exist in two-thirds of the world remain, as yet, untapped.

Despite this underutilization of resources, a number of the less developed nations have made spectacular progress. These countries are located on all continents, are in various climatic zones, and are of widely divergent cultural backgrounds. But they have certain marked similarities. In each instance of successful development effort there has been a strong determination on the part of the government to modernize and to make necessary sacrifices. Political conditions have been reasonably stable. Economic policies have encouraged savings as well as public and private investment. Finally, a sizeable volume of external assistance has been forthcoming.

The face of progress and of enlarged opportunities assumes many different forms. Africa's Ivory Coast has increased its per capita income at an average rate of 10 per cent a year since 1960. At least twelve countries—among them, the Sudan, Tanzania, Mexico, the Philippines, and Thailand—have increased their average annual agricultural yield over a sustained period at a rate higher than that ever achieved by the United States or any other developed country over a similar period.

Five countries—Greece, Spain, Israel, Lebanon, and Taiwan—have made such satisfactory economic progress that they have "graduated" from the U.S. aid program. Other countries, such as Brazil, Chile, and Turkey, may graduate within the next decade. Still others, such as Pakistan, South Korea, and Tunisia, have made more economic progress in recent years than most observers would have thought possible.

Thousands of strands make up the development story. The daily catch of Ceylonese fishermen has been multiplied many times over by equipping their vessels with outboard motors. In El Salvador, an underground reservoir containing enough water to double agricultural output in the surrounding area has been discovered. A new strain of rice may make it possible for Asia to double its output of that essential crop.

But development prospects cannot be measured in these terms alone. The world knows a good deal more about the development process now than it knew a decade ago. Then, there were few professionals in the field of development assistance; now there are thousands. The self-help efforts of the emerging nations are increasing yearly. In addition, an impressive number of international institutions, as well as individual countries, are deeply involved in development assistance. While the times are certainly difficult, never have they been more auspicious.

However, almost all knowledgeable people in development assistance agree that this promise will not be realized unless the present $6.5 bililon net flow of resources from the richer to the poorer countries is increased. The surprising thing is how little additional capital it would take to step up sharply the pace of world development.

An increase of two types of assistance is necessary. The first type is so-called "soft" loans which bears no or very low interest charges, are long term, and usually provide for initial grace periods. Since many emerging nations are already burdened by excessive debt repayment obligations, this load should not be unduly increased by new "hard" or regular commercial loan obligations which would only force the low-income countries to divert precious funds from development projects. In 1965, the emerging nations received approximately $1.8 billion in soft loans. By 1970, it is vital that the amount provided annually in soft loans be increased by at least $1 billion, making a total of $2.8 billion.

An additional amount of funds and resources must also be devoted to preinvestment assistance projects. This refers to those activities, such as resource surveys or the establishment of training institutes, which help a country uncover economic opportunities, develop its human resources, or strengthen its administrative services, and thereby boost its capacity to attract and absorb additional development assistance and investment of all types. Until such infrastructure is built, development cannot take place. By 1970, it is essential that the present $500 million devoted to pre-investment work be doubled to $1 billion a year.

The additional $1.5 billion for soft loans and pre-investment projects would generate a flow of several times that amount of assistance to the developing countries in conventional investments and hard loans. This increase in soft loans and pre-investment seed money could well trigger a growth in net capital flow from the present $6.5 billion to $12 billion or $14 billion annually. Can the taxpayers of the richer countries claim that the additional $1.5 billion, an expenditure which would bring such rich dividends, is too much of an added load?

The experience of the United Nations Development Program—established in November 1965 when the General Assembly consolidated the activities of the U.N. Expanded Program of Technical Assistance and the U.N. Special Fund—illustrates the catalytic effect of seed money. Following a feasibility and survey study supported by the U.N. Development Program, a $220.5 million hydroelectric complex which, when completed, will be Nigeria's chief source of power, was begun with credits supplies by the World Bank, the United States, the United Kingdom, Italy, the Netherlands, and Canada. The Nigerian Government is providing local currency to pay for local costs.

This is just one example. Currently, the U.N. and its family of related agencies are assisting more than 3,000 large- and small-scale projects in 150 developing countries and territories. This global partnership has already harvested a rich return. More than $1.4 billion in investment has followed twenty-eight major U.N. Development Program pre-investment projects, undertaken at a cost of $35.7 million to the Development Program and the countries involved, which supplied more than half the expenditures. While it would be unrealistic to expect this high rate of follow-up investment to continue, it is not too much to assume that, in the future, every $100 million spent on pre-investment projects will produce a billion-dollar flow of investment capital.

If the international war on poverty is to succeed, it will require a great effort—greater than that which has been made thus far—on the part of all nations. Apart from maintaining the peace, in fact, nothing demands greater attention or effort. This is so not only for compelling humanitarian reasons, but also because global development bears a close relationship to the future prosperity and peace of the entire world.

The economic rewards of development are considerable. The people of the less developed countries comprise the world's largest potential market. They represent the new economic frontier. As income increases, so does purchasing power. Secretary of Agriculture Orville Freeman estimates that every 10 per cent increase in per capita income abroad results in a 16 per cent increase in the commercial exports of the United States. And every $1 billion worth of additional exports creates more than 100,000 jobs in this country.

The more developed a country becomes, the better a customer it is. The present biggest export customers of the United States are the most highly developed nations—the countries of Western Europe, Japan, and Canada. With a population of 20,000,000, Canada buys more from the United States than does all of Latin America, which has a population of almost 250 million. American export sales to Japan have more than quadrupled since U.S. postwar assistance ceased. Mexico, a country which has made substantial development progress, has more than tripled the value of its imports since 1950. If nothing else, development assistance is a sound, long-range business proposition because it builds markets.

Even as a short term proposition, economic assistance is an asset to U.S. business. More than 80 per cent of all U.S. aid dollars are spent on goods and services purchased in this country. In fiscal 1964, U.S. firms did $1 billion worth of business by supplying aid recipients with a variety of materials and commodities, ranging from steel to fertilizer. In 1965, American shipping firms collected $80,000,000 in transportation fees for carrying aid-financed products to their destination. U.S. colleges, consulting firms, and other organizations hold nearly half a billion dollars' worth of aid contracts for technical assistance projects. Altogether, the U.S. foreign aid program is directly responsible for more than half a million jobs in this country.

The political rewards of development are also considerable. People in economically backward nations are readily incited to violence, too often believing that this is their one avenue to progress. If our goal is to build a stable world dominated by the rule of law rather than by the specter of lawlessness, it is imperative that all nations join in an endeavor to attack and overcome the social and economic conditions which produce instability. Indeed, if increased stability eventually caused a decrease in the sums spent for arms, then development would, in effect, be financed by shifting funds from war-making to peace-building and would be no added burden on the taxpayer.

The need is clear. What the world does in the remaining years of this decade is crucial, for the development assistance given now is preparing the ground for the much more substantial progress which must be made in the 1970s. Surely the stakes are worthy of man's best efforts. "International development is the great imperative of our generation," Canadian Secretary of State for External Affairs Paul Martin has said. "There is no doubt in my mind that our generation will be judged in history on the success or failure of our efforts in the greatest human adventure of all time."

Note.—The author, Paul G. Hoffman, former president and board chairman of the Studebaker-Packard Corporation, is administrator of the U.N. Development Program. He also has served as Marshall Plan administrator (1948–50), president and trustee of the Ford Foundation, a member of the U.S. delegation to the United Nations, chairman and trustee of the Committee on Economic Development, a member of the Business Advisory Council, and in many other public and quasi-public posts. His books include *Seven Roads to Safety, Peace Can Be Won,* and *World Without Want*.

Mr. CLARK. Mr. President, Mr. Hoffman makes the point that the gap between the wealthy and the underdeveloped nations is widening, while the proportion of gross national product devoted to aid is shrinking.

He asks, why?

I reiterate the question, having pointed out the same facts on the floor of the Senate a good many times.

Mr. President, I ask unanimous consent to have printed in the Record an article written by Henry Steele Commager, entitled "Can We Control the War in Vietnam?—What history tell us about 'limited conflicts,'" published in the Saturday Review for September 17, 1966.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Saturday Review, Sept. 17, 1966]

CAN WE CONTROL THE WAR IN VIETNAM?—WHAT HISTORY TELLS US ABOUT "LIMITED CONFLICTS"

(By Henry Steele Commager)

It is in Vietnam that we are fighting, but the ultimate enemy—so we are assured with anxious eloquence—is China. The "aggression" we are called upon to stop is "Communist aggression," and the Communism we are asked to contain is Chinese Communism.

That China is Communist is not denied, and that it is militaristic and aggressive is taken for granted, for after all is this not the very nature of Communism? With every year China grows more powerful and more intractable. Already it has a population of 700 million; already it is well on the way to industralization; already it has the atomic bomb. Clearly—so the argument runs—it is China that inspires and sustains the war in Vietnam, supplying, if not the men, all other necessities of war. If our intervention should fail of its objectives—whatever they are—it is not Vietnam that will win, but China. And if China is victorious in Vietnam what is to prevent it from moving on to Laos and Cambodia, Thailand and Burma, then to the Philippines and Indonesia, and ultimately—the imagination boggles—into Japan, Australia, and India?

Meantime, we carry the war ever closer to China. Now we bomb within a few miles of the Chinese border; now we engage in "hot pursuit" over Chinese territory; now we grimly warn that there is no sanctuary for enemy planes on Chinese soil. And China, in turn, feels itself surrounded and beleaguered: a hostile Soviet Russia pressing on the long boundary to the North and controlling territory historically Chinese; American bases in Japan, Okinawa, the Philippines, and Taiwan; the Seventh Fleet—most powerful on the globe—ruling the South China Sea; giant bombers based on Guam; almost 300,000 soldiers in Vietnam, with more on the way.

We are alarmed—and so are the Chinese—and when two powerful and proud antagonists are alarmed, almost anything can happen. Senator Fulbright and many of his Senatorial colleagues think we are on a "collision course" with China, a view which the Chinese themselves share. Meantime, Secretaries Rusk and McNamara assure us that our own government has no intention of broadening the war. And the military, in turn, however much some of its members might yearn for a showdown now rather than later, discount the notion that China is able to engage in a major war.

There is, alas, neither comfort nor reassurance in all this. Wars rarely come because they are carefully planned and deliberately launched—not ours anyway—but because circumstances get out of control. They come, most of them, notwithstanding earnest and even sincere efforts to avoid them. To assume that statesmen, or military men, sitting in distant capitals, can manipulate the great, seething, and tumultuous processes of history as they might manipulate pieces on a chessboard is to ignore the lessons of the past. The lessons of the past are not those implicit in the arguments of a Kahn or a Kissinger; they are rather those explicit in the lines of Euripides:

> "And the ends men look for cometh not,
> And a path there is where no man thought,
> So hath it fallen here."

History, to be sure, tells us of wars that were quite deliberately planned. Napoleon knew just what he was doing when he renewed his war on Britain in 1803; so did Bismarck in his wars on Denmark, Austria, and France. Hitler planned his attack on Poland, Norway, the Low Countries, and Russia, and Japan carefully calculated its attack on Pearl Harbor. Such things, it will be said, belong to the bad Old World; they do not happen in the New. Indeed they do not. *We do not plan our wars; we blunder into them.* Doubtless this has its advantages: We can maintain to the end that we are a "peace-loving" people, even as we are locked in mortal combat with our enemies—who, of course, are not "peace-loving."

That is, in any event, the record of most of our wars. Let us see what light that record throws on the problem that confronts us now.

Begin with the first, of our wars, the War for Independence. It is pretty clear that neither the Americans nor the British wanted war in 1775; it is equally clear that neither people followed policies designed to avoid it. Certainly Colonel Smith, who marched so bravely out on the Concord road to capture the gunpowder stored in that town, did not realize that he was inaugurating a great war, nor did the embattled farmers who fired the shot which Emerson later asserted was heard 'round the world. Neither George III nor Washington wanted war, and though Lexington and Concord were fought in April 1775, the Continental Congress was still debating war and independence a year later. And as late as 1776 Washington, John Adams, Thomas Jefferson, and other American leaders are on record as deprecating both independence and war. But war came.

Certainly few wanted and fewer expected war in 1812. That war is, indeed, a classic example of the role of chance and of blundering. The British were too absorbed in their war on Napoleon to give any serious thought to American grievances; certainly they had no desire to take on another enemy. Americans protested against illegal impressment and Indian depredations, but had little stomach for a fight. New England did not want war, and sabotaged it when it came; the belligerence of the West has been exaggerated, and it was in any event a belligerence against Indians. When, in 1812, war finally came, it was unnecessary, for the British had already repealed the odious Orders in Council, the ostensible provocation for war. Nevertheless the war came.

As for the next major war, that with Mexico, it is fair to say that it was ardently desired by some, bitterly opposed by others. Santa Anna probably did not want war, but he wanted to indulge in gestures that might provoke war. Polk did, no doubt, want war, and so, too, did a good many Texans, and, supporting them, a good many land-hungry Middle Westerners. The South was not enthusiastic; New England abolitionists charged that the war was fought merely to get "bigger pens to cram slaves in." Certainly there was no need for war; had reason and not passion been in control, the disputes that agitated Mexico, Texas, and the United States could have been negotiated. The Mexican War is a classic example of the way in which a determined President can maneuver the country into a war neither popular nor necessary.

The Civil War, greatest of our wars, was by no means that "irresistible conflict" which Seward predicted. Neither North nor South really wanted war; Southerners hoped to the end that the North would allow them to go in peace; Northerners hoped, to the end, that the "erring sisters" would in fact return to the fold. So said Oliver Wendell Holmes: in an appeal to "Caroline, Child of the Sun":

> "Go, then, our rash sister, afar and aloof,
> Run wild in the sunshine away from our roof;
> But when your heart aches and your feet have grown sore.
> Remember the pathway that leads to our door."

Lincoln put it more sadly in his second Inaugural Address:

"Both parties deprecated war, but one of them would make war rather than let the nation survive, and the other would accept war rather than let it perish, and the war came. . . . Neither party expected for the war the magnitude or the duration which it has already attained. . . . Each looked for an easier triumph and a result less fundamental and astounding."

When secession came, Lincoln allowed Sumter to fall rather than fire the first shot, and Seward contrived a fantastic plan to reunite the nation by warring on Britain and France. All in vain. Events ruled and overruled the plans of men.

The war with Spain was, if not planned, widely desired and widely popular, for American distrust of Spain was deep-rooted and American sympathy with the heroic Cubans struggling for independence was ardent, President McKinley, to be sure, tried somewhat ineffectually to avoid war over Cuba, but lacked the backbone to put up any real resistance to the war-mongers. War might have been avoided—Spain was prepared to make almost any concessions—had it not been for the bad luck of the explosion of the battleship *Maine* in Havana harbor. There was no evidence at the time that the Spaniards had blown up the *Maine*, and there has been no evidence since, but the country was not interested in evidence. Spain was held responsible for the foul act, and "Remember the *Maine*" echoed across prairie and plain. That fortuitous event was the fuse which set off the war, just as the ineffectual firing on a U.S. destroyer in the Gulf of Tonkin was the fuse that set off the war on North Vietnam. In both cases an administration pledged to peace eagerly seized on a pretext to wage war.

It was, said Theodore Roosevelt, "a splendid little war." The war that grew out of it was not at all splendid, and took everyone by surprise. Indeed so surprising was it that—like the present enterprise in Vietnam—it was not really a war at all. The Americans had liberated the Philippines from Spanish rule, and the Filipinos, or a substantial number of them, assumed that they were now free. But not at all. McKinley was not prepared to hand the islands back to Spain, nor to set up an international protectorate, nor to leave them alone, exposed to the wicked designs of other nations.

But the Filipinos, like the Vietnamese in 1945, thought that they had helped win their independence, and did not want any foreign, certainly not any Western, power to take over. They thought that independence from Spain meant an end to colonialism, and they were outraged when McKinley calmly assumed that they had nothing to say about their fate. It did not, apparently, occur to McKinley that the Filipinos would oppose American rule of the islands, and when they did so, he reacted impulsively, almost instinctively, as we later reacted to Vietcong intransigence. He struck back, and we found ourselves engaged in just the kind of jungle warfare in which we are now once again embroiled.

That war dragged on for three years, and before it was over it had engaged 120,000 American troops—the equivalent then of our 300,000 now in Vietnam—and cost almost as many lives as the war with Spain. Like almost all wars between people of different races and colors, between a highly civilized and a more primitive people, this war speedily degenerated into the worst kind of guerrilla fighting, with barbarities and torture on both sides. Within a short time the United States found itself doing in the Philippines what it had condemned Spain for doing in Cuba, just as now we find ourselves doing in Vietnam what we condemned the Germans for doing in the last war.

The First World War affords the best—perhaps the only—example of a war which we entered upon deliberately. We moved toward war with our eyes open; we calculated the risks of fighting, and of not fighting; our decision to declare war was carefully weighed and calculated. Whatever the rights and wrongs of that decision—and looking back on it from the perspective of fifty years, there still seem to be more rights than wrongs—it cannot be alleged that this was an occasion where events overrode human judgment. We did not, of course, see the consequences of our involvement; even the eye of Woodrow Wilson could not penetrate that far into the future.

With the Second World War we were clearly back in the world of chance. Granted, Roosevelt had not been a passive spectator to the drama unfolding before us in Europe and in Asia; granted, too, that by 1941 we had moved, somewhat erratically, toward participation in a "shooting" war, with conscription swelling the ranks of our armed forces, our airplane and munitions factories working day and night, our protection extended to Iceland, and our Navy prepared to shoot submarines on sight. But the election of 1940, like that of 1916, had been fought on a platform that appeared to promise that the government would stay out of "foreign" wars. Public opinion was, in fact, unprepared for war in 1941. And when war came, it came not by our choice, but by the choice of Japan. Once again it could be said that we did not control events, events controlled us. We did not plan the war, controlling each move in a complex game; there were calculations, but they went awry; the moves and finally the game itself got out of hand.

The Korean War does not fit quite so neatly into this pattern of wars into which the United States blundered or strayed, but whatever else may be said of it, this can be said with certainty, that it was not a war we either anticipated or planned. The Korean War caught us by surprise as it caught most of the world by surprise, and so, too, did the ferocity of the fighting. The analogy to our involvement in Vietnam is not far-fetched: We plunged into what we took for a war of aggression; as we moved ever closer to the China boundary, China concluded that it was threatened (as indeed it was by MacArthur and the war hawks, though not by Truman) and itself plunged into the war. We are confident now that escalation of the Vietnam war will not bring in China, but our experience in Korea does not justify that confidence. Nor does it justify our confidence that we can, in the end, impose our will on all participants; in Korea we had to settle for something less than total victory, and to accept an armistice which still hangs over us.

Now, once again, we are involved in a war that began, quite fortuitously, as a minor action and developed into a major one. Because public relations, propaganda, and perhaps pride, are more insistent than ever before, we are assured, more persuasively than ever before, that everything is under control. No need to fear a further enlargement of the war; no need to fear war with China; no need to fear an atomic conflict. But the one thing that is inescapably clear is that nothing is really under control. Month after month, year after year, we have been misled and deceived. We have been told that the conflict in Vietnam was not a real war, that a show of force would bring it to an end; that the Vietcong were being decimated, and were deserting by the thousands; that a few days' bombing would bring North Vietnam to its knees; that we had at last set up a stable government; that the South Vietnamese army was a real fighting force; that the long-awaited social and land reforms were finally being fulfilled; that we had staunch allies who would surely come to our aid. But why go on? The record of no other war in our history is so littered with the bric-a-brac of miscalculations, misguided policies, and mistaken predictions.

Yet those responsible for this matchless record of confusion, self-deception, and error still have the temerity to assure us that everything is under control—their control. We are still asked to believe that the President and his advisers make all the decisions and direct all the actions, that they can calculate with certainty just how far the war will go and how far it will not go; that they can move the pieces on the chessboard of Asia with such deftness and skill that we need never fear that anything will go awry.

Confidence in our ability to control the war in which we are now so hopelessly entangled is part of that larger intellectual and moral vanity which is one of the most frightening features of the American character today. It is of a piece with those games theories which so fascinate the servants of the Rand Corporation, of a piece with Henry Kissinger's careful calculations of the tolerable limit of losses in a nuclear war—is it 50 per cent or 70?—of a piece with Herman Kahn's theory of controlled escalation of atomic warfare, all as neat and impersonal as a computer.

Those whom the gods would destroy they first make vain. To suppose that we are a special people, that we cannot only foresee but control the future, that we can bestride the swift currents of history, that the choice of life and death for nations and even for Mankind has been delivered into our hands—this is a special and fearful kind of arrogance and pride. Nothing in our experience promises us that we can subdue the arrogance or conquer the pride.

Mr. CLARK. Mr. President, Mr. Commager, one of our most outstanding historians, points out that history would not lead us to believe with any particular conviction that when we start thinking we can limit and control wars, we can have much chance of success.

Finally, I ask unanimous consent to have printed in the RECORD an article written by the distinguished Senator from Idaho [Mr. CHURCH] entitled "U.S. Policy and the 'New Europe.'" This was published in the October 1966, issue of Foreign Affairs.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. POLICY AND THE "NEW EUROPE"

(By FRANK CHURCH)

President Johnson said recently of Europe: "The Europe of today is a new Europe. In place of uncertainty, there is confidence; in place of decay, progress; in place of isolation, partnership; in place of war, peace." Confidence, progress, partnership and peace—what better testimonial could there be to the health and vitality, both political and economic, of Europe today; and what better promise for Europe's future?

During the summer, in a month of hearings, the Senate Foreign Relations Committee examined "the Europe of today." Our discussions ranged over the entire continent, literally from the Atlantic to the Urals, and beyond. For a diagnosis of the Atlantic Alliance means considering not only de Gaulle's aims, but the prospects for German reunification, Britain's association with the Common Market, nuclear arms control, greater European cohesion, East-West détente, the impact of Viet Nam, and much more. These problems are connected to each other in a seamless web that joins the United States with Europe, linking us together in the future as inextricably as in the past.

When the Committee's hearings began, it was announced that their purpose was educational. In preparation for them, I visited Europe in May for interviews with governmental leaders, including Wilson, Erhard and de Gaulle, along with prominent spokesmen of the opposition parties and other knowledgeable political observers. I have now had a chance to test my tentative conclusions against what the Committee has been told by a number of distinguished American experts on Europe.

The fact that there is in Europe today confidence, progress, partnership and peace is due, in no small part, to farsighted policy decisions we have taken since the end of the war. But we may stand in danger of being so dazzled by past successes that we could easily stumble into future failures. For Europe is now rumbling, not with discontent, but with a new spirit of independence, in both East and West. We seem to hear the sound, but we may not understand its meaning. To me it is the murmur of widespread European assent to the proposition: "Resolved, that the postwar period has ended."

Testifying before the Committee on July 13, Under Secretary of State George Ball said: "The 'NATO Crisis' [not the postwar period] . . . is over." Such a statement assumes that the principal problem facing NATO is France's refusal to continue her participation in SHAPE, or to permit NATO bases to remain on French soil, and that because the other allies have decided to retain a relocated military headquarters for the Alliance in Belgium, the crisis has ended.

But the questions General de Gaulle has raised have a much deeper significance. For

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he is the symbol of the growing desire of European countries to exert more control over their own destinies—the longing for a larger measure of national independence. To the extent that he has appealed successfully to these sentiments, General de Gaulle is not isolated, either in France or in Europe. And perhaps more importantly, by leading the assault upon the old barriers of the cold war, which all Western Europeans want removed, he appears to many, if not to most, Europeans to be moving with the current of history, while the suspicion grows that we are anchored to the past. Europeans recognize that de Gaulle's perspectives exceed his power, but they also believe that we are so preoccupied elsewhere, particularly in Viet Nam, and so tied to cold-war concepts, that we fail to take advantage of the openings our power presents. As one astute European observer remarked, "France has the objective but not the means, while the United States has the means but not the objective."

Perhaps our resistance to the mood of Europe is most clearly reflected in our relations with de Gaulle's government. We seem to have a peculiar ability to get under each other's skin, to use one another as a foil. McGeorge Bundy described the present foreign policy of France as "disappointing in its manners, costly in its pride, wasteful in its lost opportunities, irrelevant in much of its dramatics and endurable in its fundamentals." Though an intriguing epigram, Bundy's assessment must be weighed on the scales of recent French history. When the General returned to power, France was on the verge of civil war. The Fifth Republic may be hard to live with, but who would prefer the France before de Gaulle, with its revolving-door governments? The previous régime was marked by feeble central power, a faltering economy, poor national morale, mutinous armies and a chronic inability to extricate France from costly and questionable colonial involvements. France today is prosperous and stable, shorn of her outdated imperial burdens aglow with the rekindled pride of her people, and engaged in an enterprising diplomacy of her own design.

How has de Gaulle achieved all this for France? Perhaps, as Professor Henry Kissinger suggested, it was because the General saw the need to teach his country and Europe generally "attitudes of independence and self-reliance," in the belief that "before a nation or an area can mean something to others it has to mean something to itself." Above all, we should remember that, however disconcerting we find de Gaulle's policies, or imperious his style, he has proved time and again, most recently in Moscow, that he is a man of the West.

Yet, despite de Gaulle's basic loyalties, the present occupants of the seventh floor of our State Department will not forgive him for throwing roadblocks in the path of a united Western Europe. Secretary Ball, in his appearance before the Committee, referred repeatedly to the "compelling logic" of a unified Western Europe, to be built, presumably, in the general image of the United States. His testimony, in line with many previous Departmental statements, was replete with warnings that the alternative to unity is a return to the "corrosive nationalist rivalries" of prewar Europe, as though there were no middle ground.

Actually, there is scant basis to fear that Western Europe—knit together by a flourishing common market—is in any danger of unraveling, and even less reason to apprehend a reversion to the pattern of militant nationalism which plagued the period before the wars. The "either-or" argument is unreal, a rhetorical duel between two straw men. When pressed, Secretary Ball himself conceded that Western Europe was not likely to revert to the old habits of a discredited past. Summing up, he sought a more plausible case, declaring that "the central issue before the American government and the American people . . . is what kind of Europe and what kind of Atlantic world we want."

My talks in Europe, and the comments of witnesses during the hearings, brought home to me the fact that it is not the kind of Europe *we* want that any longer governs. The question is really what kind of resurgent Europe the Europeans themselves will build. We can encourage them to move in certain directions, largely because they have looked to us for leadership. But we should avoid pressing them too hard to adopt our favorite schemes for solving their problems. Looking back over the statements of leading State Department officials, one is struck by the fact that they seem to hold out for Europe no alternative between our form of unity and chaos, no awareness that European sentiment may have shifted toward a different arrangement, that what might have been achieved in the vision of such men as Jean Monnet when Europe lay prostrate after the war may no longer represent a practical possibility. In brief, I believe it isn't wise to keep insisting that Western Europe should grow to resemble the United States of America.

At best, it is a dubious policy to keep prodding our NATO partners for their reluctance to make new offerings at the altar of European union. For we cannot forecast with any certainty that our Grand Design for Europe, even if it were to happen, would necessarily prove a blessing to the world.

What real assurance is there that world peace would be promoted by the emergence of another gargantuan state, comparable in size and strength to the United States or the Soviet Union, and equally capable of waging global war? Is it not just possible that a looser association of European countries, which rejects subordination to a single executive authority, might turn out to be the safer arrangement? After all, Bismarck's *Reich* welded together, under one Emperor, the separate principalities which had composed the German *Bund* in a union which proved a curse to peace. Yet the *Bund* itself was once touted for having been "impregnable in defense and incapable of aggression."

Can we really be so confident that a united Western Europe would always remain our faithful partner? We are dismayed by de Gaulle because he dissents from our view about how European defense, European political life and European relations with the rest of the world should be conducted. Why should we believe that a great European Union would not prove even more assertive, contrary and—dare I use the term?—disobedient than de Gaulle's France? Perhaps, as Professor Kissinger suggested, there are advantages to be found in preserving pluralism in Europe.

In any case, the fact remains that in Europe today there is a desire for diversity. Therefore, the task for us is to cast our policy so that it encompasses both the quest for cohesion and this desire for diversity. To accommodate these two aims concurrently, we should avoid taking rigid ideological positions. We must not insist that Europe evolve in any way which does not correspond to the real feelings of Europeans. Surely the United States does not hold the only patent on a Grand Design.

II

The same insistence on the solution we want—and that we think Europeans should want—has been applied to the nuclear sharing problem. Thousands of pages have been written on this subject. I can add nothing new to the debate. It does seem to me, however, on the basis of the accumulated evidence, that we have handled this problem with a rather heavy hand. The Committee, to be sure, was told that the United States had not been doctrinaire on the subject of a multilateral nuclear force, that we had been "very, very careful not to try to bring pressure" on our allies to accept the Multilateral Force (M.L.F.), and that the charge that there has been pressure is "nonsense."

Our diplomats may believe that they avoided bringing heavy pressure to bear on behalf of the M.L.F. proposal, but this is not the frank opinion of most European officials directly involved and of most disinterested experts on both sides of the Atlantic. If we are so unaware of the resentment our tactics produced our antennae are in need of major repair.

Likewise, at the Eighteen Nation Disarmament Conference in Geneva, the United States has nearly isolated itself in insisting upon retaining the so-called European clause in our draft proposal for a nuclear non-proliferation treaty. This clause would leave the door open for the creation of an independent European nuclear deterrent, although the necessary precondition for such a force is a degree of political unity which Secretary Ball himself has described as "far exceeding that foreseen in the near future by even the most optimistic proponents of European federalism."

The official argument, rooted once again in our Grand Design for Europe, is that we are unwilling to foreclose the possibility that some future European Union might organize a nuclear deterrent force in which the Germans could participate. Besides, we want to preserve our option for a "hardware" solution to the nuclear-sharing problem within the Western Alliance. We say that the clause, which one knowledgeable observer has described as though written with a "ball-point corkscrew," would not lead to proliferation because it permits no increase in the total number of "nuclear entities" in the world. I wonder what our attitude toward such an option would be if mainland China announced its intention to form an M.L.F. with Albania, Mali and North Viet Nam, or the Soviet Union an M.L.F. with Poland and Cuba.

In any event, the State Department insists that the European clause is "not the real obstacle to a non-proliferation agreement." The Committee was told that German access to nuclear weapons, under an M.L.F. or a similar "hardware"-sharing scheme, would not even prove a serious obstacle to German reunification, which "will come about when conditions are ripe for it." Most Europeans would disagree.

Our refusal to drop the European clause seems to indicate that we have decided it is more important to bind West Germany more tightly to a truncated NATO than to improve relations with the Soviet Union. I think our priority is wrong. As far as I can determine, the other European nations at Geneva, including our allies, feel that we are mortgaging the present for the sake of a highly problematical future. In other words, most Europeans—I will mention West Germany in a moment—who would participate in a separate European deterrent and whose interests this hypothetical, if not visionary, force would presumably serve, are not pressing us to retain the European clause. Why, then, should *we* insist on keeping an option for *them* which they do not demand, or at least do not think is important enough to jeopardize closer relations with the Soviet Union? Is this in our interest—or in theirs?

In discussing the ultimate goal of our policy in Europe, Mr. Bundy said: "Settlement is the name of the game." If we are going to play the game, we must remember that the ball is labeled "relations with the Soviet Union." If we are not going to play, we will discover that the game will go on without us, and we shall soon become spectators in Europe rather than participants. However much we may doubt the Russians, most Europeans are persuaded that the danger of a Soviet attack has receded, and that, as a result of developments in the Communist world—particularly the revival of nationalism in Eastern Europe and the necessity for Russia to turn about and face the challenge of a hostile China—the time has arrived for a diplomatic assault upon the unwelcome barriers which split the Continent. For the partition of Europe at the Elbe is regarded by Europeans on both sides as transitory and unnatural.

The United States should lead its allies in their reach eastward across the Elbe, for we alone can deal, on equal terms, with the Soviet Union. But whether or not we choose to lead them, they will press on, believing, as more Europeans do every day, that in Europe, at least, the cold war is over. It would be tragic for all concerned—except the Soviets—if by standing so far behind our Western European allies we forced them to turn their backs on us in order to seek reconciliation with Eastern Europe, as they are bound to do.

To lead the new search for a European settlement, we need not join in the European consensus that the Russian threat has faded away. We can parley without discarding the Western Alliance, to which even France proclaims her continuing fidelity. NATO still exists as a fort for the West, should the Soviet Union turn militant again.

On the diplomatic front, the best place for a breakthrough remains Geneva, where we may have come within reach of a nonproliferation treaty. Negotiations should not be permitted to break down on the issue of retaining the European clause. It is reunification, not nuclear sharing, which concerns the Germans most. Europeans, including many Germans, hold generally to the belief that reunification can come about only after much better relations have been established between the two halves of Europe Maintaining the option for increased German access to nuclear weapons can only add to the fears and suspicions; closing the option, on the other hand, would tend to lessen tensions. As Mr. Bundy pointed out, so would a clear public statement by the West German government accepting the Oder-Neisse line. I have the impression, and several witnesses before the Committee did too, that German public opinion is coming around to a realization of the need to strengthen the East Europeans' confidence in Germany. I would think that we should encourage the Germans to do so. I do not see why we, alone among the Western powers, seem unwilling to accept the thesis that reunification will follow relaxation. I do not see why we, again alone, continue to assert an almost mystical belief that eventually, for inexplicable reasons, conditions will sowehow materialize making German reunification possible. By holding to this view, by insisting on a European clause as a prerequisite for a non-proliferation treaty, we are running the risk of not only falling between two stools but of knocking both over. For the prospect of an integrated European nuclear deterrent is most likely to prove a mirage. An empty hope can only disillusion the West Germans, causing them—more in sorrow than in anger—to pull away from NATO's close embrace.

And even if the unfulfilled promise does not produce disaffection, another factor, considered more important even now by some in Germany, is likely to do so. That is the contradiction inherent in enticing West Germany into ever-closer military ties with NATO and, at the same time, pressing for concessions from the Russians, against whom NATO's military organization is directed. While I would not presume to predict the shape of the settlement which will eventually be reached in central Europe, I am personally convinced that the State Department errs in preaching that reunification will come about by "the adhesion of the East German people to some . . . system of Western unity"—in other words, by appending themselves to a united Western Europe.

What seems far more likely is that a German settlement will be reached as the last stage in a gradual healing of the breach between the two parts of Europe. And the price the German people will have to pay for reunification will surely include abstention from nuclear arms. By preserving the option of Bonn's participation in an improbable Western European deterrent force, we are not jeopardizing the possibility of German reunification as part of a central European settlement? Many Germans think so now. Many more may think so in the future.

Hence, by retaining the European clause we will, in my view, not only fail to tie West Germany more firmly into the NATO alliance, we may also sacrifice a non-proliferation treaty with the Soviet Union. If the European clause is retained, the Russians almost certainly will reject the treaty. Of course, even if the clause is stricken, the Russians may not sign. But if they refuse, we have lost nothing in making the offer to delete it.

Quite apart from the immediate consideration of the treaty, our national interest calls for a consultative rather than a "hardware" solution to the nuclear sharing problem in the alliance, building on the work done by the McNamara Committee. This would provide a much sounder basis for German partnership in NATO—sounder because what matters is how governments decide on the use of nuclear weapons, not where governments arrange to store them; sounder because it keeps many options open for West Germany and closes none; and sounder because it is what the European allies of Germany—and, I believe, the German people—prefer.

III

With regard to Europe, President Johnson deserves credit for a number of specific moves he has made recently. First, I commend his decision to restrain the State Department from over-reacting to de Gaulle, for I agree with Mr. Bundy that as "very few Frenchmen are anti-American . . . it remains the part of wisdom and sentiment alike that no American should be anti-French." Secondly, the President should be congratulated for ordering an end to the M.L.F. campaign, for the pressure felt by others in NATO was causing strains within the Alliance that far outweighed any possible gains. Thirdly, he has taken a step forward at Geneva by asking for new language which might break the deadlock on a non-proliferation treaty. Finally, I applaud the President's stated objective to "build bridges" with Eastern Europe.

My uneasiness arises, therefore, not from decisions emanating from the White House, but from the doctrines so deeply imbedded at the Department of State which impede, if they do not preclude, a timely and adept response to the new outlook in Europe. The same dogmatism leads also to a self-certainty which borders on condescension.

Another fault in our approach may be due to the tendency in the State Department to regard the problems of our European allies as essentially military, rather than political. Nuclear sharing, force goals and command arrangements are no longer the issues on which Europe's interests center. Now, when Europe is less concerned about defending itself than in fending for itself, less absorbed with building barriers against the East than with mending fences with the East, those who make our European policy should know both parts of divided Europe first-hand; they should be men whose background and experience—the two most important words in the manual of those who match men to the work to be done—help them in understanding, rather than hinder them from understanding, the shifting subtleties of a highly political continent.

For our fundamental national interests can easily accommodate the changing mood of Europe. We need sacrifice nothing to keep our policies relevant. But only by so doing can we preserve our influence in the Europe of today—and tomorrow.

Mr. CLARK. Mr. President, I conclude by commending the Senator from Idaho for the realistic look he is taking at our European policy. He points out that President Johnson deserves a good deal of credit for a number of the specific moves he has made recently. In my view, among the most important are the speech he made before the newspaper editors in New York last week, and the statements made at his press conference which took place a few days ago.

The Senator from Idaho [Mr. CHURCH] and I are in complete accord that our foreign policy in Europe should be changed along the lines recommended by the president—that is, we should thoroughly revise and overhaul the status quo policy which intermediate levels in the State Department have, so far, managed to impose on those higher up.

GOVERNMENT FELLOWSHIPS

Mr. LAUSCHE. Mr. President, on yesterday there was published an article written by Edward J. Mowery with respect to a fellowship granted by the U.S. Commissioner of Education to a Richard Erle Healey. This is a 3-year fellowship valued at $6,600.

Mr. Mowery's article points out the background of Mr. Healey which, if true, undoubtedly will excite the curiosity of readers of this article throughout the Nation. In my opinion, the background of this man, if supported by the facts as related by Mr. Mowery, are of such character as not to warrant granting him a fellowship, if the continued faith and confidence of the American people is to be kept in the services which are being rendered through largesse of this kind by the Department of Education.

Mr. President, I ask unanimous consent to have the article printed in the RECORD. I ask this consent because the readers of the RECORD should be made acquainted with the Richard Erle Healey fellowship issued by the Office of Education of the United States.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

INSIDE VIEW: YOUR TAX DOLLARS PAY FOR THIS ONE

(By Edward J. Mowery)

WASHINGTON.—If you're scratching for funds to give your kids a college education, or if Junior has mortgaged his earnings for a decade to pay off a college loan, keep this little hush-hush item in mind:

In late July, the U.S. Commissioner of Education granted Richard Erle Healey, of Los Angeles, a 3-year, $6,600 fellowship to become effective this Fall at Tulane University, New Orleans. Healey, 23, has enrolled at Tulane as a graduate student in mathematics.

Healey is the son of Dorothy Healey, chairman and "leading spokesman" of the Southern California Communist Party, and reportedly a member of the Party's national committee.

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Massive silence relating to Healey's fellowship has been observed by the Office of Education. The case should be blown out of the water! Here are the facts:

The application for funds by Healey—a graduate of Reed College, Portland, Ore.—was flatly denied. He appealed to the 7-member Fellowship Review panel whose chairman is Michael H. Cardozo. The hearing was held Apr. 16 at the National Lawyers Club, Washington, with Lawrence Speiser appearing as counsel for Healey.

Speiser heads the District of Columbia branch of the American Civil Liberties Union. Which also figures . . .

The Review Panel, it was authoritatively learned, was armed with a full dossier on Healey's background and connections. The review group overruled the initial denial of Healey's application.

With this little technicality jettisoned, the panel approved the fellowship. Other members of the panel are Mortimer M. Caplin, Dr. Manfred S. Guttemacher, Dr. Eugene N. Hanson, Dr. Fred W. Harrington, Dr. Lyle H. Lanier and Dr. Thomas Lauritsen.

Who is Richard Healey? What are his special qualifications for a $6,600 federal windfall in the field of higher education? Why should you subsidize his graduate studies at Tulane? Here's a bit of Healey's "portfolio":

On Mar. 5, 1962, "The Quest"—Reed College student weekly—identified Richard Healey as a board member of a Focus Club which, five weeks later, welcomed Herbert Aptheker as a campus speaker. Healey was among Reed students in the "reading room" who heard Aptheker harangue on Communist Party objectives, duties and goals. "Political Affairs," the Communist Party's so-called "theoretical" organ, has described Aptheker as its editor (April, 1962).

A year previously, "World Youth," bimonthly publication of the World Federation of Democratic Youth (WFDY), revealed that the International Preparatory Committee (IPC) met Feb. 20, 1961 in Helsinki to pave the way for the 1962 sessions of the 8th World Youth Festival, also in Helsinki.

The WFDY, with headquarters in Budapest, has been cited as a communist organization by the House Un-American Activities Committee. Richard Healey attended the 1962 "youth festival" in Helsinki.

That Fall he also participated in a student "peace" vigil in Portland, Ore., protesting a presidential order to blockade communist Cuba. And on Oct. 7, 1964, Richard Healey was at the Reed College chapel door collecting admissions to a W. E. B. DuBois Club meeting addressed by Henry Winston, national Communist Party bigshot. (DuBois Clubs honor the memory of their Communist idol.)

On May 8, 1965, Richard Healey distributed leaflets on a street corner blasting U.S. policy in Viet Nam. Others in the "demonstration" carried signs. One read: "The United States is drunk with military power."

Is Uncle Sam also "drunk" with educational funds? How many other Healeys are getting tax-paid college educations while vilifying this country?

Congress should get the answers . . .

FUR SEAL ACT OF 1966—CONFERENCE REPORT

Mr. HART. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2102) to protect and conserve the north Pacific fur seals, and to administer the Pribilof Islands for the conservation of fur seals and other wildlife, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of Oct. 14, 1966, p. 27000, Congressional Record.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HART. Mr. President, having checked with our colleagues on the other side of the aisle, and having obtained their approval, I move adoption of the conference report.

The conference report was agreed to.

PRESIDENT JOHNSON'S TRIP TO SOUTHEAST ASIA

Mr. LAUSCHE. Mr. President, this morning I attended the farewell gathering at Dulles Airport to wish the President of the United States all success on his mission to southeast Asia.

As I left the ceremonies, I felt spiritually cleansed, yet heavy and sad in recognizing the huge problems which will be confronting him.

I do not agree with statements heretofore made on the floor of the Senate today that the President is changing his policy. I am of the deep conviction that throughout all of the President's approach to the South Vietnam involvement, he has been striving with the utmost might to achieve an understanding with Ho Chi Minh.

Every effort made by the President has been coldly rejected by Ho Chi Minh. The recent de-escalation of the bombing of North Vietnam was looked upon with indifference and without notice. All proposals to negotiate have been rebuffed.

As I saw the President's plane leaving the ground and soaring into the air, while I had a feeling of heaviness within me as to the gigantic problems the President will face, my hopes were that out of the visit will come some understanding and some success in bringing about a termination of the conflict in South Vietnam.

I fear that the people of this country are not adequately conscious of the significance of the trip the President has undertaken. If he should fail in his efforts, what the ultimate consequences will be are hard to foretell. The Senator from Montana [Mr. Mansfield], the Senator from Illinois [Mr. Dirksen], and the Senator from Iowa [Mr. Hickenlooper] watched the President's plane, as it lifted itself into the air, and wished the President success in his lofty efforts.

I cannot help hoping that the Nation will pray that the President will succeed in this humane effort to serve not only the United States of America but also the world.

Mr. KUCHEL. Mr. President, the Senator from Ohio eloquently expresses what is in the hearts of all the people of this country—in fact, all thinking members of the human race.

This is a monumental undertaking and, with God's grace, let us hope that some progress will be made toward a just and lasting peace.

Mr. LAUSCHE. I thank the Senator from California for his remarks.

Mr. MANSFIELD. Mr. President, I wish to make a few remarks about the departure of the President of the United States on a journey which will carry him into a number of countries in the southwest Pacific, to the islands off eastern Asia, and to east Asia itself.

It is my hope that the President, on his difficult journey on which he and Lady Bird have now embarked, will be able to accomplish that which I know is dearest to his heart. What he would like to see would be a path, a street, or a road which will lead to the negotiating table, and from there to an honorable settlement.

I would hope that the peoples of the world are aware that America has no desire for economic or political achievement in southeast Asia.

I would hope that the peoples of the world, especially in the United Nations where their representatives sit—and a good many of them in doubt—will believe that our President is honestly and sincerely trying to find a way to that negotiating table and to that kind of peace. We have no desire to remain in Vietnam or southeast Asia once that honorable peace is achieved. We have no desire to maintain or retain bases in that area, whether they be at Cam Ranh Bay in South Vietnam or Sattahip in Thailand, or numerous other places where they are located. We have no desire to tell the people of South Vietnam or southeast Asia what kind of government they should have, because that is their responsibility.

The main issue is not that they choose one type of ideology against another, or one type or form of government against another. What is important is that they have the right, in their own way, in their own time, and by whatever procedures they develop, to put into operation the kind of government which they themselves desire and which they feel they could live under.

There have been too many questions raised about President Johnson's numerous statements, and about the statements and speeches of the U.S. Ambassador to the United Nations, Mr. Arthur Goldberg, and about statements and speeches of our Secretary of State.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. MANSFIELD. I ask unanimous consent to have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I would hope the people of the globe would realize the position in which the President finds himself. The easiest thing in the world is to get involved in a conflict. The most difficult thing in the world is to find a way out of a conflict once started, and to do so honorably.

The question of how we got in it is moot. It is a fact. We cannot go back. We cannot undo it. But the question of how we get out of it under honorable conditions is present and pressing.

I know the President of the United States is going to do his very best to achieve the goal which he has made his objective, because it is the objective of Congress and the American people.

In his awful responsibility in the position which he holds as the representative of our people, I wish him the very best. I want to assure him that he will be in my daily prayers, because I know he wants to do, and will do if given the chance, that which will be best for the future of this country, the future of southeast Asia, and I believe the future of the world.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield to the Senator from Massachusetts.

Mr. SALTONSTALL. May I just add a very short word to what the majority leader has said. I think, from whatever section of the country we may come, whatever political point of view we may represent, we all want negotiations to be worked out which will lead to a more peaceful settlement of the contest in which we are engaged in Vietnam. We want to do so to enable those people to govern themselves in the way they want to be governed.

We all realize that the President is attending a conference of nations that are on the same side of the conflict. We hope that the Asian nations attending that conference will be clear as to what they want to do and that we will have unity of purpose. I am confident the President, with his great ability for making clear his feelings on that subject, will make clear to them that we have no ideas or desires beyond that of permitting them to work out a peaceful solution of their own problems in that part of the world. So we all wish him well in that endeavor.

I commend the majority leader for his very clear statement of the problem involved.

The PRESIDING OFFICER. The time of the Senator has expired.

Mr. LAUSCHE. Mr. President, will the Senator yield?

Mr. MANSFIELD. I ask unanimous consent to have 2 additional minutes.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. MANSFIELD. I yield to the Senator from Ohio.

Mr. LAUSCHE. I believe Secretary of State Rusk, speaking this morning, stated it was regrettable that North Vietnam was not meeting with the six nations to be represented at that Conference. In other words, if the six nations and North Vietnam had desired to confer, through the willingness of Ho Chi Minh to have North Vietnam represented, and could sit around the table, there could probably be worked out an understanding relating to the problems of North Vietnam, South Vietnam, the United States, and the people of the world.

Mr. MANSFIELD. Mr. President, I have one more comment on the subject under discussion, and that is this: I would hope the Congress and the people would realize that this is an Asian Conference; that the host country is the Republic of the Philippines; that the individual who issued the invitation is President Ferdinand Marcos of the Republic of the Philippines, and that there will be in attendance, if my recollection serves me correctly, at least half of the nations located off the rim of east and southeast Asia or on the east Asian mainland.

So as we go to this Conference, Asian instigated, Asian inspired, I am certain that the genesis of the invitation will be considered and that we will all hope and pray for its success in contributing to a peaceful solution in the area of southeast Asia. That solution, in my opinion, can be found in any number of ways—through a reconvening of the Geneva Conference, through a guaranteed neutralization of all southeast Asia, or through an enlarged Asian Conference based on the Conference which will be in progress about the latter part of this week.

Mr. SALTONSTALL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. SALTONSTALL. The Senator from Montana is saying that the President of the United States did not issue the invitation. He is going there to accept the invitation as the representative of the United States in a conference that has been called by the Asian countries.

Mr. MANSFIELD. That is correct; when speaking with the President on several occasions, he mentioned to me that if he had his way, he would far rather have had the date for the conference be November 15 or December 15, or thereabouts, rather than follow the present timetable, but as one who was requested to attend, of course, he bowed very graciously to the wishes of his host, and that is the reason why this particular conference will be held at this particular time.

Mr. YOUNG of Ohio. The distinguished majority leader is so right. I congratulate him for his wise, in fact magnificent, statement. Our hopes and our prayers should be with our President throughout his journey undertaken earlier today to seek to achieve peace in southeast Asia. He is confronted with a tremendous task. Sallust, the great Roman historian some 40 years before the birth of our Saviour wrote:

> It is always easy to begin a war but very difficult to stop one, since its beginning and end are not under the control of the same man.

COMPENSATION FOR CERTAIN POSITIONS WITHIN THE SMITHSONIAN INSTITUTION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1698.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (H.R. 15727) to establish rates of compensation for certain positions within the Smithsonian Institution.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service, with an amendment, to strike out all after the enacting clause and insert:

> That title 5, United States Code, is amended as follows:
>
> (1) Section 5315 is amended by inserting the following new paragraphs after paragraph (77):
>
> "(78) Assistant Secretary for Science, Smithsonian Institution.
>
> "(79) Assistant Secretary for History and Art, Smithsonian Institution."
>
> (2) Section 5316 is amended by inserting the following new paragraphs after paragraph (116):
>
> "(117) Director, United States National Museum, Smithsonian Institution.
>
> "(118) Director, Smithsonian Astrophysical Observatory, Smithsonian Institution."

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

HELENA GILBERT MADDAGIRI AND HEATHER GILBERT MADDAGIRI

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate the message from the House of Representatives amending S. 2801.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill from the Senate (S. 2801) for the relief of Helena Gilbert Maddagiri and Heather Gilbert Maddagiri which was, to strike out all after the enacting clause and insert:

> That for the purposes of sections 203(a)(1) and 204 of the Immigration and Nationality Act Helena Gilbert Maddagiri shall be held and considered to be the natural-born alien daughter of Mr. and Mrs. Aswath Maddagiri, a lawfully resident alien and a citizen of the United States respectively.
>
> SEC. 2. In the administration of the Immigration and Nationality Act, Heather Gilbert Maddagiri may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in her behalf by Mr. and Mrs. Aswath Maddagiri, a lawfully resident alien and a citizen of the United States, respectively.
>
> SEC. 3. The natural parents or brothers or sisters of the beneficaries shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

Mr. MANSFIELD. On June 13, 1966, the Senate passed S. 2801, to provide for the entry into the United States of two children, 21 and 15 years of age, to be adopted by a citizen of the United States and a lawful resident of the United States, in immediate relative status.

On October 11, 1966, the House of Representatives passed S. 2801, with an amendment that would grant to the eldest beneficiary the status of a first preference immigrant, which is the status enjoyed by the alien sons and daughters of U.S. citizens.

The amendment is acceptable, and I move that the Senate concur in the House amendment to S. 2801.

The motion was agreed to.

DR. RAFAEL PEDRO MARTINEZ TORRES

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate

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the message from the House of Representatives amending S. 1137.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1137) for the relief of Dr. Rafael Pedro Martinez Torres, which was, to strike out all after the enacting clause and insert:

> That, for the purposes of the Immigration and Nationality Act, Doctor Rafael Pedro Martinez Torres shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 25, 1961.

Mr. MANSFIELD. On July 22, 1965, the Senate passed S. 1137, to deem the periods of residence since the beneficiary's lawful admission for permanent residence on March 5, 1950, to meet the naturalization requirements of the Immigration and Nationality Act.

On October 11, 1966, the House of Representatives passed S. 1137, with an amendment to grant the beneficiary the status of permanent residence on September 25, 1961, the date of his last entry in a temporary status.

The amendment is acceptable, and I move that the Senate concur in the House amendment to S. 1137.

The motion was agreed to.

DR. MARSHALL KU

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate the message from the House of Representatives amending S. 769.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 769) for the relief of Dr. Marshall Ku, which was, to strike out all after the enacting clause and insert:

> That, for the purposes of the Immigration and Nationality Act, Doctor Marshall Ku shall be held and considered to have been lawfully admitted to the United States for permanent residence as of October 30, 1951.

Mr. MANSFIELD. On March 11, 1965, the Senate passed S. 769, to grant the status of permanent residence in the United States to the beneficiary as of a prior date of entry. The bill provided for an appropriate quota deduction, inasmuch as the beneficiary had not been lawfully admitted.

On October 11, 1966, the House of Representatives passed S. 769, with an amendment to remove the requirement for a quota deduction, inasmuch as the beneficiary was lawfully admitted for permanent residence subsequent to the passage of the bill by the Senate.

The amendment is acceptable, and I move that the Senate concur in the House amendment to S. 769.

The motion was agreed to.

PROTECTION OF CONSTITUTIONAL RIGHTS OF FEDERAL EMPLOYEES AND TO SECURE THEM AGAINST UNWARRANTED INVASIONS OF THEIR PRIVACY

Mr. ERVIN. Mr. President, the Subcommittee on Constitutional Rights has just completed preliminary hearings on S. 3779, a measure designed to put an end to some of the more blatant, unwarranted intrusions on private thoughts, private actions, and private lives of employees. I refer to questions and questionnaires and forms which have little or nothing to do with an individual's ability and qualifications for a position within a merit system; questions about his relationships with his family, his religious beliefs and practices, his attitudes and conduct about sexual matters, his creditors, property and financial interests, his race, religion and national origin; decisions made for him as to how much and when he will donate to charity; when he will invest in bonds the money he earns; when he will take part in outside community activities, and with whom; and what social and economic policies and legislation he is to support in his community.

These are practices and attitudes which are abhorrent to our system of government. While individually each practice is allegedly directed to the attainment of some special goal to make the task of government easier or to promote some laudable program, I see no earthly reason why Federal employees should be the guinea pigs for pseudoscientific devices, or captive audiences for political purposes; or why they should yield their personal privacy and their freedom of thought in the interest of saving administrators, personnel or medical specialists time and energy they should be spending in the performance of their assigned jobs.

In the years since Congress enacted the Pendleton Act of 1883, we have labored to perfect a Federal civil service and a merit system of which we can be proud. But in the process, have we built an organization so efficiency oriented, and so systematized, that it lacks a place of ethics, or for moral values in its dealing with its employees and applicants for employment? I sincerely hope not. Yet, some of the current practices suggest this is a distinct possibility. They suggest a disregard for basic freedoms which the Bill of Rights was designed to protect. The drafters of our Constitution and Bill of Rights did not say that they guaranteed certain liberties to all citizens except those who happen to work for the Federal Government. Yet, the citizen who decides to work for Government has been in a legal no man's land.

The recent hearings on S. 3779 showed that every major employee organization and union, thousands of individual employees who have written Congress, law professors, the American Civil Liberties Union, and a number of bar associations agree on the need for statutory protections such as those in this measure.

We often find that as the saying goes "things are never as bad as we think they are," but in this case, the hearings show that privacy invasions are worse than we thought they were. Case after case of intimidation, of threats of loss of job or security clearance were brought to our attention in connection with bond sales, and Government charity drives.

Case after case was cited of privacy invasion and denial of due process in connection with the new financial disclosure requirements. A typical case is the attorney threatened with disciplinary action or loss of his job because he is both unable and unwilling to list all gifts, including Christmas presents from his family, which he had received in the past year. He felt this had nothing to do with his job, and I agree. There was the supervisory engineer who was told by the personnel officer that he would have to take disciplinary action against the 25 professional employees in his division who resented being forced to disclose the creditors and financial interests of themselves and members of their families. Yet there are no procedures for appealing the decisions of supervisors and personnel officers who are acting under the Commission's directive. These are not isolated instances; rather, they represent a pattern of privacy invasion reported from almost every State.

We were told that supervisors are ordered to supply names of employees who attend PTA meetings and engage in great books discussions. Under one Department's regulations, employees are requested to participate in specific community activities promoting local and Federal antipoverty, beautification, and equal employment programs; they are told to lobby in local city councils for fair housing ordinances, to go out and make speeches on any number of subjects, to supply flower and grass seed for beautification projects, and to paint other people's houses. When these regulations were brought to our attention several weeks ago, the subcommittee was told that they were in draft form. Yet, we then discovered they had already been implemented and employees whose official duties had nothing to do with such programs were being informed that failure to participate would indicate an uncooperative attitude and would be reflected on their efficiency records.

Mr. President, John Cramer of the Washington Daily News has described this better than I can. He aptly termed it a "shocker, a slightly terrifying example of the bureaucratic mind in fever." He also defines the threat to civil liberties posed by such programs:

> If today's Administration can direct career Federal employees to work for an Administration objective such as open occupancy, tomorrow's Administration may command them to work against it.

Such attempts to control the thoughts and actions of American citizens are an affront to the political freedom which is the single most important guarantee under our Constitution.

Mr. President, I ask unanimous consent to have printed in the RECORD an article entitled "A Shocking Bureaucratic Proposal," written by John Cramer, and published in the Washington Daily News of September 30, 1966.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

A SHOCKING BUREAUCRATIC PROPOSAL

(By John Cramer)

A proposed new Treasury Department regulation—still-tentative, not yet official—is a real eyebrow-raiser . . . a slightly-terrifying example of the bureaucratic mind in fever.

> In effect, it would direct Treasury career employes to work actively in their own communities not only in support of duly-enacted law in the equal opportunity field—but also in support of Administration programs.
>
> ### OBJECTIVES
>
> The line here isn't even thin.
>
> However commendable the objectives, the Treasury thing is way off base.
>
> It would violate the long-standing, well-based tradition that Federal career employees should not be obliged to work (outside their jobs) for Administration programs—even those in behalf of God, home, and mother.
>
> It would impose conditions of employment on Treasury workers which no private employer would dare to impose on his own employes.
>
> ### HEARING
>
> The proposed regulation came to the forefront yesterday as the House Constitutional Rights Subcommittee resumed its hearings on legislation by Chairman Sam Ervin, Democrat, of North Carolina, and 35 other Senators to set up "bill of rights" for Federal employes to protect them against invasions of privacy.
>
> The regulation is intended to implement Treasury's portion of the equal opportunity drive.
>
> In it, Treasury cited Civil Service Commission guidance telling agencies their employes "shall participate at the community level . . . in cooperative action to improve employment opportunities and community conditions that affect employability."
>
> It then cited additional Commission guidance telling agencies their employes should "actively support community efforts directed toward equal opportunity in housing, education, recreation, etc . . . work with the Federal Executive Board, Urban League or other organizations in cooperative equal employment opportunity efforts. . . ."
>
> ### GOES ON . . .
>
> The proposed Treasury regulation then goes on to tell employes to:
>
> ". . . Spotlight local housing problems with a bus tour through problem areas.
>
> "Work with community action programs to persuade local newspaper to do a series of articles on local housing conditions. Also aiming for television documentaries.
>
> "Work with Federal and community agencies to support open occupancy.
>
> "Form equal housing opportunity committee to solicit open occupancy listings and promote equal opportunity neighborhoods.
>
> "Encourage minority group employes to move into the general housing market.
>
> "Get city council to enact an equal housing opportunity ordinance.
>
> "Solicit co-operation of local real estate brokers and lending institutions in sponsoring housing seminars. Purpose: impart information on home buying.
>
> "Work with community to promote clean-up campaigns in low income areas. Making use of both private and public services—garbage, junk pickup, etc.
>
> "Support beautification endeavors (provide flower and grass seed).
>
> "Support paint-up projects . . . provide paint, brushes, etc."
>
> "Conduct research to accumulate local socio-economic data comparing local Negro and white populations. Consider statistics on employment, voting, education, housing, etc. Such statistics should prove useful to the specific efforts of any undertaking or group."
>
> "Work with local hotels, motels, restaurants, theaters, taverns, and other public places, and showing them benefits (to themselves and to the community at large) of complying with public accommodations regulations."
>
> As I said, the Treasury thing is a shocker.
>
> If today's Administration can direct career Federal employes to work for an Administration objective such as open occupancy, tomorrow's Administration may command them to work against it.
>
> In such a perversion of the Federal Service all of us will suffer . . . citizens black and white alike.

Mr. ERVIN. Mr. President, I ask unanimous consent that the Treasury Department "draft" regulations be printed in the Record at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. ERVIN. Mr. President, when Mr. Macy was asked about these policies, he said the regulations exceeded the bounds of what he had defended and would have to be reviewed before they were released. Apparently, he did not realize that others thought they had indeed been cleared or that personnel officers and equal employment officers were already preparing to discipline those employees who asserted a right to choose their community activities or even not participate at all—employees who might dare claim that their leisure time is theirs to spend as they please, with their families, or catching up with their work, or just going fishing.

Evidently some people got their signals crossed. Mr. Macy obviously forgot his bulletin of September 1 telling the agencies that many of their "Plans of Action" for equal employment programs were "little more than statements of policy and complaint procedures" and that they lacked a systematic approach to assessing the equal employment opportunity situation, establishing objectives, and obtaining feedback. He called for amended plans of action of a specific nature.

Mr. President, if the Treasury Department regulations are any example of those directives already cleared by the Commission, it would seem that the "feedback" they have already produced from employees should serve as a brake on further encouragement of this type of official pressure and guidance on employee activities. Instead of calling for amended plans of action, the Commission should be ordering agency plans of action for protecting employee rights to privacy and to freedom to spend their leisure hours as they please.

Recently, the Director of the Internal Revenue Office Personnel Division produced an example of the type of zealous directive which calls forth complaints and criticism for employees and organizations who support and have worked for civil rights causes and for the administration's equal employment, antipoverty, and beautification programs. This directive, entitled "Community Action Program" states:

> Both President Johnson and Secretary Fowler have recently asked Federal employees to take an active part in community projects designed to eliminate the basic social problems which slow up progress toward the goal of equal employment opportunity for everyone. Many employees are already doing this independently in an unofficial capacity. Quite often we hear about employees who, on their own time, tutor underprivileged children in the slums, counsel youths at Job Corps Centers, assist at rehabilitation centers for the mentally retarded, teach accounting and technical tax courses at minority group colleges or adult education centers, and many similar projects. We also hear about District Directors and other IRS officials who work in an official capacity on Human Relations Commissions or inter-agency government groups. All of these projects are worthwhile and they contribute toward the goal which President Johnson and Secretary Fowler have asked us to set for ourselves . . . we are going to print a special issue of our "Employment News" with the hope that the stories and pictures may stimulate employees to seek out and participate in community action programs . . . Although the Revenue employee will be an important part of the story, the real emphasis should be placed on the objective of the community action project and how the work is done. Articles and photographs should be sent to us through Regional Personnel Officers.

This did not spring full-blown from the brain of the Director of Personnel. Being a responsible, efficient civil servant, when his President and the Secretary of the Department "ask" for employee participation, he naturally will interpret this as a command to produce evidence of some employee participation. And being the trained personnel specialists they are, his subordinates stationed throughout the country will follow suit.

On September 9, Secretary Fowler himself signed a memo to administrative officers in the National Office which states:

> The President and Secretary Fowler are vitally interested in encouraging Federal employees to participate in the many community action programs throughout the nation.

The subcommittee hearings have produced ample evidence of the outright intimidation, arm twisting and more subtle forms of coercion which result when a superior is requested to obtain employee participation in a program. We have seen this in the operation of the bond sale campaign, the drives for charitable contributions, and the use of self-identification minority status questionnaires. We have seen it in the sanctioning of polygraphs, personality tests, and improper questioning of applicants for employment.

Thomas Jefferson swore hostility against every form of tyranny over the mind of men. In view of some of the current practices reported by employee organizations and unions, I sometimes wonder if those who endorse these techniques for mind probing and thought control of employees have not forgotten his warnings. Indeed, they themselves seem to display a sworn hostility against the idea that every man has a right to be free of every form of tyranny over his mind; they forget that to be free a man must have the right to think foolish thoughts as well as wise ones. They forget that the first amendment implies the right to remain silent as well as the right to speak freely—the right to do nothing as well as the right to help implement lofty ideals.

I ask unanimous consent to have printed in the Record at this point the

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Treasury Department and Internal Revenue Service directives, together with excerpts from sample letters from employees, and a column by Jerry Kluttz on this subject from the Washington Post of October 9, 1966.

There being no objection, the directive and excerpts were ordered to be printed in the Record, as follows:

[From the Washington Post, Oct. 9, 1966]

The Federal Diary: CSC To Revise Employe Guidelines

(By Jerry Kluttz)

The Civil Service Commission will soften its controversial guidelines that would have directed Federal employes to become involved in politics to support open housing, beautification and other objectives of the Johnson Administration.

Its plan was unearthed by the Senate Constitutional Rights Subcommittee, and, along with other acts of the Administration, it was blasted by Chairman Sam J. Ervin, Democrat, of North Carolina, and employe leaders as invasions of the private and constitutional rights of Government workers and their families.

Ervin and others centered their attack on a proposed Treasury Department regulation adapted from CSC's guidelines which directed its employes, among other activities, to persuade city councils to enact equal housing opportunity ordinances; to provide flowers, seeds, paint and brushes to beautification projects and to encourage local newspapers to publish articles on local housing conditions.

A Treasury spokesman told a reporter that its plan closely followed CSC's guidelines to all Federal agencies and had in fact been cleared at the CSC staff level.

But CSC Chairman John W. Macy told the Ervin subcommittee that the Treasury document "exceeds the bounds" of his agency's guidelines, and that it couldn't be made effective until it was approved by the three CSC members. As a result, CSC's guidelines and Treasury's proposal are being rewritten to stay within more restrictive bounds, particularly those provisions directing employes to become involved in community action programs.

Since the Civil Service Commission is charged with enforcing the Hatch Act, which forbids employes from active participation in partisan politics, the revised documents are expected to stress to employes that they must abide by that law, in any extracurricular programs in which they participate.

The flap over the guidelines is another classic example of inadequate communication by Government policy makers with the great body of the 2.8 million Civil Service employees.

Ervin brought out that an attempt had been made to implement the Treasury proposal even though it hadn't been made effective. He had been told, he said, of a warning to a group of Treasury employes that those who failed to cooperate would be accused of "undesirable work attitudes."

The Department now believes it has spotted the employe who made the "unauthorized threat. Someone, apparently, had failed to tell the over-zealous employe that the document wasn't official and wasn't to be given the interpretation placed on it. A Treasury employe commended:

"This fellow just picked up the ball and ran with it, in all directions. That's about all we can say."

The fact is that Macy and other top officials seemed to blame poor employe communication and aggressive supervisors for many of their woes. Repeatedly at the Ervin hearings, Macy found himself trying to explain excesses of various agencies in carrying out various directives.

"Why is it," an official plaintively asked after the hearing, "that an agency like VA can get 99 per cent of its employes to complete the self-identification racial questionnaire without a peep, while the employes in another agency protest it as an invasion of their rights, and other sabotage it by giving misinformation?"

He then proceeded to answer his own question by explaining that VA did a fine job in explaining the questionnaire and its purpose to its employes, while other agencies tried to browbeat their employes to fill out the "voluntary" questionnaire while belittling it and its purpose.

Also, Administration officials are stunned by the wide support for the bill by Ervin and 34 other Senators to protect the constitutional rights of Federal workers. The bill has the support of every important employe leader, bar groups, and the American Civil Liberties Union, as well as wide rank-and-file employe backing whose sincerity in deploring growing intrusions in their privacy is unquestioned.

Macy was the only witness to testify against the bill. He argued it would adversely affect the employes, cause conflict with existing laws and would be a disservice. He questioned whether a Federal agency could even ask an employe where he was born under the bill.

But Ervin patiently explained that his measure was a "blueprint for discussion" and not a final bill. He asked Macy and other witnesses for their suggestions to improve it.

While Macy was denouncing the bill, an employe spectator audibly whispered to a friend: "I really believe the Johnson Administration is losing touch with Federal employes and their feelings."

Boiled down, this comment seems to sum up the employe case for the objective of the legislation.

October 12, 1966.

Dear Senator Ervin: I believe attached copies are self-explanatory. This is the latest (if not ultimate) outrage about to be perpetrated on Treasury employees. This, Senator, is the "very end". I am just one more of the many, many Internal Revenue Service employees who can state, unequivocally, "Man we've had it". This is the Federal agency constantly referred to these days (in and out of Government circles) as "The American Gestapo Service". You name it and we've got it! Coercion, brain-washing, intimidation, harassment, brow-beating, crude, gross invasion of individual privacy, all of which is seldom employed in subtle or sophisticated approaches, quite the contrary, but rather in the old "you do it or else" style (tyranny baring its naked fangs!) by some little scared-out-of-his-half-wits pipsqueak bureaucrat by his superior who is scared-out-of-his-half-wits, etc. (in other words, a passel of bureaucratic Pavlovs and their trained dogs!) I assure you "nobody but nobody" escapes. There are virtually reams of lists over the years, secreted in some "immediate" supervisor's safe or file on employees "under his rule" who "donate(?)" to United Givers Fund or Drive (and myriad other solicitations) with notations by every employees name as to how much or how little (and it had better not be "no contribution" written by your name!)

In the event they fail to tell you, as far as the so-called run-of-the-mill-honest hard-working conscientious Federal employee is concerned, if S. 3779 is passed it will be the greatest document since the Bill of Rights, and in the event that S. 3779 isn't passed, you will still be the Government employees' hero—and Government employees have notoriously long memories these days and darn few heroes!

An IRS Employee, a Taxpayer, a Citizen.

Memorandum

September 9, 1966.

To: Administrative Officers

From: Chief, National Office Branch, Personnel Division

Subject: Community Action Programs

The President and Secretary Fowler are vitally interested in encouraging Federal employees to participate in the many community action programs throughout the nation. As a means of informing employees of activities through which they can help their local areas, a special issue of the "Employment News" will be devoted to community action projects. In this issue, articles and photographs showing Internal Revenue employees at work on these special activities will be featured.

The National Office is included in this program. We are, therefore, asking that you send your articles and photographs to my office, attention Barbara Monat, by Monday, October 3, 1966. Manual Supplement 1(11) RDD–6, "Community Action Programs," is attached and outlines in detail Internal Revenue's interest in these programs. If you have any questions, Miss Monat may be reached on extension 4965.

J. G. Fowler.

[A U.S. Treasury Department-Internal Revenue Service manual supplement, No. 1(11) RDD–6; date of Issue, August 19, 1966; Response date, October 10, 1966]

Community Action Programs

Both President Johnson and Secretary Fowler have recently asked Federal employees to take an active part in community projects designed to eliminate the basic social problems which slow up progress toward the goal of equal employment opportunity for everyone. Many employees are already doing this independently in an unofficial capacity. Quite often we hear about employeees who, on their own time tutor underprivileged children in the slums, council youths at Job Corps Centers, assist at rehabilitation centers for the mentally retarded, teach accounting and technical tax courses at minority group colleges or adult education centers, and many similar projects. We also hear about District Directors and other IRS officials who work in an official capacity on Human Relations Commissions or inter-agency government groups. All of these projects are worthwhile and they contribute toward the goal which President Johnson and Secretary Fowler have asked us to set for ourselves.

It has occurred to us that many Revenue employeees may not know how or where to find responsible community groups and projects which readily offer them an opportunity, as an individual, to help make equal employment a reality. We believe one of the best ways to convey this information to them is by telling them what some of their fellow employees are doing. Therefore, we are going to print a special issue of our "Employment News" with the hope that the stories and pictures may stimulate employees to seek out and participate in community action programs.

We would like your help in getting good articles for this issue of "Employment News." Each story should be illustrated with an action photograph to show how the project is is actually carried out or the environment. (Whenever possible the photograph should be an 8x10 glossy print.) Although the Revenue employee will be an important part of the story, the real emphasis should be placed on the objective of the community action project and how the work is done.

Articles and photographs should be sent to us through Regional Personnel Officers. Regional Personnel Officers should forward all stories to my office, attention A:P:E, by October 10, 1966. In the meantime, if you have any questions about this project, you may direct them to Dick Duncan who is on my staff. His telephone extension is 4714. Report Symbol No-A:P-5(OT) applies.

A. J. Schaffer,
Director, Personnel Division.

[Extract from letter of a Treasury employee]

September 27, 1966.

Over the years the Treasury Department has placed special emphasis on the hiring of Negroes under the Equal Employment Opportunity Program, and considerable progress in that regard has been made. However, the emphasis of the present conference was that our efforts in the field of Equal Employment Opportunity have not been sufficient. Under the leadership of President Johnson and based on his strong statement with regard to the need for direct action to cure the basic causes leading to discrimination, the Treasury Department has now issued specific instructions requiring all supervisors and line managers to become actively and aggressively involved in the total civil rights problem.

The requirements laid down by Chapter 713 and its Appendix include participation in such groups as the Urban League, NAACP, etc. (these are named specifically) and involvement in the total community action program, including open housing, integration of schools, etc.

The policies laid down in this regulation, as verbally explained by the Treasury Representatives at the conference, go far beyond any concept of employee personnel responsibility previously expressed. In essence, this regulation requires every Treasury manager or supervisor to become a social worker, both during his official hours and on his own time. This was only tangentially referred to in the regulations and its appendages, but was brought out forcefully in verbal statements. Frankly, this is tremendously disturbing to me and to many of the other persons with whom I have discussed the matter.

The principles expressed in these regulations and in this conference strike me as being of highly dangerous potential. If we, who have no connection with welfare or social programs, can be required to take time from our full-time responsibilities in our particular agencies and from the hours normally reserved for our own refreshment and recreation to work toward integration of white neighborhoods, integration of schools by artificial means, and to train Negroes who have not availed themselves of the public schooling available, then it would seem quite possible that under other leadership, we could be required to perform other actions which would actually be detrimental to the interests of our nation.

I earnestly solicit your strong attention to this matter and to the submission of legislation which would protect the Civil Service employee from this encroachment upon his personal rights and privileges.

Mr. ERVIN. It is not under this administration alone that there has been a failure to respect employee rights in a zeal to obtain certain goals. While some of the problems are new, others have been prevalent for many years with little or no administrative action taken to attempt to ameliorate them. Despite congressional concern, administrative officials have failed to discern patterns of practice in denial of rights. They seem to think that if they can belatedly remedy one case which is brought to the attention of the Congress, the public and the press, that this is enough—that the "heat" will subside. With glittering generalities qualified until they mean nothing in substance, they have sought to throw Congress off the track in its pursuit of permanent corrective action. We have seen this in the case of personality testing, in the use of polygraphs, and all the practices which S. 3779 would prohibit.

The chairman of the Civil Service Commission informed the subcommittee that there is no need for a law to protect employee rights. He believes the answer is "to permit executive branch management and executive branch employees as individuals and through their unions, to work together to resolve these issues as part of their normal discourse."

It is quite clear from the fearful tenor of the letters and telephone calls received by the subcommittee and Members of Congress that there is no discourse and is not likely to be any discourse on these matters between the Commission and employees. Furthermore, there are many who do not even fall within the Commission's jurisdiction. For them, there is no appeal but to Congress.

As for the argument that the discourse between the unions and the Commission will remedy the wrongs, I think the testimony of the union representatives adequately demolishes that dream.

The typical attitude of those responsible for personnel management is reflected in Mr. Macy's answer that there may be instances where policy is not adhered to, but "there is always someone who does not get the word." Corrective administrative action, he says, is fully adequate to protect employee rights.

Mr. President, I respectfully submit that administrative action is not sufficient and that furthermore, in the majority of complaints, the wrong actually stems from the stated policy of the agency or the Commission. How can these people be expected to judge objectively the reasonableness and constitutionality of their own policies? This is the role of Congress, and in my opinion, Congress has waited too long as it is to provide the guidance that is desperately needed in these matters.

Another response of the Commission is that an executive committee is studying the use of lie detectors. I think Congress is tired of waiting for the executive branch to study these denials of basic rights. It does not take much study to grasp the principles involved here. I submit that all executive branch officials have to do is mix in some awareness of basic constitutional principles with all the management principles they espouse. I believe that in addition to S. 3779, what is needed is a new Executive order to govern personnel practices and investigations throughout Government. The basic Executive orders on which the agencies and the Commission rely for their personnel practices were promulgated in response to the immediate problems of the decades of the 1940's and 1950's. They are antiquated, vague, and lack positive specific direction to personnel, medical, security, and other specialists who today face different problems, utilize different tools, and operate on the basis of different management principles from those prevalent 15 or 20 years ago.

To guide administrators as well as all those who deal with Government personnel and who program for the civil service, an up-to-date order from the Chief Executive is needed, based on the particular problems of today.

In addition to enactment of S. 3779, and a promulgation of a new Executive order, I find considerable merit in a proposal Prof. Alan Westin made to the subcommittee for the establishment of an ombudsman type of commission for the protection of employee rights.

As defined by Professor Westin, this would be an independent agency which would be empowered to receive employee complaints, to hold hearings and determine "whether the Federal right to privacy for employees against unreasonable intrusions has been invaded without justification or without proper cause." The subcommittee plans to consider this proposal carefully in the next session as a possible supplement to S. 3779.

Regardless of our decision on supplementary legislation, however, there is an immediate need for enactment of S. 3779 before these practices and programs become even more entrenched. I strongly suspect that Government personnel specialists, if given half a chance, would be among the supporters of this bill. If it is enacted, they will be able to proceed with their mission of operating a merit system within the Federal service, with hiring and firing on the basis of a person's ability and qualification to fill a position.

As I have stated on many occasions, S. 3779 is merely a blueprint for discussion; the other 35 cosponsors and I have no pride of authorship in the language. However, we are determined that Congress shall take affirmative action to protect the constitutional rights of employees enunciated in the bill. Many illuminating and valuable suggestions have been made in the course of the subcommittee hearings and investigation, and they will be given careful and thoughtful study. It is my intention to reintroduce the bill next January in the hope of obtaining prompt action on it early in the next session.

A very strong case can be made for the proposition that the Federal Bureau of Investigation, the Central Intelligence Agency and the National Security Agency should be excluded from provisions of the bill because of the delicate nature of the operations in which they are engaged. However, regardless of what final decisions the subcommittee may make on this point, I am seriously concerned over complaints such as the following which the subcommittee has received from an applicant for employment with the security agencies:

Statement on the Use of Polygraphs at National Security Agency, Fort George Meade, Maryland

When I graduated from college in June of 1965, I applied at NSA. I went to two days of testing, which apparently I passed because the interviewer seemed pleased and he told me that they could always find a place for someone with my type of degree.

About one month later, I reported for a polygraph test at an office on Wisconsin Avenue in the District or just over the district

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line in Maryland. I talked with the polygraph operator, a young man around 25 years of age. He explained how the machine worked, etc. He ran through some of the questions before he attached the wires to me. Some of the questions I can remember are:

When was the first time you had sexual relations with a woman?

How many times have you had sexual intercourse?

Have you ever engaged in homosexual activities?

Have you ever engaged in sexual activities with an animal?

When was the first time you had intercourse with your wife?

Did you have intercourse with her before you were married? How many times?

He also asked questions about my parents, communist activities, etc. I remember that I thought this thing was pretty outrageous, but the operator assured me that he asked everybody the same questions and he has heard all the answers before, and it just didn't mean a thing to him. I wondered how he could ever get away with asking a girl those kind of questions.

When I was finished, I felt as though I had been in a 15-round championship boxing match. I felt exhausted. I made up my mind then and there that I wouldn't take the job even if they wanted me to take it. Also, I concluded that I would never again apply for a job with the government, especially where they make you take one of these tests.

Certainly such practices should not be tolerated even by agencies charged with security missions. Surely, the financial, scientific, and investigative resources of the Federal Government are sufficient to determine whether a person is a security risk, without strapping an applicant to a machine and subjecting him to salacious questioning. The Federal Bureau of Investigation does not use personality tests or polygraphs on applicants for employment. I fail to see why the National Security Agency finds them so fascinating.

The subcommittee has received letters from professors who have special interest in privacy and constitutional rights. I ask unanimous consent to have printed in the RECORD at this point letters expressing the views of Prof. Charles Reich of Yale Law School, Prof. Monroe Freedman of George Washington Law School, Prof. Frederick Mosher and Prof. Stanley Anderson of the University of California, Berkeley.

There being no objection, the letters were ordered to be printed in the RECORD, as follows:

YALE LAW SCHOOL,
New Haven, Conn., October 6, 1966.
Senator SAM J. ERVIN, Jr.,
Chairman Committee on the Judiciary, Subcommittee on Constitutional Rights, U.S. Senate, Washington, D.C.

DEAR SENATOR ERVIN: I am writing you in answer to your letter of September 10th requesting my opinion on S. 3779 which deals with the rights of government employees.

I strongly support your efforts to have this bill enacted. It would be a significant step forward in defining the right of privacy which is so much in jeopardy today. Indeed I believe this bill would break new ground in terms of methods for guaranteeing fundamental rights to citizens. A law such as S. 3779 is badly needed and I hope the Senate will act upon it speedily and favorably.

With all good wishes,

Sincerely yours,

CHARLES A. REICH,
Professor of Law.

THE GEORGE WASHINGTON UNIVERSITY,
Washington, D.C., August 24, 1966.
Hon. SAM ERVIN,
U.S. Senate,
Washington, D.C.

DEAR SENATOR ERVIN: Thank you for your thoughtfulness in sending me a copy of S. 3703, your Bill of Rights for Federal Employees. You and your co-sponsors are to be complimented for this statesman-like proposal to guarantee essential and traditional American rights to government workers.

As one who strongly urged, in testimony before your Subcommittee on Civil Rights, the elimination of personality testing of government workers I am particularly gratified by Section 1(g) of the Bill. In addition, Section 1(k), securing the right to counsel for employees subjected to interrogation, is an extremely important measure in light of numerous instances of denial of this right.

I assume that Section 1(f) is not intended to prevent the Department of Defense from declaring Off Limits for armed forces personnel a business establishment notorious for giving venereal disease as a byproduct of the goods and services it offers to the general public. Similarly, I would suppose that an establishment that operates in violation of Federal or State law could be put Off Limits (*e.g.*, a gambling casino or a restaurant that violates anti-discrimination laws).

Also worth noting is a possible (although admittedly a strained) construction of Section 1(b)-(e) so as to forbid instruction of supervisors of their obligations not to discriminate on grounds of race, religion, or national origin, in hiring or promotion practices. (This is to be distinguished, of course, from indoctrinating employees as to what their personal attitudes should be regarding these matters). Since these sections of the Bill clearly permit instruction regarding assigned tasks and activities directly within the scope of employment, it seems reasonably clear that instruction of supervisors regarding non-discrimination is permissible under the Bill.

Nevertheless, I think it would be advisable to clarify, in the legislative history, the matters raised in both the preceding paragraphs.

Section 1(a), regarding disclosure of race, religion, and national origin by employees, is one on which even the most ardent civil libertarians are split. For my own part, I do not believe that objections to this subsection are of such clear merit as to justify possible loss of the entire bill.

Again, may I compliment you on this extremely important legislative proposal. It is a great service to Federal employees and to the nation.

Sincerely yours,

MONROE H. FREEDMAN,
Professor of Law.

DEPARTMENT OF POLITICAL SCIENCE,
UNIVERSITY OF CALIFORNIA,
Berkeley, Calif., October 7, 1966.
Hon. Senator SAM J. ERVIN,
Chairman, Subcommittee on Constitutional Rights, Committee on the Judiciary, U.S. Senate, Washington, D.C.

DEAR SENATOR ERVIN: I apologize for this slow response to your letter of September 6 with regard to S. 3779. I have been traveling—and sometimes working—in Europe for most of the last six weeks, and this letter only reached me a couple of days ago. Unfortunately, the secretary who forwarded it did not enclose the draft of the bill so I have not yet seen the copy. I can only say that the problems with which you are dealing are both difficult and important, and I am delighted that they are being tackled by your Sub-Committee in a constructive way. I had a slight personal experience with the new requirements when I was engaged last spring for some consulting work by the Department of State. The data requirements seemed to me an annoying and potentially dangerous intrusion on the affairs of private citizens. For once I had reason to be grateful that my assets and financial activities are relatively limited.

This is written from the U.S. Embassy in London where I have been working the last few days. I shall return to Berkeley for a few days around October 20, and then shall leave again until about the middle of November. After that, I should be at home for good. I should be glad to render any such assistance as you may desire on this matter later on.

Sincerely yours,

FREDERICK C. MOSHER.

UNIVERSITY OF CALIFORNIA,
Berkeley, Calif., September 30, 1966.
Senator SAM J. ERVIN, Jr.,
Chairman, Subcommittee on Constitutional Rights, U.S. Senate, Washington, D.C.

DEAR SENATOR ERVIN: Thank you for your letter of September 15, with a copy of S. 3779 and related documents. I would be pleased to have my comments included in the record of the hearings which you will hold on October 4.

One of the most important tasks which faces the Congress and State legislatures in the next decade is the protection of the citizen against invasions of privacy. Such invasions are facilitated by the advances of technology in eavesdropping and data storage and retrieval.

No citizens are in more immediate danger of incursion into private affairs than government employees. When enacted, S. 3779 will provide a bulwark of protection against such incursions. Section 1(g) in particular would prevent the intimidation of federal job applicants through pseudo-scientific fishing expeditions.

S. 3779 is in the best tradition of recent United States Supreme Court decisions restricting the use of confessions secured in the absence of counsel. By a parity of reasoning, your Bill will make meaningful the constitutional guarantee against self-incrimination. Federal jobseekers and jobholders should be judged by their actions and not by thought control. The latter is a totalitarian device, and, moreover, is inherently unworkable. Long ago, Thomas Hobbes pointed out the futility of attempted coercion in the realm of ideas and beliefs. And, of course, freedom of conscience is a basic tenet of the American Constitution.

I would offer one criticism of S. 3779. Sections 1(b) and (c) may inhibit freedom of expression as guaranteed in the First Amendment. Does not Section 1(d) meet the purpose of (b) and (c)? If any agency sets up a meeting not related to the employee's tasks, the employee should not be required or directly requested to attend, but a posted or impersonally circulated notice might provide an opportunity for voluntary attendance.

With best wishes for the success of this legislation, I am,

Sincerely yours,

STANLEY V. ANDERSON,
Associate Professor.

Mr. ERVIN. There are fashions in follies as in everything else, and I think we have tolerated long enough the current fashions in privacy invasion. In the name of social experiment, in the cause of management efficiency, in behalf of technological advances and scientific research, we have too long permitted Americans to be subjected to practices and devices which should have no place in a society of freemen.

We are not powerless to fight the invasions of our privacy, incursions on our liberties, or the dangers inherent in the trend to complete computerization. The resources of our constitutional heritage provide our ammunition. I suggest that we be guided by the words of James Madison in 1785 in his Remonstrance to the Virginia General Assembly:

> It is proper to take alarm at the first experiment on our liberties. We hold this prudent jealousy to be the first duty of citizens . . . The freedom of America did not wait till usurped power had strengthened itself by exercise and entangled the question in precedents. They saw all the consequences in the principle, and they avoided the consequences by denying the principle. We reverse this lesson too much soon to forget it.

Exhibit 1

Treasury Department, Office of Personnel
Draft for Treasury Personnel Manual
Transmittal Notice No.———

Insert: Chapter 713, Nondiscrimination. Subchapter 1, Subchapter 2.

Remove: Chapter 713, Nondiscrimination. Subchapter 1, Subchapter 2.

Remarks: The attached material is a revision of the over-all statement of Treasury policy on Nondiscrimination in employment. This material has been revised in accordance with Executive Order 11246 and the Civil Service Commission's new regulations governing Equal Opportunity. Changes and additional emphasis include the affirmative action areas; new provisions relating to equal employment coordination; new Sections on action plans and community affairs; expanding the self-evaluation guidelines; and incorporating, within the Chapter, provisions governing complaints and program matters which were formerly contained in Administrative Circular No. 76.

The usual distribution of this Transmittal has been doubled to provide extra copies for distribution to all Treasury managers.

Administrative Bulletin No. 66–38, Interim Regulations Governing the Equal Employment Opportunity Program of the Treasury Department, is cancelled.

Robert A. Wallace,
Equal Employment Opportunity Officer.
A. E. Weatherbee,
Assistant Secretary for Administration.

Signed:

Amos N. Latham, Jr.,
Director of Personnel.

Date Approved:———

Treasury Personnel Manual, Chapter 713, Nondiscrimination

(Subchapters: 1. General Provisions, 2. Equal Employment Opportunity Program.)

SUBCHAPTER 1

General Provisions

Purpose ---------------------------------- 1–1
Policy ------------------------------------ 1–2
General Applicability of Subchapter 2--- 1–3

Purpose, 1–1

This Chapter establishes the framework for a positive, continuing program designed to promote equal opportunity in employment.

Policy, 2–1

In selecting for initial employment, advancement and career development opportunities, there shall be no discrimination because of the race, color, sex, creed, national origin, handicap, age, political affiliation, marital status, or membership in an organized employee group of any employee or applicant for employment who is otherwise eligible and qualified. Heads of bureaus and offices will initiate and maintain positive action programs, including necessary planning, educational and evaluative activities, to carry out the spirit and intent of this policy in an affirmative fashion. These activities will include participating at the community level in cooperative action to improve employment opportunities and community conditions that effect employability. Although there shall be clear avenues adopted for the submission, consideration and redress of complaints, the approach to positive action programs shall be characterized by the establishment of conditions that will make complaints of discrimination unnecessary. (From Administrative Circular No. 76.)

General applicability of subchapter 2, 1–3

Although subchapter 2 is primarily concerned with the equal employment opportunity program under Executive Order 11246, the guidance provided is applicable in many instances with minor adaptation to furthering the principles of equal opportunity as applied to the employment and advancement of "women," the "handicapped," the "aged" and other groups against which discrimination is specifically prohibited.

SUBCHAPTER 2

Equal Employment Opportunity Program

Introduction ---------------------------- 2–1
Responsibilities ------------------------ 2–2
Developing Plans for Action------------ 2–3
Coordinating Action at the Local Level- 2–4
Positive Recruitment------------------- 2–5
Merit Promotion------------------------ 2–6
Facilitating Acceptance and Understanding of EEO Policy------------ 2–7
Maximum Utilization of Skills--------- 2–8
Employee Development and Training--- 2–9
Involvement in Community Affairs---- 2–10
Evaluation and Correction------------ 2–11
Procedures Governing Complaints of Discrimination ------------------- 2–12

Appendixes

Treasury Department Qualifications and Skills Updating Inventory------- A
Suggested Community Action Projects- B
Program Evaluation Guides----------- C

2–1 Introduction

a. Authorities:

(1) Executive Order 11246—Equal Employment Opportunity—September 24, 1965.

(2) Equal Opportunity Regulations of the Civil Service Commission (See Federal Personnel Manual Chapter 713).

(3) Treasury Department Administrative Circular No. 76 (Revised), Equal Employment Opportunity Program.

(4) U.S. Civil Service Regulations, Part 410, Employee Development.

b. Treasury Department Administrative Circular No. 76 (Revised) contains the executive policy of the Equal Employment Opportunity Program in the Treasury Department.

This subchapter of the Treasury Personnel Manual provides program objectives and additional guides for affirmative action in implementing the program and provides a procedure for handling complaints.

c. The objectives of the Equal Employment Opportunity Program are to assure:

(1) That all qualified persons are considered for and given equal opportunity for appointment to all levels of positions within the Department.

(2) That equal consideration is given to all employees in all promotion and reassignment actions.

(3) That equal training opportunities are made available to all employees.

(4) Fairness in the processing and disposition of all complaints and in making recommendations to appropriate administrative officials for corrective measures.

(5) That all relations and dealings with applicants and employees are in conformity with the policy of the Federal Government.

(6) That the full realization of equal employment opportunity within the Treasury Department is promoted through a positive, continuing program within each bureau and at each installation.

(7) That bureaus and installations develop specific action plans, including both short- and long-range objectives, to meet program needs.

d. Complaints based on discrimination because of race, creed, color, or national origin within the purview of the Executive Order cited above will be considered and resolved in accordance with Section 2–12, Procedures Governing Complaints of Discrimination.

2–2 Responsibilities

a. The Equal Employment Opportunity Officer

Serves as the personal representative of the Secretary in providing over-all leadership and policy direction to the Equal Employment Opportunity Program, and for dealing with committees of Congress which may be empowered to study or investigate matters concerning Equal Employment Opportunity. Under the regulations of the Civil Service Commission, he:

(1) Advises the Secretary with respect to the preparation of plans, regulations, reports, and other matters dealing with the Equal Employment Policy and Program.

(2) Reviews and evaluates the total program for equal employment to assure continuing conformity to the policy of excluding and prohibiting discrimination expressed in Executive Order 11246, and reports thereon to the Secretary with recommendations as to any improvement or correction as needed.

(3) Takes final Treasury Department action in complaints of alleged discrimination in personnel matters within the Department, and, in conjunction with Asst. Secretary for Administration, orders such corrective action as he may consider necessary.

b. The Director, Employment Policy Program

As the principal staff assistant to the Equal Employment Opportunity Officer and as operating head of the program,

(1) Is responsible for day-to-day operation of the Equal Employment Opportunity Program and reports to the Assistant Secretary designated as Equal Employment Opportunity Officer.

(2) Initiates policies, procedures and guidelines for the handling of complaints concerning discrimination under Executive Order 11246 in employment and other personnel matters.

(3) Investigates and, when possible, resolves cases of alleged discrimination directed to the Equal Employment Opportunity Officer, and makes recommendations to appropriate administrative officials for such corrective action as may be deemed necessary.

(4) Maintains liaison with Bureau Heads in promoting the positive aspects of the program to assist in precluding the possibility of discrimination in hiring, promoting, training, etc.

(5) Conducts appraisal studies of the effectiveness of the Department's program and recommends to the Equal Employment Opportunity Officer measures to be taken for the improvement of the program.

c. Director of Personnel

(1) Develops programs, methods, and techniques for carrying out the positive aspects of the Equal Employment Opportunity Policy with respect to all phases of personnel administration within the framework of the Federal Civil Service merit system.

(2) Provides specialized assistance and staff support to the Equal Employment Opportunity Officer in evaluating the over-all aspects of the Treasury Department's Equal Employment Opportunity Program and in resolving complaints.

d. Heads of Bureaus

(1) Are directly responsible to the Secretary for carrying out the spirit and intent of the Equal Employment Opportunity Program and for providing implementation thereof throughout all levels of their organizations.

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(2) Are responsible for developing specific bureau plans for action, and for carrying out these plans throughout their respective organizations.

(3) Report, as requested, on plans made and on progress achieved to implement the program and furnish basic statistics indicating the status of minority group employment.

e. Deputy Equal Employment Opportunity Officers

(1) As representatives of the Equal Employment Opportunity Officer, serve as principal advisors to Heads of Bureaus or activities in implementing the program.

(2) Investigate complaints filed by bureau employees and by applicants and resolve such complaints in accordance with established Treasury Department procedures and the regulations of the Civil Service Commission.

(3) Assist the Director, Employment Policy Program, in evaluating and reporting on equal employment opportunity matters and in making studies bearing on the program.

(4) Maintain close liaison with Bureau Personnel Officers to exchange information and to coordinate activities as appropriate.

(5) Maintain close liaison with minority community or communities in area under their jurisdiction in order to be conversant with sources of possible complaints and to inform bureau or office heads of most useful areas of possible community participation. In areas where minority candidates are not applying for jobs, attempt to determine reasons and recommend remedial measures.

f. Bureau Personnel Officers

(1) Assist Heads of Bureaus in developing action plans and programs to achieve the objectives of the Equal Employment Opportunity Program with respect to all aspects of personnel administration.

(2) Serve as program advisers to key bureau officials and to the Deputy Equal Employment Opportunity Officer on personnel matters relating to the program.

(3) With operating officials, reappraise, at stated intervals, all phases of the equal employment program as set forth in Section 2–2(d).

g. Management Officials and Supervisors

Management officials and supervisors at all levels are responsible for exercising personal leadership in establishing, maintaining and carrying out a positive continuing program designed to promote equal opportunity.

h. Employees

Each individual employee is responsible for complying with the spirit and intent of the Equal Employment Program.

2–3 *Developing plans for action*

a. A key factor in successfully implementing the Equal Employment Opportunity Program throughout the Treasury Department is the development of a comprehensive plan of action by each bureau.

b. These plans should include as a minimum:

(1) A statement of specific objectives and goals—both immediate and long range.

(2) How the bureau proposes to achieve these objectives and goals e.g., probable action steps.

(3) A tentative timetable or schedule for action.

c. As appropriate, similar planning should be provided for at various organizational levels so as to insure responsiveness and adaptation to local problems and conditions. Under some circumstances, particularly at large installations and activities, EEOP planning committees, including minority group and employee group representation, may be of significant benefit.

d. Plans must be responsive to Treasury Department Equal Employment Opportunity Program objectives, should be based on a careful analysis of local situations and evaluation reports, and should include action for correcting weak spots and problem areas.

2–4 *Coordinating action at the local level*

a. Each bureau's program for equal employment must provide for effective coordination of planning and action at the local level.

b. Coordination for positive action includes assessing the status of the local problems, establishing action plans, maintaining contacts with minority group community leaders, recruitment, public information, training, orientation, and community projects as all these matters relate to creating a climate of acceptance for the program and contribute to insuring equality of opportunity.

c. In large field offices and in communities with significant minority group populations it will probably be desirable to designate one person to be responsible as an Equal Employment Opportunity Coordinator on a full-time basis. In other offices such responsibility may be on less than a full-time basis. In all locations, however, the function is essential and responsibility for fulfilling it must be fixed. In some instances Treasury offices in the same city may find it expedient and more effective to achieve some or all coordination through joint action.

d. Bureaus may also find it desirable to relate responsibility for coordination of EEO with other programs requiring special emphasis, e.g., employment of the handicapped, hiring under the various anti-poverty programs, and employment of women.

2–5 *Positive recruitment*

a. Guides for an Affirmative Approach: To insure Equal Employment Opportunity it is essential that in recruiting there be effective communication of the agency's needs to *all* qualified candidates throughout the recruiting area and that the qualifications evaluation process and selection procedure be as objective as possible. Some measures characteristic of an affirmative approach in recruitment include:

(1) Assuring that all elements of the labor market, particularly unskilled and disadvantaged individuals, have access to information on job opportunities for which they qualify or have potential.

(2) Developing and consistently applying valid and realistic qualification requirements and evaluation procedures so as to preclude the possibility of discrimination.

(3) Conducting college and technical school recruitment at a representative number and variety of institutions including those with a substantial number of minority group members in attendance.

(4) Conducting clerical and related recruitment on a full community basis including visits to schools with a substantial number of minority group members in attendance.

(5) Maintaining communications with local educational institutions, service groups, or similar organizations including those composed primarily of minorities.

(6) Participating with other employers and school counsellors and advisors in Career Days and other activities designed to lift the horizons and aspirations of youngsters.

(7) Designing and planning recruitment publicity such as brochures and vacancy announcements so as to assure all qualified applicants without regard to race, creed, color, or national origin, that they will be given equal opportunity for employment.

(8) Constantly reviewing all phases of the recruitment and selection process for conformance to the policy of nondiscrimination.

(9) Investigating situations wherein the number of minority group members within an organization is substantially less than would be expected under a program wherein merit is the primary consideration. If minority members are not applying, determining what factors are causing this failure and correcting them if possible. For example, if failure to apply is attributable to lack of housing or reputation of office, to assist in alleviating these problems.

(10) Providing recruiting representatives of Treasury activities with the orientation and training necessary to a complete understanding and full appreciation of the Department's policy of nondiscrimination.

(11) Using minority group employees in recruiting activities, e.g., as a member of a recruiting team.

(12) Assisting schools to improve curricula and establish courses appropriate for labor market needs. This may include encouraging qualified employees to undertake part-time and evening employment as instructors.

b. Prohibited Recruitment Activities.—In accordance with Federal Personnel Manual Chapter 332 agency arrangements for obtaining applicants for Federal employment from business, secretarial, trade, and similar private schools, private employment agencies, and other private recruitment and referral sources that operate on a segregated basis are prohibited. Specifically prohibited are recruiting visits, formal or informal referral of applicants, participation in "career days" and speeches by agency representatives at such sources. Bureaus should continue to send to such institutions examination announcements and other publicity made available to the public, generally. In addition, they must continue to accept applications from students and former students of such sources.

2–6 *Merit promotion*

a. In accordance with Chapter 300 of the Treasury Personnel Manual, a bureau's promotion plan must contain "a provision that religious, (or) racial . . . discrimination is prohibited and that violation of such provision will be dealt with in accordance with applicable laws, regulations, and policies."

b. Positive implementation of such promotion plans requires as a minimum:

(1) Reviewing the use of written tests, standards above the minimum, and ranking devices to determine whether these are valid and necessary indicators of job success.

(2) Insuring that promotion panels, if utilized, include minority representation as appropriate.

(3) Insuring that minority employees are provided opportunity for details and temporary assignments which may help give them the experience required for promotion.

(4) Measures designed to eliminate personal bias in such subjective areas of evaluation as supervisory vouchers, interviews, and the ultimate process of selection from among eligibles qualified.

(5) Period review of selections and follow-up of apparent repeated instances of non-selection of minority group members.

2–7 *Facilitating acceptance and understanding of EEO policy*

Underlying the success of the equal employment policy in any organization is the factor of acceptance and understanding of EEO by all employees and especially by supervisors. This factor is particularly important when the employment of minority group members constitutes a change in the traditional employment pattern of the organizational unit involved. Measures which will assist in fostering an attitude of acceptance and an understanding of EEO include the following:

a. Publishing a personal communication from the head of the organization which sets forth a firm position of support for the Equal Employment Opportunity Program. Where possible, this support should be communicated personally in meetings and seminars.

b. Utilizing staff conferences and supervisory training programs to gain understanding and acceptance.

c. Conducting equal employment seminars, institutes and other educational activities for supervisors and managers. Such activities can provide a forum for top management commitment to EEO, facilitate participation by supervisors and managers in program planning, offer opportunities for beneficial exchanges with minority group leaders, and permit effective use of case studies.

d. Creating a clear understanding among all levels of supervision that they are expected to assume an active role in making constructive contributions to the national goal of equality of opportunity based on merit and qualification as expressed in Executive Order 11246 and that such a role is an inherent part of their responsibility.

e. Fostering supervisory practices which reflect objectivity and fairness in dealing with all employees with respect to such activities as:

(1) The distribution of work and training assignments and details.

(2) Expectations as to level of performance.

(3) Ratings and appraisals of performance.

(4) Encouragement and assistance in dealing with job-connected problems.

(5) Discussions of dissatisfaction related to discrimination.

(6) Assuring that the working conditions are free of discriminatory practices; for example assignment of work areas.

2-8 Maximum utilization of skills

The inadequacies of the labor market together with the social and economic objectives underlying both the Equal Employment and the Anti-Poverty Programs demand increased attention to job structuring and manpower utilization. The approaches to this total problem area encompass all elements of personnel management; however, in terms of the EEO Program, particular attention should be focused on the following:

a. Restructuring Occupations: Too often, employees are spending disproportionate amounts of time on tasks which do not utilize their specialized training and talents to an optimum degree. Occupations should be carefully examined to identify those which offer opportunities for shredding out sub-professional and non-technical tasks so that less skilled manpower may be profitably employed in lieu of technical and professional employees. These possibilities should be explored in all occupational studies and especially when qualification standards and work assignment guidelines are reviewed.

b. Skills Inventory:

(1) Although many of the existing personnel program activities, including, for example, performance appraisal plans, promotions plans, and maintenance of skills files, result in increased utilization of employee skills, cases will be discovered from time to time of significant nonutilization of such skills. In some instances nonutilization of skills reflects a lack of need for the skill in the organization. Other instances may represent oversight requiring corrective action. It is incumbent upon each bureau to examine its resources for the review of skills utilization and to insure that a periodic review, especially of the skills of employees below grade GS-5, is conducted at least annually. It has been found that the preponderance of significant nonutilization of skills occurs at these grade levels. A form which may be helpful in accomplishing a review appears as Appendix A.

(2) When instances of significant underutilization of skills are identified, remedial action shall be taken consistent with the needs of the organization to better utilize the employee skills, first within the immediate organization and, if necessary, elsewhere within the bureau's organization.

(3) In those instances where the employee's skill level is substantially above his employment level and his skills are of a nature not normally utilized in the bureau, or which cannot be utilized in the forseeable future, the employee should be assisted, if he so desires, and it is consistent with the interest of the organization, in bringing his qualifications to the attention of other bureaus and other agencies. Such cases shall be handled through local interbureau and interagency exchange relationships.

2-9 Employee development and training

a. Training: In view of the close relationship between training and development activities and subsequent opportunities for advancement, discrimination in selection for training in many instances automatically results in discrimination in advancement. Civil Service Commission policy is reflected in Part 410 of its Regulations as follows:

"The head of each department shall prescribe such procedures as are necessary to assure that in the selection of employees for training there shall be no discrimination because of race, creed, color, national origin, or sex.

"A department shall not select for training any non-Government facility that discriminates because of race, creed, color, or national origin in the admission or in the subsequent treatment of students."

Within the framework of their responsibilities as set forth in Section 2-2 d., above, Bureau Heads are expected to:

(1) Keep supervisors and training administrators in their bureaus informed of the above-cited regulations.

(2) Insure that appropriate policy issuances of the bureau specifically cover nondiscrimination in the selection of employees for training.

(3) Take such additional measures they deem necessary to assure compliance with the spirit and intent of the regulations.

b. *Counseling and Assistance in Self-Development:* Many employees possess capabilities and potentialities, which, if developed, could materially contribute to the accomplishment of the Treasury Department's goals and represent an over-all gain to society. Thus, a concept of equal opportunity in the area of training and development must in the long run be backed up by counseling and guidance services which help the employee to assess his potentialities and which positively encourage him to develop them to the fullest extent possible. While the role of the supervisor and that of the personnel office in this regard is the same for all employees, the actions of both must be marked by awareness of the need of minority group members for both assistance and encouragement. Specific examples of supporting actions that are recommended include:

(1) Disseminating knowledge of opportunities for advancement.

(2) Disseminating information regarding opportunities for training and development.

(3) Providing assistance in determining developmental needs of individuals for promotion to specific vacancies and for further advancement within career fields.

(4) Providing direct assistance when appropriate in the pursuit of training under the Government Employees Training Act, e.g., tuition assistance or time off to attend a course at a local school.

(5) Recognize the development of skills and abilities in making work assignments and in subsequent personnel actions.

2-10 Involvment in community affairs

a. Totality of Problem: Elimination discrimination in selection is only one element of the total endeavor needed to assure genuine equality in opportunities for employment. Community conditions, attitudes, and traditions all bear on an individual's employability and, in the case of many minorities, these factors persistently deprive citizens of employment opportunities. A significant aspect of this Department's EEO Program is that Treasury managers will provide leadership, at the community level, in cooperative actions aimed at improving local conditions and attitudes which affect employability.

b. Action: Treasury managers should be encouraged to seek out opportunities to work with responsible local groups in community action projects aimed at improving conditions and attitudes which affect employability. The degree, timing, and character of involvement needs careful analysis of local problems and good judgment if results are to be obtained. Whenever possible, such efforts should be coordinated with local, state, and Federal agencies having program responsibilities in these areas and with Federal Executive Boards and Federal Executive Associations. Appendix B contains a list of suggested community action projects; these are not all-inclusive and are provided only to illustrate the types of actions encouraged.

2-11 Evaluation and correction

a. Evaluation: Inherent in a positive plan of action for insuring equal employment opportunity is the need for periodic assessment of problems encountered and progress made. Appendix C is a suggested evaluation guide which has been developed as a tool for making periodic evaluations of the effectiveness of bureau programs. This guide may be used with adaptation at all levels within a bureau for self-evaluation. The development of additional or more refined evaluation techniques tailored to the needs of individual organizations is encouraged.

b. Corrective Action: Whenever as a result of specific complaints handled under the provisions of Section 2-12 or from evaluations such as those suggested above, it is determined that discrimination has occurred, it is important that the practices giving rise to the situation be corrected and that such correction be made promptly. Furthermore, positive corrective action at a local level is in most instances more effective than that proposed by a higher reviewing level. Reports of corrective action on the basis of complaints are made in accordance with the provisions of Section 2-12.

Section 2-12 Procedures governing complaints of discrimination

a. Purpose: This Section covers filing and acting on complaints of discrimination.

b. Authority: Executive Order No. 11246, dated September 24, 1965, the Regulations of the Civil Service Commission (31 F.R. 3069, as amended in 31 F.R. 4271), and Administrative Circular No. 76.

NOTE: the remainder of this Section will be identical to paragraphs 3 through 12 of Administrative Bulletin No. 66-38.

TREASURY DEPARTMENT QUALIFICATION AND SKILLS UPDATING INVENTORY

INSTRUCTIONS: From time to time Treasury employees through off-the-job attendance at school and participation in self-development activities increase their skills and qualifications to a significant degree, but for some reason or another fail to make this information part of their official record. Other employees may possess needed specialized skills and qualifications which they are not currently using and which aren't purposely reflected in their records.

By completing this form you will have the opportunity to make sure your record is up to date. It will also provide your supervisor and the Personnel Office an opportunity to

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make a summary review of your qualifications in terms of immediate and anticipated personnel requirements.

Name ______________________________

Date of birth ______________________________

Sex: ( ) male, ( ) female.

Position title ______________________________

Series ______________________________

Grade: GS ( ), other: ( )

Organizational unit ______________________________

List U.S. Civil Service Examinations you have passed during the past 5 years (*Omit the exam for the position you now hold*):

Title and grade level, year taken ____________

How long have you worked in:

(a) Your present office?

(b) The Treasury Department?

(c) Your present position?

(d) Your present grade level?

EDUCATION AND TRAINING

Circle the highest education level achieved:

Primary: 1, 2, 3, 4, 5, 6, 7, 8.

High School: 1, 2, 3, 4.

College: 1, 2, 3, 4, 5, 6, 7.

Trade or Business: ½, 1, 1½, 2, 3, 4.

School and course:

From ______________ to ______________

Degree Certificate.

List all courses completed during the past 2 years (*off the job*):

____

____

____

SPECIAL SKILLS AND QUALIFICATIONS

In the space provided below, list any special skills, talents, or other qualifications which you believe should be highlighted in your record in connection with possible future assignments. Are there any positions other than those which represent a promotion in your present line of work which you believe you are qualified for and for which you desire consideration? Specify the position(s) and the grade level(s).

____

____

____

Add any general comments you wish to make on the reverse.

AVAILABILITY

If your skills and qualifications could be more effectively utilized by assigning you to another position

Would you accept such an assignment only in certain geographical locations? (*If yes, list locations on reverse*): ( ) yes, ( ) no.

Would you accept such an assignment in another Treasury organization? (*If yes and your choice is limited, signify the limitations on the reverse*): ( ) yes, ( ) no.

Signature of employee:

____

Date:

____

APPENDIX B—SUGGESTED COMMUNITY ACTION PROJECTS

1. Purpose

This Appendix lists suggested community action projects and discusses the background of, and prerequisites for, effective local action to improve employability.

2. Background

The emphasis on Treasury managers providing leadership, at the community level, in cooperative actions aimed at improving conditions which affect employability is a new dimension in the Equal Employment Opportunity Program. The origins of this emphasis lie in the following statement by President Johnson to his Cabinet:

"If we are going to have equal employment opportunity in the Federal Government, we must attack the problem on many fronts.

If members of minority groups can't be employed because they can't find housing, then we must find housing.

If they can't be employed because school systems do not give them the necessary education, then we must work with the school systems to see to it the right kind of training is provided.

If they can't be employed because there is no vocational training available in the community, then we must see to it that we have programs to provide specialized training to help them meet their needs.

These and a host of other actions are open to us . . . It is not enough just to open the gates of opportunity. All of our citizens must have the ability to walk through those gates."

The Civil Service Commission has embodied this call for community action into agency program requirements, as follows:

An agency shall . . . Participate at the community level with other employers, with schools and universities, and with other public and private groups in cooperative action to improve employment opportunities and community conditions that affect employability.

This concept has been amplified by the Commission in the following terms:

a. Actively support community efforts directed toward equal opportunity in housing, education, recreation, etc.

b. Provide installation representation in civic organizations and other groups working for equal employment opportunity.

c. Encourage employees to participate in cooperative equal employment opportunity efforts within the community.

d. Provide technical assistance to local educational institutions in designing curricula which will assist graduates in qualifying for positions within the installation.

e. Work with Federal Executive Board, Urban League, or other organizations in cooperative equal employment opportunity efforts directed at solving critical community problems.

f. Take action to study and, if necessary, work toward making available transportation, housing, and recreational facilities on a nondiscriminatory basis to encourage relocation of minority group members (efforts should be coordinated with local, state, and Federal agencies having program responsibilities in these areas).

The key element to effective local action is cooperation. Treasury managers should, whenever possible, work with other agencies through Federal Executive Boards and Federal Executive Associations. Existing interagency functions such as Boards of Examiners can also provide effective vehicles for community action. A host of public and private groups are already involved in community anti-poverty and civil rights activity, and Treasury managers should be alert to opportunities for working with, or in support of, private groups such as NAACP, the Urban League, local Human Relations Commissions, and Plans for Progress. Regional Office of Economic Opportunity organizations should also be contacted for coordination and assistance. These offices are located in New York, Washington, Chicago, Kansas City, Atlanta, Austin, and San Francisco. The official who has coordinating responsibility is the Regional Community Action Program Manager.

Suggested Projects

Listed below are a number of projects which indicate the scope and variety of efforts which may contribute towards improving employability. Some projects directly affect imminent employability and Treasury officials may deem it wise to assume positions of leadership and view their participation as part of their jobs. Other projects obviously call for cooperative action and, as such, are projects which managers will undertake through their membership in Federal Executive Boards and Federal Executive Associations. Others are of a nature which affect eventual employability. In these, managers and employees are most likely to participate as civic minded citizens rather than in an official capacity. The nature of participation called for may well vary with conditions peculiar to the community in which the action is needed.

A. Employment:

1. Plant and office tours for high school students to acquaint them with employment opportunities and employment standards.

2. Organization of a local job bank to provide information about employment opportunities. Representatives of job bank to contact minority groups regarding opportunities available and qualifications necessary.

3. Projects to provide part-time jobs for students who need financial assistance to stay in school.

4. Participate as a member of a speakers bureau to talk to church, business and civic groups on merits of equal employment practices.

5. Serve as a member of a high level "task force" of top business and government leaders to call on other local businessmen, on a one-by-one basis, and sell them on merits of equal employment.

6. Determining whether local craft unions are open to minority groups, and taking action to assure that Federal agencies use a non-discriminatory recruitment base for such crafts.

7. Participation in programs to provide "unemployables" with skills required for present job openings.

8. Sponsoring "living image" program for local high school students . . . program to feature minority group people who have succeeded locally in business, industry and the professions.

9. Participating in joint Government-industry seminars to assure concerted action in the equal employment opportunity program.

B. Education:

1. Encourage Federal employees to organize and assist in tutoring programs for elementary and high school students who are falling behind. Make training space and facilities available.

2. Encourage Federal employees to provide dictionaries, books, paper, pencils, etc., to low income families.

3. Assist in planning college campus tours for local Negro high school students. Organize a college club among this group.

4. Through Federal Executive Boards and Federal Executive Associations sponsor memberships in Boys' Club, YMCA, YWCA, Scouts, etc., for low income children. Arrange for personal follow-up by adults.

5. Participate with other Federal agencies in vocational guidance institutes for high school students.

6. Supporting "back to school—stay in school" clubs for dropouts.

7. Supporting human relations courses in local elementary and high schools.

8. Supporting youth human relations institutes and youth human relations commissions.

10. Helping schools up-grade and broaden curricula to meet labor market needs.

11. Encouraging and assisting employees who have not secured a high school diploma to secure a diploma through night school or by means of high school equivalency examinations.

C. Housing:

1. Through Federal Executive Boards and Federal Executive Associations spot-light local housing problems with a bus tour through problem areas.

2. Work with community action programs to persuade local newspaper to do a series of articles on local housing conditions. Also aiming for television documentaries.

3. Work with Federal and community agencies to support open occupancy.

4. Forming equal housing opportunity committee to solicit open occupancy listings and promote equal opportunity neighborhoods.

5. Encouraging minority group employees to move into the general housing market.

6. Supporting or participating in a speakers bureau to talk on benefits—for the community at large—of equal housing opportunity.

7. Getting city council to enact an equal housing opportunity ordinance.

8. Soliciting cooperation of local real estate brokers and lending institutions in sponsoring housing seminars. Purpose: impart information on home buying.

9. Work with community to promote clean-up campaigns in low income areas. Making use of both private and public services—garbage, junk pickup, etc.

10. Supporting beautification endeavors (provide flower and grass seed).

11. Supporting paint-up projects . . . provide paint, brushes, etc.

D. General:

1. Conducting research to accumulate local socio-economic data comparing local Negro and white populations. Considering statistics on employment, voting, education, housing, etc. Such statistics should prove useful to the specific efforts of any undertaking or group.

2. Through Federal Executive Boards and Federal Executive Associations organize a local human relations commission or Urban League with a full-time staff executive.

3. Participate in a human relations training course for local police.

4. Through Federal Executive Boards and Federal Executive Associations have an annual human relations award . . . or perhaps three awards: for the individual, business and institution that have done the most for good local human relations in the past year.

5. Working with local hotels, motels, restaurants, theaters, taverns, and other public places, and showing them benefits (to themselves and to the community at large) of complying with public accommodations regulations.

APPENDIX C—PROGRAM EVALUATION GUIDES

The following guidelines have been developed to aid in evaluating the effectiveness of the Equal Employment Opportunity Program within each bureau and installation. Managers and staff officials who are responsible for program evaluation will find additional material available in Civil Service Commission issuances.

The focus of any evaluation is the question of whether or not the bureau or installation is maintaining an affirmative Equal Employment Opportunity Program. Such a program is one:

a. Which involves the positive and continuing support of management at all levels as demonstrated by aggressive action, both by word and deed, in conceiving and pursuing constructive activities, and

b. Which is resulting in fully effective recruitment, development, utilization, and advancement of employees, including minority group members, in all occupations, at all levels, and in all areas.

1. Communication, coordination and direction

a. Has the Equal Employment Opportunity Policy been established in a bureau issuance—local issuance?

b. Has top management expressed active support for, and commitment to, the program?

c. Has sufficient manpower been allocated to this program?

d. How effective is bureau management in assuring itself that program objectives are being met in the field?

e. Has the bureau effected EEO coordination within the bureau and at local levels?

2. Planning

a. Has the status of the bureau program—and of each installation's local situation—been analyzed to identify weak spots and problem areas?

b. Have action plans been prepared? Do they include realistic, short- and long-term goals, together with target dates?

c. Has management involved employee groups, minority groups, and supervisors in the planning function?

d. Has management analyzed available data on minority group distribution, by occupation and by grade level, and is this data considered in developing action plans?

3. Training

a. Have all supervisors attended or are they scheduled to attend a training or seminar program which covers the EEO Program in depth?

b. To what extent is EEOP covered in orientation training, in basic supervisory training, in middle management and executive training?

c. How does EEOP training provide insight into minority group problems and attitudes?

d. Does EEOP training include case-oriented discussion of job-related problems and assist supervisors and managers in identifying the most effective solutions?

e. Does EEOP training encourage employees to participate in nondiscrimination efforts within the community?

f. Are training nominations reviewed to assure full and equitable consideration for minority employees?

4. Recruiting

a. Are contacts maintained with the minority group community, including colleges, news media, and groups such as the Urban League and the NAACP, to assure that the community is aware of Treasury employment opportunities and qualification requirements and of the contributions and accomplishments of minority employees? Are these contacts maintained even when the activity is not recruiting?

b. Are qualification requirements and evaluation procedures reviewed to assure validity?

c. Does the installation participate with other employers and school counselors and advisors in Career Days and other activities designed to lift the aspirations of youngsters?

d. Are situations investigated wherein the number of minority group employees within an organizational segment is substantially less than would be expected?

e. Are minority group employees used in recruiting activities?

f. Are minority group schools which have inadequate curricula advised and assisted in establishing courses appropriate for labor market needs? Are qualified employees made available for part-time employment as instructors?

g. Are recruiting visits or Career Day activities conducted at schools which operate on a segregated basis?

h. Are efforts being made to reach Negroes in predominantly white schools?

5. Promotion

a. Are promotion qualifications standards realistic and valid and is management assured that the standards used are not an unconscious barrier to fair consideration of minority citizens?

b. Are contacts made with other agencies to seek out underutilized employees for better career opportunities in the Treasury Department?

c. Is the promotion plan effectively communicated to all employees?

d. Has the bureau—or activity—created an awareness that attitudes regarding the total nondiscrimination program are legitimate considerations in selection for promotion to supervisory and managerial positions?

e. Do screening and evaluation techniques contain sufficient safeguards (e.g., multiple evaluations, group judgment, and rating documentation) to assure that minority group candidates are given equal consideration?

f. Are minority groups fairly represented on promotion panels?

g. Are minority employees receiving proper recognition through high quality increases and awards?

6. Community action

a. Has top management shown leadership in community efforts to improve employment opportunities and conditions which affect employability?

b. Are employees encouraged to participate in these equal opportunity activities within the community?

c. Does the activity make maximum use of appointments under the various anti-poverty programs and has the activity served as a host to enrollees under Neighborhood Youth Corps and the various work-study and work experience programs?

7. Utilization and job redesign

a. Are there provisions for identifying underutilized employees and for undertaking remedial actions?

b. Are employees in lower grades and dead-end jobs tested, counseled, and encouraged and assisted in self-development activities?

c. What kinds of training opportunities are available within the agency? Are employees informed of adult education opportunities within the community?

d. Are occupational and organizational structures being examined to determine those positions susceptible to job redesign in order to increase opportunities for minority group members?

e. Are "career bridges" available so that clerical and subtechnical employees may be considered when recruiting for technical and professional vacancies?

f. Do career structures include entrance levels designed to make optimum use of opportunities to secure minority group employees (e.g., housewives, part-time college students, high school and junior college graduates)?

TRIBUTE TO PATRICK McNAMARA

Mr. ERVIN. Mr. President, as U.S. Senator, Patrick McNamara became one of Michigan's honored men, and as such, if one may paraphrase Pericles on greatness, his story is not graven only on stone over his native earth, but will live on far away, without visible symbol, woven into the stuff of other men's lives.

His concern for the quality of other men's lives—for the well-being of the individual workingman, of the older citizens, of the youngster to be educated—was reflected in his every public act during his long career of service. Equally important, his contributions are woven into the stuff of our national life, for he sought solutions to our highway problems, our labor management problems, and our social and economic problems. While one might not always agree with his proposed solutions, the dialogs he initiated served not merely the people of his adopted State, but the entire Nation.

And surely he brought to the warp and woof of Senate life, to personal relationships, to his committee work, and to debates, a warm sense of humor and the sum total of his varied life experiences. He could speak as the son of Irish immigrants who had sought the promise of America which was to be fulfilled in their son; and he could speak also as a man who had worked with his hands and who never ceased to identify with the laboring man and the trade union movement.

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Chairman of the Public Works Committee, member of the Labor and Public Welfare Committee and a considerate Senate colleague—in every role he brought to his responsibilities his great fund of knowledge about the issues of our times, and the depth of his sincerity and integrity.

To his family, to his many friends, and to the constituents he served so well, I wish to extend my sympathy on their loss.

Together with many in this body, I shall remember him as a colleague who demonstrated unfailing understanding, consideration, candor, and fairness.

This was the mark of the man in all of his endeavors.

CLEAN WATERS RESTORATION ACT OF 1966—CONFERENCE REPORT

Mr. MUSKIE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2947) to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MUSKIE. Mr. President, the Senate has before it today the Conference Report on the Federal Water Pollution Control Act Amendments of 1966, including the Clean Rivers Restoration Act.

The Senate version of this legislation, passed on July 13 by a vote of 90–0, included, among other things, a 5-year, $6 billion authorization for the Federal share of the cost of construction of sewage treatment works. I am disappointed to announce that we were unable to hold that figure in conference. In order to reach an agreement, the Senate accepted a 4-year, $3.4 billion total. This is a decrease of approximately $2.5 billion from the Senate bill, however, $1.5 billion of that difference was absorbed by cutting back the authorization for 1 year.

Mr. President, I ask unanimous consent to insert at this point in the RECORD a chart which shows the differences between the Senate and the House passed bills and the compromise reached:

Fiscal year	House	Senate	Conference
1967	150	150	150
1968	300	600	450
1969	400	1,000	700
1970	650	1,250	1,000
1971	950	1,500	1,250

It is important to note that neither the House nor the Senate increased the existing authorization for 1967 and, thus, no damage was done to the President's budget.

The House and Senate split the difference in the first 2 years of the new authorization but the conference amount for the final 2 years indicates an increase by the House of $350 million and $300 million, respectively, while the Senate decreased only $250 million for each year.

Mr. President, there was general recognition throughout the conference that the $1.5 billion level authorized by the Senate for 1971 and 1972 was realistic. It, therefore, must be our next task to increase the authorization to this more realistic level. The $6 billion authorized by the Senate was passed on the assumption that, first, the Federal share should be at least 30 percent of the total cost of treatment facilities with no dollar limitation and, second, that in order to provide secondary treatment for 80 percent of the population and advanced waste treatment to approximately 20 percent of the population, $20 billion would be required. I ask unanimous consent to have printed in the RECORD at this point a memorandum which shows how the Senate arrived at that estimate.

There being no objection, the memorandum was ordered to be printed in the RECORD, as follows:

U.S. SENATE,
COMMITTEE ON PUBLIC WORKS,
October 5, 1966.

MEMORANDUM

To: Senator MUSKIE.
From: Leon G. Billings.
Subject: Justification of $20 billion cost estimate.

CONFERENCE OF SANITARY ENGINEERS SURVEY

The survey of State pollution control agencies conducted by the Committee, 48 responses to which were received, indicates that less than 10 States confirmed the data made available by the Conference of State Sanitary Engineers. Two of those States, Oregon and Rhode Island, indicated costs less than estimated by the Sanitary Engineers. The remaining 38 States provided estimates ranging from a slight difference to a difference of as much as 80 times the Conference estimate. The following list is indicative:

[In thousands of dollars]

	Conference of State sanitary engineers estimate	Committee survey data
Connecticut	$39,931	$200,000
Indiana	61,528	250,000
Maryland	11,860	127,900
Massachusetts	41,557	300,000
Michigan	5,596	430,409
Minnesota	65,648	215,648
New Jersey	86,054	450,000
New York	820,321	1,708,000
Ohio	38,626	1,000,000

It is therefore obvious that either the Conference of State Sanitary Engineers does not use the information made available to them or determines its projected cost on a different basis than the Committee considered in its Steps Toward Clean Water when it arrived at a $20 billion cost estimate. The Steps Toward Clean Water estimate is based on certain assumptions, the first being that 80% of the 1975 population will require secondary treatment, the remaining 20% will require tertiary treatment.

Because the statistical life of a secondary treatment facility is 20 years, it must be assumed further that projects constructed between now and 1972 must be designed to provide for at least a 1980 population. The census estimates that the population in the United States in 1980 will be approximately 250 million. If we provide secondary treatment for 80% of that population, this will equal 200 million. It is assumed now that 61 million people have secondary treatment and that by 1972 50% of this secondary treatment will have to be replaced. Therefore, between now and 1972, secondary treatment must be provided for 170 million people.

The per capita construction cost of sewage treatment facilities, associated interceptors and other appurtenances, is approximately $100 per person. This will increase as construction costs increase over the six year period; but without assuming any change in construction cost past August of 1966, the cost for secondary treatment for 170 million people will be about $16½ billion. Assuming that 20% of the population must be served by advance waste treatment by 1972, such facilities must be provided for 50 million people. The best available estimate of per capita cost is $75.00. This would increase the cost $3.75 billion, bringing total to $20.25 billion. In order that these facilities be available for the 1980 population, and that the associated economies of scale be taken advantage of, this investment must be made now, water quality notwithstanding.

The Committee Survey of Cities produced a number of interesting results. In several instances where the Committee Survey of States data confirmed estimates of the Conference of State Sanitary Engineers, the city responses debunked both these figures. The two most surprising examples are Illinois and Wisconsin. The State confirmed the Sanitary Engineers estimate but failed to note, in the instance of Illinois, that Chicago costs were not included. While the State of Illinois confirmed estimate is $54 million, Chicago has an estimate of $702 million.

Wisconsin confirmed the Sanitary Engineers estimate of $40 million but noted that Milwaukee was not included in this estimate. The city of Milwaukee estimates its cost at $246 million.

Other city reports manifested similar disagreements with the States. In Florida for example, the State estimate is $54 million. The city of Miami alone estimates its costs at $130 million. The city of Jacksonville estimates its cost at $59 million or $5 million in excess of the total State figure.

The State of New Mexico confirmed an estimate of $5½ million while the city of Albuquerque cited its cost at over $18½ million.

The State of Missouri confirmed an estimate of slightly over $28 million while the city of St. Louis cited needs in excess of $116 million and Kansas City of nearly $48.5 million.

Finally, the State of Washington confirmed a figure of $28 million but noted that the estimate submitted to the Conference of State Sanitary Engineers did not include $78 million for interceptor sewers. The city of Seattle reported that its needs alone would exceed $98 million.

The data accumulated by the Committee in its two surveys tends to confirm the estimate of per capita cost referred to in the above analysis of the $20 billion figure. The following table is for that purpose:

[Per capita cost]

City:	
Hartford, Conn.	$528.22
New Haven, Conn.	122.66
Miami, Fla.	446.73
(Dade County estimate	1,069.51)

[*Per capita cost*]

City:	
Jacksonville, Fla	294.68
(Duval County estimate	130.18)
Atlanta, Ga	156.47
Chicago, Ill	113.54
(Cook County estimate	188.86)
Kansas City, Kans	182.94
Detroit, Mich	103.15
Jackson, Miss	159.25
St. Louis, Mo	154.99
Kansas City, Mo	101.96
Omaha, Nebr	97.66
Albuquerque, N. Mex	92.51
Rochester, N.Y	127.42
Syracuse, N.Y	93.17
Albany, N.Y	
(Albany County estimate	280.29)
Charlotte, N.C	146.05
Greensboro, N.C	108.21
Cincinnati, Ohio	216.69
Oklahoma City, Okla	171.16
Providence, R.I	[1] 226.50
Seattle, Wash	176.65
(King County estimate	105.23)
Milwaukee, Wis	344.45
(Milwaukee County estimate	237.50)

[1] Includes separation of storm and sanitary sewers.

While there were no cities in Maine polled, the estimate per capita cost for the State as a whole is $129.35. The average per capita cost in Ohio is $103.02 and in New York, $101.78. These figures from three States which have inventoried their water pollution control needs indicate that, if anything, the estimate by the Committee that $20 billion will be required is extremely conservative. If and when we get to the question of authorization for storm and sanitary sewer separation, these costs can be expected to skyrocket and, when increased funds become available, other States are going to begin adequately inventorying their needs.

The final point, and I think it is an important point, is that of the existing allocation formula, the States are limited in the amount they can receive from whatever amount we authorize. Some States are ready to go ahead. Massachusetts, Wisconsin, New York and Maine have authorized 30% matching programs. Connecticut and Ohio will soon follow. The costs these States are confronted with are tremendous and they will need the full allocation available from a $6 billion authorization if they are to receive even 30% Federal matching funds.

LEON G. BILLINGS.

Mr. MUSKIE. This estimate of $20 billion, confirmed by a recently completed committee survey of States and major cities, shall continue to guide the efforts of the Subcommittee on Air and Water Pollution.

There are several other disappointing aspects the conference agreement which I would like to discuss before outlining the positive accomplishments of the legislation.

The Senate-passed measure had a loan provision which provided funds for those communities unable to obtain their share of construction costs from other sources; this provision was deleted.

The Senate bill provided that, in connection with any enforcement conference, the Secretary could require reports from alleged polluters in order that the conference could have more adequate information on which to base pollution control recommendations. This provision was modified to the extent that the information can now only be required if a majority of the conferees request it. In essence, this means that the information will not be available before a conference but must await a positive action by the conferees.

The Senate provided an automatic incentive of 10 percent of the total cost of any treatment facilities constructed in metropolitan areas which practice regional planning. This provision was deleted.

Finally, the Senate provided strengthening amendments to the Oil Pollution Act. The Senate amendments would have extended the scope of that act to shore installations and terminal facilities and provided that boats, vessels, shore installations, and terminal facilities depositing oil on coastal, navigable and interstate waters and adjoining shorelines would be responsible for the removal of that oil. The legislation reported from conference limits this removal feature to boats and vessels by eliminating application of the Oil Pollution Act to shore installations and terminal facilities. However, the Senate conferees were assured that both shore installations and terminal facilities were subject to the enforcement provisions of the Federal Water Pollution Control Act.

The net effect of the amendments to the Oil Pollution Act, strictly enforced, will be first, the extension of its enforcement provision to all navigable waters of the United States; second, a method of requiring removal or payment of the cost of removal of oil deposited on navigable waters; and third, a protection for the adjoining shorelines against the grossly negligent spillage of oil which has deleteriously affected both the recreational values of these shorelines and has seriously damaged coastal fisheries.

The Senate also receded from its amendments to the Refuse Act of 1899 which provided for the Secretary of the Interior to determine whether deposits of refuse in navigable waters should be consistent with the purposes of the Federal Water Pollution Control Act. It is the position of the Senate conferees that mere amendment of this legislation would not be satisfactory, that review of the existing law is essential.

Mr. President, the bill before the Senate today establishes a landmark in the Federal water pollution control effort. Beginning next year there will be no discrimination against major cities in the construction grants program. The House receded from its position that there should be dollar limitations applied to the construction grant program. When this year's amendments become effective and funds are made available, every municipality will be able to receive a maximum 30-percent Federal grant regardless of the total cost. This means that the big cities which have the worst problems will have an equitable share of the Federal water pollution control dollar.

The conferees also agreed that there should be an incentive for those States willing to provide 30 percent of the project's cost and, therefore, the conferees agreed to increase the Federal share in that instance to 40 percent. Further, if the States agree to provide 25 percent of the project's cost, and have established enforcible water quality standards for the waters into which the project discharges, the Federal Government will provide 50 percent of the cost of a project.

This 30-40-50 Federal share approach, without dollar limitations, commits the Federal Government to increasing the Federal investment in water pollution control. It means that if the Federal Government is to meet its responsibility to the States and their local governments, the $6 billion figure initially authorized by the Senate will have to be substantially increased.

Parenthetically, Mr. President, there was no change in the provision in existing law which provides an incentive of 10 percent of the Federal grant in those metropolitan areas practicing regional planning. In essence, this means that metropolitan areas may receive up to 33 percent, 44 percent, and 55 percent if they comprehensively plan together.

Mr. President, there are a number of other provisions to which the conference agreed which I would like to summarize:

The Secretary of the Interior is authorized to carry out a study of the Nation's estuarine areas and $3 million is provided for this purpose. This provision was initially authored by Senator TYDINGS of Maryland.

The conferees agreed to include both the Cooper and the Kennedy of Massachusetts amendments relating to pollution control personnel requirements.

The conferees agreed to provide a method to deal with the problems of pollution across international boundaries.

The conferees agreed to the necessity of a comprehensive study of the cost of pollution control.

The conferees also agreed that there was a necessity to study the problems of pollution created by the recreational watercraft and of the need for a study of incentives to assist industrial pollution control.

The conferees reached agreement on an expanded program for research and development. A total of $305 million was authorized for a 3-year period for demonstration of industrial waste treatment methods, advanced waste treatment, joint municipal and industrial treatment, and other pollution control technicalities. Included in that $305 million is a limitation of $125 million on the general research activities of the Federal Pollution Control Administration.

Section 5 of the Federal Water Pollution Control Act presently gives the Secretary a very broad authority in conducting research for various purposes, including but not limited to, research on separate and combined sewers, on advanced waste treatment, and on industrial wastes. He is authorized to conduct this research, directly and by grant, contract, agreement, or otherwise, with public and private authorities, agencies, and institutions as well as individuals. This authority, particularly as to conducting research by contract, encompasses authority to conduct research for which grants are specifically authorized in section 6, and the $20 million per fiscal year which is authorized in section 6(e)(1) is by the phrase "including contracts" in that subsection made specifically

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available for the purpose of conducting this research by contract.

Finally, Mr. President, the conferees agreed to expand the enforcement provisions of the existing law. Previously I referred to the compromise reached on reports from alleged polluters at the conference stage. The Senate accepted House language which allows the Secretary to require such reports from alleged polluters in the hearing stage of an enforcement proceeding. The most significant change in the enforcement procedure will be, especially to the conservationists, the provision that persons affected by pollution can make a statement to both the enforcement conference and the hearing. The legislation before you also provides that alleged polluters may have an opportunity to make a full statement of views at these two levels of the enforcement procedure. It is not the intent of the conferees that this become a means whereby the enforcement procedure may be delayed. In fact, it is the intent of the conferees that the chairman of the conference or the hearing board may require any statements to be filed rather than given orally.

Mr. President, there is only one remaining provision in the conference bill that I would like to discuss.

Earlier this year the President asked for a method whereby entire river basins could be cleaned up. In order to carry out this purpose, he transmitted to the Congress the Clean Rivers Restoration Act of 1966. Both the House and Senate bills contained specific titles to carry out the purposes expressed by the President's legislation. However, the approach in each bill was entirely different.

The conferees agreed that the basic purpose and intent of the President's proposal could be carried out by amending the existing comprehensive planning section of the Federal Water Pollution Control Act. A compromise was reached whereby States in a basin may join together for the purpose of planning for pollution control and should they desire to do so, the Federal Government will pay 50 percent of the expenses of the designated planning agency. This provision for comprehensive planning, combined with the 50-percent Federal grant for construction of treatment works if the States set intrastate as well as interstate water quality standards, more than accomplishes the objectives of the administration.

Mr. RANDOLPH. If the Senator will yield, I would like to pose a question.

Mr. MUSKIE. I am happy to yield to the distinguished chairman of the Public Works Committee who has provided tireless leadership in achieving passage of this landmark legislation which we are considering today.

Mr. RANDOLPH. It is my understanding that the compromise Clean Waters section of S. 2947 provides the means for more effectively implementing the Water Quality Act of 1965. Am I correct in this and, that the Senate's position is that the comprehensive planning—river basin approach is fundamental to any water quality standards program? Further, is it not true that the Secretary of the Interior has sufficient authority under sections 3 and 10 of the act as amended by this bill to develop or assist the development of realistic comprehensive basin plans for any hydrologic unit in the United States?

Mr. MUSKIE. The Senator is quite correct in his understanding of the legislation before us. I have said time and again that the Water Quality Act of 1965 required a river basin type approach if adequate water quality standards are to be effectuated. With the tools provided by these amendments to the comprehensive planning section, which provides for development of comprehensive programs, the intrastate standards requirement for a 50-percent grant, and the extensive authority granted under last year's act, the administration, if it is vigorous and dedicated to pollution control, can achieve all that it intended in the President's proposed clean rivers restoration program.

POLLUTION CONTROL REQUIRES BOLD STEPS

Mr. YARBOROUGH. Mr. President, the Senate has taken another step forward toward the control of pollution of our Nation's water supplies with passage today of the conference report on S. 2947.

Although the bill's provisions are not as extensive as I should like to see enacted, significant improvements are included in the legislation with the clean rivers restoration program and the incentives offered for the States to join in a comprehensive river basin pollution control and abatement plan.

Current Federal grants to States for help in financing their own programs, from $5 million annually to $10 million, are provided. This doubling of assistance for research should encourage strong action by the States in moving to clean up the contamination of our water before we strangle in our own filth.

Even bolder action will be needed if we are to win this battle. The problem of correcting and preventing pollution is staggering, but we cannot continue to foul our waters and destroy our land.

The substantial increase in grant programs for pollution control is commendable, but it still falls short of the goals passed unanimously earlier by the Senate. We must do more in the future if the music of our streams is to be a pure melody, and not a funeral dirge.

Mr. KUCHEL. I ask unanimous consent to have printed in the Record at this point a statement prepared by my colleague, Senator Cooper.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Statement by Senator Cooper

I support the Conference report on S. 2947 and urge its adoption by the Senate.

The bill authorizes Federal water pollution control programs totalling approximately $3.5 billion over the next 5 years. This new authorization represents a substantial increase from the $150 million now authorized for fiscal 1967 to $450 million in fiscal 1968 and increasing to $1.25 billion in 1971, although substantially below the $6.4 billion authorized by the Senate. Besides lifting the dollar limitations on individual sewage treatment projects, the bill recommended by the conferees provides incentives for state-matching grants and accelerated application of water quality standards. It authorizes reimbursement for local communities that have taken the incentive on qualified projects and encourages joint industrial municipal waste-treatment systems.

As a member of the Public Works Committee, I would like to pay my repsects to the distinguished Senator from Maine [Mr. Muskie], Chairman of the Subcommittee on Air and Water Pollution, and to the ranking minority member of the subcommittee, the able Senator from Delaware [Mr. Boggs], for the leadership they have given this bill and to the entire committee who have worked hard and conscientiously on it.

It has been my view that we must do more to increase the participation of private industry in assisting to combat and control water pollution. Conservative estimates of the total cost for controlling industrial pollution have been placed at $75 billion over the next 15 years, or the large sum of $5 billion per year. At the base of this estimate rests the progressively increased use of water by industry. In 1900, the average daily use of water for industrial purposes was 15 billion gallons, but by 1960 industry was employing some 160 billion gallons per day. The amount of money required for installations to control pollution in just two industries alone—the paper and chemical industries—is indeed staggering.

When the Air and Water Pollution Subcommittee of the Public Works Committee announced that it would hold hearings in April and May of this year to consider amendments to the Federal Water Pollution Control Act, I wrote representatives of private industry who were scheduled to testify and pointed out that, although the Public Works Committee is without jurisdiction in fiscal matters, I thought it would be helpful to the Committee to have comments and viewpoints of industry on needed tax incentives. As a result of their testimony and the substantial interest created among the committee members, the Public Works Committee, in reporting out its bill, included a strong recommendation to the Committee on Finance to consider tax legislation applicable to the acquisition and installation of pollution control facilities. The pertinent section of the report of the Senate Public Works Committee reads as follows:

"INCENTIVE ASSISTANCE FOR INDUSTRIES

"A number of witnesses testified on the need for tax incentives as a means of reducing the cost of noneconomic pollution control facilities. This is not a matter over which the Senate Public Works Committee has jurisdiction but it affects the overall effort to meet water pollution control and abatement needs. This committee strongly recommends that the appropriate congressional committee give consideration to tax relief proposals for industrial pollution control activities.

"For the most part, pollution control does not provide a return on an investment to an industry. Installation of pollution control devices is costly and, in many cases, nonremunerative. The billion dollars of capital investment which will have to be made by the industrial sector for the benefit of the entire society will place a substantial burden on corporate resources, and ultimately on the general public. The committee suggests that there are several alternative methods of aiding industry in meeting its pollution control obligations.

"Investment tax credits as proposed by Senator John Sherman Cooper of Kentucky, in legislation cosponsored by the chairman of the Senate Public Works Committee, Senator Jennings Randolph of West Virginia is one method whereby industry could recoup the cost of control and abatement of pollution. Senator Abraham Ribicoff of Connecticut, in legislation cosponsored by, among others, the chairman of the subcommittee, Senator Edmund S. Muskie of Maine, provides for accelerated amortization of the cost of pollution control facilities. This may also provide a means of offsetting industry's cost of pollution control. However, both of these methods do not consider the problem confronting those industries with plants having great pollution problems and marginal economic efficiency.

"The committee has recommended greater emphasis on joint municipal-industrial treatment systems operated by public agencies. Such systems are eligible for assistance under the sewage treatment grant program.

"The proposal by the American Paper Institute for specific Federal grants to municipalities to construct industrial waste treatment facilities would provide an effective means of meeting the needs of both the marginal industries as well as the profitable industries. Such a Federal grant approach would not be inconsistent with public policy because the grant would, in effect, be made to a unit of government. This approach differs from that proposed by Senators Cooper and Ribicoff and is a matter which can and will be considered by this committee. However, realizing that there is no final answer to the problem of financing industrial pollution control, the committee reiterates its strong recommendation that the appropriate committees consider tax relief legislation."

I would particularly like to draw attention to two amendments contained in the House bill which were agreed to by the Senate conferees and which I strongly support. Section 201 of the bill authorizes for the first time the Secretary of the Interior to make grants to industry for research in the prevention and treatment of water pollution. The need for expanded industrial research is discussed in detail in the House report at pages 25–26:

"INDUSTRIAL RESEARCH

"The reason for the addition of industrial grants is recognition of the fact that industry, which was at one time less of a polluter than municipalities and communities, has now become a major polluter. The complexity of some industrial waste problems requires the active involvement of industry itself which has intimate knowledge of manufacturing and other industrial processing operations. The stipulation that 70 percent of the cost of such investigations be borne by the Federal government should be an inducement to have industrial support and participation in the studies.

"The committee is not inclined to belabor industry for its growing contribution to this problem. Nothing will be gained by attempting to fix blame. The problem is here and it must be solved or some future generation will be worrying about clean oceans. The committee does feel, however, that more should be done by industry, and it is very pleased to note that during the hearings evidence was presented to show that industry is attempting to do its part.

"The Federal Government should do its part, too, in helping in the solution of this problem, certainly, in developing means for controlling it. The inclusion of specific grants to industry for research is based upon the same concept as in existing law for grants to public and private agencies and institutions for research in this field. It would be of little value if we solved the technical means of preventing or alleviating the sewage from municipalities and failed to lend necessary assistance to research for the disposal of waste emanating from the various types of industrial and manufacturing processes.

"Industrial research should not be limited to the technology of waste treatment. It should also include an investigation of possible financial methods of providing for this treatment, including methods of providing treatment works to the smaller industries on an installment basis. If a small company is faced with the necessity of putting in extensive treatment works as a result of Federal and State laws or public pressure, such financing could be helpful."

Another provision of the House bill adopted by the conferees requires the Secretary of the Interior to make a full and complete investigation and study of methods for providing incentives to assist in constructing facilities and works by industry to reduce or abate water pollution, including possible use of tax incentives and to report to the Congress by January 30, 1968.

I believe that these two provisions of the bill will enlist a greater participation of industry in Federal programs designed to abate or control industrial pollution.

When the Senate Finance Committee held hearings on H.R. 17607, a bill that would temporarily suspend investment credit and accelerated depreciation, I submitted a statement and urged the Committee to continue the availability of the present 7% investment credit for the acquisition of air and water pollution control facilities. This provision had been included in the House bill as a floor amendment.

In my testimony I said, "I am hopeful that when the present inflationary pressures in our economy have subsided this Committee will consider increasing the present investment credit or provide additional tax incentives to industry to assist in the acquisition and installation of pollution controls. But for the present, however, I believe it would be a backward step for the Congress not to continue at least the present investment credit as provided in the House bill".

I am pleased to note that this provision was included in the bill recommended by the Finance Committee and passed by the Senate, and was commented on in the committee report in the following language:

5. Exemption of water and air pollution control facilities

"An amendment adopted on the floor of the House specifies that water and air pollution control facilities are, under certain conditions, not to be considered suspension period property even though constructed or ordered during the suspension period. Thus, facilities of this nature will continue to remain eligible, for the investment credit.

"The exception is provided in recognition of the importance of stimulating private industry to undertake expenditures for facilities which will help to abate water and air pollution. There is a clear need to step up efforts to purify the air we breathe and the water in our streams and lakes.

"Suspension of the credit, even for a short time, would discourage private efforts to abate water and air pollution and would simply impose a larger direct burden on the government.

"This provision of the bill specifies that water and air pollution control facilities will not be treated as suspension period property if they are used primarily to control either water pollution or atmospheric pollution by removing, altering, or disposing of pollutants. The facilities must conform to the State program or to State requirements in regard to the control of water or air pollution and they must be in compliance with the applicable regulations of Federal agencies and with the general policies of the United States, in cooperation with the States, for the prevention and abatement of water and air pollution. Certification to this effect must be made by the State water or air pollution control agency, as defined in the Federal Water Pollution Control Act or the Clean Air Act. In addition, such a facility must be constructed or acquired in furtherance of Federal, State, or local standards for the control of water or air pollution."

A number of Members of the Senate have introduced bills which would amend the Internal Revenue Code so as to give a tax incentive to industry to construct air and water pollution control facilities. While many of these bills differ as to method, each has the purpose of providing industry with a financial incentive for acquiring and installing necessary equipment. On February 1 of this year, I introduced a bill, S. 2857, for myself and on behalf of Senator Randolph, which would increase the investment credit allowable from the present 7 percent to 14 percent for those industries purchasing and installing air and water pollution facilities. The bill is cosponsored by Senators Allott, Kuchel, Lausche, Long of Missouri, Pearson, Saltonstall, Scott and Javits, and is pending before the Finance Committee.

I have gone to this great length to indicate the many steps that are being taken now by the Committees of the Congress to combat air and water pollution. I believe that this bill is another demonstration of the determined effort of the Congress to advance solutions to the most challenging problem facing our country today—pollution in the air and in the water.

Mr. MUSKIE. Mr. President, I move the adoption of the conference report.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Maine.

The motion was agreed to.

WIDENING THE CREDIBILITY GAP

Mr. GRUENING. Mr. President, in recent weeks administration spokesmen seem to act bewildered because their words are not taken at face value but are received with increasing incredulity.

The reasons are not too hard to find. For many, many months now the administration's actions in Vietnam have not matched its words, and vice versa.

Is it any wonder that more and more people are beginning to doubt that they are being told the truth, the whole truth, and nothing but the truth, when they see and hear the U.S. Ambassador to the United Nations state vehemently the administration's desire for peace while almost simultaneously the U.S. Secretary of Defense holds a press conference to announce the letting of a huge contract for warplanes?

Donald Grant, United Nations correspondent for the St. Louis Post-Dispatch, writing the leading editorial in the October 10, 1966, issue of The Nation, calls Ambassador Goldberg's peace offensive in the General Assembly of the United Nations a "burlesque" of U Thant's peace plan and states:

> President Johnson continues this "peace offensive" with his projected trip to Manila, pretending to see peace where none is to be found. After the elections, is there hope that the Administration will be willing to explore the clear UN road to "peace with honor"? Lyndon B. Johnson's record in office is not encouraging.

In like vein, The Nation's leading editorial in its October 17, 1966, issue explores the reasons why President Johnson's performance is mistrusted.

> Mr. Johnson's trouble—

The editorial states—

> is that he has carried intrigue too far, so that the gap between his words and his actions has widened beyond acceptable

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limits. The glaring example, of course, is Johnson the candidate, a moderate vis-a-vis Vietnam in contrast to the firebrand Goldwater, and Johnson elected, acting as the voters had assumed Goldwater would act—or worse. After that, why should any reasonably critical person accept the President's protestations at face value?

President Johnson's methods of conducting foreign affairs have not escaped foreign editorial comment. In the leading editorial in the Far Eastern Economic Review for October 13, 1966, entitled "Profits and Principles" the statement is made:

> President Johnson is open to the accusation of having brought the "pork barrel" tactics of Tammany Hall to bear on international relations, not hesitating to demonstrate even more clearly than his fellow competitors for international support that compliance with Washington's views can result in generous rewards. When economic criteria are applied (as in the case of India) such pressure is not all that objectionable; but pressures of a more insidious nature are obviously responsible for President Johnson's comparative success in acquiring a broader front of allies directly involved on the American side in the war in Vietnam.

I ask unanimous consent that the editorial from The Nation for October 10, 1966, entitled "If He Wants Peace," the editorial from The Nation for October 17, 1966, entitled "Mr. Johnson's Problem" and the editorial from the Far Eastern Economic Review for October 13, 1966, entitled "Profits and Principles" be printed in the RECORD at the conclusion of my remarks.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

[From The Nation, Oct. 10, 1966]

IF HE WANTS PEACE . . .

(By Donald Grant)

A nod from President Johnson is all that would be required for United Nations Secretary-General U Thant to board a plane for Southeast Asia, to lead the war in Vietnam to the conference table. There is a great deal of evidence that he could achieve a peace that would protect both the honor and the legitimate interests of the United States.

Thant's three-point peace plan, combined with the longer vision of the future of Vietnam contained in documents arising out of the meeting last month in Phnom Penh between French President Charles de Gaulle and Prince Norodom Sihanouk, provide the clear framework for a peace settlement. Thant offers the road to negotiations; de Gaulle and Sihanouk suggested its objective: a neutral Indo-Chinese peninsula, in which there is even the possibility of a separate South Vietnam, if its people so prefer.

As an alternative to peace, the chief American delegate at the United Nations, Arthur J. Goldberg, last month opened a new "peace offensive." His speech to the General Assembly presented a burlesque of the Thant plan and, to the surprise of no one, was rejected immediately. Washington had decreed that there should be no boat rocking—at least until after the November elections. Meanwhile, President Johnson continues this "peace offensive" with his projected trip to Manila, pretending to see peace where none is to be found. After the elections, is there hope that the Administration will be willing to explore the clear UN road to "peace with honor"? Lyndon B. Johnson's record in office is not encouraging.

In the early autumn of 1964 Thant, on his own initiative, inquired of Hanoi through the Russians if Ho Chi Minh, with whom Thant has had good relations over the years, would be willing to authorize a meeting between his representatives and those of President Johnson to discuss the modalities of a peace conference. Hanoi accepted the offer almost immediately. Washington stalled for five months, then rejected it, the rejection being punctuated by the beginning of systematic bombing of North Vietnam.

Despite this disheartening experience, in July, 1965, Thant again asked Hanoi whether peace talks might still begin, if the United States would stop bombing. Hanoi said yes, but Washington rejected the offer.

Dismayed, but not yet utterly discouraged, Thant considered how an atmosphere might be established in which negotiations would be possible, even at this late date. After consultations that surely included new soundings in Hanoi, he devised his three-point peace plan. The first point was a cessation of bombing North Vietnam; not another pause, but an end. The second point was a de-escalation of the fighting in the south, including a half in the build-up of forces on both sides—a silencing of the guns so far as possible, defense actions where an end to the fighting could not be achieved. Finally, Thant proposed that the United States talk peace directly with the National liberation Front in South Vietnam, as the French, despite misgivings, finally negotiated with the NLF in Algeria.

Thant's three-point peace plan so far has been met by silence in Washington, but Goldberg—after a losing battle inside the State Department—managed to construct a mock-up of his own. In effect, he told the General Assembly that if the North Vietnamese would agree to stop sending reinforcements to fight in the south, the United States would stop bombing North Vietnam. It is difficult to imagine a better bargain for the United States: bombing North Vietnam was undertaken to stop "infiltration" to the south, and has failed to do that. If accepted, Goldberg's "offer" would have accomplished what bombing has failed to do, and with no cost in planes and airmen lost.

With the ability of "the other side" to resist crippled by a halt in reinforcements, and the United States undertaking no similar commitment, Goldberg then proposed that a phased withdrawal of North Vietnamese troops, and American troops, might be arranged. Talking to the Vietcong—or the National Liberation Front—would not be an "insurmountable obstacle," he added, quoting President Johnson. Of course, the Goldberg plan was not accepted.

By contrast to this never-never land, Thant's three-point peace plan could become an active program within a matter of days, if the United States gave the word that Washington was willing to explore this obvious avenue to peace. Ambassador Abdul Rahman Pazhwak of Afghanistan, President of the twenty-first General Assembly, is also a leader of the nonaligned nations here. A group of such nations quickly could frame a resolution to authorize Thant to implement his peace plan. Thant, a Burmese, has facilities for negotiating possessed by no one else in the world.

Since he announced his intention to retire after his present term expires November 3—or at the end of this Assembly, December 20, at the latest—Thant has been the object of international assurances of confidence never given anyone before. Paul Martin, the Minister for External Affairs of Canada, already has suggested that this hymn of praise (led by Goldberg, incidentally) might be converted into a practical power for peace. No one who knows Thant doubts that at whatever personal sacrifice, he would accept another term in office if he really believed he could be instrumental in achieving peace in Vietnam.

Goldberg has grasped the essentials of United Nations usefulness: he stands ready and eager to transmit the word to Thant, Pazhwak and the United Nations in general that the Americans are, at long last, ready to pursue peace in Vietnam with a seriousness unencumbered by a childlike faith that a punch in the nose will solve vexing problems. What is required is the consent of President Johnson.

[From the Nation, Oct. 17, 1966]

MR. JOHNSON'S PROBLEM

One of the staples of political commentary these days is that the President of the United States, by all odds the most powerful of world leaders, is not trusted, either by his own people or by foreigners. The most crucial aspect of this distrust is in relation to Vietnam. The President is represented as being seriously interested in a negotiated settlement, and unable to understand why there is so much skepticism about his position. It is not much of a puzzle.

Any President, any ruler, must be something of a manipulator, something of a conniver, in order to do his job. Friend and foe alike expect as much. Mr. Johnson's trouble is that he has carried intrigue too far, so that the gap between his words and his actions has widened beyond acceptable limits. The glaring example, of course, is Johnson the candidate, a moderate vis-à-vis Vietnam in contrast to the firebrand Goldwater, and Johnson elected, acting as the voters had assumed Goldwater would act—or worse. After that, why should any reasonably critical person accept the President's protestations at face value

Skepticism is the more justified because the President has continued on a course of pretense and deception and seems to be incapable of handling the burdens of his office in any other fashion. Consider the stage setting for the upcoming Manila session. Ambassador Goldberg launches still another peace offensive at the UN, differing only in microscopic detail from previous manifestos. President Marcos of the Philippines comes to Washington, is given a big reception and a big loan, and takes his turn at the UN. No sooner is Marcos out of the country than Mr. Johnson "accepts" an invitation to fly to Manila in the cause of peace. The Asian participants in this confabulation will all be client states of this country, dependent on us for arms and money. So constituted, it must look in Hanoi more like a war conference than a peace conference, and Mr. Johnson must look no more trustworthy than in the past. The stage management is so clumsy that Americans, except for the most sheeplike, can hardly be taken in either.

The original date for this gathering of the anti-Communist alliance was October 18. Could this timing have anything to do with domestic politics? What with Mr. Johnson's popularity slipping, it could indeed. It would put him precisely where he wants to be between the end of the World Series, when Americans will again have time for problems of state, and the November 8 election. The trip would dominate the news while Mr. Johnson and entourage are en route, while they are in Manila, and when they are back in Washington for the report to the Congress, press conferences, and the speculations of the commentators as to what is behind it all. The political implications of the trip as originally projected were in fact so palpable that the President felt compelled, as criticism mounted, to expand the itinerary so as to give the appearance of a broader purpose. But note that the schedule has been delayed slightly, so that live television coverage via satellite can be set up. There is altogether too much showmanship involved to allow much hope that a serious attempt at a settlement is really in prospect.

No doubt the President would like to secure a settlement—on his own terms. His role as an impresario reveals the carrot-and-stick strategy which has marked his previous promotions. Goldberg offers the carrot at the UN. Even while he pleads for peace, Secretary McNamara announces a hike in the purchase of combat aircraft. The President goes to Manila, ostensibly in the cause of peace. McNamara goes on a military mission to Saigon. If all these answers fail, what comes next? The President may boggle at the use of nuclear devices, but the least he will be able to settle for is a tougher war. It will be deferred until after November 8; when it comes, trust in Mr. Johnson will drop still another notch.

[From the Far Eastern Economic Review, Oct. 13, 1966]

PROFITS AND PRINCIPLES

President Johnson is a consummate politician and perhaps suffers from the fact that people judge him as such—rather than as a statesman who wields enormous military and economic power in the world arena. Politically, it is perfectly permissible for President Johnson to ensure that US willingness to negotiate with Hanoi on the one hand and North Vietnamese intransigence on the other are regularly featured in the headlines of the world press. But a politician's sincerity is always suspect and it is not surprising that his motives in mounting the forthcoming seven-nation "summit" in Manila have been questioned, and the meeting dismissed as having been organised with an eye on the elections due to be held in the US next year rather than on the cause of peace in Vietnam.

President Johnson is open to the accusation of having brought the "pork barrel" tactics of Tammany Hall to bear on international relations, not hesitating to demonstrate even more clearly than his fellow competitors for international support that compliance with Washington's views can result in generous rewards. When economic criteria are applied (as in the case of India) such pressure is not all that objectionable; but pressures of a more insidious nature are obviously responsible for President Johnson's comparative success in acquiring a broader front of allies directly involved on the American side in the war in Vietnam.

Of all the many countries who are profiting directly and indirectly from the war, Japan is the greatest beneficiary. Japanese exports to South Vietnam will reach US$100 million or more by the end of this year (about half the country's total imports), compared with US$37 million in 1965. According to Japanese banks, the Vietnam war will this year, both directly and indirectly, generate huge increases in Japanese exports (increased Japanese sales to the US, to many third countries and to China itself are not unconnected with the war). While Japan will not be present in Manila, Mr. Sato's public support for US policies in Vietnam has been most useful to Washington and has done much to prevent Asian opposition to US bombing from polarising around the strong Japanese pacifist feelings.

But other Asian countries who will be present in Manila are also profiting. President Marcos has just returned from the US with promises of loans worth at least $125 million, and other concrete benefits. Thailand itself is obviously being paid well for its help, and only last week President Johnson pledged even more aid. Much of South Korea's fantastically increased exports are going to Vietnam (sales are expected to reach US$100 million this year, compared with US$60 million last year) and it is estimated that as much as 50% consist of re-exports of Japanese goods. Both Australia and New Zealand are gaining from the increased US procurements, and both must look anxiously to the US as a source of investment.

Undoubtedly the Communist countries will dismiss the Manila "summit" as a gathering of war-profiteers and mercenaries, and it remains for President Johnson to demonstrate that the meeting is not just an election stunt to prove the existence of Asian support for an anti-communist front. The fact remains that the talks will give the US President an opportunity to convince world opinion that the US and its allies are sincere in the quest for a reasonable negotiated peace.

A WISE MOVE ON DAIRY PRICE SUPPORT

Mr. McGOVERN. Mr. President, I would like to congratulate Secretary of Agriculture Freeman and the Department of Agriculture for the announcement Friday of milk price supports for the 1967–68 marketing season, which starts next April 1.

The announcement that price support will continue at the present $4 per hundredweight level will do a great deal to maintain dairy production, which was falling off dangerously early this year. I was gratified to note that production, which was running nearly 5 percent under the previous year early in 1966, was only eight-tenths of 1 percent down in September. The increase in price support to $4 undoubtedly is having its effect.

Earlier in the session, I proposed that Congress extend supports at a $4 minimum level for 3 years. The Secretary's announcement, which gives dairymen assurance of that level of support for 18 months in advance, is certainly a step in the right direction.

I ask unanimous consent, Mr. President, that the text of a press release, in which Secretary Freeman announced the extension of the dairy price support, be printed in the RECORD at this point.

There being no objection, the press release was ordered to be printed in the RECORD, as follows:

[A press release from the U.S. Department of Agriculture, Washington, Oct. 14, 1966]

SECRETARY FREEMAN ANNOUNCES 1967–68 DAIRY SUPPORT

Secretary of Agriculture Orville Freeman today assured dairy farmers that the present support price of $4.00 a hundredweight for manufacturing milk will be continued through the next marketing year which will begin April 1, 1967. The present support price of 68 cents a pound for butterfat in farm-separated cream also will be continued.

Since prices of milk sold for consumption as fluid milk are closely related to prices of milk used in manufacturing dairy products, today's action also will help maintain prices that farmers receive for milk marketed under Federal milk marketing orders.

"I am announcing the dairy support level for 1967–68 at this time in order that dairy farmers can plan their future dairy herd management with greater confidence as to next year's prices and to provide greater assurance of adequate supplies of milk and dairy products for consumers," Secretary Freeman said.

"Dairy farming requires more advance planning than many other types of farming. As consumers, we can all be grateful that dairy farmers have responded to a long-needed improvement in the prices they receive for milk. September production was only 1 percent below the September 1965 level, whereas production last January and February, was 5 percent below that of the corresponding months in 1965. Today's action should help to spur their improving production trend.

"The added assurance provided by today's announcement should further slow up the exodus of farmers out of dairying, reduce culling of herds, and encourage the raising of dairy calves."

The support price for manufacturing milk was increased from $3.24 to $3.50 a hundredweight on April 1 and then to $4.00 on June 29. The support price is for manufacturing milk of national average milkfat content—approximately 3.72 percent. The present support price is 89.5 percent of the parity equivalent price as of the beginning of the current marketing year—very near the top of the 75 to 90 percent range provided for in the Agricultural Act of 1949. The support price for butterfat in farm-separated cream was increased from 59.4 to 61.6 cents a pound on April 1 and then to 68 cents on June 29.

Market prices of dairy products have been above the support level in recent months and farmers have received more than the support price. The U.S. average price of manufacturing milk (seasonally adjusted for milk fat test) in September was $4.33 a hundredweight—about $1.00 above a year ago.

Since April 1 of this marketing year, the Department of Agriculture has not acquired any butter or cheese under the price support program, and only about one-third as much nonfat dry milk as in the same period last year.

The Department does not anticipate major changes in its support buying prices for butter, cheese, and nonfat dry milk under the 1967–68 program. The specific prices, however, will be announced later.

AN ASSESSMENT OF THE PROPOSED CIVIL RIGHTS ACT OF 1966

Mr. HICKENLOOPER. Mr. President, on the 19th of September 1966, Paul Hope, reporter and columnist for the Washington Star and other newspapers made his assessment of the 1966 Civil Rights Act, what happened to it and why it happened. It was by far the most objective evaluation I have seen and I ask unanimous consent that it be inserted in the RECORD as a part of my remarks.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

WASHINGTON CLOSE-UP: A DYING RIGHTS BILL, AN OLD TRICK

(By Paul Hope)

With its 1966 civil rights bill on the rocks, the Johnson administration is up to its usual trick of blaming the Republicans for its failures.

President Johnson and Vice President HUMPHREY have laid the responsibility for the rights bill's demise on the bushy head of Senate Republican Leader EVERETT M. DIRKSEN.

HUMPHREY was the first to observe that the bill seemed to be sinking because DIRKSEN wouldn't support it. Where was HUMPHREY—whose only constitutional duty is to preside over the Senate—when he made his observation? Out in the West drumming up votes for Democratic congressmen seeking re-election.

Johnson, who has been politicking a bit around the country himself while votes were slipping away from the rights bill back on the Potomac, soon followed with his statement that DIRKSEN held the fate of the bill in his hands.

While they were busy blaming the Republican leader, there were a good many advocates of the bill who thought Johnson

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and Humphrey weren't exactly working overtime rounding up votes for the legislation.

There was some feeling that Johnson didn't even try to get his good friend and former Senate crony Dirksen to change his mind about opposing the bill.

Johnson told reporters the other day he had talked over the matter with Dirksen, but Dirksen on the same day said he and the President hadn't discussed the bill. However, they did meet for an hour and a half later—to no avail.

At any rate, it seems hardly fair to say the Republicans killed the bill when there are 67 Democrats in the Senate. Thirty-three Republicans can't kill anything if the Democrats are determined to pass it.

The civil rights bill was dead long before it got to the Senate. Its fate was sealed when the Democratic leadership waited so long to move it out of the House committee for debate.

The House Judiciary Committee wasn't exactly a ball of fire in putting the legislation together. In fact, it pursued a quite leisurely pace.

If the administration was serious about getting the legislation this year, it would seem appropriate to have moved the bill out for floor debate last spring when there was considerably less chance of a Senate filibuster being successful.

To wait until near the end of the session, when Congress is impatient to get away so its members can do some politicking, was to invite failure.

Also, while Johnson and Humphrey were belaboring the Republicans, where was their Whip, Senator Russell Long, whose job it is to round up Senate votes for administration measures? Louisiana's Long was out on the floor helping with the filibuster.

Blaming the Republicans for its failures and taking full credit for anything it thinks good for political mileage is a usual ploy in Washington politics and is a specialty of the Johnson Administration.

No one hears Johnson or Humphrey out on the campaigning trial saying "Gee, Senator Dirksen and those Republicans sure bailed us out on those Civil Rights Act of 1964 and 1965 when Southern Democrats were snapping at our heels."

Or: "Gosh, that voluntary insurance plan of the Republicans that we put on the Medicare bill was a great thing."

Of course, there's plenty of Democratic talk about how Dirksen did in the bill to repeal Section 14B of the Taft-Hartley Act—not that Dirksen objects to taking the blame for that.

Dirksen is not exactly the reluctant dragon either in accepting the blame—or perhaps he feels it's the credit—for the death of the 1966 civil rights bill. On the contrary he seems to relish the role.

Given the temper of the country at the moment Dirksen may be on the popular side of the issue. But in the long run, the opposition of Dirksen and the House Republican leadership is likely to hurt the Republican party. This is particularly true if Johnson succeeds in placing the onus for the bill's death on the GOP.

Some day—perhaps not very far off—the open occupancy and other sections of the bill will be enacted into law, and who will take credit then as the champion of the oppressed and discriminated-against? Probably Lyndon Johnson and Hubert Humphrey . . . or maybe Bobby Kennedy.

THE INCREASING AMERICANIZATION OF THE WAR IN VIETNAM

Mr. GRUENING. Mr. President, like last winter's snows, the grandiose plan for the social reconstruction of the South Vietnamese countryside, proclaimed at the Honolulu conference in January 1966 with the customary fanfare and publicity buildup, has now faded away, and less and less is being heard of the struggle "to win the hearts and minds" of the South Vietnamese people. In its place we find an increasing reliance on the military power of the United States to achieve a strictly military solution in that country. The myriad civilian agencies having failed in the rural pacification program, the job is now to be turned over to the military, reports Ward Just in today's Washington Post.

Given the tremendous input of men, money, and material, the predominant role of the military is a natural, indeed an inevitable, development. We have brought into being in South Vietnam a vast military organization and, propelled by the logic of its own existence, it must perforce seek an ever expanding role. The bombing of jungle trails by B–52's and the daily raids of bridges in North Vietnam by hundreds of land- and carrier-based aircraft have not reduced the flow of men and supplies into the South. The deployment of masses of Army and Marine infantry has failed to result in the engagement and destruction of significant main forces of the Vietcong. It has become necessary, therefore, to find additional employment for the 60-odd generals and their staff now ensconced in their heavily fortified villas in Saigon and in the surrounding countryside.

U.S. forces have begun to move into the Mekong Delta, an operation which can easily swallow up a hundred thousand men in the search to locate an enemy hidden in the thousands of canals and waterways. Increasing recognition of the ineffectiveness of the South Vietnamese Army will provide further reason for the assumption of a greater role by our military.

Mr. Ward Just writes in a dispatch from Saigon to the Washington Post dated October 16, 1966, that—

> Informed sources said that McNamara heard no complaints whatsoever from American military sources regarding the performance of the ARVN, but the fact is that he did. It has been an open secret in Saigon that the role of the ARVN would change next year. Their work would be in pacification, not in striking at main force units.

If the South Vietnamese Army will not fight the Vietcong the American military seem all too eager to take over the role. But some task must be found for the 600,000-man Vietnamese Army. Their performance in undertaking the pacification of rural villages and hamlets is likely to be no more successful than their performance against the Vietcong. Mr. Just writes that—

> There is now increased certainty that the war effort, despite public homage to "the other war" and the "hearts and minds of the people", is more thoroughly military than ever—and more thoroughly American.

It is clear that the United States is embarked on a course that will lead to the assumption of an ever greater role for the U.S. military forces with the day not far distant when the commanding general is in everything but name the military governor of an occupied country. Under these circumstances can we expect the National Liberation Front and Hanoi to place credence in our protestations that we do not seek any permanent military bases in South Vietnam and that we are prepared to withdraw our forces at some indefinite and unspecified time in the future?

I ask unanimous consent that the dispatch to the Washington Post from Ward Just dated October 16, 1966, be printed in the Record at the conclusion of my remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Washington Post, Oct. 17, 1966]

Civilian Role in Vietnam Ebbs—McNamara Leaves Impression Military Will Dominate Effort

(By Ward Just)

Saigon, October 16.—Secretary of Defense Robert S. McNamara left behind the impression that his visit to South Vietnam last week marked the beginning of the end of civilian supremacy in the American effort here.

The end, indeed, may have come earlier under the pressure of the massive U.S. military buildup this year, but officials in a position to know are predicting that U.S. commander, Gen. William C. Westmoreland, will now continue to increase his authority.

What has been described as a vacuum at the top will be filled by military officials.

The sheer weight of men, money and materials has made the military effort more visible and its progress, by use of elaborate body counts, infiltration rates and bridges destroyed in North Vietnam, more dramatic.

McNamara hinted at the military's ascendence when he said that progress in pacification "has been very slow indeed." He was very generous in his estimate of the Vietnamese Minister of Revolutionary Development, Maj. Gen. Nguyen Duc Thang, but he added that "this is one of the areas that requires special attention of the government of South Vietnam and the free world forces during the next year.

None of this means that Westmoreland will become another Douglas MacArthur, or that the civilian effort is to be submerged. The head of the country team will still be Ambassador Henry Cabot Lodge, but the power—according to reliable sources—will drift to Westmoreland.

Sources here today were saying that McNamara, a stickler for precision, was unimpressed with civilian descriptions of progress, or lack of it, in the pacification effort. The American who bears most of the authority for that, Deputy Ambassador William C. Porter, was in the United States during the McNamara visit.

There has always been, as one official here put it, as "military component" to pacification. But it is understood now that that component will be increased and the military will more and more take control of pacification—the task called nation-building.

What this will mean in practice can now only be guessed, but one thing that it surely does not mean is a scaling down of the sheer weight of American military presence, an argument advanced by some civilian officials.

Westmoreland will receive what he requests, and indications are he will request a great deal.

The only likely outcome of McNamara's four days in Vietnam is that the role of the Vietnamese Army (ARVN) will change.

ARVN ROLE TO CHANGE

Informed sources said that McNamara heard no complaints whatsoever from American military sources regarding the performance of the ARVN, but the fact is that he did.

It has been an open secret in Saigon that the role of the ARVN would change next year. Their work would be in pacification, not in striking at main force units.

Whether or not the Secretary was thoroughly briefed on the behavior of the ARVN toward the Vietnamese population is not known. Neither is it known if probing questions were asked regarding the U.S. military command's assistance, or lack of it, to the ARVN.

Nor is the reaction of the Vietnamese known. All Premier Ky's office would say on his encounters with McNamara and Undersecretary of State Nicholas deB. Katzenbach was that they were "inconclusive."

SOME CIVILIANS PLEASED

Not everyone here was displeased with the developments. An increased role for Westmoreland, regarded as an extremely able and popular commander with an unusual sensitivity to the politics of Vietnam, has long been regarded as desirable by many officials, some of them civilians.

But there is now increased certainty that the war effort despite public homage to "the other war" and the "hearts and minds of the people," is more thoroughly military than ever—and more thoroughly American.

In the end, the military is thought to have carried the day not by force or logic or force of wisdom, although their position here can be argued plausibly with both logic and wisdom, but by sheer weight of what one official called the juggernaut.

WHEN WESTMORELAND SPEAKS

The imprecision of civilian language, the imprecision of the problem (When is a hamlet secure, and when insecure?), the sheer difficulty of civilians trained in diplomacy performing operational tasks—often in conjunction with the military—helped tip the scales of power.

"Westmoreland says do this, do that, and something happens," one informed observer said. "When Lodge says do this, do that sometimes something happens and sometimes it doesn't happen."

The men who wanted to see one ideology beaten by a better one, to see the Vietnamese character (not to mention its countryside) preserved and not submerged by the war, who viewed the struggle as an exercise in counter-insurgency, have now certainly lost.

PEAK OF EFFICIENCY

The North Vietnamese battalions crossing the Mugia Pass into Laos and through the demilitarized zone into South Vietnam lost it, as much as any other thing lost it.

The American military command, at the peak of its efficiency and switched on for the visit of McNamara, has never performed with more precision.

It showed what has happened to the American effort here, since McNamara's last visit in November, when there were only 175,000 men and the ARVN was still mentioned seriously as a strike force.

It remains to be seen whether the problems of Vietnam lend themselves to military solutions and whether changing conditions in this war are better handled by colonels than diplomats.

A TRIBUTE TO LEE METCALF

Mr. GRUENING. Mr. President, the New York Times this morning carried an excellent editorial entitled "Man From Montana" concerning our colleague, LEE METCALF.

The editorial expresses the view, I am confident, that an overwhelming number of the junior Senator from Montana's colleagues share. The editorial, because of lack of space, cannot go into all of the effective services LEE METCALF has rendered in the public interest which affirm the fact that he is already one of our great Senators, although only at the beginning of his senatorial career, after fruitful and dedicated service in the House.

It would be a great loss to Montana and to the Nation if he were not with us.

LEE METCALF's strong conservationist activities have in no sense interfered with the help he is constantly rendering the mining industry of such vital concern to the West for the junior Senator from Montana [Mr. METCALF] above all else is a sane conservationist.

I ask unanimous consent that the full text of the editorial be printed in the RECORD at this point in my remarks.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

MAN FROM MONTANA

Montana—which has produced nationally famous Senators from the Thomas J. Walsh and Burton K. Wheeler of an earlier era to MIKE MANSFIELD, the majority leader today—has an outstanding public servant in its junior Senator, LEE METCALF. He deserves to be better known.

In addition to his work on behalf of mine safety and other issues of concern to his native state, Senator METCALF has served all the United States by his legislative efforts for national support of education and for conservation of the country's natural resources. He was a leading protagonist of the bill to give Federal financial aid to elementary and secondary schools which finally became law last year.

Senator METCALF's successful work on behalf of the Wilderness Act and the Land and Water Conservation Fund in 1963–64 established him as one of the foremost conservationists in Congress. In the present session he is the leading Senate sponsor of the bill to create a comprehensive national park to protect the California redwoods. His "S O S Bill" (Save Our Streams) did not pass, but his fight for it helped curb the depredations which the interstate highway program initially made on the nation's streams because of careless planning of highway routes. He has been a progressive influence in shaping policy on Indian affairs and has sponsored several important reforms in the structure of government.

Senator METCALF's many accomplishments during these past six years in behalf of both Montana and the nation would argue strongly for his re-election in any event. But his re-election is all the more desirable since his Republican opponent, Gov. Tim Babcock, though personally amiable, is a Goldwater Republican with a severely negative philosophy. He offers nothing to match Senator METCALF's constructive record.

A HISTORIC STEP FORWARD FOR THE DEVELOPMENT OF THE VA HOSPITAL SYSTEM

Mr. YARBOROUGH. Mr. President, on Friday, October 14, the Senate passed H.R. 11631, the Veterans Hospitalization and Medical Services Modernization Amendments of 1966. Included in this bill as an amendment was S. 3086, which I introduced on March 15 for myself and our distinguished majority leader, Senator MANSFIELD.

This bill authorizes the VA hospital system to take the most important steps forward since VA hospitals began their close relationship with medical schools many years ago. First, H.R. 11631 as passed by the House under the leadership of my good friend Congressman OLIN TEAGUE establishes the training and education of health service personnel as one of the missions of the VA.

Second, the text of S. 3086 as incorporated into H.R. 11631 authorizes VA hospitals to enter into agreements with medical schools, research centers, and other hospitals throughout the country "in order to receive from and share with such medical schools, hospitals, and research centers the most advanced medical techniques and information, as well as certain specialized medical resources which might not be feasibly available or to effectively utilize other medical resources with the surrounding medical community, without diminution of services to veterans. Among other things, it is intended, by these means, to strengthen the medical programs at those Veterans' Administration hospitals which are located in small cities or rural areas and thus are remote from major medical centers." This is language taken from the bill.

Medical technology is now in a stage of explosive development. VA hospitals, especially remote VA hospitals in rural areas, must keep up. But so must all hospitals in remote areas. It occurred to Senator MANSFIELD and myself that here was an excellent opportunity to improve the quality of care at remote VA hospitals and at the same time share some of the resulting benefits with the surrounding medical community. Our first concern is the care afforded veterans. The bill's prime purpose is to upgrade the quality of care at VA hospitals for veterans.

This will be done by the use of new methods of communication, so that the staff at the remote hospital can communicate quickly with a medical school or research center. The program will utilize closed circuit TV, regional or national computer programs, and so forth.

One of the problems in modern medicine is the lag between the time something is discovered and the time it is put to use. In order to help all doctors in country areas keep up better with the latest advances in medicine, the educational facilities and programs established at the VA hospitals and the electronic link to medical centers shall be made available for use by the surrounding medical community at fair and equitable rates to be set by the VA Administrator, after taking into consideration the financial status of the user. This last qualification is included so that a doctor or other person who cannot afford to pay the full amount may be charged a lesser amount.

I believe that the action of the VA last year in closing down several VA hospitals on the grounds that they were remote from medical centers has centered attention of the Congress on the needs in these areas. It has focused attention upon a critical national problem—the plight of the rural hospital. I am proud that the Congress of the United States has responded by showing that instead of saying that the problem is insurmountable and we will just have to close down these hospitals, that we can utilize modern communications techniques to

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place these rural hospitals in close touch with medical centers and thus provide the best and most up-to-date medical care in rural areas.

I ask unanimous consent to insert at this point in the Record the remarks which I made on March 15 upon introduction of S. 3086.

There being no objection, the statement was ordered to be printed in the Record, as follows:

[From the Congressional Record, Mar. 15, 1966]

A Program To Improve the Quality of VA Medical Care

Mr. Yarborough. Mr. President, I introduce for appropriate reference, a bill to improve the quality of medical care provided veterans. The bill authorizes the Administrator of the VA to enter into cooperative agreements with medical schools, hospitals, and research centers throughout the country so that VA hospitals can receive from and share with these other institutions the most advanced medical information, equipment, and facilities available for the diagnosis and treatment of human diseases and injuries. Wherever practicable these shall also be shared with the surrounding medical community.

Last year the Veterans' Administration announced plans to close several of its hospitals. This action was predicated on the fact that the hospitals are remote from medical centers and therefore out of the mainstream of modern medicine. This, in turn, was stated to make for difficulties in requiring high caliber physicians, leading thereby to substandard medical care and an inefficient and uneconomical operation.

I cannot escape the strong conviction that this is not the best solution when examined from the viewpoint of human needs. But for the moment let me argue that the Veterans' Administration is caught in something of a predicament due to the remoteness of certain of its hospitals, and then immediately remind you that this is not a problem unique to the Veterans' Administration. This is the predicament of most of the hospitals in the country. When viewing the total national picture it is clear that relatively few institutions are in fact associated with major medical centers. Most of them are in small cities away from medical schools, in the more or less rural areas of this country. The predicament of the remote VA hospitals is the predicament of much of America. If what the VA claims is true, then it means that a broad segment of American medicine also is in a bad way, and if this is true then we are faced with a very serious matter indeed. In fact, the Veterans' Administration itself is faced with a very serious matter because I note that, of its approximately 170 hospitals, only 85 or so are affiliated with medical schools. I suspect this means that many of the remaining 85 are rather isolated and probably are suffering, or soon will suffer, the difficulties experienced by the VA hospitals under threat of closure. Does this mean that one by one, or by wholesale, other VA hospitals across the country will be closed in the future and moved to medical centers? I do not believe that anybody's interest will ultimately be served by this trend which only confuses the issue and adds to the already serious problems facing this country with regard to the unwieldly buildup of urban centers.

If what the VA claims is true, then I submit it shirks its responsibilities by running away from the difficulty. How much more in keeping with the traditions of this country if, recognizing the problem in its own system, the agency had decided to turn its best thoughts and imaginative planning to the task of improving the environment of peripheral institutions, thereby providing guidelines and help to the large number of this country's hospitals not in large urban centers with regard to techniques for upgrading medical activities in their particular setting.

I must confess being somewhat disappointed that the VA did not come up with creative ideas along these lines; the best it could offer was the traumatic expedient of simply closing down those hospitals which were not in a medical school complex. By the same token, I am proud to know that the truly creative ideas on this subject were generated right here in the Senate. On April 9, 1965, the majority leader of the Senate, my esteemed colleague, Senator Mansfield, appeared before the Independent Offices Subcommittee of the Committee on Appropriations, and inserted into the Record a number of suggestions for bringing peripheral hospitals into the mainstream of medicine. I ask unanimous consent to insert Senator Mansfield's testimony into the Record at this time.

There being no objection, the testimony was ordered to be printed in the Record, as follows:

"1. Closed circuit television emanating from a regional medical center could bring lectures, symposia, and demonstration operations into each VA hospital and assist in a program for continuing education of physicians. Such a program is necessary if they are to keep abreast of new discoveries and new methodologies. A two-way TV and/or radio system could be used for question and answer programs, for teaching and for consultations with prominent specialists who prefer to remain in urban areas.

"2. Staff rotation programs might be instituted so that each VA physician would serve at least one tour of duty in an isolated post. It is also possible to establish regional centers or pools where young residents could be flown to such areas for emergency duty on an ad hoc basis.

"3. Regional or national computer programs for diagnostic and consultative purposes might be set up to provide proper direction in treating extraordinary diseases. This could be done for X-rays, electrocardiograms, myelograms, and other diagnostic procedures. Such a service could be made available to assist private hospitals as well.

"4. Long-term or chronic patients at VA hospitals might be moved to the more isolated and underutilized facilities in instances where no family hardship would be involved. Such a program might be a touchy business and is to be treated with great care so as not to create personal hardship or discomfort. However, insofar as feasible it would make beds available in the more crowded hospitals and more fully utilize the less crowded facilities.

"5. VA hospital facilities might also be used in training nurses, aids, orderlies, laboratory personnel, and technicians. Qualified hospital personnel are in short supply and this would be one means of alleviating that shortage while utilizing existing units for veterans' benefit. They could be trained tuition free in veterans' hospitals and upon graduation they would be assigned to serve in areas where their skills are needed.

"6. VA facilities already serve as the world's largest and most comprehensive medical network. They frequently operate in close conjunction with medical schools and perform outstanding original research. There is a great deal of national public pressure for stroke centers, heart disease research, geriatric, and cancer research. There is no reason why there could not be established on existing sites—a medical research center with an outstanding program will attract competent medical personnel wherever its location and improved medical personnel would serve the cause of improved medical care for veterans. The VA already has an excellent research program in the basic sciences and this could easily be expanded to meet our continuing needs.

"If such a program were adopted the entire medical profession would benefit. Consultative and diagnostic information would be made available in every part of the country without regard to the location of the hospitals. Miles City would have the same benefits of the latest up-to-date information, treatments, and expert consultation as New York City or any other large urban area. There would be no inferior medical libraries if such a program were instituted; no area of the country would be medically underdeveloped. Information as to new discoveries and new methods would be available on a wider and more immediate basis. It would even be possible to make such a service available to all physicians and hospitals, private as well as Government, to teachers and researchers as well as practicing physicians. This could be a self-liquidating program with charges for use by private physicians and hospitals. I believe that if this plan were adopted veterans and other Americans would benefit significantly from the improved practice of medicine on a countrywide basis.

"Mr. Chairman, I would like to emphasize that the provision of adequate medical care and medical facilities for the 20 million veterans of our wars is not a political issue—it is not a State or a sectional or geographic issue—it is a national issue; a question of national conscience and the payment of a national debt.

"If Miles City is discontinued as Mr. Driver has ordered, by June 30 of this year, it will mean that veterans, if they want to go to another hospital, could go to a hospital at Fargo, N. Dak., 450 air-miles, and I emphasize air-miles, because by land the distance is considerably longer. Or perhaps they could go to the Sioux Falls hospital in South Dakota, which is 490 air-miles away.

"Or they could go to the Lincoln hospital in Nebraska 600 miles away, or to Grand Island hospital in the same State 545 air-miles away. Or they could go to Cheyenne, Wyo., 370 air-miles away, or to Boise, Idaho, 550 air-miles, or to Spokane, Wash., 570 air-miles. Of course, they could go to the veterans' facility at Fort Harrison just outside the capital city of Montana, Helena, which by air is only 300 miles, but by road is 370 miles.

"There is another hospital about 150 miles away at Sheridan, but that is for psychoneurotics, and it has, I understand, a waiting list of some months at the present time.

"Miles City hospital serves an area larger by far than all the New England States combined. It was a hospital built in 1951. It is a modern hospital. It is a hospital which has a low cost because I note in the hearings on the Veterans' Administration medical program in the 2d session of the 88th Congress in April and May of last year, on page 3286 there is a list of the costs of the veterans' hospitals, and strangely enough there is only one in the entire West that I can pick up which is cheaper per patient than the one at Miles City, and that is at Fresno, Calif. The cost per patient at Miles City is $672 and at Fresno, Calif., it is $607. Others are cheaper on a per patient cost, but the majority of the veterans' hospitals in this country range from $2,250 per patient cost at Fort Thomas, Ky., down to $488 at Fayetteville, N.C. The average cost per patient is $892, the average national cost $892, whereas the cost at Miles City is $672.

"I am sure that this subcommittee is aware of the fact that today there are 20,000 veterans living who served in the Spanish-American War, and their average age is 85.6. In World War I there are living today 2,285-000 veterans, and their average age is 69.5

years. From World War II there are 15,750,000 living veterans, and their average age is 44.5. From the Korean conflict there are 5,668,000 living veterans. Their average age is 34.3. The average daily load in VA hospitals throughout the Nation in 1950 was 69,643; in 1955, 106,682; and in 1960, 111,408.

"Incidentally during the last 5 years a number of new hospitals have been completed and others are either now in process of construction or have been authorized.

"The percentage of beds used in the VA at Miles City was 82.7 percent in 1960, 82.6 percent in 1961, 78.6 percent in 1962, 82.2 percent in 1963, 87.2 percent in 1964, and when this announcement was made this past week, Miles City had one vacancy. The next day it had two because a veteran died that night.

"The VA doctors handle all the cases at the Miles City hospital. The local doctors are there only as consultants. As of December 31, the patients on the rolls of the hospital at Miles City 15.5 percent came from within a distance of 50 miles; 8.5 percent, 51 to 100 miles; 50.7 percent from 101 to 200 miles; and 25.3 percent more than 200 miles.

"I think that Montana is one of the States in the Union. I do not think a small State populationwise should be discriminated against. I do not think that everything should be shifted to the urban areas which are becoming more urban with each passing day. I think we are entitled to a square deal, and I hope that this committee will see to it that not only Montana but other States are treated on an equitable basis. What the Veterans' Administration has done is an outrage and that is putting it mildly.

"This is not economy. You may call it that. But this is computer card economics. This is a milked economy. It is the kind of economy which tends to accelerate the process of headlong flight of people to urban areas. This will make blighted areas. The problems there are not growing less acute; that is in the urban areas, for that is where veterans' hospitals along with countless other public and private services are steadily being concentrated. In accelerating this process it is false economy, because it multiplies problems and skyrockets costs in the cities.

"It is the kind of economy which tends not only to increase urban blight, but to hasten rural decay.

"May I say that, as a western Senator, I have always tried to sympathize and understand the problems of the urban areas, and I have done it to my political distress, and so has my colleague. But I do not think that the rural areas should become the forgotten part of the United States of America."

Mr. Yarborough. Mr. President, in my opinion, those suggestions open the door to something of great importance to the health aspirations of the entire country, while contributing powerfully to improving health services to the veteran.

Instead of closing hospitals, the Veterans' Administration should utilize the wealth of modern technology in attempting to erase the impact of distance. Two-way television is the open sesame of doing away with isolation. By proper techniques, the wonders of medicine in the great centers of learning are not hundreds of miles away, but only so far as it takes to punch the proper TV button. Through the magic of electronics, physicians with a difficult diagnostic case can call on experts wherever they may be—if necessary, even those in foreign countries, via the marvels of future communications satellites. Entire libraries are now, or soon will be, stored in computers and readily available to any institution that may have the proper facilities for calling on the remarkable memory of these machines. Thus the latest in medical thought, expression, and writings would become available.

But this alone is not enough. It helps, but it does not establish an academic environment. This is accomplished by a continual learning experience embodied in formal lectures, visits by world authorities discussing their latest work, seminars and the availability of experts in their laboratories for discussion of problems of mutual interest. Currently these are generally only available in major medical centers. But this need not be the case. In fact, it must not be the case if the people of this country are to receive the best medical care. With the techniques being discussed, any hospital in the country could be a partner in these vital experiences.

This is not altogether a new idea. Here and there around the country it has been given attention, but not on the scale, or with the support, calculated to produce the best results. I dare suggest that unwittingly the VA may have rendered the country a major service with the threat of closing hospitals by focusing attention on a very serious national problem. I believe the time is preeminently ripe to develop fully the potential inherent in what is here being suggested, and thereby make a lasting contribution to all citizens whose health is in the balance. And what better institution to explore this realm than the Veterans' Administration. I must confess that it gives me great satisfaction to anticipate that veterans, who already have given so much to their country, shall contribute much additional service by making it possible, through their hospital system, to evolve a medical care capability in this country that will mightily serve all the people by demonstrating what can be accomplished to upgrade isolated medical facilities.

What I have in mind is that authority and money be made available for the VA to enter into contracts with selected medical schools, hospitals, and research centers for the purpose of developing pilot programs to demonstrate what can be accomplished in bringing remote hospitals into the mainstream of medicine by utilization of modern technology. The bill which I hereby introduce, on behalf of myself and Senator Mansfield, provides the VA with the authority to proceed.

I would like my colleagues to understand that however dedicated I am to the veterans' cause I would feel somewhat constrained in pushing for this bill if I were not convinced that the veteran's cause is the focal point of a great need for the entire country. In resolving the problem of isolation in its own system, the Veterans' Administration can make a lasting contribution to us all. The cynics often say that democracy is government by crisis. I am happy to believe that in the present bill we are anticipating a serious problem before it gets to crisis proportions and are laying out a rational method of dealing with it.

I ask unanimous consent that the bill be printed at this point in the Record.

The Presiding Officer. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3066) to authorize the Veterans' Administration to improve the quality of medical care provided veterans by entering into cooperative agreements with medical schools, hospitals, and research centers for the purpose of sharing the most advanced medical information, equipment, and facilities available for the diagnosis and treatment of human diseases and injuries, and for other purposes; introduced by Mr. Yarborough (for himself and Mr. Mansfield), was received, read twice by its title, referred to the Committee on Labor and Public Welfare, and ordered to be printed in the Record, as follows:

"S. 3066

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That chapter 81 of title 38, United States Code, is amended by adding at the end thereof a new subchapter as follows:

" 'SUBCHAPTER IV—COOPERATIVE MEDICAL PROGRAMS

" '§ 5051. Statement of congressional purpose

" 'It is the purpose of this subchapter to improve the quality of medical care provided veterans under this title, especially in areas of the United States where Veterans' Administration hospital and medical facilities are inadequate, by authorizing the Administrator to enter into cooperative agreements with medical schools, hospitals, and research centers throughout the country in order to receive from and share with such medical schools, hospitals, and research centers the most advanced medical information, equipment, and facilities available for the diagnosis and treatment of human diseases and injuries, and, whenever practicable to share such information, equipment, and facilities with the surrounding medical community.

" '§ 5052. Authorizing cooperative medical programs

" '(a) The Administrator is authorized to enter into cooperative agreements with medical schools, hospitals, research centers, and individual members of the medical profession under which medical information and techniques will be freely exchanged and the medical services and facilities of all parties to the agreement will be available for use by any party to the agreement under conditions specified in the agreement. In carrying out the purposes of this subchapter, the Administrator shall utilize recent developments in electronic equipment to provide a close educational, scientific, and professional link between Veterans' Administration hospitals and major medical centers. Such cooperative agreements shall be utilized by the Administrator to the maximum extent practicable to create, at each veterans' hospital which is a part of any such agreement, an environment of academic medicine which will help such hospital attract and retain highly trained and qualified members of the medical profession. As used in this subchapter, the term "research center" means an institution (or part of an institution) the primary function of which is research, training of specialists, and demonstrations and which, in connection therewith, provides specialized, high-quality diagnostic and treatment services for inpatients and outpatients.

" '(b) In order to bring about cooperative utilization of all medical and hospital facilities especially in remote areas, and to foster and encourage the widest possible cooperation and consultation among all members of the medical professional in such areas, the educational facilities and programs established at Veterans' Administration hospitals and the electronic link to medical centers shall be made available for use by the surrounding medical community on an annual fee basis established by the Administrator after appropriate studies to determine fair and equitable rates. The financial status of any user of such services shall be taken into consideration by the Administrator in establishing the amount of the fee to be paid.

" '(c) There is hereby authorized to be appropriated an amount not to exceed $3,000,000 for each of the first four fiscal years following the fiscal year in which this subchapter is enacted for the purpose of developing and carrying out cooperative medical

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programs under this section on a pilot program basis. Such pilot programs shall be carried out at Veterans' Administration hospitals in geographically dispersed areas of the United States.

" '(d) Funds authorized under this section shall not be available to pay the cost of hospital, medical, or other care of patients except to the extent that such cost is determined by the Administrator to be incident to research, training, or demonstration activities carried out under this section.

" '§ 5053. Grants

" '(a) The Administrator, upon the recommendation of the Advisory Committee on Cooperative Medical Programs, established under section 5056 of this subchapter, is authorized to make grants to medical schools, hospitals, and research centers to assist such medical schools, hospitals, and research centers in planning and carrying out cooperative agreements authorized by section 5052 of this title. Such grants may be used for the employment of personnel, the construction of facilities, the purchasing of equipment when necessary to implement such programs, and for such other purposes as will facilitate the administration of this subchapter.

" '(b) The Administrator, after consultation with the Advisory Committee on Cooperative Medical Programs, shall prescribe general regulations covering the terms and conditions for making grants under this section.

" '(c) Each recipient of a grant under this section shall keep such records as the Administrator may prescribe, including records which fully disclose the amout and disposition by such recipient of the proceeds of such grant, the total cost of the project or undertaking in connection with which such grant is made or used, and the amount of that portion of the cost of the project or undertaking supplied by other sources, and such records as will facilitate an effective audit.

" '(d) The Administrator and the Comptroller General of the United States, or any of their duly authorized representatives, shall have access for the purpose of audit and examination of any books, documents paperr, and records of the recipient of any grant under this section which are pertinent to any such grant.

" '§ 5054. Coordination with programs administered by the Surgeon General

" 'The Administrator and the Surgeon General of the Public Health Service shall, to the maximum extent practicable, coordinate programs carried out under this subchapter and programs carried out under title IX of the Public Health Service Act.

" '§ 5055. Reports to Congress

" 'The Administrator shall submit to the Congress not more than 60 days after the end of each fiscal year a report of the activities carried out under this subchapter together with (1) an appraisal of the effectiveness of the programs authorized herein and the degree of cooperation from other sources, financial and otherwise, and (2) recommendations for the improvement or more effective administration of such programs.

" '§ 5056. Advisory Committee on Cooperative Medical Programs

" '(a) There is established within the Administration a committee to be known as the Advisory Committee on Cooperative Medical Programs (hereinafter in this section referred to as the 'Committee'). The Administrator shall serve as chairman of the Committee and the Chief Medical Director shall serve as vice chairman; and both, together with the Assistant Chief Medical Director for Research and Education shall serve as permanent members of the Committee. There shall be four other members of the committee who shall be appointed by the Administrator. Such appointees shall serve for a period of three years and shall be eligible for reappointment.

" '(b) It shall be the function of the Committee to consult with and advise the Administrator on matters regarding the administration of this subchapter.'

"SEC. 2. The section analysis at the beginning of chapter 81 of title 38, United States Code, is amended by adding at the end thereof the following:

" 'SUBCHAPTER IV—COOPERATIVE MEDICAL PROGRAMS

" '5051. Statement of congressional purpose.
" '5052. Authorizing cooperative medical programs.
" '5053. Grants.
" '5054. Coordination with programs administered by the Surgeon General.
" '5055. Reports to Congress.
" '5056. Advisory Committee on Cooperative Medical Programs.' "

Mr. YARBOROUGH. Mr. President, I ask unanimous consent to insert at this point in the RECORD an excerpt from the committee report.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

This section, which is based on S. 2748 and S. 3086, amends chapter 81, title 38, United States Code, by adding a new subchapter at the end of such chapter.

Sections 5051 and 5052 state the congressional purpose and give definitions for purposes of the subchapter, respectively.

Section 5053 would authorize the Administrator, when he determines it to be in the best interest of the prevailing standards of the Veterans' Administration medical care program, to enter into agreements providing for the exchange of use (or under certain conditions the mutual use) of specialized medical facilities between Veterans' Administration hospitals and other public and private hospitals or medical schools in a medical community.

The Administrator may determine the geographical limitations of a medical community as used in this section.

Any such arrangement would include a provision for reciprocal reimbursement based on a charge, unit or otherwise, which covers the full cost of services rendered or supplies used. Any proceeds to the Government resulting from such arrangements would be credited to the applicable Veterans' Administration medical appropriation.

As indicated by its title this section has a dual purpose, to assure—

(1) strengthening and improvement of VA hospitals, and thus adequate and complete medical care for veterans; and

(2) optimum effective utilization of specialized medical resources, under the direct control of the Veterans' Administration, during periods when our immediate needs do not require maximum usage.

In the past decade the dramatic advances in medical science and technology have produced highly specialized and costly staff, procedures, and equipment. Because of the cost of such equipment, and the scarcity of the technical staff required, the availability of such resources is extremely limited. In the ever-changing complex of medicine with all of its ramifications, the cost of medical care and treatment will continue to climb for all users. This applies to the Veterans' Administration Department of Medicine and Surgery as well as to community medical facilities.

The Veterans' Administration, which operates the largest single system of medical facilities in the world, has within its system a portion of these scarce medical resources in various locations, and has provided considerable leadership in the field of medical research. This leadership, however, has its attending obligations. Today the health needs of many communities are not being met either because of the complexity of the problems, or the magnitude of the resources required.

While current law permits the use of VA facilities by nonveterans in emergencies for humanitarian reasons, VA is unable to permit the use of such facilities and equipment, as well as expertise of VA staff, for nonemergency situations even if there are no other similar facilities available. This situation exists even though these scarce medical facilities are not always utilized to the maximum and could be available to the community, without detriment to the care and treatment of veteran-beneficiaries, during periods when immediate needs do not require maximum utilization.

Possession of the newer complex medical diagnostic or treatment modalities in the Veterans' Administration, and others by affiliated or local hospitals, with shared use of each by both groups, would make for more efficient utilization of such diagnostic or treatment modalities at lower unit costs for all. For example, very special facilities, staff, and equipment are necessary for hemodialysis. Sharing some of the costs for such services by mutual use on a time available basis could have the effect of increasing the Nation's limited supply of scientists and equipment in this field.

Section 5054 authorizes the Administrator to enter into agreements with medical schools, hospitals, research centers, and individual members of the medical profession for the exchange of medical information.

The Administrator is empowered to utilize electronic equipment to provide a close educational, scientific, and professional link between Veterans' Administration hospitals and major medical centers. It is anticipated that this communication will result in reciprocal improvement in hospital care, medical treatment and research capabilities.

These facilities will be made available to all members of the medical profession, including individual physicians and public and private institutions established for treatment of patients, for medical research, * * *.

RETIREMENT OF TOM HAYTER AS CHAIRMAN OF THE SOUTH DAKOTA U.S. SAVINGS BONDS COMMITTEE

Mr. McGOVERN. Mr. President, Mr. Tom Hayter, one of the most distinguished bankers in the history of South Dakota, was honored recently by the U.S. Treasury Department in recognition of his longtime record of leadership for the U.S. savings bonds program. Mr. Hayter, 75, director and retired vice president of the First National Bank of Sioux Falls and former State chairman of the South Dakota U.S. Savings Bonds Volunteer Committee, was presented with the Treasury Department's Award of Merit in recognition of nearly 15 years of patriotic leadership. His assistance to the program began in 1941, immediately prior to Pearl Harbor. Later in 1943 he was elected president of the South Dakota Bankers Association. A transcript of his president's message shows that the association's State convention that year was "practically a war bond sales drive conference."

It is impossible to measure the miles Tom Hayter has traveled in promoting the sale of U.S. savings bonds in South Dakota and attending conferences across America. But it is possible to measure the sales accomplishments. During the period of his leadership South Dakotans purchased nearly $405,391,000 of series E and H U.S. savings bonds.

Through his leadership he has shown a practical ability for providing simple, workable solutions which have been of great value to the U.S. savings bonds program not only in South Dakota but in the Nation. Through the years he has made an enormous contribution in keeping South Dakota one of the top sales-producing States in relation to assigned goals and objectives by the Treasury Department. He has done this with considerable "out of pocket" expense and donation of long hours of his own time. He has sponsored countless savings bonds luncheons for volunteers to outline the need for increased savings bonds purchases and also to recognize the volunteer leadership in each county which is the heart and soul of a small paid staff of the bond program within each State.

Tom Hayter has an old-fashioned natural modesty which precludes any desire for self-recognition or tribute for his accomplishments. However, I would like to point out that for his outstanding volunteer leadership he has been awarded: the President Eisenhower Prayer Award framed with wood taken from the inaugural platform; the Bronze Minute Man Award statue of the Minuteman of Concord, symbol of the savings bonds program; the U.S. Treasury's Award of Merit, the highest award for retired State chairmen of the savings bonds program.

He has been saluted by the news media across the State of South Dakota for his effective leadership of the bond program and featured in Commercial West, a regional bankers' magazine published in Minneapolis. He has also received the Lutheran Brotherhood Life Insurance God and Country Award.

President Johnson has said:

> The savings bonds program is both prudent and patriotic.

Today, in a period of unparalleled prosperity, it is even more important that we continue to develop the habit of thrift through regular purchase of U.S. savings bonds. And it is important that more patriotic volunteers like South Dakota's Tom Hayter be encouraged to contribute their talents to strengthening our democracy. It is altogether fitting that we salute Tom Hayter, of South Dakota, for his outstanding efforts on behalf of the U.S. savings bonds program.

CRIME

Mr. HICKENLOOPER. Mr. President, there recently appeared in the Ottawa Republican Times of Ottawa, Ill., an editorial written by William L. Carton entitled "Coddling Killers." Mr. Carton has expressed his views on the present crime situation very strongly and his thoughts should be read by everyone. I ask unanimous consent that the editorial be printed in the body of the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Coddling Killers

The brutal murder of Valerie Percy comes as a sickening shock to Americans everywhere. It points up the No. 1 problem of the nation today—that of growing crime, a problem far more real and fundamental than the politically-motivated racial issue.

Both stem from the polluted wellspring of a nation that has allowed prayers to be removed from children's classrooms and has permitted professional liberals and self-seeking social engineers to foist their experiments upon the citizenry, even denying them the full force of police protection and prosecution for which they pay taxes.

We have given our children in many cases "a philosophy of excuse," by which they may rationalize such actions as ripping up stop signs, (blaming it on ill-treatment by parents or their nurses), instead of taking them to the old-fashioned woodshed and whaling the delinquency out of them. We have spawned a generation of kooks who speak openly and irreverently against God and country and all the old-fashioned virtues that have made this country the greatest civilization the world has ever known.

As a result of our persistence in rushing the forces of nature and of evolution, we are witnessing the spectacle of policemen apprehensive about questioning killers for fear such questioning may violate the new concepts of civil rights expounded by "liberals" on the U.S. Supreme Court—the same court that found evils in classroom prayers.

The pendulum inevitably will swing back to normalcy in America, but it seems cruelly tragic that innocent people like the eight fiendishly murdered nurses in Chicago, the Percy daughter and others should pay the supreme sacrifice for our folly in allowing self-seeking men to lead us into a fool's paradise on this earth.

Citizens will join us in expressing deepest sympathy to Charles Percy and his bereaved family and in hoping that if and when the killer is caught, authorities will cease this nonsense of coddling killers totally unready for integration into a free society.

These are harsh words, but not anywhere near as dastardly as cutting up victims, one by one—or slashing an innocent girl with cold steel 10 times as she lay helpless in her bedroom.

It's time we began again expressing concern for the victims of atrocious crimes rather than for the rights of accused killers.

THE INDIANA DUNES NATIONAL LAKESHORE, AN ACHIEVEMENT OF SENATOR PAUL DOUGLAS

Mr. GRUENING. Mr. President, man sometimes can make a dream a reality. Such a man is the articulate and dedicated senior Senator from Illinois [Mr. Douglas]. The dream which is almost to become a reality is the Indiana Dunes National Lakeshore—the uniquely beautiful natural wonderland and recreation area which for too many years has been sought by and in large part destroyed by industrial interests. Opponents of this national lakeshore said this use of the dunes was a dream.

Friday the House of Representatives amended and endorsed the action of the Senate and passed S. 360 which will preserve for all the people most of the remaining area of the unspoiled Indiana Dunes. The dunes lakeshore will include more than 12 miles of waterfront, and will serve more than 10 million Americans who live within a 100-mile radius in Indiana, Illinois, Wisconsin, and Michigan. This park-starved area will now have a public shoreline and park area of approximately 8,700 acres. Without doubt the sensible use of the lakeshore is to serve the vast megalopolis into which people are packed. That has been Paul Douglas's vision now finally on the eve of attainment after a decade of unremitting effort.

The essence of the House-passed Indiana Dunes National Lakeshore legislation is compromise—compromise between development and preservation.

As approved, the House version provides for the acquisition and development of approximately 13 miles of lakefront. This includes the West Beach unit and the beach fronts at Ogden Dunes and Dune Acres. The legislative intent of this House provision is that the width of the beach strip will extend no further than the toe of the dunes—which in some instances may be as narrow as 25 feet and in other instances as wide as 150 feet. Since the provision is for the acquisition only of the beach, it is not contemplated that the authority includes acquisition of any home beyond the dunes.

The bill excludes all of the noncontiguous, natural areas except the West Beach Unit and the Pinhook Bog unit. The total amount of land included in the House bill is approximately 6,570 acres—not including the Indiana Dunes State Park which is 2,182 acres. The amount authorized to be appropriated has been updated by current cost figures and revised to meet the maximum acquisition costs anticipated by the bill—an increase to $27,900,000.

Comparatively, the Senate bill was more extensive in area.

It included several noncontiguous areas—Burns Bog Unit, Mudlake Unit, the Bellington Lake Unit, Little Calumet River Unit, and Blue Heron Unit which I would have liked to have retained in the lakeshore. In addition to the elimination of these areas, the House deleted the heavily settled area of Beverly Shores and the East Beach Unit, a small tract of land to be used by the Northern Indiana Public Service Co., and a 2-acre cemetery at Furnessville. Assuming that the Ogden Dunes and Dune Acre beach strips—averaging about 100 feet in width—totaled 12 and 18 acres, respectively, the total size of the lakeshore area in the House bill would be 6,539 acres without the State park. The total size of the lakeshore as approved by the Senate was 11,292 acres, including the Indiana Dunes State Park.

Of importance, too, in the House bill, is the provision which requires that the State of Indiana donate its park if it is to be made a part of the national lakeshore.

As a member of the Senate Interior Committee which has considered this legislation for nearly a decade, I much prefer the Senate version and hope that a compromise can be worked out which will at this late hour not jeopardize the bill. For the establishment of the Indiana Dunes Lakeshore is essential. Delay has been costly. Further delay can only mean further manmade erosion.

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Paul and Emily Douglas had a summer cottage in the dunes area when he taught economics at the University of Chicago. They came to love the dunes where they could relax for a bit, away from the metropolitan area. It was about the time Paul was fighting for social security and unemployment compensation laws and after he had served so gallantly in the Pacific in World War II.

Paul Douglas got into the fight to save the dunes in 1957 when members of the nonprofit Save the Dunes Council in Indiana came to him after its pleas to the then Senators, Congressmen, and State legislators in Indiana proved fruitless. Many Indiana citizens wanted the dunes preserved, but they could find no one, then, in their own State to help. The senior Senator from Illinois accepted the invitation only after determining that the story was correct. He knew the value of the dunes, and agreed to sponsor proposed legislation to preserve them for the public.

Paul Douglas' struggle to achieve this has been long and frustrating. It has included debate with elected officials who vigorously opposed the dunes. It has included battle with monolithic and powerful business interests who stressed the desirability of steel mills rather than recreation areas. It has included fights with land speculators who sought vast profits. There was a time when the newspapers, the legislators, and the people despaired. Interest waned.

But one man persisted. One man got the conservation groups to look into the problem. One man enlisted, literally, the support of Presidents Kennedy and Johnson. One man spelled out, practically, the desirability of putting national parks where people are. The man was the senior Senator from Illinois, Paul Douglas.

More than 7 years ago the Senator from Utah [Mr. Moss] and I went to Indiana to visit the dunes and to hold a hearing there. We were members of the Interior Committee's Public Lands Subcommittee. After we had inspected the area that June of 1959, and listened to testimony pro and con, we released our report in which we agreed that the Indiana Dunes were unique, irreplaceable, and priceless.

In our report we said:

> They offer not only an unduplicated natural phenomenon of great interest to tourists and scientists, but also a playground readily accessible to the nation's second greatest concentration of population—the Chicago area.

Having noted the contrast between the pollution of air and water created by industry at the western end of the Indiana lakefront, we found what was left to the east a truly beautiful shore of beach and dunes with their wealth of natural bounty, fauna, and flora. Some of what we then saw has since been destroyed by industry. What is left, however, is worth all the effort that Paul Douglas has put into it. He has always demonstrated that his job is serving all the people, and against an almost unbelievable combination of forces, he has persevered.

Paul Douglas knew what it meant to be crowded into a hot, tiny apartment. He knew that people must have a place in which to breathe freely. So, too today, do the majority of his fellow legislators from Indiana. My good senatorial friends, the senior and junior Senators from Indiana [Mr. Hartke and Mr. Bayh], support the Indiana Dunes Lakeshore, as do most of their colleagues in the House.

So the Indiana Dunes Lakeshore has been preserved for the present and the future primarily because Paul Douglas persisted. The value of his work cannot be overestimated, and it will be appreciated henceforth by millions of people and by unborn generations for all time.

ALBERT AND LERA THOMAS, CONGRESSMAN AND CONGRESSWOMAN FROM TEXAS

Mr. YARBOROUGH. Mr. President, Lera Thomas has been a Member of Congress for only a matter of months, but when she leaves the House of Representatives at the end of this session, she departs as a valued colleague of the Texas delegation and a treasured friend of many of us in Washington.

For three decades, her husband—the late Albert Thomas—was a Member of the House of Representatives, and throughout those productive years Lera Thomas was at his side. Accordingly, it was natural that their district elected her to succeed him on his death last March.

Together Lera and Albert Thomas have served their Houston electorate, Texas, and the Nation with outstanding ability, devotion, and understanding. The people of Houston and the people of Texas are grateful to them for the many self-sacrificing years they spent in Washington. There can be no doubt, Mr. President, that Albert and Lera Thomas constantly placed the needs and interests of the Nation, of Texas, and Houston above their own personal advantage.

Albert Thomas was one of the ablest men ever to represent Texas in the House of Representatives. He worked diligently and effectively on behalf of the national defense and the development of the space program. Houston owes much to him for its important role in the exploration of the universe. The Nation owes even more to him for his constant scrutiny of our Armed Forces, both during peace and war.

His irrefutable concern for the workingman and his skill as a legislative engineer are evident in the major labor reforms he helped enact. He was, in fact, a vital figure on the frontiers of labor reform for he was a sponsor of the first wage and hour law, the first child labor law, and the first minimum wage legislation.

Albert Thomas will be remembered as a good man and a great Representative, and Lera Thomas will be recalled as the woman who counseled him, and loved him, and supported him throughout their long and happy marriage. We will miss her when she leaves Congress, Mr. President, but her departure from the halls of Government does not signal the end of her interest in the public welfare. The Albert-Lera Thomas team are the only huband-wife combination ever to have served from Texas in the Congress of the United States.

At the time of his death, Albert Thomas was my best friend in the Texas delegation. I have sorely missed him.

The Thomas name stands now—as it has stood for three decades—for enlightenment, progress, and duty. I salute the Thomases, Mr. President, for Texas and the Nation owes them much.

FLY THE FRIENDLY(? ? ?) SKIES

Mr. McGOVERN. Mr. President, on last Friday I was slated to address the national cornpicking contest in Cedar Rapids, Iowa. Because of the importance of this event and the expected large crowd, I decided after consultation with the majority leader to keep this commitment in spite of pending rollcall votes

I arranged advance reservations which were confirmed on American Airlines, leaving Washington at 10:55 a.m., arriving Chicago at 11:37 a.m., and departing on United from Chicago at 12:55 p.m., arriving Cedar Rapids at 2:01 p.m., with my speech slated for 3 p.m. On the same flight schedule was Mr. Sander Vanocur, distinguished commentator for the National Broadcasting Co., who was on assignment to cover the cornpicking contest.

Because of inclement weather, our flight arrived in Chicago only 10 minutes ahead of the departure time of our United flight. Anticipating this delay, we advised the pilot while still more than an hour from Chicago of the importance of our appearance in Cedar Rapids and asked that United Air Lines be notified of our late arrival. We also suggested that if possible a courtesy car be arranged to hurry us to the United Airlines gate, since the two airlines gates are a considerable distance apart.

American had an agent waiting for us at the gate, but no car was available, and apparently no followup call was made to United after we were on the ground to confirm the fact that we were there fully 10 minutes ahead of departure time. We raced to the United departure gate, arriving there at exactly the time the plane was supposed to depart. It was still sitting at the gate and was in the process of starting engines. United had made no effort whatsoever to delay the plane 1 minute, nor would they hold it on the ramp until Mr. Vanocur and I could board. We stood at the ticket gate with the unmoved United agent, watched the plane's engines start, idle for a while, and then taxi away.

Mr. President, as a U.S. Senator I have not asked for any special schedule privileges from the airlines. I do not intend to begin asking for such privileges now. But the callous indifference of the United Air Lines personnel in refusing to make it possible for Mr. Vanocur and me to board this flight is beyond my comprehension.

As it turned out, we were able to charter a special flight to Cedar Rapids, but we arrived too late for my scheduled appearance. I did make a few remarks after nearly all of the crowd had left the contest site.

I have noted the United slogan: "Fly the Friendly Skies of United." I can only say that if United is friendly in the air, they were certainly most unfriendly on the ground in Chicago last Friday. If this is a sample of their friendship, one wonders who needs any enemies when traveling United. American at least made a feeble gesture toward friendship but it was hardly a convincing demonstration of the American way.

I take the time of the Senate with this matter, not out of any sense of personal pique, but simply because it is one of a series of airline travel incidents that have come to my attention involving Members of the Congress. I complain not because Senators are personally mistreated, but because I am concerned that all airline passengers be properly treated. If Senators and network commentators are treated in such an indifferent and callous fashion, perhaps that is becoming the standard treatment for the traveling public as a whole. If so, the Congress and the Civil Aeronautics Board have a responsibility to take appropriate steps to protect the public interest.

THE $200 MILLION WASTE IN CONSTRUCTION PROGRAM IN VIETNAM

Mr. GRUENING. Mr. President, in recent months I have pointed out some of the consequences of the crash procurement program in Vietnam involving the billion-dollar construction of military bases in that country. The major contractor is the combine of the construction firms Raymond International, Morrison-Knudsen, Brown-Root & Jones. With the urgency of the need for bases in Vietnam as a pretext, the U.S. Navy, which is responsible for supervising the gigantic construction program in that country, dispensed with its normal controls over contractors' operations even though the cost-plus-a-fixed-fee features of the contract mean that the American taxpayer foots the bill for all mistakes and miscalculations of the contractor.

The lack of management control by the Navy has resulted in giving RMK a free hand in subcontracting supplies and equipment in Hong Kong. I have noted previously that such unrestricted procurement resulted in RMK buying barges in Hong Kong from firms with strong Communist Chinese affiliations with the likelihood that a considerable amount of the material that went into the barges originated in Communist China. Because of this possibility I have called on the Secretary of the Treasury to investigate the possibility that there has been a violation of the Trading With the Enemy Act.

Additional instances of gross mismanagement and lack of control over the contractor's performance have come to light recently. Paul Avery and Harold Ellithorpe, former employees of RMK, write in the Saigon Daily News of September 12, 1966, that in late June the Navy's officer in charge of construction in Vietnam ordered a review of the contractor's situation which includes more than $800 million in committed funds:

> The results were astounding—

A Navy engineer is reported as stating—

> If no further funds are forthcoming, the program could be bankrupt in 6 months—with only about 60 percent of the work assigned having been completed.

Avery and Ellithorpe report that for the $830 million put up the military joint command has been told that only about $590 million in actual work can be completed unless additional funds are forthcoming. The report further states:

> The $240 million difference—

One RMK-BRJ official says—

> is the result of poor planning and waste. Even with additional funds, stringent managerial control and more efficient use of equipment and men, the loss could still be more than $100 million.

The above facts were confirmed in large part by the investigation of the House Government Operations Committee. The committee report, which was released on October 12, 1966, states:

> On August 9, 1966 the Department of the Navy advised the Secretary of Defense that for fiscal year 1967 additional funding of approximately $200 million will be required to maintain the contractors' construction capability and to complete the projects currently assigned. The request is to be studied by the Office of the Secretary of Defense before final decisions are made.

The House Government Operations Committee report was also critical of the lack of managerial controls, particularly the inadequate audits of contractors' operations. The report states that:

> It is apparent, however, that more extensive independent audit of these activities is necessary to adequately monitor contractor operations of the Department in South Vietnam, even though numerous Department of Defense personnel are involved in the day-to-day contractor functions. An independent review of the whole construction program is necessary in view of the many complexities that result from the war situation, the constantly changing priorities of the program based on military needs, and the overall problem of Washington control because of the distances involved.

I ask unanimous consent that the Saigon Daily News article of September 12, 1966, be included in the CONGRESSIONAL RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Saigon Daily News, Sept. 12, 1966]

WAR CONSTRUCTION IN VIETNAM

(By Paul Avery and Harold Ellithorpe)

SAIGON.—The Navy-managed $1 billion U.S. war construction effort in Vietnam is foundering in heavy financial seas, reliable military sources here revealed last week.

It can only be saved from sinking completely, they added, if Defense Secretary Robert S. McNamara approves pumping an additional $100 million to $200 million into the program—and even then there could be a staggering loss to the American taxpayer.

The Navy, desperately trying to steer clear of what could be its second managerial scandal in Vietnam, has sent out an SOS to the Pentagon.

Thus far, the distress call hasn't been answered.

The Navy's Officer-in-Charge-of-Construction (OICC) in Vietnam ordered a review in late June of the contractor's situation, which includes more than $800 million in committed funds.

"The results were astounding," a Navy engineer declared, adding:

"If no further funds are forthcoming, the program could be bankrupt in six months—with only about 60 per cent of the work assigned having been completed."

Even with severe "deescalation" of forces and rescheduling of projects over a longer time frame, he said, taxpayers could be out "more than $200 million."

Assuming that additional funds would be made available by Washington authorities who would not want a major scandal during an election campaign, both the contractor, RMK–BRJ, and the OICC made alternative projections. Even with substantial additional funding, taxpayers would take a loss of more than $100 million.

"Only a four-year stretchout program of $1,200,000,000 would salvage the operation completely," one high RMK–BRJ official confided, "and that is unthinkable."

News of this dilemma was first reported to officers of the Navy Facilities Engineering Command for relaying to the Pentagon. Later, military advisors to General William C. Westmoreland were let in on the situation.

For the $830 million put up the military joint command has been told, only about $590 million in actual work can be completed, unless additional funds are forthcoming.

The $240 million difference one RMK–BRJ official says, is the result of "poor planning and waste." Even with additional funds, stringent managerial control and more efficient use of equipment and men, the loss could still be more than $100 million.

Experienced construction men here are comparing the Vietnam situation to the Moroccan airbase scandal of the 1950's.

Partner firms in the four-company joint venture of RMK–BRJ are Raymond International of Delaware; Morrison-Knudsen International Co., of Boise, Idaho; Brown & Root of Houston, Texas, and J. A. Jones Construction Co., of Charlotte, N.C. The combine has been operating in Vietnam since 1962.

As word is awaited from Washington officials in Saigon are arguing over who is responsible.

Charged by the Defense Department with handling all construction for the war effort, the Navy married itself to a single civilian contractor in mid-1965, but apparently failed to keep firm control over the burgeoning work which grew from a small four-project plan to more than 600 separate projects being worked by more than 50,000 men.

The first clear indication of Navy's troubles surfaced late in August when its civilian contractor began shipping home the first few hundred of a reported eventual total of 4,000 highly-paid American, Korean, and Filipino construction workers.

At the same time, RMK–BRJ began laying off a number of its Vietnamese workers and cutting down the hours worked from 60 a week to 48.

RMK–BRJ until last June enjoyed a prosperous monopoly on military construction projects in Vietnam under a cost-plus arrangement with the Navy. The situation changed suddenly when the Air Force talked the Pentagon into allowing a second contractor to work in South Vietnam.

A $50 million pact was made for a new airbase at Tuy Hoa on the South China seacoast. The new contractor, Walter Kidde Constructors of New York, is under Air Force rather than Navy jurisdiction, a major change in Viet Nam construction policy.

The Army since then has jumped on the building bandwagon and received approval

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to hire still a third contractor to complete a $20-million-plus project at Cam Ranh Bay.

The loss of these two contracts was a blow to the Navy which had expected to monitor both projects and to hand the work over to its contractor, RMK–BRJ.

Told last December to "Think Big," RMK–BRJ went on a crash escalation program, ordering huge shipments of building materials and equipment. It began a major drive to recruit a work force, expected as late as June to reach more than 75,000 workers by mid-autumn.

In the span of less than a year RMK–BRJ increased its ability to finish new construction from a mere $1.5 million work in-place per month to an astounding $30 million a month pace. Its announced goal was to be a pace of $40 million a month by October.

"It's a damn shame to have built up this capability—a million dollars a day of finished work in place—and now have to tear it down," an RMK–BRJ official cried.

Despite the increasing capability of the contractor, the armed forces have carped about the Navy's lack of control, excessive waste, and the fact that crews sometimes are pulled off one service's project to salvage another service's job.

Navy men counter that saying much of the blame is on the armed services which they contend, failed to provide the OICC headquarters in Saigon with adequate plans of what they want.

"After six months of escalation, the armed forces still have not detailed half of their needs," declared an RMK–BRJ source. Less than half of the $830 million in funds set aside for new airfields, port facilities, army camps and other needed war construction has actually been laid out in design drawings for the contractor, he said.

RMK–BRJ, whose ability to build apparently outpaces the planning capacities of the armed forces has, often begun major projects on 30 per cent plans.

In some instances, projects have been completed before final drawings were finished and before the Navy could estimate the cost of the project!

The traditional-minded, engineer oriented Navy Bureau of Yards and Docks (which became the Facilities Engineering Command on May 1) is accused of being slow in reacting to the demands of this crash program.

Lacking firm controls and adequate planning data, the program has been allowed to bloom in all directions, admitted one RMK–BRJ official privately. (Examples include:

A $1 million computer installed despite a shortage of reliable data to make it function properly.

Too many Americans recruited for Vietnam jobs lacked skills to supervise the thousands of Vietnamese and Third Nationals hired by RMK–BRJ.

Weak project management at some of the 37 major sites led to excessive labor turnover, reaching on occasion more than 50 per cent for American workers.

Weak security by the company allowed excessive theft of materials and tools.

Lagging bookkeeping may be partly responsible for an estimated $70 million in "lost or unaccounted for" equipment and materiel.

A $500,000 training camp partially built and then torn down because of real estate problems with the Vietnamese government.

Shipping blockages led to double-ordering of materials and spare parts and often costly air freighting of urgently needed items.

Inadequate maintenance caused severe losses of heavy equipment and consequent project delays.

Navy and RMK–BRJ officials are anxiously watching as auditors from the General Accounting Office (GAO) study the program's books in Saigon. The Department of Defense last month assured the Moss Committee that it would tighten up accounting controls on all Vietnam spending.

Faced with a severe money crisis, RMK–BRJ is beginning to dismantle its over-expensive machine. First on the cutback list are excess employees and a number of costly sub-contracts. Purchasing has been sharply cut.

Rescheduling of projects, stop-orders on additional shipping, and offers to sell surplus equipment and material to other U.S. agencies are among the measures reportedly being taken by RMK–BRJ to salvage its operation.

Whether the crisis will mean delays of vitally-needed military projects is not yet known. Key consultants to General Westmoreland are not talking publicly about the potential impact of possible off-schedules of construction on war plans.

(It has been reported that to finish the projects currently authorized to RMK–BRJ, the U.S. government will pay 200 million dollars more to the consortium.—Ed.)

CHARLES PERCY'S IMAGINATIVE APPROACH TO THE CHALLENGE OF OUR CITIES

Mr. BENNETT. Mr. President, so often these days around the country we hear that America's cities are in trouble. And so often the quick and easy solution seems to be the ever-increasing injection of Federal money, complete with its administration by massive numbers of bureaucrats, all aimed at solving the city problems.

The time is ripe, Mr. President, for a bold new approach to the challenge of our cities, and Charles H. Percy, the Republican candidate for the U.S. Senate from Illinois, has developed such an approach which should receive the attention of the country.

Although Mr. Percy's suggestion is quite some way from final passage, I feel that it is an example of a Republican proposal which could receive serious consideration. It is also an example of what Republicans around the country are proposing—and certainly should set aside, partially at least, the President's political cry of last week that Republicans have no constructive programs to offer.

I commend Mr. Percy's speech of September 15 to others in the Senate and to the public.

Mr. President, I ask unanimous consent that the speech be printed at this point in the Congressional Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

A New Dawn for Our Cities

(An address by Charles H. Percy, Republican candidate for the U.S. Senate, to the Kiwanis Club of Chicago, the Sherman House, September 15, 1966)

Of all the problems facing the nation within its borders today, none is greater than the challenge of our cities. Seventy percent of all Americans now live in urban centers of 2500 or more, and 53% live in the great metropolitan centers. Though the growth of the city has contributed much to American economic strength, it has also brought serious problems.

Traffic clogs our streets.

The smoke and soot and smells of our industrial society pollute the air we breathe.

Our lakes and rivers have become sludgy cesspools of raw sewage and industrial waste.

Too much of our green space has given way to the axe and grader; our children play on treeless concrete prairies, or in the streets themselves.

Once stately and respectable dwellings, as the decades pass, decay slowly—and sometimes rapidly—into wretched slums.

Buildings that could be saved fall before the urban renewal bulldozer, and the splendor of high-rise apartments for the well-to-do masks the dejected exodus of the uprooted poor.

THE HUMAN PROBLEMS OF OUR CITIES

And as whole neighborhoods degenerate, their inhabitants grow weary with despair. Their bright dreams fade; their courage flags; their self-reliance flickers and dies. And the result is all too familiar. It is the psychological decline of men and women dragged down to despair, prisoners of poverty, seemingly powerless to influence their environment, buffeted back and forth by the winds of the national economy, victims of faceless forces they cannot identify and over which they have no control—free men and women reduced to easy prey for the great dehumanizing political machines, props and not actors on the stage of life.

Many of the physical problems of the city, complex as they are, will yield to the application of genius and money. But the other kinds of problems—the intimately human problems of mass urban society—present a far greater challenge. For while man in recent years has harnessed the power of the atom and brought back astronauts from outer space, we have found no ready explanation of the subtle mysteries of the human spirit; and yet a New Dawn for our cities depends on a rebirth of the spirit in those whom progress has passed by.

To meet these human problems of urban society, then, we must create and fortify a new spirit of independence, of self-reliance, of self-esteem, of human dignity, of creative initiative in the people who dwell there. Throughout the history of America, one vital concept stands out as a means of forging those values.

HOME OWNERSHIP—AN AMERICAN IDEAL

That cherished concept is Home Ownership.

Ever since the Pilgrims set foot on Plymouth Rock, home ownership has been an integral part of the American Way of Life. Long before the rise of the great cities, our forbears came to America because America held forth the bountiful promise of land—land a man could afford, land whose produce could make a man independent of the great lord of the estate, land on which a man could build his own home and there raise his family in self-reliance and security.

By contrast, our forefathers took a scornful view of tenantry. "Tenantry is unfavorable to freedom," wrote Senator Thomas Hart Benton of Missouri in 1826. "It lays the foundation for separate orders in society, annihilates the love of country, and weakens the spirit of independence. The tenant has in fact no country, no hearth, no domestic altar, no household god. The freeholder, on the contrary, is the natural supporter of a free government, and it should be the policy of republics to multiply their freeholders, as it is the policy of monarchies to multiply their tenants." Making the public lands available to homesteaders, Benton argued, "brings a price above rubies—a race of virtuous and independent farmers, the true supporters of their country, and the stock from which its best defenders must be drawn."

A century and more ago, the issue was between freehold and land tenantry. Today, in urbanized America, the context is different, but the basic principle involved is exactly the same. The freeholder of the 19th century becomes the home owner of the 20th, and the tenant farmer of an earlier day becomes the man with no choice but to rent his dwelling from another. Just as the giants of the 19th Century favored freehold, the leaders of the mid-20th must fight with determination to bring the opportunity for actual home ownership within the reach of every American.

For a man who owns his own home acquires with it a new dignity. He begins to take pride in what is his own, and pride in conserving and improving it for his children. He becomes a more steadfast and concerned citizen of his community. He becomes more self-confident and self-reliant. The mere act of becoming a homeowner transforms him. It gives him roots, a sense of belonging, a true stake in his community and its well-being. And as it does so, the nation gains in strength.

Thus, home ownership must be a central element in any program for resurrecting America's cities and giving new life to its people; not only for the well-to-do, with their luxury apartments, nor even for the middle class, with modest homes in well-maintained neighborhoods, but also for poor people who now live in the great blighted areas of city slums.

Can it be done? Is it really possible that men and women with low incomes can become the owners of their own homes?

There are many who say that the economics of urban housing rules out home ownership for all but the middle class and the rich.

But when asked for their answers to the problem of rebuilding our cities and helping the poor to rise out of poverty, they offer only the dreary and unimaginative solutions of the musty past, solutions that have all too often proven as undesirable as the problems they were supposed to solve.

THE ANSWERS OF THE PAST

Poor people, they say? Let us rip out blocks upon blocks of their miserable slums. Let them crowd in with their relatives for a while, and then herd them into twenty story concrete cages, isolated from established neighborhoods. And then let us investigate them regularly to make sure they are not putting anything over on us, and let us evict them when their incomes rise. Or instead of putting them in public housing, they say, we will put them in subsidized private housing and hand them an unconcealed dole to pay their rent. The mere fact that this latter scheme was considered by many to be an advance points out the bankruptcy of creative thinking in this area.

Is it any wonder that our three-story walk-up slums have in many cases been replaced with twenty-story high-rise slums? These new quarters may have less rats than the old, but the crucial element of human dignity has been shoved aside in the rush to pile new concrete to the sky. Indeed, in many cases, the people packed into public housing are worse off than before; and the planners scratch their heads and wonder why.

The reason is not hard to discover. Poor people living in a landlord's slum and those living in a public housing cell block have one thing in common—they are the slaves rather than the masters of their environment. They are not tenants by choice, but by necessity. They have nothing of their own, nothing to cherish or protect. They are on the bottom of not only the economic heap, but the psychological heap as well.

If the skepticism of those of little faith was well-founded, we would have to resign ourselves to this unhappy state of affairs. But it is not.

A NEW DAWN OF OPPORTUNITY

I am proposing today a new Republican approach to meeting the challenge of our cities and their people—a plan that will make possible a New Dawn of opportunity for the thousands of today's poor people who yearn to own their own homes.

It is fitting that Republicans now come forth as champions of home ownership for all, regardless of income, race, sex, or faith. For over a century ago, the Republican Party swept to victory with Abraham Lincoln on a platform promising to open the Western frontier to the new immigrants seeking the independence of owning their own farms. The objective of the Republican Party of 1860 was to ensure that free men and freeholders settled the new states of the West, in order that the advance of slavery might be halted. In this they were bitterly attacked by the Democratic Party of their day. President Buchanan vetoed the first Homestead Act to pass Congress. Senator Mason of Virginia pointed out rightly that advocacy of free homesteads was a "political engine" adopted by the newly formed Opposition to his Democratic Party. "What is the Opposition?" he cried. "A party calling themselves the Republican Party. What is their purpose? To get control of this government that they may act directly on the condition of African bondage in the southern states."

Both purposes of the Homestead Act were achieved: The spread of slavery was halted, and then abolished altogether by a Republican President and Congress. And free men went forth to settle the great prairies of the Middle West—men who did much to continue our national character in the mold of independence and self-reliance.

Today slavery of one man to another is gone, as is all but a remnant of the public homestead lands. But can a man forced to live beholden to an absentee landlord in a ghetto slum, or regimented in the gray walls of a city-managed poverty village, be truly free?

While the Democratic Party explores new ways of making the poor man not merely dependent, but doubly dependent—once on the landlord and once on the dole—the Republican Party must again lead the way to a New Dawn of opportunity for the poor but honest man in whose heart still burns an unquenchable spark of pride—a golden opportunity to own a decent home of his own. Instead of a sod hut on the open prairie or a log cabin in the forest, his home may be a city house, an apartment in a multifamily building, or perhaps a condominium unit. But the values of home ownership on the prairies of 1866 and in the cities of 1966 are the same, and so is the promise: a rebirth of the human spirit and, with the passage of time, a rebirth and flowering of America's great cities.

NOW—A DETERMINED NATIONAL EFFORT

Some will say this cannot be accomplished. I say it can be accomplished and it has been accomplished where men of imagination and determination have insisted that it be accomplished. All that needs to be done is to launch a determined national effort involving private business, unions, churches, foundations, civic organizations, governments, and the poor people themselves to make this goal a reality.

Now let me tell you the basic premises on which this plan is based, and some of the concrete details on how it will work.

The first premise is that home ownership, as a means of encouraging human dignity, personal achievement, social stability, the physical improvement of our cities, and community participation and leadership, must be made available to aspiring low income families—and by that I mean families now eligible for public housing.

The second premise is that home ownership is an integral concept. It means not just the signing of papers, but the whole process of acquiring a sound basic education, learning needed job skills, gaining employment security, preparing to accept the responsibilities of home ownership, conserving and improving one's community, and helping to broaden the opportunities for one's neighbors.

The third premise is that private business, the independent, nonprofit sector of the economy, and concerned citizens and civic groups must accept the responsibility for putting a program for home ownership into operation. The role of government should be one of reinforcement and guarantee, rather than one of execution and control.

The fourth premise is that essential to the upgrading of neighborhoods through rehabilitation and construction of housing is a corresponding emergence of personal involvement of the residents themselves.

On these premises a sound national effort can be based. As I now envision it, we should proceed along these lines:

A NATIONAL HOME OWNERSHIP FOUNDATION

First, Congress should incorporate a National Home Ownership Foundation, in some ways similar to the Communications Satellite Corporation. The task of the Foundation would be to actively encourage the formation of local nonprofit housing associations, to provide them with technical assistance, research findings and trained administrators, and to make direct loans to the local associations for the rehabilitation or construction of housing for sale to lower-income families.

The National Foundation would be capitalized through tax-exempt, guaranteed-return debenture bonds purchased by private business, lending institutions, foundations, private pension and trust funds, and, initially, Federal, State and local government subscriptions. To make adequate capitalization possible will, of course, require that the Administration act swiftly to relieve the present pressure on credit and interest rates, brought about by its failure to take effective fiscal steps to preserve the strength and stability of the economy.

The local nonprofit housing associations would buy up housing shells and other structurally sound but rundown buildings from private owners and municipal governments.

The association would enroll and give basic instruction to unskilled and unemployed men wishing to become rehabilitation craftsmen. It would then contract with local contractors for the rehabilitation of the buildings, with the contractors agreeing to provide regular on-the-job training to trainees who had completed the introductory instruction offered by the association. Efforts would be made by the association to facilitate the entry of trainees who have acquired the basic job skills involved in home rehabilitation into the regular apprenticeship programs of local unions, leading to journeyman qualification.

Meanwhile, the association would enlist the participation of lower income persons wishing to become owners of the completed houses or, in the case of larger multifamily dwellings, condominium apartments. These persons would be counseled in such things as improving their job situations, better homemaking, financial record keeping, and neighborhood improvement responsibilities. In many cases, the prospective buyers would be men concurrently taking job training under the association's auspices, who would become rehabilitation craftsmen for the building contractors upon completion of their training. Such persons could be given the opportunity to build up "sweat equity" by contributing their own labor as part of their investment.

The rehabilitated homes or apartments would then be sold to families taking part in the program who had accumulated a small down payment. The participating buyer

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would be made eligible for a regular FHA home mortgage.

The local association would continue to counsel the buyers even after completion of the sale, and to work with their employers to ensure opportunities for regular advancement, additional job training, and enhanced financial security. Consumer credit counseling and similar services would also be made available.

In order to protect new homeowners who have not yet been able to accumulate adequate savings for paying monthly carrying charges during periods of unemployment due to layoffs, ill health, or other causes beyond the buyer's control, the federal government should establish a system of mortgage payment insurance. The experience of the Federal Housing Administration indicates that such a system of insurance can be established at small cost to the insured homeowners.

Finally, the poor people themselves—now well on their way toward economic self-sufficiency and security—would be given every opportunity to contribute their own talents to helping others follow in their footsteps, and to make each new neighborhood a source of pride for all its residents.

A PROGRAM BASED OF EXPERIENCE

Now this has been a very sketchy presentation of a plan which plainly involves a great many issues and raises a great many legitimate questions. Some will undoubtedly say that this cannot be done. But let me assure you—this plan is not the product of dreamy-eyed idealists.

Every part of this plan has been developed and tested in practice by men of imagination and ability who refused to believe the skeptics who said it couldn't be done.

The program to train rehabilitation experts from the ranks of the unskilled has been tested and proven by the outstanding work of the Rev. Leon Sullivan at Philadelphia's Opportunities Industrialization Center, and by the many projects of the Board for Fundamental Education based in Indianapolis. The Board has also developed the "sweat equity" technique for helping low income workers acquire through their labor the value of a down payment on their homes.

The whole program for acquiring the building shells, contracting for their renovation, and arranging the sale to low-income families has been carried out independently by the Bicentennial Civic Improvement Corporation of St. Louis and the Interfaith Interracial Council of the Clergy in Philadelphia.

And what is perhaps most important, these programs have proven that the national effort I am proposing can be operated on a break-even basis without new government subsidies. Government at all levels would aid through tax advantages, loan guarantees, seed capital, and the rechanneling of existing Federal aid funds through the National Home Ownership Foundation, but the program can be made to work without direct government financing and domination.

There is no single part of this plan that is a brilliant new idea, for every part of it has been tried somewhere and been made to work. What is new, however, is the integration of many programs and proposals into one streamlined, coherent, well-conceived, national program to make home ownership available to lower income families in America's cities.

SOME ADVANTAGES TO BE GAINED

Let me list some of the advantages that this plan would yield.

The plan would for the first time make home ownership and all its advantages available to lower income families.

The plan would make a major contribution to the redevelopment and restoration of presently declining and blighted urban areas.

The plan would increase the opportunities for basic education, job training, counseling, etc., for lower income families as part of an effective, integrated program.

The plan would create useful jobs in private enterprise for previously unemployed persons.

The plan would strengthen small local contracting firms, many of them minority group owned.

The plan would place primary reliance on the private sector of the economy, with little additional contribution by government.

The plan would be attractive to lenders because it promises a fair rate of return and low risk, in addition to its social and philanthropic appeal.

The plan would lead to additional tax revenue through the enhanced stability and earning capacity of the families involved.

The plan would operate to encourage once-poor families to participate in community development activities and to help others advance along the same path.

No more rewarding investment could be made; for the results, in Senator Benton's words, truly bear a price above rubies. It is the price of freedom, of dignity, of independence, of all those values which ensure security and advancement to the individual and a New Dawn of progress to the society in which home ownership has given him an important and lasting stake.

SENATOR RANDOLPH, CHAIRMAN OF THE SUBCOMMITTEE ON SCIENCE AND TECHNOLOGY OF THE SELECT COMMITTEE ON SMALL BUSINESS, ANNOUNCES STUDY OF TECHNOLOGY TRANSFER

Mr. RANDOLPH. Mr. President, last year, Senator John Sparkman, the distinguished chairman of the Select Committee on Small Business, created a Subcommittee on Science and Technology. It is my privilege to chair this subcommittee, which includes Senators Sparkman, Smathers, Nelson, Javits, and Prouty.

Today, I call attention to a study that our subcommittee has initiated and which we believe will be of far-reaching benefit to small businesses and to the continuation of dynamic national economic growth.

The subcommittee is making a comprehensive study of the transfer and utilization of scientific and engineering knowledge which has been gained as a result of the vast Federal research and development programs. The question we will endeavor to answer is: How best can such new technology be most expeditiously and efficiently woven into the fabric of industry and thus into the products and services available to the American consumer?

As we know, the road between basic scientific research and consumer sales is long and extremely complicated. When there is an intervening conversion of scientific knowledge into purposes other than that for which the research was principally intended, there is an added dimension of difficulty.

In fiscal year 1966, the U.S. Government spent $16.7 billion for research and development. This expenditure amounted to 15 percent of our total Federal budget, 3 percent of our gross national product, and a total greater than the sum of all such expenditures from the beginnings of our Nation through 1954. From the end of World War II to the completion of fiscal year 1967, the United States will have spent more than $140 billion for research and development. These tremendous investments are justified on the basis of the end results for which the research is initiated. However, there is also an accompanying governmental responsibility to insure that the fruits of such research are utilized to the fullest possible advantage for the American public. This is the goal to which the subcommittee's study is committed.

Mr. President, I ask unanimous consent that a descriptive memorandum of the subcommittee's study be inserted in the Record at this point.

There being no objection, the memorandum was ordered to be printed in the Record, as follows:

A Study of Technology Transfer by the Subcommittee on Science and Technology, Select Committee on Small Business, U.S. Senate

The Subcommittee on Science and Technology of the Senate Small Business Committee has undertaken a study of how to obtain maximum utilization of the scientific and technical knowledge which, at a constantly accelerating pace, is coming into the possession of the Federal Government as a result of the vast Federal expenditures on research and development.

In a sense, this study will be a continuation in depth of one aspect of a 1963 Committee study entitled "The Role and Effect of Technology in the Nation's Economy."

The Federal R&D budget for fiscal year 1966 amounted to $16.7 billion—more than the grand total of all such expenditures for all the years of our Nation's history prior to 1954. Federal R&D expenditures from the end of World War II through fiscal year 1967 will amount to $140 billion. The annual Federal expenditures for research and development comprise 15% of the national budget and 3% of our gross national product.

The Federal Government is involved in science and research and engineering in a number of ways. For example:

1. In-house "arsenal type" development of a new process or product completely within a Federal laboratory and production facilities.
2. A cost-reimbursable type contract with fixed or incentive fee for industry to do the development under Government direction.
3. Fixed price procurement of the technology from industry with perhaps some Federal support of fundamental or ancillary research.
4. Cost-sharing contractual development and demonstration.
5. Federal subsidy after development when the new technology is placed in operation.
6. Federal guarantee of loans to provide the capital for private development.
7. The underwriting of development cost with eventual recoupment by the government, as envisioned in the civil supersonic transport program.
8. The "chosen instrument" technique of providing and approving monopoly situations for private enterprise in new technology such as the Communications Satellite Corporation.

In view of the tremendous Federal involvement in the total research and development effort in the United States, it is incumbent upon this country: (1) to recognize that the possibilities for solution of national problems through research efforts are significantly in excess of the available resources to fund such research; thus the government should be highly selective in channeling R & D expenditures; (2) to be doubly certain, in view of the limitation on available resources, that waste, duplication, and inefficiency are rooted out of our total research and development effort; and, (3) in those areas in which public funds are expended to develop new knowledge and new technology, to assure ourselves that the knowledge and technology thus derived is utilized to the fullest possible extent, not only for the benefit of other public programs, but also in the private consumer-oriented economy.

It is with number 3 above that our study will be exclusively concerned.

Unquestionably, the development of new technology is fundamental to continued economic growth. "The evidence is overwhelming that technology stimulates the rate and volume of economic growth, and that the infusion of new technology can speed the rate of economic growth."[1]

While there is almost universal agreement on this principle, there is a diversity of opinion with respect to how newly-developed technology is most efficiently disseminated into the economy.

This diversity of opinion exists even within the Federal Government itself. For example, the approach to technology dissemination by the National Aeronautics and Space Administration, on the one hand, and the State Technical Services Act,[2] on the other, are generally dissimilar.

Furthermore, there is a diversity of opinion with respect to the extent to which the Federal Government should be involved in the dissemination of new technology. The United States Chamber of Commerce, in its recent bulletin "Criteria for Federal Support of Research and Development" took the following position:

"There is unrealistic belief, often widespread in the public mind that federal research and development directed toward the accomplishment of a specific mission will somehow also generate great economic benefits out of some of its byproducts. Experience shows that byproducts from federal research and development programs are less important in industrial innovation than the public has been led to believe, and thus in the generation of new wealth and increases in economic resources.

"The application of industrial research creates new consumer products, new jobs, new capital for investment, new markets, new businesses, and leads to economic growth. To the extent that federal research is not carefully controlled and is allowed to compete with or inhibit industrial incentive, it can restrain or block economic growth and progress in our free market economy.

"When economic growth is the major concern, industrial innovation, commercialization and the building of proprietorship must be encouraged. This encouragement can be much better accomplished by federal efforts to relieve the restraints currently inhibiting investment by industry, than by large expenditures in federally-sponsored programs. Examples of constraints on private investment in research and development include inadequate protection under the patent system, tax rates and structures, restrictive application of antitrust and trade regulations and antiquated codes which prevent the application of new technology."

Harvard professor, Dr. Richard S. Rosenbloom, on the other hand, in an article written for the National Planning Association, said the following:[3]

"Technical information has become one of the most important factors of production—next to the classical factors of land, labor, capital, and management. This factor must be the concern of a government charged by law with the promotion of conditions favorable to economic growth and the creation of employment opportunities."

Regardless of the position that one takes in this issue, it is evident that Congress should define a clear public policy with respect to the Federal role in the transfer of technology that has arisen out of Federally-funded research and development projects. The National Commission on Technology, Automation and Economic Progress concluded that such a policy needs to be developed:

"The transfer of technologies developed in Federal laboratories and agencies for industrial and consumer use requires a more forthright and unified Government policy than exists at present.

"Given the range of possible activities, we cannot within our limited purview define the exact limits of governmental involvement. Certainly, it would seem that the Federal Government has a legitimate role developing weather satellites and medical research equipment. But we cannot say that it is an obligation of Government to assist all claimants or engage in partnership with profit or non-profit organizations to develop all new technologies or devices originated by Government for civilian use. These are questions to be decided on the broader base of national goals. As a minimum we do feel that the Government has a responsibility for making available for nongovernmental utilization the results of Government-performed research and other research that was substantially funded by the Government. The issue, in the future, will be a vexing one, and more detailed study is needed."

While the formation of a clear policy with respect to the transfer of new technology will affect all industry, regardless of size, the Subcommittee recognizes that small businesses might be the principal beneficiary of a well-conceived policy. The National Commission took note of the problems confronting small businesses:[4]

"Smaller businesses, which generally have limited scientific and technical resources, pose a special problem for those concerned with the nongovernmetal utilization of Government-sponsored research results. NASA, for example, has designed its technology utilization program in such a way that much of the dissemination activity will eventually be self-supporting (i.e., paid for by the beneficiary rather than the originator of the technology.) But smaller businesses have difficulty justifying expenditures for this purpose—even though the cost is relatively low. (The larger organization generally not only has better in-house capability to interpret and understand the implications of new scientific information but also has a broader technology consumption pattern, i.e., its technical interests are less specialized, generally, than those of the small company.) Effective, low-cost means of serving the needs of smaller businesses—without subsidizing them in opposition to the principle of open market competition vis-a-vis the large companies they compete with—should be explored. Currently, NASA and AEC have underway joint experimental programs with the Small Business Administration. These programs may provide some understanding of how to cope with the seemingly special needs of smaller business."

The Subcommittee recognizes that other Congressional Committees in both the Senate and the House of Representatives have broad responsibilities in the field of science and that these Committees continue to make significant contributions in the areas of their responsibility. For that reason and because the field of technology transfer opens almost unlimited study possibilities, there are certain areas which the Subcommittee will not specifically pursue:

1. Considerations of national science policy per se.

2. Limitations on the availability of Government-owned technology because of: (a) possible over-classification due to national security or other reasons; (b) difficulty of obtaining reports on new technology from private contractors for various reasons, including differences of opinion with respect to what is proprietary.

3. Duplication, waste, and inefficiency that may arise in research and development expenditures, particularly because of inadequate administrative mechanisms to assure that Federal research expenditures are not channeled to the solution of problems already solved.

The schedule for the Subcommittee's study calls for a comprehensive staff report to be completed not later than December 31, 1966. Public hearings are tentatively scheduled for March, 1967, and the final Committee Report for June 1967.

With no preconceived notion that a hypothetical model system presently envisioned might be the final conclusion of the study, the Subcommittee intends to determine the feasibility of the following:

1. The organization of a Federally-chartered Comsat-like corporation bringing together all parties to the transfer process. Such a corporation might best serve the interests of both Government and private industry by combining into one centralized new technology collection, processing, and disseminating organization—one which would be outside the Federal Government and yet be by necessity closely related to the Federal research and development structure—the administrative organizations established for these purposes in almost every Federal agency.

2. The combining of such presently diverse efforts as regional dissemination centers of the National Aeronautics and Space Administration, various regional efforts of the the Atomic Energy Commission, and the State Technical Services Program into an organization in each state, under the joint sponsorship of the Federal and state governments, so that: (a) new technology would be far more accessible to private industry; and (b) the state governments themselves would play a more significant role in the dissemination process much as they now do on a more limited basis under the State Technical Services Act.

In the pursuit of this study, the Subcommittee will want to answer the following questions:

1. What statutory obligations do Federal agencies now have for the transfer of new technology to private industry?

2. How are the agencies discharging these obligations?

3. To what extent is there inter-agency cooperation in the solution of technology transfer problems?

4. What are the views of private industry, including research institutes and similar organizations, with respect to the value of new technology now in the possession of the Federal Government, and the system by which such agencies disseminate this technology?

5. What should be the Federal role in transferring to private industry new technology developed by or for the Federal Government?

6. What is the state of the art with respect to mechanisms that might be employed to facilitate technology transfer?

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[1] "Technology and the American Economy." Report of the National Commission on Technology, Automation, and Economic Progress, February 1966. (This Commission was established by Congress in Public Law 88-444.)

[2] Public Law 89-182.

[3] "Technology Transfer—Process and Policy," July 1965.

[4] *Op. cit.*, footnote 1.

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7. What new institutional concepts are indicated to accomplish technology transfer?

During the course of the study, the Committee will welcome comments and information from interested groups within the Government, the scientific and business community, and others. We expect to solicit the views of many individuals, companies, and Federal agencies having a particular expertise in this area. The Subcommittee is grateful for the support that will be given by the Science Research Policy Division of the Legislative Reference Service of the Library of Congress.

The following bibliography represents a portion of the publications already reviewed by the Subcommittee:

1. "Are Research and Technology Outgrowing Free Enterprise?" by J. S. Butz, Air Force and Space Digest, No. 1964.

2. "Background, Guidelines, and Recommendations for Use in Assessing Effective Means of Channeling New Technologies in Promising Directions," by Lesher and Howick for the National Commission on Technology, Automation, and Economic Progress. Nov. 1965.

3. Basic Research and National Goals, A Report to the House Committee on Science and Astronautics, March 1965. National Academy of Sciences, Washington, D.C.

4. Basic Research, Applied Research, and Development in Industry, 1962, National Science Foundation.

5. "The Case for Technological Transfer," by Neil P. Ruzic, Industrial Research, March 1965, p. 67.

6. The Civilian Technology Lag. By David Allison, International Science and Technology, Dec. 1963, pp. 24.

7. Commercial Profits from Defense-Space Technology, Purcell, ed., The Schur Co., Boston, 1965.

8. Criteria for Federal Support of Research and Technology, Chamber of Commerce of the U.S.A., 1965.

9. "The Fall-out Fallacy," by David Fishlock, New Scientist, Jan. 21, 1965.

10. "Harnessing the R&D Monster," by Hubert Kay, Fortune, Jan. 1965.

11. Hearings before a Subcommittee of the Select Committee on Small Business, U.S. Senate, 88th Cong., 1st Session, A Review of the Effect of Government Research and Development on Economic Growth, Parts 1–6.

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13. Maddison, Angus, Economic Growth in the West, the Twentieth Century Fund, New York, 1964.

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19. "Space Technology: Pay-off from Spin-off," Harvard Business Review, by J. G. Welles and R. H. Waterman, Jr., July-Aug. 1964.

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THE ENDS DO NOT JUSTIFY THE MEANS

Mr. GRUENING. Mr. President, it was most pleasing to read in the Saturday Evening Post for October 22, 1966, a very perceptive editorial, entitled "Beware of Being Sheep," in which, in discussing the tragic involvement of the United States in an undeclared war in Vietnam, the observation is made:

> Someday we will wonder why we failed to realize that greater and ever greater amounts of force do not always solve a problem. Someday we will remember that there are no "final solutions." Someday we will wonder why we keep on being sheep.

Too often the disastrous course of action we pursue in Vietnam seems based on the belief that the end we seek justifies the use of any means whatsoever. That the United States professes a deep belief in the justice of its cause is of little comfort to the South Vietnamese mother who sees her child burned by napalm or to the Vietnamese boy orphaned by a bombing error.

What matters an ephemeral concept of freedom to the South Vietnamese if they and their country are destroyed in the process of seeking to establish it?

I ask unanimous consent that the editorial from the Saturday Evening Post for October 22, 1966, entitled "Beware of Being Sheep," be printed in the Record at the conclusion of my remarks.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

Beware of Being Sheep

Faustus: How comes it then that thou art out of hell?

Mephistophiles: Why this is hell, nor am I out of it.

In one sense, there is nothing to be added to Sybille Bedford's account of the Auschwitz trial (except to note that three more of the killers were convicted last month in a subsequent prosecution known as "the little Auschwitz trial"). There is nothing to be added, in fact, to the testimony of the witnesses who had seen and suffered and survived. This is what happened, they told us, this is the way it was when all our imaginings of Hell became reality, when, without a Judgment Day or the hope of Grace, the Inferno was built on the face of the earth.

Among the millions who never returned from Auschwitz, there was a boy of about 10, whose last hour is recorded in Peter Weiss's new play about this same trial, *The Investigation*. The boy got into a conversation with one of the guards overseeing the shipment of prisoners to the gas chambers, and the guard said through the barbed wire, "You know a lot for a boy of your age." And the boy said, "I know that I know a lot, and I also know I'm not going to learn any more." The trucks were duly loaded with women and children, and some of the children cried as they were shoved aboard for the trip to the gas chambers, and the boy who knew quite a lot for his age shouted to them, "Stop your crying. You saw the way your parents and grandparents went. Climb in. Then you'll get to see them again." And as the trucks began driving away, the boy who knew a lot for his age looked back and shouted to the guard: "You won't be forgiven anything."

The testimony of the witnesses, then, is not just a description of Hell but an insistent demand that this mindless barbarism never be forgotten or forgiven—or repeated. In a purely negative sense, we should remember these lost souls every time anyone offers a vulgar joke at the expense of some minority, or claims that some downtrodden race gets as good as it deserves. In a negative sense, too, we should remember these lost souls every time some bumptious German official calls for the reunion of his vivisected nation, every time some smoothly technocratic German general argues the need for nuclear weapons to "defend the free world," every time some pygmy philosopher of Western unity proclaims the profit in letting bygones be bygones.

But these are only the easy lessons of Auschwitz. For Auschwitz cannot be categorized simply as a dark monument to German racism, or even as a symbol of race hatred throughout the world. Its existence represents a far more profound sickness in all of us, the sickness of doing what should never be done and permitting the impermissible. The agony of the Auschwitz prisoner was no different from that of the Russian who was starved, beaten and worked to death at Vorkuta. And the brutality of the Auschwitz guard was no different from that of the French official who carefully applied electric wires to the bodies of Algerian prisoners. Among all people in all lands, men are killing and torturing, being tortured and dying.

The basic question, then, is whether the ends can justify the means. The unprecedented act of dropping an atomic bomb on the city of Hiroshima, killing perhaps 100,000 civilans, can perhaps be justified as the means that brought World War II to a rapid end. The saturation bombings of Dresden, which began a fire storm and immolated a quarter of a million people, might be justified as a blow that helped to destroy the regime that had created Auschwitz in the first place. But the terrible fact is that we are all willing to perform the atrocity as a necessary evil, with or without the justification. If there is any evidence that anyone balked at the incineration of Dresden, it remains as shrouded as the evidence of anyone's balking at serving on the death ramp at Auschwitz.

"Beware," Mrs. Bedford says, "of being sheep." But the tragic fact is that we are all sheep, and will remain sheep, bleating as we run with the flock to avoid the dogs nipping at our heels.

And so we come, inevitably, to the war in Vietnam. It can be easily said that there is no connection between Auschwitz and Vietnam, between killing for the sake of killing and killing for what we may consider a just cause. If the freedom and self-government of the people of South Vietnam is our cause, then it is indeed a just one. But the fact remains that in this "just struggle against Communism, we are killing civilians as surely as any Communist ever did. Our bombs drop on friend and enemy alike; our napalm burns them alive, friend and enemy. We are just carrying out someone's orders, of course, like all soldiers, and we are certainly not Nazis. We provide doctors to treat the children we have bombed. We hold "elections" so that we can reassure ourselves of popular support. And we promise that we will provide money someday to rebuild the land we are destroying.

But what if the ends do not justify the means? Not as a philosophic principle but as a matter of fact? What if the surgical experiment is a success but the patient dies under the knife? What if no future form of "freedom" or "self-government" can ever make up for the pain being inflicted now? Some strategists say that the Vietnamese must suffer their role as pawns, for the war concerns larger issues—the containment of Communism on a global scale, final proof that Communist "wars of liberation" will be defeated at any cost. It is a harsh doctrine, not unlike shooting a few hostages to make the rest of the population behave, and it was well answered by U Thant, Secretary General of the United Nations. "I see nothing but danger," he said, "in the idea, so assiduously fostered outside Vietnam, that the conflict is a kind of holy war between two powerful political ideologies. The survival of the people of Vietnam must be seen as the real issue, and it can be resolved not by force but by patience and understanding, in the framework of a willingness to live and let live."

Someday we will wonder why we failed to realize that greater and ever greater amounts of force do not always solve a problem. Someday we will remember that there are no "final solutions." Someday we will wonder why we keep on being sheep.

NATIONAL VOLUNTARY SERVICE

Mr. MONDALE. Mr. President, for some time there has been growing in this country the recognition that voluntary service represents a tremendous resource and a great opportunity of this Nation. The overwhelming success of the Peace Corps, the accomplishments of VISTA, and the major contribution of many public and private voluntary programs here and abroad have demonstrated the value of such effort.

The discussion of voluntary service and its place in American life has been intensified by the current movement to reexamine our system of selecting men for military service. You will recall, Mr. President, that last May I introduced, along with several other Senators, Senate Concurrent Resolution 95 calling for a Joint Committee on National Service and the Draft to review the entire question.

Since then, President Johnson has appointed a National Advisory Commission on Selective Service, headed by the able attorney Mr. Burke Marshall, and has included in the scope of its investigation the question of voluntary service.

With such a national study in progress, I am particularly pleased to note an excellent article in the current Saturday Review which adds a great deal to the discussion. Written by Mr. Harris Wofford, an Associate Director of the Peace Corps, it states the case for universal voluntary service as an accepted element of American life.

As Mr. Wofford points out, such service can be nearly universal without being compulsory. It can not only perform important work on the national and international level; it can improve the preparation of our young people for life in the present changing world. As the article states:

> Most observers of the first 10,000 returning Peace Corps volunteers found them more mature, curious, serious, more interested in education, community development, and public service than most of their peers who stayed at home.

The article makes clear that the role of practical service in education is more fundamental and more revolutionary than anyone had supposed.

Mr. President, I ask unanimous consent that Mr. Wofford's provocative article be printed in the Record at the conclusion of these remarks.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From Saturday Review, Oct. 15, 1966]

Toward a Draft Without Guns

(Note.—A Peace Corps official's case for making universal voluntary service part of the nation's educational system; how it would work; why it is essential.)

(By Harris Wofford)

Universal civilian service, wrote William James in 1910, "is only a question of blowing on the spark till the whole population gets incandescent . . . a question of time, of skillful propagandism, and of opinion-making men seizing historic opportunities." In 1966, with the U.S. Secretary of Defense and the U.N. Secretary General both making the same proposal, and with a special Presidential Commission considering it, new sparks are flying, opinion-making men are blowing, and a historic opportunity may be at hand.

On May 18, Secretary McNamara proposed that we move toward universal service "by asking every young person in the United States to give one or two years of service to his country—whether in one of the military services, in the Peace Corps, or in some other volunteer developmental work at home or abroad." Initially, this was read as a call for compulsory civilian service. But McNamara promptly explained that he meant universal voluntary service, that "asking" every young person did not mean "requiring."

Universal voluntary service seems to be a contradiction in terms—unless the day really is coming, as Secretary General U Thant recently prophesied, when people everywhere "will consider that one or two years of work for the cause of development either in a far-away country or in a depressed area of his own community is a normal part of one's education."

That day has come in Israel. At least two years of national service, in either regular military duty, land settlement, or basic literacy education and job training, are now a normal part of the education of every young man or woman. The national service law formally reflects the pioneering tradition created by three generations of practically universal volunteering. Learning-by-service is also now established as part of all higher education in Ethiopia. The Haile Selassie I University requires, as a condition for any degree, one year of teaching or other development service in a difficult area of the country, usually after the junior year in college. Ethiopia was responding in part to the spread of the volunteer service idea around the world, represented in Haile Selassie's Court by several hundred American volunteers, and by volunteers from Sweden, Britain, and Germany—three of some thirty countries now operating their own domestic or overseas Peace Corps.

In developing countries, the need to mobilize voluntary labor, especially among educated young people, is imperative. In America, however, probably only McNamara could have rescued the idea of volunteer service from the political periphery to which it had been relegated by Vietnam. But it remains to be seen whether America—which, through the Peace Corps, has brought the idea of volunteering to world-wide attention—will now respond in turn to the Ethiopian innovation and the example of Israel.

Volunteering, according to de Tocqueville, was the animating spirit of nineteenth-century America. That spirit stirred again with John Kennedy. Will Lyndon Johnson now tap it on a much larger scale? Will the administration that established "escalate" as a word of war find ways to escalate volunteering for works of peace to a new level of practically universal participation?

In a little-noticed talk at the University of Kentucky last year, the President promised "to search for new ways" through which "every young American will have the opportunity—and feel the obligation—to give at least a few years of his or her life to the service of others in this nation and in the world." In signing the 1966 Peace Corps Act last month, he said that he hoped the search would "develop a manpower service program for young people which could work at every level to transform our society," and lead to the day "when some form of voluntary service . . . is as common in America as going to school." With the President's appointment of a special National Advisory Commission on Selective Service headed by Burke Marshall, and his listing of national service proposals as one of the items on which the Commission is to report in January, that "search for new ways" is now seriously under way.

Is there a real need for a universal service program involving 3,000,000 to 4,000,000 young people? Apparently *not* for their *military* service—or not for more than about 600,000 young men a year. Former President Eisenhower to the contrary notwithstanding, the Pentagon says it opposes universal military training. What, then, are the nation's needs for nonmilitary service by young volunteers? The President says that volunteers are required in "every area of national need," especially in teaching, alleviating poverty, and conservation.

Teaching is one field where volunteers have already proved themselves. More than 10,000 Peace Corps volunteers, few of whom were professional teachers, have taught in classrooms overseas, contributing energy, hope, enthusiasm, perspective, and innovating spirit. The same contributions have been made at home by tens of thousands of volunteers in Project Head Start and in special remedial and enrichment programs of the War on Poverty.

But we have only begun to utilize volunteer teaching to meet our educational needs. Congress and communities all over the country are calling for the expansion of Project Head Start far beyond its present enrollment of 500,000 preschool children. Other new special-education programs of the Office of Economic Opportunity and the extensive proposals of the White House Conference on Civil Rights require massive number of volunteers. And now the National Education Association is urging that full-school-year public education be extended to four- and five-year-olds.

Where are the teachers to make such education possible for 5,000,000 additional students? With special training and supervision, hundreds of thousands of volunteers, supported by a Peace Corps-like subsistence allowance, could be the answer. To move toward universal early childhood education, we may need to move toward universal service.

These needs, present or predictable, increasing as our population mounts, could readily absorb the labor of all potential college volunteers. But college students account for only 30 per cent of the eighteen to twenty-one age group. Are there important needs that could be met by the civilian service of the non-college majority? If more than 2,000,000 young men and women turning eighteen this year but neither going to college nor entering the armed services are excluded, the program should be called "college and university student service," not "universal service."

Combat commanders prefer the nineteen to twenty age group, according to recent Defense Department testimony, and eight out of ten military volunteers are under twenty. Are there not also valuable civilian roles for volunteers of this age? If men are old enough to fight, they should be old enough

THE UNIVERSITY OF MICHIGAN LIBRARIES

to take on constructive peacetime assignments. Who is too tall to teach? Whose feet are too flat to be a tutor? Why shouldn't almost everyone be 1-A for national service?

The young men and women coming out of high school are themselves a major underdeveloped resource. They represent America's future. They need to be asked to give some kind of active national service. They need "to get the childishness knocked out of them, and to come back into society with healthier sympathies and soberer ideas," wrote James. They need to break the present lock-step system of continuous classroom education, says Father Theodore Hesburgh. They need to test themselves and discover unexpected strengths, says David Riesman. They need to cross cultural frontiers, experience the outside world, and become world citizens, says Mary Bunting.

Most observers of the first 10,000 returning Peace Corps volunteers found them more mature, curious, and serious, more interested in education, community development, and public service than most of their peers who stayed at home. The 4,000 who have returned to colleges and universities, mostly to graduate schools remind professors of the GIs who came back from World War II. American education was never so alive or teaching so worthwhile and student spirit so high as in those brief years when the majority of men on campuses had served in dangerous or frustrating assignments around the world. Haile Selassie I University reports the same thing about its first seniors who have returned from a year's service in difficult provincial teaching assignments.

The need for this kind of "experiential education"—learning-by-doing—is not limited to underdeveloped countries or to an elite group of American college students. The young men and women who don't go to college, or who wouldn't be selected by the Peace Corps, still need to discover the world, whether in a far-away country or a nearby slum; they need to develop their capacities for sympathy and citizenship; they need to be given the practical challenge of direct personal participation in teaching and community action. For their own growth the dropout from high school and the would-be Ph.D., the students from Harlem and from Scarsdale, need to come together as volunteers, to live and work, teach and learn together.

In fact, a winning strategy in the War on Poverty or in the struggle for integration must include programs that bring together young men and women of all races, religions, and classes, in radically new settings and assignments. If Negro and white, North and South, city and suburb can join in common volunteering, many of the next generation will free themselves of race prejudice and poverty. Their new perspectives, ambitions, and opportunities would make it difficult for them to sink back into apathy.

Israel is proving that this can be done. All young Israelis get an initial period of basic training. Those who come from backward communities, who do not know modern health practices and do not have any job skill, are given special training. Others go as volunteers to form new pioneer farm settlements. Others go into the regular armed forces. By drawing all of its young people into this intense educational experience, Israel is forging one nation; it is integrating not a tenth but half of its population.

How can this be done in America? Secretary McNamara has announced that the military intends to take into service and to give special training each year to 100,000 young men from "poverty-encrusted" backgrounds, who up to now would have been rejected.

How can nonmilitary programs follow suit so that the whole younger generation is involved? Probably not by drafting every young person and offering alternative civilian service to those not choosing—or not required for—military service. Such a universal draft could be seen merely as the extension of the present ten years of compulsory education to eleven or twelve. But, though a Gallup poll published in July shows 72 per cent of the people favoring such compulsory universal service, there appears to be little political support for it.

Probably not by one great new National Service Corps, either. Although Marion K. Sanders gave a good case for this in the New York Times Magazine on August 7, most of the proponents of national service prefer some form of programed diversity. Instead of a centralized bureaucracy, they seek a scheme that would be based on and would further release the power of the independent sector in American life. This would fit both the American tradition of diversity and the anti-bureaucratic mood of the younger generation.

Among ideas that the President's Advisory Commission might consider are:

Volunteer Service Fellowships. These fellowships would provide living allowances and possibly, later, educational assistance to volunteeers from age sixteen and up who work in voluntary service programs, at home or abroad. Like the GI Bill of Rights, which enable individual veterans to enroll in the college or university of their choice, this program would enable individuals to seek enrollment in a wide variety of volunteer efforts, both private and public. With such volunteers available, churches, civic organizations, students associations, colleges and universities, school boards, and new institutions set up for this purpose would be encouraged to design new volunteer projects.

Volunteer Service Summers. Three-month programs would be designed for all Americans at the time they leave high school. Drawing on the experience of Outward Bound, the CCC camps, Peace Corps-VISTA training, and military basic training, they would bring together young people of all backgrounds; involve some actual service, whether in construction, conservation, or teaching; and through films, readings, discussions, and personal encounters present the wide range of volunteer opportunities open in the military, the Peace Corps, VISTA, and private programs.

A National Volunteer Registry. Every American, while in high school could be asked—but not compelled—to register in a nationally-run roster, which would then be kept up to date in later life. Registrants would record their interests, skills, volunteer experience, and available periods for service. Various volunteer agencies could use that information to recruit volunteers, sending news of relevant opportunities to the registrants at appropriate times.

Local Voluntary Service Boards. These could be established by the President to work alongside the present Selective Service Boards. They could include civic leaders, representatives of voluntary service organizations, and former Peace Corps or VISTA volunteers. They would work in the community to provide information on volunteer service opportunities, both overseas and at home.

Academic Credit for Volunteer Service. High schools, colleges, and universities could encourage students to enlist in voluntary nonmilitary programs or in the armed forces before or during their higher education. In admitting students, colleges and universities could give weight to such a period of service—or possibly even require it as a condition for admission. Or they could incorporate periods of service into their curriculum, a modification of the present "junior-year-abroad." Instead of study in Europe, students would work and learn in difficult assignments in developing areas at home or abroad, for a summer, a quarter, a semester, a year, or the regular two-year Peace Corps term. Antioch College has pioneered work-study programs, and two colleges—Western Michigan and Franconia—have introduced five-year "Peace Corps B.A.s," in which Peace Corps service is given approximately one year's academic credit. Graduate degree programs, especially for masters in teaching, agriculture, community development, and public health, could include periods of service.

In all of these proposed programs, special consideration will have to be given to designing opportunities for noncollege high-school graduates or dropouts. William James's quaint list of duties for his "army enlisted against Nature" will not be very helpful. Our "gilded youths," he wrote, would go off "according to their choice" to "coal and iron mines, to freight trains, to fishing fleets in December, to dishwashing, clothes-washing, and window-washing, to road-building and tunnel-making, to foundries and stoke-holes, and to the frames of skyscrapers."

Neither Congress nor anybody else is going to finance the fishing fleets in December. There are, however, needs, not so exotic, which younger volunteers could help meet. One of them might even involve washing dishes and clothes. Millions of working mothers, especially in poverty-stricken families, desperately need some system of good day-care for their children. Volunteers just out of high school could be trained to provide this on assignments in homes or special day-care centers.

In many of the domestic programs for college students, high school graduates could serve as part of a team, or on their own. Arranging worthwhile assignments for the high school dropouts, the ones who fail the Army's minimal examinations, and especially those demoralized by slum living and racial discrimination, will be much more difficult. So far, the Job Corps is the main social invention in this field. We must be still more inventive if universal service is to be a reality.

How does all this affect the draft? None of the above requires a revision of the draft, but without some revision no set of new programs could approach universal voluntary service. For the present draft selection and deferment system discourages non military volunteering. As one of the members of the Marshall Commission, Kingman Brewster of Yale, has said, it encourages a "cynical avoidance of service" by imposing "involuntary military service upon those who cannot hide in the endless catacombs of formal education."

Currently, uncertainty hangs over the lives of millions of men waiting until they are twenty-six or older to know if they must go into the army. A man who volunteers for the Peace Corps knows that he may still be drafted upon his return. He may be ready to spend two years of his life in some kind of service, but for many the prospect of a combined four years of service seems too long. If the call to military service, whether by lot or the present peculiar arrangement, could come for all men right after they were eighteen, then the shadow of uncertainty would be lifted. There still might be educational deferments for those called, but these would be real deferments involving a clear commitment to serve upon graduation. Those not called would be free to volunteer for nonmilitary service without the threat of being drafted later.

The President has gone further than this. On August 19, he said he was asking the Marshall Commission to consider this specific question: "Can we—without harming national security—establish a practical system of nonmilitary alternatives to the draft?"

If such alternative service were offered to the minority of men called in the draft—not imposed upon all young men but given as an option to the fraction of men called up to serve—this would be a quantum jump for volunteering. The recent Gallup finding suggests that the armed forces would be able to get enough men under this system. Serving in Europe and America, as most military men do, or even in Vietnam, might have more appeal to many than two or three years in American slums or Asian, African, or Latin American villages. (One proposal is for three years of nonmilitary service to be an alternative to two years in the armed forces.)

This step would still only mean "moving toward" universal service, as the President and McNamara propose. Two-thirds or more of the men subject to the draft, and all women, would be affected only if they chose to volunteer. The growth of volunteering might be only tenfold in the first years of the program—not the hundredfold increase required for truly universal service. A practical way to begin would be to increase the Peace Corps to Jack Vaughn's goal of 50,000, to turn VISTA into an organizing and supervising agency for another 50,000 domestic volunteers; to increase the Job Corps to about 50,000 and add a component of service to its work; and to begin a GI-bill kind of fellowship program for another 50,000 volunteers.

If this happened, and the idea of volunteer service spread, those drafted into the Army would soon be the minority. Then, instead of talking about exemptions for Peace Corps Volunteers, we would find the problem turned upside down. It could be said that those drafted for military service were exempt from the system of universal voluntary service. In fact, if practically all young Americans came to feel the obligation to volunteer for some kind of service, the draft might be put out of business altogether. All the calculations of the high cost of putting the military on an entirely volunteer basis leave out the possibility of universal voluntary service.

How much would such a volunteer service program cost? Not as much in a year as one month of the war in Vietnam. Not as much as doing nothing—as failing to mobilize the talents and labor of the younger generation. Not as much as hiring professional teachers or social workers or construction men—if we could find enough of them—to do what these volunteers could also do. The cost may vary from a few hundred dollars per volunteer to the Peace Corps' annual per-volunteer cost of about $8,000. It is the cost of adding a year or two of essential public education for all American students.

This may seem high to Congressional armed service committees. Their legislative center of gravity is on defense rather than on matters concerned with education and development. Even Secretary McNamara might feel ill at ease making his case that defense is development before them—as ill at ease as Allen Ginsberg telling Congress about LSD. But Burke Marshall is a lawyer of far-ranging vision and he has a Commission of opinion-making men. They should appreciate the "fundamental question" that Secretary McNamara said he was asking:

> "Who is Man? Is he a rational animal? . . . He draws blueprints for Utopia. But never quite gets it built. . . . Coercion, after all, merely captures Man. Freedom captivates him."

THE BRAIN DRAIN

Mr. MONDALE. Mr. President, I have recently received a most thoughtful and provocative letter on the brain drain, a subject to which I have addressed myself increasingly in recent months, from Mr. Frank L. Mott, a manpower analyst in the Labor Department's Office of Manpower, Automation, and Training. The views he expresses are not intended to necessarily represent those of his Department, but rather, as he states, he is providing some of his "own personal, unofficial thoughts on the subject."

I believe that this letter is worthy of a much wider audience, and I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT OF LABOR, OFFICE OF MANPOWER, AUTOMATION AND TRAINING,
Washington, D.C.

Senator WALTER F. MONDALE,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR MONDALE: In response to your letter of September 9, I wish first of all to compliment you on your excellent exposition of the complex problems generated by the "brain drain" of talented individuals from some of the less developed nations of the world. As you noted in your statement, this problem does not lend itself to easy solution. However, I am happy to give you some of my own personal, unofficial thoughts on the subject.

There is unquestionably a basic conflict between our desire not to inhibit the inherent right of individuals to move freely among the nations of the world while at the same time encouraging the continued development of the technologically less advanced nations—a development clearly dependent on a continuing supply of highly skilled technical manpower.

My personal feeling is that the only truly permanent solution to this problem is a long-range one which would involve basic institutional changes in the secondary and higher educational systems of many of these countries. As you noted in your statement, many young men and women who come to this country for their higher education pursue fields of study which are not in great demand in their home country and then, quite naturally, on completing their education have no desire to return to a home which offers them no chance to practice in their chosen profession. Ultimately, the solution to this specific aspect of the "brain drain" problem must come from the countries themselves—through an intelligent restructuring of their secondary school programs to encourage more youth to enter fields of study more closely related to their occupational demands.

There are some things, however, which I believe we can do in this country, which might have a more immediate impact. These suggestions relate principally to those youths who enter this country on temporary student visas, but then change to permanent status and never return home. These are the youth who must be their country's "leaders of tomorrow" if the high hopes of these less developed countries are to be fulfilled.

I think in certain situations it would pay for this country to expedite the building of technical institutes for sub-professional study in underdeveloped countries even if these institutes do not match up to the quality of an established institute in this country. We might even supply many of the key personnel to run these institutes. It would be an investment well spent as the needs of many of these countries are basic and it may be better at this time for them to turn out large numbers of sub-professional workers who then are immediately available in their home country then a much smaller number of very highly trained engineers and scientists who on receiving their training in this country often do not even go home.

Analogously, perhaps we might put a larger part of our funds in this area into expediting the construction of two-year colleges in these foreign countries. In this way a relatively large number of youths would be able to receive some college level training which they would immediately be able to put into practice. The alternative, which we have at present, is in many cases "overtraining" a smaller number of youths in this country to a skill level above most technical tasks in their home country.

Another possible way to cut down on this drain of young scholars would be to stipulate that all youth who come to this country on a student visa must return home for a specified period on completing their education before being eligible for immigrant status. While this might work hardships on individuals in some cases it nevertheless would be relatively equitable to the extent that all youth would know of this stipulation before they come to this country to study. In all likelihood, once these youth did return home for, let us say, a year or two, many would remain. I think that a provision of this nature, if implemented, should be complemented by intensive efforts by private and public sources to provide adequate "reindoctrination" for the youth before he goes back home to a culture which in many ways may have become more "foreign" to him during his absence than our own.

Also, I wonder what the possibilities would be for allowing foreign students to participate in our Peace Corps, or other advisory type, programs and then serve either in their home country or in a similar country with which they surely have a greater familiarity than most of their American counterparts?

In general, I would favor methods which are of a voluntary nature to solve this problem rather than legislative provisions, as being more in keeping with our traditional policies favoring the free international movement of individuals.

Sincerely yours,

FRANK MOTT.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is concluded.

Mr. MUSKIE. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MUSKIE. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. MUSKIE. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and (at 12 o'clock and 46 minutes p.m.) the Senate took a recess subject to the call of the Chair.

At 1 o'clock and 27 minutes p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. HART in the chair).

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its

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reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 84. An act to provide for reimbursement to the State of Wyoming for improvements made on certain lands in Sweetwater County, Wyo., if and when such lands revert to the United States;

S. 1556. An act to authorize the Board of Governors of the Federal Reserve System to delegate certain of its functions, and other purposes;

S. 2829. An act to amend section 301(a) (7) of the Immigration and Nationality Act;

S. 2979. An act to extend coverage of the State Technical Services Act of 1965 to the territory of Guam; and

S. 3391. An act to amend the Shipping Act, 1916, as amended, to authorize exemption from the provisions of the act.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 13955) to establish the past and present location of a certain portion of the Colorado River for certain purposes.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 13103) to amend the Internal Revenue Code of 1954 to provide equitable tax treatment for foreign investment in the United States; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. BOGGS, Mr. KEOGH, Mr. BYRNES of Wisconsin, Mr. CURTIS, and Mr. UTT were appointed managers on the part of the House at the conference.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 17607) to suspend the investment credit and the allowance of accelerated depreciation in the case of certain real property; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. MILLS, Mr. KING of California, Mr. BOGGS, Mr. KEOGH, Mr. BYRNES of Wisconsin, Mr. CURTIS, and Mr. UTT were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

S. 2338. An act to authorize the erection of a memorial in the District of Columbia to Gen. John J. Pershing; and

S. 3298. An act to amend the Federal Hazardous Substances Labeling Act to ban hazardous toys and articles intended for children, and other articles so hazardous as to be dangerous in the household regardless of labeling, and to apply to unpackaged articles intended for household use, and for other purposes.

DEMONSTRATION CITIES AND METROPOLITAN DEVELOPMENT ACT OF 1966

Mr. MANSFIELD. Mr. President, on behalf of the distinguished Senator from Alabama [Mr. SPARKMAN], I make the following statement: The House of Representatives has passed Senate bill 3708 with an amendment. It has insisted upon the House amendment and has requested an immediate conference with the Senate. Conferees on the part of the House have been appointed.

I ask that the Chair lay before the Senate the amendment of the House of Representatives to S. 3708.

The PRESIDING OFFICER (Mr. HART in the chair) laid before the Senate the amendment of the House of Representatives to the bill (S. 3708) to assist comprehensive city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Demonstration Cities and Metropolitan Development Act of 1966".

TITLE I—COMPREHENSIVE CITY DEMONSTRATION PROGRAMS

Findings and declaration of purpose

SEC. 101. The Congress hereby finds and declares that improving the quality of urban life is the most critical domestic problem facing the United States. The persistence of widespread urban slums and blight, the concentration of persons of low income in older urban areas, and the unmet needs for additional housing and community facilities and services arising from rapid expansion of our urban population have resulted in a marked deterioration in the quality of the environment and the lives of large numbers of our people while the Nation as a whole prospers.

The Congress further finds and declares that cities, of all sizes, do not have adequate resources to deal effectively with the critical problems facing them, and that Federal assistance in addition to that now authorized by the urban renewal program and other existing Federal grant-in-aid programs is essential to enable cities to plan, develop, and conduct programs to improve their physical environment, increase their supply of adequate housing for low- and moderate-income people, and provide educational and social services vital to health and welfare.

The purposes of this title are to provide additional financial and technical assistance to enable cities of all sizes (with equal regard to the problems of small as well as large cities) to plan, develop, and carry out locally prepared and scheduled comprehensive city demonstration programs containing new and imaginative proposals to rebuild or revitalize large slum and blighted areas; to expand housing, job, and income opportunities; to reduce dependence on welfare payments; to improve educational facilities and programs; to combat disease and ill health; to reduce the incidence of crime and delinquency; to enhance recreational and cultural opportunities; to establish better access between homes and jobs; and generally to improve living conditions for the people who live in such areas, and to accomplish these objectives through the most effective and economical concentration and coordination of Federal, State, and local public and private efforts to improve the quality of urban life.

Basic authority

SEC. 102. The Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") is authorized to make grants and provide technical assistance, as provided by this title, to enable city demonstration agencies (as defined in section 112(2)) to plan, develop, and carry out comprehensive city demonstration programs in accordance with the purposes of this title.

Eligibility for assistance

SEC. 103. (a) A comprehensive city demonstration program is eligible for assistance under sections 105 and 107 only if—

(1) physical and social problems in the area of the city covered by the program are such that a comprehensive city demonstration program is necessary to carry out the policy of the Congress as expressed in section 101;

(2) the program is of sufficient magnitude to make a substantial impact on the physical and social problems and to remove or arrest blight and decay in entire sections or neighborhoods; to contribute to the sound development of the entire city; to make marked progress in reducing social and educational disadvantages, ill health, underemployment, and enforced idleness; and to provide educational, health, and social services necessary to serve the poor and disadvantaged in the area, widespread citizen participation in the program, maximum opportunities for employing residents of the area in all phases of the program, and enlarged opportunities for work and training;

(3) the program, including rebuilding or restoration, will contribute to a well-balanced city with a substantial increase in the supply of standard housing of low and moderate cost, maximum opportunities in the choice of housing accommodations for all citizens of all income levels, adequate public facilities (including those needed for education, health and social services, transportation, and recreation), commercial facilities adequate to serve the residential areas, and ease of access between the residential areas and centers of employment;

(4) the various projects and activities to be undertaken in connection with such programs are scheduled to be initiated within a reasonably short period of time; adequate local resources are, or will be, available for the completion of the program as scheduled, and, in the carrying out of the program, the fullest utilization possible will be made of private initiative and enterprise; administrative machinery is available at the local level for carrying out the program on a consolidated and coordinated basis; substantive local laws, regulations, and other requirements are, or can be expected to be, consistent with the objectives of the program; there exists a relocation plan meeting the requirements of the regulations referred to in section 107; the local governing body has approved the program and, where appropriate, applications for assistance under the program; agencies whose cooperation is necessary to the success of the program have indicated their intent to furnish such cooperation; the program is consistent with comprehensive planning for the entire urban or metropolitan area; and the locality will maintain, during the period an approved comprehensive city demonstration program is being carried out, a level of aggregate expenditures for activities similar to those being assisted under this title which is not less than the level of aggregate expenditures for such activities prior to initiation of the comprehensive city demonstration program; and

(5) the program meets such additional requirements as the Secretary may establish to carry out the purposes of this title: *Provided*, That the authority of the Secretary under this paragraph shall not be used to impose criteria or establish requirements except those which are related and essential to the specific provisions of this title.

(b) In implementing this title the Secretary shall—

(1) emphasize local initiative in the planning, development, and implementation of comprehensive city demonstration programs;

(2) insure, in conjunction with other appropriate Federal departments and agencies

and at the direction of the President, maximum coordination of Federal assistance provided in connection with this title, prompt response to local initiative, and maximum flexibility in programing, consistent with the requirements of law and sound administrative practice; and

(3) encourage city demonstration agencies to (A) enhance neighborhoods by applying a high standard of design, (B) maintain, as appropriate, natural and historic sites and distinctive neighborhood characteristics, and (C) make maximum possible use of new and improved technology and design, including cost reduction techniques.

(c) The preparation of demonstration city programs should include to the maximum extent feasible (1) the performance of analyses that provide explicit and systematic comparisons of the costs and benefits, financial and otherwise, of alternative possible actions or courses of action designed to fulfill urban needs; and (2) the establishment of programing systems designed to assure effective use of such analyses by city demonstration agencies and by other government bodies.

(d) Nothing in this section shall authorize the Secretary to require (or condition the availability or amount of financial assistance authorized to be provided under this title upon) the adoption by any community of a program (1) by which pupils now resident in a school district not within the confines of the area covered by the city demonstration program shall be transferred to a school or school district including all or part of such area, or (2) by which pupils now resident in a school district within the confines of the area covered by the city demonstration program shall be transferred to a school or school district not including a part of such area.

Financial assistance for planning comprehensive city demonstration programs

SEC. 104. (a) The Secretary is authorized to make grants to, and to contract with, city demonstration agencies to pay 80 per centum of the costs of planning and developing comprehensive city demonstration programs.

(b) Financial assistance will be provided under this section only if (1) the application for such assistance has been approved by the local governing body of the city, and (2) the Secretary has determined that there exist (A) administrative machinery through which coordination of all related planning activities of local agencies can be achieved, and (B) evidence that necessary cooperation of agencies engaged in related local planning can be obtained.

Financial assistance for approved comprehensive city demonstration programs

SEC. 105. (a) The Secretary is authorized, to approve comprehensive city demonstration programs if, after review of the plans, he determines that such plans satisfy the criteria for such programs set forth in section 103.

(b) The Secretary is authorized to make grants to, and to contract with, city demonstration agencies to pay 80 per centum of the cost of administering approved comprehensive city demonstration programs, but not the cost of administering any project or activity assisted under a Federal grant-in-aid program.

(c) To assist the city to carry out the projects or activities included within an approved comprehensive city demonstration program, the Secretary is authorized to make grants to the city demonstration agency of not to exceed 80 per centum of the aggregate amount of non-Federal contributions otherwise required to be made to all projects or activities assisted by Federal grant-in-aid programs (as defined in section 112(1)) which are carried out in connection with such demonstration program: *Provided*, That no Federal grant-in-aid program shall be considered to be carried out in connection with such demonstration program unless it is closely related to the physical and social problems in the area of the city covered by the program and unless it can reasonably be expected to have a noticeable effect upon such problems. The specific amount of any such grant shall take into account the number and intensity of the economic and social pressures in the sections or neighborhoods involved, such as those involving or resulting from population density, poverty levels, unemployment rate, public welfare participation, educational levels, health and disease characteristics, crime and delinquency rate, and degree of substandard and dilapidated housing. The amount of non-Federal contribution required for each project in a Federal grant-in-aid program shall be certified to the Secretary by the Federal department or agency (other than the Department of Housing and Urban Development) administering such program, and the Secretary shall accept such certification in computing the grants hereunder.

(d) Grant funds provided pursuant to subsection (c) of this section shall be used for projects or activities assisted under a Federal grant-in-aid program which are undertaken as part of an approved comprehensive city demonstration program, or for other projects or activities undertaken as part of such demonstration program. If used for projects or activities assisted under a Federal grant-in-aid program which are undertaken as part of such demonstration program, funds provided pursuant to subsection (c) shall be credited as part or all of the required non-Federal contribution to such projects or activities. Such grant funds, however, shall not be used—

(1) for the general administration of local governments; or

(2) to replace non-Federal contributions in any federally aided project or activity included in an approved comprehensive city demonstration program, if prior to the filing of an application for assistance under section 104 an agreement has been entered into with any Federal agency obligating such non-Federal contributions with respect to such project or activity.

Technical assistance

SEC. 106. The Secretary is authorized to undertake such activities as he determines to be desirable to provide, either directly or by contracts or other arrangements, technical assistance to city demonstration agencies to assist such agencies in planning, developing, and administering comprehensive city demonstration programs.

Relocation requirements and payments

SEC. 107. (a) A comprehensive city demonstration program shall include a plan for the relocation of individuals, families, business concerns, and nonprofit organizations displaced or to be displaced in the carrying out of such program. The relocation plan shall be consistent with regulations prescribed by the Secretary to assure that (1) the provisions and procedures included in the plan meet relocation standards equivalent to those prescribed under section 105(c) of the Housing Act of 1949 with respect to urban renewal projects assisted under title I of that Act, and (2) relocation activities are coordinated to the maximum extent feasible with the increase in the supply of decent, safe, and sanitary housing for families and individuals of low or moderate income, as provided under the comprehensive city demonstration program, or otherwise, in order to best maintain the available supply of housing for all such families and individuals throughout the city.

(b)(1) To the extent not otherwise authorized under any Federal law, financial assistance extended to a city demonstration agency under section 105 shall include grants to cover the full cost of relocation payments, as herein defined. Such grants shall be in addition to other financial assistance extended to such agency under section 105.

(2) The term "relocation payments" means payments by a city demonstration agency to a displaced individual, family, business concern, or nonprofit organization which are made on such terms and conditions and subject to such limitation (to the extent applicable, but not including the date of displacement) as are provided for relocation payments, at the time such payments are approved, by section 114 (b), (c), (d), and (e) of the Housing Act of 1949 with respect to projects assisted under title I thereof.

(c) Subsection (b) shall not be applicable with respect to any displacement occurring prior to the date of the enactment of this Act.

Continued availability of Federal grant-in-aid program funds

SEC. 108. Notwithstanding any other provision of law, unless hereafter enacted expressly in limitation of the provisions of this section, funds appropriated for a Federal grant-in-aid program which are reserved for any projects or activities assisted under such grant-in-aid program and undertaken in connection with an approved comprehensive city demonstration program shall remain available until expended.

Consultation

SEC. 109. In carrying out the provisions of this title, including the issuance of regulations, the Secretary shall consult with other Federal departments and agencies administering Federal grant-in-aid programs. The Secretary shall consult with each Federal department and agency affected by each comprehensive city demonstration program before entering into a commitment to make grants for such program under section 105.

Labor standards

SEC. 110. (a) All laborers and mechanics employed by contractors or subcontractors in the construction, rehabilitation, alteration, or repair of projects which—

(1) are federally assisted in whole or in part under this title and

(2) are not otherwise subject to section 212 of the National Housing Act, section 16 (2) of the United States Housing Act of 1937, section 109 of the Housing Act of 1949, or any other provision of Federal law imposing labor standards on federally assisted construction, shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5): *Provided*, That this section shall apply to the construction, rehabilitation, alteration, or repair of residential property only if such residential property is designed for residential use for eight or more families. No financial assistance shall be extended to any such projects unless adequate assurance is first obtained that these labor standards will be maintained upon the construction work.

(b) The Secretary of Labor shall have, with respect to the labor standards specified in subsection (a), the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z-15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c), and the Contract Work Hours Standards Act (76 Stat. 357).

Appropriations

SEC. 111. (a) There are authorized to be appropriated, for the purpose of financial assistance and administrative expenses under sections 104 and 106, not to exceed $12,000,000 for the fiscal year ending June 30, 1967, and not to exceed $12,000,000 for the fiscal year ending June 30, 1968.

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(b) There are authorized to be appropriated, for the purpose of financial assistance and administrative expenses under sections 105, 106, and 107, not to exceed $400,000,000 for the fiscal year ending June 30, 1968, and not to exceed $500,000,000 for the fiscal year ending June 30, 1969.

(c) Appropriations authorized under this section shall remain available until expended.

Definitions

SEC. 112. As used in this title—

(1) "Federal grant-in-aid program" means a program of Federal financial assistance other than loans and other than the assistance provided by this title.

(2) "City demonstration agency" means the city, the county, or any local public agency established or designated by the local governing body of such city or county to administer the comprehensive city demonstration program.

(3) "City" means any municipality (or two or more municipalities acting jointly) or any county or other public body (or two or more acting jointly) having general governmental powers.

(4) "Local" agencies include State agencies and instrumentalities providing services or resources to a city or locality, and "local" resources include those provided to a city or locality by a State or its agency or instrumentality.

Grant authority for urban renewal projects which are part of approved comprehensive city demonstration programs

SEC. 113. Section 103(b) of the Housing Act of 1949 is amended by inserting after the first sentence the following new sentence: "In addition to the authority to make grants provided in the first sentence of this subsection, the Secretary may contract to make grants under this title, on or after July 1, 1967, in an amount not to exceed $250,000,000: *Provided,* That the authority to contract to make grants provided by this sentence shall be exercised only with respect to an urban renewal project which is identified and scheduled to be carried out as one of the projects or activities included within an approved comprehensive city demonstration program assisted under the provisions of section 105(c) of the Demonstration Cities and Metropolitan Development Act of 1966."

State limit

SEC. 114. Grants made under section 105 for projects in any one State shall not exceed in the aggregate 15 per centum of the aggregate amount of funds authorized to be appropriated under section 111.

TITLE II—PLANNED METROPOLITAN DEVELOPMENT

Findings and declaration of purpose

SEC. 201. (a) The Congress hereby finds that the welfare of the Nation and of its people is directly dependent upon the sound and orderly development and the effective organization and functioning of the metropolitan areas in which two-thirds of its people live and work.

It further finds that the continuing rapid growth of these areas makes it essential that they prepare, keep current, and carry out comprehensive plans and programs for their orderly physical development with a view to meeting efficiently all their economic and social needs.

It further finds that metropolitan areas are especially handicapped in this task by the complexity and scope of governmental services required in such rapidly growing areas, the multiplicity of political jurisdictions and agencies involved, and the inadequacy of the operational and administrative arrangements available for cooperation among them.

It further finds that present requirements for areawide planning and programing in connection with various Federal programs have materially assisted in the solution of metropolitan problems, but that greater coordination of Federal programs and additional participation and cooperation are needed from the States and localities in perfecting and carrying out such efforts.

(b) It is the purpose of this title to provide, through greater coordination of Federal programs and through supplementary grants for certain federally assisted development projects, additional encouragement and assistance to States and localities for making comprehensive metropolitan planning and programing effective.

Cooperation between Federal agencies

SEC. 202. In order to insure that all Federal programs related to metropolitan development are carried out in a coordinated manner—

(1) the Secretary is authorized to call upon other Federal agencies to supply such statistical data, program reports, and other materials as he deems necessary to discharge his responsibilities for metropolitan development, and to assist the President in coordinating the metropolitan development efforts of all Federal agencies; and

(2) all Federal agencies which are engaged in administering programs related to metropolitan development, or which otherwise perform functions relating thereto, shall, to the maximum extent practicable, consult with and seek advice from all other significantly affected Federal departments and agencies in an effort to assure fully coordinated programs.

Coordination of Federal aids in metropolitan areas

SEC. 203. (a) All applications made after June 30, 1967, for Federal loans or grants to assist in carrying out open-space land projects or for the planning or construction of hospitals, airports, libraries, water supply and distribution facilities, sewerage facilities and waste treatment works, highways, transportation facilities, and water development and land conservation projects within any metropolitan area shall be submitted for review—

(1) to any areawide agency which is designated to perform metropolitan or regional planning for the area within which the assistance is to be used, and which is, to the greatest practicable extent, composed of or responsible to the elected officials of a unit of areawide government or of the units of general local goverment within whose jurisdiction such agency is authorized to engage in such planning, and

(2) if made by a special purpose unit of local government, to the unit or units of general local government with authority to operate in the area within which the project is to be located.

(b)(1) Except as provided in paragraph (2) of this subsection, each application shall be accompanied (A) by the comments and recommendations with respect to the project involved by the areawide agency and governing bodies of the units of general local government to which the application has been submitted for review, and (B) by a statement by the applicant that such comments and recommendations have been considered prior to formal submission of the application. Such comments shall include information concerning the extent to which the project is consistent with comprehensive planning developed or in the process of development for the metropolitan area or the unit of general local government, as the case may be, and the extent to which such project contributes to the fulfillment of such planning. The comments and recommendations and the statement referred to in this paragraph shall, except in the case referred to in paragraph (2) of this subsection, be reviewed by the agency of the Federal Government to which such application is submitted for the sole purpose of assisting it in determining whether the application is in accordance with the provisions of Federal law which govern the making of the loans or grants.

(2) An application for a Federal loan or grant need not be accompanied by the comments and recommendations and the statements referred to in paragraph (1) of this subsection, if the applicant certifies that a plan or description of the project, meeting the requirements of such rules and regulations as may be prescribed under subsection (c), or such application, has lain before an appropriate areawide agency or instrumentality or unit of general local government for a period of sixty days without comments or recommendations thereon being made by such agency or instrumentality.

(3) The requirements of paragraph (1) and (2) shall also apply to any amendment of the application which, in light of the purposes of this title, involves a major change in the project covered by the application prior to such amendment.

(c) The Bureau of the Budget, or such other agency as may be designated by the President, is hereby authorized to prescribe such rules and regulations as are deemed appropriate for the effective administration of this section.

Grants to assist in planned metropolitan development

SEC. 204. (a) The Secretary is authorized to make supplementary grants to applicant State and local public bodies and agencies carrying out, or assisting in carrying out, metropolitan development projects meeting the requirements of this section.

(b) Grants may be made under this section only for metropolitan development projects in metropolitan areas for which it has been demonstrated, to the satisfaction of the Secretary, that—

(1) metropolitanwide comprehensive planning and programing provide an adequate basis for evaluating (A) the location, financing, and scheduling of individual public facility projects (including but not limited to hospitals and libraries; sewer, water, and sewage treatment facilities; highway, mass transit, airport, and other transportation facilities; and recreation and other open-space areas) whether or not federally assisted; and (B) other proposed land development or uses, which projects or uses, because of their size, density, type, or location, have public metropolitanwide or interjurisdictional significance;

(2) adequate metropolitanwide institutional or other arrangements exist for coordinating, on the basis of such metropolitanwide comprehensive planning and programing, local public policies and activities affecting the development of the area; and

(3) public facility projects and other land development or uses which have a major impact on the development of the area are, in fact, being carried out in accord with such metropolitanwide comprehensive planning and programing.

(c)(1) Where the applicant for a grant under this section is a unit of general local government, it must demonstrate to the satisfaction of the Secretary that, taking into consideration the scope of its authority and responsibilities, it is adequately assuring that public facility projects and other land development or uses of public metropolitanwide or interjurisdictional significance are being, and will be, carried out in accord with metropolitan planning and programing meeting the requirements of subsection (b). In making this determination the Secretary shall give special consideration to whether the applicant is effectively assisting in, and conforming to, metropolitan planning and programing through (A) the location and scheduling of public facility projects, whether or not federally assisted; and (B) the establishment and consistent administration of zoning codes, subdivision regulations, and similar land-use and density controls.

(2) Where the applicant for a grant under this section is not a unit of general local government, both it and the unit of general local government having jurisdiction over the location of the project must meet the requirements of this subsection.

(d) In making the determinations required under this section, the Secretary shall obtain, and give full consideration to, the comments of the body or bodies (State or local) responsible for comprehensive planning and programing for the metropolitan area.

(e) No grant shall be made under this section with respect to a metropolitan development project for which a Federal grant has been made or a contract of assistance has been entered into, under the legislation referred to in paragraph (2) of section 207, prior to February 21, 1966, or more than one year prior to the date on which the Secretary has made the determinations required under this section with respect to the applicant and to the area in which the project is located: *Provided*, That in the case of a project for which a contract of assistance under the legislation referred to in paragraph (2) of section 207 has been entered into after June 30, 1967, no grant shall be made under this section unless an application for such grant has been made on or before the date of such contract.

(f) Nothing in this section shall authorize the Secretary to require (or condition the availability or amount of financial assistance authorized to be provided under this title upon) the adoption by any community of a program to achieve a racial balance or to eliminate racial imbalance within school districts within the metropolitanwide area.

Extent of grant

SEC. 205. (a) A grant under section 204 shall not exceed (1) 20 per centum of the cost of the project for which the grant is made; nor (2) the Federal grant made with respect to the project under the legislation referred to in paragraph (2) of section 207. In no case shall the total Federal contributions to the cost of such project be more than 80 per centum. Notwithstanding any other provision of law, including requirements with respect to non-Federal contributions, grants under section 204 shall be eligible for inclusion (directly or through refunds or credits) as part of the financing for such projects: *Provided*, That projects or activities on the basis of which assistance is provided under section 105(c) shall not be eligible for assistance under section 204.

(b) There are authorized to be appropriated for grants under section 204 not to exceed $25,000,000 for the fiscal year ending June 30, 1967, and not to exceed $50,000,000 for the fiscal year ending June 30, 1968. Appropriations authorized under this section shall remain available until expended.

Consultation and certification

SEC. 206. In carrying out his authority under section 204, including the issuance of regulations, the Secretary shall consult with the Department of the Interior; the Department of Health, Education, and Welfare; the Department of Commerce; and the Federal Aviation Agency with respect to metropolitan development projects assisted by those departments and agencies; and he shall, for the purpose of section 205, accept their respective certifications as to the cost of those projects and the amount of the non-Federal contribution paid or to be paid to that cost.

Definitions

SEC. 207. As used in this title—

(1) "Metropolitan development" means all projects or programs for the acquisition, use, and development of open-space land; and the planning and construction of hospitals, libraries, airports, water supply and distribution facilities, sewerage facilities and waste treatment works, transportaton facilities, highways, water development and land conservation, and other public works facilities.

(2) "Metropolitan development project" means a project assisted or to be assisted under section 702 of the Housing and Urban Development Act of 1965; title II of the Library Services and Construction Act; section 606 of the Public Health Service Act; section 8 of the Federal Water Pollution Control Act; section 120(a) of title 23, United States Code; section 12 of the Federal Airport Act; section 3 of the Urban Mass Transportation Act of 1964; title VII of the Housing Act of 1961; or section 5(e) of the Land and Water Conservation Fund Act of 1965; or under section 101(a)(1) of the Public Works and Economic Development Act of 1965 (for a project of a type which the Secretary determines to be eligible for assistance under any of the other provisions listed above).

(3) "State" means any State of the United States, the District of Columbia, the Commonwealth of Puerto Rico, any territory or possession of the United States, or an agency or instrumentality of any of the foregoing.

(4) "Metropolitan area" means a standard metropolitan statistical area as established by the Bureau of the Budget, subject however to such modifications and extensions as the Secretary may determine to be appropriate for the purposes of this title.

(5) "Comprehensive planning" includes the following, to the extent directly related to area needs or needs of a unit of general local government: (A) Preparation, as a guide for long-range development, of general physical plans with respect to the pattern and intensity of land use and the provision of public facilities, including transportation facilities; (B) programing of capital improvements based on a determination of relative urgency; (C) long-range fiscal plans for implementing such plans and programs; and (D) proposed regulatory and administrative measures which aid in achieving coordination of all related plans of the departments or subdivisions of the governments concerned and intergovernmental coordination of related planned activities among the State and local governmental agencies concerned.

(6) "Hospital" means any public health center or general, tuberculosis, mental, chronic disease, and other type of hospital and related facilities, such as laboratories, outpatient departments, nurses' home and training facilities, and central service facilities normally operated in connection with hospitals, but does not include any hospital furnishing primarily domiciliary care.

(7) "Areawide agency" means an official State or metropolitan or regional agency empowered under State or local laws or under an interstate compact or agreement to perform comprehensive planning in an area; an organization of the type referred to in section 701(g) of the Housing Act of 1954; or such other agency or instrumentality as may be designated by the Governor (or, in the case of metropolitan areas crossing State lines, any one or more of such agencies or instrumentalities as may be designated by the Governors of the States involved) to perform such planning.

(8) "Special purpose unit of local government" means any special district, public-purpose corporation, or other limited-purpose political subdivision of a State, but shall not include a school district.

(9) "Unit of general local government" means any city, county, town, parish, village, or other general-purpose political subdivision of a State.

(10) "Secretary" means the Secretary of Housing and Urban Development.

State limit

SEC. 208. Grants made under section 204 for projects in any one State shall not exceed in the aggregate 15 per centum of the aggregate amount of funds authorized to be appropriated pursuant to section 205(b).

TITLE III—FHA INSURANCE OPERATIONS

FHA mortgage financing for veterans

SEC. 301. The next to last sentence of section 203(b)(2) of the National Housing Act is amended by striking out "If the mortgagor is a veteran who has not received any direct, guaranteed, or insured loan under laws administered by the Veterans' Administration for the purchase, construction, or repair of a dwelling (including a farm dwelling) which was to be owned and occupied by him as his home," and inserting in lieu thereof the following: "If the mortgagor is a veteran,".

Areas affected by civil disorders

SEC. 302. (a) Section 203 of the National Housing Act is amended by adding after subsection (1) (added by section 101 of this Act) a new subsection as follows:

"(m) The Secretary is authorized to insure under this section any mortgage meeting the requirements of this section, other than the requirement in subsection (c) relating to economic soundness, if he determines that (1) the dwelling covered by the mortgage is situated in an area in which rioting or other civil disorders have occurred or are threatened, (2) as a result of such actual or threatened rioting or other disorders the property with respect to which the mortgage is executed cannot meet the normal requirements with respect to economic soundness, and (3) such property is an acceptable risk giving due consideration to the need for providing adequate housing for families of law and moderate income in such area."

Cooperative housing insurance fund

SEC. 303. (a) Section 213(m) of the National Housing Act is amended by striking out ", but only in cases where the consent of the mortgagee or lender to the transfer is obtained or a request by the mortgagee or lender for the transfer is received by the Commissioner within such period of time after the date of the enactment of this subsection as the Commissioner shall prescribe".

(b) Section 213(n) of such Act is amended—

(1) by striking out "insured under this section and sections 207, 231, and 232" and inserting in lieu thereof "the insurance of which is the obligation of either the Management Fund or the General Insurance Fund"; and

(2) by adding at the end thereof the following new sentence: "Premium charges on the insurance of mortgages or loans transferred to the Management Fund or insured pursuant to commitments transferred to the Management Fund may be payable in debentures which are the obligation of either the Management Fund or the General Insurance Fund."

(c)(1) The fourth sentence of section 213(k) of such Act is amended to read as follows: "The Secretary is directed to transfer to the Management Fund from the General Insurance Fund an amount equal to the total of the premium payments theretofore made with respect to the insurance of mortgages and loans transferred to the Management Fund pursuant to subsection (m) minus the total of any administrative expenses theretofore incurred in connection with such mortgages and loans, plus such other amounts as the Secretary determines to be necessary and appropriate."

(2) The second proviso in section 213(1) of such Act is amended by striking out "pursuant to subsection (k) or (o)" and inserting in lieu thereof "pursuant to subsection (o)".

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Mortgage limits for cooperative housing

SEC. 304. Section 213(b)(2) of the National Housing Act is amended—

(1) by striking out "$9,000", "$12,500", "$15,000", "$18,500", and "$21,000" in the matter preceding the first proviso and inserting in lieu thereof "$11,500", "$15,000", "$17,500", "$21,000", and "$23,500", respectively; and

(2) by striking out "$10,500", "$15,000", "$18,000", "$22,500" and "$25,500" in the first proviso and inserting in lieu thereof "$13,000", "$17,500", "$20,500", "$25,000", and "$28,000", respectively.

Supplementary financing for cooperative housing

SEC. 305. Section 213(j)(2)(A) of the National Housing Act is amended by adding at the end thereof the following: "except that, in the case of improvements or additional community facilities, the outstanding indebtedness may be increased by an amount equal to 97 per centum of the amount which the Secretary estimates will be the value of such improvements or facilities, and the new outstanding indebtedness may exceed the original principal obligation of the mortgage if such new outstanding indebtedness does not exceed the limitations imposed by subsection (b);".

Exterior land improvements under cooperative housing mortgages

SEC. 306. Section 213(b)(2) of the Housing Act is amended by striking out "as defined by the Commissioner" and inserting in lieu thereof "as defined by the Secretary, and the increase in the value of the land subject to the mortgage by reason of off-site special improvements, as defined by the Secretary, which are for the use and benefit of the occupants of the mortgaged property".

Mortgage limits under section 220 sales housing mortgage insurance program

SEC. 307. (a) Section 220(d)(3)(A)(i) of the National Housing Act is amended by striking out "(3) 75 per centum of such replacement cost in excess of $20,000" and inserting in lieu thereof "(3) 80 per centum of such replacement cost in excess of $20,000".

(b) Section 220(d)(3)(A)(i) of such Act is further amended by adding before the semicolon at the end thereof the following: ": *Provided further,* That if the mortgagor is a veteran and the mortgage to be insured under this section covers property upon which there is located a dwelling designed principally for a one-family residence, the principal obligation may be in an amount equal to the sum of (1) 100 per centum of $15,000 of the Commissioner's estimate of replacement cost of the property, as of the date the mortgage is accepted for insurance, (2) 90 per centum of such replacement cost in excess of $15,000 but not in excess of $20,000, and (3) 85 per centum of such replacement cost in excess of $20,000. As used herein, the term 'veteran' means any person who served on active duty in the Armed Forces of the United States for a period of not less than ninety days (or is certified by the Secretary of Defense as having performed extrahazardous service), and who was discharged or released therefrom under conditions other than dishonorable".

Increased mortgage limitations under section 220(d)(3)(B) for small projects containing larger family dwelling units

SEC. 308. (a) Section 220(d)(3)(B)(iii) of the National Housing Act is amended by inserting after "; and except that" the following: "with respect to rehabilitation projects involving not more than five family units, the Secretary may by regulation increase by 25 per centum any of the foregoing dollar amount limitations contained in this clause which are applicable to units with two, three, or four or more bedrooms: *Provided,* That".

(b) Section 220(d)(3)(B)(iii) of such Act is further amended—

(1) by inserting immediately before "by not to exceed 45 per centum" the following: "(as determined after the application of the preceding proviso)"; and

(2) by striking out "*Provided,* That nothing" and inserting in lieu thereof "*Provided further,* That nothing".

Mortgage limits for homes under section 221(d)(2)

SEC. 309. Section 221(d)(2)(A) of the National Housing Act is amended by striking out "$11,000" and "$18,000" and inserting in lieu thereof "$12,500" and "$20,000", respectively.

Nondwelling facilities in section 221 projects in urban renewal areas

SEC. 310. Section 221(f) of the National Housing Act is amended by inserting before the period at the end of the first sentence the following: ": *Provided,* That in the case of any such property or project located in an urban renewal area, the provisions of section 220(d)(3)(B)(iv) shall apply with respect to the nondwelling facilities which may be included in the mortgage if the mortgagor waives the right to receive dividends on its equity investment in the portion thereof devoted to community and shopping facilities".

Occupants in section 221(d)(3) housing

SEC. 311. (a) Section 221(f) of the National Housing Act is amended by adding at the end thereof the following new sentence: "Low- and moderate-income persons who are less than 62 years of age shall be eligible for occupancy of dwelling units in a project financed with a mortgage insured under subsection (d)(3), but not more than 10 per centum of the dwelling units in any such project shall be available for occupancy by such persons."

(b) Section 221(f) of such Act is further amended by adding at the end thereof (after the sentence added by subsection (a) of this section) the following new sentence: "For purposes of determining eligibility for occupancy of dwelling units in a project financed with a mortgage insured under subsection (d)(3) which receives the benefits of the interest rate provided for in the proviso in subsection (d)(5), a family or person with an annual income of more than $10,000 shall in no case be considered to be a family or person of low or moderate income."

Insurance of mortgages under section 221 to finance purchase and rehabilitation by nonprofit organizations of housing for resale to low-income purchasers.

SEC. 312. (a) Section 221 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(h)(1) In addition to mortgages insured under the other provisions of this section, the Secretary is authorized, upon application by the mortgagee, to insure under this subsection as hereinafter provided any mortgage (including advances under such mortgage during rehabilitation) which is executed by a nonprofit organization to finance the purchase and rehabilitation of deteriorating or substandard housing for subsequent resale to low-income home purchasers and, upon such terms and conditions as the Secretary may prescribe, to make commitments for the insurance of such mortgages prior to the date of their execution or disbursement thereon.

"(2) To be eligible for insurance under paragraph (1) of this subsection, a mortgage shall—

"(A) be executed by a private nonprofit corporation or association approved for purposes of this subsection by the Secretary, for the purpose of financing the purchase of property (comprising one or more tracts or parcels, whether or not contiguous) upon which there is located deteriorating or substandard housing consisting of five or more single-family dwellings of detached, semidetached, or row construction and of rehabilitating such dwellings with a view to subsequent resale as hereinafter provided;

"(B) be secured by the property which is to be purchased and rehabilitated with the proceeds thereof;

"(C) be in a principal amount not exceeding the appraised value of the property at the time of its purchase under the mortgage plus the estimated cost of the rehabilitation;

"(D) bear interest (exclusive of premium charges for insurance and service charge, if any) at the rate in effect under the proviso in subsection (d)(5) at the time of execution;

"(E) provide for complete amortization (subject to paragraph (5)(E)) by periodic payments within such term as the Secretary may prescribe; and

"(F) provide for the release of individual single-family dwellings from the lien of the mortgage upon the sale of the rehabilitated dwellings in accordance with paragraph (5).

"(3) No mortgage shall be insured under paragraph (1) unless the mortgagor shall have demonstrated to the satisfaction of the Secretary that (A) the property to be rehabilitated is located in a neighborhood which is sufficiently stable and contains sufficient public facilities and amenities to support long-term values, or (B) the rehabilitation to be carried out by the mortgagor plus its related activities and the activities of other owners of housing in the neighborhood, together with actions to be taken by public authorities, will be of such scope and quality as to give reasonable promise that a stable environment will be created in the neighborhood.

"(4) The aggregate principal balance of all mortgages insured under paragraph (1) and outstanding at any one time shall not exceed $20,000,000.

"(5)(A) No mortgage shall be insured under paragraph (1) unless the mortgagor enters into an agreement (in form and substance satisfactory to the Secretary) that it will offer to sell the dwellings involved, upon completion of their rehabilitation, to individuals or families (hereinafter referred to as 'low-income purchasers') determined by the Secretary to have incomes below the maximum amount specified (with respect to the area involved) in section 101(c)(1) of the Housing and Urban Development Act of 1965.

"(B) The Secretary is authorized to insure under this paragraph mortgages executed to finance the sale of individual dwellings to low-income purchasers as provided in subparagraph (A). Any such mortgage shall—

"(i) be in a principal amount equal to that portion of the unpaid balance of the principal mortgage covering the property (insured under paragraph (1)) which is allocable to the individual dwelling involved; and

"(ii) bear interest at the same rate as the principal mortgage, and provide for complete amortization by periodic payments within a term equal to the remaining term (determined without regard to subparagraph (E)) of such principal mortgage.

"(C) The price for which any individual dwelling is sold to a low-income purchaser under this paragraph shall be the amount of the mortgage covering the sale as determined under subparagraph (B), except that the purchaser shall in addition thereto be required to pay on account of the property at the time of purchase such amount (which shall not be less than $200, but which may be applied in whole or in part toward closing costs) as the Secretary may determine to be reasonable and appropriate in the circumstances.

"(D) Upon the sale under this paragraph of any individual dwelling, such dwelling shall be released from the lien of the principal mortgage, and such mortgage shall thereupon be replaced by an individual mortgage insured under this paragraph to the extent of the portion of its unpaid balance which is allocable to the dwelling covered by such individual mortgage. Until all of the individual dwellings in the property covered by the principal mortgage have been sold, the mortgagor shall hold and operate the dwellings remaining unsold at any given time as though they constituted rental units in a project covered by a mortgage which is insured under subsection (d)(3) (and which receives the benefits of the interest rate provided for in the proviso in subsection (d)(5)).

"(E) Upon the sale under this paragraph of all of the individual dwellings in the property covered by the principal mortgage, and the release of all individual dwellings from the lien of the principal mortgage, the insurance of the principal mortgage shall be terminated and no adjusted premium charge shall be charged by the Secretary upon such termination.

"(F) Any mortgage insured under this paragraph shall contain a provision that if the low-income mortgagor does not continue to occupy the property the interest rate shall increase to the highest rate permissible under this section and the regulations of the Secretary effective at the time of commitment for insurance of the principal mortgage; except that the increase in interest rate shall not be applicable if the property is sold and the purchaser is (i) the nonprofit organization which executed the principal mortgage, (ii) a public housing agency having jurisdiction under the United States Housing Act of 1937 over the area where the dwelling is located, or (iii) a low-income purchaser approved for the purposes of this paragraph by the Secretary."

(b)(1) Section 221(g)(1) of such Act is amended by inserting after "paragraph (2) of subsection (d) of this section" the following: "or paragraph (5) of subsection (h) of this section".

(2) Section 221(g)(2) of such Act is amended by inserting after "paragraph (3) or (4) of subsection (d) of this section" the following: "or paragraph (1) of subsection (h) of this section".

(c) Section 221(f) of such Act is amended by inserting after "Housing Act of 1961," in the fourth sentence "or which meet the requirements of subsection (h),".

(d) Section 305(h) of such Act is amended by striking out "section 221(d)(3)" and inserting in lieu thereof "sections 221(d)(3) and 221(h)".

Application of Davis-Bacon Act to cooperative housing projects insured under section 221 (d)(3) and (d)(4) and mortgages insured under section 221(h)(1)

Sec. 313. The third sentence of section 212(a) of the National Housing Act is amended by striking out "subsection (d)(3) or (d)(4)." and inserting in lieu thereof "subsection (d)(3) or (d)(4) and (deeming the term 'construction' as used in the first sentence of this subsection to mean rehabilitation) of any mortgage described in subsection (h)(1) which covers property on which there is located a dwelling or dwellings designed principally for residential use for more than eight families; except that compliance with such provisions may be waived by the Secretary—

"(1) with respect to mortgages described in such subsection (d)(3) or (d)(4), in cases or classes of cases where laborers or mechanics (not otherwise employed at any time in the construction of the project) voluntarily donate their services without compensation for the purpose of lowering their housing costs in a cooperative housing project and the Secretary determines that any amounts saved thereby are fully credited to the cooperative undertaking the construction, and

"(2) with respect to mortgages described in such subsection (h)(1), in cases or classes of cases where prospective owners of such dwellings voluntarily donate their services without compensation, or other persons (not otherwise employed at any time in the rehabilitation of the property) voluntarily donate their services without compensation, and the Secretary determines that any amounts saved thereby are fully credited to the nonprofit organization undertaking the rehabilitation."

Waiver of deduction on assignment of property to Secretary in lieu of foreclosure

Sec. 314. Title V of the National Housing Act is amended by adding at the end thereof the following new section:

"Waiver of deduction on assignment of property to Secretary in lieu of foreclosure

"Sec. 523. Notwithstanding any other provision of this Act, from and after the date of the enactment of the Housing and Urban Development Act of 1966, the Secretary, under such terms and conditions as he may approve, may waive all or a part of the 1 per centum deduction otherwise made from insurance benefits with respect to multifamily housing or land development mortgages assigned to him, where the assignment is made at his request in lieu of foreclosure of the mortgage."

Armed services housing mortgage insurance program

Sec. 315. (a) Section 803(a) of the National Housing Act is amended—

(1) by striking out "$2,300,000,000" and inserting in lieu thereof "$3,350,000,000";

(2) by striking out "October 1, 1962" and inserting in lieu thereof "October 1, 1969"; and

(3) by striking out "twenty-eight thousand" and inserting in lieu thereof "eighty-eight thousand".

(b) Section 803(b) of such Act is amended—

(1) by striking out "$16,500" each place it appears in paragraph (3)(B) and inserting in lieu thereof "$17,500"; and

(2) by striking out "4½ per centum" in the sentence following paragraph (3)(C) and inserting in lieu thereof "5½ per centum".

Increase in units insurable under section 810 program

Sec. 316. (a) Section 810(i) of the National Housing Act is amended by striking out "five thousand dwelling units" and inserting in lieu thereof "ten thousand dwelling units".

(b)(1) The first sentence of section 810(e) of such Act is amended by inserting before the period at the end thereof "or other mortgagor approved by the Commissioner".

(2) The third sentence of section 810(e) of such Act is amended by inserting after "or trust" the following "or other mortgagor".

TITLE IV—LAND DEVELOPMENT AND NEW COMMUNITIES

Mortgage insurance for new communities

Sec. 401. Title X of the National Housing Act is amended by inserting after section 1003 the following new section 1004 and redesignating the remaining sections accordingly:

"New communities

"Sec. 1004. (a) New communities consisting of developments, satisfying all other requirements under this title, may be approved under this section by the Secretary for mortgage insurance if they meet the requirements of subsection (b) of this section.

"(b) A development shall be eligible for approval as a new community if the Secretary determines it will, in view of its size and scope, make a substantial contribution to the sound and economic growth of the area within which it is located in the form of—

"(1) substantial economies, made possible through large-scale development, in the provision of improved residential sites;

"(2) adequate housing to be provided for those who would be employed in the community or the surrounding area;

"(3) maximum accessibility from the new residential sites to industrial or other employment centers and commercial, recreational, and cultural facilities in or near the community; and

"(4) maximum accessibility to any major central city in the area".

Mortgage amount and term

Sec. 402 (a) Section 1002(c) of the National Housing Act is amended by striking out "$10,000,000" and inserting in lieu thereof "$25,000,000".

(b) Section 1002(d)(1) of such Act is amended to read as follows:

"(1) contain repayment provisions satisfactory to the Secretary and have a maturity not to exceed seven years, or such longer maturity as the Secretary deems reasonable (A) in the case of a privately owned system for water or sewerage, and (B) in the case of a new community approved under section 1004;".

Encouragement of small builders

Sec. 403. The section of the National Housing Act redesignated as section 1005 by section 401 of this Act is amended by inserting "particularly small builders," after "broad participation by builders,".

Water and sewerage facilities

Sec. 404. The section of the National Housing Act redesignated as section 1006 by section 401 of this Act is amended to read as follows:

"Water and sewerage facilities

"Sec. 1006. After development of the land it shall be served by public systems for water and sewerage which are consistent with other existing or prospective systems within the area, except that—

"(a) in the case of systems for water, the land may be served by privately or cooperatively owned systems which are consistent with other existing or prospective systems within the area; are approved as adequate by the Secretary; and are regulated or supervised by the State or political subdivision or an agency thereof, or (in the absence of such State or local regulation or supervision) are otherwise regulated in a manner acceptable to the Secretary, with respect to user rates and charges, capital structure, methods of operation, rate of return, and conditions and terms of any sale or transfer; and

"(b) in the case of systems of sewerage, the land may be served by—

"(1) existing privately or cooperatively owned systems (including reasonable extensions thereto) which are approved as adequate by the Secretary, and which are regulated or supervised by the State or political subdivision or an agency thereof, or (in the absence of such State or local regulation or supervision) are otherwise regulated in a manner acceptable to the Secretary; or

"(2) if it is necessary to develop a new system and the Secretary determines that public ownership of such a system is not feasible, an adequate privately or cooperatively owned new system (A) which he finds consistent with other existing or prospective systems within the area, (B) which during the period of such ownership will be regulated or supervised by the State or political subdivision or an agency thereof, or (in the absence of such State or local regulation or supervision) will be otherwise regulated in a manner acceptable to the Secretary, with respect to user rates and charges, capital structure, methods of operation, and rate of return, and (C) regarding which he receives assurances, satisfactory to him, with respect to eventual public ownership and operation of the system and with respect to the conditions and terms of any sale or transfer."

Federal National Mortgage Association special assistance for new communities

Sec. 405. Section 302(b) of the National Housing Act is amended by inserting after "or title VIII," in the proviso the following: "or under title X with respect to a new community approved under section 1004 thereof,".

Urban planning grants

Sec. 406. Section 701(a)(4) of the Housing Act of 1954 is amended by inserting before the semicolon at the end thereof the following: ", or for areas where rapid urbanization is expected to result on land developed or to be developed as a new community approved under section 1004 of the National Housing Act".

Public facility loans

Sec. 407. Section 202(b)(4) of the Housing Amendments of 1955 is amended by adding before the period at the end of the second sentence the following: ", or (iii) to be provided in connection with the establishment of a new community approved under section 1004 of the National Housing Act".

TITLE V—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES

Purpose

Sec. 501. It is the purpose of this title to assure the availability of credit on reasonable terms to units or organizations engaged in the group practice of medicine, optometry, or dentistry, particularly those in smaller communities, to assist in financing the construction and equipment of group practice facilities.

Establishment of program

Sec. 502. (a) The National Housing Act is amended by adding at the end thereof the following new title:

"TITLE XI—MORTGAGE INSURANCE FOR GROUP PRACTICE FACILITIES

"Insurance of mortgages

"Sec. 1101. (a) The Secretary is authorized (1) to insure mortgages (including advances on such mortgages during construction), upon such terms and conditions as he may prescribe, in accordance with the provisions of this title, and (2) to make commitments for the insuring of such mortgages prior to the date of their execution or disbursement thereon. No mortgage shall be insured under this title after October 1, 1969, except pursuant to a commitment to insure issued before that date.

"(b) To be eligible for insurance under this title, the mortgage shall (1) be executed by a mortgagor that is a group practice unit or organization, approved by the Secretary, (2) be made to and held by a mortgagee approved by the Secretary as responsible and able to service the mortgage properly, and (3) cover a property or project which is approved for mortgage insurance prior to the beginning of construction or rehabilitation and is designed for use as a group practice facility which the Secretary finds will be constructed in an economical manner, will not be of elaborate or extravagant design or materials, and will be adequate and suitable for carrying out the purposes of this title. No mortgage shall be insured under this title unless it is shown to the satisfaction of the Secretary that the applicant would be unable to obtain the mortgage loan without such insurance on terms comparable to those specified in subsection (c).

"(c) The mortgage shall—

"(1) not exceed $5,000,000;

"(2) not exceed 90 per centum of the amount which the Secretary estimates will be the value of the property or project when construction or rehabilitation is completed. The value of the property may include the land the proposed physical improvements, equipment, utilities within the boundaries of the property, architects' fees, taxes, and interest accruing during construction or rehabilitation, and other miscellaneous charges incident to construction or rehabilitation and approved by the Secretary;

"(3) have a maturity satisfactory to the Secretary but not to exceed twenty-five years, and provide for complete amortization of the principal obligation by periodic payments within such term as the Secretary shall prescribe; and

"(4) bear interest (exclusive of premium charges for insurance, and service charges if any) at a rate of not to exceed 5 per centum per annum of the amount of the principal obligation outstanding at any time, or not to exceed such rate (not in excess of 6 per centum per annum) as the Secretary finds necessary to meet the mortgage market.

"(d)) Any contract of insurance executed by the Secretary under this title shall be conclusive evidence of the eligibility of the mortgage for insurance, and the validity of any contract for insurance so executed shall be incontestable in the hands of an approved mortgage from the date of the execution of such contract, except for fraud or misrepresentation on the part of such approved mortgagee.

"(e) Each mortgage insured under this title shall contain an undertaking (in accordance with regulations prescribed under this title and in force at the time the mortgage is approved for insurance) to the effect that, except as authorized by the Secretary and the mortgagee, the property will be used as a group practice facility until the mortgage has been paid in full or the contract of insurance otherwise terminated.

"(f) No mortgage shall be insured under this title unless the mortgagor and the mortgagee certify (1) that they will keep such records relating to the mortgage transaction and indebtedness, to the construction of the facility covered by the mortgage, and to the use of such facility as a group practice facility as are prescribed by the Secretary at the time of such certification, (2) that they will make such reports as may from time to time be required by the Secretary pertaining to such matters, and (3) that the Secretary shall have access to and the right to examine and audit such records.

"Premiums

"Sec. 1102. The Secretary shall fix premium charges for the insurance of mortgages under this title, but such charges shall not be more than 1 per centum per annum of the amount of the principal obligation of the mortgage outstanding at any time, without taking into account delinquent payments or prepayments. In addition to the premium charge, the Secretary is authorized to charge and collect such amounts as he may deem reasonable for the analysis of a proposed project and the appraisal and inspection of the property and improvements. Where the principal obligation of any mortgage accepted for insurance under this title is paid in full prior to the maturity date, the Secretary is authorized to require the payment by the mortgagee of an adjusted premium charge. This charge shall be in such amount as the Secretary determines to be equitable, but not in excess of the aggregate amount of the premium charges that the mortgagee would otherwise have been required to pay if the mortgage had continued to be insured until the maturity date. Where such prepayment occurs, the Secretary is authorized to refund to the mortgagee for the account of the mortgagor all, or such portion as he shall determine to be equitable, of the current unearned premium charges theretofore paid. Premium charges fixed under this section shall be payable by the mortgagee either in cash, or in debentures which are the obligation of the General Insurance Fund at par plus accrued interest, at such times and in such manner as may be prescribed by the Secretary.

"Payment of insurance benefits

"Sec. 1103. The mortgagee shall be entitled to receive the benefits of the insurance under this title in the manner provided in subsection (g) of section 207 with respect to mortgages insured under that section. For such purpose the provisions of subsections (g), (h), (i), (j), (k), (l), and (n) of section 207 shall apply to mortgages insured under this title and all references in such subsections to section 207 shall be deemed to refer to this title.

"Regulations

"Sec. 1104. The Secretary shall prescribe such regulations as may be necessary to carry out this title, after consulting with the Secretary of Health, Education, and Welfare with respect to any health or medical aspects of the program under this title which may be involved in such regulations.

"Administration

"Sec. 1105. (a) At the request of individuals or organizations operating or contemplating the operation of group practice facilities (as defined in section 1106(1)), the Secretary may provide or obtain technical assistance in the planning for any construction of such facilities.

"(b) With a view to avoiding unnecessary duplication of existing staffs and facilities of the Federal Government, the Secretary is authorized to utilize available services and facilities of any agency of the Federal Government in carrying out the provisions of this title, and to pay for such services and facilities, either in advance or by way of reimbursement, in accordance with an agreement between the Secretary and the head of such agency.

"Definitions

"Sec. 1106. For the purposes of this title—

"(1) The term 'group practice facility' means a facility in a State for the provision of preventive, diagnostic, and treatment services to ambulatory patients (in which patient care is under the professional supervision of persons licensed to practice medicine or surgery in the State or, in the case of optometric care or treatment, is under the professional supervision of persons licensed to practice optometry in the States, or, in the case of dental diagnosis or treatment, is under the professional supervision of persons licensed to practice dentistry in the State) and which is primarily for the provision of such health services by a medical or dental group.

"(2) The term 'medical or dental group' means a partnership or other association or group of persons licensed to practice medicine or surgery in the State, or of persons licensed to practice optometry in the State, or of persons licensed to practice dentistry in the State, or of any combination of such persons, who, as their principal professional activity and as a group responsibility, engage or undertake to engage in the coordinated practice of their profession primarily in one or more group practice facilities, and who (in this connection) share common overhead expenses (if and to the extent such expenses are paid by members of the group), medical and other records, and substantial portions of the equipment and the professional, technical, and administrative staffs, and which partnership or association or group is composed of at least such professional personnel and makes available at least such health services as may be provided in regulations prescribed under this title.

"(3) The term 'group practice unit or organization' means—

"(A) a private nonprofit agency or organization undertaking to provide, directly or through arrangements with a medical or dental group, comprehensive medical care, optometric care, or dental care, or any combination thereof, which may include hospitalization, to members or subscribers primarily on a group practice prepayments basis;

"(B) a private nonprofit agency or organization established for the purpose of improving the availability of medical, optometric, or dental care in the community or having some function or functions related to the provision of such care, which will, through lease or other arrangement, make the group practice facility with respect to which assistance has been requested under this title available to a medical or dental group for use by it; or

"(C) a medical or dental group.

"(4) The term 'nonprofit organization' means a corporation, association, foundation, trust, or other organization no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual except, in the case of an organization the purposes of which include the provision of personal health services to its members or subscribers or their dependents under a plan of such organization for the provision of such services to them (which plan may include the provision of other services or insurance benefits to them), through the provision of such health services (or such other services or insurance benefits) to such members or subscribers or dependents under such plan.

"(5) The term 'State' includes the Commonwealth of Puerto Rico, Guam, the Virgin Islands, American Samoa, and the District of Columbia.

"(6) The term 'mortgage' means a first mortgage on real estate in fee simple, or on the interest of either the lessor or lessee thereof (A) under a lease for not less than ninety-nine years which is renewable, or (B) under a lease having a period of not less than fifty years to run from the date the mortgage was executed. The term 'first mortgage' means such classes of first liens as are commonly given to secure advances (including but not limited to advances during construction) on, or the unpaid purchase price of, real estate under the laws of the State in which the real estate is located, together with the credit instrument or instruments, if any, secured thereby, and any mortgage may be in the form of one or more trust mortgages or mortgage indentures or deeds of trust, securing notes, bonds, or other credit instruments, and, by the same instrument or by a separate instrument, may create a security interest in initial equipment, whether or not attached to the realty.

"(7) The term 'mortgagee' means the original lender under a mortgage, and his or its successors and assigns, and includes the holders of credit instruments issued under a trust mortgage or deed of trust pursuant to which such holders act by and through a trustee named therein.

"(8) The term 'mortgagor' means the original borrower under a mortgage and his or its successors and assigns."

(b) The first sentence of section 227 of such Act is amended by inserting after "new or rehabilitated multifamily housing" the following: "or a property or project described in title XI".

Labor standards

SEC. 503. Section 212(a) of the National Housing Act is amended by adding at the end thereof the following new sentence: "The provisions of this section shall also apply to the insurance of any mortgage under title XI; and each laborer or mechanic employed on any facility covered by a mortgage insured under such title shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in any workweek in excess of eight hours in any workday or forty hours in the workweek, as the case may be."

Amendments to other Federal laws

SEC. 504. (a)(1) The sixth sentence of paragraph "'Seventh'' of section 5136 of the Revised Statutes, as amended (12 U.S.C. 24), is amended by inserting after "Federal Home Loan Banks," the following: "or obligations which are insured by the Secretary of Housing and Urban Development under title XI of the National Housing Act."

(2) The third sentence of the first paragraph of section 24 of the Federal Reserve Act, as amended (12 U.S.C. 371), is amended by inserting after "or sections 1471–1484 of title 42," the following: "or which are insured by the Secretary of Housing and Urban Development pursuant to title XI of the National Housing Act,".

(b) Subsection (a) of section 304 of the Trust Indenture Act of 1939 (15 U.S.C. 77ddd) is amended by striking out the word "or" at the end of paragraph (8); by striking out the period at the end of paragraph (9) and inserting in lieu thereof a semicolon and the word "or"; and by adding after paragraph (9) a new paragraph as follows:

"(10) any security issued under a mortgage or trust deed indenture as to which a contract of insurance under title XI of the National Housing Act is in effect; and any such security shall be deemed to be exempt from the provisions of the Securities Act of 1933 to the same extent as though such security were specifically enumerated in section 3(a)(2), as amended, of the Securities Act of 1933 (15 U.S.C. 77c(a)(2))."

(c) Section 263 of chapter X of the Bankruptcy Act (11 U.S.C. 663) is amended by adding at the end thereof the following: "Nothing contained in this chapter shall be deemed to affect or apply to the creditors of any corporation under a mortgage insured pursuant to title XI of the National Housing Act."

TITLE VI—PRESERVATION OF HISTORIC STRUCTURES

Preservation of historic structures as part of urban renewal projects

SEC. 601. (a) Section 110(b) of the Housing Act of 1949 is amended by inserting "historic and architectural preservation," after "land acquisition,".

(b) Section 110(c)(6) of such Act is amended by inserting "to promote historic and architectural preservation," after "deterioration,".

(c) Section 110(c) of such Act is further amended by striking out "and" at the end of clause (8), and by striking out clause (9) and inserting in lieu thereof the following:

"(9) relocation within or outside the project area of structures which will be restored and maintained for architectural or historic purposes; and

"(10) restoration of acquired properties of historic or architectural value."

Local grant-in-aid credit for relocation and restoration of historic structures

SEC. 602. Clause (2) of section 110(d) of the Housing Act of 1949 is amended by striking out "clause (2) and clause (3)" and inserting in lieu thereof "clauses (2), (3), (9), and (10)".

Grants to National Trust for Historic Preservation to cover restoration costs

SEC. 603. (a) The Secretary of Housing and Urban Development is authorized to make grants to the National Trust for Historic Preservation, on such terms and conditions and in such amounts (not exceeding $90,000 with respect to any one structure) as he deems appropriate, to cover the costs incurred by such Trust in renovating or restoring structures which it considers to be of historic or architectural value and which it has accepted and will maintain (after such renovation or restoration) for historic purposes.

(b) There are authorized to be appropriated such sums as may be necessary for the grants to be made under subsection (a).

Urban planning grants for surveys of historic structures

SEC. 604. Section 701 of the Housing Act of 1954 is amended by adding at the end thereof the following new subsection:

"(h) In addition to the other grants authorized by this section, the Secretary is authorized to make grants to assist any city, other municipality, or county in making a survey of the structures and sites in such locality which are determined by its appropriate authorities to be of historic or architectural value. Any such survey shall be designed to identify the historic structures and sites in the locality, determine the cost of their rehabilitation or restoration, and provide such other information as may be necessary or appropriate to serve as a foundation for a balanced and effective program of historic preservation in such locality. The aspects of any such survey which relate to the identification of historic and architectural values shall be conducted in accordance with criteria found by the Secretary to be comparable to those used in establishing the National Register maintained by the Secretary of the Interior under other provisions of law; and the results of each such survey shall be made available to the Secretary of the Interior. A grant under this subsection shall not exceed two-thirds of the cost of the survey for which it is made, and shall be made to the appropriate agency or entity specified in paragraphs (1) through (9) of subsection (a) or, if there is no such agency or entity which is qualified and willing to receive the grant and provide for its utilization in accordance with this subsection, directly to the city, other municipality, or county involved."

Loans for acquisition and rehabilitation of historic structures

SEC. 605. (a) Section 312(a) of the Housing Act of 1964 is amended by inserting "(1)" after "(a)", by striking out the second sentence, and by adding at the end thereof the following new paragraphs:

"(2) To assist in the preservation of historic structures both within and outside of urban renewal areas, the Secretary is also authorized under this section to make loans to the owners or tenants of structures which are determined in accordance with regulations prescribed by him to be of historic or architectural value to finance the rehabilitation or restoration of such structures, and to make loans to other persons to finance the acquisition and rehabilitation or restoration by them of structures which are determined in accordance with such regulations to be of historic or architectural value.

"(3) No loan shall be made under this section unless the Secretary finds (A) that the applicant is unable to secure the necessary funds from other sources upon comparable terms and conditions, and (B) the loan is an acceptable risk, taking into consideration the security available for the loan, the ability of the applicant to repay the loan, and the need for the rehabilitation or restoration involved.

"(4) Nothing in this section shall prevent a person from receiving a loan under this section with respect to property in connection with which he receives a grant under section 115 of the Housing Act of 1949, if and to the extent that such person is otherwise eligible to receive such loan under this section."

(b)(1) The heading of section 312 of such Act is amended to read as follows:

"Loans for rehabilitation or historic preservation"

(2) Section 312(b)(1) of such Act is amended by striking out "or the urban renewal plan" and inserting in lieu thereof ", or the urban renewal plan if any,".

(3) Section 312(b)(3) of such Act is amended by striking out "rehabilitation loan" and inserting in lieu thereof "loan".

(4) So much of section 312(c) of such Act as precedes paragraph (1) thereof as amended by striking out "rehabilitation loan" and inserting in lieu thereof "loan".

(5) Section 312(c)(4) of such Act is amended by striking out "the cost of rehabilitation" in subparagraphs (A) and (B) and inserting in lieu thereof in each instance "the cost of the rehabilitation, restoration, or acquisition and restoration".

Grants for historic preservation

Sec. 606. (a) The heading of title VII of the Housing Act of 1961 is amended to read as follows:

"TITLE VII—OPEN-SPACE LAND, URBAN BEAUTIFICATION, AND HISTORIC PRESERVATION"

(b) Section 701 of such Act is amended by redesignating subsection (c) as subsection (d), and by inserting after subsection (b) a new subsection as follows:

"(c) The Congress further finds that there is a need for timely action to preserve and restore areas, sites, and structures of historic or architectural value in order that these remaining evidences of our past history and heritage shall not be lost or destroyed through the expansion and development of the Nation's urban areas."

(c) Section 701(d) of such Act (as redesignated by subsection (b) of this section) is amended—

(1) by inserting after "urban development," the following: "to assist in preserving areas and properties of historic or architectural value,"; and

(2) by striking out "and (2)" and inserting in lieu thereof "(2) acquire, improve, and restore areas, sites, and structures of historic or architectural value, and (3)".

(d) Section 702(e) of such Act is amended to read as follows:

"(e) The Secretary shall consult with the Secretary of the Interior on the general policies to be followed in reviewing applications for grants under this title. To assist the Secretary in such review, the Secretary of the Interior shall furnish him (1) appropriate information on the status of national and statewide recreation and historic preservation planning as it affects the areas to be assisted with such grants, and (2) the current listing of any districts, sites, buildings, structures, and objects significant in American history, architecture, archeology, and culture which may be contained on a National Register maintained by the Secretary of the Interior pursuant to other provisions of law. The Secretary shall provide current information to the Secretary of the Interior from time to time on significant program developments."

(e) Section 706 of such Act is amended by striking out the proviso.

(f) Section 708 of such Act is amended by inserting "(a)" after "Sec. 708.", by inserting "(b)" before "The" in the second paragraph, and by adding at the end thereof a new subsection as follows:

"(c) Notwithstanding any other provision of this title, the Secretary may use not to exceed $10,000,000 of the sum authorized for contracts under this title for the purpose of entering into contracts to make grants in amounts not to exceed 90 per centum of the cost of activities which he determines have special value in developing and demonstrating new and improved methods and materials for use in carrying out the purposes of this title."

(g) Title VII of such Act is amended by redesignating section 709 as section 710, and by adding after section 708 a new section as follows:

"Grants for historic preservation

"Sec. 709. The Secretary is authorized to enter into contracts to make grants to States and local public bodies to assist in the acquisition of title to or other permanent interests in areas, sites, and structures of historic or architectural value in urban areas, and in their restoration and improvement for public use and benefit, in accordance with the comprehensively planned development of the locality. The amount of any such grant shall not exceed 50 per centum of the total cost, as approved by the Secretary, of the assisted activities. The remainder of such cost shall be provided from non-Federal sources."

(h) Commencing three years after the date of the enactment of this Act, no grant shall be made (except pursuant to a contract or commitment entered into less than three years after such date) under section 709 of the Housing Act of 1961 or section 701(h) of the Housing Act of 1954, or under section 103 of the Housing Act of 1949 to the extent that it is to be used for historic or architectural preservation, except with respect to districts, sites, buildings, structures, and objects which the Secretary of Housing and Urban Development finds meet criteria comparable to those used in establishing the National Register maintained by the Secretary of the Interior pursuant to other provisions of law.

TITLE VII—URBAN RENEWAL

Local grants-in-aid

Sec. 701. Section 110(d) of the Housing Act of the 1949 is amended by inserting immediately after the colon at the end of the first proviso the following: "*Provided further*, That any publicly owned facility, the construction of which was begun not earlier than three years prior to the date of enactment of the Demonstration Cities and Metropolitan Development Act of 1966, shall be deemed to benefit an urban renewal project or projects to the extent of 25 per centum of the total benefits of such facility, if such facility (A) is used, or is to be used, by the public predominantly for cultural, exhibition, civic, or municipal purposes; (B) is located within, adjacent to, or in the immediate vicinity of such urban renewal project or projects; (C) is found to contribute materially to the objectives of the urban renewal plan or plans for such project or projects; and (D) is not otherwise eligible as a local grant-in-aid:".

Air rights sites in urban renewal projects

Sec. 702. (a) Section 110(c)(1) of the Housing Act of 1949 is amended by inserting in clause (iv), between the word "income" and the colon immediately preceding the first proviso, the following: "or, if the area is found by the local public agency to be unsuitable for use for low or moderate income housing, for use for industrial development".

(b) Section 110(c)(7) of such Act is amended by inserting immediately before the semicolon the following: ", or construction of foundations and platforms necessary for the provision of air rights sites for industrial development".

Application of Davis-Bacon Act to multifamily housing construction in urban renewal areas

Sec. 703. Section 105 of the Housing Act of 1949 is amended by adding at the end thereof the following new subsection:

"(f) All laborers and mechanics employed by contractors or subcontractors in the construction of any multifamily housing (as defined for purposes of this subsection by the Secretary of Housing and Urban Development or his designee) which may be involved in the redevelopment of the urban renewal area, and which is not subject to the provisions of section 212 of the National Housing Act or to other provisions of Federal law imposing similar standards, will be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a–5). No contract for loan or capital grant shall be entered into under this title with respect to an urban renewal area whose redevelopment will involve the construction of such housing without first obtaining adequate assurance that the labor standards imposed by the preceding sentence (or, in the case of housing which is subject to the provisions of section 212 of the National Housing Act or to other provisions of Federal law imposing similar standards, the labor standards imposed by such provisions) will be maintained upon the construction work. The Secretary of Labor shall have, with respect to the labor standards specified in this subsection, the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 64 Stat. 1267; 5 U.S.C. 133z–15), and section 2 of the Act of June 13, 1934, as amended (48 Stat. 948; 40 U.S.C. 276c)."

Additional requirements for redevelopment of urban renewal area

Sec. 704. (a) Section 105 of the Housing Act of 1949 is amended by adding at the end thereof (after the new subsection added by section 703 of this Act) the following new subsection:

"(g) The redevelopment of the urban renewal area unless such redevelopment is for predominantly nonresidential uses, will provide a substantial number of units of standard housing of low and moderate cost and result in marked progress in serving the poor and disadvantaged people living in slum and blighted areas."

(b) The amendment made by subsection (a) shall apply only in the case of contracts for loans or capital grants which are made with respect to urban renewal projects undertaken pursuant to urban renewal plans approved after the date of the enactment of this Act.

Three-fourths grants for projects in certain redevelopment areas

Sec. 705. Section 103(a)(2)(B) of the Housing Act of 1949 is amended by inserting after "to avoid hardship," the following: "or at any time after such contract or contracts are entered into and prior to the time the final grant payment has been made pursuant thereto,".

Expenditures by educational institutions and hospitals

Sec. 706. Section 112(a) of the Housing Act of 1949 is amended by inserting before the period at the end thereof the following: ": *Provided further*, That no such expenditure shall be deemed ineligible as a local grant-in-aid connection with an urban renewal project, to the extent that the expenditure is otherwise eligible, if the facilities, land, buildings, or structures with respect to which the expenditure is made are located within one mile of the project (or within such greater distance from the project as the Secretary may specify in the case of an expenditure and project which the Secretary determines meet the objectives of this section but cannot be encompassed within the one-mile limitations)".

Requirement of separate sewer systems in redevelopment of urban renewal area

Sec. 707. Section 105 of the Housing Act of 1949 is amended by adding at the end thereof (after the new subsection added by section 703 of this Act) the following new subsection:

"(g) The urban renewal area will be served to the maximum extent feasible after its redevelopment by a storm sewer system or systems separate from and independent of the area's sanitary sewer system or systems."

TITLE VIII—RURAL HOUSING

Sec. 801. Section 501(a) of the Housing Act of 1949 is amended by striking out "previously occupied" wherever it appears.

SEC. 802. Section 502(a) of the Housing Act of 1949 is amended by striking out "In cases of applicants who are elderly persons, the" and inserting in lieu thereof "The".

SEC. 803. Section 504 of the Housing Act of 1949 is amended by striking out "$1,000" and inserting in lieu thereof "$1,500".

SEC. 804. (a) Section 515(a) of the Housing Act of 1949 is amended by inserting after "income" the following: "or other persons and families of low income".

(b) Section 515(d)(1) of such Act is amended by striking out "elderly persons or elderly families" and inserting in lieu thereof "occupants eligible under this section".

SEC. 805. (a) Subsections (a) and (b) of section 515 of the Housing Act of 1949 are each amended by striking out "rental housing" and inserting in lieu thereof "rental or cooperative housing".

(b) Section 515(b) of such Act is amended by inserting after "families" the following: "or other persons and familes of moderate income".

(c) Section 515(d)(4) of such Act is amended by adding at the end thereof the following: "Such fees and charges may include payments to qualified consulting organizations or foundations which operate on a nonprofit basis and which render services or assistance to nonprofit corporations or consumer cooperatives who provide housing and related facilities."

SEC. 806. Section 517(a)(1) of the Housing Act of 1949 is amended—

(1) by inserting "and" before "(B)"; and

(2) by striking out ", and (C)" and all that follows and inserting in lieu thereof the following: "; but no loan under this paragraph shall be insured or made after October 1, 1969, except pursuant to a commitment entered into before that date; and".

SEC. 807. (a) Section 501(a) of the Housing Act of 1949 is amended by inserting before the period at the end thereof the following: ", and (4) to an owner described in clause (1), (2), or (3) for refinancing indebtedness which—

"(A) was incurred for an eligible purpose described in such clause,

"(B) if not refinanced, is likely to result at an early date in loss of the applicant's necessary dwelling or essential farm service buildings,

"(C) is not held or insured by the United States or any agency thereof, and

"(D) was incurred prior to the enactment of this clause."

(b) Section 501(c) of such Act is amended by inserting before the semicolon at the end of clause (1) the following: ", or that he is the owner of a farm or other real estate in a rural area who needs refinancing of indebtedness described in clause (4) of subsection (a)".

TITLE IX—MISCELLANEOUS

Housing for the elderly or handicapped

SEC. 901. Section 105(b) of the Housing and Urban Development Act of 1965 is amended—

(1) by inserting "(1)" after "(b)";

(2 by striking out "Effective with respect to loans made on or after the date of the enactment of this Act, section" and inserting in lieu thereof "Section"; and

(3) by adding at the end thereof a new paragraph as follows:

"(2) The interest rate provided by the amendment made in paragraph (1) shall be applicable (A) with respect to any loan made on or after August 10, 1965, and (B) with respect to any loan made prior to such date if construction of the housing or related facilities to be assisted by such loan was not commenced prior to such date, and not completed prior to the filing of an application for the benefits of such interest rate."

Low-rent housing in private accommodations for displaced families—Term of lease

SEC. 902. Section 23(d) of the United States Housing Act of 1937 is amended by inserting after "thirty-six months" the following: "(except that it may be for a term of up to sixty months in any case in which the public housing agency determines that the housing to be leased thereunder is needed for displaced families)".

Application of Davis-Bacon Act to low-rent housing projects consisting of privately built housing

SEC. 903. Section 16(2) of the United States Housing Act of 1937 is amended by inserting after "the development of the project involved" the following: "(including a project for the use of privately built housing in any case, other than under the authority of section 23 of this Act, where the public housing agency and the builder or sponsor enter into an agreement for such use before construction or rehabilitation is commenced), and that each such laborer or mechanic shall receive compensation at a rate not less than one and one-half times his basic rate of pay for all hours worked in any workweek in excess of eight hours in any workday of forty hours in the workweek, as the case may be".

Assistance for housing in Alaska

SEC. 904. (a) The Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") is authorized to make loans and grants to the State of Alaska, or any duly authorized agency or instrumentality thereof, in accordance with a statewide program prepared by such State, agency, or instrumentality, and approved by the Secretary, to assist in the provision of housing and related facilities for Alaska natives and other Alaska residents who are otherwise unable to finance such housing and related facilities upon terms and conditions which they can afford. The program shall (1) specify the minimum and maximum standards for such housing and related facilities (not to exceed an average of $7,500 per dwelling unit); (2) to the extent feasible, encourage the proposed users of such housing and related facilities to utilize mutual and self-help in the construction thereof; and (3) provide experience, and encourage continued participation, in self-government and individual home ownership.

(b) Grants under this section shall not exceed 75 per centum of the aggregate cost of the housing and related facilities to be constructed under an approved program.

(c) There is authorized to be appropriated not to exceed $10,000,000 to carry out the purposes of this section.

Federal National Mortgage Association participation in Federal Housing Administration-insured construction financing

SEC. 905. Section 305 of the National Housing Act is amended by adding at the end thereof the following new subsection:

"(i) In any case where the Association makes a commitment to purchase under this section (1) a mortgage insured under section 213, (2) a mortgage insured under section 220, or (3) a mortgage insured under section 221(d)(3) and executed by a cooperative (including an investor-sponsor), a limited dividend corporation, a private non-profit corporation or association, or a mortgagor qualified under section 221(e), such commitment may provide for participation by the Association in the making of insured advances on the mortgage during construction. Such participation shall be limited to 95 per centum of the amount of each of the advances involved, and the mortgagee providing the balance of such amount shall perform all necessary servicing and processing of such advances until the final insurance endorsement of the mortgage. The Secretary of Housing and Urban Development shall approve the reasonableness of the fee to be paid a participating mortgagee, taking into account its services and the extent of its participation in the advances."

Federal National Mortgage Association special assistance for financing low-cost homes

SEC. 906. The Congress hereby finds that the sharp decline in new home construction over the past year threatens to undercut our present high level of prosperity and employment as such declines have in the past; that the substantial reduction which has taken place has had its greatest impact on families of modest income who are seeking to achieve the goal of homeownership; that this decline in homebuilding is due primarily to the shortage of mortgage financing on terms which moderate income families can afford; and that our national policy objectives in the field of housing and community development are thereby being thwarted. The Congress therefore expresses its intent that the special assistance funds made available to the Federal National Mortgage Association for the financing of new low-cost homes by the Act of September 10, 1966 (Public Law 89–556), should be released immediately to halt the continuing decline in the construction of new homes for families of moderate income.

Federal National Mortgage Association standby commitments

SEC. 907. Section 304(a)(1) of the National Housing Act is amended by striking out the last sentence.

Planning grants for research on State statutes affecting local governments

SEC. 908. Section 701(b) of the Housing Act of 1954 is amended by inserting before the period at the end thereof the following: ", and for grants to assist in the conduct of studies and research relating to needed revisions in State statutes which create, govern, or control local governments and local governmental operations".

Public facility loans

SEC. 909. Section 202 of the Housing Amendments of 1955 is amended by adding at the end thereof a new subsection as follows:

"(f) The restrictions and limitations set forth in subsection (c) of this section shall not apply to assistance to municipalities, other political subdivisions and instrumentalities of one or more States, and Indian tribes, for specific projects for cultural centers, including but not limited to, museums, art centers and galleries, and theaters and other physical facilities for the performing arts, which would be of cultural, educational, and informational value to the communities and areas where the centers would be located."

Use of open-space grants for development of existing open-space land

SEC. 910. (a) Section 701(b) of the Housing Act of 1961 is amended by inserting ", for the development and redevelopment of existing parks and other open space," after "the Nation's urban areas".

(b)(1) The first sentence of section 702(a) of such Act is amended by inserting before the period at the end thereof the following: ", or the development or redevelopment, for open-space uses, of existing open-space land".

(2) The second sentence of section 702(a) of such Act is amended by inserting before the period at the end thereof the following: "or such development or redevelopment".

Applying advances in technology to housing and urban development

SEC. 911. (a) To encourage and assist the housing industry to continue to reduce the cost and improve the quality of housing by the application to home construction of advances in technology, and to encourage and assist the application of advances in technology to urban development activities, the Secretary of Housing and Urban Development (hereinafter referred to as the "Secretary") is directed to—

(1) conduct research and studies to test and demonstrate new and improved techniques and methods of applying advances in technology to housing construction, rehabilitation, and maintenance, and to urban development activities; and

(2) encourage and promote the acceptance and application of new and improved techniques and methods of constructing, rehabilitating, and maintaining housing, and the application of advances in technology to urban development activities, by all segments of the housing industry, communities, industries engaged in urban development activities, and the general public.

(b) Research and studies conducted under this section shall be designed to test and demonstrate the applicability to housing construction, rehabilitation, and maintenance, and urban development activities, of advances in technology relating to (1) design concepts, (2) construction and rehabilitation methods, (3) manufacturing processes, (4) materials and products, and (5) building components.

(c) The Secretary is authorized to carry out the research and studies authorized by this section either directly or by contract with public or private bodies or agencies, or by working agreement with departments and agencies of the Federal Government, as he may determine to be desirable. Contracts may be made by the Secretary for research and studies authorized by this section for work to continue not more than two years from the date of any such contract.

(d) There are authorized to be appropriated to carry out the provisions of this section not to exceed $5,000,000 for the fiscal year ending June 30, 1967, and not to exceed $10,000,000 for the fiscal year ending June 30, 1968. All funds so appropriated shall remain available until expended.

(e) Nothing contained in this section shall limit any authority of the Secretary under title III of the Housing Act of 1948, section 602 of the Housing Act of 1956, or any other provision of law.

Urban environmental studies

SEC. 912. (a) The Congress finds that, with the ever-increasing concentration of the Nation's population in urban centers, there has occurred a marked change in the environmental conditions under which most people live and work; that such change is characterized by the progressive substitution of a highly complex, man-contrived environment for an environment conditioned primarily by nature; that the beneficient or malignant influence of environment on all living creatures is well recognized; and that much more knowledge is urgently needed concerning the effect on human beings of highly urbanized surroundings. It is the purpose of this section to authorize a comprehensive program of research, studies, surveys, and analyses to improve understanding of the environmental conditions necessary for the well-being of an urban society, and for the intelligent planning and development of viable urban centers.

(b) In order to carry out the purpose of this section, the Secretary is authorized and directed to—

(1) conduct studies, surveys, research, and analyses with respect to the ecological factors involved in urban living;

(2) document and define urban environmental factors which need to be controlled or eliminated for the well-being of urban life;

(3) establish a system of collecting and receiving information and data on urban ecological research and evaluations which are in process or are being planned by public or private agencies, or individuals;

(4) evaluate and disseminate information pertaining to urban ecology to public and private agencies or organizations, or individuals, in the form of reports or otherwise;

(5) initiate and utilize urban ecological information in urban development projects initiated or assisted by the Department of Housing and Urban Development; and

(6) establish through interagency consultation the coordinated utilization of urban ecological information in projects undertaken or assisted by the Federal Government which affect the growth or development of urban areas.

(c)(1) The Secretary is authorized to establish such advisory committees as he deems desirable for the purpose of rendering advice and submitting recommendations for carrying out the purpose of this section. Such advisory committees shall render such advice to the Secretary upon his request and may submit such recommendations to the Secretary at any time on their own initiative. The Secretary may designate employees of the Department of Housing and Urban Development to assist such committees.

(2) Members of such advisory committees shall receive not to exceed $100 per day when engaged in the actual performance of their duties, in addition to reimbursement for travel, subsistence, and other necessary expenses incurred by them in the performance of their duties.

(d) The Secretary is authorized to carry out the studies, surveys, research, and analyses authorized by this section either directly or by contract with public or private bodies or agencies, or by working agreement with departments and agencies of the Federal Government, as he may determine to be desirable. Contracts may be made by the Secretary for work under this subsection to continue not more than two years from the date of any such contract.

(e) There are authorized to be appropriated such sums as may be necessary to carry out the provisions of this section. All funds so appropriated shall remain available until expended when so provided in appropriation Acts.

Mortgage relief for certain homeowners

SEC. 913. That part of section 107 of the Housing and Urban Development Act of 1965 which precedes subsection (f) is amended to read as follows:

"Mortgage relief for certain homeowners

"SEC. 107. (a) For the purposes of this section—

"(1) The term 'mortgage' means a mortgage which (A) is insured under the National Housing Act, or (B) secures a home loan guaranteed or insured under the Servicemen's Readjustment Act of 1944 or chapter 37 of title 38, United States Code.

"(2) The term 'Federal mortgage agency' means—

"(A) the Secretary of Housing and Urban Development when used in connection with mortgages insured under the National Housing Act, and

"(B) the Administrator of Veterans' Affairs when used in connection with mortgages securing home loans guaranteed or insured under the Servicemen's Readjustment Act of 1944 or chapter 37 of title 38, United States Code.

"(3) The term 'distressed mortgagor' means an individual who—

"(A) was employed by the Federal Government at, or was assigned as a serviceman to, a military base or other Federal installation and whose employment or service at such base or installation was terminated subsequent to November 1, 1964, as the result of the closing (in whole or in part) of such base or installation; and

"(B) is the owner-occupant of a dwelling situated at or near such base or installation and upon which there is a mortgage securing a loan which is in default because of the inability of such individual to make payments due under such mortgage.

"(b)(1) Any distressed mortgagor, for the purpose of avoiding foreclosure of his mortgage, may apply to the appropriate Federal mortgage agency for a determination that suspension of his obligation to make payments due under such mortgage during a temporary period is necessary in order to avoid such foreclosure.

"(2) Upon receipt of an application made under this subsection by a distressed mortgagor, the Federal mortgage agency shall issue to such mortgagor a certificate of moratorium if it determines, after consultation with the interested mortgagee, that such action is necessary to avoid foreclosure.

"(3) Prior to the issuance to any distressed mortgagor of a certificate of moratorium under paragraph (2), the Federal mortgage agency, the mortgagor, and the mortgagee shall enter into a binding agreement under which—

"(A) the mortgagor will be required to make payments to such agency, after the expiration of such certificate, in an aggregate amount equal to the amount paid by such agency on behalf of such mortgagor as provided in subsection (c), together with interest thereon at a rate not to exceed the rate provided in the mortgage; the manner and time in which such payments shall be made to be determined by the Federal mortgage agency having due regard for the purposes sought to be achieved by this section; and

"(B) the Federal mortgage agency will be subrogated to the rights of the mortgagee to the extent of payments made pursuant to such certificate, which rights, however, shall be subject to the prior right of the mortgagee to receive the full amount payable under the mortgage.

"(4) Any certificate of moratorium issued under this subsection shall expire on whichever of the following dates is the earliest—

"(A) two years from the date on which such certificate was issued;

"(B) thirty days after the date on which the mortgagor gives notice in writing to the Federal mortgage agency that he is able to resume his obligation to make payments due under his mortgage; or

"(C) thirty days after the date on which the Federal mortgage agency determines that the mortgagor to whom such certificate was issued has ceased to be a distressed mortgagor as defined in subsection (a)(3).

"(c)(1) Whenever a Federal mortgage agency issues a certificate of moratorium to any distressed mortgagor with respect to any mortgage, it shall transmit to the mortgagee a copy of such certificate, together with a notice stating that, while such certificate is in effect, such agency will assume the obligation of such mortgagor to make payments due under the mortgage.

"(2) Payments made by any Federal mortgage agency pursuant to a certificate of moratorium issued under this section with respect to the mortgage of any distressed mortgagor may include, in addition to the payments referred to in paragraph (1), an amount equal to the unpaid payments under such mortgage prior to the issuance of such certificate, plus a reasonable allowance for foreclosure costs actually paid by the mortgagee if a foreclosure action was dismissed as a result of the issuance of a moratorium certificate. Payments by the Federal mortgage agency may also include payments of taxes and insurance premiums on the mortgaged property as deemed necessary when these items are not provided for through payments to a tax and insurance account held by the interested mortgagee.

"(3) While any certificate of moratorium issued under this section is in effect with respect to the mortgage of any distressed mortgagor, no further payments due under the mortgage shall be required of such mortgagor, and no action (legal or otherwise) shall be taken or maintained by the mortgagee to enforce or collect such payments. Upon the expiration of such certificate, the mortgagor shall again be liable for the payment of all amounts due under the mortgage in accordance with its terms.

"(4) Each Federal mortgage agency shall give prompt notice in writing to the interested mortgagor and mortgagee of the expiration of any certificate of moratorium issued by it under this section.

"(d) The Federal mortgage agencies are authorized to issue such individual and joint regulations as may be necessary to carry out this section and to insure the uniform administration thereof.

"(e) There shall be in the Treasury (1) a fund which shall be available to the Secretary of Housing and Urban Development for the purpose of extending financial assistance in behalf of distressed mortgagors as provided in subsection (c) and for paying administrative expenses incurred in connection with such assistance, and (2) a fund which shall be available to the Administrator of Veterans' Affairs for the same purpose, except administrative expenses. The capital of each such fund shall consist of such sums as may, from time to time, be appropriated thereto, and any sums so appropriated shall remain available until expended. Receipts arising from the programs of assistance under subsection (c) shall be credited to the fund from which such assistance was extended. Moneys in either of such funds not needed for current operations, as determined by the Secretary of Housing and Urban Development, or the Administrator of Veterans' Affairs, as the case may be, shall be invested in bonds or other obligations of the United States, or paid into the Treasury as miscellaneous receipts."

Acquisition of certain properties situated at or near military bases which have been ordered to be closed

SEC. 914. (a) Notwithstanding any other provision of law, the Secretary of Defense is authorized to acquire title to, hold, manage, and dispose of, or, in lieu thereof, to reimburse for certain losses upon private sale of, or foreclosure against, any property improved with a one- or two-family dwelling which is situated at or near a military base or installation which the Department of Defense has, subsequent to November 1, 1964, ordered to be closed in whole or in part, if he determines—

(1) that the owner of such property is, or has been, a Federal employee employed at or in connection with such base or installation (other than a temporary employee serving under a time limitation) or a serviceman assigned thereto;

(2) that the closing of such base or installation, in whole or in part, has required or will require the termination of such owner's employment or service at or in connection with such base or installation; and

(3) that as the result of the actual or pending closing of such base or installation, in whole or in part, there is no present market for the sale of such property upon reasonable terms and conditions.

(b) In order to be eligible for the benefits of this section such employees or military personnel must be or have been—

(1) assigned to or employed at or in connection with the installation or activity at the time of public announcement of the closure action,

(2) transferred from such installation or activity, or terminated as employees as a result of reduction-in-force, within six months prior to public announcement of the closure action, or

(3) transferred from the installation or activity on an overseas tour unaccompanied by dependents within fifteen months prior to public announcement of the closure action:

Provided, That, at the time of public announcement of the closure action, or at the time of transfer or termination as set forth above, such personnel or employees must—

(i) have been the owner-occupant of the dwelling, or

(ii) have vacated the owned dwelling as a result of being ordered into on-post housing during a six-month period prior to the closure announcement:

Provided further, That as a consequence of such closure such employees or personnel must—

(i) be required to relocate because of military transfer or acceptance of employment beyond a normal commuting distance from the dwelling for which compensation is sought, or

(ii) be unemployed, not as a matter of personal choice, and able to demonstrate such financial hardship that they are unable to meet their mortgage payments and related expenses.

(c) Such persons as the Secretary of Defense may determine to be eligible under the criteria set forth above shall elect either (1) to receive a cash payment as compensation for losses which may be or have been sustained in a private sale or foreclosure, in an amount not to exceed the difference between (A) 95 per centum of the fair market value of their property prior to public announcement of intention to close all or part of the military base or installation and (B) the fair market value of such property at the time of the sale or foreclosure, or (2) to receive, as purchase price for their property, an amount not to exceed 90 per centum of prior fair market value as such value is determined by the Secretary of Defense, or the amount of the outstanding mortgages. An election to receive a cash payment as compensation for loss sustained in a private sale shall not be effective in any case in which the property at the time of the sale is encumbered by a mortgage loan guaranteed, insured, or held by a Federal agency unless such mortgage loan is paid or otherwise fully satisfied at or prior to the time such cash payment is made, or is assumed by the purchaser (who must be determined to be satisfactory to such Federal agency in the case of a sale occuring after the date of the enactment of this Act). In the event of foreclosure by mortgages commenced prior to the one hundred and twentieth day after the date of the enactment of this Act, the Secretary may pay or reimburse for direct costs of foreclosure, including deficiency judgments.

(d) There shall be in the Treasury a fund which shall be available to the Secretary of Defense for the purpose of extending the financial assistance provided above. The capital of such fund shall consist of such sums as may, from time to time, be appropriated thereto, and shall consist also of receipts from the management, rental, or sale of properties acquired under this section, which receipts shall be credited to the fund and shall be available, together with funds appropriated therefor, for purchase or reimbursement purposes as provided above, as well as to defray expenses arising in connection with the acquisition, management, and disposal of such properties, including payment of principal, interest, and expenses of mortgages or other indebtedness thereon, and including the cost of staff services and contract services, costs of insurance, and other indemnity. Any part of such receipts not required for such expenses shall be covered into the Treasury as miscellaneous receipts. Properties acquired under this section shall be conveyed to, and acquired in the name of, the United States. The Secretary of Defense shall have the power to deal with, rent, renovate, and dispose of, whether by sales for cash or credit or otherwise, any properties so acquired: *Provided, however,* That no contract for acquisition, or acquisition, shall be deemed to constitute a contract for or acquisition of family housing units in support of military installations or activities within the meaning of section 406(a) of the Act of August 30, 1957 (42 U.S.C. 1594l), nor shall it be deemed a transaction within the contemplation of section 2662 of title 10, United States Code.

(e) Payments from the fund created by this section may be made in lieu of taxes to any State or political subdivision thereof, with respect to real property, including improvements thereon, acquired and held under this section. The amount so paid for any year upon such property shall not exceed the taxes which would be paid to the State or subdivision, as the case may be, upon such property if it were not exempt from taxation, and shall reflect such allowance as may be considered appropriate for expenditures, if any, by the Government for streets, utilities, or other public services to serve such property.

(f) The title to any property acquired under this section, the eligibility for, and the amounts of, cash payable, and the administration of the preceding provisions of this section, shall conform to such requirements, and shall be administered under such conditions and regulations, as the Secretary of Defense may prescribe. Such regulations shall also prescribe the terms and conditions under which payments may be made and instruments accepted under this section, and all the determinations and decisions made pursuant to such regulations by the Secretary of Defense regarding such payments and conveyances and the terms and conditions under which they are approved or disapproved, shall be final and conclusive and shall not be subject to judicial review.

(g) The Secretary of Defense is authorized to enter into such agreement with the Secretary of Housing and Urban Development as may be appropriate for the purposes of economy and efficiency of administration of this section. Such agreement may provide authority to the Secretary of Housing and Urban Development and his designee to make any or all of the determinations and take any or all of the actions which the Secretary of Defense is authorized to undertake pursuant to the preceding provisions of this section. Any such determinations shall be entitled to finality to the same extent as if made by the Secretary of Defense, and, in event the Secretaries of Defense and Housing and Urban Development so elect, the fund established pursuant to subsection (d) of this section shall be available to the Secretary of Housing and Urban Development to carry out the purposes thereof.

(h) Section 223(a)(8) of the National Housing Act is amended to read as follows:

"(8) executed in connection with the sale by the Government of any housing acquired pursuant to section 915 of the Demonstration Cities and Metropolitan Development Act of 1966."

(i) No funds may be appropriated for the acquisition of any property under authority of this section unless such funds have been specifically authorized for such purpose in a military construction authorization act, and no moneys in the fund created pursuant to subsection (d) of this section may be expended for any purpose except as may be provided in appropriation acts.

(j) Section 108 of the Housing and Urban Development Act of 1965 is repealed.

Leasing of facilities for housing bachelor military personnel

Sec. 915. Notwithstanding any other provision of law, the Secretary of a military department may acquire by lease in the United States, its territories or possessions, structures and real property relating thereto that are not located on a military base and that are needed for housing bachelor military personnel. A lease under the authority of this section may not be for a period of more than fifteen years.

College housing

Sec. 916. (a) Section 404(b)(4) of the Housing Act of 1950 is amended by striking out "public" immediately before "educational institution".

(b) Section 401(d) of such Act is amended by inserting before the period at the end thereof the following: "and, notwithstanding the first proviso of this subsection, the amount of this annual increase which is not utilized for loans for hospitals may be utilized for loans for other educational facilities, as defined herein".

Study concerning relief of homeowners in proximity to airports

Sec. 917. Section 1113 of the Housing and Urban Development Act of 1965 is amended—

(1) by inserting "(a)" after "Sec. 1113.";

(2) by striking out "one year after the date of the enactment of this Act" and inserting in lieu thereof "six months after the date of the enactment of the Demonstration Cities and Metropolitan Development Act of 1966"; and

(3) by adding at the end thereof the following new subsection:

"(b) There is authorized to be appropriated the sum of $100,000 to carry out subsection (a)."

Hydrology research for urban development

Sec. 918. (a) The Congress finds that there is an increasingly severe impact upon the national economy occasioned by storm water damages and costs of storm drainage control in urban and metropolitan areas; that engineering technology directed toward the specialized storm drainage problems of urbanized areas has not kept pace with the growth of drainage problems in such areas; and that effective areawide comprehensive planning requires efficient planning and design of all elements of urban drainage systems.

(b) The Secretary of Housing and Urban Development is authorized—

(1) by contract with public or private agencies to conduct studies, investigations, research, and demonstrations to develop and improve all aspects of the science and technology of urban hydrology as it relates to storm drainage systems for urban and metropolitan areas and to collection sewers for such areas, and by working agreements with other departments and agencies of the Federal Government to conduct studies, investigations, research, and demonstrations to develop and improve all aspects of the science and technology of urban hydrology;

(2) to evaluate the studies, investigations, research, and demonstrations authorized by this section; and

(3) to make available, through publications and other appropriate means, the information resulting from such studies, investigations, research, and demonstrations.

(c) The Secretary shall annually submit a report to the President and to the Congress concerning the studies, investigations, research, and demonstrations undertaken under this section with such recommendations as he deems desirable for additional legislation to develop the science of urban hydrology and its application.

(d) There are hereby authorized to be appropriated such sums as may be necessary to carry out the provisions of this section.

(e) Nothing contained in this section shall limit any authority of the Secretary under title III of the Housing Act of 1948, section 602 of the Housing Act of 1956, or any other provision of law.

Quarters and facilities for Federal home loan banks and the Federal Home Loan Bank Board

Sec. 919. (a) The second sentence of section 12 of the Federal Home Loan Bank Act (12 U.S.C. 1432) is amended by striking out "but no bank building shall be bought or erected to house any such bank, nor shall any such bank make any lease" and inserting in lieu thereof "but, except with the prior approval of the board, no bank building shall be bought or erected to house any such bank, or leased by such bank under any lease".

(b) Section 18 of such Act (12 U.S.C. 1438) is amended—

(1) by adding at the end of subsection (b) the following new sentence: "Such assessments may include such amounts as the board may deem advisable for carrying out the provisions of subsection (c) of this section."; and

(2) by adding at the end thereof the following new subsection:

"(c)(1) The board, utilizing the services of the Administrator of General Services (hereinafter referred to as the 'Administrator'), and subject to any limitation hereon which may hereafter be imposed in appropriation Acts, is hereby authorized—

"(A) to acquire, in the name of the United States real property in the District of Columbia, for the purposes set forth in this subsection;

"(B) to construct, develop, furnish, and equip such buildings thereon and such facilities as in its judgment may be appropriate to provide, to such extent as the board may deem advisable, suitable and adequate quarters and facilities for the board and the agencies under its administration or supervision;

"(C) to enlarge, remodel, or reconstruct any of the same; and

"(D) to make or enter into contracts for any of the foregoing.

"(2) The board may require of the respective banks, and they shall make to the board, such advances of funds for the purposes set out in paragraph (1) as in the sole judgment of the board may from time to time be advisable. Such advances shall be in addition to the assessments authorized in subsection (b) and shall be apportioned by the board among the banks in proportion to the total assets of the respective banks, determined in such manner and as of such times as the board may prescribe. Each such advance shall bear interest at the rate of 4½ per centum per annum from the date of the advance and shall be repaid by the board in such installments and over such period, not longer than twenty-five years from the making of the advance, as the board may determine. Payments of interest and principal upon such advances shall be made from receipts of the board or from other sources which may from time to time be available to the board. The obligation of the board to make any such payment shall not be regarded as an obligation of the United States. To such extent as the board may prescribe any such obligation shall be regarded as a legal investment for the purposes of subsections (g) and (h) of section 11 and for the purposes of section 16.

"(3) The plans and designs for such buildings and facilities and for any such enlargement, remodeling, or reconstruction shall, to such extent as the chairman of the board may request, be subject to his approval.

"(4) Upon the making of arrangements mutually agreeable to the board and the Administrator, which arrangements may be modified from time to time by mutual agreement between them and may include but shall not be limited to the making of payments by the board and such agencies to the Administrator and by the Administrator to the board, the custody, management, and control of such buildings and facilities and of such real property shall be vested in the Administrator in accordance therewith. Until the making of such arrangements such custody, management, and control, including the assignment and allotment and the reassignment and reallotment of building and other space, shall be vested in the board.

"(5) Any proceeds (including advances) received by the board in connection with this subsection, and any proceeds from the sale or other disposition of real or other property acquired by the board under this subsection, shall be considered as receipts of the board, and obligations and expenditures of the board and such agencies in connection with this subsection shall not be considered as administrative expenses. As used in this subsection, the term 'property' shall include interests in property.

"(6) With respect to its functions under this subsection the board shall (A) annually prepare and submit a budget program as provided in title I of the Government Corporation Control Act with regard to wholly owned Government corporations, and for purposes of this sentence, the terms 'wholly owned Government corporations' and 'Government corporations', wherever used in such title, shall include the board, and (B) maintain an integral set of accounts which shall be audited annually by the General Accounting Office in accordance with the principles and procedures applicable to commercial corporate transactions as provided in such title, and no other audit, settlement, or adjustment shall be required with respect to transactions under this subsection or with respect to claims, demands, or accounts by or against any person arising thereunder. Except as otherwise provided in this subsection or by the board, the provisions of this subsection and the functions thereby or thereunder subsisting shall be applicable and exercisable notwithstanding and without regard to the Act of June 20, 1938 (D.C. Code, secs. 5-413—5-428), except that the proviso of section 16 thereof shall apply to any building constructed under this subsection, and section 306 of the Act of July 30, 1947 (61 Stat. 584), or any other provision of law relating to the construction, alteration, repair, or furnishing of public or other buildings or structures or the obtaining of sites therefor, but any person or body in whom any such function is vested may provide for delegation or redelegation of the exercise of such function.

"(7) No obligation shall be incurred and no expenditure, except in liquidation of obligation, shall be made pursuant to the first two subparagraphs of paragraph (1) of this subsection if the total amount of all obligations incurred pursuant thereto would thereupon exceed $13,200,000, or such greater amount as may be provided in an appropriation Act or other law."

Small Business Act

Sec. 920. Paragraph (1) of section 8(b) of the Small Business Act is amended by inserting "(A)" after "(1)", by inserting "and" after "Administration;", and by adding at the end thereof a new subparagraph as follows:

"(B) to allow an individual or group of persons cooperating with it in furtherance of the purposes of subparagraph (A) to make such use of its office facilities and related materials and services as it deems appropriate;".

Use of certain lands for civil defense purposes

Sec. 921. Section 2 of the Act entitled "An Act to provide for the conveyance of a tract of land in Prince Georges County, Maryland, to the State of Maryland for use as a site for a National Guard Armory and for training the National Guard or for other military purposes", approved August 10, 1949 (63 Stat. 592), is amended by striking out "The land" and inserting in lieu thereof "(a) Except as provided in subsection (b) of this section, the land" and by adding at the end thereof the following new subsection:

"(b) The Secretary of Housing and Urban Development shall execute the necessary instrument or instruments to provide that a certain portion of land, not to exceed two acres, on the easterly side of the land described in the first section of this Act, as more particularly determined and designated by the Secretary of the Army, may be used for civil defense or other emergency preparedness purposes or the purposes stated in subsection (a) and that such use shall not cause the reverter clause set forth herein to become operable."

Mortgage insurance for land development—Clarifying amendments

SEC. 922. Section 1001(d) of the National Housing Act is amended—

(1) by striking out "sewerage disposal installations," and inserting in lieu thereof "sewage disposal installations, steam, gas, and electric lines and installations,";

(2) by striking out the semicolon after "or common use", and inserting in lieu thereof a period and the following new sentence: "Related uses may include industrial uses, with sites for such uses to be in proper proportion to the size and scope of the development.";

(3) by striking out "but such term" and inserting in lieu thereof: "The term improvements"; and

(4) by inserting after "sewage disposal installation," in clause (1) the following: "or a steam, gas, or electric line or installation,".

Miscellaneous and technical amendments

SEC. 923. (a) Section 106(d) of the Housing Act of 1949 is repealed.

(b) Section 227(a) of the National Housing Act is amended by striking out "subsection (b)(2)" in clause (vi) and inserting in lieu thereof "subsection (b)".

(c) The last sentence of section 305(e) of the National Housing Act is amended by striking out "supplementing" and inserting in lieu thereof "supplementary".

(d) Section 306 of the National Housing Act is amended by striking out "(a)".

(e) Section 512 of the National Housing Act is amended by striking out "or IX" and inserting in lieu thereof "IX, X, or XI".

(f) Section 1001(c) of the National Housing Act is amended by striking out "'mortgage'" and inserting in lieu thereof "'mortgagee'".

(g) Section 1 of the National Housing Act is amended by striking out "and X" wherever it appears and inserting in lieu thereof "X, and XI".

(h) Section 102(h) of the Housing Amendments of 1955 is amended by striking out "section 213 of the National Housing Act, as amended, the Commissioner" and inserting in lieu thereof "section 213 of the National Housing Act, section 221(d)(3) of the National Housing Act, and section 101 of the Housing and Urban Development Act of 1965 (insofar as the provisions of such sections relate to cooperative housing), the Secretary of Housing and Urban Development", and by striking out "such section" each place it appears and inserting in lieu thereof "such sections".

Mr. MANSFIELD. Mr. President, I move that the Senate disagree to the amendment of the House and agree to the conference requested by the House on the disagreeing votes of the two Houses thereon, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the Presiding Officer appointed Mr. SPARKMAN, Mr. DOUGLAS, Mr. PROXMIRE, Mr. WILLIAMS of New Jersey, Mr. MUSKIE, Mr. LONG of Missouri, Mr. MCINTYRE, Mr. TOWER, Mr. BENNETT, and Mr. HICKENLOOPER conferees on the part of the Senate.

CORRECTION IN ENROLLMENT OF SENATE BILL 3488

Mr. MANSFIELD. Mr. President, the Senate and the House both recently passed a bill which created the Washington Metropolitan Area Transit Regulation Compact. This legislation is, of course, of great importance to the future of transportation in this area.

After the Senate had passed the bill (S. 3488), it was sent to the House, where it passed with several amendments. The Clerk of the House erroneously included in the engrossed copy of the bill one amendment which had been rejected by the House.

The bill including the rejected amendment was returned to the Senate. This error was unnoticed, and the Senate accepted the bill in the form in which it was returned from the House.

Briefly, therefore, Congress sent to the President a bill embodying an amendment which neither the Senate nor the House desired. I am, therefore, submitting a concurrent resolution that will correct this error, and I ask for its immediate consideration.

The **PRESIDING OFFICER.** The concurrent resolution will be stated.

The assistant legislative clerk read the concurrent resolution, as follows:

S. CON. RES. 115

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, requested to return to the Senate the enrolled bill (S. 3488) entitled "An Act to grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact to establish an organization empowered to provide transit facilities in the National Capital Region and for other purposes and to enact said amendment for the District of Columbia"; that upon its return, the action of the Speaker of the House of Representatives and the President pro tempore of the Senate in signing the said bill be deemed to be rescinded; and that in the reenrollment of said bill, the Secretary of the Senate be, and he is hereby, authorized and directed to make the following change, *viz.*: In Section 3 of the engrossed bill, change subsection (a) to read: "To assure uninterrupted progress in the development of the facilities authorized by the National Capital Transportation Act of 1965, the transfer of the functions and duties of the National Capital Transportation Agency (herein referred to as the Agency) to the Washington Metropolitan Area Transit Authority (herein referred to as the Authority) as required by Section 301(b) of the National Capital Transportation Act of 1960 shall take place on September 30, 1967."

The **PRESIDING OFFICER.** Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution (S. Con. Res. 115) was considered and agreed to.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER** (Mr. RUSSELL of South Carolina in the chair). Without objection, it is so ordered.

MILITARY CONSTRUCTION—CONFERENCE REPORT

Mr. STENNIS. Mr. President, our friend from Massachusetts [Mr. SALTONSTALL] has taken a very valuable part in legislation on military matters for many years, as well as on every other major phase of this Government. I do not know of any Senator who has attended as many conferences as he has—certainly in the span of years he has served. This may be the last conference report that may come before us in which he has taken such a conspicuous part during his tenure of office. I have asked him if he would present the conference report.

Mr. SALTONSTALL. Mr. President, the Senator from Mississippi is again acting with his usual courtesy. He and I have been members of the Military Construction Subcommittee for many years. I think he and I have been, for the most part, the Senate representatives on committees of conference on this bill. I appreciate very much his permitting a Member on this side of the aisle to present the conference report. I think it is the first time it has been done for at least 10 years, and it is done now only through his courtesy and generosity. It comes as a great surprise to me. I shall be glad to do it. The conference report was unanimously agreed to, and there was great cooperation on both sides.

Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17637) making appropriations for military construction for the Department of Defense, for the fiscal year ending June 30, 1967, and for other purposes. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER.** The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of Oct. 14, 1966, pp. 26998–26999, CONGRESSIONAL RECORD.)

The **PRESIDING OFFICER.** Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. SALTONSTALL. Mr. President, the report was signed by all the conferees on the part of the House of Representatives and the Senate and has been agreed to by the House.

The total of the bill as agreed to in conference is $979,570,000. This is only $6,948,000 under the sum approved by the Senate and $39,770,000 below the amount of the House-passed bill. The total amount of reduction from the budget estimated is $135,377,000.

As is apparent, the Senate position prevailed in most instances. The large reduction made by the Senate of $40,100,000 for foreign aid construction in South Vietnam which should have been in the foreign aid bill was agreed to by the House. Another large reduction agreed to by the House was $5,281,000 for protective facilities in Europe. The House also agreed to this reduction.

I may interpolate that on these two large reductions, the conferees agreed that they did not belong in a military construction bill, but, rather, belonged in a foreign aid appropriation bill. The House agreed to that contention.

In the area of minor construction, the conferees restored to the bill $1,700,000 of an original amount of $6 million in dispute. This was the largest individual reduction from the Senate position.

For the Army the conferees approved a project at Edgewood Arsenal, Md., for an explosive test chamber in the amount of $636,000 and a petroleum laboratory at New Cumberland Army Depot, N.J., in the amount of $55,000.

The Senate position prevailed in projects in the amount of $290,000 at Naval Shipyard, Portsmouth, N.H., an applied training building at Naval Air Station, Memphis, Tenn., for $1,188,000, and a commissary costing $404,000 at Naval Station, Puget Sound, Wash. In addition, the conferees agreed that the community support facilities should be built at Chichi Jima, Bonin Islands, for $204,000.

In the Air Force, agreement was reached to keep three projects at Hill Air Base amounting to $870,000. At Tinker Air Force Base, agreement was reached to spend $450,000 for officers quarters. The original request was for $956,000. The conferees agreed to go ahead with the maintenance hangar at Holloman Air Force Base for $1,477,000, as well as alteration of headquarters at Offutt Air Force Base, Nebr., in the amount of $560,000; a sewage treatment plant at Dover Air Base, Del., $250,000 and a jet engine test cell, $473,000 for Tyndall Air Force Base, Fla. The much-needed fleet service facilities costing $374,000 at Travis Air Force Base, Calif., was approved. Agreement was reached by the conferees on three much-needed projects at Malmstrom Air Force Base, Mont. The sums agreed to were $300,000 for heated auto storage facilities; a civil engineering facility, $888,000, and an airmen's dormitory, $400,000.

Under the housing category, Department of Defense, the reduction of $4 million made by the Senate was agreed to.

Mr. President, this concludes my summary of the conference. I am sure that the Senator from Mississippi, as I, would be pleased to answer any questions concerning individual projects considered by the conferees.

Mr. President, I ask unanimous consent that a table summarizing the military construction appropriation bill of 1967, as passed, be printed in the RECORD at the end of these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. SALTONSTALL. Mr. President, I thank the Senator from Mississippi [Mr. STENNIS] for permitting me, as a Member of the minority, to make this statement on behalf of the conferees.

I can only say that the conferees were all in agreement, and that, under the leadership of the Senator from Mississippi, the military construction bill has generally been approved by both bodies unanimously over the past few years. It has been an honor and a pleasure to serve with the Senator from Mississippi on that committee as well as on other committees.

Mr. STENNIS. Mr. President, I thank the Senator very much for his very kind and gracious remarks. It has been a privilege to work with him, and it was a privilege to have him present this report to the Senate.

I understand the Senator from Ohio has a question.

Mr. LAUSCHE. Yes. When the military assistance bill was before the Senate, the Senator from Louisiana [Mr. ELLENDER] offered an amendment providing that it be cut by approximately $40 million. In his presentation, he showed that it was anticipated that the holdover from last year would be $5 million, but instead of being $5 million, it was $45 million, and therefore the Senator from Louisiana moved to have the military assistance appropriation cut by $40 million.

Does the bill as passed have any relationship at all to that item?

Mr. SALTONSTALL. Mr. President, I am not sure that this will answer the Senator's question directly, but $40 million has been taken out of this bill. As I think I said before the distinguished Senator came into the Chamber, this represents $40 million, approximately, that was requested by the administration to be provided for military construction. The Senator from Mississippi and I, and others, and ultimately the Senate, agreed that this was a proper item for military foreign assistance rather than for military construction, because it concerned operations in Vietnam.

Possibly that was what the Senator from Louisiana was referring to.

Mr. LAUSCHE. The Senator from Massachusetts cannot definitely state that this item of $40 million is the same item that Senator ELLENDER discussed?

Mr. SALTONSTALL. I believe it is not.

Mr. STENNIS. Will the Senator yield to me?

Mr. LAUSCHE. I yield.

Mr. STENNIS. I think the Senator from Massachusetts is perhaps correct, although I did not hear the discussion by the Senator from Louisiana at the time.

This is $40 million that was put in the regular military construction appropriation bill, which we found was intended to be used in Vietnam as a part our our military assistance program there, or military aid; and, therefore, regardless of the merits of it, it had no place in this bill. So we took it out, and the House agreed with us.

I state for the Senator's information that there is money in the appropriation bill for the Department of Defense that can be used, if the Secretary sees fit, for this purpose, in Vietnam. But it will have to come out of his discretionary funds.

Mr. SALTONSTALL. Will the Senator yield at this point?

Mr. STENNIS. I yield.

Mr. SALTONSTALL. I call to the attention of the Senator from Ohio the remarks of Mr. SIKES, who is in charge of military construction in the House of Representatives, on page 26998 of the CONGRESSIONAL RECORD of October 14. I read just one sentence:

> When such details were available, the other body felt that the Secretary of Defense had enough flexibility and funds to cover the cost of this construction in the $200 million contingency fund approved in the Supplementary Defense Appropriations Act for fiscal year 1966.

I think that is what the Senator from Louisiana was referring to.

Mr. LAUSCHE. I thank the Senator.

Mr. SALTONSTALL. Mr. President, I understand there are two items in disagreement. I ask that the Chair lay before the Senate the message from the House of Representatives thereon.

The PRESIDING OFFICER laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 17637, which was read as follows:

> *Resolved,* That the House agree to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17637) entitled "An Act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes."
>
> *Resolved,* That the House recede from its disagreement to the amendment of the Senate numbered 1, to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$114,014,000."
>
> *Resolved,* That the House recede from its disagreement to the amendment of the Senate numbered 3, to the aforesaid bill, and concur therein with an amendment, as follows: In lieu of the sum proposed by said amendment, insert "$205,495,000".

Mr. SALTONSTALL. Mr. President, I move that the Senate concur in the House amendments to amendments 1 and 3 of the Senate to the bill (H.R. 17637).

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Massachusetts.

The motion was agreed to.

Mr. SALTONSTALL. Mr. President, I move to reconsider the votes by which the conference report was agreed to, and by which the motion to concur in the House amendments to the Senate amendments was agreed to.

Mr. STENNIS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

EXHIBIT 1

Military construction appropriation bill, 1967

Item	1966 appropriation	1967 budget estimate	Passed House	Passed Senate	Conference action	Conference action compared with—			
						1966 appropriation	1967 budget estimate	House	Senate
Military construction, Army	$833,143,000	$190,600,000	$146,406,000	$117,314,000	$114,014,000	−$719,129,000	−$76,586,000	−$32,392,000	−$3,300,000
Military construction, Navy	570,905,000	133,600,000	126,227,000	127,418,000	126,918,000	−443,987,000	−6,682,000	+691,000	−500,000
Military construction, Air Force	622,373,000	242,900,000	209,564,000	208,643,000	205,495,000	−416,878,000	−37,405,000	−3,069,000	−3,148,000
Military construction, Defense agencies [1]	269,268,000	7,547,000	7,547,000	7,547,000	7,547,000	−261,721,000			
Military construction, Naval Reserve	9,500,000	5,400,000	5,400,000	5,400,000	5,400,000	−4,100,000			
Military construction, Air Force Reserve	4,000,000	3,600,000	3,600,000	3,600,000	3,600,000	−400,000			
Military construction, Army National Guard	10,000,000					−10,000,000			
Military construction, Air National Guard	10,000,000	9,400,000	9,400,000	9,400,000	9,400,000	−600,000			
Total, military construction	2,329,189,000	593,047,000	508,144,000	479,322,000	472,374,000	−1,856,815,000	−120,673,000	−35,770,000	−6,948,000
Family housing, Army: Operation, maintenance, and debt payments	220,494,000	178,907,000	175,633,000	174,633,000	174,633,000	−45,861,000	−4,274,000	−1,000,000	
Family housing, Navy and Marine Corps: Operation, maintenance, and debt payments	162,647,000	110,524,000	105,298,000	103,798,000	103,798,000	−58,876,000	−6,726,000	−1,500,000	
Family housing, Air Force: Operation, maintenance, and debt payments	279,983,000	228,114,000	225,910,000	224,410,000	224,410,000	−55,573,000	−3,704,000	−1,500,000	
Family housing, defense agencies: Operation, maintenance, and debt payments	2,695,000	4,355,000	4,355,000	4,355,000	4,355,000	+1,660,000			
Total, family housing	665,846,000	521,900,000	511,196,000	507,196,000	507,196,000	−158,650,000	−14,704,000	−4,000,000	
Grand total	2,995,035,000	1,114,947,000	1,019,340,000	986,518,000	979,570,000	−2,015,465,000	−135,377,000	−39,770,000	−6,948,000

[1] Includes $5,000,000 for loran stations.

Mr. STENNIS. Mr. President, further supplementing the remarks of the Senator from Massachusetts with reference to the $40 million that has been deleted from the bill, I ask unanimous consent that an excerpt from page 4 of the committee report (No. 1695) be printed in the RECORD at this point.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> The committee does not recommend approval of the Department of Defense appropriation request of $40,100,000. When the details of the requirement and the standards have been established, the Secretary of Defense has enough flexibility to cover such costs within the $200 million appropriated in the military construction supplemental appropriations for fiscal year 1966. It is the understanding of the committee that this contingency appropriation was to finance this type of emergency, and the information developed indicated that only approximately $100 million of the $200 million has been utilized as of the present time.

Mr. STENNIS. Mr. President, I suggest the absence of a quorum.

The **PRESIDING OFFICER.** The clerk will call the roll.

The assistant legislative clerk proceeded to call the roll.

Mr. STENNIS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

RECESS

Mr. STENNIS. Mr. President, in keeping with what I understand to be the wishes of the majority and minority leaders, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and (at 1 o'clock and 46 minutes p.m.) the Senate took a recess subject to the call of the Chair.

At 3 o'clock and 28 minutes p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. RUSSELL of South Carolina in the chair.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, informed the Senate that, pursuant to the provisions of section 3, Public Law 88–630, the Speaker had appointed Mr. HUNGATE of Missouri as a member of the Lewis and Clark Trail Commission, vice Mr. MORRIS, excused.

The message also informed the Senate that, pursuant to the provisions of section 2, Public Law 89–617, the Speaker had appointed Mr. OLSEN of Montana and Mr. NELSON of Minnesota as members of the Commission on Political Activity of Government Personnel, and pursuant to the foregoing provisions, the Speaker had appointed the following gentlemen from private life: Mr. Robert Ramspeck of Maryland, and Mr. Charles Oscar Jones of Arizona.

The message announced that the House had passed, without amendment, the following bills of the Senate:

S. 476. An act to amend the act approved March 18, 1950, providing for the construction of airports in or in close proximity to national parks, national monuments, and national recreation areas, and for other purposes;

S. 688. An act to amend title III of the Bankhead-Jones Farm Tenant Act, as amended, to provide for additional means and measures for land conservation and land utilization, and for other purposes; and

S. 3389. An act to provide for the establishment of the Joseph H. Hirshhorn Museum and Sculpture Garden, and for other purposes.

The message also announced that the House had disagreed to the amendments of the Senate to the bill (H.R. 18119) making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1967, and for other purposes; agreed to the conference asked by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. ROONEY of New York, Mr. SIKES, Mr. SLACK, Mr. SMITH of Iowa, Mr. FLYNT, Mr. JOELSON, Mr. MAHON, Mr. BOW, Mr. LIPSCOMB, and Mr. CEDERBERG were appointed managers on the part of the House at the conference.

ENROLLED BILLS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 9985. An act to provide for the mandatory reporting by physicians and hospitals or similar institutions in the District of Columbia of injuries caused by firearms or other dangerous weapons;

H.R. 10304. An act to provide for the mandatory reporting by physicians and institutions in the District of Columbia of certain physical abuse of children;

H.R. 11660. An act relating to interest on income tax refunds made within 45 days after the filing of the tax return, and for other purposes;

H.R. 11782. An act to amend the Internal Revenue Code of 1954 to allow a deduction for additions to a reserve for certain guaranteed debt obligations, and for other purposes;

H.R. 13448. An act to amend title 39, United States Code, with respect to mailing privileges of members of the U.S. Armed Forces and other Federal Government personnel overseas, and for other purposes;

H.R. 15748. An act to amend title 10, United States Code, to authorize a special 30-day period of leave for a member of a uniformed service who voluntarily extends his tour of duty in a hostile fire area; and

H.R. 16715. An act to amend the Manpower Development and Training Act of 1962.

RECESS

Mr. RUSSELL of Georgia. Mr. President, I move that the Senate stand in recess, subject to the call of the Chair.

The motion was agreed to; and (at 3 o'clock and 29 minutes p.m.) the Senate took a recess subject to the call of the Chair.

At 3 o'clock and 39 minutes p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. RUSSELL of South Carolina).

SAFETY OF LIFE AT SEA—CONFERENCE REPORT

Mr. COTTON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10327) to require operators of ocean cruises by water between the United States, its possessions and territories, and foreign countries to file evidence of financial security and other information. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of Wednesday, Oct. 19, 1966, pp. 27677–27679, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the bill.

Mr. COTTON. Mr. President, this might be called the *Yarmouth Castle* bill—legislation aimed at preventing a repetition of that maritime tragedy which claimed the lives of 90 American citizens.

Briefly, as approved by all the conferees of both Houses, the conference report contains the following provisions:

First, the bill applied to all ships, U.S. flag or foreign flag, which use U.S. ports and which have accommodations for 50 or more passengers.

These vessels must:

Meet international safety standards, as modified and improved at a special 1966 conference, by November 2, 1968, or lose the right to carry passengers from U.S. ports. Frankly, I had hoped that this date could be advanced, but this was not possible in view of the position of the House conferees and because of the widespread international ramifications of an earlier date.

Must establish their financial responsibility, in amounts fixed by the bill, to meet judgments which may arise out of personal injury or death to passengers and crew members.

Require financial responsibility adequate to reimburse passengers if the vessel, for any reason, does not provide the transportation.

Require that all advertising for the vessel contain a disclosure of the safety standards with which the vessel complies.

Imposes penalties which the conferees believe are wholly adequate to assure compliance with its provisions.

I regard this as a major step toward improved safety of passenger vessels on the high seas, and I hope the Senate will approve it.

Mr. President, I move that the conference report be adopted.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The conference report was agreed to.

RECESS

Mr. COTTON. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and (at 3 o'clock and 41 minutes p.m.) the Senate took a recess, subject to the call of the Chair.

At 4 o'clock and 40 minutes p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. RUSSELL of South Carolina in the chair.)

APPOINTMENT OF SPECIAL SUBCOMMITTEE OF THE JUDICIARY COMMITTEE TO STUDY ENCROACHMENTS BY THE EXECUTIVE AND JUDICIAL BRANCHES UPON THE POWERS OF THE CONGRESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1709, Senate Resolution 305.

The PRESIDING OFFICER. The resolution will be stated by title.

The LEGISLATIVE CLERK. A resolution (S. Res. 305) providing for the appointment of a special subcommittee of the Judiciary Committee to study encroachments by the executive and judicial branches upon the powers of the Congress.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Rules and Administration, with amendments on page 2, line 3, after the word "The", to strike out "special subcommittee" and insert "committee"; in line 6, after the word "of", to strike out "its" and insert "the"; in line 8, after the word "the", where it appears the second time, to strike out "special subcommittee" and insert "committee"; in line 13, after the word "appointment", to strike out "for each three or final fraction thereof selected by the majority, and" and insert "and"; in line 15, after the word "person", to strike out "or persons"; in the same line, after the word "and", to strike out "the" and insert "his"; in line 16, after the word "compensation", to strike out "of at least one such person"; in line 17, after the word "less", to strike out "than" and insert "by"; in the same line, after the word "than", where it appears the second time, to strike out "$2,200" and insert "$2,300"; in line 24, after the word "the", to strike out "special subcommittee" and insert "committee"; in line 25, after the word "exceed", to strike out "$100,000" and insert "$25,000 from November 1, 1966, to January 31, 1967, inclusive"; and, on page 3, line 3, after the word "the", to strike out "special subcommittee" and insert "committee"; so as to make the resolution read:

> *Resolved,* That (a) the chairman of the Committee on the Judiciary is authorized and directed to appoint a special subcommittee of such committee which shall make a full and complete study of the separation of powers between the executive, judicial, and legislative branches of Government provided by the Constitution, the manner in which power has been exercised by each branch and the extent if any to which any branch or branches of the Government may have encroached upon the powers, functions, and duties vested in any other branch by the Constitution of the United States.
>
> (b) The committee shall submit a final report to the Senate before the expiration of the Ninetieth Congress, and may submit such interim reports as it deems advisable. Upon submission of the final report the subcommittee shall cease to exist.
>
> SEC. 2. For the purposes of this resolution, the committee is authorized to (1) make such expenditures as it deems advisable; (2) employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided,* That the minority is authorized at its discretion to select one person for appointment and, the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee of the committee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.
>
> SEC. 3. Expenses of the committee under this resolution, which shall not exceed $25,000 from November 1, 1966, to January 31, 1967, inclusive, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

Mr. MANSFIELD. Mr. President, I move that the committee amendments be considered en bloc, and that the bill, as amended, be considered as original text for the purpose of further amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

Mr. MANSFIELD. I send to the desk an amendment and ask that it be stated.

The PRESIDING OFFICER. The amendment will be stated.

The LEGISLATIVE CLERK. On page 2, line 4, strike the word "90th" and insert "first session of the 90th".

The amendment was agreed to.

The resolution, as amended, was agreed to, as follows:

S. RES. 305

> *Resolved,* That (a) the chairman of the Committee on the Judiciary is authorized and directed to appoint a special subcommittee of such committee which shall make a full and complete study of the separation of powers between the executive, judicial, and legislative branches of Government provided by the Constitution, the manner in which power has been exercised by each branch and the extent if any to which any branch or branches of the Government may have encroached upon the powers, functions, and duties vested in any other branch by the Constitution of the United States.
>
> (b) The committee shall submit a final report to the Senate before the expiration of the first session of the Ninetieth Congress, and may submit such interim reports as it

deems advisable. Upon submission of the final report the subcommittee shall cease to exist.

Sec. 2. For the purposes of this resolution, the committee is authorized to (1) make such expenditures as it deems advisable; (2) employ upon a temporary basis technical, clerical, and other assistants and consultants: *Provided*, That the minority is authorized at its discretion to select one person for appointment and, the person so selected shall be appointed and his compensation shall be so fixed that his gross rate shall not be less by more than $2,300 than the highest gross rate paid to any other employee of the committee; and (3) with the prior consent of the heads of the departments or agencies concerned, and the Committee on Rules and Administration, to utilize the reimbursable services, information, facilities, and personnel of any of the departments or agencies of the Government.

Sec. 3. Expenses of the committee under this resolution, which shall not exceed $25,000 from November 1, 1966, to January 31, 1967, inclusive, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the subcommittee.

AMENDMENTS TO SECTION 5545(c) (1), TITLE 5, UNITED STATES CODE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1697, H.R. 16114.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (H.R. 16114) to correct inequities with respect to the determination of basic compensation of employees of the Federal Government for purposes of certain employment benefits, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service, with an amendment, to strike out all after the enacting clause and insert:

That title 5, United States Code, is amended as follows:

(1) Section 8114(e) is amended by striking out "is included" and inserting in lieu thereof "and premium pay under section 5545(c) (1) of this title are included".

(2) Section 8331(3) is amended—

(A) by striking out the word "and" after the last semicolon in subparagraph (A);

(B) by striking out "title 2;" in subparagraph (B) (ii) and inserting in lieu thereof "title 2; and";

(C) by inserting the following new subparagraph after subparagraph (B):

"(C) premium pay under section 5545(c) (1) of this title;"; and

(D) by striking out "except as provided by subparagraph (B)" and inserting in lieu thereof "except as provided by subparagraphs (B) and (C)".

(3) Section 8704(c) is amended by inserting the following new sentence at the end thereof: "For the purpose of this chapter, 'annual pay' includes premium pay under section 5545(c)(1) of this title."

Sec. 2. Section 9(d) of the Act of October 29, 1965 (Public Law 89-301), is amended by inserting at the end thereof the following new sentence: "For the purpose of this subsection, 'basic compensation' includes premium pay under section 5545(c)(1) of title 5, United States Code."

Sec. 3. Section 8348(g) of title 5, United States Code, does not apply with respect to annuity benefits resulting from the enactment of this Act.

Sec. 4. The amendments made by this Act apply with respect to premium pay payable from and after the first day of the first pay period which begins after the date of enactment of this Act.

The amendment was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An Act to provide for the inclusion of premium pay under section 5545(c) (1) of title 5, United States Code, for the purpose of determining benefits under the civil service retirement, group life insurance, and injury compensation provisions of such title, and for other purposes."

INCREASE IN THE AMOUNT OF BENEFITS PAYABLE TO WIDOWS OF CERTAIN FORMER EMPLOYEES OF THE LIGHTHOUSE SERVICE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1711, S. 2980.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 2980) to increase from $75 to $100 per month the amount of benefits payable to widows of certain former employees of the Lighthouse Service.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, with amendments; on page 1, line 3, after the world "That", to insert a comma and "effective on the first day of the first month which begins after the date of enactment of this Act,"; on page 2, after line 6, to strike out:

Sec. 2. The amendments made by this Act shall take effect on the first day of the first month which begins after the date of the enactment of this Act.

And, in lieu thereof, to insert:

Sec. 2. Each annuity payable under the Act entitled "An Act to provide benefits for widows of certain persons who were retired or are eligible for retirement under section 6 of the Act entitled 'An Act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes', approved June 20, 1918, as amended", approved August 19, 1950 (33 U.S.C. 771–775), and each annuity payable under section 6 of the Act entitled "An Act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes", approved June 20, 1918 (33 U.S.C. 763), shall be increased by the same percentage, adjusted to the nearest dollar, and on the same effective date, as each increase hereafter allowed under the cost-of-living annuity adjustment provisions of section 18(b) of the Civil Service Retirement Act (5 U.S.C. 2268(b)).

So as to make the bill read:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That effective on the first day of the first month which begins after the date of enactment of this Act, the first section and section 2 of the Act entitled "An Act to provide benefits for widows of certain persons who were retired or are eligible for retirement under section 6 of the Act entitled 'An Act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes', approved June 20, 1918, as amended", approved August 19, 1950 (33 U.S.C. 771 and 772), are each amended by striking out "$75 per month" and inserting in lieu thereof "$100 per month".

Sec. 2. Each annuity payable under the Act entitled "An Act to provide benefits for widows of certain persons who were retired or are eligible for retirement under section 6 of the Act entitled 'An Act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes', approved June 20, 1918, as amended", approved August 19, 1950 (33 U.S.C. 771–775), and each annuity payable under section 6 of the Act entitled "An Act to authorize aids to navigation and for other works in the Lighthouse Service, and for other purposes", approved June 20, 1918 (33 U.S.C. 763), shall be increased by the same percentage, adjusted to the nearest dollar, and on the same effective date, as each increase hereafter allowed under the cost-of-living annuity adjustment provisions of section 18(b) of the Civil Service Retirement Act (5 U.S.C. 2268(b)).

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill to increase the amount of benefits payable to widows of certain former employees of the Lighthouse Service, and thereafter to provide for cost-of-living increases in benefits payable to such widows and to such former employees."

WIDOW OF ALBERT M. PEPOON

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 1713, S. 2205.

The PRESIDING OFFICER. The bill will be stated by title.

The Legislative Clerk. A bill (S. 2205) for the relief of the widow of Albert M. Pepoon.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 2205) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That in the administration of the Civil Service Retirement Act of May 29, 1930 (as in effect on August 31, 1956), Albert M. Pepoon shall be considered to have retired on August 31, 1956, pursuant to section 6 of such Act, and to have elected at such time, pursuant to section 4(b) of such Act, to receive a reduced annuity and an annuity after death payable to his widow, Loretta C. Pepoon.

Sec. 2. No annuity shall be payable by reason of the enactment of this Act for any period prior to the first day of the month in which this Act is enacted.

Sec. 3. Notwithstanding any other provision of law, benefits payable by reason of the enactment of this Act shall be paid from the civil service retirement and disability fund.

COMMITTEE MEETING DURING SENATE SESSION TOMORROW

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Committee on the Judiciary be permitted to meet during the session of the Senate tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

AUTHORITY TO RECEIVE MESSAGES AND SIGN BILLS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate from the close of business today until 12 o'clock noon tomorrow, the Secretary of the Senate be authorized to receive messages from the President of the United States and the House of Representatives, and the Vice President or President pro tempore be authorized to sign duly enrolled bills.

The PRESIDING OFFICER. Without objection, it is so ordered.

PRINTING OF REPORT OF THE ACCOMPLISHMENTS AND STATISTICS FOR THE 89TH CONGRESS, 2D SESSION, AS A SENATE DOCUMENT

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate Democratic policy committee be permitted to print as a Senate document the yearend report of the accomplishments and statistics for the 89th Congress, 2d session, together with a statement by me.

The PRESIDING OFFICER. Without objection, it is so ordered.

CRIME AND CRIMINAL PROCEDURE IN THE DISTRICT OF COLUMBIA—CONFERENCE REPORT

Mr. BIBLE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5688) relating to crime and criminal procedure in the District of Columbia. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The assistant legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. BIBLE. The conference report on this omnibus crime bill was signed by a majority of the conferees of both the Senate and the House.

Mr. President, violent crime in the District of Columbia will reach an all-time, record high in 1966 if the present trend continues, adding to the fact that crime in the District has increased every year since 1957.

Mr. President, this has been, I think, without doubt the most troublesome bill that the Senate District Committee has dealt with in this present session, and in the 88th and 87th sessions of the Congress. So I am happy to bring to the floor of the Senate a conference report which attempts to meet some of the problems that we have in the Nation's Capital in the area of crime.

I wish to make it abundantly clear that this is certainly no panacea for solving all the crime problems in the District of Columbia. There are many causes, and there still remain many more to be dealt with. I do think that this bill which we bring to the Senate today will go a long way toward correcting some of the crime problems that confront us in the Nation's Capital.

Mr. President, during the 89th Congress, the upsurge of crime in the District of Columbia was the foremost problem considered by the committee of which I am chairman, and no single subject has received greater attention by the committee in more than 10 years. An in-depth examination of the need for strengthening the District of Columbia Criminal Justice Code was made by the Senate Committee on the District of Columbia commencing in the 87th and 88th Congresses, and extending into the 89th Congress. During the 88th Congress, the committee conducted more than 12 days of hearings, receiving testimony from more than 50 witnesses, including outstanding legal scholars, defense attorneys and prosecutors, law-enforcement officers, and community leaders and concerned local residents.

In the 89th Congress, the committee held more than 7 days of additional crime hearings between April and August 1965, hearing 36 witnesses to update the previous hearings. After careful study of various crime measures before the committee, H.R. 5688, as it passed the House, was amended substantially and reported to the Senate, where it passed on August 31, 1965.

Conferees for both Houses have since met on nine occasions, and the staffs of the Senate and House committees have labored many more hours working out details of the agreements reached in executive session.

Mr. President, the bill as agreed to in conference represents what I believe will be an effective weapon in the fight against crime in the District of Columbia, by providing procedures to bring the criminal to swift and sure justice, while respecting the civil libertes afforded every American by his Constitution.

Under title I of the crime bill, Mr. President, the conferees reached a compromise on the so-called Mallory rule amendment. In some measure the conferees approved a provision similar to title I, that had previously passed the Senate. Under title I, as approved, statements and confessions otherwise admissible in the courts of the District of Columbia shall not be inadmissible solely because of delay in taking an arrested person before a Commissioner or other officer empowered to commit persons charged with criminal offenses if—

First. Immediately prior to any questioning the person is advised that he has a right to remain silent, that any statement he does make may be used as evidence against him, and that he has a right to the assistance of an attorney—either retained by or appointed for him—prior to and during such questioning; and

Second. In the case of such person who makes a valid waiver of his right to have the assistance of an attorney during questioning, the aggregate period of such questioning, exclusive of interruptions first, during the absence of an attorney; and second, prior to the time such person is taken before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States, does not exceed 6 hours.

In finally approving this post-arrest procedure, the conferees recognize the urgent necessity for proper guidelines that would provide:

First. Proper safeguards for the person during his police custody, and

Second. Protection for the public in keeping law and order by permitting the police to carry on necessary questioning of arrested persons under clearly defined criteria and procedures.

Mr. President, in my view, the conferees, in reaching agreement on the so-called Mallory problem, have accomplished what the Honorable Ramsey Clark, the Deputy Attorney General of the United States, had in mind when he testified before the committee in connection with crime legislation (H.R. 5688) on April 27, 1965. At that time he stated:

> I am convinced that our system of government can devise procedures which will at once permit reasonable police interrogation of suspects while fully protecting their constitutional rights. Moreover, if this committee develops rules which meet the practicalities of modern-day, big city law enforcement, and which are clear and understandable, the police can fairly be expected to assume responsibility for their observance. Where they fail the courts will review.

The full extent of the Honorable Ramsey Clark's testimony is contained in the printed hearings of the Senate on H.R. 5688, the pending measure.

Mr. President, in my view, the procedures approved in Title I by the conferees will do much to remedy the difficult problems in the District which have resulted from the so-called Mallory rule. Once this title becomes law, a completely voluntary statement or confession will not be ruled out at trial on the basis of very minimal delay alone in bringing a person before a commissioner or other judicial officer. Contrarily, the period of delay to disqualify a confession will be reasonable and adequately defined, and enmeshed with adequate and complete safeguards for the detained person during his police custody. The safeguards that have now been written into title I are those which the Supreme Court set forth in the Miranda case, decided on June 13, 1966. This landmark case, while requiring a person to be provided legal counsel prior to questioning, and also providing complete protection against self-incrimination, does not, in my opinion, rule out reasonable interrogation by police officers.

Mr. President, now that the Supreme Court has spoken as it has in the Miranda decision, it seems patently clear that the Congress should no longer delay taking legislative action to provide clear and adequate procedures for interrogation by police officers of an accused when he is taken into custody. Title I, as approved by the conferees, accomplishes this need and provides the legislation that will fill the void in this important area of criminal procedure.

It goes without saying that title I is the area in this field of criminal law legislation that caused the conferees the greatest amount of concern and raised the most difficult problems.

We were not alone in this regard. The American Law Institute has been wrestling with this problem for a number of years. There has been conference after conference in an attempt to get groups of lawyers, judges, police officers, defense counsel, and prosecutors to write laws that in some measure represent understandable rules to govern this very delicate and sensitive area of the law.

It is not an easy task. There is no better evidence of this than the fact that the American Law Institute has never been able to come to a complete agreement with regard to this particular phase of the criminal law.

Much of the trouble is caused, of course, by the interpretations of the Mallory case and the subsequent extension of such case by the courts.

We have done our dead-level best to attempt to draw guidelines that will meet the constitutional objections. In this endeavor we hope that we have been successful.

I might point out that from the very start of our conference, the other points in the crime bills were resolved rather easily.

It seems to me that the end result is one which speaks well for the determined effort on the part of the conferees to attempt to formulate criminal procedure that will withstand a constitutional test.

In title II, the conferees adopted the American Law Institute insanity test which is contained in the House bill, to replace the existing Durham-McDonald test derived from case law. Under the agreed-upon definition, a person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect he lacks substantial capacity either to know or appreciate the wrongfulness of his conduct, or to conform his conduct to the requirements of law. Also, the conferees adopted an ALI recommendation that precludes a person manifesting a mental disease or defect only by repeated criminal or otherwise antisocial conduct from pleading an insanity defense; and a recommendation that establishes mental disease or defect excluding responsibility as an affirmative defense which the defendant must establish by a showing of substantial evidence.

The conferees also adopted, with slight modification, the Senate version requiring a defendant to give notice of intention to plead an insanity defense. Also, the conferees agreed to retain the existing pre-trial and post-trial insanity commitment procedures presently in the District of Columbia Code in lieu of enacting the various procedures in the House-passed bill. Finally, the conferees modified existing case law with respect to the requirement that the jury be instructed that if the defendant is found not guilty by reason of insanity, he will go to a mental hospital until he has recovered his sanity and is no longer dangerous to the community, by providing that the jury shall not be instructed by the court or counsel regarding the consequences of a verdict of not guilty or acquittal on the ground of mental disease or defect excluding responsibility.

This, of course, for those who are familiar with the law in this particular field demonstrates the attempt on the part of the conferees to take care of the problems which arose by virtue of the so-called Lyles case.

Mr. President, in title III, the conferees adopted a modified version of the Uniform Arrest Act. However, at the outset, I want to make it perfectly clear that the Uniform Arrest Act was not adopted in its entirety but was modified by the conferees so as to rule out the possibility of investigating arrests being sanctioned in the District of Columbia.

Under the approved provisions of title III, a Metropolitan Police officer may detain anyone who he has probable cause to believe is committing, or has committed, a crime, and may demand of him his name, address, business abroad, and where he is going. The provisions of the title will also allow further detention for a period not to exceed 4 hours of any person who fails to identify himself and explain his actions to the satisfaction of the officer. At the end of the prescribed detention period, the person shall be released or be arrested and charged with a crime. In the event the person is not charged, such detention shall not be recorded as an arrest in the official police records.

This provision largely follows with some modifications, the Uniform Arrest Act. The problem for the conferees centered about the number of hours that one can be detained. The conferees adopted a period of 4 hours which period of time appears to be quite reasonable.

A review of the Uniform Arrest Act in other States discloses that periods of detention vary from a high of 4 hours to a low of 2 hours.

I want to make clear at this point that this section should not be construed to mean that the safeguards provided under Miranda would not be applicable with respect to a person who is retained under this title. At this posture of the law, it is not clear to what extent Miranda will be made applicable to all persons who are brought under police detention. The extent and scope of Miranda will be known only when the various Federal courts provide follow-up court decisions.

I believe that the Supreme Court presently has an additional facet of the Miranda case under consideration—if I correctly understand its ruling of last Monday or a week ago Monday.

Mr. President, the conferees, with regard to the material witness provision of title IV, adopted a compromise of the Senate and House bills. The conferees provided that in felony cases where there is probable cause to believe that a person is a material and necessary witness to the commission of a crime, and will not be available to testify at the trial, such person shall be taken before a court or Commissioner without unnecessary delay, and that any delay in appearance will not be unnecessary delay if it occurs within 6 hours after the witness was taken into custody. The conferees added portions of the Senate bill providing the detained person a hearing before a court of Commissioner, and requiring that he be advised of his constitutional rights including the right to counsel and to be represented by counsel. The conferees further provided for the detention of a person as a material witness by a judge or Commissioner upon determination that the person is a material and necessary witness and there is a reasonable possibility he will not be available at time of trial. The conference substitute also provides for the release of witnesses on bond or collateral, or the provision of suitable accommodations separate from quarters used for the confinement of persons charged with crime; it also provides for the payment of witness fees to any person detained under the section, and for the release of witnesses detained for an unreasonable period of time.

The conferees, in reaching agreement on a material witness provision, recognized that existing law on detention of material witnesses—4 District of Columbia Code 144—is very indefinite and provides many problems for securing the presence of witnesses for trial.

Under title V of the conference substitute, the conferees added the crime of "robbery" to the list of crimes of violence.

In title VI of the conference substitute, the conferees reached compromises on establishing minimum sentences for specified crimes of violence. Section 601 provides that the minimum sentence for the crimes of assault with intent to kill or to commit rape, or to commit robbery, or to poison with the intent to kill or willfully to poison a water supply, shall be 2 years, retaining the present maximum punishment at 15 years.

Section 602 of title VI defines burglary as a separate crime, in lieu of the crime of housebreaking. Subsection (a) defines burglary in the first degree as being applicable to dwellings in which any person is in actual occupation, and prescribes punishment of 5 to 30 years' imprisonment.

Subsection (b) defines burglary in the second degree as being particularly applicable to commercial establishments and other structures or dwellings whether occupied or not. The punishment for burglary in the second degree shall be not less than 2 nor more than 15 years. Section 603 changes the minimum penalty for robbery to 4 years from the present minimum of 6 months.

The House conferees receded on House changes of existing law on offenses involving corrupt influence in connection with athletic contests. However, Mr. President, under section 604 of title VI a provision was added to existing law to make it amply clear that professional athletic teams can legally provide bonuses and other forms of compensation to players to encourage better performance.

Also, in section 605 of title VI the conferees modified the Senate and House language providing for additional punishment for armed crimes of violence. The agreed-upon language provides for an indeterminate sentence in addition to the prescribed punishment for the crime, where the person is armed or has readily available a pistol or other firearm or other dangerous or deadly weapon. If a person is convicted more than once under this section, the court shall not suspend his sentence or give him a probationary sentence.

In connection with amending the existing law of indecent publications, the conferees adopted section 606, containing provisions essentially the same in both bills, and restating existing law that makes it a crime for a person with knowledge to sell, offer to sell, or give away obscene material or have obscene matter in his possession for these purposes or for the purpose of exhibition. A new provision of law was added making it unlawful to act in, pose for, record, or produce or participate in the production of obscene or indecent publication or matter. The conferees adopted punishment provided by the Senate bill, which is a fine of not more than $5,000 or imprisonment for not more than 1 year, or both. In the case of injunctive powers, the conferees generally followed the Senate version, and authorized the U.S. Attorney for the District to petition the U.S. district court for preliminary and permanent injunctions to restrain the sale, gift, exhibition, duplication and reproduction of obscene matter and to restrain the use of real or personal property for such purpose. The conferees removed the broad seizure powers of the House bill and limited seizures under the injunctive power to matters that are obscene, lewd, or indecent. Also, the Senate provision was retained providing the court discretion as to what disposition to make of seized obscene matter. The conferees removed from operation of the bill persons licensed under the Communications Act of 1934, as amended.

The conferees reached agreement with regard to a minimum sentence for the crime of placing explosives with intent to destroy or injure property. Section 607 of title VI contains provision for the addition to present law of a minimum penalty of 4 years' imprisonment.

The conferees also agreed to adopt in setion 608 of title VI, the Senate language providing a minimum penalty of a fine of $300 or imprisonment not exeeding 30 days for the false or ficticious reporting of the commission of crimes or other matters to the Metropolitan Police. Such conduct was established as a crime under bills that passed both the House and Senate.

Finally, title VII provides that persons who, prior to the enactment date of this act, commit offenses under laws amended by this act, shall be sentenced in accordance with the law in effect on the date he committed the offense.

Mr. President, the conferees in approving this conference substitute had the common objective of strengthening the Criminal Justice Code in the Nation's Capital City so as to provide law enforcement agencies, the courts, and the citizenry as a whole with more effective tools to deal with the criminal.

I believe this is a good bill and possibly as good as any that can be worked out by conferees who have strong and varying views on how to deal with this difficult problem.

Mr. President, I believe the conference substitute provides ample protection to the public while not doing violence to constitutional principles. As I emphasized at the start of my presentation, I want to emphasize that this is not a panacea for all the criminal ills confronting society here in the District of Columbia, but it is indeed a big step forward in that direction.

In closing I want to commend both the House and Senate conferees for their diligent and tireless effort in hammering out this compromise. Mr. President, I hope that the Senate will approve this conference report without delay.

Before asking the Presiding Officer to put the question, I want to file at this point a statement from Senator Tydings, who has signed the conference report. I ask unanimous consent that this statement be made a part of the Record at the conclusion of my statement.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR TYDINGS

As a former U.S. Attorney and a Senator from a neighboring State, I am very much concerned with the crime problem here in the District of Columbia. I am well aware of the rising crime rates, and of the mounting public concern and fear which increased crime engenders. We must spare no ammunition in an all-out war on crime.

We do a disservice to the community, however, if we allow it to think that the crime problem will be solved, or significantly alleviated, by passage of this bill. In the short run, crime can be substantially reduced by supporting the reforms of the Metropolitan Police Department recommended by the President's District of Columbia Crime Commission and by appropriating adequate funds to improve police services. In the long run, crime can be reduced only by solving the underlying causes of crime: poverty, ignorance, and lack of opportunity.

This bill may make it possible to obtain some additional convictions and to impose longer sentences, but it will not significantly reduce crime or resolve the underlying problems.

The House has come a long way to meet the Senate's objections to its original crime bill. While the bill is far from perfect, it is considerably less objectionable than the House-passed version.

I have signed the conference report on the District of Columbia crime bill primarily because this bill has been a stumbling block to other District legislation. The House District Committee has made agreement on a crime bill and sine qua non of mutual accommodation between the two Houses of Congress on other District matters. I hope that by enacting this bill, the Senate will help to create a climate in which it is possible to obtain legislation and appropriations which are needed to attack the underlying causes of crime in the District of Columbia.

The principal defect on the present bill is that it may confuse, more than it clarifies, the law of post-arrest interrogation. Titles I and III appear to be mutually inconsistent in the period of post-arrest interrogation they permit. While I would have preferred a technically consistent bill, these provisions can, I believe, be reconciled by the courts in full accord with the letter and the spirit of the Supreme Court's decision in *Miranda* v. *Arizona*.

I read title III as restating the present law of arrest. Although the arrest is called a "detention" and under some circumstances an official arrest record may not be made, I do not believe it permits arrests for investigation or on any evidence less than the present requirements of "probable cause."

Mr. BIBLE. Mr. President, I have conversed with the Senator from Oregon [Mr. Morse]. He has very strong and definite feelings on this particular bill, as was well evidenced at the time it was before the Senate a year ago. He evidenced his feelings at that time very forcefully and filed minority views. His objection was to title I of the bill. He still has some very grave reservations about this title, as well as title III. He did not sign the conference report. He has asked me to ask unanimous consent to file a statement of his views insofar as the omnibus crime bill is concerned.

I also ask unanimous consent that there be printed for Senator Morse the minority views which I filed in connection with H.R. 5688 at the time the crime bill was reported by the Senate Committee on the District of Columbia.

There being no objection, the statement and minority views were ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR MORSE

Titles I and III of the omnibus crime bill—as they now stand—would give the police powers over the citizens of the District of Columbia which would be appropriate only in a most totalitarian society. As such, they could not withstand a challenge under the Constitution. The pervasive device which renders these proposals illegal is that they leave vital questions of personal liberty to the complete discretion of the police, who are responsible only to other police.

This is what could happen to a "suspect" in the District of Columbia if these proposals become law. A policeman comes upon a citizen whom the policeman suspects—with probable cause—has committed a crime. Under Title III of the Bill he questions the individual, and dissatisfied with the answers he "detains" him and interrogates him further for four hours. Under this proposal the suspect is not advised of his right to counsel, nor if he is aware of that right that he be provided counsel. At the end of this four hours, still dissatisfied, the policeman arrests the suspect and Title I of the Act comes into play. Then the suspect is told of his right to counsel, and counsel is appointed if the suspect desires. The questioning, however, continues either in the presence of counsel or, if the suspects makes a waiver of counsel, without such assistance. The act in effect provides no limit on the length of detention of a suspect before a preliminary hearing. The only limitation is that if a suspect waives his right to counsel he may be questioned only for a total of six hours during his detention. It is only when the police have decided that they have exhausted their need for detention of the suspect that they take him to a committing magistrate so that probable cause for his arrest and detention can be proved and bail set. In effect, these provisions represent an attempt to deprive arrested persons in the District of Columbia of the right to a speedy presentment and the right to bail—both rights which are inherent in the Constitutional scheme.

I cannot understand how the supporters of this conference report can justify Section 301 in view of the Supreme Court's holding in the Miranda case when the Court stated:

"We hold that when an individual is taken into custody or otherwise deprived of his freedom by the authorities and is subjected to questioning, the privilege against self-incrimination is jeopardized. Procedural safeguards must be employed to protect the privilege, and unless other fully effective means are adopted to notify the person of his right of silence and to assure that the exercise of the right will be scrupulously honored, the following measures are required. He must be warned prior to any questioning that he has the right to remain silent, that anything he says can be used against him in a court of law, that he has the right to the presence of an attorney, and that if he cannot afford an attorney one will be appointed for him prior to any questioning if he so desires. Opportunity to exercise these rights must be afforded to him throughout the interrogation. After such warnings have been given, and such opportunity afforded him, the individual may knowingly and intelligently waive these rights and agree to answer questions or make a statement. But unless and until such warnings and waiver are demonstrated by the prosecution at trial, no evidence obtained as a result of interrogation can be used against him."

Even from a cursory description of the procedure proposed in Title III of the Act it is clear that this flies directly in the face of the rules laid down in the landmark case of *Miranda* v. *Arizona* decided in the last term of the Supreme Court. The police quite simply cannot hold a person for questioning for four hours—whether under the guise of "detention" or not—without advising him of his right to counsel and without providing him counsel if he desires. And any statements obtained during such a "detention" would not be admissible in a subsequent criminal proceeding. It can only be safely ventured that if during this period of secret police detention the police obtain leads to other evidence, it too will be excluded from any subsequent prosecution under the rule of *Wong Sun* v. *United States*, which forbids the use of the fruits of an unlawful detention.

Perhaps the conferees who signed the conference report thought that the rules could be avoided by semantic legerdemain—making a distinction between detention and arrest. But the court in *Miranda* repeatedly emphasized that the rules of that case apply to anyone "taken into custody or otherwise deprived of his freedom of action in any significant way." Title III, then, represents a bald attempt to circumvent a clear Constitutional mandate.

Beyond this blatant attempt to repeal *Miranda*, Titles I and III amount to no less than a repeal of Rule 5(a) of the Federal Rules of Criminal Procedure—a repeal limited of course to the District of Columbia, where few of our constituents reside—which requires presentment to a committing magistrate without unnecessary delay after an arrest. Perhaps the draftsmen of these rules feel that compliance with the requirements of *Miranda* after four hours of detention satisfies the reasons for the requirement of a prompt presentment. Thus, they would permit unlimited detention at the complete discretion of the police, even if it should run into days or weeks. What is not taken into consideration is the fact that presentment to a committing magistrate is necessary to protect Constitutional rights as sacred as that which provides for the assistance of counsel. Upon presentment to the committing magistrate the police must establish that there is probable cause for detention of the suspect. Under the Omnibus Crime Bill a suspect could be detained for days and weeks on an unreviewed and unreviewable police determination that there is probable cause.

At presentment, the magistrate is also required to set bond, as provided in the Constitution. Again, under the Omnibus Crime Bill the police could deny a suspect his Constitutional right to bond for a period as long as they desire, considerations of necessity or convenience to the individual notwithstanding.

It is plain on the face of these provisions that what the authors of this bill intend is to bring back to the District of Columbia arrests for investigation. Such unlawful arrests were brought to a well-deserved end as a result of the now famous Horsky report which concluded that they were not only unconstitutional but unnecessary to efficient police administration—conclusions which have not been meaningfully challenged by any legal scholar of repute.

The practicable effect of Titles I and III would be to provide legislative sanction for arrests without probable cause, and detention while the police scurry about to try and dig up evidence to justify the arrest. If there is any doubt as to this purpose, note carefully that Section 101(a) of Title I which provides that any evidence obtained during a period of unnecessary delay before the presentment shall be admissible. There can be no justification for this flagrant attempt to invade the Constitutional rights of the citizens of the District of Columbia.

There are other, and equally disturbing overtones in this legislation. What is to prevent repeated "detentions" of four hours at a stretch under Title III? The law will provide for release after a detention of four hours, unless the policeman chooses to magic the detention into arrest, but the law is silent as to redetention. The parallel which comes readily to mind is the system of detention of political prisoners now used in South Africa, ostensibly limited to a fixed period of time but in fact used—by redetention for indefinite *in camera* confinement. The difference between that outrage and the possibilities of abuse under Title III of the Omnibus Crime Bill are differences in degree only. Further evidence of the unfettered discretion given policemen by this act lies in Title III where the policemen, after confronting an individual whom he has probable cause to believe he has committed a crime, can decide whether to "arrest" him so that his *Miranda* rights accrue, or merely to "detain" him so that he is subject to the secret police interrogation forbidden by *Miranda*.

One final example of the numerous troubling implications in these proposals. "Detention" under Title III shall not be recorded as an arrest in any official record. Is this a suggestion that no record be kept of these bodily seizures by the police? We all recognize the unfortunate consequences which sometimes flow from having an arrest record, but we should work to correct that rather than permit the police to make arrests—and the word detention cannot fog that issue—in secret and without the necessity of an accounting.

In my judgment, the bill contains clearly unconstitutional provisions in it. Therefore I refused to sign the conference report. I want the CONGRESSIONAL RECORD to show that I am opposed to the conference report.

MINORITY VIEWS OF SENATOR WAYNE MORSE

The Mallory rule

The purpose of title I of the bill is to destroy the application of the *Mallory* rule [1] to the District of Columbia. Rule 5(a) of the Federal Rules of Criminal Procedure requires that an arrested person must be brought before a committing magistrate "without unnecessary delay." The *Mallory* rule simply provides that no statement obtained during a period of unlawful detention in violation of rule 5 shall be admissible in a Federal court. In short, the *Mallory* rule tells the police that they, like all citizens in a free society, must obey the law, and that if they break the law, they shall not profit from their wrongdoing because evidence unlawfully obtained may not be admitted against the defendant.

The *Mallory* rule does not exclude a spontaneous confession after arrest; it excludes only those statements obtained during an "unnecessary delay." The Supreme Court made this much clearer in the *Mallory* decision:

"The duty enjoined upon arresting officers to arraign without unnecessary delay indicates that the command does not call for mechanical or automatic obedience. Circumstances may justify a brief delay between arrest and arraignment, as for instance, where the story volunteered by the accused is susceptible of quick verification through third parties. But the delay must not be of a nature to give opportunity for the extraction of a confession."

What constitutes "unnecessary delay" has been the subject of numerous opinions in the District of Columbia [2] and the other Federal circuits.[3] The opinions have not always been harmonious. It is clear, however, the differences of opinion on the question among learned judges are not confined to the judges of the District of Columbia.

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[1] *Mallory* v. *United States*, 354 U.S. 449 (1957).

[2] See *Watson* v. *United States*, 249 F. 2d 106 (D.C. Cir., 1957); *Trilling* v. *United States*, 260 F. 2d 677 (D.C. Cir., 1958); *Naples* v. *United States*, 307 F. 2d 618 (D.C. Cir., 1962); *Jones* v. *United States*, 307 F. 2d 397 (D.C. Cir., 1962); *Tatum* v. *United States*, 313 F. 2d 579 (D.C. Cir., 1962); *Coleman* v. *United States*, 313 F. 2d 576 (D.C. Cir., 1962); *Metoyer* v. *United States*, 250 F. 2d 30 (D.C. Cir., 1957); *Perry* v. *United States*, 253 F. 2d 337 (D.C. Cir., 1957); *Porter* v. *United States*, 258 F. 2d 685 (D.C. Cir., 1958); *Heideman* v. *United States*, 259 F. 2d 943 (D.C. Cir., 1958); *Lockley* v. *United States*, 279 F. 2d 915 (D.C. Cir., 1959); *Goldsmith* v. *United States*, 277 F. 2d 335 (D.C. Cir., 1959); *Day* v. *United States*, 281 F. 2d 33 (D.C. Cir., 1960); *Turberville* v. *United States*, 303 F. 2d 411 (D.C. Cir., 1962); *Hughes* v. *United States*, 306 F. 2d 287 (D.C. Cir., 1962); *Jackson* v. *United States*, 313 F. 2d 573 (D.C. Cir., 1962); *Muschette* v. *United States*, 322 F. 2d 989 (D.C. Cir., 1963); *Pailly* v. *United States*, 328 F. 2d 542 (D.C. Cir., 1964; *Sprigs* v. *United States*, No. 17962, decided June 19, 1964; *Seals* v. *United States*, 325 F. 2d 1006 (D.C. Cir., 1963).

[3] See *United States* v. *Ladson*, 294 F. 2d 535 (2d. Cir., 1961); *United States* v. *Vita*, 294 F. 2d 524 (2d. Cir., 1961); *Holt* v. *United States*, 280 F. 2d 273 (8th Cir., 1960); *Teguer* v. *United States*, 302 F. 2d 214 (8th Cir., 1962); *Evans* v. *United States*, 325 F. 2d 596 (8th Cir., 3 1963); *Williams* v. *United States*, 273 F. 2d 781 (9th Cir., 1959); *Spinoza* v. *United States*, 279 F. 2d 616 (9th Cir., 1960); *Muldrow* v. *United States*, 281 F. 2d 903 (9th Cir., 1960).

The purpose of rule 5 and the *Mallory* rule are several:

(1) To prevent conflicts over the nature of secret interrogations and to minimize the temptation and opportunity to obtain confessions as a result of coercion, threats, or unlawful inducements;

(2) To effectuate and implement the citizen's constitutional rights by insuring that a person arrested is informed by a judicial officer of his privilege against self-incrimination; his right to counsel and his right to be admitted to bail and given an opportunity to exercise these rights;

(3) To protect the citizen from a deprivation of liberty as a result of an unlawful arrest by requiring that the Government establish probable cause to the satisfaction of a judicial officer before a citizen can be detained by the police.

I am at a loss to understand why this rule excites so much citicism.

I agreed with the Department of Justice last year when it asserted during the hearings on similar legislation that "the *Mallory* rule is a good one." I believe now, as I believed then, that if the rule is a "good one" for this Nation, then it certainly is a "good one" for its Capital City. I was gratified by the testimony during the 1965 hearings of the Honorable Ramsay Clark, Deputy U.S. Attorney General, that the Justice Department "would not challenge the wisdom, fairness, or necessity of the *Mallory* doctrine" (1965 hearings, pt. I, p. 32). If the Department of Justice regards the *Mallory* rule as good, wise, fair, and necessary, and does not seek to curtail its nationwide application to Federal criminal prosecutions, I see no reason for carving out an exception where the District of Columbia is concerned.

Why the Mallory rule should not be changed

Title I of H.R. 5688 would destroy the vitality of rule 5 and the *Mallory* rule in the District of Columbia. Citizens of the District of Columbia would be deprived of substantial rights guaranteed to other citizens throughout the Federal system. The objectives of rule 5 and the *Mallory* rule would be discarded in favor of a procedure designed to permit the police to extract confessions from citizens who waive important constitutional rights through ignorance or failure to appreciate the significance of these rights.

My reasons for opposing title I of H.R. 5688 can be summarized as follows:

(1) The postponement of the presentation of a defendant to a magistrate for any period of time for the sole purpose of interrogating that defendant is an unconstitutional erosion of several of the rights guaranteed to an accused by the fourth, fifth, sixth, and eighth amendments to the Constitution of the United States.

(2) The clear purpose of title I is the circumvention and subversion of the defendant's constitutional right not to be convicted out of his own mouth.

(3) The philosophy of title I is foreign to our accusatorial system of criminal justice.

(4) Congressional action with respect to the *Mallory* rule is not appropriate at this time because important studies of the rule are still in progress, and because the attitude of law enforcement officials toward the rule has not yet crystallized, but rather is in the process of evolution.

(5) As title I is now drafted, it will not even achieve the purpose its sponsors have in mind.

(6) Section 103 of title I, as it is presently worded, raises serious problems of interpretation, is bound to provoke a heavy volume of litigation, and erects safeguards meaningful only to the wealthy.

(7) Since the bill allows at least a 3-hour delay between arrest and arraignment, it is bound to become in practice a device for arresting any person for investigation and interrogation for 3 hours.

The 3-hour rule

By title I of H.R. 5688, as approved by the majority of this committee, the Congress is requested to legislate into existence a several-hour interval between the arrest of any individual in the District of Columbia, and his presentment before the U.S. commissioner or one of the judges of the District of Columbia court of general sessions. The Congress is asked to do this by a statute defining the words "unnecessary delay" in rule 5(a) of the Federal Rules of Criminal Procedure to exclude at the bare minimum, the first 3 hours after an accused is arrested. In order to evaluate both the constitutionality and the desirability of isolating an arrested person from a representative of the judiciary branch of the Government for a 3-hour period, it is essential for the Senate to understand fully the procedure that occurs when an accused is presented to the magistrate. For all must agree that one who is asked to postpone a procedure for at least 3 hours should at least know what it is that he is postponing.

The procedure that occurs before the magistrate is spelled out in rule 5(b) of the Federal Rules of Criminal Procedure:

"The commissioner shall inform the defendant of the complaint against him, of his right to retain counsel, and of his right to have a preliminary examination. He shall also inform the defendant that he is not required to make a statement and that any statement made by him may be used against him. The commissioner shall allow the defendant reasonable time and opportunity to consult counsel and shall admit the defendant to bail as provided in these rules."

Rule 5(b) should be read in conjunction with the following provisions from the Bill of Rights:

"The right of the people to be secure in their persons * * * against unreasonable * * * seizures shall not be violated, and no Warrants shall issue, but upon probable cause * * * (fourth amendment).

"No person * * * shall be compelled in any criminal case to be a witness against himself * * *(fifth amendment).

"In all criminal prosecutions, the accused shall enjoy the right * * * to be informed of the nature and cause of the accusation * * * and to have the assistance of counsel for his defense (sixth amendment).

"Excessive bail shall not be required * * * (eighth amendment)."

Constitutional issues

Can any person read rule 5(b) and these provisions of the Bill of Rights (with the interpretation put upon them by over 170 years of judicial decisions), and yet say that there are no constitutional implications to title I of this bill? Can any person read rule 5(b) and the fourth, fifth, sixth, and eighth amendments, and reach any conclusion other than that the proceeding before the magistrate is the method for activating these provisions of the Bill of Rights for use in each particular criminal case? Can any person read rule 5(b) together with those amendments and not conclude that by title I of this bill the Congress is asked to hold those constitutional rights in a state of suspended animation for at least the first 3 hours after a person is arrested? And, if the Congress has the power to suspend the application of these rights to the individual defendant for 3 hours, can anyone explain why it would not also have the power to suspend the application of those rights for 12 hours, or 24 hours, or a week, or a month?

If any Senator were bold enough to introduce a bill to the effect that an accused person shall have no right to be free on bail during the first 3 hours after his arrest, the vast majority of the Senate would immediately recognize it as an unconstitutional narrowing of the right to bail conferred by the eighth amendment. Yet, is this not exactly what we are asked to do by title I of this bill?

Suppose the Senate were asked to enact a statute to the effect that until a defendant has been in custody for at least 3 hours, there shall be no judicial inquiry into the question of whether there was probable cause to arrest him at all. Does any Senator seriously doubt that such a statute would quickly and correctly be branded unconstitutional by the U.S. Supreme Court? Yet this is precisely what the Senate is asked to do through the provisions of title I of this bill.

Suppose the Senate were asked to pass a bill to the effect that unless a defendant is able on short notice and while in police custody to contact a criminal lawyer and unless he has enough funds to retain that lawyer, the accused shall have no right to an attorney and no right to his freedom to seek an attorney until at least 3 hours have passed after his arrest. Can any person read the recent decisions of the U.S. Supreme Court and conclude that such a statute would be constitutional? Yet, by indirection, we are asked to enact the substance of such a plainly unconstitutional provision when we are asked to enact into law title I of this bill.

But in the final analysis, it is misleading to speak of a 3-hour delay in arraignment, for the delay may be, and in practice undoubtedly will be, much longer; in some cases, it might come out to a matter of days. Section 103(3) of title I of this bill places a 3-hour limit on questioning, but it places no limit at all on the delay between arrest and arraignment. Moreover, section 103(3) permits an aggregate 3 hours of questioning, exclusive of interruptions. In a particular case, then, an individual could be arrested, questioned for 15 minutes, held incommunicado overnight, questioned intensively for an hour, returned to his cell for several hours or days, and then questioned again for an additional hour and three-quarters, either in one continuous session or in a series of shorter sessions. The interrogation-interruption-interrogation combinations are limitless. It will be only a matter of time before techniques will be developed by the police which will enable them in effect to detain and question a suspect as long as may be necessary to break him. Section 103(3) is worded to make the interrogation procedure which it creates as palatable as possible, but no matter how it may be sugar coated, it still means that once an accused has been arrested, his constitutional right to liberty may be withheld from him for at least 3 hours while the police try to persuade him to waive his constitutional right not to be a witness against himself. And it also means that it shall not be necessary that the accused actually receive the advice of counsel on whether to make such a waiver, although he is not to be denied the "opportunity" to obtain this advice provided he is wise enough to ask for it and wealthy enough to pay for it. It also means that an accused may be held for at least 3 hours before any judicial inquiry is undertaken into the validity of his having been arrested in the first place.

Inquisition is foreign to our system of justice

Even if one can force himself for the moment to overlook the formidable constitutional problems that are presented by title I of H.R. 5688, it is plain that legislation of this sort runs against the grain of the Anglo-American system of administering criminal justice. This legislation would inject into our accusatorial system of criminal law enforcement the seeds of the inquisitional system. This legislation could signal the beginning of the end of the privilege against self-incrimination, which in many ways is the hallmark of our systems of criminal justice. We do not wish to burden this minority report with lengthy quotations, but the following observations by Justice Felix

Frankfurter, the author of the *McNabb-Mallory* rule, are so pertinent to the issue presented by title I that we do believe they justify quotation here:

"To turn the detention of an accused into a process of wrenching from him evidence which could not be extorted in open court with all its safeguards, is so grave an abuse of the power of arrest as to offend the procedural standards of due process.

"This is so because it violates the underlying principle in our enforcement of criminal law. Ours is the accusatorial as opposed to the inquisitorial system. Such has been the characteristic of Anglo-American criminal justice since it freed itself from practices borrowed by the star chamber from the continent whereby an accused was interrogated in secret for hours on end. [Citation omitted.] Under our system society carries the burden of proving its charge against the accused not out of his own mouth. It must establish its case, not by interrogation of the accused even under judicial safeguards, but by evidence independently secured through skillful investigation. * * * The requirement of specific charges, their proof beyond a reasonable doubt, the protection of the accused from confessions extorted through whatever form of police pressures, *the right to a prompt hearing before a magistrate*, the right to assistance of counsel, to be supplied by government when circumstances make it necessary, *the duty to advise an accused of his constitutional rights*—these are all characteristics of the accusatorial system and manifestations of its demands. Protracted, systematic, and uncontrolled subjection of an accused to interrogation by the police for the purpose of eliciting disclosures or confessions is subversive of the accusatorial system. It is the inquisitorial system without its safeguards. For a while under that system the accused is subjected to judicial interrogation, he is protected by the disinterestedness of the judge in the presence of counsel (*Watts* v. *Indiana*, 338 U.S. 49 (1949))." [Emphasis added.]

No one who testified during the hearings on this bill did, or could, contest the proposition that one who is arrested has an absolute constitutional right to refuse to make any statement whatsoever to the police. Since this is so, it is difficult to see the justification for a statute which would have the effect of delaying his right to go free on bail for any period of time, be it 1 minute or 3 hours, so that the police can ask him questions which he has a constitutional right not to answer. Moreover, although in some respects a period of 3 hours can seem a relatively short space of time, 3 hours or even 1 hour, of questioning of any sort is certainly an unpleasant experience and one which most people would find an ordeal.

Proposed modifications of Mallory rule erode procedural rights of accused

Even if we assume that the time is propitious for tampering with the judicially determined meaning of rule 5(a); and even if we believe that such tampering is permissible under the Constitution and desirable in view of the special problems that are alleged to exist with respect to law enforcement in the District of Columbia, we are still brought to the question of whether title I is a good way to go about the matter. Certainly, no one could have any objection to section 101 of title I, other than that it is surplusage, since the due process clause of the Constitution would prohibit the use of a confession obtained under the circumstances described in section 101. I would have no quarrel with section 102 of title I, for it simply is a legislative enactment of the rule announced by the Supreme Court in *McNabb* v. *United States* (318 U.S. 332 (1943)).

It is against section 103 of title I that the thrust of my objections is directed. Paragraph (1) of that section required that any interrogation be preceded by advice from the police to the defendant that he is not required to make any statement and that any statement made by him may be used against him. This provision is an open invitation to litigation. What do the words "plainly advise" mean?

Moreover, how are we to be certain that this plain advice was given in situations where the defendant denies it and the police officers affirm it? It is difficult to overlook a natural tendency of trial judges to accept the word of an officer rather than the word of a defendant. In any event, this section is bound to raise the contention in many criminal trials in the District of Columbia that such plain advice was not given to the accused in fact.

In addition, there is indication that this advice to the defendant is an overrated safeguard. How many defendants really understand the significance of what they are told? Since so many give statements after receiving this advice from the police, and since it is obviously not in their interest to do so, we are justified in concluding that most defendants do not fully appreciate and comprehend what they are told. Indeed, the U.S. attorney for the District of Columbia, David Acheson, who is the author of title I, virtually acknowledged this. During the 1964 hearings, when Senator Dominick asked whether defendants would not simply postpone any confession until the statutory period had expired, he replied:

"Senator, I think that is attributing a degree of sophistication to even a hardened criminal that very few of them seem to possess. At the present time for all practical purposes if he can hold out for 2 hours or 2½ hours, he is pretty well in the clear, but very few of them do" (1964 hearings, p. 443).

When a defendant gives any statement to the police, he is, ipso facto, waiving his constitutional right to remain silent. The waiver of such a vital constitutional right should always be preceded by legal advice as to the wisdom of doing so. This brings us logically to section 103(2) of title I, which is obviously contrived to meet these objections.

Section 103(2), which provides that a defendant shall be afforded a reasonable opportunity to notify a friend or relative and to consult with counsel of his own choosing, creates the illusion of fairness, but as a practical matter this safeguard will evaporate in the police station. First of all, how does the defendant select counsel with whom to consult? The classified pages of the telephone directory contain a formidable list of attorneys with no indication of their specialty. One can just imagine the kind of "consulting" which would go on if a patent attorney were roused from his sleep at 4:30 a.m. on a Sunday morning by an unknown defendant arrested on a charge of robbery.

Mr. Acheson all but conceded that this safeguard was an empty one:

"Usually, Senator, these people don't know a lawyer. * * * They are offered the telephone. I think a classic situation here is the famous defendant Killough in a murder case, who was offered the telephone. He did not make use of it. He didn't know a lawyer to call * * *. The police, with some reason, feel that it would be quite improper for them to select counsel for defendants, and I believe that the Legal Aid Agency at the present time is not authorized to accept the call of the police to represent defendants in the custody of the police" (1964 hearings, p. 444).

Moreover, an attorney, asked to render such time-consuming service on such short notice and in what is essentially an emergency situation, has a right to demand a fee for his services. Since approximately two-thirds of the defendants who are tried on felony charges in the U.S. District Court of the District of Columbia are represented by court-appointed counsel, it follows a fortiori that an even larger percentage of those arrested will be indigent and couldn't offer a lawyer any guarantee of a fee for his earned services.

Concededly, section 103(2) could be very meaningful for the habitual criminal, for the rich defendant, for the gangster, and for the member of an organized crime syndicate. However, for those who are indigent, for those who are charged with their first offense, for those who are not linked with organized crime, it is an empty provision.

The Justice Department appreciates that the interrogation would be unconstitutional unless preceded by the opportunity to obtain counsel (1964 hearings, p. 433).

Nevertheless, the bill contains no provision for appointment of counsel for the indigent. The Legal Aid Agency Act (D.C. Code 2–2201, June 27, 1960, 74 Stat. 229, Public Law 86–531) does not authorize staff attorneys of the Legal Aid Agency to appear in criminal cases before preliminary hearing. Neither the proposed changes in the Federal Rules of Criminal Procedure (rule 44(b), second preliminary draft (1964)) nor the Criminal Justice Act of 1964 (S. 1057) provide for the appointment of counsel before the preliminary hearing.

In *Massiah* v. *United States* (377 U.S. 201 (1964)), the Supreme Court held that a statement obtained from an indicted defendant at a time when the defendant was not represented by counsel violated the sixth amendment and was inadmissible. The Court observed that—

"A Constitution which guarantees a defendant the aid of counsel at * * * trial could surely vouchsafe no less to an indicted defendant under interrogation by the police in a completely extrajudicial proceeding. Anything less * * * might deny a defendant effective representation by counsel at the only stage when legal aid and advice would help him."

On June 22, 1964, the Supreme Court in *Escobedo* v. *Illinois* (378 U.S. 478), held that the failure of the police to warn a defendant taken into custody of his right to remain silent and the refusal by the police to permit the defendant to consult his counsel upon request constituted a violation of the 6th and 14th amendments and rendered statements elicited from the defendant inadmissible in a criminal proceeding. In his dissenting opinion in the *Escobedo case*, Justice White pointed out the broad effect of the decision:

"* * * Although the opinion purports to be limited to the facts of this case it would be naive to think that the new constitutional right announced will depend upon whether the accused has retained his own counsel * * * or has asked to consult with counsel in the course of interrogation."

It seems clear that Mr. Justice White is correct in foreseeing that the Supreme Court will not tolerate a system which permits the rich defendant to consult with counsel while providing no counsel to advise the majority of defendants who cannot afford legal assistance. In a series of decisions, the Court has reiterated the theme that equal justice under law means that no defendant may be deprived of an important procedural right because of poverty. *Griffin* v. *Illinois* (351 U.S. 12, 17–18 (1956)); *Smith* v. *Bennett* (365 U.S. 708 (1961)); *Coppedge* v. *United States* (369 U.S. 438, 446–447 (1962)); *Gideon* v. *Wainwright* (372 U.S. 335 (1963)); *Douglas* v. *California* (372 U.S. 353 (1963)); *Lane* v. *Brown* (372 U.S. 477, 483–84 (1963)); *Hardy* v. *United States* (375 U.S. 277, 280 (1964)).

The provisions of the bill must be regarded as unconstitutional if they are interpreted in such a way as to deny counsel to an indigent during the police interrogation.

There remains the possibility that the bill could be interpreted in such a way as to require the appointment of counsel for an indigent, upon the theory that a defendant has not "in fact" been afforded the opportunity to consult with counsel if he is unaware of his right to have counsel appointed for him, or if no provision exists for the appointment of counsel. If such is the intention of the Senate, the provision should be rewritten to conform with the language of proposed rule 5(b) (second preliminary draft, proposed revision of Federal Rules of Criminal Procedure) and should expressly state that—

"(b) prior to any such questioning the arrested person was advised by the officers having custody of him that he would be afforded reasonable opportunity * * * to consult counsel of his choosing and of his right to request the assignment of counsel if he is unable to obtain counsel."

While the bill permits a detention for 3 hours, it purports to recognize the right to counsel of a defendant who is the subject of an accusatory proceeding. Obviously the wealthy defendant may implement his constitutional rights by hiring a lawyer. The bill makes no provision for the poor defendant. Certainly the bill cannot preclude such a citizen from asserting his right to counsel and avoid successful constitutional attack. Perhaps the neighborhood legal services project of the United Planning Organization, created and funded as a part of the Government's war on poverty, the Legal Aid Agency created by the Congress, or voluntary attorneys will come forward to provide the counsel needed. Assurance by the spokesmen for the Department of Justice that the Department recognizes the right of all to have access to counsel at this early stage of the proceeding constitutes a clear commitment that it will do nothing to frustrate the implementation of the right to counsel in the administration of the procedure authorized by the bill. If counsel can be provided to the indigent in this way, some of the constitutional questions raised by the bill could possibly be alleviated.

The bill should contain a section providing that counsel may be provided for the indigent by the Legal Aid Agency for the District of Columbia. Anything less will render the bill unconstitutional in its application to indigent defendants.

Finally, if section 103(2) should happen to function as it should in the ideal situation, the whole purpose of title I; namely, to allow interrogation of a defendant for a 3-hour period after his arrest, would be frustrated, for no attorney who has any competence in the criminal law is going to advise a defendant who is under arrest to make a statement to the police; and especially not during the 3 hours after his arrest, when, presumably, the attorney could not possibly have had enough time to make an intelligent investigation of the facts surrounding the police charges. Any competent lawyer would advise his client to remain silent until the lawyer has investigated the case and a committing magistrate has had an opportunity to pass judicially on the question of probable cause justifying the arrest by the police in the first instance.

That there is force in this observation concerning section 103(2) is borne out by the fact that two persons testifying before the committee in 1964 with quite different viewpoints on the question of interrogation of arrested individuals raised similar objections. Chief Robert V. Murray, of the Metropolitan Police Department, who favored legislation nullifying the *Mallory* rule, and Dean Kenneth A. Pye, of Georgetown University Law Center, who opposed such legislation, each agreed that the practical problems created by section 103(2) would be so great as to render the statute more trouble than it was worth. (See 1964 hearings, pp. 578–580; 555–558.) Dean Pye testified:

"That bill results in no interrogation, either. If you give him the right to counsel and if you give him counsel, then counsel is going to tell him that he does not have to have interrogation. So while I have no objection to that proposal, I do not think you will accomplish his (Mr. Acheson's) objective" (1964 hearings, p. 394).

Chief Murray took substantially the same position, although for altogether different reasons:

"As I have testified to your committee, the current policy and practice of this department is to permit an arrested person to communicate with an attorney upon his request, and I would not oppose writing this policy and practice into the law. On the other hand, I believe that the additional requirement that the police specifically advise an arrested person of this opportunity must certainly incur a new handicap on police investigations. I believe that the testimony of witnesses before your committee has been unanimous that any attorney will immediately advise his client to make no statement whatever to the police, and to require the police to actively solicit this probability would operate to effectively preclude any incustody questioning of the defendant" (1964 hearings, pp. 578–579).

The proponents of title I have argued that the necessities of law enforcement require that the police be able to interrogate suspects in order to elicit damaging statements from them. However persuasive such an argument may be, it is not longer permissible. The desirability of obtaining incriminatory admissions from uninformed or unappreciative defendants is no longer debatable. The practice has been prohibited by the Supreme Court. The Court specifically dealt with the issue in the *Escobedo* case:

"It is argued that if the right to counsel is afforded prior to indictment, the number of confessions obtained by the police will diminish significantly because most confessions are obtained during the period between arrest and indictment, and 'any lawyer worth his salt will tell the suspect in no uncertain terms to make no statement to police under any circumstances' (*Watts* v. *Indiana,* 338 U.S. 49, 59 (Jackson, J., concurring in part and dissenting in part)). This argument, of course, cuts two ways. The fact that many confessions are obtained during this period points up its critical nature as a 'stage when legal aid and advice' are surely needed (*Massiah* v. *Untied States, supra,* at —; *Hamilton* v. *Alabama, supra; White* ———— v. *Maryland, supra.* The right to counsel would indeed be hollow if it began at a period when few confessions were obtained. There is necessarily a direct relationship between the importance of a stage to the police in their quest for a confession and the criticalness of that stage to the accused in his need for legal advice. Our Constitution, unlike some others, strikes the balance in favor of the right of the accused to be advised by his lawyer of his privilege against self-incrimination.

"We have learned the lesson of history, ancient and modern, that a system of criminal law enforcement which comes to depend on the confession will in the long run be less reliable and more subject to abuses than a system which depends on extrinsic evidence independently secured through skillful investigation. As Dean Wigmore so wisely said:

"'*(A)ny system of administration which permits the prosecution to trust habitually to compulsory self-disclosure as a source of proof must itself suffer morally thereby.* The inclination develops to rely mainly upon such evidence and to be satisfied with an incomplete investigation of the other sources. The exercise of the power to extract answers begets a forgetfulness of the just limitations of that power. The simple and peaceful process of questioning breeds a readiness to resort to bullying and to physical force and torture. If there is a right to an answer, there soon seems to be a right to the expected answer—that is, to a confession of guilt. Thus the legitimate use grows into the unjust abuse: ultimately, the innocent are jeopardized by the encroachments of a bad system. Such seems to have been the course of experience in those legal systems where the privilege was not recognized,' (8 Wigmore, Evidence (third edition, 1940) 309). [Emphasis in original.]

"This Court also has recognized that 'history amply shows that confessions have often been extorted to save law enforcement officials the trouble and effort of obtaining valid and independent evidence * * *' (*Haynes* v. *Washington,* 373 U.S. 503, 519).

"We have also learned the companion lesson of history that no system of criminal justice can, or should, survive if it it comes to depend for its continued effectiveness on the citizens' abdication through unwareness of their constitutional rights. No system worth preserving should have to fear that if an accused is permitted to consult with a lawyer, he will become aware of, and exercise, these rights. If the exercise of constitutional rights will thwart the effectiveness of a system of law enforcement then there is something very wrong with that system."

In the *Escobedo* case the right to remain silent has been reinforced by the right to counsel. The inquisitorial system prior to indictment has been rejected. This is a matter of constitutional law. It is beyond the power of Congress to change. We do not see how a Senator can read the *Escobedo* decision and still support title I of the bill.

The sum and substance of this is that this committee has recommended to the Senate that it enact into law section 103 of title I on the basis of a record before the committee which demonstrated that if section 103 (2) is effective, the legislation would be useless, and if section 103(2) is ineffective, the legislation would be unconstitutional. The action of the majority of the committee just does not make sense.

Section 103(3) purports to create for the first time in the Federal system a right of interrogation for 3 hours. We believe that in practice this will be considered by the police as a license to resurrect the investigative arrest provided the person so arrested is not questioned for more than 3 hours. We must remember that the clearly unconstitutional practice of making an arrest on suspicion or for investigation grew up in the District of Columbia despite a clear constitutional provision that all arrests must be based upon probable cause; despite a rule of procedure which required that all arrested persons must be immediately presented before a magistrate; despite the absence of any statutory authorization for the interrogation of the arrested person. Now if the arrest for investigation could flourish despite such a constitutional, procedural, and statutory climate there is every reason to believe that it will reappear if the Senate authorizes 6 hours of interrogation of all arrested persons.

It is significant that the bill provides no protection against unlawful arrests. What will prevent the police from arresting a defendant for investigation, interrogating him until a damaging statement is obtained, and then using the statement to establish probable cause at the subsequent hearing before the commissioner?

This is no theoretical problem. The report of the Commissioners' Committee on Police Arrests for Investigation (1962), the Horsky report, establishes that during 1961, 5,524 persons were arrested for suspicion, and 3,743 of these were listed as arrested for investigation. A higher number of arrests on suspicion or investigation were made in previous years. During 1960 and 1961, 17 out of each 18 persons arrested were ultimately released. A substantial percentage, perhaps as many as 45 percent of these arrests, were unlawful because there was no probable cause at the time of the arrest.

That Committee recommended that arrests for investigation should be stopped. The Chief of Police replied to the report in a memorandum to the Board of Commissioners. In this memorandum Chief Murray attempted to justify the existing practices.

Chief Murray concluded his memorandum by urging the Commissioners not to implement the recommendations of their Committee "until satisfactory alternatives are established to provide the police force with tools to continue an effective war on crime." The Commissioners disregarded his advice and ordered that the practice of police arrests for investigation should cease. The testimony of police officials before committees of the Congress during the last year provides ample proof that the police do not regard the decision to be fair and that they are exploring all avenues to find "satisfactory alternatives."

The procedure permitted by the present bill would provide such an alternative. Ultimately these efforts will be thwarted by court decisions suppressing all statements obtained as a result of unlawful arrests. (See *Wong Sun* v. *United States*, 371 U.S. 471 (1963).) During the interval, title I of the bill will provide justification for their conduct. It is difficult to estimate how many citizens will be arrested unlawfully during the interval.

The witnessing and recording provision

Section 103(4) of the bill requires that the questioning and the warning and advice be witnessed by a "responsible person" who is not a "law enforcement officer" or recorded "whenever reasonably possible." The section raises many problems of interpretation and administration. What is meant by "reasonably possible"? Where are "responsible persons" who are not law enforcement officers to be obtained? In any case the protection of this section is relevant only to the issue of involuntary confessions. The "protection" of the section bears no relation to the problems arising under the fifth, sixth, and fourth amendments.

The equal protection of the law

Rule 5(a) of the Federal Rules of Criminal Procedure governs all criminal prosecutions in the Federal system in the United States. This is so now, and it will be so even if title I is enacted. Title I does not change the wording of rule 5(a). What it does do is to define the words "unnecessary delay," which appear in that rule, in one way for the District of Columbia, while leaving unchanged a quite different definition of those identical words which was made by the Supreme Court in the *Mallory* case. Is not the concept of equal protection of the laws inherent in the due process clause of the fifth amendment substantially invaded if the Congress says that the same rule of criminal procedure means one thing in the District of Columbia and another thing in the 50 States of the Union? We should not lose sight of the fact that the only thing that separates the District of Columbia from the eastern district of Virginia (and the Federal district court which sits in Alexandria, Va.) is the Potomac River. Does Congress have the power to say by legislation that the same rule of criminal procedure means one thing on one side of the river and another on the other side? It would seem obvious that a person arrested for a violation of the Harrison narcotics law in the District of Columbia cannot be legislatively subjected to an interrogation which would be impermissible if he were arrested in Alexandria, Va., or Baltimore, Md., for the same charge.

Nor should the Senate allow itself to be stampeded into the enactment of title I of the bill by those who seek to blame any increase in the District of Columbia crime rate on the U.S. Supreme Court's *Mallory* rule. The statistics which are offered to support this position cannot carry the burden which they seek to place upon them. Indeed, the U.S. attorney for the District of Columbia, David C. Acheson, acknowledged that repeal of the *Mallory* rule would have little or no impact insofar as the prevention of crime is concerned (1965 hearings, pt. 1, p. 57).

The Department of Justice has acknowledged during the hearings before this committee that it is impossible to establish a cause and effect relationship between the District of Columbia crime rate and the *Mallory* rule. The following colloquy bears this out:

"Senator McIntyre. One final question. Taking into account all the crimes that are committed in this District, do both of you feel that a substantial number of criminals evade punishment because of this?

"Mr. Katzenbach. I don't know of any facts that could be cited that would lead to that conclusion.

"Senator McIntyre. I take it your answer means that you do not believe there are a substantial number of criminals that evade punishment because of the *Mallory* rule?

"Mr. Katzenbach. I phrased it as I did, Senator, because people whose judgment I respect do take the view that there are. I simply don't know of any way of establishing that by——

"Senator McIntyre. There are no statistics on it?

"Mr. Katzenbach (continuing). By factual evidence that would lead anybody to that conclusion" (1964 hearings, p. 446).

The Senate should recall that in 1957 when the Supreme Court rendered its *Mallory* decision, Chief Robert Murray predicted that it would result in a complete breakdown in law enforcement in the District of Columbia, and further stated that "most of the murders, rapes, and robberies would have gone unsolved and unpunished under the *Mallory* decision."

Yet, 3 years after the *Mallory* decision, Oliver Gasch, the U.S. attorney for the District of Columbia, reported "*Mallory* questions, that is to say, confessions or admission, are of controlling importance in probably less than 5 percent of our criminal prosecutions."

During the hearings this year, Mr. Acheson said that only a "handful" of prosecutions were declined by his office because of the anticipated impact of the *Mallory* rule (1965 hearings, pt. 1, p. 56).

I am convinced that title I is an unconstitutional piece of legislation. By recommending passage of any bill containing this title, the committee is asking the Congress to buck the current of present-day constitutional thinking.

Moreover, interrogation of the accused is alien to the traditions of our system of criminal justice, which is and should be accusatorial.

Finally, during the short life that title I would have until the Supreme Court declared it unconstitutional—which I think in all probability will happen eventually—it would create a volume of litigation that would clog the administration of criminal justice in the District of Columbia.

Mr. BIBLE. Senator Kennedy of New York also did not sign the conference report; and he has asked me to ask unanimous consent to have incorporated, as a part of his objections to this conference report, a statement which he has prepared. I ask unanimous consent that it be made a part of the Record at this point.

There being no objection, the statement was ordered to be printed in the Record, as follows:

STATEMENT BY SENATOR KENNEDY OF NEW YORK

There is no doubt that a serious crime problem exists in Washington, D.C. The annual statistics compiled by the Federal Bureau of Investigation reveal that in 1965 alone 25,000 serious offenses were reported to police officials in this city.

These same statistics show that Washington's crime problem is not decreasing; it is not even remaining stable. From 1963 to 1964 serious crime rose by 25 percent; from 1964 to 1965, it rose by 11 percent. During the first half of 1966, Washington experienced a 5.7 percent rise in crime.

No member of this Congress can disregard these statistics. Washington is the Capital of this country. It houses this Nation's Federal Government. The attention of people throughout the country—nay throughout this world—is focused on Washington. This city must stand as a model for all urban centers. And if we are to make Washington into such a city, then we must ensure above all else that every citizen who lives, works, or visits here feels secure in his person and possessions.

As Attorney General of the United States and now as a member of the Senate, I have vigorously supported legislation to eradicate both the causes and manifestations of crime. For if we are to wage a successful war on crime, we must not only seek effective law enforcement but we must alleviate the conditions that produce criminal behavior. It is senseless to expand and upgrade our police departments, to tighten our gun laws, and to rehabilitate the victims of narcotics addiction and drug abuse, if we do not also seek to ensure that in this rich nation no person need suffer from want to adequate food, shelter, education, or meaningful employment.

But I have never believed that new legislation to deal with the problem of crime is an end in and of itself. Any change that Congress authorizes in this field must bear the imprint of cogent analysis and careful drafting. A delicate balance exists between the rights of the police and the rights of the individual. Legislation that carelessly broadens the powers of law enforcement officials will of necessity threaten the freedoms that all Americans cherish. At last year's hearings before the Senate Committee on the District of Columbia, Deputy United States Attorney General Ramsey Clark took note of this balancing problem when he stated that, "As we seek to deter and apprehend those who would take away our liberty to walk the streets in safety, we must take care not to lose our liberties in other ways."

I have carefully studied the omnibus crime bill agreed to in conference by the House and Senate District of Columbia Committees. I am fully aware of the difficulties that were involved in bringing H.R. 5688 out of conference. Once more, I salute the Chairman of the Committee on the District of Columbia, the distinguished Senator from Nevada, [Mr. Bible], for the hearings that he has held and the efforts that he has made to prepare a bill that would satisfy both Houses of Congress. I regret that I cannot support this bill as it is presently drafted because of the provisions found in Title I and Title III, the provisions that deal with the arrest, the detention, and interrogation of criminal suspects. In my judgment, these provisions are unclear in their scope and subject to police abuse. The threat they pose to the civil liberties of this city's citizenry cannot be taken lightly.

Title I and Title III of the instant bill must be read in conjunction. Only in this way, can we understand their collective effect on existing law and their relationship to each other.

Title Section 101. (a) provides that no evidence obtained from or about an arrested person shall be inadmissible solely because of delay in taking that person before an arraignment officer. Section 101. (b) provides that any confessions or statements made by "a person in the custody of a law enforcement officer . . . during any pretrial questioning" shall be admissible if the following conditions are met:

1. Prior to questioning, the accused shall be advised that he has a right to remain silent, that he has the right to have his own or an appointed attorney present prior to and during the interrogation, and that any statements he makes may be used as evidence against him, and

2. The period of questioning prior to arraignment for any person who has made a valid waiver of his right to have the assistance of an attorney during this interrogation period shall not during the absence of an attorney exceed six hours—exclusive of interruptions.

Title III permits a police officer to stop any person abroad whom he has probable cause to believe is committing or has committed a crime. The policeman may demand that the person give his name, address, business abroad, and destination. If the person fails to identify himself or to explain his actions satisfactorily, the police officer may detain and interrogate him for up to four hours. At the end of this period, the detained person must either be released or be arrested and charged with a crime. The detention shall not be recorded as an arrest in any official record.

Since Title III is meant to deal with and control the initial contacts that a police officer has with a criminal suspect, I turn to it first. Those who originally proposed that Title III be added to this crime bill intended to incorporate a version of the Uniform Arrest Act into the law governing the District of Columbia.

The Uniform Arrest Act permits police officials to take persons into custody upon a less strict standard than probable cause. Five jurisdictions have accepted this Act or analogous statutes. Most legal scholars as well as the American Law Institutes have looked with disfavor on the Act. They consider it unwise and an unnecessary intrusion upon the rights of individuals. More importantly they believe it is an unconstitutional attempt to circumvent the provisions of the Fourth Amendment.

Any language that would have clearly sanctioned investigative detentions was struck from H.R. 5688 during conference. Unfortunately, Title III itself was not struck. It remains an unclear compromise, a hybrid that neither authorizes nor forbids such detentions.

In its most general language, Title III merely restates the present law of arrest. It declares that a detention shall occur only when probable cause exists to believe that a person is committing or has committed a crime. But Title III does not refer to this detention as an arrest. In fact it clearly states that after this period of detention the person shall be either arrested or released.

How can such provisions produce anything but confusion? If the police officer is making an arrest when he originally decides to detain the suspect, how can he again arrest him after four hours? If the original act of detaining is not an arrest, why should the same probable cause requirement that is needed for an arrest be utilized for the detention? If some other standard is intended under Title III, what is it? Are we implicitly returning to the type of investigative detentions so severely condemned by such authorities as former Attorney General Nicholas Katzenbach and the distinguished Senator from North Carolina the Chairman of the Subcommittee on Constitutional Rights of the Senate Committee on the Judiciary SAM ERVIN?

Title III does not state that the suspect must be taken to a police station. Can the police detain the man in a squad car or in a hotel room or in an alley? And how are we to interpret Title III's language permitting interrogations? There is no language in this Title that compels the police to follow the requirements laid down in the landmark case of *Miranda* v. *Arizona* and issue the appropriate warnings to the detained suspect. Does Title III authorize unregulated interrogation sessions? The answer is unclear.

Moreover, how do we insure that the detention will last only four hours? In unambiguous terms, Title III provides that the detention authorized shall not be recorded on the official records as an arrest. Who will be there to keep track of the hours or days spent in custody? How does the judiciary control or even keep track of the police practices allowed under Title III?

I have heard it argued that Title III implicitly adopts the provisions of Title I and that it can clearly be understood if reference is made to Title I. I submit that any attempt to formulate a unified and cohesive pattern for dealing with arrest, detention and interrogation by commingling these two Titles is impossible. Title I is not even internally consistent and clear. It will certainly not serve as the key for unraveling Title III.

Title I represents a legislative attempt to set forth permissible police practices during the period that separates the arrest and the arraignment of a criminal suspect. At present, Federal Rule of Criminal Procedure 5(a) provides only that after making an arrest, the police officer shall have the suspect arraigned "without unnecessary delay." In the cases of *McNabb* v. *United States* and *Mallory* v. *United States*, the Supreme Court of the United States held that any confession obtained from an accused unlawfully detained in custody shall be excluded from evidence at any subsequent judicial proceeding. Since neither Federal Rule 5(a) nor the holdings of the Supreme Court designate when an unnecessary delay constitutes an unlawful detention, much confusion and conflict have permeated the rulings of trial and appellate judges in the District of Columbia. Permissible as opposed to unnecessary delay is a subtle and difficult question. Different cases and different judges produce different answers.

Unfortunately, Title I of the instant bill does not approach the problem created by Rule 5(a) and the interpretive case law directly. It does not adopt the solution proposed by the American Law Institute in its Model Code of Pre-Arraignment Procedure and define clearly and carefully the time period that may elapse between the time of arrest and the time of arraignment. Instead Title I focuses solely on the need to obviate the *McNabb-Mallory* rule. Only implicitly does it provide any clues to the fundamental problem of what constitutes a reasonable delay.

Section 101.(a) sets forth the broad principle that delay in the arraigning of a criminal suspect shall not be grounds for excluding evidence obtained from or about that suspect. But Section 101.(b) establishes the conditions under which any confessions or statements obtained during the period between arrest and arraignment will qualify as admissible evidence. Section 101.(a) now becomes almost superfluous. Its broad language covers only such unspecified problems as fingerprint and line-up identifications made of the suspect during a period of unnecessary and unlawful detention.

We have dealt with the cart, but what of the horse? What constitutes an unnecessary delay? Title I states only that six hours of interrogation—exclusive of interruptions—will be permitted if the warnings specified by *Arizona* v. *Miranda* are given, if the suspect waives his right to an attorney, and if no attorney is in fact present.

Even a cursory examination of these provisions reveals their deficiencies. Over how many days or weeks can the six hours of interrogation stretch? Can the police question a suspect for one hour a day or a half hour a day or ten minutes a day until the six hour limit is reached? And how do the courts deal with the situation where a suspect waives his right to an attorney but an attorney representing the prosecution observes the questioning session? Under the wording of these provisions, the presence of any attorney at the interrogation may permit a period of interrogation other than six hours.

Even these questions do not cover the full range of problems introduced into the law by Title I. Let us assume that an arrested person does not waive his right to an attorney. How many hours can he then be held by the police? I have heard it suggested that the four hour period provided for in Title III must be utilized. But surely this cannot be so. Title III clearly states that the four hour period is for "further interrogation." Are we, or are the courts simply to cover up these two words when the problem involves statutory interpretation?

And what if an arrested person who waives his right to an attorney at the outset of the police interrogation suddenly decides that he desires an attorney? In the *Miranda* case, the Supreme Court carefully provided for this situation "If . . . [the person detained] indicates in any manner and at any state of the interrogation that he wishes to consult with an attorney before speaking there can be no questioning . . . the mere fact that he may have answered some questions or volunteered some statements on his own does not deprive him of the right to refrain from answering any further questions until he has consulted with an attorney and thereafter consents to be questioned." Why is a provision similar to this not included in Title I? What procedure applies to this suspect who invokes his rights after an original waiver? For how many more hours can the police continue to hold him? Title I supplies none of the relevant answers.

Finally, we must face the question of how the provisions of Title I and Title III can be harmonized. Does each Title deal with a different type of police detention? If so, why is this not made clear, and the constitutional problems that would be involved in such an interpretation dealt with plainly? Or does Title III deal with the same types of detentions and interrogations provided for in Title I? If so, how do we explain the process by which a minimum of six hours to provide for interrogation is fit into a maximum of four hours of detention.

No matter how these provisions are interpreted, they must cause confusion—confusion for the police, confusion for the courts, and confusion for our citizenry. The bill before us will not clarify the law. It will only muddy further the already murky waters of criminal procedure.

It is true that if we were to pass this bill, we would succeed in overturning the Supreme Court's decisions in the *McNabb* and *Mallory* cases. But our goal is not simply to abrogate a judicial rule, a rule that we have been told many times has no effect on crime and its increase.

Had we devised a bill that provided more effective guidelines for our police than are now established in those Supreme Court decisions, I would have supported it. Such a bill could have been drafted from the proposals made by the American Law Institute in its Model Code of Pre-Arraignment Procedure. Then we could have truly stated that in abrogating the *McNabb-Mallory* rule, we had substituted clear provisions for regulating the processes governing the arrest, detention, and interrogation of criminal suspects, provisions that demonstrated this Congress' concern for both the needs of society and the rights of the individual. Unfortunately, I cannot pay such tribute to the bill that is now before us.

The **PRESIDING OFFICER.** The question is on agreeing to the conference report.

The conference report was agreed to.

HOUSEWIVES FOR LOWER FOOD PRICES

Mr. HART. Mr. President, this morning 20,000 Denver Housewives for Lower Food Prices began a boycott of 5 supermarket firms as their protest against "exorbitant food prices." According to Cervi's Rocky Mountain Journal, for an "indefinite time" the housewives will not buy in any of the supermarkets. They plan to make their purchases from smaller chains and neighborhood stores.

This boycott is one expression of anger over what is often called inflation. But that unhappy generalization is a description, not an explanation.

In September, during hearings on economic concentration, the Antitrust and Monopoly Subcommittee heard testimony from Willard Mueller, chief economist of the Federal Trade Commission. In discussing the conglomerate enterprise in food retailing, he presented some facts on the Denver price situation. Citing the FTC-National Tea Co. case, he said there the FTC found the company took profits from concentrated markets and used them to subsidize losing stores in competitive markets.

One of the cities paying for the lower prices elsewhere was Denver. Dr. Mueller's testimony was of special interest to me for one of the cities where the company was trying to break into the market by subsidization was Detroit. And while the lower prices might be considered a break for my constituents I am well aware that traditionally once a company has managed to drive out competition with excessively low prices, prices then tend to go up—and up.

Dr. Mueller also named Denver as an example of a city in which four chains do 60 percent of the food retailing. And, if consideration is limited to competition between supermarkets, the degree of concentration is even higher—perhaps 70 to 80 percent, which by any standards is a rather high-grade oligopolistically structured market.

The National Tea case showed that the chain had greater profits in markets where it held large shares than where it did not. The Denver store, for instance, had a far greater net income as a percentage of sales than in its branches in less concentrated markets.

Mr. President, for 2½ years the Senate Antitrust and Monopoly Subcommittee has been conducting this study of concentration. While the subject matter would not win any prizes for popular appeal the Denver housewives with their boycott have focused attention on the very problem for which we are seeking solutions.

Buried in all the economic theory, the statistics, and the concentration ratios in our hearing record is one fact—which becomes more and more clear as we develop our study: Concentration has a great deal to do with the prices consumers pay. And I do not recall one example brought to the subcommittee's attention of a concentrated industry which resulted in lower consumer prices.

The lesson should now be clear—fiscal and monetary policy alone will not stop inflation. Antitrust policy is the third leg of the economic tripod. Both monetary and fiscal solutions assume a competitive economy. But when concentration stifles price competition, the high prices are the inevitable result no matter what other policies we pursue.

Denver food prices are another example of this little-understood fact and I salute these housewives for dramatizing the situation.

Mr. President, I ask unanimous consent that an article on the Denver boycott from the October 5, 1966, issue of Cervi's Rocky Mountain Journal be inserted at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Housewives Plan Price Boycott—War on Supermarkets Will Open October 17

(By Douglas Bradley)

Housewives of the metropolitan area, mobilized in a campaign against the high prices of food, will declare outright war against the grocery chains with a boycott, Cervi's Journal has learned exclusively.

Timing for the assault on the bastions of the supermarkets is set for October 17. It will continue as long as the Housewives Council determines it is necessary to bring it home to the chains that the buyer—not the seller—is the integral element in the economy of the nation, and in the fortunes of the chains.

The five supermarket firms named by the Housewives Council as major culprits responsible for the staggering costs to consumers are: Safeway, Miller's, King Soopers, Furr's and Red Owl.

While the boycott lasts, not one dime will be spent in the supermarkets by the participating housewives. The grocery basket will be filled by purchases from smaller chains and neighborhood stores.

The housewives are technically unorganized. They have some echelons of command in their crusade to win equitable prices for the consumer related to the average income.

Volunteers have been appointed to spearhead drives for support. They are armed with petitions and are canvassing women throughout the area.

Signing the petition costs nothing and commits the signatories to no more than support for the Housewives for Lower Food Prices.

The housewives, a direct action group, are to waste no time in debates or talk. They have set a preliminary boycott from October 17 to 31, and will extend it if they consider it necessary.

The petitions themselves will be duplicated and sent to every legislator in Colorado and every congressman and senator in Washington. The petitions ask lawmakers to step up their probe into the alarming rise in the price of meats, groceries and produce. A thorough investigation into the business practices of the large chain stores is also requested.

The housewives, fed up with the supermarkets' gluttonous appetite for profits, believe that the time to strike is before political candidates approach them for support in the forthcoming elections.

They will shun any politician who doesn't support their boycott with something more than words. They think too, that they are striking a blow towards stabilizing the nation's economy, in that their war is anything but inflationary.

The boycott on the supermarkets is being invoked to show that the housewives mean business. "If the petition simply asked the lawmakers to investigate, we know what would happen," said one woman who showed she had no illusions the meek can harness the earthy ambitions of the venal. "When they know we are not going to put up with being taken by the supermarkets and that legislative votes are on the line, maybe then, they will do something."

Perhaps, too, when the supermarkets face the housewives' barrage, they will do something.

The Housewives Council of the Denver area may have sparked a grassroots movement which will become nationwide. Already enquiries have been received from other metropolitan areas and the results which emanate from the housewives campaign here will be publicized across the nation.

"This is our strength and our weakness," observed one sage woman to Cervi's reporter. "The supermarkets here are so alarmed by the rumors they've heard, they've started courting us to prevent a national movement."

This woman's talk about "weakness" was spurred by the fear that some housewives will fall for price blandishments when they strike against the supermarkets.

"It's important that those who sign the petitions stop shopping at the supermarkets during the war," she said. "Don't spend a dime. It may cost you even more at the small grocery but you have to bring the food bandits at the supermarket to heel, otherwise there won't be any small grocery stores left to shop at. Where will the housewife be if it becomes a complete monopoly?"

Circulation of the housewives petitions is in the early stages but already the returns are showing that thousands of housewives are signing up.

Women have been appointed to circulate the petitions in various districts—others are being sought.

Members of the loosely-knit Housewives Council are reluctant to be quoted on their individual and sometimes trenchant observations. Despite their decided views about the supermarkets, or in spite of that, they are somewhat self-effacing and modest.

They don't regard themselves as giant-killers and in fact, are a little apprehensive over the task they have undertaken spontaneously and without organized support or funds.

They have solicited no support—other than editorial—from this newspaper. For years Cervi's Journal has predicted that the housewives' rebellion against ever spiraling food costs was inevitable.

The housewives also did approach the Denver Post and Rocky Mountain News for some publicity on their fight for a better deal. They got the cold shoulder from both papers which rake in millions of dollars annually from supermarket advertising.

"We contacted the daily papers but they said they didn't think they would be interested," said Mrs. Paul West of 8361 E. Lehigh dr. She acts—without the title—as a public relations representative for the housewives.

"None of us have any title or position of authority," she said. "We are a bunch of volunteers." (Her phone number is 771-3172).

Other women who are trying to do something in the war on supermarkets' high prices and from whom additional information can be obtained include:

Mrs. Frances Foster (288-3491); Mrs. J. Chapla (429-5403); Mrs. C. D. Nuttall (794-0245); Mrs. Dixie Thiel (771-0106); Mrs. Marilyn Cummings (288-2183); Mrs. Jackie Threlkeld (771-3254).

These women are only fractionally representative of the movement which has spread combustion-like, from Littleton south of Denver to Commerce City in the north, and from Aurora in the east to Lakewood in the west, and to Westminster and Boulder.

Foreknowledge will be of little avail to the supermarkets whose buying schedules are mapped well in advance, along with their secret agreements over which firm will put on which special, each week, for advertising in the dailies.

The Post and News advertising departments are not worried about the housewives boycott itself but are concerned about possible long term effects on supermarkets advertising practices and budgets.

"The boycott should step up the chains advertising in an immediate effort to lure the housewives back," one advertising executive said privately to Cervi's reporter.

His view was that the housewives lack the stamina and perseverance to conduct a long drawn-out war however.

Some executives of supermarkets have discounted the threat of an attack by the housewives on their profits. Typical of the light esteem displayed for the housewives lament about high food prices, was the reaction of Safeway Stores, flushed last week with heady reports of record highs in sales and profits.

The Safeway chain sent along a minor executive, Cal Pond, to mollify the women and explain to them why they should continue to accept chain profiteering as being in the housewife's interest.

He failed abysmally. Mrs. West said the women delegates present were unable to swallow Pond's arguments or those of other chain store spokesmen. When Pond departed, the women made it clear they were unlikely to swallow Safeway's exorbitant food either.

The housewives, in an objective effort to show the supermarkets what the ever-increasing prices meant to the family budget, had invited executives of the chains to explain why retail prices keep going up when costs at the production level remain stable.

"It was futile," said one of the women. "They came, we listened and we were disgusted."

The supermarket executives, housewives agreed, displayed an appalling ignorance on basic economics or were good actors in their pretense.

"Mr. Pond admitted this was his first contact with a farmer," said Mrs. West. "When one farmer said he wasn't getting anything extra out of the additional prices being charged by Safeway, Pond said: 'Well now—that isn't right. We'll have to do something about that.'"

Mrs. West didn't know whether Pond was being facetious or not . . . "but the housewives didn't think it was a joke."

She said there was evidence aplenty for the housewives that the supermarkets were making a false contention when they blamed middlemen for price spiral.

"Vegetable growers tell us they can't sell to the chains except at prices dictated by the supermarkets," she said. "Safeway brings in 18 carloads of potatoes from Oregon and then holds them over the heads of Colorado growers. They bring in beans from Texas and let Colorado beans rot in the fields unless they get them at the price they want. The public still pays dearly for potatoes and beans."

The supermarkets and their captive daily newspapers can now be expected to mount a counter-offensive to woo the women from their crusade. Prices may come tumbling down in an effort to torpedo the offensive before it gets under way.

The housewives are unlikely to be deterred. They are tired of supermarkets passing the buck; editorials which analyze their plight while absolving the chains from blame; and tired of government statistics which are unrelated to government action.

ADJOURNMENT

Mr. BIBLE. Mr. President, in accordance with the order previously entered, I move that the Senate stand in adjournment until 12 o'clock tomorrow noon.

The motion was agreed to; and (at 5 o'clock and 9 minutes p.m.) the Senate adjourned until tomorrow, Tuesday, October 18, 1966, at 12 o'clock meridian.

NOMINATIONS

Executive nominations received by the Senate October 17, 1966:

DIPLOMATIC AND FOREIGN SERVICE

Robert G. Neumann, of California, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Afghanistan.

AGENCY FOR INTERNATIONAL DEVELOPMENT

Rutherford M. Poats, of Virginia, to be Deputy Administrator, Agency for International Development.

INTERNATIONAL BANK FOR RECONSTRUCTION AND DEVELOPMENT

Emmett J. Rice, of New York, to be U.S. Alternate Executive Director of the International Bank for Reconstruction and Development for a term of 2 years and until his successor has been appointed, vice Bernard Zagorin.

THE JUDICIARY

Jack B. Weinstein, of New York, to be U.S. district judge for the eastern district of New York vice Leo F. Rayfiel, retired.

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

Subject to qualifications provided by law, the following for permanent appointment to the grade indicated in the Environmental Science Services Administration:

To be lieutenant

Ralph J. Land

To be lieutenant (junior grade)

James W. Leggate

CONFIRMATIONS

Executive nominations confirmed by the Senate October 17, 1966:

POSTMASTERS

ALABAMA

Percy L. Beech, Chatom.

ARKANSAS

Irvin L. Cox, Bonnerdale.
A. G. Harvey, Chidester.
Ruth O. Ware, Emerson.
Russell R. Broyles, Farmington.
Euneva W. Kaylor, Lavaca.

CALIFORNIA

Thomas F. Polidori, Boyes Hot Springs.
Alyce J. Clay, Butte City.
Olive P. Patterson, Nestor.
Lois E. Bevans, Potter Valley.
Donald G. McIntosh, Ramona.

COLORADO

Joseph J. Lis, Broomfield.

CONNECTICUT

John J. Di Bella, Brookfield.
Theodore I. Bianchette, Moosup.
Robert R. Cassidy, Plainville.
James C. Murphy, Pomfret.
Stanley B. Gregory, Wilton.

GEORGIA

Betty B. Torbert, Bluffton.
Dennis R. Pittman, Lula.

IDAHO

Mildred E. Snell, Cambridge.
Verla E. Hall, Genesee.

ILLINOIS

Buford C. Hornecker, Augusta.
Donald E. King, Bushnell.
Henry W. McGee, Chicago.
Lois A. Woods, Dahinda.
Bruce M. Cobb, Humboldt.
Jane L. Lowery, Joppa.
Matthew J. Viscum, Lockport.
William D. Hart, Minonk.
Lester W. Lindelof, Sibley.

INDIANA

Basil Hoffman, Birdseye.
Fred J. Bertucci, North Judson.
James C. Jones, Pine Village.

IOWA

Donald R. Lammers, Alton.
Robert H. Remmes, Charter Oak.
Severance A. Sill, Cresco.
Richard A. Netolicky, Ely.
Donald C. Roe, Garner.
Dolvin V. Miland, Goodell.
William P. Haroff, Hastings.
Teddy L. Harmon, Vinton.

KANSAS

Ward K. Watkins, Brookville.
Herman H. Williams, Clearwater.
LeRoy E. Berland, Palco.

KENTUCKY

Archie Slone, Pippa Passes.

LOUISIANA

Nell E. B. Dominique, Belle Rose.
Clyde H. Martin, Crowley.
Preston E. Richard, Jonesville.

MAINE

Bert G. Clifford, Unity.

MARYLAND

Warren M. Bloomberg, Baltimore.
T. Clayton Long, Denton.
Carolyn G. Cochran, Whiteford.

MASSACHUSETTS

Charles W. Stiles, Duxbury.
John F. Zaleski, Jr., Nabnasset.
Andrew A. Gomes, North Carver.
John M. Horan, Stow.
William O. O'Reilly, West Dennis.
Robert T. O'Neill, Williamsburg.

MICHIGAN

Pauline L. Coon, Alba.
Jerry F. Horky, Blissfield.
Jerry J. Adamek, Chesaning.
Daniel R. Tomak, Higgins Lake.
Donald R. Ahnen, Ramsay.

MINNESOTA

Frank W. Foslien, Garfield.
George O. Tveit, Kiester.
Robert E. Dumas, Long Lake.
Luverne J. Anderson, Sargeant.
Laverne D. Schuster, Tintah.

MISSOURI

George H. Patterson, Braymer.
Margaret J. Carr, Farber.
Joseph F. Gosen, Rhineland.

MONTANA

Bruce D. Watters, Dillon.

NEBRASKA

Stanley D. Thompson, Amelia.
Charles D. Adams, Auburn.

Kenneth D. Carlow, Bloomfield.
Clair E. Stubbs, Boelus.
George E. Martin, Genoa.
Evelyn A. Skokan, Niobrara.
John W. Hamer, North Loup.
Ernest E. Kuhl, Orleans.
Lloyd E. Cork, Page.
Rose Rasmussen, Rockville.
Robert F. Brazda, Wisner.

NEVADA

Geraldine E. Cooper, Weed Heights.

NEW HAMPSHIRE

Lois E. Nason, Freedom.
Roland A. Thibault, Greenville.
Raymond B. Brooks, Ossipee.
Franklin C. Barrett, Walpole.

NEW YORK

Mary J. Donato.
Aloys V. Smith, Garnerville.
Mary C. Berger, Grafton.
Marwood S. Myer, Haines Falls.
C. Ross McCluskey, Hopewell Junction.
Marian G. Flugel, Morton.
George H. Doyle, Ontario.
Ethel W. Andrus, Silver Bay.
David C. Call, Speculator.
Anthony Maiorano, West Haverstraw.
Paul J. Ennis, West Henrietta.

NORTH CAROLINA

George F. Carpenter, Charlotte.

NORTH DAKOTA

S. Earl Feick, Neche.

OHIO

David McIlrath, Chagrin Falls.
Oscar W. Tisher, Hannibal.
Enoch S. Allen, Ironton.
Carl R. Harris, Mowrystown.

OKLAHOMA

James R. Jobe, Chickasha.
William A. Holcombe, Colcord.
Turner Q. Poindexter, Wilson.

OREGON

William F. C. Borgelt, Tillamook.
Robert F. Ebenal, Woodburn.

PENNSYLVANIA

Francis C. Dickman, Coplay.
Agnes I. Friel, Crum Lynne.
Patricia E. Chynoweth, Davidsville.
J. Vernon Dixon, Everett.
Marshall M. Capriotti, Fairbank.
Samuel E. Turner, Furlong.
Myra E. Taylor, Gastonville.
Stanley A. Mokowski, Jeannette.
Erma E. Watson, LeRaysville.
Joseph Sulewski, Nanticoke.
Glenda T. Cramer, Newburg.
Hugh A. Armstrong, New Providence.
Georgia R. Briggs, Roulette.
William R. Ewing, Saegertown.
Robert R. Mease, Springtown.
Martha E. Hontz, Treichlers.
Benjamin B. Mitchell III, Troy.

PUERTO RICO

Efrain Lamberty, Coto Laurel.
Victor Mulero, Culebra.

SOUTH DAKOTA

Evelyn K. Bjerke, Volga.

TENNESSEE

Billy T. Cash, Bradford.
Maurice A. Peck, Jr., Charleston.
Wilma H. Williams, Cosby.
Ernest M. Cardwell, Elizabethton.
William A. Myers, Hermitage.
George B. Moore, Oakdale.

TEXAS

Charles B. Britt, Collinsville.
Lois W. Pack, Garrison.
Bobby J. Bonner, Palmer.

UTAH

Clark J. Riches, Green River.

VERMONT

Donald R. Devarney, Milton.

VIRGINIA

Mary W. Pearson, Manquin.
Bobby H. Colyer, Wise.

WASHINGTON

Lawrence T. Murphy, Elma.
Gordon J. Donovan, Ferndale.
Sarah E. Robbins, White Swan.
Donald C. Arnaud, Zenith.

WISCONSIN

Paul E. Boettcher, Brokaw.
George E. P. Farah, Green Bay.
Bruce J. Bennett, Mineral Point.
Joseph J. Zobal, New Lisbon.
Alvin R. Stever, Saxon.
Martin O. Feuling, Sun Prairie.
Arved J. Mickelson, Westby.

WYOMING

Imogene L. Stalder, Linch.
Dwight S. Despain, Lovell.
Richard Hays, Riverton.
Dolores M. Robbins, Sunrise.

EXTENSIONS OF REMARKS

The Veterans Pension Act of 1966

EXTENSION OF REMARKS

OF

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 17, 1966

Mr. BRAY. Mr. Speaker, this year the House Committee on Veterans' Affairs had before it for consideration 188 bills dealing with veterans' pension legislation. H.R. 17488, concerning non-service-connected disability pensions and other matters, was passed by the House on September 19 by a vote of 315 to 2. I was pleased to support this measure, which had the backing of all veterans' organizations.

At this time, the bill has not yet cleared the Senate. During hearings before the House committee, administration spokesmen made it quite clear that the administration was opposed to not only this bill but all other pending bills to increase pension payments. The administration felt that, in spite of the sharp rise in the cost of living over the last year and a half, pension increases made since 1960 are sufficient. Many of us are in sharp disagreement to the administration's policy in opposing any increase of veterans' benefits.

The bill's main provisions are:

A cost-of-living rate increase for all veterans alone, veterans with dependents, widows alone, widows with children alone who are now receiving a pension under Public Law 86-211.

A substantially greater increase for widows and widows with children in the lowest income category. The increase will be around 8½ percent.

A $5 per month increase for about 56,427 Spanish-American and prior war widows whose average age is 84 and are now receiving the monthly pension of $65.

An increase of $5 per month for the "housebound" allowance under current law for veterans, raising it to $40 per month.

Presumption of permanent and total disability for pension purposes on attainment of age 65.

This is a good bill as far as it goes, but, as was shown during floor debate in the House prior to passage, there are still some fields where more work must be done.

Among further matters for consideration are increasing certain income limits on pension rates for veterans and widows; consider reducing the 90-day service requirement; elimination of all payments from any source as income when a veteran reaches age 72; revise present laws to protect veterans who have become ineligible for benefits because of a slight increase in social security benefits.

I personally believe that no income from social security or railroad pension should be counted toward the income limit of those drawing veterans' pensions.

I have always supported and worked for sound, equitable measures in fields affecting veterans, their dependents and their survivors. I hope that next year we can get speedy and favorable action on further improvements to the present pension and compensation system.

National Business Women's Week

EXTENSION OF REMARKS

OF

HON. JOHN O. MARSH, JR.

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 17, 1966

Mr. MARSH. Mr. Speaker, this is National Business Women's Week, and I take this occasion to salute the great and growing contribution of women to the business community of the United States. We read often of the extent to which women control the wealth of this Nation, and we see figures with respect to their stockholdings in major corporations. What I have in mind more particularly at this time, however, is the role of women in active administrative, research, and decisionmaking functions of American business.

This has been a development of accelerating pace, and, more and more, there is an acceptance of women on the basis of individual competence, in the demanding assignments of business, both in the major cities and in the smaller communities.

The vistas for young women in school have broadened, and the business of the country undoubtedly will see, in the years ahead, a growing number of major contributions to technology and management from the oncoming generations of women who will be seeking and obtaining assignments of responsibility on a basis of individual competence.

President's Veto of the Guam Right-To-Work Bill

EXTENSION OF REMARKS

OF

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 17, 1966

Mr. RHODES of Arizona. Mr. Speaker, under leave previously granted, I include herein my remarks on the President's veto of the Guam right-to-work bill.

Great Britain is an industrialized nation. It is also one of the most highly unionized nations in the Western World. Yet, compulsory unionism is hardly known in Great Britain. A worker has a choice—he can either belong to a union or not belong to it. The union status which he chooses has very little to do with the job he holds, or his security in that job.

Not so in the island of Guam. The President of the United States has vetoed an act of the Legislature of Guam guaranteeing voluntary unionism. In so doing, he has given unions a green light to bargain for a union shop or a closed shop, which would make it mandatory for a worker to belong to a union in order to hold his job.

It would be amazing for the President of the United States to deny to the people of any territory the free choice in such a matter under any circumstances. The President's veto is even more amazing under the present circumstances. President Johnson is now on his way to Asia, presumably to point with pride to the freedom of choice which we have under the American way of life. Yet, by his own act, he has shown that this freedom of choice does not exist universally in the United States. It exists only in the 17 States which have adopted right-to-work laws.

In a speech at the University of Rhode Island, the President said:

> If there is a single word that describes our form of society, it may be the word "voluntary".

Later he said:

> The tremendous prosperity we enjoy and the personal liberty we cherish are at least good evidence that the system works.

One can only conclude that the President's actions speak much louder than his statements and that this is another instance in which the American people must look beyond the pronouncements of the Government, and find the truth in deeds, rather than in words.

The strongest and best run unions in the world are in Great Britain. In our right-to-work States, we also have strong and well-run unions. Therefore, one can find no logic in this veto, except the logic of political pressure. It is to be hoped that the day will come when the leaders of our unions will realize that their organizations are stronger and more effective when they are voluntary, and cease their implacable insistence on compulsory unionism.

Removing Arbitrary Limitations Upon Attorneys' Fees

EXTENSION OF REMARKS

OF

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 17, 1966

Mr. BRAY. Mr. Speaker, legislation frequently comes before the Congress that attracts relatively little attention, yet it is vitally important in removing major inequities and outdated restrictions in certain areas. Such a bill is S. 1522, which would remove arbitrary limitations on attorneys' fees for services rendered before certain administrative agencies of the United States.

This bill passed the Senate on June 13, 1966. It is still in the House Committee on the Judiciary. At this point, further action by the House is not very likely, but I hope the Congress will give it quick and favorable consideration next year.

When this bill was introduced in the Senate, the point was made that existing statutory and agency limitations on attorneys' fees were a direct outgrowth of the depression years. The maximum amount of fee now allowable reflects the general attitude of 30 years ago.

This bill repeals all existing statutory and agency limitations on attorneys' fees. It would permit lawyers to enter into contracts with their clients, subject only to subsequent review by an administrative agency of the United States, to determine if the fee charged is excessive.

In particular, S. 1522, as amended, would:

Abolish fixed-dollar amount, maximum percentage of award and administrative discretion types of limitation on attorneys' fees in administrative proceedings.

Allow attorneys' fees for services rendered in administrative proceedings to be set initially in the course of normal attorney-client relationsips.

Allow agencies in their discretion to establish procedures for the disclosure of attorneys' fees in those cases where existing arbitrary limitations will be abolished.

Enable agencies in such cases to challenge any attorneys' fees on grounds of its excessiveness and to petition an appropriate Federal district court, if agreement on a proper fee within a reasonable time is not reached.

Leave unchanged the fee situation in administrative proceedings unaffected by the abolition of arbitrary limitations on attorneys' fees.

The work of the attorney, like that of the other professions, grows increasingly more difficult and complex. This reflects the rapidly changing society in which we live. This complexity is especially the case when an attorney's work on behalf of a client must take him before Federal administrative agencies. The proliferation of agencies and the mushrooming of statutes, regulations, and interpretations makes proper representation of a client more difficult than ever before and there is no indication it will become any easier.

Passage of this legislation will not only restore the proper attorney-client relationship but it will also be a major step toward adequate compensation for the large amount of work and preparation required to handle cases of this type.

Farmers' Worst 5 Years

EXTENSION OF REMARKS

OF

HON. ROBERT DOLE

OF KANSAS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 17, 1966

Mr. DOLE. Mr. Speaker, Frank LeRoux, General Sales Manager of the U.S. Department of Agriculture, Foreign Agriculture Service has resigned, effective September 30, 1966. Mr. LeRoux had served in this capacity from February 1961, to the date of his resignation, and he came to the Department with 30 years' experience as a farmer, businessman, and civic leader. Mr. LeRoux describes 1961 through 1965 as the farmers' worst 5 years. He strongly indicates that 1961 through 1965 was the worst 5-year period for the American farmer in the history of modern American agriculture, as compared to other administrative periods.

At the time of his resignation, he released a booklet entitled "The Farmers' Worst 5 Years," and on the back page thereof he summarizes the farmers' plight, as follows:

> Lowest Share of Gross National Product.
>
> Lowest Return on Gross Sales.
>
> Lowest Return on Total Capital Investment.
>
> Lowest Return on Capital Investment Per Farm.
>
> Lowest Share of the Consumer Dollar.
>
> Lowest Share of the Food Dollar.
>
> Lowest Level of Parity of Income.
>
> Lowest Return for Farmers vs. Government Salaries.
>
> Lowest Return for Farming vs. Other Major Businesses.
>
> Lowest Performance on Campaign Promises.
>
> Campaign Promises of Full Parity of Income is a Fair Goal and Should be Fulfilled.

This administration talks a lot about parity of income but does little to accomplish it. I would suggest a careful reading of Mr. LeRoux's booklet if there is any doubt.

It seems apparent that this administration has made the American farmer the "fall guy" for inflation and higher consumer prices. It is refreshing that Mr. LeRoux, a Democrat, and a member of Secretary of Agriculture Orville Freeman's inner circle, had the courage to resign his $25,040-per-year job, and even more important was his willingness to expose the antifarmer policies of this administration.

The Accomplishments of the 89th Congress

EXTENSION OF REMARKS

OF

HON. JOHN W. McCORMACK

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Monday, October 17, 1966

Mr. McCORMACK. Mr. Speaker, on Saturday last, October 15, 1966, the President held a press conference on the accomplishments of the 89th Congress, at which time Senate Majority Leader MANSFIELD and I, were present, and remarks were made in relation to the accomplishments of this "fabulous 89th Congress."

The 89th Democratic-controlled Congress has made history in a number of important respects. In the service of our people, there is no Congress that has made a greater record in the history of our country.

The 89th Congress has passed over 90 percent of the Great Society recommendations of President Lyndon B. Johnson.

In my extension, I include remarks made by President Lyndon B. Johnson, Senate Majority Leader MIKE MANSFIELD, and myself, together with a release entitled, "The Great Congress" setting forth in detail the outstanding accomplishments of the 89th Congress.

This was the last meeting with the President at a press conference of the Speaker, and the Senate majority leader, before the President left on his vital and important trip to the Far East. I know that I express the sentiments of all Members of the House and the American people in wishing the President a most successful trip, and that we are looking forward to the safe return of the President and Mrs. Johnson to the United States.

The material referred to follows:

REMARKS OF THE PRESIDENT, THE SPEAKER OF THE HOUSE HON. JOHN W. MCCORMACK, AND SENATE MAJORITY LEADER, SENATOR MIKE MANSFIELD, ON THE ACCOMPLISHMENTS OF THE 89TH CONGRESS

The PRESIDENT. We have scheduled at 1:30 the report of the Speaker of the House of Representatives and the Majority Leader of the United States Senate.

I make certain predictions in my statement that includes the hope, the possibility, I think, and the belief that if I can get them back to the Hill promptly, maybe we can break all records—records for the successful production of a Congress that has been functioning now very effectively and with great pride for 174 years.

We will now have a brief statement from the Majority Leader.

It is with great pride that I now present the beloved and productive, and most respected Honorable Speaker of the House of Representatives, my long time, devoted friend, JOHN MCCORMACK.

The SPEAKER. Mr. President, the report that I make to you this afternoon will be brief.

I can sum up the record of the 89th Congress of this House of Representatives in just one word—fabulous. We have been fortunate to have many outstanding Congresses: the 59th, under Theodore Roosevelt; the 63rd, under Woodrow Wilson; the great 73rd, under Franklin Roosevelt.

Then in my fourth term, I was proud to be a Member of that 73rd Congress which gave life and force to the New Deal.

But this Nation has never witnessed anything like the fabulous 89th Congress, both sessions of this Congress. It has surpassed them all. Not because it has produced more legislation than any previous Congress, but because this legislation will have more meaning and deeper significance for every American than any in the past.

This Congress has heard what you have had to say, Mr. President, and has left this country a legacy of greatness.

I would like to add that in this Congress, unlike any in my memory, the Second Session has been just as productive as the First. These achievements do not take place magically or overnight. They are the fruits of hard work, of intense deliberation and debate, by the most dedicated democratic Congress I have seen in my 38 years as a Member of the House.

Many, many Members of Congress, of course, merit our gratitude, but the freshmen Democratic Congressmen who provided the margin of victory in so many vital legislative battles deserve special emphasis in relation to credit.

By their words and their deeds they won their stripes in the 89th Congress, and this country needs them back again.

This, Mr. President, completes my report. We are looking forward with hope and anticipation to an even greater 90th Congress next year.

The PRESIDENT. Now, ladies and gentlemen, I don't know any more difficult job in this country, and certainly not in this government, than the job of being Majority Leader of the United States Senate.

I don't know of any man that ever held that job that did it so well with such universal affection and respect from not only every Member of that body, but from every member of the Cabinet and the President himself.

I take great pride and pleasure in presenting to you one of the most beloved men in this Country, and one of my most trusted and loyal friends of many years, MIKE MANSFIELD.

Senator MANSFIELD. Mr. President, I am here this afternoon to report briefly to you on the state of the great 89th Congress. In just a few days, the curtain will ring down on two years of towering legislative achievement.

Throughout this period, the Senate started early and worked late. You set a large and demanding task before us. The Congress met that challenge as concerned and compassionate legislators. The Senate of the 89th Congress was infused with the excitement of great expectations.

In these two sessions, we have written into the statute books legislation whose scope and excellence have never been equaled in the history of the Republic.

Mr. President, when we finish our work, the Second Session will add its full share to the First in its achievements. The American people are the beneficiaries.

This legislation has increased the opportunities of so very many, and has brightened the hopes of all. As one whose home was once on the Hill, you know the pride that comes from accomplishment and the fulfillment that flows from a job well done. We are very proud of our record, and I am glad that we can share this moment with you.

So, Mr. President, as you undertake your mission of peace and good will to Asia, I speak for all of us in the Senate again when I say Godspeed and our very best wishes to you for a most successful journey.

The PRESIDENT. Mr. Speaker, Mr. Majority Leader, Members of Congress, Distinguished Guests:

In the history of our country, certainly, in the past, most Americans have been rather cynical about their party platforms. But this year I believe the Americans have changed their way of thinking, for this year the Democratic Party has lived up to its platform.

To enact our 1964 platform, the President recommended 170 important bills, including what we call 60 "landmark measures." The 89th Congress has passed, or we believe will pass, more than nine out of ten of these bills. Its batting average, .900, we think is a good World Series record.

We ran on our platform. We got elected on our platform. We have enacted our platform. But even more important is what is in that platform. I want to be, briefly, quite specific.

Let's take education. In the previous 88 Congresses, 174 years, before this Administration, Congress passed only six basic education bills. The first one was in Abraham Lincoln's Administration. For the next one, we had to wait for Woodrow Wilson, the next one Harry Truman, and the last three for President Eisenhower.

In the 35 months since I entered the White House, Congress has passed not six, as it did in the 174 years, but 18 basic education bills.

In the first 174 years, Congress invested $5 billion 800 million for education, or an average of $33 million per year in educating our children.

The 89th Congress invested not $5 billion 800 million, but $9 billion 600 million, almost twice as much as all those other Congresses put together.

I think you know what this will mean for our children. I think you will live to see what it will mean for our country.

This Congress has provided assistance to the child that is four or five years old in Head Start and carries that assistance on through elementary, secondary, vocational education, higher education, until you get a Ph.D. in college, if you can take it.

Let's take health. Outside of education, we think that health is one of our most urgent problems.

In 1798 the Public Health Service was first established. From 1798 until 1963, for 168 years, 17 major health measures were enacted—17 in 168 years.

In that time, our Federal investment for health totaled approximately $10 billion—$10 billion for that entire first 88 Congresses.

Since 1963, Congress has enacted not 17 measures, but 24 major health programs—more than were enacted in all the previous 168 years put together.

The 89th Congress will allocate $8 billion 200 million for health, including medical care—that is the granddaddy of all of them—nearly as much as Federal health expenditures for all the other 168 years put together.

Let's take conservation and beautification. The 89th Congress passed 20 major conservation measures. This morning I signed an additional seven measures to extend our parks, our scenic waterways, to save our historic sites, to preserve or natural seashores, to beautify our land for our children.

This year, this Congress will bring more than one million acres of land into the public domain for parks and playgrounds, near our teeming cities where our families live and our people and children grow up.

Let's take cities. We have met with the most distinguished group of Mayors of both parties from throughout this land today.

We have the Demonstration Cities Act, the Mass Transit Act, the act to clean up our dirty water and to clean out our dirty air—beginning a major battle to make American cities places where American people can live full and decent lives.

Never in the history of any Congress has so much legislation been passed affecting so many people in so many of the cities of America.

Yesterday we had the very difficult and dangerous vote, but under the leadership of the great Speaker of the House, that measure, Demonstration Cities, passed the House.

May I observe, Senator MANSFIELD, that I hope you and the Speaker can work out your differences. If you can't work them out here in the East Room, be sure to work them out in the Capitol, because I would like to sign that bill when I get back.

Let's take consumers: Truth in Packaging, Auto Safety, Tire Safety, Child Safety—all major measures to guard the health and safety of our people.

I could discuss all the 170 bills, but I want to summarize them.

This is the Education Congress, and I hope we can remember that.

This is the Health Congress, and we will gladly compare it with all the others combined.

This is the Conservation Congress.

This is the Cities Congress.

This is the Consumers Congress.

When the historians of tomorrow write of today, they will say of the 89th Congress, in my judgment, "This was the great Congress."

In closing, I would like to mention two other matters of note.

First, this was a Congress of leaders. I don't know of anyone who illustrates this better than CARL ALBERT, our beloved House Majority Leader, who wanted to climb out of his hospital bed last night to go down and vote for the cities bill.

Speaker MCCORMACK had to order him not to come. I called him this morning and talked to him on the telephone and thanked him for not coming.

Second, this was a Congress of action. It was only one year ago today that I asked Bob Wood to leave his prestigious place at MIT to come to Washington to head a Task Force on the Cities, to make recommendations for the President to submit to the Congress.

In that one year, he has been here, he has organized that Task Force, he has made his recommendations, the President has transmitted them to the Congress, and the Congress has passed them through both Houses.

I want to pay tribute to Mr. Wood and to Secretary Weaver, and to all the others who have done so much to provide the basic ideas for this major legislative triumph.

I think I should observe that yesterday I looked at these major measures. I was speaking to the Senate at their invitation, to come and be with them before I go on my Asian trip.

I saw there a man who was a leader of another party, who had walked in on crutches, but who was still at his post of duty. I observed that while he would not want to be associated with us on some of the measures, that on a good portion of these measures the leadership of both sides in the Senate had cast their votes the same way.

The record in the House is a little different. The leadership of the House Minority party voted with us about 30-odd percent of the time.

Now, our problem is we have provided this legislation and we must administer it and execute it in such a manner as to bring pride to its authors and to those who helped us create it.

To all the American people, to all the people of both parties, and particularly to the leaders who are responsible for the Congress themselves, who are here today, the last thing I want to do before I leave is to to say God bless you, thank you from the bottom of my heart for what you have done for the American people.

THE GREAT CONGRESS

The 89th Congress has been the Congress of Great Achievement.

Action is the word for the 89th Congress. Its greatness stems from an unparalleled partnership with the President.

The President sent 170 major recommendations to the 89th Congress.

And the 89th Congress has acted or will act favorably on over 90 percent of them.

But statistics tell only a small part of the story of the landmark partnership between President Johnson and the 89th Congress.

For the achievements of this Congress were registered by breaking through obstacles that had blocked earlier efforts—and passing legislation that broke a new trail in America for our citizens.

EDUCATION

In years to come, when children can get as much education as they can absorb, Americans will know it began with the 89th Congress.

Grade schools and high schools

For the first time in our history, President Johnson and the 89th Congress broke through the roadblock that had stymied federal aid to elementary and secondary schools. Different attempts to pass a general school aid bill had been bogged down in bitter controversies since World War II.

The Presidential and Congressional partnership achieved victory where others had failed by a new approach.

They created specialized aids for school districts with a heavy concentration of children from poor families.

They permitted children in public and private schools to share benefits.

They stimulated innovation in the school systems of America.

They strengthened state departments of education.

The programs which this law is supporting have been designed not in Washington, but in local communities throughout the country, to meet educational needs in the way each community thinks best.

The 89th Congress created the National Teachers Corps—to enable "teachers with a sense of mission" to serve in city slums and rural poverty areas. The legislative path was not smooth. But the teacher corps was enacted and funded by the 89th Congress.

Colleges and universities

For the first time in U.S. history, the 89th Congress passed legislation:

To provide federal scholarships for college students.

To insure loans with federal subsidies on interest payments.

To buy books and other library materials.

To construct classrooms and acquire special equipment, including television, computers and other modern equipment.

To enable our universities to apply their skills to community problems.

HEALTH

In years to come, when senior citizens can get the medical care they need, Americans will know it began with the 89th Congress.

Medicare

President Johnson and the 89th Congress brought nineteen million older Americans to the promised land of medicare. Since the end of World War II, legislative proposals to set up a federal health insurance program for the aged had foundered in unresolved debate. The two decade controversy ended when medicare legislation became law on July 30, 1965.

Heart, cancer and stroke

These major killers—accounting for seven out of every ten deaths in our Nation—are finally being attacked—with the 89th Congress bringing more than one-billion dollars to the battle to conquer them and other diseases through medical research.

The Heart Disease, Cancer and Stroke Amendments of 1965 provided another tactical weapon—regional medical programs. They will bring the lastest miracles of medical research to physicians working at a patient's bedside.

Health professions assistance

To assure the training and education of more doctors, nurses, and other medical specialists new legislations provided assistance for the expansion of medical and technical schools, and scholarships and loans for their students.

Comprehensive health planning

To assist states to develop comprehensive programs to meet the wide range of public health needs.

CITIES

In years to come, when our cities are our Nation's pride, rather than centers of blight, Americans will know it began with the 89th Congress.

Department of Housing and Urban Development

For the first time in history, American cities are represented in the highest councils of the nation. Through the new Department of Housing and Urban Development the Federal government is now equipped to deal comprehensively with the crisis of our cities.

The new Department was ready for new programs—and the 89th Congress passed them.

Rent supplements

In a major breakthrough, President Johnson and the 89th Congress won approval for this new program to provide decent housing for the poor by marshalling the resources of private enterprise. Rent supplements encourage private non-profit groups to develop housing for poor families at low cost for the American taxpayer.

Demonstration cities

For the first time in our history, the President and the 89th Congress acted to save our cities from the grinding forces of decay. This new law will help cities to mount a comprehensive attack on blight, hopelessness, and unemployment by:

Planning, developing and carrying out comprehensive, locally, prepared programs to rebuild or restore entire slum or blighted neighborhoods—in cities large and small.

Providing the facilities and services so that those living in the city can become useful, productive citizens, no longer dependent on public assistance.

Meeting the human needs of people living in our cities as they rehabilitate their physical environment.

Urban mass transit

The President and the 89th Congress have provided the means to help unsnarl traffic congestion in cities and to enable citizens to travel back and forth from work with speed, ease, and comfort.

A CLEANER, MORE BEAUTIFUL COUNTRY

In years to come when people will be living in America the Beautiful—when our air is fresh and clean—instead of clouded with smog and soot, when our water is sweet and pure, Americans will know it began with the 89th Congress.

Water pollution control

For the first time, the President and the 89th Congress established a program of water quality standards. The Water Quality Act of 1965 authorized the Federal government to set clean water standards for States that do not set their own.

Clean rivers

About to receive final passage in Congress, this measure will help cities and states to clean entire river basins.

Air pollution

The 89th Congress has given the Federal government authority to set standards for the control of exhaust from motor vehicles whose fumes cast into the air 300,000 tons of pollutants a day.

Solid waste disposal

One of America's most costly, difficult and potentially dangerous problems was attacked for the first time with passage of the Solid Waste Disposal Act. Our national rubbish heap grows at the rate of 800 million pounds a day. The cost of solid waste disposal is a heavy burden on the average city budget. This act coordinated the combined research and problem-solving efforts of Federal, State, local governments, and private industries and universities.

Highway beautification

Another precedent-shattering measure resulting from the Presidential and Congressional partnership is the Highway Beautification Act. It will help clean up roadside America, by helping States screen junkyards, excavation scars, and other highway eyesores.

Recreation areas

The 89th Congress marked a turning point in conservation. We are now developing national parks and recreation areas which are within easy travelling distance of our urban centers. Federal funds have gone to States and local governments to help purchase land near our large metropolitan areas for fishing, boating, picnicking, camping, and swimming.

CIVIL RIGHTS

In years to come when a man's color in the voting booth is as irrelevant as his nationality at the immigration station, Americans will remember it was finally accomplished by the 89th Congress.

Voting rights

On August 6, 1965, President Johnson signed into law the most comprehensive voting rights legislation to win Congressional approval in nearly a century.

Breaking away from traditional courtroom remedies of prior legislation, the measure which the 89th Congress passed:

Suspended the use of literacy tests and other voter qualification devices.

Authorized use of Federal voter registrars in States and counties where Negro registration fell below specified levels.

Result: 460,000 Negroes registered in five States during a 12-month period.

Immigration

Under the Immigration Act of 1965, foreigners can enter this Country not on the basis of arbitrary quotas, but on the basis of their potential contribution to our Country. The test is not where you come from but what you can do.

TO PROTECT FREEDOM ABROAD

In years to come, when hot and cold wars give way to peace on earth, Americans will know that this new era was ushered in by the 89th Congress.

The 89th Congress has charted new and dramatic paths for the freedom of all mankind—in economic development, in the population crisis, in reducing world famine, and in the protection of freedom abroad. This Congress has been firm in support of the nation's commitment to defend the people of South Vietnam against aggression and subversion.

Among the outstanding measures the 89th Congress has passed are:

A vast increase in military expenditures and Vietnam supplementals to make this country stronger than all the other nations of the world combined, and to protect a freedom-loving people in South Vietnam against aggression.

The Asian Development Bank to give an entire region of the world the financing it needs to develop its own resources.

Food for Freedom legislation, to help the new developing nations of the world help themselves develop their own agricultural resources.

Food for India—an emergency program to help a subcontinent sustain its people against the ravages of hunger and drought.

The International Education Act to help strengthen the bond of understanding and extend the educational promise of the Great Society to the world.

Funds for the Peace Corps to continue this vital program in which Americans have dedicated themselves to serve their fellow men in the new nations of the world.

The Foreign Aid Bill, to continue our program of strengthening free countries and bringing them closer to the day when they, in turn, will be able to help others less developed than themselves.

The Inter-American Development Bank to strengthen this financial arm of the Alliance for Progress.

THE WAR AGAINST POVERTY

In years to come when poverty no longer scars the free or the land, Americans will know that the 89th Congress led the attack.

Economic Opportunity Act

This nation is the first in the history of mankind to commit itself to wiping out poverty.

That commitment to 34 million Americans was formally made when President Johnson in 1964 signed the Economic Opportunity Act, passed by the 88th Congress. That commitment was reinforced and expanded by the 89th Congress.

In 1967, total Federal anti-poverty expenditures (including those under the Economic Opportunity Act) will total some $21 billion, $7 billion more than in 1965, and an increase in effort of 50 percent over 1964.

The 89th Congress passed laws which expand upon old programs and which bring new weapons into the arsenal to defeat poverty—Rent Supplements, Teacher Corps, Demonstration Cities, Appalachia, Economic Development, Minimum Wage, Aid to Education and Higher Education.

The Child Nutrition Act

This new program is designed to give poor school children nutritious meals so that hunger does not hamper their ability to learn and to grow.

LAW AND JUSTICE

In years to come when our streets are safe and our courts are unclogged, Americans will know it began with the 89th Congress.

Law enforcement assistance

The 89th Congress and the President have for the first time developed a program to help states find new ways to strike at crime and its roots.

National Crime Commission

A Commission of distinguished specialists who are probing deeply into the entire system of criminal justice and the causes of crime.

Narcotics

In legislation soon to be passed, the 89th Congress will launch a program to reclaim the lives of narcotics addicts while retaining strict penalties against those who traffic in these enslaving drugs.

Bail reform

For the first time in 175 years, the 89th Congress has revised the archaic bail system in federal courts by making the test for bail not the size of a man's wallet but his character.

Civil procedure reforms

The 89th Congress has moved to sweep the dockets clean in cases where the Government is a party by encouraging more out of court settlements.

TO SAFEGUARD THE CONSUMER

In the years to come when the death toll on the highways has been dramatically reduced and when housewives can shop without a sliderule, Americans will know it began with the 89th Congress.

Traffic and highway safety

For the first time in history, President Johnson and the 89th Congress have given us the tools to mount a full-scale nationwide attack against death on the highways.

By establishing national standards to insure the building of the safest automobiles.

By probing deeply into the "hows" and "whys" of accidents.

By providing funds to states to stimulate programs for safer highways, driver training and licensing, and used car inspection.

Tire safety

For the first time in history, President Johnson and the 89th Congress have given the driving public protection against the unsafe tires that can cause a deadly accident.

Truth in packaging

President Johnson and the 89th Congress broke through four years of inaction and delay to develop a Truth in Packaging bill which will shortly receive final Congressional approval. It will enhance the welfare of every consumer in the market place by eliminating "packages that lie."

By requiring the full and clear disclosure of what is in a food package, who made the product, how much it weighs and how much it costs.

By regulating practices which lead to confusion in the supermarket such as "cents-off", "servings", and "jumboquarts".

By preventing the "slack filling" of packages.

Child Safety Act

For the first time, our children can be protected against toys that are toxic, and needless and tragic deaths among our very young will be averted.

STREAMLINING THE GOVERNMENT

In the years to come as the Great Society programs achieve their full promise, they will serve the people effectively and fairly—in large part through the reshaping and streamlining of the Federal Government that began with the 89th Congress.

The record is outstanding.

Two new Cabinet-level departments have been created.

In the Department of Housing and Urban Development, the American city has been given a voice at the Cabinet table for the first time in the Nation's history.

In the Department of Transportation, we can begin to develop for the first time a coordinated national transportation policy to speed goods and people across a continent safely, efficiently and effectively.

Ten separate reorganization plans have been submitted. Every one has been approved by Congress. This is a record unmatched in a decade. For example,

In streamlining the Public Health Service, we are moving to fulfill the promise for every citizen of the landmark health measures passed by the 89th Congress.

In transferring the Water Pollution Control Administration to the Interior Department, we stepped up our attack on the pollution that blights our rivers and lakes.

In reorganizing our civil rights activities by transferring the Community Relations Service to the Department of Justice, we have brought new meaning and better coordination to our varied Civil Rights Programs.

In creating the Environmental Sciences Services Administration within the Department of Commerce, we brought new strength and order to those vital services of weather forecasting, mapping, and research.

In extending the Reorganization Act, we have made possible further major improvements in the structure of the Federal Government.

PERFORMANCE FOR PEOPLE

"The Great Society . . . proposes as the first test for a nation: The quality of its people."

How the 89th Congress helped the people

Education

The Elementary and Secondary Education Act now benefits:

7 million school children through special educational projects for disadvantaged youngsters.

49 million school children, in virtually every school in the land, through library and text books.

10 million children through innovative educational programs.

The Higher Education Act has provided this year:

134,000 equal opportunity scholarships to needy college students.

190,000 students with work-study assistance.

2,530 teacher fellowships and assistance for nearly 1,300 Teacher Corps interns.

The School Nutrition Act will provide:

300,000 to 400,000 needy children with school breakfasts.

Lunch room equipment for schools attended by about 500,000 children.

The new GI Bill will benefit:

Over 500,000 returning servicemen through training this year, mostly in higher education. It is estimated that over the next ten years as many as 6 million veterans will benefit.

Labor

The Minimum Wage Amendments will benefit:

8 million workers for the first time through coverage of the minimum wage and overtime provisions of the law, and extend additional benefits to the 30 million workers now covered.

Social Security

The Social Security Amendments of 1965 will aid:

Almost 20 million beneficiaries through a 7% increase in monthly checks.

350,000 persons age 72 and over who were previously not covered.

2 million welfare recipients through increased benefits. This legislation provides potential benefit increases for 8 million people.

Disabled Veterans and Their Survivors

2.3 million beneficiaries will receive higher payments. This act will eventually benefit 25 million persons over a 10-year period.

Poverty

The War on Poverty has reached:

180,000 3 to 6 year olds in the full year Head Start program.

580,000 summer Head Start children.

370,000 youths in the Neighborhood Youth Corps Program.

30,000 through the Job Corps.

An estimated total of 6 million persons have been reached by the anti-poverty programs in 1966.

Health

Medicare benefits are available to:

19.1 million older Americans.

The Medicaid Program will benefit:

8 million persons now receiving welfare payments plus additional millions who are unable to afford medical care.

Special Grants for Medical Care will go to:

650,000 children in low income areas.

Vocational Rehabilitation increases will raise the number of disabled persons rehabilitated to:

A total of 160,000 annually, an increase of 25,000, with the potential raised to 200,000 disabled citizens per year.

Housing

The Housing and Urban Development Act of 1965 will help:

44,000 persons now and one million over 4 years under the rent supplement program.

140,000 persons with low and moderate income housing, with a 3-year additional potential of 480,000 beneficiaries.

60,000 college students through more dormitories, and triple this number in the next 3 years.

17,000 elderly persons through newly authorized rental housing.

950,000 persons through added public health.

The Demonstration Cities Act will aid hundreds of thousands of people in cities large and small:

Recreation

Under legislation passed by the 89th Congress:

Over 20 million people will be able to enjoy more national recreation facilities—most of them close to their homes.

Law and Justice

The Voting Rights Act of 1965 opened the polls to:

460,000 new voters in five States who were registered to vote by Federal and local officials.

Agriculture

The Food and Agriculture Act of 1965 has benefitted:

The nation's farmers through higher income. Net farm income is up to $16 billion this year, a gain of $2 billion. Gross farm income is up to $49 billion, an all time high.

828,000 farmers in the wheat program earning an estimated $687 million in payments.

1.5 million farmers in the feed grain program, earning payments of $1.35 billion this year. Feed grains are the number one U.S. export dollar earner.

2 million rural Americans through more than 40,000 new homes that will be built in the next decade through the new Rural Housing Program.

1 million people in 1,400 rural communities under 5,500 population through water and sewerage systems, and other facilities.

THE PROSPEROUS ECONOMY

Since the last quarter of 1963, incomes have increased 17 per cent and consumer prices only about 5½ per cent. With this 11 per cent increase in "real" income, a 4-person wage-earner's family (husband, wife, two children) would have around $700 added purchasing power in 1966. With this it could buy:

One color television set and one automatic washing machine, or

One 1962 model popular-priced sedan to use as a second family car, or

New living room furniture and a rug plus a new refrigerator and a vacuum cleaner, or

A one-week vacation in New York City for two, including hotels, meals, entertainment, and air fare from Chicago.

A 4-person family of a salaried professional or managerial worker would have $1,100 added purchasing power in 1966. With this, it could:

Reshingle the roof and buy a color television set and an automatic washer, or

Keep a son or daughter at a state college or university for a year, or

Buy a 1963 popular-priced sedan as a second car.

The elderly couple living partly on a fixed income, such as Social Security, would have $350 additional buying power in 1966, thanks both to increased benefits and medicare. With this $350, they could buy:

A refrigerator and a vacuum cleaner, or

A new sofa, a man's topcoat, and a lady's coat.

The 89th Congress helped to keep our country and our people prosperous. Their important tax, fiscal and economic legislative achievements include, among others:

1. The Appalachian Program to develop an economically depressed 11-state region.
2. The Economic Development Administration and Program to apply the successful principles learned in Appalachia to other regions of our country.
3. The Expansion of Manpower Development and Training Programs to give workers new skills and to retrain workers with obsolete skills.
4. The Excise Tax Reductions to stimulate our economy, when it needed it—and their partial restoration to maintain our real gain and protect it from inflationary forces.
5. Interest Rate Controls to curb unhealthy competition in the money market.
6. Suspension of the Investment Credit and Accelerated Depreciation to help ease inflationary pressures which threaten the nation's prosperity.
7. Twenty-five Stockpile Bills to relieve critical shortages of materials needed for the national defense, to help reduce our balance of payments deficit, and to produce additional revenue for the Federal Government.
8. The Minimum Wage Amendments to increase the minimum wage to $1.60 and bring to 8 million additional low paid workers within the coverage of the law.

National Bible Week—Soncino Press Participates

EXTENSION OF REMARKS
OF
HON. HERBERT TENZER
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Monday, October 17, 1966

Mr. TENZER. Mr. Speaker, this week marks the 26th annual observance of National Bible Week. It seems appropriate and fitting during this busiest of weeks before adjournment that we in this great body pause to pay united respect to the Bible, the source of the basic religious principles upon which our American democracy rests.

And as we once again renew our loyalty to the Bible precepts which governed the lives of our Founding Fathers, I know that my colleagues, preoccupied as they are in this final week of the very productive 89th Congress, would be encouraged as I have been by a report from Mr. S. M. Bloch, a distinguished British publisher whose firm, The Soncino Press, Ltd., is experiencing a quadrupling of demand for sacred literature in all parts of the world among people of all faiths and ages. Customers of Soncino Press include Chief Justice Earl Warren of the U.S. Supreme Court and Crown Prince Akahito of Japan. Mr. Bloch states that this increased demand for information on the Bible and the Talmud was the motivation behind the publishing of two of Soncino's most recent works, one of them a two-volume English language edition of "The Minor Tractates of the Talmud," without Hebrew language references.

Mr. Bloch reports also a most encouraging increase in the demand for biblical material for children of all faiths. As a result of this Soncino recently published a new English language series for children, entitled "The Bible Speaks."

With a substantial personal library of Hebraica, I have found the books published by Soncino most interesting reading, and of great value for reference. They have opened up for me new horizons of knowledge about the early history of the world.

Mr. Speaker, I was particularly pleased to have presented recently at the White House to our distinguished President a set of the 49-volume Soncino Library, including the Bible, Prophets, Talmud, Zohar, all with commentaries, for his personal use and as source material in the White House reference library.

These interesting facts indeed give the lie to the agnostics' claim that "God is dead."

I am happy to call these encouraging developments to the attention of my colleagues and ask that we pause for a moment to take note of their significance to our enlightened society as Americans launch their annual observance of National Bible Week.

Remarks of the President at Verrazano Bridge Memorial, Staten Island, N.Y.

EXTENSION OF REMARKS

OF

HON. JOHN M. MURPHY

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Monday, October 17, 1966

Mr. MURPHY of New York. Mr. Speaker, on Wednesday, October 12, President Lyndon B. Johnson visited Staten Island and spoke at the site of the Verrazano Bridge Memorial, which is in the shadow of the Verrazano Narrows Bridge, the world's single greatest public works structure and the longest single-span bridge in the world.

The President's visit to Staten Island was the first by a President in office in 30 years and it was the first time in the history of the borough that a President made a major address within the county limits. An awe-inspired crowd of 21,000 citizens paid tribute to the Chief Executive in a ceremony that will long live in the minds of not only those present, but all Staten Islanders.

The program for the President's visit, and the President's address follow:

Master of ceremonies: Hon. JOHN M. MURPHY.

Invocation: Rt. Rev. Msgr. Robert R. Mazziotta, administrator, Holy Rosary Parish, Staten Island, N.Y.

National Anthem: Johanna Valenti.

Introduction of distinguished guests.

Remarks: Hon. ROBERT F. KENNEDY.

Remarks: Hon. Frank D. O'Connor.

Blessing: Rabbi Benjamin B. Wykansky, Temple Emanuel, Staten Island.

Address by the President.

Benediction: Rev. Fred J. Hubach, Pastor, Faith Methodist Church, Staten Island.

REMARKS OF THE PRESIDENT AT VERRAZANO BRIDGE MEMORIAL, STATEN ISLAND, N.Y.

Thank you, Congressman MURPHY.

Reverend Clergy, Senator KENNEDY, Governor O'Connor, Members of the Delegation in Congress from New York, distinguished public officials, ladies and gentlemen, I am very happy to be here this afternoon among so many good Democrats and so many good friends. I want to thank all of you for being so good to us back in 1964 when the great State of New York gave us a landslide majority of more than two million votes.

I want to thank you in advance for the great majority you are going to give Frank O'Connor, your Democratic gubernatorial candidate, this year.

I want each of you to know that your entire Democratic delegation, headed by Senator ROBERT KENNEDY in the Senate and by the Members of the House who sit on this platform this afternoon, have been a strong right arm to the President and the entire Democratic platform and the Democratic program.

I know that you recognize by name, face, and reputation one of the most able and outstanding men in the United States Senate who just addressed you, Senator ROBERT KENNEDY.

Your great Congressman—JACK MURPHY. He has done the job for Staten Island and for Brooklyn and I want you to keep him on the job. We need his kind of leadership in Congress. It earned him many of our Nation's highest military decorations. It has placed him at the head of a task force of distinguished combat veterans who journeyed to Vietnam and Southeast Asia this year.

All good things that he stands for are matched by another young outstanding county leader and city councilman, Bob Lindsey.

There is one point that I want to make and I hope that each of you will hear and understand. There is a great and valuable, necessary and potential Democratic chief executive on this platform this afternoon. He led the fight for justice as a great District Attorney in Queens. He led the New York City Council as few men before him have ever led it. And he will give you in New York and the entire nation the kind of leadership that we need and the programs which we must have in the years to come. Your next Governor—Frank O'Connor.

And I make the same prediction for Frank O'Connor's partners in the Democratic leadership:

Howard Samuels, a dynamic businessman and your next Lieutenant Governor.

Arthur Levitt—a leader in fiscal responsibility and a sure thing to stay on the job as your State Comptroller.

I want to take a moment to make sure that all of you know a number of fine Congressmen who stand beside me in Washington, who try to serve your interests each and every hour of every day in the year: From Brooklyn, EUGENE KEOGH. And the man who will succeed him, Frank Brasko. My long-time friend, your able Congresswoman, Mrs. EDNA KELLY. And ABE MULTER. And HUGH CAREY. And from Manhattan, LEONARD FARBSTEIN. And from Queens, BEN ROSENTHAL. And from the Bronx, JACK BINGHAM. And from Long Island, HERBERT TENZER and LESTER WOLFF.

And from upstate, MAX MCCARTHY and JIM HANLEY.

Under our old immigration law, even Christopher Columbus would have had a hard time getting into this country. But we wiped out that immigration policy which was a standing insult to people for many years.

A person born in England was 12 times more welcome to our shores under the old policy than someone born in Italy, or Greece, or Portugal, or Poland.

So we challenged that and have changed all of that since last year. We have stopped asking people these days—after Congress acted on the Immigration Law—"Where were you born?" Now all we want to know is: "What can you do? What can you contribute?"

I believe that the people of this great State are proud of that Immigration Act and I am proud of all the laws that the 89th Congress gave us. The laws for better education for our children; the laws for better jobs for the heads of our families; the laws for better health for our bodies; the laws for the fight against poverty; the plans and the measures that we have in the hopper today to remake the cities of this land.

I am proud of Staten Island's JACK MURPHY, because he was one of the leaders in getting this job done.

I didn't come out here to see you this afternoon because I was running for anything this year. But JACK MURPHY is running for something this year. And I want each and every one of you to give him your wholehearted support.

I told your neighbors over in New Jersey last week that the Republican symbol is the elephant. And the elephant never forgets. The Republicans remember that the only way they have ever elected people is by scaring people. They always go back to one word—fear.

They know fear. The Republicans were fearful to pass Medicare. Nine out of ten voted to recommit one of the best bills we have ever passed for all of the people—the Medicare Bill. They said it was socialized medicine. What it was really was freedom from fear for about 20 million Americans.

The Republicans were afraid to fund the war on poverty. Ninety percent of them voted to recommit that bill. They said it was a giveaway. The only thing the war on poverty gave away was hope: hope for poor Americans that they might overcome the fear of being poor.

Today the war on poverty has already helped nine million poor Americans. And they are glad that fear struck out.

The Republicans were afraid to pass the School Bill that HUGH CAREY helped to lead through the House. Sixty-seven percent voted to recommit the Elementary and Secondary Education Act—and to recommit killed it. They said it would put the Federal Government in the schoolhouse.

What it did was to put books on the shelves in libraries—30 million new American books—and to get better teachers to teach American children. And this afternoon, five million educationally deprived American children are glad that the motion to recommit struck out.

Afraid, afraid, afraid. Republicans are afraid of their own shadows and they are afraid of the shadow of progress. But the only thing that most Americans are afraid of are Republicans. And that is why the Americans have given us a Democratic Congress and that is why the Congress has given us more education bills, more health bills, more dollars to fight poverty, more dollars to rebuild cities, more dollars to help people with Medicare than any Congress in the history of this nation.

I hope you people will remember that on Election Day by returning every member of the Democratic delegation from the great State of New York.

New York for many, many years has been the first State of the Union, the first State in resources, first in population, the first State in leadership, the first State in giving to this nation outstanding chief executives. And I hope and I believe that this November you are going to return to your ways of old, the days when you elected Franklin Roosevelt as Governor of New York, when you elected Al Smith as Governor of New York, when you elected Herbert Lehman as Governor of New York. I think you are going to elect Frank O'Connor as Governor of New York.

And with Frank O'Connor in New York and Robert Kennedy in the Democratic delegation in Washington and with me helping from the sidelines, we will try to get a job done for all the good people of the greatest State in the Union.

National Building Code and National Plumbing Code

EXTENSION OF REMARKS

OF

HON. WM. J. RANDALL

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Monday, October 17, 1966

Mr. RANDALL. Mr. Speaker, on Monday, October 8, 1955, it was my privilege to appear as one of its guest speakers before the national convention of the United Association of Journeymen and Apprentices of the Plumbing and Pipefitting industry of the United States. This was their 29th annual convention held in Kansas City, Mo., part of which city it is my privilege to represent in Congress.

Recently I received a letter from Mr. David E. Todd, manager of the Building & Construction Trades Council, Kansas City, Mo. He told me in his letter that he had been handed a copy of our remarks made at the United Association's convention in Kansas City with particular reference to the National Building Code. He advised me further that the Building Trades Council of Kansas City was deeply concerned about the possible interference of the Federal Government in local building codes. He suggested that some of the thoughts that I had expressed at the national convention should be given wider publicity. He requested portions of our remarks be inserted in the Congressional Record.

Now, Mr. Speaker, I am mindful a Member does not compliment himself by inserting his own remarks in the Record. Notwithstanding, because of Mr. Todd's request, only that portions of my remarks before the United Association will be entered. The remarks relating to the building and plumbing code follow:

President Schoemann, I read with interest your editorial published in a recent issue of your magazine opposing the National Building Code and the National Plumbing Code on the ground that such a function did not properly belong to the Federal Government. I fully agree. I could not agree more. My experience as a county government official brought me sufficiently up against the question of codes, and I want to say here and now that building codes and plumbing codes are properly a function of local governments, and this is where the discretion ought to reside. In too many areas of life, those who wish to use the powers of Federal government creatively are unwilling to trust the common sense and good judgment of people to solve the local problems of their own communities; or else if that judgment be lacking, then they are unwilling for the sake of freedom to allow people to make mistakes and to suffer from the mistakes. The local community which I once served is an enlightened community, and it has no need for some bureaucrat in Washington to tell it what standards ought to be applied in its plumbing installations. President Schoemann is right. If you sit idly by and do nothing while the campaign for a national building code snowballs, the time will soon come when you will no longer have local autonomy in this field.

I know you have all heard a lot of talk about a National Building Code. Until recently there was not much concern but since the first of this year there has been a campaign started that can no longer be ignored. The commercial interests in this country that stand to make a lot of money from a National Building Code are trying to recruit followers from among the "liberal establishment," by using the old liberal prejudices against the building industry and the building trades.

The line of those who are pushing the Code is to the effect that the building industry is backward, unprogressive and hopelessly out of date, and this is the fault of the building trades. They argue that massive Federal aid is needed to promote advances in building technology but in the way is that old stumbling block, a multiplicity of building codes. So runs the argument that is why we need one national code.

It seems almost every special commission the President appoints devotes something in its report to the National Building Code. The White House Civil Rights Conference and the Advisory Commission of Intergovernmental Relations is a 26-member group containing local, state and Federal officials as well as some from private industry. It would seem to be a source of justified irritation for you who are members of the building crafts would be the fact that although this Commission invited the advice of those in the industry and those who manufacture and process building materials, I am reliably advised that no building trade unions were invited to testify.

Still another Commission appointed by the President is called the "National Commission on Technology, Automation, and Economic Progress." In their report they struck out hard by demanding that if the housing needs of middle-income families are to be met, housing costs must be reduced by advanced technological potential. They even went so far as to say we cannot adequately house America by existing methods.

The answer is easy for any group of dreamers because they simply say that in the event new techniques cause certain crafts to suffer all that needs to be done is to institute Federally-subsidized systems of retraining, severance pay, and pay the necessary retirement cost for these technologically displaced building trades workers. They have a real nice way of describing it when they wrap it all up and refer to it as an "adjustment assistance" to any crafts destroyed by technological change.

The emergence of a National Building Code which would lead to such so-called advancements that would result in the disappearance of your job and provide only for some Federal retraining (at the taxpayers' expense) is not the answer.

Recently, there has been some relief from the modernize-em, retrain-em line and that is the report you hear of now and then from the so-called manpower experts that the building trades don't have anything to worry about. They say the building trades will need hundreds of thousands of journeymen in the coming few years and that apprentice numbers should be multiplied several times over. The Bureau of Labor statistics estimates that contracts construction employment will increase by 37% between 1964 and 1975.

Other statisticians say this is a wild estimate. In fact, it does exceed the estimates for every other branch of the economy. Could it be the manpower experts are trying to get the building trades coming and going? Let's take a second to analyze these two contradictory trains of thought. If the building trades become really modern and technologically advanced, then you are going to be put out of your jobs and will have to be trained at Federal expense. If, on the other hand, you remain as backward and unprogressive then as you are now, you will have to train three times as many apprentices. Neither argument makes sense.

But, my friends, I think we should be fair about this and not blame all of this push for the Building Code on the liberals or humanitarians who want to see America "rehoused."

In my opinion the real drive comes from the very commercial and dollar-minded producers of certain building materials who have already been denied access because of existing state or local codes. Surely these groups could not by any stretch of the imagination be regarded as altruistic. Perhaps the liberal humanitarians should quit worrying for just a moment about rehousing America and become concerned about those who want a new National Code only to make money out of it.

Of course, none of us could be against a National Code if it were in fact a major roadblock in the way of a slum clearance or if it stood in the way of a truly desirable program of assistance for middle-class housing.

It is not my argument that you should take issue with all model or uniform codes. Everyone should want to promote technological progress in the building industry but let's be sure these are real technological advances and not just a gimmick to help some producer of materials. As for the liberals they should be willing to be so objective as to recognize that there are enough enlightened people in every community to provide an enlightened building code for their own community. To forget this is to force on us all an unenlightened and commercially inspired building code for the entire country.

Wage and Price Controls

EXTENSION OF REMARKS

OF

HON. WILLIAM G. BRAY

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 17, 1966

Mr. BRAY. Mr. Speaker, one of the hallmarks of the present administration has been a "credibility gap" of proportions never before seen in the history of the United States. The American people have been told so much that is both contradictory and evasive in content that they do not know what to believe. Then, if, in desperation, they try to believe something, chances are it is completely at odds with the facts.

On no other subject has the administration been so evasive and reluctant to tell what is planned or what is being considered than on that of the present state of the national economy. Vacillation, hesitation, and indecision have to date characterized the administration's actions and this has raised some serious questions which have not been answered.

For some time now there has been much unrest and concern over the possibility that wage and price controls—and possibly rationing as well—would be imposed after the November elections. The administration has repeatedly sidestepped the issue and the last evasion came early last week after a direct question was made by the gentleman from California [Mr. Utt].

However, on Tuesday, October 11, the President signed Executive Order 11310, entitled "Assigning Emergency Preparedness Functions to the Attorney General." This was published in the Federal Register of Thursday, October 13. A front-page story in the Chicago Tribune on Saturday, October 15, by Mr. Walter Trohan, chief of the Chicago Tribune's Washington bureau, was the first public disclosure of this order and the first analysis of what it implies.

I quote from Mr. Trohan's story:

> Under the order, it would be possible to institute wage and price controls, rationing, civil defense programs, alien controls, border controls, and a host of wartime measures. The order does not proclaim a national emergency but paves the way for such action on such a proclamation.

I might point out that, counting the title of the order, the word "emergency" or "emergencies" is used a total of 31 times. Authority for the plan is cited as that vested in the President under Reorganization Plan No. 1 of 1958. This plan, which had no opposition of any significance, had merged the Office of Defense Mobilization and the Federal Civil Defense Administration with the Executive Office of the President.

We are due a full explanation of the reasons behind this order. Just what is going so badly—or is expected to go so badly—that the administration feels this sort of groundwork must be laid at this time?

The administration seeks to govern by "consensus," which is all well and good. However, I see nothing remotely resembling "consensus"—or any attempts to seek it—in issuance of an Executive order so far reaching in scope and implication without any sort of explanation as to why.

I wish at this point to insert Mr. Trohan's story of October 15, 1966, from the Chicago Tribune and the full text of the Executive order as it appeared in the Federal Register of October 13, 1966:

REPORT FROM WASHINGTON

(By Walter Trohan)

Washington, October 14.—Without any fanfare, President Johnson signed and sealed an extraordinary executive order in the White House last Tuesday which assigns wide emergency preparedness functions to the attorney general.

No explanation was given for ordering the preparation of national emergency plans and the development of war plans at this time. The far-reaching executive order was published in the Federal Register for last Thursday.

Under the order, it would be possible to institute wage and price controls, rationing, civil defense programs, alien controls, border controls, and a host of wartime measures. The order does not proclaim a national emergency but paves the way for action on such a proclamation.

The executive order states that the attorney general shall provide advice with respect to "any emergency directive or procedure prepared by a department or agency as part of its emergency program." This could mean wage and price controls or rationing.

The attorney general is authorized to review legal procedures of federal agencies designed to enlist industrial support, judicial and legislative liaison, mobilize research facilities, and fix security standards.

SHALL ASSIST, IF REQUESTED

The order says that the attorney general shall, on request, assist in the planning and development of law enforcement personnel for civil defense emergency operations and supervise utilization of state and intrastate law enforcing agencies. The attorney general is empowered to develop plans and procedures for identification of the dead.

The order provides for the development of an office of emergency planning, whose director would assume control for total national preparedness. The order says of emergency planning:

"Emergency plans and programs shall be developed as an integral part of the continuing activities of the department of justice on the basis that it will have the responsibility for the carrying out of such programs during an emergency. The attorney general shall be prepared to implement all appropriate plans developed under this order."

The order states that the President issued the "executive order 11310 assigning emergency preparedness functions to the attorney general" under authority vested in him under reorganization plan No. 1 of 1958. Experts in the Library of Congress said the President can proclaim an emergency because of the war in Viet Nam any moment. Experts said he can act under Korean war powers, which have not expired, as well as under the 1958 reorganization act.

HEAR RUMBLINGS OF CONTROLS AND RATIONING

Johnson has denied any intention of instituting wage and price controls. The White House had said that no executive order had been issued when questioned early in the week by Rep. James B. Utt [R., Cal]. Then on Thursday the order signed on Tuesday was published quietly in the government's official daily.

Possibly the President acted quietly because he did not wish to precipitate fear or hysteria of an expected "armed attack." For weeks there have been rumblings that he planned to institute wage and price controls and rationing after the election.

There also have been reports that some dramatic action would come in the far east before the election. Possibly the President issued the executive order as a standby measure in case it might be needed after such a dramatic action.

It is curious that it was issued while there is no attorney general, the office being temporarily vacant until the successor to Nicholas Katzenbach is named. Katzenbach recently was named undersecretary of state, but it is not known whether this appointment had any relationship to the executive order.

[F.R. Doc. 66-11227; Filed, Oct. 11, 1966; 4:40 p.m.]

THE PRESIDENT: EXECUTIVE ORDER 11310—ASSIGNING EMERGENCY PREPAREDNESS FUNCTIONS TO THE ATTORNEY GENERAL

By virtue of the authority vested in me as President of the United States and pursuant to Reorganization Plan No. 1 of 1958 (72 Stat. 1799), it is hereby ordered as follows:

Section 1. *Scope.* (a) The Attorney General shall prepare national emergency plans and develop preparedness programs covering law-enforcement functions of concern to the executive branch of the Federal Government except to the extent that such functions are vested in other departments or agencies by statute or Executive order. Upon request, the Attorney General assist, as appropriate, in developing preparedness programs covering law-enforcement functions vested in other departments and agencies of the executive branch. He shall also provide, as appropriate, liaison with and guidance and assistance to the various divisions of State and local government, and maintain liaison with the Federal judicial system and the United States Congress as hereinafter set forth.

(b) These plans and programs shall be designed to develop a state of readiness in these areas with respect to all conditions of national emergency, including an attack upon the United States.

Sec. 2. *Basic Functions.* The Attorney General shall:

(a) *Emergency documents and measures.* Provide advice, as appropriate, with respect to any emergency directive or procedure prepared by a department or agency as a part of its emergency preparedness function.

(b) *Industry support.* As appropriate, review the legal procedures developed by the Federal agencies concerned to be instituted if it becomes necessary for the Government to institute extraordinary measures with respect to vital production facilities, public facilities, communications systems, transportation systems, or other facility, system, or service essential to national survival.

(c) *Judicial and legislative liaison.* In cooperation with the Office of Emergency Planning, maintain liaison with Federal courts and with the Congress so there will be mutual understanding of Federal emergency plans involving law enforcement and the exercise of legal powers during emergencies of various magnitudes.

(d) *Legal advice.* Develop emergency plans for providing legal advice to the President, the Cabinet, and the heads of Executive departments and agencies wherever they may be located in an emergency, and provide emergency procedures for the review as to form and legality of Presidential proclamations, Executive orders, directives, regulations, and documents and of other documents requiring approval by the President or by the Attorney General which may be issued by authorized officers after an armed attack.

(e) *Alien control and control of entry and departure.* Develop emergency plans for the control of alien enemies and other aliens within the United States and, in consultation with the Department of the Treasury, develop emergency plans for the control of persons attempting to enter or leave the United States. These plans shall specifically include provisions for the following:

(1) The location, restraint, or custody of alien enemies.

(2) Temporary detention of alien enemies and other persons attempting to enter the United States pending determination of their admissibility.

(3) Apprehension of deserting alien crewmen and stowaways.

(4) Investigation and control of aliens admitted as contract laborers.

(5) Control of persons entering or departing from the United States at designated ports of entry.

(6) Increased surveillance of the borders to preclude prohibited crossings by persons.

(f) *Alien property.* Develop emergency plans for the seizure and administration of property of alien enemies under provisions of the Trading with the Enemy Act.

(g) *Security standards.* In consultation with the Department of Defense and with other executive agencies to the extent appropriate, prepare plans for adjustment of security standards governing the employment of Federal personnel and Federal contractors in an emergency.

(h) *Research.* Within the framework of over-all Federal research objectives, supervise or conduct research in areas directly concerned with carrying out emergency preparedness responsibilities, designate representatives for necessary ad hoc or task-force groups, and provide advice and assistance to other agencies in planning for research in areas involving the interests of the Department of Justice.

SEC. 3. *Civil Defense.* In consonance with national civil defense programs developed by the Department of Defense, the Attorney General shall:

(a) *Local law enforcement.* Upon request, consult with and assist the Department of Defense to plan, develop, and distribute materials for use in the instruction and training of law-enforcement personnel for civil defense emergency operations; develop and carry out a national plan for civil defense instruction and training for enforcement officers, designed to utilize to the maximum extent practicable the resources and facilities of existing Federal, State, and local police schools, academies, and other appropriate institutions of learning; and assist the States in preparing for the conduct of intrastate and interstate law-enforcement operations to meet the extraordinary needs that would exist for emergency police services under conditions of attack or imminent attack.

(b) *Penal and correctional institutions.* Develop emergency plans and procedures for the custody and protection of prisoners and the use of Federal penal and correctional institutional resources, when available, for cooperation with local authorities in connection with mass feeding and housing, for the storage of standby emergency equipment, for the emergency use of prison hospitals and laboratory facilities, for the continued availability of prison-industry products, and for the development of Federal prisoner skills to appropriately augment the total supply of manpower; advise States and their political subdivisions regarding the use of State and local prisons, jails, and prisoners for the purpose of relieving local situations and conditions arising from a state of emergency.

(c) *Identification and location of persons.* Develop emergency plans and procedures for the use of the facilities and personnel of the Department of Justice in assisting the Department of Health, Education, and Welfare with the development of plans and procedures for the identification of the dead and the reuniting of families during a civil defense emergency.

SEC. 4. *Interagency Cooperation.* Unless otherwise provided in this order, the Attorney General shall assume the initiative in developing joint plans for emergency preparedness functions described in this order in consultation with those departments and agencies which have responsibilities for any segment of such activities.

SEC. 5. *Presidential Coordination.* The Director of the Office of Emergency Planning shall advise and assist the President in determining policy for, and assist him in coordinating the performance of, functions under this order with the total national preparedness program.

SEC. 6. *Emergency Planning.* Emergency plans and programs shall be developed as an integral part of the continuing activities of the Department of Justice on the basis that it will have the responsibility for carrying out such programs during an emergency. The Attorney General shall be prepared to implement all appropriate plans developed under this order. Modifications, based on emergency conditions, will be in accordance with policy determinations by the President.

SEC. 7. *Emergency Actions.* Nothing in this order shall be construed as conferring authority under Title III of the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2291–2297), or otherwise, to put into effect any emergency plan, procedure, policy, program, or course of action prepared or developed pursuant to this order. Such authority is reserved to the President.

SEC. 8. *Redelegation.* The Attorney General is hereby authorized to redelegate within the Department of Justice the functions hereinabove assigned to him.

SEC. 9. *Construction.* Nothing in this order shall be deemed to derogate from any now-existing assignment of functions to any Executive agency or officer made by statute or by Executive order.

SEC. 10. *General.* To the extent of any inconsistency between the provisions of any prior order and the provisions of this order, the latter shall control.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 11, 1966.*

John J. Rhodes Reports

EXTENSION OF REMARKS

OF

HON. JOHN J. RHODES

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Monday, October 17, 1966

Mr. RHODES of Arizona. Mr. Speaker, following is the October 15 and final issue for the 89th Congress of my newsletter "JOHN J. RHODES Reports," which will go to my constituents this week:

OCTOBER 15, 1966.

LAW AND ORDER

One of the provisions of the ill-fated Civil Rights Act of 1966 would have made it illegal for any person to cross a state line for the purpose of rioting, or inciting to riot. This amendment was added on the Floor of the House upon motion of Representative WILLIAM C. CRAMER, a Republican from Florida. It was an attempt to deal at least partially with the lawlessness which has grown in alarming proportions.

Although a lawless element of our society has, in some instances, used the civil rights movement as a vehicle to flout the laws of our land, it would be a mistake to equate lawlessness with the civil rights movement. The rise in the crime rate should be placed at the doorstep of its most direct cause—the general breakdown in morals and the growing disrespect for law that has developed in our Country. A contributing factor to this disturbing situation is the rise of the movement which I call "the cult of the individual." This cult believes that the "rights" of the individual, as they interpret them from their own distorted views of the Constitution, must be protected at all costs. The right of society to protection is secondary to this fetish. Strangely enough, certain decisions of the Supreme Court, our highest court of law, have gone a long way toward fostering the breakdown of law.

Contempt for law and order has also been instilled in the minds of many people by pronouncements made by certain leaders to the effect that "if you don't like a law, refuse to obey it." One of the most damaging statements to our institutions came from the Vice President of the United States when he said that he himself could be induced to lead a "mighty good revolt."

If this movement continues, it can certainly nurture the seeds which have caused the destruction of every republic since the world began. I value the rights of the individual as much as anyone could. However, in my opinion, the most sacred right any individual can possess is the right to be protected by a society based upon the rule of law, not the rule of man. While protecting other "rights" which by comparison are picayune, we are doing perhaps irreparable violence to the society, which is the guardian of the larger right.

The American people must certainly speak with a strong voice against those who have allowed our way of life to deteriorate, and in favor of those who have expressed a strong determination to preserve it. After all, every man is more free, more prosperous, and better cared for in the United States than under any other country. We must certainly continue to improve our society and our freedoms, but in the improving, we must make certain that we do not do them unto death.

VIETNAM

I have dealt with this subject often in my newsletters. I think you know that I feel we should take action necessary to bring that war to a successful conclusion, before it escalates into World War III. The most dangerous thing anyone can do is to temporize with a war. By refusing to blockade Haiphong harbor, and to interdict supplies going into North Vietnam by rail and air, we are prolonging this war, and making it necessary for more American men to be engaged on the ground, in a jungle war 8,000 miles from our shores.

Such an entanglement is not wise, particularly in a world in which the Communists are intent on conquest. Nothing would please them better than to have our armed might pinned down in a series of brush fire wars such as this one, inhibiting our might and our ability to protect against a global war. If we allow this to happen, we will certainly do as Lenin said we would do—"They will fall like a ripe plum into our laps."

I do not believe that a five or six-year war in Viet Nam will be tolerated by the American people. As General Eisenhower has stated: "We must do whatever is necessary to win as quickly as possible. If not, the war will grow in costs, both in money and lives, and the Nation's morale will be lowered . . . there is the blood of a lot of young men that's involved and whenever we have had casualties . . . in order to carry out the policies of America abroad, America as a whole has made it the first order of business to get that war done first."

INCREASING COST OF LIVING

Every housewife who has found that in recent months she is shopping more and enjoying it less can attest to the fact that we are in a dangerous inflationary period. The Consumer Price Index for August, 1966 reached an all-time high of 113.8 (1957–59 equals 100). During the first seven months of 1966, the Index went up at an annual rate of more than 4 per cent. Many individual items such as food, medical care and services are up even more.

This type of skyrocketing costs spells hardship for the pensioner, the Social Security recipient, and the individual with a fixed income or wage. In fact, it could be said that they are the forgotten men and women of the Great Society. The belated increase in Social Security benefits that is now proposed by President Johnson for January 1, 1968 is a lot like locking the barn door after the horse has been stolen. The time to increase Social Security benefits is now, not in 1968. And this could have been done, if the Administration had acted upon a Republican proposal that was advanced several months ago. Under the terms of this proposal, an automatic increase in Social Security benefits would be provided whenever there is an increase in the cost of living.

Although the farmer has been accused by President Johnson of being largely responsible for the inflation, I believe he deserves the sympathy of his fellow Americans. He, too, has been caught in the vicious cost-price squeeze. Ten years ago the farmer received 42 cents of the consumer food dollar. Today he receives only 37 cents of that dollar. Moreover, equipment, fertilizer, and help are all costing him a great deal more.

Who then is to blame for the present situation? It is the Johnson-Humphrey Administration. They have piled deficit upon deficit. They have insisted that this Country can fight a $2 billion-a-month war halfway around the world and still go forward with an unending variety of fantastically expensive Great Society domestic programs. And they have let interest rates bear the burden of the fight against inflation until those rates have soared to the highest point in 45 years.

This is the story of inflation. Each dollar today will purchase the amount of goods which could have been bought in 1957–59 for 88 cents, and in 1940 for 43 cents. There are disturbing rumors making the rounds in Washington that the Administration may resort to an increase in taxes and that wage and price controls are more than a remote possibility. I believe the real remedy in this situation is a cut in Federal nondefense expenditures. There are a number of nonessential programs that can be cut back or eliminated completely. This should be done without delay.

ELECTION AND LEGISLATIVE REFORM

During this Session of Congress, I have joined a number of my Republican colleagues in urging the enactment of certain legislative and election reform legislation. I believe that Congress must take the lead in both of these fields if we are to strengthen our political system in two very important areas.

On July 28, 1966, the Joint Committee on the Organization of the Congress filed a report wherein certain recommendations for the updating and modernizing of Congress were made. Without question, the recommendations contained in this report, if enacted into law, would make Congress a more effective institution for carrying out its basic functions. Unfortunately, to date, the Democratic leadership has failed to schedule this important matter for House consideration. Congress needs strengthening and modernizing and time is of the essence. Reforms should be enacted now so that the next Congress may utilize the new institutions and procedures. I have pledged my support and assistance in getting these important recommendations enacted into law.

One of the great political challenges of our times is presented by the much-discussed but long-delayed election and campaign contribution reform legislation. There have been a number of excellent studies and reports on this subject. Also, a special Commission on Campaign Contributions was appointed by President Kennedy, and in 1962 the report of this Commission sparked the introduction of several bills.

In order to keep this important matter moving forward, I together with the Republican leadership in the House of Representatives, prepared and introduced an election reform bill. This bill contains a number of significant improvements and reforms. For example, it would require every candidate for Federal office and every committee that supports such a candidate to report every contribution and every expenditure over $100. A five-member Federal Elections Commission would be established to receive and maintain the required reports and statements and to conduct investigations. And it would provide a special tax deduction of up to $100 for contributions to any candidate or to any organization supporting a candidate in any election. This deduction would be in addition to the standard deduction and would not be limited to those who itemize their deductions. I am hopeful that meaningful election reform legislation can be enacted this year. Certainly, such legislation is imperative before the 1968 Presidential campaign.

VISITORS

Mesa: Mr. and Mrs. O. P. Hancock, John E. Benton, John K. Kerr, M.D., Michael Sanora, Mr. and Mrs. Percy Pomeroy and Melissa, Mr. and Mrs. Harry Campbell, Mr. and Mrs. Paul Hunt, Paula, Nancy and Marsha, Bill Reilly, George Ude, Jr., Mr. and Mrs. Oscar Anderson, Dr. C. W. Burpo.

Scottsdale: Mr. and Mrs. D. S. Fleming, Mr. and Mrs. Larry Welch, Andy and Nancy, Mrs. Martha Jo Hunsaker, Curtis A. Jennings, Commander and Mrs. G. F. Sudbeck, Niel Fishback, Mr. and Mrs. Paul Messinger, Ken and David, Robert Macdonald, Lt. Col. Joseph P. Love, Mr. and Mrs. Leo Meyer.

Phoenix: Alton W. Thomas Bruce Donaldson Laurie Fried Bob Carlock Mrs. Al Romo Mr. and Mrs. E. S. McSweeny Brian Langston Mrs. R. G. Ring and Paul Mrs. M. Suhay Justin Herman Mr. and Mrs. Roswell R. Olson and Jim James Flynn Mrs. C. Eugene Griffen E. F. McIlroy Mr. and Mrs. Dennis D. Naughton, Karen and Mary Kay Mr. and Mrs. Urban Kapler Jeannie and Judy Ernst Fay Nelson Carol Ellison Pete Partridge Kern Lyons Mr. and Mrs. John P. Schroeder, Mary and Johnny Charles Bartlett, Jr. Mr. and Mrs. Claude E. Burk Mr. and Mrs. Cecil Wood and Kristi Pat Halsell Joe R. Benites Kreg Kirkham Keith Taylor Mrs. Carl Moller Don Charles, Jr. Mrs. Fred Bockman, Matt and Chris Mr. and Mrs. H. L. Mende J. B. Holmquist George Cassady Norbert J. Konzal Sandra Stuart Mr. and Mrs. Stanley Payne and June Judge and Mrs. G. M. Sterling and Ann Al Means R. H. Fulton Charles and Robert Miles Steve Sache Mr. and Mrs. John Johnston Rudy Zepeda Phoenix Brown and Stevan C. Courtland Clark Mr. and Mrs. B. L. Udell Dr. and Mrs. W. E. Hawkins Clarence L. Benson Aram Mardian Mr. and Mrs. Charles R. Smith Robert L. Parks Mrs. J. Paul Jones.

Chandler: Mrs. P. C. Bailey Mr. and Mrs. Robert Howard James V. Toler.

Tempe: Mr. and Mrs. J. F. Haverland Dr. and Mrs. R. E. David Mr. and Mrs. Phillip K. Clemens Richard J. Lease Woodie Carter George Wendt Bill Dresskell Dr. and Mrs. Vernon Garlach.

Glendale: Mr. and Mrs. John F. Bartell Mr. and Mrs. Rudolph Johnson, Julie, Janice, Kevin and Dennis.

Tucson: Mr. and Mrs. Donald S. Clark, Jr., Anne and Chip Mr. and Mrs. Guy Weinsapfel Mr. and Mrs. Calvin Burks, Kathy and Janell Dr. Robert B. Chisson.

Sahuarita: Frances F. Emmons.

Nogales: Ron McCoy.

Yuma: F. C. Braden.

Flagstaff: Jarret L. Campbell.

Report to Constituents

EXTENSION OF REMARKS
OF
HON. ANDREW JACOBS, JR.
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Monday, October 17, 1966

Mr. JACOBS. Mr. Speaker, the 89th Congress has been recognized as one of the greatest ever.

Following is a factual report to my constituents in the 11th Congressional District of Indiana concerning the major legislation dealt with during the 89th Congress:

REPORT TO CONSTITUENTS OF THE 11TH DISTRICT OF INDIANA

The 89th Congress inherited huge problems, products of generations of neglect. Instead of turning its back, the 89th faced them squarely—and found answers.

More of our young people will go to better schools, free, and stay until they graduate—because of the actions of the 89th. If we could use only a single phrase to describe the 89th, it would have to be called the "Education Congress." The Elementary and Secondary Education Act of 1965, a landmark program will invest millions in our understaffed, over-crowded schools. Many youngsters will be better citizens because the 89th acted decisively to meet America's education needs.

Older Americans will never forget that the 89th passed medicare, to guarantee that every American over 65 will have full medical and hospital services. This Congress also voted generous funds for research and treatment centers to attack our biggest killers: heart disease, cancer, strokes, and related ailments.

In so many ways, the 89th Congress was great—in conservation, in safety, to maintain prosperity, to help a growing America, in health, in education, in providing opportunity, and to provide for a responsible defense and foreign policy.

The 89th Congress has been a "do-something" Congress. It didn't close its ears when America demanded action. It heard—and moved America toward greatness.

A DO-SOMETHING CONGRESS

Americans live better today as a direct result of the legislative triumphs of the 89th Congress. Inspired by the President's pledge to keep America moving, the 89th supported more forward-moving programs than any half-dozen congresses in the past.

Today we have achieved full employment, with a higher standard of living for everyone who works. Business and industry have turned in record profits. Consumers can afford more—and better—products than ever before. All Americans take for granted a whole vista of opportunities to live full and happy lives.

It hasn't always been like this. In years past, Congress responded, but only haltingly—leaving many problems neglected and waiting for help. The 89th was a great legislative turning point. By any measurement the 89th's accomplishments are outstanding.

The 89th has fought America's fight—to save our cities, to reopen our classrooms for all who want to learn. It has moved to clean up our filthy air and our disease-infested water. It has launched massive programs, balancing quality with quantity, to beautify our highways, give a helping hand to the arts, and acquire new parks for recreation.

Perhaps most important, the 89th has strengthened state and municipal governments by easing the heavy financial pressures education imposes on local tax resources.

It's been a great two years! America has taken giant strides forward. The 89th laid the foundation for a truly great society.

"Never before has a Congress broken through opposition and precedent to set in motion so many new programs covering such a wide range of topics." *Chicago Daily News.* ". . . Congress can take pride in the record of the 89th. It is a record which equals, if it does not surpass the 'first hundred days' of 1933."—*Nashville Tennessean.* "Our national legislature, working hand in hand with the President, has sought to bring the United States boldly into the mid-20th century. In no country on earth today has there been charted a more massive onslaught on human misery, ignorance, disease, social discrimination and unequal opportunity."—*Boston Globe.* "It has been a great and heartening demonstration of the workability of our institutions in a time of rapid and almost revolutionary change. The President and the Congress together have written a great record of achievement without any departure from the principles of the Constitution, without any deviation from the appropriate separation of powers, without any corruption by patronage or impropriety. It is a record of which the President, the Congress and the country can be proud."—*Washington Post.* "No Congress since World War II or the depression of the '30s has worked this productively, none at closer grips with the people's troubles."—*Cleveland Plain Dealer.* "The President and the Congress have had their hearts and purses in the right places."—*Hartford Courant.* "Without doubt, this Congress has been the most productive in modern American history. The nation has been needing a congress like this."—*Denver Post.* "Congress has finally adopted numerous measures that have been crying for attention for years."—*Portland Express.*

THE SAFETY CONGRESS

America is second to none in scientific and technological accomplishments. But many inventions proved extremely dangerous.

More Americans died in traffic accidents than in all the wars combined. Each year, thousands more die because of inadequate drug licensing and controls.

Safety programs voted by the 89th Congress will make America a better place to live—and live longer!

Traffic Safety: Establishes mandatory safety performance standards for motor vehicles and tires, expands the national driver register for quick and easy identification of individuals whose driving privileges have been suspended or revoked, and provides funds to conduct program of safety research and development.

Highway Safety: Authorizes funds for 3-year highway safety program, with each state required to establish a highway safety program by Dec. 31, 1967, in order to receive full amount of federal aid highway funds to which it is entitled.

Drug Controls: Places stricter controls on the possession, distribution and disposal of depressing barbiturates and stimulating amphetamines.

THE HEALTH CONGRESS

American medical, surgical, and health know-how far surpasses the achievements of any other country in the world. For decades many of our citizens have gone untreated and uncared for. Hardest hit have been the very young and the very old—especially those from low-income families.

The 89th Congress has moved to provide fuller coverage and more health services for millions of Americans.

Medicare and Social Security: Establishes a basic hospital insurance program under social security for persons age 65 and over, a supplementary voluntary health insurance program to cover doctor bills and certain medical expenses, a 7-percent increase in old-age and survivors benefits, and increases benefits for the indigent, aged, blind and disabled, and needy children.

Regional Medical Centers: Launches program to develop twenty-five multi-purpose regional medical centers to fight heart disease, cancer, stroke and other major diseases.

Child Nutrition: Expands national school lunch and special milk programs, initiates new pilot breakfast program for needy school children and children who must travel long distances to school, and provides assistance for food preparation equipment in the schools.

Cigarette-Labeling: Requires every package and carton of cigarettes to carry a statement that "cigarette smoking may be hazardous to your health" and fixes penalties for violation.

Health Professions Education Assistance: Authorizes matching grants to construct teaching facilities for physicians, dentists, optometrists, pharmacists, podiatrists, and health technicians. Also offers scholarships and loans for needy student.

THE CONSERVATION CONGRESS

For over one hundred years, United States citizens have carelessly used up our natural resources and recklessly polluted much of our water supply. We have polluted a lot of the air above us, too.

The 89th Congress passed into law far-reaching measures to scrub America clean and save our diminishing resources. We're now on our way to purifying our precious supply of air and water. Thanks also to the 89th, America's highways will be things of beauty and we will have land sufficient for the outdoor recreational needs of this and future generations.

Air Pollution Control: Authorizes program to control air pollution from automobile exhausts and to develop improved solid waste disposal methods.

Rural Water Systems: Provides for new programs of grants for development of water supply and waste disposal systems in rural communities with less than 5,500 population.

Water Pollution Control: Extends and expands program to combat water pollution in interstate waters, and increases federal grants for research and construction of water pollution control projects.

Highway Beautification: Provides for control of billboards and junkyards along highways, and imposes penalties on states that fail to cooperate.

Oceanography: Authorizes expansion of oceanographic research and development of food, mineral, and other resources of the seas, Continental Shelves and Great Lakes.

Water resources: Ten year research program to investigate water resource problems.

THE PROSPERITY CONGRESS

A large share of the credit for the smoothly-growing American economy goes to the 89th Congress. We are today experiencing 68 months of uninterrupted prosperity. Skillful cutting of federal excise taxes, backed up by prudent investments in regional growth projects, made possible our unparalleled prosperity.

Maintaining the delicate balance between inflation and recession has been a tough job. But its been worth the trouble. Look at the results: Americans earn more, pay less, and live better today than have any people in the world's history.

Minimum Wage: Increases minimum wage for 29.6 million workers presently covered from $1.25 to $1.40 effective February 1, 1967, and to $1.60 effective February 1, 1968; and extends coverage to an estimated 8.1 million additional workers, including some 390,000 agricultural workers.

Regional Development: Provides grants and loans for public works, development facilities and other projects to aid economically depressed areas and to encourage regional economic development planning.

Appalachia: Authorizes a 6-year economic development program for the depressed 12-State Appalachia region, which includes construction of health facilities and vocational schools, land conservation, mining area reclamation, development of timber and water resources, and the building of a highway system.

Excise Tax Reduction: Reduces or repeals excise taxes on numerous items, including air conditioners, home appliances, automobiles, cosmetics, luggage, business machines, sporting goods, radio and television sets, club dues, and bowling alleys.

Anti-Inflation: Two separate bills have already been enacted to help homeowners and the homebuilding industry by reducing the demand for money and the constant upward pressure on interest rates.

THE OPPORTUNITY CONGRESS

America is the richest nation in man's memory, but some 20 million U.S. citizens—the seldom-seen, often ignored few—have never had a chance to share equally in our success.

Until the 89th took a hand, the poor, the elderly, the newcomers-to-our-shores, and the poorly trained were sometimes ignored. Starting in January, 1965, however, they got action. Not action in the form of a handout—but opportunities that will help them move ahead with America—on their own two feet.

Older Americans Administration: Creates Administration on Aging in the Department of Health, Education, and Welfare for the purpose of developing programs—at both the federal and state level—related to special needs of older Americans.

Anti-Poverty: Extends and expands anti-poverty programs, including programs for youth, community action, rural poverty, work experience and adult education.

Voting Rights: Provides for enforcement of 15th Amendment and authorizes federal registrars where local officials discriminate against potential voters.

Immigration: Replaces discriminatory national origins with a first-come, first-served system of preferential admissions for immigrants with advantageous skills, education or training, or close relatives in the United States.

Manpower Retraining: Extends and expands the Manpower Development and Training Act and a job development program to stimulate on-the-job training.

THE EDUCATION CONGRESS

Less than two weeks after he took office in 1965, President Johnson urged Congress to "push ahead with the number one business of the American people—the education of our youth in pre-schools, in elementary and secondary schools, and in the colleges and universities." The 89th Congress responded.

At the heart of its historic efforts to take the price tag off education are the Higher Education Act of 1965 and the Elementary and Secondary Education Act of 1965. Backing up these legislative triumphs in education are the Cold War GI Bill of Rights, the Library Services and Construction Act, and the National Arts Foundation.

Taken together, this network of federally financed programs means that any American—child or adult, rich or poor—can now afford a complete education.

Library Services and Construction: Authorizes funds for 5-year extension and expansion of library services and library construction program, and establishes three new programs providing for inter-library cooperation and library services for both institutionalized persons and the physically handicapped.

National Arts Foundation: Establishes a National Foundation on the Arts and Humanities to provide aid to individuals and groups for the purpose of encouraging and supporting the arts and humanities in the United States.

Higher Education: Provides scholarships for needy undergraduates, insured-interest private loans to graduate and undergraduate students. special help for college libraries and less developed colleges, and establishes National Teacher Corps and teacher fellowship program.

Elementary and secondary education: Provides funds to local educational agencies for aid to educationally deprived children from low-income families, grants for books, research and supplementary educational services, and more aid to federally impacted areas.

GI Bill of Rights: Establishes program of educational and other benefits, including guaranteed home loans, federal job preference, VA medical care for financially-needy veterans, for over 5 million veterans who have served in the Armed Forces since January 31, 1955.

Juvenile Delinquency Prevention: Finances special education, employment, and social work projects to aid in the prevention and control of juvenile delinquency.

CONGRESS FOR A GROWING AMERICA

It's amazing to realize that America is still growing—even after 190 years. Actually we're growing today faster than during any time in our history.

We do have serious growing pains: our cities are frequently over-crowded, our transportation systems are often cumbersome, our housing and schools are in bad repair, and our supply of fresh water can seldom keep pace with our growth.

These ills are mostly the by-product of a fast-moving economy. They've reached serious proportions in the last ten years. It was a serious-minded 89th Congress that decided forthrightly to do something about them. Not afraid to ask questions, and not afraid to find answers, the 89th Congress found solutions to many of our mid-20th century problems.

Urban Mass Transportation: Expands and extends program of assistance to public and private transportation companies in improving mass transportation systems, and establishes new programs for technical studies, managerial training fellowships and research and training in urban transportation problems.

Department of Housing: Establishes at cabinet level a Department of Housing and Urban Development to administer federal housing and urban development programs.

Omnibus Farm: Revises and extends wheat, feed grains, and National Wool Act programs, authorizes new acreage reduction and price support program for cotton, programs for dairymen, and cropland retirement program.

Omnibus Housing: Expands current urban renewal, college, and rural housing programs, adds rehabilitation grants and public housing for the handicapped, and provides help to low-income families in paying rent for decent housing.

Saline Water Conversion: Extends federal program to solve critical water problems in this country by investigating methods of converting sea and brackish water into fresh water.

Rapid Transit: Authorizes a three-year program of research and demonstration projects to develop high-speed, inter-city ground transportation.

IN DEFENSE AND FOREIGN POLICY: A RESPONSIBLE CONGRESS

The difficult task of standing firm for freedom and building peace in the world was faced responsibly by the 89th Congress. From the war in Vietnam to the arms control talks in Geneva, the 89th Congress has shown active leadership in defense and foreign policy. The 89th can be truly called "a responsible Congress."

Asian Development Bank: Authorizes U.S. to accept membership in, and provided funds for full amount of U.S. subscription to Asian Development Bank. Bank, to which 31 nations contribute, will make and guarantee loans for sound projects that will promote economic development of Asian countries.

Atomic Energy: Authorized funds for fiscal 1967 for operating expenses, plant and capital equipment, including money for underground tests of nuclear weapons.

Defense: Authorized funds for fiscal 1967 for procurement of aircraft, missiles, naval vessels, including nuclear-powered frigate and two destroyers, and for continuing defense research and development.

Food for Freedom: Provided funds for continuing program of food aid to foreign countries and broadly expanded expiring Food for Peace programs.

Food for India: Supported U.S. participation in international programs to ship emergency food aid to drought-stricken India.

Foreign Aid: Authorized funds for foreign economic and military aid, including technical assistance, to limited number of countries for 1 year, except for 3-year authorization for development loans and Latin American Alliance for Progress programs.

Inter-American Development Bank: Provided increase in U.S. contribution to Bank's Fund for Special Operations, which provides loans for high-priority economic and social development projects in Latin America.

International Monetary Fund: Increased U.S. contribution to International Monetary Fund (IMF) to help promote growth of world trade and bilateral credit facilities, strengthen position of IMF, finance temporary balance-of-payments deficits and increase Fund's holdings of major currencies.

Military: Authorized supplemental funds for fiscal 1966 for aircraft, missiles and combat vehicles, naval vessels, research and military construction due to Vietnam conflict.

Peace Corps: Amended Peace Corps Act of 1961 and authorized funds for its fiscal 1967 program of providing volunteers to some 40 countries.

Supplemental Foreign Aid: Authorized supplemental funds for economic assistance to Southeast Asia.

U.S. Arms Control: Extended for three years U.S. Arms Control Agency to provide it with greater opportunity for long-range planning for peace in directing and coordinating arms control matters, including conduct of negotiations and sponsorship of research.

SENATE

TUESDAY, OCTOBER 18, 1966

The Senate met at 12 o'clock meridian, and was called to order by the Vice President.

The Chaplain, Rev. Frederick Brown Harris, D.D., offered the following prayer:

Our Father God, help of the ages past, hope for the years to come, in the white of Thy holiness we know ourselves for what we are—petty, proud creatures who seek their own wills and whims in spite of the noble professions with which we come to Thee.

We would yield our flickering torch to the flame of Thy redeeming love.

Consecrate with Thy presence the way our feet may go, and the humblest work will shine, and the rough places be made plain.

May we become sure of Thee as men who watch through a long night know beyond all doubt or questioning that daylight has returned. Raise us up, forgive us, enhearten us, strengthen us, convince us. Send us forth as sons of the morning to bring Thy light to every shadowed life we meet. As every ray of sunshine leads back to the sun, so this hour teach our thoughts to travel up the road of Thy benedictions to Thyself,

"For every virtue we possess
And every victory won,
And every thought of holiness,
Are Thine alone."

For Thine is the kingdom and the power. Amen.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Monday, October 17, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND JOINT RESOLUTIONS

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that the President had approved and signed the following acts and joint resolutions:

On October 13, 1966:

S. 2434. An act to clarify authorization for the approval by the Administrator of the Federal Aviation Agency of the lease of a portion of certain real property conveyed to the city of Clarinda, Iowa, for airport purposes;

S. 3080. An act to amend section 8 of the Revised Organic Act of the Virgin Islands to increase the special revenue bond borrowing authority, and for other purposes;

S. 3096. An act to amend the Federal Airport Act to extend the time for making grants thereunder, and for other purposes;

S. 3807. An act to amend Public Law 89-428 to authorize the Atomic Energy Commission to enter into a cooperative arrangement for a large-scale combination nuclear power-desalting project, and appropriations therefor, in accordance with section 261 of the Atomic Energy Act of 1954, as amended;

S. 3830. An act to amend the Atomic Energy Act of 1954, as amended; and

S.J. Res. 108. Joint resolution to amend the joint resolution providing for membership of the United States in the Pan American Institute of Geography and History and to authorize appropriations therefor.

On October 14, 1966:

S. 2218. An act to establish a contiguous fishery zone beyond the territorial sea of the United States;

S. 3433. An act to make it a criminal offense to steal, embezzle, or otherwise unlawfully take property from a pipeline, and for other purposes;

S. 3500. An act to authorize the President to advance Maj. Gen. Robert Wesley Colglazier, Jr., to the grade of lieutenant general; and

S. 3715. An act to improve the aids to navigation services of the Coast Guard.

On October 15, 1966:

S. 405. An act for the relief of Gabriel A. Nahas and Vera Nahas;

S. 491. An act to provide for the establishment of the Bighorn Canyon National Recreation Area, and for other purposes;

S. 801. An act to improve the balance-of-payments position of the United States by permitting the use of reserved foreign currencies in lieu of dollars for current expenditures;

S. 1275. An act to authorize and direct the Secretary of the Treasury to cause the vessel *Elva L.*, owned by Harold Bunker, of Matinicus, Maine, to be documented as a vessel of the United States with coastwise privileges;

S. 1310. An act relating to the National Museum of the Smithsonian Institution;

S. 1607. An act to amend the act of September 13, 1962, authorizing the establishment of the Point Reyes National Seashore in the State of California, and for other purposes;

S. 2106. An act for the relief of Dr. Jose Joaquin Diaz Franquiz;

S. 2457. An act for the relief of Jorge Ajbuszyc Volsky;

S. 2463. An act to grant the consent of the Congress to the acceptance of certain gifts and decorations from foreign governments, and for other purposes;

S. 2587. An act for the relief of Dr. Hilda W. Perez de Gonzalez;

S. 2640. An act for the relief of Dr. Guillermo Rodriguez;

S. 2738. An act for the relief of Dr. Ezzat N. Asaad;

S. 2739. An act for the relief of Dr. Blanche L. Asaad;

S. 2761. An act for the relief of Dr. Julio Sanguily, Jr.;

S. 2771. An act for the relief of Hazel Louise Schuman Strunk;

S. 3035. An act to establish a program for the preservation of additional historic properties throughout the Nation, and for other purposes;

S. 3106. An act for the relief of Dr. Alberto L. Martinez.

S. 3112. An act to amend the Clean Air Act so as to authorize grants to air pollution control agencies for maintenance of air pollution control programs in addition to present authority for grants to develop, establish, or improve such programs; make the use of appropriations under the act more flexible by consolidating the appropriation authorizations under the act and deleting the provision limiting the total of grants for support of air pollution control programs to 20 percent of the total appropriation for any year; extend the duration of the programs authorized by the act; and for other purposes;

S. 3238. An act for the relief of Miss Matsue Sato;

S. 3423. An act to provide for the establishment of the Wolf Trap Farm Park in Fairfax County, Va., and for other purposes;

S. 3460. An act to authorize the Secretary of the Interior to enter into contracts for scientific and technological research, and for other purposes;

S. 3704. An act to provide for the striking of a medal in commemoration of the designation of Ellis Island as a part of the Statue of Liberty National Monument in New York, N.Y.;

S. 3809. An act to authorize the Public Printer to print for and deliver to the General Services Administration an additional copy of certain publications; and

S.J. Res. 153. Joint resolution to provide for the striking of medals in commemoration of the 50th anniversary of the Federal land bank system in the United States.

On October 16, 1966:

S. 1375. An act providing a method for determining the amount of compensation to which certain individuals are entitled as reimbursement for damages sustained by them due to the cancellation of their grazing permits by the U.S. Air Force; and

S. 3158. An act to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes.

THIRD ANNUAL REPORT ON SPECIAL INTERNATIONAL EXHIBITIONS

The VICE PRESIDENT laid before the Senate the following message from the President of the United States, transmitting the third annual report on special international exhibitions, which was referred to the Committee on Foreign Relations:

To the Congress of the United States:

I am transmitting the Third Annual Report on Special International Exhibitions for the fiscal year 1965 pursuant to section 108(b) of the Mutual Educational and Cultural Exchange Act of 1961—Public Law 87-256.

These national exhibitions are presented primarily in Eastern Europe and the developing countries. Their primary purpose is to focus attention on our economic, social, and cultural attainments, and show how these harmonize with the aspirations and capabilities of the host countries. In doing so, these U.S. pavilions also contribute to mutually profitable trade relationships.

This effort in support of American foreign policy objectives would not be possible without the significant contributions in materials, time, and talent from hundreds of American private firms and institutions. Thanks to their help, this program is now a vital adjunct to this country's pursuit of peace, freedom, and human dignity for all mankind.

I am also gratified by the support that the Congress has given this program since it began more than a decade ago.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 18, 1966.*

Enclosures:

1. Letter of transmittal.
2. Report.

INTERNATIONAL CONVENTION FOR THE CONSERVATION OF ATLANTIC TUNAS—REMOVAL OF INJUNCTION OF SECRECY

Mr. MANSFIELD. Mr. President, as in executive session, I ask unanimous consent that the injunction of secrecy be removed from Executive U, 89th Congress, 2d session, the International Convention for the Conservation of Atlantic Tunas, signed at Rio de Janeiro under date of May 14, 1966, transmitted to the Senate today by the President of the United States and that the convention, together with the President's message, be referred to the Committee on Foreign Relations, and that the President's message be printed in the RECORD.

The VICE PRESIDENT. Without objection, it is so ordered.

The message from the President is as follows:

To the Senate of the United States:

With a view to receiving the advice and consent of the Senate to ratification, I transmit herewith a certified copy of the International Convention for the Conservation of Atlantic Tunas, signed at Rio de Janeiro under date of May 14, 1966. The convention was signed at that time by the Governments of Brazil, Spain, and the United States of America.

I transmit also, for the information of the Senate, the report by the Acting Secretary of State with respect to the convention.

It is generally agreed by the fishery experts of the United States and other interested countries that the recent rapid increase in the exploitation of Atlantic tunas has created an urgent need for the establishment of effective international arrangements for the research and management of these tunas. This will require the collection and analysis of large quantities of oceanographic and biostatistical data over a broad geographic area involving widespread fieldwork and use of complex and highly sophisticated biological and statistical procedures. The broad experience of the United States in dealing with high seas conservation problems has demonstrated that the most effective means, in some cases the only effective means, of dealing with such problems is by international agreement. Such an agreement provides for the establishment of a Commission and sets forth the terms of reference for the Commission with respect to the resource covered. Parties to the agreement, those countries directly concerned with the problem, are represented on the Commission. The International Convention for the Northwest Atlantic Fisheries, the International North Pacific Fur Seal Convention, the International North Pacific Fisheries Convention, and the Inter-American Tropical Tuna Convention are examples of such agreements.

The present convention would establish the International Commission for the Conservation of Atlantic Tunas to carry out these functions with regard to the resources of tunas and tuna-like fishes of the Atlantic Ocean. It was negotiated by a Conference of Plenipotentiaries, convened by the Food and Agriculture Organization of the United Nations, at which the representatives of 17 States participated which have a mutual interest in the conservation and rational exploitation of these fishes.

The convention is patterned to a large extent after the International Convention for the Northwest Atlantic Fisheries. It will be administered by a Commission of representatives of all member states and provision is made for panels dealing with individual species, groups of species, or geographic areas. All members of the United Nations system are eligible for membership and it is expected that substantially all states whose fishermen harvest Atlantic tunas, whose industries process tunas from this area, or whose seacoast is contiguous to the areas where these fish are taken will become parties to the convention. The United States has an important interest in the Convention because of the substantial and growing catch taken by American fishermen from Atlantic tuna stocks, because of the increasing dependence of American tuna canners on Atlantic tuna purchased from American and foreign fishermen to meet the growing demand of the American market, and because of the strong interest of American sportsmen in maintaining the stocks of tuna and billfishes which are greatly prized as sport fish.

I recommend that the convention be given early and favorable consideration by the Senate.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 18, 1966*.

Enclosures:

1. Report of the Acting Secretary of State.
2. Commentary.
3. Certified copy of International Convention for the Conservation of Atlantic Tunas.
4. Certified copy of final act of the Conference on the conservation of Atlantic Tunas.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 3230. An act to authorize the Board of Regents of the Smithsonian Institution to negotiate cooperative agreements granting concessions at the National Zoological Park to certain nonprofit organizations and to accept voluntary services of such organizations or of individuals, and for other purposes; and

S. 3675. An act to amend title V of the International Claims Settlement Act of 1949 to provide for the determination of the amounts of claims of nationals of the United States against the Chinese Communist regime.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 115) to request return of S. 3488 from the President of the United States, to rescind the signatures of the Speaker and President pro tempore of the Senate and reenroll it with corrections.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2947) to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15857) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes.

The message also announced that the House had concurred in the amendment of the Senate numbered 3 to the bill (H.R. 3348) to authorize a program for the construction of facilities for the teaching of veterinary medicine and a program of loans for students of veterinary medicine, and that the House disagreed to the amendments of the Senate numbered 1 and 2 of the bill.

The message further announced that the House had passed the following bills of the Senate, severally with an amendment, in which it requested the concurrence of the Senate:

S. 1349. An act to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length;

S. 1760. An act to authorize the acceptance of a settlement of certain indebtedness of Greece to the United States and to authorize the use of the payments resulting from the settlement for a cultural and educational exchange program;

S. 1861. An act to provide additional assistance for areas suffering a major disaster;

S. 3008. An act to amend the Public Health Service Act to promote and assist in the extension and improvement of comprehensive health planning and public health services, to provide for a more effective use of available Federal funds for such planning and services, and for other purposes;

S. 3148. An act to provide for the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the city of El Paso, Tex.; and

S. 3887. An act to amend title 10, United States Code, to permit persons from countries friendly to the United States to receive instruction at the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy, and for other purposes.

The message also announced that the House had passed the following bills of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 1496. An act to repeal the provisions of law codified in title 5, section 39, United States Code, and for other purposes; and

S. 2893. An act to amend section 208(c) of the Interstate Commerce Act to provide that certificates issued in the future to motor common carriers of passengers shall not confer, as an incident to the grant of regular route authority, the right to engage in special or charter operations.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 13196) to amend the Public Health Service Act to increase the opportunities for training of medical technologists and personnel in other allied health professions, to improve the educational quality of the schools training such allied health professions personnel, and to strengthen and improve the existing student loan programs for medical, osteopathic, dental, podiatry, pharmacy, optometric, and nursing students, and for other purposes.

ENROLLED BILLS SIGNED

The message also announced that the Speaker had affixed his signature to the following enrolled bills:

H.R. 7648. An act to authorize long-term leases on the San Xavier and Salt River Pima-Maricopa Indian Reservations, and for other purposes; and

H.R. 17637. An act making appropriations for military construction for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. MUSKIE, from the Committee on Government Operations, without amendment:

H.R. 15335. An act to amend the act entitled "An act to establish an Advisory Commission on Intergovernmental Relations," approved September 24, 1959 (Rept. No. 1747).

By Mr. ERVIN, from the Committee on the Judiciary, without amendment:

H.R. 872. An act to amend the provisions of title 18 of the United States Code relating to offenses committed in Indian country (Rept. No. 1770).

By Mr. ERVIN, from the Committee on the Judiciary, with amendments:

H.R. 9778. An act to amend titles 10 and 37, United States Code, to codify recent military law, and to improve the Code (Rept. No. 1748).

Mr. JACKSON subsequently said: Mr. President, earlier today the chairman of the Committee on the Judiciary reported favorably the administration bill, H.R. 9778, to amend titles 10 and 37 of the United States Code, to codify recent military law, and to improve the Code.

The amendments are of a technical nature; and I ask unanimous consent that the amendments not be printed in the RECORD when the bill is considered.

The VICE PRESIDENT. Without objection, it is so ordered.

By Mr. McCLELLAN, from the Committee on the Judiciary, without amendment:

S. 1406. A bill for the relief of CWO Charles M. Bickart, U.S. Marine Corps (retired) (Rept. No. 1771);

S. 2474. A bill for the relief of Henriette Lecordier Redmon (Rept. No. 1772);

S. 2510. A bill for the relief of the city of El Dorado, Kans. (Rept. No. 1773);

S. 2677. A bill for the relief of Kathleen Styles (Rept. No. 1774);

S. 2913. A bill for the relief of Charles H. Thurston (Rept. No. 1775);

S. 2925. A bill for the relief of Chester E. Davis (Rept. No. 1776);

S. 3050. A bill for the relief of Marina Panagiotis Restos (Rept. No. 1777);

S. 3111. A bill for the relief of John W. Rogers (Rept. No. 1778);

S. 3115. A bill for the relief of Henri P. Boutin (Rept. No. 1779);

S. 3144. A bill for the relief of the estate of Patrick E. Eagan (Rept. No. 1780);

S. 3208. A bill for the relief of Kimiko Bethard (Rept. No. 1781);

S. 3241. A bill for the relief of Dr. Pablo A. Suarez (Rept. No. 1782);

S. 3535. A bill for the relief of Dr. Fernando O. Garcia-Hernandez (Rept. No. 1783);

S. 3564. A bill for the relief of Mary Rose Giannone (Rept No. 1784);

S. 3572. A bill for the relief of Dr. Sherif Shafey (Rept. No. 1785);

H.R. 1328. An act for the relief of Glenn D. Humes (Rept. No. 1786);

H.R. 1388. An act for the relief of Maj. Ralph D. Caldwell (Rept. No. 1787);

H.R. 2266. An act to provide for the settlement of claims resulting from an explosion at a U.S. ordnance plant in Bowie County, Tex., on July 8, 1963 (Rept. No. 1788);

H.R. 3075. An act for the relief of Bryce A. Smith (Rept. No. 1789);

H.R. 3137. An act for the relief of McKoy-Helgerson Co. (Rept. No. 1790);

H.R. 3500. An act for the relief of Mrs. Emilie Boulay (Rept. No. 1791);

H.R. 3536. An act for the relief of George R. Lore (Rept. No. 1792);

H.R. 3537. An act for the relief of Albert Carter (Rept. No. 1793);

H.R. 3557. An act conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Solomon S. Levadi (Rept. No. 1750);

H.R. 3993. An act to authorize the issuance of certificates of citizenship in the Canal Zone (Rept. No. 1794);

H.R. 4077. An act for the relief of Jean A. Quaintance (Rept. No. 1795);

H.R. 4454. An act for the relief of Herman Feldman (Rept. No. 1751);

H.R. 4457. An act for the relief of Robert L. Miller and Mildred M. Miller (Rept. No. 1796);

H.R. 5956. An act relating to applications for writs of habeas corpus by persons in custody pursuant to judgments of State courts (Rept. No. 1797);

H.R. 5969. An act for the relief of Dr. Raul R. Morfi (Rept. No. 1798);

H.R. 6035. An act for the relief of the estate of Maj. John W. Roy, and for other purposes (Rept. No. 1799);

H.R. 7026. An act for the relief of Nathan Levine (Rept. No. 1800);

H.R. 7382. An act to amend section 1391 of title 28 of the United States Code relating to venue (Rept. No. 1752);

H.R. 8937. An act for the relief of Charles A. Turner (Rept. No. 1801);

H.R. 9036. An act for the relief of J. M. Pendarvis, Jr. (Rept. No. 1753);

H.R. 9213. An act for the relief of William A. Buzbee (Rept. No. 1802);

H.R. 9217. An act for the relief of certain civilian employees of the Department of the Army at Fort Sam Houston, Tex. (Rept. No. 1803);

H.R. 10151. An act for the relief of Dr. Luis Crespo (Rept. No. 1804);

H.R. 11467. An act for the relief of CWO Joseph J. McGavin (Rept. No. 1754);

H.R. 11570. An act for the relief of James R. Kemp (Rept. No. 1805);

H.R. 11617. An act for the relief of Jun Becky (Rept. No. 1806);

H.R. 11676. An act for the relief of Johnny R. Bradley and others (Rept. No. 1807);

H.R. 12237. An act for the relief of Tri-States Construction Co., Inc. (Rept. No. 1755);

H.R. 12512. An act for the relief of Carl V. Elliott (Rept. No. 1756);

H.R. 12826. An act for the relief of Kim Kap Yung (Rept. No. 1808);

H.R. 13683. An act for the relief of Robert A. Ivins (Rept. No. 1757);

H.R. 13800. An act for the relief of Sp5c. Ronald J. Olson, U.S. Army, retired (Rept. No. 1809);

H.R. 14174. An act for the relief of Esteban Fernandez Noda (Rept. No. 1810);

H.R. 14233. An act for the relief of Beatriz Diaz (Rept. No. 1811);

H.R. 14525. An act for the relief of Thomas C. Macpherson, Jr. (Rept. No. 1758);

H.R. 14615. An act for the relief of certain members and former members of the Army on whose behalf erroneous payments were made for storage of household goods (Rept. No. 1812);

H.R. 14819. An act for the relief of Mr. and Mrs. William Nussbaum (Rept. No. 1813);

H.R. 14920. An act for the relief of Mario del Carmen Bermudez (Rept. No. 1814);

H.R. 14990. An act for the relief of Herman Adams, doing business as the Adams Manufacturing Co. (Rept. No. 1759);

H.R. 15251. An act for the relief of Walter W. Taylor (Rept. No. 1760);

H.R. 15297. An act for the relief of Leonard G. Duffy, lieutenant, U.S. Navy (Rept. No. 1761);

H.R. 16074. An act to cancel certain unpaid interest accrued after September 30, 1931, on loans made to World War I veterans upon the security of adjusted-service certificates (Rept. No. 1762);

H.R. 16977. An act for the relief of Eugene G. Peterson, Harry E. Byers, and Russell W. Jordan (Rept. No. 1815);

H.R. 17260. An act for the relief of Robert A. Jellison (Rept. No. 1816); and

H.R. 17261. An act for the relief of Augustus J. Theodore (Rept. No. 1817).

By Mr. McCLELLAN, from the committee on the Judiciary, with an amendment:

S. 2695. A bill for the relief of Rosanna Genovese (Rept. No. 1818);

S. 2798. A bill for the relief of CWO Glen Zeigler, U.S. Navy (retired) (Rept. No. 1749);

S. 3223. A bill for the relief of Dr. Jesus L. Lastra (Rept. No. 1819);

S. 3233. A bill for the relief of Dr. Roberto E. Parajon and Maria C. Florin Parajon, his wife (Rept. No. 1820);

S. 3257. A bill for the relief of certain employees of the Puget Sound Naval Shipyard (Rept. No. 1821);

S. 3258. A bill for the relief of Deniz Hikmet Sen Manes (Rept. No. 1822);

S. 3278. A bill for the relief of Ernesto Sanchez Jerez (Rept. No. 1823);

S. 3559. A bill for the relief of Nachman Bench (Rept. No. 1824);

S. 3674. A bill for the relief of Chun Moon Hee (Hi) (Rept. No. 1825);

S. 3713. A bill for the relief of Julio Juan Castellanos Lopez (Rept. No. 1826);

S. 3790. A bill for the relief of Dr. Luis G. Dediot (Rept. No. 1827);

S.J. Res. 124. Joint resolution to establish the Golden Spike Centennial Celebration Commission (Rept. No. 1828); and

H.R. 3689. An act for the relief of Juanita Cereguine de Burgh (Rept. No. 1829).

By Mr. McCLELLAN, from the Committee on the Judiciary, with amendments:

S. 2254. A bill for the relief of Jesse C. Johnson (Rept. No. 1830);

S. 2396. A bill for the relief of Alton R. Conner (Rept. No. 1831);

S. 3137. A bill for the relief of Hye Huk Paeng (Rept. No. 1832); and

S. 3448. A bill for the relief of Capt. Robert C. Crisp, U.S. Air Force (Rept. No. 1833).

By Mr. INOUYE, from the Committee on Armed Services, without amendment:

H.R. 18019. An act to authorize the Secretary of the Army to construct an addition at the Walter Reed Army Medical Center, Washington, D.C. (Rept. No. 1766).

By Mr. YOUNG of Ohio, from the Committee on Armed Services, without amendment:

H.R. 13320. An act to authorize the disposal of industrial diamond stones from the national stockpile and the supplemental stockpile (Rept. No. 1767);

H.R. 13661. An act to authorize the disposal of battery-grade synthetic manganese dioxide from the national stockpile (Rept. No. 1768); and

H.R. 13370. An act to authorize the disposal of fused crude aluminum oxide from the national stockpile and the supplemental stockpile (Rept. No. 1769).

By Mr. LONG of Louisiana, from the Committee on Finance, without amendment:

H.R. 14363. An act to amend the Internal Revenue Code of 1954 to provide rules relating to the deduction for personal exemptions for children of parents who are divorced or separated (Rept. No. 1764).

By Mr. LONG of Louisiana, from the Committee on Finance, with amendments:

S. 3580. A bill to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes (Rept. No. 1763); and

H.R. 17488. An act to amend title 38 of the United States Code so as to increase the rates of pension payable to certain veterans and their widows, and for other purposes (Rept. No. 1765).

By Mr. BREWSTER, from the Committee on Commerce, with amendments:

H.R. 11475. An act to provide for the control or elimination of jellyfish and other such pests in the coastal waters of the United States (Rept. No. 1834).

By Mr. HOLLAND, from the Committee on Agriculture and Forestry, without amendment:

S. 3699. A bill to require the Secretary of Agriculture and the Director of the Bureau of the Budget to make a separate accounting of funds requested for the Department of Agriculture for programs and activities that primarily stabilize farm income and those that primarily benefit consumers, businessmen, and the general public, and for other purposes (Rept. No. 1836); and

H.R. 12360. An act to permit the sale of grain storage facilities to public and private nonprofit agencies and organizations (Rept. No. 1835).

By Mr. ELLENDER, from the Committee on Agriculture and Forestry, without amendment:

S. 433. A bill to authorize the Secretary of Agriculture to sell certain land in Lander, Wyo., and for other purposes (Rept. No. 1837).

EXECUTIVE REPORTS OF COMMITTEES

Mr. INOUYE. Mr. President, from the Committee on Armed Services, I report favorably the nominations of 51 general officers in the Army and Air Force. I ask that these nominations be placed on the Executive Calendar.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered to be placed on the Executive Calendar, are as follows:

Brig. Gen. William Henry Baumer, and sundry other Army Reserve officers, for promotion as Reserve commissioned officers of the Army;

Brig. Gen. George Morris Gelston, and sundry other Army National Guard officers, for appointment as Reserve commissioned officers of the Army;

Maj. Gen. John S. Hardy, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade of lieutenant general;

Lt. Gen. Benjamin J. Webster (major general, Regular Air Force) U.S. Air Force, to be placed on the retired list in the grade of lieutenant general;

Brig. Gen. Robert Lee Rhea, Jr., Army of the United States (colonel, U.S. Army), and sundry other officers, for appointment in the Regular Army of the United States; and

Maj. Gen. John Joseph Davis, U.S. Army, to be assigned to a position of importance and responsibility designated by the President, in the grade of lieutenant general.

Mr. INOUYE. Mr. President, in addition, I report favorably the nominations of 3,505 officers for promotions in the Army in the rank of major and captain. Since these names have already appeared in the CONGRESSIONAL RECORD, in order to save the expense of printing on the Executive Calendar, I ask unanimous consent that they be ordered to lie on the Secretary's desk for the information of any Senator.

The VICE PRESIDENT. Without objection, it is so ordered.

The nominations, ordered to lie on the desk, are as follows:

Walter H. Abbott, and sundry other officers, for promotion in the Regular Army of the United States.

By. Mr. COTTON, from the Committee on Commerce:

Ralph J. Land, to be lieutenant, and James W. Leggate, to be lieutenant (junior grade) for permanent appointment in the Environmental Science Services Administration.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. DODD (for himself, Mr. HART, and Mr. CLARK):

S. 3919. A bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation, and for other purposes; to the Committee on Commerce.

(See the remarks of Mr. DODD when he introduced the above bill, which appear under a separate heading.)

By Mr. KENNEDY of Massachusetts (for Mr. PELL):

S. 3920. A bill for the relief of Mrs. Mary Maselli Panunzio; to the Committee on the Judiciary.

By Mr. KUCHEL (for Mr. GRIFFIN):

S. 3921. A bill to provide for the recognition of the Polish Legion of American Veterans by the Secretary of Defense and the Administrator of Veterans' Affairs; to the Committee on Finance.

By Mr. HART:

S. 3922. A bill to provide for the inspection by the U.S. Department of the Interior of fish and fishery products; to the Committee on Commerce.

(See the remarks of Mr. HART when he introduced the above bill, which appear under a separate heading.)

By Mr. HILL:

S. 3923. A bill for the relief of Harold Donald Koza; and

S. 3924. A bill for the relief of Eladio Ruiz DeMolina; to the Committee on the Judiciary.

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. MANSFIELD, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

ESTABLISHMENT OF A FEDERAL MOTOR VEHICLE INSURANCE GUARANTY CORPORATION

Mr. DODD. Mr. President, on behalf of myself, the distinguished senior Senator from Michigan [Mr. HART], and the distinguished senior Senator from Pennsylvania [Mr. CLARK], I introduce for appropriate reference, a bill to establish a Federal Motor Vehicle Insurance Guaranty Corporation.

My purpose in introducing this legislation now is to encourage study and discussion among my colleagues, the insurance industry, State insurance officials, and the general public. I intend to press for action on this or a similar bill early in the 1st session of the 90th Congress.

This legislation is based on information that we developed during and following hearings of the Senate Antitrust and Monopoly Subcommittee in May 1965. The hearings and our in-depth investigation show that since 1960, 65 companies writing motor vehicle insurance have been placed in liquidation or receivership. These companies are called "high risk" because they write mainly coverages for motorists who are unable to obtain auto insurance in the regular marketplace.

We found during our investigation that nearly one-half of these insolvencies were caused by specific acts of dishonesty practiced by company management.

The remaining insolvencies were caused by the failure of management to act in the best interest of the company.

The tragedy of these insolvencies is the unbelievable financial suffering caused to some 300,000 unfortunate policyholders and injured parties. When this scandalous chapter in insurance history is finally closed, these claimants will have lost well over $100 million.

The problem of auto insurance insolvency is not new, and it is not limited to those companies writing this high-risk, high-rate business.

Studies show that from 1945 to 1959, some 98 property and casualty insurers were declared insolvent and liquidated. All of these insurers wrote at least some automobile business, with most writing a predominance of it. It is now estimated that the public lost some $150 million as a result of these failures.

Thus from 1945 to date, years of unparalleled prosperity and at the same time a period of intensive State rate, reserve, and investment regulation, auto insurer failures have cost the public $250 million.

Our studies indicate that in a number of cases lax regulatory practices by State officials permitted conditions to exist which eventually led to financial disaster. Inadequate insurance department budgets and occasional apathy by regulatory officials contributed to this staggering financial loss.

In addition, the absence of effective coordination among the States was a factor in many insolvencies.

But insurance regulators have told us that even under the best of conditions acts of managerial malfeasance and careless management practices cannot always be detected in time to avert insolvency. They say that regulation and examination will not eliminate the basic cause of insolvency—human frailty. They do agree, however, that more money, better trained personnel, and higher quality examinations would certainly help check insolvencies and reduce losses in many instances. But it would not eliminate all insolvencies and consequent losses.

Our studies substantiate the views of these regulators, and also indicate that in the present keenly competitive automobile insurance climate with relative freedom of entry into the business, it is extremely doubtful that regulation and examinations alone can be expected to protect the public from insolvency losses. I think that it is obvious today that managerial judgment may lead to success as well as failure unless, of course, we want to eliminate insolvency by granting monopolies, or by giving subsidies to the weaker companies or by even attempting to reform human nature. And I for one do not propose that we do any of these.

Three States, New York in 1947, New Jersey in 1952, and Maryland in 1965, recognized the wisdom of having guaranty or security funds to compensate the victims of auto insurer insolvencies. These States know that adequate and effective insurance regulation entails quality examinations and guaranty funds. That this fact has long been known to the Federal Government in the financial field is evidenced by the Federal Savings and Loan Insurance Corporation.

This very session, Congress has strengthened the protection afforded by these Corporations through the Financial Institutions Supervisory Act of 1966, and other measures.

There is no question that the FDIC and the FSLIC have greatly benefited the public, and the banking and savings and loan institutions themselves.

As opposed to these laws as many of the banks and savings and loan associations were at one time, there is not one of them who would now dispute the wisdom of their enactment.

There is little that we can do to alleviate the terrible financial suffering caused by past auto insurance insolvencies. But we can and must prevent these tragic financial losses from happening in the future.

I believe that the Federal Motor Vehicle Insurance Guaranty system proposed in this bill would reduce both the frequency of auto insurer insolvencies and the magnitude of financial loss. It would be of definite benefit both to the public and to the insurance business itself.

This bill includes many of the features of the FDIC and FSLIC legislation, and the auto insurer guaranty funds of New York, New Jersey, and Maryland.

The basic purpose of this legislation is to guarantee the contractual performance of insurers issuing policies of motor vehicle insurance in interstate commerce. It also provides coverage for insurers issuing policies in intrastate commerce if they wish to apply for guarantee status. But interstate insurers must apply for guarantee status within 1 year after enactment of this bill.

Once any insurer with guaranteed status is declared insolvent by a local State court, the Corporation will assume any pending claims arising out of policies guaranteed by it, and any other claims filed during the course of the liquidation or receivership proceedings. The Corporation would adjust and settle any such claims, of course, only up to the policy limits. Provision is also made for mandatory deductibles on each claim.

On the payment of any claim, the Corporation would succeed to the rights of the policyholder or assured as against the estate of the insolvent insurer. Thus, the Corporation would wait in line for an eventual distribution instead of policyholders and injured party claimants.

A "fund," consisting initially of $50 million capitalized through the Treasury, to be later repaid, would be self-supporting by means of a nominal semiannual charge of one-eighth of 1 percent of each insurer's net direct premium writings. This would be established in the Treasury, and would be available to the Corporation to carry out its guarantee functions. All administrative costs of the Corporation, including those of examinations, will be borne by the "fund."

The guarantee fee computed on an annual basis would mean a charge of 37½ cents to 75 cents on the average auto insurance policy.

Once this fund reaches a ceiling of 2 percent of the net direct premium writings of all insurers with guaranteed status, the Corporation would waive the fee requirement as long as the fund remains at this 2 percent level.

In carrying out its examination functions, it would be the intent of Congress that all examinations conducted by the Corporation would be coordinated with the appropriate State supervisory authorities and with the National Association of Insurance Commissioners.

The Corporation's examination powers are intended only to reinforce, not to supplant, State insurance regulations and examinations. There is no intention on my part to have the Federal Government control the regulation of auto insurers. In fact, the Corporation would be required to notify the appropriate State supervisory authority before any action is taken with respect to recommendations based on its examinations, such as the termination of guarantee status.

Mr. President, I ask unanimous consent to have the bill and a section by section analysis printed in the RECORD.

Mr. President, I think this is a reasonable proposal. It is a bill that I have spent a great deal of time thinking about and working on, and I believe it is a necessary step if we are to save thousands of innocent persons from financial hardship, and even ruin in some cases.

I also ask unanimous consent that the bill be kept at the desk until the Senate adjourn sine die, so that other Senators will have an opportunity to join as cosponsors.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill and section-by-section analysis will be printed in the RECORD, and the bill will lie on the desk, as requested by the Senator from Connecticut [Mr. DODD].

The bill (S. 3919) to establish a Federal Motor Vehicle Insurance Guaranty Corporation, and for other purposes, introduced by Mr. DODD (for himself and other Senators), was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the RECORD, as follows:

S. 3919

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act entitled "An Act to express the intent of Congress with reference to the regulation of the business of insurance", approved March 9, 1945 (59 Stat. 33, 15 U.S.C. 1011 et seq.), is amended by adding at the end thereof a new title as follows:

"TITLE II—FEDERAL MOTOR VEHICLE INSURANCE GUARANTY CORPORATION

"Short title

"SEC. 201. This title may be cited as the 'Federal Motor Vehicle Insurance Guaranty Act'.

"Definitions

"SEC. 202. As used in this title—

"(1) The term 'insurer' means any partnership, corporation, association, reciprocal exchange, inter-insurer, or any other legal entity engaged in the business of issuing motor vehicle insurance policies in interstate commerce, or engaged in the business of issuing motor vehicle insurance policies which are reinsured (in whole or in part) in interstate commerce.

"(2) The term 'motor vehicle insurance policy' or 'policy', means any contract of motor vehicle insurance, without regard to the nature or form of the contract, insuring against legal liability and all other loss contingencies arising out of the ownership, operation, or maintenance of motor vehicles.

"(3) The term 'net direct written premiums' means direct gross premiums written on motor vehicle insurance policies, less return premiums thereon and dividends paid to policyholders on such direct business. For the purposes of this subsection, premiums written on motor vehicle insurance policies issued to self-insurers, whether or not designated as reinsurance contracts, shall be deemed 'net direct written premiums'.

"(4) The term 'injured party claim' means a claim of a person, other than a policyholder or assured, who suffered an injury to his person or property, or a claim of a policyholder or assured for reimbursement for payments made to another party for personal injuries or property damage, arising out of a motor vehicle accident within the coverage of a policy.

"(5) The term 'policyholder claim' means (A) a claim of a policyholder or assured within the coverage of a policy, arising out of a motor vehicle accident wherein such policyholder or assured suffered damage within the coverage of the policy, or (B) any other claim of a policyholder or assured who has suffered any other losses arising out of contingencies covered under a policy.

"(6) The term 'interstate commerce' means trade or commerce among the several States, or between the District of Columbia or any possession of the United States and any State or other possession, or within the District of Columbia.

"(7) The term 'State' means any State, or any possession of the United States, the District of Columbia, and the Commonwealth of Puerto Rico.

"Establishment of corporation

"SEC. 203. (a) There is hereby established a Federal Motor Vehicle Insurance Guaranty Corporation (hereinafter referred to as the 'Corporation') which shall guaranty the contractual performance of certain insurers and other entities issuing motor vehicle insurance policies.

"(b) The management of the Corporation shall be vested in a Board of Directors (hereinafter referred to as the 'Board') consisting of three members appointed by the President by and with the advice and consent of the Senate. Not more than two members of the Board shall be members of the same political party. The President shall, at the time of appointment, designate one of the members of the Board to serve for a term of two years, one for a term of four years, and one for a term of six years. Thereafter the term of each member appointed to the Board shall be six years from the date of the expiration of the term for which his predecessor was appointed. Whenever a vacancy shall occur among the members of the Board the person appointed to fill such vacancy shall hold office for the unexpired portion of the term of the member whose place he is selected to fill. The President shall designate one of the members as chairman of the Board. In the absence of the chairman or in the event of his disability the duties of his office shall be performed by one of the other members of the Board to be designated by the chairman.

"(c) The Corporation shall have a capital stock of $50,000,000 which shall be divided into shares of $1,000 each. The total amount of such capital stock shall be subscribed for by the Secretary of the Treasury. For the purpose of making payments for such stock the Secretary of the Treasury is authorized to use as a public debt transaction the proceeds of the sale of any securities hereafter issued under the Second Liberty Bond Act, and the purposes for which securities may be issued under such Act are extended to include such purchases.

"(d) Upon the date of enactment of this title, the Corporation shall become a body corporate and shall be an instrumentality of the United States, and as such shall have power—

"(1) To adopt, alter, and use a corporate seal.

"(2) To adopt, amend, and repeal bylaws governing the performance of its powers and duties.

"(3) To have succession until dissolved by Act of Congress.

"(4) To make contracts, and execute all instruments necessary or appropriate in the exercise of its powers.

"(5) To sue and be sued, complain and defend, in any court of competent jurisdiction in the United States or its territories or possessions or the Commonwealth of Puerto Rico. No attachment or execution shall be issued against the Corporation or its property. The Board shall designate agents upon whom service of process may be made.

"(6) To appoint such officers, employees, attorneys and agents as may be necessary for the performance of its duties.

"(7) To exercise by the Board, or duly authorized officers or agents, all powers specifically granted by this title, and such incidental powers as may be necessary to carry out the powers so granted.

"(8) To prescribe by the Board such rules and regulations as it may deem necessary to carry out the provisions of this title.

"(e) Except as otherwise provided in this title, the Government Corporation Control Act, or any other Act of Congress, the Corporation shall determine the necessity for and the character and amount of its obligations and expenditures, and the manner in which they shall be incurred, allowed, paid, and accounted for.

"(f) The Corporation shall be entitled to the free use of the mails in the same manner as the executive departments of the Government, and, with the consent of the head of any department or agency of the Government, may avail itself of the use of information, services, and facilities thereof in carrying out the provisions of this title.

"(g) The Corporation, including its capital, reserves, surplus, or other security holdings, and income shall be exempt from all taxation now or hereafter imposed by the United States, or any territory or possession thereof, or by any State or political subdivision thereof.

"(h) No individual, association, partnership, or corporation, other than the Corporation, shall hereafter use the words 'Federal Motor Vehicle Insurance Guaranty Corporation', or any combination of such words, as the name or part thereof under which he or it shall do business. Any violation of this subsection shall be punishable by a fine of not exceeding $100 for each day during which such violation is committed.

"(i) Section 5315 of title 5 of the United States Code is amended by redesignating items (70)–(77) as items (71)–(78), and by inserting after item (69) a new item as follows:

" '(70) Members of the Board of Directors of the Federal Motor Vehicle Insurance Guaranty Corporation.'

"Applications for guaranty

"SEC. 204. (a) Each insurer shall make application to the Corporation for guaranty under this title, and any other partnership, corporation, association, reciprocal exchange, inter-insurer, or other legal entity engaged in the business of issuing motor vehicle insurance policies may make application for guaranty under this title. Such application shall be in such form and contain such information as the Corporation shall by regulation prescribe. The Corporation shall approve any such application if it finds, after a thorough examination, that the capital and/or surplus of the applicant is not impaired, and its financial condition and management are sound. Upon the approval of any such application the Corporation shall notify the applicant and issue to it an appropriate certificate. Upon the issuance of any such certificate to an insurer or other entity, the contractual obligations of such insurer or other entity arising out of motor vehicle insurance policies shall be guaranteed by the Corporation. If any such application is not approved by the Corporation it shall promptly notify the applicant and the appropriate State supervisory, authority, and shall state the reasons therefor. Any insurer or other entity the application of which has been denied by the Corporation shall, upon written request made to the Corporation within 30 days after receipt of the notification of denial, be granted a hearing.

"(b) Each insurer or other entity the policies of which are guaranteed under this title shall pay to the Corporation not later than June 30 and December 31 of each year commencing after the date on which the application of such insurer or other entity was approved by the Corporation a guaranty fee. Such fee shall be equal to one-eighth of one per centum of the net direct written premiums charged by the insurer of other entity during the preceding six-month period. Whenever the net asset value of the fund, established pursuant to section 206 (excluding the aggregate of actual and estimated liabilities chargeable to such fund as determined by the Corporation), exceeds 2 per centum of the annual net direct written premiums charged by all insurers or other entities the policies of which are guaranteed under this title, the Corporation shall waive the requirement for fees as herein stated: *Provided*, That such requirement shall be reinstated whenever the net asset value of such fund (including the aggregate of actual and estimated liabilities chargeable to such fund as determined by the Corporation) is less than 2 per centum of the annual net direct written premiums charged by all such insurers or other entities: *Provided further*, That no distribution or rebate shall be made by reason of the fact that the total amount in fees collected by the Corporation at any time exceeds 2 per centum of such annual net direct written premiums.

"Payment of guaranty

"SEC. 205. In the event an insurer or other entity the motor vehicle insurance policies of which are guaranteed under this title is determined by a court of competent jurisdiction to be insolvent, the Corporation shall assume the obligation of the insurer or other entity under any policy guaranteed by it, if a claim based on such policy is then pending against the insurer or other entity, or is thereafter made against the insurer or other entity while it is in liquidation or receivership. Upon the assumption of the obligation of any insurer or other entity with respect to any claim, the Corporation is authorized to investigate, adjust, compromise, or settle such claim up to the limit of liability provided in the applicable policy: *Provided*, That no injured party claim in the amount of $100 or less and no policy holder claim in the amount of $300 or less shall be paid by the Corporation. With respect to any injured party claim, the Corporation shall pay only that portion of the claim which is in excess of $100, and the Corporation shall pay only that portion of any policy holders claim which is in excess of $300. Upon the payment of any claim, the Corporation shall succeed to the rights of the policyholder or assured, to the extent of such payment, for purposes of asserting any rights of such policyholder or assured against an insurer or other entity.

"Federal Motor Vehicle Insurance Guaranty Fund

"SEC. 206. (a) Funds obtained by the Corporation from the sale of its capital stock, as provided in section 203(c), and from fees collected pursuant to section 204(b), shall be deposited in the Federal Motor Vehicle Insurance Guaranty Fund (hereinafter referred to as the 'Fund'), which is hereby established in the Treasury of the United States. The Fund shall be available to the Corporation for carrying out its guaranty functions under this title, and for operating expenses arising in connection therewith. Moneys deposited in the Fund which are not otherwise employed shall be invested in obligations of the United States or in obligations guaranteed as to principal and interest by the United States.

"(b) The Corporation shall retire as rapidly as practicable, having due regard to the need to maintain at all times the solvency of the Fund, the capital stock of the Corporation which is held by the Treasury.

"(c) If at any time the Corporation determines that the solvency of the Fund is jeopardized by reason of extraordinary demands made in the course of its guaranty operations, the Corporation is authorized to borrow from the Treasury and the Secretary of the Treasury is authorized and directed to lend to the Corporation, on such terms as may be fixed by the Corporation and the Secretary, such funds (not exceeding in the aggregate $500,000,000) as the Corporation determines are necessary to meet its guaranty obligations. For the purposes of this subsection, the Secretary of the Treasury is authorized to use as a public-debt transaction the proceeds of the sale of any securities hereafter issued under the Second Liberty Bond Act, and the purposes for which securities may be issued under such Act are extended to include such loans. Any such loan shall be used by the Corporation solely in carrying out its guaranty functions. All loans and repayments under this subsection shall be treated as public-debt transactions of the United States.

"Examinations

"SEC. 207. (a) The Corporation shall have power to make examinations of and require information and reports from any insurer or other entity making application for guaranty status, or whose policies are guaranteed under this title.

"(b) The Corporation shall appoint examiners who shall have power, on behalf of the Corporation, to examine any insurer or other entity making application for guaranty status, or whose policies are guaranteed under this title, whenever in the judgment of the Corporation an examination of such insurer or other entity is necessary. Each such examiner shall have power to make a thorough examination of the insurer or other entity, and shall make a full and detailed report of its condition to the Corporation. The Corporation in like manner may appoint claim agents or attorneys who shall have power to investigate, examine, adjust, compromise, and settle all claims assumed by the Corporation within the coverage of policies guaranteed under this title.

"(c) All examiners appointed by the Corporation shall cooperate as far as practicable with the appropriate State supervisory authorities in conducting examinations under this title. It is the intent of Congress that any such examinations shall be coordinated with examinations by the appropriate State supervisory authorities and the National Association of Insurance Commissioners.

"(d) Copies of any report or statement made to the appropriate State supervisory authority by an insurer or other entity whose policies are guaranteed under this title shall be filed with the Corporation within 10 days after such reports or statements have been made to such authority. The Corporation may accept any report or statement made to an appropriate State supervisory authority by any insurer or other entity making application for guaranty status under this title, or whose policies are guaranteed under this title.

"(e) If any insurer or other entity whose policies are guaranteed under this title, after written notice is given to it and the appropriate State supervisory authority of the recommendations of the Corporation based on a report of examination by an examiner of the Corporation (alone, or in conjunction with, an examiner of the appropriate State supervisory authority), shall fail to comply with such recommendations within such time as the Corporation deems appropriate in the light of the circumstances of the case, the Corporation may publish such part of such report of examination as relates to any such recommendation not complied with: *Provided*, That notice of intention to make such publication shall be given to the insurer or other entity and the appropriate State supervisory authority at least 60 days before such publication is made.

"Termination of guaranty

"SEC. 208. (a) If, in the opinion of the Corporation, any insurer or other entity the motor vehicle insurance policies of which are guaranteed under this title is engaging in an unsafe or unsound practice in the issuance of such policies, or is violating or has violated an applicable law, rule, or regulation, the Corporation shall serve upon such insurer or other entity a statement with respect to such practices or violations for the purpose of securing the correction thereof, and shall send a copy of such statement to the appropriate State supervisory authority.

"(b) Unless such correction shall be made within 60 days after service of such statement, or such shorter period of not less than 10 days after such service as (1) the Corporation shall require in any case where the Corporation determines that its guaranty risk with respect to such insurer or other entity could be unduly jeopardized by further delay in the correction of such practices or violations, or (2) the appropriate State supervisory authority shall require, or unless within such time the Corporation shall have received acceptable assurances that such correction will be made within a time and in a manner satisfactory to the Corporation, or in the event such assurances are submitted to and accepted by the Corporation but are not carried out in accordance with their terms, the Corporation may, if it shall determine to proceed further, issue and serve upon such insurer or other entity written notice of its intention to terminate its guaranteed status.

"(c) Such notice shall contain a statement of the facts constituting the alleged violation or unsafe or unsound practices, and shall fix a time and place for a hearing thereon. Such hearing shall be fixed for a date not earlier than 30 days after service of such notice. Unless the insurer or other entity shall appear at the hearing by a duly authorized representative, it shall be deemed to have consented to the termination of its guaranteed status. In the event of such consent, or if upon the record made at any such hearing the Corporation shall find that any violation or unsafe or unsound practice specified in such notice has been established and has not been corrected within the time above prescribed in which to make correction, the Corporation may issue and serve upon the insurer or other entity an order terminating its guaranteed status and a copy thereof shall be filed with the appropriate State supervisory authority; but any such order shall not become effective until it is an order which has become final (except in the case of an order of termination issued upon consent, which shall become effective at the time specified therein).

"(d) A final order terminating the guaranteed status of any insurer or other entity shall not affect any guaranteed motor vehicle policy issued by such insurer or other entity prior to the date on which such order became final, but shall be effective with respect to (1) the renewal of such policy, and (2) any motor vehicle policy thereafter issued by such insurer.

"Hearings and judicial review

"SEC. 209. (a) Any hearing provided for in this title shall be held in the Federal judicial district or in the territory in which the principal office of the insurer is located, unless the insurer consents to another place, and shall be conducted in accordance with the provisions of chapter 5 of title 5 of the United States Code. Such hearing shall be public unless the Corporation, upon the request of the insurer, determines that a private hearing would be in the public interest. After such hearing, and within 30 days after the Corporation has notified the parties that the case has been submitted to it for final decision, the Corporation shall render its decision (which shall include findings of fact upon which its decisions is predicated) and shall issue and cause to be served upon each party to the proceeding an order consistent with the provisions of this title. A copy of such order shall be filed with the appropriate State supervisory authority. Unless a petition for review is timely filed in a court of appeals of the United States, as hereinafter provided, and thereafter until the record in the proceeding has been filed as so provided, the Corporation may at any time, upon such notice and in such manner as it deems proper, modify, terminate, or set aside any such order. Upon such filing of the record, the Corporation may modify, terminate, or set aside any such order with permission of the court.

"(b) An insurer may obtain a review of an order served pursuant to subsection (a) (other than an order issued with consent of the insurer) by filing in the court of appeals of the United States for the circuit in which the principals office of the insurer is located, or in the United States Court of Appeals for the District of Columbia Circuit, within 30 days after the date of service of such order, a written petition praying that the order of the Corporation be modified, terminated, or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Corporation, and thereupon the Corporation shall file in the court the record in the proceeding, as provided in section 2112 of title 28 of the United States Code. Upon the filing of such petition, such court shall have jurisdiction, which upon the filing of the record shall, except as provided in the last sentence of subsection (a), be exclusive to affirm, modify, terminate, or set aside, in whole or in part, the order of the Corporation. Review of such proceedings shall be had as provided in chapter 7 of title 5 of the United States Code. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari as provided in section 1254 of title 28 of the United States Code.

"Penalties

"SEC. 210. (a)(1) Any insurer issuing any motor vehicle insurance policy which is not guaranteed under this title shall forfeit to the United States the sum of $-------- for each and every day that such policy is in effect and is not guaranteed under this title. Such forfeiture shall be payable into the Treasury of the United States and shall be recoverable in a civil suit in the name of the United States.

"(2) This subsection shall take effect upon the expiration of one year after the effective date of this title.

"(b) Whoever advertises or otherwise represents falsely by any device whatsoever that any motor vehicle insurance policy is guaranteed by the Federal Motor Vehicle Insurance Guaranty Corporation, or by the Government of the United States, or by any instrumentality thereof, shall be fined not more than $--------, or imprisoned not more than ------ years, or both.

"Reports

"SEC. 211. The Corporation shall make an annual report of its operations to the Congress. Such report shall be filed not later than January 31 of each year."

The section-by-section analysis presented by Mr. DODD is as follows:

SECTION-BY-SECTION ANALYSIS OF LEGISLATION TO ESTABLISH A FEDERAL MOTOR VEHICLE INSURANCE GUARANTY CORPORATION

The bill would amend the McCarran-Ferguson Act of 1945 (so-called P.L. 15) by adding a new title establishing a Federal Motor Vehicle Insurance Guaranty Corporation (hereinafter referred to as the "Corporation"), as "Title II".

Sec. 201. Short title.

Sec. 202. Definitions.

Sec. 203. Establishment of Corporation.

(a) Establishes a Federal Motor Vehicle Insurance Guaranty Corporation (the "Corporation") to guaranty the contractual performance of motor vehicle insurance policies issued by interstate insurers, including those issued by *intra*state insurers which are reinsured in any part in interstate commerce, and those issued by "other entities" (*intra*state companies willing to apply for guaranty status).

(b) Provides for a three member board of directors to manage the corporation. The members shall be appointed by the President with the advice and consent of the Senate. One of the members is to be designated by the President to be chairman of the board. Not more than two of the members shall be members of the same political party.

(c) Provides for the capitalization of the corporation with $50 million from the Treasury. The corporation's capital stock to be subscribed for by the Secretary of the Treasury. This is similar to the way in which the Federal Savings and Loan Insurance Corporation (FSLIC) was capitalized.

(d) Provides for the usual corporate powers, such as those found in FDIC and FSLIC.

(e) Provides that, with certain exceptions, the Corporation shall manage its internal fiscal affairs.

(f) Provides that the corporation is entitled to the free use of the mails, and that it may avail itself of the use of the facilities of the executive departments and agencies of the Government upon receiving their consent.

(g) Provides for the exemption of the corporation from taxation by the United States, or by any State or its political subdivisions.

(h) Provides that no one, other than the corporation, shall use the words "Federal Motor Vehicle Insurance Guaranty Corporation" in the name under which it does business, and that any violation is punishable by a fine of not exceeding $100 for each day during which such violation is committed.

(i) Provides that members of the board of directors are to be compensated at the same level as are the members of the board of the FDIC and FSLIC (executive salary rate level IV).

Sec. 204. Applications for Guaranty.

(a) Provides that each insurer (as defined in Sec. 202 (1)) must make application for guaranty status, and that any "other entity" doing an intrastate motor vehicle insurance business may apply for guaranty status.

The corporation is to approve any application, if it finds, after a thorough examination, that the capital and/or surplus of the applicant is not impaired, and its financial condition and management are sound.

If the corporation approves the application, the applicant is to receive an appropriate certificate. On the issuance of the certificate to the insurer, its contractual obligations arising out of motor vehicle insurance policies shall be guaranteed by the corporation.

If any application is rejected by the corporation, it is to promptly notify and give the reasons for its action to the insurer-applicant and the appropriate State supervisory authority. Any denied applicant shall be granted a hearing by the corporation.

(b) Provides that each insurer who has attained guaranteed status shall pay a guaranty fee by June 30 and December 31 of each year. The fee is to be equal to ⅛ of 1% of the "net direct written premiums" (direct-excluding reinsurance-gross premiums less return premiums and dividends paid to policyholders) charged by the insurer during the preceding six-month period.

Corporation may waive requirement for fees anytime the net asset value of the fund (excluding actual and estimated liabilities) exceeds 2% of the annual net direct written premiums charged by all insurers whose policies are guaranteed by the corporation.

Sec. 205. Payment of Guaranty.

Provides that whenever an insurer with guaranteed status is declared insolvent by a court of competent jurisdiction, the corporation shall assume the obligations of the insolvent insurer under any policy guaranteed by it, if a claim based on the policy is then pending against the insurer or is thereafter made against the insurer while it is in liquidation or receivership.

The corporation is authorized to compromise or settle claims only up to the policy limits.

No injured party claim (third party liability) of $100 or less, or no policyholder claims (first party liability—medical payments, theft, collision and comprehensive) of $300 or less are to be paid. Also, the first $100 of injured partly claims, and the first $300 of policyholder claims are deductible.

On the payment of any claim, the corporation succeeds to the rights of the policyholder or assured against the insolvent insurer's estate.

Sec. 206. "Federal Motor Vehicle Insurance Guaranty Fund."

(a) Provides that the U. S. Treasury acts as a depository for the "fund", which consists of the $50 million from the sale of its capital stock, and the guaranty fees collected. This "fund" is what is available to the corporation to carry out its guaranty functions.

(b) Provides that the corporation shall pay back the $50 million to the Treasury as rapidly as practicable.

(c) Provides that, in the event extraordinary demands jeopardize the "funds" solvency, the corporation is authorized to borrow, and the Treasury is authorized and directed to lend, up to $500 million.

Sec. 207. Examinations.

(a) Provides that the corporation shall have power to make examinations and require information and reports from any insurer or "other entity" making application for guaranty status or whose policies are guaranteed by the corporation.

(b) Provides the corporation with power to appoint examiners, who in turn shall have power to make examinations whenever the corporation deems an examination necessary.

Examiners have the power to make a thorough examination, and are to make a detailed report of the insurer's condition to the corporation. The corporation also may appoint claim agents and attorneys to process and settle claims assumed by the corporation in carrying out its guaranty functions.

(c) Provides that examiners are to cooperate, as far as practicable, with the appropriate State supervisory authorites in conducting examinations. "It is the intent of Congress that" examinations shall be coordinated with examinations by the appropriate State supervisory authorities, and the National Association of Insurance Commissioners.

(d) Provides that copies of any reports or statements made to the appropriate State supervisory authorities by any insurer with guaranteed status are to be filed with the corporation. The corporation is also given authority to accept any report or statement made to the appropriate State supervisory authority.

(e) Provides for the publication of recommendations made, in examination reports, to an insurer (and the appropriate State superivsory authority), after the insurer fails to comply with the recommendations, and after notice of intention to make publication has been given to the insurer and the appropriate State supervisory authority at least 60 days before publication is made.

Sec. 208. Termination of Guaranty.

(a) Provides that the corporation shall serve on an insurer (and shall send to the appropriate State supervisory authority) a statement with respect to its engaging in any unsafe or unsound practice in the issuance of policies for the purpose of securing the correction of those practices.

(b) Provides that unless corrections are made within a prescribed time, the corporation may serve written notice on the insurer of its intention to terminate the insurer's guaranteed status.

(c) Provides that guaranty status can not be terminated without full administrative due process. Once an insurer either has consented to the termination of guaranty status, or has been found in violation of unsafe or unsound practices which have not been corrected, the corporation may terminate the insurer's guaranty status and notify the appropriate State supervisory authority.

(d) Provides that a final order terminating guaranteed status of any insurer shall be effective only with respect to the renewal of motor vehicle insurance policies issued prior to the date on which such order became final, and any motor vehicle insurance policy thereafter issued by such insurer.

Sec. 209. Hearings and Judicial Review.

Provides that any action taken by way of denying application for guaranty status, or terminating guaranty status, can be done only after:

(a) a hearing by the corporation in accordance with the provisions of the Administrative Procedures Act;

(b) full judicial review.

Sec. 210. Penalties.

(a) (1) and (2) Provides that, commencing one year after enactment of this title, any insurer issuing motor vehicle insurance policies in interstate commerce which are not guaranteed by the corporation is subject to a civil penalty for each and every day that such policy is in effect and is not guaranteed.

(b) Provides for criminal penalties for advertising or otherwise falsely representing that any motor vehicle insurance policy is guaranteed by the corporation. This subsection takes effect upon enactment of this title.

Sec. 211. Reports.

Provides that the corporation shall make an annual report of its operations to the Congress no later than January 31, of each year.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. DODD. I yield.

Mr. CLARK. Mr. President, I am happy to be one of the initial cosponsors of this legislation establishing the Federal Motor Vehicle Insurance Guaranty Corporation. If this bill had been law 5 years ago many Pennsylvanians would have been spared a serious financial loss.

From late in 1961 to the present, 12 Pennsylvania high-risk automobile insurance companies have failed and become bankrupt. Over 6,000 accident victims have filed claims against 7 of these companies. The Pennsylvania Insurance Department has placed a total value of over $5 million on 4,000 of these claims. These 4,000 claimants are seeking satisfaction out of $55,000 in assets of the defunct companies.

Automobile insurance is a necessity today. These high-risk companies operate with a captive market. Both the people who must buy such insurance and the people who suffer personal injury or property damage at the hands of high-risk insurance holders deserve to be protected. This bill would give them the protection they need against insurance company insolvencies.

One of the major planks in the platform of Mr. Shapp, the Democratic candidate for Governor of Pennsylvania this fall, is a thorough reorganization of the State insurance bureau which has been lax and negligent in efforts to protect those who are injured. I hope that his proposals will receive support on November 8.

Mr. President, I commend the Senator from Connecticut [Mr. DODD], on the initiative he has taken to bring the Federal Government into this matter which badly needs assistance from the Congress.

Mr. DODD. I am grateful to the Senator from Pennsylvania [Mr. CLARK] for his remarks and encouragement. I hope that we will be able to get action on the bill in the next session.

Mr. HART. Mr. President, since 1960, some 100,000 Michigan residents have had their automobile insurance terminated because of the insolvency of 4 companies—3 headquartered in Michigan and 1 in Texas.

For approximately 35,000 of these Michiganites who had claims against these companies the failures mean severe financial hardship—hardship which in many cases will cripple their families for years.

As Senator DODD has pointed out, Michigan was not the only State to so suffer. Each State was affected—with a grand total of 300,000 Americans who will lose well over $100 million by not being able to collect justified claims from the 65 auto insurance companies which have failed since 1960.

There is nothing, unfortunately, that this Congress can do to alleviate the suffering of these Americans. However, clearly, we have a responsibility to act to prevent further suffering. Senator DODD's proposal for a Federal Motor Vehicle Insurance Guaranty Corporation seems to put us on the road to a responsible solution and I am happy to add my name as a sponsor of the bill.

While there may be debate over the details of the proposal and hearings may indicate improvements which can be added, I would hope that most will see the wisdom of the course. Those who would question even that would do well to study the success of the Federal Deposit Insurance Corporation and the Federal Savings and Loan Insurance Corporation.

Such a study would not only make clear the precedent but would demonstrate that it is possible for the Federal Government to protect citizens from financial disasters without taking over private enterprises.

Mr. President, the background of the work which has led to the introduction of this bill—and reasons for its necessity—are both spelled out dramatically in an article from the November Pageant magazine. I ask unanimous consent that "Exposing Those Phony Auto Insurance Companies," by Henry Resnik, be inserted in the RECORD at the conclusion of my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. HART. Mr. President, the author lays out the ills plaguing our auto insurance companies today—and explains how many of the States are responsibly moving to correct those problems they can. However, the article also makes clear that the Federal Government does have a responsibility.

So You Think You're Covered?—Exposing Those Phony Auto Insurance Companies

(By Henry Resnik)

Anyone who has ever flown in bad weather knows the unpleasant sinking sensation of suddenly dropping a few hundred feet—the hollowness in the stomach, the barely conscious fear that the plane might not stop falling. Fortunately, of course, planes usually go where they are supposed to go, and most people do not think much about the principles of aerodynamics that keep them aloft.

Like the airplane that flies straight, the insurance industry is something people tend to take for granted. It is as solid and reliable, one can assume, as the steadiest aircraft on a clear day. It has to be.

Recently, however, one segment of the insurance industry has clearly shown that steady flying is not an invariable rule. Fifty-nine high-risk automobile insurance companies have collapsed within the last several year, leaving more than one million people with almost $300 million in unpaid claims.

A young couple in Maryland lost their home after being sued in an accident case. Their insurance firm had become insolvent.

An Indiana high school student was seriously injured while riding a bus. As a result of the accident, he will go through life with his left leg three inches shorter than his right. His medical and hospital bills were $19,000. The accident occurred six years ago, and the boy has received nothing; his insurance company is bankrupt.

The innocent victim of a Connecticut driver had to spend 21 weeks in the hospital, amassing bills of $2,500. The injured man got no compensation because the driver's insurance company had failed.

In Pennsylvania more than 4,200 persons are seeking $13 million in claims from five high-risk companies that have assets of an estimated $55,000. Another Pennsylvania firm has nearly 1,700 claimants seeking $1.5 million, but the company is worth only

$1106. Eight companies have failed in Pennsylvania since 1961; in Illinois 15 companies have failed since 1960, and in Missouri six have failed. Although the 59 companies have their home offices in only 21 states, no state in the Union has been spared. One company sold insurance in all 50.

These facts—and a veritable rogue's gallery of insurance profiteers—were revealed at hearings held before the Senate Subcommittee on Antitrust and Monopoly and presided over by Senator THOMAS J. DODD, Democrat, of Connecticut. The Senate probers sought not to tar the whole insurance industry with the same brush; the disreputable high-risk insurance companies comprise less than one per cent of the entire industry. But, according to Senator DODD, even this one per cent is "appalling."

The Senate Subcommittee points out that within the last two years alone 8.9 per cent of the high-risk automobile insurance companies doing business in the United States have failed. By comparison, the failure of banks is one-tenth of one per cent. But the high-risk insurance-failure rate literally staggers the imagination; the insurance failure is 89 times higher than the banking failure rate.

The collapse of the 59 companies and the unblushing opportunism that inspired it take on a new dimension when one considers the nature of the high-risk insurance market. Who are the high risks? Quite simply, they are people who cannot obtain insurance in the regular insurance market, motorists who are either rejected by the regular insurance companies or who do not apply to an assigned risk plan (a pool in which many different companies participate in order to share the burden of high-risk drivers).

Very young drivers and those who have had serious accidents are generally likely to have trouble obtaining insurance. But, in addition, whole areas—usually lower-income neighborhoods of such large cities as Baltimore and Philadelphia—are known to have been "blacked out" by insurance companies, leaving residents with no choice but to seek special high-risk firms. And elderly people, even those who have had unblemished driving records for 30 years or more, have suddenly found their insurance cut off. One state commissioner, testifying before the Senate subcommittee, described the automobile liability insurance industry as a "sick or wounded animal," and the record of the hearings indicates that there is no shortage of unscrupulous operators eager to move in on it.

They have been, as one might expect, the sort of men who seem to have nothing but contempt for their fellowmen and no interest other than themselves. Common practice among executives in the high-risk insurance companies, for example, included purchasing homes and yachts with company funds, paying themselves salaries of $50,000 a year (at times more than the total worth of the company), and renting worthless stock portfolios as company assets and using the same portfolio as collateral for several different companies in various states. One Chicago attorney acquired control of a company with a $100,000 loan, paid himself $300,000 in "management fees," then used $100,000 of that to repay the loan. Frequently companies would mark active files "closed" and store them away where they would be promptly forgotten.

According to one insurance commissioner, many companies flatly denied coverage to the insured, saying that he had "failed to cooperate" or had not reported the accident "according to the terms of the policy." And they could do this, confident that the backlog in the courts might hold up the case for years—leaving the insured hopessly in debt.

A Chicago man and his two sons, now under indictment on several counts, controlled a fraudulent insurance empire whose fall affected companies in nine states and whose losses run to nearly $9 million. In fact, they personally milked their companies of an estimated $3.4 million of the policyholders' premiums. Part of this money, according to the attorney general of Minnesota, where most of the business was done, went for speedboats, homes, apartment furnishings, and other personal luxuries.

The charges against the Chicagoans seem petty indeed when compared with the alleged connection between them and Cyrus E. Magnusson, insurance commissioner of Minnesota, who is also under indictment. Magnusson is said to have licensed the family's first company in Minnesota on July 12, 1963; the firm was insolvent on the day it commenced business, but the Chicago men managed, through a phony holding company, to give it the appearance of solvency. In the following year they reportedly offered Magnusson a job when speculation arose over his reappointment as insurance commissioner in February 1965. Magnusson is said to have written the following letter to the Chicago people at this time: "I wish you to know that your offer was the only one which I received during the last few months which had a meaning and, further, that if you still want to have me on your staff at the end of my term, you will receive a priority over that from any other company. . . . Just let me know of any problems that you may have so that I may hope to reciprocate the many kindnesses." At about this same time their insurance company was investigated by the Minnesota Insurance Department and was found open to serious criticism, but Magnusson took no action other than to forward the examiners' report to the company and call its attention to it.

In March 1965 the Governor, attorney general, and other Minnesota officials met with Magnusson to discuss rumors about the insolvency of the company. Magnusson assured them that there was nothing wrong. He conducted a reexamination of one of the most important companies in the city and found it insolvent. Yet, according to the present indictment, in May 1965 he signed a letter saying that the company had not been found financially impaired. "These rumors unjustifiably impede the normal operation of the company," the letter said. "This department does not condone and in fact violently opposes unwarranted abuse and unfounded rumor." After the company had used copies of this letter in order to solicit new business, Magnusson allegedly contacted others in the insurance field and told them to ignore his official letter to the public, explaining that "the company is still broke."

The charges against Magnusson imply dishonesty of epic proportions, and although no other state insurance commissions have equaled Magnusson's apparently deliberate neglect, in far too many cases poor standards of inspection and control have allowed fly-by-night insurers to flourish. Quite frequently, for example, state insurance commissioners would discover malpractice in a company, forbid it to do business, in the state, then drop the matter, leaving the firm free to do business in some other state. "There has to be stronger interstate cooperation in regulation for solvency," say Chief Commissioner Charles Gambrell of South Carolina, "or the fabric of state regulation of insurance . . . is going to break down. If the public cannot look to the insurance commissioners to protect them against insolvency, then they have no place to go."

There are many state insurance departments with records of regulation that are excellent, but according to 1964 statistics these departments generally operate on marginal budgets, averaging only about four per cent of the taxes and fees the insurance companies pay their states. In 1964 only $29.9 million went to insurance regulation, while insurance companies paid the states $737.6 million. The states that spent the least were Mississippi, Ohio, Oklahoma, Missouri, Idaho, Michigan, Connecticut, and Minnesota. None budgeted more than 2.15 cents of the insurance tax dollar for insurance regulation. According to the Senate investigators, insurance regulation cannot be perfect, but "what we are getting now is not even within shouting distance of this ideal."

The Senate investigation has clearly shown that something must be done in order to prevent a recurrence of the insurance fraud and the deceit it revealed.

At present, regulation of the insurance industry is in the hands of the states. The controversial Senator DODD is on record as favoring the arguments against federal control. He believes that insurance can be regulated best "at the level most aware of the local and regional needs of the consumer." He concedes, however, that if the states do not immediately and sufficiently respond, "the federal government will be left with no alternative but to respond itself." There are alternatives not amounting to outright federal control that would protect the public from these many insolvencies. DODD has suggested an approach similar to that of the Federal Deposit Insurance Corporation in banking or a federal guaranty fund. Other insurance experts believe that strong federal control is inevitable.

In a recent letter to the president of the National Association of Insurance Commissioners, DODD made the following recommendations. Many of them have already been acted upon by the various states:

1. Strengthen examination processes, specifically by making more frequent and more thorough and more surprise examinations.
2. Recruit competent examiners and compensate them adequately.
3. Examine far more closely the underwriting and reserve activities of every company in the state.
4. Devote special attention to reinsurance arrangements, espeically "fronting" arrangements and the so-called surplus aid contract, used to hide a company's true financial condition.
5. Determine whether relationships between policyholder surplus and premium volume should be established by law.

In Maryland, Insurance Commissioner Francis B. Burch has begun surprise examinations of questionable companies. The state has also set up an insolvency fund to take care of the accident victims left unprotected by bankrupt companies (New York and New Jersey already have such a fund). The number of examiners in Michigan has been doubled. Insurance laws are being revised in Pennsylvania, and several other states are following its lead.

But what can the average citizen do?

First, anyone buying insurance in the high-risk market should do so with extreme care. The buyer should beware especially of sensational mail-order proposals (several firms are currently under indictment for mail-order insurance fraud). All citizens can support state legislation to promote more thorough regulation of insurance. And Congressmen should be alerted to the problem and encouraged to alleviate it.

Unfortunately, few can help the thousands of people affected by recent insolvencies among high-risk companies, many of whom will be chained to a life of debt and suffering. The damage has already been done, and the insurance industry has learned an expensive lesson.

INSPECTION OF FISH AND FISHERY PRODUCTS BY DEPARTMENT OF INTERIOR

Mr. HART. Mr. President, I introduce, for appropriate reference, a bill to provide for the inspection by the Department of the Interior of commercial fish and fishery products, including imported fish and fishery products.

Meat and poultry items marketed in interstate commerce enjoy a position of trust and confidence in the eyes of the American consumer as a result of the imposition of certain restrictions and limitations by the Federal Government. These are produced under close Federal supervision of the industries in order to prevent unsound, unwholesome, and unhealthful meat and poultry products from being introduced into the marketing channels. Through such supervision the public is guarded against dangers to their health, safety, and economic well-being with respect to consuming meat and poultry products.

Today, more and more people in the United States are consuming fish and fishery products. In 1956, Congress recognized the importance of our commercial fisheries and their contribution to the health, food supply, economy and well-being of the Nation by establishing a new program designed to assist and upgrade our commercial fisheries.

Nutritionists, scientists, and laymen throughout the world generally agree that high quality fish and shellfish products constitute a category of animal protein food that is virtually unexcelled from the standpoint of supplying vitamins, essential amino acids, and trace minerals, all of which are essential to the health and well-being of man.

Fish and shellfish, like meat and poultry, are highly perishable commodities which spoil rapidly. Being an animal protein type of food, they present many of the same types of problems which are associated with meat and poultry products. Fishery products, like many foods, if improperly handled may support food-poisoning types of microorganisms. Also, if they are handled, produced, or stored under unsanitary conditions, the hygienic risks to the consumer increase. The unfavorable reaction which occurs as a result of eating poor quality fishery products generally results in consumer rejection of all fishery products for a considerable period of time, and the industry suffers immeasurably in many ways.

Fish and shellfish require attention during handling, processing, and storage in order to present to the consumer wholesome and unadulterated products. If fish and shellfish products are to attain a comparable position commensurate with their nutritional and health giving capabilities, adequate protection must be assured.

I have been concerned for some time about the uncertainty of the protection afforded the American consumer of fish and fishery items as contrasted with the protection of meat and poultry. That is why I have introduced this bill today.

This bill provides authority for the Department of the Interior to establish and administer a mandatory program of Government inspection of fish and fishery products. The principal areas covered by legislation concern health, hygienic, and economic safeguards for the benefit of the consumer. Health safeguards would be provided by inspection of all domestically produced and imported edible fish and shellfish designated for sale in interstate commerce and large marketing areas. Products found to be unsuitable for human food would be condemned and destroyed under the supervision of a Federal fish inspector.

The hygienic safeguards provided would result from sanitary inspection of processing establishments and equipment. Additionally, minimum product standards of quality and wholesomeness would be established to insure that spoiled products do not enter into interstate commerce and reach the consumer.

I fully recognize that mandatory inspection of fishery products may have a serious impact on the domestic industry which is made up of many small producers and processors of a wide variety of delicate and highly perishable products. Because of these unique and difficult problems, the bill would be implemented only after a 3-year preparatory period designed to provide a time schedule to minimize any hardships to the industry. After this period, the program would be implemented and would continue thereafter.

The first of these 3 years would be devoted to development and promulgation of reasonable and effective regulations. The regulations would spell out details such as specific plant and product requirements, exemptions for certain types of businesses, use of inspection symbols, use of food additives, product labeling requirements, and other appropriate details.

During the second year, the domestic fish processing establishments subject to these regulations would be surveyed as to their overall condition. Lists of changes that would have to be made in the establishments in order to bring them into compliance with the regulations would be prepared and provided to the firms. Adequate time would be given to make these changes.

The third year of the preparatory period would be devoted to continuing the plant surveys and conducting an industry education and advisory service. This service would be designed to assist the industry in achieving a thorough understanding of exactly what the program requirements are in all aspects.

In order to operate the program effectively, a staff of field inspectors, supervisors, and laboratory personnel would be needed. A laboratory facility would also be required in which to examine the samples of domestic and imported products in order to determine compliance with the regulations.

At the beginning of the fourth year, the program would be fully implemented. It would be carried out by intermittent inspection of domestic processing plants, subject to the regulations, for compliance with plant sanitation requirements. Inspections would be performed on all products produced in these plants to determine product compliance. Lots of imported fishery products would be sampled and examined to assure compliance with the regulations. Imported products found not in compliance would be denied entry with provisions for bringing the products into compliance if practicable.

In order to reduce costs and to conserve manpower, a patrol surveillance system of plant visits would be used. This system of surveillance, complemented by a product monitoring procedure through analyses of samples at the laboratory, would provide adequate consumer protection of fish and fishery products.

In summary, I believe that mandatory inspection of fish and shellfish products is needed in order to achieve consumer confidence in these products and to make certain that the public receives wholesome, high-quality fishery products. The program I have outlined will achieve these objectives.

The impact on the domestic fishing industry by imposing mandatory inspection of fish and fishery products would not be extremely burdensome, for the following reasons:

First. There would be a 3-year preparatory period which would allow them time to set their establishments in order.

Second. Those plants which would require extensive renovation could apply for financial assistance through existing private and Government loan programs. Possibly, other financial assistance approaches might be developed during the consideration of this bill.

Third. The industry education and advisory program would provide an opportunity for processors to completely understand the program and to undertake changes on a gradual basis, thereby spreading out the expenditures that may be necesssary in order to bring the plants into compliance.

I am looking forward to early consideration of this bill when the 90th Congress convenes next year. I urge the commercial fishing industry and the Department of the Interior to study the proposal very carefully so that we may develop the best possible legislation next year.

Mr. President, I ask unanimous consent that the text of this bill be inserted at this point in the Record.

The VICE PRESIDENT. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the Record.

The bill (S. 3922) to provide for the inspection by the U.S. Department of the Interior of fish and fishery products, introduced by Mr. Hart, was received, read twice by its title, referred to the Committee on Commerce, and ordered to be printed in the Record, as follows:

S. 3922

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Fish and Fishery Products Inspection Act of 1966".

Sec. 2. (a) Congress declares that wholesome fishery products are an important source of the Nation's total supply of food. Such products are consumed throughout the Nation and substantial quantities thereof move in interstate and foreign commerce. Unwholesome and adulterated fishery products moving in the channels of interstate or foreign commerce are injurious to the public welfare, adversely affect the marketing of wholesome fishery products, result in losses to producers and fishermen, and destroy markets for such products. The marketing of wholesome fishery products is affected with the public interest and directly affects the welfare of the people. All fish and fishery products which have been or are required to be inspected under this Act are either in the current of interstate or foreign commerce or directly affect such commerce. That part that enters directly into the current of interstate or foreign commerce cannot be effectively inspected and regulated without also inspecting and regulating all fish and fishery products processed or handled in the same establishment.

(b) The great volume of fishery products required as an article of food for the inhabitants of large centers of population may directly affect the movement of fish and fishery production in interstate commerce. To protect such commerce in fish and fishery products that have been inspected under this Act from being adversely burdened, obstructed, or affected by uninspected fish or fishery products, there should be designated, pursuant to this Act, major consuming areas where fish or fishery products are processed or consumed in such volume as to affect the movement of inspected fish or fishery products in such commerce.

(c) It therefore is declared to be the policy of Congress to provide for the inspection of fish and fishery products by the inspection service authorized herein to prevent the movement in interstate or foreign commerce or in a designated major consuming area of fishery products which are unwholesome, adulterated, or otherwise unfit for human food.

SEC. 3. For the purposes of this Act—

(a) The term "commerce" means commerce between any State and any place outside thereof; or between points within the same State, but through any place outside thereof.

(b) The term "State" includes the States of the United States, its territories and possessions, the Commonwealth of Puerto Rico, and the District of Columbia.

(c) The term "Secretary" means the Secretary of the Interior.

(d) The term "person" means any individual, partnership, corporation, association, or any other business unit.

(e) The term "fish" means any aquatic animal life.

(f) The term "fishery products" means any fish that are preserved and processed for human food in accordance with the rules and regulations of the Secretary or, unless exempted by the Secretary, any human food product consisting of any edible part of fish separately or in combination with other ingredients.

(g) The term "wholesome" means sound, healthful, clean, and otherwise fit for human food.

(h) The term "unwholesome" means:

(1) Unsound, injurious to health, or otherwise rendered unfit for human food.

(2) Consisting in whole or in part of any filthy, putrid, or decomposed substance.

(3) Processed, prepared, packed, or held under unsanitary conditions whereby fish, or the parts thereof, or any fishery products may have become contaminated with filth, or whereby a fishery product may have been rendered injurious to health.

(4) Packaged in a container composed of any poisonous or deleterious substance which may render the contents injurious to health.

(i) The term "adulterated" shall apply to fish and fishery products under one or more of the following circumstances:

(1) If they bear or contain any poisonous or deleterious substance which may render them injurious to health; but, in case the substance is not an added substance, such fish and fishery products shall not be considered adulterated under this clause if the quantity of such substance in such fish and fishery products does not ordinarily render them injurious to health.

(2) If they bear or contain any added poisonous or added deleterious substance, unless such substance is permitted in their production or is unavoidable under good manufacturing practices as may be determined by rules and regulations prescribed by the Secretary or other provisions of Federal law limiting or tolerating the quantity of such added substance on or in such fish and fishery products: *Provided,* That any quantity of such added substances exceeding the limits so fixed shall also be deemed to constitute adulteration.

(3) If any substance has been substituted, wholly or in part, therefor.

(4) If damage or inferiority has been concealed in any manner.

(5) If any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or its strength, or make it appear better or of greater value than it is.

(j) The term "inspector" means:

(1) an employee or official of the United States Government authorized by the Secretary to inspect fish and fishery products under the authority of this Act, or

(2) any employee or official of any State government authorized by the Secretary, pursuant to an agreement entered into between the Secretary and the appropriate State agency, to inspect fish and fishery products under this Act.

(k) The term "official inspection mark" means the symbol, formulated pursuant to rules and regulations prescribed by the Secretary stating that the product was inspected.

(l) The term "inspection service" means the agency within the Department of the Interior designated by the Secretary as having the responsibility of carrying out the provisions of this Act.

(m) The terms "container" or "package" include any box, can, tin, cloth, plastic, or any other receptacle, wrapper, or cover.

(n) The term "official establishment" means any establishment as determined by the Secretary at which the inspection of the fish, or the processing of fishery products, is maintained under this Act.

(o) The term "label" means any written, printed, or graphic material upon the shipping container, if any, or upon the immediate container, including but not limited to individual consumer package, of the fishery product, or accompanying such product.

(p) The term "shipping container" means any container used or intended for use in packaging the product packed in an immediate container.

(q) The term "immediate container" includes any consumer package; or any other container in which fish or fishery products, not consumer packaged, are packed.

SEC. 4. Where the Secretary has reason to believe that fish or fishery products are processed or consumed in a major consuming area in such volume as to affect, burden, or obstruct directly the movement of inspected fishery products in interstate commerce, he shall, upon his own motion or upon application by any appropriate State or local governmental agency of a substantial portion of any major consuming area or upon application by an appropriate commercial fishing industry group in such area, conduct a public hearing to ascertain whether the designation of such an area will tend to effectuate the purposes of this Act. If, after such hearing, the Secretary finds that fish or fishery products are processed or consumed in such volume as to affect, burden, or obstruct directly the movement of inspected fishery products in commerce, and that the designation of such an area will tend to effectuate the purposes of this Act, he shall publish in the Federal Register an order designating such area. The published order shall be effective not less than six months after the publication thereof and all fish or fishery products harvested, processed, sold, received, or delivered in any such designated area shall be subject to the provisions of this Act: *Provided,* That the Secretary may grant such exemptions therefrom as he determines practicable.

SEC. 5. (a) The Secretary, whenever processing operations are being conducted, shall at any time provide for the quarantine, segregation, and reinspection of any fish or fishery products as he deems necessary in each official establishment processing such fish or fishery products for commerce, or in or for marketing in a designated major consuming area.

(b) All fish and fishery products found to be unwholesome or adulterated shall be condemned and shall, if no appeal is taken from such determination of condemnation, be destroyed for human food purposes under the supervision of an inspector: *Provided,* That any fish or fishery products which may by reprocessing be made wholesome and unadulterated, need not be so condemned and destroyed if reprocessed under the supervision of an inspector and thereafter found to be wholesome and unadulterated. If an appeal is taken from such determination, the fish or fishery products shall be appropriately marked and segregated pending completion of an appeal inspection which appeal shall be at the cost of the appellant if the Secretary determines that the appeal is frivolous. If the determination of condemnation is sustained the fish or fishery products shall be destroyed for human food purposes under the supervision of an inspector.

SEC. 6. (a) Each official establishment processing fish or fishery products for commerce or in or for marketing in a designated major consuming area shall have such premises, facilities, and equipment, and be operated in accordance with such sanitary practices as are required by regulations promulgated by the Secretary for the purpose of preventing the entry into or flow or movement in commerce or in a designated major consuming area of any fishery products which are unwholesome or adulterated.

(b) The Secretary shall refuse to render inspection to any establishment, whose premises, facilities, or equipment, or the operation thereof, fail to meet the requirements of this section.

SEC. 7. (a) Each shipping container of any fishery product inspected pursuant to this Act and found to be wholesome and not adulterated, shall at the time such product leaves the official establishment bear, in distinctly legible form, the official inspection mark and the approved plant number of the official establishment in which the contents were processed. Each immediate container of any fishery product inspected pursuant to this Act and found to be wholesome and not adulterated shall at the time such product leaves the official establishment bear, in addition to the official inspection mark and in distinctly legible form, the name of the product; a statement of ingredients if fabricated from two or more ingredients including a declaration as to artificial flavors, colors, or preservatives, if any; the net weight or other appropriate measure of the contents; the name and address of the processor; and the approved plant number of the official establishment in which the contents were processed. The name and address of the distributor may be used in lieu of the name and address of the processor, if the approved plant number is used to identify the official establishment in which the fishery product was prepared and packed. The Secretary may permit reasonable variations and grant exemptions from the foregoing labeling requirements in any manner not in conflict with the purposes of this Act.

(b) The use of any written, printed, or graphic matter upon or accompanying the fishery product inspected or required to be inspected pursuant to this Act or the container thereof which is false or misleading in any particular is prohibited. No fishery products inspected or required to be inspected under this Act shall be sold or offered for sale by any person under any false or deceptive name; but established trade name or names which are usual to such products and which are not false and deceptive and which are approved by the Secretary are permitted. If the Secretary determines that any label used or prepared for use is false or misleading in any particular, he may direct that the use of the label be withheld unless it is modified in such manner as the Secretary may prescribe. If the person using or proposing to use the label does not accept the determination of the Secretary, such person may request a hearing, but the use of the label shall, if the Secretary so directs, be withheld pending a hearing and final determination by the Secretary. Any such determination by the Secretary shall be conclusive unless within 30 days after receipt of notice of such final determination a person adversely affected thereby appeals to the United States Court of Appeals for the circuit in which such person has his principal place of business or to the United States Court of Appeals for the District of Columbia. An appeal may be taken by filing with the clerk of such court a written petition praying that the Secretary's order be set aside or modified in the manner stated in the petition, together with a bond in such sum as the court may determine, conditioned that such processor will pay the costs of the proceedings if the court so directs. The provisions of section 204(b) through (h) of the Act of August 15, 1921, as amended (7 U.S.C. sec. 194), shall be applicable to appeals taken under this section.

Sec. 8. The following acts or the causing thereof are prohibited:

(a) The processing, sale, or offering for sale, transportation, or delivery, or receiving for transportation, in commerce or in a designated major consuming area of any fishery product, unless such product has been inspected for wholesomeness and unless the shipping container, if any, and the immediate container are marked in accordance with the provisions of this Act.

(b) The sale or other disposition for human food of any fish or fishery product which has been inspected and declared to be unwholesome or adulterated under this Act.

(c) Falsely making or issuing, altering, forging, simulating, or counterfeiting any official inspection certificate, memorandum, mark, or other identification, or device for making such mark or identification, used in connection with the inspection of fish or fishery products under this Act, or causing, procuring, aiding, assisting in, or being a part to, such false marking, issuing, altering, forging, simulating, or counterfeiting, or knowingly possessing, without promptly notifying the Secretary of the Interior or his designee, uttering, publishing, or using as true, or causing to be uttered, published, or used as true, any such falsely made or issued, altered, forged, simulated, or counterfeited official inspection certificate, memorandum, mark, or other identification, or device for making such mark or identification, or representing that any fish or fishery product has been officially inspected under the authority of this Act when such fish or fishery product has in fact not been so inspected.

(d) Using in commerce, or in a designated major consuming area, a false or misleading label on any fishery product.

(e) The use of any container bearing an official inspection mark except for the fishery product in the original form in which it was inspected and covered by said mark unless the mark is removed, obliterated, or otherwise destroyed.

(f) The refusal to permit access by any duly authorized representative of the Secretary, at all reasonable times, to the premises of an official establishment engaged in processing fish or fishery products for commerce, or in or for marketing in a designated major consuming area, upon presentation of appropriate credentials.

(g) The refusal to permit access to and copying of any record as authorized by this Act.

(h) The using of any person to his own advantage, or revealing, other than to the authorized representatives of the Government in their official capacity, or to the courts when relevant in any judicial proceeding under this Act, any information acquired under the authority of this Act, concerning any matter which as a trade secret is entitled to protection.

(i) Delivering, receiving, transporting, selling, or offering for sale or transport for human consumption any fish or part thereof separately or in combination with other ingredients, other than fishery products as defined in this Act, in commerce or from an official establishment or in a designated major consuming area, except as may be authorized by and pursuant to rules and regulations prescribed by the Secretary.

Sec. 9. No establishment processing fish or fishery products for commerce or in or for marketing in a designated major consuming area shall process any fish or fishery product except in compliance with requirements of this Act.

Sec. 10. For the purpose of enforcing the provisions of this Act, persons engaged in the business of processing, transporting, shipping, or receiving fish for human consumption, or fishery products in commerce or in a designated major consuming area or holding such products so received shall maintain records showing to the extent that they are concerned therewith, the receipt, delivery, sale, movement, or disposition of fish or fishery products and shall, upon the request of a duly authorized representative, permit him at reasonable times to have access to and to copy all such records. Any record required to be maintained by this section shall be maintained for the period of two years after the transaction, which is the subject of such record, has taken place.

Sec. 11. Any person who violates the provisions of this Act, shall be guilty of a misdemeanor and shall on conviction thereof be subject to imprisonment for not more than six months or a fine of not more than $1,000, or both; but if such violation is committed after one conviction of such person under this Act has become final, such person shall be subject to imprisonment for not more than one year or a fine of not more than $3,000, or both, but if such violation is committed after two or more convictions of such person under this Act have become final such person shall be subject to imprisonment for not more than two years, or a fine of not more than $10,000, or both. When construing or enforcing the provisions of this section the act, omission, or failure of any person acting for or employed by any individual, partnership, corporation, or association within the scope of his employment or office shall in every case be deemed the act, omission, or failure of such individual, partnership, corporation, or association as well as such person.

Sec. 12. No carrier shall be subject to the penalties of this Act, other than the penalty for violation of section 8 of this Act, by reason of his receipt, carriage, holding, or delivery, in the usual course of business, as a carrier, of fish or fishery products, owned by another person unless such carrier has knowledge, or is in possession of facts which would cause a reasonable person to believe, that such fish or fishery products were not inspected or marked in accordance with the provisions of this Act or were not otherwise eligible for transportation under this Act.

Sec. 13. Before any violation of this Act is reported by the Secretary to any United States attorney for institution of a criminal proceeding, the person against whom such proceeding is contemplated shall be given reasonable notice of the alleged violation and an opportunity to present his views orally or in writing with regard to such contemplated proceeding. Nothing in this Act shall be construed as requiring the Secretary to report for criminal prosecution violations of the Act whenever he believes that the public interest will be adequately served and compliance with the Act obtained by a suitable written notice or warning.

Sec. 14. The Secretary shall promulgate such rules and regulations as are necessary to carry out the provisions of this Act.

Sec. 15. (a) For the purposes of preventing and eliminating burdens on commerce in fish and fishery products, the jurisdiction of the Secretary within the scope of this Act shall be exclusive and fish and fishery products shall be exempt from the provisions of the Federal Food, Drug, and Cosmetic Act, as amended, to the extent of the application or the extension thereto of the provisions of this Act.

(b) In carrying out the provisions of this Act, the Secretary shall cooperate with other Federal and State agencies and may conduct such examinations, investigations, and inspections as he believes practicable through any officer or employee of a State commissioned by the Secretary for such purpose.

Sec. 16. The cost of inspection rendered under the requirements of this Act, shall be borne by the United States, except that the cost of overtime and holiday work performed in establishments subject to the provisions of this Act shall be borne by such establishments at such rates as the Secretary may determine. Any amount received by the Secretary in reimbursement for sums paid out by him for such premium pay work shall be available without fiscal year limitations to carry out the purposes of this Act.

Sec. 17. (a) The Secretary shall, by regulation and under such conditions as to sanitary standards, practices, and procedures as he may prescribe, exempt from specific provisions of this Act—

(1) retail dealers with respect to fishery products sold directly to consumers in individual retail stores, if the only processing operation performed by such retail dealers is the cutting up of fishery products on the premises where such sales to consumers are made;

(2) for such period as the Secretary determines upon a finding that it would be impracticable to provide inspection and the exemption will aid in the effective administration of this Act, any person engaged in the processing of fish or fishery products for commerce and the fish or fishery products processed by such person: *Provided,* That such exemption shall terminate within two years after the enactment of this Act; and

(3) fishermen with respect to fish which they sell directly to household consumers or restaurants, hotels, and boarding houses for use in the dining rooms thereof or in preparation of fish for sales directly to consumers only: *Provided,* That such fishermen do not engage in buying or selling fish other than those harvested by them.

(b) The Secretary may suspend or terminate any exemption under this section with respect to any person whenever he finds that such action will aid in effectuating the purposes of this Act.

Sec. 18. Any person who sells, delivers, transports, or offers for sale or transportation in commerce or in a designated major consuming area any fish or fishery products which are exempt under section 15 of this

Act, and which are unwholesome or adulterated and are intended for human consumption, shall be guilty of a misdemeanor and shall on conviction thereof be subject to the penalties set forth in this Act.

Sec. 19. (a) No fish or fishery products of any kind shall be imported into the United States unless they are healthful, wholesome, fit for human food, not adulterated, and contain no dye, chemical, preservative, or ingredient which renders them unhealthful, unwholesome, adulterated, or unfit for human food and unless they also comply with the rules and regulations made by the Secretary to assure that imported fish or fishery products comply with the standards provided for in this Act. All imported fish or fishery products shall after entry into the United States in compliance with such rules and regulations be deemed and treated as domestic fish or fishery products, within the meaning and subject to the provisions of this Act and the Federal Food, Drug, and Cosmetic Act or any amendments thereof.

(b) The Secretary is authorized to prescribe rules and regulations to carry out the purposes of this section and in such rules and regulations he may prescribe the terms and conditions for the destruction of all fish or fishery products offered for entry and refused admission into the United States unless such fish or fishery products are exported by the consignee within the time fixed in such rules and regulations.

(c) All charges for storage, cartage, and labor with respect to any fish or fishery products which are refused admission pursuant to this section shall be paid by the owner or consignee, and in default of such payment shall constitute a lien against any other fish or fishery products imported thereafter by or for such owner or consignee.

Sec. 20. Notwithstanding any other provision of law, whenever in the judgment of the Secretary such action will make a material contribution to the well-being of the commercial fishing industry of the United States and to the Nation's consumers, he shall promulgate regulations fixing and establishing for fish and fishery products a reasonable definition and standard of identity, a reasonable standard of quality, or reasonable standards of fill of container, or all of these. In prescribing any standard of fill of container the Secretary shall give due consideration to the natural shrinkage in storage and in transit of fresh fish or fishery products and to the need for the necessary packing and protective material. In prescribing a definition and standard of identity of any fish or fishery product in which optional ingredients are permitted, the Secretary shall, for the purpose of promoting honesty and fair dealing in the interest of consumers, designate the optional ingredients which shall be named on the label.

Sec. 21. There are authorized to be appropriated such sums as are necessary to carry out the provisions of this Act.

Sec. 22. Prior to the implementation of the mandatory provisions of this Act, the Secretary allows a period of not less than three years for the purposes of developing adequate and effective regulations to carry out the provisions of this Act and of providing assistance to the commercial fishery industry, in the form of educational and advisory programs designed to help the industry in meeting the standards required by this Act: *Provided*, That the Secretary may during this preparatory period conduct public hearings and designate major consuming areas in accordance with the provisions of section 4 of this Act.

ADDITIONAL COSPONSORS—S. 3557

Mr. SPARKMAN. Mr. President, at the next printing of S. 3557, which I introduced on June 27 of this year for myself and the Senator from Massachusetts [Mr. Saltonstall] to amend the Internal Revenue Code of 1954 with respect to income tax treatment of business development corporations, I ask unanimous consent that the names of the following Senators be added as cosponsors: Senators Tydings, Carlson, Russell of South Carolina, Kennedy of Massachusetts, Ribicoff, Fulbright, McIntyre, Kennedy of New York, Cotton, Javits, Jordan of North Carolina, Pell, Bartlett, and Randolph.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSOR OF CONCURRENT RESOLUTION

Mr. MOSS. Mr. President, I ask unanimous consent that, at its next printing, the name of the Senator from Illinois [Mr. Douglas] be added as a cosponsor of the concurrent resolution (S. Con. Res. 111) to suspend regulations on diet supplements until Congress acts.

The VICE PRESIDENT. Without objection, it is so ordered.

ADDITIONAL COSPONSORS OF BILL

Under authority of the order of the Senate of October 13, 1966, the names of Mr. Bartlett, Mr. Burdick, Mr. Cannon, Mr. Ervin, Mr. Fannin, Mr. Inouye, Mr. Jordan of North Carolina, Mr. Mansfield, Mr. McGee, Mr. Mondale, Mr. Monroney, Mr. Morse, Mr. Mundt, and Mr. Young of North Dakota were added as additional cosponsors of the bill (S. 3910) to provide for a White House Conference on Indian Affairs, introduced by Mr. Harris (for himself and other Senators) on October 13, 1966.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar Nos. 1714 and 1715.

The VICE PRESIDENT. Without objection, it is so ordered.

STUDY OF FACILITIES AND SERVICES TO BE FURNISHED VISITORS AND STUDENTS COMING TO THE NATION'S CAPITOL

The Senate proceeded to consider the bill (H.R. 14604) to authorize a study of facilities and services to be furnished visitors and students coming to the Nation's Capitol which had been reported from the Committee on Interior and Insular Affairs with amendments on page 2, line 3, after the word "individual", to strike out "States and" and insert "States, territories, possessions and"; on page 3, line 4, after the word "President", to strike out "by and with the advice and consent of the Senate,"; in line 18, after the word "The", to insert "Director of the National Park Service, in consultation with the"; in line 20, after the word "provide", to strike out "from among the personnel and facilities of the General Services Administration"; and, in line 25, after the word "than", to strike out "March" and insert "September".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1745), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

THE NATION'S CAPITAL AND ITS VISITORS

Washington, D.C., has become not only the Capital of the United States of America but a world capital. Over the last 100 years from the end of the great Civil War to the present date the growth of the entire area, which encompasses the heart of the Federal Government's operation, has been a fantastic one. As this growth has come into being there has been a comparable increase in growth in the number of visitors from all over the United States and from all corners of the earth who come to Washington either for business or pleasure. These visitors, whatever the purpose of their visit to Washington, are anxious to get a glimpse of this great Government in action and to have an opportunity to visit the many historic sites within the area. In most cases this is their first visit to the Nation's Capital and its environs. They come to Washington to enjoy for a few hours or a few days the great historical city. In most cases when they arrive they have no knowledge nor do they have any real information on what to see, where to go, whom to meet, where to stay, and what is available in the form of facilities, food, and lodging in the area. They enter a city which is strange to them and yet when they come to Washington to take in its treasures they find in the year 1966 no organized Government program which will provide them with the proper information to really see the Nation's Capital. To date no plan has been developed which will make a visitor's stay in Washington easier and which will enable a visitor to get all he can out of every minute of his stay in Washington. This situation has existed for many years. Over the past few years there have been many proposals advanced to alleviate this lack of proper facilities for our Capital visitors. The existing situation cannot be allowed to continue. Necessary action must be taken to remedy this condition so that the situation described by Vice President Hubert H. Humphrey on March 25, 1966, will no longer exist. He said in part:

> No city in the world treats its visitors with such shabby indifference as Washington, D.C. They cannot find parking space; there is no place to get a meal in the Capitol environs; they cannot get a drink of water in some of the congressional office buildings; and there is no official or designated place where they may get information on how to visit our most revered national shrines. What they do get very often are parking tickets, a feeling of being strangers and intruders and, above all, shabby, cold indifference to their coming here on what truly is a pilgrimage for themselves and their children. The time passed generations ago for us in Washington to meet our common obligations to common courtesy.

To achieve the objective of proper treatment for visitors to the Nation's Capital, the committee has ordered reported H.R. 14604.

HEARING

Testimony was received by the House Interior Committee from Members of Congress, representatives of the Federal Government, and private organizations. All witnesses who testified were unanimous in agreement that there is a need for facilities to assist visitors and students who come to the National Capital area.

INCREASE IN NUMBER OF VISITORS

Evidence was submitted during the hearings that in 1960 more than 15 million persons visited the Washington area, that an expected 24 million will come by 1970, and that by 1980 the figure will be at least 35 million persons.

It was pointed out that not only Americans are coming to Washington in increasing numbers to visit historic shrines and see their own Government in operation, but so are nationals of other nations, particularly those from emerging nations studying the American political, educational, economic, and social systems to learn if the American way can be adapted to their own countries and people.

Because the Federal Government is the magnet drawing visitors and students, the obligation and the opportunity to foster patriotism, education, and inspiration afforded by the National Capital area are incumbent upon the Federal Government. There was repeated criticism that Washington is almost alone among other world and State capitals in not having a community program to assist visitors, students, and tourists.

VISITORS' PROBLEMS IN WASHINGTON

Too often, visitors and students are frustrated by traffic congestion, lack of parking space, but mostly by lack of authoritative information about places to eat, lodge, or visit. It was estimated that it would require 3 weeks of concentrated touring to adequately see all the sights the Washington area contains. A 1-minute visit to all of the exhibits of the Smithsonian Institution would require 65 years to view them all. The subcommittee was told that the average visitor or tourist spends 3 days in the Capital area. Consequently, he must budget his time and make careful selection of what he will see, if his stay is to accomplish the objective which brought him to Washington.

WHAT IS NEEDED

First-step facility or facilities are an acute need, so that each visitor or student can have an overall view of the operations of his Government and the Capital sector to allow him to apportion his time to the greatest advantage.

In addition to information and direction, the Washington visitor should be provided with ample parking facilities, restaurants, rest areas, and visual and written aids to better understanding of the national story through reminders of its past and operations of his Government in dealing with current issues and planning for the American future.

SCOPE OF THE STUDY

The Study Commission, authorized by H.R. 14604, is given full authority under the legislation to make a complete and thorough investigation of sites and plans to provide facilities and services for visitors and students coming to the National Capital. This will include a full-scale study as to the type of activities to be provided in such facility or facilities for visitors. Among other things this will encompass a wide range of subjects including but not limited to exhibits, displays, a sound and light program, background, and history of the Nation's Capital; the organization and operation of the legislative, judicial, and executive branches of the Government; and individual displays by the various States in the District of Columbia. The question of how to provide the proper information and assistance to visitors so they can fully enjoy and appreciate the Nation's Capital and its great historic background will be encompassed by this study. Particular emphasis should be given to the treatment of foreign visitors who are coming to the United States in increasing numbers each year, to assist them when they are in Washington and to encourage them to travel to other sections of the United States. The study should also encompass what services must be provided to assist our Nation's youth who come here by thousands each year in student groups. Special consideration should be given to our young citizens—this Nation's greatest resource. The study should also consider auxiliary services such as parking in or near visitors' centers, the overall question of coordinated transportation, and the location of information centers at strategic locations throughout the area for the convenience of the visitors.

STUDY COMMISSION

The Study Commission composed of 21 members, including the Secretary of the Interior, the Administrator of the General Services Administration, the Secretary of the Smithsonian Institution, the Chairman of the Council on the Arts and Humanities, the Chairman of the National Capital Planning Commission, the Chairman of the Commission of Fine Arts, six Members of the Senate, three from each party, to be appointed by the President of the Senate, and six Members of the House of Representatives, three from each party, to be appointed by the Speaker of the House of Representatives, and three additional members appointed by the President, by and with the advice and consent of the Senate, at least two of whom shall not be officers of the Federal Government. Non-Federal members shall serve at the pleasure of the President.

His background in dealing with visitors to the national parks convinced the committee that the Secretary of the Interior is the logical choice to be Chairman of the Study Commission. Necessary provisions are made for members who are not officers of the Federal Government and the District government to receive proper compensation with respect to travel expenses, etc. The Administration of the General Services Administration shall provide from among the personnel and facilities of the GSA the necessary staff and facilities to assist the Commission in carrying out its duties under this act. This Commisson is authorized to report back to the Congress not later than March 15, 1967.

COST OF STUDY

Information provided to the committee by the Department of the Interior on related legislation in a letter dated June 1, 1966, indicated that the cost of such study as is anticipated to be conducted under H.R. 14604, is approximately $60,000.

STRIKING OF MEDALS IN COMMEMORATION OF CERTAIN NAVAL ANNIVERSARIES

The bill (S. 3881) to provide for the striking of medals in commemoration of the U.S. Naval Construction Battalions (Seabees) 25th anniversary and the U.S. Navy Civil Engineer Corps (CEC) 100th anniversary was announced as next in order.

Mr. CARLSON. Mr. President, I ask unanimous consent to have printed at this point in the Record a statement prepared by the distinguished Senator from California [Mr. Murphy], together with a letter and articles on this subject.

There being no objection, the statement, letter, and articles were ordered to be printed in the Record, as follows:

Statement by Senator Murphy

On October 5 I introduced S. 3881, which would authorize the striking of medallions in commemoration of the 25th anniversary of the United States Construction Battalions (Seabees) and the 100th anniversary of the U.S. Navy Civil Engineer Corps (CEC). The 100th anniversary of the Engineer Corps will be observed on March 2, 1967, and the Seabees will mark their 25th anniversary on March 5.

Naturally, this is a significant and special event to the members and veterans of these illustrious outfits.

I take this opportunity to thank the distinguished Chairman of the Committee on Banking and Currency [Mr. Robertson] and the ranking Republican member of that committee [Mr. Bennett], as well as the other members of the committee, for their recognition of the importance of this bill and for their cooperation in expediting committee consideration, so that S. 3881 will be enacted this session.

The Seabees are a relatively new addition to our fighting forces. Formed in the early days of World War II, they have already built an outstanding reputation and have written new chapters in military history. Called upon to accomplish impossible tasks, these builder-fighters demonstrated that they "can do" the impossible. Their accomplishments were often done with the least tools and equipment. They often made their own. This ability to improvise has become characteristic of the Seabees. Commander W. D. Middleton writes of this ability to improvise as follows:

"Perhaps the best known of all stories of Seabee ingenuity, however, is that of a first class petty officer named Aurelio Tassone, who converted a bulldozer into a piece of combat equipment during the Treasury Islands campaign in 1943. Coming ashore on his bulldozer, Tassone found that a Japanese pillbox was holding up the advance. While a Seabee lieutenant provided covering fire with a carbine, Tassone raised his blade as a shield against enemy fire and advanced on the pillbox. At the last minute Tassone dropped the blade and demolished the emplacement."

This same "can do" spirit that meant so much to our successful military efforts in World War II is also at work for us in Southeast Asia. Beginning last spring Seabee construction battalions left Okinawa and Guam to land with the first Marines at Chu Lai and Da Nang. These battalions were soon joined by additional Seabees from Port Hueneme, California, and Davisville, Rhode Island. Seabees in Vietnam have grown steadily until there are presently eight battalions building and fighting today.

General Douglas MacArthur in writing to Admiral Ben Morreel in World War II said, "the only trouble with your Seabees is that you don't have enough of them."

This is true today. The intensification and acceleration of the war in Vietnam required more Seabees. Prior to the war in Vietnam, the Seabee battalions were at reduced peacetime strength, and to meet the necessary requirements for Vietnam, four new battalions were needed, in addition to the beefing up of the existing battalions. Some of the shortage was met by training recruits, but even after this was done, there remained a scarcity of these skilled technicians. To meet this serious problem, the Navy presented their recruitment program to the Building Trades Council of the AFL–CIO, which unanimously passed a resolution supporting this recruitment program and urging unions throughout the country to encourage apprentices and journeymen eligible for the draft to enlist in the service of the Seabees. The union and its members are to be congratulated for again answering the call of their nation during a time when we are resisting communist aggression in Vietnam.

The Seabees while fighting the enemy in Vietnam have also been doing constructive jobs and have been winning new friends for our country in Vietnam. A Seabee's working day, of course, never ends, and after putting in 12 working hours, his remaining hours are consumed in perimeter patrols and standing watch. There is little time for rest and recreation. There is too much to be done. A typical mobile construction battalion's monthly operational summary record shows some of the extracurricular activities of the Seabees.

(1) Administered 469 medical and dental treatments to the residents of the local village.

(2) Assisted village in the completion of three latrines.

(3) Distributed 2,000 bars of soap and two cases of powdered detergent.

(4) Distributed 165 family packets of blankets, clothing, sewing kits and soap.

(5) Distributed candy to 180 school children.

(6) Donated 4,500 piasters for local teacher's salaries.

(7) Delivered garbage to feed orphanage pigs.

(8) Collected and delivered scrap lumber and assisted in village in various projects.

Each of the Seabee units in Vietnam has adopted at least one orphanage. "These orphanages are being overhauled, rebuilt and modernized by grateful Seabees in return for orphans' smiles. Under these Seabee greens, the utility uniform worn by battalion personnel in the field, there beats a heart of courage, integrity and compassion."

The American press should tell the American people more about this kind of activity.

I have a special interest and a special pride in the Seabees for the home of the Pacific Seabees is Port Hueneme, California. Only recently a graduate of this distinguished Seabee base was awarded posthumously the medal of honor for his bravery in Vietnam. The wife of Seabee Construction Mechanic, Marvin Glenn Shields, accepted the medal of honor at a White House ceremony. The events for which Seabee Shields was honored began when it was reported that the "Viet Cong were all over the field." Intensive cross-range combat resulted and continued until 2:30 AM the next day, June 9th. At that time the U.S. defenses were broken and our troops found in necessary to return to an adjacent headquarters. Seabee Shields was wounded about his face, neck and back during this fighting. Despite such wounds, Seabee Shields continued resisting the Viet Cong. At dawn, it became necessary to destroy an enemy machine gun emplacement. Although he had never used a 3.5 inch rocket launcher, Shields volunteered for this difficult task, and was successful in destroying the enemy stronghold. While returning to his previous position, he was badly injured by enemy fire. Although his buddies were able to take him to a sheltered position and administer first aid, his injuries were too severe, and Seabee Shields died the afternoon of June 10. For these acts of bravery "above and beyond the call of duty," Seabee Shields became the first Seabee in the history of the organization to be awarded posthumously the medal of honor.

Not only was Seabee Shields honored by his country, but his fellow Seabees in Vietnam named a Seabee Camp at Chu Lai "Camp Shields" in memory of him. Seabee Shields truly exemplified the "can do" spirit of the Seabees, and it will be because of his efforts and the efforts of other brave members of our armed services in Vietnam that we will be successful in turning back communist aggression.

DEPARTMENT OF THE NAVY,
CHIEF OF CIVIL ENGINEERS,
Washington, D.C., June 15, 1966.

YEAR 1967—ANNIVERSARY YEAR FOR THE SEABEES AND CEC

The 25th Anniversary of the Seabees and the 100th Anniversary of the Civil Engineer Corps in 1967 represent an historical milestone in our service to national security in peace and war.

This event merits special attention in terms of a year-long observance!

I warmly invite you to contribute ideas, suggestions and services designed to mark the anniversary year as an impressive and memorable occasion nationwide.

Contributions characterized by imagination and ingenuity are especially welcome! And let's have them now!

I am designating CDR Blake Van Leer, Assistant Commander for Military Readiness, Naval Facilities Engineering Command, Headquarters here in Washington, as the Coordinator/Anniversary Year Campaign.

I am also asking that Commanders and Commanding Officers of Field Divisions, Seabee Type Commanders, Construction Battalion Center Commanding Officers, and active and reserve Seabee unit commanders within their jurisdictions, be responsible for regional and local plans and actions.

It is my hope, and expectation, that all of you will assist me to the fullest extent in this effort, and I invite you to address your ideas, suggestions or offers of service to me or to the Cooordinator, here at Headquarters, or to the appropriate officer in your field area.

I am pleased and proud to share with you this stimulating challenge in the spirit of our famed, "CAN DO!"

A. C. HUSBAND,
Rear Admiral, CEC, USN.

[From the Los Angeles (Calif.) Herald-Examiner, June 4, 1966]

VIET SEABEES RETRAIN—BLOODY BAPTISM WHILE BUILDING

(By Ted Thackrey, Jr.)

PORT HUENEME, June 4.—Here's a word of warning: If you happen to visit the Navy's Construction Battalion Center here, and run across a man from the Ninth Seabee Battalion, you can talk to him all you want—but don't call him a hero.

He won't like it . . .

The Ninth returned three months ago from a bloody eight-month tour of duty at Da Nang, South Viet Nam.

They were the first Seabee battalion since World War II to come under direct attack from an armed enemy, and they brought back a "most outstanding" unit citation as well as one Silver Star, a Legion of Merit, seven Bronze Stars, seven Navy Commendation Medals . . . and 109 Purple Hearts.

"But now we're getting ready to go back," said Capt. Richard E. Anderson, USN, commanding officer of the Ninth. "There's no time for telling ourselves how good we were.

"That was then. This is now. This outfit's got a long way to go before it'll be ready for a combat zone again."

He should know.

BUILDERS BUT WILL ALSO FIGHT

That Silver Star, the Legion of Merit—and one of those Purple Hearts—belong to him. He also holds the 1965 Morrell Medal of the Society of American Military Engineers for his outfit's achievements at Da Nang.

"Heroes, hell," he said quietly. "We're construction men. Builders, not line troops. We'll fight if we have to, sure. And, especially in a place like Viet Nam, we'll probably have to.

"But the main job is building; that's why the Seabees were formed in the first place, and that's still our principal mission."

FIRST TASTE OF GUERRILLA WAR

Of course, the Seabees have always been first-rate builders. They first proved their abilities at Guadalcanal, where they kept runways open at Henderson field despite repeated Japanese air attacks.

They provided the floating drydocks that made possible the Sicily and Normandy landings, and have built bases all the way from Tinian to Antarctica.

Viet Nam, however, was their first experience in actual guerrilla warfare—and an expensive lesson.

The Ninth Battalion was the third Seabee outfit of its size to reach Viet Nam. It moved in at Da Nang East, last June 27. Within hours, men and machines were at work on a missile site nearly four miles up a weird peak called Monkey Mountain which was made up almost exclusively of dense jungle and high cliffs.

They got that job done a month ahead of schedule, and had just completed their other big project, a full-scale Naval Hospital for combat casualties on Oct. 28, when the Viet Cong hit them.

Eight of the hospital buildings were destroyed by demolition charges and the 500-man outfit took 90 casualties within an hour.

But the hospital was rebuilt within two months, and ready for patients again.

Just a week later, there was another attack by the Congs. A total of 13 mortar rounds were exploded inside the camp's perimeter and another eight men wounded, including Capt. Anderson.

That didn't stop them, either.

They repaired damages there "with the left hand" while building a Marine base at Marble Mountain. And the whole area was shipshape when the 11th Battalion arrived to take over operations at the end of January.

"We were tired when we got home," admitted Steelworker First Class David Lancaster, 31, of Spartanburg, S.C. "But it wasn't the end of anything. It was just the beginning."

The troops got some leave, and then the retraining process began.

First came replacements.

The Seabee battalions have been increased in strength from 500 to more than 700 men, which means about 40 per cent of the Ninth is now made up of youngsters fresh out of boot camp, plus a few oldhands returned from civilian life.

Those who have construction experience receive ratings in accordance with that experience. Those who have none go to special schools here at the Construction Battalion Center.

FIELD PROBLEMS LIKE INFANTRY

Military training comes second—but a very big second, indeed.

This week, the battalion has been deployed at Conejo Brade on overnight bivouac. Their field problem is strictly infantry: Find and destroy an "aggressor" guerrilla force made up of combat veterans operating against them in the hills.

The "aggressors" are Seabees, too, of course. But they wear special uniforms and carry nonstandard weapons. And their tactics are copied from the Viet Cong, against which the battalion will be operating again before the year is out.

"Some of the kids were a little skittish at first," said Equipment Operator First Class Gus Meilleur, 38, of New Orleans, La. Meilleur is one of the "aggressors" who ambushed a truck on the road up the grade—and blew off a front wheel—in the opening maneuver.

"But they'll settle down. Now, and later when we go down to Camp Pendleton for extra training with the Marines at their Infantry School there. They'll be fine by the time they get to Viet Nam. They always are."

Capt. Anderson listened without comment.

RETURN BY AIR DURING AUGUST

"The teamwork training for the construction jobs to which we'll be assigned comes later," he said, "and it's got to be done before August. That's when we go back . . ."

This time the battalion will go by air to the combat zone, instead of riding a ship transport as they did last year. They can be manning machines in Viet Nam just one day after they shove off from Hueneme.

"And that's what they will do," the commanding officer said. "All we want is to get the job done. If we can do it without a fire fight, we'll do it. If not . . ."

He looked up the hill where Able Company was dealing handily with a simulated Viet Cong attack by "aggressors." The men, veterans and newcomers alike, seemed to be working well together. He nodded thoughtfully.

[From the Los Angeles (Calif.) Herald Examiner, June 4, 1966]

He Operated Under Vietcong Fire

(By Ted Thackrey, Jr.)

Port Hueneme, June 7.—Some men are born to be doctors. They know from the time that they are children that they will one day address the world with a bedside manner and a stethoscope discreetly tucked into the side coat-pocket. And for them, the road is usually easy and clear.

Lt. Harvey M. Henry of the Ninth Seabee Battalion, stationed here, was not one of these.

When he was in high school, back in Media, Pa., he thought he wanted to be a teacher. His elder brother—whom he idolized—was to be the doctor of the family.

And even when he graduated from college, he thought he'd be a dentist.

But he is a doctor; the assigned medical officer for Ninth Battalion, and anyone who doubts he is the greatest doctor on earth will have to fight about 500 men (give or take a few dozen.)

Dr. Henry was taken into the Navy almost immediately after finishing his year of internship, and he's been in ever since.

NINETY CASUALTIES

He admits he had a few qualms about himself, as most thinking men do, when he was informed that he would be going to Viet Nam when the Ninth was assigned to a construction site at Da Nang.

But any doubts he may have held (and any held by others) dissolved last Oct. 28 in a burst of rifle fire and demolition charges which all but destroyed the hospital which the battalion had built for him there.

In about an hour, the battalion took some 90 casualties.

Two of the wounds ultimately proved fatal. But the rest of the wounded men lived to tell the story about a preoccupied surgeon, standing cool and steady while the operating room came down around his ears, never missing a single motion in a series of lifesaving operations.

MEN GRATEFUL

"If Harvey Henry ever needs any little thing, like an arm or a leg or a spare heart," said Capt. R. C. Anderson, commanding officer of the Ninth, "I guess he knows who to ask.

"There isn't a man in this outfit who'd think twice, or begrudge the gift . . ."

Dr. Henry himself tends to pass the whole thing off as an accident.

"I knew the Viet Cong were making a shooting gallery of the place," he recalled. "How could I miss that? The casualties I was getting hadn't been kicked by goldfish.

"But I swear I didn't know how bad the hospital was beat up until everything was done. I don't know, maybe I'd have ducked under something if I'd realized what a pasting it was getting to be.

"But I was busy . . ."

He was all of that. Dr. Henry was the only medical officer in the area, and for help he had exactly two corpsmen, one of whom had a wound of his own before the attack was over.

One corpsman entered the receiving ward to find the doctor keeping a man's throat open for air with one hand while applying heart-massage with the other.

"Good thing the guy wasn't bleeding somewhere else," Dr. Henry grinned. "I don't know WHERE I'd have found a third hand."

The corpsman snorted.

"He'd have found one," he muttered. "He'd have figured something out."

The Navy seems to share the battalion's enthusiasm for their medical officer.

AWARDED MEDAL

For that day's work, Dr. Henry holds the Navy Commendation Medal, one of seven awarded to the Ninth Battalion during its eight-month Viet Nam tour.

"I'll admit, though, that I was pretty depressed when I finally had a chance to see what the V.C. had done to the hospital," Dr. Henry admitted. "It was a real mess. In the morning, it had been almost ready to go.

"By nightfall, it was a ruin. I wondered if anyone, even the Seabees, could put it back together again."

But they did. In just two months, the 200-bed facility was back in business, treating battle casualties, and Dr. Henry and his corpsmen were finding extra time to treat injured and diseased Vietnamese villagers of the area.

MORALE FACTOR

Now the Ninth is here at Port Hueneme, beefed up and preparing for another tour of duty. Dr. Henry is still with the outfit, and the men of the battalion are glad.

"He's a big morale factor," said construction recruit Herb Jones, 19, of New York City. "I've never seen combat before, but if I'm going to—and it looks like I am—I'm glad he's the doctor.

"The old hands in the outfit say he doesn't miss. A real cool head . . ."

Dr. Henry grinned.

"I guess," he said, "I picked the right thing to do, after all. Funny—you know that big brother of mine, the one who was going to be a doctor in the first place? Well, he didn't! Went into industrial engineering, instead.

"Good thing I got over the feeling I couldn't compete with him, and decided to be a doctor anyway."

And the men of the Ninth Seabees all seem to agree with him about that.

The Seabee Tradition

(By Lcdr W. D. Middleton)

The Navy's Seabees were less than six months old when their first unit came under fire early in World War II. Only three weeks after the Marines assaulted the beaches of Guadalcanal in August 1942, Seabees of the Sixth Naval Construction Battalion followed them ashore to begin the difficult job of converting a muddy former Japanese landing strip at Henderson Field into an all-weather airfield capable of supporting anything from fighter aircraft to Army B-17's.

The construction job was tough enough, but to make matters worse Henderson Field was under almost constant attack by Japanese artillery and aircraft, and great craters were torn in the airfield every time a bomb or shell scored a hit. As if all this didn't given them enough to do, the Seabees had to be ready to take up positions in the defensive perimeter in the event of Japanese landing against the narrow beachhead.

Typical of Seabee ingenuity at Guadalcanal were the "crater crews" that rushed to repair the damage after every hit on the airfield. Quickly learning from experience the Seabees stockpiled Marston matting (the pierced steel planking used to surface the field) along the runway in bundles sufficient to repair an average sized hole. Construction equipment and trucks, already loaded with enough sand and gravel to fill a bomb or shell crater, were placed under cover at strategic points along the runway.

Whenever Japanese bombers approached or artillery opened up, the Seabee "crater crews" raced from their foxholes, tore away damaged matting, backfilled the craters, and quickly laid down new matting. Before long the Seabees were doing the job so rapidly that forty minutes after a bomb or shell fell it was impossible to tell that the airfield had ever been hit.

Throughout the three-month battle for Guadalcanal the Seabees performed construction miracles to expand Henderson Field and to keep it open, at one time continuing work even when Japanese troops had pushed the Marine front line to within 150 feet of the field. During one particularly fierce attack, the Japanese put no less than 53 bomb and shell holes in the airfield during a 48-hour period.

But despite the worst efforts of the enemy forces, the Seabees were able to keep Henderson Field open throughout the bitter campaign, and their success in keeping Marine fighter planes in the air played no small part in the eventual U.S. victory at Gaudalcanal. Thus was begun the Seabee "Can Do" tradition of World War II.

SEABEES AND MARINES

One of the earliest traditions developed by the Seabees of World War II was an unusually close comradeship with the United States Marines. Although they fought and built almost everywhere in the global conflict, and worked with Army troops and fleet sailors as well as Marines, the Seabees' greatest contribution to World War II victory was the role they shared with Marines in the bitter island-hopping war in the Pacific.

Based upon mutual respect and shared hardships, the Seabee-Marine fellowship was born as early as 1942, when Marines and Seabees worked and fought side-by-side throughout the bloody battle to hold the Guadalcanal beachhead and to keep the Henderson Field airstrip open to Marine fighters and Army bombers. In this and later Pacific campaigns the Seabees learned to admire the Marines' unsurpassed skill as professional fighting men, and the Marines became equally impressed with Seabee skill as professional builders.

As often as not this Seabee-Marine mutual esteem was expressed in good-natured jokes at each other's expense. Recruited largely from the ranks of skilled construction workers, the average Seabee was ten years or more older than the typical Marine. Soon after the first Seabees came ashore at Guadalcanal the Marines were joking, "Never hit a Seabee, he might be some Marine's father." The Seabees quickly retaliated by manufacturing "Junior Seabee" badges, which they awarded to deserving Marines. And the Seabees liked to claim, "Marines only capture territory; it's the Seabees who improve territory."

In a classic piece of one-upmanship on one occasion during the Pacific campaign, the Seabees managed to best the Marines' proud boast of always getting places first. At New Georgia in July of 1943 a detachment of Marines charged ashore from landing craft in a dawn assault and rushed up the beach looking for Japanese troops, only to be greeted by a party of Seabees that had already landed on the enemy-held island to make a reconnaissance for an airfield site.

The close relationship that grew up between Marines and Seabees during World War II has continued throughout the postwar years. As they have ever since the formation of the first construction battalions 24 years ago, Marines still guide and assist Seabees in learning their necessary fighting skills. Much of the Seabee construction efforts since the end of the war has been devoted to Marine Corps facilities. And today, in the Republic of Vietnam, the Seabees are devoting almost their entire effort to the construction of advance base facilities to support the operations of the Third Marine Amphibious Corps.

SEABEE INGENUITY

One of the earliest Seabee traditions to emerge during World War II was the almost legendary ability of a Seabee to improvise. Hastily formed and rushed into the war, the early construction battalions were nowhere near as well equipped as the present-day battalions. Frequently, too, supplies of construction materials and spare parts were insufficient for the job at hand. None of this, however, deterred the resourceful Seabees from getting the job done.

Early in the Solomons campaign, for example, the 15th Construction Battalion was handicapped by a lack of machine tools. A Seabee warrant officer, who had been a machinery salesman before the war, set out on a trip to New Zealand, where he successfully repurchased equipment from his former customers, and the Seabees soon had a well equipped machine shop. More equipment was scrounged from the aircraft carrier Enterprise in return for repair jobs. Before long the Seabees were taking in repair work from the Army and Marines, and were even repairing airplanes.

Lacking a replacement for a blown out bulldozer head gasket, Seabees in the Ellice Islands fashioned a replacement from thin sheets of metal and paper, and quickly put the 'dozer back into service. A seabee chief on Samoa manufactured a replacement condenser out of waxed paper, tinfoil from cigarette packages, and an old beer can in order to keep one piece of equipment operating. On Guadalcanal another Seabee petty officer kept captured Japanese trucks in operation by improvising replacement radiators out of metal ammo boxes, a method that was soon being used all over the Pacific. Other Seabees learned how to keep tractors running by mounting fuel drums in place of smashed radiators.

The 55-gallon fuel drum, as a matter of fact, proved to be one of the most useful of Seabee construction materials. With the ends cut out and welded together, thousands of drums were converted into culverts. Split down the side and flattened, they made excellent roofing material. One group of Seabees even manufactured a sightseeing canoe from fuel drums.

Worn out tires that would no longer hold inner tubes were kept in service by filling them with a mixture of palm tree sawdust and cement. Beer and Coke bottles were used as insulators for power and telephone lines. Seabees learned how to make replacement watch crystals out of plexiglass from wrecked planes, devised a method of welding broken dental plates with a mixture of ground rubber and cement, and one Seabee machinist even manufactured a pair of silver stars from two quarters for a newly promoted general. Other Seabees made extra money during off-duty hours by manufacturing fake Japanese battle souvenirs and native jewelry for sale to gullible new arrivals.

Perhaps the best-known of all stories of Seabee ingenuity, however, is that of a first class petty officer named Aurelio Tassone, who converted a bulldozer into a piece of combat equipment during the Treasury Islands campaign in 1943. Coming ashore on his bulldozer, Tassone found that a Japanese pillbox was holding up the advance. While a Seabee lieutenant provided covering fire with a carbine, Tassone raised his blade as a shield against enemy fire and advanced on the pillbox. At the last minute Tassone dropped the blade and demolished the emplacement.

SEABEES' MAGIC BOX

Probably the least glamorous in appearance of all the new "weapons" that helped the U.S. to win World War II was the lowly steel pontoon—the Seabees' "magic box"—that became an indispensable tool of a hundred purposes for the U.S. Navy's mighty amphibious forces.

Civil Engineer Corps planning as early as 1936 had foreseen a need for a variety of barges, small yard craft, and other miscellaneous floating equipment in the event of a major amphibious war in the Pacific. By 1940 a CEC captain, John N. Laycock, had set to work in earnest developing his ideas for a standardized steel pontoon that could be assembled into an almost endless variety of floating equipment. By early 1941 the first experimental pontoons had been successfully tested and soon thousands of them were in production.

The basic pontoon was little more than a steel box five by seven by five feet. The real key to its versatility was the system of heavy steel angles, and special hardware, or "jewelry," developed by Capt. Laycock which permitted the pontoons to be assembled in a wide variety of arrangements. Strings of pontoons were assembled for use as barges or piers, and with the addition of a specially developed outboard propulsion unit, the amphibious Seabees had a self-propelled barge or warping tug for work around a harbor or beachhead. Cranes, pile drivers, dredges, and almost any other kind of equipment for waterfront work could be mounted on a pontoon barge. Arranged as a barge with pontoon walls on each side, and equipped with the necessary piping and pumping equipment, a batch of pontoons could be assembled as a floating drydock for PT boats and other small craft.

Seabees, of course, found many more uses for the versatile pontoons than those envisioned by its designers. Many saw service as fuel and water tanks, and a pontoon with the addition of a little piping could be mountel on a flat bed truck to make a water distributor. With the addition of a door a pontoon made a fine paint or gear locker. A Seabee cook in the Russell Islands even converted a pair of the pontoons into an oven and grill.

The pontoon really came into its own, however, in the Allies' 1943 landings in Sicily. The Navy's versatile LST had been designed to approach a steeply sloping beach, drop its ramp, and disgorge its load of tanks and other vehicles directly onto the shore. Since they assumed the LST's and other large landing craft couldn't get close enough to make a landing on the shallow sloping beaches along much of the southern shore of Sicily, the Germans had installed only relatively light defenses.

The ingenious Capt. Laycock, however, had already gone to work on a new use for his versatile pontoons. Special hardware and fittings were devised that permitted assembly of the pontoons in long two-pontoon wide causeway sections, which were hung on the sides of the LST's. As the landing ships approached the shore the causeway sections were cut loose, dropped into the water, and their momentum carried them into the beach. The intrepid amphibious Seabee crews that rode the pontoons quickly connected the causeway sections, the LST's were "married" to the outer end, and in a matter of minutes vehicles were rolling ashore.

First used in the Sicily landings, where causeways over 300 feet long were employed to land Allied forces where they weren't expected, the new pontoon adaptation was a major factor in the success of the operation, and for the remainder of the war the LST-pontoon causeway combination was used in almost every major amphibious assault.

Even today, a quarter of a century after its development, the versatile pontoon remains as a workhorse of the amphibious Seabees. Only last May, when MCB-10 and Marine Corps forces landed at Chu Lai, Republic of Vietnam, their equipment and supplies went ashore over the familiar pontoon causeways.

"RHINOS" IN OPERATION OVERLORD

Among the difficult problems faced by planners of "Operation Overlord," the great Allied invasion of Normandy in 1944, was one presented by the character of the beaches where the landings were to take place. At both Utah Beach and Omaha Beach, where the U.S. forces were to land, the slope of the beaches was unusualy flat, and the water line moved up or down the beach a half mile or more as the tide rose or fell. Just off the shore and running parallel to the beach, sandbars—whose position shifted constantly with the tide or storm conditions—presented still another problem.

Because of these positions, it would have been almost impossible to use LST's or other amphibious craft in the usual manner. Landings could have been made at high tide, but unless the vessels were quickly unloaded, the rapidly receding tide might leave them stranded high and dry on the beach, exposed to German attack until the tide came back and refloated them. If landings were made at low tide the vessels would ground on the sandbars, leaving troops and vehicles with deep water between them and the shore. Even if they were able to get past this obstacle, the inrushing tide might overtake them before they could get all the way up the beach

Under these conditions even the Seabees' famous pontoon causeways, first used the year before in Sicily, would have been unable to bridge the gap between ships and shore. The Civil Engineer Corps Capt. John Laycock, who had originally developed both the pontoons themselves and the pontoon causeways, quickly came up with still another variation of the Seabees' "magic box" to solve the problem of the Normandy beaches.

One hundred-eighty of the pontoons were assembled into a huge ferry barge, six pontoons wide and thirty pontoons long, powered by two of the large outboard motors developed for use with smaller pontoon barges. A specially developed loading and unloading ramp was placed at one end. Big enough to take half an LST load of supplies and equipment, the pontoon ferries were designed to "marry" an LST safely anchored in deep water. As soon as the ferry was loaded it cast off and headed for the beach under its own power. With its shallow draft the pontoon ferry could easily get over the treacherous sandbars to the beach. Only two trips were needed to unload an LST, and then the ferry proceeded to unload another ship.

To a naval aviator, who happened to fly over one of the first experimental models at Quonset, R.I., the Seabees' pontoon ferry looked more like a rhinoceros than anything else, so before long, "rhino ferry" became their unofficial name.

As the great Normandy invasion grew nearer, Seabees of the 81st and 111th Construction Battalions worked in British shipyards to assemble their rhino ferry fleet, and as soon as they were completed, they took them to sea to practice the tricky job of "marrying" them to LSTs and transferring cargo.

On June 5, 1944, the day before D-Day in Normandy, the rhino ferries and their Seabee crews headed out to sea for the journey to France, each of them on a 300-foot towline behind an LST. Early on D-Day morning the LSTs and the rhinos were off the beaches at Omaha and Utah. Unexpected heavy seas made the task of joining the ferries to the LSTs almost impossible, but after several hours of effort the job was finally completed and the rhinos were on the way to the beaches. It was close to noon before the first rhinos reached the beaches, only to discover that the Germans had planted mines and obstacles all along the beaches that made it almost impossible to land. A few got ashore that day, but many of the Seabee crews had to wait offshore with their ferries for a day and a half or more before demolition teams were able to clear the beaches so they could land.

Throughout the first days of the Normandy invasion, despite the hazards of severe weather, mines, and German gunfire, the Seabees and their rhino ferries shuttled between the invasion fleet and the beaches, landing thousands of trucks, tanks, and other vehicles, and tons of the supplies that sustained the American armies ashore.

Removal of coral "heads" from the runway sites and quarrying of coral for runway surfacing consumed an average of 12 tons of dynamite and 4,800 blasting caps a day. Maintenance crews worked around the clock to keep equipment going despite the ravages of coral dust that wore out moving parts in a fraction of the usual time. Twenty-four welding crews were required just to repair the damage done to power shovels, bulldozers and scrapers by the hard coral.

Except for one runway, which took 73 days to build, none of the B-29 runways took over 53 days to complete, and the entire base was completed in less than a year. Only a few months after the Seabees first started work the Army's B-29 fleet began striking at Japan from the Tinian base. The biggest Seabee job of the war had played a vital part in launching the great bombing raids that speeded victory in the Pacific War.

CUBI POINT

By far the largest peacetime job ever undertaken by the Navy's Seabees was the construction of a major base for the U.S. Seventh Fleet at Cubi Point, on Subic Bay in the Philippine Islands. Required to support the growing U.S. commitments in the Far East, the Cubi Point base was started at the height of the Korean War in 1951.

Overall direction of the project was in the hands of the 30th Naval Construction Regiment, which was set up at Cubi in September 1951. During the next two years the arrival of Mobile Construction Battalions 2, 3, 5, 9 and 11 brought the Cubi Point construction force to a total of some 3,000 Seabees.

Working as many as three shifts a day, six days a week, the Seabees spent five years converting Cubi Point's jungle and mountains into a modern base for Seventh Fleet carriers. Huge trees, sometimes as much as a hundred and fifty feet tall and six to eight feet in diameter had to be blasted out of the way; swamps filled, and even a native village relocated.

A huge hill was removed and Cubi Point itself widened to accommodate the base's airfield. One battalion was given the task of removing 85 feet from the top of a mountain to provide a safe approach to the runway. Over 200,000 cubic yards of rock and earth were moved in the process.

THE GREAT B-29 BASE ON TINIAN

By the summer of 1944, advancing U.S. Forces in the Pacific War against Japan had reached the Marianas Islands, 4,000 miles west of Hawaii and less than 2,000 miles from Japan itself. On June 15, the Marines hit the beaches at Saipan. On July 21, they began the invasion of Guam, and only three days later the same Marines that had taken Saipan were swarming ashore on Tinian.

Even before the Marines had officially secured Tinian, Seabees began landing to work on their biggest single job of the entire war—constructing the world's largest air base for the Army Air Corps' B-29 "Superfortress" bombers that would soon begin carrying the war to the Japanese homeland. Tinian, 12 miles long, six miles wide, and fairly flat, provided a good airfield site that placed the new B-29's within range of Japan for the first time.

To support the huge B-29 fleet that was to operate from Tinian the Seabees built six runways, each a mile and a half long. Four were built at North Field, together with 11 miles of connecting taxiway and hardstands for 265 planes. At West Field, an 18-mile taxiway network and 361 hardstands were built to support the remaining two bomber runways, as well as two smaller airstrips. In addition to the airfield facilities themselves, the Seabees constructed nearly a thousand buildings, miles of roads, fuel and ammunition storage, and utility systems for the Tinian base.

To carry out the huge construction task, the Navy organized the Sixth Construction Brigade, made up of three Construction Regiments, each of which in turn was made up of several battalions. Altogether some 15,000 Seabees were involved in the Tinian work. The fleet of well over 1,500 pieces of heavy construction equipment assembled for the job included almost 800 trucks, 173 scrapers, 160 tractors and bulldozers, 60 graders, and 80 power shovels.

Working in two ten-hour shifts daily, the Seabees built the world's largest air base in record time. Although much of the terrain was reasonably level, in places the bomber runways required cuts as deep as 15 feet and fills 30 to 40 feet high. By the time the job was done the Seabees had moved more than 11 million cubic yards of earth and coral.

Once the airfield was done the Seabees built roads, piers, shops, ammunition storage, and barracks to complete the base. By the time the great project was done it was estimated that 20 million manhours of Seabee labor had gone into the building of the Cubi Point base, and that a greater volume of earth had been moved than in the digging of the Panama Canal.

At Cubi Point the Seabees built a major new base for the Navy, but perhaps even more important the project provided a priceless opportunity to develop construction skills and leadership qualities in a whole new postwar generation of Seabees. Hundreds of Seabees who first learned their skills at Cubi Point still serve on active duty. Now senior petty officers and chief petty officers, they provide the indispensable background of experience needed to guide and train the young Seabees of the 1960's.

SEABEES ON THE ICE

This year's 1966–67 Operation Deep Freeze marks the beginning of a second decade of Seabee participation in the continuing U.S. program of scientific study and exploration of the Antarctic continent.

Seabees first landed on Antarctica in 1947 as part of the Navy's Operation High Jump expedition led by RAdm Richard E. Byrd. Seabee work in this first post-World War II Antarctic expedition included unloading of supplies and equipment and the construction of new facilities near Byrd's 1939–40 Little America base.

Although Operation High Jump lasted only a few months, the Seabees and the Navy returned to the ice to stay in 1955 when the U.S. began constructing permanent scientific outposts in the Antarctic. The Seabees of the first Operation Deep Freeze, as it was called, were part of the newly formed Mobile Construction Battalion (Special) organized at Davisville, Rhode Island and specially trained in cold weather operations. Their Deep Freeze mission included hauling of supplies by tractor and sled across the ice, construction of camp facilities at Little America and McMurdo Station, and construction of a ski-plane airstrip on the ice of McMurdo Sound.

Among a "wintering over" party from the first Deep Freeze II, were nearly 200 Seabees, whose tasks included support of the scientific program and construction of a 6,000 foot ice runway on McMurdo Sound. Working throughout the Antarctic winter in temperatures that often fell to 65 degrees or more below zero, and despite a fierce three-day blizzard that once destroyed the entire project, the Seabees had the new runway ready for arrival of a Deep Freeze II advance party by air from New Zealand in October 1956.

Before the end of October, RAdm Dufek, Commander of Deep Freeze II, took off from the Seabees' ice runway to become the first explorer ever to land at the South Pole by plane. A few weeks later, Seabees, sled dogs, construction materials, and equipment followed the admiral to the Pole to commence construction of a permanent camp at South Pole Station.

In the nearly ten years since the first Deep Freeze expeditions, thousands of Seabees have continued to work at Antarctica, building roads, runways and buildings at the American stations on the frozen continent.

In 1962, a milestone in the use of nuclear energy was achieved when the first of several nuclear reactors began to produce electric power and heat, and to distill fresh water, at McMurdo Station. Operating the reactors were crews made up largely of specially trained Seabees.

Although the climatic environment and much of the materials and equipment they work with have been far different from those normally encountered by Seabees, their traditional qualities of ingenuity, skill, energy, and endurance have enabled the Navy's Seabees to establish a distinguished, and still growing, reputation for their many achievements on the Antarctic ice.

SEABEE TEAMS

An important new part of the Seabee tradition in recent years has been the several types of Seabee Teams, which have proven a valuable addition to U.S. programs aimed at strengthening the free world by helping the people of underdeveloped nations help themselves.

Utilizing the construction skills of carefully selected men, Seabee Teams have been deployed to locations as widespread as Southeast Asia, South America and Africa, where their skills have been employed in a wide variety of "civic action" construction missions aimed at improving the living conditions of the people of other nations.

Even more important than the work they have done themselves, the Seabee Teams have helped to train people of these countries in modern construction methods so that they themselves can continue to improve their own living conditions long after departure of the Seabee Teams.

Although Seabees have always been eager to lend a helping hand wherever they have been, the formal Seabee Team program was not born until 1960, when an Atlantic Seabee detachment was deployed to Haiti. Their mission was the construction of a road, causeway, and pontoon bridge at Lake Miragoane, Haiti, when flooding of the lake threatened to isolate the southern tip of the island.

Soon after this first venture, other Seabee Teams were sent on a regular basis to other countries for similar missions. Since 1960 Atlantic Seabee Teams have deployed to such countries as Chile, Costa Rica, Santo Domingo, Liberia, the Republic of Chad and the Central African Republic, where they have built farm-to-market roads, taught construction skills, and engaged in disaster relief work.

Since January 1963, teams from the Pacific Seabees have been deploying to Thailand and the Republic of Vietnam, where they have engaged in a wide variety of rural development work, including road, bridge, and school construction. Several teams deployed to the Republic of Vietman have been engaged in construction of Special Forces camps. One team, Seabee Team 1104, was constructing such a camp when it participated in the heroic defense of Dong Xoai against a heavy Viet Cong attack last June.

In addition to the normal 13-man teams, other special teams from the Pacific battalions have performed similar work in Southeast Asia. Well-drilling teams have helped provide pure water supplies to rural villages in Vietnam, and EO/CM teams have helped in a rural road building program in Northeast Thailand.

RAdm. J. R. Davis, former Commander of the Pacific Seabees, recently expressed the comment of the U.S. ambassador to Thailand that no other U.S. aid program has accomplished as much in proportion to its cost as the Seabee Team program.

Thus, in a few short years, the Seabee Teams have become a proud—and continuing—part of the Seabee story.

A NEW CHAPTER

In the spring of 1965, as the U.S. increased its commitment of military forces in support of the war against the Viet Cong in South Vietnam, the Seabees were once again called upon to provide construction support to Navy and Marine Corps forces in a combat area. Not since World War II had the Seabees been committed on such a large scale in support of combat operations.

MCB–10, then deployed on Okinawa as the Pacific "alert battalion", was the first to go. Late in April MCB–10 commenced its mount-out, and within less than ten days the entire battalion, its equipment and supplies, and aluminum matting to construct an 8,000-foot expeditionary airfield, were embarked on amphibious force ships of the U.S. Seventh Fleet.

Early on the morning of May 7, in one of the largest operations of its kind since the Korean War, Marines came ashore in a coordinated amphibious landing to occupy the Chu Lai site. The Seabees of MCB–10 were right behind them with their equipment and supplies to set up a camp and begin work on the Chu Lai runway. In only 21 days time, high performance Marine jets were flying strikes against the Viet Cong from the Seabee-built airfield. During the remainder of its Chu Lai deployment MCB–10 continued to expand and improve the airfield, and constructed a wide variety of roads, cantonments, and other facilities in support of units of the Tihrd Marine Amphibious Force operating in the Chu Lai sector.

MCB–3, deployed on Guam as the Pacific "back-up battalion", was the next to leave for Vietnam. Preceded by an advance party, which started work on a battalion camp at the base of Hill 327 at DaNang, MCB–3 mounted out from Guam in May and commenced construction work at DaNang by the end of the month. Chief among Three's projects was the rebuilding of a road leading to the Marine missile site on Hill 327.

MCB–9, deploying from Port Hueneme early in June, was the third battalion to arrive in Vietnam. Establishing its camp next to the South China Sea at DaNang East, Nine immediately started work on a wide variety of projects, chief among them a large Naval Hospital and an extremely difficult road to a missile site on Monkey Mountain, in DaNang Bay.

In order to coordinate mobile construction battalion work in Vietnam, the 30th Naval Construction Regiment, inactive since the Cubi Point project in the early 1950's, was re-established at DaNang in May. Initially, the regiment was under the command of Capt. Harold F. Liberty. The current commander is Capt. Nelson B. Anderson.

Seabee strength in Vietnam was increased to four battalions in September, when MCB–8, previously an Atlantic battalion, moved to Port Hueneme and almost immediately deployed to DaNang, where it commenced work on port facilities and other projects.

MCB–5 became the fourth Pacific battalion to deploy to Vietnam in September when it relieved MCB–3 at DaNang. A second Atlantic battalion, MCB–4, moved its home port to Port Hueneme in November, and deployed to Chu Lai a month later to relieve MCB–10. Most recently, MCB–11 deployed to DaNang early in February to relieve MCB–9.

The large scale commitment of Seabees to the war in Vietnam has proven the value of the long-hard peacetime deployments and the continuing emphasis on training, mobility, and self-sufficiency characteristic of the Navy's mobile construction battalions. For each of the seven battalions that have thus taken part in the Southeast Asian conflict has shown the same capability to deploy to a new location, establish itself, and commence production construction with a speed, effectiveness, and flexibility unmatched by any other military engineering unit.

With Seabees in demand as never before since World War II the Navy has commenced a broad build-up of the naval construction force. Each of the ten original battalions has been increased in its officer and enlisted complement and early this year the Navy Department announced the formation of four new battalions at Davisville, Rhode Island. MCB–40 was formally commissioned on Feb. 1, with MCB's 58, 62, and 133 to follow during the next few months.

Clearly, as General Douglas MacArthur wrote to Adm. Ben Moreell during World War II, "the only trouble with your Seabees is that you don't have enough of them!"

ABOUT THE AUTHOR

"The Seabee Tradition" is adapted from a series of articles highlighting Seabee accomplishments originally published in the MCB–11 Stinger during 1965.

The author, Lcdr. William D. Middleton, has been executive offiecr of MCB–11 since August 1964, and is presently deployed with the battalion at DaNang. His previous naval service includes assignments at Port Lyautey, Morocco; at NAS Minneapolis; as civil engineering adviser to the Turkish Navy on the staff of the U.S. military mission to Turkey; and as planning officer at PWC Norfolk.

During a period of inactive duty he was employed as a structural engineer with firms in California and Wisconsin, and as a bridge designer with the Wisconsin State Highway Commission.

In addition to his engineering duties, Lcdr. Middleton has long been active as a writer. He has written numerous articles for newspapers and magazines, among them American Heritage, and is the author of two published books of railway history, with a third due for publication later this year.

CAN DO! THE STORY OF THE SEABEES

(NOTE.—Hacking through thousands of miles of coral and jungle, the pick-and-shovel sailors laid the roads and airstrips that led to victory.)

(By Bruce Jacobs)

Even their most ardent supporters agreed that the men of the United States Navy Construction Battalions were the most unlikely-looking sailors ever to wear the Navy's blues. Their disregard for conformity was notorious, their penchant for the spectacular was monumental.

Organized for immediate overseas duty in the most crucial days of World War II, the pick-and-shovel sailors, the swashbuckling Seabees, became a colorful legend in the jungles and atolls of the Pacific. They shipped out to the hot spots in the global war before most of them could tell a belaying pin from a capstan and they won a Paul Bunyan-ish reputation for being men who could get things done under the worst conditions available.

They were equally expert at fighting and working but working was their primary duty. In the Navy there is an old saying that the fleet is as good as its advance bases. With their trip-hammers, bulldozers and giant cranes, the Seabees gave the Navy—as well as the Army and the fly boys—a string of advance bases and airfields from the far reaches of the South Pacific to the doorstep of Japan herself.

All told, by V–J Day the Seabees had built more than 400 advance bases in the Pacific and in the Atlantic—construction jobs that involved the expenditure of the staggering sum of two billion dollars. The highways they hacked out of jungle and the airstrips they carved out of coral would, if placed end to end, circle the world twice!

It was out of sheer admiration for the Seabees' efficiency that Admiral William F. (Bull) Halsey once remarked, upon returning to his flagship from an inspection trip ashore, "I had to move lively to keep from being bulldozed off the beach!"

And a famed Marine raider battalion posted a huge signboard adjacent to their Bougainville camp which proclaimed:

> "When we reach the Isle of Japan with our
> caps at jaunty tilt,
> We'll enter the city of Tokyo on roads the
> Seabees built."

Seabees saw service in the Mediterranean and in the European Theater of Operations, too. But it is for their Pacific duty (82 per cent of the Seabees served in the Pacific) that they are best known. Their success was spectacular and they were unique in that, despite the inter-service rivalry prevalent in the area, the Seabees were highly regarded by all. They were a hardy lot—particularly the men of the early battalions (the term Seabees comes from the initials of Construction Battalions) who were recruited directly from civil life on the basis of their experience in the construction business. They were supreme in their self-confidence and it can be truthfully said that they never tackled a job that stumped them. They built airfields at the height of a rainy season when veteran engineers said it couldn't be done. And they did it in record time. They liked to boast that they were among the first to land and the last to leave. For the Seabees to put "their mark" on an island meant to transform it from a wilderness into a modern base of operations.

Their familiar corps insignia was a fighting bee whose arms bristled with a tommy gun, a hammer and a wrench. Less well known was the Seabee official motto: *Constrimus, batuimus*—We build, we fight.

But it is in keeping with the character of the Seabees that the catch phrase for which they are best known is one that they devised for themselves. It came out of the stink and grime of Guadalcanal and out of the muck and fever of New Georgia. *Can Do!*

This was the creed of the horny-handed construction men of the Navy—the steamfitters, cat-skinners, loggers, hard-rock drillers, pipe-line experts, and steel-workers who manned the Seabee Battalions from Iceland to Samoa, from the Aleutians to the Normandy Beachhead.

Now it is a legend, one that is as much a part of Naval history as John Paul Jones and "I have not yet begun to fight!" and David Glasgow Farragut and "Damn the torpedoes! Full speed ahead!"

Nor did the Seabee legend end with the victory over the Axis in World War II. Already there are new chapters in the story. There is, for example, a story that is told of an incident that took place during the heavy fighting for Inchon and the approaches to Seoul on the west coast of Korea in September, 1950. The grimy men of the 1st Marine Division were pushing inland when a locomotive came *toward* them, chugging its way up tracks miraculously left intact following a vicious mortar and artillery duel. Marines swiftly maneuvered into position along the railroad embankment and two of them busied themselves with a bazooka as the train came nearer. To their astonishment they recognized green fatigue uniforms of a strictly GI cut. "Wait a second," somebody said, "Those guys aren't North Koreans."

Shell fire and bullets raked the cab of the locomotive as it neared the Marine position until at last they were able to see its occupants—laughing, grinning and waving to them as the train sped through on its way back to the rear area. Crestfallen, a young Marine private turned to his platoon sergeant, a middle-aged veteran who had seen action in World War II. "Imagine that, Sarge," he said with a sad shake of his head, "there was a bunch of 'doggies' out ahead of us."

"Naw," replied the sergeant, "it's just them damn Seabees at it again!"

The Seabees' association with the 1st Marine Division is an old one which dates back to Guadalcanal and the frightful battle for Henderson Field. It was there that the old 6th Seabees (properly, the 6th U.S. Naval Construction Battalion) fought the Japs and simultaneously rebuilt Henderson and readied it for the arrival of U.S. air support. And it was there that a Marine officer reported to his commanding general: "Those Seabees build roads so fast the Japs are using them for avenues of escape."

"I don't know how we would have gotten along without the Seabees," declared General A. A. Vandegrift of the Marines. General H. M. ("Howling Mad") Smith of the Marines called the Seabees "the find of this war." And a career Naval officer, Rear Admiral O. O. ("Scrappy") Kessing who had a gang of Seabees (from the 27th Battalion) under his command in the islands said of them: "They're a rough, tough, loyal, efficient bunch of men who don't give a damn for anything but doing the job and getting the damn war over."

In the early days of World War II a Naval chaplain, deeply concerned over the fact that the Seabees were "older men" (average age: 33), expressed a desire to learn what could be done to make life in the Navy easy for them. "Begging your pardon, Padre," one Seabee told him respectfully, "but I got into this outfit to give, not to get."

It is in the record that when the 8th Seabees got to Bremerton, Washington, en route to an overseas assignment in 1942 more than 200 men passed up their last liberty on the town and volunteered to chip paint on the USS *Nevada* just back from the inferno of Pearl Harbor.

The Seabees were like that.

In order to arrive at a clear understanding of the reasons that lay behind the creation of the Seabees it is important to go briefly into the history of Naval advance-base construction. The advance bases required by the fleet were by custom constructed by civilian workmen under contract to the Navy's Civil Engineer Corps. Every job was done under the surveillance of CEC officers but the construction gangs were composed of civilians.

This was never a satisfactory system in the judgment of many senior Naval officers because of the obvious fate that awaited these workmen should the base at which they were employed come under enemy attack. Not only were they unfamiliar with ordinary weapons but by the terms of International Law they could not be armed at all. In Washington, however, there was considerable opposition to the idea of Naval construction detachments. There were those who feared that these units would be sent into Stateside Navy yards to replace civilian workmen and stevedores. An outgrowth of this is a policy which exists today—Seabees are employed only on overseas projects.

The anticipated tragedy became a reality with frightening suddenness on December 7, 1941. At that time there were no less than 70,000 unarmed civilian contract workers employed on naval-base projects. Among them were 1,931 at Midway, 1,149 at Wake, 71 at Guam, 3,412 at Cavite in the Philippines, and 207 on Corregidor.

The man to whom the Navy turned was then Rear Admiral (later four-star Admiral) Ben Moreell. The man, who was to become known as the "King Bee" by the Seabees, was Chief of the Bureau of Yards and Docks and, therefore, the Navy's Chief of Civil Engineers.

Born in Utah, raised in St. Louis, Missouri, Moreell graduated with high honors from Washington University. His engineering degree got him a job with the city of St. Louis but when the U.S. entered World War I Moreell entered the Navy. He stayed on in the regular service after the war and earned a brilliant reputation.

In the Navy an officer may be designated "line" or "staff duty." The latter assignment tends to permit a more stabilized home life (shore duty assignments) but few promotions. Nevertheless Moreell, at 51 was destined to become the youngest three-star admiral in the Navy.

It was to Moreell's request (whose CEC in 1940 consisted of 125 officers and no enlisted men) that the Chief of Naval Personnel issued orders on October 31, 1941, directing the formation of a naval construction battalion for duty in Iceland where 369 civilians were then at work. The men were to be recruited directly from civilian life and were to be awarded "rates" on the basis of their civil experience and professional background.

Moreell had nearly all of his Iceland battalion enrolled and in training when developments in the Pacific dictated a sudden change of plans. As the Japanese swarmed down upon the islands like a locust plague the Allied high command began to make plans for the establishment of "blocking positions" astride the sea lanes that the Japanese would attempt to dominate.

The most urgent requirement was for a construction force to build fuel-storage tanks on Bora Bora, a small island in the Society Group, 140 miles from Tahiti.

Thus was the Seabees' first mission born. The word came as the first naval construction "boots" struggled with their bell-bottom trousers and learned to rig hammocks and salute. Nearly 200 of the construction men who had enlisted for Iceland plus 103 general service recruits were officially designated the 1st Naval Construction Detachment and rushed aboard ships in a convoy poised to sail from the east coast.

When Moreell first learned that his "Iceland Battalion" was to be entrusted with the Bora Bora mission he began to look around for a pipe-line expert. Several top civilians mentioned Morris T. Duddleston of St. Louis who was then finishing the job of laying 141 miles of pipe (at the rate of a mile a day) for the Portland-Montreal Pipe Line Company. Moreell decided Duddleston was just the man to supervise the Bora Bora job. After two days of lengthy long-distance telephone negotiation, "Dud" flew to Washington for a conference with "the Chief." He was commissioned a lieutenant commander in the Naval Reserve and assigned as executive officer of the detachment whose C.O. was Cdr. H. M. Sylvester. The paperwork was expedited—but even so Duddleston was aboard ship and on his way to the South Pacific before his commission was fully written up.

Bora Bora was code-named "Bob Cat" and the Seabees of the 1st Detachment were henceforth known not by their number but as the "Bob Cat Detachment." They were destined to become the Old Settlers of the Pacific War and saw service at Tutuila, Kwajalein and Eniwetok before being disbanded 39 months later.

The favorite story of the Bob Cat Seabees concerned the time one of their number overheard several sailors fresh from Pearl Harbor admiring the sun tans they had acquired on shipboard.

"You guys make me laugh," the Bob Cat Seabee finally exploded when he could contain himself no longer. "You think *you're* sunburned. Well, just yesterday I was walking near the docks in a pair of shorts when a couple of soldiers asked me how much I charge to weave a grass skirt!"

The fact is the Bora Bora Bob Cats came early and stayed late. Their early days were murder—even without the presence of any hostile Japs. They slithered through the mud of a rainy season that wouldn't end, encountered monstrous land crabs and learned at first hand of the dread disease called elephantiasis. They went ten weeks without any mail from home because they were whisked away so swiftly that even the super-efficient Fleet Post Office was unable to figure out what had become of them. But they constructed the tank farms that contained the fuel for the planes and ships and that would ultimately fight the Battle of the Coral Sea.

The Bora Bora Bob Cats were followed overseas by the 1st and 2nd Naval Construction Battalions which were also rushed to South Pacific islands. The 3rd Seabees headed for the Fijis while the 4th Battalion sped north to Dutch Harbor where it promptly lost most of its heavy equipment and machinery in a Jap bombing raid. The 5th Battalion raced to Samoa while the 6th and 7th Battalions joined forces at sea and eventually reached Espiritu Santo in the New Hebrides. It was from here that the 6th jumped off for Guadalcanal where its members earned immortality as "the Seabees of Henderson Field."

In later years Rear Admiral Joseph F. Jelly, Jr., as a successor to Admiral Moreell, was to comment, "The extreme pressure on the Navy to get the Seabees out into the advanced areas allowed too little opportunity to acquaint the men with the ways of the Navy. But that did not stop the Seabees from accomplishing their purpose."

Sometimes Seabees found that their ignorance of the "Navy way" was actually a blessing in disguise.

There is the story of an Army unit, set up near a Seabee outfit, which prided itself on knowing all about the Seabees and their midnight raids. ("The Seabees never steal," an Army man once remarked caustically. Then he added, "Anything that's so big you couldn't bundle it off in a 2½-ton truck.")

Accordingly the soldiers took extensive precautions and organized special guard details to safeguard the battalion's automotive supplies. Therefore it came as something of a shock to the Army commander when he realized one day that Seabee vehicles were tearing up and down the roads while most of his vehicles were halted for want of spare parts.

Strongly suspecting skulduggery he asked for—and got—an official inquiry into the matter.

Diligent investigation finally pinned down the key man in the great spare-parts mystery; a Seabee warrant officer who blandly confessed that he had "imported" a machine shop from New Zealand!

As a former machine-tool company executive he had recalled the names of some customers in New Zealand. He bummed a ride on an airplane bound for Auckland and upon arrival called upon his company's old customers and cajoled them into parting with their tools "for the duration." In this way he put together a complete machine shop.

A Navy captain told the Seabee that this wasn't precisely the Navy way of handling a procurement problem.

"Doggone it, sir," exclaimed the unhappy Seabee, "that's exactly *my* problem. I just can't seem to get the *hang* of the Navy way!"

All through 1942 Seabee recruits swarmed into the Navy Receiving Stations and were funneled to the training camps set up for

Seabees at Camp Perry, Camp Allen, Camp Bradford (all in Virginia), Camp Endicott, Rhode Island, and Camp Lee-Stephenson in Maine.

Out of the training mill poured fresh battalions to be processed through the advance base depots as they headed for overseas assignments. The principal port of embarkation for Seabees headed for the Pacific was Port Hueneme, California, which later became a sort of Seabee shrine. Today it is the Construction Battalion Center for Seabees assigned the Pacific area as well as the home of the Seabee Museum where thousands of items used by Seabees in combat and equipment captured from the Japanese may be seen. In addition to busy Hueneme there were advance base depots at Davisville, Rhode Island, and Gulfport, Mississippi.

During the summer of 1942 the 9th Seabees, the first Naval Construction Battalion to head east, crossed the Atlantic to Iceland. They were set to work on the runways for Meeks Field, soon to become an important Air Force bomber base. As the huge airbase neared completion there was ever-increasing concern as to which of the services would have the honor of making the first landing on the new field. The Air Force claimed the prerogative on the basis of ownership. But blood is thicker than water. The airmen failed to remember that the Seabees who were building the field were Navy men at heart—even if most of them didn't know a capstan from a belaying pin. Undercover arrangements for a "tip off" were made between the Seabee boss and Captain (later Rear Admiral) Daniel V. Gallery.

One brisk morning the word was flashed to Reykjavik where Gallery, as Commander of the U.S. Fleet Air Base, Iceland, had his headquarters. Gallery grinned as he listened to his excited Seabee conspirator: *two hundred feet of runway was fully paved and finished*. A few moments after he received this "flash" from his secret agent at the airfield site Gallery leaped into a little Navy utility plane. Several minutes later he landed on the spanking new runway to the utter dismay of all Air Force personnel concerned. Thus first-landing honors went to the Navy—thanks to Seabee connivance. It was a bit of teamwork that Gallery never forgot. When he went to sea in the "baby flattop" the USS *Guadalcanal* he nick-named the vessel, *Can Do*.

The world over Seabees were regarded as big-time operators. James Michener, who probably had the best eye for detail of all those who have written about the war in the Pacific, came up with the very personification of the *beau ideal* Seabee in his Luther Billis of *Tales of the South Pacific* fame.

The Seabees *were* big-time operators—and they gloried in the role. Their lockers of cold beer and their ice cream on beachheads were part of a proud tradition. Their windmill washing machines were Pacific landmarks. In their spare time they built motor scooters, sailing boats and surf boards out of material taken from the junk piles. In at least one outfit worn-out truck tires were "salvaged" and turned into rubber heels. In another outfit the "kingpin" was a fellow who fashioned a two-pronged device for opening beer cans. Its magic (and its appeal to the gadget-happy Seabees) lay in the fact that it enabled drinking hole and air hole to be made in one easy movement!

For the most part Seabees were overly generous. A visiting Marine or infantry soldier could always get a hot meal at a Seabee mess and when he left it was usually with a fresh shirt (stencilled "USN") in place of the mud-crusted fatigue shirt he was wearing when he arrived.

It is a matter of historical fact that a unique rivalry developed between the Seabees and the Marines.

"Actually," says a former Marine Corps combat correspondent, "it was sort of an undercover mutual admiration society."

An anonymous bit of Seabee doggerel that helped to fan the flames of the feud is reprinted herewith. It is said to originate with the Seabees who were in the New Georgia campaign.

"The admiral just dropped around
to chat the other night.
Said he, 'Now boys you're here to work,
but you've been trained to fight.
So if there's any trouble, don't stop
to put on your jeans,
Just drop your tools and grab your guns—
and protect those poor Marines!' "

It was during the assault on one of the New Georgia beaches, as a matter of fact, that when the Marine landing party hit the shore, it was astounded when the bushes parted—and out stepped a welcoming party: Seabees led by Lieutenant Commander Robert L. Ryan of Santa Paula, Calif.

"Major," the 50-year-old Seabee officer told the Marine commander with a broad grin, "it is always a pleasure to welcome the Marines." (Later it was disclosed that Commander Ryan and some of his men had made a recon patrol prior to D-Day to locate the best site for an airstrip on Segi Point. For his subsequent job in rushing the airstrip to completion Ryan was awarded the Legion of Merit by the Army.)

The Marines rarely got sore at the Seabees. They just growled their slogan: "Never slug a Seabee—he may be some Marine's father."

All inter-service friendships were out the window of course, when it came to souvenirs. This was a serious business and one in which the enterprising Seabees participated with all their hearts. The most celebrated instance in the writer's memory concerns a transaction that took place on Iwo Jima. It was a time when the Army Garrison Force had taken over and the island seemed to have been picked clean of worthwhile souvenirs although Japanese canteens, mess kits and cartridge pouches were still plentiful. Then it became known that certain Seabees had a stock of samurai swords, Jap helmets, and highly prized battle flags.

A Naval officer ashore from an LST made contact with the traders and negotiated for a blood-splotched battle flag. It was a steal at 50 bucks and a bottle of stateside bourbon.

It wasn't until weeks later when his ship was back at Pearl Harbor that the Naval lieutenant had an opportunity to display his proud possession before an admiring throng at the Moana Hotel at Waikiki. Among his drinking companions was a Nisei interpreter who listened, along with the others, as the Navy man pointed out the Japanese characters scrawled in ink upon the bloody, begrimed flag.

"This is supposed to be the 'chop' of the most famous movie actress in Japan," he said glibly, quoting his Seabee benefactor. "I guess this Jap was her lover—or maybe just a fan."

Then he turned to the Nisei. "Hey! Can you translate the whole business for me so's I can write it down?"

The Nisei broke into a grin at this point. "What it says," he told the Navy officer, "is that you have been taken for a ride by the 133rd Seabees!"

It is, in a sense, misleading to relate the stories of Seabees as big-time operators and good-will ambassadors. It should not, for even one moment, be forgotten that they were fighting men. They did not win their battle honors and their rapid acceptance among the services because of their kindnesses to stray soldiers or because they could be counted upon to produce a cold can of beer.

The Seabees fought and worked hard—and they almost never complained about their lot.

The quarter of a million men who served in the Seabees in World War II (like the 10,000 who served during the Korean emergency) worked for officers who were basically engineers or veteran construction men. Few of the Seabee officers were regulars, practically none of the troop commanders were Annapolis graduates. Nearly all of the 10,000 officers of the Seabees were designated as CEC, USNR, Class V (S). That is supposed to stand for Civil Engineering Corps, United States Naval Reserve, Volunteer Specialist. The officers themselves joked about this designation and claimed that "V(S)" meant "Victory—then Scram."

One of the most colorful figures in the Seabees was Captain Wilfred L. "Wild Bill" Painter who hailed from Seattle, Washington, but had spent most of his adult years in China and thereabouts. Painter's specialty was behind-the-lines forays to scout sites for airfields. Frequently he landed on enemy-held beaches to pick the landing site for an amphibious assault. At 35 he was the youngest four-striper in the Navy. A reservist, like most of his fellow officers in the Seabees, "Wild Bill" was famous for the "Painter Expedition" into Jap-held China when he was a civilian oil man before our entry into the war.

There was Commander Joseph P. Blundon, who was probably the first Seabee under fire in World War II. Commander Blundon came to Guadalcanal ahead of his 6th Seabee Battalion and in the course of inspecting the perimeter of Henderson Field he was pinned down by machine-gun and mortar fire. Blundon found to his dismay that a slight speech defect which mattered little back in Keyser, West Virginia, could be the difference between life and death on the 'Canal. Like our adversary, the Japs, Blundon was unable to properly pronounce "l." After a few unhappy experiences with trigger-happy Marine sentinels, when called upon to identify himself the Seabee officer would roar, "Commander Bundon, dammit!"

Blundon's Seabees of the 6th Battalion helped write the text book on Guadalcanal. They functioned as combat engineers, aviation engineers and construction engineers on an around-the-clock schedule. They found that Seabees had to handle assignments that weren't laid out in the training manuals.

Working under gunfire and bombardment they found that 100 Seabees could completely repair the damage done by one 500-pound aerial bomb in just 40 minutes. During one terrible bombardment when 53 bombs struck Henderson Field the Seabees worked until they were about to drop. Another time they filled 13 holes in one hour, during an artillery shoot, as a crippled U.S. plane circled overhead, waiting to land.

"But the very worst thing," recalls one of the Seabees of Henderson, "was when a bomb *didn't* go off. We had to dig it out anyway."

The first combat hero of the Seabees proved to be Seaman First Class Lawrence C. (Bucky) Meyer of Toledo, Ohio. Meyer "obtained" (a Seabee expression which can mean anything) a machine gun and set it up in his foxhole. Next he got a supply of ammunition from the Marines. One day he raced for his gun as the Jap raiders appeared overhead. As the enemy began his bombing and strafing run Meyer trained his machine gun upward and began pumping lead. He knocked down a Jap Zero and helped break up the attack. He was awarded the Silver Star, the first decoration for gallantry in combat given to a member of the Seabees. Meyer was later killed in a Jap air raid while working on a pontoon barge.

Seabees Duncan Giles and Howard Osborn got the Silver Star on the 'Canal for digging eight men out of a foxhole that was caved in by a shell. Under fire the whole time (around three hours) they finally pulled out the Marines, seven of whom were still alive. Unable to use their shovels in the mud and slime the two Seabees dug with their hands and helmets while steel rained all around them.

More Seabees (14th and 26th Battalions) reached Guadalcanal to pitch in and help out as the malaria-weakened 6th struggled with the limited facilities at hand. In two months every piece of lumber that the 6th used was salvaged from Japanese material. When they couldn't get the parts they needed to keep their U.S. vehicles in operation, the Seabees pressed 25 Jap trucks into service.

They worked and fought and died. One time a Jap sub surfaced and fired point-blank at a ship the Seabees were working on. By mid-January when the 6th Seabees departed for New Zealand (the 1st Marine Division had already been relieved) it counted 56 casualties.

Among the lessons that the Navy learned on Guadalcanal in the early days of the campaign was that civilian stevedores could not efficiently unload cargo on a beachead. This too became a job for the Seabees and an outfit known as the 1st Special Naval Construction Battalion was rushed to the 'Canal to unload the boats. This was the forerunner of 41 special battalions employed on beachheads in every theater of operations as the war progressed.

Besides the "specials" the other offshoots of the Seabees were the Naval Construction Battalion Maintenance Units (CBMUs) and the Naval Pontoon Assembly Detachments. The former were small detachments formed to replace regular Seabee Battalions once the major construction job was completed and the war moved on.

Today the Seabees are organized into Amphibious Construction Battalions (such as the unit which served in Korea from 1950–53), Mobile Construction Battalions, and CBMUs. The amphib Seabees are even trained as frogmen.

Around the time that the 6th Seabees were getting ready to make their move to Guadalcanal another battalion that was to enjoy a long and interesting association with the Marines was formed under Commander L. E. Tull. In World War I, Tull had served as a 2nd lieutenant in the Army Engineers and subsequently had spent many years building Methodist Missions in South Africa. Before he joined the Seabees he was a construction engineer for the Treasury Department and the Federal Works Administration.

His outfit, activated as the 18th Seabees, was ordered to Norfolk to ship out for overseas. At Norfolk the Seabees were issued Marine Corps clothing and equipment and told to send their scarcely used Navy "blues" and "whites" back home. On November 11, 1942, the battalion arrived in New Caledonia. It was soon on its way to Guadalcanal with a new designation: 3rd Battalion, 18th Marines, 2nd Marine Division. The 18th Marine Regiment was the engineer regiment of the 2nd Marine Division. Its 1st and 2nd Battalions were regular Marine engineers. By the time the campaign had come to an end and the 2nd Marine Division was ready to depart for New Zealand the 18th Seabees were hard at work expanding Henderson Field into a major airdrome and so they were left behind when the Division pulled out. Later the battalion caught up with the others at "Moonshine Camp" in Judgeford Valley where the Seabee-engineers shared in the good times enjoyed by the Marines.

The 6th Seabees were replaced in the 1st Marine Division by the 19th Seabees who then became known as the 3rd Battalion, 17th Marine Regiment.

Naval Construction Battalions served in the Marine divisions in the Pacific until the spring of 1944 when the engineering regimental organisation was abolished by the Marine Corps and replaced by pioneer and engineer battalions. The principal reason for the change was the fact that all available Seabees were required for important construction tasks and the Navy did not want entire battalions tied up with divisions that were largely inactive between campaigns.

Thus after Tarawa the 2nd Marine Division and the 18th Seabees parted company as did the 1st Marine Division and the 19th Seabees after New Britain.

But the Marines of the 2nd Division would long remember how Commander Tull's Seabees drove their bulldozers against enemy positions on bloody Betio. By the same token the 1st Marine Division would always remember its 19th Seabees and the amazing speed with which they built the bridges over which the Marines' tanks advanced to Hell's Point and to the airfield.

"If any operation was ever won by the Seabees and their bulldozers—that was it," the Marines said of the New Britain campaign.

Only the signal people were unhappy. They claimed the Seabees stole their hard-to-come-by telephone poles and used them for bridge pilings.

Simultaneously with the operations on Tarawa and Makin the Marines secured Apamama in the Gilberts and in short order the 95th Seabees were landed to build a fighter strip that became known as O'Hare Field. They had it ready by December 10 and the first plane landed on December 13.

For the Seabees there weren't enough hours in the day as they converted the beautiful little island into a war base with tank-fuel farms, taxiways, Quonset huts—the works.

And in their spare time the Seabees brought a touch of the outside world to a tired old French priest and three nuns (the only white women on the island) of the Society of the Sacred Heart, a Catholic mission. By the time the Seabees of the construction battalion moved out (in May, 1944, when a CBMU was moved in to take over the job) they had equipped the tattered old Mission with electric lights and had taught a native how to run the portable generator. They installed an electric pump so neither the sisters nor the priest, who was quite sick, would have to carry water from the well; they installed a kerosene refrigerator, taught the sisters how to make ice cream by using powdered milk and fruit extracts—and brought their isolation to an end by the crowning gift of all—a radio that was powerful enough to pick up programs from Sydney, Australia, and San Francisco. On leaving, the Seabees apologized for being unable to furnish the Mission with an electric washing machine. In the months that lay ahead the Seabees of Apamama were destined to see action in the Marshalls and on bloody Iwo Jima.

Seabees continued to serve with assault troops (of both the Army and Marines) but as "Corps Troops," which is to say they came under command of the Corps Commander—a step upward in the echelon of command.

Although they earned their greatest fame operating with the Marines, few incidents of Seabee valor can surpass that of the 40th Battalion with the 1st Cavalry Division of the United States Army in the "Brewer Force" assault on Los Negros in the Admiralties.

The vital airfield was overrun by the GIs of the 5th Cavalry Regiment and a perimeter was hastily organized. When the Japanese launched a counterattack against the still-thin U.S. lines, the senior Army commander issued crisp orders to the Seabees: "Move in and hold the line!"

On shore at the time was an advance detachment of two officers and 100 men from the 40th Battalion. They swiftly took over a sector of the perimeter on the right flank of the beachhead.

The battalion's ditch-digger was used to scoop out a trench 300 yards long and into this ditch piled the Seabees armed with an array of BARs, rifle, and sharpened knives. The battalion's 20 mm gun (truck-mounted) was set up behind the trench and ordered to place its fire upon a grove that was thick with snipers.

While this 100-man force prepared to help hold the line other members of the battalion landed and began to grade and clear the taxiways and runways under fire.

The major Japanese counterattack came March 3–4 and it was a night of terror and confusion. In one place, when most of the Army guns went silent the Seabees rushed forward to lend their supporting fire. They recaptured two machine-gun positions and a Bofors gun as they chased the Japs back to the beach.

When morning came the Seabees of the 40th battalion counted 47 casualties including nine killed in action. It had been a bitter nights work and out of it came an award, to the Seabees, of the Army's Distinguished Unit Citation.

Later the 515th CBMU, which took part in the assault of Guam with the First Provisional Marine Brigade, was named as one of the Seabee organizations to win the Navy Unit Commendation Ribbon.

When the brigade became the Sixth Marine Division on Guadalcanal in the fall of 1944 the 58th Seabees, who were already veterans of Cape Gloucester, put their talents to work and created a "Japanese Village in the jungles of the Tassafaronga area—complete with a bank, a bar, and a luridly decorated *geisha* house. All simulated, of course. Months later the 58th Battalion saw action with the Division on Okinawa.

At Camp Tarawa, Hawaii, the 31st Seabees hooked up with the Fifth Marine Division—and promptly appropriated the division's "Spearhead" nickname. Commander D. T. Ermilio's veteran outfit was new to the Pacific, being on a "second cruise" after duty in Bermuda. It was destined to accompany the Marines to the sands of Iwo Jima. The "Spearhead" Seabees took part in the shore-party operations on the hotly contested beachhead where (like the sister 31st, 62nd, and 133rd Batallions) it endured the fierce shot and shell on the tiny island at Japan's doorstep.

It was here that a dilemma was posed when Army-manned amphibious trucks trying to land sorely needed Marine Corps artillery on the beachhead on the afternoon of D-Day found that the place selected for their lodgement was not a sloping beach but a shelf-like formation.

The DUKWs were unable to make it onto dry land—until an intrepid Seabee leaped into a bulldozer and raced down the beach with a grappling hook. As enemy mortar and machine-gun fire rained down, the unknown hero hauled the artillery-packing DUKWs from the water—until at last he was struck down by enemy fire.

Seabees armed with rifles and automatic rifles moved forward at an awkward gait, into the swirl of battle. In the 133rd Battalion alone there were more than 200 casualties by the time the terrible ordeal of Iwo was over.

The fortunes of war assigned the Seabees to an Army task force when the 24th Seabees were landed at Munda with the 172nd Infantry Regimental Combat Team of the 43rd Infantry Division. Commander Roy Whittaker's battalion was faced with the job of building an airfield at the worst of the rainy season. The site indicated was little more than a bog. Nevertheless the big bulldozers moved in and the work began. They were bombed and in one vicious raid lost 26 men, their biggest bulldozer, five tons of dynamite and all their supplies and equipment. When they pulled out all they owned was the clothing on their backs. The average Seabee in the Munda campaign lost over 20 pounds.

The Seabees introduced a new style of warfare during landings in the Treasury Islands. When a Japanese pillbox held up the works and pinned down the Marines a 28-year-old Machinist Mate First Class, Aurelio

Tassone, drove his bulldozer right up to the pilbox and dumped a ton of earth on it smothering the 12 men inside. Tassone earned the Silver Star and out of his impromptu action came the armored bulldozers which were used so effectively in later campaigns.

Seabees landed with the first waves of assault troops in virtually every campaign of the war. The Seabees were in on the North African invasion and they were on the beachheads at Sicily and Salerno on D-Day. It was at Salerno that Lieutenant C. E. Olson died a hero's death and his name was later given to a new type of landing ramp which was devised for the cross-channel attack.

The Seabees were on the Normandy beaches and among the first into the Port of Cherbourg. Some of them moved across France to help the Army cross the Rhine. One battalion, the 69th, went all the way—into the heart of Germany.

They labored to construct giant bases, 18 that cost the U.S. more than $10 million each. All of the 18 except Trinidad, Argentina, Espiritu Santo, Bermuda, New Caledonia, and Milne Bay had to be captured from the enemy and cleared of enemy troops and battlefield debris before construction work could begin. Their job was to build everything from sidewalks to bombproof storage plants for diesel and fuel oil.

By the end of World War II there were 12 Seabee brigades, 54 Seabee regiments, 151 construction battalions, 136 CBMUs, 39 special battalions, 118 detachments, and 5 Seabee Naval Pontoon Assembly Detachments. Of this vast working force which numbered more than 325,000 men only four battalions failed to see overseas service.

Few U.S. outfits were as well-traveled as the Seabees. For example, the 9th Battalion which began its overseas career in Iceland finished up the war on Tinian from where the first A-Bombs were launched. There was the 70th Battalion which was at Oran and Bizerte and Salerno and got to the Pacific in time to see service on Guam, Iwo Jima, and Okinawa.

There were the 81st Seabees who ranged from Falmouth, Britain, to Utah Beach and Paris—then Eniwetok, Ulithi, and Okinawa. There was the 146th Battalion which traveled from Iceland to Okinawa by way of Omaha Beach.

Many Seabee reservists were with the new 1st Amphibious Naval Construction Battalion when it was activated and rushed to the Far East in the summer of 1950 following the outbreak of hostilities in Korea. When General Douglas MacArthur's planning staff devised the end-around landing at Inchon it was at first opposed by the Navy because of the 30-foot change in tide. But MacArthur's officers were adamant. Inchon was the place to land.

It was the Seabees of the 1st Amphib Battalion who came up with the blueprints for an extended pier that would permit around-the-clock unloading despite the tide. On both coasts of Korea the Seabees equipped with new seagoing 'dozers worked the causeways and conducted salvage operations.

The old Seabees of Bora Bora, Guadalcanal, New Georgia, the Philippines, Guam, Iwo Jima—and 393 other wartime base operations—are in civies like most of the other naval veterans of that war which ended 11 years ago. Few of them ever learned a belaying pin from a capstan, after all. They were too damn busy!

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1746), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

GENERAL STATEMENT

S. 3881 was introduced by Senator Murphy on October 5, 1966. The bill would provide for the striking of not more than 100,000 medals to commemorate the 25th anniversary of the U.S. Naval Construction Battalions (Seabees) and the 100th anniversary of the U.S. Navy Civil Engineer Corps (CEC).

The bill would direct the Secretary of the Treasury to strike and furnish the medals for the U.S. Naval Facilities Engineering Command. The medals would be of such sizes, materials, and designs, and shall be so inscribed as the U.S. Naval Facilities Engineering Command may determine with the approval of the Secretary of Treasury. No medal shall be made under this bill after December 31, 1968.

As indicated in a letter to the committee from the Department of the Navy the medals will be funded and sold through the CEC/Seabee Museum, Port Hueneme, Calif. Therefore, the medals would be struck at no cost to the United States. The bill requires that security satisfactory to the Secretary of the Treasury shall be furnished to cover payment of the cost of production of the medals.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the bill (S. 3881) was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury (hereinafter referred to as the "Secretary") shall strike and furnish for the United States Naval Facilities Engineering Command (hereinafter referred to as the "command") for the celebration of the twenty-fifth anniversary of the United States Naval Construction Battalions (Seabees) and the one-hundredth anniversary of the United States Navy Civil Engineer Corps (CEC), national medals in commemoration of such anniversaries.

Sec. 2. Such medals shall be of such sizes, materials, and designs, and shall be so inscribed as the command may determine with the approval of the Secretary.

Sec. 3. Not more than one hundred thousand of such medals may be produced. Production shall be in such quantities, not less than two thousand, as may be ordered by the command, but no work may be commenced on any order unless the Secretary has received security satisfactory to him for the payment of the cost of the production of such order. Such cost shall include labor, materials, dies, use of machinery, and overhead expenses, as determined by the Secretary. No medals may be produced pursuant to this Act after December 31, 1968.

Sec. 4. Upon receipt of payment for such medals in the amount of the cost thereof as determined pursuant to section 3, the Secretary shall deliver the medals as the command may request.

EXECUTIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate proceeded to consider executive business.

The VICE PRESIDENT. If there be no reports of committees, the nominations on the Executive Calendar will be stated.

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

The Chief Clerk proceeded to read sundry nominations in the District of Columbia court of general sessions.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The VICE PRESIDENT. Without objections, the nominations are considered and confirmed en bloc.

DISTRICT OF COLUMBIA PUBLIC SERVICE COMMISSION

The Chief Clerk read the nomination of William L. Porter, of the District of Columbia, to be a member of the Public Service Commission of the District of Columbia for the remainder of the term expiring June 30, 1967.

The VICE PRESIDENT. Without objection, the nomination is considered and confirmed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The VICE PRESIDENT. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. Mansfield, and by unanimous consent, the Senate resumed the consideration of legislative business.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may have 2 additional minutes under the morning hour.

The VICE PRESIDENT. Without objection, it is so ordered.

REDUCTION OF U.S. TROOP DEPLOYMENT IN EUROPE

Mr. MANSFIELD. Mr. President, there is pending on the calendar, Senate Resolution 300, which would express the sense of the Senate with respect to U.S. troop deployment in Europe. The resolution was originally sponsored by the 13 Senators of the Majority Policy Committee. Subsequently, 20 other Members of the Senate, both Republican and Democrats, joined in cosponsorship, making a total of 33 sponsors. Among them, it should be noted, are the chairman of the Foreign Relations Committee [Mr. Fulbright] and the chairman of the Armed Services Committee [Mr. Russell].

This extensive cosponsorship is a spontaneous expression of Senate sentiment on the question of U.S. troop deployment in Europe. There has been no attempt to persuade any Member of the Senate to join in the introduction of Senate Resolution 300. There has not yet been a formal effort to argue the merits of the resolution.

The sponsors had hoped that the Senate might deliberate and dispose of the resolution before the finish of the current session. We are confronted, however, with the realities of the Roman calendar in juxtaposition to the Senate calendar. Time is obviously closing in rapidly on the 89th Congress. We are clearly in the final days.

The time factor was considered at a recent meeting of the original cosponsors of Senate Resolution 300. It was also noted that since the introduction of the resolution, there has been heightened public consideration of the subject of U.S. troop deployment in Europe and an amplification of official policies with respect thereto. In a joint communique, for example, which was issued by Chancellor Erhard and President Johnson at the time of the Chancellor's visit to Washington recently, provision was made for a thorough examination of changing requirements in Europe and, of course, that examination would necessarily involve the question of possible U.S. troop reductions in Western Europe. The President's views, moreover, are spelled out in his outstanding address to the National Conference of Editorial Writers in New York on October 7 on peace and the changing European situation. I have every confidence that the executive branch officials who work with European affairs day in and day out will move with great energy and dispatch in accord with these two expressions of the President's policies, to consider adjustments and reductions in the deployment of U.S. forces in Europe.

In the judgment of the original cosponsors, the heightened attention which is being given to the subject does not change the need for the Senate resolution although the need may not be quite as pressing as heretofore. Indeed, it may be informative to the Senate to see what emerges in the way of tangible adjustments in deployments during the next few weeks. In present circumstances it seems to the sponsors that a deferment of the disposition of the resolution is reasonable.

Let there be no mistake on one point. Postponement of Senate Resolution 300 is not to bury the question, but to enhance it, to sharpen it and to prepare for a consideration of the substance of the issue in the Senate of the 90th Congress. May I say that barring the unforeseen, it is the unanimous intention of the cosponsors to reintroduce this resolution shortly after the first of the year and to press for its consideration and disposition by the Senate at that time.

I reiterate, the fundamental need for this resolution, in the judgment of the sponsors, is no less now than when it was introduced. Only the urgency for it may have been modified somewhat by the activation of the interest of the executive branch since Senate Resolution 300 was introduced. Notice is served that the resolution seeking a reduction of the U.S. troop deployment in Europe is not gone nor will it be forgotten. I assure the Senate that it will be before the Senate for consideration in the new Congress—early in the new Congress.

Mr. CLARK. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. CLARK. I commend the majority leader for the statement he has just made. I hope that the resolution will be reintroduced in January. But I would urge the majority leader and his colleagues on the Democratic policy committee to give very careful consideration to the amendments to the resolution which I have filed and caused to be printed, which would provide that the reduction in the troops in Europe would be contingent upon working out with the Soviet Union a similar reduction on their part of their troops.

It has always seemed to me that a unilateral reduction on our part was not nearly as wise as an international agreement.

Mr. MANSFIELD. I assure the Senator that the 13 members of the committee will give it consideration.

I wish to point out that the Senator uses the word "unilateral" inappropriately. All the other NATO nations have acted unilaterally, but when we try to act unilaterally, we are criticized for it.

The Senator, I think, is aware of the fact that among the NATO nations, conscription periods have been reduced, conscription has been abolished entirely, forces have been reduced, and there has been a failure to meet commitments under NATO, except on the part of one country—the United States of America.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. MANSFIELD. I yield.

Mr. KUCHEL. I simply want to state for the RECORD, Mr. President, my own gratification that at this date a resolution sponsored by many of our able friends and colleagues will not be the subject of a spirited debate in the Senate as we approach the hour of adjournment sine die.

In the interim, some Members of the Senate and House of Representatives will participate in a NATO Parliamentary Conference as the probability of a movement of headquarters of the Alliance, from France to Belgium looms in the immediate future.

Mr. President, I quite agree that recent statements by the Commander in Chief, the Secretary of State, the Secretary of Defense, and others indicate the extremely important nature of the sense of Senate on this matter.

I repeat my gratification that we will not subject this resolution to Senate debate in the absence of a very careful hearing by an appropriate committee.

SETTLEMENT OF $25 MILLION TAX LIABILITY AGAINST MR. STAVROS NIARCHOS

Mr. WILLIAMS of Delaware. Mr. President, today I call attention to a $25 million—including interest—tax liability against Mr. Stavros Niarchos, of New York, that was settled for less than $2 million, the balance being written off as uncollectible.

On April 27, 1966, there appeared in the Wall Street Journal an article entitled "Six Shipping Companies Owned by Greek Lose $25 Million Tax Case." This article identified Mr. Stavros Niarchos as the owner of the firms, and the $25 million judgment represented a $17 million tax liability plus about $8 million in penalties and interest for the period 1954–59.

At this point I ask unanimous consent to have printed in the RECORD two articles concerning this transaction. The first article, dated April 27, 1966, appeared in the Wall Street Journal, and the second article of the same date appeared in the New York Times.

There being no objection, the articles were ordered to be printed in the RECORD, as follows:

[From the Wall Street Journal, Apr. 27, 1966]

SIX SHIPPING COMPANIES OWNED BY GREEK LOSE $25 MILLION TAX CASE—GOVERNMENT WINS RULING COVERING FIRMS OF STAVROS NIARCHOS FOR THE PERIOD FROM 1954 TO 1959

NEW YORK.—The U.S. Government said it obtained $25 million in tax judgments against six American companies owned and controlled by Stavros Niarchos, the Greek shipping magnate. The judgments handed down by New York Federal District Judge Richard H. Levet were for $16,582,000 in back taxes allegedly owed by the companies from early 1954 to early 1959 and interest at the rate of 6% a year.

Robert M. Morgenthau, U.S. Attorney for the Southern District in New York, said the judgments were obtained against companies identified as North American Shipping & Trading Co., American Pacific Steamship Co., Transoceanic Marine, Inc., American Overseas Tanker Corp., Ventura Steamship Corp., and Plymouth Tanker Corp.

Mr. Morgenthau said that the tax liabilities resulted from an understatement of income by the six American companies. He said that over a period of about 16 years these companies chartered vessels owned by them to two Panamanian corporations also owned and controlled by Mr. Niarchos. Mr. Morgenthau named these as Companie Internacional de Vapores, Ltd., and Greenwich Marine Corp. He said that these charters were at rates "substantially less than what could be considered to be reasonable rates prevalent in the shipping industry at the time that the charters were entered into."

Mr. Morgenthau said that the Panamanian companies after obtaining the charters, subchartered the vessels to third parties at rates "which in some cases were more than double the rate of the original charters with the American companies."

The Government's contention, Mr. Morgenthau said, has been that the Panamanian companies "were mere shams, used to place much of the charter income which could easily have been earned by Mr. Niarchos' American corporations beyond the reach of the United States taxing authorities."

Mr. Morgenthau said that the assessments were levied between Feb. 24, 1954, and March 6, 1959, and that the back taxes and interest were figured from the dates of the separate levies.

It's understood that Mr. Niarchos is out of the country. He couldn't be reached for comment.

The only companies from the list that could be located in the New York telephone book were Transoceanic Marine, Inc., and Greenwich Marine Corp. Both of them said they didn't know anything about any such case, and both denied connection with Mr. Niarchos.

Mr. Morgenthau's office said that because of the tax judgments it would proceed to examine the books of the Niarchos American companies to determine what assets they have.

[From the New York Times, Apr. 27, 1966]

UNITED STATES GETS $16 MILLION JUDGMENT AGAINST NIARCHOS LINES FOR TAX

(By Edward Ranzal)

A $16,582,000 judgment for taxes was obtained by the Government yesterday against six corporations owned and controlled by Stavros Spiros Niarchos, the Greek shipping leader.

United States Attorney Robert M. Morgenthau said the Niarchos corporations had avoided paying taxes to this country by shifting the income from three American corporations to Panamanian corporations.

Interest added to the judgment will bring the total liability to about $25-million, the Government said.

The judgments were obtained against the North American Shipping & Trading Company, Inc., the American Pacific Steamship Company, Transoceanic Marine, Inc., the American Overseas Tanker Corporation, the Ventura Steamship Corporation, and the Plymouth Tanker Corporation.

The liabilities are for income taxes incurred by Mr. Niarchos's three American companies, North American, Overseas and Ventura, Mr. Morgenthau said, which allegedly understated their income.

The 56-year-old Mr. Niarchos, who last December married Charlotte McDonnell Ford, older daughter of Henry Ford 2d, is believed to be the largest shipowner in the world. His fleet numbers at least 70 vessels.

Last year he was reported to have considered the sale of the bulk of his fleet at a reported price of $200-million. He said then he was thinking of replacing them with smaller nuclear-powered ships.

The shipping leader, who owns one of the world's largest private collections of paintings by the Old Masters, has not been to this country for several years. Government sources said this was, in all probability, due to his tax problem here. He married Miss Ford in Mexico.

For the last 16 years, Mr. Morgenthau said, the Niarchos companies named in the judgment chartered vessels owned by them to two Panamanian corporations also owned and controlled by Mr. Niarchos—Companie International de Vapores, Ltd., and Greenwich Marine Corporation.

Assistant United States Attorney Laurence Vogel, chief of Mr. Morgenthau's tax unit, said it was the Government's contention that since all the corporations involved in the negotiations were controlled directly or indirectly by Mr. Niarchos and his associates, the charters were at rates substantially less than reasonable, prevalent rates in the shipping industry.

Mr. Vogel said that the Panamanian corporations, after obtaining the charters, had subchartered the vessels to third parties at rates, which in some cases, were more than double the rate of the original charters with the American companies.

"The Government's legal contention in the cases," Mr. Vogel said, "was that the Panamanian corporations were mere shams, used to place such of the charter income which could easily have been earned by Mr. Niarcho's American corporations beyond the reach of the United States taxing authorities."

Under the terms of the judgment signed by Federal Judge Richard H. Levet, the Government is entitled to 6 percent interest on the assessments, which were made between Feb. 23, 1954, and March 6, 1959, to the date of collection.

Mr. Vogel said the Government would move immediately to collect the judgment, which he said was unopposed by the shipping companies.

Mr. Niarchos was born in Piraeus on July 3, 1909. He was the son of naturalized American citizens who returned to Greece from the United States only 4 months before his birth.

He earned a law degree at the University of Athens and worked briefly in a flour mill owned by one of his uncles. In 1935 he convinced several uncles that they should buy six old British freighters at a Depression cost of $20,000 each.

The vessels were run, at first, solely between ports where labor was particularly inexpensive. The ships paid off handsomely.

During World War II, Mr. Niarchos leased his fleet to the Allies and joined the Royal Hellenic Navy as a deck officer, serving 6 years. After the war he served briefly as assistant naval attaché in the Greek Embassy in Washington.

Mr. WILLIAMS of Delaware. Mr. President, next I ask unanimous consent to have printed in the Record excerpts from a letter dated October 4, 1966, signed by Acting Commissioner of Internal Revenue, Mr. William H. Smith, in which this settlement is confirmed.

There being no objection, the excerpts were ordered to be printed in the Record, as follows:

EXCERPTS OF LETTER DATED OCTOBER 4, 1966, SIGNED BY ACTING COMMISSIONER OF INTERNAL REVENUE, MR. WILLIAM H. SMITH

The records search by our Manhattan District Office and our Office of International Operations pertained to all of these companies and, as you requested (and to the extent records are still available), has covered the past fifteen years. No evidence was adduced that . . . Mr. Niarchos individually has incurred liability for any tax imposed by the United States; and, for the fifteen-year period mentioned, no record was found of any compromise of a Federal tax liability of any of the companies these individuals are known to have been affiliated with.

It may be of particular interest to you, however, that in 1962 a suit was instituted by the Department of Justice in the U.S. District Court for the Southern District of New York to reduce to judgment Federal tax assessments totaling approximately $17,000,000 against six United States corporations owned or controlled by Mr. Niachos. These assessments, which the Internal Revenue Service had been unable to collect and most of which had therefore been written off as uncollectible, consisted primarily of corporation income taxes, and were based on the Government's contention that income of certain of these United States corporations was improperly diverted to certain foreign corporations through the chartering and subchartering of seagoing vessels.

The matter was pending for several years but, last April, the tax liabilities were reduced to judgments pursuant to an agreement arrived at between the Department of Justice and attorneys for the corporations involved. The salient features of the agreement are (1) consent by the parties defendant to entry of judgment for the full amount of the Government's tax claims and (2) payment to the Government of $1,468,002.02 as partial satisfaction of the Government's tax assessments and in consideration for the Government's forbearance to enforce collection against specific properties. The amount of $1,468,002.02 is considerably in excess of the value of the assets with respect to which the Government has agreed to forbear collection.

Significantly, the Government, under the terms of this agreement, is not precluded from collecting the balance of the tax claims, nor is the remainder of the liability to be abated after the amounts due under the agreement have been paid. Moreover, the Government's tax claims, totalling approximately $25,000,000, including interest, have been reduced to judgments. In the event other assets are discovered, executions would issue for the purpose of further satisfying the balance of the unpaid taxes.

Mr. WILLIAMS of Delaware. Mr. President, this letter does not refer to the $1,468,002 settlement of Mr. Niarchos' tax liabilities totaling $25 million—$17 million plus penalties and interest—as being a compromise settlement, but it does state that the balance has been written off as uncollectible. The letter states:

> It may be of particular interest to you, however, that in 1962 a suit was instituted by the Department of Justice in the U.S. District Court for the Southern District of New York to reduce to judgment Federal tax assessments totaling approximately $17,000,000 against six United States corporations owned or controlled by Mr. Niarchos.
>
> These assessments, which the Internal Revenue Service had been unable to collect and most of which had therefore been written off as uncollectible, consisted primarily of corporation income taxes. . . .

Last week I called attention to a New York construction company, Webb & Knapp, which had settled its $27 million tax liability for less than $1 million.

Considering how harsh the Treasury Department can be in collecting tax deficiencies from the small businessman or the wage earner it is difficult to understand why these New York companies were allowed to create such sizable tax delinquencies before some action was taken to protect the Government's interest.

Why was a Government agency still issuing a Government guarantee on mortgages to finance ship construction for this same Mr. Niarchos during the period of this tax delinquency?

As recently as 1961 the Department of Commerce issued certificates for Government insurance of private loans and mortgages to finance the construction of a new 106,000 DWT supertanker for this same Mr. Niarchos.

How can anyone explain the fact that this tax delinquency of Mr. Niarchos' was pending at the same time that the Government was issuing multimillion-dollar guarantees on his mortgages.

Can these lenient settlements be examples of the Great Society's poverty program to aid "destitute millionaires?"

FEE INCREASE FOR MIGRATORY HUNTING STAMP

Mr. CARLSON. Mr. President, my attention has been called by the Executive Director of Forestry, Fish and Game Commission, of Kansas, George C. Moore, to a bill, H.R. 14136, which would increase the cost of the migratory hunting stamp from $3 to $5.

Mr. Moore writes to me that the Fish and Game Commission believes that increasing the cost of the migratory hunting stamp from $3 to $5, which is considerably more than most States charge for a resident hunting license, will be unpopular with most of our sportsmen.

Mr. President, I ask unanimous consent to have printed in the Record resolution 13, which was approved by the International Association of Game, Fish and Conservation Commissioners at their annual meeting, in which they express their opposition to this bill.

There being no objection, the resolution was ordered to be printed in the Record, as follows:

Resolution 13—Opposing an Increase in the Migratory Bird Hunting Stamp Fee

Whereas legislation providing authority to the Secretary of the Interior to increase the Migratory Bird Hunting Stamp fee from its present $3 up to $5 is being considered by the Congress; and,

Whereas the International Association of Game, Fish and Conservation Commissioners favors an increase in the rate of acquisition and development of waterfowl habitat, but not this method; and,

Whereas the current $3 fee for Migratory Bird Hunting Stamps is equal to or greater than the fees charged by many states for small game hunting licenses; and,

Whereas hunter license fees have historically been the primary source of revenue for the support of state programs designed to manage all species of small game; and

Whereas any increase in federal fees required of hunters could seriously jeopardize the use of this source of funds to support state conservation programs: Now, therefore, be it

Resolved, That the International Association of Game, Fish and Conservation Commissioners is opposed to any increase in federal hunting fees; and, Be it further

Resolved, That the Congress be urged to appropriate funds from general revenue to increase the rate of acquisition and development of waterfowl habitat in order to maintain the waterfowl heritage of this Nation which to date has been maintained solely by only those who enjoy the recreation of waterfowling—only one of the many benefits of this wildlife resource.

AN APPEAL OF CONSCIENCE MANIFESTO ON SOVIET JEWRY

Mr. JAVITS. Mr. President, throughout the Nation and the world individuals of conscience of all faiths have joined to voice their deep concern for the danger of slow strangulation of an ancient faith in the U.S.S.R. In the Soviet Union, the world's second largest Jewish community seems to be faced with eventual extinction, being denied even those fundamental religious and cultural rights guaranteed to them by Soviet law.

Public protest is the only avenue of aid for this beleagured community which has lived—and on occasion prospered—in that part of the world for centuries. The Jewish communities outside the U.S.S.R. cannot send their Soviet brethren packages of needed foods, including Passover matzohs, or religious books or articles—the Soviets bar their delivery or declare them contraband. Neither Israel nor any other nation can provide a refuge for the oppressed—the Soviets refuse exit permits. The outside world cannot send teachers or rabbis to Soviet Jewry to help sustain their faith and to provide the warmth of spiritual and temporal contact—the Soviets bar the way. The Jewish communities of the world cannot receive delegations of their coreligionists from the U.S.S.R. as have other faiths—the Soviets have closed the gates.

Soviet Jewry, of course, is not threatened with despoliation and death camps as were the Jewish communities of Europe during the Nazi era. The threat is more sophisticated and more subtle—the slow smothering of a faith and culture that has flourished for centuries in a land where even now the light is already flickering.

Men of conscience, through the Appeal of Conscience Foundation, comprising religious and lay leaders of the major faiths, last month sponsored a manifesto of conscience published in the September 14 New York Times. This manifesto eloquently bespeaks the expression of deep concern over the issue of the treatment of Soviet Jewry held by millions of others of our fellow Americans who are, in effect, represented by the many Governors and other political leaders and by the many religious and lay leaders who signed the manifesto and who have independently given voice on this matter.

I ask unanimous consent that the text of the manifesto published in the New York Times be included as a part of my remarks at this point.

There being no objection, the manifesto was ordered to be printed in the Record, as follows:

[From the New York Times, Sept. 14, 1966]

You Are Not Forsaken, Soviet Jewry

Our prayers are with you for peace.

We Americans of all faiths urge the Soviet Government to improve your position as equal citizens of your country.

We welcome the promises made by the Soviet Government to permit the printing of 10,000 prayer books, the granting of resident permits for 20 students at the Moscow Yeshiva and the promise to make matzoth available to all Soviet Jewry.

In addition to the fulfillment of these promises, we hope that these essential religious and cultural rights will also be restored to Soviet Jewry:

Jewish education should be allowed.

All restrictions placed on synagogues throughout the Soviet Union should be lifted.

Central institutions to serve the religious needs of Soviet Jewry should be established.

Obstacles to the acquisition of consecrated burial grounds and to the performance of sacred rites, such as religious burial and circumcision, should be removed.

The publication of sufficient quantities of prayer books, Hebrew Bibles and the production of religious articles, such as prayer shawls, phylacteries and mezuzoth, should be permitted.

Permission to Jews to leave the U.S.S.R. so that they may be reunited with their families abroad should be granted.

Jewish cultural institutions enabling Jewish artists in the theatre, music and literature to develop Jewish culture in the Yiddish and Hebrew language should be reestablished.

Religious and cultural ties with Jewish communities outside the U.S.S.R., official exchange visits and religious pilgrimages to the Holy Land should be permitted.

You are neither forsaken nor abandoned. Remain strong, keep your faith in your heritage.

Conrad Aiken, Poet & Novelist; Hon. William T. Avery, Governor, Kansas; Dr. Markus Barth, Pittsburgh Theological Seminary; Hon. Birch Bayh, U.S. Senator, Indiana; Hon. Abraham D. Beame; Saul Bellow, Novelist, Playwright; Shelley Berman, Artist; David Berdon; Harry Berse; Theodore Bikel, Artist; Dr. Harold A. Bosley, Minister, Christ Church, Methodist; Kay Boyle, Author; Hon. Daniel B. Brewster, U.S. Senator, Maryland; Hon. Quentin N. Burdick, U.S. Senator, North Dakota; David Callahan, Editor, Commonweal; Very Rev. Msgr. Daniel M. Cantwell, Natl. Cath. Conf. for Interracial Justice; I. J. Caplan; Philip Carmel; Hon. Clifford P. Case, U.S. Senator, New Jersey; John Ciardi, Saturday Review; Hon. John H. Chafee, Governor, Rhode Island; Hon. Joseph S. Clark, U.S. Senator, Pennsylvania; Arthur A. Cohen, Theologian and Author; Isidor M. Cohen; Wayne H. Cowan, Managing Editor, Christianity and Crisis.

Rev. Eugene K. Culhane, S.J., Managing Editor, America; Israel Cummings; Joseph E. Cuneen, Editor-in-Chief, Cross Currents; Maxwell Dane, Samuel H. Daroff, Rev. Thurston N. Davis, S.J., Editor-in-Chief, America; Joseph M. Drexler, Hon. Thomas J. Dodd, U.S. Senator, Connecticut; Hon. Peter H. Dominick, U.S. Senator, Colorado; Hon. Francis E. Dorn, Former Congressman, New York; Hon. Paul H. Douglas, U.S. Senator, Illinois; Very Rev. Msgr. John J. Egan, Dir. Office of Urban Affairs, Chicago; Rt. Rev. Msgr. John Tracy Ellis, University of San Francisco; Jason Epstein, Editor, Random House; James Farmer, Jules Feiffer, Writer and Cartoonist; W. H. Ferry, Center for the Study of Democratic Institutions; Dudley Fitts, Author; Dr. Harry Emerson Fosdick, Minister Emeritus, Riverside Church; Abel E. Garner, Judge Benjamin Gassman, President, Park East Synagogue; Dr. N. N. Glatzer, Professor, Brandeis University; Dr. Nelson Glueck, President, Hebrew Union College, J.I.R.; Maurice Goldring, Rabbi Harold Gordon, Exec. Vice Pres. N.Y. Board of Rabbis.

George Gray, Pres. Kings County Lafayette Trust Co.; Dr. Simon Greenberg, Vice Chanc., Jewish Theological Seminary; Most Rev. Paul J. Hallinan, Archbishop, Atlanta, Ga.; Hon. Philip A. Hart, U.S. Senator, Michigan; Hon. Vance Hartke, U.S. Senator, Indiana; Kyle E. Haselden, Managing Editor, The Christian Century; Nat Hentoff, columnist and critic; Rev. Theodore M. Hesburg, C.S.C., President, University of Notre Dame; Rt. Rev. Msgr. George G. Higgins, NCWC-Social Action Dept; Jack Himoff; John Hollander; Hon. Daniel K. Inouye, U.S. Senator, Hawaii; Edward Isaacs; Hon. Jacob K. Javits, U.S. Senator, New York; Paul Jennings, President, International Union of Electrical Radio & Machine Works AFL–CIO; Philip Johnson, Architect; Hon. Louis I. Kaplan, Judge, Civil Court of New York; Label A. Katz, Past President, International B'nai B'rith; Martin Kane; Edward M. Keating, Editor and Publisher, Ramparts; Hon. Edward M. Kennedy, U.S. Senator, Massachusetts; Hon. Robert Kennedy, U.S. Senator, New York; Hon. Otto Kerner, Governor, Illinois; Larry King, Commentator.

Dr. Martin Luther King, Jr., Nobel Laureate; Emil Koenig, James Laughlin, Poet; Hon. Louis J. Lefkowitz, Attorney-General, State of New York; Maurice Levin, Rabbi; Pesach Z. Levovitz, Pres., Rabbinical Council of America; Hon. John V. Lindsay, Mayor, City of New York; Hyman Loshen; Hon. John A. Love, Governor, Colorado; Hon. Stanley H. Lowell, Robert Lowell, Poet; Rev. C. J. McNaspy, S.J., Editor, America; Bernard Malamud, Author; Martin E. Marty, Author; Joseph M. Mazer, Charles Mayer, Hon. Eugene J. McCarthy, U.S. Senator, Minnesota; Hon. George McGovern, U.S. Senator, South Dakota; David Meister, Rabbi Israel Miller, Hon. Pres. Rabbinical Council of America; Henry H. Minskoff, Myron A. Minskoff, Hon. Walter F. Mondale, U.S. Senator, Minnesota; Hon. Joseph M. Montoya, U.S. Senator, New Mexico; Hon. Frank E. Moss, U.S. Senator, Utah; Hon. Gaylord Nelson, U.S. Senator, Wisconsin; Dr. Reinhold Niebuhr, Prof. Emer. Union Theological Seminary.

Hon. Frank O'Connor, Pres. City Council of N.Y.; James O'Gara, Commonweal; Albert

Parker; Hon. John O. Pastore, U.S. Senator, Rhode Island; Dr. Norman Vincent Peale, Pres. Protestant Council, City of New York; Rt. Rev. James A. Pike, Bishop of California; Norman Podhoretz, Editor, Commentary; Mortimer J. Propp; Dr. Emanuel Rackman, Assistant to the President, Yeshiva University; Dr. David H. C. Read, Minister, Madison Ave. Presbt'n Church; Very Rev. Paul C. Reinert, S.J., President, St. Louis University; Hon. Abraham Ribicoff, U.S. Senator, Connecticut; Edward Rice, Jr., Publisher, Jubilee; Hon. Nelson A. Rockefeller, Governor, New York; Hon. Franklin D. Roosevelt, Jr., Herman A. Rosenberg, Joseph Sandler, Hon. Leverett Saltonstall, U.S. Senator, Massachusetts; Dore Schary, Chairman, Anti-Defamation League; Eugene Schildkraut, Lester Schildkraut, Michael Schimmel, Alfred Schlossberg, Rabbi Arthur Schneier, Park East Synagogue; Sol Schulman, Herman H. Schwartz, Hon. Hugh Scott, U.S. Senator, Pennsylvania; Hon. William W. Scranton, Governor, Pennsylvania; Joseph Shapiro, Stanley Sheinbaum.

S. M. Shor, Max Siegel, Hon. Edward S. Silver, Surrogate, Kings County, New York; Hon. Charles H. Silver, Louis Silver, Tobias Simon, Hon. Milward L. Simpson, U.S. Senator, Wyoming; Isaac B. Singer, Author; Edward S. Skillin, Editor, Commonweal; Hon. George A. Smathers, U.S. Senator, Florida; Bishop Stephen G. Spottswood, Chairman, Board of Directors, NAACP; Spyros P. Skouras, Philip Sporn, R. Peter Straus, William Stringfellow, Author; Hon. Stuart Symington, U.S. Senator, Missouri; Allan Tate, Poet; Charles Taubman, Robert Taubman, Donald J. Thorman, Publisher, National Catholic Reporter; Hon. Joseph D. Tydings, U.S. Senator, Maryland; Louis Untermeyer, Author; Kurt Vonnegut, Jr., Novelist; Col. Irvin Waldman, Hon. Robert F. Wagner, Former Mayor, City of New York; Whitney M. Young, Jr., Executive Secretary, Urban League; Jack D. Weller, Eli Wiesel, Novelist.

Appeal of Conscience Foundation, 32 Court St., Brooklyn, N.Y. 11201. Rabbi Arthur Schneier, President; Dr. Harold A. Bosley, Rev. Thurston N. Davis, S. J., Vice Presidents; Hon. Francis E. Dorn, Sec'y-Treas.

LAW ENFORCEMENT ASSISTANCE ACT EXPANSION

Mr. JAVITS. Mr. President, this morning, the Committee on the Judiciary reported a bill designed to extend the life of the Office of Law Enforcement Assistance. I trust that the Senate will act quickly on the measure.

While I support the bill, I regret that the program could not have been expanded so as to provide funds for grants to local law-enforcement agencies for the purchase of equipment designed to modernize police methods and to assist police in their all-important work. It is especially critical for our large cities to have equipment such as electronic systems, computers, and motorized equipment in their efforts to stem urban crime.

On August 19, I introduced a bill (S. 3740) to authorize the Office of Law Enforcement Assistance to make grants of this kind and to provide an additional $10 million a year for the program. In response to that bill, I received letters from the chiefs of police in a number of large cities, not only endorsing the bill, but outlining in detail their specific needs for such a program. I ask unanimous consent that the letters be printed at this point in the Record.

There being no objection, the letters were ordered to be printed in the Record, as follows:

Indianapolis, Ind.,
September 21, 1966.

Hon. Jacob K. Javits,
U.S. Senate,
Old Senate Office Building,
Washington, D.C.

Sir: In response to your legislation in the Senate to establish a Federal grant program to help local police departments purchase modern crime prevention and law enforcement equipment, the city of Indianapolis strongly urges such action.

We have sufficient 2-way radio facilities which are readily available and reasonably priced on the market; however, to branch out and utilize these present units, as well as other electronic equipment, to a further degree is costly and taxpayers do not support increased taxes to take these steps.

Projects which we would like to utilize immediately and which should be done in order to project ourselves ahead of this criminal activity is as follows:

Project No. 1. Remote On-The-Air Indicator System. A system to visibly identify a car on-the-air. Specifications enclosed. Reason: immediate identification of mobile units for officers in trouble, defective transmitters, improper usage of transmitter, and conservation of air time.

Project No. 2. A Scrambler System. This system scrambles the audio of a transmitted signal which is unreadable to a normal receiver. Only receivers with such a scrambler would be able to understand the transmission. Reason: burglars in this city are utilizing small converters (picture enclosed) 3''x2''x155 costing $22.95 ($29.95 for a 2-frequency) which are taped to a cheap transistor broadcast radio in order to receive our police calls in the 150 MHz band. Such receivers are then used taped to their wrists or carried in a pocket while they do their work. There is no state law or city ordinance to prevent the manufacture of such devices, nor to prevent the use of same in the performance of criminal activity. This type of criminal activity of monitoring our calls is on a sharp increase.

Project No. 3. Radar–IFF system for pinpointing the locations of police forces in the field and indicating the identification of each as an aid to proper deployment in accordance with computer indications of where forces are likely to be needed. Such identification to be on etched map of the city patrolled area.

I hope this data will help you with such legislation, without which we will continue to try and out-guess the criminals with our present equipment; however, with Federal assistance over the entire country and the electronic art as it stands today we certainly should be able to curtail and stop a large percentage of criminal activity.

Personnel can be made available to discuss and support this data if it should be required.

Very truly yours,
Noel A. Jones,
Chief of Police.
Frank D. Campbell,
Captain, Superintendent of Communications, Indianapolis Police Department.

Kansas City, Mo.,
September 19, 1966.

Hon. Jacob K. Javits,
U.S. Senate, Old Senate Office Building,
Washington, D.C.

Dear Senator Javits: I have been informed you are interested in legislation to establish a federal grant program to help local police departments purchase modern crime prevention and law enforcement equipment. I agree this is necessary that we might combat the constant rise in crime with modern procedures and technology. Despite the fact we may have strong feelings in this regard, most of us are retarded due to the expense entailed.

Predominant among the needs of a modern department are those in the field of communications systems and computers. Our Department has ordered a new communications system which should be installed about January 1, 1967. We have embarked upon a program to try to get a computer, hopefully by 1968. Our communications system has been financed satisfactorily, but the computer program is still hanging fire and its implementation is contingent upon our ability to secure sufficient funds. We would therefore sincerely welcome any assistance in this regard.

In addition to this, there are many pieces of equipment which we cannot now finance, but which would be of great help to us. These usually are in the field of laboratory installations and devices which would enable us to more scientifically and conclusively prepare our investigations for successful prosecution. In this day when the courts have imposed strict regulations regarding interview with subjects, which to-date has been the main basis for our convictions, an adequate substitute must be developed. This substitute of course must come from the field of scientific investigation and only through the use of scientific aids will we be able to fill this void. I make no protest about the restrictions placed on us by judicial decree; however, I must point out that we are thereby placed in a position where we are encountering a much greater problem insofar as preparation of our cases. We are moving from an area of fairly inexpensive operations to one wherein we must spend a greater amount of time in these investigations, and hence more expensive; and to cap this, must have the scientific techniques to bolster our cases. Frankly, little is left over after our additional personnel requirements are met, and the expansion into the scientific field must suffer. It appears to me this is a logical area wherein the federal government can subsidize us and at the same time greatly enhance our possibilities of convictions where convictions are needed.

As a member of law enforcement, it is my fervent hope therefore that you give this matter your complete support and assist us in every way possible. I appreciate your efforts to-date and will be most willing, either through personal appearance or communications, to help in this most worthwhile cause.

Sincerely,
C. M. Kelley,
Chief of Police.

Seattle, Wash.,
September 20, 1966.

Hon. Jacob K. Javits,
U.S. Senate,
Old Senate Office Building,
Washington, D.C.

Dear Senator Javits: The legislation introduced into the Senate of the United States to provide funds for local police departments is a major step forward in my opinion in combating the rise of crime in this country.

Most police administrators are aware that modern technology has created equipment, devices and procedures that would be of material benefit in protecting communities. However, the continuous problem of increasing the number and quality of police personnel with the concurrent problem of upgrading their salaries to a level that will attract and retain the type of man necessary in modern law enforcement makes it extremely difficult for the police administrators to ask the budget body to divert substantial funds for equipment.

The still relatively new experience that some of the major departments have had with computers would indicate that in the foreseeable future, practically every major police agency must use computers if they are to be effective. The cost of computers causes many administrators to hesitate before projecting it into their budgets.

Another area is in the matter of communications. The miniaturizing of radio sets that are capable of both receiving and transmitting gives every promise of freeing foot patrolmen from assignments keyed to fixed call boxes. The potential of having every police person on the street equipped with a radio with which he can both receive and transmit in improving police protection and service is obvious. Again, these radios are not inexpensive.

In those jurisdictions where the limited access highways are carrying an increasing portion of the traffic volume, the enforcement problem is unique. Stock automobiles are not capable of meeting the needs and supplying the degree of protection necessary for the officers. These automobiles, especially designed or modified for Freeway work, would be at least three times as costly as the conventional stock police cars.

In Seattle for seven years we have used a helicopter in police service. The capabilities of helicopter operation by a local law enforcement agency are well established, but again, the purchase and the maintenance of the aircraft, when balanced against the rest of the police budget, poses a knotty problem to the police administrator.

There are other areas of internal operation which would indicate that it would be in the public interest for police agencies to abandon or modify long established procedures and routines to take advantage of methods and procedures of recent origin. The step from the outmoded methods of handling such things as preparing court dockets, maintaining files of persons and things, exchange of information amongst police agencies, is a very expensive one. Most municipal police agencies have great difficulty in making this expensive step in one budget year. Yet the results we need, generally cannot be spread out over a period of two or three years.

As a police administrator, I deeply appreciate your interest and recognition of the problems facing police administrators in the critical area of financial assistance. I would be happy to cooperate or assist in any fashion which may result in the passage of this legislation.

Yours truly,

F. C. Ramon,
Chief of Police.

Lake Placid, N.Y.,
September 23, 1966.

Senator Jacob K. Javits,
U.S. Senate,
Washington, D.C.

Dear Senator Javits: I am aware via the news media that you have proposed a program of federal grants to local police departments for the purchase of crime prevention and detection equipment.

Inasmuch as I am a recent appointee as a police chief in this Village after almost twenty-three years in the New York City Police Department, I am most anxious in developing my force toward professionalization. It is with this in mind that I am writing to you after having read an Associated Press article.

Before I continue, I would like to convey our expression of gratitude to you for the service, interest and foresight that you have in providing some practical assistance to local law enforcement agencies. The time has come to provide these agencies with advanced methods, particularly in communications, to cope with the increase in national crime rates. The advancement in transportation, such as air and super highways today makes small rural communities prey to hoods from metropolitan areas to make lightening-like strikes and in no time return to their lairs.

This department functions almost as a separate entity. Crimes occur within the jurisdiction of other police agencies and yet we are not aware of them, unless notified by telephone or personal visit. Larcenies of automobiles, for instance, are almost never conveyed to us unless, of course, the crime is committed within our village. Since this village is a prime tourist attraction, the number of automobiles within our confines increases in certain seasons tremendously.

The need for police teletype communication with N.Y.S. Police and other police agencies cannot be overly stressed. In time to come, this will be a "must" for all police departments.

I seek your assistance in the proper channelling of making application for any existing grant that may benefit our department, community, state and nation.

Respectfully,

Charles J. Prasse,
Chief of Police.

Chicago, Ill.,
September 16, 1966.

Hon. Jacob K. Javits,
U.S. Senate,
Old Senate Office Building,
Washington, D.C.

Dear Senator Javits: Mr. Quinn Tamm, Executive Director, International Association of Chiefs of Police, has advised me of your interest in enabling local law enforcement agencies to acquire advanced technological means for combating the increased crime rate.

Before becoming specific I should like to make the following observations. Technology, alone, will have an important but limited effect on the crime rate unless it is applied throughout the entire process of law enforcement, prosecution and rehabilitation. In addition, it must be paced with all other community influences on prevention of crime.

Secondly, technological assistance must be geared to providing closer and more effective contact of the patrolman with his community as well as combating crime on broader geographical bases than the artificial limitations of cities' boundaries, such as metropolitan areas, state and national bases.

With the active participation of many police departments and other institutions in the programs made possible through the Law Enforcement Assistance Act, such as the National Symposium of Science and Criminal Justice, I anticipate that any specific areas that I mention are subject to expansion and revision, as well as presenting a very limited picture of all possibilities for assistance.

The attached list of projects is one of interests of the Department and should not be interpreted as commitment beyond the objectives each might serve to accomplish.

I certainly am most interested in assisting in any way to promote more professional and effective law enforcement. You may feel free to call upon me at any time in this regard.

Sincerely,

W. Wilson,
Superintendent of Police.

PROJECTS

I. Computer

Metropolitan information systems will be largely restricted to core city applications unless funds required for coordinated expansion are available both to outlying jurisdictions and core cities. The outlying agencies will frequently be unable to afford the terminal equipment and personnel necessary for access to centralized files. The core cities will be restricted to equipment facilities related both to speed of handling information and size of files as would be justified by their own needs. Other agencies would therefore only be able to use information developed under a priority other than one designed to serve their needs.

Additionally, the need for equipment and processing is critical. However, in most cases law enforcement agencies find it difficult to justify the expense of personnel required to fully utilize the potential of equipment upon delivery or even within a short time after its installation. Funds for support of systems development and programming would greatly facilitate computer applications.

II. Communications

The computer has opened the door to significant improvements in speed and accuracy of file input, search and retrieval. The next logical improvement is increased facility for access to the computer from point of origin of data and inquiry. In most circumstances this is effectively accomplished by installation of a terminal connected to the computer by land lines. However, in police patrol operations the impossibility of land line connection is obvious. We are extremely interested in communications developments that will permit the patrol officer to have direct access to computer files, bypassing the normal dispatcher link that is presently required. Such equipment is entirely feasible but its development and acquisition will be quite costly.

III. Surveillance Devices

A. Traffic enforcement: Traffic enforcement is limited to the extent that officers can be placed in physical contact with the violation situation and make personal follow-through on issuance of warnings and citations. Automated surveillance can be expected to have a significant influence on driver behavior if means are provided to make known to the violator that enforcement agencies are aware of his deviant behavior. Additionally, considerable value is inherent in an ability of a police department to maintain automated surveillance of thoroughfares and other locations for the purpose of quickly ascertaining points of congestion, accidents, abandoned vehicles and other occurrences that contribute to increased congestion on already overcrowded facilities.

B. Crime prevention and apprehension: Adequate patrol activity in certain areas places a considerable burden on manpower allocations of police departments. All departments employ some type of selective patrol in an attempt to make most effective use of manpower. However, the inadequacy even of this is obvious in the continuing national increase in crime.

Automated surveillance of selected areas would greatly improve the effectiveness of any police department's patrol activities. Studies of subways and developments, such as shopping centers, have shown a need for patrol activity that is frequently disproportionate to other geographic areas and other police services. Television surveillance of such areas would be very beneficial. However, the nature of the construction usually makes the cost of a sufficient number of cameras prohibitive but proportionately more desirable. Property coordinated installations would permit a single officer to maintain visual patrol of the same area that might require dozens of officers patrolling with conventional methods.

Hopefully the symposium previously mentioned will give impetus to development of automatic tracking equipment to maintain visual display of patrol vehicle status and position, refined security devices and other items that would greatly benefit law enforcement but would be quite expensive.

Government of the District of
Columbia, Metropolitan Police
Department,
October 11, 1966.

Hon. Jacob K. Javits,
U.S. Senate,
Old Senate Office Building,
Washington, D.C.

Dear Senator Javits: I am writing you at the suggestion of Mr. Quinn Tamm, Executive Director of the International Association of Chiefs of Police, to express my support for legislation proposed by you to provide Federal aid for local governments to support purchases of equipment needed by police agencies.

As you know, this department is financed through appropriations provided by the Congress. And the record will show that, in recent years, we have had little difficulty in obtaining appropriations from Congress to meet our major equipment needs. Our situation was further enhanced by the grants approved earlier this year under the Law Enforcement Assistance Act which provide funds for purchase of automobiles, purchase of radio equipment, organization of a Planning Unit, establishment of a computer program, and the conducting of several training projects; however, it is significant in this context that the LEAA grants providing for equipment purchases by this department were exceptions to the rule made because of the status of the District of Columbia as the Nation's Capital. As you know, LEAA funds are not generally available for equipment purchases.

Therefore, though this department is currently able to satisfactorily fill its equipment needs, I am well aware that there are many other police departments across the Nation which are not nearly so fortunate. Most police agencies have critical needs for more and better of the traditional equipment such as automobiles, cameras, weapons, and radios. But the great challenge which police agencies are going to face in the immediate future, and the meeting of this challenge is going to be so expensive that federal support will be needed to assure success, will lie in the computerization of administrative and operational records of police agencies. Although computer technology promises many benefits to police service in terms of increased efficiency and effectiveness, the obtaining of these benefits will be costly. In this department alone, we estimate that the eventual, recurring cost of computer applications will run as high as one million dollars annually. But costly as it is, the computer will surely within a decade be as integral a part of police operations as the radio is now.

In closing, I would express my full support for your proposal to provide further federal support for Local Law Enforcement and I would like to express my sincere appreciation for your interest in our needs.

Sincerely yours,

JOHN B. LAYTON,
Chief of Police.

CINCINNATI, OHIO,
October 13, 1966.

Hon. JACOB K. JAVITS,
U.S. Senate,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR JAVITS: Responding to the query that Quinn Tamm, Executive Director of the International Association of Chiefs of Police, directed to our attention the upper echelon of the Cincinnati Police Division was polled to ascertain the present and future requirements for modern crime prevention and law enforcement equipment.

This was accomplished and used in the presentation of Safety Director Henry J. Sandman to the City Council's Crime Study Committee. His recommendations were:

1. Electronic Data Processing equipment to computerize the records retention system in order to provide the field officer with current information when needed.

2. An analysis of all Police Communication facilities in order to advantageously use the many technological advances effectively. Such things as miniaturized transmitters and receivers, video equipment, additional frequencies and mobile emergency units.

3. An appraisal of the Cincinnati Police Division by an outside source (IACP or other) to determine the needs, both physical and systematical, of the Division.

4. A new Police Training Center and Target Range is badly needed to insure a high degree of training.

5. The facilities of the Crime Bureau, Property Room, Records Section, Identification Section and Central Station are completely outmoded, and should be remodeled.

6. Expand the program of sending men to the FBI National Academy; Northwestern University Traffic Institute; Delinquency Control Institute; Southern Police Institute; and other short term courses.

7. Expand the police cadet program through available assistance from the Department of Labor. An expanded Cadet Corps would provide a built-in system of semi-trained personnel to fill the police ranks.

We thank you for this opportunity to possibly help ourselves through this type of legislation. If there are any questions or anything further we can do that would be some help please do not hesitate to call on us.

Sincerely,

GUY YORK,
Acting Police Chief.

BOSTON POLICE DEPARTMENT,
October 13, 1966.

Hon. JACOB K. JAVITS,
U.S. Senate,
Old Senate Office Building,
Washington, D.C.

DEAR SENATOR JAVITS: In response to communication received from Mr. Quinn Tamm, Executive Director, International Association of Chiefs of Police, Inc., relative to projects that would be undertaken in the police communication and computer field of the Boston Police Department if Federal funds were available, the following is submitted for your information.

COMPUTER

(Est. Purchase price $500,000. Rental per year $100,000.)

Purchase of a 360/32K computer for use of Boston Police for storing information on crime, stolen car registration numbers, missing persons for gathering statistics for proper deployment of personnel and for the pinpointing of heavy crime areas, etc.

RADIO OPERATED CITIZEN ALARM SYSTEM

(Estimated cost, $800,000.)

Purchase of radio equipment for installation in 600 citizen alarm boxes, a Console for Headquarters and spare batteries for operating the call boxes.

A. Radio operated boxes would replace costly and antiquated land line, combined citizen and duty call boxes.

1. Cost of extending our present call box system (land line), to new district stations and altering system to accommodate consolidation of district stations is prohibitive.

(a) A radio operated call box system, once set up and operating, can be altered, moved, added to at much less expense than a landline system.

B. Citizen alarm boxes (radio operated), also to be provided with a voice feature by which officers on street can call directly to Headquarters and seek assistance, make duty calls, obtain information.

1. Citizen by pushing button on box in street will inform officer at console in Headquarters that he desires police assistance and will automatically report his location.

CLOSED CIRCUIT TV, $20,000

Purchase of 14 Datafax or Xerox transmit-TV—Six cameras, 50 Tapes, six Tape recorders, 20 TV sets.

A. Closed circuit TV to be used for surveillance work, for instructional purposes at Police Academy, for displaying rogues gallery photos at district stations and for traffic control.

DATAFAX TRANSMISSION OF REPORTS, $85,000

Purchase of 14 Detafax or Xerox transmitting machines and 14 Datafax or Xerox Receiving machines for installation in each district and Headquarters.

A. Would provide instantaneous transmission of report from districts to Headquarters of crimes, accidents, and services provided.

1. Officers in districts upon completion of an investigation and upon completing proper form could send facsimile to Headquarters at once.

a. Reduce need for clerical help in districts permitting more officers to be assigned to street duty.

B. Information arriving from districts could be put into computer at once greatly speeding up on-hand information on crimes.

1. Provide up-to-date statistics for better deployment of personnel.

RADIO CIRCUIT FROM CARS TO DISTRICTS, $200,000

Purchase 160 Walkie-Talkie type of radio set for use in sector cars, 14 Transceivers for districts, 3 Base Station repeaters and 3 Consoles for Headquarters for monitoring.

A. Installation of additional radio sets in patrol cars on a channel other than the regular emergency channel with receivers at districts so that patrol car officers can contact their respective districts directly. (Calls to be monitored by Dispatcher at Central Complaint Section at Headquarters.)

1. This radio network to be used by officers for reporting to their respective districts on traffic tie-ups, for seeking assistance of the kind that can be provided at district level, to make reports of a minor nature and to obtain information.

B. The radio sets in the cars to be in the nature of a Walkie-talkie so that an officer upon leaving his cruising car to make an investigation can take the Walkie-talkie with him and remain in contact with his district while away from his car.

1. Cars would be provided with charging units to keep batteries in Walkie-talkie fully charged.

2. Radio units would be provided with locking device to prevent theft of Walkie-talkie when left unattended in cars.

WALKIE-TALKIES, $95,000

Purchase 100 Walkie-Talkies to equip route officers, also 14 charging racks for district stations, 200 batteries.

A. To provide sufficient Walkie-Talkies to enable all route officers to carry one when on patrol.

1. Officers would be in contact with their respective districts by means of their Walkie-Talkies.

a. Officers would be able to contact station for assistance, to call for ambulance, wagon, to receive orders and assignments and to report back on assignments completed.

b. Officers equipped with Walkie-Talkies would be kept informed of current crimes, stolen car registration, etc.

CAR IDENTIFICATION SYSTEM, $60,000

Purchase of Encoder and Decoder unit for each of 160 sector cars, one base station and a status map for Central Complaints showing location of all sector cars in City with indicator lights for each car.

A. System will enable Dispatcher to identify car making call. Map light will indicate whether car is on or off the air, lapse time indicator light to show length of time car is off on a call.

B. System would identify a car stuck on the air.

1. Under present system Dispatcher does not know which car is stuck on the air and interfering with broadcast.

C. This system can be tied to a computer for storing information on number of radio messages sent and length of time a car is off the air completing an investigation.

SCRAMBLING DEVICES, $95,000

Purchase of 300 scrambling devices for installation in all radio equipped vehicles and for the Central Complaint Section.

A. This would eliminate unauthorized monitoring of police radio broadcasts.

1. Presently there are hundreds of persons monitoring police calls for news gathering purposes, amusement, entertainment and very likely by the criminal element for the purpose of knowing the moves of police vehicles for the purpose of insurance against detection by the police during the commission of a crime.

MOBILIZATION ALERT SYSTEM, $450,000

Purchase an alert receiver for each police officer and base station equipment to operate the system.

A. A receiver to be placed in the home of each police officer so that all off-duty officers may be summonsed at once to report for duty when disaster or riot conditions require a general mobilization of the Department.

Present mobilization plans require telephone calls to the homes of each off-duty officer and during disasters or riots, phone service often breaks down.

MICROWAVE COMMUNICATION SYSTEM, $500,000

Purchase microwave equipment for installation in each of 14 district stations and at Headquarters, including towers, reflectors and other related equipment.

A. Communications by means of microwave would substitute for telephone communications in cases of power failures, damage to telephone cables, etc.

1. Microwave would insure uninterrupted communications between Headquarters and districts during storms, power failures and other causes of telephone failure.

B. Transmission of facsimile data from districts to Headquarters and vice versa could be handled by microwave instead of by phone line with less likelihood of failure and without recurring rental charges for phone lines.

With regard to my appearance before a Senate Committee on this subject matter, because of the exigencies of police work, I cannot commit myself to attend in person at this time.

Sincerely,

Edmund L. McNamara,
Police Commissioner.

THE PRESIDENT'S JOURNEY TO ASIA

Mr. McGEE. Mr. President, if any further doubts are raised about the intent and good offices of the Presidency in relation to the current Asian trip they must certainly be dispelled today after President Johnson's outstanding address at Honolulu yesterday.

As the editorial in today's Washington Post points out: the address "admirably puts forward this country's position as a Pacific power."

Noting that in times past American policy has often been criticized as sterile and negative, the editorial correctly asserts "that reproach cannot be fairly visited upon the policy which the President outlined."

The President's first speech seems an auspicious beginning to this important Asian journey, and I believe, Mr. President, that most Americans will agree with the Post editorial when its states:

> It is clear that the President has now put underway a very serious diplomatic effort which is not to be dismissed as a political or partisan or frivolous exercise.

Mr. President, I ask unanimous consent that the editorial, published in the Washington Post today, be printed in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

[From the Washington (D.C.) Post, Oct. 18, 1966]

Asian Curtain-Raiser

President Johnson's address at Honolulu has to be appraised as a curtain-raiser for his Asian missions, and, as such it admirably puts forward this country's position as a Pacific power.

It states this Nation's willingness to fulfill its commitments, but wisely acknowledges that, in the long run, our tasks of assistance and defense will be assumed more and more by others and by collective groupings of Asian countries. This is an appropriate definition of relative roles that will, at the same time, disavow permanent responsibility and invite Asian countries to assert their leadership in the area.

Given this statement of the situation, it is evident that we are now in a transitional period that will be followed by rapidly changing relationships if the President's vision of the future is correct.

On an occasion essentially ceremonial in character, the President can be forgiven an estimate of the readiness of Asian nations for responsibility that may be a little anticipatory. He credits the nations of Asia with increasingly appreciating the reality that "the security of every nation is threatened by an attack on any nation" and with belief in some other essentials of Asian policy. It would be fine if they were convinced that "national stability and strength can only come through self-help," that political power, "held by the few and the rich within a nation is power that will not survive," that "prosperity can only come through cooperation with one's neighbors," that "no single nation can or should be permitted to dominate the Pacific region," that disputes settled by force will remain unsettled, "that Asia's destiny lies in the hands of Asians."

These are admirable principles which may be winning their way gradually in Asia, but it is perhaps premature to conclude that these realities are as widely comprehended as the President implies.

If there can be disagreement about the speed with which Asia is moving toward these views, however, there can be little reasonable doubt that this is the direction in which we would like to see our Asian neighbors move. In times past, American policy toward Asia has been criticized as sterile and negative. That reproach can not be fairly visited upon the policy which the President outlined.

The President's remarks on Red China seem to portend no early change of United States policy on recognition and admission to the United Nations; but they put American policy in a better perspective. When he urged a freer flow of ideas and people, the President struck the right note. When he said that we do not believe in "eternal enmity," he properly disavowed the present policies as the permanent attitude of the United States. He asked for "reconciliation" with China and rightly looked forward to the day "when the policies of mainland China will permit such a reconciliation." This language improves the United Stater posture by divesting it of earlier apparent rigidities and hostilities. It puts our China policy on firmer ground, from which we can move to appropriate action whenever the opportunity presents itself.

The Honolulu speech, by and large, was a good beginning for a very important presidential journey which may have profound effects on our Pacific and Asian policies for generations. It is clear that the President has now put under way a very serious diplomatic effort which is not to be dismissed as a political or partisan or frivolous exercise.

PROPOSED UPO GUIDELINES

Mr. BYRD of West Virginia. Mr. President, I wish to insert in the Record two newspaper articles concerning the proposed UPO guidelines. The first, entitled "Softer UPO Guide Drafted for Aids," appeared in the Washington Star on October 16, 1966, and the second, entitled "Proposed UPO Rules Would Bar Violence," appeared in the Washington Post of October 18, 1966.

There being no objection, the articles were ordered to be printed in the Record as follows:

[From the Washington Star, Oct. 16, 1966]

Softer UPO Guide Drafted for Aides

(By Betty James)

District poverty workers would remain free to support and participate in all peaceful protest demonstrations under guidelines to be considered this week by the board of the United Planning Organization. The guidelines would not rule out protest against officials and police.

The proposal would include a specific endorsement of direct action as one tool of community organization, although negotiation is cited as the foremost means to be used in solving problems.

The guidelines developed by the UPO staff for presentation to the board are less stringent than those adopted recently by the board of Southeast Neighborhood House.

The Southeast House guidelines were issued in the aftermath of the Aug. 15 disorder in Anacostia which centered on the 11th Precince stationhouse. Southeast House said, in issuing its directive, that it had been in preparation for seven months.

The UPO staff proposal differs from the Southeast House in two important respects.

They do not rule out staff participation in demonstrations aimed at the police department on a working level, or against public or private agencies when the subject of the demonstration is currently under negotiation, or against members of Congress or congressional committees.

And they do not rule out workers suggesting these particular kinds of direct action to citizens, or in providing assistance in carrying it out, as do those of Southeast House.

The proposed UPO guidelines do agree with Southeast House in two important respects.

They stress that no staff members may take part or encourage a demonstration intended to result in physical violence, destruction of property, or physical injury to persons, and assert that it is the duty of the worker to prevent violence.

MUST BE PEOPLE'S DECISION

And they agree that the decision to conduct a demonstration must be the decision of the people in the neighborhood, not of staff workers.

The Southeast House guidelines are believed to be the first in the country developed for an antipoverty program. Southeast House has a contract with UPO, the local antipoverty agency, to conduct a program against poverty with money from the federal Office of Economic Opportunity.

If the proposed UPO guidelines are adopted, all 10 neighborhood centers in the city would be required to develop similar guidelines in conformity within 60 days.

Southeast House was spotlighted by the Aug. 15 disorder when workers helped picket the 11th Police Precinct. A commissioners' citizens committee later declared the picketing was one of several factors directly responsible for the disturbance.

Southeast House workers contended picketing was the only alternative to violence at that time and the board of Southeast House had consistently supported them in this decision, although the new Southeast House guidelines would seem to preclude such activity in the future.

The District commissioners recently held up approval of a $2 million grant from OEO to UPO pending a federal policy regarding the role of antipoverty workers in protest demonstrations. They subsequently released the money after the Southeast House guidelines were issued, but are still waiting for OEO's reply.

Although the commissioners haven't released their letter to OEO, an earlier letter regarding a federal housing grant made it clear that they were concerned not only about demonstrations involving violence but about the use of public money to support any public demonstration.

It is precisely this kind of activity that the proposed UPO guidelines would permit without strings.

The UPO staff draft says: "Direct action as here defined means those occasions when injured people present themselves in direct confrontation with the real or imagined source of their injuries. Direct action may take the form of pickets, marches, sit-ins, and other forms of confrontation of the injuring parties. These forms of protest are an affirmation of the rights of free speech and assembly, guaranteed by the United States Constitution. For minority groups they are sometimes the only ways open to inform the broader public of grievances."

"ONLY ONE TOOL"

However, direct action is "only one tool in the organizer's kit and is generally adopted only when the more staid and traditional devices for the presentation of grievances have proven to be fruitless," the draft says. Negotiation remains the foremost means of problem-solving, it asserts, "and is the first choice of action in approaching a problem.

"While not used often, direct action's 'visibility' and dramatic nature have caused it to became synonymous with community organizing in many people's minds," the draft says.

"Since direct action has been proven to be an effective technique in advancing these purposes, UPO supports the use of this technique. And, insofar as direct action techniques are used to contribute to the broader UPO goal—the betterment of life in the National Capital Area—UPO supports their use," the proposal adds.

[From the Washington Post, Oct. 18, 1966]

PROPOSED UPO RULES WOULD BAR VIOLENCE

(By Carol Honsa)

Poverty workers would be obliged to discourage violent demonstrations threatening persons or property under new guidelines prepared by the United Planning Organization staff.

The proposed guidlines will go to the UPO Board of Trustees tonight for approval. The board may attempt to toughen the broad, rather general provisions.

The new UPO regulations for neighborhood organizers are far less specific than guidelines adopted by the Southeast Neighborhood House, one of the ten centers supported by UPO anti-poverty funds. The Southeast guidelines forbid workers to encourage or participate in either demonstrations against the police and Congressmen or activities that are against the law.

But the UPO staff-proposed rules would require each of the ten neighborhood centers to draw up its own specific restrictions on workers, consistent with the over-all guidelines. This means the other centers could adopt rules as stringent as those approved by Southeast House.

Southeast House issued its guidelines after incurring severe criticism for its workers' role in the Aug. 15 Anacostia disturbance. A citizens committee report on the incident said workers who organized picketing at the 11th Precinct house were partially responsible for the violence.

The UPO guidelines to be considered tonight endorse such direct action protests as sit-ins, picketing and marches, but require that the decision to demonstrate be made by neighborhood residents rather than by the workers. The workers may, however, advise residents on the form and implementation of their protest actions.

If the planned demonstrations involve violence or threaten lives or property, the workers would be required to do whatever they can to prevent them from occurring.

The UPO guidelines state that negotiation should be the first action in attempting to resolve grievances.

"Direct action techniques are useful in community organization because they serve to express effectively and peacefully the frustration and hostilities of an injured group, unify the group through engaging physically in activity together, and dramatize wrongs which can be corrected through moral, political or economic persuasion," according to the UPO staff draft.

"UPO is directly concerned with all three of these purposes. Since direct action has been proven to be an effective technique in advancing these purposes, UPO supports the use of this technique."

According to James G. Banks, UPO executive director, the guidelines were drawn up to meet a request from the U.S. Office of Economic Opportunity for written standards and "to clear up misunderstanding in the minds of Government officials."

Many District officials, including the Board of Commissioners, have been unhappy that the poor, spurred on by UPO workers, have become increasingly vocal and visible in protesting grievances against Government agencies.

At tonight's meeting, the UPO board will also consider a $54,606 plan to give financial and legal help to poor persons who are deprived of their jobs, homes or welfare checks in retaliation for taking part in community action programs.

The proposal was approved by the Metropolitan Citizens Advisory Council, UPO's advisory group of representatives of the poor. But the UPO board's executive committee voted to defer consideration of the plan last week until the board approved guidelines for neighborhood workers.

NORTH CAROLINA'S STAKE IN AGRICULTURE

Mr. ERVIN. Mr. President, one cannot overmagnify North Carolina's stake in agriculture. More than 800,000 of our citizens reside on farms. Indeed, our farm population is more than that of any of the other 49 States, and our North Carolina farms outnumber those of any other State except the States of Iowa, Texas, and Illinois.

The total cash receipts from all North Carolina farm commodities produced last year exceeded $1.19 billion, a figure which compares favorably with the $4.6 billion value placed upon North Carolina manufactured products, according to the 1963 business census. Even these facts do not indicate the total place which agriculture occupies in North Carolina's economy. If the full story is to be told, we must emphasize the fact that 550,000 Tar Heels earn their livelihood manufacturing North Carolina cotton into textiles, apparel, and related products, North Carolina tobacco into tobacco products, North Carolina timber into furniture, paper, and lumber products, and North Carolina produce into food and kindred products.

In 1965 national rankings in cash receipts for all agricultural crops, North Carolina ranked fourth. In total cash receipts for all commodities, North Carolina ranked 11th, and in cash receipts for tobacco, North Carolina led the Nation. Our State ranked 2d in the Nation on cash receipts for peanuts and forest products, 4th in the Nation on cash receipts for broilers, 6th in the Nation on cash receipts for eggs and turkeys, 8th in the Nation on cash receipts for corn, 10th in the Nation on cash receipts for soybeans, 12th in the Nation on cash receipts for hogs, and 19th in the Nation on cash receipts for all livestock.

North Carolina's five leading commodities in 1965 were, first, tobacco, $455 million; second, broilers, $118 million; third, dairy products, $78 million; fourth, hogs, $74 million; and fifth, eggs, $72 million.

The record is that North Carolina's prosperity is based in substantial measure upon her agricultural productivity.

THE FARMER A TRUSTEE FOR ALL FUTURE GENERATIONS

When he purchases a farm, the farmer may be assured by the lawyer who examines the title that he is acquiring the farm as the absolute owner in fee simple. From a legal standpoint, the assurance given the farmer by the lawyer may be true. In the final analysis, however, the farmer takes title to his land as a trustee for himself, his family, and all the unborn generations which are destined to follow him. This is true because time stays while people go. A North Carolinian, the late Hugh H. Bennett of Anson County, deserves the credit for convincing Congress of the farmers' trust to unborn generations. Almost a third of a century ago, he appeared before a congressional committee and stressed in a most effective way that the Nation's then vanishing topsoil made the production of food and fiber possible, and that in consequence soil conservation is essential to the preservation of human life in America.

THE FARMER ENTITLED TO AID IN THE DISCHARGE OF HIS TRUST

Farm surpluses in the Nation have reached a vanishing point for many commodities, and world needs are rising annually for more and more food for greater populations. Food is in short supply in much of the world with no relief in sight. Since the continuance of human life is dependent upon the preservation of topsoil, it is plain that the farmer owes a most solemn obligation to future generations. It is manifestly unfair, however, for those of us who are engaged in nonagricultural occupations to expect the farmer to discharge without assistance his trust. This is so for the very simple reason that all of us in equity and good conscience share his responsibility to the future. We can best lend our assistance to the farmer in the performance of his trust through agencies of the Federal, the State, and the local governments.

PROGRAMS TO ASSIST THE FARMER TO DISCHARGE HIS TRUST

Through their agents, Federal, State, and local governments, the American people support programs of two types to assist agriculture. The first type of programs consists of such measures as price supports for basic crops, which are designed to place agriculture upon substantial parity with other segments of our economy, and the second type of programs are conservation programs, which are designed to assist the farmer in discharging his solemn trust to the future. From a long-range standpoint, the conservation programs are of transcendent importance.

CONSERVATION PROGRAMS ADAPTED TO NORTH CAROLINA'S LAND, WATER, AND TIMBER RESOURCES

Among the programs devised by our governmental agencies to enable the farmer to discharge his trust to the future are several well-adapted to the preservation of North Carolina's land, water, and timber resources. These particular programs are also well designed to promote the prosperity of those who now dwell upon our farms, and to preserve such North Carolina industries as are based upon agriculture. For these reasons, North Carolinians of all vocations should encourage the maximum use of these programs by our farmers. Let me emphasize two of these programs which constitute, in essence, a realization of Hugh Bennett's vision. They are the agricultural conservation program, and the program supervised by the Soil Conservation Service. These programs are essentially Federal-State-local cooperative activities. We all find cause for rejoicing in the fact that all North Carolina agricultural land lies within some soil conservation district. As a result of the activities of those administering and cooperating with these conservation programs, some 90,000 North Carolina farmers are actively engaged in carrying out such conservation practices as contour farming, cover cropping, scientific drainage, stripcropping, seeding pastures, tree planting, and improving wildlife areas. As a consequence, the visible indications of erosion are vanishing from our land and our farmers are discharging in substantial measure their trust to the future.

I also wish to emphasize two kindred programs well adapted to the conservation of our water resources. These are the long established Federal flood control program, and the 1954 established small watershed program. North Carolinians are becoming increasingly aware of the importance to our agriculture of the protection of small watersheds. They have recently filed numerous applications for assistance to this particular field. In passing from this phase of my remarks, I wish to commend the State's increased interest in the conservation of our water resources and the re-creation of our forests. During the last planting season, the four State nurseries distributed over 38 million seedlings to persons actively engaged in reforestation.

AGRICULTURE'S HUMAN RESOURCES IN NORTH CAROLINA

North Carolina's most precious agricultural resource is her human resource—all those men, women, and children who dwell upon her farms. Life upon our farms has been made more abundant by the conservation practices already described, and by the rural electrification program which has resulted in the electrification of 98.8 percent of all our farms. While we might well rejoice in our progress in these fields, we cannot forget that many problems remain unsolved. Although North Carolina has the largest farm population of any State in the Nation, her farms average only 97 acres in area. Indeed, about 50 percent of them are under 50 acres in extent. As a consequence, the pressure of our farm population upon our farms is great, and the per capita income of our farmers is small. While the alltime gross per farm income was set in North Carolina in 1965 with a high of $7,375, the net income per farm dropped $149 from the previous year to $3,140.

For these reasons, North Carolina stands in need of such things as increased live-at-home programs in areas devoted primarily to money crops, cooperative marketing practices to insure fair prices for agricultural products, cooperative storing capacities for perishable products in seasons of abundance or low prices, and above all else, additional industrial employment for those who dwell upon her farms. If North Carolina can obtain these things and intensify the conservation of her land, water, and timber resources, those of her sons and daughters who reside on her farms will enjoy the more abundant life which they so richly deserve, and produce the healthy, viable farm economy that is the foundation for a progressive industrial complex.

WHAT THE NEW LEFT STANDS FOR

Mr. DODD. Mr. President, more than 2,000 members of the old and new left met in New York City on September 9, 1966, for the Second Annual Conference of Socialist Scholars. At this meeting it became clear that the goal of both branches of American radicalism is similar: to destroy our social, economic, and political structure and replace it with something else.

We often think of the new left as a spontaneous movement which believes that our posture in Vietnam is incorrect, but which has little else to contribute. This is not true. The new left opposes the war in Vietnam primarily as a vehicle to attract attention to itself and to its more far reaching revolutionary goals. In the long run, it is the very structure of American society which is the target.

An excellent study of this Socialist Scholars Conference was prepared by Alice Widener, who was in attendance at the meeting. She notes that—

> The New Leftist radicalism of today is in no way different from the Old Bolshevism of a century ago.

It is the organization of the American society, beginning with the concept of the family itself, which is today under attack.

Isaac Deutscher, the biographer of Trotsky and long time Marxist, gave the keynote address and called for "complete freedom of sexual life that will abolish the family." Prof. Shane Mage urged the young people present to take LSD in order to create a free society.

The major facts which emerge from this meeting, according to Mrs. Widener, are these:

> (1) The American Marxists are abandoning their pretense of non-violence for open advocacy of violence.
>
> (2) They have successfully linked the American Marxist revolutionary movement with its counterparts throughout the world.
>
> (3) They are drunk with success and have cast away former caution about their real objectives.

James Haughton, director of the Harlem unemployment center, told the group that in 1967—

> Those people in the Administration will learn about riots in the streets. They rioted in the 1930's but that won't be anything compared to 1967.

Toward the conclusion of the conference, Paul Sweezy, editor of the radical Monthly Review, commented on "the amazing progress we have made since our first conference at Columbia, last September, progress far beyond our expectations."

The left has a blueprint for America, one which they have set out quite clearly. All Americans should know of this blueprint, for if we are not aware of the forces which seek to radically transform our free society we will be powerless to oppose them.

I wish to share this important article with Senators and ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From U.S.A., vol. XIII, No. 19, Sept. 16, 1966]

IN THE EAST AND WEST BALLROOMS

(A special report by Alice Widener on the Second Annual Conference of Socialist Scholars)

"The temptation of our day is to accept the intolerable, for fear of still worse to come." *The Revolution of Nihilism*, 1939, by Hermann Rauschning, former President of the Free State of Danzig.

"Only the clunks stay in the clink," said the Socialist Scholar, in the West Ballroom of the Hotel Commodore, New York City, Sunday, September 11, 1966. "Fortunately—as at Berkeley, for example—the parents of middle class and wealthy students in our movement bail them out."

REGISTRATION

While ordinary travelers from out of town were registering at the reception desk in the main lobby at the Hotel Commodore in New York City, Friday evening, September 9, 1966, more than two thousand members of the Old and New Left were registering at tables set up in ballroom floor hallways to attend the Second Annual Conference of Socialist Scholars.

The New Left movement in our country is generally described by misinformed or misleading members of the press as a spontaneous, amorphous grouping of rebellious youth. It is not. Any non-Socialist who attended the evening and daytime panel sessions of the Socialist Scholars during the week-end of September 9–11, would have been forced to recognize, as did I, that most members of the New Left are activists instigated, controlled and manipulated by disciplined members of the Communist Party working in a united front with Marxist ideologues.

Was it to foster illusion or misconception that the big press—the wire services, broadcasting networks, big circulation magazines and newspapers—stayed away from the conference? It is hard to find a satisfactory explanation of why they granted it privileged sanctuary in the East Ballroom and West Ballroom of the Hotel Commodore in the center of the city.

There were no TV cameras to film the arrival from London of the white-bearded radical Marxist zealot Issac Duetscher, invited by the Socialist Scholars to open their conference with a discourse "On Socialist Man." Nor were there any cameras turned on 54-year-old Victor Perlo, identified in Congressional hearings as a member of a Soviet espionage ring while he was in U.S. Government employ during World War II. No well known reporter was present to interview conference panelist Communist Herbert Aptheker, age 51, now running for Congress in Brooklyn, N.Y., who last year told the First Annual Conference of Socialist Scholars, "Of course, Watts was glorious."

For some inexplicable reason it seems that nowadays our communications media personnel report graphically only on the effects of the Leftist radicals' activities—on the bloody race riots, street demonstrations, disrupting and costly acts of civil disobedience—but stay away from the gatherings where plans for such activities are hatched, though most meetings, as this one was, are publicly announced.

Last September, after *Barron's National Business and Financial Weekly* reprinted my article about the First Annual Conference of Socialist Scholars at Columbia University, the UPI wire service got in touch with *Barron's* to request quotation rights. The request was immediately granted. But not a single word about the Socialist conference went out over UPI or any other wire service, though no statement or quotation in my article ever was challenged for accuracy. Soon after *Barron's* carried my article, however, several of the leading Socialist's figuring in it—such as Prof. Staughton Lynd of Yale—made national and international headlines for radical activities that aided our Communist enemies in Hanoi and were conducted in total defiance of the U.S. Government.

Unquestionably, even before the end of 1966, several of the registrants at the Second Annual Conference of Socialist Scholars will make headlines and TV camera appearances as friends of our enemies, enemies of our friends, and as subverters of our American way of life.

BOLSHEVIK NEW LEFTISM

There was not an empty chair in the 800-seat Windsor Ballroom at the Commodore when the Socialist Scholars and their radical Leftist audience gathered to hear Polish-born Isaac Deutscher of London. He was introduced by Prof. H. H. Wilson of Princeton University, who described Mr. Deutscher as "a contributor to *The Economist* and *The Observer*." This is a fact, though most Deutscher articles in those publications were unsigned.

When Deutscher went to the rostrum, the audience stood to honor him; they did so again after his address. Whether the huge overflow audience of more than 700 in adjoining rooms and hallways did likewise I do not know. Deutscher's appearance as the featured guest was illustrative of the "Socialist Unity" of the conference; he is the authentic biographer of Leon Trotsky, but even the Stalinists in the crowd gave him a big hand and the young New Leftists hung on his every guttural word.

The essence of Deutscher's speech was extreme Marxism-Leninism in its original Bolshevik form. It had strong theoretical and practical relationship to policies and programs urged today for America by the Socialist Scholars and activists. To watch and listen to this man, who looked and sounded like 1920 newspaper caricatures and actors' imitations of the fiery radical haranguing crowds at Union Square on the Lower East Side of New York, or on a soap box in Hyde Park, London, it seemed preposterous that an audience in 1966 could listen to such evil tripe without bursting into derisive laughter turning into catcalls of indignant repudiation.

Yet it became clear, during subsequent panel sessions of the Socialist Scholars' conference, that the New Leftist radicalism of today is in no way different from the Old Bolshevism of half a century ago. To anyone believing that the family as a social unit is essential to maintenance of a decent society, there was little difference between Isaac Deutscher's call, September 9, 1966, for "complete freedom of sexual life that will abolish the family," and Brooklyn Polytechnic Asst. Professor of Economics Shane Mage's call from the same dais for youth to follow today the advice of convicted marijuana handler Timothy Leary (ousted from the Harvard faculty) to "turn on, tune in, drop out" through use of the hallucogenic drug LSD and marijuana. Nor was there substantial difference between Deutscher's call for "destruction of the monogamic bourgeois family as we know it," and the statements in a paper read for the absent 70-year-old Prof. Herbert Marcuse (unable to attend because he was at a Communist meeting in Prague) of the University of California in San Diego. After having declared "the Marxian idea of socialism is not radical enough," Prof. Marcuse urged, "We must develop the moral-sexual rebellion of the youth."

When dark-haired Prof. Shane Mage, speaking in a nasal voice with Adam's apple twitching in his thin throat, urged the young people present to take LSD in order "to create a free society," neither white-bearded Isaac Deutscher nor any Socialist professor from Yale, Princeton, Columbia or non-Ivy League university rose to utter a word of protest against this deliberate corruption of the young. Yet only a few days earlier, there had appeared in the press everywhere an official warning against LSD by the International Association of Chiefs of Police who called for international legislation against its non-medical use.

Just how much stress the Socialist Scholars and their activist pupils in the New Left place on use of LSD as a means of breaking down middle class customs and morality may be seen in the text of the Radical Education Project (REP) sponsored by Students for Democratic Action. Many SDS leaders were present at the conference and their REP document was widely circulated there. It urges as part of an "ongoing examination of the value bases of the new radicalism" a study of the questions: "Are all existing instances of private enterprise antithetical to our values? How do we relate to riots? to the sexual revolution? to pornography? to LSD? . . ."

Disdaining "bourgeois" manners and culture, the young radicals in REP and dozens of other Leftist groups in the ballroom at the Commodore gave rapt attention to aging Marxist-Leninist-Trotskyite Deutscher as he criticized certain brutalities and failings of the Red regimes in Russia and East Europe, then wholly excused them by shouting out, "We of the West have been the ultimate cause of the failures of socialism in those countries." The whole trouble with the world—said Deutscher—is that "unsocial private property disunites society." There is no need, he said, for man to concern himself with "an ultimate metaphysical purpose" in his existence. "Socialist man," he ranted, "will be exempt from worship and awe." After fatherhood has come to be regarded only as biological, and "paternal authority" as a mere social institution to be gotten rid of, then the "bourgeois form of the patriarchal family" will be obliterated, and infants brought up "in a communal nursery, after the destruction of the family as we know it, will be free of aggressive tendencies."

ONLY THE CLUNKS

In what the Socialist Scholars describe as "the transition period to revolution," it appears, however, that the family as we know it, well fed on the good fruits of free enterprise, plays today a most helpful role in aiding the authors of its destruction. Thus in the East Ballroom panel discussion on Saturday morning, which dealt with "Components of Contemporary Revolutionary Movements," panelist James Petras, a leader of the riotous Free Speech Movement at the University of California at Berkeley, described as a main helpful component the role of "the sons of professional and aristocratic families in Latin America as revolutionary guerrilla warfare leaders in the countryside." Mr. Petras said Lenin has been proved entirely right in saying that "in the dissolution of the ruling class, a small section cuts itself adrift and joins the revolution" as the wave of the future.

Afterwards, in the hallway outside the East Ballroom, a Socialist Scholar expressed his support of Petras' paper and stressed the importance of leading the bourgeoisie on toward suicide. "Only the clunks stay in the clink," he said. "Fortunately—as at Berkeley, for example—the parents of middle class and wealthy students in our movement bail them out."

A fat male "clunk" with shoulder-length hair, thick beard, leather jacket, laced boots and filthy fingernails shoved a mimeographed sheet into the Ivy League Socialist Scholar's hand.

I received one, too. It read:

"The John Brown Coordinating Committee, deeply concerned with the growing violence of the attacks by the White Power structure on the developing militant black peoples movement as exemplified by recent attacks in Chicago and the arrest of Stokely Carmichael in Atlanta urge participants in the Socialist Scholars Conference to stage a march from—Hotel Commodore to Rockefeller Plaza—time—5:30 p.m.—to demonstrate our concern and solidarity with the Afro-American people and against white supremacy. After the march you are invited to attend a buffet dinner 8 p.m. at 100 West 82nd St. (West of Columbus) Tel. 362–4954."

The "clunk" put a hand on the Socialist Scholar's arm. "You with us?" The Scholar smiled, said a noncommittal "maybe," and turned ingratiatingly to a goodlooking young man with short cut smooth black hair, blue eyes, clean shaven face and a neat navy blue suit. "How are things at Yale?" said the Scholar. "You're a student of Woodward's, aren't you?"

The "Woodward" referred to is Prof. C. Vann Woodward of Yale University who, on Sunday afternoon in the Windsor Ballroom, described himself as "a liberal," but began his discussion of an inter-Socialist controversy between Communist Herbert Aptheker and Prof. Eugene D. Genovese with the statement, "I identify with Aptheker."

STOKELY, NOT BOBBY

All during the Socialist Scholars' discussion in the Commodore over the weekend, it was obvious that Stokely Carmichael of the Student Non-Violent Coordinating Committee—jailed in Atlanta on a charge of "inciting to riot"—was the revolutionary hero. Mention of his name during panel or floor discussion brought loud cheers and crashing applause. There was talk by some Socialist Scholars and youth group leaders in various radical organizations of "running a radical ticket in 1968—Staughton Lynd for President, and Stokely for Vice President." One of the youth leaders explained, "Not that we'd expect to get any big amount of votes—but it would give us entry into places on and off campus where we couldn't usually operate. It would be very useful for contacts-making."

A most dramatic political happening took place on Sunday afternoon. Just as a group of young New Leftists were milling around through the main lobby toward elevators to the ballroom floor, a procession of Democratic political leaders in New York hurried through on the way to a TV interview. Gubernatorial candidate Frank D. O'Connor led the way, followed by Howard Samuels, candidate for lieutenant-governor. Next in line was Senator ROBERT F. KENNEDY.

"How does KENNEDY stand with your group, Paul?" said a young man with an SDS (Students for a Democratic Society) label on his jacket to another SDS member. "Well, he thinks he can use us and that he's persuaded us he's really with it. We can use him a while. But when time comes for a real struggle, he'd be superseded."

THE RED NETWORK

There is not the slightest doubt about what the Socialist Scholars and their students, followers and supporters mean by "a real struggle." They mean the overthrow of the United States Government as we know it; the destruction of what most citizens enjoy as "the American way of life," and the abolition of all our existing economic and social institutions. Moreover, they have established an international intelligence network that reaches up into guerrilla headquarters in the Peruvian mountains, into the African rebel enclaves in Angola and Mozambique, into countryside insurgency camps in Guatemala, into Vietcong strongholds in Vietnam, to bring about a successful Marxist world revolution that could isolate, overtax and bring down the U.S. Government.

How do I know this? Because I heard it and read it. That is what the Second Annual Conference of Socialist Scholars was about. In precisely the same manner as Lenin and Stalin put all their plans in writing, and as Hitler did, so do our American revolutionists put down everything in black on white today. For the intellectual elite, they put it down in academic papers and esoteric magazines; for the masses, they put it down in inflammatory, crudely-worded tracts, "folk" songs, and slogans.

Hermann Rauschning, former President of the Danzig Free State before World War II and a main enemy of Hitler and Stalin, described in a chapter headed "The March to Revolution" in his book "The Revolution of Nihilism" (1939), how the revolution is brought about. He wrote:

"The most candid of revelations . . . have been dismissed as "going off the deep end" by the very people who, for their own sakes, had the best of all reasons for listening with careful attention. . . . The listener finds it inconceivable that anyone really entertaining such plans could have the innocence to avow them. But it is not innocence. It is the subtlest of cunning. It is just as effective in the opposite direction as the practice of the famous maxim in "Mein Kampf" that any lie will be believed if it is big enough. Any truth will be disbelieved if it is big enough."

THE REVOLUTION

Three main facts emerged clearly from the Second Annual Conference of Socialist Scholars in New York City, September 1966: The American Marxists are abandoning their pretense of non-violence for open advocacy of violence; (2) they have successfully linked the American Marxist revolutionary movement with its counterparts throughout the world; (3) they are drunk with success and have cast away former caution about their real objectives.

At the Socialist Scholars' discussion of "Poverty and Powerlessness," panelist James Haughton, director of the Harlem Unemployment Center, ranted into the microphone on the dais, after Prof. Richard A. Cloward of Columbia University had branded our welfare system in our welfare state as "lawless,";

"Specifically, yes, the welfare system is rotten, but so is the whole American system rotten. You can't look anywhere in this country and see anything but rottenness. The Democratic and Republican parties offer no hope for the American people whether they run BOBBY KENNEDY for President or not.

"We must force this murderer Johnson and the people around him to discontinue their genocide against Vietnam. We must pinpoint the enemy of poor people—Ameriian imperialism. Wherever the American octopus reaches out its tentacles, there you will find exploitation, cruelty, poverty, mass impoverishment."

Dr. Haughton called for "revolutionary change, not reforms," and he predicted that "the black Uncle Tom flunkies, like those in the NAACP and Urban League, will ultimately be kicked out."

Dr. Haughton said, "We had a march against war in Vietnam, and we got some data from Prof. Melman (Seymour D., Professor of Industrial Engineering) at Columbia University. I've been in touch with him and put his conclusions in fact-sheets to workers."

Dr. Haughton said Prof. Melman had told him the dollar will be devalued in 1967 and 25 per cent of the Negro people will be unemployed. Dr. Haughton continued, "Then those people in the Administration will learn about riots in the streets. They rioted in the 1930's, but that won't be anything compared to '67!"

The applause in the ballroom was deafening.

BLOWING THE FUSE

Haughton's impassioned speech had followed a calmly academic but insidiously dangerous paper presented by Prof. Richard A. Cloward of Columbia, whose work in sociology has greatly influenced the scandal-ridden, multi-million dollar Mobilization for Youth program in New York City, and also the multi-billion dollar federal Poverty Program and Job Corps project. Dr. Cloward is a member of Citizens Crusade Against Poverty, the group organized by Walter Reuther.

Written with associate sociologist Frances Piven of Columbia, Dr. Cloward's paper for the Socialist Scholars opened with a call for a systematic strategy of "irregular and disruptive tactics" among the poor, urging them to overburden city and state governments with their "demands" as a means of forcing these governments to turn to the federal government for more and more funds.

Prof. Cloward said, "We need to devote more attention to disrupting corporate power." He described the poor as mere "supplicants" in the welfare state, and said they have most to gain "from a major upheaval in our society." He said our welfare system is "lawless" and violates human and civil rights. He called for welfare recipients' forcing city welfare departments to impose the labor union "check-off system" for welfare clients, by withholding 50 cents to a dollar for each client as dues to a fund for unionization of welfare clients to impose their demands for special benefits.

Prof. Cloward explained that each welfare client in New York City is entitled under existing law to special benefits for clothing, blankets, etc. He said that in 1965 city special benefits welfare payments amounted to "about $40 per client" and he called for each welfare client to demand $100 to $1,000 in such benefits. He said there are now 550,000 welfare clients in the city, but that by 1967 there probably will be 600,000. The poor, said Dr. Cloward, could become a stake and powerful organization "in small portions of power" within the context "of a broader point."

Dr. Cloward said he had consulted with legal experts and "we estimate that $200 million in special grants" could be obtained in New York City alone. Dr. Cloward said that in Cleveland, on June 20, 1966, 30 to 35 welfare recipients were joined by others in a demonstration that included the Hough area. In early August, he said, he himself had taken part in "a national conference to organize the welfare recipients movement." Dr. Cloward said he personally had taken part in Wednesday night meetings with welfare clients "week after week, month after month," and that as a result, "Next Monday there will be a demonstration of welfare recipients at City Hall."

He was a prophet of sharpest vision, as TV watchers soon would learn.

Dr. Cloward read his paper to the Socialist Scholars Conference in the East Ballroom of the Hotel Commodore on Saturday afternoon, September 10. On Monday night, September 12, CBS and NBC TV newscasts showed the demonstration of screaming welfare recipients that took place right on Cloward schedule. They shouted demands for more "special benefits," though the present city general welfare budget (including hospital services, etc.) is almost a billion dollars annually, the Mayor says the city is "broke," and New Yorkers were hit this year with a city income tax in addition to state and federal taxes to pay for it all.

On Tuesday, September 13, the *New York Daily News* reported, "About 500 welfare recipients picketed the Department of Welfare building . . . and staged sit-downs and sit-ins yesterday. . . . As police called reinforcements, the demonstrators blocked one of the two entrances to the building and marched along the sidewalk."

Socialist Scholar Prof. Cloward of Columbia certainly was right about the success of his Wednesday night meetings. Evidently his strategy of "disruptive tactics" will require costly police reinforcements at city welfare departments throughout our nation.

The prospects delighted Prof. William Ryan, formerly of Harvard now of Yale, who described himself to the audience as "a radical without portfolio." He said, "I have been enchanted with the Cloward strategy of blowing a fuse in the welfare agencies, housing developments, and among unmarried mothers. I wonder what would happen if there was a really systematic overload."

Sherman Barr, of Mobilization for Youth, said that through the techniques used in his organization for welfare, "further demand is stimulated rather than decreased." Mr. Barr called for "indoctrination in group methodology" and said that on the lower East Side, for a group of 350 they had been able to get $85,000 for "an extremely expensive operation requiring money for phones, mimeographing, etc."

When a member of the audience went to the floor microphone during the question period to ask whether Dr. Cloward's strategy is a substitute for "Socialist organization of the proletariat, the industrial factory workers," Dr. Frances Piven of Columbia replied from the dais: "I really only want to make one point—the disruption of the system. Welfare rolls will begin to go up; welfare payments will begin to go up—the impact will be very, very sharp. The mounting welfare budget will increase taxes, force cities to turn to the federal government. We have to help people to make claims; for this they will organize and act."

What the entire strategy amounts to is a diabolical Socialist plan to increase the number of welfare clients through systematic overloading, to instigate "the poor" to make bankrupting demands, and thus wreck the existing financial structure of our society. There was no talk at all at the conference of improving the present welfare system, of decreasing the number of welfare recipients, or the number of unmarried mothers. All the emphasis was on "disruption" for the purpose of forcing chaos and conditions making our society ripe for the radical overthrow of existing institutions and a Socialist takeover. Much of this was made perfectly clear in Prof. Cloward's plan to disrupt private enterprise and "release the flow of rewards to the poor" by increased taxation on corporations that will "disrupt corporate power" and end "by disrupting production."

The big press coverage of the welfare recipients' demonstration at City Hall was at the wrong time in the wrong place. NBC and CBS cameras should have been focused on Prof. Richard A. Cloward as he read his scholarly Socialist paper in the ballroom at the Commodore. The TV newscasters would have gotten a beat on news about to burst into print. And if the U.S. Attorney General had been present at the Second Annual Conference of Socialist Scholars, he might have obtained most useful information about who are the real agitators in our midst.

No decent American lacks sympathy for the poor or is reluctant to help them and make sacrifices for them. But for so long as a free enterprise society exists in the United States, the Socialist Scholars, bent on overthrowing it, will find cause for agitation and protest. They are against reform and evolution; they are for abolition and revolution; they regard even our modern American "welfare capitalism" as an enemy to be killed off.

THE "RIGHT TO TRAVEL"

The kind of citizenship admired by the Socialist Scholars was depicted by James Petras of the Free Speech Movement at the University of California at Berkeley, who described to the conference audience his recent voyages to Latin America, his contacts with Marxist and Communist revolutionary forces there. Petras said that in Latin America today, "revolutionary guerrilla warfare in the countryside fosters citizenship."

All during the Commodore conference, many Socialist Scholars and members of the audience talked openly about their direct contacts with guerrilla warfare leaders in Asia, Africa and Latin America. They discussed recent visits to Havana, Hanoi, Moscow, Prague and other Red capitals.

Like many citizens, I have puzzled over how young campus radicals and academicians manage to travel from continent to continent with the greatest of ease, often in defiance of State Department regulations and of Passport Division security provisions. At the Second Annual Conference of Socialist Scholars this month, I learned how they do it.

The young radicals travel along the smooth rails of an underground campus shuttle system that transports them, armed with highest academic credentials given by sponsoring Socialist professors, from California to Tanzania, from Michigan to guerrilla camps in Peru and Chile, from Massachusetts to African bush rebel enclaves in Mozambique and Angola. Often the bills are footed by tax-exempt foundations.

Robert Fitch, a young radical present at the conference, told friends on Saturday morning, "I have an appointment Monday morning with someone in the Department of African Affairs at New York University to arrange for a trip to Mozambique to see Mondlane."

"Wonderful!" they said.

Dr. Eduardo Mondlane is head of the Mozambique Liberation Front.

REP NETWORK

During the Socialist Scholars' business meeting on Sunday afternoon in the East Ballroom at the Commodore (at which the notorious Prof. Eugene D. Genovese of Rutgers University presided), there took place in the West Ballroom a meeting of leaders in the Radial Education Project (REP), an enterprise of Students for a Democratic Society. REP, with headquarters at Ann Arbor, Michigan, sent out a letter, August 18, 1966, that stated:

"The Socialist Scholars Conference looms as a significant event in the development of the Left in America."

The letter was accompanied by an outline of REP projects. Among them is listed "International Intelligence Network." The ensuing text boasts of a "network of people in the U.S. and abroad, closely tuned to international events, who will serve the movement as quick, incisive sources of intelligence. . . . Such a network, including scholars, journalists, leftist youth leaders, government officials [sic !], guerrilla leaders, etc., can provide us with first hand reports and analysis of the action of insurgent movements, the workings of the foreign policy apparatus, kinds of impending developments. . . . Already we have contacts in Japan, most European countries, Canada, and with Guatemalan guerrillas, Vietnamese rebels and neutrals, African nationalists, and others. These contacts are being extended, and to them we must add American scholars with specialized knowledge and contacts. . . . By maintaining regular correspondence with radical groups and scholarship abroad, we can increase the degree of coordination between their work and that of the American movement."

On reading the foregoing, I understood how it happened that Communists parading in the Place Bruckère on May Day in Brussels last year, and "Peace Parade" marchers along Fifth Avenue in New York City this year, carried identical hideous effigies of Uncle Sam, identical banners and placards, shouted identical slogans in Flemish, French and English.

The Second Annual Conference of Socialist Scholars in New York City this month showed conclusively that the American campus-based radical international intelligence network exists and is a menacing threat to the internal and external security of the United States. I wish some high-ranking members of our judiciary had been present to hear the Socialist Scholars discuss their new "five year plan" to cooperate with "national revolutionary liberation wars" in three continents to put "unbearable strain" on the U.S. Government "to bring it down." Perhaps our judiciary would be more sympathetic with the State Department's effort to restrict the jaunts abroad of American subversives, and to enforce the passport regulations deemed necessary for protection of our country by Frances Knight, able and patriotic head of the U.S. Passport Division.

I understand fully now why the Leftists have battled so hard in our courts for what they describe as "the right to travel."

ADVANCE TOWARD NIHILISM

Prof. Gaylord LeRoy of Temple University urged on the youth of the New Left the necessity to study "more seriously the advances made by the Socialist countries of the world."

The kind of "advances" promoted by the Socialist Scholars in our own country—with not a single objection voiced from dais or ballroom floor—was enough to send shivers down the spine of any American devoted to law, order and decent morality.

In the Sunday afternoon Windsor Ballroom panel session on "The Legacy of Negro Slavery," the main paper was delivered by "I would welcome a Vietcong victory" Prof. Eugene D. Genovese of Rutgers. He urged on American Negroes a policy of black nationalism. In the course of his remarks, Prof. Genovese talked about Karl Marx' theory of surplus value and said, "We ought to be delighted every time a worker steals something from his plant."

Though Genovese's fellow panelist Communist Herbert Aptheker opposed the policy of black nationalism, lauded the late Negro Communist W.E.B. DuBois (for whom the campus DuBois Clubs are named), and called for Negro-White radical unity, he agreed with Prof. Genovese's point of view on theft. "There is a whale of difference," said Aptheker, "between the stealing by a worker and the wholesale stealing by General Motors."

The inter-Socialist dispute over Black Nationalism versus Negro-White radical unity was fairly sharp but not really antagonistic. Prof. C. Vann Woodward of Yale University commented on the Genovese paper and on Aptheker's remarks, referred to himself as "a liberal," but hastened to add: "I identify with Aptheker."

At the Socialist Scholars' business meeting in the East Ballroom, Sunday afternoon, it was decided the conference is to become a permanent, dues-collecting membership organization. Prof. Genovese was elected president of the steering committee for next year. From the dais, Paul Sweezy, gray-haired editor of the radical *Monthly Review* and member of the Socialist Scholars steering committee, commented on "the amazing progress we have made since our First Conference at Columbia, last September, progress far beyond our expectations."

Late Sunday afternoon, as the conference neared its end, I looked around at the pastel walls of the ballroom, the crystal chandeliers, the ornate ceiling with classical motifs set in graceful medallions. What bourgeois surroundings for revolutionaries, I thought. The Hotel Commodore, solidly built in the Grand Central commuter complex in the center of Manhattan, is the very symbol of middle class America, the hated enemy of the Socialist Scholars, the constant object of their vituperation, derision, subversion and denigration.

Tired and dizzy with dismay, I shut my eyes. It seemed the ballroom floor was sliding from beneath me, the ceiling was about to fall, the walls were crumbling. Yes, indeed, the Socialist Scholars and New Left have made amazing progress in America since their first meeting only a year ago. LSD extolled in *Playboy* by a man found guilty in court of transporting marijuana, fined $30,000 and sentenced to 30 years' imprisonment. LSD "art" lauded in *Life*. Vietnik pickets across from the Cathedral in Washington, D.C. when the President's daughter was married there. Race riots and bloodshed in Cleveland, Chicago, Atlanta, Brooklyn, Baltimore. A witness before a committee of the United States Senate boasting of his eight illegitimate children by different mothers.

"Nihilism," said Nietzsche in the late 19th century, "is for the supreme values to be rendered worthless." He predicted nihilism would prevail during the 20th and 21st centuries.

The remembered sound of Isaac Deutscher's thick Polish-accented English with an Oxonian overlay was again in my ears and they hurt with the echo of his call for "the destruction of the monogamic bourgeois family as we know it."

Though the air-conditioning was blowing cool air into the ballroom, the atmosphere grew more and more oppressive—heavy and ominous as before a storm.

I gripped the sides of a straight chair to steady myself. How right Hermann Rauschning was, I thought, having recently studied his "The Revolution of Nihilism" (1939) and "The Redemption of Democracy" (1941) in which he explained, better than almost any other author, how the Russian and German people fell prey to Marxism-Leninism and Hitlerism. He showed that Communism and National Socialism were only symptoms of a world revolution in which a few intellectuals pretend to be able to create "a new society" in order to seize totalitarian power over the masses.

Again I looked up at the beautiful ceiling, this time remembering things past—the sound of Mussolini's voice thundering out to the Roman masses from the balcony of the Palazzo Venezia; the sound of glass crashing on a Berlin pavement as young Nazi brownshirts smashed the show windows of Wertheim's department store; the sound of Nikita Khrushchev's banging his shoe on a desk at the United Nations; the sound of Communist Herbert Aptheker's voice at the First Annual Conference of Socialist Scholars, at Columbia University last year, as he shouted raucously, "Of course, Watts was glorious!"

Quietly, I made my way through the crowded aisle in the ballroom. It seemed I was being swept away into the crashing cacophony of the finale in Maurice Ravel's symphonic work "La Valse," the most prophetic artistic creation of the 20th century, in which dancers sway gladly to the rhythm of a waltz in a ballroom with mirrors, candelabra, and doors opening into formal gardens, but are caught in an inexorable force whirling faster and faster until the floor vanishes beneath their feet, the mirrors splinter, the doors fly off their hinges in the gusts of a terrible wind, and nothing remains but destruction and chaos.

Is this to be the fate of our society, of the American way of life? If the Socialist Scholars and the New Left have their way, it will be.

BELL TELEPHONE CO. COMMENDED FOR ITS OUTSTANDING TELEVISION CONTRIBUTION

Mr. YARBOROUGH. Mr. President, it is not exactly classified information to state that commercial television has never been especially noted for the abundance and quality of good music. There has, however, for the past 26 years been one outstanding exception—the "Bell Telephone Hour"—since 1959 in television and before that on radio. Now that its underwriter, American Telephone & Telegraph Co., has changed the program's format in order to bring to television viewers major musical events and personalities from all over the world, I should like to place in the RECORD the reaction of Mrs. E. D. Pearce, president of the General Federation of Women's Clubs, to this exciting project. In her letter, Mrs. Pearce, whose international organization represents some 11 million women, expresses the appreciation of her organization for the contribution to music in television made by the "Bell Telephone Hour" and wishes this distinguished program success in its new and innovative format.

Last Saturday night the "Telephone Hour" presented a brief and challenging sketch of the life of Van Cliburn, the American piano virtuoso, who grew up in my home State of Texas, at Kilgore in east Texas, a few miles from my hometown of Chandler.

I highly commend Bell Telephone Co. for its hour of music and musical history. For 26 years the telephone company has presented uplifting programs of cultural worth and value. It is advertising in its finest concept. No temporary rating has driven the telephone company to resort to sadism and violence to obtain a listener audience. It keeps entertainment on a high plane. It is a type of TV commercialism that benefits the people and that all people who work in the broadcast medium should be proud of. I salute Bell for its high-level advertising.

I ask unanimous consent to have printed at this point in the RECORD, a letter by Mrs. E. D. Pearce, dated September 22, 1966, to Mr. Frederick R. Kappel, chairman, board of directors, American Telephone & Telegraph Co.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SEPTEMBER 22, 1966.

Mr. FREDERICK R KAPPEL,
Chairman, Board of Directors, American Telephone & Telegraph Co., New York, N.Y.

DEAR MR. KAPPEL: You are aware, I am sure, that the General Federation of Women's Clubs, an international organization with membership in 55 countries and representing some 11 million women, has, from the inception of television, sought earnestly to urge upon the medium's developers the highest standards of programming. Also, we are fully cognizant of the very substantial contribution the Bell Telephone Hour has made during the past 26 years in bringing—first to radio audiences and then to television viewers—the finest of musical presentations.

It is, therefore, exciting news indeed to learn that the Bell Telephone Hour, in its 27th season, is embarking on a stimulating project that is nothing less than an attempt to develop the video potential in the world of music by the use of innovative filming and recording techniques. As I understand it, your 15 one-hour programs in color are intended to impart to viewers a sense of participation in extraordinary musical events taking place all over the world!

Your announcement of programs such as Gian Carlo Menotti's "Festival of Two Worlds", filmed in Spoleto, Italy; the "International Jazz Festival", filmed in Belgium; the cultural life of San Francisco, the Berkshire Festival at Tanglewood, the story of Van Cliburn, etc., is giving music lovers a delightful sense of anticipation, for, as you know, good music is not exactly in overabundance in the sight-and-sound medium; nor, for that matter, are innovational programming techniques. The combination of these two elements should leave the discriminating audiences, to whom your programs have an especial appeal, substantially enriched.

It is my pleasure and privilege, in behalf of General Federation of Women's clubs, to commend you for your contribution to our nation's cultural advantages.

Sincerely,

MRS. E. D. PEARCE,
President.

STUDENT EXCHANGE PROGRAM BETWEEN THE UNITED STATES AND LATIN AMERICA

Mr. BAYH. Mr. President, one of my strongest impressions during a visit to four Latin American countries last year was that of an imperative need for increased communication between ourselves and our neighbors to the south.

In every part of Latin America, and at every social level, there still exists a host of misconceptions and prejudices about the United States. Unfortunately, our own country, on too many occasions, reciprocates with an indifference and ignorance of our sister republics that can no longer be tolerated.

Informal, personal contacts between the peoples of the Americas can do as much, if not more, to dispel myths and misunderstandings than a dozen government communiques or high-level conferences. The Peace Corps experience has shown that the Rio Grande is not a symbolic cultural barrier to the possibility of living and working together in mutual respect and affection.

I am equally pleased with cultural exchange programs of national governments, regional organizations, and private foundations. Yet, this is an open field—better understanding between 200 million North Americans and 230 million Latin Americans—and every additional effort is to be welcomed. Let me especially call attention to the operation of a relatively new and unique organization which is making a valuable contribution toward these ends.

PRAM, the Project of the Americas, was born at Davidson College in North Carolina in the fall of 1964. It is a private, student-run organization that promotes student exchange on an effective and qualitative basis. Participating students are selected according to their interest and language ability. The in-country program includes discussions with political and labor leaders, industrialists and economists, writers and artists, and visits to jails, slums, and hospitals, as well as to the better known tourist attractions.

Mr. President, I ask unanimous consent that a brief description of the organization and its goals and ideals be printed at this point in the RECORD.

There being no objection, the description was ordered to be printed in the RECORD, as follows:

THE PROJECT OF THE AMERICAS—A NEW CONCEPT IN CULTURAL UNDERSTANDING

PRAM, the Project of the Americas, is a unique organization with a unique but important goal. Begun at Davidson College in North Carolina in the fall of 1964, PRAM is the result of a series of discussions between a few U.S. and Latin American students. In the process of these meetings the students realized that the nations of North and South America today have dangerously distorted images of one another. The Yankee looks on the Latin as a backward, indolent, and unaggressive individual; the Latin bases his opinion of the U.S. on low grade Hollywood movies, Madison Avenue advertisements, shiny American Embassy limousines. These false images are the results of misinformation on both sides. In a world of international tensions, such misunderstanding acts as a very real barrier to peace and to hemispheric unity. The students at Davidson decided that something must be done to correct these existing yet false images. PRAM became the instrument of correction.

PRAM has grown impressively in the short span since that October day in 1964 when the name "Project of the Americas" was first introduced; the ideals and principles of PRAM have gained a support which has staggered even its founders. The cornerstones of PRAM remain the same as those which were propounded in its small beginnings: the furtherance of international good-will and understanding through a summer travel program for students of college age; and the dissemination of information about our Latin neighbors by these students, through a dynamic educational program.

In the summer of 1965, PRAM realized the first goal it set for itself in its first year as an organization: the sending of seven students from North America to Ecuador for two months. These seven students represented Davidson, the home PRAM chapter, and the three sister chapters which had been set up by that time: Charlotte College, Queens College, and Sacred Heart Junior College. Selected on their ability to speak Spanish and their ability to carry out the purpose of the exchange, they conducted the first such program of its kind. Their work centered about five major activities: (1) contact and discussion with the youth of Ecuadorian universities and high schools; (2) interviewing prominent Ecuadorian personalities such as politicians, government officials, educators, artists, and economists; (3) visiting jails, hospitals, schools for the handicapped, museums, and other Ecuadorian institutions as well as American institutions such as the U.S. Embassy, the Peace Corps office, and the Alliance for Progress headquarters; (4) observing and learning the customs of the Ecuadorian people by living in their homes and traveling extensively through all parts of the country; and (5) publicizing the group's activities by numerous newspaper articles, radio programs, and television shows.

With a year of organization and fund-raising experience, and with a successful summer program behind it, PRAM entered the 1965–66 school year with expanded goals and ideas. Fred Ehlers, one of PRAM's founders, returned to Ecuador and spread the program throughout his native country. The Davidson chapter and its three sister chapters began an extensive program of raising money, establishing new chapters, and solidifying the organization as a whole. A detailed constitution was prepared; PRAM was incorporated; a new PRAM office was opened in the College Union; contacts were made throughout the state and in various spots in the nation. On December 10–11, PRAM members left Davidson on a mission called "Operation Explosion," whose purpose was to visit various campuses in North Carolina. Other contacts were made with schools throughout the South. Through formal letters and personal contact with college leaders the number of PRAM chapters had increased to fourteen by April, 1966. New chapters include Duke, Vanderbilt, UNC-Greensboro, UNC-Chapel Hill, Belmont Abbey, Wake Forest, Penn State, A & T, Johnson C. Smith, Louisiana State University and Tulane. PRAM also initiated a comprehensive fund drive, setting a financial goal of $20,000,000. Throughout the year PRAM fund raising teams made contact with a variety of foundations and individuals who showed their interest and enthusiasm for the organization through financial contributions. By the beginning of June PRAM had achieved its goal.

During the summer of 1966 PRAM has expanded its exchange in several ways. For the first time, Latin students will be brought to the U.S. Details of this phase of the project are to be found on the following pages.

In addition, sixteen U.S. students, more than twice the number who participated last year, have completed a two month PRAM exchange to Latin America during the past two months. Ten of these students went to Ecuador; a pilot team of six students went to Bolivia, seeking to begin the project in that country. In addition to the four original U.S. schools, Penn State, Duke, Vanderbilt, Belmont Abbey, and UNC-Greensboro also sent volunteers on the exchange. Much more ground was covered in the same five basic areas that were followed in 1965, and Latin Americans indicated by their enthusiastic response that PRAM is fulfilling an important need. Latin students especially approve the project; they admit that through PRAM they are seeing a whole new aspect of the United States.

The activities of PRAM can be divided into two major segments, students exchange and dissemination of knowledge. For the most part, these segment overlap. Let's look briefly at the motives behind these primary PRAM functions. In the modern world, and notably in the Western Hemisphere, students daily protest against what seems to be government inadequacy and failure. Latin students riot and throw rocks at Embassies; U.S. students protest war and racial intolerance. In a sense, PRAM is a part of this student protest; PRAM members on two continents are protesting their failure to communicate and to understand. But PRAM is not a passive protest, it is an active one. Through the exchange process, a process of dialogue and debate, PRAM gradually seeks to "create a new American conscience," to change a whole American generation's way of thinking. An impossible task? PRAM is proving that the answer is no.

Each year PRAM plans to expand to new colleges and universities in the United States, to universities throughout Latin America. The process will take time. By facilitating exchanges each summer, exchanges based on intense study of a country and emphasis on discussion and debate, a widely scattered variety of students on both continents will achieve a new outlook on inter-American relations. Generally, though not always, PRAM volunteers are politically oriented. They are the people who will be going into government in their respective countries during the next decade. Gradually the broader understanding of a new generation of young leaders can lead to new progress in inter-American affairs. Gradually inter-American hostility and distrust can be channeled into constructive programs for hemispheric unity.

Ask a PRAM volunteer what he has gained through the Project of the Americas. He will answer: understanding. But he will not stop there. He will launch into a discussion of new political concepts, new economic techniques, new social comprehension; he will tell you what he has learned. PRAM is a unique organization with a unique goal; it is both a protest and a program. During the last year and a half PRAM has made impressive progress. Students of the Americas will see that it continues to grow.

INVASION OF PRIVACY OF FEDERAL EMPLOYEES—ADDRESS BY HON. ROBERT RAMSPECK

Mr. TALMADGE. Mr. President, recently an address by Hon. Robert Ramspeck, consultant to the Federal Professional Association, came to my attention. Mr. Ramspeck appeared before the Senate Subcommittee on Constitutional Rights on behalf of the Federal Professional Association in support of legislation designed to prohibit the use of psychological testing, telephone tapping, polygraph machines, and questionnaires invading the privacy of Federal employees.

Mr. Ramspeck has been a civil servant for many years. He served as Representative from the Fifth District of Georgia for 16 years and was a member of the Committee on Civil Service. After resigning from Congress in 1945, he was executive vice president of the Air Transport Association, and in 1951 assumed the position as Chairman of the U.S. Civil Service Commission. From 1953 until 1962, he served as Washington vice president of Eastern Air Lines.

Mr. President, I ask unanimous consent that the speech be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Statement Presented by Hon. Robert Ramspeck, Consultant, and M. Vincent E. Jay, Executive Vice President and Legislative Director, Representing the Federal Professional Association in Support of S. 3779, Before the Senate Subcommittee on Constitutional Rights, September 30, 1966

Mr. Chairman, Distinguished Members of the Subcommittee: My name is Robert Ramspeck. I am Consultant to The Federal Professional Association, which I represent here in support of S. 3779. I appreciate the invitation extended to Mr. Jay and me to appear before you on behalf of the Association's members. They have indicated a clear and determined interest in eliminating the many invasions of their privacy that have occurred in the past. First, however, I want to provide some information about the FPA for the benefit of those who may not be familiar with this new and vibrant organization.

Less than four years old, this new professional organization subscribes to the thesis that the Federal career service needs to be substantially reorganized and improved, in order to create a professional climate and an enthusiasm for excellence in the conduct of Government affairs and operations. Corollary to this thesis, the Association takes the position that its worthy objectives will be attained only through the cooperative and organized efforts of professional and managerial employees in the career Civil Service. The Association seeks to provide a united voice and appropriate representation for its members, who are employed exclusively in managerial and professional positions in the Federal service.

The FPA is not a labor union. The Association's primary concern is to improve the professional climate in the Federal Government. It supports comparability as a means toward true professionalism and excellence in the Federal service. The founders, officers, and members of the Association, all of whom serve the FPA on their own time without compensation, feel that it is essential to the well-being of professionalism itself, as well as to the management of the affairs of the Nation, that we recruit and retain in the Federal service the most competent and dedicated professionals available. It is in this context and with these objectives in mind that I appear before you today to represent the FPA and its members with regard to S. 3779.

Mr. Chairman, the Association has received complaints from its members about the invasion of their privacy. Two recent ventures, in particular, undertaken by this Administration in the form of questionnaires delving deeply into the private lives of employees, have raised serious questions of propriety.

The first of these questionnaires dealt with race. It inquired into the employee's racial background and was circulated to all employees in most departments and agencies. The fact that a few agencies apparently chose not to subject their employees to this questionnaire, but instead to rely on the previously used head count procedure, is to their credit. The many years of determined and very difficult struggles to create and develop a career Civil Service based on the merit principle will have been in vain if we are going to inject other factors such as race and give them preference over merit. The so-called career service has more than enough problems now in recruiting and retaining the most desirable professionals and managers without requiring consideration of the race factor over merit. The Administration should be engaged in perpetuating, strengthening, and improving the merit principle as *the* controlling factor in recruiting and in promoting. Merit falls by the wayside when other factors, such as race, sex, or creed receive primary consideration, and this does great damage to morale, to the career service, and to the interest of the Government and the public.

The second questionnaire to which I call your attention was recently issued by the Administration, also without clear, precise, and uniform instructions. Called a "Confidential Statement of Employment and Financial Interests," it required the disclosure of creditors, the character of mortgages and other indebtedness outstanding, and type of property owned (other than residence). Because the Administration neglected to spell out uniform and precise instructions, the separate departments and agencies interpreted the order differently. Some eager beavers required all or nearly all employees to submit the personal financial information. Other agencies required only employees in grade level GS–13 and above to submit the information. Few agencies correctly required only those employees personally involved in actual contracting responsibilities and contract approval for the Government to submit the financial questionnaire.

The point has been made with regard to the questionnaire on race that employees were not required to submit the completed questionnaire. This position is untenable, particularly as applied to professional and managerial employees. The nonprofessional can afford to be hard-nosed about it, because he can cry foul and run to his labor union, which can and will protect him. The professional and the manager have no such protection; they do not want it. The professional and managerial employees in the Federal service believe that they should be able to rely on the propriety, honesty, integrity, and fairness of executives and supervisors, who interpret and administer the rules and regulations under which they, as professional and managerial employees, are hired, promoted and supervised.

We heartily agree with the legislation drafted by the Chairman, Senator Ervin, that invasions of privacy, as demonstrated in the two questionnaires on race and investments, are out of order and should be prohibited. There is every reason why questionnaires dealing with the private lives of employees should be prohibited. While the Government has an obligation to exercise reasonable care to avoid conflicts of interest on the part of its employees, I believe this reasonable care can be exercised in a much more reasonable and effective manner than is now being practiced. There is absolutely no reason why questionnaires of this sort should be required without far better judgment than was shown, as to who should complete it and how the departments and agencies should process and act upon its completion. The opportunity for abuse by using information collected in this way against an employee in ways never intended by the Administration is ever present. In addition, the huge cost of preparing for a large-scale collection of information, along with the large number of employees involved in processing, reviewing, transmitting, and confidential filing of the questionnaires, raises serious question as to whether the operation was not a great waste, particularly when matched against the very doubtful benefits resulting from it.

The Federal Professional Association endorses and strongly supports the enactment of S. 3779. The various sections of this legislation dealing with disclosure of race, religion, or national orgin, with the instruction, indoctrination, or advice to employees on matters not related to their job, with informing employees that they have been noted attending meetings where the topic is not related to their job, with urging or requiring employees to participate in activities not directly related to their jobs, with requiring employees to report their activities or undertakings that are not directly related to their jobs, with advising employees what business establishments they should or should not patronize as private citizens, with requiring employees to submit to interrogation regarding personal matters or to take any psychological or polygraph tests, with attempts to require or request political support or cash contributions of employees, with attempts to coerce employees to invest in U.S. Savings Bonds, with requiring or requesting the disclosure of an employee's personal financial status with some exceptions, with requiring employees under investigation to submit to interrogation without benefit of counsel or other person of employees' choice, and with the discharge or discipline of employees who fail to respond to unlawful requests and requirements, all appear necessary to this Association. However, provision (f) should be changed to read, "To require or request any employee of the United States to patronize or not patronize any business establishment offering goods and services." The officers of the Association feel that each of these provisions have merit and tend to reduce areas where an invasion of privacy occurs.

In addition, the Association recommends several provisions as amendments to S. 3779 as follows:

1) To require or approve the monitoring or tapping of the office telephones of career Civil Service employees, except in rare national security cases.

2) To require or request, or to attempt to require or request, any employee of the United States to submit information relative to any outside employment in which he may be engaged, with rare exceptions where a clear conflict of interest or diminished productivity or quality can be shown.

3) To require or request, or to attempt to require or request, secretive searches of any United States employee's desk, papers, or belongings without the employee's knowledge.

4) To approve or to permit the opening of any United States employee's mail personally addressed to him, which may have been sent to his office in error, without his knowledge or consent.

5) To approve or permit invasions of the privacy of professional and managerial employees of the United States which are not based on specific legislation.

6) To require or permit professional and managerial employees of the United States to be included in representation by a labor union with "exclusive recognition" sanctioned by nonprofessional and nonmanagerial employees.

7) To deny or prohibit or attempt to deny or prohibit any employees of the United States from the privilege and right of confronting their accusers in all cases and from having access to all information on which such accusations and charges are based.

8) To require or request or attempt to require or request the involuntary retirement of any United States employee for any reason without a full and fair hearing.

9) To maintain or require to be maintained the establishment or maintenance of secret or confidential evaluation or ratings files or any other secret or confidential personnel files on Federal employees without granting the right to them to inspect and see such files.

Mr. Chairman, in summary, I want to raise a question or two and then refer to the unrest in the career service that so many people are talking about today. First, must the Government extend its management into the personal affairs and private lives of its employees? What happens to an employee's freedom when he is required to divulge his race, his creditors and his investments, and when he is told where to invest his money and how much he should give to what charities? Second, the FPA believes that much of the unrest among career employees stems directly from such problems as the ever expanding lag between private enterprise and Federal salaries, the confusion and doubt caused by various types of privacy invasions, and the manner in which these invasions may be used against nonfavorite employees, and the lack of uniformity in the interpretations and administration of rules and regulations.

Career Civil Service employees have always taken pride in the fact that a great deal more, in terms of honesty, integrity, morality, and general good character, has always been required of them. They are concerned now because it appears that the Civil Service recruiters are letting the bars down now by accepting new employees with questionable backgrounds and characters. Otherwise, what makes it necessary to impose all of these new questions and searches which carry the implication that Federal employees are not trustworthy?

If the character and nature of Federal employment are changing along these lines, it is a sad commentary indeed and a serious cause for widespread public concern. If the Federal career system is drifting in the direction of mediocrity or worse, the management of this great Nation's affairs is in serious trouble.

We must do everything to avoid this eventuality. The enactment of S. 3779 will be a step in the right direction and should help to settle the unrest that exists among career employees. In addition, we must take every positive action possible to make the Federal career service much more attractive than it is, to enable us to recruit and retain the very best quality professional and managerial employees available. At a time when our great Nation is struggling with variable complex and comprehensive domestic problems and against world communism, as it is, nothing less than the best professionals and managers is acceptable.

The statement I have read thus far was prepared by The Federal Professional Association. I agree with it. However, I would like to add some observations of a personal nature arising from my own experience.

As you know, I served as a member of the House for sixteen years. All of that time I was a member of the Committee on Civil Service, then separate from the Post Office Committee. For about ten years I was Chairman of the Civil Service Committee. During that time I had thousands of contacts with Government employees and officials. I sponsored legislation dealing with retirement, pay, leave, etc.

After resigning from the Congress at the end of 1945, I was, for more than five years, Executive Vice President of the Air Transport Association, a trade association composed of the scheduled airlines. That gave me some experience with personnel matters in the private sector. Then in 1951 and 1952, I was Chairman of the U.S. Civil Service Commission.

In 1953 I became the Washington Vice President of Eastern Air Lines, retiring at the end of 1962. For three years thereafter I was a Consultant with Eastern and was assigned to panels dealing with employee matters of those not in labor unions or in management.

I mention these matters to have the record show that my experience covered more than simply the legislation dealing with Federal employees.

Based upon my experience, I feel that S. 3779 is needed to stop what appears to be a plan to use Federal employment for social purposes, rather than base it upon merit. I believe in the merit principle. To consider race, color, religion, and national origin in making appointments, in promotions and retention of Federal employees is, in my opinion, contrary to the merit system.

The Civil Service System provides for a probationary term to be served before any person becomes entitled to protection of the merit system. If supervisors and officials do their job as it should be done, they can release employees who are not emotionally stable, do not show capability, or whose conduct in any way indicates that they are not fitted for the Federal service. This can be done without assigning any reason, without filing any charges. It is intended to keep out of the permanent service those who do not measure up to the high standards we desire.

It seems to me that taking a census of race can be only for the purpose of putting pressure on officials to employ minority persons—regardless of qualifications. Race or color has nothing to do with merit. There should be no discrimination for or against minority persons. Merit alone should guide employment, and retention and promotion should be based upon performance.

Robert Ramspeck,
Consultant, the Federal Professional Association.

NEW STUDY URGED IN RACE HEREDITY

Mr. BYRD of West Virginia. Mr. President, I wish to insert in the Record an article which appeared in the New York Times on Tuesday, October 18, 1966.

There being no objection, the article was ordered to be printed in the Record as follows:

New Study Urged in Race Heredity—Physicist Links Doubt Over Its Effects on Slum Fight

(By Harold M. Schmeck, Jr.)

Durham, N.C., October 17.—A Nobel Prize winner in physics urged the National Academy of Sciences today to foster research on the effects of heredity, including race, on human behavior.

"I evaluate the marrow of the city's slum problem to be our uncertainty about its genetic aspects and our fear to admit ignorance and to search openly for relevant facts," said Dr. William Shockley, solid state physicist of Stanford University.

Useful research in this area has been hampered, he declared, by the fact that it will inevitably bear on intelligence distributions of minorities and American Negroes in particular.

"Our intellectuals treat this problem like a frightened person who hides an uncertainty even from himself and does not expose a tumor to doctor's inspection," he said.

Dr. Shockley spoke to the autumn meeting of the National Academy of Sciences, which opened here today at Duke University. Only about 50 persons heard his talk.

"My one and only recommendation today is that better studies can and should be attempted," Dr. Shockley said.

As a start, the physicist suggested that the academy organize a summer study group "to seek new approaches to utilize scientific imagination to reduce the environment-heredity uncertainty."

Dr. Shockley said he was urging action on the National Academy of Sciences because the organization, with the newly formed National Academy of Engineering, represents the central core of intellectual scientific integrity for the nations.

"To leave this uncertainty unresolved is unfair to all concerned," he said. "To fail to try to resolve it is irresponsible."

In an interview, Dr. Shockley emphasized that he could not say what information future research would produce on the heredity-environment question, nor how much of the present uncertainty could be resolved.

He said he was deliberately avoiding any speculation on what might usefully be done with whatever facts could be established.

"If plans for corrective action are to emerge they may well be ones we cannot conceive of now, he said in answer to the same question at the academy session.

Furthermore, he said, it is often scientifically useful to divide a difficult problem into parts and attempt to deal with each separately on the divide-and-conquer principle. He said this approach proved valuable in his own research on transistors for which he and two others shared the 1956 Nobel Prize in physics.

Dr. Shockley has not, himself, done research on the genetics problem he discussed. He cited several studies by others, however, to support the contention that heredity ought to be studied in connection with behavior and intelligence.

DE GAULLE'S NATO POLICY IN PERSPECTIVE

Mr. DODD. Mr. President, an interesting article written by Elliot Goodman, professor of political science at Brown University, has been published in the current issue of the Atlantic Community Quarterly. Relying on once-confidential correspondence between President de Gaulle and other leaders of the West, Goodman has come to the conclusion:

> De Gaulle was not primarily concerned with achieving a common Western global policy, but with elevating the status and prestige of France to the publicly recognized position of a great world power.

De Gaulle himself was quoted in the article as having said:

> If we allowed the defense of France to be entrusted over a long period to non-national agencies or to be fused or confused with something else, it would no longer be possible for us to maintain the idea of the State.

For those concerned with the future role of NATO in world affairs, the peculiar motives of the French President in weakening the Alliance should be of particular interest. I therefore ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

De Gaulle's NATO Policy in Perspective

(By Elliot R. Goodman)

(Note.—Excerpts from a longer article appearing in the Fall, 1966 issue of Orbis, which holds the copyright. It is also being published in International Spectator (The Hague), Norsk Militaert Tidsskrift (Oslo), Res Publica (Brussels), and Osterreichische Militarische Zeitschrift (Vienna).)

Almost from the moment de Gaulle returned to power in 1958, he had his own unique ideas on the future of NATO. In essence, NATO was repugnant to de Gaulle because it placed France on a par with the other European countries, all of which looked to the overwhelming power of the United States for leadership. Among the European states Britain stood out as a world power, even though this role had been somewhat tarnished. In addition, Britain maintained a special relationship with America in the development of atomic weapons, which was inherited from their wartime collaboration. This rankled de Gaulle and made him vow that France would at least receive a status equal to that of Britain.

These issues of rank and prestige were first brought to a head in July, 1958 as a result of the American and British military landings in Lebanon and Jordan, in response to the call of these governments for help against Nasser-inspired rebellions. France played no part, but de Gaulle was fully prepared for the possibility of such troop landings, which occurred on July 15–17, since Secretary of State Dulles flew to Paris and discussed this contingency with him on July 5–6. The French Government, however, circulated the complaint that it had not been consulted, but a subsequent interview with Dulles revealed that this was simply not so. The spurious French complaint was perhaps rooted in the unsatisfactory nature of the exchange that took place. De Gaulle insisted that the French people must "be made to believe again that France is a great power", and this took the form of a demand that France be recognized as a world power instead of being treated as just another continental European state. Dulles paid tribute to the French contribution to Western civilization, and agreed that a strong France should emerge again, but he warned that in reviving its strength there would be serious strains in NATO if France should set itself apart from and above the positions of Germany and Italy. To this De Gaulle retorted that the Germans and Italians did not seem upset by the special position of Britain as a world power. Dulles also reaffirmed the need for the "integration" of NATO forces, while de Gaulle spoke only of "cooperation" among allied states.

In this exchange of views was found the seeds of the demands which de Gaulle formally submitted in writing to President Eisenhower, with a copy to Prime Minister Macmillan, on September 17, 1958. This communication, consisting of a memorandum with an attached cover letter, has not been made public, although its contents have been widely, and sometimes inaccurately, reported. The fullest and most useful published account of this famous secret document is found in David Schoenbrun's masterful biography of de Gaulle (*The Three Lives of Charles de Gaulle*). It can be stated with assurance that his description of this document is entirely accurate, since the present writer was also privileged to read it in full. This account was likewise confirmed by the brief summary of de Gaulle's letter which the State Department subsequently made public.

SCOPE OF ALLIANCE IS UNSATISFACTORY

The Anglo-American landings in the Levant, de Gaulle noted, might have precipitated events that could have quickly developed into a general war, in which France and the other members of the Atlantic Alliance might have become involved. The scope of the Atlantic Alliance was therefore unsatisfactory if it was confined to the defense of Europe, since the need to concert policies was world-wide. De Gaulle later explained this aspect of his secret proposal in a public press conference. It had become obvious, de Gaulle said, "that the possibilities of conflict and consequently of military operations were spreading far beyond Europe, were spreading all over the world. It became evident that the Middle East and Africa, in particular, were danger spots quite as much as Europe, and that there existed, between the principal members of the Atlantic Alliance, political differences concerning them which, if the occasion arose, might turn into disagreements on strategy". Consequently it was necessary for the NATO states with global responsibilities, which in de Gaulle's view were the United States, Britain and France, to make some special arrangements among themselves. "We feel that, at least among the world powers of the West, there must be something organized—where the Alliance is concerned—as to their political conduct and, should the occasion arise, their strategic conduct outside Europe, specially in the Middle East, and in Africa, where these three powers are constantly involved."

De Gaulle's memorandum of September, 1958 had been more specific about how the three powers should be organized. They should "create a tripartite organization to take joint decisions on global problems." The Atlantic Alliance should be revised so as to become worldwide in scope, with subregions or subcommands set up within it. One of the special functions assigned to the Big Three would be the making of "joint decisions" on the use of nuclear weapons. This tripartite organization of the Atlantic Alliance (the word "directorate" was not used) should be entrusted with drawing up strategic plans and be empowered to put them into effect, thereby governing "the use of nuclear weapons anywhere in the world."

At first glance, these proposals seemed eminently sensible. What was more needed than the global coordination of Western policies? One might, of course, object that it was somewhat immodest of de Gaulle to consider France a great world power (although de Gaulle has never been bothered by the requirements of modesty), since at the time he first advanced his proposal France was extremely weak. At home, it had just come from the brink of civil war and domestic strife had by no means been quelled, while abroad France had lost its empire in the Middle East and Southeast Asia, and was in the process of losing what was left of it in Africa. But even so, would it not have been extremely beneficial for the West to have a concerted global policy?

FRANCE ABOVE ALL

Only a closer look at de Gaulle's propsal and the subsequent exchange of notes and diplomatic activity which sought to clarify it, revealed the true meaning of this initiative. All indications point to the conclusion that de Gaulle was not primarily concerned with achieving a common Western global policy, but with evaluating the status and prestige of France to the publicly recognized position of a great world power. By attempting to become a member of the Big Three within NATO's 15 member states, de Gaulle obviously sought to arrogate to himself the role of speaking for continental Europe. The first time de Gaulle broached this subject, Dulles warned of the difficulties such a pretention would create with other NATO nations on the continent, especially with Italy and Germany. In order to surmount this objection and before dispatching his memorandum to Eisenhower and Macmillan, de Gaulle sent his Foreign Minister to Rome and Bonn in order to gauge the depths of the anticipated resistance. De Gaulle then personally courted Chancellor Adenauer. Through a carefully staged reception at de Gaulle's home at Colombey, which cultivated and flattered Adenauer's sensitivities, and by de Gaulle skillfully playing upon the character of Europe which France shared with Germany, but which might be betrayed by the Anglo-Saxons, de Gaulle succeeded in winning over the aging German leader. A highly amicable communique noted the results of the de Gaulle-Adenauer talks of September 14, three days later de Gaulle dispatched his proposal to Washington and London.

While Adenauer personally may have been satisfied with de Gaulle's triumvirate concept which permitted France to speak for Germany, the idea did not in general go down well with responsible German officials. This writer clearly remembers discussions with highly placed members of the German Foreign Office during Adenauer's reign, who bitterly denounced the Gaullist triumvirate proposal. They resented the idea of two classes of membership in NATO and insisted that since Germany had contributed by far the greatest number of troops to NATO of all the European member states, it should at least be given an equal voice in NATO affairs. The thought was sometimes expressed that a more limited group of states might be useful in the management of Allied nuclear policy and related strategic questions. However, three was too restricted a number, and if membership was expanded to five or seven, room should be left in this group for other states to participate on a rotating basis.

LACK OF CONSULTATION DECRIED

The idea of a closed, exclusive inner club had, in fact, already been tried in NATO, and had been proven a failure. Former NATO Secretary General Dirk Stikker recalls that when the North Atlantic Treaty went into effect in 1949, the United States, Britain and France, as the occupying powers in Germany, consulted closely and regularly among themselves to the exclusion of their other NATO partners. Their mode of operation in handling the German problem spilled over into other areas. "Tripartite dominance was underscored by the custom of the Big Three to meet privately before each meeting of the NATO Council for an exchange of views on the agenda." Stikker recounts the resentment this aroused and the countermove in which he participated in his capacity at that time as Dutch Ambassador to NATO. "These arrangements finally led to the creation of a Little Three. Pearson of Canada, Lange of Norway and I adopted the habit of meeting, purely as friends, before each Council session for an exchange of views". From 1950 on they were able to exercise considerable influence in shaping important NATO decisions. "It has been my experience," Stikker concluded, "that when the big powers, be they three or five, try too much to dominate an organization, counterforces inevitably arise to restore the balance. If the balance cannot be restored in this manner, the organization is doomed to failure."

In one respect, NATO has had a formal triumvirate in existence from its beginning. The highest military representatives of the United States, Britain and France together formed the Standing Group, which in theory was the executive arm of the larger NATO Military Committee. Since the members of the Standing Group received their political and military instructions from their separate capitals, and since these directives have most often been in disagreement, Stikker points out that "the Standing Group frequently finds itself unable to formulate decisions". As a consequence, "the Standing Group had, because of disagreement in this tripartite body, been unable to give any advice on the vital problem of strategy. It has proved already on other occasions to be impossible to arrive at an agreed opinion on military questions within NATO for lack of agreement in the Standing Group. If ever proof was needed that in an organization like NATO a triumvirate does not work, then the Standing Group provides a glaring example". Following the French withdrawal from NATO, the Standing Group went out of existence.

DE GAULLE'S TRIPARTITE PLAN REJECTED

President Eisenhower replied to de Gaulle's triumvirate proposal in a long secret letter of October 20, 1958. For a number of years even the existence of this letter was kept secret, so that rumors repeatedly charged Washington with ignoring or snubbing de Gaulle. Eisenhower agreed that the threat to the Free World was global in nature, and noted that the United States had sponsored a network of regional defense pacts covering Europe and North America, the Middle East and Southeast Asia. Furthermore, France was a member of NATO and SEATO and could already participate with other allies in planning a global defense. This, of course, rejected the exclusive tripartite arrangement advocated by de Gaulle. The NATO Council, Eisenhower argued, offers a forum for broadening still further the invaluable habit of consultation among allies. Such consultation was imperative, since "we cannot afford to adopt any system which would give to our other allies, or other Free World countries, the impression that basic decisions affecting their own vital interests are being made without their participation". This position ran contrary to the Gaullist scheme of an exclusive tripartite organization, which necessarily would have to take decisions affecting the vital interests of other allies without their participation. Eisenhower's letter ended with the invitation to explore the subject further.

In an effort to satisfy de Gaulle, Eisenhower instructed Dulles to set up a tripartite committee at the subcabinet level in order to discuss de Gaulle's proposal. Dulles appointed Deputy Under Secretary of State Robert Murphy, who twice met with the French and British Ambassadors in Washington in December, 1958. The French Ambassador echoed de Gaulle's demand for extending this arrangement to include joint global strategic nuclear planning. On December 15, Dulles met de Gaulle in Paris, and was told that the world situation was too critical for "playing political games with committees." Dulles again offered to exchange views on any subject anywhere, but held it was not possible to establish an official tripartite organ either over NATO or over the Free World. However, to accommodate French demands, Dulles proposed tripartite consultations on the Far East. Two such meetings were held in February, 1959, at the same tripartite level, with the addition of general staff officers. In April, 1959, four days of tripartite talks took place on African problems and the United States and Britain indicated willingness to hold further tripartite discussions on Africa, but the French did not respond. When Dulles first raised the possibility of tripartite planning on Africa in his December, 1958, interview with de Gaulle, the French President retorted sharply that France might have been spared needless difficulties in North Africa had a common policy existed there before. Then de Gaulle added: "Of course, a common policy in North Africa would necessarily be a French policy."

A second exchange of secret letters between de Gaulle and Eisenhower took place in March, 1959, in which de Gaulle continued to press for an exclusive tripartite organization, while Eisenhower spoke in terms of maintaining the fullest, closest cooperation among all allies in NATO. Then in June, 1960 de Gaulle repeated his demand in still another secret letter for a high level planning group among the Big Three which would give France "an equal voice in joint decisions on the use of nuclear weapons". This now fully confirmed what had been properly assumed up to this point: de Gaulle, in effect, wanted a veto right on the use of the Anglo-American nuclear arsenals. This demand de Gaulle repeated in a public statement in October, 1960, when he said: "France intends that if, by misfortune, atomic bombs were to be dropped in the world, none should be dropped by the Free World's side unless she should have accepted it". Eisenhower's reply of August 12 took the form of asking why de Gaulle continually made proposals, but took no action to implement suggestions in this direction, such as, for example, the American offer of joint planning with regard to Africa. Although de Gaulle had finally agreed to appoint a French delegate, a year and a half had gone by and the French chair remained vacant.

DE GAULLE PREFERS SUMMITRY

Eisenhower then proposed a broader type of consultation, within a high-level three-power military committee to consider de

Gaulle's demands for a global strategy. This stopped short of the Gaullist requirement for a formal tripartite organization that could take joint decisions, but it seemed to be a big step in that direction. It was, in fact, as far as Eisenhower could go without impinging upon the interests of the other excluded NATO partners and disrupting NATO itself. De Gaulle shot back in his last secret letter to Eisenhower that a three-power summit meeting of the West would be preferable to a high-level committee to consider global strategy. The summit meeting, de Gaulle added, could undertake joint planning of global strategy, and, in addition, it could reorganize the Alliance. In his final reply of August 31, Eisenhower tried to keep his anger under control. He reminded his French counterpart that twice before de Gaulle had promised to send a detailed memorandum about suggestions for reorganizing the Alliance, but that he had never done so. Without such a document in hand, no useful discussion could be conducted.

Surveying the history of the de Gaulle-Eisenhower exchanges, Schoenbrun makes a useful distinction between the form and substance of Allied collaboration, and concludes that de Gaulle was more interested in the form. "Since an 'organization' is a formal institution, General de Gaulle was not only insisting upon the right to participate in decisions, he wanted this right to be recognized officially and publicly by creation of a formal institution. De Gaulle would not have been satisfied even if Eisenhower had granted him all his extraordinary demands, including a full French voice in American strategy and a French veto over the Anglo-Saxons' decisive power implied in joint decisions on the use of nuclear weapons. Nothing less than the public formalization of these arrangements would satisfy General de Gaulle".

After retiring from office, Eisenhower read Schoenbrun's manuscript account of these events. Eisenhower confirmed that "our biggest arguments as presidents came out of this idea . . . to have a publicly proclaimed triumvirate. You've got that right in your book, that tripartite business and public recognition of France as a great power. That is exactly what he wanted."

He then related additional details to show how far he went in trying to satisfy de Gaulle. Eisenhower proposed that London become the center for triumvirate planning, since France maintained a big embassy there. "I'll make special appointments," Eisenhower recalled telling de Gaulle, "I'll strengthen the embassy with special people, high-ranking people, both in the political and military world, and you can do the same. Britain can do it, of course, because they're right there in London. We will have all these top people there and we will put them, if you want, under a director, or some such title, and they will be authorized to take current plans, current problems, emerging problems—and we will give them authority and plenty of time to coordinate our view so we can plan to be in a position to operate in unison, anywhere in the world, on any problem, or at least not to act in disunion. We can map out broad areas of agreement for there are many, and can identify and contain the disagreements." Eisenhower summed up his efforts with the affirmation: "I tell you I was offering him everything it was possible to offer and very far toward his requests. But he wouldn't have it. It was all or nothing with him. He wanted it at the top, all the way like Cicero and Pompey and Caesar."

JFK'S TRIPARTITE PROPOSAL

When President Kennedy visited Paris on June 2, 1961 he personally reviewed with de Gaulle the entire history of the exchanges conducted with Eisenhower, since Kennedy was convinced that the issue of the tripartite organization was at the heart of all the difficulties in Franco-American relations. In another effort to placate de Gaulle, Kennedy suggested the creating of a tripartite group of senior military officers to draft joint plans for Berlin and Laos, which at the time were troubled areas threatening world peace. Kennedy hoped that by tackling specific crisis situations, experience could be gained and confidence built up which would dissolve the past impasse. De Gaulle once again agreed to nominate top level officials to participate in these working groups, and once again he failed to carry out his pledge. Later Kennedy showed dismay at de Gaulle's unwillingness to implement plans that were drawn up for his benefit. In response to the President's questions, the explanation was again offered that de Gaulle was really not interested in such talks, even at a senior military level, because they were too restricted in scope and were to be conducted in secret. What de Gaulle wanted was public recognition of a formally organized tripartite group, meeting at the highest level at regular intervals, thereby openly acknowledging the great power status of France. In short, de Gaulle was not searching for agreed policies for the West, but for an institutionalized way of proclaiming French grandeur. Kennedy admitted the logic of this explanation, but still found it hard to believe. And for anyone not viewing the world through de Gaulle's eyes, it is, indeed, hard to believe.

When NATO Secretary General Stikker visited Kennedy, the President returned to the subject of de Gaulle, probing for answers about his behavior. He asked what would have happened if the United States had helped de Gaulle with the development of his force de frappe. Stikker replied: "If de Gaulle had had atomic weapons it would have made no difference; he would not have been more helpful in NATO. He would have wanted the veto for himself, but he would not have wanted anyone else to have it. His motivation is French nationalism, pure and simple." If this stark fact is accepted, then all the contradictions disappear. His idea of a common nuclear strategy was to have a French veto over the Anglo-American deterrents, even before France had an operational deterrent of its own, but once the force de frappe came into existence no one would have a veto over it. He asked for a common global policy among the Big Three of the West, and yet as he remarked about North Africa, "of course, a common policy in North Africa would necessarily be a French policy." One wonders if de Gaulle would not expect a common global policy also to be a French policy. It is at least certain that he would have used the tripartite forum as a way of projecting himself into the world arena as a world statesman, and of asserting French interests and views on the world stage, but without abandoning his right to decide policies for France. In effect, de Gaulle's notion of formulating global policies is to influence the course of Allied decisions, while insulating French policies from Allied pressures designed to influence France.

DE GAULLE IS NEGATIVE

Experience also informs us that de Gaulle's style of leadership has never made him an accommodating type of statesman, and that he has had a consistently poor record as an ally, beginning with his rise to prominence during World War II until today. In view of this, how could he have cooperated constructively in forming joint policies? Even in matters where the West has a highly apparent common interest like Berlin, de Gaulle has been extremely negative. But then consider the difficulty of implementing a common policy with de Gaulle beyond Europe, where for example, France had joined with the Soviet Union against the United States and Britain by refusing to pay for the UN peacekeeping activities in the Middle East or in the Congo. There are great obstacles preventing the formulation of common policies around the world among any group of Western powers, but of all partners with whom one could try to achieve it, surely the most difficult would be Gaullist France.

Essentially de Gaulle's nationalist philosophy is incompatible with his professions of a common Allied cause. While still actively negotiating with Eisenhower about his triumvirate proposal in March, 1959, de Gaulle withdrew the French Mediterranean fleet from NATO. His rationale was that NATO did not extend to the Middle East or Africa and that France might be obliged to act in these areas. "She would therefore have to act independently of NATO. But how could she do so if her fleet were not available?" In effect, de Gaulle was beginning to implement the threat posed at the conclusion of his September, 1958 memorandum. If his demands were not met, he had warned, henceforth France would subordinate participation in NATO to the "recognition of French worldwide interests."

Then on November 3, 1959, de Gaulle declared war on the principle of NATO integrated commands, in an address before the National Defense Staff College. "If we allowed the defense of France to be entrusted over a long period to nonnational agencies or to be fused or confused with something else, it would no longer be possible for us to maintain the idea of the State." He openly vowed to begin the process, which is now fully under way, of disentangling France from NATO. The system known as integration, which was introduced and even put into practice to some extent after we had undergone great trials, and when we had not yet recovered our national entity, and at a time when it was thought that the Free World was confronted by an imminent and unbounded danger—such systems of integration have had their day. As part of the reassertion of independence from NATO, he added, France would proceed to build its force de frappe as a strictly French national force.

DE GAULLE IS INCONSISTENT

Logically there is an inconsistency in demanding a single global strategy for NATO while withdrawing forces from NATO for independent action and in denouncing NATO integration as incompatible with upholding the glory of the national state. De Gaulle claimed to have sought a coordinated global policy for the West, but he also always insisted on maximum freedom for independent national action. Again, these two demands could be reconciled only if the global policy also happened to be French policy. The impulse behind de Gaulle's memorandum and his subsequent behavior toward NATO can perhaps best be summed up in the phrase of a former Minister in de Gaulle's cabinet, who remarked to this writer: "De Gaulle wants to be bound by nothing". Alliances are therefore necessarily uncongenial to him, while the idea of frank and intimate collaboration with allies for the common good is simply not a part of his character.

The North Atlantic Council is frequently used to exchange views and align policies of the member states, not only within the NATO area, but throughout the world. This process has been consciously stepped up as a result of the "Three Wise Men's Report" of December, 1956, which followed closely upon the debacle of Suez. To what extent has de Gaulle availed himself of his diplomatic forum? When I asked this question of one of the senior members of the Council who has served as his country's permanent representative to NATO all during de Gaulle's tenure in office, the ambassador shot back: "De Gaulle consults about nothing". De Gaulle's offer of consultation was confined to the exclusive context of the Big Three.

If the others would not play the game according to his rules, he would not play at all. Stikker contrasts the treatment he received from France and from the other Allies, when he was NATO Secretary General. "During these years every morning I received a briefing on U.S. foreign policy in different areas. Every year I went to Washington several times for meetings with the State Department, Pentagon and White House. All these discussions were carefully prepared and when, at the end of my visit, the President received me, he had been briefed on the issues which would have to be submitted to him. Similar arrangements were always made in other capitals, but nothing of the kind ever happened in France. On the contrary, on taking office, my initial request to pay my respects to President de Gaulle went unanswered for three months".

STIKKER'S INTERVIEW WITH DE GAULLE

It was only through the intervention of Chancellor Adenauer, who was concerned about the fate of the Alliance, that Stikker's one and only interview with de Gaulle was brought about. "I was summoned, after three months, to the Elysée at short notice", he relates, "just when I was about to take a plane for London". In the blunt exchange that followed de Gaulle touched on several topics. Did Stikker believe in integration, de Gaulle asked. The Secretary General replied: "Undoubtedly modern war or defense is no longer possible without integration". De Gaulle disagreed. "But we are fighting for our joint freedom", I replied, "we can only remain free if we all join our forces. Separate efforts of the small countries, or of Germany, have no meaning" . . . De Gaulle disagreed: he wanted to be independent.

Other prominent French leaders who have considered de Gaulle's proposed reform of the Alliance have come to different conclusions. Maurice Faure, for example, noted that it would be difficult not to subscribe to the idea of a single strategy for the West, especially if strategy went beyond military considerations to include those of psychological warfare, diplomacy and economics, "But," he asked, "how is one to devise a global strategy without alienating sovereignty, without transferring responsibilities and competences to common authorities? The question is self-evident, and can only be given one response. The answer is the political strengthening of NATO." Indeed, the way to arrive at common answers to common problems is by strengthening common institutions like NATO that increasingly become supranational in character. De Gaulle's nationalist approach to the solution of common world problems is no more possible than his attempts to create a cohesive Europe out of self-consciously sovereign national states. When applied to NATO, de Gaulle's nationalist approach consisted of two alternate plans: either downgrade NATO by creating an exclusive triumvirate within it, or if that failed, destroy NATO by other means.

THE VOLUNTARY BOND DRIVE

Mr. ERVIN. Mr. President, yesterday on the floor, I spoke of the need for a Federal law to protect the constitutional rights of Federal employees. In that speech I cited examples to illustrate how these rights are being trampled in a number of areas, including savings bond drives.

I call the viciousness with which the drive is conducted coercion. Chairman Macy calls it voluntary and attributes overzealousness to "somebody who does not get the word." Several hours after I spoke yesterday, I learned of a military officer and supervisor who apparently has not had "the word" for many years.

This is a brief five-act drama exposing the bureaucratic mind and the need for legislation.

On August 19, an official information bulletin was issued by Col. H. N. Smalley of the XV U.S. Army Corps to all commanders at all levels. Item No. 17 in the bulletin entitled "Outstanding Evaluation Appraisals," stated that participation in savings bond drives and charity campaigns is essential to high appraisals.

On September 6, Col. James H. Stell, Infantry commanding officer, directed a memorandum to Mr. Guy Taylor, a civilian official. In the memorandum, Mr. Taylor was informed that he was "one of 131 personnel who are not participating in this worthwhile savings program." Colonel Stell provided him with a form "prepared in your name, attached for your completion," and stated:

> Request that the completed form be returned to this office not later than 20 September 1966.

On September 21, Mr. Taylor wrote Colonel Stell, explaining his heavy medical expenses and family financial responsibilities. He advised Colonel Stell that he supported charity drives and had bought bonds, but that he did not believe in the payroll deduction system for himself. His letter called attention to item No. 17 of the August 19 bulletin and expressed his resentment that his loyalty was questioned. He cited his 35 years of Federal service.

On September 23, Colonel Stell replied in part:

> I am not aware of what part of the federal service you have been connected with for 35 years, but I feel sure that it wasn't the United States Army. It is a generally accepted fact that as a member of the military establishment one gives money to the Red Cross and participates in the savings bond program.
>
> At present the military participation in the savings bond program is 100%. Of 106 civilian employees in the Southern California Sector there are only 5 employees that are not participating. You have the dubious distinction of being one of those 5.
>
> I wish to clearly point out to you that anyone working under my overall supervision and does not wish to comply with my desire to participate in such a worthwhile program is not a member of my 'Team.'
>
> As long as you work in the USAR Program in Southern California you will be given an opportunity, in writing on a monthly basis, to participate in the savings bond program.

The last act consisted of a memorandum by Colonel Stell to all commanders, unit advisers, and civilian employees concerning his bond drive:

> Our percentage at present, both civilian and military, is 96.5. This is an excellent showing, but not yet good enough, but I am sure we will hit 100% when Mr. Guy Taylor decides to get on the Savings Bond Team.

Well, Mr. President, Guy Taylor is a retired major in the U.S. Army; and I doubt that he or any of us would ever have thought a career in the Federal service could result in such humiliation. His case is not unique, though it is exceptionally well documented. And Major Taylor is an exceptionally courageous man for bringing it to the attention of the Subcommittee on Constitutional Rights.

I love the blithe irony of the word "voluntary" which prefixes every official reference to the current bond drive. The truth is that voluntary savings bond programs conducted by the Defense Department and other agencies are as voluntary as the tides of the seas to the commands of the moon, or—in language better understood by the military—as voluntary as the response expected to the greetings from the Army to draftees.

If ever a history of need for legislation existed, I lay it before the Senate now.

Mr. President, I ask unanimous consent that the following items be inserted at this point in the RECORD: Excerpts from Information Bulletin No. 17, August 19, 1966; memorandum, September 6, 1966, from Col. James H. Stell, Infantry, to Guy Taylor; application form for U.S. savings bond; letter from Guy Taylor to commanding officer, Southern California Sector, XV U.S. Army Corps; letter from Col. James H. Stell to Guy Taylor; memorandum, September 26, 1966, from Col. James H. Stell to all subsector commanders, all unit advisers, and all civilian employees; and my letter to Secretary of Defense Robert S. McNamara of today.

There being no objection, the material was ordered to be printed in the RECORD, as follows:

HEADQUARTERS,
15th U.S. Army Corps,
Presidio of San Francisco, Calif.,
August 19, 1966.

INFORMATION BULLETIN NO. 17

This bulletin is an official XV Corps publication. It is furnished commanders at all levels for guidance in matters pertaining to conduct of the Reserve program in the general areas of administration, training, and logistics. The Information Bulletin will be published on alternate Fridays, in numbered sequence within each calendar year. Distribution is to all Reserve elements of XV US Army Corps. One copy of this bulletin will be maintained in administrative files, as a reference publication, and will be readily accessible for use by all concerned. This bulletin will expire 90 days after date of publication.

17. Outstanding evaluation appraisals:

a. In submitting recommendations for outstanding ratings on civilian employees who are responsible for supervision of the work of other employees, specific justification will be included relative to paragraph 2 d and e, Appendix to CPR 4, "Guides for Performance Ratings of Outstanding".

(1) Working relationships which result in establishment of an exceptional example in terms of loyalty to group and its goals which is evidenced by superior group accomplishments, and

(2) Leadership.

b. Accomplishments in these areas must include all aspects of XV Corps activities in which the Corps Commander expects loyalty from employees in achieving stated goals. Such areas include U.S. Savings Bond participation, charity campaigns, willingness to work overtime to meet deadlines, and outstanding special project accomplishment.

For the commander:

Official:

H. N. SMALLEY,
Colonel, Information,
Chief of Staff.

G. L. MECKLEM,
Captain, WAC,
Acting Assistant Adjutant General.

Distribution: A; B; C; D; E; F (revised).

MEMORANDUM

September 6, 1966.

Subject: Savings bond program.

To: Mr. Guy Taylor, Ventura Armed Forces Reserve Center.

1. The Corps participation rate in the Savings Bond Program has shown a steady increase during the past year. However, XV US Army Corps remains in last place within the installations and activities of Sixth US Army. As the minimum to achieve an adequate goal, Corps must attain a 90% participation rate, or a plus 16.54%. Records at Corps headquarters show that you are one of 131 personnel who are not participating in this worthwhile savings program.

2. It is the desire of the Commanding General that XV Corps attain and maintain the participation rate of 90% established by higher headquarters and the President of the United States. You can assure attainment of this goal for as little as $3.75 per pay period for civilian employees and $6.25 per month for military. This deduction will provide a $25 bond each five pay periods for civilians and each three months for military. In most cases, the additional pay received as the result of the new pay raise, which was effective 1 July 1966, will cover this nominal payroll deduction.

3. To assist you in joining your fellow workers in the Savings Bond Program and insuring 90% participation by XV US Army Corps, DA Form 1727/DA Form 1341, prepared in your name, is attached for your completion.

4. Request that the completed form be returned to this office NLT 20 September 1966.

JAMES H. STELL,
Colonel, Infantry,
Commanding.

APPLICATION, CHANGE, CANCELLATION FOR U.S. SAVINGS BOND
CLASS A PAY RESERVATION
(AR 37-105)

1. Agency and organizational designation

File identification (To be completed by the Accounting Office)

Control No.	Employee No. (If applicable)	Effective date	Initials

2. Type of action
☐ New reservation
☐ Change
☐ Cancellation

3. Deduction amount per pay period
$

4. Denomination (check appropriate denomination)

$25.00	$50.00	$100.00	$200.00	$500.00	$1,000.00

INSTRUCTIONS

1. Print or type all information except signature.
2. New Pay Reservation:
Enter all appropriate data (items 1 through 9).
3. Change:
   a. Enter Agency and Organizational designation.
   b. Check appropriate block under item 2.
   c. Enter name (item 5).
   d. Enter appropriate change data.
4. Cancellation:
   a. Enter Agency and Organizational designation.
   b. Check appropriate block under item 2.
   c. Enter name (item 5).

5. Employee (First name, Middle initial, Last name)
☐ Mr. Guy Taylor
☐ Mrs.
☐ Miss

6. Address (Number, Street, City and State)

7.
☐ Personal delivery
☐ Mail to address indicated

8. Co-owner or beneficiary (First name, Middle initial, Last name)
☐ Co-owner
☐ Beneficiary
☐ Mr.
☐ Mrs.
☐ Miss

9. I the undersigned request the above information be reflected in accordance with the block checked under item 2.

10. Date

11. Signature of subscriber

DA FORM 1727
1 MAY 56

REPLACES DA FORMS 29-5, 1 FEB 45, AND 30-5, 13 FEB 43, WHICH ARE OBSOLETE.

PAYROLL COPY—1

OXNARD, CA 93030,
September 21, 1966.

COMMANDING OFFICER,
Southern California Sector, XV U.S. Army Corps, General Patton USAR Center, Maywood, Calif.

DEAR SIR: In reply to your letter regarding my participation in the XV United States Army Corps Savings Bond program dated 6 Sep 1966, the following information is furnished:

a. I have had a considerable amount of family medical expenses during the past year which was not completely covered by insurance, and too, I contribute toward the support of my wife's parents as well as the complete support of two granddaughters.

b. I have always contributed toward worthy local and national fund raising drives and it is my desire and intent to continue this practice.

c. It has always been my desire and policy to expend my funds as I deem appropriate, keeping in mind the best interest of my family. In this connection, if I feel that I can afford, and want to purchase a "Savings Bond", then that is just what I will do, and I don't feel obligated to report this fact to anyone, including my employer.

d. Over the years I have purchased many Savings Bonds and I have never purchased one thru payroll deduction because I don't believe in this system for myself.

e. In my opinion, the pay raise of 1 Jul 1966, does not actually cover the increase in the cost of living, and too, if it is the desire of the Federal Government that pay raises are to be utilized for the purpose of purchasing Savings Bonds, then I suggest that employees be given these Bonds in lieu of the actual cash.

I have read with dismay the contents of paragraph 17, XV US Army Corps Information Bulletin Number 17, dated 19 Aug 1966, which infers a lack of loyalty of those persons not participating in the XV US Army Corps "Savings Bond" program. In this connection, I wish to point out the following facts:

a. This is the first time in my memory, with more than 35 years of federal service, that my loyalty has been questioned or questioned by inference.

b. Many times I work overtime in order to accomplish routine and/or special projects without compensation in any form because of my loyalty to my job; my supervisor; my government; my family and my sincere desire to do more than just a good job.

c. I believe loyalty is a two way street and it is my considered judgment that I have not been accorded equal treatment in this field, i.e., disapproval of recommendations for my promotion; disapproval of my requests to be placed on TDY with my unit of employment during its ANAC-DUTRA and disapproval of a recommendation for an evaluation award.

In view of the foregoing, I believe my reluctance to participate in the XV United States Army Corps Savings Bond program thru payroll deduction or in any other manner is justified under the circumstances.

Respectfully yours,

GUY TAYLOR.

HEADQUARTERS, SOUTHERN CALIFORNIA SECTOR, XV U.S. ARMY CORPS, GENERAL GEORGE S. PATTON, JR., USAR CENTER,
Maywood, Calif., September 23, 1966.

Mr. GUY TAYLOR,
Oxnard, Calif.

DEAR MR. TAYLOR: I have read your letter of 21 September 1966 with considerable interest.

I am not aware of what part of the federal service you have been connected with for 35 years, but I feel sure that it wasn't the United States Army. It is a generally accepted fact that as a member of the military establishment one gives money to the Red Cross and participates in the savings bond program.

Even though you perform your daily duties as a civilian you are in a militarily oriented program. As the commander of the reserve program in Southern California I am called upon to sponsor and generate interest in certain type programs that include both civilian and army advisor personnel. At present the military participation in the savings bond program is 100%. Of 106 civilian employees in the Southern California Sector there are only 5 employees that are not participating. You have the dubious distinction of being one of those 5.

The contents of XV U.S. Army Corps Information Bulletin Number 17 was not intended to question anyone's loyalty. But I wish to clearly point out to you that anyone working under my overall supervision and does not wish to comply with my desire to participate in such a worthwhile program is not a member of my "Team".

As long as you work in the USAR Program in Southern California you will be given an opportunity, in writing on a monthly basis, to participate in the savings bond program.

You mentioned that your request for TDY with your unit at ANACDUTRA was disapproved. ANACDUTRA is designed to evaluate the training of an organic unit not nonmember ASTS.

Sincerely,

JAMES H. STELL,
Colonel, Infantry,
Commanding.

HEADQUARTERS, SOUTHERN CALIFORNIA SECTOR, 15TH U.S. ARMY CORPS, GENERAL GEORGE S. PATTON, JR., U.S.A.R. CENTER,
Maywood, Calif., September 26, 1966.

Subject: Savings bond program.

To: All subsector commanders, all unit advisors, all civilian employees, Southern California sector, 15th U.S. Army Corps.

1. After a very successful Savings Bond Program, I wish to take this opportunity to thank each of you that made the program

a team effort. As of this date we have 100% participation among the military and 100 of our 105 civilian employees are participating.

2. Our percentage at present, both civilian and military, is 96.5. This is an excellent showing, but not yet good enough, but I am sure we will hit 100% when Mrs. ———, Miss ———, Mr. ———, Mr. Guy Taylor, and Mr. ——— decide to get on the Savings Bond Team.

[Names deleted.]

JAMES H. STELL,
Colonel, Infantry,
Commanding.

OCTOBER 18, 1966.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: As a member of the Senate Armed Services and Judiciary Committees, and as a sponsor of pending legislation to protect the rights of those in the service of our country, both military and civil, I would appreciate a complete report on a matter which has come to my attention. Copies of the five relevant documents, arranged in chronological order, are enclosed.

The pressure which has been brought on Major Taylor, a retired Army officer and native of North Carolina, seems to me overwhelming evidence of the need for S. 3779, the legislation on which I recently requested your comments. This outrage is totally offensive to all standards of decency in the relationship of the Federal Government with its employees. This is not the first—although it may be the worst—case in which the Defense Department has subjected those employees who fail to submit to coercion in the savings bond campaign to public humiliation. This is, however, one of the few cases in which an employee has had the courage to allow the subcommittee to bring the matter to your attention.

In connection with this and other complaints, I would appreciate your informing the subcommittee the extent which the following procedures are authorized:

1. Calling departmental meetings at which civilian employees who do not participate in bond drives are identified and criticized by the supervisor.

2. Refusing leave to servicemen who refuse to participate.

3. Requiring participation by civilian employees to be noted for performance evaluation purposes.

4. Requiring servicemen or civilians who do not participate to sign a form to the effect that they do not choose to support the President.

The subcommittee will appreciate your early attention to this matter.

With all kind wishes, I am

Sincerely yours,

SAM J. ERVIN, Jr.,
Chairman.

Copies to: Hon. Stanley R. Resor, Secretary of the Army; Hon. John W. Macy, Jr., Chairman, U.S. Civil Service Commission.

THE RIGHTWING

Mr. McGEE. Mr. President, as one who has followed the activities of the rightwing and extremist organizations in America rather carefully, I have often been accused of exaggerating both the strength and the impact of the far right in influencing political thought in this country.

"After all," I am often told, "the election of 1964 obliterated the rightwing, they are out of business."

Mr. President, nothing could be further from the truth. The rightwing today is growing and flourishing as never before.

A prime example of the nondiscouragement of the rightwing is alluded to today in the Drew Pearson-Jack Anderson newspaper column published in the Washington Post of October 18, 1966. According to the authors, already the rightwing establishment is planning a "victory" celebration in Washington after the November elections to pay tribute to those whom they are backing in the various races this year.

This type of planning hardly indicates that the rightwing has rolled over to play dead.

Mr. President, I ask unanimous consent that the article be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Washington (D.C.) Post, Oct. 18, 1966]

RIGHTWING LEADERS TO MEET HERE

(By Drew Pearson and Jack Anderson)

An important "Conference of Conservatives" is to be held in Washington this winter to celebrate the promised victories of Ronald Reagan in California, Lurleen Wallace in Alabama, Brig. Gen. Harrison Thyng in New Hampshire, Claude Kirk in Florida, and other right-wing candidates whom the Liberty Lobby and extremist groups are backing.

To arrange for the convention, Curtis B. Dall, former son-in-law of Franklin D. Roosevelt, dropped into Liberty Lobby headquarters the other day to sign a letter to members asking them to vote on who should call on President Johnson to present right-wing views.

Though members of right-wing groups don't like to have their operations reported in the press, this column can reveal that an argument took place between Dall and Willis A. Carto, founder of the Liberty Lobby, as to whether Kenneth Goff should be on the delegation to see the President.

Goff is a former Communist who later teamed up with rabble-rousing, anti-Semitic Gerald L. K. Smith and is now a member of the secret board that controls the Liberty Lobby. Dall, who is chairman of the Liberty Lobby's board of policy, argued that Goff was too controversial to be on the five-man delegation to call at the White House.

Dall, since divorced by Anna Roosevelt, only daughter of the late President, has been engaged in business in Philadelphia and has been a front for the Liberty Lobby. He has also been active in the Constitution Party, which urges American withdrawal from the United Nations, the repeal of Federal income and State inheritance taxes.

LOST LIBEL SUIT

In August, 1962, Dall testified before the Senate Finance Committee that the "real center and heart of this international cabal (to promote the Trade Expansion Act) shows its hand; namely, the political Zionist planners for absolute rule via one world government."

When this column reported Dall's testimony and described it as anti-Semitic, he sued for $2 million but lost. He appealed right up to the Supreme Court, but lost in all courts.

Though the leaders of the "Conference of Conservatives" seemed confident that President Johnson would see them, it may not be as easy as they predict. This column has seen some of the files of the Liberty Lobby and can reveal the farflung network of affiliated conservative groups back Reagan in California, Mrs. Wallace in Alabama, Lester Maddox in Georgia, Brig. Gen. Thyng in New Hampshire, Robert Cline, the extremist now running for Congress from Los Angeles, and other right-wing candidates around the U.S.A.

We can also reveal that in the closet of the Liberty Lobby office of director Willis Carto there are two high-powered Japanese rifles secreted in a packing case.

On Nov. 22, 1963, lawyers for this column were taking the pre-trial deposition of John W. Wood, then attorney for the Liberty Lobby, when news of President Kennedy's assassination was received. It was suggested that in view of the assassination, the deposition should be suspended.

"You must feel as bad as Madame Nhu when President Kennedy ordered her husband gunned down," remarked Carto.

VICIOUS ATTACK ON L.B.J.

Carto, when asked by a subordinate on his staff what he is doing with the rifles, explained that they were to be shipped back to California. The rifles, however, are still there.

Whether President Johnson chooses to see the delegation of conservatives or not, we believe that the public is entitled to know something of their backstage operation.

The Liberty Lobby office is located at 132 3rd st. se., in Washington and has a working relationship with the United Republicans of America under Bruce Evans, whose goal is to have the conservatives take over the Republican party. The Liberty Lobby and the United Republicans of America frequently interchange office equipment.

Chief funds for the Liberty Lobby are raised from individual subscribers and from periodic mail appeals to a list of right-wing sympathizers. One week's mailing in August brought in approximately $100,000, which caused considerable glee on the part of Carto. He immediately went out and bought $300 worth of new office furniture.

At times the lobby has been hard up for funds, and in 1964 had to borrow money from Verne P. Cobb. Its "Liberty Letter" for $1 a year circulates to a subscription list of approximately 180,000.

Among its more generous contributors have been Conrad Chapman of Boston, J. H. Pew of the Sun Oil Co. in Philadelphia, Evelyn Beck of Alamo, Calif., and E. H. Mettler of Shafter, Calif.

Most important and vicious contributions which the Liberty Lobby has made to the political picture—at least openly—was the six-page smear called, "LBJ: A Political Biography," of which about 1 million copies were circulated throughout the United States during the 1964 presidential election.

THE BREAKDOWN IN THE POSTAL SERVICE

Mr. BREWSTER. Mr. President, last Thursday, I addressed the Senate with regard to the breakdown in our postal service. On that occasion, I urged the President and the Postmaster General to act quickly to rescind the order which prohibits the use of overtime by our experienced postal workers. The postal mess is best demonstrated by the pileup of a mountain of undelivered mail in the city of Chicago. But no area of the country will escape the tragedy of total collapse in our postal service.

I know, for example, that there are incredible snarls in the mail in my own State of Maryland. An article in the official PTA newsletter of the Walt Whitman High School in Bethesda, Md., demonstrates this. The editor of that publication, Mrs. Mimi H. Smith, informed her readers in the October issue:

> It is regretted that some of the newsletters were not delivered to the homes before the back-to-school night. After a very tight production schedule, the Newsletter is taken to the Post Office 1 week before the meeting, only to meet with contrary routing and delivery. This month, we will try delivering to the separate post offices ourselves and hope for prompter service.

Something is drastically wrong when a local mailing to Bethesda parents cannot be delivered within 7 days after deposit with the post office.

This problem is certainly not confined to Maryland, to Chicago, or to any other section of the country. It is nationwide. The National Association of Letter Carriers has delivered a statement to the Postmaster General and his top aids today. This document lists examples of long delays and complete failure to deliver the mail, all across the country.' I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

NATIONAL ASSOCIATION OF
LETTER CARRIERS,
Washington, D.C., October 17, 1966.

NATIONWIDE MAIL CURTAILMENTS

Postmaster General LAWRENCE F. O'BRIEN:

Wilmington, Del., October 6: At least eight relays were left out on carriers' routes in relay boxes or brought back to the office without being delivered. Reason: No available manpower and no overtime.

Milwaukee, Wis.: Fifteen parcel post routes eliminated. Hundreds of parcels being curtailed daily.

Stratford, Conn.: Clerks are paid overtime to distribute mail which is eventually curtailed.

Burlington, Iowa: Periodic curtailment of parcel post.

Oklahoma City, Okla.: Branch officers advise that parcel post curtailment was none of their business, and specific information cannot be secured. However, parcel post curtailment continues.

Prosser, Wash.: Because of heavy backlog of postage-due mail, carriers were told to deliver the short-paid matter without collecting postage. First class markups remain for indefinite periods because of no overtime or available manpower.

Ottumwa, Iowa: An isolated incident points out inadequate special delivery service. A special delivery package containing urgently needed medicine arrived and was postmarked 9 p.m. A carrier had to secure permission to deliver it to a hospital because no more deliveries were scheduled that night. At this same office, the special delivery carrier must stop making deliveries in order to deliver relays. Therefore, some specials arriving by 5 a.m. are not delivered until after 9 a.m. At this office circular mail is tagged and dated and then if not distributed within time limits is retagged and redated.

Southfield, Mich.: On Saturday, October 1 seven city routes were not delivered on a day when hundreds of patrons were expecting pension checks, etc.

Waco, Texas: Carriers were frequently called back to work from annual leave because of no overtime being permitted and the shortage of manpower. Route adjustments at this office either occur from four to six months following inspections or not at all.

Bloomington, Ill.: Parcel post curtailment continues daily and occasionally postage-due mail is delayed because of insufficient manpower.

Lima, Ohio: Thirteen routes in this office have been overburdened by at least two hours since the first of the year. Parcel post is being curtailed daily.

Bozeman, Mont.: September 24, three relays covering an area of 44 blocks were not delivered thereby causing weekend delay of first class and other mail matter.

Lufkin, Texas: First class mail has been curtailed daily during the week of October 3. One of the two trip routes has not had afternoon or second delivery made during that entire week.

Missoula, Mont.: Several carriers called back from annual leave because of no overtime. On September 26, twenty large hampers remained undelivered and one hamper of incoming parcel post, including air parcel post and five sacks of newspapers were not worked for delivery.

Marion, Indiana: On October 7 route 26 was not delivered. No substitutes were available when a regular carrier became ill and no overtime was permitted. In addition, one-third of route 21 was not delivered on October 7.

Wichita, Kansas: September 29 two streets were not delivered on Rt. 603 because of no overtime. Parcel post is curtailed on Rt. 604 periodically. Reader's Digest magazines were curtailed for ten days on Rt. 601. Time value mail has been delivered after the sale was over. Markups are not processed daily. Daily newspapers are delayed two and three days with three editions periodically being delivered at the same time.

Rockville, Conn.: All classes of mark-ups on mounted Rt. #1 not processed for full week. (300 letter size—150 flats).

Adrian, Michigan: Three routes curtailed parcel post daily. Despite the fact that Aux. Rt. #20 curtails daily, this route has not been converted to regular status.

Bozeman, Mont.: Postmark on one curtailed package was October 1, 1966, and it was mailed from Livingston, Montana only 26 miles away—parcel still not delivered October 8.

Mansfield, Mass.: Truck used to dispose of waste at City Dump while parcel post curtailed.

New York, N.Y.: On Monday, October 10, five parcel post wagons curtailed 75 sacks of mail; October 11 five wagons curtailed 128 sacks.

San Francisco, Calif.: A carrier returned from annual leave and found mark-ups which existed during his absence tied in a neat bundle and filed under his desk. ABC mail is not being delivered on schedule. Parcel post drivers are carrying mail and parcel post is being curtailed. On October 7, 53 routes remained on the workroom floor undelivered.

Palatine, Ill.: Postmaster, Asst. PM, and supervisors cased mail on October 15. Clerks also delivered mail thereby causing other mail to go undistributed.

Bloomington, Ind.: Sales circulars destroyed with permission of mailer after sales date expired.

Sioux City, Iowa: Two hundred forty sacks third class mail on hand October 1 not distributed as of October 6.

Trenton, Mich.: Assistant postmaster and supt. of mails delivered carrier routes October 15.

Minneapolis, Minn.: Parcel post goes "for a ride". Some circulars remaining longer than a week undelivered. October 10 fourteen Nutting trucks of parcel post curtailed.

Champaign, Ill.: First class mark-ups as old as two weeks with some nixies having laid unprocessed for a month or longer.

Paducah, Ky.: October 10 and 11 five packages of air mail arrived in time but were not worked for p.m. business routes.

Independence, Mo.: Montgomery Ward circulars announcing a one-day sale October 1 were delivered October 10, 11. Readers Digest due to be delivered first week of month were delivered Oct. 14. On Oct. 10 some circulars and samples received September 28 were being distributed to carriers.

Kearny, N.J.: A dated post card informing of an x-ray bus visit scheduled for October 3, 4, 5 was delivered October 6, 7. At this office a collection schedule set for 9 a.m. has been discontinued and replaced by a 5 a.m. collection.

J. H. RADEMACHER,
Vice President.

Mr. BREWSTER. Mr. President, the evidence demonstrates the clear need for speedy rescission of the overtime ban. Unless this is done, there will not be enough qualified employees handling the mail—and the mail simply will not get delivered.

Once again I call on the Postmaster General to heed the warning signs of chaos. The writing is on the wall. Let us not wait until the Christmas rush to act—for by then it will be too late.

THE ARAB BOYCOTT AND AMERICAN BUSINESS

Mr. WILLIAMS of New Jersey. Mr. President, the New York Times for October 17 carried a most interesting story on the Arab boycott and its effect on American businesses trading in the Near East. The Arab boycott is another attempt of the Arab nations to fulfill their policy of the destruction of Israel. Fortunately, it has not been successful as a weapon of economic warfare and remains a pathetic and spiteful harassment of legitimate business. As Mr. Hedrick Smith points out in his story, the boycott is not enforced on any systematic basis, and its application remains subject to the capricious whim of the individual nations. In his article he tells of one ship carrying grain to Beirut; because it had made a stop at Tel Aviv on the same voyage, the ship was blacklisted. To purge itself of this infraction of the rules, the ship went to Cyprus, offloaded the grain, reloaded the grain, and returned to Beirut to make delivery. This story illustrates the utter absurdity of the whole boycott operation. It also demonstrates another fact about the boycott: if the Arabs want and need a product or a service, the boycott is forgotten. For example, there is a Hilton Hotel in Tel Aviv and in Cairo. I am sure that many responsible Arab leaders recognize that the boycott does them no good and denies them needed goods and products.

Businessmen confronted with demands from the Arab boycott office should know that it is our clear national policy neither to support nor to condone this boycott of Israel. The Congress expressed itself on this issue when it added language to the Export Control Act stating this policy and making it a requirement of law that businessmen report to the Commerce Department requests for information or demands from the Arab boycott office. Further, the Secretary of Commerce was directed to establish regulations which would protect American businessmen from the Arab boycott. I am, therefore, dismayed that we have not been more successful in this endeavor. Even more dismaying is the statement in Mr. Smith's article:

> Washington's hands are technically tied by a Congressional resolution approved in June, 1965, which asserts that it is against United States policy to recognize a foreign boycott against a friendly nation.

Mr. President, someone, somewhere, is badly confusing everyday recognition in the sense that we see and know what is patently a reality and diplomatic recognition in the sense that a nation accepts the action or policy of another nation legitimate and within the bounds of proper international behavior.

Mr. President, someone is hiding his head in a semantic sandhill while avoiding carrying out the intent of Congress.

I am also dismayed to read one provision of the legislation enacted last year—requiring American businessmen to inform the Department of Commerce of any approach from the Arab boycott office—described as an additional problem.

What is the problem?

It seems to me that if the Congress goes on record, after considerable debate, against the Arab boycott, no one can pretend that the boycott does not exist and that the United States does not have a policy. I certainly hope that our embassies abroad are fully aware of this policy and are taking steps to carry it out. Rather than ignoring the boycott, we should make it a principal item on the agenda for any negotiations we undertake with Arab nations. I can assure the unnamed diplomats who told Mr. Smith that we should not discuss the boycott with the Arabs because that would be recognizing the boycott, that the American businessman knows the boycott exists and that he resents it; the Congress knows it exists and has made its views crystal clear. It seems to me that it is high time that these unnamed diplomats recognize that it exists and take steps to end it. I am certain that Secretary Connor and Secretary Rusk always conscientiously carry out U. S. policy; in this case they will have the full support of the American people and the Congress in any steps they take to end the iniquitous folly of the Arab boycott. I ask unanimous consent that Mr. Smith's article in the New York Times be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

ARAB BOYCOTT CHALLENGING MAJOR U.S. CORPORATIONS—COMPANIES WORK BEHIND SCENE TO OFFSET EFFECT OF 13 NATIONS' ANTI-ISRAEL POLICY—FORD, COCA-COLA AND RCA PERILED

(By Hedrick Smith, special to the New York Times)

CAIRO, October 16.—The Arab boycott of Israel, in effect 15 years, is posing its most striking challenge to American industry.

Such industrial giants as the Ford Motor Company, its subsidiary, the Philco Corporation, Coca-Cola International Corporation, the Radio Corporation of America, the Zenith Radio Corporation and Sears, Roebuck & Co., have either felt the bite of the boycott or are working to avoid a threatened embargo by the Arab states.

Action or impending action against these major American companies has set off extensive behind-the-scenes politicking and bargaining in the silent, largely hidden, pressure game that arises from the Arab's economic cold war with Israel.

The Ford and Coca-Cola cases are particularly tricky because of potential repercussions of a boycott on their widespread operations in the Arab world, mostly owned and operated by Arab businessmen.

Both companies have discreetly approached Arab officials with offers to increase their operations in Arab countries to offset planned expansions in Israel, which got them in trouble in the first place. Their argument is that boycott action against them would work against Arab economic self-interest in the long run.

The League of Arab States, formed in 1945, consists of the United Arab Republic, Iraq, Jordan, Lebanon, Saudi Arabia, Syria, Yemen, Algeria, Kuwait, Libya, Morocco, the Sudan and Tunisia.

The situation is rapidly approaching a showdown. The Arab Boycott Committee, composed of the 13 Arab countries and several small states from the Persian Gulf region, will hold its semi-annual meeting in Kuwait on Nov. 16 to decide whether to blacklist Ford and its subsidiary, Philco, the Coca-Cola Export Corporation and RCA. All have been placed on the agenda for the session and have been warned against dealing with Israel. General Motors may also be discussed.

Zenith and Sears, Roebuck have already been blacklisted, Zenith for its decision to forsake Arab markets and produce television sets in Jerusalem and Sears out of apparent confusion with an unrelated British company named Sears. The American Sears has nettled boycott officials by declining even to explain its innocence.

To some ardent Arab nationalists, this fall, the culmination of a steady build-up in boycott activities, represents a make-or-break test. Others see the situation in reverse: a deliberate attempt by Israel to "up the anti" by soliciting offers from important American manufactuers to pose a direct challenge to the boycott.

Still others, most notably the United States Government, would like to avert a head-on economic clash with its inevitable political overtones. But Washington's hands are technically tied by a Congressional resolution approved in June, 1965, which asserts that it is against United States policy to recognize a foreign boycott against a friendly nation.

Even to complain about the Arab boycott or to help negotiate a solution to the present impasse would be to recognize the boycott, American diplomats feel.

Furthermore, while the United States presses its own embargoes against Cuba and North Vietnam, among others, it is in an awkward position to protest to the Arabs about the impropriety of their anti-Israel boycott or to the Israelis about their counterboycott of the Arabs.

For businessmen, walking an economic tightrope in the Middle East is an old problem. For years they have faced a dilemma: whether to do business with Israel, a nation of 2½ million people, and run the risk of having their products banned by 13 Arab countries with 100 million people; or whether to cater to the Arab market, ignore Israel and risk pressures from Zionists and Jewish groups in the United States, Europe and elsewhere.

Now, American companies have an additional problem—Congress has encouraged them to refuse to answer Arab boycott questionnaire, though such refusal can lead to blacklisting in some cases. Instead, the companies are supposed to report to the Commerce Department any approach from Arab or Israeli boycott offices.

The Arab boycott began in earnest in 1951 as a campaign to weaken Israel's economy and armed forces by limiting her access to foreign markets, sources of arms and supplies, and foreign capital and technical know-how.

Arab officials assert that though the boycott has not crippled Israel it has nonetheless achived considerable success. Mohammed Mahgoub, the Egyptian commissioner-general of the boycott, says that since 1951 the organization has taken action against 8,000 to 9,000 companies.

Of these, he says roughly 90 per cent eventually complied with boycott regulations. The other 10 per cent, or about 800 companies, refused because, according to Mr. Mahgoub, they are "Zionist controlled."

ARMS STILL DELIVERED

Israeli officials are said to consider the boycott more of a nuisance than a serious deterrent to economic development or military security. Arms deliveries from France, West Germany and others have not been significantly affected.

Israeli officials also maintain that each time important companies, such as major airlines, stand firm, action against them is dropped not because they have complied with regulations but because the Arab states have found they cannot enforce the boycott.

Independent observers also note important boycott loopholes. Japanese industry, for example, which does 25 times as much business with the Arabs as with Israel, has segregated its foreign trading companies into those that deal with Israel and those that deal with the Arabs.

Communist countries adopt the same approach, setting up special companies to deal only with Israel. In the West, such concerns as Revlon, Inc., the Chemstrand Corporation and Zenith have written off the Arab market and concentrated on Israel.

Others trade with Israel through middlemen, or relabel the products they sell in Israel or handle their trade through third countries.

According to an assessment by the United States Commerce Department last May, there is "a general pattern of refusal by American firms" to comply with boycott warnings about their over-all business relations with Israel. The study, added, however, that exporters were "more inclined to cooperate" with boycott rules on shipping, which affect roughly two-thirds of the Arab boycott cases involving American companies.

Some analysts report that Arab countries have had to pay a considerable price for boycott regulations on international shipping. The reason is that shippers eventually pass on to Arab customers the costs of delays or blocked cargos caused by enforcement of the boycott.

Although the most sensational boycott cases often involves the United States, Britain, West Germany and France, the boycott's effect is worldwide. The most recent group of additions to the Arab blacklist included Israeli ventures in four African countries—Sierra Leone, the Congo, Ethiopia and Nigeria.

India, one of the Egyptians' most important trade and payments partners, has 21 concerns on the blacklist, including the Government-owned Praha Machine Tools Co., Ltd. Ships from Bulgaria, Poland and other Communist countries are periodically barred from Arab ports because of blacklisting.

Arab spokesmen, asserting that the boycott is not based on religious or racial discrimination, note that Arab countires deal with some Jewish companies, whereas Moslem-owned companies in Turkey, Iran and Cyprus have been blacklisted by the Israelis.

Inconsistency in applying the recommendations of the boycott headquarters in Damascus, Syria, or the decisions of the Arab

League Boycott Committee, has made it exceedingly difficult for businessmen to know the ground rules. Major oil companies have clerical workers constantly keeping track of which ships are blacklisted.

Technically, the boycott is not applied, as one Arab League document explains, against companies with "pure normal trade dealings with Israel" in which Israeli customers pay hard currency for finished imported products, unless they are "helpful to the war effort of Israel."

Officially, the boycott is imposed against companies that have factories or assembly plants in Israel either run by the parent concern or its agent companies that import Israeli products; companies that help Israel prospect for oil or other natural resources that will strengthen the economy; companies that provide consultant or technical services to Israeli industry or grant Israeli companies manufacturing licenses or the right to use brand names; and the parent concerns or subsidiaries of blacklisted companies.

HOTELS IN BOTH AREAS

Generally, service industries have not been affected, even though they may provide jobs and hard currency earnings for Israel. Hilton International Company, for example, has hotels in Cairo and Tunis, is opening a new one in Morocco, and has one in Tel Aviv. The Sheraton Corporation of America, which has a hotel in Israel, signed a contract this summer to run a hotel in Cairo.

Trans World Airlines, Pan American World Airways and other international carriers serve Israel as well as the Arab states. Some banks have acted as financial agents for Israel while handling Arab accounts and loans. A ripple of anxiety went through the New York financial community two years ago when the Arabs threatened to boycott the Chase Manhattan Bank on grounds that it had handled an Israeli bond issue. But the boycott was never imposed.

Ships are blacklisted if they try to stop at an Israeli and an Arab port on the same round-trip, if they transport Jewish immigrants or articles of war into Israel, or if they carry Israeli industrial, commercial or agricultural experts.

Some Arab officials insist that the current cases involving major American companies fall under these rules. Ford is in hot water for having licensed its Israeli dealer, Palestine Automobile Corp., Ltd., to assemble knocked-down British and American Ford trucks and tractors. Coca-Cola is in trouble for having granted a franchise for a bottling plant in Israel to Abraham Feinberg, a New York banker.

The Israeli agent of General Motors, Leo Goldberg, announced in late September a "concrete offer" by the giant American car manufacturer to invest in an automobile assembly plant in Israel. Five days later the boycott director of Lebanon warned that if this were true he would move to put General Motors on the agenda for the boycott meeting in Kuwait. Press reports from Kuwait said General Motors issued a statement there last Wednesday denying plans to invest in an assembly plant in Israel.

No Arab official has yet publicly disclosed the alleged offense by R.C.A., but other sources suggest that it may involve the pressing of phonograph records in Israel.

The Ford case has potentially the widest implications of any so far affected by the boycott. If carried out to the letter against Ford, the boycott not only would affect the parent company but also 30 subsidiaries, including Philco, which has sizable television and radio sales in Lebanon, Libya and Saudi Arabia and reported military communications contracts in Jordan, Libya, Morocco, Saudi Arabia and Tunisia.

John Andrews, Ford's vice president for foreign operations, is said to have pointed out to Arab officials that there were about 60,000 Ford vehicles in Arab countries that would continue to need spare parts. To this, Mr. Mahgoub, the Boycott chief, replies that Ford parts are made by three independent American companies and if Ford is boycotted, Arab customers will buy directly from these concerns.

In addition to a network of Arab-owned dealerships in Arab countries, Ford has two assembly plants, one in Morocco and one in Alexandria. The Egyptian plant, with 300 employees has been idle except for spare-parts business for 18 months because Cairo did not allocate the foreign exchange to buy assembly kits abroad.

Egyptian authorities have repeatedly urged Ford to manufacture trucks and cars for re-export to offset import costs and to help Cairo earn hard currency. Not long after the first boycott warning, Ford is reported to have made "an attractive offer" to comply with this request to make trucks and other vehicles for export.

NEW COCA-COLA ARRANGEMENTS

Like Ford, Coca-Cola has been doing business in Israel for years but the boycott office maintains that new arrangements for a local bottling plant there to replace direct sales of bottled soft drinks to Israel, "violates permissible activities."

But as in the Ford case, boycotting Coca-Cola could have a boomerang effect in the Arab world. According to Arab statistics, Coca-Cola has 29 bottling plants in Arab countries with 5,000 local employees.

When Americans observe that these plants would close and people be thrown out of work, Arab boycott enthusiasts reply that the plants could be nationalized and converted to production of local soft drinks. The United Arab Republic has started promoting a new Coke-colored drink called Randa, but it has failed to gain wide acceptance.

Coca-Cola has recently taken large advertisements in Egyptian newspapers to emphasize its contribution to the economy and to disclose plans for building a concentrate plant, its first in the Middle East, at Port Said. This is a new development since the boycott warnings to Coca-Cola.

A number of boycott administrators privately take a pragmatic approach to blacklisting foreign concerns. One high official in Alexandria confided to a foreign friend that "if it's in our interest, we should continue to import a product" even if it technically should be boycotted.

"The problem," one businessman explained, "is to get this off a question of principle and onto the level of practicality. What is needed is a new recognition of what is in the Arab self-interest and what is not. We hope for a rational turn in this direction."

Legalistic application of boycott rules in the past has occasionally led to bewildering results. Several years ago an American ship arrived in Beirut to unload some wheat after a stop at Haifa. She was forced to go to Cyprus and unload there to purge herself, then take on the wheat again and deliver it to Beirut.

More recently, American vessels have been able to clear themselves of the blacklist when they delivered American food shipments to Cairo by declaring they would not return to Israel again.

ACTOR A VICTIM

Sal Mineo, the American movie actor, was once blacklisted for having played a Zionist fanatic in the movie "Exodus" but the ban was lifted after he portrayed an Arab nationalist in another film, "Escape From Zahrein."

Two years ago, the Lebanese boycott office refused to permit the showing of Walt Disney's "Sleeping Beauty" because the horse in the movie had an Old Testament name—Samson. The Lebanese boycott director wanted it changed to Simson, but that would have required a new soundtrack.

Even athletic teams are supposed to "keep clean." Three years ago, however, the Tottenham Hotspurs, one of Britain's leading soccer teams, played an exhibition in Cairo shortly after appearing in Tel Aviv. There was not a word of protest.

"When it suits them, they stew about it," one Britain said. "And when it doesn't, they ignore it."

Implementation of the boycott is left to each country or its boycott director. Recommendations from the central boycott office or decisions of the twice-a-year boycott meetings, attended by the 13 Arab League states plus five Trucial States, are not binding. Each country applies them as it sees fit, or can initiate action on its own.

In Lebanon, censors carefully clip out newspaper and magazine advertisements of El Al, the Israeli airline, from foreign publications. In the United Arab Republic, these pass without notice.

EGYPTIANS MOST PRAGMATIC

In the past, Syria and Lebanon have been among the most aggressive in raising boycott cases. Kuwait, Libya and Saudi Arabia also have reputations for harsh enforcement.

One theory is that the oil producing countries are rich enough to buy substitutes for the products they embargo. Another is that private businessmen who do most of the trading have less influence than state-owned companies in the socialist Arab states with the public officials who run boycott offices, and are less able to get concessions for their favorite products.

Ironically, the United Arab Republic, though it is the self-proclaimed leader of Arab nationalism, is considered the most pragmatic in its approach, often overlooking violations of companies with which it feels it must deal.

Algeria, Morocco and Tunisia, the western Arab countries, reportedly ignore the boycott more than they observe it, since they are generally less involved in the Israeli issue than eastern Arabs.

MAURINE B. NEUBERGER, STATESWOMAN

Mr. YARBOROUGH. Mr. President, when the distinguished Senator from Oregon, MAURINE B. NEUBERGER, retires at the close of this session of Congress, the Senate will sustain a regrettable loss: Senator NEUBERGER will take with her more than her share of the Senate's wisdom, more than her portion of its wit, its energy, and ability, more than a hundredth part of its foresight and—not the least of all—much more than an equal share of its beauty.

Senator NEUBERGER is one of only four women ever to be elected to serve in the U.S. Senate, though six others have served short terms by appointment only. Her effective presence here has done more to prove the worth and rightness of women's suffrage than all the parades the old suffragettes marched in, more than all the women's auxiliaries and their resolutions, more than all the speeches and opinions. She has proved, beyond all lingering doubt, that a stateswoman can make great contributions to our national life and politics and be no less a woman for it.

I admire her greatly, Mr. President, and I regret seeing her go. During her 6 years in the U.S. Senate she has authored and supported some of its most progressive legislation and contributed substantially to the reputation the 89th Congress has gained as the social Congress, the Congress of enlightenment.

Senator NEUBERGER has worked for Federal aid to education, for grants to handicapped children, for research in cancer, for conservation measures and extended social security benefits, for housing for low-income families and the aged, for maritime adjustment and congressional reform, for air pollution control, and for consumer protection against fraud. She is best known nationally, of course, for her tireless campaign to bring the incredible health dangers of smoking to an overadvertised public. But this is only one indication of her concern for the general welfare.

The Senate has known the good company and learned counsel of two Neubergers of Oregon, and they have left a worthy mark upon this body. We have had a Neuberger in the Senate for six Congresses, and the Neuberger name stands in the Nation as it does in Oregon, for concerned and visionary leadership.

I know that Senator NEUBERGER retires from the Senate only to go on to another forum where she will pursue the same ideals and the same progressive thought that she so ably represented in this body. I wish her the very best in that pursuit and in the years to come.

BASIS FOR NEGOTIATED SETTLEMENT OF VIETNAM WAR

Mr. McGEE. Mr. President, the Friday, October 14, 1966, editorial in the Washington Evening Star spells out in an excellent way and in simple terms the significance of Secretary of State Dean Rusk's recent speech which indicated what would be considered as a basis for a negotiated settlement of the Vietnam war.

As the editorial correctly observes, the responsibility rests squarely on the shoulders of Hanoi and Communist China—where it has rested all the time.

The administration has once again—on the eve of the Manila Conference—bent over backward to make our position clear and simple. Let us hope that it may evoke some signal of responsiveness.

Mr. President, I ask unanimous consent that the editorial be printed at this point in the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

ESCALATING THE PEACE OFFENSIVE

It has now become abundantly clear that the United States, through all available channels, is engaged in a genuine search for the high road out of Viet Nam. The sincerity of the effort should be apparent not only to the American people and our allies, but to the leaders in Hanoi, Peking and Moscow as well.

The escalation of the peace offensive has been in progress since late summer. It has been reflected in official pronouncements by high administration officials and in the increasing efforts by friendly and non-aligned governments to elicit some favorable response to our overtures; efforts which were, in turn, unquestionably prompted by covert diplomatic activity.

Now, the activity has been climaxed by a speech by Secretary of State Dean Rusk, setting forth in very precise terms exactly what we would accept as the basis for a peaceful solution. If, Rusk said, North Viet Nam will withdraw its regular army units from South Viet Nam, and if Hanoi will stop supplying the Viet Cong, the American forces will be withdrawn. The indigenous Communist forces and the Saigon government would then be left to settle their differences by negotiation or continued war.

The public announcement was noteworthy for two reasons. First, it answered the question of exactly what was meant by our repeated statements that if aggression from the North would cease, we would pull our men out. Second, the statement set forth terms for a peaceful way out of the confrontation that need not necessarily involve formal peace talks. If the Hanoi government is as loath as it appears to be to come to the conference table, there would be no necessity for it to do so. And since Hanoi has persisted in denying that any regular troops are operating in South Viet Nam and that no arms are being sent to the guerrillas south of the demarcation line, there would be no loss of face in the withdrawal of forces and cutting off of supplies.

What remains is to convince the government in Hanoi that these are not empty words, and that we mean exactly what we say. This effort, it is clear, is going ahead through the sequence of talks between President Johnson and top level representatives of France, Russia, and Laos.

Will the effort work? It would seem incredible that Hanoi has not gotten the message, loud and clear, or that the leadership there can continue seriously to doubt this nation's motives. It would seem equally unlikely that North Viet Nam can still harbor any hope of dislodging the United States forces by armed strength. If these two conditions do exist, as they appear to, the next logical step would be an encouraging sign from Hanoi—a signal that would almost certainly be acknowledged by a halt in the bombing north of the demarcation line.

That is the logical sequence of events. But logic, in this instance, may not be the deciding factor. For also in the picture is the vast and possibly disruptive influence of Communist China. If China believes that she cannot afford to cap her recent series of diplomatic setbacks with an aborted "war of liberation" in Viet Nam, the war will go on. If, on the other hand, China decides that the best way out is to cut Hanoi loose to act as free agent, the end may not be long delayed.

BUSING FAILS TO IMPROVE NEGRO PUPILS

Mr. BYRD of West Virginia. Mr. President, I wish to insert in the RECORD an article, entitled "Busing Fails To Improve Negro Pupils, Trial Told," which appeared in the October 18, 1966, edition of the Washington Post.

There being no objection, the item was ordered to be printed in the RECORD as follows:

BUSING FAILS TO IMPROVE NEGRO PUPILS, TRIAL TOLD

Negroes bused from crowded inner-city schools to undercapacity white schools in Baltimore since 1963 have not improved their performance, an educator testified yesterday in a Washington suit over de facto school segregation.

If anything, the achievement of the 800 Negroes has gone down, said George B. Brain, former Baltimore City school superintendent and now dean of Washington State University's College of Education.

Brain's testimony came as city attorneys began their second week of defending Washington's present school system practices in a suit brought by civil rights activist Julius Hobson in U.S. District Court.

Hobson and his attorney, William Kunstler, contend that the Washington school system is not making a full effort to integrate its faculties or the 7 per cent white and 93 per cent Negro pupil population. They also claim that less money is spent on Negroes. Their education is inferior and academic results show it, they say.

Brain said standardized test patterns in 1964 and 1965 showed "no statistically significant difference in the achievement level" of 800 bused students in Baltimore. But, he added, the pupils remaining in the inner city schools enjoyed a lower teacher-student ratio and increased their achievement level.

Kunstler contended earlier in the three-month-long trial before Judge J. Skelly Wright that achievement tests are white-oriented and cannot be accurately applied to the ghetto Negro.

Asked about the touchy question of integrating urban and suburban pupils, Brain said he had considered busing "disadvantaged" children from the city to surrounding Baltimore County for "assemblies and exchanges . . . but not for permanent classroom attendance."

He said he felt integration was culturally and educationally beneficial for both races.

Busing, changing of school boundaries and providing of compensatory education are only "temporary measures" to improve opportunities for the disadvantaged, he said. A "massive infusion of money and resources" is needed to close the gap ultimately, he said.

PRESIDENT LYNDON B. JOHNSON PRAISED FOR LEADERSHIP IN CONSERVATION OF NATION'S RESOURCES AND BEAUTY

Mr. YARBOROUGH. Mr. President, this 89th Congress has enacted into law 20 major conservation measures in cooperation with the administration and the dedication of President Lyndon B. Johnson toward the cause of preserving for present and future generations the natural resources and beauty of America.

On October 15, 1966, President Johnson signed into law six new conservation bills that illustrate this continuing concern for an America where there is a refuge from the clatter and the clamor of the city. These bills established the Guadalupe Mountains National Park in Texas, the Pictured Rocks National Lake Shore in Michigan, the Bighorn Canyon National Recreation Area in Montana, the Wolf Trap Farm Park in Virginia, and increased the land in the Point Reyes National Seashore in California.

President Johnson often has made plain his interest in conservation. The administration and the Congress have joined hands in open space and urban beautification programs, in the development of outdoor recreation areas through the land and water conservation fund, the Highway Beautification Act and numerous other projects.

This interest is more than a program; President Johnson has called it a crusade. I believe no other President in the history of our Nation has had a deeper concern for conservation, or done more to preserve and improve the face of America.

I ask unanimous consent to have printed at this point in the Record the remarks of the President upon the signing of the conservation bills in the Cabinet Room of the White House on October 15, 1966, which I was privileged to attend.

There being no objection, the statement was ordered to be printed in the Record, as follows:

The Cabinet Room,
October 15, 1966.

Remarks of the President Upon Signing Six Conservation Bills—the Cabinet Room, October 15, 1966

Secretary Udall, Senator Mansfield, Senator Jackson, Senator Bible, Congressman O'Brien, Senators from the States involved, Members of Congress, Mrs. Johnson, ladies, and gentlemen, we have come here this morning to give part of our country back to its people.

When our forefathers came here they found nature's masterpiece. They found a beautiful, rich, varied, fertile land, a whole continent to farm and to hunt upon, and to explore.

As Robert Frost said, "The land was ours before we were the land's. She was our land more than a hundred years before we were her people."

Our pioneer fathers made this beautiful land a great nation. But when the wave of settlement reached the Pacific, it turned back upon itself. America began to exploit the land. We chopped down its forests. We abused its soil. We built upon its beaches.

Some Americans realized our loss—Gifford Pinchot, John Muir, Theodore Roosevelt, Franklin Roosevelt, Harold Ickes. They saw that America could be great only as long as Americans could commune with the land. They were the architects of American conservation.

Today our crowded country thanks them—thanks them for their courage and for their vision, and for their generosity.

This year, we reach a milestone in the history of conservation. This year, thanks to the 89th Congress, we will restore more land for more parks, for more playgrounds for our children to use than we will lose to housing ventures, to highways, to airports, and to shopping centers.

We are creating recreation areas where they will do the most good for the greatest number, for all of our people—near our cities, where most of our people live. We are putting national parks and seashores where a man and his family can get to them.

The father that is the mechanic can load his five children in his car, and in an hour or two hours, or three hours, take them to a nearby playground.

The 89th Congress has done all of this. It has enacted 20 major conservation measures.

Today we pay tribute to that Congress.

Today we establish by Act of Congress:

The Guadalupe Mountain National Park in Texas. That is a great tribute to the Senator from Texas, Senator Yarborough, who has been the outstanding leader in conservation in that State.

The Pictured Rocks National Lake Shore in Michigan.

The Big Horn Canyon National Recreation Area in Montana.

The Wolf Trap Farm Park in Virginia.

We increase the land in the Point Reyes National Seashore in California. And if we don't stop Mrs. Johnson going out there we will increase it some more, I am afraid.

I am also signing today the Endangered Species Preservation Act and the National Historic Preservation Act. Both of these will help us to preserve for our children the heritage of this great land we call America that our forefathers first saw.

The bills that I will now sign help enrich the spirit of America.

These Acts of Congress help assure that this land of ours—this gift that is outright from God—shall be the most precious legacy that we leave.

I want to express my gratitude to the leaders of the parks movements, the recreation areas, the State commissions and their executive directors, for their enlightened interest, for their support, and particularly for the presence of a good many of them this morning.

CONCLUSION OF MORNING BUSINESS

The VICE PRESIDENT. Is there further morning business? If not, morning business is closed.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The VICE PRESIDENT. Without objection, it is so ordered.

YEAR 1966 AMENDMENTS TO THE HOUSING ACT—CONFERENCE REPORT

Mr. SPARKMAN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3708) to assist comprehensive city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes. I ask unanimous consent for the present consideration of the report.

The VICE PRESIDENT. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of Oct. 20, 1966, pp. 28113–28127, Congressional Record.)

The VICE PRESIDENT. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. SPARKMAN. Mr. President, we have had a full and free discussion in an open conference between the House and Senate on the House bill. Previously, the Senate had passed two bills; namely, S. 3708 and S. 3711. However, the House combined the two bills into one. It took up S. 3708 and put a great part of S. 3711 into it as an amendment. However, there were a few items in the Senate bill that they did not include. There were five items that we had to drop because we were advised by the Parliamentarian of the House that they would be subject to a point of order under the Rules of the House.

I think it might be well to enumerate them:

First. Authorizing FHA to insure mortgages on seasonal homes.

Second. Fellowships for graduate training in historic preservation.

Third. Clarifying authority for the leasing of newly constructed housing by public housing authorities.

Fourth. Purchase by FNMA of mortgages dated prior to August 2, 1954.

Fifth. Conforming nomenclature in statutes to include the Department of Housing and Urban Development.

Mr. President, I ask for the yeas and nays on the conference report.

The yeas and nays were ordered.

UNANIMOUS-CONSENT AGREEMENT

Mr. SPARKMAN. Mr. President, I should like to propound a unanimous-consent agreement that the vote on this conference report come not later than 12:45 o'clock p.m.

The VICE PRESIDENT. Is there objection to the request of the Senator from Alabama? The Chair hears none, and it is so ordered.

Mr. SPARKMAN. Mr. President, some of these items which were left out of the House-passed bill were felt by certain Senators to be quite important. The House conferees made a commitment to us, but, of course, it was in the nature of a gentleman's agreement because naturally Members of one Congress cannot bind Members of the next Congress; but they did agree that early next year they would cooperate with us in getting through new legislation for the items that had to be dropped.

I shall be brief in my presentation, but I want to point this out, because a great many Members, I am sure, are interested in this subject.

S. 3708 was a bill for demonstration cities and as passed by the Senate was a much better bill than the one previously introduced. Let me say that this is to the credit of the Senator from Illinois [Mr. Douglas], who introduced the original bill, and to the Senator from Maine [Mr. Muskie], who worked so hard in revising the bill and actually managed it on the floor of the Senate.

In that connection, I was opposed to a demonstration cities bill. I voted against it in the committee. I was absent, as I recall, at the time it was taken up by the Senate, but I was paired against it at that time.

Even though I am still opposed to the concept of demonstration cities and the way it would be authorized under the bill, the demonstration cities provision was not in conference because the Senate and the House provisions were virtually identical. The House took the demonstration cities provision as passed by the Senate, almost word for word—there may have been a few technical changes—but the substantive part is identical to what the Senate passed. Therefore, it was not in conference and there was no disagreement and nothing that could have been done by the conferees to change what the two bodies had already agreed on.

The items that were in conference on the bill were those relating to amendments to FHA insurance, amendments to FNMA, amendments to urban renewal and to rural housing—the fact is, we passed it that way as amendments to existing housing laws, and it was on that basis that S. 3711 was passed.

The great majority of the items which the Senate approved were included in the conference agreement, although some were omitted, as I pointed out, because they would be subject to a point of order in the House.

Some of the items which the House passed that the Senate did not agree to are included. The principal one is the new provision for FHA insurance for new towns.

The Senate Banking and Currency Committee, both the Housing Subcommittee and the full committee and the Senate itself, all have turned down the so-called new town legislation, I believe on three different occasions. We did want to take it this time but found the House conferees adamant and we felt obliged to work something out. The Senate conferees promised they would go along provided certain restrictions were placed on the proposal. The Senate conferees insisted upon it. One was that it would be on an experimental basis and for 5½ years only—that is, until June 30, 1972.

Second, that the program be on a limited basis—that is, by the amount of FHA insurance outstanding; and, third, that before FHA could accept an application for new town insurance in any area, the consent of the local governing body or bodies, as well as the Governor of the State, would have to be obtained.

With these limitations, the Senate conferees reluctantly accepted the new town idea on an experimental basis.

(At this point, Mrs. NEUBERGER took the chair as Presiding Officer.)

Mr. SPARKMAN. Madam President, I believe that covers the items in the bill briefly but completely.

I wonder whether the Senator from Maine [Mr. MUSKIE], who managed the bill, S. 3708, would like to make some remarks at this time?

Mr. MUSKIE. Yes. Madam President, the report which has just been made by the distinguished Senator from Alabama is correct. It gives the substance of what was done in conference. The demonstration cities bill was not in conference because the House version was essentially that which the Senate approved; so that the conference revolved about the differences between the House and Senate versions of the FHA insurance provisions of another bill, and so forth.

What was quite frustrating was the fact that the Senate, having passed the two bills as separate pieces of legislation, and the House having passed similar provisions as one piece of legislation, the second Senate bill was not in conference as such. So that any provisions of the second Senate bill in which we are interested, including in the conference, were subject to a point of order.

We fought hard to include the five items which the distinguished Senator from Alabama has described.

I had a particular interest in the seasonal homes version. The House managers were convinced of the merits of that proposition. On yesterday, agreement was obtained on it and it was concluded tentatively to include that provision in the conference report; but this morning the House Parliamentarian ruled that that provision, not having been included in the House bill, and the Senate bill not being in conference, the seasonal homes provision was not germane to the conference and could not be included or it would be subject to a point of order in the House.

I say this because I know the particular interest of the Senator from Michigan [Mr. HART], as he was the sponsor of the original bill.

We worked it out in the Senate committee and in conference. It is a viable proposition and holds great promise for development of the rural undeveloped areas of his State and my State.

Mr. HART. Madam President, will the Senator yield?

Mr. MUSKIE. I yield.

Mr. HART. I wish to thank the Senator from Alabama and the Senator from Maine and the conferees for going as far as they were able to go. I am glad to know that the House conferees were persuaded as to the merits of it. It promises enactment of it shortly after the beginning of next year's session.

Mr. MUSKIE. Yes. We have gone a long way down the road toward enactment. With the sympathetic reaction we have received, there is great promise for development of relatively undeveloped lake and seashore areas of New England and the Midwest.

Madam President, I think it should be noted that the conference report on S. 3708 preserves the basic provisions and the intent of the Senate version of the demonstration cities title of the housing legislation. You may recall that the Senate Banking and Currency Committee modified the original administration proposal to make the comprehensive city demonstration program truly innovative, responsive to local needs and dependent on local initiative.

The Senate version preserved the intent of President Johnson, making possible:

First. The concentration of available and special resources in sufficient magnitude to demonstrate swiftly what qualified urban communities can do and can become;

Second. The coordination of all available talent and aid on these targets in a way which is impossible where assistance is provided across the board and men and money must be spread thin; and

Third. The mobilization of local leadership and initiative to assure that the key decisions as to the future of American cities are made by the citizens who live there and to commit local leadership, both public and private, to be a comprehensive attack on urban problems, freed from the constraints that have handicapped past efforts and inflated their costs.

The House made several changes in the demonstration cities proposals. Most of them simply made explicit reference to actions the Secretary could not take which were already implicit in the bill. There were two changes made by the House which concerned me. The first dealt with the use of supplemental grant funds; the second involved the metropolitan expediter proposal.

In the Senate-passed bill it was clear that new, innovative, nonfederally aided programs had first claim on the supplemental grants under the comprehensive city demonstration program. A House committee amendment removed the priority requirements between these new approaches and the traditional grant-in-aid programs. Fortunately, in conference the House conferees agreed to recede, thus restoring the original intent of the legislation.

The House also removed the authorization for metropolitan expediters. In spite of the explicit provisions of the Senate-passed bill, preventing the appointment of such expediters except on the request of local officials, some mayors were concerned that they would have the service thrust down their throats. The conferees agreed on compromise language which spells out in more detail the importance of local initiative under this program.

I am pleased to note that the House conferees also agreed to the restoration of a modified version of the Senate's urban information and technical assistance program. This will make it possible for smaller communities to gain the same benefits of coordinated information and technical assistance which the large cities and metropolitan centers can obtain from the metropolitan expediters. This proposal was developed by the distinguished junior Senator from New Hampshire [Mr. MCINTYRE].

Finally, Madam President, I would like to point out that the combination of the demonstration cities, metropolitan planning and development, and urban information and technical assistance programs in this legislation gives us a balanced approach to the problems of our large cities, growing metropolitan areas and small communities. The tools are experimental; the proposals are, in some ways, tentative; but I consider them sound and constructive. I am pleased that they have been incorporated in the compromise version of S. 3708.

Madam President, I think that is about the substance of the conference report. I compliment the Senator from Alabama for his usual patience and effective leadership in conference. We were able, I think, to sustain the Senate's position on most of the items that came before us.

Mr. SPARKMAN. I thank the Senator. I thank him for his fine work and his cooperation.

Mr. COTTON. Madam President, will the Senator yield for a question?

Mr. SPARKMAN. I first yield 2 minutes to the Senator from Oklahoma [Mr. HARRIS].

Mr. HARRIS. Madam President, this is a different bill from the one which passed the Senate.

I choose to vote "nay" on this conference report in order to indicate my strong belief that we must hold the line on domestic expenditures in the face of mounting costs of the war in Vietnam.

Mr. COTTON. Madam President, will the Senator yield?

Mr. SPARKMAN. I yield to the Senator from New Hampshire.

Mr. COTTON. I gather, from the clear and lucid report of the Senator from Alabama, that, like myself, he is not in favor of demonstration cities at this time.

Mr. SPARKMAN. The conference report goes beyond that.

Mr. COTTON. I say, I gather that.

Mr. SPARKMAN. No, I am not in favor of demonstration cities legislation.

Mr. COTTON. The point is, suppose, in voting on the conference report——

Mr. SPARKMAN. I did not favor "new towns," legislation but I think we have pretty well safeguarded the provisions that we finally agreed to in the bill.

Mr. COTTON. In seeking a rollcall on this matter, Senators who, like myself, would under no circumstances tend to cast any vote on this record to sustain demonstration cities at this time, during the war in Vietnam, are obliged, in a sense, to vote against a good conference report and against what was obtained by the conferees in order to sustain that principle. I am surprised that a rollcall has been requested.

Mr. SPARKMAN. I am not sure the Senator's position is correct because his stand is somewhat like mine. I stand against a new demonstration cities program. We could not do anything about the demonstration cities provision, because it was not in conference. There are many useful items in the bill, one of which has to do with urban renewal credit for expenditures made by cities in the construction of public buildings for different areas. The conferees worked out new general language to give all cities the chance of benefiting from the proposal. I said I would rather have this language, giving all cities credit for 25 percent of the cost of certain specified types of public buildings and save us against a rash of cities coming up each year requesting special exceptions.

Mr. COTTON. Let me put it this way. Even if a majority of the Senate—which is not conceivable, but assuming it did—voted to reject the conference report, and the report were rejected, demonstration cities would still be a fact.

Mr. SPARKMAN. I think that is true.

Mr. COTTON. Is that about the parliamentary situation?

Mr. SPARKMAN. For all practical purposes, that is what it amounts to.

Mr. COTTON. If this report were rejected and if no report were accepted, demonstration cities is already in and will go to the President as an act of Congress?

Mr. SPARKMAN. There are a few technical amendments that would have to be taken out, but the House could do that.

Mr. COTTON. It boils down to the fact that if this report were rejected, a vote for rejection would be a vote for demonstration cities to be rejected.

Mr. SPARKMAN. But with amendments it could be remedied by the House and the bill put through as passed by the Senate without any technical changes.

Mr. COTTON. In a sense, a vote for the conference report would be a vote for demonstration cities.

Mr. SPARKMAN. I do not think so. I stated my opposition to a new demonstration cities program, but I do not regard my vote for the conference report as a whole as being a vote for a demonstration cities proposal, because both Houses have acted to approve it and it was not a matter that the conferees could do anything about.

Mr. COTTON. In other words, if the Senator from Alabama voted for the conference report, he could rationalize his own vote, whether he could explain his vote to his constituents or not. To me, I think a vote which needs technical explanation is an unwise vote, if one needs to make a technical explanation to explain that the vote he took was aiding a cause he represented.

I find myself extremely reluctant to vote for the report, even though the conferees did a good job, and even though I understand the demonstration cities is not involved. I find it difficult to cast a vote which can be taken as approval, at any stage of the game, of demonstration cities, which, in substance, or because of technicalities which the Senator has mentioned, would make demonstration cities a fact.

Mr. SPARKMAN. I have voted for many conference reports that had material with which I did not agree. In fact, I know of no conference report with respect to which I agreed on everything that was in it. I voted against some of those items, but I voted for the conference report because there were items in it that I wanted to see written into law. I feel that this is the case regarding the bill before us. There are many very good items in this omnibus housing legislation.

Mr. COTTON. We have all done that many times, but when a conference report is offered that—call it what you like—at least clears the decks for the final enactment of demonstration cities——

Mr. SPARKMAN. Through a technicality only, in that the House passed one bill instead of two bills.

Mr. COTTON. I thank the Senator. We understand each other, though we may not agree on the effect.

Mr. HOLLAND. Mr. President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. HOLLAND. I find myself in very strong accord with what the Senator from New Hampshire has said. That is so because I have been at a hearing on the supplemental appropriation bill. Yesterday we had items, conditioned on adoption of the conference report, amounting to something over $24 million for this program. It was made very clear to us that these two items were wholly for planning, and if the planning went through, there would be requests for hundreds of millions of dollars in appropriations.

To me it seems that our approval of the conference report is laying the predicate for the beginning of a large program in the supplemental appropriation bill this year, and what will follow will be the saddling of another very expensive program on the people of the country at a time when I do not think we should be doing it.

The only way I can demonstrate that I think the whole program is unwise is to vote against the conference report. I do so without casting any reflection upon the conferees.

Mr. SPARKMAN. The matter that the Senator has reference to was not subject to conference.

Mr. HOLLAND. Due to the fact that both Houses had passed some sort of bill. But to vote for that conference report, when it lays the predicate for immediate heavy appropriations, and, very soon, for much enlarged appropriations, is something I cannot consistently and conscientiously do.

I thank the Senator for yielding.

Mr. SPARKMAN. The Senator can understand this: The House passed a bill S. 3708 that was substantially identical with the Senate bill. It had three titles. The House omitted one title. That was put back on by the conferees. I believe the Senator from Florida is referring to titles I and II of that bill, only one of which has to do with the demonstration cities proposal.

Mr. HOLLAND. Madam President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. HOLLAND. I understand what has happened. I voted against the bill when it passed the Senate.

Mr. SPARKMAN. So was I against it.

Mr. HOLLAND. I understand. To maintain my position, and particularly to maintain the position which I expect to take in the Appropriations Committee, and which I shall be unable to take on the floor, because there will be an item in the supplemental bill of over $5 million—and one cannot vote against a bill which contains many worthwhile projects simply because he disagrees with one part of it—and because this is the only time I can show my complete disapproval of this program, I shall vote against the conference report.

Mr. SPARKMAN. Of course, that with which the Senator disagrees is only a small part of this bill; and there is nothing before us so far as disagreement between the two Houses is concerned. I took the position the Senator takes. However, let me say that I do not understand the Senator's figure of $24 million, when the demonstration cities provision calls for $12 million next year.

Mr. HOLLAND. Two items, one of $12 million for planning for so-called demonstration cities, and one for $12,850,000, I believe it was, for the area planning, are before the committee considering the supplemental appropriation right now.

Mr. SPARKMAN. That second part is not a part of the demonstration cities provision.

Mr. HOLLAND. On which the hearings were held yesterday afternoon. Those two items are but two parts of an otherwise large and fine program. As far as the Senator from Florida is concerned, he does not feel he would be consistent at all to vote now for this conference report, when he has voted against the bill and when he does not wish to enter into this highly expensive program at this time.

I thank the Senator for yielding.

Mr. SPARKMAN. I cannot see any way of stopping it, because both Houses have passed it.

I yield to the Senator from North Carolina.

Mr. ERVIN. Madam President, I appreciate my good friend the Senator from Alabama yielding to me.

I wish to associate myself with the remarks of the distinguished senior Senator from Florida. I think it is unfortunate for the Federal Government to embark now upon a new program which will cost the American taxpayers billions and billions of dollars. I think it is a bad precedent for the Federal Government to interject itself so far into the question of the composition of our municipalities.

I do not think that Congress can justify such a program at this time, when we have the war in South Vietnam, and when the country is threatened with inflation. I think Congress ought not to make any pretension that it has any purpose to fight inflation, if it inaugurates such a new program as this. I want the record to show I am opposed to it. I voted against the bill when it was before the Senate, and I shall also vote against the conference report.

I thank the Senator from Alabama for his kindness in yielding.

Mr. SPARKMAN. Madam President, I repeat that the demonstration cities issue was not in conference. We could not have done anything there that would have turned it down. Even if we rejected it here, it still would go through, because both Houses have passed the same bill. All they would have to do would be separate the bills over there, and put it through.

Mr. ELLENDER. Madam President, will the Senator yield?

Mr. SPARKMAN. I yield.

Mr. ELLENDER. The Senator states $12 million is being authorized. For what purpose?

Mr. SPARKMAN. For the planning.

The PRESIDING OFFICER. Under the unanimous-consent agreement heretofore entered into, the time for the vote has arrived. The question is on agreeing to the conference report. On this question, the yeas and nays have been ordered, and the clerk will call the roll.

The legislative clerk called the roll.

Mr. MANSFIELD (after having voted in the affirmative). On this vote I have a pair with the Senator from Oklahoma [Mr. Monroney]. If he were present and voting, he would vote "yea." If I were at liberty to vote, I would vote "nay." I withdraw my vote.

Mr. LONG of Louisiana. I announce that the Senator from Idaho [Mr. Church], the Senator from Missouri [Mr. Long], the Senator from Washington [Mr. Magnuson], the Senator from Missouri [Mr. Symington], the Senator from Maryland [Mr. Tydings], and the Senator from Tennessee [Mr. Gore] are absent on official business.

I also announce that the Senator from New Mexico [Mr. Anderson], the Senator from Alaska [Mr. Bartlett], the Senator from Maryland [Mr. Brewster], the Senator from North Dakota [Mr. Burdick], the Senator from Nevada [Mr. Cannon], the Senator from Illinois [Mr. Douglas], the Senator from Mississippi [Mr. Eastland], the Senator from Arkansas [Mr. Fulbright], the Senator from Alaska [Mr. Gruening], the Senator from Arizona [Mr. Hayden], the Senator from North Carolina [Mr. Jordan], the Senator from New York [Mr. Kennedy], the Senator from New Hampshire [Mr. McIntyre], the Senator from Montana [Mr. Metcalf], the Senator from Minnesota [Mr. Mondale], the Senator from Oklahoma [Mr. Monroney], the Senator from Rhode Island [Mr. Pell], and the Senator from West Virginia [Mr. Randolph] are necessarily absent.

I further announce that, if present and voting, the Senator from Maryland [Mr. Brewster], the Senator from Alaska [Mr. Gruening], the Senator from New York [Mr. Kennedy], the Senator from Washington [Mr. Magnuson], the Senator from Maryland [Mr. Tydings], the Senator from West Virginia [Mr. Randolph], the Senator from Nevada [Mr. Cannon], the Senator from Alaska [Mr. Bartlett], and the Senator from Tennessee [Mr. Gore] would each vote "yea."

On this vote, the Senator from Illinois [Mr. Douglas] is paired with the Senator from Mississippi [Mr. Eastland]. If present and voting, the Senator from Illinois would vote "yea," and the Senator from Mississippi would vote "nay."

Mr. KUCHEL. I announce that the Senators from Colorado [Mr. Allott and Mr. Dominick], the Senator from New Jersey [Mr. Case], the Senator from Kentucky [Mr. Cooper], the Senator from Nebraska [Mr. Curtis], the Senator from Arizona [Mr. Fannin], the Senator from Michigan [Mr. Griffin], the Senator from Idaho [Mr. Jordan], the Senator from Iowa [Mr. Miller], the Senator from South Dakota [Mr. Mundt], the Senator from California [Mr. Murphy], the Senator from Kansas [Mr. Pearson], and the Senator from Texas [Mr. Tower] are necessarily absent.

The Senator from Illinois [Mr. Dirksen] and the Senator from Vermont [Mr. Prouty] are absent because of illness.

If present and voting, the Senator from California [Mr. Murphy] would vote "nay."

On this vote, the Senator from Colorado [Mr. Allott] is paired with the Senator from Nebraska [Mr. Curtis]. If present and voting, the Senator from Colorado would vote "yea," and the Senator from Nebraska would vote "nay."

On this vote, the Senator from New Jersey [Mr. Case] is paired with the Senator from Colorado [Mr. Dominick]. If present and voting, the Senator from New Jersey would vote "yea," and the Senator from Colorado would vote "nay."

On this vote, the Senator from Kentucky [Mr. Cooper] is paired with the Senator from Arizona [Mr. Fannin]. If present and voting, the Senator from Kentucky would vote "yea," and the Senator from Arizona would vote "nay."

On this vote, the Senator from Kansas [Mr. Pearson] is paired with the Senator from Idaho [Mr. Jordan]. If present and voting, the Senator from Kansas would vote "yea," and the Senator from Idaho would vote "nay."

On this vote, the Senator from Texas [Mr. Tower] is paired with the Senator from Iowa [Mr. Miller]. If present and voting, the Senator from Texas would vote "yea," and the Senator from Iowa would vote "nay."

The result was announced—yeas 38, nays 22, as follows:

[No. 308 Leg.]

YEAS—38

Aiken
Bass
Bayh
Bible
Boggs
Carlson
Clark
Dodd
Hart
Hartke
Inouye
Jackson
Javits
Kennedy, Mass.
Kuchel
Lausche
Long, La.
McCarthy
McGee
McGovern
Montoya
Morse
Moss
Muskie
Nelson
Neuberger
Pastore
Proxmire
Ribicoff
Saltonstall
Scott
Smathers
Smith
Sparkman
Williams, N.J.
Yarborough
Young, N. Dak.
Young, Ohio

NAYS—22

Bennett
Byrd, Va.
Byrd, W. Va.
Cotton
Ellender
Ervin
Fong
Harris
Hickenlooper
Hill
Holland
Hruska
McClellan
Morton
Robertson
Russell, S.C.
Russell, Ga.
Simpson
Stennis
Talmadge
Thurmond
Williams, Del.

NOT VOTING—40

Allott
Anderson
Bartlett
Brewster
Burdick
Cannon
Case
Church
Cooper
Curtis
Dirksen
Dominick
Douglas
Eastland
Fannin
Fulbright
Gore
Griffin
Gruening
Hayden
Jordan, N.C.
Jordan, Idaho
Kennedy, N.Y.
Long, Mo.
Magnuson
Mansfield
McIntyre
Metcalf
Miller
Mondale
Monroney
Mundt
Murphy
Pearson
Pell
Prouty
Randolph
Symington
Tower
Tydings

So the conference report was agreed to.

Mr. MUSKIE. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. SPARKMAN. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

TRIBUTE TO SENATOR A. WILLIS ROBERTSON

Mr. SPARKMAN. Madam President, all of the members of the Committee on Banking and Currency, except one, have signed a certificate that I hold in my hand.

I read the resolution to the Senate:

Resolution of Commendation for Services Rendered by Hon. A. Willis Robertson, U.S. Senator From Virginia

Whereas, Senator A. Willis Robertson of Virginia has served the people of this Nation well and ably for 34 years in both the House of Representatives and the Senate, has been a member of the Committee on Banking and Currency of the Senate since January 8, 1947, and has served as Chairman from February 6, 1959; and

Whereas Senator Robertson has exhibited the highest measure of initiative, imagination, and effectiveness in his service as a member and as Chairman of the Committee, and has thereby contributed greatly to the development and enactment of sound and constructive legislation in many fields, including particularly banking and financial institutions, coinage and currency, and defense mobilizations; and

Whereas in the discharge of his duties Senator ROBERTSON has been ever mindful of the rights, responsibilities, and duties of his fellow Senators, and has served as Chairman in the highest tradition of fairness; and

Whereas Senator ROBERTSON will leave the Senate with the expiration of the 89th Congress: Now, therefore, be it

Resolved, That the Committee on Banking and Currency expresses its warm affection for Senator ROBERTSON and its deep appreciation for the great service which he has rendered to the Committee, to the Senate, and to the United States by his initiative, ability, statesmanship, and courtesy, as a member and as Chairman of the Committee; and be it further

Resolved, That the Committee extend to Senator ROBERTSON its best wishes for a long, useful, and happy life in years to come.

Mr. President, I stated that every member of the committee except one had signed the resolution. Of course, that one is the chairman himself, Senator ROBERTSON. Every member serving under the chairman has signed the resolution, and I ask unanimous consent that their names may be printed in the RECORD.

The PRESIDING OFFICER (Mr. PROXMIRE in the chair). Is there objection?

There being no objection the list of names was ordered to be printed in the RECORD as follows:

JOHN SPARKMAN, Alabama.
PAUL H. DOUGLAS, Illinois.
WILLIAM PROXMIRE, Wisconsin.
HARRISON A. WILLIAMS, Jr., New Jersey.
EDMUND S. MUSKIE, Maine.
EDWARD V. LONG, Missouri.
MAURINE B. NEUBERGER, Oregon.
THOMAS J. MCINTYRE, New Hampshire.
WALTER F. MONDALE, Minnesota.
WALLACE F. BENNETT, Utah.
JOHN G. TOWER, Texas.
STROM THURMOND, South Carolina.
BOURKE B. HICKENLOOPER, Iowa.

Mr. SPARKMAN. I take great pleasure now in presenting this resolution to our beloved chairman. [Applause, Senators rising.]

Mr. ROBERTSON. Mr. President, honored colleagues, I am deeply touched by this evidence of your friendship and your good will.

For 20 years I have been privileged to serve with some of you on this great committee. During that time, we have seen the deposits of commercial banks more than double, and a thousand percent increase in accounts in savings and loan institutions. We have seen an increase of approximately 250 percent in the gross national product.

Undoubtedly, our banks have been fulfilling the mission prescribed by the first Secretary of the Treasury—sometimes reputed to be the greatest—Alexander Hamilton, who said that they must be the repository of the savings of the people, and must promote and develop the industrial life of a nation.

Mr. President, I am sure that no Senator in the history of the Senate has served with a finer group that I have, in serving with the members of the Committee on Banking and Currency. Although my political philosophy sometimes clashed with that of the majority of the committee, we never had personal feelings about any issue. I can point with some pride to the fact that the Senate has never defeated any bill that our committee has reported. In fact, the Senate has never materially changed any bill that we have reported, except by our agreement and consent.

I am very happy, in concluding this enjoyable work with this committee, that I am to be succeeded as chairman of that committee by the fine gentleman from Alabama. He is very able; he is very patriotic; and while he has centered his attention primarily on housing and has done a wonderful job for housing and urban renewal, he also has been in close touch with all matters pertaining to commercial banks, mutual banks, and savings and loan institutions. All our financial institutions can look forward to his making a fight for fair treatment. He will be an enlightened chairman, he will be an able chairman, and he will be an efficient and an effective chairman of this great committee.

Of course, Mr. President, I did not sign this certificate, because, with all due deference, it praised me beyond my just ability. However, I would be less than frank and less than human if I did not say, "Thank you," from the bottom of my heart.

I shall not say goodby, because I hope from time to time to make contact with you through the years. I shall merely say, "Until we meet again," because I shall always be interested in what you are doing. I can say, in the words of my friend, Dr. Billy Graham, "May the Lord bless you real well."

Mr. ERVIN. Mr. President, when the 90th Congress convenes next January, the senior Senator from Virginia will for the first time in 33 years be missing from the rollcall, but he will not be absent from the hearts and minds of those who have served with him here. I hope, however, that he will continue to make his influence felt through frequent visits and through constant advice from the Old Dominion State.

As befits the tradition of distinguished public servants and statesmen Virginia has produced throughout our history, WILLIS ROBERTSON has carved a niche for himself from which history may not displace him. His career—indeed his life—is unalterably linked to the history of the Congress in this century.

He entered the House of Representatives in 1933, in a crucial period for our Nation. He departs at an even more crucial juncture, at a time when the Nation stands most in need of the benefit of the wise counsel, the commonsense and the good judgment which is nurtured by long experience and endowed with a broad and deep knowledge. It is this rich resource the Senate loses as the senior Senator from Virginia takes his leave.

His unflagging energy and his physical fitness are legendary and surely we may all envy him the accolade bestowed by one of my staff members, who observed recently that his smile and courtly bow when he passes one in the hall would alone warrant the disbursement of his salary. Fortunately for the annals of the Senate, he has far more to commend his service.

While others may have sought the hollow applause of more sensational causes, this Virginia Senator has steadfastly spent his time and intellect on the underlying backbone issues affecting the national economy. As chairman of the Banking and Currency Committee and chairman of its Banking Subcommittee, he keeps close watch over the intricate, detailed banking and currency problems of the Nation, as well as its housing and small business programs. As a ranking member of the Senate Appropriations Committee, he has become a veritable reservoir of detailed information about the budgetary problems of every department.

If ever any one man could be held responsible for the fact that our complex gigantic Federal bureaucracy is no larger or more burdensome than it already is, it is WILLIS ROBERTSON.

He has been intimately involved in the fight to stem the tide of Federal agencies which has steadily engulfed the country. With a firm and unyielding devotion to the principles of the Constitution, he has demonstrated an understanding of the vital importance to our liberties of adhering to the standards of the Constitution and of demanding from administrative officials strict observance of constitutional guarantees.

To those who care deeply about the conservation of our resources and wild life, he has ever been an inspiration and a champion. Guided by his love of the outdoors, his life, and his public service reflect the sense of fairness inherent in sportsmanship, a vigor, clarity of outlook, and sharply defined sense of values—characteristics which in WILLIS ROBERTSON have been heightened and intensified by his closeness to nature.

I shall miss the pleasures and benefits of his presence and his companionship in this body, and I with many others shall cherish the memories of our service together, as I cherish our friendship.

Mr. BENNETT. Mr. President, I am sorry that I could not be in the Chamber when this resolution was presented. I am proud that my name is on it. No matter what it says, it cannot express the effect of the service of Senator ROBERTSON to the American people in all the years he has been a Member of Congress—first in the House and then in the Senate.

It has been my privilege to serve on the Committee on Banking and Currency, with one brief interlude, ever since I came to the Senate, and Senator ROBERTSON was there all those years. During the last few years it has been my privilege to serve as the ranking majority member, and I am sure that there has never been a more pleasant or more satisfactory relationship between the two ranking members of any committee. It has been a privilege to work under his leadership—a privilege as well as an inspiration.

I am heartened by realizing that Virginia is not very far away, and that when it rains, and the fishing is not as pleasant as it might otherwise be, we can look forward to the opportunity of greeting our friend of these many years on the floor of the Senate. I hope that when he comes, he will have some new stories for us, as well as some new expressions of the great wisdom he has acquired over the years during his service in this body.

I appreciate the opportunity to add my felicitations and my farewell to those of our other friends on the committee.

Mr. WILLIAMS of New Jersey. Mr. President, one of the greatest pleasures I have had in 7½ years in the Senate is serving under the chairmanship of Senator ROBERTSON, of Virginia, on the Committee on Banking and Currency.

Senator ROBERTSON will recall that I have brought forth some pioneering ideas that cost little money—not a great deal of money—which he, in conscience, had to oppose; but, certainly, he never did anything to obstruct the hearing process, the executive process, and we brought those matters to the floor, and we passed the open space program, the mass transit bill.

If there is a prototype of the most objective and fair chairman of a committee, it is Senator WILLIS ROBERTSON.

Mr. ROBERTSON. Mr. President, again I thank my colleagues for their generous tribute.

Mr. BYRD of Virginia. Mr. President, I should like to associate myself with the splendid tributes that have been offered to the senior Senator from Virginia.

During the year that I have had the opportunity to serve in the Senate, it has been my observation that no one in this body is more beloved or has the affection of the Members of the Senate to a greater degree than does Senator A. WILLIS ROBERTSON. Whether Senators agree with his viewpoint or whether they take a contrary view, I do believe that every Member of the Senate has confidence in WILLIS ROBERTSON, and most certainly they are endeared to him by his charm, by his courtesy, and by his friendship.

Mr. President, having known Senator ROBERTSON all of my life I am very proud to have had the opportunity to serve as his colleague in the Senate. He has served his Commonwealth and his country with great ability. He has been conscientious and diligent in the handling of his work as a U.S. Senator.

While I am not a member of the committee of which he has the honor to be chairman, in talking with many of the Committee on Banking and Currency I have learned that they hold him in the highest esteem for the excellent manner in which he has served as the chairman of that very important committee in the Senate.

I feel that I bespeak the sentiments of my colleagues in the Senate, and I believe I bespeak the sentiments of the overwhelming majority of the people in the Commonwealth of Virginia when I say to the Senate today that we are proud of WILLIS ROBERTSON. Speaking for myself, I cherish the opportunity to have served with him in this body.

Mr. YARBOROUGH. Mr. President, it has been my privilege to serve on the Committee on Appropriations with the distinguished senior Senator from Virginia [Mr. ROBERTSON] for only 2 years, but as the ranking majority member of the Committee on Post Office and Civil Service I served as an ex officio member of the Post Office Subcommittee of the Committee on Appropriations for several years prior to that time with the distinguished Senator from Virginia.

Mr. President, the thing that astonished those of us on his Post Office Subcommittee of the Committee on Appropriations was that when we went to his committee the senior Senator from Virginia [Mr. ROBERTSON] generally knew more about the fiscal affairs of the Post Office and the amounts of money needed to run it than those of us on the committee. We learned to respect the meticulous care he gives to each item in the appropriations bill. He brought to that program intellect and vigor which would be a credit to men half his age.

The senior Senator from Virginia may justify the "old man outlook" in age, but certainly not in appearance. We know the vigor with which he can roam the Virginia hills; and we know of men half his age who would tire in doing so.

I have attended the Senate prayer breakfasts, and I know of the devotion and knowledge of the Scriptures that the Senator from Virginia has.

The Senator from Virginia is a valued Member of this body who will be sorely missed. I would say to the senior Senator from Virginia: When you are down in Virginia, walking in the hills, fishing its streams, and tiring men half your age, we will remember your eloquence in the Senate, in the committees, and at the prayer breakfasts.

Mr. CLARK. Mr. President, for 8 years it has been my privilege to serve as a member of the Committee on Banking and Currency, first as a Member with and later under the chairmanship of the able senior Senator from Virginia, WILLIS ROBERTSON. During that time, we had many disagreements with respect to legislation and other matters. I found him to be most understanding and courteous, a gentleman of the old school, who would give junior members of the committee every consideration, and who never attempted to hold up legislation which he believed the majority of the committee favored.

The senior Senator from Virginia would vigorously put forth his own views and then debate them with great eloquence and ability. He has been a splendid member and chairman of the Committee on Banking and Currency. I personally regret his retirement from the Senate.

Mr. JACKSON. Mr. President, I wish to associate myself with the remarks made here this afternoon regarding our distinguished colleague from Virginia [Mr. ROBERTSON]. I have had the privilege of serving with him in the House of Representatives as well as in the Senate, since 1952.

One of the things that is little known about the distinguished senior Senator from Virginia is his long, continuing interest in conservation. In the House of Representatives he was the foremost leader in the field of conservation. Likewise in the Senate he always supported those measures dealing with the conservation problems facing our country. I know that that interest was continuous.

One of the last bills we acted on was the Wolf Trap Farm Park in Virginia. It was the vigorous leadership of the senior Senator from Virginia that made possible the passage of that legislation.

Mr. President, I join Senators in saying to the distinguished senior Senator from Virginia that, as always, he has been a gentleman, and it has been a real privilege to have been associated with him for all of these years in both the House of Representatives and the Senate.

Mr. TALMADGE. Mr. President, I desire to join Senators in paying tribute to our distinguished friend, the senior Senator from Virginia, WILLIS ROBERTSON.

It has been my privilege to claim his friendship and to be intimately associated with the distinguished Senator for the past 10 years. We have spent many happy days on the streams of this country, particularly in Virginia and in Georgia, and in the fields of the country, usually after bobwhite quail.

The senior Senator from Virginia is one of the greatest sportsmen that I know. He is one of the best shots in the Senate. His decathlon record for the State of Virginia, I am informed, still stands. He still performs sitting up exercises at the age of 79. Despite the fact that I am several years his junior I find it difficult to keep up with him in the field because he can walk and hunt all day and it is difficult also to exceed his bag limit.

WILLIS ROBERTSON, in my judgment, is one of the great men that Virginia has produced, and she had produced an abundance of them in the history of our Nation.

The senior Senator from Virginia has a warm personality, is a great Bible scholar and historian, and one of the great men, in my judgment, in the Senate.

This body will be the weaker for his being absent after the 89th Congress adjourns, and our country will be the loser for his no longer being a Member of the Senate.

Mr. JAVITS. Mr. President, I wish to identify myself with the statements made about the distinguished senior Senator from Virginia [Mr. ROBERTSON.] I served as a member of the Committee on Banking and Currency and have found Senator ROBERTSON always to be a gentleman, although on many occasions we have disagreed on policy. He is a gracious, accommodating, courteous, distinguished Member of this body. We shall all miss him.

I join with all my colleagues in bespeaking for him many fruitful years ahead.

ESTABLISHMENT OF INDIANA DUNES NATIONAL LAKESHORE

Mr. JACKSON. Mr. President, I ask the Chair to lay before the Senate a message from the House of Representatives on S. 360.

The **PRESIDING OFFICER** laid before the Senate the amendment of the

House of Representatives to the bill (S. 360) to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes, which was, to strike out all after the enacting clause and insert:

That in order to preserve for the educational, inspirational, and recreational use of the public certain portions of the Indiana dunes and other areas of scenic, scientific, and historic interest and recreational value in the State of Indiana, the Secretary of the Interior is authorized to establish and administer the Indiana Dunes National Lakeshore (hereinafter referred to as the "lakeshore") in accordance with the provisions of this Act. The lakeshore shall comprise the area within the boundaries delineated on a map identified as "A Proposed Indiana Dunes National Lakeshore", dated September 1966, and bearing the number "LNPNE–1008–ID", which map is on file and available for public inspection in the office of the Director of the National Park Service, Department of the Interior.

SEC. 2. (a) Within the boundaries of the lakeshore the Secretary of the Interior (hereinafter referred to as the "Secretary") is authorized to acquire lands, waters, and other property, or any interest therein, by donation, purchase with donated or appropriated funds, exchange or otherwise. The Indiana Dunes State Park may be acquired only by donation of the State of Indiana, and the Secretary is hereby directed to negotiate with the State for the acquisition of said park. In exercising his authority to acquire property by exchange for the purposes of this Act, the Secretary may accept title to non-Federal property located within the area described in section 1 of this Act and convey to the grantor of such property any federally owned property under the jurisdiction of the Secretary which he classifies as suitable for exchange or other disposal within the State of Indiana or Illinois. Properties so exchanged shall be approximately equal in fair market value, as determined by the Secretary who may, in his discretion, base his determination on an independent appraisal obtained by him: *Provided,* That the Secretary may accept cash from or pay cash to the grantor in such an exchange in order to equalize the values of the properties exchanged.

(b) In exercising his authority to acquire property under subsection (a) of this section, the Secretary may enter into contracts requiring the expenditure, when appropriated, of funds authorized to be appropriated by section 10 of this Act, but the liability of the United States under any such contract shall be contingent on the appropriation of funds sufficient to fulfill the obligations thereby incurred.

SEC. 3. As soon as practicable after the effective date of this Act and following the acquisition by the Secretary of an acreage within the boundaries of the area described in section 1 of this Act which in his opinion is efficiently administrable for the purposes of this Act, he shall establish the Indiana Dunes National Lakeshore by publication of notice thereof in the Federal Register. Following such establishment and subject to the limitations and conditions prescribed in section 1 hereof, the Secretary may continue to acquire lands and interests in lands for the lakeshore.

SEC. 4. (a) The Secretary's authority to acquire property by condemnation shall be suspended with respect to all improved property located within the boundaries of the lakeshore during all times when an appropriate zoning agency shall have in force and applicable to such property a duly adopted, valid zoning ordinance approved by the Secretary in accordance with the provisions of section 5 of this Act.

(b) The term "improved property", whenever used in this Act, shall mean a detached, one-family dwelling, construction of which was begun before January 4, 1965, together with so much of the land on which the dwelling is situated, the said land being in the same ownership as the dwelling, as the Secretary shall designate to be reasonably necessary for the enjoyment of the dwelling for the sole purpose of noncommercial residential use, together with any structures accessory to the dwelling which are situated on the lands so designated. The amount of land so designated shall in every case be not more than three acres in area, and in making such designation the Secretary shall take into account the manner of noncommercial residential use in which the dwelling and land have customarily been enjoyed: *Provided,* That the Secretary may exclude from the land so designated any beach or waters, together with so much of the land adjoining such beach or waters, as he may deem necessary for public access thereto or public use thereof.

SEC. 5. (a) As soon as practicable after enactment of this Act, the Secretary shall issue regulations specifying standards for approval by him of zoning ordinances for the purposes of sections 4 and 6 of this Act. The Secretary may issue amended regulations specifying standards for approval by him of zoning ordinances whenever he shall consider such amended regulations to be desirable due to changed or unforeseen conditions. The Secretary shall approve any zoning ordinance and any amendment to any approved zoning ordinance submitted to him which conforms to the standards contained in the regulations in effect at the time of adoption of such ordinance or amendment by the zoning agency. Such approval shall not be withdrawn or revoked, by issuance of any amended regulations after the date of such approval, for so long as such ordinance or amendment remains in effect as approved.

(b) The standards specified in such regulations and amended regulations for approval of any zoning ordinance or zoning ordinance amendment shall contribute to the effect of (1) prohibiting the commercial and industrial use, other than any commercial or industrial use which is permitted by the Secretary, of all property covered by the ordinance within the boundaries of the lakeshore; and (2) promoting the preservation and development, in accordance with the purposes of this Act, of the area covered by the ordinance within the lakeshore by means of acreage, frontage, and setback requirements and other provisions which may be required by such regulations to be included in a zoning ordinance consistent with the laws of the State of Indiana.

(c) No zoning ordinance or amendment thereof shall be approved by the Secretary which (1) contains any provision which he may consider adverse to the preservation and development, in accordance with the purposes of this Act, of the area comprising the lakeshore; or (2) fails to have the effect of providing that the Secretary shall receive notice of any variance granted under and any exception made to the application of such ordinance or amendment.

(d) If any improved property, with respect to which the Secretary's authority to acquire by condemnation has been suspended according to the provisions of this Act, is made the subject of a variance under or exception to such zoning ordinance, or is subjected to any use, which variance, exception, or use fails to conform to or is inconsistent with any applicable standard contained in regulations issued pursuant to this section and in effect at the time of passage of such ordinance, the Secretary may, in his discretion, terminate the suspension of his authority to acquire such improved property by condemnation.

(e) The Secretary shall furnish to any party in interest requesting the same a certificate indicating, with respect to any property located within the lakeshore as to which the Secretary's authority to acquire such property by condemnation has been suspended in accordance with provisions of this Act, that such authority has been so suspended and the reasons therefor.

SEC. 6. (a) Any owner or owners of improved property on the date of its acquisition by the Secretary may, as a condition to such acquisition, retain the right of use and occupancy of the improved property for noncommercial residential purposes for a term of twenty-five years, or for such lesser time as the said owner or owners may elect at the time of acquisition by the Secretary. Where any such owner retains a right of use and occupancy as herein provided, such right during its existence may be conveyed or leased for noncommercial residential purposes. The Secretary shall pay to the owner the fair market value of the property on the date of such acquisition, less the fair market value on such date of the right retained by the owner.

(b) The Secretary shall have authority to terminate any right of use and occupancy retained as provided in subsection (a) of this section at any time after the date upon which any use occurs with respect to such property which fails to conform or is in any manner opposed to or inconsistent with the applicable standards contained in regulations issued pursuant to section 5 of this Act and which is in effect on said date: *Provided,* That no use which is in conformity with the provisions of a zoning ordinance approved in accordance with said section 5 and applicable to such property shall be held to fail to conform or be opposed to or inconsistent with any such standard. In the event the Secretary terminates a right of use and occupancy under this subsection, he shall pay to the owner of the right so terminated an amount equal to the fair market value of the portion of said right which remained unexpired on the date of termination.

SEC. 7. (a) In the administration of the lakeshore the Secretary may utilize such statutory authorities relating to areas of the national park system and such statutory authority otherwise available to him for the conservation and management of natural resources as he deems appropriate to carry out the purposes of this Act.

(b) In order that the lakeshore shall be permanently preserved in its present state, no development or plan for the convenience of visitors shall be undertaken therein which would be incompatible with the preservation of the unique flora and fauna or the physiographic conditions now prevailing or with the preservation of such historic sites and structures as the Secretary may designate: *Provided,* That the Secretary may provide for the public enjoyment and understanding of the unique natural, historic, and scientific features within the lakeshore by establishing such trails, observation points, and exhibits and providing such services as he may deem desirable for such public enjoyment and understanding: *Provided further,* That the Secretary may develop for appropriate public uses such portions of the lakeshore as he deems especially adaptable to such uses.

SEC. 8. (a) There is hereby established an Indiana Dunes National Lakeshore Advisory Commission. Said Commission shall terminate ten years after the date of establishment of the national lakeshore pursuant to this Act.

(b) The Commission shall be composed of seven members, each appointed for a term of two years by the Secretary, as follows: (1) one member who is a year-round resident of Porter County to be appointed from recommendations made by the commissioners of such county; (2) one member who is a year-round resident of the town of Beverly Shores to be appointed from the recommendations made by the board of trustees of such town; (3) one member who is a year-round resident of the towns of Porter, Dune Acres, Portage, Pines, Chesterton, Ogden Dunes. or the village of Tremont, such member to be appointed from recommendations made by the boards of trustees or the trustee of the affected town or township; (4) one member who is a year-round resident of the city of Michigan City to be appointed from recommendations made by such city; (5) two members to be appointed from recommendations made by the Governor of the State of Indiana; and (6) one member to be designated by the Secretary.

(c) The Secretary shall designate one member to be Chairman. Any vacancy in the Commission shall be filled in the same manner in which the original appointment was made.

(d) A member of the Commission shall serve without compensation as such. The Secretary is authorized to pay the expense reasonably incurred by the Commission in carrying out its responsibilities under this Act on vouchers signed by the Chairman.

(e) The Secretary or his designee shall, from time to time, consult with the Commission with respect to matters relating to the development of the Indiana Dunes National Lakeshore and with respect to the provisions of sections 4, 5, and 6 of this Act.

Sec. 9. Nothing in this Act shall deprive the State of Indiana or any political subdivision thereof of its civil and criminal jurisdiction over persons found, acts performed, and offenses committed within the boundaries of the Indiana Dunes National Lakeshore or of its right to tax persons, corporations, franchises, or other non-Federal property on lands included therein.

Sec. 10. There are hereby authorized to be appropriated not more than $27,900,000 for the acquisition of land and interests in land pursuant to this Act.

Mr. JACKSON. Mr. President, for all Americans who are truly interested in the conservation and development of our Nation's outdoor recreational resources, this is truly a happy occasion. We are finally nearing the end of the legislative process in concluding congressional action on the establishment of the great Indiana Dunes Lakeshore. I intend to ask that the Senate concur in the amendments of the House and send this legislation to the President of the United States for his approval.

All those who have followed the history of this legislation know that there is one man who has long championed this significant proposal. That man is the senior Senator from Illinois [Mr. Douglas] whose foresight and steadfastness has been an inspiration to all in the conservation movement. Senator Paul Douglas of Illinois is truly deserving to be called the father of the Indiana Dunes National Lakeshore. He has fought for this great public recreational opportunity for millions of Americans who live within a short distance of the area. But, Mr. President, this area is not only of local significance, but it is truly an addition to our national park system of which all Americans can be proud. I deeply regret that Senator Douglas, who has done more over the years than any other Member of Congress to bring this day to reality, is absent because of the pressing business of his campaign. I know that I speak for all of my colleagues when I pay tribute to him for his tireless efforts.

Tribute must also be paid to the strong support and assistance of both Senators from Indiana [Mr. Hartke and Mr. Bayh] in bringing this important legislation to this point of final passage. Both of these great Senators have faced this very difficult problem with courage, patience, and fairness.

I also want to pay tribute to Senator Alan Bible of Nevada, chairman of our Subcommittee on Parks and Recreation, who has diligently guided this bill through the Senate legislative battleground.

Mr. President, I ask unanimous consent that a statement by the Senator from Illinois [Mr. Douglas] on the Indiana Dunes Lakeshore be printed in the Record.

There being no objection, the statement was ordered to be printed in the Record, as follows:

Indiana Dunes National Lakeshore Truly a National Park and a Great Victory for the People of Illinois and Indiana

The Indiana Dunes National Lakeshore soon to be passed and sent to the President by the Senate truly will be a national recreation and nature preserve. I emphasize the national quality, not only because it is to be established under the aegis of the federal government. This national lakeshore will preserve a unique and irreplaceable gift of nature which belongs to all the people, as well as provide badly needed recreational facilities for the millions of people in the immediate vicinity and for hundreds of thousands of cross-country travelers.

I emphasize the national quality of the lakeshore also because it was achieved only through the untiring efforts of literally thousands of people in every state of the union who love the Dunes. The list of those who had a crucial part in making this park possible is so long that, to attempt to reconstruct it from the battles of the 8½ years since I introduced the first Indiana Dunes Park Bill, is a formidable task indeed.

Unquestionably, the park was made possible by the election to the Senate of the senior Senator from Indiana [Mr. Hartke], and the junior Senator [Mr. Bayh], who overcame great obstacles to secure for Indiana both the new federal harbor and the national lakeshore. Their predecessors were absolutely opposed to preserving any of this area. Then the unanimous support for this park by the Democratic Congressmen from Indiana, and especially the extraordinarily able leadership of Congressman J. Edward Roush, the author H.R. 51, and the powerful support of Congressman Ray Madden in the Rules Committee, brought the bill through the House of Representatives. The first House bills were introduced in 1958 by Congressmen John Saylor of Pennsylvania, Barratt O'Hara of Illinois, and Mel Price of Illinois, and we are all indebted to these sponsors, along with Roman Pucinski and Morris Udall, for keeping the issue alive in the House. On the Interior Committee of the House we were particularly fortunate to have the support of the distinguished chairman, Wayne Aspinall, and of the chairman of the Parks and Recreation Subcommittee, Ralph Rivers. Moreover, we had the best help we could get on the floor in the combined leadership of Congressman Morris Udall, one of the most able floor managers in the entire House, and of John Saylor, the great Republican conservationist.

History should very carefully record that the bill probably could not have cleared the House but for the active and sympathetic interest of the most respected and most loved member of that body, Speaker John McCormack. Congressman Hale Boggs, as acting majority leader also helped to make possible the House victory.

To attempt to cite all the generous acts of my colleagues in the Senate is a tough job. When I introduced the first bill in 1958, and when there was virtually no support for this park in the Congress, I was joined by Richard Neuberger, Wayne Morse, and James Murray as sponsors of S. 3898 which proposed an Indiana Dunes National Monument with about 3¾ miles of lakeshore and 3,000 to 4,000 acres. Almost immediately, those wonderful conservationists and my dear friends Ernest Gruening and Ted Moss introduced a bill of their own to try to give impetus to the fight to save the dunes. Representing the Public Land Subcommittee, these two Senators made the first Congressional trip to the park.

In the following months, many of my colleagues, despite the threat of criticism for interfering in a matter still opposed by the state administration in Indiana, endorsed the effort to save the dunes and co-sponsored the park bill. With deepest gratitude, I now list the names of Senators who joined with me in co-sponsoring the bill to establish the Indiana Dunes National Lakeshore: Ernest Gruening, Ted Moss, Clinton Anderson, Eugene McCarthy, Maurine Neuberger, Hubert Humphrey, Ralph Yarborough, Quentin Burdick, Daniel Inouye, Claiborne Pell, George McGovern, Stephen Young, Gaylord Nelson, Harrison Williams, Joseph Clark, William Proxmire, E. L. Bartlett, Thomas Dodd, Daniel Brewster, Clifford Case, Frank Church, John Cooper, Frank Lausche, Russell Long, Edward Long, Gale McGee, Thomas McIntyre, Walter Mondale, William Proxmire, Jennings Randolph, Abraham Ribicoff, and Joseph Tydings

The country is deeply indebted, as I am, to the members of the Senate Committee on Interior and Insular Affairs for their lasting and sympathetic interest. S. 360, the bill finally passed by the Senate today, was introduced by Scoop Jackson, the chairman of the Committee on Interior and Insular Affairs, and all of us greatly appreciate his firm support and skillful mediation during difficut times. I owe a special debt to Clint Anderson, the senior member of this committee and its former chairman, who, throughout the lean years of this battle, was a constant source of encouragement and hope. Senator Alan Bible, the distinguished chairman of the Subcommittee on Public Lands and now of the Subcommittee on Parks and Recreation, guided the Congressional inquiries into this matter with a positive and impartial hand, and yet with his characteristic sense of national responsibility. And may I also commend and thank the members of the Interior Committee staff, among whom Jerry T. Verkler and Roy M. Whittaker had the greater burden, along with Benton Stong in the earlier days.

The fight to save the dunes was a constant series of crises. I will not set forth the details here, but there were numerous times when it was necessary to appeal to the highest authority in the American government to keep open the opportunity for the Congress to establish this park. I want the country to know and history to record that although their acts were not heralded and they sought no publicity for them, President John F. Kennedy and President Lyndon B. Johnson were actively involved at the crucial steps in the development of this project.

President Johnson, in recent months, despite the tremendous world problems he must shoulder, has always had the time to think of the great need our people have for these areas of space, quiet, and beauty. I cannot mention all the things he did to help save the dunes, but I hope the American people fully appreciate his generosity and his help to save this place of beauty. The White House staff serves with severe anonymity and

I will not break that anonymity except to here thank them for their help. There are also others in the Administration whose contributions toward making this park possible were crucial, yet by the nature of their work, anonymous. I refer to those men with a conscience in the Bureau of the Budget and Department of Interior to whom we owe a lasting expression of our thanks.

In support of all these officials who have helped to make this lakeshore possible, there were across the country thousands of active workers for the park. I shall only be able to name a few here and I beg the pardon of those whose names do not come to mind at this moment. When there is a little more time, I shall construct a careful history of those who helped.

First, let me mention the great newspapers of the country which have consistently through all the years, even when the cause seemed almost lost, urged again and again in their editorial pages that the Congress must act to save the dunes. I know the editors and publishers of these highly respected newspapers will not mind if I do not try to list their names, but I will call the honor roll of the names of the newspapers: Chicago's American; The Washington Post; The St. Louis Post-Dispatch; The New York Times; The Milwaukee Journal; and the Louisville Courier-Journal. Many other newspapers also took a firm interest, but these I have named, because of their absolutely unflagging interest, were crucial to sustaining public interest when things looked bleak. In this category of the press, I also include Mr. Len O'Connor, the widely respected National Broadcasting Company commentator.

In Illinois, the newspapers deserve thanks for their careful coverage, and in some cases important investigations, relating to this issue. These newspapers are the Chicago Sun-Times, The Chicago Daily News, and The Chicago Tribune. A Special tribute should be paid to the Lerner Publications, which circulate in the suburban areas of Chicago, and to their editor and publisher, the late Leo Lerner. A number of the conservation magazines have maintained a sustained interest, particularly the Audubon Magazine and the National Parks Magazine.

I commend and thank the editors and publishers of all these publications who took very seriously their commitment to defend the public interest and who, by their fight to save the dunes, held high the banner of a civilized and humane society.

The most satisfying aspect of this entire effort has been the privilege of associating with the leaders and members of the great organizations committed to the preservation of natural beauty. Again, I will not list the names of the officers but only of the organizations themselves. I know the leaders of these groups very well and I know they care little for personal mention but very much for victories such as the one we have had in the enactment of the Indiana Dunes National Lakeshore. The millions of people in the generations to come who enjoy the Indiana Dunes should know that they very much owe this park to the following groups: the Izaak Walton League, and in particular to their very vigorous Indiana Division; the Citizens Committee for Natural Resources; the Wilderness Society; the Sierra Club; the Men's Garden Clubs of America; the Garden Clubs of America; the Audubon Society; National Council of State Garden Clubs; the Garden Clubs of Illinois and Indiana; the National Wildlife Federation; the Nature Conservancy; the Wildlife Management Institute; the National Conference on State Parks; the National Parks Association; the Sport Fishing Institute; and the American Planning and Civic Association. Again, I am sure I have missed naming some, but I shall try to construct a more complete list.

The Indiana Dunes National Lakeshore is a victory for the people above all, and in particular for the Save the Dunes Council. This group is the most remarkable citizens organization I have ever had the privilege of working with. Its members are completely selfless and extraordinarily able. They have perservered through calamities which would have discouraged lesser men and women. They have always kept the hope that our form of democratic government permits the people to be heard if their hope is matched by faith in the people as citizens and by vast quantities of intelligent work.

The Save the Dunes Council was formed in 1950 by a small group of Indiana citizens led by Mrs. J. H. Buell, of Ogden Dunes, Indiana. Mrs. Buell has been the President of the Save the Dunes Council through all these years and an important source of cohesion and strength. Every active member of the Council has been so able and hard working that I cannot possibly single them all out. Its Advisory Board includes some of the outstanding scientists and conservationists in the nation. I have worked so closely with my friends in the Council that I want to mention in particular the members of that small core group who have literally given their lives to this effort. In addition to Mrs. Buell, this group includes: Mr. Thomas Dustin of Fort Wayne, Indiana, their Public Relations Director and probably one of the most able people in his profession I have ever met, and Mrs. Jane Dustin, who shares her husband's talents and dedication; Mr. Merrill Ormes, until recently of Gary, Indiana, and now of Evaston, Illinois, who is an officer of the Mobile Homes Association and who has carried the message of the dunes throughout the country; Mr. Edward W. Osann, Jr., of Dunes Acres, Indiana, who is the Chairman of the Legal Committee and who has served the council with acumen and great energy; Mr. Herbert P. Read, of Chesterton, Indiana, the expert and unrelenting Chairman of the Engineering Committee; and the three Regional Chairmen, whose labors formed the foundation of public support in Indiana, Mrs. Thomas Dustin; Mr. Fred Meyer of Indianapolis; and Mrs. Jack Troy of Munster, Indiana.

It is because of these men and women above all—along with the 2d Vice President, Robert Mann of Michigan City; Recording Secretary Mrs. Carl Peters of Chesterton; Corresponding Secretary Mrs. Calvin Gent of Ogden Dunes; Treasurer Mrs. J.C.B. Sims of Dunes Acres; Speakers Bureau Chairman Mrs. Willard Butz of Ogden Dunes; Membership Chairman Mrs. Lawrence Bicker of Munster; Newsletter Editor Florence Broady of Ogden Dunes, Photography Editor John Nelson of East Chicago; Records Chairman Judson Harris of Chesterton; Natural History Chairman Mrs. Edward Howes of Dune Acres; and Fund Raising Chairman, Mrs. K. Benninger of Ogden Dunes—that the Indiana Dunes National Lakeshore will soon be a reality.

I cannot commend highly enough the Save the Dunes Council and I repeat that today we have finally won a victory primarily because of them. I wish to read into the Record the members of the Advisory Board of the Save the Dunes Council and in so doing express my deep appreciation for the guidance and hope which these distinguished Americans have provided.

ADVISORY BOARD OF THE SAVE THE DUNES COUNCIL

Durward L. Allen, Professor of Wildlife Management, Purdue University, Lafayette, Indiana.

Mrs. Norton W. Barker, Michigan City, Indiana.

Dr. W. J. Beecher, Director, Chicago Academy of Sciences, Chicago, Illinois.

Prof. Stanley A. Cain, Chairman, Dept. of Conservation, University of Michigan, Ann Arbor, Mich.

Miss Marguerite Dice, Indianapolis, Indiana.

Michael Hudoba, Washington Editor "Sports Afield," Washington, D.C.

Prof. Charles S. Kendeigh, Zoology Dept., University of Illinois, Champaign, Illinois.

Dr. A. A. Lindsey, West Lafayette, Indiana.

Prof. Harold Mayer, Dept. of Geography, University of Chicago, Chicago, Illinois.

Prof. Charles E. Olmsted, Chairman, Dept. of Botany, University of Chicago, Chicago, Illinois.

Fr. Walter Peters, Ph. D. (Cantab.) Chairman, Dept. of Biology, Loyola University, Chicago, Illinois.

Richard Plough, Conservationist, New York, New York.

Earl H. Reed, Architect, Chesterton, Indiana.

Helga Sandburg, Novelist, Washington, D.C.

Mrs. Frank J. Sheehan, Winter Park, Florida.

Prof. Wilson N. Stewart, Champaign, Illinois.

Floyd Swink, Morton Arboretum, Lisle, Illinois.

Edwin Way Teale, Nature Writer, Long Island, New York.

Prof. Paul D. Voth, Dept. of Botany, University of Chicago, Chicago, Illinois.

Mrs. Charles Walgreen, Chicago, Illinois.

Mrs. Harriet Cowles Waller, Clayton, Missouri.

Prof. James Watson,* Dept. of Biology, Harvard University, Cambridge, Massachusetts.

The final approval today of the Indiana Dunes National Lakeshore marks a decisive turning point, though not the end, I am sure, of a classic battle to preserve a significant part of America's natural heritage. Perhaps others with some perspective may not agree, but this has seemed to me one of the toughest conservation battles of the century. But I leave that evaluation to others and say simply it is with deep satisfaction and gratitude that we can also bequeath to the people and our children the enjoyment of the Indiana Dunes.

Mr. BAYH. Mr. President, will the Senator yield?

Mr. JACKSON. I yield to the junior Senator from Indiana.

Mr. BAYH. Mr. President, I wish to thank the distinguished chairman of the committee for his thoughtful remarks. Indeed, I can remember when we first had the good fortune of coming to the Senate we were locked in controversy over whether we would be able to combine the two great projects in Indiana, the park to which the Senator refers, and the port which has been dealt with by the Congress.

It seems to me that we have now reached the point where we can say that this is a job well done on both. We owe the chairman of the committee, the distinguished Senator from Washington [Mr. Jackson], a deep debt of gratitude because this is the third time the Senate has dealt with this matter.

For the sake of the record, I should like to ask the chairman of the committee for his opinion on some items, and I know that my senior colleague, [Mr. Hartke], will also wish to join me.

Before dealing with specifics, I should like to get the opinion of the chairman. We have dealt with this matter on three different occasions now in the Senate. In talking to those who are interested in both sides of the subject of the park, I think that a fair assessment can be made that the measure which was passed by the House is far from perfect, and I should like to ask the Senator's opinion of his judgment of going into conference and trying to iron out and perfect this measure, and what would happen, in the opinion of the Senator from Washington?

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* Nobel Prize Winnner, 1962.

Mr. JACKSON. It would mean the certain death of the legislation at this session of Congress. It would come to an end. We would have to start all over again next January, when we have already acted on this three times.

Mr. BAYH. Then it is the Senator's feeling that we had better be willing to take this imperfect piece of legislation or there is the likelihood of getting none?

Mr. JACKSON. I think this is the best possible bill we can get approved at this session of Congress.

Mr. BAYH. Since the inclusion of Ogden Dunes and Dune Acres beaches by the House on Friday, there has been a considerable expression of opinion from these two areas. The residents of Dune Acres almost completely support the inclusion of their property on the lakefront. The residents of Ogden Dunes are divided on the subject, but it is fair to say that a large majority of the citizens of Ogden Dunes oppose inclusion in the national lakeshore. Since there are some 12 miles of beach front available for development under this bill, would it not seem appropriate to develop the 11 miles in which the beach front is either undeveloped or where those people living in the developed areas accept and welcome the development of the park? Then test it to see if it can fill the recreational needs of the area before opening up the development on a beach front where the residents are so much in opposition to this development.

Mr. JACKSON. It seems logical, if we can acquire and develop 11 miles of beach peaceably and 1 additional mile of beach only with a war, that the Department should acquire and develop the 11 miles of beach front before we tackle the 1 mile of Ogden Dunes beach. I urge the National Park Service to take this course of action. As chairman of the committee, and as the principal sponsor of S. 360, although I had many interester cosponsors, I trust the Department will take note of this legislative history being made. I might add, any acquisition in front of Ogden Dunes will be limited to a narrow strip of beach and no homes will be taken. This should ease some of the fears which may have been expressed.

Mr. BAYH. I thank the Senator very much. I am sure that all the residents in the area will be greatly relieved to know that. I speak not only for those in Ogden Dunes, but also for those in the park area. The chairman of the committee is a man of compassion and is willing to try to work out the problems involved, as well as trying to work out the goal of achieving this legislation.

Mr. JACKSON. I want to assure both Senators from Indiana, that as chairman of the committee I have every intention of working closely with them to see to it that the purposes of the park are properly carried out consistent with the justified requirements of the people in that area.

Mr. BAYH. I thank the Senator very much.

Do I understand the Secretary's authority to acquire land by condemnation as to include only unimproved property and that improved property is exempted from this condemnation authority; improved property being defined as property on which single family dwellings had been constructed or begun prior to January 4, 1965; that such land is limited to 3 acres per dwelling and that at the time any owner or owners of improved property allow acquisition they may retain the right of use and occupancy for a term of 25 years, or for any such lesser time as they like.

Mr. JACKSON. That is essentially correct, with, however, two exceptions: First, in the case of land on the beach or adjacent to the beach, the Secretary may acquire any beach or waters, together with so much of the land adjoining such beach or waters as he may deem necessary for public access thereto, or public uses thereof; second, the improved property must also be zoned in such a manner that will preserve the area and meet the requirements of the Secretary.

Mr. BAYH. Many opponents of the bill have objected to the provision in section 7B:

> The Secretary may provide for public enjoyment and understanding of unique natural historic and scientific features within the lakeshore by establishing such trails, observation points and exhibits, providing such services are as he may deem desirable for such public enjoyment and understanding.

They have taken this section of the bill to suggest that the Secretary would have authority to establish trails which would run between noncontiguous portions of the Dunes National Lakeshore. That is, these trails could connect the lakefront properties with Pinhook Bog, for example, or connect the west beach portion with the east beach portion. It is my understanding that this authority to establish trails is available only within the boundaries of the lakeshore and does not, in any way, allow the Secretary to crisscross the industrial area with scenic trails.

Is it the opinion of the chairman that this would permit the use of easements completely across the area to tie up industrial development—what would the granting of these easements be, limited to the confines of the boundaries of the park itself?

Mr. JACKSON. The latter part of the Senator's question is the right answer. I would say that the Senator is correct in that understanding. The authority exists only within the lakeshore.

Mr. BAYH. It would not be able to crisscross back and forth and tie up?

Mr. JACKSON. The Senator is correct.

Mr. BAYH. I know that the Park Service has every intention of purchasing improved property whenever a legitimate offer of sale is made consistent with the plan for development of the park. I know that their experiences shows this is feasible on most of their acquisitions. There are times, however, Mr. President, when there are emergency situations when a property owner is transferred by his company or for some other reason is required to move and he is forced to sell his property. I hope that the Park Service would be able to take into consideration such transactions of this type when they draw up their budgets for acquisition and perhaps set aside certain contingency funds for transactions of this nature.

Mr. JACKSON. I know that the Park Service intends to utilize its authority to negotiate options in accordance with section 2(b) throughout all phases of the development of this long-sought public recreational area. The Government intends to give special priority throughout the land acquisition program to voluntary offers of sale, especially where a hardship may result to the owner.

Mr. BAYH. I thank the Senator very much for his cooperation and assistance.

Mr. JACKSON. I want to commend the junior Senator from Indiana [Mr. BAYH], as well as the senior Senator from Indiana [Mr. HARTKE], for their outstanding help in making possible this legislation.

Mr. HARTKE. Mr. President, will the Senator from Washington yield?

Mr. JACKSON. I yield.

Mr. HARTKE. On behalf of myself and the junior Senator from Indiana [Mr. BAYH], we certainly feel that the Senator from Washington has performed not only in an outstanding fashion, but has been able to take care of those little periods of heat and sometimes not too much light upon this rather troublesome part of the midwestern section of the United States.

It is an important milestone for the great heartland of America to have a national park of this significance in this immediate area. Although we in Indiana feel that we are probably going to be the principal beneficiaries, we do recognize that this is a national lakeshore and, certainly, it is a big, first step toward a national park in the Midwest. For a westerner such as the chairman of the committee to give such an endorsement, and then to take so much of his time and effort in its behalf, my colleague, the Senator from Indiana [Mr. BAYH] and I would like to extend our heartfelt appreciation and thanks to him from all the people in the State of Indiana.

Mr. JACKSON. I thank the Senator from Indiana.

Mr. HARTKE. In the Indiana Dunes National Lakeshore Act, there is reference to a map numbered LNPNE–1008–ID. The map is of such scale that it is nearly impossible to define the boundaries along the beaches of Ogden Dunes, Dune Acres, and Beverly Shores. Can the chairman explain what is understood to be the boundaries of the lakeshore along these beach fronts?

Mr. JACKSON. It is the intention of the Department of the Interior to acquire the beach front in Ogden Dunes and Dune Acres only from the shoreline to the toe of the dunes. This distance may vary, being very narrow in some parts and very wide in others. It is said that it will average 100 feet in depth. In Beverly Shores, it is my understanding that the map describes the land lying between a road known as Lakefront Drive and the water's edge.

Mr. HARTKE. As I understand the bill as amended by the House, the Secretary is now authorized to acquire lands, waters, and other property or any interest therein along the beach front in the community of Ogden Dunes. On the westernmost edge of Ogden Dunes, immediately adjacent to the west beach section of the park, the Gary-Hobart Water Co. has a large filtration and pumping plant which serves as the municipal water service to Gary and a large portion of this section of Indiana. There is a pumping station which, if I understand the chairman's definition of the park in this area, would not be included in the lakeshore since it is atop a dune near the lake front. However, there are water mains running from this pumping station under the beach in land which would be included in the lakeshore out into the water to a water intake located in the bottom of Lake Michigan.

When the Senate was considering this bill, a map prepared by the Department of the Interior which was improperly drawn included this pumping station as a part of the Dunes National Lakeshore. It was discussed in the hearing that this might be properly excluded from the park. Senator Moss, who was the temporary chairman, suggested in the hearing that the Department of the Interior indicated by letter that it had no objection to this exclusion. Would it not be proper for the Park Service to take an easement over this land rather than taking the land and the water mains under it. It would be simple, as they now have this authority under this bill.

Mr. JACKSON. We think it should be done this way. It was certainly clear that the Department never intended to take this facility anyway.

Mr. HARTKE. Mr. President, in many cases the acquisition by the Park Service of land for the United States will deprive the local tax unit of many thousands of dollars of taxable property. I realize that there is no precedent for payment to local tax units of any payment in lieu of taxes. However, there is no reason why the Park Service and the local community cannot cooperatively provide certain services such as fire and police protection which will benefit both the Park Service and the local community. In this way, cannot the Park Service provide any service of such value commensurate with the tax revenue when their acquisition has deprived the existing local tax unit of revenue and do so in a manner consistent with good administration of the national lakeshore.

Mr. JACKSON. From the information I have this seems to be satisfactory to the Park Service and the answer might well include a reference to the fact that there is a provision in the bill that provides for a National Lakeshore Advisory Commission to be comprised of seven members, four of whom shall be residents of the local area. This Commission can, among other things, advise the Secretary on problems of this nature.

Mr. HARTKE. Mr. President, for purposes of clarification, one thing should be made quite clear, although there is no argument about it, reference has been made to the proposed port in this general area. There is nothing in the proposal which would in any way be an impediment to the rational development of that port and also the utility of Federal funds in that area.

Mr. JACKSON. The Senator is absolutely correct. There is nothing in the bill that will interfere with that development.

Mr. HARTKE. In other words, there can be Federal Government participation in the park and in the port at one and the same time—walking side by side, so to speak?

Mr. JACKSON. The Senator is correct.

Mr. HARTKE. The fact is, then, that this development will provide a great opportunity both to have jobs and recreation at the same time.

Mr. JACKSON. That is the advantage of the pending measure. It will, indeed, make possible at long last the development of a great new lakeshore and at the same time help meet the industrial needs and requirements of the great State of Indiana. The Senator can be proud of the pending measure.

Mr. HARTKE. I thank the chairman again on behalf of all the people of the State of Indiana. We are deeply appreciative of the effort he has made in our behalf.

Mr. JACKSON. I thank the Senator.

Mr. HARTKE. Mr. President, I ask unanimous consent that I may have printed at this point in the RECORD a letter I received from the Acting Director of the National Park Service.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

U.S. DEPARTMENT
OF THE INTERIOR,
NATIONAL PARK SERVICE,
Washington, D. C., October 17, 1966.

HON. VANCE HARTKE,
U.S. Senate, Washington, D.C.

DEAR SENATOR HARTKE: This is in response to your informal request for information on our policy with respect to land acquisition within the proposed Indiana Dunes National Lakeshore, under the bill, S. 360, now before the Senate.

The purpose of the proposal is to preserve the dunes area and to provide additional recreation opportunity. Within the framework of S. 360 and within overall budgetary limitations, therefore, our first concern will be to acquire property needed for development of public facilities and for public access to the beach.

We would hope to acquire first, all the undeveloped property within the area, giving preference to that having access to the Lake Michigan shoreline. This will include the West Beach unit. In second priority would be the entire undeveloped beach. This will include the undeveloped beach in front of the towns of Ogden Dunes, Dune Acres, and Beverly Shores, as authorized in S. 360, in order to provide for public access and use along the shore of Lake Michigan. The width of this strip will vary of course, depending upon the actual width of the beach in the forefront of the dunes. In last priority will be already developed property, subject to the limitations on acquisition in the bill.

In addition to the foregoing priorities, our land acquisition program will depend on two very important factors. The first is completion of a master plan which will show what developments will be placed on particular properties. The second is the formation of standards which will guide the Secretary of the Interior in his approval of local zoning ordinances.

To sum up, we expect the procedures will occur generally in the following sequence:

1. Preparation of a master plan.
2. Simultaneously with the master plan, preparation of zoning standards.
3. Acquisition of undeveloped property in accordance with the master plan.
4. Acquisition of access strips in front of towns, in accordance with the master plan.
5. Acquisition of developed property, subject to the limitations in the bill.

During these phases of the program, we intend to negotiate options in accordance with section 2(b) of the bill. Depending on the need for the property as shown on the master plan and on the availability of funds at the time, we hope to give special priority throughout the land acquisition program to voluntary offers of sale, especially where a hardship may result to the owner.

Sincerely yours,

A. C. STRATTON,
Acting Director.

Mr. JACKSON. I ask unanimous consent that a statement of support prepared by the senior Senator from Kentucky [Mr. COOPER] be printed at this point in the RECORD.

Without objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF SENATOR COOPER

I joined in introducing S. 360, and I have spoken in the Senate in support of earlier bills to establish an Indiana Dunes National Lake Shore. I recall the provisions of our Senate bill, and I have followed the consideration and also have noted the differing views about the area to be included.

While I do not serve on the Senate Interior and Insular Affairs Committee, I know the attention given by its members and the Chairman (Senator JACKSON). It is my view that the Dunes and the Lake shore ought to be preserved as a national benefit for the people of our country in this generation and in future generations, and this bill will give the opportunity to preserve this area of natural beauty.

There are only a few areas in the Eastern part of the United States which offer opportunity for enjoyment of such qualities of beauty located near great numbers of our population. If we do not work to preserve them now, future generations in America will not know the natural wonders that have graced our country.

In my own State of Kentucky, we have been fortunate to have areas which we have been able to set aside for preservation and recreation. The Congress has also given its authority and assistance for the establishment of many of these projects and programs.

I know the enjoyment that these great natural areas in Kentucky have brought, and will bring, to our citizens and to those from other states. I know also that we must continue to provide for public works, and for roads and river development and harbor facilities, as our population grows and our industry expands.

As we meet these needs of development and growth, we must also continue to set aside areas such as the Lakeshore. The fight to bring about its establishment as a national preserve has been long, and it has had the support of citizens throughout the country, including many in my State of Kentucky.

I am glad that agreement has been reached between the House and the Senate on legislation which can be enacted into law, and I support the passage of the Indiana Dunes National Lakeshore Bill.

Mr. JACKSON. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

Mr. HARTKE. Mr. President, I move to reconsider the vote by which the Senate concurred in the amendment of the House.

Mr. JACKSON. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed, without amendment, the following bills of the Senate:

S. 690. An act for the relief of Norman J. Pitman;

S. 1101. An act to provide for the conveyance of certain mineral interests of the United States in $79^{184}/_{1000}$ acres located near Orangeburg, S.C., to Allen E. Dominick, the owner of such property;

S. 1572. An act for the relief of Merritt A. Seefeldt and August C. Seefeldt; and

S. 2500. An act for the relief of James A. Todd, Jr.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 9339. An act to complement the National School Lunch Act by establishing a special summer lunch program to protect the health and well-being of the Nation's children;

H.R. 12822. An act to authorize the extension of certain naval vessel loans now in existence, and for other purposes;

H.R. 13884. An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act for the purpose of strengthening and facilitating mutual cooperation and assistance, including training of personnel, in the administration and enforcement of that act and of State and local laws relating to food, drugs, devices, or cosmetics, and for other purposes;

H.R. 14249. An act to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments;

H.R. 14323. An act to amend the Vocational Rehabilitation Act to provide a fixed allotment percentage for the District of Columbia;

H.R. 17451. An act to amend titles 10 and 37, United States Code, to authorize certain rank, pay, and retirement privileges for officers serving in certain positions, and for other purposes;

H.R. 17588. An act to amend section 8(g) of the Soil Conservation and Domestic Allotment Act with respect to assignments;

H.R. 17798. An act to provide that a judgment or decree of the District of Columbia court of general sessions shall not constitute a lien until filed and recorded in the Office of the Recorder of Deeds of the District of Columbia, and for other purposes; and

H.R. 18217. An act to provide home leave for Federal seafaring personnel, and for other purposes.

The message further announced that the House had agreed to a concurrent resolution (H. Con. Res. 1039) relating to the enrollment of the bill H.R. 15857, in which it requested the concurrence of the Senate.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred, as indicated:

H.R. 9339. An act to complement the National School Lunch Act by establishing a special summer lunch program to protect the health and well-being of the Nation's children; and

H.R. 17588. An act to amend section 8(g) of the Soil Conservation and Domestic Allotment Act with respect to assignments; to the Committee on Agriculture and Forestry.

H.R. 12822. An act to authorize the extension of certain naval vessel loans now in existence, and for other purposes; and

H.R. 17451. An act to amend titles 10 and 37, United States Code, to authorize certain rank, pay, and retirement privileges for officers serving in certain positions, and for other purposes; to the Committee on Armed Services.

H.R. 13884. An act to protect the public health by amending the Federal Food, Drug, and Cosmetic Act for the purpose of strengthening and facilitating mutual cooperation and assistance, including training of personnel, in the administration and enforcement of that act and of State and local laws relating to food, drugs, devices, or cosmetics, and for other purposes; and

H.R. 14323. An act to amend the Vocational Rehabilitation Act to provide a fixed allotment percentage for the District of Columbia; to the Committee on Labor and Public Welfare.

H.R. 14249. An act to extend for 2 years the period for which payments in lieu of taxes may be made with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments; to the Committee on Government Operations.

H.R. 17798. An act to provide that a judgment or decree of the District of Columbia court of general sessions shall not constitute a lien until filed and recorded in the office of the recorder of deeds of the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

THE WAR ON POVERTY—CONFERENCE REPORT

Mr. CLARK. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 15111) to provide for continued progress in the Nation's war on poverty. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. MUSKIE in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of Oct. 20, 1966, pp. 28142–28153, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. CLARK. Mr. President, I would like to make a brief statement concerning the conference report on H.R. 15111, the Economic Opportunity Amendments of 1966.

This conference report is a compromise bill which was arrived at not without some difficulty. The conference committee had to resolve 63 separate substantive differences between the House and Senate versions.

Of these 63 differences, only 6 represented differing versions of provisions contained in both bills. There were 20 amendments in the Senate bill, 18 of which were accepted by the House conferees with only a few modifications. The House bill contained 37 amendments, 35 of which appear in the same or slightly altered form in the conference bill.

Mr. President, it is a tribute to all the members of the conference committee, on both sides of the aisle and in both bodies that these 63 issues were amicably resolved. I note for the RECORD that only one record vote needed to be taken during 4 days of deliberation.

I suspect that is something of a record, considering the controversial nature of the poverty program and the fact that the Economic Opportunity Act has become the political football of 1966. I wish to thank my Senate and House colleagues for their cooperation.

Like both the House- and Senate-passed bills, the measure reported by the conferees is within the President's budget, authorizing a total appropriation of $1.75 billion. However, some comment is perhaps warranted concerning a few features of this measure.

EARMARKING OF FUNDS

The House bill included a number of provisions requiring that of the amounts authorized for certain titles, "not less than" certain specified sums be used only for specific programs, such as Headstart, legal services and adult work training and employment programs. The Senate bill earmarked within the titles of the act only Headstart. The form of the House earmarking provisions was such that appropriation cuts could be directed exclusively to unearmarked programs. Under the bill agreed to by the conferees, all programs in the bill are placed under an authorization format so that all may be considered on equal terms in the appropriations process so far as any possible reductions are concerned. The Director of OEO would also retain his existing authority to transfer funds among titles, although the conferees expressed the desire that this not be used to increase the amounts allowed for the Job Corps.

AUTHORIZATIONS

For title I programs, the conference committee has authorized an appropriation of $696 million, the same amount provided in the House bill. However, the funds provided for this title would be allocated in a somewhat different manner.

The Senate bill had authorized the establishment of special impact programs to attack the critical problems existing in urban areas having the greatest concentrations of poverty. The conferees believe that the need for these programs is apparent, and accordingly the committee authorized $75 million for their conduct during the fiscal year 1967. The amount authorized for the Neighborhood Youth Corps would be reduced from the $496 million provided in the House bill to $410 million, and the amount provided for the Job Corps would be $211 million rather than $200 million as authorized in the House passed measure. The conference committee believes that this distribution of funds in title I is reasonable and well balanced in terms of existing needs and considering the limited authorization contained in both the House and Senate versions of $1.75 billion for the entire act.

For title II programs, the conference bill provides $846 million, as compared with $832 million provided in the House bill and $944 million in the Senate bill. The distribution of funds within title II is similar to that provided in the House bill. The conference bill does however, authorize the expenditure of $61 million in fiscal 1967 for neighborhood health centers or similar neighborhood-based, family oriented, comprehensive health service programs including narcotic rehabilitation. These health centers were provided for in the Senate bill, and in the opinion of the conferees, the authorization for them is clearly justified.

LIMITATIONS ON FEDERAL ASSISTANCE

The House bill and Senate bill differed in their handling of prescribed ratios of Federal assistance for various programs.

The Senate bill provided for a 1-year extension of current 90 percent funding authority for various programs including Neighborhood Youth Corps and community action. The House bill established a permanent ratio of 90–10 for the Neighborhood Youth Corps and required 80–20 matching of community action programs beginning in fiscal year 1968. The bill agreed to by the conferees follows the pattern of the House bill.

With respect to community action, the Senate conferees were persuaded to accept 80–20 matching because of the very broad discretion which the Director has to establish a matching ratio above that specified in the act where he finds that a higher ratio is required in furtherance of the purposes of the community action program.

Mr. President, there are one or two matters with respect to which it seems desirable to make legislative history. In that regard my colleague, the senior Senator from New York [Mr. Javits], who is the ranking Republican member of the Subcommittee on Employment, Manpower, and Poverty, which processed the bill, and the ranking minority Senate conferee, has indicated he has a point or two which he would like to develop.

I would suggest that we deal first with a matter in which he is very much interested, which has to do with the rioting provision.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CLARK. I yield to the Senator from New York.

Mr. JAVITS. Could the Senator from Pennsylvania enlighten us on a problem involving the language in the antiriot provision which was added to the bill on the floors of the House and Senate? I would like to clarify the phrase "any group activity resulting in material damage to property or injury to persons, found to be in violation of Federal, State, or local laws designed to protect persons or property in the community concerned."

I am sure I know of the intention of the Congress in this regard, but I think it is essential that it be placed on the Record. Could this provision cover such matters as street fights in which someone gets hurt?

Mr. CLARK. I do not construe the language in that way. I think the conference committee has done a great deal to minimize the legal problems which bristled in the original amendments. It clearly was the intent of the committee to limit the impact of the provision to those convicted of inciting, promoting, or carrying on the kind of group action which leads to serious disorders disrupting the maintenance of general law and order. It certainly does not have to do with ordinary breaches of the peace and disorderly conduct even where they lead to property damage or personal injury. Let me add that the group activity language was substituted for the House bill's phrase "civil disturbance" because, as was pointed out during the original Senate debate, nobody knows what a civil disturbance is. Even the Department of Justice has been unable to define it. On the other hand, the conferees did not limit the provision to rioting alone, because that is a crime which is very rarely prosecuted, even when the world recognizes that a riot has in fact taken place. But it is that kind of problem to which the provision is addressed.

I would like to state for the record that I was totally opposed to the provision, as was the Senator from New York [Mr. Javits], but the provision was voted for by both bodies.

Mr. JAVITS. Mr. President, will the Senator yield further?

Mr. CLARK. I yield.

Mr. JAVITS. I will forgo asking other questions, because I see the Senator from Michigan [Mr. Hart] is present, but I would like to pursue this particular matter. I wish to confirm what the Senator from Pennsylvania has said. We were both opposed to the antiriot provision.

With respect to the words "found to be in violation of," contained in the amendment added on the floor, would the Senator from Pennsylvania [Mr. Clark] agree that the intention of these words is that there should be a finding which is judicial and that that finding is to be made by some court which is concerned with the act in question, rather than putting on the Office of Economic Opportunity the burden of trying such cases?

Mr. CLARK. The Senator is correct. There is a requirement that there shall be a conviction by a Federal, State, or local court of competent jurisdiction before the provisions are applied.

Mr. JAVITS. I thank the Senator from Pennsylvania.

Mr. CLARK. I yield now to the Senator from Michigan [Mr. Hart].

Mr. HART. Mr. President, I thank the Senator from New York for permitting me to raise these questions. He and I have reviewed the matter, and have exchanged expressions of concern with respect to the clarification we hope to develop through this series of questions.

I note that the Senate conferees accepted the House provision providing that assistance to community action programs after July 1, 1967, shall not exceed 80 percent of the cost of those programs. I wonder whether the Senator from Pennsylvania believes that local communities will be able to raise the 20-percent matching share called for.

I know that in some communities in some States—and, indeed, perhaps in Michigan—there has been difficulty experienced in meeting the 10-percent requirement under the present law.

Mr. CLARK. The point that the Senator makes was in the minds of the Senate conferees in accepting the House provision on this point. We were persuaded to do so because section 208(a) of the Economic Opportunity Act gives the Director a very broad discretion to issue regulations relieving local communities of all or part of the matching share requirements. The conferees believe that some communities ought to be able to raise a 20-percent matching share by next July. They also recognize that a great many communities will not be able to do so. I think it is fair to say that this move from 90 to 80 percent would not have been agreed to except for the Director's very broad discretion to waive the matching requirement where it is in the best interests of the program

Let me add that there is also going to be a problem of transition next July. Here, too, the Director's discretionary authority will have to be liberally used to ease the transition and deal fairly with communities that will be applying for funds during the periods before and after July 1, 1967.

Mr. HART. I am happy, and less apprehensive, to learn that there is this discretion available. I would add my caution to that just voiced by the manager of the conference report with respect to the problem of transition next July.

Mr. President, I have only two questions remaining. The first is to get clearly in mind the meaning of a new subsection—I believe it is section 203 of the conference bill—which requires that by March 1 of next year, community action program boards must insure that at least one-third of their membership consists of representatives of the poor.

There are very many successful Upward Bound and Headstart programs that have been conducted by colleges and school boards in many areas of our country. It is hard for me to believe that those educational institutions would change their laws and rules concerning membership on their boards in order to comply with this provision of the bill, requiring one-third of the membership to be representatives of the poor.

I ask the manager of the report how we should react to this problem.

Mr. CLARK. Mr. President, I want to assure my colleague that there is no intention that this provision should apply to that type of agency. The representation of the poor, we all agree, is important in the case of the boards of overall community action agencies and grassroots neighborhood agencies. However, colleges, school boards, and other agencies running what might be called specialized single-purpose programs such as Upward Bound or Headstart are an entirely different matter. They will not be barred from participating in this program as direct grantees, nor do we expect them to reorganize their boards in response to these new requirements, which apply only to the umbrella and grassroots agencies. I hope that clarifies the matter.

Mr. HART. That is reassuring, indeed. My last question, Mr. President, deals with section 209 of the conference bill and the independent funding provisions therein found.

To what base does the 5-percent ratio apply, and to what kind of programs does it have reference?

Mr. CLARK. My colleague may recall that the Senate bill had language on independent funding but it was not specifically directed to communities which already have "umbrella" type community action agencies, as was the House bill. The language used here draws from both bills but preserves the House idea that at least a certain amount of title II funds should be granted for programs outside of, but alongside of, regular community action agency programs. The required percentage is now 5 percent of the so-called versatile CAP funds; that is, the funds not specifically authorized for Headstart, legal services, the Nelson and Scheuer amendments, and other title II programs which have their own specific authorization amounts.

The independently funded programs could include single or multicomponent community action programs. They could include special local programs to demonstrate new ideas or to train people. This provision will assure that there will be more opportunities for public and private nonprofit agencies, many of which have long been engaged in helping the poor, to develop programs of limited scope which can be funded directly rather than through local umbrella agencies. Yet the provision is sufficiently limited to preserve the basic approach of coordinated programs under umbrella agencies.

Mr. HART. Mr. President, section 209, as I read it, requires that at least 5 percent of the applicable funds be used for these independently funded programs, and that another 5 percent may also be used in the same way.

Are we talking, then, in effect, about a 10-percent limit?

Mr. CLARK. Well, I think there was no intention to impose a ceiling. The Director of OEO can spend more on independent programs if he wishes. The intent was to require 5 percent and encourage another 5 percent, not to impose a ceiling. OEO has always made some independent grants, such as Upward Bound, in communities where there already were overall community action programs. The conference did not intend an upper limit on this type of grant.

Mr. HART. Mr. President, on this intensely controversial proposal, I thank the manager of the Senate conferees and the conferees themselves for returning to the Senate what I believe is as sound a resolution of this debate as anyone could reasonably have expected.

Mr. CLARK. I thank my friend from Michigan for his helpful questions.

Mr. JAVITS. Mr. President, will the Senator yield?

Mr. CLARK. I yield to the Senator from New York.

Mr. JAVITS. I shall be very brief. I merely wish to observe that there is a paragraph in the report of the managers on the part of the House, found at page 28150 of the RECORD of October 20, 1966, which deals with the administration of the special impact program, of which the junior from New York [Mr. KENNEDY] and I were the authors.

Both of us have the feeling that we rather favor the concept taken by the managers on the part of the House, who call attention to the special talent and expertise of the Department of Labor in similar programs. I do not know that the manager of the bill has any strong feeling on this point; if he does, I should be interested to hear it.

Mr. CLARK. If the Senator will yield, even though the Department of Labor is better qualified to handle the special impact program than the Director of OEO, the responsibility under the law for all economic opportunity act programs rests with the Director of the OEO even though delegation is recommended.

Mr. JAVITS. The responsibility rests with OEO in the sense that the authority and money are given to the OEO, although that does not prevent the delegation of the operation of the program. The bill itself does provide for maximum coordination with community action programs, in any case.

I wish only to underline the fact that Senator KENNEDY and I, as the authors of the program, believe that this would be a program very closely linked with both the departments.

Mr. CLARK. I quite agree with the Senator from New York. This is a brand new program. I should like to have his confirmation that this new program like all of the programs under the Economic Opportunity Act, even those which are delegated is the responsibility of the Director of OEO even though it may be delegated to the Department of Labor which does have some expertise in this area.

Mr. JAVITS. Before I say "Yes" to that—and the answer is "Yes"—I wish to point out that the Director of OEO could, in any case, go as far as he wanted to, under the terms of the bill, in cooperating and joining resources with the Department of Labor.

Mr. President, I underline for myself—and I am sure the junior Senator from New York feels the same way—my interest in obtaining the advantage of the expertise and capabilities of the Department of Labor in this new program in which both my colleague and I have a deep interest.

Mr. President, the Senator from Pennsylvania [Mr. CLARK] has handled this matter magnificently. He really had a very difficult and trying time.

This conference was one of the toughest conferences in which I have ever participated.

The entire Senate should be grateful to the Senator for the fine capacity he evidenced in handling the matter.

Mr. CLARK. Mr. President, I thank my friend for his typical exercise in what is known as Senatorial courtesy.

The **PRESIDING OFFICER.** The question is on agreeing to the conference report.

The report was agreed to.

Mr. THURMOND. Mr. President, I would like the RECORD to show that I voted against the passage of this measure.

Mr. CLARK. Mr. President, I move to reconsider the vote by which the conference report was agreed to.

Mr. JAVITS. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

AMENDMENT OF TITLE X, UNITED STATES CODE, RELATING TO INSTRUCTION OF CERTAIN ALIENS IN THE SERVICE ACADEMIES

Mr. INOUYE. Mr. President, I ask that the Chair lay before the Senate a message from the House on S. 3887.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 3887) to amend title 10, United States Code, to permit persons from countries friendly to the United States to receive instruction at the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy, and for other purposes, which was, to strike out all after the enacting clause and insert:

> (a) Notwithstanding any other provision of law, upon designation by the President, the Secretary of the Army, the Secretary of the Navy, and the Secretary of the Air Force, respectively, may permit persons from foreign countries to receive instruction at the Military Academy, the Naval Academy, and the Air Force Academy.
>
> (b) A person may not be admitted to an Academy for instruction under this Act unless his country at the time of his admission is assisting the United States in Vietnam by the provision of manpower or bases.
>
> (c) Not more than four persons may receive instruction under this Act at any one Academy at any one time.
>
> (d) No person may be admitted to an Academy under this Act after October 1, 1970.
>
> (e) A person receiving instruction under this Act is entitled to the pay, allowances, and emoluments of a cadet or midshipman appointed from the United States and from the same appropriations.
>
> (f) Except as the Secretary determines, a person receiving instruction under this Act is subject to the same regulations governing

admission, attendance, discipline, resignation, discharge, dismissal and graduation as a cadet or midshipman appointed from the United States. However, a person receiving instruction under this Act is not entitled to an appointment in the Armed Forces of the United States by reason of his graduation from an Academy.

(g) A person receiving instruction under this Act is not subject to section 4346(d) of title 10, United States Code.

Mr. INOUYE. Mr. President, I move that the Senate concur in the amendment of the House.

The motion was agreed to.

DISAPPOINTMENT OF FEDERAL EMPLOYEES IN NEW JERSEY ON VETO OF AMENDMENTS TO FEDERAL EMPLOYEES GROUP LIFE INSURANCE ACT OF 1954 (H.R. 6926)

Mr. KUCHEL. Mr. President, the distinguished senior Senator from New Jersey [Mr. Case] is unavoidably detained in his State. I ask unanimous consent to have printed in the Record a short statement prepared by him and sundry correspondence.

There being no objection, the statement and correspondence were ordered to be printed in the Record, as follows:

Statement by Senator Case

Both Houses of the Congress recently passed legislation designed to amend the Federal Employees Group Life Insurance Act of 1954 to bring the act more in line with present conditions.

Since then the President has dealt a severe blow to the morale of Federal employees by vetoing the amendments.

The Legislative Director of the New Jersey Federation of Postal Clerks, Benjamin B. Warsaw, recently wrote to the President about the feelings of Federal employees in my own State of New Jersey. At the request of Mr. Warsaw, I would like at this time to have printed in the Record a copy of Mr. Warsaw's letter to the President and a copy of his letter to me.

"September 27, 1966.

"Hon. Clifford P. Case,
"U.S. Senate,
"Senate Office Building,
"Washington, D.C.

"Dear Senator Case: I am enclosing a letter to President Lyndon B. Johnson, in behalf of the Executive Board of the New Jersey Federation of Postal Clerks, and all postal clerks in New Jersey. I request that you have this letter inserted in the Congressional Record.

"It would be appreciated, if you can contact members of the Senate Post Office Committee, on the possibility that the Senate can override the President's veto.

"Senator Case; postal employees in New Jersey are not happy. We are disgusted and rightly so, with paltry pay raises, little or no fringe benefits. Congress has failed the postal employee, in time of need. We need help. Next year may be too late.

"Sincerely
"Benjamin B. Warsaw,
"Legislative Director, New Jersey Federation of Postal Clerks.
"Clifton, N.J."

"Clifton, N.J.,
"September 28, 1966.

"Mr. Lyndon B. Johnson,
"President of the United States,
"The White House,
"Washington, D.C.

"Dear President Johnson: Federal employees in New Jersey, and in particular, the thousands of Postal Clerks, that I represent, are sadly disappointed in learning that amendments to the Federal Employees Group Life Insurance Act of 1954, (H.R. 6926) was vetoed by you.

"We are living in a time of constant change. We must make changes in order to progress, to move ahead today, not tomorrow. We are living with an Insurance Act, that has not been amended, since its inception in 1954, to keep up with the changing times in a changing world.

"Federal employees, despite 5 pay raises within the past 6 years, are not moving forward, with the rest of the nation, the neighbor next door, or the victims of poverty that have been able to progress to new heights.

"'Inflationary', 'recession', 'depression', 'wait til next year', 'war in Viet Nam', 'full comparability', 'pay reform', 'cannot be justified', 'far beyond my recommendation', 'wage guide-lines', '3.2%', and 'for the good of the nation', are all reasons given by you, to deny us more than is offered to us. These are words and phrases that have run its due course.

"We are the 'forgotten people' of the nation. We are denied the benefits of fair and honorable legislation. The Executive Board of the New Jersey Federation of Postal Clerks, firmly believes that the Federal employee, long recognized by you as a dedicated, loyal and faithful civil servant, serving the nation that he is proud of, has suffered, due to the fact that we have comparability in name, but not in fact.

"We hear that wages in the Post Office are comparable to those paid in private industry. There is no position in private industry that compares with those of Postal employees,—delivering mail, driving Postal vehicles, distributing mail, selling stamps, answering complaints and rectifying them for the benefit of the public, and many other duties.

"Recently, the United Parcel Service, placed advertisements in daily newspapers in the North Jersey area. I am enclosing this advertisement in order you can see, that Postal employees, a skilled technician, called on to do various duties, is far from reaching comparability.

"The starting rate for delivery driver—United Parcel Service is $2.85 per hour. It rises to $3.25 per hour after probationary period.

"In the Postal Service, an employee in Level 4—step 4, earns $2.82 per hour. He receives $3.24 per hour in step 9. A new employee in Level 4—step 1, earns $2.56 per hour, which is 29 cents per hour less than the earnings of a delivery driver at United Parcel Service.

"We look to you for guidance and direction. Direction that will put Postal employees, back on the road to economic recovery. We need more pay, more insurance, more health benefit contributions from the Government, to enable us to lift ourselves out of Government imposed pockets of wage guide-line poverty.

"We are aware of the problems that you face everyday as President of this great nation. However, we hope that as time goes on, you will help us solve our problems, minor to some, major to us.

"Mr. Johnson; the veto of this much needed legislation, adds greatly to the low morale, that has caused constant unrest amongst Postal employees, thus causing Postal Unions at recent conventions, to consider for the first time the possibility, of dropping the "no strike clause" from their constitutions.

"Recently, the Executive Board of the New Jersey Federation of Postal Clerks, in its Labor Day message, stated the following:

"The critical condition of the United States Postal Service is a matter of public record. There is an increasing awareness throughout the country of the urgent need for revision of policies, affecting the employee and the mailer. Daily events continue to confirm the urgency of immediate action on the part of the Post Office Department, the Congress and the President to move forward, to correct conditions that have made postal employees, in the nation, restive.

"All employee postal unions, recently assembled in convention, discussed the possibility of removing the 'no strike clause' from their union constitutions. Postal employees are first class citizens and deserve first class treatment. Because postal employees are forbidden to strike, it is incumbent upon the Post Office Department, the Congress and the President, to give us a little more consideration.

"In 1935, the right of workers, employed in private industry, to organize and bargain collectively was written into federal law. Federal employees gained that right, partially, 27 years later, when President Kennedy issued Executive Order 10988, in January 1962. It was a half of a loaf.

"The recent measly pay raise granted to federal employees, will go down in history as a cruel joke, played on dedicated servants. We can go on, and on and on, but time is short and precious.

"Since then, conditions have taken a turn for the worse. In our Labor Day Message, we hoped for the best, but we hope for little miracles in the future. We see this great nation prospering. We would like to share this with everyone, the benefits and hope of the Great Society.

"Sincerely,
"Benjamin B. Warsaw,
"Legislative Director, New Jersey Federation of Postal Clerks on Behalf of the Executive Board."

CHILDREN'S ASTHMA RESEARCH INSTITUTE AND HOSPITAL (CARIH)

Mr. KUCHEL. Mr. President, the Children's Asthma Research Institute and Hospital—CARIH—was organized to fight a disease which today afflicts 5,400,000 Americans. CARIH is the largest asthma facility in the Western Hemisphere. The techniques pioneered by this organization have been freely shared with physicians and clinics all over the world. Mr. President, I ask unanimous consent that there be printed in the Record at this point a highly informative speech on the subject of asthma by Brig. Gen. Joe M. Blumberg, Director of the Armed Forces Institute of Pathology, at the 1966 National Auxiliaries Convention of the Children's Asthma Research Institute and Hospital.

There being no objection, the speech was ordered to be printed in the Record, as follows:

An Extract of Remarks by Brig. Gen. Joe M. Blumberg, MC, U.S.A., the Director, Armed Forces Institute of Pathology, Washington, D.C., Presented at the 1966 National Auxiliaries Convention of the Children's Asthma Research Institute and Hospital (CARIH) at Denver

As of today asthma has been a recorded medical problem for at least 1800 years. This is not a new disease. Arethaeus The Cappadocian in the 2nd century A.D. wrote—"If from running, gymnastic, exercises, or any other work the breathing becomes difficult, it is called asthma."

Twelfth century physician-theologian Maimonides described asthmatic symptoms as "starting from a cold, especially in the rainy season, leading to gasping for breath, night and day until phlegm is expelled, the flow completed, and the lung well cleared."

In 1679 Thomas Willis graphically described the dramatic nature and severity of the disease stating, "the organs and the precordia themselves which are the foundation and pillars of life are shaken by this disease as by an earthquake and so totter that nothing less than the ruin of the fabrick seems to be threatened for breathing, whereby we chiefly live, is very much hindered by the assault of the disease and is in danger or runs the risk of being taken away." Willis also recognized that the cause of the disease was obstruction of the bronchi.

In the 18th century it was recognized that "foods, wind, and temper" may participate in causing of the syndrome, and in 1873 Blackley recognized the relationship between bronchial asthma and airborne pollen. In the 20th century the importance of allergy was recognized and in the last decade, particularly, the chemical mediators, those substances that act on the bronchial musculature, blood vessels, and mucus glands have been investigated.

Much research has been performed in the investigation of the causes of asthma and numerous theories have been advanced. At this time, countless years after recognition of this disease, we still do not know precisely all the causes, the disease mechanism, or the cure.

What is the importance of understanding this disease? Why all the dollars and hours that have gone into asthma research? What size population group are we talking about when we discuss bronchial asthma?

The incidence of asthma in the U.S. was estimated to be 5,020,000 in 1961 to 1963. With the population increase since then, there are approximately 5,400,000 bronchial asthmatics in this country. This figure may be compared with the 830,000 people in the U.S. under treatment for cancer in 1964, a better than 6-fold difference (President's Commission on Heart Disease, Cancer & Stroke, Pt. 1, pg. 9). Compared to the cancer patient, the asthmatic patient represents a problem for a much longer period of time, asthma often persisting for many years.

The Armed Forces recognizes asthma as a health problem. A.R. 40–501 recognizes bronchial asthma as a cause for rejection for appointment, enlistment, or induction, and states that an individual is eligible only if he has been symptom-free since his 12th birthday. Furthermore, the A.R.'s state that asthma associated with emphysema of sufficient degree to interfere with performance of duty or not controlled by oral medication is cause for medical unfitness for further military service. From January 1957 thru September 1958, 9,556 men were rejected at Armed Forces Examining Stations for asthma. In a 1956 study each bronchial asthmatic in the service averaged 27 noneffective days per year compared with 4 for the average non-asthmatic soldier.

It has been estimated by The Public Health Service that in the years 1962–1963 128 million days were lost from work, school, and other necessary activities in the U.S.

What is asthma, how is it studied, and who studies it?

Sherman (Cecil & Loeb) states that asthma occurs when the bronchial tree is susceptible to specific allergic or non-specific irritative stimuli. Bronchial asthma is now divided into extrinsic and intrinsic varieties. The usual type, i.e., extrinsic asthma is due to hypersensitivity to external antigens (substances such as pollens, grains, molds, or dusts). In the intrinsic variety, much less frequent than the former, no allergy to extrinsic substances can be detected, and infection usually plays a large part.

It is extrinsic asthma which affects most individuals and it is to the diagnosis and elimination of sensitizing antigens that much medical attention is directed.

In the usual case, this is the probable sequence of events that occurs in the development of asthmatic symptoms.

1) A susceptible individual becomes exposed to an antigen to which he is sensitive e.g., a dust or pollen.

2) His body forms antibody—proteins which circulate in the blood and which also become fixed in tissues.

3) The combination of offending substances occurs with the antibody and

4) Chemical substances are released.

5) These migrate to an area where they produce a pharmacologic effect.

6) At this site they affect target sites which in bronchial asthma are:

a. blood vessels

b. smooth muscles

c. bronchial mucus glands

With this as the model, we can find areas in this developmental scheme that are available to study and see who studies them.

Let us start with the individual. Not unfrequently he has a family history of allergy. He and his family offer a fertile field for genetic study in an effort to determine the significance of the familial disease and whether there are discoverable aspects in the genetic make-up of the individual which determine the occurrence of the disease and its severity.

The immunologist is interested in the nature of antibody formation. Does the patient make too much AB, or is it of a type that is abnormal? There is a fertile field for study by the biochemist and pharmacologist as to the nature of the chemical substances which affect the shock tissues in asthma. We know now that there are compounds other than histamine which are important in the production of allergic symptoms. Two substances have recently been studied (bradykinen and the so-called Slow Reacting Substance of Anaphylaxis SRS–A) which are important in the study of the asthmatic syndrome. There are many scientific facts to be learned about them, e.g., their chemical structures, their mode of action, their importance in clinical asthma. In addition, it is important to learn if there are additional yet undiscovered compounds that are important in the production of symptomatology.

From the place where the offending antigen attaches to the susceptible cell there is a space referred to as intercomplex carbohydrate and protein molecules. There have been thoughts recently that alterations in the chemical composition of the tissues in this space might facilitate the journey of chemical mediation to the effector site. To put it another way, the chemical make-up of this tissue could determine the ease with which the mediator comes into contact with the shock tissues. The study of this tissue might interest reasearchers in many fields, e.g., pathologists who study the cellular and subcellular makeup of this tissue and biochemists who determine the chemical pathology.

As all of you know, the study of asthma doesn't stop in the laboratory. Just as the disease affects the whole individual, so must research concern itself with the whole individual. Several different disciplines must dedicate their efforts to completely study and care for a bronchial asthmatic. The allergist is important in determining which antigens are important in producing symptoms, and he must then set about desensitizing the individual. During the course of asthma individuals will become symptomatic, many will become seriously ill, and some may enter into the state known as "status asthmaticus". Each of these states of the disease as well as the symptom-free intervals between demand care by a physician whether he be pediatrician, internist, allergist or general medical practitioner. Not only must he administer drugs, but he must also minister to the psychological needs of the individual and the family. Any patient with a chronic illness whether it be tuberculosis, heart disease, cancer, or asthma reacts to his disease. Perhaps more so than in any other disease emotions affect the progress of disease in bronchial asthma. Emotional trauma often triggers attacks. It is therefore necessary that the physician counsel the patient and the family so that they understand the disease and how it is going to affect each of them. It is also necessary that they understand that the family situation may affect the course of the disease.

It is obvious then that numerous physicians and scientists are involved in asthma research and in the care of the patient. Those we have listed so far are the geneticist, the immunologist, and internist, the pediatrician and the general practitioner. This list is certainly not complete. Psychiatrists and psychologists exercise their skills in both asthma research and patient care. Infectious disease physicians and bacteriologists are studying the relationship of infection and bacterial allergy to asthma. Physicians interested in air contamination have studied and are studying relationship of air pollution to asthma and other pulmonary diseases in the U.S. and elsewhere. This list of those involved in asthma research and care is far from complete.

Despite all the efforts of physicians, allied health personnel, social scientists and interested lay people it is clear that asthma still presents a problem. Science cannot prevent the disease and in many cases cannot cure it. Contrary to what many physicians have said and parents have heard in the past, all children do not "outgrow" this disease at puberty.

In a group of 336 patients who developed asthma from birth to 14 years of age, 48% were still wheezing an average 22 years after onset (Barr and Logan).

In another study of 449 asthmatic (Rackemann) 20 years after the onset of childhood asthma 30% were entirely relieved of symptoms.

19% had no symptoms because they successfully avoided the causative antigen.

21% had other allergic manifestations, usually hay fever.

26% still had asthma and in 11% of the total group this was serious.

1% died of asthma.

Certain medical complications may occur in the asthmatic.

In a small number of cases heart disease may develop. Emphysema, once thought to be frequently secondary to asthma is not a frequent successor of uncomplicated asthma, but may follow the chronic bronchitis that may co-exist with asthma. The asthmatic is more susceptible to other chest diseases and may develop spontaneous pneumothorax, mediastinal and subcutaneous emphysema. At times the mucus excessively secreted by the mucous glands of the tracheobronchial tree may become dried and block parts of the bronchial system leading to loss of respiratory function, distressing symptoms, confusion with cancer by x-ray, and pneumonia.

It is also recognized that deaths in asthma which were carelessly recorded 50 years ago are now more frequent. Only 7 fatal cases were recorded in the medical literature between 1886 and 1906 (Snapper) and 160 in 1953 (Earle). Several recent authors concur that there is probably an increase in the number of asthma-related deaths in asthmatics (Shapiro & Tate). In 1962, 4,896 deaths in the U.S. were attributed to asthma on certificates of death. (Allergy and Applied Immunology 19,467, 1965). The causes of death in these individuals are not always clear, but may be secondary to the dsease, complications of the disease or complications of the therapy. Not infrequently those dying are in the productive period of life.

A certain group of patients fail to respond to the usual therapy which benefits 90% of bronchial asthmatics. These are patients who don't improve at home but who in many instances improve markedly when placed in a specialized treatment-care center such as the Children's Asthma Research Institute and Hospital (CARIH), the largest asthma center in the Western Hemisphere, located in West Denver. Hospitalization at an institution such as this involves many things including physical separation from physical allergens and possibly sources of threatening conflict in the home. The program at this hospital is comprehensive, responding to the medical, education, dietary, social, recreational, and religious needs of the individual. To rehabilitate a child with intractable asthma takes time, many skills and much money. The child with bronchial asthma has greater, not fewer, needs than his non-asthmatic playmate. At the Children's Asthma Research Institute and Hospital (CARIH) it costs $12,000 to rehabilitate a child during a 2 year course of treatment and care.

A survey of many convalescent institutions for asthmatic children in the U.S. and Canada listed the per diem cost as $15.26 for each patient. This does not include the large sums necessary for asthma research. For all basic medical research, about 1.5 billion dollars is being spent annually. $24 billion is spent annually on "comfort and enjoyment" items such as alcohol, chewing gum, face creams, and tobacco. Although the federal government has become increasingly interested in the Health care of the public and, through the President in his Jan. 7, 1965 health message, recognized the "great and growing needs for our children for better health services", the cost of caring for these children must continue to be borne by the interested and vigorous people who have voluntarily concerned themselves with the rehabilitation of intractably asthmatic children. Although federal funds are available to support research through PHS grants, and funds probably are available through the recently enacted Regional medical program to combat heart disease, cancer, and stroke, these funds are intended to augment and not replace private funds and are not intended for the payment of patient hospital costs. Through research, much has been learned about asthma and the asthmatic child. The integrated program of clinical and basic rsearch at CARIH is the only one working solely in the field of allergic diseases, of which asthma is the most severe.

80% of the children who have been treated at CARIH have become asthma-free or greatly improved. The great effort, time, and money that have been expended have benefited these children and asthmatics elsewhere beyond measure.

ACTIVITIES OF THE COMMITTEE ON GOVERNMENT OPERATIONS, 89TH CONGRESS, 2D SESSION

Mr. McCLELLAN. Mr. President, as chairman of the Committee on Government Operations, I submit for the information of the Senate a brief summary of the activities of the committee and its subcommittees in the 2d session of the 89th Congress.

A full, detailed report on the activities of the committee and all subcommittees will be submitted at the end of the 89th Congress, as has been the custom in the past.

The following is a condensation of the actions taken by the committee and its subcommittees, with brief explanations of some of the legislation processed and enacted into law, or approved by the Senate.

Of the total of 42 Senate and House bills and resolutions referred to the Committee on Government Operations during the 2d session of the 89th Congress, 7 were enacted into law and 11 resolutions were agreed to; 4 legislative proposals were reported favorably and approved by the Senate but failed passage in the House of Representatives.

CREATION OF A DEPARTMENT OF TRANSPORTATION

Legislation to establish a Department of Transportation as the 12th Cabinet position in the Government was processed and reported unanimously by the committee, and passed during the 2d session of the 89th Congress. This legislation brought together in one coordinated unit the major transportation agencies and functions of the Federal Government, except those relating to economic regulation. The purpose of this legislation was to centralize in one new Cabinet-level department the responsibility for leadership in the development, direction, and coordination of the principal transportation policies, functions, and operations of the Federal Government which were carried on by some 100,000 employees in several departments, agencies, and independent regulatory agencies and elements thereof, involving annual expenditures approximating $6 billion.

Processing this complex legislation engaged much of the committee's attention and efforts during this session of Congress. The committee held 9 days of hearings on S. 3010, receiving testimony from 58 witnesses representing the executive branch, independent regulatory agencies, industry, labor and the public. In addition, 36 exhibits and 50 statements and communications were incorporated into the hearing record which runs to 4 volumes. Since these hearings were concluded, seven executive sessions were held on this bill in addition to several informal conferences.

REORGANIZATION PLANS OF 1966

Under the Reorganization Act of 1949, as amended, the President is authorized to submit plans to the Congress for reorganization in the executive branch of the Government. Such plans become effective within 60 calendar days after submission to the Congress, unless disapproved by a majority of either the House or the Senate by the adoption of a resolution of disapproval.

In 1966 the President submitted five reorganization plans to Congress. All of these proposed reorganizations became effective and are described more fully in the report of the Subcommittee on Executive Reorganization.

MISCELLANEOUS REORGANIZATION PROPOSALS

Legislation to create a Commission on Noxious and Obscene Matters and Materials was again reported by the committee and passed by the Senate. The House Government Operations Committee has not acted on this proposal to date although similar legislation has been favorably reported and passed by the Senate on two previous occasions.

Other reorganization bills, on which no action was taken by the committee, included proposals to establish a Department of Education; an Office of Community Development in the Office of the President; an Office of Consumers; a Department of Marine and Atmospheric Affairs under a proposed Marine and Atmospheric Affairs Coordination Act; and a bill to redesignate the Department of Interior as the Department of Natural Resources. Proposals were also submitted to establish various commissions relating to: the organization and operation of the executive branch of the Government; science and technology; health research activities; national intergovernmental affairs; public management and technology and human environment.

NOMINATIONS

Following hearings on March 2, 1966, the committee unanimously approved, and the Senate subsequently confirmed, the nomination of Elmer B. Staats to be Comptroller General of the United States for a term of 15 years.

The Comptroller General is the principal officer of the General Accounting Office, which was created as an arm or agent of the Congress. The Comptroller General is thus directly responsible to the Congress. As an agency in the legislative branch, the General Accounting Office was created to assist the Congress in providing legislative control over the receipt, disbursement, and application of public funds. Its principal functions are in the fields of auditing, accounting, claims settlement, legal decisions, special assistance to the Congress, and records management and services.

GENERAL LEGISLATION

The committee also considered and acted on the following miscellaneous bills:

First. H.R. 9830: A bill to authorize the Administrator of General Services to reimburse States and political subdivisions thereof for the installation, repair, or replacement of sidewalks around Federal buildings or other installations where sidewalks are needed or required adjacent to Federal property.

The bill was amended by the House, on recommendation of the Bureau of the Budget, so that the head of any Federal agency could install, repair, and replace sidewalks around buildings, installations, properties and grounds under the control of such agency, in accordance with the rules and regulations prescribed by the GSA.

The amended bill was approved as Public Law 89-344 on November 8, 1965.

Second. H.R. 10722: To authorize the payment of an allowance of not to exceed $10 per day to employees assigned to duty at the Nevada Test Site of the U.S. Atomic Energy Commission. The Senate having passed S. 2271 companion bill—March 2, 1966—amended, then passed

H.R. 10722, amending it by substituting for its text the amended language of S. 2271. The House agreed to Senate amendments and the bill became Public Law 89-383 on March 31, 1966.

Third. H.R. 10607: To provide for reimbursement of certain moving expenses of employees, and to authorize payment of expenses for storage of household goods and personal effects of employees assigned to isolated duty stations within the continental United States—Senate Report No. 1357, passed Senate July 11, 1966; Public Law 89-516, July 21, 1966.

Fourth. S. 3150: To make further provisions for the retirement of the Comptroller General—Senate Report No. 1283, passed Senate June 16, 1966, passed House July 18, 1966; Public Law 89-520, July 26, 1966.

Fifth. House Resolution 1207: To authorize the Administrator of General Services to accept title to the John F. Kennedy Library—Senate Report No. 1456; passed Senate on August 12, 1966, Public Law 89-547, August 27, 1966.

Sixth. S. 2810: To amend section 201 (c) of the Federal Property and Administrative Services Act of 1949 to permit further Federal use and donation of exchange sale property. The bill was reported favorably—Senate Report No. 1356—on June 30, 1966, and passed the Senate on July 11 and referred to the House Committee on Government Operations.

Seventh. S. 3466: To change the name of Rolla Jewel Bearing Plant at Rolla, N. Dak., to the William Langer Jewel Bearing Plant—Senate Report No. 1372. Passed Senate July 19, 1966, and referred to the House Committee on Government Operations.

CHART AND REPORT OF GOVERNMENT ORGANIZATION

As initiated in the 80th Congress, the committee continued the compilation of an annual organization chart and report reflecting by calendar year all reorganizations and changes effected in the basic structure and increases or decreases in personnel of all departments and agencies in the executive branch of the Government. The chart and accompanying report for calendar year 1965 reflecting data as of January 1, 1966, were printed on April 25, 1966, as Committee Report No. 26. The organization chart is a tabulation of personnel assignments to major operating components of each department and agency. The accompanying report contains complete details concerning major reorganizations affected, the resulting improvements in administration as reported by the agencies, as well as the total reductions or increases in Federal personnel.

GAO AUDIT REPORTS

Pursuant to the requirements of the Legislative Reorganization Act of 1946, and the rules of the Senate, a total of 175 audit reports and other communications relating to fiscal and related operations of the Government were submitted to the Senate by the Comptroller General of the United States, and referred to the committee. These reports were reviewed by the staff of the committee and, when warranted, by the Senate Permanent Subcommittee on Investigations. The great majority of the reports relate to excessive expenditures or agency actions which are considered to be irregular or not in accord with existing law. Unless some specific recommendations for action were suggested by the Comptroller General, the committee took no further action on these reports.

SUMMARIES OF ACTIVITIES OF SUBCOMMITTEE OF THE COMMITTEE ON GOVERNMENT OPERATIONS

The following summaries of activities were submitted by the indicated subcommittees:

SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

Senate Resolution 183 of the 89th Congress, Second Session, authorized the Committee on Government Operations to conduct investigations in three fields of jurisdiction during the second session of the 89th Congress, and the Committee delegated this duty and the responsibility therefor to its Permanent Subcommittee on Investigation. The three areas are:

(1) Waste and inefficiency in Federal executive agencies,

(2) Crimes and improper activities in the labor and management fields; and

(3) Activities of organized crime which utilize facilities of interstate or international commerce to violate Federal laws.

Major investigations conducted by the Subcommittee during 1966 were the following:

1. Investigation into Small Business Investment Companies. The hearings were concerned with the activities of private investment companies licensed by the Small Business Administration and provided with Federal funds for lending to and investing in small business firms. Testimony disclosed that some 240 of the 700 firms were on the agency's problem list, and that the Federal Government was likely to lose at least $18,000,000 and that total losses might be substantially larger. The Subcommittee was informed that an intensive program of corrective action had been instituted by the agency and its new administrator to improve the lax, inefficient and inadequate administration of the program. As a result of the Subcommittee's inquiry into a number of the investment companies, the agency was enabled, in one instance, to act upon information compiled by the Subcommittee's staff, and to recover $400,000 of Federal funds which otherwise might have been irretrievably lost. The Subcommittee is continuing its interest in the SBIC program in order to evaluate eventually the results of the agency's corrective program.

2. Investigation into FHA Urban Renewal Projects. Several days of testimony before the Subcommittee demonstrated clearly that the Federal Housing Administration faces increasing difficulties with its program of insurance of multi-family housing projects in blighted areas. Substantial loss to the Federal Government will ultimately result unless the disturbing conditions disclosed in the Subcommittee's hearings are swiftly corrected. In certain instances, it may be too late for corrective actions to prevent losses. Testimony showed a widening gap between reserve requirements and the reserve maintained from income. The cash deficit in the program particularly studied by the Subcommittee was $14.3 million on December 31, 1965. The Barrington Plaza project in Los Angeles, which was a principal subject of the Subcommittee's investigation, will ultimately show a loss of between $5 and $6 million. The hearings disclosed that certain Federal officials engaged in reckless and imprudent administrative practices, and that the entire program was subject to laxity and inefficiency by officials responsible for safeguarding the Government's interests.

3. Racketeering in the Labor Relations Field. The Subcommittee conducted hearings into the activities of a labor relations consultant named Jack McCarthy and his business associates. Testimony and documented evidence established that McCarthy and his adherents, through their domination and control of certain local labor union officials, managed to carry out a series of schemes for self-enrichment which had the effect of subverting and destroying the legitimate objectives of trade unionism. The principal areas of investigation were: (1) the highly questionable practice by labor consultants of representing employers in collective bargaining with unions which the consultants dominate and control, resulting in "sweetheart" contracts; (2) conflicts of interests arising from dubious financial transactions between labor consultants and union officials who act in collusion on labor matters; and (3) misuse of union welfare funds, particularly in worthless and ineffective arrangements for dental and optical benefits. The hearings disclosed that the intent of the Congress in enacting laws to administer, supervise and regulate labor-management affairs can be readily circumvented by unscrupulous and dishonest persons. The testimony showed that existing law in the field is not adequate to deal effectively with the problems disclosed by the hearings.

LEGISLATIVE EFFORTS AND RESULTS

Following each of the investigations noted above, the Subcommittee's staff, working in cooperation with the Federal agencies involved, prepared legislative proposals to correct the abuses disclosed in the hearings and to prevent their recurrence. These measures may be subjects for Congressional consideration during the 90th Congress.

Additionally, during the second session of the 89th Congress, the Subcommittee's staff worked closely with certain legislative committees relating to consideration of bills introduced in the Congress which resulted from previous investigations conducted by the Subcommittee. These bills were:

1. A bill to strengthen the regulatory and supervisory authority of Federal agencies over insured banks and insured savings and loan associations, and for other purposes, which has been agreed upon by House-Senate conference and is awaiting final Congressional action.

2. S. 2575, also a bill concerned with banking, introduced by Senator McClellan to strengthen certain banking laws, which has been referred to the Senate Banking and Currency Committee, and which seeks specifically to correct, prevent, and eliminate certain of the abuses and improprieties disclosed in the Subcommittee's hearings on Federally insured banks, held during 1965.

3. S. 2627, a bill to amend the Welfare and Pension Plans Disclosure Act for the purpose of providing additional protection for the interests of participants in and beneficiaries of employee welfare and pension benefit plans, introduced by Senator McClellan and referred to the Committee on Labor and Public Welfare. This bill, introduced in the first session of the 89th Congress, resulted from the Subcommittee's hearings during 1965 into the diversion of certain welfare funds of unions in the New York area.

4. The Subcommittee's staff worked in close cooperation and liaison with the staff of the Subcommittee on Criminal Laws and

Procedures of the Senate Judiciary Committee and its consideration of a series of important legislative proposals which resulted principally from the Subcommittee's hearings in 1963 and 1964 on organized crime and the illicit traffic in narcotics. These bills were:

a. S. 2187, which would make joining a criminal organization such as the Mafia a Federal violation;

b. S. 2188, providing that obstruction of Federal criminal investigations by means of bribery or coercion is a violation of Federal law, a bill which has passed the Senate but has not yet been acted on by the House;

c. S. 2189, to outlaw private wiretapping and to provide for authorization under court order of wiretapping by law enforcement agencies in connection with specific violations;

d. S. 2190, a bill to provide authority to grant immunity to a witness in order to secure his testimony, which has passed the Senate but has not yet been acted on by the House;

e. S. 2191, to provide for civil commitment for narcotic addicts and for other purposes, a bill which is presently in House-Senate conference before final action by the Congress.

OTHER SUBCOMMITTEE ACTIVITIES

A number of other inquiries which did not result in public hearings were carried out by the Subcommittee during the second session of the 89th Congress. Many of these investigations brought corrective action promptly by the agencies or organizations whose activities were under inquiry. Certain inquiries produced no evidence to substantiate allegations or reports of improprieties received. Several inquiries of importance are presently being carried out by the Subcommittee's staff, and it is anticipated that some of them will result in executive or public sessions.

During the course of this session of the Congress, the Subcommittee's work in the fields of its jurisdiction was reflected in certain events relating to prior investigations and inquiries.

In partial summary, these were:

1. The recovery, through the efforts of the Subcommittee's General Counsel, of $4,200,000 in diverted union welfare funds of Allied Trades Council and Teamsters Local #815, which moneys were restored to the welfare funds for the proper purpose of providing benefits for union members;

2. The recovery, resulting directly from the Subcommittee's inquiry, of about $400,000 in Small Business Administration funds from a firm investigated by the Subcommittee;

3. The recovery of $246,000 in FHA funds from the operators of a project investigated by the Subcommittee;

4. As a result of indictments brought following the Subcommittee's inquiry into Federally insured banks in San Francisco, Colorado, and in Texas, five of the principal subjects of inquiry were convicted and sentenced, and two others are awaiting trial;

5. Certain information developed by the Subcommittee's staff in an inquiry into the affairs of another bank has been used by Federal officials in securing the indictments of 19 persons connected with the bank.

Subcommittee on National Security and International Operations

In the 89th Congress, second session, the Subcommittee on National Security and International Operations, under the chairmanship of Senator Henry M. Jackson, conducted a major inquiry on the Atlantic Alliance in the tradition of professional and nonpartisan study maintained by the Subcommittee.

Groundwork for this inquiry had been laid during 1965 with basic testimony on alliance operations, and conferences of committee members and staff with leading authorities on Atlantic Alliance problems.

In February the Subcommittee issued a special staff study entitled "The Atlantic Alliance: Basic Issues", which examined the key problems under review.

A series of public hearings was held in April, May, and June. Witnesses before the Subcommittee were distinguished statesmen and scholars with direct and varied experience in Atlantic Alliance affairs: former Secretary of State Dean Acheson, former Secretary of State Christian A. Herter, former Supreme Allied Commander General Lauris Norstad, Professor Thomas C. Schelling of Harvard, Dr. Malcolm W. Hoag of RAND, former High Commissioner for Germany John J. McCloy, Secretary of State Dean Rusk, and Secretary of Defense Robert S. McNamara.

The Subcommittee published the testimony in six parts. Also included in the Subcommittee's record are letters on the Atlantic Alliance from President Eisenhower and President Truman sent in response to the Subcommittee's request. The staff report and hearings have found a wide audience in official circles in Washington and in allied capitals.

The following additional publications were issued by the Subcommittee this year:

"The Atlantic Alliance: Treaty and Related Agreements", which supplies in convenient form the texts of the North Atlantic Treaty and of related basic documents and agreements.

"The Atlantic Alliance: Allied Comment", which makes accessible significant comments from allied sources on the Atlantic Alliance and European organization.

"The Warsaw Pact: Its Role in Soviet Bloc Affairs", which is a study of the role of the Pact from its origin in 1955 with particular reference to its relations to NATO. Included in this study is a comparison of the North Atlantic Treaty and the Warsaw Pact Treaty.

"The Secretary of State and the Problem of Coordination: New Duties and Procedures of March 4, 1966", which makes available the texts of the Presidential announcement of March 4 and of related messages and statements.

Activities of the Subcommittee on Intergovernmental Relations, 89th Congress, 2d Session

The Subcommittee on Intergovernmental Relations, chaired by Senator Edmund S. Muskie, of the Senate Committee on Government Operations, was legally constituted on July 12, 1962. During the more than four years it has existed, the Subcommittee has taken seriously its mandate "to examine, investigate, and make a complete study of intergovernmental relations . . . including an evaluation of studies, reports, and recommendations made thereon and submitted to the Congress by the Advisory Commission on Intergovernmental Relations."

The Subcommittee's activities have divided into two broad categories: legislation and research. Under the former, nine legislative measures have been the Subcommittee's basic concerns during the 2d session, 89th Congress.

A. LEGISLATIVE ACTIVITIES

First. The proposed Uniform Relocation Act of 1966—S. 1681—introduced by Senator Muskie in 1965—was reported by the Subcommittee to the full committee on March 1, 1966. This measure, which provides for uniform, fair and equitable treatment of persons, businesses or farms displaced by Federal and federally-assisted programs, unanimously passed the Senate on July 22, 1966, ("Uniform Relocation Act of 1966," Senate Report 1378, July 20, 1966). No action has been taken by the House.

Second. The provisions of Senator Sparkman's bill, S. 1201, which provide for equitable practices and fair compensation for property acquired by federally-aided programs, are under study by the Subcommittee. The relocation features contained in S. 1201 were largely incorporated in S. 1681.

Third. S. 2927, a bill to amend the Act to establish an Advisory Commission on Intergovernmental Relations, was introduced by Senator Muskie on February 16, 1966. This measure resulted from the hearings on the "Five Year Record of the Advisory Commission on Intergovernmental Relations and Its Future Role," on May 25, 26 and 27, 1965, (Senate Report, Document No. 80, February 17, 1966). It was unanimously reported to the parent committee on September 30, 1966.

Fourth. S. 3000, a bill to permit States or other duly constituted taxing authorities to subject persons to liability for payment of property taxes on property located in Federal areas within such States under specified conditions, was introduced by the Subcommittee Chairman on March 1, 1966. Hearings were held on July 12 and 13, and the bill was reported unanimously to the parent committee on September 29, 1966.

Fifth. The proposed Intergovernmental Personnel Act of 1966, S. 3408, was introduced by Senator Muskie on May 25, 1966. This measure resulted primarily from the research efforts of the Subcommittee staff, and is the first effort at the Federal level to come to grips with three basic problems in the intergovernmental personnel field: the merit principle, personnel management and in-service training. Hearings were held on August 16, 17 and 18. The Subcommittee is now assessing the findings and proposed amendments that these proceedings generated.

Sixth. S. 3503, a bill to facilitate the discovery and recovery by the States of unclaimed personal property in the custody of Federal agencies, was introduced by Senator Muskie on June 15, 1966. It was referred to the Subcommittee, which has requested departmental reports on the measure.

Seventh. A bill to establish a National Intergovernmental Affairs Council—S. 3509—was introduced by Senator Muskie on June 15, 1966. This measure would establish an administrative unit in the Executive Office of the President with the purpose of assisting the President in planning and coordinating Federal grant-in-aid programs. Like S. 3408, it is a direct result of the Subcommittee's research efforts and constitutes a basic attempt to provide a means of resolving one of the critical management problems affecting intergovernmental relations today. The Subcommittee has scheduled hearings on this and other management proposals (cf. introductory remarks of Subcommittee Chairman, Congressional Record reprint, 6-15-66) in the near future.

Eighth. S.J. Res. 187 authorizes a study of an information system to aid States and localities to more effectively participate in federally assisted programs and was introduced by Senator Edward M. Kennedy on August 10. It was referred to the Subcommittee, which has requested the views of executive departments and agencies. This measure will be considered during the course of hearings mentioned in item 7 above.

Ninth. S. 561, the proposed Intergovernmental Cooperation Act, passed the Senate unanimously on August 5, 1965. This measure seeks to standardize and simplify the disbursement of Federal aid funds to States; to strengthen Congressional reassessment of future grant-in-aid programs; to facilitate the rendering of services-in-aid to States and localities; to establish a uniform urban assistance policy; to strengthen the bases of metropolitan and local planning; and to make the GSA more cognizant of local zoning and planning objectives in its acquisition, disposition, and use of urban land. This legislation was the subject of further efforts by the Subcommittee to move the bill to conclusion by the House of Representatives.

B. RESEARCH AND INFORMATION

In the field of research, information and investigation, the Subcommittee has engaged in five basic undertakings during the past year.

First. The studies and reports of the Advisory Commission on Intergovernmental Relations have been examined and analyzed so that they will get the careful consideration they merit.

Second. The Subcommittee completed and issued its report on "The Federal System As Seen by Federal Aid Officials, Results of a Questionnaire Dealing with Intergovernmental Relations", 89th Congress, 1st Session, on December 15, of last year. While this print was issued prior to this session of Congress, it was not included in last year's activity report. The publication has served as a major reference source for many of the Subcommittee's recent legislative undertakings, and has received wide distribution among academicians, political leaders, and governmental administrators at all levels.

Third. The "Catalog of Federal Aids to State and Local Governments (Second Supplement)", was issued on January 10, 1966. This supplement updates the original catalog and the first supplement, to include a list of Federal grants-in-aid and other forms of assistance to the States and local governments enacted during the 1st session of the 89th Congress. As in the case of the catalog and its first supplement, it lists the conditions of eligibility, procedures for participation, and allotment formulas of the various programs. In addition, the second supplement describes new programs or new subcategories of older programs of Federal aid authorized by legislation enacted in 1965, and describes changes made in 1965 in authorizations and programs or segments of programs under earlier laws. The distribution of these publications to more than 90,000 State and local officials has helped to narrow the information gap that has hindered the effective application of grant-in-aid programs.

Fourth. "Federal Expenditures to the States and Regions: A Study of Their Distribution and Impact" was issued as a committee print on June 29, 1966. This study was prepared by Dr. Arnold H. Raphaelson, who served as a professional staff member of the Subcommittee in 1964 and 1965. It analyzes the regional and State distribution of aggregate flows of Federal funds and of selected categories of Federal programs to determine the relationships between these expenditures and certain indices of economic activity at these levels. It seeks to quantify these distributions, to demonstrate differences in distribution under various programs, and to examine changes in distributions and their relations to economic activity in States and regions in recent years. It is anticipated the study will be useful in policy discussions relating to the effect of Federal expenditures on income levels, economic activity, and fiscal capacities of States and regions.

Fifth. The Subcommittee is currently tabulating information from a majority of the State regulatory commissions, in an effort to determine their relative positions with respect to staffing, funding, and ability to cope with complex technology and dynamic growth which characterizes many of our utility industries. Questionnaires were prepared by the Subcommittee and mailed to the Commissions on April 8, 1966.

SUBCOMMITTEE ON FOREIGN AID EXPENDITURES: STUDY OF THE ECONOMIC ASSISTANCE PROGRAM IN LATIN AMERICA

On June 28, 1966, Senator ERNEST GRUENING, Chairman of the Subcommittee, submitted a report on his study of foreign aid in selected Latin American countries. The study comprised a detailed and comprehensive evaluation of the major facets of the program in Chile to determine whether (a) the funds provided had spurred economic and social development; (b) the projects undertaken are of high priority and are those which would induce vigorous and sustained development; (c) the projects financed by the United States had been carried out in a reasonably efficient manner; and (d) United States assistance had really served as an incentive and support for self-help measures.

Chile is receiving the highest per capita U.S. aid in Latin America and is among the eight nations in which U.S. worldwide assistance is concentrated. In the four fiscal years more or less encompassing the Alliance for Progress, a total of $618.5 million direct U.S. aid has been obligated for Chile. Of this $563.4 million was for economic assistance and the remainder for military assistance.

Chile was selected for the case study for a number of reasons.

First: At the outset of the Alliance for Progress, the United States and Chile already had experience in cooperating on a relatively large scale as a result of the program undertaken to help Chile recover from the damaging earthquake of 1960.

Second: U.S. assistance to Chile is the highest per capita in Latin America.

Third: Chile is a testing ground for AID's technique of providing dollar loans geared to the recipient nation's performance on specified self-help measures instead of for specific projects.

Fourth: Chile seemed to be one of the most hopeful prospects in Latin America for an effective assistance program—stable, homogeneous, literate, and with a democratic tradition and a promising resource base. The probability for success appeared heightened by the smashing victory in the 1964 presidential elections of a regime committed to Alliance goals.

The study concluded that there is little to indicate that U.S. assistance is having a meaningful impact upon Chilean economic and social development. Some advocates of foreign aid argue that the flow of capital from industrialized nations is too parsimonious to enable recipient countries to forge ahead. The Chile study demonstrates that the magnitude of assistance has little connection with the results obtained. Rather, it is clear that an excessive infusion of funds overburdens fragile institutions, creates a profusion of new activities for which trained manpower is not available, and ends by dissipating efforts to the point where virtually no permanent benefit results. Furthermore, large-scale assistance vitiates the host country's initiative to attack basic problems. Meanwhile, after a time, recipient nations come to depend upon concessionary aid and to regard it as their right, thus multiplying the economic and political risks of eventual disengagement.

The study also revealed the dangerous misconception with respect to what technical assistance can accomplish. In fact, the United States currently is not prepared to carry out a meaningful technical assistance program. Ironically, most advisers are too far advanced technically and intellectually for what is required in underdeveloped countries and are too ignorant of local conditions and customs and serve too short periods to make any significant impact.

The study concluded that the most urgent requirement for a sound foreign assistance program is to damp expectations all around with respect to what foreign aid can accomplish. So long as unrealistic assumptions prevail, plans will be mounted in haste, objectives will be pursued willy-nilly, and the inevitable frustrations and failures will engender mutual recriminations. Eventually, donors and recipients will become disillusioned with the aid program.

STUDY OF SURPLUS PROPERTY DISPOSAL PROGRAMS

In accordance with instructions of the Chairman, Committee on Government Operations, the subcommittee continued its study of the property disposal activities of the Federal government which it had initiated in 1965.

A field investigation was made at selected installations of the Department of Defense in the Far East and in Europe in February, March and April, 1966, with the assistance of auditors and investigators from the General Accounting Office. Upon completion of the field work, hearings were held on May 3, May 6 and May 18, 1966, at which the findings of the investigation were summarized by subcommittee staff. The May 18, 1966, hearing involved testimony by top Department of Defense officials in response to the investigative findings.

The hearings brought out that very large quantities of useful equipment were being disposed of at a time when critical shortages existed for the same type of equipment in Vietnam. This resulted from inadequate screening by the Department of Defense of items moving into disposal channels and because the procedures of the military services provided for the disposal of needed material long before the end of its useful life. A key factor brought out by the hearings was that the military services were "washing out" equipment by overstating the estimates of repair costs and considering such equipment as uneconomically reparable.

For example, large numbers of usable vehicles were being disposed of in Korea because they were determined to be uneconomically reparable. Such determinations were based on estimates showing high repair costs required to bring the equipment to good condition. However, the repair cost estimates were grossly overstated: labor rates were computed at $5 per hour when skilled Korean mechanics were actually paid 24¢ per hour. Similar overstatements of repair cost estimates resulting in improper determinations that equipment was uneconomically reparable were found at many other overseas installations of the Department of Defense.

The investigation also showed that the Army, which is a major user of construction and automotive equipment on which the subcommittee investigation focused, had issued instructions in March, 1966, permitting local overseas commanders to dispose of equipment in their theater of operation without reporting such equipment to the national inventory control points in the United States. This procedure precluded any screening of excess equipment in one theater of operations against requirements in other theaters.

As a result of the hearings, the Department of Defense initiated aggressive action to correct the situation disclosed by the investigation. According to revised regulations of the Department of Defense, all excess property overseas is to be reported to inventory control points before disposal to insure maximum utilization of needed property. In addition, the Department of Defense has issued instructions requiring the utilization of realistic estimates of repair costs. Other studies are now under way in the office of the Secretary of Defense to ensure uniformity among the military services as to when, and under what conditions equipment will be disposed of. These studies, if effectively implemented, will correct a major deficiency disclosed by the subcommittee hearings in which it was shown that each of the military services had established different criteria for disposal of equipment. The hearings showed, for example, that while the Army had disposed of large quantities of equipment because it was considered too expensive to repair, such equipment was needed by the Marine Corps whose criteria permitted the retention and utilization of equipment which the Army regularly disposes.

If there is adherence in practice to the revisions in the regulations resulting from the subcommittee hearings, it is estimated that many millions of dollars will be saved through increased utilization of equipment in lieu of new procurement. Further, combat and support units are likely to have needed equipment more readily available than if they had to wait for new production.

The magnitude of the surplus disposal programs of the Department of Defense—over $6 billion annually—and the seriousness of the deficiencies disclosed to date, require additional studies by the subcommittee to ensure economical and effective administration of the programs. Further, the subcommittee's investigation has shown a lack of overall management by the Department of Defense of its far-flung surplus disposal activities. Adequate data is not available which permits any evaluation of the cost effectiveness of the Department's surplus sales programs. In recent years the overall cost of disposals has increased substantially but basic data is lacking to determine why this has occurred. The Secretary of Defense was unable to furnish the subcommittee with operating data on each surplus activity of the Department relating to operating costs, sales returns, inventory turnover and other information which is essential for program management.

The subcommittee's study of the foregoing matters led to the introduction by Senator GRUENING of S. 3385 which would make greater quantities of surplus equipment available to State health, education and civil defense agencies. The subcommittee investigation and subsequent hearings brought out that the Agency for International Development has been acquiring large amounts of equipment from military surpluses which it has repaired at modest cost and sent abroad to countries receiving economic assistance. Over $300 million in surplus property has been obtained by AID in the last five years. S. 3385 would require AID to make such property available to State agencies before it can be given to foreign countries under the economic assistance programs. Cosponsors of S. 3385 are Senators CANNON, DOUGLAS, FONG, HARTKE, NELSON, PELL, SIMPSON, THURMOND, TOWER and YARBOROUGH.

Hearings were held on S. 3385 on June 2, 1966 at which officials of AID, the Department of Health, Education & Welfare and other State agencies testified. The subcommittee subsequently approved the bill and reported it to the full committee.

In 1965 Senator GRUENING introduced S. 2610 and hearings were held on the bill which would make available additional equipment to State health, education and civil defense agencies. The bill would require executive agencies to give eligible state and local agencies an opportunity to acquire surplus equipment before such equipment is traded on new equipment. Under existing procedures large quantities of equipment are disposed of by federal agencies through trade-in for new equipment thus depriving state and local agencies of the chance to acquire such property. During this session of the Congress the full committee acted favorably on the bill and it was passed by the Senate. It is now awaiting action by the House.

The chairman of the subcommittee visited Europe in July, 1966, to study the close-out of United States military bases in France and the problems which will arise in disposal of real and personal property. The removal of U.S. forces from France, required by the decision of the French government, confronts the Department of Defense with major problems of relocating 750,000 tons of supplies and disposing of 300,000 tons of excesses. In addition, the United States has an investment of nearly $1 billion in facilities in France which must be liquidated by April 1, 1967. It is essential that there be a follow-up of this matter to ensure that the disposal of both real and personal property is made on terms as favorable to the United States as conditions permit.

STUDY OF POPULATION PROBLEMS

Hearings continued on S. 1676, a bill to coordinate and disseminate birth control information, upon request, both at home and overseas. The bill would create offices for population problems in the Department of State and the Department of Health, Education, and Welfare. Each office would be headed by an assistant secretary for population problems. The bill would also authorize the President to call a White House conference on population in 1967.

Since June 22, 1965, the subcommittee has held 28 public hearings, at which 98 men and women have presented their views on the population crisis. They spoke as individuals and as representatives of groups concerned about reaching a solution to the population crisis in this country and in other nations. They were experts in the many fields touched by the population explosion.

The dialogue which the subcommittee hearings initiated, and which is continuing, is helping bring the population crisis to the attention of an increasing number of citizens, and has been the stimulus to recent long overdue positive steps taken by the Executive Branch. President Johnson since his election has made no less than 24 public statements stressing the importance of "bold and daring" responses to the "multiplying problems of our multiplying populations." In part, as a result of the hearings, both the Department of State and the Department of HEW have budged slightly to make their programs in birth control both more public and more extensive. But there is much more needed if the President's mandate is to be implemented properly.

On May 5, 1966, four weeks after Secretary of Health, Education & Welfare John Gardner testified before the Foreign Aid Expenditures subcommittee and was asked to work toward the implementation of S. 1676, his Under Secretary, Mr. Wilbur Cohen, announced the appointment of a Deputy Assistant Secretary for Science and Population. On July 3, 1965, Dr. Milo Leavitt was named to the new post. Under Secretary Cohen at the same time announced the formation of a HEW Task force to consider the holding of regional conferences which would precede a White House Conference. The first of a series of regional meetings began on September 7 in Roanoke, Virginia.

On April 11, 1966, Thomas Mann, then the Under Secretary of State for Economic Affairs, told the Foreign Aid Expenditures Subcommittee that his office would serve "as the needed focal point for policy matters and coordination" in the field of population. That day he announced the appointment of Mr. Robert Adams as his Special Assistant for Population matters. The untimely death of Mr. Adams a short time later held up State Department progress. Mr. Mann has left government service to enter private business. A career State Department employee, Philander Claxton, was designated by Secretary of State Dean Rusk to be Mr. Rusk's Special Assistant for Population Matters.

The Agency for International Development has set up a Population Branch in its Health Service Department headed by Dr. R. T. Ravenholt.

A tremendous national and international demand exists for the subcommittee's population crisis hearings which has not been able to be met by the initial printing, so the hearings will have to be reprinted.

Thus, to this degree, the Subcommittee hearings have caused some long-overdue, beginning steps to be taken to coordinate and disseminate birth control information upon request at home and overseas.

However, important questions remain unanswered and urgent problems remain unsolved.

These modest appointments are not at sufficiently high levels to implement policy to the degree stressed by the President. Lack of staff and inadequate funding in the Executive Branch departments concerned with family planning and population problems negate even the beginning which has been taken. In the light of the overwhelming problems presented by the population crisis and President Johnson's repeated stress on the need for prompt action, there is still great reluctance on the part of the Executive Agencies to move.

There is no reason to believe that the overwhelming endorsement of the provisions of S. 1676 by witnesses before the subcommittee has been heeded by the Executive Departments involved.

STUDY OF PUBLIC LAW 480 PROGRAMS

The subcommittee completed its initial investigation of the administration of the Public Law 480 program and hearings were held on June 2, 1966 and June 30, 1966. Top officials, representing the Departments of State, Agriculture and Treasury and the Agency for International Development, testified at these hearings. In addition, testimony was received from the Comptroller General of the United States on the findings disclosed by his audits of program administration.

The hearings brought out serious deficiencies in the way Public Law 480 programs were being managed. The magnitude of the programs, under which about $2 billion in agricultural commodities are sent abroad each year to assist foreign countries in their economic development programs and to feed needy people, gave added significance to the Comptroller General's findings. Data presented to the subcommittee showed that Public Law 480 food had been sent to foreign countries which had, in turn, sent their own production of the same or similar crops to Communist countries. Although this was specifically prohibited by the provisions of P.L. 480 and by the agreements the recipient countries had signed as a condition for receiving food assistance from the United States, the Department of State took no action on these matters. Similarly, other cases were noted wherein countries receiving food aid from the U.S. permitted their ships to carry supplies to Cuba contrary to statutory provisions. The State Department has also taken no action on these violations.

Other deficiencies involved the displacement of United States commercial sales of agricultural commodities for dollars by P.L. 480 sales for foreign currency. In many cases, this has had a markedly adverse effect on the United States balance of payments. The Comptroller General estimated that in fifteen countries the United States had suffered a loss of about $700 million in commercial sales of agricultural products as such sales were replaced by the "soft currency" sales under P.L. 480.

A major point developed during the subcommittee hearings related to the lack of adequate inter-agency coordination and direction. Responsibility for program management has been diffused among the Departments of State, Agriculture and Treasury and the Agency for International Development and as a result the lines of actual direction of the program are unclear. Other matters covered included the inadequacy of the audits by the Agency for International Development of food donation programs abroad, and the mismanagement by voluntary relief agencies of the food distribution programs they have been conducting overseas on behalf of the United States.

The Congress will shortly enact new legislation which will convert the P.L. 480 program from one of disposal of surplus agricultural commodities to one of specifically producing crops which will be sent abroad to assist friendly countries. This new program will involve the expenditure of over $2 billion in appropriated funds each year. In view of the deficiencies disclosed to date and the size of the new program, its operation should come under continual Congressional study with particular emphasis on the effectiveness of program coordination.

SUBCOMMITTEE ON GOVERNMENT RESEARCH: ACTIVITIES REPORT, 89TH CONGRESS, 2D SESSION

The Subcommittee on Government Research has moved ahead actively on several fronts at the same time. Summarizing, they are as follows:

(1) Two seminars on National Science Policy;

(2) Two seminars on the better coordination of federal science activity (S.J. Res. 96);

(3) Two sets of hearings on international social and behavioral science research;

(4) Three days of hearings on more equitable geographic distribution of research and development funds (S. Res. 231); and

(5) We have completed plans for a conference entitled "Research in the Service of Man", Biomedical Knowledge: Research, Development, and Use, to be held on October 24–27 (S.J. Res. 96).

As a result of hearings (3, above), Senator FRED HARRIS, Subcommittee Chairman introduced a bill to create a National Foundation for the Social and Behavioral Sciences. The Subcommittee plans to hold further hearings concerning this bill although it will be necessary to delay them until the next session of Congress.

The question of geographic distribution is more a subject for a "Sense of Congress" resolution, and the Subcommittee is presently considering language for the introduction of such a resolution.

The Subcommittee expects to continue pursuing advice from the science community through continued hearings and seminars in other areas cited above.

ACTIVITIES REPORT 89TH CONGRESS, 2D SESSION SUBCOMMITTEE ON EXECUTIVE REORGANIZATION

Pursuant to Senate Resolution 188 of 1966, the Subcommittee on Executive Reorganization of the Government Operations Committee considers the reorganization proposals which are submitted to Congress by the President. In 1966 the President submitted five reorganization plans to Congress. All five subsequently became effective.

Plan No. 1 (submitted on February 10, 1966) transferred the Community Relations Service from the Department of Commerce to the Department of Justice. Its purpose was to concentrate in one department the responsibility for coordinating major federal government activities, carried out under the Civil Rights Act, which encourage voluntary and peaceful resolution of discriminatory practices. No estimate of expected savings is available, but the plan is expected to effect more full and economic utilization of manpower.

Plan No. 2 (submitted February 28, 1966) transferred the Federal Water Pollution Control administration from the Department of Health, Education, and Welfare to the Department of Interior. Its purpose was to concentrate the several water resource protection and development efforts carried on by the federal government in one Department. The Department of Health, Education, and Welfare retained its responsibility to advise on public health questions pertinent to the maintenance of water quality standards. Although economies are again expected to result from the fuller utilization of personnel no estimate of specific economies is available.

Plan No. 3 (submitted April 25, 1966) transferred to the Secretary of Health, Education, and Welfare certain functions which had been assigned to lower-ranking individuals in his Department, the Surgeon General and the heads of subordinate Public Health Service units. Its purpose was to provide the Secretary with more adequate authority over the functions of his Department. Again, although better utilization of personnel was expected, no practicable estimate of resultant economies is available.

Plan No. 4 (submitted June 13, 1966) transferred to the Smithsonian Institution from the Board of Commissioners of the District of Columbia the function of preparing plans and specifications for construction of buildings and bridges at the National Zoological Park in the District of Columbia. The Smithsonian Institution already had primary responsibility for the park. The purpose was to vest complete responsibility in this one agency. No clear estimate of economies is available, but vesting full responsibility in one agency was expected to improve efficiency.

Plan No. 5 (submitted June 29, 1966) abolished the National Capital Regional Planning Council. The functions of the Council had been assumed by the more representative Metropolitan Washington Council of Governments, which derives financial support both from its member local governments and from federal urban planning assistance under the Housing and Urban Development Act of 1965. Resultant annual savings of $25,000 are expected.

Continuing the attention to problems of interagency coordination which was initiated by Vice President HUBERT HUMPHREY when he was Chairman, the Subcommittee completed its study, begun in 1965, of the federal role in traffic safety. It will issue the final report in January, 1967. President Lyndon Johnson emphasized the need for a more meaningful federal role in traffic safety when he recommended the structure of organization for the new Department of Transportation. "No function of the new Department," he asserted, "will be more important than safety." Under the leadershipship of Chairman McCLELLAN, the Government Operations Committee and then the Senate concurred. Safety will be the sole function of the National Transportation Safety Board.

The Subcommittee completed its study of the coordination among federal agencies of their activities related to environmental hazards (pesticides) with the issuance of its final report on July 21, 1966. The hearings, held in 1963 and 1964, produced a voluminous record of testimony by government officials, scientists, and industrial representatives. The report, "Pesticides and Public Policy," is a critical analysis based primarily on the extensive material in the hearings and presented to the Subcommittee.

The Subcommittee also began a new and exhaustive study of how the federal government is organized to confront urban problems in the United States. When it established the Department of Housing and Urban Development in 1965, Congress recognized that the federal government has a fundamental role in urban affairs. At that time members of the Senate expressed urgency that the new Department and the new cabinet member have meaningful authority to coordinate all significant federal activities related to urban development.

The organic legislation for HUD, therefore, specifically authorized the Secretary of HUD to coordinate these federal activities: "to assist the President in achieving maximum coordination of the various Federal activities which have a major effect upon urban community, suburban, or metropolitan development."

The purpose of our present study is to determine whether or not this role which Congress specified for the Secretary of Housing and Urban Development is in fact exercised and to assess what actual degree of coordination occurs among the various federal activities having major effect on urban development.

There is attached a resume of subcommittee activities during the year and a status report on legislation pending before the subcommittee.

ACTIVITIES OF SUBCOMMITTEE ON EXECUTIVE REORGANIZATION—RÉSUMÉ

Hearings held, 23; number of witnesses, 66; printed materials 838 (not including hearings on federal role in urban affairs).

Reorganization Plan No. 1 of 1966 (Community Relations Service) (S. Res. 220: 2 hearings; 9 witnesses (including Senators HART and CASE, Attorney General Katzenbach, director Roger W. Wilkins of Community Relations Service, Chairman Herman W. Goldner, Committee on Community Relations of the U.S. Conference of Mayors and mayor of St. Petersburg Florida); 17 statements, letters, exhibits, etc. (including those from Senator ERVIN, U.S. Commission on Civil Rights, private organizations); printed material, hearings, 149 pages, report no. 1095, 14 pages.

Reorganization Plan No. 2 of 1966 (Water Pollution Control); 2 hearings; 9 witnesses (including Senator MOSS, Secretary of Interior Udall, Secretary of HEW Gardner, Commissioner James M. Quigley of the Water Pollution Control Administration); 9 memoranda, statements, etc. (including those from Secretary Udall and private organizations); printed material, hearings, 102 pages.

Reorganization Plan No. 3 of 1966 (Health functions—Department of Health, Education and Welfare): hearing; 4 witnesses (including Assistant Secretary of HEW Philip R. Lee and Surgeon General William H. Stewart); 12 letters and exhibits (including that from Secretary of HEW John W. Gardner); printed material, hearings, 66 pages.

Federal Role in Traffic Safety: 4 hearings; 16 witnesses (including Congressman HALPERIN; author Ralph Nader; Mr. Roche, President, General Motors; Mr. Pyle, President, National Safety Council; Mr. Liebowitz, Mr. Speno, and Mr. Chananau, members of the New York State Legislature); 72 exhibits, statements, letters, etc. (including that from Congressman BENNETT that referred by Senator MUNDT, those from state and private organizations); printed material, 4 hearings, 521 pages.

Federal Role in Urban Affairs: 14 hearings; 28 witnesses (including Senators CLARK, KENNEDY, JAVITS, KUCHEL, WILLIAMS of New Jersey; Congressmen WIDNALL, FARNSLEY, POWELL; Secretary Weaver of HUD, Secretary Gardner of HEW; Secretary of Labor Wirtz, Attorney General Katzenbach, Director Sargent Shriver of OEO; Mayors Lindsay of New York, Cavanaugh of Detroit, Yorty of Los Angeles, Reading of Oakland, Lee of New Haven, Allen of Atlanta, Sorensen of Omaha, Locher of Cleveland);

FUTURE PLANS

Federal Role in Urban Affairs: Hearings to be held with federal officials, private organizations, and individuals as witnesses.

Hearings with related materials to be edited and printed—1457 pages of transcript plus approximately 600 pages of related materials on hand at present.

Report on federal role in traffic safety to be completed and printed (total hearings on this topic 1965-1966:11; 1600 pages).

Summary and status of legislation referred to the Subcommittee on Executive Reorganization, 89th Cong.

Bill No. and sponsor	Short title	Status or recommendation
S. 100 (Ribicoff and Williams of New Jersey)	To establish a Department of Transportation.	Requested departmental reports.
S. 309 (Mundt and 28 cosponsors)	To create a Commission on Noxious and Obscene Matters and Materials.	Reported by full committee June 30, 1966 (S. Rept. No. 1355). Passed Senate July 11, 1966.
S. 497 (Scott)	To establish in Executive Office of President an Office of Community Development.	Hearings held in connection with S. 1599. A version of S. 497 incorporated in S. 1599.
S. 735 (Miller, Allott), S. 309.	To create a Commission for Elimination of Pornographic Materials.	S. 309 reported by full committee June 30, 1966 (S. Rept. No. 1355), and passed Senate July 11, 1966.
S. 1045 (Clark and 3 cosponsors), H.R. 6927.	To establish a Department of Housing and Urban Development.	Hearings held in connection with S. 1599, Feb. 18, Mar. 31, Apr. 1, 2, May 19, 1965 (S. Rept. No. 326).
S. 1052 (Hart and 17 consponsors)	To establish an Office of Consumers.	Requested departmental reports.
S. 1122 (Case)	To establish a U.S. Department of Transportation.	Hearings on S. 3010.
S. 1134 (Ribicoff), H.R. 4623	To amend Reorganization Act of 1949 in a permanent basis.	H. Rept. No. 184 on H.R. 4623, Mar. 19, 1965. Hearings on Mar. 29 (also on S. 1135).
S. 1135 (McClellan), H.R. 4623	To amend Reorganization Act of 1949 to June 1, 1967 (Dec. 31, 1968, authorization).	Hearings on Mar. 29. Also on S. 1134 (S. Rept. No. 154), Apr. 8, 1965. Passed Senate, amended, Apr. 9, 1965. H.R. 4623 passed House, amended, June 3, 1965. Public Law 89-43.
S. 1599 (Ribicoff and 13 cosponsors)	To establish a Department of Housing and Urban Development.	Hearings, Mar. 31, Apr. 1, 2, May 19, 1965. Reported with amendments Aug. 2, 1965 (S. Rept. No. 326). H.R. 6927 passed Senate, amended, Aug. 11, 1965. Public Law 89-174, Sept. 9, 1965.
S. 2162 (Nelson)	To provide for research, design, development, and construction of prototype safe car.	Subcommittee held hearings on bill, Federal role in traffic safety, Mar. 22, 25, 26, July 13, 14, 15, 21, 1965, Feb. 2, 3, 10, Mar. 22, 1966. A version incorporated in S. 3005, National Traffic Safety Act.
S. 2251 (Muskie and 17 cosponsors)	Marine and Atmospheric Affairs Coordination Act of 1965.	Requested departmental reports.
S. 2411 (Pearson and 25 cosponsors)	To establish a Commission To Study and Appraise the Organization and Operation of the Executive Branch of the Government.	Do.
S. 2435 (Moss and 2 cosponsors)	To redesignate the Department of Interior as the Department of Natural Resources.	Do.
S. 3348 (Bass)	To establish the Department of Education.	Do.
S. Res. 102 (Pastore and 7 cosponsors)	Disapproving Reorganization Plan 1 of 1965.	Hearings on May 12 and 14, 1965. Reported adversely May 20 (S. Rept. No. 203). Resolution disagreed to May 24, plan effective May 25, 1965.
S. Res. 96 (Robertson)	To establish an Advisory Commission on Health Research Activities.	Referred to Subcommittee on Research.
S. Res. 220 (Javits)	To disapprove Reorganization Plan No. 1 of 1966.	Hearings on Mar. 3 and 4, 1966. Reported adversely Apr. 1 (S. Rept. No. 1095). Resolution disagreed to Apr. 6, plan effective Apr. 12, 1966.

SUPPORT FOR COMMISSIONER HOWE

Mr. CLARK. Mr. President, it is an old axiom in politics that if you want to do something useful for your constituents, the threshold requirement is to get elected. The danger in following that precept is, on occasion, some elected officials take an emotional issue and play it back to the electorate in tones far more strident than the facts justify.

This being an election year a number of local, State—and, I regret to say, Federal legislators—have seized upon the question of equal educational opportunities and the Office of Education's efforts to uphold the Civil Rights Act as a fine excuse for some real old-fashioned demagoguery. By twisting out of context some of his remarks and misquoting others, they have made Harold Howe II, the Commissioner of Education, seem like the advance guard of a Federal takeover of our local school systems.

As a result, the forward movement of better education for all our people is in danger of being slowed up. Because I think there is nothing more important to the cause of freedom throughout the world than a United States in which all our people, regardless of race, creed, or color, contribute to and enjoy the fruits of our technology and resources and that this is clearly dependent upon quality and equality of education—I have, as Al Smith used to say, taken "a look at the record."

The Commissioner's stand on what he is required to do by the law he has sworn to uphold was clearly stated by him last June in a talk before the Alabama State Advisory Committee of the Civil Rights Commission in Birmingham when he said:

> As part of the Supreme Court decisions, lower courts were directed to require school districts to make a prompt and reasonable start toward desegregating the schools. In discharging that responsibility, the courts have in many cases felt it necessary to define what desegregation really means. Thus a recent court opinion stated that "It is not enough to open the previously all-white school to Negro students who desire to go there while all-Negro schools continue to be maintained as such." Furthermore, the schools have been instructed by the courts to make "an adequate start toward the elimination of race as a basis for the employment and allocation of teachers, administrators, and other personnel."

Earlier in Jackson, Miss., before the Mississippi Advisory Committee of the Civil Rights Commission he said:

> Let it be absolutely clear that our 1966 guidelines do not require that every school must have a bi-racial faculty by next fall. They do not establish a fixed formula for staff desegregation, nor do they tell school administrators what people they may hire and which they may fire. They do say this: that all personnel decisions—decisions regarding hiring, firing, promotion, demotion, assignment, and reassignment—must be made without regard to race, color, or national origin except to correct past discrimination. And they say there must be real and not merely token progress in staff desegregation.

To the everlasting credit of the overwhelming majority of the local school systems of the South they moved ahead. Voluntarily and in good faith, they obeyed the law. They did what was right because it is right. Typically what has happened is described in article by Maurine McLaughlin which appeared in the Washington Post on October 9. I ask unanimous consent to insert this article at the conclusion of these remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. CLARK. Mr. President, essentially this article tells the story of the all-Negro Lyles-Crouch Elementary School where "with desegregation a month old, the controversy has dissolved in an apparent flood of success."

But the tasks of other school systems—so well begun—have become increasingly difficult as Eugene Patterson pointed out in the Atlanta Constitution on October 6.

> The poor, forgotten school superintendents of Georgia and their local boards of education are paying the price for the guidelines game the politicians are playing. The school people are trying to honor the law, educate children, and if possible, survive. Heedless office-seekers are trying to win votes regardless of the damage they may do.
>
> Riding the blacklash, Southern politicians have staged a regular tournament in Washington, setting up Education Commissioner Harold Howe for everybody to take a run at. Mr. Howe has shown an uncommon ability to avoid being unhorsed and to keep the record straight in the face of misrepresentation.
>
> It is the local-level school people in Georgia who are unable to speak for themselves. No prudent ones would dare to.
>
> Not simply in Washington, but on the campaign trail in Georgia, the state's political poohbahs are exhorting the hosts to rise up against desegregation guidelines which local school people have been trying to tell them they must live with.
>
> A county school superintendent who has persuaded his community to comply with a minimum of desegregation, as it was spelled out to him, must feel pretty defenseless to find both candidates for governor now stirring up passions in breasts he tried to pacify.
>
> It is small service to the educational good of the state for the politicians to do this. And while it is unrealistic to expect them to lay off of an emotional issue when emotional issues decide elections, the people may as well see plainly what a bind their school officials are being caught in.
>
> The law forbids them to segregate schools on account of race. It directs the Office of Education to cut off Federal funds if they do. The law was handed to Howe to enforce.

> He would have hoped school people would comply without being forced. But in most places they couldn't move, unless they were forced to move, because political opinion wouldn't let them move.
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> When Howe pressed them to move into compliance with the law, they demanded to know how much was enough.
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> So he laid down guidelines suggesting how much would be accepted as enough—and they accused him of trying to dictate illegal quotas.
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> He wasn't trying to go beyond the law and dictate quotas, he patiently explained. He was simply trying, with his guidelines, to give local school people some rough guide as to how much desegregation would be accepted on its face as enough.
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> No school had to come up to that quota, or stop at it.
>
> It was simply a measurement he would use in checking off schools automatically as being in compliance.
>
> Schools falling short of the guidelines figures might be investigated, then judged in compliance. (The fact of the matter is, any school that has made almost any kind of good faith start toward compliance is being certified by Howe.)
>
> Hobbled by plenty of federal bureaucratic incompetence, he is trying to find reasonable ways to guide local school people toward compliance with a law Congress passed, and the layer of politicians between them isn't being much help.

Since facts have never impressed extremists—either leftwingers or rightwingers—they then took the well-known "When did you stop beating your wife?" approach. They stated that business as a means of eliminating segregation was a condition of Federal aid. Accordingly, they tried to write into law a proscription against a practice that never was a practice or condition of Federal aid to education.

And they continue to state this without a shred of evidence to support their self-created bogeyman and in the face of flat denials by Mr. Howe. One of the latest of his denials was in response to a request by Congressman WOLFF for a statement on the subject last September 23. I quote the telegram which has appeared in the CONGRESSIONAL RECORD:

> Thank you for calling to my attention an allegation that the U.S. Office of Education is planning to introduce legislation to require busing of students to achieve integration or for any other purpose. This is just not true.
>
> Additionally, I want to reaffirm clearly and explicitly our conviction that educational decisions reside in the local communities and State as they traditionally have over the years.
>
> The role of the Office of Education in these matters is to stimulate innovative planning and to help support local schools in their search for better methods to create quality and equality of education for all youngsters in their community.
>
> The means to these ends are completely within the discretion and control of the local community itself.

Busing? I tell you, in the past, there has been far more busing in certain areas to maintain segregation, than there has ever been to break it up.

I treat this subject in such detail because, as Edmund Burke said:

> All that is necessary for the triumph of evil, is that good men remain silent and do nothing.

Fortunately the responsible press, the greatest safeguard to our liberties, has seen through this sham and pretense. The Louisville Courier-Journal on October 3, had this to say under the heading of "Mr. Howe Deserves Strong Support":

> Harold Howe II is one of the most competent, literate and imaginative Commissioners of Education ever to serve in Washington. Yet he was attacked the other day on the floor of the House of Representatives as a "man who talks like a Communist" and was called an "idiot, a misfit and ignorant."
>
> The attack came from Representative L. MENDEL RIVERS of South Carolina. Commissioner Howe as the target of this scurrilous attack because he has the job of carrying out the 1964 Civil Rights Act and speeding up the racial desegregation of schools, which everyone knows is proceeding at a snail's pace. Mr. RIVERS, of course, and most of his Southern colleagues, don't want it to proceed at all. Their tactic now is to charge that the guidelines announced by Commissioner Howe go beyond the intent of the law. Their evidence to support this frequently-heard charge is unimpressive.
>
> Commissioner Howe's able predecessor, Francis Keppel, also was the object of bitter attacks of this sort. It has become an occupational hazard of a job that for so many years was relatively uncontroversial. This is all the more reason for President Johnson and responsible members of Congress to stand firmly behind Commissioner Howe and make their support clear in no uncertain terms.

The day before, the Cleveland Plain Dealer had this to say under the heading of "Howe Treatment Uncalled For":

> Americans should not be deceived by the current campaign to discredit Harold Howe II, the energetic United States commissioner of education. (sic)
>
> Over the objections of several House Rules Committee members, Howe last week was summoned to a hearing by Virginia's Rep. HOWARD W. SMITH, committee chairman. The hearing provided southerners with an opportunity to gain publicity for their unproved allegations that Howe, or his aides, overstepped authority in working for school desegregation.
>
> That the hearing was part of a concerted effort directed against Howe is apparent from the conduct of Rep. L. MENDEL RIVERS on the floor of the House of Representatives. At the same time Howe was giving testimony to the Rules Committee, South Carolinian RIVERS, across the hall, recklessly was denouncing the commissioner as "a misfit," "an idiot," "ignorant" and one "who talks like a Communist."
>
> Howe, an impressive figure in U.S. education, took over direction of the federal school aid program last December. His job has been to bring schools into compliance with the Civil Rights Act of 1964, to make them eligible for continued federal aid.
>
> At the time of Howe's appearance before the Rules Committee, the House Judiciary Committee, which has jurisdiction over civil rights matters, already had scheduled a November hearing on the subject of guidelines for school desegregation.
>
> Commissioner Howe's testimony should be welcomed and weighed there, where it belongs.

Because so much attention has been given to a subject which has all the capabilities of being distorted into a simple Madison Avenue advertising campaign—a manufactured conflict between local and Federal control of education—it would seem as if Harold Howe II were doing nothing in other important areas of the Office's responsibilities.

The facts—and they are there for anyone who is willing to listen and read—are to the contrary.

For example, the role of the junior or community colleges has been perceptively seen by the Commissioner—particularly as the new learning media will influence them. Mr. Howe made the following statement last June before the Department of Defense National Security Industrial Association Conference in Arlington, Va.:

> A major part of this growth [of electronic media] in higher education will be what is in effect the creation of an entirely new educational system out of the junior or community colleges . . . They have the potential for bringing higher education opportunities within commuting range of virtually every student in the country. Furthermore, as a result of deliberate cooperative planning with local and area industries, they have the potential for contributing to the education-industry partnership not only for entrance occupations but also for refresher programs and advanced training as well as for adult retraining as needed.

He is building bridges between business and education so that the marvels of technology can contribute to improved education. He has invited a dialog between industry and the school systems; he has suggested projects in conjunction with foundations to make easier and more fruitful the relationship between the Federal Government and industry.

He has displayed unusual perception in recognizing the need for better utilization of teaching skills and he has not been afraid to speak out on the subject—to praise where praise is deserved, to be critical where it seemed appropriate. For example, in a talk before the American Federation of Teachers in Chicago on August 25 he had this to say:

> Further, the teaching profession has been slow to develop beneath it the layers of supporting service activities it ought to have. Our schools generally employ three types of people: teachers, administrators, and janitors; we have not sought the secretaries, the library specialists, the laboratory assistants, the theme correctors, the audio-visual operators, and all those other auxiliaries who could help the teacher spend more time on teaching and less on paper-shuffling or button-pushing.
>
> Our schools as organized today offer neither place nor opportunity for such specialists, nor do our school budgets provide for their services. I believe this is partly the fault of teachers, for in many cases they have insisted that the only people qualified to associate with children are those with a teacher's training. They have done so, moreover, in the face of a variety of experiments which demonstrate the contrary.

On another occasion, to clarify the relation of teachers to mechanized training aids, he said:

> I suspect that the fundamental outcome of educational technology will be to free the teacher from the robot role of standing in front of a classroom presenting routine material. Rather, he will become the source of intellectual stimulus, the leader of discussion groups that cause students to think and probe and express their ideas effectively.
>
> One outcome of this kind of relationship will be a great deal more interaction between individual students and the teacher than can

now be provided by the conventional classroom. At present, students receive genuinely personal attention only a small portion of the time. The student in tomorrow's computerized school will probably receive far greater personalized attention and much more interaction with teachers than he now experiences.

Essentially, if I read the record correctly, Commissioner Howe has cast himself in a dual role. The one is to see that funds the Congress has made available flow creatively and usefully to States and communities. The other role is to stimulate discussion among all groups interested in education—at all levels—in our country. In meetings and in talks to educators, State officials, businessmen he has brought the problems of better education to the top of the agenda. He has urged innovative thinking and has put the prestige of his office on the line in order to create a variety of choices for the local school systems to choose from.

And he has, I believe, clearly recognized the pluralism of our society—his belief that there is more than one path to educational salvation.

I would like to end these remarks with two quotations from Harold Howe's beliefs in these matters. One is from a talk he gave at the National School Boards Association meeting in Minneapolis, Minn.:

> The Constitution . . . clearly leaves education in the hands of the individual States. Most States, in turn, have allowed independence of action to local school districts. Our practice over the years has strengthened the principle that education is a matter for local control, and the Federal government has no intention of altering that arrangement.

The other, more recently, is from the opening part of his statement before the Ad Hoc Subcommittee on De Facto School Segregation of the Committee on Education and Labor, House of Representatives, on August 23:

> Let me say at the outset that I have no desire whatsoever to dictate to anyone the content of a textbook or the treatment of a minority group in a school library volume. For equal to my concern about prejudice is my concern that there be no Federal censorship of ideas as expressed in books or other media.
>
> In enacting the Elementary and Secondary Education Act of 1965, Congress wisely provided that the Office of Education should exercise no direction, supervision, or control over the selection of textbooks, library resources, and other instructional materials. This is as it should be. In our pluralistic society no one person and no government office should make decisions as to what students read and learn. Such a power is wholly inconsistent with the concept of democracy as we know it. The Office of Education does not possess such a power, nor do we seek it.

For my part, I believe Commissioner Howe is steering an effective course between the Scylla of apathy and the Charybdis of Federal interference. He has brought intellectual honesty, deep respect for our local traditions, and enormous energy to bear on the great opportunity of our generation: excellence of education for all our people. I support him in this effort.

EXHIBIT 1

[From the Washington (D.C.) Post, Oct. 10, 1966]

GRADE SCHOOL LICKS DESEGREGATION FEARS—ALEXANDRIA PARENTS EAGER TO HELP MAKE PLAN WORK

(By Maurine McLaughlin)

When plans were announced last spring to desegregate Alexandria's all-Negro Lyles-Crouch Elementary School by assigning a minority of white pupils there, a flood of controversy ensued. But this fall, with desegregation a month old, the controversy has dissolved in an apparent flood of success.

Well-to-do white parents from the exclusive Old Town area protested last spring that the education of their youngsters would be held back by the overwhelming number of deprived Negro children, many from public housing, with whom they would share the school. Several families rushed to put their children into private schools.

The parents also accused Alexandria School Superintendent John C. Albohm of not telling them exactly how many Negro pupils would be at the school.

Albohm retorted that the parents were more interested in a racial "numbers game" than in education. He refused to bow to their demands to make Lyles-Crouch a "model school" to compensate for integration, declaring that all Alexandria schools should be "models."

Against this discordant background, Lyles-Crouch opened last month with an enrollment 30 per cent white and 70 per cent Negro. White parents feared that their children would get an inferior education, while Negro parents worried that their youngsters might be overlooked as attempts were made to please the white group.

These fears seem to have been unfounded. Today, Lyles-Crouch presents a picture of integration that might serve as an example to other area schools.

Spurred by parental demand, the school system has:

Cut class size to give a pupil-teacher ratio of 22 to 1, assuring that all children get individual help.

Emphasized new concepts of instruction so children can move at their own pace. These include the ungraded primary, which permits children to take as few as two or as long as four years to cover beginning work, and a plan of "continuous progress," so each child is able to pick up in the fall exactly where he left off in the spring.

Integrated the faculty by assigning only those white teachers eager to work in a desegregated school.

Provided a fulltime librarian and special teachers in reading, art, music, physical education, French and speech therapy.

Made available numerous new materials and brought the school library up to American Library Association standards of ten books per child.

Another important "plus" factor has been the act exercised by the school's veteran principal, Virginia A. Hilton, a Negro.

She has taken parents on tours through the well-maintained building with its colorful exhibits of children's art work, held frequent parent-teacher meetings and encouraged Negro and white teachers alike to adopt a "children are children" regardless of race attitude.

Now eager to keep their children in the school, many Old Town parents are organizing to make sure that future problems are nipped in the bud so the school stays integrated.

Other parents express concern, however, because the school is using a modified form of tracking, with older students placed in group called "clusters" according to their ability.

These parents are fearful that as the year proceeds a disproportionate number of white children will be placed in fast-moving "clusters" due to the advantages of their home backgrounds, leaving only one or two white youngsters in slow-moving Negro groups. Then, the parents fear, these few white children would be taken out of school and put in private schools.

But so far integration is bringing an improved education to both Negroes and white children insofar as "the meeting of the children from different backgrounds, experiences and races is enriching both," Roger A. Goodson, director of elementary education in Alexandria, said.

He believes desegregation is working equally well at three other predominantly Negro schools in Alexandria: Ficklin, with a 65 per cent Negro enrollment; Lee, with a 70 per cent Negro enrollment, and Houston, with a 90 per cent Negro enrollment.

[From the Atlanta (Ga.) Constitution, Oct. 6, 1966]

A GUIDE TO THE GUIDELINES

(By Eugene Patterson)

The poor, forgotten school superintendents of Georgia and their local boards of education are paying the price for the guidelines game the politicians are playing. The school people are trying to honor the law, educate children, and if possible, survive. Heedless office-seekers are trying to win votes regardless of the damage they may do.

Riding the backlash, Southern politicians have staged a regular tournament in Washington, setting up Education Commissioner Harold Howe for everybody to take a run at. Mr. Howe has shown an uncommon ability to avoid being unhorsed and to keep the record straight in the face of misrepresentation.

It is the local-level school people in Georgia who are unable to speak for themselves. No prudent ones would dare to.

Not simply in Washington, but on the campaign trail in Georgia, the state's political poohbahs are exhorting the hosts to rise up against desegregation guidelines which local school people have been trying to tell them they must live with.

A county school superintendent who has persuaded his community to comply with a minimum of desegregation, as it was spelled out to him, must feel pretty defenseless to find both candidates for governor now stirring up passions in breasts he tried to pacify.

It is small service to the educational good of the state for the politicians to do this. And while it is unrealistic to expect them to lay off of an emotional issue when emotional issues decide elections, the people may as well see plainly what a bind their school officials are being caught in.

The law forbids them to segregate schools on account of race. It directs the Office of Education to cut off federal funds if they do. The law was handed to Howe to enforce.

He would have hoped school people would comply without being forced. But in most places they couldn't move, unless they were forced to move, because political opinion wouldn't let them move.

When Howe pressed them to move into compliance with the law, they demanded to know how much was enough.

So he laid down guidelines suggesting how much would be accepted as enough—and they accused him of trying to dictate illegal quotas.

He wasn't trying to go beyond the law and dictate quotas, he patiently explained. He was simply trying, with his guidelines, to give local school people some rough guide as to how much desegregation would be accepted on its face as enough.

No school had to come up to that quota, or stop at it.

It was simply a measurement he would use in checking off schools automatically as being in compliance.

Schools falling short of the guideline figures might be investigated, then judged in compliance. (The fact of the matter is, any school that has made almost any kind of good faith start toward coompliance is being certified by Howe.)

Hobbled by plenty of federal bureaucratic incompetence, he is trying to find reasonable ways to guide local school people toward compliance with a law Congress passed, and the layer of politicians between them isn't being much help.

[From the Louisville (Ky.) Courier-Journal, Oct. 3, 1966]

Mr. Howe Deserves Strong Support

Harold Howe II is one of the most competent, literate and imaginative Commissioners of Education ever to serve in Washington. Yet he was attacked the other day on the floor of the House of Representatives as a "man who talks like a Communist" and was called an "idiot, a misfit and ignorant."

The attack came from Representative L. Mendel Rivers of South Carolina. Commissioner Howe was the target of this scurrilous attack because he has the job of carrying out the 1964 Civil Rights Act and speeding up the racial desegregation of schools, which everyone knows is proceeding at a snail's pace. Mr. Rivers, of course, and most of his Southern colleagues, don't want it to proceed at all. Their tactic now is to charge that the guidelines announced by Commissioner Howe go "beyond the intent" of the law. Their evidence to support this frequently-heard charge is unimpressive.

Commissioner Howe's able predecessor, Francis Keppel, also was the object of bitter attacks of this sort. It has become an occupational hazard of a job that for so many years was relatively uncontroversial. This is all the more reason for President Johnson and responsible members of Congress to stand firmly behind Commissioner Howe and make their support clear in no uncertain terms.

[From the Cleveland (Ohio) Plain Dealer, Oct. 2, 1966]

Howe Treatment Uncalled For

Americans should not be deceived by the current campaign to discredit Harold Howe II, the energetic United States commissioner of education.

Over the objections of several House Rules Committee members, Howe last week was summoned to a hearing by Virginia's Rep. Howard W. Smith, committee chairman. The hearing provided southerners with an opportunity to gain publicity for their unproved allegations that Howe, or his aides, overstepped authority in working for school desegregation.

That the hearing was part of a concerted effort directed against Howe is apparent from the conduct of Rep. L. Mendel Rivers on the floor of the House of Representatives. At the same time Howe was giving testimony to the Rules Committee, South Carolinian Rivers, across the hall recklessly was denouncing the commissioner as "a misfit," "an idiot," "ignorant" and one "who talks like a Communist."

Howe, an impressive figure in U.S. education, took over direction of the federal school aid program last December. His job has been to bring schools into compliance with the Civil Rights Act of 1964, to make them eligible for continued federal aid.

At the time of Howe's appearance before the Rules Committee, the House Judiciary Committee, which has jurisdiction over civil rights matters, already had scheduled a November hearing on the subject of guidelines for school desegregation.

Commissioner Howe's testimony should be welcomed and weighed there, where it belongs.

RECESS

Mr. HART. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Michigan.

The motion was agreed to, and (at 1 o'clock and 55 minutes p.m.) the Senate took a recess subject to the call of the Chair.

The Senate reassembled at 1:56 p.m., when called to order by the Presiding Officer (Mr. Muskie in the chair).

ENROLLMENT OF H.R. 15857

Mr. MANSFIELD. Mr. President, I send to the desk a concurrent resolution and ask for its immediate consideration.

The PRESIDING OFFICER. The concurrent resolution will be stated.

The Assistant Legislative Clerk. House Concurrent Resolution 1039:

H. Con. Res. 1039

Resolved by the House of Representatives (the Senate concurring), That the Clerk of the House of Representatives in the enrollment of the bill (H.R. 15857) to amend the District of Columbia Police and Firemen's Salary Act of 1958 to increase salaries of officers and members of the Metropolitan Police force and the Fire Department, and for other purposes, is authorized and directed to make the following corrections in the salary schedule for teachers, school officers, and certain other employees of the District of Columbia Board of Education, which is provided in section 202(1) of the bill:

(1) In class 3, step 2, strike out "$16,856" and insert in lieu thereof "$16,865".

(2) In class 3, step 6, strike out "18,115" and insert in lieu thereof "18,105".

(3) In class 6, group C, principal level III, step 5, strike out "14,905" and insert "14,095".

The PRESIDING OFFICER. Is there objection to the present consideration of the concurrent resolution?

There being no objection, the concurrent resolution was considered and agreed to.

AMENDMENT OF PUBLIC HEALTH SERVICE ACT TO ASSIST IN THE EXTENSION AND IMPROVEMENT OF HEALTH PLANNING AND SERVICES

Mr. HILL. Mr. President, I ask that the Chair lay before the Senate the amendment of the House to S. 3008.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3008) to amend the Public Health Service Act to promote and assist in the extension and improvement of comprehensive health planning and public health services, to provide for a more effective use of available Federal funds for such planning and services, and for other purposes, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Comprehensive Health Planning and Public Health Services Amendments of 1966".

FINDINGS AND DECLARATION OF PURPOSE

Sec. 2. (a) The Congress declares that fulfillment of our national purpose depends on promoting and assuring the highest level of health attainable for every person, in an environment which contributes positively to healthful individual and family living; that attainment of this goal depends on an effective partnership, involving close intergovernmental collaboration, official and voluntary efforts, and participation of individuals and organizations; that Federal financial assistance must be directed to support the marshaling of all health resources—national, State, and local—to assure comprehensive health services of high quality for every person, but without interference with existing patterns of private professional practice of medicine, dentistry, and related healing arts.

(b) To carry out such purpose, and recognizing the changing character of health problems, the Congress finds that comprehensive planning for health services, health manpower, and health facilities is essential at every level of government; that desirable administration requires strengthening the leadership and capacities of State health agencies; and that support of health services provided people in their communities should be broadened and made more flexible.

GRANTS FOR COMPREHENSIVE HEALTH PLANNING AND PUBLIC HEALTH SERVICES

Sec. 3. Section 314 of the Public Health Service Act (42 U.S.C. 246) is amended to read as follows:

"GRANTS FOR COMPREHENSIVE HEALTH PLANNING AND PUBLIC HEALTH SERVICES

"Grants to States for Comprehensive State Health Planning

"Sec. 314. (a)(1) Authorization.—In order to assist the States in comprehensive and continuing planning for their current and future health needs, the Surgeon General is authorized during the period beginning July 1, 1966, and ending June 30, 1968, to make grants to States which have submitted, and had approved by the Surgeon General, State plans for comprehensive State health planning. For the purposes of carrying out this subsection, there are hereby authorized to be appropriated $2,500,000 for the fiscal year ending June 30, 1967, and $5,000,000 for the fiscal year ending June 30, 1968.

"(2) State plans for comprehensive state health planning.—In order to be approved for purposes of this subsection, a State plan for comprehensive State health planning must—

"(A) designate, or provide for the establishment of, a single State agency, which may be an interdepartmental agency, as the sole agency for administering or supervising the administration of the State's health planning functions under the plan;

"(B) provide for the establishment of a State health planning council, which shall include representatives of State and local agencies and nongovernmental organizations and groups concerned with health, and of consumers of health services, to advise such State agency in carrying out its functions under the plan, and a majority of the membership of such council shall consist of representatives of consumers of health services;

"(C) set forth policies and procedures for the expenditure of funds under the plan, which, in the judgment of the Surgeon General, are designed to provide for comprehensive State planning for health services (both public and private), including the facilities and persons required for the provision of such services, to meet the health needs of the people of the State;

"(D) provide for encouraging cooperative efforts among governmental or nongovernmental agencies, organizations and groups concerned with health services, facilities, or manpower, and for cooperative efforts between such agencies, organizations, and groups and similar agencies, organizations, and groups in the fields of education, welfare, and rehabilitation.

"(E) contain or be supported by assurances satisfactory to the Surgeon General that the funds paid under this subsection will be used to supplement and, to the extent practicable, to increase the level of funds that would otherwise be made available by the State for the purpose of comprehensive health planning and not to supplant such non-Federal funds;

"(F) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Surgeon General shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Surgeon General to be necessary for the proper and efficient operation of the plan;

"(G) provide that the State agency will make such reports, in such form and containing such information, as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General finds necessary to assure the correctness and verification of such reports;

"(H) provide that the State agency will from time to time, but not less often than annually, review its State plan approved under this subsection and submit to the Surgeon General appropriate modifications thereof;

"(I) provide for such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for funds paid to the State under this subsection; and

"(J) contain such additional information and assurances as the Surgeon General may find necessary to carry out the purposes of this subsection.

"(3)(A) STATE ALLOTMENTS.—From the sums appropriated for such purpose for each fiscal year, the several States shall be entitled to allotments determined, in accordance with regulations, on the basis of the population and the per capita income of the respective States; except that no such allotment to any State for any fiscal year shall be less than 1 per centum of the sum appropriated for such fiscal year pursuant to paragraph (1). Any such allotment to a State for a fiscal year shall remain available for obligation by the State, in accordance with the provisions of this subsection and the State's plan approved thereunder, until the close of the succeeding fiscal year.

"(B) The amount of any allotment to a State under subparagraph (A) for any fiscal year which the Surgeon General determines will not be required by the State, during the period for which it is available, for the purposes for which allotted shall be available for reallotment by the Surgeon General from time to time, on such date or dates as he may fix, to other States with respect to which such a determination has not been made, in proportion to the original allotments to such States under subparagraph (A) for such fiscal year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Surgeon General estimates such State needs and will be able to use during such period; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount so reallotted to a State from funds appropriated pursuant to this subsection for a fiscal year shall be deemed part of its allotment under subparagraph (A) for such fiscal year.

"(4) PAYMENTS TO STATES.—From each State's allotment for a fiscal year under this subsection, the State shall from time to time be paid the Federal share of the expenditures incurred during that year or the succeeding year pursuant to its State plan approved under this subsection. Such payments shall be made on the basis of estimates by the Surgeon General of the sums the State will need in order to perform the planning under its approved State plan under this subsection, but with such adjustments as may be necessary to take account of previously made underpayments or overpayments. The 'Federal share' for any State for purposes of this subsection shall be all, or such part as the Surgeon General may determine, of the cost of such planning.

"Project grants for areawide health planning

"(b) The Surgeon General is authorized, during the period beginning July 1, 1966, and ending June 30, 1968, to make, with the approval of the State agency administering or supervising the administration of the State plan approved under subsection (a), project grants to any other public or nonprofit private agency or organization to cover not to exceed 75 per centum of the costs of projects for developing (and from time to time revising) comprehensive regional, metropolitan area, or other local area plans for coordination of existing and planned health services, including the facilities and persons required for provision of such services; except that in the case of project grants made in any State prior to July 1, 1968, approval of such State agency shall be required only if such State has such a State plan in effect at the time of such grants. For the purposes of carrying out this subsection, there are hereby authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1967, and $7,500,000 for the fiscal year ending June 30, 1968.

"Project grants for training, studies, and demonstrations

"(c) The Surgeon General is also authorized, during the period beginning July 1, 1966, and ending June 30, 1968, to make grants to any public or nonprofit private agency, institution, or other organization to cover all or any part of the cost of projects for training, studies, or demonstrations looking toward the development of improved or more effective comprehensive health planning throughout the Nation. For the purposes of carrying out this subsection, there are hereby authorized to be appropriated $1,500,000 for the fiscal year ending June 30, 1967, and $2,500,000 for the fiscal year ending June 30, 1968.

"Grants for comprehensive public health services

"(d)(1) AUTHORIZATION OF APPROPRIATIONS.—There are authorized to be appropriated $62,500,000 for the fiscal year ending June 30, 1968, to enable the Surgeon General to make grants to State health or mental health authorities to assist the States in establishing and maintaining adequate public health services, including the training of personnel for State and local health work. The sums so appropriated shall be used for making payments to State which have submitted, and had approved by the Surgeon General, State plans for provision of public health services.

"(2) STATE PLANS FOR PROVISION OF PUBLIC HEALTH SERVICES.—In order to be approved under this subsection, a State plan for provision of public health services must—

"(A) provide for administration or supervision of administration by the State health authority or, with respect to mental health services, the State mental health authority;

"(B) set forth the policies and procedures to be followed in the expenditure of the funds paid under this subsection;

"(C) contain or be supported by assurances satisfactory to the Surgeon General that (i) the funds paid to the State under this subsection will be used to make a significant contribution toward providing and strengthening public health services in the various political subdivisions in order to improve the health of the people; (ii) such funds will be made available to other public or nonprofit private agencies, institutions, and organizations, in accordance with criteria which the Surgeon General determines are designed to secure maximum participation of local, regional, or metropolitan agencies and groups in the provision of such services; and (iii) such funds will be used to supplement and, to the extent practical to increase the level of funds that would otherwise be made available for the purposes for which the Federal funds are provided and not to supplant such non-Federal funds;

"(D) provide for the furnishing of public health services under the State plan in accordance with such plans as have been developed pursuant to subsection (a);

"(E) provide that public health services furnished under the plan will be in accordance with standards prescribed by regulations, including standards as to the scope and quality of such services;

"(F) provide such methods of administration (including methods relating to the establishment and maintenance of personnel standards on a merit basis, except that the Surgeon General shall exercise no authority with respect to the selection, tenure of office, and compensation of any individual employed in accordance with such methods) as are found by the Surgeon General to be necessary for the proper and efficient operation of the plan;

"(G) provide that the State health authority or, with respect to mental health services, the State mental health authority, will from time to time, but not less often than annually, review and evaluate its State plan approved under this subsection and submit to the Surgeon General appropriate modifications thereof;

"(H) provide that the State health authority or, with respect to mental health services, the State mental health authority, will make such reports, in such form and containing such information, as the Surgeon General may from time to time reasonably require, and will keep such records and afford such access thereto as the Surgeon General finds necessary to assure the correctness and verification of such reports;

"(I) provide for such fiscal control and fund accounting procedures as may be necessary to assure the proper disbursement of and accounting for funds paid to the State under this subsection; and

"(J) contain such additional information and assurances as the Surgeon General may find necessary to carry out the purposes of this subsection.

"(3) STATE ALLOTMENTS.—From the sums appropriated to carry out the provisions of this subsection the several States shall be entitled for each fiscal year to allotments determined, in accordance with regulations, on the basis of the population and financial need of the respective States, except that no State's allotment shall be less for any year than the total amounts allotted to such State under formula grants for cancer control, plus other allotments under this section, for the fiscal year ending June 30, 1967.

"(4)(A) PAYMENTS TO STATES.—From each State's allotment under this subsection for a fiscal year the State shall be paid the Federal share of the expenditures incurred during such year under its State plan approved under this subsection. Such payments shall be made from time to time in advance on the basis of estimates by the Surgeon General of the sums the State will expend under the State plan, except that such adjustments as may be necessary shall be made on account of previously made underpayments or overpayments under this subsection.

"(B) For the purpose of determining the Federal share for any State, expenditures by nonprofit private agencies, organizations, and groups shall, subject to such limitations and conditions as may be prescribed by regulations, be regarded as expenditures by such State or a political subdivision thereof.

"(5) FEDERAL SHARE.—The 'Federal share' for any State for purposes of this subsection shall be 100 per centum less that percentage which bears the same ratio to 50 per centum as the per capita income of such State bears to the per capita income of the United States; except that in no case shall such percentage be less than 33⅓ per centum or more than 66⅔ per centum, and except that the Federal share for the Commonwealth of Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be 66⅔ per centum.

"(6) DETERMINATION OF FEDERAL SHARES.—The Federal shares shall be determined by the Surgeon General between July 1 and September 1 of each year, on the basis of the average per capita incomes of each of the States and of the United States for the most recent year for which satisfactory data are available from the Department of Commerce, and such determination shall be conclusive for the fiscal year beginning on the next July 1. The populations of the several States shall be determined on the basis of the latest figures for the population of the several States available from the Department of Commerce.

"(7) ALLOCATION OF FUNDS WITHIN THE STATES.—At least 15 per centum of a State's allotment under this subsection shall be available only to the State mental health authority for the provision under the State plan of mental health services.

"Project grants for health services development

"(e) There are authorized to be appropriated $62,500,000 for the fiscal year ending June 30, 1968, for grants to any public or nonprofit private agency, institution, or organization to cover part of the cost of (1) providing services to meet health needs of limited geographic scope or of specialized regional or national significance, (2) stimulating and supporting for an initial period new programs of health services, or (3) undertaking studies, demonstrations, or training designed to develop new methods or improve existing methods of providing health services. Such grants may be made pursuant to clause (1) or (2) of the preceding sentence with respect to projects involving the furnishing of public health services only if such services are provided in accordance with such plans as have been developed pursuant to subsection (a).

"Interchange of personnel with States

"(f)(1) For the purposes of this subsection, the term 'State' means a State or a political subdivision of a State, or any agency of either of the foregoing engaged in any activities related to health or designated or established pursuant to subparagraph (A) of paragraph (2) of subsection (a); the term 'Secretary' means (except when used in paragraph (3)(D)) the Secretary of Health, Education, and Welfare; and the term 'Department' means the Department of Health, Education, and Welfare.

"(2) The Secretary is authorized, through agreements or otherwise, to arrange for assignment of officers and employees of States to the Department and assignment to States of officers and employees in the Department engaged in work related to health, for work which the Secretary determines will aid the Department in more effective discharge of its responsibilities in the field of health as authorized by law, including cooperation with States and the provision of technical or other assistance. The period of assignment of any officer or employee under an arrangement shall not exceed two years.

"(3)(A) Officers and employees in the Department assigned to any State pursuant to this subsection shall be considered, during such assignment, to be (i) on detail to a regular work assignment in the Department, or (ii) on leave without pay from their positions in the Department.

"(B) Persons considered to be so detailed shall remain as officers or employees, as the case may be, in the Department for all purposes, except that the supervision of their duties during the period of detail may be governed by agreement between the Department and the State involved.

"(C) In the case of persons so assigned and on leave without pay—

"(i) if the rate of compensation (including allowances) for their employment by the State is less than the rate of compensation (including allowances) they would be receiving had they continued in their regular assignment in the Department, they may receive supplemental salary payments from the Department in the amount considered by the Secretary to be justified, but not at a rate in excess of the difference between the State rate and the Department rate; and

"(ii) they may be granted annual leave and sick leave to the extent authorized by law, but only in circumstances considered by the Secretary to justify approval of such leave.

Such officers and employees on leave without pay shall, notwithstanding any other provision of law, be entitled—

"(iii) to continuation of their insurance under the Federal Employees' Group Life Insurance Act of 1954, and coverage under the Federal Employees Health Benefits Act of 1959, so long as the Department continues to collect the employee's contribution from the officer or employee involved and to transmit for timely deposit into the funds created under such Acts the amount of the employee's contributions and the Government's contribution from appropriations of the Department; and

"(iv)(I) in the case of commissioned officers of the Service, to have their service during their assignment treated as provided in section 214(d) for such officers on leave without pay, or (II) in the case of other officers and employees in the Department, to credit the period of their assignment under the arrangement under this subsection toward periodic or longevity step increases and for retention and leave accrual purposes, and, upon payment into the civil service retirement and disability fund of the percentage of their State salary, and of their supplemental salary payments, if any, which would have been deducted from a like Federal salary for the period of such assignment and payment by the Secretary into such fund of the amount which would have been payable by him during the period of such assignment with respect to a like Federal salary, to treat (notwithstanding the provisions of the Independent Offices Appropriation Act, 1959, under the head 'Civil Service Retirement and Disability Fund') their services during such period as service within the meaning of the Civil Service Retirement Act;

except that no officer or employee or his beneficiary may receive any benefits under the Civil Service Retirement Act, the Federal Employees Health Benefits Act of 1959, or the Federal Employees' Group Life Insurance Act of 1954, based on service during an assignment hereunder for which the officer or employee or (if he dies without making such election) his beneficiary elects to receive benefits, under any State retirement or insurance law or program, which the Civil Service Commission determines to be similar. The Department shall deposit currently in the funds created under the Federal Employees' Group Life Insurance Act of 1954, the Federal Employees Health Benefits Act of 1959, and the civil service retirement and disability fund, respectively, the amount of the Government's contribution under these Acts on account of service with respect to which employee contributions are collected as provided in subparagraph (iii) and the amount of the Government's contribution under the Civil Service Retirement Act on account of service with respect to which payments (of the amount which would have been deducted under that Act) referred to in subparagraph (iv) are made to such civil service retirement and disability fund.

"(D) Any such officer or employee on leave without pay (other than a commissioned officer of the Service) who suffers disability or death as a result of personal injury sustained while in the performance of his duty during an assignment hereunder, shall be treated, for the purposes of the Federal Employees' Compensation Act, as though he were an employee, as defined in such Act, who had sustained such injury in the performance of duty. When such person (or his dependents, in case of death) entitled by reason of injury or death to benefits under that Act is also entitled to benefits from a State for the same injury or death, he (or his dependents in case of death) shall elect which benefits he will receive. Such election shall be made within one year after the injury or death, or such further time as the Secretary of Labor may for good cause allow, and when made shall be irrevocable unless otherwise provided by law.

"(4) Assignment of any officer or employee in the Department to a State under this subsection may be made with or without reimbursement by the State for the compensation (or supplementary compensation), travel and transportation expenses (to or from the place of assignment), and allowances, or any part thereof, of such officer or employee during the period of assignment, and any such reimbursement shall be credited to the appropriation utilized for paying such compensation, travel or transportation expenses, or allowances.

"(5) Appropriations to the Department shall be available, in accordance with the standardized Government travel regulations or, with respect to commissioned officers of the Service, the joint travel regulations, the expenses of travel of officers and employees assigned to States under an arrangement under this subsection on either a detail or leave-without-pay basis and, in accordance with applicable law, orders, and regulations, for expenses of transportation of their immediate families and expenses of transportation of their household goods and personal effects, in connection with the travel of such officers and employees to the location of their posts of assignment and their return to their official stations.

"(6) Officers and employees of States who are assigned to the Department under an arrangement under this subsection may (A) be given appointments in the Department covering the periods of such assignments, or (B) be considered to be on detail to the Department. Appointments of persons so assigned may be made without regard to the civil service laws. Persons so appointed in the Department shall be paid at rates of compensation determined in accordance with the Classification Act of 1949, and shall not be considered to be officers or employees of the Service for the purposes of (A) the Civil

Service Retirement Act, (B) the Federal Employees' Group Life Insurance Act of 1954, or (C) unless their appointments result in the loss of coverage in a group health benefits plan whose premium has been paid in whole or in part by a State contribution, the Federal Employees Health Benefits Act of 1959. State officers and employees who are assigned to the Department without appointment shall not be considered to be officers or employees of the Department, except as provided in subsection (7), nor shall they be paid a salary or wage by the Service during the period of their assignment. The supervision of the duties of such persons during the assignment may be governed by agreement between the Secretary and the State involved.

"(7) (A) Any State officer or employee who is assigned to the Department without appointment shall nevertheless be subject to the provisions of sections 203, 205, 207, 208, and 209 of title 18 of the United States Code.

"(B) Any State officer or employee who is given an appointment while assigned to the Department, or who is assigned to the Department without appointment, under an arrangement under this subsection, and who suffers disability or death as a result of personal injury sustained while in the performance of his duty during such assignment shall be treated, for the purpose of the Federal Employees' Compensation Act, as though he were an employee, as defined in such Act, who had sustained such injury in the performance of duty. When such person (or his dependents, in case of death) entitled by reason of injury or death to benefits under that Act is also entitled to benefits from a State for the same injury or death, he (or his dependents, in case of death) shall elect which benefits he will receive. Such election shall be made within one year after the injury or death, or such further time as the Secretary of Labor may for good cause allow, and when made shall be irrevocable unless otherwise provided by law.

"(8) The appropriations to the Department shall be available, in accordance with the standardized Government travel regulations, during the period of assignment and in the case of travel to and from their places of assignment or appointment, for the payment of expenses of travel of persons assigned to, or given appointments by, the Service under an arrangement under this subsection.

"(9) All arrangements under this subsection for assignment of officers or employees in the Department to States or for assignment of officers or employees of States to the Department shall be made in accordance with regulations of the Secretary.

"General

"(g) (1) All regulations and amendments thereto with respect to grants to States under subsection (a) shall be made after consultation with a conference of the State health planning agencies designated or established pursuant to subparagraph (A) of paragraph (2) of subsection (a). All regulations and amendments thereto with respect to grants to States under subsection (d) shall be made after consultation with a conference of State health authorities and, in the case of regulations and amendments which relate to or in any way affect grants for services or other activities in the field of mental health, the State mental health authorities. Insofar as practicable, the Surgeon General shall obtain the agreement, prior to the issuance of such regulations or amendments, of the State authorities or agencies with whom such consultation is required.

"(2) The Surgeon General, at the request of any recipient of a grant under this section, may reduce the payments to such recipient by the fair market value of any equipment or supplies furnished to such recipient and by the amount of the pay, allowances, traveling expenses, and any other costs in connection with the detail of an officer or employee to the recipient when such furnishing or such detail, as the case may be, is for the convenience of and at the request of such recipient and for the purpose of carrying out the State plan or the project with respect to which the grant under this section is made. The amount by which such payments are so reduced shall be available for payment of such costs (including the costs of such equipment and supplies) by the Surgeon General, but shall, for purposes of determining the Federal share under subsection (a) or (d), be deemed to have been paid to the State.

"(3) Whenever the Surgeon General, after reasonable notice and opportunity for hearing to the health authority or, where appropriate, the mental health authority of a State or a State health planning agency designated or established pursuant to subparagraph (A) of paragraph (2) of subsection (a), finds that, with respect to money paid to the State out of appropriations under subsection (a) or (d), there is a failure to comply substantially with either—

"(A) the applicable provisions of this section;

"(B) the State plan submitted under such subsection; or

"(C) applicable regulations under this section; the Surgeon General shall notify such State health authority, mental health authority, or health planning agency, as the case may be, that further payments will not be made to the State from appropriations under such subsection (or in his discretion that further payments will not be made to the State from such appropriations for activities in which there is such failure), until he is satisfied that there will no longer be such failure. Until he is so satisfied, the Surgeon General shall make no payment to such State from appropriations under such subsection, or shall limit payment to activities in which there is no such failure.

"(4) For the purposes of this section—

"(A) The term 'nonprofit' as applied to any private agency, institution, or organization means one which is a corporation or association, or is owned and operated by one or more corporations or associations, no part of the net earnings of which inures, or may lawfully inure, to the benefit of any private shareholder or individual; and

"(B) The term 'State' includes the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the District of Columbia and the term 'United States' means the fifty States and the District of Columbia."

CONTINUATION OF GRANTS TO SCHOOLS OF PUBLIC HEALTH

SEC. 4. Effective July 1, 1967, section 309 of the Public Health Service Act is amended by adding after subsection (b) the following new subsection:

"(c) There are also authorized to be appropriated $5,000,000 each for the fiscal year ending June 30, 1968, to enable the Surgeon General to make grants, under such terms and conditions as may be prescribed by regulations, for provision, in public or nonprofit private schools of public health accredited by a body or bodies recognized by the Surgeon General, of comprehensive professional training, specialized consultive services, and technical assistance in the fields of public health and in the administration of State or local public health programs, except that in allocating funds made available under this subsection among such schools of public health, the Surgeon General shall give primary consideration to the number of federally sponsored students attending each such school."

CONTINUATION OF AUTHORIZATION FOR TRAINING OF PERSONNEL FOR STATE AND LOCAL HEALTH WORK; COOPERATION BETWEEN THE STATES

SEC. 5. (a) Effective July 1, 1966, section 311 of the Public Health Service Act is amended by inserting "(a)" after "311." and by adding at the end of such section the following new subsection:

"(b) The Surgeon General shall encourage cooperative activities between the States with respect ot comprehensive and continuing planning as to their current and future health needs, the establishment and maintenance of adequate public health services, and otherwise carrying out the purposes of section 314."

(b) Effective July 1, 1967, section 311 of the Public Health Service Act is further amended by adding at the end of subsection (b) thereof the following new sentence: "The Surgeon General is also authorized to train personnel for State and local health work."

EFFECTIVE DATE AND REPEALER

SEC. 6. The amendments made by section 3 shall become effective as of July 1, 1966, except that the provisions of section 314 of the Public Health Service Act as in effect prior to the enactment of this Act shall be effective until July 1, 1967, in lieu of the provisions of subsections (d) and (e), and the provisions of subsection (g) insofar as they relate to such subsections (d) and (e), of section 314 of the Public Health Service Act as amended by this Act. Effective July 1, 1967, sections 316 and 318 of the Public Health Service Act are repealed.

REORGANIZATION PLAN

SEC. 7. The provisions enacted by this Act shall be subject to the provisions of Reorganization Plan Numbered 3 of 1966.

Mr. HILL. Mr. President, since 1936 the Federal Government has supported public health activities in the States and communities through grants-in-aid. Through the years the Congress has provided new authorities and programs of assistance so that today there are a total of 9 formula and 6 project grants awarded, in these categories:

Formula grants: cancer, chronic illness, dental disease, general health services, heart disease, home health services, mental illness, radiological health, and tuberculosis.

Project grants: cancer, chronic illness, mental retardation, neurological diseases, tuberculosis, and venereal diseases.

The funds appropriated for each of these specific categories may not be transferred to any other of the specified categories and may not be used to combat any other public health problem, even one that represents a more serious threat to health and is more deserving of attention.

The lack of flexibility in the use of Federal funds for public health activities is a matter of increasing concern to States, counties, and cities because of expanding responsibilities in the field for public health. The role of health departments has been expanded by medical research that has yielded the knowledge to prevent and control additional diseases, by environmental pollution that has created new hazards to health, and by population growth.

As an alternative to authorizing new categorical programs of assistance directed against additional specific diseases or health problems, S. 3008 provides for a flexible and responsive program of financial assistance for public health activities.

The new program of financial assistance would extend the Hill-Burton concept of comprehensive planning to other public health activities so that States and communities could evaluate public health needs and establish priorities for the allocation of extremely limited health resources.

As passed by the Senate, S. 3008 authorized a maximum of $1.1 billion in appropriations to cover the costs of comprehensive planning and grants-in-aid for public health services over the entire 4 fiscal years 1967–70.

This total was $108 million below the administration request for the same 4 years 1967–70 and $1.2 billion below the original recommendations of the administration for a 6-year program covering 1967–72.

In addition, the Senate in approving S. 3008 authorized, first, a total of $32 million in appropriations over the 4 years 1967–70 for grants to mental retardation facilities to assist in expanding and initiating services for the mentally retarded, and second, a total of $9 million in appropriations over the 3 years 1968–70 for training and research in the field of recreation for mentally retarded and other handicapped children.

In the House of Representatives, the legislation was referred to the Committee on Interstate and Foreign Commerce. That committee has reported that it did not have time to fully consider the legislation. The House has approved a substantially modified version of the measure.

As passed by the House, the legislation authorizes a total of $154 million in appropriations to cover 2 years of comprehensive health planning and 1 year of grants-in-aid for public health services. The House did not approve the Senate provisions that authorized grants, first, for initiating and expanding services at facilities for the mentally retarded, or second, for training and research in recreation for the mentally retarded and other handicapped children.

During the course of hearings in the House and in reporting the legislation, the Committee on Interstate and Foreign Commerce noted that time did not permit full hearings this year and stated that it would consider the subject matter again early next year.

Accordingly, I recommend that the Senate accept the amendments of the House of Representatives. I do so with the understanding that the House action does not represent final action. I look forward to further consideration of the legislation next year in both the Senate and House of Representatives.

In the case of comprehensive health planning and grants for public health services, the House action at least initiates the programs in accord with the new approach to flexible financing that is endorsed by the Council of State Governments, the Advisory Commission on Intergovernmental Relations and the National Association of Counties. Full funding can come later.

More serious, however, is the fact that the legislation as passed by the House completely eliminates the provisions relating to assistance for the mentally retarded. I want to assure the membership of the National Association for Retarded Children that we will recommend again next year the enactment of legislation to authorize grants for initiating and expanding services at facilities for the mentally retarded and legislation to finance training and research in recreation for the mentally retarded and other handicapped children.

The grants for facilities for the mentally retarded are similar to the assistance authorized under existing law to cover the costs of initial staffing at community mental health centers, rehabilitation facilities, and sheltered workshops. The funds for training and research in recreation for the mentally retarded and the handicapped children are urgently needed. I believe, however, that the 1-year delay will not seriously interfere with the progress we will achieve through these new programs.

Mr. President, I have consulted with the ranking minority member of the Committee on Labor and Public Welfare, the senior Senator from New York [Mr. JAVITS]. He and I are in agreement. The Department of Health, Education, and Welfare is in full agreement. The only practical thing to do at this time is to agree to the House amendment, since adjournment is so close.

Although the House reduced rather substantially the amount of money to be provided, we have laid the groundwork for further consideration next year. As stated in the House report that accompanied the bill:

> The subject embraced by the bill is an extremely important one, and the committee intends to go into the subject thoroughly as early as practicable in the next Congress.

As approved by the House, the legislation will permit the initiation of comprehensive health planning and a more flexible approach to financing both formula and project grants for public health programs. The planning will be started in 1967 and, as stated in the House report, the Committee on Interstate and Foreign Commerce will again go into the subject thoroughly as early as practicable in the next Congress. Congress convenes in January and they will then take up the matter of this legislation.

Mr. President, I ask unanimous consent to have printed at this point in the RECORD a letter addressed to me under date of October 11, 1966 by Ralph K. Huitt, Assistant Secretary for Legislation of the Department of Health, Education, and Welfare. In this letter, Mr. Huitt, on behalf of the Department, recommends the acceptance of the House amendment to S. 3008.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE,
Washington, D.C., October 17, 1966.

Hon. LISTER HILL,
Chairman, Committee on Labor and Public Welfare, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: As I promised over the telephone, I am sending you a comparison of S. 3008 and H.R. 18231, which are respective versions of the Comprehensive Health Planning and Public Health Services bill.

As you know, we much prefer the Senate bill but we recognize that the limitations on time mean that the more restricted bill is all we can get from the House this year. We believe it will let us get the comprehensive health planning started and establish the new structure for formula and project grants. Therefore we hope that you and your Committee will decide that you can take the House bill without a conference.

We deeply appreciate your passing S. 3008 which we think is a splendid bill.

Sincerely,

RALPH K. HUITT,
Assistant Secretary for Legislation.

Mr. HILL. Mr. President, I move that the Senate concur in the House amendment to S. 3008.

The motion was agreed to.

Mr. HILL. Mr. President, I move to reconsider the vote by which the Senate concurred in the amendment of the House.

Mr. KUCHEL. Mr. President, I move to lay that motion on the table.

The motion to lay on the table was agreed to.

ADDITIONAL ASSISTANCE FOR AREA SUFFERING A MAJOR DISASTER

Mr. BAYH. Mr. President, I ask the Chair to lay before the Senate the amendment of the House to S. 1861.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1861) to provide additional assistance for areas suffering a major disaster, which was, to strike out all after the enacting clause and insert:

That this Act may be cited as the "Disaster Relief Act of 1966".

DEFINITION

SEC. 2. As used in this Act, the term "major disaster" means a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g).

FEDERAL LOAN ADJUSTMENTS

SEC. 3. (a) Where such action is found to be necessary because of loss, destruction, or damage of the property, or impairment of the economic feasibility of the system, of borrowers under programs administered by the Rural Electrification Administration, resulting from a major disaster, the Secretary of Agriculture is authorized to adjust and to readjust the schedules for payment of principal and interest on loans to such borrowers, and to extend the maturity dates of such loans to a period not beyond forty years from the dates of such loans. The authority herein conferred is in addition to the loan extension authority provided in section 12 of the Rural Electrification Act.

(b) The Secretary of Housing and Urban Development is authorized to refinance any note or other obligation which is held by him in connection with any loan made by the Department of Housing and Urban Development or its predecessor in interest, or which is included within the revolving fund for liquidating programs established by the Independent Offices Appropriation Act of 1955, where he finds such refinancing necessary because of the loss, destruction, or damage to property or facilities securing such obligations as a result of a major disaster. The interest rate on any note or other obligation refinanced under this subsection may be reduced to a rate not less than (i) a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of such note or other obligation, adjusted to the nearest one-eighth of 1 per centum, less (ii) not to exceed 2 per centum per annum, and the term thereof may be extended for such period as will provide a maturity of not to exceed forty years. The Secretary may authorize a suspension in the payment of principal and interest charges on, and an additional extension in the maturity of, any such loan for a period not to exceed five years if he determines that such action is necessary to avoid severe financial hardship.

(c) Section 1820 of title 38, United States Code, is amended by adding at the end thereof the following new subsection:

"(f) The Administrator is authorized to refinance any loan made or acquired by the Veterans' Administration when he finds such refinancing necessary because of the loss, destruction, or damage to property securing such loan as the result of a major disaster as determined by the President pursuant to the Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855–1855g). The interest rate on any loan refinanced under this subsection may be reduced to a rate not less than (i) a rate determined by the Secretary of the Treasury taking into consideration the current average market yield on outstanding marketable obligations of the United States with remaining periods to maturity comparable to the average maturity of such loan, adjusted to the nearest one-eighth of 1 per centum, less (ii) not to exceed 2 per centum per annum, and the term thereof may be extended for such period as will provide a maturity of not to exceed forty years; except that the Administrator may authorize a suspension in the payment of principal and interest charges on, and an additional extension in the maturity of, any such loan for a period not to exceed five years if he determines that such action is necessary to avoid severe financial hardship."

FEDERAL HOUSING ADMINISTRATION—INSURED DISASTER LOANS

SEC. 4. (a) Section 221 of the National Housing Act is amended by striking out "family displaced from an urban renewal area or as a result of governmental action", "families displaced from urban renewal areas or as a result of governmental action", and "families displaced by urban renewal or other governmental action" each place they appear in subsections (a), (d)(2), (d)(3)(iii), (d)(6), and (f), and inserting in lieu thereof, as appropriate, "displaced family" or "displaced families".

(b) Section 221(f) of such Act is further amended by adding the following sentence at the end thereof: "As used in this section the terms 'displaced family' and 'displaced families' shall mean a family or families displaced from an urban renewal area, or as a result of governmental action, or as a result of a major disaster as determined by the President pursuant to the Act entitled 'An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes', approved September 30, 1950, as amended (42 U.S.C. 1855–1855g)."

DISASTER WARNINGS

SEC. 5. The Secretary of Defense is authorized to utilize or to make available to other agencies the facilities of the civil defense communications system established and maintained pursuant to section 201(c) of the Federal Civil Defense Act of 1950, as amended (50 U.S.C. App. 2281(c)), for the purpose of providing needed warning to governmental authorities and the civilian population in areas endangered by imminent natural disasters.

ASSISTANCE TO UNINCORPORATED COMMUNITIES

SEC. 6. (a) The Act entitled "An Act to authorize Federal assistance to States and local governments in major disasters, and for other purposes", approved September 30, 1950, as amended (42 U.S.C. 1855), is amended by inserting before the semicolon at the end of section 2(e) a comma and the following: "and includes any rural community or unincorporated town or village for which an application for assistance is made by a State or local government or governmental agency".

(b) Section 306 of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1926), is amended by adding at the end thereof the following new subsection:

"(c) In areas which have suffered major disasters the Secretary is authorized, without regard to the annual grant limitation in subsection (a)(2), to make or insure loans to associations, including corporations not operated for profit and public and quasi-public agencies, for the acquisition, construction, improvement, replacement, or extension of waste disposal systems and other public facilities damaged or destroyed as a result of a major disaster providing for community services in rural areas, when the Secretary determines that such action is necessary for the rebuilding of a community or a portion thereof damaged by a disaster, and to make grants not to exceed 50 per centum of the cost of repair, reconstruction, or replacement of waste disposal systems, water systems, and other public facilities damaged or destroyed as a result of a major disaster providing for community services in these areas in any case in which repayment of a loan for such purposes from income would require a charge for such service which the Secretary determines to be beyond the ability of a majority of the users who might be served thereby to pay such charges and if such charge would exceed cost of such services in comparable communities in the State."

HIGHER EDUCATION FACILITIES ASSISTANCE IN DISASTER AREAS

SEC. 7. (a) The Higher Education Facilities Act of 1963 (20 U.S.C. 701–757) is amended by inserting immediately after the last section of such Act the following new section:

"HIGHER EDUCATION FACILITIES CONSTRUCTION ASSISTANCE IN MAJOR DISASTER AREAS

"SEC. 408. (a) If the Director of the Office of Emergency Planning determines that a public institution of higher education is located in whole or in part within an area which, before July 1, 1967, has suffered a disaster which is a 'major disaster' as defined in section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), and if the Commissioner determines with respect to such public institution of higher education that—

"(1) the academic facilities of the institution have been destroyed or seriously damaged as a result of the disaster;

"(2) the institution is exercising due diligence in availing itself of State and other financial assistance available for the restoration or replacement of the facilities; and

"(3) the institution does not have sufficient funds available to it from other sources, including the proceeds of insurance on the facilities, to provide for the restoration or replacement of the academic facilities so destroyed or seriously damaged,

the Commissioner may provide the additional assistance necessary to enable the institution to carry out construction necessary to restore or replace the facilities, upon such terms and in such amounts (subject to the provisions of this section) as the Commissioner may consider to be in the public interest; but such additional assistance, plus the amount which he determines to be available to the institution from other sources, including the proceeds of insurance on the facilities, may not exceed the cost of construction incident to the restoration or replacement of the academic facilities destroyed or seriously damaged as a result of the disaster.

"(b) In addition to and apart from the assistance provided to a public institution of higher education under subsection (a), the Commissioner may provide funds to such institution in an amount which he considers necessary to replace equipment, maintenance supplies, and instructional supplies (including books, and curricular and program materials) destroyed or seriously damaged as a result of the disaster, or to lease or otherwise provide (other than by acquisition of land or construction of academic facilities) such facilities needed to replace temporarily those academic facilities which have been made unavailable as a result of the disaster, or both.

"(c) In any case deemed appropriate by the Commissioner, disaster assistance provided under subsection (a) or (b) may be in the form of a repayable advance subject to such terms and conditions as he considers to be in the public interest.

"(d) There are hereby authorized to be appropriated for each fiscal year such amounts as may be necessary to carry out the provisions of this section.

"(e) No payment may be made to a public institution of higher education for academic facilities under subsection (a) or for assistance under subsection (b) unless an application therefor is submitted through the appropriate State commission and is filed with the Commissioner in accordance with regulations prescribed by him. In determining the order in which such applications shall be approved, the Commissioner shall consider the relative educational and financial needs of the institutions which have submitted approvable applications. No payment may be made under subsection (a) unless the Commissioner finds, after consultation with the State commission, that the project or projects with respect to which it is made are not inconsistent with overall State plans, submitted under section 105(a), for the construction of academic facilities. All determinations made by the Commissioner under this section shall be made only after consultation with the appropriate State commission.

"(f) Amounts paid by the Commissioner to a public institution of higher education under subsection (a) or (b) may be paid in advance or by way of reimbursement and in such installments as the Commissioner may determine. Any funds paid to an institution which are not expended or otherwise used for the purposes for which paid shall be repaid to the Treasury of the United States.

"(g) For the purposes of this section an institution of higher education is deemed to be a 'public institution of higher education' if the institution is under public supervision and control."

(b) Section 7 of the Small Business Act, as amended (15 U.S.C. 636), is amended by adding thereto the following new subsection:

"(e) In the administration of the disaster loan program under subsection (b)(1) of this section, in the case of property loss or damage as a result of a disaster which is a 'major disaster' as defined in section 2(a) of the Act of September 30, 1950 (42 U.S.C. 1855a(a)), the Small Business Administration, to the extent such loss or damage is not compensated for by insurance or otherwise, may lend to a privately owned college or university without regard to whether the required financial assistance is otherwise available from private sources, and may waive interest payments and defer principal payments on such a loan for the first three years of the term of the loan."

PRIORITY TO CERTAIN APPLICATIONS FOR PUBLIC FACILITY AND PUBLIC HOUSING ASSISTANCE

Sec. 8. In the processing of applications for assistance—

(1) under title II of the Housing Amendments of 1955, or any other Act providing assistance for the repair, construction, or extension of public facilities;

(2) under the United States Housing Act of 1937 for the provision of low-rent housing;

(3) under section 702 of the Housing Act of 1954 for assistance in public works planning;

(4) under section 702 of the Housing and Urban Development Act of 1965 providing for grants for public facilities; or

(5) under section 306 of the Consolidated Farmers Home Administration Act

priority and immediate consideration shall be given, during such period as the President shall by proclamation prescribe, to applications from public bodies situated in major disaster areas.

RESTORATION OF PUBLIC FACILITIES

Sec. 9. There is hereby authorized to be appropriated such sums as may be necessary to reimburse not more than 50 per centum of eligible costs incurred to repair, restore, or reconstruct any project of a State, county, municipal, or other local government agency for flood control, navigation, irrigation, reclamation, public power, sewage treatment, water treatment, watershed development, or airport construction which was damaged or destroyed as a result of a major disaster, and of the resulting additional eligible costs incurred to complete any such facility which was in the process of construction when damaged or destroyed as a result of such major disaster. Eligible costs are defined to mean those costs determined by the Director of the Office of Emergency Planning as incurred or to be incurred in (1) restoring a public facility to substantially the same condition as existed prior to the damage resulting from the major disaster, and (2) completing construction not performed prior to the major disaster to the extent the increase of such costs over original construction costs is attributable to changed conditions resulting from the major disaster. Reimbursement under this section shall be made to the State, county, municipal, or other local governmental agency which is constructing the public facility or for which it is being constructed, except that if the economic burden of the eligible costs of repair, restoration, reconstruction or completion is incurred by an individual, partnership, corporation, agency, or other entity (other than an organization engaged in the business of insurance), the State, county, municipality, or other local governmental agency shall reimburse such individual, partnership, corporation, agency, or other entity not to exceed 50 per centum of those costs. Eligible costs shall not include any costs for which reimbursement is received pursuant to insurance contracts or otherwise by the party incurring the economic burden of such costs.

DUPLICATION OF BENEFITS

Sec. 10. The head of each department or agency of the Federal government administering any program providing financial assistance to persons, business concerns, or other entities suffering losses as the result of a major disaster shall administer such program in a manner which will assure that no such person, concern, or other entity will receive such assistance with respect to any part of such loss as to which he has received financial assistance under any other such program.

EXTENSIONS OF TIME IN PUBLIC LAND MATTERS

Sec. 11. The Secretary of the Interior, upon application therefor, is authorized to grant an extension of time to the holder of any lease, license, permit, contract or entry issued by him in connection with any lands administered by him through the Bureau of Land Management where the Secretary finds that a major disaster has impeded timely fulfillment of requirements and such relief will not prejudice the rights of another party.

COORDINATION OF EFFORT

Sec. 12. The President, acting through the Office of Emergency Planning, shall plan and coordinate all Federal programs providing assistance to persons, business concerns, or other entities suffering losses as the result of a major disaster, and shall conduct periodic reviews (at least annually) of the activities of State and Federal departments or agencies to assure maximum coordination of such programs, and to evaluate progress being made in the development of State and local organizations and plans to cope with major disasters. Nothing in this section shall be deemed to relieve the head of any department or agency of any function, duty, or responsibility vested in him by any provision of law.

DISASTER ASSISTANCE STUDY

Sec. 13. The Director of the Office of Emergency Planning is authorized and directed to make, in cooperation with the Secretary of Agriculture, the Secretary of the Interior, and other affected Federal and State agencies, a full and complete study and investigation for the purpose of determining what additional or improved air operation facilities are needed to provide immediate effective action to prevent or minimize loss of publicly or privately owned property and personal injury or death which could result from forest fires or grass fires which are or threaten to become major disasters. The study and investigation shall include but not be limited to—

(1) the need for new or improved airports, heliports, or helispots at specific locations where present transportation facilities are inadequate to provide for immediate and effective action in case of forest fires or grass fires;

(2) the need for additional or improved material, equipment (including aircraft) and personnel at specific locations to provide for immediate and effective action in case of forest fires or grass fires; and

(3) the estimated cost of providing such new or improved air operation facilities (including additional or improved material, equipment, and personnel) at each specific location.

Not later than six months after the enactment of this Act the Director of the Office of Emergency Planning shall report the findings of the study and investigation to the Congress together with his recommendations for an action program, including an equitable plan for the sharing of the cost of the program by the Federal, State and local governments and private persons and organizations.

EFFECTIVE DATE

Sec. 14. This Act and the amendments made by this Act shall apply with respect to any major disaster occurring after October 3, 1964.

Mr. BAYH. Mr. President, I point out that a year and a half ago the Senate, after a series of tragic disasters, passed one of the most comprehensive disaster bills, if not the most comprehensive disaster bill, in the history of the country.

We looked into all aspects of the pain, suffering, and deprivation that occur when an act of nature strikes down families and communities and whole parts of States.

We had an excellent bill. The bill lay dormant for over a year until we finally got some action. The House committee held extensive hearings.

I compliment Representative Wright, of Texas, and Representatives Roush and Brademas, of Indiana for the diligent effort they put into the measure.

But, Mr. President, in the last days of the session certain members of the Committee on Public Works in the House have resorted to some of the most arbitrary tactics one can imagine, the final result being that a real disaster has beset the disaster bill.

Having been involved in legislation at the State and National levels, I am a firm advocate of half a loaf being better than none, if we can make progress. But as I study these amendments that have been ripped into the Senate disaster bill, I find that rather than half a loaf, we are lucky if we even have the wrapping of the loaf.

After some consideration with the members of our committee—of which the Presiding Officer is one of the distinguished members—I reluctantly will move that the Senate accept these amendments, with the full realization that I feel that we have a sober obligation to start out on the first day of the next session to insist that the House of Representatives accept another comprehensive bill, which I trust will be passed by this body, with all the funds and the programs that we had to help needy people throughout the world.

I hope that we will see the day when we can treat with justice and compassion the poor citizens of this country who are struck low by disaster, by an act of nature.

I am most reluctant to ask my colleagues to accept these amendments, but, fearing that if we go to conference we will get nothing, I am willing to accept 1 inch of the rule and move that the Senate accept these amendments.

I ask unanimous consent to have printed in the Record at this point a statement prepared by my colleague, Senator Cooper.

There being no objection, the statement was ordered to be printed in the Record as follows:

Statement by Senator Cooper

As both a sponsor of the bill, S. 1861, before the Senate for consideration, and as a member of the Committee on Public Works, which conducted the hearings on the Disaster Relief Act of 1966, I want to voice my support for passage of this important bill, first by the Senate and yesterday by the House.

I also want to pay tribute to the effort and thought of the distinguished junior Senator from Indiana [Mr. Bayh], who introduced S. 1861 and who worked in the committee and in the Senate to develop a comprehensive, useful set of programs that would help to meet the needs of citizens and communities struck by natural disasters.

Under current legislative status, whenever a major natural disaster strikes, it is necessary for the Congress to pass special legislation to provide the needed relief to the stricken area. Such action takes considerable time at a time when relief is needed immediately. This bill will provide the necessary standby authority which will be automatically engaged when the President so designates an area as a "major disaster area".

In my own State of Kentucky, where we know the terrible effects particularly of floods, and where we have seen communities work to rebuild their life and economy over long years of almost annual disasters in some areas, this bill will provide assistance and direction when it is needed most. The Federal agencies have provided important and sympathetic services in times of great need not only in communities and for citizens in Kentucky, but from time to time in States all across the Nation.

This bill would revise existing Federal disaster programs established by the Congress and it will make it possible for local governments to rebuild their communities and respond to the needs of their people following a natural disaster by assisting home owners, businesses, rural and unincorporated communities, and providing for school construction, highway assistance, public housing, and public works expenditures in the repair and restoration of these facilities.

I note that the House amendment has deleted section 5 of the House bill—corresponding to section 7 of the Senate bill, which would have permitted the Secretary of Agriculture under certain conditions to replace income producing livestock, or other growing crops damaged or destroyed as a result of a major disaster.

The House deleted this provision of the bill, and I further note the statements of Senator BAYH, manager of the Senate bill, and the statement of Congressman WRIGHT, manager of the House bill, that they will urge the Public Works Committee of both Houses to give this question of insurance greater study and further consideration in the next session of Congress.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Indiana.

The motion was agreed to.

ORDER FOR ADJOURNMENT UNTIL 11 O'CLOCK TOMORROW MORNING

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it stand in adjournment until 11 o'clock tomorrow morning.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana? The Chair hears none, and it is so ordered.

RECESS

Mr. KUCHEL. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

(Thereupon, at 2 o'clock and 3 minutes p.m., the Senate took a recess subject to the call of the Chair.)

At 2 o'clock and 55 minutes p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. MANSFIELD in the chair).

AUTHORIZATION OF ACCEPTANCE OF A SETTLEMENT OF CERTAIN INDEBTEDNESS OF GREECE TO THE UNITED STATES

Mr. JACKSON. Mr. President, I ask that the Chair lay before the Senate a message from the House of Representatives on S. 1760, to authorize the acceptance of a settlement of certain indebtedness of Greece to the United States and to authorize the use of the payments resulting from the settlement for a cultural and educational exchange program.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1760) to authorize the acceptance of a settlement of certain indebtedness of Greece to the United States and to authorize the use of the payments resulting from the settlement for a cultural and educational exchange program, which was, on page 2, strike out lines 10 through 18, inclusive, and insert:

SEC. 3. The sums paid by Greece to the United States as interest on or in retirement of the principal of the bond issued as provided in section 2 shall be deposited in the Treasury of the United States. Amounts equivalent to the sums so deposited are hereby authorized to be appropriated for use in financing educational and cultural exchange programs authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451–2458), in relation to Greece and the people of Greece.

Mr. JACKSON. Mr. President, the House adopted the bill with an amendment, which is: On page 2, strike out lines 10 through 18, and insert the following:

SEC. 3. The sums paid by Greece to the United States as interest on or in retirement of the principal of the bond issued as provided in section 2 shall be deposited in the Treasury of the United States. Amounts equivalent to the sums so deposited are hereby authorized to be appropriated for use in financing educational and cultural exchange programs authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended (22 U.S.C. 2451–2458), in relation to Greece and the people of Greece.

Mr. President, section 3 of S. 1760, as passed by the Senate, provided that the sums payable by Greece pursuant to the terms of the settlement covered by the bill would remain available until expended for use in financing educational and cultural exchange programs authorized by the Mutual Educational and Cultural Exchange Act of 1961, as amended, in relation to Greece and the people of Greece. The House amendment contains two technical changes and omits the language providing that such sums remain available until expended.

Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

CLASSIFICATION OF MOTION PICTURES

Mrs. SMITH. Mr. President, earlier this year, I introduced Senate Resolution 242 proposing the appointment of a select committee to study the subject of classification of motion pictures. This type of regulation, which has been successfully established and administered in Great Britain, is the middle course between censorship on one extreme end and complete irresponsibility on the other extreme end.

I am gratified that my introduction of this resolution has had a salutary effect in that the motion picture industry itself, subsequent to the introduction of my resolution, adopted a new code for a program of self-regulation on the basis of classification.

The latest information on this salutary action of the motion picture industry to police itself is that contained in a letter of Mr. Jack Valenti, president of the Motion Picture Association, to me dated September 26, 1966.

In his letter to me, Mr. Valenti acknowledges that the action of his group will not cover the several hundred foreign-produced motion pictures that are imported to this country each year. He points out that the audiences for these foreign-produced motion pictures are centered essentially in the Southwest, Harlem and Yorkville in New York, and Milwaukee.

He reports that of the 85 U.S.-produced motion pictures in the past year accounting for 90 percent of the gross income from motion picture exhibition in the United States, only 1 was not code seal approved.

I am gratified with this progress, but I feel that the motion picture industry still has much room for improvement and much more yet to do.

I ask unanimous consent to place Mr. Valenti's letter in the RECORD at this point.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

MOTION PICTURE ASSOCIATION OF AMERICA, INC.,
Washington, D.C., September 26, 1966.

HON. MARGARET CHASE SMITH,
U.S. Senate,
Washington, D.C.

DEAR SENATOR: I am most grateful to you for your comment on the Floor of the Senate last Thursday with respect to the adoption of our new Code. I appreciate your awareness of our problem. Like you, I hope that the use of the added information that certain movies are "suggested for mature audiences" will help meet the problem of parents in determining pictures suitable for their children.

You are correct in noting that many movies exhibited in the United States are never submitted for a code seal and are not made or even distributed by the members of this Association. But I think it is important to realize that while the number may be substantial they play to very small audiences. For example, during the past year some 85 feature motion pictures were responsible for nearly 90 percent of the gross income from motion picture exhibition in this country and 84 (all but one) of those pictures were code seal approved. In short, while several hundred pictures, most of which are produced abroad, may be shown in this country annually they play to limited ethnic audiences such as the Mexican-produced and Spanish-produced pictures that play in perhaps 20 or 30 theaters in the southwest and a few in Harlem. Similarly a group of German-produced pictures play in two or three theaters in the Yorkville section of New York and perhaps in one theater in the Milwaukee area. There are a number of other such limited audience pictures and together they bulk large numerically but are of little significance in their impact on the American theater audience.

I mention this point because I do not expect that any large number of these pictures will ever be submitted to the production code even though we are going to make the most serious effort to encourage such submission by reducing the minimum cost sharply.

I hope you will not hesitate to call me or my office at any time if you have any questions.

Sincerely,

JACK.

A PROGRAM TO REVIVE THE AMERICAN MERCHANT MARINE

Mr. BREWSTER. Mr. President, amid all of the continuing conversation and controversy with respect to the sad state of the American-flag merchant marine, it is refreshing to read a call for action which includes the outlines of a constructive program.

Edwin M. Hood, president, Shipbuilders Council of America, spoke before the Merchant Marine Committee of the American Legion, here in Washington, D.C., on August 28, 1966, and offered a reasonable basis on which to correct the serious deficiencies and expedient omissions so long associated with our shipping capability. I would especially emphasize the word "reasonable" because, as Mr. Hood correctly points out, we must be prepared to invest our dollars and our resources prudently and wisely. Failure to do so—failure to revive our merchant marine with efficient, modern vessels constructed in U.S. shipyards—could significantly undermine our national security.

Mr. President, I ask unanimous consent to have Mr. Hood's complete speech at the Legion convention printed in the body of the RECORD at this point.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

SPEECH BY EDWIN M. HOOD, PRESIDENT, SHIPBUILDERS COUNCIL OF AMERICA, BEFORE THE AMERICAN LEGION, MERCHANT MARINE COMMITTEE, 11 A.M., AUGUST 28, 1966, WASHINGTON, D.C.

Much has already been said and written about the deplorable state of the American-flag merchant marine. The present critical situation concerns every patriotic American and demands our most vigorous and immediate attention, and I welcome this opportunity to applaud the continuing efforts of The American Legion, through the work of this Committee, to bring about effective solutions.

Senators, Congressmen, other public officials, high naval officers, steamship line spokesmen, shipyard officials, labor leaders, journalists and thoughtful citizens have, in addition, "sounded the alarm"—but the fire engine has yet to leave the barn. There has been no effort to organize a fire brigade. And, a fire chief with any kind of tenure has yet to be named. The previous chief—the Maritime Administrator—proved to be more of a fire bug than a fire fighter. As a consequence, the maritime conflagration, figuratively speaking, has very nearly reached the point where it is out of control.

There seems to be universal recognition that our ocean shipping capability is marginal at best. Everyone abhors the fact that U.S.-flag vessels carry less than 10 percent of our trade and commerce. Everyone is shocked by the revelation that foreign flag shipping imports better than 96 percent of all strategic minerals and ores not available in this country without which our industry and our economy could not survive. Everyone views with horror the qualitative, quantitative and functional deficiencies in our merchant marine. Everyone shudders at the progress being made by the Russians toward controlling the sea lanes of the world. But these reactions have never gotten out of the talking stage.

The Russian maritime build-up alone has been the subject of much conversation and many articles in various publications. By 1969, the shipping fleet of the Soviet Union is expected to number almost 2,500 merchant vessels. At present activity levels—assuming no change in the present trend—the U.S. flag merchant marine will total some 650 ships by 1969. The Soviets began an impressive shipbuilding program less than a decade ago, and it has been estimated that they will have spent the equivalent of more than $10 billion to obtain the fleet of 2,500 ships to which I have just referred.

In other words, the Soviets are acquiring strength in an area where we are becoming increasingly weak. 80 percent of the Russian shipping fleet is less than 10 years old, while 80 percent of the American merchant marine is more than 20 years old. Last year, 129 ships totaling 1.2 million deadweight tons were delivered to the Soviet fleet but only 16 vessels of 234,500 deadweight tons were delivered to the U.S. fleet. So far, the only response to this ominous development has been talk-talk-talk—and more talk.

There is, of course, a time and a place for talk, but sooner or later diction must be replaced by action. Now is the time—and Washington, D.C. is the place—for action. Otherwise, the fire which is destroying our merchant marine will never be extinguished, and urgent reconstruction will be permanently delayed. The net effect will be that the public interest and our national security will be placed in grave jeopardy.

Action cannot be longer postponed. Even if we were to decide today to build the ships that are now so badly needed, those ships would not be available in less than 3 years; 4 to 5 years would probably be a more accurate forecast. Developing designs, inviting bids, financial arrangements, appropriations approval, and awarding contracts, plus the actual building of the ships, consume a great deal of time. Meanwhile, our merchant marine will become more aged and more obsolete, uneconomic make-shift alternatives will be exhausted, and logistical support for our troops overseas very likely will be found wanting.

Another Vietnam type of conflict in some other remote corner of the world could well find us hopelessly short of merchant vessels so essential to the success of any military venture. The uncertainties of modern-day international politics might prove that our political and military objectives are directly contrary to those of the only countries of the world that could supply the needed shipping bottoms.

What, then, will we do? Without reliable friends—without ships—how will we protect the flame of freedom everywhere, let alone ourselves? We certainly cannot expect that Russian shipping will bring to us the strategic materials we vitally need. They have already sworn to destroy us. Obviously, we must begin now to build, in our own shipyards, a shipping capability equal to our present need and any foreseeable crisis of the future. We must do this without flinching—with the sure knowledge that our cause is proper and that our purpose is fixed—and with the sure knowledge that failure to do so would, in the long run, seriously undermine our national security.

To do all of this, a reasonable program must be put into motion as quickly as possible. Amid all of the talk of recent years, there has been a multiplicity of good and well-intentioned recommendations, both specific and general. These have mostly come from industry and labor. But, insofar as those in charge of our maritime establishment are concerned, they have fallen on deaf ears. The recommendations of the Presidential Maritime Advisory Committee have apparently suffered the same fate.

The problems are by no means simple, but it may be that a relatively simple program, briefly enunciated, can get us headed in the right direction. None of us prefer a "crash" program, but the dimensions of our present need are so specific as to warrant attention at the highest possible level—and with the highest possible priorities. The day for penny-pinching and equivocation is long past. It must be realized at the outset that costs will be high and that the commitment of our national resources will be great—at least for a limited period of time. We cannot reverse more than a decade of deterioration in our maritime strength without spending money—without prudently investing our funds, our energies, and our resources.

Whatever the program may be, it must, however, be predicated on two points: First, the Federal Government must reaffirm a fundamental principle, and secondly, a basic goal must be established.

The principle I have in mind is nothing new. It has long been a part of the fabric of America. It is explicity stated in the preamble of the Merchant Marine Act of 1936 and the Merchant Ship Sales Act of 1946—and in the Policy Declaration of the Merchant Marine Act of 1966 now before the Congress. Simply stated, all U.S. flag ships will be built in U.S. shipyards, operated by U.S. steamship companies, and manned with crews of U.S. citizens.

For nearly two years, we have heard suggestions, in strangely veiled phraseology, that our merchant ship requirements could be obtained from the shipyards of foreign countries without penalty to our overall national interest. Invariably, these suggestions are accompanied by the equally mistaken notion that our maritime endeavors will never be afforded the necessary level of Federal budgetary support. A handful of Government officials have indulged in this delusion. They seem to be saying, we can "borrow from Peter to pay Paul," failing to realize that they will only be pleasing Paul—in this case, the foreign shipyards.

These people have not properly assessed the real mood of the Congress and the temper of the American people. There are positive indications that the Congress would reject, as it has done in the past, any proposals for constructing our ships abroad. There are audible signs that the Congress will recognize, as it has always, the wisdom of relying on U.S. shipyards. The advantages should be obvious; employment for skilled workers not only in our shipyards but in supporting industries throughout the entire economy; assurances of the availability of shipyard facilities under our own control at all times to meet any national emergency; improvement in the balance of international payments; preservation and advancement of the state of the art of shipbuilding and ship repair; opportunities for cost reductions and greater efficiencies; and so on.

As to the basic goal, our national policy should specify that by 1975, U.S.-flag shipping will carry a certain percentage of our trade and commerce. This amount should be composed of all of our domestic trade, all of our defense cargoes, and at least 50% of our government sponsored cargoes plus at least 30% of our commercial foreign commerce in each category of ship employment—liner, tramp, dry bulk and liquid bulk. This is essentially the recommendation of the Maritime Advisory Committee, and it has been widely supported.

It is not illogical to expect that our own ships should carry more than 10% of our own cargoes, nor is it unreasonable to anticipate that we should build ships at a pace which would enable a gradual attainment of the 30% goal by 1975. I surely would not advocate the building of ships just for the sake of building ships—they should and must be put to efficient use.

Having done these two things with emphatic clarity, a program of implementation should begin at once with unwavering determination. The problem should be tackled on a broad front. A promotional campaign to encourage U.S. manufacturers and shippers to use U.S.-flag ships more extensively should be promptly initiated so that the desired goal can be achieved. Federal agencies should be directed to use foreign-flag shipping only when U.S.-flag vessels are not available. Labor, management and government should jointly and immediately sponsor a research and development program delving into every aspect of shipbuilding, ship operations and related technologies. And, the shipyards should continue to pursue every opportunity for cost reductions.

Of prime importance will be the level of Federal fiscal support. As I suggested a moment ago, we must face up to the costs. They cannot be wished away—or treated lightly. They cannot be ignored either. The Congress and the Administration should agree that the funds for merchant ship construction in Fiscal 1967 should be doubled. The Budgets for Fiscal 1968 and 1969 should be devised so that a like or larger amount will be assured for the same purpose in each of the succeeding two years. Should additional funds be required, a supplemental appropriation should be requested by the Administration. Very probably, in later years, the yield on these initial investments in terms of our national well-being will be so readily apparent as to forestall the requisite of urgent annual appeals for merchant marine and shipbuilding funds.

As it now stands, our otherwise affluent nation is already hard-pressed to meet the shipping demands of Vietnam. Our active merchant fleet is largely archaic, and most of the "rustbuckets" in our reserve fleets are virtually worthless. Our replacement shipbuilding program, started in 1957, is some 90 ships behind schedule, and applies only to the general cargo segment of the fleet. In actual fact, we should probably build 250 ships over the next 5 years—50 ships annually. Yet, only $85 million in Federal funds is included in the pending Fiscal 1967 Budget—an amount which would cover the Government's share in the construction of 11 to 13 vessels—a grossly inadequate number.

In 1936 when it was decided—in the national interest—"that 350 new ships are needed to put the American merchant marine on even terms with foreign vessels," the then Chairman of the Maritime Commission, the Honorable Joseph P. Kennedy, minced no words when he said:

"We have no selfish ambition to become queen of the seven seas, but we do want our fair share of commerce—and we mean to get it.

"The large appropriation ($150,000,000) was requested because we have to act in a hurry. . .

"In three years ninety per cent of our fleet will be obsolete. Considering our planned program, which requires a minimum expenditure of $400,000,000 in the next five years, the amount asked for is not abnormal. . ."

With 80 percent of the U.S. fleet now obsolete and carrying less than 10% of our trade and commerce, we need the same sense of purpose and urgency. If $400 million was considered "not abnormal" 30 years ago, it is not abnormal today. Adjusted for inflation, $400 million would be the equivalent of more than $800 million today—an amount which, over the next three years, would go far in resolving our maritime dilemma in terms of building ships.

So long as the national interest is served, this is not an extravagant or excessive sum. A well-balanced American-flag merchant marine is essential to our national interest—to support our military establishment and to extend and expand our trading. This is a historical truism. As Chairman Kennedy said: ". . . we do want our fair share of commerce—and we mean to get it." And so, let's get on with the task before us—with no more idle talk. Let's get on with the action which is so urgently needed. Let us begin here and now to guarantee the rejuvenation of the American merchant marine with modern and efficient vessels built in the shipyards of the United States. Let us agree that this investment in our future is essential. Let us begin here and now to rebuild our shipping capability from the ashes of the fires of neglect and inertia.

NUCLEAR TEST BAN TREATY SAFEGUARDS

Mr. JACKSON. Mr. President, on September 24, 1963, the Senate voted its approval of the Limited Nuclear Test Ban Treaty, by an overwhelming majority. Necessary to the affirmative vote of many Senators was the Presidential assurance on the implementation of the so-called treaty safeguards. The original assurances to the Senate given by President Kennedy in August of 1963, were reaffirmed in their entirety by President Johnson in April 1964. I, for one, feel today, as I did 3 years ago, that the treaty safeguards represent a very important part of our national security. In line with the constitutional principle of congressional oversight of executive programs, I should like at this time to submit to the Senate the third annual report on the implementation of the treaty safeguards. As I stated on October 1 last year, in the second annual report to the Senate on the implementation of the safeguards, staff members of the Joint Committee on Atomic Energy and the Preparedness Investigating Subcommittee constantly monitor the safeguards program. In addition, selected committee members review the implementation, both in regular and also in special committee hearings.

By way of a very brief review, the history of the safeguards begins when the members of the Joint Chiefs of Staff were called before our committees to register their judgments on the limited test ban treaty under consideration and they felt compelled, as senior military advisers, to inform the Senate that in their opinion certain safeguards were very necessary if the treaty was not to operate against our national security interests. Accordingly, they developed specific language to spell out these safeguards and, as I mentioned above, Presidential assurances of their implementation was given to the Senate. The safeguards, in brief, are: First, the conduct of comprehensive, aggressive, and continuing underground nuclear test programs; second, the maintenance of modern nuclear laboratory facilities and programs; third, the maintenance of the facilities and resources necessary to resume promptly atmospheric testing should it be deemed essential to our national security or should the treaty be abrogated by others; and fourth, the improvement of our capability to monitor and detect violations of the treaty, and to maintain our knowledge of foreign nuclear activity.

Why do we need the treaty safeguards and why must the Congress, in exercising its constitutional responsibilities in the national security area, see that the safeguards are implemented to the fullest extent? Let me give a very short review of some of the nuclear weapons activities of other "nuclear club" nations.

The Soviet Union is carrying out a very intensive nuclear weapons research and development program, has displayed new missile delivery systems in their recent parades, and continues a very active underground nuclear weapons test program. Seismic detection stations operated by several countries around the world have announced some of these Soviet tests as yielding several hundred kilotons. That would indicate that they are able to test new types of warheads at high yields. Soviet military leaders stated that they have increased their strategic offensive and defensive nuclear weapons systems, both quantitatively and qualitatively in the last few years and their underground nuclear test program and missile activities would certainly lend support to their statements.

We can no longer be assured that we own a commanding lead in the field of nuclear weapons systems and must assume that the Soviets will narrow the gap materially if we do not do everything the safeguards permit in support of our own nuclear weapons capability.

Communist China was not a nuclear weapons country at the time of the test ban treaty, nor is she a signatory to that treaty. Since that time Communist China has tested three nuclear devices in the atmosphere. Chinese officials announced the first test was on a tower and the later tests as being in the air over the test site. This would at least imply a device that could be carried and dropped from one of their aircraft. The weapons sophistication displayed in these early tests as demonstrated by the fissionable materials employed is both surprising and puzzling to our nuclear scientists. Based on the time interval between their earlier tests, October 16, 1964, May 14, 1965, and May 9, 1966, and on their avowed intention of becoming a nuclear weapons power, we may be assured that additional tests are to be expected.

France, another nuclear weapons country that did not sign the limited test ban treaty, has been carrying out an active and aggressive weapons test program. She has just completed an extensive test series, in the atmosphere, in the South Pacific. These tests displayed significant advances in acquiring higher yield weapons small enough in size to be carried by her supersonic bombers.

I can report that on the whole our implementation of the treaty safeguards has been very satisfactory. Some details have not always been to our satisfaction, and we have taken certain corrective actions that were felt to be necessary. For instance, the Joint Committee felt that the administration was not requesting sufficient funding for the underground testing program in the fiscal year 1967 budget. Accordingly, $10 million was added to the budget by the Joint Committee and authorized by the Congress. As it later developed, the administration not only welcomed this $10 million, but felt it necessary to request other reprograming actions that put even more fund support in the underground testing category.

Another example of our concern: We have been advised, unofficially, that certain studies are underway that might result in a so-called stockpiling of our safeguard No. 3 capability; that is, to resume atmospheric testing if necessary. I shall report our thoughts on such a proposal later, when the details of safeguard 3 are presented.

Our committees and staff members have been particularly impressed and encouraged with the dedication, determination, hard work, and high-caliber performance displayed by the many responsible officials in the Atomic Energy Commission and the Defense Department connected wtih the safeguards implementation. I want to single out a few organizations, the Division of Military Applications and the weapons laboratories of the Atomic Energy Commission, the Defense Atomic Support Agency and its service laboratories, the Advanced Research Project Agency, and the Joint Task Force Eight. The directors and the personnel of these organizations are to be especially commended. They are doing an outstanding job.

The Department of Defense and the Atomic Energy Commission are jointly responsible for the implementation of the treaty safeguards. To facilitate coordination of the activities of these two agencies in support of the safeguards, the Secretary of Defense and the Chairman of the Atomic Energy Commission, in June 1964, formally established joint procedures for the development and periodic review of a national nuclear test program. That program has been developed and submitted to the President. As directed by the President, the plans are being maintained and the programs essentially implemented.

SAFEGUARD NO. 1, UNDERGROUND TESTING

Through the underground testing program and the research activities which support it, the United States has developed a good capability to support a wide range of full-scale underground experiments. As an integral part of our research and development program, the underground test program has contributed to significant advances in weapons technology. Major emphasis has been directed toward assuring the reliability and safety of existing and planned nuclear weapons, the development and improvement of penetration capability, the development of improved devices, and the investigation of advanced concepts. Hardening programs for the existing and proposed strategic missile force, as well as other missile systems, are presently using the weapons-effects information obtained from the testing program. Through the development of a special instrumentation and more imaginative design of diagnostic arrays, underground tests are now yielding valuable diagnostic data not envisioned or thought possible at the time of the signing of the test ban treaty.

Since the treaty, a total of more than 100 underground nuclear tests have been conducted in the United States. These include tests with weapons-development objectives, weapons-effects information, test-detection studies, and peaceful uses of nuclear explosives studies. We have also assisted the United Kingdom in its weapons test program. Some tests have had very small yields and several, conducted at our Nevada test site, were announced as having "an intermediate yield." In announcement terminology, "intermediate" is defined as between 200 kilotons and 1 megaton.

Before I go on to the second safeguard, I should like to comment on the great importance of underground testing. All informed and responsible witnesses tell us that without the opportunity to conduct underground tests that safeguards 2 and 3 would have little chance of being successfully implemented. A nuclear weapons program, like all scientific endeavors, is a living and growing effort. Weapons research cannot be stockpiled or kept on a shelf against a future rainy day. Progress in science and technology cannot go far without experiments.

In this connection, and in the light of continued underground testing by the Soviet Union and atmospheric testing by France and Communist China, a warning is necessary: The Senate must take a long, hard look at any proposals for total test ban treaties, to be fully informed at an early stage of all the ramifications of particular proposals, and to see to it that we do not consent to any arrangements or provisions which operate against our vital national security interests.

SAFEGUARD NO. 2. THE MAINTENANCE OF MODERN LABORATORIES

The Department of Defense has concentrated its efforts under this safeguard into what they call their nuclear weapons-effects research program. This program investigates weapons effects and associated phenomena through every method short of full-scale nuclear testing. The problems are exceedingly complex and require a systematic analysis of many related phenomena, many of which require new theoretical and experimental techniques. This program has some advantages over full-scale nuclear tests. Laboratory experiments are generally less expensive; they can be performed many times, and the important parameters can be more easily controlled. To provide a positive correlation between laboratory research and the actual effects of nuclear explosions, laboratory results are confirmed in the underground test program to the extent possible. Significant advances have been made in the area of simulation facilities. For example, a conical shock tube, nearly one-half mile long, is nearing completion at Dahlgren, Va. This tube will simulate the blast effects of 20 kilotons with only 1,000 pounds of TNT. A rocket-sled facility at Holloman Air Force Base will drive a reentry vehicle at mach 6 into the shock wave produced from a shock tube. Other very important efforts are going forward at the Air Force Special Weapons Center in Albuquerque, N. Mex.

The three AEC weapons laboratories, Los Alamos, Lawrence Radiation Laboratory, Livermore, Calif., and Sandia, continue to function as healthy and progressive organizations. The maintenance of challenging research and development programs in weapons technology, the continuing, progressive, highly complex underground testing program, and the maintenance and improvement in facilities, have continued the laboratories' ability to retain and recruit the necessary technical and administrative staff to properly conduct the assigned development programs while continuing the expansion of the nuclear weapons art. Facilities are being maintained and upgraded.

I might add here that we, who follow the work and results of our DOD and AEC laboratories, are particularly proud of the people involved, their dedication and effort, the facilities they have to work and the outstanding results they are achieving. The laboratory program is accomplishing its purpose, but I caution again that our best advisors all agree that this is so only because of the existing underground testing program, and one cannot continue an effective laboratory program without the opportunities for the testing of ideas and accomplishments in a nuclear testing environment, such as underground.

SAFEGUARD NO. 3, READINESS TO RESUME ATMOSPHERIC TESTING

Like safeguard No. 2, a major factor in our readiness to resume promptly nuclear testing in the atmosphere, underwater, and in space—should it be deemed essential to our national security or should the treaty be abrogated—is our underground test program. Much of the technical resources from this program would be applicable in the event it was necessary to resume testing in the now prohibited environments. The resumption goals stated by the President, should he find it necessary to authorize the resumption of now prohibited testing, are:

First. AEC proof testing and DOD operational systems tests, within 2 months.

Second. DOD nuclear tactical exercises, within 3 months.

Third. AEC development tests, within 3 months.

Fourth. Weapon-effects tests, within 6 months, and the more complex AEC developmental, effects, and DOD reentry vehicle flight tests, within 9 to 12 months.

The capability in terms of facilities, equipment, and personnel to meet these goals has now been achieved and, of course, must be maintained in an active role. One cannot spray them with plastic and expect them to be ready when needed.

Johnston Atoll in the Pacific has been selected as the center for our readiness to resume testing. A 3-year program was undertaken to upgrade the facilities at Johnston Atoll and this has been essentially completed. Scientific and support facilities have been constructed throughout the State of Hawaii.

In the event the AEC and DOD were directed to resume testing in presently prohibited environments, operational control of the test series would be assigned to the Commander, Joint Task Force Eight, who would be responsible to both the AEC and the DOD. This task force is in existence and carrying out its assigned duties. Its prime function now is preparing for such a possibility and carrying out the necessary exercises in order to be prepared. Commencing in October 1964, and yearly since, the task force has deployed units from the continental United States to Hawaii and to Johnston Atoll and carried out operations to evaluate all technical, operational, and support functions in the environment planned for the actual nuclear air drop test program. In addition to the yearly full-scale exercise overseas, more frequent continental based exercises are held off the California coast using minimum resources and facilities.

The latest overseas exercise was completed early this month and two continental exercises are scheduled for later in fiscal year 1967. In addition, one overseas exercise and two continental based exercises have been approved for planning for fiscal year 1968. At the present time the construction of new facilities for the readiness program is limited to those projects essential to support approved programs and every effort is made to assure that: First, existing facilities are used to the maximum efficiency; and second, where additional facilities are required, minimum facilities commensurate with approved program objectives are the policy.

Repair and/or replacement of assemblies, components, and hardware is restricted to items which are defective or are expended during operational type exercises. Where procurement times are long, necessary quantities of rockets, test vehicles as device carriers, and instrumentation hardware have been stockpiled.

To help reduce the cost of maintaining the readiness capability and to make maximum use of the facilities and equipment, other national programs employ both the Johnston Atoll facilities and use such equipment as the highly instrumented diagnostic aircraft for other purposes such as cosmic ray studies and solar eclipse observations.

Staff members of the Joint Atomic Energy Committee and the Preparedness Investigating Subcommittee were present at Johnston Atoll and in the Hawaiian Islands during the recent series of exercises known as Operation Windlass.

As I mentioned earlier in this statement, it has come to our attention that certain studies are being directed toward reducing the cost of the effort or possibly stockpiling certain parts of the resumption capability. It would be of great concern if these studies might result in the resumption capability being reduced below the goals established by the Executive as listed above. For example, if drastic actions were taken, such as shutting down Johnston Island, breaking up of the expertise existing in Joint Task Force 8, or transferring specialized test aircraft to other primary duties, then it is inevitable that the resumption readiness would be degraded. Undoubtedly, some minor economies can be applied to parts of the program and still permit resumption within the desired time limits. However, these must not be permitted to result in a serious degradation of our capacity as we are all well aware of the great difficulties and lapsed time required to resume meaningful testing from a stance of unreadiness.

The last time we had a cessation on nuclear testing the Soviets chose to violate this cessation of tests and conducted the most intensive nuclear weapon testing operation the world has ever seen. It took us much too long to react, and we could be at a critical disadvantage if this were permitted to happen again. Joint Task Force 8 should be maintained, together with its facilities and equipment, as an active and well supported effort that can quickly react to a treaty violation by some other country or should the President make the decision that it is in our national interest to resume testing in the new prohibited environments.

Perhaps experts on cost effectiveness who believe that islands can be mothballed should see for themselves the constant need to protect from the ocean that which has been gained at a heavy price.

SAFEGUARD NO. 4, TEST DETECTION AND FOREIGN NUCLEAR PROGRAMS

Project VELA is the Nation's research, development, and systems design effort aimed at improving our ability to detect, identify, locate, and verify the occurrence of nuclear explosions in all environments. A broad-based program in nuclear test detection technology and physics, sensor improvement, systems studies, systems engineering, and improved verification methods is continuing.

The test environment that has received the greatest effort in the detection field is one that is presently permitted by the limited test ban treaty, that is underground. The reason for this is twofold. First, to see how much can be learned from the underground tests of other nations, and, second, so that at some future date this information could be applied to a treaty to prohibit nuclear tests, including underground—should be a particular treaty be determined by the Executive and the Congress to be in the national interest. Certainly this substantial seismic research program has greatly improved our capability to detect underground events, either natural in origin, such as earthquakes, or manmade events, such as nuclear tests, as well as to better locate such events. Also, the number of so-called unidentified events each year has been greatly reduced. However, the research effort has not eliminated having a certain number of unidentified events each year. It is these unidentified events which give rise to the necessity for including the right of onsite inspection in any foreseeable total test ban treaty. In my opinion adequate types and numbers of onsite inspections remain one of the basic conditions for such a treaty.

Research and development programs are being carried out to provide the means of detecting possible treaty violations in prohibited environments, such as in the atmosphere, in outer space, and underwater. These programs have been quite successful and are continuing.

In connection with the large effort to improve our capability to detect and identify underground nuclear tests, one area that has perhaps not received the attention that it deserves is that of concealing, hiding, or muffling the underground test. Many theories have been introduced as a means of fooling the detection system and one of them, at least, the so-called decoupling theory, has been tested and verified by conventional explosions. A small nuclear test is to be conducted in the near future to test this theory for nuclear explosions and a larger nuclear test is in the planning stages. We feel that not nearly enough is known about these various hiding or evasion techniques and, of course, we need to add to our knowledge of these techniques as a precondition to any total test ban treaty so that we may be assured of catching a treaty violator, should there be one.

Finally, the cost of implementing the limited treaty safeguards is significant. Of course, a great many of these costs would be with us whether we had treaty safeguards or not, but a summary of the overall costs are a measure somewhat of the serious effort we are putting into the maintenance of our security under the terms of the limited test ban treaty.

The following table presents the estimated costs for each fiscal year since the test ban treaty for each of the four safeguards. These are the combined costs, expended or programed, by both the AEC and the DOD.

[In thousands of dollars]

	Fiscal year 1964	Fiscal year 1965	Fiscal year 1966	Fiscal year 1967
Underground tests	118, 000	143, 000	176, 000	182, 000
Nuclear laboratories	327, 000	335, 000	327, 000	334, 000
Test resumption readiness	161, 000	130, 000	74, 000	58, 000
Test detection	100, 000	116, 000	120, 000	128, 000
Total	706, 000	724, 000	697, 000	702, 000

In closing, I repeat that the general implementation and support afforded to the limited nuclear test ban treaty safeguards has been very satisfactory. The members and staffs of the Joint Committee on Atomic Energy and the Preparedness Investigating Subcommittee will continue to follow the safeguards implementation, will make inquiry and conduct hearings on these matters and will periodically, as I am doing today, make the appropriate reports to the Senate.

RECESS

Mr. JACKSON. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and (at 3 o'clock and 13 minutes p.m.) the Senate took a recess subject to the call of the Chair.

At 3 o'clock and 14 minutes p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. Nelson in the chair).

NUCLEAR TEST BAN TREATY SAFEGUARDS

Mr. STENNIS. Mr. President, will the Senator yield to me?

Mr. JACKSON. I am happy to yield to the distinguished Senator from Mississippi [Mr. Stennis].

Mr. STENNIS. I have been detained in returning to the floor of the Senate because of a most urgent matter, a conference report on the health, education, and welfare appropriation bill; otherwise I would have been here to listen to every word of the speech of the Senator from Washington [Mr. Jackson] and his report. Although I have not read all of his speech I know many of the major points that are in it.

Mr. President, first I wish to thank the Senator from Washington and his subcommittee for their years of work in this highly important and highly technical field of checking with reference to the compliance and carrying out of our test ban treaty. The Senator from Washington [Mr. Jackson] is unusually well qualified in this field, and he applies himself with his usual energy and devotion to duty. It is difficult to begin to estimate the value of the services he has rendered. I want to thank him, as well as commend him. He has rendered a great service to the country.

The Preparedness Investigating Subcommittee held hearings on a nuclear test ban treaty, and we got into phases of it that never came out in open testimony. It is highly classified. It is those important phases that the Senator is going into and checking. He gives surveillance to the matter not year to year, but month to month. That is the only way to know where we are and to evaluate the success of the nuclear test ban treaty, and also, it is the only way to find the road ahead. So, in that way, too, the Senator is rendering an outstanding service.

Again, I regret exceedingly that I was detained and unable to be here when he began his address.

Mr. JACKSON. Mr. President, I wish to express my deep appreciation for the generous comments of the distinguished chairman of the Subcommittee on Preparedness Investigations.

I must say that what we have been able to do in connection with nuclear test ban safeguards has been made possible by reason of the support and assistance we have received from the chairman of the subcommittee.

I must say that the program that we are endeavoring to carry out goes to the very heart of the nuclear deterrent. This, indeed, is the means by which we are endeavoring to avoid in this world of ours what otherwise might be a nuclear catastrophe.

Mr. President, the Senator from Mississippi [Mr. Stennis] has been an invaluable help to us. Without his support our effort would not be possible. I commend him for all that he has done.

Mr. STENNIS. Mr. President, I commend the Senator. Those of us on the Subcommittee on Preparedness Investigations look to the work of the Senator from Washington [Mr. Jackson] and his subcommittee members with the highest degree of satisfaction, and consider it one of the most outstanding achievements of all the work done during the entire year.

Mr. President, I thank the Senator for yielding to me.

RECESS

Mr. JACKSON. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and (at 3 o'clock and 18 minutes p.m.) the Senate took a recess subject to the call of the Chair.

At 3 o'clock and 34 minutes p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. Yarborough in the chair).

NORTH AMERICAN WATER AND POWER ALLIANCE

Mr. MOSS. Mr. President, several years ago the North American Water and Power Alliance, or NAWAPA concept, was considered to be little more than a grandiose dream, highly desirable to water-short areas in the United States, Canada, and Mexico, but hardly attainable in our time.

Recently, however, the climate has been changing. The idea of bringing surplus water down from Alaska and Canada to areas which need it is being given serious consideration, and serious study. Gordon White, Washington correspondent for the Salt Lake City Deseret News, discusses NAWAPA developments in a well-written, recent column, which I ask unanimous consent to place in the Congressional Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Salt Lake City (Utah) Deseret News, Oct. 4, 1966]

NAWAPA Promotion Stirs National Interest

(By Gordon Eliot White)

In the month since the lower Colorado River reclamation project was quietly buried for another year, water experts in this country, Canada, and Mexico have focussed new interest on a much grander water project.

With Sen. Frank E. Moss, D-Utah, as its chief congressional sponsor, the big North American Water and Power Alliance proposal has moved just a little nearer actual consideration by the government involved.

Sen. Moss has been talking about NAWAPA for three years, and is beginning to generate an encouraging degree of interest in it. NAWAPA as out-lined in studies by the Ralph M. Parsons Engineering Company of Los Angeles, would tap the waters of Alaska and northern Canada and bring them as far south as the Rio Grande and as far east as the Great Lakes.

It would provide enough water to fill, along with conventional water projects, the predicted water needs of North America for the next hundred years. It would cost at least $80 billion, and take at least a quarter of a century to complete.

The prime interest in NAWAPA has been among the westerners who have been fighting for the Lower Colorado Basin Project. When they looked at the Colorado River, the arid states of Arizona, New Mexico, California, Colorado, Nevada and Utah found that it could not begin to satisfy the needs of its basin. The decision to look to the Columbia River for additional water became instrumental in the defeat of the Lower Colorado bill.

NAWAPA was pushed into the background during the Lower Colorado debate, but Sen. Moss kept interest alive by carrying his message to Canada. He spoke in Quebec, Montreal and Toronto this year, outlining the need for additional water throughout the continent, and explaining to sometimes-hostile Canadians how the project could benefit both nations.

And the hostility in Canada is closely parallel to that of the northwesterners who fought the Lower Colorado bill because it cast thirsty eyes at their largest river. Sen. Moss set off a flurry of outrage north of the border two weeks ago by saying in a speech at Billings, Montana, that he questioned "the right of one section of a country—or one section of a continent—to waste water—to allow vast quantities of it to run away to the sea unused while other sections do not have enough to meet the requirements of their growing populations."

This sort of talk has not gone down well in the Columbia Basin. And in western Canada there has been considerable indignation over the Moss speech, the more galling because it is quite accurate: at least four billion acre feet of water run uselessly into the sea—more than two hundred and fifty times as much as flows in the Colorado in a normal year.

Canadian politicians have not been above demagoguing the water issue any more than American politicians along the Columbia. The latest charge has been that the United States could solve its water shortage just by cleaning up its pollution. In the East that may be true. Re-use of water, plus better water management, could solve the need for water in all but the longest drouth that could strike the East Coast, with its normal of sixty-inch annual precipitation. In the West, clearly, all the clean-up possible could not salvage enough to meet the predicted needs from the area's ten-inch annual rainfall.

Even now Phoenix wells are drawing more than two-million acre-feet more water from the ground each year than natural return flow can re-charge.

Despite the objectors, there are some signs that NAWAPA—or something like it—may be edging closer to serious study. President Johnson met Ralph Parsons at a businessmen's luncheon at the White House and has asked him back to discuss the project. The President likes Texas-sized plans, and it is clearly possible that he could recast NAWAPA as an administration project if and when the Viet Nam war is settled.

> So far the plans are only an outline. Feasibility studies would cost several million dollars and would take four or five years to complete. The size of the dams would have to be gargantuan. One would, in the Parsons concept, rise 1,700 feet above the Copper River, a thousand feet taller than Hoover Dam. A 74-million-acre foot reservoir in the Rocky Mountains trench would take eight years to fill.
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> But reviews of the scheme indicate that for the estimated $80 billion price, North America would get about twice as much water as the 2.7 billion acre feet that would be provided by all the $60 billion worth of authorized or contemplated water projects still to be built in the western states. NAWAPA would provide about twice as much water for only $20 billion more in cost.
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> A Senate Subcommittee said earlier this year that building both the NAWAPA and the conventional projects, at a $140 billion cost, would probably meet the foreseeable needs of North America.
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> But engineering studies are the next step, and a step that the continent had better take soon, if it is to get the work underway before the need for water outruns the supply. As Sen. Moss said at Billings, water is precious stuff. Without it there can be no life.

A DEPARTMENT OF NATURAL RESOURCES IS NEEDED

Mr. MOSS. Mr. President, now that Congress has completed action on the measure to establish a Department of Transportation, I suggest that our next move should be to consolidate all of the agencies, bureaus, and programs which deal with water, soil, forests, mining or any other aspect of our natural resource development into a Department of Natural Resources.

Our population explosion and our booming good times have so increased the volume of travel by rail, air, water, and highways that central planning has become necessary to an efficient transportation system. We have now set up a Federal agency to provide such planning, and the Congress will receive from its Secretary recommendations for a coordinated policy for all modes of transportation, including those affecting national defense and national or regional emergencies.

That same population explosion combined with our constantly rising standard of living have synthetized to put the same sort of strain on our natural resources. We are using up our resource heritage at a fantastic rate. Reorganization and modernization are equally as crucial in the field of natural resources.

More than a year ago I introduced a bill to establish a Department of Natural Resources. The bill was cosponsored by Senators CLARK and METCALF. I intend to reintroduce the measure at the beginning of the next session of Congress, with, I hope, the support and cosponsorship of many more of my colleagues. The Senator from Connecticut [Mr. RIBICOFF] has already indicated he is ready to hold hearings in January on the new bill in the Executive Reorganization Subcommittee which he heads.

I well realize that the suggestion that water and land resource development agencies should be centered in one Federal Department raises hackles in bureaucratic circles in Washington, and causes consternation in special interest groups throughout the country. It would mean that several Federal agencies with distinguished records in conservation would undergo major changes. It would mean that some communities and areas of the country and some groups of individuals accustomed to working with officials in one Federal Department, and under regulations drawn by that Department, would find themselves working with officials—at the top level, at least—in another Department. This would be disquieting, and for awhile, at least, might slow down some programs and projects while overall determinations were made and guidelines adopted.

But I challenge anyone to take an honest and rational look at how rapidly we are using up and despoiling our natural resources in America and not agree that massive and unselfish planning must be done, followed by sophisticated coordination, if we are not to waste our heritage beyond redemption. Such planning and coordination would obviously be most effectively handled by one great Department dedicated to the preservation and best use of all of our natural resources.

It is true that there is already considerable scattered resource planning underway—but it is being carried forward in several agencies by several different groups. It is true also that we are enacting some fine conservation legislation, and that we are spending millions of dollars to protect our forests and our public lands and our water resources. But are we doing enough? And are we doing it in a way which will be in the best interest of all of our people in all sections of the country? And, finally, are we duplicating efforts, and overlapping our programs? We cannot give satisfactory answers to any of these questions.

Take the field of water resource management as an example. We have 5 Federal Departments—Interior, Agriculture, Health, Education, and Welfare, Defense, and Housing and Urban Development—and 2 powerful independent agencies—the Federal Power Commission, and the Tennessee Valley Authority—and 25 subordinate agencies all with statutory responsibilities on water resources. It is very difficult to coordinate a program which is spread-eagled like this. It is also frustrating for an outside agency to work with the Federal Government with such a patchwork of authority. The Delaware River Commission, for example, must harmonize the work of 19 Federal agencies, 14 interstate agencies, and 43 State agencies. It is a miracle that the Commission moves ahead at all.

In the summer of 1965 when New York City faced a water shortage, its harried officials could not turn to the vast Hudson River which rolled by its door. The reason: The Hudson is heavily polluted, and cleaning it up is frustrated by the tangled authority of many State and Federal agencies which have some measure of jurisdiction over its waters.

Newsweek magazine commented in August, 1965:

> The big obstacle to restoring the Hudson Valley is bureaucracy. More than fifteen federal agencies from the Coast Guard to the Department of Commerce (which maintains its mothball fleet of cargo ships in Tomkins Cove) tangle with the New York State departments of Conservation, Health, Public Works and Commissions for Fish and Game, Parks, Water Resources and Motor Boats, to name a few. And few of these are under any obligation to consult with each other or a higher authority.

Such a jurisdiction morass is difficult enough to handle when it touches only city and State government—the Federal Government should not contribute to it.

Yet, within the Federal Government there are hundreds of examples of conflicting programs in water management. The Department of the Interior begs North Dakota farmers to preserve wildlife while the Department of Agriculture pays them to drain the pot holes which sustain migratory birds. The National Park Service is trying to save the Everglades in Florida, while the Corps of Engineers drains them. The Federal Power Commission authorizes a run of the river dam on a stretch of rushing waters where the Corps of Engineers or the Bureau of Reclamation have under consideration multiple-purpose development.

There can be no argument that coordination of our water resource programs is not only desirable, but absolutely essential.

Similar examples of the need for coordination of activities can be given in the management of our public lands and our forests. Here we have two principal agencies, the Forest Service in the Department of Agriculture, and the Bureau of Land Management in the Department of the Interior. Each sets it own regulations and standards, even though the lands they administer are often intermingled. Each is responsible to a different Cabinet Secretary, and to a different departmental objective.

It does not make sense to have these two agencies, which deal directly with our land, in two different Government departments. Actually, Forest Service employees work more closely with those in the Interior Department who promote land rehabilitation, develop picnic grounds, process mining claims, and propagate fish than they do with the other employees of the Department of Agriculture who deal with price supports, agriculture extension service, marketing, and farm loans.

I do not wish to imply that the Forest Service and the various bureaus of the Interior Department with whom its work is intertwined do not work well together—that they do not make every effort to coordinate efforts. But the problem is bigger than this. There are many agencies in the Federal Government dealing with the management of our land and our wildlife and our recreation, and it is increasingly difficult to separate the management of one from another. We are constantly placing stronger pressures on each of them, and they should be considered as one and planned for as one.

I will not take time here today to discuss in full all of the areas in the resource management field where there is divided authority, and overlapping jurisdictions. I will say only that we are not doing the job in conserving our natural resources we must do, and the sooner we refine our governmental machinery in the resource field, the sooner we can get on with our conservation job in earnest. I am convinced that most Americans are conservationists at heart—that they want us to do the best possible job, and that they will support any changes necessary to do it.

I believe my bill to establish a Department of Natural Resources would move us toward much better management practices. It would enable one executive department, the President, and the Congress to effectively evaluate the Nation's resource requirements, and the investment needed to meet them.

It would do for us in the resource field what we have just done in the transportation field, and what we did earlier in this session in the field of housing and urban areas in the establishment of the Department of Housing and Urban Development. It should be, in my opinion, our next order of business in the field of governmental reorganization.

CONVEYANCE OF CERTAIN LANDS TO THE CITY OF EL PASO, TEX.

Mr. MANSFIELD. Mr. President, on October 17, the House of Representatives passed the bill (S. 3148) to provide for the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the city of El Paso, Tex., with an amendment in the nature of a substitute.

On July 28, the committee favorably reported, and the Senate passed, a bill S. 3148 which had been introduced by Senator Yarborough. The purpose of the legislation was to permit the Secretary of the Army to release certain restrictions on approximately 148 acres of land reserved by the United States in a quitclaim deed to the city of El Paso, Tex., entered into under authority of the act of August 2, 1956, thus conveying to the city clear title to the property.

During the House consideration of the bill, it was determined that a minor discrepancy had occurred in the description of the title of the land of some 3 feet. The House amended the bill to correct this discrepancy. It in no way changes the purpose of the bill.

Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 3148) to provide for the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the city of El Paso, Tex., which was, to strike out all after the enacting clause and insert:

That the Secretary of the Army is authorized and directed to convey to the city of El Paso, Texas, all of the right, title, and interest of the United States reserved or retained in approximately 148 acres of land described in section 2 of this Act, said land being a portion of certain lands conveyed by the United States to the city of El Paso, Texas, by quitclaim deed dated June 27, 1957, pursuant to authority contained in the Act of August 2, 1956 (70 Stat. 950; Public Law 929, Eighty-fourth Congress).

Sec. 2. The land referred to in section 1 is located in El Paso County, Texas, and is more particularly described as follows: Beginning at a point which bears north 81 degrees 10 minutes east a distance of 875.23 feet from a point which is the intersection of the west line of section 40, block 80, township 2, and the northerly ROW line of United States Highway 62:

thence north 46 degrees 02 minutes west a distance of 560.43 feet;

thence north 1 degree 01 minutes 50 seconds west a distance of 1,249.44 feet;

thence south 86 degrees 43 minutes 15 seconds east a distance of 6,422.58 feet;

thence south 08 degrees 50 minutes east a distance of 336.26 feet;

thence south 81 degrees 10 minutes west along the north ROW line of United States Highway 62 a distance of 6,110.0 feet to the point of beginning: Containing approximately 148 acres.

Sec. 3. The conveyance authorized herein shall be subject to the following conditions:

(a) That the city, in accepting the conveyance, agrees for itself, its grantees, successors, and assigns to forgo (1) any use of the property which will be noxious by the emission of smoke, noise, odor, or dust, and (2) the erection on the premises of any structure exceeding 60 feet in height above the ground.

(b) That the city shall pay to the United States the fair market value, as determined by the Secretary of the Army, of the property interest conveyed under the first section of this Act.

Mr. MANSFIELD. Mr. President, I move that the Senate concur in the House amendment.

The motion was agreed to.

HOME LEAVE FOR FEDERAL SEAFARING PERSONNEL

Mr. MANSFIELD. Mr. President, I call up H.R. 18217, and ask for its immediate consideration.

The PRESIDING OFFICER (Mr. Nelson in the chair). The bill will be stated by title.

The Assistant Legislative Clerk. A bill (H.R. 18217) to provide home leave for Federal seafaring personnel, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which was read twice by its title.

Mr. YARBOROUGH. Mr. President, this bill is an official recommendation by the administration resulting from a study by the Civil Service Commission of the need for additional annual leave for Federal employees in the Military Sea Transportation Service.

This legislation would authorize 2 days of annual leave for each month of MSTS or other seafaring service in addition to the amount of annual leave established by the Annual and Sick Leave Act.

Enactment of this legislation is considered vital in order to recruit merchant seamen for the highly important merchant marine activities of our Government, particularly in the Pacific. Private enterprise generally offers 60 days' annual leave each year to seafaring merchantmen. The Federal Government offers the maximum of 26 days to Federal merchant seamen. Evidence proves beyond doubt that this limitation has severely handicapped the Government's efforts to recruit and retain experienced merchant seamen. In behalf of the chairman of the Senate Committee on Post Office and Civil Service, I ask that the Senate agree to this legislation. The bill has been carefully studied by the committee, and the committee agreed in its last meeting to take the bill from the desk without referral and ask its passage in these final days of this 89th Congress. At this point I ask unanimous consent to have printed in the Record an analysis of this legislation. This is based on the report of the Civil Service Commission recommending this bill.

There being no objection, the analysis was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of H.R. 18217 is to facilitate the recruitment and retention by the Government of personnel for its oceangoing marine positions by authorizing the granting of home leave for service rendered by such personnel on extended voyages.

COST

The U.S. Civil Service Commission, in its report, estimates that the annual cost of this legislation will be aproximately $4,300,000.

INTRODUCTION

Federal civilian crews play an important role in U.S.-flag shipping. They man the personnel and cargo carriers of the Military Sea Transportation Service of the Department of the Navy. They man the research and survey vessels of the Department of the Interior and the Department of Commerce. They operate the tugs and floating cranes of the Department of the Army. Altogether there are some 10,000 vessel crewmen in the Federal civil service, with 90 percent of them employed by the Military Sea Transportation Service. All but a few—less than 2 percent—serve aboard oceangoing ships.

Civil service crewmen are paid in accordance with prevailing industry rates, but in most other respects they are treated the same as other Federal employees. They earn leave under the Annual and Sick Leave Act, and are under the civil service retirement, life insurance, and health benefit systems. They receive the same job protections as other Federal employees.

Early in the 89th Congress a bill was introduced, H.R. 3002, which would grant Federal crewmen the same leave benefits their counterparts receive in the shipping industry. The Civil Service Commission in a report dated February 28, 1966, reported adversely on the bill because it considered the industry system unsuitable for Federal employment, but promised instead to look into the situation further and try to come up with an appropriate solution.

This study is submitted in fulfillment of that commitment.

SCOPE OF THE STUDY

The survey covered the four Federal agencies which are the principal employers of seagoing personnel: Navy, Commerce, Interior, and Army. The Panama Canal Company has a small number of marine personnel, but was not included in the study because its employees are not under the general personnel system applicable to most Federal employees.

Information was obtained from the four agencies on recruiting experience, turnover, and projected manpower requirements.

Data on the cost of fringe benefits were obtained from the Military Sea Transportation Service for Federal personnel, and from the Maritime Administration for shipping industry personnel. Additional data on man-days of employment and attrition were obtained from the Maritime Transport Research Board of the National Academy of Sciences.

PRINCIPAL FINDINGS

There are serious shortages of licensed engineers, deck officers, skilled, unlicensed deck and engineering personnel, and radio officers for oceangoing ships.

Turnover in Federal marine employment is considerably in excess of that for the rest of the Government and probably in excess of that in commercial shipping.

Manpower shortages are expected to become more acute as the demand for shipping increases. A substantial increase in staff above present levels will be needed before the year is out.

The Government's ability to recruit needed personnel is being hampered by a lag behind industry in certain fringe benefits, principally vacation benefits.

The Government's ability to recruit needed personnel would be enhanced materially by an increase in vacation benefits.

THE GENERAL RECRUITMENT SITUATION

Both industry and Government are experiencing serious difficulties in filling seagoing positions, particularly licensed deck and engineering officers and skilled unlicensed personnel in deck and engine occupations. There are widespread reports of sailings being delayed for lack of personnel. In some cases ships are sailing without a full complement of personnel. According to a report of the Maritime Administration more than 50 Government-owned ships sailed undermanned in recent months following extensive delays.

In recognition of the shortage of deck and engineering officers, the Coast Guard has issued emergency regulations providing for temporary licenses with reduced experience requirements. In addition, special short-term training courses have been instituted by maritime unions to qualify experienced seamen as officers.

Of the various reasons for the shortages, three stand out. One is the high rate of turnover in seafaring occupations. The second is the increased demand for shipping occasioned by the war in Vietnam and the commitments to feed hungry nations. The third is the low rate of entry into marine occupations.

One indication of the extent of turnover comes from the recent study conducted by the National Research Council of the National Academy of Sciences. For the period 1959–61, over 40 percent of the privately employed deck officers became "dropouts" during the first year after receiving their Coast Guard identification numbers; 15 percent more left between their first and second years of service. From the third year on the rate ranged from 6 to 13 percent. For most other occupations the rate was not as high. Net attrition in industry has been averaging better than 5 percent a year for deck officers, engineering officers, and unlicensed deck and engine personnel. Government losses of personnel are discussed in the next section.

The increased demand for shipping has resulted in the reactivation of numerous ships from the mothball fleet. Since July of 1965, more than 100 Government-owned ships have been reactivated for the Vietnam sealift.

Evidence of the low entry rate into marine occupations comes also from the National Academy of Sciences study. Between 72 and 76 percent of the deck, engine, and radio officers entered the work force prior to 1946. Among unlicensed personnel, 50 percent entered prior to 1946. The percentages of deck, engineering, and radio officers entering the work force during the 10 years following the Korean war accounted for 15 percent or less of the 1962 total for each of these categories.

THE SITUATION IN GOVERNMENT

The staffing situation in Government is at least as difficult, if not more difficult, than in industry. It will probably get worse before it gets better. There is an extremely high rate of turnover, and replacements are hard to find. There are indications that many of the occupational losses are to industry because of its more attractive vacations benefits. With increasing demands being placed on Government shipping resources there will have to be a sizable increase in Government marine personnel before the end of the calendar year.

Occupational losses

Separation rates were obtained from the four agencies for calendar year 1965. They showed heavy losses of deck and engine officers and skilled deck and engine personnel. Nearly one-third of the total deck officer strength, and one-fourth of the engine officer strength left Federal employment. The rate was even higher for deck and engine nonofficer personnel—45.4 percent for deck and 41.7 for engine. For purposes of comparison, it is noted that the overall separation rate for the Government as a whole during 1965 was slightly over 22 percent.

Voluntary resignations accounted for most of the losses. More than half of the deck and engine officer departures were via this route. Almost three out of every four separations of deck and engine nonofficers were through voluntary resignation. Although data were not available on the number who resigned to accept employment on commercial vessels, indications are it was substantial. It is interesting to note that occupational losses among personnel serving on other than oceangoing ships was negligible by comparison. Losses for all occupational categories appear on table II.

Vacancies

Substantial numbers of vacancies were reported, with the largest among engine officers. As of April 1960, almost one out of every four engine officer positions was vacant with most unfilled longer than 6 months. None of the other categories showed as high a ratio. Only 7 percent of the deck officer positions were unfilled, and most of them were for periods of less than 6 months. Similar low percentages were reported for other categories.

Efforts to recruit

Vigorous efforts are being made by all four agencies to obtain needed staff. For example, during the past year the Military Sea Transportation Service sent individual letters to 40,000 retired naval personnel and advertised job vacancies in publications designed to reach former military personnel. It canvassed the 1959–64 graduates of the U.S. Merchant Marine Academy and approximately 9,000 men holding deck or engine licenses. Visits were made to all the maritime academies to recruit from graduating classes.

The large number of positions unfilled clearly shows that these efforts are meeting with limited success. For deck and engine personnel the ratio of acceptances to offers made is about 1 to 3. The ratio is somewhat higher for steward and purser positions. Data on 1965 recruitment experience appear in table III.

Future needs

The recruiting outlook is not any brighter for the near future. Agencies estimate that by the end of the year overall strength will have to be increased by 17 percent, this in addition to the replacements needed to make up for separations.

IMPROVING THE GOVERNMENT'S RECRUITING POSITION

There is no quick and easy solution to the manpower shortages plaguing both industry and Government. There are just not enough qualified personnel now available to meet the needs. To assure an adequate supply there will have to be coordinated efforts to interest more people in resuming or starting maritime careers. Increased training opportunities will have to be provided. But it will take time for the results to show.

What will have to be done now is try to stem the flow of losses to industry and improve the Government's ability to recruit from the limited supply available.

Probably the single most important deterrent to recruitment is the lag behind industry in vacation benefits. Most industry employees earn 60 calendar days (2 months) of vacation leave a year, if fully employed. Some earn even more. In the Government, however, the most an employee can earn is 26 workdays of annual leave per year, or 5 weeks and 1 day. The minimum is one-half of that.

In a report of April 1, 1966, the Department of the Navy had the following to say about the leave situation:

"Lack of comparable vacation benefits is a significant handicap in recruiting, particularly in a shortage labor market. The maritime unions, which are utilized as a recruiting source, have informed COMSTS time and again that their members prefer to sail in industry ships because of the major difference in vacation benefits. The maritime academies should be the best source of recruitment for third assistant engineers and third mates. MSTS has had very limited success in recruiting graduates from the academies. The unions and industry representatives assure that the difference in vacation benefits is well publicized with resulting adverse effects on MSTS recruitment. MSTS employment interviewers state that many experienced applicants lose interest when they ascertain that MSTS leave benefits are inferior to those granted in the maritime industry.

"A 1965 study indicated the significance of the difference in vacation benefits on job satisfaction and retention. A questionnaire was mailed to all graduates of maritime academies hired by MSTS in 1963, 1964, and the first half of 1965 who voluntarily left MSTS employment. The comment made most frequently concerned vacation benefits. Many responding to the questionnaire complained of the inferior vacation benefits in Government employment."

Industry also has an advantage over the Government in retirement and welfare benefits. Actually, when expressed as a percent of base wages employer expenditures for fringe benefits in the shipping industry are twice as high as they are in the Government—48 to 50 percent for industry versus 24 percent for Government. (See table VII). The individual features of the industry systems vary according to occupation, but all of the industry systems are financed entirely by employers, whereas the Government systems (retirement, life insurance, and health benefits) are joint contributory.

All this is not intended to suggest that the advantages are all on the industry side. Obviously, there have to be some offsetting factors or the Government would be having more trouble than it has in keeping its ships operating. There are some fringe benefits where the Government is more generous as, for example, in the case of on-the-job injury compensation and severance pay.

In industry, retirement is generally after 20 years of service, while in Government the service requirement is longer. But the maximum retirement benefits an employee can receive in Government are considerably higher than they are in industry. Also, a Federal employee can move from job to job and from agency to agency without any loss of retirement coverage. This is not the case in industry. If a ship crewman changes occupations and another union becomes his bargaining agent, he loses his retirement benefits from his former position and has to start all over again. But, all of these advantages on the Government side must be balanced against the fact that private employers bear the full cost of retirement.

Sick leave is another area where the Government is more generous, particularly with respect to long-service personnel. Government personnel earn 13 days of sick leave per year at full pay. Unused leave can be accumulated without limit. In industry there is no sick leave as such. Maintenance allowances are provided for varying periods, but they are nowhere near the equivalent of full pay.

Perhaps the principal offsetting factor, at least in the past, has been the greater continuity of Federal employment. In industry, ship personnel sign off articles at the end of each voyage and go off the rolls. In Government, ship personnel are employed on a continuing basis. It is of course true that under present conditions there is more than enough work in industry for most occupational groups. But this has not been the case in normal times. According to the National Academy of Sciences study, for the period April 1, 1962, to March 31, 1963, the average number of days worked for MSTS officers was 21 to 59 days higher than the corresponding averages for officers aboard commercial vessels. The average number of days worked for MSTS unlicensed categories exceeded that of their industry counterparts by 18 to 52 days.

CONCLUSION

It is clear that the Government is faced with a serious recruitment situation. It is experiencing difficulties in retaining present personnel, and in anticipation of an increasing workload, will even have to try to increase its staff above present levels. Unless the Government can be reasonably competitive with industry in what it has to offer, it will not be able to attract sufficient personnel.

This does not mean that the Government should have to match industry practices dollar for dollar and benefit for benefit. Employment practices in Government have to be consonant with the needs of the Government. The industry benefit system, with its numerous variations based on position and location, is simply not adaptable to Federal employment. It would be inequitable, costly, and administratively unfeasible.

The various sources contacted during the study pinpointed the disparity in leave benefits as the principal problem area in recruitment. An appropriate solution, therefore, would be to grant additional leave which would reasonably meet the needs of vessel crewmen and at the same time would be in keeping with the overall fringe benefit system in the Government. This could be accomplished by amending the Annual and Sick Leave Act to provide additional leave similar to the home leave accorded personnel who serve overseas.

Mr. YARBOROUGH. This legislation will affect about 10,000 Federal employees and will cost about $4.3 million a year.

The PRESIDING OFFICER. The bill is open to amendment. If there be no amendment to be proposed, the question is on the third reading of the bill.

The bill (H.R. 18217) was ordered to a third reading, was read the third time, and passed.

AUTHORITY TO RECEIVE MESSAGES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate following the close of business today until 11 o'clock a.m. tomorrow, the Secretary of the Senate be authorized to receive messages from the House of Representatives.

The PRESIDING OFFICER (Mr. YARBOROUGH in the chair). Without objection, it is so ordered.

ADJOURNMENT UNTIL 11 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, in accordance with the previous order, that the Senate adjourn until 11 o'clock tomorrow morning.

The motion was agreed to; and (at 3 o'clock and 46 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, October 19, 1966, at 11 o'clock a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 18, 1966:

DISTRICT OF COLUMBIA COURT OF GENERAL SESSIONS

Harold H. Greene, of Maryland, to be chief judge for the District of Columbia court of general sessions for the term of 10 years.

Richard R. Atkinson, of the District of Columbia, to be an associate judge of the District of Columbia court of general sessions, domestic relations branch, for the term of 10 years.

Harry T. Alexander, of the District of Columbia, to be an associate judge of the District of Columbia court of general sessions for the term of 10 years.

Justin L. Edgerton, of Maryland, to be an associate judge of the District of Columbia court of general sessions for the term of 10 years.

Timothy C. Murphy, of the District of Columbia, to be an associate judge of the District of Columbia court of general sessions for the term of 10 years.

DISTRICT OF COLUMBIA PUBLIC SERVICE COMMISSION

William L. Porter, of the District of Columbia, to be a member of the Public Service Commission of the District of Columbia for the remainder of the term expiring June 30, 1967.

HOUSE OF REPRESENTATIVES

TUESDAY, OCTOBER 18, 1966

The House met at 11 o'clock a.m.

Rev. Francis B. O'Donnell, Resurrection Church, Brooklyn, N.Y., national chaplain, Catholic War Veterans, United States of America, offered the following prayer:

O incomprehensible Creator, true fountain of light, and only authority of all knowledge, vouchsafe we beseech Thee, to enlighten our understanding, and to remove from us all darkness of sin and ignorance. To You who make eloquent the tongues of those who want utterance, direct our tongues, and pour out upon our lips the grace of Thy blessing.

Give to the leaders of our Nation a diligent and obedient spirit, quickness of apprehension, the capacity of retaining, and the powerful assistance of Thy holy grace. Endow our Representatives with the spirit of truth and understanding. Fill their manly hearts with the principles of freedom and true peace. Guide their deliberations with wisdom and charity, so that what they hear, they may apply to Thy honor, to the eternal salvation of their souls and to the peace and welfare of all nations, through Christ our Lord. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On September 20, 1966:

H.R. 10823. An act relating to credit life insurance and credit health and accident insurance with respect to student loans;

H.R. 11251. An act for the relief of Hubert J. Kupper;

H.R. 14379. An act for the relief of John R. McKinney; and

H.R. 14904. An act to revise postal rates on certain fourth-class mail, and for other purposes.

On September 21, 1966:

H.R. 14026. An act to provide for the more flexible regulation of maximum rates of interest or dividends payable by banks and certain other financial institutions on deposits or share accounts, to authorize higher reserve requirements on time deposits at member banks, to authorize open market operations in agency issues by the Federal Reserve banks, and for other purposes; and

H.R. 14205. An act to declare the Old Georgetown Market a historic landmark and to require its preservation and continued use as a public market, and for other purposes.

On September 23, 1966:

H.R. 13712. An act to amend the Fair Labor Standards Act of 1938 to extend its protection to additional employees, to raise the minimum wage, and for other purposes.

On September 24, 1966:

H.R. 11488. An act to authorize the grade of brigadier general in the Medical Service Corps of the Regular Army, and for other purposes.

On September 26, 1966:

H.R. 6686. An act to amend the Civil Service Retirement Act in order to correct an inequity in the application of such act with respect to the United States Botanic Garden, and for other purposes;

H.R. 13508. An act to direct the Secretary of Interior to cooperate with the States of New York and New Jersey on a program to develop, preserve, and restore the resources of the Hudson River and its shores and to authorize certain necessary steps to be taken to protect those resources from adverse Federal actions until the States and Congress shall have had an opportunity to act on that program; and

H.R. 15005. An act to amend title 10, United States Code, to increase the authorized numbers for the grade of major, lieutenant colonel, and colonel in the Air Force in order to provide active duty promotion opportunities for certain officers, and for other purposes.

On September 27, 1966:

H.R. 3041. An act to amend title 10, United States Code, to exempt certain contracts with foreign contractors from the requirement for an examination-of-records clause.

On September 30, 1966:

H.R. 420. An act to amend title 10, United States Code, to authorize the commissioning of male persons in the Regular Army in the Army Nurse Corps, the Army Medical Specialist Corps, the Regular Navy in the Nurse Corps and the Regular Air Force with a view to designation as Air Force nurses and medical specialists, and for other purposes;

H.R. 11487. An act to provide revenue for the District of Columbia, and for other purposes;

H.R. 11979. An act to extend the authority for the payment of special allowances to evacuated dependents of members of the uniformed services, and for other purposes;

H.R. 14088. An act to amend chapter 55 of title 10, United States Code, to authorize an improved health benefits program for retired members of the uniformed services and their dependents, and the dependents of active duty members of the uniformed services, and for other purposes;

H.R. 16330. An act to provide for extension and expansion of the program of grants-in-aid to the Republic of the Philippines for the hospitalization of certain veterans, and for other purposes;

H.R. 16367. An act to extend the benefits of the War Orphans' Educational Assistance program to the children of those veterans of the Philippine Commonwealth Army who died or have become permanently and totally disabled by reasons of their service during World War II, and for other purposes; and

H.J. Res. 1303. Joint resolution making continuing appropriations for the fiscal year 1967, and for other purposes.

On October 4, 1966:

H.R. 483. An act to amend section 2056 of the Internal Revenue Code of 1954 relating to the effect of disclaimers on the allowance of the marital deduction for estate tax purposes, and for other purposes;

H.R. 5852. An act to amend title 38 of the United States Code with respect to the basis on which certain dependency and indemnity compensation will be computed;

H.R. 7850. An act to amend section 1822 (a) of title 38, United States Code, to extend the provisions for treble-damage actions to direct loan and insured loan cases;

H.R. 8699. An act for the relief of Mule Creek Oil Co., Inc., a Delaware corporation;

H.R. 9976. An act to amend the act of September 2, 1964;

H.R. 11253. An act to provide for the conveyance of certain real property of the United States situated in the State of Pennsylvania;

H.R. 11927. An act to authorize the Administrator of Veterans' Affairs to permit deduction by brokers of certain costs and expenses from rental collections on properties acquired under the veterans' loan programs;

H.R. 12119. An act to authorize the Commissioners of the District of Columbia to replace the existing 14th Street Bridge, also known as the Highway Bridge, across the Potomac River, and for other purposes;

H.R. 12352. An act authorizing the conveyance of certain property to Pinellas County, Fla.;

H.R. 12664. An act to retrocede to the State of Colorado exclusive jurisdiction held by the United States over the real property comprising the Fort Lyon Veterans Hospital reservation;

H.R. 13012. An act to provide for the conveyance of certain real property to the city of Biloxi, Miss.;

H.R. 16863. An act to amend the act of June 10, 1844, in order to clarify the corporate name of Georgetown University, and for other purposes; and

H.R. 16940. An act to amend the provisions of the act of April 8, 1935, relating to the board of trustees of Trinity College of Washington, D.C.

On October 8, 1966:

H.R. 15510. An act to amend the Consolidated Farmers Home Administration Act of 1961 to authorize the Secretary of Agriculture to hold prepayments made to the Secretary by insured loan borrowers and transmit them to the holder of the note in installments as they become due; and

H.J. Res. 688. Joint resolution to give effect to the Agreement for Facilitating the International Circulation of Visual and Auditory Materials of an Educational, Scientific, and Cultural Character, approved at Beirut in 1948.

On October 10, 1966:

H.R. 14019. An act to amend the Foreign Service Buildings Act, 1926, to authorize additional appropriations, and for other purposes; and

H.R. 16608. An act to amend the charter of Southeastern University of the District of Columbia.

On October 11, 1966:

H.R. 16557. An act to provide for the refund of certain amounts erroneously deducted for national service life insurance premiums from the pay of former members of the organized military forces of the Government of the Commonwealth of the Philippines, and to amend title 38 of the United States Code to provide that certain payments under that title shall be made at a rate in Philippine pesos as is equivalent to $0.50 for each dollar authorized.

On October 13, 1966:

H.R. 9916. An act to amend title 10, United States Code, with respect to the nomination and selection of candidates for appointment to the Military, Naval, and Air Force Academies, and for other purposes; and

H.R. 10860. An act to amend the Connally Hot Oil Act by exempting States from certain provisions thereof.

On October 14, 1966:

H.R. 722. An act to amend certain provisions of existing law concerning the relationship of the Environmental Science Services Administration to the Army and Navy so they will apply with similar effect to the Air Force;

H.R. 3596. An act to provide for the disposition of judgment funds on deposit to the credit of the Skokomish Tribe of Indians;

H.R. 5297. An act to amend title 10, United States Code, to limit the revocation of retired pay of members of the Armed Forces, and for other purposes;

H.R. 7466. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Miami Indians of Indiana and Oklahoma, and for other purposes;

H.R. 8034. An act authorizing the Secretary of Health, Education, and Welfare to make certain grants to the Menominee Indian people of Menominee County, Wis., and for other purposes;

H.R. 8664. An act to implement the Agreement on the Importation of Educational, Scientific, and Cultural Materials, opened for signature at Lake Success on November 22, 1950, and for other purposes;

H.R. 10633. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Quileute Tribe of Indians, including the Hoh Tribe, and for other purposes;

H.R. 10674. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Otoe and Missouria Tribe of Indians, and for other purposes;

H.R. 10747. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Duwamish Tribe of Indians in Indian Claims Commission docket numbered 109, and for other purposes; and

H.R. 12437. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Nooksack Tribe of Indians, and for other purposes.

On October 15, 1966:

H.R. 266. An act to amend sections 404 and 406 of title 37, United States Code, relating to travel and transportation allowances of certain members of the uniformed services who are retired, discharged, or released from active duty;

H.R. 698. An act to provide for the establishment of the Guadalupe Mountains National Park in the State of Texas, and for other purposes;

H.R. 1665. An act to amend title 28, entitled "Judiciary and Judicial Procedure," of the United States Code to provide for the reporting of congressional reference cases by commissioners of the U.S. Court of Claims;

H.R. 3104. An act to authorize the Secretary of the Interior to convey certain lands in Plumas County, Calif., to C. A. Lundy, and for other purposes;

H.R. 3314. An act to require premarital examinations in the District of Columbia, and for other purposes;

H.R. 5213. An act for the relief of Winston Lloyd McKay;

H.R. 5912. An act for the relief of the estates of certain former members of the U.S. Navy Band;

H.R. 8126. An act to amend the District of Columbia minimum wage law to provide broader coverage, improved standards of minimum wage and overtime compensation protection, and improved means of enforcement;

H.R. 8678. An act to establish in the State of Michigan the Pictured Rocks National Lakeshore, and for other purposes;

H.R. 9424. An act to provide for the conservation, protection, and propagation of native species of fish and wildlife, including migratory birds, that are threatened with extinction; to consolidate the authorities relating to the administration by the Secretary of the Interior of the National Wildlife Refuge System; and for other purposes;

H.R. 9520. An act to authorize the Secretary of the Interior to convey certain lands in Inyo County, Calif., to the personal representative of the estate of Gwilym L. Morris, Dolores G. Morris, George D. Ishmael, and Verna H. Ishmael;

H.R. 14754. An act to authorize the Secretary of the Interior to reinstate a certain oil and gas lease;

H.R. 15098. An act to amend Public Law 89-284 relating to participation of the United States in the HemisFair 1968 Exposition to be held in San Antonio, Tex., in 1968, and for other purposes;

H.R. 15662. An act to amend the Federal Seed Act (53 Stat. 1275), as amended;

H.R. 15941. An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1967, and for other purposes;

H.R. 15963. An act to establish a Department of Transportation, and for other purposes;

H.R. 16559. An act to amend the Marine Resources and Engineering Development Act of 1966 to authorize the establishment and operation of sea grant colleges and programs by initiating and supporting programs of education and research in the various fields relating to the development of marine resources, and for other purposes;

H.R. 16646. An act to amend title 10, United States Code, to authorize the award of Exemplary Rehabilitation Certificates to certain individuals after considering their character and conduct in civilian life after discharge or dismissal from the Armed Forces, and for other purposes;

H.R. 16774. An act to continue for a temporary period certain existing rules relating to the deductibility of accrued vacation pay;

H.R. 16813. An act to transfer to the Atomic Energy Commission complete administrative control of approximately seventy-eight acres of public domain land located in the Otowi section near Los Alamos County;

H.R. 17119. An act to amend title 10, United States Code, to permit members of the Armed Forces to be assigned or detailed to the Environmental Science Services Administration, Department of Commerce;

H.R. 17190. An act to authorize the establishment and operation by Gallaudet College of a model secondary school for the deaf to serve the National Capital region;

H.R. 17787. An act making appropriations for certain civil functions administered by the Department of Defense, the Panama Canal, certain agencies of the Department of the Interior, the Atomic Energy Commission, the Atlantic-Pacific Interoceanic Canal Study Commission, the Delaware River Basin Commission, the St. Lawrence Seaway Development Corporation, the Tennessee Valley Authority, and the Water Resources Council, for the fiscal year ending June 30, 1967, and for other purposes; and

H.R. 17788. An act making appropriations for foreign assistance and related agencies for the fiscal year ending June 30, 1967, and for other purposes.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill and concurrent resolutions of the House of the following titles:

H.R. 14517. An act to amend Private Law 86-203 to permit the use of the vessel *John F. Drews* in the coastwise trade while it is owned by a citizen of the United States;

H. Con. Res. 1007. Concurrent resolution authorizing the printing of a report on international education by the House Education and Labor Committee;

H. Con. Res. 1017. Concurrent resolution to authorize the printing of additional hearings and other materials by the Committee on Agriculture; and

H. Con. Res. 1022. Concurrent resolution to authorize the printing as a House document the pamphlet entitled "Our American Government. What Is It? How Does It Function?"

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 2600. An act to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, N.Y., as a national historic site;

H.R. 15727. An act to establish rates of compensation for certain positions within the Smithsonian Institution; and

H.R. 16114. An act to correct inequities with respect to the determination of basic compensation of employees of the Federal Government for purposes of certain employment benefits, and for other purposes.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 769. An act for the relief of Dr. Marshall Ku;

S. 1137. An act for the relief of Dr. Rafael Pedro Martinez Torres; and

S. 2801. An act for the relief of Helena Gilbert Maddagiri and Heather Gilbert Maddagiri.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2102) entitled "An act to protect and conserve the North Pacific fur seals, to provide for the administration of the Pribilof Islands, to conserve the fur seals and other wildlife on the Pribilof Islands, and to protect sea otters on the high seas."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 5688) entitled "An act relating to crime and criminal procedure in the District of Columbia."

The message also announced that the Senate had passed bills and concurrent resolutions of the following titles, in which the concurrence of the House is requested:

S. 2205. An act for the relief of the widow of Albert M. Pepoon;

S. 2980. An act to increase the amount of benefits payable to widows of certain former employees of the Lighthouse Service, and thereafter to provide for cost-of-living increases in benefits payable to such widows and to such former employees;

S. 3101. An act to establish a U.S. Committee on Human Rights to prepare for participation by the United States in the observance of the year 1968 as International Human Rights Year, and for other purposes;

S. Con. Res. 109. Concurrent resolution authorizing the printing of certain hearings of the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary; and

S. Con. Res. 110. Concurrent resolution authorizing the printing of additional copies of hearings by the Special Committee on Aging on "Detection and Prevention of Chronic Disease Utilizing Multiphasic Health Screening Techniques."

FOOTBALL RIDER

Mr. HANNA. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HANNA. Mr. Speaker, if the reports that are coming from the public media are correct, it would appear we are going to have as a rider on a very important tax incentive bill what I consider to be a purely private bill. I was not at all pleased to learn that the conferees have adopted an amendment to the President's fiscal bill to take care of the merger situation between the two football leagues. I do not know what the merits of that matter are nor do I purport to be an expert on the situation, but it does appear to me to be passing strange that we should take care of a situation such as that in the manner in which it appears to be taken care of here.

Now, Mr. Speaker, there is a great deal of the business of the people to which we have not been able to direct our attention, and there are plenty of instances where groups that have no such pressure points to bring to bear upon the Congress, have matters that have to await the deliberations of this great body.

It is also of some small interest to note that high schools and colleges are protesting that this hasty and unjustified action will jeopardize their game schedules and TV plans.

Mr. Speaker, I simply cannot believe that it is in the best interest of the image of this great Congress that we should be found dealing with a private matter in such a way.

Mr. Speaker, I, for one, want to get my protest in the RECORD, and strongly.

THE POST OFFICE DEPARTMENT HAS ARBITRARILY BANNED DOOR-TO-DOOR CITY MAIL DELIVERY SERVICE FOR NEW RESIDENTIAL AREAS

Mr. DAVIS of Wisconsin. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Wisconsin?

There was no objection.

Mr. DAVIS of Wisconsin. Mr. Speaker, for more than 3 years, the Post Office Department has arbitrarily banned door-to-door city mail delivery service for new residential areas. That ban has now been lifted. As the Postmaster General conceded in a letter dated yesterday, this order has been inequitable and has been a contributing factor to mail service problems.

Especially has this order discriminated against residents of newly populated suburban areas, with which the Ninth District of Wisconsin abounds.

During the past 2 years, I have made numerous attempts to aid Ninth District postmasters to provide more adequate mail service, but have nearly always run into a stone wall because of the Postal Department's unyielding adherence to this arbitrary directive banning door-to-door service in new areas.

I hope that patrons of Ninth District post offices, who have been denied door-to-door mail service, will now confer with their friends and neighbors who are their local postmasters or postal station managers relating to this improved service. These local representatives of the postal service will then forward plans and recommendations for door-to-door delivery to the regional office of the Post Office Department at Minneapolis.

This new and realistic policy, too long delayed, should go a long way in easing complaints from residents of new suburban developments which should normally have been receiving door-to-door delivery under traditional standards.

I sincerely hope this action by the Postmaster General is not just another preelection promise and that strong implementation of the new restorative order will be effected.

THE EYES AND THE HOPES OF THE FREE WORLD ARE FASTENED UPON THE PRESIDENT OF THE UNITED STATES DURING HIS TRIP TO THE FAR EAST

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, the eyes and the hopes of the free world are fastened on the President of the United States during his trip to the Far East. We wish him success in his search to find solutions for the great problems which exist in that part of the world.

I would sound a word of caution, however. The solution does not lie in foreign aid dollar diplomacy. With Americans hard pressed to meet their tax obligations and to buy meat and potatoes, this is no time to give away money we do not have to people who are getting along without it.

While credit is so tight at home there is no excuse to loosen it up abroad.

Vice President HUMPHREY went to India early this year and announced, without congressional authority, that that nation was to receive a $100 million U.S. loan. Only a few days later, India refused the Vice President's plea for Indian support of U.S. policy in Vietnam.

Let us end the war in Vietnam and get out of there on an honorable basis as quickly as possible. Let us concentrate on getting our boys out of Vietnam—not on getting deeper in debt.

The United States is the most vilified nation on the face of the globe today because it has pursued the misguided policy of trying to buy friends. Americans have had enough of this slot machine diplomacy.

ACQUISITION AND PRESERVATION OF THE REAL PROPERTY KNOWN AS THE ANSLEY WILCOX HOUSE IN BUFFALO, N.Y., AS A NATIONAL HISTORIC SITE

Mr. O'BRIEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 2600) to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, N.Y., as a national historic site, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, line 4, strike out "shall" and insert "shall, subject to the provisions of section 2 of this Act,".

Page 1, line 5, strike out "2" and insert "3".

Page 2, line 1, strike out "maintain and preserve" and insert "provide, in accordance with section 2 of this Act, for the operation and maintenance, at no expense to the United States of".

Page 2, after line 3, insert:

"SEC. 2. (a) The Secretary shall not obligate or expend any moneys herein authorized to be appropriated for acquisition and restoration of the real property described in section 3, nor shall he establish such property as a national historic site in Federal ownership, unless and until commitments are obtained for donations of funds or services in an amount which in the judgment of the Secretary is sufficient to complete restoration of the property and to operate and maintain it for public benefit.

"(b) The Secretary shall determine at the beginning of each fiscal year, beginning the first full fiscal year following the date of enactment of this Act, whether and to what extent donations of funds or services will be forthcoming for the purposes of subsection (a) of this section. If at any time following the acquisition of the property referred to in the first section of this Act the Secretary finds that during the next full fiscal year donated funds or services will not be forthcoming in amounts sufficient to satisfactorily carry on or complete restoration or to continue the operation and maintenance of the property as a national historic site in Federal ownership he shall, in accordance with such regulations as he may prescribe, dispose of such property at not less than its fair market value, as determined by him. The proceeds received from such disposal shall be credited to the Land and Water Conservation Fund in the Treasury of the United States."

Page 2, line 4, strike out "2." and insert "3.".

Page 3, line 17, strike out "3." and insert "4.".

Page 3, line 18, after "acquisition" insert "and not more than $50,000 for the restoration".

Page 3, line 19, strike out "2" and insert "3".

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

CONVEYING CERTAIN MINERAL INTERESTS TO ALLEN E. DOMINICK

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 1101) to provide for the conveyance of certain mineral interests of the United States in $79\frac{184}{1000}$ acres located near Orangeburg, S.C., to Allen E. Dominick, the owner of such property.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the bill, as follows:

S. 1101

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Interior shall convey to Allen E. Dominick, of Orangeburg, South Carolina, all right, title, and interest reserved to the United States in and to seventy-nine and one-hundred-and-eighty-four one-thousandths acres located near Orangeburg, South Carolina, and more particularly described in a deed, dated January 30, 1964, and recorded in the office of the clerk of the court of common pleas and general sessions of Orangeburg County, South Carolina, in deed book 260, page 500, upon payment to the United States by or on behalf of the said Allen E. Dominick of the fair market value thereof, if any, as determined by the Secretary, as of the time the conveyance is made and the administrative costs of making the conveyance. No conveyance shall be made unless such payment is made within one year after the Secretary notifies him of the total amount to be paid.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PRIVATE CALENDAR

The SPEAKER. This is Private Calendar day. The Clerk will call the first individual bill on the Private Calendar.

DEMETRIOS KONSTANTINOS GEORGARAS (ALSO KNOWN AS JAMES K. GEORGARAS)

The Clerk called the bill (H.R. 2146) for the relief of Demetrios Konstantinos Georgaras (also known as James K. Georgaras).

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MRS. MELBA B. PERKINS

The Clerk called the bill (H.R. 3275) to confer jurisdiction on the United States Court of Claims to hear, determine, and render judgment on the claim of Mrs. Melba B. Perkins against the United States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

IOANNIS A. VASILOPOULOS

The Clerk called the bill (S. 2621) for the relief of Ioannis A. Vasilopoulos.

There being no objection, the Clerk read the bill, as follows:

S. 2621

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of sections 203(a)(1) and 204 of the Immigration and Nationality Act, Act, Ioannis A. Vasilopoulos shall be held and considered to be the natural-born alien son of Mr. and Mrs. Paul Vasselus, citizens of the United States: *Provided,* That no natural parent of the beneficiary, by virtue of such parentage, shall be accorded any right, privilege, or status under the Immigration and Nationality Act.

With the following committee amendments:

On page 1, line 7, after "United States", change the colon to a period, strike out the remainder of the bill, and add the following new sections 2 and 3 to read as follows:

"SEC. 2. In the administration of the Immigration and Nationality Act, Chester (Abramczyk) Hill may be classified as a child within the meaning of section 101(b)(1)(F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Gilbert L. Hill, citizens of the United States, pursuant to section 204 of the Act.

"SEC. 3. The natural parents or brothers or sisters of the beneficiaries of this Act shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act."

The committee amendments were agreed to.

The bill was ordered to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An Act for the relief of Ioannis A. Vasilopoulos and Chester (Abramczyk) Hill."

A motion to reconsider was laid on the table.

MISS SYLVIA KRONFELD

The Clerk called the bill (H.R. 7885) for the relief of Miss Sylvia Kronfeld.

The **SPEAKER**. Is there objection to the present consideration of the bill?

Mr. **HALL**. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ARTHUR ANDERSON

The Clerk called the bill (H.R. 11946) for the relief of Arthur Anderson.

Mr. **HALL**. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DINO J. CATERINI

The Clerk called the bill (H.R. 17259) for the relief of Dino J. Caterini.

Mr. **McEWEN**. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from New York?

There was no objection.

JAN DROBOT

The Clerk called the bill (H.R. 15197) for the relief of Jan Drobot.

There being no objection, the Clerk read the bill, as follows:

H.R. 15197

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John Drobot lawfully admitted for permanent residence in the United States on August 9, 1962, shall be held to be included in the class of applicants for naturalization exempted from the provisions of section 313(a) of the Immigration and Nationality Act as such class is specified in section 313(c) of the said Act.

With the following committee amendment:

Strike out all after the enacting clause and insert in lieu thereof the following: "That, Jan Drobot, who was lawfully admitted to the United States for permanent residence on June 27, 1960, shall be held and considered not to be within the classes of persons whose naturalization is prohibited by the provisions of section 313 of the Immigration and Nationality Act."

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES W. ADAMS AND OTHERS

The Clerk called the bill (S. 231) for the relief of James W. Adams and others.

Mr. **TALCOTT**. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from California?

There was no objection.

NORMAN J. PITMAN

The Clerk called the bill (S. 690) for the relief of Norman J. Pitman.

There being no objection, the Clerk read the bill, as follows:

S. 690

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Norman J. Pitman of Forsyth, Georgia, is hereby relieved of all liability for repayment to the United States of the sum of $427.91, representing overpayments of salary which he received as an employee of the Department of the Air Force at Warner Robins Air Force Base, Georgia, for the period from June 17, 1962, through June 30, 1963, such overpayments having been made as a result of administrative error when he was erroneously given a step increase, effective June 17, 1962. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Norman J. Pitman, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PUGET SOUND PLYWOOD, INC., OF TACOMA, WASH.

The Clerk called the bill (S. 1347) for the relief of Puget Sound Plywood, Inc., of Tacoma, Wash.

Mr. **HALL**. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from Missouri?

There was no objection.

MERRITT A. SEEFELDT AND AUGUST C. SEEFELDT

The Clerk called the bill (S. 1572) for the relief of Merritt A. Seefeldt and August C. Seefeldt.

There being no objection, the Clerk read the bill, as follows:

S. 1572

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Merritt A. Seefeldt and August C. Seefeldt of Clark, South Dakota, are hereby relieved of all liability to pay to the United States the sum of $539.73, representing the amount assessed against them for alleged quality deficiencies in wheat which was delivered by the said Merritt A. and August C. Seefeldt in settlement of the price support loan (number 47–013–173A) made to them by the Commodity Credit Corporation in carrying out the 1962 price support program for wheat.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JAMES A. TODD, JR.

The Clerk called the bill (S. 2500) for the relief of James A. Todd, Jr.

There being no objection, the Clerk read the bill, as follows:

S. 2500

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That James A. Todd, Junior, of Byron, Georgia, is hereby relieved of all liability for repayment to the United States of the sum of $812.80, representing overpayments of salary which he received as an employee of the Department of the Air Force at Warner Robins Air Force Base, Georgia, for the period from February 9, 1958, through February 3, 1963, such overpayments having been made as a result of administrative error in determining the rate of basic compensation to which the said James A. Todd, Junior, was entitled when he was promoted from grade GS–10 to grade GS–11, effective February 9, 1958. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay out of any money in the Treasury not otherwise appropriated, to the said James A. Todd, Junior, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MRS. WILLIFRED S. SHIRLEY

The Clerk called the bill (H.R. 1333) for the relief of Mrs. Willifred S. Shirley.

Mr. **HALL**. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.

The **SPEAKER**. Is there objection to the request of the gentleman from Missouri?

There was no objection.

DR. GEORGE H. EDLER

The Clerk called the bill (H.R. 1404) for the relief of Dr. George H. Edler.

Mr. HALL. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

ROSE MINUTILLO

The Clerk called the bill (H.R. 1944) for the relief of Rose Minutillo.

Mr. TALCOTT. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

MRS. ROSE THOMAS

The Clerk called the bill (H.R. 5349) for the relief of Mrs. Rose Thomas.

There being no objection, the Clerk read the bill, as follows:

H.R. 5349

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $7,921.20 to Mrs. Rose Thomas of Los Angeles, California, in full settlement of her claims against the United States for the losses and damages suffered by her late husband, David Thomas, as the result of an inequitable court-martial on November 11, 1901, while a member of the Twenty-third Company, Coast Artillery, Santa Clara Battery, United States Army, which resulted in an unjustified dishonorable discharge which was corrected on January 29, 1954, by an honorable discharge stating that the said David Thomas was honorably discharged from the Army of the United States on December 26, 1901. No part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, lines 5 and 6, strike out "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

JESSE W. STUTTS, JR.

The Clerk called the bill (H.R. 10090) for the relief of Jesse W. Stutts, Jr.

There being no objection, the Clerk read the bill, as follows:

H.R. 10090

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Jesse W. Stutts, Junior, is relieved of liability to pay to the United States the sum of $1,294.40 representing the aggregate amount of overpayment of compensation received by him during the period beginning April 8, 1963, and ending May 29, 1965, both dates inclusive, as an employee of the Department of the Army at Redstone Arsenal, Alabama, due to an administrative error which occurred without fault on his part. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for the amount for which liability is relieved by this section.

Sec. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Jesse W. Stutts, Junior, the sum certified to the Secretary of the Treasury by the Secretary of the Army as the aggregate of amounts paid to the United States by Jesse W. Stutts, Junior (including amounts withheld by the United States from amounts otherwise due him), on account of the liability for which relief is granted by the first section of this Act. No part of the amount appropriated in this section in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this section shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

With the following committee amendment:

Page 2, line 12, strike "in excess of 10 per centum thereof".

The committee amendment was agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ROBERT A. OWEN

The Clerk called the bill (H.R. 10481) for the relief of Robert A. Owen.

There being no objection, the Clerk read the bill, as follows:

H.R. 10481

Be is enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Mr. Robert A. Owen of Springfield, Virginia, is relieved of liability to the United States in the amount of $4,056.06, representing the total amount of overpayments of compensation paid to him by the United States Navy as the result of an administrative error in determining the amount of service that should be credited to him for pay purposes. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

Sec. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Robert A. Owen, referred to in the first section of this Act, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVEY LAND TO SKYLINE CHURCHES CEMETERY

The Clerk called the bill (H.R. 10876), to authorize and direct the Administrator of the Farmers Home Administration to quitclaim certain property in Jackson County, Ala., to Skyline Churches Cemetery, a corporation.

There being no objection, the Clerk read the bill, as follows:

H.R. 10876

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, upon the written consent of the Alabama Rural Rehabilitation Corporation, the Administrator of the Farmers Home Administration of the United States Department of Agriculture, is authorized and directed to convey by quitclaim deed to the Skyline Churches Cemetery, a nonprofit membership corporation organized and existing under and pursuant to title 10, section 150, Code of Alabama 1940, and unto its successors and assigns, all of the right, title, and interest held by the United States of America in and to the following described property:

A tract of land in section 5, township 3 south, range 5 east, Jackson County, Alabama, in Skyline Farms project of Farm Security Administration, United States Department of Agriculture, described as follows:

Beginning at the southeast corner of section 5, township 3 south, range 5 east, said corner being in the centerline of spur numbered 1 off Winchester Road; thence running south 86 degrees 20 minutes west, 20.00 feet to west right-of-way line of said road; thence with the west right-of-way of said road, north 01 degree 17 minutes east, 95.70 feet, north 02 degrees 12 minutes east, 269.70 feet; north 02 degrees 20 minutes east, 297.60 feet, north 09 degrees 26 minutes west 60.74 feet, north 00 degrees 28 minutes east, 1,640.20 feet to the southeast corner of the tract and beginning point of the survey; thence continuing with the west right-of-way of said road north 00 degrees 28 minutes east, 217.50 feet; thence leaving the road north 61 degrees 52 minutes west, 452.45 feet, north 61 degrees 49 minutes west, 941.45 feet; north 89 degrees 21 minutes 30 seconds west, 385.68 feet, south 05 degrees 08 minutes west, 260.23 feet, south 84 degrees 56 minutes east, 526.69 feet, south 62 degrees 40 minutes east, 1,250.45 feet to the point of beginning and containing 9.06 acres, more or less, and being in the south half of the northeast quarter and the northeast quarter of the southeast quarter of section 5, township 3 south, range 5 east, and being shown on a plat of said Skyline Farms in plat book A, at page 207, in the probate office for Jackson County, at Scottsboro, Alabama.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

The SPEAKER. That concludes the call of the bills on the Private Calendar.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I make a point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. McCLORY. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 371]

Abernethy
Adair
Adams
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Arends
Ashbrook
Aspinall
Ayres
Baring
Belcher
Berry
Betts
Bolling
Brock
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Callaway
Carter
Celler
Clawson, Del.
Clevenger
Colmer
Conyers
Cooley
Corman
Craley
Daddario
Davis, Ga.
Dent
Denton
Derwinski
Devine
Dickinson
Diggs
Dorn
Duncan, Oreg.
Dyal
Edwards, Ala.
Evans, Colo.
Evins, Tenn.
Farnum
Fino
Fisher
Flynt
Foley
Fuqua
Gallagher
Giaimo
Gilligan
Goodell
Grabowski
Greigg
Grider
Gross
Gurney
Hagan, Ga.
Hansen, Idaho
Hansen, Iowa
Harvey, Ind.
Harvey, Mich.
Hébert
Helstoski
Hicks
Howard
Hungate
Huot
Jacobs
Jennings
Jones, N.C.
Kastenmeier
King, Utah
Kornegay
Laird
Long, La.
Love
McCarthy
McDowell
McMillan
McVicker
MacGregor
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
May
Meeds
Michel
Miller
Mize
Moeller
Morrison
Moss
Murray
Nelsen
Nix
O'Konski
Olsen, Mont.
Olson, Minn.
Ottinger
Pirnie
Pool
Pucinski
Purcell
Randall
Reinecke
Resnick
Rivers, Alaska
Roberts
Robison
Rogers, Tex.
Roncalio
Rooney, Pa.
Roudebush
Roush
St Germain
St. Onge
Schisler
Schmidhauser
Senner
Shipley
Sisk
Skubitz
Smith, N.Y.
Stafford
Stanton
Steed
Stephens
Stratton
Sullivan
Sweeney
Taylor
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Udall
Ullman
Vigorito
Walker, Miss.
Watkins
Weltner
White, Idaho
Widnall
Wolff
Young

The SPEAKER. On this rollcall, 277 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

INCREASED ATTACKS ON ISRAEL

Mr. REID of New York. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. REID of New York. Mr. Speaker, there has been a fresh incident this morning near Tel Dan at the northern tip of Galilee. This is within the territory of Israel, outside the demilitarized zone, and in an area reportedly patrolled 1 week ago. A buried mine exploded under a command car at 0850 Israeli time this morning, and one soldier was wounded.

This, Mr. Speaker, is part of a pattern of Fedayin actions carried out by the El-Assefa—El-Fatah—forces based in Syria. During the night of October 7-8 demolition charges under two apartment buildings in the Romema quarter of the city of Jerusalem exploded and four civilian occupants were injured. The next night border police in a jeep went to investigate suspicious explosions and fires in a field belonging to the farm village of Shaar ha-Golan located in the Jordan Valley south of the Sea of Galilee. En route, the jeep was blown up by a landmine—four of the police were killed and the other two wounded.

I would point out that Radio Damascus is currently broadcasting war communiques. Communique No. 53 broadcast over the official government radio at 7:30 a.m. on October 9 described four recent terrorist actions and claimed:

> A force from group 105, on October 8, crossed into 'conquered Jerusalem' and mined its target. Two of the charges exploded at 23.45 hours. Two other charges exploded at 2400 hours.

Mr. Speaker, I think it is essential that the United States make clear, as Ambassador Goldberg did yesterday in the United Nations, that we support "the independence and integrity of all states in the area, Israel, Syria, and all other Arabic countries."

More important, there is a clear obligation for the United Nations Security Council to act. The United Nations has a chance to defuse a critical situation which could escalate.

Specifically, it is my hope that the United States will contribute to the drafting and support of a substantive resolution containing an expression of disapproval—based on the facts—of these Fedayin attacks as contrary to article 3 of the Israel-Syrian armistice agreements. Further, I would urge that this resolution call on the parties to the armistice agreements to reaffirm their commitment to the agreements, and to the U.N. Charter—notably article 2, paragraphs 3 and 4.

It is my conviction that prompt Security Council action is of the essence. Hopefully, the U.S.S.R. will consider the merits of not exercising a veto, a majority of the Security Council members will support such a substantive resolution, and the sense of the Security Council action will not be lost on Damascus.

PERSONAL ANNOUNCEMENT

Mr. EDMONDSON. Mr. Speaker, I was not present on Friday, October 14 when rollcall No. 365 and rollcall No. 366 were taken on the demonstration cities bill.

Mr. Speaker, had I been present, I would have voted "yea" on rollcall No. 365 on the motion to recommit, and I would have voted "nay" on rollcall No. 366 on final passage of the bill.

DR. WILL P. PIRKEY TO PRESIDE AS COCHAIRMAN OF NEXT INTER-AMERICAN CONFERENCE OF THE PARTNERS OF THE ALLIANCE

Mr. ROGERS of Colorado. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Colorado.?

There was no objection.

Mr. ROGERS of Colorado. Mr. Speaker, the Second Inter-American Conference of the Partners of the Alliance concluded its sessions in Rio de Janeiro, Brazil, last week. On the final day, a new U.S. Cochairman was selected to preside as Cochairman of the next Inter-American Conference and to serve on the Inter-American Coordinating Committee.

I am happy to announce to the House that Dr. Will P. Pirkey, prominent otologist of Denver and Chairman of the Colorado Partners of the Alliance, was elected by the U.S. delegates as the new U.S. Cochairman. He replaces Mr. Edward Marcus, Chairman of the Texas Partners, in this key role. Dr. Pirkey will share the duties of the presiding officer at the next Conference with Dr. Walfrido Prado Guimaraes, Chairman of the Sao Paulo, Brazil, Partners Committee. Under the Partners program, Sao Paulo is the partner of Illinois while Colorado is the partner of the State of Minas Gerais, Brazil. At the Rio de Janeiro meetings just concluded, Dr. Pirkey also served as Cochairman of the Committee on Health and Preventive Medicine, one of five committees that held 4 days of work-sessions during the conference.

In the interim between conferences, Dr. Pirkey and Dr. Guimaraes will preside over the meetings of the Inter-American Coordinating Committee, whose function will be to plan the next Conference. The members of this committee include: Dr. Samuel H. Beer, of Massachusetts; Mr. Hans Gerdts, of Colombia; Dr. Julio Ibarra, of Mexico; Dr. Boyd A. Martin, of Idaho; Mr. Jayme Messeder, of Brazil; Dr. Roberto Rendon, of Guatemala; Dr. Edgar Barbosa Ribas, of Brazil; and Dr. Nelson M. Robinson, of Tennesee.

I know that Dr. Pirkey will bring credit to Colorado and the Partners of the Alliance Program in his duties as the new U.S. Cochairman.

THE MIDDLE EAST

Mr. MULTER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. MULTER. Mr. Speaker, I take this time to commend the gentleman from New York [Mr. REID], for calling the attention of the House to the dire situation existing in the Middle East.

It is unfortunate that at a time when President Johnson is traveling thousands of miles in order to bring to bear all of his energies and all of those of our great country in order to reestablish peace in Vietnam that troublemakers in the Middle East are resorting to nefarious tactics which may easily result in war in that area of the world.

I hope that the United Nations can be more successful in this instance than in so many others in maintaining peace. The conflict in southeast Asia demonstrates, if nothing else, how difficult it is to bring combatants to the peace table once the fighting starts.

Unlike the situation in Vietnam, all of the countries involved in the Middle East are members of the United Nations.

An all-out effort must be made by the United Nations to bring the Arabs and the Israelis to the peace table before the fighting in earnest again breaks out.

SENIOR CITIZENS DAY A NATIONAL HOLIDAY

Mr. PATTEN. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

Mr. PATTEN. Mr. Speaker, I want to introduce a bill to make Senior Citizens Day a national holiday. It is time that we begin to show honor and respect for our older folks, and a day to make a little fuss over them would be in order.

All around me I see the older folks living alone because their families have grown up and naturally have formed their own family groups, but nevertheless the parents now often are forgotten in the busy, daily rush of modern living.

In Japan, where such a national holiday is celebrated, Peter Book, our local lawyer and navigator, observed that it provided people with the opportunity to have another look at the problems concerning the aged. I received a letter from Mr. Book from Tokyo which sparked my decision to start the ball rolling for a similar day of recognition here in the United States.

The truth is, there is a serious problem for housing among the older citizens, for financial security, to say nothing of their social contacts, and it is important, I feel, that those who have been squeezed out of the main stream of employment because of the technological advances, be recognized for their contributions—they are the backbone of our churches, the spiritual forces in the family life. We need the enthusiasm of the young but we must not cast aside or just tolerate the experience and wisdom of our older people. After all, age is money in the bank, too.

SITUATION IN THE MIDDLE EAST

Mr. HORTON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. HORTON. Mr. Speaker, I take this time to associate myself with the expressions made here today by the gentleman from New York [Mr. REID].

It was not too long ago, as a matter of fact, it was just last month that I visited and was present at the dedication of the Knesset in Jerusalem, Israel.

Mr. Speaker, I am very much concerned about the situation in the Middle East.

The nations of the world must unite in condemnation of the Syrian aggression. And, that body which laid the 1948 armistice line giving border integrity to the State of Israel now must use United Nations power and persuasion for its protection and preservation.

I ask my colleagues in Congress to join with me and Congressman REID in calling upon our U.S. Mission to the United Nations to take a leadership role in the Security Council in support of Israel at this critical crossroads. The next few hours may well decide the destiny of the Israel democracy for decades.

The world cannot sit idly by while the Middle East again threatens to burst into the flames of war. Yesterday, Israel's President, Levi Eshkol, attempted to end the violence of the past few weeks by offering to sign a nonaggression pact with Syria at once. Two attacks by Syria in Israel territory in the past 10 days have cost Israel lives and many injuries. The fact that the Israel Government has sought a solution to the crisis through peaceful means at a time when many Israel citizens are enraged at these unavenged guerrilla attacks speaks well for the responsibility and restraint of the democratically elected leaders of this young nation.

I was dismayed this morning to learn that Syria has rejected Israel's offer of peace. Instead, Damascus radio broadcast another threat of military action against Israel.

The differences between the two nations cannot be settled by armed might. The world cannot afford another brush-fire war which lures tension and wider hostility. Nations of the world must condemn the aggression of the Syrian attackers in perpetrating what they call a war of liberation against Israel. We have heard cries of liberation elsewhere in the world where military aggression has burst into serious armed conflict. The situation here parallels that which faced South Korea and South Vietnam in the early 1950's. Uncontrolled, this tinderbox cannot help but throw the Middle East once again into chaos.

The flames of war are being fanned with diligence by the Communist nations aiding Syria. Israel has charged that the Soviet Union is supporting hostile Syria "blindly," and declared that "to Russia, our dead are not dead and Syrian threats are not threats." This statement by former Israel Foreign Minister Golda Meir, aptly describes the Communist role in this crisis.

Just this past week I was in touch with Ambassador Goldberg and expressed to him my concern about the situation in the Middle East.

I would like to read to my colleagues the text of my October 11 telegram to Ambassador Goldberg:

Ambassador ARTHUR J. GOLDBERG,
U.S. Representative to the United Nations,
United Nations Plaza, New York, N.Y.:

Having returned last month from the Israeli-Syrian border near Galilee. I am alarmed at guerrilla attacks of the past few days by Syria which resulted in death or injury for eleven Israeli policemen.

Action is needed now in the Security Council to spare further bloodshed. Please be assured of my support for the position of Israeli Foreign Minister Abba Eban asking a diplomatic offensive against Syria for that nation's guerrilla war on the Galilee border.

I urge you to use the position of your office both with the Security Council and the U.N. truce supervisory organization to make Syria understand that the United States stands with Israel in clear condemnation of these dangerously provocative acts. Having visited this area only last month when I was in Jerusalem for the dedication of the new Knesset building, I am aware of the tension that exists and the necessity to protect the integrity of the border.

Sincerely,
Congressman FRANK HORTON.

The following day, the Ambassador sent me a letter acknowledging my concern for the situation, and assuring me that he will do whatever he can to assure a peaceful outcome of the crisis.

Because the United Nations has a record of some success in cooling crises in this part of the world, it must again take the lead in heading off a major confrontation between Israel and Syria. As Members of the U.S. Congress, we must make clear our support for Israel's efforts to reach a peaceful settlement of this dispute, and our disdain for violent attacks on the territory of any peaceful nation.

I feel that it is important for this House to be familiar with the situation that is occurring in the Middle East and to reaffirm our support for that independent nation—an 18-year-old nation—the bastion of freedom in the Middle East.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. HORTON. I yield to the gentleman.

Mr. REID of New York. Mr. Speaker, I would just add one specific recommendation. I think it is essential for the United Nations Security Council to act and to work out a substantive resolution which would make clear the Council's disapproval—based on the facts—of Fedayin attacks and call on the parties to uphold the provisions of the Israel-Syrian armistice agreements and the U.N. Charter.

Mr. HORTON. I thank the gentleman.

ANTIRIOT BILL

Mr. CRAMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CRAMER. Mr. Speaker, I think the Members of the House would be interested in knowing that the Judiciary Committee met this morning—the subcommittee—and I moved to vote out the antiriot bill which I sponsored and which had been introduced by over 90 Members of this House and which passed by 359 to 25 as an amendment to the civil rights bill. That motion did not succeed. So, for all practical purposes, the bill is dead for this session. However, the chairman of the committee, our distinguished colleague from New York [Mr. CELLER], has announced that the first order of business next year will be the antiriot legislation and the question of title V legislation.

I also appealed to the Rules Committee to vote out my rule to discharge the Judiciary Committee when it was obvious that committee would not act. This did not succeed.

I was hoping that this nationwide deterrent would be enacted as a deterrent immediately. The people of this Nation, in my opinion, are and have been demanding action by this Congress to help put an end to the rabble rousing and the travel from State to State by professional agitators fomenting riots in this Nation. I am sorry to see this session of Congress adjourn without taking action in this field.

If additional riots, looting, maiming, bombings and violent disturbances continue during the adjournment period, incited by the Carmichaels, the Kisseales and the Rockwells, then the leadership of this House must bear some of the responsibility for not providing this deterrent now. It is a travesty that this bill has been killed for this session.

SUPPLEMENTAL APPROPRIATION BILL, 1967

Mr. SMITH of Virginia. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1058 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1058

Resolved, That during the consideration of the bill (H.R. 18381) making supplemental appropriations for the fiscal year ending June 30, 1967, and for other purposes, all points of order against said bill are hereby waived.

The SPEAKER. The gentleman from Virginia is recognized for 1 hour.

Mr. SMITH of Virginia. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], and I yield myself such time as I may consume.

Mr. Speaker, I shall be very brief in my explanation of the resolution. The resolution waives points of order on the supplemental appropriation bill, which involves many large programs that must necessarily be passed before this Congress can adjourn. Some of us may not like some of the items that are in the bill. Nevertheless, it is one of those necessary and customary things that happen in the last few days of every session of the Congress.

The problem is that numerous authorization bills have passed both Houses. Some have passed the conference stage but have not been finally disposed of by the signature of the President. In those situations we do not have authorization for the appropriation bill, although Congress has expressed its views in recorded votes. There is very little doubt about those bills eventually being signed. Under those circumstances it is necessary to have a rule waiving points of order so that the House can proceed with it. That is the reason for waiving the points of order, and there is no other reason.

Among those bills, for example, is the education authorization bill, the bill for the carrying on of the war on poverty, so to speak.

While some of us do not agree with some of the appropriations, nevertheless, this is one of those things which, in the orderly process of the conduct of legislation, must be done. I trust that there will be no opposition to the rule.

Mr. HALL. Mr. Speaker, will the distinguished gentleman from Virginia yield?

Mr. SMITH of Virginia. I am glad to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I appreciate the gentleman from Virginia, the distinguished chairman of the Committee on Rules yielding.

As the gentleman well knows, this waiver of points of order has become a penchant of mine because I am thoroughly convinced it precludes the intervening of a point of order which is a right of any individually elected Representative in the House, of the Congress.

I understand the need herefor. I did not know, as the gentleman has so clearly explained, that perhaps affixing the Presidential signature was all that was required in certain instances. But we all know the President is en route to southeast Asia, to visit many countries there, and wish him Godspeed and success in his basic mission, if not in a pan-Pacific political junket at taxpayers' expense.

Nevertheless, it comes at a bad time, when we have to preclude the rights of intervention of a point of order by individuals against programs—good, bad, or indifferent— because it obfuscates the rights of elected Representatives.

I understand, in addition to the chapter represented in the supplemental appropriation bill by the gentleman, on the Economic Opportunity Act or antipoverty bill, whichever one prefers to call it, that also the same pertains to the bill on elementary and secondary education as not having cleared both Houses or had the Presidential signature affixed, enacting it into law.

Would the gentleman advise me, if such points of order were not waived and then subsequently points of order intervened and were sustained, what might be the fate of this supplemental bill or the individual chapters therein?

Mr. SMITH of Virginia. Well, it just would not get through the Congress.

Mr. HALL. Mr. Speaker, does not the distinguished gentleman feel that there would be immediate action in the other body or on the part of the executive branch to make the authorizations into law, even if it necessitated a fast "carrier pigeon" or a jet fired machine back and forth to the Philippines or wherever the President might be located?

Mr. SMITH of Virginia. The gentleman and I both have been here long enough to know that no prediction as to what either body of Congress would do is safe.

Mr. HALL. I certainly would not ask the distinguished gentleman from the Commonwealth of Virginia to predict what either body would do or to predict what the executive branch would do, in view of the action over the past few years, but is it not within the realm of possibility that individual bills could be taken up, the authorizations gained, and the necessary action taken before the end of the week?

Mr. SMITH of Virginia. I would not say that. The President is out of the country, as the gentleman well knows.

Mr. HALL. And this does not come within the prerogatives of the acting President within the continental confines of the United States, in his absence, according to the Constitution; is that correct?

Mr. SMITH of Virginia. No, it does not.

Mr. HALL. I certainly agree with the gentleman, basically.

Could we not continue these programs, however, by a continuing resolution, if worst came to worst? I am not indicating it might happen.

Mr. SMITH of Virginia. We would have to have a rule for that. We have done that already three times this year. Members want to wind this Congress up. It ought to be wound up. It should have been wound up some time ago.

That is neither here nor there.

Mr. HALL. No; we are discussing a principle. I agree with the gentleman that we want to wind it up quickly. I am not a Christmas tree hanger myself.

Mr. Speaker, if the gentleman will yield further, does it surprise the distinguished gentleman, the chairman of the Committee on Rules, that there is little or nothing in here for the Department of Defense insofar as a deficiency bill or supplemental bill is concerned? This is another matter that has concerned me, as I did my homework.

Mr. SMITH of Virginia. I believe that is a very good sign that we are taking care of our present armed conflict in good shape.

Mr. HALL. Mr. Speaker, I make my usual reservation and retain all of the rights of an individual Member against the waiver of points of order in the consideration of these bills.

I thank the gentleman from Virginia for yielding.

Mr QUILLEN. Mr. Speaker, I yield myself as much time as I may consume.

Mr. Speaker, the gentleman from Virginia [Mr. SMITH], the distinguished chairman of the House Committee on Rules, has amply described House Resolution 1058 making in order the consideration of H.R. 18381, waiving all points of order on the bill. While we might not agree with some of the individual programs, this resolution is necessary.

Mr. BOW. Mr. Speaker, will the gentleman yield?

Mr. QUILLEN. I will be happy to yield to the gentleman from Ohio.

Mr. BOW. I appreciate the gentleman yielding, and I should like to say, Mr Speaker, that I opposed this rule before the Rules Committee and I oppose it now. I thought we should not have a rule on this appropriation bill. I think it establishes a bad precedent. I think we could wait until we had the authorization, at least. The major items in this bill are not even through conference. Some of them that are through conference have not been to the White House. As to the President signing the bill and being out of the country, I do not know whether it is correct or not, but I have read in the press today that he is going to sign some bill in some foreign country today with some ceremony. While he is doing that he could have signed these authorizations when we got them through here. Of course, Mr. Speaker, this comes about because the legislative committees' authorizations have not been reported, so that the Committee on Appropriations could work its will on some of these items.

I might say that the distinguished chairman of the Committee on Appropriations, the gentleman from Texas, very early in this session of Congress worked out a schedule for appropriation bills. If we had had the authorizations from the legislative committees and if they had sent their bills to us in time, we could have completed all the appropriation bills this year except for the supplemental by the 16th of June. I sincerely hope in future sessions of the Congress that the first item of business will be working on the authorization bills so that they can come to the Committee on Appropriations and we can finish our work and not be held up in this way. I think this is what we are up against today. It is just because other legislation came first and the authorization bills came late in the session. Here we are now coming up to our deadline with everybody wanting to get back to their districts. We are now in a position, as a result, where we will have to take these bills as they come along.

Mr. Speaker, I just want to call this fact to the attention of the House and mention that it is my firm wish and hope in the future that we will have the authorization bills in at a much earlier date so that we can finish our work on the appropriations.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. QUILLEN. I will be happy to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I just want to rise once more very briefly to associate myself with the remarks of the ranking minority member of the Committee on Appropriations [Mr. Bow]. I think the danger of a precedent in waiving points of order pertaining to these bills is just as bad as stripping the individual of his right of intervening with a point of order. Finally, for the Record, I would like to get once more the question of wherein did this request for waiver of a point of order arise? Was it in the Committee on Rules or was it on the request of the chairman of the Committee on Appropriations?

Mr. BOW. If the gentleman will yield, I will be delighted to answer that question.

Mr. QUILLEN. I will be happy to yield to the gentleman.

Mr. BOW. Actually, it was the action of the full Committee on Appropriations directing the chairman of the Committee on Appropriations to seek this rule. So it was not the chairman's own action, but it was the action of the full Committee on Appropriations.

Mr. HALL. In other words, it was the action of a majority of the members of the Committee on Appropriations?

Mr. BOW. A majority of the members of the Appropriations Committee. I objected to it there. It was not unanimous. However, it was a direction to the chairman to seek a rule.

Mr. HALL. If the gentleman will yield further, we have concluded, in discussing this principle and device over the past two sessions of this Congress, that there were incidents in which the Committee on Rules themselves originated the waiver of points of order either on the suggestion of the Parliamentarian, the leadership, or someone other than the committee asking for a resolution making the bill in order. And, as I understand it, this bill, then, originated in the Committee on Appropriations and not in the Committee on Rules?

Mr. BOW. The gentleman is correct.

Mr. HALL. I thank the distinguished gentleman from Ohio.

Mr. QUILLEN. Mr. Speaker, the distinguished gentleman from Ohio [Mr. Bow] and the distinguished gentleman from Missouri [Mr. Hall] have made fine contributions to this discussion.

Mr. Speaker, I have no further requests for time.

Mr. Speaker, I reserve the balance of my time.

Mr. SMITH of Virginia. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

SUPPLEMENTAL APPROPRIATION BILL, 1967

Mr. MAHON. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 18381) making supplemental appropriations for the fiscal year ending June 30, 1967, and for other purposes; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate be limited to not to exceed 2 hours, one-half of the time to be controlled by the gentleman from Ohio [Mr. Bow] and the other half to be controlled by myself.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

The SPEAKER. The question is on the motion offered by the gentleman from Texas.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 18381, with Mr. O'Hara of Michigan in the chair.

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from Texas [Mr. Mahon] will be recognized for 1 hour, and the gentleman from Ohio [Mr. Bow] will be recognized for 1 hour.

The Chair recognizes the gentleman from Texas [Mr. Mahon].

Mr. MAHON. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, this is the final appropriation bill of this congressional session.

Mr. Chairman, when we go back into the House, I shall ask unanimous consent to place in the Record certain tables and information otherwise with respect to the main features of the pending bill. Also, I shall ask unanimous consent that all Members be permitted to place in the Record in connection with the general debate or amendments which may be discussed, extensions of remarks and to include extraneous material relating to the bill.

Now, Mr. Chairman, this bill recommends appropriations of a little under $5 billion. On page 2 of the committee report, it will be noted that the actual sum is $4,919,076,929.

The report also discloses that the bill, as reported and now pending, is $203,683,700 below the budget requests of the President considered in the bill.

One of the major areas involved deals with funds under the Independent Offices chapter, including funding of the GI bill passed earlier in the session; that is some $327 million. That chapter also includes advance fiscal 1968 funding for urban renewal and mass transportation grants.

The largest chapter, moneywise, and the part of the bill that required the rule adopted earlier today, has to do with the Department of Health, Education, and Welfare, and the Office of Economic Opportunity. The sums included in the bill for these items total $3,733,654,000, a reduction below the budget of $169 million.

Mr. Chairman, under leave to extend, I am including the summary table and explanation of the pending bill from pages 2 and 3 of the committee report:

Summary analysis of the pending bill

Chapter	Department or activity	Budget estimates	Recommended in bill	Bill compared with estimates
I	Agriculture	$1,650,000		−$1,650,000
II	Foreign operations	(600,128,000)	($600,128,000)	
III	Independent offices	[1] 1,192,330,000	1,162,195,000	−30,135,000
IV	Interior	10,967,000	9,092,000	−1,875,000
V	Labor and HEW	3,902,654,000	3,733,654,000	−169,000,000
VI	Legislative	[2] 2,961,700	1,938,000	−1,023,700
VII	Claims and judgments	12,197,929	12,197,929	
	Total	5,122,760,629	4,919,076,929	−203,683,700

[1] Includes $750,000,000 for grants for urban renewal, fiscal year 1968, and $95,000,000 for urban mass transportation grants, fiscal year 1968.

[2] Excludes $18,000 in H. Doc. 505 for "Capitol buildings," not considered.

Of the budget estimates of appropriations of $5,122,760,629 reflected in the table, only a handful of items amounting to a relatively small sum are of the sort generally characterized or thought of as supplementals. Thus measured, it is one of the smallest propositions of supplementals in many years. About 75% of the total of $4,919,076,929 in the bill—$3,733,654,000 represents not supplementals, but the regular annual budgets for anti-poverty, education, and library purposes laid aside from the regular bill last spring for want of the necessary authorization legislation. Time has run out, but most of it is still not finally enacted.

Another 17% of the total—$815,000,000—relates not to fiscal 1967, but rather to fiscal 1968. The full advance allotment for 1968 for urban renewal grants is $750,000,000: $65,000,000 is additional advance funding for 1968 urban mass transit grants that had to be delayed from the regular bill earlier because authorization legislation was not available to support it.

Another $327,000,000—7% of the total—is in a sense a supplement, but it arises solely from enactment earlier this session of the so-called GI Cold War Bill of Rights.

The remainder—found in a number of places—total $43,422,929, or less than 1% of the total. They are identified and explained in this report.

The following summarizes the situation:

Classification of amounts in this bill

[Dollar amounts in millions]

	Budget request		Bill	
	Amount	Percent	Amount	Percent
Fiscal 1967 items:				
1. Regular annual budgets delayed because of lack of authorization legislation (ch. V)	$3,903	77	$3,734	75
2. GI Cold War Bill of Rights (benefit payments pursuant to new legislation earlier this session)	327	6	327	7
3. Various other items	48	1	43	1
Total, 1967 items	4,278	84	4,104	83
Fiscal 1968 items: (Urban renewal and urban mass transit)	845	16	815	17
Total	5,123	100	4,919	100

APPROPRIATION TOTALS OF THE SESSION

Since this is the last scheduled appropriation bill of the session I think it would be well to call your attention to page 4 of the committee report.

Including the pending bill as reported, the House, in this session, will have approved appropriations of $130.5 billion. This is a net reduction below the budget requests for appropriations of $260 million.

I am speaking only of House action.

I am speaking of the whole session, not just the fiscal year.

I am speaking of the 15 appropriation bills of the session.

And I am also using figures resting on the traditional and generally well-understood method of counting.

For the Congress itself, as of this date, on bills that have been approved by the Congress and sent to the President, the Congress, in the aggregate, is about $810 million below the President's budget requests for appropriations for the session.

One of the bills not yet sent to him will probably be above the President's budget in the sum of about $380 million, but two others will very likely be substantially below. The best guess that we are able to make at the moment, assuming the committee position on the pending bill is sustained, is that Congress will close out the year, appropriationwise, when all the bills are cleared to the President, at about $880 million below the President's budget requests for appropriations considered in the 15 bills. That is very rough but probably not too wide of the mark.

Now, there may be some who will believe that this is not a good record. It could have been a better record, no doubt, from the viewpoint of some. Many would have preferred larger appropriations for certain items. Others would have preferred less. It does seem to me that the Congress in this session, if we can hold the line in the pending bill, has done a reasonably good job in the appropriation bills in meeting the requirements imposed upon this Nation by the times.

Mr. Chairman, under leave granted, I include a résumé from page 4 of the committee report, to which I have appended two summaries of the appropriation totals:

For the session, and including this bill, the House has considered budget estimates of appropriations of $130,791,440,166. Against that aggregate, the Committee recommended $130,600,704,565, a net reduction of $190,735,601 in the appropriation requests. This refers only to committee actions; further changes were made on the House floor.

One bill was reported at the budget amount.

Twelve bills were reported with net reductions from the budget requests for appropriations.

Two bills were reported with net increases above the budget requests for appropriations. The Defense bill was reported $946,692,000, net, above the budget, the principal item being $569,000,000 for pay of some 108,000 military personnel on duty at July 1, 1966 beyond the number originally budgeted. The Labor-HEW bill was reported $490,088,000, net, above the budget requests for appropriations.

House floor changes were made in 5 of the 14 bills already voted on—3 were increased, 2 were reduced. There was a net floor reduction of $69,776,200.

Counting the present bill, then, the House—if it adopts this bill as reported—will have approved appropriations this session of $130,530,928,365, a net reduction from the budget requests for appropriations of $260,511,801.

Three of the 15 bills of the session were for defense, 12 related to nondefense activities. In the 3 defense bills (the defense supplemental last spring, the regular defense bill, and the military construction bill), the House made net additions of $856,485,000 to the budget requests for appropriations. Thus, excluding these, the House reductions, overall, from the budget requests for appropriations in the 12 non-defense bills of the session aggregate $1,117,000,000—again, counting the pending supplemental on the basis reported to the House today.

In addition, there are the permanent appropriations that recur under standing law and thus do not require annual action; they are not precisely determinable until the fiscal year is over, but the tentative budget estimate last January was, roundly, some $13,800,000,000. Interest on the public debt accounts for most of that.

The final congressional totals cannot, of course, be assembled, summarized, and precisely reported until all bills have cleared both Houses and also conference. But it now appears entirely possible that, in total, the amounts for appropriations in the bills may be within the total budget requests for appropriations considered. And in very rough terms, including the permanent items, the outlook on that basis is that appropriations this session will probably approximate $144–$145 billion. That would be some $25 billion or so above last session—mostly, though not entirely, attributable to defense spending.

All figures are on the traditional and generally well-understood "appropriation" basis, and thus are, at times, at some variance with the "new obligational authority" basis used in the President's budget, though in the great majority of individual instances the two are synonymous.

Summary of totals of appropriation amounts in the appropriation bills, 89th Cong., 2d sess., to Oct. 18, 1966

[Does not include any back -door appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	Bills for fiscal 1966	Bills for fiscal 1967	Bills for the session
A. House actions:			
1. Budget requests	$15,949,000,000	$114,842,000,000	$130,791,000,000
2. Amounts in 15 bills passed by House	15,701,000,000	114,830,000,000	130,531,000,000
3. Change from corresponding budget requests	−248,000,000	−12,000,000	−260,000,000
B. Senate actions:			
1. Budget requests	16,156,000,000	109,817,000,000	125,973,000,000
2. Amounts in 14 bills passed by Senate	15,937,000,000	109,624,000,000	125,561,000,000
3. Change from corresponding budget requests	−219,000,000	−193,000,000	−412,000,000
4. Compared with House amounts in these 14 bills	+236,000,000	−287,000,000	−51,000,000

See footnotes at end of table.

Summary of totals of appropriation amounts in the appropriation bills, 89th Cong., 2d sess., to Oct. 18, 1966—Continued

[Does not include any back-door appropriations, or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bills]

	Bills for fiscal 1966	Bills for fiscal 1967	Bills for the session
C. Final actions:			
1. Budget requests	$16,156,000,000	$97,099,000,000	$113,255,000,000
2. Amounts approved in [2] 12 bills	15,924,000,000	[3] 96,521,000,000	[3] 112,445,000,000
3. Comparisons—			
a. With corresponding budget requests	−232,000,000	−578,000,000	−810,000,000

[1] Permanent appropriations were tentatively estimated in January budget at about $13,800,000,000 for fiscal year 1967.

[2] Consists of 2 supplementals for 1966 and these 1967 bills: Interior; Treasury-Post Office; Agriculture; Independent Offices; Legislative; Foreign Assistance;[1] Defense; Public Works; Military Construction; and District of Columbia.

[3] Includes $55,000,000 for fiscal 1968 (grant for mass transportation).

NOTE.—All figures are rounded amounts.

Source: Committee on Appropriations, House of Representatives.

Summary of action on budget estimates in appropriation bills, 89th Cong., 2d sess., as of Oct. 18, 1966

[Does not include any back-door appropriations or permanent appropriations [1] under previous legislation. Does include indefinite appropriations carried in annual appropriation bill]

	Budget estimates to House	Passed House	Budget estimates to Senate	Passed Senate	Enacted	Increase (+) or decrease (−), latest stage of action compared to budget
BILLS FOR FISCAL 1967						
Interior	$1,329,960,500	$1,295,169,500	$1,340,260,500	$1,329,755,000	$1,321,615,800	−$18,644,700
Loan authorization	(26,000,000)	(26,000,000)	(26,000,000)	(26,000,000)	(26,000,000)	
Treasury-Post Office	7,246,720,000	7,210,177,135	7,246,720,000	7,210,049,135	7,196,429,135	−50,290,865
Agriculture	7,022,638,000	6,876,027,000	7,022,938,000	7,064,343,300	6,994,590,150	−28,347,850
Loan authorization	(702,100,000)	(852,000,000)	(702,100,000)	(932,000,000)	(932,000,000)	(+229,900,000)
Labor-HEW	10,083,184,500	10,573,272,500	10,083,184,500	10,473,309,500		+390,125,000
Independent offices	14,319,611,291	14,017,299,000	14,329,863,291	14,118,607,000	14,065,851,000	−264,012,291
Legislative	173,793,578	172,146,333	214,749,763	214,418,213	214,463,913	−285,850
Defense	57,664,353,000	58,616,445,000	57,664,353,000	58,189,872,000	58,067,472,000	+403,119,000
District of Columbia:						
Federal funds	$53,394,000	$52,394,000	$53,394,000	$53,394,000	$53,394,000	
Loan authorization	(26,225,000)	(23,000,000)	(38,225,000)	(37,527,500)	(37,527,500)	(−$697,500)
Military construction	1,114,947,000	1,019,340,000	1,114,947,000	986,518,000	979,570,000	−135,377,000
Foreign assistance	3,945,095,000	3,604,048,800	3,945,005,000	3,493,473,500	3,493,473,500	−451,621,500
Public works	4,167,073,000	4,110,932,000	4,167,073,000	4,139,244,000	4,134,511,000	−32,562,000
State, Justice, Commerce, and the judiciary	2,598,638,500	2,364,008,600	2,634,405,000	2,350,941,600		−283,463,400
Supplemental	5,122,760,629	4,919,076,929				−203,683,700
Subtotal, 1967 bills	114,842,168,998	114,830,336,797	109,816,983,054	109,623,925,248	96,521,370,498	−675,045,156
SUPPLEMENTALS FOR FISCAL 1966						
Defense supplemental (Vietnam)	13,135,719,000	13,135,719,000	13,135,719,000	13,135,719,000	13,135,719,000	
2d supplemental	2,813,552,168	2,564,872,568	3,020,810,903	2,801,226,003	2,788,143,303	[2] −232,667,600
Subtotal, 1966 bills	15,949,271,168	15,700,591,568	16,156,529,903	15,936,945,003	15,923,862,303	−232,667,600
CUMULATIVE TOTAL FOR THE SESSION						
Running cumulative comparison of all bills (at their latest stage of action)						−907,712,756
House	130,791,440,166	130,530,928,365				−260,511,801
Senate			125,973,512,957	125,560,870,251		−412,642,706
Enacted			113,255,923,457		112,445,232,801	−810,690,656

[1] Permanent appropriations were tentatively estimated in January budget at about $13,800,000,000 for fiscal year 1967.

[2] Includes $242,000,000 cut from a repayable advance (from the general fund) to the social security medicare trust fund.

The CHAIRMAN. The gentleman from Ohio is recognized.

Mr. BOW. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, may I say that I appreciate the remarks made by our distinguished chairman. It has been a great pleasure to serve with him this year. The cooperation that I have received from the distinguished gentleman who is chairman, with the great responsibilities he has, has been excellent. And I wish him well after the adjournment and hope that he may receive some rest from the arduous duties that he has had.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. BOW. I will be happy to yield to the distinguished chairman.

Mr. MAHON. Mr. Chairman, in view of the remarks of the gentleman, I must say that the gentleman from Ohio, in my opinion, has performed a distinguished service to the Congress and to the Nation in his capacity as the ranking minority member of the Committee on Appropriations.

While the gentleman has cooperated, the gentleman has not always agreed, but the gentleman has made it possible for our democratic process to work.

I think all the Members would want me to say that the gentleman has certainly made it possible for us to confront the Congress with the problems that have been before the Committee on Appropriations. While the gentleman has taken his position, and has opposed many of the actions taken, he has done it according to the rules of the game, and has thus performed a real service to the Nation.

Mr. BOW. I thank the gentleman.

I might say, in passing, to the gentleman and to my colleagues here, that as we all are engaged in political campaigns right now, we are all amazed sometimes at the issues that are raised. It seems to me the most important issue that my opposition is raising with me right now is that he is charging me with being a rubber stamp for L.B.J. I am sure that my colleagues here on the floor are familiar with the fact that I have not been a rubber stamp. Most interesting of all the charges that he is making against me is that I am responsible for the high spending of this Congress and that I should have cut down the spending and then we would not have had any inflation and prices would not have gone up in the marketplaces. So, I am warning you all that almost anything can happen in a political campaign.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. BOW. I am delighted to yield to my friend.

Mr. JONAS. I think that the distinguished gentleman from Ohio has a ready answer available to him.

It was the gentleman from Ohio who originated the now famous Bow amendment by which the gentleman undertook to cut substantial sums from most of the bills considered this year. If his amendments had been supported by a majority in the House we would be able to claim a much better record at the end of this session as far as cutting the budget is concerned.

Of course, the gentleman from Ohio has been in the forefront of the fight for economy, and ever since I have served on the committee with him, I have been very pleased to follow his leadership and to have been on his side in that fight also.

Mr. BOW. I thank the gentleman.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. ICHORD. I was very much surprised I will say to the gentleman from Ohio, to hear the distinguished gentleman from Texas state that appropriations by the House will be $260,511,801 under the amounts requested by the Executive. That is in the committee report.

I have been reading in the papers story after story, and article after article, and editorial comment after editorial comment, that this Congress is being irresponsible by going above the Executive requests.

I hope the gentleman from Ohio will elaborate on this, and I would say to the gentleman from Ohio I doubt if this report will even hit the newspapers in the United States. Would the gentleman from Ohio elaborate upon that statement of the gentleman from Texas?

Mr. BOW. Yes, I would say this to the gentleman, we are below the Presidential budget, and the statement of the gentleman from Texas is absolutely correct. What they have done in certain areas is to pick out those places where we have gone above the budget—and we have in some areas. Some of the authorizations, of course, have been considerably above the budget and some individual items in the appropriation bills have been also. Taking only the budget picture into consideration we are below the President's appropriation requests.

May I say I think it is rather interesting, since I have been a member of the Committee on Appropriations and I see Members on the floor who have been on the Committee on Appropriations a longer time than I have, that during my service on the Committee on Appropriations, that committee has cut from the Presidential budgets the amount of $53 billion.

If it had not been for the Committee on Appropriations and the diligent work of that committee in the reduction of the Presidential budgets, your national debt today would be much higher than it is.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman.

Mr. MAHON. I would like to share with the House itself whatever credit accrues from the reduction of some $53 billion.

Of course, as the gentleman from Ohio well knows, the Committee on Appropriations itself is helpless except as Members of the Congress vote their will and support such reductions. So this is an achievement of the Members of the House of Representatives through the years, and the individual Members have constructed that record.

With respect to the question of the gentleman from Missouri, and the headlines indicating that Congress has gone somewhat above the President's budget in different areas, I believe that, with a couple of exceptions, the references have been not to the appropriation bills, generally speaking, but to various authorization bills which have been passed. As I have shown on several occasions by insertions in the RECORD and will do again today, we are above the budget in the Labor-HEW and the Defense appropriation bills.

But in the aggregate, in all 15 appropriation bills, we are, prospectively, going to be below the requests for appropriations by several hundreds of millions of dollars.

I am not one to be critical of authorizations above the budget. But the higher authorizations—those above Presidential recommendations—unless they mandate expenditures, over which there is no subsequent discretion, do not deprive the Congress from going below the related budget requests.

As one example, in the bill before us today, the authorization bill in the other body for elementary education was some $800 million above the figure we are providing in the pending appropriation, or recommending in this body. The House authorization is some $300 million above. But I see nothing inconsistent about the appropriation being lower. The Congress is always at liberty to work out its will in providing the actual funds, and it not infrequently fails to appropriate the full authorization. There is never enough money to fund all authorizations.

It is not the objective of the Appropriations Committee—nor is it so considered, in my opinion, by the membership—to be just a rubberstamp for the funding of all authorizations. If we funded all authorizations, we would have to appropriate before the adjournment of this Congress many, many billions of dollars above what we will appropriate.

Mr. BOW. I thank the gentleman.

Mr. Chairman, insofar as we know now this supplemental will be the last appropriation bill to come before the House in the 89th Congress.

At the appropriate times today I propose to offer amendments which will reduce nonessential domestic spending and which will strengthen the President's efforts to curtail the fiscal excesses that this Congress has approved.

Repeatedly, throughout this session, my efforts have been directed toward ways and means of keeping nonessential spending at a noninflationary and prudent level. Of course, the modest success of my efforts in this regard has been rewarding. But, it has not been sufficient to stave off the grave inflationary situation which now exists in the economy. And, it has not been of such magnitude as to avoid the tax increases, with which corporate incomes are now being saddled through suspension of the 7-percent investment tax credit and the accelerated depreciation provisions.

I do express the hope, however, that when we are finished with this bill today we will have made a real start toward reducing nonessential spending and helping to avoid a general tax increase, which is sure to come unless we apply the brakes now.

With regularity this year, the President has pointed to the fiscal excesses being approved by Congress. On more than one occasion he has called upon the Congress to cease and desist. But, up to this time his pleas and admonitions have gone unheeded by the majority party here in Congress.

With his pleas for economy falling on deaf ears on the other side of the aisle and with inflationary pressures growing daily, in an already over-heated economy, the President took unilateral action on September 8 to plan the withholding of some $3 billion of spending in fiscal 1967 as one means of assuring continuing health and strength of the economy.

At that time, he said, "I am going to cut all Federal expenditures to the fullest extent consistent with the well-being of our people." He also said that he had "already directed that lower priority Federal programs be reduced by $1.5 billion in 1967" and just as soon as Congress completed its actions on the remaining appropriation bills, he hoped and expected to find at least an additional $1.5 billion which could be impounded.

On September 22 the President held a news conference, following a meeting with his Cabinet. He had with him at the news conference Budget Bureau Director Schultze who reviewed the strong determination of the administration to control expenditures.

At that time Director Schultze said that if you added up legislation which had been enacted and was pending, Congress had added on to the President's January budget request some $6 billion in appropriations and $3.3 billion in expenditures.

Of course, we all know that Mr. Schultze combined authorizations and actual appropriations in arriving at the $6 billion of additional appropriations but if all of the excess authorizations are funded by Congress the terms will become synonymous. Moreover, they represent a staggering increase in a budget that was already bloated when it was submitted last January.

Now, no one can deny that the President and his Budget Bureau are faced with a monumental task in postponing, delaying and stretching out beyond fiscal 1967 the $3 billion which they feel should not be spent this year.

I, for one, feel that they need help in accomplishing this most worthwhile and essential goal. And, I hope the majority of the House will agree with me that the President needs their help.

With the greatest of sincerity I say to you that as long as funds are available for expenditure, the bureaucrats downtown will barrage the President and the

Budget Bureau with demands that their programs be exempt from the President's economy efforts. So, I think we should reduce appropriations as our contribution to the President's resolve to do all that he can to avoid further inflation and keep the economy healthy.

Keeping in mind that the President has already found $1.5 billion which can be impounded and saved in 1967, I shall offer an amendment which would cut appropriations in this bill by an equal amount and which would permit the President to fund necessary activities in this bill from the already provided funds which he expects to impound.

Further, I shall offer an amendment to reduce Federal employment by 10,000 full-time permanent positions and thereby assure further savings of $70 million.

On September 20 at the direction of the President, Budget Director Schultze issued a memorandum to all of the departments and agencies with respect to employment ceilings. His memorandum indicated the President had directed, except for the Departments of Defense and Post Office and the Selective Service System, that employment in full-time permanent positions for the remainder of fiscal 1967 was to be held at or below the level prevailing as of July 31, 1966. He also directed that temporary, part-time, or intermittent positions be held at or below the level prevailing as of June 30, 1966.

At the President's news conference on September 22 with respect to Federal employees, Director Schultze said this personnel freeze would reduce Federal employment by between 20,000 and 30,000 positions. He estimated that at an average cost of $7,000 per employee, the freeze would save between $150 and $200 million when compared with the personnel ceilings for next June 30 as were established in the budget of last January.

The cutback to the July 31 level for the affected agencies is to be accomplished by not filling vacancies. Thus, Federal employees in affected agencies do not need to fear the loss of their jobs because the normal attrition of resignations, retirements, and death are expected to provide the desired reduction.

I have in my hand a table which compares full-time permanent employment as of July 31—the freeze date—with the administration's budget ceilings for June 30, 1967. When we are back in the House, I shall ask unanimous consent to have the table inserted in the RECORD at the end of my remarks. Now, the table reflects that as of last July 31 there were a number of agencies, exclusive of the Departments of Defense, Post Office, and the Selective Service System, having 4,141 more employees than were budgeted for them as of next June 30. The table also reflects that as of last July 31, a number of agencies, exclusive of the Departments of Defense, Post Office, and the Selective Service System, had 19,496 full-time permanent positions that were unfilled. If we are to cut those agencies which on July 31 exceeded their budget ceiling for next June 30 and are to freeze the unfilled positions as of July 31, then there are 23,637 full-time permanent positions which should be eliminated.

Further, keeping in mind that Budget Bureau Director Schultze said the administration would eliminate through attrition between 20,000 and 30,000 positions, which would save between $150 million and $200 million in fiscal 1967, my amendment to eliminate 10,000 full-time permanent positions will strengthen the President's resolve to cut since the bureaucrats cannot demand additional employees if vacant positions are not available. This amendment will give the President statutory assistance but, at the same time, will allow him flexibility in determining where the position cuts shall be made.

In support of my contention that the bureaucrats pay little attention to the wishes of the President, let me cite a situation which points up my argument that he does, in fact, need help from Congress in his efforts to control Federal spending.

Back on May 20 the President sent a memorandum to all departments and agencies asking them to defer filling vacant positions and to report to the Budget Director by June 3 of the actions they were taking to carry out the President's suggestion. Of course, I do not know what responses the departments and agencies sent to the Budget Director but, exclusive of the Defense and Post Office Departments and the Selective Service System, Civil Service Commission records indicate the following employment situation with respect to full-time permanent employees:

On May 31, there were 778,109 persons in full-time permanent positions.

As of June 30, they had been increased by 8,534 to 786,643.

During July, they were increased again by 4,812 to 791,455.

Further, as of August 31—the most recent date for which figures are available—they had been increased by 2,259 to a total of 793,714.

Thus, despite the President's May 20 memorandum asking them not to fill vacancies, the departments and agencies, other than Defense, Post Office, and the Selective Service System, employed 15,605 additional full-time permanent employees.

Since Budget Director Schultze's freeze directive of September 20 allowed for some personnel increases where they could be justified by the affected departments and agencies, it seems to me that we should assure ourselves that at least one-half of Mr. Schultze's minimum reduction of 20,000 will be accomplished.

I urge each of you to support these amendments when they are offered. In doing so, you will give substantial aid and comfort to the President's efforts to curtail nonessential domestic spending but, more importantly, you will be keeping faith with our fighting men in Vietnam and with the folks back home to do what must be done to protect the economy from the ravages of runaway inflation.

Full-time permanent employment in the executive branch

	Actual, July 31, 1966	Budget ceiling, June 30, 1967
Total	2,383,050	2,416,500
Departments and agencies excepted from Sept. 20 freeze order:		
Defense	1,094,507	1,103,900
Post Office	490,084	500,000
Selective Service System	7,004	5,790
Total	1,591,595	1,609,690
Departments and agencies not excepted from Sept. 20 freeze order:		
Agriculture	85,147	82,850
Commerce	29,995	31,840
Health, Education, and Welfare	93,521	99,010
Housing and Urban Development	14,113	15,350
Interior	60,180	59,500
Justice	33,270	32,700
Labor	9,259	9,600
State	40,799	41,350
Treasury	86,657	86,200
Federal Aviation Agency	41,837	42,300
General Services Administration	36,156	36,750
National Aeronautics and Space Administration	33,726	34,000
Veterans' Administration	147,559	150,850
Tennessee Valley Authority	11,524	11,750
Panama Canal	11,369	14,180
U.S. Information Agency	11,567	11,430
Other	44,776	47,150
Filled positions above budget ceiling as of July 31		4,141
Budgeted positions unfilled as of July 31		19,496
Total		23,637

Mr. GIBBONS. Mr. Chairman, the funds provided by this act—$1,563 million—are not sufficient to conduct a war on poverty.

In his state of the Union message to the 89th Congress, President Johnson said:

> For that other nation within a nation—the poor—whose distress has now captured the conscience of America, I will ask the Congress not only to continue, but to speed up the war on poverty. And in so doing, we will provide the added energy of achievement with the increased efficiency of experience.

It is dramatically clear that if the appropriation for the Office of Economic Opportunity is cut to $1,563 million it will be impossible to carry out the President's mandate. In every community where there is a program of the war on poverty—and there are more than 1,000 of these—in every Job Corps center, in every Neighborhood Youth Corps project, in every job training program, the poor who are now participating in programs of self-help will be turned back into the distress of poverty.

Here is what a 15-percent cut in the appropriation would mean in hard, human terms:

In the Job Corps, 6,750 of our poorest youth—ages 16 to 21—would be turned back to the hopelessness of the streets.

Over 80,000 young men and women eligible for the constructive and gainful employment of Neighborhood Youth Corps would be unable to take part in this vital work experience.

Some 50,000 migrants would be unable to get the self-help training and assistance offered under OEO migrant programs. Total for migrants and rural loans under title III not cut; however, specific program authorizations are not earmarked—CAP can take all for migrants if it desires.

Some 830 men and women who want to serve in VISTA will be denied this opportunity and the poor people they could be helping will not have this help.

Some 27,000 poor people will not be employed in community betterment and beautification projects—Nelsen-Scheuer amendment.

Some 37,050 10th- and 11th-graders who might qualify for higher education will be written out of Upward Bound.

No health centers will be capable of funding.

Some 750 older Americans and the 1,500 institutionalized children in need of love and care will be denied access to the Foster Grandparents program.

Some 50,000 Indians on 20 reservations will have the doors of economic opportunity slammed to them.

The President has asked for multipurpose neighborhood centers to be established in every ghetto in this land. With a 15-percent cut in appropriations, 120 fewer neighborhood centers can be established, leaving 600,000 slum residents to be shunted back and forth from agency to agency without this vital distribution of needed services.

Some 25,000 poor people who have been given employment and training under community action as Headstart aids, legal aids, health aids, and other career opportunities would be out of work and back into poverty.

Whatever success OEO has experienced during fiscal 1966 in getting antipoverty programs into rural America would be halted and turned into defeat.

These are some of the specific results of a cutback in appropriation to $1.563 million, but beyond these, the momentum and the energy which we have begun to generate in this war against poverty would be abruptly turned off. We would be unable, in the President's words, to "provide the added energy of achievement with the increased efficiency of experience."

If the impetus of the war on poverty is halted, the impact would be disastrous to thousands of volunteer Americans who have organized community action agencies, neighborhood groups, tutorial groups, Headstart classes, Job Corps community relations councils and other advisory and helping groups all across the United States. If this happens, it is doubtful whether belief in a national war on poverty or widespread volunteer effort in a war on poverty could be renewed in our time.

Mr. Chairman, unless these funds are increased, our action today will amount to a retreat—not an advance—in this war.

I include the following statistics:

Economic Opportunity Act Amendments of 1966

[In millions of dollars]

Program	Fiscal year 1966	Budget	H.R. 15111 (as passed)	S. 3164 (as passed)	Conference amount	House Appropriation Subcommittee
Title I:						
Job Corps	310	228	200.0	(228)	211	200.0
NYC	272	300	496.0	(496)	410	325.0
Special impact (Kennedy-Javits)				(150)	75	25.0
Subtotal, title I	582	528	696.0	588 (874)	696	550.0
Title II—CAP:						
Versatile CAP funding	305	480	323.0	(487)	323	323.0
Headstart	201	327	352.0	(527)	352	352.0
Legal services	25	25	22.0	(50)	22	22.0
Nelson and Scheuer	10	73	88.0	(150)	73	36.5
Health centers (Kennedy)				(100)	50	50.0
Narcotics rehabilitation			12.5		(11)	(11.0)
Family emergency loans			8.0		8	8.0
Adult literacy incentive [1]	35	30	26.5		7	7.0
Subtotal, title II	666	944	832.0	944 (1,314)	846	809.5
Title III:						
Rural loans	35	28	24.5	(28)		
Migrants	26	37	32.5	(37)		
Subtotal, title III	61	65	57.0	65	57	57.0
Title IV: SBDC loan counseling		5		5	5	5.0
Title V: Work experience	150	160	119.0	100	100	100.0
Title VI: Administration	12	17	15.0	17	15	15.0
Title VIII: VISTA	16	26	31.0	31	31	26.0
Grand total	1,500	1,750	1,750.0	1,750 (2,496)	1,750	1,563.0

[1] Adult basic education program transferred to Office of Education; $7,000,000 transferred from title V.

NOTE.—Figures in parentheses show amount as reported in Senate bill (before Dirksen amendment).

Mr. COHELAN. Mr. Chairman, I will support this supplemental appropriation. It is late in the session and without it we will not provide essential funding for at least seven different departments and agencies.

But, Mr. Chairman, I want to make clear that I am very disappointed in the reductions that the committee has made in both the Elementary and Secondary Act and the war against poverty.

Aid to our elementary and secondary schools has been cut by $348,893,000 from the figure authorized by the House.

Funds for the war on poverty have been cut by $187 million from the figure recommended by the administration and approved by both the House and the conference committee.

I am opposed to these cuts. I think they are unnecessary and unwise.

I think it is shortsighted, and just poor economics, to cut corners at the expense of the disadvantaged in our society who need our help most.

I hope and urge that these funds will be restored before final action is taken on this bill.

Mr. SCHEUER. Mr. Chairman, when the House Appropriations Committee reduced antipoverty funding from the administration's request and the Senate-House conferees' agreement of $1.75 billion, back to $1.563 billion, it cut the heart out of the one new concept in the war against poverty to fight long-term, hard-core unemployment and put the jobless back to work.

The result of the Appropriations Committee budget trimming is that less than half the funds remain in the double-pronged public and private sector job programs endorsed in both the House and Senate, and refined and agreed upon by the distinguished poverty conferees last week.

The new careers employment program in title II of the Equal Opportunity Act opens the way to create new jobs in this full-blown war economy that is not producing jobs quickly enough to absorb the growing numbers of minority unemployed.

Not only would new jobs be opened, but the program would also constitute the first step in dealing with the burgeoning demand for additional, much-needed personnel in many essential public services such as health, education, welfare, community betterment, and law enforcement. Half of the $36.5 million for this program was cut from the bill.

Under the provisions of title I, urban ghettos with multiple social and economic problems stemming from high unemployment rates of American minority groups, could receive help in reducing joblessness. Yet two-thirds of the $75 million in funds were cut from this program.

This double-pronged program is now urgently required because for the past year we have witnessed a painful paradox in the Nation's economy: minority group unemployment is on the rise while joblessness has turned downward for every segment of the white work force.

We know that long-term unemployment is the root cause of poverty. To the extent we ignore the creation of the indispensable conditions of a viable national employment program, to that same extent we undermine and denigrate the war on poverty.

The House Education and Labor Committee, in giving recognition to this principle, assured a new emphasis on the creation of jobs and job training.

The House Education and Labor Committee report on the antipoverty bill said in part:

> If unemployment is to be significantly curtailed as a substantial cause of poverty, complementary programs providing jobs, training, education and opportunity for permanent economic advancement are essential to assist the hard core unemployed and the countless persons whose unemployment is not exposed to statistical view because they have dropped out of the job market.

Despite the Job Corps, the Neighborhood Youth Corps, and the work experience for relief recipients under title V, there is still a large pool of hard-core, chronically unemployed persons who have not been effectively reached by these Federal programs. The hard fact is that this pool is growing.

Current unemployment rates underscore this unpleasant picture dramatically. In August 1965, overall white unemployment stood at the rate of 4.1 percent, and overall Negro unemployment stood at its traditional level of approximately twice the white rate, or 7.7 percent.

During the last year, white unemployment went down from 4.1 percent to 3.1 percent: while at the same time Negro unemployment in this highly affluent and productive economy went up from 7.7 percent to 8.3 percent, or to about 2⅔ times the white unemployment rate.

One year ago white teenage unemployment stood at the rate of about 12 percent, and Negro teenage unemployment stood at the traditional rate of a little less than twice that much, or 22 percent.

In the last 12 months of unprecedented affluence and labor scarcity in many segments of our economy, white teenage unemployment went down from 12 percent to 10 percent, while at the same time Negro teenage unemployment went up from 22 percent to 26 percent, to a little over 2½ times white teenage unemployment.

Unemployment for male whites over 21 now stands at the almost historic alltime low of 1.7 percent—what the economists characterize as frictional unemployment—really no unemployment at all—while unemployment for Negro males over 21 stands at the rate of 5.5 percent today, over three times the comparable white unemployment rate.

Never in a generation has there been such an unfavorable relationship between Negro and white unemployment. The gap is not narrowing: the gap is growing.

This was one of the principal reasons why the new careers employment program and the impact program of title I were readily accepted by the House and Senate and the antipoverty bill conferees.

Half of the $73 million in title II and two-thirds of the $75 million in title I to operate these programs have been written out of the supplemental appropriations bill.

This, Mr. Chairman, is a tragically false economy. We cannot pretend we are saving money now, knowing—as we must—that the deep-rooted, long-term costs of poverty will continue to rise so long as we refuse to face honestly and squarely the problem of structural unemployment in a virtually full employment, wartime economy.

There is no real saving here. To allege so is an exercise in futility and self-delusion that will plague us for many tomorrows. Rather, we are simply mandating growing unemployment rates for Negroes and Puerto Ricans, while the rest of us enjoy steady jobs and regular income at close to frictional unemployment levels.

In every corner of the country we will feel the frustration, bitterness, and disillusionment caused by these antipoverty fund cutbacks. We will feel it again in Watts, in Harlem, in Cleveland, in Chicago, and San Francisco, and their future counterparts.

Last week, OEO had to tell the city of San Francisco that California would receive a pittance in community action funds this year instead of the much larger sums required to alleviate the misery of the poor slum dweller.

The OEO, told San Francisco last week that its job training money is to be cut in half. This astonishing decision was made—believe it or not—while San Francisco was simmering with riots that exploded out of the frustrations of slum life.

The mayor of San Francisco, our distinguished former colleague, John E. Shelley, was moved to appeal, "in the name of God and human decency," for Federal money to conduct job training, the very same programs from which the majority of the funds have been severed.

With Mayor Shelley, I urge the Congress to meet this great and pressing need.

Mr. FOGARTY. Mr. Chairman, I would like to take a few minutes to explain by far the largest chapter in this supplemental appropriation bill, chapter 5 which covers the Department of Health, Education, and Welfare and the Office of Economic Opportunity. In total, this chapter contains $3,733,654,000 out of the grand total of the bill of a little less than $5 billion. I would go into more detail were it not for the fact that the legislative authorizations for the programs that are included in this chapter have been before the House so recently and so are fresh in Members' minds.

I will place in the Record a table which shows in a little more detail than the table in the report which accompanies this bill, some statistical information concerning the committee's action as compared with 1966 appropriations, the 1967 budget request, and the 1967 authorizations as they currently stand.

The table referred to follows:

Authorizations and appropriations for education and Office of Economic Opportunity items in 1967 supplemental, H.R. 18381

[In thousands]

	Actual appropriations, 1966	Budget request, 1967	1967 authorizations			Amount in supplemental appropriation bill
			House bill	Senate bill	Public law	
Office of Education:						
Elementary and secondary educational activities	$1,151,000	$1,342,410	$1,091,303	$2,205,278	[1]	$1,342,410
Higher educational activities	5,000	30,000	30,000	55,000	[1]	30,000
Higher education facilities construction	632,700	722,744	792,000	1,150,000	[1]	722,744
Grants for libraries	55,000	57,500	88,000	88,000	$88,000	76,000
Office of Economic Opportunity: Economic opportunity program	1,500,000	1,750,000	1,750,000	1,750,000	[1]	1,562,500
Total	3,343,700	3,902,654	4,351,303	5,257,278		3,733,654

[1] Conference.

NOTE.—Total amount in ch. V of supplemental bill compared with—

	Thousands
1966 appropriations	+$389,954
Budget request	−169,000
House authorization bill	−617,649
Senate authorization bill	−1,523,624

Since the economic opportunity program is actually a composite of many programs, I will also include in the Record a statistical breakdown of the recommended appropriation comparing each of its parts with the conference report on the legislative bills, the 1967 budget request, and the obligations incurred during fiscal year 1966.

The table referred to follows:

Office of Economic Opportunity

[In millions]

Program	Fiscal year 1966 obligations	Fiscal year 1967 budget request	Legislative conference report	House appropriations bill
Title I, total	$574.7	$528.0	$696.0	$550.0
A. Job Corps	303.6	228.0	211.0	200.0
B. Neighborhood Youth Corps	271.1	300.0	410.0	325.0
D. Impact programs			75.0	25.0
Title II	642.1	944.0	846.0	809.5
A. Community action, total	621.1	914.0	846.0	809.5
Headstart	179.8	327.0	352.0	352.0
Health centers	1.0		50.0	50.0
Legal services	19.9	25.0	22.0	22.0
Narcotics rehabilitation			11.0	11.0
Family loans			8.0	8.0
Nelson-Scheuer	12.9	73.0	73.0	36.5
Education			7.0	7.0
Unearmarked CAP	407.5	489.0	323.0	323.0
B. Adult basic education	35.4	30.0	[1] 0	0
1966 funds	21.0			
Carryover 1965 funds	14.4			
Title III, total	60.5	65.0	57.0	57.0
Rural loans	35.0	28.0		
Migrants	25.5	37.0		
Title IV: SBA loans (outside counseling)		5.0	5.0	5.0
Title V: Work experience	112.3	160.0	100.0	100.0
Title VI: General administration	11.3	17.0	15.0	15.0
Title VIII: VISTA	15.9	26.0	31.0	26.0
Draft rejectees [2]	5.0	5.0		
Transfer of work study, HEW	60.0			
Transfer of milk indemnity, Agriculture	.3			
Transfer of rent, GSA	1.0			
Unobligated	16.9			
Total	1,500.0	1,750.0	1,750.0	1,562.5

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[1] Transferred to HEW.

[2] Funds transferred to HEW.

Mr. Chairman, as is always the case with a major piece of legislation, this bill is the result of considerable compromise. Personally, I supported a larger amount for these programs. This appropriation bill is far below the authorization included in both the House and Senate bill for the elementary and secondary educational activities. The amount included in the bill will only annualize the program that was operated in fiscal year 1966 if, indeed, it will even do that.

The same is true for higher education facilities construction—the amount carried in this bill is considerably below both the House and Senate authorization bills.

I am pleased that we were able to agree on an increase of $18,500,000 over the budget request for the library program. The bill includes $76 million compared with the request of $57,500,000, but the amount in the bill is still $11 million less than the authorization.

With regard to the economic opportunity program, the bill carries $1,562,500,000 whereas the House legislative bill, the Senate legislative bill, the conference report, and the budget request were all for $1,750 million. At this point, I will place in the RECORD a factual statement concerning the meaning, or impact, of a $10 million cut as it applied to any of the antipoverty programs.

The statement follows:

IMPACT OF A $10 MILLION CUT ON ANY OEO POVERTY PROGRAM

A $10 million cut in any OEO program means:

2,200 poor youth, 16–21 years old, will not receive vocational training in Job Corps.

16,500 poor youth, 16–21 years old, will not get work training experience in summer and annual Neighborhood Youth Corps In School and Out of School programs.

23,630 poor children 3–5 years old will not receive medical attention, social and family related services, and class room activities, preparatory to entering school in the Head Start program.

48,000 poor adults will not participate in Adult Basic Education programs in improving employment potential and community life.

6,618 poor adults will lose work experience benefits in the form of income maintenance and job experience and skill improvements in the Work Experience program.

5,000 poor adults would no longer be employed, bring companionship to institutionalized and disadvantaged children in the Foster Grandparents program.

400,000 poor persons will not receive services in areas of health, jobs, family counseling and related areas from the Neighborhood Center program.

280,000 poor people will not have available Legal Aid.

4,880 loans will not be made to needy individuals in rural areas or to rural cooperatives serving the needs of rural poor people in the Rural Loans program.

1,617 Vista volunteers will not be on the job bringing services to both the urban and rural poor.

I am supporting the bill as it now stands because, in committee, as I stated, this was a matter of considerable compromise and there were several members of the committee who would have preferred that many of these programs be reduced even further. Therefore, Mr. Chairman, I am supporting this bill as it now stands. I think, in view of all the strong opinions that there were on both sides of this issue, that it is a reasonable compromise.

Now there are two things, Mr. Chairman, that I would like to spend a few more minutes discussing. The first of these is in connection with the health programs that have recently been started by the Office of Economic Opportunity.

This country can be proud of the achievements of two distinguished American scientists who were chosen last week for the Nobel prize in medicine. You know, Mr. Chairman, of the support this Congress has given to medical research, and the international recognition our physicians and scientists have brought to this Nation. The tragedy is that so many of the poor among our people have yet to profit from modern medical knowledge; that the medical services we have learned so well how to give, fail to reach them.

Before the war on poverty began 2 years ago, we did not know that 70 percent of the teenage boys and girls who would come to our Job Corps centers would not have seen a doctor for several years; that 90 percent of them would never have seen a dentist; that they would be, on average, 10 pounds underweight.

We did not know that they would require, on average, 27 visits to the center medical facility each year, often because of a health deficit they brought with them to the Job Corps camp. Nor did we know that better than one-third of them would require eyeglasses because of visual defects never before detected.

We did not know that every single Job Corpsman would require either medical, dental, or psychiatric care at some point during his training, nor did we know that the health of many would be so severely impaired at the time of their application that more than 6 percent would have to be turned down for medical reasons. The cost of treating their illness or incapacity would be too great for the job training program to support.

And even for those who are admitted to the Job Corps, we have learned that two out of every three corpsmen would have to spend an average of 4 days hospitalized or in the infirmary each year.

How could we have known that 35 percent of the preschool children in poverty entering Headstart programs around the country would never have seen a doctor and that more than 75 percent of them would never have seen a dentist?

And yet today in a country proud of its medical achievements, we face the possibility that this Congress will cut back the funds for the programs that are bringing the poor of our country the health services, the legal services, the educational opportunities that for so long have been beyond their reach.

How can we reconcile this with our conscience, Mr. Chairman, when we know that untreated illness of mind and body is a fact of life to the millions who are poor: that men and women with incomes of less than $2,000 a year suffer heart disease at a rate 4 times greater than the rest of us; that they suffer mental illness, retardation, and nervous disorders at a rate 6 times greater than the rest of us; and that they have serious visual impairment 10 times more commonly than those more fortunate of our citizens?

This prevalence of unattended disease and illness directly affects the economic status of these people, and by so doing perpetuates the vicious cycle of poverty in their lives.

For the poor who are fortunate enough to be employed, almost one-third of them carry such chronic conditions of illness that severe limitations are placed upon their ability to work. That is true of only 8 percent of the more fortunate of our citizens. No matter how many days we may lose from work because of sickness, that figure is double for the poor—who do not have the benefit of salary, sick leave, or a work environment which will tolerate their absence.

What is this environment of illness and suffering that the average American cannot even begin to comprehend? Why is it that sheer poverty is considered by some authorities to be the third leading cause of death in our cities? Why are the killer diseases of the poor still tuberculosis, influenza, and pneumonia—diseases that we who are fortunate have not suffered for a generation?

Let me place before you, Mr. Chairman, the answer given by Dr. Alonzo Yerby, former commissioner of hospitals of the city of New York, who told the White House Conference on Health last November:

> The pervasive stigma of charity permeates our arrangements for health care for the disadvantaged, and whether the program is based upon the private practice of medicine or upon public or non-profit clinics and hospitals, it tends to be piecemeal, poorly supervised, and uncoordinated * * *.
>
> In most of our large cities, the hospital out-patient department, together with the emergency room, provide the basic sources of care for the poor. Today's out-patient departments still retain some of the attributes of their predecessors, the 18th century free dispensaries. They are crowded, uncomfortable, lacking in concern for human dignity and to make it worse, no longer free.

Dr. Yerby continues:

> To these unhappy circumstances has been added a steady proliferation of specialty clinics so that it is not uncommon for a hospital to boast of 30 or more separate clinics meeting at different hours, five or six days a week. The chronically ill older patient who frequently suffers from several disease conditions, or poor families with several small children are seen in several clinics which frequently meet on different days. Even if the clinical record is excellent and readily available, it is difficult, if not impossible, for any one physician to know the patient as a person and to coordinate his care.

Dr. Yerby concluded his eloquent address with a call for action which cannot be ignored. He said that America must learn to organize its health system in such a way that all Americans, regardless of income, will have "equal access to health services as good as we can make them, and that the poor will no longer be forced to barter their dignity for their health."

The war on poverty through its neighborhood health centers, through its Headstart programs, and through its Job Corps centers, is bringing to the poor of this country—and especially to their young—the services that have missed them for so long. And we are just now learning the terrible toll in sickness and poor health the inaccessibility of these services to them has caused.

Mr. Chairman, I sincerely hope this bill will not be cut. I am aware that all of us in this Chamber would like to go back home and tell the people that we are saving their money. It sounds good and our constituency is impressed.

It is true that it may appear as if we are saving some money if we cut these funds for the war on poverty. But should we not also tell our constituents of the much higher price they will continue to pay for the sickness, deformity, and delinquency produced by such false economy? Should we not also tell them of the terrible toll of suffering and disease the poor will continue to pay for our neglect?

Let us be proud today of the achievements of our medical science. Let us not put off till tomorrow the millions of our people who still await its blessings for themselves and their children.

Now, Mr. Chairman, the other subject I would like to take a little time to discuss are the guidelines established by the Office of Education with regard to the civil rights law.

Mr. Chairman, the very able Commissioner of Education, Mr. Harold Howe II, has been at the center of much controversy recently over the issues of segregation and racial imbalance in the Nation's public schools. Because of the fact that these issues are of such importance to all of us in this House, members of my subcommittee and I questioned Mr. Howe closely on these points when he appeared before us last week to testify on behalf of the appropriations we are now considering. On the basis of his appearance and of a careful study of the record of the Office of Education in these areas, I am satisfied that the Commissioner is acting within the limits of the law with regard to assuring nondiscrimination in federally assisted programs and that he is not now compelling school districts to bus students to overcome racial imbalance and has no intention of doing so in the future.

Let us be perfectly clear about what title VI and the Office of Education's guidelines require. Title VI itself requires that no person will be discriminated against on the basis of race, color, or national origin in any program or activity receiving Federal financial assistance. Legal school segregation is clearly a form of discrimination which was declared unconstitutional by the Supreme Court in 1954.

The Office of Education guidelines on title VI are intended to help school districts implement title VI's central objective. The initial guidelines, issued in April of 1965, required school districts to desegregate at least four grades in the fall of 1965, and all grades by the fall of 1967. School faculties had to be desegregated, but, during the first year, only minimum steps, such as holding desegregated staff meetings, were required. School systems were permitted to undertake desegregation in a variety of ways, including attendance zone plans and freedom of choice plans.

Revisions of the guidelines issued in March of 1966 among other things spelled out next steps for faculty desegregation and established a general formula for measuring progress being made by school districts toward eliminating a dual system of schools. These two provisions have caused a great deal of the controversy, and I would like to turn to them briefly and examine what they do and do not require.

With regard to faculty desegregation, the guidelines do not require every school to establish a biracial faculty this school year. They do not establish a fixed formula for the numbers of white and Negro teachers in each school in a school system. They do not tell school administrators whom they may hire and whom they may fire. They require only that school personnel decisions be made without regard to the race, color, or national origin of the children to be taught, including the correction of past discriminations. And I might add that recent Federal court decisions have also required such nondiscriminatory assignments of faculty.

With regard to measuring progress toward desegregation, we must be equally clear about what is required and what is not. The law and the courts have placed clear responsibility for eliminating a dual system of schools on school authorities. The 1966 guidelines set forth certain enrollment percentages in order to give school authorities some standard for measuring their progress toward desegregation and to give the Commissioner of Education some indication as to whether a desegregation plan is actually working or not. Failure to meet suggested percentages does not mean that procedures to cut off assistance will automatically be instituted. Such failure is merely a signal for both the Office of Education and local education agency to take a closer look at the actual operation of the plan in order to assure themselves progress is being made.

There have been complaints, I know, that the Office of Education has been too forceful in its implementation of these guidelines and that its personnel have lacked diplomacy in their dealing with local school officials. There have also been complaints that the Office of Education guidelines do not go far enough or fast enough.

There is probably some truth on both sides.

On the basis of what I know of Commissioner Howe and Secretary Gardner, both personally and by reputation, I am convinced that they are honest, forthright public servants who have sworn to uphold the law as enacted by the Congress and are doing so to the best of their considerable abilities. We may in this House have differences of opinion on how they have gone about their legal task, but their integrity and character are unimpeachable, and I want to commend them for the leadership they have shown in this very difficult area of public policy implementation.

The Commissioner of Education has consistently taken the position that the elimination of racial imbalance is a matter for decision by local education agencies. Title IV of the Civil Rights Act specifically excludes the overcoming of racial imbalance from legal action by the Attorney General. Commissioner Howe has always supported this law and has never taken the position that the Federal Government should compel school districts to correct racial imbalance.

Commissioner Howe has repeatedly stated that nothing in the law, the Office of Education's regulations, nor their guidelines, requires any school system to bus schoolchildren to overcome racial imbalance. When Commissioner Howe was questioned on this subject during our hearings on this bill he stated:

> Again, let me say this kind of thing is done completely at local option and is in no sense required or forced by us in any way, nor would we want to be in that position.

Later in the same hearing he stated:

> As far as busing is concerned, the guidelines do not require busing. The only busing mentioned in the guidelines is busing which gives to Negro pupils the same rights that white pupils have to go to the schools which they have chosen under a free choice plan. If a local school district is operating a free choice plan, then presumably the youngsters in the district have completely free choice as to where they will go to school, and when they elect to go to a certain place, the district has an obligation to give them a ride on the bus. But there is no requirement in the guidelines that particular numbers of pupils be picked up and taken to particular schools to establish any form of racial balance or imbalance.

He also further stated in these hearings:

> It seems to me that there is just no substance to these arguments about busing or about racial imbalance. It is interesting to note that whenever these arguments are made, no specific situations are ever cited to support them. They are made in the general sense rather than the specific sense, and where we have had them made occasionally on a specific basis, I think we have been able to demonstrate to the parties involved that what is commonly meant by busing and what is commonly meant by racial balancing were not our intention under the guidelines.

These are all direct quotes from Commissioner Howe, the head of the Office of Education.

Mr. Chairman, I have raised these matters because I am concerned that in the heat of emotion we have lost sight of our primary goal: improvement of the quality of education available to all American children. That is the purpose of the legislation whose appropriations we are now considering.

I hope that we can proceed with consideration of these appropriations, pass them, and let the very able Mr. Howe and the Office of Education return their full energies to the vast educational task before us.

The CHAIRMAN. If there are no further requests for time, the Clerk will read.

The Clerk read as follows:

CHAPTER I—DEPARTMENT OF AGRICULTURE

Related agencies

Farm Credit Administration

Revolving fund

Limitation on administrative expenses

Not to exceed an additional amount of $39,000 (from assessments collected from Farm Credit agencies) shall be available during the current fiscal year for administrative expenses.

AMENDMENT OFFERED BY MR. LIPSCOMB

Mr. **LIPSCOMB**. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LIPSCOMB: On page 2, after line 10, insert:

"CHAPTER II—DEPARTMENT OF DEFENSE

"*Military personnel*

"Military Personnel, Army

"For an additional amount for 'Military personnel, Army,' $265,000,000.

"Military Personnel, Navy

"For an additional amount for 'Military personnel, Navy,' $84,000,000.

"Military Personnel, Marine Corps

"For an additional amount for 'Military personnel, Marine Corps,' $31,000,000.

"Military Personnel, Air Force

"For an additional amount for 'Military personnel, Air Force,' $189,000,000."

And renumber the succeeding chapter and section numbers accordingly.

Mr. **LIPSCOMB**. Mr. Chairman, it is well known that the Department of Defense Appropriation Act for fiscal year 1967 for over $58 billion, which was signed by the President on October 16, is not adequate to finance the high level of combat operations in Vietnam and to support our Nation's other worldwide commitments. Substantial additional funds are needed, and the estimates run upward to $15 billion and perhaps more. The Secretary of Defense has said he cannot give a figure at this time because he does not know exactly how much to calculate it costs to support our war efforts in Vietnam. It is my belief that the Secretary of Defense should have submitted a supplemental request for our military before this time so that this Congress could act.

This amendment covers money for our military personnel that is well known, and represents a need that we can handle at this time.

Mr. Chairman, on July 19 of this year the House of Representatives passed H.R. 15941, the Department of Defense Appropriation Act.

The amounts which I have included in this amendment were in the Defense appropriations bill as approved by the Committee on Appropriations and passed by this House of Representatives.

However, Mr. Chairman, the other body did not include these personnel funds which are included in this amendment, and they were left out of the bill signed by the President.

In the Appropriation Committee report, No. 1652, at page 5 thereof, accompanying the Department of Defense appropriation bill, the committee said the following:

> When the budget for fiscal year 1967 was submitted to Congress in January, it was estimated that the total military personnel strength on June 30, 1966, would be 2,987,300. In the intervening 5 months military manpower has been increased at a more rapid rate and it is now estimated that our military manpower will total 3,095,700 at that time, an increase of 108,400. The committee recommends an appropriation of $569 million above the Budget estimate for the pay and allowances of additional personnel. The assumption is made that no manpower reductions will take place during the fiscal year and that funds will be required for at least this many personnel for the entire period.

It is better than 10 months since the President submitted his budget to the Congress, and the need for military personnel funds is even greater than it was when we passed the original Appropriation Act.

Mr. Chairman, there is no reason why Congress should not appropriate these funds now to at least more adequately finance military personnel for the present fiscal year.

There is no reason why the Secretary of Defense should be required or permitted to borrow funds and use other statutory authority in order to make ends meet to support the war effort in Vietnam.

Mr. Chairman, this amendment, will add $569 million—exactly the same amount that the House had previously placed into the Appropriation Act—to support military personnel, already on duty, over the estimated strength as of July 1, 1966.

In my opinion this would represent a responsible action by the House of Representatives and a timely action.

Mr. Chairman, I respectfully request the Committee of the Whole House on the State of the Union to support this amendment.

Mr. MAHON. Mr. Chairman, I rise in opposition to the amendment which has been offered by the ranking minority member on the Defense Subcommittee of the Committee on Appropriations, the gentleman from California [Mr. LIPSCOMB].

Mr. Chairman, it is true, as the gentleman from California pointed out, that the defense appropriation bill, as it passed the House of Representatives earlier in the year, did include that $569 million for the pay of additional military personnel who were on duty at the beginning of the fiscal year.

Mr. Chairman, the other body struck those funds from the bill on the ground that they had not been budgeted, and on the further ground that there were sufficient funds available to pay all military personnel until sometime next year.

So, Mr. Chairman, we, in conference, yielded to the position of the other body, after some discussion, and we brought the matter back to the House. The House has already acted upon the gentleman's amendment in this sense, that the House, in agreeing to the conference report, voted not to go $569 million above the budget for the purpose of providing for the pay of the additional military personnel at this time.

The other body took the position, which is logical, that the Executive should assume the responsibility of placing the required funds in the budget when they are urgently needed, and take the responsibility for the action which is proposed by the gentleman from California.

As has already been mentioned, in appropriation bills passed by the House thus far, including this bill, the House is $260 million below the President's budget. I think the Members would like to close out the session below the President's budget in the appropriation bills rather than above it, and this amendment would put us above the President's budget.

I want to say in all fairness to the gentleman from California that he does not have an illogical position. There is no argument over the requirement for the necessary funds at a future time. And it would be perfectly all right to put the funds in the bill at this time if we had a budget estimate. But these are not the only additional funds which will be required by the Defense Department before the end of this fiscal year. For example, we raised the pay of military personnel, and there is no money in any of the bills passed the House to fund the pay raises. A similar situation exists with respect to civilian personnel in the Defense Department. Nor are there funds provided in the various appropriation bills for the pay increases for the other agencies of the Government. What the Executive has done in previous years, and is doing this year, is to ask the departments to squeeze expenditures wherever they can and try to reduce the sums required for the pay raises to the lowest possible level.

So it does seem to me that it is unnecessary to approve this additional money at this time.

Further, it seems to me that when a large request for funds for the Department of Defense is presented to the Congress next year, the country and the Congress will gain a more dramatic picture of the tremendous cost of the war, and the sacrifices which must be made will be emphasized.

So I hope that the gentleman's amendment will be defeated.

Mr. LIPSCOMB. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from California.

Mr. LIPSCOMB. Mr. Chairman, I appreciate the distinguished chairman yielding to me.

The gentleman is not saying that because the administration refused to accept the responsibility of adequately financing the defense efforts in Vietnam, or to support our worldwide commitments, that Congress should not recognize its responsibility and adequately support these efforts with funds?

Mr. MAHON. I would say that the gentleman is correct. I am not taking that position. I am taking the position that we must adequately finance the war. It is somewhat of a technical matter, as to whether or not we provide the additional funds required for this fiscal year at this time, or at the next session. If we provided the $569 million proposed in the gentleman's amendment at this time, we would be taking action to more adequately finance the war, but the funds already enacted will adequately finance the war until early next year. The funds proposed in the gentleman's amendment would not increase or decrease our capability to fight the war.

Perhaps the gentleman's amendment would make more clear to some what the costs of the war are. But since we have said time and time again that a supplemental request of very large proportions will be required next year, of which this will be a part, all of those who read the record know that no one, either in the Congress or in the executive branch, claims that additional funds will not be required. It is simply a matter of procedure.

I personally would have preferred that we had more completely funded the Department of Defense, but that is purely a matter of opinion. The procedure that has been followed will not affect the conduct of the war in any way, shape, or form.

Mr. LIPSCOMB. But it is a fact that our military personnel accounts are underfunded at this point. And it is a fact that we have not appropriated any money for pay increases that we voted in this House. And it is a fact, is it not, that we will have to act immediately in January or else some of our personnel funds will be in serious difficulty?

Mr. MAHON. I do not think we would have to enact a bill immediately. I think probably we would have to enact a supplemental defense appropriation bill by April of next year.

It is true that additional funds will be required but the timing of the requests is merely a matter of procedure. Under the circumstances, I think it would be better if we could get this whole picture of defense costs before us next year in a supplemental bill and thus have a better opportunity to evaluate the overall situation and to find out what the problems are.

Mr. Chairman, I hope that the amendment is defeated.

The CHAIRMAN. The time of the gentleman has expired.

Mr. JONAS. Mr. Chairman, I move to strike out the last two words.

I will not take the entire 5 minutes, but I do want to take a few minutes to say that I am not going to vote for the Lipscomb amendment, because I think we all ought to face the fact that it is the primary responsibility of the President of the United States to send a budget up here which will take care of these requirements. He has obviously not done so.

This is an example of how to make a travesty of the fiscal operation of the Government. Here we are engaged in the third most serious war in our history, and it is admitted by both sides in this debate that the President's budget underfunds the military requirements to prosecute that war.

We might as well go to a calendar year basis. Is this going to be the precedent for the future? Will some future President wanting to make a pretense of holding a budget down, submit a budget that will cover only half of the fiscal year? What kind of a way of doing business is that? This is not a good way to operate a government.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I am glad to yield to the gentleman.

Mr. MAHON. I believe there has been ample precedent for this sort of financing. As the gentleman knows, earlier this year we had a large Defense supplement for the same purpose for which we will have one next year, and that is to provide additional funds when the picture is a little clearer as to what exactly the requirements will be.

Of course, if through some happy circumstances, the war should be brought to a conclusion, we would not be required to do that. It has been the practice for many, many years that you do not fund a pay raise for example, until you come to a supplemental early in the session following its enactment. That was true surely of the Eisenhower administration, and I believe in other administrations. The point is to wait until any offsetting savings can be discovered before bringing in a supplemental for that purpose.

Mr. JONAS. That is what we are being asked to do right now. We have before us today for consideration the end of the year supplemental bill. This is the last supplemental that will be considered before the Congress adjourns. I do not remember, and my memory may not be accurate, but I do not remember a time since I have been on this committee that any President has divided up the fiscal year into segments and sent up a budget that covers only half of the year and declines at the invitation of the committee to fully fund on a fiscal year basis the known military obligations of the Government.

I think what this means is that they are hoping some miracle will happen. And I am, too. But, if that should happen, they would not have to spend the money. Even if we appropriate it and the war should come to an end, they would not have to spend it. What this means is that they are undertaking to fund the operation of this war on a month-to-month basis, and that something may happen between now and the time that we come back. I do not think we ought to defer these decisions when the requirements are well known. We are closing up the books for this year and you cannot keep any accurate records when only part of known requirements are funded in one calendar year and Congress is allowed to adjourn when it is well known that the war effort is underfunded substantially.

Mr. MAHON. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I am glad to yield to the distinguished gentleman from Texas.

Mr. MAHON. The gentleman will recall, of course, that we are not underfunding the Department of Defense in the sense that the Department of Defense is being deprived of large sums of money. For this fiscal year for all purposes, the committed and uncommitted funds available to the Department of Defense will be—without a supplemental which is expected next spring—in excess of $100 billion.

That is a very, very large amount.

Mr. JONAS. I would say most respectfully to my distinguished Chairman that we ought to make them spend that money, then, before we appropriate additional money. But they are borrowing right now from Peter to pay Paul. All the funds that are surplus and unexpended have been appropriated for a specific purpose. They are not standing out there alone as an emergency fund that can be shuffled back and forth.

Mr. BATES. Mr. Chairman, will the gentleman yield?

Mr. JONAS. I am glad to yield to the gentleman from Massachusetts.

Mr. BATES. As a member of the House Armed Services Committee, I wish to say that it has been distressing to me to observe the way in which the war in Vietnam has been funded. Within the last year and a half we have had about 6 or 7 individual requests to fund the war. We cannot operate on a clear basis in this manner.

As the gentleman has said, it has been on a hand-to-mouth basis. In fact, only a year and a half ago the Department of Defense stretched out the production of helicopters from a 2- to a 3-year period, and today we are short of them.

In addition to this hand-to-mouth funding, we have had considerable reprograming where we have borrowed from other funds to take care of unbudgeted needs.

The CHAIRMAN. The time of the gentleman has expired.

The question is on agreeing to the amendment of the gentleman from California [Mr. LIPSCOMB].

The amendment was rejected.

AMENDMENT OFFERED BY MR. LIPSCOMB

Mr. LIPSCOMB. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. LIPSCOMB: On page 2, after line 10 insert:

"CHAPTER II

"DEPARTMENT OF DEFENSE

"Procurement

"Procurement of Aircraft and Missiles, Navy

"For an additional amount for 'Procurement of aircraft and missiles, Navy,' $431,000,000, to remain available until expended.", and renumber the succeeding chapter and section numbers accordingly.

Mr. MAHON. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state the point of order.

Mr. MAHON. The point of order is that the Committee on Appropriations operates under authorizing legislation, which we often refer to as "412," providing annual authorization for the procurement of aircraft, ships, missiles, and so forth. The House Armed Services Committee has not reported, and Congress has not authorized these additional funds, this $431 million for the procurement of additional aircraft.

So I make the point of order against the amendment on the grounds that it would exceed the authorization. I would withhold the point of order if the gentleman wishes to discuss the amendment, but I must insist upon the point of order.

The CHAIRMAN. Does the gentleman from California wish to be heard on the point of order?

Mr. LIPSCOMB. I do, Mr. Chairman.

Mr. Chairman, on September 22, Secretary McNamara announced that he was going to reprogram additional funds for fighter aircraft and fighter-bomber aircraft in the amount of $700 million. Subsequently he sent to the Congress, to the appropriate committees, a reprograming action. He sent one to the Armed Services Committee and one to the Subcommittee on Defense of the House Appropriations Committee. He did the same to the other body.

It is my understanding that the House Armed Services Committee gave approval to the reprograming request. To my knowledge, the House Subcommittee on Defense Appropriations also approved the reprograming action.

The rule which we are now operating under on this bill waives points of order. This amendment is in the same position as other items in the appropriation bill which we are now considering; namely, funds for the poverty program and funds for the education program. Neither of those are authorized, and still we are acting upon them.

I believe that the amendment is in order.

The CHAIRMAN. May the Chair inquire of the gentleman from California: Is it correct, as stated by the gentleman from Texas, the chairman of the committee, that the $431 million referred to in the amendment has not been authorized by legislation adopted by the Congress?

Mr. LIPSCOMB. The gentleman from Texas is entirely correct. The amount was not authorized in a regular bill. However, it has been approved through a reprograming action by the House Armed Services Committee and also the House Appropriations Committee—reprograming actions, as such, do not come to the floor of the House of Representatives for action.

The CHAIRMAN. Does the gentleman from Texas wish to be heard further?

Mr. MAHON. Mr. Chairman, I should like to be heard further on the amendment.

The total authorization for procurement of aircraft and missiles, Navy, is $1,801,900,000. That is the authorization.

The appropriations thus far made by this Congress are $1,789,900,000. If we add to the $1,789,900,000 the amount here under discussion—$431 million—we would go far above the authorized amount for procurement of aircraft and missiles, Navy.

It is true that we are operating under a rule waiving points of order, but the rule waived points of order only with respect to the content of the bill, not with respect to amendments.

Clearly it seems to me that this amendment is subject to a point of order.

The CHAIRMAN (Mr. O'HARA of Michigan). The Chair is prepared to rule.

The gentleman from Texas has stated the content of the resolution providing for the consideration of the bill before the Committee of the Whole correctly. The resolution waives points of order against the bill but it does not waive points of order against amendments to the bill.

Inasmuch as there seems to be agreement between the gentleman from Texas and the gentleman from California that the funds contained in the amendment are not authorized by legislation enacted into law, the point of order is sustained.

The Clerk will read.

The Clerk read as follows:

CHAPTER II—FOREIGN OPERATIONS

Export-Import Bank of Washington

Limitation on Operating Expenses

In addition to the amount heretofore made available for operating expenses, not to exceed $600,000,000 shall be available for such expenses from funds available to the Export-Import Bank, and an additional amount of $945,000,000 shall be available from amounts herein and heretofore provided for equipment and services loans.

Mr. MINSHALL. Mr. Chairman, I make the point of order that a quorum is not present.

The CHAIRMAN. The Chair will count.

Sixty-five Members are present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 372]

Abernethy
Adair
Adams
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Arends
Ashbrook
Aspinall
Ayres
Baring
Barrett
Belcher
Berry
Betts
Blatnik
Bolling
Brock
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Broyhill, Va.
Callaway
Carter
Chelf
Clawson, Del
Clevenger
Colmer
Cooley

Corman
Craley
Cramer
Daddario
Davis, Ga.
Dent
Denton
Derwinski
Devine
Dickinson
Diggs
Dingell
Duncan, Oreg.
Dyal
Edwards, Ala.
Edwards, La.
Evans, Colo.
Evins, Tenn.
Farnum
Fino
Fisher
Flynt
Foley
Fulton, Tenn.
Fuqua
Gallagher
Gilligan
Goodell
Gray
Green, Oreg.
Greigg
Gross
Hagan, Ga.
Hanna
Hansen, Idaho
Hansen, Iowa
Harvey, Ind.
Harvey, Mich.
Hawkins
Hébert
Helstoski
Hicks
Howard
Hungate
Huot
Jacobs
Jennings
Jones, N.C.
King, Utah
Kirwan
Kornegay
Laird
Long, La.
Love
McCarthy
McDowell
McMillan
McVicker
Mackay
Mackie
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Meeds
Michel
Miller
Moeller
Morrison
Moss
Multer
Murray
Nedzi
Nix
O'Brien
O'Konski
Olsen, Mont.
Ottinger
Pike
Pirnie
Pool
Powell
Pucinski
Purcell
Randall
Reinecke
Resnick
Rivers, Alaska
Roberts
Robison
Rogers, Tex.
Roncalio
Roudebush
Roush
Scheuer
Schisler
Schmidhauser
Senner
Shipley
Sickles
Sisk
Skubitz
Smith, Calif.
Smith, N.Y.
Stafford
Stanton
Steed
Stephens
Stratton
Stubblefield
Sullivan
Sweeney
Taylor
Teague, Tex.
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Tupper
Udall
Ullman
Walker, Miss.
Watkins
White, Idaho
Widnall
Wilson, Bob
Wolff

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. O'HARA of Michigan, Chairman of the Committee of the Whole House on the State of Union, reported that that Committee, having had under consideration the bill H.R. 18381, and finding itself without a quorum, he had directed the roll to be called, when 266 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting.

The CHAIRMAN. When the Committee rose, the Clerk had read through line 20 on page 2.

AMENDMENTS OFFERED BY MR. LIPSCOMB

Mr. LIPSCOMB. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

> Amendment offered by Mr. LIPSCOMB: On page 2, strike out lines 11 through 20.

Mr. LIPSCOMB. Mr. Chairman, I have another amendment which pertains to the same matter. I ask unanimous consent that the amendments may be considered en bloc.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

Mr. MAHON. Mr. Chairman, reserving the right to object, we do not know what the other amendment is.

Mr. LIPSCOMB. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield to the gentleman from California.

Mr. LIPSCOMB. Because of the situation, I would recommend deleting the entire chapter II. The first amendment, which has been read, would delete lines 11 through 20 on page 2, and the next amendment would delete lines 1 through 5 on page 3, to delete the entire chapter II.

Mr. MAHON. Mr. Chairman, I withdraw my reservation.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

The CHAIRMAN. The Clerk will report the second amendment offered by the gentleman from California.

The Clerk read as follows:

> Amendment offered by Mr. LIPSCOMB: On page 3, strike out lines 1 through 5 and renumber the succeeding chapters and section numbers accordingly.

Mr. LIPSCOMB. Mr. Chairman, these amendments would delete the entire chapter II of this bill, which authorizes additional resources of $600 million for the operating expenses of the Export-Import Bank. It also would delete $128,000 for administrative expenses.

According to the committee report which accompanied this bill, these additional resources are required for a higher level of lending activity for exports of traditional equipment and services, aircraft, and military goods. The report also says that, in addition, the Bank has recently initiated a new program of loans to commercial banks for export financing.

If the Members of the House will look at the hearings which have been published in regard to the supplemental bill, they will find there are no hearings available on the request for the Export-Import Bank which indicate the new programs being set up by the Export-Import Bank or why they are going into a higher level of lending activity. However, recent public announcements may give some indication as to the increased activity which may be contemplated by the Export-Import Bank, and this is the basis on which I offer these amendments.

On October 7, the President, when addressing the National Conference of Editorial Writers, announced some new steps in his drive to seek economic and cultural relations with the Communist states. The President at that time said:

> We will reduce export controls on East-West trade with respect to hundreds of nonstrategic items.

He also said:

> I have today signed a determination that will allow the Export-Import Bank to guarantee commercial credits to four additional Eastern European countries—Poland, Hungary, Bulgaria and Czechoslovakia. * * *
>
> The Export-Import Bank is prepared to finance American exports for the Soviet-Italian Fiat auto plant.

That is what the President said.

On March 24, 1966, when Mr. Harold F. Linder, President and Chairman of the Board of the Export-Import Bank, testified before the Subcommittee on Foreign Operations Appropriations in behalf of a $922,121,000 increase for fiscal year 1967 over 1966, he said at that time, and I quote from this testimony in March:

> We are requesting a limitation this period of $2,108,241,000, which amount includes, I should point out, a sum of $595 million for emergency credits. The other restriction provides that the Bank will not guarantee or otherwise participate in extending credits to Communist countries unless the President determines it to be in the national interest for the Bank to do so. The Bank has kept the Congress and this committee advised of the few guarantees and credits it has granted under the Presidential finding of national interest. There have been no credits or guarantees extended to the Soviet Union, Bulgaria, or Czechoslovakia.

Now, it certainly looks at this time, in view of the President's announcement and in view of this bill which is before the House today, that a great change has come about. Because of the lack of hearings and the lack of the Congress in not being able to know what we are raising this limitation for, there is good reason to delete the request for an additional limitation of $600 million in this bill. It is late in the session. The Congress should have time to look at this program and to know better what is going on in the Export-Import Bank. Three months of fiscal year 1967 have already gone by. As I mentioned previously, the committee in their regular appropriation bill increased the Export-Import Bank limitation by over $922 million. The President's announcement about weakening controls generally on sales to the Communists and to finance the highly suspect trade through the Export-Import Bank represents a serious new policy which is cause for concern. The Congress should have a chance to look into this matter.

The CHAIRMAN. The time of the gentleman from California has expired.

Mr. HALL. Mr. Chairman, I ask unanimous consent that the gentleman from California [Mr. LIPSCOMB] may proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Chairman, would the gentleman yield at that point?

Mr. LIPSCOMB. I yield to the gentleman from Missouri.

Mr. HALL. Do I understand the gentleman from California, a member of the Committee on Appropriations, to say that in view of the President's message, in the interests of international diplomacy, I am sure, that we are going to increase our loans and business with the Communist nations through the Export-Import Bank, authorizing the making of loans to these four Communist countries, Czechoslovakia, Bulgaria, Rumania, and Poland?

Mr. LIPSCOMB. According to the President's announcement in his speech before the National Conference of Editorial Writers, he said:

> I have today signed a determination that will allow the Export-Import Bank to guarantee commercial credits to four additional eastern European countries, Poland, Hungary, Bulgaria, and Czechoslovakia.

Mr. HALL. Would the gentleman not agree with me that this is in direct contravention of the stated will of the Congress on many occasions in this area in the past?

Mr. LIPSCOMB. It has been my understanding that this is so, but under the law the President can make such a determination in the operation of the Export-Import Bank, and he has done so previously for Yugoslavia and Rumania.

Mr. HALL. Does he have to notify Congress or make a determination that it is in the best interests of the Republic before so doing?

Mr. LIPSCOMB. I understand that the Export-Import Bank has been notifying the Congress and the Committee on Appropriations when the President so makes a determination.

Mr. HALL. Mr. Chairman, I simply wish to state further that I am unalterably opposed to such operations or loans, as our men are dying overseas and I support the amendment which has been offered by the gentleman from California [Mr. LIPSCOMB].

Mr. Chairman, one final question:

I understood the gentleman to say that a loan is being made to the Fiat Company and I wonder if the gentleman can state the amount of the loan which is to be made by the Export-Import Bank?

Mr. LIPSCOMB. Mr. Chairman, in a national magazine, published just recently there is an article to the effect that "hush-hush deals" had been going on between the Department of Commerce and the Department of State with the Italian Fiat Auto Co. to obtain an Export-Import Bank loan with which to finance a Soviet-Italian Fiat auto plant in the Soviet Union.

Mr. Chairman, I have no concrete evidence that any such deal has gone through at this time. But there has been so much information in the press and other places that I believe such a deal either has been or is about to be consummated, and the President referred to it in his speech made on October 7 at that time he said:

> The Export-Import Bank is prepared to finance American exports for the Soviet-Italian Fiat auto plant.

So, I have every reason to believe that with the weakening of export controls this will go through and, therefore, I believe that Congress should take action on this amendment, and wait until we have some congressional determination as to how much trading with the Soviets and other Communists countries that our Nation should do before we start granting long- or short-term loans.

Mr. RHODES of Arizona. Mr. Chairman, will the gentleman yield?

Mr. LIPSCOMB. I am delighted to yield to the gentleman from Arizona.

Mr. RHODES of Arizona. Mr. Chairman, if I understood the gentleman correctly, this is going to be a loan to an Italian concern with which to build a factory in the U.S.S.R.

Is there any additional question involved? Is there any indication that additional goods or products will be financed by this loan?

Mr. LIPSCOMB. It is reported that American manufacturers will sell to the Italian Fiat Co. the machine tools and other machinery that is necessary and then the Italian Fiat Co. will build a plant in the Soviet Union.

In effect, there will be American materials and techniques that will be "putting the Russians on wheels." The loan would go, I would assume, to the Italian Fiat Co. with which to purchase this equipment.

Mr. RHODES of Arizona. Mr. Chairman, if the gentleman will yield further, it seems to me that this represents a very radical departure from the procedure and the policies of the Export-Import Bank.

As I view it as a former member of the Foreign Operations Subcommittee for some 6 years, this is my opinion.

Mr. LIPSCOMB. I thank the gentleman from Arizona.

Mr. Chairman, the Congress should have the opportunity to look into this carefully in order to determine whether our Nation should finance goods, to Communist countries, which are helping to support North Vietnam.

We should not increase the additional resources to the Export-Import Bank, until we have heard and ascertained more about it.

The CHAIRMAN. The time of the gentleman from California has again expired.

Mr. LIPSCOMB. Mr. Chairman, I ask unanimous consent to proceed for 1 additional minute.

The CHAIRMAN. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. LIPSCOMB. The Export-Import Bank received in the regular appropriation bill an increase for fiscal year 1967 of $922,121,000.

The action that I am asking the House to take through the adoption of this amendment today will not retard their program one bit and, if necessary, we can come back when we have the Defense supplemental under consideration in January and insert the necessary language for the Export-Import Bank at that time.

I respectfully ask the House to consider this amendment and let us find out what the Export-Import Bank is going to do in the way of financing the buildup of the military potential of the Communist bloc countries before we grant them more resources.

Mr. Chairman, the announcement by the administration to greatly increase exports of U.S. goods and technology to the Communists of the Soviet Union and Eastern Europe is a matter of great concern to all Americans.

That is the administration's policy even though the Communists of the Soviet Union and Eastern Europe are openly and directly increasing the military effectiveness of North Vietnam.

That is the administration's policy even while Americans are increasingly giving their lives and money in war against a Communist regime.

That is the administration's policy even though the Communist Party of the Soviet Union has publicly stated its great need for U.S. technology in order to build a Communist society and even though the present membership of the House has proclaimed that the Government of the Soviet Union is depriving fundamental human rights to people who live within that Communist society.

As I discussed with the House yesterday, I believe the administration's position on Red trade is a tragic error. My statement appears beginning on page 27154 of the October 17 CONGRESSIONAL RECORD.

For the information of the House, I am submitting for inclusion in the RECORD a copy of letters I have written to the President and to the Secretary of Defense on this subject:

OCTOBER 13, 1966.

The PRESIDENT,
The White House,
Washington, D.C.

MY DEAR MR. PRESIDENT: Newspapers report that a formidable antiaircraft defense system has been developed during the past year in North Vietnam with the bulk of the equipment being supplied by the Soviet Union.

These reports state: that the number of operational antiaircraft missile sites has increased by more than 600 percent; that the number of conventional antiaircraft guns (37 mm, 57 mm, 85 mm, 100 mm) has increased by 333 percent; that there are said to be more radar sets per square mile in North Vietnam than there are in Eastern Europe; that the number of MIG aircraft has increased to about 100; that almost 400 American aircraft have been shot down by Communist weapons; that the antiaircraft defense provides an umbrella under which lethal military weapons flow southward to be used by Communists in killing Americans and our Allies in South Vietnam; and that just since January 1 of this year over 26,000 Americans alone have been killed or wounded by Communists.

The U.S. Defense Department has information concerning aid to North Vietnam. In a letter of October 7, 1966 from the Office of the Secretary of Defense I was advised that reports indicate that during 1965 and early 1966 ". . . up to $500,000,000 in [military] equipment has been delivered from the USSR alone." In the letter I was also advised that "The flow of both economic and military aid into North Vietnam has continued, and perhaps increased, in volume during 1966."

According to Commerce Department figures available to me, the Communists of the Soviet Union and Eastern Europe—the same Communists who are supplying the weapons and equipment which are killing American soldiers, sailors, and airmen in Vietnam—have, this year, increased their purchases of American technology and American commodities. I am enclosing only a partial list of commodities and technical data which the Commerce Department has authorized for shipment to the Communists during seven months of this year.

The text of your October 7 remarks to the National Conference of Editorial Writers in New York City include the following:

"We do not intend to let our differences on Vietnam or elsewhere prevent us from exploring all opportunities. We want the Soviet Union and the nations of Eastern Europe to know that we and our allies shall go step by step with them as far as they are willing to advance.

"Let us—both Americans and Europeans—intensify our efforts.

"We seek healthy economic and cultural relations with the Communist states.

"I am asking for early congressional action on the U.S.-Soviet Consular Agreement.

"We intend to press for legislative authority to negotiate trade agreements which could extend most-favored-nation tariff treatment to European Communist states.

"And I am today announcing these new steps:

"We will reduce export controls on East-West trade with respect to hundreds of nonstrategic items;

"I have today signed a determination that will allow the Export-Import Bank to guarantee commercial credits to four additional Eastern European countries—Poland, Hungary, Bulgaria and Czechoslovakia. This is good business. And it will help us build bridges to Eastern Europe."

In light of the above I respectfully ask two questions:

1. Do you not see any relationship between the Communist military potential and the commodities and technology which is sent from America to the Communists?

2. When you speak to the relatives of Americans who have been killed and maimed by weapons, equipment, and ammunition which was supplied by the Communists to whom we export our products and technology, how do you explain the Administration's trade-with-Communists policy?

Respectfully yours,

GLENARD P. LIPSCOMB,
Member of Congress.

OCTOBER 14, 1966.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
Department of Defense,
Washington, D.C.

DEAR MR. SECRETARY: I am writing about a matter which directly affects the security of the United States.

For a number of years I have been concerned with the quantity, quality, and type of American products and know-how that the Communists of the Soviet Union and Eastern Europe have been able to purchase. The enclosed lists will indicate to you the kinds of technical data, prototypes, and commodities for which export licenses have been issued this year by the Department of Commerce authorizing shipment to the U.S.S.R. and East European nations.

I believe the average American citizen recognizes the relationship between advanced technology and its actual and potential benefits to the Communist economy and to the Communist military machine.

Certainly the Communist Party leaders recognize their need for our technology. Mr. Bulganin in 1955 said:

"When the Party Central Committee emphasizes the great importance of introducing advanced technology into our national economy, it bases itself on the fact that the struggle for technical progress in our country is the struggle for the building of a Communist society."

Mr. Kosygin in 1965 said:

"In thoroughly developing our country's machine building, we must make wider use of the achievements of foreign technology."

The American citizen can visualize that the American technology and goods shipped in previous years to the Communists of the U.S.S.R. and Eastern Europe in all likelihood may be used directly and indirectly in the weapons of war which those same Communists have supplied to North Vietnam.

They can visualize some of the components which make up the Soviet supplied equipment which is killing and maiming the American fighting man in Vietnam: the diesel generators, the capacitors, the transistors, the electrical cables, the switches, the lubricants, the fuels, the metals, the plastics, the chemicals in the explosive. All of those items and more are found in the jet aircraft; the efficient network of radar sets; the missiles and conventional anti-aircraft weapons; the trucks; and the myriad of other military aid which has been supplied to North Vietnam by the Soviet and Eastern European Communists.

The Department of Defense has informed me that during 1965 and 1966 ". . . up to $500,000,000 in [military] equipment has been delivered from the USSR alone." I was also told that "The flow of both economic and military aid into North Vietnam has continued, and perhaps increased, in volume during 1966."

The American citizen knows that under the canopy of the formidable North Vietnam air defense network a lethal supply of Communist weapons and ammunition flows southward to be used against Americans and our allies in South Vietnam.

The President on October 7 announced the reductions on export controls on East-West trade. This will include, according to the announcement, American exports of automotive manufacturing machinery for a factory the Fiat Company of Italy has agreed to construct in the Soviet Union.

There is no question that the export of American precision automotive building machinery to the USSR would have a significant impact on the Soviet economy and its overall economic, and hence military, strength.

I therefore call on the Department of Defense to oppose vigorously the proposed issuance of any licenses to authorize shipment from the United States of automotive manufacturing equipment for the factory Fiat has agreed to construct in the USSR.

Also, I urge the Department of Defense to vigorously oppose any other proposed exports which would have a significant impact toward strengthening the economic bases of the USSR and Eastern Europe Communist countries.

Sincerely yours,

GLENARD P. LIPSCOMB,
Member of Congress.

Mr. PASSMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent to proceed for 5 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. PASSMAN. Mr. Chairman, it would be easier to defend sin than to attempt to defend anything that has to do with Russia or any Communist country. If I thought for one moment that the Export-Import Bank would approve a loan of even $1 to the Soviet Union I would enthusiastically support the gentleman's amendment.

May I say, in response to the gentleman's statement, that we had no subcommittee hearings on the $600 million request. We did discuss this supplemental estimate during the markup on the regular foreign aid bill. The President of the Export-Import Bank had advised me prior to that date that they would need an additional $1.25 billion. Almost daily we expected the President's request to reach the Congress for action. We even had to redraft our committee report and delete the proposed increase of $1.25 billion when the supplemental budget estimate was not forthcoming and we were ready to report the foreign aid bill. If I am not mistaken, there was no opposition during the markup, from any subcommittee member. At the same time we marked up the regular bill, we also discussed the $128,000 for additional administrative expenses. And I repeat, I do not recall that there was any opposition to either increase.

Let me say, Mr. Chairman, that I was informed today by officials of the Export-Import Bank that they have never made any type of loan to the Soviet Union. I am also informed by the Export-Import Bank officials that there is no—and I repeat—no application pending from the Instituto Mobiliare Italiano, the Italian financial institution, that usually handles much of the financial affairs of the Fiat automobile corporation.

Regardless of any individual personal feelings some of us may have about selling commodities to the Soviet Union, we must face up to the fact that manufacturers and exporters in America are exporting some type of commodities to the Soviet Union almost daily. That has been true since the end of World War II. These exporters accept either dollars or gold in return.

It is contemplated that the Fiat Corp. of Italy will erect a substantial automobile plant in the Soviet Union, which is valued at approximately $600 million. It will purchase from the United States machinery and equipment for that plant valued at $50 million. The equipment and machinery is available in France, the United Kingdom, West Germany, and other European countries if Fiat chooses to buy there.

The question is: Does the United States desire to sell to the Italian firm $50 million of the $600 million, or do we wish to let the entire sale go to our competitors in Europe?

May I again remind you that U.S. manufacturers and exporters are selling Russia U.S. commodities every day.

Incidentally, the total sales of U.S. commodities to the Soviet Union, the last complete year I have, which is 1964, amounted to $144,553,000. There are some 1,200 items manufactured in America being exported to the Soviet Union annually.

As I stated in the beginning, and I repeat that statement, if I thought that the Export-Import Bank would approve a loan to the Soviet Union, then I would support the gentleman's amendment. But I have been assured by the Export-Import Bank, and I have a letter in my possession, that states that if a loan should be made, it will be made to a financial institution in Italy that the Export-Import Bank has been doing business with for many, many years. They have made them many, many loans, and all of these loans have been repaid, many of them some years in advance of the due date.

Mr. Chairman, may I state for the benefit of the Members, that the original, contemplated estimate—and we have a copy of the letter in the committee's files—was indicated to be an increase of $1.25 billion.

The reduced request, which is in the bill before us, is for $600 million. Under the gentleman's amendment the entire $600 million appropriation would be deleted from the bill on the premise that at some subsequent date there might be an application for a $50 million loan from this financial institution in Italy.

May I also say that the gentleman's amendment would not in any way, shape, manner, or form prevent the Export-Import Bank from approving this possible $50 million loan to the Italian financial institution from funds already approved for the Bank by the foreign assistance appropriation bill for fiscal year 1967.

I want to assure the gentleman from California that I appreciate his alertness. I know he is trying, as all of us are trying, to prevent loans of any type to the Soviet Union.

But the gentleman's amendment, if I may repeat, will strike the entire $600 million just in case, at some subsequent date, there could be an application for a $50 million loan for the Italian financial firm.

Mr. LIPSCOMB. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman.

Mr. LIPSCOMB. Just so that this point will be clear, it is not only the Soviet Union that I am talking about, it is Czechoslovakia, Hungary, Poland, and Bulgaria. Those are the countries that are included in the President's determination.

Mr. PASSMAN. Of course, I cannot speak authoritatively about the President's determination. But I do have to deal with the official agency, and I want to assure the gentleman that so far as I know there has been no loan application even considered for the other Communist countries.

I want to repeat if I may that I wholeheartedly support the gentleman's amendment.

If I had any idea that at any subsequent date there would be a loan approved for the Soviet Union, notwithstanding the fact that the Joint Chiefs of Staff including the chairman, General Wheeler, think that this would be a very excellent idea to get the Soviet Union to use some of its financial resources for peaceful pursuits and manufacturing items that would go into the civilian economy of Russia, rather than spending all of their resources arming themselves, which I think it is a very good point, then I would support the gentleman's amendment.

Mrs. BOLTON. Mr. Chairman, will the gentleman yield for just one question?

Mr. PASSMAN. I am happy to yield to the gentlewoman from Ohio.

Mrs. BOLTON. I tried to find out this morning in committee and I ask the gentleman who it is that advises the President in all of these decisions that he makes about other countries?

Mr. PASSMAN. If I may say so, and I am being a little humorous, the President does not take those things up with me. I have no idea as to who advises him on these matters. I have to go by the official record. I do appreciate the contribution of the gentlewoman.

Mrs. BOLTON. I think it would be the wise thing to do to find out who does advise him.

Mr. PASSMAN. Mr. Chairman, I have a letter dated October 17, 1966, signed by Walter C. Sauer, First Vice President and Vice Chairman of the Export-Import Bank of Washington, which reads as follows:

> This is in reply to your request for information as to the proposed financing by Export-Import Bank of United States exports for the Soviet-Italian Fiat auto plant to which the President referred in his speech on October 7, 1966.
>
> Let me make clear at the outset that any financing Eximbank may undertake in connection with this plant will be in the form of a loan to Istituto Mobiliare Italiano (IMI), an Italian financial institution, for the benefit of Fiat, S.P.A., an Italian corporation. The Bank will not be extending credit to or in any way dealing with the Soviet Government or any of its entities.
>
> The facts as of this time are these. Since 1947, the Export-Import Bank has extended credits of some $650 million to IMI for financing U.S. exports, including credits aggregating about $50 million for the use of Fiat. Parenthetically, I might say that all of these credits have been repaid; many of them some years before they were due.

I repeat, "Parenthetically, I might say that all of these credits have been repaid; many of them some years before they were due."

The purpose of the Export-Import Bank, of course, is to make loans so that U.S. exporters may sell our commodities to countries overseas. They have a marvelous record to date. It is the one institution in the field of foreign assistance—and I do insist that it is foreign assistance, because if you do not give cash but do extend credit, that is assistance in my book—that has a good record. It is operated by good bankers, and they have made a tremendous profit, not only for the exporters and manufacturers of America, but they have also made a very handsome profit on the amount of interest that they have collected and returned to the U.S. Treasury.

It is a conservative organization. They have also asked for a very small increase of $128,000 in their administrative expenses. I did not hesitate to recomend it, and I am of the opinion that the subcommittee also approved this request unanimously.

May I say to the distinguished minority member of the committee that at the time the subcommittee approved the proposed $1,025 million request which was anticipated, and the $128,000 in administrative expenses, that we had no information as to the Fiat loan that we have been referring to today.

Mr. SHRIVER. Mr. Chairman, I ask unanimous consent that the gentleman from Louisiana may be permitted to proceed for an additional 2 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Kansas? The Chair hears none, and the gentleman from Louisiana is recognized for 2 minutes.

Mr. SHRIVER. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I am happy to yield to the gentleman from Kansas.

Mr. SHRIVER. At the time that this request for an extension of the limitation came before the subcommittee recently, you discussed the matter with me. Did you have any idea that involved was further dealing with a Communist country?

Mr. PASSMAN. No. As I said a moment ago, at the time the subcommittee tentatively approved this request for an increase in the operating-expense limitation of $1,025 million, we had no knowledge of the possible Fiat loan that we have referred to today. If I thought for a moment that there was any loan pending for the Soviet Union, I would support the amendment. But what we are proposing to do here is to knock out the $600 million because at some subsequent date the Bank may have an application for a loan of $50 million to the Fiat Corp.

Mr. SHRIVER. If the purpose of the loan is for use in the Soviet Union, what is the difference if the loan is made to an Italian company or directly to Russia? What is the difference?

Mr. PASSMAN. I say to the gentleman that if you start trying to trace all commodities—whether they be sardines, drugs, or machinery—as to their ultimate destination, it would take at least a million people to police it. This is an effort to sell U.S. commodities and, as far as I am concerned, you will be making the loan to an Italian financial institution. We have been dealing with them for many, many years. It is a proposed $600 million transaction, and we are only going to be privileged to make a loan of $50 million if they decide to make an application for it.

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. PASSMAN. I yield to the gentleman from Michigan.

Mr. CEDERBERG. The gentleman knows that the Appropriations Committee has always been concerned about back-door financing. This is nothing more than back-door financing to Russia through an Italian concern.

Mr. PASSMAN. The gentleman is entitled to his personal opinion. I hope the amendment is voted down.

Mr. CHAMBERLAIN. Mr. Chairman, I move to strike the requisite number of words.

The CHAIRMAN. The gentleman from Michigan is recognized for 5 minutes.

Mr. CONTE. Mr. Chairman, will the gentleman yield to me?

Mr. CHAMBERLAIN. I am pleased to yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I would like to compliment the gentleman from Louisiana, not only on the position that he has taken today but on the consistent position he has taken all year supporting foreign aid. It is a real eye-opener to me. For 8 years I have been battling the gentleman from Louisiana on this question of foreign aid.

I find the gentleman on my side, punching and fighting against all cuts this year, going down the line on foreign aid.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. CONTE. I do not have control of the time.

Mr. CHAMBERLAIN. I yield to the gentleman from Louisiana, briefly.

Mr. PASSMAN. May I say to the distinguished gentleman from Massachusetts, I, too, majored in sarcasm and made straight A's.

Mr. CHAMBERLAIN. Mr. Chairman, I asked for this time to commend our colleague from California for offering this amendment, for the study he has given to this problem and for calling it to the attention of the House.

Particularly I would commend the gentleman for including in yesterday's RECORD, on page 27154, a further discussion of this same problem, with which I feel every Member of the House should familiarize himself.

I say that this is no time to add another $600 million to this bill. It is only 3 weeks before the election and many Members have gone home. A question of great moment has been raised. We will be back here again in 2 or 3 months. This is a matter which should be discussed then.

We are about to make a radical change in our policy. This should have the closest scrutiny of the Members of the Congress and should not be summarily treated in the 11th hour, when we all have our bags packed ready to go home.

Again I commend the gentleman from California for offering the amendments.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. CHAMBERLAIN. I yield briefly.

Mr. PASSMAN. We are not making a dollar appropriation here as such. We are recommending an increase in the Bank's borrowing authority from the Treasury.

Mr. LIPSCOMB. Mr. Chairman, will the gentleman yield?

Mr. CHAMBERLAIN. I yield to the gentleman from California.

Mr. LIPSCOMB. I find it very interesting that the gentleman from Louisiana mentions this, because if Members will check the hearings on the regular appropriation bill they will find he made a very important point, with which I agree. No matter what you call it, it still comes out of the taxpayers' money.

Mr. PASSMAN. I still agree that this is foreign assistance. As far as I am concerned, I should like to see the Export-Import Bank operate on an annual appropriation basis like other Federal agencies, but it was not created on that basis.

Mr. LIPSCOMB. Mr. Chairman, if the gentleman will yield further, in no way does my amendment imply that I do not appreciate the efforts of the Export-Import Bank or the efficient way in which they have operated. My amendments go to the root of financing Communist countries, where they are building up their economic and military capacity.

This also goes to the root of helping and supporting countries who are fighting against our policy and supplying our enemy in North Vietnam.

It seems absolutely ridiculous.

Mr. PASSMAN. Mr. Chairman, if the gentleman will yield, the amendment would not in any way, shape, or fashion preclude the Export-Import Bank from approving a $50 million loan application if it should be filed.

May I also assure the gentleman from Michigan as well as the gentleman from California that we will question the Bank officials very thoroughly. I am of the opinion that we will go into what their future plans may be with respect to this type of loan, which may be, directly or indirectly, of benefit to Communist countries.

As I said earlier, if they want to make the proposed loan they can still do so. The amendment does not preclude this loan, if the application should be filed, because the Bank has funds available to it that have already been approved in the regular foreign aid appropriation bill which was signed by the President only 3 days ago.

Mr. LIPSCOMB. Mr. Chairman, will the gentleman yield?

Mr. CHAMBERLAIN. I yield to the gentleman from California.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

(By unanimous consent, Mr. CHAMBERLAIN was allowed to proceed for 2 additional minutes.)

Mr. LIPSCOMB. If the Export-Import Bank has enough borrowing capacity now to take on new programs, dealing with Communist nations, along with the other programs they now have, they certainly have too many resources and too much borrowing authority at the present time. So that is all the more reason to support this amendment.

Mr. PASSMAN. Would the gentleman yield for an explanation?

Mr. CHAMBERLAIN. I am sorry, but I feel I have to decline to yield further. I have been rather generous, I think, and I am sure the gentleman will be able to get his own time.

Mr. PASSMAN. Mr. Chairman, I ask unanimous consent that the gentleman from Michigan [Mr. CHAMBERLAIN] may proceed for 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. CHAMBERLAIN. I will yield to my colleague from Louisiana.

Mr. PASSMAN. Do you realize that it may take almost 30 months from the date a loan application is received from one of these borrowing countries before it is approved. The increase in limitation would in all probability finance the sale of aircraft to friendly countries. We did not get into too much detail in our hearings, but I do have the correspondence, which you may check, which shows that in all probability it will be used for equipment and for aircraft. I am familiar with some of the negotiations where they would be selling the new passenger aircraft versions, not military, to some of the friendly countries of the world.

Mr. LIPSCOMB. Mr. Chairman, will the gentleman yield?

Mr. CHAMBERLAIN. I yield to the gentleman, but I will say to my colleague from California that this is the last time I am going to yield.

Mr. LIPSCOMB. If the gentleman from Louisiana would have had hearings published so that the Members of the House could read them, they would know better what he has in mind. As you know, as chairman of the Subcommittee on Foreign Operations, you raised the Export-Import Bank $922 million just recently. The hearings you are talking about apply to that increase.

Mr. PASSMAN. We are trying to shift from a giveaway aid program to a hard-dollar loan program. We have been working on it for years. If your amendment passes, you will go back to the old grant program. That is what I am trying to stop.

Mr. LIPSCOMB. If the gentleman will yield further, I am not in favor of giving aid or assistance to any Communist country now supporting the effort of the North Vietnamese against our soldiers.

Mr. PASSMAN. I support the gentleman's view on that point 100 percent. However, I would say that no European country is supporting the North Vietnamese either with men or equipment.

Mr. CHAMBERLAIN. Mr. Chairman, in his speech in New York City on October 7, before the International Conference of Editorial Writers, the President is reported to have said with reference to encouraging increased trade with Eastern European countries:

> I have today signed a determination that will allow the Export-Import Bank to guarantee commercial credits to four additional Eastern European countries—Poland, Hungary, Bulgaria, and Czechoslovakia. This is good business. And it will help us build bridges to Eastern Europe.

I question that this is good business as the President claims. I question that the citizens of the Sixth District of Michigan would think this is good business. And, Mr. Chairman, I question whether the American people are going to think that this is good business. It would be mighty hard for me to explain to those I am honored to represent why I voted to make our taxpayers' funds available to provide credits to Communist countries that are supporting Ho Chi Minh and North Vietnam, and, you too, my colleagues, who support the legislation will find it difficult to explain why funds from the U.S. Treasury should be used to strengthen communism.

Mr. Chairman, in conclusion I should say we should be very careful that anything we do today will not strengthen any country that might conceivably be giving aid or assistance in any form to the aggressors in Vietnam. A most serious question has been raised, and I am not at all satisfied with the explanations we have had. I think this should be deferred in order that it can be studied with the greatest of care when the 90th Congress convenes in January.

The CHAIRMAN. The question is on the amendments offered by the gentleman from California [Mr. LIPSCOMB].

The question was taken; and on a division (demanded by Mr. BOW) there were—ayes 32, noes 70.

So the amendments were rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

CHAPTER III—INDEPENDENT OFFICES

Veterans' Administration

General Operating Expenses

For an additional amount for "General operating expenses", $19,320,000.

Mr. GUBSER. Mr. Chairman, I move to strike the last word.

Mr. Chairman, I was shocked, to put it mildly, to learn that the Veterans' Administrator, Mr. Driver, had not appeared before the Subcommittee on Independent Offices of the Committee on Appropriations to request supplementary funds for the purpose of relieving the tremendous nurse shortage in the Veterans'

Administration hospitals in the western part of the United States.

Mr. Chairman, in order to build a record, preliminary to what I hope will be a concerted effort to take care of this in January, and certainly it is urgent that we do take care of it, I would like to relate some background. Recently we have had negotiations between the nursing profession in the San Francisco Bay area and the hospitals which have led to 22-percent salary increases for nurses in private hospitals.

Mr. Chairman, at the same time, junior grade nurses entering into the Veterans' Administration receive only $5,867 a year. That is not even $500 a month for a registered nurse.

And, Mr. Chairman, what is the result? Nurses are leaving your Veterans' Administration hospitals by the dozens each day, and we are about to close a ward in the Palo Alto Veterans' Administration Hospital simply because we cannot obtain nurses.

Now, Mr. Chairman, I wrote to the Veterans' Administration Administrator, Mr. Driver, and I pointed these facts out to him. He wrote back as follows:

> We have adopted a policy to permit the setting of pay rates above the minimum for the grade in certain localities. These will be areas where the prevailing pay in non-Federal hospitals is significantly higher than ours and is determined to handicap our ability to hire or retain employees.

Now, Mr. Chairman, what do the nurses say? I quote just one phrase of a telegram which I have received:

> Even were maximum use made of these emergency guidelines our staff's fair and reasonable requirements would be less than halfway satisfied.

Mr. Chairman, let me reiterate: We have taken emergency measures to pay partially the increased cost of hiring nurses in the San Francisco Bay area which met half of the requirements, while the Veterans' Administrator has not even discussed or talked to the Appropriations Committee about it.

Mr. Chairman, what is wrong?

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. GUBSER. I yield to my distinguished colleague, the gentleman from California [Mr. YOUNGER].

Mr. YOUNGER. Mr. Chairman, I thank my colleague, the gentleman from California [Mr. GUBSER], for yielding. Both of us have veterans' hospitals located in the areas which it is our honor to represent. We not only receive letters constantly from the nurses serving in those hospitals, but we receive letters of criticism from nurses serving in regular hospitals, criticizing the Federal Government for not reaching the maximum that the other hospitals in the area are now paying.

Mr. Chairman, I wish to join with the gentleman from California [Mr. GUBSER] in severe criticism of the action which has been taken, not only by the Veterans' Administration, but by the administration itself, in not requesting these funds.

Mr. GUBSER. I thank the gentleman from California.

Mr. JONAS. Mr. Chairman, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman from North Carolina.

Mr. JONAS. Mr. Chairman, the gentleman from California is correct in a great portion of his statement.

However, Mr. Driver did appear before the committee personally, and testified in support of the items now contained in the bill.

Mr. Chairman, there was no budget request for funds for this purpose and Mr. Driver or none of his associates who appeared before the committee discussed that subject at all. There were no requests for funds and none are included herein.

Mr. GUBSER. Mr. Chairman, I yield to the gentlewoman from Ohio [Mrs. BOLTON].

Mrs. BOLTON. Mr. Chairman, I wonder if the House appreciates the fact that we have a shortage of bedside nurses in this country of around some 80,000—largely because of the attitude of the hierarchy in the nursing profession, who now say that a nurse has to be a Ph. D. or a doctor, or something of that kind.

Plain, good, old-fashioned nurses are not being produced.

Now, I am all for the nurses receiving adequate wages, my colleagues, very much so, because the nurses are behind, although in some areas of the country everyone is saying that they cannot pay for nursing services. All right, one cannot pay $30, $40, or $50 a day, which they say it is in many places, but why in the world cannot we in this House find some method by which this 80,000 shortage in nurses could be filled? We need nurses.

Mr. GUBSER. Mr. Chairman, I conclude by saying that this Congress is most generous in handing out 103 supergrade positions to the poverty program with salaries up to $25,000 a year. Yet our registered nurses, who have life and death within their hands, who go to college for 4 years, and most of whom receive a bachelor of science degree and who are highly skilled must start work for the Veterans' Administration at $5,867 per year—less than $500 per month. I think that it is an absolute disgrace, and I call upon the Committee on Appropriations to do something about this matter in January, pay these nurses what they deserve, and stop this situation where nurses are leaving the veterans' hospitals in droves to go to better paying positions in private hospitals.

Mr. COHELAN. Mr. Chairman, will the gentleman yield?

Mr. GUBSER. I yield to the gentleman.

Mr. COHELAN. Mr. Chairman, I want to thank the gentleman for bringing this matter to the attention of the House. This is an important question and it deserves attention. It also requires some straightforward and sobering answers.

Where do you find nurses today?

You find nurses just about anywhere—but wherever they are, there are not enough. There are not enough in hospitals and clinics, in doctors' offices and schools, or in the Armed Forces. There are not enough in industry or in research, and there are not enough nurse teachers to instruct the students who might help fill this tremendous shortage. "Nurse shortage" is a phrase which is echoing throughout the Nation today, and Federal statisticians have pointed out that the situation will become worse before it improves.

We are not the first persons to note that there is a dreadful shortage of nurses, and we will not be the last. It is no longer particularly newsworthy or sage to point out that nurses are in short supply. We can all continue to wring our hands and point our fingers and overlook a very obvious fact—that the shortage of nurses is an old, old problem.

Mr. Chairman, I am tired of—and I am sure the American public is tired of—self-contained and self-righteous statements about the shortage of nurses. I think that the health consumers of this country are entitled to some straightforward information—and by that I do not mean headline statements about a shortfall of 125,000 nurses or that 521,000 nurses are currently practicing while there are actually over a million nurses in the United States today.

These are some of the facts:

No matter what way you look at it, there is no such thing as an "instant nurse." Recruitment, good education, a commitment to quality nursing care, proper utilization of nursing personnel, economic and working conditions to attract and hold nurses—all these, and more, are involved in the process of bringing nurses into the Nation's health care facilities. Without all the right ingredients, the individual produced may be a very nice person to have around the hospital—but she will not be a nurse.

There are many who are looking for shortcuts to increase the nurse supply. I am not speaking of legitimate methods to increase educational facilities or of well-planned refresher courses or of stepped-up recruitment. These are the kinds of thoughtful, well-planned measures which must be intensified.

When I say "shortcuts," I am thinking of ill-advised plans and suggestions which can only shortchange the nursing practitioner and the consumer of health care. These shortcuts would dilute nursing education in time and quality. They would demand less in the qualifications of a professional nurse. This individual, with less than adequate preparation, would be placed in the health field and called a nurse. But the fact is, we are short of real nurses, not substitutes or poor copies of qualified professional nurses.

Legislators and the public alike must come to a full comprehension of the total situation which has created and continues to contribute to the nurse shortage. Once the total situation is understood, perhaps then we can get on with the business of filling the needs. Perhaps then we will no longer hear "nurse shortage" and "quick solution" spoken in the same breadth.

If there were a quick solution for the nurse shortage, Mr. Chairman, it would have been implemented 10 years ago, 20 years ago, or even 50. It was the same problem then. It is just that a nation of health-care consumers has suddenly come face to face with an old, old problem.

Today there is a new national attitude toward health care that has brought on a sense of urgency. Medicare and a wealth of progressive health legislation has made all of us aware of health manpower needs—and especially of the need for nurses.

But we should not shortchange the future of health care by sacrificing the quality we have come to expect from our professional nurses. In fact, we should demand that these women be better trained and better paid in order to meet the increasing demands which are being placed on them. Only by going in this direction will we be able to increase the quantity and quality.

Mr. MAHON. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman is recognized for 5 minutes.

Mr. MAHON. Mr. Chairman, I am sure that all Members of Congress want to see nurses adequately paid. Of course, the Committee on Appropriations in an appropriation bill cannot set nurses pay rates in the VA hospitals. This is done by basic law. If legislation is required along that line I am sure the appropriate committee will support the legislation. It is my understanding, however, that the Veterans' Administration may raise the beginning rates several steps in the pay scale where this is necessary to be competitive in a locality. This may provide some relief in the situation mentioned here.

I might add that we provided all the funds requested for these purposes when we considered the regular bill.

The Clerk concluded the reading of the bill.

AMENDMENT OFFERED BY MR. MAHON

Mr. MAHON. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. MAHON: On page 15, lines 8, 9, and 10, strike out the following: "the Public Works Appropriation Act, 1967; the Department of Defense Appropriation Act, 1967;".

The CHAIRMAN. The Chair recognizes the gentleman from Texas [Mr. MAHON].

Mr. MAHON. Mr. Chairman, I am sure there will be no objection to this amendment. Since this bill was prepared and reported, the President has signed the public works appropriation bill and the Department of Defense appropriation bill. Therefore, we do not need any validating language for the funds provided in those two bills, and I have offered the amendment to strike out the unnecessary language.

Mr. BOW. Mr. Chairman, we have no objection to the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas [Mr. MAHON].

The amendment was agreed to.

AMENDMENT OFFERED BY MR. BOW

Mr. BOW. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BOW: On page 16 after line 8, add a new section as follows:

"SEC. 803. Not later than 120 days after the date of enactment of this Act, appropriations herein and heretofore made for personal services (but not including those for Department of Defense military functions, the Post Office Department, and the Selective Service System) shall, as the President shall determine, be reduced by not less than $70,000,000 through the reduction, below the number otherwise authorized under appropriations herein and heretofore made, of not less than 10,000 full-time permanent civilian Federal employees."

Mr. MAHON. Mr. Chairman, I make a point of order against the amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MAHON. Mr. Chairman, I make a point of order against the amendment on the ground that the amendment goes beyond the scope of this bill. It applies to funds that are contained in other legislation and to funds that are made available by previous law.

The amendment is not restricted to this bill.

I raise the further point, Mr. Chairman, that the gentleman's amendment would require additional duties of the President, and for that reason is subject to the point of order that it is legislation on an appropriation bill.

The CHAIRMAN. Does the gentleman from Ohio [Mr. BOW] desire to be heard on the point of order?

Mr. BOW. Yes, I do; Mr. Chairman.

Mr. Chairman, I believe that this amendment is germane under the Holman rule, and I would like to discuss that with the Chairman.

The Holman rule permits legislation in a general appropriation bill if the legislation is germane and retrenches expenditures in any one of the following ways:

First. By reduction of the number and salary of the officers of the United States.

And I think it does that, Mr. Chairman.

Second. By the reduction of the compensation of any person paid out of the Treasury of the United States.

And, Mr. Chairman, I think it meets that requirement.

Third. By the reduction of amounts of money covered by the bill.

Mr. Chairman, this bill is a general appropriation bill which affects various agencies.

The amendment is germane since it also deals with and affects various appropriations of various agencies.

There can be no speculation or uncertainty about its reducing personnel because it will cut by 10,000 the full-time permanent employees of the Federal Government.

Additionally, it reduces appropriations in this bill and in existing legislation by $70 million, which also comes under the Holman rule.

I acknowledge that it deals with personnel and appropriations in other legislation as well as in this bill, but the whole subject matter is the reduction of personnel and the retrenchment of Federal expenditures. That follows the Holman rule.

On June 1, 1892, while in the Committee of the Whole and to an item appropriating $10,450,000 for free delivery service, an amendment was submitted striking out that sum and inserting "$10,449,000, to be disbursed in such manner," and so forth, the manner prescribed being a new provision of law. It was held that the amendment was germane; that while it changed existing law, it reduced the amount appropriated by the bill, and was therefore in order—pages 4909–4911 of the CONGRESSIONAL RECORD, of June 1, 1892. The decision of the Chair was appealed but, after full debate, his decision was sustained by the Committee of the Whole—CONGRESSIONAL RECORD, of June 1, 1892, page 4920.

Further, "Cannon's Precedents," volume VII, 1491, holds that an amendment reducing the number of Cavalry regiments from 15 to 10 is in order, for while the Chair cannot fix the amount of the reduction, that a reduction will follow seems to be a fair and necessary conclusion.

I particularly point this out to the Chair that "Cannon's Precedents," volume VII, 1511, holds that unlike a provision admitted as a limitation—and this is not a limitation—language admitted under the Holman rule is not restricted in its application to the pending bill.

This is a precedent of the House. It has been sustained by the House. Mr. Chairman, this amendment clearly qualifies under the Holman rule, and I urge that the point of order be overruled.

The CHAIRMAN. The Chair is prepared to rule. The amendment offered by the gentleman from Ohio provides that "provisions herein and heretofore made for personal services shall as the President shall determine be reduced by not less than $70 million through the reduction, below the number otherwise authorized under appropriations herein and heretofore made, of not less than 10,000 full-time permanent civilian Federal employees."

The amendment of the gentleman from Ohio would apply not only to funds carried in this bill but to funds heretofore appropriated by the Congress.

The Chair notes that the Holman rule, in clause 2 of rule 21, specifies that to fall within the exception provided by this rule, the amendment must be germane to the subject matter of the bill. The bill before the Committee provides supplemental appropriations for certain governmental activities—activities specified in this bill. The amendment goes much further than this, and with three exceptions would be applicable to all departments and agencies of the Government.

The citations brought to the attention of the Chair by the gentleman from Ohio—all of them, as far as the Chair can determined, involved appropriation bills that dealt with the activities of some department or agency of Government, and the amendments provided for limitations or retrenchments of activities carried in the bill, and were germane to the bill before the Committee.

The bill before the Committee, as the Chair indicated, provides supplemental appropriations just for certain governmental activities, and the gentleman's amendment goes beyond those activities and the point of order is therefore sustained.

AMENDMENT OFFERED BY MR. BOW

Mr. BOW. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Bow: On page 16 after line 3 add a new section as follows:

"SEC. 803. Notwithstanding any other provision, appropriations herein, as the President shall determine, shall, not later than 120 days after the date of enactment of this Act, be reduced in the aggregate by not less than $1,500,000,000 through substitution by reduction and transfer of funds previously appropriated for governmental activities that the President, within the aforementioned 120 days, shall have determined to be excess to the necessities of the services and objects for which appropriated."

Mr. MAHON. Mr. Chairman, I make a point of order against this amendment.

The CHAIRMAN. The gentleman will state his point of order.

Mr. MAHON. The point of order is that the amendment goes far beyond the scope of this bill and applies to funds made available by other laws for which appropriations are not provided in the pending measure.

I make the further point of order that the amendment would obviously impose additional duties on the President.

The CHAIRMAN. Does the gentleman from Ohio wish to be heard on the point of order?

Mr. BOW. Yes, I do wish to be heard, Mr. Chairman.

With respect to this amendment I shall not repeat the provisions of the Holman rule.

I believe we have changed the Holman rule today by making it relate to this bill. The previous precedents of the House have been it must not necessarily apply to this particular bill when there is a retrenchment, so we are making new precedents today.

This is a general appropriation bill affecting various agencies. Since the amendment also deals with and affects various appropriations of various agencies, it is germane.

Again, there can be no speculation as to its retrenching Federal expenditures because it reduces appropriations in this bill—in this bill by $1.5 billion and requires the President to fund activities in this bill from previously appropriated funds that are excess to the necessities of the services and objects for which appropriated.

I point out again that the Holman rule does not go along with the decision suggested by the distinguished chairman of the committee that additional duties are involved.

Under the Holman rule it is a question of retrenchment of expenditures.

The legislation in this amendment is not unrelated to the retrenchment of expenditures. Instead, it is directly instrumental in accomplishing the reduction of expenditures. Thus, the proposed retrenchment and the legislation are inseparable and must be considered together.

"Cannon's Precedents," in volume VII, 1550 and 1551, holds that an amendment may include such legislation as is directly instrumental in accomplishing the reduction of expenditures proposed. That is the precise situation with respect to this pending amendment.

Again I cite "Cannon's Precedents," volume VII, 1511, which holds that language admitted under the Holman rule is not restricted in its application to the pending bill, and to the June 1, 1892, decision, to which I referred before, of the Committee of the Whole and its Chairman, that an amendment was in order under the Holman rule even though it changed existing law.

I say, Mr. Chairman, I believe if this is held to be out of order we will be changing the precedents and the rules of the House, and we will be destroying the Holman rule.

I urge the Chair to overrule the point of order.

The CHAIRMAN (Mr. O'HARA of Michigan). The Chair is prepared to rule.

The amendment offered by the gentleman from Ohio specifies that appropriations herein, as the President shall determine, shall be reduced in the aggregate by not less than $1.5 billion. This reduction would be achieved by authorizing and directing the President to utilize previously appropriated funds for the activities carried in this bill.

The Chair feels that the amendment is clearly legislation. It places additional determinations and duties on the President and involves funds other than those carried in this bill.

Therefore, if the amendment were to be permitted it would have to qualify, as the gentleman has attempted to qualify it, under the Holman exception, under the Holman rule, rule XXI, clause 2.

In the opinion of the Chair, the Holman exception is inapplicable in this instance for three reasons.

First, the payment from a fund already appropriated of a sum which otherwise would be charged against the Treasury has been held not to be a retrenchment of expenditures under the Holman rule.

Chairman Hicks, of New York, ruled to the same effect when a proposition involving the Holman rule was before the House on January 26, 1921.

Second, it seems to the Chair that the language proposed by the gentleman from Ohio [Mr. BOW] authorizes the reappropriation of unexpended balances, a practice prohibited by clause 5 of rule XXI.

Third, the amendment goes to funds other than those carried in this bill and is not germane.

With respect to the latter point and the citation that has been given by the gentleman from Ohio, which is found in the precedents of the House, volume VII, 1511, the Chair will note that the proposition reduced the number of Army officers and provided the method by which the reduction should be accomplished. It was an amendment, as it appears in the citation, to a War Department appropriation bill and was therefore germane in spite of whatever the general proposition in the heading may have stated.

For the reasons given, the Chair will sustain the point of order made by the gentleman from Texas.

AMENDMENT OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FINDLEY: On page 16, after line 3, add the following:

"SEC. 803. None of the funds made available because of the provisions of this bill shall be used by the Export-Import bank to either guarantee the payment of any obligation hereafter incurred by any Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended) or any agency or national thereof, or in any other way to participate in the extension of credit to any such country, agency, or nation in connection with the purchase of any product by such country, agency or nation."

Mr. MAHON. Mr. Chairman, it appears, although I have not had an opportunity to examine a copy of the amendment submitted by the gentleman from Illinois, that the amendment is subject to the point of order that it is legislation on an appropriation bill and seemingly requires additional duties.

The CHAIRMAN. Does the gentleman from Illinois wish to be heard on the point of order?

Mr. FINDLEY. Mr. Chairman, this amendment is taken exactly from the language of an amendment which was part of an appropriation bill in 1963. I am sure many of the Members present today will recall the Christmas Eve session which did extend to that late date because of this amendment. The amendment itself does not impose any burdens, duties, or obligations on the President. It is simply an act of retrenchment and withholding and denial of funds for specific purposes. By virtue of the fact that no determination or duties are placed upon anyone as a result of this amendment, I feel it is in order today just as it was back in 1963.

The CHAIRMAN. The Chair is prepared to rule.

The Chair finds that the amendment offered by the gentleman from Illinois [Mr. FINDLEY] is in the nature of a limitation on an appropriation and does not, in the opinion of the Chair, impose extra burdens or administrative duties upon the administration in a way that would subject it to a point of order. Therefore, the Chair overrules the point of order.

The gentleman from Illinois is recognized for 3 minutes in support of his amendment.

The CHAIRMAN. The gentleman from Illinois [Mr. FINDLEY] is recognized for 5 minutes.

Mr. MAHON. Mr. Chairman, I ask unanimous consent that the amendment be read again. We would like to have the amendment read again in order to have a copy of it. We do not know what is contained in the amendment.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

> Amendment offered by Mr. FINDLEY: On page 16, after line 3, add the following:
>
> "SEC. 803. None of the funds made available because of the provisions of this bill shall be used by the Export-Import Bank to guarantee the payment of any hereinafter incurred by any Communist country as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended, or any agency or national thereof, or in any other way to participate in the acts of trade to any such country, agency or nation in connection with the purchase of any product by such country, agency or nation."

Mr. FINDLEY. Mr. Chairman, the bill now pending before us clearly provides additional funds for the Export-Import Bank. This is an institution owned entirely by the taxpayers of the United States, taxpayers who are also financing a very difficult costly and bloody struggle in Vietnam.

It is a fact well known to all Members of this body and to the Nation generally, that the Communist nations of Europe form a veritable arsenal to supply the Communist forces in North Vietnam.

I am sure that no Member of this body would wish to provide funds which might be used by the Export-Import Bank to provide additional resources to any of these nations whose activities work a hardship by providing guns and other supplies used against our fighting men in North Vietnam.

Mr. Chairman, the effect of this amendment will simply be to restrict the authority of the Export-Import Bank, which is not a private institution—not a private bank—from providing this form of aid to any Communist countries.

I hope that there will be no objection to this amendment.

And, I might say that language similar to this was sustained by a large majority in this body in 1963, and that occurred during a period when there was certainly a lower level of activity in Vietnam and when we were not so clearly and heavily at war as we are today.

If this House of Representatives had good reason to support a limitation at that time, it has even greater reason today.

We have sustained a heavy toll in Vietnam. And, apparently, this toll will continue.

It is very clear that petroleum products and all kinds of weapons are produced and shipped from these very same Communist countries, which under the broad existing authority of the Export-Import Bank, would have access to taxpayer-financed credit.

All of us are aware, I am sure, that when any person or any nation receives credit, that person or nation is enabled to do things he could not otherwise afford.

So, Mr. Chairman, to the extent that the Export-Import Bank does extend credit to any Communist nation which provides arms or other supplies to North Vietnam, to that extent that country is enabled to maintain a higher level of activity in that respect than otherwise would be the case.

Therefore, Mr. Chairman, I urge support of the amendment.

Mr. Chairman, I yield back the balance of my time.

Mr. PASSMAN. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I rise in opposition to the amendment, although in principle, as I stated earlier, I certainly support the amendment.

However, Mr. Chairman, the members of the subcommittee or the committee had no prior knowledge of the proposed amendment, or what the impact would be upon the financial operations of the Export-Import Bank.

Mr. Chairman, it may well be that the proposed amendment would ultimately prove to be a good amendment, especially if we had an opportunity to study it and to discuss it with the officials of the Export-Import Bank as to what the impact would be, what our present commitments are, and what undelivered commodities we have that may fall into this category.

Mr. Chairman, I can assure the gentleman from Illinois [Mr. FINDLEY] that we appreciate the amendment being offered.

The amendment indicates that we are against selling any commodities to the Soviet Union, or to any of its satellites, that would assist the enemy in North and South Vietnam. But I think that the committee has a record of being fair, and I believe we ought to have the opportunity to discuss this proposed amendment with the officials of Export-Import Bank before we adopt it and cripple the activities of the Bank.

So I trust that the gentleman's amendment will be voted down.

The CHAIRMAN. The time of the gentleman has expired.

Mr. RHODES of Arizona. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, lest there be any doubt in anybody's mind, this is the same amendment that was offered and which carried the House in 1963, which was knocked out in conference, which came back to the floor of the House, whereupon the House instructed the conferees to insist on the House position.

This was done twice, and the third time the House refused to instruct the conferees because it was 5 o'clock in the morning of Christmas Eve at that time.

The House has repeatedly expressed itself as being in favor of the proposition which is included in this amendment.

I think the memory of the gentleman from Louisiana will certainly revert to the time in 1963 when this language was thoroughly studied. We knew what it was going to do then, and we do now. I will say to him without any equivocation whatsoever that it will stop the Export-Import Bank from making loans to Czechoslovakia, Poland, and other countries which are identified as Communist countries, and so defined under the language referred to in this amendment.

There is no mystery here. This language has been well considered by the House.

I think every Member of the House, including the gentleman from Louisiana, knows exactly what it will do.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. RHODES of Arizona. I yield to the gentleman.

Mr. PASSMAN. Mr. Chairman, we never heard of possible loans to Yugoslavia, Czechoslovakia, and all these different countries. I wish that some of the able members of the committee had brought this matter to the attention of the chairman of the subcommittee so that he would have some knowledge of this amendment.

I have no prior knowledge of any proposed loans such as have been indicated. This is something that can catch us off base.

Mr. RHODES of Arizona. I understand that the gentleman from Louisiana, if I understood his earlier colloquy, was caught off base by the fact that there are actually loans planned to Communist countries by the Export-Import Bank. This information was not divulged to him in any hearings. I would say that we are not now trying to catch the gentleman off base, we are going to get him back on base, by telling the Export-Import Bank that it cannot make these loans until it comes to the gentleman's committee and makes a proper case for them. This can certainly be done in January. There could not be any emergency about these transactions.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield further?

Mr. RHODES of Arizona. I yield to the gentleman.

Mr. PASSMAN. Mr. Chairman, I can assure the gentleman that if he will not insist on this amendment, on which we do not have the background and the knowledge that we should have as to its full impact, that we will start hearings tomorrow morning at 10 o'clock and try to clear it up.

But I do not think that the gentleman should offer this amendment in the closing hours of this Congress that could have the effect of destroying the Export-Import Bank. I repeat that there have been no hearings held on it. But if the gentleman will not insist on his amendment we will begin hearings tomorrow morning at 10 o'clock, and find out what it is all about.

Mr. RHODES of Arizona. The matter of these loans certainly could go over until January; there is no urgency whatsoever that there be hearings on this tomorrow. However, I think that the Committee understands why no loans should be made by the Export-Import Bank of the American taxpayers' money to any Communist countries whatsoever.

There is no rush for hearings on this. All we are trying to do with this amendment is to take the heat off of the House, take the heat off the Committee, and to take the heat off of the gentleman from Louisiana so that he can deal with this in his deliberate wisdom, and he is a very wise Member of the House. He can go into this matter in January.

Mr. PASSMAN. Mr. Chairman, if the gentleman will yield further.

Mr. RHODES of Arizona. I yield.

Mr. PASSMAN. There is no heat on the gentleman from Louisiana. I have the courage of my convictions. I think this is a rather bad way to legislate—to come in at the closing hours of the session with an amendment that might close down this institution that has an excellent record as a financial institution for the financing of U.S. exports abroad. This amendment might destroy the one institution that every Member of this body has supported over the years.

Mr. RHODES of Arizona. It is well known that the Communist countries are now in Russia making agreements. Also I have here a newspaper clipping showing that Poland and North Vietnam on Monday, signed trade and economic assistance agreements.

These people are doing business with North Vietnam. I do not think I need to remind the House that North Vietnamese troops are shooting at American boys and shooting down American planes every day. Now, why should it be necessary to come before the House at this late hour and authorize funds which will go to make loans which may strengthen the country of North Vietnam? I do not think it is necessary. I think the amendment should be adopted.

Mr. SMITH of Iowa. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, let us look back to what happened in 1963 after we had defeated this same amendment. What happened was that we sold a lot of wheat to Russia and we got gold for it. They ate the wheat, but they no longer have the gold. They do not have that gold with which to buy munitions and strategic materials.

Mr. LIPSCOMB. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield.

Mr. LIPSCOMB. Some of the wheat that we sold to Russia was transshipped to another Communist country and it never even got to Russia.

Mr. SMITH of Iowa. There was an unauthorized mixup over there on $25 million worth but that was relatively just peanuts to what we are talking about here.

Mr. LIPSCOMB. But the gentleman will admit that it never got to Russia.

Mr. SMITH of Iowa. Mr. Chairman, I decline to yield further.

Mr. Chairman, this is an anti-American-businessman's amendment.

There is just so much wheat in the world. If we do not sell the wheat, then France or Canada or somebody else sells the wheat. Then we supply wheat to people that they would have been supplying wheat to.

That is exactly what happened in 1963 and 1964. There was so much wheat sold by Canada to those countries that our merchants picked up Canada's usual customers, including France.

When our businessmen and millers cannot sell the wheat directly, what happens is that some Canadian or other merchant will sell it. They can buy the wheat and touch base in Montreal and then go on.

Talk about American bottoms—they are not restricted to American bottoms on 50 percent or on any percentage. They can secure Japanese bottoms or any other bottoms entirely. They can load the wheat and touch base in Montreal, make a new invoice or bill of lading and then go on to wherever they want to go.

All this amendment would do is to cut out the American businessman from making a share of the profit in world trade. It puts foreign merchants between the American businessman and the ultimate customer.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. PASSMAN. May I say to the committee that none of us know what the implications of this amendment may be. Every day, since the end of World War II, manufacturers and exporters have been shipping commodities to the Soviet Union. There are some 1,200 different commodities being exported to the Soviet Union. We sold to the Soviet Union in 1954 $144 million worth of American commodities.

I do not know whether this amendment would preclude any manufacturer or any exporter from exporting their commodities to the Soviet Union.

Why did we not adopt this amendment 20 years ago or after World War II? Trade has been going on between these nations ever since. I do not know whether the amendment is all-inclusive or just what you propose to do. But take into account the fact that we are selling commodities to the Soviet Union every day of the year.

Mr. SMITH of Iowa. I want to say this too, Mr. Chairman. You cannot do business in the world market without the Export-Import Bank guarantee. Germany set such a guarantee agency up after World War II. Other countries followed suit, and finally, we established one.

Business is not done exclusively between individuals in the United States and individuals somewhere else—they have to have a government that guarantees the transaction.

This is the only way you can sell in world trade, and that is what our Export-Import Bank is for.

One of the usual customs in world trade is that you get one-third down. perhaps a third of it upon delivery, and one-third 6 months later, after they have had a chance to distribute some of it. This is the usual custom and in fact synonomous to a cash sale. The Export-Import Bank guarantees it, and nobody has ever defaulted including the Communist nations on any of these guarantees of the Export-Import Bank.

Mr. YOUNGER. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman.

Mr. YOUNGER. I am absolutely surprised.

Mr. SMITH of Iowa. I am not surprised that you are surprised.

Mr. YOUNGER. I am absolutely surprised that the gentleman from Iowa would come before us and defend the purpose of the businessmen who want to continue the war and furnish the munitions to kill our boys in Vietnam.

Mr. SMITH of Iowa. I decline to yield further. That is nothing but demagoguery. It has nothing to do with this, and the gentleman knows it. That is the kind of amendment that never comes up except in the closing days of a session of Congress. Why did it not come up before?

Mr. CEDERBERG. Mr. Chairman, will the gentleman yield?

Mr. SMITH of Iowa. I yield to the gentleman from Michigan.

Mr. CEDERBERG. What profit is it to the American Government to trade in this manner with a Communist country?

Mr. SMITH of Iowa. The American Government does not trade.

Mr. CEDERBERG. The American people or the American businessman. Do they need this profit?

Mr. SMITH of Iowa. We have wheat and other products to sell, and we are going to sell it in a world market. Someone is going to sell the wheat. Why should our businessmen be the only ones excluded from doing so?

Mr. CEDERBERG. I understood that we had a shortage of wheat.

Mr. SMITH of Iowa. Only because we have been selling it. We would not have a shortage of wheat if we had prohibited our businessmen from selling it.

Mr. CEDERBERG. Do our businessmen need this profit so badly that they have to sell the wheat?

Mr. SMITH of Iowa. They have as much right to part of the profit as businessmen in Canada have.

Mr. BOW. Mr. Chairman, I rise in support of the amendment.

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. BOW. This is not a new amendment. We have had it before us many times previously. The distinguished chairman of the Foreign Aid Appropriations Subcommittee of the House has seen this amendment many times. When he says that he does not know but that this may destroy the Export-Import Bank, may I point out that he knows it refers only to Communist countries, nothing else but Communist countries.

I would ask the gentleman from Iowa whether the millers and the wheat growers of Iowa, the fathers and mothers who have sons in Vietnam today, are willing that this trade shall go on with Communist countries, to build them up so that they can kill their sons? And that is exactly what we are talking about here. I wish that instead of this vote being today on this matter, that we were giving this vote to 400,000 men now serving in Vietnam, whether they feel we should or should not be lending that money to nations which are furnishing the sinews of war, the antiaircraft guns, the rifles, the automatic weapons, the petroleum, and whether the American taxpayers' dollars should go into the Export-Import Bank to be used for these countries.

Let us look at this thing from the standpoint of whether the American businessman wants it or not. Let us look at it from the standpoint of whether or not we are going to furnish the sinews of war simply for a profit motive to affect 400,000 men—and you are drafting more every day. You know it is going to increase.

And I say to you, my colleagues, this is the test. This is the test. Are we going to continue this trade and are we going to build Communist countries, and are we going to give them an opportunity to furnish additional materiel, or are we going to say to them that the United States is not going to support their war efforts?

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Iowa.

Mr. SMITH of Iowa. Will the gentleman explain to me how, by this amendment, you are going to keep Canada from making these sales?

Mr. BOW. I do not care what Canada does. I do object to what Canada is doing.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield further?

Mr. BOW. No, I do not yield any further. I am not trying to protect Canada. I am trying to protect the American servicemen in Vietnam. Let Canada sell it if it wants to. I am concerned. We have spent $122 billion in foreign aid and other aid beginning with the Marshall plan. The gentleman who is on his feet on the other side has helped to appropriate those funds.

Where are our friends? Who is helping us in South Vietnam? Are we going to continue to give this money to Communist countries to help them?

Mr. Chairman, Canada is not there helping us. There are no troops from Canada, no troops from Great Britain. Go right down through the countries we have assisted. We gave $122 billion to save those nations. Now you call the roll in Vietnam and they are not there.

I say to you, my friends, here is the test: Are we going to lay down the rule here today that we are not going to strengthen Communist countries which are shipping the materiel of war to kill American men, or is the profit motive enough for us to tell our businessmen, "Go ahead. We will finance you," and not protect these 400,000 boys?

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to my friend from Louisiana.

Mr. PASSMAN. I believe the distinguished gentleman from Ohio [Mr. Bow], has made an excellent, patriotic statement. I share his desire about devising some plan whereby we do not help Communist countries.

It would appear to me, at this time, that this amendment is all inclusive, and nothing is said about exempting any commodities American exporters may ship to Russia or to any other Communist country on a cash basis.

The distinguished gentleman from Ohio is very able and fair. I am in hopes that he will impart some of that wisdom to our subcommittee early next year during our hearings on the fiscal year 1968 foreign aid bill, rather than at a late date in the session, when we do not have an opportunity to ascertain what the full impact of the proposed amendment would be.

My question is: Would this amendment also stop American exports for cash?

Mr. BOW. Before the gentleman goes further, since the gentleman talks about cash sales, the gentleman knows that this amendment would not prevent cash sales.

Mr. PASSMAN. I thank the gentleman.

Mr. BOW. This has to do with financing by the Export-Import Bank. I will come before the gentleman's committee next year and make this plea. But let us stop it now.

Mr. PASSMAN. I only asked the gentleman what it would do with respect to cash sale exports. Would the gentleman advocate continuing that practice?

The CHAIRMAN. The time of the gentleman from Ohio has expired.

(On request of Mr. Flood, and by unanimous consent, Mr. Bow was allowed to proceed for 3 additional minutes.)

Mr. PASSMAN. I am only trying to ascertain what our position would be as to cash sales to the Soviet Union or to other Communist countries. Could the amendment be construed to where it would restrict all exports to Communist countries?

There are ways to get cash. This amendment is not going to correct anything, but will only restrict the activities of the Export-Import Bank.

Mr. BOW. This says that none of the funds made available because of the provisions of this bill shall be used by the Export-Import Bank to guarantee the payment of obligations incurred by Communist countries.

It is not a question of cash sales. It is a question of the financing activities of the Export-Import Bank.

I merely wish to say to the gentleman who asked us to wait until next year and to come before his subcommittee, to see what should be done, that I would remind the gentleman the casualty list in Vietnam will go on from this day until then. Let us stop it now.

Let us take every step we can today to protect our boys in South Vietnam.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield for a further question?

Mr. BOW. I yield.

Mr. PASSMAN. Could the gentleman furnish the Foreign Operations Subcommittee an estimate of the amount of exports, which the Export-Import Bank has financed, that are going into Communist countries?

Mr. BOW. I cannot do that.

Mr. PASSMAN. I thank the gentleman.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. BOW. I yield to the gentleman from Illinois.

Mr. FINDLEY. I might say, in response to the query just made, that Rumania recently received a loan guaranteed by the Export-Import Bank for some sort of a petroleum cracking plant, a plant that would have obvious use in a munitions industry.

Mr. LONG of Maryland. Mr. Chairman, will the gentleman yield?

Mr. BOW. I am delighted to yield to the gentleman from Maryland.

Mr. LONG of Maryland. I am very much concerned with respect to this amendment, because I have a son in Vietnam at the present time. Can the gentleman tell me how the amendment would save the life of a single American boy?

Mr. BOW. I believe it would save lives from the standpoint of not building up the resources of Communist countries. We should not ship them any material that will assist in that buildup.

Mr. LONG of Maryland. I understand that, but the point has been raised that if we do not sell to them, they will buy it somewhere else. I just wonder how the amendment would save the life of any American boy.

Mr. BOW. I do not know whether they will buy it some place else. If we ship it to them we can rest assured that it will be used to make up the sinews of war.

Mr. LONG of Maryland. I do not believe the gentleman has answered my question.

Mr. MAHON. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I ask unanimous consent that all debate on this amendment conclude in 5 minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. MAHON. Mr. Chairman, the gentleman from Ohio [Mr. Bow] and the gentleman from California [Mr. Lipscomb] were kind enough to give the chairman of the committee, in advance, copies of amendments which they offered earlier in the proceedings today. The gentleman from Illinois did not provide us with a copy of his amendment, so it took a little time to research the records and the present law on this matter.

Mr. Chairman, I hate to close this session of Congress on a political controversy as to who is the most patriotic—the Democratic or the Republican Party.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. MAHON. This is reminiscent of December 1963, when an effort was made by the gentleman from Illinois [Mr. Findley] to prove that the Republican Party was more patriotic than the Democratic Party. That was in December 1963. Then, in November 1964, the people went marching to the polls and elected Democratic candidates in overwhelming numbers. So I would warn my friends that this sort of operation cannot be counted on to pay off at the polls.

Mr. FINDLEY. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I must proceed. Time is limited.

Mr. FINDLEY. The gentleman mentioned my name. Will he please yield?

Mr. MAHON. I would like to say, ladies and gentlemen of the Committee——

The CHAIRMAN. Regular order.

Mr. MAHON. I would like to say that I find, upon research, that the pending amendment is identical, with one exception, to a provision now in Public Law 89-691 of this Congress. It is already the law.

I want to make the issue before the House crystal clear. The present law provides the following with respect to the issue:

> None of the funds made available because of the provisions of this title shall be used by the Export-Import Bank to either guarantee the payment of any obligation hereafter incurred by any Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended) or any agency or national thereof, or in any other way to participate in the extension of credit to any such country, agency, or national, in connection with the purchase of any product by such country, agency, or national, except when the President determines that such guarantees would be in the national interest and reports each such determination to the House of Representatives and the Senate within 30 days after such determination.

The gentleman's amendment is as follows:

> SEC. 803. None of the funds made available because of the provisions of this bill shall be used by the Export-Import Bank to either guarantee the payment of any obligation hereafter incurred by any Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended) or any agency or national thereof, or in any other way to participate in the extension of credit to any such country, agency, or nation in connection with the purchase of any product by such country, agency, or nation.

It will be noted that there is no real difference in the gentleman's amendment as compared with the existing law except he leaves out the final proviso in the law and denies the President any discretionary authority to take action to the contrary if he deems such action is in the national interest.

It just does not make sense to adopt this amendment. I point out to you that the existing law takes care of the situation unless there are Members of the House who prefer to take a gratuitous slap at the President, the Commander in Chief, in a foreign policy matter at this time when we are engaged in war. The gentleman's amendment tends to slap the President in the face by denying him as Commander in Chief of the Armed Forces the discretion which the existing law provides. The existing law, which I have quoted heretofore, seems to me to adequately cover the situation and I for one do not propose to advocate that we change it now. How irresponsible can we be?

The existing law was approved into law only 3 days ago as Public Law 89-691.

The existing law on this subject is not something new. It was enacted in 1963, again in 1964, again in 1965, and again only 3 days ago.

Let those who beat their breast and protest their loyalty and patriotism take note of what the real facts are in this case.

If this amendment is not adopted, and I predict it will not be, the proposal of the gentleman from Illinois [Mr. FINDLEY] may be the subject of a motion to recommit. It would be just as inappropriate as a motion to recommit as it now is in the form of an amendment.

Let no man be deceived. The gentleman is merely proposing reenactment of existing law except for a discretionary clause contained in existing law. He proposes the reenactment of a portion of the law which a majority of the House has supported since 1963, including myself. The gentleman would simply eliminate the discretionary section of the present law.

I wish to repeat for emphasis and clarity the position which those of us take who oppose the pending amendment. We favor the present law which is as follows, and I repeat:

> None of the funds made available because of the provisions of this title shall be used by the Export-Import Bank to either guarantee the payment of any obligation hereafter incurred by any Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended) or any agency or national thereof, or in any other way to participate in the extension of credit to any such country, agency, or national, in connection with the purchase of any product by such country, agency, or national, except when the President determines that such guarantees would be in the national interest and reports each such determination to the House of Representatives and the Senate within 30 days after such determination.

If this amendment is defeated and the amendment is used as a basis for a motion to recommit, those of us who vote against recommitting the bill will do so because we continue to support the existing law heretofore quoted.

I hope the amendment will be defeated.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

Mr. MAHON. I yield.

Mr. SMITH of Iowa. The exception was also placed in the provision in 1963, and that makes all the difference in the world, because that permits the President to differentiate between these bad sales and the ones where all we are doing is rewarding Canada for trading with the Soviet Union.

Mr. MAHON. Of course, this is not a wheat sale problem in any sense of the word, but we are presently selling for cash to the Soviet Union to a very limited degree. Something less than $50 million in value annually, I believe.

Mr. Chairman, I trust that the pending amendment will be voted down.

PREFERENTIAL MOTION OFFERED BY MR. FINDLEY

Mr. FINDLEY. Mr. Chairman, I offer a preferential motion.

The Clerk read as follows:

> Mr. FINDLEY moves that the Committee do now rise and report the bill back with the enacting clause stricken.

Mr. FINDLEY. Mr. Chairman, I would first like to explain why the amendment was drafted at the last minute. I apologize to the chairman of the subcommittee for not furnishing him with a copy in advance. I suppose it may reflect some lack of diligence on the House floor, but I simply did not realize until about an hour ago that this supplemental bill did provide some money for the Export-Import Bank. Had I known of it in advance, I assure the gentleman that I would have provided him with a copy of the amendment in advance so that he would be advised as to the exact language contained therein.

But, Mr. Chairman, as I stated earlier, the language was taken from the amendment—of course, deleting that final Presidential clause to which the gentleman referred—but otherwise it is precisely the same amendment which was dealt at great length back in 1963. So, to most of the Members of this body the language and its effect come as no surprise.

This language was offered back in 1963 for the same reason as it is offered today. But I believe the reason has even more importance today than it did back in 1963.

At that time it was not clear that we would be involved in the combat activities that we are involved in today.

In 1963, the death toll in Vietnam certainly had not risen to its present level, and some were hopefully looking for better relationships with Communist countries. But, even so, it did not seem to me to make sense to require the taxpayers of this country to provide this additional resource to the Communist bloc countries which they otherwise would not have, and to me it makes even less sense today for us to require the taxpayers, through this legislation, to enable the Communist countries to reach into our pockets in order to help finance, in effect, a war machine for Communist forces in Vietnam.

If we could be assured that they would stop shipping machineguns and automatic rifles and other types of war equipment and that we could be assured that they would no longer ship any petroleum products with which to help keep the Communist war machine oiled, then it would be another thing.

I see the gentleman from Louisiana [Mr. PASSMAN] on his feet and I know that the gentleman is sincere about this situation. The gentleman from Louisiana is as sincere as he was back in 1963, when he objected to this same amendment, and I concur in his feelings about the Export-Import Bank being, by and large, an excellent institution.

But, Mr. Chairman, I am sure the gentleman has read the papers of late as I have, and has seen the news which gives some strong assurance to the effect that there will be a new chapter in the activities of the Export-Import Bank, and that in the future we cannot reasonably expect that our credit guaranties to these Communist countries will be very limited and selective in scope.

In fact, the news I read indicates that we are going to try to open the trade doors. Trade, Mr. Chairman, is one thing. But providing credit and resources which these countries do not have and could not otherwise have, is quite another thing.

To me it makes no sense in this period of trouble, a period in which more than 100 of our boys a week are dying at the hands of the Communists in Vietnam, for us to add 1 penny of resource to the countries which form a veritable arsenal for those Communist forces.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield?

Mr. FINDLEY. I am glad to yield to the gentleman from Louisiana.

Mr. PASSMAN. Mr. Chairman, I share the concern of the gentleman from Illinois, and I also say to him that I am always looking for information that will help the committee report out a better bill.

Mr. Chairman, I am just as opposed to helping in any way Communist countries as is the gentleman from Illinois.

Mr. FINDLEY. Well, here is a chance for you to do it.

Mr. PASSMAN. Mr. Chairman, if the gentleman will yield further, I have not asked my question as yet.

The gentleman from Illinois mentioned the sale of a petroleum cracking plant, I believe, to what country?

Mr. FINDLEY. Rumania is the country.

Mr. PASSMAN. If the gentleman will yield further, could the gentleman tell me on what date the Export-Import bank approved that loan, the amount, the terms and if the gentleman from Illinois protested to the Export-Import Bank at the time the sale was negotiated?

Mr. FINDLEY. The moment I heard about it, I demanded the details thereof.

Mr. Chairman, I have tried to keep up on every rumored transaction by the Export-Import Bank. However, I am fully aware that the President, back in early 1964 made a determination that it was in the national interest for us to finance trade with Communist countries.

Mr. PASSMAN. Mr. Chairman, if the gentleman will yield further, this petroleum cracking plant deal was nothing more than a rumor, is that it?

Mr. FINDLEY. I beg the gentleman's pardon?

Mr. PASSMAN. It is a rumor that the gentleman heard?

Mr. FINDLEY. Oh, no. I believe it was a bit more than a rumor, because I was quite concerned about the new approach in plans to make use of the funds contained in the Export-Import Bank.

Mr. PASSMAN. Mr. Chairman, will the gentleman yield further?

Mr. FINDLEY. I do not yield further to the gentleman from Louisana.

Mr. LIPSCOMB. Mr. Chairman will the gentleman yield?

Mr. FINDLEY. I yield to the gentleman from California.

Mr. LIPSCOMB. Mr. Chairman, it does not appear to be rumor that the President has made a determination along this line. On October 7, as I quoted earlier, the President announced:

> I have today signed an application that will allow the Export-Import Bank to guarantee commercial credits to four additional Eastern European countries, Poland, Hungary, Bulgaria and Czechoslovakia.

Then the President also went on to say the Export-Import Bank is prepared to finance American exports for the Soviet-Italian Fiat plant.

The CHAIRMAN. The time of the gentleman has expired.

Does the gentleman from Illinois wish to withdraw his preferential motion?

Mr. FINDLEY. Yes, Mr. Chairman, I withdraw my preferential motion.

The CHAIRMAN. Without objection, the preferential motion is withdrawn.

There was no objection.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Illinois [Mr. FINDLEY].

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. FINDLEY. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. PASSMAN and Mr. FINDLEY.

The Committee divided, and the tellers reported that there were—ayes 54, noes 67.

So the amendment was rejected.

Mr. MAHON. Mr. Chairman, I move that the Committee do now rise and report the bill back to the House with an amendment, with the recommendation that the amendment be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. O'HARA of Michigan, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 18381), making supplemental appropriations for the fiscal year ending June 30, 1967, and for other purposes, had directed him to report the bill back to the House with an amendment with the recommendation that the amendment be agreed to and that the bill, as amended, do pass.

The SPEAKER. Without objection, the previous question is ordered.

The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. BOW. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. BOW. I am, Mr. Speaker.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. Bow moves to recommit the bill to the Committee on Appropriations with instructions that it report it back forthwith with the following amendment: On page 16, after line 3, insert a new section as follows:
>
> "SEC. 803. None of the funds made available because of the provisions of this bill shall be used by the Export-Import Bank to either guarantee the payment of any obligation hereafter incurred by any Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended) or any agency or national thereof, or in any other way to participate in the extension of credit to any such country, agency, or nation in connection with the purchase of any product by such country, agency or nation."

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken.

Mr. BOW. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors; the Sergeant at Arms will notify absent Members and the Clerk will call the roll.

The question was taken; and there were—yeas 167, nays 121, not voting 114, as follows:

[Roll No. 373]

YEAS—167

Abbitt
Addabbo
Andrews, George W.
Andrews, N. Dak.
Arends
Ayres
Bates
Battin
Bell
Bennett
Boggs
Bolton
Bow
Bray
Brock
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cabell
Cahill
Callan
Casey
Cederberg
Chamberlain
Chelf
Clancy
Clark
Clausen, Don H.
Cleveland
Collier
Conable
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
Davis, Wis.
de la Garza
Delaney
Dent
Dole
Dorn
Dowdy
Downing
Dulski
Duncan, Tenn.
Dwyer
Edmondson
Edwards, La.
Ellsworth
Erlenborn
Everett
Fallon
Feighan
Findley
Fountain
Fulton, Pa.
Fulton, Tenn.
Gathings
Gettys
Gray
Green, Pa.
Grider
Grover
Gubser
Gurney
Hagen, Calif.
Haley
Hall
Halleck
Hamilton
Hanley
Hardy
Harsha
Henderson
Herlong
Horton
Hosmer
Hull
Hutchinson
Ichord
Jarman
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
King, N.Y.
Kunkel
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
McCulloch
McDade
McEwen
McGrath
MacGregor
Machen
Marsh
May
Mills
Minish
Minshall
Mize
Moore
Morris
Morrison
Morton
Mosher
Murphy, N.Y.
Natcher
Nelsen
O'Neal, Ga.
Pelly
Pike
Poage
Poff
Quie
Quillen
Race
Redlin
Reid, Ill.
Reifel
Rhodes, Ariz.
Rivers, S.C.
Rogers, Fla.
Rumsfeld
Satterfield
Saylor
Schweiker
Secrest
Selden
Shriver
Sikes
Smith, Calif.
Smith, Va.
Springer
Stubblefield
Teague, Calif.
Teague, Tex.
Tuck
Tuten
Utt
Vigorito
Waggonner
Walker, N. Mex.
Watson
Watts
Whalley
White, Tex.
Whitener
Whitten
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Younger

NAYS—121

Annunzio
Bandstra
Beckworth
Bingham
Blatnik
Boland
Brademas
Brooks
Burke
Burton, Calif.
Byrne, Pa.
Cameron
Cohelan
Conte
Conyers
Culver
Daniels
Dawson
Diggs
Dingell
Donohue
Dow
Edwards, Calif.
Farbstein
Farnsley
Fascell
Flood
Fogarty
Ford, William D.
Fraser
Frelinghuysen
Friedel
Garmatz
Giaimo
Gibbons
Gilbert
Gonzalez
Grabowski
Green, Oreg.
Griffiths
Hanna
Hathaway
Hays
Hechler
Holifield
Holland
Irwin
Joelson
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Calif.
Kluczynski
Krebs
Kupferman
Leggett
Long, Md.
McFall
Macdonald
Madden
Mahon
Mailliard
Mathias
Matthews
Miller
Mink
Monagan
Moorhead
Morse
Multer
Murphy, Ill.
Nedzi
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olson, Minn.
O'Neill, Mass.
Ottinger
Passman
Patman

Patten
Pepper
Perkins
Philbin
Pickle
Powell
Price
Rees
Reid, N.Y.
Resnick
Reuss
Rhodes, Pa.
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Scheuer
Sickles
Slack
Smith, Iowa
Stalbaum
Tenzer
Tupper
Van Deerlin
Vanik
Waldie
Weltner
Wright
Yates
Young
Zablocki

NOT VOTING—144

Abernethy
Adair
Adams
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Ashbrook
Ashley
Ashmore
Aspinall
Baring
Barrett
Belcher
Berry
Betts
Bolling
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Callaway
Carey
Carter
Celler
Clawson, Del
Clevenger
Colmer
Cooley
Corman
Craley
Daddario
Davis, Ga.
Denton
Derwinski
Devine
Dickinson
Duncan, Oreg.
Dyal
Edwards, Ala.
Evans, Colo.
Evins, Tenn.
Farnum
Fino
Fisher
Flynt
Foley
Ford, Gerald R.
Fuqua
Gallagher
Gilligan
Goodell
Greigg
Gross
Hagan, Ga.
Halpern
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Harvey, Mich.
Hawkins
Hébert
Helstoski
Hicks
Howard
Hungate
Huot
Jacobs
Jennings
Jones, N.C.
Keith
King, Utah
Kirwan
Kornegay
Laird
Love
McCarthy
McClory
McDowell
McMillan
McVicker
Mackay
Mackie
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Meeds
Michel
Moeller
Morgan
Moss
Murray
Nix
O'Konski
Olsen, Mont.
Pirnie
Pool
Pucinski
Purcell
Randall
Reinecke
Rivers, Alaska
Roberts
Robison
Rogers, Tex.
Roncalio
Roudebush
Roush
Schisler
Schmidhauser
Schneebeli
Scott
Senner
Shipley
Sisk
Skubitz
Smith, N.Y.
Stafford
Staggers
Stanton
Steed
Stephens
Stratton
Sullivan
Sweeney
Talcott
Taylor
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Udall
Ullman
Vivian
Walker, Miss.
Watkins
White, Idaho
Widnall
Wolff

So the motion to recommit was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Thompson of New Jersey against.

Mr. Abernethy for, with Mr. Toll against.

Mr. Fuqua for, with Mr. Aspinall against.

Mr. Kornegay for, with Mr. Celler against.

Mr. Wolff for, with Mr. Corman against.

Mr. Taylor for, with Mr. Daddario against.

Mr. Colmer for, with Mr. Dyal against.

Mr. Stephens for, with Mr. Hawkins against.

Mr. Davis of Georgia for, with Mr. Kirwan against.

Mr. Hagan of Georgia for, with Mr. Matsunaga against.

Mr. Gerald R. Ford for, with Mr. Moss against.

Mr. Laird for, with Mr. Nix against.

Mr. Widnall for, with Mr. Rivers of Alaska against.

Mr. Adair for, with Mr. Sisk against.

Mr. Michel for, with Mr. Sweeney against.

Until further notice:

Mr. Albert with Mr. Martin of Massachusetts.

Mr. Jennings with Mr. Derwinski.

Mr. Cooley with Mr. Ashbrook.

Mr. McDowell with Mr. Del Clawson.

Mrs. Sullivan with Mr. Reinecke.

Mr. King of Utah with Mr. Skubitz.

Mr. Fisher with Mr. Betts.

Mr. Evins of Tennessee with Mr. Talcott.

Mr. Meeds with Mr. Broomfield.

Mr. Craley with Mr. Pirnie.

Mr. Jones of North Carolina with Mr. McClory.

Mr. Hicks with Mr. Keith.

Mr. Barrett with Mr. Harvey of Indiana.

Mr. Anderson of Tennessee with Mr. Edwards of Alabama.

Mr. Jacobs with Mr. Goodell.

Mr. Schmidhauser with Mr. Dickinson.

Mr. Schisler with Mr. Halpern.

Mr. Trimble with Mr. Harvey of Michigan.

Mr. Udall with Mr. Fino.

Mr. Ullman with Mr. Hansen of Idaho.

Mr. Mackay with Mr. Martin of Alabama.

Mr. Olsen of Montana with Mr. Glenn Andrews.

Mr. Mackie with Mr. Clarence J. Brown, Jr.

Mr. Pool with Mr. Schneebeli.

Mr. Gilligan with Mr. Stafford.

Mr. Gallagher with Mr. Roudebush.

Mr. Moeller with Mr. Martin of Nebraska.

Mr. Love with Mr. O'Konski.

Mr. Howard with Mr. Devine.

Mr. Hungate with Mr. Smith of New York.

Mr. Helstoski with Mr. Belcher.

Mr. Ashley with Mr. Stanton.

Mr. Ashmore with Mr. Carter.

Mr. Clevenger with Mr. Thomson of Wisconsin.

Mr. McVicker with Mr. Callaway.

Mr. Evans of Colorado with Mr. Berry.

Mr. Casey with Mr. Robison.

Mr. Brown of California with Mr. Anderson of Illinois.

Mr. Purcell with Mr. Watkins.

Mr. Greigg with Mr. Walker of Mississippi.

Mr. Pucinski with Mrs. Hansen of Washington.

Mr. Randall with Mr. Murray.

Mr. Foley with Mr. McMillan.

Mr. Flynt with Mr. Hansen of Iowa.

Mr. Tunney with Mr. Farnum.

Mr. Vivian with Mr. Duncan of Oregon.

Mrs. Thomas with Mr. Staggers.

Mr. Steed with Mr. Shipley.

Mr. Senner with Mr. Roncalio.

Mr. Roberts with Mr. Huot.

Mr. Roush with Mr. Scott.

Mr. Rogers of Texas with Mr. Adams.

Mr. Todd with Mr. McCarthy.

Mr. Stratton with Mr. Thompson of Texas.

Mr. MACHEN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

Mr. MAHON. Mr. Speaker, in accordance with the action just taken by the House, I report back the bill (H.R. 18381), making supplemental appropriations for the fiscal year ending June 30, 1967, and for other purposes, with an amendment.

The SPEAKER. The Clerk will report the amendment.

The Clerk read as follows:

On page 16, after line 3, insert a new section, as follows:

"SEC. 803. None of the funds made available because of the provisions of this bill shall be used by the Export-import Bank to either guarantee the payment of any obligation hereafter incurred by any Communist country (as defined in section 620(f) of the Foreign Assistance Act of 1961, as amended) or any agency or national thereof, or in any other way to participate in the extension of credit to any such country, agency, or nation in connection with the purchase of any product by such country, agency or nation."

Mr. MAHON. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO REVISE AND EXTEND REMARKS

Mr. MAHON. Mr. Speaker, I ask unanimous consent that all Members who spoke may be permitted to revise and extend their remarks in the body of the RECORD on the bill just passed and that they may include tabular information and brief excerpts.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

GENERAL LEAVE TO EXTEND REMARKS

Mr. MAHON. Mr. Speaker, I also ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Without objection, so ordered.

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a concurrent resolution of the House of the following title:

H. Con. Res. 1039. Concurrent resolution relating to the enrollment of the bill H.R. 15857.

The message also announced that the Senate agrees to the amendments of the House to a bill of the Senate of the following title:

S. 360. An act to provide for the establishment of the Indiana Dunes National Lakeshore, and for other purposes.

The message also announced that the Senate agrees to the report of the committee of conference on disagreeing votes of the two Houses on the amendments of the House to the bill (S. 3708) entitled "An act to assist comprehensive city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 15111) entitled "Economic Opportunity Amendments of 1966."

ELECTIVE GOVERNOR, GUAM

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, among the many pieces of legislation allowed to die during the closing days of the 89th Congress will be H.R. 11775, a bill to provide for the popular election of the Governor of Guam.

The House passed H.R. 11775 on May 16, 1966, but the Senate failed to act on the bill until October 10, a week ago yesterday. In passing H.R. 11775 the Senate amended the bill in several major respects. An important change involved a change in the term of the Governor and Lieutenant Governor from 2 to 4 years. The House bill provided for the election to take place on November 8, 1966. The Senate provided that the first election date would be November 3, 1970. Under the Senate bill the elective Governor may not succeed himself after two terms unless a 4-year term intervenes.

Another major change between the House and Senate bill is found in the recall provisions. The House provided for an impeachment trial to be held by the Guam Legislature with a panel to be appointed by the chief judges of the Ninth Circuit Court. On the other hand, the Senate bill provided that the entire recall question should rest with the people and it contained a proviso providing for removal by 25 percent of the registered voters. If the voters favor removal, the approval or disapproval of the President would be sought.

The impeachment proceedings under the Senate bill may be initiated by a two-thirds vote of the Guam Legislature, or through the legislature by a petition signed by 25 percent of the registered voters.

Section 5 of the Senate version creates the office of government comptroller and outlines his functions and duties. The salary and expenses of the comptroller's office will be paid by the United States from funds which are covered into the Guam treasury in accordance with the Guam Organic Act.

It is possible that each of the major changes made by the Senate are meritorious. At least they should be carefully studied. The Attorney General's advice ought to be sought regarding the recall and impeachment proceedings. The Comptroller General's opinion on the comptroller's office should be obtained. I want to find out the views of the Guam Legislature on the need for a comptroller. After all, the members of the legislature represent the voters of Guam who are also the taxpayers. I am not so much concerned about the attitude of a Presidentially appointed Governor, but I want to solicit the advice of the legislators.

Since the election date will not occur until November 3, 1970, I see no reason for trying to unravel the details in a short conference committee. I join the chairman of the Committee on Interior and Insular Affairs [Mr. Aspinall] in recommending that the Guam elective Governor bill be passed over until the 90th Congress when thorough consideration can be given to it.

I am sincere in my belief that the people of Guam are ready for the additional self-government that is provided in the legislation. Mr. Speaker, some of our colleagues will recall that on April 19, 1966, I and several members of the Committee on Interior and Insular Affairs outlined the progress made in our offshore flag areas over the past 15 years and how capably the people of Guam were handling their affairs. I have no doubt they will be able to assume the responsibilities given to them under the elective Governor bill providing they have sound legislation that they have helped prepare. Whenever Congress amends an organic act we want to be certain what is contained in the amendments in order to insure full implementation by the territorial government.

I have, therefore, asked that H.R. 11775 be passed over at this time and that early in the 90th Congress a companion bill be given careful consideration by both the House and the Senate.

INAUGURATION FETE OF NEW KNESSET IN JERUSALEM

Mr. MURPHY of Illinois. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MURPHY of Illinois. Mr. Speaker, it is my privilege to report as a member of the U.S. delegation to Jerusalem, August 30, 1966, for the purpose of representing the U.S. Government at the inauguration of the New Knesset Building, that it was an occasion of extraordinary significance. Aside from myself, the U.S. delegation included Senators Clifford P. Case and Donald Russell, and my colleagues, Representatives Cornelius E. Gallagher and Frank Horton.

The historic event was honored by the attendance of Parliamentarians from 41 foreign governments throughout the world, whose high positions symbolized free speech, parliamentary procedure among freemen, and the principles of steadfast domestic ideals of free peoples.

I submit for the Record, at this point, a detailed report on the events of the dedication and inauguration:

Inauguration Fete of New Knesset in Jerusalem

The inaugural ceremony of the new building on Givat Ram, in the heart of Jerusalem, was faultlessly planned and executed before an audience of over 6,000 guests from Israel and abroad. It opened in the forecourt of the building with the ceremonial entry of representatives of Jewish communities and 44 foreign parliaments, and it ended with the affixing of mezuzot by the two chief rabbis to the opposing doorposts of the entrance of the Knesset. Israel's "Who's Who" was there, present and former Knesset members and their families, judges, religious leaders, members of the diplomatic corps, and representatives of political, economic, and cultural institutions. The Israeli guests were more than matched in color by the representatives of foreign parliaments, and the delegation of Jewish leaders who marched in, each flanked by an Israeli boy or a girl.

"Israel's Knesset has already proved to be a great asset in that it guaranteed the development of the state as a parliamentary republic based on free democratic principles," said the speaker of the world's oldest parliament, Mr. Finnsson from Iceland. He called the dedication of the new Knesset "a symbol of the miracle of the survival of the Jewish people and of Israel's rebirth after 2,000 years of wandering."

Prime Minister Eshkol said the new Knesset was a symbol of the democratic consciousness of the people of Israel in the spirit of the prophets. He pointed to the difficulties under which Israel's democracy is taking shape in the face of the persistent hostility of Israel's neighbors on the one hand and the great differences in background of the ingathering Jewish nation on the other. It was in the Knesset that the nation's unity was being shaped after its long years of wandering and after the holocaust. The Prime Minister hoped that the Knesset, in its new edifice, would deepen the sense of friendship and understanding between the citizens of Israel and help to inspire their representatives to find a common sense of purpose, despite their differences through frank and thorough debates of the problems of the state. In conclusion the Prime Minister expressed the yearning that—"the call for peace that goes out from this building and this city; the eternal city of Jerusalem, will reach listening ears and open hearts so that peace will reign among all the nations in the area and people the world over."

President Shazar, donning his black Homburg for the occasion, read from psalm XXX (a psalm and song at the dedication of the House of David) and elaborated a homily on the meaning of the words of the opening sentence and their pertinence to the present ceremony. The President also evoked the memories of all Jews who had perished in the holocaust "who should have been with us here today." Mr. Shazar also sent a message of peace from the city of peace to Israel's Arab neighbors.

When the foreign delegations presented their basic laws to the Speaker of the Knesset, Mr. Kadish Luz, it was my great honor to present a special copy of the Constitution of the United States, including the Bill of Rights and our Declaration of Independence, on behalf of the Speaker of the House, the Honorable John W. McCormack.

On Wednesday, the day after the ceremony Prime Minister Eshkol introduced a bill on the "basic law" which was adopted at the end of the session by a vote of 51 to 23. The bill which was introduced and voted in the presence of many guests is essentially designed to give legal sanction to existing political practice or put together various parts of existing legislation.

SPEECHES OF ISRAEL LEADERS AT THE INAUGURATION OF THE KNESSET BUILDING

a. Mr. Kadish Luz, Speaker of the Knesset

Your Excellency the President of the State, Mr. Prime Minister, the President of the World Zionist Organization. Your Excellencies the Ambassadors and Members of the Diplomatic Corps, my distinguished colleagues the Heads of Parliaments, our dear Mrs. James A. de Rothschild, the President of the Supreme Court of Israel, the Chief Rabbis of Israel, Your Worship the Mayor of Jerusalem, distinguished guests from the Diaspora and from the State of Israel, and, last but not least, the hosts of this day of rejoicing, the Members of the Knesset and all who work in it here, on one of the hills of Jerusalem, our capital, we dedicate today the Knesset's permanent abode. Eighteen years after the reestablishment of the state, our supreme institution, source of all authority, government and law in Israel, is to have a home of its own.

"We have fulfilled the prophecies of old.

"Faith in an ultimate return to Zion, consciousness of the national unity of all Israel's tribes, attachment to the spiritual heritage to which the Jewish people has held fast through millennia of dispersion, these have been the fountainheads of Israel's rebirth and renewed independence.

"Eighty-eight years ago the plinth was set, when Petach Tikva, first Jewish village of modern times, heralded a revival of agrarian Israel. It was followed quickly by more and more sister villages, as Jews began to return from a stormracked exile that had meant intolerable privation and suffering for them. Generations then arose of dreamers and men of action, pioneers and fighters. Sensing deeply a personal duty to play their physical and spiritual part in the 'advent of the Messiah,' they laid down layer of foundations after layer, grappled with Hebrew as a medium of natural, everyday speech, established farmsteads and townships, learned to till the soil and do every other manner of creative work. They defended what they achieved. They breathed new life into the land and people.

"For decades, almost from the beginning of our resettlement, the work was organized and financed by a single man, Baron Edmond de Rothschild of blessed memory, so rightly known as the 'Father of the Yishuv.' The early villages were in danger of collapse for lack of funds. But for the miracle of Rothschild, the movement to start the return to Zion might have been halted, to go down in Jewish history as no more than another of the sporadic manifestations of the messianic urge that ended in disappointment and despair. Edmond de Rothschild kept the new settlers going, developed their farms, bought extra land and improved it and built new villages on it, provided wine presses and factories—and in all this he persevered even after the Zionist Organization had embarked on its activity.

"The first Zionist Congress met in 1897, and there the Zionist Organization was founded, the instrument of world Jewry for the remaking of a Jewish state in the land of Israel. A star had blazed into the firmament of Israel; Binyamin Ze'ev Theodor Herzl, seer of the Jewish State, creator of the Zionist Organization. His vision fired the farthest bounds of the Diaspora and kindled the heart of every Jew.

"A new Jewish reality had come into being in the land of Israel. Thanks to that, and thanks to a national awakening among the Jews of the world, and by dint of the personal merits and efforts of Chaim Weizmann of blessed memory, the Balfour Declaration was issued by the British Government toward the end of the First World War. Then came the decision of San Remo. In these ways, international recognition was accorded to the right of the Jewish people to conduct itself as a sovereign nation in the land of its ancestors, its historic homeland.

"In the interval of the British mandate, scores of thousands of Jews entered year by year. They built towns and villages, developed sources of work and livelihood, established services of education, culture and health, and evolved institutions of self-government. The Zionist executive and the elected assembly and National Council of the Jews of Palestine made firm the basis of an independent existence of the Jewish community under a foreign authority. In spite of the bloody outbreaks again and again organized by a hostile section of the Arab population, the foundations of our defense forces were safely laid down.

"Already on the eve of the Second World War, with the rise of the Nazis to power, a brutal persecution of German Jews was begun and a plan announced to destroy all the Jews of Europe. For thousands of years, the Jewish people have been oppressed and denied fundamental human rights. Rivers of Jewish blood have been spilt in many lands. But massacres and blood libels, the pyres of the inquisition, the czarist pogroms and expulsions from one land to the next * * * all this savagery of generations pales into insignificance beside the cold-blooded extermination of European Jews by the Nazis and their collaborators in the Second World War.

"The Jewish people will never forget the murder of its 6 million coreligionists, who had been the principal standard bearers of Jewry's learning and tradition, of Jewry's spiritual treasures and national strength.

"As far back as the First World War, battalions of Jewish volunteers from the land of Israel and from other countries were formed at the instance of Yosef Trumpeldor, Ze'ev Jabotinsky, and Pinhas Rutenberg, to fight for the homeland. With these units, which he did so much himself to recruit, Maj. James A. de Rothschild was always closely linked.

"In the Second World War, through the splendid efforts of Moshe Sharett of blessed memory, Jewish fighting formations, foremost among them the Jewish brigade, were enrolled in the British Army to take part in the campaigns against Nazi Germany, and, even under all the rigors of German occupation, ghettos revolted and Jewish partisans fought the barbarous enemy.

"When that war ended, there began the struggle in the land of Israel for the Jewish right to return to the homeland and to plough its earth again. First and foremost, the demand was made that the remnants of the holocaust, still languishing in concentration camps, should be allowed to enter.

"It was a struggle for the independence and sovereignty of the Jewish people in the land of Israel. As in the prophecy of Herzl, 50 years after the First Zionist Congress met the United Nations decided on the establishment of a Jewish State. Bloody fighting broke out in the land.

"The mandatory government and its troops withdrew. On the fifth day of Iyar 5708, May 14, 1948, the delegates of the Zionist movement and of the Jews of the homeland assembled. They were led by David Ben-Gurion, then chairman of the executive of the Zionist Organization and the Jewish agency. He read the 'Scroll of Independence,' and the gathering approved it by acclamation.

"The State of Israel had come to life again.

"A Provisional Council of State and a Provisional Government were set up under the leadership of David Ben-Gurion, who also held the portfolio of Defense. Yosef Sprinzak of blessed memory was elected Chairman of the Council and Chaim Weizmann its President, discharging thereby the functions of President of the State.

"The Jews of Israel rose as one man against the invading armies of five Arab States to defend themselves and their restored independence. Behind every Jewish fighter there stood the shades of 6 million slaughtered by the Nazis. With their few improvised weapons, those warriors worsted the well-equipped invaders. Thousands of Israel's finest citizens gave their lives for Israel's soil and nation. The Jewish people will forever cherish their heroic memory and mourn eternally for their radiant youth, their resplendent valor and their incomparable determination, dying for Israel in that grim encounter.

"After 8 months of activity, the Provisional Council of State and the Provisional Government met on 15 Shevat 5709 February 14, 1949. This was the Constituent Assembly, the First Knesset of Israel.

"Addressing the first session, Chaim Weizmann, chosen 2 days later to be the first President of the State, said this:

" 'We are setting about the establishment of our sovereign structure on firm and honorable foundations, foundations of liberty, equality, mutual responsibility and common discipline * * *. How heavy is the responsibility that rests upon this House * * * the renewed expression of the kingdom of Israel. We employ the patterns of political life that have taken shape in the tradition of the enlightened world in our time, but we are well aware that here they are instinct with the spirit of Israel's heritage.'

"Yosef Sprinzak, chosen, in his turn, to be speaker of the Constituent Assembly, concluded the session with these words:

" 'By a leap forward in Jewish history, under the inspiration of our sons who fell on Israel's soil, by arousing a supreme will and by glorious deeds, we have on this day, the New Year of Trees, in Jerusalem our holy city, reached our longed-for haven. We have this day planted a new growth. At the bidding of past generations, for the sake of generations yet to come, we have planted the tree of Israel's independence.'

"Presenting the first regular Cabinet to the Knesset 3 days afterward, Ben-Gurion said: 'It may be that we are now passing from the period of great deeds, the period of heroism and victory in the military and political fields, which has transformed the history of Jewry and the Land of Israel and renewed our ancient glories, to a period of little things, of a prosaic and prolonged effort to build our economy and organize our sovereign structure, in which perhaps there will be not glamour and luster and dramatic heroism but arduous, persistent, and dedicated toil.'

"Since then, Israel's Legislature, its Government, and its citizens have rendered themselves up unremittingly to exploits great and little, to arduous toil and courageous deeds, to glamour and luster, and to the still, small voice of creation.

"In his 10 years of office as Speaker of the Knesset, Yosef Sprinzak not merely molded the pattern of parliamentary procedure. He exercised a profound and lasting influence on the propriety of behavior and of relationship between the Members of the House. He it was that conceived the notion of constructing the new Knesset Building and, even before the funds had been assigned, boldly held the competition for the architectural design.

"The judges were just about to announce their verdict when Prime Minister Ben-Gurion received a letter from Mrs. James A. de Rothschild, whom we all, fervently and gratefully, wish long life. With it was the draft of a testament of her husband of blessed memory. Profoundly moved, the Prime Minister read it to the Knesset. James A. de Rothschild had bequeathed the vast land holdings of the Palestine Jewish Colonization Association to the national institutions of Israel, and, to the State itself, a sum of money for the construction of the Knesset Building.

"I have paid homage to the great work of Baron Edmond de Rothschild, enshrined in the annals of the return to Zion and of Jewish resettlement in the land of Israel. Presiding over the Palestine Jewish Colonization Association, his illustrious son James pursued that paternal mission for many a year and, among much else that he did for the good of the land, we owe him many more villages. The new Knesset Building is a symbolic zenith of the immense contribution of father and son, and of the whole house of Rothschild, to the restoration of the national and sovereign independence of the Jewish people in the land of Israel. In his superb testament, James A. de Rothschild wrote: 'We endeavoured to give to Israel and its people all we could without seeking anything in return—whether profit or gratitude or anything else.'

"But I know full well that the people of Israel will never forget what that peerless father and son accomplished for us.

"I should like to express our gratitude and felicitations to the architect of the building. Mr. Y. Klarwein, our esteem and appreciation to the advisory architect, Mr. Karmi, unhappily no longer with us, and our thanks to the interior architects, Mrs. D. Gad, Mr. Noy, Mr. Blumenfeld, and Mr. Heskia; to Marc Chagall, greatest of living Jewish artists; to the mosaic artists, Mr. and Mrs. Milano, and Dani Karavan; to the sculptor Mr. Palombo who, to our regret, has just passed away; to the artist Mr. Weil; to Emmanuel Friedman, district engineer of the Public Works Department in Jersualem, who was responsible for construction; to the chief foreman of works, Mr. Kantorovski; and to Solel Boneh and the other firms, experts, and workers who have their rightful share in the great undertaking.

"This house now stands in all its glory. May it be God's will that, in its deliberations, the Knesset shall be a source of pride and distinction to the people of the State, to the Jews of the world and to all men, in enactment of good and just laws, in guidance to the Government for the strengthening and development of the State, the continued absorption of Jewish newcomers, the implanting of a sense of mutual responsibility in our people, the encouragement of justice and mercy in relations between men, and the establishment of peace in our region and the entire world. As in the words of the Prophet:

"'The glory of this later house shall be greater than of the former, saith the Lord of hosts: and in this place I will give peace, saith the Lord of hosts.'"

b. Mr. Teddy Kollek, the mayor of Jerusalem

"Mr. President, Mr. Speaker of the Knesset, Mr. Prime Minister, Mrs. James A. de Rothschild, Lord Rothschild, distinguished parliamentarians of the world, ladies and gentlemen:

"This moment in which we dedicate the permanent home of our Knesset, the splendid new building intended to serve Isratel's democratically elected legislators, is one of the great moments in the history of the Jewish people, the State of Israel, and our capital city, Jerusalem.

"To give adequate expression to my feelings at this moment, I should require the tongue of the Prophets who in this city expressed their exalted wisdom and vision in timeless words. Were they here with us today, they would certainly direct our thoughts to the purpose of this great building and leave poetic descriptions of its grandeur to others.

"It is our hope that the Knesset's glorious new home will enshrine the ideal of true democracy, infusing into our assembly of legislators a spirit of justice, righteousness, and love of their fellow men, values which have deep and ancient roots in Jerusalem, 'City of righteousness, the faithful city.'

"May our nation's elected ones fill this house with a purpose that will bring inspiration to the entire Jewish people.

"Esteemed Knesset Members, our nation's elect:

"I am proud that I have been granted the privilege of bringing you the blessings of Jerusalem. Our city today acquires another national treasure which enhances its status as the capital of Israel.

"May Jerusalem dwell in your hearts, and may you always bear in mind the words of the Prophet: 'Behold, I have graven thee upon the palms of my hands; thy walls are continually before me.'

"Our special thanks are due to Mrs. de Rothschild, widow of James, the man who made possible the construction of this edifice and whose spirit is with us today."

c. Dr. Nahum Goldman

"Mr. President, Mr. Speaker, Mr. Prime Minister, members of the Rothschild family, Speakers and Chairmen of Houses of Parliament the world over, ladies and gentlemen:

"On behalf of the representatives of the Jewish communities, Zionist federations and Jewish organizations in the Diaspora who have gathered here from many parts of the world, permit me at the outset to express our joy and gratitude for having been invited to attend this historical event.

"The dedication of the permanent home of the Parliament of the State of Israel in Jerusalem is an event of the deepest historical significance and symbolizes the realization of the dearest dream of many generations of our people. For the citizens of the State of Israel this is the dedication of their House of Parliament, which is the highest expression of Israel's sovereignty and democracy. For the Jewish people as a whole, it signifies the dedication of the highest institution of the land which has been and will always be the spiritual, cultural, and religious center of the Jewish people the world over.

"The presence at this resplendent ceremony of so many leaders of Jewish communities and organizations is yet another expression of the deep sense of solidarity of the Jewish people with the State of Israel, which is the greatest achievement of our unique Jewish generation, marked by the darkness of extermination and the dawn of redemption.

"It is a matter of the deepest regret that not all the Jewish communities are represented on this great occasion. We send them from here sincerest brotherly greetings. I am confident that I express the sentiments of all of us here if I voice the hope that on future occasions they will be with us and will not be cut off from the Jewish people and the State of Israel.

"I deem it a great honor to bring to this auspicious gathering the sincerest good wishes of Jewish communities the world over. May this edifice give apt expression to the rich spiritual heritage of our Nation and our young democracy, its momentous values and creativeness! May the deliberations to be held in this House serve as a source of inspiration for the citizens of Israel and of the whole world, Jews and non-Jews alike!

"My fervent hope and prayer are that we may witness the ratification in this building of the peace treaties between Israel and her neighbors and that the banner of this house may be a veritable symbol of peace and brotherliness. May this lofty edifice serve as a symbol of the Israel society that is being built to the glory of the Jewish people and the welfare of humanity."

d. The Prime Minister, Mr. Levi Eshkol

"It is with feelings of warm friendship and amity that Israel greets the heads of parliaments from all over the world, who have come to celebrate with us the opening of our new Knesset Building. Our sincere greetings are also extended to those amongst us today who represent the Jewish communities and organizations of the Diaspora, the Zionist movement, and our own towns and villages.

"This building, which is to be the home of our state's legislature, symbolizes the renaissance of the people of Israel in its own land; it is a sign of the renewal of our national sovereignty; a testimony to our people's developed sense of democracy.

"Throughout the long years of exile, our people strove to realize man's right to freedom and equality as expressed in the visions of our prophets. And when the first hour of our redemption dawned, we sought to give reality to their lofty dreams.

"Israel's democracy is being forged in troubled times, in years of trial, in a period beset by political, military, economic, and cultural crises and challenges. It is being clothed in flesh and sinew in the very midst of a bitter struggle against our enemies, against threats and attacks from beyond our borders. It is being developed at a time when our state is still absorbing hundreds of thousands of immigrants, most of them from lands where democracy has struck no roots. The democratic character of our state is being molded despite the fact that around us rages the conflict of other traditions, other customs, and other systems of government.

"It is upon the anvil of the Knesset that we are hammering out the national unity of our people, exiled from our land by violence of the sword and robbed of independence some 1,800 years ago. Within its walls is taking place that wondrous reuniting of our nations sons, returning to the bounds of our homeland in the wake of the most dreadful holocaust which ever befell our people. Here we behold the coming together of the people of Israel which in its wanderer's knapsack carried its everlasting law, its culture and its eternal hope. We are witnessing the renaissance of a people which fought for its existence although scattered throughout the world and which, its own endless agony notwithstanding, emerged victorious from the fight.

"When our people, embracing all of us and our brethren in the Diaspora, lifts up its eyes to gaze at this great institution, it will know that there is a reward for all its labor, that the wrestling for independence and the yearning for redemption throughout the ages were not in vain. Our sincere thanks are due to the Rothschild family, and to Mrs. James A. de Rothschild in particular, for making possible the construction of this wonderful edifice. The credit for initiating it belongs to the late James A. Rothschild, who conceived the idea in the eventide of his days. He was a proud Jew, an outstanding human being and a faithful son of his people and of his great father no less, that same Baron Edmond de Rothschild so affectionately known to us as the father of the Yishuv, the benefactor of our renascent homeland.

"May the deliberations in this house be as inspiring as its appearance. May it deepen the spirit of friendship and fraternity among the citizens of Israel and help them and their representatives in enlarging the knowledge and wisdom that lead to unity through frank and thorough debate on the problems of our people and our State. May the discussions in this house educate our youth and all our citizens toward respect for democracy and its glories. May it come to pass that the call for peace which goes forth from this, the Eternal City of Jerusalem, capital of Israel, shall reach attentive ears and open hearts, so that we may all dwell in peace—the peoples of this region and all nations on earth."

The President of the State, Mr. Zalman Shazar

"Dedicating the building of the Knesset today, we recall the psalm which is a "Song at the Dedication of the House of David'—David, who welded the tribes of Israel into a single kingdom, who built the city of Jerusalem, David, the sweet singer, of whom the sons and daughters of our land still sing in the old folksong, rejoicing that he is alive and with us. That psalm has been customarily chanted at the dedication of communal buildings in Jewry: it wells up from our hearts with particular strength and pertinency today. For us now it is a song of the dedication of this exalted edifice which will house the legislators chosen by a people newly redeemed, that has returned and continues to return from dispersion to the revived and rebuilt Jerusalem. And from this building rays of light go forth to illuminate and warm the hearts of the children of our scattered people, who despite the torment and temptation of the alien, remain cohesive and close.

"We welcome with blessing and joy the speakers and members of the world's old and new parliaments who have honored us by their presence, coming to rejoice with us in this dedicatory ceremony which bears witness to the emergence here of a new shoot from the stem of world democracy, a twig sprung from old and vigorous roots, that has proved its vitality for these 18 years and now at last been given its permanent abode.

"Our festive greetings are extended to our brothers from abroad, envoys of their communities, leaders of the remnant of Israel, who have come from all the centers of the open Diaspora to share in our joy which is their joy. For from every land, whether earlier or later, children of our people have written memorably in the book of our redemption—in letters of toil and enterprise, pioneering and dedication. Nor is there a community in the world, free or confined, old or new, that does not have members bound in heart and spirit to the builders of our land. It has been my good fortune recently to visit close on a dozen splendid Jewish communities in great and friendly countries of South and North America and I have witnessed their tempestuous love of Israel and its state. I shall permit myself to join in the expression of their ardent sympathy conveyed by their leaders on this festive occasion of the dedication of our parliamentary building on the heights of Jerusalem, our eternal city.

"Heartfelt gratitude must be expressed to that noble family which has given such superb assistance to the development of this country and in particular to Mrs. James A. de Rothschild who has carried out so faithfully, fully, and generously the will of her late husband, munificent son of a munificent father. May the family's link with rebuilt Israel remain strong over the years and bring it the joy of achievement and the deepest appreciation of all of us.

"The psalm of the dedication of the House begins with a most sublime verse. Yet not all its words are perfectly clear. 'I will extol Thee, O Lord, for Thou hast raised me up,' the translation reads, but the scholars are divided in their interpretation of the last verb. Does it—*dilitani* in the Hebrew original—mean 'raise' or is it to be construed as derived from the adjective *dal* which means poor? If we accept the latter meaning, the verse gives striking expression to our feelings today, for we are indeed poor—impoverished and destitute. How different these festivities would have been had we not suffered our great loss. Let us, above all our joy, remember the destruction of our people—of all those who should have been here with us. With the eyes of the spirit we see the community of Poland, mother of the exile in our time, a vital center of millions of Jews, men of action, of labor and trade, great traditional scholars and hearty, pious Hassidim, modern writers in Hebrew and Yiddish, masters of journalism and drama and pictorial art, the various parties of the labor movement. Zionists in all their factions and their pioneering youth preparing for life in Israel—all these in the famed cities and the needy, blessed towns of Poland. And we remember the enlightened Jewry of Germany with its scholars and scientists, its communal leaders and writers, its assimilationist and it Zionists and its constantly changing range of Zionist pioneering movements. And what of the community of Saloniki, so rooted in tradition, pride of scattered Sephardi Jewry, bearing its legacy with dignity in the markets and streets and harbor of the city? I shall not draw up a list. All of us know who the missing are, whether they are no longer alive or live and have been forcibly detached from the body of the people. Though to tear them away from the body of the people is possible, there is no hand that can tear them forever out of the soul of the people. We sense the closeness to us of many of them, even though there is no connection between us and them. Surely the day will yet come when they and we will meet face to face here.

"Yet the usual interpretation of the word 'dilitani' in the 'Psalm of Dedication' has been to 'bring up' or 'raise' from the root dalo, as paralleled later in the psalm by the verse:

" 'O Lord, Thou broughtest up my soul from the nether world: Thou didst keep me alive, that I should not go down to the pit.'

"Understood in this fashion, the verse, again, is beautifully appropriate today. We are in the midst of the miraculous process of bringing up to the land and absorbing great numbers of our brothers from the many countries in which they are scattered. Most of us here have ourselves come up to the land or are children of those who have done so. For the State of Israel there is no greater source of pride than the reassembling of its children within it—that movement begun generations before the establishment of the state and proceeding on a far greater scale ever since, up to this very day of dedication. Nor can the house we dedicate today have any aim more exalted and more vital than continued concern with increased aliya—coming up into the land—and absorption, until we attain true sovereignty, politically, economically, culturally, and peace reigns among us and around us.

"On the doors of this house are engraved, in invisible but everlasting letters, the basic principles of democracy, as handed down to us in the dawn of our peoplehood:

" 'Ye shall have one status, both for the stranger, and for him that is born in the land. Thou shalt follow the many * * *. And deliver the spoiled out of the hand of the oppressor * * *. Neither shalt thou favor a poor man in his cause. Let thy brother live with thee. Justice, justice shalt thou follow. The earth shall be full of knowledge.'

"It is our prayer that hatred among brothers shall never reach the threshold of this house, nor trivial rivalries, nor disputatiousness and mutual recrimination, slander and pettiness. Rather let each man here defend his principles and opinions, as his conscience and those whom he represents would wish; without disrespect for the attitudes of his opponents; without losing sight of the great objective of general welfare for the entire nation; without distinction of faith, race, community, origin, party. May this house of lawgivers be at the same time a house of true and continuing education for all who live in the State; a house of hope for the scattered children of our people, enhancing our name among the nations.

"From this place on this festive day we send the blessing of peace to all our neighbors roundabout, to those, too, who have chosen the path of persistent hostility against us. Our hearts wish peace and happiness to all of them and all of us, that the people may live without fear and the world be built in righteousness and the great blessing of peace rest upon our country, our region, and all the world."

4. Address by the Speaker of the Knesset, Mr. Kadish Luz, at the Dinner in Honor of the Heads of Parliaments on Wednesday, 15 Elul 5726, 31 August 1966

"Dear colleagues, Speakers of Parliaments ladies and gentlemen, I thank you deeply and sincerely for being good enough to honor us by your friendly presence at the ceremony of the inauguration of the new Knesset Building in Jerusalem, our capital. Of Israel it was said at the dawn of its history: 'The people will dwell alone.' And ever since, it is as if we were destined to be lonely and strangers. There are many separate families of nations—Anglo-Saxon, Slav, Scandinavian, Rumanian, and German, for example—but we have no special one. We have only the universal family of nations. That is what makes every expression of friendship so precious in our loneliness.

"As I address you, Speakers of Parliaments, I feel that I am speaking to a great part of democratic mankind. For is not a parliament chosen by the people in free elections with clashes of ideas and interests, the very symbol of democracy?

"There are common principles in parliamentary procedure but each parliament has its own image. The Knesset has standing orders and a procedure which resemble those of other parliaments in this or in that respect, but ancient traditions, thousands of years old, pulsate through it and it vibrates as well to the revolutionary changes of recent generations; these are the return to Zion, the destruction of so many of our people, political independence, the turbulent reality of a folk which has gathered together from 70 origins, which is suffering the pangs of integration, in language and in culture, which is building a modern state and economy, and, at the same time, has to defend its security with unremitting vigilance.

"The long record of our people is marked by a ceaseless endeavor to safeguard its spiritual identity, not only when it dwelt in the land of Israel in independence, but also when it was under foreign dominion there, and even when it was in dispersion, it possessed the means to achieve the purpose. One was the existence of quasi-parliamentary institutions; even Moses set up a council of elders, of 70 men, elected by the tribes. There was a kind of separation of powers in the desert and judges and police were appointed. The judges were responsible to God alone, as it is written "* * * and judge righteously * * * ye shall not be afraid of the face of any man, for judgment is God's.'

"A similar structure of government was in being in the land after the reentry from Egypt, as the Book of Joshua tells. In the Babylonian exile a president and a council of elders and special courts administered the community. With the repatriation to Zion from Babylon, 2,500 years ago, under Persian rule, Ezra the scribe set up the Great Knesset, with 120 members. It was both a legislative and a juridical institution. It was in the light of this tradition that we named our parliament, when the state was reestablished and called it Knesset and decided on 120 members.

"With its conquest by Alexander of Macedon and the change of rulership, the Sanhedrin was set up in the land. It had 71 members, and the principle of decision in disputes of ideological or juridical character was established. 'These are the words of the living God, and the majority shall be followed.'

"Institutions of a semiparliamentary character to uphold internal autonomy also existed in the Diaspora; for example, 'the council of the four lands' that functioned for 200 years in Poland and Lithuania.

"The Zionist Congress, too, was a kind of parliament of world Jewry. Under the British mandate in Palestine, we had the Asefat Hanivharim and its executive, the Vaad Leumi.

"Thus, in spite of our youth, we have an ancient parliamentary tradition and once more we speak the Hebrew tongue; our new culture draws its sustenance from our millennial culture and from the diversified treasures of civilization throughout the ages.

"Let us hope that the day will come when every people will be able freely to mold its own culture and enrich it with the cultures of humanity entire.

"May the day come realizing the ancient prophecy that was first heard in this land 'and they shall beat their swords into plowshares and their spears into pruning hooks; nation shall not lift up swords against nation, neither shall they learn war any more'!

" 'May that be God's will'!

"Peace upon all peoples; peace unto the whole world."

5. Visiting parliamentarians

The following is a list of representatives of overseas parliaments who attended the opening ceremony of the Knesset. The list is given in the Hebrew alphabetical order, according to which the delegations will enter and take their places:

Australia. President of the Senate, Sir Alister Maxwell McMullin.

Austria. President of the National Council, Dr. Alfred Maleta.

Italy. Vice President of the Senate, Mr. Ennio Zelioli Lanzini.

Iceland. Speaker of the United Althing and Mrs. Birgir Finnsson.

El Salvador. President of the National Assembly and Mrs. Francisco José Guerrero.

United States. Senator Clifford P. Case (New Jersey); Senator Donald S. Russell (South Carolina); Representative William T. Murphy (Illinois); Representative Frank Horton (New York) and Mrs. Horton; Representative Cornelius E. Gallagher (New Jersey).

Belgium. Vice President of the Senate, M. Henri Moreau de Melen; Vice President of the House of Representatives and Mrs. Ludovic Moyerson.

Britain. Speaker of the House of Commons, Dr. Horace Maybray King; Mrs. Margaret Wilson, Speaker's daughter; Sir Barnett Cocks, Clerk of the House; Mr. R. J. Canter, Deputy Trainbearer;

Brazil. Senator Don Aharon Steinbruck;

Gambia. Speaker of Parliament and Mrs Allen Suleyman Jack.

Denmark. President of the Folketing. Mr. Julius Bomholt.

The Netherlands. Chairman-designate of the First Chamber of the States-General, Dr. J. P. Mazure; Chairman of the Second Chamber of the States-General and Mrs. F. J. F. M. van Theil;

West Germany. President of the Bundestag, Dr. Eugen Gerstenmaier; Dr. Franz Hermann-Moeller, counselor;

Venezuela. Vice President of the Senate and Mrs. Armando Soto Rivera; Dr. Jose Ramon Medina;

Zambia. Speaker of the National Assembly, Mr. W. P. Nyirenda; Mr. D. Mokangwana, committee clerk;

Ivory Coast. President of the National Assembly and Mrs. Phillippe Yace; Mr. Rene Boka, Member of the National Assembly; Mr. Henri Kouassi, Secretary to the President; Mr. Claude Japobi, Chief of the Assembly Protocol;

Togo. President of the National Assembly, Mr. Barthelemy Lambeny;

Tanzania. Speaker of the National Assembly, Chief Sapi Mkawawa; Mr. Pius Msekwa, Clerk of the National Assembly;

Japan. Speaker of the House of Representatives, Mr. Kikuichiro Yamaguchi; Miss Chizuko Yamaguchi, Speaker's granddaughter;

Laos. President of the National Assembly, Mr. Dr. Oudong Souvannavong;

Luxembourg. President of the Chamber of Deputies and Mrs. Victor Bodson;

Liberia. Speaker of the House of Representatives, Mr. Richard A. Henrie;

Malawi. Speaker of the National Assembly and Mrs. I. K. Surtee;

Malagasy. President of the National Assembly and Mrs. Alfred Nany; President of the Senate and Mrs. Simeon Japhet.

Malta. Speaker of the House of Representatives and Mrs. A. Bonnici;

Norway. President of the Storting and Mrs. Bernt Ingvaldsen;

Niger. Vice President of the National Assembly, Mr. Ary Tanimoun;

Sierra Leone. Speaker of the House of Representatives, Mr. Banja Tejan-Sie;

Senegal. Vice President of the National Assembly, Mr. Moustapha Cisse; Mr. Thierno Diop, Deputy; Mr. Mohamadou Doudou N'Dao, Deputy;

Finland. Speaker of Parliament and Mrs. Johannes Virolainen;

Philippines. President pro tempore of the Senate, Mr. Lorenzo Sumilong;

Panama. President of the National Assembly and Mrs. Don Jose Pablo Velasquez;

Peru. First Vice President of the Chamber of Deputies and Mrs. Don Ricardo Temoche Benites;

Chad. First Vice President of the National Assembly and Mrs. Mehamat Douba Alifa; Mr. Raciang Paragouri, Member of National Assembly; Mr. Djime Ramjadan, Member of National Assembly;

France. President of the Senate and Mme. Gaston Monnerville; Vice President of the National Assembly, M. Achile Peretti;

Chile. President of the Senate, Don Tomas Reyes; President of the Chamber of Deputies, Don Eugenio Ballesteros;

Congo (Kinchasa), President of the Senate, Mr. Sylvestre Mudingayi; Senator Louis Mushy; Mr. Robert Kabonzo, clerk of the Senate;

Sweden. Speaker of the First Chamber of the Riksdag and Mrs. Eric Boheman; Speaker of the Second Chamber, of Riksdag and Mrs. Fridolf Thapper;

Switzerland. President of the Council of State, Dr. Dominic Auf Der Maur; President of the National Council and Mrs. Pierre Graber;

Rwanda. President of the National Assembly, Mr. Balthasar Bicamumpaka.

Council of Europe. President of the Consultative Assembly of the Council of Europe, Sir Geoffrey de Freitas and Lady de Freitas;

Inter Parliamentary Union. Secretary General International Parliamentary Union, Mr. Andre de Blonay.

6. Description of the New Knesset Building

The State of Israel's imposing new Knesset building provides a fitting focus to the Governmental, academic and cultural complex that crowns Jerusalem's western hillside at Givat Ram. Befitting a young State, the building is modern in approach whilst classical in conception, its dignity lying in the beauty of glowing stone-work contrasting with the upright strength of unadorned concrete. Encircling the olive tree-clad hill is a low wall of warm, russet-gold uncut Jerusalem stone. Welded iron gates, designed by David Palombo, front the broad entrance plaza opposite the massive bronze doors, the work of Shraga Weil, a prominent kibbutz artist. Built into the hillside, three stories rise above the plaza, while a further three descend with the hill to the south. The Chamber, meeting place of Israel's 120-member Knesset, is a lofty semi-circle, surrounded by galleries for the public, the press and distinguished visitors. Setting off the rich colours of the wood furnishings, a wall of cool Galilee stone behind the Speaker's dais is carried out in massive blocks of carved relief, the design of Tel Aviv artist Dani Karavan. Here, too, as befits the People of the Book, are carved inscriptions from the Bible, with a bas-relief of Theodor Herzl, the visionary of the modern State. Adjoining the Chamber, the large State reception hall is graced by three works designed by Marc Chagall; an imposing tapestry triptych, symbolically representing three phases of Jewish history—Creation, Exile and Ingathering—dominates one wall; on another, a mosaic depicts the Temple's Western Wall, a tribute to the memory of the millions of Jews who perished in the Diaspora before the creation of the State; while from the floor itself, the sunlight glints on twelve medallion mosaics of rare formal beauty. The remainder of the building is given over to tastefully planned and designed committee rooms, ministerial offices, a large library, a place of worship, restaurants, press facilities, a lobby where Knesset members can receive the public—all the amenities for the smooth running of Israel's elected legislature. The impression throughout is one of dignity, light and space—an atmosphere inspiringly conducive to enlightened government in a progressive, modern and dynamic State.

VIRGIN ISLANDS ELECTIVE GOVERNOR

Mr. SAYLOR. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. SAYLOR. Mr. Speaker, on May 16, 1966 the House passed H.R. 11177, a bill to provide for the popular election of the Governor of the Virgin Islands. Our committee held several days hearings on the bill. I hold in my hand a printed copy of the hearings. Not until October 10 did the Senate amend and pass the House bill. Time has run out on us. Conferees from the two bodies cannot possibly reconcile the differences between the two versions. Perhaps the Senate amendments strengthen the bill, I do not know. Whenever Congress amends the Organic Act of one of our offshore flag areas we want to be certain we know what we are doing or we may very well realize the errors of our ways during the next session of Congress.

Perhaps the time is ripe for the American citizens in the Virgin Islands to elect their Governor and Lieutenant Governor. Sometimes I have more faith in the voters than in the officials they elect. On April 19, 1966, I and several of our colleagues pointed out the tremendous progress of the Virgin Islanders during the past decade and a half in developing self-government. Possibly we were premature. Within the past 2 months a series of events have taken place in the Virgin Islands which makes me wonder if certain members of the legislature and the appointive Governor have become power hungry or perhaps are realizing that in order to maintain their positions they must resort to the political shenanigans they have introduced in the islands. Through connivance of the Governor, the 6-to-5 majority in the legislature have sought to confuse and frustrate the voters so that on November 8 they will find it almost impossible to cast their ballots in a free election.

Rather than to give congressional blessing to H.R. 11177 in the closing days of the 89th Congress, I want to join the chairman of the Committee on Interior and Insular Affairs [Mr. Aspinall] in recommending that the Senate amendments to the legislation be passed over until the 90th Congress so that they can be given more complete consideration.

The Senate amendments to H.R. 11177 are substantial. The House provided for a 2-year term. The Senate changed the term to 4 years. The House set the election date for November 8, 1966. The Senate changed the date to November 3, 1970. The House would permit the Governor and Lieutenant Governor to be elected for as many 2-year terms as they could be elected. The Senate restricts them to two 4-year terms but they can be elected after a 4-year intervention. Surely these differences should be aired at length.

The two versions are definitely at odds on the provision for the recall of the Governor. The House provided for an impeachment trial to be held by the Virgin Island Legislature with a panel selected by the judges of the Third Circuit Court. The Senate amended the bill to provide for removal by 75 percent of the registered voters. The removal would, however, be subject to the approval of the President. These impeachment proceedings could be initiated either by a two-thirds vote of the legislature or through the legislature by a petition signed by 25 percent of the registered voters. This sounds cumbersome. Perhaps it is. After the House has had opportunity to consider the proposal it may sound better. We ought to learn how the Attorney General feels toward the amendments.

A major Senate change is recommended regarding the Government Comptroller of the Virgin Islands. That officer has filled a very important position in the Virgin Islands and we want to be certain that his functions and responsibilities are not lessened. We want to seek the advice of the Comptroller General to ascertain whether that office is agreeable to the amendments.

Over the years the Congress has worked very closely with the Office of Territories and the respective territorial legislatures. I hope we can continue this practice. In January or February 1967 we must have another look at legislation to provide for the popular election of the Virgin Islands Governor and Lieutenant Governor.

HISTORY'S BEST CONGRESS

Mr. HALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The **SPEAKER.** Is there objection to the request of the gentleman from Missouri?

There was no objection.

Mr. HALL. Mr. Speaker, out of the ashes of the so-called Johnson landslide of the 1964 election will undoubtedly arise a strengthened Congress, predicated on principles of public trust, and the separation of powers. This "phoenix," as in ancient mythology, will be constituted of lawmakers who believe in basic natural laws and a representative Republic under a limited constitution. Barring accident they shall arise, and a goodly number will be reelected or "first time" Republicans.

For, Mr. Speaker, the modern day phoenix will indeed be the informed and prudent judgment of the U.S. citizens. May their tribe increase.

Herewith, from the Wall Street Journal of today, in the editorial column "Review and Outlook," is an editorial which exemplifies objective analysis with point of counterpoint concerning the 89th Congress. I commend it to the careful study of all current colleagues and nominees of the Congress, regardless of whether this concluding 89th is best or most:

HISTORY'S BEST CONGRESS?

"I think we're going to have the best Congress in the history of this nation when we finish our record this session," President Johnson told his news conference the other day. The appraisal is so sweeping that it calls for a little examination.

"Best" is, of course, a subjective judgment, and it isn't particularly surprising to hear it applied to a Democratic Congress by a Democratic President when an election is close at hand. Yet there are specific actions of this legislature that do deserve broad commendation, though some of them aren't the ones Mr. Johnson had in mind.

Even the thin ranks of Republicans can look back on some achievements. For one, GOP Senators were largely responsible for blocking, at least for this year, repeal of the Taft-Hartley Act's Section 14(b), which has allowed a score of states to ban the union shop.

This action was all the more remarkable in view of the tremendous pressure organized labor put behind the union shop, an arrangement that compels workers to join a union to keep their jobs. While the pressure was enough to convince some legislators, others apparently were aware of the polls that show workers themselves for the most part dislike the idea of compulsory unionism.

Republicans also played a major role in sidetracking the latest civil rights bill, with its controversial "open housing" section. It surely is desirable for Americans to be able to buy homes where they please, regardless of race, creed or color, but it's apparent that the general public, North or South, is not ready to have this social goal implemented by massive Federal force.

Outnumbered more than two to one in both houses, the GOP was limited to moves that may appear negative. But worthy legislative accomplishment cannot be measured merely in numbers of bills passed or in increases in Federal spending, although those are the yardsticks all too commonly used.

If legislatures were fairly judged only by numbers of new laws and size of outlay, the 89th Congress would indeed rank among the nation's "best." In its two-year life it has passed literally hundreds of bills, including such sweeping new Government ventures as medicare for the aged and general school aid, and annual Federal spending has vaulted by around 20%.

A lawmaking body, however, is more thoughtfully rated on the worth of its legislation, and here the Congress does not come off especially well. Disturbingly, the lawmakers frequently seem not to care whether their laws are intrinsically good or bad.

Last year Congress pushed through a great mass of measures, approving more than two-thirds of the Administration's 400-odd specific requests. A number of them were worthwhile, but so frantic was the activity that many liberal Democrats and even President Johnson himself indicated it might be wise for the nation to pause to digest all the new laws, to examine carefully how they worked and to determine exactly how much value the public was getting for its money. That sounded like a good idea, but it was scrapped almost as soon as the lawmakers returned from recess in early 1966.

Congress in 1965 had voted a great deal of money for schools and Federal officials reported educators were having trouble putting it all to productive use. So what are the legislators doing this year? They're about to give the schoolmen several times as much.

For another example, even the stoutest proponents of the costly "war" on poverty, approved by Congress last year, concede it is perforated with scandals and waste. They nonetheless induced the legislators not only to extend but expand it, promising that maybe next year someone would get around to looking into the plentiful evidence of mismanagement.

The indications of irresponsibility spread through many areas. Lawmakers continue to ardently police the ethics of the Executive branch while they sweep under the rug disclosures of peccadillos of their own. The bulk of the remaining unemployment centers on unskilled workers, so Congress boosts the minimum wage and prices many of them out of the job market. Most important, inflation rages and yet the lawmakers merrily go on trying to outspend the freest-spending Administration ever.

Certainly the past two years have been memorable for fast and frenzied action. But the nation should not be deceived that the busiest legislature is necessarily the best.

Mr. Speaker, in this connection I would like to paraphrase a statement I made several years ago on the floor of the House, which was my version of "The Postive No." In so doing, I would call it "The Power of the Responsible Yes." I am sick and tired of hearing all of the Great Society comments that the Republican Party is opposed to everything, and has no positive suggestions of its own. We are now considering basic principles and rugged truths pertaining to the survival of Government that for over 200 years has given us the most truly representative Republic in history, and the highest standards of living in the world, as recorded by history.

THE POWER OF THE RESPONSIBLE YES

"Republicans believe in freedom of the individual . . . and believing so they must necessarily oppose everything that would take away that freedom.

Republicans believe in free enterprise. And so believing, they must necessarily oppose everything that would destroy free enterprise in favor of a Socialistic form of government that concentrates power and authority in "politicians", instead of free individuals.

Republicans, and all citizens, should believe in the Judiciary backing up and supporting the Constabulary, and thus must oppose a managed and indeterminate Supreme Court, which legislates and regulates by fiat instead of simple but important Judicial determination.

Republicans believe in the freedom of the marketplace, and so believing they must necessarily oppose everything that would place absolute authority in the hands of the master planners instead of placing it in the hands of millions of consumers who express their wants in the open market.

Republicans believe in self-determination. And so believing, they must necessarily oppose everything that puts us in a compromising position with international Communism.

Republicans believe in the rewards that go to free men whose own initiative and zeal for work create prosperity for the rest of society. And so believing, they must necessarily oppose Socialist schemes to "redistribute the wealth" or anything else that takes away individual incentive.

Republicans believe in local responsibility and local authority to meet local needs. And so they must necessarily oppose everything which would sap our reliance on local initiative and transfer responsibility to "the great White Father in Washington."

Republicans believe in government by law, and not government by man alone.

Republicans believe in fiscal responsibility . . . and so believing, they must necessarily oppose everything which will plunge our nation deeper and deeper into debt, and place the burden for our own irresponsibility on future generations . . . on your children and mine.

Republicans believe in the American working man . . . and so they must necessarily oppose liberal Socialistic schemes that attack and weaken the private sector of our economy which must provide jobs for our working men and women. In the long run, collectivized Federal Government creates few or new permanent jobs, and the job of Government is to provide the climate for investment, initiative and free enterprise.

Republicans believe in a strong, dynamic, national government . . . and so believing they must necessarily oppose everything which will detract from our Federal Government's ability to meet national and international problems by diffusing our energies and resources over a vast multitude of local problems.

As Republicans . . . and as Americans, we are plain sick and tired of the volumes of messages coming from the White House calling for greater and greater Federal expenditures, for bigger and bigger bureaucracy.

Republicans believe that history must not necessarily be repeated . . . that the fall and decline of previous great civilizations such as Rome and Greece, was due in part to the decline of reliance on the individual. And so believing, they must necessarily oppose those things which will cause Americans to lose faith in themselves and look to Washington for solutions of local problems.

In short, Republicans believe in America, and they have little faith in those who have no faith.

THE REVEREND DR. ROBERT W. SPIKE

Mr. RYAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, I am deeply saddened by the news that the Reverend Dr. Robert W. Spike was murdered last night in Columbus, Ohio. Dr. Spike, a minister of the United Church of Christ, was a pioneer in the civil rights movement. His life was dedicated to the struggle for equality and betterment of all citizens. As minister of the Judson Memorial Church in Greenwich Village in New York from 1949 to 1956, Dr. Spike was a strong voice for civil rights in New York.

Dr. Spike, who in 1963 became the executive director of the Commission on Religion and Race of the National Council of Churches, gained national prominence as one of the leaders of the 1963 civil rights march on Washington. He also participated in several marches in the South and helped to organize the Mississippi Delta ministry's program which trained hundreds of students to go to Mississippi.

Dr. Spike's life was, and will remain, an inspiration to all who believe in equality among men. The Protestant Episcopal Church and the United Presbyterian Church joined the United Church of Christ in a statement last night saying Dr. Spike was "a pioneer in making the church relevant to contemporary life and especially in putting the church into the forefront of the struggle for civil rights. Our churches join in lamenting his death although we know a life like his will live on."

Mr. Speaker, I extend my deepest sympathy to Mrs. Robert W. Spike and their children.

SENATE BILLS AND CONCURRENT RESOLUTIONS REFERRED

Bills and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2205. An act for the relief of the widow of Albert M. Pepoon; to the Committee on the Judiciary.

S. 2980. An act to increase the amount of benefits payable to widows of certain former employees of the Lighthouse Service, and thereafter to provide for cost-of-living increases in benefits payable to such widows and to such former employees; to the Committee on Merchant Marine and Fisheries.

S. Con. Res. 109. Concurrent resolution authorizing the printing of certain hearings of the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary; to the Committee on House Administration.

S. Con. Res. 110. Concurrent resolution authorizing the printing of additional copies of hearings by the Special Committee on Aging on "Detection and Prevention of Chronic Disease Utilizing Multiphasic Health Screening Techniques"; to the Committee on House Administration.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the Congressional Record, or to revise and extend remarks was granted to:

Mr. Garmatz.

Mr. Gilbert.

Mr. Multer.

Mr. Conte during his remarks on the contempt citations and resolutions and to include extraneous matter.

TO PROVIDE FOR THE DISPOSITION OF FUNDS APPROPRIATED TO PAY A JUDGMENT IN FAVOR OF THE OMAHA TRIBE OF NEBRASKA, AND FOR OTHER PURPOSES

Mr. HALEY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 8917) to provide for the disposition of funds appropriated to pay a judgment in favor of the Omaha Tribe of Nebraska, and for other purposes, with amendments of the Senate thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

> Page 3, strike out lines 3 to 8, inclusive.
>
> Page 8, line 9, strike out "5." and insert "4."

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. SAYLOR. Mr. Speaker, reserving the right to object, I would like to direct a question to the gentleman from Florida and ask him whether or not with the amendment that was adopted in the Senate, this bill will conform to a bill which the House passed a number of years ago with regard to another distribution to this same tribe of Indians?

Mr. HALEY. The gentleman is correct.

Mr. SAYLOR. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Florida [Mr. Haley]?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

FILING OF CONFERENCE REPORT AND STATEMENT ON H.R. 13161, ELEMENTARY AND SECONDARY EDUCATION ACT

Mr. POWELL. Mr. Speaker, I ask unanimous consent that the managers on the part of the House have until midnight tonight to file a conference report and statement on the bill (H.R. 13161) to strengthen and improve programs of assistance for our elementary and secondary schools.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

TO SUSPEND THE INVESTMENT CREDIT AND THE ALLOWANCE OF ACCELERATED DEPRECIATION IN THE CASE OF CERTAIN REAL PROPERTY

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight, October 18, to file a conference report on the bill (H.R. 17607).

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

Mr. HALL. Mr. Speaker, reserving the right to object, may we have the title of the bill besides just the number?

Mr. BOGGS. This is the investment tax credit bill and allowance of accelerated depreciation on certain real property.

Mr. HALL. Mr. Speaker, I thank the gentleman and withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

LEGISLATIVE PROGRAM

Mr. BOGGS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. BOGGS. Mr. Speaker, I would like to announce that when time permits, a number of bills that have been reported unanimously by the Committee on Ways and Means will be called up and I ask unanimous consent that the list of bills be printed in the Record.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The bills are as follows:

H.R. 5950 (Pelly)—free importation of limestone used in cement.

H.R. 7030 (Battin)—certain assessments for depreciable property.

H.R. 8244 (Herlong)—computation of cigar tax.

H.R. 9280 (Talcott)—exempting from excise tax, shells and cartridges used in preventing crop damage by birds.

H.R. 11158 (Mills)—working capital fund for Treasury.

H.R. 11753 (Bray)—spectrometer, Indiana U.

H.R. 12110 (Minshall)—ship model, Lutheran Church.

H.R. 12197 (McCormack)—rheogoniometer, Tufts U.

H.R. 13035 (Rumsfeld)—rheogoniometer, Northwestern U.

H.R. 13190 (Conte)—carillon, Northfield, etc.

H.R. 13363 (King of California)—extending filing time for TSUS refunds.

H.R. 13455 (Rhodes of Pennsylvania)—payment of podiatrists' services under SMI.

H.R. 13739 (Nix)—spectrograph, Pennsylvania U.

H.R. 14388 (Thompson, N.J.)— spectrometer, Princeton U.

H.R. 14610 (Ichord)—diffractometer, Missouri U.

H.R. 14893 (Rostenkowski)—ionosonde, Illinois U.

H.R. 15888 (Tunney)—carillon, California U.

H.R. 16077 (Boggs)—free importation of dicyandiamide.

H.R. 16160 (Ullman)—tariff classification of Chinese gooseberries.

H.R. 17271 (Byrnes of Wisconsin)—tax treatment, combat pay.

H.R. 18035 (Mills)—widow's and stepchild's benefits.

H.R. 18230 (Watts)—indirect purchase of stock (liquidation of subsidiaries).

S. 1013 (Saltonstall)—requiring annual Treasury report re national debt and tax structure.

H.R. 13116 (Griffiths)—duty on certain nonmalleable iron castings.

DEMONSTRATION CITIES AND METROPOLITAN DEVELOPMENT ACT OF 1966

Mr. PATMAN submitted a conference report and statement on the bill (S. 3708) to assist comprehensive city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes.

PROCEEDINGS AGAINST MILTON MITCHELL COHEN

Mr. WILLIS. Mr. Speaker, I rise on a question of the privilege of the House, and by direction of the Committee on Un-American Activities I submit a privileged report—House Report No. 2302.

Mr. YATES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. YATES. At what point is it in order for me to present a point of order to the resolution?

The SPEAKER. After the report is read.

The Clerk read as follows:

Proceedings Against Milton Mitchell Cohen

The Committee on Un-American Activities, as created and authorized by the House of Representatives, through the enactment of Public Law 601 of the 79th Congress, section 121, subsection (q)(2), under House Resolution 8 of the 89th Congress, duly authorized and issued a subpena to Milton Mitchell Cohen. The subpena directed Milton Mitchell Cohen to be and appear before the said Committee on Un-American Activities, of which the Honorable Edwin E. Willis is chairman, or a duly appointed subcommittee thereof, on Tuesday, May 25, 1965, at the hour of 10:30 a.m., at the U.S. Courthouse and Federal Office Building, Ceremonial Courtroom, 25th floor, 219 South Dearborn Street, Chicago, Ill., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon Milton Mitchell Cohen is set forth in words and figures as follows:

"United States of America

"Congress of the United States

"To Milton Mitchell Cohen, *Greeting:*

"Pursuant to lawful authority, You Are Hereby Commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on May 25th (Tuesday), 1965, at 10:30 o'clock, a.m., U.S. Court House & Fed. Office Bldg., Ceremonial Court Room, 25th Floor, 219 S. Dearborn Street, Chicago, Ill., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof Fail Not, as you will answer your default under the pains and penalties in such cases made and provided.

"To Martin A. Walsh, to serve and return.

"Given under my hand this 6th day of May, in the year of our Lord, 1965.

/s/ "E. E. Willis,

"Chairman—Chairman of Subcommittee—Member Designate of the Committee on Un-American Activities of the House of Representatives.

"If you desire a conference with a representative of the Committee prior to the date of the hearing, please call or write to: Staff Director, Committee on Un-American Activities, Washington 25, D.C., Telephone: CApitol 4–3121—Ext. 3051."

This subpena was duly served as appears by the return thereon made by Martin A. Walsh, who was duly authorized to serve it. The return of service of said subpena is set forth in words and figures as follows:

"I made service of the within subpena by hand to the within-named Milton Mitchell Cohen on the street in front of his home at 5322 S. Kimbark Avenue, Chicago, Illinois, at 8:25 o'clock, a.m., on the 11th day of May, 1965.

"Dated May 11, 1965.

/s/ "Martin A. Walsh."

The said Milton Mitchell Cohen, summoned as aforesaid, appeared and was called as a witness on May 26, 1965, to give testimony, as required by the said subpena, at a meeting of a duly authorized subcommittee of the Committee on Un-American Activities at the Old U.S. Court of Appeals Building in Chicago, Ill. He was accompanied by his counsel, Richard Orlikoff, Esquire.

Having been sworn as a witness, he was asked to state his full name and residence for the record, to which he responded, giving same. He was then asked whether he was represented by counsel, to which he replied that he was.

Thereafter, the witness refused to answer any other questions touching matters of inquiry committed to said subcommittee. The witness then departed the hearing room without leave of said subcommittee.

The foregoing refusal by Milton Mitchell Cohen to answer any further questions, and his willful departure without leave, deprived the Committee on Un-American Activities of pertinent testimony regarding matters which the said committee was instructed by law and House resolution to investigate, and place the said Milton Mitchell Cohen in contempt of the House of Representatives of the United States.

Pursuant to resolution of the Committee on Un-American Activities duly adopted at a meeting held January 13, 1966, the facts relating to the aforesaid failures of Milton Mitchell Cohen are hereby reported to the House of Representatives, to the end that the said Milton Mitchell Cohen may be proceeded against for contempt of the House of Representatives in the manner and form provided by law.

The record of the proceedings before the said subcommittee, so far as it relates to the appearance of the said Milton Mitchell Cohen, including the statement by the chairman of the subject and matter under inquiry, is set forth in Appendix I, attached hereto and made a part hereof.

Other pertinent committee proceedings are set forth in Appendix II, and made a part hereof.

Appendix I

Tuesday, May 25, 1965

United States House of Representatives, Subcommittee of the Committee on Un-American Activities,

Chicago, Illinois.

Public Hearings

A subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:30 a.m., in the Old United States Court of Appeals Building, 1212 North Lake Shore Drive, Chicago, Illinois, Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, Chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and Del Clawson, of California.)

Subcommittee members present: Representatives Willis, Pool, Weltner, and Clawson.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; and Neil E. Wetterman and Philip R. Manuel, investigators.

The Chairman. The subcommittee will come to order.

Mr. Nittle, will you call the names of the witnesses and hand them a copy of the opening statement?

Mr. Nittle. Is Milton Mitchell Cohen in attendance?

Come forward, please.

Louis Diskin.

David Englestein.

Benjamin Max Friedlander.

Dorothy Mixter Hayes.

Dorothy Mixter Hayes.

Dorothy Mixter Hayes, please come forward.

Yolanda Hall.

Leon Joy Jennings.

Wilberforce Cox Jones.

Versta Miller.

Helen Fotine Queen.

Dr. Jeremiah Stamler.

Charles Fehninger Wilson.

Mr. Chairman, Dorothy Mixter Hayes has not responded. Shall I again call her?

The CHAIRMAN. Please. Three times.

Mr. NITTLE. Dorothy Mixter Hayes, please come forward.

Dorothy Mixter Hayes, please come forward.

Dorothy Mixter Hayes, please come forward.

The CHAIRMAN. Thank you, Mr. Nittle.

Mr. NITTLE. Mr. Chairman, I ask that it be noted on the record that Dorothy Mixter Hayes has not responded.

Mr. WOLF. We are responding for Miss Hayes.

The CHAIRMAN. She ought to be here and must be here in person.

Mr. WOLF. She is here, if you will just give me a moment.

Miss Hayes.

Mr. NITTLE. Miss Hayes, would you step forward, please?

Mr. WOLF. Mr. Chairman, I would like the record to show that we object to the presence here of the cameras.

The CHAIRMAN. We will in that respect abide, as we always do and are today, with the rules of the House.

This subcommittee of the House Committee on Un-American Activities is convened here in Chicago to conduct hearings upon the subjects of inquiry and for the legislative purposes set forth in a committee resolution adopted March 18, 1965. I offer this resolution for the record. It reads as follows:

"Be it resolved, That hearings be held by the Committee on Un-American Activities or a subcommittee thereof, at such times and places as the Chairman may determine, and that the staff be authorized to conduct investigations deemed reasonably necessary in preparation therefor, relating to:

"1. As concerns the Chicago, Illinois area and the Illinois District of the Communist Party of the United States: the structure and organization of the Communist Party of the United States; its major objectives, and the strategical and tactical methods designed to aid in accomplishing such objectives; the major areas of Communist Party concentration; organizations created and controlled by the Communist Party to advance the policies and objectives of the Communist movement; Communist propaganda activities conducted in support of such objectives; and conspiratorial activities in aid of, or in association with, foreign Communist governments; and also like information regarding other Communist organizations in the Chicago, Illinois area, for the following legislative purposes:

"(a) to provide factual information to aid the Congress in the proposal of any necessary remedial legislation in fulfillment of the directions contained in the mandate to the Committee by House Resolution 8, of January 4, 1965, and Public Law 601 of the 79th Congress;

"(b) to assist the Congress in appraising the execution by the administrative agencies concerned of Title I of the Internal Security Act of 1950;

"(c) to provide factual information to aid the House in the disposition of presently pending and proposed legislation, including, but not limited to, H.R. 4293, a bill to amend the Subversive Activities Control Act of 1950 so as to authorize the Federal Government to bar from access to defense facilities individuals who may engage in sabotage, espionage, or other subversive acts;

"(d) consideration of the advisability of amending the Internal Security Act so as to impose certain disabilities, in the manner and form therein provided, upon those persons "affiliated with" Communist organizations as well as upon persons who are members thereof.

"Be it further resolved, That the hearings may include any other matter within the jurisdiction of the Committee which it, or any subcommittee thereof, appointed to conduct these hearings, may designate."

As a result of the June 1961 decision of the Supreme Court of the United States in the Communist Party case (367 U.S. 1), certain provisions of the Internal Security Act have become effective. This was a case against the Communist Party of the United States instituted by the Attorney General before the Subversive Activities Control Board in 1950 to require that the party register as a Communist-action organization within the terms of the Internal Security Act of 1950.

A Communist-action organization is defined in the act as any organization in the United States which is substantially directed, dominated, or controlled by the foreign government or organization controlling the world Communist movement.

Following the taking of extensive testimony, the Subversive Activities Control Board found the Communist Party of the United States was a disciplined organization operating in this Nation under Soviet Union control, with the objective of installing a Soviet-style dictatorship in the United States. The Board, therefore, ordered the party to register as a Communist-action organization.

The Supreme Court, as previously indicated, has upheld this finding and order. This order has the effect of denying to Communist Party members any Federal employment, or employment in any defense facility as defined in the act.

Preliminary committee investigation indicates that this decision of the Court prompted certain organizational changes in the Communist Party. The party has attempted to nullify the provisions of the statute. These hearings in Chicago are one of a series of investigations into area activities of the Communist Party which the committee is conducting in various parts of the country for the purpose of determining whether remedial or amendatory legislation is necessary and, if so, what laws may be desired.

This committee functions as a part of the legislative branch of Government, as distinguished from the executive and judicial branches. In the exercise of its investigative function, the committee neither accuses nor judges. It conducts no trials. It is a fact-gatherer to inform the Congress about the operations of this Soviet-controlled conspiracy.

Its investigations must be continuous. For while the basic objectives of the Communists remain the same, the party develops new tactics and operational forms from time to time to speed and improve Communist undermining activity and to offset the legislative, administrative, and other steps taken by the Congress, the executive branch, and the American people to preserve their liberty.

The power of congressional committees to make investigations and to exact testimony has been repeatedly confirmed by the Supreme Court of the United States. In *McGrain* v. *Daugherty* (273 U.S. 135, at 161), a leading case, the Supreme Court pointed out that, and I quote from the words of the Supreme Court:

"In actual legislative practice power to secure needed information by such means has long been treated as an attribute of the power to legislate. It was so regarded in the British Parliament and in the Colonial legislatures before the American Revolution; and a like view has prevailed and been carried into effect in both houses of Congress and in most of the state legislatures."

That is the end of the quotation from the Supreme Court decision.

Information and knowledge is, of course, the object of investigation. It is basic to the exercise of the lawmaking function.

The Committee on Un-American Activities is authorized by a rule of the House and a Federal statute to make investigations of the extent, character, and objects of subversive and un-American propaganda, whether instigated by foreign countries or of a domestic origin, which attacks the principle of the form of government as guaranteed by our Constitution, and all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

For the purpose of any such investigation, this committee is authorized to hold hearings and to issue subpenas to require the attendance of witnesses and the production of documents. Moreover, the committee is required to report to the House the results of its investigations, together with such recommendations as it deems advisable.

The committee is also required, by House rule and the statute already mentioned, to perform the duties imposed upon all standing committees with respect to laws within its jurisdiction, that is, to appraise the execution of laws enacted by Congress and to exercise a continuous watchfulness over the administrative agencies concerned with the execution of such laws.

In the light of the threat which Communist organizations pose to the United States as a sovereign, independent Nation, we must recognize, as Mr. Justice Frankfurter said in the Communist Party case, "That the power of Congress to regulate Communist organizations of this nature is extensive."

Mr. Justice Harlan, speaking for the Supreme Court in *Barenblatt* v. *United States* (360 U.S. 109, at page 127), a decision upholding the contempt of Congress conviction of a witness who had refused to answer questions asked him by this committee, said:

"That Congress has wide power to legislate in the field of Communist activity in this Country, and to conduct appropriate investigations in aid thereof, is hardly debatable. The existence of such power has never been questioned by this Court, and it is sufficient to say, without particularization, that Congress has enacted or considered in this field a wide range of legislative measures, not a few of which have stemmed from recommendations of the very Committee whose actions have been drawn in question here."

That is, the Committee on Un-American Activities.

Justice Harlan continued: "In the last analysis this power rests on the right of self-preservation, 'the ultimate value of any society,' *Dennis* v. *United States*, 341 U.S. 494, 509. Justification for its exercise in turn rests on the long and widely accepted view that the tenets of the Communist Party include the ultimate overthrow of the Government of the United States by force and violence, a view which has been given formal expression by the Congress."

There is, however, not only a power to legislate in the field of Communist activities, but also a positive duty imposed upon Congress to do so. The Supreme Court has said:

"'To preserve its independence and give security against foreign aggression and encroachment, is the highest duty of every nation, and to attain these ends nearly all other considerations are to be subordinated. It matters not in what form such aggression and encroachment come. . . .' [Quoted in *Communist Party Case*, 367 U.S. 1, 96.]"

Now I would like to stress the fact that the committee's presence here in Chicago is not to be construed in any way as derogatory to this great city. We have held hearings here before, as we have in other major cities of our country on more than one occasion in the past.

Why? Not because these cities as such—or their governments or people—are suspect in any way, but rather because they and the States in which they are located are so important to our national security, prosperity, and welfare.

The Communists decided a long time ago where they would try to build their greatest strength in the United States. They determined that they would send their best organizers, agitators, and propagandists into those areas of our country which were most vital to its overall security, particularly in time of war.

It was in these areas that they determined to pour their money and to concentrate as much effort as possible to build their largest, strongest, and most disciplined units.

Why? So that if war between the Soviet Union and the United States should come—and God pray it won't—their greatest strength would be in those areas where, by sabotage and other traitorous activities, they could do most to help the Soviet Union and bring about the defeat of the United States. And so the Communists concentrate—and always have concentrated—on our great centers of industry, of transportation, communication, learning, and so forth—on States such as Illinois, New York, Michigan, California, Pennsylvania; on cities such as Chicago, Detroit, New York, Pittsburgh. These are the areas of the United States that are most important to Moscow and, therefore, to its puppets, the U.S. Communists. Generally speaking, the Communists have not devoted much attention to our small rural communities.

Our presence in Chicago, therefore, and such evidence of Communist activity in this city and State as is produced in these hearings, is not to be taken as an affront to this city or the State of Illinois. Rather, the hearings are a tribute to them, a recognition of the tremendous importance the enemies of this country, both here and abroad, attach to Illinois and its great city, Chicago.

In short, we are here not to hurt anyone or any institution, but to help—to help, as we are directed by the House of Representatives, the security of our country. It is our hope—and our belief—that, in doing so, we will also help this wonderful State, city, and people.

I now offer for the record the order of appointment of this subcommittee, as follows:

MAY 6, 1965.

To: Mr. FRANCIS J. MCNAMARA,
Director, Committee on Un-American Activities

Pursuant to the provisions of the law and the Rules of this Committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Honorable JOE R. POOL, Honorable CHARLES L. WELTNER, Honorable JOHN M. ASHBROOK and Honorable DEL CLAWSON, as associate members, and myself, as Chairman, to conduct hearings in Chicago, Illinois, commencing on or about Tuesday, May 25, 1965, and/or at such other times thereafter and places as said subcommittee shall determine, as contemplated by the resolution adopted by the Committee on the 18th day of March, 1965, authorizing hearings concerning certain Communist activities in the Chicago, Illinois area, and other matters under investigation by the Committee.

Please make this action a matter of Committee record.

If any member indicates his inability to serve, please notify me.

Given under my hand this 6th day of May, 1965.

/s/ Edwin E. Willis,
EDWIN E. WILLIS,
Chairman, Committee on
Un-American Activities.

I would like to point out that the absent member of this subcommittee, Mr. ASHBROOK, of Ohio, his absence has been unavoidably brought about by a death in the family. It is expected that he might appear later on.

Now I point out, and I want the record to reflect, that this statement I have just read—each witness subpenaed has been handed a copy by counsel. I urge them to remain in the committee room so that if there be any testimony regarding them they may be here.

I urge also careful analysis of the statement that each witness has, announcing the purposes and objectives of the hearings, so that there won't be any haggling about a witness not knowing the purpose why these hearings are being held. These purposes are being stated at length in this statement and each witness has a copy.

I want to go one step further and read from Rule XI, 26(m), House of Representatives. The rules of the House are binding on all committees. There are some 20 permanent committees of the House, the jurisdiction of each committee is set forth in the rules of the House.

This committee, the House Committee on Un-American Activities, is but one of 20 permanent committees of the House. This committee is an agency of the House and operating under the rules of the House. I want to direct the attention of all to the provisions of Rule 26(m) in respect to these particular hearings.

Every person concerning whom there might be defamatory, degrading, or incriminating evidence produced here at these hearings has been notified of that possibility and has been sent a letter, a typical sample of which I now read:

"Pursuant to House Rule XI, 26(m), the Committee on Un-American Activities has received certain evidence and testimony in executive session, in the course of which a person by the name of"—and here each witness' name appears—"a resident of"—and their address is given—"was identified as having been a member of the Communist Party."

Everyone whose name might crop up has received a copy of this letter or been sent one.

"If you so desire, you will be afforded an opportunity voluntarily to appear as a witness before a subcommittee of the Committee on Un-American Activities at a time and place to be designated. According to the general practice of the committee, this hearing"—namely the voluntary testimony of witnesses so notified—"shall be conducted in executive session.

"You may also request the committee to subpoena additional witnesses.

"If you desire to avail yourself of the opportunities thus afforded you, you should so advise the Director of the Committee no later than Tuesday, May 18, 1965. He may be reached at Room 226, Cannon House Office Building, Washington 25, D.C.; telephone number: Capitol 4-3121, extension 3051.

"This is not a subpoena or summons requiring you to appear.

"Very truly yours, EDWIN E. WILLIS, Chairman."

Let me tell you that every witness, I repeat, whose name might come up in these hearings, every person was mailed such a letter but not one single, solitary response did we receive. [Laughter and applause.]

I cannot and will not tolerate demonstrations in any direction from anyone. This is a hearing in a Federal courtroom conducted by a committee of the House of Representatives and representing the House of Representatives and we must have order.

You are guests of the committee; you are very welcome. We are glad to have you. We are glad to know your interest in either direction in connection with the activities and the conduct of its affairs by this committee, but we must have order as is the rule under the American procedure.

Mr. Counsel, call your first witness.

* * * * *

Wednesday, May 26, 1965

UNITED STATES HOUSE OF REPRESENTATIVES, SUBCOMMITTEE OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES,
Chicago, Illinois.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9:30 a.m., in the Old United States Court of Appeals Building, 1212 North Lake Shore Drive, Chicago, Illinois, Hon. EDWIN E. WILLIS (chairman) presiding.

(Subcommittee members: Representatives EDWIN E. WILLIS, of Louisiana, chairman; JOE R. POOL, of Texas; CHARLES L. WELTNER, of Georgia; JOHN M. ASHBROOK, of Ohio; and DEL CLAWSON, of California.)

Subcommittee members present: Representatives WILLIS, POOL, WELTNER, ASHBROOK, and CLAWSON.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; and Neil E. Wetterman and Philip R. Manuel, investigators.

The CHAIRMAN. The subcommittee will please come to order.

The Chair is pleased to announce that we have with us today the ranking minority member of the House Committee on Un-American Activities who, because of a death in the family, could not be here yesterday, the Honorable JOHN ASHBROOK.

Mr. ASHBROOK, we are grateful for your counsel and advice.

Furthermore, the Chair would like to make this general statement. Yesterday, as everyone knows, the Chair made certain rulings after consultation with members of the committee. We are not going to replow that ground or rehash that particular phase of these hearings.

Number two, as everyone knows, the chief judge of this district ruled that the hearings would be held here instead of the ceremonial courtroom. We, of course, appreciated that ruling and completely respect it. The fact remains, however, that we are operating in rather tight quarters under difficult circumstances.

So, we are following today the practice built on experience that this committee always follows, and it is this: We accommodate in the hearing room as many as can be accommodated. If a cup is full of water, you just can't add any more.

Now, for the convenience of our guests, spectators, we always arrange, and we have done so this time, in an orderly fashion, to permit others to come in as some of our guests retire. That is the very best we can do. That is the only thing we can do. Now, as I say, this presents some difficulties, but we are used to that.

This committee has been in existence for a long time; incidentally, the predecessor was created back in 1930, as I recall. It was reformed in 1934 and the chairman of the predecessor committee at that time was the present Speaker of the House, the Honorable JOHN MCCORMACK from Massachusetts. The committee was re-created until finally, under the Reorganization Act of 1946, this committee was made a permanent, standing committee of the House.

So, as I say, we operate under difficult circumstances, but we do the best we can with the quarters we have and the accommodations that are available.

Now, we are in a Federal courtroom, and under the practice of this district and others the same discipline, decorum, and cooperation must obtain here as if this were a regular ceremonial Federal court. Part of the same rule is, of course, that we must have the same conduct, appropriate and proper and courteous conduct, here as would obtain in a Federal courtroom.

We cannot and will not, as there could not be in a Federal courtroom, have or tolerate interruptions from the audience of any kind, whether by asking questions or otherwise.

I might point our further, finally, that each witness who was served with a subpena was at the same time served with a printed copy of the rules of this committee. I want to cite for the record at this time the rule of the committee, Rule VII, dealing with the role of counsel. Rule VII reads as follows:

"A—At every hearing, public or executive, every witness shall be accorded the privilege of having counsel of his own choosing.

"B—The participation of counsel during the course of any hearing and while the witness is testifying shall be limited to advising said witness as to his legal rights. Counsel shall not be permitted to engage in oral argument with the Committee, but shall confine his activity to the area of legal advice to his client."

Now, I am a member of the legal profession. I have been an attorney, taught law for 10 years, and graduated from law school 39 years ago. We realize, all counsel, that we are all officers of the court. And I appeal particularly to them to respect the rules and admonitions I have outlined although, of course, they apply to all.

Mr. Marshall, you will enforce these rules.

* * * * *

Afternoon Session—Wednesday, May 26, 1965

(The subcommittee reconvened at 1:08 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, Weltner, Ashbrook, and Clawson.)

The Chairman. The subcommittee will come to order.

* * * * *

The Chairman. The witness is excused.

The committee will recess for a few minutes.

(A brief recess was taken.)

Mr. Pool (presiding in absence of Mr. Willis). The subcommittee will come to order.

* * * * *

(A brief recess was taken.)

Mr. Pool (presiding). The subcommittee will come to order.

Counsel, do you have any further questions?

Mr. Nittle. No, Mr. Chairman, I have no further questions.

Mr. Pool. The witness is excused.

Mr. Steinberg. Thank you.

Mr. Pool. Call your next witness.

Mr. Nittle. Will Milton Cohen come forward, please?

Mr. Pool. The witness will stand and be sworn.

Do you solemnly swear the testimony you are about to give is the truth, the whole truth, and nothing but the truth, so help you God?

Mr. Cohen. I do.

Testimony of Milton Mitchell Cohen, accompanied by counsel, Richard Orlikoff

Mr. Orlikoff. I have here a three-paragraph, half-page statement——

Mr. Pool. Just a second.

We will identify the witness first.

Mr. Nittle. Would the witness state his full name and residence for the record, please?

Mr. Cohen. Milton Cohen, 5322, South Kimbark Avenue, Chicago, Illinois.

Mr. Nittle. Mr. Cohen, are you represented by counsel?

Mr. Cohen. I am.

Mr. Nittle. Would the counsel kindly identify himself for the record, stating his name and office address?

Mr. Orlikoff. Richard Orlikoff, 7 South Dearborn, Chicago, Illinois.

Mr. Chairman, in this very brief statement we detail all of the reasons why Mr. Cohen is not going to answer any questions here, and I think it will shorten time if I am permitted to read the statement. It will take just about a minute and a half.

Mr. Pool. How about having the witness read it?

Mr. Orlikoff. Well, we ask the indulgence of the committee to permit me to do it. I wonder if this is a legal matter.

Mr. Pool. All right. Go ahead.

Mr. Orlikoff. This committee subpenaed Mr. Cohen to appear before it approximately 2 weeks ago. A few days after Mr. Cohen received his subpena, every daily newspaper in Chicago published the fact that he had been subpenaed. There has been an obvious violation of Rule XVI of this committee.

I advise the committee that Mr. Cohen has intervened in the legal action pending in the United States District Court for the Northern District of Illinois entitled *Stamler, et al.* versus *Willis, et al.*, Number 65–C, challenging the right of the committee to hold this hearing, challenging the validity of the subpena served upon Mr. Cohen, and asserting by the release of Mr. Cohen's name to the newspapers as a subpenaed witness the rules of this committee had been violated and he will be denied his constitutional rights in the event he is required to testify.[1]

We hereby stand on all the allegations and the reasons in the Stamler complaint in the intervening petition on his behalf. We present a copy of these documents, complaint and the intervening petition, to the committee.

In addition, we reiterate Mr. Cohen's request for a hearing in executive session for the foregoing reasons and until the legal matters we have raised have been adjudicated.

I have instructed, and do instruct, my client not to answer any questions other than to give his name and address, which he has done. In view of the fact that my client will not answer any questions, in view of the fact that we contest the validity of the subpena, and since we are here under no compunction, Mr. Chairman, we are going to leave the hearing room and we are not going to participate any further in these proceedings. [Applause.]

Mr. Pool. I direct the witness not to leave the courtroom.

Mr. Orlikoff. Mr. Chairman, I must insist on my instructions to the witness. We do not feel we are here under any compulsion in any case. The committee will have full opportunity to explore that fact in the courts.

Thank you, Mr. Chairman.

Mr. Pool. Your objection is overruled. [Applause.]

Just a minute.

Mr. Nittle. Mr. Chairman, I think the witness, Milton Cohen, should be instructed directly in the presence of his attorney that such conduct makes him subject to a prosecution for contempt of Congress.

Mr. Pool. You are so directed, and with that admonition, I will direct the witness to take the witness chair and answer the questions.

Mr. Orlikoff. Even after that instruction, I repeat my instructions to the witness, and we still will leave the hearing room.

Thank you. [Applause.]

Mr. Pool. I order you to take your seats.

[Mr. Cohen and Mr. Orlikoff walk out of hearing room.]

Mr. Pool. Call the next witness.

Appendix II

Part 1

The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on February 2, 1965:

"The Committee on Un-American Activities met in executive session on February 2, 1965, in Room 225 of the Cannon House Office Building, at 1:00 p.m. The following members were present:

"Edwin E. Willis, Chairman; William M. Tuck, Joe R. Pool (entered at 1:11 p.m.), Richard H. Ichord, George F. Senner, Jr., Charles L. Weltner, John M. Ashbrook, Del Clawson, John H. Buchanan, Jr.

"The staff members present were: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Juliette P. Joray, recording clerk.

"The Chairman called the meeting to order at 1:04 p.m., and welcomed the new members of the Committee.

"The Chairman stated, for the benefit of the new members, that this was the Committee's organizational meeting, at which certain basic resolutions were normally adopted in each Congress. As each resolution was read by the Director, the Chairman explained the reasons for its adoption.

"On motion of Mr. Ichord, seconded by Mr. Ashbrook, the following resolution was unanimously adopted:

" 'Be it resolved, that the Rules of Procedure revised by the Committee on Un-American Activities during the First Session of the 87th Congress and printed under the title of "Rules of Procedure—Committee on Un-American Activities," together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, be, and they are hereby, adopted as the Rules of the Committee on Un-American Activities of the House of Representatives of the 89th Congress.'

* * * * *

"On motion of Mr. Ichord, seconded by Mr. Ashbrook, the following resolution was unanimously adopted:

" 'Be it resolved, that the Chairman be authorized and empowered from time to time to appoint subcommittees composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the Committee as a whole is authorized to perform.'

"On motion of Mr. Pool, seconded by Mr. Tuck, the following resolution was unanimously adopted:

" 'Be it resolved, that authority is hereby delegated to each subcommittee of the Committee on Un-American Activities which hereafter may be appointed to determine by a majority vote thereof whether the hearings conducted by it shall be open to the public or shall be in executive session, and all testimony taken and all documents introduced in evidence in such an executive session shall be received and given as full consideration for all purposes as though introduced in open session.'

* * * * *

"The meeting was adjourned at 3:22 p.m."

Part 2

The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on March 18, 1965:

"The Committee on Un-American Activities met in executive session on March 18,

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[1] Petition to intervene as additional party plaintiff marked "Cohen Exhibit No. 1" for identification. See appendix, pp. 810–12.

1965, at 3:00 o'clock p.m. The following members were present:

"Edwin E. Willis, Chairman; Joe R. Pool, Richard H. Ichord, Charles L. Weltner, Del Clawson, John H. Buchanan.

"The staff members present were: Francis J. McNamara, director; William Hitz, general counsel; Alfred Nittle, counsel; Donald T. Appell, chief investigator; and Juliette P. Joray, recording clerk.

"The Chairman called the meeting to order at 3:25 p.m.

* * * * *

"The director reported that the hearing stage had been reached on the current Chicago area investigation. * * *

"The following resolution was read to the members and was unanimously adopted:

" 'Be it resolved, That hearings be held by the Committee on Un-American Activities or a subcommittee thereof, at such times and places as the Chairman may determine, and that the staff be authorized to conduct investigations deemed reasonably necessary in preparation therefor, relating to:

" '1. As concerns the Chicago, Illinois area and the Illinois District of the Communist Party of the United States: the structure and organization of the Communist Party of the United States; its major objectives, and the strategical and tactical methods designed to aid in accomplishing such objectives; the major areas of Communist Party concentration; organizations created and controlled by the Communist Party to advance the policies and objectives of the Communist movement; Communist propaganda activities conducted in support of such objectives; and conspiratorial activities in aid of, or in association with, foreign Communist governments; and also like information regarding other Communist organizations in the Chicago, Illinois area, for the following legislative purposes:

" '(a) to provide factual information to aid the Congress in the proposal of any necessary remedial legislation in fulfillment of the directions contained in the mandate to the Committee by House Resolution 8, of January 4, 1965, and Public Law 601 of the 79th Congress;

" '(b) to assist the Congress in appraising the execution by the administrative agencies concerned of Title I of the Internal Security Act of 1950;

" '(c) to provide factual information to aid the House in the disposition of presently pending and proposed legislation, including, but not limited to, H.R. 4293, a bill to amend the Subversive Activities Control Act of 1950 so as to authorize the Federal Government to bar from access to defense facilities individuals who may engage in sabotage, espionage, or other subversive acts;

" '(d) consideration of the advisability of amending the Internal Security Act so as to impose certain disabilities, in the manner and form therein provided, upon those persons "affiliated with" Communist organizations as well as upon persons who are members thereof.

" 'Be it further resolved, That the hearings may include any other matter within the jurisdiction of the Committee which it, or any subcommittee thereof, appointed to conduct these hearings, may designate.'

"The director gave a summary of background information on each of the witnesses scheduled to be subpoenaed for the Chicago area hearings. On motion of Mr. Pool, seconded by Mr. Clawson, the following resolution was unanimously adopted:

" 'Whereas, the director of the Committee explained the reasons why * * *; Milton Cohen[1]; and * * *; should have knowledge of facts relevant and material to the investigations and hearings authorized by Committee resolution on the 18th day of March, 1965, relating to Communist Party activities in the Chicago, Illinois area, and the Illinois District of the Communist Party of the United States, and other matters;

" 'Now therefore, be it resolved, That the Committee is of the opinion that the within-named persons should be required to attend the said hearings as witnesses and to produce such books, papers, and documents, and to give testimony touching matters of inquiry pursuant to said resolution; that the Committee deems such attendance to be necessary in furtherance of its legislative purposes; and that the Committee authorizes subpoenas to be issued therefor in accordance with the provisions of law.'

* * * * *

"The meeting was adjourned at 5:45 o'clock p.m."

PART 3

The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on May 6, 1965:

"The Committee on Un-American Activities met in executive session on May 6, 1965, at 10:00 a.m. in Room 225, Cannon House Office Building. The following members were present:

"Edwin E. Willis, Chairman; Joe R. Pool, Richard Ichord, Charles Weltner, John Ashbrook, Del Clawson, John H. Buchanan (entered at 10:30 a.m.).

"The staff members present were: Francis J. McNamara, director; William Hitz, general counsel; Alfred Nittle, counsel; and Juliette P. Joray, recording clerk.

"The chairman called the meeting to order at 10:10 a.m.

"It was agreed to hold the Chicago hearings beginning May 25. The chairman designated Messrs. Pool, Weltner, Ashbrook and Clawson as associate members and himself as chairman, as the subcommittee to sit at the Chicago hearings.

* * * * *

"A discussion concerning the language of the letter to be sent to all persons that may be identified by witnesses as Communist Party members at the forthcoming Chicago hearings, or about whom defamatory or incriminating testimony might be given or evoked in the testimony of witnesses, in compliance with Rule XI, 26(m), resulted in a motion by Mr. Weltner, seconded by Mr. Ashbrook, that the letter be revised as suggested by Mr. Ashbrook. The motion carried. It was agreed that the limitation date be set as May 18.

* * * * *

"The meeting adjourned at 11:25 a.m."

PART 4

The following is an extract from the minutes of a meeting of a subcommittee of the Committee on Un-American Activities held on January 13, 1966:

"A quorum of the subcommittee of the Committee on Un-American Activities designated by the Chairman on May 6, 1965, to conduct hearings in Chicago, Illinois, commencing on May 25, 1965, relating to Communist Party activities in the Chicago area and Illinois District of the Communist Party, met in executive session on January 13, 1966, in Room 429, Cannon House Office Building at 9:00 a.m. The following members of the subcommittee were present:

"Edwin E. Willis, Chairman; Charles L. Weltner, Del Clawson.

"The staff members present were: Francis J. McNamara, director; William Hitz, general counsel; Alfred Nittle, counsel; and Juliette P. Joray, recording clerk.

"The chairman called the meeting to order at 9:10 a.m. and announced that this meeting was called, after notice to all subcommittee members, for the purpose of considering what action the subcommittee should take regarding the refusals of Milton Mitchell Cohen on May 26, 1965, * * * and * * *, to answer questions pertinent to the subjects under inquiry before the subcommittee and their departure without leave, at the hearings conducted by the said subcommittee in Chicago, and what recommendations the subcommittee would make to the full committee regarding their citation for contempt of the House of Representatives.

"After discussion of the testimony and due consideration of the matter, a motion was made by Mr. Clawson, seconded by Mr. Weltner and unanimously carried, that a report of the facts relating to the refusal of Milton Mitchell Cohen to answer questions pertinent to the subject under investigation before said subcommittee and his departure without leave at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the aforesaid failures of said witness be reported to the House of Representatives, in order that the said Milton Mitchell Cohen be cited for contempt of the House of Representatives, to the end that he may be proceeded against in the manner and form provided by law.

* * * * *

"The meeting adjourned at 9:30 a.m."

PART 5

The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on January 13, 1966:

"The Committee on Un-American Activities met in executive session on January 13, 1966, at 9:45 a.m., in Room 429, Cannon House Office Building. The following members were present:

"Edwin E. Willis, Chairman, Richard H. Ichord, George F. Senner, Charles L. Weltner, Del Clawson.

"Also present were the following staff members: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; and Juliette P. Joray, recording clerk.

"Chairman Willis called the meeting to order at 9:45 a.m., and announced that this special meeting of the Committee was called, after notice to all committee members, for two purposes, the first to consider a recommendation of the subcommittee headed by the Chairman, Mr. Willis, appointed to conduct hearings in Chicago, Illinois, which commenced on May 25, 1965, that Milton Mitchell Cohen, * * * and * * * be cited for contempt because of their refusals to testify, and their departure without leave in hearings conducted by the subcommittee in Chicago in May 1965; and the second * * *.

"As to the first matter, the Chairman reported to the committee that hearings were conducted by the subcommittee in Chicago, Illinois on May 25, 26, and 27, 1965, as contemplated under the Resolution adopted by the committee on March 18, 1965; that the subcommittee met on May 25, 1965, in the Old United States Court of Appeals Building, 1212 N. Lake Shore Drive, Chicago, Illinois, to receive the testimony of several witnesses, including Milton Mitchell Cohen, * * * and * * *, who had been duly subpoenaed to appear as witnesses before said subcommittee; that the hearings were commenced on that date; that the witness Milton Mitchell Cohen was called to testify and appeared before the subcommittee on May 26, 1965, there being a quorum of the subcommittee in attendance; that the witness Milton Mitchell Cohen having appeared before the subcommittee, was sworn as a witness and was asked to state his full name and residence for the record to which he responded, giving same; that when asked whether he was represented by counsel he replied that he was; that thereafter he refused to answer any other questions which might be put to him; that he then departed without leave; * * *; that a quorum of the subcommittee met in executive session on January 13, 1966, at which time motions were made and unanimously adopted with respect to each of said persons, to wit, Milton Mitchell Cohen, * * *, and * * *, and that a report of the facts relating to the refusals of each of them to testify before said subcommittee at said hearings, and the departure of each without leave, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the aforesaid failures of each of said witnesses be reported to the House of Representatives, in order that each of said witnesses may be cited for contempt of the House of Representatives and to the end that each may be proceeded against in the manner and form provided by law.

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[1] The information referred to above as given by the director was that, on December 17, 1964, a subcommittee of the Committee on Un-American Activities received in executive session testimony from Lola Belle Holmes who had, at the request of the Federal Bureau of Investigation, maintained membership in the Communist Party from August 1957 until January 1963. She testified from personal knowledge that Milton Mitchell Cohen was a member of the Communist Party and of the educational committee of the Wagenknecht Section and the State committee of the Communist Party of Illinois.

"A motion was made by Mr. Weltner, seconded by Mr. Clawson that the subcommittee's report of the facts relating to the refusal of Milton Mitchell Cohen to answer questions pertinent to the questions under inquiry and his departure without leave at the hearings conducted before it in Chicago, Illinois, commencing on the 25th day of May, 1965, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report the said failures of Milton Mitchell Cohen to the House of Representatives to the end that the said Milton Mitchell Cohen may be proceeded against in the manner and form provided by law; and that the chairman of this committee is hereby authorized and directed to prepare and file such report constituting the failures of the said Milton Mitchell Cohen. The motion was put to a vote and carried unanimously.

* * * * *

"The meeting was adjourned at 10:50 a.m."

Mr. WILLIS (interrupting the reading). Mr. Speaker, the issues in this case are very simple and will be shortly and succinctly explained in a moment; and I ask unanimous consent that further reading of the report be dispensed with.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. YATES. Mr. Speaker, I make a point of order against the resolution.

The SPEAKER. The gentleman will state his point of order.

Mr. YATES. Mr. Speaker, I make a point of order against the resolution offered by the Committee on Un-American Activities. The committee appears here today claiming the privilege of the House. It asserts that this House has been injured, that its dignity and its integrity have been threatened, even impaired, by reason of the refusal of the respondents to give testimony to the committee at a public hearing duly convened. It now asks this House in this resolution to hold the respondent in contempt so that he may be punished by the criminal processes of the law for his refusal to testify.

Mr. Speaker, there is no doubt that the respondent did refuse to give testimony. The question I raise for the consideration of the Chair is whether a witness may be required to give such testimony when the committee itself has violated the rules of the respondent by refusing to follow the Rules of the House which were specifically established to protect the rights of the respondents for this purpose.

The Rules of the House give the witnesses certain rights. I refer to the Code of Fair Procedure which was approved in 1955, and which is now a part of the Rules of the House. They are designed to protect the rights of witnesses who may be required to appear before the committees.

This committee, the Committee on Un-American Activities, has failed and refused to follow the Code of Fair Procedure by denying the request of the respondent that his testimony be taken in executive session.

Will the Chair under such circumstances sustain the committee against an individual who has been wronged by the committee?

Mr. Speaker, you have a very important decision to make today, and some historical background may be in order.

May I say I, for one, am pleased the responsibility and this opportunity for this decision, Mr. Speaker, are in your hands. I say this because I know that prior to the beginning of your distinguished career in the Congress you were a great trial lawyer. You knew then and you know now the traditions of the American system of justice, which require that every defendant be given a fair trial.

Second, Mr. Speaker, I am pleased you are in the chair today, because you were the chairman of the investigating committee that preceded the so-called Dies Committee, which later became the Committee on Un-American Activities. It was your difficult task back in the 1930's to look into the shocking activities of a most despicable anti-American group, the German-American Bund, who were the pro-Nazis in this country allied with Hitler's cause. There could not have been a more vicious group; yet, Mr. Speaker, you conducted those hearings with dignity, with fairness, with keen understanding of the rights of the defendant to a fair hearing. Your investigation at all times was devoted to the valid legislative purpose of gathering facts and information to lay before the Congress as the basis for proposed legislation.

Third, Mr. Speaker, I am pleased you are the chairman today because you were the distinguished majority leader of the House during the time when the reprehensible actions of the Committee on Un-American Activities, of its flouting of the rights and reputations of witnesses who appeared before it, persuaded our late beloved Speaker, Sam Rayburn, to take action to change that situation.

You will recall, Mr. Speaker, that Mr. Rayburn decided that as far as the Democratic side of the Committee on Un-American Activities was concerned only lawyers would be named as members. Mr. Rayburn was insistent that the Members of the Committee be aware of the basic principles of American Jurisprudence. Mr. Rayburn was determined, too, that a code of fair procedures should be placed in effect which would sustain the dignity of the House of Representatives. He wanted hearings that would gather evidence rather than headlines, evidence that might have some value as the basis for legislative proposals.

And you will recall, too, Mr. Speaker, that Mr. Rayburn also ordered that there be no television coverage of the committee's hearings, a rule you too have continued.

It was under the leadership of Mr. Rayburn and yourself, Mr. Speaker, that a new Code of Fair Procedures was adopted for committee hearings in 1955. It was determined that witnesses subpenaed to appear before the committee would be given a fair trial and that if there was to be presented any testimony that tended to degrade, defame, or incriminate any person that such testimony should be taken in executive session.

The Code of Fair Procedures was intended to prevent a committee of the House of Representatives to again be denounced in public as a "kangaroo court."

Mr. Speaker, those Rules of Fair Procedure are presumably still in force and effect, and I underline the word "presumably" for, Mr. Speaker, I say to you that the most important rule, the rule designed to protect respondents and witnesses from the loose, the unreasonable treatment at the hands of earlier committees, is not today being observed by the Committee on Un-American Activities. One need only examine the hearings of the committee to see immediately the obvious failure of the committee to comply with rule XI26(m), the rule which provides that hearings shall be held in executive session where the testimony may tend to defame, degrade, or incriminate the respondent.

That is why this point of order is so important, Mr. Speaker. I raise the question of the dignity and the integrity of the House against the committee. Shall committees of this House be above the rules of the House established for their conduct?

May a committee of this House deny the protection of the rules which were approved by this House for the purpose of protecting witnesses who request that protection? There are no precedents of the House on this point, but the Supreme Court faced with a similar question decided that a committee could not compel a witness to testify under such circumstances, and the Court, the Supreme Court of the United States, vacated a criminal contempt conviction that had been entered against a defendant whose case had come up from the Committee on Un-American Activities.

Mr. Speaker, what does rule 26(m) provide? I read it, Mr. Speaker. It says this:

If the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person, it shall do the following:

First. It shall receive such evidence or testimony in executive session;

Second. It shall afford such person an opportunity voluntarily to appear as a witness; and—not "or" but "and," Mr. Speaker,

Third. Receive and dispose of requests from such persons to subpena additional witnesses.

It is to be noted, Mr. Speaker, that the three requirements of the committee are not in the alternative. They are cumulative. All of them must be pursued if the rights of witnesses appearing before the committee are to be protected. The requirement of point No. 1, that evidence or testimony be received in executive session, cannot be vitiated or excused if the committee complies with No. 2, that is, affording the person an opportunity to appear as a witness. Both of these have to be complied with. The fact that the committee offers such person an opportunity to appear as a witness does not excuse the committee from receiving such evidence or testimony in executive session if that evidence or testimony may tend to defame, degrade, or incriminate the witness.

It should be noted, too, Mr. Speaker, that the rule uses the mandatory word "shall." Not the word "may" but the word "shall."

With reference to the instant case, Mr. Speaker, the hearings disclose that the first notice that the respondents received was a subpena to appear before a hearing of the committee in Chicago, Ill., on May 25, 1965, at 10:30 a.m. There was no reason stated in the subpoena as to why it was issued. It was only the direction to appear. A few days later the respondent received a letter saying that evidence had been given to the committee in executive session, that a person by the name of the respondent had been identified as a member of the Communist Party. It will be noted, Mr. Speaker, that the letter invited the respondent to appear. It did not direct the respondent to come before the committee. It said he could come before it voluntarily if he so desired. This was not a subpena, and the invitee did not appear voluntarily. However, Mr. Speaker, the respondent did appear in accordance with the direction of the subpena at the hearing on May 25. At that time the respondent requested immediately—he made the point specifically, as did all respondents—that in accordance with rule No. XI, clause 26(m), in view of the fact that the testimony might tend to defame, degrade, or incriminate him, that the testimony be taken in executive session. There could be no question, Mr. Speaker, that the effect of the testimony would be to defame, degrade, or incriminate. The witness was charged with having been a member of the Communist Party. What could be more defamatory or degrading? For several days before that time, before the day of the hearing, the newspapers in the city of Chicago had blazed with headlines such as "Chicagoans Listed Who Are To Be Called at the Red Inquiry Hearing," and there appeared pictures of some of the respondents. The committee was aware of the fact that the testimony might tend to defame, degrade, or intimidate.

In his letter of May 25, the chairman of this committee wrote a letter to the respondent saying that the committee was acting pursuant to rule XI26(m) in offering to take the testimony in executive session. Thus, the rule had been activated and a decision had been made by the committee that the testimony was of a type that would tend to defame, degrade, or incriminate.

Mr. Speaker, in offering the witness this opportunity to appear voluntarily and give testimony in executive session, the committee was complying with section 2 of the rule.

But, Mr. Speaker, when the witnesses did not appear voluntarily, in spite of the fact that the conditions for requiring testimony to be taken in executive session were still present; namely, that the testimony would tend to degrade, defame, or incriminate, the committee determined to receive the testimony in public session.

Mr. Speaker, the committee, thus, did not have any prerogative. The rules did not give it any prerogative nor any alternative. The rules stated specifically that testimony of this kind could only be received in executive session. Yet, when the hearing was convened and the defendants requested that the hearing be conducted in executive session, the committee ruled against them. They insisted upon their rights. The committee denied that motion.

I point out, Mr. Speaker, the fact that the rule to which I have referred was still operative at the time the committee met.

Mr. Speaker, the committee had no alternative, except to permit it to take testimony in closed session.

Why, Mr. Speaker, do I say this? Because the Code of Fair Procedures, the rules that make up the Code of Fair Procedures, are established for the benefit of the witnesses and for the respondent. They are not established for the benefit of the committee. They cannot be waived by the committee. They can only be waived by the respondent.

And, Mr. Speaker, in this case the respondents not only did not waive them, they insisted upon their rights being protected. Not only this, but the respondent contended itself that compliance with the rule was absolute. However, the letter inviting them to respond and to appear before the committee was voluntary.

Mr. Speaker, as I pointed out earlier, that procedure is not a compliance with the rule. The entire rule has to be complied with, and this part of it is only a partial compliance, an inadequate compliance, an observance that does not carry out the intent of the rule.

Mr. Speaker, the rule takes cognizance, elementary cognizance of this fact.

Mr. Speaker, the rule is designed to protect the rights and reputation of the witnesses by permitting the hearings to be held outside the glare of the publicity and of the explosiveness that has marked so many of the sessions of the Committee on Un-American Activities.

Also, Mr. Speaker, it permits the committee to perform its legislation function by gathering testimony in a way that it should be gathered. The fact that the testimony may be required to be taken in executive session, does not diminish its usefulness in any respect.

Obviously, Mr. Speaker, there is a greater opportunity for obtaining useful information in matters of the type that are held by the committee in executive session, than are presented in public session.

So, I say, Mr. Speaker, the rule serves a distinctly useful purpose in this respect.

Now, Mr. Speaker, can it be argued that the rule is intended to be directed only against witnesses, other than the respondents, because it is obvious that the testimony of the respondent himself may tend to defame, degrade, or incriminate him.

Mr. Speaker, what would be the sense or purpose in requiring the testimony of third persons to be taken in executive session if that testimony should be defamatory and excluding such testimony from executive session by a respondent, if that testimony tended to incriminate.

The rule is directed against the type of evidence—the type of evidence, Mr. Speaker. It is not directed against the person who gives that evidence. By the clear language of the rule itself the witness is entitled to be protected against defamatory testimony of any kind being given in open session, whether given by another, or whether given by himself.

It may be argued, Mr. Speaker, that the committee may later make public testimony taken in executive session, and therefore, that this vitiates the requirements of the rule in the first instance. That does not follow, Mr. Speaker, because the purpose of the rule is to require that the committee take the testimony that may be degrading in executive session first. The committee later may decide to make that testimony public. It may decide that it should not be made public, or it may decide that it should be made public.

But the fact remains that in the first instance such testimony must be taken in executive session.

Mr. Speaker, I have carefully combed the precedents of the House in an attempt to find another situation with which the House was faced at some earlier time. I have found none. I have checked all the precedents. I have checked with the Parliamentarian's office. I have been advised that there are none. I have had a check made by the Library of Congress on the point, and I have been advised it could find no precedents.

This is a most important matter, Mr. Speaker. There ought to be a precedent established upholding the rules of the House against committee violation.

We have heard much criticism about the disregard for law and order. Are we who make the laws to be above the law itself, and above the code of behavior that the House has established for its committees? Are we who make the laws to be above our own code of laws, namely; the rules of the House.

I recognize that the decisions of the Supreme Court are not binding upon this House in cases of this kind, but I suggest that they may nevertheless be persuasive, particularly in view of the fact that they will be followed by the courts in the event this contempt citation is voted by this House.

On the very point I have raised, Mr. Speaker, and on a similar rule the Supreme Court of the United States in the case of *Yellin* v. *United States* in U.S. 374–109, decided that where a committee, this committee, in fact, violated rules that had been established for the benefit of witnesses before it, a conviction of criminal contempt could not be sustained.

Mr. Speaker, this principle is important. It is a principle based upon fair play. It is a principle based upon a fair trial. It is a principle based upon a fair hearing.

The rules to which I refer were drafted to assure a fair hearing, and if the purpose of the Committee on Un-American Activities is in fact to obtain testimony which is to be used as a basis for possible legislation it is obvious that that purpose can be accomplished by taking that testimony in executive session.

The rules of the House recognize that fact. The courts have sustained that position.

So, Mr. Speaker, I ask the House, and I ask the Chair, to sustain that position too, by sustaining this point of order.

A ruling by the Chair to that effect will establish the principle of fair hearings by the committees of this House in accordance with the rules of the House which were established for that purpose.

Mr. Speaker, the Un-American Activities Committee will not be injured in any respect by sustaining this point of order. It could summon the witnesses again. It could take their testimony in executive session in accordance with the rule.

But, Mr. Speaker, what you will have done, or the Chair will have done, by sustaining this point of order is to establish the fact that individuals who may be summoned to appear before the Committee on Un-American Activities are entitled to have their rights observed under the rules of the House.

I want to conclude, Mr. Speaker, by quoting from the famous trial of John Peter Zenger, which was held, as you know so well, during Revolutionary times, a trial that established the great principle of freedom of the press.

In his magnificent speech of summation, the distinguished lawyer, Andrew Hamilton, said this:

> Power may justly be compared to a great river; while kept within its bounds, it is both beautiful and useful, but when it overflows its banks, it is then too impetuous to be stemmed; it bears down all before it, and brings destruction and desolation wherever it comes.

But when it overflows its banks, it is then too impetuous to be stemmed.

It bears down all before it. It brings destruction and desolation wherever it comes.

If, then, this be the nature of power, let us at least do our duty and like wise men who value freedom use utmost care to support liberty, the only bulwark against lawless power which, in all ages, has sacrificed to its wild lust and boundless ambition the blood of the best men that ever lived.

Mr. Hamilton said:

> I hope to be pardoned, sir, for my zeal upon this occasion.

As I do also, may I say, parenthetically, Mr. Speaker.

> It is an old and wise caution that "when our neighbor's house is on fire, we ought to take care of our own." For though, blessed be God, I live in a government where liberty is well understood and freely enjoyed, yet experience has shown us all (I am sure it has to me) that a bad precedent in one government is soon set up for an authority in another; and therefore I cannot but think it mine and every honest man's duty that, while we pay all due obedience to men in authority, we ought, at the same time, to be upon our guard against power wherever we apprehend that it may affect ourselves or our fellow subjects.

Mr. Speaker, you have a great privilege and a great opportunity today to sustain the great cause of individual liberty against excessive authority.

Such a ruling will do more to uphold the high dignity and integrity of this body than a decision that the individuals who refuse to testify are guilty under any circumstances for having so refused.

For all these reasons I respectfully submit, Mr. Speaker, that my point of order should be sustained.

The SPEAKER. Does the gentleman from Louisiana [Mr. WILLIS] desire to be heard?

Mr. WILLIS. Yes, I do, Mr. Speaker.

Mr. Speaker, I am happy that, under the circumstances, my friend, the gentleman from Illinois at least brought out or read the provisions of the rules of fairplay embodied in the Rules of the House of Representatives by the direction of our late beloved Speaker, Sam Rayburn.

Mr. Speaker, this rule is now known as paragraph 26(m) of rule XI of the Rules of the House of Representatives. I am familiar with those rules. I should be. Why? I was done the great honor and the great privilege by Sam Rayburn to be appointed by him as one of a committee of three to draft this very rule 26(m).

I regret that this point of order is made. But I say, and I assert, and I represent to my colleague, on my word of honor, that every care, every means, every precaution was taken to respect all the rules of the committee and of this House in connection with the Chicago hearings. In my opinion, and in the opinion of our able counsel, in the opinion of members of my committee staff, and in the opinion of every member of the committee, Democratic and Republican, the rules of the House and of this committee were indeed, and in fact, and in truth, literally and meticulously complied with.

Mr. Speaker, for further elaboration of the facts of the issue on that point, I ask the privilege of yielding to my friend, the gentleman from Georgia [Mr. WELTNER].

The SPEAKER. The Chair will hear the gentleman from Georgia [Mr. WELTNER].

Mr. WELTNER. Mr. Speaker, I appreciate the opportunity to speak to this point of order.

I do so, Mr. Speaker, by stating at the outset that the Rules of the House in this matter have been carefully complied with.

The precedent that is available to us as members of the House Committee on Un-American Activities has continuously been before us in these deliberations.

We have had, throughout, the advice of counsel, and we have had throughout the wisdom of our distinguished and learned chairman, the gentleman from Louisiana [Mr. WILLIS]. Mr. Speaker, I would point out that paragraph 26 of rule XI in subparagraph (g) states what is the general operating procedure for the House of Representatives.

It states that—

> All hearings conducted by standing committees or their subcommittees shall be open to the public, except executive sessions for the marking up of bills or for voting or where the committee by majority vote orders an executive session.

That is certainly the standard procedure for the House of Representatives, and that is the procedure that all committees of the House follow, with rare exception.

There is a specific provision. Paragraph 26(m) deals with those hearings where the matters that tend or might tend to injure or diminish the reputation of any citizen might come before a committee in public session.

I must burden the Speaker at this point by reading the three elements of that requirement, because they are very important. I shall state that each of these three elements have been followed and the instructions of the House to this committee, as contained in Rule 26(m), have been followed. That rule is as follows:

> If the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person, it shall—
>
> (1) receive such evidence or testimony in executive session;
>
> (2) afford such person an opportunity voluntarily to appear as a witness; and
>
> (3) receive and dispose of requests from such persons to subpoena additional witnesses.

Mr. Speaker, in this instance it was the sense of the committee that the testimony with regard to the respondent in this motion, Milton Mitchell Cohen, would come within that category of evidence which might tend to degrade. For that reason, the committee did hear in executive session testimony in his activities were outlined by two witnesses, Lola Belle Holmes and Lucius Armstrong. That testimony was taken in executive session. It was taken under circumstances where those witnesses subscribed to an oath, and answered inquiries propounded to them by the committee. And that was in compliance with paragraph 26(m)(1). That testimony was taken in executive session.

The reason for this rule is to contain irresponsible charges and totally unfounded accusations to the very minimum.

The reason for the rule is so that the committee might eliminate any notoriety which might stem from statements that are totally unrelated to fact. That is why section 26(m)(1) was followed in this instance. Their testimony was taken in executive session.

Then, the second part of this rule requires that the committee afford such a person—in this instance, Mr. Cohen—an opportunity voluntarily to appear as a witness. As the record shows, that was done by forwarding to Milton Mitchell Cohen a letter dated May 11, 1965, advising him that, pursuant to House rule XI, paragraph 26(m), the Committee on Un-American Activities had received certain evidence and testimony in executive session, in the course of which a person by the name of Milton Cohen, a resident of Chicago, Ill., was identified as having been a member of the Communist Party.

Mr. Cohen was advised of his rights in this language, Mr. Speaker:

> If you so desire, you will be afforded an opportunity voluntarily to appear as a witness before a subcommittee of the Committee on Un-American Activities at a time and place to be designated. According to the general practice of the committee, this hearing will be conducted in executive session.

He was further advised also by this letter of his rights under paragraph 26(m)(3); that he had the opportunity to request the committee to subpena additional witnesses. He was advised in that letter of May 11th that if he desired to avail himself of these opportunities, he should communicate with the director of the committee.

He was further advised that the letter was not a subpena, but was an opportunity for him voluntarily to appear. And he was further advised that this letter did not release him from the compulsion to appear as a witness pursuant to a subpena already served upon him.

Thus it was that the House Committee on Un-American Activities complied with rule 26(m)(1), receiving testimony in executive session, and rule 26(m)(2) affording an opportunity voluntarily to appear.

I might say we were thoroughly willing to comply with the third portion of that rule, which requires us to receive and dispose of requests from such person to subpena additional witnesses.

I state, Mr. Speaker, that there was no request. There was no communication at any time prior to the time of the hearing in the city of Chicago. There was no request that he appear voluntarily as a witness in executive session.

Consequently, upon the date that the subcommittee had determined to initiate open hearings he was called as a witness, and the report before the Speaker and before the Members shows that on May 18, Mr. Cohen, without relying upon any constitutional protection, announced through his attorney that he was departing from the witness room without submitting himself to any questions by the committee, after stating only his name and address.

The rules of the House have been religiously followed in this instance, in each case, in each of the three burdens upon the House committee pursuant to rule 26(m).

I might mention, Mr. Speaker, that the case mentioned by my friend from Illinois, the case of Yellin against United States, clearly contemplates that executive testimony, once taken, may be the basis for a determination by the committee to hold public hearings. I read, on page 318 of the report, 374 United States Reports, from that decision:

> That petitioner may be questioned in public even after an executive session has been held does not mean, however, that the committee is free from considering possible injury to his reputation.

It seems to me that is the burden of that case.

There was a request by his attorney that he be called and examined in executive session. The record of the hearing will show, Mr. Speaker, that subsequent to the making of that request, this committee recessed the public hearings; that it undertook to consider his request in executive session; that the factors making up the substance of his request were considered; and the request was by unanimous vote of that committee denied.

That announcement was made publicly, and thereafter through his attorney he announced that he was no longer going to abide by the direction of the House, and thereupon left the courtroom in the city of Chicago.

Now, the rules have been followed, Mr. Speaker, in each and every instance. They have been followed with the greatest of care.

I submit, Mr. Speaker, that this question is not one of injury to the House Committee on Un-American Activities, because that is not important. This is a question of whether or not this body has the opportunity to gather information, whether or not a legislative body shall have the power to obtain data and the substance of matters upon which the Congress can wisely legislate. Without the power to obtain information, without the power to subpena, then this body is helpless.

Mr. Speaker, bearing in mind that this is probably the last week of this session of the 89th Congress, there is no alternative but to protect the power of the House of Representatives to obtain witnesses, and to assure their attendance on matters of the House.

My friend from Illinois says a bad precedent soon becomes an authority. Mr. Speaker, if there is a precedent of a citizen of this country willfully violating and flouting a subpena of the U.S. Congress, then that precedent will soon become authority on a broad basis.

The SPEAKER. Does the gentleman from Illinois desire to be heard further?

Mr. YATES. I do, Mr. Speaker.

I appreciate fully the argument of my distinguished friend from Georgia. I think that the issue has been clearly drawn.

My friend from Georgia suggests that the committee, having heard two witnesses in executive session, was free thereafter to take testimony in public session even though that testimony might nevertheless still tend to defame, degrade, or incriminate the respondent. My friend from Georgia gives the rule a strained interpretation.

The compliance of the committee was only a partial compliance. The rule requires total compliance. It does not say that where several witnesses are heard in executive session thereafter the committee may hear the remainder of the witnesses in open session even though the testimony tends to degrade or defame. It also protects respondents who may be called to testify from testifying in open hearing if their testimony may tend to degrade, defame, or incriminate them.

Even though the testimony tends to degrade or defame. May I read the rule again? The rule that was read by my distinguished friend and myself. It says this, and the rule is absolute: Any testimony that may tend to defame or degrade, whether it is given by people called by the committee other than the respondent or whether it be given by the respondent himself, shall be given in executive session. In this case the respondent had been accused of being a member of the Communist Party. He was subpenaed to appear and testify. Can there be any doubt that the testimony he would be called upon to give would tend to defame, degrade, or incriminate? The language of the rule is clear, and I repeat it: "If the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person, it shall receive such evidence or testimony in executive session." There is no exception. No exception at all. No matter whether it is the respondent whose testimony is sought, as was the case here, or whether it was the two witnesses who preceded the respondent in another hearing and who were listened to in executive session.

The second point was complied with. The respondent was given an opportunity voluntarily to appear as a witness. He was not required to do so, so he did not do it, but he was subpenaed to appear, and that is the gravamen of this particular discussion. The fact that the witness is being asked to testify in open session himself giving testimony that might tend to defame, degrade, or incriminate him. That is the question that is involved here.

My distinguished friend says other testimony by other witnesses was taken in executive session. That does not excuse the committee from taking the respondent's testimony in executive session as well. That is the point involved in this dispute. Must all testimony—this is the point—must all testimony that tends to defame, degrade, or incriminate be taken in executive session? It was the obvious purpose of the rule that the witness be protected; that he be listened to in executive session first. The committee cannot waive that rule. That rule was established for the benefit of the witness and not for the benefit of the committee. The committee cannot waive that and say that you will testify in open session even though the testimony you give may tend to defame, degrade, or incriminate you. So partial compliance by the committee is no compliance at all. It is like a half truth being represented as being the entire truth.

Mr. Speaker, the issue is drawn. I believe that based upon the purpose of the rule and based upon the point that is involved here, the purpose of the House when it passed the rule was protecting the rights of the individuals summoned by law to appear before it.

Mr. Speaker, I think the point of order must be sustained. Thank you.

The SPEAKER. The Chair is ruling only in these cases on this particular case concerning Milton Mitchell Cohen. The gentleman from Illinois [Mr. YATES] has raised a point of order against the privileged report filed by the gentleman from Georgia [Mr. WELTNER] citing a witness before a subcommittee of the Committee on Un-American Activities of the House for contempt. The point of order is based on the ground that the subcommittee while holding hearings in Chicago failed or refused to follow the rules of the House, specifically rule XI, clause 26(m) and, at the demand of the witnesses' attorney, take the testimony in executive session rather than in an open hearing.

The Chair has given considerable thought to this matter, has read thoroughly the report citing this witness, and has listened intently and attentively to the statement of the gentleman from Georgia [Mr. WELTNER] as well as to the statement of the gentleman from Illinois [Mr. YATES].

The Chair has also refreshed his recollection of clause 26(m), rule XI, which reads as follows:

> If the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person, it shall—
>
> (1) receive such evidence or testimony in executive session;
>
> (2) afford such person an opportunity voluntarily to appear as a witness; and
>
> (3) receive and dispose of requests from such person to subpena additional witnesses.

The Chair agrees with the gentleman from Illinois that the three subclauses are not in the alternative. Each subclause stands by itself. The Chair will point out, however, that the subsection places the determination with the committee, not with the witness.

The Chair will also point out, parenthetically, that subsection (k) of rule XI, provides that:

> Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

This privilege, unlike advocacy in a court, does not as a matter of right entitle the attorney to present argument, make motions, or make demands on the committee.

Now the Chair will cite clause 26(a) of rule XI, which states that the rules of the House are the rules of its committees so far as applicable. This provision also applies to the subcommittees of any such committee. Consequently, the Chair must examine the facts to see if the subcommittee did in fact comply with clause 26(m) of rule XI.

The Chair will call attention to the fact that it is pointed out on page 8 of the report that the witness was invited to appear and testify in executive session. The invitation was ignored.

It will be noted, on pages 11 and 12 of the committee report, that the attorney for witness Cohen instructed his client not to give any testimony pending determination of a legal action in the U.S. District Court for the Northern District of Illinois.

The witness then left the hearing room, notwithstanding the admonition of the chairman of the subcommittee.

The Chair fails to see how clause 26(m) of rule XI becomes involved since the witness left the hearing room after his attorney had instructed him not to answer any questions pending determination of the legal proceedings.

The Chair, therefore, overrules the point of order.

PROCEEDINGS AGAINST MILTON MITCHELL COHEN

Mr. WILLIS. Mr. Speaker, I offer a privileged resolution (H. Res. 1060) from the Committee on Un-American Activities and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1060

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusals of Milton Mitchell Cohen to answer questions pertinent to the subject under inquiry before a duly authorized subcommittee of the said Committee on Un-American Activities, and his departure without leave, together with all the facts in connection therewith, under the seal of the House of Representatives, to the United States attorney for the northern district of Illinois, to the end that the said Milton Mitchell Cohen may be proceeded against in the manner and form provided by law.

Mr. WILLIS. Mr. Speaker, I yield 15 minutes to the gentleman from Georgia [Mr. WELTNER] to present the case of the committee, as contained in the report against Milton Mitchell Cohen.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. WELTNER. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, the gentleman mentioned in his argument on the point of order, and I listened intently to his argument, that there were two witnesses heard in executive session.

Will the gentleman inform me as to whether these so-called witnesses were paid by the committee, or were under contract to the committee and paid in that fashion?

Mr. WELTNER. Mr. Speaker, I can inform the gentleman, responding to his inquiry, that the two witnesses were Lola Belle Holmes and Lucious Armstrong who, as the hearings elicited, had previously maintained some relationship with the Federal Bureau of Investigation.

To the best of my knowledge, information, and belief, there was no contract or remuneration with regard to these two witnesses in connection with their appearance in executive session. I state that on the best of my information, because I have no information to that point.

Mr. HAYS. Mr. Speaker, if the gentleman will yield further?

Mr. WELTNER. I will yield further to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, I am glad to take the gentleman's word that they were not paid.

Mr. WELTNER. I am not stating that, if the gentleman please. I am stating that I have no knowledge or information of any kind of remuneration or compensation to these witnesses from the committee in connection with their executive testimony wtih regard to Milton Mitchell Cohen.

Mr. HAYS. The gentleman is aware, however, Mr. Speaker, that in times past the House Committee on Un-American Activities has paid witnesses, and has used the device of putting them under contract to keep their names from the public records to pay them?

Mr. WELTNER. I have served in this body for only 4 years, and I have had no knowledge of such a practice.

Mr. HAYS. Mr. Speaker, I will tell the gentleman that I have signed contracts which I have been told as chairman of the Contract Committee, was a device to keep these witnesses' names off the public payroll.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. HAYS. Mr. Speaker, I am serving notice now that I am not signing any more, and I am sorry I have signed any.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. WELTNER. I yield.

Mr. ICHORD. Mr. Speaker, I do not know just what the gentleman has in mind, but I will tell the gentleman from Ohio that if ever in any of these cases any employee of the House Committee on Un-American Activities ever hires a witness to testify before the committee in connection with Communist hearings, I will vote to fire him. And I think the gentleman from Ohio should not leave that in the RECORD. I know of no cases such as that, and if any employee would hire a witness to come before one of our committees to testify, and if that were to come to my attention, it would be my recommendation that he be fired.

Mr. HAYS. Mr. Speaker, if the gentleman will yield further? I did not say they hired them. I said they paid them after they were witnesses. And if the chairman wants to get up and deny that, I will produce the contracts.

Mr. WILLIS. There should be no payment.

Mr. WELTNER. Mr. Speaker, and Members of the House, addressing myself to the issue that is before this body——

Mr. WILLIS. If the gentleman will yield further, I regret to say that I do not know what the gentleman is talking about.

Mr. HAYS. You mean to say you have never heard of committee contracts?

The SPEAKER. Will the gentleman from Georgia yield to the gentleman from Ohio?

Mr. WELTNER. Mr. Speaker, not at this time.

Mr. HAYS. All right; we will leave it hanging in midair.

Mr. WELTNER. Mr. Speaker, I will yield to the gentleman from Louisiana.

Mr. WILLIS. I thank the gentleman.

Mr. Speaker, I might say of course we have people under contract such as consultants, but that is not talking about witnesses. My goodness. That has never been indulged in.

Mr. HAYS. The gentleman never had a witness under contract, or gave him a contract because he was a witness?

Mr. WILLIS. Perhaps as a consultant, I do not know, but not as a witness. And not a dime was ever paid to any witness to procure evidence, or anything of the sort.

Mr. HAYS. They have been put under contract after they testified.

Mr. WILLIS. If what the gentleman refers to is a contract executed by the committee, which I expect most committees of Congress do, certainly the Committee on Armed Services does, where it needs consultants and expert people to advise and counsel and aid the committee in their work, we do have in our committee, as other committees have, that kind of contract, but of course that does not involve or refer to or have anything to do with witnesses appearing before the committee.

The SPEAKER. The Chair recognizes the gentleman from Georgia.

Mr. WELTNER. Mr. Speaker, directing myself to the issues contained in this resolution, and realizing that the Members of this body have previously heard, in connection with the argument on the point of order, some of the details concerning the problem, I shall be quite brief.

This is a proceeding with regard to one Milton Mitchell Cohen.

In connection with the responsibilities of the House Committee on Un-American Activities, it was determined by this committee to hold hearings in the city of Chicago.

It was further determined, based upon testimony received in executive session, that a subpena should issue requiring the attendance of Milton Mitchell Cohen at those hearings.

The hearings were duly convened in the city of Chicago.

The respondent, Milton Mitchell Cohen, was present at the first day of those hearings. He was present and he was represented by counsel.

On Wednesday, the 26th day of May 1965, Mr. Cohen, pursuant to the subpena served upon him was called by the Chair to take the witness stand to testify in connection with the subject matter of those hearings.

At that time his attorney stated that there were certain objections that he wished to present on the part of his client. The acting chairman of the committee permitted his attorney to make a brief statement with regard to his client's position.

I read from page 12 of the report, wherein an excerpt of that transcript appears.

The attorney for this respondent stated:

> I have instructed, and do instruct, my client not to answer any questions other than to give his name and address, which he has done. In view of the fact that my client will not answer any questions; in view of the fact that we contest the validity of the subpena, and since we are here under no compunction, Mr. Chairman, we are going to leave the hearing room and we are not going to participate any further in these proceedings.

That was the statement of the counsel for this respondent.

The acting chairman then said:

> I direct the witness not to leave the courtroom.

Counsel then responded that he was going to insist upon his instructions to his clients.

With the admonition that Mr. Cohen might be in contempt of Congress, the acting chairman said:

> I direct the witness to take the witness chair and answer the questions.

Once again, the acting chairman stated:

> I order you to take your seats.

Then as the record shows, Mr. Cohen and his counsel walked out of the hearing room.

Mr. Speaker, this is a plain case of a contempt of Congress of the most basic sort.

This is not a breach of decorum.

This is not a slim, tenuous legal question as to the validity of some objection.

This is not a question based upon the constitutional rights of any citizen under the 15th amendment or under the 14th amendment.

This is based upon the plainest kind of contempt, of utterly refusing to obey a lawful subpena issued by this body.

I know not what more need to be said about this, Mr. Speaker.

The witness was subpenaed.

The proceedings were totally regular.

The regularity and the legality of these proceedings have today been ruled upon by the Speaker, and with good authority.

There is no contention as to the record being inaccurate.

It is simply a contempt of the Congress. It is simply a record of a man who willfully flouted a subpena of a duly constituted standing committee of this body, and who removed himself contrary to the direction of the chairman of the committee from the presence of the committee.

Mr. MULTER. Mr. Speaker, will the gentleman yield?

Mr. WELTNER. I yield to the gentleman from New York.

Mr. MULTER. I would like to have for the benefit of the record a clarification. I hold in my hands the committee report and am reading from pages 11 and 12 of the committee report on the resolution now before the House.

I recall that our distinguished Speaker in overruling the point of order, referred to the fact that the witness did not ask for the executive session. The report shows that his counsel did.

Is it not a fact that the record shows this—and that this is what occurred—that when the statement was made by the chairman of the committee who was then presiding asking the witness to make the statement that counsel asked permission to make it, and the chairman of the committee then said, "All right, go ahead."

Then the counsel did make the statement, in which, among other things, he did say—after enumerating various objections:

> In addition, we reiterate Mr. Cohen's request for a hearing in executive session for the foregoing reasons and until the legal matters we have raised have been adjudicated.

That is the record, is it not?

Mr. WELTNER. That is correct. The request was made on behalf of the witness to the committee. It is further correct that on page 402 of the printed hearings there appears counsel's specific request that the session be held in executive session. On page 404 it appears that the committee took a recess, at the direction of the Chair, in order to consider that request, and that thereupon the chairman of the committee made the following ruling:

> Let the record show, as the committee did yesterday before the rulings were made, the committee met in executive session, considered the motions made by other parties, along with this witness, together with counsel, and opportunity having been given to others to join, the committee by unanimous vote has decided to overrule the several motions.

As the Speaker ruled, the prerogative remained with the committee, not with the witness.

Mr. MULTER. In other words, the committee does not raise the point that the witness himself did not make the request for the executive session but, by permission of the chairman, his counsel did make the request for the executive session?

Mr. WELTNER. The committee has never traveled on the idea that someone failed to say "Simon says." The request was considered. It was considered in the light of the precedents of the committee, and it was unanimously resolved that the request be denied.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. WELTNER. I yield to the gentleman from Illinois.

Mr. YATES. Let me interject and point out that on page 338 of the hearings Mr. Cohen, who is the defendant in the case, said:

> My lawyer cannot be here. My name is Milton Cohen. I would like to be included in the request for executive session.

The respondent himself asked for the executive session.

Mr. WELTNER. I responded to the gentleman by saying that both of them asked for an executive session.

Mr. YATES. But the witness did, too.

Mr. WELTNER. Yes, both of them did, and consideration was given by the committee on the basis that the witness really did want an executive session, inasmuch as he had asked for it and his lawyer had asked for it. We considered that, and we considered all the ramifications of that request, and we determined unanimously as the record shows, that that request would be denied. There is not a mere technicality. The request of the witness, Mr. Cohen, was considered and it was denied.

Mr. MULTER. Mr. Speaker, will the gentleman yield further?

Mr. WELTNER. I yield to the gentleman from New York.

Mr. MULTER. There was a quorum present when the request was made and there was a quorum of the committee when they took action in executive session overruling his request.

Mr. WELTNER. The hearings show the presence of a quorum in each of those instances.

Mr. MULTER. Just one further question, if the gentleman will yield.

Mr. WELTNER. I yield to the gentleman from New York.

Mr. MULTER. Just to complete clarification of the record, the purpose of directing the witness to stay when his counsel said he would not answer any questions but would leave, the purpose in asking the witness to stay was so that he could be asked questions in the public hearing and be required to answer in the public hearing.

Mr. WELTNER. The purpose of the chairman was to proceed with the examination of the witness for the purpose of developing such information as might be of value to the committee in the discharge of its duties under the rules of the House of Representatives.

Mr. MULTER. At a public hearing then and there being held.

Mr. WELTNER. That is correct.

Mr. MULTER. In other words, he was not to be questioned in executive session but at a public hearing.

Mr. WELTNER. The matter of executive session had been disposed of by unanimous vote of the committee.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield?

Mr. WELTNER. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. As the gentleman from Georgia probably knows, this matter was debated on February 2 when we considered contempt citations from your committee involving some of the witnesses from the Ku Klux Klan.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. WILLIS. Mr. Speaker, I yield 5 additional minutes to the gentleman from Georgia.

The SPEAKER. The gentleman from Georgia is recognized for 5 additional minutes.

Mr. WELTNER. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. During that debate the gentleman from Missouri [Mr. CURTIS], made the following statement. I refer to page 1757 of the RECORD:

> Some Congressmen did some research and have reported that since 1950, 129 contempt citations were issued by the Congress and there were only 9 convictions.

I am not going to ask you whether or not that information is true or false, because perhaps the gentleman does not know, but I do not find that this information has ever been rebutted in the record.

I address myself to this point: If that is our batting average, how can you people come before us today and say we are going to uphold the image of and respect for Congress? If that is our batting average, something must be wrong with these contempt citations coming out of committees, if so far we can only get 9 convictions out of 129 contempt citations.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. WELTNER. I yield to the gentleman from Louisiana.

Mr. WILLIS. Let me say I am very happy the gentleman brought out that point about convictions. This committee does not send people to jail. This House does not send people to jail.

We vote out a contempt citation, and then it goes to the Department of Justice and it just becomes one more case to prosecute in a grand jury or a petty jury, with the defendant cloaked with all the constitutional privileges that a defendant in a criminal prosecution has.

The gentleman referred to a statement made by the gentleman from Missouri [Mr. CURTIS] during the Ku Klux Klan consideration. May I say that earlier this year, at the suggestion of the committee, this House voted out six contempt citations against six prominent members of the Ku Klux Klans of America. All of them, after the matter left the House, were brought before the grand jury. All of them were indicted. One of them recently was tried, Robert Shelton, of Tuscaloosa, Ala., known as—to me it is silly—the Imperial Wizard of the Invisible Empire, in this modern age of 1965. That one was tried and recently found guilty. Just a day or so ago he was sentenced by the presiding judge and given the limit.

Mr. CLEVELAND. I thank the gentleman. That raises it to 10 out of 135. What kind of batting average is that?

Mr. WILLIS. Does the gentleman expect that this committee shall be responsible for the prosecution of people? We have no jurisdiction over that, I say to my friend. I say we have done our duty. We have brought them before the bar of this House. The House brings them before the bar of the Department of Justice. The Department of Justice prosecutes.

The gentleman should direct his statistical inquiry to the Department of Justice, not to me or to this House.

Mr. WELTNER. Mr. Speaker, I submit that the question is not what our batting average may be. This is not a win-loss column tabulation. It is not a matter of trying to repair or refurbish any "image." It is a question of preserving the right of a legislative body to gather information. It is a question of preserving the long-established parliamentary process whereby committees of a deliberative body act upon fact, and not upon speculation.

It is a question of whether or not this House of Representatives, through its duly constituted standing Committee on Un-American Activities, shall continue the age-old parliamentary privilege of requiring attendance for the purpose of developing information upon which sound legislation can be structured.

I believe it is totally immaterial what some court may have done or failed to do in the past. The only material issue is that this report and this resolution are founded upon strict compliance with the rules of the House.

Your committee brings this to you with its recommendation because there is an unquestioned flouting of a duly-issued subpena by a witness who does not rely upon any constitutional perquisite, but who utterly refuses to attend a legally constituted meeting of that body.

Mr. FRASER. Mr. Speaker, will the gentleman yield?

Mr. WELTNER. I yield to the gentleman from Minnesota.

Mr. FRASER. I appreciate the gentleman's yielding. I was interested in the gentleman's statement that the purpose of the hearing was to develop information.

The SPEAKER. The time of the gentleman from Georgia has again expired.

Mr. WILLIS. Mr. Speaker, I yield the gentleman 3 additional minutes.

Mr. WELTNER. I yield to the gentleman from Minnesota.

Mr. FRASER. I assume that the purpose of having Mr. Cohen appear before the committee must have been to develop information.

Now, when he asked to be heard in executive session, I wonder if the gentleman could tell me what the considerations were which prompted the committee to proceed with public hearings rather than with executive hearings if the sole purpose was to develop information rather than to demonstrate publicly something about the person?

Mr. WELTNER. The considerations were the provisions of section 26(g) of the rules of the House of Representatives, which state that all hearings conducted by standing committees or their subcommittees shall be open to the public. That is the general basis on which hearings are held in this body. That might be departed from if the committee, in its discretion, deems that it is desirable to hold those matters in executive session. By and large, I think the gentleman from Minnesota must agree that public hearings are a valuable adjunct to the legislative process.

I might add that were hearings held in private, I could well imagine the cries of "star chamber" that would arise.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. WELTNER. Yes. I yield to the gentleman from Louisiana.

Mr. WILLIS. In further amplification and answer to the gentleman who just propounded that question, it used to be that this devilish Committee on Un-American Activities, which I have the dubious honor to be chairman of at this time—this devilish committee would call and call witnesses in executive session, in star chamber procedure, with no right to go into the open, and we were denounced for that. The pattern was set here during the last recess of the Congress. Now all of a sudden when we are at long last, if you please, if that is what you gentlemen are talking about, conducting this in executive session dealing with matters of strict confidentiality, so much so that the committee did rule that a certain hearing should be completely executive, then what happened?

Then three certain witnesses came over here and staged a ruckus. One day they appeared in the halls of the Cannon Office Building with their own klieg lights and publicity stunts and raised a ruckus all over Capitol Hill, saying that they wanted a public session then. And how did we dare not to give them a public session? So there is nothing that this committee can do, I am confident, that will ever please certain people.

Mr. Speaker, I yield 5 minutes to the gentleman from Virginia [Mr. TUCK].

Mr. TUCK. Mr. Speaker, I thank the gentleman from Louisiana for yielding to me.

I would like to address myself only to the question that was raised here about contracts. I think the situation here is perfectly clear. I believe the Members of this House understand the resolution citing the witness, Cohen, so I will not enter into that discussion at this time, but I do desire to state that I have been a member of this Committee on Un-American Activities for approximately 8 years and, while I have not at any time acted as chairman of the committee and only a few times have acted as chairman of a subcommittee, still I think I know something of what has been going on in the committee.

I have been close not only to the distinguished chairman of the committee, the gentleman from Louisiana [Mr. WILLIS], but very close, indeed, to the distinguished gentleman from Pennsylvania, the late Francis Walter, who was the former chairman of this committee. I have kept up fairly well with what is going on, and I can state to the membership of this House that there is nothing in our files anywhere showing that we have paid any witness to testify during the 8 years I have been a member of the committee. There have been contracts that I can illustrate and contemplated contracts. For instance, the late Frank Tavenner, Jr., who for many years was counsel of this committee and was one of our leading lawyers in America. He was the U.S. district attorney for the western district of Virginia for some 10 or 15 years and also prosecuted that famous Japanese general in Japan, General Yamashita—he successfully prosecuted this general—and was considered for appointment and highly recommended for appointment to the Supreme Court of Appeals of Virginia during my term in Richmond and came very near getting that appointment.

And, Mr. Speaker, he was considering retiring, because of bad health, and he was so learned in the law pertaining to this committee and to the affairs of this committee, that we persuaded him to stay on as a counselor on a contract basis. Most regrettably, he passed away before having the opportunity to retire, so the contract was never submitted.

And, Mr. Speaker, there have been one or two others who have been employed based upon a similar situation. But, Mr. Speaker, there has never been a witness paid anything for testifying since I have been a member of the committee except in the regular way, under the Rules of the House, except for per diem or for his mileage.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. TUCK. I yield to the gentleman from Louisiana.

Mr. WAGGONNER. I think this point about contracts needed to be clarified and it is my opinion that the gentleman from Virginia [Mr. TUCK] has, indeed, clarified the question which did exist a few moments ago as a result of the question propounded by the gentleman from Ohio [Mr. HAYS].

Mr. Speaker, I serve as a member of that Contracts Subcommittee. However, throughout my service on that Contract Subcommittee I have been assured by the gentleman from Louisiana [Mr. WILLIS], my esteemed colleague, that never has any contract been negotiated for the purpose of paying witnesses for testifying; that contracts have been negotiated only in the instance of people who, much prior to the exercise of a contract, served as witnesses. They have done special research and so forth for the committee.

Mr. Speaker, the gentleman from Ohio [Mr. HAYS] made no effort—and I am sure that he intended in no way to intimate that people had been paid under contract to serve as witnesses for the Committee on House Un-American Activities.

Mr. Speaker, the gentleman from Ohio simply was making an effort to be sure that people were not rewarded with contracts for having served as witnesses or to testify in a certain way.

Mr. Speaker, I take the gentleman's word, the word of the gentleman from Louisiana, that contracts have not been dispensed with or handled in this manner, because I know the gentleman to be a man of his word and I know that the gentleman from Ohio does as well.

Mr. WILLIS. Mr. Speaker, I simply want to personally say on the floor of the House that what the gentleman has said I told him is true, and I subscribe completely to what my friend, the gentleman from Virginia, Governor TUCK, said.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. TUCK. I yield to the gentleman from Ohio.

Mr. HAYS. I asked the question merely to clear up the fact in my own mind as to—to help me make up my own mind as to how I would vote on this—as to whether or not these two witnesses had ever been under contract to the committee.

Now, the dispute, apparently, got off the track as to whether they were under contract before the fact or after the fact.

The SPEAKER. The time of the gentleman from Virginia [Mr. TUCK] has expired.

Mr. HAYS. Mr. Speaker, will the gentleman from Louisiana yield?

Mr. WILLIS. May I say to my friend, the gentleman from Ohio [Mr. HAYS] that these two witnesses were never under contract at any time.

Mr. HAYS. Mr. Speaker, will the gentleman yield for just one moment in order for me to complete my statement?

Mr. WILLIS. Yes; certainly.

Mr. HAYS. Mr. Speaker, all I wanted to know was whether they had ever been under contract with the committee either before the fact or after the fact, and if the gentleman from Louisiana [Mr. WILLIS] tells me that they have not been; that is good enough for me.

Mr. WILLIS. That is right.

Mr. HAYS. I merely asked the question for information.

Mr. WILLIS. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. YATES].

Mr. YATES. Mr. Speaker, I thank the chairman of the Committee on House Un-American Activities for yielding this time to me.

Mr. Speaker, obviously I was unaware of what the Speaker's ruling was to be when I made my point of order.

As I understand that ruling, it was based, among other things, upon two points:

The first point was that the respondent's counsel had requested an executive session and had made objection to continuing in open session.

Mr. Speaker, that is not true. The fact is—and I read from page 330 of the hearings—that the respondent in this case made the request himself for an executive session. He said:

> I would like to be included in the list for executive session.

It appears on page 330.

That is point 1.

Point No. 2, Mr. Speaker, as I understand the Speaker's ruling, is that these rules are made for the benefit of the committee and can only be waived by the committee.

Mr. Speaker, I read from page 116 of 374 U.S., in the case of Yellin against the United States. The Court, for a full page, has discussed the rules that make up the Code of Fair Procedure to which I alluded in my preliminary remarks. And then the Court said this:

> It does what all of them do, all of these rules, the court says, all of them work for the witness' benefit. They show that the committee has in a number of instances intended to assure a witness fair treatment as far as the right of counsel, protection from undue publicity, the right not to be photographed by television cameras. Rule 4 provides for executive sessions when a public hearing might unjustly injure a witness' reputation, and has the same protective import. And if it is the witness who is being protected, the most logical person to have a right to enforce those protections is the witness himself. It shows that only the respondent has the right to waive this protective rule.

That is the case of Yellin against the United States in the Supreme Court of the United States.

Why do we take such a strong position against the actions of the committee? Those of us who come from Chicago well remember the hearings of the committee there.

My friend from Georgia—and he is my friend—refers to this as a simple record. This is a simple case, he said. The record may be simple, the issue is much more complex. A man's liberty is at stake.

He asked us to sustain the action of the committee, right or wrong. I say to the

House that if the committee is wrong, its action should not be sustained. And I say to the House that in this case the committee action is wrong.

Let me read to you from a conservative newspaper, the Chicago Daily News, as it editorialized on May 29 in respect of the hearings of the committee in Chicago—and the respondent in this case was one of those who participated in those hearings. This case, this instant resolution, arises from those hearings.

This is what the editorial said—and the editorial is captioned "Fairplay Went Out the Window."

And it said:

> The 3-day visit to Chicago of the Un-American Activities Committee was a disgrace from start to finish.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman.

Mr. WILLIS. Mr. Speaker, I do not know what an editorial writer thought about the situation in Chicago, but I will say this: that these three witnesses cited today—when I reached Chicago on May 24 I was served with an injunction to stop the hearings. I was greeted by these three witnesses. Two of them were plaintiffs, and one an intervenor in that case, the district judge ruled on it. I do not know what the Chicago papers thought about the ruling, the district judge threw them out.

Mr. YATES. Mr. Speaker, I will say to the chairman that I will not read that editorial at the present time. I will ask the Speaker to be permitted to attach it.

But I want to read from the same U.S. Supreme Court case that I read from a few moments ago.

My friend from Georgia has stated that this is a simple case of a person walking out of a committee. It is not quite that simple.

What happened in that case was that the witness appeared in response to the subpena and, in accordance with rule 26(n), made a request that his testimony be taken in executive session.

When that request was denied, the witness walked out of the hearing room. According to the Supreme Court, under the circumstances he had no alternative.

Listen to what the Supreme Court says in the Yellin case, which was an interpretation of a similar rule.

On page 121, the Supreme Court said this:

> Petitioner has no traditional remedy, such as the writ of habeas corpus upon which Accardi relied, by which to redress the loss of his rights. If the Committee ignores his request for an executive session, it is highly improbable that petitioner could obtain an injunction against the Committee that would protect him from public exposure. See *Pauling* v. *Eastland*, 109 U.S. App. D.C. 342, 288 F. 2d 126, cert. denied, 364 U.S. 900. Nor is there an administrative remedy for petitioner to pursue, should the Committee fail to consider the risk of injury to his reputation. To answer the questions put to him publicly and then seek redress is no answer. For one thing, his testimony will cause the injury he seeks to avoid; under pain or perjury, he cannot by artful dissimulation evade revealing the information he wishes to remain confidential. For another, he has no opportunity to recover in damages, U.S. Const., Art. 1, Sec. 6: *Kilbourn* v. *Thompson*, 103, U.S. 168. 201–205. Cf. *Tenney* v. *Brandhove*, 341 U.S. 367, 377. Even the Fifth Amendment is not sufficient protection, since petitioner could say many things which would discredit him without subjecting himself to the risk of criminal prosecution. The only avenue open is that which petitioner actually took. He refused to testify.

That is what the witness did in this case. The Court said it was the only recourse he had.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. YATES. I yield to the gentleman.

Mr. WILLIS. The witness did more than that. The witness simply walked out. He took a powder. He did not answer any questions. He just took off and out he went.

Mr. YATES. Mr. Chairman, I ask you this question. Did not the witness request that his testimony be taken in executive session?

Mr. WILLIS. That is right.

Mr. YATES. He did not walk out until the committee denied that request, is that correct?

Mr. WILLIS. That is correct.

Mr. YATES. All right.

Mr. WILLIS. But his request was considered and denied. And the Speaker has ruled on that, and that ends it.

Now, let me say to the gentleman that that case involved former rules of the House that are no longer the rules.

Mr. YATES. But it is almost the same rule under a different nomenclature. Rule IV is this rule with a slight variation. I see counsel shaking his head.

I want to ask the chairman of the committee one other question. Mr. Chairman, if the purpose of a committee is to obtain testimony and evidence as a basis for legislative action, why is it not just as well to take that testimony in executive session?

Mr. WILLIS. We did just that.

Mr. YATES. You did it for two witnesses, but not for this respondent.

Mr. WILLIS. We did it for the three of them—we did it for the three of them.

Mr. YATES. You denied him the right to have his testimony taken in executive session.

Mr. WILLIS. No; we did not. We did not. Here is what we did.

By the way, before leaving Washington, this rule which I was part of a committee to draft, and I was one of those who drafted this very rule, and I know a little about it, has to do with this and the crux of rule 26(m) is this. If the committee should determine that evidence to be presented at a public hearing might tend to incriminate a person—if it is so determined that the evidence of those who might so testify at that public hearing shall be taken in executive session.

Mr. YATES. Right.

Mr. WILLIS. We determined that if it was true of somebody being called a Communist, he would be degraded and we knew who would say it in Chicago.

So we held an executive session here and, under oath, testimony saying that these witnesses were Communists was taken in executive session. And what did we do? We wrote to these three people being cited today. And we said:

> Someone testified under oath in executive session that you were at one time a Communist. Do you desire to affirm or deny or explain it? Do you want us to examine witnesses on your behalf, friends of yours who can challenge that? If so, let us know.

There were no takers. They simply ignored it.

Mr. YATES. May I read to you from the Record.

Mr. WILLIS. If the gentleman will read the debates, when we adopted this rule, particularly the speeches made by the gentleman from Ohio [Clarence Brown].

Mr. YATES. I have read them.

Mr. WILLIS. And the speeches made by Judge Smith. Then you will know what this rule is about.

Mr. YATES. Mr. Speaker, if the gentleman will let me answer the question.

Mr. WILLIS. Wait a minute, wait a minute, I know something about these rules.

Mr. YATES. Will the gentleman yield me more time so that I can answer the question?

Mr. WILLIS. This rule refers to a probably outraged witness. Suppose, for instance, I received a letter or the gentleman received a letter, or his people received a letter tomorrow which said: "Dear Ed Willis: We have just heard in executive session a man who said you are a Communist. Do you want to deny that?"

I say, "Hell, yes, I do. I want to deny it right now in executive session or public session." But not so with this witness.

Mr. YATES. Mr. Speaker, will the gentleman permit me to have the time to say that I read the statement in the Congressional Record. I also read the rule. Let me read you from the debate in the Congressional Record, the statement by Mr. Miller of Maryland in which he said:

> I share the view of the gentleman from Virginia—

Referring to Porter Hardy—

> that no matter what may be the intention—and you state what the intent of the rule is—it certainly is not the language. It does not indicate how it would be possible to bring out evidence that was going to degrade someone except in executive session.

I do not see any language here that states that the rule itself says where the testimony tends to degrade or defame, it shall be taken in executive session. There is no deviation from the rule.

Mr. WILLIS. That is what we did.

Mr. YATES. But you did not do it.

Mr. WILLIS. Why do you not read the report?

Mr. YATES. I not only read the report; I read both volumes of your hearings. I know what is in your hearings.

The SPEAKER. The time of the gentleman from Illinois has again expired.

Mr. WILLIS. Mr. Speaker, I yield to the gentleman from Illinois [Mr. Annunzio].

Mr. ANNUNZIO. Mr. Speaker, I ask unanimous consent to revise and extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ANNUNZIO. Mr. Speaker, we have before us today three contempt citations which the House Un-American Activities Committee wishes to bring against Dr. Jeremiah Stamler, Mrs. Yolanda F. Hall, and Mr. Milton M. Cohen. Because the issue at stake involves the fundamental rights of all American citizens, it behooves each and everyone of us to apprise ourselves of all the facts and to deliberate carefully before casting our votes.

Dr. Stamler is the director of the division of adult health and aging and the director of the heart disease control program, both of which come under the jurisdiction of the Chicago Board of Health. He also has written numerous scientific books and articles on diseases of the heart and blood vessels. He is presently the recipient of three research grants given by the National Heart Institute of the National Institutes of Health which holds his work in high regard. On the same day that Dr. Stamler was named winner of the Albert Lasker Award in Medical Journalism, he was subpenaed to appear before the House Un-American Activities Committee which had scheduled hearings to be held in Chicago on May 25, 26, and 27, 1965.

Mrs. Yolanda F. Hall, who was likewise subpenaed, holds a master of science degree from the Illinois Institute of Technology. She is an assistant to Dr. Stamler in the capacity of research nutritionist for the heart disease control program of the Chicago Board of Health and for the Chicago Health Research Foundation.

The third person who was subpenaed and against whom contempt citation proceedings are pending is Mr. Milton M. Cohen, executive director of Parkview Homes. He is affiliated with several charitable organizations and holds a master of social studies degree from the University of Chicago School of Social Science Administration.

Dr. Stamler, Mrs. Hall, and Mr. Cohen are the object of contempt proceedings because they decided, after careful consideration, neither to answer the committee's questions nor to take refuge in the fifth amendment. Let us consider, however, the unfair treatment that was directed against them from the very beginning by the committee.

In direct violation of the committee's rule 16, which prohibits release of names of witnesses prior to the hearings, the names of Dr. Stamler, Mrs. Hall, and Mr. Cohen, together with others, were released to the press in Chicago. The blatant headlines and the unfavorable publicity which resulted did irreparable damage to the reputations of these highly respected members of the community.

Dr. Stamler, in response to the publicity, signed a loyalty oath for the Chicago Board of Health. Subsequently, the board voted to retain his services, and Dr. Eric Oldberg, president of the board, expressed his confidence in Dr. Stamler, by saying:

> In my book, he is not a Communist.

Yet, serious injury to the reputations of Dr. Stamler, Mrs. Hall, Mr. Cohen, and others had already been done, their good character had been prejudiced, and they had been degraded unjustly by a congressional committee which disregarded its own rule 16 apparently to achieve exposure for the sake of exposure alone.

The character assassinations and the damage done to innocent U.S. citizens as a result of HUAC hearings is appalling. Such unfair exposure and witch-hunting tactics by the committee have become commonplace over the years. What is not commonplace, however, is the reaction of Stamler, Hall, and Cohen, who, instead of acquiescing to these unfair tactics, filed a suit questioning the constitutionality of the House Un-American Activities Committee and asking that the committee be enjoined from holding hearings. This suit is now pending before the U.S. court of appeals. The case has been argued but no decision has been reached as yet.

Albert E. Jenner, Jr., a past president of the Illinois Bar Association and a former senior counsel to the Warren Commission, was retained as counsel by Dr. Stamler and Mrs. Hall. In summarizing his objections to the Chicago hearings, Mr. Jenner declared that the hearings did not even meet our minimum standards of fairness and due process of law. He pointed out that instead of fairness, the committee displayed the very opposite of fairplay.

First, it failed to demonstrate proper legislative purpose. Second, it confronted those subpenaed with defamatory assertions and innuendoes in questions. Third, it refused to hear defamatory testimony in executive session, which was a deliberate breaking of its own committee rule 26(m). Fourth, the opportunity for cross-examination was not afforded to those subpenaed. Fifth, the attorneys retained by the subpenaed witnesses, as well as the subpenaed witnesses themselves, were treated with a complete lack of respect and were at times verbally abused. Sixth, the witnesses were not advised as to why they were subpenaed to appear before the committee.

Let me emphasize that the committee's charges that Dr. Stamler, Mrs. Hall, and Mr. Cohen had some connection with Communist activity in Chicago were completely unsubstantiated by evidence which would be found admissible as proof by our courts. Therefore, Dr. Stamler, Mrs. Hall, and Mr. Cohen, like countless citizens who have preceded them, stand accused by the committee without having had an opportunity to exonerate themselves in accordance with the full protection of our laws.

The newspapers have condemned the Chicago HUAC hearings. The radio and TV stations have likewise deplored the hearings. Hon. Richard J. Daley, mayor of Chicago has also stated his opposition to the "star-chamber proceedings" of the hearings. When the news media and the officials of a particular area unite in the expression of a single viewpoint, it is time that the Members of the House of Representatives take note of the reasons for this stand.

We are a democratic government organized to protect the innocent against tyranny and persecution, and as such, we should remain vigilant and do all that we can to uphold these basic precepts of our society.

The undemocratic treatment accorded today to Stamler, Hall, and Cohen could easily be directed tomorrow at our friends, our relatives, you or I. Our fundamental American freedoms which are guaranteed in the Bill of Rights are therefore in jeopardy. I urge you to uphold and protect these precious rights by voting against the contempt citations.

For the information of my colleagues, I am including in the Record articles about the Chicago HUAC hearings which have appeared in the Chicago Daily News, the Chicago American, and the Chicago Sun-Times. The articles follow:

[From the Chicago Daily News, May 29, 1965]

FAIRPLAY WENT OUT THE WINDOW

The three-day visit to Chicago of the House Un-American Activities Committee was a disgrace from start to finish and from hearing room to picket line. Nothing positive was accomplished and a great deal of harm was done.

The infantile displays that went on outside the old U.S. Court of Appeals Building were degrading. Both the anti-HUAC pickets, who went far beyond the right of peaceful protest, and the Nazi clowns who showed up to oppose them succeeded only in earning the contempt of the community.

The only credit earned in these performances goes to the Chicago police, who exercised remarkable restraint in the face of extreme provocation and managed to maintain a semblance of order.

The hearings themselves followed a dismally familiar pattern to no apparent purpose. The committee produced a couple of FBI informers, and a few people who predictably invoked the Fifth Amendment, and must have left even its most avid supporters wondering what it was all about.

Interest centered, of course, on the appearance of Dr. Jeremiah Stamler, cardiac research specialist for the Chicago Board of Health, and his assistant, Mrs. Yolanda Hall. Both had sought to testify in closed session, but refused to jeopardize an appeal on that point by testifying at the open hearing.

Their names were nevertheless read into the record by the committee counsel in questions addressed to witnesses who consistently invoked the Fifth Amendment. The charges that Dr. Stamler and Mrs. Hall had some connection with Communist activity in Chicago are thus left hanging, unsubstantiated and with no opportunity on their part for rebuttal or cross-examination of accusers.

Their attorney, Albert E. Jenner Jr., protested in vain the committee counsel's tactics of asking leading questions and permitting hearsay testimony, and an appeal is planned. Certainly the methods used here need to be examined by the courts.

It has long been established that HUAC or any other congressional committee has a broad right of inquiry into matters that may become the basis for legislation. There have been instances, however, in which HUAC has been slapped down for going too far afield and engaging in what amounted to witch hunts.

We do not venture to predict what the courts will do in this case. But elementary rules of fair play, if not of law, surely demand that persons shall not be accused without a fair chance to reply. And a committee which uses its power to present only one side of a story makes its motives suspect.

Much of the opposition to HUAC arises from the extreme left and the hard-core Communists who are the HUAC targets. But opposition also arises from anti-Communists fearful that this committee is riding roughshod over the basic civil rights of the people called before it. The Chicago appearance enhanced those fears.

[From the Chicago American, June 6, 1965]

SEQUEL TO HUAC HEARINGS

The House Un-American Activities Committee didn't look very impressive in its 3-day stand here last week, and yesterday's sequel involving Dr. Jeremiah Stamler didn't improve its image much. After questioning Dr. Stamler about his refusal to testify before the committee, the Chicago board of health dismissed charges of improper conduct against him. The board said it had found no proof that Dr. Stamler, a leading specialist in heart ailments, had behaved improperly at any time during his employment by the city, and saw no reason for discontinuing his services.

The statement did not support Stamler's position against HUAC; it merely said, in effect, that his opinions on that score had nothing to do with his professional worth or his usefulness to the city. The net result of the statement, though, may be to strengthen Stamler's position in his court fight to have HUAC's practices declared unconstitutional.

Whether or not he succeeds in that, we hope some kind of restraint can be imposed [self-restraint is apparently too much to hope for] on HUAC's habit of damaging people's reputations at will. Rep. DONALD RUMSFELD [R., Ill.], whose credentials as a conservative are beyond question, has suggested that Congress meet this issue head-on by investigating the committee's methods, and either clearing it or taking steps to bring it into compliance with House rules. To our mind, the suggestion makes excellent sense.

As we observed last week, one of HUAC's strongest assets is the kind of people who demonstrate against it. Some of the creeps who made public nuisances of themselves at the hearings here made the committee look good by comparison; we are proud to claim some of HUAC's enemies as our own.

But none of this justifies HUAC's lordly disregard of citizens' rights to privacy and their own reputations. We know of no service this committee performs that couldn't be performed better by strictly judicial methods.

[From the Chicago Sun-Times, June 4, 1965]

AFTERMATH OF HUAC HEARING

Rep. SIDNEY YATES (D-Ill.), in whose Chicago district the House Committee on Un-American Activities (HUAC) held hearings last week, introduced a resolution Monday calling for the abolishment of the committee. On Wednesday Rep. DONALD RUMSFELD (R-Ill.) in a formal statement before the Joint Committee on the Organization of Congress declared that Congress should meet "head-on" criticism made by responsible citizens of HUAC. Congress, said RUMSFELD, should investigate the investigating committee.

Although RUMSFELD himself did not pass judgment on HUAC, the tone of his statement left no doubt that he took seriously the accusations against the committee made by such persons as his fellow Republican and resident of his North Shore district, Albert E. Jenner Jr., attorney for the Warren Commission on the Kennedy assassination and former member of the U.S. Loyalty Review Board.

Last week Jenner said that HUAC "has been embarked upon a program of exposure for exposure's sake, character prejudice and degrading of U.S. citizens of good reputations such as my clients." He declared, "The time has come for loyal citizens to stand up and resist the high-handed tactics of this committee."

Jenner was inspired to make his comment by the committee's treatment of his clients, Dr. Jeremiah Stamler, director of a heart disease control program of the Chicago Board of Health, and Dr. Stamler's assistant, Mrs. Yolanda Hall.

Dr. Stamler and Mrs. Hall were subpenaed to appear at the Chicago hearings of HUAC. Dr. Stamler immediately signed a loyalty oath and gave Dr. Eric Oldberg, president of the Board of Health, assurance that he had never engaged in subversive activities or consorted with groups or individuals with such objectives. He and Mrs. Hall asked HUAC to testify in a closed hearing. This was denied. In questioning other witnesses, the committee counsel later read their names into the record as having had Communist affiliations several years ago.

One witness, an undercover agent for the Federal Bureau of Investigation, when asked if he had ever heard Dr. Stamler's name mentioned at a Communist Party meeting, said that in 1959 the Illinois party leader had said Stamler was a party member. But the witness said he himself did not know Stamler at the time.

The questions and this testimony, Jenner said, constituted "not one scintilla of evidence admissible or competent" before any court or committee. The Board of Health Wednesday adopted a resolution which was in effect a vote of confidence in Dr. Stamler.

For 27 years HUAC has periodically brought criticism of its methods because, as in the Stamler case, it has allowed unverified charges to be made public and has abused witnesses. It often has confused liberalism with communism.

When the committee came to Chicago last week, we commented that it remains to be seen whether the hearings would, in the words of its chairman, "help the security of our country."

Just what was accomplished for the security of the country by naming a dozen persons as having had Communist affiliation and making public experiences of former undercover agents of the FBI? Security is well-guarded by the FBI which maintains constant checks on subversive and Communist activities. J. Edgar Hoover has written extensively on the subject.

HUAC's chairman said the hearings had been "useful for Congress from an informational point of view to carry out legislation." What legislation? HUAC has been responsible for only three laws in its 27 years of existence and one of these was made necessary to correct an error the committee made in writing the Internal Security Act.

It should be possible for a committee of Congress to conduct necessary investigations in a manner consistent with American regard for fair play, rules of evidence and the right of a person to face his accusers.

Rep. YATES proposes that the functions of HUAC be transferred to the House Judiciary Committee where hearings would be conducted more fairly. It seems likely to us that if Rep. RUMSFELD's proposed review of HUAC is carried out YATES' conclusion will be inescapable.

[From the Washington Post, Oct. 18, 1966]

CONTEMPT FOR DUE PROCESS

The House Committee on Un-American Activities will ask the House of Representatives today to endorse another one of its bad checks. It is seeking contempt citations against Dr. Jeremiah Stamler, a renowned heart specialist who is director of the Heart Disease Control Program of the Chicago Board of Health, and two of his professional associates, who declined, as a matter of principle and on the advice of distinguished counsel, to answer questions put to them a year and a half ago by HUAC in the course of one of its scattershot inquiries into "subversive" activities.

There are three good reasons why the House should not indulge HUAC in its petty and pointless persecution of the witnesses it summons. In the first place, experience has shown that the courts almost invariably reject these citations. In all save a tiny percentage of the cases brought to final adjudication, the Committee has been found to have gone beyond the bounds of its lawful authority. Just a fortnight ago, as one of his last acts as Attorney General, Nicholas Katzenbach ordered the Department of Justice to abandon contempt-of-Congress prosecutions against three peace activists, Dagmar Wilson, Donna Allen and Russell Nixon. The Court of Appeals had already overturned their District Court conviction.

In the second place, the Committee demand is, at best, frivolous. Its questions had no relevance to any legitimate legislative purpose when they were asked 18 months ago. A Committee request for these citations was put on the House calendar in January and again in February of this year—and then dropped both times. There is certainly no need for it now.

Third, and most important the recalcitrant witnesses took the issue to court before they ever appeared before the Committee. Their case, already briefed and argued, is now before the U.S. Court of Appeals for the 7th Circuit. It challenges the Committee's constitutionality and seeks an injunction against enforcement of its edicts. This is a wholly proper forum in which to have the legitimacy of the Committee's commands determined. The House of Representatives plainly ought to await this judicial determination.

Mr. WILLIS. Mr. Speaker, I yield to the gentleman from Alabama [Mr. BUCHANAN], a member of the committee.

Mr. BUCHANAN. Mr. Speaker, in behalf of the minority, I want to indicate our unanimous support of the committee on the resolution. As a member of the committee for only 2 years, I have studied very closely its deliberations. I have been impressed by the desire that has been consistently shown on the part of the members of the committee to protect individual rights and to faithfully observe the rules of the House. This consumes most of our time in our deliberations.

May I say further that the committee's fairness to those who disagree has been shown in this debate when the committee members have yielded most of their time to opponents of the resolution.

Mr. Speaker, I fully support the resolution offered by our chairman to certify to the U.S. attorney the report of the facts relating to the contumacious conduct of Milton Mitchell Cohen.

Mr. Speaker, what is involved in this resolution is solely a question of whether the dignity of the House of Representatives and the integrity of its process is to be maintained. There is no other issue involved in this citation, or in the citations of Yolanda Hall and Jeremiah Stamler for identical conduct which I understand will follow. Last May, subpenas were duly issued and served by authority of the House of Representatives on Milton Mitchell Cohen, Yolanda

Hall, and Jeremiah Stamler, by which each of them was commanded to appear before this committee or its subcommittee in Chicago to testify touching matters of inquiry committed to said committee and not to depart without leave. As you have heard, this command and this process were dishonored.

Of course I am aware, as other Members of the House must now be aware, that efforts have been made to obscure this one simple issue. One of the attorneys for the witnesses Hall and Stamler circularized the House in a letter which was most remarkable, I believe, not so much for what it said but for what it failed to say. He wrote in part, and I quote:

> We hope to demonstrate to every member of the House that the hearings held last May in Chicago reflect the low ebb of the Committee's procedures, involving prior release of names of witnesses; unreasonable refusal of executive sessions; physical mistreatment of counsel; lack of legislative purpose; character assassination by means of grossly leading questions to witnesses (other than my clients) who were refusing to answer any questions (on 5th Amendment grounds), which Committee counsel, knowing the witness would not answer, employed to "state" unproved and unsworn supposed "facts" in the record safe from cross-examination or other exposure; failure to adduce any testimony (other than one blatantly hearsay supposition by a paid Committee witness) in support of Committee counsel's insinuations; refusal to afford cross-examination; and many other abuses of the normal standards of due process and fair play.

Mr. Speaker, it hardly seems necessary to dignify these misrepresentations with a reply. You have the record before you. Yet to assure those who may be disturbed by these allegations, let me state categorically:

First. This committee and its staff did not release the names of witnesses subpenaed for the hearings.

Second. This committee did not unreasonably refuse an executive session for any of the witnesses.

Third. This committee did not physically mistreat counsel.

Fourth. This committee did not lack legislative purpose.

Fifth. This committee did not engage in character assassination by any impropriety in its questioning.

Sixth. This committee did not make any inquiry or pose one single question upon unfounded supposition.

Seventh. This committee did not deny any witness any right to which he was entitled by law, by the rules of the House, or by commonsense.

On the other hand, this committee has met with the most blatant kind of abuse. The efforts made to intimidate and harass this committee, and to obstruct the hearings in Chicago, were reminiscent of the 1949 Smith Act trials at Foley Square. What we have here today in the conduct of the cited witnesses is a most unjust and intolerable attack upon the investigative process. We cannot permit it to succeed.

The plain facts are that the subcommittee convened in Chicago for the purpose of receiving evidence of Communist Party activities in the Chicago area and the Illinois district. It was, of course, performing a duty imposed upon it by this House in its wisdom. I do not think that this House, or this committee, in these days of crisis, stimulated by Communists here and abroad, need apologize for or again justify the purposes of the inquiry. Our chairman made clear to the witnesses what were the subjects of inquiry and the legislative purposes. Several witnesses were subpenaed to give testimony. The three witnesses who are the subject of today's citations were among the 16 witnesses who were subpenaed for the Chicago hearings. A brief review of the information possessed by the committee relating to each of them amply demonstrates the basis for calling them and for the committee's belief that they would possess evidence material and relevant to the committee's inquiry. Let me briefly summarize some of the information possessed by the committee as to each of them.

Milton Mitchell Cohen, residing at 5322 South Kimbark, Chicago, Ill., and employed as an assistant manager of Park View Home in Chicago, was born in that city on February 17, 1915. In an executive session before a subcommittee of the Committee on Un-American Activities convened on December 17, 1964, two witnesses who maintained membership in the Communist Party at the request of the Federal Bureau of Investigation—Lola Belle Holmes for the period from 1957 to 1963, and Lucius Armstrong for the period from 1953 to 1963—identified Milton Mitchell Cohen as a member of the Communist Party during their period of membership. Miss Holmes had testified previously in executive session, as she did subsequently in the public hearings in Chicago in May 1965, that Milton Mitchell Cohen held various offices of importance in the Communist Party for the District of Illinois, including membership on the Educational Committee of the Wagenknecht Section of Chicago, the District of Illinois Industrial Commission, and a member of the State Committee of the Communist Party—the party's top governing board. Other evidence in the possession of the Committee on Un-American Activities, both documentary and from intelligence sources, revealed that Milton Mitchell Cohen had been involved as a member and functionary of the Communist Party for a continuous period of over 25 years past.

Yolanda Hall was born in New York City on April 29, 1922, daughter of Louis and Yolanda Farkas Freeman, naturalized citizens of the United States. She attended Tule High School at Chicago from 1935 to 1939, and entered the Chicago Teachers College from which she received a degree of bachelor of education in 1942. At the time of her subpena she was a research assistant to Dr. Jeremiah Stamler, who is the subject of the other citation for contempt filed contemporaneously herewith. She was employed with Dr. Stamler by the Chicago Board of Health since 1958. Prior thereto she was employed at the Michael Reese Hospital where she worked for 3 years with Dr. Stamler in the cardiovascular department. While employed by the Chicago Board of Health in 1963, she obtained a master of science degree at the Illinois Institute of Technology. In aid of her admission to the Illinois Institute of Technology she was highly recommended by Dr. Stamler, then director of the heart disease control program of the Chicago Board of Health. In his letter of recommendation, addressed to the director of admissions, dated March 8, 1960, Dr. Stamler stated that he had known Mrs. Hall for several years and unqualifiedly supported her candidacy.

In testimony on July 28, 1949, at the Smith Act trials in the Federal district court at Foley Square in New York City, at which time she appeared as a witness on behalf of the defendants, Eugene Dennis and others, top Communist Party leaders, Yolanda Hall testified that she was a member of the Communist Party, having joined in 1939 while a student at the Chicago Teachers College. This was a matter of public record. She testified that she had joined the Young Communist League in 1937 when a student at the Tule High School, and that upon the dissolution of the Young Communist League during World War II, she participated in the formation and leadership of the American Youth for Democracy, a successor organization of the Young Communist League and was in attendance at the national convention of this organization in October of 1943 at New York. A copy of the October 1945 announcement of the Second Anniversary Ball of the American Youth for Democracy, in possession of the committee, noted her as a member of the Illinois-Indiana regional board of that organization. The Illinois-Indiana regional area was then coextensive with district eight of the Communist Party. In the 1940's, Milton Cohen was likewise a functionary of district eight of the Communist Party. She was also employed as an instructor in the Chicago Workers School during the period from 1945 to 1949, a school which was established by the party for the indoctrination and recruitment of Communists.

On October 24, 1950, Mrs. Hall filed an application for a passport with the Department of State in which she represented that she sought a passport for travel to "England and France," and setting forth her purpose of the trip as being "pleasure." She, in fact, traveled as one of a group of American delegates to Stalin's Second World Peace Congress, held at Warsaw November 16–22, 1950, and thereafter to Moscow. At the time of her travel to the Soviet Union in 1950, the committee possessed information that she was the organizer of the Johnstone section of the Communist Party in Chicago. The committee possessed information which indicates that Mrs. Hall continued her activities in support of the Communist apparatus from thence until a recent period.

Dr. Jeremiah Stamler, residing at 1332 East Madison Avenue Park, Chicago, has been employed by the Chicago Board of Health since 1958 and is director of its division of adult health and aging and heart disease control program. He appears to have taken up his residence in Chicago commencing in 1948. Having been trained in the public schools of New Jersey and New York colleges, he was certified by the National Board of Medical Examiners on October 31, 1947, at which time he became a fellow in pathology at the Long Island College of Medicine, Brooklyn, N.Y. He was then in 1948 employed at the Medical Research Institute of the Michael Reese Hospital in Chicago, where he remained until employed by the Chicago Board of Health in 1958. During his employment at the Michael Reese Hospital and next while at the Chicago Board of Health, he became a principal investigator under various grants from the National Institutes of Health and continues to function in that capacity up to the present time. For the period from 1957 to 1965, he has administered Federal grants as principal investigator in a sum totalling in excess of $1 million. As a principal investigator he exercises complete authority in the disbursement of funds, supervision of the assigned project, and the employment of personnel subject to the provisions of the granting agency and the regulations of any affiliated institution.

Information from intelligence sources, as well as from documentary evidence in possession of the committee, pointed to the fact that Jeremiah Stamler had a long and continuous record of membership in the Communist Party.

It is the committee's information that in the early 1940's, Jeremiah Stamler was a member of the Young Communist League in New York, and for a period served as head of the New York State student section of the Young Communist League. For example, an official ballot utilized by the Fourth Empire State Convention of the Young Communist League, for election of State council members of the Young Communist League in March of 1943, in possession of the committee, lists him as 1 of the 136 candidates proposed by the nominating committee and the delegation caucus for the convention. The committee was further informed that Jeremiah Stamler and his wife, Rose Stamler, to whom he was married on June 27, 1942, joined the Communist Party on or about 1946. The committee was further informed that during the 1950's, Dr. Jeremiah Stamler was a Communist Party functionary who directed the activities of the Communist Party underground within the Chicago area.

A copy of the passport application of Jeremiah Stamler of May 14, 1956, revealed that he applied for a passport to travel to various European countries. In the letter accompanying this application he indicated that the purpose of this trip was in connection with his medical research work. The Passport Office of the Department of State asked him to file an affidavit under the provisions of section 51.135 of the passport regulations, which in the language of that section had as its purpose the promotion of the national interest by assuring that no U.S. passport be used in support of the world Communist movement. The letter specifically asked him to forward an affidavit setting forth whether he was at any time a member of the Communist Party or Communist Political Association, a description of offices or other positions which he may have held therein, and whether his membership had been terminated and under what conditions such termination occurred. Dr. Stamler refused to submit such an affidavit and his application was denied.

The committee also possessed intelligence information that in 1956 and 1957, meetings of the Hyde Park section of the Communist Party were held on a regular basis at the home of Dr. Jeremiah Stamler and wife Rose Stamler, then residing at 5414 Engleside, Chicago, Ill. Meetings of the Southside section of the Communist Party were likewise held at his residence during the same period. Among those in regular attendance at the party meetings at his residence included Milton Mitchell Cohen, Ben M. Friedlander, Leon Gurley—also known as Leon Joy Jennings—and Mathilda Heyman—also known as Mathilda Perryboon, also known as Mathilda Burke. These persons were all identified by Lola Belle Holmes as members of the Communist Party. The committee was also informed that the Communist Party meetings held at the residence of Dr. Jeremiah Stamler were terminated in early 1958 for security reasons, that Dr. Stamler was about to become associated with an organization the identity of which would preclude further meetings at his home. As a matter of fact, Dr. Stamler commenced his employment with the Chicago Board of Health in 1958.

While meetings of the Hyde Park and Southside sections of the Communist Party were held at the residence of Dr. Stamler, and it was the committee's information that Rose Stamler acted as chairman at some of these meetings, it was the committee's information that Dr. Stamler had met on a regular basis as a member of the professional section of the Communist Party, but that he likewise ceased to meet regularly as a member of the professional section in the early part of 1958 for the same reasons that meetings of the Hyde Park and Southside sections were discontinued at his residence, namely, the prospect of his obtaining an important position. He did, however, continue thereafter to meet on an irregular basis with members of the professional section, also with high-ranking members of the Communist Party for the District of Illinois, and continued his contacts and associations with high-level officials of the Communist Party up to and including the early part of 1965.

Mr. Speaker, in the light of these facts, can anyone reasonably contend that the committee was without probable cause in subpenaing any of these persons?

Now it has been suggested that because of the positions they occupy or the repute they are said to possess, they should not have been subpenaed, for to do so would cause them injury. Mind you: it is said to cause them injury—not injustice. Mr. Speaker, we cannot accept this argument as a basis for barring legislative inquiry. If this argument were valid, it might with equal justice be advanced against subpenaing any witness who might be embarrassed by being called in the criminal or civil courts. Must the Congress and the courts cease operation? It is clear that witnesses are not to be excused from their obligations or from requirements of law, whether in the courts or before committees of Congress, because they have a certain reputation or occupy positions of importance. There is not one law for the rich in repute or substance and another for the poor in repute or substance. Equal justice and the imperative demands of government require that the law be no respecter of persons. Indeed, in matters of national security the demand for information relating to the relevant activities of prominent persons, who are in a position to do greater damage to the security of the Nation, becomes even more imperative than from persons of less influence or more lowly position.

Moreover, the demand of Congress for the testimony of witnesses in aid of its legislative function—and hence a public record—is as imperative as that of a court of justice for relevant testimony in civil or criminal proceedings. A person, at his own option, should not be permitted to disqualify himself as a witness by reason of his own conduct or failures and thus secure anonymity or exemption from the reasonable demands of government. The fact that any interrogators that might be put to Cohen, Hall, or Stamler, or testimony that any of them may give, would tend to disgrace or otherwise render them infamous, would not of itself support a request that interrogatories be put, or the testimony received, in confidence or, in other words, be accomplished in executive session. An act of Congress expressly provides otherwise:

> No witness is privileged to refuse to testify to any fact, or to produce any paper, respecting which he shall be examined by either House of Congress . . . upon the ground that his testimony to such fact or his production of such paper may tend to disgrace him or otherwise render him infamous. (Act of June 22, 1938; 2 U.S. Code 193.)

The fact that the committee's inquiry will disclose the associational activities of Cohen, Hall, and Stamler with the Communist movement would not serve to bar the inquiry. As the court pointed out in *Uphaus* v. *Wyman* (360 U.S. 72, 80f), decided June 8, 1959, which upheld the contempt conviction of Uphaus for his refusal to produce a list of guests at the World Fellowship, Inc., in the course of an inquiry by the State of New Hampshire into certain subversive activities within that State, "so long as the committee must report to its legislative parent, exposure—in the sense of disclosure—is an inescapable incident of an investigation into the presence of subversive persons within a State. And the governmental interest in self-preservation is sufficiently compelling to subordinate the interest in associational privacy."

Nevertheless, Mr. Speaker, in preparation for the Chicago hearings, the committee took every precaution to protect every person against unjust injury, and fully complied with the rules of this House and the rules of this committee. House rule XI26(m) expressly provides that:

> If the committee determines that evidence or testimony at an investigative hearing may

> tend to defame, degrade, or incriminate any person, it shall—
>
> (1) receive such evidence or testimony in executive session;
>
> (2) afford such person an opportunity voluntarily to appear as a witness; and
>
> (3) receive and dispose of requests from such person to subpena additional witnesses.
>
> (n) Except as provided in paragraph (m), the chairman shall receive and the committee shall dispose of requests to subpena additional witnesses.

Prior to holding public sessions the committee initially received in executive session such evidence or testimony as might tend to defame, degrade, or incriminate any person. In further compliance with this rule, and prior to the holding of public sessions, the committee gave notice to all persons, including Cohen, Hall, and Stamler, that this committee was in possession of evidence or testimony relating to their Communist Party membership. Each was afforded an opportunity voluntarily to appear as a witness in executive session, and each was advised of his or her right to request that the committee subpena additional witnesses. All were expressly advised as to the date within which they should act—a date prior to the commencement of the public session. Not one of them communicated individually or through their counsel with this committee. Not one of them asked to be heard in executive session within this appropriate and critical time.

Mr. Speaker, I must emphasize that this rule, and the notice given pursuant to it, afforded all persons adequate protection, if the factual basis for the inquiry relating to any of them was without probable cause, or based upon untrue or perjured evidence, or indeed if there was some reason which they wished to advance that might lead the committee to take a different course. The benefits afforded by this rule were waived. Not one of these persons asked to be heard in executive session. Not one of them advised the committee that there was error in this evidence or information. Not one of them made request to examine the evidence or to put interrogatories to witnesses on that basis. Not one of them advised the committee that his or her membership in the Communist Party had been terminated, if it had. Not one of them advised the committee that he or she had no knowledge on this subject of inquiry. Not one of them advised this committee that he or she had any other matter to communicate which might warrant the committee in taking a different course. I say, Mr. Speaker, if there was any error in the testimony or evidence relating to any person, it was the duty of that person, in the light of the notice, to assist Congress by clarifying the situation when afforded the opportunity to do so.

It was only after the committee had gone to Chicago and after the public sessions commenced, that these three witnesses then in public forum made their requests that interrogatories or evidence relating to them be put in executive session. Nevertheless, in making these requests at that time, when the public hearing was already in progress, none of the witnesses or their attorneys offered any excuse or justification for their present claim to have evidence or interrogatories relating to them, or their own testimony, taken in executive session. Not one of the witnesses asserted that he had not received notice of the opportunity to testify in executive session prior to commencement of the public hearing. Not one of the witnesses then asserted that the evidence or testimony relating to him was untrue—nor, indeed, do they make any such assertion now. Not one of the witnesses made any representation of fact or law that might have persuaded the committee to take a different direction. In fact, none of these witnesses even offered to testify in executive session if the opportunity were granted. On the contrary, both Hall and Stamler made unmistakably clear that their requests for executive session were to carry no implication that neither would testify in response to interrogatories put in executive session.

Having complied with House rule XI, 26(m), the committee was under no duty thereafter to hear Cohen, Hall, or Stamler in executive session, or to refrain from interrogating other witnesses who possessed knowledge relating to them. On the contrary, the House rules—specifically, XI, 26(g)—required that the committee proceed in public session unless a majority of the committee determined otherwise. The burden was now upon the witnesses to justify the confidential treatment they sought. They did not meet this burden. Under the circumstances, the subcommittee's action in refusing their present requests cannot now be attacked as arbitrary or capricious. This was clearly the import and ruling of a unanimous court in *Federal Communications Commission* v. *Schreiber*, 381 U.S. 379, decided as recently as May 24, 1965.

Mr. Speaker, the record is before you. I submit that there is only one conclusion which can reasonably be drawn from this record. There was here a deliberate effort to abort and forestall any inquiry relating to Cohen, Hall, and Stamler, whether in executive or public session. We cannot permit or condone such action.

Mr. Speaker, it would of course be very nice for the Communist apparatus—and the world Communist movement—if the Congress would let it alone, would not make any inquiry into its practices and its organization, and would not legislate upon it. We have, however, as I see it, no obligation to advance the interests of the Communist Party within this country, to foster its growth, to conceal its activities, or to shield its leadership from necessary disclosure. Nor have we any obligation to excuse a witness from the consequences of his own gross misconduct in refusing to respond to the lawful process of this House.

This country's security is of paramount interest to me and, I believe, to the Members of this House. The matter was well stated by the Supreme Court when it said:

> To preserve its independence, and give security against foreign aggression and encroachment, is the highest duty of every nation, and to attain these ends nearly all other considerations are to be subordinated. It matters not in what form such aggression and encroachment come. (Quoted in *Communist Party Case*, 360 U.S. 1, 96.)

I trust that our sense of duty will not become so subdued by cynicism or error, or so misled by the claims of alien ideologies, that we shall ever lose sight of this simple truth upon which our safety and our freedom depends.

Mr. WILLIS. Mr. Speaker, I yield 3 minutes to the gentleman from New Hampshire [Mr. CLEVELAND].

Mr. CLEVELAND. Mr. Speaker, I have asked for these 3 minutes because I wish to call attention to the Members of the House—and there are many Members of the House here now who should have their attention called to the statements in the minority supplemental views in the final report of the Joint Committee on the Organization of Congress, page 88, signed by myself and the two gentlemen from Missouri [Mr. HALL and Mr. CURTIS].

We address ourselves there to the very point that is now so late in the session tying up this House in a knot. Actually, this is not the proper forum to debate whether this contempt citation is a good and valid citation or not. We have some evidence it is good; we have some evidence it is not. I have confidence in the members of the committee. I do not mean to reflect in any way on them.

But I do raise the question as to whether or not they are the proper people to bring out a contempt citation. I do not wish to reflect on them or their judgement. But after all, you can get pretty mad at someone who does not answer your questions. I got pretty mad the other day when the distinguished gentleman from Louisiana would not yield to answer mine—and I am not referring to the chairman of the committee. I am referring to the acting majority floor leader.

What we recommend in the minority views is:

> All citations of contempt be referred to a Joint Committee on Congressional Operations—

Described more fully at other places in the report—

> before they are reported to the floor of the House for further proceedings.

We go on to point out in these minority views, very wisely, the fact that under present rules the contempt citation is brought out by people who feel they have been held in contempt. There is always the question of their objectivity.

I want to commend these minority views to the House. I see a large number of people on the other side of the aisle right now who are always talking about congressional reform and always talking about ways of improving the workings of this body. I want to refer them to the Republican supplemental views in this joint report on the organization of Congress.

I also remind them that although 2 years ago we adopted unanimously the resolution to study the organization of Congress we conclude our deliberations this year without having acted on it. I believe that speaks very poorly for this body. It is a sad commentary. It is sad there is so little comment—particularly by those who should know better—or those who profess to know better.

Mr. YATES. Mr. Speaker, will the gentleman yield at this point?

Mr. CLEVELAND. I do not yield at this point.

Mr. YATES. I was only going to suggest that the gentleman test us by giving us a motion to recommit to a committee, in accord with the suggestion.

Mr. CLEVELAND. We will.

The SPEAKER pro tempore (Mr. Holifield). The gentleman from Alabama [Mr. Buchanan] has the floor.

Mr. YATES. Mr. Speaker, will the gentleman yield for one point?

The SPEAKER pro tempore. The gentleman from Illinois will desist while the Chair restores parliamentary procedure.

Mr. YATES. I beg the Chair's pardon.

The SPEAKER pro tempore. Does the gentleman from Alabama yield?

Mr. BUCHANAN. Mr. Speaker, I yield to the gentleman from New Hampshire [Mr. Cleveland].

Mr. CLEVELAND. Mr. Speaker, while we are talking about congressional reform, as I understand, it is always pretty hard to get time on this side. What little time I have I shall hang on to.

I want to read that part of the supplemental views referred to:

7. CONTEMPT CITATIONS

> We recommend that all citations of contempt be referred to the Joint Committee on Congressional Operations before they are reported to the floor of the House for further proceedings.
>
> One of the necessary powers of any legislative body is to protect itself against acts designed to undermine and contravene its functions. The means employed by the Congress is through the contempt procedure, a procedure which calls to the attention of the Congress the act which threatens it and provides for punishment of the offender, either through the courts or through the bar of the House against which the contempt has been directed.
>
> Most contempts today arise from actions of those called before committees of the Congress as witnesses. There is no need to call attention to the importance of our committee structure but the point that concerns us is the manner in which contempt citations are handled.
>
> At present, it is the practice for the committee which has been the subject of the act of contempt to serve as first judge of the matter. It is the committee itself which reports the matter to the parent body, acting as both victim and prosecutor.
>
> We question both the soundness and the justice of such a procedure and for that reason we recommend that contempt citations be referred in each case to an impartial committee—the Joint Committee on Congressional Operations. This committee would screen the evidence and report its findings and recommendations to its parent body.

Although not strictly in point here the preceding section of our views are also significant, these being Republican views are of course unpublicized views:

6. RIGHTS OF WITNESSES

> In addition to the right to counsel, a witness before a committee of the Congress should be extended the right to cross-examine other witnesses and to review the record, in particular any material which might tend to defame him. He also should have the right to bring in rebuttal witnesses.

Mr. WILLIS. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. O'Hara].

Mr. O'HARA of Illinois. Mr. Speaker, may I ask the chairman, from Louisiana, if he is yielding me only 5 minutes when he knows that two of the persons involved are my constituents?

Mr. WILLIS. Yes. I yielded the gentleman 5 minutes with that knowledge.

Mr. O'HARA of Illinois. May I give the 5 minutes back to the gentleman from Louisiana with my deep thanks? I would not want my good friend, for whom I have high respect, become exhausted by such excessive generosity.

Mr. WILLIS. I know that. I told the gentleman a while ago, instead of yielding him 10 minutes to start with I would yield him 5 minutes at a time, so after this 5 minutes I will yield.

Mr. O'HARA of Illinois. So I get 5 minutes now and 5 minutes on another citation; or 15 minutes in all?

Mr. WILLIS. No. I will yield an additional 5 minutes to the gentleman after the first 5 minutes expire. If, when we reach the next citation, since the gentleman wanted 15 minutes all told, he wants an additional 5 minutes or even 10 minutes, I will do it again.

Mr. O'HARA of Illinois. The gentleman and I came to the Congress the same year. We have always been good friends. But I think his treatment of me now indicates he does not always hold to the course.

The SPEAKER pro tempore. The Chair will admonish the gentleman in the well of the House to use parliamentary language.

Mr. O'HARA of Illinois. I appreciate the advice of the Chair. What I intended to say is that the Lord never made a sweeter man than our friend from Louisiana.

Mr. WILLIS. Except the gentleman from Chicago.

Mr. O'HARA of Illinois. Mr. Speaker, I have never voted for the Un-American Activities Committee—never. I was elected first in 1948, and the issue of that campaign was the Un-American Activities Committee.

There was a young sophomore here from California, and the then sitting Republican Congressman from the district I now represent. They were on the House Un-American Activities Committee. They would go to Chicago and say that everybody at the University of Chicago were Communists; that these great atomic scientists were Communists. In that campaign of mine the Republican candidate for President carried the district, but I was elected on that issue. So never have I voted for the House Un-American Activities Committee. Yet during these years that I have been here I have maintained a warm, affectionate friendship for the members of that committee. I regard today as one of the finest men I have ever known and one of my dearest friends Governor Tuck, who is a member of that committee. Tad Walter and I were close friends. I never permitted my feeling against the committee to affect my regard for the members and my colleagues serving on the committee.

Yes, I am speaking with emotion. Two of the people that you are citing for contempt are dear friends of mine. They are men who are held in the highest esteem by my constituents and the people in the city of Chicago. This telegram that I hold is an indication of the kind of people who are watching this proceeding today, with the prayer on their lips that this House will refuse to vote these citations. It is from a great religious leader, Rabbi Jacob J. Weinstein. He is the rabbi of the permanent Ambassador to the United Nations, the former member of the President's Cabinet, the former Associate Justice of the Supreme Court of the United States, the Honorable Arthur Goldberg. It reads:

> Much troubled at the news that the HUAC is attempting to push contempt citations against Dr. Stamler and others just before congressional adjournment. This will be a great disservice not only to those accused but to the whole cause of civil liberties. I urge you on behalf of the Central Conference of American Rabbis to withstand this ill-considered step.

The SPEAKER pro tempore (Mr. Holifield). The time of the gentleman from Illinois has expired.

Mr. O'HARA of Illinois. Mr. Speaker, can I ask the gentleman from Louisiana, may I have my other 5 minutes now?

Mr. WILLIS. Yes. I gladly yield the gentleman 5 additional minutes.

Mr. O'HARA of Illinois. Dr. Stamler is one of the great heart experts of the world. I do not think that he ever had a thought in his mind that was not of tenderness and of serving people. I do not think we have ever had an American stronger in his American patriotism than Dr. Stamler. Now, why he has been brought into this I do not know.

Yes, it may be that some paid person—and I was interested in what the gentleman from Ohio [Mr. Hays] said—I had not heard about those contracts—I hope that those contracts do not suggest the Un-American Activities Committee is going back to its old practices.

There is something that not everybody knows of the old practices. Why, they used to have meetings and they would have some woman of ill repute give testimony. It was all perjured testimony, and generally there was a great scene of merriment while those hearings were being held, and then finally the chairman was indicted for dishonesty.

Mr. Speaker, one of the witnesses testified that she was a "woman" and that the chairman cashed a check for $108 for a dummy on the committee's payroll and gave the chairman $100. She said he was a good generous man and let her keep the $8 after he had put $100 in his pocket.

Now, Mr. Speaker, that is a part of the history of the Un-American Activities Committee, but that was in another time period or era.

On another occasion the committee announced that the respected and revered wife of the editor and publisher of the Washington Post was a Communist. Oh, they got a lot of publicity out of that. But they finally apologized and admitted it was all a mistake. The committee had caused all of this distress to a good woman of many noble deeds because someone else had the same name.

Oh, Mr. Speaker, it is a committee which has had a bad past even though the committee were now a perfect example of virtue, it could not live down its past and its name.

I am hoping, Mr. Speaker, that this citation will not be voted, and yet I do say to you, despite the fact that these men and this woman in Chicago are my friends, and I believe in their innocence, if it were not for one fact, I would vote for these citations. Let me explain. I have never voted for the Un-American Activities Committee, but I have always voted for its citations. I have taken the position that this is a matter for the courts to determine and that we should refer strictly legal questions to the courts for decision.

So, today, if it were not for one circumstance, even though these are friends of mine and I am convinced of their innocence, I would be voting for the citations, leaving it to the courts to make the decision whether under the law they were guilty of contempt.

But, Mr. Speaker, what are the facts in this case?

There is pending in the Circuit Court of Appeals in the Seventh Circuit of Illinois a case. It was argued about a month ago. The decision will be handed down on that case within the next few weeks. It was commenced after this hearing had been held in Chicago. There was another suit held before the hearing started, a suit asking for an injunction. But after the hearing of the committee was held, this second suit was filed. Thus the matter already is in the court.

Mr. WELTNER. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. Certainly, I yield to the distinguished gentleman from Georgia.

Mr. WELTNER. Mr. Speaker, I have listened to the distinguished gentleman's statements and I express for him my admiration.

But, Mr. Speaker, does not the gentleman from Illinois agree that were the pendency of a lawsuit a valid ground for voting down this resolution, that no committee of the Congress, under any circumstances, at any time, could ever act and refer a case to the Department of Justice any contempt citation, because with the free access that every citizen has to the courts, that mere pendency of the lawsuit whether it be frivolous, or not would obstruct the objectives of any committee?

Mr. O'HARA of Illinois. Mr. Speaker, I will say to my good friend, for whom I have the highest regard, because he is a man of conscience, I would say to him that I hold to a strict division of power of the courts and of the Congress.

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. BUCHANAN. Mr. Speaker, on two occasions within the last 2 years, the members of the committee have remained silent while the gentleman from Illinois attacked the committee and made allegations against it.

Today, he has again addressed the House, underlining these accusations. I do not feel that I can remain silent any longer. Failure to reply to charges which now, on three separate occasions, have been made a part of the permanent record of this House can be interpreted only as acquiescence to them, as agreement that the are solidly based, and that the committee stands guilty as charged.

Since this is not by any means the case, these accusations can no longer go unchallenged.

On February 25, 1966, in the course of debate on appropriations for the Committee on Un-American Activities, the gentleman from Illinois spoke, as follows:

> Mr. Speaker, in 1948 I ran for Congress. Mine was a strong Republican district. One of the issues was the Committee on Un-American Activities. This arose from the fact that members of that committee at that time had come into the district and they said that every person at the University of Chicago was a Communist, including the atomic scientists, who had given to the cause of the free world the atomic bomb, and all without one break in the secrecy required.
>
> I have never known a feeling of resentment to run stronger than it ran in my district. Women as well as men worked through the day and through the night to accomplish my election as a rebuke to a congressional committee that had become wild, reckless and irresponsible. That was almost 17 years ago.

He went on to say that, although some members of the committee in recent years had been his personal friends—

> The plain, blunt truth is that if the Committee today were pure as the driven snow, it could not live down its past.

On February 2 of this year, in the course of debate on reports of contempt involving certain KKK leaders, the gentleman from Illinois stated that in the 1948 campaign, when he was first elected to the House, the Un-American Activities Committee was one of the major issues in the congressional campaign. He then stated:

> Members of the committee as then constituted had leveled charges of the basest character against the district that I represented, including wholesale indictments of the atomic scientists, of the University of Chicago whose tireless services, sacrifices, and high patriotic loyalty had set a pattern of good citizenship.
>
> The feeling against the committee ran heavy, and although many years have elapsed that feeling still obtains in my district. I would say that my constituents as a whole are sensitive to the irreparable injury that wrongfully can be done to the reputation even of the most innocent when there are public hearings in a highly emotional climate and without those protections that centuries of experience have woven into the law.

These remarks of the gentleman from Illinois were echoes—somewhat embellished, I must say—of a statement he placed in the Appendix to the RECORD on April 4, 1949, when he stated that certain scientists at the University of Chicago had worked for his election in 1948 "because of the unfair and unjustified aspersions cast, not upon them individually but anonymously upon atomic scientists as a body, by the Un-American Activities Committee of the 80th Congress."

In these three statements, the gentleman from Illinois has made a series of allegations. Let us look at these specific charges, one by one, and see how they square with the facts:

Allegation No. 1: The Committee on Un-American Activities invaded Chicago in 1948.

The fact of the matter is that the committee held no hearings at all, either public or executive, in Chicago in 1948.

Allegation No. 2: The committee leveled charges of the "basest character" against the Second Congressional District of Illinois.

Actually, at no time in its history, in 1948 or any other year, has the committee leveled any charge or made any statement or comment of any kind about the Second Congressional District of Illinois.

Allegation No. 3: The committee indicted the University of Chicago wholesale by saying that every person at the university, including the atomic scientists working there, were Communists.

This charge is as completely unsupported as the first two. It is clear from the remarks made by the gentleman from Illinois on the occasion I have referred to, that when he made them, he had in mind hearings on atomic espionage which were held by the committee in 1948.

What are the facts about these hearings?

Between August 24 and September 16, 1948, 14 witnesses testified before the committee in an investigation of Soviet atomic espionage activities. They testified in 6 days of hearings, every one of which was held in Washington and in executive session. Not one of the hearings was public.

On September 28, about 2 weeks after the hearings were completed, the committee issued a "Report on Soviet Espionage Activities in Connection With the Atom Bomb." At the same time, it released the testimony of three of the witnesses—Clarence Hiskey, Martin David Kamen, and John Chapin. The testimony of the other 10 witnesses has not been made public to this day. It is still secret. I might mention the fact that the witnesses whose testimony was received in these hearings included both intelligence and security officials of the U.S. Government and persons who were involved in atomic espionage against the United States.

And now the important point:

In the committee report and in the released testimony, not a single person then at the University of Chicago was named as, or accused of being, a Communist. Not a single atomic scientist then working at the university was accused of being a Communist, of being disloyal, a security risk or anything like it.

I challenge the gentleman from Illinois to read—or to reread, if he has read them before—the report and the released testimony and to find in either document any accusation or disparaging remark about the University of Chicago, or any person at the university, atomic scientist or other.

So there will be no misunderstanding on this point, I want to state for the RECORD just what was contained and revealed in these two documents—the report and the released testimony.

The report centered on the atomic espionage activities of Soviet Agent Arthur Alexandrovich Adams and his contacts in the United States: Adams fled to the Soviet Union, apparently in 1945, when he learned that security agents were on his trail. The report named five contacts of Adams in New York City. Not one of these persons was in any way associated with the University of Chicago.

It also dealt with other persons—Martin Kamen, Clarence Hiskey, and John Chapin. They were the three witnesses in the hearings whose testimony was made public.

All had worked on the World War II A-bomb project which operated under the code name, "Manhattan Engineering District." This was, of course, a Federal undertaking with its personnel employed, paid, and controlled by the U.S. Government. Special installations were built for the project, such as those at Oak Ridge, Tenn., and Los Alamos, N. Mex. It also took over and used laboratories associated with some universities which were needed for the project—the Radiation Laboratory at the University of California, the Metallurgical Laboratory at the University of Chicago, and others. Persons working on the project in these laboratories were Government, not university, personnel.

Kamen had worked on the project at the University of California Radiation Laboratories. His released testimony revealed that he was a cooperative witness before the committee and that, when asked to give his educational background, had testified that he had studied at and received two degrees from the University of Chicago in the thirties. The report did not even mention the fact that Kamen had attended the University of Chicago.

Obviously, then, the gentleman from Illinois could not have had Kamen in mind when he alleged that the committee indicted the University of Chicago wholesale and charged that everyone there, including the atomic scientists, were Communists.

That means he could have had only two persons in mind—Hiskey and Chapin. And what did the committee, in its report, actually say about these two men?

It said that Hiskey had worked for the Manhattan Engineering District, first at the SAM—Substitute Alloy Material—Laboratory at Columbia University and then, from about September 1943 to April 1944, at the University of Chicago Metallurgical Laboratory. It further stated that a high-ranking official on the A-bomb project had testified that Hiskey was taken off the project in April 1944, called to limited active Army duty and sent to Canada to count underwear because "we were convinced that he was a subversive agent."

The committee also quoted excerpts from a 1945 military intelligence report which included the statement that in 1942 "Hiskey was said to be an active member of the Communist Party."

Hiskey's full testimony before the committee was released. It revealed that when given an opportunity to deny that he had given information to Soviet Espionage Agent Adams while working on the A-bomb project at the Metallurgical Laboratory, he had invoked the fifth amendment.

Regarding the military intelligence report that Hiskey was said to be an active Communist in 1942, the committee report said:

> The Committee makes no findings as to the correctness of such evaluation by military intelligence.

Now let us take the case of John Chapin. He was a coworker with Hiskey at the Metallurgical Laboratory. When Hiskey was removed from the Laboratory for security reasons and sent to Canada, he arranged, before he left, for Chapin to be his successor as Adams' contact.

Chapin's released testimony revealed that he admitted meeting with Adams, but said he had not given him classified information. He said his meeting with Adams was "pretty stupid."

The committee report, in short—contrary to the claims made by the gentleman from Illinois—did not call a single person at the University of Chicago a Communist. What it did do—and accurately—was to report to this House that two scientists who worked on the A-bomb project during World War II were contacts of Arthur Adams while assigned to the Metallurgical Laboratory.

In every single instance in which the words "University of Chicago" were used in the report—twice—and the released testimony, it was only to identify the location of the Metallurgical Laboratory. Not a single word of comment about the University of Chicago appears in either document.

Another very important fact:

The committee member who worked on the report gave statements to the press a few days before it was released, indicating its general findings. Newspaper accounts reported that he said it would state that some scientists working on the A-bomb project at the University of Chicago made attempts to steal atomic secrets. They also reported that immediately after stating this:

> Congressman Vail stressed the point that none of the scientists was a University of Chicago professor. He said they were men assigned to work on the Manhattan Project branch there.
>
> "In my opinion, there was no spy ring at the school," he asserted.

In light of all the facts I have enumerated, it is apparent that any charge that the committee indicated the University of Chicago wholesale, or said that everyone at it was a Communist, is ridiculous on its face and utterly groundless.

Allegation No. 4: The Committee on Un-American Activities unfairly and unjustly cast aspersions upon and indicted atomic scientists as a body.

Now the truth is that in the introduction to its 1948 report on atomic espionage, the committee said:

> The committee wishes to emphasize that in issuing this report, it intends to cast no reflection upon that great majority of American scientists who are without question loyal to the United States. The committee is aware of the great debt which the American people owe to our men of science who are responsible for our world leadership in the atomic field. (p. 161)

My colleagues, I have just one question to ask: How could anyone interpret these words as an indictment of atomic scientists as a body? It was a clear expression to the contrary—a deliberate, careful effort by the committee, in issuing its report, to make it clear that it had no intention of casting aspersions on atomic scientists as a group.

Allegation No. 5: In public hearings, in a highly emotional climate, with no protections of law, the committee wrongfully did irreparable injury to the most innocent people.

The facts, as already indicated, are that the committee held no public hearings. Whether or not a highly emotional climate existed in the United States at the time is a question that, at best, is certainly open to debate. No evidence has been placed in the record to substantiate this claim.

As regards the "no protections of law" claim, I would point out that the committee hearings were held in conformity with the rules of the House and of the committee and that, when the committee issued its report naming the three persons I have previously mentioned, it did so only after they had been given the chance to testify. And to make certain that a fair picture was presented. It released their testimony at that time. I do not know what other protections it could have provided without completely suppressing information vitally affecting the security of the United States.

Did the committee do irreparable injury to "the most innocent people"?

I am sure the gentleman from Illinois, when he made this allegation, had no intention of describing Soviet espionage agent Arthur Alexandrovich Adams and his New York contacts as "most innocent" people.

As regards the other three people, there is no justification for the charge.

Clarence Hiskey could not be called a "most innocent" person by any stretch of the imagination. Whether or not the military intelligence report that he was a Communist was true, the undoubted fact is that high security officials who were charged with keeping safe the secrets of the A-bomb were convinced that he was a subversive agent and therefore, in an effort to protect the security of the United States, had him removed from the project, called to active duty in the Army and isolated in the Yukon territory of Canada. The fact that Hiskey had contacts with Arthur Adams while working at the Metallurgical Laboratory is not open to question. When he was given the opportunity to deny this and to deny that he had given secret information to Adams, he invoked the fifth amendment.

Did the committee do irreparable injury to "most innocent" John Chapin?

Chapin testified that he felt strongly that the United States should share its atomic bomb secrets with the Allied Nations. He also admitted that, after being approached by Hiskey, he met with Arthur Adams, but testified that he never gave Adams any classified information. As already indicated, he admitted that his meeting with Adams was "pretty stupid."

What did the committee actually say about Chapin in its report?

Let me quote from page 174:

> In the opinion of the committee, although John Hitchcock Chapin committed an indictable offense as a coconspirator in matters effecting the security of the United States, it is felt that his participation in the conspiracy is mitigated by the fact that when he appeared before the committee he was cooperative and apparently sincere in his answers to pertinent questions directed to him. . . . Chapin impressed the committee as a person of deep sincerity who, in a moment of weakness, had made a vital mistake.

And what about the last person we must consider, Martin Kamen?

The fact of the matter is that while working on the A-bomb project, he, on July 1, 1944, met Gregory Kheifets, the Soviet vice consul in San Francisco and Kheifets' successor, Gregory Kasperov, in a San Francisco restaurant. This meeting between Kamen and the two Soviet officials was observed by a number of intelligence officers who could actually overhear the conversation. In that meeting, Kamen, who was working at the University of California Radiation Laboratories, actually revealed in his conversation classified information about the uranium pile in Chicago and information about Manhattan Engineering District activities in other parts of the United States.

He admitted in his testimony before the committee that what he had done constituted a gross indiscretion.

What did the committee report say about Kamen?

It said that there appeared to be little, if any, evidence that Kamen's revelations of classified information were willful and deliberate.

In its annual report for that year issued, by the way, after the time of the election referred to by the gentleman from Illinois, the committee stated:

> Based upon the evidence presented to the committee, the committee is inclined to believe that Kamen committed a serious act of indiscretion rather than an act of espionage. The Kamen matter is being included in this report because of the involvement of a Soviet official, Gregory Kheifets, with persons known to be engaged in espionage on behalf of the Soviet Government.

In summary then, the committee did not do irreparable injury to any innocent person. It commented fairly, accurately, and with reserve on the actions of Chapin and Kamen, giving them the benefit of every doubt in spite of their serious indiscretions and the evil consequences they might have brought on the United States.

Now the final allegation:

Allegation No. 6: The committee had become wild, reckless, and irresponsible.

I believe the facts I have already cited answer this charge. The committee had made a careful investigation. It had received the testimony of top-ranking security officials of the A-bomb project and also the testimony of persons known to be contacts of Arthur Adams and other Soviet officials. Before publishing the report, it gave the persons who might be considered "accused" an opportunity to answer all allegations made against them. It would seem to me that, from the beginning to the end of this matter, the committee was just the opposite of wild, reckless, and irresponsible.

I regret to say, Mr. Speaker, that I do not believe the same can be said about the charges so frequently raised against this committee. In the brief time it has been my privilege to serve as a member I have witnessed no act by this committee which would justify the intemperate allegations of its critics.

The unfortunate fact of the matter is that 20, 50, and 100 years from now, historians will be studying the record of this House to find out the truth about what happened in this country and in the Congress in years gone by. If the remarks to which I have herein responded were not challenged and corrected, Americans of the future would have a most distorted and unrealistic picture of their country's past and of the past record of this House in representing the people. It is primarily for this reason that I felt the record had to be corrected.

Mr. WILLIS. Mr. Speaker, I yield myself 3 minutes.

Mr. Speaker, with reference to the last remarks which were made by my friend, the gentleman from Illinois [Mr. O'Hara], I would say this concerning the pendency of that lawsuit:

That lawsuit was first brought against the committee several days before the hearings, on May 22, 1965.

Mr. Speaker, the court considered that and the judge threw out the injunction. Then these witnesses had to have something in order to reflect respectability for their planned action; they had to have some basis for walking out and making it appear to have an air of legality, and so on and so forth. As a part of the plan of walking out, they announced that they would make an appeal. Therefore, that was one of the alleged justifications for walking out.

Now, Mr. Speaker, they did make their appeal and they walked out.

Now, gentlemen, let us be fair about it. I suppose every Member of this House has received a letter or many letters imploring them to vote against these citations because an appeal is pending from that suit, which was dismissed. Well, what would happen then, after the appeals court decision? From the court of appeals the case is going, its filers have said, to the Supreme Court.

Let me caution you, gentlemen, this is deadly important, I assure you. The House of Representatives, unlike the Senate, is not a continuing body. For that reason a contemptuous action against the House dies with that Congress before which it was committed. This action which we say is contemptuous was committed last year, in 1965. This Congress is going to die this coming Saturday, as we all know, or we all hope. So it is now or never. Why? Because if you want to wait until the court of appeals decides the case it is not going to be between now and Saturday. If we do not act now, we cannot act when we come back in January because citations die with this Congress.

But then, suppose you continue it—until when? Until the court of appeals decides? Then undoubtedly it will go to the Supreme Court. Then what will the next plea be? Well, wait until the Supreme Court decides. Then what? Well, wait, because they might want to file another suit; we might want to revise the rules of this House; we might want to abolish the committee; we might want to introduce a bill to dilute the rules of the House in cases of this kind.

If we were to do that it would develop into an unbearable and unending situation.

Therefore I say it is now or never.

Mr. Speaker, I move the previous question.

Mr. CONTE. Mr. Speaker, will the chairman yield for an explanation?

Mr. WILLIS. I yield to the gentleman 2 minutes.

The SPEAKER. The gentleman is recognized for 2 minutes.

Mr. CONTE. Mr. Speaker, once again this body finds itself in the throes of consideration of resolutions from the Committee on Un-American Activities, recommending that we vote contempt citations for witnesses subpenaed to appear before that committee.

Once again, the intent of this body can best be likened to that of the pitiful lemming—rushing to the sea in its devastating migration to self-destruction. The mere repetition of the debates of the past, the unheeded call for an amendment in this procedure, and the headlong rush to dispose of these resolutions can serve no other purpose than the eventual complete destruction of the efficacy of the very procedure we are invoking by our votes here today.

My concern today is one for the procedure of this body in citing individuals for contempt and the continuing validity of that procedure and the sanction it imposes.

I have expressed this concern before this body before. I reiterate my position and my remarks of February 2 of this year, at which time this body was engaged in citing other witnesses who had appeared before this committee, and of February 9, at which time I introduced legislation to amend this procedure. I again call the attention of this body to the legislation that has been filed to amend this procedure; that of the gentleman from Missouri [Mr. Curtis], of the gentleman from Illinois [Mr. Rumsfeld], of myself, of a total of 16 Members of this body—all of which has been languishing without consideration before the Judiciary Committee, in some instances since the first days of this Congress.

I am concerned by the fact that our hands have been slapped by the courts repeatedly, but the habit of this body in continuing to send these citations to the courts—without due and proper consideration—has not been broken.

Today, as in February, the resolutions come before this body with a shadow on their ultimate enforceability. Our action may be thrown back in our faces as ill timed, ill considered, and fruitless.

In February, we were called upon to vote to approve resolutions of this committee and to initiate a serious Federal proceeding without having the benefit of the complete record—on which our decisions were to be based—before us in sufficient time for careful study and consideration.

Today, the question we are debating may well be judicially determined to be moot by a Federal court after our determination has become one of record.

There has also be a serious challenge made to the legal sufficiency of the proposed contempt citations. This challenge is based on alleged violations by the committee, during its hearings in Chicago, of the rules of the committee and the denial of the protection of these rules to the witnesses, subpenaed to appear before the committee and now cited in these resolutions for contempt of this body.

This challenge is a perfect example of the need for a new procedure that will allow for the serious study and deliberation of the arguments made to support it—in the context of relevant judicial decisions, the legislative intent of this body in adopting the rules for the committee, and the sufficiency of these resolutions when weighed against these considerations.

That the committee, designated in the legislation to which I have referred, could better serve the interests of the individuals named and the interests of this body than this forum, seems obvious to me. The very timing of today's consideration is a factor in support of this change in procedure.

However, because there has been no action taken on the legislation that would establish this committee procedure and we must work within the framework of the existing procedure, I believe we must insure, through our actions here today that the committee's right to hear from witnesses, subpenaed to appear before it, and those witnesses' right to the protection of the rules of the committee, are preserved without prejudice to either.

Mr. Speaker, I will offer the following motion to recommit:

Mr. CONTE moves to recommit the resolution of the Committee on Un-American Activities to a select committee of seven Members to be appointed by the Speaker with instructions to examine the sufficiency of the contempt citations under existing rules of law and relevant judicial decisions and thereafter to report it back to the House, while Congress is in session, or, when Congress is not in session, to the Speaker of the House, with a statement to its findings.

By such procedure, we can preclude action that could merely add to the roster of unenforceable citations for the contempt of this body. With each of these contempt citations that goes sour in the courts, we chip away at the foundation supporting the veracity of this body in taking these actions. Not only are the rights and privileges of the individuals named in these resolutions at stake here today; so, too, are the rights and privileges of the House, as a body. We cannot continue to undermine the authority of these citations without undermining the ability of our committees to carry out their legislative functions. We will be left with an empty franchise, at which no obstinate witness will hesitate to thumb his nose if we merely continue the past precedent of this body. By supporting this motion to recommit, the dual purpose we seek to serve will be met.

Dr. Paul Dudley White, of Boston, made public today an appeal to Congress to defeat any contempt action against Dr. Jeremiah Stamler, Mrs. Yolanda Hall, and Mr. Milton Cohen. The contempt citations are scheduled for House action on Tuesday, October 18. These three Chicagoans are involved in a civil suit testing the constitutionality and legality of the House Committee on Un-American Activities. The appeal, initiated by several law professors from Boston, was joined by 400 others in that field, as well as 1,000 political scientists, 700 physicians and biomedical workers, 250 professors of history, and 400 religious leaders.

They urged defeat of the contempt citations "because of the committee's disregard of its own rules, because the entire matter may be rendered moot by pending litigation, and because this is merely one more instance of this committee's continuing abuse of its powers to no apparent legitimate legislative purpose."

Dr. White, in commenting on the large numbers of distinguished Americans who had joined in this appeal to Congress, stated:

Such a consensus among physicians, scientists, authorities on the law, experts in government and history, is quite unprecedented in our country. It reflects our deep concern with the issues in Dr. Stamler's case. We feel that Dr. Stamler, Mrs. Hall and Mr. Cohen have taken a responsible course of action by bringing before the civil courts some important problems that have been troubling many of us for a long while. The constitutional issues involved merit their day in the civil courts and should be permitted to reach these courts without prejudice. Any effort at this time to institute additional proceedings—especially criminal proceedings—can only be considered harassment of these three persons.

The House committee is seeking these contempt citations in the last week of the congressional session, 17 months after the hearings in Chicago. Albert E. Jenner, Jr., a senior counsel to the Warren Commission and past president of the Illinois Bar Association, representing Dr. Stamler and Mrs. Hall, filed the civil suit in their behalf, to test the House committee's constitutionality. Dr. Stamler, Mrs. Hall, and Mr. Cohen declined to testify before the committee on the grounds that testifying would nullify their suit, as well as on the charge that the committee had violated its own rules. Their civil suit is now awaiting decision by the U.S. Court of Appeals in Chicago.

Dr. Stamler has earned a national and international reputation as a research specialist on the prevention of heart diseases, and is currently director of the Division of Adult Health and Aging of the Chicago Board of Health.

DEAR CONGRESSMAN: The Committee on Un-American Activities has recommended that the House vote contempt citations for Dr. Jeremiah Stamler, Director of the Heart Disease Control Program of the Chicago Board of Health, his research assistant, Mrs. Yolanda Hall, and social worker Milton Cohen.

Dr. Stamler, Mrs. Hall, and Mr. Cohen were subpoenaed to appear before the Committee in Chicago on May 25, 1965. Despite Rule 16 of the Committee, forbidding any member of the Committee or its staff to make public in advance the name of any person subpoenaed, the fact that Dr. Stamler, Mrs. Hall, Mr. Cohen, and others, had been subpoenaed in a "Red Probe" was publicized in the Chicago press twelve days before the Committee's hearings began. On May 24, Dr. Stamler and Mrs. Hall, represented by Albert E. Jenner, Jr., former President of the Illinois Bar Association, initiated an action in the Federal District Court in Chicago to enjoin enforcement of the subpoenas. Injunction was denied and an appeal is now pending in the United States Court of Appeals for the Seventh Circuit. Mr. Jenner has requested that action on the contempt citation be postponed until the appeal is determined.

On May 27, after request pursuant to Committee Rule 26(m) for an executive hearing for themselves and any others who might testify concerning them had been denied, Dr. Stamler, Mrs. Hall, and Mr. Cohen, on advice of counsel and without reliance upon the privilege against self-incrimination, refused to testify before the Committee.

Almost eight months later, on January 13, 1966, the Committee voted to seek citations against these three persons—along with seven members of the Ku Klux Klan who have only recently refused to answer the Committee's questions.

Because of the Committee's disregard of its own rules, because the entire matter may be rendered moot by pending litigation, and because this is merely one more instance of this Committee's continuing abuse of its powers to no apparent legitimate legislative purpose, we urge you to vote against all the contempt citations.

ENDORSERS OF THE PETITION PROTESTING THE CONTEMPT OF CONGRESS CITATIONS RECOMMENDED BY THE HOUSE COMMITTEE ON UN-AMERICAN ACTIVITIES AGAINST DR. JEREMIAH STAMLER, MRS. YOLANDA HALL, AND MR. MILTON COHEN

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The undersigned clergymen and laymen, endorse the petition of the law professors. We join the historians, political scientists, physicians and biomedical scientists in support of the request to Congress to refrain from any contempt action against Dr. Jeremiah Stamler, Mrs. Yolanda Hall, and Mr. Milton Cohen:

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Rabbi Jerome Abrams, New York.

Rabbi Mendel L. Abrams, Congregation Am Echod, Waukegan, Ill.

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Rev. Edwin E. Aiken, Goshen, Mass.

Rev. Roger L. Albright, Executive Minister, Vermont Council of Churches, Burlington.

Rev. Hugh H. Annett, Director of Urban Church Work, United Presbyterian Office, Kansas City, Mo.

Rev. Samuel Appel, Campus Minister, Rutgers University, Camden, N.J.

Rev. Khoren Arisian, Jr., Sarasota, Florida.

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Peter K. Breir, University of Hartford.

Robert H. Bremner, Ohio State University.

Stanley Buder, Illinois Institute of Technology.

Vern L. Bullough, San Fernando Valley State College.

Daniel F. Calhoun, College of Wooster, Ohio.

Kenneth R. Calkins, Lake Forest College, Illinois.

James C. Carey, Manhattan, Kans.

George E. Carter, St. Cloud State College, Minnesota.

Harvey L. Carter, Colorado College.

William H. Cartwright, Duke University.

John W. Caughey, University of California at Los Angeles.

Clarke A. Chambers, University of Minnesota.

James S. Chase, University of Texas.

Michael Cherniavsky, University of Rochester, New York.

Jesse Dunsmore Clarkson, Brooklyn College of the City University of New York.

Henry Steele Commager, Amherst College.

George S. Counts, Southern Illinois University at Carbondale.

Richard S. Cramer, San Jose State College.

E. David Cronon, University of Wisconsin.

Arthur E. Curtis, University of Oregon.

Harris L. Dante, Kent State University, Ohio.

Arthur B. Darling, Phillips Academy, Massachusetts.

Wallace E. Davies, University of Pennsylvania.

David R. Davis, Temple University.

George H. Davis, Lake Forest College, Illinois.

Alexander DeConde, University of California, Santa Barbara.

Carl N. Degler, Vassar College.

James Lyle DeMarce, Northwest Missouri State College.

Martin B. Duberman, Princeton University.

William H. Dunham, Jr., Yale University.

Thomas A. Dunlea, State College, Boston.

A. S. Eisenstadt, Brooklyn College

Rt. Rev. John Tracy Ellis, University of San Francisco.

Jeremy P. Felt, University of Vermont.

John Hope Franklin, University of Chicago,

Carl J. Friedrich, Harvard University.

Charles W. Fry, Northwest Missouri State College.

J. Arthur Funston, Earlham College.

Hans W. Gatzke, Yale University.

Leo Gershoy, New York University.

Paul W. Glad, University of Maryland.

Gordon L. Goodman, University of Illinois, Chicago.

Thomas P. Govan, New York University.

Patricia Albjerg Graham, Barnard College, Columbia University.

Dewey W. Grantham, Vanderbilt University.

Howard S. Greenlee, Tuskegee Institute.

Thomas H. Greer, Michigan State University.

Mark H. Haller, University of Chicago.

Bray Hammond, Thetford, Vermont.

Samuel B. Hand, University of Vermont.

Richard W. Hantke, Lake Forest College, Illinois.

William H. Harbaugh, Bucknell University.

William Haskett, Illinois Institute of Technology.

Hans Heilbronner, University of New Hampshire.

C. M. Henderson, Northwest Missouri State College.

Richard Herr, University of California, Berkeley.

Clyde E. Hewitt, Aurora College, Illinois.

John Higham, University of Michigan.

Henry Bertram Hill, University of Wisconsin.

Marshall G. S. Hodgson, University of Chicago.

J. Rogers Hollingsworth, University of Wisconsin.

W. Stull Holt, University of Washington, Seattle.

Lewis M. Hoskins, Earlham College.

John R. Howe, Jr., University of Minnesota.

H. Stuart Hughes, Harvard University.

Nathan I. Huggins, Lake Forest College, Illinois.

The Historians listed below endorse the law professors petition and urge defeat of any contempt citations against Dr. Jeremiah Stamler, Mrs. Yolanda Hall, and Mr. Milton Cohen:

Erling M. Hunt, Teachers College, Columbia University.

J. Joseph Huthmacher, Georgetown University.

Georg G. Iggers, State University of New York at Buffalo.

W. Turrentine Jackson, University of California, Davis.

Frederic Cople Jaher, University of Chicago.

Gordon M. Jensen, University of Hartford.

Donald D. Johnson, University of Hawaii.

Walter Johnson, University of Chicago.

Edward Kaplan, State University of New York at Binghamton.

Lawrence C. Kaplan, Kent State University, Ohio.

Donald Kelley, State University of New York at Binghamton.

Alfred H. Kelly, Wayne State University.

Richards S. Kirkendall, University of Missouri.

Walter La Feber, Cornell University.

William L. Langer, Emeritus, Harvard University.

Erle Leichty, University of Minnesota.

Jesse Lemisch, University of Chicago.

William E. Leuchtenburg, Columbia University.

Leonard W. Levy, Brandeis University.

Lester K. Little, University of Chicago.

Leon F. Litwack, University of California, Berkeley.

Bert James Loewenberg, Sarah Lawrence College.

William Logue, Wayne State University.

Stefan, Lorant.

Richard Lowitt, Connecticut College.

Dumas Malone, University of Virginia.

Ronald Matthias, Wartburg College, Iowa.

Henry F. May, University of California, Berkeley.

Donald R. McCoy, University of Kansas.

Eric L. McKitrick, Columbia University.

Gordon H. McNeill, visiting professor, Tulane University.

August Meier, Roosevelt University.

Horace S. Merrill, University of Maryland.

Thomas Moodie, Lake Forest, College, Illinois.

Louis Morton, Dartmouth College.

Charles F. Mullett, University of Missouri.

Kim Munholland, University of Minnesota.

Paul L. Murphy, University of Minnesota.

Thomas D. Murphy, University of Hawaii.

R. D. Nagle, Northwest Missouri State College.

William L. Neumann, Goucher College.

J. Alden Nichols, University of Illinois, Urbana.

Jeannette P. Nichols, University of Pennsylvania.

David W. Noble, University of Minnesota.

Russel B. Nye, Michigan State University.

Robin S. Oggins, State University of New York at Binghamton.

Ernest S. Osgood, College of Wooster, Emeritus, University of Minnesota.

Helen K. Osgood, College of Wooster.

Rembert W. Patrick, University of Florida.

Walter W. Pese, Lake Forest College, Illinois.

Merrill D. Peterson, University of Virginia.

Otto Pflanze, University of Minnesota.

John L. Phelan, University of Wisconsin.

Bessie Louise Pierce, Emeritus, University of Chicago.

Walter Porges, Los Angeles Pierce College.

Benjamin Quarles, Morgan State College.

Raymond O. Rockwood, Colgate University.

James H. Rodabaugh, Kent State University, Ohio.

Alfred B. Rollins, Jr., State University of New York at Binghamton.

Frederick Rudolph, Williams College.

Ernest R. Sandeen, Macalester College.

J. Salwyn Schapiro, the City University of New York.

Joan Sedgwick, University of Hartford.

Charles Sellers, University of California, Berkeley.

Ihor Sevcenko, Harvard University.

David A. Shannon, University of Maryland.

Melvin Shefftz, State University of New York at Binghamton.

James P. Shenton, Columbia University.

Richard H. Shryock, Emeritus, University of Pennsylvania.

Marshall Smelser, University of Notre Dame.

Thomas J. Spinner, Jr., University of Vermont.

John G. Sproat, Lake Forest College, Illinois.

Kent L. Steckmesser, California State College, at Los Angeles.

Neil R. Stout, University of Vermont.

Eugene T. Sweeney, University of Hartford.

Romeyn Taylor, University of Minnesota.

George B. Tindall, Chapel Hill, North Carolina.

Peter Topping, University of Cincinnati.

Lawrence W. Towner, The Newberry Library, Chicago.

Roger R. Trask, Macalester College.

Glyndon G. Van Deusen, Emeritus, The University of Rochester.

Edwin J. Vankley, Calvin College.

Joseph F. Wall, Grinnell College.

John William Ward, Amherst College.

Caroline F. Ware, Vienna, Virginia.

Richard L. Watson, Jr., Duke University.

William B. Watson, Massachusetts Institute of Technology.

Bernard A. Weisberger, University of Rochester.

Philip L. White, University of Texas.

Henry M. Whitney, Kent State University, Ohio.

William B. Willcox, University of Michigan.

Prince E. Wilson, Central State University, Ohio.

Harold D. Woodman, University of Missouri.

John S. Wright, Nevada Southern University.

Howard Zinn, Boston University.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

For what purpose does the gentleman from Massachusetts rise?

Mr. CONTE. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the resolution?

Mr. CONTE. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CONTE moves to recommit the resolution of the Committee on Un-American Activities to a select committee of seven Members to be appointed by the Speaker with instructions to examine the sufficiency of the contempt citations under existing rules of law and relevant judicial decisions and thereafter to report it back to the House, while Congress is in session, or, when Congress is not in session, to the Speaker of the House, with a statement to its findings.

The SPEAKER. Without objection, the previous question is ordered.

The question is on the motion to recommit.

The question was taken.

Mr. CONTE. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors; the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 90, nays 181, not voting 161, as follows:

[Roll No. 374]

YEAS—90

Annunzio
Bates
Bell
Bingham
Blatnik
Boland
Brademas
Burke
Burton, Calif.
Burton, Utah
Byrne, Pa.
Cameron
Cleveland
Cohelan
Conable
Conte
Conyers
Culver
Curtis
Dawson
Diggs
Donohue
Dow
Dwyer
Edwards, Calif.
Farbstein
Fogarty
Ford, William D.
Fraser
Frelinghuysen
Friedel
Giaimo
Gilbert
Gonzalez
Grabowski
Green, Oreg.
Green, Pa.
Hechler
Holifield
Horton
Irwin
Karsten
Kastenmeier
King, Calif.
Kluczynski
Krebs
Kupferman
Leggett
Macdonald
May
Miller
Monagan
Moorhead
Morse
Mosher
Multer
Murphy, Ill.
Nedzi
O'Hara, Ill.
O'Neill, Mass.
Ottinger
Patten
Philbin
Powell
Price
Rees
Reid, N.Y.
Resnick
Reuss
Rodino
Ronan
Rosenthal
Rostenkowski
Roybal
Rumsfeld
Ryan
St Germain
St. Onge
Scheuer
Sickles
Stalbaum
Tenzer
Tupper
Van Deerlin
Vanik
Vivian
Waldie
Wilson, Charles H.
Wyatt
Yates

NAYS—181

Abbitt
Andrews, George W.
Andrews, N. Dak.
Arends
Ashmore
Bandstra
Battin
Beckworth
Bennett
Boggs
Brock
Brooks
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Byrnes, Wis.
Cabell
Cahill
Callan
Casey
Cederberg
Chelf
Clancy
Clark
Clausen, Don H.
Collier
Corbett
Cramer
Cunningham
Curtin
Dague
Daniels
Davis, Wis.
de la Garza
Delaney
Dent
Dingell
Dole
Dorn
Dowdy
Downing
Dulski
Duncan, Tenn.
Edmondson
Edwards, La.
Erlenborn
Everett
Fallon
Farnsley
Fascell
Feighan
Flood
Garmatz
Gathings
Gettys
Gibbons
Gray
Grider
Griffiths
Grover
Gubser
Gurney
Hagen, Calif.
Haley
Hall
Hamilton
Hanley
Hardy
Harsha
Hathaway
Hays
Henderson
Herlong
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karth
Kee
Keogh
King, N.Y.
King, Utah
Kunkel
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
Long, Md.
McClory
McCulloch
McDade
McFall
MacGregor
Machen
Mahon
Marsh
Matthews
Mills
Minish
Minshall
Mize
Moore
Morgan
Morris
Morrison
Morton
Murphy, N.Y.
Natcher
Nelsen
O'Brien
O'Hara, Mich.
Olson, Minn.
O'Neal, Ga.
Passman
Patman
Pelly
Pepper
Perkins
Pickle
Pike
Poage
Poff
Quie
Quillen
Race
Redlin
Reid, Ill.
Reifel
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Satterfield
Saylor
Schweiker
Secrest
Selden
Shriver
Sikes
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Springer
Staggers
Stubblefield
Teague, Calif.
Tuck
Tuten
Utt
Vigorito
Waggonner
Walker, N. Mex.
Watson
Watts
Weltner
White, Tex.
Whitener
Williams
Willis
Wilson, Bob
Wright
Wydler
Young
Younger
Zablocki

NOT VOTING—161

Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Ashbrook
Ashley
Aspinall
Ayres
Baring
Barrett
Belcher
Berry
Betts
Bolling
Bolton
Bow
Bray
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Callaway
Carey
Carter
Celler
Chamberlain
Clawson, Del
Clevenger
Colmer
Cooley
Corman
Craley
Daddario
Davis, Ga.
Denton
Derwinski
Devine
Dickinson
Duncan, Oreg.
Dyal
Edwards, Ala.
Ellsworth
Evans, Colo.
Evins, Tenn.
Farnum
Findley
Fino
Fisher
Flynt
Foley
Ford, Gerald R.
Fountain
Fulton, Pa.
Fulton, Tenn.
Fuqua
Gallagher
Gilligan
Goodell
Greigg
Gross
Hagan, Ga.
Halleck
Halpern
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Harvey, Mich.
Hawkins
Hébert
Helstoski
Hicks
Holland
Howard
Hungate
Huot
Jacobs
Jones, N.C.
Keith
Kelly
Kirwan
Kornegay
Laird
Love
McCarthy
McDowell
McEwen
McGrath
McMillan
McVicker
Mackay
Mackie
Madden
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Meeds
Michel
Mink
Moeller
Moss
Murray
Nix
O'Konski
Olsen, Mont.
Pirnie
Pool
Pucinski
Purcell
Randall
Reinecke
Rivers, Alaska
Roberts
Robison
Rogers, Tex.
Roncalio
Roudebush
Roush
Schisler
Schmidhauser
Schneebeli
Scott
Senner
Shipley
Sisk
Skubitz
Smith, N.Y.
Stafford
Stanton
Steed
Stephens
Stratton
Sullivan
Sweeney
Talcott
Taylor
Teague, Tex.
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Udall
Ullman
Walker, Miss.
Watkins
Whalley
White, Idaho
Whitten
Widnall
Wolff

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Adair.

Mr. Albert with Mr. Gerald R. Ford.

Mr. Foley with Mr. Ayres.

Mr. Schmidhauser with Mr. Bray.

Mr. Kornegay with Mr. Skubitz.

Mr. Fountain with Mr. Devine.

Mr. Fulton of Tennessee with Mr. Fulton of Pennsylvania.

Mr. Matsunaga with Mr. Smith of New York.

Mr. Dyal with Mr. Reinecke.

Mr. Daddario with Mr. Michel.

Mr. Kirwan with Mr. Goodell.

Mr. Barrett with Mr. Mathias.

Mr. Nix with Mr. McEwen.

Mr. Wolff with Mr. Harvey of Michigan.

Mr. Thompson of New Jersey with Mr. Ellsworth.

Mr. Teague of Texas with Mr. Belcher.
Mr. Steed with Mr. Schneebeli.
Mr. Senner with Mr. Chamberlain.
Mr. Shipley with Mr. Broomfield.
Mr. Aspinall with Mr. Halleck.
Mr. Anderson of Tennessee with Mr. Dickinson.
Mr. Abernethy with Mr. Harvey of Indiana.
Mr. Celler with Mr. Laird.
Mrs. Kelly with Mr. Fino.
Mr. Carey with Mr. Halpern.
Mr. Denton with Mr. Del Clawson.
Mr. Davis of Georgia with Mr. Derwinski.
Mr. Meeds with Mr. Findley.
Mr. Moss with Mr. Mailliard.
Mr. Gallagher with Mr. Pirnie.
Mr. Gilligan with Mr. Robison.
Mr. Rivers of Alaska with Mr. Keith.
Mr. Pool with Mr. Edwards of Alabama.
Mr. Evins of Tennessee with Mr. Hansen of Idaho.
Mr. Cooley with Mr. Betts.
Mr. Colmer with Mr. Bow.
Mr. Love with Mr. Anderson of Illinois.
Mr. Craley with Mr. Martin of Alabama.
Mr. Brown of California with Mr. Stafford.
Mr. Holland with Mr. Berry.
Mr. Roberts with Mr. O'Konski.
Mr. Hawkins with Mr. Duncan of Oregon.
Mr. McDowell with Mr. Martin of Nebraska.
Mr. McVicker with Mr. Glenn Andrews.
Mr. Olsen of Montana with Mr. Talcott.
Mr. Mackay with Mr. Watkins.
Mr. Udall with Mrs. Mink.
Mr. Madden with Mr. Martin of Massachusetts.
Mr. Ullman with Mr. Widnall.
Mr. Mackie with Mr. Roudebush.
Mr. Trimble with Mr. Ashbrook.
Mr. Taylor with Mr. Thomson of Wisconsin.
Mr. Stratton with Mr. Callaway.
Mr. Roush with Mr. Whalley.
Mr. Jacobs with Mr. Carter.
Mr. Helstoski with Mrs. Thomas.
Mr. Addabbo with Mr. Clarence J. Brown, Jr.
Mr. Sisk with Mr. Todd.
Mr. Schisler with Mrs. Hansen of Washington.
Mrs. Sullivan with Mr. Jarman.
Mr. White of Idaho with Mr. Ashley.
Mr. Moeller with Mr. Hicks.
Mr. Fisher with Mr. Jones of North Carolina.
Mr. Whitten with Mr. Howard.
Mr. Evans of Colorado with Mr. Scott.
Mr. Hagan of Georgia with Mr. Hungate.
Mr. Flynt with Mr. Tunney.
Mr. Hanna with Mr. Huot.
Mr. Pucinski with Mr. Adams.
Mr. Greigg with Mr. Baring.
Mr. Hansen of Iowa with Mr. Clevenger.
Mr. Purcell with Mr. Corman.
Mr. Thompson of Texas with Mr. McCarthy.
Mr. Roncalio with Mr. Rogers of Texas.
Mr. Sweeney with Mr. Stephens.
Mr. McMillan with Mr. Toll.

Mr. DOW changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the adoption of the resolution.

The question was taken, and the Speaker announced that the ayes appeared to have it.

Mr. CLEVELAND. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

So the resolution was agreed to.

A motion to reconsider was laid on the table.

FOOD FOR PEACE

Mr. POAGE submitted a conference report and statement on the bill (H.R. 14929), to promote international trade in agricultural commodities, to combat hunger and malnutrition, to further economic development, and for other purposes.

INTERNATIONAL CONFERENCE ON WATER FOR PEACE

Mr. PEPPER from the Committee on Rules reported the following privileged resolution (H. Res. 1063, Rept. No. 2307) which was referred to the House Calendar and ordered to be printed:

H. RES. 1063

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (S.J. Res. 167) to enable the United States to organize and hold an International Conference on Water for Peace in the United States in 1967 and authorize an appropriation therefor. After general debate, which shall be confined to the joint resolution, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

RESIGNATION FROM COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

The SPEAKER laid before the House the following resignation from a committee.

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 18, 1966.
Hon. JOHN W. MCCORMACK,
The Speaker,
House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: Please accept my resignation as a member of the House Committee on Interstate and Foreign Commerce, effective immediately.

With kindest regards, I am,
Respectfully yours,
LEO W. O'BRIEN.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

RESIGNATION FROM COMMITTEE ON BANKING AND CURRENCY

The SPEAKER laid before the House the following resignation from a committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 18, 1966.
Hon. JOHN W. MCCORMACK,
Speaker, U.S. House of Representatives,
Washington, D.C.

DEAR MR. SPEAKER: I hereby tender my resignation from the Banking and Currency Committee to be effective immediately.

It has been a great honor and pleasure to work on this fine Committee. I leave the able Chairman and my distinguished colleagues with regret, and only because I am convinced that I will be better able to discharge my duties to my constituents in another capacity.

Respectfully,
RICHARD L. OTTINGER,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

RESIGNATION FROM COMMITTEE ON AGRICULTURE

The SPEAKER laid before the House the following resignation from a committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 18, 1966.
Hon. JOHN W. MCCORMACK,
Speaker of the House, U.S. House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: I herewith tender my resignation from the Committee on Agriculture.

Very sincerely yours,
JOHN M. MACKIE,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

RESIGNATION FROM COMMITTEE ON PUBLIC WORKS

The SPEAKER laid before the House the following resignation from a committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 18, 1966.
Hon. JOHN W. MCCORMACK,
House of Representatives,
Washington, DC.

DEAR MR. SPEAKER: I herewith tender my resignation as a member of the Public Works Committee.

Sincerely yours,
RUSSELL TUTEN,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

RESIGNATION FROM COMMITTEE ON PUBLIC WORKS

The SPEAKER laid before the House the following resignation from a committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 10, 1966.
Hon. JOHN W. MCCORMACK,
Speaker of the House, U.S House of Representatives, Washington, D.C.

MY DEAR MR. SPEAKER: I desire to resign as a Member of the House Committee on Public Works.

Very sincerely yours,
ROBERT E. SWEENEY,
Member of Congress.

The SPEAKER. Without objection, the resignation will be accepted.

There was no objection.

ELECTION TO COMMITTEE ON PUBLIC WORKS

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 1064) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1064

Resolved, That Robert T. Secrest, of Ohio, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Public Works.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION TO COMMITTEE ON PUBLIC WORKS

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 1065) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1065

Resolved, That John C. Mackie, of Michigan, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Public Works.

The resolution was agreed to.

A motion to reconsider was laid on the table.

ELECTION TO COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. MILLS. Mr. Speaker, I offer a privileged resolution (H. Res. 1066) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1066

Resolved, That Richard L. Ottinger, of New York, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Interstate and Foreign Commerce.

Mr. WILLIAMS. Mr. Speaker, will the gentleman from Arkansas yield for a question?

The SPEAKER. The Chair recognizes the gentleman from Arkansas [Mr. Mills].

Mr. MILLS. I yield to the gentleman from Mississippi.

Mr. WILLIAMS. I want to ask this question. Since the gentleman from New York [Mr. Ottinger] is a freshman Member, will he go above or below me in our standing on the committee?

Mr. MILLS. I am delighted to advise my friend, the gentleman from Mississippi, that the gentleman from New York will go at the bottom of the committee.

Mr. WILLIAMS. Well, now, may I say to the gentleman that this is the second time the committee has discriminated against freshman Members to fill two vacancies below my position on the committee.

As the senior member of the committee, Mr. Speaker, I feel that I should be either at the bottom of the committee or in the chair.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed.

A motion to reconsider was laid on the table.

COMMITTEE ON EDUCATION AND LABOR

Mr. GIBBONS. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor may have until midnight tonight to file a conference report on the higher education bill.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. HALL. Mr. Speaker, reserving the right to object, has the request been cleared with the minority members of the committee?

Mr. GIBBONS. It has been cleared with the minority members.

Mr. HALL. Is it the bill that passed the House on elementary and secondary education or the higher education bill?

Mr. GIBBONS. The higher education bill. I have been advised that it was cleared with the gentleman from Ohio [Mr. Ayres], the ranking minority member of the committee.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

PROCEEDINGS AGAINST YOLANDA HALL

Mr. WILLIS. Mr. Speaker, I rise to a question of the privilege of the House and by direction of the Committee on Un-American Activities, I submit a privileged report—House Report No. 2305.

The Clerk read as follows:

The Committee on Un-American Activities, as created and authorized by the House of Representatives, through the enactment of Public Law 601 of the 79th Congress, section 121, subsection (q)(2), and under House Resolution 8 of the 89th Congress, duly authorized and issued a subpena to Yolanda Hall. The subpena directed Yolanda Hall to be and appear before the said Committee on Un-American Activities, of which the Honorable Edwin E. Willis is chairman, or a duly appointed subcommittee thereof, on Tuesday, May 25, 1965, at the hour of 10:30 a.m., at the U.S. Courthouse and Federal Office Building, Ceremonial Courtroom, 25th floor, 219 South Dearborn Street, Chicago, Ill., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon Yolanda Hall is set forth in words and figures as follows:

"United States of America,
"Congress of the United States.
"To Yolanda Hall, *Greeting*:

"Pursuant to lawful authority, You Are Hereby Commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Tuesday, May 25, 1965, at 10:30 o'clock a.m., U.S. Court House & Federal Office Bldg., Ceremonial Court Room, 25th Floor, 219 S. Dearborn St., Chicago, Ill., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof Fail Not, as you will answer your default under the pains and penalties in such cases made and provided.

"To Donald I. Sweany, Jr., to serve and return.

"Given under my hand this 6th day of May, in the year of our Lord, 1965.

"/s/ E. E. Willis,
"Chairman—Chairman of Subcommittee—Member Designate of the Committee on Un-American Activities of the House of Representatives.

"If you desire a conference with a representative of the Committee prior to the date of the hearing, please call or write to: Staff Director, Committee on Un-American Activities, Washington 25, D.C., Telephone: CApitol 4–3121—Ext. 3051."

This subpena was duly served as appears by the return thereon made by Donald I. Sweany, Jr., who was duly authorized to serve it. The return of service of said subpena is set forth in words and figures as follows:

"I made service of the within subpena by personal service to the within-named Yolanda Hall at Chicago Board of Health, 4th Floor, 54 W. Hubbard St., Chicago, Ill., at 10:05 o'clock, a.m., on the 11th day of May, 1965.

"Dated May 11, 1965.

"/s/ Donald I. Sweaney, Jr."

The said Yolanda Hall, summoned as aforesaid, appeared and was called as a witness on May 27, 1965, to give testimony, as required by the said subpena, at a meeting of a duly authorized subcommittee of the Committee on Un-American Activities at the Old U.S. Court of Appeals Building in Chicago, Ill. She was accompanied by her counsel, Albert E. Jenner, Jr., and cocounsel, Thomas P. Sullivan, Esquires.

Having been sworn as a witness, she was asked to state her full name and residence for the record, to which she responded, giving same. She was asked whether she was represented by counsel, to which she replied that she was.

Thereafter, the witness was asked the question, namely:

"Would the witness state the date and place of her birth, please?"

which question was pertinent to the subject under inquiry. She refused to answer said question and, in addition, stated that she would not answer any further questions that might be put to her touching matters of inquiry committed to said subcommittee.

The witness then departed the hearing room without leave of said subcomittee.

The foregoing refusals by Yolanda Hall to answer the aforesaid question and answer any further questions, and her willful departure without leave, deprived the Committee on Un-American Activities of pertinent testimony regarding matters which the said committee was instructed by law and House resolution to investigate, and place the said Yolanda Hall in contempt of the House of Representatives of the United States.

Pursuant to resolution of the Committee on Un-American Activities duly adopted at a meeting held January 13, 1966, the facts relating to the aforesaid failures of Yolanda Hall are hereby reported to the House of Representatives, to the end that the said Yolanda Hall may be proceeded against for contempt of the House of Representatives in the manner and form provided by law.

The record of the proceedings before the said subcommittee, so far as it relates to the appearance of Yolanda Hall, including the statement by the chairman of the subject and matter under inquiry, is set forth in Appendix I, attached hereto and made a part hereof.

Other pertinent committee proceedings are set forth in Appendix II and made a part hereof.

APPENDIX I

[Tuesday, May 25, 1965]

UNITED STATES HOUSE OF REPRESENTATIVES, SUBCOMMITTEE OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES,

Chicago, Illinois.

PUBLIC HEARINGS

A subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:30 a.m., in the Old United States Court of Appeals Building, 1212 North Lake Shore Drive, Chicago, Illinois, Hon. EDWIN E. WILLIS (chairman) presiding.

(Subcommittee members: Representatives EDWIN E. WILLIS, of Louisiana, chairman; JOE R. POOL, of Texas; CHARLES L. WELTNER, of Georgia; JOHN M. ASHBROOK, of Ohio; and DEL CLAWSON, of California.)

Subcommittee members present: Representatives WILLIS, POOL, WELTNER, and CLAWSON.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; and Neil E. Wetterman and Philip R. Manuel, investigators.

The CHAIRMAN. The subcommittee will come to order.

Mr. Nittle, will you call the names of the witnesses and hand them a copy of the opening statement?

Mr. NITTLE. Is Milton Mitchell Cohen in attendance?

Come forward, please.

Louis Diskin.

David Englestein.

Benjamin Max Friedlander.

Dorothy Mixter Hayes.

Dorothy Mixter Hayes.

Dorothy Mixter Hayes, please come forward.

Yolanda Hall.

Leon Joy Jennings.

Wilberforce Cox Jones.

Versta Miller.

Helen Fotine Queen.

Dr. Jeremiah Stamler.

Charles Fehninger Wilson.

Mr. Chairman, Dorothy Mixter Hayes has not responded. Shall I again call her?

The CHAIRMAN. Please. Three times.

Mr. NITTLE. Dorothy Mixter Hayes, please come forward.

Dorothy Mixter Hayes, please come forward.

Dorothy Mixter Hayes, please come forward.

The CHAIRMAN. Thank you, Mr. Nittle.

Mr. NITTLE. Mr. Chairman, I ask that it be noted on the record that Dorothy Mixter Hayes has not responded.

Mr. WOLF. We are responding for Miss Hayes.

The CHAIRMAN. She ought to be here and must be here in person.

Mr. WOLF. She is here, if you will just give me a moment.

Miss Hayes.

Mr. NITTLE. Miss Hayes, would you step forward, please?

Mr. WOLF. Mr. Chairman, I would like the record to show that we object to the presence here of the cameras.

The CHAIRMAN. We will in that respect abide, as we always do and are today, with the rules of the House.

This subcommittee of the House Committee on Un-American Activities is convened here in Chicago to conduct hearings upon the subjects of inquiry and for the legislative purposes set forth in a committee resolution adopted March 18, 1965. I offer this resolution for the record. It reads as follows:

"Be it resolved, That hearings be held by the Committee on Un-American Activities or a subcommittee thereof, at such times and places as the Chairman may determine, and that the staff be authorized to conduct investigations deemed reasonably necessary in preparation therefor, relating to:

"1. As concerns the Chicago, Illinois area and the Illinois District of the Communist Party of the United States; the structure and organization of the Communist Party of the United States; its major objectives, and the strategical and tactical methods designed to aid in accomplishing such objectives; the major areas of Communist Party concentration; organizations created and controlled by the Communist Party to advance the policies and objectives of the Communist movement; Communist propaganda activities conducted in support of such objectives; and conspiratorial activities in aid of, or in association with, foreign Communist governments; and also like information regarding other Communist organizations in the Chicago, Illinois area, for the following legislative purposes:

"(a) to provide factual information to aid the Congress in the proposal of any necessary remedial legislation in fulfillment of the directions contained in the mandate to the Committee by House Resolution 8, of January 4, 1965, and Public Law 601 of the 79th Congress;

"(b) to assist the Congress in appraising the execution by the administrative agencies concerned of Title I of the Internal Security Act of 1950;

"(c) to provide factual information to aid the House in the disposition of presently pending and proposed legislation, including, but not limited to, H.R. 4293, a bill to amend the Subversive Activities Control Act of 1950 so as to authorize the Federal Government to bar from access to defense facilities individuals who may engage in sabotage, espionage, or other subversive acts;

"(d) consideration of the advisability of amending the Internal Security Act so as to impose certain disabilities, in the manner and form therein provided, upon those persons 'affiliated with' Communist organizations as well as upon persons who are members thereof.

"Be it further resolved, That the hearings may include any other matter within the jurisdiction of the Committee which it, or any subcommittee thereof, appointed to conduct these hearings, may designate."

As a result of the June 1961 decision of the Supreme Court of the United States in the Communist Party case (367 U.S. 1), certain provisions of the Internal Security Act have become effective. This was a case against the Communist Party of the United States instituted by the Attorney General before the Subversive Activities Control Board in 1950 to require that the party register as a Communist-action organization within the terms of the Internal Security Act of 1950.

A Communist-action organization is defined in the act as any organization in the United States which is substantially directed, dominated, or controlled by the foreign government or organization controlling the world Communist movement.

Following the taking of extensive testimony, the Subversive Activities Control Board found the Communist Party of the United States was a disciplined organization operating in this Nation under Soviet Union control, with the objective of installing a Soviet-style dictatorship in the United States. The Board, therefore, ordered the party to register as a Communist-action organization.

The Supreme Court, as previously indicated, has upheld this finding and order. This order has the effect of denying to Communist Party members any Federal employment, or employment in any defense facility as defined in the act.

Preliminary committee investigation indicates that this decision of the Court prompted certain organizational changes in the Communist Party. The party has attempted to nullify the provisions of the statute. These hearings in Chicago are one of a series of investigations into area activities of the Communist Party which the committee is conducting in various parts of the country for the purpose of determining whether remedial or amendatory legislation is necessary and, if so, what laws may be desired.

This committee functions as a part of the legislative branch of Government, as distinguished from the executive and judicial branches. In the exercise of its investigative function, the committee neither accuses nor judges. It conducts no trials. It is a fact-gatherer to inform the Congress about the operations of this Soviet-controlled conspiracy.

Its investigations must be continuous. For while the basic objectives of the Communists remain the same, the party develops new tactics and operational forms from time to time to speed and improve Communist undermining activity and to offset the legislative, administrative, and other steps taken by the Congress, the executive branch, and the American people to preserve their liberty.

The power of congressional committees to make investigations and to exact testimony has been repeatedly confirmed by the Supreme Court of the United States. In *McGrain* v. *Daugherty* (273 U.S. 135, at 161), a leading case, the Supreme Court pointed out that, and I quote from the words of the Supreme Court:

"In actual legislative practice power to secure needed information by such means has long been treated as an attribute of the power to legislate. It was so regarded in the British Parliament and in the Colonial legislatures before the American Revolution; and a like view has prevailed and been carried into effect in both houses of Congress and in most of the state legislatures."

That is the end of the quotation from the Supreme Court decision.

Information and knowledge is, of course, the object of investigation. It is basic to the exercise of the lawmaking function.

The Committee on Un-American Activities is authorized by a rule of the House and a Federal statute to make investigations of the extent, character, and objects of subversive and un-American propaganda, whether instigated by foreign countries or of a domestic origin, which attacks the principle of the form of government as guaranteed by our Constitution, and all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

For the purpose of any such investigation, this committee is authorized to hold hearings and to issue subpenas to require the attendance of witnesses and the production of documents. Moreover, the committee is required to report to the House the results of its investigations, together with such recommendations as it deems advisable.

The committee is also required, by House rule and the statute already mentioned, to perform the duties imposed upon all standing committees with respect to laws within its jurisdiction, that is, to appraise the execution of laws enacted by Congress and to exercise a continuous watchfulness over the administrative agencies concerned with the execution of such laws.

In the light of the threat which Communist organizations pose to the United States as a sovereign, independent Nation, we must recognize, as Mr. Justice Frankfurter said in the Communist Party case, "That the power of Congress to regulate Communist organizations of this nature is extensive."

Mr. Justice Harlan, speaking for the Supreme Court in *Barenblatt* v. *United States* (360 U.S. 109, at page 127), a decision upholding the contempt of Congress conviction of a witness who had refused to answer questions asked him by this committee, said:

"That Congress has wide power to legislate in the field of Communist activity in this Country, and to conduct appropriate investigations in aid thereof, is hardly debatable. The existence of such power has never been questioned by this Court, and it is sufficient to say, without particularization, that Congress has enacted or considered in this field a wide range of legislative measures, not a few of which have stemmed from recommendations of the very Committee whose actions have been drawn in question here"; that is, the Committee on Un-American Activities. Justice Harlan continued: "In the last analysis this power rests on the right of self-preservation, 'the ultimate value of any society,' *Dennis v. United States*, 341 U.S. 494, 509. Justification for its exercise in turn rests on the long and widely accepted view that the tenets of the Communist Party include the ultimate overthrow of the Government of the United States by force and violence, a view which has been given formal expression by the Congress."

There is, however, not only a power to legislate in the field of Communist activities, but also a positive duty imposed upon Congress to do so. The Supreme Court has said:

"To preserve its independence, and give security against foreign aggression and encroachment, is the highest duty of every nation, and to attain these ends nearly all other considerations are to be subordinated. It matters not in what form such aggression and encroachment come. . . ." [Quoted in *Communist Party Case,* 367 U.S. 1, 96.]

Now I would like to stress the fact that the committee's presence here in Chicago is not to be construed in any way as derogatory to this great city. We have held hearings here before, as we have in other major cities of our country on more than one occasion in the past.

Why? Not because the cities as such—or their governments or people—are suspect in any way, but rather because they and the States in which they are located are so important to our national security, prosperity, and welfare.

The Communists decided a long time ago where they would try to build their greatest strength in the United States. They determined that they would send their best organizers, agitators, and propagandists into those areas of our country which were most vital to its overall security, particularly in time of war.

It was in these areas that they determined to pour their money and to concentrate as much effort as possible to build their largest, strongest, and most disciplined units.

Why? So that if war between the Soviet Union and the United States should come—and God pray it won't—their greatest strength would be in those areas where, by sabotage and other traitorous activities, they could do most to help the Soviet Union and bring about the defeat of the United States. And so the Communists concentrate—and always have concentrated—on our great centers of industry, of transportation, communication, learning and so forth—on States such as Illinois, New York, Michigan, California, Pennsylvania; on cities such as Chicago, Detroit, New York Pittsburgh. These are the areas of the United States that are most important to Moscow and, therefore, to its puppets, the U.S. Communists. Generally speaking, the Communists have not devoted much attention to our small rural communities.

Our presence in Chicago, therefore, and such evidence of Communist activity in this city and State as is produced in these hearings, is not to be taken as an affront to this city or the State of Illinois. Rather, the hearings are a tribute to them, a recognition of the trmendous importance the enemies of this country, both here and abroad, attach to Illinois and its great city, Chicago.

In short, we are here not to hurt anyone or any institution, but to help—to help, as we are directed by the House of Representatives, the security of our country. It is our hope—and our belief—that, in doing so, we will also help this wonderful State, city, and people.

I now offer for the record the order of appointment of this subcommittee, as follows:

May 6, 1965.

To: Mr. Francis J. McNamara,
Director, Committee on Un-American Activities

Pursuant to the provisions of the law and the Rules of this Committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Honorable Joe R. Pool, Honorable Charles L. Weltner, Honorable John M. Ashbrook, and Honorable Del Clawson, as associate members, and myself, as Chairman, to conduct hearings in Chicago, Illinois, commencing on or about Tuesday, May 25, 1965, and/or at such other times thereafter and places as said subcommittee shall determine, as contemplated by the resolution adopted by the Committee on the 18th day of March, 1965, authorizing hearings concerning certain Communist activities in the Chicago, Illinois, area, and other matters under investigation by the Committee.

Please make this action a matter of Committee record.

If any member indicates his inability to serve please notify me.

Given under my hand this 6th day of May, 1965.

/s/ Edwin E. Willis,
Edwin E. Willis,
Chairman, Committee on
Un-American Activities.

I would like to point out that the absent member of this subcommittee, Mr. Ashbrook, of Ohio, his absence has been unavoidably brought about by a death in the family. It is expected that he might appear later on.

Now I point out, and I want the record to reflect, that this statement I have just read—each witness subpenaed has been handed a copy by counsel. I urge them to remain in the committee room so that if there be any testimony regarding them they may be here.

I urge also careful analysis of the statement that each witness has, announcing the purposes and objectives of the hearings, so that there won't be any haggling about a witness not knowing the purpose why these hearings are being held. These purposes are being stated at length in this statement and each witness has a copy.

I want to go one step further and read from Rule XI, 26(m), House of Representatives. The rules of the House are binding on all committees. There are some 20 permanent committees of the House, the jurisdiction of each committee is set forth in the rules of the House.

This committee, the House Committee on Un-American Activities, is but one of 20 permanent committees of the House. This committee is an agency of the House and operating under the rules of the House. I want to direct the attention of all to the provisions of Rule 26(m) in respect to these particular hearings.

Every person concerning whom there might be defamatory, degrading, or incriminating evidence produced here at these hearings has been notified of that possibility and has been sent a letter, a typical sample of which I now read:

"Pursuant to House Rule XI, 26(m), the Committee on Un-American Activities has received certain evidence and testimony in executive session, in the course of which a person by the name of"—and here each witness' name appears—"a resident of"—and their address is given—"was identified as having been a member of the Communist Party."

Everyone whose name might crop up has received a copy of this letter or been sent one.

"If you so desire, you will be afforded an opportunity voluntarily to appear as a witness before a subcommittee of the Committee on Un-American Activities at a time and place to be designated. According to the general practice of the committee, this hearing"—namely the voluntary testimony of witnesses so notified—"shall be conducted in executive session.

"You may also request the committee to subpoena additional witnesses.

"If you desire to avail yourself of the opportunities thus afforded you, you should so advise the Director of the Committee no later than Tuesday, May 18, 1965. He may be reached at Room 226, Cannon House Office Building, Washington 25, D.C.; telephone number: Capital 4–3121, extension 3051.

"This is not a subpoena or summons requiring you to appear.

"Very truly yours, Edwin E. Willis, Chairman."

Let me tell you that every witness, I repeat, whose name might come up in these hearings, every person was mailed such a letter but not one single, solitary response did we receive. [Laughter and applause.]

I cannot and will not tolerate demonstrations in any direction from anyone. This is a hearing in a Federal courtroom conducted by a committee of the House of Representatives and representing the House of Representatives and we must have order.

You are guests of the committee; you are very welcome. We are glad to have you. We are glad to know your interest in either direction in connection with the activities and the conduct of its affairs by this committee, but we must have order as is the rule under the American procedure.

Mr. Counsel, call your first witness.

* * * * *

[Thursday, May 27, 1965]

United States House of Representatives, Subcommittee of the Committee on Un-American Activities,
Chicago, Illinois.

PUBLIC HEARINGS

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9:20 a.m., in the Old United States Court of Appeals Building, 1212 North Lake Shore Drive, Chicago, Illinois, Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and Del Clawson, of California.)

Subcommittee members present: Representatives Willis, Pool, Weltner, Ashbrook, and Clawson.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; and Neil E. Wetterman and Philip R. Manuel, investigators.

The Chairman. The subcommittee will come to order.

* * * * *

[Afternoon session—Thursday, May 27, 1965]

(The subcommittee reconvened at 2 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, Ashbrook, and Clawson.)

The Chairman. The subcommittee will come to order.

Proceed, Mr. Nittle.

* * * * *

The CHAIRMAN. Call your next witness.

Mr. NITTLE. Yolanda Hall.

The CHAIRMAN. Please be sworn.

Do you solemnly swear that the testimony you are about to give will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. HALL. I do.

TESTIMONY OF YOLANDA HALL, ACCOMPANIED BY COUNSEL, ALBERT E. JENNER, JR., AND THOMAS P. SULLIVAN

Mr. NITTLE. Would the witness kindly state her full name and address for the record?

Mrs. HALL. Yolanda Hall, 5515 West Race Avenue.

Mr. NITTLE. Are you represented by counsel?

Mrs. HALL. Yes, I am.

Mr. NITTLE. Would counsel kindly identify himself for the record, stating his name and office address?

Mr. JENNER. Albert E. Jenner, Jr., 135 South LaSalle Street, Chicago, Illinois, 60603, and my partner Thomas P. Sullivan of the same address.

The CHAIRMAN. May I make a suggestion that one counsel speak for the witness. Of course, in cases there might be an exception. I hope they don't come from all directions.

Mr. JENNER. Mr. Chairman, I do substantially nothing but try cases, and that is the way I proceed in court.

The CHAIRMAN. All right.

Mr. NITTLE. Mrs. Hall, will you state the date and place of your birth?

Mr. JENNER. Mr. Chairman, you will forgive me for standing up because I have respect for the committee, and having respect I stand. In any event, it just happens to be my habit. I can think on my feet and I have trouble thinking when I am sitting down.

I have a request to make.

The CHAIRMAN. I will say to you that you can think awfully well even while sitting down.

Mr. JENNER. Well, perhaps I don't speak as well sitting down.

In order that I may expedite these proceedings as much as possible to assist the committee, I have reduced what I have to say to some notes, which I will not read in full in any event, Mr. Chairman.

On May 25 my partner, Mr. Sullivan, delivered to the distinguished chairman a letter in which I made several requests on behalf of Mrs. Hall. (See pp. 342, 343.) The first of these requests to which I wish now to direct attention was that pursuant to rule 26(m) of the rules adopted for this committee by the House of Representatives of the United States, of which the committee is a duly constituted body, that the testimony of Mrs. Hall and Dr. Stamler be taken in executive session. The request encompassed, as you will recall, Mr. Chairman, not only their testimony but also any testimony concerning them given by any other witness.

Now in the light of what has occurred before this honorable subcommittee when prior subpenaed witnesses took the stand, I anticipate that the interrogation of my client, Mrs. Hall, will consist of assertions, embellishments, conclusions, argument, and innuendoes, not under oath, contained in repeated questions put by the committee's distinguished counsel based upon hearsay or speculation which will tend to degrade, defame, or incriminate my clients.

It makes no difference that these assertions are untrue or unsupported, a large segment of the public will assume the truth of whatever statements are made by distinguished counsel. We all know that counsel is not subject to cross-examination. I have requested the committee to permit me to cross-examine counsel and I repeat that request. In any event, counsel for the committee neither has, nor purports to have, personal knowledge of the matters he asserts.

In this posture and in this hostile setting, we have no way of defending our clients from the defamatory and prejudicial implications contained in those questions and they should not be forced to undergo this type of questioning, in public or otherwise. Every court in this land that has ever passed upon the question even as to tactics of this kind in the courtroom has held that they are a direct violation of the rights of fair trial and the rights of due process of the parties against which those tactics are employed.

I respectfully request or submit that to refuse to grant our motion for an executive session and an opportunity to examine the witnesses and the evidence and the counsel in the making of his innuendo statements based on hearsay will constitute, if denied, an abuse of discretion and a violation of rule 26(m) of the Rules of the House of Representatives of the United States adopted for this committee and result in an unwarranted serious damage to the reputations of these good people, each of whom is a loyal United States citizen.

Further and in very short compass up to this moment I pose to you, Mr. Distinguished Chairman, yourself a distinguished lawyer and law teacher, that there is not one scintilla of evidence admissible or competent before this august body or before any court in this land against either Dr. Stamler or Mrs. Hall. There is nothing in this record other than the innuendo assertions, unverified, of the distinguished counsel for this committee.

I renew our request for the executive session.

The CHAIRMAN. The committee will stand in recess for a few minutes.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will come to order.

Mr. Jenner, as to your earlier motion made that evidence relating to Mrs. Yolanda Hall be heard by this subcommittee in executive session, I can say that this was done before this subcommittee came from Washington. As to this, I can best refer to my letter to Mrs. Hall which shows our compliance with House rule 26(m), which I will now read. The letter is dated May 11, 1965, and addressed to Yolanda Hall, 5515 West Race Avenue, Chicago, Illinois.

"DEAR YOLANDA HALL:

"Pursuant to House Rule XI, 26(m), the Committee on Un-American Activities has received certain evidence and testimony in executive session, in the course of which a person by the name of Yolanda Hall, a resident of Chicago, Illinois, was identified as having been a member of the Communist Party.

"If you so desire, you will be afforded an opportunity voluntarily to appear as a witness before a subcommittee of the Committee on Un-American Activities at a time and place to be designated. According to the general practice of the committee, this hearing—

Namely the voluntary testimony of witnesses so notified—

shall be conducted in executive session.

"You may also request the committee to subpoena additional witnesses.

"If you desire to avail yourself of the opportunities thus afforded you, you should so advise the Director of the Committee no later than Tuesday, May 18, 1965. He may be reached at Room 226, Cannon House Office Building, Washington 25, D.C.; telephone number: Capitol 4-3121, extension 3051.

"This is not a subpoena or summons requiring you to appear.

"This letter and the opportunities referred to herein do not release you from the compulsion to appear as a witness pursuant to the subpoena already served upon you.

"Very truly yours,

"EDWIN E. WILLIS,
"Chairman."

The letter shows that a copy of rule 26(g) and rule 26(m) were enclosed.

As I said on the first day of these hearings, a number of persons were sent similar letters and none of them, including Mrs. Hall and Dr. Stamler, availed themselves of the opportunity afforded voluntarily to appear.

Your motion, now made, that Mrs. Hall be now heard in executive session I deny after consideration of the subcomimttee. We have complied with rule 26(m) and all other applicable rules of the House and of this committee. Despite allegations of witnesses' counsel, the committee has for many years held hearings of this precise type and the courts of the land, including the Supreme Court, have upheld the constitutionality of the committee's action.

Counsel, proceed.

Mr. JENNER. Mr. Chairman, for the purpose of the record and the interests of the committee, as well as my clients, I am intending no entrapment, as this chairman has intended no entrapment, in any action he has taken today or during the course of these hearings. Is my understanding correct, Mr. Chairman, (1) that you deny the motion that this witness' testimony now be taken in executive session; (2) that we be afforded the opportunity in executive session to examine all evidence, testimony, oral or documentary, that has been received heretofore in executive session and that I be afforded any opportunity to cross-examine witnesses who tendered evidence by way of testimony in executive session; and (3) that I be afforded the opportunity of cross-examining committee counsel, who has throughout the hearings in my presence today and in the hearings of the previous 2 days incorporated in his questions unverified innuendo defamatory of various citizens of the United States, including both my clients?

The CHAIRMAN. Well, before I rule, let me say that I reject the last part of your statement—the "innuendos" and references to "defamation" of citizens of the United States. Here is a grand opportunity for your client, Mrs. Hall, and later Dr. Stamler, under pains and penalties of perjury by witnesses who have testified, to deny, explain, confirm, affirm, reject, expose, lambaste—I use every word you can about the testimony of those witnesses.

Mr. JENNER. Mr. Chairman——

The CHAIRMAN. Now one second.

I accept the desire to have a clear record so let me ask you this question now: Do I understand you now, in effect, to ask a delayed acceptance of the opportunities afforded in the letter I have just read, dated May 11, 1965, and accordingly to have your client, Yolanda Hall, voluntarily appear as a witness?

Mr. JENNER. Have you finished, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. JENNER. Thank you.

The letter which you have read, Mr. Chairman, is in my professional opinion a violation of the rule which you cited as being authority for the dispatch of the letter, and the letter itself at the time you sent it did not inform any of the persons who received it, let alone my client, of the purpose or thrust of the investigation or the hearing that you were to have. What elaboration occurred with respect to that was uttered by you, Mr. Chairman, in the opening session on Monday, or was it Tuesday—whatever the opening day was.

So the letter is a compounding of the failure of the committee and the abuse of the committee to honor a request under the rule for an executive session as to any witness with respect to whom there may be, or might be, as has occurred every day in these hearings, matters defamatory to those witnesses. So, Mr. Chairman, for you now to seek to bolster that letter, which, when sent, was constitutionally infirm and infirm under the very rules which your distinguished committee purports to rely upon, is in turn a violation of the rules themselves.

Mr. Chairman, may I say I think Mr. Sullivan——

The CHAIRMAN. May I say that thus far you have not answered my question. I understand your point.

Mr. JENNER. Yes. I repeat the request that I made to this distinguished committee that the testimony of Mrs. Hall——

The CHAIRMAN. I understand that. I am going to rule on that, but I desire and I think that this committee is entitled to an answer to my question.

Mr. JENNER. With all due respect, if you please, sir, it is my professional judgment and considered judgment that I have responded to your question, Mr. Chairman.

The CHAIRMAN. But the net effect is that you are not asking, in accordance with rule 26(m), that Yolanda Hall be accorded the opportunity, privilege, voluntarily to appear to testify under oath in executive session.

Mr. JENNER. Mr. Chairman, I have made my motion and that is what I am requesting.

The CHAIRMAN. Well, Mr. Counselor, I have asked the question of you twice and I construe, as I think all members of the committee construe, as I think any good lawyer would construe—and you are an awfully good one—that your answer to my question is "no." I will proceed on that assumption unless you want to correct it, and now I will rule.

I assume that you don't.

Mr. JENNER. My request is that any questions put to this witness be put in executive session which I have requested.

The CHAIRMAN. Let me ask you another question and then I will be ready to rule. I assume, I act on the assumption, my own, and so does the committee, that you are not asking, and you reject, the opportunity for your witness pursuant to rule 26(m) voluntarily to appear as a witness in executive session.

Now I ask you this question: Are you asking to be heard in executive session on your subpena, on the witness' subpena?

Mr. JENNER. I am asking, Mr. Chairman, I am not trying to play a game.

The CHAIRMAN. I am not, either. I am going to rule and I am not going to take as long as you with the answer to your question.

Mr. JENNER. I think we are about even on that.

I am not trying to be cute any more than the chairman is.

The CHAIRMAN. I appreciate counsel's position. You are representing your client, and all that.

Mr. JENNER. As best as I can as a professional man. I have made my motion that any questions put to this witness be put in executive session; that an executive session be called for that purpose and the other purposes I have stated. With great respect to you, sir, the letter that was sent is of no legal validity now, even if it had any at the time it was sent.

The CHAIRMAN. I don't want to talk—I am not asking any further comments on your position with reference to an appearance in connection with the letter. I will ask the question once more and I will draw a conclusion if you don't reply.

Are your asking to be heard in executive session pursuant to the subpena served on your client? Or I will put it plural, both your clients, Mrs. Hall and Dr. Stamler.

Mr. JENNER. May I confer a moment, Your Honor? (Confers.)

The answer is "yes."

The CHAIRMAN. The answer is "yes."

The three requests you made a moment ago, a motion, are denied and your present request in the form of a colloquy is likewise denied.

Mr. JENNER. Mr. Chairman, would you permit me a slight amendment? Mr. Sullivan called my attention to the fact that, in presenting the motion, I perhaps overstated as to the reach of my request to examine witnesses and evidence taken in executive session. I intended, and I wish to amend with your permission, that the request was to examine witnesses and evidence, documentary and otherwise, taken in executive session relating to Mrs. Hall and Dr. Stamler.

The CHAIRMAN. But not to hear Mrs. Hall in executive session?

Mr. JENNER. Oh, no, no.

The CHAIRMAN. Then I am afraid I don't follow you.

Mr. JENNER. When I made the request with respect to examination of witnesses and examination of evidence and examination of counsel in executive session, Mr. Sullivan tells me I did not limit that to evidence of witnesses and statements of counsel relating to Mrs. Hall and Dr. Stamler. All I am now doing is limiting. I was afraid that technically I might have asked too much.

The CHAIRMAN. I understand. Of course that is the way really I had understood it. So our original ruling holds.

Proceed, Counsel.

Mr. JENNER. Thank you, Your Honor.

Rule XVI of the rules of this committee provide, and with your permission I will not read them because you have read those provisions several times today. May I proceed with this?

The CHAIRMAN. Surely.

Mr. JENNER. On May 13, 1965, 12 days before the hearings were to commence, the names of 11 persons subpenaed to testify here were published in the public press. Copies of many of these newspaper stories are attached to a complaint in the cause which I filed on behalf of Dr. Stamler and Mrs. Hall in the United States District Court for the Northern District of Illinois on Monday of this week, entitled and numbered *Stamler* versus *Willis*, 65–C——

The CHAIRMAN. That I understand to be WILLIS, chairman, and not Willis, superintendent of schools. [Laughter.]

Mr. JENNER. Touche—which we intend to place in evidence before the committee, that is, we intend to offer it in evidence.

The CHAIRMAN. You mean a copy of the complaint?

Mr. JENNER. Yes. By the way, as long as I have hesitated at that point I have had a copy identified as "Stamler-Hall Exhibit No. 1" May 27, 1965. I think a copy has already been tendered but not with the exhibit.

The CHAIRMAN. Yes. The complaint is received in the record at this point.

(Document marked "Stamler-Hall Exhibit No. 1." See appendix pp. 762–809.)

Mr. JENNER. Thank you. These articles which are attached to the complaint in the *Stamler* versus *Willis* case included pictures of Dr. Stamler, among others, and among other things referred to these hearings as a "Red Probe."

The CHAIRMAN. Red what?

Mr. JENNER. Red Probe, p-r-o-b-e. These are not my words, Mr. Chairman, they are words that appeared in the newspaper print. Understandably, I have no knowledge in the premises, but on the record it is reasonably to be deduced, I respectfully suggest, that the names of these persons were procured from this committee or some agent of the committee. The distinguished chairman has stated that to the best of your knowledge no one connected with the committee released any names to the press.

In the interest of clarifying this issue, I ask on behalf of my clients that hearings be held immediately to determine the true facts. Therefore, I request pursuant to rule 26(m) (3) that subpenas issue forthwith to all persons who served these subpenas or to persons who delivered them for service, including Neil E. Wetterman and Donald I. Sweany, Jr., as agents of the committee to come before the committee at once and testify as to which agent or employee of the committee released the names of subpenaed witnesses 12 days before the hearings began in violation of Rule XVI, which resulted in grave damage to the reputations of my clients, as to whom not one word of testimony has yet been uttered before this committe in these public proceedings.

Now, pending that investigation, I request that the committee postpone any further proceedings until the persons responsible for this violation of Rule XVI are identified.

The CHAIRMAN. The committee will stand in recess.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will come to order.

The subcommittee considered and unanimously decided to overrule that motion.

Now the Chair respectfully will say that counsel is expected to put forward any and all other motions he may have to be considered so that we may not be in the position of having anything in regard to that.

Mr. JENNER. Thank you, Mr. Chairman.

I have but one more motion and I think perhaps the chairman will dispose of it as a matter of course.

The CHAIRMAN. You have already conceded?

Mr. JENNER. I think the chairman might concede it; that is what I meant.

I request that I be provided with a copy of the transcript of the entire session of the public hearings of the committee held here in Chicago on May 25, 26, and today.

The CHAIRMAN. This request, and it is a meritorious one, I think is unnecessary for you to pose now. The committee will consider that and we will advise you.

Mr. JENNER. I deliberately posed my question in two parts because I assumed the first part would be favorably considered.

The second part is that we be furnished also with a copy of the transcript of all testimony and documentary evidence concerning Dr. Stamler and Mrs. Hall, whether in public or executive session and whether at this series of sessions or at prior sessions of the committee or a subcommittee thereof or future sessions as well.

The CHAIRMAN. The motion is denied.

Mr. JENNER. Mr. Chairman, before the distinguished counsel for the committee poses further questions to Mrs. Hall, I would like respectfully to state for the record certain objections on behalf of my client to the proceedings which have been and are being undertaken by this honorable committee. Most of those objections are set forth in written form in the complaint which I have mentioned and which you have admitted into evidence. Now having been admitted in evidence, with your permission I will not repeat those by reading that complaint. Do I have your permission, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. JENNER. Now in addition to those objections and points made in the complaint and constitutional grounds——

The CHAIRMAN. Pardon me. I think the record should also show that the application for the relief sought, whatever it was, was denied by the district judge.[1]

Mr. JENNER. I think that is a fair request and I concede it was denied. May I say for the record, also, that yesterday we filed a notice of appeal to the Court of Appeals of the Seventh United States Circuit.

Now, Mr. Distinguished Chairman, we further object to these proceedings because the hearings have not been held in executive session pursuant to our request. It is clear from what has occurred in these hearings on May 25 and 26 and to this point today (1) that public hearings are not needed and were not needed, because you have already heard Lola Belle Holmes and Lucius Armstrong and others apparently in executive session and the repetition in these public hearings has served, as it could only serve, particularly under the type of examination of the distinguished counsel for the committee, to injure persons whom they charged and counsel has charged without being under oath to be or to have been members of the Communist Party and (2) the questioning of my clients will be of a defamatory and prejudicial nature and be harmful to their good reputations, which they cherish.

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[1] The judge, in dismissing the suit, stated that complainants' charges concerning the constitutionality and procedures of the committee were "without merit." Formal court order marked "Committee Exhibit No. 1," for identification. See appendix, p. 813.

We have been in disagreement with the resolution of the holding of the hearings in Chicago at this time and with the copy of the statement which you, Mr. Chairman, made at the time the hearings were convened the morning of May 25, 1965. However, it is my opinion, and I respectfully state to you and your distinguished colleagues, that these additional specifications do not cure the defects referred to in the complaint in *Stamler* versus *Willis* and as elaborated in the proceedings by me today and Mr. Sullivan, my partner, heretofore, or render the enabling act establishing this committee constitutionally definite as to purpose for which this committee is and has been holding these hearings.

In any event, neither those statements nor the resolution cast light upon either the need or the right of this honorable committee to interrogate Dr. Stamler and Mrs. Hall on any subject whatsoever.

The Chairman. Mr. Jenner, I think I bestowed upon you the longest opportunity of anyone to make a statement before this subcommittee since I have been a member of this committee. You are now really advancing arguments and you are really going beyond even a most liberal interpretation of our applicable rules. Respectfully, I ask that you state your conclusions and, if you want, I will even accord you the privilege of filing your statement in the record. I think I am stretching the rules so much that in the first place, I will repeat as I have done time and time again, this is not to be a precedent. So that it will not be a precedent, I would like to at least limit you at this time. We don't mind. I think you have made your point. If you have a motion or if you have a conclusion to make, I wish you would state it.

Mr. Jenner. Mr. Chairman, I will do everything in my power to comply fully with the indulgence which you have accorded me. I have a point which I will present to the committee.

I respectfully submit that we have been denied the right to confront and examine the witnesses, if any there be or who have testified concerning my clients before this committee.

The Chairman. Here again you are advancing arguments. I could take more time than you have thus far consumed in showing the reasons why I disagree with you, so that you are really making an argument—I don't want to make a speech, thus I'm depriving myself of answering you seriatim. Of course you might well say, you may do so after I conclude—but then I would be a party to enlarging upon the applicable rule. So I again ask you to just state your points.

Mr. Jenner. That is what I am attempting to do, sir.

The Chairman. It must be a very long point.

Mr. Jenner. I did not engage in any colloquy with the chairman. I would not expect the chairman to respond any more than I would expect an honorable judge to respond to me. These are grounds for recommendation that I will make to my client in the presence of this committee.

The Chairman. I will have to answer you step by step now and this will be the last time. This is not a court proceeding. Proceedings of a court are pursuant to the rulings of a court and you and I, as lawyers, would be out of business if we did not yakkity-yak-yak all over the lot. This is a congressional investigation, and we are operating under our rules. Again I urge you to state your point.

Mr. Jenner. I will seek to do so, sir. I am stating the grounds under the Constitution for the recommendation I am about to make to my client with respect to the further proceedings of this committee.

I am a litle bit at a loss as to the point at which I was.

The Chairman. How much longer do you have?

Are you presenting a motion or stating a point?

Mr. Jenner. Stating a point, Your Honor.

The Chairman. And then your position.

Mr. Jenner. Take a position.

Mr. Chairman, I think it will take me not to exceed 3 minutes.

Mr. Pool. If it just takes 3 minutes, I am willing to listen.

The Chairman. Proceed.

Mr. Jenner. None has appeared during these public hearings. This is a direct and insidious violation of the Federal Constitution. Despite careful consideration of the record, I have no idea why my clients are summoned here, what charge they are called upon to meet, what the legislative purpose or relevancy of their testimony is. This is a clear violation of the due process clause of the Bill of Rights.

Moreover, because of the limitations placed on counsel for witnesses by this honorable committee and in light of the mistreatment of my partner Sullivan yesterday, all at the direction of the chairman pro tem, our clients have been deprived of the effective right to counsel and of due process, each of which is guaranteed by the Bill of Rights.

As I have stated, I have filed a notice of appeal in the proceedings of *Stamler* versus *Willis*, the case now pending before the court of appeals of this circuit. Accordingly, it is inappropriate for my clients at this time to give any testimony to this committee, and indeed if they do so it would render, and will render, moot the very litigation in which they seek a determination of various grave questions of constitutional privileges and immunities raised in the complaint as to the legal basis for this distinguished committee, the constitutional propriety of these hearings, and of the subpenas served upon my clients. My clients have the right under the Constitution to have their legal position determined in court before giving their testimony to this committee.

For all of the foregoing reasons, including all those specified in the complaint marked "Stamler-Hall Exhibit No. 1" and all motions made during these proceedings by Mr. Sullivan and myself and all grounds stated by us, I move that this honorable committee quash the subpenas served upon Dr. Stamler and Mrs. Hall.

The Chairman. The motion is denied.

Wait a second.

To make it more formal, I have counseled with the members of the committee and the committee not only agrees to support but independently rules to overrule your motion to quash.

Mr. Jenner. Thank you, Mr. Chairman.

In light of this ruling and for the reasons previously stated, I have advised my clients to give no testimony or further to cooperate with this honorable committee until the outcome of the pending litigation. I have given them this advice in my professional capacity as their personal counsel.

After careful consideration and extended consultation with them and with my cocounsel, Mr. Sullivan and Mr. Arthur Kinoy of New York, we take this position without intending to reflect in any respect whatsoever upon this distinguished committee or any of its distinguished members or counsel and without any contempt for or lack of respect for you, Mr. Chairman, or your distinguished colleagues or counsel. If and when that case is finally determined and if that determination is adverse to my clients, they will return and proceed before this committee. However, until that time, I have advised my clients to give no testimony or information or further to cooperate with this honorable committee.

In my considered professional judgment, the manner and atmosphere in which these proceedings have been conducted demonstrate that no legislative purpose or function has been involved. In a facade of legislative factfinding, this distinguished committee has been embarked upon a program of exposure for exposure's sake, character prejudice, and degrading of United States citizens of good reputation such as my clients. Were they to cooperate in this self-destruction and destruction of their fellow citizens and this erosion of, and encroachment upon, the Bill of Rights, they would be false to all they and other thoughtful citizens hold——

The Chairman. Now you have made your point. That is enough. [Applause.]

You may file the statement, but you may not read any more of it.

Mr. Jenner. Mr. Chairman, I think there is one further matter that you would want in the hearing.

The Chairman. As a point you are making?

Mr. Jenner. A conclusion of this statement.

Dr. Stamler and Mrs. Hall do not invoke the privilege against self-incrimination. They have committed no crime and they are and have been loyal to our country. Rather, they rest their refusal to testify on all of the constitutional or other grounds I have previously stated. These are fundamental considerations vital to all citizens of this great Nation which they have submitted to the courts for disposition upon deliberation by fair and impartial judges.

The Chairman. Proceed with the questions.

Mr. Nittle. Would the witness state the date and place of her birth, please?

Mrs. Hall. Gentlemen, I adopt and confirm all that my counsel, Mr. Jenner, has stated. I tell you that I am now, and I have always been, a loyal American citizen. However, on advice of my counsel I respectfully decline to give any information or testimony or further to cooperate with this committee. If and when the litigation which I have instituted is terminated adverse to my position, I will return before this committee or an authorized subcommittee thereof in accordance with the subpena served on me. At present, however, and for the reasons and on the grounds stated by Mr. Jenner and those stated in my complaint filed by me on Monday in the United States District Court, I respectfully decline to answer any further questions that may be put to me or otherwise further to participate in these proceedings.

I have nothing to hide. I take this position as a matter of principle and conscience in order to test once and for all the validity of the kind of proceedings which have been held here during the past 3 days. [Applause.]

The Chairman. There will be no demonstration.

Wait a minute. I now order and direct you to answer that question.

Mrs. Hall. I repeat the statement I made to the committee.

Mr. Pool. All right.

The Chairman. Ask the next question.

Mr. Sullivan. Go.

The Chairman. Let it be noted that the witness has not——

Mr. Nittle. The witness has been warned that she may be in contempt in leaving the hearing room.

(At this point Mrs. Yolanda Hall left the hearing room.)

Mr. Nittle. Let the record note the presence of counsel, Mr. Jenner and Mr. Sullivan.

The Chairman. All points urged and motions made have been carefully considered by this subcommittee and overruled.

Let it be noted the witness has deliberately left the hearing room after being ordered to answer the first question. I consider this to be a violation of every conceivable rule of procedure. We do not accept the reasons given by the witness and her able counsel for her failure and refusal to answer the first question and indicating that she would not answer others and deliberately left the room. The witness cannot have her cake and eat it, too.

The subtle approach by the able counsel of the witness to the question of implication or nonimplication of the fifth amendment or, rather, statement that his clients would not invoke the fifth amendment is not really worthy of much consideration. It is just a subtle attempt to get these witnesses off and I say that respectfully. He has referred to a member of this committee, Mr. Pool, and to our able counsel in rather harsh terms. I say that his subtle way of making it appear that his clients do not intend to and are not invoking the fifth amendment, his position is rejected.

We do not accept the position of the witness and we consider her refusal to answer, and to walk out of the room, as a violation of the rules of the committee, and for that reason we expect to act on proceedings for contempt.

Call your next witness.

Mr. Jenner. Mr. Chairman——

Mr. Pool. Mr. Chairman.

The Chairman. Call the next witness.

Mr. Nittle. Would Lucius Armstrong please take the witness stand?

Mr. Jenner. I was going to comment on your remarks, Mr. Chairman. You deny the right——

Mr. Pool. Mr. Chairman, the gentleman is an attorney of law and he is disrespectful to this committee in addressing a remark to the Chair when we have already gone to the next witness.

Mr. Nittle. Will you take the witness stand, Mr. Armstrong?

Mr. Jenner. If there is anything I have ever done in all my 35 years of practice, I have never been disrespectful to a court or a body.

Mr. Pool. You are interrupting one of the witnesses of this committee.

Mr. Nittle. Marshal, remove this man.

The Chairman. Proceed.

Order in this room. We will be in order.

[Testimony of Lucius Armstrong—Resumed]

APPENDIX II

PART 1

The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on February 2, 1965:

"The Committee on Un-American Activities met in executive session on February 2, 1965, in Room 225 of the Cannon House Office Building, at 1:00 p.m. The following members were present: Edwin E. Willis, Chairman; William M. Tuck, Joe R. Pool (entered at 1:11 p.m.), Richard H. Ichord, George F. Senner, Jr., Charles L. Weltner, John M. Ashbrook, Del Clawson, John H. Buchanan, Jr.

"The staff members present were: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Julliette P. Joray, recording clerk.

"The Chairman called the meeting to order at 1:04 p.m., and welcomed the new members of the Committee.

"The Chairman stated, for the benefit of the new members, that this was the Committee's organizational meeting, at which certain basic resolutions were normally adopted in each Congress. As each resolution was read by the Director, the Chairman explained the reasons for its adoption.

"On motion of Mr. Ichord, seconded by Mr. Ashbrook, the following resolution was unanimously adopted:

"'Be it resolved, that the Rules of Procedure revised by the Committee on Un-American Activities during the First Session of the 87th Congress and printed under the title of "Rules of Procedure—Committee on Un-American Activities," together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, be, and they are hereby, adopted as the Rules of the Committee on Un-American Activities of the House of Representatives of the 89th Congress.'

* * * * *

"On motion of Mr. Ichord, seconded by Mr. Ashbrook, the following resolution was unanimously adopted:

"'Be it resolved, that the Chairman be authorized and empowered from time to time to appoint subcommittees composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the Committee as a whole is authorized to perform.'

"On motion of Mr. Pool, seconded by Mr. Tuck, the following resolution was unanimously adopted:

"'Be it resolved, that authority is hereby delegated to each subcommittee of the Committee on Un-American Activities which hereafter may be appointed to determine by a majority vote thereof whether the hearings conducted by it shall be open to the public or shall be in executive session, and all testimony taken and all documents introduced in evidence in such an executive session shall be received and given as full consideration for all purposes as though introduced in open session.'

* * * * *

"The meeting was adjourned at 3:22 p.m."

PART 2

The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on March 18, 1965:

"The Committee on Un-American Activities met in executive session on March 18, 1965, at 3:00 o'clock p.m. The following members were present: Edwin E. Willis, Chairman; Joe R. Pool, Richard H. Ichord, Charles L. Weltner, Del Clawson, John H. Buchanan.

"The staff members present were: Francis J. McNamara, director; William Hitz, general counsel; Alfred Nittle, counsel; Donald T. Appell, chief investigator; and Juliette P. Joray, recording clerk.

"The Chairman called the meeting to order at 3:25 p.m.

* * * * *

"The director reported that the hearing stage had been reached on the current Chicago area investigation. * * *

"The following resolution was read to the members and was unanimously adopted:

"'Be it resolved, That hearings be held by the Committee on Un-American Activities or a subcommittee thereof, at such times and places as the Chairman may determine, and that the staff be authorized to conduct investigations deemed reasonably necessary in preparation therefor, relating to:

"'1. As concerns the Chicago, Illinois area and the Illinois District of the Communist Party of the United States: the structure and organization of the Communist Party of the United States; its major objectives, and the strategical and tactical methods designed to aid in accomplishing such objectives; the major areas of Communist Party concentration; organizations created and controlled by the Communist Party to advance the policies and objectives of the Communist movement; Communist propaganda activities conducted in support of such objectives; and conspiratorial activities in aid of, or in association with, foreign Communist governments; and also like information regarding other Communist organizations in the Chicago, Illinois area, for the following legislative purposes:

"'(a) to provide factual information to aid the Congress in the proposal of any necessary remedial legislation in fulfillment of the directions contained in the mandate to the Committee by House Resolution 8, of January 4, 1965, and Public Law 601 of the 79th Congress;

"'(b) to assist the Congress in appraising the execution by the administrative agencies concerned of Title I of the Internal Security Act of 1950;

"'(c) to provide factual information to aid the House in the disposition of presently pending and proposed legislation, including, but not limited to, H.R. 4293, a bill to amend the Subversive Activities Control Act of 1950 so as to authorize the Federal Government to bar from access to defense facilities individuals who may engage in sabotage, espionage, or other subversive acts;

"'(d) consideration of the advisability of amending the Internal Security Act so as to impose certain disabilities, in the manner and form therein provided, upon those persons "affiliated with" Communist organizations as well as upon persons who are members thereof.

"'Be it further resolved, That the hearings may include any other matter within the jurisdiction of the Committee which it, or any subcommittee thereof, appointed to conduct these hearings, may designate.'

* * * * *

"The meeting was adjourned at 5:45 o'clock p.m."

PART 3

The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on May 6, 1965:

"The Committee on Un-American Activities met in executive session on May 6, 1965, at 10:00 a.m. in Room 225, Cannon House Office Building. The following members were present: Edwin E. Willis, Chairman; Joe R. Pool, Richard Ichord, Charles Weltner, John Ashbrook, Del Clawson, John H. Buchanan (entered at 10:30 a.m.)

"The staff members present were: Francis J. McNamara, director; William Hitz, general counsel; Alfred Nittle, counsel; and Juliette P. Joray, recording clerk.

"The chairman called the meeting to order at 10:10 a.m.

"It was agreed to hold the Chicago hearings beginning May 25. The chairman designated Messrs. Pool, Weltner, Ashbrook and Clawson as associate members and himself as chairman, as the subcommittee to sit at the Chicago hearings.

* * * * *

"A discussion concerning the language of the letter to be sent to all persons that may be identified by witnesses as Communist Party members at the forthcoming Chicago hearings, or about whom defamatory or incriminating testimony might be given or evoked in the testimony of witnesses, in compliance with Rule XI 26(m), resulted in a motion by Mr. Weltner, seconded by Mr. Ashbrook, that the letter be revised as suggested by Mr. Ashbrook. The motion carried. It was agreed that the limitation date be set as May 18.

"The director was sworn as a witness and stated that the information he was about to give to the Committee came from a source believed by him to be accurate and reliable and so found to have been in the past.

"The director testified that, as he had reported earlier, Dr. Jeremiah Stamler is Director of the Heart Section of the Chicago Public Health Department. Within the past year his section has received grants of nearly $300,000 from federal funds of the U.S. Department of Health, Education and Welfare, originating in the Heart Department of the National Institutes of Health. His salary is $19,350 pear year and he has approximately 29 employees under his supervision. Included among them are Yolanda Hall, who, in testifying as a defense witness for the top CP leaders tried before Judge Medina on Smith Act charges in 1949, stated that she was a Communist Party member, that she had joined the Party in 1939 and the Young Communist League in 1937.

"The director further testified that in addition to Yolanda Hall Dr. Stamler had on his staff a number of other persons * * *.

* * * * *

"The director stated that the staff had information that Dr. Stamler was a member of the Communist Party in 1958 and is known to have attended a Communist Party meeting as recently as 1961; also that, to date, he continues high-level Communist Party contacts and associations, and is a big contributor to Party fund drives.

"At a rally of the American Peace Crusade in 1954 Dr. Stamler, who was the youth director of the organization, attacked the Administration as war mongers and Wall Street stooges, and accused then Secretary of State Dulles of leading the U.S. into war with Indo-China. He made a collection speech and mocked Chicago's Civil Defense Program.

"In 1962, he was host to three visiting Russians, alleged to be heart specialists, who came to this country under the terms of the cultural exchange program, and who had specifically asked that they be permitted to visit Stamler while in the United States.

"A Newsletter published by the American Security Council in December of 1957 stated 'One of the most active Communists in the professional ranks is Dr. Jeremiah Stamler,' and listed his record of Communist affiliations. (As to the first item, upon reading it, the director stated that there was probably error in it as to place where Stamler joined the Communist Party, because the Committee's investigation revealed he was in New York City, not Chicago, in 1946.)

"The director also stated that, as he had indicated at an earlier meeting, Dr. Stamler's Communist record dates back to the '40s. He was active in the Young Communist League in New York City at that time, and was subsequently assigned to head up the State Student Section of YCL. In 1947 he was a member of the National Executive Committee of AIMS (Association of Internes and Medical Students), a Communist front for medical students and internes. In 1950, in Chicago, he was active in the assignment of certain persons to the underground apparatus of the Communist Party.

* * * * *

"According to a very reliable source, both Dr. Stamler and * * * were Communist Party members in 1958.

"The director testified that Yolanda Hall, also known as Bobbie Hall and Yolanda Prakas, has publicly and under oath stated that she was a Communist. She testified as a defense witness for the top Communist Party leaders tried on Smith Act charges in 1949 before Judge Medina. She stated at that time that she was a Communist Party member, that she had joined the Party in 1939, and the Young Communist League in 1937. She was denied a teaching job in Chicago public schools in 1949 because of her openly proclaimed party membership.

"According to the Daily Worker of September 18, 1949, she was executive director of the Chicago Workers School, the Party's school in Chicago which has been cited by the Attorney General.

"She was one of a group of American delegates to Stalin's 2nd World 'Peace' Congress held in Warsaw in November, 1950, and visited the Soviet Union after the Congress.

"He also said that the Committee has information that she took part in picket line demonstration and leaflet distribution, sponsored by the Emma Lazarus Federation of Jewish Women's Clubs, successor of the International Workers Order's Emma Lazarus Division of the Jewish People's Fraternal Order, which is on the Attorney General's list, in March of 1960, and that she is known to have attended the 75th May Day celebration in April of 1961; the 40th celebration of the Anniversary of the Communist Party of the United States in 1959; and the Daily Worker Anniversary celebration in January of 1956.

"The director testified also that Mrs. Laura Rae Blough and her husband are alleged to have been recruited in the Communist Party by Dr. Stamler.

* * * * *

"A motion was made by Mr. Pool, seconed by Mr. Ashbrook, and unanimously carried, that subpoenas be authorized to be issued to * * *, Yolanda Hall, * * *, to require their attendance at the Chicago hearings, that the Committee deems such attendance necessary in furtherance of its legislative purposes.

* * * * *

"The meeting adjourned at 11:25 a.m."

PART 4

The following is an extract from the minutes of a meeting of a subcommittee of the Committee on Un-American Activities held on January 13, 1966:

"A quorum of the subcommittee of the Committee on Un-American Activities designated by the Chairman on May 6, 1965, to conduct hearings in Chicago, Illinois, commencing on May 25, 1965, relating to Communist Party activities in the Chicago area and Illinois District of the Communist Party, met in executive session on January 13, 1966, in Room 429, Cannon House Office Building at 9:00 a.m. The following members of the subcommittee were present: Edwin E. Willis, Chairman; Del Clawson, Charles L. Weltner.

"The staff members present were: Francis McNamara, director; William Hitz, general counsel; Alfred Nittle, counsel; and Juliette P. Joray, recording clerk.

"The chairman called the meeting to order at 9:10 a.m. and announced that this meeting was called, after notice to all subcommittee members, for the purpose of considering what action the subcommittee should take regarding the refusals of * * *, Yolanda Hall and * * * on May 27, 1965, to answer questions pertinent to the subjects under inquiry before the subcommittee and their departure without leave, at the hearings conducted by the said subcommittee in Chicago, and what recommendations the subcommittee would make to the full committee regarding their citation for contempt of the House of Representatives.

* * * * *

"After discussion of the testimony, and due consideration of the matter, a motion was made by Mr. Clawson, seconded by Mr. Weltner, and unanimously carried, that a report of the facts relating to the refusals of Yolanda Hall to answer questions pertinent to the subject under inquiry before said subcommittee and her departure without leave at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the aforesaid failures of said witness be reported to the House of Representatives, in order that the said Yolanda Hall be cited for contempt of the House of Representatives, to the end that she may be proceeded against in the manner and form provided by law.

* * * * *

"The meeting adjourned at 9:30 a.m.

PART 5

The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on January 13, 1966:

"The Committee on Un-American Activities met in executive session on January 13, 1966, at 9:45 a.m., in Room 429, Cannon House Office Building. The following members were present: Edwin E. Willis, Chairman; Richard H. Ichord, George F. Senner, Charles L. Weltner, Del Clawson.

"Also present were the following staff members: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; and Juliette P. Joray, recording clerk.

"Chairman Willis called the meeting to order at 9:45 a.m., and announced that this special meeting of the Committee was called, after notice to all committee members, for two purposes, the first to consider a recommendation of the subcommittee headed by the Chairman, Mr. Willis, appointed to conduct hearings in Chicago, Illinois, which commenced on May 25, 1965, that * * *, Yolanda Hall, and * * * be cited for contempt because of their refusals to testify, and their departure without leave in hearings conducted by the subcommittee in Chicago in May 1965; and the second * * *.

"As to the first matter, the Chairman reported to the committee that hearings were conducted by the subcommittee in Chicago, Illinois on May 25, 26, and 27, 1965, as contemplated under the Resolution adopted by the committee on March 18, 1965; that the subcommittee met on May 25, 1965 in the Old United States Court of Appeals Building, 1212 N. Lake Shore Drive, Chicago, Illinois, to receive the testimony of several witnesses, including * * *, Yolanda Hall and * * *, who had been duly subpoenaed to appear as witnesses before said subcommittee; that the hearings were commenced on that date; * * *; that the witness Yolanda Hall was called to testify and appeared before the subcommittee on May 27, 1965, there being a quorum of the subcommittee in attendance; that the witness Yolanda Hall having appeared before the subcommittee, was sworn as a witness and was asked to state her full name and residence for the record and whether she was represented by counsel, to which she responded; that she was then asked to state the date and place of her birth, which she refused to do; that she stated that she would not answer any further questions that might be put to her; and that she then departed without leave; * * *; that a quorum of the subcommittee met in executive session on January 13, 1966, at which time motions were made and unanimously adopted with respect to each of said persons, to wit, * * *, Yolanda Hall, and * * *, that a report of the facts relating to the refusals of each of them to testify before said subcommittee at said hearings, and the departure of each without leave, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the aforesaid failures of each of said witnesses be reported to the House of Representatives, in order that each of said witnesses may be cited for contempt of the House of Representatives and to the end that each may be proceeded against in the manner and form provided by law.

* * * * *

> "A motion was made by Mr. CLAWSON, seconded by Mr. SENNER, that the subcommittee's report of the facts relating to the refusals of Yolanda Hall to answer questions pertinent to the question under inquiry and her departure without leave at the hearings conducted before it in Chicago, Illinois, commencing on the 25th day of May 1965, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report the said failures of Yolanda Hall to the House of Representatives to the end that the said Yolanda Hall may be proceeded against in the manner and form provided by law; and that the chairman of this committee is hereby authorized and directed to prepare and file such report constituting the failures of the said Yolanda Hall. The motion was put to a vote and carried unanimously.
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> * * * *
>
> "The meeting was adjourned at 10:50 a.m."

Mr. WILLIS (interrupting the reading). Mr. Speaker, the issue in relation to this particular citation is identical with the one previously acted upon, and will shortly be explained very briefly. I therefore ask that further reading of the report be dispensed with, and that it be printed in the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana? The Chair hears none, and it is so ordered.

Mr. YATES. Mr. Speaker, I make a point of order against the resolution on the grounds that it is violative of rule XI, paragraph 26(m) of the rules of the House, requiring that testimony which may tend to defame, degrade, or incriminate the witness be taken in executive session. I do not intend to go into the same delineation of my reasons that I gave in connection with the preceding resolution. But I suggest, with due respect, that the Chair should consider the fact that in this case, even though the Supreme Court of the United States decision is not controlling, it is nevertheless persuasive, and I should like to read to the Chair from the decision in the case of *Yellin* v. *the United States*, 374 U.S. 1091, page 114, where the Court recited the rule which was then under consideration as follows:

> Executive hearings: If a majority of the committee or subcommittee duly appointed as provided by the Rules of the House of Representatives believes that the interrogation of a witness in a public hearing might endanger national security or unjustly injure his reputation or the reputation of other individuals, the committee shall interrogate such witness in an executive session for the purpose of determining the necessity or the advisability of conducting such interrogation thereafter in a public hearing.

Mr. Speaker, I now read from the decision of the Court on this particular rule, where the Court, discussing the rules that make up the Code of Fair Procedure that were approved in the year 1955, said as follows:

> All these rules work for the witness' benefit. They show that the committee has in a number of instances intended to assure the witness fair treatment, even the right to advice of counsel or undue publicity, and even the right not to be photographed by television cameras.
>
> Rule IX, in providing for an executive session when a public hearing might unjustly injure a witness' reputation, has the same protection import. And if it is the witness who is being protected, the most logical person to have the right to enforce those protections is the witness himself.

I respectfully suggest, Mr. Speaker, that the respondent, who was called as a witness, requested in the instant case that she be afforded the opportunity to testify in an executive session, a request that was denied by the committee. The respondent subsequently walked out on the committee without testifying.

I read from the court, to show that the respondent had no alternative under such circumstances. On page 121 the court says this:

> Petitioner has no traditional remedy, such as the writ of habeas corpus . . . by which to redress the loss of his rights. If the Committee ignores his request for an executive session, it is highly improbable that petitioner could obtain an injunction against the Committee that would protect him from public exposure. . . . Nor is there an administrative remedy for petitioner to pursue, should the Committee fail to consider the risk of injury to his reputation. To answer the questions put to him publicly and then seek redress is no answer. For one thing, his testimony will cause the injury he seeks to avoid; under pain of perjury, he cannot by artful dissimulation evade revealing the information he wishes to remain confidential. For another, he has no opportunity to recover in damages. Even the Fifth Amendment is not sufficient protection, since petitioner could say many things which would discredit him without subjecting himself to the risk of criminal prosecution. The only avenue open is that which petitioner actually took. He refused to testify.

This is the decision of the Court. I respectfully suggest to the Speaker that it would sustain the dignity and integrity of the House if the interpretation of the rule for which I contend were sustained.

The SPEAKER. Does the gentleman from Louisiana desire to be heard?

Mr. WILLIS. Just for a minute, Mr. Speaker. I urge the same objection to this point of order as was stated in the previous case. The gentleman from Missouri, I believe, wishes to make a further elaboration.

The SPEAKER. Does the gentleman from Missouri desire to be heard?

Mr. ICHORD. I do, Mr. Speaker.

To assist the Chair in ruling on the point of order of the gentleman from Illinois I would point out to the Chair that the facts are essentially the same as in the Cohen case, and that the gentleman from Illinois has raised a point of order again under rule XI 26(m) that the witness, Yolanda Hall, should have been afforded an executive session.

Mr. Speaker, in this case the question of executive session is not at issue. The gentleman from Illinois is one of the outstanding lawyers of the House, but in this case, Mr. Speaker, he obviously failed to read his lesson. He obviously has been involved in voting on too many measures coming before the House this last week of the session.

I direct the Speaker's attention to page 14 of the committee report, which sets out the hearings in full.

I direct the Speaker's attention to line 16, which will make it clear to the Speaker that the witness, Yolanda Hall, did not request an executive session from the House Committee on Un-American Activities.

Page 16:

> Mr. JENNER. Mr. Chairman, would you permit me a slight amendment? Mr. Sullivan calls my attention to the fact that in presenting the motion I perhaps overstated as to the reach of my request to examine witnesses and evidence taken in executive session. I intended and I wish to amend with your permission—

Talking to the chairman of the committee, Mr. WILLIS—

> that the request was to examine witnesses and evidence, documentary and otherwise, taken in executive session relating to Mrs. Hall and Dr. Stamler.

Now—

> The CHAIRMAN. But not to hear Mrs. Hall in executive session?
>
> Mr. JENNER. Oh, no. No.

Mr. Speaker, the issue of executive session is not involved in this case.

The SPEAKER. Recognition at this point rests with the Chair. Does the gentleman from Illinois [Mr. YATES] seek further recognition on his point of order?

Mr. YATES. Yes, Mr. Speaker.

The SPEAKER. The gentleman is recognized.

Mr. YATES. Mr. Speaker, I have done my homework. I have read the reports and noted what the distinguished gentleman from Missouri stated as it appears in the report. I have also read the hearings of the committee, and I need only refer the Chair to page 337 of the hearings where there appears a statement by Mr. Sullivan as follows:

> I ask this committee to take in executive session any testimony by my clients, that is, Dr. Stamler and Mrs. Hall, and any testimony by any other witnesses about Dr. Stamler and Mrs. Hall. That is my request.

So that the request was made, Mr. Speaker, for testimony to be taken in executive session. The point is made and the point cannot be overlooked. For the reasons suggested, Mr. Speaker, I urge that the Chair sustain my point of order.

The SPEAKER. The Chair is prepared to rule.

The gentleman from Illinois [Mr. YATES] has raised a point of order against the privileged report filed by the gentleman from Louisiana, citing a witness before a subcommitee of the Committee on Un-American Activities for contempt. The point of order is based on the ground that the subcommittee, while holding hearings in Chicago, failed or refused to follow the rules of the House—specifically, rule XI, clause 26 (m)—and, at the demand of the witnesses' attorney, take the testimony in executive session rather than in an open hearing.

The Chair will again read clause 26 (m), rule XI, as follows:

> "(m) If the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person, it shall—
>
> (1) Receive such evidence or testimony in executive session;
>
> (2) Afford such person an opportunity voluntarily to appear as a witness; and

> (3) Receive and dispose of requests from such person to subpena additional witnesses.

The Chair again agrees with the gentleman from Illinois that the three subclauses are not in the alternative. Each subclause stands by itself. The Chair will point out, however, that the subsection places the determination with the committee, not with the witness.

The Chair will also point out parenthetically, that subsection (k) of rule XI, provides:

> Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

This privilege, unlike advocacy in a court, does not as a matter of right entitle the attorney to present argument, make motions, or make demands on the committee.

Now the Chair will cite clause 26(a) of rule XI, which states that the rules of the House are the rules of its committees so far as applicable. This provision also applies to the subcommittees of any such committee. Consequently, the Chair must examine the facts to see if the subcommittee did in fact comply with clause 26(m) of rule XI.

The Chair will call attention to the fact that it is pointed out on page 8 of the report that the witness in this instance was invited to appear and testify in executive session. The invitation was ignored.

It will be noted, on pages 11 through 14 of the committee report, that the attorney for witness Hall made demand for an executive session. You will note, on page 11 of the report, that when the demand for an executive session was made, the subcommittee took a recess. It is obvious from the subcommittee chairman's statement following that recess, that the subcommittee had considered and determined not to take the testimony in executive session. The chairman so states, on page 12 of the Hall citation:

> Your motion, now made, that Mrs. Hall be now heard in executive session I deny after consideration of the subcommittee. We have complied with rule 26(m) and all other applicable rules of the House and of this committee.

It is patently clear to the Chair that the subcommittee did comply with clause 26(m), and made the determination necessary thereunder. Accordingly, the Chair overrules the point of order.

Mr. YATES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. YATES. Mr. Speaker, is it in order for me to request the Chair for an explanation of a part of the Chair's ruling; namely, that part which is directed to the representation before a committee of a witness by a lawyer?

In his ruling the Chair has indicated that counsel does not, as a matter of right, have the right to present argument, make motion, or make demands on the committee.

Does this mean, Mr. Speaker, that if an objection is to be voiced to an action by the committee, that the objection must be made by the witness or the respondent himself, rather than by the counsel of the witness?

The SPEAKER. It is incumbent upon the witness to protect himself, after consulting counsel, if he desires to consult counsel. But it is the duty of the witness to do so.

Mr. YATES. Mr. Speaker, do I take it that it is not in order under the procedures of the House for counsel to interpose an objection to procedures of the committee?

The SPEAKER. The Chair is not going to make a ruling in respect to the question propounded by the gentleman from Illinois, but the Chair will state that that is a matter which the Chair would agree lies within the discretion of the committee.

Mr. YATES. I thank the Chair.

Another parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his further parliamentary inquiry.

Mr. YATES. I have thus far interposed points of order to each of the citations.

Is there a parliamentary procedure under which I may ask unanimous consent to have my point of order on rule XXVI (m) interposed to further citations, rather than to rise in each instance and make that point of order?

Mr. WILLIS. Mr. Speaker, I may say to the gentleman from Illinois that the committee would have no objection.

The SPEAKER. The Chair feels that the orderly procedure would be to take each citation up in order.

Mr. YATES. I thank the distinguished Speaker.

YOLANDA HALL

Mr. WILLIS. Mr. Speaker, I offer a privileged resolution and ask for its immediate consideration.

The Clerk read as follows:

H. Res. 1061

Resolved, That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusals of Yolanda Hall to answer questions pertinent to the subject under inquiry before a duly authorized subcommittee of the said Committee on Un-American Activities, and her departure without leave, together with all the facts in connection therewith, under the seal of the House of Representatives, to the United States attorney for the northern district of Illinois, to the end that the said Yolanda Hall may be proceeded against in the manner and form provided by law.

Mr. CONTE. Mr. Speaker, will the gentleman from Louisiana yield to me?

Mr. WILLIS. Yes, Mr. Speaker, I yield to the gentleman from Massachusetts for a short inquiry.

Mr. CONTE. Mr. Speaker, I just want to make a short statement.

Mr. WILLIS. All right.

Mr. CONTE. Mr. Speaker, having felt the pulse of the House of Representatives on that last motion to recommit that I offered, I now feel it is futile to follow the same course with respect to the next two resolutions.

Mr. Speaker, I would offer the same motion to the resolutions in each instance if I believed there would be a change in the vote thereon. However, I feel the action would be exactly the same on this resolution and on the next resolution as was taken on the first resolution.

Therefore, in order to expedite time here, the hour is getting late, I will forgo offering the motion to recommit.

Mr. WILLIS. Mr. Speaker, I thank the gentleman for his cooperation.

Mr. Speaker, I yield 10 minutes to the gentleman from Missouri [Mr. ICHORD], to present the committee's case against Yolanda Hall.

Mr. ICHORD. Mr. Speaker, and Members of the House, I share the sentiments of the gentleman from Massachusetts. I too will be brief in the submission of this citation to the House of Representatives.

The facts are basically the same as the preceding Cohen citation, so adequately developed by the gentleman from Georgia [Mr. WELTNER].

That is, a valid subpena was issued by the House Committee on Un-American Activities. The subpena was duly served on the witness, Yolanda Hall. She appeared before the House Committee on Un-American Activities in the city of Chicago. She was asked her name, and she replied to the committee and gave the committee her name. She was asked as to the date and place of her birth, and she refused to answer the question put by the counsel of the committee. And, despite the warnings of the Chair that she might be in contempt of the House of Representatives, she proceeded to walk out of the hearing room there in the city of Chicago.

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I will be glad to yield to the gentleman from New Jersey for as long as the gentleman from Louisiana will allow me time, and answer any questions that the gentleman from New Jersey has, at the conclusion of my statement.

As in the Cohen case, a rule 26(m) letter was sent—and I might point out, Mr. Speaker, that this is the practice of the House Committee on Un-American Activities. That is, when any person has been identified before the committee in executive session as a Communist, as a subversive, or when testimony is anticipated that might tend to defame or degrade that witness, the committee sends the witness a rule 26(m) letter.

What we do in that letter, Mr. Speaker, is to tell the witness that such derogatory information has been received by the committee.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I refuse to yield until I have completed my statement.

We tell the witness that there will probably be, or there may be testimony that will degrade this particular witness, and they are given the opportunity to come into executive session outside the glare of publicity and deny, refute, or explain away any of the charges that have been made against the witness.

And, Mr. Speaker, since I have been a member of the House Committee on Un-American Activities, that letter has always been sent. And not a single time, I say to the Members of the House, has any witness availed himself of that opportunity.

On May 6, in the case of Dr. Stamler and in the case of Yolanda Hall, this letter was sent. She was given until May 18 to have this executive session.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I decline to do so.

I will state further to the gentleman from Illinois that if he will read the hearing there was a long colloquy between the gentleman from Louisiana [Mr. WILLIS] and the distinguished attorney of Yolanda Hall, Mr. Jenner.

Mr. Jenner made it clear on page 14 that he was not even asking for an executive session on the part of this witness, because he knew that the witness did not want to take the fifth amendment in executive session.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I yield to the gentleman.

Mr. WILLIS. I am so pleased that the gentleman has made that point, because it has never been made before.

In other words, Mr. Speaker, we had an executive hearing in Washington before we went to Chicago.

Now, the gentleman from Illinois reproaches us for not having an executive session in Chicago.

I asked all these witnesses, the three of them through their lawyers, now, wait, what do you want—I sent you a letter and told you that you could refute the evidence we received in Washington. Is that the kind of hearing you want, giving you the right to do that—I am perfectly willing to do that.

Oh, no, they said, we do not want that—we—I—the witness—contrary to the rules of the House, said—I want to be boss of the shape of the hearings. The rules of the House say it is up to the committee to conduct an open or executive hearing and the presumption is it must be open. But now these witnesses want to arrogate unto themselves the prerogative of the committee and say I, Mrs. Hall—I, Dr. Stamler—I, Mr. Cohen—never mind what you want, we want an executive hearing.

The rules of the House, House Rule 26(g) states that all committee hearings shall be open except where the committee by a majority vote votes that it will be executive.

The full committee affirmatively voted that the hearings in Chicago were to be open.

So I am glad the gentleman makes the point that what these witnesses in Chicago wanted was not a delayed 26(m) hearing at which they could have an opportunity to refute the evidence that we had against them as reviewed in the letter—not at all—they wanted to convert open hearings into executive hearings.

Mr. ICHORD. Mr. Speaker, the gentleman from Louisiana [Mr. WILLIS] is eminently accurate.

We could not satisfy these witnesses. If we had given them an executive session, then they would have said we were conducting star chamber proceedings.

If we had given them a public session then the witnesses would have contended we were holding them up to public contempt.

So in that regard, you are between the devil and the deep blue sea.

The gentleman from Illinois is a very outstanding lawyer and he has done a pretty good job, Mr. Speaker, of muddying the waters on these contempt citations. He has made a good effort to make it appear that these witnesses may have been mistreated by the House Committee on Un-American Activities.

I say to the Members of the House and I think even those who may be opposed philosophically to the House Committee on Un-American Activities realize there is no more outstanding lawyer in this House than the chairman of the House Committee on Un-American Activities, the gentleman from Louisiana [Mr. WILLIS]. He is not only chairman of the House Committee on Un-American Activities, he is chairman of four subcommittees of the House Committee on the Judiciary. He heads up more committees than any Member of this House of Representatives. He is recognized as a very fair man and a very congenial man. He is one of the great constitutional lawyers in this body. I would say to the gentleman from Illinois—and I include myself in this with the gentleman from Illinois—that the gentleman from Louisiana has forgotten more law than you and I ever knew.

But I want to make this statement because he is very zealous to protect the constitutional rights of any witness. I repeat, he is very zealous to protect the constitutional rights of any witness that appears before the committee.

I ask the Members of the House so that you will fully appreciate the ability of ED WILLIS as a lawyer that you read the exchange between the gentleman from Louisiana [Mr. WILLIS] and the lawyer who is representing Mrs. Hall, Mr. Jenner.

I ask that you read the hearings and the colloquy between Mr. Jenner and the gentleman from Louisiana [Mr. WILLIS] and you will appreciate what a fair man, what a great lawyer he is and how zealous he is to protect the constitutional rights of the witnesses. I am sure some of the Members in this body do not fully realize what happens in the House Committee on Un-American Activities hearings.

I believe I should read into the RECORD, in order to refute the statements that have been made that these witnesses are reputable people, an excerpt from the report. The sympathy of the House has been appealed to here, saying that Yolanda Hall is a very reputable person. The U.S. courts—the district courts, the circuit courts, and the U.S. Supreme Court—have held time and time again that it is libelous per se to write that a person is a Communist. So I do not think you can say that a person who is a Communist has a good reputation.

This witness is a professed Communist. I read into the RECORD the testimony of the director of the committee before the House Committee on Un-American Activities in executive session, which is a summary of all of the information that the committee has on Yolanda Hall. I am not asking you to use this as a means of punishing Yolanda Hall, because punishment is not for the House Committee on Un-American Activities. Punishment is for the courts. But I am offering this evidence to show to you that this woman does not have good repute, as I have heard circulated around the House of Representatives:

> The director testified that Yolanda Hall, also known as Bobbie Hall and Yolanda Frakas, has publicly and under oath stated that she was a Communist. She testified as a defense witness for the top Communist Party leaders tried on Smith Act charges in 1949 before Judge Medina. She stated at that time that she was a Communist Party member, that she had joined the Party in 1939, and the Young Communist League in 1937. She was denied a teaching job in Chicago public schools in 1949 because of her openly proclaimed party membership.
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> According to the Daily Worker of September 18, 1949, she was executive director of the Chicago Workers School, the Party's school in Chicago which has been cited by the Attorney General.
>
> She was one of a group of American delegates to Stalin's 2nd World "Peace" Congress held in Warsaw in November, 1950, and visited the Soviet Union after the Congress.
>
> He also said that the Committee has information that she took part in picket line demonstration and leaflet distribution, sponsored by the Emma Lazarus Federation of Jewish Women's Clubs, successor of the International Workers Order's Emma Lazarus Division of the Jewish People's Fraternal Order, which is on the Attorney General's list, in March of 1960, and that she is known to have attended the 75th May Day celebration in April of 1961; the 40th celebration of the Anniversary of the Communist Party of the United States in 1959; and the Daily Worker Anniversary celebration in January of 1956.

So certainly this woman is a professed member of the Communist Party.

Mr. Speaker, the House must vote this citation, and I will tell you why. If the House does not vote this citation, you may as well throw the subpena power of the House of Representatives out the window, because in this case the witness went before the district court and asked for an injunction against the House Committee on Un-American Activities hearing her. The district court refused that injunction, ruled against the witness, and then the witness appealed the decision to the U.S. court of appeals.

The House of Representatives, Mr. Speaker, is not a continuing body. If we do not vote this citation, we are doing away with the subpena power, because this is the way every witness who might appear before any committee could do; that is, hold it in court for 2 years until Congress adjourned.

The SPEAKER. The time of the gentleman from Missouri has expired.

Mr. WILLIS. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. ICHORD. In closing, Mr. Speaker, the House should clearly understand what it does in these contempt citations. We are doing little more than swearing out a warrant for this witness, Yolanda Hall, because the district attorney in the District of Columbia must then take this citation before a grand jury and the grand jury must return an indictment. After the indictment is returned by the grand jury, this witness will have a trial. She can have a trial by jury in the courts.

All we are doing here is doing the same thing as swearing out a warrant.

The case of Yolanda Hall is basically the same as that of Milton Cohen. She was a subpenaed witness in the same hearings as Mr. Cohen—the committee hearings held in Chicago in May 1965. The committee chairman has already explained in detail the great care the committee and the subcommittee took in advance of those hearings to guarantee their thoroughness, their fairness, their legality, and their constitutionality from every possible viewpoint. Every step described by the chairman as applying to the case of Milton Cohen, including the rule 26(m) notification letter, applies equally to the case of Yolanda Hall.

Now what are the facts about Yolanda Hall and her conduct before the committee?

As I have indicated, they are basically the same as those regarding Cohen. What difference there is between them lies primarily in the fact that she had been a more completely open Communist than Milton Cohen had been. I make this distinction not as an argument for punishment. Punishment is for the courts but the fact that Mrs. Hall is a Communist negates the appeal for sympathy by alleged citizens of good repute.

In 1949, the dozen top leaders of the Communist Party were tried in New York City before Judge Medina for violating the Smith Act. Specifically, they were accused of conspiring to teach and advocate the violent overthrow of the U.S. Government. The outcome of that trial made it clear that the Government had an abundance of evidence that they had so conspired.

But when the party leaders were indicted in 1948, they were not ready to admit this. A nationwide campaign was undertaken to try to prevent their conviction. It involved the establishment of fronts to protest the trial, the collection of large sums of money to pay counsel for the party, concerted efforts to harass Judge Medina beyond endurance so that he might take some action that would result in a mistrial, a nationwide propaganda campaign, and the careful planning of the best possible defense the party could put up in court.

One of the defense angles was the production of witnesses—professed Communists who would testify, under oath, that the Communists neither believed in nor taught, nor advocated the use of force and violence.

Obviously, these witnesses had to be carefully chosen. The overwhelming majority of Communists have always kept their party membership secret. Defense witnesses would have to be so dedicated to the party they would not hesitate to come out in the open and let everyone know they were members. In addition, they would have to be, if possible, educated, sophisticated, smooth, thoroughly conversant with the fine points of Communist philosophy.

On July 28, 1949, one of the carefully chosen defense witnesses took the witness stand. It was Yolanda Hall. She testified that she was then a member of the Communist Party, and that she had been one for 10 years—since she joined the party early in 1939 while a student at Chicago Teachers College from which she had received her bachelor's degree in 1942. She stated, under oath, that she had joined the Young Communist League 2 years before that, in 1937, while in high school.

Documents introduced in the record of the committee's hearings in Chicago revealed that in 1939, the same year she joined the Communist Party, she was already so thoroughly schooled in Marxism-Leninism that she served as an instructor in the same Communist Party school Milton Cohen had taught in—the Chicago Workers School, which later changed its name to the Abraham Lincoln School.

Despite the testimony of Yolanda Hall and the other defense witnesses produced by the Communist Party—all of whom tried to make the conspiracy of which they were members sound as innocent as a sewing circle—the jury found the defendants guilty. It found they had conspired to teach and advocate the violent overthrow of the Government of the United States.

Yolanda Hall's testifying as a defense witness for the Communist Party leaders was a special test of her dedication to communism because she paid a special price for it. As I have indicated, she had received a degree from the Chicago Teachers College. She was qualified to teach. In the same year that she testified as a defense witness for the Communist Party and openly proclaimed her membership in Moscow's fifth column in the United States, she applied for a teaching position with the Chicago Board of Education. Having proclaimed, under oath, on July 28 of that year that she was a member of the Communist Party, she could do little else except admit to a Chicago Board of Education interviewer, on September 12 of the same year, that she was an "avowed Communist."

Of course, she must have known that this would mean she would not get a teaching position. But she must have known that, too, when she decided that she would testify as a defense witness for the party. Apparently she was willing to sacrifice a position that carried with it both security and respect in order to help the Communist Party.

As indicated on page 25 of the committee report citing Yolanda Hall, she continued her Communist activities after the 1949 trial of the party leaders. Committee investigation indicated, for example, that as recently as 1961 she had taken part in the Communist Party's 75th May Day celebration in Chicago. This was while she was employed by the board of health and her salary was being paid, in part, through Federal grants.

This latter fact—her public employment—explains why conditions had changed for Yolanda Hall since 1949 and why, when subpenaed to testify before the committee, she could not afford to again proclaim Communist Party membership or activities, or invoke the fifth amendment in response to questions about them. Such action probably would have meant the end of her job, just as her testifying for the Communist Party leaders in 1949 had meant the end of her hopes of obtaining a teaching position with the city of Chicago at that time.

There was another factor complicating the situation she found herself in after being subpenaed. It was this. Another of the witnesses subpenaed for the Chicago hearings was also on the public payroll. Not only that, he was, in addition, her employer. We will discuss the case of that witness shortly. She had worked with this person, a doctor, at a Chicago hospital for 3 years before he had become an employee of the city of Chicago. After he was appointed to an important post on the Chicago Board of Health, in 1958, he helped her obtain a position with it and she actually became his research assistant. Then, in 1960, he had helped her attain admission to the Illinois Institute of Technology from which she obtained a master of science degree 3 years later.

The complications she faced in this situation are, I am sure, obvious to all Members of this House.

The reason we are considering her case today is because she attempted to solve her problem by taking the same action Milton Cohen took. After being called to the witness chair, she walked out on the committee in the face of a clear warning by the chairman that, in doing so, she was inviting a citation for contempt.

Of course, she did not do this crudely. It was done, as in Cohen's case, with an attempted air of legality and principle.

The first step in her act was taken several days before the hearing began when she and her employer, who had also been subpenaed, filed a suit to have their subpenas quashed and to enjoin the committee from proceeding with the hearings.

The issues raised in this suit were, as my committee colleague, the gentleman from Georgia has stated, tired, old, hackworn issues. They had been raised before by Communist witnesses in efforts to prevent the truth about Communist operations from being revealed to the American public. And just as often as they had been raised in the courts, they had been rejected by the courts.

Her suit, of course, was rejected. It was dismissed by the court the day before the hearings began.

But that did not put an end to the plan that had been worked out to save Yolanda Hall, if at all possible.

She immediately appealed the court's decision. And so, when she appeared before the committee the following day, her attorneys could advance her pending suit as a legal cover and alleged justification for her contempt.

After being called to the witness chair, Mrs. Hall gave her name and address and, when asked if she was represented by counsel, replied "Yes, I am."

Her counsel then took over. He filled 10 pages of the hearing record with motions, specious arguments, false accusations against the committee and contrived allegations and arguments of one kind or another, all of which had no other purpose but to throw a smokescreen over her planned and calculated contempt. Every request he made was considered and rejected by the committee.

Yolanda Hall then stated that she adopted and confirmed all that her counsel had said and, for the reasons he had advanced, would refuse to answer any questions asked by the committee.

The chairman ordered and directed her to answer the outstanding question.

She refused. The chairman directed the counsel to ask the next question. She got up from the witness chair and walked out of the hearing room. As she did so, the chairman stated:

> Let it be noted the witness has deliberately left the hearing room after being ordered to answer the first question. I consider this to be a violation of every conceivable rule of procedure. We do not accept the reasons given by the witness and her able counsel for her failure and refusal to answer the first question and indicating that she would not answer others and deliberately left the room. The witness cannot have her cake and eat it too.
>
> The subtle approach by the able counsel of the witness to the question of invocation or noninvocation of the Fifth Amendment or, rather, statement that his clients would not invoke the Fifth Amendment is not really worthy of much consideration. It is just a subtle attempt to get these witnesses off the hook and I say that respectfully. He has referred to a Member of this Committee, Mr. Pool, and to our able counsel in rather harsh terms. I say that is his subtle way of making it appear that his clients do not intend to and are not invoking the Fifth Amendment. His position is rejected.
>
> We do not accept the position of the witness and we consider her refusal to answer, and to walk out of the room as a violation of the rules of the Committee, and for that reason we expect to act on proceedings for contempt.

Mr. Speaker, the committee has acted in the case of Yolanda Hall as the chairman indicated it would. The reason why he gave such a clear warning to her and her attorney as she walked out of the room was that, after the walkout of Milton Cohen, the committee had discussed the legality of his action. It had reached the conclusion that it was a clear case of contempt. It also believed that others might well do the same thing. It was for this reason that the chairman had decided that if any other witness should resort to the same device, he would issue such a firm warning about the contempt prosecution.

When the subcommittee which held the hearings in Chicago reported the facts about Yolanda Hall's conduct to the full committee, the full committee determined that it had no choice but to act. It was faced with a clear case of contempt and one which was so designed as to frustrate and render ineffective the investigatory power of the Congress if it were permitted to go unpunished.

I think all of us can see what the future holds for this House if Milton Cohen, Yolanda Hall, and the person whose contempt we will consider shortly are not cited for appropriate action in the courts under the applicable statute.

Every time an investigation is authorized by the House—and it won't matter what subject it covers—the committee conducting the investigation will be unable to carry out its assignment. The criminals, the grafters, the price fixers, the racketeers, the Communists, Nazis, or whoever may be involved, will use the same device. They will file an injunction suit which the district court, under the precedents, must reject. They will immediately appeal the case and then, on the specious grounds that the legitimacy of their subpenas and the entire investigation is pending before the courts, refuse to testify. They will walk out of the hearing room. Months or years will pass before there will be a final court determination of the issue.

In practically every case, before the issue would be decided—once it had gotten into appeals channels—the Congress before which the contempt had been committed would have ceased to exist and the House, therefore, would be powerless to take any action to cite the offender.

More important than this point, however—that is, the punishment for contempt—is the fact that the investigatory power and the efficiency of the House, its power timely to carry out its constitutional function, would be seriously impaired. Every authorized investigation would be delayed for months or years. By the time it could be completed, the evil it was designed to correct could have gotten out of hand. Remedial legislation will be delayed for indefinite periods, while the people suffer from the inability of Congress to reveal, and take steps to cure, the evil in question.

Every witness subpenaed in any investigation undertaken by a committee of the House has all the protections of our judicial system, if anything is done which unjustly injures him, or is violative of his rights in the course of the hearings. Yolanda Hall—and Milton Cohen—have those protections now. An affirmative vote on this report of contempt will be no more than an expression of belief on the part of the House that they have apparently committed contempt and a direction to the Justice Department to take the matter before a grand jury.

Following an affirmative vote on the resolution before us, and certification by the Speaker to the U.S. attorney, the matter will be submitted to a grand jury. If the grand jury agrees with the committee and the House, Mr. Cohen and Mrs. Hall will be tried in a court of law where they will be given full opportunity to air each and every argument they may be able to devise questioning the validity of the hearing and their subpenas. If convicted in the court—as I believe they will be—they will have the benefit of all the appellate procedures provided by our system of justice. All the proceedings before the lower court and the constitutional issues involved will be carefully reviewed, if their appeal has sufficient merit, by the Supreme Court itself.

Despite the fact that Yolanda Hall has proclaimed under oath that she is a Communist, she has the full protection of all our constitutional processes.

The House has already voted to cite Milton Cohen for contempt. The case of Yolanda Hall is so completely parallel to his that it appears to me that the same action is called for on the report of her contempt.

The contempt citation should be voted, Mr. Speaker.

Mr. WILLIS. Mr. Speaker, I yield 2 minutes to the gentleman from New Jersey [Mr. Joelson].

Mr. JOELSON. Mr. Speaker, I rise to ask a question, because I believe that the Hall case and the Stamler case are rather different from the Cohen case, which we considered before, in that in these two cases, Stamler and Hall, both stated:

> If and when litigation which I have instituted is terminated adverse to my position I will return before this committee or an authorized subcommittee thereof in accordance with the subpena served on me.

Mr. ICHORD. I will answer the question of the gentleman. Did the witness state she would testify before the committee, or did she just state she would return to the committee?

I point out to the gentleman from New Jersey the witness had been given the opportunity to appear in executive session and testify, and the witness declined.

Mr. JOELSON. Yes. She declined on the ground that litigation had been pending.

Mr. ICHORD. I pointed out the argument against the litigation.

If the gentleman will read the hearings a little closer, he will see that Mr. Jenner, who was the attorney for Mrs. Hall, was a very excellent attorney. He was throwing all kinds of motions at the gentleman from Louisiana [Mr. Willis]. He was throwing them so hard and so fast that he said, "I request an executive session for this witness," but the witness did not want an executive session because she did not want to go in to testify. Then on page 14, he withdrew the request for an executive session.

Mr. JOELSON. I have only 2 minutes.

Mr. ICHORD. Let me say to the gentleman from New Jersey that the witness had an opportunity to testify. She declined to do it. I participated in the 26(m) letter to make certain she had the right to come into Washington to testify before the committee in executive session. She declined.

Mr. WILLIS. Mr. Speaker, I yield 3 minutes to the gentleman from Minnesota [Mr. Fraser].

Mr. FRASER. Mr. Speaker, if the chairman, or perhaps the gentleman from Missouri, would be willing to answer my question, what I am trying to find out, as I listen to the debate, is what it was the gentleman had in mind in calling this witness to testify before the committee in open hearing?

Mr. ICHORD. I would point out to the gentleman——

Mr. FRASER. Let me finish my question. I should like to have a careful answer, because I asked this once before and did not get a very responsive answer.

Were you trying to elicit some further knowledge about the Communist Party, about the Communist Party apparatus, about the kind of infiltration they may have succeeded in accomplishing, and furthering your knowledge generally about the problem of communism in the United States? Or were you seeking to put this person publicly on the spot, to confront her with these allegations and then, in effect, force her to answer? Which of these, would you tell me, would it be so I can comment further?

Mr. ICHORD. Let me say to the gentleman from Minnesota I believe exactly as he does. It was the former that we had in mind.

Mr. FRASER. Fine.

Mr. ICHORD. The purpose of the House Un-American Activities Committee is not to punish any witness.

Mr. FRASER. Fine. Then, if I may ask my second question, even though a witness has not voluntarily acceded to your letter, which you describe here and which you refer to in your statement—even though a witness comes up, it may not apply to the specific case, but I want to know in effect, because it determines my attitude in part—when a witness comes to you under the subpena power and says, "I would like to be afforded the protection that comes from an executive session"—I know you say the general rule is open hearings unless you vote otherwise, but every other hearing you have held which is cited in the appendix is an executive session, so I assume you use the procedure of executive session rather frequently, but I would like to have an answer as to why under those circumstances, if all you are interested in is information, and you recognize the public character of the interrogation as it goes on in an open hearing, what is the reason you employ that denies that person the opportunity to proceed in executive session?

Mr. ICHORD. I will tell you exactly what our reasoning was. But the gentleman left out the fact that we sent the woman a rule 26(m) letter.

Mr. FRASER. No; I put that in my question as a premise.

Mr. ICHORD. You understand, we sent this woman a rule 26 letter on May 6 telling her she had up to May 18 to ask the committee for an executive session.

Mr. FRASER. I know that.

Mr. ICHORD. We are confronted with this all the time. We have witnesses who ask the committee for an executive session, but when you get to the hearing they will throw all kinds of questions at you. They will raise a request for an executive session——

Mr. FRASER. I understand, but will you tell me what the reasons are when they ask for it why you do not accede to their request for an executive session?

Mr. ICHORD. For one thing, the witness has delayed and not answered the letter of the House Committee on Un-American Activities, and we have to cut off the matter at some point.

The **SPEAKER** pro tempore (Mr. MILLS). The time of the gentleman from Minnesota has expired.

Mr. WILLIS. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. ICHORD. And I would point out——

Mr. FRASER. Do I infer from that that you want to punish the witness?

Mr. ICHORD. Absolutely not. It is not the purpose of the House Committee on Un-American Activities to punish anyone.

Mr. FRASER. What is the purpose, then?

Mr. ICHORD. The purpose of the House Committee on Un-American Activities is to develop information.

Mr. FRASER. Right.

Mr. ICHORD. And carry out the mandate of the rules of the House of Representatives. I might say to the gentleman that I think the word "Un-American" is badly chosen. Next year I am going to introduce a rule change striking all reference to the word "Un-American." I do not like the word "Un-American" any more than the gentleman from Minnesota does. It is not sufficiently definite. But we have to pass on these things at one point or another.

Mr. FRASER. Right. What is the reason why you do not afford the witness a chance to testify in executive session when the witness asks for an executive session?

Mr. ICHORD. I will say to the gentleman that that is not even the issue in this case. As I pointed out on page 14, the witness did not want an executive session. She stated so.

Mr. FRASER. I understand that, but this involves two other cases. Tell me what the reason is. That is all I want to know.

Mr. ICHORD. I will tell you exactly. The committee would have gotten into the same thing that we got into in the Women Strike for Peace, because once we take them into executive session they start hollering that they want a public hearing. You just cannot satisfy them on anything in these cases.

Mr. FRASER. No. In the case you just cited, had they asked for an executive session?

Mr. ICHORD. The women in that one had not.

Mr. FRASER. I am trying to get at the case where someone asked for an executive session, and I want to know why do you not accede to that request?

Mr. ICHORD. The gentleman from Minnesota understands that the hearings are in progress and you have all of these pickets outside and beatniks walking around and people trying to create disorder, and you have a ruckus and disorder. You have to limit the right to some time or another and the committee cut it off at 12 days. The committee gave them 12 days to ask for an executive session. They declined to accept the invitation. Can you say that is unfair?

Mr. FRASER. I am still looking for the reason.

Mr. ICHORD. I told the gentleman what the reason was. We had to cut it off somewhere, and we thought that 12 days was long enough.

Mr. FRASER. But as I understand your requirement——

The **SPEAKER** pro tempore. The time of the gentleman has expired.

Mr. WILLIS. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Speaker, I would like to ask a question of the gentleman from Missouri, and it is simply this: During debate on the previous resolution my curiosity was aroused by the question as to whether or not the witnesses in that case, the two witnesses, had ever been on the payroll of the committee or been paid through a contract with the committee.

The revelation by the gentleman from Ohio that the committee in the past has entered into contracts in order to conceal payments to witnesses raised a very significant issue—the motive of the witness and his creditability.

Now, in this case are the witnesses the same?

Mr. ICHORD. Just a minute.

The gentleman from New York—the gentleman wanted an answer to the question?

Mr. RYAN. I am asking whether or not the witnesses were the same in this case.

Mr. ICHORD. I would answer the gentleman from New York to the effect that there has not ever been a case, since I have been on the House Committee on Un-American Activities, and the gentleman from Virginia [Mr. TUCK] will verify that——

Mr. RYAN. I did not ask the gentleman that question.

Mr. ICHORD. I know; I know.

Mr. RYAN. I have asked whether or not the witnesses were the same in this case——

Mr. ICHORD. All witnesses? All witnesses in the case of Yolanda Hall?

Mr. RYAN. The witnesses who appeared before the committee in the case of Yolanda Hall.

Mr. ICHORD. The witness before this committee is the one who was cited for contempt.

Mr. RYAN. We were told earlier, in the first case, that there was a Lucius Armstrong and a Lola Belle Holmes.

Mr. ICHORD. Yes, they were witnesses at a private executive session hearing.

Mr. RYAN. Were they the same witnesses involved in the case of Yolanda Hall?

Mr. ICHORD. I was not at the Chicago hearings, but it is my understanding they were witnesses.

Mr. WILLIS. Mr. Speaker, insofar as Yolanda Hall is concerned, the witness in executive session who gave us evidence is on my left, the director of the committee, but I direct the attention of the gentleman from New York to the fact that Yolanda Hall is a self-confessed, under oath, before a Federal court, Communist; and we did not need any outside witnesses.

Mr. YATES. Why did you call her?

Mr. ICHORD. The gentleman from Illinois wants to know why we called her?

Mr. WILLIS. Mr. Speaker, if I could answer that question in an open forum, I should be glad to do so but some of these days I shall be happy to tell the gentleman from Illinois the reason therefor.

Mr. Speaker, I yield 5 minutes to the gentleman from Alabama [Mr. BUCHANAN].

Mr. BUCHANAN. Mr. Speaker, on behalf of the minority I rise in support of this resolution. The minority members of the Committee on Un-American Activities all voted in committee to report the three contempts that are before the House today.

There is no doubt in my mind that all applicable rules of the House and of the committee were complied with, and that the rights of these and other witnesses were carefully protected at all times. I know of the great care with which the committee seeks to observe the rules. We give particular attention to House rule 26(c) which seeks to protect persons from being defamed in public testimony which has not first been heard and considered in executive session.

These hearings on Communist activities in the Chicago area certainly had a valid legislative purpose within the jurisdiction of the Committee on Un-American Activities. The committee had ample reason to believe that Cohen, Hall, and Stamler had valuable information relevant and material to the inquiry. Their rights were fully protected, both before and at the hearings.

Because of this, the refusals of these witnesses to answer questions of the committee, and their walking out of the hearing room in disobedience of their subpenas and of the directions of the chairman were without any legal justification.

As we all know, the business of the Congress, in very large measure, has to be conducted through its committees, and to permit witnesses to thwart the efforts of a committee of this House, acting within its jurisdiction and in discharge of its legislative duties cannot be permitted. For that reason, I believe here today, as I did in the committee, and in the Cohen case, that the citation of this witness should be voted.

Mr. Speaker, I would like the attention of the gentleman from Illinois [Mr. O'Hara], because I am going to ask unanimous consent to insert in the Record, immediately following his remarks on the Cohen contempt citation, an answer to various allegations which the gentleman made against the Committee on Un-American Activities in earlier years.

I was not here, but I want the Record to show and I wanted to call it to the gentleman's attention, rather than sneaking it in like a thief in the night, if the gentleman from Illinois wanted to answer.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

Mr. O'HARA of Illinois. Mr. Speaker, I did not fully understand the request of the gentleman from Alabama.

The SPEAKER. Will the gentleman from Alabama please restate his unanimous-consent request?

Mr. BUCHANAN. Mr. Speaker, I ask unanimous consent—and I asked for the attention of the gentleman from Illinois [Mr. O'Hara] in order that I might tell him—to insert in the Record at the close of his remarks during the consideration of the last contempt citation a statement answering certain charges that the gentleman from Illinois had made about the Committee on Un-American Activities in former years, which I would have made had I had the time at that time, and I wanted to call it to the gentleman's attention so that he may have the privilege of responding to material which I shall place in the Record. However, I did feel it should be in the Record, as the gentleman from Illinois made certain charges against the Committee on Un-American Activities.

Mr. O'HARA of Illinois. Mr. Speaker, will the gentleman yield?

Mr. BUCHANAN. I yield to the gentleman from Illinois.

Mr. O'HARA of Illinois. May I ask whether or not the remarks which the gentleman from Alabama plans to place in the Record will be in response to something which the gentleman from Illinois said?

Mr. BUCHANAN. Yes.

Mr. O'HARA of Illinois. Mr. Speaker, if the gentleman will yield further, I shall be glad to go along with the unanimous-consent request which has been made by the gentleman from Alabama, if he wishes to put in certain material; certainly.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. WILLIS. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROCEEDINGS AGAINST JEREMIAH STAMLER

Mr. WILLIS. Mr. Speaker, I rise to a question of the privilege of the House and by direction of the Committee on Un-American Activities I submit a privileged report (Rept. No. 2306).

The Clerk read as follows:

[Report No. 2306]

Proceedings Against Jeremiah Stamler

[Pursuant to Title 2, United States Code, Sections 192 and 194]

The Committee on Un-American Activities, as created and authorized by the House of Representatives, through the enactment of Public Law 601 of the 79th Congress, section 121, subsection (q) (2), and under House Resolution 8 of the 89th Congress, duly authorized and issued a subpena to Jeremiah Stamler. The subpena directed Jeremiah Stamler to be and appear before the said Committee on Un-American Activities, of which the Honorable Edwin E. Willis is chairman, or a duly appointed subcommittee thereof, on Tuesday, May 25, 1965, at the hour of 10:30 a.m., at the U.S. Courthouse and Federal Office Building, Ceremonial Courtroom, 25th floor, 219 South Dearborn Street, Chicago, Ill., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee. The subpena served upon Jeremiah Stamler is set forth in words and figures as follows:

"United States of America
"Congress of the United States
"To Jeremiah Stamler, *Greeting:*

"Pursuant to lawful authority, You Are Hereby Commanded to be and appear before the Committee on Un-American Activities of the House of Representatives of the United States, or a duly appointed subcommittee thereof, on Tuesday, May 25, 1965, at 10:30 o'clock, a.m., U.S. Court House & Federal Office Bldg., Ceremonial Court Room, 25th Floor, 219 S. Dearborn Street, Chicago, Ill., then and there to testify touching matters of inquiry committed to said committee, and not to depart without leave of said committee.

"Hereof Fail Not, as you will answer your default under the pains and penalties in such cases made and provided.

"To Neil E. Wetterman, to serve and return.

"Given under my hand this 6th day of May, in the year of our Lord, 1965.

"/s/ E. E. Willis,

"Chairman—Chairman of Subcommittee—Member Designate of the Committee on Un-American Activities of the House of Representatives.

"If you desire a conference with a representative of the Committee prior to the date of the hearing, please call or write to: Staff Director, Committee on Un-American Activities, Washington 25, D.C., Telephone: CApitol 4-3121—Ext. 3051."

This subpena was duly served as appears by the return thereon made by Neil E. Wetterman, who was duly authorized to serve it. The return of service of said subpena is set forth in words and figures as follows:

"I made service of the within subpena by personal service to the within-named Jeremiah Stamler at Chicago Board of Health, 4th Floor, 54 W. Hubbard St., Chicago, Ill., at 10:00 o'clock, a.m., on the 11th day of May, 1965.

"Dated May 11, 1965.

"/s/ Neil E. Wetterman."

The said Jeremiah Stamler, summoned as aforesaid, appeared and was called as a witness on May 27, 1965, to give testimony, as required by the said subpena, at a meeting of a duly authorized subcommittee of the Committee on Un-American Activities at the Old U.S. Court of Appeals Building in Chicago, Ill. He was accompanied by his counsel, Albert E. Jenner, Jr., and cocounsel, Thomas P. Sullivan, Esquires.

Having been sworn as a witness, he was asked to state his full name and residence for the record, to which he responded, giving same.

Thereafter, the witness was asked the question, namely: "Would you state the place and date of your birth, Dr. Stamler?" which question was pertinent to the subject under inquiry. He refused to answer said question and, in addition, stated that he would not answer any further questions that might be put to him touching matters of inquiry committed to said subcommittee.

The witness then departed the hearing room without leave of said subcommittee.

The foregoing refusals by Jeremiah Stamler to answer the aforesaid question and to answer any further questions, and his willful departure without leave, deprived the Committee on Un-American Activities of pertinent testimony regarding matters which the said committee was instructed by law and House resolution to investigate, and place the said Jeremiah Stamler in contempt of the House of Representatives of the United States.

Pursuant to resolution of the Committee on Un-American Activities duly adopted at a meeting held January 13, 1966, the facts relating to the aforesaid failures of Jeremiah Stamler are hereby reported to the House of Representatives, to the end that the said Jeremiah Stamler may be proceeded against for contempt of the House of Representatives in the manner and form provided by law.

The record of the proceedings before the said subcommittee, so far as it relates to the appearance of Jeremiah Stamler, including the statement by the chairman of the subject and matter under inquiry, is set forth in

Appendix I, attached hereto and made a part hereof.

Other pertinent committee proceedings are set forth in Appendix II, and made a part hereof.

APPENDIX I

Tuesday, May 25, 1965

U.S. House of Representatives,
Subcommittee of the Committee on Un-American Activities,
Chicago, Illinois.

Public Hearings

A subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10:30 a.m., in the Old United States Court of Appeals Building, 1212 North Lake Shore Drive, Chicago, Illinois, Hon. Edwin E. Willis (Chairman) presiding.

Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and Del Clawson, of California.

Subcommittee members present: Representatives Willis, Pool, Weltner, and Clawson.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; and Neil E. Wetterman and Philip R. Manuel, investigators.

The Chairman. The subcommittee will come to order.

Mr. Nittle, will you call the names of the witnesses and hand them a copy of the opening statement?

Mr. Nittle. Is Milton Mitchell Cohen in attendance?

Come forward, please.

Louis Diskin.

David Englestein.

Benjamin Max Friedlander.

Dorothy Mixter Hayes.

Dorothy Mixter Hayes.

Dorothy Mixter Hayes, please come forward.

Yolanda Hall.

Leon Joy Jennings.

Wilberforce Cox Jones.

Versta Miller.

Helen Fotine Queen.

Dr. Jeremiah Stamler.

Charles Fehninger Wilson.

Mr. Chairman, Dorothy Mixter Hayes has not responded. Shall I again call her?

The Chairman. Please. Three times.

Mr. Nittle. Dorothy Mixter Hayes, please come forward.

Dorothy Mixter Hayes, please come forward.

Dorothy Mixter Hayes, please come forward.

The Chairman. Thank you, Mr. Nittle.

Mr. Nittle. Mr. Chairman, I ask that it be noted on the record that Dorothy Mixter Hayes has not responded.

Mr. Wolf. We are responding for Miss Hayes.

The Chairman. She ought to be here and must be here in person.

Mr. Wolf. She is here, if you will just give me a moment.

Miss Hayes.

Mr. Nittle. Miss Hayes, would you step forward, please?

Mr. Wolf. Mr. Chairman, I would like the record to show that we object to the presence here of the cameras.

The Chairman. We will in that respect abide, as we always do and are today, with the rules of the House.

This subcommittee of the House Committee on Un-American Activities is convened here in Chicago to conduct hearings upon the subjects of inquiry and for the legislative purposes set forth in a committee resolution adopted March 18, 1965. I offer this resolution for the record. It reads as follows:

"Be it Resolved, That hearings be held by the Committee on Un-American Activities or a subcommittee thereof, at such times and places as the Chairman may determine, and that the staff be authorized to conduct investigations deemed reasonably necessary in preparation therefor, relating to:

"1. As concerns the Chicago, Illinois area and the Illinois District of the Communist Party of the United States: the structure and organization of the Communist Party of the United States; its major objectives, and the strategical and tactical methods designed to aid in accomplishing such objectives; the major areas of Communist Party concentration; organizations created and controlled by the Communist Party to advance the policies and objectives of the Communist movement; Communist propaganda activities conducted in support of such objectives; and conspiratorial activities in aid of, or in association with, foreign Communist governments; and also like information regarding other Communist organizations in the Chicago, Illinois area, for the following legislative purposes:

"(a) to provide factual information to aid the Congress in the proposal of any necessary remedial legislation in fulfillment of the directions contained in the mandate to the Committee by House Resolution 8, of January 4, 1965, and Public Law 601 of the 79th Congress;

"(b) to assist the Congress in appraising the execution by the administrative agencies concerned of Title I of the Internal Security Act of 1950;

"(c) to provide factual information to aid the House in the disposition of presently pending and proposed legislation, including but not limited to, H.R. 4293, a bill to amend the Subversive Activities Control Act of 1950 so as to authorize the Federal Government to bar from access to defense facilities individuals who may engage in sabotage, espionage, or other subversive acts;

"(d) consideration of the advisability of amending the Internal Security Act so as to impose certain disabilities, in the manner and form therein provided, upon those persons 'affiliated with' Communist organizations as well as upon persons who are members thereof. Be it further

"*Resolved*, That the hearings may include any other matter within the jurisdiction of the Committee which it, or any subcommittee thereof, appointed to conduct these hearings, may designate."

As a result of the June 1961 decision of the Supreme Court of the United States in the Communist Party case (367 U.S. 1), certain provisions of the Internal Security Act have become effective. This was a case against the Communist Party of the United States instituted by the Attorney General before the Subversive Activities Control Board in 1950 to require that the party register as a Communist-action organization within the terms of the Internal Security Act of 1950.

A Communist-action organization is defined in the act as any organization in the United States which is substantially directed, dominated, or controlled by the foreign government or organization controlling the world Communist movement.

Following the taking of extensive testimony, the Subversive Activities Control Board found the Communist Party of the United States was a disciplined organization operating in this Nation under Soviet Union control, with the objective of installing a Soviet-style dictatorship in the United States. The Board, therefore, ordered the party to register as a Communist-action organization.

The Supreme Court, as previously indicated, has upheld this finding and order. This order has the effect of denying to Communist Party members any Federal employment, or employment in any defense facility as defined in the act.

Preliminary committee investigation indicates that this decision of the Court prompted certain organizational changes in the Communist Party. The party has attempted to nullify the provisions of the statute. These hearings in Chicago are one of a series of investigations into area activities of the Communist Party which the committee is conducting in various parts of the country for the purpose of determining whether remedial or amendatory legislation is necessary and, if so, what laws may be desired.

This committee functions as a part of the legislative branch of Government, as distinguished from the executive and judicial branches. In the exercise of its investigative function, the committee neither accuses nor judges. It conducts no trials. It is a fact-gatherer to inform the Congress about the operations of this Soviet-controlled conspiracy.

Its investigations must be continuous. For while the basic objectives of the Communists remain the same, the party develops new tactics and operational forms from time to time to speed and improve Communist undermining activity and to offset the legislative, administrative, and other steps taken by the Congress, the executive branch, and the American people to preserve their liberty.

The power of congressional committees to make investigations and to exact testimony has been repeatedly confirmed by the Supreme Court of the United States. In *McGrain* v. *Daugherty* (273 U.S. 135, at 161), a leading case, the Supreme Court pointed out that, and I quote from the words of the Supreme Court:

"In actual legislative practice power to secure needed information by such means has long been treated as an attribute of the power to legislate. It was so regarded in the British Parliament and in the Colonial legislatures before the American Revolution; and a like view has prevailed and been carried into effect in both houses of Congress and in most of the state legislatures."

That is the end of the quotation from the Supreme Court decision.

Information and knowledge is, of course, the object of investigation. It is basic to the exercise of the lawmaking function.

The Committee on Un-American Activities is authorized by a rule of the House and a Federal statute to make investigations of the extent, character, and objects of subversive and un-American propaganda, whether instigated by foreign countries or of a domestic origin, which attacks the principle of the form of government as guaranteed by our Constitution, and all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

For the purpose of any such investigation, this committee is authorized to hold hearings and to issue subpenas to require the attendance of witnesses and the production of documents. Moreover, the committee is required to report to the House the results of its investigations, together with such recommendations as it deems advisable.

The committee is also required, by House rule and the statute already mentioned, to perform the duties imposed upon all standing committees with respect to laws within its jurisdiction, that is, to appraise the execution of laws enacted by Congress and to exercise a continuous watchfulness over the administrative agencies concerned with the execution of such laws.

In the light of the threat which Communist organizations pose to the United States as a sovereign, independent Nation, we must recognize, as Mr. Justice Frankfurter said in the Communist Party case, "That the power of Congress to regulate Communist organizations of this nature is extensive."

Mr. Justice Harlan, speaking for the Supreme Court in *Barenblatt* v. *United States*

(360 U.S. 109, at page 127), a decision upholding the contempt of Congress conviction of a witness who had refused to answer questions asked him by this committee, said:

"That Congress has wide power to legislate in the field of Communist activity in this country, and to conduct appropriate investgiations in aid thereof, is hardly debatable. The existence of such power has never been questioned by this Court, and it is sufficient to say, without particularization, that Congress has enacted or considered in this field a wide range of legislative measures, not a few of which have stemmed from recommendations of the very Committee whose actions have been drawn in question here."

That is, the Committee on Un-American Activities.

Justice Harlan continued:

"In the last analysis this power rests on the right of self-preservation, "the ultimate value of any society," *Dennis* v. *United States*, 341 U.S. 494, 509. Justification for its exercise in turn rests on the long and widely accepted view that the tenets of the Communist Party include the ultimate overthrow of the Government of the United States by force and violence, a view which has been given formal expression by the Congress."

There is, however, not only a power to legislate in the field of Communist activities, but also a positive duty imposed upon Congress to do so. The Supreme Court has said:

"'To preserve its independence, and give security against foreign aggression and encroachment, is the highest duty of every nation, and to attain these ends nearly all other considerations are to be subordinated. It matters not in what form such aggression and encroachment come . . . .' [Quoted in *Communist Party Case*, 367 U.S. 1, 96.]"

Now I would like to stress the fact that the committee's presence here in Chicago is not to be construed in any way as derogatory to this great city. We have held hearings here before, as we have in other major cities of our country on more than one occasion in the past.

Why? Not because these cities as such—or their governments or people—are suspect in any way, but rather because they and the States in which they are located are so important to our national security, prosperity, and welfare.

The Communists decided a long time ago where they would try to build their greatest strength in the United States. They determined that they would send their best organizers, agitators, and propagandists into those areas of our country which were most vital to its overall security, particularly in time of war.

It was in these areas that they determined to pour their money and to concentrate as much effort as possible to build their largest, strongest, and most disciplined units.

Why? So that if war between the Soviet Union and the United States should come—and God pray it won't—their greatest strength would be in those areas where, by sabotage and other traitorous activities, they could do most to help the Soviet Union and bring about the defeat of the United States. And so the Communists concentrate—and always have concentrated—on our great centers of industry, of transportation, communication, learning, and so forth—on States such as Illinois, New York, Michigan, California, Pennsylvania; on cities such as Chicago, Detroit, New York, Pittsburgh. These are the areas of the United States that are most important to Moscow and, therefore, to its puppets, the U.S. Communists. Generally speaking, the Communists have not devoted much attention to our small rural communities.

Our presence in Chicago, therefore, and such evidence of Communist activity in this city and State as is produced in these hearings, is not to be taken as an affront to this city or the State of Illinois. Rather, the hearings are a tribute to them, a recognition of the tremendous importance the enemies of this country, both here and abroad, attach to Illinois and its great city, Chicago.

In short, we are here not to hurt anyone or any institution, but to help—to help, as we are directed by the House of Representatives, the security of our country. It is our hope—and our belief—that, in doing so, we will also help this wonderful State, city, and people.

I now offer for the record the order of appointment of this subcommittee, as follows:

"May 6, 1965.

"To: Mr. Francis J. McNamara,
"Director, Committee on Un-American Activities.

"Pursuant to the provisions of the law and the Rules of this Committee, I hereby appoint a subcommittee of the Committee on Un-American Activities, consisting of Honorable Joe R. Pool, Honorable Charles L. Weltner, Honorable John M. Ashbrook, and Honorable Del Clawson, as associate members, and myself, as Chairman, to conduct hearings in Chicago, Illinois, commencing on or about Tuesday, May 25, 1965, and/or at such other times thereafter and places as said subcommittee shall determine, as contemplated by the resolution adopted by the Committee on the 18th day of March, 1965, authorizing hearings concerning certain Communist activities in the Chicago, Illinois area, and other matters under investigation by the Committee.

"Please make this action a matter of Committee record.

"If any member indicates his inability to serve, please notify me.

"Given under my hand this 6th day of May, 1965.

"/s/ Edwin E. Willis,
"/s/ Edwin E. Willis.
"Chairman, Committee on Un-American Activities."

I would like to point out that the absent member of this subcommittee, Mr. Ashbrook, of Ohio, his absence has been unavoidably brought about by a death in the family. It is expected that he might appear later on.

Now I point out, and I want the record to reflect, that this statement I have just read—each witness subpenaed has been handed a copy by counsel. I urge them to remain in the committee room so that if there be any testimony regarding them they may be here.

I urge also careful analysis of the statement that each witness has, announcing the purposes and objectives of the hearings, so that there won't be any haggling about a witness not knowing the purpose why these hearings are being held. These purposes are being stated at length in this statement and each witness has a copy.

I want to go one step further and read from Rule XI, 26(m), House of Representatives. The rules of the House are binding on all committees. There are some 20 permanent committees of the House, the jurisdiction of each committee is set forth in the rules of the House.

This committee, the House Committee on Un-American Activities, is but one of 20 permanent committees of the House. This committee is an agency of the House and operating under the rules of the House. I want to direct the attention of all to the provisions of Rule 26(m) in respect to these particular hearings.

Every person concerning whom there might be defamatory, degrading, or incriminating evidence produced here at these hearings has been notified of that possibility and has been sent a letter, a typical sample of which I now read:

"Pursuant to House Rule XI, 26(m), the Committee on Un-American Activities has received certain evidence and testimony in executive session, in the course of which a person by the name of"—and here each witness' name appears—"a resident of"—and their address is given—"was identified as having been a member of the Communist Party."

Everyone whose name might crop up has received a copy of this letter or been sent one.

"If you so desire, you will be afforded an opportunity voluntarily to appear as a witness before a subcommittee of the Committee on Un-American Activities at a time and place to be designated. According to the general practice of the committee, this hearing"—namely the voluntary testimony of witnesses so notified—"shall be conducted in executive session.

"You may also request the committee to subpoena additional witnesses.

"If you desire to avail yourself of the opportunities thus afforded you, you should so advise the Director of the Committee no later than Tuesday, May 18, 1965. He may be reached at Room 226, Cannon House Office Building, Washington 25, D.C.; telephone number: Capitol 4-3121, extension 3051.

"This is not a subpoena or summons requiring you to appear.

"Very truly yours, Edwin E. Willis, Chairman."

Let me tell you that every witness, I repeat, whose name might come up in these hearings, every person was mailed such a letter but not one single, solitary response did we receive. [Laughter and applause.]

I cannot and will not tolerate demonstrations in any direction from anyone. This is a hearing in a Federal courtroom conducted by a committee of the House of Representatives and representing the House of Representatives and we must have order.

You are guests of the committee; you are very welcome. We are glad to have you. We are glad to know your interest in either direction in connection with the activities and the conduct of its affairs by this committee, but we must have order as is the rule under the American procedure.

Mr. Counsel, call your first witness.

* * * * *

Thursday, May 27, 1965

U.S. HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON UN-AMERICAN ACTIVITIES,
Chicago, Illinois.

Public Hearings

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9:20 a.m. in the Old United States Court of Appeals Building, 1212 North Lake Shore Drive, Chicago, Illinois, Hon. Edwin E. Willis (chairman) presiding.

(Subcommittee members: Representatives Edwin E. Willis, of Louisiana, chairman; Joe R. Pool, of Texas; Charles L. Weltner, of Georgia; John M. Ashbrook, of Ohio; and Del Clawson, of California.)

Subcommittee members present: Representatives Willis, Pool, Weltner, Ashbrook, and Clawson.

Staff members present: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; and Neil E. Wetterman and Philip R. Manuel, investigators.

The Chairman. The subcommittee will come to order.

* * * * *

Afternoon session—Thursday, May 27, 1965

(The subcommittee reconvened at 2 p.m., Hon. Edwin E. Willis, chairman, presiding.)

(Subcommittee members present: Representatives Willis, Pool, Ashbrook, and Clawson.)

The Chairman. The subcommittee will be in order.

Proceed, Mr. Nittle.

* * * * *

The Chairman. The witness is excused. Call the next witness.

Mr. NITTLE. Dr. Jeremiah Stamler, come forward, please.

Mr. JENNER. The chairman has denied my request to cross-examine.

The CHAIRMAN. Please be sworn.

Do you solemnly swear the testimony you give will be the truth, the whole truth, and nothing but the truth, so help you God?

Dr. STAMLER. I do.

TESTIMONY OF JEREMIAH STAMLER, ACCOMPANIED BY COUNSEL, ALBERT E. JENNER, JR., AND THOMAS P. SULLIVAN

Mr. JENNER. May I respectfully inquire, Mr. Chairman?

The CHAIRMAN. Yes.

Mr. POOL. For the record, Mr. Chairman, I would like to have counsel identify themselves.

The CHAIRMAN. Yes.

Mr. JENNER. Again?

The CHAIRMAN. Yes.

Mr. POOL. For the record, yes.

Mr. JENNER. I am the same Albert E. Jenner, Jr. I don't mean any disrespect.

The CHAIRMAN. Of course not. But your appearance should be noted; that is the way we proceed.

Mr. JENNER. Thank you.

I am Albert E. Jenner of the Chicago Bar together with my partner, Thomas P. Sullivan. We represent Dr. Jeremiah Stamler.

The CHAIRMAN. All right.

Mr. JENNER. Mr. Chairman, I rose to inquire that I understand that you, Mr. Chairman, and the committee denied my request to cross-examine the previous witness.

The CHAIRMAN. Yes, I have ruled on that. And let it be shown that I also said here is a magnificent opportunity on the part of Dr. Stamler, while he is under oath, to deny or affirm that he is, or has ever been, a member of the Communist Party and all those things said about him.

Mr. JENNER. Mr. Chairman, as Mr. Justice Brennan and the Chief Justice, Earl Warren, have held, cross-examination is an exercise of the right of confrontation under the Constitution, which has been denied.

The CHAIRMAN. Proceed, Mr. Nittle.

Mr. NITTLE. Would you state your full name and residence for the record, please?

Dr. STAMLER. My name is Jeremiah Stamler, M.D. I reside at 1332 East Madison Avenue Park, Chicago, Illinois, 60615.

I would like at this time to read a statement which I make pursuant to Mr. Jenner's advice.

The CHAIRMAN. Is the statement very long?

Mr. JENNER. Mr. Chairman, he was premature.

The CHAIRMAN. All right.

Well, there is a pending question. He is going to read a statement. Counsel said it is premature. Ask the next question.

Mr. NITTLE. Would you state the place and date of your birth, Dr. Stamler?

Mr. JENNER. Mr. Chairman, in order of expediting I would make, on behalf of this witness, the same requests and the same statements that I made during the examination or the time Mrs. Hall was on the stand. I request of you, Mr. Chairman, and your distinguished colleagues, that that statement that I made and those requests that I made be taken as statements and requests on behalf of Dr. Stamler so that I need not repeat them in the record. I understand that the Chair will rule upon those requests and will restate all the statements that the Chair made during the course of that examination as part of this.

The CHAIRMAN. I will not repeat them. It is understood that the rulings made apply in this instance.

Mr. JENNER. Yes, and that all Your Honor's comments stand.

The CHAIRMAN. To be probably over protective, the Chair states that he has conferred with the members of the committee and they all agree that all statements and the rulings made are adhered to and adopted, restated for the record with reference to Dr. Stamler, as well as all the rulings I made overruling the several motions and requests made by Mr. Jenner.

Mr. JENNER. Your indulgence for a moment.

The CHAIRMAN. All right.

Mr. JENNER. My partner, Mr. Sullivan, who is concerned, wanted to be sure—as I understood it and I think the Chair understands—that all of the statements that I made on behalf of Mrs. Hall are likwise made on behalf of Dr. Stamler. I thought the Chair understood; I know I did.

The CHAIRMAN. If your partner does not understand, you and I understand each other.

Mr. JENNER. Yes.

Mr. Sullivan still says, including the reasons why I advised him not to cooperate.

The CHAIRMAN. Including those reasons.

Mr. JENNER. All right.

The CHAIRMAN. Next question, Mr. Nittle.

Mr. JENNER. There is a pending question, Mr. Chairman.

Mr. NITTLE. The question asked of Dr. Stamler was to state the date and place of his birth.

Dr. STAMLER. Mr. Chairman, Members of the Committee, Distinguished Counsel, I adopt and confirm all that my counsel, Mr. Jenner, has stated. I state now, and I have stated repeatedly, that I have always been a loyal American citizen. My entire adult life has been one of loyal and devoted effort, good work for our country, its people, and their well-being, particularly for their health. I take second place to none in this regard.

However, on advice of my counsel, I respectfully decline to give any information in testimony or further to cooperate with this committee. If and when the litigation which I have instituted is terminated adverse to my position, I will return before this committee or an authorized subcommittee thereof in accordance with the subpena served on me. At present, however, and for the reasons and on the grounds stated by Mr. Jenner and those stated in my complaint filed by me on Monday in the United States District Court, I respectfully decline to answer any further questions that may be put to me, or otherwise further to participate in these proceedings.

I have nothing to hide. I take this position as a matter of principle and conscience in the interests of all our citizens in our country in order to test once and for all the validity of the kind of proceedings which have been held here during the past 3 days.

The CHAIRMAN. Dr. Stamler, I order and direct you to answer that question and not to leave the room until you have done so.

Dr. STAMLER. Sir, I stand on my statement.

The CHAIRMAN. I order and direct you to answer the question and to answer other questions to be propounded.

(At this point, Dr. Jeremiah Stamler left the hearing room.)

The CHAIRMAN. For reasons stated in connection with the appearance of Mrs. Hall, the Chair states that the committee does not accept your position of refusal to answer or your departure from this hearing to which you have been summoned and are in contempt.

Mr. POOL. Mr. Chairman, let the record show that Dr. Stamler has left the room and has removed himself from the witness chair. The time is now 6:17 p.m.

The CHAIRMAN. I repeat that this position of blowing hot and cold; no one is taking seriously the subtle effort to avoid the invocation of the fifth amendment. As far as I am concerned, Mrs. Hall and Dr. Stamler have simply "taken a powder."

Mr. JENNER. Mr. Chairman, the conduct of counsel for this committee has been one of having his cake and eating it, too.

Mr. POOL. Mr. Chairman, have him call his next witness.

The CHAIRMAN. Ask the next question.

Well, the record shows that the doctor has disappeared; he is no longer in the hearing room.

Mr. JENNER. As far as Mr. POOL is concerned, I have so stipulated.

The CHAIRMAN. It is impossible to continue questioning; counsel concedes that and so stipulates.

The committee will stand in recess for a few moments.

(A brief recess was taken.)

The CHAIRMAN. The subcommittee will be in order.

I and the subcommittee do not want there to be any misunderstanding about the finality of the subcommittee's action in denying the various motions made on behalf of Mrs. Hall and Dr. Stamler and in rejecting propositions made. We denied the motions and we instructed Mrs. Hall and Dr. Stamler to answer the questions put to them and we warned them not to depart and to terminate their appearances under their subpenas. Nevertheless, they insisted in their refusal to answer and they departed without leave. For these acts, they stand subject to recommendations for contempt action by the full committee and the House of Representatives. I want to add that we do not accept or engage in any way in any offer to return later and testify. Our orders are here and now final. By the way, I am glad that counsel for Mrs. Hall and Dr. Stamler are in this room as I make this statement.

APPENDIX II

Part 1

The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on February 2, 1965:

"The Committee on Un-American Activities met in executive session on February 2, 1965, in Room 225 of the Cannon House Office Building, at 1:00 p.m. The following members were present:

"EDWIN E. WILLIS, Chairman, WILLIAM M. TUCK, JOE R. POOL (entered at 1:11 p.m.), RICHARD H. ICHORD, GEORGE F. SENNER, JR., CHARLES L. WELTNER, JOHN M. ASHBROOK, DEL CLAWSON, JOHN H. BUCHANAN, JR.

"The staff members present were: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; Donald T. Appell, chief investigator; and Juliette P. Joray, recording clerk.

"The Chairman called the meeting to order at 1:04 p.m., and welcomed the new members of the Committee.

"The Chairman stated, for the benefit of the new members, that this was the Committee's organizational meeting, at which certain basic resolutions were normally adopted in each Congress. As each resolution was read by the Director, the Chairman explained the reasons for its adoption.

"On motion of Mr. ICHORD, seconded by Mr. ASHBROOK, the following resolution was unanimously adopted:

"'Be it *resolved*, that the Rules of Procedure revised by the Committee on Un-American Activities during the First Session of the 87th Congress and printed under the title of "Rules of Procedure—Committee on Un-American Activities" together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, be, and they are hereby, adopted as the Rules of the Committee on Un-American Activities of the House of Representatives of the 89th Congress.'

"'* * * * *'

"On motion of Mr. Ichord, seconded by Mr. Ashbrook, the following resolution was unanimously adopted:

"'Be it *Resolved,* that the Chairman be authorized and empowered from time to time to appoint subcommittees composed of three or more members of the Committee on Un-American Activities, at least one of whom shall be of the minority political party, and a majority of whom shall constitute a quorum, for the purpose of performing any and all acts which the Committee as a whole is authorized to perform.'

"On motion of Mr. Pool, seconded by Mr. Tuck, the following resolution was unanimously adopted:

"'Be it *Resolved,* that authority is hereby delegated to each subcommittee of the Committee on Un-American Activities which hereafter may be appointed to determine by a majority vote thereof whether the hearings conducted by it shall be open to the public or shall be in executive session, and all testimony taken and all documents introduced in evidence in such an executive session shall be received and given as full consideration for all purposes as though introduced in open session.

"'* * * * *

"The meeting was adjourned at 3:22 p.m."

Part 2

The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on March 18, 1965:

"The Committee on Un-American Activities met in executive session on March 18, 1965, at 3:00 o'clock p.m. The following members were present:

"Edwin E. Willis, Chairman: Joe R. Pool, Richard H. Ichord, Charles L. Weltner, Del Clawson, John H. Buchanan.

"The staff members present were: Francis J. McNamara, director; William Hitz, general counsel; Alfred Nittle, counsel; Donald T. Appell, chief investigator; and Juliette P. Joray, recording clerk.

"The Chairman called the meeting to order at 3:25 p.m.

"* * * * *

"The director reported that the hearing stage had been reached on the current Chicago area investigation. * * *.

"The following resolution was read to the members and was unanimously adopted:

"'Be it *Resolved,* That hearings be held by the Committee on Un-American Activities or a subcommittee thereof, at such times and places as the Chairman may determine, and that the staff be authorized to conduct investigations deemed reasonably necessary in preparation therefor, relating to:

"'1. As concerns the Chicago, Illinois, area and the Illinois District of the Communist Party of the United States: the structure and organization of the Communist Party of the United States; its major objectives, and the strategical and tactical methods designed to aid in accomplishing such objectives; the major areas of Communist Party concentration; organizations created and controlled by the Communist Party to advance the policies and objectives of the Communist movement; Communist propaganda activities conducted in support of such objectives; and conspiratorial activities in aid of, or in association with, foreign Communist governments; and also like information regarding other Communist organizations in the Chicago, Illinois, area, for the following legislative purposes:

"'(a) to provide factual information to aid the Congress in the proposal of any necessary remedial legislation in fulfillment of the directions contained in the mandate to the Committee by House Resolution 8, of January 4, 1965, and Public Law 601 of the 79th Congress;

"'(b) to assist the Congress in appraising the execution by the administrative agencies concerned of Title I of the Internal Security Act of 1950;

"'(c) to provide factual information to aid the House in the disposition of presently pending and proposed legislation, including, but not limited to, H.R. 4293, a bill to amend the Subversive Activities Control Act of 1950 so as to authorize the Federal Government to bar from access to defense facilities individuals who may engage in sabotage, espionage, or other subversive acts;

"'(d) consideration of the advisability of amending the Internal Security Act so as to impose certain disabilities, in the manner and form therein provided, upon those persons "affiliated with" Communist organizations as well as upon persons who are members thereof.

"'Be it further *Resolved,* That the hearings may include any other matter within the jurisdiction of the Committee which it, or any subcommittee thereof, appointed to conduct these hearings, may designate."

* * * * *

"The meeting was adjourned at 5:45 o'clock p.m."

Part 3

The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on May 6, 1965:

"The Committee on Un-American Activities met in executive session on May 6, 1965, at 10:00 a.m. in Room 25, Cannon House Office Building. The following members were present:

"Edwin E. Willis, Chairman; Joe R. Pool, Richard Ichord, Charles Weltner, John Ashbrook, Del Clawson, John H. Buchanan (entered at 10:30 a.m.).

"The staff members present were: Francis J. McNamara, director; William Hitz, general counsel; Alfred Nittle, counsel; and Juliette P. Joray, recording clerk.

"The chairman called the meeting to order at 10:10 a.m.

"It was agreed to hold the Chiacago hearings beginning May 25. The chairman designated Messrs. Pool, Weltner, Ashbrook and Clawson as associate members and himself as chairman, as the subcommittee to sit at the Chicago hearings.

* * * * *

"A discussion concerning the language of the letter to be sent to all persons that may be identified by witnesses as Communist Party members at the forthcoming Chicago hearings, or about whom defamatory or incriminating testimony might be given or evoked in the testimony of witnesses, in compliance with Rule XI 26(m), resulted in a motion by Mr. Weltner, seconded by Mr. Ashbrook, that the letter be revised as suggested by Mr. Ashbrook. The motion carried. It was agreed that the limitation date be set as May 18.

"The director was sworn as a witness and stated that the information he was about to give to the Committee came from a source believed by him to be accurate and reliable and so found to have been in the past.

"The director testified that, as he had reported earlier, Dr. Jeremiah Stamler is Director of the Heart Section of the Chicago Public Health Department. Within the past year his section has received grants of nearly $300,000 from federal funds of the U.S. Department of Health, Education and Welfare, originating in the Heart Department of the National Institutes of Health. His salary is $19,350 per year and he has approximately 29 employees under his supervision. Included among them are Yolanda Hall, who, in testifying as a defense witness for the top CP leaders tried before Judge Medina on Smith Act charges in 1949, stated that she was a Communist Party member, that she had joined the Party in 1939 and the Young Communist League in 1937.

"The director further testified that in addition to Yolanda Hall, Dr. Stamler had on his staff a number of other persons * * *.

* * * * *

"The director stated that the staff had information that Dr. Stamler was a member of the Communist Party in 1958 and is known to have attended a Communist Party meeting as recently as 1961; also that, to date, he continues highlevel Communist Party contacts and associations, and is a big contributor to Party fund drives.

"At a rally of the American Peace Crusade in 1954 Dr. Stamler, who was the youth director of the organization, attacked the Administration as war mongers and Wall Street stooges, and accused then Secretary of State Dulles of leading the U.S. into war with Indo-China. He made a collection speech and mocked Chicago's Civil Defense Program.

"In 1962, he was host to three visiting Russians, alleged to be heart specialists, who came to this country under the terms of the cultural exchange program, and who had specifically asked that they be permitted to visit Stamler while in the United States.

"A Newsletter published by the American Security Council in December of 1957 stated 'One of the most active Communists in the professional ranks is Dr. Jeremiah Stamler,' and listed his record of Communist affiliations. (As to the first item, upon reading it, the director stated that there was probably error in it as to place where Stamler joined the Communist Party, because the Committee's investigation revealed he was in New York City, not Chicago, in 1946.)

"The director also stated that, as he had indicated at an earlier meeting, Dr. Stamler's Communist record dates back to the '40s. He was active in the Young Communist League in New York City at that time, and was subsequently assigned to head up the State Student Section of YCL. In 1947 he was a member of the National Executive Committee of AIMS (Association of Internes and Medical Students), a Communist front for medical students and internes. In 1950, in Chicago, he was active in the assignment of certain persons to the underground apparatus of the Communist Party.

* * * * *

"According to a very reliable source, both Dr. Stamler and * * * were Communist Party members in 1958.

"The director testified that Yolanda Hall, also known as Bobbie Hall and Yolanda Frakas, has publicly and under oath stated that she was a Communist. She testified as a defense witness for the top Communist Party leaders tried on Smith Act charges in 1949 before Judge Medina. She stated at that time the she was a Communist Party member, that she had joined the Party in 1939, and the Young Communist League in 1937. She was denied a teaching job in Chicago public schools in 1949 because of her openly proclaimed party membership.

"According to the Daily Worker of September 18, 1949, she was executive director of the Chicago Workers School, the Party's school in Chicago which has been cited by the Attorney General.

"She was one of a group of American delegates to Stalin's 2nd World 'Peace' Congress held in Warsaw in November, 1950, and visited the Soviet Union after the Congress.

"He also said that the Committee has information that she took part in picket line demonstration and leaflet distribution, sponsored by the Emma Lazarus Federation of Jewish Women's Clubs, successor of the International Workers Order's Emma Lazarus Division of the Jewish People's Fraternal Order, which is on the Attorney General's list, in March of 1960, and that she is known to have attended the 75th May Day celebration in April of 1961; the 40th celebration of the Anniversary of the Communist Party of the United States in 1959; and the Daily

Worker Anniversary celebration in January of 1956.

"The director testified also that Mrs. Laura Rae Blough and her husband are alleged to have been recruited in the Communist Party by Dr. Stamler.

* * * *

"A motion was made by Mr. Pool, seconded by Mr. Ashbrook, and unanimously carried, that subpoenas be authorized to be issued to Jeremiah Stamler, * * *, to require their attendance at the Chicago hearings, that the Committee deems such attendance necessary in furtherance of its legislative purposes.

"* * * * *

"The meeting adjourned at 11:25 a.m."

Part 4

The following is an extract from the minutes of a meeting of a subcommittee of the Committee on Un-American Activities held on January 13, 1966:

"A quorum of the subcommittee of the Committee on Un-American Activities designated by the Chairman on May 6, 1965, to conduct hearings in Chicago, Illinois, commencing on May 25, 1965, relating to Communist Party activities in the Chicago area and Illinois District of the Communist Party, met in executive session on January 13, 1966, in Room 429, Cannon House Office Building at 9:00 a.m. The following members of the subcommittee were present:

"Edwin E. Willis, Chairman; Charles L. Weltner, Del Clawson.

"The staff members present were: Francis J. McNamara, director; William Hitz, general counsel; Alfred Nittle, counsel; and Juliette P. Joray, recording clerk.

"The chairman called the meeting to order at 9:10 a.m. and announced that this meeting was called, after notice to all subcommittee members, for the purpose of considering what action the subcommittee should take regarding the refusals of * * * and Jeremiah Stamler on May 27, 1965, to answer questions pertinent to the subjects under inquiry before the subcommittee and their departure without leave, at the hearings conducted by the said subcommittee in Chicago, and what recommendations the subcommittee would make to the full committee regarding their citation for contempt of the House of Representatives.

* * * * *

"After discussion of the testimony, and due consideration of the matter, a motion was made by Mr. Weltner, seconded by Mr. Clawson, and unanimously carried, that a report of the facts relating to the refusals of Jeremiah Stamler to answer questions pertinent to the subject under inquiry before said subcommittee and his departure without leave at the hearing aforesaid, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the aforesaid failures of said witness be reported to the House of Representatives, in order that the said Jeremiah Stamler be cited for contempt of the House of Representatives, to the end that he may be proceeded against in the manner and form provided by law.

"The meeting adjourned at 9:30 a.m.

Part 5

The following is an extract from the minutes of a meeting of the Committee on Un-American Activities held on January 13, 1966:

"The Committee on Un-American Activities met in executive session on January 13, 1966, at 9:45 a.m., in Room 429, Cannon House Office Building. The following members were present:

"Edwin E. Willis, Chairman; Richard H. Ichord, George F. Senner, Charles L. Weltner, Del Clawson.

"Also present were the following staff members: Francis J. McNamara, director; William Hitz, general counsel; Alfred M. Nittle, counsel; and Juliette P. Joray, recording clerk.

"Chairman Willis called the meeting to order at 9:45 a.m., and announced that this special meeting of the Committee was called, after notice to all committee members, for two purposes, the first to consider a recommendation of the subcommittee headed by the Chairman. Mr. Willis, appointed to conduct hearings in Chicago, Illinois, which commenced on May 25, 1965, that * * *, and Jeremiah Stamler be cited for contempt because of their refusals to testify, and their departure without leave in hearings conducted by the subcommittee in Chicago in May 1955; and the second * * *.

"As to the first matter, the Chairman reported to the committee that hearings were conducted by the subcommittee in Chicago, Illinois on May 25, 26, and 27, 1965, as contemplated under the Resolution adopted by the committee on March 18, 1965; that the subcommittee met on May 25, 1965 in the Old United States Court of Appeals Building, 1212 N. Lake Shore Drive, Chicago, Illinois, to receive the testimony of several witnesses, including * * * and Jeremiah Stamler, who had been duly subpoenaed to appear as witnesses before said subcommittee; that the hearings were commenced on that date; * * *; that the witness Jeremiah Stamler was called to testify and appeared before the subcommittee on May 27, 1965, there being a quorum of the subcommittee in attendance; that the witness Jeremiah Stamler having appeared before the subcommittee, was sworn as a witness and was asked to state his full name and residence for the record, to which he responded; that he was then asked to state the date and place of his birth, which he refused to do; that he stated that he would not answer any further questions that might be put to him; and that he then departed without leave; that a quorum of the subcommittee met in executive session on January 13, 1966, at which time motions were made and unanimously adopted with respect to each of said persons, to wit, * * *, and Jeremiah Stamler, that a report of the facts relating to the refusals of each of them to testify before said subcommittee at said hearings, and the departure of each without leave, be referred and submitted to the Committee on Un-American Activities as a whole, with the recommendation that a report of the facts relating to the aforesaid failures of each of said witnesses be reported to the House of Representatives, in order that each of said witnesses may be cited for contempt of the House of Representatives and to the end that each may be proceeded against in the manner and form provided by law.

* * * * *

"A motion was made by Mr. Weltner, seconded by Mr. Senner, that the subcommittee's report of the facts relating to the refusals of Jeremiah Stamler to answer questions pertinent to the question under inquiry and his departure without leave at the hearings conducted before it in Chicago, Illinois, commencing on the 25th day of May 1965, be and the same is hereby approved and adopted, and that the Committee on Un-American Activities report the said failures of Jeremiah Stamler to the House of Representatives to the end that the said Jeremiah Stamler may be proceeded against in the manner and form provided by law; and that the chairman of this committee is hereby authorized and directed to prepare and file such report constituting the failures of the said Jeremiah Stamler. The motion was put to a vote and carried unanimously.

* * * * *

"The meeting was adjourned at 10:50 a.m."

Mr. WILLIS (during reading of the report). Mr. Speaker, in this instance I rise to say that we will shortly explain the case with reference to this particular witness, Dr. Stamler, and I ask unanimous consent that further reading of the report be dispensed with, and it be printed at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. YATES. Mr. Speaker, I raise a point of order against the pending resolution.

The SPEAKER. The gentleman will state his point of order.

Mr. YATES. On the ground that it has violated the provisions of rule 26(m) XI of the rules of the House of Representatives in that the committee has denied the request of the respondent that his testimony be taken in executive session.

Mr. TUCK. Mr. Speaker, the facts are the same in this case as they were in the other cases, although the names are different. Therefore, Mr. Speaker, I do not believe it is necessary to reiterate what has already been said in the previous instances.

The SPEAKER. The gentleman from Illinois [Mr. Yates] has raised a point of order against the privileged report filed by the gentleman, citing a witness before a subcommittee of the Committee on Un-American Activities for contempt. The point of order is based on the ground that the subcommittee, while holding hearings in Chicago, failed or refused to follow the rules of the House—specifically, rule XI, clause 26(m)—and, at the demand of the witnesses' attorney, take the testimony in executive session rather than in an open hearing.

The Chair will again read clause 26 (m), rule XI, as follows:

> (m) If the committee determines that evidence or testimony at an investigative hearing may tend to defame, degrade, or incriminate any person, it shall—
>
> (1) Receive such evidence or testimony in executive session;
>
> (2) Afford such person an opportunity voluntarily to appear as a witness; and
>
> (3) Receive and dispose of requests from such person to subpena additional witnesses.

The Chair again agrees with the gentleman from Illinois that the three subclauses are not in the alternative. Each subclause stands by itself. The Chair will point out, however, that the subsection places the determination with the committee, not with the witness.

The Chair will also point out, parenthetically, that subsection (k) of rule XI, provides that:

> Witnesses at investigative hearings may be accompanied by their own counsel for the purpose of advising them concerning their constitutional rights.

This privilege, unlike advocacy in a court, does not as a matter of right entitle the attorney to present argument, make motions, or make demands on the committee.

Now the Chair will cite clause 26(a) of rule XI, which states that the rules of the House are the rules of its committees so far as applicable. This provision also applies to the subcommittees of any such committee. Consequently, the Chair must examine the facts to see if the subcommittee did in fact comply with clause 26(m) of rule XI.

The Chair will call attention to the fact that it is pointed out on page 8 of the report that the witness in this instant was invited to appear and testify in executive session. The invitation was ignored.

It will be noted, on pages 10 and 11 of the committee report, that the attorney for witness Stamler incorporated the same demand for an executive session that he had previously made when witness Yolanda Hall—see pages 11 through 14 of that citation report—was testifying. You will note, on page 11 of the Hall citation, that when the demand for an executive session was made, the subcommittee took a recess. It is obvious from the subcommittee chairman's statement following that recess, that the subcommittee had considered and determined not to take the testimony in executive session. The chairman so states, on page 12 of the Hall citation:

> Your motion, now made, that Mrs. Hall be now heard in executive session I deny after consideration of the subcommittee. We have complied with rule 26(m) and all other applicable rules of the House and of this committee.

It is patently clear to the Chair that when the same attorney for witness Hall incorporated the same request for an executive session in the hearings when witness Stamler was testifying, that the subcommittee reached the same conclusion with respect to an executive hearing for witness Stamler. The chairman so stated, at page 11, when witness Stamler was being questioned:

> To be probably overprotective, the chair states that he has conferred with the members of the committee and they all agree that all statements and the rulings made [in the Hall citation] are adhered to and adcpted, restated for the record with reference to Dr. Stamler, as well as all the rulings I made overruling the several motions and requests made by Mr. Jenner. (Mr. Jenner was the attorney for both witness Hall and witness Stamler.)

The Chair is of the opinion that the subcommittee did comply with clause 26(m), and made the determination necessary thereunder. Accordingly, the Chair overrules the point of order.

Mr. WILLIS. Mr. Speaker, I offer a privileged resolution concerning the contumacious conduct of Jeremiah Stamler, and ask for its immediate consideration.

The Clerk read as follows:

H. Res. 1062

> *Resolved,* That the Speaker of the House of Representatives certify the report of the Committee on Un-American Activities of the House of Representatives as to the refusals of Jeremiah Stamler, to answer questions pertinent to the subject under inquiry before a duly authorized subcommittee of the said Committee on Un-American Activities, and his departure without leave, together with all the facts in connection therewith, under the seal of the House of Representatives, to the United States Attorney for the Northern District of Illinois, to the end that the said Jeremiah Stamler may be proceeded against in the manner and form provided by law.

The SPEAKER. The gentleman from Louisiana is recognized for 1 hour.

Mr. WILLIS. Mr. Speaker, I recognize the gentleman from Virginia [Mr. Tuck] for 10 minutes.

Mr. TUCK. Mr. Speaker, and Members of the House of Representatives, in view of the very thorough briefing of the facts in all of these cases, which are almost identical, I take it that it is not necessary for me to go into all of the details.

The subpena to Dr. Jeremiah Stamler, who testified at the Chicago hearings, caused quite a bit of publicity due to the fact that he was a researcher for the Chicago Board of Health, earning over $20,000 a year, and employing some 40-odd people.

I might say, Mr. Speaker, that I do not appear here in any spirit of levity, but rather one of anguish and sorrow that a life which has been otherwise fraught with so much good should be so distorted and prevented.

Mr. Speaker, I have practiced law in the country for more than 45 years. During all of that time I have always been at the defense table—and I have no desire to see any person prosecuted—and as I stand before this House I can say that I harbor no ill will toward any man in this House, or otherwise.

I am here in the fulfillment of what I conceive to be my duty as a member of the House Committee on Un-American Activities and as a Member of the U.S. House of Representatives of which I am very proud to be a Member.

The facts in this case are essentially the same as the facts in the other cases.

I share the views of the Membership of this House as well as of the leadership of this body in wishing to dispose of this case as rapidly as possible and yet without any effort to do any injustice to this man or to any other man.

The only difference between this case and the other cases is that because of the popularity of this man and because of his education and because of his training and the high position he held, I think in a way his case is somewhat exaggerated.

The important facts are these: After he was called as a witness, Dr. Stamler gave his name and address in response to a question. He was then asked the date and place of his birth, and he refused to answer that question and left the room refusing to testify further.

Mr. Speaker, to make it brief, the facts are that this man is in contempt of this committee, which is the creature of the House of Representatives of the United States. This contempt is an effort to impinge upon and dilute the important powers of this great body, one of the three coordinate branches of Government. It undertakes to demean and denigrate the membership of this House and the great body which we represent.

There is no question in the mind of anyone familiar with the facts that this man is guilty of contempt.

In expressing myself further along the lines of the splendid remarks made by our able colleague, the gentleman from Missouri, I may say I do not think this amounts to anything but a warrant.

This citation amounts to a citation of the facts to the Department of Justice to deal with them as they see fit and to find an indictment, if they will, and if they so find an indictment to dispose of it as they see fit.

A vote for this citation is not a vote for conviction. It is just simply a vote to cite the facts to the Department of Justice for such disposition as that Department, the greatest and fairest Department of Justice on earth, may see fit to make in regard to this particular matter.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. TUCK. I will be glad to answer the gentleman's question if I can, with what little time I have left, and if I cannot answer the gentleman's question, I will call on some other Member to answer him.

Mr. YATES. I thank the gentleman for yielding.

Is the gentleman aware of a newspaper statement that reported as follows—and I am reading from the Chicago Sun-Times of May 15, 1965, which appears on page 803, volume 2 of the committee records, which says:

> STAMLER SIGNS AFFIDAVIT OF U.S. ALLEGIANCE
>
> Dr. Jeremiah Stamler, Chicago Board of Health research specialist, signed an affidavit Friday swearing his allegiance to the United States.
>
> Stamler, an internationally known expert in cardio-vascular ailments, is one of 11 persons subpenaed to appear before the House Un-American Activities Committee when it comes here May 25–27.
>
> The affidavit, a copy of which was turned over to Mayor Daley, said in part:
>
> "I swear allegiance to the American flag and the Constitution of the United States. At no time during my association with the Chicago Board of Health have I engaged in subversive activities of any kind, nor have I actively consorted with groups or individuals with such objectives.
>
> "I am a loyal American citizen and I neither recognize nor intend any obligation in the future to any nation other than my own."
>
> Stamler signed the affidavit after meeting with Health Comr. Dr. Samuel L. Andelman, and Dr. Eric Oldberg, president of the board.

This appeared in the newspapers, and I thought that it should be in the RECORD of this debate today.

Mr. WILLIS. Mr. Speaker, will the gentleman yield?

Mr. TUCK. I yield to the distinguished gentleman from Louisiana.

Mr. WILLIS. I am glad that the gentleman from Illinois put that in the RECORD. It illustrates the simplicity of our procedure. We received evidence saying that Dr. Stamler was a Communist or had been. We told him that. We said, Do you desire to appear and contradict or rebut it or explain it? More than that, do you want us to subpena witnesses, friends of yours on your behalf to explain it? And now here we find Dr. Stamler swearing before a notary public according to that newspaper just a few days before—and by the way, he does not say in that article, "I am not a Communist"—read it, and read it well.

Mr. YATES. Can he be a Communist if he swears allegiance to the United States?

Mr. WILLIS. All right. I say those words are not in there. I agree with the gentleman. He was saying, or he meant the people to believe that he was saying, "I am not a Communist." Why, then, did he not come before the committee and say, "I swore 3 days ago I was not a Communist, and now I swear before you I am not a Communist"? Why did he not make that statement?

Mr. TUCK. I do not wish to say anything uncomplimentary about Dr. Stamler. I do not know him. I never saw him. I have no malice toward him. But he had every opportunity, if he wanted to do so, to come before the committee, either in executive session or in open session, and deny it. I say that any patriotic American citizen who was not a Communist would have sought the opportunity to answer in the open and not in executive session.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. TUCK. I yield to the gentleman from Missouri.

Mr. ICHORD. I agree wholeheartedly with the gentleman from Virginia. I would say at this time that I do not know whether Dr. Stamler is a Communist or not, but I would say this, that it was the information collected by the committee that Dr. Stamler is a Communist, and I would read into the RECORD the testimony of the director of the committee that was a summary of the information that the committee had, not because he should be cited for contempt if he is merely a Communist, but to refute the idea of good reputation, which you have alleged:

> The director stated that the staff had information that Dr. Stamler was a member of the Communist Party in 1958 and is known to have attended a Communist Party meeting as recently as 1961; also that, to date, he continues high-level Communist Party contacts and associations, and is a big contributor to Party fund drives.
>
> At a rally of the American Peace Crusade in 1954 Dr. Stamler, who was the youth director of the organization, attacked the Administration as war mongers and Wall Street stooges, and accused then Secretary of State Dulles of leading the U.S. into war with Indo-China. He made a collection speech and mocked Chicago's Civil Defense Program.
>
> In 1962, he was host to three visiting Russians, alleged to be heart specialists, who came to this country under the terms of the cultural exchange program, and who had specifically asked that they be permitted to visit Stamler while in the United States.
>
> A Newsletter published by the American Security Council in December of 1957 stated "One of the most active Communists in the professional ranks is Dr. Jeremiah Stamler," and listed his record of Communist affiliations. (As to the first item, upon reading it, the director stated that there was probably error in it as to place where Stamler joined the Communist Party, because the Committee's investigation revealed he was in New York City, not Chicago, in 1946.)
>
> The director also stated that, as he had indicated at an earlier meeting, Dr. Stamler's Communist record dates back to the '40s. He was active in the Young Communist League in New York City at that time, and was subsequently assigned to head up the State Student Section of YCL. In 1947 he was a member of the National Executive Committee of AIMS (Association of Internes and Medical Students), a Communist front for medical students and internes. In 1950, in Chicago, he was active in the assignment of certain persons to the underground apparatus of the Communist Party.
>
> The director testified also that Mrs. Laura Rae Blough and her husband are alleged to have been recruited in the Communist Party by Dr. Stamler.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. WILLIS. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. O'HARA].

Mr. O'HARA of Illinois. Mr. Speaker, the gentleman my colleagues have been talking about is my friend. He is the friend of the people of Chicago. He is one of the great heart specialists of the world. The people in Chicago, who know him, love him. They know that this man never could be disloyal to the United States.

He is not only a great doctor, a great researcher, a great public servant, but he is also a great patriot.

Here this man, whom all of us in Chicago know and love and respect, is the target of a volley of vicious hearsay.

This is America. This is the land of fair play. This is the Congress of the United States. Yet here things are being said about a great American without any proof.

Where it comes from I do not know, but I am beginning to put a great deal of weight in what my friend from Ohio, WAYNE HAYS, said when he rushed in indignation to the microphone to say that hereafter he was not going to consent to payment for these contracts.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to my friend from Chicago.

Mr. YATES. The gentleman from Missouri read a great deal into the RECORD from the report of what the director had said. The report says the director was sworn as a witness and testified as to information that he had received. This, of course, as the gentleman knows, is obvious hearsay.

Can the gentleman tell us who gave the director the information?

Mr. ICHORD. I said to the gentleman I did not know whether the information was true or not. I did state to the gentleman that this was a summary of what was in the files, of what the investigators and the FBI had reported to the House Committee on Un-American Activities.

The only reason why we were taking that testimony from the director in executive session was for the committee to determine whether or not we wanted to subpena Dr. Stamler, because I knew Dr. Stamler was a well-known heart specialist in Chicago and I wanted to make certain we were not subpenaing the wrong person.

Mr. O'HARA of Illinois. I cannot yield any more time, but I do have confidence in the gentleman from Missouri and I wish the gentleman from Missouri would tell me if the man who made this charge against this great Chicagoan received $1,000 or $1,500 for his testimony, as intimated by the gentleman from Ohio?

Mr. ICHORD. I am sure the gentleman will yield for an answer to that question. I talked with the gentleman from Ohio later. I believe he should come up and make the statement himself.

I know of no person who received $1,000 or $1, except for the ordinary expense of mileage and witness fees for testifying before the committee.

Certainly I would fire anyone, or ask the chairman to fire him, if I knew that were done.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from Ohio.

Mr. HAYS. I asked the question whether these two witnesses had at any time been on the committee payroll or under contract. The committee waxed very indignant very fast.

It is true, and nobody can deny, that they have subsequently put witnesses under contract. They say they put them under contract as consultants. If that is what they did, I will take the chairman's word that is what they did, but there is not any doubt, and the facts will bear it out. I am going to put the names of all persons they put under contract in the RECORD as soon as I can accumulate them.

If the gentleman will yield further, I want to say something else since I have been brought into this.

There is talk about the director. He testified to a lot of allegations. That is what it read. He alleged this. He has been paid. I do not know his salary, but it is pretty good and probably more than the man being talked about. If he cannot come up with better testimony than "it has been alleged" on unevaluated files then you ought to fire him, and do it right here on this floor.

Mr. O'HARA of Illinois. And, on the strength of that, commit a character assassination.

The SPEAKER. The time of the gentleman from Illinois has expired.

Mr. O'HARA of Illinois. Will the gentleman yield me 5 more minutes?

Mr. WILLIS. I yield the gentleman 5 additional minutes.

Mr. RYAN. Mr. Speaker, will the gentleman yield?

Mr. O'HARA of Illinois. I yield to the gentleman from New York.

Mr. RYAN. On this point I believe we are entitled to an answer. We have been told that these witnesses have not been paid by the committee.

We are told they are not being paid as consultants to the committee, but the question that has not been answered is have they been paid by any agency of the Federal Government or been on any payroll of any agency of the Federal Government?

Mr. O'HARA of Illinois. If the reputation of this great Chicagoan is being sold for a price of $1,500, I want to know it and I want to know the name of the man who received this $1,500 and gave this testimony on a great son of Chicago.

Mr. WILLIS. No person has ever been paid for testifying or not testifying before the committee. Now, whether anybody who testified before the committee was in the employ of private industry or a Government or State or city or municipality I do not know, and I do not think the director can know that.

Mr. RYAN. Does not the chairman know whether or not any of the witnesses who appear before him are on the payroll of the FBI?

Mr. WILLIS. Of course not. Would the gentleman know who all the persons he knows in life are hired by or paid by?

Mr. RYAN. I would expect the chairman of the committee to know the background of his witnesses, how they came before the committee, and what reasons they might have for testifying. The question of motive is important.

Mr. WILLIS. I may say that the witnesses are truthful, loyal American citizens.

Mr. O'HARA of Illinois. I do not know whether I would put the mantle of honor on somebody who comes anonymously, hiding behind I do not know what, and who tries to steal the reputation of one of the grand sons of Chicago, one of the great heart specialists of this country and of the world.

Mr. YATES. As I understand the reply of the distinguished chairman of the committee to the question of the gentleman from Ohio [Mr. HAYS] it was stated that no witness was paid to testify.

Mr. WILLIS. Or not to testify.

Mr. YATES. But it was also said that such witnesses were subsequently employed by the committee as consultants and were paid. Is that true?

Mr. WILLIS. That I do not know personally. I heard the gentleman from Ohio say it. I said I do not know. It could be. It could be that a witness who testified 15 years ago——

Mr. YATES. Mr. Speaker, will the gentleman yield me 2 minutes?

The SPEAKER. It is the gentleman from Illinois [Mr. O'HARA], who has the time.

Mr. O'HARA of Illinois. I yield to my colleague from Illinois.

Mr. YATES. Mr. Chairman, do you know whether or not any witness or any person who ever testified as a witness before the committee ever received any money subsequently from the House Committee on Un-American Activities?

Mr. WILLIS. Will the gentleman state that question again?

Mr. YATES. Will the chairman tell the House whether any person who testified before the House Committee on Un-American Activities in a proceeding ever subsequently received any funds from the House Committee on Un-American Activities?

Mr. WILLIS. I can say to the gentleman I am getting sick and tired of all these doggoned intimations about dishonesty.

Mr. YATES. I am not claiming anybody is dishonest, but I am just asking the question.

Mr. WILLIS. The implication is just as broad as a door that something is wrong, or something.

Mr. Speaker, I yield 5 minutes to the gentleman from Missouri.

Mr. YATES. But I have the time.

The SPEAKER. The gentleman from Illinois [Mr. O'HARA] has the time.

Mr. YATES. I asked a question which I think the House should have an answer on.

Mr. WILLIS. What is the question?

Mr. YATES. The question is, Does the chairman know of any person who testified as a witness on behalf of or before the House Un-American Activities Committee who was subsequently paid by the House Committee on Un-American Activities to act as a consultant or an expert or a specialist or otherwise?

Mr. WILLIS. I do not know. It could well be.

Mr. YATES. Does the director know how to answer that question and what the answer to that question is?

Mr. WILLIS. He says he knows of some.

Mr. YATES. He knows of some. So the answer is "Yes," then.

Mr. WILLIS. Yes.

Mr. YATES. OK.

Mr. WILLIS. I hope you do not draw any conclusions.

Mr. O'HARA of Illinois. I only draw the conclusion that when somebody is trying to steal the reputation of a man of spotless reputation there must have been a price paid somewhere.

Mr. WILLIS. I do not want to get into an argument with my good friend, but I think that is about enough.

Mr. O'HARA of Illinois. Is the chairman dismissing me? Then, I dismiss him.

Mr. WILLIS. Mr. Speaker, I yield 5 minutes to the gentleman from Missouri [Mr. ICHORD].

Mr. ICHORD. Mr. Speaker and Members of the House, I feel that I must rise on this occasion as a member of the House Committee on Un-American Activities.

Now, Mr. Speaker, the gentleman from Ohio, since I have been a Member of this body has popped up on the floor of the House and made several assertions many, many times. I have never been personally involved.

Now, Mr. Speaker, when the gentleman from Ohio arose, I told the gentleman that if I knew of any case where the director, a member of the committee, an employee of the committee hired any witness to testify, I would go to the chairman and ask that he be fired.

Mr. HAYS. Now, Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I shall yield to the gentleman from Ohio in just a moment.

Mr. Speaker, I will say to the gentleman from Ohio that I do not know what you are trying to do here, but it looks to me like this is the "big smear" technique that you are trying to use on the House Committee on Un-American Activities.

Now, does the gentleman from Ohio think that the gentleman from Louisiana [Mr. WILLIS], one whom we all recognize as being one of the fairest, most congenial, one of the best constitutional lawyers in this House, would hire a witness to testify before the House Committee on Un-American Activities?

Mr. HAYS. Mr. Speaker, if the gentleman will yield, what I asked in the beginning was——

Mr. ICHORD. In just a moment. I yield to the gentleman from Ohio to answer "yes" or "no."

Mr. HAYS. Well, I am not going to answer "yes" or "no." I desire to make a further statement.

Mr. ICHORD. Then, the gentleman will sit down. I refuse to yield to you any more.

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present. We ought to have everyone here.

Mr. ICHORD. The gentleman can make his point of order.

Mr. HAYS. I have not got to answer the question for which the gentleman yielded to me to answer.

Mr. ICHORD. I yield to the gentleman from Ohio to answer the question either "yes" or "no."

Mr. HAYS. I do not have to answer the question "yes" or "no."

Mr. ICHORD. Mr. Speaker, regular order.

Mr. HAYS. Well, you can make your point of order.

Mr. ICHORD. I consider that I am involved in it.

Mr. HAYS. You are involved in it.

Mr. ICHORD. And I can tell you this: Do you feel that the gentleman from Louisiana would hire a witness to testify before the House Committee on Un-American Activities?

Mr. HAYS. Do you want me to tell you what I know?

Mr. ICHORD. Yes.

Mr. HAYS. Do you want me to answer the question?

Mr. ICHORD. Yes.

Mr. HAYS. Mr. Speaker, I just want to state actually what started this. I merely asked if either of these two people had ever been on the committee payroll and it was denied. But now it has been admitted that witnesses have subsequently been put under contract. I did not intend to put that information out. You are the one that did it.

Mr. ICHORD. I did not. Let me tell you, Mr. Speaker, that the gentleman from Ohio is raising a red herring, because I see nothing particularly wrong with that.

Mr. HAYS. You and I discussed it in person.

Mr. ICHORD. Mr. Speaker, I refuse to yield further. I shall yield to the gentleman from Ohio in just a moment. But I would say to the gentleman from Ohio that he should get these cases and put them in the RECORD. I personally, desire to look at the cases to which the gentleman is referring.

Mr. Speaker, the gentleman is raising a red herring, for this reason: There is nothing wrong with the committee hiring a witness who might have testified before the committee in regard to Communist activities at an earlier date, because that would be after the fact.

Mr. HAYS. All right, does the gentleman want me to divulge this further information?

Mr. ICHORD. I will yield further to the gentleman in just a minute. Let me finish.

Mr. Speaker, many of the witnesses that appeared before the House Committee on Un-American Activities are FBI informants. They have infiltrated the Communist Party. They are experts on communism, and the House Committee on Un-American Activities primarily deals with communism. So, why should not the director or the chairman or whoever does the hiring for the House Committee on Un-American Activities, why should not the chairman of the committee or the director feel free to hire those persons?

Mr. HAYS. Well, you and I discussed this privately, and I thought you agreed that they had been hired and placed on the payroll.

Mr. ICHORD. The gentleman from Ohio misunderstood me. The gentleman is attempting to put words in my mouth, words that were perhaps uttered to the gentleman off the floor of the House.

Mr. HAYS. All right.

Mr. ICHORD. The gentleman misunderstood what I said.

Mr. HAYS. You and I discussed it.

Mr. ICHORD. The gentleman from Ohio was talking about another man, the gentleman from Pennsylvania, who is now deceased.

Mr. HAYS. I was not. I said if anyone wants to hire these people, from now on, let him put them on the payroll. What is the purpose of the contract?

Mr. ICHORD. Are you saying I would be absolutely in favor of it. I do not think——

Mr. HAYS. That is what I was trying to say.

Mr. ICHORD. I do not think that I am trying to eliminate——

Mr. HAYS. I do not want the gentleman to conceal the fact that they were used.

Mr. WAGGONNER. Mr. Speaker, regular order.

Mr. ICHORD. I do not want to say that certain techniques might not have been used.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. ICHORD. I will yield to the gentleman from Ohio all day long, and I have no objection to the gentleman from Ohio putting the statements in, but I do not want the gentleman to try to use smear techniques in this case.

Mr. WILLIS. Mr. Speaker, I yield 5 minutes to the gentleman from New York [Mr. RYAN].

Mr. RYAN. Mr. Speaker, finally, after 7:30, we have had an admission on the part of the committee that what the gentleman from Ohio said earlier this afternoon was true.

What the gentleman from Ohio said was very clear. He indicated that a certain type of contract had been used to pay certain witnesses who had appeared before the committee, and that this had been done after the witnesses had appeared and testified.

All this afternoon we were led to believe that this was not the case. Now we know that it is the case. This knowledge certainly casts additional doubts on the activities of this committee. The practice of disguising payments to friendly witnesses through contracts should be terminated immediately.

Mr. Speaker, in every session of Congress in which I have served I have opposed the appropriations for this committee.

The appropriation used to run something like one-third of a million dollars a year. This year the appropriation was $425,000. For both sessions of the 89th Congress the figure is $845,000—almost a million dollars.

At least we are beginning to find out something about what happens to the funds which are appropriated for this committee. There ought to be a full accounting made to the House.

I think the debate this afternoon should convince the Members that we have reached the point where this committee should be eliminated. The rules should have been changed long ago, and any alleged legislative function of this committee assigned to the Committee on the Judiciary.

I certainly hope that at the beginning of the next session the Speaker will recognize a motion to amend the rules to abolish this Committee which has repeatedly tarnished the reputation of the House, trampled upon constitutional rights, and served no real legislative function.

Mr. YATES. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from Illinois.

Mr. YATES. All that appears so far in the evidence before the House, and upon which we are asked to act, to cite a respondent for contempt, is the testimony of the director of the committee taken from the raw files of the committee without anybody having attempted to verify the material that was in the files. The only thing that appears as justifying this citation is the raw file. I think the Members of the House know what is in the raw files of the House Committee on Un-American Activities.

Mr. RYAN. The gentleman is right. This is hearsay testimony based upon hearsay testimony.

Mr. YATES. All we have to act upon, according to the report of the committee, is the testimony before the committee of the director, without verification of any kind.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. RYAN. Mr. Speaker, I do not wish to yield at this point.

Mr. Speaker, this is a classic example of hearsay piled upon hearsay.

The gentleman from Illinois makes a very important point. It has certainly become clear through this debate today that the reason executive sessions were not permitted in these cases was because the committee was indulging in a habit which it has indulged in many times in the past of using the technique of exposure for the sake of exposure.

Mr. Speaker, the particular resolutions before us today arose from hearings held in Chicago during May of 1965. These hearings were conducted in the usual circus manner of the committee. As is the usual custom, names of witnesses to be called before the committee were leaked to the press in advance of the hearing. At the hearing lawyers for the witnesses were treated with callous disrespect. Just recently we have seen the committee conduct hearings in Washington, so we can sympathize with Mayor Daley and others who protested these Chicago hearings. Two of the witnesses called before the committee, Dr. Jeremiah Stamler and Yolanda Hall were represented by one of Illinois' most distinguished attorneys—Albert E. Jenner, Jr. Mr. Jenner is a former chairman of the Illinois Bar Association, an initial member of the U.S. Loyalty Review Board and was a senior counsel with the Warren Commission. After the hearings Mr. Jenner declared:

> The time has come for loyal citizens to stand up and resist the high-handed tactics of this Committee.

The hearings inspired an editorial by the Chicago Daily News entitled, "Fairplay Went Out the Window."

In its editorial of May 29, 1965, the Chicago Daily News said:

> The three-day visit to Chicago of the House Un-American Activities Committee was a disgrace from start to finish and from hearing room to picket line. Nothing positive was accomplished and a great deal of harm was done.

One of the reasons advanced by the witnesses for refusing to testify was that they had initiated a court action testing the constitutionality of the committee This action was pending in the courts at the time of the Chicago hearing.

The hearings in Chicago true to the tradition of this committee were a farce. On that basis alone we should not cite anyone for contempt. In these cases, however, the three individuals in question refused to testify on the advice of counsel that, if they did so, they might jeopardize their legal action. This case, Stamler against Willis, is now pending in the U.S. Court of Appeals for the Seventh Circuit.

Mr. Speaker, we all know that, if these citations for contempt are voted, there is an excellent chance that the court will not uphold this action. The record shows that since 1950 only 10 out of 130 individuals cited for contempt on recommendation of the committee have been convicted and had their convictions upheld. Six cases are presently pending. However, we must not rely on the courts to clear our conscience. By citing for contempt we put individuals through large expenses and anguish. We also support a committee which long ago should have been abolished.

Let us finally say no to a committee which has no legitimate place in American life.

Mr. FRASER. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from Minnesota.

Mr. FRASER. Mr. Speaker, one thing that struck me about this discussion of hearsay evidence is that there has been nothing presented on this floor here which would identify Dr. Stamler with the Communist Party, or with Communist-front activities since 1961.

In other words, through 1962, 1963, 1964 and 1965. The committee should explain why they thought that they ought to throw the burden on Dr. Stamler. This points out the difficulties that we are operating under at this point.

Mr. Speaker, I thank the gentleman for yielding.

Mr. EDWARDS of California. Mr. Speaker, will the gentleman yield?

Mr. RYAN. I yield to the gentleman from California.

Mr. EDWARDS of California. Mr. Speaker, I think we ought to straighten out one more thing. When we were considering the citation of Milton Mitchell Cohen it seems to me that one of the members of the House Committee on Un-American Activities stated that the two witnesses who testified in executive session against Milton Mitchell Cohen were employees of the Federal Government, not of the House Committee on Un-American Activities.

I think that we are entitled to know that. And I would ask permission to address this question to the chairman of the committee, or the members who are present.

Were the two witnesses who testified against Milton Mitchell Cohen in the executive session employees of the Federal Government or on the Federal payroll?

Mr. ICHORD. I will state to the gentleman from California, I have just been advised by the staff that Lola Belle Holmes and Mr. Armstrong were FBI informants. That is, they had infiltrated the Communist Party. But they were not paid a living wage. They were paid expenses which they incurred while working within the Communist Party.

The SPEAKER. The time of the gentleman from New York [Mr. RYAN] has expired.

Mr. EDWARDS of California. The question is answered, and I thank the gentleman.

Mr. WILLIS. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS. Mr. Speaker, there has never been any doubt in my mind about the integrity of the gentleman from Louisiana [Mr. WILLIS]. I have always considered him one of the best lawyers in the House of Representatives. When he gave me his assurance a while ago, I said I took it without question. But on the other hand, I do not think just because the gentleman from Missouri [Mr. ICHORD] was appointed to this committee that that made him any holier than anybody else around here.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. HAYS. Just sit down; you would not yield to me until you got through. So I will yield to you when I can make my statement, and then I will yield to you at the right time, if the right time comes.

Mr. ICHORD. But I did yield to the gentleman.

Mr. HAYS. Gentlemen, all I asked to begin with was the very simple question—had either of these people been on the payroll of the committee—these two witnesses, that is—and the answer was "No."

I asked had they been put on the payroll subsequently, and that is when the gentleman got into the act. That is all I was going to say. I was trying to get a little information for myself.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. HAYS. When I get to that point, I will yield.

Let me recite a little history now. When I came to this body 18 years ago, there was a big Democratic class and the only committee assignment I could get, unfortunately, was on the Committee on House Administration. The first thing that was brought to that committee that caused any trouble on that committee was a big bill to pay a woman, whose name, if I recall correctly, was Elizabeth Bentley. It was for $100 a day. And that was a lot of money back in those days, if I remember correctly, for staying over at the Congressional in a big suite—and the meals ran pretty high, too. Being a country boy, I was not used to that kind of high living then, and I questioned it a little bit. Some of the people on the Committee on Un-American Activities staff have had it in their nose for me ever since. And I get reports from time to time of some of the holier-than-thou staff people who have such a big file on Members of the Congress.

Now I have voted for every single appropriation bill for this committee since I have been here. There have been times——

Mr. ICHORD. Mr. Speaker, now, will the gentleman yield?

Mr. HAYS. If I get more time or if I have some time, I will yield to you, but I am going to finish my story.

As I was saying, there have been times in the Committee on House Administration when I questioned whether or not this committee ought to have as much money as they have had. But I have questioned other committees as well. And I will tell the gentleman I have popped up around here from time to time and I am going to continue to pop up whenever I feel like it, and if you do not like it, my dear friend, well, you will not be the first one who has not liked me, and you will not be the last one—I do not expect. Because I did not come down here to win friends and influence people. I just came down here to try to influence people.

Mr. ICHORD. Mr. Speaker, will the gentleman yield now?

Mr. HAYS. I yield to the gentleman.

Mr. ICHORD. So that we perfectly understand one another, I feel the same way as the gentlemen from Ohio feels. But I point out to the gentleman from Ohio that he is talking about a dead horse. This House changes every 2 years. The House Committee on Un-American Activities changes every 2 years. You are talking about something that went on back in the days of Joe McCarthy.

Mr. HAYS. Mr. Speaker, I decline to yield further at this point.

I will tell the gentleman that I have signed contracts this year for the House Committee on Un-American Activities. I have signed several of them without too much question. I do not know who the people were. Maybe I have been remiss in signing these contracts. The gentleman from Louisiana, Mr. WILLIS, has always sent a covering letter saying he needed these people to promote the committee business, and because I have had confidence in him, I have signed the contracts.

Mr. WILLIS. May I say that is absolutely true, and I appreciate the gentleman doing that.

Mr. HAYS. This is not back in the dead age. We are signing these all the time. Let me tell the House further about this. I hope the gentleman will yield me another minute or two if I need it. We had this Contracts Committee. I did not seek it. I did not seek it. I do not think it is really very much of a job. It is not a very pleasant one. But it was set up because committees were sending up to the House Administration Committee contracts by the bale.

Then the chairman of that committee had to decide whether or not he should sign them. They were almost being signed automatically, and he decided he could not do that any longer, and he set up this little committee, and the fact that the committee was set up cut down the number of contracts coming up there by 90 percent.

We just told the committee chairman——

The SPEAKER. The time of the gentleman has expired.

Mr. HAYS. Mr. Speaker, will the gentleman yield me 2 more minutes?

Mr. WILLIS. I am glad to yield 2 more minutes to the gentleman from Ohio.

Mr. HAYS. I want to say in all fairness the reason that this committee was set up was not because the Un-American Activities Committee particularly was abusing it, because they were not sending us that many contracts. It was other committees. We sort of took the position, and Mr. BURLESON, the chairman, took the position that if these people on these committees really wanted the services of these folks, except in cases where they were under retirement and could not be put on the payroll without sacrificing something, they ought to put them on the payroll and let everyone know about it and have a record on it in the Office of the Clerk of the House. You do not have that with these contracts.

All this ruckus started this afternoon because I simply wanted to know, as guidance for myself in voting on these resolutions—and I have voted for every one you brought in here—I just wanted to know whether these people have been or ever were under contract. That is all.

Mr. ICHORD. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Missouri.

Mr. ICHORD. I am very glad the gentleman from Ohio cleared up what he meant, because perhaps I was mistaken. I thought the gentleman from Ohio was implying that I or the gentleman from Louisiana would do such a thing.

Mr. HAYS. The gentleman was too quick to infer, but it did take a great deal of doing to get the fact brought out. The news ticker said that I alleged that witnesses subsequently were put on the payroll, and the news ticker said this was denied. But now it has been admitted. So I was not a liar after all.

Mr. ICHORD. I am sure that was not the purpose of the gentleman making the statement, to put it on the ticker.

Mr. HAYS. No, I have been here 18 years, have been trying to keep it a secret but I have not been able to.

Mr. ST GERMAIN. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Rhode Island.

Mr. ST GERMAIN. The gentleman from Missouri makes the statement that the House Un-American Activities Committee changes every two years, as does the Congress. But, since the gentleman is on the Committee on House Administration, I ask this question: As far as this committee is concerned, the staff does not change every two years, does it?

Mr. HAYS. I cannot answer that question. I do not think so.

Mr. KUPFERMAN. Mr. Speaker, the discussion has made it obvious, especially the points made by the gentleman from New Hampshire [Mr. CLEVELAND] that this is not really the appropriate forum for this determination. All the more so when the validity of the procedure followed, as to which a great deal of heat has been engendered here today, is pending in the Court of Appeals for the Seventh Circuit.

Until such time as the court has ruled on the question, I see no point in our considering the matter here. I cannot, therefore, vote for the contempt citation.

The passage of time cannot affect the situation, because the offense, if any, occurred more than a year ago on May 27, 1965, and all of this occurred before I was even elected. Whatever information the committee seeks, and for which it attempts to enforce this sanction, will not be elicited in any timely way. The committee voted to take action on January 13, 1966, and only brings this up at this eleventh hour of the 89th Congress.

Mr. MOORHEAD. Mr. Speaker, I believe that these citations should be returned to the committee to hear the witness in executive session in accordance with rule 26(m) of the rules of the House.

I take this position with some reluctance because I believe that the dignity and the power of the Congress to carry on proper investigations should be upheld.

As a matter of fact it is for this very reason—my belief in the dignity and authority of the Congress—that I take this position.

Almost invariably the courts reject citations voted by the Congress. According to the New York Times—

> In the past fifteen years the Un-American Activities Committee has asked the house to cite 129 individuals for contempt and the House has acceded to every request. Yet only nine of these citations resulted in final convictions.

Certainly it does not uphold the dignity and power of the Congress when the courts overrule our action.

In this connection, I would point out further that the three witnesses whom we are asked to cite for contempt took their case to court even before they appeared before the committee. Their case is now before a U.S. court of appeals. It makes good sense for us to await judicial determination of the very cases now before us.

The Congress need not act now and unnecessarily embarrass itself.

We should send these contempt citations back to committee to be sure that a proper legal basis has been laid, a legal basis that will be upheld by the courts.

There is, to say the least, grave doubt as to whether the Committee on Un-American Activities has made such a record in these cases.

Therefore, these cases should be sent back to the committee.

However, I understand that a motion to recommit will be offered.

If the witnesses are properly recalled and asked questions within the proper purview of the committee and still refuse to answer I would support a contempt citation.

However, I understand that there will be a motion to send these citations to a special select committee for review.

I support this motion.

Mr. RUMSFELD. Mr. Speaker, 1½ years ago I introduced a bill to create a select committee of the House to review all contempt citations required by any committee of the House, prior to the bringing of such contempt citation requests to the House for consideration.

The motion to recommit, which will be offered today, on one or more of the three citation requests to be considered will contain instructions to send the proposed citations to a review committee as proposed in my bill.

It is my intention to support each such motion to recommit with instructions providing for review by a select committee. I am hopeful that they will prevail because I believe that that is the proper procedure for the House to establish regardless of the fact pattern in any specific case. This is how I voted when the KKK citations were before the House. And, as in the KKK cases, it is my intention to support each of the citations in the event that the motion to recommit fails. My concern here is with procedures.

Mr. WILLIS. Mr. Speaker, I ask unanimous consent that all Members be permitted to extend their remarks on the three citations presented today.

The SPEAKER. Is there objection?

There was no objection.

Mr. WILLIS. Mr. Speaker, I have no further requests for time. I move the previous question.

The previous question was ordered.

MOTION TO RECOMMIT

Mr. YATES. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the resolution?

Mr. YATES. I am, Mr. Speaker.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. YATES moves to recommit the resolution to the Committee on Un-American Activities.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and the Speaker announced that the "nays" appeared to have it.

Mr. YATES. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 54, nays 182, not voting 196, as follows:

[Roll No. 375]

YEAS—54

Annunzio
Bingham
Blatnik
Brademas
Burke
Burton, Calif.
Cohelan
Conte
Culver
Dawson
Diggs
Donohue
Dow
Edwards, Calif.
Fogarty
Fraser
Giaimo
Gilbert
Gonzalez
Green, Pa.
Holifield
Horton
Kastenmeier
Krebs
Kupferman
Monagan
Moorhead
Morse
Multer
Murphy, Ill.
Nedzi
O'Hara, Ill.
O'Neill, Mass.
Ottinger
Patten
Philbin
Powell
Rees
Reid, N.Y.
Reuss
Rodino
Ronan
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Scheuer
Sickles
Stalbaum
Tenzer
Vivian
Yates

NAYS—182

Abbitt
Andrews,
  George W.
Andrews,
  N. Dak.
Arends
Ashmore
Ayres
Bandstra
Bates
Battin
Beckworth
Bell
Bennett
Brock
Brooks
Broyhill, N.C.
Buchanan
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Callan
Cameron
Casey
Cederberg
Clancy
Clark
Clausen,
  Don H.
Cleveland
Collier
Corbett
Cramer
Cunningham
Curtis
Dague
de la Garza
Delaney
Dent
Dingell
Dole
Dorn
Downing
Dulski
Duncan, Tenn.
Dwyer
Edmondson
Edwards, La.
Erlenborn
Everett
Fallon
Fascell
Feighan
Flood
Ford,
  William D.
Fountain
Friedel
Fulton, Tenn.
Garmatz
Gathings
Gettys
Gibbons
Grabowski
Gray
Griffiths
Grover
Gubser
Gurney
Hagen, Calif.
Hall
Hamilton
Hanley
Hardy
Harsha
Hathaway
Hays
Hechler
Henderson
Herlong
Hosmer
Hull
Hutchinson
Ichord
Irwin
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kee
Keogh
King, Calif.
Kunkel
Landrum
Langen
Latta
Lennon
Lipscomb
Long, Md.
McClory
McCulloch
McDade
McFall
MacGregor
Machen
Mahon
Marsh
Matthews
May
Mills
Minish
Minshall
Mize
Moore
Morgan
Morris
Morrison
Murphy, N.Y.
Natcher
Nelsen
O'Hara, Mich.
Olson, Minn.
O'Neal, Ga.
Patman
Pelly
Pepper
Perkins
Pickle
Pike
Poage
Poff
Price
Quie
Quillen
Race
Redlin
Reid, Ill.
Reifel
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rumsfeld
Satterfield
Saylor
Schweiker
Secrest
Selden
Slack
Smith, Calif.
Smith, Iowa
Springer
Staggers
Stubblefield
Teague, Tex.
Tuck
Tuten
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Watson
Weltner
White, Tex.
Whitener
Williams
Willis
Wilson, Bob

Wilson, Charles H.
Wyatt
Wydler
Young
Younger
Zablocki

NOT VOTING—196

Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Ashbrook
Ashley
Aspinall
Baring
Barrett
Belcher
Berry
Betts
Boggs
Boland
Bolling
Bolton
Bow
Bray
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Broyhill, Va.
Cahill
Callaway
Carey
Carter
Celler
Chamberlain
Chelf
Clawson, Del
Clevenger
Colmer
Conable
Conyers
Cooley
Corman
Craley
Curtin
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Denton
Derwinski
Devine
Dickinson
Dowdy
Duncan, Oreg.
Dyal
Edwards, Ala.
Ellsworth
Evans, Colo.
Evins, Tenn.
Farbstein
Farnsley
Farnum
Findley
Fino
Fisher
Flynt
Foley
Ford, Gerald R.
Frelinghuysen
Fulton, Pa.
Fuqua
Gallagher
Gilligan
Goodell
Green, Oreg.
Greigg
Grider
Gross
Hagan, Ga.
Haley
Halleck
Halpern
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Harvey, Mich.
Hawkins
Hébert
Helstoski
Hicks
Holland
Howard
Hungate
Huot
Jacobs
Jones, N.C.
Keith
Kelly
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Laird
Leggett
Long, La.
Love
McCarthy
McDowell
McEwen
McGrath
McMillan
McVicker
Macdonald
Mackay
Mackie
Madden
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Meeds
Michel
Miller
Mink
Moeller
Morton
Mosher
Moss
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Passman
Pirnie
Pool
Pucinski
Purcell
Randall
Reinecke
Resnick
Rivers, Alaska
Roberts
Robison
Rogers, Tex.
Roncalio
Rooney, Pa.
Roudebush
Roush
Schisler
Schmidhauser
Schneebeli
Scott
Senner
Shipley
Shriver
Sikes
Sisk
Skubitz
Smith, N.Y.
Smith, Va.
Stafford
Stanton
Steed
Stephens
Stratton
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Tupper
Udall
Ullman
Utt
Walker, Miss.
Walker, N. Mex.
Watkins
Watts
Whalley
White, Idaho
Whitten
Widnall
Wolff
Wright

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Adair.

Mr. Albert with Mr. Gerald R. Ford.

Mr. Foley with Mr. Bray.

Mr. Schmidhauser with Mr. Skubitz.

Mr. Kornegay with Mr. Devine.

Mr. Matsunaga with Mr. Smith of New York.

Mr. Dyal with Mr. Reinecke.

Mr. Daddario with Mr. Michel.

Mr. Kirwan with Mr. Goodell.

Mr. Barrett with Mr. McEwen.

Mr. Nix with Mr. Harvey of Michigan.

Mr. Wolff with Mr. Ellsworth.

Mr. Thompson of New Jersey with Mr. Belcher.

Mr. Steed with Mr. Broomfield.

Mr. Senner with Mr. Dickinson.

Mr. Shipley with Mr. Halleck.

Mr. Aspinall with Mr. Harvey of Indiana.

Mr. Abernethy with Mr. Fino.

Mrs. Kelly with Mr. Halpern.

Mr. Addabbo with Mr. Del Clawson.

Mr. Carey with Mr. Derwinski.

Mr. Denton with Mr. Pirnie.

Mr. Davis of Georgia with Mr. Robison.

Mr. Meeds with Mr. Keith.

Mr. Moss with Mr. Edwards of Alabama.

Mr. Gallagher with Mr. Hansen of Idaho.

Mr. Gilligan with Mr. Betts.

Mr. Rivers of Alaska with Mr. Bow.

Mr. Pool with Mr. Martin of Alabama.

Mr. Evins of Tennessee with Mr. Stafford.

Mr. Cooley with Mr. Berry.

Mr. Colmer with Mr. O'Konski.

Mr. Love with Mr. Martin of Nebraska.

Mr. Craley with Mr. Talcott.

Mr. Holland with Mr. Martin of Massachusetts.

Mr. Roberts with Mr. Watkins.

Mr. Anderson of Tennessee with Mr. Glenn Andrews.

Mr. Hawkins with Mr. Curtin.

Mr. Rooney of Pennsylvania with Mr. King of New York.

Mr. Hungate with Mr. Anderson of Illinois.

Mr. Boggs with Mr. Frelinghuysen.

Mr. Brown of California with Mr. Davis of Wisconsin.

Mr. Celler with Mr. Conable.

Mr. King of Utah with Mr. Morton.

Mr. McVicker with Mrs. Bolton.

Mr. Corman with Mr. Schneebeli.

Mr. Clevenger with Mr. Ashbrook.

Mr. Farbstein with Mr. Thomson of Wisconsin.

Mr. Passman with Mr. Broyhill of Virginia.

Mr. Fuqua with Mr. Widnall.

Mr. Flynt with Mr. Mailliard.

Mr. Fisher with Mr. Laird.

Mr. Grider with Mr. Cahill.

Mr. Miller with Mr. Chamberlain.

Mr. Madden with Mr. Mathias.

Mr. Taylor with Mr. Brown of Ohio.

Mr. Trimble with Mr. Shriver.

Mr. Mackie with Mr. Callaway.

Mr. Schisler with Mr. Roudebush.

Mr. Mackay with Mr. Mosher.

Mr. Roush with Mr. Stanton.

Mr. Boland with Mr. Utt.

Mr. Moeller with Mr. Carter.

Mr. Pucinski with Mr. Walker of Mississippi.

Mr. Resnick with Mr. Findley.

Mr. Purcell with Mr. Fulton of Pennsylvania.

Mr. Hagan of Georgia with Mr. Teague of California.

Mr. Randall with Mr. Olsen of Montana.

Mr. Evans of Colorado with Mr. Farnum.

Mr. Daniels with Mr. Duncan of Oregon.

Mr. McDowell with Mrs. Mink.

Mr. Helstoski with Mr. Rogers of Texas.

Mr. Hicks with Mr. Huot.

Mr. Jacobs with Mr. Ashley.

Mr. Baring with Mr. Scott.

Mr. Sikes with Mr. Chelf.

Mr. Sisk with Mr. Stratton.

Mrs. Sullivan with Mr. Thompson of Texas.

Mr. Ullman with Mr. Watts.

Mr. Udall with Mr. Long of Louisiana.

Mr. Leggett with Mr. Walker of New Mexico.

Mr. Kluczynski wtih Mr. Smith of Virigina.

Mr. Jones of North Carolina with Mr. Adams.

Mr. Howard with Mr. Roncalio.

Mr. Conyers with Mr. Hanna.

Mr. Hansen of Iowa with Mrs. Green of Oregon.

Mr. Greigg with Mrs. Hansen of Washington.

Mr. Dowdy with Mr. McMillan.

Mr. Stephens with Mr. Sweeney.

Mrs. Thomas with Mr. Todd.

Mr. Tunney with Mr. Farnsley.

Mr. O'Brien with Mr. Macdonald.

Mr. McCarthy with Mr. Toll.

Mr. White of Idaho with Mr. Whitten.

Mr. Wright with Mr. Murray.

Mr. SCHEUER changed his vote from "nay" to "yea."

Mr. WYATT changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on agreeing to the resolution.

The question was taken; and the Speaker announced that the "ayes" appeared to have it.

Mr. WILLIAMS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 174, nays 37, not voting 221, as follows:

[Roll No. 376]

YEAS—174

Abbitt
Andrews, George W.
Andrews, N. Dak.
Arends
Ashmore
Ayres
Bandstra
Bates
Battin
Beckworth
Bell
Bennett
Brock
Brooks
Broyhill, N.C.
Buchanan
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Callan
Cameron
Casey
Cederberg
Clancy
Clark
Clausen, Don H.
Cleveland
Collier
Corbett
Cunningham
Dague
de la Garza
Delaney
Dent
Dingell
Dole
Dorn
Downing
Dulski
Duncan, Tenn.
Dwyer
Edmondson
Edwards, La.
Erlenborn
Everett
Fallon
Fascell
Feighan
Flood
Fountain
Friedel
Fulton, Tenn.
Garmatz
Gathings
Gettys
Gibbons
Gray
Griffiths
Grover
Gubser
Gurney
Hagen, Calif.
Hall
Hamilton
Hanley
Hardy
Harsha
Hathaway
Hays
Hechler
Herlong
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Johnson, Pa.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kee
King, Calif.
Kunkel
Landrum
Langen
Latta
Leggett
Lipscomb
Long, La.
Long, Md.
McClory
McCulloch
McDade
McFall
MacGregor
Machen
Mahon
Marsh
Matthews
Miller
Mills
Minish
Minshall
Mize
Moore
Morgan
Morris
Morrison
Murphy, N.Y.
Natcher
Nelsen
O'Hara, Mich.
Olson, Minn.
O'Neal, Ga.
Patman
Patten
Pelly
Pepper
Perkins
Pickle
Pike
Poage
Poff
Price
Quie
Quillen
Race
Redlin
Reid, Ill.
Reifel
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rogers, Colo.
Rogers, Fla.
Rumsfeld
Satterfield
Schweiker
Secrest
Selden
Sikes
Slack
Smith, Calif.
Smith, Iowa
Springer
Staggers
Stubblefield
Teague, Tex.
Tuck
Tuten
Vanik
Vigorito
Waggonner
Waldie
Watson
Weltner
White, Tex.
Whitener
Williams
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Young
Younger
Zablocki

NAYS—37

Annunzio
Bingham
Blatnik
Brademas
Burke
Conte
Curtis
Dawson
Donohue
Fogarty
Gilbert
Gonzalez
Green, Pa.
Horton
Irwin
Krebs
Kupferman
May
Monagan
Moorhead
Morse
Multer
Murphy, Ill.
O'Hara, Ill.
O'Neill, Mass.
Ottinger
Philbin
Rees
Reid, N.Y.
Reuss
Ronan
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Yates

NOT VOTING—221

Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Ashbrook
Ashley
Aspinall
Baring
Barrett
Belcher
Berry
Betts
Boggs
Boland
Bolling
Bolton
Bow
Bray
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Broyhill, Va.
Burton, Calif.
Cahill
Callaway
Carey
Carter
Celler
Chamberlain
Chelf
Clawson, Del
Clevenger
Cohelan
Colmer
Conable
Conyers
Cooley
Corman
Craley
Cramer
Culver
Curtin
Daddario
Daniels
Davis, Ga.
Davis, Wis.
Denton
Derwinski
Devine
Dickinson
Diggs
Dow
Dowdy
Duncan, Oreg.
Dyal
Edwards, Ala.
Edwards, Calif.
Ellsworth
Evans, Colo.
Evins, Tenn.
Farbstein
Farnsley
Farnum
Findley
Fino
Fisher
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fraser
Frelinghuysen
Fulton, Pa.
Fuqua
Gallagher
Giaimo
Gilligan
Goodell
Grabowski
Green, Oreg.
Greigg
Grider
Gross
Hagan, Ga.
Haley
Halleck
Halpern
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Harvey, Mich.
Hawkins
Hébert
Helstoski
Henderson
Hicks
Holifield
Holland
Howard
Hungate
Huot
Jacobs
Jones, N.C.
Kastenmeier
Keith
Kelly
Keogh
King, N.Y.
King, Utah
Kirwan
Kluczynski
Kornegay
Laird
Lennon
Love
McCarthy
McDowell
McEwen
McGrath
McMillan
McVicker
Macdonald
Mackay
Mackie
Madden
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Meeds
Michel
Mink
Moeller
Morton
Mosher
Moss
Murray
Nedzi
Nix
O'Brien
O'Konski
Olsen, Mont.
Passman
Pirnie
Pool
Powell
Pucinski
Purcell
Randall
Reinecke
Resnick
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Tex.
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Roudebush
Roush
Saylor
Scheuer
Schisler
Schmidhauser
Schneebeli
Scott
Senner
Shipley
Shriver
Sickles
Sisk
Skubitz
Smith, N.Y.
Smith, Va.
Stafford
Stalbaum
Stanton
Steed
Stephens
Stratton
Sullivan
Sweeney
Talcott
Taylor
Teague, Calif.
Tenzer
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Tupper
Udall
Ullman
Utt
Van Deerlin
Vivian
Walker, Miss.
Walker, N. Mex.
Watkins
Watts
Whalley
White, Idaho
Whitten
Widnall
Willis
Wolff
Wright

Mr. YATES (interrupting the rollcall). Regular order.

Mr. HALL. Mr. Speaker, a point of order.

The SPEAKER. The gentleman will state it.

Mr. HALL. I demand that the well be cleared.

Mr. YATES. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. YATES. What is the regular order?

The SPEAKER. The regular order is that a rollcall is underway.

Mr. HALL. Mr. Speaker, I renew my request.

The SPEAKER. The well appears to be clear. However, the Chair sees several Members here who apparently have not voted.

Mr. HALL. Mr. Speaker, I move that the Sergeant at Arms—

The SPEAKER. The Chair will not entertain that motion.

Mr. DENT. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. DENT. Am I correct that if we do not have a quorum present on the vote, tomorrow the first order of business will be a vote on the same question?

The SPEAKER. Exactly.

Mr. DENT. Then I would advise those Members who are hiding to come out and vote.

Mr. WELTNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. WELTNER. Mr. Speaker, in the event that the result of the vote is announced and it appears that less than a quorum, or less than 218 Members, have voted, and unanimous consent is not given to dispense with further proceedings under the call, am I correct in understanding that the Sergeant at Arms will then be under an obligation to produce the nonvoting Members?

The SPEAKER. The Chair will state, in response to the inquiry, that if a quorum is not present one of two alternatives remain; one, to adjourn the House, and the other, to instruct the Sergeant at Arms.

The Chair wants to state, frankly, the Chair would not instruct the Sergeant at Arms.

The Chair might state that recognizing Members for parliamentary inquiries at this stage is not to be considered as a precedent in the future.

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. HALL. In the event of the stipulations made by the Speaker as to whom he would recognize and not recognize, if further proceedings under the call of the House are not dispensed with, would it not be automatic that the Sergeant at Arms would be instructed by the Speaker to enjoin a quorum in the House?

The SPEAKER. The Chair will state that this is an automatic rollcall on the adoption of the resolution. The question of dispensing with further proceedings under the call would not be involved. In answer to the second part of the gentleman's inquiry, that would not automatically follow.

Mr. HALL. I thank the Speaker.

Mr. ARENDS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. ARENDS. If it should happen that a quorum does not develop tonight, the unfinished business tomorrow would be the retaking of this same vote?

The SPEAKER. Exactly. That would be the first order of business.

Mr. ARENDS. Like the Speaker, I hope the people will come out of the woodwork. Let us finish our business and keep on going.

The SPEAKER. Apparently they are not going to.

The result of the vote was announced as above recorded.

The SPEAKER. A quorum not being present, this matter will be taken up as the first order of business tomorrow.

ELEMENTARY AND SECONDARY EDUCATION ACT AMENDMENTS OF 1966—CONFERENCE REPORT

Mr. POWELL submitted a conference report and statement on the bill H.R. 13161, the Elementary and Secondary Education Act Amendments of 1966.

ADJOURNMENT

Mr. MILLS. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 9 o'clock p.m.) the House adjourned until tomorrow, Wednesday, October 19, 1966, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2825. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation to the Veterans' Administration for "Compensation and pensions" for the fiscal year 1967, has been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriations, pursuant to the provisions of 31 U.S.C. 665; to the Committee on Appropriations.

2826. A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting a report on borrowing authority for the period ending June 30, 1966, pursuant to the provisions of section 304(b) of the Defense Production Act of 1950, as amended; to the Committee on Banking and Currency.

2827. A letter from the Assistant Secretary of the Interior, transmitting the application of the Malad Valley Irrigating Co. of Malad City, Oneida County, Idaho, for a loan and grant, pursuant to the provisions of 70 Stat. 1044, as amended; to the Committee on Interior and Insular Affairs.

2828. A letter from the Commissioner, Immigration and Naturalization Service, U.S. Department of Justice, transmitting a report of visa petitions approved, according certain beneficiaries third preference and sixth preference classification, pursuant to the provisions of section 204(d) of the Immigration and Nationality Act, as amended; to the Committee on the Judiciary.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. MILLS: Committee on Ways and Means. H.R. 7030. A bill to amend the Internal Revenue Code of 1954 to allow a farmer a deduction from gross income for water assessments levied by irrigation ditch companies; with amendments (Rept. No. 2299). Referred to the Committee of the Whole House on the State of the Union.

Mr. RHODES of Pennsylvania: Committee on Ways and Means. H.R. 13455. A bill to amend title XVIII of the Social Security Act to provide payment for podiatrists' services under the program of supplementary medical insurance benefits for the aged; with amendment (Rept. No. 2300). Referred to the Committee of the Whole House on the State of the Union.

Mr. PATMAN: Committee of conference. S. 3708. An act to assist comprehensive city demonstration programs for rebuilding slum and blighted areas and for providing the public facilities and services necessary to improve the general welfare of the people who live in those areas, to assist and encourage planned metropolitan development, and for other purposes (Rept. No. 2301). Ordered to be printed.

Mr. WILLIS: Committee on Un-American Activities. Report citing Milton Mitchell Cohen; without amendment (Rept. No. 2302). Ordered to be printed.

Mrs. GRIFFITHS: Committee on Ways and Means. H.R. 13116. A bill to amend the Tariff Schedules of the United States with respect to the rate of duty on certain nonmalleable iron castings; with amendment (Rept. No. 2303). Referred to the Committee of the Whole House on the State of the Union.

Mr. COOLEY: Committee of conference. H.R. 14929. An act to promote international trade in agricultural commodities, to combat hunger and malnutrition, to further economic development, and for other purposes (Rept. No. 2304). Ordered to be printed.

Mr. WILLIS: Committee on Un-American Activities. Report citing Yolanda Hall; without amendment (Rept. No. 2305). Ordered to be printed.

Mr. WILLIS: Committee on Un-American Activities. Report citing Jeremiah Stamler; without amendment (Rept. No. 2306). Ordered to be printed.

Mr. YOUNG: Committee on Rules. House Resolution 1063. Resolution providing for the consideration of Senate Joint Resolution 167, joint resolution to enable the United States to organize and hold an International Conference on Water for Peace in the United States in 1967 and authorize an appropriation therefor (Rept. No. 2307). Referred to the House Calendar.

Mr. MILLS: Committee of conference. H.R. 17607. An act to suspend the investment credit and the allowance of accelerated depreciation in the case of certain real property (Rept. No. 2308). Ordered to be printed.

Mr. POWELL: Committee of conference. H.R. 13161. An act to strengthen and improve programs of assistance for our elementary and secondary schools (Rept. No. 2309). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURKE:

H.R. 18420. A bill to amend title II of the Social Security Act to provide a 10-percent benefit increase, to provide a minimum $100 a month benefit for certain individuals with 25 years' service, to liberalize the retirement test, and to increase the earnings base for benefit and tax purposes; to the Committee on Ways and Means.

By Mr. BYRNE of Pennsylvania:

H.R. 18421. A bill to authorize the conduct of certain research and development through the Coast Guard in order to develop an effective electronic guidance system; to the Committee on Merchant Marine and Fisheries.

By Mr. FEIGHAN:

H.R. 18422. A bill to amend title II of the Social Security Act to increase to $2,400 the annual amount individuals are permitted to earn without suffering deduction from the monthly insurance benefits payable to them under such title; to the Committee on Ways and Means.

By Mr. GIBBONS:

H.R. 18423. A bill to improve the payroll administration of the House of Representatives, and for other purposes; to the Committee on House Administration.

By Mr. CONYERS:

H.R. 18424. A bill to authorize the merger of two or more professional football leagues, and to protect football contests between secondary schools from professional football telecasts; to the Committee on the Judiciary.

By Mrs. DWYER:

H.R. 18425. A bill to amend title II of the Social Security Act to provide an 8-percent across-the-board benefits increase; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 18426. A bill to provide a deduction for income tax purposes, in the case of a disabled individual, for expenses for transportation to and from work; and to provide an additional exemption for income tax purposes for a taxpayer or spouse who is physically or mentally incapable of caring for himself; to the Committee on Ways and Means.

By Mr. LANDRUM:

H.R. 18427. A bill, to authorize the Secretary of Agriculture to cooperate with States, counties, and local public agencies in the planning and installation of works and measures to control or prevent erosion damages to the roadbeds and rights-of-way of existing State and county roads and highways; to the Committee on Public Works.

By Mr. McCLORY:

H.R. 18428. A bill to authorize the Legislative Reference Service to make use of automatic data processing techniques and equipment in the performance of its functions; to the Committee on House Administration.

By Mr. STAGGERS:

H.R. 18429. A bill to amend title 18 of the United States Code to prohibit travel or use of any facility in interstate or foreign commerce with intent to incite a riot or other violent civil disturbance, and for other purposes; to the Committee on the Judiciary.

By Mr. PATTEN:

H.J. Res. 1319. Joint resolution calling upon the President to proclaim a National Senior Citizens Day; to the Committee on the Judiciary.

By Mr. FARNUM:

H. Con. Res. 1042. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. MORRIS:

H. Con. Res. 1043. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. O'BRIEN:

H. Con. Res. 1044. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON of Illinois:

H.R. 18430. A bill for the relief of Bozidar Racic; to the Committee on the Judiciary.

By Mr. ANNUNZIO:

H.R. 18431. A bill for the relief of Pantelis Vakidis; to the Committee on the Judiciary.

By Mr. BENNETT:

H.R. 18432. A bill for the relief of Fernando Caulos Galang and his wife, Carmelita Pulido Galang; to the Committee on the Judiciary.

By Mr. FINO:

H.R. 18433. A bill for the relief of William Tsarouchis; to the Committee on the Judiciary.

By Mr. GALLAGHER:

H.R. 18434. A bill for the relief of Lolita T. Flores; to the Committee on the Judiciary.

H.R. 18435. A bill for the relief of Carmen Dato Castillo; to the Committee on the Judiciary.

H.R. 18436. A bill for the relief of Lilia Medroso Benaid; to the Committee on the Judiciary.

By Mr. HANLEY:

H.R. 18437. A bill for the relief of Rosette Hamaoui; to the Committee on the Judiciary.

By Mr. IRWIN:

H.R. 18438. A bill for the relief of Carmelo Macauda; to the Committee on the Judiciary.

By Mr. KEE:

H.R. 18439. A bill for the relief of Jew Hing On; to the Committee on the Judiciary.

By Mrs. KELLY:

H.R. 18440. A bill for the relief of Reinhard Christian Bernet; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 18441. A bill for the relief of Cristos Rogaris; to the Committee on the Judiciary.

By Mr. O'BRIEN:

H.R. 18442. A bill for the relief of Peter (Panagiotis) Baltis; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 18443. A bill for the relief of Calogero Di Maggio; to the Committee on the Judiciary.

H.R. 18444. A bill for the relief of Antonino Randazzo; to the Committee on the Judiciary.

H.R. 18445. A bill for the relief of Maria Luigia Di Giorgio; to the Committee on the Judiciary.

H.R. 18446. A bill for the relief of Lister Arton Bishop; to the Committee on the Judiciary.

H.R. 18447. A bill for the relief of Ruby Gwendolyn Williams; to the Committee on the Judiciary.

H.R. 18448. A bill for the relief of Dennis Lue; to the Committee on the Judiciary.

H.R. 18449. A bill for the relief of Mervyn Wallace; to the Committee on the Judiciary.

H.R. 18450. A bill for the relief of Vida A. Bell; to the Committee on the Judiciary.

H.R. 18451. A bill for the relief of Winston Phillips; to the Committee on the Judiciary.

By Mr. REES:

H.R. 18452. A bill for the relief of Mr. Mohsen Pazirandeh; to the Committee on the Judiciary.

By Mr. SCHEUER:

H.R. 18453. A bill for the relief of Luc Florely Etienne; to the Committee on the Judiciary.

H.R. 18454. A bill for the relief of Irlene Augustin; to the Committee on the Judiciary.

H.R. 18455. A bill for the relief of Frederica E. Barefield; to the Committee on the Judiciary.

By Mr. UTT:

H.R. 18456. A bill for the relief of Our Lady of Pillar Catholic Church in Santa Ana, Calif; to the Committee on the Judiciary.

By Mr. WRIGHT:

H.R. 18457. A bill for the relief of Ibrahim Hassan Sadek; to the Committee on the Judiciary.

By Mr. YATES:

H.R. 18458. A bill for the relief of Alexander Lazar Abraham and Adeline Abraham; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Important Problems Facing U.S. Merchant Marine

EXTENSION OF REMARKS

OF

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1966

Mr. GARMATZ. Mr. Speaker, at the annual convention of the Association Water Transportation Accounting Officers held at the Marriott Motel last Friday, they were privileged to have as a guest speaker, our very able senior Senator from Maryland, DANIEL B. BREWSTER. The choice was a wise one, since he was able to bring to the convention some of the important problems currently facing our merchant marine, from firsthand knowledge gained as a member of the Subcommittee on Merchant Marine and Fisheries, of the Senate Commerce Committee.

Since this subject is of special concern to our country at this time because of the Vietnam situation, his remarks will be of great interest to all Members of the House and Senate and, therefore, I am inserting them in the RECORD for their perusal:

REMARKS OF SENATOR DANIEL B. BREWSTER BEFORE THE ANNUAL CONVENTION OF THE ASSOCIATION WATER TRANSPORTATION ACCOUNTING OFFICERS, OCTOBER 14, 1966

Gentlemen: It gives me great pleasure to address your Annual Convention and to have an opportunity to review with you some of the important problems currently facing our Merchant Marine.

During the past two weeks, those of us following maritime affairs here in Washington have been challenged by two high ranking government officials to generate an increased measure of public understanding and support for the revitalization of our Merchant Marine.

I believe that we should accept the challenge and that the wide variety of associations like your own can be of immeasurable assistance to us in spreading the word from the East Coast to the West Coast and the Great Lakes to the Gulf.

The oscillating attitude of the public toward our Merchant Marine is neither healthy for the Merchant Marine nor for the nation.

History will record the heroic contribution of our merchant fleet to the struggle in Vietnam—a struggle to which it now carries 98 per cent of the supplies and material and 80 per cent of all the personnel. These efforts will have been the more heroic because we simply were not prepared.

Our present dilemma has many causes but among these, government policy, or lack of it, is most at fault. In recent years our government's conduct in maritime affairs has been characterized by drift. We have had no anchor in policy, no seamanship at the wheel, and no propulsion to move us forward.

In such circumstances, it is imperative that this nation start now on a determined course in maritime affairs, a course which emphasizes "Build American," "Operate American," "Ship American," and provide the essential administrative and financial tools to steer this course.

I am confident that all of you who are here are familiar with the deterioration which has characterized our Maritime Industry in recent years. I am confident that all of you recognize the dangers to our security, our economy, our industry, and our ports which are inherent in runaway flags, slashed budgets, idle shipyards, and decreasing numbers of skilled operators and laborers.

These weaknesses in our current maritime posture have not developed suddenly, but they have suddenly taken on an urgency which requires our immediate attention.

I am hesitant to use statistical analysis before a meeting of accounts but as you know better than I, statistics tell the story.

The American story is a sad one: (1) By 1970 we will have only 200 dry cargo liners under 25 years old. (2) Our Tramp and Independent Fleet currently averages between 23 and 28 years old. (3) The American ship building program is now 90 ships behind. (4) Our shipyards are closing. (5) The average American seaman is 50. (6) Our skilled maritime work force continues to dwindle. (7) Strikes idle our ships and cripple our ports. (8) A decade ago we carried 40 per cent of our waterborne foreign commerce—today we carry less than 9 per cent. (9) Our reserve fleet is a paper tiger or over-aged, obsolescent snail-paced, or unseaworthy craft. (10) As of this date 143 of our commercial ships are on charter to serve the Vietnam sealift and 161 ships are being broken from the mothball fleet. There are 34 Victories and 184 Liberties remaining in reserve, but I am reliably informed that all of the remaining Victories will soon be broken out and that the remaining Liberties are practically useless.

This is the American picture—it is a picture of crisis—all the more alarming when we remember that we have no adequate maritime program for merchant fleet development or replacement.

Gentlemen, it is unfortunate—perhaps it is tragic—but I believe it is true—that this story, though told and retold, has never been fully understood by the vast majority of Americans.

Traditionally the American public has been most responsive to the need to maintain our competitive position vis-a-vis the Soviet Union. Perhaps those of us concerned with maritime affairs can learn something from the Sputnik experience. Perhaps we can bring to the maritime crisis the kind of public appreciation and political support which is needed by telling the Soviet story and comparing it with our own.

Here are the bare bones of that story: (1) As early as 1960 the Soviet Union had 464 merchant ships of a thousand gross tons or over, under construction or on order. The United States had 39. (2) Since 1960, new ship orders for the United States have been in an almost steady decline—25 in 1960; 25 in 1961; 27 in 1962; 34 in 1963; 16 in 1964; 16 in 1965; and a probable 11 for 1966. (3) Available Russian figures indicate that deliveries to the Soviet Union numbered 103 in 1964 and 132 in 1965. (4) During 1965 the Soviet Union spent over $600 million as against our $132 million for new ship construction. (6) As of last year, Russia had 1,261 ships in active operation as against 948 United States commercial vessels. Thus, the Russian fleet presently exceeds our own in size and is rapidly approaching us in total dead weight tonnage. It is estimated that by 1968 she will surpass us in dead weight tonnage too.

I believe that this simple statistical analysis clearly demonstrates the degree to which the present administration of our maritime program fails even to meet the constitutional responsibility of the government.

The duty to provide for the common defense makes it imperative that we maintain a powerful merchant fleet sufficient to provide complete independence from foreign ships or alien crews with no allegiance to the United States.

The responsibility to regulate commerce with foreign nations cannot be discharged by surrendering such commerce to the merchant fleets of these nations. The responsibility to promote the general welfare cannot be discharged by allowing foreign flags to carry most of our cargo, unbalance our international payments, and deplete our gold reserve. The vow to secure the blessings of liberty to ourselves and our posterity cannot be discharged by pulling down the American flag over the seven seas and abandoning our commerce to uncertain friends or the Communist bloc.

It is high time that this country reassessed its maritime strength in terms of its constitutional obligation to adequately defend the nation and protect its life line in international commerce.

This year the Congress has appropriated billions of dollars for housing, urban renewal, medical care, social security, regional development, the war on poverty, and a host of other programs. This year we will be subsidizing a host of other programs in industry, in research, in education, and in transportation.

I have supported these programs because I believe that they are necessary to meet the essential needs of a growing nation and an expanding population. But, when I hear others say that the approximately $300 million dollars which we have been spending annually on our Merchant Marine is too much—is too much to provide the second arm of defense—is too much to provide an adequate sealift for our military forces—is too much to promote our essential waterborne commerce—to safeguard our sea-line—to protect our access to strategic materials—and to provide overseas markets for American abundance—to do all this in time of peace and in time of war—then I must tell them that we have lost sight of the basic essentials which sustain a great nation.

We must understand that if we do not sustain our fleet for these purposes, then all other expenditures for social and economic improvement might some day be sacrificed to international disaster.

American sea power has been shockingly neglected, and I believe that it is your responsibility and mine to inform the public and influence the future—to do everything in our power to provide this nation with a Merchant Marine, built in American shipyards, manned by American seamen, carrying the bulk of American exports, and second to no other fleet on the high seas.

The Contributions of a Great Congress to the Great Society

EXTENSION OF REMARKS

OF

HON. ABRAHAM J. MULTER

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1966

Mr. MULTER. Mr. Speaker, as your mighty gavel is about to bring to a close this 89th Congress, it is well to take a little time to review its accomplishments. Let us take stock so that posterity will know what we have done. At the same time we will point the way for the 90th Congress and future Congresses to continue to move forward doing those things we have not done and to improve upon those that we have done.

We have every right to take justifiable pride in the title that our courageous President, Lyndon B. Johnson, has applied to this Congress. I am sure that historians will agree with our President in calling it "a great Congress." And in the words of our able Speaker, this has been the "Fabulous 89th Congress."

Americans recall such outstanding Congresses as the 59th while Theodore Roosevelt was President; the 63d under President Woodrow Wilson; and the 73d under President Franklin Roosevelt.

The 89th Congress, I dare say, has surpassed them all, not only in the quantity of the legislation passed but, more important, in the quality of that legislation.

These bills, many of them already approved by the President and more of them shortly to be signed into law by him have deep meaning and great significance, not only to us here at home but to the entire free world.

One of the important lessons I learned during my early service here, under your guidance Mr. Speaker, and that of President Johnson, who then was a Member of this House, was that platform pledges were not empty promises to be run away from after election but were solemn commitments that we were required to fulfill to the utmost of our capabilities.

President Johnson has recommended to us more than 170 important bills, including what he calls 60 "landmark measures," all encompassed within the promise of our 1964 platform.

This Congress has passed more than 90 percent of those bills.

To quote our dedicated President:

> We ran on our platform. We got elected on our platform. We have enacted our platform. But even more important is what is in that platform.

I will briefly summarize these various matters.

PEACE

While striving to attain a better life and to make it available for all our fellow Americans at home, we are engaged in a struggle to achieve peace and freedom for our fellow men in a small southeast Asian country, far from our shores. This being one world, one small world, we know that to permit liberty to be destroyed anywhere in the world is but one step away from the loss of our own liberties at home.

None of us, in or out of Congress, least of all President Johnson, wants any war, limited or unlimited, declared or undeclared. We want no war anywhere, any place or any time. We want peace. We want peace for all people everywhere for all time.

Under the skillful stewardship of our Chief Executive, the pathway to peace has been kept open. Despite the misconception of the aggressors that our constant efforts to attain peace are a sign of weakness, we, nevertheless, pursue every avenue that may lead to the peace table. All that we ask is that all combatants lay down their arms and stop fighting. That does not mean that we will lay down our arms and let the enemy trample over us or our allies.

Sparked by the results of the recent election held in South Vietnam, a glimpse of light appears. In the midst of terrorism, a vast majority of liberty-loving people have set back, with ballots, not bullets, the forces which seek to dominate and enslave them. This was a significant advance in the struggle of the South Vietnamese for national identity and survival. They conducted a free election as free men and will establish a democratic constitution by democratic means. This is truly a great victory for the free world.

As President Johnson meets with our Asian friends in Manila, we pray that their joint efforts will cause the forces of oppression to desist and to negotiate an honorable and a just peace.

I have told my constituents and I tell them once more: I have complete confidence in our Commander in Chief, whom we elected as President of these United States; and I am sure that he will continue to exert every possible effort to bring about an early peace—a peace with honor and dignity, not only to ourselves but to all mankind.

I have told the people in my district, and I say again: All that the United States has done has been approved by the Congress of the United States, not once but many times, most of the times unanimously and the last time with only six votes against it. A poll of my constituents reveals that they approve by an overwhelming margin of 4 to 1.

The platform of the Democratic Party proclaims:

> Peace should be the first concern of all governments as it is the prayer of all men . . . We pledge unflagging devotion to our commitments to freedom from Berlin to South Vietnam . . . We will oppose aggression and the use of force or threat of force against any nation.

This is the will of the American people and of the free people all over the globe.

CIVIL RIGHTS

I relate peace to civil rights. They go one with the other. Law and order is basic to peace. Peace results from contentment. There can be no contentment without law and order. Law and order must be founded upon justice and equal opportunity.

I emphasize equal opportunity, not superior opportunity. Equal opportunity is meaningless to those who will not help themselves. We must help those who cannot help themselves. The rest are entitled to be assured only of every opportunity to do for themselves that which we do for ourselves.

We continue to strive to fulfill our promise:

> We are firmly pledged to continue the Nation's march toward the goals of equal opportunity and equal treatment for all Americans regardless of race, creed, color or national origin.
>
> The time has come now for all of us to understand and respect one another, and to seek the unity of spirit and purpose from which our future greatness will grow—for only as we work together with the object of liberty and justice for all will the peace and freedom of each of us be secured.

We can accomplish this high purpose by stamping out lawlessness. Liberty is not license. None has the right to take the law into his own hands. Everything we seek can be accomplished within the law—changing, amending, repealing, and enlarging as may be essential.

Accordingly, we enacted new voting rights laws correcting unjust literacy and voter qualification devices and improving methods of registration of voters. The civil rights theme ran through much of the legislation we considered, including immigration, education, housing, and community facilities.

IMMIGRATION

The arbitrary quota system was finally eliminated from our law. No longer do we ask where do you come from but what can you do.

ERADICATION OF POVERTY

The war against poverty continues unabated. The Economic Opportunity Act, the Child Nutrition Act, the school lunch program, rent supplements, Teachers Corps, demonstration cities, minimum wage, aid to elementary and secondary education, loans to students, prevention of narcotic addiction, are only a part of our overall effort.

We admit that administration of some of these programs is not all that is to be desired. Only in a perfect world will we find perfection. We recognize our shortcomings and try to correct them.

EDUCATION

Eighteen bills dealing with all phases of education have been passed by this Congress with a total of $9,600 million invested in those programs. Compare that with six bills and a total of $5,800 million in all of the previous 174 years of our country's existence.

Let the money hoarders cry out against the financial deficits created thereby. I measure that against the untold, the immeasurable profits that our country and all its people gain.

The imaginary tax burden they claim we will pass on to our children will disappear into thin air as those same children earn many times more because of the education and skills we thus afford them.

HEALTH

Healthy minds grow in healthy bodies. And so we also looked to the physical well-being of our people.

When we hear some pennypinchers scream, we are sure they do not know that our Public Health Service was first set up by our Federal Government in 1798.

This Congress initiated and expanded 24 major health programs at a prospective cost of about $8,200 million as against 17 measures and $10 billion in all of the prior 88 Congresses.

Heart, cancer, and other dreadful diseases have been attacked by allocating more than $1 billion to battle their causes and to conquer these major killers.

Education and training of doctors, nurses, specialists, and technicians have received our attention.

CONSERVATION

Good minds in good bodies require good places in which to live and to play.

To accomplish that, the 89th Congress has passed 27 bills to conserve and beautify our great land. We intend to leave to posterity at least as good as we inherited.

OUR CITIES, OUR TOWNS, OUR VILLAGES

This is one big country made up of many parts, all interdependent.

We devoted our energies to all by enacting good housing and mass transit bills, not overlooking bills to clean up our air and our water and to make more water available.

CONSUMER PROTECTION

We enacted bills to protect our people against deceptive practices in merchandising with a truth-in-packaging bill. A truth-in-lending bill is yet to come.

Child safety, traffic safety, tire safety, and auto safety bills were enacted, as well as others to protect our people against unfair and dangerous practices.

We gave the banking agencies of government new tools with which to do a better job in supervising, regulating, and policing our financial institutions in order to better protect the public.

We increased the insurance on deposits in banks and savings institutions from $10,000 to $15,000 per account.

LABOR

We have again demonstrated our belief that a prosperous country is dependent on that vast group of men and women who earn their keep by dint of hard work day in and day out.

A living wage in decent and safe surroundings is our goal.

We have improved our labor laws, not in every respect as urged by union leaders, but we have made progress.

Minimum wages have been increased. More men and women have been covered by the law.

SOCIAL SECURITY

Almost 20 million beneficiaries of social security have had an increase in their monthly checks.

Three hundred and fifty thousand persons over 72 years of age have been included within its beneficial provisions.

Medicare and medicaid are now law.

We still have not done the full job. We will continue to try to improve the provisions of that law in the next Congress.

PROSPERITY

Our country is prospering as it never has in our history. We intend that it shall so continue.

The scaremongers continue to cry "wolf" about inflation and deficit financing.

I remember well the day when a dollar bought more than it does today. I remember better, however, that in those days I did not have the dollar.

Although consumer prices have increased since 1963 about 5½ percent, incomes have increased 17 percent.

Our people today have more purchasing power and, although spending more, they are also saving more and that without giving up any of the necessities of life.

Do not misunderstand me. I believe all of this is good but at the same time I think we can and we will do even better.

VETERANS

During the 89th Congress, we enacted a veterans benefit bill which will provide educational opportunities, home loans, hospitalization for non-service-connected disabilities, job counseling and placement and preference in Federal employment for veterans of service after January 31, 1955. This legislation will give benefits to our soldiers serving in Vietnam similar to those provided for veterans of World War II and Korea.

During the 88th Congress, we enacted legislation to reopen lapsed GI insurance for disabled veterans. Many of us in the Congress fought to have this opportunity reopened for all veterans, but we have not yet been successful. During the 89th Congress, the necessary funding legislation for this program for disabled veterans was enacted into law.

We have also provided an approximate 10-percent increase in compensation payments to veterans with service-connected disabilities and an accompanying increase in dependency allowances paid to veterans 50 percent through 100 percent disabled and an educational allowance for their children. This increase brings these payments closer to the cost of living.

ISRAEL

In connection with legislation for the extension of the Export Control Act, I successfully sponsored an amendment declaring it to be the policy of our Government to oppose restrictive trade practices or boycotts fostered or imposed by foreign countries against countries friendly to the United States, thus prohibiting U.S. firms from entering into agreements which would further or support the Arab boycott of firms dealing with Israel.

Both the Congress and the administration have continued to urge the United Nations to use its offices to establish peace in the Middle East. Our Government has also continued to supply Israel with arms in order to counter the Soviet arms shipments to the Arab countries. We will continue to do so until the Arabs cease their hostile activities.

MORE TO COME

Some of the unfinished business for the 90th Congress will include action on such matters as: Establishment of a National Eye Institute; truth in lending; expanding assistance to small business; improvement of administration of the antipoverty program; crime prevention; implementation of the demonstration cities law; some regulation of the sale of firearms; establishment of a United Nations peacekeeping force; abatement of aircraft noise; providing civil service retirement after 20 years; removing the limitation on outside income for social security annuitants; establishing a Senior Service Corps to provide jobs for the aged; severance pay for ex-employees of the navy yard; a congressional charter for the Jewish War Veterans; recognition by the Administrator of the Veterans' Administration of the Italian-American War Veterans; abolition of the death penalty; a 4-year term for Members of the House of Representatives.

MY CONSTITUENTS' VIEWS

I worked and voted for the many bills and programs outlined by me. I am sure my constituents approve because I have always kept my fingers on the pulse of public opinion in my district.

By being with my people continually throughout my congressional district and always being available to listen to them, I am attuned to their thinking.

Nevertheless, this year I sent out 200,000 questionnaires, 1 to every family in my district. I asked 12 questions about matters of concern to me as their Representative.

The returns were most gratifying because, in every instance, the vast majority approved of my actions and indicated that they would have talked and voted precisely as I did if they had occupied my seat in the House of Representatives.

Mr. Speaker, it was a great privilege to serve under your inspiring leadership and I look forward to rejoining you in the 90th Congress—God willing and my constituents so voting.

My office in Washington will, as always, remain open to be of assistance to my constituents during the recess. All they need do is address their communications to me at the House Office Building, Washington, D.C. 20515.

I will continue to make myself available to them in my district. My local telephone in the district will continue to be manned 24 hours a day in order to take care of emergencies.

Congressman Gilbert's Report on the 89th Congress

EXTENSION OF REMARKS

OF

HON. JACOB H. GILBERT

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Tuesday, October 18, 1966

Mr. GILBERT. Mr. Speaker, the 89th Congress has been one of significant achievement. In recognition of that achievement, it has been called many things—the Education Congress, the Health Congress, the Prosperity Congress, the Opportunity Congress, the Safety Congress. It has unquestionably accomplished more than any Congress in our generation.

To review every substantial piece of legislation which this Congress has enacted would be a monumental task. Some of the measures passed during the first year have already begun to have a major impact on our lives. I speak of medicare, for instance, under which our senior citizens have already begun to receive benefits. But I cannot touch on every new law, so I will state for the RECORD the important changes which this Congress has made in behalf of the Nation. The highlights alone are most impressive. I would like to make this statement available to my constituents, so they can see what we have done here and, particularly, so that they can assess my own efforts to serve them.

My own efforts were largely concentrated in the committees on which I serve. My committees during the past 2 years were the Judiciary and Merchant Marine and Fisheries. As a member of the Judiciary Committee, I had the opportunity to contribute to the historic Voting Rights Act and other important civil rights measures. I also fought for a jury reform bill, which I believe must become law in a future Congress. In my capacity on the Merchant Marine and Fisheries Committee, I worked to expand the Nation's maritime activities, its fishing industries, and its research in marine sciences and engineering. I will have further occasion in the course of this report to refer to my committee responsibilities and efforts.

MINIMUM WAGE

Nothing that Congress did this year was, in my view, more important than passing the new minimum wage law. The new law will increase the minimum wage from $1.25 to $1.40 an hour on February 1, 1967. A year later, on February 1, 1968, the minimum wage will be increased to $1.60. Equally important, some 8 million workers who were never covered before will now come under the protection of the minimum wage and their rates will be increased annually until by 1971 they, too, will be earning at least the $1.60 minimum.

I fought particularly hard for this legislation, because the opposition to it was severe. This opposition utilized the fallacious argument that the new rates would be inflationary. To this I replied that those who are now at the lowest levels of our pay scale will not contribute to inflation, since they are already earning so little. The opponents of this bill want the poor to pay for price stability, while those who can afford it far better remain immune. I do not believe in that theory. I believe every man must be allowed to make a living wage and I think this bill will help to achieve that objective.

DEMONSTRATION CITIES

I supported the demonstration cities bill because I think it will do much to rehabilitate New York and particularly to help my constituency in the East Bronx. At the President's request, I sponsored this bill. It is a visionary piece of legislation. It recognizes that the cities cannot by themselves afford to pay to overcome the decades of neglect of which they are now the victims. It acknowledges that the Nation as a whole has a responsibility to help make the cities what President Johnson calls "the masterpieces of our civilization."

This bill is, as I see it, a statement of national commitment. It strengthens the partnership between Washington and the Nation's neglected urban centers. It makes new funds available for planned and coordinated rehabilitation. The effects of this bill are still a few years away from being felt. But the measure represents a seedling which will grow into a sturdy tree. I am convinced that the demonstration cities program will grow as its sponsors foresee and will serve as the vehicle for a vast urban renaissance.

WAR ON POVERTY

Congress made an important commitment to the war on poverty this year by voting $1.75 billion in new funds. The bill represents a major extension of the war and a far greater Federal commitment than Congress has made in past years. It is twice last year's authorization and contains authority for exciting new programs.

There is a generous provision for jobs for the hard-core unemployed. There is money to help small businesses get a start and keep going in difficult times. Increases have been provided for the successful Job Corps, Neighborhood Youth Corps, and Headstart programs. This is an imaginative and forward-looking piece of legislation. I would be less than candid if I did not say that I wish the Congress could have authorized far more money than it did for the war on poverty.

As the budget now stands, we spend about 3 percent for the war on poverty of what we spend for our Armed Forces. I think we can afford a bigger percentage. I will continue to work in the future, as I have in the past, for greater Federal commitments to the war on our homefront. I believe that is the noblest war we have to fight. I see no money better spent than that which goes for jobs and training and other forms of assistance to those who in the past have not been given a decent chance to make their way in the world.

I would like to add that I devoted a good proportion of my time and energies during this session to seeing that adequate antipoverty funds go to groups in my congressional district. Because the total amount of money that could be approved for New York was limited, we in the Bronx could not obtain all that we needed or all that we could have put to good use. I did my best to make sure that we received every penny that was available. I think we will do better next year, when we begin to feel the full impact of the enlarged Antipoverty Act of 1966.

EDUCATION

The legislation passed to modernize the American educational system and make it equal to the challenges of our age is, I believe, genuinely remarkable. Congress took the price tag off education and put the emphasis on meeting the Nation's needs. It passed a Higher Education Act and Elementary and Secondary Education Act. It passed a bill to build new libraries and encourage the arts. It corrected an inequity by approving a GI bill of rights for the veterans of the cold war, so that those who have served in the armed services in recent years will have the means to improve themselves. I supported all these bills. If nothing else, the achievements of this Congress in education will give it a unique place in history.

HEALTH

This Congress finally broke the logjam of many years to establish a system of medicare for our citizens over 65. At the same time, it increased social security benefits for this same age group. Congress authorized the creation of regional health centers to fight our deadliest diseases and provided funds for further medical training and research. I was particularly pleased that we expanded the school lunch and special milk programs, to assure nourishment to our needy children. The health legislation of the 89th Congress will have a direct and lasting impact on the lives of every one of us.

WATER POLLUTION

I was gratified that Congress this year at last passed meaningful legislation to combat water pollution. The new law provides substantial funds for treatment plants to keep sewage out of our rivers. It also stiffens old statutes which forbid the deposit of refuse in our rivers. This law, in combination with a special bill to save the Hudson River, certainly gives New York a fresh start in cleaning up its waterways. Its rivers are New York's most magnificent adornment. When Henry Hudson arrived in the new world, he told us that the waters he found around Manhattan Island were as clear as a fresh spring. Though that will never again be the case, I fear, it does not mean that we must allow our rivers to be choked by filth. I think that the new legislation passed by Congress will restore our rivers as sources of recreation and beauty.

I might also add here, while talking of water, that Congress passed new legislation designed as a start for relieving the long-term drought through which New York and other sections of the country have been passing. The new law puts money into research on water resource problems. When we have learned more about how to solve our problems, I am confident that Congress will pass more laws to implement the findings. For the moment, the crisis conditions in New York seem to have passed, though it is possible we will be faced with a water shortage again soon. Next time, I believe the Federal Government will be better prepared to help.

TRUTH IN LABELING

The American consumer won an important measure of protection this year in the enactment by Congress of the "truth in labeling" bill. Although I proposed a far stronger measure, the bill approved will help end deceptive practices of some manufacturers of retail merchandise. These dishonest manufacturers cheated by making it difficult for the average housewife to know what she was buying. The result was that the poor, more than the rich, paid a penalty each week at the grocery store. The "truth in labeling" bill, which now is law, is a clear warning that the cheap merchandising tricks which take money out of the pocket books of the poor will no longer be tolerated.

DEPARTMENT OF TRANSPORTATION—URBAN MASS TRANSIT—AUTO AND HIGHWAY SAFETY

Congress this year passed a series of bills that will have an important bearing on how we travel and how safely. I took particular interest in the creating of the Department of Transportation, which is a new agency of Government at the Cabinet level. The new Department will bring together some 100,000 Federal employees who administer programs totaling $6 billion annually. But more important than a simple reorganization will be the facilities it will concentrate for developing a coherent national transportation policy. We need greater attention to coordinating our rail, bus, and air transportation. I think the new Department will achieve that objective.

But as a member of the Committee on the Merchant Marine, I fought vigorously to keep maritime functions out of the new agency. Much as I favored a Department of Transportation, I did not believe that the merchant marine should be under its jurisdiction. My principal reason was that the position of the United States as a commercial seafaring power has been declining grievously since World War II. To put the merchant marine in with trucks, busses, and trains would, in my view, have doomed it to continued indifference and inattention. I feel that the only salvation for the merchant marine is to put it in an independent jurisdiction. Congress has reaffirmed the independence of the agency and I look forward to a rise in the country's maritime fortunes under the revitalized Maritime Agency.

Congress also passed a bill that will help improve the deteriorating mass transit systems of our major cities. It was personally a disappointment to me that more money was not authorized but that does not mean that we cannot rectify the deficiency next year. The bill is further recognition by Congress of the national responsibility to halt the decline of our cities. The new law authorizes funds to modernize existing transit systems, to assist in the construction of new systems, to conduct research into improved methods of mass transit and to get started the planning and engineering of systems where they are desperately needed. I think this is a step forward.

I am also happy to note that Congress approved a bill which will make transportation safer for millions of Americans, including a major proportion of my own constituents. This bill establishes mandatory safety requirements for new automobiles. It sets rigorous standards, not only for such items as brakes, windshield wipers, and wheels, but also for tires. There remains much controversy over what, exactly, is responsible for most automobile accidents. But I, for one, look forward to seeing many lives saved by this legislation.

The companion to the Auto Safety Act is the Highway Safety Act, which is designed to make our roads safer. This measure provides funds to the States to make driving less of a hazard. I believe in this bill, too. I think it complements the others and helps make 1966 a first-class year for all—and I think that means most of us—who travel in cars or in public transportation on our business, vacations, or other trips.

AIRCRAFT NOISE

I wish I could report that Congress this year took more decisive action to reduce aircraft noise, which is distressing to many of those of us who live on the fringes of La Guardia Airport in my congressional district. I have been pressing for passage of a bill that would finance research into the reduction of aircraft noise and would authorize the Federal Aviation Agency to set sensible standards to see that we do not have to suffer unnecessary noise. Though my bill did not pass, I have been assured by the FAA that the problem will not be forgotten. I am hopeful of administrative action on this matter and I look forward to applicable legislation in the next Congress.

IMMIGRATION

It is well known that Congress last year passed a fundamental reform of the Nation's immigration laws. It eliminated—for all time, I hope—the obnoxious "national origins" quota system and substituted for it a system based on family relationships and professional skills. As a member of the Judiciary Committee, it was brought to my attention that there were certain inadvertent injustices written into the new act.

Many Latin Americans living in the United States, had, ironically, to leave this country if they wanted to remain here permanently. Congress, at my suggestion, amended the act to permit resident Latin Americans, who had filed prior to December 1, 1965, to remain without having to go abroad to make the request. In another bill which I proposed, and which has now become the Gilbert bill, Congress adjusted the immigrant status of Cubans who fled oppression in their homeland and came to the United States for refuge. My bill regularized their presence here as bona fide immigrants in the United States.

These bills were of special interest to the many Spanish-speaking persons of my district. But, more important than that, they were matters of simple humanity and justice and they were enacted because Congress realized their approval was right.

BAIL REFORM

One of the measures of a country's civilization is the manner in which it treats persons accused but not convicted of crimes. I believe we became significantly more civilized in the second session of this Congress by passing the Bail Reform Act. This bill ends the requirement that those who cannot afford bond must, if accused in Federal court, be required to remain in jail. It was important to enact this reform because the old system was a burden only on the poor. The rich—the wealthy hoodlums of organized crime, for example—could easily pay their way out of jail and remain free until trial. The Bail Reform Act authorizes the release on personal recognizance of persons of good reputation who otherwise would be eligible for bail. It would also credit time spent in prison prior to trial toward the service of any sentence. These, along with the other provisions of the bill, go far toward modernizing our bail system. To me the reform means that we have a finer and sturdier system of justice.

NARCOTICS

Aware of the threat of narcotics addiction, not only to addicts themselves but to law-abiding men and women throughout the country, I have been particularly active—largely through my work on the Judiciary Committee—in trying to win support for narcotics reform legislation. Congress this year passed a bill to improve commitment procedures for addicts who want to be cured of the narcotics habit. I was hoping for a more comprehensive bill as I had proposed, which would provide funds for new facilities for treatment in New York and elsewhere. But I think, nonetheless, that Congress has taken an important step forward and I hope that in the next session an even better bill will become law. A bill such as I have proposed will help, in a humane and sensible manner, to reduce the scourge of narcotics addiction.

CONCLUSION

Mr. Speaker, I think all of us on the floor today will be forever proud of having been Members of the fighting 89th, the outstanding Congress of this generation. It has had its failures, but what human institution does not? It will be remembered for its triumphs. I am proud of the contributions I made to those triumphs. I am not complacent and do not overlook that the Members of future Congresses will continue to face great challenges. I hope, Mr. Speaker, that I am privileged to help deal with those challenges. But this Congress made giant steps forward in correcting unsatisfactory situations in this country. It has set magnificent precedents; it has been a wonderful example to its sucessors. Future Congresses will build on its work and will find, I am sure, that this work has been sound.

SENATE

WEDNESDAY, OCTOBER 19, 1966

The Senate met at 11 o'clock a.m., and was called to order by Hon. FRANK E. MOSS, a Senator from the State of Utah.

Rev. Edward B. Lewis, pastor, Capitol Hill Methodist Church, Washington, D.C., offered the following prayer:

O God, we are grateful this morning for the experience of personal peace. We find this peace at the place of prayer where Thy spirit bears witness with our spirit that we are the sons of God. Give us, in this moment, a sense of that peace.

As our President visits different lands these days seeking ways of world peace, we pray for Thy presence and power to be with him. Empower him and other world leaders with a new spirit of peace to be shared. Bring peace for all mankind, from these and other efforts, we pray.

During these closing days of this session of the U.S. Senate, may pressures be met with intellectual and spiritual insight through Thy presence working in the lives of our leaders. We pray in Jesus' name. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., October 19, 1966.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. FRANK E. MOSS, a Senator from the State of Utah, to perform the duties of the Chair during my absence.

CARL HAYDEN,
President pro tempore.

Mr. MOSS thereupon took the chair as Acting President pro tempore.

THE JOURNAL

On request of Mr. MANSFIELD, and by unanimous consent, the reading of the Journal of the proceedings of Tuesday, October 18, 1966, was dispensed with.

MESSAGES FROM THE PRESIDENT

Messages in writing from the President of the United States were communicated to the Senate by Mr. Jones, one of his secretaries.

REPORT ON THE NATION'S SPACE PROGRAM—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President, which, with the accompanying report, was referred to the Committee on Aeronautical and Space Sciences:

To the Congress of the United States:

This is a report of a period—July 1 through December 31, 1965—characterized by outstanding progress in the Nation's space program.

Manned space flights were extended to 8 and 14 days by Gemini V and Gemini VII, and rendezvous was achieved as Gemini VI-A was maneuvered to within a foot of Gemini VII in a spectacular demonstration of precision flying in space.

In space science, Mariner IV transmitted remarkably clear pictures of the surface of Mars, and communications satellites supported Gemini operations and provided channels for TV coverage of the recovery of the Gemini astronauts.

The space program continued to stimulate growth in the educational, technological, industrial, and scientific competence of the Nation. Its influence also extended to the field of international affairs where cooperative endeavors with other nations helped advance the cause of international peace.

The success of the Gemini flights gives encouragement to all who look forward to safety and success in conquering the hazards of space travel. We have learned that man can function effectively in space and we believe that he is capable of the lunar mission. Now, with the support of the Congress and the American people, we proceed to meet with confidence our greatest technological and managerial adventure—the exploration of the moon.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 19, 1966.*

RETURN OF BILL—MESSAGE FROM THE PRESIDENT

The ACTING PRESIDENT pro tempore laid before the Senate the following message from the President of the United States:

To the Senate of the United States:

In compliance with the request contained in the resolution of the Senate (the House of Representatives concurring therein), I return herewith S. 3488 entitled "An act to grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact to establish an organization empowered to provide transit facilities in the National Capital region and for other purposes and to enact said amendment for the District of Columbia."

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 19, 1966.*

EXECUTIVE MESSAGES REFERRED

As in executive session,

The ACTING PRESIDENT pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations this day received, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Bartlett, one of its reading clerks, announced that the House had agreed to the amendments of the Senate to the bill (H.R. 2600) to provide for the acquisition and preservation of the real property known as the Ansley Wilcox House in Buffalo, N.Y., as a national historic site.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 8917) to provide for the disposition of funds appropriated to pay a judgment in favor of the Omaha Tribe of Nebraska, and for other purposes.

The message further announced that the House had passed a bill (H.R. 18381) making supplemental appropriations for the fiscal year ending June 30, 1967, and for other purposes, in which it requested the concurrence of the Senate.

HOUSE BILL REFERRED

The bill (H.R. 18381) making supplemental appropriations for the fiscal year ending June 30, 1967, and for other purposes, was read twice by its title and referred to the Committee on Appropriations.

EXECUTIVE COMMUNICATIONS, ETC.

The ACTING PRESIDENT pro tempore laid before the Senate the following letters, which were referred as indicated:

REPORTS ON OVEROBLIGATIONS OF APPROPRIATIONS

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Selective Service System for "Salaries and expenses", for the fiscal year 1967, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the Veterans' Administration for "Compensation and pensions", for the fiscal year 1967, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

A letter from the Director, Bureau of the Budget, Executive Office of the President, reporting, pursuant to law, that the appropriation to the General Services Administration for "Operating Expenses, Federal Supply Service", for the fiscal year 1967, had been apportioned on a basis which indicates the necessity for a supplemental estimate of appropriation; to the Committee on Appropriations.

REPORT ON BORROWING AUTHORITY

A letter from the Director, Office of Emergency Planning, Executive Office of the President, transmitting, pursuant to law, a report on borrowing authority, for the fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on Banking and Currency.

REPORT ON RECEIPT OF APPLICATION FOR LOAN UNDER THE SMALL RECLAMATION PROJECTS ACT

A letter from the Assistant Secretary of the Interior, reporting, pursuant to law, on the receipt of an application for a loan under the Small Reclamation Projects Act from the Malad Valley Irrigating Co., of Malad City, Oneida County, Idaho (with accompanying papers); to the Committee on Interior and Insular Affairs.

REPORT ON PERSONNEL CLAIMS PAID BY VETERAN'S ADMINISTRATION

A letter from the Administrator, Veterans' Administration, Washington, D.C., transmitting, pursuant to law, a report on personnel claims paid by that Administration, during fiscal year ended June 30, 1966 (with an accompanying report); to the Committee on the Judiciary.

REPORTS RELATING TO THIRD PREFERENCE AND SIXTH PREFERENCE CLASSIFICATION FOR CERTAIN ALIENS

A letter from the Commissioner, Immigration and Naturalization Service, Department of Justice, transmitting, pursuant to law, reports relating to third preference and sixth preference classification for certain aliens (with accompanying papers); to the Committee on the Judiciary.

PETITIONS AND MEMORIALS

Petitions, etc., were laid before the Senate, and referred as indicated:

By the ACTING PRESIDENT pro tempore:

A resolution adopted by the United Hungarian Societies of Cleveland, Ohio, favoring an investigation of the Hungarian case; to the Committee on Foreign Relations.

A resolution adopted by the Allied Veterans Council, Inc., of Wayne County, Mich., favoring a continued effort to combat water and air pollution; to the Committee on Public Works.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. STENNIS, from the Committee on Armed Services, without amendment:

H.R. 14741. An act to authorize an increase in the number of Marine Corps officers who may serve in the combined grades of brigadier general and major general (Rept. No. 1838).

By Mrs. SMITH, from the Committee on Armed Services, without amendment:

H.R. 16394. An act for the relief of certain enlisted members of the military services who lost interest on amounts deposited under section 1035 of title 10, United States Code, or prior laws authorizing enlisted members' deposits, and for other purposes (Rept. No. 1877).

By Mr. BYRD of Virginia, from the Committee on Armed Services, with an amendment:

H.R. 12822. An act to authorize the extension of certain naval vessel loans now in existence, and for other purposes (Rept. No. 1842).

By Mr. SALTONSTALL, from the Committee on Armed Services, with an amendment:

H.R. 7973. An act to amend section 4339 of title 10, United States Code (Rept. No. 1878).

By Mr. RUSSELL of Georgia, from the Committee on Armed Services, with amendments:

H.R. 17451. An act to amend titles 10 and 37, United States Code, to authorize certain rank, pay, and retirement privileges for officers serving in certain positions, and for other purposes (Rept. No. 1880).

By Mr. THURMOND, from the Committee on Armed Services, with amendments:

H.R. 5990. An act to grant increased benefits to persons receiving cash relief under the Panama Canal Cash Relief Act of July 8, 1937, and to extend cash relief benefits to widows of recipients (Rept. No. 1879).

By Mr. MUSKIE, from the Committee on Public Works, without amendment:

S. 3747. A bill to designate the dam and reservoir to be constructed on the Sangamon River near Decatur, Ill., as the Henry Bolz Dam and Reservoir (Rept. No. 1839).

By Mr. INOUYE, from the Committee on Public Works, with amendments:

H.R. 15024. An act to amend section 8 of the Public Buildings Act of 1959 to authorize the Administrator of General Services to lease certain property in the District of Columbia (Rept. No. 1865).

By Mr. McCLELLAN, from the Committee on the Judiciary, without amendment:

S. 552. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Eugene E. Laird (Rept. No. 1844);

S. 924. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of John R. Devereux, of Chevy Chase, Md. (Rept. No. 1872);

S. 1194. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Douglas B. Bagnell, of Fairhope, Ala. (Rept. No. 1873);

S. 1335. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Colvern D. Henry (Rept. No. 1874);

S. 1926. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Harold Braun, of Montclair, N.J. (Rept. No. 1875);

S. 2222. A bill for the relief of Susan Jeanne Clynes (Rept. No. 1845);

S. 3750. A bill for the relief of Martha Blankenship (Rept. No. 1846);

H.R. 1269. An act for the relief of H. Foster Hunter (Rept. No. 1847);

H.R. 3901. An act for the relief of Miss Elisabeth von Oberndorff (Rept. No. 1848);

H.R. 6103. An act for the relief of the city of Umatilla, Oreg. (Rept. No. 1849);

H.R. 8358. An act for the relief of the Milan Compress Co. (Rept. No. 1850);

H.R. 8694. An act conferring jurisdiction upon the United States Court of Claims to hear, determine, and render judgment upon the claim of John T. Knight (Rept. No. 1876);

H.R. 9348. An act for the relief of Capt. Harold G. Wilmarth (Rept. No. 1851);

H.R. 10249. An act for the relief of Mrs. Elisabeth Manninen (Rept. No. 1852);

H.R. 10662. An act for the relief of Leonard J. Dalton (Rept. No. 1853);

H.R. 10846. An act for the relief of Katherine Nabokoff and Emil Homoceanu (Rept. No. 1854);

H.R. 13682. An act for the relief of Donald E. Auseon (Rept. No. 1855);

H.R. 13982. An act to amend the act of August 14, 1964, to authorize payments of any amounts authorized under the act to the estates of persons who would have been eligible for payments under the authority of the act, and for other purposes (Rept. No. 1856);

H.R. 14075. An act to authorize the Secretary of Commerce to settle and pay certain claims arising out of the taking of the 1960 decennial census (Rept. No. 1857);

H.R. 14749. An act for the relief of Katherine M. Perakis (Rept. No. 1858);

H.R. 14864. An act for the relief of certain individuals (Rept. No. 1859);

H.R. 15014. An act for the relief of Henry P. Leonhardy (Rept. No. 1860); and

H.R. 15766. An act to establish a National Commission on Reform of Federal Criminal Laws (Rept. No. 1862).

By Mr. McCLELLAN (for Mr. Ervin) from the Committee on the Judiciary, without amendment:

S. 2186. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Bernard J. Campbell (Rept. No. 1870).

By Mr. McCLELLAN (for Mr. Bayh) from the Committee on the Judiciary, without amendment:

S. 1696. A bill conferring jurisdiction upon the U.S. Court of Claims to hear, determine, and render judgment upon the claim of Philip J. Fichman (Rept. No. 1871).

By Mr. SMATHERS, from the Committee on the Judiciary, without amendment:

S. 3621. A bill for the relief of Timothy Joseph Shea and Elsie Annet Shea (Rept. No. 1840).

By Mr. McCLELLAN, from the Committee on the Judiciary, with an amendment:

S. 982. A bill for the relief of Maj. Robert G. Smith, U.S. Air Force (Rept. No. 1863); and

S. 2024. A bill for the relief of Louis T. Miller (Rept. No. 1864).

By Mr. HART, from the Committee on the Judiciary, with an amendment:

S. 3301. A bill for the relief of Charles Bernstein (Rept. No. 1868).

By Mr. SCOTT, from the Committee on the Judiciary, with an amendment:

S. 2661. A bill for the relief of Jack Baer (Rept. No. 1869).

By Mr. SCOTT, from the Committee on the Judiciary, with an amendment:

S. 2147. A bill for the relief of Lt. Col. Samuel J. Cole, U.S. Army (retired) (Rept. No. 1843).

By Mr. PASTORE, from the Committee on Appropriations, with amendments:

H.R. 18381. An act making supplemental appropriations for the fiscal year ending June 30, 1967, and for other purposes (Rept. No. 1841).

By Mr. BIBLE, from the Committee on the District of Columbia, without amendment:

H.R. 17798. An act to provide that a judgment or decree of the District of Columbia Court of General Sessions shall not constitute a lien until filed and recorded in the office of the Recorder of Deeds of the District of Columbia, and for other purposes (Rept. No. 1867).

AMENDMENT OF LAW ENFORCEMENT ASSISTANCE ACT OF 1965—REPORT OF A COMMITTEE—INDIVIDUAL VIEWS (S. REPT. NO. 1861)

Mr. LONG of Louisiana. Mr. President, on behalf of the Senator from Arkansas [Mr. McClellan], from the Committee on the Judiciary, I report favorably, without amendment, the bill (H.R. 13551) to amend the Law Enforcement Assistance Act of 1965, and for other purposes, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the individual views of the Senator from New York [Mr. Javits].

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Louisiana.

AMENDMENT OF FEDERAL FIREARMS ACT—REPORT OF A COMMITTEE—INDIVIDUAL AND ADDITIONAL VIEWS (S. REPT. NO. 1866)

Mr. HRUSKA. Mr. President, from the Committee on the Judiciary, I report favorably, without amendment, the bill (S. 3767) to amend the Federal Firearms Act, and I submit a report thereon. I ask unanimous consent that the report be printed, together with the individual and additional views of the Senator from Connecticut [Mr. Dodd], the Senator from Michigan [Mr. Hart], the Senator from Missouri [Mr. Long], the Senator from Massachusetts [Mr. Kennedy], the Senator from Indiana [Mr. Bayh], the Senator from Maryland [Mr. Tydings], the Senator from Florida [Mr. Smathers], the Senator from Hawaii [Mr. Fong], the Senator from Pennsylvania [Mr. Scott], and the Senator from New York [Mr. Javits].

The ACTING PRESIDENT pro tempore. The report will be received and the bill will be placed on the calendar; and, without objection, the report will be printed, as requested by the Senator from Nebraska.

REPORT ENTITLED "OPERATION OF ARTICLE VII, NATO STATUS OF FORCES TREATY"—REPORT OF A COMMITTEE (S. REPT. NO. 1881)

Mr. JACKSON. Mr. President, on October 18, 1966, the full Committee on Armed Services approved the annual report entitled "Operation of Article VII, NATO Status of Forces Treaty," together with other jurisdictional operations, for the period December 1, 1964, through November 30, 1965.

I submit to the Senate this report and ask that it be printed, with illustrations.

The **ACTING PRESIDENT** pro tempore. Without objection, it is so ordered.

BILLS INTRODUCED

Bills were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. CLARK:

S. 3925. A bill for the relief of Heather Gwendolyn Boyd-Monk; to the Committee on the Judiciary.

By Mr. LONG of Louisiana (for himself and Mr. Ellender):

S. 3926. A bill to modify the proposed work of improvement on the Red River below Fulton, Ark., and for other purposes; to the Committee on Public Works.

(See the remarks of Mr. Long of Louisiana when he introduced the above bill, which appear under a separate heading.)

By Mr. TYDINGS:

S. 3927. A bill for the relief of Donald C. Goewey; to the Committee on the Judiciary.

RESOLUTION

EXPRESSION OF SENSE OF THE SENATE RELATING TO A STUDY CONCERNING THE ADEQUACY OF ECONOMIC EDUCATION IN THE UNITED STATES

Mr. LONG of Louisiana (for himself, Mr. Douglas, Mr. Church, Mr. Hart, Mr. Saltonstall, Mr. Jackson, Mr. Prouty, Mr. Fulbright, Mr. Sparkman, Mr. Kuchel, Mr. Bartlett, Mr. Harris, Mr. Fong, Mr. Pell, Mr. Hartke, Mr. Moss, Mr. Williams of New Jersey, and Mr. Inouye), submitted a resolution (S. Res. 316) to express the sense of the Senate that the Joint Economic Committee should conduct a study concerning the adequacy of economic education in the United States, which was considered and agreed to.

(See the above resolution printed in full when submitted by Mr. Long of Louisiana, which appears under a separate heading.)

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE RECORD

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Record, as follows:

By Mr. MONTOYA:

Statement entitled "Marie McGuire: Outstanding Public Servant" by the Senator from Alaska [Mr. Bartlett].

LIMITATION ON STATEMENTS DURING THE TRANSACTION OF ROUTINE MORNING BUSINESS

On request of Mr. Mansfield, and by unanimous consent, statements during the transaction of routine morning business were ordered limited to 3 minutes.

MODIFICATION OF WORK IMPROVEMENT ON THE RED RIVER BELOW FULTON, ARK.

Mr. LONG of Louisiana. Mr. President, more than 20 years ago, my predecessor, Hon. John H. Overton, introduced and had enacted by the Congress a bill that would bring navigation to the cities of Shreveport, Alexandria, and Natchitoches, La., and open the gateway to waterway traffic in the entire Arkansas-Louisiana-Texas-Oklahoma area served by the Red River of the South.

Twenty years ago that project was justified and was urgently needed. Today it is still justified and is still urgently needed—but it has never been built.

The project that Congress enacted in 1945 was known as the Red River Lateral Canal. It connected the Red River with the Mississippi River by means of a canal roughly parallel with the Red River across the rich farmlands of central Louisiana. This was the undoing of the project. After 20 years the Corps of Engineers, builders of this authorized project, have been unable to obtain rights-of-way. The people felt the lands the canal would cut were more valuable than the artery they would create. This is not the first time we have had it brought to bear that the people who own the land are not necessarily the beneficiaries of the projects we attempt to build in the interest of the development of this great country.

Nevertheless, we still need navigation if the cities and communities served by the Red River are to get their share of the great industrial growth to which the South has become heir in recent years. Since we could not achieve it by means of an artificial waterway, we must achieve it in the same fashion that Captain Shreve did many years ago. He removed the great raft and went down the Red River itself; we must remove the political blockade and proceed in the same direction.

More than 2 years ago, realizing that we would never achieve navigation for this area with the law as it is presently written, I asked the Public Works Committee of this body to authorize a study designed to put navigation back into the Red River. I asked that this study be expanded to include navigation all the way to Daingerfield, Tex. That study was authorized and is now complete. I am happy to say that the Board of Engineers for Rivers and Harbors has approved the report the district engineer at New Orleans and the division engineers of the Lower Mississippi Division submitted and added its sanction to this project, which will cost over half a billion dollars.

Mr. President, in line with this approved report, I am introducing a bill to modify the present authorized project for a lateral canal to incorporate into it the features covered by the study just completed by the Corps of Engineers. That study permits the Engineers to restore navigation in the Red River itself when that is the feasible thing to do; it permits the Engineers to cut through bends in the Red River when that would increase the efficiency of navigation; it permits the Engineers to make impervious to the ravages of the river the banks, that up to this time have been destroyed at a disgraceful annual rate; and it permits the construction of the number of locks along the way that will make this possible. In a word, Mr. President, the amendment I offer today would add flood control to the navigation project we now have authorized—flood control that will be achieved by bank stabilization and the elimination of the necessity of constantly setting back the levees along Red River and giving away for an entire lifetime valuable land that is urgently needed in the State of Louisiana and in our Nation.

I want to go further than this, Mr. President, I want to pay tribute to the man who had the foresight to recognize more than 20 years ago that we needed this improvement. I wish to name the lock that will be located near his home after him. My amendment would name lock and dam No. 2 of the modified project the John H. Overton lock and dam, and the reservoir that would be created by this structure would be known as the John H. Overton Reservoir. I consider this a fitting tribute to a farsighted Senator who, many years ago, realized the necessity for the work we are doing today.

As I introduce this bill, I am hopeful that the next session of the Congress will pass an omnibus public works authorization bill and that this bill will be included in that omnibus bill, modifying the existing authorized project which has never been built, but for which the State of Louisiana has recently, by vote of all of its people, given full assurance of the local cooperation that is required as part of the authorization that I seek.

Mr. President, with my colleague from Louisiana [Mr. Ellender], I introduce a bill to modify the proposed work of improvement on the Red River below Fulton, Ark., and for other purposes:

The **ACTING PRESIDENT** pro tempore. The bill will be received and appropriately referred.

The bill (S. 3926) to modify the proposed work of improvement on the Red River below Fulton, Ark., and for other purposes, introduced by Mr. Long of Louisiana (for himself and Mr. Ellender), was received, read twice by its title, and referred to the Committee on Public Works.

REPORT OF CANADA-UNITED STATES INTERPARLIAMENTARY GROUP (S. DOC. NO. 119)

Mr. AIKEN. Mr. President, I submit the report of the Senate delegation to the ninth meeting of the Canada-United States Interparliamentary Group, of which I was chairman, held in Washington last May. The report is under 50 pages, and I ask unanimous consent that it be printed as a Senate document.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

SUPPLEMENTAL APPROPRIATION BILL, 1967—AMENDMENT

AMENDMENT NO. 963

Mr. PROXMIRE submitted an amendment, intended to be proposed by him, to the bill (H.R. 18381) making supplemental appropriations for the fiscal year ending June 30, 1967, and for other purposes, which was ordered to lie on the table and to be printed.

ADDITIONAL COSPONSORS OF BILL AND CONCURRENT RESOLUTION

Under authority of the orders of the Senate, as indicated below, the following names have been added as additional cosponsors for the following bill and concurrent resolution:

Authority of October 12, 1966:

S. 3903. A bill to provide for the control and prevention of erosion and sediment damage on rivers and streams: Mr. HART and Mr. MONTOYA.

Authority of October 13, 1966:

S. Con. Res. 114. Concurrent resolution relating to National American Indian and Alaska natives policy resolution: Mr. BURDICK, and Mr. HARRIS.

Mr. AIKEN. Mr. President, I ask unanimous consent that I may proceed for 10 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

VIETNAM ANALYSIS—PRESENT AND FUTURE

Mr. AIKEN. Mr. President, now that the President is well on his way to Manila for a meeting with our allies in arms, it seems appropriate to review briefly events leading up to our present position in Vietnam, the status of that present position, and what possible courses are available for the future.

The President has stated repeatedly that the Manila conference is being held in the quest for peace.

I have never doubted the desire of President Johnson for peace in southeast Asia—a peace which would permit the withdrawal of U.S. troops from that area and greater concentration of our aid in the political, economic, and social fields.

I know I speak for the great majority of Americans in wishing him progress toward this objective at Manila.

Passing over the early years of our Vietnam involvement, the record of which is already abundantly clear, I would like to present the situation as it existed in February 1965, when the total of American combat troops in South Vietnam was less than 20,000.

In spite of confident reports by our highest military authorities at that time, there actually existed a clear and present danger of military defeat for the American forces.

In the face of this imminent danger, a detachment of marines was dispatched to Da Nang, and a program of building up military forces in Vietnam was launched.

The administration chose not to identify the danger of military defeat as the reason for escalation, but rather the aggression of the North Vietnamese military forces against South Vietnam.

Aggression is a word with two meanings—one is a quasi-legal meaning which has in the past—in the case of North Korean aggression across the 38th parallel and Hitler's many aggressions in Europe—served as a formal rallying point for collective action. It also has a looser meaning—simply the determination of one country of a hostile act by another.

The United States has been unable to sustain "aggression" as a basis for collective action.

Even the countries most affected by our commitment in Vietnam did not increase their own commitment until the escalation of U.S. military power had proceeded beyond any point where outright military defeat was a credible alternative.

In short, our allies, like Korea, felt it was in their interest to follow our lead if only in respect for U.S. power.

Therefore, whatever the merits of the U.S. charge of aggression, the word cannot be employed in its quasi-technical sense.

However, there is no reason to doubt that wide support exists in the world to the proposition that the military power of the United States should not be questioned or compromised.

This is the honor our gallant allies in Korea, Thailand, the Philippines, Australia, and New Zealand pay us by placing their soldiers alongside ours in Vietnam and in Thailand.

Insofar as our commitment to Vietnam represented an effort to sustain the credibility and integrity of the U.S. Armed Forces, the act of escalation cannot brook any serious dissent.

In February of 1965 and for some months thereafter, such a situation persisted.

However, at the present time it is not possible to sustain a clear and present danger of military defeat facing U.S. Armed Forces.

The enemy has apparently dismissed any idea of engaging in major formal combat with superior U.S. forces, and has resorted to a war of harassment and surprise guerrila tactics.

Faced with the harassment of the Vietcong and the North Vietnamese military forces, casualties to American forces in Vietnam are inevitable.

The more American troops in active combat, the more casualties from such harassment there will be.

But these casualties in no way sustain the prospect of a military defeat.

Today, the American commitment in Vietnam no longer involves the fundamental objective of preserving the credibility and integrity of U.S. Armed Forces—provided that the war is not extended in time or in geography to the point where a wholly new threat to U.S. military power exists.

The new threat might take either the form of Chinese intervention, or, more pertinent, the form of a prolonged erosion of the credibility of U.S. power through harassment in a political context—namely, through the disintegration of the South Vietnamese society.

The U.S. Government has asserted frequently and emphatically that there is no military "solution" or objective in this war.

We do not seek to destroy North Vietnam nor its government.

This assertion is shared by virtually every type of observer—allied, official, and hostile.

The greater the U.S. military commitment in South Vietnam, however, the less possibility that any South Vietnamese Government will be capable of asserting its own authority on its home ground or abroad.

The size of the U.S. commitment already clearly is suffocating any serious possibility of self-determination in South Vietnam, for the simple reason that the whole defense of that country is now totally dependent on the U.S. armed presence.

This was also true in Korea in 1954, but then the United States was operating under the umbrella of collective U.N. action, and along a well-defined battlefront which permitted organization of the rear areas.

None of this is true in South Vietnam.

Considering the fact that as every day goes by, the integrity and invincibility of the U.S. Armed Forces is further placed in question because there is no military objective, the United States faces only two choices: Either we can attempt to escape our predicament by escalating the war into a new dimension, where a new so-called aggressor is brought into play or we can deescalate the war on the ground that the clear and present danger of a military defeat no longer exists and therefore deescalation is necessary in order to avoid any danger of placing U.S. Armed Forces in a position of compromise.

Faced with these alternatives, the United States could well declare unilaterally that this stage of the Vietnam war is over—that we have "won" in the sense that our Armed Forces are in control of most of the field and no potential enemy is in a position to establish its authority over South Vietnam.

Such a declaration should be accompanied, not by announcement of a phased withdrawal, but by the gradual redeployment of U.S. military forces around strategic centers and the substitution of intensive reconnaissance for bombing.

This unilateral declaration of military victory would herald the resumption of political warfare as the dominant theme in Vietnam.

Until such a declaration is made, there is no real prospect for political negotiations.

The credibility of such a unilateral declaration of military victory can only be successfully challenged by the Vietcong and the North Vietnamese themselves—assuming that the Chinese remain aloof.

There is nobody in the United States or in Europe or in Russia that is at all likely to challenge a statement by the President of the United States that our military forces have discharged their duty in their usual competent manner and occupy the field as victors.

Any charge against such an assertion directly challenges the ability of U.S. military power and makes the prospect of a wider war clear and present.

Right now in the eyes of most of the world, only the United States suggests that possibility.

Once the burden of suggesting a wider war is shifted from us to others—others who question the integrity of U.S. military power—the United States is again in the position of leading from collective strength politically.

This suggested strategy is not designed to solve the political problem of Vietnam.

It is simply designed to remove the credibility of U.S. military power—or more loosely the question of "face"—as the factor which precludes a political solution.

Again, it is important to stress that no politician in the United States, in Europe, or even in Russia is likely to challenge a unilateral declaration of military victory on our part.

Even if such a challenge were made, the United States would be in a stronger position than it is today, for it would have established "aggression" again as a means of collective, rather than essentially unilateral action.

I have not discussed this possible course of action with President Johnson, but I firmly believe that it presents a feasible course of action which ought not to be lightly dismissed.

Its adoption would not mean the quick withdrawal of our forces in southeast Asia.

In all probability, our military strength would have to be deployed in that area for many years to come.

We are a Pacific power, and no nation in southern Asia—possibly not even North Vietnam itself—would feel at ease were we to announce a withdrawal from that responsibility.

Mr. MANSFIELD. Mr. President, will the Senator yield?

Mr. AIKEN. I yield.

Mr. MANSFIELD. Mr. President, as always, the distinguished senior Senator from Vermont [Mr. AIKEN] has given us a great deal to consider and some additional food for thought. His speech indicates that he has devoted a good deal of his time and energy to the suggestions which he has advanced.

I commend the Senator for his emphasis on the political aspects of the war because there is no doubt that, militarily speaking, the hump was crossed over a long time ago and we are now in a position where we cannot and will not be dislodged. Therefore, we reach the political phases of the situation, which are by far the most important because, in my opinion, the struggle in Vietnam will not be won on a military basis.

As the Senator from Vermont [Mr. AIKEN] has pointed out, it is not a case of conventional warfare. It is a case of harassing tactics and a case of guerrilla activities that can go on for a long time, even though we continue to hold the upper hand.

I was also pleased to note the emphasis placed by the distinguished Senator from Vermont [Mr. AIKEN] on his assertion that the United States is a Pacific power. There is a great deal of difference between being a Pacific power and an Asian power. Therefore, the emphasis has been well brought out at this time.

It happens that last evening the distinguished U.S. Ambassador to the United Nations, Mr. Arthur Goldberg, in response to challenges in the closing minutes of the General Assembly's marathon policy debate, which centered on the war in Vietnam, had some comments to make. In response to Communist and nonalined member states who have been calling for a halt in the bombing as an essential preliminary of any peace negotiations, and also to the Communist demands for withdrawal of U.S. troops, Ambassador Goldberg said:

> We have considered this advice and having considered it, we would like to know from Hanoi privately or publicly what would happen if we followed it.

Replying to the challenges relative to U.S. troop withdrawal, Ambassador Goldberg said:

> We have said repeatedly that we do not seek a permanent military presence in Vietnam and have offered to agree to a time schedule for supervised, phased withdrawal of all external forces, those of North Vietnam as well as those of the United States.

It would appear to me that the proposals which have been suggested by the distinguished senior Senator from Vermont [Mr. AIKEN] are worthy of consideration by the administration and by all of those engaged in the present conflict.

The ACTING PRESIDENT pro tempore. The time of the Senator has expired.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that I may proceed for 2 additional minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from this morning's ticker which deals with the statements of Ambassador Goldberg in the United Nations last night.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

> UNITED NATIONS.—The United States called on North Vietnam last night to spell out what it would do if U.S. air attacks on the communist state are called off.
>
> Ambassador Goldberg posed the challenge in the closing minutes of the General Assembly's marathon policy debate which has centered on the war in Vietnam.
>
> Replying to Communist and nonaligned member states who have been calling for a halt in the bombing as an essential preliminary to any peace negotiations, Goldberg said:
>
> "We have considered this advice and having considered it, we would like to know from Hanoi privately or publicly what would happen if we followed it."
>
> Replying to Communist demands for a withdrawal of U.S. troops in Vietnam, he said:
>
> "We have said repeatedly that we do not seek a permanent military presence in Vietnam and have offered to agree to a time schedule for supervised, phased withdrawal of all external forces—those of North Vietnam as well as those of the United States."

Mr. AIKEN. I thank the Senator from Montana [Mr. MANSFIELD], whose opinion, as everybody knows, I wholeheartedly respect.

I did not know that Ambassador Goldberg was going to make a speech yesterday. In fact, I have had no consultation with anyone on this matter. But I do think that the hand of the United Nations would be immensely strengthened if we could announce that we have won the military victory, and it is the political situation that now exists. Then, if the enemy persists in military operations, they, in the eyes of the world, would be the aggressors, and subject to collective action which the United Nations would be interested in and concerned with, as was the case in connection with Korea.

Mr. FULBRIGHT. Mr. President, will the Senator yield?

Mr. AIKEN. I would be happy to yield, but I have no time remaining.

The ACTING PRESIDENT pro tempore. The Senator from Arkansas may be recognized in his own right.

Mr. AIKEN. Mr. President, I ask unanimous consent that I may proceed for another 5 minutes.

The ACTING PRESIDENT pro tempore. Without objection, the Senator may proceed for an additional 5 minutes.

Mr. FULBRIGHT. First, I wish to join the majority leader and say that I think the speech is most interesting, and I think it is very timely as this conference gets underway in Manila in the next few days that some alternatives to the escalation of the war be given. I wish to congratulate the Senator from Vermont [Mr. AIKEN] on raising this matter.

I wish to ask the Senator one or two questions. I notice that on page 6 the Senator says there are two approaches: one is to escalate the war into a new dimension, by which I assume he would mean probably an invasion of North Vietnam or the dropping of atomic bombs. Is that correct?

Mr. AIKEN. There is a great temptation on the part of some people to escalate the war rather than to admit that the United States is at a military disadvantage which, of course, it is not. If we once announce that the military conflict has been won, then we can go onto a political basis and if anyone else seeks to promote the question of credibility or the ability of U.S. Armed Forces, or attempts to escalate or continue the war, they themselves would be taking the position of being aggressors in the eyes of much of the world, which views the United States at the present time as being the aggressor. I think we have got to get rid of that label.

Mr. FULBRIGHT. I join the Senator in wishing to find a way to get rid of that label, but I want to clarify my thoughts. Is it the Senator's view that the deescalation, which he mentions in the first paragraph on page 6, should take place concurrently with the announcement of a military victory?

Mr. AIKEN. The deescalation would be gradual.

Mr. FULBRIGHT. Gradual.

Mr. AIKEN. Of course.

We could not withdraw our troops from South Vietnam precipitately. They could be redeployed. I do not know what would happen. Perhaps the enemy would refuse to concede or to stop the fighting. It seems to me that they should be ready to stop it by now because they have been unmercifully punished by U.S. forces.

As for withdrawing our troops from South Vietnam, I think they would have to cover it for a long time, because we might as well admit that the South Vietnamese Government has now been completely overshadowed by our forces there. They are having trouble again, and we would have to stay there for some time; but as of now we have gone so far as to guarantee that no outside forces will take over South Vietnam.

Mr. FULBRIGHT. I think that is correct. I ask the Senator, Would this entail a suspension of the bombing of North Vietnam?

Mr. AIKEN. I think it should. That is one way we would get our answer as to whether the enemy is disposed at all to meet us on political grounds.

Mr. FULBRIGHT. If, as I think the Senator has in the past suggested, as a token of our good faith with regard to negotiations we suspended the bombing of North Vietnam, does the Senator think that would be a useful thing for us to do? Would that be a good way to test out their attitude?

Lastly, because this is a new idea—I am not quite clear on it, but I am certainly sympathetic with anything that the Senator from Vermont ever brings forward designed to minimize the tragic destruction and loss of life now taking place in Vietnam—does the Senator visualize that at the Manila conference an announcement should be made that we have won a military victory? Is that what he is suggesting?

Mr. AIKEN. That is a hope—possibly a faint hope, but it seems to me that there might be action taken in Manila and an understanding reached there which would lead to such an announcement of a military victory on our part, because no one in the world—Russia, or any other country—can dispute the fact that we are winning a military victory so far as Vietnam is concerned.

Mr. FULBRIGHT. I would go further and say that they do not dispute that we could make of Vietnam a desert, as they say, by completely destroying everything there—man, woman, tree, anything else, if we wished.

Mr. AIKEN. But we have repeatedly announced to the world that we have no intention of destroying North Vietnam or the Hanoi government, that they have a right to their own choice of government. But, we could destroy them. They must understand that. It seems to me that at this point they would welcome some indication that we might meet them on political grounds, in which case they might be willing to negotiate.

Mr. FULBRIGHT. To negotiate.

Mr. AIKEN. I do not believe, so long as we base this conflict on military grounds, that the Hanoi government will ever sit down with the present leadership of the United States. I think they would accept extermination first.

Mr. FULBRIGHT. I think I agree with the Senator on that. I am very glad he has made his speech. I shall study it with a great deal of interest. I also hope that the administration will. I congratulate the Senator on his fine address.

Mr. LAUSCHE. Mr. President, will the Senator from Vermont yield?

The ACTING PRESIDENT pro tempore. The time of the Senator from Vermont has expired.

Mr. AIKEN. Mr. President, I ask unanimous consent to proceed for 2 additional minutes in order to yield to the Senator from Ohio [Mr. LAUSCHE].

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

Mr. LAUSCHE. Do I understand correctly from the Senator's remarks that he would begin by declaring a military victory?

Mr. AIKEN. Absolutely. My statement speaks for itself.

Mr. LAUSCHE. The Hanoi government might challenge that.

Mr. AIKEN. Yes; North Vietnam might challenge that, but if they do, I think they will lose much of the sympathy of the rest of the world.

Mr. LAUSCHE. If we declare a military victory, what do we do then, pull out, establish enclaves, or deescalate? What is the next step?

Mr. AIKEN. I think we would have to remain in order to maintain our bases there and conduct full-scale reconnaissance to keep track of what they were doing. But we would before long find out whether they wanted to continue to fight and, if they did, then they themselves would be the aggressors, rather than us, in the eyes of the world.

Mr. LAUSCHE. In substance, that is the Gavin plan, that we establish islands and hold onto them and stay there.

Mr. AIKEN. That has been the practice we have been following over there now. We certainly have strongholds now from which we can deploy our troops.

Mr. LAUSCHE. But the Senator does not recommend that we pull out?

Mr. AIKEN. No. We will have to remain until a great degree of stability has been established. Our leaving South Vietnam will have to be gradual.

Mr. LAUSCHE. Or that we establish bases there and watch whether North Vietnam will respond favorably to our gestures to bring them to the negotiating table.

Mr. AIKEN. If we said we were going to pull out at once, then the Government of South Vietnam would go. It would not stand up very long.

ORDER OF BUSINESS

Mr. LONG of Louisiana. Mr. President, I understand that there is some desire to discuss the very fine records of a number of Senators who are retiring. If Senators desire me to do so, I will yield for that purpose.

Mr. HICKENLOOPER. Mr. President, we have notified a number of Senators that we hope at this hour to devote some time in order for them to express their affection for the Senator from Massachusetts [Mr. SALTONSTALL] and the Senator from Wyoming [Mr. SIMPSON], who are not candidates this year.

Mr. LONG of Louisiana. Mr. President, I ask unanimous consent, without prejudice to my rights to the floor, that I might yield for that purpose.

Mr. HICKENLOOPER. That is very kind of the Senator and I appreciate it.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Louisiana? The Chair hears none, and it is so ordered.

TRIBUTES TO SENATOR SALTONSTALL AND SENATOR SIMPSON ON THEIR FORTHCOMING RETIREMENT FROM THE SENATE

Mr. HICKENLOOPER. Mr. President, some 24 years ago I first became acquainted with the distinguished senior Senator from Massachusetts, LEVERETT SALTONSTALL. We were Governors of our respective States at that time, and both as individuals and with our families formed a close, cordial, and friendly relationship. At that time I formed the highest admiration for him. He had been a great public servant in his State before becoming Governor, and the successive terms that he served as Governor of Massachusetts indicated the high esteem and confidence which the people of that State placed in him.

LEVERETT SALTONSTALL was elected to the Senate from Massachusetts in November 1944, and took his seat here in January 1945. He has served in this body ever since.

By his own election and choice, he decided not to be a candidate for reelection this year for the ensuing term, but to retire. I am sure that I express the opinion of all his colleagues and friends in the Senate when I say that we regret that we shall no longer have his services in this body. He has been a stalwart defender of American principles and meticulously devoted to honesty and integrity in the discharge of his public trust both as a Senator and in all his other public offices.

His counsel and advice and his ability on all occasions of dispute to find, almost invariably, a line of compromise or a form of verbiage which would express the true intent of legislation or of a proposition in dispute were unique. His ability to express himself, from a legislative and a legal standpoint, has been most welcome in this body.

I do not know that anyone can say—certainly I cannot, and I am sure none of his colleagues can say—that he ever said an unkind word to anyone. He was courageous.

The Senator's courage and convictions on matters of public interest, as I say, have been unique and outstanding in many ways. His kindness and performance have been evidenced throughout his public life.

We regret that we will lose the services of LEVERETT SALTONSTALL. I have considered him my very close and personal friend for the past 24 years, since I have known him.

When he leaves, there will be a void in the Senate. We shall miss those occasions, when an impasse has occurred on the floor or in committee, that LEVERETT SALTONSTALL has stepped into the breach with his wise counsel and with solutions which very often answered the questions that we were seeking to answer.

To his beloved wife, Alice, we also express our regret that they officially will not be here in Washington after this session expires; but we look forward to repeated visits from them.

We hope they will come to see us. We hope they will not lose contact with us. We wish them godspeed, health, and happiness in the future.

Then we have another colleague who is leaving, the Senator from Wyoming, MILWARD SIMPSON. He has had a long and unusual record of public contribution in his home State, including service in his local community, and as Governor of the State of Wyoming, before coming to Congress. It was unfortunate, in the minds of many of us when we learned that, I believe for health reasons, Senator SIMPSON is not to be a candidate for election and will not be with us in the next session. Those of us who have come to know him as a colleague and friend have come to admire him for the intelligence which he brings to legislative problems and for the courage with which he expresses his convictions and for his devotion to the integrity and stability of his country and his home State.

I have not known MILWARD SIMPSON as long as I have known LEVERETT SALTONSTALL, but in the years I have known him I have acquired that great affection which only confidence and respect can develop.

As in the case of Senator SALTONSTALL, we regret that he will not be with us officially in the next session, but we look forward to his return to see us occasionally, as often as he can. We will anticipate him.

MILWARD SIMPSON has a sense of humor which is very helpful at times when the going gets quite rough. It is his sense of humor which stimulates us all on such occasions.

To his lovely wife Lorna also we send our greetings and regrets that they will no longer be officially with us, but, as we do to him, we extend our invitation to her to come back with him, to visit, to see us, to join us. We wish them godspeed and good luck.

Mr. BENNETT. Mr. President, this is a sad morning for those of us who realize that when this week ends it will bring an end to the senatorial careers of two very wonderful men, who have served their States and the people well over many years.

While these two men are about as different in background and personality as two men can be, in the experience and background that go into the making of characteristics of men, they are, in my opinion, both superb examples and products of the backgrounds from which they come.

LEVERETT is a patrician New Englander with an ancestry that runs back to the *Mayflower* years, with all the traditions and graces that we attach to that kind of heritage.

MILWARD SIMPSON is a cowboy. He had been a coal miner and a baseball player. He comes from a little town in north Wyoming, appropriately named after Buffalo Bill, the town of Cody. And the spirit of that great showman still persists in that town on which MILWARD SIMPSON has placed so great a stamp.

Both men are lawyers, men who had successful careers in their chosen professions. Their careers are joined in this respect; they are both products of Harvard Law School. Interestingly enough, they knew each other in the days when Senator SALTONSTALL was a young lawyer, 3 or 4 years out of law school, and Senator SIMPSON came from the plains of Wyoming to see how they lived in New England.

Their interest in education is parallel. Senator SALTONSTALL has served as a member of the board of overseers of Harvard, probably the most prestigious amateur nonprofessional administrative responsibility in American education. Senator SIMPSON has served as president of the board of trustees of his State university, and has carried many other such administrative responsibilities in Wyoming. Both have been Governors, and their acquaintance, which began in their student days, ripened in their years as Governors. Now both have served as Republican Senators, and have had the privilege of serving together.

Senator SIMPSON's service has been much shorter in duration than that of Senator SALTONSTALL. It is a tragedy for this body that his health is forcing him to leave at the end of one term.

I think I know something about the people of Wyoming, because my State is next door, and many of the people in southern Wyoming came originally from Utah. I do not think there can be any question about Mildred—MILWARD—SIMPSON's reelection had he chosen to run again.

I am sure the people in the galleries are wondering why my tongue is saying "Mildred" when I should say "MILWARD"; therefore I think I should share the story with them. Senator SIMPSON, who is full of good stories, has been delighting us all in the last few days by referring to a telephone conversation he had with a grade school principal in Wyoming, who had given an examination to one of his classes, and had received an answer which is a classic.

The question was, "Why is Wyoming known as the equality State?"

Wyoming, of course, is known as the equality State because it was the first State to give the vote to women.

However, this particular young lady, in her answer, said, "Wyoming is known as the equality State because it has two woman Senators: GAYLE MCGEE and MILDRED SIMPSON."

I am afraid my tongue goes to that pronunciation, rather than to his own name of MILWARD.

Reference has been made to Senator SIMPSON's sense of humor. He supplies us with stories from the range that have been told around the cowboy campfires. But I think something should also be said about Senator SALTONSTALL's sense of humor. It is more subtle, and dryer, but it has a sharp point, as those of us who have enjoyed it have come to realize.

The Senate will be a less interesting place in which to live and work when these two Senators end their terms, and come to us in the future only as visitors. But, as the Senator from Iowa has indicated, their visits will be eagerly awaited; and we who have served with them wish for both of them many years of health and happiness in the retirement that both of them have chosen.

I am happy to have had the privilege of expressing this tribute to these two fine friends of mine.

Mr. MANSFIELD. Mr. President, I, with my colleagues on this side of the aisle, join our colleagues on the other side of the aisle in paying tribute to two outstanding Senators who are retiring voluntarily at the end of this session.

They come from different parts of the country, but in many respects they are somewhat similar. They both have a keen sense of humor. They are both understanding. They are both tolerant, and they have both been excellent Senators.

I think also that great credit should go to those deserving it at least as much as the Senators themselves. I speak, of course, of their better halves: Lorna Simpson and Alice Saltonstall. Both of these great ladies have made many outstanding contributions to the successful careers of their husbands; but, like most of our spouses, unfortunately, they remain in the background, while we receive the credit, whereas in all justice, the process should probably be reversed: They should be in the foreground and we should be modest enough to sit behind.

But to these two outstanding Senators and former Governors of their great States, we Democrats freely acknowledge our sorrow at their departure. They will be missed. We hope, however, they will come back to visit us often, and trust we will never forget that not only will they always be our friends and colleagues, but that they, having the privileges of the floor, will exercise them often.

Mr. FULBRIGHT. I join the majority leader in paying tribute to these two fine Senators. They have made great contributions to the work of the Senate, and I know we shall long remember them.

I had the good fortune to be able to take a trip with Senator SIMPSON last year, and enjoyed his humor, to which other Senators have referred, very much indeed. On such trips as that, as well as in the Senate itself, he has been a great companion.

I am very sorry indeed to see both these fine Senators retire.

Mr. SYMINGTON. I am privileged to join the majority leader and the Senator from Arkansas in expressing my very deep regret at the departure from the Senate of these two able and dedicated public servants.

It has been my privilege to serve with the senior Senator from Massachusetts on the Armed Services Committee ever since coming to the Senate. There is no one in this body, on either side of the aisle, who is more respected and for whom his colleagues have greater regard. He is a true gentleman, a great Senator, and to me the Senate will never be quite the same without him. Fortunately he moves into his new life with one of the most charming of all ladies, his gracious wife.

It has been also my privilege to grow to know, and to take that same trip with the able Senator from Wyoming and his gracious lovely lady, in company with the chairman of the Foreign Relations Committee [Mr. FULBRIGHT], to Brazil. It was a thoroughly enjoyable occasion. It has been a very real privilege to know MILWARD SIMPSON better as he continued his able service here in the Senate. He, too, will be greatly missed by all of us and by those who believe in a strong and free America. I wish him and Mrs. Simpson, as well as the senior Senator from Massachusetts and Mrs. Saltonstall, the very best of everything in the future.

Mr. WILLIAMS of Delaware. I wish to join my colleagues in paying our respects to two great Americans.

I first met Senator SALTONSTALL 20 years ago when he came into my State and made the only speech by an outside speaker in behalf of my own candidacy. Since that time, I have had the opportunity to serve with him for 20 years, and I have come to respect him as a Senator, as a gentleman, and as a great American.

MILWARD SIMPSON came to the Senate a little later, but during the time he has been here, he, too, has impressed his colleagues not only with his words of wisdom and his sense of humor but also with his knowledge of governmental affairs.

Both of these gentlemen have made great contributions to the Senate, to their States, and to their country, and they will be missed in the years to come, although many of the contributions they have made will live long after they have passed from this world.

The Senate will be losing two of its most able Members, and Elsie and I will be missing our associations with two fine couples whom we are proud to call our friends.

I join in paying respect to these two great Americans and to their families, and I extend to them my best wishes for many happy years in their well-earned retirement.

Mr. CARLSON. Mr. President, I associate myself with the remarks of those who have already spoken in regard to the retirement from this great body of two distinguished Americans.

Mr. President, we shall greatly miss our friend and colleague, the senior Senator from Massachusetts [Mr. SALTONSTALL] when the next session opens in January.

It has been a great pleasure to have served with him during my 16 years in the U.S. Senate and I will not only miss his presence in the Senate, but I will also miss seeing him in the seat directly in front of me in the Chamber.

During my service in the Senate, he has been most helpful to me and on many occasions I have relied on his sound judgment and advice.

Much has been and will be said today about his outstanding service in behalf of the people of Massachusetts and our Nation. He has been signally honored by the citizens of his great State and never has he betrayed their trust. However, I want to mention another phase of his life as I have observed him during these many years.

I do not know of a higher compliment that can be paid to a man than to say that he is a perfect gentleman.

Henry Drummond's book entitled "The Greatest Thing in the World," mentions nine virtues that make up the stature of a perfect gentleman.

First is patience;
Second is kindness;
Third is generosity;
Fourth, humility;
Fifth, courtesy;
Sixth, unselfishness;
Seventh, sincerity;
Eighth, good temper;
And lastly, guilelessness.

I think LEVERETT portrays every one of those fine qualities. You just cannot know him and live with him or work with him without observing these fine qualities. I am sure every Member of the Senate will agree with me in this.

Mrs. Carlson and I have enjoyed so much our associations with LEVERETT and Mrs. Saltonstall and want to extend to them our very best wishes for countless years of happiness.

Mr. President, in the retirement of our friend and colleague, MILWARD SIMPSON, the Senate will lose a true son of the great West. His section of the Nation has sent to the Senate many outstanding, stalwart leaders, but none of such sterling character as our distinguished colleague.

The people of Wyoming recognized this early and he has had the honor of serving his people in many high positions of honor and trust. His wide and varied interests have made him a most knowledgeable and valuable Member of this body.

It has been my privilege to have been closely associated with him on the Senate Post Office and Civil Service Committee, where I learned to respect his sound judgment.

His retirement will result in the loss of a very valuable Member of this body, but the citizens of Wyoming will suffer a greater loss in his devoted and dedicated service in their behalf.

Mrs. Carlson and I have enjoyed our associations with MILWARD and Mrs. Simpson and our good wishes go with them as they leave Capitol Hill. We hope they will return often.

Mr. FANNIN. Mr. President, I join my colleagues on both sides of the aisle in paying tribute to two outstanding public servants and great Americans.

I know the junior Senator from Wyoming as an outstanding public servant to his State and Nation. Prior to serving here, he served in his State legislature, in other State offices, and as Governor.

He is a westerner, a rough and ready westerner, who was known for his athletic prowess in his earlier days and later for his many contributions to the State of Wyoming.

I also know the senior Senator from Massachusetts as a distinguished public servant. He too served with distinction in the State legislature and as Governor of his State. He was known and respected by all the Governors in this great Nation.

We claim him as an adopted westerner. We know of the great schools of his home State, but we are very proud that LEVERETT SALTONSTALL went to school in Arizona in his early days.

As a true cowboy, he narrates stories about going over the river—now we would like to call it a stream, but we cannot because it is dry—located at Hayden's Crossing, named for the family of our distinguished senior Senator from Arizona [Mr. HAYDEN].

We in Arizona know Senator SALTONSTALL as a good friend and we are very proud of him.

The many tributes that are being paid to these two outstanding gentlemen are well deserved. They are men of integrity. We all know their qualities, their humor, seriousness of purpose and their dedication. We are very proud of both of them.

Mr. President, I think it is appropriate and therefore ask unanimous consent to have printed in the RECORD at the conclusion of my remarks an editorial entitled "A Senator's Farewell," written by Senator MILWARD L. SIMPSON, and published in the Tucson Daily Citizen on August 18, 1966.

The PRESIDING OFFICER (Mr. RIBICOFF in the chair). Without objection, it is so ordered.

(See exhibit 1.)

Mr. FANNIN. Mr. President, this editorial illustrates the deep feeling that our colleague has for his country. It pays tribute to those that serve and work for our country. The editorial is an illustration of a man's feelings about his obligations.

Mr. President, I know that the public service of these two outstanding Americans is not ended. They will both continue to serve their community, State, and Nation.

I join my colleagues in wishing them well.

EXHIBIT 1

A SENATOR'S FAREWELL: WHAT IS TRUE STATE OF NATION?

(NOTE.—U.S. Senator MILWARD L. SIMPSON, Republican, of Wyoming, whose long and distinguished career has included terms as governor, judge and U.S. senator, will retire after his current term. He has written a special column at the invitation of columnist Holmes Alexander. It is a perceptive,

and somewhat concerned, view of the conditions in which our country finds itself.)

(By Senator MILWARD L. SIMPSON)

I deeply appreciate having this opportunity to write a guest column for my valued and respected friend, Holmes Alexander. Coming six months after my announcement that I would not seek re-election to the United States Senate, these observations appear in the twilight of my Senate service. Perhaps this is good because of the advantage of retrospect.

Whether one serves a single Senate term or a dozen, there is always more left undone than accomplished. The reality of unattainable goals looms large before me as I enter the final five months of my Senate service.

If I am to leave the Senate with one firm conviction, it is that America today is discarding the greatest values of our Declaration of Independence, our Constitution, and our Bill of Rights.

MARVELOUS BALANCE WARPED

The Congress, the Court, and the Executive branch, each in its own way, is helping to warp the marvelous balance described and decreed in these basic documents. This balance has formed the underpinnings of our society for the nearly two hundred years of our existence as a nation. It is a balance achieved jointly through philosophy, division, and decentralization. It is a balance achieved by no other nation in all of recorded history.

Superficially, our country seems to be in robust condition. We are in our 56th month of unprecedented prosperity; wages, employment, and consumer buying are high; and the split-level home is still a fast-selling status symbol.

GAUGING NATION'S WELL-BEING

But there are better gauges than those with which to measure the well-being of a nation.

America was founded, not only on a belief in God, but as a direct result of a desire to worship God in a manner of independent choice. Into the Bill of Rights was written a guarantee that government would never establish a state religion or give dominance to a particular faith. We were to enjoy separation of church and state but, the Supreme Court notwithstanding, I maintain the First Amendment was not intended to bring about a separation of God and state. The attitude of a government toward the faith of the governed is a credible measure of the well-being of a nation.

An equally valid criterion is the attitude of the people toward those values which make our nation unique in the world; the values of freedom and peace, and of liberty and justice.

Americans in and out of government sometimes forget that these qualities were originally a part of our heritage, not for their own abstract value, but for the position on the scales of social balance. Freedom, in its pure form, is an ability to act without hindrance or restraint. Liberty, in its pure form, is the limit within which a certain amount of free choice may be exercised. And peace, in its pure form, is an absence of war or civil strife.

But as the creators of our nation conceived of them, freedom was to be balanced with restraint, liberty balanced with responsibility, and peace balanced with honor. Justice—equal justice under law—was to be the pivot of the scale on which these values would be weighed.

CONDITION OF OUR VALUES

Let us ask four questions about the condition of our American values:

(1) Can freedom be balanced by restraint in a society which accepts the late Adlai Stevenson's declaration that a jail sentence is a "badge of honor" or in which the Vice President seems to encourage a "revolt" of lawless masses?

(2) Can we have liberty with responsibility in a nation where local responsibilities are usurped by the federal government?

(3) Is a nation truly balancing peace with honor when it considers acquiescing in efforts by Red China to shoot its way into the U.N.; when it talks of negotiating in Viet Nam even though the only points of negotiation are how much of a surrender is required?

(4) Can there be equal justice under law when the courts have become so concerned with the rights of the criminal that what Cicero, that great Roman jurist termed the "highest law . . . the safety of the people." is disregarded?

BALANCE MUST BE RESTORED

Those who wrote our basic documents were cognizant that their work would be weighed on the scales of history. They were determined that they would not be found wanting in the balance which they would bring to the system. This balance—in division of powers, in philosophy, and in decentralization—gave us, not deterrents to sound and effective government, but the foundation for it.

Were I to remain in the Senate, an effort toward a re-creation of this balance would be my paramount objective. I pray that the intelligent, capable Americans who serve after me will be so motivated.

Mr. MANSFIELD. Mr. President, the distinguished senior Senator from Arizona, who is not present today, has asked me to make the following statement in his behalf:

STATEMENT BY SENATOR HAYDEN READ BY SENATOR MANSFIELD

In all probability I have known LEVERETT SALTONSTALL longer than anyone else in the Chamber today. My first meeting with him was back quite a few years when I was sheriff of Maricopa County. One day I was asked if I would be willing to serve as referee at a sporting event and I agreed to do so. One of the boys who excelled that day I guess I should have recognized as a future leader of his country, for it was LEVERETT SALTONSTALL. The Duke of Wellington is reported to have said that the battle of Waterloo was won on the playing fields of Eton. I like to think that the playing fields of Maricopa County helped to develop the strength of character and the spirit of fairplay which is the epitome of LEVERETT SALTONSTALL.

I am going to leave it to others to tell the story of his many fine achievements both in the State of Massachusetts and in the Senate of the United States. I shall limit my own observations to a few personal notes, to the man as I know him.

He came to the Senate in 1944 and I was soon proud to call him my friend. His service on the Appropriations Committee began on January 6, 1947, and never has the committee had a more faithful and devoted member.

One of his most outstanding characteristics is that he has always put his country first. Regardless of politics, you could count on him to examine each issue on its merits and act accordingly. Like the good sailor that he is, he has always steered his ship on a course that was straight and true. As ranking minority member, this may not have always been easy, but he has unswervingly held his high principles regardless of the outcome. He is a patriot in even a larger sense, for he has offered to his country and the cause of freedom what only a parent can offer.

He has another outstanding attribute which I must mention. Regardless of his own personal feelings, he never disregarded the other fellow's point of view. Many, many times in committee, on the floor of the Senate and in conference with the House we have found ourselves at loggerheads, determined that our point of view would prevail. Usually there is right on both sides. The debate would become heated and the hour would grow late. But LEVERETT SALTONSTALL would sit there patiently and quietly, listening to both sides of the argument. And then at an appropriate moment, he would speak up, offering a suggestion to bring the divergent points of view together. Many times he succeeded. And at others, when he was not immediately successful, he brought us to an awareness that there must be a middle ground on which we could all agree. I believe this is the mark of a great legislator.

It is with a note of sadness that I conclude my remarks. Personally I shall miss LEVERETT SALTONSTALL because of our friendship, which I cherish. Somewhat selfishly, perhaps, I shall also miss him because of the great assistance which he has rendered in the work of our committee. His unfailing cooperation, his good humor, and his sense of fairness have contributed so very much to the successful completion of our work.

But far more, the Senate, the Congress and the country itself will miss his wise counsel, his leadership, his breadth of knowledge, and his devotion to duty. May the years ahead bring to him and Mrs. Saltonstall, who has shared so unselfishly with him the burdens of statesmanship, the rewards and blessings which they so richly deserve.

Mr. FONG. Mr. President, at the termination of this session of the 89th Congress, the term of office of one of our most distinguished colleagues, the senior Senator from Massachusetts, LEVERETT SALTONSTALL, will about come to a close, the end of 22 years of service in the U.S. Senate and nearly half a century of public service to his State and Nation.

Athlete, World War I veteran, farmer, devoted family man, LEVERETT SALTONSTALL is also a lawyer and a politician in the highest sense of that term. Alderman, assistant district attorney, State representative for 14 years, speaker of the Massachusetts House for 8 years, Governor of the State for 6 years, U.S. Senator for 22 years, LEVERETT SALTONSTALL has had a long political career.

His announcement last December not to seek reelection to the office to which he has been elected four times by the people of Massachusetts, shocked and grieved those of us who have the honor of serving with him; for we realize that the Senate is losing one of its finest and most vigorous leaders.

Conscientious, hard working, diligent, able—LEVERETT SALTONSTALL earned, and today retains, the respect of his colleagues, regardless of party. Everyone agrees he is a man of unwavering integrity. His word is his bond.

With trust so firmly established, no wonder Leverett Saltonstall has effectively worked with colleagues of both parties for the good of the entire Nation. Not a headline hunter, not a flamboyant partisan, not an extremist, Leverett Saltonstall has those solid substantial qualities that characterize the vast majority of American people and that are the real key to America's progress and well-being.

He has worked quietly in Senate committees where the sum and substance of Senate work is accomplished without fanfare, without trumpets and flourishes, but with direction, purpose, and know-how.

A kindly man and a real gentleman, Leverett Saltonstall brings an enormous capacity for compassion and immense personal dignity to the high office he holds.

He is a product of New England, a region of our land where oppression and tyranny were early abhorred and overthrown, and where individual freedom is cherished and nurtured. In him are ingrained the frugality and practicality in speech and action for which New Englanders are justly famed, together with the New Englanders' high sense of patriotism and reverence for constitutional government and the institutions created to perpetuate freedom for Americans.

Keenly aware of the lessons of history, Leverett Saltonstall has been a tower of strength and courage through peace and through war, meeting all the challenges and all the demands of our tempestuous times with customary calm, and analytical and enlightened wisdom.

Matching physical vigor with mental alertness, Leverett Saltonstall has indeed kept up with the times. Proof of this is the trust and confidence of generations of Bay Staters, who for more than 46 years have elected him to public office including four times as U.S. Senator. He is the only man chosen by the people of Massachusetts to serve three terms as their Governor.

With such impeccable recommendations and with such admirable personal attributes, it is clear why Leverett Saltonstall rose to positions of trust and leadership in the U.S. Senate. He is currently top-ranking minority member of the very important Appropriations Committee, of the equally important Armed Services Committee, of the Special CIA Subcommittee, and of the Select Small Business Committee. In addition, he serves on the Joint Committee on the Reduction of Nonessential Federal Expenditures.

He is high, also, in his party's councils, selected by fellow Republicans to be chairman of their Senate Republican conference and named to the Senate Republican policy committee. He is a member of the joint Senate-House leadership and of the National Republican Coordinating Committee composed of congressional leaders, Governors, members of the Republican National Committee, General Eisenhower, and former Republican presidential candidates.

I cite these "vital statistics" so as to preserve in the Congressional Record essential evidence proving that Leverett Saltonstall has been paid high accolade by the people of his State and by his colleagues in the U.S. Senate—tribute to which my words can add little luster.

Suffice it to say, that when history records the heroes and the stalwarts in our Nation's highest legislative body, one chapter must be reserved for Leverett Saltonstall, a champion of progress and a guardian of liberty for the American people. Here, indeed, is an exemplar of rectitude and fortitude which our young people could well emulate.

I would be remiss at this time not to mention my own deep personal appreciation to Leverett Saltonstall for the advice and assistance he gave me when I came here on August 24, 1959, as one of the first two Senators from the new State of Hawaii, green in the ways of Congress. His friendly words of counsel enabled me to be more effective than otherwise in behalf of my State and also to avoid some of the pitfalls awaiting newcomers to the Senate.

Primarily prompted by his innate courtesy and helpfulness toward a neighbor and fellow Republican—our suites were in the same corner of the New Senate Office Building—Leverett Saltonstall also may, I suspect, have been prompted to help because I am an alumnus from the same school—Harvard University.

In 1964, when I was scheduled to deliver a speech at the National Republican Convention on the need for more Republican Senators in Congress, Leverett Saltonstall paid me the honor of introducing me to the assembled delegates and to the television audience. I shall not forget his courtesy and kindness.

So on the eve of his retirement, I pay homage to my firm friend and colleague, Leverett Saltonstall, one of Harvard's most illustrious alumni and one of the Senate's most distinguished Members.

The people of my State also are indebted to Leverett Saltonstall for his vote to admit Hawaii to the Union of States. We in the mid-Pacific Islands—who are the beneficiaries of those brave New England missionaries who brought law, education, the English language, and representative government to Hawaii, orienting us forever toward the United States of America—again are indebted to a New Englander for his vote for Hawaii statehood.

On behalf of all the people of Hawaii as well as myself, I say Mahalo Nui Loa—thank you very much—and with this our best wishes for many years of health, happiness, and contentment in your well-earned retirement. You leave the Senate with the respect, admiration, and affection of all of us.

My wife, Ellyn, joins in wishing you and your beloved wife, Alice, every good and worthy fruit of life.

May your blessings be as full as the eastern ocean and your life as everlasting as the southern hills.

Aloha dear friends.

Mr. President, today, I am also happy to pay tribute to one of the most personable, respected, and effective men in the U.S. Senate, the distinguished junior Senator from Wyoming, Milward L. Simpson.

In the short time that Milward Simpson has been a Member of the Senate, he has made many valuable contributions to our Nation and to his beloved State.

In the 88th Congress, Senator Simpson introduced legislation limiting the foreign importation of beef into the United States. This measure benefited the livestock industry of not only Wyoming, but of other Western and Southern States, including my own State of Hawaii.

Senator Simpson also played a major role in affixing an amendment to the Economic Opportunity Act of 1965 which prevented the act from depriving taxpaying business concerns of bona fide Government contracts, thus helping to foster better relations between private enterprise and the Federal Government.

Being a member of the Senate Post Office and Civil Service Committee, I have come to know the Senator from Wyoming intimately. It has been my privilege to observe him operate in that committee with industry, capability, and persuasiveness. His wise counsel and his ever-friendly manner have helped greatly in the deliberations of this committee.

His efforts toward the improved efficiency and economical operation of the Federal Government and his dedicated efforts in behalf of all Federal employees are recognized by this committee, his colleagues of the whole Congress, and Federal workers across this great Nation.

It is with great regret that we witness the retirement of Senator Simpson from the Senate at the close of this session of the 89th Congress. We will be losing the talents of a dedicated, conscientious, and able colleague.

With his retirement, Senator Simpson will have come to another milestone in his distinguished political career which has spanned approximately 40 years.

In the late twenties, Milward Simpson was a member of the Wyoming State Legislature. He retired from active politics; built up a successful law practice; then in the early fifties, returned to the political arena.

In 1954, Milward Simpson was elected Governor for a 4-year term which was destined to be marked with one major accomplishment after another. For example, through his prompting, Wyoming, Colorado, Utah, and New Mexico reached a consensus which helped them secure their rightful water allotments from the Colorado River; and under his leadership, Wyoming's State legislature became one of the first in the Nation to pass enabling legislation for matching grants for interstate highway construction.

In 1962, Milward Simpson capped his political career by his election to the U.S. Senate for the remaining 4 years of a term reopened by the death of the Senator-elect. Milward won by 19,000 votes, a big majority by Wyoming standards.

Former President Dwight D. Eisenhower disclosed during Milward Simpson's campaign for the Senate that the Wyoming candidate could have gone to

Washington in 1956 as his Secretary of the Interior. However, the then Governor SIMPSON declined the Cabinet post offered by President Eisenhower; thus forgoing the distinction of being the first native of the State of Wyoming to hold such a high Federal position. When asked why he had declined the offer, MILWARD SIMPSON answered, "I had made a pledge to the people of my State that I would serve a full 4-year term as Governor and I could not violate that pledge no matter how tempting the offer."

This gesture is characteristic of the unswerving integrity, conviction, and courage that MILWARD SIMPSON has displayed throughout his life.

It reveals much in the sterling character and makeup of a man to know that he worked his way through the University of Wyoming, that he sweated in the coal mines and with road gangs, that he turned his back on a professional baseball career to matriculate at Harvard Law School where he graduated in 1925.

As an alumnus of the same law school, graduating 10 years later, I can attest to the diligence and the discipline he must have displayed during his years there.

MILWARD SIMPSON is one of those rare individuals who have stood at the base of the mountain and climbed to the pinnacle of success and statesmanship largely through his own efforts and ability.

I salute my colleague from Wyoming upon his retirement from so many jobs well done, and bid him a warm aloha and best wishes as he returns as a private citizen to his State and the people whom he has served with distinction and honor.

Mr. SCOTT. Mr. President, there was once another great Senator, named Marcus Tullius Cicero, who was and is renowned; and perhaps the best known essay left by Senator Cicero is the one called "De Amicitia." Its survival is due, in my judgment, to the subject matter because the longest surviving sentiment known to man, aside from survival itself, is friendship, the act of friendship, and the interaction of friendly people, one to another.

That friendship is what we celebrate here today as we honor two beloved and distinguished colleagues who will terminate their honored service in this body at the conclusion of the 89th Congress, a Congress, I might add, which seems something like T. S. Eliot's defense of the end of the world:

> This is the way the world ends,
> This is the way the world ends,
> This is the way the world ends,
> Not with a bang but a whimper.

We recognize two great Senators who go out with a bang and to whom we say farewell as we continue on our own indeterminate service—if not indeterminate, at least not yet finally determined.

It is a great honor for me to pay tribute here to Senator LEVERETT SALTONSTALL and Senator MILWARD L. SIMPSON.

Senator SALTONSTALL has served in this body for 22 years. He is one of its senior Senators, and one of its most respected Members. His service as the head of the Conference of the Minority has been marked by his tact, his diligence and his consideration. His service on the Senate's great major committees in the ranking post which he has held there, and on other committees, has qualified him as one of its most experienced and most sagacious advisers.

We will miss him and the Commonwealth of Massachusetts will miss him. Any of us and all of us who have traveled in Massachusetts know that when he was a candidate for office there were little miniature license tags which could be seen, it seemed to me, on nearly every automobile which simply said "SALTY." We knew we were not referring to the New England climate. We were not referring to its major products, except one, and that was that everybody in the Commonwealth of Massachusetts knew that "SALTY" referred to their most distinguished Senator.

Distinguished by qualities of character—in fact, his name and reputation are almost a symbol, almost a syllogism, almost an analogue for integrity—the Senate has rarely seen men of such caliber.

We wish for him long life and much happiness, and we hope for ourselves that he will frequently return to this Chamber which he has so long honored. We feel very strongly, all of us, that we have not lost a friend, but that we have said a temporary farewell to a beloved colleague whose services have shed luster and much credit on this body.

We are here, too, to speak of friendship for Senator MILWARD L. SIMPSON, a man who is surely one of the most friendly and thoughtful of our colleagues, who is known for his humor, wit, unfailing courtesy, willingness to be helpful to all of us, for his pungent observations, strong and articulate exposition of causes he has valiantly and ably supported, his willingness at all times to stand up for causes and for persons whose defense he recognized as in the public interest, and who we had hoped would decide other than he has decided, and whose decision to retire we regret, as we regret that of Senator SALTONSTALL.

Here, indeed, as Cicero so long ago said to another senate—and I do not attempt to quote here, but to express the sentiment of De Amicitia: Truly, friendship is one of man's greatest virtues, and truly, friendship is one of man's greatest sources of happiness. I could not put that into Latin, but I can put it into very heartfelt joinder with colleagues in expressing our feeling which we all share so warmly to these two distinguished Senators.

Mr. MORSE. Mr. President, now that Senator SALTONSTALL and Senator SIMPSON are not candidates for reelection, I have come to the conclusion that it would be perfectly safe for them, back in their respective States, if the senior Senator from Oregon, once a liberal Republican but now a liberal Democrat should express his high respects to these two great Senators.

Mr. President, after all, the vital test of the quality of any human being is his character. I want to pay my respects and high praise for the unimpeachable and impeccable character of these two great statesmen. I thank them for enriching my life by the example they have set time and time again in my associations with them. I thank them for the many lessons they have taught me.

Particularly I want to thank them for their friendship.

We are not losing either of you because your influence will continue in this body for years and years to come. You will continue, I am sure, to enrich our lives by the examples of nobility of character which each of you will continue to demonstrate. I want you to know that I shall always be indebted to you, and the Senate will always be indebted to you for the record of statesmanship you are leaving behind.

Mr. LAUSCHE. Mr. President, I would feel delinquent unless I today expressed my thoughts on the occasion when these two distinguished men, Senator LEVERETT SALTONSTALL and Senator MILWARD L. SIMPSON, are nearing the time when they will separate themselves from their services as Members of the Senate.

My contact with them goes back more than two decades. I knew Senator SALTONSTALL as a Governor and I knew Senator SIMPSON in the same capacity.

For 10 years, I have observed the conduct of the Senator from Massachusetts on the Senate floor; for 4 years that of the Senator from Wyoming. I believe that I have keenly learned to know their character, their thinking, and their strong purposes to serve the people of their State and the Nation.

In the ancestral language of my mother, in Slovene, there is the word "mozak." There is also the word "moz," and the word "gospod."

"Moz" means "man."

"Gospod" means "gentleman."

"Mozak" embraces the finest attributes over and above those of the words "man" or "gentleman."

We do not in English have the equivalent of the word "mozak."

If one went into the community in which I was born in Cleveland, Ohio, and he were to be addressed as "mozak," it would be the highest tribute he could be paid.

"Mozak" means that a person has character embodying all the finest qualities and attributes which can be found in man: unselfishness, integrity, adherence to commitments, courage, devotion to family, and service to the country and service to mankind.

I think that I can say to the Senator from Massachusetts and the Senator from Wyoming that, to me, they are "mozaks."

I have been enriched by my contacts with them. When I have been weak in attempting to determine what I should do, I found strength in both of them.

I lament the fact that they are leaving. However, I rejoice in the knowledge that they are leaving of their own free choice. They have been elected and reelected time and again in their respective States. What a great feeling it must be to look back and say, "I have been elected and reelected and now I depart not as a defeated man but because I feel that I should retire."

My hopes are that they will frequently return to Washington and that we will have occasion to be with them.

Perhaps in the future, when I grow weak, or when I falter, I hope that in some way they will communicate to me a bit of the strength they have always possessed.

My commendations and best wishes to both the Senator from Massachusetts and the Senator from Wyoming.

Mr. MORTON. Mr. President, I rise, and in my humble way wish to pay tribute to two of our beloved colleagues who, for compelling reasons, are voluntarily retiring from the Senate.

Let me say that in both instances I argued as hard as I could to keep them from reaching the conclusion which they reached to retire.

It is my responsibility to try to get more seats on this side of the aisle, and I did not want two champions to have to withdraw during this crucial race. But I do respect their reasons and I know that in each case, since both have served their States and the Nation so well, it was a tough decision to make, one made after thoughtful deliberation. Thus, I respect their decisions.

Along with other Senators, I shall miss the fellowship, the counsel, the advice and leadership of the distinguished senior Senator from Massachusetts.

For many years, he has been an inspiration to me. I do not have to remind my colleagues that when people leave the galleries they are always impressed with one thing—that is, that there, in the seat that he generally occupies, sits a Senator's Senator, a man who has rendered great service to the Commonwealth which he governed and to the Nation.

I can only say to him that I look forward to seeing him, and advising with him, and to say, in this instance, "Yale proudly pays tribute to Harvard."

To my good friend from Wyoming, let me say that I have, along with him, been a bit scared at times in a small plane flying over the mountains and plains of Wyoming, both of us interested in a common cause—a cause which is perhaps too partisan to bring up at this time, but still a common cause; and I look forward in the years to come to getting into a single-engined plane—perhaps it will be a twin-engined plane by that time—and again fly across the mountains and over the plains, fighting for the things in which he and I believe, the things which he has fought for all his life.

I salute both Senators. Whenever you are in Kentucky, the latchstring is always out.

(At this point Mr. LAUSCHE took the chair as Presiding Officer.)

Mr. RIBICOFF. Mr. President, I rise to pay my tribute to the two distinguished Senators who are leaving us this year.

The Senator from Massachusetts [Mr. SALTONSTALL] is my neighbor in the State of Massachusetts. When he became Governor of Massachusetts, I had just been elected to the Connecticut General Assembly for the first time.

Everyone in New England—but especially in Connecticut, whether Democrats or Republicans—admired the Governor of Massachusetts and all he stood for.

If anyone were to ask me to name one person from the New England region who best exemplifies the character, the personality, the qualities that allowed New England from its narrow base on the Atlantic seaboard to spread its influence throughout the entire country as well as the world, I would say LEVERETT SALTONSTALL.

The great composite of the attributes, the personality which made it possible for a handful of people who landed at Plymouth Rock to bring such fine character to a great people, is found in the Senator from Massachusetts.

I think back on my personal career and realize that it is because of the great tradition and principles of the people who settled this Nation, their sense of fairness, their love of democracy, freedom of religion, freedom of thought, and freedom of expression, their nurturing of the great political institutions such as we now enjoy, that made it possible for the people of all races, colors, creeds, and faiths to find fulfillment and opportunity in the United States of America.

Therefore, I rise to pay tribute to Senator SALTONSTALL, not only as a great U.S. Senator, not only as a man who has represented the United States so well, but also a man whose personality and character one can see. This is New England, and this is New England character that has done so much for the people of our Nation.

The Senator from Wyoming [Mr. SIMPSON] and I became friends when we were fellow Governors, he of the State of Wyoming and I of the State of Connecticut. Our friendship became firm on the first day that we met and said "Hello." We greeted each other at Governors' conferences, where we would exchange ideas, stories, and experiences.

He is really a gentle man and a good man, a man full of wisdom and understanding.

I was so delighted, on coming to the Senate, to learn that the Senator from Wyoming had also become a colleague in the Senate, elected in the same year.

We have served together on the same committee. He is a man of great wisdom, whose contributions have been many. Whatever successes we have had on our committee could not have been achieved without the advice, presence, and contributions of the Senator from Wyoming.

I, too, want to pay tribute to this distinguished Senator from Wyoming, who has had a rich and great career in his service to the people of Wyoming and to the United States of America.

I know that, although they are leaving, our friendship will endure for the Senator from Wyoming and the Senator from Massachusetts.

Mr. LONG of Louisiana. Mr. President, it has been a great honor to serve with the Senator from Massachusetts [Mr. SALTONSTALL]. It will be a strange experience for some of us to serve in the Senate with the distinguished Senator from Massachusetts [Mr. SALTONSTALL] not among us.

I recall, when I first came to the Senate 18 years ago, I wanted to pinch myself when I realized that I would become acquainted with Senators whose pictures I had seen in newspapers and magazines, and about whom I had read articles. When I became acquainted with the distinguished Senator from Massachusetts [Mr. SALTONSTALL], I found him to be a modest, quiet man, greatly unaffected, who had a way of getting things done, and who rose above partisanship whenever the need for the occasion arose.

His kindnesses and courtesies to all of us we will always remember. I can think of a thousand instances when the Senator from Massachusetts displayed the great statemanship that we like to think a U.S. Senator possesses.

I am certain that, from time to time, we will see him back here. We all regret that he elected to retire. I think, in some respects, he sets a good example for some of us who remain here. The Senator has been a member of the Appropriations and other committees. I think it well to keep in mind that, while we like to think that some Members of this body are great Members, this is a Nation that must choose from among many, and that no one of us is entirely indispensable.

All of us should think, not that we will die in the Senate, but, on occasion should think about a proper retirement.

I hope the Senator from Massachusetts will see us from time to time. I have a hope and a feeling that he will visit us, perhaps on the occasion of a state of the Union address by the President, or on some other occasion of interest. We will obviously welcome him, because he is one of the most respected men in this body.

Some of us on occasion become vitriolic, and sometimes downright angry, at each other. The Senator from Massachusetts is one of the Members of this body who has never permitted us to see any signs of temper in him. I believe there may have been one time when, because of what may have been said, he gave a hint that he was displeased, but he is a Senator who can disagree respectfully, without casting reflections or aspersions on another Senator, and this is one of the finest aspects of debate which one can develop.

It has not been my privilege to know for a long period of time, but only for a matter of 4 years, the distinguished Senator from Wyoming, MILWARD SIMPSON, but during that time I have found him to be a man of courteous consideration and a man of deep principle, a thoroughly consistent man—perhaps consistent even to a fault, because he has certain principles in which he believes, which had been shared by some of the greatest men. In our discussions on many occasions, he has served us well, and we have found him to be a great tower of strength. I seriously doubt if the place of the Senator from Wyoming can be filled, because of the way MILWARD SIMPSON has distinguished himself, and because of which service we believe he should serve longer.

We on both sides of the aisle will miss him. We trust he will from time to time see fit, when it is convenient, to grace this Chamber with his presence.

Mr. KUCHEL. Mr. President, we express our gratitude today to two American thoroughbreds who close a superb chapter of constructive service to the people of the United States and who are about to enter upon what we pray will be a long, happy, and active retirement in the States from which they come.

Leverett Saltonstall and Milward Simpson have given a long period of their lives in the service of the American people. Each is a lawyer. Each, as a matter of fact, obtained his law degree from Harvard. Each is a veteran of the First World War. Each served in the legislative branch of his State. Each became the chief executive of his State. And each then entered upon an honorable and constructive service in the Senate of our country.

I like that phrase "devotion to the public trust." These two friends of ours reflect what that phrase means, for each, as he has seen the light, has remained steadfast and true to principle. Neither would strike his colors, and both have enriched our country.

The ability and the achievements of Leverett Saltonstall are well summarized by the Congressional Distinguished Service Award which was presented to him in 1963, "Not only for effective service in the Congress but also for industry, effectiveness, and dedication to the principles of democracy."

The ability and the achievements of Milward Simpson, during his all too short tenure in the Senate, are reflected by the fond respect in which he is held by those who have served with him on the Interior and Insular Affairs Committee, by the chairman of that committee, by his Democratic colleagues on that committee, and of course, by his Republican colleagues as well. The other day, all of us, who are members of that committee, had occasion to salute this splendid westerner; a man who has markedly contributed to the growth of his State and to all that vast expanse of western America.

Leverett Saltonstall's ministrations to the public weal have been exemplified by the manner in which he has discharged his duties in the committee that sits in judgment on every nickel the Federal Government spends, and in his helping to shape the strength by which this Nation intends to defend its freedom, in his ranking responsibility on the Armed Services Committee.

Earlier other Senators have spread upon the Record the biographies of our two friends. I see no useful purpose in recounting those solid achievements which have marked their careers thus far. Each has made his mark as a patriot and as a public servant; and both have remained buoyant in time of adversity, sadness, sorrow, and affliction, at the sides of their dear wives and their families, the Members of which we in the Senate are pleased and proud to know.

So, together with their other 97 friends who for the moment possess the same title of Senator, and with all their friends who serve the public in this building, in this Chamber, on the floor, and in the Press Gallery, I, for my wife and myself, re-echo the sentiments which are the sentiments of all of us, "Godspeed to you, Leverett, and your family; Godspeed to you, Mil, and your family; and we hope and pray that the friendships which we have for each of you may flower in opportunities to see you from time to time in the future."

Mr. HOLLAND. Mr. President, I join in expressing affection and appreciation to these two great Senators, Senator Leverett Saltonstall and Senator Milward Simpson, who are leaving us by their own preference. It is a preference with which I do not agree at all, because we shall miss them so greatly. They have both made fine records and would continue to make fine records if they were to remain here.

My relations with Senator Saltonstall began in 1941 when, as Governor of my own State, I had the privilege, along with other Governors of the Nation, to be a guest of the distinguished senior Senator from Massachusetts who at that time was Governor of his great Commonwealth and who entertained the National Governors' Conference.

The degree of hospitality which we received there could not be surpassed anywhere. The senior Senator from Massachusetts and his lovely wife were as wonderful hosts to Mrs. Holland and to me as anyone could ever expect to have.

Everybody is familiar with the political record of the Senator from Massachusetts. He has served three times as Governor of his great State. He has been elected many times to serve as U.S. Senator. He is retiring now because of his decision to return to civil life and to have a chance to get reacquainted with his children and grandchildren. I think many of us who have gray hairs can sympathize with that decision on his part.

I recall that the senior Senator from Massachusetts was once elected in his State by an unheard-of-majority at a time when his State was going to the opposite party, my political party, by an overwhelming vote that year. The Senator has had every showing of the affection and the confidence of his people which any person could have. He leaves the Senate with a similar record here. Every Senator trusts him implicitly.

Mr. President, I have had the pleasure of serving on committees with the Senator from Massachusetts. On the Appropriations Committee particularly, we have come to regard him as, and even call him, the Henry Clay of the Senate because he sits there and listens to the opposing views in conference and always comes forth with a carefully written out proposal which serves to compromise the differences between the Senate and the House.

In many dozens of instances for many years the final legislation passed in the form of conference reports approved by both Houses reflects compromises which have been reached under the leadership of the senior Senator from Massachusetts.

His service to the security of our Nation as ranking minority member of the Armed Services Committee and of the Defense Subcommittee of Appropriations has been of incalculable value.

Mr. President, there are many other things that I would like to say. I am sorry that I have not had a chance to prepare my remarks. I came in the Chamber at the conclusion of the eulogies being paid to these two great Senators.

I do not know whether any other Senator has mentioned the fact that the Senator from Massachusetts was chairman of the Governors' conference which consisted of all of the Governors of the country. I had the pleasure to serve under him at that time as a member of his executive committee.

We found him to be a great, a sound, and an inspiring chairman of the Governors' conference, in which capacity he had a great opportunity to help shape the thinking of Governors from all over the Nation. He did a remarkable job in that particular instance, just as he has done in everything else.

I express my great affection and that of my wife Mary to Leverett Saltonstall and to his lovely wife Alice as they leave.

Mr. President, my good friend, Milward Simpson, is also a former Governor.

I want the Record to show that I have a particular fondness and sympathy for former Governors because I know something of the experiences through which they have passed before coming to the Senate.

Senator Simpson has shown the experience that he gained as a Governor, as a member of his State legislature, as a university professor, as a practicing lawyer, and as a graduate of Harvard Law School.

He has shown a very great grasp of legal questions, of practical questions, and particularly of questions that lie heavily upon the great West which he has represented so effectively in the years that he has been here.

We who come from the older parts of our country all know that the West is still developing, and that many parts of the West are still sparsely settled.

The Senator from Wyoming represents the great State of Wyoming, which is still sparsely settled and is developing at just as rapid a rate as possible.

The Senator has contributed as a Senator to the development of his State and of the great West. He has made substantial contributions also to the actions of the Senate that relate to the entire Nation.

The Senator is a veteran of military service, as is the Senator from Massachusetts.

The Senator from Wyoming is a former Governor and realizes the problems of his people, and has made very great contributions to his people.

Mr. President, I am regarded as somewhat of a conservative myself, perhaps somewhere between a moderate and a conservative. I hope that I am also a constitutionalist. I regard Senator Simpson as one of the great conservatives of the Senate. Would that we had more like him.

I pay tribute also to the Senator from Wyoming for being one of the finest constitutional authorities that I have ever met, known, or worked with. He has always taken positions in the Senate reflecting his love of the Constitution and his desire to maintain and sustain it in every way.

I make that same comment about the Senator from Massachusetts.

Mr. President, we regret to see these two great Senators leave and the voids that will occur in the Senate because of their leaving us.

We hope that they will be followed by worthy and fine and effective Senators, but their successors will have large shoes to fill.

We want these two Senators and their wives to know that they carry with them the affection of all Senators and their wives in a very real way. These two great Senators have to a maximum degree the respect and confidence of their fellow Senators.

Mr. HRUSKA. Mr. President, both pleasure and pride are mine as I join in the salute to Senator SIMPSON as he retires from the Senate.

The pleasure comes from the privilege of having served with him these past 4 years and to have benefited from his wise counsel. The pride comes from the knowledge that MILWARD SIMPSON typifies the best in selfless public service.

Senator SIMPSON has always been a busy man from the time he was an infantry lieutenant in World War I—or a "shavetail" as our minority leader prefers—through his law studies at Harvard, the successful practice of law in his native Wyoming, service in the Wyoming Legislature, as his State's Governor and now, in the Senate of the United States.

But he has never been too busy to lend his considerable talents and energy to worthwhile causes—the University of Wyoming, the Boy Scouts, his church—and a whole range of other civic, fraternal, and governmental activities.

He has been a most effective Senator from Wyoming and his effectiveness, I think, is due not alone to his wide background and specialized knowledge, but to his unfailing courtesy and kindliness, his respect for opposing points of view and a consummate ability to marshal facts and arguments without ever losing the graciousness and consideration which we have come to admire so highly.

It is perhaps trite to say that he is both a gentleman and a gentle man.

I count it a privilege to have served with MILWARD SIMPSON and I am pleased to join with all his colleagues in wishing him many more years of happiness. No one deserves it more.

Mr. President, as one seeks to examine his feelings on an occasion such as this, the retirement of one of our most respected and admired colleagues, we find that they include a mixture of regret and happy memories, a recollection of spirited debate and amicable settlement of legislative differences.

But rising above all these is a feeling of profound respect and admiration for the senior Senator from Massachusetts and his years of service to his State and his Nation.

No member of the Senate enjoys a higher reputation for the New England virtues of honesty, integrity and strength of character. No member has the confidence and respect of his colleagues more than LEVERETT SALTONSTALL. No member is more admired.

These feelings are equally shared on both sides of this Chamber. As a Member who sits on this side, I feel a special appreciation of Senator SALTONSTALL's steadfast leadership to the Republican Party, his complete commitment to its policies, his devotion to its principles.

We shall miss him in the Senate but our sense of loss is tempered with the knowledge that he, more than most men, has earned a respite from the heavy burden of public life and I join with all Senators in wishing a long and peaceful retirement, filled with contentment and satisfaction in the knowledge that he will be long remembered as one of this Nation's truly outstanding Senators.

Mr. DOMINICK. Mr. President, the dedication and selflessness exhibited by the senior Senator from Massachusetts in this body has been an example to all of us who have been privileged to serve with him. He has been one of the busiest of all Senators and has borne his great responsibilities conscientiously, honestly, and fairly.

While I have had the rewarding opportunity of working with Senator SALTONSTALL on many occasions over the last few years, I have also had an indirect link to him which has perhaps prejudiced me in his favor. The former U.S. Senator from New Jersey, the Honorable H. Alexander Smith, to whom I am proud to be related, always considered LEVERETT SALTONSTALL one of his most personal friends. This relationship preceded my service in this body, but provided me with an opportunity to learn of the Senator's warmth, diligence, and integrity, through one who had worked with him many years. I have since found from personal experience that these are fundamental traits of LEVERETT SALTONSTALL.

It should be noted, I believe, that Senator SALTONSTALL has been referred to by the distinguished majority leader as the "balance wheel" of the Senate. There are many instances both in and out of the record to prove this point. We all know of his acknowledged success in Conferences between the House and the Senate, and there is no man who has a greater reputation for keeping his word. His has always been a position of national interest, not of partisan or sectional interest alone. His attitude has always been kindly and considerate toward his colleagues regardless of their position, party, or seniority. He has accumulated much seniority of his own, yet has never flaunted it to achieve special concessions for himself.

As one who holds the top position of his party on the Committee on Appropriations, the Committee on Armed Services, and the Select Committee on Small Business, as well as being chairman of the Republican Conference, LEVERETT SALTONSTALL has a great deal of personal power. It is to his credit that he has never been accused of wielding this power in a highhanded manner. He has instead always granted courtesy and respect to his colleagues and consequently has earned their trust and deep respect in return.

Very few men are courageous enough, selfless enough, or humble enough to voluntarily retire from a position of such eminence, especially when they are still vigorous and contributing in a real and positive manner as is Senator SALTONSTALL.

A lesser man who had made the decision to retire might take it upon himself to rest on his laurels at this point, but LEVERETT SALTONSTALL is not such a man. He has remained conscientious in fulfilling his responsibilities as a public servant even when no one would fault him for relaxing. He is now, as he has always been, a U.S. Senator in the truest fashion, and I am honored to have served in this body with him.

Mr. President, we believe a certain breed of man is developed in the broad prairies, high mountains, and big sky country of the West. We believe that these wonders of nature humble a man, while at the same time instilling in him an unshakeable self-confidence; that the cold winters strengthen his resolve; that the golden sun and clear blue skies fill him with energy, ambition, and warmth toward his fellow man; that the immediacy of nature commit him to follow a trail of honor, truth, and integrity; and that the daily tests of strength, will, and courage hammer out a character which is solid, steady, and responsible. Such a man has come out of the West to sit in this body with us and I am honored to salute him today.

Senator MILWARD SIMPSON of Wyoming is a man of the West in every sense. He has never equivocated. He has never hesitated to stand up and be counted regardless of the odds against himself and those with whom he stood. I know this from firsthand experience, for I can recall many an occasion when he and I fought together on matters we considered gravely important, but nonetheless destined to go down to defeat because of the overwhelming majorities against us. This, however, has never stopped Senator SIMPSON of Wyoming. He has been steady as a rock when fighting for a matter of principle. The reputation he acquired in Wyoming as a man of his word has been justified by his actions here in the U.S. Senate.

Mr. President, I would like to tell here a brief story about MILWARD SIMPSON which few people know of and which demonstrates the strength of the bond in MILWARD SIMPSON's word.

Prior to his election to this body, Senator SIMPSON had served as Governor of the State of Wyoming. He had seen many other men serve incomplete terms as that State's chief executive only to go on to other positions before their terms had expired. Many people in Wyoming felt politicians were making a mockery out of the governorship and were upset over the fact that some of those elected to the office seemed to be using it as a steppingstone toward further goals.

Gubernatorial candidate SIMPSON was sensitive to this concern of the people of his native State and vowed that, if elected, he would serve a full 4 years in the Governor's mansion. To do so would make him the first man to complete such a 4-year term in many years. MILWARD SIMPSON was elected that year and took office as Governor of Wyoming in January 1955.

President Eisenhower wanted a man of the West in his Cabinet to serve as Secretary of the Interior. He knew Governor SIMPSON well and was aware of his knowledge of and love for those matters which fall under the jurisdiction of the Department of the Interior. He asked Governor SIMPSON to serve in this high post of tremendous importance and national prestige.

Governor SIMPSON declined President Eisenhower's offer of a Cabinet post, informing the President of his pledge to the people of Wyoming. He had pledged to them that he would serve a full 4-year term and he was not one to throw around meaningless campaign promises. When he said it, he meant it and to his lasting credit he stuck to it.

This then is the man we honor today: a man who has passed up personal glories for personal principle, a man who now voluntarily retires from one of the highest elective offices to which any American can aspire, a man who has earned the respect of every Member of this body, regardless of political party or philosophical persuasion.

Mr. President, there is one other point I would like to make before concluding my remarks today. One of the wonderful aspects of MILWARD SIMPSON'S character in addition to his honesty, forthrightness, and courage, is his warmth and graciousness. He is not a machine or a robot. He is a compassionate and personable fellow human being with a delightful sense of humor and an open and unabashed love for his lovely wife Lorna. He often publicly speaks of her great assistance to him throughout his career and displays an open affection for her rarely seen, but greatly needed in today's cynical world.

In saluting MILWARD SIMPSON today, we are not just honoring another Member of what the newspapers call the "most exclusive club in the world"; we are saluting MILWARD SIMPSON, the man from Wyoming. I am proud to have his friendship and to have a man of his character represent my neighbor State of Wyoming. I wish him well in the years to come.

Mr. JORDAN of Idaho. Mr. President, our Republic has been fortunate through the years because of the high caliber of men elected to public service. This has been especially true of the men who have served in the U.S. Senate. Of the men who have served in the Senate, I believe history will record the name of LEVERETT SALTONSTALL as among the greats.

The senior Senator from Massachusetts will this year close out a lifetime of public service beginning with his distinguished career in the Army during World War I and ending this year as one of the most distinguished and most able Members of the U.S. Senate.

He has served the Commonwealth of Massachusetts as a legislator and as Governor before coming to Washington in 1944 to serve his people in Massachusetts and, indeed, all the people of the United States for 22 years in the Senate.

He has been a Senator in the truest sense of the word. He has been adroit in debate and has backed up this forensic ability with a deep and thorough knowledge of any subject which he has attacked.

He has served as senior minority member on two of the most important committees in the Senate—committees which have formulated policies of defense at a time when our country faced grave and continuing peril. His service on the Armed Services Committee and the Committee on Appropriations has been distinguished largely because of his untiring efforts in behalf of the United States.

Senator SALTONSTALL is retiring, and in that retirement the Commonwealth of Massachusetts and the United States itself are losing a very excellent public servant. His colleagues in the Senate will miss him both for his ability and for his unfailing good cheer. I count myself fortunate in having served with LEVERETT SALTONSTALL for 4 years in the Senate. I shall miss his wise counsel.

I wish Senator SALTONSTALL and his lovely wife all of the good things in life. They already have one of these good things, the love and respect of the Senator's colleagues.

Mr. President, with the retirement of MILWARD SIMPSON, I feel the Senate is losing one of its most capable and wise men. As Governor of my neighboring State of Wyoming, MILWARD SIMPSON achieved a standard of excellence in State administration not soon to be equalled anywhere. Under his guiding hand the State grew and prospered.

Now, as Senator, he has served the State of Wyoming well and faithfully. I have served with him on the Interior Committee and have grown to know and appreciate the valuable advice he has so frequently given his colleagues. His knowledge of water, of land, of minerals, of forestry has been a fount of wisdom for all of his colleagues.

He has shown unflagging loyalty and a total dedication to the interests of his State and Nation. His recognition of where his duty lies has never failed and his devotion to that duty is matched only by his determination to discharge his responsibility to the utmost of his capability.

In the retirement of MILWARD SIMPSON the Senate, the State of Wyoming, and the Nation are losing a valued and valuable servant and his colleagues a witty and wise friend.

Mr. PROUTY. Mr. President, the Senate does honor to itself today in paying tribute to the Honorable LEVERETT SALTONSTALL on his retirement.

My first impressions of Senator SALTONSTALL were formed when he was Governor of his State of Massachusetts, which forms the southern border of my own State of Vermont. Because some of the problems of New England are common among all our States, I learned from that time to appreciate the breadth and depth of then Governor SALTONSTALL'S ability in handling these problems.

When I first came to Congress as a Member of the House in 1951, I became personally acquainted with Senator SALTONSTALL who even then was gaining in seniority among his colleagues.

Beginning as a freshman Senator in 1959 I have ever since sought to work closely with my good friend from Massachusetts. We have cooperated as members of the New England delegation of Senators, in the councils of our Republican Party, and, more important, in the Senate itself.

We are unfortunate men to witness the retirement of LEVERETT SALTONSTALL from the Senate.

On the other hand, we have been most fortunate to have served with him, for he has surely helped us on our way.

I wish him well.

Mr. President, we have known for some months now that our good friend and colleague, the junior Senator from Wyoming, MILWARD SIMPSON had made plans to retire from the Senate. But knowing of his plans in advance has not made it any easier to get used to the idea of his leaving our presence.

Since his first days in the Senate I have learned to admire and respect Senator SIMPSON. His quiet and unassuming manner has not obscured the ability and wisdom he has displayed in our party conferences and in the Senate itself.

It has been my privilege as well as my pleasure to have served with him here in the Senate.

Mr. CASE. Mr. President, it is always a sad pleasure to join with Members on both sides of the aisle in bidding retiring colleagues goodby and wishing them well.

LEVERETT SALTONSTALL is a Senate institution. We shall all miss this straight-backed New Englander, his unfailing courtesy, his warm friendliness, his rugged integrity, and wise counsel. LEVERETT SALTONSTALL personifies the virtues we traditionally associate with his beloved New England.

As a true New Englander, he is just reaching the prime of life. I am sure he and his wife can look forward to many happy active years, free of the demands of senatorial life. They have earned it.

MILWARD SIMPSON has been with us for only one term. But in that time, he has made many warm friends. While we have not always seen eye to eye on issues, it has been a pleasure to know him. I hope that in his stay here he has acquired some fondness for our urban East and will at least occasionally pry himself loose from the wide-open spaces of the West for a visit back to Washington.

Mr. THURMOND. Mr. President, the decision of our esteemed colleague, the Honorable MILWARD L. SIMPSON, not to run for reelection to the U.S. Senate will deprive this body of one of the most outstanding Members it has ever known.

MILWARD SIMPSON is a man of courage and dedication and has devoted his life to constitutional principles of government. He has served his State of Wyoming as an educator, practicing attorney, member of the State legislature, Governor, and U.S. Senator. In each of these capacities, he has distinguished himself as a man of rare ability and keen foresight.

His service in the U.S. Senate has been marked by his tireless efforts to represent the people of his State in its best traditions. He has devoted his considerable talents to the preservation of our constitutional form of government, and has always weighed each legislative proposal which comes before the Senate on the scales of the Constitution. If the proposal fails to measure up, Senator SIMPSON never hesitates to do his duty as a U.S. Senator in conformity with his oath of office, regardless of the political consequences.

I count it a distinct privilege to have served in the U.S. Senate with MILWARD SIMPSON and shall always treasure his friendship. I wish for him and his lovely wife the very best of everything in the years ahead as he returns to private life. His personal presence will be sorely missed, but his record of accomplishments and his reputation for integrity, honesty, and dedication will remain as a goal to which we all should aspire.

Mr. President, the distinguished senior Senator from Massachusetts announced earlier this year that he is retiring from the Senate and will not seek reelection. Those of us who have had occasion to work with Senator SALTONSTALL appreciate his distinguished work on the Armed Services Committee in matters pertaining to the defense of our Nation. Senator SALTONSTALL comes from a Massachusetts family which has distinguished itself through the years by their dedication to the public good. Both the Leveretts and the Saltonstalls have long, outstanding records of devotion to this Nation.

Senator SALTONSTALL has served his State long and well as Governor, member of the Massachusetts House of Representatives, and in various other elected offices. He has been honored by his fellow legislators, having served as speaker of the Massachusetts House for 8 years and having served as Chairman of the National Governor's Conference.

No Member of the Senate is more courteous, dignified in appearance or conduct than the distinguished senior Senator from Massachusetts. His wise counsel and esteemed personality will be greatly missed in future sessions of the Senate. I join my fellow Senators in wishing him and his lovely wife an active and happy retirement pursuing those principles which he has always served so well.

Mr. CURTIS. Mr. President, next January, when the Senate reconvenes, this body will sorely miss the presence of one of its senior statesmen. I refer, of course, to our colleague, the senior Senator from Massachusetts, LEVERETT SALTONSTALL.

I know that every one of us, Democrat as well as Republican, regrets his decision to retire from public life. Senator SALTONSTALL started a distinguished political career at the age of 28 as a member of the board of aldermen in Newton, Mass. He was elected to the U.S. Senate in 1944, and is currently the ranking minority member of two of the most important committees in this body. I refer, of course, to the Appropriations Committee, which holds the purse strings of the Government, and the Armed Services Committee, which is responsible for the Nation's defense.

During the years, 1953 and 1954, when the Republicans were in control of the Senate, he was chairman of the latter committee and is now recognized as one of the Congress top experts on defense matters. During the 8 years of the Eisenhower administration the Senator attended the weekly White House meetings at which general legislative matters were discussed with the leading members of Congress.

Senator SALTONSTALL is also the ranking Republican on the Senate Select Small Business Committee, a position which has enabled him to aid small businessmen all over the country, as well as a member of the Joint Committee on the Reduction of Nonessential Federal Expenditures.

The senior Senator from Massachusetts is also an important and respected member of his party's leadership in the Senate. He is a member of the Republican policy committee as well as chairman of the Senate Republican conference and a member of the joint Senate-House Republican leadership.

The Senator's departure from the Washington scene will create a void that will not be easily or soon filled. I know that all of his colleagues from both sides of the aisle join with me on extending to him our best wishes always.

Mr. President, some time ago I was very distressed to learn that my friend and colleague, MILWARD SIMPSON, had decided to retire from public life at the end of this session of Congress. To me, his counsel and advice and friendship have been invaluable.

The Senator from Wyoming can always be counted on for sound and practical decisions that benefited not only his State, but our Nation as well.

His career, which included being a lawyer, teacher, Governor, and now a Senator, has been one marked by distinction and success. The Nation has benefited greatly from the service of MILWARD SIMPSON in the U.S. Senate.

I know I speak for all of us when I say to the Senator, you have our very best wishes for your future health and happiness.

Mr. COTTON. Mr. President, I am delighted at this opportunity to join so many of my colleagues in paying just and deserved tribute to two of our number who have elected to retire to private life at the closing of the 89th Congress. While I understand and fully sympathize with their desire to spend more of their time at home with their families and neighbors, I know that this does not mean complete retirement in either case. Both of these outstanding Members of the Senate will be called upon to share their wisdom in public affairs, and, as is characteristic of them both, they will respond cheerfully to the needs of their fellow citizens.

The distinguished senior Senator from Massachusetts [Mr. SALTONSTALL] has become an institution in his own time. There have been few in our or any generation with his record of service to the people. Alderman, assistant district attorney, member and speaker of the Massachusetts House of Representatives, Governor of the Commonwealth, and U.S. Senator since 1944, he literally has devoted 46 years of his life in discharging the trust of public office. It is my privilege to serve with LEVERETT SALTONSTALL on the Appropriations Committee of the Senate. I can say without reservation that he is one of the most conscientious Members of this body I have ever known. His counsel and wisdom will be sorely missed.

The distinguished junior Senator from Wyoming [Mr. SIMPSON] has the same kind of distinguished career. Universally respected as a practicing attorney, member of the Wyoming House of Representatives, Governor of that great State, energetic in church, fraternal, and civic affairs, his service in the Senate of the United States has been only too short.

It should be emphasized, however, that in the brief 4 years MILWARD SIMPSON has been a Member of the Senate, he has made his mark as few have done in so brief a time. I can say without qualification that I admire him as one of the most forthright and fearless Members of the Senate, and one whose principles never falter. At the same time, he is a human, compassionate person with perhaps the biggest and warmest heart I have ever encountered. If there is anyone who does not like and respect MILWARD SIMPSON, I have yet to meet him. A man of great ability, a man upon whose advice and counsel we rely, he is indeed a man whose presence will be missed.

Mr. MUNDT. Mr. President, I join with other Senators in paying tribute to my friend and colleague, the senior Senator from Massachusetts. Many words have been said today and will be said honoring him. I am sure he knows the pleasure and pride I feel to have had the opportunity to serve with him in the Senate. I know that Senators have seen on his desk the beautiful plaque which was presented by the Harvard crew of 1914 to their captain and bow oarsman, Senator SALTONSTALL. It reads:

> First Across the Line Then and Since.

He has been first across the line in so many things. He has led us on the minority side of the Appropriations Committee. I think it is impossible for most people to know the hard work and the dedication that he has given on this committee and, above all, the consideration and leadership he has provided to those of us who serve with him and under him. He has led the Republican side on the Armed Services Committee, and at one time he was chairman of that committee. Certainly, when General Eisenhower was President, he made clear the great dependence he placed on Senator SALTONSTALL'S service to the country on that committee and in the Senate.

I shall not repeat here all the remarkable and extensive achievements that highlight Senator SALTONSTALL'S long, long career in public service, in Massachusetts and in the Nation. We shall miss his leadership; we shall miss having amongst us a good friend.

In closing, Mr. President, I will say to Senator SALTONSTALL: I commend you for being first across the line so many times, and I just wish you did not choose to cross the finish line now.

Mr. President, I am also happy to join today in tribute to a fellow westerner, MILWARD SIMPSON.

MILWARD SIMPSON came to the Senate with an extensive background of work and experience. Early in his career he taught political science and later entered the practice of law. During his long years of service to the citizens of his State he served in the Wyoming House of Representatives, and later as Governor from 1955 to 1959. After his service as Governor he again practiced law until his election to the Senate in 1962.

During his years in the Senate he has come to be respected by his colleagues as an extremely able legislator. We shall miss his presence in the Senate, and we wish him well in the future.

Mr. TOWER. Mr. President, it is a very melancholy hour, during these last days of the 89th Congress, in which we must watch two of our most valued colleagues take their leave of the Senate.

LEVERETT SALTONSTALL has served in the Senate 22 years; MILWARD SIMPSON has been here almost as long as I have—he was elected 4 years ago—yet both have become integral and greatly respected Members of this body.

It is said they are very different in their backgrounds; perhaps this is true. At the same time they are basically alike. One is from the wild, wild west; the other is the progeny of an old and aristocratic New England clan. But both gentlemen have served their country with distinction and honor, both have been of credit to their States and to the Senate. Both are—in a very fundamental sense—gentlemen.

LEVERETT SALTONSTALL has represented the Commonwealth of Massachusetts in the Senate since 1944, at the closing of the Second World War. His record from that fateful time to this has been unsurpassed. He came to the Senate from the Governor's chair in Boston, having been elected to that office three times. The people of Massachusetts have seen fit to elect and reelect LEVERETT SALTONSTALL to the Senate on four occasions. He retires now to his private interests and pursuits; I know we all wish him well and regret his leaving this body. I have had the added opportunity to serve with LEVERETT SALTONSTALL on the Armed Services Committee as well as in the Senate, and I count that one of my good fortunes since being elected to the Senate.

I wish LEVERETT Godspeed, but I trust and hope we shall have many opportunities in the future to visit with him even after he leaves the Senate.

I wish the same of my good friend MILWARD SIMPSON. Wyoming is many miles further than Massachusetts, but his wisdom will be always welcomed by his colleagues.

MILWARD SIMPSON has earned a deep respect during his service in the Senate. I say without hesitation that he is one of my most cherished friends in this distinguished body. I shall very much miss MILWARD SIMPSON next year. Regardless of the personal ability and integrity of his successor—and I am sure both will be great—the position he occupies in the esteem of all his friends and colleagues will be difficult to replace. The loss of his wisdom and his ability will be greatly felt.

Both these friends have served with honor and with greatness; it is my hope that the country can have the benefit of their unofficial wisdom for many years to come.

Mrs. SMITH. Mr. President, it is with deep regret that I view the retirement of the senior Senator from Massachusetts, the Honorable LEVERETT SALTONSTALL. I consider it a personal loss for it has been my privilege to sit at his immediate left in the Committee on Armed Services and to profit from his wisdom and patience and his great leadership.

Others far more gifted in the choice of fitting and appropriate words have rendered him the tributes and the homage which he so richly deserves. I shall miss him very much. There will be a void in the Senate with his absence and the Senate simply will not be the same without his matchless ability to get Senators to reason with each other and to resolve their differences in the amity that is so sorely needed not only in legislative leadership but throughout our troubled world today whenever representatives of the great nations meet in their quest for peace.

I sincerely hope that his retirement from the Senate does not mean his complete retirement from public life. I earnestly wish that he will make himself available for our Nation's further use of his extraordinary talents. Most of all, I wish him and his lovely wife the very best of happiness and health in the years ahead.

Mr. YOUNG of North Dakota. Mr. President, I wish to join in the richly deserved tribute being paid to our friend the Senator from Massachusetts [Mr. SALTONSTALL]. It is with a deep sense of sadness that we are coming to the close of this session with the knowledge that some of our finest Members of the Senate—such as our friend, LEV—will not be returning. His leaving will be an incalculable loss to the Senate itself, to his beloved Commonwealth of Massachusetts, and to the Nation.

LEV has been a true statesman in every sense of the word. He has conducted himself in the finest traditions of the Senate—always the unselfish and dedicated public servant. He has always impressed me with his great intelligence, his knowledge of the most intricate and involved subjects and, above all, his good judgment and good sense.

I have noted that when the going got tough—and this happens quite often in this body—he always has been the courageous soul who lent inspiration to all of us. If the Senate were composed of only people like LEVERETT SALTONSTALL there would be little to worry about and all of the people of the Nation could sleep much better.

May I say to my friend, LEV, that he has been a wonderful friend and one of the most perfect gentleman I have ever known—always kindly, considerate, and so completely honest. These are the qualities which I have come to know and appreciate during these 21 years I have worked so closely with him. Much of this time he was ranking Republican on the Appropriations Committee and I the second ranking member. His work on this committee has been most outstanding. However, this is only one of the many facets of his overall contributions to better government in and out of Congress.

All of us in the Senate are going to miss LEV very much. I hope that he and his most gracious wife Alice will enjoy many more years of health and happiness, and that I will have the chance to be with them often in the future.

Mr. President, during my more than 21 years in the Senate I have seen many Members come and go. Among them have been some of the greatest citizens of this Nation. One of these fine people is our good friend MILWARD SIMPSON, the Senator from Wyoming.

He has distinguished himself in many fields such as an infantry officer in World War I, an educator, a lawyer, a rancher, a State legislator, a Governor, and a Member of the U.S. Senate. He has truly been a great citizen and one highly respected by all who have had the privilege of coming to know him. His record as a U.S. Senator in the comparatively brief time he has been with us has been most outstanding.

MILWARD has endeared himself to every Member of the U.S. Senate by his kindly, considerate ways, and his great ability. Not the least of his fine qualities is his good wit, humor, and some rather salty stories that some of us will remember for a long while. Like all of the Members of the Senate I regret very much that our friend will be leaving us. I hope and pray that Mrs. Simpson and he will be enjoying many more years of happiness, and that we will have an opportunity to see them often.

Mr. McGEE. Mr. President, it is a great pleasure to join today with my many colleagues in paying tribute to those among us who have announced their retirement from further service in this body effective next month, and particularly to my junior colleague from Wyoming, MILWARD SIMPSON.

My association with MILWARD SIMPSON has been a long and pleasant one dating from the days when he was in fact my boss as chairman of the board of trustees at the University of Wyoming where I was employed for some 13 years as a professor of history.

MILWARD SIMPSON has had a long career of service to the State he loves so well, first as its Governor and later as one of its U.S. Senators.

Throughout his lifetime he has been a one-man walking chamber of commerce for the State of Wyoming and is perhaps more responsible than any one person for keeping alive the description of our part of the world as "Wonderful Wyoming."

May I take this occasion to express my personal appreciation for the diligence he has always shown in representing our State at any level and to wish him a full and rich life upon his departure back to the country he loves so well.

Mr. AIKEN. Mr. President, Senator SALTONSTALL, of Massachusetts, has been a colleague of mine since we were both Governors of our respective States, beginning in the late 1930's. Senator SALTONSTALL made an excellent record as Governor of Massachusetts. He was speaker of the house of his State before he was Governor. Then he has been a Senator of the United States for the last many, many years.

I also have a "fellow" feeling for him, in that he is a farmer, and has had a substantial dairy over the years, as well as many horses.

He has always been conscientious in his work. He has been a patriot through and through. What he has done in recent years as a member of the Appropriations Committee and the Armed Services Committee deserves the thanks of all Americans.

I am sorry Senator SALTONSTALL is leaving this body. I know I speak for all of us when I say we regret that he is leaving.

The other Republican Senator who was mentioned is the Senator from Wyoming [Mr. SIMPSON]. If he were here, I would refer to him as a "unique character." He is very much beloved by us all. He is a true product of the Wild West, although I do not think he was born there, but he has fitted wonderfully well. He has been Governor of the great State of Wyoming. He has taken a keen interest not only in the domestic affairs of our country, but I have had the pleasure of traveling outside this country with him, and he is very much admired and respected in other countries as well.

In addition to being a statesman, he has been a humorist of sorts, with a great store of stories, with which he would buoy us up whenever we got too low in his presence.

MILWARD SIMPSON has always been fair. He is one of the most likable men I have ever served with. I regret to see him leave this body.

Mr. ALLOTT. Mr. President, I wish to add my best wishes to those that have already been expressed here to Senator LEVERETT SALTONSTALL, of Massachusetts.

I have served with Senator SALTONSTALL since I came to the Senate in 1955 and his advice and guidance has meant a great deal to me. He is one of the ranking Members of the Senate, both in terms of service and in stature. Fairness and openmindedness are his hallmark and his ability to reconcile two conflicting points of view has won him the respect and admiration of all of his colleagues.

Senator SALTONSTALL is the ranking minority member of the Senate Appropriations Committee and I have served with him for the past 7 years. During this time, I have had an opportunity to observe how carefully he handles the taxpayers' dollars, but at the same time, he is always openhearted, and perceptive of the needs of the unfortunate. Senator SALTONSTALL has a knack of relieving tensions at a crucial time with a light remark. His record of 22 years of achievement is a tribute to himself and to the State of Massachusetts.

Webster's dictionary defines the word "statesman" as:

> A man versed in the principles and art of government; one who shows unusual wisdom in treating or directing great public matters; a matter occupied with the affairs of government and influential in shaping its policy.

In every respect, Senator SALTONSTALL fulfills this definition. He is well versed in the principles and art of government, and he shows unusual wisdom at every turn.

It has been a privilege to serve with him and to come to know him. It is altogether fitting that we honor a man who has been such a tribute to the U.S. Senate. We shall miss him, but in his retirement he can be secure in the knowledge that he has served Massachusetts and the Nation well. His record of 46 years of public service as alderman, assistant district attorney, speaker of the Massachusetts House of Representatives, Governor and finally, as U.S. Senator is a record of which the people of Massachusetts are justly proud.

My best wishes and I am sure the best wishes of all Senators go with him.

Mr. President, earlier this year my friend, the distinguished Senator from Wyoming, MILWARD SIMPSON, announced that he was retiring from the Senate. This news was received by me with both sorrow and understanding. I was sorry because during his years here in the Senate I have had the privilege of working closely with him, and we served together on the Committee on Interior and Insular Affairs. I have come to know him not only as a friend but as a fearless advocate for his constituents. He has always voted according to his conscience, and political expediency has no place in his makeup.

Perhaps a Senator gets to know his colleagues best through association on a committee. It is here that one has an opportunity to measure the quality of intelligence, the clarity of thought and the strength of conscience of his colleagues. The nature of this association and the nature of committee activities makes this possible. MILWARD SIMPSON brought to the Interior Committee the kind of wisdom and understanding that is only acquired from great and varied experience. His contributions to the deliberations of the committee were immense and, while his advice was not always followed, his counsel was always sought.

Diligence is his watchword, and only ill health could keep him from his work. He did his homework, and you could always be sure that he had a clear understanding of the legislation before the committee.

It was evident in all his work that his primary concern was for the people, and especially the little people. As Senators will recall, last May 24 MILWARD SIMPSON traveled over 4,000 miles to deliver a commencement address in his home State of Wyoming. The Valley Grade School graduating class of 1966 will long remember the occasion. It is a rare thing when a busy U.S. Senator will take the time to attend and address a graduating class of one student, but then MILWARD SIMPSON is a rare kind of man. He has always been a ready champion of worthy causes.

In these closing days of the 89th Congress, it is fitting that we pause to honor a man who has brought honor to the Senate. We shall miss him, but he can go into retirement secure in the knowledge that he has served Wyoming and the Nation well. The people of Wyoming are justly proud of Senator SIMPSON.

I am sure I speak for all Senators when I say that our best wishes go with him.

Mr. STENNIS. Mr. President, I shall lose a trusted friend and coworker when the Senator from Massachusetts, the Honorable LEVERETT SALTONSTALL, retires from the Senate. I sincerely regret his retirement but I respect his judgment. Over the years I have never had a more delightful companion, nor one I more thoroughly enjoyed, both at work and in a social way.

I have been on both the Armed Services Committee and the Appropriations Committee with Senator SALTONSTALL for many years. We have worked closely together in all kinds of circumstances: secret hearings, open hearings, around-the-table conferences, and on the floor of the Senate. His capacity for work is great. His application to the job at hand never varies, and he has been effective in conferences, in committees, and on the floor of the Senate. This was because he has a fine intelligence, he applied himself well, he inspired confidence and has good judgment. All of these things combine to make him an effective and highly valuable Member of this body.

Mr. President, so long as honor, integrity, and loyalty remain virtues in the lives of our people, and are valued in the Senate, only that long will LEVERETT SALTONSTALL's valuable work here live in our Nation because he has personified these virtues and helped build them into the very fabric of our Government.

Mr. President, I salute our friend for the splendid record of his achievements in the Senate and in his home State. I congratulate him on the honors he has obtained and the esteem he has won.

As a devoted and admiring friend, I wish for him and his charming wife, Alice, many more years of usefulness and happiness which each of them richly deserve.

Mrs. Stennis joins me in these sentiments and in these good wishes.

Mr. HICKENLOOPER. Mr. President, I ask unanimous consent to insert two statements by the distinguished Senator from Kentucky [Mr. COOPER] paying tribute to Senators SALTONSTALL and SIMPSON.

There being no objection, the statements were ordered to be printed in the RECORD, as follows:

STATEMENTS BY SENATOR COOPER

It has been my great privilege during my service in the Senate to enjoy the friendship of LEVERETT SALTONSTALL.

We will miss his wise counsel and his patient manner, but I join my colleagues in the hope that the Senate will continue to have the full benefit of his wisdom and thought.

In all of his service, LEVERETT SALTONSTALL has fulfilled the great tradition of his family and his State.

I pay tribute to his work and to his many accomplishments. We will miss his presence in the Chamber very much.

It has also been my good fortune to serve with MILWARD SIMPSON in his years in the Senate. I know the affection in which he is held, and I know how very much he will be missed.

I know the attention and the care he has given to his work, and I also know the esteem given to his views. We will miss his company and his thought, and we hope that he will visit with us often.

Mr. SALTONSTALL. Mr. President, I thank my fellow Senators who have spoken so pleasantly about Senator SIMPSON and me this morning. I cannot feel anything but gratitude for what they say; and it certainly is a great pleasure and happiness for me to be joined in these tributes with my friend from Wyoming. He and I formed a friendship, as I have figured out this morning, some 40 years ago. While we did not see each other many times in the intervening years, these last 4 years while he and I have served together in this body have reemphasized that early friendship; and certainly it has gone forward both happily and continuously since we have both been Members of the Senate.

This is not the time to make a speech; but I do wish to say I appreciate more than I can tell the friendships that I have accumulated here over the past 22 years. I do not care whether they are on the other side of the aisle or on this side of the aisle, they are all my friends as well as my colleagues. While we differ at times, our objective has been the same—to put forward and advance the best interests of our country.

As has been mentioned here this morning, Winston Churchill has been quoted as not wishing to be called a statesman, and as having said, "A statesman is a dead politician."

I am confident that both Senator SIMPSON and I are still very much alive, still very much interested in government, and certainly just as much politicians today, and when we complete our service here, as we have been while we have been Members of this body.

So, in conclusion, I just say, Thank you all for what you have said, and for the opportunities and the pleasures that you have given me as a Member of this body during the past 22 years.

Mr. SIMPSON. Mr. President, I, too, am overwhelmed with the generosity of my colleagues with respect to our departure from the U.S. Senate.

Incidentally, Wyoming, although it is the 10th largest State in area, has a population of only 340,000. It has a mean altitude of 6,500 feet. We call it the land of high altitude and low multitude.

During my last campaign I went into the Sunlight Basin, and while there, encountered an old friend who asked, "What you running for this time, MILWARD?"

I said, "The U.S. Senate."

He said, "There's some right smart people in that Senate, ain't they?"

I replied, "I am sure there are."

Then he said, "There's some not so smart, too, ain't they?"

I said, "I suppose so."

He said, "And pretty hard to tell them apart, ain't it?"

But I can testify that it is not difficult to tell them apart, because my association with all the other 99 Members of this body has given me a feeling of love and affection for each and every one, and a realization of the ability of each and every one.

I appreciate what the staff has done; I appreciate what the attendants on our side of the aisle and the other side of the aisle have done. I am grateful to all of you: doormen, staff members, secretaries, CONGRESSIONAL RECORD reporters, everyone, for the courtesies you have extended to me.

Mr. President, the departure from this body of the senior Senator from Massachusetts will leave a void of considerable dimension in this body. Senator LEVERETT SALTONSTALL throughout his brilliant career of public service has distinguished himself as a man of unimpeachable integrity and faith; as a man of personal courage and with the courage of his convictions. I was privileged to have known LEVERETT SALTONSTALL a good number of years ago when I attended Harvard Law School. LEV was a marked man when I knew him then—marked for greatness—and he achieved that greatness even before the voters of Massachusetts in their infinite good wisdom elected him to be their Governor. Few men in public life are as true to their trust as LEV SALTONSTALL. When Governor SALTONSTALL was elected to the U.S. Senate he served out his term as Governor even though by so doing he lost valuable seniority in the Senate. This was an act typical of the integrity and character of the senior Senator from Massachusetts. This is the afternoon of a brilliant career of public service but it is not the evening of that career. LEV SALTONSTALL has been far too active in the affairs of his State and Nation to be writing an end to that chapter of his life by his retirement.

Blessed with a magnificent and lovely wife and together with a fine family he can anticipate many years of pleasure and satisfaction.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had passed the bill (S. 2621) for the relief of Ioannis A. Vasilopoulos, with amendments, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bills, in which it requested the concurrence of the Senate:

H.R. 5349. An act for the relief of Mrs. Rose Thomas;

H.R. 10090. An act for the relief of Jesse W. Stutts, Jr.;

H.R. 10481. An act for the relief of Mr. Robert A. Owen;

H.R. 10876. An act to authorize and direct the Administrator of the Farmers Home Administration to quitclaim certain property in Jackson County, Ala., to Skyline Churches Cemetery, a corporation; and

H.R. 15197. An act for the relief of Jan Drobot.

The message further announced that the Speaker had affixed his signature to the following enrolled bills:

S. 84. An act to provide for reimbursement to the State of Wyoming for improvements made on certain lands in Sweetwater County, Wyo., if and when such lands revert to the United States;

S. 476. An act to amend the act approved March 18, 1950, providing for the construction of airports in or close proximity to national parks, national monuments, and national recreation areas, and for other purposes;

S. 688. An act to amend title III of the Bankhead-Jones Farm Tenant Act, as amended, to provide for additional means and measures for land conservation and land utilization, and for other purposes;

S. 769. An act for the relief of Dr. Marshall Ku;

S. 1137. An act for the relief of Dr. Rafael Martinez Torres;

S. 1556. An act to authorize the Board of Governors of the Federal Reserve System to delegate certain of its functions, and for other purposes;

S. 2102. An act to protect and conserve the North Pacific fur seals, to provide for the administration of the Pribilof Islands, to conserve the fur seals and other wildlife on the Pribilof Islands, and to protect sea otters on the high seas;

S. 2801. An act for the relief of Helena Gilbert Maddagiri and Heather Gilbert Maddagiri;

S. 2829. An act to amend section 301(a) (17) of the Immigration and Nationality Act;

S. 2979. An act to extend coverage of the State Technical Services Act of 1965 to the territory of Guam;

S. 3230. An act to authorize the Board of Regents of the Smithsonian Institution to negotiate cooperative agreements granting concessions at the National Zoological Park to certain nonprofit organizations and to accept voluntary services of such organizations or of individuals, and for other purposes;

S. 3389. An act to provide for the establishment of the Joseph H. Hirshhorn Museum and Sculpture Gardens, and for other purposes;

S. 3391. An act to amend the Shipping Act, 1916, as amended, to authorize exemption from the provisions of the act;

S. 3675. An act to amend title V of the International Claims Settlement Act of 1949 to provide for the determination of the amounts of claims of nationals of the United States against the Chinese Communist regime;

H.R. 13955. An act to establish the past and present location of a certain portion of the Colorado River for certain purposes;

H.R. 14355. An act to amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and the Railroad Retirement Tax Act to make certain technical changes, to provide for survivor benefits to children ages 18 to 21, inclusive, and for other purposes;

H.R. 14517. An act to amend Private Law 86-203 to permit the use of the vessel *John F. Drews* in the coastwise trade while it is owned by a citizen of the United States;

H.R. 16958. An act to authorize the establishment in the District of Columbia of a public college of arts and sciences and a vocational and technical institute; and

H.R. 17285. An act to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act, and for other purposes.

HOUSE BILLS REFERRED

The following bills were severally read twice by their titles and referred as indicated:

H.R. 5349. An act for the relief of Mrs. Rose Thomas;

H.R. 10090. An act for the relief of Jesse W. Stutts, Jr.;

H.R. 10481. An act for the relief of Mr. Robert A. Owen; and

H.R. 15197. An act for the relief of Jan Drobot; to the Committee on the Judiciary.

H.R. 10876. An act to authorize and direct the Administrator of the Farmers Home Administration to quitclaim certain property in Jackson County, Ala., to Skyline Churches Cemetery, a corporation; to the Committee on Agriculture and Forestry.

AMENDMENT OF INLAND, GREAT LAKES, AND WESTERN RIVERS RULES RELATING TO CERTAIN VESSELS

Mr. LONG of Louisiana. Mr. President, I ask that the Chair lay before the Senate the amendment of the House of Representatives to the bill (S. 1349) to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length.

The **PRESIDING OFFICER** laid before the Senate the amendment of the House of Representatives to the bill (S. 1349) to amend the inland, Great Lakes, and western rivers rules concerning sailing vessels and vessels under 65 feet in length, which was, on page 3, after line 6, insert:

> SEC. 7. The amendments made by this Act shall take effect as of the ninetieth day after the date of enactment of this Act.

Mr. LONG of Louisiana. Mr. President, the House added an amendment to make the bill effective 90 days after enactment, so that all interested parties will have ample notice of the changes in the navigation rules.

I move that the Senate concur in the House amendment.

The **PRESIDING OFFICER.** The question is on agreeing to the motion to concur in the House amendment.

The motion was agreed to.

CHAMIZAL HIGHWAY—CONFERENCE REPORT

Mr. LONG of Louisiana. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 11555) to provide a border highway along the U.S. bank of the Rio Grande in connection with the settlement of the Chamizal boundary dispute between the United States and Mexico. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER.** The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of Oct. 20, 1966, p. 28190, CONGRESSIONAL RECORD.)

The **PRESIDING OFFICER.** Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. LONG of Louisiana. The House authorized an appropriation of $12 million to cover all the expenses of constructing the highway. The Senate authorized $6 million for this purpose, provided that the State of Texas agreed to pay an equal amount.

The conferees agreed on an appropriation not to exceed $8 million to cover half of the cost of actual construction and all the cost of acquiring the necessary right-of-way and of engineering.

Mr. President, I ask that the Senate agree to the conference report.

The **PRESIDING OFFICER.** The question is on agreeing to the conference report.

The report was agreed to.

TARIFF TREATMENT OF CERTAIN ARTICLES—CONFERENCE REPORT

Mr. LONG of Louisiana. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11216) relating to the tariff treatment of articles assembled abroad of products of the United States. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER.** The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of Oct. 20, 1966, p. 28222–28223, CONGRESSIONAL RECORD.)

The **PRESIDING OFFICER.** Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. LONG of Louisiana. The basic House bill provided tariff exemption for U.S. products which are shipped abroad, incorporated in an article assembled abroad, and reimported into this country.

The Senate agreed with the House provision, but because of the passage of time, amended the bill to preserve the effective date of August 30, 1963. The House conferees agreed with this Senate amendment.

The next amendment closes a button loophole under which almost-finished buttons are shipped into the Virgin Island, where holes are drilled in them and then they are shipped into this country duty free. The House conferees agreed with the Senate amendment which imposes the regular-button tariff on these buttons; however, they felt the amendment should not become effective for 120 days. The Senate conferees yielded on the 60-day effective date fixed by the Senate bill.

Another Senate amendment provides duty-free treatment for specialized teaching aids used in the Montessori and other methods of classroom instruction for children, conforming the law for these articles to the rules which apply to more usual forms of teaching aids such as books, maps, and so forth. The House conferees agreed with the Senate amendment, but felt that Communist products should not be entitled to free entry as the Senate bill would have provided.

The Senate conferees yielded on this point, and, under the conference agreement, duty-free treatment will be afforded only to articles coming from countries qualifying for most-favored-nation treatment.

The House conferees agreed to the Senate amendment which permits certain scientific instruments to be imported duty free for specified educational institutions, and another Senate amendment which permits duty-free entry of gifts from Canadians to the International Peace Garden in Dunseith, N. Dak.

Mr. President, this matter of most-favored-nations treatment for Communist countries is an important issue, and I assume that it is a matter that will attract the attention next year of both the Ways and Means Committee and the Committee on Finance. In this legislation, we do not attempt to answer the questions raised. We think that issue had better await a general overall study of the matter.

ENCOURAGEMENT OF TEACHING OF ECONOMIC EDUCATION IN AMERICAN SCHOOLS

Mr. LONG of Louisiana. Mr. President, our economy is becoming increasingly more complex and is often confusing, even to those of us who are required by our duties to deal with its ramifications almost daily. Without some basic training in the fundamental concepts upon which our economy operates, a totally incomprehensible picture confronts the graduates of our high schools across the Nation as they begin their careers as active citizens.

Although some progress has been made, and more is being made, many students in our elementary and high schools are not receiving this basic training today, and the problem fully warrants the attention of the Senate, even at this late hour in this session of Congress. The high school graduates of today will be the voters of 1968 and 1969. Whether or not our American economic system is to remain productive, dynamic, and free may well depend upon the decisions on economic policy of these and subsequent classes.

In the past, economics has been treated chiefly as an esoteric subject, reserved for study at the college level, and then mainly for academic purposes of studying the refinements of economic theories. This is just not good enough—especially when only a minority of high school graduates ever attend college, and certainly less than a majority of those who do attend actually take a course in economics while they are there.

Nevertheless, a survey made by the National Association of Secondary School Principals in 1964–65 shows that only about 30 percent of our high schools at that time required a course in economics. For most of those high schools requiring such a course, the level of the instruction could only be considered dismal, because in 1963 only 22 States required that the teachers of social studies courses have at least 1 course in economics for certification themselves. Only eight States met this requirement in 1959.

In my role as chairman of the Committee on Finance, I shall necessarily be dealing with economists frequently, as I have already been doing in the past. I cannot say that the splitting of hairs by these professional witnesses is a process I have enjoyed or expect to enjoy in the future.

I am not suggesting that there needs to be uniformity in the interpretation of complex economic data, nor unanimity in the recommendation which expert witnesses make about economic and financial policy. Although it sometimes leads to the negation of the analyses presented by them insofar as its influence on legislation is concerned, diversity of opinion has its advantages, and I am not one to say otherwise.

It was with relief that I learned that the efforts of the Joint Council on Economic Education are directed toward obtaining agreement on the basic elements of our American economy to be presented to youngsters from kindergarten through college. It was with pleasure that I learned that the joint council has had considerable success in these efforts.

This organization has been in existence for about 18 years and has gradually developed its programs and extended its activities throughout the Nation. Its approach has been entirely professional, and it has built its organization at the local level, utilizing the broadest possible spectrum of those who play important roles in our economic life.

One of its most effective devices for reaching the teachers in our schools has been the summer institute, at which the representatives of these diverse interest groups meet to present and to discuss the concepts of our basic economic system with teachers of the social science courses at the high school level, or the principals of the elementary schools.

A recent workshop in economic education is illustrative. This workshop was held July 18 to August 5 in Little Rock, Ark. It was sponsored by the Arkansas State Department of Education, the University of Arkansas, and the Joint Council on Economic Education.

The speakers who addressed the workshop were distinguished, to say the least. They included the Honorable Charles Schultze, Director of the Bureau of the Budget; the Honorable Eugene Braderman, Deputy Assistant Secretary for Commercial Affairs and Business Activities, Department of State; the Honorable Stanley Cain, Assistant Secretary of Interior; the Honorable Dean Coston, Deputy Under Secretary, Health, Education, and Welfare; Mr. Lanny Trawick, Director of Consumer Education, Food and Drug Administration.

From the business world there were many representatives: Burt S. Cross, president of the Minnesota Mining & Manufacturing Co., spoke to the group, as did Dudley Dowell, president of New York Life Insurance Co.; and Willard Garvey, president of World Homes, Inc., and a member of the joint council board.

Mr. Marvin Friedman of the AFL-CIO department of research spoke, as did Dr. Allen O. Felix, manager of school and college relations for the New York Stock Exchange. Economists from E. I. du Pont and Reynolds Metals also addressed the group.

Many representatives of the American banking community participated. These included Darryl Francis, president of the Federal Reserve Bank of St. Louis; as well as Stephen Koptis, vice president, and Dr. Eugene A. Leonard, assistant vice president of that bank.

The Joint Council on Economic Education was established in 1948. It has operated consistently on the basis of several simple but firm principles. Those principles include local community control, local community support, and close ties with elementary, high school, and, since 1954, college and university teachers and professors.

Some 44 councils on economic education have been set up in communities throughout the United States. Each of these councils serves as a voluntary group working to improve economic education by mobilizing community organizations local business, local farm boards, school superintendents, and college and university staffs.

The councils are financially autonomous and raise their own funds on a voluntary basis from business, labor, and farm groups. Up to now, they have not received any governmental aid, and they employ relatively few but highly competent educators and economists. Many of the councils develop their own materials for their schools in cooperation with economists and educators attached to nearby colleges and universities.

The joint council is a decentralized organization whose national office operates as a private service organization going about its business of improving economic education in the United States thus far without governmental aid. This philosophy of voluntary action at the grass roots level, together with strict avoidance of partisanship and special pleading, is in keeping with the democratic tradition of private activity and public response which characterizes our country.

Demand for better training in economics all the way from kindergarten to college has created a tremendous desire for help from school systems throughout the United States. This demonstration has led to mounting expenses which are necessary to cover the costs of consulting and materials assistance given to school systems and colleges and universities by both the national office and affiliated councils.

Congress should recognize the vital importance of the work which the joint council and its affiliated councils are doing to improve economic education. A recognition of the problem and sense of urgency are required if the people in this country of ours are to be given the training they need as citizens in a vital, free society.

The Joint Council on Economic Education and its affiliated organizations deserve the attention of each of us in the legislative branch who represent those 30 States where councils on economic education are now operating. In the 20 States where no councils are now operating, Congress can certainly play a larger role in developing public awareness of the need for economic education.

The joint council is attempting to provide the tools of understanding necessary to develop an informed electorate. Only informed citizens—citizens who understand basic economic facts and analysis—can provide the healthy environment back home at the grassroots that will permit us as Senators and Congressmen to legislate wisely.

Only an informed citizenry will permit our economic system to remain strong and bring about an ever-increasing standard of living. Congress must recognize these facts. All of us—but particularly businessmen, labor, and farmers in the private sector—have a stake in more effective economic education.

Mr. President, the Joint Council on Economic Education does not sponsor any economic ideology nor espouse any particular brand of economic theory. It seeks to provide the basic ideas about how our economy works; the tools, as it were, for the young student to use in developing his thinking and understanding of the economy and its operation. With these tools it would be quite possible for him to decide that our system does not work to his satisfaction.

He could even use them to decide that he prefers the Communist theories of economics, because they are tools of analysis and understanding for him to do with as his judgment dictates. He is unlikely to reach this conclusion, however, unless those of us who are responsible for governing and educating the Nation fail completely in our responsibilities.

The result to be anticipated, Mr. President, is that many more of our youngsters will learn as much about the operations of their economy as they learn about the operation of an automobile. They will become more intelligent and dedicated citizens capable of making more responsible judgments at the polls and elsewhere concerning the economic issues which confront the Nation. I very much fear that the economic problems which will confront the Nation in the future will be at least as difficult as those we have faced in the past.

Who among us would like to support the proposition that we have dealt ideally with our economy thus far? The youth of today will be confronted tomorrow with the decisions as to candidates and programs which affect their livelihood and that of their children. The decisions made will be of vital consequence to the future of our Nation.

Mr. President, I ask unanimous consent that a brief statement concerning the Joint Council on Economic Education and the details of some of its programs be printed in the RECORD immediately following my remarks.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. LONG of Louisiana. Mr. President, I should now like to refer to Dr. M. L. Frankel, president and director of the Joint Council on Economic Education and its principal staff member since it was established. I first met Dr. Frankel in East Orange, N.J., on the occasion of one of my first nationwide radio broadcasts. I recall it clearly. It was at the "American Town Meeting of the Air," the subject under discussion was Universal Military Training, and it demonstrated the interest and enthusiasm that can be developed by high school students when they are given the opportunity to confront national issues.

Very recently, Dr. Frankel has been invited to the first study conference on education ever sponsored by the Atlantic Treaty Organization and he was selected to be the opening speaker for that symposium which was held in Lisbon, Portugal. This meeting was highly successful from the standpoint of the United States, as it was demonstrated that the progress being made here, as limited as it is, is much greater than among the NATO countries in Europe. The conference adopted a resolution calling for the establishment of an "International Council on Economic Education" to be sponsored by one of the existing international organizations. Clearly, the Joint Council on Economic Education will be called upon to provide the leadership in any such international group.

Dr. Frankel went directly from Lisbon to Japan where he spent 8 days of intensive consultation with the Japanese Committee on Economic Development and other interested Japanese groups. He reports that the Japanese are very much interested in developing a program of economic education patterned after the program of the Joint Council on Economic Education. One of the interesting points he reports is that a group of 17 Japanese teachers and professors who previously were in the United States for consultation with the Joint Council on Economic Education have now become the opposition leadership in the faculties of Japan to the Marxist influence of the Japanese Teachers Union.

Mr. President, Dr. Frankel wrote to me about his visits to Lisbon and Japan shortly after his return to New York, I ask unanimous consent that his letter be printed in the Record immediately following the statement concerning the operations of the Joint Council on Economic Education.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 2.)

Mr. LONG of Louisiana. Mr. President, the legislative and executive branches of the Government have done little to assist in the process of educating our young citizens concerning the economic system of our Nation, but some progress is being made. Belatedly, economic education was added to the list of "critical subjects" under title III of the National Defense Education Act.

It was added as the ninth such subject, however, and I think it deserves much higher priority. Recently I obtained a report from the Department of Health, Education, and Welfare on what had been done and was being done to assist economic education under this provision, and I ask unanimous consent that this report be printed in the Record immediately following Dr. Frankel's report on his visit to Lisbon and Japan.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 3.)

Mr. LONG of Louisiana. Mr. President, I have also obtained a report from the National Science Foundation relating to its activities in support of economics and economic education. I ask unanimous consent that the report be printed in the Record immediately following the report from the Department of Health, Education, and Welfare.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 4.)

Mr. LONG of Louisiana. Mr. President, in concluding my remarks on this subject I submit a resolution and ask that it be read.

The PRESIDING OFFICER (Mr. Ribicoff in the chair). The resolution will be stated.

The assistant legislative clerk read as follows:

S. Res. 316

Whereas a widespread understanding of the operations and problems of the American economic system is essential if our people are to meet their responsibilities as citizens, voters, and participants in a basically private enterprise economy; and

Whereas the successful operation of the Employment Act of 1946 depends upon a widespread understanding of the implications of taxation, Government spending, monetary measures, employment, unemployment, and proper price, wage, and profit decisions: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Joint Economic Committee, or any duly authorized subcommittee thereof, as a part of its continuing responsibility for study of matters relating to the Economic Report should (1) conduct a detailed study of the adequacy of practices in economic education followed at all school levels and in adult training; and (2) make findings and recommendations on the adequacy and objectivity of any curriculum relating to economic practices, leadership, and forces, and on the necessity and feasibility of large-scale Federal and private aid aimed at improving the skills of teachers and school administrators in the use of new technology for the dissemination of economic understanding at all levels, including adult education.

Mr. LONG of Louisiana. Mr. President, the resolution merely expresses the sense of the Senate that the economic education of our youngsters should receive greater attention and priority than it has heretofore, and that the Joint Economic Committee should hold hearings on this subject.

Following his reelection to the Senate, it is my understanding that the distinguished Senator from Illinois [Mr. Douglas] will serve as chairman of this committee for the 90th Congress. Senator Douglas has long been interested in economic education, and he has joined in sponsoring this resolution. He has also authorized me to inform the Senate that he will give priority to this matter, and looks forward with a great deal of personal interest to holding the hearings and formulating appropriate recommendations for the consideration of Congress.

I ask unanimous consent, Mr. President, that the names of the Senators who are cosponsors with me on the resolution be printed at this point in the Record.

There being no objection, the names were ordered to be printed in the Record, as follows:

Senator Thomas H. Kuchel.
Senator E. L. Bartlett.
Senator Fred R. Harris.
Senator Hiram L. Fong.
Senator Claiborne Pell.
Senator Vance Hartke.
Senator Frank E. Moss.
Senator Harrison A. Williams, Jr.
Senator Daniel K. Inouye.
Senator Paul H. Douglas.
Senator Frank Church.
Senator Philip A. Hart.
Senator Leverett Saltonstall.
Senator Henry M. Jackson.
Senator Winston L. Prouty.
Senator J. W. Fulbright.
Senator John Sparkman.

Mr. LONG of Louisiana. Mr. President, I have discussed the resolution with Senators on both sides of the aisle who have an interest in it. I know of no objection whatever to it. I know that many of them have been well and favorably aware of the work of the Joint Council on Economic Education for some time. In view of the fact that the resolution involves virtually no cost to the Government, I ask unanimous consent for its immediate consideration.

The PRESIDING OFFICER. Is there objection to the present consideration of the resolution?

There being no objection, the resolution (S. Res. 316) was considered and agreed to.

Exhibit 1

The National Office of the Joint Council on Economic Education

The national office of the Joint Council on Economic Education, located at 1212 Avenue of the Americas, New York, New York 10036, operates on similar principles. Like the affiliated Councils, it carefully checks all materials sent out to make sure that they are consistent with objective economic fact and do not contain any special pleading or propaganda for special interest groups. The national office has a very small staff of economists and educators who provide consultant services and assist in developing materials for use by teachers in grammar schools, high schools, colleges and universities. These materials are then distributed to the affiliated Councils and through them (or sometimes directly) to schools and colleges throughout the United States.

Like the affiliated Councils, the national office is supported by business, labor, farm and foundation groups. It is completely private and up to the present time has enjoyed no governmental aid.

Thus, the national office is a service organization providing consultant and materials services to schools and affiliates throughout the United States.

The Joint Council on Economic Education is the only national organization working to improve economic literacy in the United States which enjoys close ties with many educational and professional associations. It works closely with affiliated groups of the National Educational Association and with the American Economic Association's Committee on Economic Education. The Joint Council on Economic Education also enjoys the support of the CED, the AFL-CIO, and the American Farm Bureau Federation and the National Farmers Union as well as the United States Chamber of Commerce and the American Bankers Association. The Joint Council has received funds from over 183 major United States corporations, the AFL-CIO and United Auto Workers, the Ford, Kazanjian, Sloan and other foundations, and the American Bankers Association.

Thus, the national office of the Joint Council on Economic Education operates with the emphasis on local grass roots support—it is a decentralized arrangement which reflects the free American system of public, private, and parochial schools. Close relations with labor, management, and foundations insure a broadly based point of view on all economic questions. The close working relations with the principal professional associations affiliated with the National Educational Association and the American Economic Association guarantee a high level of scholarly objectivity as well as wide acceptance by schools and colleges throughout the United States for the materials and services of the Joint Council.

The Joint Council established its Developmental Economic Education Program, nicknamed "DEEP," in 1964. This program is concerned with curriculum developed in grades 1 through 12 in some 30 major school systems throughout the United States. The Joint Council has worked closely with affiliated Councils in pushing for improved curricula in these DEEP school systems.

The DEEP program merges the resources of the Joint Council, affiliated Councils and local communities. It is the first effort on a national basis to build economic understanding into school curricula, to improve teacher preparation in economics, and to develop and test new school materials at all grade levels.

The program is supervised by a "coordinator of economic education" who bears the responsibility for organizing a program within his school system. The design of curriculum materials to improve economic education in the DEEP school program is the responsibility of a local "curriculum committee." This committee looks over the status of economics in its schools and works out an overall plan for developing economic understanding. It then adapts materials sent to it from the national office in New York, or creates its own teaching materials for teachers and students.

Each of the school systems participating in DEEP cooperates with local colleges or universities to set up classes for teachers who wish to improve their knowledge of economics and economics teaching. About 3000 teachers received such training last year while continuing their regular jobs.

This in-service "teaching of teachers" program enjoyed the support of such cooperating universities as the Carnegie Institute of Technology, Minnesota, Washington, and Yale. The national office of the Joint Council on Economic Education provided copies of the TV series, "The American Economy," and readings including the Economic Report of the President and a Teacher's Guide to DEEP.

Policy guidance for each of the 30 DEEP schools is provided by "policy committees." These committees have representatives from the Joint Council national office, the Affiliated Councils, and key staff members from the local school systems and cooperating institutions of higher learning. "Community committees" provide liaison with the public and their members include representatives from a cross-section of economic and educational groups.

The national office of the Joint Council on Economic Education granted to each of three "model" DEEP school systems the sum of $35,000 in financial support. These model systems were in Contra Costa County, California; Minnesota, and Pittsburgh. In addition, staff members of the national office of the Joint Council provided economic and education consultant services to local DEEP school systems. In addition, three conferences for coordinators were held in Los Angeles and New York City.

Professional organizations which have shown an interest in the Joint Council's DEEP program include the American Economic Association, the National Association of Secondary School Principals and the National Council for the Social Studies.

THE JOINT COUNCIL COLLEGE AND UNIVERSITY PROGRAM

With the aid of a prominent committee of educators and economists and supported by a grant from the American Bankers Association Foundation, the Joint Council's national office organized an intensified College and University Program in 1965. This Program was designed to improve the teaching of elementary economics at the college level.

In January of this year, the Joint Council commissioned a special committee of distinguished economists and psychological testing experts to prepare a college test of economic understanding. The members of this special committee and their institutional affiliations are:

Rendigs Fels, Chairman, Economics Department, Vanderbilt University, Chairman.

Paul L. Dressel, Assistant Provost & Director of Institutional Research, Michigan State University, Executive Director.

G. L. Bach, Maurice Falk Professor of Economics and Social Science, Carnegie Institute of Technology.

William Bowen, Economics Department, Princeton University.

R. A. Gordon, Chairman, Department of Economics, University of California, Berkeley.

Paul A. Samuelson, Economics Department, Massachusetts Institute of Technology.

George J. Stigler, Economics Department, University of Chicago.

John M. Stalnaker, President, National Merit Scholarship Corporation, Consultant.

The norming and design of these tests as well as field examinations and analysis will be carried out by the Psychological Corporation which will also publish and distribute the tests when they are completed.

The American Bankers Association through its Foundation for Education in Economics has made a $250,000 grant to the Joint Council on Economic Education to help establish 100 new "Centers for Economic Education" over the next five years. With the aid of another grant to the Joint Council from the Young President's Organization, a conference of Center leaders was held during 1965 in Atlanta, Georgia. At this Atlanta conference, plans for setting up the 100 new Centers for Economic Education were discussed and a handbook on their establishment and administration was developed. Most of these Centers will be attached to neighboring colleges or universities and will provide consulting services to their local school systems. The national office of the Joint Council will serve as a repository for past research on economic education and as a clearing house for current research.

With the advice and help of the Economic Education Committee of the American Economic Association, the Joint Council will begin a new phase in its experimental program to improve college introductory courses in economics beginning in the fall of 1967.

Therefore, just as the DEEP program is intended to improve the teaching of economics at the grammar school and high school level, the College and University Program is designed to improve teaching at the college level.

The national office of the Joint Council provides information to affiliated Councils and serves as a clearing house between Councils in different parts of the country. In this way the Joint Council can improve the work of economic education throughout the nation by providing the results of research and teaching experience quickly and effectively. Various plans and materials and ideas of one Council in Minnesota or Louisiana may help an affiliated Council in Arkansas or Ohio.

In addition to teaching materials, the Joint Council's national office also distributes organized guides and materials to its affiliated Councils and Centers. Last year the Joint Council's national office provided promotional brochures and handbooks on fund-raising to affiliated Councils as well as distributing the annual reports of various Councils.

The Joint Council's national office distributes many teaching materials. Last year, for example, it provided an "Economic Topic Series" which was carried regularly in the national office's Newsletter.

Other teaching materials distributed included A Suggestion for a Basic Economic Library and Economic Educational Experiences of Enterprising Teachers, as well as various reference and bibliographical materials. In addition, the national office sends teaching materials for special programs developed by affiliated Councils.

The DEEP teaching materials and the guide to the series on "The American Economy" TV film were particularly in demand last year. The 50 sets of this TV film series plus the accompanying 100 sets of study materials were used by colleges and universities to reach more than 6000 teachers through in-service programs in economic education. These programs were carried out by affiliated Councils, Centers for Economic Education, and school systems participating in the DEEP program.

The national office also continued to provide teaching reference and bibliographic materials to the libraries and participants of summer workshop programs in economic education. Last year, some 54 items were distributed to 2435 participants in 62 summer workshops, while 83 items were distributed to workshop libraries.

AFFILIATED COUNCIL PROGRAMS

The state, regional and local Councils on Economic Education affiliated with the national office of the Joint Council, organized 62 workshops last summer which were co-sponsored by the national office. Educational programs were developed for teachers of American History and Business Education. Other programs were designed for school administrators, school board members, curriculum directors, elementary school teachers from private and parochial schools, and college teachers.

After these summer workshops were finished, the affiliated Councils followed up their work. Consultant services provided by the Councils were channelled through state departments of education in some areas, and colleges and universities in others. Follow-up conferences were held in many school systems for summer workshop participants.

Several affiliated Councils developed and administered their own tests of economic understanding, while others carried out research projects on the effectiveness on economic education in their areas. Many Councils strengthen their programs by cooperating with newly-established Centers for Economic Education set up at nearby colleges or universities. These cooperating colleges and universities contribute to effective economic education by developing programs for their undergraduates who expect to enter teaching. They also offer research and consulting facilities as well as other services to the school systems of their area.

A continuing problem in upgrading the level of economic education is the certification requirements for teachers. Many states simply do not require even a minimal knowledge of economics on the part of high school or secondary school teachers. It is not surprising, therefore, that these teachers are unable to provide their students with a minimal knowledge of economics. Joint Council surveys show that more and more states are requiring economics training as a prerequisite for teacher certification. In 1959 only eight states required economics study for certification; in 1961 the number reached 16; while in 1963 it was 22.

Many affiliated Councils, therefore, develop programs to strengthen teacher certification requirements in economics. Many Councils also work to obtain policy statements by influential educational groups which endorse economic education in the schools.

The Kazanjian Foundation Economic Education Awards are used by many affiliated Councils to encourage teachers to develop and report new methods of teaching economics at the secondary and high school levels. The winning teachers received cash awards and their teaching methods are publicized in booklets which are then distributed to other teachers by both the Kazanjian Foundation and the Joint Council national office.

Affiliated Councils use a number of means to publicize their programs in economic education. Talks are given to civic and professional associations and private individual groups. Radio and TV panel discussions on economic education are held with experts provided by the affiliated Councils, while articles written by Council experts are placed in newspapers and magazines.

EXHIBIT 2

JOINT COUNCIL ON ECONOMIC EDUCATION,
New York, N.Y., August 18, 1966.
Hon. RUSSELL B. LONG,
U.S. Senate,
Washington, D.C.

DEAR SENATOR LONG: It was indeed a pleasure to renew acquaintance with you, through the courtesy of Jack Todd, after these many years. I still recall with much pride our good fortune in having you as one of the participants on the "American Town Meeting of the Air" program in East Orange, New Jersey many years ago.

Your interest in our present program of economic education is indeed heartening. Since 1948, we have been working to lift the level of economic literacy of the American people. While gains have been made, much remains to be done. The present problems we face in America and the world provide the most persuasive arguments for stepping up our efforts. Above all, our program represents a "grass roots" movement that has been built on voluntary efforts of people from all sectors of the economy and the community whose faith in objectivity, academic freedom and responsibility has convinced the nation's schools of the need for economic education.

I have just returned from two assignments overseas in which I'm sure you will be interested. The Atlantic Treaty Association held its biennial conference on education this year in Lisbon, Portugal. The entire week's conference was devoted to economic education. Twenty-five nations were represented. I was a member of the American Delegation together with five other educators. No other nation in the world has, as yet, a program of economic education that compares with ours. The Joint Council's program on economic education was received with enthusiasm. Materials that the Joint Council on Economic Education had sent to the conference were the first practical guidelines educators from other countries had seen. These nations are aware today of their responsibility to develop comparable programs in economic education to assist their students to gain an understanding of the world in which they will have to take their place.

The delegates present were disappointed in the conference, however, for they did not, except for the contribution from the American Delegation, get the assistance they sought. They do want to have another conference where they can discuss American practices and see at first hand what our schools are accomplishing.

I can think of no effort on the part of the United States that would be more fruitful in the long run in developing mutual understanding and trust. The JCEE's program is a tool in forging mutual understanding and strengthening the potentials of peace. Unfortunately since our resources in the Joint Council on Economic Education are limited and come solely from private sources, we are not in a position, without assistance from others, to export our experience, techniques, and materials. Correspondence is at present our only resource and this is a poor substitute for direct, face-to-face action.

Incidentally, a resolution was adopted by the conference calling for the establishment of an "International Council on Economic Education" sponsored by one of the present international organizations. OECD, IMF, ATO, EEC, EFTA, and NATO were represented at the conference, but unfortunately there seemed to be little interest on the part of any of them for undertaking such a responsibility.

Following that conference, I went to Japan at the invitation of the Japanese Committee on Economic Development. The trip was made possible through this organization and the Ford Foundation. Eight days were spent working with Japanese leaders from business, as well as teachers, school administrators, university professors and administrators, and the Ministry of Education. There is a strong feeling in Japan that they must establish a complete program in economic education modeled after the Joint Council's program on economic education. Seventeen Japanese teachers and professors have travelled to the United States in previous summers to attend the summer institutes sponsored by the Joint Council on Economic Education and to confer with our staff for several days. It is interesting to note that in every instance, these Japanese teachers upon return to their schools have provided the opposition leadership in the faculty to the Marxist influence of the Japanese Teachers Union.

There is every reason to believe that the development of a Japanese program of economic education will be approved shortly. The Joint Council on Economic Education could play a leading role in this development since these Japanese leaders are seeking our advice and suggestions. Again, however, lack of resources prevents our assuming this role.

Unquestionably the United States holds a strong hand in the export of a commodity which has been recognized as a quality product. Great care must be exercised in how this role is assumed. The benefits to the United States and the world are obvious. The question is whether the United States, working through an organization like the Joint Council on Economic Education, representing by its membership, philosophy, and program the characteristics we cherish in our country, can capitalize on the opportunities at hand.

Again may I express to you the deep appreciation of the Joint Council on Economic Education for your willingness to bring the case for economic education to the attention of the United States Senate and through that body, to the other offices in the Government. The Joint Council on Economic Education stands ready to be of assistance in every possible way.

Sincerely,
M. L. FRANKEL, *President.*

EXHIBIT 3

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE, OFFICE OF EDUCATION,
Washington, D.C., July 26, 1966.
Hon. RUSSELL B. LONG,
U.S. Senate,
Washington, D.C.

DEAR SENATOR LONG: Enclosed is the information you requested on Office of Education programs supporting Economic Education. We hope it will prove useful.

If the Office of Legislation can be of further assistance, please let us know.

Sincerely yours,
ALBERT L. ALFORD,
Acting Assistant Commissioner for Legislation.

Enclosure.

OFFICE OF EDUCATION SUPPORT OF "ECONOMIC EDUCATION"

Recognizing the need for improving economic education in the elementary and secondary schools and institutions of higher education, the Office of Education supports, through various pieces of legislation, several programs in economic education. These programs are designed for students so that they may become well-informed citizens in our complex economic world and for teachers so that they may be effective in their up-to-date translations of economics into classroom experiences. Economic education is supported in the following programs:

Title III of the National Defense Education Act, "Financial Assistance for Strengthening Instruction in Science, Mathematics, Modern Foreign Languages, and other Critical Subjects," as amended by section 467 of the Higher Education Act of 1965, includes economics as the ninth "critical subject." As intended by this title, economic instruction in the schools is strengthened by providing matching funds to local school districts to acquire teaching materials and equipment (e.g., library and audiovisual materials) and to provide for supervisory and related services at the State level. Under this provision, there are no funds especially earmarked for economic education, but this subject is sharing Title III funds with the other eight subject areas. As required, the States must voluntarily amend their State plans to include economics; thus far, all but six States have asked to have economics included in their Title III programs.

Title IV of the National Defense Education Act, "National Defense Graduate Fellowships," provides fellowships to persons interested in or preparing for an academic career of teaching at an institution of higher education. Such fellowships in economics for the academic year 1966–67 have been granted by 33 institutions of higher education; 3 institutions have granted fellowships in "Economic and Business Administration," and 1 institution has granted fellowships in "Marketing and Transportation Administration."

Title XI of the National Defense Education Act, "Institutes for Advanced Studies," as amended by section 467 of the Higher Education Act of 1965, includes economics as an area of institute eligibility. The purposes of the institutes are to help teachers, supervisors and trainers of teachers to increase their understanding of the discipline of economics and to improve instruction and curriculum in economics education. Five NDEA Institutes for Advanced Studies in Economics are being offered for the first time on a pilot basis this summer. It is expected that the number of such institutes will increase next summer.

Under Title V of the Higher Education Act of 1965, the Office of Education supports an Experienced Teacher Fellowship Program. The purposes of this program are to improve elementary and secondary education by upgrading the qualifications of teachers and other school personnel and to strengthen teacher education programs. For the academic year 1966–67, 25 fellows are participating in an Economic Education program (grades K–12) at Purdue University in Indiana.

Under the Cooperative Research Act, as amended by Title IV of the Elementary and Secondary Education Act, the Commissioner of Education is authorized to make grants to universities and colleges and other public and private agencies, institutions, or individuals for research, surveys, and demonstrations in the field of education, and dissemination of information thus derived. The Bureau of Research is currently involved in two projects in economic education made possible by this cooperative research provision. The San Jose State College Foundation, on behalf of San Jose College, has underway an approved project entitled, "The

Design and Evaluation of the ECON 12 Teaching System, a Twelfth Grade Economics Course and Teacher-Training Program." The Research Foundation at the Ohio State University has submitted a request for expansion of its project for ninth grade students entitled, "The Development of Economics Curricular Materials for Secondary Schools." The expansion would include applications of techniques to other grades and social science areas, better evaluation techniques, and a more general dissemination service. Currently under consideration by the Bureau of Research is an evaluation project submitted by the Joint Council on Economic Education entitled, "Evaluation and Further Development of the Developmental Economic Education Program (DEEP), the Three-Year Program of the Joint Council on Economic Education, for Grade Levels One Through Twelve in Major School Systems Throughout the United States: To Enrich Public School Curricula With Economic Understanding, To Improve Teacher Training in Economics, and To Disseminate Appropriate Materials Throughout the Country."

The Vocational Education Act of 1946, as amended by the Vocational Education Act of 1963, includes vocational preparation in the fields of Home Economics and Distributive Occupations. Preparations in both of these areas include courses directly related to economic education. Federally assisted programs of Home Economics, administered by State Boards for Vocational Education, include "consumer education" as part of their course content in 24,000 high schools and in adult courses offered in about two-thirds of the Nation's communities. Since economic decision-making is involved in each of the distributive competencies, economic education is included in every distributive education area.

We believe that the above programs in economic education currently being supported by the U.S. Office of Education indicate a growing awareness of the necessity for understanding our increasingly complex economic life. We can expect continued and expanded support of these and similar programs in the future.

Exhibit 4

National Science Foundation,
Office of the Director,
Washington, D.C.

Hon. Russell B. Long,
U.S. Senate,
Washington, D.C.

Dear Senator Long: I understand that your assistant, Mr. Jack Todd, has requested that we supply for your use information on the extent to which the National Science Foundation supports activities in the field of economics. I am pleased to attach herewith a descriptive summary of such activities for fiscal year 1966.

As you know, the National Science Foundation Act of 1950 authorizes the Foundation "to initiate and support basic scientific research and programs to strengthen scientific research potential in the mathematical, physical, medical, biological, engineering, and other sciences. . . ." Although the social sciences were not specifically named, the Foundation has considered that they are encompassed within the phrase, "other sciences." Support of basic research in the social sciences, including economics, is carried out through the Division of Social Sciences. (It may be of interest to you to know, incidentally, that the Director of the Division of Social Sciences as well as the Program Director for Economics is a professional economist with previous experience both in academic teaching and in research.) Support of education in economics is carried out through the three science education divisions. In addition to the research and education programs in economics, the Foundation maintains an extensive economic surveys program. All these activities are described in the attachment.

I should be most happy to provide you with any additional information that you may require or to meet with you to discuss our activities in this field, should you so desire.

Sincerely yours,
Leland J. Haworth, *Director*.

Attachment.

National Science Foundation, Support of Economics, Fiscal Year 1966

I. SUPPORT OF BASIC RESEARCH

Support of basic research in economics is carried on by the Economics Program of the Division of Social Sciences. The primary purpose of the program is to encourage the improvement of economic science, by supporting meritorious basic research conducted primarily in universities and colleges by professional economists. The field of economics does not normally involve substantial and expensive laboratories, facilities, and equipment; the bulk of Foundation funds for the support of economics research is therefore for the direct use of the principal investigators and their assistants.

Current grants in economics are for the support of studies designed to improve knowledge of the economic behavior of consumers, firms, and large organizations including government. Some of these studies are directed toward exploring the economic logic of choice and decision making. Others involve quantitative and empirical analysis of expenditures and behavior patterns. Other research includes studies of significant relationships affecting the economic system as a whole or important parts of the system. This area of research involves improving the understanding of theoretical relationships through the construction of models that are operational, that is, that can be measured and tested, and compared with observable facts. Related research looks toward improvement of quantitative methods such as advances in data collection, storage retrieval, and techniques of analysis.

In addition, the Division of Social Sciences provides research-related support through its Special Projects Program. Grants for economics support by this program provided for specialized library and computer facilities to aid economic research activities at three universities.

The following table summarizes the proposal and grant activity for economics research and facilities during FY 1966:

Program	Proposals received		Grants awarded		
	Number	Amount requested	Number	Amount requested	Amount granted
Economics	90	$8,574,000	51	$4,722,200	$2,345,210
Special projects (economics projects only)	4	654,300	3	335,700	335,700

Total support for basic research and facilities for economics in FY 1966 therefore totaled $2,680,910.

Final figures for fiscal year 1966 for all research grants are not yet available. However, in fiscal year 1965, some support was provided for 54% of all research proposals acted upon, and 24% of the funds requested were granted. During the same year, for economics research alone, some support was provided for 51% of the proposals acted upon, and 34% of the funds requested were granted.

The 51 research grants awarded in fiscal year 1966 included support for 48 principal investigators, 9 faculty associates, 2 research associates, 61 research assistants, and 7 doctoral candidates. The research expenditures thus assist not only the mature economists pursuing their research interests, but also graduate student assistants who are learning their science through a form of apprenticeship training.

II. SUPPORT OF SCIENCE EDUCATION

The National Science Foundation supports science education at every academic level from graduate school down to the elementary level. Within the American educational system, economics and economics research are strong and active at the graduate level. Undergraduate economics has consisted largely of teaching activities, but increasing attention is being given to improving courses, involving selected undergraduates in economics research projects, and adapting or devising equipment for use in the economics classroom. At the pre-college level, a small but increasing number of high schools offer economics courses, but the subject is not dealt with as a separate curriculum offering in elementary schools. It is therefore to be expected that support of economics education by the National Science Foundation is strongest at the graduate level.

A. Fellowships and traineeships

During fiscal year 1966 the Foundation maintained seven fellowship programs, including one that is being discontinued but for which awards previously made were carried forward. Through these programs, awards are made directly to students and scholars ranging from those working toward their PhD's up to senior scientists and teachers desirous of carrying forward their science education and research at an advanced level.

In these seven programs there were a total of 617 applicants in economics. The following table summarizes the fellowship awards in the field of economics during fiscal year 1966:

Name of program	Awards offered	Estimated amount
Graduate	106	$516,432
Cooperative graduate (continuation of 2-year fellowships awarded in fiscal year 1965; no competition for new awards)	17	90,967
Teaching assistants	52	56,576
Postdoctoral	5	34,350
Senior postdoctoral	2	22,790
Science faculty	5	63,805
Senior foreign scientist	1	13,187
Total	188	798,107

The proportion of successful economics applicants, 30.5%, was higher than that achieved by applicants from any other field except mathematics, where a figure of 34.1% was achieved. The mathematics category probably includes, in addition to mathematicians, economists or scholars in related fields who received awards for work or study in statistics.

In addition to its graduate fellowship programs, the National Science Foundation in 1964 instituted a graduate traineeship program to meet the mounting needs to expand graduate education in engineering, mathematics, and the physical sciences. In fiscal year 1966 the life and social sciences were for the first time included as areas to be supported. The following table summarizes the traineeship activities in economics during the fiscal year:

	Departments applying	Departments assigned traineeships	Number of trainees	Estimated amount
Economics	85	42	52	$269,516
Agricultural economics	13	6	6	31,098
Total	98	48	58	300,614

The total number of new traineeships assigned in FY 1966 was 1,675. Of these, 474 were "undesignated" awards. It is not yet known how many of these undesignated awards will be held in economics or related fields.

B. Undergraduate programs

This group of programs includes seven that offer college teachers supplementary training not regularly available in graduate schools, an Undergraduate Research Participation Program to encourage able undergraduates to develop into competent and independent scientists, an Instructional Scientific Equipment Program of matching grants to assist colleges and universities to obtain up-to-date science teaching equipment, an Undergraduate Science Curriculum Improvement Program, and a Special Projects Program. The following table summarizes the proposal and grant activity of economics projects submitted in these programs during fiscal year 1966:

Program	Proposals received			Grants awarded		
	Number	Amount requested	Number participants	Number	Amount	Number participants
College teacher programs	10	$349,945	136	5	$170,495	77
Undergraduate research participation	21	291,515	296	8	71,400	66
Instructional scientific equipment	16	65,254		10	24,700	
Curriculum improvement	0			0		
Special projects	0			0		

The proportion of successful economics proposals in the College Teacher programs, 50%, is less than the overall proportion of successful proposals, 55.8%. Also, the proportion of successful economics proposals in the Undergraduate Research Participation program, 38.1%, is less than the overall proportion, 43.7%. However, the proportion of successful economics proposals in the Instructional Scientific Equipment program, 62.5%, is higher than the overall proportion, 43.1%.

C. Pre-college programs

Seven institute programs are maintained that offer advanced training opportunities to elementary and high school teachers. Three additional activities, under the Student and Cooperative Program, offer opportunities for special science training for high school students, encourage colleges and schools to work together to improve the school science curricula, and enable scientists to visit high schools for lectures and consultation.

The following table summarizes the proposal and grant activity of economics projects submitted in these programs during fiscal year 1966:

Programs	Proposals received			Grants awarded		
	Number	Amount requested	Number of participants	Number	Amount	Number of participants
Institutes	26	$756,685	941 teachers	11	$349,030	346 teachers.
Student and cooperative programs	10	110,360	114 students, 122 teachers	6	15,540	50 students.

These figures include multi-discipline projects where economics was one of the disciplines; the funds listed include only the portion for economics.

The proportion of successful economics institute proposals, 42%, is less than the overall proportion of successful proposals, which varied from 55% for summer institutes to 64% for in-service institutes.

The proportion of successful economics proposals in the Student and Cooperative Program, 60%, is greater than the overall proportion of successful proposals, 55%.

III. ECONOMIC SURVEYS AND ANALYSES

In addition to its support of basic research and science education projects carried on for the most part at colleges and universities, the Foundation maintains a program of surveys and studies of science and technology. These surveys and studies focus on research and development expenditures, scientific and technical manpower, and the activities of organizations in the public and private sectors, with special attention to colleges and universities. They are either directly economic in nature, or they provide information for use by economists.

During fiscal year 1966 the Foundation obligated about $1.8 million in the form of grants and contracts, primarily to universities, non-profit institutions, and professional societies, for the conduct of these studies. This figure is nearly 80% of the total $2.3 million obligated during the year for studies of national resources and technology. The remaining 20% supported studies of such topics as science education, certain substantive fields of science, and science policy.

In addition, the Foundation carried out complementary studies in the same areas with its own staff, which includes approximately 50 economists, statisticians, social scientists, and similar professionals.

ATTEMPTED BRIBE OF LOUISIANA STATE UNIVERSITY FOOTBALL PLAYERS

Mr. LONG of Louisiana. Mr. President, this morning's Washington Post headlined a story which some persons might misunderstand at first glance. I believe it might be well to discuss the story. The headline of the Washington Post stated: "Barber Charged in LSU Bribe Try."

Mr. President, Louisiana State University has had great football teams during the last 10 years under Coach Paul Dietzel, Coach Charles McClendon, and Athletic Director James Corbett. These fine coaches and the athletic director have worked tirelessly and diligently to fight professional gambling in connection with football games.

There were people at one time in the community who would bet on football games, and if they won, would give part of their winnings to someone, provide a suit of clothes for one of the poor boys on the football team, or help him with a financial problem. Those coaches have fought that bad practice of anybody attempting to provide for football players, poor though they may be. These coaches have pursued the policy whereby if anybody made approaches to the football players, the players would report them immediately. The boys were instructed that if at any time anyone would even hear anything improper, particularly involving gambling, it be reported immediately to the coaches.

Mr. President, it is well known that there is a gambling syndicate in this country. People who read of the activities of this barber in Louisiana, trying to bribe some of the fine football players at LSU, may think that he was the tool of a gambling syndicate. People who know him do not believe he would have the financial capacity or interest to be so.

Mr. President, these are young football players, and although they may be poor, they are honest. They immediately reported the incident to the coaches and the athletic director, and they reported it to the Federal Bureau of Investigation. When efforts are made to engage football players in corrupt activities, we can then witness the honesty of these fine young athletes.

Louisiana State University has produced some outstanding football players who are in professional football today. There come to mind Jimmy Taylor, of the Green Bay Packers, Billy Cannon, of the Oakland Raiders, Dennis Gaubatz, of the Philadelphia Eagles, Wendell Harris, of the New York Giants, formerly of the Baltimore Colts, and Jerry Stovall, of the St. Louis Cardinals.

If time permitted, I could cite many other former players for Louisiana State University who are great professional athletes today. None of these men has been corrupt, and they all have made fine records as some of the most honest, sincere, conscientious athletes in the entire country. They are a credit to themselves, their university, their State, and their Nation.

As a Senator who has the honor to help represent the great State of Louisiana, I find myself moved with pride to find these young men—poor though some of them may be—so unquestionably honest.

Mr. President, I ask unanimous consent to have printed in the RECORD the story which appeared in today's Washington Post entitled "Barber Charged in LSU Bribe Try."

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BARBER CHARGED IN LSU BRIBE TRY—THREE BACKS OFFERED $1,200, FBI SAYS

BATON ROUGE, LA., October 18.—FBI agents arrested and charged a Baton Rouge barber today with attempting to bribe three-fourths of the Louisiana State University backfield to shave points and control six football games.

The visibly shaken suspect 26-year-old Samuel J. Graziano, commented only, "God help me," when he was arraigned before U.S. Commissioner A. Leon Hebert and released on $5000 bond.

The pudgy, dark-haired, dark-eyed suspect was dressed in a natty blue silkish suit.

There was no indication from the FBI whether Graziano, part owner of a barber shop several miles from the campus, was alone in the alleged attempt or was acting as an agent for others.

STARTED LAST YEAR

LSU athletic director James Corbett revealed that the investigation had been going on for a year and the three players had been working with the Federal investigators since last July when the school brought its suspicions to the FBI's attention.

Graziano was accused of offering bribes to tailback Jim Dousay, 19-year-old junior from Baton Rouge who leads the team in rushing; fullback Gawain DiBetta of New Orleans, 21-year-old senior who is LSU's leading scorer, and strongback Billy Masters, 6-foot-5, 21-year-old senior from Olla, La.

The alleged bribe attempts involved all five LSU games played this year plus the upcoming one with Florida this Saturday night. In those games LSU defeated South Carolina, Miami and Kentucky, lost to Rice University and was tied by Texas A&M.

OTHERS APPROACHED

Corbett said that other players had been approached, but he would not elaborate and referred that angle to the FBI.

Coach Charles McClendon declined to comment on the case and said that all of the LSU players, including Dousay, DiBetta and Masters had been ordered not to talk about it.

Corbett said that none of the other players was aware of what had been going on and that the three involved players were to be highly commended for their "courage and their play with the pressure on their backs."

"It's been tremendous," he said, "and a compliment to the boys' integrity, character and cooperation."

Corbett, who has been a leader among college officials in fighting and warning against gambler influence on sports, said the alleged bribery attempt was "a mean, vicious thing."

"We'll never be able to completely wipe it out," he said, "but I hope by such programs as ours we can minimize it. I said two years ago in a speech before enforcement officers here that this (bribery) was definitely the greatest menace to a wholesome college athletic program."

Corbett revealed that several months ago some of the players had reported "some strange conversations" and that he and McClendon felt this summer they "had enough to go on to take to the authorities.

"We felt these boys were potential contacts if any attempts were to be made," Corbett said. "Coach McClendon and myself met with the FBI last July along with one of the three boys—and I'm not at liberty to say which one.

"The Federal agents asked for our full cooperation and that of the boys. They were assured of it."

He said that from that point on, the investigation was strictly between the FBI and the players and that the LSU organization had no part in it.

In May, 1965, the Baton Rouge Morning Advocate quoted an anonymous LSU football player as saying a statement was taken from at least one team member in connection with possible point shaving by four players in the 1964 Tennessee and Florida games.

LSU, favored by 10 points, was tied 3–3 by Tennessee. The team was an eight-point pick over Florida and lost 20–6.

When the newspaper report was printed, Parish Dist. Atty. Sargent Pitcher said he had heard rumors of point shaving at LSU games and had questioned Corbett about the report. Pitcher said Corbett assured him there was no truth to the rumors.

Corbett, commenting at the time, said he "had no evidence to substantiate any such rumor" and when asked if LSU was investigating the allegations, he replied, "I will not dignify any rumors."

Two days later, Corbett said the rumors had been "thoroughly and diligently checked and no factual evidence was found."

Mr. LONG of Louisiana. Mr. President, I also ask unanimous consent to have printed in the RECORD an article entitled "Dietzel Outlines Traps of Gamblers," which also appeared in today's Washington Post. In that article Paul Dietzel, formerly head football coach at Louisiana State University, explains the procedure that he and his successor, Charles McClendon have used to try to prevent gamblers from corrupting the fine young athletes who play at LSU.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

BEFORE EACH SEASON DIETZEL OUTLINES TRAPS OF GAMBLERS

COLUMBIA, S.C., October 18.—"Strike first" is South Carolina coach Paul Dietzel's method of combatting gamblers who try to bribe college football players.

"I always advise our players at the start of the season against the gamblers' 'traps,' Dietzel said today after three players at Louisiana State, where he formerly coached, reported being approached by gamblers.

"Their report of this attempt is a tremendous tribute to the fine LSU athletes and coaching staff.

"No one is above being approached," observed the 42-year-old Dietzel who has been in college coaching 18 years.

"HARMLESS APPROACH"

He explained that he talks to his squad, "covering thoroughly what to be on the lookout for—the easy, harmless approach by someone you don't know well but have seen around enough that you're used to his presence.

"One of the most common approaches is the one in which the gambler takes on the apparently innocent role of an enthusiastic alumnus.

"He's happy his team won the game and slaps the selected player on the shoulder and offers him a congratulatory hand afterwards—with a $10 or $50 bill rolled up in the proffered hand.

" 'No, no!' he fends off the player's protestations. 'That was a great win. I won on the game and I want you to have it' he said. 'Take your girl out for a good time,' he suggests.

"THREAT OF PHOTOGRAPHS

"The next week it's the same thing, then the third week it goes up to $100. Then the fourth week brings a mid-week suggestion about shaving points, with a threat of photographs having been taking of the $100 changing hands.

"And after that it's 'throw the game' and the possibility of physical maiming if the player refuses."

"It's a nasty, sorry, sordid business," Dietzel said, "and it takes an alert player to keep from quite innocently getting drawn into the net—a net in which millions of dollars are at stake and concern for one frightened boy, in out of his depth, is exactly zero.

"So we take preventive measures early, and they work. Our players are advised to come to the coaches immediately with anything that appears out of context, no matter how innocent it may appear."

"THE RUNAWAY FILM"—A CONTINUING THREAT TO THE AMERICAN MOTION PICTURE INDUSTRY

Mr. KUCHEL. Mr. President, Americans have long been proud of the fact that their country has been known as the film production center of the world. For decades, the United States has held a position of world leadership in the field of mass communications of all kinds—a powerful tool in the presentation of the expressions and images of a free society. The American film has undoubtedly been one of the most important disseminators of ideals and one of the truly universal and potent educators of our time.

Today, however, America's leading position in this media continues to be threatened by increased foreign film production. The industry-coined word, "runaway film" production, is the culprit which continues to not only undermine the American image, but to diminish seriously an important part of the American economy.

John C. Waugh gave an apt description of the situation in the Christian Science Monitor on February 13, 1963:

> Runaway production occurs when a filmmaker, instead of making his films in America, skips off to Europe or Africa or the Orient, leaving stages and technicians and actors here idle. In short, he runs away to make his picture, usually for two reasons: it's cheaper or because the script calls for authentic overseas locales that can't be duplicated domestically.

Since World War II, the number of American-interest films made abroad has been phenomenal and frightening.

There were 509 feature pictures made overseas in the last decade representing an investment of over $750 million. This has had a serious effect on the economies of the States of California, New York, Illinois, Colorado, Florida, Arizona and, in a lesser degree, in any number of States where domestic location sites would have been used. Between 1946 and 1960 the number of foreign-produced pictures shown annually in American theaters skyrocketed, a rise from 19 to 60 percent of the total screen fare of America. The cold hard fact is that imported films have overtaken American production to the extent that, if the trend is not halted, the American theatrical film industry faces oblivion.

As I have indicated in past statements on this problem, the effects of this trend are multiple. Aside from Federal revenue losses due to loopholes in our national tax system, our Nation suffers the chain reaction of reduced purchase of raw materials, curtailed spending for power and water and transportation, declining local receipts from real estate property levies as studios and laboratories close, disappearing employment opportunities for supporting players, extras, laboratory personnel, film editors, and literally dozens of specialist groups.

Mr. Thomas M. Pryor, editor of the Daily Variety, has presented in a recent article some of the latest figures and dangers of this growing threat. To quote from the article:

> American motion picture interests will have invested some $100,000,000 in films made outside the United States by the end of the year. This estimate by knowledgeable Hollywood production sources will, they say, represent a record expenditure for overseas filming. So far this calendar year, 62 of the 136 features put before the cameras by major companies and independents not affiliated with the principal distributors have been foreign-based. Another six are scheduled for out of the U.S. filming before the end of next month. This means that at least 68 features in which American interests are the sole, or major, financiers will have been shot abroad during 1966.

These figures are frightening reminders of the continuing problem of runaway film production. How far will such production be allowed to run? This is the challenge facing this country's motion picture industry; a challenge which must be recognized by the Congress and by every American who seeks to retain the position of the U.S. film industry in the world.

Mr. President, I ask unanimous consent that Mr. Pryor's article, entitled "U.S. Pix $100 Million Production Abroad," and published in Variety for Friday, August 15, 1966, be printed in the RECORD at this point.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

U.S. PIX $100 MILLION PRODUCTION ABROAD—62 OUT OF 136 AMERICAN FEATURES SO FAR THIS YEAR FILMED ON FOREIGN SITES

American motion pictures interests will have invested some $100,000,000 (give or take a couple of million) in films made outside the United States by the end of the year. This estimate by knowledgeable Hollywood production sources will, they say, represent a record expenditure for overseas filming. So far this calendar year, 62 of the 136 features put before the cameras by major companies and independents not affiliated with the principal distributors have been foreign-based. Another six are scheduled for out of the U.S. filming before the end of next month. This means that at least 68 features in which American interests are the sole, or major, financiers will have been shot abroad during 1966.

At least still another half dozen are likely to be added to the so-called "runaway" roster by the end of December. While the bulk of U.S. filming abroad is being done in England, the geographic spread includes Hong Kong and, if schedules are maintained, the first U.S. film "invasion" of Soviet Russia will become a matter of historical record this year. Both Warner Bros. and indie producers Ely Landau and Oliver Unger have coproduction deals for one picture each with the Soviets.

Is this preoccupation of the American film industry with far away places a passing fad, an indication of things to come, a manifestation of selfishness on the part of creative talent, an artistic necessity and/or a just plain political-economic horsesense?

All these elements appear to have a place in the scheme of things, with their degree of influence varying from picture to picture. The tremendous surge of wanderlust has naturally stirred deep and growing concern in Hollywood. The immediate consideration is that it spells loss of jobs here. But beyond that there is alarm over the fact that many films being made abroad are big budget productions, the so-called "blockbuster" projects.

"WHAT'S HAPPENING?"

Over and above the immediate job concern, however, there is a growing fear that the Hollywood motion picture that carried the U.S. flag and commerce around the world during the last half century may be on the road to fragmentation and dismemberment that brought on, in another sense, the fall of the British Empire. "What's happening to the American film industry?" and "will there be an American film industry for long?" are questions reverberating all over Hollywood today.

There is, of course, a degree of emotionalism evident in this town that can't be overlooked. But the situation raises basic facts which can't be ignored either. Rightly or wrongly, responsibility for the upsurge in foreign filming is being laid at the feet of company presidents in New York. The attitude here is that while they have not started the "runaway" race they have done little to discourage it and have done virtually nothing to halt it.

LESS CONTROL OVERSEAS

The argument in studio circles is that the cost factor, except in isolated cases, no longer is a valid reason for shooting abroad. In fact, the claim is made that costs get out of hand quicker and rise higher with pictures that are made without studio supervision. Currently being cited as pix with runaway budgets are Columbia's "Casino Royale," Metro's "2001: A Space Odyssey" and "The Dirty Dozen" and 20th-Fox's "Sand Pebbles." There also is pointing to 20th's "Dr. Dolittle," which was weathered-out in England and is returning to the studio for filming, and the Mirisch-UA "The Bells Of Hell Go Ting-A-Ling-A-Ling," which started in Switzerland a month ago and now has been cancelled until next year. Bad weather was given as the reason.

On the other hand, it's no secret pictures can get into trouble in Hollywood, too; that budgets have gone sky high here ("The Greatest Story Ever Told") and will stratosphere again in the future, that being the nature of the business. However, it's claimed that, generally, it is much easier to control budgets here than overseas.

There is, on the other hand, good reason for American interests making pictures in foreign countries. Britains Sir Tom O'Brien put it bluntly (and the late Eric Johnston said it before him years ago) at the recent convention of the International Alliance of Theatrical Stage Employees. Sir Tom told Hollywood that the American industry, which draws some $250,000,000 annually out of the foreign market, just can't expect to have its cake and eat it as well.

It is fact that American production abroad, which aids the economy of countries such as England, Italy, France, Spain, etc., is a prudent political-economic maneuver. It is also fact that co-production partnerships with native picturemakers open the door to government subsidies, such as Britain's Eady Plan, that enable U.S. companies to put before cameras pictures which otherwise might not be made. It is fact that these pictures, showing in American theaters, are tied in with the production economy of Hollywood.

COUNTERARGUMENT

Hollywood is by no means blind to these considerations, but the counterargument is that there also are drawbacks and it is maintained that many of the pictures being made abroad have nothing to do with international business relations or necessity. It also is argued that artistic requirements seldom are the real reason for going abroad. Then why go abroad? Here are some of the primary reasons as expressed by studio execs, union leaders and production workers:

1.—Top directors and producers want to work overseas or any place except in Hollywood where they have supervision.

2.—Tax status: Individual creators who will not work in this country because of the tax situation, and many who will not work in England because of the English tax.

3.—Creative talent who go abroad can get tremendous expenses, not only for themselves but for wives, children, nurses, autos, lavish living and side trips. This living is not taxable overseas. It is cash out of pocket in the U.S.

What of the effects upon Hollywood?

The reaction, again a distillation of Hollywood opinion:

1.—Slow but certain disintegration of the studio production complex.

2.—Increased competition from Europeans who are getting benefits of technical skills and are training more young production workers—paid for by U.S. companies and at the expense of Hollywood studio workers.

3.—Loss of the image and spirit of the American motion picture.

VIDPIX JOIN TREND

The argument has been growing in intensity in Hollywood and it is scheduled to break out in Congress, as it did a few years back. Adding fuel to the present situation is that tv filmers have their eyes on the world as a location. Currently the Mirisch-Rich "Rat Patrol" series for ABC–TV is shooting in Spain and 20th-Fox TV has "The Man Who Never Was" series for NBC filming in Germany. Also, Universal this year started up a European production operation and Paramount has just established a Europe production operation which it plans to expand.

What will be left for Hollywood? That's the question that is worrying a lot of people these days.

VIETNAM AND THE ETERNAL TRIANGLE

Mr. KUCHEL. Mr. President, on October 7, I spoke of the continuing turmoil in Communist China resulting from the activities of the Red Guard organization. The London Economist of October 8, 1966, in an article entitled "Has Mao Killed His Child?" suggests that

Mao "embarked on the cultural revolution in order to reforge the Communist party in a trial by fire. There is now a real possibility that the fire is consuming the party that is Mao's own child."

Recent events have cracked the base of monolithic Communist Party control in mainland China. No adolescent rampage can long be tolerated in any nation without severe damage to the body politic. China is no exception. Weakening the Chinese Communist Party ruling apparatus has opened possibilities for other claimants of power, prominently including the military leaders. The People's Liberation Army, together with the Red Guard, may well become a contender with the party apparatus for control of China. The Red Guards are a shadow of and are closely linked to the Army. Peking's New China News Service on October 11, 1966, hailed the Guard:

> As a reserve force of the People's Liberation Army, the Red Guard fighters are making vigorous efforts to learn from the PLA. They are organized in companies, platoons, and squads.

Mr. President, the turmoil in Communist China is not only disturbing to the free world, but to the Communist world as well. Red China has set a standard for militancy which is now being rejected in the Communist world itself, by the Soviet Union, by the Red nations of Eastern Europe, and most recently by some Communist parties in Asian lands. Some American observers have suggested that China would like a second front in Korea as a means of weakening the free world effort in Vietnam. But apparently the experience of the past decade has convinced the Communist North Koreans that such adventure does not pay. This may well be the cause of recent differences between the Communist Chinese and their Red Korean neighbors.

Red Chinese militancy and hostility are a major problem for world security in this decade of our century. Only the united efforts of resisting powers can contain her. To some limited extent China has been and is being kept in line by the Soviet Union. The recent remarks of Mr. Kosygin suggest that the Chinese threat to peace is a matter of concern for the Communist world, even as for our own. The world is no longer bipolar, Mr. President; there is now a triangle of power composed of nations each at odds with the others: Communist China, the Soviet Union, and the United States of America.

Our Nation has, to a large extent, been carrying on its shoulders the responsibility for keeping the peace. I am sure that I share the views of many Americans when I dare to hope that at last the Soviet Union may take its own peace propaganda seriously and recognize the growing threat in Asia.

The people of the United States and much of the rest of the world, regardless of their views on the Vietnam crisis, recognize the threat to peace which this conflict poses. They are agreed that this conflict should be kept within reasonable bounds.

I believe that one of the best possibilities for peace in Vietnam lies in negotiation among the Vietnamese themselves. But, Mr. President, it is too much to expect of the people of Vietnam, beset as they are with a raging modern war in their midst, to solve their own problems and China's as well. I agree with those that contend that China is a critical element in the long-term stability of Asia. But solution to the China problem will require years and even decades. In Vietnam, Americans and their Asian allies are giving their lives in opposition to aggression and in defense of the right of a proud people to say for themselves how they shall be governed. We must separate the China problem from Vietnam.

On October 7, I proposed that our Government call upon the United Nations Security Council to pledge a guarantee against external attack to Vietnam, both North and South. This guarantee, to be effective, must have the full support of the Soviet Union and the United States, both of which are supporting the contesting governments in Vietnam. We have heard a great deal recently about the willingness of the U.S.S.R. to settle world problems. We have also heard the repeated Communist line that the people of Vietnam should be left alone to solve their own problems. I suggest that it is in the interest of both the Soviet Union and the United States to reach a solution in Vietnam, and without Communist China. Only these two great nations, which stand at opposite corners of the eternal triangle of power from China, can give the guarantee.

Whatever we may feel about the future of Communist China, her recognition by the United States, or her participation in the United Nations, we can see that the search for peace and justice in Vietnam cannot be served by adding to it the infinitely greater problems of China. It may well be that the Soviet Union would object to this effort in behalf of world peace, but who knows what she will do. The need for peace is apparent to all. If the Soviet Union wishes peace on earth and justice for the people of Vietnam, it will have to give this proposal serious consideration. The administration ought vigorously to pursue this matter in the Security Council now, while the Foreign Ministers of the world are still congregated in New York. It will serve both to put the China issue in a proper perspective and to help bring a just peace to Vietnam.

Mr. MORSE. Mr. President, a parliamentary inquiry.

The PRESIDING OFFICER. The Senator will state it.

Mr. MORSE. Mr. President, are we still in the morning hour?

The PRESIDING OFFICER. The Senate is in the morning hour.

NATIONAL FOREST ACCESS PROGRESS

Mr. MORSE. Mr. President, I wish to commend the Chief of the Forest Service, Mr. Edward P. Cliff, and his staff here and in Oregon for the excellent progress they have made in securing access to national forest timber resources—access that serves the interest of all.

When this year on July 28, the Senate passed the highway bill which contained record authorization totaling $170 million for 1968 and 1969, I spoke on the broad progress that has been achieved.

Today, I ask unanimous consent that there be printed in the RECORD at the conclusion of my remarks a special report from the Chief of the Forest Service outlining the progress made in Oregon since 1960.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, out of 55 unsolved access cases in 1960, only 9 remain. Access has been obtained in 46 cases involving 17 billion board feet of timber.

Out of an estimated 224 billion board feet of timber in the Oregon national forests, according to data recently supplied me, access needs to be obtained to only 11½ billion board feet involving 30 cases.

The timber industry should be congratulated for the cooperation it has extended. I take particular note of the fact that the Forest Service reports that road surveys are underway and access is scheduled to be obtained in this and future fiscal years.

I also take particular note of the fact that with respect to the unresolved cases, the Forest Service indicates it should not be assumed it is meeting opposition in acquiring needed access rights.

Several years ago when I started working on the access problem there was strong opposition from some in the timber industry to the right-of-way policy I proposed.

I recall discussions with the National Forest Products Association people and their fine executive director, Mortimer Doyle, as well as Mr. Bernard Drell of the Weyerhauser Co. When they became aware of the merits of the case I had and my determination to pursue the subject on its merits, they reviewed their position.

Now I am confident they would agree with the Senator from Oregon. The record of cooperation is impressive. It also shows that the concerns the industry had about how the policy would be effected by the Forest Service were overcome by the cooperation the Forest Service has shown.

In my opinion, this is a fine record of accomplishment. I want it clear that publication of this list of outstanding cases is in no sense a criticism of those who are currently negotiating cases wherein access is needed.

The progress achieved shows what can be done when a constructive course is charted. Again, I wish to stress that along with Chief Cliff of the Forest Service and his staff and leaders in the timber industry who have made this access policy work, others have helped. Great credit is also due the late President Kennedy and his Attorney General, now the junior Senator from New York, Mr. ROBERT KENNEDY. I also commend Secretary Freeman and several of my colleagues in the Senate, especially the chairman of the Committee on Public Works, that eminent conservationist, the senior Senator from West Virginia [Mr. RANDOLPH].

This program has opened to access in Oregon, 17 billion board feet of national forest timber so that it can make its proper contribution to sustained yield. This volume equals about 5 years allowable cuts from the national forest and its availability is vital to Oregon's timber economy. I congratulate all concerned on the progress achieved.

EXHIBIT No. 1

U.S. DEPARTMENT OF AGRICULTURE,
FOREST SERVICE,
Washington, D.C., September 30, 1966.
Hon. WAYNE MORSE,
U.S. Senate.

DEAR SENATOR MORSE: This is in further reply to your letter of August 12 requesting information concerning access road plans for the National Forests in Oregon. We promised this additional information in our letter of August 19.

In 1960 we made a similar report to you. We are sure you will be pleased to know that of the 55 areas listed in that report, access to 46 areas has been obtained. These projects involve access to 17 billion board feet of timber. Work is continuing in the additional 9 cases which will provide access to 3 billion board feet.

The enclosed report lists 21 areas where access to sizeable volumes of timber has not been secured. This does not mean that we are meeting opposition in acquiring the needed rights in all areas listed. In some cases, surveys are necessary to define the road location. In others, acquisition is scheduled for some future fiscal year.

We are continuing to set a high priority on financing the right-of-way requirements for our road work. We are not allowing funding to be a factor in limiting this aspect of our road program.

The only significant National Forest areas east of Stayton, Oregon, where access is needed, are on the Little North Fork Santiam River. There are 7 patented mineral tracts and numerous mining claims in the general vicinity where an access road must be built. The proposed road is being surveyed. When the surveys are complete, we will take whatever steps are necessary to obtain the needed rights-of-way.

Sincerely yours,
A. W. GREELEY,
Associate Chief.

Report on significant areas lacking road easement access in Oregon

	Party	Volume (million board feet)		Percent served by private roads	Fiscal year when access to be acquired
		National forests	Other		
WESTERN OREGON NATIONAL FORESTS					
Mount Hood National Forest:					
1. South Fork Eagle Creek (S. 301)	Publishers Paper	270	15	0	1967
Rogue River National Forest:					
2. Palmer Ridge	Corson	50	0	0	1969
Siskiyou National Forest:					
3. Mount Butler (Dry Creek)	6 owners	194	26	10	1967
4. Pistol	do	900	163	0	1967
5. Althouse	4 owners	172	10	10	1968
Siuslaw National Forest:					
6. Hadsal Creek	U.S. Plywood	337	54	80	1967
7. Euchre Creek	Boise Cascade-Murphy	90	20	100	1967
8. Kellow Creek	Publishers	47	4	100	1967
9. Bald Mountain	U.S. Plywood	150	30	80	1968
10. Coon-Johnson	International Paper	120	32	95	1967
Umpqua National Forest:					
11. Pickett Butte	4 owners	60	14	100	1967
Willamette National Forest:					
12. Little North Fork Santiam	Unpatented mining claim, 7 patented mining claims	750	7	0	1969
13. Middle Santiam	Weyerhaeuser	582	924	75	1967
Total		3,782	1,299		
EASTERN OREGON NATIONAL FORESTS					
Deschutes National Forest (also Fremont and Winema):					
1. Gilchrist	Gilchrist Timber	1,240	400	70	1967
Umatilla National Forest:					
2. Phillips Creek	Boise Cascade	25	23	0	1967
Wallowa-Whitman National Forest:					
3. Swamp Creek	Ranchers	70	10	0	1967
4. Five Points	do	153	10	0	1967
Winema National Forest:					
5. Spencer Creek	Weyerhaeuser	96	75	45	1968
6. Corbell Butte Rd. No. 34014	4 owners	----	----	0	1967
Malheur National Forest:					
7. Middle Fork John Day	Hines and several owners	2,240	0	100	1968
8. West Silvies Valley	Harry Pon	884	0	50	1967
Fremont and Winema National Forest	None	----	----	----	----
Total		4,706	518	265	----

WASHINGTON, D.C.-BRASILIA PARTNERS OF THE ALLIANCE

Mr. MORSE. Mr. President, the 31st partnership that will be initiated under the Partners of the Alliance program, and the 11th in Brazil, will unite private citizens in Metropolitan Washington, D.C., and the Federal District of Brasilia, capital of Brazil. Responding to Brasilia's request for a partner area in the United States, the District of Columbia sent an initial program development team, composed of a distinguished group of citizens, to Brasilia. They included: Mr. Felix Grant, radio personality and member of Washington's Brazilian-American Cultural Institute; Mr. David Apter, president of the Washington consulting firm of David Apter & Associates; Mr. Edward R. Kingsman, member of the Board of Directors of the Fidelity National Bank of Arlington, Va.; and Mr. Mark P. Woods, Georgetown University student and representative of the D.C. Partners University Student Committee.

On September 14, this team met with the District of Columbia's Commissioner Walter N. Tobriner, prior to their departure for Brazil. Mr. President, I ask unanimous consent to have Commissioner Tobriner's statement printed in the RECORD.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT OF DISTRICT OF COLUMBIA COMMISSIONER WALTER TOBRINER

The City of Washington looks forward to the working partnership which you gentlemen are going to develop in its behalf, with the citizens of Brasilia, the federal capital of the United States of Brazil.

It is particularly appropriate that the people of the capital cities of the largest countries of North and South America establish a mutual interchange of material, technical, and cultural cooperation. The Partners of the Alliance program of the Alliance for Progress is to be commended for making possible this effort which will, I know, further cement the bonds of understanding and friendship between the people of these two great cities. Similar programs already underway in 30 of our States have met with enthusiastic response in many countries of the Americas.

On behalf of the Board of Commissioners of the District of Columbia, I assure you that you will have our fullest support, on your return, in developing broad community involvement in the Partners programs. I know that our business community, trade unionists, educators, scientists, health and welfare authorities—indeed the full spectrum of our community life—will agree that there is much that we can learn from Brasilia, as well as much that we can give. It is particularly pleasing to know that the students in our local universities have already mobilized for the Partners of the Alliance program and are being represented on your delegation.

To you—Mr. Apter, Mr. Grant, Mr. Kingman, and Mr. Woods, we entrust our confidence and extend our appreciation for your demonstrated leadership. We ask you to assure the Mayor of Brasilia, as well as the many representatives of the private sector with whom you will meet, that we look forward to the early arrival here of a similar leadership group from their community.

Mr. MORSE. Mr. President, while en route to Brazil, the District of Columbia team participated in a brief meeting in Miami Beach, Fla., of all U.S. partner committees that created the National Association of the Partners of the Alliance. The association, headed by Edward Marcus, of Texas, will assist in servicing the U.S. individual committees and also give them a national voice of a private character. The Washingtonians then proceeded to Rio de Janeiro, Brazil, to attend the 4-day Second Inter-American Conference of the Partners of the Alliance. Mr. David Apter served as Chairman of an Ad Hoc Committee on Resolutions.

At the conclusion of the Rio meetings, the representative from the District of Columbia flew to Brasilia and spent 5 days meeting private sector leaders and city officials. They visited all parts of the capital and the surrounding satellite cities to see project sites and become acquainted with the people of the area.

Mr. President, I am confident that this newest partnership will be an active and productive one in the quest to promote greater private participation in the Alliance for Progress. The business and civic leadership of the District of Columbia have much to contribute to better understanding between the people of the United States and Brazil, as well as much to learn about Brazil. Similarly, the students of our great university consortium in Metropolitan Washington will serve as a powerful force in the establishment of constructive activities among students in both areas.

I ask unanimous consent that an initial report from Mr. Mark P. Woods, who represents the newly organized students of Metropolitan Washington universities, be printed in the Record.

There being no objection, the report was ordered to be printed in the Record, as follows:

Report of Mark P. Woods, Entitled "District of Columbia Students Form Partnership With Students at University of Brasilia"

The students of the United States have long been ignored as a force of any consequence in the development of this nation's role as protector of human rights, either here or abroad. It has only been within this decade that students themselves in any significant numbers have seen a role to play. But even now the majority of student interests evolve around their own local concerns with relatively few reaching into the national or international fields of interest. Perhaps, to many "responsible adults" even these few programs are too many.

At last a government agency has realized that students can and are willing to play an important role in this country's national and international affairs.

This summer the Partners of the Alliance for Progress put this challenge to a group of Washington, D.C., university students to form a practical, working partnership with the students of the University of Brasilia, Brazil—Washington's partner in the Alliance. The students eagerly accepted the challenge and so much confidence was placed in them that a student was invited to take part in an evaluation team which was being sent to Brasilia. His job was to set up a working student committee at the University of Brasilia.

It was soon discovered that the students in Brasilia shared two very important things with those of Washington. The first is a tremendous interest in the Partners of the Alliance, through which they hope to see the realization of the second point, that is, an increase in the mutual understanding and friendship between the two largest nations in this hemisphere, and most especially between the students of the two nations.

This was the first time that students were made an integral and working part of a partnership and the students of both cities view this project as a great new dimension for student activities in this country and in Brazil. It is also a new dimension for government agencies in allowing the imaginative student element to increase their activity and broaden their programs.

Walter N. Tobriner, Chairman of the District of Columbia Board of Commissioners, included in his wishes to the departing evaluation team his desire that the student interest be maintained and allowed to develop into a full bodied part of the D.C.-Brasilia Partners of the Alliance. It will!

WESTERN RESOURCES REQUIRE PUBLIC INTEREST DEVELOPMENT

Mr. MORSE. Mr. President, electricity needs of the Nation have been doubling every 8 to 10 years, and water shortages have been evident in various parts of the Nation in the past few years. The Western States Water and Power Consumers Conference at a recent meeting in Billings, Mont., pointed up the need for wise public policies to provide adequate supplies of both commodities at reasonable cost. Alex Radin, general manager of the American Public Power Association, outlined some of the significant areas of action requiring congressional consideration if we are to reach these dual goals.

I ask unanimous consent that an impressive speech delivered by Mr. Radin before the Western States Water and Power Consumers Conference on September 26, 1966, be printed in the Record.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Remarks by Alex Radin, General Manager, American Public Power Association, Washington, D.C., Before Western States Water and Power Consumers Conference, Billings, Mont., September 26, 1966

For Western consumers of water and power, this conference is being held at a critical time. Rapid increases of population, fast-growing needs for both water and power, changes in technology, new trends in the economy and other factors make it necessary for us to take a new look at the policies we have followed in the past and the means we have sought to implement them.

Such a re-examination, however, should not be undertaken with any thought that our ultimate objectives should be changed. Those objectives are to provide an abundance of water and power, at the lowest possible cost. Although changing events may make it necessary for us to seek new means of attaining these objectives, our goals are sound and should not be altered.

One of the key issues where a new look is needed is in the development of the hydroelectric power resources of the West. From its very inception this Conference has had as one of its primary goals the maximum, comprehensive development of water resources.

Despite the progress that has been made, more than 61 million kilowatts of hydroelectric power remain to be developed in the West. Yet, events of the past few years indicate that it is becoming increasingly difficult to obtain authorizations and appropriations for Federal multi-purpose hydroelectric projects.

This is the case for a number of reasons. First, some of the best projects have already been built, and new projects are not quite as attractive economically as those which have already been constructed. Second, more clamor is being raised by those who contend that multi-purpose projects would destroy scenic values—a charge which is highly questionable. During this session of the Congress two important projects on the lower Colorado River were victims of this charge. Third, the declining cost of nuclear power has been used as a rationale to the effect that hydro power is uneconomic. And fourth, the high cost of the Viet Nam war, coupled with new domestic programs such as the war on poverty and the rebuilding of American cities, provide competition for funds for water resource projects.

Despite these factors which make it increasingly difficult to obtain new multi-purpose projects, the need for these projects is becoming *more* rather than less acute.

We now use three times as much water as we did in 1900, and the use of water is expected to continue to increase at an even faster rate. Few of us seem to realize the vast quantities of water that are required in this industrialized and mechanized society. For example, 65,000 gallons of water are needed to process 100 cases of tomatoes, 50,000 to 100,000 gallons are required to test an airplane engine, and 550,000 gallons to air condition a department store. As our society becomes more complex, greater and greater quantities of water will be required.

Thus, it is tragic that there has been a slow-down in the building of new multipurpose hydroelectric projects. In the East as well as the West, the need for water for municipal and industrial purposes becomes more acute every year. Just this past week, our Nation's capital narrowly averted a serious water shortage—a shortage, incidentally, which could have been prevented by the building of storage reservoirs which have been opposed by people whose primary concern seems to be with the preservation of a narrow strip of parkland along an antiquated canal.

And in the West, where reclamation projects have been the lifeblood of the economy, the need for food for our growing population and the population of foreign countries makes reclamation of additional lands increasingly urgent. What some referred to a few years ago as surplus crops—but which in reality were merely stockpiles for future needs—are vanishing. And instead of taking lands out of production, which was the case a few years ago, we are now planning to bring 25 to 28 million acres of land back into production next year in connection with wheat and feed grain programs.

Not only are there increasing needs for our own population, but world food needs continue to multiply, and we cannot be oblivious or callous to those needs. India, for example, has been experiencing a terrible drought, and other countries are facing the prospect of famine.

In the face of these circumstances, the reclamation of new lands here in the arid but fertile West becomes of greater and greater urgency.

As we consider new reclamation plans, we will have to come to grips with the problem of transfers of water between river basins.

Our problem is not one of inadequate supplies, but the management of existing supplies.

There is another reason, too, why we need to continue building multipurpose projects. The low cost power produced at these installations provides an important competitive element which has resulted in lower rates being charged by private power companies as well as the rural electric co-ops and municipal systems which have been direct distributors of Federally produced power. This Federal power yardstick will become of declining importance if the pace of construction of Federal power-producing plants is not maintained.

We must therefore continue to push vigorously for the development of multi-purpose hydroelectric projects. At the same time, we must take a close look at *new* factors in the power picture of the West—and it is in this context that we should examine the role of nuclear power, which I believe will become of increasing importance.

Just this year the Washington Public Power Supply System brought on the line the world's largest nuclear power plant in the State of Washington. The unique Hanford project represents not only a conservation victory in putting waste heat to work. It is also a symbolic first step in the introduction of major atomic units in the generating complex of the West.

LARGE INCREASE IN NUCLEAR POWER FORESEEN

The Federal Power Commission's "National Power Survey" predicts that by 1980 about 20%—or approximately 20 million kilowatts—of the West's total generating capacity will be in nuclear stations.

If nuclear power lives up to its technical and economic billing, what will this fact mean in the West? I would like to offer some thoughts on this subject.

Should there be one single lesson to learn from experience with nuclear power to date it is: build big. The key to low-cost power in this decade is in realizing the economies of scale and applying them to the reciprocal rule of promoting increased consumer use of electricity.

A 1,000,000 kilowatt nuclear power plant is 20 times as large as a 50,000 kilowatt station, but the total cost of the larger project is only seven times as much, or 66% less on a per kilowatt basis. Why is this so? Because it costs almost as much to engineer a small plant as a large one. Site requirements are about equal, as is the expense of radiation shielding, controls, and fuel handling equipment.

If you are to build big, however, you must think big. The mistakes of the past in the electric industry have usually been errors of conservatism in planning. In the next 10 years, in order to meet expanding loads, the West will have to construct as much generating capacity as has been built here since the beginning of electric service. It is not a time to think small.

The opportunity to apply the principles of comprehensive development which this group and others founded and fostered in the area of river basin development is a challenge to our planning ingenuity.

Possibilities of "multiple purpose" development are not limited to water resources projects. There are many ideas to explore in the field of nuclear power. For example, what savings can be achieved by huge dual-purpose desalting and power plants? What are the advantages of "reactor farms?" Could the West gain economic benefits from radiation of food products in conjunction with power reactor operations? What about the potential sale of isotopes produced in reactor operations?

While Gifford Pinchot's comments in 1925 did not foretell the advent of nuclear power technology, his concept of "giant power" represents a pattern which is directly applicable in the atomic era. Who will build the massive reactors which could serve as the "common pool of power" to which Pinchot referred?

The Federal government—which has developed much of the West's hydroelectric potential—has never constructed major thermal plants outside the Tennessee Valley. Is the government's future role limited to the dwindling number of feasible hydro sites? An editorial in the St. Louis Post-Dispatch this month declared: "A national policy which would drop the pretense that Federal power projects (other than TVA should be wholly hydroelectric would contribute to development not only along the Lower Colorado but here in the Missouri River Basin as well." Said this nationally respected newspaper:

"Hydroelectric generation on the Missouri River System has substantially reached the limit of capacity. Steam generation is the only remaining means of providing adequacy and reliability of service and maximum economy of cost. Despite these economic pressures it has thus far proved politically practicable to add essential steam complements only through by-passing Congress and building new plant capacity with loans from the Rural Electrification Administration.

"Electric power generation and distribution is a business whether performed by private enterprise or as an integral part of regional resource development by the Federal Government. A private enterprise that deliberately chose to forgo the advantages of combining hydro and thermal generation, on the ground that each was some different and baneful sort of animal from the other, would be thought addle-headed, and with due cause."

Logic dictates that even if the Federal government does not build atomic stations outside of the TVA area, it will have a major part in the introduction of nuclear power in the West. Federal transmission lines lace large parts of the region, and the government's hydroelectric facilities can supply big blocks of peaking power to complement thermal plants. Efforts must be made to maximize the advantages of these Federal assets.

Local public power systems and rural electric cooperatives are clear candidates for construction of large nuclear power stations because of their relatively low fixed charges. Generally speaking, these consumer owned utilities pay lower rates of interest on the money they borrow, and because they are non-profit agencies they do not have to pay dividends to their stockholders. (In the case of co-ops, if they pay capital credits, these are distributed to co-op members, who are also consumers.)

Because nuclear power stations require such large amounts of capital, the savings that can be made in so-called fixed charges are especially important. Consequently, where nuclear power plants are to be built, the cost of power can be reduced substantially, to the benefit of the affected region, if public or cooperative agencies construct the project.

Earlier this year, Consumers Public Power District of Nebraska announced application of this approach on a cooperative basis with a private power company. CPPD and Iowa Power & Light Company will share the output of a 600,000 to 800,000 kilowatt nuclear-powered generating plant with CPPD furnishing the plant, and the two utilities sharing costs. Through the joint effort, CPPD will be able to build a plant twice the size that either utility would ordinarily undertake alone, thus lowering the cost of power by savings of size.

Today there is no set pattern of ownership and operation of nuclear power plants in the West. It appears certain that there will be such plants. In my opinion, one of the single most important aspects of the future growth of nuclear power in the West is how to make the benefits of this new source of energy available throughout the region—to small as well as large utilities, and to all consumers.

Attaining maximum economic efficiency from a power system can be relatively simple. But making the benefits of such efficiency available to the maximum number of people required dedication of purpose, determination, and imagination which present far more difficulties than the technical problems. The problem is both an opportunity and a challenge. I believe that organizations such as those represented here today should be leaders in helping to insure a solution in the public interest.

Another area which should be of increasing concern to the West as we move into a new era of water and power development is the building of transmission lines. As these lines reach out farther and farther to interconnect bigger and bigger power stations, it is obvious that those who control these lines control the lifeblood of the power industry. We must therefore work diligently to be sure that such lines are built and operated in a way that is of maximum advantage to all utility systems, public and private.

I am sure that all of you were pleased to hear the announcement last week that the Johnson Administration has endorsed the building of a 345,000-volt transmission line between Fort Thompson, S.D., and Grand Island, Nebr. This line will be an important means of shoring up the power system in the Missouri Basin, and should make it possible for consumer owned electric utilities to be assured of a longer term supply of low-cost power.

The West will continue to need a strong Federal transmission grid in order to assure that its power resources are not monopolized. You should insist on such a grid. At the same time, private power companies and others also will build much of the transmission system of the West. For this reason, it is important that Congress adopt a bill, sponsored by two of the speakers at this conference—Senator Metcalf and Congressman John Moss of California. Their bill would give the Federal Power Commission the right of certification of extra high voltage transmission lines.

At present no agency can insure that the transmission construction which is proceeding at a rapid rate will fit into a comprehensive plan which will best serve the needs of the affected area.

By providing within FPC a mechanism for comprehensive planning, all electric utilities—regardless of ownership or size—would have an opportunity to insure that their transmission needs receive full consideration. And instead of having a number of lines built to satisfy the requirements of separate systems, a single facility might be created to serve a number of utilities on an equitable basis.

The comprehensive planning which would be provided in this legislation would result in a significant saving in cost, since the use of larger lines would bring the economies of scale to electric consumers.

In my view, legislation such as that sponsored by Senator Metcalf and Congressman Moss moves toward a higher degree of power pooling, using larger units to supply the needs of many utilities. We must protect the right of all utilities, regardless of size or ownership, to participate in huge interstate power pools. FPC is the only agency equipped to offer such protection, and it requires legislation like the Metcalf-Moss bill to undertake such a responsibility.

Another area which should be of great concern to this conference, both in the short range as well as long range, is interest rates. All of us, in our own personal lives, have felt the effect of the recent sharp rise in interest rates. But an increase in interest is even more significant in connection with major power or water resource projects, because these projects are so highly capital intensive—that is, they require a large investment per customer and per dollar of revenue.

Just to indicate the importance of the present high-cost money trend, I have computed the impact of a percentage point of increase in interest rates on the cost of a 50,000 kilowatt generating plant. Assuming fixed costs of $180 per kilowatt installed, and total construction cost of $9 million, the utility paying 3% for its financing would have have annual fixed charges of $585,000.

But if interest costs rose by just 1%, to 4%, annual fixed charges would be $675,000. Thus, a single percentage point of increase would add $90,000 every year to the cost of this relatively small generating plant.

I believe this conference should give considerable attention to the problem of interest rates, and the organizations and individuals represented here should work together to advocate programs which will reduce the present high cost of money.

Another trend which should be of concern to this group is the frightening rate of growth of monopoly control in the electric industry—America's biggest single industry. An indication of this trend is found in the fact that the number of private power companies has been reduced from 1,060 in 1945 to 475 today. And recently, Donald Cook, president of the giant holding company, American Electric Power Co., predicted that there may be only 12–15 systems within 50 years or less.

Considering the importance of electric power to the economy of this country, we should view with a great deal of concern this trend toward monopolization. If the public is to retain any semblance of control over such a vast aggregation of economic power, it is clear that not only will increased Federal regulation be necessary, but it is equally if not more important that the consumer owned segment of the electric industry—the public power systems and rural coops—be maintained and strengthened, as a competitive lever.

As we look to the future and to changing conditions, we also should give increasing attention to other aspects of water resource and power development. The recreational uses of water resource projects have always been important, but they are becoming even more so. We should make every effort to see that all new water resource projects make imaginative provisions for the best use of reservoirs and surrounding areas for recreation.

Air and water pollution likewise demand increasing attention. We should take the leadership in cleaning up our rivers and the air we breathe. Although there is still plenty of wide open spaces in the West, some of the most serious examples of air pollution are in Western cities. Our leadership in developing electric automobiles and electric mass transit systems can be important factors in reducing air pollution.

This conference has always been concerned with the social and economic welfare of the people who use water and power. Although the conference itself is not an action organization—it passes no resolutions and it does no lobbying—the individuals and organizations represented here have had a great influence on the shaping of Western and national policies affecting water and power development. To the extent that his conference continues to concern itself with the welfare of the people who use water and power, it will continue to be an effective force in determining how our water and power resources are to be developed and used.

SENATOR ERVIN AND PRAYER IN PUBLIC SCHOOLS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the following editorials concerning Senator Ervin's opposition to the so-called prayer amendment be inserted at this point in the Record: "Senator Ervin Has Answer for Dirksen's Prayer Amendment," from the Sacramento Bee of October 9, 1966; "School Prayer Issue Brings Dirksen to His Knees," from the Washington Daily News of September 22, 1966; "Dirksen and Prayer," from the Arkansas Gazette of September 23, 1966; "Prayer, Yes; Amendment, No," from the Richmond News Leader of September 22, 1966.

Senator Ervin's argument and presentation on the Senate floor was a significant factor in the outcome of the amendment. One of the great legal minds in this body, when he rises to speak on such an issue involving constitutional law, every Member is aware that he speaks with rich experience after careful thought.

There being no objection, the articles and editorials were ordered to be printed in the Record, as follows:

[From the Sacramento (Calif.) Bee, Oct. 9, 1966]

SENATOR ERVIN HAS ANSWER FOR DIRKSEN'S PRAYER AMENDMENT

Around Congress when a Member makes a bumbling presentation of his position on legislation, his colleagues remark:

"He didn't do his home work."

It is not the orator who wins the admiration of members but the one who has all the facts, ma'am.

Sen. Sam J. Ervin Jr. of North Carolina is one of a rather exclusive bloc in what is known as the World's Greatest Club who not only surrounds all the facts in a situation but can orate about them, too.

This is a happy combination like hitting the daily double at the races.

Sen. Everett M. Dirksen of Illinois, the Republican minority leader, may try to revive his school prayer constitutional amendment in the new Congress starting in January. If he does he certainly will run into the same devastating argument of Sen. Ervin which was the knockout punch in the recent rejection of the proposal.

A former justice of the North Carolina State Supreme Court, the senator is regarded as an authority on constitutional law.

And to still any possible criticism that he is antireligious, it can be stated he is deeply religious and his credentials include being an elder in the Presbyterian Church.

He is not against prayer in the church, home or even school, provided some authority does not tell folks in what words they are to seek the blessings of the Almighty.

And this, despite widespread public misconception, is the only thing the U.S. Supreme Court struck down.

If states or school boards had the authority to prescribe prayers, a Protestant minded board might prescribe a prayer contrary to the tenets of faith of minority Catholic and Jewish children. And this could work in reverse, of course.

Sen. Ervin proved the truth of the old adage that "wise men change their minds, fools never do."

He said originally he thought the Supreme Court should have "let sleeping dogs lie" on the basis the court did not have to accept the prayer cases because the plaintiffs' children had not been compelled to participate in the prayers and therefore they lacked what is known as legs: standing.

But after reading the court's decision Ervin said he concluded it was right and was following the wisdom of the great Justice Oliver Wendell Holmes who said "the life of the law has been experience and not logic."

As to religious freedom Ervin recalled the statement of the American humorist, Artemus Ward:

"The Puritans nobly fled from a land of despotism to a land of freedom, where they not only could enjoy their own religion, but could prevent everybody else from enjoying his."

And as to the wisdom of separation of church and state as provided in the First Amendment of the Constitution, Ervin quoted the late Chief Justice Walter P. Stacy of the North Carolina State Supreme Court who said:

"For some reason, too deep to fathom, men contend more furiously over the road to heaven, which they cannot see, than over their visible walks on earth. It would be almost unbelievable, if history did not record the tragic fact, that men have gone to war and cut each other's throats because they could not agree as to what was to become of them after their throats were cut."

On his own Sen. Ervin added:

"The most heart rending story of history is that of man's struggle against civil and ecclesiastical tyranny for the simple right to bow his knees before God in his own way."

The writers of the Constitution, Sen. Ervin said, wisely wrote the first amendment because:

"They saw with their own eyes of history the cruelties of the Spanish Inquisition, the massacre of the Huguenots of France, the slaughter of the Waldensians in the Alpine Valleys of Italy, the hanging and jailing of English and Irish Catholics by Protestant England, the hunting down of the Covenanters upon the crags and moors of Scotland, the branding, hanging and whipping of Quakers, the banishing of Baptists by Puritan Massachusetts and the hundreds of other atrocities committed in the name of religion.

"The Founding Fathers knew, moreover, that even during their own life times those who did not conform to the doctrines and practices of the churches established by law in the places where they lived, such as the Scotch-Irish Presbyterians in Ulster, Catholics in England and dissenters in various American colonies, had been barred from civil and military offices because of their faith.

"They had been compelled to pay tithes for the propagation of religious opinions they disbelieved. They had their marriages annulled and their children adjudged illegitimate for daring to speak their marriage vows before ministers of their own faiths rather than before clergymen of the established churches."

[From the Washington (D.C.) Daily News, Sept. 22, 1966]

SCHOOL PRAYER ISSUE BRINGS DIRKSEN TO HIS KNEES—SENATOR ERVIN PREACHES ON CONSTITUTION

(By Richard Starnes)

Everyone knows that the prayer of a righteous man availeth much, but when you have two righteous men praying in opposite directions somebody is bound to lose.

Senator Everett Dirksen of Illinois, the mellisonant field marshal of Senate Republicans, is a righteous man, even if he does occasionally wear a hair-do befitting an Orpington hen standing stern-to to a hurricane. Senator Sam Ervin (Democrat of North Carolina) more suggests a kewpie doll in appearance but he is righteous, too, and is a respected authority on Constitutional law to boot.

Both men spent a large part of yesterday praying themselves into a prodigious sweat, just as Huckleberry Finn once did, and when the supplication had settled, Sen. Ervin had availed and Sen. Dirksen hadn't.

SENATOR GAGGED

The issue was the school prayer amendment that Sen. Dirksen has been trying to persuade the Senate to adopt. Sen. Ervin is a man who believes firmly in prayer, as well as in home, motherhood and every other homely virtue ever codified. But he gagged on the Dirksen amendment on Constitutional grounds. In a quiet way, a lot of senators who don't know the Constitution from a seed catalog look to Sen. Ervin for guidance when thorny questions regarding the organic law of the land arise, so his opposition was important.

He warned the Senate that the Dirksen amendment, which would permit "students or others" to take part in voluntary prayer in public schools, would empower school boards to "make a law providing for the establishment of a religion." The proposed Dirksen amendment, he said, would "annihilate" the First Amendment by enabling a school board majority to provide for prayers appropriate for one sect while failing to protect the rights of religious minorities.

EFFECTIVE ATTACK

He concluded a closely reasoned and effective attack on the Dirksen amendment by going over the heads of the Senate, shouting: "If you want to amend the Constitution, for God's sake draw an amendment which will provide equality."

Sen. Birch Bayh, a young, handsome and presumably righteous Democratic lawgiver from Indiana, complicated things by offering a substitute for the Dirksen amendment, and earnestly praying that the Senate adopt it. He proposed a "sense of the Senate" resolution saying that silent, voluntary prayer should not be excluded from public schools. But the sense of the Senate turned out to be 52 to 33 against the idea.

Finally the Senate, by then awash in rectitude, voted on the Dirksen amendment. The vote was 49 to 37, which is nine short of the two-thirds majority required for Senate approval of a Constitutional amendment.

STERN WARNING

But even before the vote, Sen. Dirksen had sternly warned that "this thing is not going to die and I'm not going to let it die." He told a group of mostly unrighteous reporters that a nation-wide interfaith organization was being formed to continue the battle for legalized voluntary prayer in schools. The organization, he said is to be headed by two of the nation's most eminent divines, the Rev. Dan Poling and the Rev. Billy Graham, plus a leading Catholic prelate yet to be named.

"They are going to town on this issue," Sen. Dirksen said, conjuring up a prospect fit to shake the 37 senators whom he plainly considers wrong, however righteous.

[From the Arkansas Gazette, Sept. 23, 1966]

Dirksen and Prayer

Of the Southern members present and voting, only two—Senator Sam J. Ervin of North Carolina and our own Senator J. W. Fulbright—were recorded against the Dirksen School Prayer Amendment on the last roll call on the subject we shall be subjected to at this session (though Senator Dirksen has promised to be back again next year.)

The circumstance that the South as a region is supposed to have a special grievance against the Supreme Court helps to explain the lopsided Southern vote on Wednesday's roll call and makes the exception votes of Senators Ervin and Fulbright all the more praiseworthy.

The fact that Senator Ervin has pretty much quarterbacked the South's legal objections to the more far-reaching forms of civil rights legislation in recent years should be enough to separate the issue of school prayer from that of racial desegregation (as well as from that of legislative apportionment for good measure) in the minds of his constituents. It should be enough, but it probably won't be. Not if the recent past is any guide.

[From the Richmond News Leader,
Sept. 22, 1966]

Prayer, Yes; Amendment, No

The U.S. Senate acted wisely and courageously yesterday in refusing to adopt the "prayer amendment" sponsored by Senator Dirksen and others. The resolution would have offered the States an opportunity to write into the Constitution some new language permitting public authorities to provide for prayer in public schools.

North Carolina's Sam Ervin deserves particular credit for leading opposition to the Dirksen resolution. A former judge of North Carolina's Supreme Court, the Senator is one of the ablest constitutional authorities in the Congress. He knows what mischief could flow from a needless tinkering with the First Amendment. Yet the Senator also knows his own constituents, many of whom come from the famed "Bible Belt." His position doubtless will offend these sincere Christians deeply. It required political courage of the highest order for Senator Ervin to take the lead in defeating the plan.

This newspaper was sorry the Supreme Court of the United States ever agreed to hear the "prayer cases." No great harm would have been done to anyone if the lower court decisions of New York and Maryland had been permitted to stand. But once the high court accepted the appeals, it was bound to hold that any official State sanction of prayer in schools is in violation of the First Amendment's prohibition against a State "establishment of religion." Mr. Dirksen's resolution would have reversed these decisions.

The Christian faith (and that is what the proposed amendment concerned) does not need official "school prayer" to survive. The churches will be better off, indeed, if they maintain a strict arm's length relationship with government. In our own view, the less the State has to do with religion, the better.

With the Dirksen amendment defeated, school officials can get back to a common-sense management of their own classrooms. In areas where community sentiment supports some voluntary religious observance in the schools, modest programs of prayer doubtless will continue willy-nilly; few persons ever will want to make a Federal case out of this. There are only a handful of atheistic Madalyn Murrays in the country, out to impose their own barren negativism on their neighbors; and for this blessing, may the high court forgive us, we thank the Lord.

EMERY L. FRAZIER

Mrs. SMITH. Mr. President, it has been my pleasure to have known Emery L. Frazier even before I became a Member of the Senate in 1949. He was a good friend of my former secretary, Lena B. Haskell, and her late husband, Steve Haskell. I was first impressed by him in his kindness to them, and it was through them that our friendship began.

Few men in the history of the U.S. Senate have served as long and with as great distinction as an officer of the Senate as has Emery L. Frazier. Very few have been so respected and liked by the Members of the Senate as has been Emery Frazier. It will be most difficult to replace him in their dependence upon him and in their feeling for him.

I wish him well. I know that he has retired with the great satisfaction of a job outstandingly done. I am sure that his admirable career will not end with his retirement from the Senate but that he will distinguish himself in whatever pursuits he chooses for the future.

SAFETY IN THE SUBWAY

Mr. TYDINGS. Mr. President, safety of our streets is of the utmost concern to our Nation's cities.

I am pleased to report to my colleagues that a recently concluded mass transportation demonstration project conducted in New York City indicates an approach worthy of attention by other metropolitan areas.

The project, assisted by a HUD grant of $500,537 or two-thirds of the project cost, tested the use of a two-way radio system in the heavily traveled Lexington Avenue subway.

Although the final report will not be available for several months, the effectiveness of the project in reducing crime, improving criminal apprehension, and speeding response to emergency situations, is vividly portrayed by the fact that New York—a city in a desperate financial crisis—has agreed to spend $4.1 million to equip its buses with two-way radios.

For the information of my colleagues, I am inserting portions of the last quarterly reports available on the demonstration. It will be noticed the report is highly laudatory on how effective the two-way system was in moving huge crowds "without mishap" during Pope Paul's visit and also the service afforded subway riders by this system during the massive power failure and blackout.

As we await the final report with high hopes, I hope each will pass on these facts to your local mayors as well as give the Department of Housing and Urban Development and the New York City Transit Authority well-deserved plaudits for their visionary efforts.

I ask unanimous consent to have the report printed in the Record.

There being no objection, the excerpt from the report was ordered to be printed in the Record, as follows:

Two-Way Radio Communication Mass Transportation Demonstration Project

On November 1, 1965, the train-to-wayside radio system was completed with the installation of the mobile units on all Dyre Avenue trains running through the test area and eleven "super-expresses" out of White Plains.

Pelham line trains have been utilizing the system since July 26, 1965 and Woodlawn trains since August 9, 1965.

The quarter year ending December 31, 1965, was notable for two major unusual events in which the new two-way radio system proved its usefulness.

On October 4, 1965, Pope Paul VI visited New York City. Over 90,000 people gathered in and around the Yankee Stadium to participate in a religious ceremony at which he officiated. An estimated 70,000 people came by subway taking the IRT Lexington-Jerome Avenue Line or the IND Concourse Line to their respective 161st Street stations. Mobile train-to-wayside equipment, police walkie-talkies and the portable radios rented to the project by the Authority were all used with great effectiveness in controlling and moving the crowds quickly and without mishap through the stations and their environs.

At 5:28 P.M. on November 9, 1965, a massive power failure encompassed eight northeastern states including New York City and its rapid transit system. More than 800,000 riders were trapped on trains between stations. Most waited for two hours before information seeped through about the cause of the trouble. In the test area, however, the new two-way radio system operating on the standby power supplied by storage batteries which were installed under the contract, brought continuous up-to-the-minute information to the train crews and passengers. During the emergency two calls for medical assistance were transmitted from stalled trains and promptly handled through the dispatcher's console at Grand Central. The medium was undoubtedly helpful in allaying passengers fears on this most congested section of the transit system. It also permitted operating instructions to be implemented without time loss and expedited the return to normal operation soon after power was restored.

After about three hours of radio operation on battery power, transmission became weak and erratic from some of the wayside base stations. Engineering studies are being made to prevent this from happening in the future. Large batteries and/or standby diesel operated generators are being considered.

OCTOBER 16–22—NATIONAL BUSINESS WOMEN'S WEEK

Mr. THURMOND. Mr. President, October 16–22 marks the annual observance of National Business Women's Week by the National Federation of Business & Professional Women's Clubs. This week was first observed in 1928 and points up the contribution of women to the business and professional life of our country.

During this week over 170,000 members of the national federation will salute the achievements of all business and professional women in their communities, States, and Nation. There are over 3,750 clubs in all 50 States and U.S. territories. There is a Business and Professional Women's Club in every congressional district of the United States.

Women are playing an ever-increasing role in our Nation's economy as well as civic and community activities. It is, therefore, fitting that we salute the business and professional women in our Nation during this week.

CENTENNIAL OF BIRTH OF DR. SUN YAT-SEN, FIRST PRESIDENT OF REPUBLIC OF CHINA

Mr. INOUYE. Mr. President, longstanding ties of friendship bind the peoples of China to those of the United States. Her students have come to us for their education; her people have made their homes among us; our missionaries, teachers, and doctors have gone to their land to help her people. A longstanding respect and affection exists in this country for the Chinese people and their proud heritage.

During this current unfortunate period of tension between our two nations, such ties are too easily ignored, lost in confusion, fear, suspicion, and recriminations. It is to affirm our bonds of friendship to the Chinese people that I speak in observance of the centennial of the birth of her great revolutionary leader, statesman, and first President of the Republic, Dr. Sun Yat-sen. Histories of the world will perpetuate his memory and preserve for him a place of honor among those who dedicated their lives to the emancipation of their people. We of Hawaii take particular pride in the fact that Sun Yat-sen's commitment to the ideals of freedom were enriched—and perhaps instilled—during the years he spent in our islands.

Sun Yat-sen was born in China on November 12, 1866. At the age of 13 he came to Honolulu where he attended Iolani School for the next highly formative 4 years. It was here that he developed proficiency in the English language, accepted the Christian religion and learned the principles of democratic evolution found in other nations. Very likely the seeds of his rebellion against the tyranny of the Chinese Manchu dynasty were implanted in Hawaii.

At the age of 29, Dr. Sun Yat-sen was forced to flee from China for his participation in the abortive revolution of 1895, carrying a reward of nearly half a million dollars on his head. Upon the overthrow of the Manchu government in 1911, he was called back to his homeland to serve as the first President of the Republic.

Although, in the tumultuous period between the assumption of the Presidency and his death in 1916, he was unsuccessful in establishing a free democratic society, he nevertheless stirred the Chinese heart with aspirations for freedom and for human dignity. In the same great hope for the Chinese people we today join our wishes with those of Sun Yat-sen.

It is therefore appropriate to seize this opportunity to reaffirm our ties of friendship with the Chinese people, and on the occasion of the centennial of his birth, November 12, 1866, to pay tribute to their great patriot and humanitarian, Sun Yat-sen.

EXPORT SUBSIDY FOR MARYLAND TOBACCO

Mr. TYDINGS. Mr. President, last Thursday I addressed the Senate with regard to the severe losses to be suffered by five southern Maryland counties by reason of the Department of Agriculture refusal to grant the 5 cents per pound export subsidy for Maryland tobacco. We have 7,000 growers in this area of underemployment and poor economy.

Quite frankly, the pinch is already being felt in Maryland. Normally, 500,000 pounds of Maryland tobacco is exported in September, but this last month only 20,000 pounds went through the Port of Baltimore for export. This administrative decision of the Department of Agriculture to withhold the export subsidy affects a multimillion-dollar export crop. Experts predict that if Maryland tobacco remains noncompetitive in the export market, the Swiss, who now purchase most of our export crop, will be forced to seek substitutes from other countries.

The tobacco from my State has such unique long-burning and aromatic qualities that foreign cigarette packages carry the words "contains Maryland tobacco." Despite this, without the export subsidy, Maryland tobacco is doomed.

In June of this year, following the announcement of the Department of Agriculture of the exclusion of Maryland tobacco from the export subsidy program, the first meeting with Department officials was held in my office. Following that, members of the Maryland delegation sent a letter of protest to Secretary Freeman. Since that initial action there have been a number of delegation meetings on the subject, and another is scheduled with Secretary Freeman.

An excellent article on the subject prepared by Helen Delich Bentley, was published in the Baltimore Sun of October 16. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the Baltimore (Md.) Sun, Oct. 16, 1966]

MARYLAND TOBACCO ABROAD—FARMERS SEE A CRISIS

(By Helen Delich Bentley)

Maryland's tobacco farmers are crying that they may be put out of business because of bureaucratic red tape and what they see as a determination of the Federal bureaucrats to control everything.

This situation, hitting hardest at the poorest—even depressed—area of the State, has arisen as the result of Maryland's farmers having voted last February not to continue their tobacco crops under Federal controls, because they didn't want another 15 per cent reduction in their production. Subsequently, a 5-cent-per-pound subsidy was instituted on all export tobacco. However, since Maryland farmers had refused crop control, they were not given the 5-cent subsidy even though, they point out, export subsidies are paid on other crops not under control of the Commodity Credit Corporation.

Inasmuch as Government assistance is granted to other agricultural products exported even though they are not under CCC controls, the Maryland farmers see the move as a retaliatory measure.

When the vote was taken, the Maryland farmers were not advised that a subsidy was in the offing for export tobacco, a matter they feel particularly aggrieved about because tobacco from this State has been exported longer than it has from any other.

Maryland's 10,100,000 pounds exported in 1965 is close to the high for an individual state. Kentucky-Tennessee together shipped out 21,600,000 pounds of fire-cured tobacco in the same year. Flue-cured tobacco, which originates in Virginia, North Carolina, South Carolina, Georgia, Florida and Alabama, was purchased overseas to the tune of 395,586,000 pounds. Eight states contributed to the 53,011,000 pounds of burley that went to foreign markets.

In dollar volume, almost half of the State's annual crop is shipped abroad. It affords an important source of revenue to the Maryland growers, dealers, shippers, bankers, and the port of Baltimore. Maryland's tobacco farmers produce about $22,000,000 worth annually, of which $10,000,000 is sold abroad.

For many years, Maryland tobacco has constituted the principal ingredient in approximately 70 per cent of the popular-priced Swiss cigarette. It also has found acceptance and usage in cigarettes and for other purposes in West Germany, Belgium, the Netherlands, Spain, and Portugal, among others. Already, Portugal has canceled a $100,000 order because of the lack of a 5-cent-per-pound subsidy on the Maryland tobacco.

Inasmuch as no other state produces the same quality tobacco, the European manufacturers will not make up that difference by buying elsewhere in this country, but instead will work on a blend of tobaccos from Italy, Yugoslavia, and Japan which is the closest that can be achieved as a substitute to that from Maryland.

The other two states excluded from the 5-cent subsidy, according to the Agriculture Department's press release of June 10, are Pennsylvania with its filler tobacco and Connecticut's cigar wrapper—also because those farmers balked at crop controls. The Amish in Pennsylvania resist any kind of government control. However, since their percentages of exports are comparatively negligible, these states are not as hard hit as is Maryland.

The reason for the subsidy, the release said, is that the United States is selling less of the world's tobacco than ever although the over-all purchases have increased among foreign nations.

In addition to raising the over-all amount of tobacco exported from the United States, the export subsidy also was instituted to help the balance-of-payments.

However, say the tobacco men, that portion of the business that was Maryland's will be completely lost to the balance of payments if this State is continued to be denied the subsidy since the users of Maryland tobacco will go to Yugoslavia, Italy, Turkey, and other countries to whip up a blend of tobacco as near to Maryland's as possible.

Other points they make are:

1. The matter of production control is supposed to be voluntary in this country, not mandatory. The decision was strictly administrative, not a legal requirement.

2. Even though there is no production control in the State this year, the actual amount to be marketed will be less than ever. Maryland is not in a position to double its production overnight as are North and South Carolina where there is still sufficient cheap labor. The Maryland tobacco region is too close to Washington and Baltimore, making the labor market very limited. Tobacco is still a product that must be handled by hand.

3. Calvert county, one of the five counties hardest hit by this decision, is considered a depressed area and therefore should qualify for all Federal help possible.

4. The 30,000,000-pound surplus about which the Agriculture Department was complaining in Maryland dates back to the drought year of 1963 and was created under the price support-production control program. That surplus tobacco happens to be generally undesirable because it was too dry. Drought conditions create bad tobacco crops. Mathematically it exists, but one crop failure could wipe out the entire surplus.

5. Friendly foreign nations who prefer Maryland tobacco are being slapped in the face because others are given the 5-cent subsidy and they are forced either to pay more money or look for another product.

For the first time, this year West German interests became a substantial buyer in the Maryland market after a German cigarette manufacturer adhered to the request of his customers, in the Bavarian region adjacent to Switzerland, and purchased the same mix. His sales shot up dramatically.

Without the export subsidy, however, Maryland may be faced with a repetition of its experience of losing the French market during World War I when France was unable to obtain Maryland tobacco. The French cigarette manufacturers substituted tobacco grown in Madagascar for the Maryland portion of their blend and have continued to do so for 50-odd years.

Say the tobacco men further: The problem is one for the entire State even though the farmers are concentrated in Anne Arundel, St. Marys, Prince Georges, Calvert, and Charles counties; the entire economy of these less-affluent counties is at stake; a negative response by the Commodity Credit Corporation could result in the entire State having to assist the hard-hit farmers.

ECONOMIC STUDY WITH RESPECT TO CERAMIC TILE

Mr. LAUSCHE. Mr. President, on October 10, 1966, the House Ways and Means Committee adopted a resolution directing the U.S. Tariff Commission to make an economic study pursuant to section 332 of the Tariff Act of 1930 with respect to ceramic tile.

The resolution specifically states:

> Such a study will investigate conditions of competition in the United States between floor and wall tile (glazed and unglazed, and including trim) produced in the United States and in foreign countries.

Since Ohio is the leading tile-producing State in the Union, I was pleased to note this action by a committee of the House because it will mean an investigation of a wide range of alleged illegal acts and unfair trade practices by foreign importers, distributors, and representatives that has plagued this small industry.

The Tariff Commission is ideally suited for this important role. It has broad investigative powers including the right to issue subpenas for documents, compel testimony, conduct public hearings, and give all interested parties a right to be heard. As a result Congress and the ceramic tile industry, for the first time, will have a full and comprehensive report on the competitive effects of foreign tile on the domestic tile industry.

I trust the Tariff Commission will act swiftly on this investigation. I for one, Mr. President, shall look forward to reading its report.

THE INDOMITABLE SPIRIT OF LINDLEY BECKWORTH

Mr. YARBOROUGH. Mr. President, LINDLEY BECKWORTH, who has served in the House of Representatives for 24 years, will leave Congress at the end of this session. His departure is a loss to the Congress, to his electorate, to Texas, and to the Nation.

Personally, it is a sad matter for me, since I regard him as a very close friend. His parents taught school in Henderson County, where I was born, and the two of us grew up in the same east Texas region, about 40 miles apart.

Years ago, when the progressive, dedicated James V. Allred was Governor of Texas, a number of us young fellows who worked around him were thinking of public office. One afternoon—shortly after State Representative LINDLEY BECKWORTH had visited him in his office—Governor Allred talked to me about politics and the possibilities of future service. He said:

> I fear that a number of dedicated people who work with me do not have the drive and the personality and the know-how to win a higher public office, but LINDLEY BECKWORTH has it! He is running for Congress without money, without an organization, with the big newspapers all against him, just as they have opposed me; but he has the drive, the personality and the will to stick to it. And you will see LINDLEY BECKWORTH in Congress.

For a quarter century, we did in fact see him in Congress, and during those years he brought distinction to the Texas delegation and to the legislative branch of the Government.

He has worked with great vigor and vision to conserve and develop the natural resources of the Nation. He has been an energetic advocate for the country's servicemen, arguing in their behalf for increased benefits and higher pay. He worked with me for years in enacting the cold war GI bill, which will bring educational and training benefits to millions of veterans of the long and burdensome cold-war struggle. He has always kept the country's educational interests before him and is an undisputed friend of the public school teacher.

As well as any Member of Congress, he comprehends the problems and the needs of his constituents and has worked effectively and personally in their behalf. He has never bowed to expediency or yielded to unreasonable protest. When he ran for the U.S. Senate in 1952, he took forthright positions on national issues and battled for principles he thought just against the money establishment that rules Texas. He lost the election, but I am certain he would rather stand up for progressive principle than to win a seat on reactionary ones.

LINDLEY BECKWORTH—a lawyer, teacher, and onetime highway workman, who has farmed and worked on a cattle ranch, and laborer in a tailor shop, a grocery store, a filling station, and a cafe—has the undaunted courage of a man who can stand on his own, against the worst of odds. His dozen terms in Congress reflect that indomitable spirit, and so will his future years in public service. He has spent more than half his life in elective office, and I am sure his leaving Congress does not mean he will neglect his concern for the public good.

I salute him, Mr. President, and wish him the very best.

CONDUCT OF OPERATIONS BY AMERICAN FORCES IN VIETNAM

Mr. THURMOND. Mr. President, news reports of the President's press conference on last Thursday, October 13, implied, or were susceptible of the connotation, that the President had claimed that the conduct of the war in Vietnam was pursuant to the recommendations of the Joint Chiefs of Staff. In actuality, the President said only that he considered the recommendations and advice of the Joint Chiefs in arriving at his decisions.

This is an important distinction. The conduct of operations by American forces in Vietnam is pursuant to decisions of the President, and sometimes are, and sometimes are not, consistent with the recommendations of the Joint Chiefs.

This fact is borne out by the extensive testimony given by the Joint Chiefs in executive session to the Preparedness Investigating Subcommittee and to the Appropriations Committee of the Senate.

Initially, the recommendations of the Joint Chiefs are limited by the objectives of the conflict established by the President.

It has been said that the classic objective of war is subjugation of the hostile state. As the President has often publicly stated, he has established a much more limited objective in the Vietnam conflict. This objective does not even include the destruction of North Vietnam's warmaking potential, but only insofar as that potential enhances North Vietnam's capability to pursue aggression in the south. This objective does not include, and indeed, specifically excludes the overthrow or undermining of the existing political order in North Vietnam.

The objective of the U.S. military operations in Vietnam, as established by the President, is to convince North Vietnam that its military aggression in South Vietnam cannot succeed.

The recommendations of the Joint Chiefs are, therefore, limited by and to this objective established by the President.

Beyond this limited objective, but short of the classic objective of subjugation of the hostile State of North Vietnam, are a wide range of potential objectives, which, if adopted, would in turn permit the Joint Chiefs to offer recommendations of military operations to materially shorten the time required to successfully terminate the war.

Even within the confines of the established limited objective, the President did not say that he followed the recommendations of the Joint Chiefs of Staff, but only that he considered them.

Targets in North Vietnam selected for bombing by U.S. airpower must be approved in advance by the President under existing procedures. The President did not say that he followed the recommendations of the Joint Chiefs on such targeting, as was implied in press reports; for, indeed, he has often not followed such recommendations.

On some matters, as is to be expected, the Joint Chiefs are not unanimous in their recommendations and advice to the President. This category includes the estimates of the ultimate effectiveness of air power applied against North Vietnam on the war in South Vietnam. Obviously, increases in bombing will not have as effective an impact now, as would have been the case if applied before the dispersal and concealment of targets by North Vietnam which has taken place in recent months.

I was conscious of all these factors, and familiar with the testimony of the Joint Chiefs, when I stated on the Senate floor last Thursday that I believe the United States could end the war in Vietnam in 90 days if the decision was made to win the war. It was in reference to my statement that the President was interrogated and commented at his press conference.

I would strongly recommend to all Senators that they read the testimony of the Joint Chiefs, and of Secretary McNamara, delivered this year before the Senate Appropriations Committee and the testimony taken by the Senate Preparedness Investigating Subcommittee on the conduct of military operations in Vietnam.

Mr. President, I ask unanimous consent that the portion of official text of the President's news conference that relates to this matter be printed in the RECORD at the conclusion of my remarks.

There being no objection, the extract was ordered to be printed in the RECORD, as follows:

STATEMENTS IN THE SENATE ON VIETNAM

Question. Mr. President, a couple of items came up in the Senate today. Senator THURMOND says we could win the war in Viet-Nam in 90 days if we wanted to. And then Senator STENNIS cut loose with a rather extensive speech in which he was highly critical of our manpower and materiel procurement programs concerning Viet-Nam.

Senator STENNIS said that he believes that the funding of the war inevitably will involve higher taxes. How do you feel about these statements from these two gentlemen today?

THE PRESIDENT. Well, I welcome their statements and their recommendations on military strategy. The Senate has always participated in the international developments of our country and have made great contributions to the victories that we have achieved from a military standpoint throughout the years.

From the earliest days of this Republic, Senators have expressed themselves forcibly, eloquently—in most instances wisely. But while we always consider and evaluate and carefully look at what they suggest and take it into consideration, we don't always find that in the judgment of our more professional military leaders that this is always the wisest military judgment.

Senator THURMOND is also General THURMOND. And he has a good deal of experience in this field. I haven't read what he said, but I will read it.

Senator STENNIS is a very sincere man. I know he wants to do what is best for his country and he thinks this is best.

But I also have to consider what General Wheeler thinks is best. And I have to consider what General Johnson, Chief of Staff of the Army, thinks is best; and General Greene, Chief of Staff of the Marines; Admiral McDonald, Chief of Naval Operations; and the Chief of Staff of the Air Force.

I don't think this would appy completely here, but I recall what Mr. Rayburn said one time when I was suggesting to him a course of military action that was not completely being followed by President Eisenhower, who was then in the White House. He said to me, "Lyndon, if these people in the Joint Chiefs of Staff and a man of General Eisenhower's military experience do not know more about this than us civilian legislators, then we have been wasting a lot of money on West Point all of these years."

So what I would say, Mr. Smith, in summary, to your question: I welcome the comments and the military suggestions from Senators from day to day. We will carefully consider them and then consider the Security Council, consider the Joint Chiefs of Staff's recommendation, and do what we think is in the national interest.

All of us have the same purpose. We all want to win this war—not in 90 days, but in 9 days, or 9 hours, or 9 minutes, if we can. But I am not sure that everybody has all the information on this subject that the Chairman of the Joint Chiefs has.

You will recall Senator Borah was somewhat guilty of harassing another President at another period. At one time he said he had better information than the President. Well, in light of the developments a little bit later, that statement didn't stand up very well.

COMMODITY STANDARD PROCEDURES

Mr. MAGNUSON. Mr. President, I received word this morning that a new, consolidated standard for the manufacture of structural, softwood plywood will be promulgated by the Bureau of Standards on November 1. This standard has been going through the new procedures for voluntary standards since last October, and the completion of these procedures marks a milestone on several different paths. A word about commodity standards is in order.

In the past, the procedures for developing commodity standards were strongly oriented to the needs of producers, and the standards that resulted reflected this.

Today, under the renamed product standards program, the users and distributors have much greater influence.

The plywood standard, which will carry the designation Product Standard No. 1, reflects this change in a marked degree.

PS 1–66, as it will be known, is a consolidated and updated version of three previous commodity standards. These older documents covered, separately, Douglas-fir plywood; plywood made from other species of western softwoods, and certain southern pines. Commercial production of this kind of plywood began in my State of Washington and the Douglas-fir standard was the first, although the most recent version was far more comprehensive than the original standard, introduced more than 30 years ago.

These three standards were so-called ingredient standards; they told the producer what to put into his product, and the labels stamped on the panels told the user what the producer had done. Since the three documents covered more than 20 species, the producers could do many different things. Sheathing plywood, for example, could carry any one of as many as 40 confusing designations.

These old labels largely were confined to the name of a species and a description of the glue used in manufacture.

The consolidated standard deemphasizes species and most other ingredient markings. The standard is oriented toward the user—toward the consumer—instead of the manufacturer. It sets up requirements for performance of the finished product, and the labeling practices include provisions for informing the buyer of some of the capabilities of what he has bought, instead of its ingredients.

One of the most significant things about this standard is that it was arrived at voluntarily by producers, distributors, and users. At times there was disagreement, as there inevitably is when so many businesses and individuals are involved. At times these differences approached controversy.

These differences were resolved according to procedures that the Department of Commerce introduced 2 years ago and, a month ago, the final version of the standard was circulated to all of the producers and to a large number of distributors and users. Officials of the Bureau of Standards have informed me that 96 percent of responding producers indicated their approval and that more than 99 percent of the distribution and user groups that responded also approved.

The user group for plywood includes homebuilders, pallet and container manufacturers, the mobile home industry, boatbuilders, and many others.

The industry is just as diverse. It includes some of the giants in the forest products field, but also many small independents and nearly 20 companies that are worker owned. These cooperatives, which are almost unique to the plywood industry, are nearly all located in my State of Washington, as are some of the larger companies.

The steps involved in the development of this standard began as far back as 1959, when the industry agreed to seek newer and more complete technical information on plywood species. The technical information that was needed came from a 2-year study conducted by the U.S. Forest Service that was partly financed by industry. These data were later validated and interpreted by committees of the American Society for Testing & Materials, which includes representatives of consumer groups, the technical community at all levels, and government.

In July of 1963 the first, preliminary version of the standard was written. During the next 2 years industry committees met frequently, considering new information and conducting public hearings so that all viewpoints could be aired.

In May of 1965, after west coast producers had already mapped out the form the standard would take, producers from the South, which had only recently begun to produce plywood, asked to join forces in writing a standard that would take in all species and all regions. By July of that year, after more public hearings, a draft that included the southern pines was mailed to all producers and many other interested parties for comment.

After more hearings, and more changes, the industry was polled in August of 1965 and 90 percent of the producers approved of this version, which then was submitted to the Department of Commerce for processing.

This processing took a year, in this case, partly because the procedures were getting their first workout and everyone, from the Secretary of Commerce down, was determined that they would be scrupulously observed. This processing included reviews by Government agencies, a technical review by the U.S. Forest Service, and final scrutiny by a review committee that included some producers but was composed principally of distributors and users. When approval of this committee was obtained, the standard was circulated for a review, the results of which were mentioned earlier.

The fact that consumers accepted the standard even more overwhelmingly than the producers indicates that voluntary standardization is a useful tool in settling some of the problems that now confront us in providing adequate consumer information.

This is not the end of the processing, however.

Once the standard takes effect, neither the industry nor the consumer is saddled with it permanently. It can be changed at any time, following the same procedures.

However, the procedures go even further.

They provide for keeping the standard up to date through the appointment of a representative standing committee whose responsibilities include, first, interpretation of the standard's requirements and, second, responsibility for recognition of new data and technical developments in revision of the standard.

Mr. President, this Congress has been greatly concerned with matters involving standards that affect consumers and in some cases has had to legislate these standards. It may be that future Congresses will have to maintain this concern. But industry has an easy choice to make, and a set of fair and equitable procedures if it chooses to follow the example of the plywood industry.

The headquarters of the American Plywood Association are in Tacoma, in my State, and I followed the development of this standard with a great deal of interest. It is an example for industry everywhere.

COOPERATIVE FEDERALISM: INTERGOVERNMENTAL FISCAL ASPECTS

Mr. MUSKIE. Mr. President, it takes no great amount of research to discover that State and local governments—even with the aid of Federal grant-in-aid programs—are having difficulty providing the vast array of services that today's citizens demand. Any Governor, mayor, county official, or State legislator is painfully aware of the rapidly growing costs of government. Yet these State and local officials are equally aware of the political peril involved in laying a heavier burden on property owners, or of tapping new tax resources to pay for increased services. They also know there are limits to what the Federal Government can do to solve their problems. The frustrations that grow out of this dilemma have revived old myths and given rise to some new ones. And, to a large extent, State and local leaders have found it easier to blink at some of the harsher fiscal facts of the day.

Dr. David Walker, who is staff director of the Subcommittee on Intergovernmental Relations, recently addressed the National Association of State Budget Officers in Honolulu. In a program for State and local action, Dr. Walker outlined four areas which are designed to help these jurisdictions realize their fullest potential. He also calls on the Federal Government to carry out its responsibilities in this partnership.

Mr. President, I believe Dr. Walker's address is an important summary of federalism's unfinished fiscal business, and I commend it to the attention of every Senator. I ask unanimous consent that it be printed at this point in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

COOPERATIVE FEDERALISM: INTERGOVERNMENTAL FISCAL ASPECTS

(Address by Dr. David B. Walker, staff director, Senate Subcommittee on Intergovernmental Relations, before the annual meeting of the National Association of State Budget Officers, Honolulu, Hawaii, September 7, 1966)

There is real and growing anxiety in the Congress, in the Administration, and, I believe, in the country, about the capacity of our federal system to meet the demand for greater governmental services—now and in the years ahead. The federal system—that amazing invention of 179 years ago—which has sought to balance political power and responsibility between the three levels of government, is now undergoing its greatest test since the Depression. The demands of an impatient citizenry are beginning to spill over in public tension and impatience. People want action from their government—better education, housing, mass transit; more job training, welfare assistance, health programs; better crime prevention, pollution control, auto safety; and equal rights and opportunities to live and provide for their families.

These demands go to the heart of our federal system. We no longer should be distracted by the traditional dialogues of "home rule" versus State power, or States' rights versus Federal power. The everyday problems of public development and services—from sewage treatment to higher education—are national in scope and require a combined governmental effort.

A "NEW FEDERALISM"; ITS PURPOSE AND PROBLEMS

That is why more and more legislative and administrative leaders talk of the need for a "new federalism"—one that will provide a working partnership between the Federal Government and the States and localities, one that will combine and coordinate their resources and achieve more orderly, more effective public improvements. This has been called "cooperative federalism," "creative federalism," even "dynamic federalism," but it all adds up to the same thing: better government at all levels through modern management techniques, more competent manpower, and more money.

In short, the old saw that a government governs best which governs least is a myth that disappeared with the old frontier. With the new urban frontier, with 80 percent of an expected 225 million population crowding into our urban areas by 1975, there is only one direction ahead—energetic government, professionally administered, effectively planned, and substantially funded.

Recently, the Subcommittee on Intergovernmental Relations, which I serve, completed an "in depth" survey of Federal, State, and local officials to find out where the problem areas were. We contacted hundreds of Federal middle-management administrators, State executives, county officers, mayors, and other city officials. What we found was a disturbing picture of tension and conflict among Federal administrators and their State and local counterparts. We found serious duplication and overlapping of program effort at all levels; a built-in hostility toward coordination and comprehensive planning; a notable lack of quality, experience, and imagination among many State and local administrators; and a profound unawareness among various Federal aid officials of the dynamic changes and difficult problems at the State and local levels.

THE DEMAND FOR DOLLARS

One of the loudest complaints from all sectors was the lack of money to adequately fund public development programs. And it is this subject—the matter of money in a cooperative federal system—that I want to discuss this morning. There is little doubt in my mind that, in the months and years ahead, it will be one of the toughest issues facing the Congress, the Administration, the States and their localities.

Most of us now recognize that we just cannot have good government unless we pay for it—in brick and mortar for public facilities, in modern equipment, in research and development, and in adequate salaries for good administrators. But the disturbing and ironic fact is that, at the height of our Nation's prosperity, when income and profits are soaring, many State and local governments are in financial trouble. We have developed a military and scientific capability second to no other nation in the world. We are spending billions in record-making strides to conquer outer space. We have pushed our national income to beyond the $730 billion mark.

Why, then, in this era of affluence and tremendous productive effort, are State and local governments bumping along from one financial crisis to another? Why this crisis, when their record to date looks so impressive? Why this fiscal desperation, when State and local governments are expected to collect over $85 billion this year—nearly double what they collected in 1956? Why the cry for help, when their combined expenditures have also doubled during the past decade? Why the chronic complaints, when these jurisdictions have been able to sustain an 8 to 9 percent annual increase in spending for nearly two decades? Why the worry, when State and local governments now account for nearly *three-quarters* of all civil government expenditures and for more than *four-fifths* of all governmental personnel engaged in such efforts? Why a dollar gap, when Federal aid to these governments is 14 times what it was 20 years ago?

THE IRONIES OF FISCAL FEDERALISM

Why, indeed? To explain this dollar gap—and there is one—we must come to grips with such ironies of contemporary federalism as these:

While achieving a greater concentration of people, problems and even peril in our urban areas, we simultaneously build higher economic, social, and legal walls between the fragmented units composing our 230-odd single metropolitan communities.

While preferring governmental institutions that are popularly elected and popularly controlled, we have created thousands of quasi-autonomous special districts—with taxing authority—that lack these democratic traits.

While endorsing the ideal and benefits of a national common market, we tolerate and even encourage continuing intrastate and interstate raiding of one another's businesses.

While assigning the States the power to determine all local authority, we have permitted many States to ignore the legal, fiscal, and administrative hardships of their own localities.

While creating the greatest sources of the Nation's wealth in our metropolitan areas, we have allowed the greatest poverty pockets to develop in these same metropolitan areas.

While cutting Federal income tax rates, we hike regressive consumer and discriminatory property taxes at the State and local levels.

While promulgating a national policy of achieving more balanced economic and social growth, we have incorporated explicit equalization provisions in only half our Federal grant-in-aid programs.

And finally, while discussing the role of national economic policy for more than a generation, we have yet to develop even the statistical means of gauging accurately the geographic distribution—not to mention the impact—of Federal domestic spending.

These are some of the ironies that characterize intergovernmental fiscal relations. These are some of the conditions that have created the dollar shortage at the State and local levels. These are some of the basic reasons why many citizens feel that the job of government is not being done well; some would say, badly. And these are some of the factors explaining why more and more people question the capability of our federal system to meet present and prospective public needs.

A FOUR POINT STATE-LOCAL ACTION PROGRAM

What can be done? The first thing we can do is to recognize our potential capacity to finance all our governmental needs. With an economy producing at a rate of $730 billion annually, with forecasts that it will reach $1 trillion by 1976, none of us should doubt that the dollars are there. We also should recognize the remarkable capacity of American federalism to adjust to the crises of the past, which suggests that we ought to be able to devise ways of funding these necessary governmental programs without scrapping the traditional principles of this system. So, the real question facing us *is:* Do we have the courage and the creativity to modernize the traditional fiscal arrangements and come up with a constructive joint-action program? What would such a program involve?

First, State and local governments should mount a combined attack on improving the administration of the property tax, which provides 87 percent of local revenues and now has reached $25 billion annually. No doubt you have heard this proposal many times, but I have yet to see much real action on the property tax front. Competent studies show that local governments are losing millions of dollars a year from ineffective administration of this tax. Loopholes, special exemptions, and unreasonably low assessments are a continuing source of public resentment and distrust. Moreover, there is still no widespread recognition that assessors and collectors should be professionally trained and adequately protected against overt political and special interest pressures.

Adherents of the "layer cake" theory of federalism still think these are local problems. But, as Hawaii has demonstrated, the States have a basic responsibility here: to set standards, to provide adequate supervision and training for local administrators, and to require a fair and effective property tax effort. They must scrap the outdated separation-of-revenue idea. They must recognize the relationship between effective and equitable property tax administration and the distribution of State aid to the localities. Here, then, is a major test of political statesmanship, but one that can only be met at the State and local levels.

Second, while improved property tax laws and administration will have a salutary influence on public confidence and public treasuries, more is needed. The States will have to shift more of the public service burden off the backs of the local property tax to their own broad-based taxing powers. There are hundreds of local jurisdictions which, even with effective property taxation, cannot marshal the necessary revenues to help the poor, the aged, the uneducated, and to rebuild their communities. The problems of these localities are the problems of the States.

If income and sales taxes, however politically unpopular, are the fairest ways to tap a State's economy for its share of meeting these public problems, they must be utilized. A little less than a third of the States still have no income tax at all; another third have an "anemic income tax," as Vice President Humphrey recently put it; and only the remaining third have made reasonably effective use of it. Yet this levy is the last major source of untapped State revenue; it has unusual revenue growth potential; and it possesses significant advantages from the standpoint of tax fairness. This, clearly, is another major test of political courage; and again it is a test for the States to meet.

Third, in 15 States, changes should be made in constitutions that prohibit local communities from investing their idle cash balances. This anachronism costs these localities an estimated $100 million a year in lost interest. The restriction made a lot of sense when irresponsible local governments were the rule, not the exception; but it makes no sense today when the reverse is the case.

Fourth, State and local governments should curb the senseless fragmentation of local government, and end the proliferation of special authorities—with their independent taxing and financing powers and their separate methods of applying tax funds for public services. These special authorities—and school districts are not included here—increased by more than 40 percent between 1952 and 1962, and have now reached the 20,000 mark. When school districts and general units of local government are added to these special authorities, we come up with a grand total of more than 92,000 units of local government. Very few of these units are large enough—in population, area, or taxable resources—to mount an effective attack on pressing public problems. Less than one percent of the 92,000 have a population of over 100,000.

A greater problem, however, is the conflict of function and the divided authority that this mushrooming of local governments produces. Tax loads are uneven, and effective tax administration is impaired. Areas of affluence and superior governmental services lie alongside areas of poverty and marginal governmental efforts. The economies of size and scale are rarely achieved, and the policy-making mechanisms—even in the larger units—are undermined.

Equally significant, this proliferation of local jurisdictions has made it impossible to achieve a meaningful answer to the ultimate question in a democratic society: who's in charge here? With the diffusion of administrative and political authority, popular control has eroded. The local voter becomes confused and loses interest in those governmental activities closest to him. On the average, less than 30 percent of our voters go to the polls in city elections, while over 60 percent vote in Presidential contests. Special district elections attract even smaller turnouts.

More than anything else, this spawning of functional authorities has impaired the effective utilization of local fiscal resources. As one economist put it: "The fiscal problems of local governments are political and institutional, not economic." Here again, the States must exert the leadership that they alone constitutionally possess, and initiate meaningful statutory and constitutional reforms. The Committee for Economic Development, in a recent report, estimates that local governments can be reduced 80 percent while preserving the effectiveness of local popular control. To the greatest possible extent, powers over central services should be transferred to general purpose units of government, whose boundaries reflect appropriate social and economic unities of the community. Short of this, more States should liberalize their annexation laws, authorize across-the-board interlocal contracting and joint enterprises, and enact stricter municipal incorporation laws. Clearly, political ingenuity as well as political boldness will be needed to cut through this jurisdictional jungle.

WHAT FEDERAL ROLE?

State and local action on these four fronts would go far toward alleviating their fiscal plight. It would place these jurisdictions in a position where more of their revenue would come from sources that grow at the same rate as the gross national product. It would provide a more rational structuring of local finances. It would automatically lower—but not eliminate—the estimated $15 billion deficit in State and local budgets that is predicted for 1971 if spending continues at the present rate. But I spoke earlier of a joint-action program to meet this dollar gap at the State and local levels. This means the Federal Government must also make its contribution; must demonstrate its courage and creativity; must, in short, play an effective fiscal role as the most affluent partner in the "new federalism" of the 'sixties.

Governors, State legislators, county officials, and mayors are understandably worried about the fiscal plight of their respective jurisdictions. They see the need for additional increases in State and local taxes. They know all too well the political peril of seeking these increases. They are uneasy about pushing their governments further into the red—with State and local indebtedness now over the $100 billion mark. And they are chilled by appeals for a bold show of political courage and inventiveness to surmount this crisis.

Plagued with financial and political frustrations, more and more State and local leaders have turned to the national government, with its greater ability to tap revenue sources, its greater freedom to use them, its better system of revenue collection. They have sought a greater role in national fiscal policy and have produced a panorama of proposals to accomplish this end.

Some want to reduce further the Federal income tax, so that State and local governments can absorb the reduction in their own tax packages. Some ignore the experience of the Eisenhower Administration and urge the reassignment of specific Federal taxes and certain grant-in-aid responsibilities to the States. Some join Barry Goldwater and call for a return to the States of a proportion of Federal income tax collections originating in each State. Some—like Walter Heller—advocate a broad form of block grants to be distributed to the States on the basis of population—with few or no strings attached. Some agree with the Advisory Commission on Intergovernmental Relations and favor State (or local) income tax credits against the Federal income tax.

But all of these proposals ignore Vietnam; all assume a Federal budget surplus; most fail to come to grips with the equalization question; some imply a reduction or scrapping of the existing grants-in-aid; and others ignore the fiscal implications of many recently enacted Federal aid programs. These are realities with which policymakers must reckon, however, and schemes that slide around these facts of Federal fiscal life are faulty.

ONE FEDERAL RESPONSE: BETTER MANAGEMENT

As I see it, there is a problem here of putting first things first. Initially we should focus our attention on that major force in intergovernmental relations, the grant-in-aid system, on what can be done to strengthen its administration, and on what is needed to make it a better means for fiscal collaboration between the different governmental levels. It has been the major factor reshaping Federal-State-local relationships in this century. Moreover, all available evidence indicates that the grant-in-aid system will continue to be the dominant fact of intergovernmental finances.

The President's budget for fiscal 1967 calls for an outlay of $14.6 billion for grant programs, to be administered by 13 different departments. The Intergovernmental Relations Subcommittee's Catalog of Federal Aids to State and Local Governments and its two supplements identify 162 general categories of Federal assistance to these jurisdictions that are funded under 399 separate appropriations. During the first session of the 89th Congress alone, 27 new program categories were enacted. And during the last decade, Federal aid to State and local governments more than tripled, while State and local expenditures more than doubled. We have reached the point where total Federal expenditures for grants-in-aid for this fiscal year stand at 11 percent of the total Federal budget, 23 percent of total Federal domestic expenditures, and 15 percent of State and local revenues.

Dollar-conscious State and local officials, then, should turn first to the dynamics of these 162 grants-in-aid, for they are the sinews of today's intergovernmental financial system. With a loud, clear voice, such officials should call attention to the extraordinary number and variety of these programs, and the difficulties being encountered at every level in avoiding overlapping and duplication. They should cite—as they did in the Subcommittee's survey "The Federal System As Seen by State and Local Officials"—the increasing problems of manageability, coordination, and fragmentation that combine to undermine the effectiveness of this grant system. They should call for improved administration of these programs both at the Washington and field service levels. They should call for an end to the bureaucratic bickering and jealousy that impede effective coordination and administration of these grants. Tney should be specific and demand elimination of a situation where four Federal agencies administer water and sewerage grants. They should call for the end of an administrative setup where no one Federal unit can speak with authority with respect to all of these grant programs. They should call for a change in the attitude of Federal administrators who fail to appreciate the manpower, management, and money problems at State and local levels. In short, they initially should focus their attention on the existing fiscal and administrative relationships between the levels of government; and this means focusing on the real problems that confront us in the grant-in-aid field.

The grant device today stands as the foremost symbol of the "new federalism" that characterizes our era. It needs to be strengthened and improved, as I have just indicated. But, for a moment, let us ponder its virtues, not its defects. The categorical grant is a technique, tested for more than three-quarters of a century, for achieving a national solution to what essentially is a Federal problem. It is a practical, politically feasible, and traditional mechanism. It has encouraged States and localities—by the stimulus of available Federal matching funds—to initiate or expand public services which Congress finds to be in the public welfare. It has helped poorer States and hard-pressed local governments to achieve minimum standards in the performance of important public services which otherwise would not be financed from their own resources. It has encouraged States and localities to increase their own revenue-raising efforts, even during periods when these jurisdictions were mesmerized by the myth that little government was the ideal role for 20th-century government.

In recent years, the grant-in-aid has been called upon to cope with widespread and almost revolutionary changes occurring in both rural and urban America. It has been called upon to meet the crisis created by the addition annually of three million to our population. It has been called upon to help finance improved services for an affluent public whose expectations concerning governmental services are greater than ever before. It has been called upon to achieve all of these things while carping conservatives continue to describe it as a means for extending Federal control and for expanding the Federal bureaucracy, and while certain unthinking liberals have viewed it as a means of achieving a uniform national policy. But the grant-in-aid is neither of these things, since it always involves joint effort, joint personnel, and joint financing to achieve a common objective. Much of the confusion about grants-in-aid would disappear if more people recognized that these are its essential traits.

What can Congress and the Administration do to strengthen and upgrade this device for fiscal collaboration? They should do many things, as my earlier catalog of criticisms implied:

They should simplify and make more uniform the standards and procedures governing the disbursement of grant funds to the States, as S. 561, the Intergovernmental Cooperation Act, proposes.

They should make more information concerning grants available to State officials, as S. 561 provides.

They should authorize payment of funds to the State treasurer unless the State designates another agency to receive the grants, as S. 561 permits.

They should end the outdated practice of requiring separate accounts for grant funds, as S. 561 authorizes.

They should apply across the board the principle that grant monies should not be advanced to a State for longer periods than is necessary prior to their use, as S. 561 stipulates.

They should authorize Federal agencies to waive the single-agency requirement so that States could more easily reorganize their governmental structure, as S. 561 permits.

They should authorize Federal agencies and departments to render technical and other specialized assistance to State and local governments on a reimbursable basis, as this Intergovernmental Cooperation Act provides.

In addition to enacting S. 561, Congress and the Administration should assess the failure of more than half the existing grant-in-aid programs to contain explicit equalization provisions, in recognition of the fact that there are still significant differences in the fiscal ability of States to support these programs. They should assess the rapid growth of project grants in recent years, and consider the many questions that are raised by the greater discretion Federal administrators possess under these grants. They should examine the limited transfer device as a means of providing greater flexibility in the operation of certain categories of grants—wherein a governor, county executive, or mayor, for example, could transfer up to one-third of the funds in one program to another in the same general category.

Congress and the Executive branch must ponder ways of tightening up the Federal management of these programs and recognize that State and local dollars as well as Federal grant-in-aid dollars are involved in the overall question of putting the Federal house in order. In this area:

They should weigh the possibility of establishing Federal coordinators in State capitals for the benefit of State planners and officials;

They should probe the possibility of establishing a one-stop shopping center, on a metropolitan basis, so that local officials and others can get up-to-date program and fiscal information, government publications, statistical data, administrative counseling, and data processing services for all grant-in-aid programs;

They should strive to establish regional offices for all grant-in-aid departments—with standard geographical boundaries, and with regional directors representing the Secretary or agency chief in the area, and serving as a source of important information to their respective Secretaries, the Bureau of the Budget, and the President with respect to interlevel problems;

They should examine the possibility of establishing a deputy undersecretary or his equivalent, at the departmental or agency level, who would have the full-time responsibility for coordinating grant-in-aid programs on the departmental, interdepartmental, and intergovernmental basis, and to work with the head of the department and the Executive Office of the President in formulating coordination guidelines, and in identifying the more serious management problems relating to grants falling under their respective jurisdictions;

They should come to grips with the paramount need to strengthen the Bureau of the Budget in its management and reorganization role, and to provide a strong mechanism within Budget for applying the new program-planning-budgeting techniques to existing and projected grant-in-aid programs;

They should weigh the need for designating a full-time Special Assistant to the President for program coordination and intergovernmental relations, who would keep abreast of interdepartmental and interlevel conflicts and assist the President in solving them; and

They should consider Senator EDMUND S. MUSKIE's proposal contained in S. 3509 to establish a National Intergovernmental Affairs Council to serve as a permanent operating mechanism in the Executive Office of the President for curbing interagency conflict and establishing better working relationships with State and local leaders.

All of these better management proposals have been espoused by Senator MUSKIE, and some of them by others, including members of two Presidential task forces. They constitute an attempt to develop a modern system of management for our radically transformed system of modern federalism. They recognize the critical problems that Federal field management services now confront. They tacitly recognize that the 100-odd interdepartmental committees concerned with coordinating domestic programs have been ineffective. They recognize that the Cabinet is not an effective instrumentality for resolving interdepartmental conflict. They recognize that the White House Office is largely organized along functional, not intergovernmental, lines. They recognize that those new programs which focus on poverty, urban and rural areas, the aged, and the young, cut across the functional lines of the Federal departments and create special coordinating problems. Finally, they recognize that the President needs administrative help, and that State and local officials cannot make effective use of grant-in-aid dollars, if the management muddle at the Federal level persists.

These are some of the things that Congress and the Administration can do to improve and perfect grant-in-aid operations. Some dismiss these proposals as mere procedures for better public administration. But, as I see it, better management today is at least half the solution to the problem of getting additional money more efficiently, more simply, and more speedily to the levels of government on the firing line. Unfortunately, the management problem is difficult to dramatize, but dramatize it we must if we hope to adapt our traditional intergovernmental relationships to the domestic needs of the '60's. State and local officials have as great a role in focusing on these questions as they have in pondering some of the more wishful ways of procuring additional money from the Federal treasury.

THE FEDERAL FISCAL ROLE

Improved property tax administration, greater investment of local idle cash balances, greater use of the States' broad-based tax powers, more effective curbing of governmental fragmentation at the local level, and more effective grant-in-aid management—these are five avenues of reform that will help to narrow the dollar gap facing State and local governments. But will courageous and creative action on all of these fronts close the gap? I doubt it. What additional responsibilities, then, should the national government assume to help surmount this crisis of fiscal federalism? Four items come to mind.

First—and foremost—grant-in-aid expenditures can and will expand. Present forecasts indicate that such appropriations will reach the $20 billion figure by 1970—with an additional $1.7 billion for institutions of higher education. When the fiscal implications of some recently-enacted legislation—especially the pollution control, education, poverty, and economic development programs—become more apparent, this forecast may well turn out to be much too conservative.

Second, the national government should adopt a full-fledged intergovernmental manpower program. Senator MUSKIE's measure, S. 3408, is the first bill to provide the broad outlines of such a program. Growing out of the Subcommittee on Intergovernmental Relations' finding that an adequate supply of competent personnel is one of the least recognized, but most critical, challenges now facing State and local governments, this legislation focuses on three troublesome aspects of the personnel problem. By extending merit system requirements to more grant-in-aid programs, by launching a program of assistance for improved State and local personnel management, and by establishing an in-service training grant-in-aid—primarily for administrative, professional, and technical employees—this proposal seeks to upgrade the administrative capabilities of the States and their localities. Their pressing need for more money, better management, and better manpower dictates the need for this measure. Hearings on this measure were completed in August.

Third, Congress and the Administration should launch a thorough survey of the distribution and impact of all domestic Federal spending. The Subcommittee on Intergovernmental Relations' study of this subject discovered that accurate information concerning the distribution of these outlays in certain categories is lacking at present. Equally significant, this study's tentative findings suggest that urban, technologically-advanced, and high per capita income States receive a proportionately higher share of defense and defense-related expenditures which, of course, are the lion's share of Federal spending. Low per capita income States, on the other hand, fare somewhat better in the grant-in-aid sector. These findings, it should be noted, are only tentative and require further testing in light of data not now available.

It seems redundant to assert that expert studies of this type are critically important if we are to develop a meaningful national economic policy—one which assures a balanced economic and regional development, one which relates Federal domestic program goals to those of State and local governments. No discussion of ways of increasing State and local revenues would be complete without a full and authoritative analysis of the components of Federal spending, their geographical distribution, and their impact on State and local economic development and revenue sources. The new planning-programming-budgeting tools now being explored by the Bureau of the Budget and by various Federal line agencies will not live up to their full expectations if this paramount conditioner of intergovernmental finances is not carefully gauged and clearly understood.

Finally—for the great debate that will be upon us once we produce a Federal budget surplus—we need balanced surveys of additional ways the Federal Government can share its largesse. Such surveys ought to be conducted by organizations exposed to the interplay of all the pluralistic forces composing our federal system. The Advisory Commission on Intergovernmental Relations is such an organization; and the ACIR now is in the midst of just such a study. Individual economists and other groups—most notably the Governors' Conference, the Republican Coordinating Committee, and soon the Committee on Economic Development—have advanced their own analyses and answers to this problem. But I have yet to see any proposals that adequately answer these four questions:

(1) Are the unequal fiscal capabilities of the States and of localities within the States recognized?

(2) Is the uneven tax effort of these various jurisdictions considered?

(3) Do the advantages of the proposal outweigh those of expanding the traditional grant-in-aid system?

(4) Is the impact of total Federal spending—not simply that in the grant-in-aid sector—assessed?

Answers to these queries must be produced if a meaningful, politically viable revenue-sharing proposal is to be developed. And all of us have a responsibility to develop such answers.

CONCLUSION

Meanwhile, these are the matters at hand: the matter of property taxes; the matter of idle cash balances; the matter of broad-based State taxes; the matter of fragmented local governments; the matter of the management muddle at the Federal level; the matter of State and local manpower needs; the matter of more conditional grant-in-aid funds; and the matter of the geographic imbalance in present domestic Federal spending. These are the items on federalism's immediate agenda of unfinished business. They will require considerable courage and creativity on the part of officials at all levels—from the President on down to First Selectmen. But face them we must if ours is to be a genuinely cooperative federal system.

MEXICAN-AMERICAN RELATIONS DEMAND STATE DEPARTMENT REVIEW

Mr. FANNIN. Mr. President, as one who has long had a keen interest in our relations with our sister republic to the south, I am greatly disturbed by the deterioration in what had until recently been a warm and friendly climate between our two countries.

I am especially concerned over the breakdown in the cooperative spirit and attitude between my State of Arizona and our Mexican neighbor, the State of Sonora. Until recent times, officials of both States had worked diligently over the years to improve mutual understanding and develop new avenues of joint participation in achieving desirable goals. One tangible outgrowth of this effort, I am pleased to note, was initiated during the period I was privileged to serve as Governor of Arizona.

The Arizona-Sonora West Coast Trade Commission was launched in those years and had been rapidly developing into an effective vehicle for mutual progress. The experience of representing the Senate last year at the interparliamentary group meeting with Mexico afforded me another opportunity to observe first-hand some of the beneficial results of what we had worked together so hard to construct at the State level.

For these reasons it is very distressing to learn that this bright outlook has now grown cloudy. Good evidence of this was provided recently by Hon. Luis Encinas, Governor of Sonora, in his fifth annual address to his legislature.

As reported in a dispatch printed in the Phoenix, Ariz., Republic on October 14, Governor Encinas called attention to the severe economic hardships to communities on both sides of the border which have resulted from the restrictions imposed last year on the amount of duty-free purchases which our citizens make in Mexico.

He also noted that many officials of both countries have recommended a reciprocal treaty, and I am aware that many Senators strongly opposed the restrictive action Congress took last year.

In the light of what has happened since then, I strongly urge the appropriate officials in our State Department to undertake an immediate review of our trade relations with Mexico and recommend action to correct the inequities which are contributing to the decline in good will between Mexico and the United States. I commend the report on the address by Governor Encinas and ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Encinas Decries Friction With United States

(By Juan Guillermo Gordon)

Hermosillo, Mexico.—Luis Encinas, governor of the Mexican state of Sonora, yesterday launched a bitter attack against the U.S. government and spoke of the rapid deterioration and former good relations with Arizona.

Encinas' remarks were made on the occasion of his fifth "informe," similar to the "State of the Union" address in the United States.

He spoke to the state legislature, other Mexican state governors, including Raul Sanchez Diaz, governor of Baja California, and high federal officials from Mexico City.

Encinas spoke out against the year-old U.S. restriction on the importation of liquor and the lowering of the amount of duty-free purchases which U.S. citizens may make in Mexico.

Speaking of serious damage to Sonora's economy, as well as to that of Mexico, Encinas said, "Our people do not understand the reasons why the tremendous and powerful country such as the United States should assume this attitude and create serious and very grave economic and human problems for a friendly and lesser country.

"I have been working continuously for improving the friendship between Arizona and Sonora. Now I see, with great pity, that relations between our States are rapidly deteriorating because of this situation.

"My people just do not understand why we are friends in words and not actions."

The speech drew tremendous applause from the audience in the state capitol.

However, U.S. Consul General A. John Cope Jr., who was seated in the diplomatic section, remained stoic and did not leave.

Encinas reviewed the background in reference to the restrictive prohibition of the U.S. law, and pointed out that numerous U.S. personalities, including U.S. Congressmen, as well as Mexicans had called for a reciprocal treaty between the two countries.

He also called attention to a meeting in Mexico City of President Johnson and Gustav Diaz Ordaz, president of Mexico.

"One year later, we have nothing," the governor said of the meeting.

His report, 127 pages long, showed almost unbelievable progress for the state.

He listed building of 1,149 new schools, a 40 per cent increase in paved highways, and construction of 1,136 miles of paved streets in rural cities as achievements in the past year.

Tourists expended $27,360,000 in the state last year, Encinas reported. This was an increase of 8.44 per cent over the previous year, he said.

Mexico's president was represented personally by a member of his cabinet, Francisco Alcala, who accepted Encinas' report and spoke lengthily in praise of Sonora's role in the Mexican economy.

THE CONTRIBUTIONS OF SENATOR ROBERT C. BYRD

Mr. SYMINGTON. Mr. President, as we all know, one of the most dedicated and hard working Members of this body is the able Senator from West Virginia.

Upon returning to the city yesterday I read an editorial in the Washington Star of October 18 which sums up in excellent fashion what many of us believe about the work of our colleague.

I also noted an editorial from the Washington Post of October 13, "Byrd's Bargain," which gives him proper credit for his service to the city of Washington.

Although I do not agree with him on such legislation as home rule, I want to join with those who commend him for the fine job he is doing for this city, his State, and the Nation. He is an outstanding Senator.

I ask unanimous consent that these two editorials be inserted at this point in the Record.

There being no objection, the editorials were ordered to be printed in the Record, as follows:

[From the Washington Post, Oct. 13, 1966]

Byrd's Bargain

The Senate has produced an excellent budget for the city of Washington, and the credit is owed entirely to Senator Robert C. Byrd of West Virginia. The disappointments in this budget were all preordained; the surprises are the massive new funds for education and the increases in welfare payments.

Senator Byrd keeps, in his own mind, a private bargain with the city. He vehemently opposes all civil rights legislation and particularly home rule. He is adamantly against relief for the families of unemployed parents in Washington. But he annually does more than anyone else in Congress for the city's schools. He is prepared to respond to the need for playground lights, and alcoholic clinics, and an efficient transit system. It is not quite the bargain that the city would voluntarily make with Congress but, one must candidly concede, it is very far from the worst of bargains.

The schools are entitled to an unquestioned priority in the budget, and Senator Byrd was entirely right to provide nearly all of the money for the teachers, the counselors, the librarians and the new classrooms that the Commissioners had requested. The increase in municipal payments for indigent patients mitigates one of the sharpest, and most unfair, pressures on the hospitals. The cost of living has been rising for people living on relief as for everyone else, and for the first time in nearly a decade the welfare budget will reflect that rise. The increase in foster home rates is not large enough, but it will be an important element in the city's effort to keep down the number of children in Junior Village.

Now Senator Byrd's budget must go to conference with the earlier version that was drafted by Congressman Natcher before the revenue bill was passed. Within the limits set by the new revenue levels, Senator Byrd's budget is generally a careful and perceptive allocation of funds. The city must hope that the conference follows its logic in the final compromise.

[From the Evening Star, Oct. 18, 1966]

New Halo

It is customary for senators, considering an appropriation bill, to thank the colleague who nursed the measure through long, tedious hearings. Senator Robert C. Byrd must have nearly collapsed with shock, however, at the praise which has been lavished during the last few days on his handling of the new District budget—not only within the Senate chamber, but without.

This is the man invariably depicted by our most liberal citizens as wearing horns, as a demagogue insensitive to the District's real needs. He has been the object of more direct, personal invective from the Washington community than any senator in memory.

The fact is, of course, that this year's Senate-approved budget—almost solely Byrd's handiwork—was a remarkable product, turned out in an extraordinarily brief time. The praise for its recognition of the city's needs, particularly regarding schools and welfare, is fully deserved. Every Washingtonian should be pleased that the Senate version has emerged substantially intact from a conference with the House.

This is also a good time, however, to recognize that Byrd's contribution to this city is not a one-shot deal. There are occasions when we, along with everyone else, wish he would keep quiet, or at least calm down, especially on the subject of the police and Washington's racial relations. His approach to most problems, moreover, once he decides on a course of action, leaves little room for compromise. But these things are part of the character of the man—a character which also has produced a depth of interest in District affairs, and a personal commitment to work for the city's well-being, as he sees it, which are unmatched in Congress.

If some other members who generally are on the other side of the fence from Byrd worked half as hard, or had convictions about the city half as strong, Washington would be better off.

THE ACTIVITY OF THE RIGHT-WING

Mr. McGEE. Mr. President, yesterday I invited the attention of the Senate to the widespread and intensive effort being made by the far right in this November's congressional, senatorial, and gubernatorial elections as reported in the newspaper column of Mr. Jack Anderson and Mr. Drew Pearson.

I referred to the danger of the American public lulling themselves into thinking that the rightwing and extremist groups evaporated following the 1964 presidential election.

Another report proving that this certainly is not the case is made by Mr. Pearson. I ask unanimous consent that his column, published in the Washington Post of today, October 19, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

The Washington Merry-Go-Round

(By Drew Pearson)

GOP NOMINEES LURE RIGHT-WING CASH

From all over the United States money has been pouring into certain key states and congressional districts to elect right-wing candidates to Congress and to high state positions. It's one of the most far-flung coordinated drives by the far right in recent history.

As one illustration, Ronald Reagan, the actor-candidate for Governor of California, is reported to be the recipient of $400,000 from outside the state.

The Republican Congressional Committee and the GOP Boosters Club are supplementing this money and seem to be concentrating on districts where liberal Democrats are running against right-wing Republicans.

Here are some of the key races and the candidates involved:

In Poughkeepsie, N.Y., Hamilton Fish III, the firebrand America-firster who served in Congress during World War II, has a son running in a hot race with Representative Joseph Resnick (D–N.Y.), who staged such a fight against the sugar lobby that the Sugar Law was revised.

Young Fish seems to be a chip off the old block with some of his proposals, though he denies he is like his father. He favors emasculating foreign aid and farm spending, and freezing the pay of Government workers.

A great admirer of Charles de Gaulle, Fish says we should stop "irritating" the tempestuous general, that President Johnson should go to France to confer with him. De Gaulle, according to Fish, has the stature of Eisenhower and Churchill.

"I am Ham Fish, IV," he announces proudly, boasting of American ancestry that dates back to the Revolution.

Representative Resnick replies that the Harvard-bred Fish is a "carpetbagger" in Poughkeepsie and exhibits the local phone book to show that the first time Fish was listed as a lawyer was in 1965.

WEST COAST BATTLE

In Los Angeles, ultra-right-wing candidate Robert Cline has received $10,000 from the Republican Congressional Committee as against only $1,000 so far received from Democratic sources by Representative James Corman, an ex-Marine who helped put the latest civil rights bill through the House and is receiving a white backlash as a result.

Cline has been endorsed by Kent Courtney's ultra-right "Freedom Press" and by "Human Events." He has consistently refused to repudiate the John Birch Society and has hired Lewis Uhler, former top aide to John Rousselot, national public relations officer of the Birch Society, to help manage his campaign.

Cline seems to have unlimited funds for billboards, literature, and TV time. Obviously he is tapping funds outside the generous $10,000 given him by the GOP Committee.

Meanwhile he is lambasting Representative Corman as a "Socialist" and a rubber stamp for LBJ, though the Congressman is a devout churchgoer and family man who has the sole care of his two children since Mrs. Corman died last May.

NEW YORK RIGHTWINGER

In Buffalo, N.Y., the right wing is backing former Congressman John Pillion, now making a frantic bid to recapture his old seat from young Representative Richard McCarthy, first-term Democrat, who has chalked up a constructive record, among other things for cleaning up Lake Erie pollution.

Pillion, during his many previous years in Congress, chalked up the following record:

Predicted in 1953 that "four Soviet agents would sit in the U.S. Senate if Hawaii and Alaska were admitted to the Union."

Flew to the Antarctic looking for live Communists under the treaty negotiated by President Eisenhower.

Introduced a resolution to abolish the State Department.

Failed to join former President Eisenhower and other Republicans in attending President Kennedy's funeral.

Voted against the Peace Corps in 1961.

Once declared in Congress that events are leading the United States to the "grim and desperate alternative of either: surrender, or a preventive, thermonuclear war."

At the German-American Day rally in Buffalo, most of the audience cheered Gov. Nelson Rockefeller. However, a young group from the John Birch Society heckled Rockefeller and cheered Pillion, whom Rocky has refused to endorse.

On the speakers' stand was Pillion's campaign foe, Democratic Representative Richard (Max) McCarthy. When McCarthy asked the demonstrators what they were doing there, "We're Pillion supporters," they chorused. "We're Conservatives against Rockefeller."

They admitted they were Birch Society members and that they were opposed to legislation to control interstate sales of firearms. Several said they had weapons at home.

"Well, after meeting you," commented McCarthy, "I'm all the more convinced of the need of firearms control."

FOUR-POINT WATER AND POWER PROGRAM

Mr. MOSS. Mr. President, what is the Nation's water and power agenda in the next decade? Senator Edward Kennedy marked out four items in a speech prepared for delivery to the Western States Water and Power Conference held in Billings, Mont., last month.

> We must begin to consider the effect of electric transmission on our total environment—

Senator Kennedy declared—

> Maximum use must be made of transmission rights-of-way so that land use and esthetic values can be preserved.

Consideration must be given to a "long-run program for REA cooperative financing," he told delegates to the meeting, but "the 2 percent loan program should continue to service cooperatives in the part of rural America that is still behind the pace of our economy."

We must take a total approach to our rivers, through multipurpose projects and in our pollution programs, he said.

And we should try to develop our natural resources through total planning of our environment, the Senator asserted, including establishment of a Federal Department of Natural Resources.

Because Senator Kennedy's remarks represent a keen analytical look at the past and a realistic, progressive examination of the future in the field of water and power, I wish to insert in the Record the text of his statement.

There being no objection, the speech was ordered to be printed in the Record, as follows:

Address by Senator Edward Kennedy Before the Western States Water and Power Consumer Conference, Billings, Mont., September 26, 1966

I am very happy to be with you tonight. The Organizations which sponsor this conference, and those of you who are here, have been the leaders in the sound and planned development of the resources of the West for the benefit of the people. I am proud to identify myself with that cause and I am proud to be here with all of you.

Our two sections of the country are thousands of miles apart. But when it comes to natural resources they are inter-dependent. We in the East learned in our blackout last fall something you have known for many years: That our power supply cannot be taken for granted. You may soon learn what we in the East have learned in recent years: that our water supply cannot be taken for granted and that the actions of man can create worse shortages and more hardships than the ravages of nature.

All of you are here because you believe in the future of the West. You have been willing to fight day in and day out, year in and year out, for the vigorous planned development of our resources, because you know that this is the best road for the American people. I want you to know that there are many of us in Congress from all parts of the country who want to work with you.

I am an Easterner. I am proud of the fact that the two Presidents of the United States who paved the way for development of the resources of the West were Theodore Roosevelt and Franklin Roosevelt, both from my part of the country. I am proud of the fact that my State of Massachusetts was the first to develop publicly owned municipal power systems 75 years ago. And as a Senator from an eastern state I am gratified by the work that westerners like Stewart Udall and Ken Holum have done for the projects we are interested in like the Cape Cod National Seashore and Dickey Dam. I am happy to be able to work with Frank Moss and Lee Metcalf and other western Senators on the projects in their part of the country because we all know that projects that make life better for some of our people will make life better for all of our people.

Six years ago President Kennedy came here to Billings and made a speech that was to become the resource program of his Administration. It was a tremendous change from the course that the country had taken in the 1950's.

And I think it would be useful tonight to review just what the Kennedy and Johnson Administrations have done to implement this program in the last six years.

President Kennedy promised to end the policy of no new starts and he made good on that promise. We have seen the authorization of the Garrison Diversion Project in North Dakota, the Frying Pan Arkansas Project in Colorado. We have seen the implementation of the Columbia River Treaty which has paved the way for construction of Libby Dam. We have seen a new power house authorized for Grand Coulee, and many more.

We in the northeast have also welcomed federal development in the power field through Congressional authorization of the first water resource development project ever begun in New England. This is the Dickey-Lincoln School Project which will give 800,000 kilowatts of low cost power—a public power yardstick—to a region whose rates are the highest in the country.

Just as important as new construction has been the new Federal participation in the grant system of electric grids. You in the West have seen the beginning of a Federal intertie between Bonneville, the central valley in California and the lower Colorado. We in the East have seen our private utilities begin to put this concept into action, by wheeling in power from Niagara and Canada to New England and New York. I am extremely hopeful that this will mean lower prices and more certain service for our people. And today New England's public utilities are engaged in an effort to secure a large block of Canadian hydro-electric power by constructing an extra high voltage interconnection between Canada and the United States through Vermont.

President Kennedy also pledged here in Billings that the men who guarded our natural resources in his Administration would put the public interest first. You can measure this performance by some of the officials here at your conference—Stewart Udall, Gene Foley, Ken Holum and Roland Renne. You can measure it by the records of men like Joseph Swidler, John Carver, Lee White, Howard Morgan and David Black. These men have a difficult job of reconciling conflicting interests. From where I sit in the United States Senate I feel they have served in the public interest and the cause of full development of our Nation's resources.

The President pledged to stop the attack from within the Government on R.E.A.—and to let the rural electric systems play their part in the power complex of the nation. This promise, too, was honored. The increase in funds for R.E.A. made possible modernization of distribution facilities and a better generation and transmission program. Your Basin Electric Plant in North Dakota is evidence of that progress.

President Kennedy pledged a stepped up fight against water pollution. This is not as great a problem yet in the west as it is in the East. Throughout our part of the country our rivers and streams are badly polluted. There is no fishing because the fish are all dead. There is no use of the water for recreation because of the danger to life and health. During the water shortage in the northeast last year billions of gallons flowed wasted to the sea because they could not be used for consumption. But we began a program in 1961 and I am happy to report that we have finally achieved realistic levels of Federal assistance to pollution control in the bill that will be passed this year.

Much then has been done since you met here six years ago. But much remains to be done. We have made a fine record but we cannot rest on it. We must go beyond the Billings speech to the new needs that have developed and the new challenges that lie ahead.

We must begin to consider the effect of electric transmission on our total environment. My part of the country greatly needs its open spaces. But they are being marred by large overhead transmission towers and high voltage power lines which damage 300 acres for every mile they travel. Lee Metcalf has suggested legislation to expand the jurisdiction of the Power Commission so that both giant steam generation and giant transmission must be certified. We can no longer consider electric transmission as the property of a single company. Maximum use must be made of transmission rights of way so that land use and aesthetic values can be preserved.

There is a need to consider a long run program for R.E.A. cooperative financing. There is legislation before Congress which would create a bank for cooperatives to insure a stable supply of funds. While I endorse this concept I think there are many cooperatives in sparsely populated areas or poor areas which could not afford the higher cost of money associated with such a bank. Before we go ahead with this program we should make sure that these cooperatives will have an adequate supply of low cost money. We should meet the needs of the prosperous cooperatives through a bank. But the 2% loan program should continue to service cooperatives in the part of rural America that is still behind the pace of our economy.

Third, we must take a total approach to our rivers, through multipurpose projects and in our pollution programs. There should be comprehensive planning and financial assistance by the Federal government aimed at an entire river basin. All the states involved should work with the Federal government to share the costs and plan the projects that will best do the job. That is why I support the Clean Rivers Bill of Senator Muskie and the concept of basin-wide development.

Fourth and finally, we should try to develop our natural resources through total planning of our environment. I would suggest that we establish a Federal Department of Natural Resources which would bring together those parts of the Interior Department, the Agriculture Department and the Department of Health, Education, and Welfare, now working on these problems. We have just recently established a Department of Housing and Urban Development to provide the comprehensive planning needed in our cities. Congress is considering a Department of Transportation to unite all forms of transportation into a national system as far as government regulation and assistance is concerned. It seems only logical, therefore, that we begin a comprehensive approach to natural resource development in line with this increase in effort to organize our Federal government according to function. Senator Moss and Senator Metcalf have made this proposal and I support it strongly.

The West is still a great and untapped land. Minerals in your mountains, power in your streams, the riches in your fields and forests can meet our country's needs for generations to come. They should not be wasted. They should not be turned over to monopoly but should be preserved for the people.

Within the last six years plants have been built in your western states to make products unknown ten years ago. Americans will walk on the moon and communicate with other countries because of what is done in Colorado and California and the other states of the west.

But none of these industries could be here without the lifeblood that water and power provide.

The full development of the resources of America is a task so vast it will keep us busy for generations. But the result will be worth the effort. Every dam we build, every acre we reclaim, every stream we clean, will be a legacy for our children and new strength for America.

PHILIP A. HART—AN EFFECTIVE SENATOR

Mr. NELSON. Mr. President, anyone who had an opportunity to know the chairman of the Subcommittee on Antitrust and Monopoly of the Committee on the Judiciary [Mr. Hart] is, of course, aware that he is a gentle man. We who work closely with him in the Senate are aware also that this gentleness and fairness should not be mistaken for weakness. We know from his work as chairman of that subcommittee, his leadership on the civil rights front, and his performance as assistant whip that he can be most tenacious—and effective.

Against this background, I was interested to come across a similar analysis in Modern Medicine, the journal of diagnosis and treatment.

Mr. President, I ask unanimous consent that an article entitled "Senator Hart Ready for Third Round With 'Businessmen' Doctors," published in the August 1, 1966, issue of Modern Medicine, be printed at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Washington Newsletter: Senator Hart Ready for Third Round With "Businessmen" Doctors

Senator Philip Hart (D., Mich.) is not yet a power on Capitol Hill but he is dogged and determined. The 53-year-old lawmaker is now in his second term and is relatively secure in his position. He has labor support but is wealthy himself and not one to frighten industry. He is a liberal but he doesn't worry the capitalists with whom he's on first-name terms. He is reflective, studious, and cautious in legislative matters.

Hart, who is chairman of the Senate antitrust and monopoly subcommittee, got his "truth in packaging" bill through the upper chamber by four years of intricate legislative struggle. To do so he had to concede to the manufacturers the power to self-regulation, subject to final government approval.

The manufacturers then supported the bill as the best they could hope for in the Senate. When it reached the House, they changed tactics and attempted to kill it. The end result is still in doubt. If Hart finally wins, it will be a substantial victory.

On another issue, Hart was completely frustrated by his own subcommittee. Under Kefauver it had issued subpoenas to the Pharmaceutical Manufacturers Association and a number of company executives in connection with drug sales in Latin America. Hart and his staff thought the drug makers were guilty of violating United States antitrust laws in their overseas activities.

Hart did not go down to defeat easily—he called 12 meetings of the subcommittee on the issue, but in the end he gave up, asking the Justice Department if it wanted to take over. So far, that department has taken no important action.

Hart also is struggling along with his "nolo contendre" legislation. Under present law, drug or other manufacturers who plead nolo contendre before start of an antitrust trial are virtually exempt from treble-damage civil suits by parties who might have been hurt financially by the monopoly. On this, the Senator has held many hearings but so far is getting nowhere, possibly because the problem is so complicated.

Senator Hart has another issue on which he had been frustrated but which he is tackling for the third time at hearings starting in mid-August. Essentially, the question is whether physicians and dentists should be allowed to make a profit on the drugs or other items they prescribe. Hart has a bill that would strictly prohibit profit making by physicians and dentists in this area.

Admitting that there are conditions under which physicians and dentists should be allowed to sell drugs and devices—particularly where the community is isolated and where these items are not readily available—Hart thinks the record of his hearings is evidence enough that these practices are widespread and are to the disadvantage of independent businesses and the consuming public.

Hart and his staff say that about 10% of the physicians in the country are involved, through directing patients to pharmacies they own, prescribing drugs supplied through drug repackaging plants they own, or, in the case of opthalmologists, sending patients to optical companies they own. Spokesmen for the American Medical Association and other professional groups say the figure might be 2% but couldn't be near 10%.

According to Hart, there are a few "bad spots" geographically, where dentists own the laboratories where they order dentures and bridgework. The senator admits, however, that this is not a widespread practice.

Hearings brought out evidence that in some cases physicians phone prescriptions to the pharmacies they own, allowing the patient no choice. In other cases, physicians have used pneumatic tubes from their offices to send the prescription to their own pharmacies. Doctor-owned drug plants, the hearings showed, have cut 50% or more into the drug sales of some independent pharmacies.

For the upcoming hearings, more evidence of the same nature is said to be available. Also, HART expects to have witnesses who will attempt to show these practices follow a nationwide pattern and are of the proportion to bring about prosecution under the antitrust laws.

With Congress hoping for an early September adjournment, there is no possibility of legislative action against these "businessmen" physicians and dentists this year. But HART won't be giving up. This problem is high on his list of "things to be done."

APPRAISING OUR POWER IN SOUTHEAST ASIA

Mr. HARTKE. Mr. President, after visiting Vietnam and adjacent areas, the noted radio news analyst and commentator, Edward P. Morgan, broadcast from Hong Kong one of his most scintillating commentaries on his observations in that part of the world.

Mr. Morgan observes that our vast power in the conflict of Vietnam "must not become the title fight for the military heavyweight championship of the world." But he finds that our massive military intervention is not in itself a guarantee of success, and points to the fact that there is "great danger" that the Vietnamese will be "overwhelmed by the force and thrust of our military power and at the same time alienated against the power of the ideas and institutions of an open society."

Mr. President, I ask that this broadcast commentary may appear in the CONGRESSIONAL RECORD.

There being no objection, the commentary was ordered to be printed in the RECORD, as follows:

EDWARD P. MORGAN AND THE NEWS

(Sponsored by the AFL–CIO, American Broadcasting Co. Radio Network)

HONG KONG, September 19, 1966.—Hong Kong is not only a haven of dazzling beauty away from the hideous face of war in Vietnam, it is a valuable position from which to up the periscope of perspective on our progress, if any, in the treacherous labyrinth of that struggle. There is almost no place the traveler can go in the Far East today without wincing with awe before the muscle of American power. At this moment seven warships of the Seventh Fleet including an aircraft carrier as big as a football stadium are riding at anchor in Hong Kong harbor while their crews take shore leave at Susie Wong's and other bars, bistros, tailor and souvenir shops in Wan Chai and Kowloon across the bay.

These great, grey vessels, the stars and stripes waving proudly from their sterns, are not just symbolic but active gun-ready reminders of the theme that U.S. officials, civilian and military, both in Asia and Washington, keep harping on incessantly in background briefings, namely, that we can bring to bear at almost any point in Vietnam at almost any time, fire power more witheringly intense than any capability we had or applied in any battle in any theatre in World War II. There can be no doubting of that awful capacity for punishment and destruction.

The question is whether such massive power is being used or can be with the skill, wisdom and restraint necessary for success in this intricate conflict, which is not and must not become the title fight for the military heavyweight championship of the world. It is, or should be rather, a surgical operation to amputate the fingers of terror and subversion festering with political gangrene and simultaneously attach artificial limbs of aid and protection so the patient can fend for himself, and thereby check the spread of infection to other parts of the heaving unharmonious body politic of Southeast Asia. Here, unfortunately, there is cavernous doubt about our progress.

Outwardly, the situation in Vietnam shows some rosy color of encouragement. Our military position is firm, the Viet Cong and their steadily expanding reinforcements from North Vietnam cannot dislodge us, though they can and will inflict bloody damage against individual concentrations of our strength. Aid supplies for the reconstruction of South Vietnam are now beginning to flow in the volume hungrily required. Despite guerrilla terror, more than four million South Vietnamese voters trooped dutifully, wearily, and somewhat skeptically to the polls a week ago to register a dogged desire, not for democracy which they literally know nothing about, but for some kind of government with a broader base that, they hope, would bring them some measure of peace and security which they have not had in more than a generation.

There is even a beguiling argument that our strong stand in Vietnam may be bringing some incipient stability against Communist encroachment in neighboring areas. One supposedly supporting example, Indonesia's strong, though brutal, and not necessarily permanent reversal, of a drift into Peking's magnetic field of influence. Thailand, without declaring it and daily fearing the consequences, has abandoned neutrality. She has aligned herself with U.S. policy aimed at "containing" Chinese expansion by allowing the construction and operation of massive American military bases on Thai soil which, such being diplomacy's game of charades, both Bangkok and Washington must pretend do not exist.

Only surface developments may crystallize into more permanent progress again, they may not. What we are doing today in Vietnam and around its fragile edges is less important than the effect of what we are doing now on the future. By this measure, the picture of progress may become treacherously deceptive. The South Vietnamese, supposedly the centerpiece of this immediate struggle, seem to be becoming incidental to it. They are in danger, great danger, of being overwhelmed by the force and thrust of our military power and at the same time alienated against the power of the ideas and institutions of an open society which is supposed to be what this struggle is all about.

A concerned American official with long and distinguished service in Asia put it to this correspondent in Saigon this way. Our military and economic intervention in Vietnam is massive. We already have in the country almost as many troops as there are in the regular South Vietnamese armed forces. In one way or another the U.S. supplies more than half the revenue in South Vietnam's 55 billion piaster budget which is more than 466 million dollars at the official rate of exchange. In addition, we are pouring 50 billion piasters a year into the country's dangerously inflated economy to pay for labor, food, ice, beer, girls and other items necessary to sustain our still growing commitment of military manpower. But we have not intervened sufficiently politically, he argues, to assure the wise expenditure of these funds, to eliminate, or at least minimize, graft and corruption to hasten reforms without which the people will not long support any government in Saigon. So he sees Washington, frustrated by slow progress in Vietnam and buffeted by political pressures at home, hugely escalating the war until Hanoi does sue for peace. But he sees us then failing to defeat the Communist insurgency which thus in 10 years will dominate the country anyway and American lives will have been lost for little or nothing.

This is admittedly a pessimistic minority view, but it must be kept in mind lest we escalate our strength beyond all need or reason. Indeed our commitment in Vietnam is already so strong that before we continue escalation we need to concentrate on intensification of our effort.

This is Edward P. Morgan saying good night from Hong Kong.

BOATING CAPITAL OF THE WORLD

Mr. MAGNUSON. Mr. President, Navy, the Magazine of Sea Power, in its September issue, reports on the strong Seattle Council of the Navy League of the United States, and its impressive role in Puget Sound marine activities.

As the article states, Seattle, with its 2,500 miles of adjacent and nearby shoreline, has more boats than any city of the Nation and gives constant recognition to the importance of sea power, highlighted this month by the observance of Navy Week.

Mr. President, I ask unanimous consent that the article on the Seattle Council of the Navy League of the United States be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

"Boating Capital of the World" is the distinctive name given Seattle, Washington, perhaps because of the 2,500 miles of shoreline within a weekend radius and more boats per person than any other United States city. Accordingly, the Seattle Council can't help being constantly involved with boats, ships and the Navy.

Much activity goes on in the Seattle-based Headquarters of the Thirteenth Naval District. As the Seattle Post Intelligencer has put it:

"Who cares when the hometown boys come home aboard the homeported ships? Seattle cares, and the Navy League has put together a Home Port Ship Committee to remind the men of our Navy and Coast Guard ships, 'Happy to have you aboard!' . . . When the USS *Sacramento* came home from the Western Pacific, it was the Home Port Ship Committee that provided coffee and sinkers on the dock." The committee also keeps in touch with the skipper to see if there is anything they can do for him or the crew or any of the families back home.

Sea Power is continually before the public and the Council in Seattle. "Know Your Navy" tours are conducted regularly to the many naval facilities in the Puget Sound area. A popular speakers bureau carries the message to local civic organizations in the area (Civic Organization Liaison Committees take note!)

Operation Highline has been promoted by the Council for four years and has enjoyed the full cooperation of the Commandant, the Chamber of Commerce and the Seattle Area Industrial Council.

The Top Deck Club, initiated in 1965, has stimulated interest in Council activities and provided a means to introduce and honor the Navy. Each month an informal cocktail party is held in a specially decorated room atop the Washington Athletic Club. The Commanding Officer of a local Naval installation is introduced and Council members are informed of activities of that command. Although Top Deck Club is open to all Navy Leaguers, those who become honorary members contribute financially to obtain uniforms for the United States Naval Sea Cadet Corps. In addition to the two Sea Cadet units, the Kearsarge Division and the Blue Angels Squadron, the Council sponsors the

USS *Brannon*, a Reserve destroyer homeported there.

Each year two outstanding events are sponsored by the Council: Navy Week in October and the Navy Ball during Seafair. Navy Week is devoted to public educational displays and activities, and is concluded with a joint Navy League-Chamber of Commerce luncheon. At last year's luncheon, Rear Admiral B. M. Strean, USN, Deputy Chief of Naval Personnel, addressed an audience of more than 500 on the subject of nuclear sea power. The Navy Ball—and a dance for enlisted men—is the culmination of a busy week of entertainment in honor of the visiting fleet.

Through the years the 550 members of the Council are kept well informed of the many activities by "Seattle Scuttlebutt," a tell-all publication, which won the first Donald M. Mackie Award for the best Council newsletter in 1964.

With an organization such as this, the Seattle Council, headed by Robert Banks, has to stay on top. Activities cover all facets of organizational work and committees are real—not just lists of names. Each member plays a vital role in spreading the story of sea power—our ultimate goal!

NATIONAL BUSINESS WOMEN'S WEEK

Mr. PROXMIRE. Mr. President, the third week of October marks the observance of National Business Women's Week. It is a genuine pleasure for me to salute the business and professional women of Wisconsin and those throughout the Nation on this occasion.

Business and professional women are playing an increasingly important role in our national economy and their contributions should be a source of pride to all Americans. Each year finds more and more women contributing to social, cultural, and political affairs outside the home.

We in the State of Wisconsin can look back on some of the famous women we have given to our Nation. I am thinking of Carrie Chapman Catt, who campaigned so vigorously and effectively for woman suffrage. She was born in Ripon, Wis.

Natives of Wisconsin who have won fame in the cultural field are such persons as poet Ella Wheeler Wilcox, born in Johnstown Center; novelist Zona Gale, who was born and spent most of her life in Portage; sculptor Helen Farnsworth Mears, born in Oshkosh.

A distinguished person born in another State but associated with Wisconsin is novelist Edna Ferber, who spent her youth in Appleton.

These women all contributed much to our Nation.

It should not be overlooked that National Business Women's Week is sponsored by the National Federation of Business and Professional Women's Clubs, Inc. We find BPW clubs in every congressional district in the United States, with over 3,750 local clubs under 53 State federations, including all 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands. There are approximately 177,600 members.

Founded in 1919, the objectives of the federation include the elevation of standards for women in business and the professions. It strives to promote the interests of business and professional women and to bring about a spirit of cooperation among them. Further, the federation extends opportunities to business and professional women through education along lines of industrial, scientific, and vocational activities.

It was many years ago that Julia Ward Howe said, and I quote:

> The professions indeed supply the keystone to the arch of woman's liberty.

Who would count today the number of women stenographers who record the words of our executives and public officials? Or the women lawyers who plead their cases before the courts of our land? Or the women architects with their blueprints, the chemists with their test tubes, the dentists, the women in arts and sciences, professions, trades and industry? They have become an expected pattern in the national fabric.

The first woman lawyer who wished to plead a case before the U.S. Supreme Court was forced to lobby a bill through House and Senate. The first woman stenographer for congressional committees was required to sign her name with initials only, lest her sex be detected. But the struggles of women to eventually triumph in our national life was not accomplished overnight.

So it is befitting that we dedicate this week to the business and professional women of America and honor them for their accomplishments and contributions to our national life.

PRESIDENT JOHNSON'S VISIT TO ASIA

Mr. McGEE. Mr. President, an editorial published in the Washington Evening Star of October 18, 1966, excellently assesses the Asian visit of President Johnson in its proper perspective.

As the Star points out, the many explanations—most of them critical—that have been expounded to rationalize President Johnson's decision to make this historic trip do not reflect much credit on their authors.

I certainly agree with the Star when it says:

"Until there is evidence to the contrary, it seem to us that Johnson should be credited with a more worthy purpose" than avoiding political campaigning or basking in Asian adulation.

I ask unanimous consent that the editorial be printed at this point in the Record.

There being no objection, the editorial was ordered to be printed in the Record, as follows:

> ### ASIAN JOURNEY
>
> Various explanations have been put forward to explain President Johnson's decision to attend the conference in Manila and to visit half a dozen friendly countries in that area. They do not reflect much credit on their authors.
>
> Some say the President is looking for a place to hide as November's political storm gathers in this country. The success of his recent barnstorming tours lends little credence to this. Others embrace the Fulbright theory that Johnson has gone to Manila to bask in the adulation of a collection of "client" states. And still others profess to think that the President is merely staging some kind of show.
>
> Until there is evidence to the contrary, it seems to us that Johnson should be credited with a more worthy purpose. As he said in Honolulu, no one should look for miracles in Manila. No new strategies for war or peace are in contemplation, and no rabbits will be pulled out of anyone's hat.
>
> Nevertheless, the time has come when the nations most directly concerned with the war in Viet Nam should be looking beyond the day, perhaps the not too distant day, when that struggle will be over. If so, the President is justified in his belief that a turning point has been reached in Asia's history, and it is not too soon to take a look at the problems which lie in wait around that turn.
>
> One of them, perhaps the principal one, is to start laying a foundation for collective action among those nations that will be most intimately involved in events of the next few years. High on the list is the matter of security in the face of the continuing threat from Peking. Time may show, however that this threat is less ominous than it seems today, and the President was well advised to hold the door open to Communist China's participation in, as opposed to domination of Asia's future.
>
> With or without China, there is much work to be done. It is hardly conceivable, once the shooting stops in Viet Nam, that the United States is going to turn its back on Asia. Like it or not, we will find ourselves deeply involved in the peaceful development of that part of the world. This presidential journey will have been worth while if it accomplishes nothing more than some preliminary understanding as to the new efforts that a hoped-for peace will require.

MARYLAND'S RECEDING SHORELINE

Mr. TYDINGS. Mr. President, each hour of each day, the relentless waves roll upon our shores; sometimes gently, sometimes violently, but always and unceasingly.

Bit by bit, wave action erodes away the land, like the hands of a clock, we do not see the shoreline moving. But after a suitable interval we can see it has changed.

Erosion is occurring at an alarming rate in parts of Maryland. Some waterfront farms, particularly those on Kent and Tilghman Islands in the Chesapeake Bay, are eroding at the alarming rate of 20 feet a year.

Earlier this session I introduced a bill to authorize the first comprehensive survey and plan for the protection of our coastline.

I was pleased to learn that the shore erosion subcommittee of the National Soil Conservation Association under the leadership of Maryland resident T. Walter Denny, is also working on legislation to deal with coastal erosion. They are holding a meeting later this month, and I look forward to their recommendations with interest.

Maryland's coastal erosion problem and Mr. Denny's activities to combat it, are well described in an article from the October 16 issue of "Maryland Living" by Don Dilworth. I ask unanimous consent that it be reprinted in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Whither the Shore's Shoreline?

(By Don Dilworth)

The Eastern Shore of Maryland may be sinking once again into the sea . . . not just like that, of course . . . several million years from now, possibly.

That's the consensus among Eastern Shore farmers who own waterfront property, and their opinions are verified to some degree by the Army Corps of Engineers and scientists at the University of Maryland. Some waterfront farms, principally those on Kent and Tilghman Islands in the Chesapeake Bay, are losing land to wave erosion and tidal action at the rate of 20 feet a year.

Throughout the entire Chesapeake Bay coastline, the rate of erosion is above 5 feet a year.

In many places, particularly on the offshore islands and on the thinly connected peninsulas, such as Tilghman Island or Kent Island, farmers who are approaching retirement age can keep their boats on the same spot where, as young men, they tilled a field of corn. It is not uncommon at all for an elderly farmer to reminisce how a particular shallow inlet was "not too long ago" a pasture, or the site of the family tool shed.

Clearly, unless something is done to change the pattern, it is merely a matter of time until the entire Eastern Shore follows the low lying islands to a watery grave.

Except for property owners on the affected Chesapeake islands (who are understandably alarmed) there is no reason for panic by Eastern Shore Marylanders. The flood waters, far from being imminent, will probably take another 10 million years to rise. Furthermore, when and if the inundation does come, it won't be the first time.

The Eastern Shore has had its ups and down throughout geological time, the most recent submergence taking place in the Miocene epoch, roughly 20 million years ago. Though it may sink again, it will probably eventually come out on top, even if it takes another 10 million years to settle accounts.

T. Walter Denny, owner of a 206-acre estate on Kent Island, is one of the persons directly affected by the rising waters, since it means a loss of 10 feet annually from his farm. Mr. Denny, like many of the Eastern Shore farmers, has not been content to fret over spilled land, but he has organized local landowners into soil conservation committees that work with state and federal authorities to gain funds and technical assistance for the construction of bulkheads to slow the erosion process, if not to entirely stop it.

Mr. Denny, a past president of Soil Conservation District Supervisors, is chairman of a national committee that is proposing a Shore Erosion Control Bill to be presented to Congress.

Mr. Denny says: "The land that we lose from the waterfront, it's gone. It never comes back. Lost forever."

Of course, some of it does come back, though most invariably it comes to property other than that from which it was taken. Statistics on new lands added to waterfront property by wave action and deposits of silt are considerably harder to come by than those about land decimation, and owners of property that is abuilding are a good bit less outspoken about the need for bulkheads than those that are losing land. Since bulkheads will not only retard deterioration of farms now being eroded, but may also shift the erosion action (which simply has to take place somewhere) to their own property, there may be some opposition to proposed legislation from waterfront owners themselves.

One of the agencies most directly responsible for waging the battle is Edgar Mohl's shore stabilization division of the bureau of Chesapeake Bay affairs. Mr. Mohl is chairman of the division. From his offices in Annapolis, the following figures on shore erosion in the Chesapeake Bay were available:

North of the Bay Bridge, on both sides of the bay, land is being lost at the rate of about 5 to 7 feet a year. Below the bridge, the rate varies from as much as 25 feet annually in exposed areas to only a few inches in protected spots. The overall rate, however, is somewhat higher than the shore in the upper bay. At Horseshoe Point, the rate is about 10 feet per year, and at Cove Point, in Calvert County it is disappearing at the rate of 5 to 9 feet a year, while St. Mary's County loses from 7 to 8 feet each year from its bay coastline.

It's that kind of emergency decision making that Eastern Shore farmers want to avoid by taking action now. By and large, good advice and technical assistance are presently available to interested individuals from several agencies, including state and federal government.

The General Assembly of Maryland enacted a law in 1964 to provide for creation of erosion control districts. It provides for state aid of up to 25 percent of the cost of a bulkheading project and county aid up to another 25 percent. That still leaves 50 percent for the property owner, and that means probable delay, even possible failure.

MONTGOMERY COUNTY SEDIMENT CONTROL PROGRAM

Mr. TYDINGS. Mr. President, two principal sources of soil erosion and resulting sediment pollution are road construction and residential construction. The President and Congress recently took action to insure better soil conservation practices in the construction of Federal highways.

Montgomery County, Md., is leading the State and the Nation in developing effective sediment controls upon subdivision developers. The county's program is a cooperative venture between developer and the county. The developer receives soil information and standards for erosion-control measures from the soil conservation district. When needed, the district furnishes technical assistance in planning satisfactory sediment-control measures. Before a construction permit is issued, the department of public works reviews the application for conformance with sediment control and other provisions of the subdivision plans. Once construction is begun, the soil conservation district assists the developer in establishing the planned sediment-control measures.

The Montgomery County program holds great promise and will, I trust, be studied and emulated by other counties which are experiencing rapid growth and development. I ask, Mr. President, that an article from the August issue of the Maryland Conservationist be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Sediment Control in Subdivisions

(By Edward R. Keil)

Sediment control during urbanization is a step nearer reality in Montgomery County, Maryland, due to the recent adoption of a Sediment Control Program. The action was triggered by the need for watershed protection in the fast developing Upper Rock Creek Watershed. The program is the result of several years of effort by soil conservation district supervisors, county officials, professional soil conservationists and others.

The Program is tailor-made to the county and was developed by a task force representing the agencies and groups involved. They include the County Government, the Maryland-National Capital Park and Planning Commission, the Montgomery Soil Conservation District, the Washington Suburban Sanitary Commission, the USDA—Soil Conservation Service, the Suburban Maryland Builders Association, and the Montgomery County Home Builders Association (latter two now combined). Though many groups were involved, there were plenty of problems to go around.

More than 150 new subdivisions being built each year caused sediment yields to reach over 2,300 tons per square mile per year. Agricultural watersheds in the same area of highly erosive soils produce between 200 and 400 tons per square mile each year.

The planners realized this needless loss, that was also a most unwelcome gain downstream, could be eliminated only through a thorough cooperative effort.

It meant that agencies involved in land development, as well as the public, must understand and appreciate control measures. With this as a prime consideration, the task force made numerous control recommendations. These included proven controls, such as keeping exposed land to a minimum, retaining as much natural vegetation as possible and planting temporary vegetation in exposed areas when necessary.

All the groups represented on the task force helped develop procedures for incorporating the sediment control measures in development plans.

As a result, during the pre-application stage, the developer becomes a Soil Conservation District cooperator and receives soils information and standards for erosion control measures.

Later, he submits his plans to the Park and Planning Commission and the Soil Conservation District. When needed, the District furnishes technical assistance in planning satisfactory sediment control measures.

Before a construction permit is issued, the Department of Public Works reviews the application for conformance with sediment control and other provisions of the subdivision plans.

Once construction is begun, the soil conservation district assists the developer in establishing the planned sediment control measures.

To assure the controls are a benefit and not a hindrance to sound conservation, representation of the agencies and the building industry meet periodically to evaluate and improve the program.

As an added aid to this, a cooperative research project has been set up on the North Branch of Rock Creek to measure run-off and sediment from the area as it develops. Sedimentation surveys and trap efficiency studies in the dam at the foot of this tributary will round out the project.

The success of the program in the first few subdivisions indicates it will augment the present Soil Conservation District program on the open lands of the County by providing benefits both in-county and to the Potomac River Basin.

ADDRESS OF THE VICE PRESIDENT TO THE JEWISH WAR VETERANS AT ATLANTIC CITY, N.J.

Mr. WILLIAMS of New Jersey. Mr. President, the increasing smallness of our world caused by modern technology has long been obvious to any observer of the technological revolution which is the hallmark of our age. Yet we are only beginning to realize the implications of this revolution for the formation of public policy; we are only beginning to understand the interdependence of the foreign and domestic policies of all nations.

Mr. President, in a recent speech given by Vice President HUBERT HUMPHREY before the Jewish War Veterans meeting in Atlantic City, N.J., the crucial interrelationships between our own foreign and domestic policies—our war on poverty at home and our efforts to erase poverty and hunger in southeast Asia—were ably presented by the Vice President. In this speech, he emphasized the burdens of responsibility which we Americans, as the most powerful people on earth today, must carry in our efforts to change what is wrong and make both our Nation and the world a better place to live. I ask unanimous consent that the speech be inserted in the RECORD.

There being no objection, the speech was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY TO THE JEWISH WAR VETERANS AT ATLANTIC CITY, N.J., AUGUST 25, 1966

It is my honor to meet today with men who have not only served their country in the past, but who also are concerned with responsible service to their country in the present and future.

You have made it your business to speak out and act on the issues facing us at home and in the world. And you have not been afraid to do so forthrightly and with honesty.

I was impressed by your sober statement of a few weeks ago, addressed to the debate in our country over Vietnam.

You strongly upheld the right of dissent—and rightly so. But you also asked that those who exercise that right "should debate the issue on its merits, and should not cry 'foul' when the debate becomes heated on both sides, so long as there are no acts of repression or retaliation."

We Americans are advocates. We speak our minds. Therefore, I think we should not be surprised that some of the debate concerning Vietnam policy has, from time to time, become heated.

What I believe to be most important is that those engaged in that debate should not impugn the motives of those with whom they disagree; and that they should get down to the hard realities of the situation and the available policy options.

What you rightly pointed out in your statement on Vietnam was that, in these perilous times, we cannot afford the luxury of irresponsibility—either in word, in policy, or in act.

We cannot afford irresponsibility at home, or in the world.

It was only a few years ago that we talked about foreign policy and domestic policy as if they were neatly compartmentalized and had nothing to do with each other.

"Foreign policy" was something carried on by the State Department at diplomatic receptions and in European drawing rooms. "Domestic policy" was something involving wages, the rate of unemployment, politicians and voters. Unless we were involved in war overseas—or contagious depression at home—the two seldom got mixed up together.

The time has long since passed when any nation could live isolated from its neighbors. The time has passed, too, when any nation could believe what happened inside its own borders was its own business, and nobody else's.

The violence in our city streets and the unfinished business of civil rights are just as much a part of our "foreign policy" as the plight of the developing countries and wars of national liberation are a part of our "domestic policy."

Deep at the heart of it all we must face these facts: There are conditions of poverty, hunger, ignorance and injustice in *all* parts of the world, including our own blessed land.

These conditions produce discontent. They produce disorder. They produce war.

We, of course, must have an order of priorities. Yet, within these priorities, we can no more ignore these conditions elsewhere than we can ignore them in our own American community.

Not ignoring the work at hand * * * not seeking refuge in nostalgia . . . not seizing on formula answers or simple solutions . . . not engaging in carping criticism without offering constructive alternatives—these are the hard and real necessities for us today as responsible world citizens.

I think there is a good case to be made that in the years since World War II, our nation *has* been a responsible nation.

At home, we have extended well-being, security and opportunity among our own citizens to a degree never matched before in any nation. In just the months since Lyndon Johnson became President, we have more than doubled, for instance, our national investments in health and education. We have undertaken a broad-scale national war on poverty. We have, through law and action, torn down barriers of discrimination and injustice that had existed in our society for more than a century.

And in the world, we have steadfastly followed the policy of the good neighbor. In the past 20 years we have provided some 120 billion dollars of assistance to others. This has included billions of dollars in food—without which millions of our fellow men would have starved. In the past 20 years our armed forces have suffered more than 165 thousand casualties on foreign soil.

And, during this time, we have not demanded one piece of anyone else's territory. Nor have we sought to subjugate any other nation.

I believe our policies of responsibility have been proved right. First of all, we are still alive in the Nuclear Year 21—and this alone is something for which all men may be thankful. But what is more, we are perhaps further today from the threat of nuclear war than at any time in the postwar years—not least because the Soviet Union has come to the realization that peaceful coexistence can be the only rational course in the nuclear age.

In a more positive sense, we have far more hope today than we did at the end of World War II that workable international organizations could develop and that, some day far ahead, there might lie a world under the peaceful rule of just law.

Nations today are working together for peaceful development on a scale unimagined only a few years ago—including dozens of new nations just emerging from their early days of self-concern.

And, in our own society, people who used to think themselves as natural antagonists are likewise working together for a larger prosperity, for better cities, for more rapid transportation, for cleaner air and water, for more equal opportunity.

These things have not happened by accident. They are not only the product of the times. They are the result of constructive and responsible leadership—a great deal of it provided by American Presidents of both political parties.

Yet, despite the lessons of two World Wars . . . despite the successes of the postwar period, I sense today a dangerous tendency in our own country toward not only the compartmentalization once more of "foreign" and "domestic" policies, but also toward retreat from responsibility.

Take foreign aid.

The expenditure for the first year of the Marshall Plan was about 2 per cent of our Gross National Product, and 11½ cents out of every tax dollar. This year—thanks to the growth of our American economy—our foreign aid request was for only .29 per cent of our GNP and about 1.9 per cent of the federal budget—that is, about two cents out of every tax dollar.

Yet, among those who would be the first to question a new military commitment overseas, there were voices raised—and they are still being raised—against our foreign aid request.

Why were they raised? What alternatives were proposed?

If there is a substitute for foreign aid, I would like to hear about it. The investment we make in foreign aid—in preventive medicine, if you will—is certainly less than that necessary to treat the symptoms of massive economic crisis and, yes, of war.

The Marshall Plan saved Western Europe and the peace. It created a great new economic market for us. But there is more: The revived nations of Western Europe have not only repaid their Marshall Plan debts, they have already provided more aid to developing countries than they ever received from us.

The rewards can be just as great tomorrow on other continents.

Yet, at a time when the gap between rich and poor in the world continues to widen . . . when nations critical to our national security are striving desperately to create modern societies in face of Communist pressure and subversion, we hear once more the old complaints about foreign aid. But what is more disturbing, they are being made by people who should know better.

Take our economy.

We have, over the past several years, experienced a creative burst of expression which has made the "American economic miracle" the envy of the world. Last year alone we increased our GNP by 47 billion dollars, increased our total personal income by 39 billion dollars, and increased our federal cash receipts by 8½ billion dollars.

And at the same time we have been reducing the federal deficit. Today, even with the costs of Vietnam, federal expenditures are at the lowest percentage of GNP—except for 1965—than at any other time since 1948.

Now, due in part to our rapid growth and reduction in unemployment, we face inflationary pressures.

I think all of us have reason for disappointment that, in this difficult period, a few of the people who rejoiced at yesterday's economic opportunity are rejecting today's necessity for self-discipline and restraint.

On the Administration's part, may I say that the President will use all the appropriate economic tools at hand to hold inflation in check, using each tool to the degree necessary. For we have far too great a stake in our economic achievement to see it diluted and destroyed by inflation.

I have faith that American industry and labor will exert self-discipline and look ahead to the larger public interest. But it disturbs me that a few would have missed the lesson we should know so well by now: That we are all in the same economic boat.

I have been concerned, too, with a new kind of isolationism.

Traditionally, many of the people who opposed our involvement in the world also opposed a greater involvement in our own society. An unconcern for poverty and oppression in the rest of the world was more often than not accompanied by a general insulation against the same things here at home.

But today I sense—and I am sure you do too—that a number of our citizens feel a deep and personal concern about what is wrong in our own country, but they do not feel an equal concern for the plight of others abroad.

There are many explanations for it.

Almost half our people were born during or after World War II, and they have no firsthand memory of the old isolationism.

Also, there have been many things happening at home to draw our attention here—the efforts of Negro Americans to lift themselves . . . our war on poverty . . . our national commitment to education . . . the new laws which have captured our imagination . . . yes, and the riots and disorders which have caused us to look at our cities and what is happening there.

The American people are aware today, as never before, of what is happening here at home. And they are willing to undertake positive measures to change what is wrong . . . to make even better what is right.

But I feel that some of them—under the influence of the new isolationism, or whatever you wish to call it—are falling back into the old thought patterns about "foreign policy" and "domestic policy" and handy little compartments for each.

Now let us get right down to specifics.

We are engaged today in an unparalleled effort to erase poverty, hunger, ignorance and injustice in America. We are equally engaged, in Southeast Asia, in a struggle against the same enemies—but against overt terror and aggression at the same time.

As veterans, none of you needs to be told that we have some stake in the independence and security of nations living on the borders of expansionist totalitarian powers, and in the hope and social betterment of people who have lived too long without democratic government.

Yet, at least a half-dozen times in the past few days, I have heard otherwise responsible Americans publicly declare that we ought to take the money and resources being spent in Vietnam and Southeast Asia and transfer them to "domestic" programs.

I say that to do so would require, a few months or years hence, the investment of far more money, men and resources to Southeast Asia—and possibly to other parts of the world—than we have committed today, and at far greater danger to us all.

In a few days an election will be held in South Vietnam.

It may be dangerous to say this in a Congressional campaign year, but I believe that election should be of almost as much concern to American citizens as our own elections this fall.

The election early next month in South Vietnam—an election for a constituent assembly—will signal to the world whether or not democracy may have its chance to grow in the stony soil accumulated over centuries . . . I mean the stony soil of mandarin rule, of colonial domination, of years of constant terror and violence.

The Viet Cong are trying—and will try—to disrupt those elections.

But I believe the people will win. I believe they will vote. And I believe their votes—votes for democratic government—should give us as much gratification as a victory for the democratic system here at home.

I say our investment in Southeast Asia is well worth its cost, just as our investments in a better and freer America are well worth their cost.

The burdens we carry today—in America and in the world—are the burdens of responsibility.

Today "One World" is here.

Instant images of the good life flash just as quickly, by radio and television, to the impoverished peasant as they do to the comfortable businessman.

New ideas penetrate and move the brown and yellow people just as they do the white.

And we must recognize that there are, in the furthest corners of human society, conditions which not only bring a sense of shame and insufficiency to those of us who live in such a blessed land . . . but conditions which can lead to the eruption of the little disorder, which can grow to the small war, which can build to the cataclysm which could destroy rich and poor, black and white, believer and non-believer—all of us alike.

This is the age of "One World." And therefore it must be the age of stewardship for fellow man—in all places.

It must be the age of compassion—for all people.

It must be, equally, the age of responsibility.

This, then will be the test of the American people: Whether or not we have the sense of perspective, the courage, the steadfastness to act responsibly—in our own city streets . . . in the streets of villages halfway across the world—despite the frustrations, the disappointments, the disillusionments that will come our way.

Will we be free to act, free of the passions of the moment?

Will we be able to limit the use of our almost limitless power, when the use of that power might offer a seemingly quick solution?

Will we be able to keep alive the flame and the spirit of our free American revolution as our own needs at home are increasingly met?

Twelve years ago, at Harvard University, Adlai Stevenson gave a series of remarkable lectures. One was entitled "America's Burden." I will quote from that lecture:

"To act cooly, intelligently and prudently in perilous circumstances is the test of a man or nation. The ordeal of our times is a challenge to American maturity and American responsibility . . . America's life story is the record of a marvelous growth of body, mind and character. Now at maturity we shoulder the heaviest burdens of greatness, for in the last analysis the epic struggle for our civilization, for government by consent of the governed, will be determined by what we Americans are capable of. In bearing burdens, in ennobling new duties of citizenship, is the greatness of men and nations measured, not in pomp and circumstance."

We must bear our burdens. We must ennoble the duties of citizenship.

We must meet the measure of greatness.

TOO MANY PEOPLE AND TOO FEW PARKS

Mr. TYDINGS. Mr. President, the population explosion is one of our most serious public problems. The consequences of overpopulation include famine, delinquency, and deprivation. These are widely recognized and discussed. But there are other serious consequences of too rapid a rise in population. Among these is the rising pressure for use of our already scarce areas of parkland, wilderness, and unspoiled natural beauty.

The nature and extent of this pressure are spelled out in alarming detail in an article by Gen. William H. Draper, Jr., former Assistant Secretary of the Army, and today national chairman of the Population Crisis Committee. General Draper points out that at the current rate of population growth the overuse and destruction of wilderness areas is almost inevitable.

Of course the consequences of unchecked population growth go far beyond the destruction of our wilderness areas. As General Draper well illustrates, the survival of civilization as we know it, in all its aspects, depends upon successfully defusing the population explosion.

I ask unanimous consent that the article, entitled "Parks—Or More People?" from the April 1966 issue of National Parks magazine be reprinted in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Parks—Or More People?

(By William H. Draper, Jr.)

Twenty years ago there was a little less than one-sixth of an acre of national park land for every man, woman and child in the United States. Today, although we have added 4,000 square miles to our national parks, there is now less than one-eighth of an acre of national park land per citizen. The ratio will decline inexorably for the rest of this century, and soon the day may come when we will have to make a reservation five years ahead even to drive in a massive traffic jam through the gates of a national park.

Although much publicity has been given to overdevelopment, the biggest threat to our wilderness areas, national parks, and scenic splendors is not four-lane highways or power projects or housing developments. They are only symptoms of the real pressure on our irreplaceable natural resources: the pressure of people. At the end of the 19th Century, the good-old-days that figure on our Christmas cards—and paradoxically enough on our calendars—the United States had a population of seventy-five million. In 1966 we have a population just over 195 million and in less than twenty years, when we reach George Orwell's nightmare of 1984, the population may well exceed 260 million.

People put pressure on national parks and natural resources in two ways: first, the demand for basic facilities—food, housing, transportation and the like—encroaches on lands currently contiguous to national parks. Secondly, many more Americans will have increased leisure time to use parks and outdoor recreational facilities, making overuse and destruction of wilderness areas almost inevitable. From 1953 to 1959, for instance, the United States population grew by ten percent, but visits to outdoor recreation areas increased by one hundred forty-three percent.

THE ALARMING FACTS

Stewart L. Udall, Secretary of the Interior, stated the matter with appalling emphasis when he suggested that by the middle of the next century ". . . for every person who now hopes to camp in the summertime on the floor of Yosemite Valley, there will be . . . nine. For every present hiker down the John Muir Trail along the spine of the Sierra, there will be nine. For every tin can and bottle and carton that now litters park and wilderness trails, there will be nine. For every hundred people on the Beach at Brakes Bay, there will be at least 900 and conceivably several times that many. Here we have, in dramatic and depressing terms, the geography of rising population."

In all candor, however, we must admit that the problems of human population growth today go far beyond recreational crowding. In fact, over-population jeopardizes the existence of civilization as we know it.

To put the issue in broader perspective, it took the human race about one million years—until 1850—to reach a world population of one billion. The second billion was added in about 80 years—by 1930. The third billion arrived in about thirty years—by 1960—and in another twenty years or less—before 1980—world population will have jumped to four billion. There are now many countries where almost half the population is under fifteen years of age, as in Mexico and Brazil.

The first man to worry about population, as everyone knows, was Thomas R. Malthus, an Eighteenth Century clergyman. He bluntly asserted, "First, that food is necessary to the existence of man. Secondly, that the passion between sexes is necessary and will remain nearly in its present state . . ." and finally, therefore, "that the power of population is infinitely greater than the power in the earth to produce subsistence for man." Only the multiplication of misery, hardship, and famine can check the multiplication of man, Malthus concluded.

Until the middle of the Twentieth Century the gloomy prophet found few supporters. The Industrial Revolution and the settlement of the American continent saved Europe from overpopulation, but famine, pestilence, and hardship continued to restrain population growth elsewhere.

Today the situation is changing. Public health advances have lowered the death rates around the world. Surplus food, largely from the United States, has temporarily sustained those who would otherwise have starved; and man has multiplied in proportions never before known on earth. This proliferation has taken place fastest in the underdeveloped nations, where the impact of modernization has been compressed into two decades.

The urgent population problems in these countries first came to my attention in 1958, when I was appointed by President Eisenhower to head a Commission to study and report on United States foreign assistance programs overseas. The longer the Commission looked at the economic development problems in such countries as India, Pakistan, Turkey, Egypt, and Brazil, the more convinced it became that neither food production or over-all economic development could keep pace with populations that would double within a single generation. The Committee recommended appropriate assistance and research to individual countries "in the formulation of practical programs to meet the serious challenges posed by the rapidly expanding population."

A POLITICAL HOT POTATO

Unfortunately, what we regarded as a necessary common-sense approach to an overwhelming problem immediately became a political hot potato. There was opposition from religious organizations in the United States and hesitation on the part of our government officials to support a program which appeared to involve areas of domestic conflict. Very little was done and the population of the world continued to multiply.

Today, seven years later, public attitudes toward population growth and the kind of practical programs which are necessary to deal with it have changed dramatically. Eight out of ten persons in the United States today favor making birth control information available to anyone who wants it, according to a Gallup poll of August, 1965. And, more than six out of ten Catholics expect the Roman Catholic Church to alter its present opposition to certain specific birth control methods, such as hormone pills. Now thoughtful men of all nations, and from all religious backgrounds, look at their changing environment with deepest concern. They realize that even the apparently limitless resources of science cannot raise the quality of life for the majority of the earth's inhabitants unless population growth rates are quickly checked.

The vital element of food, for instance, is simply not keeping pace with the vital force of population growth. The United States Department of Agriculture, the United Nations Food and Agricultural Agency, the World Health Organization, the United Nations Economic Commission for Asia and the Far East, and many other national and international agencies document the tragic fact that world food production is increasing by only one percent a year, while world population is increasing by at least two percent a year. We now hear the tragic report that half the world's people—and two-thirds of the world's children—go to bed at night hungry. In many developing countries seventy percent of the children suffer from malnutrition which, even for those who survive, impairs physical growth and in the words of a committee of the National Academy of Sciences "probably causes irreversible mental and emotional damage." India, the second most populous nation in the world, faces the prospect of real famine this fall. Partly because of population growth, partly because of a serious drought, Indian farmers are again pulling their belts a notch tighter. One was recently quoted in the *New York Times* as saying "We may have to eat one meal a day instead of two, but we'll make it." Many observers are not so optimistic. Predictions are for mass starvation in India this year.

OVERPOPULATION AND VALUES

In the United States, population growth will not outrun food production for some time to come, even though our vast grain surpluses—a major political problem of the last decade—have been cut in half by overseas needs. But here, no less than in the developing nations of the world, we face social problems and the hard choice of priorities forced upon us by a rate of population growth which is nearly twice that of Western Europe. Beyond the mere fact of increase—a baby born about every second, or three times as many national park users in the next generation—we must consider where the increase has the greatest impact. In the United States, population growth is unevenly distributed, for instance, among income groups. Families with incomes under $3,000 are more than twice as likely to have six children as families with higher incomes. Yet, families with incomes under $3,000 are severely handicapped in preparing their offspring for a productive life.

Population growth—and increased migration from farm to city—have created one of our major environmental challenges, the so-called "urban problem." The composition of our cities has shifted radically since World War II as middle income urbanites moved away from the city to raise their three and four children in the spaciousness of the suburbs. At the same time lower income rural families, both white and nonwhite, filled the inner cities. The newcomers brought higher birth rates which are characteristic of all rural families, but most did not find the space or economic opportunity in the cities to give their offspring a good start in a complex life. As a result, poverty and public welfare have become a way of life for many urban families. First and second generation school dropouts are unable to find jobs in an automated economy, unable to pay their share of taxes to support needed remedial programs, and in the long run, even unable to contribute to the basic community services—police, firemen, public transportation, recreation, and sanitation—necessary to the very survival of the city as an economic unit.

Although there is some dispute as to which is cause and which is effect, the fact remains that in the United States today the large family is often the impoverished family. A recent study of poverty conducted by the Welfare Council of Metropolitan Chicago concluded that "members of large families (six or more persons) constitute some thirty percent of the poor, contributing a disproportionate share to the poverty sector." The latest poverty indices place more than fifteen million children under eighteen years of age in the poverty classification. What hope do these youngsters have to meet the stresses of Twentieth Century United States life effectively? The odds are against them.

In the classic study "Unravelling Juvenile Delinquency" by the sociologists Sheldon and Eleanor Glueck, delinquent boys were found to come from larger families than nondelinquents. Although all the boys studied came from families which were closely matched in income, ethnic background, intelligence, and community living conditions, the average number of children in the families of the delinquents was 6.8 and in those of the non-delinquents, 5.9. "In relation to size of family," the Gluecks concluded, "it is reasonable to conclude that crowding of the home meant increased competition on the part of the children for parental attention, more likelihood of emotional strain, tension, friction, and loss of privacy with resulting sexual and other emotional trauma."

BIG FAMILIES PRODUCE REJECTS

Another index, those rejected by Selective Service Boards for mental performance below sixth grade level, showed that 47 percent of these rejects come from families with six or more children even though these families contain only eleven percent of all children in the nation.

Both in the United States, where we can all see the problems and pressures of population growth at first-hand, and in a country like India where we may find it difficult to imagine the idea of twelve million new mouths to feed each year, there is one element in common: in both countries there can be only one acceptable answer to the population problem. That answer is not hardship, poverty, famine, or disease. It is public acceptance and support of voluntary birth control and family planning programs.

Only through massive birth control programs can every couple in the world learn about family planning and be able to limit the number of their offspring to meet their own ability to feed and care for them, and educate them for a healthy and productive life. This is the only long-term solution acceptable to free nations and free individuals today. But as Richard N. Gardner, former Assistant Secretary of State, said at the recent White House Conference on International Cooperation, "This may be the last generation which has the opportunity to cope with the problem on the basis of free choice."

This is the responsibility which must be faced, for even if we could do the impossible—multiply bread for all the world's hungry, care for all the world's needy, and educate all the world's ignorant in the present generation—we would only bequeath our children an impossible task in the next generation.

Private organizations like International Planned Parenthood, the Population Council, the Ford Foundation, and the Rockefeller Institute have made a start in providing family planning knowledge and techniques to those who wish to use them; within their limited resources, they have done a superb job. Since Margaret Sanger was sent to jail half a century ago for opening a private birth control clinic in Brooklyn, New York, much progress has been made in research and in clinical services.

However, the only way to reach the millions and millions of women in the United States and overseas who do not know how to limit the size of their families is to mobilize the interest and facilities of the governments of the world. Governments must recognize their own great responsibility. In this country, the goal for the next year or two should be the addition of birth control facilities to every tax-supported hospital and health clinic throughout the fifty States. This movement has gotten under way recently and is fast becoming a tidal wave. Only in this way can the underprivileged twenty percent of our population gain access to the information and facilities which the rest of the population can afford from their family doctor. This is a human right which should not be denied.

Abroad, our aid activities must likewise stress more vigorously the problems caused by excessive rates of population growth. David Bell, who directs the Agency for International Development, is trying to clear the way for greatly expanded assistance to countries requesting help, but trained doctors and administrators are still in short supply. The necessary sense of urgency is also lacking. Since this is a problem that faces all of us—the United States and every other country—everyone in the United States who understands the problem needs to assist, and to petition our government to take a more active part. Private organizations and foundations, and individuals, will all have to contribute their time, their money, their help, their thoughts, and their ideas.

In this new crusade for humanity we cannot, nor can our government, leave it any longer to the birds and the bees—and certainly not to the rabbits. Victor Hugo wrote: "More powerful than the tread of mighty armies is the idea whose moment has arrived." The moment for this idea to sweep our country and the world has now arrived. Those who understand the true implications of the population explosion and recognize it must be curbed to save the human race, must act now. Unless the present excessive rate of world population growth can be slowed down to a rate that can be reasonably absorbed, our children will suffer grave consequences, and our grandchildren may well find life on this planet intolerable. Like cancer cells multiplying in the human body, human fertility will, unless slowed down, destroy our present-day civilization just as surely as would a nuclear conflict.

A new Manhattan Project is needed—not to build another atomic bomb which might destroy the world—but to defuse the population bomb with knowledge and demographic understanding, so that mankind does not multiply itself into oblivion.

Otherwise, I feel that Thomas Malthus, long ago the discredited prophet of doom, may yet prove to have been right.

ALLOCATION OF RADIO FREQUENCIES

Mr. HARTKE. Mr. President, a highly significant study bearing on the Federal Government's policy with respect to allocating radio frequencies has come to my attention. Law Professors Stanley D. Metzger and Bernie R. Burris, of the Georgetown University Law Center, published the results of their study in the 1965 fall edition of the Duquesne University Law Review. After tracing in considerable detail the manner in which our governmental policy in this area has evolved without the benefit of any long-range planning or proper coordination, these two distinguished law professors make certain suggestions and recommendations which should be studied by Congress.

The Federal Communications Commission is the agency created by Congress to perform telecommunications management functions for all non-Federal Government radio users. The Office of Telecommunications Management, which functions as an arm of the Office of Emergency Planning, manages and controls the use of radio frequencies by Government agencies and departments, including the Department of Defense. The current Director of Telecommunications Management, a man of excellent reputation, represents the Chief Executive in radio frequency matters. The President has authority over the Government's use of radio frequencies.

In both the 86th and 87th Congresses, I submitted resolutions which would have established a commission to study and report on the organization of the FCC and the manner in which the electromagnetic spectrum is allocated to the agencies and instrumentalities of the Federal Government. At that time, I invited the Senate's attention to the need for bringing some order to the chaos which existed in telecommunications management in this country by virtue of the overlapping of authority and control over the use of frequencies by Government agencies and the civilian and military sectors which resulted from this system of dual authority. Since that time, the demands for radio have mushroomed. In the civilian sector we are all becoming aware of the crying need for frequencies by our State and local agencies, including the police and by business and industry people who find radio communications more and more essential to their normal operations. In the Government sector we have, of course, countless military needs for communications in day-to-day operations, as well as the steadily increasing requirements for space activities.

Because of the length of the article, I shall not ask that it be printed in its entirety in the RECORD; however, I do commend the article to the reading of anyone who is interested in this subject. I do, however, ask unanimous consent that the munications in day-to-day operations, as control" made by Professors Metzger and Burris be printed at this point in the RECORD.

There being no objection, pages 85 through 96 were ordered to be printed in the RECORD, as follows:

IV. RECOMMENDATIONS FOR REMEDYING DEFICIENCIES OF THE PRESENT ALLOCATION SYSTEM

The foregoing description and evaluation of the system employed to allocate frequencies between Federal Government and civilian use, so as to serve the public interest in securing the most effective utilization of the spectrum, has disclosed basic defects which are antagonistic to that public interest and urgently need corrective action.

First, there is no objective decision-making body, whether an institution or a designed individual, to determine in the overall public interest the allocation of frequencies as between these competing claims for use. Rather, there are two agencies, the FCC and the DTM–IRAC, with split responsibilities, who "negotiate" disputes over allocation, with the FCC in fact being subservient to DTM–IRAC demands for allocation of frequencies to Federal Government use.

Second, even assuming that such an objective decision-making body is established, there are no organized and meaningful procedures now in existence by which a rational decision among competing Federal Government and civilian requests for allocation may best be arrived at.

Our recommendations are designed to remedy these defects. Broadly, our first recommendation is that one institution should be given the task of determining, in the public interest, allocation of frequencies as between all competing claims for use. The second recommendation is that this be done in a manner which closely resembles the rule-making procedures of the APA and the major federal regulatory agencies. Both recommendations present certain problems of refinement and specificity primarily because of the sensitive national security aspects of frequency allocation. Problems of this kind, however, have been faced and met successfully in other contexts, and should be soluble here. First, we shall be more specific on our recommendation concerning "one institution" decision-making in allocating frequencies among all competing uses, indicating reasons for our choice among possible competing systems, and secondly, regarding the rule-making procedures which appear to be most conducive to the wisest determinations.

(1) One Institution Decisionmaking in Allocating Frequencies Among All Competing Uses

The problem of choosing among possible repositories for the task of deciding allocations of frequencies between Federal Government and civilian use is not easy. Indeed, the fact that no solution has yet been found to the unsatisfactory situation which has persisted for over thirty years—bifurcated control—may be due in no small part to the difficulty in deciding who should be the decision-maker in allocating frequencies among these competing uses. Proposed solutions have ranged from assigning the task to the Federal Communications Commission to the creation of a "super-board" above the FCC and the DTM–IRAC with or without an appeal to the President, to the establishment of one "super" man above the FCC–DTM–IRAC with or without such appeal.

For various reasons, none has commanded sufficient support. The military agencies, for example, have questioned the FCC as the overall decision-maker since the FCC has been identified over the years so closely with allocation among civilian users. On the other hand, civilian users have tended to view solutions other than the FCC as decision-maker, including those involving appeals to the President by Federal Government users, with the gravest suspicion on the ground that they would give the appearance but not the substance of objective decisionmaking.

Certainly this kind of problem is not new. In recent years there have been two very prominent analogues, involving two different solutions. An examination of these solutions to similar problems, involving the Federal Aviation Agency and the Atomic Energy Commission, may be helpful.

A. The Federal Aviation Agency

The background of the Federal Aviation Act of 1958[1] bears such a strong resemblance to the frequency allocation problems which we have been investigating as to be almost eerie. The House Report on the bill which became that Act recounts the early history of airspace control in the United States:

"The first basic Federal aviation statute was the Air Commerce Act of 1926. It placed responsibility for the regulation of air commerce on the Secretary of Commerce. However, it gave the President authority to make airspace reservations for national defense or other governmental purposes. It authorized the Secretary of War to designate military airways. Thus, a pattern of division of responsibility in air-safety rulemaking and the allocation of navigational airspace was established, to plague civil and military air operations down to the present time, with the Department of Defense, the Department of Commerce, the Civil Aeronautics Board, and the President having authority in this field.

"As air commerce continued to grow and encounter new operational problems, the inadequacy of the Air Commerce Act became apparent."[2]

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[1] 49 U.S.C. 1341 ff. (1963) P.L. 85–726, 72 Stat. 737.

Congress responded by passing the Civil Aeronautics Act in 1938. But its administration was divided between the Civil Aeronautics Board and the Civil Aeronautics Authority, and "divided authority over airspace use forced the executive branch to resort to the committee method to solve or attempt to solve, conflicts over airspace allocations."[3] In 1946, Executive Order 9781 created the Air Coordinating Committee. This Committee, the House Report continues, "which can act only by unanimous consent, came to play an important role in airspace control, and diluted further the role of"[4] the CAA and the CAB:

"Under this system, airspace has been assigned on a case-by-case basis often resulting in delays and patch-work solutions to many critical airspace problems. For example, this Committee, in its investigation of the Grand Canyon accident, found that establishment of an airway over the heavily traveled route over Grand Canyon was being delayed by objections of the military made through an Air Coordinating Committee panel.

"Clearly an agency is needed now to develop a sound national policy regarding use of navigable airspace by all users—civil and military. This agency must combine under an independent administrative head functions in that field now exercised by the President, the Department of Defense, the Department of Commerce, and the Civil Aeronautics Board."[5]

What galvanized the Executive Branch and the Congress into acute realization of the need for one agency to "develop a sound national policy regarding the use of navigable aerospace by all users"? As the House Report recognizes, the 1958 Federal Aviation Act was not "hastily conceived legislation." Rather, "the magnitude and critical nature of the problem came first to general public notice, perhaps, as a result of the midair collision of two airliners over Grand Canyon on June 30, 1956, when 128 lives were lost. Following this disaster were fatal air crashes between civil and military aircraft operating under separate flight rules established in the Civil Air Regulations."[6]

On June 13, 1958, the President, following two studies made during the prior three years, submitted a message to Congress recommending the creation of an independent federal aviation agency (H. Doc. 406, 85th Cong., 2d Sess.). In that Message, the President said:

"Recent midair collisions of aircraft, occasioning tragic losses of human life, have emphasized the need for a system of air traffic management which will prevent, within the limits of human ingenuity, a recurrence of such accidents.

"In this message, accordingly, I am recommending to the Congress the establishment of an aviation organization in which would be consolidated among other things all the essential management functions necessary to support the common needs of our civil and military aviation."[7]

Perhaps allocation of radio frequencies would have long since been made the task of a single agency if the defects of bifurcated control were as visibly and dramatically disastrous as Grand Canyon midair aircraft collisions.

Having decided to place in one agency the responsibility for control of all uses of the airspace, the Executive and the Congress were by no means at the end of their problem. "The question of the extent and nature of military participation in the new agency was perhaps the most difficult one faced by the Committee," the House Report avers. How was it solved? The House Report describes the process:

"Integration of Department of Defense activity in the field of air traffic control into the new agency is important in the interest not only of the efficient use of air space, with its important national defense connotations, but it's urgently needed for reasons of governmental economy. (The committee was told that the Department of Defense now has approximately 18,000 persons in this work, while the Civil Aeronautics Administration employs some 17,400 persons.)

"Witnesses heard by the subcommittee were in agreement that the new agency should be under the direction of a civilian administrator, who must take into consideration the needs of military aviation.

"The intent of this legislation is to establish a civilian agency, under the direction of a civilian administrator.

"Personnel of the agency, civilian and military alike, must be responsible solely to the Administrator.

"In response to a question on this point during the hearings, Mr. Quesada said—

"'The original language provides for an adviser. And as I interpret it, personnel would be assigned to the adviser, and I think that is something less than best. I do not want the military personnel in this agency to be taking instructions from the Military Establishment. I do not want them to bring the specialized interests of the Military Establishment to this agency. I want them to bring to this agency the knowledge that they have accumulated by having been in the Military Establishment. I want their loyalty to be undiluted and to the Administrator and the Administrator alone. We have, therefore, suggested this language, "Appointment to, acceptance of, and service as Deputy Administrator, or under such cooperative agreement, shall in no way affect status, office, rank or grade which commissioned officers or enlisted men may occupy or hold, or any emolument, perquisite, right, privilege, or benefit incident to or arising out of such status or office, rank or grade."

"'But the important point is "No person so detailed or appointed shall be subject to direction by or control by the Department from which detailed or appointed or by any agency or officer thereof directly or indirectly with respect to his responsibilities under this act or within the Federal Aviation Agency."

"'We are trying to have these people have the same relative status as a civil-service person who is assigned to the agency.'"[8]

Mr. Quesada thus clearly expressed the intent of this legislation regarding military participation in this agency.[9]

Thus, the Federal Aviation Act of 1958 established unitary, one-agency control under an Administrator with a Deputy Administrator possessing a military background.[10] The legislation further provided that (1) in the event of war, the President by Executive Order may transfer to the Department of Defense any functions of the Agency, and (2) the FAA Administrator and the Secretary of Defense, and the FAA Administrator and the Administrator of the National Aeronautics and Space Administration, were to establish by "cooperative arrangement suitable arrangements for the timely exchange of information pertaining to their programs, policies, and requirements directly relating to the" responsibilities of the FAA Administrator under the Act.[11]

To what extent is this system applicable to radio frequency allocation? Before answering, it would be well to examine the other recent analogue for any insights it may impart.

B. The Atomic Energy Commission

In the atomic energy area, there was nothing like the decades of experience, unhappy though some of it was, in airspace control. There were indeed a few short years of experience in the Manhattan District, during wartime, which was hardly a blueprint for the long future of atomic energy development in the interest of the welfare and the security of the people of the United States, and of world peace.

The task facing Congress was nothing less than "to direct the development of atomic energy in such a way as to improve the public welfare, increase the standard of living, strengthen free competition in private enterprise, and promote world peace," all subject to the "paramount objective of assuring the national defense and security."[12] To carry out these purposes, the Atomic Energy Act of 1946 provided for government control over atomic energy and for government programs of "information, production, research, and development,"[13] and for an Atomic Energy Commission as the principal administrative body responsible for "administering domestic control over atomic energy, for carrying on production, research, and development programs, and for stimulating and supporting private research and development."[14]

The decision to have an Atomic Energy Commission, however, immediately raised the issue of whether it should have a civilian or a military complexion. The Congress and the Executive were clear that it should be the former. As stated by the Report of the Special Senate Committee on Atomic Energy on the bill which became the Atomic Energy Act of 1946:

"The decision to limit membership eligibility to civilians was adopted by the committee in keeping with established traditions of our Government. It accords with principles cherished and maintained throughout American history. Departure from these principles has occasioned judicial, executive, and legislative disapproval. This is not to say that the committee fails to recognize legitimate and important areas of atomic energy development and control touching on the responsibilities of the military departments. Indeed, throughout the bill, wherever these areas are involved, provision is made for full military participation, and independent activities of the military departments, especially in research and development, are not infringed but expressly encouraged."[15]

However, having made this fundamental decision to adhere to "established traditions" of civilian control, the Committee also perceived the desirability of giving the armed forces "a proper voice" in such matters as the development, manufacture, storage, and use of bombs, which occupied at that time about 95% of the time, funds and energy of the program.[16] (The division of the radio spectrum is estimated to be approximately equal as between Federal Government and civilian use.)

The solution was set forth as follows:

"A Military Liaison Committee appointed by the Secretaries of War and Navy is to consult with the Commission on all activities relating to the military applications of atomic energy. This provision has been adopted to give the armed forces a proper voice in such matters as development, manufacture, storage, and use of bombs; allocations of fissionable materials for military research; control of information relating to the manufacture and use of atomic weapons. Upon receiving the recommendations of the Military Liaison Committee the Secretaries of War and Navy may at their own discretion carry to the President a protest against any of the Commission's actions or failures to act in reference to the matters described. In such event, final decisions as to the course of action of the Commission relating to matters for which the War and Navy Departments have responsibility are made by the President."[17]

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[2] House Report No. 2360 to accompany S. 3880, 85th Cong., 2d Sess. 1958, 1958 U.S. Code Cong. and Adm. News 3741, 3743.

[3] Note 2 at 3743.

[4] *Ibid.*

[5] *Id.* at 3744.

[6] *Id.* at 3742.

[7] *Ibid.*

[8] *Id.* at 3748.

[9] *Ibid.*

[10] *Id.* at 3749; see 49 U.S.C. 1342 (1963).

[11] 49 U.S.C. 1343(b) (1963).

[12] Senate Report No. 1211 to accompany S. 1717, 79th Cong., 2d Sess. 1946, 1946 U.S. Code Cong. Service 1327–1328.

[13] Note 12 at 1328.

[14] Note 12.

[15] Note 12.

[16] Senate Report No. 1699 to accompany S. 3690, 83d Cong., 2d Sess., 1954 U.S. Code Cong. and Adm. News 3456, 3458.

The 1954 Amendment to the 1946 Act was quite extensive, but not in respect to this question. It changed the 1946 Act's organizational provisions only by (a) establishing as one of eleven program divisions, the Division of Military Application, to be headed by an active member of the armed forces, and (b) lodging in the Department of Defense, rather than the Military Liaison Committee, the responsibility of taking exception to action or proposed action of the Commission, and thereby referring the matter to the President for resolution.

What light is cast upon our problem of selection of the one-agency decision-maker by the FAA and AEC solutions of analogous problems?

Three major contributions to the solution of our problem seem to emerge from these recent experiences. The first is that in an area where civilian and military uses are in competition, it is of great importance to maintain our "established tradition" of civilian control. In both the FAA and the AEC cases, though military uses of the airspace and of atomic energy, respectively, were undeniably of great, if not, in the latter, of overwhelming, security significance, a most deliberate decision to maintain the tradition of civilian control which has served us so well since the earliest days of the Republic was made and adhered to. Nor has there been the slightest indication since those decisions that our security has been adversely affected.

Secondly, where there is an important security interest at stake, civilian control has not meant complete elimination of the influence of military considerations from decision-making where these may be competing interests. The placing of a military man in an important second position in the FAA, which is headed by an Administrator, and the establishment of a Military Liaison Committee with right of appeal by the Department of Defense to the President in the case of the AEC are earnest of a desire to be certain that security considerations shall not be short-weighted.

Thirdly, the differing techniques of assuring military participation tend to reflect the difference in administrative structure where there is a single Administrator as compared with a Commission. In the first case, a strongly placed second man can give needed assurance, while in the second, a connection to a person or to an agency such as the Defense Department with access to the President, rather than a single adviser to a Commission, appears to be most suitable.

If an administrative organization corresponding to this experience is to be applied to the frequency allocation problem, what would the structure comprise?

1. For the one-agency decision-maker, the choice lies between the FCC or a single Administrator who would be a combined DTM and FCC so far as determining amongst competing Federal Government and civilian uses is concerned. The argument for the FCC, and against an FAA-type Administrator in this context, however, is strong. The FCC is and has been the regulatory agency for the entire spectrum, with the sole exception of licensing Federal Government stations, for over 30 years. Unlike the CAB–CAA structure, there has been an intended centralization of responsibility for all aspects of spectrum management in the FCC, but for this one area of Federal Government use. The CAB always was envisioned as the regulatory agency for commercial uses of airspace, not as the agency to exercise overall authority to assign airspace and otherwise regulate in the non-commercial area as well.

Moreover, there is no reason *a priori* to think that the planning for maximum utilization of the spectrum would be more successfully performed under a single Administrator, with a subsidiary FCC and DTM–IRAC. The AEC has appeared to perform overall atomic energy utilization through a General Manager at least as ably as the FAA Administrator has performed this aspect of his functions.

Finally, the nature of the problem—a concern that neither military nor civilian uses will be short-weighted—appears to call for retention of the agency which has developed great experience in weighing competing claims to allocation of frequencies in rule-making proceedings, and to look to other safeguarding techniques to avoid underweighting security considerations. This seems to be particularly desirable in view of the fact that civilian commissions, such as the AEC, have not hitherto demonstrated callous disregard of security matters. In fact, a good case may be made that they are so conscious of the possibility that they may be charged with the offense that they bend over backwards.

2. If the FCC is to be given the task of deciding frequency allocations among all competing uses, as recommended above, what safeguarding techniques should be employed in order to assure that security considerations have "a proper voice" in the determination of frequency allocations? If it is difficult to envision a single adviser to or associate of a commission as having a voice equal to that of the entire commission—if a FAA "second man" cannot work—it seems clear that a mechanism something like that of the AEC's Military Liaison Committee—Defense Department is in order.

The choice on this score, in the context of frequency allocation, appears to be between having (a) each disappointed Federal Government agency being able to take its disappointment at the hands of the FCC to the President for resolution, (b) only the Defense Department but not other federal agencies being able to do so, or (c) only the Director of Telecommunications Management, advised by IRAC, having such access to the President for decision on the frequency allocation where FCC has decided for civilian use and a federal agency is dissatisfied.

To allow each disappointed federal agency to have access to the President (course a), regardless of the views of his DTM, appears to be quite an unwarranted administrative burden upon him, and not conducive to good management. While a respectable case can be made for the proposition that only the Defense Department for security reasons, not the Forest Service for firefighting reasons, should be able to secure a second hearing from the President (course b), this might be too sharp a break from the past. Moreover, not only the Defense Department is involved in communications of a security character. The Coast Guard, part of the Treasury Department in peacetime, cannot be excluded from the security area, and the same might be said of other agencies or parts thereof as well.

Accordingly, it would seem sensible to adopt course c—authorizing the Director of Telecommunications Management, advised by IRAC, to request the FCC to withhold final action allocating frequencies to a competing civilian use, pending referral of the contested Federal Government-civilian use controversy to the President for decision.

It may and perhaps will be protested that such a system would throw all such contests to the President, who would in effect delegate decisionmaking to his DTM, who in turn would defer to the requesting Federal Government agency, and hence civilian use would receive short shrift at the end of a lengthy journey.

While of course this may be a possibility, it is nonetheless highly unlikely. For if Congress were to legislate the changes in the Federal Communications Act which would be necessary to create the system herein recommended, it would be making it quite clear to all agencies and to the President that it expected the FCC's frequency allocation determination to be the final decision except in the unusual case where the President, upon the carefully considered advice of his DTM, was convinced that an important national interest urgently demanded that the FCC be overridden. In consequence, it is very doubtful that the DTM would seek to have the President overturn every FCC determination which might be less than satisfactory to the requesting federal agency, and still more unlikely that the President would do so even were he so advised.

In any event, the fact that a system may be capable of being utilized in a manner inconsistent with the intentions of its begetters is not persuasive that it is a poor mechanism—it may mean merely, should it be so used, that steps to correct its misuse should then be undertaken. The alternative—to fail to provide for appeal to the President where it is fervently believed that important security interests are at stake and have been underweighted—appears to be quite infeasible under present circumstances.

(2) Procedures in Frequency Allocation Among All Users

As we have seen in Parts II and III, the FCC procedures in allocating frequencies among competing civilian uses are the familiar rule-making procedures which the APA and the FCC Act itself have long prescribed and which the FCC, in common with other major regulatory agencies, has long followed. It is plain that these procedures are wholly appropriate in the FCC determination of frequency allocations among all competing uses, including those requested by Federal Government agencies.

While, of course, security information must be able to be withheld from public scrutiny, this poses no problem in rule-making proceedings. The APA and the FCC Act permit wide discretion in the administrative agency to do so. Thus, section 4 of the APA specifically states that its notice and public procedure provisions are not applicable where the agency "for good cause finds . . . that [they] are . . . contrary to the public interest."

Even if adjudication were involved, the problem of security information can and has been handled quite well with a "minimum impairment of procedural rights." For example, section 181 of the Atomic Energy Act (42 U.S.C. § 2231) requires applicability of the APA to all AEC "agency action" in licensing, except that where proceedings involve "Restricted Data or defense information," regulations shall provide "parallel procedures as will effectively safeguard" such data or information from unauthorized persons "with minimum impairment of the procedural rights which would be available" if such data or information were not involved. And the AEC followed this directive with regulations (10 CFC, Subpart I, Sec. 2.900 ff), which appear to meet these objectives quite successfully.

Perhaps the major question concerning the procedures to be followed in allocations of frequencies among all users, including Federal Government users, is not the nature of the rule-making procedures which the FCC would utilize—these are well-known and standardized. Rather, it is the question of the role of DTM–IRAC in, and its relationship to, the FCC rule-making procedure leading to the proposed FCC frequency allocation.

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[17] Note 12 at 1329.

While the internal administrative structure for the allocation of frequencies among Federal Government agencies is, strictly speaking, outside the scope of this study except to the extent that it affects allocation between Federal Government and civilian uses, some observations may nonetheless be relevant. In view of the large number and great variety of Federal Government users and uses, the desire to avoid unnecessary competition between them and by a number of them in contest before the FCC with civilian users, and the need to achieve the most effective administration of the spectrum by the FCC, it would appear to be most wise to retain the basic DTM–IRAC structure and to strengthen it materially. Federal Government agency applications for frequencies should be screened by DTM–IRAC more effectively than hitherto, so that both DTM and the concerned agency will be in a position to make an effective case before the FCC in competition with civilian use applicants. One means of accomplishing this strengthening of DTM–IRAC justification procedures might be a requirement that the requesting Federal Government agency show endorsement of its application by the DTM in the rule-making proceeding before the FCC.

These recommendations are not earthshaking. They are designed to apply to the frequency allocation problem the techniques which have worked successfully for so long in closely analogous fields. Their purpose is to terminate the most unfortunate division of responsibility and deep dissatisfaction therewith which has for so long persisted in frequency allocation between Federal Government and civilian use, and thereby to achieve unified and centralized spectrum management in the public interest. There is no magic, of course, in structures or organizations or procedures—they must all be operated by men. But structures and organizations and procedures can help or they can hinder men. Those which we have recommended we firmly believe to be in the former category, just as those which now exist appear to be in the latter.

BALTIMOREAN ELECTED PRESIDENT OF THE AMERICAN INSTITUTE OF ARCHITECTS

Mr. TYDINGS. Mr. President, I want to call the attention of my colleagues to the election of Charles M. Nes, Jr., of Baltimore, Md., as president of the American Institute of Architects.

Mr. Nes is one of a new generation of architects which sees their profession as having a central role in the urban revolution of 20th century America. He sees the architect as a leader in the struggle against urban blight—the war on ugliness—which is as necessary as our war on poverty if we are to achieve a great civilization in this country. To that end, he favors broader education for architects, including the crucial techniques of land planning.

We in Maryland are proud of Mr. Nes' achievement, and I ask unanimous consent to insert into the Record the article about him from the June 1966 issue of Baltimore magazine.

There being no objection, the article was ordered to be printed in the Record, as follows:

Spokesman for America's Architects—Baltimore's Charles M. Nes, Jr., Takes Office This Month as AIA's National President—The Architect's Role in a Changing Society Is His Main Concern

(By William Stump)

Charles M. Nes, Jr., who takes over this month as national president of the American Institute of Architects, claims he is approaching the job "with trepidation and dismay." The scope of the office indeed is something to give a man pause: for the next year, the Baltimore architect, a principal in the firm of Fisher, Nes, Campbell and Partners, will have absolutely no time to be a practitioner. As spokesman for AIA's 24,000 members—which is to say spokesman for the profession of architecture in the United States—he will be ultimately responsible for the organization's 50-man national office, headquartered in Washington's historic Octagon House. Moreover, he will criss-cross the country many times attending, organizing and running meetings, and delivering 40 to 50 speeches to all sorts of important groups and gatherings; in June, for example, he will address the graduating class at Ohio State.

But it was a job which Nes, an architect since 1930, could not turn his back upon, despite his general reluctance: in fact, he became president because he stood for the office and was elected to it, and he was not the only candidate. Put it this way: architects have run smack up against that reality of contemporary life called change and, because of the nature of their calling—an art, a philosophy, a profession, a discipline with most of the traditional ways of doing things still remaining—there is a great need to move. As Nes says: "I will push for programs which I think will help our profession. And our profession can't be helped unless it becomes part of the community.

"We are facing," he says, "a completely changed environment, a completely changed America. If our practitioners don't think about this, they're going to be like blacksmiths—they're going to wonder what happened to them. We're an urban society, and we're going to have 350,000,000 people by the year 2000, if the prognostications are correct and birth control doesn't work. It means that we almost have to put up or rebuild more buildings in this country than have been built since we started. Suburbia is not going to be stopped. We hope it might be a better kind of suburbia, rather than the bleakness and ugliness that we have now. It will have to be planned, somewhat by the government, by regions, and by regions I mean, for example, that Philadelphia and Baltimore will have exactly the same planning commission.

"This must come, I believe, by a limitation on the use of the land. I'm a Republican, not a Socialist. There has to be *real* restriction on the use of land by speculative builders, by means of regional plans, by regional taxes, by regional pollution plans, by regional water systems, by regional transportation systems, by regional zoning, by regional planning of new communities.

"But these things necessitate a huge building team. Now there's got to be a chairman of that team. He may be an entrepreneur, he may be a business manager or a planner—he may be an architect. The old traditional role was that the architect was the leader of that team. At present, the team is very fragmented, and one of the most fragmented parts of it is the building industry. It's now characterized by a violent antipathy between 30 or 40 trades, all run by unions, all intent primarily on being very conservative, and all doing things about the way they did them 100 years ago. It's far more expensive now to do things this way. The time element is frustrating to any entrepreneur, to any sensible man, the way things are organized now."

Long active in AIA affairs (he chaired the Baltimore chapter in 1951 and 1952, was made an AIA Fellow in 1953 and, since 1963, has been in various national AIA posts) Nes and his colleagues see the need for what he calls "a complete change in architectural education."

Today, Princeton is embarked on a project in cooperation with most of the architectural and engineering schools: in prospect is a new kind of school. "It will produce architects," he says, "but they may be called an architect in design, an architect in engineering, an architect in office management, an architect in acoustics, an architect in construction. But the basic education will be the same. It will be the broadest form of education. An architect no longer can simply be a little prima donna sitting up there thinking that design is the only thing. Then he'll be out of the mainstream, he'll be like an artist."

Today, says the president-elect, there is "terrific ferment" in architectural education. "For the first time, we've got 78 of the 80-odd schools together. Many of them had started to initiate things that a sister school, 30 miles away, had no idea they were doing. What we want to give the schools is direction; we want to bring in, as industry long has done, some research in planning what the architect will have to be 20 years from now. And so we're trying to bring in not only the best thinkers among our practitioners and educators—because thus far, practitioners and educators always have been suspicious of one another—but the new kind of client as well. That includes organizations such as Metropolitan Structures, and Rouse, and the government. The government is having an increasing weight and influence on what is being built in this country, and will have even more so.

"I think that coming out of this may be a profound change in architecture and the profession. I might say that any change we might start next year might not be felt for 20 years—a student doesn't become a decision-maker for that many years—but it's coming and we have to plan for it.

"So one of the things I'm going to be working on is the education of the architect. I think we've got to do more. I think we've got to do what medicine and banking is doing, which is to have what I call postdoctoral education—sending the young man who has worked in an office for five to seven years, a man who has rather gotten blunted by the practicalities of actual practice, back to school to learn the new technology and to regain his enthusiasm.

"The other thing I started last year is what we call—and this perhaps is a bad word—technician's training. In the old days, your office had maybe one or two men who had been to a university. You filled out your production team with the guy who worked his way up as an apprentice. He never went any farther than high school, but he had certain inclinations and talents, and he was important; your whole team produced the drawings, and producing them today is more laborious because it is technically more difficult. And today there are none of these apprentices being produced. The high schools can't turn out people who are technically proficient or skillful enough. Yet we need them to work with the architects, because there aren't enough architects. We need three times as many as we have now. We have the lowest per capita population of architects of any civilized country, and yet we have the biggest building project in the world.

"So what we're starting now, and it's going on all over the country, but with no real curricula as yet, is junior college training for technicians. They won't become architects, but they will get damned good jobs in engineering concerns, in industry, in architects' offices, by learning some drawing, some specification writing, some physics, some math, some office management. The technician will become, probably, the major part of the production team, actually turning out buildings and supervising building. There will be pilot projects starting on a specific basis, approved by the government and by architects. The government, HEW, is very much excited about it, because it means another field where you can technically train people to be able to take a job in our civilization."

During his year, says Mr. Nes, he will work closely with the government—at the government's request. Health-Education-Welfare, Urban Affairs, Interior all are interested in AIA's work and plans. In Secretary Udall, for example, architecture has "a very good friend, especially when it comes to preservation." By preservation, Nes says he does not simply mean keeping old buildings historically intact. "It's retaining some of the heritage," he says, "some of the good things that make a city have come continuity."

And there are other projects, many of them a continuation of programs already well established. There is the matter of what Nes calls "public concern"; most of the articles in magazines such as *Life* and *Look* about the need to look at the environment and ponder the future have been AIA-inspired. For two years, now AIA's main objective, says Nes, has been "something that we call by a very poor title, The War on Ugliness, which we started before Mrs. Johnson's quest for beauty. We're all for her. And a lot of the people in government are concerned about the issue.

"We have a project to get into the elementary and secondary schools at program that will help young people understand and appreciate their environment—the way finger painting builds an appreciation in art, or cymbal playing gets them interested in knowing about music. People now grow up with a blank spot in their heads about architecture, and yet they live in the middle of it; it's the most important thing in their daily lives. Americans are terribly proud of their country. But only a few of them, some businessmen, some leaders, are beginning to look around and beginning to say, 'My god! We have everything other countries don't have, yet we're ruining our country.' In Europe—and we have no connection with Europe now—people are intensely proud of their architecture; they'll go out of their way to show it to you. And in Europe, in some of the countries, they've kept democracy and yet they've kept a certain restraint on the unbridled speculation of land and building. We haven't had that, because we've always had a frontier. But it's pretty well ended. We say we have a mobile civilization, that we can take the car and get away from the tension and the ugliness, but pretty soon, in the East, you'll have to motor a hell of a way to get away from it."

The businessman? Something of a paradox, perhaps. On the one hand, business understands the problems; on the other, it has made the environment. Further, it is private enterprise which has made the advances, the changes, possible. "The whole country has changed," Nes says, "because of the fact that the businessman is the most radical man in the country. Probably the most conservative men in this country are your labor union leaders, politicians and college professors. The businessman's not afraid of any idea, as long as that idea has a possibility of working. If it upsets his whole plant, he's always looking for new products which will completely antiquate the products he's now making. I like to think that socialism is a very old fashioned, conservative point of view because really, the socialists are interested only in something we've almost achieved—except for our minority groups, and that's coming—and that's affluence, security and leisure."

For the future, Nes sees such things as satellite cities, built with the approval of the government and the help of private enterprise; he cites the New Town program of England, which has produced cities with populations of as many as 100,000. "This is the way we're going to have to do it," he says, "or there'll be one mass of slums."

And the architect's role can be the key one in the way the future will look. Will he be the leader of the team? Or will he remain essentially nameless, even though the entrepreneur will depend upon him? Only the future will tell that. At any rate, the future is going to need the architect, and need him very much. Nes, as AIA president, means to prepare him for the years ahead, assisting him, as he puts it, in surviving in the midst of change.

RECRUITMENT OF CIVILIAN VOLUNTEERS TO SERVE IN VIETNAM

Mr. McGEE. Mr. President, the October 21, 1966, issue of Time magazine contains an excellent article concerning the outstanding success of the recruitment program currently being conducted by the Agency for International Development for volunteers to serve their country in Vietnam.

I think it is highly encouraging to note that more than 25,000 Americans have volunteered in the past year to join the U.S. team of civilians in South Vietnam and that 64 percent of AID employees who completed a tour of duty asked to be sent back to Vietnam.

Mr. President, I ask unanimous consent that the article be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

Revolutionaries Wanted

Viet Nam, the ads make clear, is no Bali Ha'i. They emphasize that the job involves "long hours, difficult and possibly hazardous working conditions; minimum assignment: 18 months without dependents." Nonetheless, more than 25,000 Americans have volunteered in the past year to join an expanding U.S. team of civilians in South Viet Nam to push forward a peaceful social revolution amid the ravages of war.

"They seem to regard a tour of duty in Viet Nam as the most challenging, most demanding and most satisfying experience that anyone can find in the world today," says Sam Simpson, chief recruiter for the Agency for International Development's Far East bureau. Indeed, after a tour in Viet Nam, 64% of old AID hands ask to be sent back—a higher percentage of veterans who want to stay on than in any of the 77 other countries with AID missions.

Kurd Hurdle. This month AID began the second year of its drive to enlist skilled workers for Viet Nam. In the New York City area, 5210 applicants of whom perhaps 200 will qualify, swamped recruiters. Last week in Omaha, 285 responded to AID's campaign, and 23 qualified for serious consideration. The AID party then went on to Denver and Portland, Ore. By Christmas the agency needs 500 new agronomists, public administrators, teachers. economists, engineers, police specialists, auditors, nurses and secretaries.

David Werp, 28, a market researcher, drove 100 miles from Sioux City to Omaha in hopes of becoming an AID aide. "I've wanted to do something for my country since I was a kid," said Werp, who has a physical disability that kept him out of military service. Volunteers must meet demanding professional requirements, pass stringent medical tests and undergo a security check. The toughest hurdle is a linguistic-aptitude test, aimed at gauging their ability to learn the six-tone Vietnamese tongue, that includes memorizing a string of Kurdish words. "Musicians do well on it," says Simpson. (So do Kurds.)

Friendly Lizards. To reward its revolutionaries, AID tries to better an applicant's stateside salary and then adds a 25% Viet Nam bonus; group-health, life-insurance and leave benefits are the same as for other foreign-service workers, and allowances are paid for families that must be left at home. Volunteers are warned that a job in the boondocks could be dangerous—nine AID men have been killed by the Viet Cong, eleven wounded and two kidnaped. Even so, commented one recruiter, "It's probably safer working there than crossing Times Square."

Living conditions are admittedly rugged: a shared hotel room, rats, no bathtub, and electric power for perhaps two hours out of 24 in the boonies. Applicants, worried about tropical insects, are reassured that bugs and scorpions are no special problem. What Viet Nam has in abundance, says Nurse Dorothy De Looff, just back from two years in Saigon, is lizards. "But you don't have to worry about them," she tells applicants. "They sing, they eat the insects and they're very friendly. You'll miss them when you come home."

THE INTERNATIONAL STEEL CARTEL

Mr. HARTKE. Mr. President, during my recent trip to Europe I had occasion to speak with a number of economists, government officials, and others connected with steel production. I have expressed my own concern with cartelization and division of markets with accompanying price fixing.

I fear, Mr. President, that the inevitable result will be further difficulties for steel producers, including our own American companies. The forthcoming study of steel imports and exports, which will be conducted by the finance committee will certainly help to clarify these situations.

An article bearing out these concerns appeared on October 9, in the Sunday Telegraph, of London. I ask unanimous consent that it be printed in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Telegraph, London, Oct. 9, 1966]

Steel Tube Cartel on World Scale

(By David Galloway)

The international steel cartel is back in business. There is convincing evidence of a well-organised steel tube cartel in large diameter pipes (10 in. to 20 in.) used in pipelines, oil refineries and chemical plant.

The companies principally involved are Stewarts and Lloyds, which has a virtual monopoly in Britain, Germany's Mannesmann and Phoenix Rheinrohr, the Franco-Belgian export company, Comptoir Belge, the Italian sales organisation, Sider-export, whose chief participant is Dalmine S.P.A., and the Japanese concerns, N.K.K. and C. Hitoh.

There is apparently tacit understanding among these companies not to indulge in price-cutting, not to encroach on each other's backyards, and to share the work in world markets. The existence of the ring is a well-kept secret inside the trade and buyers are powerless to retaliate.

As the sole suppliers these companies are in a dominant position. The demand for tubes has been very strong for a long time as a result of the rapid expansion in the oil, natural gas, and chemical plant industries.

There are no list prices for tubes. Quotations are given against the job and depend on the size of the order and the capacity of the tube producers to supply. Almost invariably quotations are close to each other and in some cases identical as in the classic example given above, which was for an order outside Europe.

A British buyer finds that if he wishes to import foreign tube then the price quoted by Continental producers will nearly always match the Stewarts and Lloyds' quotation or the delivery dates will be so long as to put it out of court. He will be similarly discouraged from exporting British tubes for a job in the Common Market.

A typical case is that of one British buyer who asked for a quotation from a Continental tube producer for a third market and was given a delivery date of a few weeks. When a few days later he asked for a quote for exactly the same tube to import into Britain, the delivery time was five times longer.

There is no evidence yet, that co-operation exists on other steel products, although there are moves towards loose cartelisation among Continental producers to counter their present misery of excess capacity.

The situation is galling for the pipeline and plant contractors. Competition among them is cutthroat: the tubes and other raw materials usually form as much as 40 per cent of the total cost of a contract and because of the cartel they are debarred from buying in the cheapest market and at the best price. It will also pose a pretty problem for Mr. Richard Marsh, Minister of Power, if and when steel is nationalized.

THE URGENT PROBLEM OF CRIME

Mr. TYDINGS. Mr. President, no issue confronting America evokes more concern and emotion than the urgent problem of crime in this country.

For more than 3 years, as U.S. Attorney, I was chief Federal law-enforcement officer for my own State of Maryland. I personally tried scores of criminal cases and obtained convictions, I dare to say, in a great number of them. I have, therefore, more than a little personal knowledge and experience regarding crime and law enforcement. I share the alarm of my fellow citizens at the increase in crime our Nation is experiencing, and I share their desire not just to stem this rising tide, but to eliminate it altogether.

Yet, if direct experience in law enforcement teaches any lesson, it is this one: There is a vast difference between effectively punishing crime and effectively preventing it. Certainly the prompt apprehension, trial, and punishment of guilty persons is a deterrent to crime. But punishment alone—no matter how swift or severe—cannot by itself prevent crime. Hanging men for stealing pennies did not prevent crime in 18th-century England. Quick apprehension and severe punishment alone will not solve the crime problem we face today.

Our crime problem, like that of nations throughout history, is in large part the symptom of a disease far more damaging than crime itself. Crime is often but the tragic, evil outgrowth of the disease of ignorance, poverty, and despair which afflicts millions of our fellow citizens. Those who have had the blessings of a stable home, a good education, and the unencumbered opportunity to enter the mainstream of American economic and social life have no reason or impulse to commit ordinary crime. But if a man needs food for his family and has neither food nor job, he will steal to get that food. If a boy believes that the color of his skin or the limitations on his education will keep him for life from a decent job, he is likely to seek other ways of making a living. When the color of one's skin condemns him to live in a rat-infested one-room apartment, which costs more a month than a new and healthy poolside apartment in the suburbs, and he must go to second-class schools, if he goes at all, and he has no place but the alleys to play, he may not develop a healthy respect for the system of the laws and government which permits that.

Poverty. There is the cancer which leads to crime. Poverty and its fellow-travelers, despair and ignorance. These are the unconquered enemies of mankind and our own people. And no amount of punishment, no number of convictions, can change that fact. We can fill our prisons and build waves of new ones, and poverty will continue to spawn hordes of criminals to fill them. We cannot cure cancer by shooting the patient. We cannot end crime if we are unwilling to treat its causes.

Certainly eliminating the despair and ignorance poverty breeds will not bring man to a state of moral perfection which will permit us to discard our courts and close our jails. But until we find the ways to allow all men to live like men in decent surroundings and with equal opportunities, we cannot be surprised that the prisoners of poverty, ignorance, and despair do not always act as the rest of us would have them act.

Fortunately, under the leadership of President Johnson, we are moving forward not only to improve our law enforcement, but also to remedy the causes of crime itself. This Congress has enacted a number of Presidential programs and proposals to improve law enforcement.

We have enacted the President's request for the Law Enforcement Assistance Act of 1965, to provide Federal aid to law enforcement at the State and local levels for improved training, equipment, and management.

We are creating, at the President's request, a Commission to conduct a comprehensive review of all Federal criminal laws and to make recommendations for their strengthening and revision.

We have enacted the President's proposal for a historic reform in our bail laws so that the pretrial imprisonment of a man accused of crime depends on his character, not his bank account.

The President himself, as a part of his war on crime, has created both a National Commission on Crime and a special Commission on Crime in the District of Columbia.

Much remains to be done in implementing the President's recommendations on criminal law enforcement. For example, Congress has failed to enact any firearms legislation at all and has not provided all the reforms needed in the narcotics laws.

But in the long run, more significant than all the actions we have taken with regard to detecting and punishing crime are the steps we have taken to prevent crime. The major breakthrough in crime prevention accomplished in the history of this Nation is the President's war on poverty. Last weekend, at a surprise visit to the Conference of State Committees on Criminal Administration at the University of Maryland, President Johnson said:

> Poverty. There is the enemy. Strike down poverty and much of crime will fall with it.

President Johnson's wars on crime and war on poverty are really but battles in the same war—the war to eliminate the causes of crime, poverty, ignorance, and hopelessness, which breed crime and have no place in a nation whose Declaration of Independence declares that all men "are endowed with certain unalienable rights, that among them are life, liberty, and the pursuit of happiness," and "that to secure these rights, governments are instituted among men."

Mr. President, in view of the importance of President Johnson's speech at the University of Maryland last weekend, I ask unanimous consent that it be printed at this point in the Record.

There being no objection, the address was ordered to be printed in the Record, as follows:

Text of the Remarks by the President at the Conference of State Committees on Criminal Administration

We are today fighting a war within our own boundaries. The enemy is not identified by a uniform, but no man, woman or child is free from the hostilities. And nothing short of total victory can be acceptable.

It is a war against crime.

Of the evils which beset our society, crime is the most difficult to understand. It is, therefore, the most difficult to eradicate.

This nation was built on a foundation of respect for law and order. Yet there are more than 2,700,000 major crimes committed in our country every year—more than five a minute.

This nation can mount a major military effort on the other side of the globe. Yet it tolerates criminal activity, right here at home, that costs the taxpayers far more than the Vietnam conflict.

We amass knowledge in the sciences to eradicate killing and crippling diseases. Yet we seem incapable of preventing a forcible rape every 23 minutes . . . a robbery every 4½ minutes . . . an assault every 2½ minutes . . . a car theft every minute . . . a burglary every 27 seconds.

The time has come to reverse this trend.

We build for greatness in America. But a society which lives in fear of robbers and murderers and racketeers cannot be great or just or even respectable.

It is the responsibility of the government at all levels to secure for its citizens freedom from criminal outrages. I have said before and I say again today that I pledge myself to use every resource of the Federal Government to banish crime from these shores.

But the Federal Government cannot solve this problem alone. We can help—we can lead the way—but the ultimate solution rests in the initiative and resolution of the

States themselves—and the assistance they provide to local governments. This is truly an area in which results depend on the officials of the 50 States.

That is why we are here today.

In my Message on Crime to Congress this year, I asked the Attorney General to work with the governors to establish statewide committees on law enforcement and criminal justice. Your meeting here in Washington this week represents a first important step toward that goal.

Together we must chart a national strategy against crime.

Such a strategy, it seems to me, has five objectives:

First is increased understanding of crime. There is hardly any other major area of public concern of which there is so little real knowledge.

Second is more help for our police. No man in our society is more in the eye of the storm than the policeman. These few—often underpaid and overworked—are called upon to protect the lives and property of millions. They are the unsung heroes of our civilization.

Third is a more efficient and more equitable system of criminal justice. Each year over 7 million Americans confront the machinery of justice—and they overload it. Intolerable delay at best—miscarriage of justice at worst.

Fourth is better prisoner rehabilitation. One-third of all parolees revert to crime.

Fifth is the search for social reform. It is far better to prevent crime than to punish it.

The crying need for new information on crime was a major reason for my establishment in July, 1965, of the National Crime Commission. When its report to me is completed next January, I believe it will become one of the major documents of our time.

Preliminary reports from the Commission show that criminal statistics—the knowledge we need to fight crime—are incomplete and unreliable. Only a fraction—possibly as few as one-tenth—of crimes committed in America are known to police.

We do not know how many crimes are committed.

We do not know how many crimes are processed in our courts.

We do not know how many Americans are victimized by crime.

We must know and we will know.

But statistics are only part of our national requirement. We must also give local police the tools they need to do the job.

The Law Enforcement Assistance Act is now channeling Federal help to local police. This pioneering legislation was approved by the Congress last year. In its first year of operation, it financed 79 demonstration projects in 30 States. This year more programs are underway. We are now seeking legislation to extend this program and to double the funds available under it.

The Federal Bureau of Investigation is expanding its National Academy six-fold. It will soon be able to train 1,200 rather than 200 law enforcement officials each year. It will provide special training for an additional 1,000 officers.

We must also modernize our system of criminal justice.

Efficiency and fairness are difficult to reconcile. But convictions must not be won at the expense of the Constitutional rights of the citizen. Nor must the guilty go unpunished. The National Crime Commission will recommend ways in which the courts might operate more fairly and swiftly.

The House of Representatives has unanimously approved the request of this Administration for a 12-member national commission to recommend revisions in criminal laws and to close gaps that permit guilty persons to escape punishment. This will is now before the Senate and we expect passage before the end of the session.

In June, I signed into law the first real reform of our bail system. It insures that all defendants will be considered as individuals, not dollar signs.

Another area that demands our attention is rehabilitation. We are looking deeply into our correctional institutions and programs. The rate of crime among previous offenders is one problem, the ineffectiveness of correctional methods another.

We need to know if crime can be reduced by getting certain prisoners back to the community earlier.

We need to know whether work-release programs can be used more beneficially.

We need to know what further contributions medicine and psychiatry can make to prisoner rehabilitation.

Your Federal Government will continue to strengthen the nation's ability to resist crime. We will use the laws we have and we will seek new laws that are seen to be necessary and useful.

We have legislation to control the illegal drug traffic.

We have legislation to control juvenile delinquency.

We will continue to fight for legal authority to end indiscriminate sale of firearms in the face of 17,000 Americans shot to death each year.

We will continue and accelerate our battle with that monster of our time, organized crime.

But for the long-range prospects of this country, I look not to anticrime laws but to antipoverty laws.

Crime is elusive. Criminologists rack their brains to put their finger on the potential criminal and to find out why he acts the way he does.

I believe a large part of the answer—possibly the largest part—was given to us many years ago by George Bernard Shaw when he said: "The greatest of evils and the worst of crimes is poverty."

Poverty.

There is the enemy.

Strike poverty down and much of crime will fall with it.

Punish the criminal? By all means.

But if we wish to rid this country of crime, if we wish to stop hacking at its branches only, we must cut its roots and drain its swampy breeding place, the slum.

Few affluent, educated Americans are attracted to crime. As we bring a fairer measure of prosperity and education to our 32 million poor, I know that the crime rate whose growth frightens us today will begin to shrink significantly.

We are building toward this goal. But the realities compel us to the need for a strong effective system of law enforcement.

We must give our police the support and help they need.

We must see that our laws are strictly but fairly enforced.

We must see that our courts operate with justice and efficiency.

All of us—every public official—must make clear to our fellow citizens that each of us regards the law as it is—a basic essential to orderly living, modern society and to the rights of the individual.

Thank you.

ADDRESS BY THE VICE PRESIDENT BEFORE THE NATIONAL CONVENTION OF THE AMERICAN LEGION

Mr. McGEE. Mr. President, on August 30, 1966, Vice President HUBERT HUMPHREY delivered an address before the National Convention of the American Legion in which he discussed our foreign policy to quite some extent. The speech, of course, was delivered before the elections in Vietnam. It is significant to note, however, that all of the Vice President's observations and predictions on the Vietnam election were borne out almost to the letter. I ask unanimous consent that this excellent speech be printed in the RECORD.

There being no objection, the address was ordered to be printed in the RECORD, as follows:

REMARKS OF VICE PRESIDENT HUBERT HUMPHREY, AT THE AMERICAN LEGION NATIONAL CONVENTION, WASHINGTON, D.C., AUGUST 30, 1966

This month we observe two anniversaries which without doubt will go down as marking places in history.

Some 52 years ago this month men in Europe—through a tragic accumulation of ambitions, miscalculations and stupidities—plunged into World War I and set in motion a series of events from which we have yet to emerge.

Some 21 years ago this month nuclear weapons were introduced into the world and World War II came to an end.

As men examine the modern era I doubt they will find a period which will match the years between 1914 and 1945 for sheer weight of human suffering, injustice, degradation and sacrifice.

All of us in this room remember how, after World War II, we resolved that those years should not be repeated. For we knew, that in the dawning nuclear age, there would no longer be any room for error . . . that there could not be a World War III.

We looked back and held our own mistakes to the light. And we found that they were, basically, the same mistake, made each time in a different way.

We saw that, had we been playing a more active role in the world, we might have helped to avert the building tragedy in 1914. We saw that we should have joined the League of Nations . . . that we should have given France security guarantees on the continent of Europe . . . that we should have maintained our armed forces.

We proclaimed our desire for peace after World War I, but we did not support the peace in active, positive ways.

When the peace was threatened by the Japanese attack in Manchuria in 1931, we did nothing. When Hitler moved into the Rhineland in 1935, we did nothing. When President Roosevelt made his famous quarantine speech in 1937, the country did not respond. When terror reigned in Europe and people disappeared in the night, we turned our faces.

In the spring of 1940 the public opinion polls showed that two-thirds of our people thought it was more important to keep out of war than to help Britain.

It was not until January, 1941 that the same polls showed we were ready to risk intervention in Europe. By then, Hitler's armies had already trampled the continent.

And we did not, in fact, finally step forward until we ourselves fell victim to brutal surprise attack. What a price we—and millions of others—were to pay.

We looked back, at war's end, and we saw that our mistake, in its many variations, was this: That, for a world power, there is no escape from international responsibility.

Looking back, we saw that, if we had stood firm and responsibly a few years before, millions of lives . . . billions of dollars in resources . . . the national independence and integrity of peaceful nations could have been preserved.

Since World War II we have, during the Administrations of Democratic and Republican Presidents alike, avoided that tragic mistake of the past.

We have accepted the responsibility of international leadership. For we have known that our own peace and safety—and of those who depend on us—have rested on our assumption of that responsibility.

Yes, our course in these past 20 years has been the course of responsibility.

It has been a course directed toward the building, day-by-day, brick-by-brick, of a world of peaceful nations living together in the spirit of the United Nations Charter.

It has been a course combining firm resolve in the face of international bullying with the capacity to do international business in the cause of peace: Resistance to nuclear blackmail in Cuba followed by the Test Ban Treaty; resistance to a Communist "war of national liberation" in Vietnam at the same time we propose a non-proliferation agreement on nuclear weapons and a development program which could include a non-aggressive North Vietnam.

It has been a course successful both in preventing the expansion of Communist totalitarianism and of avoiding nuclear war—all the while working toward the time when political self-determination, economic well-being, and social justice might be more widely enjoyed throughout the world.

It has been a course carefully avoiding either appeasement or nuclear risk-taking.

In these postwar years, over one billion people have been freed from foreign rule. Over 70 new countries have been born—but none has turned to communism.

The inspirators of our time have not been Karl Marx and the Communist Manifesto. They have been Thomas Jefferson and our own Declaration of Independence.

Now we face one more test, in these postwar years, of our responsibility—in Vietnam.

Why are we in Vietnam?

We are in Vietnam because we have learned the lessons of the past: That aggression feeds on itself . . . that aggression in one place today, if allowed to succeed, can grow to aggression in many places tomorrow.

We are in Vietnam, with allies, to help the people of South Vietnam meet aggression.

We are there, too, to prevent the spread of aggression to other non-Communist nations which have been, during the postwar period, under constant internal or external Communist assault.

We are in Vietnam to give these nations the extra measure of security they need to strengthen themselves for the future—to build societies which can withstand Communist pressure.

We are in Vietnam so that all the independent nations of Asia, including South Vietnam, may be able, together, to marshal their resources to the all-important fight against conditions of poverty, hunger, illiteracy and disease—conditions which provide spawning ground for agitation, subversion, and finally, overt aggression from the outside.

And today they are joining together to fight these conditions.

The stakes are high. More than half the world's people live in Asia.

If these people can live, increasingly, in an environment of safety, economic betterment, and of social justice—free of destructive pressure from the outside—then we may have some hope for the prospect of a world at peace.

If they cannot, I think we will have little reason for such hope.

In Vietnam itself we are not so naive as to meet aggression with military force alone. We are, with our allies and the South Vietnamese people, waging a struggle on four fronts—military, political, economic and diplomatic—all interrelated, each as important as the other.

That is why, I believe, we should be as concerned with the ballot box as we are with the battlefield.

There are those who say that self-determination is an alien concept to the South Vietnamese people.

There are those who say it would be just as well to turn them over to Ho Chi Minh and save ourselves all that trouble.

I say they underestimate both the South Vietnamese people and the basic strength, where they have the chance to grow, of democratic institutions.

The fact is this: Just 12 days from now, the people of South Vietnam will vote in cities and villages from one end of the country to the other. Many of them will vote in places where security is assured only between sunrise and sunset.

This will not be a heads-they-win, tails-you-lose Communist election. As of today, there are more than 540 candidates for the 108 elective seats.

There will not be a single uncontested seat in the whole country.

Everyone 18 years of age and older is eligible to vote. And all significant non-Communist groups are actively participating—even the demonstrating Buddhist groups you've read about. Although in theory they still claim to be boycotting the election, in practice they are openly supporting candidates in areas where they have strength.

Meticulous provisions have been made for assuring the secrecy of the ballot and the honesty of the count. Almost 400 American and foreign correspondents will observe and report all that goes on.

Despite these facts, there are those who persist in saying that there cannot be a free election in a country which, they maintain, has had no experience in democracy. They come close, in fact, to saying that democracy can work for people with names like Smith and Jones, but that people with more exotic names simply aren't up to it.

I think the best answer to these skeptics is the fact—too often ignored—that Vietnam did have a free and vigorously contested election, with an honest count of the vote, as recently as last year.

On May 30th of last year almost 3½ million South Vietnamese in 44 provinces and 5 cities—some 72 per cent of the country's registered voters—went to the polls to elect 471 provincial and city councillors.

It was not easy to vote. Because of the need for security, voting booths were set up only in Saigon and the provincial and district capitals. Yet almost three-quarters of those registered, voted. And the turnout would have been bigger if the polls had not closed at 4 p.m. instead of in the evening.

The Communists missed the bus in last year's election. They didn't take it seriously, didn't make a determined enough effort to disrupt it. But they aren't about to make that mistake again.

They are determined to "smash" and "crush" the elections—I quote the words they have been using in their propaganda.

Every day, every hour that passes from now until election day, there will be Communist intimidation and terror.

The signal was first given by a Hanoi radio broadcast on June 16 and the Viet Cong immediately—and obediently—went into action.

First, they warned all candidates to withdraw. They warned all officials concerned with preparations for the elections to cease their activities. Otherwise, the Communists said, they would be acting "at the risk of their lives" and would be "punished without mercy."

Second, the Communists warned government officials "not to coerce the masses to vote."

No one, of course, is "coercing" the people to vote. As in every free election, a good many people won't. Some have not registered—no one coerced them to—and therefore won't be qualified to vote. Some who have registered will not actually turn up at the polls—and no one will coerce them to.

In case anyone might miss the point, Viet Cong teams have been busy all over the country spelling it out.

They have been carrying out forcible collections of identity cards and voting cards, in an effort to intimidate people and prevent them from voting.

They have warned villagers that it will be highly dangerous to go anywhere near the polling places on election day. The polls, they have told them, will be the target of rifle fire and hand grenades.

In some cases, they have bluntly threatened villagers with death if they dare to vote.

Whether the Viet Cong will carry out these threats remains to be seen. But we have reason to believe that they will. As of last weekend more than 20 village leaders and political activists had already been assassinated as part of the Viet Cong pre-election terror.

But what will count will not be what the Communists do, but how the people will stand up under their threats.

So far, not a single candidate has been intimidated into withdrawing.

So far, the election officials are proceeding.

The real test will come on election day.

I predict that millions of Vietnamese will show their courage and cast their votes on September 11. And I predict that the silent slide of ballots into ballot boxes may in the long run sound out more loudly than the din of battle.

For, once their constituent assembly is formed, the South Vietnamese people—after centuries of mandarin rule, after years of colonialism and of constant war—will finally be on their way toward true self-government.

And, as that happens, those who wage aggression will have one more reason to pause and take stock. For, throughout the world, totalitarianism has withered wherever it has met the fresh air of free institutions.

In the meantime, our adversaries have rejected all initiatives for peace—whatever the source of those initiatives—as we have equally welcomed them. We welcome the recent initiative by Asian nations for an all-Asian peace conference. We welcome any proposal, under any auspices, to bring the conflict to the conference table.

And we repeat once more to those who wage aggression: We do not seek to destroy you . . . we do not seek your territory . . . we do not seek the establishment of permanent American bases . . . we will keep our powder dry yet we stand ready to join you in the works of peace and peaceful development . . . we only ask that you cease your aggression and leave your neighbors in peace.

For my part, I see no immediate end to our struggle in Vietnam. We must be prepared for many hard days ahead.

Yet, as we persevere in the face of aggression, I believe we must also persevere in seeking every possible way of bringing the Communist and non-Communist nations of Asia to see that their own self-interests are best served by turning to the needs of ordinary people . . . and to war against man's common enemies of hunger, ignorance and disease.

There may be many months ahead before peace may come to Asia.

First of all, those in Asia who preach the concepts of forceful expansion and of "wars of national liberation" must come to know that those concepts will not succeed.

But beyond that, the long-term peace and stability of Asia will only be achieved by Asian nations themselves. If it is an Asian-achieved peace, it can be an Asian-sustained peace.

If it is a peace that is written and dictated, and enforced in distant foreign capitals, it will be an artificial peace. The peace we seek is the peace that may be established among nations which recognize that it is a peace that represents the legitimate hopes and aspirations of the people of that part of the world.

Our course is to seek, and encourage, such a peace.

This, I believe, is the course which responsibility places upon us—as long as that course may take.

Today, 21 years into the nuclear age, we are still alive. If we are to remain alive—and if we are not to repeat the tragic errors of the past—I believe we have no choice but to hold our course and see it through in Vietnam.

FAILURE TO GRANT EXPORT SUBSIDY FOR MARYLAND TOBACCO

Mr. BREWSTER. Mr. President, one of the most serious problems currently affecting the economy of my State is an artificial problem created by the arbitrary action of the Department of Agriculture.

Last February, the farmers of Maryland voted not to adopt the Federal price-support program for agriculture. Without warning, the Department of Agriculture announced that no export subsidy would be granted to Maryland tobacco. The farmers had not been informed that their subsidy would hinge on this vote.

The net effect of this move is not to shift foreign sales from Maryland to some other tobacco-producing State. It is rather to shift sales from Maryland tobacco to Italian, Yugoslavian, and Japanese tobacco. Maryland tobacco is unique and cannot be replaced by any other American product. Foreign cigarette makers therefore will go to these other countries to purchase substitute blends—and our already deplorable balance of payments will get worse.

This arbitrary action by the Agriculture Department; it amounts to a strong slap on the wrist for farmers who were too independent to go along with a price-support program—a punishment after the fact—and unknown to the farmers when they voted. It is unfair and—in the long run—very unwise.

Mr. President, a recent article in the Baltimore Sun detailed the facts concerning this situation. The article, written by Helen Delich Bentley, deserves the attention of the Senate. I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

MARYLAND TOBACCO ABROAD—FARMERS SEE A CRISIS

(By Helen Delich Bentley)

Maryland's tobacco farmers are crying that they may be put out of business because of bureaucratic red tape and what they see as a determination of the Federal bureaucrats to control everything.

This situation, hitting hardest at the poorest—even depressed—area of the State, has arisen as the result of Maryland's farmers having voted last February not to continue their tobacco crops under Federal controls, because they didn't want another 15 per cent reduction in their production. Subsequently, a 5-cent-per-pound subsidy was instituted on all export tobacco. However, since Maryland farmers had refused crop control, they were not given the 5-cent subsidy even though, they point out, export subsidies are paid on other crops not under control of the Commodity Credit Corporation.

Inasmuch as Government assistance is granted to other agricultural products exported even though they are not under CCC controls, the Maryland farmers see the move as a retaliatory measure.

When the vote was taken, the Maryland farmers were not advised that a subsidy was in the offing for export tobacco, a matter they feel particularly aggrieved about because tobacco from this State has been exported longer than it has from any other.

Maryland's 10,100,000 pounds exported in 1965 is close to the high for an individual state. Kentucky-Tennessee together shipped out 21,600,000 pounds of fire-cured tobacco in the same year. Flue-cured tobacco, which originates in Virginia, North Carolina, South Carolina, Georgia, Florida and Alabama, was purchased overseas to the tune of 395,586,000 pounds. Eight states contributed to the 53,011,000 pounds of burley that went to foreign markets.

In dollar volume, almost half of the State's annual crop is shipped abroad. It affords an important source of revenue to the Maryland growers, dealers, shippers, bankers, and the port of Baltimore. Maryland's tobacco farmers produce about $22,000,000 worth annually, of which $10,000,000 is sold abroad.

For many years, Maryland tobacco has constituted the principal ingredient in approximately 70 per cent of the popular-priced Swiss cigarette. It also has found acceptance and usage in cigarettes and for other purposes in West Germany, Belgium, the Netherlands, Spain, and Portugal, among others. Already, Portugal has canceled a $100,000 order because of the lack of a 5-cent-per-pound subsidy on the Maryland tobacco. Inasmuch as no other state produces the same quality tobacco, the European manufacturers will not make up that difference by buying elsewhere in this country, but instead will work on a blend of tobaccos from Italy, Yugoslavia, and Japan which is the closest that can be achieved as a substitute to that from Maryland.

The other two states excluded from the 5-cent subsidy, according to the Agriculture Department's press release of June 10, are Pennsylvania with its filler tobacco and Connecticut's cigar wrapper—also because those farmers balked at crop controls. The Amish in Pennsylvania resist any kind of government control. However, since their percentages of exports are comparatively negligible, these states are not as hard hit as is Maryland.

The reason for the subsidy, the release said, is that the United States is selling less of the world's tobacco than ever although the over-all purchases have increased among foreign nations.

In addition to raising the over-all amount of tobacco exported from the United States, the export subsidy also was instituted to help the balance-of-payments.

However, say the tobacco men, that portion of the business that was Maryland's will be completely lost to the balance of payments if this State is continued to be denied the subsidy since the users of Maryland tobacco will go to Yugoslavia, Italy, Turkey, and other countries to whip up a blend of tobacco as near to Maryland's as possible.

Other points they make are:

1. The matter of production control is supposed to be voluntary in this country, not mandatory. The decision was strictly administrative, not a legal requirement.

2. Even though there is no production control in the State this year, the actual amount to be marketed will be less than ever. Maryland is not in a position to double its production overnight as are North and South Carolina where there is still sufficient cheap labor. The Maryland tobacco region is too close to Washington and Baltimore, making the labor market very limited. Tobacco is still a product that must be handled by hand.

3. Calvert county, one of the five counties hardest hit by this decision, is considered a depressed area and therefore should qualify for all Federal help possible.

4. The 30,000,000-pound surplus about which the Agriculture Department was complaining in Maryland dates back to the drought year of 1963 and was created under the price support-production control program. That surplus tobacco happens to be generally undesirable because it was too dry. Drought conditions create bad tobacco crops. Mathematically it exists, but one crop failure could wipe out the entire surplus.

5. Friendly foreign nations who prefer Maryland tobacco are being slapped in the face because others are given the 5-cent subsidy and they are forced either to pay more money or look for another product.

For the first time, this year West German interests became a substantial buyer in the Maryland market after a German cigarette manufacturer adhered to the request of his customers, in the Bavarian region adjacent to Switzerland, and purchased the same mix. His sales shot up dramatically.

Without the export subsidy, however, Maryland may be faced with a repetition of its experience of losing the French market during World War I when France was unable to obtain Maryland tobacco. The French cigarette manufacturers substituted tobacco grown in Madagascar for the Maryland portion of their blend and have continued to do so for 50-odd years.

Say the tobacco men further: The problem is one for the entire State even though the farmers are concentrated in Anne Arundel, St. Marys, Prince Georges, Calvert, and Charles counties; the entire economy of these less-affluent counties is at stake; a negative response by the Commodity Credit Corporation could result in the entire State having to assist the hard-hit farmers.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Is there further morning business? If not, morning business is closed.

ELEMENTARY AND SECONDARY EDUCATION ACT AMENDMENTS OF 1966—CONFERENCE REPORT

Mr. MORSE. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13161) to strengthen and improve programs of assistance for our elementary and secondary schools. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of Oct. 20, 1966, pp. 28192-28205, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MORSE. Mr. President, I am very pleased to be able to bring to the Senate the results of what I consider to be a most satisfactory conference with the House on the Elementary and Secondary Education Amendments of 1966.

The report on this bill was filed in the House as Report No. 2309. I therefore shall not verbally duplicate the report, but ask unanimous consent that it be printed at this point in my remarks. The remarks I shall make should be considered an amplification of the agreements as set forth in the statement of the managers on the part of the House in certain respects.

There being no objection, the report was ordered to be printed in the RECORD, as follows:

CONFERENCE REPORT (REPT. NO. 2309)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13161) to strengthen and improve programs of assistance for our elementary and secondary schools, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with amendments as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following: "That this Act may be cited as the 'Elementary and Secondary Education Amendments of 1966'.

"TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

"Part A—Financial assistance to educational agencies for the education of children of low-income families

"Revision of Authorization

"SEC. 101. Section 202 of the Act of September 30, 1950, Public Law 874, Eighty-first Congress, as amended, is amended to read as follows:

" 'Duration of Assistance

" 'SEC. 202. The Commissioner shall, in accordance with the provisions of this title, make payments to State educational agencies for the period beginning July 1, 1965, and ending June 30, 1968.'

"Grants with Respect to Certain Indian Children

"SEC. 102. Section 203(a)(1) of such Act of September 30, 1950, is amended to read as follows:

" 'SEC. 203. (a)(1)(A) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 207(a) (other than payments under such section to jurisdictions excluded from the term "State" by this subsection). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective need for such grants. In addition he shall allot from such amount to the Secretary of the Interior the amount necessary to make payments pursuant to subparagraph (B) of this paragraph, and for the fiscal year ending June 30, 1967, the amount necessary to meet the special educational needs of educationally deprived children on reservations serviced by elementary and secondary schools operated for Indian children by the Department of the Interior. The maximum grant which a local educational agency in Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands shall be eligible to receive and the terms upon which payment shall be made to the Department of the Interior shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

" '(B) The terms on which payment shall be made to the Department of the Interior shall include provision for payments by the Secretary of the Interior to local educational agencies with respect to out-of-State Indian children in the elementary or secondary schools of such agencies under special contracts with that Department. The amount of any such payment may not exceed, for each such child, one-half the average per pupil expenditure in the State in which the agency is located.'

"Payments to State Educational Agencies for Assistance in Educating Migratory Children of Migratory Agricultural Workers

"SEC. 103. (a) Section 203(a) of such Act of September 30, 1950, is amended by inserting after paragraph (5) the following new paragraph:

" '(6) A State educational agency which has submitted and had approved an application under section 205(c) for any fiscal year shall be entitled to receive a grant for that year under this title for establishing or improving programs for migratory children of migratory agricultural workers. The maximum total of grants which shall be available for use in any State for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in the United States multiplied by (A) the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State full time, and (B) the full-time equivalent of the estimated number of such migratory children aged five to seventeen, inclusive, who reside in the State part time, as determined by the Commissioner in accordance with regulations. For purposes of this paragraph the "average per pupil expenditure" in the United States shall be the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies (as defined in section 303(6)(A)) in the United States (including only the fifty States and the District of Columbia), plus any direct current expenditures by States for operation of local educational agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year.'

"(b) Section 205 of such Act is amended by adding the following new subsection at the end thereof:

" '(c)(1) A State educational agency or a combination of such agencies may apply for a grant for any fiscal year under this title to establish or improve, either directly or through local educational agencies, programs of education for migratory children of migratory agricultural workers. The Commissioner may approve such an application only upon his determination—

" '(A) that payments will be used for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of migratory children of migratory agricultural workers, and to coordinate these programs and projects with similar programs and projects in other States, including the transmittal of pertinent information with respect to school records of such children;

" '(B) that in planning and carrying out programs and projects there has been and will be appropriate coordination with programs administered under part B of title III of the Economic Opportunity Act of 1964; and

" '(C) that such programs and projects will be administered and carried out in a manner consistent with the basic objectives of clauses (1)(B) and (2) through (8) of subsection (a), and of section 206(a).

The Commissioner shall not finally disapprove an application of a State educational agency under this paragraph except after reasonable notice and opportunity for a hearing to the State educational agency.

" '(2) If the Commissioner determines that a State is unable or unwilling to conduct educational programs for migratory children of migratory agricultural workers, or that it would result in more efficient and economic administration, or that it would add substantially to the welfare or educational attainment of such children, he may make special arrangements with other public or nonprofit private agencies to carry out the purposes of this subsection in one or more States, and for this purpose he may set aside on an equitable basis and use all or part of the maximum total of grants available for such State or States.'

"(c)(1) The portion of section 206(a) of such Act which precedes clause (1) is amended by striking out 'participate in the program of this title' and inserting in lieu thereof 'participate under this title (except with respect to the program described in section 205(c) relating to migratory children of migratory agricultural workers)'.

"(2) The first sentence of section 207(a)(1) of such Act is amended by inserting 'it and' after 'the amount which'.

"(3) Section 210 of such Act is amended by striking out 'section 206(b)' and inserting in lieu thereof 'section 205(c) or 206(b)'.

"(4) Section 211(a) of such Act is amended by striking out 'section 206(a)' and inserting in lieu thereof 'section 205(c) or 206(a)'.

"Payments on Account of Neglected or Delinquent Children

"SEC. 104. (a) The first sentence of section 203(a)(2) of such Act of September 30, 1950, is amended by striking out all that follows 'multiplied by' and substituting: 'the number of children in the school district of such agency who are aged five to seventeen, inclusive, and are (A) in families having an annual income of less than the low-income factor (established pursuant to subsection (c)), (B) in families receiving an annual income in excess of the low-income factor (established pursuant to subsection (c)) from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, or (C) living in institutions for neglected or delinquent children but not counted pursuant to paragraph (5) of this subsection for the purpose of a grant to a State agency, or being supported in foster homes with public funds.'

"(b) The second sentence of such section 203(a)(2) is amended by striking out 'the number of children of such ages and families in such county or counties' and inserting in lieu thereof 'the number of children of such ages in such county or counties who are described in clause (A), (B), or (C) of the previous sentence,'.

"(c) Subsection (b) of section 203 of such Act is amended by—

"(1) striking out, in the part which precedes paragraph (1), all that follows after 'children aged five to seventeen, inclusive,' and inserting in lieu thereof 'described in clauses (A), (B), and (C) of the first sentence of paragraph (2) of subsection (a):'.

"(2) striking out in paragraph (1) 'the number of such children of such families' each time that it appears and substituting 'the number of such children';

"(3) striking out in paragraph (2) 'the number of children of such ages of families with such income' and substituting 'the number of such children'; and

"(4) striking out in paragraph (3) 'the number of children of such ages of families of such income' and substituting 'the number of such children'.

"(d) The third sentence of subsection (d) of such section 203 is amended by inserting ', and the number of children of such ages living in institutions for neglected or delinquent children, or being supported in foster homes with public funds,' before 'on the basis of'.

"(e) Section 203(a) of such Act is further amended by inserting after paragraph (6) as added by this Act an additional paragraph as follows:

"'(7) In the case of a State agency which is directly responsible for providing free public education for children in institutions for neglected or delinquent children, the maximum grant which that agency shall be eligible to receive under this title for any fiscal year shall be an amount equal to the Federal percentage of the average per pupil expenditure in that State multiplied by the number of such children in average daily attendance, as determined by the Commissioner, at schools for such children operated or supported by that State agency, in the most recent fiscal year for which satisfactory data are available. Such State agency shall use payments under this title only for programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) which are designed to meet the special educational needs of such children.'

"Eligibility for Grants; Clarifying Definition of 'Average Per Pupil Expenditure' in a State

"Sec. 105. (a)

"(1) Section 203(b)(1) of such Act is amended by striking out all that follows 'shall be' and inserting in lieu thereof 'at least ten.'

"(2) Section 203(b)(2) of such Act is amended by striking out 'shall be one hundred or more' and inserting in lieu thereof 'shall be at least ten.'

"(b)(1) Paragraph (2) of section 203(a) of such Act is amended by inserting 'or, if greater, in the United States (which for purposes of this and the last sentence of this paragraph means the fifty States and the District of Columbia,' after 'average per pupil expenditure that State'.

"(2) Paragraph (5) of section 203(a) of such Act is amended by inserting 'or, if greater, in the United States (which for purposes of this sentence means the fifty States and the District of Columbia,' after 'in that State'.

"(3) The amendments made by this subsection shall be effective with respect to fiscal years beginning after June 30, 1967.

"(c) The last sentence of section 203(a)(2) of such Act is amended to read as follows: 'For purposes of this subsection, the "average per pupil expenditure" in a State, or in the United States, shall be the aggregate current expenditures during the second fiscal year preceding the fiscal year for which the computation is made, of all local educational agencies as defined in section 303(6)(A) in the State, or in the United States, as the case may be, plus any direct current expenditures by the State for operation of such agencies (without regard to the sources of funds from which either of such expenditures are made), divided by the aggregate number of children in average daily attendance to whom such agencies provided free public education during such preceding year.'

"Raising the Low-Income Factor After June 30, 1967

"Sec. 106. Section 203(c) of such Act of September 30, 1950, is amended to read as follows:

"'(c) For the purposes of this section, the "Federal percentage" shall be 50 per centum and the "low-income factor" shall be $2,000 for the fiscal year ending June 30, 1966, and the fiscal year ending June 30, 1967. For the fiscal year ending June 30, 1968, they shall be 50 per centum and $3,000, respectively.'

"Using Most Recent Aid-for-Dependent-Children Data Available After June 30, 1966

"Sec. 107. Effective with respect to fiscal years beginning after June 30, 1966, the third sentence (as amended by section 104 of this Act) of section 203(d) of such Act of September 30, 1950, is further amended to read as follows: 'The Secretary of Health, Education, and Welfare shall determine the number of children of such ages from families receiving an annual income in excess of the low-income factor from payments under the program of aid to families with dependent children under a State plan approved under title IV of the Social Security Act, and the number of children of such ages living in institutions for neglected or delinquent children, or being supported in foster homes with public funds, on the basis of the latest calendar or fiscal year data, whichever is later.'

"Repealing Provision for Special Incentive Grants

"Sec. 108. (a) Title II of such Act of September 30, 1950, is amended by striking out section 204.

"(b) Such title II is further amended by—

"(1) striking out 'basic grant', 'BASIC GRANTS' and 'basic grants' each time they occur and inserting in lieu thereof 'grant', 'GRANTS' or 'grants', as the case may be;

"(2) striking out 'or a special incentive grant' in the portion of section 205(a) which precedes clause (1); and

"(3) striking out in section 207(a)(2) the portion which follows the comma and inserting in lieu thereof 'except that this amount shall not exceed the maximum amount determined for that agency pursuant to section 203.'

"Treatment of Income of Employees Receiving Aid for Dependent Children

"Sec. 109. The following new section is added immediately after section 212 of such Act:

"'Treatment of Earnings for Purposes of Aid to Families With Dependent Children

"'Sec. 213. (a) Notwithstanding the provisions of title IV of the Social Security Act, a State plan approved under section 402 of such Act shall provide that for a period of not less than twelve months, and may provide that for a period of not more than twenty-four months, the first $85 earned by any person in any month for services rendered to any program assisted under this title of this Act shall not be regarded (A) in determining the need of such person under such approved State plan or (B) in determining the need of any other individual under such approved State plan.

"'(b) Notwithstanding the provisions of subsection (a) of this section, no funds to which a State is otherwise entitled under title IV of the Social Security Act for any period before the fourth month after the adjournment of the State's first regular legislative session which adjourns more than sixty days after enactment of the Elementary and Secondary Education Amendments of 1966, shall be withheld by reason of any action taken pursuant to a State statute which prevents such State from complying with the requirements of subsection (a) of this section.'

"Providing That a Program or a Project Must Be at Least a Certain Minimum Size To Be Approved

"Sec. 110. Section 205(a)(1)(B) of such Act of September 30, 1950, is amended by striking out the comma after 'needs' and inserting in lieu thereof the following: 'and to this end involve an expenditure of not less than $2,500, except that the State educational agency may with respect to any applicant reduce the $2,500 requirement if it determines that it would be impossible, for reasons such as distance or difficulty of travel, for the applicant to join effectively with other local educational agencies for the purpose of meeting the requirement;'.

"Uses of Granted Funds and Coordination With Other Programs

"Sec. 111. (a) Section 205(a)(1) of such Act of September 30, 1950, is amended by striking out '(including the acquisition of equipment and where necessary the construction of school facilities)' and inserting in lieu thereof the following: '(including the acquisition of equipment, and, where necessary, the construction of school facilities and plans made or to be made for such programs, projects, and facilities)'.

"(b) Section 205(a)(1) of such Act is further amended by inserting before the semicolon at the end thereof the following: ': *Provided*, That the amount used for plans for any fiscal year shall not exceed 1 per centum of the maximum amount determined for that agency for that year pursuant to section 203 or $2,000, whichever is greater'.

"(c) Section 205(a) of such Act of September 30, 1950, is amended by renumbering paragraphs (5), (6), (7), and (8) as (6), (7), (8), and (9), respectively, and by inserting after paragraph (4) the following new paragraph:

"'(5) in the case of an application for payments for planning, (A) that the planning was or will be directly related to programs or projects to be carried out under this title and has resulted, or is reasonably likely to result, in a program or project which will be carried out under this title, and (B) that planning funds are needed because of the innovative nature of the program or project or because the local educational agency lacks the resources necessary to plan adequately for programs and projects to be carried out under this title;'.

"(d) Such redesignated paragraph (8) of such section is amended to read as follows:

"'(8) in the case of a project for the construction of school facilities, that, in developing plans for such facilities due consideration has been given to compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this title shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons;'.

"(e) Section 205(a) of such Act is further amended by striking out the period at the end of the last paragraph, and adding at the end thereof the following new paragraph:

"'(10) in the case of a project for the construction of school facilities, that, in developing plans for such facilities, due consideration has been given to excellence of architecture and design, and to the inclusion of works of art (not representing more than 1 per centum of the cost of the project).'

"(f) Title VII of the Elementary and Secondary Education Act of 1965 (as redesignated by section 161 of this Act) is amended by inserting at the end of section 703 a new subsection as follows:

"'(c) In administering the provisions of this Act and any Act amended by this Act, the Commissioner shall consult with other Federal departments and agencies administering programs which may be effectively coordinated with programs carried out pursuant to such acts, and to the extent practicable for the purposes of such Acts shall (1) coordinate such programs on the Federal level with the programs being administered by such other departments and agencies, and (2) require that effective procedures be adopted by State and local authorities to coordinate the development and operation of programs and projects carried out under such Acts with other public and private programs having the same or similar purposes, including community action programs under title II of the Economic Opportunity Act of 1964.'

"Computing Amount of Payments for State Administrative Expenses

"Sec. 112. Clause (1) of section 207(b) of such Act of September 30, 1950, is amended to read as follows:

"'(1) 1 per centum of the total maximum grants for State and local educational agencies of the State as determined for that year pursuant to sections 203 and 208, or'.

"Provisions To Encourage Local Effort

"Sec. 113. (a) Section 207(c)(2) of such Act of September 30, 1950, is amended by striking out 'for the fiscal year ending June 30, 1964' and inserting in lieu thereof 'for the second preceding fiscal year'.

"(b) Section 203(a)(3) of such Act is amended by striking out '1966' and inserting in lieu thereof '1967' and by striking out '30 per centum' both times it appears and inserting in lieu thereof '50 per centum'.

"Continuing and Revising Provisions for Adjustments Where Necessitated by Appropriations

"Sec. 114. (a) Section 208 of such Act of September 30, 1950, is amended by striking out 'for the fiscal year ending June 30, 1966,' and inserting in lieu thereof 'for any fiscal year'.

"(b) Such section 208 is further amended by adding at the end thereof the following: 'In order to permit reductions made pursuant to this section for any fiscal year to be offset at least in part, the Commissioner may set dates by which (1) State educational agencies must certify to him the amounts for which the applications of educational agencies have been or will be approved by the State, and (2) State educational agencies referred to in section 203(a)(6) must file applications. The excess of (1) the total of the amounts of the maximum grants computed for all educational agencies of any State under section 203, as ratably reduced under this section, over (2) the total of the amounts for which applications of agencies of that State referred to in clauses (1) and (2) of the preceding sentence are approved shall be available, in accordance with regulations, first to educational agencies in that State and then to educational agencies in other States to offset proportionately ratable reductions made under this section.'

"Revision in National Advisory Council Reporting

"Sec. 115. Section 212(c) of such Act of September 30, 1950, is amended to read as follows:

"'(c) The Council shall make an annual report of its findings and recommendations (including recommendations for changes in the provisions of this title) to the President and the Congress not later than January 31 of each calendar year beginning after the enactment of this title. The President is requested to transmit to the Congress such comments and recommendations as he may have with respect to such report.'

"Short Title for Title II of Public Law 874, Eighty-first Congress

"Sec. 116. Title II of such Act of September 30, 1950 (as amended by this Act), is further amended by inserting at the end thereof an additional section as follows:

"'Short Title

"'Sec. 214. This title may be cited as "Title I of the Elementary and Secondary Education Act of 1965".'

"Definitions

"Broadening definition of 'local educational agency'

"Sec. 117. (a)(1) Section 303(6) of such Act of September 30, 1950, is amended to read as follows:

"'(6)(A) For purposes of title I, the term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of free public education in a county, township, independent, or other school district located within a State. Such term includes any State agency which directly operates and maintains facilities for providing free public education.

"'(B) For purposes of title II, the term "local educational agency" means a public board of education or other public authority legally constituted within a State for either administrative control or direction of, or to perform a service function for, public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools. Such term includes any other public institution or agency having administrative control and direction of a public elementary or secondary school, and it also includes (except for purposes of sections 203(a)(2), 203(b), and 205(a)(1)) any State agency which is directly responsible for providing free public education for handicapped children (including mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education) or for children in institutions for neglected or delinquent children.'

"(2) The first sentence of section 203(a)(5) of such Act is amended by striking out ', on a non-school-district basis,'.

"(3) Section 203(a)(3) of such Act is amended by inserting '(A)' after '(3)' and by inserting at the end thereof a new subparagraph as follows:

"'(B) In the case of local educational agencies which serve in whole or in part the same geographical area, and in the case of a local educational agency which provides free public education for a substantial number of children who reside in the school district of another local educational agency, the State educational agency may allocate the amount of the maximum grants for those agencies among them in such manner as it determines will best carry out the purposes of this title.'

"Providing for a more precise definition of 'current expenditures'

"(b) Section 303(5) of such Act is amended to read as follows:

"'(5) The term "current expenditures" means expenditures for free public education, including expenditures for administration, instruction, attendance and health services, pupil transportation services, operation and maintenance of plant, fixed charges, and net expenditures to cover deficits for food services and student body activities, but not including expenditures for community services, capital outlay, and debt service, or any expenditures made from funds granted under title II of this Act or title II or III of the Elementary and Secondary Education Act of 1965.'

"*Part B—School library resources, textbooks, and other instructional materials*

"Appropriations Authorized

"Sec. 121. Section 201(b) of the Elementary and Secondary Education Act of 1965 (Public Law 89-10) is amended to read as follows:

"'(b) For the purpose of making grants under this title, there are hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966, $125,000,000 for the fiscal year ending June 30, 1967, and $150,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law.'

"Revision in Authorization for Title II, and Provision for Indian Children in Schools Operated by the Department of the Interior

"Sec. 122. Section 202(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"'Sec. 202. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 201(b). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition, for the fiscal year ending June 30, 1967, he shall allot from such amount to (A) the Secretary of the Interior the amount necessary for such assistance for children and teachers in elementary and secondary schools operated for Indian children by the Department of the Interior, and (B) the Secretary of Defense the amount necessary for such assistance for children and teachers in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"'(2) From the sums appropriated for carrying out this title for any fiscal year pursuant to section 201(b), the Commissioner shall allot to each State an amount which bears the same ratio to the total of such sums as the number of children enrolled in the public and private elementary and secondary schools of that State bears to the total number of children enrolled in such schools in all of the States. The number of children so enrolled shall be determined by the Commissioner on the basis of the most recent satisfactory data available to him. For purposes of this subsection, the term "State" shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.'

"Administrative Expenses and Improved Coordination

"Sec. 123. Section 203(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows through the end of clause (3) of such section:

"'Sec. 203. (a) Any State which desires to receive grants under this title shall submit to the Commissioner a State plan, in such detail as the Commissioner deems necessary, which—

"'(1) designates a State agency which shall, either directly or through arrangements with other State or local public agencies, act as the sole agency for administration of the State plan;

"'(2) sets forth a program under which funds paid to the State from its allotment under section 202 will be expended solely for (A) acquisition of library resources (which for the purposes of this title means books, periodicals, documents, audiovisual materials, and other related library materials), textbooks, and other printed and published instructional materials for the use of children and teachers in public and private elementary and secondary schools in the State, and (B) administration of the State plan, including (i) the development and revision of standards relating to library resources, textbooks, and other printed and published instructional materials furnished for the use of children and teachers in the public elementary and secondary schools of the State, and (ii) the distribution and control by a local educational agency of such library resources, textbooks, and other instructional materials in carrying out such State plan for the use of children and teachers in schools referred to in clause (A), except that the amount used for administration of the State plan for any fiscal year shall not exceed an amount equal to 5 per centum of the amount paid to the State under this title for that year or $50,000, whichever is greater;

"'(3) sets forth the criteria to be used in allocating library resources, textbooks, and other printed and published instructional materials provided under this title among the children and teachers of the State, which criteria shall—

"'(A) take into consideration the relative need, as determined from time to time, of the children and teachers of the State for such library resources, textbooks, or other instructional materials,

"'(B) provide assurance that to the extent consistent with law such library resources, textbooks, and other instructional materials will be provided on an equitable basis for the use of children and teachers in private elementary and secondary schools in the State which comply with the compulsory attendance laws of the State or are otherwise recognized by it through some procedure customarily used in the State, and

"'(C) provide assurance that, in order to secure the effective and efficient use of Federal funds, there will be appropriate coordination at both State and local levels between the program carried out under this title with respect to library resources and the program (if any) carried out under the Library Services and Construction Act (20 U.S.C. ch. 16);'.

"Part C—Supplementary educational centers and services

"Appropriations Authorized

"Sec. 131. Section 301(b) of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"'(b) For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $100,000,000 for the fiscal year ending June 30, 1966, $175,000,000 for the fiscal year ending June 30, 1967, and $500,000,000 for the fiscal year ending June 30, 1968; but for the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law.'

"Revision in Authorization for Title III, and Provision for Indian Children in Schools Operated by the Department of the Interior

"Sec. 132. Section 302(a) of the Elementary and Secondary Education Act of 1965 is amended to read as follows:

"'Sec. 302. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for grants under this title. The Commissioner shall apportion the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. In addition, for the fiscal year ending June 30, 1967, he shall apportion from such amount to (A) the Secretary of the Interior the amount necessary for such assistance for children and teachers in elementary and secondary schools operated for Indian children by the Department of the Interior, and (B) the Secretary of Defense the amount necessary for such assistance for children and teachers in the overseas dependents schools of the Department of Defense. The terms upon which payments for such purpose shall be made to the Secretary of the Interior and the Secretary of Defense shall be determined pursuant to such criteria as the Commissioner determines will best carry out the purposes of this title.

"'(2) From the sums appropriated for carrying out this title for any fiscal year pursuant to section 301(b), the Commissioner shall apportion $200,000 to each State and shall apportion the remainder of such sums among the States as follows:

"'(A) He shall apportion to each State an amount which bears the same ratio to 50 per centum of such remainder as the number of children aged five to seventeen, inclusive, in the State bears to the number of such children in all the States, and

"'(B) He shall apportion to each State an amount which bears the same ratio to 50 per centum of such remainder as the population of the State bears to the population of all the States.

For the purposes of this subsection, the term "State" does not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands.'

"Provisions With Respect to Facilities Constructed Under Title III

"Sec. 133. Section 304(a)(4) of the Elementary and Secondary Education Act of 1965 is amended by striking out 'and (C)' and inserting in lieu thereof the following: '(C) that, in developing plans for such facilities, due consideration will be given to excellence of architecture and design, and to the inclusion of works of art (not representing more than one per centum of the cost of the project), and there will be compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this title shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons, and (D)'.

"Special Consideration for Local Educational Agencies Which are Financially Overburdened

"Sec. 134. Section 304 of such Act is amended by redesignating subsection (c) as subsection (d) and by inserting after subsection (b) the following new subsection:

"'(c) In approving applications under this title for grants for any fiscal year beginning after June 30, 1967, the Commissioner must give special consideration to the application of any local educational agency which is making a reasonable tax effort but which is nevertheless unable to meet critical educational needs, including preschool education for four and five year olds, because some or all of its schools are seriously overcrowded (as a result of growth or shifts in enrollment or otherwise), obsolete, or unsafe.'

"Part D—Cooperative Research Act amendments

"Permitting the Research Training Program To Be Carried Out Through Contracts as Well as Grants

"Sec. 141. Section 2(b) of the Cooperative Research Act (20 U.S.C. 331(a) is amended to read as follows:

"'(b)(1) The Commissioner is authorized to make grants to universities and colleges and other public or private agencies, institutions, and organizations to assist them in providing training in research in the field of education (including such research described in section 503(a)(4) of the Elementary and Secondary Education Act of 1965), including the development and strengthening of training staff and curricular capability for such training, and without regard to sections 3648 and 3709 of the Revised Statutes (31 U.S.C. 529; 41 U.S.C. 5), to provide by contracts or jointly financed cooperative arrangements with them for the conduct of such activities; except that no such grant may be made to a private agency, organization, or institution other than a nonprofit one.

"'(2) Funds available to the Commissioner for grants or contracts or jointly financed cooperative arrangements under this subsection may, when so authorized by the Commissioner, also be used by the recipient (A) in establishing and maintaining research traineeships, internships, personnel exchanges, and pre- and post-doctoral fellowships, and for stipends and allowances (including traveling and subsistence expenses) for fellows and others undergoing training and their dependents not in excess of such maximum amounts as may be prescribed by the Commissioner, or (B) where the recipient is a State educational agency, in providing for such traineeships, internships, personnel exchanges, and fellowships either directly or through arrangements with public or other nonprofit institutions or organizations.

"'(3) No grant shall be made or contract or jointly financed cooperative arrangements entered into under this subsection for training in sectarian instruction, or for work to be done in an institution, or a department or branch of an institution, whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation or to prepare them to teach theological subjects.

"'(4) Prior to January 31, 1968, the Commissioner shall make a complete report to the Congress with respect to contracts and other arrangements made pursuant to this subsection with private organizations, including benefits received from such contracts and arrangements, and the Commissioner's recommendations with respect to the continuation of the authority to make such contracts and arrangements with private organizations.'

"Consolidating Research Authority Under Section 2

"Sec. 142. Section 4(b) of the Cooperative Research Act is amended by striking out the second sentence thereof.

"Amending the Definition of 'Construction' To Include the Acquisition of Existing Buildings

"Sec. 143. Section 5(4) of the Cooperative Research Act is amended to read as follows:

"'(4) The terms "construction" and "cost of construction" include (A) the construction of new buildings, and the acquisition, expansion, remodeling, replacement, and alteration of existing buildings, including architects' fees, but not including the cost of acquisition of land (except in the case of acquisition of an existing building) or off-site improvements, and (B) equipping new buildings and existing buildings, whether or not acquired, expanded, remodeled, or altered.'

"Part E—Grants to strengthen State departments of education

"Appropriations Authorized

"Sec. 151. Section 501(b) of the Elementary and Secondary Education Act of 1965 is amended to read as follows: 'For the purpose of making grants under this title, there is hereby authorized to be appropriated the sum of $25,000,000 for the fiscal year ending June 30, 1966, $30,000,000 for the fiscal year ending June 30, 1967, and $50,000,000 for the fiscal year ending June 30, 1968.'

"Elimination of Matching Requirement

"Sec. 152. (a) Section 503 of the Elementary and Secondary Education Act of 1965 is amended by striking out '(a)' where it appears after 'Sec. 503.', by striking out 'Federal share of', and by striking out subsection (b) of such section.

"(b) Section 303(b)(3) of such Act is amended by striking out '503(a)(4)' and inserting in lieu thereof '503(4)'.

"(c) Section 502(b) of such Act is amended by striking out 'Federal share (as defined in section 503(b)) of the' and by striking out the last sentence of paragraph (2) thereof.

"(d) Section 504 of such Act is amended by striking out 'section 503(a)' both times it appears and inserting in lieu thereof 'section 503'.

"Technical Amendment Regarding Interchange of Personnel With States

"Sec. 153. Effective as of April 11, 1965, section 507(c)(3)(D) of the Elementary and Secondary Education Act of 1965 is amended by inserting ', and for retention and leave accrual purposes,' after 'toward periodic or longevity step increases'.

"Demonstration Projects To Insure Continuity of Headstart Programs

"Sec. 154. Section 503 of the Elementary and Secondary Education Act of 1965 is amended by striking out 'and' at the end of paragraph (9), by striking out the period at the end of paragraph (10) and inserting in lieu thereof '; and', and by adding at the end thereof the following:

"'(11) evaluation and demonstration projects to insure that benefits obtained by children in Headstart and other preschool programs are not lost during their early elementary school years, but are instead enhanced so as to provide continuity in and accelerated development of the child's learning, academic and other social achievements.'

"Part F—Handicapped children

"Programs Authorized

"Sec. 161. The Elementary and Secondary Education Act of 1965 is amended by redesignating title VI as title VII, by redesignating sections 601 through 605 and references thereto as sections 701 through 705, respectively, and by adding after title V the following new title:

"'TITLE VI—EDUCATION OF HANDICAPPED CHILDREN

"'Appropriations Authorized

"'Sec. 601. (a) The Commissioner is authorized to make grants pursuant to the provisions of this title during the fiscal year ending June 30, 1967, and the succeeding fiscal year, for the purpose of assisting the States in the initiation, expansion, and improvement of programs and projects (including the acquisition of equipment and where necessary the construction of school facilities) for the education of handicapped children (as defined in section 602) at the preschool, elementary and secondary school levels.

"'(b) For the purpose of making grants under this title there is authorized to be appropriated $50,000,000 for the fiscal year ending June 30, 1967, and $150,000,000 for the fiscal year ending June 30, 1968.

"'Definition of "Handicapped Children"

"'Sec. 602. As used in this title, the term "handicapped children" includes mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, or other health impaired children who by reason thereof require special education and related services.

"'Allotment of Funds

"'Sec. 603. (a)(1) There is hereby authorized to be appropriated for each fiscal year for the purposes of this paragraph an amount equal to not more than 3 per centum of the amount appropriated for such year for payments to States under section 601(b). The Commissioner shall allot the amount appropriated pursuant to this paragraph among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title.

"'(2) From the total amount appropriated pursuant to section 601(b) for any fiscal year the Commissioner shall allot to each State an amount which bears the same ratio to such amount as the number of children aged three to twenty-one, inclusive, in the State bears to the number of such children in all the States. For purposes of this subsection, the term "State" shall not include the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, or the Trust Territory of the Pacific Islands.

"'(b) The number of children aged three to twenty-one, inclusive, in any State and in all the States shall be determined, for purposes of this section, by the Commissioner on the basis of the most recent satisfactory data available to him.

"'(c) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for that year shall be available for reallotment, from time to time and on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for that year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year; and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts were not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for that year.

"'State Plans

"'Sec. 604. Any State which desires to receive grants under this title shall submit to the Commissioner through its State educational agency a State plan in such detail as the Commissioner deems necessary. The Commissioner shall not approve a State plan or a modification of a State plan under this title unless the plan meets the following requirements:

"'(a) The plan must provide satisfactory assurance that funds paid to the State under this title will be expended, either directly or through local educational agencies, solely to initiate, expand, or improve programs and projects, including preschool programs and projects, (A) which are designed to meet the special educational and related needs of handicapped children throughout the State, (B) which are of sufficient size, scope, and quality (taking into consideration the special educational needs of such children) as to give reasonable promise of substantial progress toward meeting those needs, and (C) which may include the acquisition of equipment and where necessary the construction of school facilities. Nothing in this title shall be deemed to preclude two or more local educational agencies from entering into agreements, at their option, for carrying out jointly operated programs and projects under this title. The plan may provide up to 5 per centum of the amount allotted to the State for any fiscal year or $75,000 ($25,000 in the case of the Commonwealth of Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands), whichever is greater, may be expended for the proper and efficient administration of the State plan (including State leadership activities and consultative services), and for planning on the State and local level.

"'(b) The plan must provide satisfactory assurance that, to the extent consistent with the number and location of handicapped children in the State who are enrolled in private elementary and secondary schools, provision will be made for participation of such children in programs assisted or carried out under this title.

"'(c) The plan must provide satisfactory assurance that the control of funds provided under this title, and title to property derived therefrom, shall be in a public agency for the uses and purposes provided in this title, and that a public agency will administer such funds and property.

"'(d) The plan must set forth policies and procedures which provide satisfactory assurance that Federal funds made available under this title will be so used as to supplement and, to the extent practical, increase the level of State, local, and private funds expended for the education of handicapped children, and in no case supplant such State, local, and private funds.

"'(e) The plan must provide that effective procedures, including provision for appropriate objective measurements of educational achievement, will be adopted for evaluating at least annually the effectiveness of the programs in meeting the special educational needs of, and providing related services for, handicapped children.

"'(f) The plan must provide that the State educational agency will be the sole agency for administering or supervising the administration of the plan.

"'(g) The plan must provide for making such reports, in such form and containing such information, as the Commissioner may reasonably require to carry out his functions under this title, including reports of the objective measurements required by paragraph (e) of this subsection; and the plan must also provide for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"'(h) The plan must provide satisfactory assurance that such fiscal control and fund accounting procedures will be adopted as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid under this title to the State, including any such funds paid by the State to local educational agencies.

"'(i) The plan must provide satisfactory assurance that funds paid to the State under this title shall not be made available to any school for handicapped children eligible for assistance under section 203(a)(5) of title II of Public Law 874, Eighty-first Congress.

"'(j) The plan must provide satisfactory assurance, in the case of any project for construction of school facilities, that the project is not inconsistent with overall State plans for the construction of school facilities and that the requirements of section 610 will be complied with on all such construction projects.

"'(k) The plan must provide satisfactory assurance that effective procedures will be adopted for acquiring and disseminating to teachers and administrators of handicapped children significant information derived from educational research, demonstration, and similar projects, and for adopting, where appropriate, promising educational practices developed through such projects.

"'Payments

"'Sec. 605. From the amounts allotted to each State under section 603, the Commissioner shall pay to that State an amount equal to the amount expended by the State in carrying out its State plan. These payments may be made in installments, and in advance or by way of reimbursement, with necessary adjustments on account of overpayments or underpayments.

"'Administration of State Plans

"'Sec. 606. (a) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State agency administering the plan reasonable notice and opportunity for a hearing.

"'(b) Whenever the Commission, after reasonable notice and opportunity for hearing to such State agency, finds—

"'(1) that the State plan has been so changed that it no longer complies with the provisions of section 604, or

"'(2) that in the administration of the plan there is a failure to comply substantially with any such provisions,

the Commissioner shall notify such State agency that the State will not be regarded as eligible to participate in the program under this title until he is satisfied that there is no longer any such failure to comply.

"'Judicial Review

"'SEC. 607. (a) If any State is dissatisfied with the Commissioner's final action with respect to the approval of its State plan submitted under section 604 or with his final action under section 606(b), such State may, within sixty days after notice of such action, file with the United States court of appeals for the circuit in which such State is located a petition or review of that action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code.

"'(b) The findings of fact by the Commissioner, if supported by substantial evidence, shall be conclusive; but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall certify to the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence.

"'(c) The court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part. The judgment of the court shall be subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code.

"'National Advisory Committee on Handicapped Children

"'SEC. 608. (a) The Commissioner shall establish in the Office of Education a National Advisory Committee on Handicapped Children, consisting of the Commissioner, who shall be Chairman, and not more than twelve additional members, not less than 50 per centum of whom shall be persons affiliated with educational, training, or research programs for the handicapped, appointed by the Commissioner without regard to the civil service laws.

"'(b) The Advisory Committee shall review the administration and operation of this Act, title II of Public Law 874, Eighty-first Congress, and other provisions of law administered by the Commissioner, with respect to handicapped children, including their effect in improving the educational attainment of such children, and make recommendations for the improvement of such administration and operation with respect to such children. These recommendations shall take into consideration experience gained under this and other Federal programs for handicapped children and, to the extent appropriate, experience gained under other public and private programs for handicapped children. The Advisory Committee shall from time to time make such recommendations as it may deem appropriate to the Commissioner and shall make an annual report of its findings and recommendations to the Commissioner not later than January 31 of 1968 and each fiscal year thereafter. The Commissioner shall transmit each such report to the Secretary together with his comments and recommendations, and the Secretary shall transmit such report, comments, and recommendations to the Congress together with any comments or recommendations he may have with respect thereto.

"'(c) Members of the Advisory Committee who are not regular full-time employees of the United States shall, while serving on business of the Committee, be entitled to receive compensation at rates fixed by the Commissioner, but not exceeding $100 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in Government service employed intermittently.

"'(d) The Commissioner may, at the request of the Advisory Committee, appoint such special advisory professional or technical personnel as may be necessary to enable the Advisory Committee to carry out its duties.

"'Bureau for Education and Training of the Handicapped

"'SEC. 609. The Commissioner shall establish at the earliest practicable date not later than July 1, 1967, and maintain within the Office of Education a bureau for the education and training of the handicapped which shall be the principal agency in the Office of Education for administering and carrying out programs and projects relating to the education and training of the handicapped, including programs and projects for the training of teachers of the handicapped and for research in such education and training.

"'Labor Standards

"'SEC. 610. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this title shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a—276a-5). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).'

"Part G—Dissemination of information

"SEC. 171. Title VII of the Elementary and Secondary Education Act of 1965 (as redesignated by this Act) is amended by inserting at the end thereof a new section as follows:

"'Dissemination of Information

"'SEC. 706. (a) For the purpose of carrying out more effectively the provisions of this Act and title II of Public Law 874, Eighty-first Congress, the Commissioner—

"'(1) shall prepare and disseminate to State and local educational agencies and other appropriate agencies and institutions catalogs, reviews, bibliographies, abstracts, analyses of research and experimentation, and such other materials as are generally useful for such purpose;

"'(2) may upon request provide advice, counsel, technical assistance, and demonstrations to State or local educational agencies or institutions of higher education undertaking to initiate or expand programs under this Act or such title in order to increase the quality or depth or broaden the scope of such programs, and shall inform such agencies and institutions of the availability of assistance pursuant to this clause;

"'(3) shall prepare and disseminate to State and local educational agencies and other appropriate agencies and institutions an annual report setting forth developments in the utilization and adaptation of projects carried out pursuant to this Act and such title; and

"'(4) may enter into contracts with public or private agencies, organizations, groups, or individuals to carry out the provisions of this section.

"'(b) There are authorized to be appropriated not to exceed $1,500,000 for the fiscal year ending June 30, 1967, and not to exceed $2,000,000 for the fiscal year ending June 30, 1968, to carry out the provisions of this section.'

"Part H—Racial imbalance and compliance with Civil Rights Act of 1964

"SEC. 181. Section 704 of the Elementary and Secondary Education Act of 1965 (as redesignated by this act, and containing a prohibition against Federal control of education) is amended by inserting the following at the end thereof and before the period: ', or to require the assignment or transportation of students or teachers in order to overcome racial imbalance'.

"Compliance With Civil Rights Act of 1964

"SEC. 182. The Commissioner of Education shall not defer action or order action deferred on any application by a local educational agency for funds authorized to be appropriated by this Act, by the Elementary and Secondary Education Act of 1965, by the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), by the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), or by the Cooperative Research Act, on the basis of alleged noncompliance with the provisions of title VI of the Civil Rights Act of 1964 for more than sixty days after notice is given to such local agency of such deferral unless such local agency is given the opportunity for a hearing as provided in section 602 of title VI of the Civil Rights Act of 1964, such hearing to be held within sixty days of such notice, unless the time for such hearing is extended by mutual consent of such local agency and the Commissioner, and such deferral shall not continue for more than thirty days after the close of any such hearing unless there has been an express finding on the record of such hearing that such local educational agency has failed to comply with the provisions of title VI of Civil Rights Act of 1964.

"Part I—Effective date

"SEC. 191. The provisions of this title shall be effective with respect to fiscal years beginning after June 30, 1966, except as specifically provided otherwise.

"TITLE II—FEDERALLY AFFECTED AREAS

"Part A—Amendments to Public Law 874

"Amendments to Section 3

"SEC. 201. Section 3 of the Act of September 30, 1950 (Public Law 874, Eighty-first Congress), as amended, is amended in the following respects:

"Providing an alternative means of meeting the eligibility requirement

"(a) (1) Section 3(c) (2) (B) is amended by inserting after 'amount to' the following: ', whichever is the lesser, four hundred such children, or a number of such children equal to'.

"(2) Section 3(c) (5) is amended by striking out 'percentage requirements for eligibility under paragraphs (2) and (4) of this subsection' and by inserting in lieu thereof 'requirements for eligibility under paragraphs (2) (B) and 4(C) of this subsection'.

"Method of determining local contribution rate

"(b) Subsection (d) of section 3, relating to the computation of the local contribution rate, is amended as follows:

"(1) The first sentence of subsection (d) is amended by striking out 'and the local educational agency'.

"(2) Clauses (1) and (2) of the first sentence of subsection (d) are amended to read:

"'(1) he shall place each school district within the State into a group of generally comparable school districts; and

"'(2) he shall then divide (A) the aggregate current expenditures, during the second fiscal year preceding the fiscal year for which he is making the computation, which all of the local educational agencies within any such group of comparable school districts made from revenues derived from local sources, by (B) the aggregate number of children in average daily attendance to whom such agencies provided free public education during such second preceding fiscal year.'

"(3) The third sentence of subsection (d) is amended by striking out 'If, in the judgment of the Commissioner, the current expenditures in those school districts which he has selected under clause (1)' and substituting in lieu thereof 'If, in the judgment of the Commissioner, the current expenditures in the school districts within the generally comparable group as determined under clause (1)'.

"(4) The next to the last sentence of subsection (d) is amended by inserting after 'as the case may be,' the following: 'plus any direct current expenditures by the States for the operation of such agencies', and by inserting 'either of' after 'funds from which'.

"Providing that children of servicemen shall be deemed to reside with a parent employed on Federal property

"(c)(1) The first sentence of subsection (b) of section 3 is amended by—

"(A) inserting '(1)' before 'resided on Federal property',

"(B) inserting '(2)' before 'resided with a parent', and

"(C) inserting before the period at the end thereof ', or (3) had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949)'.

"(2) The second sentence of subsection (b) is repealed.

"Children moving into an area as a result of an international boundary relocation

"(d) Such subsection (b) of section 3 is further amended by adding at the end thereof the following new sentence: 'For the purpose of computing the amount to which a local educational agency is entitled under this section for the fiscal year ending June 30, 1967, the Commissioner shall also determine the number of children (other than children to whom subsection (a) or any other provision of this subsection applies) who were in average daily attendance at such schools and for whom such agency provided free public education, during such fiscal year, as a result of a change in residence from land transferred to Mexico as part of a relocation of an international boundary of the United States.'

"Providing that all Federal payments will be deducted from gross entitlements on the same basis

"(e) Subsection (e) of section 3 is amended to read as follows:

"'(e) In determining the total amount which a local educational agency is entitled to receive under this section (other than subsection (c)(4) thereof) for a fiscal year, the Commissioner shall deduct (1) such amount as he determines that agency derived from other Federal payments (as defined in section 2(b)(1)) but only to the extent such payments are not deducted under the last sentence of section 2(a), and only to the extent the payments are made with respect to property on which children, counted for purposes of this section, live or on which their parents work, and (2) such amount as he determines to be the value of transportation and of custodial and other maintenance services furnished such agency by the Federal Government during such year. The Commissioner shall make no deduction under this subsection for any fiscal year in which the sum of the amounts determined under clauses (1) and (2) of the preceding sentence is less than $1,000.'

"Making the Appropriation for One Fiscal Year Available Through the Following Year To Meet Obligations of the Current Year

"Sec. 202. Sections 5(b) of the Act of September 30, 1950, is amended by adding at the end thereof the following new sentence: 'Sums appropriated pursuant to this title for any fiscal year shall remain available, for obligation and payments with respect to amounts due local educational agencies under this title for such year, until the close of the following fiscal year.'

"State Aid Reductions

"Sec. 203. Section 5 is amended by adding at the end thereof the following new subsection:

"'Adjustments for reductions in State aid

"'(d) The amount which a local educational agency in any State is otherwise entitled to receive under section 2, 3, or 4 for any fiscal year shall be reduced in the same proportion (if any) that the State has reduced for that year its aggregate expenditures (from non-Federal sources) per pupil for current expenditure purposes for free public education (as determined pursuant to regulations of the Commissioner) below the level of such expenditures per pupil in the second preceding fiscal year. The Commissioner may waive or reduce this reduction whenever in his judgment exceptional circumstances exist which would make its application inequitable and would defeat the purpose of this title.'

"Where a Local Educational Agency Cannot or Will Not Educate Children Living on Federal Property

"Sec. 204. Section 6 of the Act of September 30, 1950, is amended by redesignating subsection (f) as subsection (g), and by inserting immediately after subsection (e) the following new subsection:

"'(f) If no tax revenues of a State or of any political subdivision of the State may be expended for the free public education of children who reside on any Federal property within the State, or if no tax revenues of a State are allocated for the free public education of such children, then the property on which such children reside shall not be considered Federal property for the purposes of sections 3 and 4 of this Act. If a local educational agency refuses for any other reason to provide in any fiscal year free public education for children who reside on Federal property which is within the school district of that agency or which, in the determination of the Commissioner, would be within that school district if it were not Federal property, there shall be deducted from any amount to which the local educational agency is otherwise entitled for that year under section 3 or 4 an amount equal to (1) the amount (if any) by which the cost to the Commissioner of providing free public education for that year for each such child exceeds the local contribution rate of that agency for that year, multiplied by (2) the number of such children.'

"Prohibition Against Certain Assignment or Transportation

"Sec. 205. Section 301(a) of the Act of September 30, 1950 (Public Law 874; Eighty-first Congress) is amended by inserting the following at the end thereof before the period: ', or require the assignment or transportation of students or teachers in order to overcome racial imbalance'.

"Amendments to Section 303

"Sec. 206. Section 303 of the Act of September 30, 1950, is amended in the following respects:

"Extending to all property the provision which permits Federal property used for housing to be counted as Federal property for one year after transfer by the United States

"(a) Clause (B) of the next to last sentence of section 303(1) is amended by striking our 'housing'.

"Repeal of exclusion of property used for provision of local benefits

"(b) The last sentence of section 303(1) is amended by—

"(1) striking out '(A) any real property used by the United States primarily for the provision of services or benefits to the local area in which such property is situated,'; and

"(2) redesignating clauses (B), (C), and (D) as clauses (A), (B), and (C), respectively.

"Authorizing the Commissioner to establish a method of counting children for the purpose of determining average daily attendance

"(c) Subsection (10) of section 303 is amended to read as follows:

"'(10) Average daily attendance shall be determined in accordance with State law, except that (A) the average daily attendance of children with respect to whom payment is to be made under section 3 or 4 of this Act shall be determined in accordance with regulations of the Commissioner, and (B) notwithstanding any other provision of this Act, where the local educational agency of the school district in which any child resides makes or contracts to make a tuition payment for the free public education of such child in a school situated in another school district, for purposes of this Act the attendance of such child at such school shall be held and considered (i) to be attendance at a school of the local educational agency so making or contracting to make such tuition payment, and (ii) not to be attendance at a school of the local educational agency receiving such tuition payment or entitled to receive such payment under the contract.'

"Part B.—Amendments to Public Law 815

"Extending Temporary Provisions for One Year

"Sec. 221. Section 3 of the Act of September 23, 1950 (Public Law 815, Eighty-first Congress), is amended by striking out '1966' and inserting in lieu thereof '1967'.

"Reducing Percentage Increase Required for Eligibility and Lengthening Increase Period to Four Years

"Sec. 222. (a) Section 5(c) of the Act of September 23, 1950, is amended by striking out 'at least 5 per centum' and inserting in lieu thereof 'at least 6 per centum'.

"(b) Section 15(6) of such Act is amended by striking out 'base year' and inserting in lieu thereof 'second year of the four year increase period'.

"(c) Section 15(15) of such Act is amended (1) by inserting 'third or fourth' immediately before the phrase 'regular school year' the first time that phrase occurs in the subsection, (2) by striking out '1963–1964' and inserting in lieu thereof '1962–1963', and (3) by striking out 'or the regular school year preceding such school year'.

"(d) Section 15(16) of such Act is amended by striking out 'two' and inserting 'four' in lieu thereof.

"(e) Section 5(f) of such Act is amended to read as follows:

"'(f) In determining under this section the total of the payments which may be made to a local educational agency on the basis of any application, the total number of children counted for purposes of paragraph (1), (2), or (3), as the case may be, of subsection (a) may not exceed—

"'(1) the number of children whose membership at the close of the increase period for the application is compared with membership in the base period for purposes of that paragraph, minus

"'(2) the number of such children whose membership at the close of the increase period was compared with membership in the base year for purposes of such paragraph under the last previous application, if any, of the agency on the basis of which any payment has been or may be made to that agency.'

"Reduction in the Non-Federal Growth Requirement

"Sec. 223. Section 5(d) of such Act is amended by striking out '107 per centum' and by inserting in lieu thereof '106 per centum'.

"Extending the Time for Determining the Number of Unhoused Children by Authorizing the Commissioner to Make the Estimate for a Period Extending Two Years Beyond the Increase Period

"Sec. 224. Section 4 of such Act is amended by inserting 'the second year following' immediately before the phrase 'the increase period'.

"Making the Provisions Relating to Indians Living On Reservations Permanent

"Sec. 225. (a) The first sentence of section 14(b) of such Act is amended by striking out 'ending prior to July 1, 1966,' and ', not to exceed $60,000,000 in the aggregate,'.

"(b) The third sentence of section 14(b) is amended by striking out ', except that after June 30, 1966, no agreement may be made to extend assistance under this section'.

"Providing That Children Who Have a Parent in the Uniformed Services Will Be Considered as Federally Connected

"Sec. 226. (a) Section 5(a)(1) of such Act is amended by inserting ', (A) who so resided' immediately before the phrase 'with a parent employed on Federal property' and by inserting immediately before the comma preceding the phrase 'multiplied by 95 per centum' the following: ', or (B) who had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949)'.

"(b)(1) The first sentence of section 5(a)(2) of such Act is amended by inserting '(A)' after 'children', by inserting '(B)' immediately before 'residing with a parent', and by inserting after 'school district),' the following: 'or (C) who had a parent who was on active duty in the uniformed services (as defined in section 102 of the Career Compensation Act of 1949),'.

"(2) The second sentence of section 5(a)(2) of such Act is repealed.

"Children Moving Into an Area as a Result of an International Boundary Relocation

"Sec. 227. Section 5(a) of such Act is further amended by striking out the period at the end of clause (3), by inserting '; and' in lieu thereof, and by inserting immediately after clause (3) the following new clause:

"'(4) for the fiscal year ending June 30, 1967, the estimated number of children, without regard to the limitation in subsection (d), whose membership in the schools of such local educational agency resulted from a change in residence from land transferred to Mexico as part of a relocation of an international boundary of the United States, multiplied by 50 per centum of the average per pupil cost of constructing minimum school facilities in the State in which the school district of such agency is situated.'

"Providing for Transfer of Title to Facilities to the Local Educational Agency Where It Is in the Federal Interest To Do So

"Sec. 228. Section 10 of such Act is amended by inserting '(a)' immediately before the first word thereof, and by adding the following new subsection:

"'(b) When the Commissioner determines it is in the interest of the Federal Government to do so, he may transfer to the appropriate local educational agency all the right, title, and interest of the United States in and to any facilities provided under this section (or sections 204 or 310 of this Act as in effect January 1, 1958). Any such transfer shall be without charge, but may be made on such other terms and conditions, and at such time as the Commissioner deems appropriate to carry out the purposes of this Act.'

"Where a Local Educational Agency Cannot or Will Not Educate Children Living on Federal Property

"Sec. 229. Section 10 of such Act is further amended by adding an additional new subsection as follows:

"'(c) If no tax revenues of a State or of any political subdivision of the State may be expended for the free public education of children who reside on any Federal property within the State, or if no tax revenues of a State are allocated for the free public education of such children, then the property on which such children reside shall not be considered Federal property for the purposes of section 5 of this Act.'

"Repeal of Exclusion of Property Used for Provision of Local Benefits

"Sec. 230. The last sentence of section 15(1) of such Act is amended by—

"(1) striking out '(A) any real property used by the United States primarily for the provision of services or benefits to the local area in which such property is situated,"; and

"(2) redesignating clauses (B), (C), and (D) as clauses (A), (B), and (C), respectively.

"Providing that Minimum School Facilities Be Usable by Handicapped Persons and Have Certain Other Features

"Sec. 231. Section 15(10) of such Act, relating to the definition of 'minimum school facilities', is amended by adding at the end thereof the following: 'Such regulations shall (A) require the local educational agency concerned to give due consideration to excellence of architecture and design, (B) provide that no facility shall be disqualified as a minimum school facility because of the inclusion of works of art in the plans therefor if the cost of such works of art does not exceed 1 per centum of the cost of the project, and (C) require compliance with such standards as the Secretary may prescribe or approve in order to insure that facilities constructed with the use of Federal funds under this Act shall be, to the extent appropriate in view of the uses to be made of the facilities, accessible to and usable by handicapped persons.'

"Including American Samoa in Definition of 'State'

"Sec. 232. Section 15(13) of such Act, relating to the definition of 'State,' is amended by inserting 'American Samoa,' immediately before 'the Virgin Islands'.

"Part C—Effective date

"Sec. 241. The amendments made by this title shall be effective for fiscal years beginning after June 30, 1966, except that (1) the amendment made by section 201(b) shall be effective for fiscal years beginning after June 30, 1967, and (2) if the amendment made by section 204 or 299 would have reduced payments to a local educational agency for the fiscal year ending June 30, 1966 (if it had been in effect for that year), the amendment shall not apply to that local educational agency for fiscal years ending prior to July 1, 1968.

"TITLE III—ADULT EDUCATION

"Short Title

"Sec. 301. This title may be cited as the 'Adult Education Act of 1966'.

"Statement of Purpose

"Sec. 302. It is the purpose of this title to encourage and expand basic educational programs for adults to enable them to overcome English language limitations, to improve their basic education in preparation for occupational training and more profitable employment, and to become more productive and responsible citizens.

"Definitions

"Sec. 303. As used in this title—

"(a) The term 'adult' means any individual who has attained the age of eighteen.

"(b) The term 'adult education' means services or instruction below the college level (as determined by the Commissioner), for adults who—

"(1) do not have a certificate of graduation from a school providing secondary education and who have not achieved an equivalent level of education, and

"(2) are not currently enrolled in schools.

"(c) The term 'adult basic education' means education for adults whose inability to speak, read, or write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, which is designed to help eliminate such inability and raise the level of education of such individuals with a view to making them less likely to become dependent on others, to improving their ability to benefit from occupational training and otherwise increasing their opportunities for more productive and profitable employment, and to making them better able to meet their adult responsibilities.

"(d) The term 'Commissioner' means the Commissioner of Education.

"(e) The term 'local educational agency' means a public board of education or other public authority legally constituted within a State for either administrative control or direction of public elementary or secondary schools in a city, county, township, school district, or other political subdivision of a State, or such combination of school districts or counties as are recognized in a State as an administrative agency for its public elementary or secondary schools; except that if there is a separate board or other legally constituted local authority having administrative control and direction of adult education in public schools therein, such term means such other board or authority.

"(f) The term 'State' includes the District of Columbia, and (except for the purposes of section 305(a)) the Commonwealth of Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands.

"(g) The term 'State educational agency' means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or if there is a separate State agency or officer primarily responsible for supervision of adult education in public schools then such agency or officer may be designated for the purposes of this title by the Governor or by State law. If no agency or officer qualifies under the preceding sentence, such term shall mean an appropriate agency or officer designated for the purposes of this title by the Governor.

"Grants to States for Adult Basic Education

"SEC. 304. (a) From the sums appropriated pursuant to section 314, not less than 10 per centum nor more than 20 per centum shall be reserved for the purposes of section 309.

"(b) From the remainder of such sums, the Commissioner is authorized to make grants to States, which have State plans approved by him under section 306 for the purposes of this section, to pay the Federal share of the cost of the establishment or expansion of adult basic education programs to be carried out by local educational agencies.

"Allotment for Adult Basic Education

"SEC. 305. (a) From the sums available for purposes of section 304(b) for any fiscal year, the Commissioner shall allot not more than 2 per centum thereof among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to their respective needs for assistance under such section. From the remainder of such sums he shall allot to each State an amount which bears the same ratio to such remainder as the number of adults who have completed not more than five grades of school (or have not achieved an equivalent level of education) in such State bears to the number of such adults in all States.

"(b) The portion of any State's allotment under subsection (a) for a fiscal year which the Commissioner determines will not be required, for the period such allotment is available, for carrying out the portion of the State plan relating to adult basic education approved under this title shall be available for reallotment from time to time, on such dates during such period as the Commissioner may fix, to other States in proportion to the original allotments to such States under subsection (a) for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum which the Commissioner estimates such State needs and will be able to use for such period for carrying out such portion of its State plan approved under this title, and the total of such reductions shall be similarly reallotted among the States whose proportionate amounts are not so reduced. Any amount reallotted to a State under this subsection during a year shall be deemed part of its allotment under subsection (a) for such year.

"State Plans

"SEC. 306. (a) Any State desiring to receive its allotment of Federal funds for any grant under this title shall submit through its State educational agency a State plan. Such State plan shall be in such detail as the Commissioner deems necessary, and shall—

"(1) set forth a program for the use of grants, in accordance with section 304(b), which affords assurance of substantial progress, with respect to all segments of the adult population and all areas of the State, toward carrying out the purposes of such section;

"(2) provide for the administration of such plan by the State educational agency;

"(3) provide for cooperative arrangements between the State educational agency and the State health authority authorizing the use of such health information and services for adults as may be available from such agencies and as may reasonably be necessary to enable them to benefit from the instruction provided pursuant to this title;

"(4) provide for grants to public and private nonprofit agencies for special projects, teacher-training and research;

"(5) provide for cooperation with Community Action programs, Work Experience programs, VISTA, Work Study, and other programs relating to the anti-poverty effort;

"(6) provide that such agency will make such reports to the Commissioner, in such form and containing such information, as may reasonably be necessary to enable the Commissioner to perform his duties under this title and will keep such records and afford such access thereto as the Commissioner finds necessary to assure the correctness and verification of such reports;

"(7) provide such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid the State under this title (including such funds paid by the State to local educational agencies); and

"(8) provide such further information and assurances as the Commissioner may by regulation require.

"(b) The Commissioner shall not finally disapprove any State plan submitted under this title, or any modification thereof, without first affording the State educational agency reasonable notice and opportunity for a hearing.

"Payments

"SEC. 307. (a) Except as provided in subsection (b), the Federal share of expenditures to carry out a State plan shall be paid from a State's allotment available for grants to such State. For the fiscal year ending June 30, 1967, and the succeeding fiscal year, the Federal share for each State shall be 90 per centum.

"(b) No payment shall be made to any State from its allotment for any fiscal year unless the Commissioner finds that the amount available for expenditure by such State for adult education from non-Federal sources for such year will be not less than the amount expended for such purposes from such sources during the preceding fiscal year.

"(c) Payments to a State under this title may be in installments and in advance or by way of reimbursement with necessary adjustments on account of overpayments or underpayments.

"Operation of State Plans; Hearings and Judicial Review

"SEC. 308. (a) Whenever the Commissioner after reasonable notice and opportunity for hearing to the State educational agency administering a State plan approved under this title, finds that—

"(1) the State plan has been so changed that it no longer complies with the provisions of section 306, or

"(2) in the administration of the plan there is a failure to comply substantially with any such provision.

the Commissioner shall notify such State agency that no further payments will be made to the State under this title (or in his discretion, that further payments to the State will be limited to programs under or portions of the State plan not affected by such failure), until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, no further payments may be made to such State under this title (or payments shall be limited to programs under or portions of the State plan not affected by such failure).

"(b) A State education agency dissatisfied with a final action of the Commissioner under section 306 or subsection (a) of this section may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record, the Commissioner may modify or set aside his order. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Commissioner shall be final, subject to the review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not unless so specifically ordered by the court operate as a stay of the Commissioner's action.

"Special Experimental Demonstration Projects and Teacher Training

"SEC. 309. (a) The sums reserved in section 304(a) for the purposes of this section shall be used for making special project grants or providing teacher-training grants in accordance with this section.

"(b) The Commissioner is authorized to make grants to local educational agencies or other public or private nonprofit agencies, including educational television stations, for special projects which will be carried out in furtherance of the purposes of this title, and which—

"(1) involve the use of innovative methods, systems, materials, or programs which the Commissioner determines may have national significance or be of special value in promoting effective programs under this title, or

"(2) involve programs of adult education, carried out in cooperation with other Federal, federally assisted, State, or local programs which the Commissioner determines have unusual promise in promoting a comprehensive or coordinated approach to the problems of persons with basic educational deficiencies.

The Commissioner shall establish procedures for making grants under this subsection which shall require a non-Federal contribution of at least 10 per centum of the costs of such projects wherever feasible and not inconsistent with the purposes of this subsection.

"(c) The Commissioner is authorized to provide (directly or by contract) or to make grants to colleges or universities, State or local educational agencies, or other appropriate public or private nonprofit agencies or organizations, to provide training to persons engaged, or preparing to engage, as personnel in adult education programs designed to carry out the purposes of this title, with such stipends and allowances, if any (including traveling and subsistence expenses), for persons undergoing such training and their dependents as the Commissioner may by regulation determine.

"Advisory Committee on Adult Basic Education

"SEC. 310. (a) The President shall, within ninety days of enactment of this title appoint a National Advisory Committee on Adult Basic Education.

"(b) The National Advisory Committee shall have eight members, consisting of the

Commissioner of Education, who shall be chairman, and seven other members who shall, to the extent possible, include persons knowledgeable in the field of adult education, State and local public school officials, and other persons having special knowledge and experience, or qualifications with respect to adult basic education, and persons representative of the general public. Such Advisory Committee shall meet at the call of the chairman but not less often than twice a year.

"(c) The Advisory Committee shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this title, including policies and procedures governing the approval of State plans under section 306 and policies to eliminate duplication, and to effectuate the coordination of programs under this title and other programs offering adult education activities and services.

"(d) The Advisory Committee shall review the administration and effectiveness of the adult basic education program and other federally supported adult education programs as they relate to adult basic education, make recommendations with respect thereto, and make annual reports to the President of its findings and recommendations (including recommendations for changes in this title and other Federal laws relating to adult education activities and services). The President shall transmit each such report to the Congress together with his comments and recommendations. The Secretary of Health, Education, and Welfare shall coordinate the work of this committee with that of other related advisory committees.

"(e) Members of the Advisory Committee who are not regular full-time employees of the United States, shall, while serving on the business of the Committee, be entitled to receive compensation at rates fixed by the Commissioner, but not exceeding $100 per day, including travel time; and, while so serving away from their homes or regular places of business, members may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently.

"(f) The Commissioner shall engage such technical assistance as may be required to carry out the functions of the Advisory Committee, and the Commissioner shall, in addition, make available to the Advisory Committee such secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out its functions.

"(g) In carrying out its functions pursuant to this section, the Advisory Committee may utilize the services and facilities of any agency of the Federal Government, in accordance with agreements between the Secretary of Health, Education, and Welfare and the head of such agency.

"Administration

"SEC. 311. (a) The Commissioner is authorized to delegate any of his functions under this title, except the making of regulations, to any officer or employee of the Office of Education.

"(b) In administering the provisions of this title, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or nonprofit agency or institution, in accordance with agreements between the Secretary and the head thereof.

"Federal Control Prohibited

"SEC. 312. (a) Nothing contained in this title shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum program of instruction, administration, or personel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

"(b) The National Advisory Committee on Adult Basic Education is authorized to encourage the establishment of State and local adult education advisory committees in order to improve reporting of State and local administration of programs under this title. Such local and State advisory committees may be existing groups or especially established by State and local administrators of the programs to assure that the local program is meeting the needs of the community.

"Limitation

"SEC. 313. No grant may be made under this title for any educational program, activity, or service related to sectarian instruction or religious worship, or provided by a school or department of divinity. For purposes of this section, the term 'school or department of divinity' means an institution or a department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

"Appropriations Authorized

"SEC. 314. There is authorized to be appropriated $40,000,000 for the fiscal year ending June 30, 1967, and $60,000,000 for the fiscal year ending June 30, 1968, for the purposes of this title.

"Repealer

"SEC. 315. Part B of title II of the Economic Opportunity Act of 1964 is repealed."

And the House agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

ADAM C. POWELL,
CARL D. PERKINS,
JOHN BRADEMAS,
RALPH J. SCOTT,
HUGH CAREY,
WILLIAM D. FORD,
LLOYD MEEDS,
JAMES SCHEUER,
WM. AYRES,
ALBERT QUIE,
CHAS. GOODELL,
ALPHONZO BELL,
Managers on the Part of the House.

WAYNE MORSE,
RALPH W. YARBOROUGH,
JOSEPH S. CLARK,
JENNINGS RANDOLPH,
ROBERT KENNEDY,
HARRISON WILLIAMS,
WINSTON PROUTY,
J. K. JAVITS,
PETER DOMINICK,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13161) to strengthen and improve programs of assistance for our elementary and secondary schools, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment. The committee of conference agreed to a substitute for both the House bill and the Senate amendment. Except for technical, clarifying, and conforming changes the following statement explains the differences between the House bill and the substitute agreed to in conference.

TITLE I—AMENDMENTS TO THE ELEMENTARY AND SECONDARY EDUCATION ACT OF 1965

Part A—Financial assistance to educational agencies for the education of children of low-income families

Education of Indian Children

Section 102 of the House bill provided for an authorization equal to not more than 3 percent of the amount appropriated for title I (title II, Public Law 874) for non-State areas and authorized the Commission to make grants to Department of the Interior for programs in BIA schools.

Section 102 of the Senate amendment is similar to the House provision but further requires the Secretary of the Interior to make payments to local educational agencies with respect to the education of out-of-State Indian children in the schools of such agency. The payment shall not exceed 50 percent of that State's average per pupil expenditure for such Indian pupil. The authority to make grants to BIA schools is for fiscal year 1967 only.

The conference substitute is like the Senate amendment.

Computation of Per Pupil Payments to Institutions for Handicapped

The Senate amendment provided, effective for fiscal year 1968, that payments to institutions for handicapped children could be based on 50 percent of the State average or 50 percent of the national average per pupil expenditure whichever is greater.

The conferees adopt the Senate amendment.

Minimum Project Size

Section 109 of the House bill required that each project or program must involve an expenditure of not less than $5,000. The comparable provision of the Senate amendment provided for a minimum project size of $2,500. The conference agreement is like the Senate provision.

Education of Neglected and Delinquent Children

The House passed bill provided that in determining the amounts of grants the Commissioner will count children living in institutions for neglected or delinquent children who are not counted for the purpose of determining the amount of the grant to a State agency. It also amended the provisions under which the State agencies received payments, adding children in institutions for neglected or delinquent children and removing the present limit which restricts payments to those to whom the State provides education "on a nonschool district basis." The Senate amendment is similar to the House provision but also included the counting of children in foster homes in computing payments to local educational agencies. The conferees adopt a substitute embodying both concepts of the House and Senate provisions. The conferees expect that the Administration will take appropriate steps to assure that in the computation of the numbers of children used in making payments to local educational agencies and to institutions that care will be employed to avoid duplication or overlapping in a count.

Limitation on Size of Grant

The House passed bill raised and extended the limit imposed on Federal grants under title II of Public Law 874 from the 30 percent in effect for fiscal year 1966 to 40 percent of the local school budget in fiscal year 1967. The Senate amendment contained no such provision. The conferees adopt a new provision relaxing the ceiling to 50 percent.

Coordination With Other Comparable Programs

The Senate amendment deletes provisions of section 205(a)(7) of Public Law 874 providing for development of projects in coordination with community action programs approved under title II of the Economic Opportunities Act. In lieu thereof the Senate amendment added a provision to renumbered section 703(c) to require the U.S. Commissioner of Education to coordinate with other Federal agencies and to require State and local authorities to coordinate the development and operation of such projects with other public and private programs.

The conferees accepted the Senate amendment with the intent that nothing in the language adopted shall be construed to give any of such agencies a veto over the initiation of programs and projects by the local educational agency. Moreover it is expected by the conferees that the coordination requirements will be so employed as to provide no delay in the formulation and initiation of programs and projects. It is the expectation of the Managers on the part of the House that the coordination required will prevent a duplication of programs.

Standards for Construction for Handicapped

Section 101 of Senate amendment amended section 205 of Public Law 874 (Public Law 89-10, title I) to require in plans for construction of facilities that due consideration be given to compliance with standards to be set by the Secretary to insure that facilities constructed will be accessible to and usable by handicapped persons.

The House bill contained no comparable provision. The conference substitute includes this provision.

Eligible School Areas

The Senate amendment amends section 205 of title II of Public Law 874 to provide that in order to be eligible for a program or a project, a school attendance area must have "concentrations of educationally deprived children" in lieu of present language containing the words "high concentrations of children coming from low-income families." The conferees rejected the Senate amendment with the understanding that strong steps would be taken by the administration to assure that no "means test" would be employed in determining pupil eligibility for program benefits in schools in which programs or projects were operating with Federal funds.

Reports of National Advisory Council

Section 115 of the Senate amendment provides that the National Advisory Council must make its annual report by January 31 of each year rather than by March 31, and such report must be made to the Congress as well as the President. The Senate provision further contains a request of the President that he transmit to the Congress his recommendations with respect to the report.

The House bill did not include this provision. It is included in the conference report.

Short Title

Section 116 of the Senate amendment provided that title II of the act of September 30, 1950 (title I of Public Law 89-10) could be cited as the "Educationally Deprived Children's Act." No comparable provision was included in the House bill.

The conference substitute provides that such title may be cited as "title I of the Elementary and Secondary Education Act of 1965."

Part B—School library resources, textbooks and other instructional materials

Appropriations Authorized

Section 121 of the House bill authorized the appropriation of $105,000,000 for fiscal year 1967, and $175,000,000 for fiscal year 1968, to carry out title II of the Elementary and Secondary Education Act of 1965.

Section 121 of the Senate amendment authorized the appropriations of $125,000,000 for fiscal year 1967, and $150,000,000 for fiscal year 1968, to carry out such title.

The conference substitute adopts the authorizations in the Senate amendment.

Revision in Authorization for Title II, and Provision for Indian Children in Schools Operated by the Department of the Interior and Students in DOD Overseas Schools

Section 122 of the House bill increased from 2 to 3 percent the amount that may be set aside for the outlying territories and authorized the Commissioner to make grants to the Department of the Interior for extending to Bureau of Indian Affairs schools the benefits of title II of the Elementary and Secondary Education Act of 1965. Also, from the set aside of funds the Commissioner was required to make allocation to the Department of Defense for the overseas schools operated for military dependents.

Section 122 of the Senate bill contains a similar provision with respect to BIA schools but contains no provision for overseas dependent schools. In addition, the Senate language authorizing funds for the outlying areas and the Department of the Interior specifies that the amount authorized is an amount equal to not more than 3 percent of the amount appropriated for such year for grants under title II of such act, whereas the House bill specifies that the authorization shall not exceed 3 percent of the sum appropriated for carrying out the title.

The substitute agreed upon in conference is like the Senate bill, except that provisions from the House bill for overseas dependents schools operated by the Department of Defense.

Part C—Supplemental educational centers and services

Appropriations Authorized

Section 131 of the House bill authorized appropriations of $150,000,000 for fiscal year 1967 and $575,000,000 for fiscal year 1968 for carrying out title III of the Elementary and Secondary Education Act of 1965.

Section 131 of the Senate amendment authorized appropriations of $200,000,000 for fiscal year 1967 and $250,000,000 for fiscal year 1968.

The conference substitute authorizes the appropriations of $175,000,000 for the fiscal year 1967, and $500,000,000 for the fiscal year 1968.

Determinations of Relative Need

The Senate amendment provided that for purposes of allocating library resources, textbooks, and other materials under the title, the determination of relative need will be made "from time to time." The House bill did not contain this provision. The conference substitute includes this provision.

Revision in Authorization of Title III, and Provision for Indian Children in Schools Operated by the Department of the Interior and Students in Department of Defense Overseas Dependents' Schools

Section 132 of the House bill increases the amount set aside for outlying areas from 2 to 3 percent of the amount appropriated under the title and authorizes payment out of this amount to the Department of the Interior for supplemental services and centers for children in its Indian schools and to the Department of Defense for such services and centers in its overseas dependent schools.

The Senate amendment provides similar authorization for grants to Bureau of Indian Affairs schools but contains no provision for overseas schools. In addition, the Senate language authorizing funds for the outlying areas and the Department of the Interior specifies that the amount authorized is "an amount equal to not more than 3 percent of the amount appropriated for such year for grants" under title III whereas the House bill specifies that the authorization shall be 3 percent of the sum appropriated for carrying out the title.

The conference substitute is like the Senate amendment, except that it includes the House provisions with respect to the overseas dependents' schools operated by the Department of Defense. However, the conferees do not expect that any of the funds will be used for the construction or leasing of facilities.

Facilities Usable by Handicapped Persons

The Senate amendment required that in developing plans for the construction of facilities that satisfactory assurance be provided that there will be compliance with such standards as may be prescribed or approved by the Secretary to insure that facilities constructed with the use of Federal funds be accessible to and usable by handicapped persons.

The House bill contained no comparable provision. The conference substitute adopts these provisions.

Part D—Cooperative Research Act amendments

Both the House bill and the Senate amendment, in section 141 of each, amended section 2(b) of the Cooperative Research Act to permit contracts with public and private organizations to conduct training in research in the field of education. The Senate amendment contained an additional provision requiring the Commissioner to make a complete report to Congress with respect to such contracts or agreements before January 31, 1968.

The conference substitute retains the additional provision from the Senate amendment.

Compliance With Title VI of Civil Rights Act of 1964

The House bill prohibited the Commissioner from deferring action or ordering action deferred on any application by local educational agencies for funds authorized to be appropriated by this act, or any act amended by it on the basis of alleged noncompliance with title VI of the Civil Rights Act of 1964 unless and until, as provided by section 602 of title VI, there has been an express finding on the record that such agency has failed to comply with such title. The Senate amendment contained no comparable provision.

The substitute agreed to in conference provides that the Commissioner shall not defer action or order action deferred on any application by a local educational agency for funds authorized to be appropriated by this act, the Elementary and Secondary Education Act of 1965, Public Law 874, 81st Congress, Public Law 815, 81st Congress, or the Cooperative Research Act, on the basis of alleged noncompliance with the provisions of title VI of the Civil Rights Act for more than 60 days after notice is given to such local agency of such deferral unless such local agency is given the opportunity for a hearing as provided in section 602 of title VI of the Civil Rights Act, such hearing to be held within 60 days of such notice, unless the time for such hearing is extended by mutual consent of such local agency and the Commissioner, and such deferral shall not continue for more than 30 days after the close of any such hearing unless there has been an express finding on the record of such hearing that such local educational agency has failed to comply with title VI of the Civil Rights Act.

TITLE II—FEDERALLY AFFECTED AREAS

Part A—Amendments to Public Law 874

Providing Alternative Means of Meeting Eligibility Requirement

Section 201 of the House bill relaxes the eligibility requirement for payments to school districts under Public Law 874, 81st Congress to 3 percent of the number of children in average daily attendance or 100 federally connected children, whichever is less. The comparable provision of the Senate amendment relaxed this eligibility requirement to 3 percent or 1,000 federally connected children.

The conference substitute adopts 400 as the number of federally connected children necessary to meet this requirement.

Method of Determining Local Contribution Rate

Section 201(b) of the House bill required the Commissioner to determine the local contribution rate by a system of grouping generally comparable districts within the State so that the local contribution rate of each agency within a group would be the average per pupil expenditure of the entire group. Under the House bill this provision becomes effective with respect to fiscal year 1967.

The Senate provision is identical to the House provision with the exception that the effective date of the amendment is not until fiscal year 1968.

The conference report adopts the Senate provision.

Children Moving Into an Area as a Result of an International Boundary Relocation

Section 201(d) of the Senate bill amends subsection (b) of section 3 of Public Law 874 to require the Commissioner for the purpose of computing the amount to which a local educational agency is entitled, to determine the number of children in such schools as a result of a change in residence from land transferred as a part of a relocation of an international boundary of the United States.

The House bill contained no comparable provision. The conference substitute adopts the provisions of the Senate amendment.

Part B—Amendments to Public Law 815

Children Moving Into an Area as a Result of an International Dispute

Section 227 of the Senate amendment makes provision for including in the number of federally connected children for the purpose of determining a local educational agency entitlement for the fiscal year 1967, the estimated number of children whose membership in the schools of such agency results from a change in residence from land transferred to Mexico as a part of a relocation of an international boundary of the United States.

The House bill contained no comparable provision. The conference substitute retains the Senate provision.

Where a Local Educational Agency Cannot or Will Not Educate Children Living on Federal Property

Section 229 of the Senate bill provides that if a local educational agency cannot or will not educate children living on Federal property such property will not be considered Federal property for the purposes of section 5 of the act.

The House bill contained no comparable provision. The conference substitute contains the Senate provision.

Providing That Minimum School Facilities Be Usable by Handicapped Persons and Have Certain Other Features

The Senate amendment provided that regulations of the Commissioner prescribing what constitutes minimum school facilities shall require compliance with such standards as the Secretary of Health, Education, and Welfare may prescribe or approve to insure that facilities constructed with Federal funds under the act be accessible to and usable by the handicapped.

The House bill contained no comparable provision. The conference report retains the Senate provision.

Section 609 required the Commissioner to establish in the Office of Education a bureau which will be the principal agency for administering and carrying out programs relating to the education and training of the handicapped, including teacher training and research.

Section 610 provided that the requirements of the Davis-Bacon Act shall be applicable for all construction projects assisted under this title.

Part G—Dissemination of information

Both the House bill and the Senate amendment contained a new section relating to dissemination of information and the provision of advice, counsel, technical assistance and demonstrations to State and local educational agencies and certain other agencies. The sections differ in that the House provision waived provisions of law relating to advances of public money and competitive bidding and the Senate amendment authorized the appropriation of $1,500,000 for fiscal year 1967, and $2,000,000, for fiscal year 1968, to carry out the section. In both instances the Senate provisions are kept in the conference report.

Part F—Handicapped children

The Senate amendment added a new title VI to the Elementary and Secondary Education Act of 1965 providing a new program for the handicapped as follows:

Section 601(a) authorized the Commissioner to make grants pursuant to the provisions of this title during fiscal years 1967 through 1970 for the purpose of assisting the States in initiating, expanding, and improving programs and projects for the education of handicapped children (as defined in sec. 602) at the preschool, elementary, and secondary school levels.

Subsection (b) authorized the appropriation of $150 million for the fiscal year ending June 30, 1967, and $250 million for the fiscal year ending June 30, 1968, for carrying out the title. For the fiscal year ending June 30, 1969, and the succeeding fiscal year, only such sums may be appropriated as the Congress may hereafter authorize by law.

Section 602 provided that as used in this title, the term "handicapped children" includes mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, multiple handicapped, or other health impaired children who by reason thereof require special education and related services.

Section 603 in subsection (a) authorizes appropriations for each fiscal year of an amount equal to not more than 3 percent of the amount appropriated for such year for payments to States under section 601(b), which the Commissioner shall allot among Puerto Rico, Guam, American Samoa, the Virgin Islands, and the Trust Territory of the Pacific Islands according to their respective needs for assistance under this title. From the total amount appropriated pursuant to section 601(b) for any fiscal year the Commissioner shall allot to each State (other than the above-mentioned outlying areas) an amount based on the ratio of the number of children aged 3 to 21 in each State to the number of such children in all the States.

Subsection (b) provided that the Commissioner shall determine the number of children aged 3 to 21 in any State and in all the States on the basis of the most recent satisfactory data available.

Subsection (c) provided that money not required by a State as determined by the Commissioner shall be available for reallotment to other States in proportion to the original allotments under subsection (a). The Commissioner shall make reductions in sums which exceed a State's needs and such reductions will similarly be reallotted among the States with proportionate amounts not so reduced, and with such reallotment deemed part of allotments under subsection (a) for the year.

Section 604. If the State wishes to receive grants under this title it must submit a State plan to the Commissioner. To be approved the State plan must meet the following requirement:

(1) The plan must provide satisfactory assurance that funds paid to the State under this title will be expended, either directly or through local educational agencies, solely to initiate, expand, or improve programs and projects, including preschool programs and projects (including the acquisition of equipment and where necessary the construction of school facilities), (a) which are designed to meet the special educational and related needs of handicapped children throughout the State, and (b) which are of sufficient size, scope, and quality (taking into consideration the special educational needs of such children) as to give reasonable promise of substantial progress toward meeting those needs.

(2) The plan must provide satisfactory assurance that provision will be made for participation of handicapped children enrolled in private elementary and secondary schools in programs assisted or carried out under this title.

(3) The plan must provide satisfactory assurance that the control of funds and title to property derived under this title shall be in a public agency and that a public agency will administer such funds and property.

(4) The plan must set forth policies and procedures which provide satisfactory assurance that Federal funds made available under this title will be so used as to supplement and increase, not supplant, the level of State, local, and private funds expended for the education of handicapped children.

(5) The plan must provide that effective procedures, including provision for appropriate objective measurements of educational achievement, will be adopted for evaluating at least annually the effectiveness of the programs in meeting the special educational needs of, and providing related services for handicapped children.

(6) The plan must provide that the State educational agency will be the sole agency for administering or supervising the administration of the plan.

(7) The plan must provide for making such reports as the Commissioner may reasonably require to carry out his function under this title, including reports of the objective measurements; and the plan must also provide for keeping such records and for affording such access thereto as the Commissioner may find necessary.

(8) The plan must provide satisfactory assurance of proper disbursement and accounting for Federal funds paid under this title to the State, including any such funds paid by the State to local educational agencies.

(9) The plan must provide satisfactory assurance that funds paid to the State under this title shall not be made available to any school for handicapped children eligible for assistance under section 203(a)(5) of title II of Public Law 874, 81st Cong.

(10) The plan must provide satisfactory assurance that construction projects under this title are not inconsistent with overall State plans for the construction of school facilities and that the provisions of the Davis-Bacon Act have been complied with.

(11) The plan must provide satisfactory assurance that effective procedures will be adopted for acquiring and disseminating to teachers of the handicapped relevant information derived from educational research,

demonstration, and similar projects pertaining to the education of handicapped children.

Section 605 provided that, from the amounts allotted to each State under section 603, the Commissioner shall pay to that State an amount equal to the amount expended by the State in carrying out its State plan.

Section 606 gave each State a right to notice and a hearing before the Commissioner may disapprove its State plan. It gives the Commissioner authority to suspend the participation of a State in the program under this title whenever it is found—

(1) that the State plan has been so changed that it no longer complies with the provision of section 604, or

(2) that in the administration of the plan there is a failure to comply substantially with any such provisions.

Section 607 provided for judicial review of the Commissioner's final action with respect to approval of a State plan.

Section 608 provided that the Commissioner shall establish in the Office of Education a National Advisory Committee on Handicapped Children, consisting of the Commissioner as Chairman, and not more than 12 additional members, not less than half of whom shall be persons affiliated with educational, training, or research programs for the handicapped, appointed by the Commissioner without regard to the civil service laws. This committee will review and make recommendations regarding the administration and operation of this act and other provisions of law administered by the Commissioner with respect to handicapped children, including their effect in improving the educational attainment of such children, taking into consideration experience gained under this and other Federal programs for handicapped children and, to the extent appropriate, experience gained under other public and private programs for handicapped children. The Advisory Committee shall make an annual report of its findings and recommendations to the Commissioner. The Commissioner will transmit this report to the Secretary, and the Secretary will in turn transmit the report (with his and the Commissioner's comments and recommendations) to the Congress.

TITLE III—ADULT EDUCATION

This title of the Senate amendment provides a program of assistance for adult education. It has no counterpart in the House bill. It provides as follows:

Section 301 provides that title III may be cited as the "Adult Education Act of 1966."

Section 302 states that the purpose of the title is to encourage and expand basic educational programs for adults to enable them to overcome English language limitations, to improve their basic education in preparation for occupational training and more profitable employment, and to become more productive and responsible citizens.

Section 303 defines terms used in the title. Adult education is defined to mean services or instruction below the college level for adults who do not have a high school education or its equivalent and are not currently enrolled in schools.

The term "adult basic education" is defined to mean education for adults whose inability to speak, read, or write the English language constitutes a substantial impairment of their ability to get or retain employment commensurate with their real ability, which is designed to help eliminate such inability and raise the level of education of such individuals with a view to making them less likely to become dependent on others, to improving their ability to benefit from occupational training and otherwise increasing their opportunities for more productive and profitable employment, and to making them better able to meet their adult responsibilities.

Section 304, subsection (a), provided that from the sums appropriated for the purposes of this title, a minimum of 10 percent and a maximum of 20 percent shall be reserved for special experimental demonstration projects and teacher training (sec. 309). Subsection (b) provided that the remainder is to be used to pay the Federal share of adult basic education programs carried out by local educational agencies under this title.

Under subsection (a) of section 305, 2 percent of the sums available for adult basic education programs under subsection (b) of the preceding section, shall be allotted among Puerto Rico, Guam, American Samoa, the Trust Territory of the Pacific Islands, and the Virgin Islands according to their needs. The remainder shall be allotted among the States on the basis of the ratio of the number of adults who have completed not more than five grades of school (or the equivalent) in each State.

Subsection (b) provided for reallotment of any unused allotments under subsection (a) in proportion to the original allotments.

Section 306, subsection (a), provided that any State desiring to receive its allotment of Federal funds for any grant under this title shall submit through its State educational agency a State plan—

(1) setting forth a program for the use of grants for carrying out adult basic education porgrams which afford assurance of substantial progress, with respect to all segments of the adult population and all areas of the State;

(2) providing for administration of the State plan by the State educational agency;

(3) providing for cooperative arrangements between the State educational agency and the State health authority authorizing the use of such health information and services for adults as may be available from such agencies and as may be reasonably necessary to enable them to benefit from the instruction provided under this title;

(4) providing for grants to public and private nonprofit agencies for special projects, teacher training and research;

(5) providing for cooperation with community action programs, work experience programs, VISTA, work-study, and other programs relating to the antipoverty effort; and

(6) providing for reports, fiscal control, and fund accounting procedures, and other information and assurances as may be required by regulations.

Subsection (b) provided that the Commissioner must afford the State educational agency reasonable notice and opportunity for a hearing before he can finally disapprove any State plan or modification thereof.

Section 307, subsection (a) provided that for fiscal years 1967 and 1968, the Federal share for each State shall be 90%.

Subsection (b) contains a maintenance of effort provision.

Section 308 provided for judicial review of the Commissioner's final action with respect to approval of a State plan.

Section 309 subsection (a) provided that the sums reserved under section 304(a) for the purposes of this section (between 10 and 20 percent of the appropriations for this title) shall be used for making special project grants or providing teacher-training grants in accordance with this section.

Subsection (b) authorized the Commissioner to make grants to local education agencies or other public or private nonprofit agencies, including educational television stations, for special projects—

(1) involving the use of innovative methods, systems, materials, or programs of national significance or of special value in promoting effective programs under this title;

(2) involving programs of adult education, carried out in cooperation with other Federal, federally assisted, State, or local programs which have unusual promise in promoting a comprehensive or coordinated approach to the problems of persons with basic educational deficiencies.

A non-Federal contribution of at least 10 percent of the costs of projects under this subsection (b) would be required, wherever feasible.

Subsection (c) authorizes the Commissioner to provide (directly or by contract), or to make grants to colleges or universities, State or local educational agencies, or other public or private nonprofit agencies, to provide training to persons engaged as, or preparing to become, personnel to carry out adult education programs. Stipends and allowances would be authorized for persons undertaking such training and their dependents.

Section 310 provided that the President shall, within 90 days of enactment, appoint a National Advisory Committee on Adult Basic Education which shall consist of the Commissioner of Education as Chairman and seven other members, including persons knowledgeable in the field of adult education, State and local public school officials, and other persons having special knowledge or experience or qualifications with respect to adult basic education, in addition to representatives of the general public.

The Advisory Committee would review, and make recommendations with respect to, the administration and effectiveness of the adult basic education programs and related federally supported adult education programs. The Committee would make annual reports to the President, including recommendations for changes in this title and other Federal laws relating to adult education. The Secretary of Health, Education, and Welfare shall coordinate the work of this Committee with related advisory committees.

Section 311 contains the standard provisions regarding delegations of authority and contracting for services.

Section 312(a) provided that nothing contained in this title shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system, or over the selection of library resources, textbooks, or other printed or published instructional materials by any educational institution or school system.

Subsection (b) authorized the National Advisory Committee on Adult Basic Education to encourage the establishment of State and local adult education advisory committees in order to improve reporting of State and local administration of titles under this title.

Section 313 provided that no grant may be made under this title for any educational program, activity, or service related to sectarian instruction or religious worship, or provided by a school or department of divinity. For purposes of this section, the term "school or department of divinity" means an institution or department or branch of an institution whose program is specifically for the education of students to prepare them to become ministers of religion or to enter upon some other religious vocation, or to prepare them to teach theological subjects.

Section 314 authorized appropriations of $40,000,000 for fiscal year 1967, and $60,000,000 for fiscal year 1968, for the purposes of this title.

Section 315 repeals part B of title II of the Economic Opportunity Act of 1964.

The conference substitute adopts this title of the Senate amendment.

ADAM C. POWELL,
CARL D. PERKINS,
JOHN BRADEMAS,
RALPH J. SCOTT,
HUGH CAREY,
WILLIAM D. FORD,
LLOYD MEEDS,
JAMES H. SCHEUER,
WM. AYRES,
ALBERT QUIE,
CHARLES GOODELL,
ALPHONZO BELL,
Managers on the Part of the House.

Mr. MORSE. Mr. President, because I know of the interest Senators have in the precise financial arrangements arrived at for each of the portions of the bill, I ask unanimous consent that at the conclusion of my remarks as exhibit No. 1, there be entered into the RECORD, tables setting forth the State-by-State estimated amounts under the conference bill for various titles of the act.

The PRESIDING OFFICER. Without objection, it is so ordered.

(See exhibit 1.)

Mr. MORSE. Mr. President, although the Senate took to conference for 1967 a bill with an estimated authorization of some $2.74 billion and return to you today a bill for fiscal year 1967 containing authorization of $2.36 billion, I do not want to leave the impression that the Senate conferees in any sense caved in on money amounts unnecessarily. Rather, we followed the course of wisdom of decreasing our first-year amounts in order to gain assent for the establishment of programs which originated in the Senate and had no House counterpart.

For example, although we took to conference, for the establishment of our new program of grants for special education of handicapped children, the sum of $150 million for this fiscal year and returned bearing approval of the program funded at $50 million for this fiscal year, in doing so, we took into consideration the importance of getting the program established. The fact that this fiscal year is already far advanced, and that in order to plan the program and to fund the operation in this fiscal year, the money figure agreed upon, probably represents the most that could be used efficiently at this time.

In a similar fashion, in title I the Senate receded from the $2,500 family income factor in the formula and accepted the House $2,000 family income factor for this fiscal year. Here, too, we were mindful of the fact that programs were already underway based upon the lower figure and the harsh fact that in all probability, despite our authorization at a higher level were we able to secure it, the administration would not request the full amount. To that extent, it is my view that your conferees were simply being realistic and accepted the temporary setback, fortified by the knowledge that as of July 1 next, the full program at the $3,000 family income factor will be the law of the land.

One other significant change in title I was made by the conferees. During hearings we had received testimony regarding a misinterpretation in certain areas with regard to the intent of section 205(a)(7) of title I. I am pleased to report that we were able to delete that provision and to replace it with a coordination provision which places the duty upon the Commissioner of Education to coordinate the activities of title I with those of a similar nature carried on under other field programs by other agencies, including the Office of Economic Opportunity, programs for Indian children administered by the Department of the Interior for the education of Indian children, and programs in titles II and III of the act administered by the Department of Defense for the education of armed forces children overseas.

In my judgment, this is a significant step toward accomplishing the most meaningful objective of centralizing responsibility for educational programs upon the Commissioner of Education so that he may be held accountable for the success of such programs as are established by the Congress in the educational field. We expect him to coordinate these programs and in so doing to see to it that State and local authorities coordinate the development and operation of such programs under title I of Public Law 89–10 with other public and private programs in their respective areas. In doing this, the conferees clearly expressed their intent that nothing in the language adopted shall be construed to give any of such agencies a veto power over the initiation of programs and projects. This is the prerogative of the local educational agency.

Moreover, it is the expectation of the conferees that the coordination requirements will be so employed as to provide no delay in the formulation and initiation of programs and projects and that the coordination which is required will prevent duplication of programs.

Mr. President, the $1,433,588 authorization of title I also includes the full Senate figure for making provisions for the orphans, the delinquents and foster home children payments to local school districts that was contained in the Montoya amendment to which the Senate gave overwhelming approval. The House version did not contain the $41,210,000 figure which represents payments to local school districts for the foster home children. I am very pleased that we were able to bring this back to the Senate from conference unscathed.

In title II, the library title, the Senate figure of $128,750,000 was accepted by the conferees.

On supplementary education centers, title III, the compromise of $180,250,000 represents the difference between the House provision of $150 million and the Senate provision of $206 million, and is, in my judgment, an equitable figure, for this fiscal year.

Mr. President, at this point I should like to mention one part of the compromise which I think can strengthen this bill. The Senate provision contains no reference to the Department of Defense schools overseas. The House committee has gone thoroughly into this area. It had not, however, gone as thoroughly into the problems of youngsters living on Indian reservations. The conference proposal, in my view, happily combines both approaches. It gives us an opportunity on both sides of the Hill next year to review both the Indian provisions and the Department of Defense overseas dependents provisions. I also wish to point out for the benefit of my friends and colleagues on the Armed Services Committee that the conference agreement clearly stipulates that none of the title III programs as they apply to the Department of Defense installations envisages any construction. The moneys would be used solely to fund programs.

Title IV of Public Law 89–10, as Senators know, concerns the Cooperative Research Act amendments, and I am pleased to report that the conference substitute retains the additional provisions of the Senate amendment. The Senate amendment on dissemination of information, which was strongly urged by the distinguished Senator from Texas [Mr. YARBOROUGH], was brought back from conference with the authorization of $1.5 million for this fiscal year intact, and the Senate provisions accepted by the conferees.

With regard to title V, which concerns strengthening State departments of education, there was no money difference involved. The sole difference was whether the State matching requirements should be suspended for fiscal year 1968 or whether the matching requirements should be eliminated. Here the Senate receded in favor of the House provision for eliminating the matching requirement. We did this with some misgiving, but I think the experience has shown that had we not taken this step at this time the Congress would have either done so at the next extension of this bill or would have further suspended the application as the Senate did this year in response to pleas from Senators from a great many States. In any event we can again reopen this question should it be deemed desirable to do so.

Mr. President, because I know Senators will be greatly interested in the provisions of the conference bill as they relate to the impacted areas program, I wish to report that a compromise was reached on the eligibility requirements for Public Law 874. In the Senate version we had relaxed the 3 percent requirement by providing that a thousand children could meet the criterion. The House version required only 100 children. The conference substitute would permit school districts having 400 children to qualify. The new method of determining the local contribution rate on both House and Senate side, as we went into conference, differed with regard to the effective date. Due to the lateness of this fiscal year of making the change the Senate had deferred the application of the new method until next July 1. I am very pleased to report that the conference agreed with our reasoning in this respect.

Senator YARBOROUGH should also be quite pleased that the conferees accepted his amendments both to Public Law 815 and Public Law 874 providing for payments resulting from the international boundary relocation, the Chamizal amendment, which did not appear in the House version of the bill, which will, I am sure, be most helpful in meeting the problems caused by this rare situation.

One provision of the Senate bill which was not in the House version relates to adult basic education. This is the provision in the act which vests the Commissioner of Education directly with the authority he now exercises on delegated authority from the Office of Economic Opportunity. I am very pleased to be able to report that this entire provision was accepted by the conferees and that as a result it is our expectation that the difficulties of this program in the past year can now be overcome. I want to emphasize that this program is directed at adult basic education, and that there should be no diminution of the thrust of the program, which is to provide the funding for coordinated approaches to the problems of persons with basic educational deficiencies.

I would add to the Department of Health, Education, and Welfare, please take note of the intention of the conferees, as just stated by the chairman of the Senate conferees, that this amendment—and I repeat—is directed at adult basic education, and there should be no diminution of the thrust of the program, which is to provide the funding for coordinated approaches to the problems of persons with basic educational deficiencies.

In discussing this section of the bill, I wish again to express to Senator HARTKE of Indiana my appreciation and that of my subcommittee for having brought to us the proposal and having marshaled for us the arguments and data supporting it. I realize full well that in the version as it passed the Senate, and as it comes from conference, we have not done all that the Senator from Indiana would have wished, but we have made a great start in providing a statutory base within the Office of Education for this type of service so badly needed by so many of our people.

Mr. President, I turn now to the new title of the Elementary and Secondary Education Act relating to handicapped children. Before I discuss it in depth, I wish only to assure the Senate that throughout all the legislation modified by this bill, the Senate insisted on, and was able to bring back, language which assures that in the construction of educational facilities, architects will be able to give heed to the special needs of handicapped persons. This has been our consistent policy in other legislation as well, and I am very happy that our concern in this area is shared by our colleagues in the other body.

Senators are aware that there has been much controversy and much misunderstanding regarding the question of busing of children. In order to lay to rest unwarranted fears, the Senate conferees accepted in the bill the O'Hara amendment which appeared in the House version of the bill. This simply states that the Commissioner may not require the assignment or transportation of students or teachers in order to overcome racial imbalance.

Should the communities wish to do so, however—and the initiative is theirs—he is not precluded from the consideration of a program that has this as a component. The point is that the decision in this regard is one to be made at the local level, not at the level of the Office of Education. This follows the intent expressed in Senate Report No. 1674 on page 27, with respect to title III programs, that projects will be reviewed solely upon the merits of the proposals and that decisions regarding the types and kinds of proposals and the components of such proposals are to be taken by the originators and proponents of the projects.

I should also like at this time to express my appreciation to the House conferees for the splendid spirit of cooperation that was made manifest during the course of the day and a half that it took to reach agreement on this bill. We had very sharp differences at times but the spirit of reaching an honorable and conscionable compromise prevailed and we were able without sacrifice of principle, in my judgment, to bring forth legislation of great significance to American education at the elementary and secondary level.

I turn now to the remaining two matters on the conference agreement, handicapped children and the Fountain amendment proposals.

EDUCATION OF HANDICAPPED CHILDREN

The conference committee adopted, with minor amendments, a provision in the Senate bill which amended the Elementary and Secondary Education Act of 1965 by adding a new title VI, "Education of Handicapped Children."

The new title authorizes the Commissioner to make grants for the purpose of assisting States in the initiation, expansion and improvement of programs and projects, including the acquisition of equipment and, where necessary construction, of school facilities, for the education of handicapped children at the preschool, elementary, and secondary school levels.

For this purpose the conference report authorizes an appropriation of $50 million for the fiscal year ending June 30, 1967; and $150 million for the fiscal year ending June 30, 1968.

Sums appropriated for this program would be allotted among the States on the basis of the number of children aged 3 to 21, inclusive, in each State as related to the total number of such children in all States.

Each State must submit a State plan under which such programs will be operated. In general the State plans will parallel those for educationally deprived children under title I of the Elementary and Secondary Education Act.

It is the intention of the conferees that the requirement that the State plan must provide satisfactory assurance that provision will be made for participation of handicapped children enrolled in private elementary and secondary schools should be liberally interpreted. Programs assisted or carried out under this title should be interpreted with special consideration for the problems of educating handicapped children. Thus in many cases it will be more practical and in some cases, necessary, to provide services for the children in private day classes at the school where they are enrolled rather than requiring them to attend classes in public schools.

This title also provides for the appointment by the Commissioner of a National Advisory Committee on Handicapped Children, consisting of not more than 12 members in addition to the Commissioner, who is designated as Chairman. Not less than half of the members of the Advisory Committee are required to be persons affiliated with educational, training, or research programs for the handicapped. It should be emphasized that the requirement is that not less than half shall be so identified and that the Commissioner in his discretion may appoint more members from this category of specialists.

It shall be the duty of the Advisory Committee to review all educational, training, research, and related programs for handicapped children which are administered by the Commissioner and to make recommendations for the improvement of the administration and operation of such programs. In addition, the Advisory Committee is authorized to make such recommendations as it may deem appropriate and to make an annual report to the Commissioner for transmission to the Secretary and to the Congress.

While I am on the subject of the advisory committee, Mr. President, I would like to again bring to the attention of the Senate the feeling of the Senate conferees that the Office of Education has failed to follow specific congressional intent in the matter of appointing advisory committees of specialists to consult with program officers administering programs relating to teacher training and captioned films for the deaf. Public Law 88–276, establishing the program to assist the training of teachers of the deaf, required the appointment of an advisory committee. When this program was enlarged to include training of teachers of all handicapped children the committee pointed out in Senate Report No. 180, page 24, that the committee expected "the Commissioner to follow the pattern now set in Public Law 87–276 for the use of advisory committees to review all applications for grants-in-aid in the various special areas of education for handicapped children." The expectation of the committee was not fulfilled and the Office of Education has not appointed advisory committees of specialists in the various areas covered by the teacher training programs. Advisory committees of specialists in teacher training programs for the handicapped and in the program for captioned films for the deaf can serve a very useful purpose in keeping the specialists in the Office of Education in touch with the best thinking in their field and in making available to the Office of Education the best minds in the practicing profession. It is hoped that the Commissioner of Education will reinstate the practice followed under Public Law 87–276 in the use of advisory committees.

The conference committee believes that the intended effect of much of the legislation which has been enacted in recent years for the benefit of handicapped children has been lost because of the lack of centralization of programs for the handicapped. In an effort to provide for intensive coordination of services and programs for handicapped children, title VI requires the Commissioner of Education to establish a Bureau for the Education and Training of Handicapped Children.

It is expected that the Commissioner will place in this new Bureau all programs or parts of programs dealing with education, training, and research which affect handicapped children. Such a Bureau will have an opportunity to interrelate research and development activities, professional preparation programs, and the improvement of educational services. It will provide a coordinated intense effort which the committee believes is necessary for the successful implementation of the provisions of this title and previously enacted laws for the benefit of handicapped children. Although the conference report does not require the new Bureau to be established, until July 1, 1967, it is expected that the Commissioner of Education will sense the need for urgent action in the implementation and development of this Bureau and will quickly consolidate programs and personnel to strengthen programs relating to the education of handicapped children. The conference committee did not intend to establish a precedent for legislating bureaus in the Office of Education. The committee felt that the particular facts with regard to the problems of educating handicapped children justified the action in this particular case.

The conference report defines the term "handicapped children" to include mentally retarded, hard of hearing, deaf, speech impaired, visually handicapped, seriously emotionally disturbed, crippled, multiple handicapped, or other health impaired children who by reason thereof require special education and related services. The specific reference to types of handicapping conditions in the definition is not intended to discourage the development of programs to serve more than a single handicap. Quite the contrary, the committee hopes that special attention will be given to the very difficult and complex problems of educating children with multiple handicaps.

Recent research has demonstrated that a certain number of children have severe learning disabilities based on physiological rather than sociological factors which prevent them from learning and functioning in the regular educational program. Inasmuch as these severe learning disabilities are apparently related to a health impairment, it is the intention of this committee that such children be served under that part of the definition referring to "other health impaired children."

Mr. President, I wish to make clear for legislative history, the intent of Congress, as manifested by the action taken in conference yesterday by the conferees on the part of both Houses. I make this statement for the benefit of the Department of Health, Education, and Welfare.

This bill provides for a new bureau in the Department of Health, Education, and Welfare, to be established not later than July 1, 1967. I am taking the time to make this legislative history under instructions, Mr. President. I would do it on my own, but I am doing it under instructions of the conferees from both ends of the Capitol. For we have heard this morning by way of the well-known Washington grapevine that some of the people down in the Department who are opposed to the establishment of such a bureau have said to some representatives of the press, "We don't have to do anything until July 1."

If that is the position of the Department of Health, Education, and Welfare, then they are flying right in the face of the intention of Congress, as clearly stated in this bill. I hope they can still read the English language down in the Department of Health, Education, and Welfare; for the bill makes clear that they shall establish this bureau not later—and that is spelled l-a-t-e-r—not later than July 1, 1967. And let me, as chairman of the Senate Subcommittee on Education, serve notice now on the Secretary of Health, Education, and Welfare, Mr. Gardner, that come January, the Department will be asked to appear before my subcommittee to give a report on the progress they have made during the recess period with respect to establishing a bureau for handicapped children in the Department of Health, Education, and Welfare.

Let me also say, for the benefit of Mr. Gardner, Mr. Howe, and all their associates in the Department of Health, Education, and Welfare, that we are aware of the fact that they did their best—as they had the right to do—to lobby against this original Senate proposal, which was unanimously adopted by the House conferees. In fact, Mr. President, the gentleman from New York, Representative CAREY, who has worked on legislation that will be considered next year for handicapped children, left no room for doubt, during our conference yesterday, that his bill would have provided for a bureau for handicapped children if we did not adopt the proposal at this time.

I am sorry, Mr. President, to have to be this emphatic, but after all, I know how to make legislative history, and I know how important it is to make legislative history this way, when just this morning we received the report from downtown that although we provide in the bill for the establishment of a bureau for handicapped children not later than July 1, they say that means they would not have to do anything until July 1.

Well, they better. Because, Mr. President, one of the lobby arguments that they made was the expression of a resentment that the Congress of the United States is telling them how the Department of Health, Education, and Welfare should be organized.

In our form of government, what other body has the ultimate authority, Mr. President? It happens to be the responsibility of Congress, under our Constitution, to pass legislation providing for the makeup of the agencies, the procedures they are to follow, and the divisions and bureaus that are to be established therein. If the President does not like our legislation, he can veto it. But, Mr. President, this is a basic part of the check and balance system; and I certainly do not need to announce to the Senate this afternoon that the probabilities of the President vetoing an elementary-secondary education bill which includes in it this provision for the establishment of a bureau so sorely needed by the handicapped little boys and girls of this country, are about the same as the probabilities of a snowball remaining frozen in a hot oven.

So I hope it will not be necessary for us to have to comment further at a later date with regard to what the intention of this Congress was with respect to the establishment, in the Department of Health, Education, and Welfare, of a bureau for handicapped children.

Mr. President, one of the hard problems which was resolved by the conference was to arrive at a compromise between the Senate bill and the House bill over the so-called Fountain amendment.

In this connection, the senior Senator from New York, Senator JAVITS, the ranking Republican of the Senate conferees, has asked me to read the following statement as his understanding of the compromise reached by the conference:

STATEMENT BY JACOB K. JAVITS CONCERNING SECTION 182 OF THE ELEMENTARY AND SECONDARY EDUCATION ACT AMENDMENTS OF 1966, H.R. 13161

Section 182 of the Conference Report on H.R. 13161 represents a compromise. The House bill contained a provision which would have precluded any deferral of funds based upon alleged non-compliance with the Civil Rights Act until after a hearing was held and a finding of violation was issued. The principal argument in support of that provision was that the deferral procedure, in the absence of a prior hearing, could be dragged out indefinitely, thus effectuating a denial of funds without complying with the procedures of Section 602 of the Civil Rights Act of 1964. In opposition to this argument, it was argued by myself and others that if no deferral was allowed during the pendency of a proceeding to determine whether a denial could by justified, the Commissioner could be put in the position having to pay out money, which very likely could not be recovered later, and that payout would continue for quite some time because the hearing could be delayed by the local educational agency and, even if the local agency lost the case, it could file a new application and start the payments coming again during the pendency of a new proceeding under the Civil Rights Act. In addition, of course, such a loophole in title VI could well undermine the incentive of other local agencies which might otherwise have been willing to comply with title VI without recourse to proceedings against the Commissioner.

The compromise provision, which I proposed as a substitute for the House provision, and which was adopted by both sides of the Conference, meets the main objective of the House provision—that deferral should not be permitted to be abused or used as a substitute for denial of an application. It does this by insuring that no deferral shall be permitted unless a hearing is proffered promptly. But this compromise also meets the main objective of those who objected to the House provision—that during the pendency of such a hearing, which must be expedited, deferral may continue, so that the Commissioner shall not be at the mercy of those in the local agency who may wish to delay the hearing for ulterior purposes.

The precise terms of the compromise are these. If the Commissioner wishes to defer payments, he must offer to hold a hearing within 60 days of issuance of his notice of deferral. It was the intention of the Conferees that a notice of deferral, if any, be issued expeditiously after the application of the local educational agency is received. If the local agency wants a hearing, the hearing must be concluded within those 60 days, unless the local agency agrees, because it wishes a more extended hearing, to an extension. And the deferral may not continue for more than 30 days after the close of the hearing, the hearing examiner being required to issue his decision within that time. In any case, the deferral must terminate not later than 90 days after issuance of notice of a deferral unless the Commissioner's position is sustained, in which case other provisions of law take over.

Mr. President, I endorse everything the Senator from New York said which sets forth the intent of the conference on both sides of the table and outlines clearly the procedure that is to be followed. However, as the chairman of the Senate conferees, I make this additional statement.

Mr. President, it is my understanding and that of the Senate conferees that the compromise provision adopted by the conference was intended to limit the authority of the Commissioner to withhold funds to a period of not more than 90 days. The 90-day period begins with the notice of deferral of funds. It is expected that the notice of deferral, if it is to be issued, will be sent to the local educational agency concerned as soon as possible after the application for funds has been received. The compromise provides for a 60-day period during which the hearing must be concluded, and an additional 30-day period for the issuance of the examiner's report. It is, of course, possible to extend this time by agreement of both parties. The conferees believe that a 90-day period, during which the Commissioner may defer funds, is a reasonable period and will meet all the due process requirements of law.

I reported to the conference that my report in regard to the position of the Department of Justice and its advice to the Department of Health, Education, and Welfare found that the Department of Health, Education, and Welfare had been acting under the instructions of the Department of Justice which found that the procedures which had been followed had been in compliance with the law.

Earlier in the year, during the HEW-Labor appropriations process the Department's request for title VI enforcement was cut by almost $1 million which means that HEW will not be able to expand its title VI enforcement staff. With this new time requirement being imposed on the Department by the compromise contained in the conference report, I would hope that the appropriations committees in both Houses would look favorably on any supplemental appropriations which the Department might request to meet the requirements which we are now imposing upon them, come the new session of Congress in January.

I wanted to make this legislative history because I think both Houses ought to be on notice as to this very sound compromise worked out in regard to the Fountain amendment. It may be necessary for us all to get behind a Department request for supplemental funds in order to hire the necessary additional personnel to see to it that the school agencies get their decisions within the 90-day period.

EXHIBIT 1

Estimated State grants under Elementary and Secondary Education Act Amendments of 1966, title I, as reported (conference committee), fiscal year 1967 and fiscal year 1968

	Fiscal year 1967[1]	Fiscal year 1968[2]
United States and outlying areas	$1,433,589,014	$2,291,404,689
50 States and District of Columbia	1,393,010,529	2,225,841,283
Alabama	36,686,185	84,572,439
Alaska	2,418,615	3,361,685
Arizona	12,809,883	17,523,573
Arkansas	21,735,899	52,673,675
California	119,234,586	125,894,253
Colorado	12,798,828	17,373,630
Connecticut	12,420,861	15,056,472
Delaware	2,874,306	4,019,764
Florida	36,826,323	67,220,509
Georgia	40,482,325	91,733,130
Hawaii	3,196,356	4,393,816
Idaho	3,272,539	6,496,009
Illinois	63,145,718	77,963,405
Indiana	22,313,456	34,292,395
Iowa	21,817,338	30,658,475
Kansas	13,000,512	19,415,641
Kentucky	32,067,084	68,467,075
Louisiana	42,402,199	75,814,643
Maine	4,503,139	9,639,406
Maryland	21,809,869	27,682,301
Massachusetts	23,268,579	29,849,796
Michigan	43,705,003	57,011,355
Minnesota	27,845,236	39,889,902
Mississippi	33,850,000	81,283,068
Missouri	32,427,315	50,840,770
Montana	4,739,420	7,094,077
Nebraska	7,783,258	15,637,597
Nevada	1,411,280	1,815,380
New Hampshire	1,983,857	3,448,908
New Jersey	35,019,249	41,182,395
New Mexico	11,291,037	16,081,712
New York	165,056,770	197,484,530
North Carolina	55,226,553	119,208,066
North Dakota	6,259,350	10,521,422
Ohio	47,575,121	66,965,517
Oklahoma	20,128,982	35,176,105
Oregon	10,941,642	14,494,766
Pennsylvania	66,652,756	88,288,217
Rhode Island	5,349,154	6,579,808
South Carolina	30,435,544	71,976,735
South Dakota	7,514,817	11,880,344
Tennessee	33,881,721	80,767,648
Texas	90,516,434	165,978,551
Utah	3,551,904	5,778,985
Vermont	2,180,334	4,020,945
Virginia	34,904,359	66,624,738
Washington	15,005,900	19,186,124
West Virginia	17,911,132	37,467,110
Wisconsin	21,259,915	32,689,560
Wyoming	2,254,741	3,189,306
District of Columbia	7,263,145	9,175,555
Outlying areas	40,578,485	65,563,406

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[1] Grants estimated on basis 5 to 17 population, low-income factor $2,000 per annum (1959); AFDC 1965; estimated ADA handicapped children (June 30, 1966); estimated migratory children of migratory workers (FTE 1965); dependent and neglected children 5 to 17 in institutions (April 1, 1960); children under 21 in foster homes under the auspices of public agencies (April 1, 1960); juvenile delinquents 5 to 17 in training schools and detention homes (April 1, 1960); and 50 percent State C.E.; per pupil in ADA, 1964-65 (except migratory children). 1960 data on children based on 25 percent sample. 3 percent of 50 States and District of Columbia amounts added for the outlying areas (except migratory children).

[2] Grants estimated on basis of low-income factor $3,000 per annum (1959); 50 percent State or national average C.E. per pupil in ADA, 1964–65 (except migratory children); other factors as in footnote 1. It is estimated that the current expenditure per pupil in average daily attendance for 1965–66 will increase approximately 5 percent. This will increase the fiscal year 1968 amounts listed.

Estimated distribution of authorizations under Elementary and Secondary Education Act Amendments of 1966, title II, as reported (conference committee), fiscal year 1967 and fiscal year 1968—School library resources, etc.

	Fiscal year 1967	Fiscal year 1968
United States and outlying areas	$128,750,000	$154,500,000
50 States and District of Columbia	125,000,000	150,000,000
Alabama	2,210,204	2,652,245
Alaska	159,181	191,017
Arizona	1,047,021	1,256,425
Arkansas	1,186,651	1,423,982
California	12,012,064	14,414,477
Colorado	1,367,352	1,640,822
Connecticut	1,789,558	2,147,470
Delaware	331,395	397,674
Florida	3,372,718	4,047,261
Georgia	2,769,995	3,323,994
Hawaii	499,556	599,467
Idaho	469,919	563,905
Illinois	6,861,965	8,234,358
Indiana	3,253,302	3,903,962
Iowa	1,879,100	2,254,920
Kansas	1,442,628	1,731,158
Kentucky	1,955,944	2,347,133
Louisiana	2,459,448	2,951,338
Maine	668,643	802,372
Maryland	2,336,998	2,804,398
Massachusetts	3,349,270	4,019,124
Michigan	5,998,753	7,198,504
Minnesota	2,539,170	3,047,004
Mississippi	1,546,755	1,856,106
Missouri	2,946,895	3,536,274
Montana	485,419	582,503
Nebraska	977,775	1,173,330
Nevada	282,091	338,509
New Hampshire	428,956	514,748
New Jersey	4,137,934	4,965,521
New Mexico	761,337	913,604
New York	10,576,851	12,692,221
North Carolina	3,074,100	3,688,921
North Dakota	438,953	526,743
Ohio	6,926,629	8,311,955
Oklahoma	1,549,761	1,859,714
Oregon	1,243,595	1,492,313
Pennsylvania	7,330,210	8,796,252
Rhode Island	546,551	655,861
South Carolina	1,673,077	2,007,692
South Dakota	490,706	588,847
Tennessee	2,317,974	2,781,568
Texas	6,859,291	8,231,150
Utah	748,833	898,599
Vermont	266,006	319,207
Virginia	2,678,402	3,214,082
Washington	2,009,455	2,411,346
West Virginia	1,144,286	1,373,143
Wisconsin	2,928,634	3,514,361
Wyoming	231,665	277,998
District of Columbia	437,024	524,429
Outlying areas	3,750,000	4,500,000

NOTE.—Estimated distribution of authorized funds to the 50 States and District of Columbia on the basis of estimated total elementary and secondary school enrollment, fall 1965. 8 percent added for outlying areas.

Estimated distribution of authorizations under Elementary and Secondary Education Act Amendments of 1966, title III, as reported (conference committee), fiscal year 1967 and fiscal year 1968—Supplementary educational centers and services

	Fiscal year 1967	Fiscal year 1968
United States and outlying areas	$180,250,000	$515,000,000
50 States and District of Coulmbia	175,000,000	500,000,000
Alabama	3,270,401	9,325,500
Alaska	424,086	866,002
Arizona	1,589,330	4,329,210
Arkansas	1,881,583	5,197,812
California	15,555,549	45,838,035
Colorado	1,895,262	5,238,467
Connecticut	2,544,411	7,167,794
Delaware	633,141	1,487,333
Florida	4,935,401	14,274,026
Georgia	4,003,877	11,505,455
Hawaii	822,566	2,050,323
Idaho	822,273	2,049,447
Illinois	9,116,963	26,701,993
Indiana	4,422,813	12,750,569
Iowa	2,586,504	7,292,900

*Estimated distribution of authorizations under Elementary and Secondary Education Act Amendments of 1966, title III, as reported (conference committee), fiscal year 1967 and fiscal year 1968—Supplementary educational centers and services—*Continued

	Fiscal year 1967	Fiscal year 1968
Kansas	$2, 117, 041	$5, 897, 610
Kentucky	2, 967, 898	8, 426, 437
Louisiana	3, 386, 531	9, 611, 206
Maine	1, 051, 683	2, 731, 276
Maryland	3, 202, 005	9, 122, 222
Massachusetts	4, 623, 463	13, 346, 918
Michigan	7, 452, 014	21, 753, 620
Minnesota	3, 311, 365	9, 447, 249
Mississippi	2, 308, 965	6, 468, 027
Missouri	3, 962, 416	11, 382, 230
Montana	826, 637	2, 062, 419
Nebraska	1, 462, 161	3, 951, 254
Nevada	555, 074	1, 255, 310
New Hampshire	759, 882	1, 864, 019
New Jersey	5, 761, 253	16, 728, 530
New Mexico	1, 145, 189	3, 009, 183
New York	14, 821, 866	43, 657, 468
North Carolina	4, 499, 508	12, 978, 512
North Dakota	782, 622	1, 931, 604
Ohio	9, 073, 736	26, 573, 518
Oklahoma	2, 284, 333	6, 394, 821
Oregon	1, 823, 341	5, 024, 710
Pennsylvania	9, 870, 716	28, 942, 214
Rhode Island	934, 514	2, 383, 039
South Carolina	2, 507, 315	7, 057, 540
South Dakota	824, 543	2, 056, 197
Tennessee	3, 497, 975	10, 001, 871
Texas	9, 370, 034	27, 454, 141
Utah	1, 108, 004	2, 898, 667
Vermont	543, 506	1, 220, 932
Virginia	3, 991, 630	11, 469, 054
Washington	2, 768, 356	7, 833, 379
West Virginia	1, 805, 451	4, 971, 541
Wisconsin	3, 792, 809	10, 878, 141
Wyoming	500, 236	1, 092, 326
District of Columbia	821, 768	2, 047, 949
Outlying areas	5, 250, 000	15, 000, 000

NOTE.—Estimated distribution of authorized funds to the 50 States and the District of Columbia with $200,000 basic allotment and the remainder distributed 50 percent on the 5 to 17 resident population, July 1, 1964, and 50 percent on the total resident population, July 1, 1964. 3 percent added for outlying areas.

Estimated distribution of authorizations under Elementary and Secondary Education Act Amendments of 1966, as reported (conference committee), fiscal year 1967 and fiscal year 1968—Adult education

	Fiscal year 1967	Fiscal year 1968
United States and outlying areas	$34, 000, 000	$51, 000, 000
50 States and District of Columbia	33, 320, 000	49, 980, 000
Alabama	1, 073, 241	1, 609, 861
Alaska	35, 209	52, 813
Arizona	271, 803	407, 704
Arkansas	587, 158	880, 737
California	1, 996, 331	2, 994, 497
Colorado	172, 113	258, 170
Connecticut	395, 066	592, 599
Delaware	61, 655	92, 482
Florida	1, 037, 840	1, 556, 774
Georgia	1, 382, 654	2, 073, 981
Hawaii	149, 355	224, 033
Idaho	51, 536	77, 305
Illinois	1, 502, 043	2, 253, 065
Indiana	517, 519	776, 279
Iowa	203, 514	305, 272
Kansas	177, 329	265, 994
Kentucky	894, 779	1, 342, 168
Louisiana	1, 287, 725	1, 931, 587
Maine	101, 679	152, 518
Maryland	569, 328	853, 993
Massachusetts	717, 740	1, 076, 610
Michigan	984, 626	1, 476, 938
Minnesota	287, 384	431, 076
Mississippi	807, 578	1, 211, 367
Missouri	709, 416	1, 064, 124
Montana	62, 625	93, 937
Nebraska	119, 139	178, 709
Nevada	23, 269	34, 904
New Hampshire	58, 550	87, 825

Estimated distribution of authorizations under Elementary and Secondary Education Act Amendments of 1966, as reported (conference committee), fiscal year 1967 and fiscal year 1968; Adult education—Con.

	Fiscal year 1967	Fiscal year 1968
New Jersey	$1, 056, 608	$1, 584, 291
New Mexico	208, 861	313, 292
New York	3, 142, 383	4, 713, 574
North Carolina	1, 541, 123	2, 311, 685
North Dakota	75, 906	113, 859
Ohio	1, 223, 503	1, 835, 254
Oklahoma	$422, 718	$634, 076
Oregon	138, 711	208, 067
Pennsylvania	1, 830, 906	2, 746, 359
Rhode Island	141, 517	212, 275
South Carolina	925, 210	1, 387, 815
South Dakota	63, 740	95, 610
Tennessee	1, 117, 046	1, 675, 569
Texas	2, 655, 785	3, 983, 678
Utah	50, 973	76, 459
Vermont	34, 520	51, 780
Virginia	1, 140, 446	1, 710, 669
Washington	227, 417	341, 125
West Virginia	439, 138	658, 708
Wisconsin	489, 258	733, 886
Wyoming	27, 187	40, 780
District of Columbia	128, 831	193, 246
Outlying areas	680, 000	1, 020, 000

NOTE.—Distribution of authorized funds with 15 percent reserved for special grants, 2 percent of the balance reserved for the outlying areas, and the remainder distributed on the basis of those 18 and over with less than 6 grades of school completed (Mar. 4, 1960).

Estimated distribution of authorizations under Elementary and Secondary Education Act Amendments of 1966, title V, as reported (conference committee), fiscal year 1967 and fiscal year 1968—Strengthening State departments of education

	Fiscal year 1967	Fiscal year 1968
United States and outlying areas	$25, 500, 000	$42, 500, 000
50 States and District of Columbia	24, 990, 000	41, 650, 000
Alabama	492, 529	821, 313
Alaska	128, 189	151, 800
Arizona	276, 352	424, 065
Arkansas	312, 962	491, 341
California	2, 111, 489	3, 796, 325
Colorado	329, 742	522, 176
Connecticut	371, 281	598, 508
Delaware	151, 140	193, 975
Florida	676, 064	1, 158, 579
Georgia	597, 957	1, 015, 050
Hawaii	176, 552	240, 672
Idaho	181, 977	250, 642
Illinois	1, 085, 303	1, 910, 600
Indiana	630, 823	1, 075, 445
Iowa	395, 143	642, 357
Kansas	339, 263	539, 672
Kentucky	413, 874	676, 778
Louisiana	478, 790	796, 068
Maine	205, 014	292, 974
Maryland	459, 938	761, 425
Massachusetts	581, 634	985, 054
Michigan	1, 032, 119	1, 812, 868
Minnesota	481, 440	800, 938
Mississippi	375, 921	607, 034
Missouri	555, 134	936, 357
Montana	178, 706	244, 631
Nebraska	250, 435	376, 440
Nevada	150, 005	191, 890
New Hampshire	160, 815	211, 754
New Jersey	706, 939	1, 215, 315
New Mexico	226, 343	332, 169
New York	1, 605, 948	2, 867, 339
North Carolina	657, 647	1, 124, 736
North Dakota	170, 261	229, 112
Ohio	1, 171, 398	2, 068, 807
Oklahoma	375, 674	606, 580
Oregon	311, 686	488, 996
Pennsylvania	1, 133, 510	1, 999, 184
Rhode Island	172, 918	233, 995
South Carolina	401, 105	653, 313
South Dakota	178, 173	243, 651
Tennessee	511, 547	856, 262
Texas	1, 288, 082	2, 283, 227
Utah	235, 171	348, 391
Vermont	139, 764	173, 071

*Estimated distribution of authorizations under Elementary and Secondary Education Act Amendments of 1966, title V, as reported (conference committee), fiscal year 1967 and fiscal year 1968—Strengthening State departments of education—*Continued

	Fiscal year 1967	Fiscal year 1968
Virginia	$565, 410	$955, 240
Washington	441, 414	727, 385
West Virginia	302, 255	471, 665
Wisconsin	505, 460	845, 077
Wyoming	140, 734	174, 853
District of Columbia	167, 970	224, 901
Outlying areas	510, 000	850, 000

NOTE.—Estimated distribution of authorized funds, with 15 percent reserved for grants, 2 percent of the balance reserved for the outlying areas, and the remainder distributed on the basis of the fall 1965 public school enrollment.

Estimated distribution of authorizations under Elementary and Secondary Education Act Amendments of 1966 (new) title VI, as reported (conference committee), fiscal year 1967 and fiscal year 1968—Education of handicapped children

	Fiscal year 1967	Fiscal year 1968
United States and outlying areas	$51, 500, 000	$154, 500, 000
50 States and the District of Columbia	50, 000, 000	150, 000, 000
Alabama	1, 013, 846	3, 041, 538
Alaska	70, 595	211, 784
Arizona	399, 051	1, 197, 153
Arkansas	528, 800	1, 586, 399
California	4, 256, 927	12, 770, 783
Colorado	506, 469	1, 519, 407
Connecticut	655, 972	1, 967, 917
Delaware	123, 598	370, 794
Florida	1, 307, 185	3, 921, 555
Georgia	1, 211, 667	3, 635, 000
Hawaii	200, 669	602, 008
Idaho	207, 692	623, 098
Illinois	2, 643, 478	7, 930, 433
Indiana	1, 323, 111	3, 969, 332
Iowa	768, 576	2, 305, 728
Kansas	601, 305	1, 803, 915
Kentucky	905, 442	2, 716, 326
Louisiana	1, 013, 483	3, 040, 450
Maine	273, 365	820, 094
Maryland	876, 860	2, 630, 581
Massachusetts	1, 332, 991	3, 998, 972
Michigan	2, 252, 542	6, 757, 626
Minnesota	981, 185	2, 943, 555
Mississippi	709, 644	2, 128, 932
Missouri	1, 139, 500	3, 418, 499
Montana	199, 379	598, 136
Nebraska	386, 092	1, 158, 275
Nevada	76, 210	228, 631
New Hampshire	165, 013	495, 039
New Jersey	1, 539, 022	4, 617, 067
New Mexico	312, 275	936, 826
New York	4, 139, 217	12, 417, 653
North Carolina	1, 429, 603	4, 288, 809
North Dakota	193, 795	581, 384
Ohio	2, 698, 583	8, 095, 750
Oklahoma	651, 453	1, 954, 358
Oregon	495, 460	1, 486, 381
Pennsylvania	2, 968, 753	8, 906, 260
Rhode Island	226, 720	680, 161
South Carolina	796, 873	2, 390, 618
South Dakota	201, 654	604, 961
Tennessee	1, 052, 066	3, 156, 199
Texas	2, 838, 837	8, 516, 511
Utah	294, 043	882, 128
Vermont	112, 463	337, 388
Virginia	1, 172, 327	3, 516, 981
Washington	802, 488	2, 407, 463
West Virginia	557, 631	1, 672, 894
Wisconsin	1, 110, 449	3, 331, 346
Wyoming	97, 381	292, 144
District of Columbia	178, 253	534, 758
Outlying areas	1, 500, 000	4, 500, 000

NOTE.—Estimated distribution of authorized funds to the 50 States and District of Columbia on the basis of 3 to 21 population, Apr. 1, 1960. 3 percent added for outlying areas.

Comparisons of estimated costs, elementary and secondary education, fiscal year 1967, Senate, House, and conference versions

[In thousands of dollars]

	Senate bill	House bill	Conference bill
Grand total	2,743,000	2,186,000	2,355,588
I. Amendments to Public Law 89-10 (total) [1]	2,215,000	1,677,000	1,825,588
A. Title I (total) [1] [2]	1,694,000	1,392,000	1,433,588
1. Basic formula (children from low-income families, handicapped children) [1]	[3] 1,624,000	[4] 1,364,000	1,363,962
2. ½ national average current expenditure as a minimum rate	0	0	0
3. Orphans and delinquents	28,416	28,416	28,416
4. Foster children	41,210	0	41,210
B. Title II	128,750	105,000	128,750
C. Title III	206,000	150,000	180,250
D. Title IV (cooperative research)	0	0	0
E. Title V	30,000	30,000	30,000
F. Title VI (handicapped)	154,500	0	51,500
G. Dissemination of information	1,500	0	1,500
II. Federally affected areas:			
A. Public Law 874	430,200	451,400	432,000
B. Public Law 815	58,000	58,000	58,000
III. Adult education	40,000	0	40,000

[1] Columns do not necessarily add to totals because of rounding.

[2] Does not include State administrative expenses, slightly more than 1 percent of the title I total.

[3] $2,500 base.

[4] $2,000 base.

Mr. YARBOROUGH. Mr. President, I wish to commend my fellow conferees for the serious dispatch with which they tackled the elementary-secondary education conference. Although there were major differences between the two bills we reached agreement after 2 days of tough bargaining. I would like to pay tribute to my leader, the distinguished Senator from Oregon [Mr. MORSE] and to the House leaders, Congressmen POWELL and PERKINS, and to all the conferees on both sides of the aisle.

The Senator from Oregon has already discussed the bill in depth and I would like briefly to discuss three items in which I have taken a personal interest. I am gratified that after a long tough fight the Elementary Secondary Act title I allotment formula has been changed so that beginning in fiscal year 1968 it will be more equitable to the lower income States. I am proud to have been able to offer the Senate amendment which raised the rate of payment per poor pupil from one-half the State per-pupil expenditure to one-half the State per-pupil expenditure or one-half the national average per-pupil expenditure, whichever is higher. The record shows that most of the low income States spend a higher percentage of their per capita income on education than does the average State. In other words the lower income States are making a greater effort than the wealthier States. Under the new formula, treatment will be more equitable. The lower income States will be assisted in coming up to the national average and the higher income States will be given an incentive to increase their expenditures on education still further.

The bill also contains a new program of information dissemination services to school districts. This is aimed at low income school districts out of the mainstream of American education. For a long time they could barely make ends meet. Now they have funds, but because of the long years of poverty, they are not privy to the most advanced educational thinking. This new program will enable them to request help in determining the best way to use their money. I am gratified that the bill contains this amendment which I offered in committee.

The bill also contains provisions authorizing payments for 1 year under the impacted areas programs to the Ysletta Independent School District in El Paso, Tex., for a large influx of students coming into the district as a result of the Chamizal Border settlement between the United States and Mexico.

My State of Texas greatly needs this money to improve its current status of being 33d in the Nation in education. The following is a tabulation of amounts which my State will receive:

Title I, assistance to schools with high concentrations of low income families, $90,516,434.

Title II, library assistance, $6,859,291.

Title III, supplementary educational centers, $9,370,034.

Title V, assistance for improvement of State departments of education, $1,288,182.

Title VI, education of handicapped children, $2,838,837.

Adult education, $2,655,785.

Total, $113,528,463.

Mr. President, the Elementary Secondary Education Act is one of the most important education laws Congress has ever passed. In the closing days of the 89th Congress, as we look back over the great legislation which has been enacted during these past 2 years, this act looms as one of the innovative features of a Congress which will long be remembered. In years to come I think that all of us who have had the privilege to serve here these last 2 years will be proud that we were able to do something so worthwhile for American education.

Mr. MORSE. Mr. President, I move that the conference report be agreed to.

The motion was agreed to.

AID PROCEDURES, AND INTERROGATION OF CRIMINAL SUSPECTS

Mr. PROXMIRE. Mr. President, I ask unanimous consent that statements by the distinguished junior Senator from Indiana [Mr. BAYH] on aid procurement procedures and on the Supreme Court decisions on the interrogation of criminal suspects, together with editorials and newspaper articles, be printed in the RECORD.

The PRESIDING OFFICER. Without objection, it is so ordered.

There being no objection, the statements and editorials were ordered to be printed in the RECORD, as follows:

AID PROCUREMENT PROCEDURES

(Statement by Senator BAYH)

I was very pleased when the conferees assigned to resolve the differences between the House and Senate versions of H.R. 17788, the appropriations measure for the Foreign Assistance Act of 1967, agreed to include my amendment to modify the procurement procedures of the Agency of International Development of steel purchases for use in Vietnam.

I have been heartened by the large measure of support which these efforts have had among the citizens of my State of Indiana. As an indication of their encouragement, I refer to an article discussing some of the developments of this legislation, which appeared in The Palladium-Item and Sun-Telegram published in Richmond, Indiana.

[From the Richmond (Ind.) Palladium-Item and Sun-Telegram May 23, 1966]

BAYH'S CHARGES UPHELD

After two and a half months the Agency for International Development (AID) has finally admitted that Sen. BIRCH BAYH was correct in his charge that it was buying inferior Japanese-made and Korean-galvanized steel sheeting.

The sheeting was purchased for use in Viet Nam and BAYH had charged in late February that it "has been rotting out in less than a year" whereas American steel "lasts about 12 years."

AID Deputy Administrator William S. Gaud admitted also that "with respect to prices, we found indications of possible collusion and kickbacks by suppliers to Vietnamese buyers."

A release from the office of Indiana's junior Democratic senator said, "This was AID's first public acknowledgement of the accuracy of BAYH's charges." It earlier denied any collusion.

Gaud said future purchases of steel sheeting will have to meet U.S. commercial standards and that half of it must be purchased in the United States. "We also will set reasonable price ceilings above which awards will not be made," Gaud promised.

Formerly 90 per cent of American foreign aid funds for such products as galvanized steel had to be spent in the U.S. but on Jan. 31, AID waived this rule for galvanized steel.

BAYH wants all pregalvanized steel to be purchased in this country. He plans to push an amendment to the 1967 foreign aid bill for that purpose.

He is willing as a reward for Seoul's active support in the war in Viet Nam to let Korean firms continue to galvanize the sheeting if they upgrade to American standards.

BAYH was alert in being concerned when AID-financed purchases of inferior steel were affecting the jobs of 80,000 Indiana steel workers whose taxes help support AID.

AID bungled when it agreed to buy foreign sheeting without first checking its quality.

Even if the foreign sheeting were equal to American steel, its purchase, as Bayh pointed out, aggravates the unfavorable U.S. balance of trade.

The profiteering on foreign galvanized steel is another example of American tax money dispensed without adequate controls or supervision. AID is funneling $370 million into South Viet Nam this year but has only two persons checking to see how the money is spent.

While AID officials are finally moving to prevent the waste now that Senator Bayh has made it hot for them, there is no excuse for previous lack of concern. American and South Vietnamese troops have been dying while AID has allowed U.S. funds to be squandered and siphoned off by profiteers.

Supreme Court Decisions on Interrogation of Criminal Suspects

(Statement by Senator Bayh)

The response from Indiana newspapers to the initial hearings held by the Constitutional Amendments Subcommittee on the constitutional implications of the recent Supreme Court decisions on interrogation of criminal suspects have been particularly gratifying.

In this connection, I refer to 2 articles published in the South Bend Tri-County News and the Evansville Press.

Bayh Begins Crime Probe—Hoosier Senator Cites Rights of Victim as Well as Criminal

Washington, D.C.—Senator Birch Bayh (D.-Ind.) opened hearings recently on criminal investigation procedure by asserting that society's right must be protected as well as the rights of criminal suspects.

Bayh, chairman of the Senate Subcommittee on Constitutional Amendments, cited a number of crime prevention programs of government and private citizens which "hold great promise for the future."

But he added that "we cannot sit idly by and be unmindful of the present. There is crime. There is theft. There is robbery. There is rape. And there are eight young nursing students, cut off from a future of tending to the sick, becoming wives, becoming mothers—because of a man with a twisted mind who lusted for murder."

Bayh said the recent mass murder of eight nursing students in Chicago is a reminder "that while we must never lose sight of the rights of the criminal suspect in a democratic society, we must also take care not to forget the rights of the victim, his family, and the rest of us who always would be potential victims."

The Indiana Senator said his subcommittee's inquiry "goes to the very roots of our way of life. Simply put, it is an inquiry to determine the dividing line betwen private rights and public necessities; between the rights of the individual and rights of society; between one man's right to be protected from potential injustice and the group's right to be protected from the potential criminality."

Bayh made it clear that the inquiry was triggered by recent Supreme Court decisions sharply limiting the procedures under which police may question criminal suspects.

He said the new rules laid down by the Supreme Court apparently would reduce the ability of police to extract admissions and confessions from suspects. The question is, he said, the extent to which this would diminish society's ability to protect itself from criminality.

"Our effort," Bayh said, "will be to find out, by gathering and sifting evidence, to what extent the new rules will inhibit police in bringing criminals to justice and whether this inhibition is significant enough to warrant a change in our Constitution."

[From the Evansville (Ind.) Press, June 27, 1966]

Bayh Hearings Are Needed

Indiana Senator Birch Bayh has announced the Senate subcommittee on constitutional amendments, which he heads, will study recent Supreme Court decisions on the questioning of suspects by police.

He seems disturbed, and rightly so, by expressed fears that a recent 5-4 decision may give the criminals a break and seriously handicap law enforcement. This is the decision that held suspects must be told of their right to keep silent and to counsel; must waive these rights before being questioned; must be told they can keep silent while waiting for their lawyer and that a lawyer will be provided for them if they cannot hire one.

The senator hopes to find out how important questioning of suspects is in bringing criminals to justice; what will be the effect of the decisions; the extent of coercion in questioning and what means other than questioning are open to police under our constitution.

These are important points. The rights of the individual are paramount under our system. Coercion is wrong. If police use it, the public wants to know about it. But the public also wants to know if police will be so hamstrung under the new court ruling that the present crime rate, now at a frightening level, will increase.

We hope Senator Bayh and his committee devote careful and exhaustive study to this project. If a constitutional amendment seems necessary for law and order to be maintained, then Congress should explore that possibility.

There has been much talk since the court decision, mostly speculation about what its effects will be. We applaud Senator Bayh's effort to get the facts.

PEKING, HANOI BEHIND COMMUNIST INSURGENCY IN THAILAND

Mr. PROXMIRE. Mr. President, it has been alleged that the policies of the Thai Government, and our actions in putting U.S. forces into Thailand, are having the effect of spreading the war in southeast Asia.

I believe, on the contrary, that what the Thai are doing with our support will prevent the spread of a Vietnam-type war to Thailand, and that their cooperation with us will shorten the Vietnam war.

Our entire purpose in southeast Asia is to bring peace and stability to a long-troubled area.

I cannot agree with critics of the policy who say that the way to bring peace is to turn Vietnam over to the Communists. I do not think for a moment that this would satisfy their new gains.

I think the record in Thailand makes this completely clear.

As far back as the early 1950's Communist China established a Thai autonomous area in Yunnan Province, which they hoped would attract separatist sentiment among Thai-speaking peoples throughout southeast Asia. This failed totally. They then tried to attract the people of northeast Thailand with a separatism based on Communist-held areas of Laos. This, too, had no appeal and they launched in 1964 the technique of the "war of national liberation" complete with the liberation front facade with which we are all too familiar from Vietnam. The Foreign Minister of Communist China referred to this front in January of 1965 and said that guerrilla warfare might break out in Thailand during that year. The Communists, expecting victory in South Vietnam in the near future, were already stalking their next victim.

Looking at the record, is it fair to suggest, as was done on the floor of the Senate last week, that the Government of Thailand is responsible for the small-scale Communist insurgency there? I think the record shows that the real problem is subversion and terrorism directed from outside of Thailand. Charges that the government of Thailand is responsible for the Communist conspiracy are not true, not fair, not responsible.

Consider the following facts.

The leaders of the so-called Thai Patriotic Front are resident in Peking.

The radio "Voice of the Thai People" which broadcasts Communist propaganda into Thailand every day is located in Communist China.

The guerrilla leaders who are attempting to create an insurgency in Thailand today were trained in Hanoi and Peking.

Mr. President, I point out that well-documented proof shows that of the 600 to 1,000 insurgents in northeast Thailand, 130 were trained in Hanoi and 60 were trained in Peking. That means that almost 200 or from one-fifth to one-third of all insurgents, which most certainly includes virtually all of their leaders, were trained in North Vietnam or in Red China.

Is this, then, a domestic affair? The facts show that it is not. It is a new and subtle form of warfare, but it is nonetheless warfare which must be resisted any independent countries are to survive in Asia.

How do the Communists operate? They strike at those parts of the country which are the farthest removed from any communications. Traditionally, links between the Central Government and these remote villages have not been close. This is not because the Thai Government has been oppressive in the past, but because the villages of Thailand have been largely self-sufficient, running their own affairs, and conducting business with the Central Government through village headmen whom they elect by a grass-roots democratic process. Anyone who knows rural Thailand knows that the hand of the Government falls but lightly on the villages there, and that this has traditionally been cause for satisfaction rather than the contrary.

However, the Communist subversives and terrorists in the northeast are now striking at this relatively weak link with remote villages and challenging the Government's authority in certain of its most remote areas. The Thai Government recognizes this challenge and is moving to meet it.

They have established mobile development units in the most remote areas, 14 of which are now in place. These have provided school construction, roadbuilding, well drilling, medical aid, and so forth, to areas which have never had them before.

They have established and rapidly expanded a rural development program—this is the Thai Government; it is not the U.S. Government—with a high priority given to Communist-infiltrated areas. This program strengthens the Provincial Governors and rural administrative officials and gives them the capability of carrying out public works and other desirable rural projects.

They are creating township councils, based on a village tradition of electing their own leaders, again giving priority to the most critical areas. These councils, which are trained in planning and implementation of village projects, are designed to give the people a choice in the Government's programs and a sense of involvement with them.

The Thai Government has also revamped their administrative structure, aimed at dealing with subversion and insurgency. They have undertaken major programs to improve the capability of their police and armed forces to cope with the subversion and insurgent threat.

Traditional resistance to assignment to rural areas has been overcome; and young, able officers, both civilian and military, now welcome assignment to the critical Provinces, recognizing that there the eyes of the top leaders of the Government will be on them and their careers can best be advanced.

In short, while there are no grounds for complacency, it is clear that the Thai Government is aware of the problem and is moving in the right direction to meet it. And it is also clear that the problem is caused by externally supported Communist subversives and terrorists, not the Thai Government, which in fact has moved effectively to meet the problem.

This is a most significant point, Mr. President, because the charge which I am answering this afternoon, on the floor of the Senate, is that it is our involvement in Thailand which threatens to become another Vietnam. This is not true, and the Thai Government itself has done, in my judgment, a most remarkable and commendable job of counteracting Communist insurgency.

I think it is important to make clear that these programs are being financed almost entirely by the Thai themselves. The Thai budget increased from roughly $440 million in 1962 to $750 million in 1966 and is projected at $950 million in 1967. These figures include no U.S. aid. As has been true in the past, a very high proportion of the Thai budget, about 60 percent, has gone for economic services, education, health, and public services, all highly desirable in terms of shoring up the society against Communist subversion.

However, with the increasing threat in the last 2 years, the portion of their total budget going into defense and police has increased and the absolute amount going into these areas has gone up by roughly 25 percent a year.

Our economic aid including both grants and loans has also increased, totaling $11.7 million in fiscal 1964, $39.6 million in 1965, and $43.4 million in fiscal 1966. The increases in our grants—all but 20.6 million of the 3-year total—have gone almost entirely into accelerated rural development in the threatened areas and assistance to the Thai program to improve their police resources. These increased inputs have been more than matched on the Thai side as the Thai have directed more and more of their own government spending into security and economic development in the areas threatened by the Communists. Even in fiscal year 1966, our aid was only a fraction over 1 percent of Thailand's gross national product.

It is also worth noting, in light of allegations that we are acting singlehandedly in Thailand, that 18 other countries are currently providing assistance to Thailand and in the last 6 years loans and grants from third countries and international agencies actually exceeded U.S. development grants and loans.

Will the Thai succeed in avoiding another Vietnam in their country? They have many assets in addition to their strong and growing economy and the counterinsurgency programs I have described.

First, they have no colonial past, which in so many countries has permitted the Communists to associate themselves with the national demand for independence and to organize a military guerrilla force. For example, in South Vietnam, the Communists and nationalist forces fought the French from 1946 to 1954. Thereafter, they had thousands of guerrilla forces on the ground and in the north who could later be directed against the South Vietnamese Government, because it had begun for many of those Vietnamese soldiers as a struggle for independence.

There is nothing comparable to this in Thailand. It is a country united behind an able and popular king. Nor is there anything remotely comparable to the safe haven which Communist control of North Vietnam provided as a base from which to direct and support aggression against the South.

Ninety-five percent of the Thai are Buddhists, so the split along religious lines which exists in Vietnam is absent.

The agricultural economy of Thailand is growing and diversifying. The population is small relative to the total land available, and the land is widely owned by small farmers. So this very serious problem of a need for land reform in southeast Asia—where in some of the most important provinces 85 percent of the farms are owned by absentee landlords, and where the Vietcong have been very successful with their slogan, "To the tiller belongs the land"—is no basis for insurgency or revolt in Thailand. In Thailand where 80 percent of the people live on farms, an amazing 85 percent of the farmers own their own land.

I think that the preceding constitutes the single most vital economic factor in the Thai resistance to Communist insurgence.

To sum up, Thailand is a true nation, which is seeking to work out its political and economic destiny in its own way. We should not be surprised that its institutions do not parallel ours in every respect. It has a government which is doing much to improve the lot of its own people, and which a former Ambassador there, the Honorable U. Alexis Johnson, has recently said, enjoys in a practical sense a high degree of "consent of the governed." It is a country which has seen the threat of Communist aggression clearly and which has cooperated wholeheartedly in the collective effort to prevent its spread.

The record gives grounds for confidence that Thailand will use wisely the opportunity they have to strengthen Thai society so that it can resist Communist subversion and control and finally snuff out Communist insurgency while it is still at a manageable stage.

Mr. President, I ask unanimous consent to have printed in the RECORD at this point a table showing aid to Thailand other than from the United States, between 1959 and 1965, not only from the 18 countries that have given assistance—incidentally, Germany has given $40 million of assistance—but also from the specialized agencies of the United Nations; the World Bank, which has provided $150 million of loans; and all other sources.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

[In millions]

Aid to Thailand—other than U.S.—between 1959 and 1965:	
U.N. specialized agencies	$7.2
U.N. Special Fund	10.0
World Bank	150.0
Third countries (18)	50.4
SEATO	4.4
Total	222.0
18-country breakdown:	
France	$429,000
Germany	39,538,000
Netherlands	98,000
Italy	35,000
Belgium	55,000
Austria	49,000
Denmark	524,000
Sweden	108,000
Israel	116,000
Switzerland	82,000
Taiwan	35,000
United Arab Republic	67,000
Norway	12,000
Australia	2,417,000
Canada	742,000
Japan	3,250,000
New Zealand	771,000
United Kingdom	2,038,000

[In millions]

U.S. grants and loans to Thailand, 1959–65:	
1959	$44.9
1960	23.8
1961	24.2
1962	35.8
1963	15.5
1964	11.7
1965	39.6
Total	195.5

ENTRANCE OF MASSACHUSETTS INTO A BUS TAXATION PRORATION AGREEMENT—CONFERENCE REPORT

Mr. HRUSKA. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13935) to give the consent of Congress to the State of Massachusetts to become a party to the agreement relating to bus taxation proration and reciprocity as set forth in title II of the act of April 14, 1965 (79 Stat. 60), and consented to by Congress in that act and in the act of November 1, 1965 (79 Stat. 1157). I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER Mr. RUSSELL of South Carolina in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. HRUSKA. Mr. President, the Senate passed H.R. 13935 with an amendment. The House of Representatives disagreed to the amendment and requested a conference. The Senate then agreed to the conference.

H.R. 13935 grants the consent of Congress to the State of Massachusetts to become a party to an agreement relating to bus taxation proration and reciprocity as set forth in title II of the act of April 14, 1965.

The Senate amendment added a new section to H.R. 13935 which would amend section 206(a) of title II of the War Claims Act of 1948.

After a full and free conference the conferees recommend that the Senate recede from its amendment and the conference report so states.

Mr. President, I move that the conference report be agreed to.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

Mr. HRUSKA. Mr. President, the senior Senator from New York [Mr. JAVITS] expressed an interest in this bill and he wanted to be present during the time that it was considered. The interest of the senior Senator from New York, however, went only to the deletion of the Senate amendment. For that reason we were authorized by the Senator from New York [Mr. JAVITS] to proceed as we have at this time.

AMENDMENT OF SECTION 208(c) OF INTERSTATE COMMERCE ACT

Mr. LAUSCHE. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to the bill (S. 2893) to amend section 208(c) of the Interstate Commerce Act to provide that certificates issued in the future to motor common carriers of passengers shall not confer, as an incident to the grant of regular route authority, the right to engage in special or charter operations.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2893) to amend section 208(c) of the Interstate Commerce Act to provide that certificates issued in the future to motor common carriers of passengers shall not confer, as an incident to the grant of regular route authority, the right to engage in special or charter operations, which were, on page 1, line 6, after "part" insert "pursuant to an application filed", and to amend the title so as to read: "An Act to amend section 208(c) to provide that certificates issued to motor common carriers of passengers pursuant to future applications shall not confer, as an incident to the grant of regular route authority, the right to transport special or chartered parties."

Mr. LAUSCHE. Mr. President, the House amended the bill in two minor respects—namely: First, by adding language to make it plain that this proposed amendment to section 208(c) of the Interstate Commerce Act covers not only charter right applications that are approved on or before January 1, 1967, but also applications that have been filed, but not finally approved, on or before that date; and second, by amending the title to conform with the change made in the text.

Mr. President, I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Ohio.

The motion was agreed to.

ADDITIONAL READJUSTMENT ASSISTANCE TO VETERANS WHO SERVED IN THE ARMED FORCES DURING THE VIETNAM ERA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1732, S. 3580.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 3580) to provide additional readjustment assistance to veterans who served in the Armed Forces during the Vietnam era, and for other purposes.

The PRESIDING OFFICER. Is there objection to the present consideration of the bill?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with amendments, on page 4, line 9, after the word "service", to strike out "requirement" and insert "requirements"; at the beginning of line 20, to insert "widow of a"; on page 5, line 2, after the word "a", to insert "widow of a"; in line 3, after the word "era", to strike out "veteran" and insert "veterans;"; after line 7, to strike out:

(g) Subsection (a) of section 542 of title 38, United States Code, is amended to read as follows:

"(a) Whenever there is no widow entitled to pension under section 541 of this title, the Administrator shall pay to the child or children of each veteran of World War I, World War II, the Korean conflict, or the Vietnam era who met the service requirements of section 521 of this title, or who at the time of his death was receiving (or entitled to receive) compensation or retirement pay for a service-connected disability, pension at the monthly rate of $38 for one child, and $15 for each additional child.".

And, in lieu thereof, to insert:

(g) Subsection (a) of section 542 of title 38, United States Code, is amended by striking out "or the Korean conflict" and inserting in lieu thereof "the Korean conflict, or the Vietnam era".

On page 6, after line 12, to strike out:

WORLD WAR I, WORLD WAR II, AND THE KOREAN CONFLICT

And, in lieu thereof, to insert:

World War I, World War II, and the Korean conflict

After line 13, to strike out:

WORLD WAR I, WORLD WAR II, AND THE KOREAN CONFLICT, AND THE VIETNAM ERA

And, in lieu thereof, to insert:

World War I, World War II, the Korean conflict, and the Vietnam era

On page 7, after line 2, to insert:

(j) Chapter 15 of title 38, United States Code, is amended by striking out the subheading "WORLD WAR I, WORLD WAR II, AND THE KOREAN CONFLICT" immediately preceding section 541 of such title, and substituting in lieu thereof "WORLD WAR I, WORLD WAR II, THE KOREAN CONFLICT, AND THE VIETNAM ERA".

On page 8, line 12, after "SEC. 5.", to insert "(a)"; after line 15, to insert:

(b) Section 1905 of title 38, United States Code, is amended to read as follows:

"§ 1905. Applications

"The benefits of this chapter shall be made available to any veteran who meets the eligibility requirements of this chapter and who makes application for such benefits in accordance with regulations prescribed by the Administrator."

"SEC. 6. Except as provided in section 7, the amendments made by the first section and sections 2 and 3 of this Act shall become effective on January 1, 1967. The amendments made by sections 4 and 5 of this Act shall become effective upon enactment.

And, on page 9, after line 2, to insert a new section, as follows:

SEC. 7. (a) The amendments made by this Act relating to the payment of burial benefits in the case of veterans of the Vietnam era shall become effective on the date of enactment of this Act.

(b) If the burial allowance authorized by section 902 of title 38, United States Code, is payable solely by virtue of the enactment of this Act, the two-year period for filing applications, referred to in section 904 of such title 38, shall not end, with respect to an individual whose death occurred prior to the enactment of this Act, before the expiration of the two-year period which begins on the date of enactment of this Act, or, in any case involving the correction of a discharge after the date of enactment of this Act, before the expiration of two years from the date of such correction.

So as to make the bill read:

S. 3580

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act shall be known as the "Vietnam Era Veterans' Readjustment Assistance Act".

SEC. 2. (a) Paragraph (11) of section 101 of title 38, United States Code, is amended to read:

"(11) The term 'period of war' means the Spanish-American War, World War I, World War II, the Korean conflict, the Vietnam era, and the period beginning on the date of any future declaration of war by the Congress and ending on the date prescribed by Presidential proclamation or concurrent resolution of the Congress."

(b) Such section is further amended by adding at the end thereof the following new paragraph:

"(29) The term 'Vietnam era' means the period beginning August 5, 1964, and ending on such date as shall thereafter be determined by Presidential proclamation or concurrent resolution of the Congress."

SEC. 3. (a) Subsection (a) of section 521 of title 38, United States Code, is amended to read as follows:

"(a) The Administrator shall pay to each veteran of World War I, World War II, the Korean conflict, or the Vietnam era, who meets the service requirements of this section, and who is permanently and totally disabled from non-service-connected disability not the result of the veteran's willful misconduct or vicious habits, pension at the rate prescribed by this section."

(b) Such section is further amended by amending subsection (g) to read as follows:

"(g) A veteran meets the service requirements of this section if he served in the active military, naval, or air service—

"(1) for ninety days or more during either World War I, World War II, the Korean conflict, or the Vietnam era;

"(2) during World War I, World War II, the Korean conflict, or the Vietnam era, and was discharged or released from such service for a service-connected disability;

"(3) for a period of ninety consecutive days or more and such period ending during World War I, or began or ended during World War II, the Korean conflict, or the Vietnam era; or

"(4) for an aggregate of ninety days or more in two or more separate periods of service during more than one period of war."

(c) The catchline of section 521 of title 38, United States Code, is amended to read as follows:

"§ 521. Veterans of World War I, World War II, the Korean conflict, or the Vietnam era".

(d) Subsection (a) of section 541 of title 38, United States Code, is amended to read as follows:

"(a) The Administrator shall pay to the widow of each veteran of World War I, World War II, the Korean conflict, or the Vietnam era who met the service requirements of section 521 of this title, or who at the time of his death was receiving (or entitled to receive) compensation or retirement pay for a service-connected disability, pension at the rate prescribed by this section."

(e) Paragraph (1) of subsection (e) of such section is amended to read as follows:

"(1) before (A) December 14, 1944, in the case of a widow of a World War I veteran, or (B) January 1, 1957, in the case of a widow of a World War II veteran, or (C) February 1, 1965, in the case of a widow of a Korean conflict veteran, or (D) before the expiration of ten years following termination of the Vietnam era in the case of a widow of a Vietnam era veteran; or".

(f) The catchline of section 541 of title 38, United States Code, is amended to read as follows:

"§ 541. Widows of World War I, World War II, Korean conflict, or Vietnam era veterans".

(g) Subsection (a) of section 542 of title 38, United States Code, is amended by striking out "or the Korean conflict" and inserting in lieu thereof "the Korean conflict, or the Vietnam era".

(h) The catchline of section 542 of title 38, United States Code, is amended to read as follows:

"§ 542. Children of World War I, World War II, Korean conflict, or Vietnam era veterans".

(i) The table of sections at the beginning of chapter 15 of title 38, United States Code, is amended by striking out

"521. Veterans of World War I, World War II, or the Korean conflict."

and substituting in lieu thereof

"521. Veterans of World War I, World War II, the Korean conflict, or the Vietnam era.";

by striking out the subheading

"WORLD WAR I, WORLD WAR II, AND THE KOREAN CONFLICT"

and substituting in lieu thereof

"WORLD WAR I, WORLD WAR II, THE KOREAN CONFLICT, AND THE VIETNAM ERA";

by striking out

"541. Widows of World War I, World War II, or Korean conflict veterans."

and substituting in lieu thereof

"541. Widows of World War I, World War II, Korean conflict, or Vietnam era veterans.";

and by striking out

"542. Children of World War I, World War II, or Korean conflict veterans."

and substituting in lieu thereof

"542. Children of World War I, World War II, Korean conflict, or Vietnam era veterans."

(j) Chapter 15 of title 38, United States Code, is amended by striking out the subheading "WORLD WAR I, WORLD WAR II, AND THE KOREAN CONFLICT" immediately preceding section 541 of such title, and substituting in lieu thereof "WORLD WAR I, WORLD WAR II, THE KOREAN CONFLICT, AND THE VIETNAM ERA".

SEC. 4. (a) Section 602 of title 38, United States Code, is amended to read as follows:

"§ 602. Presumption relating to psychosis

"For the purposes of this chapter, any veteran of World War II, the Korean conflict, or the Vietnam era who developed an active psychosis (1) within two years after his discharge or release from the active military, naval, or air service, and (2) before July 26, 1949, in the case of a veteran of World War II, or February 1, 1957, in the case of a veteran of the Korean conflict, or before the expiration of two years following termination of the Vietnam era in the case of a Vietnam era veteran, shall be deemed to have incurred such disability in the active military, naval, or air service.".

(b) Subsection (h) of section 612 of title 38, United States Code, is amended to read as follows:

"(h) Any veteran who as a veteran of World War I, World War II, the Korean conflict, or the Vietnam era is receiving increased pension under section 521(d) of this title based on need of regular aid and attendance may be furnished drugs or medicines ordered on prescription of a duly licensed physician as specific therapy in the treatment of an illness or injury suffered by the veteran."

SEC. 5. (a) Section 1901(a) of title 38, United States Code, is amended by striking out "World War II or the Korean conflict" and inserting in lieu thereof "World War II, the Korean conflict, or the Vietnam era".

(b) Section 1905 of title 38, United States Code, is amended to read as follows:

"§ 1905. Applications

"The benefits of this chapter shall be made available to any veteran who meets the eligibility requirements of this chapter and who makes application for such benefits in accordance with regulations prescribed by the Administrator."

SEC. 6. Except as provided in section 7, the amendments made by the first section and sections 2 and 3 of this Act shall become effective on January 1, 1967. The amendments made by sections 4 and 5 of this Act shall become effective upon enactment.

SEC. 7. (a) The amendments made by this Act relating to the payment of burial benefits in the case of veterans of the Vietnam era shall become effective on the date of enactment of this Act.

(b) If the burial allowance authorized by section 902 of title 38, United States Code, is payable solely by virtue of the enactment of this Act, the two-year period for filing applications, referred to in section 904 of such title 38, shall not end, with respect to an individual whose death occurred prior to the enactment of this Act, before the expiration of the two-year period which begins on the date of enactment of this Act, or, in any case involving the correction of a discharge after the date of enactment of this Act, before the expiration of two years from the date of such correction.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the committee amendments be considered en bloc.

The PRESIDING OFFICER. Without objection, the amendments are considered and agreed to en bloc.

Mr. MANSFIELD. Mr. President, I wish to commend the distinguished Senator from New Mexico [Mr. MONTOYA], who was the chief author of this proposal, in which he was joined by 58 other Senators.

This bill would provide readjustment assistance to veterans who served in the Armed Forces during the Vietnam era and other purposes. This is a good bill—a much needed bill, and the chief credit for its overwhelming support in this body goes to the Senator from New Mexico [Mr. MONTOYA].

Mr. MONTOYA. Mr. President, I thank the distinguished majority leader for his kind words. I want to begin my statement in support of the Vietnam Era Veterans Readjustment Act with a word of thanks to the distinguished Senator from Louisiana [Mr. LONG] for the expeditious consideration which was accorded this bill by the Committee on Finance.

I did not introduce the bill until June of this year, and without the wholehearted cooperation of the Senator and his committee, it would not have been possible to schedule hearings and obtain the approval of the committee during this session.

The purpose of this bill, S. 3580, is to remove inequities in this Nation's treatment of the veterans of the present armed conflict in Vietnam.

The Senate's first action this year provided educational and housing benefits to this class of veterans, in conformance with treatment accorded the men who fought in World War II and in Korea.

My bill, S. 3580, will close the last remaining gap of any consequence which exists between the benefits provided veterans of previous conflicts, and veterans of the present fighting. What we are talking about is a simple matter of fairness, Mr. President. It is only right and proper that we treat all the men and women who fight in defense of their country, regardless of the era in which they fight, equally and fairly.

A majority of my colleagues have joined me as cosponsors of this legislation, so that this bill carries a total of 57 sponsors.

Mr. President, I should like to briefly summarize the provisions of S. 3580.

First of all, it would add the words, "Vietnam era," to the list of conflicts for which wartime veterans' benefits will be paid. The others on this list are World War I, World War II, and the Korean conflict.

Veterans of Vietnam, their widows, and their children will thus receive the same benefits which are now granted to veterans of World War I, World War II, and the Korean conflict.

Strange though it may seem, under present law, a marine wounded while facing hostile fire near the demilitarized zone in Vietnam would, when he becomes a civilian, receive substantially less in benefits than men who fought in earlier wars because he is legally a peacetime veteran.

S. 3580 will amend various sections of title 38 of the United States Code to extend wartime benefits to Vietnam era veterans in the following classifications:

First. A $250 funeral expense allowance.

Second. Higher rates of disability and pension payments.

Third. A presumption of service connection in cases of severe mental illness—psychosis—which appear within 2 years after discharge for purposes of Veterans' Administration hospitalization.

Fourth. Payment of medicines and drugs to Vietnamese veterans who are on the pension rolls and in need of regular aid and attendance.

Fifth. An auto purchase allowance of up to $1,600 for veterans who are amputees or blinded.

The Veterans' Administration has given this bill its unqualified endorsement, Mr. President. Mr. William J. Driver, Administrator of the Veterans' Administration, has supplied me with some estimates of the cost of the various benefit changes, and I ask unanimous consent to insert this information at this point.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Estimated costs of S. 3580

[In thousands]

	Funeral expense	Disability compensation	Pensions		Autos	Total
			Disability	Death		
1st year	$657	$7,365	$924	$47	$720	$9,713
2d year	868	10,065	1,188	94	360	12,575
3d year	1,078	12,765	1,452	187	360	15,842
4th year	1,315	15,465	1,716	374	360	19,230
5th year	1,525	18,165	1,980	562	360	22,592

Source: Veterans' Administration, report to Senator Montoya, Aug. 8, 1966.

Mr. MONTOYA. Mr. President, these data are based on Armed Forces strength estimates received from the VA Controller which also indicate estimated annual separations to civil life of 500,000 to 600,000 each year. The estimates are not precise, but are believed to be in the proper magnitude.

Mr. President, I ask also unanimous consent to have printed in the RECORD a statement prepared by the Senator from Tennessee [Mr. GORE] on S. 3580, and an amendment which he had intended to propose, but which he has now decided to withhold.

There being no objection, the statement and amendment were ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR GORE

S. 3580 which is now before the Senate would, among other things, make eligible for payment of the special automobile allowance, those veterans who meet the statutory definition of being severely disabled and who have served during the "Vietnam era" which is defined in the bill as meaning service since August 4, 1964. Under the bill such veterans would be entitled to the same allowance as are those who served during World War II and the Korean war.

The amendment which I have prepared is designed to correct what I regard as an inequity. There is a limited number of veterans who have injuries incurred during service which meet the statutory definition; whose injuries were incurred as a result of armed conflict, or during performance of extra-hazardous duty, or under simulated war conditions; but who would not be eligible for the allowance under the pending bill because their service was between February 1, 1955, and August 4, 1964. Under existing law these veterans are eligible for compensation at wartime rates because their injuries were sustained under conditions similar to those faced during wartime. Under my amendment they would also be eligible for the special automobile allowance.

I point out to the Senate that under the pending bill, veterans who incur severe disability during service after August 4, 1964 would be entitled to the special allowance even though their injury may have been incurred in a purely civilian-type accident such as an automobile wreck. It seems to me that those who incur severe disability during service in the 1955–64 period because of an accident in a parachute jump, or during the course of a war game exercise, for example, should be entitled to similar treatment.

It has been my intention, when S. 3580 came before the Senate to offer this amendment to Section 5 of the bill. In view of the lateness of the session, I am advised that consideration of amendments might imperil passage of the bill. Therefore I shall withhold the amendment. I hope there will be an opportunity for the Senate to consider the substance of the amendment soon after the Congress reconvenes in January.

S. 3580

Section 5 of the bill is amended by redesignating subsection (b) as subsection (c) and inserting a new subsection (b) as follows:

(b) Section 1901(b) of such title is amended to read as follows:

"(b) For the purposes of this section, the term (1) 'World War II' includes, in the case of any veteran, any period of continuous service performed by him after December 31, 1946, and before July 26, 1947, if such period began before January 1, 1947; and (2) the term 'Vietnam era' includes the period beginning on February 1, 1955, and ending on August 4, 1964, in the case of any veteran who is entitled to compensation under chapter 11 of this title at wartime rates on account of an injury or disease, described in paragraph (1), (2), or (3) of subsection (a), incurred in or aggravated by active military, naval, or air service performed by him at any time during such period."

NO HIGHER OBLIGATION OF HONOR

Mr. KUCHEL. Mr. President, as a cosponsor of this bill to provide benefits to those who served their country in the Vietnam era, I rise to commend this measure as a timely piece of legislation which will put on a par the veterans of Chu Lai and Pleiku, with those of Heartbreak Ridge, Iwo Jima, and the Argonne Forest. In August 1964, the conflict in Vietnam threatened to shatter the peace of the entire world. You will look in vain in the history of mankind for a struggle within a single country that has so touched the fortunes of every person on this globe. The Congress, acting on behalf of the people of the United States, would, by this bill, attempt to pay a small portion of the ineluctable obligation of honor, which this Nation must attempt, but with all its resources will never be fully able, to repay to those who have fought, and will continue to fight, in defense of freedom.

Mr. President, this is the second occasion in this session of the 89th Congress that the Senate has considered a major piece of legislation in recognition of the services of American veterans of our times. I wish to commend my colleagues on the Committee on Finance, together with those on the Committee on Labor and Public Welfare, for the noble work which they have done on behalf of all of us in accepting an obligation of honor which the American people owe to the veterans of Vietnam.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment to be proposed, the question is on the engrossment and the third reading of the bill.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

FAIR PACKAGING AND LABELING ACT—CONFERENCE REPORT

Mr. MAGNUSON. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 985) to regulate interstate and foreign commerce by preventing the use of unfair or deceptive methods of packaging or labeling of certain consumer commodities distributed in such commerce, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of Monday, Oct. 17, 1966, pp. 27121–27124, CONGRESSIONAL RECORD.)

The **PRESIDING OFFICER.** Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. MAGNUSON. Mr. President, the Senate conferees have accepted the House version of the Fair Packaging and Labeling Act. We did so with great reluctance. After meeting with the House conferees, it became readily apparent that the House was adamant in its position. It would not compromise even on minor issues. The choice confronting us was to accept its version or to have no bill at all.

The major difference between the House and Senate bill concerned package standards. Both bills contained provisions for the voluntary adoption of package standards. The Senate bill, however, would have made this section meaningful by permitting the Secretary to impose standards in the absence of voluntary agreement.

We need a strong packaging provision. Testimony before the Senate Commerce Committee amply demonstrated the confusion which has been caused by proliferation of package sizes and by the use of awkward and fractionalized sizes. It is regrettable that the House failed to recognize the need for and the importance of the Senate provision on package standards.

The final bill, however, is a significant victory for the American consumer. The labeling features of the bill will provide useful information to consumers; it will give them added protection. By requiring uniformity and simplification in labeling, value comparisons between competing commodities are greatly facilitated.

Mr. President, I ask unanimous consent that a summary of this act be printed in the RECORD at this point.

There being no objection, the summary was ordered to be printed in the RECORD, as follows:

SUMMARY OF THE FAIR PACKAGING AND LABELING ACT

I. Mandatory labeling provisions: A primary objective of the Act is to promote uniformity and simplification of labeling. The bill provides that:

(a) the identity of the commodity shall be specified on the label;

(b) the net quantity of contents shall be stated in a uniform and prominent location on the package;

(c) the net quantity of contents shall be clearly expressed in ounces and, if applicable, pounds or in the case of liquid measures in the largest whole unit of quarts or pints; and

(d) the net quantity of a serving must be stated if the package bears a representation concerning servings.

II. Discretionary labeling provisions: The Act authorizes the administering agencies to promulgate regulations when necessary to prevent consumer deception or to facilitate value comparisons:

(a) to determine what size packages may be represented by such descriptions as small, medium, and large;

(b) to regulate the use of such promotions as "cents off" or "economy size" on any package;

(c) to require the listing of ingredients in the order of decreasing predominance; and

(d) to prevent non-functional slack fill.

III. Packaging provisions: The Act provides for the voluntary adoption of packaging standards. The Act authorizes the Secretary of Commerce to call upon manufacturers, packers, and distributors to develop voluntary standards whenever he finds that undue proliferation of weights, measures, or quantities impairs the ability of consumers to make value comparisons. If voluntary standards are not adopted, the Secretary of Commerce shall report this fact to Congress together with his legislative recommendations.

Mr. MAGNUSON. Mr. President, the labeling features of the House and Senate versions were similar. The most significant difference concerned the listing of ingredients. The Senate version was broader in scope; it gave the administering authority discretion in determining what information regarding ingredients and composition must be placed on packages. For example, he could have required the listing of percentages and proportions in those instances where such information would have been useful to consumers. Under the House version, the administering authority may only require the listing, in the order of decreasing predominance, of ingredients contained in any consumer commodity.

In other words, the largest ingredient that composed the greater part of the product would be listed first, and the listing would go down to the one with the least percentage.

The Senate most reluctantly agreed to the House position when it became apparent that the House would not compromise to the slightest degree.

In summary, Mr. President, the final bill achieves the purposes and objectives of the Senate version with one major exception—a comprehensive and strong packaging provision. It is an important exception, and it is regrettable that the Senate version was not adopted. But, in view of the House position, we obtained the strongest bill possible.

However, I wish to assure the American consumer that Congress will not rest here. The need for package standards is evident; that need will be met. The Commerce Committee will vigorously pursue legislation in the next session of Congress to enact a comprehensive and meaningful packaging bill, or an amendment to the bill concerning packaging.

Mr. HART. Mr. President, I wish to thank the Senator from Washington [Mr. MAGNUSON] for bringing us to this day in the Senate. Five years ago I introduced the original truth-in-packaging bill and at that time I must confess that I thought we would have arrived at this day a little earlier than we have.

The confession I want to make now is that if it were not for the Senator from Washington, this great day would never have arrived. It is, indeed, a happy one for the American consumer, who should be first to thank the Senator from Washington.

I insist that the Senator from Washington has "fathered" a much stronger "child" than he modestly admits having fathered.

This conference report in many respects is much stronger than the bill the Senate passed and, certainly, on balance, I think will prove effective. I am heartened to hear him say that the Commerce Committee will be watchful to note the developments under the bill and the responses to it.

I do not wish further to delay the Senator from Washington. I have some remarks which I shall make a little later on, but I rise at this time to thank the Senator from Washington for his great efforts in behalf of this legislation.

Mr. COTTON. Mr. President, representing the minority on the committee and the members of the committee that were at times not in entire agreement with the chairman, the distinguished Senator from Washington, as well as the Senator from Michigan, I want to say that the Senate can be assured that the chairman of the committee left no stone unturned and did everything in his power to secure an agreement to the principles of the Senate bill and to effect a reasonable compromise with the House. It could not possibly be through any fault of the Senator from Washington, who worked long hours manfully, and I thought skillfully, to secure consideration of the Senate viewpoint that these views did not prevail.

I concur with the Senator from Michigan that the bill is fully as strong and may prove to be fully as effective as the Senator from Washington appeared to indicate in his remarks, because I think it has served to put the industry on notice and will have an extremely beneficial effect.

For myself, let me say that while I was not in accord in the committee and in the Senate with the stringent positions of the packaging items in the bill, the minority certainly did not express its viewpoint when the Senate was represented in the conference.

I was a little bit disappointed in the House version, in that I thought it somewhat blurred the labeling provisions which the Senate bill carried, which was one that I felt was of absolute, paramount importance; but I will say that, on the whole, the bill may prove to be effective and I am sure that the committee will follow it carefully.

I commend both Senators from Washington and Michigan, and their colleagues, on fully and thoroughly representing the Senate viewpoint in the conference.

Mr. HRUSKA. Mr. President, it is with some gratification that this Senator views the final product of the conference on the packaging and labeling bill.

The bill is intended to help prevent the use of unfair or deceptive methods of packaging of labeling of certain consumer commodities distributed in interstate and foreign commerce. In delegating authority to certain enforcement agencies under its carefully worded provisions, this bill is for the most part a sensible and reasoned amplification of existing law which prohibits deception and other objectionable practices in packaging and labeling.

With this law, Congress has given regulatory agencies some additional tools they claim they need to get the job done. With this law, Congress has issued a call for vigorous enforcement by these agencies which has heretofore been lacking.

The conference action is in substance consistent with the position of those Senators who voted in favor of certain amendments to the bill as originally presented to the Senate. Principally, I refer to the amendment introduced by the distinguished Senator from New Hampshire which 32 of this body supported. Senator COTTON's amendment was directed to a part of section 5 of the original bill which allowed the Federal Trade Commission or the Secretary of Health, Education, and Welfare, as was applicable, to promulgate mandatory package-content standards.

These provisions in section 5 were, to say the least, controversial.

There were reasons for this controversy and for the ultimate rejection of these provisions by the House of Representatives and the conferees. They substituted bureaucratic authority for the forces of a free market of which the consumer is one force. The testimony of expert witnesses documenting the likelihood of a tremendous increase in manufacturing costs resulting from mandatory standardization was both considerable and convincing. Innovation would be blighted. In short, these odious provisions would not protect the interests of the consumer; on the contrary, they would eliminate those interests.

Serving on the Judiciary Committee and on the National Commission on Food Marketing, this Senator has been deeply involved in the subject matter of this bill for about 3 years. After participating in the building of a sizable and extensive legislative record on this matter, I concluded that the primary thrust of the legislative proposals were not directed against fraud and deceit but toward the subjection of packaging to objectionable and unnecessary Federal administrative control.

Adoption of the bill in its present form is in vindication of our position that it is simply not good policy to place such power in the hands of a central bureaucracy. We rejoice in the vindication by an overwhelming number of House Members who approved the conference report by a vote of 242 in favor, 6 against. We will rejoice last, but not least, at the vindication furnished and implicit in the President's signature, which will follow in due course, it is presumed.

It is a rewarding experience when the powerful majority adopts a position for which a few have fought for, long and hard. Sadly, it does not occur with sufficient regularity to create boredom in the minority ranks. It has happened with the packaging and labeling bill. I express my gratification for this progress.

Mr. MAGNUSON. Mr. President, I thank the Senator from Michigan, the Senator from New Hampshire and the Senator from Nebraska for their kind remarks.

Of course, we all worked hard on the bill. It was a complex bill, cutting across many lines of the economy of the United States. Without their help and the help of other members of the committee, I do not think we would have been able to bring in a bill at all.

The Senate did take the initiative to pursue this matter. The Senator from Michigan in particular has been a long advocate of truth in labeling and truth in packaging. I say "long," because many times it was quite unpopular, politically and otherwise, for him to pursue with the zeal he did, the objectives now culminating in the conference report before the Senate at this time.

Without him, I do not think, either, that Congress would have tackled this matter as quickly as it did. I hope that it will serve a great and useful purpose for the American consumer. I know that most of the manufacturers are going not only to abide by it, but they also want it, as a matter of fact.

It is in their interest that we place the objectives of the bill before the consumer when he or she buys the many products involved. We are hoping that the housewife or the buyer—mainly the housewife in this case—will have a little better understanding of what she is getting.

When one considers how complex a bill of this kind can be, he must realize that in the average supermarket today there are from 6,000 to 8,000 different items represented. We corrected many things which we thought were not conducive to the best interests of truth in packaging and labeling, or to the American consumer, and we did this with the help of the industry.

We abolished such things as "huge quarts" and "large half gallons," and so forth, which confuse the buyer. We think that in the long run the American consumer will get a much better opportunity to know where the values are, and where she can shop in the best possible way, particularly in this day when food prices are a significant item in the household budget.

Accordingly, we think that we have accomplished a worthwhile purpose with the bill, and I am sure that everyone in the industry, whether in food or other segments of the packaging industry, will find that this is a bill that all of us can live with for the better protection of the American consumer.

Americans are the best fed people in the world. There is nothing wrong with that. The American housewife, in proportion to her budget percentagewise, still does not have to spend as much money, even now, as housewives in many other countries in the world to keep her household supplied with food and other necessary items.

Still, we want to be sure that she knows what she is buying, that she knows what the prices are, and that she can make a proper comparison as to what she wants to buy.

The quality of American products, of course, is good and it is getting better as the years go by. We think we have taken a good step forward, as the Senator from Michigan and the Senator from New Hampshire have said—and I repeat—that we will keep taking a long, hard look at the situation to see how it comes out. I think it will all be—as I like to say—on the plus side for the American consumer.

Mr. HART. Mr. President, I consider the Truth-in-Packaging Act to be strong, effective, and historically significant legislation.

In saying this, I realize my remarks may be interpreted as an attempt to justify the efforts of a Senator who originated this legislation and worked 5 long years for its passage.

Nevertheless, it is my honest evaluation that when the lawyers, rather than the lobbyists and press agents, study this legislation, they will come to this same conclusion.

From a historic point of view, I believe this legislation will have much the same significance regarding Federal responsibility for assisting consumers as the Employment Act of 1946 has had regarding Federal responsibility for economic planning.

The Senate bill declared it a policy of the United States to assist consumers by "facilitating price comparisons." The House very deliberately changed the word "price" to "value," and this change has been concurred in by the Senate. What this means is that the U.S. Congress has now assumed responsibility for assisting consumers by facilitating "value comparisons." This declaration is significant because it enlarges congressional policy to include quality comparison—a component of value. This quality element has vastly greater implications than the more limited concept of price. For instance, it opens the door to consideration of legislation such as grade labeling and Government testing of consumer products.

Historians may consider this declaration of policy to be as significant as the provisions of the legislation itself.

Now, for the benefit of those consumers who have worked so long, hard and with dedication for passage of this legislation, let me outline my reasons for believing that their strivings have brought forth sweet fruit.

First, the mandatory sections:

The Senate bill stated that regulations should be established to provide:

First. That the commodity shall bear a label specifying its identity and the name and place of business of the manufacturer, packer or distributor.

Second. That net quantity statement shall be separately and accurately stated in a uniform location on the principal display panel of the label.

Third. That the net quantity statement, if less than 4 pounds, shall be expressed in ounces or in whole units of pounds, pints or quarts.

Fourth. That the quantity declaration shall appear in a conspicuous and easily legible type in direct contrast with other matter on the package.

Fifth. That the net quantity declaration shall be in a type size established in relationship to the area of the principal display panel.

Sixth. That the declaration of net quantity shall be parallel to the base on which the package usually rests.

Seventh. That no qualifying words or phrases appear in conjunction with a separate statement of net quantity. In other words, the net quantity statement must stand alone.

Eighth. That supplemental statements describing net quantity may be placed at some other point on the package provided that it does not exaggerate the amount of the quantity and is not deceptive.

The final bill contains all of these elements with two strengthening House additions. First, the net weight, if under 4 pounds, will have to be expressed, in most instances, not only in ounces—as required by the Senate bill—but also in pounds and remainder ounces—as required by most States. In effect, the package will now have to carry two net quantity statements—the first expressed in ounces to facilitate price-per-unit comparisons, and the second expressed in pounds and ounces to assist in maintaining the concept of the pound as a standard weight and measure.

Second, the final bill adopts another strong addition made by the House to provide for labeling in terms of linear measure. This, for instance, could reach the size of paper napkins, tinfoil, wax paper, and related commodities.

Finally, the conference added to the mandatory provisions a subsection which would require a manufacturer claiming a certain number of servings to designate exactly how much each of his servings contained. For instance, a pudding manufacturer proclaiming six servings would be required to state his measure for individual servings—such as a cup or half a cup. This would enable a consumer to more adequately evaluate the claims of competing products.

If this legislation contained nothing but these mandatory provisions alone, it would be a great advance over present law and would be considered significant and worthwhile legislation.

But the legislation does not stop there. It also provides the opportunity for the regulatory agencies—the Department of Health, Education, and Welfare and the Federal Trade Commission—to clean up other confusing and misleading marketing practices on a product line basis.

This legislation provides authority for regulations to do the following:

First. The legislation gives the green light to action for making sense out of such claims as small, medium, large, king size, super, giant economy size, and so forth. Standards can be established so that "large" no longer means "small"—as in toothpaste—so that one manufacturer's "large" is not another's "king size"—as in detergents. In other words, meaning can be put back into size designations so they will be a method of assisting rather than confusing and misleading consumers.

Second. "Cents off" claims and "economy" designations can now be regulated. To the consumer, this means that "economy size" shoud be more economical for the housewife, not just the manufacturer; that "cents off" should relate to an established price and that a manufacturer should not be allowed to use a "cents off" designation to hide an actual rise in the price of the product if computed on a per ounce basis.

Third. Ingredient information can now be required on nonfood items, which was not true before passage of this law. Just how important this provision is can be demonstrated by the unsuccessful efforts made in the House for the past 5 years to pass a bill requiring ingredient labeling on cosmetics. Although only one provision in this truth-in-packaging legislation, it would allow the administrator to do just that—require cosmetic packages to list their ingredients.

I believe any of these provisions alone would justify separate acts of Congress. And until very recent months, few would have predicted favorable congressional action on any of these provisions. But in addition, the House added a provision to the legislation not contained in the Senate bill which may prove more significant than any single other provision of the legislation. It allows the administrator to adopt regulations to stop unnecessary slack fill. The trade speaks of this as nonfunctional slack fill. The consumer speaks of it as all that air in the top of the box.

This may be one provision overlooked by those who have mislabeled this legislation as "only a labeling bill." This is a packaging provision that hits at the core of the greatest number of consumer complaints received by the Antitrust and Monopoly Subcommittee:

> Why must we pay food prices for empty space?

If the administrator does his job, future shoppers can buy packages secure in the knowledge that their food dollar is actually buying food, not air and packaging material.

Certainly, up to this point, no one who has read the legislation could argue with any justification that the final bill is a watered down version. While weaker than the bill I introduced, it is certainly a tougher bill than passed originally by the Senate.

The watered down theory is based on the substitution in the final bill for a voluntary rather than mandatory procedure for establishing reasonable weights and measures. And certainly the final version is weaker than the comparable provision in the bill I originally introduced. But how does it compare with the provision as it passed the Senate?

Actually a great deal of emotional content has been added to designations of "mandatory"—as applied to the Senate bill—and "voluntary"—as applied to the House bill. From a practical point of view, the House "voluntary" provision may in the long run prove to be far more effective than the Senate "mandatory" provision. I suggest this for several reasons.

First, the Senate provision was so hedged in with so-called procedural safeguards that, as one administrator expressed it:

> I will never be able to do a thing with this section.

It provided for two separate and distinct sets of hearings, one on necessity and one on the proposed regulation itself. It also provided for two separate and distinct court reviews in these two categories. Also, the Senate bill required the administrator to give due regard to the probable effects of such regulations in five distinct areas, all difficult of proof.

This means that substantial evidence would have to be put into the record by the administrator in each of these areas and that a reviewing court could set aside the regulation if the administrator did not meet his burden of proof in any single one of these categories. One can certainly understand why any official charged with the administration of this section would feel somewhat reluctant to commence a proceeding in any product line under these circumstances.

Next, the Senate bill listed a number of exceptions which effectively precluded from the "reasonable weights and measures" section of the legislation many of the areas in which reasonable weight and measure standards may be most needed. It would have barred any regulation relating to products packed in cans and returnable or reusable glass containers, to candy bars and spices, and to such products as detergents, baby foods, cookies, crackers and breakfast foods to the extent they are packed in the same size container but have different weights because of the varying densities of the products involved.

Third, the Senate bill contained a voluntary procedure which could have further delayed any action for a period of 18 months, and if the voluntary procedure did not work, the agency would have to start from scratch on the product in question.

The final bill—the one we sent to the President—removes all exemptions, all strictures regarding the areas in which the Senate required "due regard" to be given, and all appeal procedures. It directs the Secretary of Commerce, where he feels undue proliferation requires it, to convene a voluntary standard conference at which industry, consumers and other interested groups meet to establish reasonable weights and measures for the commodity or comparable commodities in question.

Therefore, under this legislation, the Secretary of Commerce could initiate the development of more standards in 1 year than the administrator could reasonably be expected to initiate under the Senate provision in a decade. In the event that he is not able to get industry to agree or abide by standards, he is directed to report back to Congress with recommendations for appropriate legislation. Congress already having spoken in regard to the need for reasonable weights and measures, it would react quickly to such a report. If the voluntary procedure does work, of course, standards can be established in a reasonably short time.

If industry does not cooperate it is entirely reasonable to expect that Congress could write and pass effective legislation in this area affecting all commodities more quickly than the agency could establish a standard affecting even one commodity.

On balance, it can reasonably be anticipated that the final voluntary provision in the long run may be able to produce more effective and earlier results than the Senate mandatory provision.

These are my reasons for reporting to the thousands of consumers who have written their Congressmen, to those who have traveled to Washington at their own expense to support passage of truth in packaging, to the consumer-oriented organizations who have worked with tedious dedication for the passage of this legislation, that—contrary to published reports—they have not toiled in vain.

It is my firm belief that their labors have resulted in a historic breakthrough in the area of consumer legislation; that this breakthrough is the beginning of a long and successful program of consumer-assistance legislation; that the truth-in-packaging bill is strong, effective, and meaningful legislation.

True, it is a beginning, not an end—but it is a proud beginning.

If this were not true, then why would the producers and their trade associations have fought with such vigor and expenditure to defeat each and every provision of this legislation. The measure of their failure is the measure of consumer success. It took 5 years of legislative effort. I believe it has been worth every day of it.

Mr. MAGNUSON. Mr. President, I move adoption of the conference report.

The conference report was agreed to.

NATIONAL GUARD AND RESERVE UNITS

Mr. STENNIS. Mr. President, the conflicting reports about whether or not a callup of Reserve and National Guard personnel is necessary for the war in Vietnam emphasizes our dependence upon the National Guard and Reserve units of all our military forces and underscores the necessity of keeping them in a high state of readiness at all times.

It has been brought out in testimony before the Senate Preparedness Investigating Subcommittee that the Joint Chiefs have on three separate occasions recommended the callup of selected National Guard and Reserve units to meet requirements brought on by Vietnam.

For some time our Reserve Forces have been in a state of more or less turmoil and uncertainty while reorganization, realinement, and reduction of the numbers and units has been under consideration. The Senate Preparedness Investigating Subcommittee and the Appropriations Committee have repeatedly rejected the idea of a merger of the Army Reserve into the National Guard and have strongly maintained we must support all our Reserve Forces fully and to the extent necessary to make them effective and useful.

The Senate Appropriations Committee this year blocked the proposed disestablishment of three Air National Guard Air Transport units because the committee felt they were needed and essential not only to our present war effort but to our possible future needs.

For some time, the strength and, to some extent, the organization of the Reserve and National Guard have been handled in the appropriation bill.

I call special attention to the recommendations of the Preparedness Investigating Subcommittee that, in the future, inactivations of either U.S. Army Reserve or Army National Guard units, or both, of the magnitude of those inactivated last fall, be undertaken only after consultation with and approval of either the Congress or all appropriate congressional committees. The subcommittee further recommends in the future, all U.S. Army Reserve and Army National Guard components be adequately and properly funded, equipped, supplied, and supported in all essential respects, including PEMA equipment, organizational clothing and equipment, maintenance parts and supplies, technicians, training and school spaces, and construction of facilities. To add emphasis to the disapproval of a merger or reorganization, the subcommittee specifically recommends that the merger and reorganization of Army Reserve components proposed by the Secretary of Defense be disapproved and that the U.S. Army Reserve and the Army National Guard be continued as separate organizations at such mandatory levels of strength as shall be fixed by the Congress.

There is a need to establish with legislation the intent and desire of the Congress and to provide by law the strength, organization, and level of support that should be given to all our Reserve Forces. It was hoped that a general bill setting forth these things would be considered at this session. However, because of the press of other items and the shortness of time, it now appears that consideration of such a bill will not be possible.

Therefore, again we have taken care of many of these matters in the appropriations bill and, to some extent, in the report of the Preparedness Investigating Committee.

There is agreement among the Senators most directly concerned with the reserve situation that the bill introduced in this session or a similar bill should be considered early in the next session of Congress and that it should be given full hearing and every consideration. For my part, I certainly intend to follow through because I feel that the turmoil, confusion, uncertainty, and question that has plagued the men of our Reserve forces needs to be laid aside and definitely settled in an affirmative and forceful way that will add strength, prestige, and efficiency to our Reserves.

It should now be clear to the Department of Defense that it is the intent and desire of the Congress that our Army and Air Reserves, Army and Air National Guards, and all Reserve forces of all branches should be maintained essentially as they are or as they have been directed to be maintained and that they should be fully supported, adequately equipped, and properly trained to respond in the event they are called to duty.

Through its investigations, the Preparedness Investigating Subcommittee has brought to light many problems of manpower, equipment, and materiel in our Active Forces that makes its absolutely essential that we have adequate reserves on which to fall back in the event we are called upon to meet a real emergency beyond the war in Vietnam. Frankly, I have felt for some time, as have the Joint Chiefs, that we really have needed some of them already.

As draft calls are increased and as many of our units in Europe and elsewhere are drawn down to support the war in Vietnam, it is clear that we need every single National Guard and reservist and their units that are now in the program. It is urgent that we maintain all of them and that they be given our full and adequate support.

The fact that the Senate did not consider a Reserve bill in this session in no way indicates a lack of concern for the Reserves. Failure to take the bill up now indicates only that we feel the most urgent matters have been taken care of in the appropriations bill and that we are confident the intent and desire of the Congress has been impressed upon the Department of Defense and our military planners to the extent they will fully support those men and units now in the program and that they will be improved with equipment and training necessary to put them in the best possible condition.

The men who serve in the Reserve units perform a great service and deserve great credit for the contribution they are making to our national security. With the knowledge and understanding that this is the case, I urge the Department of Defense to move ahead in their support of these units from the division level on down without further turbulence and uncertainty.

I want to emphasize again that, concerning the bill which has as its purpose to give clearcut legislative authority and determination on the question as to the Reserves and the National Guard, it will be taken up early next year by the Senate Armed Services Committee and will be considered major item by major item on its merits, and such disposition, in an affirmative way, will be made on those important matters as the committee in its judgment thinks best.

There has been no deferment of this matter in any way, except that in the last days of the legislative session this year, the matter of the callup of Reserves did get involved in differences between the two Houses on the Department of Defense appropriation bill. At the same time, the matter of nailing down the strength of the Reserves for the current fiscal year and providing money for maintenance and operation of the Reserves and National Guard during the current fiscal year was taken care of in this appropriation bill.

For that reason, it was possible for this matter to go over until next year. It will be considered early in the year. The chairman of the Senate Armed Services Committee, the gentleman from Georgia [Mr. RUSSELL] and I have talked about this matter, and, without either one of us committing ourselves to any particular major phase of that bill, we agree it is an important legislative matter, hearings will be held, the committee will consider the matter on its merits, and will act on its best judgment.

REPEAL OF PROVISIONS OF LAW CODIFIED IN TITLE 5, SECTION 39, UNITED STATES CODE

Mr. MONRONEY. Mr. President, I ask that the Chair lay before the Senate the amendments of the House of Representatives to S. 1496, and that the Senate proceed to the immediate consideration of the amendments.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1496) to repeal the provisions of law codified in title 5, section 39, United States Code, and for other purposes, which were, to strike out all after the enacting clause and insert:

> That (a) section 3342 of title 5, United States Code, relating to the prohibition of details of employees from the field service to the departmental service, is hereby repealed.
>
> (b) The table of contents of subchapter III of chapter 33 of title 5, United States Code, is amended by striking out—
>
> "3342. Details; field to departmental service prohibited.".
>
> SEC. 2. Section 525 of the Act of June 17, 1930 (46 Stat. 741; 19 U.S.C. 1525), which provides exception to the Department of the Treasury from the restrictions imposed by section 3342 of title 5, United States Code, is hereby repealed.

And to amend the title so as to read: "An Act to repeal section 3342 of title 5, United States Code, relating to the prohibition of employee details from the field service to the departmental service, and for other purposes."

The PRESIDING OFFICER. Is there objection to the request of the Senator from Oklahoma?

There being no objection, the Senate proceeded to consider the amendments of the House to S. 1496.

Mr. MONRONEY. Mr. President, this legislation was passed by the Senate in 1965 and recently passed the House with an amendment. The amendment is technical in nature, making the bill conform to the recently codified provisions of title 5, United States Code.

The bill repeals an old law prohibiting the detailing of employees from field positions into the District of Columbia. It was recommended by the administration. There has been no opposition expressed to the bill in either House.

Mr. President, I move that the Senate concur in the amendments of the House of Representatives.

The motion was agreed to.

EXECUTIVE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to consider executive business.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to the consideration of executive business.

EXECUTIVE REPORTS OF A COMMITTEE

The following favorable reports of nominations were submitted.

By Mr. MONRONEY, from the Committee on Post Office and Civil Service:

Seventeen postmaster nominations.

The PRESIDING OFFICER. If there be no further reports of committees, the clerk will state the nomination on the Executive Calendar.

U.S. AIR FORCE

The legislative clerk proceeded to read sundry nominations in the U.S. Air Force.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

U.S. ARMY

The legislative clerk proceeded to read sundry nominations in the U.S. Army.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objections, the nominations are considered and confirmed en bloc.

ENVIRONMENTAL SCIENCE SERVICES ADMINISTRATION

The legislative clerk proceeded to read sundry nominations in the Environmental Science Services Administration.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the nominations be considered en bloc.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

NOMINATIONS PLACED ON THE SECRETARY'S DESK—U.S. ARMY

The legislative clerk proceeded to read sundry nominations in the Army which had been placed on the Secretary's desk.

The PRESIDING OFFICER. Without objection, the nominations are considered and confirmed en bloc.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the President be immediately notified of the confirmation of these nominations.

The PRESIDING OFFICER. Without objection, it is so ordered.

LEGISLATIVE SESSION

On request of Mr. MANSFIELD, and by unanimous consent, the Senate resumed the consideration of legislative business.

NATIONAL DAY OF PRAYER

Mr. SIMPSON. Mr. President, the President of the United States has proclaimed today, October 19, as National Day of Prayer in 1966. It was my privilege some months ago to introduce a resolution, cosponsored by Senators ALLOTT, CARLSON, and TYDINGS, requesting the President to make such a proclamation. I am gratified that the President has now acted.

On this day, I am confident that millions of Americans will lift their hearts in prayer to our almighty God. Some will do this privately and others will have the opportunity and privilege of uniting in public worship. Prayer is the greatest unused asset in the world today. God is not allocated on a geographical basis—or a population basis. The supply of His grace, His guidance, His power, and His peace is unlimited—and the greatest tragedy in the world today is that it is for the most part unused. There, at our fingertips, available to each one of us, is all the power of an infinite God, against which no force in the world can stand. And we ignore it far too often. If we unleashed the power of prayer, the result would compare the explosive force of the atomic bomb to the flickering flame of a match in a tropical storm.

I think it is significant that the President, whose first public statement after taking the oath of that office was to ask for God's help, should issue this proclamation.

Responsibility often increases a man's dependence upon God. His confidence comes to reside in the fact that he is an echo—a channel—of God's will, rather than a voice depicting his own wisdom.

As I have studied and observed religion in the lives of our Presidents, I am much inspired by the dependence of each American President upon God.

> God give me wisdom, strength, and fidelity and to our people a spirit of fraternity and a love of righteousness and peace.

Were the words of Benjamin Harrison in 1889.

William McKinley, a few months before the outbreak of the war with Spain, prayed:

> Our faith teaches us that there is no safer reliance than upon the God of our fathers, who has so singularly favored the American people in every national trial, and who will not forsake us so long as we obey His commandments and walk humbly in His footsteps.

During the dark days of World War II, President Franklin D. Roosevelt's prayer was:

> The Almighty God has blessed our land in many ways. He has given our people stout hearts and strong arms with which to strike mighty blows for freedom and truth. He has given to our country a faith which has become the hope of all peoples in an anguished world. So we pray to Him now for the vision to see our way clearly—to see the way that leads to a better life for ourselves and for all our fellowmen—to the achievement of His will, to peace on earth.

And we were not without religious leadership during the peaceful years of President Eisenhower's administration. His prayer in 1957 was:

> Before all else, we seek, upon our common labor as a nation, the blessings of Almighty God. And the hopes in our hearts fashion the deepest prayers of our whole people. And so the prayer of our people carries far beyond our own frontiers to the wide world of our duty and destiny.

The religious maturity of President Kennedy is reflected in these words:

> * * * the belief that the rights of man come not from the generosity of the state

> but from the hand of God. With a good conscience our only sure reward, with history the final judge of our deeds, let us go forth to lead the land we love, asking His blessing and His help, but knowing that here on earth God's work must truly be our own.

President Abraham Lincoln was most specific in his proclamation. The President, acting upon the request by resolution of the Senate, proclaimed April 30, 1863, as a Day of National Humiliation, Fasting, and Prayer. He called upon—

> * * * all the people to abstain on that day from their ordinary secular pursuits, and to unite at their several places of public worship and their respective homes in keeping the day holy to the Lord, and devoted to the humble discharge of the religious duties proper to that solemn occasion. All this being done in sincerity and truth, let us then rest humbly in the hope authorized by the divine teachings, that the united cry of the nation will be heard on high, and answered with blessings no less than the pardon of our national sins, and the restoration of our now divided and suffering country to its former happy condition of unity and peace.

Mr. President, individuals are always richer for having shared an experience—schoolmates—fraternity brothers—the almost unbreakable bond of a serviceman for his buddy. I am confident that our people will be rewarded with a special grace and a new understanding for having shared today—the National Day of Prayer in 1966. The plea of today is not that the people shall call upon God to return to our democracy and bless it, but rather that we shall together cause our democracy to return to God and be blessed. The soul-searching words of the President's proclamation—to recognize our dependence upon Almighty God; express thanksgiving for the blessings God has bestowed upon us; examine our hearts in the light of His Word; and end the brutal divisions between His children—present a significant challenge to each and every American.

God bless America.

STRIP MINING IN OHIO

Mr. LAUSCHE. Mr. President, last week I presented to the Senate a bill which, if adopted, will give the U.S. Government the power to regulate the strip mining of land for coal. A number of States in the Union are suffering the ravages of the strip mining practice. Ohio is one of them. In Ohio, the machines which strip the surface of the land now have booms 100 feet in length, and shovels, I understand, that are capable of biting 75 tons of earth at one time and removing it from its natural footing. After the strip mining is done, cliffs are left with a vertical line, in some instances. 100 feet in height.

The areas in which strip mining has been carried out have become ghost areas. In most such places, life no longer exists.

In this morning's mail I received a letter from a woman whose name I shall not mention. The letter, however, so clearly outlines the ravages committed by strip mining that I wish to discuss it, in part, before the Senate.

The letter reads in part:

> These are the head lines in our paper, "LAUSCHE Presents Bill on Strip Mines." I pray to "God," it passes. Each hour I'm praying.
>
> Last June of 1965 we moved from Wellsville, Ohio to Beloit, Ohio. We were greenhouse people, we specialized in large chrysanthemums—bedding plants for spring and carnations. We had 27,000 or closer to 33,000 sq. ft. of glass. Our home, our greenhouses, our store, our large boiler room, with 2 new large boilers in it, my husband installed them in July and August '65. We lost it all. My husband had a heart attack over it and died—"The Strip Mines Kept taking all our water.
>
> It started in late August—my husband came running into our home one evening and said I'm terribly afraid we're going to have water trouble. Our well provided water for "4 families" and our neighbors barn and garden for "60" years. My husband knew this well for this is where he first started working and finally we took over this same greenhouse. Last June the "Sunny Side Coal Company," was working back of our boiler house and each time they made a cut they took more of our water. My husband started out to find the owner and finally called him and he came over in September. He promised us he would build us another lake to replace our new one and another well. Mr. Martsoff is the owner of "Sunny Side Coal Company, and he told us this would be no problem for the farms he was stripping back of our boiler rooms brought in more than $2 million or more of coal. There are two veins of coal and other minerals which are big in this area. He never came back. We called and called and our men who worked for us and my husband went over to "the Strip Mines," often and begged them to help us. About the middle of November our well went down to 4 ft. and we really started to walk the floor and at the end of November down it went to 7 inches. The next cut took all our water. We had almost all our crops in and believe me we cried. Our mums were all disbudded and large buds on them and the foliage was healthy and so big and everything was just beautiful. Each day we watched them slowly die. We prepared for Thanksgiving and Christmas. We redrilled and went down almost 300 ft. It lasted little over 2 weeks and "the Strip Mines made another cut and took it too. So we bought water—cause 2 days before Christmas all of our water was gone. We were sick about it for the boilers needed water too. So after being in the greenhouse business for 40 years my husband closed down.
>
> I saw your wonderful write up in the paper and decided to write you. I'm praying for you by the hour. I beg "Gods," mercy, to make your bill pass and to help me. Is there anything you can do. I need help desperately. I lost my home, livelihood, property—land—and most of all my husband. Is there no justice Sen. LAUSCHE? Who else could help me—please let me know? This is a nightmare. I pray you have lots of success and more of it.

Mr. President, I have not read the entire letter. The letter rather accurately describes what happens to the helpless, small property owners in the strip mining areas.

This family, proud in the management of its business, finds itself deprived of that business because of the greed and the brutality of the strip miners.

It is my understanding that this lady has filed a lawsuit against the strip mining company for disturbing the natural water supply.

My hopes are that she succeeds.

Mr. President, I yield the floor.

REIMBURSEMENT FOR PROPRIETARY EXTENDED CARE FACILITIES UNDER MEDICARE

Mr. LONG of Louisiana. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 6958) to amend the Internal Revenue Code of 1954 to promote savings under the Internal Revenue Service's automatic data processing system. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of Thursday, Oct. 20, 1966, pp. 28219–28220, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. LONG of Louisiana. Mr. President, H.R. 6958 provides for centralized filing of tax returns and payment of tax. The body of H.R. 6958 was passed by the Senate in form identical with the House bill. The matter in conference involved an amendment offered by Senator MILLER which amended the Social Security Act so as to clarify the definition of "reasonable cost" for purposes of reimbursement.

The Senate amendment would require the Secretary to include in reimbursement to extended care facilities a return on the fair market value of the facility. The return would have to be at a rate greater than that paid on risk-free investment. Additionally, the Senate amendment would have required the Secretary of Health, Education, and Welfare to consider in reimbursement of extended care facilities the following factors:

First. Replacement of plant and equipment;

Second. Payment of debt incurred to modernize or expand;

Third. Research and health planning;

Fourth. Rentals and "interest type" returns on property and money supplied by owners;

Fifth. "Uninsured risks and other business type responsibilities" as well as property, income and other taxes which cannot be shifted; and

Sixth. Payment of a return greater than that paid to public utility companies or to investors in risk-free ventures.

The purpose of the Senate amendment was certainly laudable. What we sought was to guarantee to the individual who invested his funds in a facility organized for profit that he would receive a fair return on the money he had put into the operation. As the proposed medicare regulations stood he would have been only reimbursed for the actual costs of providing services with no specific return given on his investment.

There was some uncertainty on the part of the House conferees as to the extent to which proprietary facilities would have been reimbursed under the Senate amendment. This uncertainty was ultimately resolved in a manner agreeable to the conferees on both sides.

Basically, the conferees agreed that extended care facilities organized for profit should receive a reasonable return on net equity. The reasonable return would be at a rate one and one-half times the average rate of return received on new investment in the hospital insurance trust fund. This formula yields about a 7½ percent return at the present time.

Previously, the Secretary of Health, Education, and Welfare had in his proposed regulations added a bonus factor to the formula which would pay to all participating institutions—hospitals and extended care facilities, profit and nonprofit alike—an additional 2 percent above the total actual costs for which they could account. The bonus was limited to the lesser of 2 percent of costs or approximately 5 percent on net investment. The 2 percent factor will continue unchanged for nonprofit institutions but will be reduced to 1½ percent above provable costs for proprietary institutions.

Mr. CARLSON. Mr. President, the conference report on H.R. 6958 which was approved contained the Miller amendment should be of great value to the nursing homes in writing contracts with the Department of Health, Education, and Welfare. As a member of the conference between the House and Senate I approved the language in the statement of the managers with the hope that the Department will keep in mind the interests of both proprietary and nonprofit extended care homes.

I ask unanimous consent to include a letter I received from Mr. Leonard E. Stolz, vice president, Retirement Manors of America, Inc.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SENECA MANOR NURSING HOME,
Wichita, Kans., October 14, 1966.
Senator FRANK CARLSON,
U.S. Senate,
Washington, D.C.

DEAR SENATOR CARLSON: On September 22, 1966, Senator MILLER offered an amendment to H.R. 6958 (pages 23644–23645 of the CONGRESSIONAL RECORD) which was accepted by Senator LONG, the manager of the Bill and adopted by the Senate. The Miller Amendment redefines Section 1861(v) of the Medicare Act (Public Law 89–97) to give nursing homes a profit and growth factor in connection with the care of Medicare patients.

The Department of Health, Education, and Welfare in its reimbursement formula under Medicare had taken the position that under Public Law 89–97, it would not give nursing homes a profit or growth factor, In fact, the HEW present formula gives nursing homes less than actual costs.

All other providers under the Medicare Act such as (a) physicians and surgeons are allowed their usual and customary charges or (b) food and drug suppliers were allowed their normal profit.

The Miller Amendment does not overreach. It does not give nursing homes their usual and customary charges as physicians and others now receive. It merely allows them modest profit or growth factors in order to survive as free standing health facilities.

As you know, 87% of all nursing homes (with 82% of the beds) are proprietary, approximately 9% are religious affiliated homes constructed and maintained through private capital. The remaining 4% of the nursing homes are nonprofit nursing homes. These nursing homes should be allowed to continue their service to the community as free standing institutions without the necessity of having to depend on Federal subsidiaries to survive and grow.

It is our hope that H.R. 6958 with the Miller Amendment will be accepted by the Senate-House Conference which we understand will meet during the week of October 10, 1966. If it does, the Miller Amendment could be before the House and Senate during the week of October 17, 1966. We would appreciate your full support of the Conference Report, in the event the Miller Amendment is adopted by the Conference. We will keep you informed of the progress of this legislation.

I would appreciate a response from your office indicating your views on the Amendment as either being favorable or unfavorable, I will pass this information along to the nursing homes in our area.

Sincerely,
LEONARD E. STOLZ,
Vice President,
Retirement Manors of America, Inc.

The PRESIDING OFFICER. The question is on agreeing to the conference report.

The report was agreed to.

SALE BY THE SECRETARY OF AGRICULTURE OF CERTAIN LAND IN LANDER, WYO.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of Calendar No. 1806, S. 433.

The PRESIDING OFFICER. The bill will be stated by title.

The LEGISLATIVE CLERK. A bill (S. 433) to authorize the Secretary of Agriculture to sell certain land in Lander, Wyo., and for other purposes.

The PRESIDING OFFICER. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill which was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 433

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to convey by quitclaim deed, for not less than fair market value, all right, title, and interest of the United States in and to lots 4 and 5, block 16, in the original town of Lander, Wyoming, and the improvements thereon and to apply the proceeds of such sale to the purchase of other land in or near Lander and the construction thereon of similar improvements.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1837), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

The Committee on Agriculture and Forestry, to which was referred the bill (S. 433) to authorize the Secretary of Agriculture to sell certain lands in Lander, Wyo., and for other purposes having considered the same reports favorably thereon without amendment and recommends that the bill do pass.

This bill provides for the sale at not less than fair market value of lots 4 and 5, block 16, in the original town of Lander, Wyo., and application of the proceeds therefor to the purchase of more suitable land and construction of similar improvements. The property was acquired in 1938 as a donation from the owners. A warehouse and garage building was constructed upon this property in the same year. The building has been used to store supplies and tools and as a workshop during winter months by the Lander ranger district of the Shoshone National Forest. The city has built up around the property, so that it is not desirable as a district warehouse. The proceeds of the sale should be sufficient to cover the cost of the new facilities so that there should be little or no additional cost to the Government.

Mr. MANSFIELD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the Chair.

The PRESIDING OFFICER. Without objection, it is so ordered.

Thereupon (at 3 o'clock p.m.) the Senate took a recess subject to the call of the Chair.

At 3 o'clock and 29 minutes p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. RUSSELL of South Carolina in the chair).

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Hackney, one of its reading clerks, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17636) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes, that the House receded from its disagreement to the amendments of the Senate numbered 9 and 16 to the bill and concurred therein, and that the House receded from its disagreement to the amendment of the Senate numbered 14 to the bill and concurred therein, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the following concurrent resolutions of the Senate:

S. Con. Res. 109. Concurrent resolution authorizing the printing of certain hearings of the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary; and

S. Con. Res. 110. Concurrent resolution authorizing the printing of additional copies of hearings by the Special Committee on Aging on "Detection and Prevention of

Chronic Disease Utilizing Multiphasic Health Screening Techniques."

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5688) relating to crime and criminal procedure in the District of Columbia.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10327) to require operators of ocean cruises by water between the United States, its possessions and territories, and foreign countries to file evidence of financial security and other information.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 15727) to establish rates of compensation for certain positions within the Smithsonian Institution.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H.R. 16114) to correct inequities with respect to the determination of basic compensation of employees of the Federal Government for purposes of certain employment benefits, and for other purposes.

The message further announced that the House had agreed to the amendment of the Senate to the bill (H.R. 11428) to amend the act of September 8, 1960, relating to the Washington Channel waterfront, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2720) to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate.

THE MANILA CONFERENCE

Mr. HARTKE. Mr. President, while the free world hopefully awaits the emergence of peace overtures from next week's Manila Conference, we can take hope, also, from the urging of Philippine Government officials that our bombing of North Vietnam be suspended.

It is significant that the host diplomats suggest that it may be more conducive to peace negotiations for Vietnam if the United States ceased strategic bombing at least during the discussions.

Those representatives of Eastern nations who sit closest to the brush fire that threatens a worldwide conflagration, believe such a bombing pause would underline the free world's sincerity in seeking a peaceful solution to the military war that may engulf them, also.

Although we have been told that there is no strong hope for peace immediately, and although there have been no indications made known to us of willingness by the other side to make any concessions, peace-loving people everywhere have renewed expectations of a possible chance for a settlement in Vietnam.

I have noted with great hope and interest the statement today by the very learned and distinguished Senator from Vermont [Mr. Aiken], senior Republican on the Foreign Relations Committee. He suggests a new pause in bombing of North Vietnam and a regrouping of troops around strategic places in the south.

Of even more significance are the reports I have mentioned from the Philippines that suggestions are made that we stop bombing North Vietnam during the time of the coming conference as a gesture of good will and genuine demonstration of our willingness to talk peace with our adversaries. I believe it is necessary to give demonstrations of our good intentions and that this is a new sign that could be given without harm to our military posture while advancing our political posture.

We seek peaceful lives for those who wish them, self-determination for peoples in war-torn countries. These aims are not achieved on the battlefield, even though battles may be necessary to secure them.

The military phase has dragged on in the jungles and rice paddies long enough. Let us contribute to peace in whatever way we can, as soon as we can, so that we may get along with the task of assuring the political victory of self-determination for the Vietnam people.

Mr. AIKEN. Mr. President, will the Senator yield?

Mr. HARTKE. I yield.

Mr. AIKEN. I want to thank the Senator from Indiana for his complimentary references to the Senator from Vermont. I can assure him that what I said this morning was based on conditions as I see them today, not as they were, not as they might be, not as I would have them, but as they are. I think there is a way out of this predicament, with which the whole world is concerned, and I hope we can get some helpful contributions out of the Manila Conference so we can get back to constructive work again soon.

Mr. HARTKE. I think the words I have spoken about the Senator from Vermont would be echoed by each Member of this body. I compliment him for his thoughtfulness in looking forward to some method of solving a difficult problem. I think everyone knows of the Senator's sincere dedication not only to peace, but to the Nation's welfare also.

THE GRIM NEW GRAB FOR GOLD THREATENS YOUR DOLLARS

Mr. SYMINGTON. Mr. President, in one of the outstanding books of the year, "America in the Market Place," written by the able senior Senator from Illinois, there is a paragraph—page 311—which should be read by every thoughtful American who is interested in the future security and prosperity of the United States. This paragraph reads:

> While our gold reserves are sufficiently strong to meet ordinary demands for a considerable time to come, they might be put in real jeopardy should some powerful country in the Free World stage a determined effort to strip us of our free gold and if it were successful in getting private investors and other countries to join them. At present, such a danger can only come from France which has already shown signs of adopting such a policy, under the guise of returning to the pure gold standard.

An article in this week's Look magazine, written by the senior editor, Mr. George Harris, entitled "The Grim New Grab for Gold Threatens Your Dollars," confirms much of the apprehension of our able colleague. I note particularly a paragraph which reads:

> The French started the last disastrous gold grab in 1928, and they are doing it again today. This time, France's President Charles de Gaulle is deliberately spreading gold fever to weaken the U.S.A. His campaign took shape at a secret 1962 session with his foreign-affairs advisers—who include Bank of France officers. In the middle of a briefing on our continued deficit troubles, the General leapt from his chair, threw both arms high in the sign of victory. "Voila! La faiblesse" he shouted. "That's it! The weakness!"

Another paragraph reads:

> The United States has been among the last to realize that no single nation's money—not even our dollar—can serve forever as the ultimate medium of exchange. Threatened by France, our Government and business leaders are waking up to the need for an international unit of money and a supranational bank to lift the payments machinery out of politics.

Another paragraph reads:

> Last August, in a little-noticed decision of great importance, the need for such a plan was endorsed by the "Group of 10" banker nations: the U.S., U.K., Canada, Japan, France, Germany, Italy, Belgium, the Netherlands and Sweden. French bankers, under De Gaulle's command, disrupted the unanimity of the working sessions. Partly because of the French, the Group of 10 laid down an important reservation: The job will not be done until the U.S. gets its payments in balance. As long as we run deficits, Europeans will cash our dollars in for U.S. gold—while it lasts. With these bullion additions to their reserves, the Europeans will feel no urge to create the CRU.

Another paragraph reads:

> The mood has been set for meaner methods. Sen. Paul Douglas (D., Ill.), one of several Congressmen now at work on the crisis, rouses citizens against the French. He would demand repayment of France's $6.5 billion World War I debt, and he urges a tourist boycott of Paris—anything to deny De Gaulle dollars to cash for gold. The Government officially opposes boycotts, but practices its own brand. Our officials on foreign assignment try to stay off French planes and ships. They ride dollar-saving American carriers as far as they can. Still stronger measures may be necessary to force a speedup in monetary reform. So believes Donald C. Cook, the tough president of American Electric Power Company, and one of President Johnson's closest economic advisers.

I ask unanimous consent that the article in question be inserted at this point in the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

THE GRIM NEW GRAB FOR GOLD THREATENS YOUR DOLLARS

(By T. George Harris)

We face a serious situation in the gold drain. Cabinet officers and other Federal officials hide their private fears in public appeals to confidence, and only a few able men will talk about the deeper dangers ahead, after going off-the-record. "This thing," says one, "could come unstuck."

The drain already is a significant factor in high interest rates, price hikes, strikes, stock-market dives and your difficulty in getting a mortgage. Gold strains put both foreign and domestic policy in a straitjacket, and limit the Government's capacity to fight poverty and head off any future downturn in the economy.

As a congenital optimist, I'm not crying "wolf!" The problem has a solution, and at last this country is beginning to work on it. We not only have to end the deficit in our balance of payments—which has been causing the drain—but we have to get at the core of the difficulty: Capitalism still does not have a money-and-credit system strong enough to support its tremendous growth outside the United States.

What exists is a jerry-built structure of dollars, pounds, francs, marks and yen—each controlled by the politics of one nation and subject to attack by the others. There is the tension point. As commerce surges across national borders, the rigid monetary structures of many governments quiver and threaten to crack. Private business has gone international, but the public-sector machinery for settling payments has remained, on the whole, narrowly nationalistic.

To a lesser extent—before jets and computer-communication nets—the same kind of business *vs.* money tension developed at the peak of the last major trade boom, in the late 'twenties. Now, as then, the pressures increase with prosperity.

Business has changed, but not the critical symptom of monetary ailment. It is measured by a sharp rise in the desire for gold. Why? When men and nations get uncertain about paper cash and securities, they revert to a 19th-century faith that gold magically restores confidence and sound credit. This panic reaction, which economists watch like a fever chart, is the symptom that can destroy a healthy business body.

The French started the last disastrous gold grab in 1928, and they are doing it again today. This time, France's President Charles de Gaulle is deliberately spreading gold fever to weaken the U.S.A. His campaign took shape at a secret 1962 session with his foreign-affairs advisers—who include Bank of France officers. In the middle of a briefing on our continued deficit troubles, the General leapt from his chair, threw both arms high in the sign of victory. *"Voilà! La faiblesse!"* he shouted. "That's it! The weakness!"

Here's why the mighty U.S. had such a weak spot, and why it has become more serious:

We spend and invest more dollars abroad each year than we take in. The total deficit since 1949 has mounted to $34 billion.

So foreign governments, led by France, can get dollars aplenty to cash for U.S. gold. With our bullion reserves drained from $26 billion down to $13.2 billion, foreigners still hold $28.8 billion of our official iou's—and if at any point they all demanded payment in gold, we would be technically bankrupt. Each year's deficit makes matters worse.

President Johnson's program to end the foreign deficit has failed because of war spending in Vietnam. The result is rising doubt about how long the dollar will be "good as gold."

Such doubt reduces the dollar's use abroad in place of gold reserves—and drives nations to wage economic war over too-tight gold supplies. The weapons are protective tariffs, boycotts, investment restraints, deliberate deflation, devaluation threats. National barriers, lowered in the postwar years, are suddenly being built up again.

The United States has been among the last to realize that no single nation's money—not even our dollar—can serve forever as the ultimate medium of exchange. Threatened by France, our Government and business leaders are waking up to the need for an international unit of money and a supranational bank to lift the payments machinery out of politics.

Economic history has come to its most decisive turn since 1946. Americans are being told, through the medium of exchange, that we have to learn how to live in the new world we built. This country came out of World War II with a virtual monopoly on gold reserves and industrial production. We had goods and machines to sell, but hungry Europeans had no money with which to buy. The solution then was the Marshall Plan. The Government handed friends and ex-foes alike the money to stay alive and rebuild—to become independent competitors once again.

Far-sighted Americans felt that the best argument for foreign aid was its eventual effect on gold distribution; they wanted to head off the imbalance that would come out of a permanent U.S. corner on bullion. A monopolist, as any businessman knows, seldom responds to change until too late.

The generous impulse behind aid turned out to be so practical as to look venial. Aside from helping mightily to contain Sino-Soviet imperialism inside Eurasia, the dollar grants subsidized our export surge. We free-sampled the free world with "Made in U.S.A." products, management and technology. Our corporations and banks followed up the opportunity. Going multinational, they worked themselves up to the recent competitive rush of building and buying plants in many nations. The biggest target was the Common Market, which the U.S. designed to salvage Europe and later discovered for itself.

The main instrument of U.S. action has been the dollar. To make much sense out of its role, you first have to forget your college economics and think freely about money. It has been variously defined as filthy lucre, the true store of value, the proof of who is sovereign, or (writes a Freudian scholar) the evil residue of the constipated spirit. These loaded phrases show how people build a set of expectations around printed slips of paper.

People of many nations endowed the dollar with a special aura. A claim on the productive power of the strongest economy, it quickly replaced British sterling as the "vehicle currency" preferred for any country's payments to another. Government banks bought dollars—or interest-paying U.S. bonds and short-term bills—to use as accepted reserves in place of absent gold. With one dollar for "cover," a central bank (like our Federal Reserve) could issue several dollars' worth of francs, pounds or lire. Dollar-bred local currency in turn gave birth, inside commercial banks, to still more money in the form of credit.

So you carry in your pocket the father of moneys. It put down the base on which countries in Europe, Latin America, Africa and Asia have built their postwar monetary structures. Its work in central banks brightens or dims the hopes of millions who never see that picture of George Washington in his lace necktie. "It wiped out unemployment in Europe," says a commercial banker, "before it brought full employment at home."

But the dollar had a built-in flaw, a limit. Its supply abroad depended upon a deficit in the U.S. balance of payments. So long as our Government and business spent and invested more money outside than they brought home, other countries could get enough dollars to expand their money systems. This process obviously could not go on forever. Continued pile-up of debt eventually brought the dollar under suspicion. In this situation lay the crisis that now envelops us.

The trouble should have been recognized in the early 'sixties, even before De Gaulle charged that Yankees were "expropriating" French firms. He meant, explained Paris financiers, that because of the dollar's status as the chief reserve currency, we were able to sell our IOU's to the Bank of France. U.S. interests, in effect, were using French money to buy up French property. Our businessmen could keep right on expanding in France and other countries while we were piling up dollar debts. European businessmen, in contrast, had to hold off on foreign investments in time of deficit.

France's grab for gold, then, was really designed to damage the weakened dollar so badly it could not be used for reserves. Beyond this goal lay a grand design. "De Gaulle thinks primarily in political terms," says Chicago's William Rivkin, a mobile diplomat who struggled with the French over Common Market policy. "He uses economics only as a political weapon." For what? For a war of "independence" against the Americans. Gaullists believed even then that our military-political-industrial power had become an indignity to everybody else. They went further and attacked "Anglo-Saxon hegemony" because of the dollar's alliance with the British pound.

The French assault paid off November 25, 1964. Though several chiefs of state and their money managers made hard decisions hour-by-hour that day, the man in the center of the activity was a little-known banker: Charles A. Coombs, 47, head of foreign operations for the Federal Reserve Bank of New York.

At 4 a.m., Coombs edgily brushed his silver hair behind his left ear and settled down to work in his tenth-floor office. Three blocks south stood the dark hulks of Wall Street skyscrapers. The impossible, he knew, was trying to happen. If he did not complete a very tight financial maneuver in the next few hours, the intricate economic system of the Western World would head into its most serious monetary breakdown since the 'thirties.

The proud old Bank of England was facing the second day of a huge run. From all over Europe, financiers, corporations and central banks were clamoring for repayment of their deposits and loans—instantly, "on sight." The British government's bank simply did not have dollar reserves enough to hold out much longer.

Coombs had two weapons. He had the authority, hastily secured a few hours earlier, to lend the Bank of England an even billion U.S. dollars. He also had the Fed's overseas phone net to the banks of other governments from Tokyo to Rome. He must persuade key nations to put billions more of their dollar holdings on top of the emergency U.S. loan. If they refused, and kept up the run, then the $1 billion would go down the drain along with Britain's wavering hopes.

Confidence could no longer be propped up by the U.S. alone. The free-world community had to share the risk. To get help, Coombs had to tell his counterparts abroad that the British were worse off than the rumors said. Cautious foreign bankers would test these hard facts against Coombs's soft pitch: "A threat to one is a threat to all." He had to turn that doctrine into a financial version of an older motto: United we stand; divided we fall.

Coombs picked up the nearest of two black phones on his desk. There could be no slips. France, to show that it did not really want to bring down the banking system, chipped in a token $200 million. By 2 p.m., the calls for help raised $3 billion, the biggest loan package ever thrown together and enough to dam the panic flood.

Coombs went home and cautiously celebrated with two martinis.

What if he'd failed? Nobody knows for sure. But a rising number of insiders now believe that a British collapse under pressure would have been considerably worse than a premeditated devaluation of the pound. Shock waves would have rolled through every country outside the Soviet bloc.

As it was, the U.S. soon felt pressure from the near-miss. Within a month, money was fleeing from this country at an annual rate of $12 billion. President Johnson, just elected to a full term, summoned 400 businessmen and bankers to Washington to mobilize a voluntary task force on the balance of payments. They took a pledge to hold down foreign investments and repatriate more profits. Directed by Commerce Secretary John T. Connor, the voluntary push worked better, and lasted longer, than its participants thought possible.

The public was told not to worry. About the only flurry came in June of last year, when Federal Reserve Chairman William McC. Martin, Jr., delivered a commencement address at Columbia University. His scholarly analysis was designed to prove that monetary history was not about to repeat the Depression pattern. He admitted, in his preface, to certain similarities. "Most importantly," he said, "then as now, many Government officials, scholars and businessmen were convinced that a new economic era had opened . . . in which perennial economic progress and expansion were assured."

Martin's 18 closely reasoned pages concluded that we have, if we want it, "a good chance to avoid another such disaster." This kind of reassurance drove the stock market into a month-long decline. Though few Wall Streeters bother to study international monetary problems, most have been nervous ever since.

President Johnson ordered his strongest Cabinet members to meet once a month on balance of payments. Defense quit buying overseas unless the offshore item was 33-percent cheaper. AID saw to it that most recipients of new grants spent their money on U.S. exports (86-percent effective). The State Department collected some postwar loans from France, Germany and other nations, before the due date. The U.S. Travel Service tried to close the $1.6 billion tourist gap by encouraging more people, Americans or visitors, to spend their travel money in the 50 states.

Such gestures looked small. But so, by comparison with total U.S. activities abroad, was the annual deficit. The $2.8-billion loss in 1964 had come while industry was exporting $25.3-billion worth of products—$6.7 billion more than we imported. This healthy surplus in foreign trade was wiped out by Government spending—mainly military, but also economic aid—and by business investments that outran earnings from previous investment. The figures indicated that a little tinkering might do the job. By the middle of last year, we had a temporary surplus. President Johnson declared that the long-term deficit must end in 1966.

Vietnam destroyed this dream. Escalation added $14 billion or more to war costs, counting outlays in war-torn South Vietnam. Dollars floating around Saigon tend to settle in the Bank of Indochina, a French institution in a French-built economy. From this source, Parisian finance officials privately admit, De Gaulle picks up about a third of the dollars he cashes for gold. Trying to cut down on this direct drain, the Army started paying GI's in scrip, and brought in two American banks to handle it.

Far more serious, however, has been Vietnam's impact on the economy back home. Escalation put a boom on top of a boom, and ripped away the restraints that held inflation down for six years. The Johnson Administration lost control of wage and price movements. So our products began to price themselves out of world competition. Exports are now falling and imports going up fast.

The trouble has just begun. With labor pushing hard for bigger wage hikes, and management for price boosts, the future is clear; rising foreign deficits and more gold drain.

The drain is visible. Armored trucks crawl in guarded convoys out of the U.S. Treasury's Ft. Knox pillbox and roll along superhighways to New York. There, Europeans pay $35 an ounce to claim tons of gold bricks.

But most of the metal never leaves the Country. Except for the French, the new owners deposit their bricks 15 stories below Charley Coombs's office in the fifth subbasement of the New York Fed's stone fortress at 33 Liberty Street. The vault holds 13,000 tons worth $13 billion for 77 nations and international agencies. ("Goldfinger cracked the wrong safe," says a Wall Street broker.) The biggest bullion lode no longer lies buried in the Kentucky hills, but in an international locker room smaller than a tennis court.

Down here, you can actually see how gold flows in the settlement of debts between nations. When one country decides to pay bullion to another, Coombs sends orders down to workmen in the airtight basement. They load a dolly with gold bricks from one numbered compartment and roll it a few feet to another compartment.

Charles de Gaulle does not leave gold in New York. He hoards his bullion (now $6 billion) in a giant vault under the Bank of France (B.F.) The Fed has to pack at least 2,357 U.S.-minted bricks a month into B.F.-branded pine boxes (for sea shipment) or canvas bags (air shipment).

Such dramatic tactics help De Gaulle to "sensitize" gold, that is, to make people acutely aware of its movements. His palace economist, fervent Jacques Reuff, helps still more by preaching about the secure joys to be found in a gold-plated world. At one Rueff lecture, I found a few U.S. businessmen half-converted. "Maybe that's the only way," said a troubled executive, "to keep governments from printing too much money."

Most know better. There's not enough gold to carry on today's business. Theorists argue endlessly over this point, but you can save yourself all that trouble by an uncalculating glance into the Fed vault. Tourists are welcome. Suppose the mighty human enterprises—from house-building and earth-moving to jet-making and people-feeding—were in effect piled on top of this lode. You'd have a monster pyramid upended on a tiny point, ready to crash at the slip of a few bricks.

The metaphor seems absurd, but it is a precise statement of what's wrong with gold-standard theory. As business expands, combining work and machines to create new wealth, it uses more and more money. But the supply of gold, mined mainly in Russia and South Africa, expands very slowly. Edward Bernstein, an experienced monetary consultant, has compiled data on the reserves that were needed for non-Soviet business expansion over the past ten years. Gold filled about one-twelfth of the need. Dollars did the big job.

Thoughtful bankers know that De Gaulle, if successful, would crucify commerce upon a cross of gold. But an alternative is at hand. In fact, the foundation for the future system already exists and works well—in the International Monetary Fund.

IMF was founded at the Bretton Woods Conference in 1944. Its purpose was to prevent a repetition of the 'thirties disaster and the consequent rise of warlike nationalism. Member countries deposit their quotas of gold and local currency in the Fund, which then lends when a member needs somebody else's currency to get through a medium-term deficit. Like an honest banker, IMF harasses spendthrifts into sounder policies.

The Fund's able staff can take considerable credit for a postwar prosperity lasting 20 years this time ('46–'66) instead of 11 years ('18–'29). Within the limits of their resources, these money men of many nations perform peaceful miracles. Just about every respectable economist has a pet scheme to strengthen IMF, or build a bigger one. The ultimate aim is to create a supranational reserve bank serving all central banks.

The favorite proposal has been adapted from the ideas of Dr. Bernstein, who was chief technical adviser at Bretton Woods. In brief, the IMF (or a new agency) would create a new international money. Called the CRU, for Composite Reserve Unit, this high-quality paper would be issued to national banks in exchange for new and larger gold and currency deposits at IMF.

CRU money—"it would in fact be paper gold," says Eddie Bernstein—would flow from one country's reserve bank to the next as gold now shuffles around the Fed basement in New York. It would supplement rather than replace gold and the dollar as reserves. By reducing dependence on both, it would not only cool down gold fever but take the impossible strain off the dollar. Only by such a device, commonly agreed upon, can nations rid themselves of the necessity for destructive attacks upon one another's credits and hopes. Until this happens, money will continue its historic function as the poison wellspring of nationalism.

Last August, in a little-noticed decision of great importance, the need for such a plan was endorsed by the "Group of 10" banker nations: the U.S., U.K., Canada, Japan, France, Germany, Italy, Belgium, the Netherlands and Sweden. French bankers, under De Gaulle's command, disrupted the unanimity of the working sessions. Partly because of the French, the Group of 10 laid down an important reservation: The job will not be done until the U.S. gets its payments in balance. As long as we run deficits, Europeans will cash our dollars in for U.S. gold—while it lasts. With these bullion additions to their reserves, the Europeans will feel no urge to create the CRU.

Such drift can only lead to worse trouble. "You can't build an integrated world economy on segregated money systems," says the chief executive of a major company operating abroad. Many businessmen, with their blend of avarice and idealism, hope to keep the population boom from turning into a famine. But most have been slow to push Government and bank experts toward the monetary reform necessary for the growth of free trade.

"The United States commits its military resources to political stability just about anywhere," says business economist Pierre Rinfret. "How can we be less willing to commit our monetary resources to economic stabilization?"

"We will have to do something before long," says columnist Eliot Janeway, who is critical of U.S. efforts. "The only question is whether we do it before the crash or after."

A crash is unlikely. Most nations have built unemployment insurance and other safeguards into their domestic economies. What's missing is insurance against imported recessions and nationalistic economic wars that injure everybody. In this sense, we live under substantially greater danger of money failure than of nuclear bombs.

As money tensions tighten, we see the first stages of economic war. The French, in a battle for commercial air power, persuaded the British to help develop a supersonic transport (SST) plane, the Concorde. The U.S. was slow to respond. The Concorde might well have drained $36-billion worth of export balances out of us over the next 20 years. President Johnson threw 90 percent subsidies into our SST development and gave aircraft companies war-level priorities to trump the Franco-British card by building a better airplane.

The mood has been set for meaner methods. Sen. Paul Douglas (D., Ill.), one of several Congressmen now at work on the crisis, rouses citizens against the French. He would demand repayment of France's $6.5 billion World War I debt, and he urges a tourist boycott of Paris—anything to deny De Gaulle dollars to cash for gold. The Government officially opposes boycotts, but practices its own brand. Our officials on foreign assignment try to stay off French planes and ships. They ride dollar-saving American carriers as far as they can.

Still stronger measures may be necessary to force a speedup in monetary reform. So believes Donald C. Cook, the tough president of American Electric Power Company, and one of President Johnson's closest economic adviser (Cook turned down LBJ's invitation to be Secretary of the Treasury). The Treasury, Cook says, has the legal power to cut the price of gold overnight, without notice. If it did, gold speculators like De Gaulle would no longer be protected against loss.

Through the turmoil, money managers have to live close to their telephones. Charles Coombs and his opposite numbers abroad have perfected and enlarged a set of pre-arranged currency "swaps." They wrap up a loan package any time they see "hot money" running out of a trouble spot. An international rescue squad in conservative suits, they have made run-stopping more or less routine.

They carry each other's home-phone numbers and meet for planning sessions once a month in Basel, Switzerland. Coombs frets through the jet hops over and back. "That's the only time," he tells me, "when you're out of reach of the telephone for several hours."

RECESS

Mr. SYMINGTON. Mr. President, I move that the Senate stand in recess, subject to the call of the Chair.

The motion was agreed to; and (at 3 o'clock and 41 minutes p.m.) the Senate took a recess, subject to the call of the Chair.

At 3 o'clock and 59 minutes p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. Russell of South Carolina in the chair).

TRIBUTE TO SENATORS MILWARD L. SIMPSON AND DONALD S. RUSSELL

Mr. MONRONEY. Mr. President, on behalf of the members of the Committee on Post Office and Civil Service, I want to pay a special tribute to two of our Members who are leaving the Senate at the end of this 89th Congress.

Our distinguished colleague from Wyoming, the former Governor and for the past 4 years, the junior Senator, Milward L. Simpson, has served with characteristic distinction on our committee during this Congress. He has contributed greatly to our work, both in faithfully attending and participating in public hearings, and in contributing his wisdom in the preparation of our legislation in committee meetings. His intelligence and good humor have been invaluable.

Senator Donald S. Russell joined our committee in April 1965 to fill the seat left vacant by the death of our former chairman, Olin D. Johnston. He, too, has served well and faithfully. It is characteristic of his long and distinguished public career, both in Washington and in South Carolina, that he is now returning to South Carolina to become U.S. Federal district judge for the western district of his native State.

I ask unanimous consent that there be printed in the Record two committee resolutions adopted favorably and unanimously and signed by the other members of the committee regarding the very distinguished and outstanding public service that these two Senators have rendered in connection with the work of our committee and in behalf of the Nation.

There being no objection, the resolutions were ordered to be printed in the Record, as follows:

Resolution of the Committee on Post Office and Civil Service of the U.S. Senate

Whereas, Milward Lee Simpson, a Senator of the United States for the State of Wyoming, has served in the Congress with honor and distinction for four years, and

Whereas, he has actively and ably served as a member of the Senate Committee on Post Office and Civil Service during the first and second sessions of the 89th Congress, and

Whereas, his efforts toward the improved efficiency and economical operation of the Federal Government and his dedicated efforts in behalf of all Federal employees are recognized by this Committee, his colleagues of the whole Congress and Federal workers across this great Nation, and

Whereas, he has always exhibited a cooperative spirit, a loyal devotion to duty and an unwavering concern for the welfare of his fellow man: Now, therefore, be it

Resolved, That the Committee on Post Office and Civil Service of the United States Senate individually and collectively do express to Senator Simpson upon his retirement from public service their most sincere appreciation for his outstanding contribution toward the operation and functioning of this body; and further do commend him for his long years of public service both in State and Federal governmental capacities, and pray for him God's continued blessings as he returns to his family and friends of his native State.

A. S. Mike Monroney, Ralph Yarborough, Jennings Randolph, Gale W. McGee, Daniel B. Brewster, Vance Hartke, Quentin N. Burdick, Donald S. Russell, Frank Carlson, Hiram L. Fong, and J. Caleb Boggs, Members of the Post Office and Civil Service Committee.

Resolution of the Committee on Post Office and Civil Service of the U.S. Senate

Whereas, Donald Stuart Russell, a Senator of the United States for the State of South Carolina, has served in the 89th Congress with honor and distinction, and

Whereas, he has rendered valuable service to the Committee on Post Office and Civil Service, and

Whereas, his service has been marked by unalterable concern for the welfare of all Federal employees and constant effort toward the improved operation of the Federal establishment, and

Whereas, he has untiringly and continuously contributed to the legislative attainments of this Committee and has at all times exhibited all those traits and characteristics so desirable in one who renders public service: Now, therefore, be it

Resolved, That the Committee on Post Office and Civil Service of the United States Senate individually and collectively do express to Senator Russell their heartfelt gratitude for his unselfish contributions to this Committee, the Congress, and his fellow man; and pray God's continued blessings upon him as he accepts the call for further public service in his native State.

A. S. Mike Monroney, Ralph Yarborough, Jennings Randolph, Gale W. McGee, Daniel B. Brewster, Vance Hartke, Quentin N. Burdick, Frank Carlson, Hiram L. Fong, J. Caleb Boggs, and Milward L. Simpson, Members of the Post Office and Civil Service Committee.

Mr. SIMPSON. Mr. President, will the Senator yield?

Mr. MONRONEY. I am happy to yield to the distinguished Senator from Wyoming, who has served us so well.

Mr. SIMPSON. I thank the distinguished Senator from Oklahoma. I, too, wish to join him in the tribute he has paid to the Senator from South Carolina [Mr. Russell], and I am grateful for his tribute paid to me, which is undeserved, but nevertheless I love to hear it.

Mr. MONRONEY. Mr. President, the Senator from Wyoming is most deserving of tribute for his efforts in helping solve the many problems we face in the Committee on Post Office and Civil Service, as is also the Senator from South Carolina. We deeply regret that their retirement will leave two spots that will be most difficult for the committee to fill.

Mr. SIMPSON. The Senator is overgenerous. I wish to say that it has been a delightful experience for Mrs. Simpson and me, not only to serve in the Senate, but to experience and enjoy the camaraderie with other Senators and their wives. It has been an experience we will never forget.

The PRESIDING OFFICER (Mr. Russell of South Carolina in the chair). Speaking as the Senator from South Carolina, the Chair expresses grateful appreciation for the words of the distinguished chairman of the Committee on Post Office and Civil Service.

TRIBUTE TO SENATOR RUSSELL OF SOUTH CAROLINA

Mr. AIKEN. Mr. President, nearly everything which I have said about my two Republican colleagues—Mr. Saltonstall and Mr. Simpson—applies to the present occupant of the chair—Mr. Russell of South Carolina. He was Governor of his State. I do not know whether he was raised as a farmer. Well, we will forgive him if he was not a farmer. But I am very happy that Don Russell is not leaving public life, but will undertake work for which, judging from his eminent fairness, he is particularly well fitted.

The PRESIDING OFFICER (Mr. Russell of South Carolina in the chair). The Chair is very grateful to the Senator from Vermont for his remarks.

Mr. SYMINGTON. Mr. President, I have already expressed my opinion of the two able Senators mentioned by the Senator from Vermont. It is a privilege to associate myself with the remarks of my distinguished colleague from Vermont having to do with the occupant of the chair at the present time—Mr. Russell of South Carolina.

DONALD RUSSELL, EXECUTIVE, EDUCATOR, GOVERNOR, SENATOR, AND JUDGE

Mr. YARBOROUGH. Mr. President, for the past 18 months, the Senate has enjoyed the membership of a gentleman from South Carolina whom a great many of us have come to respect as a friend and admire as a colleague. That Senator will not be with us when we return in January and I rise now to express the great satisfaction I have experienced in knowing him and working with him.

Donald Russell has been a voice of moderation for a troubled region in a harrowing time. His enlightenment is genuine, his concern for progress lasting, and his repugnance at expediency very real. He has served South Carolina with honesty and vision and I know he will continue to work for a new, benevolent reconstruction in the South.

Senator Russell of South Carolina's longtime service to the public has earned him honored posts and great distinctions that few citizens ever achieve. He first came to Washington to serve in the War Department, later became assistant to the Director of Economic Stabilization, then entered the Army in World War II, serving as a major in the Supreme Headquarters of the Allied Forces.

In 1945, he was appointed Deputy Director of the Office of War Mobilization and Reconversion and a short time later became Assistant Secretary of State. In 1951, he was chosen president of the University of South Carolina and in 1962 was elected Governor of the State.

After establishing a constructive administration in Columbia, he resigned from the Governorship and was appointed to succeed the late Olin D. Johnston in the U.S. Senate. He has now been appointed by the President and confirmed by the Senate as a Federal judge for South Carolina.

All these positions—State Department official, university president, Governor, Senator, and Federal judge—are unusual distinctions for any lifetime. With honor and intelligence, Donald Russell has achieved them all, Mr. President. He is a man to be admired, and, he will be missed here.

I congratulate the Senator from South Carolina once again for his appointment to the Federal bench and wish him many happy and productive years in that service.

RESPECT FOR AUTHORITY—ADDRESS BY LIEUTENANT COLONEL MILLER OF ARKANSAS STATE POLICE

Mr. McCLELLAN. Mr. President, in a day and time when lawlessness is increasing at an alarming rate and law enforcement officials are hampered by recent Supreme Court decisions, it is with a great deal of appreciation that I submit for the Record a speech given by Lt. Col. Carl Miller of the State police of Arkansas before a workshop of chiefs of police in Little Rock on September 13.

I say it is with appreciation because of the logical and forward-thinking approach this outstanding public servant has taken toward law enforcement and the respect for authority in the future. The article is primarily an account of our present relationship between police officials and the public. It is not an account by an isolated and insulated commission; it is not an account by lofty, idealistic, and often impractical social reformers; it is not an account by high-ranking Federal officials, but by a man who lives day and night with the problem, a man who represents "the cop on the beat" so to speak. The article is open, honest, and frank, and I commend it to the attention of every Senator.

Mr. President, I ask unanimous consent to have the article entitled "Respect for Authority," and published in the September issue of Arkansas Municipalities, printed in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

RESPECT FOR AUTHORITY

(Address by Lt. Col. Carl Miller, before league-sponsored Chief of Police Seminar in Little Rock, Sept. 13, 1966)

I deeply appreciate and feel honored for the invitation to appear here today at this Workshop for the Chiefs of Police. I don't know who originated the idea, but I can tell you that I firmly believe that this type meeting pays great dividends and because of the passage of the Civil Rights Act of 1965, it makes it more important because this Act has added so many additional problems to the already over-burdened police agencies.

About two years ago I talked to representatives of the Municipal Police, the Sheriff's Association and the Arkansas Law Enforcement Officers Association, and I am going to quote one paragraph from these remarks:

"In this meeting of the representatives of three police organizations today, we would like to remind our fellow citizens that never before in our history has there been a greater need to emphasize to every segment of our population the soundness of the structure of our law enforcement and penal institutions services and agencies, and of our determination to serve all the people under the law in the undaunted spirit of our profession. And we need to emphasize at every opportunity that our nation has been, and will continue to be, threatened with forms of resentment of authority as evidenced recently in numerous incidents, backed and spurred by adult agitators, and that we plead for the understanding, support and confidence of the people we serve, which will permit professional peace officers to continue to cope with these serious official problems, and at the same time meet the consistently growing demands for routine professional police service, in addition to the ever-increasing responsibilities in the law enforcement and crime prevention fields."

Even then, two years ago, the men who represented these organizations saw the cloudy future of the profession and attempted to take corrective action for the trouble we knew was ahead. As a group we went to Governor Faubus and the Legislature and asked that the Arkansas Law Enforcement Training Academy be activated. We came out of the 1965 Legislature with an appropriation that established the first Arkansas Law Enforcement Training Academy. At that time we knew certain Civil Rights Legislation would become law and we would have problems in educating the implications of this Act. I can say this now that we certainly underestimated these implications.

Some one hundred and seventy years ago, George Washington, in his farewell address as President, said:

"Respect for authority and compliance with law are duties enjoyed by the fundamental maxims of true liberty. The very idea of the power and the right of the people to establish government pre-supposes the duty of every individual to obey the established government."

He further noted that all obstructions to the execution of the laws, all combinations and association under whatever plausible character with real design to direct; control, counteract or awe the constituted authorities are destructive of this fundamental principle and of fatal tendency.

This principle is an enduring one. This is evidenced by President Johnson's recent statement that it was essential that all men "be as dedicated to satisfying their responsibilities as they are to securing their rights."

He also said, "Men have the right to use the law—but they also have the responsibility to obey it. This lesson has particular meaning for those who are filled with anger and frustration. No one needs the law more than they."

I am one of the optimists who believe there is hope for a solution to the social crisis of our times. My feeling stems largely from the knowledge that such organizations as the Arkansas Municipal League are showing renewed interest in this field.

We of the police are greatly heartened to know that we have your unswerving support for our efforts.

However, I must say in all gravity, that the security of our communities has never been in greater jeopardy. If those who riot in our streets cannot be quelled with the voices of reason; if they cannot accept the rightful structures of law and order, we face exactly what those who plot and work for subversion hope for—chaos and anarchy.

Already capabilities of the police to provide what properly should be a military force to cope with this situation has been stretched to the breaking point.

The trouble in Atlanta last week indicates to me that the time is growing late, indeed for the highest authorities in our land to make positive action to curb the revolutionary tactics of these professional provocators.

It must be made clear that such tactics will not be tolerated and those who instigate them will be punished.

Most of our own people are far more familiar with the progress and conduct of the war in Vietnam than they are here in our own literal backyard.

It is a tactic of war to post snipers at strategic spots to kill.

It is a tactic of war to attack in masses the forces held to be in opposition.

It is a tactic of war to bomb and blast the person and property of another.

It is a tactic of war for small mobile elements to harass the opposition on a hit-and-run basis, and otherwise use guerrilla methods.

To fight, to strive violently, is to wage war.

We have seen all these tactics employed on our streets and highways. The only logical conclusion I can reach is that we are—in every sense of the word—at war.

Then let us examine the progress of our own local war. We know that the police, who are manning the front lines, are not winning it, because it has become almost commonplace for them to require reinforcement by National Guard units to hold the line.

Definitely, those who are forced to stand helplessly by, or flee in terror, while their properties are devastated and looted, are not winning it.

Those who instigate and carry out these warlike uprisings in the name of civil rights—are they winning?

Tragically, in the long view, they can only dissipate the rights finally granted through the due process of law.

So, if no one is winning, it seems to me that it is about time that we all paused, took a long, deep breath and let reason prevail for a while.

To me, the idealistically impatient, the dupes of the manipulators, along with some of the professional racketeers and Communists, are somewhat like the compulsive gambler who was asked by his friend:

"Why are you playing in that game? You must know you can't win."

His reply was: "It's the only game in town."

I don't believe that the bloody game that's currently being played under the guise of civil rights actions is the only game in town. Neither do my colleagues in law enforcement throughout the nation.

But we sometimes do wonder if the game isn't fixed—if it's possible for us to win.

The sworn trust of an officer of the law is a relatively simple one. He is delegated the responsibility by his fellow men to maintain law and order; to protect the lives, liberties and properties of the other members of the community of which he is a part.

While simple in concept, this trust has become increasingly complex. No longer does the old stereotype of the lawman as a man with only strong arches, a strong back and quick gun-hand have any validity. The modern day law officer must be a composite of many skills, talents and capabilities such as a doctor, lawyer, sociologist, psychiatrist, educator, soldier and trained athlete.

And the financial inducement to recruit personnel is far below the starting compensation of any one of these.

Fortunately, for law and order, the meager financial rewards have not proven to be a major deterrent to the dedicated men and women who enter police service.

The major deterrent in securing the quality of personnel needed by the police today is that qualified young men and women do not want to be subjected to this disrespect the psychological abuse that, in effect, places them—rather than the lawbreaker—on trial for doing their duty.

Which brings up the question recently asked by an Eastern Senator: "Are we attaining civil rights or civil war?"

As conditions exist today, our guardians of the law and order are pictured as oppressors. When the lawless snipe at them, assault them with any means at hand, spit on them and vilify them with obscenities and are viewed with maudlin compassion, then we have gone too far.

Recently, John Doar, an Assistant U.S. Attorney General, was quoted as saying that the time has come to "draw the line" against those who think they have an unlimited right to protest at any time or place, in any way and in any numbers.

His concern was expressed shortly before the riots in Chicago, Cleveland, Atlanta and other cities. Apparently the line has not been drawn as he suggested and now we are faced with what can aptly be defined as war in our streets.

The mandate we give our officers is simple in concept: "Maintain law and order."

I say, without the slightest implication of apology, that in many places, the police are finding it impossible to fulfill this assignment and certainly this situation is not extended to Arkansas.

In my opinion, the crisis has transcended the scope of police responsibility and capability. It was never conceived that this mandate to maintain law and order would encompass civil war.

I repeat, war is the job of the military, and more and more we find that it is the final resource upon which we must call. Some of the requirements now to maintain law and order transcend the responsibility and the capabilities of the police as they are presently constituted.

The complaint has been voiced that police make little effort to establish a rapport with the citizens of the community in which they serve.

I do not believe this.

The requirements for mobility has made it necessary to replace the foot patrolmen in most areas. This face-to-face personal relations that formerly existed between the officer on the beat and the people in the neighborhood has become increasingly impersonal.

But this is the sociological environment of our times and, certainly, it is not the fault of the peace officer. In this day of mobility and technology, the police cannot afford the luxury of the foot patrolman, restricted in mobility and lacking communication with his command section and speedy reinforcements.

I do not agree that the police have made no effort to communicate effectively with the public they serve. On the contrary, this is a major phase of our present-day operations. Our police-community relations programs are on a local, personal basis.

The modern-day police administrator is well aware and fully appreciates that there must be a two-way flow of communications. I, personally, spend about half of my waking day on the telephone, discussing problems with individuals that, at first sight, would seem to have little connection with the Arkansas State Police. But the solution to any of these daily and varied problems could save us much time, effort, and, at times, money later on down the road.

Citizens must understand and appreciate the problems and actions of the police. At the same time, the police must have an intimate knowledge of the background, and, in many cases, the speech mannerisms of the citizens and the community served.

We have found long ago that we do not have to go outside of our own department to discover that citizens are not cooperating with the police as they should—and I firmly believe the cooperation in Arkansas is far above the national average.

But we do have to go outside and into the community if we want to learn why—and if we want to do something about it.

Our administrators and officers have daily council with such representative local citizens as businessmen who operate the community, responsible residents in the community and others concerned with social problems such as clergymen and educators.

In these councils—many informal and personal in nature—complaints are aired, sources of irritation are uncovered and joint means of achieving either solutions to the problems or reasonable resolutions to them are mutually agreed upon.

Now, I will be the first to admit that this method isn't nearly as dramatic as sit-ins, lay-downs, or hurling Molotov cocktails, but it is the American way. It is combining reason with responsibility.

This mutual approach to solving the problems in a community is not just a unilateral one by individual police departments. It is a concerted effort by the law enforcement profession.

The police, largely through their own efforts, are steadily raising the professional standards of their service. Through the establishment of an impartial and a thorough self-appraisal service—with few peers in any profession—we have materially advanced our operational capabilities. We have gone more than half-way to achieve a climate of mutual understanding and respect with members of the community in which we serve.

I wish I could say that these unremitting and dedicated efforts of our police have been crowned with notable success.

Historically, traditionally and correctly, the police in America have had the responsibility of fighting crime and insuring the security of citizens. In no sense are the police a military force to be used in putting down riots and revolution.

It is obvious that the police cannot effectively cope with what is rapidly becoming open warfare, involving thousands of persons utilizing firearms, bombs and other lethal weapons. When these outbreaks have gone beyond the point of being a disturbance, the National Guard has responded.

If these riots continue to increase in intensity, and frequency, the police, no matter how well trained, cannot be expected to contain them.

Permit me to say now that I am deeply grateful for this opportunity to bring to you some of the problems facing us, police officers in particular and the chief administrators of our municipal governments in general.

Frankly, I must admit that I do not know how to carry out the assignment given here as:

"Public Relations: Teaching Citizens' Rights to our Officers".

One well known law enforcement official says that it is necessary to carry a law book around in one hand and the most recent supreme court decisions in the other.

By the time the officer has reached a decision, the criminal has made his escape and only the injured person or property remains.

You have had closer observation of law enforcement in recent years than the average. You have watched murderers, rapists, thieves, burglars and terrorists go free on technicalities. There was no doubt of their guilt, but they go free and unpunished.

What of the victims and the survivors and dependents of those victims. They, too, are entitled to equal protection of the law.

I know of no better way to undermine and subvert our form of government than to turn known criminals loose when their guilt is known and let them go unpunished.

I do not believe we have reached the point of no return, but we may be dangerously close. There is hope for a solution to this revolution against authority that is raging in our streets; turning our social classes into armed camps and making a mockery out of our American traditions of respect for law and order.

I believe this hope for Americans and America lies in a rebirth of responsibility.

It is time for Americans, regardless of race, color, creed, social condition, or financial status, to face up to the unpleasant fact that our concept of liberty is rapidly being subverted into a concept of license.

There is little else to believe when we see our college campuses turned into shameful shambles by the skilled, subversive manipulators of public opinion and misguided, overly-sentimental, self-styled idealists.

No other conclusion is possible when parental discipline is replaced by pseudo-psychological excuses for juvenile delinquency.

In keeping with my assignment, I must tell each peace officer that he has the choice of defending the rights of society or those of the lawbreaker.

You read about the June 13 decision of the U.S. Supreme Court which virtually eliminated police-station interrogation of suspects and further hamstrung the police in their fight against crime.

No man can set himself above the law as a means to an end. I would instruct our police officers that the law applies to all, or it applies to none. In a government of laws such as ours, no man has the option to set himself or his cause above the law, and he is not a good American if he does.

This applies to Stokely Carmichael, the "black power" advocate who said he and his followers had to let the white community know that if they arrested one of his group—and these are his words: "We are going to move to disrupt this whole country."

We have gone so far overboard in our concern for the so-called underprivileged and disadvantaged that we have lost sight of society as a whole.

I fail to see any material difference between taking the law into your own hands to gain money or other loot than doing the same things for prestige, position or so-called "civil rights."

Because we are police officers, we bear the brunt of the general public's many individual frustrations, misconceptions and intangible, ingrained attitudes.

Sociologists continually speak of "better understanding of the community on the part of the police". This is nonsense. Our peace officers, in the vast majority of cases, are part of the community in which they serve.

Most of them were born, brought up, educated and lived as a part of the non-police community before they became peace officers. Each of them lives a complex social life as part of the community when not actually on duty as police officers.

They raise their families in the community, go to the local church and shop in the business district. The premise that police officers do not understand the feelings of the community is simply saying that a police officer is not a product of his environment and that everyone else is.

Such a statement cannot be supported either by reason or logic.

The technique employed by law enforcement officers in this rather nebulous area of our relationship with the citizens which we serve are many and varied.

Some police agencies have found it expedient to take police personnel from the primary function of protecting the public and assign them full time under such titles as "Human Relations Unit" "Police Community Unit", "Training and Safety" and other similar terms.

The functions of these units are actually dual. They take the place—to some extent—of the old cop on the beat in meeting and talking with different groups, classes and individuals.

We, in the State Police, have these safety units who serve, you might say, as public relations men, but, you know I believe that one of the most effective ways of teaching citizens rights to our officers is through a program that I helped set up in the State Police several years ago, what we call a Trooper-Tourist Relationship Program. Here we teach the Trooper public and community relations also, the geography of the State, the agricultural potential and places of interest, so that they can talk intelligently with people they contact on the highway. We try to teach them that they, perhaps, will be the only impression of the State that the out-of-state tourist will have of Arkansas, and certainly we want it to be a favorable one. We certainly owe this to the State of Arkansas, but it is surprising how much this program has helped the public relations between the Troopers and our own Arkansas citizens. The Trooper gets in the habit of making these contacts and he likes it, whether it be tourists or an Arkansas citizen. At the same time, he is taught the implications of the Federal Civil Rights Laws and judging by the volume of favorable mail we receive daily, compared to a few years ago, I know we are getting results.

In closing, I would like to emphasize that the law enforcement image is dependent on the professional, competent performance of the men and women who protect and serve each community.

Gentlemen, I have faith in the future of the Arkansas law enforcement officer, and I believe we are headed in the right direction.

In acquiring a permanent facility for the Academy—to intensify the training of our personnel, yours and mine—this is the answer to our problem.

NARCOTIC ADDICTION—CONFERENCE REPORT

Mr. McCLELLAN. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 9167) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes. I ask unanimous consent for the present consideration of the report.

The PRESIDING OFFICER (Mr. BASS in the chair). The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of Oct. 21, 1966, pp. 28542–28546, CONGRESSIONAL RECORD.)

The PRESIDING OFFICER. Is there objection to the present consideration of the report?

There being no objection, the Senate proceeded to consider the report.

Mr. McCLELLAN. Mr. President, the report was signed by all the conferees on the part of the House of Representatives and the Senate.

In the report, the provisions of titles I, II, III, V, and VI of the bill as passed by the Senate have been retained with some minor amendments. Title IV of the Senate-passed bill, providing for the pretrial and posttrial civil commitment of certain addicts charged with Federal offenses, has been replaced by the provisions of titles I and II of the House-passed bill dealing with the same subject, with a few minor changes in those provisions. For the information of the Senate, I shall briefly describe the provisions of the substitute bill contained in the conference report, and indicate how those provisions differ from the bill as passed by the Senate.

Section 1 of the conference substitute provides that titles I, II, III, and IV of the act may be cited as the "Narcotic Addict Rehabilitation Act of 1966."

Section 2 of the conference substitute is the declaration of policy which appeared as title I of the Senate-passed bill, with some minor conforming changes.

Title I of the conference substitute is substantially title I of the House-passed bill, providing for the pretrial civil commitment of certain addicts charged with Federal offenses in lieu of prosecution.

The provisions of the House-passed bill, with some minor changes, were adopted by the conferees in lieu of similar provisions of title IV of the Senate-passed bill. As agreed upon, the provisions of title I establish a procedure for the pretrial civil commitment of certain addicts, which is closely similar to the procedure contained in the Senate-passed bill. The following minor differences should be noted, however.

First, the conference substitute restricts the classifications of persons eligible for pretrial commitment somewhat more than did the Senate-passed bill. Under the Senate-passed bill, addicts accused of burglary and housebreaking would be eligible; but the conference bill excludes from eligibility persons charged with "burglary or housebreaking in the nighttime." The reason for this exclusion is that both offenses generally involve the breaking and entering of another person's home in the night time, and the conferees agreed that persons charged with those serious offenses should not be eligible for the lenient treatment provided under the bill. In addition, persons with two or more felony convictions are not eligible for pretrial civil commitment under the conference bill, nor are persons who have been unsuccessfully civilly committed three or more times previously. The Senate-passed bill contained no such exclusions; but the conferees for the Senate felt it reasonable to exclude hardened offenders with serious criminal records and persons who have demonstrated their unsuitability for civil treatment.

Finally, the duration of the treatment period and the aftercare period required under the conference bill is different from that under the Senate-passed bill. The Senate-passed bill provided for hospitalization treatment for a maximum of 18 months and for aftercare treatment for 3 years following release from the hospital. The conference bill is somewhat more flexible, in that it provides for a maximum treatment period of 36 months and gives the Surgeon General more discretion to split the time between hospitalization and aftercare as he deems appropriate. If, however, the Surgeon General desires to keep an addict confined in a hospital for longer than 24 months, he must get leave of the committing court.

I have explained the differences between the Senate-passed bill and the conference bill quite briefly, Mr. President. I ask unanimous consent to have inserted in the RECORD at this point a detailed section-by-section analysis of title I of the conference substitute bill.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

TITLE I—CIVIL COMMITMENT IN LIEU OF PROSECUTION

DEFINITIONS

SEC. 101. As used in this title—

(a) "Addict" means any individual who habitually uses any narcotic drug as defined by section 4731 of the Internal Revenue Code of 1954, as amended, so as to endanger the public morals, health, safety, or welfare, or who is so far addicted to the use of such narcotic drugs as to have lost the power of self-control with reference to his addiction.

(b) "Surgeon General" means the Surgeon General of the Public Health Service.

(c) "Crime of violence" includes voluntary manslaughter, murder, rape, mayhem, kidnaping, robbery, burglary, house breaking in the nighttime, extortion accompanied by threats of violence, assault with a dangerous weapon or with intent to commit any offense punishable by imprisonment for more than one year, arson punishable as a felony, or an attempt to commit any of the foregoing offenses.

(d) "Treatment" includes treatment of an institution and under supervised aftercare in the community and includes, but is not limited to, medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative services designed to protect the public and benefit the addict by correcting his antisocial tendencies and ending his dependence on addicting drugs and his susceptibility to addiction.

(e) "Felony" includes any offense in violation of a law of the United States, any state, any possession or territory of the United States, the District of Columbia, the Canal Zone, or the Commonwealth of Puerto Rico, which at the time of the offense was punishable by death or imprisonment for a term exceeding 1 year.

(f) "Conviction" and "convicted" mean the final judgment on a verdict or finding of guilty, a plea of guilty, or a plea of nolo contendere, but do not include a final judgment which has been expunged by pardon, reversed, set aside or otherwise rendered nugatory.

(g) "Eligible individual" means any individual who is charged with an offense against the United States, but does not include—

(1) An individual charged with a crime of violence.

(2) An individual charged with unlawfully importing, selling, or conspiring to import or sell, a narcotic drug.

(3) An individual against whom there is pending a prior charge of a felony which has not been finally determined or who is on probation or whose sentence following conviction on such a charge, including any time on parole or mandatory release, has not been fully served: *Provided*, That an individual on probation, parole, or mandatory release shall be included if the authority authorized to require his return to custody consents to his commitment.

(4) An individual who has been convicted of a felony on two or more occasions.

(5) Any individual who has been civilly committed under this Act or any state proceeding because of narcotic addiction on three or more occasions.

PROCEEDINGS BEFORE COURT

SEC. 102. (a) If a United States district court believes that an eligible individual is an addict, the court may advise him at his first appearance that the prosecution of the criminal charge will be held in abeyance if he elects to submit to an immediate examination to determine whether he is an addict and is likely to be rehabilitated through treatment. In offering an individual an election, the court shall advise him that if he elects to be examined, he will be confined during the examination for a period not to exceed sixty days; that if he is determined to be an addict who is likely to be rehabilitated, he will be civilly committed to the Surgeon General for treatment; that he may not voluntarily withdraw from the examination or any treatment which may follow; that the treatment may last for thirty-six months; that during treatment, he will be confined in an institution and, at the discretion of the Surgeon General, he may be conditionally released for supervised aftercare treatment in the community; and that if he successfully completes treatment the charge will be dismissed, but if he does not, prosecution on the charge will be resumed. An individual shall be permitted a maximum of five days after his appearance in which to elect, and he shall be so advised. Except on a showing that a timely election could not have been made, an individual shall be barred from an election after the prescribed period. An individual who elects civil commitment shall be placed in the custody of the Attorney General or the Surgeon General, as the court directs, for an examination by the Surgeon General during a period not to exceed thirty days. This period may, upon notice to the court and the appropriate United States Attorney, be extended by the Surgeon General for an additional thirty days.

(b) The Surgeon General shall report to the court the results of the examination and recommend whether the individual should be civilly committed. A copy of the report shall be made available to the individual and the United States Attorney. If the court, acting on the report and other information coming to its attention, determines that the individual is not an addict or is an addict not likely to be rehabilitated through treatment, the individual shall be held to answer the abeyant charge. If the court determines that the individual is an addict and is likely to be rehabilitated through treatment, the court shall commit him to the custody of the Surgeon General for treatment. No individual shall be committed under this title if the Surgeon General certifies that adequate facilities or personnel for treatment are unavailable.

(c) Whenever an individual is committed to the custody of the Surgeon General for treatment under this title, the criminal charge against him shall be continued without final disposition and shall be dismissed if the Surgeon General certifies to the court that the individual has successfully completed the treatment program. On receipt of such certification, the court shall discharge the individual from custody. If prior to such certification the Surgeon General determines that the individual cannot be further treated as a medical problem, he shall advise the court. The court shall thereupon terminate the commitment, and the pending criminal proceeding shall be resumed.

(d) An individual committed for examination or treatment shall not be released on bail or on his own recognizance.

COMMITMENT

SEC. 103. (a) An individual who is committed to the custody of the Surgeon General for treatment under this title shall not be conditionally released from institutional custody until the Surgeon General determines that he has made sufficient progress to warrant release to a supervisory aftercare authority. If the Surgeon General is unable to make such a determination at the expiration of twenty-four months after the commencement of institutional custody, he shall advise the court and the appropriate United States Attorney whether treatment should be continued. The court may affirm the commitment or terminate it and resume the pending criminal proceeding.

(b) An individual who is conditionally released from institutional custody shall, while on release, remain in the legal custody of the Surgeon General and shall report for such supervised aftercare treatment as the Surgeon General directs. He shall be subject to home visits and to such physical examination and reasonable regulation of his conduct as the supervisory aftercare authority establishes, subject to the approval of the Surgeon General. The Surgeon General may, at any time, order a conditionally released individual to return for institutional treatment. The Surgeon General's order shall be a sufficient warrant for the supervisory aftercare authority, a United States Marshal, a probation officer, or an agent of the Attorney General, to apprehend and return the individual to institutional custody as directed. If it is determined that an individual has returned to the use of narcotics, the Surgeon General shall inform the court of the conditions under which the return occurred and make a recommendation as to whether treatment should be continued. The court may affirm the commitment or terminate it and resume the pending criminal proceeding.

(c) The total period of treatment for any individual committed to the custody of the Surgeon General shall not exceed thirty-six months. If, at the expiration of such maximum period, the Surgeon General is unable to certify that the individual has successfully completed his treatment program the pending criminal proceeding shall be resumed.

(d) Whenever a pending criminal proceeding against an individual is resumed under this title, he shall receive full credit toward the service of any sentence which may be imposed for any time spent in the institutional custody of the Surgeon General or the Attorney General or any other time spent in institutional custody in connection with the matter for which sentence is imposed.

CIVIL COMMITMENT NOT TO BE A CONVICTION

SEC. 104. The determination of narcotic addiction and the subsequent civil commitment under this title shall not be deemed a criminal conviction. The results of any tests or procedures conducted by the Surgeon General or the supervisory aftercare authority to determine narcotic addiction may only be used in a further proceeding under this title. They shall not be used against the examined individual in any criminal proceeding except that the fact that he is a narcotic addict may be elicited on his cross-examination as bearing on his credibility as a witness.

USE OF FEDERAL, STATE, AND PRIVATE FACILITIES

SEC. 105. (a) The Surgeon General may from time to time make such provision as he deems appropriate authorizing the performance of any of his functions under this title by any other officer or employee of the Public Health Service, or with the consent of the head of the Department or Agency concerned, by any Federal or other public or private agency or officer or employee thereof.

(b) The Surgeon General is authorized to enter into arrangements with any public or private agency or any person under which appropriate facilities or services of such agency or person will be made available, on a reimbursable basis or otherwise, for the examination or treatment of individuals who elect civil commitment under this title.

Mr. McCLELLAN. Title II of the conference bill, providing for the posttrial civil commitment of certain addicts convicted of Federal offenses, consists substantially of title II of the House-passed bill, with some minor changes. Again, the provisions of this title of the conference bill do not differ substantially from the provisions of the Senate-passed bill. as in the case of pretrial civil commitment, eligibility for commitment is somewhat narrower. Persons convicted of burglary and housebreaking in the nighttime are excluded, as are persons with two or more prior felony convictions and persons with three or more previous civil commitments. Similarly, the commitment procedure is slightly different. The Senate-passed bill provided for commitment to the Surgeon General for treatment in a hospital for a maximum of 18 months, followed by 3 years of aftercare under the custody of the Surgeon General. The conference bill provides, on the other hand, for commitment to the Attorney General's custody for an indeterminate period not to exceed 10 years or the maximum sentence for the offense for which the addict has been convicted. The addict may be conditionally released by the Board of Parole whenever the Surgeon General and the Attorney General certify that he is ready for aftercare. An addict so released remains under the custody of the Attorney General, as if on parole, and, if he violates the conditions of his release, the board of parole may revoke it and return him to the hospital.

Mr. President, I ask unanimous consent that there be inserted at this point in the RECORD a detailed section-by-section analysis of title II of the conference bill.

There being no objection, the analysis was ordered to be printed in the RECORD, as follows:

TITLE II—SENTENCING TO COMMITMENT FOR TREATMENT

SEC. 201. Title 18 of the United States Code is amended by adding after chapter 313 thereof the following new chapter:

CHAPTER 314—NARCOTIC ADDICTS

Sec.
4251. Definitions.
4252. Examination.
4253. Commitment.
4254. Conditional Release.
4255. Supervision in the Community.

§ 4251. Definitions

"As used in this chapter—

"(a) 'Addict' means any individual who habitually uses any narcotic drug as defined by section 4731 of the Internal Revenue Code of 1954, as amended, so as to endanger the public morals, health, safety, or welfare, or who is or has been so far addicted to the use of such narcotic drugs as to have lost the power of self-control with reference to his addiction.

"(b) 'Crime of violence' includes voluntary manslaughter, murder, rape, mayhem, kidnaping, robbery, burglary, housebreaking in the nighttime, extortion accompanied by threats of violence, assault with a dangerous weapon or with intent to commit any offense punishable by imprisonment for more than one year, arson punishable as a felony, or an attempt to commit any of the foregoing offenses.

"(c) 'Treatment' includes treatment in an institution and under supervised aftercare in the community and includes, but is not limited to, medical, educational, social, psychological, and vocational services, corrective and preventive guidance and training, and other rehabilitative services designed to protect the public and benefit the addict by correcting his antisocial tendencies and ending his dependence on addicting drugs and his susceptibility to addiction.

"(d) 'Felony' includes any offense in violation of a law of the United States, any state, any possession or territory of the United States, the District of Columbia, the Canal Zone, or the Commonwealth of Puerto Rico, which at the time of the offense was punishable by death or imprisonment for a term exceeding one year.

"(e) 'Conviction' and 'convicted' means the final judgment on a verdict or finding of guilty, a plea of guilty, or a plea of nolo contendere, and do not include a final judgment which has been expunged by pardon, reversed, set aside or otherwise rendered nugatory.

"(f) 'Eligible offender' means any individual who is convicted of an offense against the United States, but does not include—

"(1) An offender who is convicted of a crime of violence.

"(2) An offender who is convicted of unlawfully importing or selling, or conspiring to import or sell, a narcotic drug, unless the court determines that such sale was for the primary purpose of enabling the offender to obtain a narcotic drug which he requires for his personal use because of his addiction to such drug.

"(3) An offender against whom there is pending a prior charge of a felony which has not been finally determined or who is on probation or whose sentence following conviction on such a charge, including any time on parole or mandatory release, has not been fully served. *Provided*, That an offender on probation, parole, or mandatory release shall be included if the authority authorized to require his return to custody consents to his commitment.

"(4) An offender who has been convicted of a felony on two or more prior occasions.

"(5) An offender who has been committed under title I of the Narcotic Addict Rehabilitation Act of 1965, under this chapter, or under any state proceeding because of narcotic addiction on three or more occasions.

§ 4252. Examination

"If the court believes that an eligible offender is an addict, it may place him in the custody of the Attorney General for an examination to determine whether he is an addict and is likely to be rehabilitated through treatment. The Attorney General shall report to the court within thirty days; or any additional period granted by the court, the results of such examination and make any recommendations he deems desirable. No offender shall be committed under this chapter if the Attorney General certifies that adequate facilities or personnel for treatment are unavailable. An offender shall receive full credit toward the service of his sentence for any time spent in custody for an examination.

§ 4253. Commitment

"(a) If the court determines that an eligible offender is an addict and is likely to be rehabilitated through treatment, it shall commit him to the custody of the Attorney General for treatment under this chapter. Such commitment shall be for an indeterminate period of time not to exceed ten years, but in no event shall it exceed the maximum sentence that could otherwise have been imposed.

"(b) If the court determines that an eligible offender is not an addict, or is an addict not likely to be rehabilitated through treatment, it shall impose such other sentence as may be authorized or required by law.

§ 4254. Conditional Release

"An offender committed under section 4253(a) may not be conditionally released until he has been treated for six months in an institution maintained or approved by the Attorney General for treatment. The Attorney General may then or at any time thereafter report to the Board of Parole whether the offender should be conditionally released under supervision. After receipt of the Attorney General's report, and certification from the Surgeon General of the Public Health Service that the offender has made sufficient progress to warrant his conditional release under supervision, the Board may in its discretion order such a release. In determining suitability for release, the Board may make any investigation it deems necessary. If the Board does not conditionally release the offender, or if a conditional release is revoked, the Board may thereafter grant a release on receipt of a further report from the Attorney General.

§ 4255. Supervision in the Community

"An offender who has been conditionally released shall be under the jurisdiction of the Board as if on parole under the established rules of the Board and shall remain, while conditionally released, in the legal custody of the Attorney General. The Attorney General may contract with any appropriate public or private agency or any person for supervisory aftercare of a conditionally released offender. Upon receiving information that such an offender has violated his conditional release, the Board, or a member thereof, may issue and cause to be executed a warrant for his apprehension and return to custody. Upon return to custody, the offender shall be given an opportunity to appear before the Board, a member thereof, or an examiner designated by the Board, after which the Board may revoke the order of conditional release."

Mr. McCLELLAN. Title III of the conference bill, providing for the civil commitment of certain addicts not charged with any offense, consists substantially of titles II and III of the bill as passed by the Senate. Title II of the Senate-passed bill, consisting of definitions of terms, has been embodied in section 301 of title III. Title III of the conference bill therefore contains all of the provisions of titles II and III of the Senate-passed bill, with the following minor changes and additions:

Instead of allowing any individual believing another person to be an addict to petition the U.S. attorney to have him committed for treatment, as the Senate-passed bill provided, the bill as agreed upon by the conferees permits only "related individuals" to file the petition. "Related individual" is defined to include close relatives of the alleged addict and persons with whom the addict may be residing or staying. In addition, a section has been added—section 316—making it a criminal offense knowingly to give false information to the U.S. attorney in any petition filed under this title.

A second minor change requires the physicians who examine an addict to make a determination not only as to his addiction but also as to whether he is likely to be rehabilitated through treatment. In addition, the court must also find, after a hearing, that the addict is likely to be rehabilitated through treatment, before committing him. In this way, courts can avoid committing addicts who can be readily determined to be unsuitable for treatment.

Finally, four new sections have been added to title III to conform it to the new provisions of titles I and II.

Section 313 authorizes the court to compensate attorneys and physicians appointed for the alleged addict under the provisions of the title.

Section 314 authorizes the Surgeon General to delegate his functions and duties under the title to appropriate subordinates and outside individuals and agencies, and to make arrangements for the use of outside facilities and services in the treatment of addicts committed to his custody under this title.

Section 315 provides a criminal penalty for escaping or attempting to escape from institutional custody while committed for examination or treatment under the provisions of this title, and for aiding or assisting such an escape or attempt.

Section 316, as noted above, provides a criminal penalty for knowingly making any false statement to the U.S. attorney in any third-party petition filed under this title.

In all other respects, title III of the conference bill is identical to title III of the bill as it passed the Senate.

Title IV, providing for treatment facilities and assistance to States and localities, is identical to title VI of the bill as passed by the Senate, with three changes. First, the Surgeon General is authorized to establish outpatient "services" for the treatment of addicts released from hospital treatment, instead of establishing outpatient "units." The Department of Health, Education, and Welfare expressed the fear that use of the word "units" might be construed to require the establishment of separate facilities for such purposes, when such was not the intent of the provision. Hence, the word "services" was substituted.

Second, the bill has been changed to authorize the appropriation of $15 million for each of the next 2 fiscal years, instead of 3, to enable the Surgeon General to make grants and enter jointly financed arrangements with States and localities for the development and staffing of addiction treatment facilities in the States.

Finally, the Surgeon General is given the authority to issue appropriate rules and regulations to carry out the provisions of the title.

Title V of the conference bill, relating to the sentencing after conviction for violation of laws relating to narcotic drugs and marihuana, is identical to title V of the bill as passed by the Senate, except that the section authorizing the treatment of youthful narcotic and marihuana offenders under the Federal Youth Corrections Act has been deleted.

Title VI of the conference bill, containing miscellaneous provisions, is taken from title IV of the bill as passed by the House of Representatives. The title consists of seven sections as follows:

Section 601 makes the necessary conforming amendments to section 341 of the Public Health Service Act, which authorizes the Surgeon General to provide for the treatment of all addicts under Federal jurisdiction.

Section 602 authorizes the Surgeon General and the Attorney General to give the States and localities the benefit of Federal experience under the act so that they may be encouraged to provide their own treatment facilities for narcotic addicts.

Section 603 makes the necessary technical amendments to titles 18 and 28 of the United States Code.

Section 604 provides that the invalidity of any provision of the Act shall not affect the validity of other provisions.

Section 605 provides that the provisions of the act shall take effect 3 months after the date of its enactment.

Section 606 provides that the act's provisions shall be subject to the provisions of reorganization plan No. 3 of 1966.

Section 607 is the general authorization for the appropriation of such funds as are necessary to carry out the provisions of the act.

Mr. President, I believe the conference report represents a highly desirable compromise, retaining the best provisions of the bill as passed by the two Houses, and I ask unanimous consent that the conference report be agreed to.

Mr. LAUSCHE. Mr. President, will the Senator yield for a question?

Mr. McCLELLAN. I yield.

Mr. LAUSCHE. Does this bill have any relationship to the Mallory decision?

Mr. McCLELLAN. It has no relation. It deals with narcotics and the treatment of addicts before trial and after trial.

Mr. HRUSKA. Mr. President, under the leadership of my distinguished colleague, Senator McCLELLAN, and others, we have a compromise narcotics bill which reflects the growing concern of Congress, the States and the Nation with the problem of narcotic abuse. This concern was expressed in the attitude of every single member of the conference committee. The members realized the problem of addiction and the necessity for an acceptable compromise solution. Everyone worked toward this goal and, in my opinion, we have made much progress toward attaining it. This measure will offer new hope for society and the addict.

Addiction to one or more of the various narcotic drugs has destroyed tens of thousands of lives in this country. It has been a spawning ground for all kinds of crime. Individuals trapped by this sickness overwhelmingly turn to crime to support their need for drugs.

Rough and sometimes conflicting estimates place the number of hard-core addicts anywhere between 50,000 and 100,000. A realistic appraisal based on many years of experience with the traffic in narcotics reveals that it costs about $10,000 to finance a heroin addict for 1 year. Testimony in the Senate subcommittee revealed that in New York City alone one-half of the crimes committed are committed by narcotic addicts. In terms of the dollar value of goods for addiction, the figure exceeds one-half billion dollars annually.

Through the efforts of Senator McCLELLAN and others, hearings on organized crime and illicit traffic in narcotics revealed that organized crime in America today receives, as a major source of its revenue, money from illicit narcotics traffic. We now have Federal laws on the books, but they are mainly punitive. These laws are necessary for the nonnarcotic seller, wholesaler, and importer.

But these same laws and penalties are also used to prosecute the addict. When a person comes before a Federal judge after being convicted of buying narcotics for his own use, the judge cannot put him in a program of rehabilitation. The person goes to jail for 5 years. The judge has no discretion.

The bill before us attempts to deal with the disease of narcotic addiction. In my opinion, it is a constructive contribution to help cure this sickness. The Federal laws are in need of revision. They offer little hope to the addict who wants to "kick the habit." Federal facilities and the Public Health Service hospitals in Lexington, Ky., and Fort Worth, Tex., have proved not to be effective to cope with the problem. Testimony revealed that over 90 percent of those persons who left such institutions returned to the use of narcotics. Reasons given for this failure were the addict could leave any time he wanted to, lack of rehabilitation facilities, and the failure to provide a period of aftercare. In addition, evidence indicated that imprisonment, even accompanied by some treatment, had no appreciable rehabilitative effect.

The necessity for compulsory civil commitment of noncriminal addicts, as provided in title III, was amply demonstrated in testimony before the committee. A similar provision in California law was considered essential to the control of that State's narcotics problem.

Witness after witness testified to the necessity for a new look at the problem of addiction. Statistics bearing on the waste to society in terms of broken lives and cost in dollars were overwhelming in the plea for help.

It is not my intention to give the impression that the bill before us is a cure-all or that it will solve the problem overnight. The nature of narcotic addiction precludes such high hopes. However, the measure does attempt a flexible approach by providing for civil commitment for noncriminal addicts, as well as pretrial and postconviction treatment for those accused or charged with Federal crimes.

This approach to the problem is a complete reversal of our prior attitudes. It has been necessitated by the simple fact that a punitive attitude alone has not done the job.

On the other hand, testimony before the committee revealed that institutional care followed by parole supervision greatly increased the chances of abstinence from addicting drugs. In one instance the chances were increased to 67 percent.

The nature of narcotic addiction requires a comprehensive approach. Physical addiction to a particular narcotic is becoming less and less a problem. With the advent of substitute, nonaddicting drugs, going "cold turkey" becomes easier. But the main and underlying problems of addiction remains; that is, psychological dependence. The basic reason an individual becomes addicted is not eliminated. Emotional problems and psychiatric problems remain. This is the particular area at which the bill is aimed. Counseling, training, and close supervision after release from an institution are all contemplated in the bill.

Mr. President, this measure represents an attack on the serious evils to the addict and to society. It strives to balance punishment with understanding. Yet it does not eliminate protection to society. Certain safeguards are provided. For example, addicts charged or convicted of crimes of violence, such as murder or rape, will not be eligible for treatment.

In my opinion, this bill will go a long way in providing the addicts of the Nation a better chance of survival. Together with strict enforcement and punishment of the nonnarcotic pushers, wholesalers, and importers, it is hoped that in years to come narcotic addiction will not be known on the scale it is today, and that it will disappear as a national problem.

Mr. DODD. Mr. President, yesterday we emerged from a Senate-House conference with the final version of the Narcotic Addict Rehabilitative Act of 1966.

Today we pass our approval on the provisions of this bill that were agreed to by the conferees.

And I have no doubt that before long the measure will be signed by the President.

I have said before that this is landmark legislation. I have said that it will finally advance our treatment of narcotic addicts to a level one would expect to prevail in a civilized society.

But because this new law is so important not only for narcotic addicts but also for advancing our entire system of correcting criminals, I want the record to show my disagreement with some of the deficiencies in the bills passed by both Houses and with the additional changes that were made in the Senate-House conference.

First, I seriously question whether we should have provisions in the bill which burden our Federal courts with addicts who seek voluntary treatment without having been charged with a crime and with addicts who have been brought to the court by petition signed by a family member or some other individual suspecting addiction.

Aside from the burden of bringing noncriminal addicts to the courts we do not have adequate proof of the constitutionality of holding such addicts against their will should they later want to get out. And the bill before us does not assure that they will not get out before adequate treatment can be given them.

The provision that a family member can get an addict committed in court can lead to great difficulties since experience has proven that such persons frequently change their minds when the court proceedings get underway. This provision may actually harm the addict's chances of rehabilitation because commitment against the addict's will by a family member can destroy vital family relationships. And it is inadvisable because even family members or other persons close to the addict may have great difficulty in substantiating addiction in their petitions.

These provisions could also place noncriminal addicts in correctional facilities designed for felons, thus producing a harmful contamination of noncriminals by more sophisticated and hardened offenders.

My second major objection to the bill before us is that it does not provide treatment before conviction to certain addict sellers.

Testimony before the Juvenile Delinquency Subcommittee strongly supports the inclusion of certain small-scale sellers.

The following facts were established during our hearings:

It is usually impossible to distinguish between sellers and nonsellers in the so-called street addict, who is the type of addict we are attempting to treat in this bill. The big sellers will still come under the heavy penalties of the 1956 Narcotic Control Act.

In line with the above, we know that only the less hardened offenders would be considered for preconviction civil commitment and that on this basis, it would be a medically unsound differentiation to eliminate a seller addict but not a thief or a prostitute.

Since a seller addict does not fit in a medical category different from any other addict, if we have any confidence in the effectiveness of the treatment proposed under this bill, we should make such treatment available as early as possible to as many addicts as can profit from it.

While most addicts sell drugs from time to time to supply their own needs, over one-half of the addicts going to Federal penal institutions are convicted of some other offense rather than a narcotic offense. Since this population includes undetected sellers, it would be illogical to deny preconviction civil commitment to seller addicts charged with a narcotic offense and yet make such treatment available to seller addicts charged with some other offense.

Expert testimony stressed the need to allow greater discretion to the judge. Since the court may choose either to offer civil commitment or to proceed with the prosecution, it should be the judge who has intimate knowledge of the individual cases who makes the determination whether certain seller addicts as well as any other addicts should be given preconviction treatment. Such authority in the hands of the judge would both serve the ends of justice and save the time and expense of a full trial in certain cases.

If there is a weak case against an addict seller he could possibly win an acquittal and return to the street, whereas, with preconviction treatment eligibility, he could be retained by the Government for 54 months.

Finally, the bill as agreed to by the conferees, does not provide the setting aside of the convictions of rehabilitated addicts. Thus, it drastically reduces the chances these people need for employment and for adjustment in the community.

My third objection to this bill is the provision which refuses treatment to addicts who have had three previous civil commitments.

We have evidence that addiction is a chronic disease where relapse is the expected rather than exceptional behavior. We know that every relapse may bring the addict closer to ultimate rehabilitation. And we know that with proper help addicts tend to grow out of their dependence on drugs as they get older.

Even more important, since treatment programs for addicts differ throughout the country, both in nature and quality and since all such programs can be expected to improve as we gain more experience, failure under any program in the past should not deny an addict the improved treatment methods of the future.

My fourth and by far my strongest objection to the bill before us as agreed to by the conferees, is that it has eliminated the opportunity for young adult narcotic offenders to be treated under the Federal Youth Corrections Act. It also eliminated the review of sentences of such offenders who are already in prison.

The Youth Corrections Act is unique among our correctional procedures because it gives the young offender a wide range or rehabilitative measures such as sentencing to special treatment facilities, indeterminate sentencing, and conditional release. This is done in special programs separate and apart from more hardened adult offenders.

In effect, by eliminating this title from the bill we have refused hundreds of young persons the potential benefits of more humane and intelligent treatment. Furthermore, we do the same for all future offenders in this category.

Correctional and medical experts agree that there is no medically sound reason for differentiating between young narcotic offenders and young offenders convicted of other crimes.

Particularly if the young adult offender is an addict he should receive the various treatment and rehabilitative services that are available under the Youth Corrections Act.

It may be argued that addicts will receive treatment under the other titles of this bill.

I maintain that even if this is so the other titles are designed for addicts of all ages. In the Youth Corrections Act we have a proven program designed specifically for young offenders.

A program that is effective. A program that represents the best advances we have made in correcting and rehabilitating criminals in this country.

There was confusion in the House debate on this act. The Members of that body were led to believe that this program has a "mollycoddling" approach to offenders. The act was repeatedly described as "soft," that it meted out "soft penalties." It was alleged that narcotic offenders handled under the Youth Corrections Act would get probation or be sent to a farm or a forestry camp.

It was on the basis of such "evidence" that this amendment was rejected.

The truth of the matter is that my amendment would prohibit the granting of probation to narcotic addicts committed under the Youth Corrections Act.

In addition, all Youth Corrections Act committees are sent to reformatories in the Federal system, not to forestry camps.

The charge that this program is lenient and would be abused by offenders is equally absurd.

My amendment contains safeguards to insure judicious granting of treatment under the Youth Corrections Act. The court would act only on a comprehensive diagnostic evaluation and recommendation of the Youth Division of the Parole Board. It would certainly not recommend commitment as a young adult offender where such commitment is not warranted.

Under the Youth Corrections Act an offender can get from 20 years to life.

I would not call that soft.

Furthermore, if a young adult offender committed under the Youth Corrections Act is not responding to treatment he can be transferred from a youth center to an adult penitentiary.

I think it is barbarous to discriminate against young narcotic offenders most of whom are also addicts by shutting the door on them to treatment which is more than any other, designed specifically for their needs and for their age level.

I think it degrades this body to discriminate against these people because of old wives' tales that addict offenders are fiendish criminals who deserve no consideration.

I think it belittles us that we apparently do not want to accept the evidence which has swept away the myths and superstitions which place addict offenders outside the human race.

And it should horrify us that we are willing to deny a good treatment program to one category of offenders without a shred of evidence to support such action other than our preconceived notions about narcotic offenders which are bred of ignorance, of primitive fear and of gullibility for the stories of those even more backward in this respect than we.

Mr. President, I do not want to hold up or risk blocking this new legislation because many of its provisions are truly worthy. I have withheld certain amendments so as not to delay its passage and I am thankful to my colleague for accepting the amendments which I did introduce. I have expressed some of my earlier criticisms of the bill because I think we will be concerned with its deficiencies when we put it in operation.

I wish especially that the conferees had agreed to retain the amendment which I introduced regarding the Federal Youth Corrections Act which was accepted by the Judiciary Committee and by the Senate itself.

I think this provision giving young narcotic offenders the opportunity for treatment under the Youth Corrections Act is vital for the rehabilitation of these offenders.

Mr. President, I want my colleagues and the public to know that I will introduce these suggestions as a separate bill early in the next Congress. I feel that such a bill will be an important addition to this year's promising start. And I hope it will have the full support of both Houses of Congress.

The **PRESIDING OFFICER**. The question is on agreeing to the conference report.

The report was agreed to.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1967—CONFERENCE REPORT

Mr. **BYRD** of West Virginia. Mr. President, I submit a report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17636) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes. I ask unanimous consent for the present consideration of the report.

The **PRESIDING OFFICER**. The report will be read for the information of the Senate.

The legislative clerk read the report.

(For conference report, see House proceedings of today.)

The **PRESIDING OFFICER**. Is there objection to the present consideration of the report?

There no objection, the Senate proceeded to consider the report.

Mr. **BYRD** of West Virginia. Mr. President, the bill, as approved by the conferees, provides a total of $404,598,200 for the fiscal year 1967. It is $23,572,400 below the total budget estimates; is $23,947,600 more than the sum allowed by the House; and is $2,141,000 under the total Senate recommendation.

It is a good bill. All members of the conference committee approved the report, and only one of the House conferees noted exception to the final action approved, and that concerned the funds agreed to in amendment No. 12 for education.

The conferees approved a Federal payment of $50 million to the general fund. The estimated surplus in the general fund on June 30, 1967, is $2,927,000.

The Senate bill approved 654 additional positions and deleted 49 positions allowed by the House for a net increase of 605 positions.

The conference allowed 511 of the 654 positions added by the Senate and agreed to the deletion of 48 positions from the House allowance, for a net increase of 463 positions. Included in the 463 positions recommended by the conference are: 228 teaching positions; 5 librarians; 20 counselors; 118 Health Department positions for treatment of chronic alcoholics; 12 recreation specialists; and 68 in the courts, of which 40 are supporting personnel to the 5 new judges.

This net surplus allows for financing of increased pay costs of approximately $10 million for policemen, firemen, and teachers, and about $3 million for classified and wage-board increases and indefinite appropriations.

Included in the bill for capital outlay items is $66,958,000. Of this sum, $32,878,500 is for public buildings construction, which includes $27,213,100 for public schools; $14,859,000 for highway construction; $4,527,500 for a rail rapid transit system; and $12,747,000 for water and sewage distribution projects.

For operating expenses, the bill provides $331,562,600 for fiscal 1967. This sum includes $80,832,000 for public schools, an increase of $5,374,400 over 1966; $56,495,100 for the Health Department, an increase of $5,084,631 over 1966; and $31,766,500 for the Welfare Department, an increase of $3,196,018 over 1966.

Included in the sum provided for the Welfare Department is $250,000 which, when added to available Federal funds and funds available in the House bill, will cover a 13 percent cost-of-living increase to welfare recipients, effective January 1, 1967. There is also $78,000 to offer an incentive service fee of $5 per child per month up to a maximum of $20 monthly to encourage foster parents to accept more children.

For the Metropolitan Police, the bill provide $42,129,000 for fiscal 1967. This is an increase of $3,336,400 over 1966. Included in the allowance are funds for continuance of the tactical force, including radio equipment for their foot patrolmen and mobile units. The Senate recommendation of $33,000 for air conditioning of 111 police vehicles was disapproved, without prejudice, by the conferees, with the understanding that the 1968 budget should include funds for this purpose.

Included in the sum allowed for the Department of Health is $300,000 for the diagnosis and treatment of chronic alcoholics. This is a new program stemming from the decisions rendered by the U.S. Court of Appeals for the District of Columbia Circuit, which makes it unconstitutional to prosecute or convict such a person on a charge of public intoxication. Instead, these individuals must be considered to be sick, according to the courts, and in need of medical care.

The conference committee also approved the Senate recommendation to increase the inpatient rate paid to contract hospitals, excepting Children's from, $36 to $38 per day. The rate of $40 per day for Children's Hospital was approved.

During the past summer, night lights were installed at 90 recreation areas which permit after-dark usage of facilities. Most of these areas are multiuse facilities and provide many opportunities for court games and special events. Some of the lighting installations permit use of softball fields and others enable swimming pools to remain open after dark. The installations of these lights through the extension of the normal operation of the facilities has resulted, I am advised, in greater participation by the youth of the District of Columbia in constructive free-time activities. In this regard, the House conferees accepted the Senate proposals.

I have reference here to the 12 recreation specialists and supporting services to extend the hours of operation at 12 recreation facilities, and the night-lighting program of 90 units.

I should say at this point that the Vice President, the Honorable HUBERT H. HUMPHREY, exhibited a great amount of interest in this item, and it was largely at his request that the subcommittee allowed the additional moneys to extend the hours of operation at all of these facilities during the fall of the calendar year 1966 and the spring of calendar year 1967.

The 11 positions allowed by the Senate for public libraries were accepted by the House conferees. The House conferees also agreed to the appropriation allowed by the Senate for air conditioning five existing branch libraries.

The House agreed to the increase of $15,000 for preparation of plans and specifications for the development of the North Michigan Park playground and agreed with the Senate's denial of the request for $41,000 for the Fort Reno recreation area and swimming pool.

The conferees agreed to the moneys allowed by the Senate for purchase of a site to replace the old firehouse—engine company No. 6 and truck No. 4.

Moneys are provided for the first stage of a 3-year program to mechanize street-cleaning equipment and for the inauguration of a 2-year program for the purchase of essential snow-removal equipment.

Mr. President, I ask unanimous consent to have printed in the RECORD a table showing the 228 teaching positions allowed by the Senate and approved by the conference.

There being no objection, the table was ordered to be printed in the RECORD, as follows:

Teaching positions (+228 or complete restoration)

	Estimate	House	Senate	Total
Elementary:				
Music vocal	78	10	68	78
Art	53	18	35	53
Science	51	27	24	51
Health and physical education	89	30	59	89
Mathematics	10	10		10
Foreign language	13	4	9	13
Music (instrumental)	9	3	6	9
Total	303	102	201	303
Junior high: Music (instrumental)	8		8	8
Senior high schools:				
Regular academic classes	42	42		42
Shop and home economics	9	9		9
Military science	9		9	9
Music (instrumental)	2		2	2
Total	62	51	11	62
Various levels:				
Chorus, citywide	1	1		1
Speech	15	7	8	15
Reading clinic	24	24		24
Reading diagnostician	12	12		12
Total	52	44	8	52
Grand total	425	197	228	425

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a table showing capital outlay items for public schools, highways, and other items which were restored by the Senate and accepted by the House.

There being no objection, the tables were ordered to be printed in the RECORD, as follows:

PUBLIC SCHOOLS

New Elementary School, Lincoln Rd. and Douglas St. NE. (site $316,000, plans and specifications $100,000 restoration and $33,000 unbudgeted)	$449,000
Payne Elementary School addition (site $401,400, plans and specifications $63,000 net restoration	464,000

PUBLIC SCHOOLS—continued

Thomas Elementary School addition (equipment reduction volunteered)	−$54,000
Shadd Elementary School addition (plans and specifications $41,000, construction $415,000 net restoration)	456,000
Brent Elementary School replacement (equipment reduction volunteered)	−58,000
Shephard Elementary School addition and alterations (plans and specifications—restoration)	44,000
Deal Junior High School addition (plans and specifications—net restoration)	40,000
Garnet-Patterson Junior High School alterations (plans and specifications $2,500, construction $25,000, equipment $4,000—restoration)	31,500
Browne Junior High addition (plans and specifications—restoration)	115,000
Hamilton Junior High School (equipment reduction volunteered)	−266,000
Randall Junior High School addition (plans and specifications $38,000, construction $380,000—restoration)	418,800
Wilson Senior High School (plans and specifications—restoration	77,000
Springarn-Phelps Stadium (plans and specifications—restoration	40,000
Sharpe Health School addition (plans and specifications—net restoration)	58,000
Warehouse addition (plans and specifications—restoration)	37,000
Savoy Elementary School replacement (plans and specifications $3,000, construction $115,000—amendment—increase of cost)	118,000
New Elementary school, 7th and Webster Streets, NW. (construction — amendment — increased cost)	153,500
Tyler Elementary School addition (construction—amendment — increased cost)	71,200
Congress Heights Elementary School replacement (plans and specifications—amendment)	104,000
New elementary school, Nicholas Avenue, and Chesapeake Street SW. (site $141,000, plans and specifications $98,000—amendment)	239,000
Randle Highlands Elementary School (plans and specifications—amendment)	61,000

HEALTH DEPARTMENT

Permanent improvement, Glenn Dale Hospital (plans and specifications $5,000, construction $50,000—partial restoration for electrical distribution system, building "B")	55,000

DEPARTMENT OF HIGHWAYS AND TRAFFIC

Street improvements and extensions (restoration)	$2,005,100
Highway planning, programing, and research (restoration)	100,000
Interstate:	
Center leg, inner loop freeway (right-of-way and construction—restoration)	3,100,000
Northeast-North Central Freeway (right-of-way—restoration and construction)	1,500,000
Old 14th Street Bridge replacement (construction-restoration) authorized in Public Law 89-627	910,000
North leg, central section, inner loop freeway (right-of-way—restoration)	1,700,000
East leg, inner loop freeway (construction—restoration)	900,000
Primary, secondary, and urban:	
L Street NW.—New Hampshire Avenue to Pennsylvania Avenue (preliminary engineering and construction—restoration)	70,000
9th Street Expressway (construction—restoration)	1,200,000
14th Street NW., Monroe Street to Colorado Avenue (preliminary engineering and construction—restoration)	345,000
Southern Avenue SE., Pennsylvania Avenue to South Captitol Street (right-of-way, preliminary engineering and construction—restoration)	975,000
Total increase, Department of Highways and Traffic	12,805,100

DEPARTMENT OF SANITARY ENGINEERING

Northwest garage net restoration (site $74,000, plans and specifications $96,000)	170,000
Storm and relief sewers in advance of Interstate hghway paving (construction—restoration)	500,000
Total, Department of Sanitary Engineering	670,000

NATIONAL CAPITAL TRANSPORTATION AGENCY

Rail rapid transit development program—partial restoration, amount equal to ½ of funds appropriated in Interior Appropriation Act	4,527,500

Mr. BYRD of West Virginia. Mr. President, I ask unanimous consent to have printed in the RECORD a summary of the 1967 appropriation bill for the District of Columbia.

The VICE PRESIDENT. Without objection, it is so ordered.

The summary, ordered to be printed in the RECORD, is as follows:

District of Columbia—Summary of appropriation bill (H.R. 17636)

LOAN AUTHORIZATION (OUT OF THE GENERAL REVENUES OF THE FEDERAL TREASURY)

Item	Authorizations, 1966	Budget estimates, 1967 (revised)	House bill, 1967	Senate bill, 1967	Conference action
Loans to District of Columbia for capital outlay (general fund):					
For public works	$22,400,000	$17,200,000	$22,500,000	$20,500,000	$20,500,000
For rail rapid transit	2,000,000	8,525,000		4,527,500	4,527,500
Loans to District of Columbia for capital outlay (highway fund)	3,911,900	12,000,000		12,000,000	12,000,000
Loans to District of Columbia for capital outlay (water fund)		500,000	500,000	500,000	500,000
Total, loan authorization	28,311,900	38,225,000	23,000,000	37,527,500	37,527,500

District of Columbia—Summary of appropriation bill (H.R. 17636)—Continued

FEDERAL PAYMENT (OUT OF THE GENERAL REVENUES OF THE FEDERAL TREASURY)

Item	Appropriations, 1966 [1]	Budget estimates, 1967 (revised) [2]	House bill, 1967	Senate bill, 1967	Conference action
Federal payment to the District of Columbia (general fund)	$44,250,000	$50,000,000	$49,000,000	$50,000,000	$50,000,000
Federal payment to the District of Columbia (water fund)	1,973,000	2,146,000	2,146,000	2,146,000	2,146,000
Federal payment to the District of Columbia (sanitary sewage works fund)	1,149,000	1,248,000	1,248,000	1,248,000	1,248,000
Total, Federal payment	47,372,000	53,394,000	52,394,000	53,394,000	53,394,000

DISTRICT OF COLUMBIA FUNDS

Item	Appropriations, 1966 [1]	Budget estimates, 1967 (revised) [2]	House bill, 1967	Senate bill, 1967	Conference action
OPERATING EXPENSES					
General operating expenses:					
Executive Office	$580,190	$661,532	$612,900	$626,500	$603,000
Department of General Administration	8,862,823	10,576,250	9,936,700	10,237,100	10,237,100
Regulatory and miscellaneous agencies	2,785,131	3,351,818	2,931,700	3,255,000	3,224,500
Department of Occupations and Professions	525,033	539,300	536,800	536,800	536,800
Public Library	4,145,600	4,531,600	4,341,600	4,359,100	4,359,100
Department of Veterans' Affairs	121,300	123,000	116,000	116,000	116,000
Department of Buildings and Grounds	3,182,595	3,316,500	3,316,500	3,289,100	3,289,100
Office of the Surveyor	269,600	305,800	305,800	297,400	297,400
Total, general operating expenses	20,472,272	23,405,800	22,098,000	22,717,000	22,663,000
Public safety:					
Office of Corporation Counsel	1,302,200	1,436,340	1,344,900	1,375,000	1,359,800
Metropolitan Police	38,792,600	42,133,000	42,133,000	42,162,000	42,129,000
Fire Department	17,617,770	18,209,900	18,209,900	18,195,700	18,200,400
Office of Civil Defense	140,726	152,800	152,800	152,800	152,800
Courts	8,221,196	9,673,295	8,854,100	9,646,200	9,582,400
Department of Corrections	9,899,473	10,698,165	10,382,500	10,341,000	10,341,000
Department of Licenses and Inspection	3,727,135	4,028,900	3,907,500	3,936,000	3,901,300
National Guard	211,100	218,300	218,300	218,300	218,300
Total, public safety	79,912,200	86,550,700	85,203,000	86,027,000	85,885,000
Education	75,457,600	82,679,000	80,093,000	81,172,000	80,832,000
Parks and recreation:					
Recreation Department	4,804,633	6,048,500	5,293,900	5,786,900	5,786,900
National Park Service	4,313,167	4,744,400	4,744,400	4,712,000	4,712,000
National Zoological Park	1,796,500	2,009,100	1,951,700	1,942,100	1,942,100
Total, parks and recreation	10,914,300	12,802,000	11,990,000	12,441,000	12,441,000
Health and welfare:					
Department of Vocational Rehabilitation	753,349	829,100	762,500	792,700	780,400
Department of Public Health	51,410,469	57,883,500	56,436,100	56,779,100	56,495,100
Department of Public Welfare	28,570,482	32,436,400	32,115,400	31,789,000	31,766,500
Total, health and welfare	80,734,300	91,149,000	89,314,000	89,360,800	89,042,000
Highways and traffic:					
Department of Highways and Traffic	11,877,800	12,811,000	12,509,500	12,806,000	12,806,000
Department of Motor Vehicles	1,979,600	2,236,100	2,085,600	2,081,100	2,081,100
Motor Vehicles Parking Agency	227,500	234,900	234,900	234,900	234,900
Total, highways and traffic	14,084,900	15,282,000	14,830,000	15,122,000	15,122,000
Sanitary engineering:					
Department of Sanitary Engineering	19,451,400	20,878,000	20,392,000	20,567,000	20,567,000
Washington aqueduct	3,299,600	3,415,500	3,370,000	3,415,500	3,415,500
Total, sanitary engineering	22,756,000	24,293,500	23,762,000	23,982,500	23,982,500
Metropolitan Police, additional municipal services, American Legion convention		233,000	233,000	233,000	233,000
Metropolitan Police, additional municipal services, Shrine convention	221,200				
Personal services, wage-board employees	1,279,000	1,320,000	1,320,000	1,320,000	1,320,000
Settlement of claims and suits	33,414	42,100		42,100	42,100
Total, operating expenses by funds:					
General fund	279,678,186	310,155,000	301,656,000	304,996,800	304,142,000
Highway fund	13,008,800	13,501,800	13,351,300	13,343,200	13,343,200
Highway fund (parking account)	849,200	1,257,200	1,057,200	1,257,200	1,257,200
Water fund	7,751,700	7,986,700	7,941,200	7,986,700	7,986,700
Sanitary sewage works fund	4,488,100	4,782,700	4,763,600	4,759,800	4,759,800
Metropolitan area sanitary sewage works fund	84,200	73,700	73,700	73,700	73,700
Total, operating expenses, by funds	305,860,168	337,757,100	328,843,000	332,417,400	331,562,600
REPAYMENT OF LOANS AND INTEREST					
General fund:					
Construction loan	1,015,200	1,251,549	1,251,549	1,251,549	1,251,549
Stadium loan	842,500	767,017	767,017	767,017	767,017
Total, general fund	1,857,700	2,018,566	2,018,566	2,018,566	2,018,566
Highway fund: Construction loan	2,151,800	2,301,363	2,301,363	2,301,363	2,301,363
Water fund: Construction loan	1,225,800	1,302,640	1,302,640	1,302,640	1,302,640
Sanitary sewage works fund: Construction loan	455,100	455,031	455,031	455,031	455,031
Total, repayment of loans and interest	5,690,400	6,077,600	6,077,600	6,077,600	6,077,600
Capital outlay:					
Repayment of Federal obligations	986,800	1,350,000	1,350,000	1,350,000	1,350,000
Public building construction:					
Public schools	17,568,950	33,681,500	24,614,700	28,268,300	27,213,100
Public Library	1,427,500	672,000	50,000	347,000	347,000
Recreation Department	1,035,000	1,896,500	1,091,900	1,065,900	1,065,900
Metropolitan Police	230,700	675,000	125,000	125,000	125,000
Fire Department	321,000	857,700	551,700	852,700	852,700
Licenses and Inspections		25,000			
Public Health	1,334,950	2,072,800	1,148,000	1,203,000	1,203,000
Corrections	1,135,000	1,157,200	152,000	152,000	152,000
Public Welfare	4,679,400	3,135,200	1,368,800	1,424,800	1,368,800
Buildings and grounds	683,000	726,000	551,000	726,000	551,000
Total, public building construction	28,415,500	44,898,900	29,653,100	34,164,700	32,878,500

See footnote at end of table.

District of Columbia—Summary of appropriation bill (H.R. 17636)—Continued

DISTRICT OF COLUMBIA FUNDS—Continued

Item	Appropriations, 1966 [1]	Budget estimates, 1967 (revised) [2]	House bill, 1967	Senate bill, 1967	Conference action
REPAYMENT OF LOANS AND INTEREST—continued					
Department of Highways and Traffic	$9,732,000	$15,455,000	$2,649,900	$15,455,000	$15,455,000
Motor Vehicle Parking Agency	120,000				
Department of Sanitary Engineering	12,546,500	12,692,000	10,667,000	11,337,000	11,337,000
Washington aqueduct		1,415,000	1,410,000	1,410,000	1,410,000
National Capital transportation (rail rapid transit)	2,000,000	8,525,000		4,527,500	4,527,500
Total, capital outlay by funds:					
General fund	40,890,800	63,144,900	37,349,100	47,058,200	45,772,000
Highway fund	9,130,000	14,859,000	2,053,900	14,859,000	14,859,000
Highway fund (parking account)	120,000				
Water fund	1,375,000	2,640,000	2,635,000	2,635,000	2,635,000
Sanitary sewage works fund	2,285,000	3,692,000	3,692,000	3,692,000	3,692,000
Total, capital outlay	53,800,800	84,335,900	45,730,000	68,244,200	66,958,000
RECAPITULATION BY FUNDS					
General fund	322,426,686	375,318,466	341,023,666	354,073,566	351,932,566
Highway fund	24,290,600	30,662,163	17,706,563	30,503,563	30,503,563
Highway fund (parking account)	969,200	1,257,200	1,057,200	1,257,200	1,257,200
Water fund	11,262,500	11,929,340	11,878,840	11,924,340	11,924,340
Sanitary sewage works fund	6,318,200	8,929,731	8,910,631	8,906,831	8,906,831
Metropolitan area sanitary sewage works fund	84,200	73,700	73,700	73,700	73,700
Total, all funds	365,351,386	428,170,600	380,650,600	406,739,200	404,598,200

[1] Includes $1,250,000 additional Federal payment to the general fund and $2,067,886 in Supplemental Appropriation Act (Public Law 89-309) and $3,055,000 in 2d supplemental appropriations (Public Law 89-426).

[2] Includes $4,266,800 contained in S. Doc. 112.

Mr. BYRD of West Virginia. Mr. President, I move the adoption of the conference report.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

The VICE PRESIDENT laid before the Senate a message from the House of Representatives announcing its action on certain amendments of the Senate to House bill 17636, which was read as follows:

> *Resolved*, That the House recede from its disagreement to the amendments of the Senate numbered 9 and 16 to the bill (H.R. 17636) entitled "An Act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes", and concur therein.
>
> *Resolved*, That the House recede from its disagreement to the amendment of the Senate numbered 14, and concur therein with an amendment, as follows: In lieu of the sum stricken out and inserted, insert "$89,042,000".

Mr. BYRD of West Virginia. Mr. President, the purpose of the amendment is to comply with the conference agreement and the motion of the House to provide $89,042,000 instead of $89,360,800 recommended by the Senate and $89,314,000 proposed by the House for the Health and Welfare appropriation. The sum agreed to by the conferees is below either sum allowed by the two Houses.

Mr. President, I move that the Senate agree to the amendments of the House to the amendment of the Senate numbered 14.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from West Virginia.

The motion was agreed to.

APPOINTMENTS BY THE VICE PRESIDENT

The VICE PRESIDENT. The Chair appoints Senators EDWARD M. KENNEDY, JAVITS, and TYDINGS—alternate—as congressional advisers to attend the 26th Session of the Inter-Governmental Committee for European Migration, to be held on November 14–18, 1966, at Geneva, Switzerland.

RECESS

Mr. JACKSON. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and (at 4 o'clock and 18 minutes p.m.) the Senate took a recess subject to the call of the Chair.

At 4 o'clock and 34 minutes p.m., the Senate reassembled, when called to order by the Presiding Officer (Mr. BASS in the chair).

IOANNIS A. VASILOPOULOS

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate the message from the House of Representatives amending S. 2621.

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 2621) for the relief of Ioannis A. Vasilopoulos, which were, in line 7, strike out all after "States" down through and including "Act" in line 10; after line 10, insert:

> SEC. 2. In the administration of the Immigration and Nationality Act, Chester (Abramczyk) Hill may be classified as a child within the meaning of section 101(b) (1) (F) of the Act, upon approval of a petition filed in his behalf by Mr. and Mrs. Gilbert L. Hill, citizens of the United States, pursuant to section 204 of the Act.
>
> SEC. 3. The natural parents or brothers or sisters of the beneficiaries of this Act shall not, by virtue of such relationship, be accorded any right, privilege, or status under the Immigration and Nationality Act.

And to amend the title so as to read: "An Act for the relief of Ioannis A. Vasilopoulos and Chester (Abramczyk) Hill."

Mr. MANSFIELD. Mr. President, on April 28, 1966, the Senate passed S. 2621, to grant first preference status to the beneficiary, who is to be adopted by citizens of the United States.

On October 18, 1966, the House of Representatives passed S. 2621, with amendments to include the beneficiary of an individual House bill who has been adopted by citizens of the United States.

I move that the Senate concur in the House amendments to S. 2621.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

FRED E. STARR

Mr. MANSFIELD. Mr. President, I ask that the Chair lay before the Senate the message from the House of Representatives amending S. 1068.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1068) for the relief of Fred E. Starr, which was, on page 2, line 10, after "Act." insert:

> No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, on May 27, 1965, the Senate passed S. 1068 for the relief of Fred E. Starr which related to the shipment from overseas of his household goods.

On October 11, 1966, the House of Representatives passed S. 1068, with an amendment which provided that no part of the sum of $1,095.28, provided for in the bill shall be subject to agents or attorneys fees.

I move that the Senate concur in the House amendment to S. 1068.

The **PRESIDING OFFICER.** The question is on agreeing to the motion of the Senator from Montana.

The motion was agreed to.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate turn to the consideration of measures on the calendar in sequence, from Calendar No. 1746 to 1754, with the exception of Calendar Nos. 1747, 1749, and 1753.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

MARINA PANAGIOTIS RESTOS

The bill (S. 3050) for the relief of Marina Panagiotis Restos was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3050

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act as amended, Marina Panagiotis Restos may be classified as a child within the meaning of section 101(b) (1) (F) of the said Act and a petition may be filed on her behalf by Peter Restos, a citizen of the United States, pursuant to section 204 of the Immigration and Nationality Act, as amended, subject to all the conditions in that section relating to orphans.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1777), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to facilitate the entry into the United States in an immediate relative status of the adopted daughter of a U.S. citizen.

HENRI P. BOUTIN

The bill (S. 3115) for the relief of Henri P. Boutin was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3115

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Henri P. Boutin shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 4, 1959.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1779), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

KIMIKO BETHARD

The bill (S. 3208) for the relief of Kimiko Bethard was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3208

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the provision of section 212(a) (2) and (3) of the Immigration and Nationality Act, Kimiko Bethard may be issued a visa and be admitted to the United States for permanent residence if she is found to be otherwise admissible under the provisions of that Act: *Provided,* That a suitable and proper bond or undertaking, approved by the Attorney General, be deposited as prescribed by section 213 of the said Act: *And provided further,* That these exemptions shall apply only to grounds for exclusion of which the Department of State or the Department of Justice has knowledge prior to the enactment of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1781), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to waive the excluding provisions of existing law relating to one who suffers from mental illness in behalf of the wife of a U.S. citizen veteran.

DR. PABLO A. SUAREZ

The bill (S. 3241) for the relief of Dr. Pablo A. Suarez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3241

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Pablo A. Suarez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of January 19, 1962.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1782), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to grant the status of permanent residence in the United States to Dr. Pablo A. Suarez as of January 19, 1962. The beneficiary was lawfully admitted for permanent residence on November 9, 1964, and the bill will credit his prior residence in a nonimmigrant status toward the naturalization requirements of the Immigration and Nationality Act.

DR. FERNANDO O. GARCIA-HERNANDEZ

The bill (S. 3535) for the relief of Dr. Fernando O. Garcia-Hernandez was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3535

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Fernando O. Garcia-Hernandez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 24, 1961.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1783), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

DR. SHERIF SHAFEY

The bill (S. 3572) for the relief of Dr. Sherif Shafey was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3572

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Sherif Shafey shall be held and considered to have been lawfully admitted to the United States for permanent residence as of September 30, 1959.

Mr. MANSFIELD. Mr. President, I now ask unanimous consent that the Senate turn to the consideration of measures on the calendar beginning with Calendar No. 1787 and following measures on the calendar, in sequence.

The **PRESIDING OFFICER.** Without objection, it is so ordered.

ROSANNA GENOVESE

The Senate proceeded to consider the bill (S. 2695) for the relief of Rosanna Genovese which had been reported from the Committee on the Judiciary, with an amendment, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, as amended, Rosa Anna Genovese may be classified as a child within the meaning of section 101(b) (1) (F) of the Act, and a petition may be filed in her behalf by Mr. and Mrs. Seb Sbona, citizens of the United States, pursuant to section 204 of the Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1818), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of a child who is to be adopted by citizens of the United States.

DR. JESUS L. LASTRA

The Senate proceeded to consider the bill (S. 3223) for the relief of Dr. Jesus L. Lastra, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of", to strike out "July 8, 1961" and insert "July 6, 1961"; so as to make the bill read:

S. 3223

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Jesus L. Lastra shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 6, 1961.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

DR. ROBERTO E. PARAJON AND MARIA C. FLORIN PARAJON

The Senate proceeded to consider the bill (S. 3233) for the relief of Dr. Roberto E. Parajon and Maria C. Florin Parajon, his wife, which had been reported from the Committee on the Judiciary, with an amendment, in line 7, after the word "of", to strike out "October 31, 1963" and insert "August 4, 1961, and July 22, 1961, respectively"; so as to make the bill read:

S. 3233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Roberto E. Parajon and Maria C. Florin Parajon, his wife, shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 4, 1961, and July 22, 1961, respectively.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD, an excerpt from the report (No. 1820), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follow:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Dr. Roberto E. Parajon and Maria C. Florin Parajon, his wife, as of August 4, 1961, and July 22, 1961, respectively. The beneficiaries were lawfully admitted to the United States on October 31, 1963, and the bill will credit their prior residence in a nonimmigrant status toward the naturalization requirements of the Immigration and Nationality Act. The bill has been amended to correct the dates of first admission.

BILL PASSED OVER

On request of Mr. MANSFIELD, Calendar No. 1790, S. 3257, a bill for the relief of certain employees of the Puget Sound Naval Shipyard, was passed over.

DENIZ HIKMET SEN MANES

The Senate proceeded to consider the bill (S. 3258) for the relief of Deniz Hikmet Sen Manes, which had been reported from the Committee on the Judiciary, with an amendment; in line 9, after the world "Act", to strike out the comma and "subject to all the conditions in that section relating to orphans"; so as to make the bill read:

S. 3258

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, as amended, Deniz Hikmet Sen Manes may be classified as a child within the meaning of section 101(b) (1) (F) of that Act upon approval of a petition filed in her behalf by Staff Sergeant and Mrs. Ralph M. Manes, citizens of the United States pursuant to section 204 of the said Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1822), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to facilitate the entry into the United States in an immediate relative status of a child to be adopted by citizens of the United States. The amendment is technical in nature.

ERNESTO SANCHEZ JEREZ

The Senate proceeded to consider the bill (S. 3278) for the relief of Ernesto Sanchez Jerez, which had been reported from the Committee on the Judiciary, with an amendment, in line 3, after the word "That", to insert a comma and "for the purposes of the Immigration and Nationality Act,"; so as to make the bill read:

S. 3278

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Ernesto Sanchez Jerez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of July 19, 1961.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1823), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to grant the status of permanent residence in the United States to Ernesto Sanchez Jerez as of July 19, 1961, the date on which he was admitted to the United States in a nonimmigrant status. The amendment is technical in nature.

NACHMAN BENCH

The Senate proceeded to consider the bill (S. 3559) for the relief of Nachman Bench, which had been reported from the Committee on the Judiciary, with an amendment, in line 3, after the word "That", to insert a comma and "for the purposes of the Immigration and Nationality Act,"; so as to make the bill read:

S. 3559

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purpose of the Immigration and Nationality Act, Nachman Bench shall be held and considered to have been lawfully admitted to the United States for permanent residence as of April 21, 1960.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

CHUN MOON HEE (HI)

The Senate proceeded to consider the bill (S. 3674) for the relief of Chun Moon Hee (Hi), which had been reported from the Committee on the Judiciary, with an amendment, in line 9, after the word "Act", to strike out "and subject to all the conditions in such section relating to orphans"; so as to make the bill read:

S. 3674

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, Chun Moon Hee (Hi) may be classified as a child within the meaning of section 101(b) (1) (F) of such Act, and a petition may be filed in behalf of the said Chun Moon Hee (Hi) by Mr. and Mrs. Theodore W. Schueneman, citizens of the United States, pursuant to section 204 of such Act.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

JULIO JUAN CASTELLANOS LOPEZ

The Senate proceeded to consider the bill (S. 3713) for the relief of Julio Juan Castellanos Lopez, which had been reported from the Committee on the Judiciary, with an amendment, in line 3, after the word "That", to insert a comma and "for the purposes of the Immigration and Nationality Act,"; so as to make the bill read:

S. 3713

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Julio Juan Castellanos Lopez shall be held and considered to have been lawfully admitted to the United States for permanent residence as of August 16, 1960.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

DR. LUIS G. DEDIOT

The Senate proceeded to consider the bill (S. 3790) for the relief of Dr. Luis G. Dediot, which had been reported from the Committee on the Judiciary, with an amendment, in line 6, after the word "of", to strike out "January 1, 1962" and insert "May 24, 1961"; so as to make the bill read:

S. 3790

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for the purposes of the Immigration and Nationality Act, Doctor Luis G. Dediot shall be held and considered to have been lawfully admitted to the United States for permanent residence as of May 24, 1961.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1827), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to enable the beneficiary to file a petition for naturalization. The purpose of the amendment is to reflect the beneficiary's original entry date.

Mr. MANSFIELD. Mr. President, I now ask that the Senate turn to the consideration of measures on the calendar beginning with Calendar No. 1801 and the rest of the bills on the calendar in sequence.

The PRESIDING OFFICER. Without objection, it is so ordered.

HYE HUK PAENG

The Senate proceeded to consider the bill (S. 3137) for the relief of Hye Huk Paeng, which had been reported from the Committee on the Judiciary, with amendments, to strike out all after the enacting clause and insert:

That, in the administration of the Immigration and Nationality Act, Hye Suk Paeng and Mi Kung Paeng (Patricia Ann), the widow and daughter of the late Charlie E. Tripp, a citizen of the United States, shall be held and considered to be aliens eligible for immediate relative status under the provisions of section 201(b), and the provisions of section 204 of the said Act shall not be applicable in these cases.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

The title was amended, so as to read: "A bill for the relief of Hye Suk Paeng and Mi Kung Paenge (Patricia Ann)."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1832), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill, as amended, is to preserve immediate relative status in behalf of the widow and child of a U.S. citizen. The bill has been amended in accordance with the suggestion of the Commissioner of Immigration and Naturalization.

BILL PASSED OVER

On request of Mr. MANSFIELD, Calendar No. 1802, S. 3448, a bill for the relief of Capt. Robert C. Crisp, U.S. Air Force, was passed over.

CONTROL OR ELIMINATION OF JELLYFISH AND OTHER PESTS IN COASTAL WATERS OF THE UNITED STATES

The Senate proceeded to consider the bill (H.R. 11475) to provide for the control or elimination of jellyfish and other such pests in the coastal waters of the United States which had been reported from the Committee on Commerce with amendments, on page 1, line 5, after the word "States", to insert "and the Commonwealth of Puerto Rico"; in line 10, after the word "such", to strike out "pests" and insert "pests and in conducting research for the purposes of controlling floating seaweed in such waters"; on page 2, line 4, after the word "the", to strike out "States" and insert "States and the Commonwealth of Puerto Rico"; in line 10, after the word "such", to strike out "pests," and insert "pests and of floating seaweed,"; in line 13, after the word "such", where it appears the first time, to strike out "pests," and insert "pests and such seaweed,"; and, in line 16, after the word "the", to strike out "States," and insert "States and the Commonwealth of Puerto Rico,".

The amendments were agreed to.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time, and passed.

The title was amended, so as to read: "An act to provide for the control or elimination of jellyfish and other such pests in the coastal waters of the United States, and for other purposes."

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1834), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE LEGISLATION

The purpose of H.R. 11475 is to provide for the control of elimination of jellyfish, floating seaweeds, and other such pests in the coastal waters of the United States and the Commonwealth of Puerto Rico.

BACKGROUND AND NEED FOR THE LEGISLATION

The Subcommittee on Merchant Marine and Fisheries held hearings on S. 3744, the companion bill to H.R. 11475, on September 28, 1966, receiving testimony from the Department of Interior and Dr. L. Eugene Cronin, director, Chesapeake Biological Laboratory, University of Maryland.

The need for this legislation arises from the fact that thousands of vacationers are being robbed of water-recreational opportunities and hundreds of businessmen are being deprived of untold revenues because of the large presence of jellyfish, sometimes known as sea nettles, in our coastal bays and estuaries. Unfortunately, there is no known method of controlling these water pests and their invasion each year affects a larger segment of the economy and population.

In pointing to the need for the legislation, Dr. L. Eugene Cronin, in his statement before the subcommittee said:

"The jellyfish problem is an important one of worldwide scope. Many species of these animals exert a serious and even deadly influence in areas where recreational use of the water is extensive. They produce some of the strongest toxic materials of all animals. After the sting of some species, death can result within seconds. Many other species are less injurious, but still dangerous to swimmers, to military and civilian divers, and, indeed, to all those who enter the water."

Dr. Cronin further pointed out that jellyfish may be affecting and possibly damaging certain commercially valuable species of fish and shellfish, such as oysters.

The committee is of the opinion that the sea nettle has passed the stage of being a mere nuisance; it must be either controlled or eradicated. Naturally, before a solution can be found a wide variety of field and laboratory observations and experiments must be conducted. The committee felt that a joint Federal-State cooperative program, such as that provided by this legislation, is the best approach in solving the annoying, costly, and difficult problems caused by these water pests.

In his statement before the subcommittee, Dr. L. Eugene Cronin presented a most interesting account of the general complex pattern of the life cycle of the *Chrysaora quinquechirrha*. Briefly summarized, it is as follows:

"The medusa is the sexual stage which occurs from May through October. Eggs and sperm are produced and microscopic planula larvae are released in midsummer. The larvae settles to the bottom of the water and sets on the undersides of a variety of hard substances, such as oyster shells, clam shells, glass, beer cans, and on other animals. After setting, the larvae changes into the plantlike polyp stage. The tiny polyp, about one-eighth of an inch tall, is the overwintering form and is capable of sexually reproducing itself through the formation of cysts. The following spring, each polyp produces 4 to 10 ephyrae, which grow rapidly into the adult medusae. After producing ephyrae, the polyp resumes its normal form and, apparently, barring accident or predation, can repeat this cycle indefinitely. The big medusae, after spawning, die or disintegrate within a few weeks."

Much knowledge has been gained about the sea nettles as a result of research underway at the Natural Resources Institute of the University of Maryland, financed in part by the State of Maryland, and in part by a grant made this year by the Department under the Water Resources Research Act. Probably more was learned this past summer than has been discovered in the past 30 years. Even so, as indicated by Dr. L. Eugene Cronin, Director of the Natural Resources Institute, at the hearings, actually at this time very little is known about the sea nettle.

Biological control which can range from finding a disease of sea nettles to introduction of a predator, would be the most satisfying and acceptable to marine scientists. However, it would probably be the most difficult to find and develop. Biological controls would have many advantages if backed up with scientific research.

Your committee also noted that chemicals to control all varieties of pests have received much attention in the last 20 years, as attested by the over 70,000 different formulations of registered pesticides. Because of interaction with the dissolved minerals in sea water, the use of very minute quantities of most of these chemicals could prove extremely dangerous to other marine life. However, your committee realize that the use of chemicals offers possibilities—as evidenced by the use of chemicals to control the sea lamprey in the Great Lakes—and should be investigated.

After thorough consideration of the testimony presented at the hearings, your committee is convinced that thus far no known method of effectively controlling or eradicating sea nettles has been discovered. It is apparent that finding effective methods will require considerable time and study and naturally would be quite costly.

It should be pointed out that the Department of the Interior, under existing law, has authority to conduct research into the problems created for fish and shellfish and water-based recreation by sea nettles. However, the Department has not to date sought funds to study this problem.

Your committee feels that in addition to the Federal Government, the effected States have similar interests—particularly from an economic standpoint—and consequently, any effort undertaken by way of research into methods to control or eliminate this problem should be conducted jointly by the States and the Federal Government. Accordingly, your committee urges prompt enactment of H.R. 11475, which unlike other authorities, would provide for such cost-sharing on a 50-50 matching fund basis.

DISCUSSION OF THE AMENDMENTS

At the request of Senator PASTORE, the committee amended the bill to authorize the Secretary to study means of controlling excessive seaweed, a perennial problem along the beaches of Newport and Middletown, R.I.

Abatement of the seaweed menace would benefit the tourist industry in those coastal areas where the plant accumulates.

The committee also included the Commonwealth of Puerto Rico in the bill in order to make clear that jellyfish in Puerto Rican waters were also to be considered in research programs.

SECTION-BY-SECTION ANALYSIS

Section 1 of the bill would authorize the Secretary of the Interior to cooperate with the States and the Commonwealth of Puerto Rico and give financial and technical assistance to them in the control or elimination of jellyfish, commonly referred to as "sea nettles," and such other pests that adversely affect fish and shellfish and water-based recreation. Also included in this section is assistance in conducting research for the purpose of controlling floating seaweed.

Section 2 of the bill would authorize the Secretary, in cooperation with the States and the Commonwealth of Puerto Rico, to conduct, either directly or by contract, or both, research into the sea nettle problem, including their abundance and distribution, to conduct studies on developing control measures, and to control, based on such studies, or eliminate jellyfish, similar pests, and floating seaweed in the coastal waters of the United States. Further, section 2 would provide that the cost of this program would be shared on a 50-50 basis by the States or the Commonwealth of Puerto Rico and the Federal Government.

Section 3 of the bill would authorize a total appropriation of $2.25 million to carry out the Federal share of the program. The program would be limited to a 3-year period; for the fiscal year ending June 30, 1968, it would authorize that not more than $500,000 be appropriated; subsequent authorizations would be $750,000 for the fiscal year ending June 30, 1969; and $1 million for the fiscal year ending June 30, 1970.

Section 4 of the bill would provide that the Congress would consent to any compact or agreement entered into between any two or more States for the purpose of carrying out a program of research and control of jellyfish and other such pests in the coastal waters of the United States. However, it would expressly reserve the right to alter, amend, or repeal this section on the consent granted herein.

Section 5 of the bill would provide that nothing in this legislation would be construed to alter, amend, repeal, modify, or diminish the present general authority of the Secretary to conduct studies related to the mission of the Department of the Interior.

SALE OF GRAIN STORAGE FACILITIES TO PUBLIC AND PRIVATE NONPROFIT AGENCIES AND ORGANIZATIONS

The bill (H.R. 12360) to permit the sale of grain storage facilities to public and private nonprofit agencies and organizations was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, that concludes the call of the calendar for the time being.

SOUND AND LIGHT PROGRAMS AT THE CAPITOL

Mr. TYDINGS. Mr. President, I am pleased that the Senate yesterday passed H.R. 14604 to authorize a study of a visitors' center in Washington.

I am particularly pleased that the Senate Interior Committee mentioned in its report that one of the subjects to be studied is "a sound and light program" for the Capitol.

The sound and light technique was developed in France shortly after the First World War. A French architect, Paul Robert Houdein, happened to observe the Chambord Chateau during a thunderstorm. The spectacle created in him the sense that the chateau had been restored to the life it enjoyed in the great period of its history.

He set to work to reproduce artificially the effect of the thunderstorm, using powerful lights synchronized with a sound track carrying music, voices, and special effects. This became the technique of "son et lumiere"—the use of light and recorded sound, but no live performers, in a historic setting.

Visitors to Europe are familiar with the sound and light spectacles in Paris, Rome, and Athens.

The pageant at Versailles has a script by Andre Malrois, and uses the famous gardens of the palace as well as the buildings to recreate the great events which took place there.

Ten times weekly, the Roman Forum is the scene of a sound and light spectacle. In one of these programs, the voice of Orson Welles was heard reading Shakespeare for a re-creation of the death of Caesar.

No one who has seen it can forget the play of light on the Parthenon in Athens during the sound and light performance which is held on the Acropolis.

A splendid sound and light show was offered for some years at Independence Hall in Philadelphia. The voice of Fredric March recreated the words of Jefferson and Adams. The narrative was written by the poet Archibald MacLeish.

The Capitol is an excellent site for a sound and light program. It is a fine building architecturally, and one which responds particularly well to lighting. It is the scene of more of our history than any other building. It has been the home of Congress since 1800. It was the seat of the Supreme Court for 134 years. Most of our Presidents were inaugurated here, and it has been the scene of many great Presidential speeches and national debates.

Imagine the pleasure and instruction which would be offered to thousands of Washington visitors on a summer night by reenactment of some of the great events which took place here:

The Burr-Jefferson election of 1801;

The proclamation of the Monroe Doctrine in 1823;

The Dred Scott decision in 1857;

The celebration of the fall of Richmond, followed so abruptly by the lying in state of President Lincoln in 1865;

The impeachment trial of President Andrew Johnson;

President Wilson's declaration to Congress that "the world must be made safe for democracy;"

President Roosevelt's message to Congress of December 8, 1941.

All this could be done at relatively low cost. For sound and light, no large crews of actors or technicians are needed. The performers, once the sound track has been recorded and the lights synchronized, are fully automated—they require only one man. The equipment is small, unobtrusive and would in no way interfere with the use or beauty of the Capitol.

Thus at little cost and with little inconvenience, we could bring to our legislative home, the Capitol, summer night productions of striking beauty and incalculable educational value.

I ask unanimous consent to insert at this point in the RECORD, an article by Richard L. Coe on sound and light programs that appeared in the Washington Post on September 19, 1966, and a resolution of the Washington Convention and Visitors Bureau endorsing sound and light programs at the Capitol.

There being no objection, the article and resolution were ordered to be printed in the Record, as follows:

"Light" at Acropolis Recalls Bill Here

(By Richard L. Coe)

One of the most enthralling spectacles to be seen between Istanbul and Gibraltar, an area I recently skimmed, is the Sound and Light at the Acropolis in Athens.

Unlike many variations of painting history through visual and aural suggestion, this views the Acropolis from a distance of about half a mile. One sits on the neighboring, smaller Pnyx hill while hundreds of huge lights pulse on and off as voices describe the fabulous history of war and philosophy which haunts this hill of the Parthenon.

The effect is brooding and breath-taking and one may enjoy the lighting, except on nights of the full moon, from all parts of the sprawling city. Many find this Sound and Light to be the finest of the many which stretch from England to Egypt.

The experience was a reminder of the bill introduced last spring by Rep. Henry S. Reuss (D.-Wis.) to create a Sound and Light production at the U.S. Capitol building.

This now has the support of Elizabeth Rowe, chairman of the National Capital Planning Commission; Roger L. Stevens, chairman of the National Council on the Arts, and Walter Tobriner, president of the District Board of Commissioners. Referred to the subcommittee on libraries and memorials, the bill is now being studied for "feasibility"—in other words, how can the project be financed and put into being?

Such is an entirely sensible question and Rep. Reuss doesn't look for any further action until the 90th Congress. It would seem, however, that one of the burgeoning foundations might be found to finance the substantial initial investment. (The Republic of France, by the way, made a gift of the Philips equipment to the City of Athens.)

The advantages for the scheme are obvious. The Capitol building is the sole Washington edifice associated with every President since George Washington laid the cornerstone. Its panorama of American history is unique. The Board of Trade, also long on the record for the project, sees it as a superb tourist attraction and tourism is the city's second industry. (Quibble, if you like, as to whether the first is politics or statesmanship.)

Mrs. Johnson has shown interest in the plan and, in a casual conversation, both President and Mrs. Kennedy remarked on how splendid Sound and Light might be at the Capitol Plaza.

There are precautions to be considered. The seating arrangements need not be made for thousands and need take only a limited area of space. The script, voices and music should be done by our finest artists. (The Athenian Sound and Light music, for instance, is sheer sound track corn.)

Sound and Light has had a curious American career. Its use on Philadelphia's Independence Hall several years ago proved oddly disappointing. A flat script, I thought, accounted for this. But it evidently has been immensely successful on the battleship North Carolina at Wilmington, N.C. The Smithsonian, last week, gave a suggestion of what might be done through a simplified version of light and sound it titled "Figures in a Landscape."

At all events, Rep. Reuss' bill holds promise of our own historic hill which might match, in quite different ways, the haunting spectacle on the Acropolis.

Sound and Light is not the only evening attraction at the Acropolis. At its feet are two theaters. The older is that of Dionysus, dating from the Golden Age but far less well preserved than its contemporaries at Epidaurus and Delphi. However, because of its antiquity and size, the Dionysus is infinitely the more impressive to muse upon although performances are never attempted here.

Almost nightly performances, however, are given further along the southern slope in the theater of Herod Atticus, that Roman of the second century A.D. who valued ancient Greece. This was once roofed with cedar, long since vanished, but it remains entirely usable for the annual Athens Festival, which stretches from early July to late September.

To sit on stone benches provided with wafer-thin pillows give some notion of the hardiness of those early theatergoers but the experience itself is unforgettable. At some angles it's possible to see the stage, the Parthenon and the gemlike temple of Wingless Victory.

The Athenian Festival performances are worthy of the setting. This year the Festival began with visits from England's Royal Ballet and the USSR's Kirov. It further offered national orchestras and operas from Switzerland, the USSR, Rumania, Spain and, only last week, the Utah Symphony. Pablo Casals conducted his "El Pessebre" and visiting instrumentalists included Ashkanazy, Istomin and Menuhin.

The theatrical classics are presented by the National Theater of Greece and the State Theater of Northern Greece. I was especially impressed by the former's "The Trojan Woman." A cursory knowledge of any of the plays is richly rewarded for the action and choral patterns are simple to follow. I was amused to find that the originals are not attempted, all being translated into modern Greek—a fact I don't understand either.

A final but modern hillside theater just behind Pynx hill is the Philopappou, which presents dance troupes lured from all part of Greece by enterprising Dora Stratou. These dancers are frankly amateurs and when one misses the flash of professionalism it's quite easy to look over to the Acropolis, virtually breathing in the rhythm of the Distant Sound and Light effects.

Resolution Adopted by the Washington Convention and Visitors Bureau August 22, 1966, Endorsing a Program of Son et Lumiere (Sound and Light) at the Capitol Building, Washington, D.C.

Whereas the Washington Convention and Visitors Bureau has long been in support of a Sound and Light Program for the District of Columbia; and

Whereas the Bureau members have personal knowledge of the effective employment of a Sound and Light presentation in many foreign countries and in some sections of the United States; and

Whereas by means of Sound and Light events of great historical importance can be portrayed in a beautiful and simple fashion; and

Whereas in the United States there is no one location better identified in the minds of Americans and foreigners alike than the Capitol of the United States; and

Whereas millions of visitors now coming to Washington, D.C. annually and many more who could come to witness a Sound and Light presentation would witness a visual and dramatic recitation of all the important events in this nation's history; and

Whereas a presentation of the history of this country through Sound and Light would be of tremendous benefit in the teaching of history to the millions of school students who visit Washington; and

Whereas the nation's greatest artists, performers and technicians would welcome the opportunity to be identified with a Sound and Light project having as its basis this country's rich history, successes and ideals; and

Whereas the beautiful, dignified and effective atmosphere of the United States Capitol would lend itself admirably to a Sound and Light program in addition to providing space for thousands of persons to witness this spectacle nightly; and

Whereas a presentation of Sound and Light would supplement the highly popular regular performances of the United States service bands; and

Whereas Congressman Henry S. Reuss of Wisconsin has introduced House Joint Resolution 1027 to provide for Sound and Light evenings at the Capitol;

Therefore be it resolved that the Executive Committee of the Washington Convention and Visitors Bureau strongly support H.J. Res. 1027 as being in the best cultural, democratic and educational interests of the United States; and

Be is further resolved that the United States Congress be urged to take action to implement H.J. Res. 1027 by the necessary appropriation authority to bring Sound and Light into being at the Capitol; and

Be it further resolved that Congressman Reuss be applauded and complimented for his efforts in this program and that he be encouraged to continue to pursue this project to its completion.

RECESS

Mr. MANSFIELD. Mr. President, I move that the Senate stand in recess subject to the call of the Chair.

The motion was agreed to; and at 4 o'clock and 39 minutes p.m. the Senate took a recess subject to the call of the Chair.

At 5 o'clock and 24 minutes p.m., the Senate reassembled, when called to order by the Acting President pro tempore (Mr. Moss in the chair).

AUTHORIZATION TO RECEIVE MESSAGES

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate from the close of business today until 10 o'clock tomorrow morning, the Secretary of the Senate be authorized to receive messages from the House of Representatives.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR ADJOURNMENT UNTIL TOMORROW AT 10 O'CLOCK A.M.

Mr. MANSFIELD. Mr. President, I ask unanimous consent that when the Senate concludes its business today, it stand in adjournment until 10 o'clock tomorrow morning.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 1716, 1736, 1740 through 1745, 1747, 1749, 1753, 1790, 1797, 1799, and 1802.

The ACTING PRESIDENT pro tempore. Is there objection to the request of the Senator from Montana? The Chair hears none, and, without objection, it is so ordered.

The clerk will state the first measure.

AMENDMENT OF AN ACT ENTITLED "AN ACT TO ESTABLISH AN ADVISORY COMMISSION ON INTERGOVERNMENTAL RELATIONS"

The bill (H.R. 15335) to amend the act entitled "An act to establish an Advisory Commission on Intergovernmental Relations," approved Sept. 24, 1959, was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1747), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of H.R. 15335, as amended, is to amend Public Law 86–380 (5 U.S.C. 2371–2378) in accordance with the recommendations of the report to the committee made by its Subcommittee on Intergovernmental Relations entitled "Five-Year Record of the Advisory Commission on Intergovernmental Relations and Its Future Role."[1] In that report, the committee found that Public Law 86–380, the act establishing the Advisory Commission on Intergovernmental Relations, required several minor amendments to enable the Commission to function more effectively and to reflect certain changes that have occurred since the statute was enacted in 1959.

SUMMARY OF H.R. 15335

The bill contemplates six changes in the act of September 24, 1959, which establish the Advisory Commission on Intergovernmental Relations:

First, it would recognize changes in the names of two mentioned organizations which were made subsequent to passage of the original act.

Second, it would allow members of the Commission to serve until their reappointment to the Commission or until their successors' appointment becomes effective.

Third, it would change the title of staff director to executive director.

Fourth, it would set the salary of the executive director of the Commission at level V of the Federal Executive Salary Act of 1964.

Fifth, it would, through a minor change in the wording of the original act concerning compensation of Commission members, provide that membership in a State legislature or similar position would not bar appointment to the Commission.

Finally, the bill would permit State and local governments and their organizations, as well as interested nonprofit organizations, to contribute funds toward support of the operations of the Commission.

THE NEED FOR AND OBJECTIVES OF H.R. 15335

The objectives of the bill are, for the most part, to clarify parts of the enabling legislation, and to incorporate one change which has been indicated as desirable. The proposed legislation resulted from joint hearings before the Subcommittees on Intergovernmental Relations of the Senate and House of Representatives on the 5-year record of the Commission on May 25, 26, and 27, 1965. The contemplated changes are basically of a corrective or procedural nature. Similar changes, it should be noted, were intended in the Senate Subcommittee on Intergovernmental Relations' Report to accompany S. 2927, the companion measure to H.R. 15335.[2] Only one—the proposal to accept non-Federal financial support—departs from the intent of the original authority.

Section 1 is designed to clarify the change of names by two organizations cited in section 3(a), paragraphs (6) and (7), of the act of September 24, 1959. Since the authorizing legislation was adopted in 1959, the American Municipal Association has changed its name to the National League of Cities, and the National Association of County Officials has become the National Association of Counties.

During the hearings on the 5-year record of the Commission, some participants expressed concern at the "hiatus problem" which occurs from time to time when a member's 2-year term on the Commission is terminated, and his reappointment, or the appointment of his successor, is not immediately forthcoming. This problem would be overcome by the provision of section 2 of H.R. 15335 to the effect that a member be allowed to continue to serve until he is reappointed or until a successor has been named.

The title of the administrative head of the Commission is changed by section 3 from staff director to executive director to formalize that title, and to recognize the broad range of responsibilities of that position.

Section 4 of the bill limits the salary of the executive director at level V of the Federal Executive Salary Act of 1964. In setting the maximum salary for this position at $20,000 per annum in 1959 when Public Law 86–380 was enacted, it was the intent of the Congress to permit the executive director to be paid at the same rate as assistant secretaries of departments and administrators of certain small Federal agencies. A substantially lower maximum salary, $17,500, was authorized in 1959 for employees in the highest grade (GS–18) of the classified service. Increases in the general schedule since 1959 have raised the GS–18 level above $25,000. Although section 6(f) of the original act was amended by the act of August 14, 1964, to limit the salary of the executive director to the "highest rate of grade 18" of the general schedule (or $24,500), and by the 1965 act to a limit of $25,382, it is apparent that these provisions do not correspond with the original view of the Congress which set the executive director's salary above the highest level of the general schedule. The proposal in H.R. 15335 would limit the salary to level V, to match salaries paid for such Federal positions as the Assistant Secretary of the Department of the Interior for Administration, the Chief Counsel for the Internal Revenue Service, and the Deputy Director of the National Science Foundation. It places this position in the Federal Executive Salary Schedule, to accord with the original intent of the act of September 24, 1959, establishing the Commission. Only one position would be affected by this amendment.

Section 5 of the bill would amend section 7(b) of the act to obviate any mandatory interpretation of that subsection which related to the compensation of Commission members who are not full-time Federal, State, or local officials. It makes clear that such members, who are entitled to per diem compensation, are not required to accept such compensation if prohibited by State or local law. This amendment is intended to eliminate the possibility that a State or local official might be precluded from serving on the Commission because the constitution or statutes of his State prohibit him from receiving remuneration from the Federal Government.

Section 6 of the bill would permit acceptance by the Commission of contributions from State and local governments and nonprofit organizations whose interests parallel those of the Commission. Although some participants expressed reservations concerning this proposal during the 1965 hearings, the weight of the testimony indicated general approval of the suggestion. It was pointed out in the statement by the Bureau of the Budget that the intergovernmental character of the Commission would be strengthened by such State and local participation.[3] The Commission itself has recommended approval of contributions from State and local governments and their organizations. H.R. 15335 recommends inclusion of contributions from interested nonprofit organizations. It is believed that such supplemental financing could materially aid the Commission and increase State and local government participation in the work of the Commission.

SECTION-BY SECTION ANALYSIS

The purpose of H.R. 15335 is to amend the act establishing the Advisory Commission on Intergovernmental Relations, approved September 24, 1959, to accord with certain changes which have occurred since that date, to formalize the title of the executive director for the Commission's administrative head; to resolve unforeseen technical interpretation which has surfaced since passage of the act; to adjust the salary of the executive director to agree with the philosophy expressed in the act; and to increase the participation of certain non-Federal agencies by allowing them to contribute to the support of the Commission's work.

Section 1 amends paragraphs (6) and (7) of section 3(a) of the act (5 U.S.C. 2371–2378) to accommodate the change of names by the two organizations cited in the original legislation. This would change the name American Municipal Association on line 2 of paragraph (6) to National League of Cities, and National Association of County Officials on lines 2 and 3 of paragraph (7) to National Association of Counties.

Section 2 amends subsection (c) of section 3 of the act to permit members to continue to serve on the Commission until their reappointment, or until a successor is appointed. This is accomplished by striking the comma and the phrase "But members shall be eligible for reappointment" and inserting a semicolon and the phrase "Members shall be eligible for reappointment; and, except as provided in section 4(d), members shall serve until their successors are appointed."

Section 3 amends subsection (c) of section 6 to formalize the title of executive director for the Commission's administrative head. This is accomplished by striking the words "a staff director" on line 2 of subsection (c) of section 6, and inserting in lieu thereof the words "an executive director."

Section 4 amends subsection (f) of section 6 of the act to limit compensation of employees of the Commission to the highest rate of grade 18 of the general schedule of the Classification Act of 1949, as amended, and limits the salary of the executive director at level V of the Federal Executive Salary Schedule of the Federal Executive Salary Act of 1964. This is accomplished by striking subsection (f) of section 6, and inserting in lieu thereof the following:

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[1] 89th Cong., 2d sess., S. Doc. No. 80 (Feb. 17, 1966).

[2] Committee print, August 29, 1966, unanimously approved by the Subcommittee on Intergovernmental Relations on September 30, 1966.

[3] "Five-Year Record of the Advisory Commission on Intergovernmental Relations and Its Future Role," joint hearings before the Subcommittees on Intergovernmental Relations of the Senate and House Committees on Government Operations, Congress of the United States, 89th Cong., 1st sess., 1965, p. 206.

"(f) No individual employed in the service of the Commission shall be paid compensation for such employment at a rate in excess of the rate provided for grade 18 under the General Schedules of the Classification Act of 1949, as amended, except that the executive director of the Commission may be paid compensation at any rate not exceeding the rate prescribed for level V in the Federal Executive Salary Schedule of the Federal Executive Salary Act of 1964."

Section 5 amends subsection (b) of section 7 of the act by adding the words "Unless prohibited by State or local law" immediately preceding the first word of the subsection. This will make clear that Commission members who are not full-time salaried officers of State and local governments, and therefore entitled to per diem compensation, are not required to accept such compensation if prohibited by State or local law.

Section 6 adds a new section 9 to the act permitting the Commission to receive funds through grants, contracts, and contributions from State and local governments and their agencies, as well as from nonprofit organizations.

DISPOSAL OF INDUSTRIAL DIAMOND STONES FROM THE NATIONAL STOCKPILE AND THE SUPPLEMENTAL STOCKPILE

The bill (H.R. 13320) to authorize the disposal of industrial diamond stones from the national stockpile and the supplemental stockpile was considered, ordered to a third reading, read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1767), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

This measure would provide congressional approval of the disposition of approximately 1,800,000 carats of industrial diamond stones from the national and the supplemental stockpiles and waive the 6-month waiting period normally required before such disposal could be started.

EXPLANATION OF THE BILL

Why congressional action is required

Under existing law, congressional approval is required for the disposal of materials in both the national stockpile and the supplemental stockpile except in those instances where the proposed disposal action is based on a determination that the material has become obsolescent for use during time of war.

Since the proposed disposal of this material is not based on obsolescence, the proposed disposal requires the express approval of the Congress.

In addition, the bill would waive the procedural requirements of section 3 of the Stock Piling Act, 50 U.S.C. 98b, with respect to publication and transmittal of notice and the 6-month waiting period. The bill would, however, preserve the substantive requirements of section 3 with respect to the protection of the United States against avoidable loss and the protection of producers, processors, and consumers against avoidable disruption of their usual markets. Thus, the waiver will permit the immediate disposal of industrial diamond stones upon enactment of H.R. 13320.

Why disposal is proposed

The industrial diamond stones covered by this bill are excess to stockpile requirements. In January of this year when the legislation was proposed to the Congress there was 24,698,775 carats of industrial diamond stones in the national and supplemental stockpiles, and a stockpile objective of 16,500,000 carats. Thus the total excess was 8,198,775 carats.

The committee agrees with the action of the House of Representatives in amending the original proposal by reducing the number of industrial diamond stones to be disposed of at this time from 8.2 million carats to 1.8 million carats. There was considerable industry opposition to a disposal program of the magnitude proposed since it would be completely disruptive to the industrial diamond stone market in the United States.

Information on industrial diamond stones

Industrial diamond stones are those that, because of structure, color, flaws or impurities, are unsuitable as gems. They are used principally in grinding wheels to shape and sharpen tungsten carbide cutting tools, and as the cutting edges of tools used for turning, grinding, and drilling hard metals.

Industrial diamond stones come from the Congo and from Holland.

In 1964, the U.S. consumption of industrial diamond stones amounted to 600,000 carats.

FISCAL DATA

The average acquisition cost was $11.62 per carat. The present market value is about $13.05 per carat, depending upon class.

CWO CHARLES M. BICKART, USMC, RETIRED

The bill (S. 1406) for the relief of CWO Charles M. Bickart, USMC, retired, was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 1406

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Chief Warrant Officer Charles M. Bickart, United States Marine Corps (retired), is hereby relieved of all liability for repayment to the United States of the sum of $8,407.49, representing the amount of overpayments of retired pay received by the said Chief Warrant Officer Charles M. Bickart (retired), for the period from July 1, 1955, through September 30, 1963, as a result of administrative error in the computation of his retired pay. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Chief Warrant Officer Charles M. Bickart (retired), referred to in the first section of this Act, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1771), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve CWO Charles M. Bickart, U.S. Marine Corps (retired), of all liability to repay to the United States the sum of $8,407.49 representing the amount of overpayments of retired pay to him from July 1, 1955, through September 30, 1963, as a result of administrative error in the computation of his retired pay. The bill would also authorize the Secretary of the Treasury to pay to Mr. Bickart any amounts that have been received or withheld from him on account of the overpayments.

STATEMENT

The records of the Department of the Navy disclose that Mr. Bickart was transferred to the Fleet Marine Corps Reserve on July 24, 1946, having completed 21 years and 18 days of active duty. He again performed active duty from January 21, 1952, through June 30, 1955. He was then released from active duty, and, having completed more than 30 years of active and inactive service, he was transferred from the Fleet Marine Corps Reseve to the retired list effective July 1, 1955, pursuant to section 6331 of title 10, United States Code, and was advanced to the grade of chief warrant officer.

Through administrative error Mr. Bickart was improperly paid monthly retired pay based on the basic pay of a chief warrant officer (W-2) with over 30 years of service, and with 30 years of service (times 2½ percent) used as a multiplier in computing retired pay. He was actually entitled, however, to retired pay based only on his years of active service; that is, the pay of a chief warrant officer (W-2) with over 24 years of service, using 24 years of active service (times 2½ percent) as a multiplier in computing retired pay (10 U.S.C., 6330, 6331).

The erroneous overpayments to Mr. Bickart continued from July 1, 1955, through September 30, 1963, and totaled $8,407.49. The error was eventually discovered incident to a review of his pay account. The recipient has now furnished to the Navy Department data on his personal finances which indicates that repayment would work an extreme hardship on him.

The Department of the Navy, in reporting on the merits of S. 1406 to the chairman of this committee, stated in part as follows:

"Since officers retired upon completion of 30 years' service normally receive retirement pay computed on total service, including Inactive Reserve time, Chief Warrant Officer Bickart could reasonably have expected that, because he had been advanced to officer status, his retirement pay would be based upon the same total cumulative service computation. Even assuming access to Marine Corps publications, he could not have detected an inaccuracy in the amount of retired pay due him by reference to a then appropriate publication, the Marine Corps Manual, 1949, volume I, paragraphs 1042 and 1043. Those paragraphs provided no criteria other than citation to statutory authority. Statutes involving computation of retired pay are both complicated and subject to legal interpretation. To charge this former enlisted man, in effect, with the burden of discovering, examining, and correctly interpreting, personally or through counsel, all the applicable statutes, decisions of courts and the Comptroller General, and service regulations, or of accepting at his peril the computation rendered by the Marine Corps, does not appear to come within the fair and reasonable meaning of detectability or presumed detectability of the erroneous payments made to him.

"Inasmuch as the overpayments to Chief Warrant Officer Bickart were due to an administrative error rather than to action on his part, and it does not appear that he knew or reasonably should have known he was being overpaid, the Department of the Navy interposes no objection to enactment of S. 1406."

The committee is in agreement with the views expressed by the Department that the claimant should be relieved from the liability to repay this amount to the United States. The committee has in the past in a number of instances relieved a Government employee from liability to repay amounts overpaid through administrative error and where repayment would impose an undue financial hardship upon the claimant, and where the claimant received the overpayments in good faith. In view of the fact that these factors are all present in the instant case, the committee recommends favorable consideration of S. 1406, without amendment.

HENRIETTE LECORDIER REDMON

The bill (S. 2474) for the relief of Henriette Lecordier Redmon was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2474

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Henriette Lecordier Redmon may be naturalized upon compliance with all of the requirements of title III of the Immigration and Nationality Act, except that—

(a) no period of residence or physical presence within the United States or any State shall be required, in addition to her residence and physical presence within the United States since April 25, 1947; and

(b) the petition for naturalization may be filed with any court having naturalization jurisdiction.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1772), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to enable the beneficiary to file a petition for naturalization.

CITY OF EL DORADO, KANS.

The bill (S. 2510) for the relief of the city of El Dorado, Kans. was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2510

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the city of El Dorado, Kansas, the sum of $10,071.81 in full settlement of all its claims against the United States for payment of civil defense matching funds for a civil defense communication system installed in the El Dorado emergency operating center located in the new public safety building for civil defense purposes: *Provided,* That no part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1773), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to pay to the city of El Dorado, Kans., the sum of $10,071.81 as payment of civil defense matching funds for a civil defense communication system.

STATEMENT

The Department of the Army has advised the Congress that it has no objection to the enactment of the bill.

In its report to the Congress the Department of the Army has set forth the facts in the case as follows:

"In January 1965 the city notified the State of plans for the inclusion of a civil defense communications system in the center to be constructed during 1965. On being informed by the State that all but one item of listed communications equipment would qualify for matching funds under the Federal civil defense program (50 U.S.C. App. 2281) the city proceeded to award the procurement contract. When Federal personnel were contacted regarding possible Federal assistance, they found that procurement had been initiated prior to Office of Civil Defense receipt of the project application.

"Published regulations of the Office of Civil Defense (32 CFR 1801.8(a)) provide for submission and approval of the project application prior to procurement of the equipment. Accordingly, the project application was disapproved by the Office of Civil Defense and returned to the State.

"Upon review the Office of Civil Defense has found that the 37 line items of communications equipment (including installation and diesel oil) for which a Federal contribution was requested meet civil defense capability requirements. The project application would have been approved if the procurement contract had not been awarded by the city prior to submission of the application to the Office of Civil Defense, regional office.

"However, in the absence of legislation, there is no way that the city of El Dorado can now receive Federal matching funds for one-half the cost of the communications equipment. The Office of Civil Defense is prohibited from making retroactive Federal contributions toward obligations incurred or expenditures made by the States (and political subdivisions) prior to the beginning date of the Federal appropriation available for obligation. (31 Comp. Gen. 308; 32 CFR 1801.8(b).)

"The project application totaled $20,143.65 in estimated costs for 37 line items, Federal share $10,071.82. If the project application had been received and approved by the Office of Civil Defense prior to procurement, payment of the Federal contribution would have been limited to one-half the city's expenditure for the approved items. In addition to that regarding expenditures, a certification as to labor standards and advertisement to bid (with Federal share limited to one-half the lowest acceptable bid) requirements would have been required prior to payment of the billing for the Federal share. There having been no approval, such information was not received by the Office of Civil Defense.

"If the committee finds that the sum of $10,071.82 does not exceed one-half the cost to the city of El Dorado of the civil defense communications system for its emergency operating center, the Department of the Army has no objection to enactment of the bill. The Bureau of the Budget advises that, from the standpoint of the administration's program, there is no objection to the presentation of this report for the consideration of the committee."

The committee believes the bill is meritorious and recommends it favorably.

KATHLEEN STYLES

The bill (S. 2677) for the relief of Kathleen Styles was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2677

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That for the purposes of laws and regulations relating to the payment of death compensation to the dependents of veterans, evidence which was filed with the Social Security Administration on April 1, 1957, relating to the birth of Kathleen Styles, who was born on January 28, 1957, following the death of her father, Captain Robert C. Styles, who died in July 1956 while serving in the United States Air Force, shall be held and considered to have been filed with the Veterans' Administration on the day after the birth of the said Kathleen Styles; and the Administrator of Veterans' Affairs is authorized and directed to pay to or on behalf of the said Kathleen Styles, out of any funds available for the payment of death compensation to dependents of veterans, an amount equal to the amount of any benefits which would have been payable to or on her behalf for the period January 28, 1957, to November 23, 1963, if evidence of the birth of the said Kathleen Styles had been filed with the Veterans' Administration within one year after her birth: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1774), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to authorize the Administrator of Veterans' Affairs to pay the amount of death compensation which would have been paid to the widow of Robert C. Styles on account of the veteran's child, Kathleen Styles, born on January 28, 1957, for the period from that date to November 23, 1963, if requisite evidence of the child's birth had been filed with the Veterans' Administration on January 29, 1957.

STATEMENT

The Veterans' Administration in their report to the committee has set forth the facts in the case as follows:

"The veteran, Robert C. Styles, died in service on July 10, 1956. The application of the widow, Patricia Jean Styles, for death compensation, filed in the Veterans' Administration on July 27, 1956, was forwarded by the Personal Affairs Branch, Headquarters, Wright-Patterson Air Force Base, Ohio. In her application the widow listed the names of the veteran's three children, Michael, Roger, and James. She also indicated that a fourth child of the veteran was to be born in January 1957. Death compensation was awarded to her alone, as unremarried widow, in the amount of $87 per month, effective July 11, 1956, the day after the veteran's death. By letter dated August 16, 1956, she was advised of this award and informed that additional compensation would be awarded to her for the veteran's three living children and for the expected fourth child upon receipt of certified birth or baptismal certificates. Birth certificates of the three children were promptly submitted through the mentioned Air Force office, and the award was amended, effective July 11, 1956, to pay death compensation to Mrs. Styles, as unremarried widow, for herself and the three children, in the amount of $179 per month. A Veterans' Administration letter of September 20, 1956, advised Mrs. Styles that the amended award included additional compensation on account of the three children.

"Nothing further was heard from Mrs. Styles concerning the fourth child, Kathleen Styles, born January 28, 1957, until a letter was received by the Veterans' Administration on November 23, 1963, transmitting a birth certificate respecting said fourth child. In that letter Mrs. Styles indicated that prompt notice of the birth had been given the Social Security Administration and an Air Force representative who assisted her in submitting her claims, and expressed a belief that the Veterans' Administration had also been so notified. Additional death compensation on account of Kathleen, in the amount of $29 per month, was awarded to Mrs. Styles prospectively from November 23, 1963, the earliest date from which additional compensation for that child could be paid under the law.

"Mrs. Styles appealed the Veterans' Administration's denial of retroactive payment of $29 per month on account of Kathleen back to the date of the child's birth. Further development revealed that a birth certificate relating to Kathleen had been filed with the Social Security Administration on April 1, 1957, by a representative of the U.S. Air Force at Wright-Patterson Air Force Base, Ohio. However, no similar notice was furnished the Veterans' Administration prior to receipt of the widow's letter of November 23, 1963. Upon administrative reconsideration, it was again determined that the law relating to effective dates of claims precludes payment of death compensation on account of Kathleen prior to receipt of that letter with the birth certificate.

"Accordingly, the case was referred for consideration by the Board of Veterans' Appeals. A hearing was held, and in a decision of September 8, 1965, the Board concluded that entitlement to retroactive benefits on account of Kathleen Styles had not been established. In reaching that conclusion, it was pointed out that a regulation providing that evidence received by the Social Security Administration shall be considered as having been received by the Veterans' Administration relates only to claims for dependency and indemnity compensation (ch. 13, title 38, United States Code) and not to claims for death compensation (ch. 11, title 38, United States Code), the benefit here involved. Reference was made in that connection to 38 U.S.C. 3005. Further, the Board noted the bar against retroactive payments when requested evidence is not furnished within 1 year.

"Where a veteran's widow is eligible for death compensation, the additional monthly amount provided on account of each child is payable to the widow, not to the child (38 U.S.C. 322(2)). S. 2677 provides for payment of additional death compensation, retroactively, 'to or on behalf of said Kathleen Styles.' In view of the indicated statutory provision respecting payment, it is assumed that the bill intends that an additional amount of $29 per month for the period from January 28, 1957, to November 23, 1963, be paid to the veteran's widow, Patricia J. Styles.

"The widow's original claim for death compensation in this case was necessarily incomplete, insofar as the child Kathleen was concerned, because she had not yet been born. The claimant was advised that additional compensation on account of 'the expected child' would be payable when proof of birth was received. Said child was born on January 28, 1957, but the requisite proof was not submitted to the Veterans' Administration until more than 6 years later, on November 23, 1963.

"Under applicable law, no benefits may be paid on an incomplete claim unless requisite evidence is received by the Veterans' Administration within 1 year from notification. When the necessary evidence is not received within 1 year, payment may not be made for any period prior to the date of receipt of a new claim (38 U.S.C. 3003(a) and 3010(a)). Consequently, it seems clear that there exists no legal basis for an award of death compensation on account of Kathleen Styles prior to November 23, 1963, when the new claim was received.

"Enactment of the bill would require payment to the veteran's widow, Patricia J. Styles, of $2,373.17—at the rate of $29 per month from January 28, 1957, to November 23, 1963.

"There are many cases wherein, for one reason or another, applications for benefits are not filed, or if filed are not timely completed with evidence necessary to establish entitlement. The circumstances have been carefully considered. No reason is apparent why this case should be singled out for special legislative treatment by authorizing additional death compensation from an earlier date than the law permits in this and similar cases. To do so would be discriminatory and precedential.

"The Veterans' Administration does not believe that private bills of this nature should receive favorable consideration."

The sponsor of the bill, the Honorable MILTON R. YOUNG, has commented in a letter to the chairman of the committee as follows:

"The report prepared by the Veterans' Administration is a thorough one. However, I believe there are certain points which should be emphasized and considered by your committee. The Veterans' Administration acknowledges being advised of the expected birth of a fourth child by Mrs. Styles even though this child's birth certificate was not timely submitted. Too, they were aware of the assistance being given Mrs. Styles by the Air Force representative since he submitted the birth certificates for Kathleen's brothers. However, the Administrator did not advise you that the birth certificate sent to the Social Security Administration was not needed as Mrs. Styles was already receiving the maximum amount of benefits. The representative failed to submit a copy of the birth certificates to the Veterans' Administration at the same time where it was needed to increase the benefits payable to Mrs. Styles. He had knowledge of the need to submit Kathleen's birth certificate since he submitted the other birth certificates for Mrs. Styles. The resulting loss in benefits in this case, I believe, was caused by the nonfeasance of this Air Force official.

"The Veterans' Administration claims that they do not have a legal basis to reimburse this widow. If a legal basis existed then it would be unnecessary to request approval of a private bill to grant relief in this case. I think the facts clearly show an equitable basis for authorizing payment of these retroactive death compensation benefits. I do not believe the Government intends to leave widows such as Mrs. Styles in precarious situations like this where she cannot obtain relief from either the Air Force or the Veterans' Administration. I sincerely hope that your committee can give special consideration to this case and recommend favorable action on S. 2677."

The committee believes that the bill is meritorious and recommends it favorably.

CHARLES H. THURSTON

The bill (S. 2913) for the relief of Charles H. Thurston was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2913

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Charles H. Thurston of Macon, Georgia, is hereby relieved of all liability for repayment to the United States of the sum of $905.08, representing overpayments of salary which he received as an employee of the Department of the Air Force at Robins Air Force Base, Georgia, for the period from September 3, 1963, through July 17, 1965, such overpayments having been made as a result of administrative error in determining the rate of basic compensation to which the said Charles H. Thurston was entitled when he was changed from grade GS–9 to grade GS–7, effective September 3, 1963, due to the abolishment of his former position. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Charles H. Thurston the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1775), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to relieve Charles H. Thurston of liability to refund to the United States the sum of $905.06, representing overpayments in salary received by him as an employee of the Department of the Air Force at Robins Air Force Base, Ga., from September 3, 1963, through July 17, 1965.

STATEMENT

The Department of the Air Force has advised the committee that it has no objection to the enactment of the bill.

The Department of the Air Force has set forth the facts in the case as follows:

"Effective September 3, 1961, due to the abolishment of his position, Mr. Thurston was demoted from GS–9, step 4, $6,930 to GS–7, with a retained rate of $6,930, as he was entitled to salary retention under section 507 of the Classification Act of 1949, as amended (5 U.S.C. 1107). Under Air Force regulations in effect on the date of his demotion, the rate of pay he would have received in GS–7, had he not been eligible for salary retention, was GS–7, step g (not step 7), $6,345 per annum (the maximum scheduled step rate of the grade). This rate, plus any step increases he would have earned prior to the end of the salary retention period, was the rate of pay he should have received at the expiration of the salary retention period.

"At the expiration of the salary retention period, September 3, 1963, Mr. Thurston was erroneously placed in GS–7, step 10 (the maximum scheduled rate of the grade), $7,205 per annum, instead of GS–7, step 7, $6,650 per annum. A factor which may have contributed to the error in establishing Mr. Thurston's rate of pay was the change in the number of scheduled step rates of the compensation schedule upon enactment of the Federal Employees Salary Reform Act of 1962 (Public Law 87–793). That act eliminated longevity step increases and included them in the regular rate range. In September 1961 when Mr. Thurston was demoted, the maximum scheduled rate for GS–7 was step g (now step 7); when his salary retention period ended in September 1963 the maximum scheduled rate of GS–7 was step 10.

"The error was discovered in a GAO audit in 1965. Immediate action was taken to correct all personnel actions. Mr. Thurston was notified of the overpayment and his indebtedness to the Government. He had repaid $360 as of June 4, 1966. The overpayment was the result of administrative error and there is no evidence of lack of good faith on his part or the part of administrative officials.

"Based upon a review of the circumstances of this case, the Department of the Air Force interposes no objection to the enactment of the bill."

The committee has in the past considered favorably similar bills to relieve a claimant where an overpayment was made through an error on the part of the Government, where it was received by the claimant in good faith, and where its repayment would be a hardship.

The committee believes that the bill is meritorious and recommends it favorably.

CHESTER E. DAVIS

The bill (S. 2925) for the relief of Chester E. Davis was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 2925

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Chester E. Davis the sum of $2,000. The payment of such sum shall be in full satisfaction of all claims of the said Chester E. Davis against the United States for clothing, furniture, and household effects lost by him while serving in Cuba as an attaché of the Department of Agriculture, the said Chester E. Davis having been forced to abandon such clothing, furniture, and household effects in such country when the United States and Cuba broke diplomatic relations: *Provided,* That no part of the amount appropriated in this Act in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1776), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill is to authorize the payment in the amount of $2,000 in settlement of the claim of Chester E. Davis for clothing, furniture, and household effects lost by him while serving in Cuba as attaché for the Department of Agriculture.

STATEMENT

The Department of Agriculture has advised the committee that it recommends enactment of the bill.

The circumstances of the case are set forth by the Department of Agriculture as follows:

"This is in reply to your request of February 23, 1966, for a report on S. 2925, a bill for the relief of Chester E. Davis, authorizing a payment in the amount of $2,000 in settlement of his claim for clothing, furniture, and household effects lost by him while serving in Cuba as attaché for the Department of Agriculture.

"We do not have information as to the specific items of clothing, furniture, and household effects so we are unable to assess depreciated value of the articles which Mr. Davis was unable to remove from Cuba when diplomatic relations between the United States and Cuba were broken and personnel evacuated. In a recent communication, Mr. Davis indicated a total depreciated value of $4,000 for the lost articles. He did not provide any detail. Mr. Davis has been retired now for several years.

"Separate maintenance for Mrs. Davis began on October 3, 1960, after her return to the United States. Mr. Davis came to the United States December 15, 1960, under consultation and home leave orders and was not able to return to the post.

"The Military Personnel and Civilian Employee's Claims Act of 1964 permits administrative settlement of Federal employees' claims for damage to, or loss of, personal property incident to their service. Such claims must be substantiated; possession of the property must be determined to be reasonable, useful, or proper under the circumstances; and no claim may be paid in an amount greater than $6,500. The 1964 act does not, however, apply to claims arising before its effective date, August 31, 1964. Therefore Mr. Davis' claim may not be settled under the 1964 law.

"Nevertheless, since Mr. Davis' loss occurred under circumstances similar to those encompassed in that act, we believe it would be equitable to treat him in the same manner as claimants eligible under its provisions. Accordingly this Department recommends that S. 2925 be passed in such amount as the Congress is satisfied would be due Mr. Davis if his claim had arisen after enactment of the 1964 act and had been settled under its provisions.

"The Bureau of the Budget advises that there is no objection to the presentation of this report from the standpoint of the administration's program."

The committee believes that the bill is meritorious and recommends it favorably.

JOHN W. ROGERS

The bill (S. 3111) for the relief of John W. Rogers was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3111

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That John W. Rogers of Louisville, Kentucky, is hereby relieved of all liability for repayment to the United States of the sum of $700.80, representing overpayments of salary which he received as an employee of the Department of Labor (1) for the period from November 24, 1963, through January 20, 1964, incident to his erroneous within grade step-increase from grade GS–14, step 6 to GS–14, step 7, and (2) for the period from January 21, 1964, through December 19, 1964, incident to the erroneous determination of his salary rate when he was changed from grade GS–14 to grade GS–12, due to a reorganization downgrading his position, such overpayments having occurred as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said John W. Rogers the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1778), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve John W. Rogers, of Louisville, Ky., of all liability for repayment to the United States of the sum of $700.80, representing overpayments of salary which he received as employee of the Department of Labor for the period from November 24, 1963, through January 20, 1964, as a result of two errors in his pay computation.

STATEMENT

Mr. John W. Rogers, while employed by the Office of Veterans Re-employment Rights in the U.S. Department of Labor, suffered a reduction in grade while so employed by that Department on January 21, 1962. Due to error Mr. Rogers was paid at his former rate rather than suffering the reduction in salary, and through error the Department of Labor kept the erroneous grade in effect for a 2-year period. A second error was subsequently made in computing Mr. Rogers' salary and both errors were subsequently discovered by a routine audit by the General Accounting Office.

While it was the erroneous action by the administrative officials of the Department of Labor that caused the overpayment, there is no authority to waive recovery of overpayments made contrary to the statutes and regulations fixing the salary rates of employees of the United States. The only recourse open to Government employees who have been overpaid through administrative error is by way of private relief legislation.

The Department of Labor, in reporting on the merits of this proposed legislation, states in part as follows:

"We have no objection to the bill. The errors were in no way the fault of Mr. Rogers. Further, the errors were not likely to be discerned by him. We are aware that the proposal possibly disciminates against others who may suffer equal or greater hardship arising from similar circumstances, but who do not receive this type of relief. However, we think that the solution lies not in penalizing Mr. Rogers, but in the adoption of general legislation in this area whereby relief could be granted to employees who are required to refund payments which have been erroneously made through no fault of their own. In this regard, we note that the Civil Service Commission supports such general legislation."

The committee is in agreement with the Department of Labor that this legislation should be favorably considered. The errors were in no way the fault of the claimant. Furthermore, the errors were not likely to be discerned by him; and finally, repayment would impose an undue financial hardship on the claimant. For these reasons the committee recommends favorable consideration of S. 3111, without amendment.

ESTATE OF PATRICK E. EAGAN

The bill (S. 3144) for the relief of the estate of Patrick E. Eagan was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3144

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the estate of Patrick E. Eagan of Fairbanks, Alaska, is hereby relieved of all liability for repayment to the United States of the sum of $4,271.36, representing overpayments of salary received by him as an employee of the Post Office Department at Fairbanks, Alaska, for the period from October 19, 1956, through April 27, 1962, the Post Office Department having failed to deduct from his salary, pursuant to section 13(b) of the Civil Service Retirement Act, as amended (5 U.S.C. 2263 (b)), an amount equal to the amount the said Patrick E. Eagan was entitled to receive in civil service retirement annuity payments during said period. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

SEC. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Margaret Eagan, widow of the said Patrick E. Eagan, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1780), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the proposed legislation is to relieve the estate of Patrick E. Eagan, of Fairbanks, Alaska, of all liability for repayment to the United States of the sum of $4,271.36, representing overpayments of salary received by him as an employee of the Post Office Department at Fairbanks, Alaska, for the period October 19, 1956, through April 27, 1962, by reason of the Post Office Department having failed to deduct from his salary an amount equal to the amount he was entitled to receive in civil service retirement annuity payments during said period. The bill would further authorize the Secretary of the Treasury to pay to Margaret Eagan, widow of Patrick Eagan, the sum of any amounts received or withheld from him on account of the overpayments.

STATEMENT

Present law (5 U.S.C. 2263b) requires that when an annuitant is reemployed, a sum equal to the annuity allocable to the period of actual employment shall be deducted from the salary.

Records of the Post Office Department indicate that Mr. Eagan was appointed on October 19, 1956, to a position in the Fairbanks, Alaska, post office, and has served continuously up to the time of his death. At the time of his appointment, he was receiving an annuity of $60 per month (increased to $66 per month on August 1, 1958), from the Civil Service Commission. Although he reported the annuity on his application for employment, it was not noticed and deductions were not made from his salary for the period October 19, 1956, date of employment, to April 27, 1962, the date the error was corrected.

Since the overpayment of Mr. Eagan resulted from an honest error and the Department has received the benefit of his services, that Department recommends enactment of the bill.

Moreover, the Congress has enacted similar laws (for example, Private Law 85-416) for the relief of other employees who were paid in similar circumstances.

The committee is in agreement with the Post Office Department that this legislation be favorably considered. The overpayment to Mr. Eagan resulted from an honest error and the Post Office Department has received the benefit of his services. Accordingly, the committee recommends favorable consideration of S. 3144, without amendment.

MARY ROSE GIANNONE

The bill (S. 3564) for the relief of Mary Rose Giannone was considered, ordered to be engrossed for a third reading, read the third time, and passed, as follows:

S. 3564

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, in the administration of the Immigration and Nationality Act, the provisions of section 312 of such Act shall be deemed not to be applicable in the case of Mary Rose Giannone.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1784), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE OF THE BILL

The purpose of the bill is to provide for an exemption of the requirements of section 312 of the Immigration and Nationally Act in behalf of Mary Rose Giannone.

CERTAIN EMPLOYEES OF THE PUGET SOUND NAVAL SHIPYARD

The Senate proceeded to consider the bill (S. 3257) for the relief of certain employees of the Puget Sound Naval Shipyard which had been reported from the Committee on the Judiciary, with an amendment, on page 1, line 7, after "$910.07", to strike out "Rolland A. Bastron" and insert "Rolland A. Bastrom"; so as to make the bill read:

S. 3257

Be it enacted by the Senate and House of Representatives of the United States of America in Congerss assembled, That each of the following named persons is relieved of liability to the United States in the amount which appears beside his name:

Rita L. Burdick, $604.00; Frederick R. Bixler, $910.07; Rolland A. Bastrom, $105.60; R. C. Boyce, $593.71.

Each such amount is the amount of overpayments, arising out of an administrative error, of his salary as a civilian employee of the Puget Sound Naval Shipyard during the years 1962, 1963, 1964, and 1965. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, credit shall be given for amounts for which liability is relieved by this section.

SEC. 2. (a) The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to each person named in the first section of this Act an amount equal to the aggregate of the amounts paid by him, or withheld from sums otherwise due him, with respect to his indebtedness to the United States specified in such section.

(b) No part of the amount appropriated in subsection (a) of this section for the payment of any one claim in excess of 10 per centum thereof shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with such claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this subsection shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the RECORD an excerpt from the report (No. 1821), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the RECORD, as follows:

PURPOSE

The purpose of the bill, as amended, is to relieve four civilian employees of the Puget Sound Naval Shipyard from liability for reimbursement of overpayments made to them as a result of an administrative misinterpretation of the Salary Reform Act of 1962.

ESTABLISHMENT OF THE GOLDEN SPIKE CENTENNIAL CELEBRATION COMMISSION

The Senate proceeded to consider the joint resolution (S.J. Res. 124) to establish the Golden Spike Centennial Celebration Commission which had been reported from the Committee on the Judiciary, with an amendment, on page 4, after line 14, to strike out:

SEC. 5. There is authorized to be appropriated such sums, not to exceed an aggregate of $50,000, as may be necessary to enable the Commission to carry out this joint resolution.

So as to make the joint resolution read:

S.J. RES. 124

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) there is established a commission to be known as the Golden Spike Centennial Celebration Commission, which shall be composed of thirteen members as follows:

(1) Four Members of the Senate to be appointed by the President of the Senate;

(2) Four Members of the House of Representatives to be appointed by the Speaker of the House of Representatives; and

(3) Five members to be appointed by the President of the United States.

(b) The President shall, at the time of appointment, designate one of the members appointed by him to serve as chairman and executive officer. The members of the Commission shall receive no salary by reason of their services as members, but the executive officer may reimburse them for reasonable and necessary expenses incurred by them in conducting Commission business.

(c) Any vacancy in the Commission shall not affect its powers, but shall be filled in the same manner in which the original appointment was made.

Sec. 2. The functions of the Commission shall be to develop and execute suitable plans for the celebration of the one hundredth anniversary of the completion on May 10, 1869, of the first transcontinental railroad across the United States.

Sec. 3. The Commission may employ, without regard to the civil service laws or the Classification Act of 1949, such employees as may be necessary in carrying out its functions: *Provided,* That no employee whose position would be subject to the Classification Act of 1949, as amended, if said Act were applicable to such position, shall be paid a salary at a rate in excess of the rate payable under said Act for positions of equivalent difficulty or responsibility. Such rates of compensation may be adopted by the Commission as may be authorized by the Classification Act of 1949, as amended, as of the same date such rates are authorized for positions subject to said Act. The Commission shall make adequate provision for administrative review of any determination to dismiss any employee.

Sec. 4. (a) The Commission is authorized to accept donations of money, property, or personal services; to cooperate with the Golden Spike Centennial Commission established by the Legislature of the State of Utah, and any other agencies of State and local governments, with patriotic and historical societies, with institutions of learning, and with representatives of the railroads; and to call upon other Federal departments or agencies for their advice and assistance in carrying out the purposes of this joint resolution. The Commission, to such extent as it finds to be necessary, may procure supplies, services, and property and make contracts, and may exercise those powers that are necessary to enable it to carry out efficiently and in the public interest the purposes of this joint resolution.

(b) Expenditures of the Commission shall be paid by the executive officer of the Commission, who shall keep complete records of such expenditures and who shall account for all funds received by the Commission. A report of the activities of the Commission, including an accounting of funds received and expended, shall be furnished by the Commission to the Congress on or before its termination. The Commission shall terminate upon completion of its duties but in no event later than December 31, 1969.

(c) Any property acquired by the Commission remaining upon termination of the celebration may be used by the Secretary of the Interior for purposes of the national park system or may be disposed of as surplus property. The net revenues, after payment of Commission expenses, derived from Commission activities, shall be deposited in the Treasury of the United States.

(d) Mail matter sent by the Commission as penalty mail or franked mail shall be accepted for mail subject to section 4156 of title 39, United States Code, as amended.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

JESSE C. JOHNSON

The Senate proceeded to consider the bill (S. 2254) for the relief of Jesse C. Johnson which had been reported from the Committee on the Judiciary with amendments, on page 1, line 5, after the word "of", to strike out "$1,789.51" and insert "$1,804.43"; in line 7, after the word "at", to strike out "Warner"; and, in line 8, after the word "through", to strike out "September 6, 1958" and insert "May 15, 1965"; so as to make the bill read:

S. 2254

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Jesse C. Johnson of Warner Robins, Georgia, is hereby relieved of all liability for repayment to the United States of the sum of $1,804.43, representing overpayments of salary which he received as an employee of the Department of the Air Force at Robins Air Force Base, Georgia, for the period from July 14, 1957, through May 15, 1965, such overpayments having been made as a result of administrative error when he was erroneously given a within-grade step increase, effective July 14, 1957. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

Sec. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Jesse C. Johnson, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to en bloc.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1830), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill, as amended, is to relieve Jesse C. Johnson of liability to refund to the United States the sum of $1,804.43, representing an overpayment of salary received by him as an employee of the Department of the Air Force.

STATEMENT

The Department of the Air Force has reported to the committee that it has no objection to the enactment of the bill with the recommended amendments.

The circumstances of the case are set forth in a letter from the Department of the Air Force as follows:

"Mr. Johnson was promoted from GS–11, step 1 ($6,390) to GS–12, step 1 ($7,570), effective March 10, 1957. On July 14, 1957, he was erroneously given a periodic step increase to the second step in GS–12 ($7,785) before he had completed the 78-week waiting period then required by law. He was not eligible for advancement to GS–12, step 2, until September 7, 1958.

"As a result of the initial error, subsequent personnel actions were also processed in error and Mr. Johnson was paid at an improper rate over an extended period of time of approximately 8 years. The errors were discovered during a GAO audit in 1965. Mr. Johnson was notified of the overpayment and of his indebtedness to the Government. He is repaying the indebtedness at the rate of $10 per pay period.

"Overpayment in this case was made through erroneous application of governing pay regulations. The overpayment was the result of administrative error and there is no evidence of lack of good faith on his part or the part of administrative officials. Repayment of this considerable sum could impose a financial hardship on the employee.

"Based upon a review of the circumstances of this case, the Department of the Air Force interposes no objection to the enactment of the bill, provided the amount of overpayment is shown as $1,804.43 and the dates from July 14, 1957, through May 15, 1965. It should be noted, however, that S. 2254 makes reference in line 7 to Warner Robins Air Force Base, Ga. Inasmuch as the installation in question is called Robins Air Force Base, Ga., it is suggested that the word 'Warner' to deleted from line 7."

The committee has in the past considered favorably similar bills where an overpayment was made through an error on the part of the Government, where the overpayment was received in good faith by the claimant, and where repayment would impose a hardship.

The committee believes that the bill, as amended, is meritorious and recommends it favorably.

CAPT. ROBERT C. CRISP, U.S. AIR FORCE

The Senate proceeded to consider the bill (S. 3448) for the relief of Capt. Robert C. Crisp, U.S. Air Force, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 6, after the word "pay", to insert "and flight pay"; in line 7, after the word "from", to strike out "July 6, 1954" and insert "August 21, 1958"; and, in line 8, after the word "through", to strike out "February 20, 1957" and insert "December 31, 1964"; so as to make the bill read:

S. 3448

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Captain Robert C. Crisp, United States Air Force, is hereby relieved of all liability for repayment to the United States of the sum of $2,794.70, representing the amount of overpayments of basic pay and flight pay received by the said Captain Robert C. Crisp, for the period from August 21, 1958, through December 31, 1964, as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

Sec. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Captain Robert C. Crisp, referred to in the first section of this Act, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act.

The amendments were agreed to en bloc.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1833), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the proposed legislation, as amended, is to relieve Capt. Robert C. Crisp, U.S. Air Force, of all liability to repay the United States the sum of $2,794.70, representing overpayments of basic pay for the period August 21, 1958, through December 31, 1964, as a result of administrative error. The legislation also allows for credit in the accounts of any certifying or disbursing officer for the amounts for which liability is relieved. It would also authorize the Secretary of the Treasury to pay to Captain Crisp any amounts received or withheld from him because of the overpayments.

STATEMENT

Records of the Department of the Air Force disclose that Capt. Robert C. Crisp (FR 72516) enlisted in the Coast Guard Reserve on February 25, 1954. On July 5, 1954, he was appointed as a cadet in the Coast Guard Academy. He resigned from the Academy on February 20, 1957. He served in the Coast Guard Reserve from February 21, 1957, through September 9, 1957. He was discharged from the Coast Guard to enlist in the Air Force on September 10, 1957, as an aviation cadet. He completed his training on August 20, 1958, and was commissioned as a second lieutenant in the Air Force on August 21, 1958. He has been on continuous active duty with the Air Force since that date.

When Captain Crisp was commissioned in the Air Force, his pay date was established as February 25, 1954. This gave recognition to 3 years 6 months 15 days' service in the Coast Guard. However, the Air Force subsequently determined that he had only 10 months 29 days' Coast Guard service creditable for pay purposes. His pay date was changed and reflected on his pay record as October 9, 1956. Because of the erroneous pay date, Captain Crisp received overpayments of basic and flight pay totaling $828.92 from August 21, 1958, through April 30, 1959.

Captain Crisp was advised of the error in April 1959, and he was requested to make restitution. He protested the reduction of credit for the Coast Guard service. To substantiate his appeal, he furnished a copy of his discharge from the Coast Guard to the Air Force Accounting and Finance Center (AFAFC). It showed that he had 3 years 6 months 15 days' service in the Coast Guard for pay purposes. Based on this information, AFAFC sustained his appeal and withdrew the request for restitution.

In March 1960, the Air Force determined that Captain Crisp was underpaid $490.49 from May 1, 1959, through October 8, 1959. During this period his appeal was under consideration and his pay was based on an October 9, 1956, pay date. As a result, he was given credit for the amount determined to be an underpayment.

Early in 1964, Captain Crisp's military records were again examined. This examination showed that during the period July 6, 1954, through February 20, 1957, Captain Crisp was a cadet in the Coast Guard Academy. He was not retained in an enlisted status concurrent with his cadet service. Therefore his cadet service is not creditable for pay purposes. In December 1964, the Coast Guard stated the information as to total service for pay purposes reflected on Captain Crisp's discharge was in error.

Captain Crisp's proper pay date was established as October 10, 1956. A complete examination of his pay account showed that from the date he was commissioned in the Air Force his basic and flight pay was based on an erroneous pay date of February 25, 1954. As a result, from August 21, 1958, through December 31, 1964, he received overpayments totaling $2,794.70.

On May 25, 1965, Captain Crisp was notified that his cadet service was not creditable for pay purposes. He was requested to repay the amount of the overpayments. His basic and flight pay were reduced, effective January 1, 1965, to reflect the correct pay date. He again appealed to AFAFC on the basis that they had sustained an identical appeal that he had made 6 years earlier. On July 26, 1965, AFAFC upheld their determination that Captain Crisp was overpaid by reason of administrative error. Collection of the overpayments from his active duty pay was initiated on September 1, 1965. If collections continue at the present rate of $40 per month, the overpayments will be repaid in July 1971.

In its report to the chairman of this committee on the merits of this proposed legislation, that Department states in part as follows:

"The Department of the Air Force regrets the errors made in this case. There are no administrative procedures under which Captain Crisp may be relieved of his liability to repay the overpayments. The overpayment was the result of administrative error and there is no evidence of lack of good faith on his part or the part of administrative officials.

"Based upon a review of the circumstances of this case, the Department of the Air Force interposes no objection to the enactment of the bill."

The committee is in agreement with the Department of the Air Force that this legislation should be favorably considered. The overpayment to Captain Crisp was the result of administrative error and he received the overpayments in good faith. The committee is further advised that repayment of this sum by the claimant would impose an undue financial hardship upon him. For these reasons the committee recommends favorable consideration of S. 3448, as amended.

ALTON R. CONNER

Mr. MANSFIELD. Mr. President, has the Senate considered Calendar No. 1800, S. 2396?

The ACTING PRESIDENT pro tempore. No; Calendar No. 1800 has not been considered.

Mr. MANSFIELD. I ask unanimous consent that it be considered.

The ACTING PRESIDENT pro tempore. The bill will be stated by title.

The Assistant Legislative Clerk. A bill (S. 2396) for the relief of Alton R. Conner.

The ACTING PRESIDENT pro tempore. Is there objection to the present consideration of S. 2396?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on the Judiciary, with amendments, on page 1, line 5, after the word "of," where it appears the first time, to strike out "$736.06" and insert "$736.46"; and, in line 8, after the word "period," to strike out "from June 1958, through October 1962" and insert "from June 8, 1958, through February 23, 1963"; so as to make the bill read:

S. 2396

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That Alton R. Conner, of Warner Robins, Georgia, is hereby relieved of all liability for repayment to the United States of the sum of $736.46, representing overpayments of salary which he received as an employee of the Department of the Air Force at Warner Robins Air Force Base, Georgia, for the period from June 8, 1958, through February 23, 1963, such overpayments having been made as a result of administrative error. In the audit and settlement of the accounts of any certifying or disbursing officer of the United States, full credit shall be given for the amount for which liability is relieved by this Act.

Sec. 2. The Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Alton R. Conner, the sum of any amounts received or withheld from him on account of the overpayments referred to in the first section of this Act. No part of the amount appropriated in this Act shall be paid or delivered to or received by any agent or attorney on account of services rendered in connection with this claim, and the same shall be unlawful, any contract to the contrary notwithstanding. Any person violating the provisions of this Act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not exceeding $1,000.

The amendments were agreed to.

The bill was ordered to be engrossed for a third reading, was read the third time, and passed.

Mr. MANSFIELD. Mr. President, I ask unanimous consent to have printed in the Record an excerpt from the report (No. 1831), explaining the purposes of the bill.

There being no objection, the excerpt was ordered to be printed in the Record, as follows:

PURPOSE

The purpose of the bill, as amended, is to relieve Alton R. Conner, of Warner Robins, Ga., of liability to repay to the United States the sum of $736.46, representing overpayments of salary which he received as an employee of the Department of the Air Force at Warner Robins Air Force Base, Ga.

STATEMENT

The Department of the Air Force in a report to the committee has set the forth facts in the case as follows:

"Mr. Conner was promoted from warehouseman, WB-7, $1.71 per hour ($3,556.80 per annum), to general supply clerk, GS-4, on June 8, 1958. Through error he was given a simultaneous within-grade increase in the GS-4 position to step D, $3,670 per annum. Since he was not eligible for the within-grade increase, the highest rate he could legally be paid at that time was GS-4, step C, $3,585 per annum.

"The General Accounting Office, in an audit conducted in 1960, questioned the propriety of establishing Mr. Conner's pay at the higher rate. However, the informal inquiry of the General Accounting Office was based on the fact that his change to the GS-4 position occurred during the retroactive period of the Federal Employees Salary Increase Act of 1958. This act, which was approved on June 20, 1958, and made retroactive to the first pay period beginning on or after January 1, 1958, increased the rate for GS-4, step

C, from $3,585 per annum to $3,945 per annum. Since Mr. Conner's promotion from WB–7, $1.71 per hour, to GS–4, step C, was effected during the retroactive period, it was held that the increase upon promotion was an equivalent increase over the employee's former wage board rate and he was not entitled to the simultaneous step increase to GS–4, step D. In replying to the informal inquiry, the civilian personnel officer at Robins Air Force Base called attention to section 2(b)(8) of the Salary Increase Act of 1958 which preserved the step rate of the grade established during the retroactive period. As a result, the informal inquiry was withdrawn by the General Accounting Office and Mr. Conner continued to be paid the rate for GS–4, step D.

"The General Accounting Office conducted another audit in 1962. During this audit, the action granting Mr. Conner a simultaneous step increase upon his promotion on June 8, 1958, was again questioned—this time because an increase he had received while serving in the WB–7 position plus the increase to GS–4, step C, constituted an equivalent increase on the date of his change to the GS–4 position. The last pay adjustment in his wage board position on November 17, 1957, from $1.67 per hour to $1.71 per hour was less than an equivalent increase for grade GS–4. The increase at the time of the promotion from WB–7, $1.71 per hour ($3,556.80 per annum) to GS–4, step C, $3,585 per annum was also less than an equivalent increase. This increase should have been added to the increase received on November 17, 1957. The two nonequivalent increases, when added together, resulted in an equivalent increase in the GS–4 position. Thus, he was not entitled to a simultaneous step increase to GS–4, step D, $3,670 per annum.

"Mr. Conner was notified of the error and advised of his indebtedness to the Government. The General Accounting Office has advised that the correct amount of the indebtedness is $736.46 and the period of overpayment is from June 8, 1958, through February 23, 1963. Mr. Conner has repaid $453.08 through payroll deductions.

"The overpayment was the result of administrative error and there is no evidence of lack of good faith on his part or the part of administrative officials.

"Based upon a review of the circumstances of this case, the Department of the Air Force interposes no objection to the enactment of the bill. If this bill is favorably considered, it should be amended on lines 5 and 8 of page 1 to reflect the correct amount of '$736.46' and the correct dates of 'June 8, 1958, through February 23, 1963.'"

The committee has in the past granted relief in similar cases where an overpayment was made through an error on the part of the Government, was received in good faith by the claimant, and where its repayment is a hardship.

The committee believes that the bill is meritorious and recommends it favorably.

EXAMINATION FOR DEVELOPING ESTUARINE AREA

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of H.R. 13447.

The **ACTING PRESIDENT** pro tempore. Is there objection?

Mr. LAUSCHE. Mr. President, I object.

The **ACTING PRESIDENT** pro tempore. Objection is heard.

AUTHORIZATION FOR VICE PRESIDENT TO SIGN DULY ENROLLED BILLS DURING ADJOURNMENT OF THE SENATE

Mr. MANSFIELD. Mr. President, I ask unanimous consent that during the adjournment of the Senate from today until 10 o'clock tomorrow morning the Vice President be authorized to sign duly enrolled bills.

The **ACTING PRESIDENT** pro tempore. Without objection it is so ordered.

TRIBUTE TO SENATOR SMITH OF MAINE

Mr. KUCHEL. Mr. President, the distinguished senior Senator from Maine [Mrs. Smith] has amassed an outstanding record during her tenure in the U.S. Senate. Senator Smith has never failed to vote on legislation. She has never been absent when the roll has been called during her years in the Senate. She is highly respected by all her colleagues, Democrats and Republicans.

An interesting column in yesterday's Washington Star by the distinguished columnist Miss Doris Fleeson, discusses Senator Smith as a Maine campaigner.

I ask unanimous consent that it appear in the Record at this point.

There being no objection, the article was ordered to be printed in the Record, as follows:

Senator Smith, a Maine Campaigner

(By Doris Fleeson)

Brunswick, Maine.—Frustrated Maine Democrats, who had tried every other way of breaking up their state's long romance with Senator Margaret Chase Smith, sought last spring to edge it into noticing that its girl friend was no longer young.

It is true that time marches on. It is true that political oaks sometimes topple almost in secret because no one has troubled to get the latest information about the condition of their roots.

In Maine it is easy for anyone to check the facts who is sturdy enough to follow the senator as she campaigns for her fourth term. Besides the usual campaign equipment of an ironclad digestion and easy shoes, a touch of insomnia will be a big help.

The Senate had been in session since 9 a.m. last Friday when it adjourned at 7 p.m., leaving senators free for the week end. Mrs. Smith never fails to vote on legislation. It is a policy more easy-going colleagues profess to scorn, but in Maine they still think a lot of duty, and they never need to ask where their senior senator stands.

It was after 10 p.m. when the senator set her alarm for 5 a.m., in time for a 7:30 take-off Saturday at National Airport. American Airlines managed the departure despite only fair visibility, but its breakfast wasn't much help, with hard melon cubes, weak coffee and a tired wedge of coffeecake. An hour later came Boston and a drive yourself car. The destination was Rumford, about four hours away.

The scenery was marvelous and reposeful, but a deadline is a deadline. Mrs. Smith arrived punctually for a coffee hour at the home of her county manager, Julian Israelson, where about 50 men and women, including a sprinkling of nuns from the local convent, cheered her. About 40 of them were Democrats of that special breed that irks both their party and hardshell Republicans. They vote for Margaret Smith, period.

By 2:30 p.m. the senator was walking quietly through the huge Oxford paper mill, which makes fine-quality paper impartially for the National Geographic and Jehovah's Witnesses. The union endorses the Democratic party, but employee identification of Senator Smith was instantaneous and smiling without regard to race, sex, or age.

In the quiet greetings, many mentioned her personal help through the years, and she recalled many names. After three miles—and the mill does not use wall-to-wall carpeting—came the parade through town, a warm-up for the big, free bean supper at the armory.

Beans and coleslaw for 700 vanished during the two hours Mrs. Smith circulated, having banned speeches. The diners usually called her Margaret, and she was often touched by hands though never pawed, the relationship again uniquely personal.

Suddenly a prim, well-dressed businessman could not contain his special pride in the guest of honor, "and she has done it all without once . . ." He plunged into the vernacular, blushed, apologized. The gist was that Senator Smith had never catered to anyone or any interest.

It was dark and time to go. En route to Mrs. Smith's shore home at Cundy's Point for another dawn departure, the brightly lit inn in Brunswick seemed to suggest that a sandwich and some beans needed company after a 17-hour day.

Mrs. Smith hesitated, being not without the normal complement of feminine vanity. Bowdoin College merriment and pretty girls were spilling out while her own red suit and silver hair had long been on duty without a pause.

But she stepped quietly into the crowded dining room and looked for a table. Suddenly the guests began standing up; there was applause. The owner-manager materialized and proved to be Ted Rosenthal, son of a faithful former employer of the young Margaret Chase. The delicious supper was served, like everything else that day, with affection.

Maine Democrats apparently just have to grin and bear it again this year.

SUPPLEMENTAL APPROPRIATIONS, 1967

Mr. MANSFIELD. Mr. President, I ask unanimous consent that H.R. 18381, the supplemental appropriation bill be turned to for consideration. I do this so that it will become the pending business.

The **ACTING PRESIDENT** pro tempore. The clerk will state the bill by title.

The Assistant Legislative Clerk. A bill (H.R. 18381) making supplemental appropriations for the fiscal year ending June 30, 1967, and for other purposes.

The **ACTING PRESIDENT** pro tempore. Is there objection to the request of the Senator from Montana?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Appropriations with amendments.

Mr. MANSFIELD. Mr. President, that will be the pending business at the conclusion of morning business tomorrow.

REQUESTING PRESIDENT OF THE UNITED STATES TO URGE CERTAIN ACTIONS IN BEHALF OF LITHUANIA, ESTONIA, AND LATVIA

Mr. LAUSCHE. Mr. President, before the Senate concludes this session, I hope Order No. 1573, known as House Concurrent Resolution 416, requesting the President of the United States to urge certain actions in behalf of Lithuania, Estonia, and Latvia, will be called.

I do not expect any comment from the majority leader. I do, however, want to restate my hopes that it will become part of the business of the Senate at this session.

Mr. MANSFIELD. The Senator's interest is well known to the Senator from Montana.

Mr. KUCHEL. Mr. President, will the Senator yield?

Mr. LAUSCHE. I yield.

Mr. KUCHEL. I want the RECORD to show that I concur in the views just uttered by the Senator from Ohio. I, too, hope, however forlornly, that it will be business to be considered by the Senate.

ADJOURNMENT TO 10 A.M. TOMORROW

Mr. MANSFIELD. Mr. President, if there is no further business to come before the Senate, I move, under the previous order, that the Senate stand in adjournment until 10 o'clock tomorrow morning.

The motion was agreed to; and (at 5 o'clock and 36 minutes p.m.) the Senate adjourned until tomorrow, Thursday, October 20, 1966, at 10 a.m.

NOMINATIONS

Executive nominations received by the Senate October 19, 1966:

General Conference of the United Nations Educational, Scientific, and Cultural Organization

The following-named persons to be Representatives of the United States of America to the 14th session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization:

Charles Frankel, of New York.

William Benton, of Connecticut.

Thomas F. Malone, of Connecticut.

Nan Tucker McEvoy, of the District of Columbia.

Joseph R. Smiley, of Colorado.

The following-named persons to be alternate representatives of the United States of America to the 14th session of the General Conference of the United Nations Educational, Scientific, and Cultural Organization:

Fredric R. Mann, of Pennsylvania.

Patrick E. Haggerty, of Texas.

Whitney M. Young, Jr., of New York.

Mississippi River Commission

Maj. Gen. Robert George MacDonnell, O19361, U.S. Army, to be a member and President of the Mississippi River Commission, under the provisions of section 2 of an act of Congress approved June 28, 1879 (21 Stat. 37) (33 U.S.C. 642).

Postmaster

Frank W. Hardesty, of Texas, to be postmaster, Big Spring, Tex., vice E. C. Boatler, retired.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 19, 1966:

U.S. Air Force

To be lieutenant generals

Maj. Gen. John S. Hardy, FR1502, Regular Air Force, to be assigned to positions of importance and responsibility designated by the President, in the grade indicated, under the provisions of section 8066, title 10, of the United States Code.

Lt. Gen. Benjamin J. Webster, FR974 (major general, Regular Air Force), U.S. Air Force, to be placed on the retired list in the grade indicated, under the provisions of section 8962, title 10, of the United States Code.

U.S. Army

The following-named officer, under the provisions of title 10, United States Code, section 3066, to be assigned to a position of importance and responsibility designated by the President under subsection (a) of section 3066, in grade as follows:

To be lieutenant general

Maj. Gen. John Joseph Davis, O18530, U.S. Army.

The following-named officers for appointment in the Regular Army of the United States, to the grades indicated, under the provisions of title 10, United States Code, sections 3284 and 3306:

To be brigadier generals, Medical Corps

Brig. Gen. Robert Lee Rhea, Jr., O29285, Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Philip Wallace Mallory, O20916, Army of the United States (colonel, Medical Corps, U.S. Army).

Maj. Gen. Charles Harold Gingles, O20920, Army of the United States (colonel, Medical Corps, U.S. Army).

Brig. Gen. Oscar Elliott Ursin, O21687, Army of the United States (colonel, Medical Corps, U.S. Army).

Maj. Gen. Laurence Addison Potter, O22294, Army of the United States (colonel, Medical Corps, U.S. Army).

To be brigadier generals, Dental Corps

Col. Robert Bruce Shira, O21052, Dental Corps, U.S. Army.

Col. Pearson White Brown, O23610, Dental Corps, U.S. Army.

The U.S. Army Reserve officers named herein for promotion as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3384:

To be major generals

Brig. Gen. William Henry Baumer, O2201379.

Brig. Gen. Felix Albert Davis, O466259.

Brig. Gen. Horace Barber Hanson, Jr., O361034.

To be brigadier general

Col. Wilburn Ray Allen, O1177709, Transportation Corps.

Col. Albert S. Brussell, O307587, Medical Corps.

Col. Leonard Wolsey Cronkhite, Jr., O405134, Army Intelligence and Security.

Col. Jack Richard DeWitt, O1014586, Infantry.

Col. William Wilson Duffey, O365975, Infantry.

Col. James Bailey Faulconer, O391585 Infantry.

Col. Herman Henry Hankins, O387472, Infantry.

Col. Eugene John Mincks, O1174655, Artillery.

Col. Harry Joseph Rockafeller, O415254, Armor.

Col. Thomas Angell Warthin, O472602, Medical Corps.

Col. Philip Roulston Willmarth, O375546, Artillery.

The Army National Guard of the United States officers named herein for promotion as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3385:

To be major generals

Brig. Gen. Jasper Newton Baker, O446010.

Brig. Gen. Wilbur Henry Fricke, O340297.

Brig. Gen. Thomas Graham Wells, Jr., O366471.

Brig. Gen. James Haydon Weyhenmeyer, Jr., O415260.

To be brigadier generals

Col. Kelley Arnold, O397772, Infantry.

Col. John Willard Breidenthal, O430157, Infantry.

Col. Ralph Clarence Davis, O1332358, Corps of Engineers.

Col. Glynn Claude Ellison, O1171133, Armor.

Col. Andrew Louis Farkas, O888322, Armor.

Col. George Frederick Graf, O397822, Infantry.

Col. Charles Jacob Kaniss, O1284521, Artillery.

Col. Albert Kaye, O374451, Infantry.

Col. Edward Francis Logan, O408471, Infantry.

Col. David Crockett Matthews, O946166, Infantry.

Col. William Elmer Mayberry, O1308967, Infantry.

Brig. Gen. Victor Lee McDearman, O328046, Adjutant General's Corps.

Col. Wayne Harold Page, O548590, Armor.

Col. Joseph Michael Stehling, O348518, Infantry.

Col. Frank Townsend, O306911, Artillery.

The Army National Guard of the United States officers named herein for appointment as Reserve commissioned officers of the Army, under the provisions of title 10, United States Code, sections 593(a) and 3392:

To be major general

Brig. Gen. George Morris Gelston, O1177407, Adjutant General's Corps.

To be brigadier generals

Col. Clarence Deshong Bell, O336022, Adjutant General's Corps.

Col. Albert Edward Cotter, O1053543, Artillery.

Col. Norman Lynn Erb, O1324832, Infantry.

Col. Robert Oliver Marshall, O1171662, Artillery.

Col. William Uriah Ogletree, O384029, Artillery.

Col. Donald George Penterman, O1542457, Quartemaster Corps.

Col. Fred Oliver Reger, O1825641, Infantry.

Environmental Science Services Administration

Subject to qualifications provided by law, the following for permanent appointment to the grade indicated in the Environmental Science Services Administration:

To be lieutenant

Ralph J. Land

To be lieutenant (junior grade)

James W. Leggate

In the Army

The nominations beginning Walter H. Abbott, to be major, and ending Norma M.

Uemura, to be captain which nominations were received by the Senate and appeared in the CONGRESSIONAL RECORD on October 11, 1966.

HOUSE OF REPRESENTATIVES

WEDNESDAY, OCTOBER 19, 1966

The House met at 12 o'clock noon.

The Chaplain, Rev. Edward G. Latch, D.D., offered the following prayer:

I will extol Thee, my God, O King; and I will bless Thy name for ever and ever.—Psalm 145: 1.

Eternal God, who committest to us the swift and solemn trust of life; since we know not what a day may bring forth, but only that the hour for serving Thee is always present, may we wake to the instant claims of Thy holy will, not waiting for tomorrow, but yielding today. Consecrate with Thy presence the way our feet may go that the humblest work may shine and the roughest places be made smooth. Lift us above fear and doubt by a simple and steadfast reliance on Thy holy will.

May the light of faith burn brightly within us, may the life of hope ever glow in our hearts, and may the love of truth always lead us in the way of Thy peace. In Thy name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Jones, one of his secretaries.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment a bill of the House of the following title:

H.R. 18217. An act to provide home leave for Federal seafaring personnel, and for other purposes.

The message also announced that the Senate had passed, with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 14604. An act to authorize a study of facilities and services to be furnished visitors and students coming to the Nation's Capital.

The message also announced that the Senate agrees to the amendments of the House to bills of the Senate of the following titles:

S. 1760. An act to authorize the acceptance of a settlement of certain indebtedness of Greece to the United States and to authorize the use of the payments resulting from the settlement for a cultural and educational exchange program;

S. 1861. An act to provide additional assistance for areas suffering a major disaster;

S. 3008. An act to amend the Public Health Service Act to promote and assist in the extension and improvement of comprehensive health planning and public health services, to provide for a more effective use of available Federal funds for such planning and services, and for other purposes;

S. 3148. An act to provide for the conveyance of all right, title, and interest of the United States reserved or retained in certain lands heretofore conveyed to the city of El Paso, Tex.; and

S. 3887. An act to amend title 10, United States Code, to permit persons from countries friendly to the United States to receive instruction at the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy, and for other purposes.

The message also announced that the Senate had passed a bill of the following title, in which the concurrence of the House is requested:

S. 3881. An act to provide for the striking of medals in commemoration of the U.S. Naval Construction Battalions (Seabees) 25th anniversary and the U.S. Navy Civil Engineer Corps (CEC) 100th anniversary.

THIRD ANNUAL REPORT ON SPECIAL EXHIBITIONS FOR FISCAL YEAR 1965—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States, which was received yesterday, October 18; which was read and, together with the accompanying papers, referred to the Committee on Foreign Affairs:

To the Congress of the United States:

I am transmitting the Third Annual Report on Special International Exhibitions for the fiscal year 1965 pursuant to section 108(b) of the Mutual Educational and Cultural Exchange Act of 1961—Public Law 87–256.

These national exhibitions are presented primarily in Eastern Europe and the developing countries. Their primary purpose is to focus attention on our economic, social, and cultural attainments and show how these harmonize with the aspirations and capabilities of the host countries. In doing so, these U.S. pavilions also contribute to mutually profitable trade relationships.

This effort in support of American foreign policy objectives would not be possible without the significant contributions in materials, time, and talent from hundreds of American private firms and institutions. Thanks to their help, this program is now a vital adjunct to this country's pursuit of peace, freedom, and human dignity for all mankind.

I am also gratified by the support that the Congress has given this program since it began more than a decade ago.

LYNDON B. JOHNSON.

Enclosures:

1. Letter of transmittal.
2. Report.

THE WHITE HOUSE, *October 18, 1966.*

SEMIANNUAL REPORT ON THE NATION'S SPACE PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 526)

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Science and Astronautics and ordered printed, with illustrations.

To the Congress of the United States:

This is a report of a period—July 1 through December 31, 1965—characterized by outstanding progress in the Nation's space program.

Manned space flights were extended to 8 and 14 days by Gemini V and Gemini VII, and rendezvous was achieved as Gemini VI–A was maneuvered to within a foot of Gemini VII in a spectacular demonstration of precision flying in space.

In space science, Mariner IV transmitted remarkably clear pictures of the surface of Mars, and communications satellites supported Gemini operations and provided channels for TV coverage of the recovery of the Gemini astronauts.

The space program continued to stimulate growth in the educational, technological, industrial, and scientific competence of the Nation. Its influence also extended to the field of international affairs where cooperative endeavors with other nations helped advance the cause of international peace.

The success of the Gemini flights gives encouragement to all who look forward to safety and success in conquering the hazards of space travel. We have learned that man can function effectively in space and we believe that he is capable of the lunar mission. Now, with the support of the Congress and the American people, we proceed to meet with confidence our greatest technological and managerial adventure—the exploration of the moon.

LYNDON B. JOHNSON.

THE WHITE HOUSE, *October 19 1966.*

ANNOUNCEMENT BY THE SPEAKER—DISPOSING OF PENDING BUSINESS

The SPEAKER. The Chair will receive unanimous-consent requests, after the disposition of pending business.

The unfinished business is the vote on agreeing to the resolution (H. Res. 1062) certifying the report of the Committee on Un-American Activities as to the failures of Jeremiah Stamler to give testimony before a duly authorized subcommittee of said committee.

The Clerk read the title of the resolution.

CALL OF THE HOUSE

Mr. EDWARDS of California. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. The gentleman from California makes the point of order that a straight quorum is not present, or does the gentleman make the point of order on the resolution?

Mr. EDWARDS of California. Mr. Speaker, I make the point of order that a straight quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. MILLS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 377]

Abbitt
Abernethy
Adair
Adams
Albert
Anderson, Ill.
Andrews, Glenn
Aspinall
Ayres
Baring
Belcher
Bell
Berry
Bolling
Brademas
Bray
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Callaway
Carter
Chamberlain
Clawson, Del
Clevenger
Cohelan
Colmer
Conable
Cooley
Corman
Craley
Davis, Ga.
Davis, Wis.
Denton
Derwinski
Devine
Dickinson
Diggs
Dyal
Edwards, Ala.
Ellsworth
Evans, Colo.
Evins, Tenn.
Farnum
Findley
Fino
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Ford, William D.
Fuqua
Gallagher
Giaimo
Gilligan
Goodell
Green, Oreg.
Greigg
Gross
Hagan, Ga.
Haley
Halleck
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Harvey, Mich.
Hawkins
Hébert
Helstoski
Hicks
Holifield
Howard
Hungate
Huot
Irwin
Jacobs
Johnson, Pa.
Jones, N.C.
Keith
Laird
Long, Md.
Love
McCarthy
McEwen
McFall
McGrath
McMillan
Mackay
Mackie
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Meeds
Michel
Miller
Mink
Moeller
Morrison
Moss
Murray
Nix
O'Konski
Olsen, Mont.
Ottinger
Pirnie
Pool
Powell
Pucinski
Purcell
Randall
Reinecke
Rivers, Alaska
Roberts
Robison
Rogers, Tex.
Roncalio
Roudebush
Roush
Schisler
Schmidhauser
Schneebeli
Scott
Senner
Shipley
Smith, N.Y.
Stafford
Stanton
Stephens
Stratton
Sullivan
Sweeney
Talcott
Taylor
Teague, Tex.
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Ullman
Vigorito
Walker, Miss.
Watkins
Watts
White, Idaho
Wolff

The SPEAKER. On this rollcall 280 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

PROCEEDINGS AGAINST JEREMIAH STAMLER

The SPEAKER. The unfinished business is the vote on agreeing to the resolution (H. Res. 1062) certifying the report of the Committee on Un-American Activities as to the failures of Jeremiah Stamler to give testimony before a duly authorized subcommittee of said committee.

The Clerk read the title of the resolution.

The SPEAKER. The question is on the resolution.

The question was taken; and on a division (demanded by Mr. WILLIAMS) there were—ayes 92, noes 34.

Mr. WILLIAMS. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 219, nays 69, not voting 144, as follows:

[Roll No. 378]

YEAS—219

Anderson, Tenn.
Andrews, George W.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Ayres
Bandstra
Bates
Battin
Beckworth
Bell
Bennett
Betts
Boggs
Bolton
Bow
Brock
Brooks
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Cameron
Carey
Casey
Cederberg
Chelf
Clancy
Clark
Clausen, Don H.
Cleveland
Collier
Corbett
Cramer
Cunningham
Curtin
Dague
Daniels
Dawson
de la Garza
Delaney
Dent
Dingell
Dole
Dorn
Dowdy
Downing
Dulski
Duncan, Tenn.
Dwyer
Edmondson
Edwards, La.
Erlenborn
Everett
Fallon
Farnsley
Fascell
Feighan
Ford, William D.
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Gathings
Gettys
Gibbons
Gray
Grider
Griffiths
Grover
Gubser
Gurney
Hagen, Calif.
Hall
Hamilton
Hanley
Hardy
Harsha
Harvey, Mich.
Hathaway
Hays
Hechler
Henderson
Herlong
Hosmer
Hutchinson
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kee
Kelly
Keogh
King, Calif.
King, N.Y.
King, Utah
Kornegay
Kunkel
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McDade
McDowell
McVicker
MacGregor
Machen
Mahon
Marsh
Matthews
Mills
Minish
Minshall
Mize
Moore
Morgan
Morris
Morrison
Morton
Murphy, N.Y.
Natcher
Nelsen
O'Brien
O'Hara, Mich.
Olson, Minn.
O'Neal, Ga.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pickle
Pike
Pirnie
Poage
Poff
Pool
Price
Quie
Quillen
Race
Redlin
Reid, Ill.
Reifel
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rumsfeld
Satterfield
Saylor
Schweiker
Scott
Secrest
Selden
Shriver
Sikes
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Springer
Staggers
Steed
Stubblefield
Teague, Calif.
Teague, Tex.
Tuck
Tuten
Udall
Utt
Vanik
Waggonner
Waldie
Walker, N. Mex.
Watson
Weltner
Whalley
White, Tex.
Whitener
Whitten
Widnall
Williams
Willis
Wilson, Bob
Wilson, Charles H.
Wright
Wyatt
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Ashley
Bingham
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Boland
Brademas
Burke
Burton, Calif.
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Conyers
Culver
Curtis
Daddario
Diggs
Donohue
Dow
Duncan, Oreg.
Edwards, Calif.
Farbstein
Fogarty
Fraser
Giaimo
Gilbert
Gonzalez
Grabowski
Green, Oreg.
Green, Pa.
Holland
Horton
Irwin
Kastenmeier
Kluczynski
Krebs
Kupferman
Macdonald
Madden
Mathias
May
Miller
Monagan
Moorhead
Morse
Mosher
Multer
Murphy, Ill.
Nedzi
O'Hara, Ill.
O'Neill, Mass.
Ottinger
Philbin
Powell
Rees
Reid, N.Y.
Resnick
Reuss
Ronan
Rosenthal
Rostenkowski
Roybal
Ryan
St Germain
St. Onge
Scheuer
Sickles
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Vivian
Yates

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Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Glenn
Aspinall
Baring
Barrett
Belcher
Berry
Bolling
Bray
Brown, Calif.
Brown, Clarence J., Jr.
Callaway
Carter
Celler
Chamberlain
Clawson, Del
Clevenger
Cohelan
Colmer
Conable
Cooley
Corman
Craley
Davis, Ga.
Davis, Wis.
Denton
Derwinski
Devine
Dickinson
Dyal
Edwards, Ala.
Ellsworth
Evans, Colo.
Evins, Tenn.
Farnum
Findley
Fino
Fisher
Flood
Flynt
Foley
Ford, Gerald R.
Fuqua
Gallagher
Gilligan
Goodell
Greigg
Gross
Hagan, Ga.
Haley
Halleck
Halpern
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Hawkins
Hébert
Helstoski
Hicks
Holifield
Howard
Hull
Hungate
Huot
Jacobs
Johnson, Pa.
Jones, N.C.
Keith
Kirwan
Laird
Long, Md.
Love
McCarthy
McEwen
McFall
McGrath
McMillan
Mackay
Mackie
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Meeds
Michel
Mink
Moeller
Moss
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Nix
O'Konski
Olsen, Mont.
Pucinski
Purcell
Randall
Reinecke
Rivers, Alaska
Roberts
Robison
Rodino
Rogers, Tex.
Roncalio
Roudebush
Roush
Schisler
Schmidhauser
Schneebeli
Senner
Shipley
Sisk
Smith, N.Y.
Stafford
Stanton
Stephens
Stratton
Sullivan
Sweeney
Talcott
Taylor
Tenzer
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Ullman
Vigorito
Walker, Miss.
Watkins
Watts
White, Idaho
Wolff

So the resolution was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Cohelan against.

Mr. Aspinall for, with Mr. Schmidhauser against.

Mr. Evins of Tennessee for, with Mr. Celler against.

Mr. Shipley for, with Mr. Denton against.

Mr. Trimble for, with Mr. Dyal against.

Mr. Purcell for, with Mr. Hawkins against.

Mr. Hagan of Georgia for, with Mr. Matsunaga against.

Mr. Fuqua for, with Mr. Moss against.

Mr. Davis of Georgia for, with Mrs. Mink against.

Until further notice:

Mr. Addabbo with Mr. Bray.

Mr. Kirwan with Mr. Halleck.

Mr. Barrett with Mr. Adair.

Mr. Foley with Mr. Reinecke.

Mr. Gilligan with Mr. Smith of New York.

Mr. Pucinski with Mr. Callaway.

Mr. Rivers of Alaska with Mr. Michel.

Mr. Moeller with Mr. Mailliard.

Mr. Holifield with Mr. Dickinson.

Mr. Mackay with Mr. Derwinski.

Mr. Ullman with Mr. Del Clawson.

Mr. White of Idaho with Mr. Harvey of Indiana.

Mr. Wolff with Mr. Anderson of Illinois.

Mr. Love with Mr. Berry.

Mr. Cooley with Mr. Schneebeli.

Mr. Colmer with Mr. Martin of Alabama.

Mr. Brown of California with Mr. Keith.

Mr. Tenzer with Mr. Edwards of Alabama.

Mrs. Sullivan with Mr. Laird.

Mr. Craley with Mr. Fino.

Mr. Clevenger with Mr. Davis of Wisconsin.
Mr. Jacobs with Mr. Goodell.
Mr. Howard with Mr. Belcher.
Mr. Albert with Gerald R. Ford.
Mr. McFall with Mr. Clarence J. Brown, Jr.
Mr. Evans of Colorado with Mr. Chamberlain.
Mr. Fisher with Mr. Talcott.
Mr. Olsen of Montana with Mr. Robison.
Mr. Nix with Mr. Martin of Massachusetts.
Mr. Greigg with Mr. Johnson of Pennsylvania.
Mr. Watts with Mr. Halpern.
Mr. Sweeney with Mr. Findley.
Mr. Mackie with Mr. Devine.
Mr. Corman with Mr. Glenn Andrews.
Mr. Schisler with Mr. Walker of Mississippi.
Mr. Senner with Mr. Carter.
Mr. Flood with Mr. Watkins.
Mr. Randall with Mr. Stafford.
Mr. Haley with Mr. O'Konski.
Mr. Meeds with Mr. Martin of Nebraska.
Mr. Jones of North Carolina with Mr. McEwen.
Mr. Roush with Mr. Hansen of Idaho.
Mr. Roberts with Mr. Conable.
Mr. Helstoski with Ellsworth.
Mr. Hicks with Roudebush.
Mr. Abernethy with Farnum.
Mr. Abbitt with Mr. Stanton.
Mr. Sisk with Mr. McMillan.
Mr. Stratton with Mr. Rogers of Texas.
Mr. Taylor with Mr. Roncalio.
Mr. Todd with Mr. Adams.
Mr. Vigorito with Mr. Huot.
Mr. Hansen of Iowa with Mrs. Thomas.
Mr. Baring with Mr. Thompson of Texas.
Mr. Hull with Mrs. Hansen of Washington.
Mr. Tunney with Mr. Toll.
Mr. Hungate with Mr. Long of Maryland.
Mr. Hanna with Mr. Flynt.
Mr. McCarthy with Mr. Murray.

Mr. NELSEN changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

PERMISSION TO FILE CONFERENCE REPORT ON DEPARTMENTS OF STATE, JUSTICE, COMMERCE, JUDICIARY, AND RELATED AGENCIES APPROPRIATION BILL, 1967

Mr. ROONEY of New York. Mr. Speaker, I ask unanimous consent that the managers on the part of the House may have until midnight tonight to file a conference report on the bill (H.R. 18119) making appropriations for the Departments of State, Justice, Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1967.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

BASIC COMPENSATION OF EMPLOYEES OF THE FEDERAL GOVERNMENT

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 16114) to correct inequities with respect to the determination of basic compensation of employees of the Federal Government for purposes of certain employment benefits, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert:

"That title 5, United States Code, is amended as follows:

"(1) Section 8114(e) is amended by striking out "is included" and inserting in lieu thereof 'and premium pay under section 5545(c) (1) of this title are included'.

"(2) Section 8331(3) is amended—

"(A) by striking out the word 'and' after the last semicolon in subparagraph (A);

"(B) by striking out 'title 2;' in subparagraph (B) (ii) and inserting in lieu thereof 'title 2; and';

"(C) by inserting the following new subparagraph after subparagraph (B):

" '(C) premium pay under section 5545(c) (1) of this title;'; and

"(D) by striking out 'except as provided by subparagraph (B)' and inserting in lieu thereof 'except as provided by subparagraphs (B) and (C)'.

"(3) Section 8704(c) is amended by inserting the following new sentence at the end thereof: 'For the purpose of this chapter, "annual pay" includes premium pay under section 5545(c)(1) of this title.'

"Sec. 2. Section 9(d) of the Act of October 29, 1965 (Public Law 89–301), is amended by inserting at the end thereof the following new sentence: 'For the purpose of this subsection, "basic compensation" includes premium pay under section 5545(c)(1) of title 5, United States Code.'

"Sec. 3. Section 8348(g) of title 5, United States Code, does not apply with respect to annuity benefits resulting from the enactment of this Act.

"Sec. 4. The amendments made by this Act apply with respect to premium pay payable from and after the first day of the first pay period which begins after the date of enactment of this Act."

Amend the title so as to read: "An Act to provide for the inclusion of premium pay under section 5545(c)(1) of title 5, United States Code, for the purpose of determining benefits under the civil service retirement, group life insurance, and injury compensation provisions of such title, and for other purposes."

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

TO ESTABLISH RATES OF COMPENSATION FOR CERTAIN POSITIONS WITHIN THE SMITHSONIAN INSTITUTION

Mr. DULSKI. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 15727) to establish rates of compensation for certain positions within the Smithsonian Institution, with a Senate amendment thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That title 5, United States Code, is amended as follows:

"(1) Section 5315 is amended by inserting the following new paragraphs after paragraph (77):

" '(78) Assistant Secretary for Science, Smithsonian Institution.

" '(79) Assistant Secretary for History and Art, Smithsonian Institution.'

"(2) Section 5316 is amended by inserting the following new paragraphs after paragraph (116):

" '(117) Director, United States National Museum, Smithsonian Institution.

" '(118) Director, Smithsonian Astrophysical Observatory, Smithsonian Instiution.' "

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Senate amendment was concurred in.

A motion to reconsider was laid on the table.

TO PROVIDE TRAINING OPPORTUNITIES FOR PERSONS EMPLOYED IN THE LEGISLATIVE BRANCH OF THE GOVERNMENT

Mr. DANIELS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 17883) to provide training opportunities for persons employed in legislative branch of the Government.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New Jersey?

Mr. HALL. Mr. Speaker, reserving the right to object, is a copy of this bill available, and would the gentleman from New Jersey please explain it in a little more detail to the Members of the House?

Mr. DANIELS. Mr. Speaker, will the gentleman yield?

Mr. HALL. I am pleased to yield to the gentleman from New Jersey.

Mr. DANIELS. Mr. Speaker, I shall be pleased to undertake to explain the purposes of this legislation.

Mr. Speaker, the purpose of H.R. 17883 is to provide legislative authority for the training of legislative employees on substantially the same basis, and subject to the same controls and limitations, as already are authorized for employees throughout the executive branch.

When the Government Employees Training Act of 1958 was developed in the Post Office and Civil Service Committee, it was made applicable in the executive branch because of the urgent need in that branch disclosed by our committee investigations. We had not, however, yet developed similar information with respect to needs in the legislative branch. In order that there be no unnecessary delay, therefore, we limited that legislation to the executive branch. I may say that the program has worked admirably, and has proved to be in the public interest.

We now have very definite information as to the need to extend employee training authority to the legislative branch, and particularly to the employees who serve under the Office of the Architect of the Capitol. In fact, the problems faced by the Architect of the Capitol, due to lack of any statutory authority for training of employees, are really the genesis of this legislation.

The Architect of the Capitol has been sending employees to training programs on a limited basis when no expenditure of funds is required or when the employees have been willing to pay the cost. In some cases, such as courses taken recently by about 40 persons on the electrical force, employees paid the training and textbook fee of $35 each.

In his report to our committee, the Architect explains that the training program would be directed toward the structural and mechanical care of buildings and mechanical equipment. He states that as a matter of policy he attempts to employ as helpers in the shops young men with potential for development as expert mechanics. He has been experiencing substantial difficulty in attracting trained mechanics to Government positions and, consequently, any training program that he could utilize would be a definite advantage.

Mr. Speaker, the amendment which I offer is entirely technical, to provide more definitive and accurate legislative language, and does not alter the basic purpose of the bill in any way. One of its important effects is to make applicable, to the proposed authority for training of legislative employees, the fundamental limitations and controls which now apply to employee training in the executive branch pursuant to the 1958 act. For example, the definition of "training" in that act requires that it be in fields which are or will be directly related to the performance by the employee of official duties. Section 4106 of the 1958 act carefully limits the time spent in training by non-Government facilities in relation to total man-years of work in an agency and total service by the employee selected for training. Section 4107 of the act forbids training in a facility which teaches or advocates overthrow of the Government by force or violence, or which is active in carrying on propaganda or otherwise influencing legislation, or which actively participates in political campaigns. Section 4108 requires certain minimum periods of continued Government service by employees who receive training. Obviously, all of these controls are in the public interest, and should apply to the training of any Government employees.

On the other hand, there are a number of sections and provisions in the 1958 act which are designed specifically to suit the circumstances of the organizational and operational structure of the executive branch, and which are neither suitable nor necessary for the legislative branch. For example, at various places in the act authority and responsibility for direct regulation, approval, or other control are vested in the Civil Service Commission. Nor are the provisions of the act for extensive training programs to be set up by administrative regulation, with great formality and detail, necessary or applicable here. Therefore, my amendment spells out exclusions of application of these sections and parts of sections.

It will be noted that the amendment provides greater specificity than did the introduced bill as to parts of the present law which should and should not be applied here. For instance, the introduced bill cited only a few sections and parts to which this proposed training authorization would be subject. The amendment applies all parts of the existing law which are pertinent by excluding only those parts which are not.

Mr. Speaker, I believe that prompt enactment of this legislation will contribute materially to greater efficiency in the performance by employees because of the increased knowledge, proficiency, and skills which they will gain. I am advised that the annual cost is estimated to be less than $10,000 per year, which I am confident will be a good investment. It will be recalled that, when our committee brought the Government Employees Training Act to the floor in 1958, it was with an official estimate from the Bureau of the Budget that any additional direct costs would be far outweighed by improved performance and service which ultimately would bring a substantial saving. According to reports of performance under that act, this has proved out to be the case.

Mr. Speaker, I strongly recommend the enactment of H.R. 17883 with my amendment.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's explanation and I hope that he will place the balance of the explanation into the RECORD, which I am sure the gentleman will.

Mr. Speaker, with that explanation, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

H.R. 17883

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) chapter 41 of title 5 of the United States Code is amended by adding at the end thereof the following new section:

"§ 4119. Employees of Senate and House of Representatives

"(a) Subject to section 4106(a), (1), (2), and (3), 4107 (a) and (c), and 4106, employees of the Senate and House of Representatives and of the Office of the Architect of the Capitol may be selected and assigned for training by, in, or through Government facilities or non-Government facilities, and the expenses for training may be paid in the same manner and to the same extent as authorized by sections 4104, 4105 (a) and (b), and 4109 for employees of the departments in accordance with regulations of the President pro tempore of the Senate with respect to officers and employees of the Senate, in accordance with regulations of the Speaker of the House of Representatives with respect to officers and employees of the House of Representatives, and in accordance with regulations of the Architect of the Capitol with respect to officers and employees of the Office of the Architect of the Capitol. These regulations shall specify the extent to which sections 4110 and 4111 shall apply to such officers and employees.

"The requirement in sections 4108(c) and 4106(a)(2) that action by the head of a department be in accordance with regulations of the Commission does not apply to the President pro tempore of the Senate, the Speaker of the House of Representatives, or the Architect of the Capitol. The Commission shall provide the President pro tempore, the Speaker, and the Architect of the Capitol with such advice and assistance as they may request in order to enable them to carry out the provisions of this section. As used in this section, the term 'officers and employees of the Senate and House of Representatives' means any person whose compensation is disbursed by the Secretary of the Senate or the Clerk of the House of Representatives, but does not include a Member of either House.

"(b) For the purposes of this Act, a reference to the head of a department means—

"(1) the President pro tempore of the Senate with respect to officers and employees of the Senate,

"(2) the Speaker of the House of Representatives with respect to officers and employees of the House of Representatives, and

"(3) the Architect of the Capitol with respect to officers and employees of the Office of the Architect of the Capitol, including employees of the Senate and House restaurants.

"(c) There are hereby authorized to be appropriated such sums as are necessary to carry out the provisions of this section."

AMENDMENT OFFERED BY MR. DANIELS

Mr. DANIELS. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. DANIELS: Strike out all after the enacting clause and insert in lieu thereof the following:

"That (a) chapter 41 of title 5, United States Code, is amended by adding at the end thereof the following new section:

" '§ 4119. Employees of the Congress

" '(a) Subject to the exceptions in subsection (b) of this section, employees of the Senate, of the House of Representatives, and of the Office of the Architect of the Capitol (including employees of the House and Senate Restaurants so long as such restaurants are operated by the Architect of the Capitol and employees of the United States Botanic Garden) may be selected and assigned for training by, in, or through Government facilities or non-Government facilities, and the expenses for such training may be paid, in the manner provided by the foregoing provisions of this chapter, in accordance with regulations of the President pro tempore of the Senate with respect to employees of the Senate, in accordance with regulations of the Speaker of the House of Representatives with respect to employees of the House of Representatives, and in accordance with regulations of the Architect of the Capitol with respect to employees of the Office of the Architect of the Capitol, including the above referred to employees of the House and Senate Restaurants and the United States Botanic Garden.

" '(b) The following provisions of this chapter, which pertain to the operational structure of the executive branch of the Government, shall not apply with respect to the training of employees of the Congress under this section: subparagraphs (1), (2), and (3) of section 4101; section 4102; section 4103; the last sentence of subsection (a), and subsection (b), of section 4106; the last sentence of section 4108; the words "under the regulations prescribed under section 4118(a)(8) of this title and from appropriations or other funds available to the agency" in section 4109 (a); and sections 4112, 4113, 4114, 4116, 4117, and 4118.

" '(c) The Civil Service Commission shall provide the President pro tempore of the Senate, the Speaker of the House of Representatives, and the Architect of the Capitol with such advice and assistance as they may request in order to enable such officials to carry out the purposes of this section.'.

"(b) The table of contents of chapter 41 of title 5, United States Code, is amended by adding at the end thereof the following:

" '4119. Employees of the Congress.' "

Mr. DANIELS (during reading of amendment). Mr. Speaker, I ask unanimous consent that the amendment be considered as read and printed in the Record at this point.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The **SPEAKER**. The question in on the amendment.

The amendment was agreed to.

The bill, as amended, was ordered to be engrossed, and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. DANIELS. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The **SPEAKER**. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

WASHINGTON CHANNEL WATERFRONT

Mr. DOWDY. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11428) to amend the act of September 8, 1960, relating to the Washington Channel waterfront, with Senate amendment thereto, and consider the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment, as follows:

Strike out all after the enacting clause and insert:

"That (1) the first sentence of section 4(b) of the Act entitled 'An Act to authorize the Commissioners of the District of Columbia on behalf of the United States to transfer from the United States to the District of Columbia Redevelopment Land Agency title to certain real property in said District', approved September 8, 1960 (74 Stat. 872), is amended by striking out 'by reason of the enactment of the joint resolution approved August 28, 1958 (72 Stat. 983; Public Law 85–821),'.

"(2) The second sentence of section 4(b) of such Act is amended by striking out 'by reason of the operation of such joint resolution approved August 28, 1958,'.

"(3) Section 4(b) of such Act is amended by inserting after the first sentence thereof the following: 'The priority of opportunity created by this section is a personal right of the owners of businesses displaced. In the event of the death of any such owner of any such displaced business, the spouse of such owner, or, if there is no spouse, the children of such owner shall be entitled to exercise the priority of such owner in accordance with the provisions of this section, but in no event shall any such priority be otherwise transferable: *Provided, however,* That the spouse or the children, as the case may be, shall have no greater priority than the priority holder would have had if living. For purposes of exercising such priority, the spouse or children, as the case may be, shall be deemed to be the owner of such business concern so displaced.'

"(4) The last sentence in section 4(b) of such Act is amended by striking out the period at the end thereof and inserting in lieu thereof a comma and the following: 'except that if after the end of such one-hundred-and-eighty-day period the Agency shall change the terms under which real property is to be leased, or the redevelopment plan for the area described in the first section of this Act is changed so as to affect the economic value of the leasehold, the Agency shall in writing notify each such owner of the change or changes so made and give to such owner so notified a period of sixty days within which to advise the Agency in writing of his intention and to demonstrate his ability to proceed as aforesaid.'

"(5) Section 4 of such Act is amended by adding at the end thereof the following new subsection:

" '(c) Notwithstanding any other provision of law, whenever, pursuant to subsection (b), the Agency offers leaseholds to persons entitled to a priority of opportunity to lease under the provisions of this section, and annual rent per square foot prescribed in such lease shall not exceed the greater of (i) 6 per centum of the residual value of the land for the prescribed use to which any owner of a displaced business concern shall put such land under such lease; or (ii) that percentage which the Agency shall be required to pay in principal and interest on a forty-year loan in an amount representing the residual value of the land under such lease as computed in accordance with this subsection. The residual value of such land shall make due allowance for the cost to the owner of the displaced business of all improvements and public charges on such land.' "

Mr. DOWDY (during reading of the Senate amendment). Mr. Speaker, I ask unanimous consent that the reading of the remainder of the Senate amendment be dispensed with, and that the Senate amendment may be printed in the Record at this point.

The **SPEAKER**. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Speaker, reserving the right to object—and I shall not object to the Clerk reading the balance of the amendment—but would the gentleman from Texas give us a little explanation, first of all, as to (a) whether or not the Senate amendment striking all after the enacting clause is germane, according to the House rules, and (b) what the effect of the amendment on the Washington Channel waterfront will be?

Mr. DOWDY. Mr. Speaker, I would say to the gentleman that I will next move to concur in the Senate amendment, with an amendment to the Senate amendment, and after that I would be pleased to explain it, and I think it will be easier to explain it after that is done.

Mr. HALL. Mr. Speaker, I care not where the gentleman explains it, as long as the Members of the House are given the benefit of the gentleman's knowledge.

The **SPEAKER**. Without objection, further reading of the Senate amendment will be dispensed with.

There was no objection.

Mr. DOWDY. Mr. Speaker, I move to concur in the Senate amendment to H.R. 11428, with an amendment which I send to the desk.

AMENDMENT TO THE SENATE AMENDMENT OFFERED BY MR. DOWDY

The Clerk read as follows:

Mr. Dowdy moves to concur in the Senate amendment to the bill H.R. 11428, with an amendment, as follows: Beginning in line 1 on page 3 of the Senate engrossed amendment, strike out all down through line 17 on page 3 and insert in lieu thereof the following:

"(5) Section 4 of such Act is amended by adding at the end thereof the following new subsection:

" '(c)(1) Notwithstanding any other provision of law, whenever, pursuant to subsection (b), the Agency offers leaseholds to persons entitled to a priority of opportunity to lease under the provisions of this section, the annual rent prescribed in such lease shall not exceed an amount which is the greater of—

" '(A) an amount equal to 6 per centum of the residual value of the land for the prescribed use to which any owner of a displaced business concern shall put such land under such lease;

" '(B) the annual amount which the Agency shall be required to pay in principal and interest on a forty-year loan of an amount equal to the residual value of the land under such lease which value is the residual value of the land which was determined by the Agency, in accordance with this subsection, and on the basis of which such land was initially leased under this section; or

" '(C) the sum of (i) the amount determined under subparagraph (A) or (B) of this paragraph, whichever is greater, and (ii) 50 per centum of the product of the occupancy cost factor for the class and character of the business of such lessee times the amount by which the lessee's actual annual gross sales income exceeds the estimated gross sales income (for the class and character of the displaced business) used by the Agency in determining the residual value of the land leased to such lessee.

In the case of any land which the Agency leases under this section, the annual rent prescribed by the Agency in the lease of such land shall not, during the forty-three-year period beginning on the date such land was first leased by the Agency under this section, be less than the amount determined under subparagraph (B) of this paragraph. In the case of any land which the Agency leases under this section to a displaced business, the residual value of such land—

" '(I) may be redetermined by the Agency after the expiration of twenty-five years from the date such land was first leased by the Agency and at the end of each ten-year period thereafter, or

" '(II) shall be redetermined by the Agency if at the end of the twenty-five year period from the date such land was first leased by the Agency or at the end of each ten-year period thereafter, the lessee requests the Agency to redetermine such residual value. The residual value of such land shall make due allowance for the cost to the owner of the displaced business of all improvements and public charges on such land, and shall not exceed the maximum fair use value economically feasible to permit the re-establishment of a business of the class and character of such displaced business.

“‘(2) Each business holding a lease under this Act shall furnish annually to the Agency (on such date as the Agency may by regulation prescribe) a copy of the sales tax return filed by such business under the District of Columbia Sales Tax Act, which copy was furnished to the business under section 138(a) of such Act (D.C. Code, sec. 47-2615 (a)).’”

Mr. DOWDY (during reading of the amendment to the Senate amendment). Mr. Speaker, I ask unanimous consent that further reading of the amendment be dispensed with, and that the same be spread upon the RECORD at this point.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. HALL. Mr. Speaker, reserving the right to object, would the gentleman explain this to the Members of the House?

Mr. DOWDY. Mr. Speaker, it is easier to explain the entire thing now.

Mr. Speaker, H.R. 11428, after passage by the House, was approved by the Senate with several amendments and returned to the House for concurrence. The House Committee on the District of Columbia recommends the acceptance of several technical amendments added by the Senate but proposes the substitution of a new subsection (c) in lieu of the language of that subsection of the Senate version of the bill.

The bill deals with the relocation of small businesses displaced from the Washington Channel waterfront. The proposed House amendment has been the subject of several conferences with the Redevelopment Land Agency which approves the text of the proposed House amendment as a substantial improvement over the Senate amendment. Discussions have been had with business displacees or their representatives and with financing institutions. The amendment presents a suitable and workable formula. Preliminary discussions of the language with the Senate side indicate acceptance of the amendment without necessity of a conference.

The amendment calls for the use of land residual appraisal techniques to set land values for establishment of lease rentals to be paid by displaced waterfront businesses. The House amendment prevents premature reappraisals of land values which were possible under the Senate amendments, and permits the Redevelopment Land Agency or the lessee to secure a reappraisal of land values after 25 years. In addition, the proposed House amendment provides for an equal sharing, between the Agency and the lessee, of any increased income resulting from increased gross sales in excess of the estimated sales at the time of execution of a lease. The combined provision for reappraisals and the sharing of increased income is designed to provide some incentive to the displaced businesses to increase their gross income and at the same time give some benefit to the public from such increased income.

The proposed House amendments meet the requirement of section 102 of the Housing Act of 1949, by providing a floor or minimum rental which will give the Agency sufficient income to pay its loan obligations on a 40-year loan amounting to the value of the land.

H.R. 11428, as introduced and approved by the House, related to the urban renewal redevelopment of the Washington Channel waterfront and was designed, first, to preserve the priority for relocation of the businesses displaced from that area; second, to provide a uniform right of priority to all or such business displacees; third, to provide that the maximum fair use value, to be established by the Agency for the use of such land by displaced businesses, should be set by residual land value appraisals; and fourth, to set a floor on land rent to be paid by priority holders who relocate on the waterfront.

In the Senate, all language after the enacting clause was struck and amending language substituted.

In the language of its amendment, the Senate added two new provisions which the House considers acceptable: First, that the priority right provided to business displacees may not be sold; and second, that if the percentage the Agency is required to pay in principal and interest on a 40-year loan of an amount representing the residual value of the land, exceeds 6 percent of such residual land value, the greater amount would be paid as rent.

In addition to the foregoing amendments, the Senate deleted from the House bill the provision which stated that the land value upon which the rental charge was based "shall not exceed the maximum fair use value economically feasible to permit him to reestablish his business."

The intent of the House in the language struck by the Senate was that none of the displaced businesses should be required to pay a rental on land for relocation of his business in excess of the maximum fair use value which would permit economic existence to the type and quality of business. The Agency felt that the language might be interpreted in such a way as to relate to the business capability of a particular priority holder without regard to the average efficiency of proprietors of similar businesses.

The House proposes to restore the language in amended form by providing that the values set "shall not exceed the maximum fair use value economically feasible to permit the reestablishment of a business of the class and character of such business."

REQUIREMENTS PLACED ON DISPLACED BUSINESSES

The waterfront renewal plan places obligations and limitations on the business displacee priority holders which are not found in any other urban renewal project in the District: First, only 60 percent of the land area of a site may be used for building; second, the buildings in most instances, are restricted to two stories; third, the priority holder is limited to the reestablishment of the type and character of business and the approximate scope of business from which he was displaced; fourth, the character of the building and construction must conform to the waterfront plan; fifth, since the land may not be purchased, the priority holder cannot acquire legal title to the land or to the building which he must finance and build on a site; sixth, the priority holder must construct his building mainly on fresh filled ground over what was previously river bed with consequent high construction costs; seventh, the priority holder must provide public parking below the ground level, not subject to the control of the individual proprietor and such garages must be built around numerous tie rods which run from the new bulkhead back to the undisturbed earth toward Maine Avenue; eighth, in addition to rental paid to the Land Agency, the priority holder must pay taxes and any other public charges.

THE RESIDUAL APPRAISAL

Because of the above factors and cost burdens which must be borne by the displaced business in relocating on the waterfront, the residual method was deemed the only logical and fair way to establish the land value for the purposes of setting a rental for the use of the land. In establishing such value, the class and character of the business and the size of the facilities to be used is determined and from these factors a determination is made as to the probable gross sales which may be generated. Out of the gross sales amount, allowance is made for operating costs, based on industry experience, a reasonable profit, leaving a balance which must cover the occupancy cost for the business which includes such items as principal and interest cost to amortize the improvements, taxes, other public charges and the land rental. After the amounts necessary for amortization, interest, taxes, and other public charges has been allocated, the remaining balance of the occupancy cost represents that portion of the gross income which is attributable to the value of the land. This land rent or percentage of the gross is then capitalized to establish the fair use value of the land.

ANTIWINDFALL PROVISIONS

Following the passage of H.R. 11428, the Agency was concerned about windfalls to the priority holders and suggested amendments to prevent the possibility of excessive profits to business. It is recognized that if a residual appraisal is not carefully and accurately made, a difference of a very few percent could mean charging the displaced business more than was justified, or result in an understatement of the value of the land which could result in greater profits than anticipated for the displaced business. It was the House view that since there are approximately 40 eligible priority holders, no antiwindfall provisions were necessary to protect the public since in that number of appraisals, the overages and the underages would probably fairly well balance. The Senate, however, did not accept this view and was inclined to fear the possibility of windfalls and struck the language as mentioned above and stated the intent in the committee report that it was expected that the Agency would reappraise the value of the land periodically following the relocation of business displacees.

DIFFICULTY IN FINANCING

Immediate problems were created as to the possibility of business displacees financing their construction under the threat of reestablishment of different land values during the period of amortization of the cost of improvements. A banking institution financing such a venture, where the proprietor does not and cannot own the land, expects his borrower to have a contract of lease, the terms of which are such as to give a reasonable certainty of availability of funds over and beyond the operating cost to apply to the liquidation of the mortgage. The House committee received expert banking testimony on this point and the matter was reexamined on the basis of the expression of intent in the Senate report. Had the Senate amendments specified that the first reappraisal not be made in less than 20 years, and periodically thereafter, the banking institutions could have financed the construction cost of the displacees. The House amendment proposes a better antiwindfall formula.

SUBSTANCE OF THE PROPOSED HOUSE AMENDMENT TO THE SENATE AMENDMENT

The proposed House amendment restores to the bill the substance of language struck by the Senate which, as modified, provides that the land value established by the residual method "shall not exceed the maximum fair use value economically feasible to permit the reestablishment of a business of the class and character of such displaced businesses."

In lieu of the indefinite periodic reappraisal of the land, as intended under the Senate amendment and expressed in the Senate report, the House amendment provides that either the Agency or the lessee may request a reappraisal of the land value by the residual method at the end of 25 years and at the end of each 10 year period thereafter. In addition, there is provided an annual adjustment by the sharing of any income derived from increased gross sales in excess of the estimated gross sales at the time of the original lease and which amount of increased income exceeds the amount of gross sales allocated to land rent out of the total occupancy cost for the business to determine the amount of rent necessary to finance the loan obligations of the Agency. The Redevelopment Land Agency believes the formula presented by the House amendment serves the public interest better than the Senate amendment and is fairer to the lessees and removes substantial financing problems for lessees. Financing institutions indicate that the formula presents a suitable basis for financing mortgages for lessees. Displaced businesses find the House amendment more suitable than the Senate amendment. The House District Committee shares these views and recommends approval of the amendment.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. DOWDY. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I thank the gentleman for yielding. I simply want to ask two questions:

First, is the gentleman from Texas sure that the so-called no-windfall provisions now agreed to by the House and the Senate, with the House amendment to the Senate amendment, are satisfactory and will not result in undue windfalls to developers, which might wreck the Washington Channel waterfront?

Mr. DOWDY. Mr. Speaker, I will say to the gentleman that that is my opinion, and this has been agreed to by the Senate committee, and also by the Redevelopment Land Agency, which has control of the waterfront area.

Mr. HALL. Mr. Speaker, the second question that I have is: would there under any circumstances be a requirement for funds from the Federal Treasury due to difficulty in financing, or lack of adequate "windfall" to develop?

Mr. DOWDY. None at all. This is to be privately financed.

Mr. HALL. Mr. Speaker, I thank the gentleman for yielding, and I withdraw my reservation of objection.

The SPEAKER. The question is on the motion offered by the gentleman from Texas [Mr. Dowdy].

The motion was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING ATTORNEY GENERAL TO ADJUST LEGISLATIVE JURISDICTION BY UNITED STATES OVER LANDS WITHIN FEDERAL REFORMATORY, CHILLICOTHE, OHIO

Mr. McCULLOCH. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 18284) to authorize the Attorney General to adjust the legislative jurisdiction exercised by the United States over lands within the Federal Reformatory at Chillicothe, Ohio, introduced by the gentleman from New York [Mr. Celler].

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. McCulloch]?

There was no objection.

The Clerk read the bill, as follows:

H.R. 18284

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, the Attorney General may, at such times as he may deem desirable, relinquish to the State of Ohio all, or such portion as he may deem desirable for relinquishment, of the jurisdiction heretofore acquired by the United States over any land within the Federal Reformatory, Chillicothe, Ohio, reserving to the United States such concurrent or partial jurisdiction as he may deem necessary. Relinquishment of jurisdiction under the authority of this Act may be made by filing with the Governor of the State of Ohio a notice of such relinquishment, which shall take effect upon acceptance thereof by the State of Ohio in such manner as its laws may prescribe.

Mr. McCULLOCH. Mr. Speaker, the United States presently has exclusive jurisdiction over the lands comprising this Federal reformatory. The proposal would authorize the Attorney General to relinquish to the State of Ohio all or any portion of such jurisdiction as he deems necessary. Relinquishment of jurisdiction would be accomplished by filing notice thereof with the Governor of the State of Ohio and would be effective upon acceptance by the State in such manner as its laws may prescribe.

This legislation is needed because of the developments outlined below which will result in the Chillicothe facility being used for State rather than Federal purposes. The Federal reformatory at Chillicothe is, at the present time, surplus to the needs of the Federal Bureau of Prisons and its use as a Federal correctional institution is being discontinued. The number of youthful offenders under treatment at this installation has declined to such an extent that it would be more economical and efficient to transfer the inmates to other available and more suitable Federal facilities. It is anticipated that this change in facility utilization also will result in substantial improvements in the programs for the treatment of youthful offenders.

On the other hand, the officials of the State of Ohio find that the facility at Chillicothe would be quite useful and they are anxious to be permitted to use it, hoping that this addition and their current building program would assist them in developing a better correctional system. Therefore, the facility is to be leased to the State of Ohio on condition that it be used so that its value as a Federal correctional facility will be preserved. The permit for the State use will be revocable, so that the facility would be returned to Federal use if and when a need develops. The Bureau of Prisons, General Services Administration, and the State of Ohio presently are preparing the necessary documents to effect the contemplated transfer. It is anticipated that the lease will become effective December 1, 1966.

Since the United States has exclusive jurisdiction over the area on which the Federal reformatory is located, unless jurisdiction is ceded by the United States and accepted by the State of Ohio, an incongruous situation will result, because any future violations of law which take place after these premises are under State control would have to be prosecuted in the Federal courts. It is therefore desirable that exclusive jurisdiction over this area be ceded to the State of Ohio.

The attached proposal follows the pattern of similar legislation enacted in recent Congresses. See, for example, legislation affecting Fort Sheridan, Ill. (75 Stat. 398; Public Law 87–160); Eglin Air Force Base, Fla. (76 Stat. 436; Public Law 87–636); Fort Hancock, N.J. (76 Stat. 438; Public Law 87–640); the Naval Supply Depot, Ogden, Utah (76 Stat. 545; Public Law 87–660); Fort Devens, Mass. (78 Stat. 336; Public Law 88–384); U.S. Naval Hospital, Portsmouth, Va. (78 Stat. 336; Public Law 88–385); Fort Leavenworth Military Reservation (78 Stat. 619; Public Law 88–501); Camp McCoy, Wis. (79 Stat. 582; Public Law 89–144); and lands at the mouth of the Columbia River in the States of Washington and Oregon (80 Stat. 202; Public Law 89–452).

Mr. Speaker, I urge that the bill be passed. I am assured of favorable action by the other body before the end of the session.

Mr. HARSHA. Mr. Speaker, I rise in support of H.R. 18284 and urge its immediate adoption. As has been pointed out a rather peculiar situation will arise in this instance. The Federal Government is negotiating a lease of these premises with the State of Ohio. The Federal Government over my strong objection has determined they no longer need the facilities at Chillicothe, Ohio. Fortunately for the area the State had the foresight to take advantage of the situation and is going to continue these facilities in operation through a program of its own, as I shall subsequently outline. But because the United States has exclusive jurisdiction over the land, it is necessary to relinquish such portion of that jurisdiction as will not only expedite the lease negotiations but also provide for uniform administration and operation of the facilities by the State. It would be cumbersome to have an operation in part under State law and in part under Federal law. As an example, if this bill does not pass, any violation committed on the premises, even after the State had accepted the property under a leasehold agreement, would have to be prosecuted in the Federal courts. This would lead to many problems and create an undesirable situation to say the least. It could even raise questions as to the legality of any lease and possibly hold up the action of the State.

The continued use of this reformatory by another governmental agency, namely, the State of Ohio, will lessen the economic impact of the loss of Federal activity at this institution.

I have been in constant touch with the Bureau of Prisons ever since it was rumored that the Federal Government might close down the reformatory because of changes in its overall program, and have worked toward this mutually beneficial arrangement.

It is indeed fortunate that the State of Ohio is in a position to lease the reformatory and thus maintain it into the future. I would not want a legal technicality to stand in the way.

Ohio officials have presented a sound proposal for utilizing the facility and are enthusiastic about the opportunity to accelerate their long-range development program. This bill will expedite the acquisition of this facility and will allow a transfer of the administration of the facility with a minimum of inconvenience. There is adequate precedence for this legislation as pointed out by the Attorney General in his letter to the Speaker and I strongly urge its adoption.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

ENABLING COURTS TO DEAL MORE EFFECTIVELY WITH NARCOTIC ADDICTION

Mr. CELLER submitted a conference report and statement on the bill (H.R. 9167) to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addition, and for other purposes.

PRINTING ADDITIONAL COPIES OF HOUSE DOCUMENT 237, "SINO-SOVIET CONFLICT AND ITS IMPLICATIONS"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I send to the desk a privileged report on House Concurrent Resolution 1034, and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 1034

Resolved by the House of Representatives (the Senate concurring), That an additional three thousand copies of House Document 237, Eighty-ninth Congress, first session, entitled "Sino-Soviet Conflict and Its Implications", be printed for the use of the Committee on Foreign Affairs of the House of Representatives.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING ADDITIONAL COPIES FOR SENATE COMMITTEE ON THE JUDICIARY, HEARINGS BY SUBCOMMITTEE ON ANTITRUST AND MONOPOLY

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I send to the desk a privileged report on the Senate concurrent resolution (S. Con Res. 109) authorizing the printing of certain hearings of the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary, and ask for its immediate consideration.

The Clerk read the Senate concurrent resolution, as follows:

S. CON. RES. 109

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Senate Committee on the Judiciary one thousand additional copies each of the hearings held by its Subcommittee on Antitrust and Monopoly on physician ownership in pharmacies and drug companies (Eighty-eighth Congress, second session), price discrimination legislation (Eighty-ninth Congress, first session) and distribution problems affecting small business (Eighty-ninth Congress, first session).

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PRINTING ADDITIONAL COPIES OF HEARINGS BY SPECIAL COMMITTEE ON AGING ON "DETECTION AND PREVENTION OF CHRONIC DISEASE UTILIZING MULTIPHASIC HEALTH SCREENING TECHNIQUES"

Mr. HAYS. Mr. Speaker, by direction of the Committee on House Administration, I send to the desk a privileged report on the Senate concurrent resolution (S. Con. Res. 110) authorizing the printing of additional copies of hearings by the Special Committee on Aging on "Detection and Prevention of Chronic Disease Utilizing Multiphasic Health Screening Techniques," and ask for its immediate consideraton.

The Clerk read the concurrent resolution, as follows:

S. CON. RES. 110

Resolved by the Senate (the House of Representatives concurring), That there be printed for the use of the Special Committee on Aging four thousand additional copies of hearings held September 20, 21, and 22, 1966, in Washington, District of Columbia, titled "Detection and Prevention of Chronic Disease Utilizing Multiphasic Health Screening Techniques."

The Senate concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FUNDS FOR COMMITTEE ON THE JUDICIARY

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I send to the desk a privileged report on the resolution (H. Res. 1038) to provide funds for the Committee on the Judiciary, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1038

Resolved, That the further expenses of conducting the studies and investigations authorized by H. Res. 19 of the Eighty-ninth Congress, incurred by the Committee on the Judiciary, acting as a whole or by subcommittee, not to exceed $50,000, including expenditures for the employment of experts, special counsel, clerical, stenographic, and other assistants, and all expenses necessary for travel and subsistence incurred by members and employees while engaged in the activities of the committee or any subcommittee thereof, shall be paid out of the contingent fund of the House on vouchers authorized by such committee signed by the chairman of such committee and approved by the Committee on House Administration.

SEC. 2. No part of the funds authorized by this resolution shall be available for expenditure in connection with the study or investigation of any subject which is being investigated for the same purpose by any other committee of the House, and the chairman of the Committee on the Judiciary shall furnish the Committee on House Administration information with respect to any study or investigation intended to be financed from such funds.

With the following committee amendment.

Page 1, line 5, strike out $50,000," and insert "$20,000,".

The committee amendment was agreed to.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RELATING TO THE COMPENSATION OF CERTAIN PERSONNEL OF THE HOUSE PRESS GALLERY, THE OFFICIAL REPORTERS OF DEBATES, AND THE CLERKS TO THE OFFICIAL REPORTERS OF DEBATES OF THE HOUSE OF REPRESENTATIVES

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I offer a resolution (H. Res. 1055) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1055

Resolved, That, (a) until otherwise provided by law and effective the first day of the first month which begins on or after the date of adoption of this resolution the rate of basic compensation of—

(1) the Superintendent of the House Press Gallery shall be $5,400 per annum;

(2) the First Assistant Superintendent of the House Press Gallery shall be $4,800 per annum;

(3) the Third Assistant Superintendent of the House Press Gallery shall be $3,360 per annum;

(4) the Fourth Assistant Superintendent of the House Press Gallery shall be $2,650 per annum;

(5) the Official Reporter of Debates of the House of Representatives with the longest service as a Debate Reporter shall be known as the Chief Reporter of Debates of the House of Representatives and shall be paid basic compensation at the rate of $9,000 per annum;

(6) other Official Reporters of Debates of the House of Representatives each shall be paid basic compensation at the rate of $8,880 per annum;

(7) the clerk to the Official Reporters of Debates of the House shall be $5,425 per annum;

(8) the number one assistant clerk to the Official Reporters of Debates of the House shall be $4,200 per annum;

(9) the number two assistant clerk of the Official Reporters of Debates of the House shall be $3,730 per annum.

(b) Until otherwise provided by law, such amounts as may be necessary to carry out subsection (a) of this resolution shall be paid out of the contingent fund of the House of Representatives.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PROVIDING ADDITIONAL COMPENSATION FOR SERVICES PERFORMED BY EMPLOYEES IN THE HOUSE PUBLICATIONS DISTRIBUTION SERVICE

Mr. FRIEDEL. Mr. Speaker, by direction of the Committee on House Administration, I offer a resolution (H. Res. 1056) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1056

Resolved, That, notwithstanding any other provision of law, there is authorized to be paid out of the contingent fund of the House of Representatives such sums as may be necessary to pay compensation to each employee of the Publications Distribution Service of the House of Representatives for all services performed by such employee in excess of the normal workday where such services are authorized by the Committee on House Administration. Such compensation shall be paid on an hourly basis at a rate equal to the rate of compensation otherwise paid to such employee, with a $2.25 minimum. This resolution shall take effect on October 14, 1966, and payments made under this resolution shall be terminated as the Committee on House Administration determines necessary, but not later than November 15, 1966.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I gladly yield to my colleague, the gentleman from Missouri.

Mr. HALL. Do I correctly understand that this is an additional hourly rate in the interest of equity and justice, but primarily in order to accomplish the cleanup of all of the mailing and folding room work which is stashed on sleds in the basement of the Cannon Building and the Longworth Building, campaign material and educational material distributed by the Members of the Congress at the yearend? Is that the primary purpose of the resolution?

Mr. FRIEDEL. That is the primary purpose. You have described it very well.

Mr. HALL. I hope that I was generous, Mr. Speaker, in addressing the chairman and in phrasing the purpose of the resolution. All I really need to know of the distinguished chairman, Mr. Speaker, is whether or not the resolution does have a limitation on it between October 14, 1966, and November 15, 1966; and if it would preclude the permanent hiring of additional personnel for this stopgap measure.

Mr. FRIEDEL. This is only temporary employment for overtime work. It would not preclude the employment of any other employees to fill the positions available.

Mr. HALL. Would it set a precedent for hourly rates in the future?

Mr. FRIEDEL. No.

Mr. HALL. I thank the gentleman.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. FRIEDEL. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. I am astounded to hear that the gentleman from Missouri aptly described the purpose of this measure, because he said it was for political expenditures. It is my understanding the folding room is not to send out anything of a political nature.

Mr. FRIEDEL. I did not understand it to be of a political nature.

Mr. SAYLOR. I thank the gentleman for his statement.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AMENDMENT OF SMALL BUSINESS INVESTMENT ACT OF 1958

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee of the Whole House on the State of the Union be discharged from further consideration of the bill (H.R. 18021) to amend the Small Business Investment Act of 1958, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. PELLY. Mr. Speaker, reserving the right to object—and I shall not object—I merely wish to be assured by the gentleman from Texas that he will insert in the RECORD the information which was requested when this legislation came up the other day and which was not available to the objectors, which was the reason we asked to have the bill passed over.

Mr. PATMAN. Yes, I shall be very glad to do that. It is a statement from the Administrator of the Small Business Administration.

Mr. PELLY. Which merely points out the fact that there is a real need for this legislation.

Mr. PATMAN. That is correct. The other day, as the gentleman pointed out, on the Consent Calendar call, this bill was objected to because certain information was not readily available. Since that time, the information has been furnished to the objectors, and I understand the objectors no longer are opposed.

Mr. PELLY. If the gentleman will assure me that this is the letter dated October 18, addressed to the chairman.

Mr. PATMAN. Yes. The letter is dated October 18.

Mr. Speaker, I ask unanimous consent to insert the letters in the RECORD at this point.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

The letters are as follows:

SMALL BUSINESS ADMINISTRATION,
Washington, D.C., October 17, 1966.

HON. WRIGHT PATMAN,
Chairman, Committee on Banking and Currency, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: The Small Business Administration urges prompt enactment of the Small Business Investment Act Amendments of 1966 (H.R. 18021).

This bill is essential to improve the organization of SBA and to strengthen the regulatory powers of the Agency over the small business investment company program. The Bureau of the Budget has advised that the enactment of this legislation would be consistent with the Administration's objectives.

Sincerely yours,

BERNARD L. BOUTIN,
Administrator.

SMALL BUSINESS ADMINISTRATION,
Washington, D.C., October 18, 1966.

HON. WRIGHT PATMAN,
Chairman, Committee on Banking and Currency, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: In view of the objections raised concerning H.R. 18021—"Small Business Investment Act Amendments of 1966"—I submit the following comments.

These amendments were proposed after hearings before the House Select Committee on Small Business, the Senate Small Business Subcommittee of the Banking and Currency Committee, and before the Permanent Investigations Subcommittee of the Senate Government Operations Committee.

All of these hearings showed there were serious problems which affected the Small Business Investment Company program. These problems are the result of serious deficiencies in the program itself—deficiencies which can and must be corrected. As soon as I became Administrator in May of this year, I began an exhaustive examination of the program. I used, and I am continuing to use the full administrative authority that I have to correct these deficiencies. However, it became quite clear that administrative remedies which were available to SBA were insufficient to completely solve the problems.

A bill was introduced in the Senate and amended in the House to provide SBA with the additional administrative authority. It represents the minimum new authority needed to regulate and carry out the program as Congress intends it should be carried out.

Briefly, the effect of this bill, H.R. 18021, is to require licensed Small Business Investment Companies to adhere to regulations with respect to the prompt filing of required reports, which are essential to appropriate evaluation of their operations under the Act. As many as 15% of the licensees have failed to file reports at all. In most instances we found that failure to file reports was a prime indication of other types of violations. With the administrative authority we now have we can only issue cease and desist orders, or suspend SBIC licenses. H.R. 18021 establishes a nominal penalty. Thus we will be able to require SBIC's to file within a prescribed time or suffer a penalty. This method is used by other regulatory agencies.

Another important provision of H.R. 18021 allows us to proceed against an individual who has caused an SBIC to violate our Act and regulations, instead of proceeding against the corporate entity behind which the individual violators previously did hide.

As examples of some of the problems facing SBA in the performance of our responsibilities I might list some of the violations which we hope this legislation will help to combat in the future.

One is conflicts of interest, involving loans to companies completely owned or controlled by SBIC's or their principals. Another is cross-dealing, which involves loans by one SBIC to small businesses completely controlled by another SBIC and vice-versa. Another violation is control of more than one SBIC by the same individuals. Another is boot-strapping, which involves the securing of private loans by an individual starting an SBIC, who then uses government funds to pay off the private loan. Another violation is relending, which occurs when an SBIC loans government money to companies which then lend to otherwise ineligible borrowers. There are many other violations.

The tools sought in this legislation are absolutely essential in order for SBA to conduct this program for the benefit of the small businessman. They are also essential for the protection of the taxpayers' money. Time is of the essence—this legislation is needed now! Delay will only result in the continuous loss of government funds, and further harm to small businesses.

This Agency fully supports H.R. 18021 in its present form and the Bureau of the Budget has no objections to this legislation.

Sincerely yours,

BERNARD L. BOUTIN,
Administrator.

Mr. PELLY. Mr. Speaker, I withdraw my reservation.

The **SPEAKER.** Is there objection to the request of the gentleman from Texas?

There was no objection.

The Clerk read the bill, as follows:

H.R. 18021

A bill to amend the Small Business Investment Act of 1958, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Small Business Investment Act Amendments of 1966."

SEC. 2. Section 201 of the Small Business Investment Act of 1958 is amended to read as follows:

"ESTABLISHMENT OF SMALL BUSINESS INVESTMENT DIVISION

"SEC. 201. There is hereby established in the Small Business Administration a division to be known as the Small Business Investment Division. The Division shall be headed by an Associate Administrator who shall be appointed by the Administrator, and shall receive compensation at the rate provided by law for other Associate Administrators of the Small Business Administration."

SEC. 3. Section 308 of the Small Business Investment Act of 1958 is amended—

(1) by striking out the last two sentences of subsection (c); and

(2) by inserting after subsection (e) the following new subsections:

"(f) In the performance of, and with respect to the functions, powers, and duties vested by this Act, the Administrator and the Administration shall (in addition to any authority otherwise vested by this Act) have the functions, powers, and duties set forth in the Small Business Act, and the provisions of sections 13 and 16 of that Act, insofar as applicable, are extended to the functions of the Administrator and the Administration under this Act.

"(g) The Administration shall include in its annual report, made pursuant to section 10(a) of the Small Business Act, a full and detailed account of its operations under this Act. Such report shall set forth the amount of losses sustained by the Government as a result of such operations during the preceding fiscal year, together with an estimate of the total losses which the Government can reasonably expect to incur as a result of such operations during the then current fiscal year."

SEC. 4. (a) Section 309 of the Small Business Investment Act of 1958 is amended by striking out the section heading and inserting in lieu thereof the following:

"REVOCATION AND SUSPENSION OF LICENSES; CEASE AND DESIST ORDERS"

(b) Section 309(a) of such Act is amended—

(1) by inserting "revoked or" before "suspended";

(2) by striking out in paragraph (1) "Administration, for the purpose of obtaining the license" and inserting in lieu thereof "Administration"; and

(3) by striking out in paragraph (2) "for the purpose of obtaining the license,".

(c) Section 309(b) of such Act is amended to read as follows:

"(b) Where a licensee or any other person has not complied with any provision of this Act, or of any regulation issued pursuant thereto by the Administration, or is engaging or is about to engage in any acts or practices which constitute or will constitute a violation of such Act or regulation, the Administration may order such licensee or other person to cease and desist from such action or failure to act. The Administration may further order such licensee or other person to take such action or to refrain from such action as the Administration deems necessary to insure compliance with the Act and the regulations. The Administration may also suspend the license of a licensee, against whom an order has been issued, until such licensee complies with such order."

(d) Section 309(c) of such Act is amended—

(1) by inserting after "licensee", the first place it appears, the following: "and any other person";

(2) by striking out "inform the licensee" and inserting in lieu thereof the following: "set forth";

(3) by inserting after "licensee", the last place it appears, the following: "and any other person involved"; and

(4) by inserting before "suspending", each place it appears, the following: "revoking or".

(e) Section 309(e) of such Act is amended by inserting after "licensee", the first place it appears, the following: ", or other person against whom an order is issued,".

(f) Section 309(f) of such Act is amended—

(1) by striking out the first sentence and inserting in lieu thereof the following: "If any licensee or other person against which or against whom an order is issued under this section fails to obey the order, the Administration may apply to the United States court of appeals, within the circuit where the licensee has its principal place of business, for the enforcement of the order, and shall file a transcript of the record upon which the order complained of was entered."; and

(2) by inserting "or other person" before the period at the end of the second sentence.

SEC. 5. Section 310 of the Small Business Investment Act of 1958 is amended—

(1) by striking out the section heading and inserting in lieu thereof "EXAMINATIONS AND INVESTIGATIONS"; and

(2) by inserting "(a)" after "SEC. 310.", and by adding at the end thereof a new subsection as follows:

"(b) Each small business investment company shall be subject to examinations made by direction of the Administration by examiners selected or approved by the Administration, and the cost of such examinations, including the compensation of the examiners, may in the discretion of the Administration be assessed against the company examined and when so assessed shall be paid by such company. Every such company shall make such reports to the Administration at such times and in such form as the Administration may require; except that the Administration is authorized to exempt from making such reports any such company which is registered under the Investment Company Act of 1940 to the extent necessary to avoid duplication in reporting requirements."

SEC. 6. Section 311 of the Small Business Investment Act of 1958 is amended by adding at the end thereof the following new subsection:

"(c) The Administration shall have authority to act as trustee or receiver of the licensee. Upon request by the Administration, the court may appoint the Administration to act in such capacity unless the court deems such appointment inequitable or otherwise inappropriate by reason of the special circumstances involved."

SEC. 7. Title III of the Small Business Investment Act of 1958 is further amended by adding at the end thereof the following new sections:

"REMOVAL OR SUSPENSION OF DIRECTORS AND OFFICERS OF LICENSEES

"SEC. 313. (a) The Administration may serve upon any director or officer of a licensee a written notice of its intention to remove him from office whenever, in the opinion of the Administration, such director or officer—

"(1) has willfully and knowingly committed any substantial violation of—

"(A) this Act,

"(B) any regulation issued under this Act, or

"(C) a cease-and-desist order which has become final, or

"(2) has willfully and knowingly committed or engaged in any act, omission, or practice which constitutes a substantial breach of his fiduciary duty as such director or officer, and that such violation or such breach of fiduciary duty is one involving personal dishonesty on the part of such director or officer.

"(b) In respect to any director or officer referred to in subsection (a), the Administration may, if it deems it necessary for the protection of the licensee or the interests of the Administration, by written notice to such effect served upon such director or officer, suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the licensee. Such suspension and/or prohibition shall become effective upon service of such notice and, unless stayed by a court in proceedings authorized by subsection (d), shall remain in effect pending the completion of the administrative proceedings pursuant to the notice served under subsection (a) and until such time as the Administration shall dismiss the charges specified in such notice, or, if an order of removal and/or prohibition is issued against the director or officer, until the effective date of any such order. Copies of any such notice shall also be served upon the interested licensee.

"(c) A notice of intention to remove a director or officer, as provided in subsection (a), shall contain a statement of the facts constituting grounds therefor, and shall fix a time and place at which a hearing will be held thereon. Such hearing shall be fixed for a date not earlier than thirty days nor later than sixty days after the date of service of such notice, unless an earlier or a later date is set by the Administration at the request of (1) such director or officer and for good cause shown, or (2) the Attorney General of the United States. Unless such director or officer shall appear at the hearing in person or by a duly authorized representative, he shall be deemed to have consented to the issuance of an order of such removal. In the event of such consent, or if upon the record made at any such hearing the Administration shall find that any of the grounds specified in such notice has been established, the Administration may issue such orders of removal from office as it deems appropriate. Any such order shall become effective at the expiration of thirty days after service upon such licensee and the director or officer concerned (except in the case of an order issued upon consent, which shall become effective at the time specified therein). Such order shall remain effective and enforcible except to such extent as it is stayed, modified, terminated, or set aside by action of the Administration or a reviewing court.

"(d) Within ten days after any director or officer has been suspended from office and/or prohibited from participation in the conduct of the affairs of a licensee under subsection (b), such director or officer may apply to the United States district court for the judicial district in which the home office of the licensee is located, or the United States District Court for the District of Columbia, for a stay of such suspension and/or prohibition pending the completion of the administrative proceedings pursuant to the notice served upon such director or officer under subsection (a), and such court shall have jurisdiction to stay such suspension and/or prohibition.

"(e) Whenever any director or officer of a licensee is charged in any information, indictment, or complaint authorized by a United States attorney, with the commission of or participation in a felony involving dishonesty or breach of trust, the Administration may, by written notice served upon such director or officer, suspend him from office and/or prohibit him from further participation in any manner in the conduct of the affairs of the licensee. A copy of such notice shall also be served upon the licensee. Such suspension and/or prohibition shall remain in effect until such information, indictment, or complaint is finally disposed of or until terminated by the Administration. In the event that a judgment of conviction with respect to such offense is entered against such director or officer, and at such time as such judgment is not subject to further appellate review, the Administration may issue and serve upon such director or officer an order removing him from office. A copy of such order shall be served upon such licensee, whereupon such director or officer shall cease to be a director or officer of such licensee. A finding of not guilty or other disposition of the charge shall not preclude the Administration from thereafter instituting proceedings to suspend or remove such director or officer from office and/or to prohibit him from further participation in licensee affairs, pursuant to subsection (a) or (b).

"(f)(1) Any hearing provided for in this section shall be held in the Federal judicial district or in the territory in which the principal office of the licensee is located unless the party afforded the hearing consents to another place, and shall be conducted in accordance with the provisions of chapter 7 of title 5 of the United States Code. After such hearing, and within ninety days after the Administration has notified the parties that the case has been submitted to it for final decision, the Administration shall render its decision (which shall include findings of fact upon which its decision is predicated) and shall issue and cause to be served upon each party to the proceeding an order or orders consistent with the provisions of this section. Judicial review of any such order shall be exclusively as provided in this subsection. Unless a petition for review is timely filed in a court of appeals of the United States, as hereinafter provided in paragraph (2) of this subsection, and thereafter until the record in the proceeding has been filed as so provided, the Administration may at any time, upon such notice and in such manner as it shall deem proper, modify, terminate, or set aside any such order. Upon such filing of the record, the Administration may modify, terminate, or set aside any such order with permission of the court.

"(2) Any party to such proceeding may obtain a review of any order served pursuant to paragraph (1) of this subsection (other than an order issued with the consent of the director or officer concerned, or an order issued under subsection (e) of this section), by filing in the court of appeals of the United States for the circuit in which the principal office of the licensee is located, or in the United States Court of Appeals for the District of Columbia Circuit, within thirty days after the date of service of such order, a written petition praying that the order of the Administration be modified, terminated, or set aside. A copy of such petition shall be forthwith transmitted by the clerk of the court to the Administration, and thereupon the Administration shall file in the court the record in the proceeding, as provided in section 2112 of title 28 of the United States Code. Upon the filing of such petition, such court shall have jurisdiction, which upon the filing of the record shall, except as provided in the last sentence of said paragraph (1), be exclusive, to affirm, modify, terminate, or set aside, in whole or in part, the order of the Administration. Review of such proceedings shall be had as provided in the Administrative Procedure Act. The judgment and decree of the court shall be final, except that the same shall be subject to review by the Supreme Court upon certiorari as provided in section 1254 of title 28 of the United States Code.

"(3) The commencement of proceedings for judicial review under paragraph (2) of this subsection shall not, unless specifically ordered by the court, operate as a stay of any order issued by the Administration.

"UNLAWFUL ACTS AND OMISSIONS BY OFFICERS, DIRECTORS, EMPLOYEES, OR AGENTS; BREACH OF FIDUCIARY DUTY

"SEC. 314. (a) Wherever a licensee violates any provision of this Act or regulation issued thereunder by reason of its failure to comply with the terms thereof or by reason of its engaging in any act or practice which constitutes or will constitute a violation thereof, such violation shall be deemed to be also a violation and an unlawful act on the part of any person who, directly or indirectly, authorizes, orders, participates in, or causes, brings about, counsels, aids, or abets in the commission of any acts, practices, or transactions which constitute or will constitute, in whole or in part, such violation.

"(b) It shall be unlawful for any officer, director, employee, agent, or other participant in the management or conduct of the affairs of a licensee to engage in any act or practice, or to omit any act, in breach of his fiduciary duty as such officer, director, employee, agent, or participant, if, as a result thereof, the licensee has suffered or is in imminent danger of suffering financial loss or other damage.

"(c) Except with the written consent of the Administration, it shall be unlawful—

"(1) for any person hereafter to take office as an officer, director, or employee of a licensee, or to become an agent or participant in the conduct of the affairs or management of a licensee, if——

"(A) he has been convicted of a felony, or any other criminal offense involving dishonesty or breach of trust, or

"(B) he has been found civilly liable in damages, or has been permanently or temporarily enjoined by an order, judgment, or decree of a court of competent jurisdiction, by reason of any act or practice involving fraud or breach of trust; or

"(2) for any person to continue to serve in any of the above-described capacities, if—

"(A) he is hereafter convicted of a felony, or any other criminal offense involving dishonesty or breach of trust, or

"(B) he is hereafter found civilly liable in damages, or is permanently or temporarily enjoined by an order, judgment, or decree of a court of competent jurisdiction, by reason of any act or practice involving fraud or breach of trust.

"PENALTIES AND FORFEITURES

"SEC. 315. (a) Except as provided in subsection (b) of this section, a licensee which violates any regulation or written directive issued by the Administrator, requiring the filing of any regular or special report pursuant to section 310(b) of this Act, shall forfeit and pay to the United States a civil penalty of not more than $100 for each and every day of the continuance of the licensee's failure to file such report, unless it is shown that such failure is due to reasonable cause and not due to willful neglect. The civil penalties provided for in this section shall accrue to the United States and may be recovered in a civil action brought by the Administration.

"(b) The Administration may by rules and regulations, or upon application of an interested party, at any time previous to such failure, by order, after notice and opportunity for hearing, exempt in whole or in part, any small business investment company from the provisions of subsection (a) of this section, upon such terms and conditions and for such period of time as it deems necessary and appropriate, if the Administration finds that such action is not inconsistent with the public interest or the protection of the Administration. The Administration may for the purposes of this section make any alternative requirements appropriate to the situation.

"JURISDICTION AND SERVICE OF PROCESS

"SEC. 316. Any suit or action brought under section 308, 309, 311, 313, or 315 by the Administration at law or in equity to enforce any liability or duty created by, or to enjoin any violation of, this Act, or any rule, regulation, or order promulgated thereunder, shall be brought in the district wherein the licensee maintains its principal office, and process in such cases may be served in any district in which the defendant maintains its principal office or transacts business, or wherever the defendant may be found."

SEC. 8. (a) Section 4(b) of the Small Business Act is amended by striking out "three Deputy Administrators" and inserting in lieu thereof "a Deputy Administrator and three Associate Administrators (including the Associate Administrator specified in section 201 of the Small Business Investment Act of 1958)".

(b) Such section is further amended by adding at the end thereof the following: "The Deputy Administrator shall be Acting Administrator of the Administration during the absence or disability of the Administrator or in the event of a vacancy in the office of the Administrator."

(c)(1) Section 303(d) of the Federal Executive Salary Act of 1964 is amended by adding at the end thereof the following:

"(70) Deputy Administrator of the Small Business Administration."

(2) Section 303(e)(11) of such Act is amended by striking out "Deputy Administrators of the Small Business Administration (4)" and inserting in lieu thereof" "Associate Administrators of the Small Business Administration (3)".

SEC. 9. (a) The table of contents of the Small Business Investment Act of 1958 is amended—

(1) by striking out the items describing the contents of sections 309 and 310 and inserting in lieu thereof the following:

"Sec. 309. Revocation and suspension of licenses; cease and desist orders.
"Sec. 310. Examinations and investigations";

and

(2) by inserting at the end of that part which describes the contents of title III the following new items:

"Sec. 313. Removal or suspension of directors and officers of licensees.
"Sec. 314. Unlawful acts and omissions by officers, directors, employees, or agents; breach of fiduciary duty.
"Sec. 315. Penalties and forfeitures.
"Sec. 316. Jurisdiction and service of process."

AMENDMENTS OFFERED BY MR. PATMAN

Mr. PATMAN. Mr. Speaker, I offer some perfecting amendments.

The Clerk read as follows:

Perfecting amendments offered by Mr. PATMAN: Page 7, line 5, strike "ommission" and insert "omission".

Page 10, line 21, strike "7" and insert "5".

Page 12, line 10, strike "the Administrative Procedure Act" and insert "chapter 7 of title 5 of the United States Code".

Page 16, strike lines 12 through 21, and insert:

"(c)(1) Section 5315 of title 5 of the United States Code is amended by adding at the end thereof the following: '(78) Deputy Administrator of the Small Business Administration.'"

(2) Section 5316(11) of such title is amended by changing "Deputy Administrators of the Small Business Administration (4)" to read "Associate Administrators of the Small Business Administration (3)".

The agreements were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency be discharged from further consideration of the bill (S. 3695) to amend the Small Business Investment Act of 1958, and for other purposes, and ask for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. MOORE. Mr. Speaker, reserving the right to object, I ask the gentleman from Texas if he will yield to me.

Mr. PATMAN. I am glad to yield to the gentleman from West Virginia.

Mr. MOORE. Mr. Speaker, this is a unanimous-consent request on a Senate bill, I understand, which is pending in the Banking and Currency Committee; is that correct?

Mr. PATMAN. That is correct, yes.

Mr. MOORE. Mr. Speaker, I believe I should make a statement at this time. I appreciate the gentleman's yielding.

As long as I am on the floor during the consideration of any unanimous-consent request affecting Senate bills, I shall interpose an objection.

During the consideration yesterday afternoon of the conference report on the Cuban refugee matter and the adjustment of the status of Cuban refugees in this country, your House conferees made a bargain or struck an agreement with the conferees of the other body respecting legislation, private in nature, which is pending in the other body authored by some 34 Members of this House, in which case a single individual Member of the other body had been given the authority to hold up private legislation passed by this body until this body sees fit to give clearance to a legislative matter, which is private in nature, that this particular Member of the other body has introduced and to which up to this time this body or its appropriate committee has not seen fit to act favorably.

The Member of the other body involved agreed in conference in consideration of the willingness of our House conferees to cooperate on certain areas of the Cuban refugee bill. After having struck the bargain in conference on the Cuban refugee legislation in which the conferees of this body gave up a measure of the bill which was passed by the House in order to arrive at an agreement for which the other body agreed to permit the 34 individual private bills which were being summarily—and I say in an act of retaliation—held up by the actions of a single Member of the other body. I find now that after the conferees of this body have signed the Cuban refugee conference report that the Member of the other body has now seen fit again to act in a very arbitrary manner and act again in retaliation, refusing the carry out his bargain made with the House conferees and is still not permitting the consideration by the other body of these 34 bills that this House has given its approval. I had waited for the appropriate time for a Senate bill to come up with a unanimous-consent request. Therefore, Mr. Speaker, I object, and that is the reason for my objection.

Mr. PATMAN. Mr. Speaker, will the gentleman yield before he objects?

Mr. MOORE. I will be happy to yield to the gentleman.

Mr. PATMAN. I will state to the gentleman that this bill, S. 3695, is just being used as a vehicle to expedite passage of important small business legislation. We want to strike out all after the enacting clause of the Senate bill and insert the language of the House bill, H.R. 18021. Therefore, I do not think this would come in the category that the gentleman is speaking of. I hope it does not, because this bill was worked out with the approval of the Senate committee, the House committee, the Small Business Administration, and the small business investment organizations. They are all unanimous in their support of this bill. This is very important to the small business people of the United States and to insure the proper functioning of the small business investment company program. This will be a great help to them. I hope that the gentleman will not use this particular bill as a vehicle for what he has suggested. I know he is interested in small business, in the Small Business Committee, and is interested in the problems of small business and trying to help them. I certainly sincerely hope that the gentleman will not object to this.

Mr. MOORE. I realize the importance of this bill. I know it is important to the small business community, I say to the gentleman from Texas. Nevertheless, you speak in terms of agreements and you speak in terms of bargains and you speak in terms of good faith. This was exactly the manner in which the House conferees left the conference yesterday. They left with an understanding with the other body. Certainly it is only a happenstance that the gentleman from Texas gets on his feet with his Senate bill now.

Mr. Speaker, I object and I will object to the consideration of any other pending Senate bills that require unanimous consent approval.

Mr. PATMAN. Will you withhold your objection and reserve your right?

Mr. MOORE. Yes, I will.

Mr. PATMAN. May I urge the gentleman that this has nothing to do with the Cuban refugees or the bill that the gentleman is talking about. It is wholly disconnected and there is not anything in this bill that has anything to do with the bill that the gentleman speaks of. I hope that the gentleman on second thought will seriously consider before objecting to a bill that is so important to the small business people of the United States, just because the Cuban refugee bill was not handled in the other body.

Mr. MOORE. I am certainly persuaded by the manner in which the gentleman is putting forth his argument, but we are talking about comity between the two Houses or the keeping of one's word. We are talking about making the other body keep a bargain which was made in good faith by the representatives of this body. The only way in the world we can do that, I say to my colleague from Texas, is to let them know that two can play at this game.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. MOORE. I am happy to yield to the gentleman.

Mr. HAYS. I will say to the gentleman that this will work, because I did it another time some years ago, and they soon got the message. They will be back. Do not worry about it.

Mr. MOORE. Mr. Speaker, I too am anxious that they get the message, I want to say to the gentleman from Ohio [Mr. HAYS].

Mr. Speaker, I object.

The SPEAKER. Objection is heard.

U.S. NAVAL CONSTRUCTION BATTALION (SEABEES) AND U.S. NAVY CIVIL ENGINEER CORPS COMMEMORATIVE MEDALS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (H.R. 17658) to provide for the striking of medals in commemoration of the U.S. Naval Construction Battalion (Seabees) 25th anniversary and the U.S. Navy Civil Engineer Corps (CEC) 100th anniversary.

The Clerk read the title of the bill.

There being no objection, the Clerk read the bill, as follows:

H.R. 17658

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of the Treasury (hereinafter referred to as the "Secretary") shall strike and furnish for the United States Naval Facilities Engineering Command (hereinafter referred to as the "command") for the celebration of the twenty-fifth anniversary of the United States Naval Construction Battalions (SEABEES) and the one-hundredth anniversary of the United States Navy Civil Engineer Corps (CEC), national medals in commemoration of such anniversaries.

SEC. 2. Such medals shall be of such sizes, materials, and designs, and shall be so inscribed as the command may determine with the approval of the Secretary.

SEC. 3. Not more than one hundred thousand of such medals may be produced. Production shall be in such quantities, not less than two thousand, as may be ordered by the command, but no work may be commenced on any order unless the Secretary has received security satisfactory to him for the payment of the cost of the production of such order. Such cost shall include labor, materials, dies, use of machinery, and overhead expenses, as determined by the Secretary. No medals may be produced pursuant to this Act after December 31, 1968.

SEC. 4. Upon receipt of payment for such medals in the amount of the cost thereof as determined pursuant to Section 3, the Secretary shall deliver the medals as the command may request.

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, this bill has been reported unanimously by the House Committee on Banking and Currency. It provides for the manufacture of certain medals without cost to the Federal Government.

March 5, 1967, marks the 25th anniversary of the formation of the U.S. Naval Construction Battalions—Seabees—composed of skilled construction workers who accompanied the assault forces of World War II, improvising marvels of construction ingenuity in support of the fighting fleet, and the ground and air forces, and who, when necessary, put aside their tools to help in the actual fighting. Ever since landing with the Marines at Guadalcanal in August 1942, the Seabees have earned an honored place in the annals of bravery and achievements of the Armed Forces of the United States, throughout World War II and the Korean war, and presently in Vietnam.

March 2, 1967, marks the 100th anniversary of the founding of the U.S. Navy Civil Engineer Corps whose officers lead the Seabees battalions and teams in action.

The national medals authorized by this legislation will be sold to present and former Seabees, and to the public, principally through the Seabees Museum at Port Hueneme, Calif. H.R. 17658 was introduced by Representative CHARLES M. TEAGUE, of California, in whose district the Port Hueneme Pacific Construction Battalions Center is located.

The dual anniversaries commemorated by these medals are to be observed throughout 1967.

The Treasury Department has no objection to the bill and the Department of the Navy, on behalf of the Department of Defense, strongly supports enactment. The Navy reports that the retail sales outlet of the Seabees Museum is a nonappropriated fund activity, and that the medals, as I indicated earlier, will be manufactured and sold at no cost to the Government.

Mr. Speaker, in calling up this bill today, I would like to note that bills of this nature are usually managed on the House floor by the gentlewoman from Missouri, the Honorable LEONOR K. SULLIVAN, chairman of the subcommittee which has jurisdiction over legislation dealing with the operations of the mint in the Committee on Banking and Currency. She is one of the most conscientious and one of the most effective members of the Committee on Banking and Currency and we always know that any bill which she handles in the committee is going to be processed carefully and thoroughly.

Congresswoman SULLIVAN not only adorns this Chamber and the committee of which I am privileged to be chairman but also brings to her work a devotion to duty and a reliability and a faithfulness which every Member of the House of Representatives cannot help but admire.

Mrs. SULLIVAN is the outstanding defender of the cause of consumers in the Congress of the United States, and is chairman of the Subcommittee on Consumer Affairs of the Committee on Banking and Currency as well as serving as ranking member of the Subcommittee on Housing.

At her request, I have been happy to call up this bill for final action so that it can be sent to the White House for signature. I am sure the Navy and particularly the Seabees will be extremely grateful to the gentlewoman from Missouri for her work in expediting this legislation so that the medal which this bill would authorize can be struck and made available to present and former members of the Seabees at the start of the 25th anniversary year of this fine naval organization next January.

The bill was ordered to be engrossed, and read a third time and was read the third time, and passed, and a motion to reconsider was laid on the table.

STRIKING OF MEDALS IN COMMEMORATION OF THE U.S. NAVAL CONSTRUCTION BATTALIONS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3881), an identical Senate bill to the House bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

Mr. MOORE. Mr. Speaker, I object.

DR. GEORGE H. EDLER

Mr. HALL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 1404), a bill which was passed over on the Private Calendar on yesterday, and ask unanimous consent for its immediate consideration.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Missouri?

There was no objection.

The Clerk read as follows:

H.R. 1404

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, for purposes of determining under title II of the Social Security Act the primary insurance amount of Doctor George H. Edler (social security account numbered 342-28-2323), of Peoria, Illinois, the income receive by him on account of services rendered as a chiropodist for the Peoria State Hospital, Peoria, Illinois, during the years 1954 through 1961 shall be included as a part of his gross income in computing his net earnings from self-employment for such years under section 211 of the Social Security Act, if within six months after the date of the enactment of this Act the said Doctor George H. Edler pays to the Secretary of the Treasury, for deposit in the Federal old-age and survivors insurance trust fund, an amount equal (as determined by the Secretary) to the total of the additional taxes which he would have had to pay under section 1401 of the Internal Revenue Code of 1954 (or corresponding provisions of prior law) on account of the inclusion of the income received for such services if such income had been so included (under section 1402 of such code or corresponding provisions of prior law) at the time it was received.

The bill was ordered to be engrossed and read a third time, and was read the third time and passed, and a motion to reconsider was laid on the table.

A TRIBUTE TO THE HOUSE OF REPRESENTATIVES AND THE LEADERSHIP OF OUR DISTINGUISHED SPEAKER

Mr. KEE. Mr. Speaker, I ask unanimous consent to address the House for 1 minute.

The SPEAKER. Is there objection to the request of the gentleman from West Virginia?

There was no objection.

Mr. KEE. Mr. Speaker, the 89th Congress will stand out in history. The 89th Congress will be remembered, first, as the most productive Congress; second, as the most responsible Congress; and, third, as the Congress that has been responsive to the needs of the American people.

Mr. Speaker, these accomplishments have been made possible because of your wise and able leadership.

I salute you, Mr. Speaker, for your accomplishments and, as a Member of the House, I thank you for your dedication to public service.

MINIMUM EMPLOYMENT TIME FOR EMPLOYEES OF MEMBERS AND OF COMMITTEES

Mr. HAYS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. HAYS. Mr. Speaker, I have an announcement which I think will be of general interest to all Members, and of special interest to some:

Today the House Committee on Administration passed unanimously a motion ordering and directing the chairman to notify all Members that, as of the 15th of November, any employee put on a Member's payroll, or a committee payroll, shall not be put on for a period of less than 1 month, except that if the person put on does not work out, and they desire to terminate his employment in less than a month, he may not reappear on the Member's payroll for a period of 6 months.

Mr. Speaker, this is done to prevent what has happened to excess in some committees, and I must say in some Members' offices of having people on the payroll for a day or two at a time.

This has caused an impossible situation in the Clerk's office with regard to writing payroll checks. There was no desire to work a hardship, and the membership now knows that this will be in effect as of the 15th of November.

The SPEAKER. The time of the gentleman has expired.

POLITICAL DEMAGOGUERY

Mr. CLEVELAND. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from New Hampshire?

There was no objection.

Mr. CLEVELAND. Mr. Speaker, on October 13, I explained Republican motions to recommit with instructions and questioned the truthfulness of the President who equated such motions with killing a program.

My remarks were met with cheers and jeers.

Leading them, Mr. Speaker, was the gentleman from Louisiana [Mr. BOGGS]. In fact, immediately following my remarks, he took the floor and implied that all of our Republican motions to recommit with instructions were designed to gut bills—CONGRESSIONAL RECORD—House—October 13, 1966, page 26593.

The next day, on October 14, the same gentleman went further and implied that Republicans were thus trying to get on both sides of the issue—CONGRESSIONAL RECORD—House—page 26993.

Mr. Speaker, the gentleman from Louisiana owes this House either an apology or an explanation. Just yesterday, Mr. Speaker, on the Republican motion to recommit the supplemental appropriations bill, 1967, with instruction, the gentleman from Louisiana voted with us Republicans to thus recommit. Surely, Mr. Speaker, he was not trying to gut that bill, containing appropriations for many vital programs.

Mr. Speaker, as I said on October 13 and I say again, if demagoguery is allowed to go unchallenged, the days of representative government are numbered.

TRIBUTE TO EMPLOYEES IN HOUSE FOLDING ROOM

Mr. GUBSER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. GUBSER. Mr. Speaker, I take this time to pay a small but well-earned tribute to one of the most dedicated, efficient, and hardworking groups of men and women I have ever known—the management and employees of the House of Representatives Folding Room.

We all recognize that one of the important functions which Congressmen perform is communication with the people they represent. Performance of this function would not be possible except for the dedicated service of those who work long and hard hours in the House Folding Room.

I wish that every Member of the House could take just a few moments of his time and stop in to see the Folding Room operation. The facilities which Folding Room employees are forced to work with are entirely inadequate for the size of the job they must perform. The turnover in personnel is tremendous, just as it always is under the patronage system. Yet, day in and day out, these wonderful people cheerfully and efficiently do their jobs.

Under the leadership of Eli Bjellos, I have never sensed that service was rendered on a partisan basis and always my requests have been fulfilled promptly and efficiently.

It may interest the membership to know that since the first of the year 85 million pieces of mail have been dispatched by the House Folding Room and that during the last session House Folding Room employees were forced to work one shift of 12 hours and one shift of 10 hours in order to handle the volume of work. Yet many of the key employees received no overtime whatsoever. This is loyalty and service of the finest type.

I am most hesitant to single out individuals, but in so doing I would like it known that they are singled out as representatives of all employees in the House Folding Room. Frank Bechtel, Garland Osburne, John Noll, Thelma Morthimer, and Eli Bjellos are typical of everyone in the Folding Room, the greatest "can do" group of people who have ever served Capitol Hill and the American people.

PRESIDENTIAL VETO OF RIGHT-TO-WORK BILL FOR GUAM

Mr. WATSON. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, although failing to receive publicity, the single stroke of a pen by the President of the United States has destroyed the concept of individual freedom for the Territory of Guam. In one of the most arbitrary and flagrant violations of liberty ever witnessed in the history of this Nation, a President has actually dared to thwart the will of the elected representatives of Guam by sabotaging the right-to-work bill which passed the Guam Legislature by a 14 to 6 vote over the veto of the Territorial Governor of Guam, who is a presidential appointee.

The President has made a mockery of the democratic process as we know it. He has demonstrated beyond the shadow of a doubt that he and his administration are controlled by organized pressure groups. This administration is dedicated to the virtual enslavement of every worker in this country through its devotion to compulsory unionism. Big labor bosses are calling the shots and a subservient President, who supposedly represents all the people, is meekly adhering to their every whim and fancy.

As in the case of all right-to-work laws, the bill passed by the Guam Legislature would not have curtailed legitimate union activity. Its only purpose was to guarantee every worker the right to join or not to join a union. This was the issue before Congress when the administration attempted to destroy right-to-work laws now existing in 19 States, and it is still the issue. No man should have to join a union as a condition to his employment.

I predict that the President will rue the day he vetoed the voice of the 75,000 citizens of Guam. Their voice has been crushed, but the freedom-loving voters of this Nation will not forget traditional American fair play on election day, and the people of Guam will be exonerated by the casting out of officeholders in this country who owe their souls to the tyranny of labor bosses.

RULES OF THE HOUSE

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

Mr. DINGELL. Mr. Speaker, I am glad to see the gentleman who just spoke about the distinguished majority leader here on the floor because I have noted over the years that he has some unfamiliarity with the Rules of the House of Representatives, and I just want to tell the gentleman from New Hampshire [Mr. CLEVELAND], that the rules of the House, and the practices honored by long usage by Members of the House say that when you are going to mention a Member by name on the floor or speak about him, you have the courtesy to give him notice of the fact and give him an opportunity to be present.

I remember that on one occasion the gentleman had an opportunity to make some insertions in the RECORD, which reflected unfavorably upon this Member from Michigan, which were about as factual as the remarks he made today and the remarks he made the other day on the floor of the House. The gentleman comments about Members on the other side of the aisle making impolite noises and comments during the gentleman's speech, but I must confess that I found the noises were at least as appropriate to the content of the comments that were made by the gentleman as were his adherence to the rules.

But the reason I am rising at this particular time is simply to advise the House and to advise the gentleman who spoke at some length, mentioning a Member of this body by name, that it is the practice of the House—indeed, it is an accepted and required courtesy—to serve notice on the Member that you mention by name on the floor of the House.

RULES OF THE HOUSE

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. I thank the gentleman for yielding, and I thank the gentleman from Michigan for acquainting me with the rules of the House. If I have violated the rules of the House, and I do not think I have, then, of course, I apologize. I perhaps was wrong in assuming that the gentleman concerned, of whom I spoke, would be on the floor of the House, he being the leader, and perhaps I had fresh in mind the fact that last Friday when he mentioned my name in a very uncomplimentary fashion on page 26993 of the RECORD, it so happened I was here but he declined to yield to me. At that time, although he had 5 minutes, he did not yield.

So I take with some reservation the advice of my good friend from Michigan, for whom I have the highest respect. I hope that I will be back here to enjoy with him many more fruitful years of service in this House. I express to him and to the Members of the House and to the gentleman from Louisiana an apology if I am wrong.

I hope this exchange in any event will help clarify in the public mind that a motion to recommit with instructions is not necessarily an attempt to gut or kill a bill.

DISTRICT OF COLUMBIA APPROPRIATION BILL, 1967

Mr. NATCHER. Mr. Speaker, I call up the conference report on the bill (H.R. 17636), making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. No. 2292)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17636) "making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes," having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 10, 28, 29, 32, 40, 42, 43, and 55.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 7, 8, 13, 15, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 30, 31, 33, 34, 35, 36, 37, 38, 39, 41, 44, 45, 46, 47, 48, 49, 50, 51, and 53; and agree to the same.

Amendment numbered 6: That the House recede from its disagreement to the amendment of the Senate numbered 6, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$22,663,000"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$85,885,000"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$80,832,000"; and the Senate agree to the same.

Amendment numbered 52: That the House recede from its disagreement to the amendment of the Senate numbered 52, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$66,958,000"; and the Senate agree to the same.

Amendment numbered 54: That the House recede from its disagreement to the amendment of the Senate numbered 54, and agree to the same with an amendment, as follows: In lieu of the sum proposed by said amendment insert "$3,384,500"; and the Senate agree to the same.

The committee of conference report in disagreement amendments numbered 9, 14, and 16.

WILLIAM H. NATCHER,
NEAL SMITH,
JOHN MCFALL,
GEORGE MAHON,
GLENN R. DAVIS (except as to amendment No. 12),
JOSEPH M. MCDADE,
FRANK T. BOW,
Managers on the Part of the House.

ROBERT C. BYRD,
E. L. BARTLETT,
WILLIAM PROXMIRE,
THOMAS J. MCINTYRE,
CLIFFORD CASE,
NORRIS COTTON,
LEVERETT SALTONSTALL,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17636) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon and recommended in the accompanying conference report as to each of such amendments, namely:

FEDERAL PAYMENT TO DISTRICT OF COLUMBIA

Amendment No. 1: Appropriates $50,000,000 as proposed by the Senate instead of $49,000,000 as proposed by the House.

Amendment No. 2: Corrects citation as proposed by the Senate.

Amendment No. 3: Provides loan appropriations of $37,527,500 as proposed by the Senate instead of $23,000,000 as proposed by the House.

Amendment No. 4: Provides that $25,027,500 of loan appropriations shall be advanced to the general fund as proposed by the Senate instead of $22,500,000 as proposed by the House.

Amendment No. 5: Provides that $12,000,000 of loan appropriations shall be advanced to the highway fund as proposed by the Senate.

Operating expenses

Amendment No. 6—General operating expenses: Appropriates $22,663,000 instead of $22,098,000 as proposed by the House and $22,717,000 as proposed by the Senate.

Amendment No. 7—General operating expenses: Provides $425,000 for District of Columbia employees' disability compensation as proposed by the Senate instead of $325,000 as proposed by the House.

Amendment No. 8—General operating expenses: Provides that $254,300 shall be payable from the highway fund as proposed by the Senate instead of $257,900 as proposed by the House.

Amendment No. 9—General operating expenses: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the language of the Senate providing that the appropriation of $257,300 to the Washington Metropolitan Area Transit Authority be contingent on the enactment of S. 3488 or similar legislation.

Amendment No. 10—Public safety: Deletes the proposal of the Senate to increase the general purchase price limitation on police-type passenger motor vehicles from $100 to $400.

Amendment No. 11—Public safety: Appropriates $85,885,000 instead of $85,203,000 as proposed by the House and $86,027,000 as proposed by the Senate.

Amendment No. 12—Education: Appropriates $80,832,000 instead of $80,093,000 as proposed by the House and $81,172,000 as proposed by the Senate.

Amendment No. 13—Parks and recreation: Appropriates $12,441,000 as proposed by the Senate instead of $11,990,000 as proposed by the House.

Amendment No. 14—Health and welfare: Reported in technical disagreement. The managers on the part of the House will offer a motion to appropriate $89,042,000 instead of $89,314,000 as proposed by the House and $89,360,800 as proposed by the Senate.

Amendment No. 15—Health and Welfare: Provides that the inpatient rate for the care of indigent patients in contract hospitals and Freedmen's Hospital, with the exception of Children's Hospital, shall not exceed $38 per diem as proposed by the Senate instead of $36 per diem as proposed by the House.

Amendment No. 16—Health and welfare: Reported in technical disagreement. The managers on the part of the House will offer a motion to recede and concur in the language proposed by the Senate relating to the treatment of individuals found by a court to be chronic alcoholics.

Amendments Nos. 17, 18, and 19—Highways and traffic: Appropriate $15,122,000 of which $10,118,000 shall be payable from the highway fund (including $1,088,900 from the motor vehicle parking account) as proposed by the Senate instead of $14,830,000 of which $9,922,500 shall be payable from the highway fund (including $888,900 from the motor vehicle parking account) as proposed by the House.

Amendments Nos. 20, 21, and 22—Sanitary engineering: Appropriate $23,982,500, of which $7,824,900 shall be payable from the water fund, and $4,657,300 shall be payable from the sanitary sewage works fund as proposed by the Senate, instead of $23,762,000 of which $7,779,400 shall be payable from the water fund and $4,664,100 shall be payable from the sanitary sewage works fund, as proposed by the House.

Settlement of claims and suits

Amendment No. 23: Appropriates $42,100 as proposed by the Senate.

Repayment of loans and interest

Amendment No. 24: Corrects citation as proposed by the Senate.

Capital outlay

Amendment No. 25: Inserts proposal of the Senate for new elementary school in the vicinity of Lincoln Road and Douglass Street Northeast.

Amendment No. 26: Inserts proposal of the Senate for Payne Elementary School addition.

Amendment No. 27: Inserts proposal of the Senate for Shepherd Elementary School addition.

Amendment No. 28: Deletes proposal of the Senate for Turner Elementary School addition.

Amendment No. 29: Deletes proposal of the Senate for Birney Elementary School addition.

Amendment No. 30: Inserts proposal of the Senate for Deal Junior High School addition.

Amendment No. 31: Inserts proposal of the Senate for Browne Junior High School addition.

Amendment No. 32: Deletes proposal of the Senate for Hine Junior High School addition.

Amendment No. 33: Inserts proposal of the Senate for Wilson Senior High School addition.

Amendment No. 34: Inserts proposal of the Senate for Spingarn-Phelps Stadium.

Amendment No. 35: Inserts proposal of the Senate for Sharpe Health School addition.

Amendment No. 36: Inserts proposal of the Senate for public school warehouse addition.

Amendment No. 37: Inserts proposal of the Senate for Congress Heights Elementary School replacement.

Amendment No. 38: Inserts proposal of the Senate for new elementary school in the vicinity of Nichols Avenue and Chesapeake Street Southwest.

Amendment No. 39: Inserts proposal of the Senate for Randle Highlands Elementary School addition.

Amendment No. 40: Deletes proposal of the Senate for Receiving Home for Children addition.

Amendment No. 41: Inserts proposal of the Senate for Northwest Sanitation Garage.

Amendment No. 42: Deletes proposal of the Senate for construction of the West Administration buildings.

Amendment No. 43: Deletes proposal of the Senate for new courthouse building.

Amendment No. 44: Inserts proposal of the Senate for Shadd Elementary School addition.

Amendment No. 45: Inserts proposal of the Senate for Garnet-Patterson Junior High School alterations.

Amendment No. 46: Inserts proposal of the Senate for Randall Junior High School addition.

Amendment No. 47: Inserts proposal of the Senate for Nichols Avenue Elementary School replacement.

Amendment No. 48: Inserts proposal of the Senate for new elementary school in the vicinity of 7th and Webster Streets Northwest.

Amendment No. 49: Inserts proposal of the Senate for Tyler Elementary School addition.

Amendment No. 50: Provides $114,000 for the purchase of equipment for new school buildings as proposed by the Senate instead of $488,000 as proposed by the House.

Amendment No. 51: Provides $4,527,500 for the purposes of the National Capital Transportation Act of 1965 as proposed by the Senate.

Amendment No. 52: Appropriates $66,958,000 for capital outlay instead of $45,730,000 as proposed by the House and $68,244,200 as proposed by the Senate.

Amendment No. 53: Provides that $14,859,000 shall be payable from the highway fund as proposed by the Senate instead of $2,053,900 as proposed by the House.

Amendment No. 54: Provides that $3,384,500 shall be available for construction services instead of $2,302,000 as proposed by the House and $3,818,500 as proposed by the Senate.

General provisions

Amendment No. 55: Deletes proposal of the Senate regarding compensation of the commanding general of the D.C. National Guard.

WILLIAM H. NATCHER,
NEAL SMITH,
JOHN MCFALL,
GEORGE MAHON,
GLENN R. DAVIS, (except
amendment No. 12),
JOSEPH M. MCDADE,
FRANK T. BOW,
Managers on the Part of the House.

Mr. NATCHER. Mr. Speaker, I ask unanimous consent to revise and extend my remarks and include a tabulation.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. NATCHER. Mr. Speaker, the District of Columbia budget for fiscal year 1967 as submitted to the House was out of balance $23,021,000 in the general fund and $12,876,000 in the highway fund. This made a total of $35,897,000. We began our hearings on March 21 and finished on April 29. We delayed holding the hearings in order for the revenue bill to clear the House and the Senate and after concluding hearings we held this legislation until September 13. Since the revenue bill had not cleared, we had to reduce the budget a total of $43,253,200 to bring it into balance.

The amount approved was $380,650,600. The Federal payment totaled $49 million not counting the sewer and water fund payments due for services. We created a reserve of $2,680,000.

Subsequent to the passage of the District of Columbia appropriations bill for 1967 in the House, the legislative committees finally approved the revenue bill which increased the borrowing authority for the general fund to $250 million and for the highway fund to $85,250,000. At the time this bill was before the other body, adequate funds were available for additional teachers, new schools, freeway and parkway projects, and many other necessary projects which could not be approved by the House due to the budget being out of balance.

Beginning in the year 1958 our committee made every effort to convince those in authority that here in our Capital City we could have both a freeway system and a rapid rail transit system. We repeatedly made this statement over the years and made every effort to see that our freeway system was not destroyed. We believed then, and we believe now, that in order to meet the tremendous day-by-day growth of traffic the highway program must be carried along with the present rapid rail transit system.

The District has not moved ahead at the required rate to meet the deadline imposed by the interstate highway legislation, and as of December 31, 1965, there was a balance available of $172,200,691 composed of $20,927,305 in District funds and $151,273,386 in Federal funds. Planning decisions were held up and the 13 elements in the freeway and parkway system required important decisions before construction work could proceed.

Time after time when funds were appropriated for these projects the plans were discarded and filed away.

From 1961 up to the present time, millions of dollars have been expended for planning with no action to place the projects under construction. The same projects have been called up year after year and by virtue of delay each of the projects will now cost hundreds of thousands of dollars more to finally complete, and the overall amount will run into the millions. All of this was fully developed during the hearings and when we were called upon to authorize the borrowing of $8,525,000 for the District's contribution for the construction of a rapid rail transit system for the fiscal year 1967, we refused to make such a recommendation.

We believe that now is the time to have a better understanding and an agreement as to the construction of our freeway system as well as the continuation of our rapid rail transit system. We had reached an impasse as far as our freeway system is concerned, and on a rollcall vote the House sustained our position 320 to 3. Since passage of the budget in the House the National Capital Planning Commission has finally approved a number of our highway projects.

On September 20 the District Commissioners gave final approval for the construction of about $140 million worth of freeways. The Commissioners gave the Highway Department authority to have detailed plans drawn and to start buying land for the four sections of the city's freeway network approved by the National Capital Planning Commission during the week of September 12. Two of the sections approved—the south leg and part of the east leg will complete the southern section of the inner loop. The Commissioners also gave approval to a section of the North Central Freeway and to the Three Sisters Bridge which are among the projects before the National Capital Planning Commission.

The National Capital Planning Commission on October 13 by a vote of 8 to 2 approved the final link of the north-central route to Silver Spring.

Shortly after the Commissioners acted and the National Capital Planning Commission approved the action of the Commissioners, our committee recommended that the transfer request of $1,650,000 of the National Capital Transportation Agency for the rapid rail transit system be approved. In this conference report we recommend that the District now proceed to borrow the sum of $4,250,000 for the rapid rail transit system since it is now apparent that we will carry our freeway and parkway system along with the rapid rail transit system project. Mr. Speaker, we believe that we were right about this matter and in presenting our bill to the House reviewed the situation for the past several years and as you know, at that time refused to approve of the rapid rail transit request. We now recommend to the House that the conference report, and that portion pertaining to freeways and rapid rail transit be approved.

After the borrowing authority for highways had been increased by the legislative committees, it was then possible for the Senate committee to approve of the following highway projects:

Street improvements and extensions; highway planning, programing, and research; center leg, inner loop freeway; northeast-north central freeway; old 14th Street Bridge replacement; north leg, central section, inner loop freeway; east leg, inner loop freeway; L Street NW.—New Hampshire Avenue to Pennsylvania Avenue; 9th Street Expressway; 14th Street NW., Monroe Street to Colorado Avenue; Southern Avenue SE., Pennsylvania Avenue to South Capitol Street.

We recommend approval of these projects and as heretofore stated, of the request for the rapid rail transit system.

Mr. Speaker, under no circumstances should further efforts be made to stop the freeway system here in our Capital City. This applies not only at this time, but at any time in the future, and all of us should keep in mind that it is imperative that we have a balanced transportation system and that both freeways and rapid transit must go forward together.

The Senate considered budget estimates totaling $428,170,600 and approved a bill containing the sum of $406,739,200 and the Federal payment approved by the other body amounted to $50 million. The total amount provided in the conference report for the operation of the District of Columbia government for fiscal year 1967 is $404,598,200. This is $2,141,000 below the amount approved in the Senate bill and $23,947,600 more than the amount approved in the House bill.

The conference has allowed 19 additional school projects and all of the highway projects requested in the budget.

At this point in the RECORD I shall insert a tabulation showing House, Senate, and conference action on the bill as compared with appropriations for 1966 and the budget estimates for 1967:

District of Columbia appropriation bill, 1967 (H.R. 17636)

Item	Appropriations, 1966	Budget estimates, 1967 (revised)[1]	Passed House	Passed Senate	Conference action	Conference action compared with—			
						Appropriations, 1966	Budget estimates, 1967	House	Senate
FEDERAL PAYMENT TO DISTRICT OF COLUMBIA									
General fund	$44,250,000	$50,000,000	$49,000,000	$50,000,000	$50,000,000	+$5,750,000		+$1,000,000	
Water fund	1,973,000	2,146,000	2,146,000	2,146,000	2,146,000	+173,000			
Sanitary sewage works fund	1,149,000	1,248,000	1,248,000	1,248,000	1,248,000	+99,000			
Total, Federal payment to District of Columbia	47,372,000	53,394,000	52,394,000	53,394,000	53,394,000	+6,022,000		+1,000,000	
OPERATING EXPENSES									
General operating expenses	20,472,272	23,405,800	22,098,000	22,717,000	22,663,000	+2,190,728	−$742,800	+565,000	−$54,000
Public safety	79,912,200	86,550,700	85,203,000	86,027,000	85,885,000	+5,972,800	−665,700	+682,000	−142,000
Education	75,457,600	82,679,000	80,093,000	81,172,000	80,832,000	+5,374,400	−1,847,000	+739,000	−340,000
Parks and recreation	10,914,300	12,802,000	11,990,000	12,441,000	12,441,000	+1,526,700	−361,000	+451,000	
Health and welfare	80,734,300	91,149,000	89,314,000	89,360,800	89,042,000	+8,307,700	−2,107,000	−272,000	−318,800
Highways and traffic	14,084,900	15,282,000	14,830,000	15,122,000	15,122,000	+1,037,100	−160,000	+292,000	
Sanitary engineering	22,751,000	24,293,500	23,762,000	23,982,500	23,982,500	+1,231,500	−311,000	+220,500	
Metropolitan Police (additional municipal expenses, Shrine convention)	221,200					−221,200			
Metropolitan Police (additional municipal expenses, American Legion convention)		233,000	233,000	233,000	233,000	+233,000			
Personal services, wage board employees	1,279,000	1,320,000	1,320,000	1,320,000	1,320,000	+41,000			
Settlement of claims and suits	33,414	42,100		42,100	42,100	+8,686		+42,100	
Total, operating expenses	305,860,186	337,757,100	328,843,000	332,417,400	331,562,600	+25,702,414	−6,194,500	+2,719,600	−854,800
REPAYMENT OF LOANS AND INTEREST									
Reimbursement to United States	5,690,400	6,077,600	6,077,600	6,077,600	6,077,600	+387,200			
CAPITAL OUTLAY									
Capital outlay	51,800,800	75,810,900	45,730,000	63,716,700	62,430,500	+10,629,700	−13,380,400	+16,700,500	−1,286,200
Contribution to rail rapid transit system	2,000,000	8,525,000		4,527,500	4,527,500	+2,527,500	−3,997,500	+4,527,500	
Total, capital outlay	53,800,800	84,335,900	45,730,000	68,244,200	66,958,000	+13,157,200	−17,377,900	+21,228,000	−1,286,200
Grand total, District of Columbia funds	365,351,386	428,170,600	380,650,000	406,739,200	404,598,200	+39,246,814	−23,572,400	+23,947,600	−2,141,000

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[1] Includes $4,266,800 contained in S. Doc. 112.

Mr. NATCHER. Mr. Speaker, I ask unanimous consent that the gentleman from Wisconsin [Mr. DAVIS] may extend his remarks at this point in the RECORD.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Kentucky?

There was no objection.

Mr. DAVIS of Wisconsin. Mr. Speaker, I thank the chairman of the House conference for yielding to me.

I think, under different circumstances, we could have submitted a better conference report, but it is hardly fair to blame the deficiencies of this conference report on the House conferees. As in so many cases in 1966, the Appropriations Committee was required to act, sometimes arbitrarily, without all the relevant factors in place. So, this appropriations bill, as it passed the House, was admittedly inadequate in many respects, an inadequacy occasioned by a very substantial revenue deficiency and a lack of authorized borrowing authority. Then, in these past few days, as House conferees, we were confronted with a substantially expanded bill. Time and urgency worked against us.

The House bill was reduced in order to provide the semblance of a balanced budget, balanced in the sense that existing revenues plus authorized borrowing authority of $23 million were adequate to meet the proposed appropriations.

In a similar sense, a sense not entirely accurate, this conference report is balanced with newly authorized revenues and borrowing authority of $37 million meeting the contained appropriations and permitting a surplus or contingency fund of $2.8 million.

My fellow conferees are aware of a number of items in this bill which I did not personally approve, but I limited my formal expression of dissent to amendment No. 12. Clearly I have no antipathy toward schoolteachers—I once was an active member of that profession—but it is my sincere belief that in allowing every single increase in teaching staff requested by the superintendent of schools, in every category, the conferees did not adequately perform their function. We are now well into the first semester. It just does not seem reasonable to me to expect that the District's school administrators in the light of their difficulties in obtaining qualified teacher personnel in the past can be expected to obtain during this school year—and this fiscal year—adequately trained teachers to provide for a tripling of the teaching staff in vocal music, a quadrupling of the staff in art, a quadrupling of the staff in science, and a tripling of the staff in health and physical education. By providing funds for staffing which cannot reasonably be expected, we encourage sloppy fiscal administration and we encourage lack of respect for the Appropriations Committees.

The Federal payment of $50 million represents a record amount. It would be futile for me to make an issue of that amount since every conferee is aware of commitments which have already been made, legislatively, that will require not only this included Federal payment in full, but an additional $8 to $10 million during this fiscal year.

I am grateful for the opportunity to work with the able and dedicated chairman of this Appropriations subcommittee, the gentleman from Kentucky [Mr. NATCHER]. He has done a difficult job in a commendable manner. I did consider it my responsibility to point out to the House at this time that this conference report represents a balanced fiscal budget for the District of Columbia only through the use of borrowed money. I felt it my further responsibility to point out that we are leaving to our successors of the 90th Congress the job of appropriating to meet the full requirements for the current fiscal year. This, unfortunately, has become the custom of this Congress. The conferees here have done nearly all that could be expected in the atmosphere in which we were required to perform.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. NATCHER. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding. I appreciate the conference report being on the floor.

The gentleman and I have discussed this informally, before the House convened. I wonder if the gentleman would make a brief statement about the position of the managers on the part of the House. It can be synopsized almost as briefly as he wishes. I am interested only in a running account, as reported by the managers on the part of the House.

There was only 1 instance out of 23 in which the House position prevailed, apparently. I can understand that might be in the best interests of the taxpayers, or the ultimate acceptance of the bill as passed by the House, but I believe a short explanation would be in order.

Mr. NATCHER. Mr. Speaker, to summarize what I have already inserted in the RECORD, the District of Columbia budget, as submitted to the House, was out of balance by $35,897,000.

We decided to wait a few months before holding hearings, hoping that a revenue bill, would be enacted.

Mr. Speaker, we held the bill until September 13, before submitting it to the House, and as the revenue legislation still was not enacted we had to reduce the bill $43,253,200, or 10 percent, to bring it into balance. The House passed the bill as reported, which totaled $380,650,600.

Subsequent to House action the revenue bill was finally enacted and the budget was placed in balance. That meant that many of the House reductions could go back into the bill on the Senate side. The Senate brought out a bill providing for additional new schools, more schoolteachers, and many other items and projects that are needed at this time.

I want to say to my distinguished friend from Missouri that we went along on most of these items believing that they are necessary and can be provided now that the budget has been placed in balance. The Senate considered budget requests amounting to $428,170,600.

The bill that the Senate brought out totaled $406,739,200. In the conference the bill was reduced down to $404,598,200.

There is one thing I know my distinguished friend from Missouri will be interested in. When the bill was before the House there were a number of additional school construction projects we felt were necessary, but frankly there was very little we could do about them as there were not sufficient funds available to finance them. We were able to go along on 23 out of the 38 projects requested. On the Senate side they considered requests for 41 projects and also added 2 projects that were not in the budget. They approved the 41 requested plus the 2 that were unbudgeted, making a total of 43. In conference 40 projects were approved.

The two unbudgeted projects that provided for additions to schools were dropped. The third project dropped, was the Hine Junior High School addition. This junior high school is brand new having been completed just this year, and now they want to add an addition. We felt, Mr. Speaker, that there are other buildings more necessary at this time and that this project ought to go further down on the priority list.

In addition, Mr. Speaker, as far as highways are concerned—and my friend from Missouri recalls this, I know and as I have said earlier—we believe that there is a place both for a rapid transit system and a freeway system in the District of Columbia. For some reason or other, beginning about 5 years ago, an effort was made to stop the freeway system and to advance the rapid transit program at the expense of the highway program. We explained that in detail to the House, and on a rollcall vote of 320 to 3 the House sustained the position of our committee. We refused to go along on the borrowing authority and appropriations for the District's share of the cost for constructing the rapid transit system. In the meantime, I am delighted to say to my friend from Missouri, the Commissioners have ordered $140 million worth of projects to go under contract and the National Capital Planning Commission has approved four of the most controversial projects which are now in the process of going under contract.

Mr. Speaker, at long last the highway program will now go along with the rapid transit system. We authorized and approved the transfer of $1,650,000 previously appropriated funds for the National Capital Transportation Agency after it appeared that sincere efforts were being made to carry the highway program along with the rapid transit system. Meaningful decisions were being made, and we agreed to the transfer of funds. I know my friend from Missouri is very much concerned not only with the repairing of the streets in the District of Columbia but in the freeway construction program. I am delighted to inform my friend this morning that both programs are now underway as they should be.

Mr. Speaker, this is a good bill. The budget proposed 425 additional schoolteachers. Due to the lack of funds the House could only allow 197. When the budget reached the other body and additional revenues were in sight they were able to grant the 425 teachers requested.

Mr. Speaker, in conference, we went along with the other body on the full number. We believe that these teachers are necessary.

Mr. HALL. Mr. Speaker, let me simply say that I feel that the explanation on the part of the gentleman from Kentucky [Mr. NATCHER] has been adequate, and even provocative, and I am glad that the District of Columbia budget is back in balance and that we have been able to add, certainly, to the high school and the elementary and secondary schools, and I congratulate the gentleman from Kentucky [Mr. NATCHER], as well as his subcommittee, and I hope the Federal budget can likewise be brought into balance.

Mr. NATCHER. I thank the gentleman from Missouri.

Mr. FRASER. Mr. Speaker, will the gentleman yield?

Mr. NATCHER. I am delighted to yield to my friend, the distinguished gentleman from Minnesota (Mr. FRASER).

Mr. FRASER. Mr. Speaker, I would like to commend the gentleman from Kentucky for the obvious amount of hard work which has gone into consideration of the requests for the District of Columbia, and for the final results thereof.

Mr. Speaker, I only want to ask this question:

The gentleman from Kentucky commented upon the fact that there was an increase in the number of teachers which is authorized as a result of the final conference decision.

I am wondering if the gentleman from Kentucky has any comment to make upon the problem which recurringly faces the school district of the District of Columbia in this respect: Here, they are 2 months into the new school year and they just now have an authorization for the number of teachers required.

Customarily, the teachers are hired in the prior school year.

Is this a problem which can be overcome in future years so that there will be some way by which the school district of the District of Columbia could know what their authorization would be so that they can go through the regular hiring procedure before this late date?

Mr. NATCHER. Mr. Speaker, I will say that certainly the gentleman's question is right important at this time, and this is a right serious matter.

Mr. Speaker, we held up on this bill, as the gentleman heard me say a few minutes ago, hoping that the budget would be placed in balance.

Mr. Speaker, Dr. Hansen now says that the necessary number of teachers can be employed during the second semester of the school year.

However, Mr. Speaker, I am hoping that in the future we will not have to hold this bill up for months and months in order to present a balanced budget.

Mr. Speaker, I say to the gentleman from Minnesota [Mr. FRASER] that I concur in the need that he has brought to the attention of the House. It is an important matter.

Mr. Speaker, the District of Columbia is entitled to have a budget with which they can operate beginning with the close of the fiscal year. They should not have to wait until after the new fiscal year commences.

Mr. Speaker, I appreciate the comments of the gentleman from Minnesota.

Mr. FRASER. Mr. Speaker, I thank the gentleman from Kentucky.

Mr. SMITH of Iowa. Mr. Speaker, will the gentleman yield?

Mr. NATCHER. I yield to the gentleman from Iowa, a member of the Committee on Appropriations.

Mr. SMITH of Iowa. Mr. Speaker, I want to say to the chairman of the subcommittee, the gentleman from Kentucky [Mr. NATCHER], that the gentleman has worked very diligently and very hard on this bill and it is worthy of support.

Also, Mr. Speaker, I feel that this is an appropriate time to mention the fact that during the course of the hearings on this bill, we received reports and recommendations and advice from the long list of advisory committees, none of which are elected representatives of the citizens of the District of Columbia. There is considerable overlapping between the committees' interests.

Mr. Speaker, I believe there are too many of these committees and that it would be better if they had fewer committees, and with less doubt as to their responsibilities.

Mr. Speaker, it seems to me that some measure of home rule—at least to the extent that they elect an advisory group, instead of having so many appointed advisory groups—would be better.

Mr. Speaker, we are coming to the end of this congressional session and this Congress, and the home rule bill is apparently stalled.

Mr. Speaker, I feel that this is an appropriate place to say that the responsibility for the stalling of the home rule bill must lie directly at the feet of the self-appointed group of so-called District of Columbia leaders who lobbied against the House-passed bill with the Members of the other body.

Mr. Speaker, if the House bill had been passed, they now would have had the opportunity of electing a charter group, and therefore they would have had home rule several months ago.

Mr. Speaker, the responsibility for the District of Columbia not having home rule lies right at the feet of the self-appointed local home rule group that opposed locally elected people deciding upon provisions of the charter and that decided they would rather defeat home rule if they could not have an exclusive on writing the charter.

Mr. NATCHER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

The SPEAKER pro tempore. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 9, page 4, line 10, after the word "investigations" insert: "*Provided further,* That the amount of $257,300 appropriated herein for the Washington Metropolitan Area Transit Authority shall be available only upon the enactment into law of S. 3488, 89th Congress, or similar legislation."

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 9 and concur therein.

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 14, page 6, line 22, insert: "$89,360,800."

Mr. NATCHER. Mr. Speaker, I offer a motion:

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 14 and concur therein with an amendment, as follows: In lieu of the sum stricken out and inserted, insert: "$89,042,000".

The motion was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Senate amendment No. 16, page 7, line 21, insert: "*Provided further,* That this appropriation shall be available for the purchase of two passenger motor vehicles and for the treatment, in any institution under the jurisdiction of the Board of Commissioners and located either within or without the District of Columbia, of individuals found by a court to be chronic alcoholics."

Mr. NATCHER. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. NATCHER moves that the House recede from its disagreement to the amendment of the Senate numbered 16 and concur therein.

The motion was agreed to.

Mr. NATCHER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

RELATING TO CRIME AND CRIMINAL PROCEDURE IN THE DISTRICT OF COLUMBIA

Mr. WHITENER. Mr. Speaker, I call up the conference report on the bill (H.R. 5688) relating to crime and criminal procedure in the District of Columbia, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2295)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5688) relating to crime and criminal procedure in the District of Columbia, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"TITLE I

"SEC. 101. (a) In the courts of the District of Columbia, evidence, including, but not limited to, statements and confessions, otherwise admissible, shall not be inadmissibly solely because of delay in taking an arrested person before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States.

"(b) If a person in the custody of a law-enforcement officer makes a confession or other statement during any pretrial questioning by a law-enforcement officer, such confession or other statement shall be admissible only if—

"(1) immediately prior to any questioning of such person he is advised that he has a right to remain silent, that any statement he does make may be used as evidence against him, and that he has a right to the assistance of an attorney (either retained by or appointed for him) prior to and during such questioning; and

"(2) in the case of such person who makes a valid waiver of his right to have the assistance of an attorney during questioning, the aggregate period of such questioning, exclusive of interruptions—

"(A) during the absence of an attorney, and

"(B) prior to the time such person is taken before a commissioner or other officer empowered to commit persons charged with offenses against the laws of the United States, does not exceed six hours.

"TITLE II

"SEC. 201. Section 927 of the Act entitled 'An Act to establish a code of law for the District of Columbia,' approved March 3, 1901 (D.C. Code, sec. 24–301), is amended to read as follows:

"'SEC. 927. (a) (1) A person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect he lacks substantial capacity either to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of law.

"'(2) The term "mental disease or defect" do not include an abnormality manifested only by repeated criminal or otherwise antisocial conduct.

"'(b) Evidence that the defendant in a criminal proceeding suffered from a mental disease or defect shall be admissible whenever it is relevant to prove that the defendant did or did not have a state of mind which is an element of the offense.

"'(c) (1) Mental disease or defect excluding responsibility is an affirmative defense which the defendant must establish by showing of substantial evidence.

"'(2) Mental disease or defect excluding responsibility shall not be a defense unless the accused or his attorney files with the court and serves upon the prosecuting attorney written notice of his intention to rely upon such defense (A) no later than thirty days prior to trial if there has been no court order for mental examination or fifteen days after receipt by the court of the report of the examining physician if there was a court order for mental examination, or (B) at such other time as the court may for good cause permit. The court may extend the time for such notice in order to prevent injustice.

"'(3) When the defendant is acquitted on the ground of mental disease or defect excluding responsibility, the verdict and the judgment shall so state.

"'(d) Whenever a person is arrested, indicted, charged by information, or is charged in the Juvenile Court of the District of Columbia, for or with an offense and, prior to the imposition of sentence or prior to the expiration of any period of probation, it shall appear to the court from the court's own observations, or from prima facie evidence submitted to the court, that the accused is of unsound mind or is mentally incompetent so as to be unable to understand the proceedings against him or properly to assist in his own defense, the court may order the accused committed to the District of Columbia General Hospital or other mental hospital designed by the court, for such reasonable period as the court may determine for examination and observation and for care and treatment if such is necessary by the psychiatric staff of said hospital. If, after such examination and observation, the superintendent of the hospital, in the case of a mental hospital, or the chief psychiatrist of the District of Columbia General Hospital, in the case of the District of Columbia General Hospital, shall report that in his opinion the accused is of unsound mind or mentally incompetent, such report shall be sufficient to authorize the court to commit by order the accused to a hospital for the mentally ill unless the accused or the Government objects, in which event, the court, after hearing without a jury, shall make a judicial determination of the competency of the accused to stand trial. If the court shall find the accused to be then of unsound mind or mentally incompetent to stand trial, the court shall order the accused confined to a hospital for the mentally ill.

"'(e) Whenever an accused person confined to a hospital for the mentally ill is restored to mental competency in the opinion of the superintendent of said hospital, the superintendent shall certify such fact to the clerk of the court in which the indictment, information, or charge against the accused is pending and such certification shall be sufficient to authorize the court to enter an order thereon adjudicating him to be competent to stand trial, unless the accused or the Government objects, in which event the court, after hearing without a jury, shall make a judicial determination of the competency of the accused to stand trial.

"'(f) If any person tried upon an indictment or information for an offense, or tried in the Juvenile Court of the District of Columbia for an offense, is acquitted on the ground of mental disease or defect excluding responsibility, the court shall order such person to be confined in a hospital for the mentally ill.

"'(g) Where any person has been confined in a hospital for the mentally ill pursuant to subsection (f) of this section and the superintendent of such hospital certifies (1) that such person has recovered his sanity, (2) that, in the opinion of the superintendent, such person will not in the reasonable future be dangerous to himself or others, and (3) in the opinion of the superintendent, the person is entitled to his unconditional release from the hospital, and such certificate is filed with the clerk of the court in which the person was tried, and a copy thereof served on the United States Attorney or the Corporation Counsel of the District of Columbia, which ever office prosecuted the accused, such certificate shall be sufficient to authorize the court to order the unconditional release of the person so confined from further hospitalization at the expiration of fifteen days from the time said certificate was filed and served as above; but the court in its discretion may, or upon objection of the United States or the District of Columbia shall, after due notice, hold a hearing at which evidence as to the mental condition of the person so confined may be submitted, including the testimony of one or more psychiatrists from said hospital. The court shall weigh the evidence and, if the court finds that such person has recovered his sanity and will not in the reasonable future be dangerous to himself or others, the court shall order such person unconditionally released from further confinement in said hospital. If the court does not so find, the court shall order such person returned to said hospital. Where, in the judgment of the superintendent of such hospital, a person confined under subsection (f) above is not in such condition as to warrant his unconditional release, but is in a condition to be conditionally released under supervision, and such certificate is filed and served as above provided, such certificate shall be sufficient to authorize the court to order the release of such person under such conditions as the court shall see fit at the expiration of fifteen days from the time such certificate is filed and served pursuant to this section. The provisions as to hearing prior to unconditional release shall also apply to conditional releases, and, if, after a hearing and weighing the evidence, the court shall find that the condition of such person warrants his conditional release, the court shall order his release under such conditions as the court shall see fit, or, if the court does not so find, the court shall order such person returned to such hospital.

"'(h) When an accused person shall be acquitted solely on the ground of mental disease or defect excluding responsibility and ordered confined in a hospital for the mentally ill, such person and his estate shall be charged with the expense of his support in such hospital.

"'(i) Nothing herein contained shall preclude a person confined under the authority of this section from establishing his eligibility for release under the provisions of this section by a writ of habeas corpus.

"'(j) The jury shall not be told by the court or counsel for the Government or the defendant at any time regarding the consequences of a verdict of not guilty or acquittal on the ground of mental disease or defect excluding responsibility.

"'(k) The provisions of subsections (d) through (i) of this section shall supersede in the District of Columbia the provisions of any Federal statutes or parts thereof inconsistent with this section.

"'(l) This section shall apply only to proceedings brought by information or indictment in the United States District Court for the District of Columbia and the District of Columbia Court of General Sessions and, except for the provisions of subsections (a), (b), and (c), to proceedings brought to Juvenile Court in the District of Columbia.'

"SEC. 202. Nothing contained in the amendment made by section 201 of this title shall be deemed to alter, amend, or repeal section 928 or section 929 of the Act of March 3, 1901 (D.C. Code, secs. 24–302, 24–303), or the Act entitled 'An Act relating to the testimony of physicians in the courts of the District of Columbia', received by the President May 13, 1896 (D.C. Code, sec. 14–308).

"TITLE III

"SEC. 301. (a) An officer or member of the Metropolitan Police force of the District of Columbia may detain any person abroad whom he has probable cause to believe is committing or has committed a crime, and may demand of him his name, address, business abroad, and whither he is going.

"(b) Any person so questioned who fails to identify himself or explain his action to the satisfaction of the officer or member (as the case may be) may be detained and further interrogated.

"(c) The total period of detention provided for by this section shall not exceed four hours. Such detention shall not be recorded as an arrest in any official record. At the end of the detention the person so detained shall be released or be arrested and charged with a crime.

"TITLE IV

"SEC. 401. Section 401 of the Revised Statutes of the United States, relating to the District of Columbia (D.C. Code, sec. 4–144), is amended to read as follows:

" 'SEC. 401. (a) Whenever, in a criminal case in the District of Columbia, there is reasonable ground to believe that any person is a material and necessary witness to the commission of any crime or attempt to commit any crime punishable by imprisonment for one year or more, and there is a reasonable probability that such person will not be available to testify at the trial of the person charged with such offense, such person so believed to be a material and necessary witness may be taken, pursuant to a subpena, by an officer or member of the Metropolitan Police force, without unnecessary delay, before a judge of the United States District Court for the District of Columbia or a judge of the District of Columbia Court of General Sessions or a United States commissioner; except that no such subpena shall be required if such person is taken into custody at the scene of the crime. For the purposes of this section, a delay in the appearance of any such witness before any such judge or commissioner shall not be considered an unnecessary delay, if such appearance occurs within the six-hour period following the time that the witness is taken into custody. Such judge or commissioner shall afford such person a hearing and shall, prior to commencing the hearing, advise that person as to his constitutional rights and that he is entitled to consult with, and be represented by, counsel. Such judge or commissioner shall, after a hearing is afforded to such person and the judge or commissioner is satisfied by testimony given under oath that such person is a material and necessary witness and that there is reasonable probability that he will not be available at the trial as provided in this subsection, require such witness to post bond or collateral as security that he will appear and testify at such trial. Upon the failure of such witness to post such bond or collateral after a reasonable opportunity to do so, the judge or commissioner shall order the further detention of such witness until such time as he appears and gives testimony in such criminal case or until such criminal case has been finally disposed of otherwise. Notwithstanding any other provision of this subsection, upon the motion of any witness detained under this section and a showing that he has been detained for an unreasonable length of time, such judge or commissioner may order the release of such witness. The detention, as herein provided, of any such witness shall not constitute an arrest within the meaning of that term as used in any other law or in any rule or regulation. Any witness who, following such hearing, is ordered detained under this subsection shall, during that period of his detention following such hearing, be entitled to be paid amounts equivalent to the amounts payable to witnesses testifying in the court in which such trial with respect to which such witness is ordered detained is to be conducted.

" '(b) The Board of Commissioners shall provide suitable accommodations within the District of Columbia for the detention of persons who are unable or who refuse to furnish security for their appearance as witnesses, as provided in subsection (a). Such accommodations shall be separate and apart from quarters used for the confinement of persons charged with crime. The said Commissioners may, in their discretion, enter into agreements with any Federal agency, including the United States courts, for the use of suitable space in a building under the jurisdiction of any such agency, and such agency is hereby authorized to allow the use of such space for the purpose of providing the accommodations required by this subsection. In carrying out the purposes of this Act, the said Commissioners may utilize any appropriate space in any building which is owned privately or which is owned or leased by the government of the District of Columbia. In the case of any witness detained by an officer other than an officer or member of the Metropolitan Police force, the District of Columbia shall be reimbursed for the accommodations furnished such witness at rates to be determined by the Commissioners.'

"TITLE V

"SEC. 501. The definition of 'crime of violence' contained in section 1 of the Act entitled 'An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes', approved July 8, 1932 (D.C. Code, sec. 22–3201), is amended by inserting immediately after 'burglary,' the following: 'robbery,'.

"TITLE VI

"SEC. 601. Section 803 of the Act entitled 'An Act to establish a code of law for the District of Columbia', approved March 3, 1901 (D.C. Code, sec. 22–501), is amended by inserting immediately after 'for not' the following: 'less than two years or'.

"SEC. 602. Section 823 of the Act entitled 'An Act to establish a code of law for the District of Columbia', approved March 3, 1901 (D.C. Code sec. 22–1801), is amended to read as follows:

" 'SEC. 823. BURGLARY.—(a) Whoever shall, either in the nighttime or in the daytime, break and enter, or enter without breaking, any dwelling, or room used as a sleeping apartment in any building, with intent to break or carry away any part thereof, or any fixture or other thing attached to or connected thereto or to commit any criminal offense, shall, if any person is in the actual occupation of any part of such dwelling or sleeping apartment at the time of such breaking and entering, or entering without breaking, be guilty of burglary in the first degree. Burglary in the first degree shall be punished by imprisonment for not less than five years nor more than thirty years.

" '(b) Except as provided in subsection (a) of this section, whoever shall, either in the night or in the daytime, break and enter, or enter without breaking, any dwelling, bank, store, warehouse, shop, stable, or other building, or any apartment or room, whether at the time occupied, or not, or any steamboat, canalboat, vessel, or other watercraft, or railroad car, or any yard where any lumber, coal, or other goods or chattels are deposited and kept for the purpose of trade, with intent to break and carry away any part thereof or any fixture or other thing attached to or connected with the same, or to commit any criminal offense, shall be guilty of burglary in the second degree. Burglary in the second degree shall be punished by imprisonment for not less than two year nor more than fifteen years.'

"SEC. 603. Section 810 of the Act entitled 'An Act to establish a code of law for the District of Columbia', approved March 3, 1901 (D.C. Code, sec. 22–2901), is amended by striking out 'six months' and inserting in lieu thereof 'four years'.

"SEC. 604. Section 869e of the Act entitled 'An Act to establish a code of law for the District of Columbia', approved March 3, 1901 (D.C. Code, sec. 22–1513), is amended by adding the following new subsection at the end thereof:

" '(f) Nothing in this section shall be construed to prohibit the giving or offering of any bonus or extra compensation to any manager, coach, or professional player, or to any league, association, or conference for the purpose of encouraging such manager, coach, or player to a higher degree of skill, ability, or diligence in the performance of his duties.'

"SEC. 605. Section 2 of the Act entitled 'An Act to control the possession, sale, transfer, and use of pistols and other dangerous weapons in the District of Columbia, to provide penalties, to prescribe rules of evidence, and for other purposes', approved July 8, 1932 (D.C. Code, sec. 22–3202), is amended to read as follows:

" 'SEC. 2. If any person shall commit a crime of violence in the District of Columbia when armed with or having readily available, any pistol or other firearm, or other dangerous or deadly weapon, including but not limited to, sawed-off shotgun, shotgun, machinegun, rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles, he may, in addition to the punishment provided for the crime, be punished by imprisonment for an indeterminate number of years up to life as determined by the court. If a person is convicted more than once of having committed a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearm, or other dangerous or deadly weapon, including but not limited to, sawed-off shotgun, shotgun, machinegun, rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles, then, notwithstanding any other provision of law, the court shall not suspend his sentence or give him a probationary sentence.'

"SEC. 606. Section 872 of the Act entitled 'An Act to establish a code of law for the District of Columbia', approved March 3, 1901 (D.C. Code, sec. 22–2001), is amended to read as follows:

" 'SEC. 872. INDECENT PUBLICATIONS.—(a) Whoever, with knowledge of the obscene character of the material, sells, or offers to sell, or give away, in the District, or has in his possession with the intent to sell, or give away or to exhibit to another, any obscene, lewd, or indecent book, pamphlet, drawing, engraving, picture, photograph, instrument, magazine, story, paper, writing, card, print, motion picture film, image, cast, slide, figure, statue, phonograph record, wire, tape, or other sound recording, or other presentation or article of indecent or immoral use, or advertises the same for sale, or writes or prints any letter, circular, handbill, book, pamphlet, or notice of any kind stating by what means any such articles may be obtained, or advertises any drug, nostrum, or instrument intended to produce abortion, or otherwise participates in, or by bill, poster, or otherwise advertises, any public exhibition, show, performance, or play offending the public decency, shall be fined not more than $5,000, or imprisoned not more than one year, or both.

" '(b) Whoever in the District acts in, poses for, models for, prints, records, composes, edits, writes, publishes, or offers to publish, or produces or participates in the production of any obscene, lewd, or indecent book, pamphlet, drawing, engraving, picture, photograph, instrument, magazine, story, paper, writing, card, print, motion picture film, image, cast, slide, figure, statue, phonograph record, wire, tape, or other sound recording, or other presentation or article of indecent or immoral use, or advertises the same for sale, or writes or prints any letter, circular, handbill, book, pamphlet, or notice of any kind stating by what means any such articles may be obtained, with knowledge that the same is obscene and is for the purpose of being sold, given away, or exhibited to another, shall be fined not more than $5,000, or imprisoned not more than one year, or both.

" '(c) The United States Attorney for the District of Columbia is authorized to petition the United States District Court for the District of Columbia for a preliminary injunction and a permanent injunction to restrain the sale, gift, exhibition, distribution, production, disposition, or removal of any obscene, lewd, or indecent matter described in subsection (a) or (b) of this section and to restrain the use of any real or personal property for such purpose. A hearing on the petition for the preliminary injunction shall be had not more than five days, excluding Sundays and holidays, after service upon the defendant of a copy of the petition.

"'(d) After the hearing provided in subsection (c) of this section the said court may issue a preliminary injunction which will remain in effect until final determination of the petition for the permanent injunction, but not more than thirty calendar days from the issuance of the preliminary injunction.

"'(e) If, after a trial of the issues, the court shall order a permanent injunction, such injunction shall include a provision for the immediate seizure and impoundment of the obscene, lewd, or indecent matter, and forbidding its reproduction or duplication. Such injunction shall also include a provision providing for the disposition of such matter so impounded in such way as the court may determine desirable (including the destruction of such matter), but in no event shall such matter be destroyed until after the expiration of the period during which an appeal may be taken or, if an appeal is taken, during the pendency of such appeal. Such injunction shall also permanently enjoin the use of any real or personal property used for the purpose of violating this section. In the trial brought for such permanent injunction the determination of all issues of fact shall be by jury if either party demands it.

"'(f) For the purpose of obtaining a preliminary or permanent injunction under subsection (c), (d), or (e) of this section, it shall not be necessary for the United States Attorney to allege or prove that an adequate remedy at law does not exist or that substantial and irreparable damage would result from the violations alleged.

"'(g) Proceedings pursuant to subsections (c), (d), and (e) of this section shall be governed by the Federal Rules of Civil Procedure, except as they may be inconsistent with the provisions and purposes of this section.

"'(h) Nothing in this section shall apply to a licensee under the Communications Act of 1934, as amended, while engaged in activities regulated pursuant to such Act.'

"SEC. 607. Section 825a of the Act entitled 'An Act to establish a code of law for the District of Columbia', approved March 3, 1901 (D.C. Code, sec. 22–3105), is amended by striking out 'or by imprisonment not exceeding ten years.' and inserting in lieu thereof the following: 'and by imprisonment for not less than four years or more than ten years.'.

"SEC. 608. Whoever shall make or cause to be made to the Metropolitan Police Department of the District of Columbia, or to any officer or member thereof, a false or fictitious report of the commission of any criminal offense within the District of Columbia, or a false or fictitious report of any other matter or occurrence of which such Metropolitan Police Department is required to receive reports, or in connection with which such Metropolitan Police Department is required to conduct an investigation, knowing such report to be false or fictitious; or who shall communicate or cause to be communicated to such Metropolitan Police Department, or any officer or member thereof, any false information concerning the commission of any criminal offense within the District of Columbia or concerning any other matter or occurrence of which such Metropolitan Police Department is required to receive reports, or in connection with which such Metropolitan Police Department is required to conduct an investigation, knowing such information to be false, shall be punished by a fine of not exceeding $300 or by imprisonment not exceeding thirty days.

"TITLE VII

"SEC. 701. Whoever, prior to the date of enactment of this Act, commits any act or engages in any conduct which constitutes an offense under a provision of law amended by this Act, shall be sentenced in accordance with the law in effect on the date he commits such acts or engages in such conduct.

"SEC. 702. Nothing in this Act shall be construed so as to affect the authority vested in the Board of Commissioners of the District of Columbia by Reorganization Plan No. 5 of 1952 (66 Stat. 824). The performance of any function vested by this Act in the Board of Commissioners or in any office or agency under the jurisdiction or control of said Board of Commissioners may be delegated by said Board of Commissioners in accordance with section 3 of such plan.

"SEC. 703. If any provision of this Act or the application thereof to any person or circumstance is held invalid, the other provisions of this Act and the application of any provision to other persons or circumstances shall not be affected thereby."

And the Senate agree to the same.

JOHN L. MCMILLAN,
BASIL WHITENER,
JOHN BELL WILLIAMS,
DON FUQUA,
ELLIOTT HAGAN,
ANCHER NELSEN,
WILLIAM H. HARSHA,
JOEL T. BROYHILL,
Managers on the Part of the House.
ALAN BIBLE,
TOM MCINTYRE,
JOSEPH TYDINGS,
WINSTON L. PROUTY,
PETER H. DOMINICK,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 5688) relating to crime and criminal procedure in the District of Columbia submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate struck out all of the House bill after the enacting clause and inserted a substitute amendment. The committee of conference has agreed to a substitute for both the House bill and the Senate amendment. Except for technical, clarifying, and conforming changes, the following statement explains the differences between the House bill and substitute agreed to in conference.

TITLE I

Mallory rule

House Bill

Subsection (a) of section 101 of the House bill provides that voluntary statements and confessions shall not be inadmissible in evidence in the courts of the District of Columbia solely because of delay in presenting an arrested person before a commissioner or other officer who may commit persons charged with crimes.

Subsection (b) of section 101 of the House bill provides that no statement made by any person during a period of questioning by a law enforcement officer shall be admissible in evidence unless prior to the questioning the arrested person has been told that he is not required to make any statement and that any statement made by him may be used against him.

Senate Amendment

Section 101 of the Senate amendment is a brief restatement of existing law with respect to the admissibility of incriminating statements made by an accused.

Section 102 of the Senate amendment, in a restatement of existing law, excludes statements made by an accused after a period of unnecessary delay between his arrest and his appearance before a United States Commissioner.

Section 103 of the Senate amendment provides that under section 102 of this title of the Senate amendment delay alone shall not cause the exclusion of any statement obtained by interrogation of the accused if (1) the accused was warned that he need not make a statement and was told that any statement made could be used against him; (2) prior to any questioning, the arrested person was advised by the officers having custody of him that upon request he would be afforded reasonable opportunity to notify a relative or friend and consult with counsel of his choosing and if such request were made, he was, in fact, afforded such opportunity; (3) the aggregate period of questioning, exclusive of interruptions, does not exceed 3 hours between the arrest and the completion of the confession, admission, or statement; and (4) all of these warnings and any questioning of the accused were witnessed by a third party or transcribed or recorded verbatim.

Conference Substitute

Subsection (a) of section 101 of the proposed conference substitute is identical to subsection (a) of section 101 of the House bill.

Subsection (b) of section 101 of the conference substitute bars the admissibility of statements made by an arrested person during any pretrial questioning by a law enforcement officer unless certain requirements are met. The first of these requirements are based on the procedural safeguards adopted by the United States Supreme Court in the case of *Miranda* v. *Arizona*, decided June 13, 1966. The requirements in subsection (b) demand that prior to any questioning of an arrested person he be advised that he has the right to remain silent, that any statement he may make may be used as evidence against him, and that he has the right to the assistance of an attorney (either retained by or appointed for him) prior to and during such questioning. An additional requirement is directed at the case of an individual who having been advised of his rights agrees to be questioned without a lawyer present. In this case the aggregate period of questioning during the absence of a lawyer and prior to arraignment may not exceed 6 hours.

TITLE II

Defense of insanity in criminal proceedings, competency to stand trial, and related matters

House Bill

Section 201 of the House bill completely revises section 927 of the Act of March 3, 1901, relating to the procedures to be followed with respect to determinations of a person's competency to stand trial and to the confinement and release of persons acquitted of criminal charges on the ground of insanity. In general, the amendment made by the House bill, in addition to revising and amplifying the provisions of that section, establishes a test for criminal responsibility to replace the court-formulated test known as the "Durham rule" and also establishes certain procedures to be followed in raising the defense of insanity.

Subsection (a) of the proposed new section sets out a test for criminal responsibility which is as follows: "A person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect he lacks substantial capacity either to know or appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of law." This subsection also provides that repeated criminal behavior or other antisocial conduct, by themselves, do not indicate the existence of a mental disease or defect. The proposed test would supplant the present rule in the District of Columbia, established in *Durham* v. *United States,* 214 F. 2d 862 (D.C. Cir. 1954), which provides that a person is not responsible for a criminal act if it "was the product of a mental disease or defect". In *McDonald* v. *United States,* 312 F. 2d 847 (D.C. Cir. 1962), the court defined "mental disease or defect" as including "any abnormal condition of the mind which substantially affects mental or emotional processes and substantially impairs behavior control." 312 F. 2d 847, at 851.

Subsection (b) provides that evidence of a mental disease or defect may be introduced in evidence in a criminal proceeding whenever it is relevant to show that the defendant did or did not have the state of mind which is a necessary element of the offense.

Subsection (c) provides that (1) if the defense of insanity is raised by the defendant, it is an affirmative defense which must be established by a showing of substantial evidence; and (2) in order to raise the defense of insanity, the defendant must give notice at the time he enters a plea of not guilty, within 15 days thereafter, or at such later time permitted by the court. That subsection also contains a provision identical to the present section 927(c) which provides that when a defendant is acquitted on the ground of insanity the verdict and judgment shall so state.

Subsection (d) provides that if a defendant is unable to understand the proceedings against him and assist in his own defense, as a result of a mental disease or defect, he shall not be tried or sentenced for the offense while the mental incapacity exists. This provision is similar to the present section 927(a).

Subsection (e) provides that whenever a defendant gives notice that he will rely on the defense of insanity or, where there is doubt as to the capacity of the defendant to proceed because of mental disease, the court shall appoint a qualified psychiatrist to conduct an examination and to make a report on the condition of the defendant. This provision differs from the present section 927(a) in that it specifically authorizes a mental examination when the defendant has given notice that he will rely on the defense of insanity. Any method of examination acceptable to the medical profession may be used. The court may commit the defendant to a hospital for such period of time as may be necessary for this purpose, even though the defendant may have been at large on bond or bail. There is a provision which requires the following to be included in the report of the examination: (1) a description of the nature of the examination; (2) a diagnosis of the mental condition of the defendant; (3) an opinion as to the capability of the defendant to understand the proceedings against him and assist in his defense if a mental disease or defect is found; (4) if the defendant has indicated he will rely on insanity as a defense, opinion as to the capability of the defendant to understand the wrongfulness of his conduct or to conform his conduct to the law at the time the offense was committed; and (5) in the event the defendant will not cooperate, the report will so indicate and provide an opinion as to whether the unwillingness was a result of mental disease or defect.

Subsection (f) provides that the court shall determine the question of the defendant's mental fitness when the question is raised. If there is no objection to the report of the examination filed, the court may make its finding on the basis of the report. If the report is contested, a hearing without a jury shall be held on the issue. If the report is received in evidence, the psychiatrists who joined in the report may be summoned for cross-examination. If the court finds, at the conclusion of the hearing, that the defendant is capable of understanding the proceedings and assisting in his defense, the defendant shall be ordered to stand trial within a reasonable time.

It is also provided that if during the proceedings the court determines that the defendant lacks the capacity to proceed, the court shall commit the defendant to an institution for as long as the incapacity lasts. The resumption of proceedings at a later date shall not cause jeopardy to attach barring subsequent trial. If the institution to which the defendant has been committed finds his capacity is restored, such fact shall be certified to the court. The trial shall be resumed or started within a reasonable time unless the certification of fitness is challenged, in which case the court shall hold a hearing without a jury to determine the issue. However, if the court finds that so much time has elapsed that it would be unjust to resume the criminal proceedings, the court may order the defendant committed for examination by the Mental Health Commission.

Subsection (g) provides that if the report filed by the psychiatrist under subsection (e) indicates that at the time of the criminal conduct the defendant suffered from a mental disease or defect which substantially impaired his capacity to understand the criminality of his conduct or to conform his conduct to the law, and if the court is satisfied that the mental incapacity was sufficient to exclude responsibility for the crime, the court shall enter a judgment of acquittal on the ground of mental disease or defect excluding responsibility.

This subsection also contains provisions relating to mental examinations of defendants by psychiatrists of their own choice, testimony by psychiatrists, and mental examinations of defendants at the direction of the prosecution. Thus, notwithstanding a report filed under subsection (e), a defendant shall be permitted to be examined by a psychiatrist of his own choosing. Further, if the prosecution desires, it may have the defendant examined to determine his criminal responsibility but only if it makes the result available to the defendant.

The psychiatrists who filed the report under subsection (e) may be called as witnesses at the trial by the prosecution, the defendant, or the court. If the witnesses are called by the court, they shall be subject to cross-examination by both the prosecution and the defense. Both the prosecution and defense may summon other qualified psychiatrists to testify. However, no one who has not examined the defendant may give his opinion as a psychiatrist regarding the mental condition or the responsibility of the defendant. When a psychiatrist testifies he may state the nature of his examination and his diagnosis of the mental condition of the defendant at the time of the offense. He may also make any explanation which serves to clarify his diagnosis and opinion and he may be cross-examined regarding his competency, credibility, or the validity of his diagnosis or opinion.

Subsection (h) provides that if the trial results in an acquittal on the ground of mental disease or defect excluding responsibility, the court shall order the person committed to a hospital for the care of the mentally ill. If the superintendent of the hospital finds that such person no longer suffers from mental illness and may be discharged without danger to himself or others, he shall make application to the court for release of the person. The court shall appoint two qualified psychiatrists to make an examination and to report within 60 days or such other period as is necessary to determine his mental condition. If the report or testimony of the psychiatrists satisfies the court that the person may be discharged or released on probation without danger to himself or others, the court shall issue such order on such conditions as it determines to be necessary. However, if the court is not satisfied, a hearing will be ordered promptly to determine whether the person may be discharged or released. Such a hearing shall be a civil proceeding and the burden shall be upon the committed person to prove that he may safely be discharged. According to the determination of the court, the person shall be discharged or released on probation under conditions imposed by the court or he shall be recommitted to the hospital and may be discharged or released only in accordance with the procedure heretofore indicated.

If the person shall have been found to have violated the conditions of any probation, after release, and the court determines that for the safety of such person or others, the probation should be revoked and the person shall be recommitted to a hospital for care and treatment of mentally ill and may be discharged only in accordance with the procedure followed in the first hearing. A committed person may make application for his release to the court and the procedures followed shall be the same as those prescribed above in the case of the application by the superintendent of such hospital. The application by the committed person need not be considered before a period of 6 months following the date of the order of commitment. If the court determines against granting the application, the person shall not be permitted to file further application until 1 year has elapsed from the date of any preceding hearing of an application.

Subsection (i) provides that the jury shall not at any time be told the consequences of a verdict of not guilty or acquittal by reason of insanity.

Subsection (j) provides that a person confined under the authority of section 927 is not precluded from establishing eligibility for release by a writ of habeas corpus.

Subsection (k) provides that section 927 shall apply only to proceedings in the United States District Court for the District of Columbia, the District of Columbia Court of General Sessions, and the Juvenile Court of the District of Columbia.

Subsection (l) deals with severability and provides that the invalidity of any part of section 927 shall not affect the remainder of the section to the extent it may be given effect.

Section 202 of the House bill states that sections 928 and 929(b) of such Act, relating to commitment of persons while serving sentences, shall not be affected by the amendment made by section 201. Further, section 202 is designed to preserve fully the privilege attached to confidential communications between physicians and their patients and provides that nothing in the amendment made by section 201 of the House bill shall alter this guarantee.

Section 203 of the House bill repeals section 929(a) of the act of March 3, 1901, which provides that when the superintendent of an institution for the mentally ill, who has under his custody a person charged with a crime and subject to trial therefor, finds that such person is competent to stand trial, the superintendent shall certify the fact to the clerk of the court in which the case is pending. The new section 927(f) establishes the procedures under which the superintendent of such institution may certify that the defendant has regained mental fitness to proceed.

Senate Amendment

The Senate amendment struck out the amendments made by title II of the House bill and substituted an amendment to section 927 which requires a defendant who intends to assert the defense of insanity to give notice of that fact. This requirement is essentially the same as the notice requirement contained in the new section 927(c) (2) proposed by the House bill, except that such notice must be filed no later than (1) 30 days prior to the date of the trial if no court order for mental examination, or (2) if there was a court order for mental examination, 15 days after receipt by the court of the report of the examining physician. It is also provided that the court may extend the time for filing such notice in order to prevent injustice.

Conference Substitute

The conference substitute amends section 927 of the Act of March 3, 1901, so as to completely revise such section.

Paragraph (1) of subsection (a) of the new section 927 proposed by the conference substitute establishes a test for criminal responsibility which is the same as the test contained in section 4.01 of the Model Penal Code, adopted by the American Law Institute in 1962 and more recently adopted (in *United States* v. *Freeman,* No. 29688, 2d Cir., Feb. 28, 1966) as the standard for criminal responsibility for the courts of the Second Judicial Circuit of the United States. The proposed test is as follows: "A person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect he lacks substantial capacity either to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of law." This test is identical to the test proposed in the House bill, except that the House bill based the test of a person's criminal responsibility on an inability "either to know or appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of law" (Emphasis added). Thus, the essential part of the test is a person's inability to "appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of law."

Paragraph (2) of such subsection is identical to section 927(a)(2) contained in the amendment made by the House bill and provides that repeated criminal or antisocial conduct, by themselves, do not constitute a mental disease or defect.

Subsection (b) of the new section 927 is identical to the corresponding subsection proposed in the House bill and relates to the admissibility of evidence of mental disease or defect.

Paragraph (1) of subsection (c) provides that if the defense of insanity is raised it is an affirmative defense which must be established by a showing of substantial evidence.

The case of *McDonald* v. *United States,* 312 F. 2d 847 (D.C. Cir. 1962), held that sufficient evidence of mental disease was present to require a jury instruction on criminal responsibility when the issue of the insanity of the defendant was raised by "some evidence". The proposed subsection (c)(1) would substitute for the "some evidence" rule the requirement that the defendant establish by "substantial evidence" mental disease or defect excluding responsibilty.

Thus, in order to require a jury instruction on criminal responsibility, the defendant would have to establish by "substantial evidence" his lack of capacity because of mental disease or defect. This change from "some evidence" to "substantial evidence" in no way changes the traditional requirement of the prosecution to prove beyond a reasonable doubt all elements of the crime, including necessary intent.

If substantial evidence is presented by the defendant, the prosecution would then be faced with the question of whether to present contradictory evidence. In *Davis* v. *United States,* 160 U.S. 469 (1895), the Supreme Court said the jury in considering an insanity plea must weigh all the evidence, including the presumption of sanity. Whether uncontradicted expert testimony overcomes the presumption depends upon its weight and credibility, and weight and credibility ordinarily are for the jury. As a practical matter this amounts to saying that every substantial issue of criminal responsibility must go to the jury, a very great improvement in the law from a prosecutor's point of view, and a rule which does neither side an injustice.

Paragraph (2) of such subsection, relating to the requirement that there be notice of an intention to raise the defense of insanity, is the same as the notice provision contained in the Senate amendment except that reference to the courts of the District of Columbia was deleted since the applicability of the provisions of the revised section 927 to such courts is delineated in another subsection.

Paragraph (3) of such subsection, providing that if there is an acquittal on the basis of insanity, the verdict and judgment shall so state, is identical to the proposed section 927(c)(3) in the House bill and also to section 927(c) of the present law.

The revision of section 927 of the act of March 3, 1901, made by the conference substitute incorporates the provisions of certain subsections of that section into the new section 927 as follows:

Subsection of present section 927	Appears in proposed section 927 as subsection
(a)	(d)
(b)	(e)
(d)	(f)
(e)	(g)
(f)	(h)
(g)	(i)

Subsection (d) provides for a mental examination of a defendant in a criminal proceeding when it appears that the defendant is unfit to proceed. Authority is given to the court to order his confinement on the basis of the report of the examination except when the findings are objected to, in which case the court, without a jury, will make a determination of the individual's competency and proceed accordingly.

Subsection (e) provides that if a person confined under subsection (d) is, in the opinion of the head of the hospital in which he has been confined, restored to mental competency, such fact shall be certified to the court. Such certification shall be sufficient to allow the court to order the person to stand trial unless there is objection, in which case the court shall, without a jury, make a judicial determination of the person's competency to stand trial.

Subsection (f) provides for the confinement in a hospital for the mentally ill of a person who is acquitted on the ground of insanity.

Subsection (g) contains provisions relating to the release of persons confined under the preceding subsection. In general, such a person can be unconditionally released when there has been a determination that he has recovered his sanity and will not in the reasonable future be dangerous to himself or others. This subsection also authorizes a conditional release with supervision.

Subsection (h) provides if a person is confined after an acquittal on the grounds of insanity, he (or his estate) shall bear the expense of his support during his confinement.

In subsection (i) it is stated that nothing in section 927 shall prevent a person confined under the authority of that section from seeking his release by a writ of habeas corpus.

In subsection (j) there is a prohibition against informing the jury at any time of the consequence of a verdict of not guilty or acquittal by reason of insanity. This provision is identical to section 927(i), as proposed by the House bill.

Subsection (k) retains the provision in subsection (h) of the present law by providing that the existing provisions of that section shall supersede in the District of Columbia the provisions of any Federal statute or parts thereof inconsistent with such provisions.

Subsection (l) provides that section 927 shall apply to criminal proceedings in the United States District Court for the District of Columbia and the District of Columbia Court of General Sessions and also that, except for subsections (a), (b), and (c), relating to the test for criminal responsibility and related matters, such section shall apply to proceedings in the Juvenile Court in the District of Columbia.

Section 202 of the conference substitute is identical to section 202 of the House bill, except that it also provides that the amendment to section 927 shall not affect the provisions of section 929(a) of such Act, relating to delivery to the court of a person who has been found competent after having been confined as not competent for trial.

TITLE III

Detention of person

House Bill

Section 301 of the House bill relates to the detention of a person for questioning by a police officer who has probable cause to believe that such person is committing, has committed, or is about to commit a crime.

Subsection (a) of such section authorizes the detention of such person by a police officer to find out such person's name, address, business, and where he is going.

Subsection (b) provides that if such person fails to identify himself or explain his actions to the satisfaction of the officer he may be detained and further interrogated.

Subsection (c) limits the period of detention to 6 hours and such detention shall not be recorded as an arrest. At the end of the detention period a person must be released or arrested and charged with the crime.

Senate Amendment

The Senate amendment did not contain a comparable provision.

Conference Substitute

The conference substitute is identical to section 301 of the House bill; except that a person may be detained only if the police officer has probable cause to believe that such person is committing or has committed a crime, and a person may not be detained for longer than four hours.

Detention of material witness

House Bill

Section 302 of the House bill amends section 401 of the Revised Statutes of the United States relating to the District of Columbia (D.C. Code, sec. 4–144) which directs the Board of Commissioners to make accommodations available to witnesses unable to furnish security for their appearance in criminal proceedings. Section 302 completely revises such section to provide for the detention and questioning of such witnesses.

Subsection (a) provides that whenever there is probable cause to believe that any person may be a material witness to the commission or attempt to commit any felony and there is reasonable probability that such person will not be available as a witness during the investigation of the offense by the Metropolitan Police force or when a suspect is arrested and tried for the offense, the person may be required by a judge of the United States District Court or the Court of General Sessions or by a United States Commissioner to post bond or deposit collateral to secure his appearance as a witness. Such person may be detained by the Metropolitan Police in specially provided quarters apart from those used for persons charged with a crime, pending posting of bond or collateral, but such person shall be presented before a judge or commissioner within 6 hours of the beginning of such detention. The judge or commissioner shall then require him to post bond or collateral, or release him. The detention provided for shall not constitute an arrest.

Subsection (b) provides that the Commissioners of the District of Columbia shall provide suitable accommodations for the detention of witnesses in premises apart from those used for persons charged with a crime. This subsection is essentially the same as the present section 401, except that the present section specifies that witnesses shall not be confined with persons charged with "crime, fraud, or disorderly conduct" and directs all committing magistrates to comply with the Commissioner's rules concerning detention of witnesses.

Senate Amendment

The Senate amendment also completely revises section 401. Subsection (a) of section 401, as proposed by the Senate amendment, provides that members of the Metropolitan Police Force and Federal law enforcement officers are authorized, without unnecessary delay, to take before a judge of a court of the District of Columbia or a U.S. Commissioner, whenever there is reasonable ground to believe that such person is a material and necessary witness to the commission of a crime punishable by imprisonment for 1 year or more and there is a reasonable probability that such person will not be available to testify at the trial of the person charged with the offense. The House bill's amendment gave such authority only to officers of the Metropolitan Police Force. However, the House bill's amendment allowed the detention of a witness when there was reasonable probability that he would not be available during the investigation of such offense. Further, where the House bill's version required an appearance before a judge or commissioner within 6 hours from the beginning of the witness's detention, the Senate amendment provided that such appearance should be made "without unnecessary delay."

Such subsection further provides that immediately upon being taken before a judge or commissioner, such person shall be advised of his constitutional rights and shall be allowed reasonable opportunity to consult counsel. If after a hearing such person is determined to be a material and necessary witness, he will be required to post bond or collateral as security that he will appear and testify at such trial. Upon his failure to post bond or collateral, the judge or commissioner may order his further detention in suitable quarters that are separate and apart from those used for the confinement of persons charged with crime. Under this subsection, the judge or commissioner retains authority to release any person detained for an unreasonable period of time whether or not he has discharged his duties as a material witness. It is also provided that detention under section 401 shall not constitute an arrest, no statement made during such detention may be used against the witness in a proceeding against him for the commission of any crime, and such witness shall be entitled during his detention to the fees payable to witnesses testifying in court.

Subsection (b) relates to accommodations for detained witnesses.

Subsection (c) and (d) afford the prosecution the same right with respect to the taking of a deposition of a material witness as is afforded to the defendant. In the case of a person who, through financial inability, cannot post bond or collateral, the court may discharge such person where the deposition of the person has been taken.

Conference Substitute

Title IV of the conference substitute adopts the Senate amendment with the following changes: (1) the authority to detain a witness is given only to officers of the Metropolitan Police force, (2) the 6 hour time limit contained in the House version is substituted for the Senate provision calling for an appearance before a judge or commissioner "without unnecessary delay". (3) the immunity provided witnesses with respect to statements made during their detention is deleted, and (4) the provisions relating to the taking of depositions are deleted.

TITLE IV

Section 401 of the House bill amends the definition of "crime of violence" in the Act of July 8, 1932 (D.C. Code, sec. 22-3201), by adding to such definition the crime of robbery.

Section 401 of the Senate amendment amends the same definition by striking out "housebreaking" and inserting in lieu thereof "robbery".

Section 501 of the proposed conference substitute is the same as the House bill.

TITLE V

Assault with intent to kill

Section 501 of the House bill and the Senate amendment and section 601 of the proposed conference substitute are identical and all amend section 803 of the Act of March 3, 1901 (D.C. Code, sec. 22-501), to provide a minimum sentence of not less than two years in the case of persons convicted of assault with intent to kill or to commit rape or to commit robbery or mingling poison with food, drink, or medicine with intent to kill, or willfully poisoning any well, spring, or cistern of water.

Burglary

House Bill

Section 502(a) of the House bill amends section 823 of the Act of March 3, 1901 (D.C. Code, sec. 22-1801), to substitute for the existing criminal provisions punishing housebreaking in the District of Columbia, a complete revision.

Subsection (a) of section 823 as revised by the House bill provides that whoever shall, either in the nighttime or in the daytime, break and enter, or enter without breaking, any dwelling, or room used as a sleeping apartment in any building, with intent to break or carry away any part thereof, or any fixture or other thing attached to or connected thereto or to commit any criminal offense, shall, if any person is in the actual occupation of any part of such dwelling or sleeping apartment at the time of such breaking and entering, or entering without breaking, be guilty of burglary in the first degree. Burglary in the first degree shall be punished by imprisonment for not less than twenty years nor more than life imprisonment, and, notwithstanding any other provision of law, any person who violates this subsection and upon whom a sentence of life imprisonment is imposed shall be eligible for parole only after the expiration of twenty years from the date he commences to serve his sentence.

Subsection (b) of section 823 as revised by the House bill provides that except as provided in subsection (a) of section 823, whoever shall, either in the night or in the daytime, break and enter, or enter without breaking, any dwelling, bank, store, warehouse, shop, stable, or other building, or any apartment or room, whether at the time occupied or not, or any steamboat, canalboat, vessel, or other watercraft, or railroad car, or any yard where any lumber, coal, or other goods or chattels are deposited and kept for the purpose of trade, with intent to break and carry away any part thereof or any fixture or other thing attached to or connected with the same, or to commit any criminal offense, shall be guilty of burglary in the second degree. Burglary in the second degree shall be punished by imprisonment for not less than five years nor more than fifteen years.

Section 502(b) of the House bill provides that any person tried before the effective date of this act for violation of section 823 of such act approved March 3, 1901, and who is before a court for the purpose of sentence or resentence, shall be sentenced in accordance with the law in effect before the effective date of this act.

Senate Amendment

Section 502 of the Senate amendment also amends section 823 of the act of March 3, 1901, to substitute for the provisions of existing law on housebreaking in the District of Columbia a complete revision.

Subsection (a) of section 823 as revised by the Senate amendment is the same as the revision proposed by the House bill except (1) that the punishment is set at not less than two or more than 20 years instead of 20 years to life as provided in the House bill and (2) the provision in the House bill that one sentenced to life is eligible for parole only after he has served 20 years is not contained in the Senate amendment.

Subsection (b) of section 823 as revised by the Senate amendment is the same as the revision proposed by the House bill except that the minimum punishment is set at not less than 1 year instead of 5 years as provided in the House bill.

Conference Substitute

The revision of subsection (a) of section 823 of the act of March 3, 1901, contained in section 602 of the proposed conference substitute is the same as the House bill except that (1) the punishment is set at not less than 5 nor more than 30 years and (2) there is no minimum time fixed which must be served before a person sentenced to the maximum term is to be eligible for parole.

The revision of subsection (b) of such section 823 of the proposed conference substitute is the same as the House bill except that the punishment is set at not less than 2 nor more than 15 years.

The proposed conference substitute with respect to section 602 does not contain a provision comparable to subsection (b) of section 502 of the House bill. The proposed conference substitute does, however, contain in section 701 a general provision that one who before the date of enactment of this act commits any act or engages in any conduct constituting an offense under a provision of law amended by this act, shall be sentenced in accordance with the law in effect at the time he commits such act or engages in such conduct.

Robbery

House Bill

Section 503 of the House bill amends section 810 of the act of March 3, 1901 (D.C. Code, sec. 22-2901), by striking out "six months" and inserting in lieu thereof "five years". This results in raising the minimum sentence for robbery in the District of Columbia from 6 months to 5 years.

Senate Amendment

Section 503 of the Senate amendment amends section 810 to increase the minimum sentence for robbery from 6 months to 2 years.

Conference Substitute

Section 603 of the proposed conference substitute amends section 810 of the act of March 3, 1901, to increase the minimum sentence for robbery in the District of Columbia from 6 months to 4 years.

Athletic contests

House Bill

Section 504 of the House bill amends section 869e of the Act of March 3, 1901 (D.C. Code, sec. 22-1513), so as to substitute for the provisions of existing law on corrupt influence in connection with athletic contests a complete revision.

Subsection (a) of this revision increases the penalty for bribery or offering to bribe any person with intent to influence the result of an athletic contest and provides that a penalty shall be imprisonment for not less than 1 nor more than 10 years and a fine of not less than $300 nor more than $10,000.

Subsection (b) of this revision provides that if a participant in a contest agrees to accept a bribe with intent to influence the result, the penalty shall be imprisonment for not less than 1 nor more than 10 years or a fine or both.

Subsection (c) of this revision provides that it is sufficient to show violation of subsections (a) or (b) if a bribe is offered, accepted, or agreed to with a view to probable employment or participation in an athletic event even though the person may not have been employed or the player may not participate.

Subsection (d) of this revision defines a "bribe" as anything of value which may be given or promised.

Subsection (e) of this revision provides that any player or participant connected with an athletic contest who, for material gain to himself, willfully commits an act of omission or commission with intent to affect the margin of victory or defeat may be imprisoned not less than 1 year nor more than 10 years or fined or both.

Subsection (f) of this revision permits the payment of bonuses for the purpose of securing superior performances.

Senate Amendment

The Senate amendment contained no comparable provision.

Conference Substitute

Section 604 of the proposed conference substitute amends the existing section 869e of the act of March 3, 1901, by adding at the end thereof a new subsection (f) which is the same as the subsection (f) of the revision of section 869e contained in the House bill.

Committing crime when armed

House Bill

Section 505 of the House bill amends section 2 of the act of July 8, 1932 (D.C. Code, sec. 22-3202), by striking the word "may" in four places and inserting in lieu thereof "shall". This results in the court being required to impose additional punishment on persons convicted of certain specified crimes of violence in the District of Columbia when armed or having readily available any pistol or other firearm instead of permitting the court to do so, as the existing law provides. In addition, this section of the House bill also amends section 2 of such act of July 8, 1932, to provide that despite any other provision of law if a person is convicted of committing a crime of violence in the District of Columbia when so armed or having readily available any pistol or other firearm then the court shall not suspend his sentence or give a probationary sentence.

Senate Amendment

Section 504 of the Senate amendment amends section 2 of the act of July 8, 1932, by striking out "pistol or other firearm," and inserting in lieu thereof "pistol or other firearm or other dangerous or deadly weapon, including but not limited to, sawed-off shotgun, shotgun, machinegun, rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles,".

Conference Substitute

Section 605 of the proposed conference substitute amends section 2 of the act of July 8, 1932 (D.C. Code, sec. 22-3202), so as to revise it to provide that if any person shall commit a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearm, or other dangerous or deadly weapon, including but not limited to, sawed-off shotgun, shotgun, machinegun, rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles, he may, in addition to the punishment provided for the crime, be punished by imprisonment for an indeterminate number of years up to life as determined by the court. If a person is convicted more than once of having committed a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearm, or other dangerous or deadly weapon, including but not limited to, sawed-off shotgun, shotgun, machinegun, rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles, then, notwithstanding any other provision of law, the court shall not suspend his sentence or give him a probationary sentence.

Indecent publications

House Bill

Section 506 of the House bill amends section 872 of the act of March 3, 1901 (D.C. Code, sec. 22-2001), so as to completely revise such section.

Subsection (a) of this revision provides that whoever, with knowledge of their obscene nature, sells, offers to sell, or gives away or has possession with intent to sell, give away, or exhibit indecent materials, or who with such knowledge advertises such materials or drugs or instruments intended to produce abortion or gives or participates in or advertises any indecent public exhibition, shall be fined not less than $200 nor more than $5,000 or imprisoned not less than 3 months nor more than 2 years, or both.

Subsection (b) of this revision provides that whoever engages in the production of obscene materials, with knowledge that they are obscene and that they are to be sold, given away, or exhibited, shall be fined not less than $200 nor more than $5,000, or imprisoned not less than 3 months nor more than 2 years, or both.

Subsection (c) of this revision provides that the U.S. attorney for the District of Columbia may petition the U.S. district court for a preliminary injunction and a permanent injunction to restrain any acts under subsections (a) or (b), and to restrain the use of any real or personal property for purposes prohibited in this section. A hearing on such petition is required to be held not more than 5 days, excluding Sundays and holidays, after service upon the defendant.

Subsection (d) of this revision provides that after the hearing provided in subsection (c), the court may issue a preliminary injunction to remain in effect until final determination of the petition for permanent injunction, but not for a period of more than 30 calendar days.

Subsection (e) of this revision provides that if, after a trial of the issues which shall be by jury upon the request of either party, the U.S. district court orders permament injunction, such injunction shall require the immediate seizure and eventual destruction of the indecent matter. However, such destruction shall not take place until after the expiration of the period during which an appeal may be taken, or during the pendency of such an appeal. This injunction shall also permanently enjoin against the use of real property for the purpose of violating this section.

Subsection (f) of this revision provides that if a permanent injunction be issued, any personal property other than the obscene matter, knowingly used or knowingly permitted to be used in obscene activities prohibited by subsections (a), (b), or (c) of this section and which was the subject of the preliminary injunction, shall, at the discretion of the court, be forfeited to the District of Columbia for sale at public auction. It is further provided that such forfeiture shall be on the basis of the court's determination as to the seriousness of the offense in relation to the penalty resulting from such forfeiture, or determination of the desirability of such forfeiture as a means of preventing further use of such property in connection with such obscene activities. Property not purchased at such auction shall be disposed of under regulations prescribed by the Commissioners of the District of Columbia. Any valid lien existing against such property shall be transferred from the property to the proceeds of any sale.

Subsection (g) of this revision provides that for the purposes of obtaining a preliminary or permanent injunction it shall not be necessary for the U.S. attorney or the Corporation Counsel to prove that adequate remedy at law does not exist or that substantial or irreparable damage would result from the violations alleged.

Subsection (h) of this revision provides that the injunctive proceedings under the section shall be governed by the Federal Rules of Civil Procedure.

Subsection (i) of this revision exempts from the provisions of this act all licensees under the Communications Act of 1934, as amended, while engaged in activities regulated by said act.

Senate Amendment

Section 505 of the Senate amendment also amends section 872 of the act of March 3, 1901 (D.C. Code, sec. 22-2001), so as to completely revise such section.

Subsection (a) of this revision provides that whoever sells, offers to sell, or gives away or has possession with intent to sell, give away, or exhibit indecent materials, or who advertises such materials or drugs or instruments intended to produce abortion or gives or participates in or advertises any indecent public exhibition, shall be fined not more than $5,000 or imprisoned not more than 1 year, or both.

Subsection (b) of this revision provides that whoever with knowledge engages in the production of obscene materials which are to be disseminated shall be fined not more than $5,000, or imprisoned not more than 1 year, or both.

Subsection (c) of this revision provides that the United States attorney for the District of Columbia may petition the United States district court for a preliminary injunction and a permanent injunction to restrain the sale, dissemination, distribution, and production of obscene matter prohibited in this section. A hearing will be provided prior to the issuance of any preliminary injunction which will remain in effect for no more than 30 days.

Subsection (d) of this revision provides that after trial of the issues the court may issue a permanent injunction and that such injunction shall include a provision for the immediate seizure and impounding of the obscene matter. There is provision for final disposition of such obscene matter in such way as the court may determine. However, in no event shall the matter be destroyed until after finality of appeal.

Subsection (e) provides that proceedings shall be governed by Federal Rules of Civil Procedure, except as they may be inconsistent with the provisions of this section.

Subsection (f) provides an exemption to the provisions of section 505 to those licensed under the provisions of the Federal Communications Act while engaged in activities regulated pursuant to such act.

Conference Substitute

Section 606 of the proposed conference substitute also amends section 872 of the act of March 3, 1901 (D.C. Code, sec. 22-2001), so as to completely revise such section.

Subsection (a) of this revision is the same as the House bill except that the punishment is fixed in accordance with the Senate amendment at not more than a $5,000 fine or imprisonment for not more than 1 year, or both.

Subsection (b) of this revision is the same as the House bill except that the punishment is fixed in accordance with the Senate amendment at not more than a $5,000 fine or imprisonment for not more than 1 year, or both.

Subsection (c) of this revision is the same as the House bill.

Subsection (d) of this revision is the same as the House bill.

Subsection (e) of this revision is the same as the Senate amendment except that there has been added to such subsection a requirement that any such injunction shall permanently enjoin the use of the real and personal property for the purpose of violating such section 872. A further provision also has been added to this revision requiring the determinations of all issues of fact to be by jury if either party demands it.

Subsection (f) of this revision is the same as subsection (g) in the House bill. Subsection (f) of the House bill is not contained in this revision.

Subsection (g) of this revision is the same as subsection (h) in the House bill.

Subsection (h) in this revision is the same as subsection (i) in the House bill.

Explosives

House Bill

Section 507 of the House bill amends section 825a of the act of March 3, 1901 (D.C. Code, sec. 22-3105), by increasing the penalties for placing explosives in or near buildings, monuments and other structures from a fine not exceeding $1,000 or imprisonment not exceeding 10 years, to a fine not exceeding $1,000 and imprisonment for not less than 5 or more than 10 years.

Senate Amendment

Section 506 of the Senate amendment also amends this section 825a to increase the punishment from a fine of not more than $1,000 or imprisonment not exceeding 10 years to a fine of not more than $1,000 or imprisonment for not less than 3 or more than 10 years.

Conference Substitute

Section 607 of the conference substitute is the same as the House bill except that the minimum sentence is set at 4 years rather than 5 as contained in the House bill.

False reports

House Bill

Section 508 of the House bill provides that whoever make certain false or fictitious reports to the Metropolitan Police Department of the District of Columbia knowing the report to be false or fictitious or gives certain other false information to the police knowing it to be false shall be fined not more than $100 or imprisoned not more than 6 months, or both.

Senate Amendment

Section 507 of the Senate amendment is the same as section 508 of the House bill except that the punishment is fixed at a fine not exceeding $300 or imprisonment for not exceeding 30 days.

Conference Substitute

Section 608 of the proposed conference substitute is the same as the Senate amendment.

Application of act

House Bill

The House bill had no provision relating to the application of the act generally.

Senate Amendment

Section 601 of the Senate amendment provides that with respect to any person who, prior to the date of the enactment of this act, committed any act or engaged in any conduct which constituted an offense under a provision of law amended by this act, the provision of law in effect at the time of the commission of such offense shall remain in full force and effect and shall be applicable to such offense.

Conference Substitute

Section 701 of the proposed conference substitute provides that whoever, prior to the date of enactment of this act, commits any act or engages in any conduct which constitutes an offense under a provision of law amended by this act, shall be sentenced in accordance with the law in effect on the date he commits such act or engages in such conduct.

John L. McMillan,
Basil Whitener,
John Bell Williams,
Don Fuqua,
Elliott Hagan,
Ancher Nelsen,
William H. Harsha,
Joel T. Broyhill,
Managers on the Part of the House.

Mr. WHITENER (during reading of the statement). Mr. Speaker, I ask unanimous consent that further reading of the statement of the managers be dispensed with.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. FRASER. Mr. Speaker, will the gentleman yield?

Mr. WHITENER. I yield to the gentleman from Minnesota.

Mr. FRASER. Mr. Speaker, I wonder if the gentleman from North Carolina would rise for just a comment on the conference report? I do not know if the gentleman proposes to discuss it at all, but I hope that he will.

Mr. WHITENER. I will be glad to say to the gentleman that in three Congresses the omnibus crime bill has been passed on rollcall votes by more than two to one in the House of Representatives.

Several days ago the statement of the managers on the conference report was printed in the Congressional Record, and has been available since then in that form.

We have had 9 separate days of conferences with the Senate. The bill is not as strong in some respects as many of use would like to have it, and certainly not as I would like to have had it as the author of the bill, but it is a very comprehensive piece of legislation, and unless the gentleman has some specific questions I do not believe that it would be consistent with the time that we have here for a conference report to go into a detailed discussion.

We will put in the Record an explanation of it.

Mr. FRASER. Mr. Speaker, I just wanted to say very briefly that I appreciate the fact that there has been a lot of hard work that went into the conference report, but I do want to say that, holding the views that I have—and I suspect many of my colleagues hold the same views—that many of the features we felt did not conform to the requirements of the Constitution, and are still in the conference report. I am thinking particularly of the provisions of titles I, III, and IV. I want to make clear for the Record that I do believe that these are unconstitutional. Therefore, for that reason and for some others I will not take this time to discuss, I do not believe it is wise to pass this conference report.

Mr. WHITENER. Mr. Speaker, the conference agreement on the omnibus anticrime bill is the result of 8 months' study and conferences on the part of the conferees. Since March 3 of this year, the conferees met in nine lone sessions drafting and redrafting, revising and re-revising the main titles of the bill. Also, the staff of both committees along with legislative counsel of both Houses, met in over 12 conferences at the instruction of the conferees to prepare language and research some of the issues involved.

We marched up the hill to agreement several times and marched down again when some of the other conferees balked. What we agreed upon does not fully meet the House-passed bill, but it does reflect the agreement of all the conferees who attended the sessions and labored to hammer out an acceptable bill.

I hardly need remind the House of the efforts made by the House Committee on the District of Columbia and of the House itself, in the past 8 years to secure enactment of legislation to deal with the crime situation in the District of Columbia.

The omnibus crime bill which gives rise to this conference report has been passed in the House of Representatives in the 87th, 88th, and 89th Congresses. As the author of this legislation, I am very pleased that we have now reached an agreement between the two bodies of the Congress as to the final content of the omnibus crime bill. Naturally, I am disappointed that we were not able to make the House position prevail. We would have a much stronger legislative proposal than we now will have if the House position had been adopted. Notwithstanding our inability to get everything which the House conferees desired, I do believe that this legislation will prove to be very helpful in meeting the ever-increasing incidence of crime in the District of Columbia.

It is hoped that this legislation will strengthen the hand of the law enforcement agencies in the District of Columbia. It is further hoped by the House conferees that the courts of the District of Columbia will properly interpret this action by the Congress as the expression of the desire for a more realistic attitude on the part of the judicial officers of the District. Unless the law enforcement officers have adequate tools with which to work and have the full support of the courts in helping to deter crime, our efforts will have been in vain.

On five occasions the House has passed legislation to deal with problems of law enforcement resulting from the decision in the Mallory case—*Mallory* v. *United States*, 354 U.S. 449.

Your committee over a period of 4 years considered legislation relating to the juvenile court and spent 2 years in detailed study of that court and the juvenile crime situation in the District of Columbia.

In the two preceding Congresses and the present Congress your committee has reported to the House and the House has approved anticrime legislation which has yet to become enacted. Of course, the recently passed pay bill (H.R. 15857) with its salary increases averaging 9.9 percent—ranging from 11.4 percent increase for beginning privates, who will start at $6,700, to 7.1 percent increase in the top grades—and its other beneficial provisions should aid materially in meeting the President's recommendations to the Congress to provide "substantial increase in police salaries to attract and retain the best qualified officers in the District of Columbia"—and thereby aid in the war against crime.

THE IMMEDIATE PROBLEM

The concern of your committee, and of the Congress, with lawbreakers and repeat offenders, is the same concern expressed by President Johnson in his message at the beginning of this Congress, entitled "Law Enforcement and the Administration of Justice," wherein he stated:

> This active combat against crime calls for a fair and efficient system of law enforcement to deal with those who break our laws.

Particularly with regard to Washington, he stated:

> We must improve law enforcement and the administration of criminal justice in the District * * *. Both in its own right and as a model for other cities, Washington can and should be a focus for intensive efforts in crime prevention, the detection, and prosecution of crimes, rehabilitation, and related activities.

What is the greatest immediate concern of your committee is the unquestioned critical, alarming, and continuing crime situation in the Nation's Capital, as revealed daily by the local news media, by the monthly reports of the local police, and by the quarterly and annual reports of the Federal Bureau of Investigation. The latest figures show the following shocking picture of Washington.

CRIME IN THE DISTRICT OF COLUMBIA, SEPTEMBER 1966 [1]

During September 1966 a total of 3,690 offenses were reported in the District, an increase of 956 offenses or 35.0 percent from September 1965.

This was the 52d consecutive month with an increase in crime in Washington. During September, increases occurred in the classifications of robbery, up 191 offenses or 77.3 percent; aggravated assault, up 111 offenses or 53.1 percent; housbreaking, up 196 offenses or 24.8 percent; grand larceny, up 53 offenses or 36.6 percent; petit larceny, up 205 offenses or 23.8 percent; auto theft, up 215 offenses or 47.7 percent.

Decrease occurred in the classification of criminal homicide, down 13 offenses or 62.0 percent; and rape, down 2 offenses or 18.2 percent.

The increase for the month of September 1966, brought the trend of serious offenses—total offenses for the past 12 months—to 37,967, an increase of 13 percent from the trend of September 1965, and an increase of 140.4 percent from the low point of June 1957.

Clearances of part I offenses for the 12-month period ending with September 1966, were down to 26.9 percent as compared with 33.8 percent for September 1965.

WASHINGTON COMPARED WITH OTHER CITIES

In terms of current, nationwide crime rates, the District stands high with other cities of comparable size. FBI statistics just released for 1965 show that for 16 cities in the 500,000 to 1 million population class, as indicated in the tabulation below, Washington ranks fourth in the actual number of offenses as well as in the rate of crime index offenses per 1,000 population.

In the various categories of crime index offenses during 1965, the District, as shown in the next tabulation, ranked as follows among such cities:

First in murder and nonnegligent manslaughter.

First in robbery.

Second in aggravated assault—assault with a dangerous weapon.

Third in housebreaking.

Fourth in auto theft.

Fifth in forcible rape.

Fifth in larceny.

Crime index offenses—Calendar year 1965 [1]

[Cities 500,000 to 1,000,000 population]

City	Population, 1960 census	Total offenses	Murder	Rape	Robbery	Aggravated assault	Housebreaking	Larceny, $50 and over	Auto theft
Baltimore	939,024	26,193	131	260	2,109	3,830	7,393	7,053	5,417
Boston	697,197	22,542	57	77	1,109	930	4,681	2,775	12,913
Buffalo	532,759	9,833	16	50	381	418	3,899	2,359	2,710
Cincinnati	502,550	6,076	41	122	317	651	2,451	1,656	838
Cleveland	876,050	16,697	108	149	1,832	1,288	7,374	1,025	4,921
Dallas	679,684	15,830	116	137	592	1,320	7,715	2,256	3,694
Houston	938,219	25,238	139	121	1,434	2,314	12,860	4,380	3,990
Milwaukee	741,324	10,361	27	33	214	477	2,433	3,841	3,336
New Orleans	627,525	16,621	87	119	1,065	979	5,798	3,953	4,620
Pittsburgh	604,332	18,495	40	152	1,373	1,108	6,001	3,833	5,988
St. Louis	750,026	25,750	138	323	2,293	2,256	12,661	2,533	5,546
San Antonio	587,718	15,222	53	94	331	1,380	7,161	4,165	2,033
San Diego	573,224	10,251	26	44	367	479	3,165	4,372	1,798
San Francisco	740,316	26,924	57	85	2,087	1,830	11,535	3,975	7,355
Seattle	557,087	11,826	24	78	516	394	4,965	3,938	1,911
Washington, D.C.	763,956	25,462 (1965)	148	140	2,881	2,635	9,886	4,153	5,619
		22,932 (1964)	132	96	2,279	2,605	8,910	3,518	5,392
Rank order of Washington (based on actual number of offenses):									
1965		4th	1st	5th	1st	2nd	3rd	5th	4th
1964		4th	4th	9th	1st	1st	4th	9th	5th

[1] Based on "Uniform Crime Reports—1965" issued by the Federal Bureau of Investigation, July 28, 1966.

While, according to the latest FBI report, nationwide suburban crime rates were increasing twice as fast as those in the big central cities, Washington is an exception. Here the crime rate is rising faster in the central city than in the surrounding suburbs.

CRIME FACTORS

In the foreword to the FBI report referred to, it is stated:

Crime is a social problem and the concern of the entire community. The law enforcement effort is limited to factors within its control. Some of the conditions which will affect the amount and type of crime that occurs from place to place are briefly outlined below:

Density and size of the community population and the metropolitan area of which it is a part.

Composition of the population with reference particularly to age, sex, and race.

Economic status and mores of the population.

Relative stability of population, including commuters, seasonal, and other transient types.

Climate, including seasonal weather conditions.

Educational, recreational, and religious characteristics.

Effective strength of the police force.

Standards governing appointments to the police force.

Policies of the prosecuting officials and the courts.

Attitudes of the public toward law-enforcement problems.

The administrative and investigative efficiency of the local law-enforcement agency.

As the President has well stated:

> We cannot postpone our responsibilities to act against crimes committed today.

Only when legislation such as H.R. 5688 is fully implemented by diligent police efforts, by responsible court actions, and by a concerned cooperative people can the Nation's Capital have the degree of protection and security that its citizens and visitors alike are at a minimum entitled to receive.

SUMMARY OF PROVISIONS OF THE BILL

TITLE I—MALLORY RULE

Subsection (a) of section 101 of the conference bill provides that voluntary statements and confessions shall not be inadmissable in evidence in the courts of the District of Columbia solely because of delay in presenting an arrested person before a commissioner or other officer who may commit persons charged with crimes.

Subsection (b) of section 101 of the conference substitute bars the admissibility of statements made by an arrested person during any pretrial questioning by a law-enforcement officer unless certain requirements are met. The first of these requirements is based on the procedural safeguards adopted by the U.S. Supreme Court in the case of Miranda against Arizona, decided June 13, 1966.

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[1] Summary of Metropolitan Police Department report for June.

The requirements in subsection (b) demand that prior to any questioning of an arrested person he be advised that he has the right to remain silent, that any statement he may make may be used as evidence against him, and that he has the right to the assistance of an attorney—either retained by or appointed for him—prior to and during such questioning. An additional requirement is directed at the case of an individual who having been advised of his rights agrees to be questioned without a lawyer present. In this case the aggregate period of questioning during the absence of a lawyer and prior to arraignment may not exceed 6 hours.

TITLE II—DEFENSE OF INSANITY IN CRIMINAL PROCEEDINGS, COMPETENCY TO STAND TRIAL, AND RELATED MATTERS

Section 201 of the House bill completely revised section 927 of the act of March 3, 1901, relating to the procedures to be followed with respect to determinations of a person's competency to stand trial and to the confinement and release of persons acquitted of criminal charges on the ground of insanity.

The conference substitute amends section 927 of the act of March 3, 1901, so as to completely revise such section.

Paragraph (1) of subsection (a) of the new section 927 proposed by the conference substitute establishes a test for criminal responsibility which is the same as the test contained in section 4.01 of the model penal code, adopted by the American Law Institute in 1962 and more recently adopted—in *United States* v. *Freeman*, No. 29688, 2d Cir., February 28, 1966—as the standard for criminal responsibility for the courts of the Second Judicial Circuit of the United States. The proposed test is as follows: "A person is not responsible for criminal conduct if at the time of such conduct as a result of mental disease or defect he lacks substantial capacity either to appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of law." This test is identical to the test proposed in the House bill, except that the House bill based the test of a person's criminal responsibility on an inability "either to know or appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of law." Thus, the essential part of the test is a person's inability to "appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of law."

Paragraph (2) of such subsection is identical to section 927(a)(2) contained in the amendment made by the House bill and provides that repeated criminal or antisocial conduct, by themselves, do not constitute a mental disease or defect.

Subsection (b) of the new section 927 is identical to the corresponding subsection proposed in the House bill and relates to the admissibility of evidence of mental disease or defect.

Paragraph (1) of subsection (c) provides that if the defense of insanity is raised it is an affirmative defense which must be established by a showing of substantial evidence.

The case of *McDonald* v. *United States*, 312 F. 2d 847 (D.C. Cir. 1962), held that sufficient evidence of mental disease was present to require a jury instruction on criminal responsibility when the issue of the insanity of the defendant was raised by "some evidence." The proposed subsection (c)(1) would substitute for the "some evidence" rule the requirement that the defendant establish by "substantial evidence" mental disease or defect excluding responsibility. Thus, in order to require a jury instruction on criminal responsibility, the defendant would have to establish by "substantial evidence" his lack of capacity because of mental disease or defect. This change from "some evidence" to "substantial evidence" in no way changes the traditional requirement of the prosecution to prove beyond a reasonable doubt all elements of the crime, including necessary intent.

If substantial evidence is presented by the defendant, the prosecution would then be faced with the question of whether to present contradictory evidence. In *Davis* v. *United States*, 160 U.S. 469 (1895), the Supreme Court said the jury in considering an insanity plea must weigh all the evidence, including the presumption of sanity. Whether uncontradicted expert testimony overcomes the presumption depends upon its weight and credibility, and weight and credibility ordinarily are for the jury. As a practical matter this amounts to saying that every substantial issue of criminal responsibility must go to the jury, a very great improvement in the law from a prosecutor's point of view, and a rule which does neither side an injustice.

Paragraph (2) of such subsection, relating to the requirement that there be notice of an intention to raise the defense of insanity is the same as the notice provision contained in the Senate amendment except that reference to the courts of the District of Columbia was deleted since the applicability of the provisions of the revised section 927 to such courts is delineated in another subsection.

Paragraph (3) of such subsection, providing that, if there is an acquittal on the basis of insanity, the verdict and judgment shall so state, is identical to the proposed section 927(c)(3) in the House bill and also to section 927(c) of the present law.

The revision of section 927 of the act of March 3, 1901, made by the conference substitute incorporates the provisions of certain subsections of that section into the new section 927 as follows:

Subsection of present sec. 927:	Appears in proposed sec. 927 as subsection:
(a)	(d)
(b)	(e)
(d)	(f)
(e)	(g)
(f)	(h)
(g)	(l)

Subsection (d) provides for a mental examination of a defendant in a criminal proceeding when it appears that the defendant is unfit to proceed. Authority is given to the court to order his confinement on the basis of the report of the examination except when the findings are objected to, in which case the court, without a jury, will make a determination of the individual's competency and proceed accordingly.

Subsection (e) provides that if a person confined under subsection (d) is, in the opinion of the head of the hospital in which he has been confined, restored to mental competency, such fact shall be certified to the court. Such certification shall be sufficient to allow the court to order the person to stand trial unless there is objection, in which case the court shall, without a jury, make a judicial determination of the person's competency to stand trial.

Subsection (f) provides for the confinement in a hospital for the mentally ill of a person who is acquitted on the ground of insanity.

Subsection (g) contains provisions relating to the release of persons confined under the preceding subsection. In general, such a person can be unconditionally released when there has been a determination that he has recovered his sanity and will not in the reasonable future be dangerous to himself or others. This subsection also authorizes a conditional release with supervision.

Subsection (h) provides if a person is confined after an acquittal on the grounds of insanity, he (or his estate) shall bear the expense of his support during his confinement.

In subsection (i) it is stated that nothing in section 927 shall prevent a person confined under the authority of that section from seeking his release by a writ of habeas corpus.

In subsection (j) there is a prohibition against informing the jury at any time of the consequence of a verdict of not guilty or acquittal by reason of insanity. This provision is identical to section 927(i), as proposed by the House bill.

Subsection (k) retains the provision in subsection (h) of the present law by providing that the existing provisions of that section shall supersede in the District of Columbia the provisions of any Federal statute or parts thereof inconsistent with such provisions.

Subsection (l) provides that section 927 shall apply to criminal proceedings in the U.S. District Court for the District of Columbia and the District of Columbia court of general sessions and also that, except for subsections (a), (b), and (c), relating to the test for criminal responsibility and related matters, such section shall apply to proceedings in the juvenile court in the District of Columbia.

Section 202 of the conference substitute is identical to section 202 of the House bill, except that it also provides that the amendment to section 927 shall not affect the provisions of section 929(a) of such act, relating to delivery to the court of a person who has been found competent after having been confined as not competent for trial.

TITLE III—DETENTION OF PERSON

Section 301 of the bill relates to the detention of a person for questioning by a police officer who has probable cause to believe that such person is committing or has committed a crime.

Subsection (a) of such section authorizes the detention of such person by a police officer to find out such person's name, address, business, and where he is going.

Subsection (b) provides that if such person fails to identify himself or explain his actions to the satisfaction of the officer he may be detained and further interrogated.

Subsection (c) limits the period of detention to 4 hours and such detention shall not be recorded as an arrest. At the end of the detention period a person must be released or arrested and charged with the crime.

TITLE IV—DETENTION OF MATERIAL WITNESS

Section 302 of the bill amends section 401 of the Revised Statutes of the United States relating to the District of Columbia (D.C. Code, sec. 4–144), which directs the Board of Commissioners to make accommodations available to witnesses unable to furnish security for their appearance in criminal proceedings.

The Senate amendment completely revises section 401. Subsection (a) of section 401, as proposed by the Senate amendment, provides that members of the Metropolitan Police force and Federal law-enforcement officers are authorized, without unnecessary delay, to take before a judge of a court of the District of Columbia or a U.S. Commissioner, whenever there is reasonable ground to believe that such person is a material and necessary witness to the commission of a crime punishable by imprisonment for 1 year or more and there is a reasonable probability that such person will not be available to testify at the trial of the person charged with the offense. The House bill's amendment gave such authority only to officers of the Metropolitan Police force. However, the House bill's amendment allowed the detention of a witness when there was reasonable probability that he would not be available during the investigation of such offense. Further, where the House bill's version required an appearance before a judge or commissioner within 6 hours from the beginning of the witness' detention, the Senate amendment provided that such appearance should be made "without unnecessary delay."

Such subsection further provides that immediately upon being taken before a judge or commissioner, such person shall be advised of his constitutional rights and shall be allowed reasonable opportunity to consult counsel. If after a hearing such person is determined to be a material and necessary witness, he will be required to post bond or collateral as security that he will appear and testify at such trial. Upon his failure to post bond or collateral, the judge or commissioner may order his further detention in suitable quarters that are separate and apart from those used for the confinement of persons charged with crime. Under this subsection, the judge or commissioner retains authority to release any person detained for an unreasonable period of time whether or not he has discharged his duties as a material witness. It is also provided that detention under section 401 shall not constitute an arrest, no statement made during such detention may be used against the witness in a proceeding against him for the commission of any crime, and such witness shall be entitled during his detention to the fees payable to witnesses testifying in court.

Subsection (b) relates to accommodations for detained witnesses.

Subsections (c) and (d) afford the prosecution the same right with respect to the taking of a deposition of a material witness as is afforded to the defendant. In the case of a person who, through financial inability, cannot post bond or collateral, the court may discharge such person where the deposition of the person has been taken.

CONFERENCE SUBSTITUTE

Title IV of the conference substitute adopts the Senate amendment with the following changes: (1) the authority to detain a witness is given only to officers of the Metropolitan Police force, (2) the 6-hour time limit contained in the House version is substituted for the Senate provision calling for an appearance before a judge or commissioner "without unnecessary delay," (3) the immunity provided witnesses with respect to statements made during their detention is deleted, and (4) the provisions relating to the taking of deposition are deleted.

TITLE V

Section 501 of the bill amends the definition of "crime of violence" in the act of July 8, 1932 (D.C. Code, sec. 22–3201), by adding to such definition the crime of robbery.

TITLE VI—ASSAULT WITH INTENT TO KILL

Section 501 of the House bill and the Senate amendment and section 601 of the proposed conference substitute are identical and all amend section 803 of the act of March 3, 1901 (D.C. Code, sec. 22–501), to provide a minimum sentence of not less than 2 years in the case of persons convicted of assault with intent to kill or to commit rape or to commit robbery or mingling poison with food, drink, or medicine with intent to kill, or willfully poisoning any well, spring, or cistern of water.

BURGLARY

HOUSE BILL

Section 502(a) of the House bill amends section 823 of the act of March 3, 1901 (D.C. Code, sec. 22–1801), to substitute for the existing criminal provisions punishing housebreaking in the District of Columbia, a complete revision.

Subsection (a) of section 823 as revised by the House bill provides that whoever shall, either in the nighttime or in the daytime, break and enter, or enter without breaking, any dwelling, or room used as a sleeping apartment in any building, with intent to break or carry away any part thereof, or any fixture or other thing attached to or connected thereto or to commit any criminal offense, shall, if any person is in the actual occupation of any part of such dwelling or sleeping apartment at the time of such breaking and entering, or entering without breaking, be guilty of burglary in the first degree. Burglary in the first degree shall be punished by imprisonment for not less than 20 years nor more than life imprisonment, and, notwithstanding any other provision of law, any person who violates this subsection and upon whom a sentence of life imprisonment is imposed shall be eligible for parole only after the expiration of 20 years from the date he commences to serve his sentence.

Subsection (b) of section 823 as revised by the House bill provides that except as provided in subsection (a) of section 823, whoever shall, either in the nighttime or in the daytime, break and enter, or enter without breaking, any dwelling, bank, store, warehouse, shop, stable, or other building, or any apartment or room, whether at the time occupied or not, or any steamboat, canal boat, vessel, or other watercraft, or railroad car, or any yard where any lumber, coal, or other goods or chattels are deposited and kept for the purpose of trade, with intent to break and carry away any part thereof or any fixture or other thing attached to or connected with the same, or to commit any criminal offense, shall be guilty of burglary in the second degree. Burglary in the second degree shall be punished by imprisonment for not less than 5 years nor more than 15 years.

Section 502(b) of the House bill provides that any person tried before the effective date of this act for violation of section 823 of such act approved March 3, 1901, and who is before a court for the purpose of sentence or resentence, shall be sentenced in accordance with the law in effect before the effective date of this act.

CONFERENCE SUBSTITUTE

The revision of subsection (a) of section 823 of the act of March 30, 1901, contained in section 602 of the proposed conference substitute is the same as the House bill except that (1) the punishment is set at not less than 5 nor more than 30 years and (2) there is no minimum time fixed which must be served before a person sentenced to the maximum term is to be eligible for parole.

The revision of subsection (b) of such section 823 of the proposed conference substitute is the same as the House bill except that the punishment is set at not less than 2 nor more than 15 years.

The proposed conference substitute with respect to section 602 does not contain a provision comparable to subsection (b) of section 502 of the House bill. The proposed conference substitute does, however, contain in section 701 a general provision that one who before the date of enactment of this act commits any act or engages in any conduct constituting an offense under a provision of law amended by this act, shall be sentenced in accordance with the law in effect at the time he commits such act or engages in such conduct.

ROBBERY

Section 603 of the bill amends section 810 of the act of March 3, 1901 (D.C. Code, sec. 22–2901), by striking out "six months" and inserting in lieu thereof "four years". This results in raising the minimum sentence for robbery in the District of Columbia from 6 months to 4 years.

ATHLETIC CONTESTS

Section 404 of the bill amends section 869e of the act of March 3, 1901 (D.C.

Code, sec. 22–1513), provisions of existing law on corrupt influence in connection with athletic contests by adding at the end thereof a new subsection (f):

> (f) Nothing in this section shall be construed to prohibit the giving or offering of any bonus or extra compensation to any manager, coach, or professional player, or to any league, association, or conference for the purpose of encouraging such manager, coach, or player to a higher degree of skill, ability, or diligence in the performance of his duties.

COMMITTING CRIME WHEN ARMED
CONFERENCE SUBSTITUTE

Section 605 of the proposed conference substitute amends section 2 of the act of July 8, 1932 (D.C. Code, sec. 22–3202), so as to revise it to provide that if any person shall commit a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearm, or other dangerous or deadly weapon, including but not limited to, sawed-off shotgun, shotgun, machinegun, rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles, he may, in addition to the punishment provided for the crime, be punished by imprisonment for an indeterminate number of years up to life as determined by the court. If a person is convicted more than once of having committed a crime of violence in the District of Columbia when armed with or having readily available any pistol or other firearm, or other dangerous or deadly weapon, including but not limited to, sawed-off shotgun, shotgun, machinegun, rifle, dirk, bowie knife, butcher knife, switchblade knife, razor, blackjack, billy, metallic or other false knuckles, then notwithstanding any other provision of law, the court shall not suspend his sentence or give him a probationary sentence.

INDECENT PUBLICATIONS

Section 606 of the bill amends section 872 of the act of March 3, 1901 (D.C. Code, sec. 22–2001), so as to completely revise such section.

Subsection (a) of this revision provides that whoever, with knowledge of their obscene nature, sells, offers to sell, or gives away or has possession with intent to sell, give away, or exhibit indecent materials, or who with such knowledge advertises such materials or drugs or instruments intended to produce abortion or gives or participates in or advertises any indecent public exhibition, shall be fined not less than $200 nor more than $5,000 or imprisoned not more than 1 year, or both.

Subsection (b) of this revision provides that whoever engages in the production of obscene materials, with knowledge that they are obscene and that they are to be sold, given away, or exhibited, shall be fined not more than $5,000, or imprisoned not more than 1 year, or both.

Subsection (c) of this revision provides that the U.S. attorney for the District of Columbia may petition the U.S. district court for a preliminary injunction and a permanent injunction to restrain any acts under subsection (a) or (b), and to restrain the use of any real or personal property for purposes prohibited in this section. A hearing on such petition is required to be held not more than 5 days, excluding Sundays and holidays, after service upon the defendant.

Subsection (d) of this revision provides that after the hearing provided in subsection (c) the court may issue a preliminary injunction to remain in effect until final determination of the petition for permanent injunction, but not for a period of more than 30 calendar days.

Subsection (e) of this revision is the same as the Senate amendment except that there has been added to such subsection a requirement that any such injunction shall permanently enjoin the use of the real and personal property for the purpose of violating such section 872. A further provision also has been added to this revision requiring the determination of all issues of fact to be by jury if either party demands it.

Subsection (f) of this revision is the same as subsection (g) in the House bill.

Subsection (g) of this revision provides that the injunctive proceedings under the section shall be governed by the Federal Rules of Civil Procedure.

Subsection (h) of this revision exempts from the provisions of this act all licenses under the Communications Act of 1934, as amended, while engaged in activities regulated by said act.

EXPLOSIVES

Section 607 of the bill amends section 825a of the act of March 3, 1901 (D.C. Code, sec. 22–3105), by increasing the penalties for placing explosives in or near buildings, monuments, and other structures from a fine not exceeding $1,000 or imprisonment not exceeding 10 years, to a fine not exceeding $1,000 and imprisonment for not less than 4 or more than 10 years.

FALSE REPORTS

Section 608 of the bill provides that whoever makes certain false or fictitious reports to the Metropolitan Police Department of the District of Columbia knowing the report to be false or fictitious or give certain other false information to the police knowing it to be false shall be fined not more than $300 or imprisoned not more than 30 days, or both.

TITLE VII—APPLICATION OF ACT

Section 701 of the conference substitute provides that whoever, prior to the date of enactment of this act, commits any act or engages in any conduct which constitutes an offense under a provision of law amended by this act, shall be sentenced in accordance with the law in effect on the date he commits such act or engages in such conduct.

Mr. McMILLAN. Mr. Speaker, today is a memorable day for the people of the District of Columbia. Today, for the first time in many years, the citizens of the District should feel more secure in their homes and on the streets of Washington because the Congress, under the mandate of its constitutional responsibility to the Nation's Capital, has approved legislation to face up to the very serious crime problem in the District.

The bill (H.R. 5688) which the conference committee of the House and Senate approved is in essence the omnibus anticrime bill approved in 1965 by the House Committee on the District of Columbia by a 15-to-4 vote and passed by the House by a 2-to-1 vote. Also, it is much the same bill which the House passed in the last—the 88th—Congress. It is, indeed, gratifying that the other body has finally joined hands with the House in meeting crime head on in the District of Columbia.

The conference bill provides very positive legislative specifics with which to stem the criminal tide now running in the Nation's Capital—if the police, the prosecuting officers, and the courts of the District of Columbia use the additional tools the Congress provides herein to ameliorate crime conditions and make the streets safe for the thousands of decent citizens and Government workers and the thousands upon thousands of visitors making pilgrimages to Washington.

No legislation before the House Committee on the District of Columbia in recent years has been more thoroughly considered than the omnibus anticrime bill. Prolonged hearings have been held, producing thousands of pages of testimony, since 1957, and on five separate occasions the House has approved legislation to modify the rigid, court-imposed Mallory rule which has seriously impaired the curbing of crime in the Nation's Capital.

The pending legislation, an omnibus bill, had its inception in the House District of Columbia Committee early in 1963 when, at my urging, the Senate District Committee met with us in joint session in an effort to come to grips with the need, which no one disputed, for effective legislation to curb the ever-mounting incidence of crime in the District of Columbia.

From the outset, there was an atmosphere of friendly understanding, cooperation, and appreciation of the task before us, and an apparent eagerness by legislators and witnesses alike to come to grips with the problems at hand. Representatives of all branches and agencies of the Government concerned with the peace, quiet, and safety of the people, with the education of our youth, and with the apprehension, detention, prosecution, and punishment of criminals, were heard, including the Superintendent of District of Columbia Schools; the Chief of Police and his deputies; the chief prosecuting officers of the District, the U.S. attorneys past and present; and representatives of the judiciary.

Not a single dissenting voice was expressed to the obvious need of giving immediate and maximum protection to life and property in the District—protection not only to residents of the city of Washington and those performing the functions of Government here, but to the thousands of visitors to the Nation's Capital, so that this truly beautiful city might again become a safe haven and a desirable city of which all Americans can be justly proud.

Those present at the hearings agreed that earnest efforts to alleviate the conditions presently existing in Washington should be a joint undertaking; namely, by the Congress to enact bills to provide the police with sufficient tools for law enforcement and to aid them in identifying and apprehending criminals; cooperation by the Department of Justice and the prosecuting officers and the police in swiftly bringing to trial those apprehended and charged; cooperation by the courts in early, effective punishment and the imposition of stiffer sentences upon those convicted, particularly in the cases of crimes involving violence to the person; and cooperation by the citizens in the development of greater respect within the community for the rights of others, the laws of the community, and the enforcement of those laws.

Long-range proposals were advanced to effectuate greater community security, such as reduction in delinquency and prevention of dropouts from the schools; special training and instruction to the ever-increasing population moving into the District, many of whom, according to testimony presented to us by the District of Columbia Commissioners, are semi-illiterate, unskilled, and unversed in the ways of urban community living and its attendant problems; establishing rehabilitation programs and facilities; greater employment opportunities; meeting low-cost housing needs, particularly of those persons displaced by highway and urban renewal programs; and communitywide awakening of citizen responsibility to assist in law enforcement and observance of laws. Some volunteer groups have already contributed much in this latter area, but in the final analysis the solution of these latter problems ultimately must be found in the hearts and minds of the people of the District of Columbia. Schools, churches, public and private agencies, and organizations and their facilities, all must contribute to the long-range attack upon these problems, and your committee will continue in its legislative efforts to meet these challenges.

Meanwhile, however, most pressing and of real urgency, all witnesses agreed, was the need to take immediate, effective steps, legislatively and otherwise, to curb the incidence of crime.

From the very favorable atmosphere prevailing in those joint hearings, both committees separately held prolonged and exhaustive hearings on various bills dealing with different phases of the crime problem in the District of Columbia, such as admissability of evidence in the courts—Mallory rule; responsibility for criminal conduct—Durham rule; detention of persons for questioning and as material witnesses; increasing the severity of sentences to be imposed; and protection to the public from indecent publications.

A former President of the Board of Commissioners of the District of Columbia testified before our committee that word has been spread abroad to the criminal community that "Washington is soft on crime," as a result of the effect of some local decisions outlawing confessions, even though voluntarily made; or from regulations hamstringing the police in the apprehension of suspects and in the solution of crime; or because of the mild sentences imposed upon, and the mollycoddling of, many criminals by some of the local courts.

With all the emphasis being made today upon civil rights and freedoms for the individual, it is imperative that the Congress, which under the Constitution is given the exclusive legislative responsibility for governing in all cases whatsoever in the District of Columbia, shall be equally alert to the preservation of other rights equally important and inalienable, namely, the right of the people to walk in safety upon the public streets and their right to security in their homes or places of business.

As it has been so well expressed by a chief judge of the District's highest court, the U.S. Court of Appeals for the District of Columbia, in a criminal case before the court:

> In our concern for criminals, we should not forget that nice people have some rights too.

Mr. DOWDY. Mr. Speaker, I wish to address myself briefly to section 606 of title VI of the conference substitute for H.R. 5688, a bill to curb crime in the District of Columbia.

Section 606 provides the first meaningful law against the production and distribution of pornography in the District of Columbia.

During the last few years, I and other members of the District of Columbia Committee have become sorely aware of a thriving traffic in indecent and obscene literature in materials within the District of Columbia. The existing law (D.C. Code, sec. 22-2001) was enacted in 1901. There has been no amendment to this old law, although the means of production and distribution of such vile materials has been made easier by modern methods and facilities. The present law, 62 years old, is without penalties of consequence and lacks other provisions which provide effective means of dealing with this traffic.

In one case a police investigation traced a source of obscene material to a basement printing establishment in a residential area of a city. While law enforcement officials were able to confiscate the plates used in printing the material, no action could be taken against the persons involved in the manufacture or production of the materials. No action could be taken against the producer or those participating with him.

To correct this situation, I introduced in the early part of the 87th Congress legislation designed to provide better law for aiding law enforcement officials to curtail the dissemination of such material. The bill was favorably reported by our committee and approved in the House. Thereafter the other body acted favorably on the text of the House bill with amendments. The differences between the two Houses were compromised in conference, and thereafter the conference report was approved by both Houses, and transmitted to the President for approval.

The President withheld his approval, which action was after adjournment of the 87th Congress. In his message to Congress indicating the reason for withholding approval, the President indicated those provisions of the bill to which question had been directed. Thereafter, further study was made to develop language which would meet the President's objections.

The existing law provides penalties of imprisonment for not more than 1 year or a fine of not less than $50 or more than $500 or both, where a person is convicted for selling, offering to sell, give away, or who has in his possession with such intent, any indecent materials or who engages in any public exhibition or performance which contains indecent language.

Subsection (a) of the amendment enlarges the present definition of indecent materials to include matter recorded in various forms and increases the penalties by providing a fine of not more than $5,000 or imprisonment for not more than 1 year, or both.

Subsection (b) of this amendment provides that whoever with knowledge engages in the production of obscene materials which are to be disseminated shall be fined not more than $5,000, or imprisoned not more than 1 year, or both.

Subsection (c) of this amendment provides that the U.S. attorney for the District of Columbia may petition the U.S. district court for a temporary order to restrain any acts under subsection (a) or (b) and to restrain the use of real or personal property for purposes prohibited in this section. The U.S. district court is authorized to issue ex parte a temporary restraining order for a period not exceeding 10 days.

Subsection (d) of this amendment provides that when a temporary restraining order is issued, and after notice and hearing, the U.S. district court may issue a preliminary injunction pending the trial of the issues. Such preliminary injunction may permit the seizure of indecent material.

Subsection (e) of this amendment provides that if, after trial, the U.S. district court issues a permanent injunction, such injunction shall provide the court discretion for the disposition of the indecent material seized and permanently enjoin the use of the real or personal property in violation of this section.

Subsection (f) of this amendment provides that for the purposes of obtaining a temporary restraining order or a preliminary or permanent injunction it shall not be necessary for the U.S. attorney or the corporation counsel to prove that adequate remedy at law does not exist or that substantial or irreparable damage would result from the violations alleged.

Subsection (g) of this amendment provides that the injunctive proceedings under the section shall be governed by the Federal Rules of Civil Procedure.

The incidence of crime in the Nation's Capital—and particularly juvenile crime—is at its highest level in recent years and is constantly increasing. And there is not a day on which the Washington newspapers do not give publicity to a serious behavior situation in the city's public schools. While I realize that these problems are complex and certainly will not yield to any single or simple solution, I submit that the time is long overdue for the Congress to take some positive and firm steps toward stamping out the traffic in pornography in the District of Columbia, which is certainly a factor, and a substantial one, in destroying the moral fiber of the city's young people and inciting them to acts of degradation and crime.

Mr. CONYERS. Mr. Speaker, I would like to join those who are opposing the adoption of the conference report on H.R. 5688, the omnibus District of Columbia crime bill, and strongly urge its recommittal or defeat.

Certainly we should be particularly careful about authorizing police procedures in the local jurisdiction for which we have special jurisdiction, the District of Columbia, for the entire country will be guided by our actions today.

My colleagues, I joined with 130 of my colleagues on March 22, 1965 in opposing this bill when it first passed the House because it was so clearly unconstitutional. At that time the opponents to the bill were led on the floor of the House by our colleague, the gentleman from California [Mr. Sisk], who was quite strongly opposed to the bill. The fact that Members of this House having such different views on the future governmental structure of this city could have joined in opposing the District of Columbia crime bill shows how starkly unconstitutional the District of Columbia crime bill is.

Unfortunately the conference report has changed the bill somewhat but only superficially. The major defects of the bill are still present. The Senate conferees were extremely reluctant to accept the District of Columbia crime bill as is shown by the fact that the conference committee has been meeting for almost this entire year. As Senator Bible of Nevada, the chairman of the Senate conferees indicated, the main reason why the Senate finally accepted the bill was that the conferees representing the House District Committee indicated they would not allow other vital District of Columbia legislation to pass this Congress unless the Senate conferees accepted the crime bill in the basic form passed by the House. We should not allow legislative blackmail to force this House to pass a measure so clearly unconstitutional.

Let me discuss for a moment some particular aspects of the bill.

Titles I and III of the omnibus crime bill—as they now stand—would give the police powers over the citizens of the District of Columbia which would be appropriate only in a most totalitarian society. As such, they could not withstand a challenge under the Constitution. The pervasive device which renders these proposals illegal is that they leave vital questions of personal liberty to the complete discretion of the police, who are responsible only to other police.

This is what could happen to a "suspect" in the District of Columbia if these proposals become law. A policeman comes upon a citizen whom the policeman suspects—with probable cause—has committed a crime. Under title III of the bill he questions the individual, and dissatisfied with the answers he "detains" him and interrogates him further for 4 hours. Under this proposal the suspect is not advised of his right to counsel nor if he is aware of that right that he be provided counsel. At the end of this 4 hours, still dissatisfied, the policeman arrests the suspect and title I of the act comes into play. Then the suspect is told of his right to counsel, and counsel is appointed if the suspect desires. The questioning, however, continues either in the presence of counsel or, if the suspects makes a waiver of counsel, without such assistance. The act in effect provides no limit on the length of detention of a suspect before a preliminary hearing. The only limitation is that if a suspect waives his right to counsel he may be questioned only for a total of 6 hours during his detention. It is only when the police have decided that they have exhausted their need for detention of the suspect that they take him to a committing magistrate so that probable cause for his arrest and detention can be proved and bail set. In effect, these provisions represent an attempt to deprive arrested persons in the District of Columbia of the right to a speedy presentment and the right to bail—both rights which are inherent in the constitutional scheme.

As an attorney and as a member of the House Judiciary Committee, I would particularly like to discuss one other aspect of this bill—the reclassification of a number of more minor crimes into major offenses and the setting of a mandatory minimum sentence for the committing of certain offenses.

The mandatory minimum sentence has been placed into the bill despite the opposition of the District Commissioners, the Chief of Police, the head of the District of Columbia Bureau of Corrections, the Justice Department, and the head of the Federal Bureau of Corrections.

These gentlemen believe as I do that such a provision will act to the detriment of what the proposers of this bill are trying to achieve—a crime-free city. No jury can fail to be cognizant of the consequences of its acts. If a mandatory minimum sentence were established, a jury feeling that such a sentence were too strong might be tempted to acquit a clearly guilty person. This has been done often in capital cases despite the disqualification of jurors who are willing to admit that capital punishment appears to be a too severe punishment to them.

Mr. Speaker, as a Representative of an urban district, I am well aware that crime is increasing during the 1960's to crisis proportions. In Detroit, before my election to this great body, I was actively concerned with the problems of police-community relations, police brutality, civil liberties, and urban crime. I am keenly aware of the necessity to deal with these problems. But if we are to deal adequately with this crisis, we must do it with wisdom and humanity, not with the retrogressive and unconstitutional measures included in this bill.

My colleagues, if we pass this bill we will have overturned the Supreme Court's decisions regarding detention of witnesses in such landmark cases as the McNabb, Mallory, and Miranda cases. There is no doubt in my mind that if this bill is passed and if the President fails to veto, and I hope he will veto it, that the Supreme Court will declare the law unconstitutional. Of course during the interim many people in the District of Columbia will have their constitutional rights severely infringed upon.

Of particular interest is that the authors of this legislation seem not to have paid the slightest attention to even such a proposal as the American Law Institute's model code of pre-arraignment procedure. I would want to point out that many responsible members of the bar and bench have strongly opposed the institute's guidelines as being unconstitutional and violative of individual rights. As a member of the House Judiciary Committee I have followed the discussion of the institute's proposals, including the interchange between Judge David Bazelon and former Attorney General Katzenbach and I find myself in strong agreement that even these proposals violate the Constitution. I have noted with particular interest that these proposals have been opposed by such a leading member of the bench as George Edwards, member of the Federal Sixth Circuit Court of Appeals, who had a distinguished record as Detroit police commissioner.

I have spent time discussing the institute's proposals because this bill does not even follow those guidelines, but instead disregards them and completely returns us to a system of indiscriminatory investigative arrests. If the institute's proposals were adopted, the conferees could at least claim that they had given the police guidelines regarding arrest, detention, and interrogation of criminal suspects that were clear and understandable. This bill does not even do that. It is unconstitutional, confusing, and contradictory.

My colleagues, I call upon you to defeat this monstrous piece of legislation. I urge you not to besmirch the record of the 89th Congress, which has so justly been called the great Congress, and which I am so proud to be a Member, by passing this legislation.

Mr. Speaker, because time is so limited in which to discuss this bill I would like to amplify my remarks by including in the Record certain editorials and statements regarding the bill with which I am in complete agreement. For a bill of such importance to the lives and liberties of 800,000 people there should certainly be more than 1 hour to discuss it.

First, Mr. Speaker, I would like to include the minority report on the original House version of the bill which is still quite pertinent to the conference report on the bill.

> Mr. Chairman, I particularly want to praise the members of the District of Columbia Committee who filed the minority report on this bill. Their report is cogent and exhaustive in its analysis of the bill. Let me read to my colleagues the three main points the minority report makes in its opening discussion of the bill:
>
> "A. The bill is being rushed through without hearings or adequate consideration.

"B. The bill is badly drafted, unconstitutional, unworkable, unduly harsh, and inadequate for the needs of the District.

"C. The Senate District committee's criticisms of the House bill further illustrate how objectionable H.R. 946 is."

Mr. Chairman, the minority report is of such quality, that I would like to use the opening and closing summary statements of the minority report as my closing remarks in urging the defeat of this bill:

"MINORITY VIEWS—H.R. 5688

"Opening statement

"We dissent from the majority report recommending passage of H.R. 5688. We think that the committee amendments are wholly insufficient to correct the basic deficiencies of the bill. We urge the House to reject the bill.

"This bill incorporates many of the worst features of a series of bills which have been considered by this committee in recent years. It proposes harsh and repressive measures to punish the criminal symptoms of the social and economic misery within the District of Columbia. Its disregard of the basic requirements of the Constitution puts human values at the bottom of the legislative scale. It ignores the President's call, in his message to Congress of February 15, 1965 (H. Doc. 87, 89th Cong.), for 'a fair and effective system of law enforcement' and 'imaginative improvements in the entire legal and social structure of our criminal law and its administration.' It takes no account of the President's simultaneous statement that he will 'establish a commission which will concern itself specifically with crime and law enforcement in the District.' And it is inconsistent with the President's recent message to Congress concerning crime (Mar. 8, 1965, H. Doc. 103, 89th Cong.), where he said: 'We are not prepared in our democratic system to pay for improved law enforcement by unreasonable limitations on the individual protections which ennoble our system.'

"CONCLUSION

"This bill is a repressive and unpalatable measure, whether considered section by section, or as a whole. If it were adopted for the District of Columbia, it would undoubtedly serve as a precedent and pattern for the enactment of similar legislation by State and municipal legislative bodies. It thus poses a danger to liberty and freedom and good government, not only in the narrow confines of the District of Columbia, but also throughout the United States.

"We urge and hope that this bill will be rejected and killed.

"**William L. Dawson,**
Abraham J. Multer,
B. F. Sisk,
Charles C. Diggs, Jr.,
Carlton R. Sickles,
Donald M. Fraser,
J. Oliva Huot,
Charles McC. Mathias, Jr.,
Frank J. Horton."

NOTE.—Congressman GEORGE GRIDER submitted separate dissenting views which also strongly criticized the bill.

The Washington Post has done an excellent job in reporting on the details of the conference report on the District of Columbia crime bill and the legal test that is already being planned to have the bill declared unconstitutional. At this point I place the news articles from the Washington Post in the RECORD:

CRIME BILL AGREED ON BY CONGRESS—MALLORY, DURHAM RULES REWRITTEN IN CONFERENCE

(By Elsie Carper)

The Senate and House, long at odds on how to deal with crime in Washington, reached agreement yesterday on a bill establishing procedures for police handling of criminal suspects and redefining insanity as a defense.

The measure, which doubtless will stir a boiling controversy, modifies the Supreme Court-written Mallory Rule on the admissibility of confessions, rewrites the Durham Rule on insanity as a defense and permits police to hold and question suspects without charge and to detain material witnesses.

Senate District Committee Chairman ALAN BIBLE (D-Nev.) immediately took the agreement to the Senate floor, where it was adopted. It is expected to come up for approval in the House today or Wednesday.

BIBLE explained the conference report to an empty Senate chamber and was the only Member of the Senate present to vote for it.

He said that Sen. WAYNE MORSE (D-Ore.), who was tied up elsewhere in the Capitol, strenuously objected to the compromise bill.

MORSE, a member of the Senate District committee, later filed a minority report, declaring that the sections dealing with the Mallory Rule and arrests for questioning "give the police power over the citizens in the District of Columbia which would be appropriate only in a most totalitarian society."

While the Mallory Rule was written by the Supreme Court itself, the Durham Rule was written by the U.S. Court of Appeals here. Arrests for investigation were banned several years ago by the District Commissioners after a special committee, headed by Charles A. Horsky, now Presidential Adviser on National Capital Affairs, said they were unconstitutional.

POLICE POSITION

Police have fought the Mallory Rule bitterly, contending that it protects the criminal at the expense of the community and that it presents insurmountable obstacles to police investigation. Police also have said they need the power to stop and question a suspect without having to charge him.

Sen. EDWARD M. KENNEDY (D-Mass.) joined MORSE in opposing the bill. KENNEDY's office issued a statement in which the Senator said he found the provisions dealing with arrests, detention and interrogation, "unclear in their scope and subject to police abuse."

"The threat they pose to the civil liberties of this City's citizenry cannot be taken lightly," his statement said.

Sen. JOSEPH D. TYDINGS (D-Md.) agreed to the conference report but issued a statement declaring that he had gone along with it only because the crime bill "has been a stumbling block" to obtaining House District Committee approval of other City legislation.

SEES POSSIBLE CONFUSION

TYDINGS said he doubts the bill will do much good and "may confuse more than it clarifies the law of post-arrest interrogation."

He added that he hopes enactment of the bill will "create a climate" in which it will be possible to obtain legislation and appropriations needed to attack underlying causes of crime.

In the short run, TYDINGS said, crime can be substantially reduced by supporting reforms in the Police Department recommended by the President's D.C. Crime Commission, and by allocating adequate funds to improve police service.

In the long run, he continued, crime can be reduced only by solving problems of poverty, ignorance and lack of opportunity.

BIBLE said of the conference report:

"We have done our dead-level best to meet the constitutional objections that undoubtedly still will be raised."

He pointed out that the House and Senate District committees have tried to reach agreement on crime legislation for the last three Congresses.

MALLORY RULE

The bill, he said, "represents what I believe will be an effective weapon in the fight against crime . . . by providing procedures to bring the criminal to swift and sure justice, while respecting the civil liberties afforded every American by his Constitution."

The compromise bill sets up two procedures in modifying the Mallory Rule affecting the admissibility of confessions at a trial.

The bill states that delay alone in arraignment will not invalidate an otherwise admissible confession, providing the suspect is advised of his right to remain silent, is warned that any statement may be used against him and is told of his right to an attorney.

But if the suspect waives his right to an attorney, he can be questioned only for a total of six hours, which need not be consecutive.

BIBLE explained that the safeguards written into the bill are those set forth by the Supreme Court last June in the Miranda case.

MANY DETAIN SUSPECTS

On the controversial issue of investigate arrests, the conferees agreed to stipulate that a police officer may detain anyone if he has probable cause to believe the individual is committing or has committed a crime. He may demand of that person his name and address, and an explanation of what he is doing and where he is going.

If the person stopped refuses to identify himself or to explain his actions to the satisfaction of the officer, he may be taken into custody and held for up to four hours. At the end of that period, he must be charged with a crime.

In the event that he is not charged, he must be turned loose and his detention will not be recorded as an arrest.

BIBLE said the safeguards "rule out the possibility of investigative arrests being sanctioned in the District of Columbia."

On material witnesses, the bill provides that in felony cases, where police have probable cause to believe that a witness will disappear, police may take the individual into custody. The individual must be taken "without unnecessary delay" before a court or commissioner. Unnecessary delay is defined as more than six hours.

The bill tightens the definition of insanity laid down in the 1954 Monte Durham case by the Court of Appeals. The rule calls for acquittal by reason of insanity if the crime was "the product" of a mental disease or defect.

Under yesterday's bill, a defendant would be acquitted if, "as a result" of mental disease or defect, he "lacks substantial capacity either to know or appreciate the wrongfulness of his conduct or to conform his conduct to the requirements of law."

EFFECT UNCLEAR

It is not clear what impact the new definition, patterned after the formula of the American Law Institute and adopted by court decision in several jurisdictions, would have on criminal trials here. Conservatives favor it partly because it restores "wrongfulness" concepts, but many experts doubt that it will affect the number of insanity acquittals.

Enactment of a different definition is seen by many observers as an attempt to rap the Court of Appeals for liberalizing the insanity rules, which produced large numbers of acquittals when they were first applied.

REQUIREMENTS

The bill would require the defense to give notice of its intention to invoke the insanity defense, a measure that has produced little objection. More controversial is a section forbidding judges from telling juries that, if they acquit on sanity grounds, the defendant will be hospitalized rather than set free.

The bill also toughens penalties for many crimes, including rape, robbery, and burglary.

The minimum penalty for robbery is increased from six months to four years, and breaking into an occupied dwelling carries a minimum penalty of five years.

Under the bill a person convicted more than once of committing a crime with a gun cannot be given a suspended sentence or put on probation.

Another provision is designed to eliminate insanity acquittals based on a defendant's sociopathic or psychopathic personality. The bill says that a mere record of past offenses is not enough to excuse criminal conduct.

INDECENT PUBLICATIONS

A new provision dealing with indecent publications is added to existing law. It makes it unlawful to act in, pose for, record, produce or participate in the production of obscene or indecent publications or matter.

It also goes into the broad area of injunctive powers, authorizing the U.S. Attorney to petition the U.S. District Court for preliminary and permanent injunctions to prevent the sale, gift, exhibition, duplication and reproduction of obscene matter and to restrain the use of real and personal property for such uses.

ACLU To Test Legality of Crime Bill

(By Jim Hoagland)

Civil liberties advocates promised an immediate court test of the District's Omnibus Crime Bill yesterday as the House prepares to take up the measure today.

William W. Ross, chairman of the American Civil Liberties Union, called the bill "a disaster." He said ACLU would urge President Johnson to veto the measure, which was passed by the Senate Monday.

At least two provisions of the bill will face immediate constitutional challenges, says William H. Greenhalgh, director of the Georgetown Legal Intern program. Greenhalgh said he also would urge that the bill be vetoed.

Joseph L. Rauh Jr., past president of Americans for Democratic Action and currently District Democratic Central Committee chairman, also plans to ask the President to veto the bill.

Basing his comments on a report of the bill in the Washington Post, Rauh said he was "opposed to this blunderbuss operation on things that ought to evolve judically."

Even the provisions of the bill that may not be unconstitutional are "unnecessary legislation needlessly enacted," Greenhalgh said. In some instances he felt, they will work against the police and will jam the courts. plus cluttering them with test cases.

Reaction from individual policemen was reported to be highly favorable. But Police Chief John B. Layton declined to comment until he has studied the bill.

The bill's changes in arrest and interrogation procedures were denounced by many lawyers as "clearly unconstitutional." The measure permits police to detain and question a suspect for up to four hours before they formally charge him, and to interrogate him for another six hours, with or without a lawyer, after charging him.

Ross assailed this provision as a step backward to "arrests for investigation," a procedure banned by the District Commissioners in 1961, after a Commission headed by Charles A. Horsky, now presidential adviser on National Capital affairs, said such arrests were unconstitutional.

Horsky declined to comment on the new crime bill yesterday.

"SUBJECT TO ABUSE"

"This permits the police to hold anyone for four hours . . . without any possibility of control or review by a judicial officer," Ross said. "It is subject to abuse, and the sole effective control of abuse is discarded (by the new bill).

"The six hours need not be consecutive. They could stretch over six days. Under this deplorable change in the law, a frightened suspect, or a suspect ignorant of his rights, could be held for long periods, and a confession could be extracted from him and freely used."

Ross disputed police claims that the bill will help them solve crimes. He said that "arrests for investigations are often used as harassing tactics by the police in neighborhoods with high crime rates. This creates such resentment that I think Congress will find the bill will have exactly the contrary effect of that planned."

"The police can keep a suspect for days, never having to prove anything and effectively denying him bail," ACLU lawyer James Siena said. "They can rearrest a suspect on the way out of the stationhouse and question him for another four hours, and so on, indefinitely, without making a charge."

Civil liberties attorney Monroe H. Freedman declared that he had no doubt that parts of the statute would be ruled unconstitutional. "But it is outrageous that the police and prosecutors will use this until the courts declare it unconstitutional. It is disappointing that there are Congressmen who realize this, and who would pass the bill."

Greenhalgh, who called the bill a "monstrosity," said the interrogation provisions clearly violated the Fourth and Fifth Amendments of the Constitution, particularly as set out in the Supreme Court's Miranda decision.

SENTENCES CRITICIZED

He assailed the bill's new stiffer minimum sentences for some offenses, and provisions that increase the possible sentence to life for a crime of violence.

He said the new sentences would impede justice by discouraging guilty pleas, limiting judges' discretion, discouraging juries from returning guilty verdicts, and causing grand juries to be reluctant to indict in felony cases that carry a heavy minimum sentence after conviction. The cases would thus be reduced to misdemeanors and added to the already huge backlog in the Court of General Sessions.

Greenhalgh also scored the shift from the Durham Rule as a defense of insanity. Under that rule a defendant is innocent of a criminal act if it is proved his acts were a "product" of mental disease or defect. The new rule weds to this the old standards of "right and wrong."

The changes "shift the burden of proof to the defendant. He must now establish a 'substantial capacity' not to know right from wrong," Greenhalgh said. "This completely reverses the law of today, and is probably unconstitutional."

Justice Department officials, when asked about the bill, declined to comment. But reliable sources said the Department was "less than pleased."

As a final summary of my position I would like to have printed in the Record this morning's editorial from the Washington Post, with which I strongly agree, which eloquently points out the arbitrary and shameful nature of this legislation. The Washington Post is quite correct in calling this bill "colonialism in its worst and most outdated form, reflecting the impatience and the indifference of colonial masters toward a primitive people." My colleagues, I urge you to vote down this legislation. The very fact that it has come this far in the legislative process shows how important it is that the Congress grant local self-government to the people of the District of Columbia. If the District of Columbia enjoyed home rule no such legislation would ever have a chance of passing. If the Congress is to run the local affairs of the District of Columbia let us at least do it wisely and well. Let us not impose on the people of the District of Columbia procedures that almost none of us would advocate for our own constituents.

COLONIALISM

In every aspect, the District crime bill bespeaks contempt for the Americans living in the Capital of the United States. Whether the manner of its adoption or its content is the more offensive, it is hard to say. This is not legislation; it is mere insult.

The genesis and purpose of the bill is punishment. It amounts, in simple candor, to a piece of revenge taken by the Confederate cabal in the House District Committee against the people of Washington because a majority of them are now Negro and because they sought civil rights and self-government. The Senate, in the end, acquiesced in this vengeance out of convenience and apathy; it wants to go home. Senator Tydings disclosed the blackmail pressure to which the Senate complacently yielded on Monday when Senate District Committee Chairman Alan Bible presented a conference report to an empty Senate chamber and was the only Member of the Senate present to vote for it.

I have signed the Conference Report on the District of Columbia crime bill primarily because this bill has been a stumbling block to other District legislation. The House District Committee has made agreement on a crime bill the sine qua non of mutual accommodation between the two Houses of Congress on other District matters.

The bill is contemptuous not only of the District of Columbia but of the United States Constitution and of the Supreme Court of the United States as well.

Patently, the bill is an attempt to circumvent the recent Supreme Court decision respecting arrest and interrogation of suspects and to authorize police disregard of rights guaranteed by the Constitution. It is so confused and contradictory in its language as to appear intentionally obfuscatory. Title I and Title III of the bill are in flat opposition to each other. The former makes a perfunctory obeisance to the courts, while the latter empowers the police, in flat defiance of Court rulings, to detain and interrogate suspects for as long as four hours—without recording the detention as an arrest and without any judicial determination as to whether it was justified by probable cause.

The crime bill contains a mishmash of other repressive and reactionary provisions repugnant to a free people. It meddles inconsiderately with a wise judicial rule for the determination of insanity formulated and perfected, as such a rule should be, by the patient process of judicial inclusion and exclusion. It would impose on this community a Yahoo interpretation of obscenity, absurdly imperiling publication and public entertainment. It reduces the discretion of judges in sentencing convicted persons and imposes inflexibly harsh penalties in disregard of the whole trend of contemporary thought in penology. In short, it would set the administration of justice back by half a decade in this Capital City.

As for the affirmative proposals for combatting crime recommended by the President and by the District Crime Commission, the bill does nothing, absolutely nothing. There is not a single State of the Union represented in Congress that would tolerate so regressive a piece of legislation.

The crime bill is colonialism at its worst and most outdated form. It treats the District of Columbia as George III treated his

North American colonies two hundred years ago, reflecting the impatience and the indifference of colonial masters toward a primitive people. In the name of the Americans who live here and for the sake of Americans everywhere, we solemnly call upon the President of the United States to veto this piece of legislative trumpery.

Mr. DIGGS. Mr. Speaker, last year I was one of nine signatories to minority views on H.R. 5688, whose provisions were essentially the same as the provisions of the conference report now pending. At that time, we characterized this legislation as repressive and unpalatable, incorporating many of the worst features of a series of bills considered by the House District Committee to deal with the criminal symptoms of a social and economic misery in our Nation's Capital.

Though the conference report makes some attempt to meet our objections, it falls considerably short of such a goal. The discretion which it gives the police in depriving arrested persons in the District of Columbia of the right to a speedy presentation, and the right to bail, violates one of the most cherished provisions of our Constitution. As the senior Senator from Oregon so aptly states on page 27287 of the CONGRESSIONAL RECORD—Senate October 17:

> It is plain on the face of these provisions that what the authors of this bill intend is to bring back to the District of Columbia arrests for investigation. Such unlawful arrests were brought to a well-deserved end as a result of the now famous Horsky report which concluded that they were not only unconstitutional but unnecessary to efficient police administration—conclusions which have not been meaningfully challenged by any legal scholar of repute.

In addition to that, Mr. Speaker, I again bring to the attention of the House that the measure before us has not been the result of any hearings during the 89th Congress, and, as a matter of fact, even during the 88th Congress, only selected witnesses were permitted to appear before the committee to testify. This measure has been opposed by the Justice Department, the District of Columbia Commissioners, and other agencies within the community that have direct jurisdiction over law enforcement. I think it is also important to remind the House that the President has established two commissions which are dealing with this general subject, one, the District of Columbia Crime Commission, which has a particular responsibility for making recommendations for this community, and, secondly, the National Crime Commission, which is also in the process of studying any need for changes in our criminal laws. To adopt this conference report without the benefit of their recommendations expected at the end of this year, and with only the limited hearings heretofore mentioned, is capricious and arbitrary. It should also be noted that the increase in penalties for certain crimes provided for is unprecedented in other jurisdictions, and is in direct contrast to contemporary concepts of criminology, which denies that such stringent penalties are a deterrent to criminal activity. I urge the House, therefore, Mr. Speaker, to reject the conference report.

GENERAL LEAVE TO EXTEND

Mr. WHITENER. Mr. Speaker, I ask unanimous consent that all Members may be permitted to extend their remarks immediately following my statement on the District of Columbia crime-conference report.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. WHITENER. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore (Mr. LANDRUM). The question is on agreeing to the conference report.

The question was taken.

Mr. WATSON. Mr. Speaker, I object to the vote on the ground that a quorum is not present, and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Evidently, a quorum is not present.

The doorkeeper will close the doors, the sergeant at arms will notify absent Members and the Clerk will call the roll.

The question was taken; and there were—yeas 208, nays 79, not voting 145, as follows:

[Roll No. 379]

YEAS—208

Anderson, Tenn.
Andrews, George W.
Andrews, N. Dak.
Arends
Ashbrook
Ashmore
Bandstra
Bates
Battin
Beckworth
Bennett
Betts
Boggs
Bolton
Bow
Brock
Brooks
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burleson
Burton, Utah
Byrnes, Wis.
Cabell
Callan
Cameron
Carey
Casey
Cederberg
Chelf
Clancy
Clark
Clausen, Don H.
Cleveland
Collier
Corbett
Cramer
Cunningham
Curtin
Curtis
Dague
de la Garza
Delaney
Dent
Dole
Dorn
Dowdy
Downing
Dulski
Duncan, Tenn.
Dwyer
Edmondson
Edwards, La.
Erlenborn
Everett
Fallon
Farnsley
Fascell
Feighan
Fountain
Frelinghuysen
Friedel
Fulton, Pa.
Fulton, Tenn.
Garmatz
Gathings
Gettys
Gibbons
Gray
Griffiths
Grover
Gubser
Gurney
Hagen, Calif.
Hall
Hamilton
Hanley
Hardy
Harsha
Harvey, Mich.
Hathaway
Hays
Hechler
Henderson
Herlong
Holland
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jennings
Johnson, Calif.
Johnson, Okla.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kee
Kelly
Keogh
King, N.Y.
King, Utah
Kluczynski
Kornegay
Kunkel
Landrum
Langen
Latta
Lennon
Lipscomb
Long, La.
McClory
McCulloch
McDowell
McVicker
MacGregor
Machen
Madden
Mahon
Marsh
Matthews
May
Mills
Minshall
Mize
Monagan
Moore
Morgan
Morris
Morton
Murphy, N.Y.
Natcher
Nelsen
O'Brien
Olson, Minn.
O'Neal, Ga.
Passman
Patman
Patten
Pelly
Pepper
Perkins
Pickle
Pike
Pirnie
Poage
Poff
Pool
Price
Quie
Quillen
Race
Redlin
Reid, Ill.
Reifel
Rhodes, Ariz.
Rhodes, Pa.
Rivers, S.C.
Rogers, Colo.
Rogers, Fla.
Rooney, N.Y.
Rooney, Pa.
Rostenkowski
Roush
Rumsfeld
Satterfield
Saylor
Schweiker
Scott
Secrest
Selden
Shriver
Skubitz
Slack
Smith, Calif.
Smith, Va.
Springer
Staggers
Steed
Stubblefield
Teague, Calif.
Teague, Tex.
Thomas
Tuck
Tupper
Tuten
Utt
Vigorito
Waggonner
Walker, N. Mex.
Watson
Weltner
Whalley
White, Tex.
Whitener
Whitten
Widnall
Williams
Wilson, Bob
Wilson, Charles H.
Wyatt
Wydler
Young
Younger
Zablocki

NAYS—79

Annunzio
Ashley
Barrett
Bell
Bingham
Blatnik
Boland
Brademas
Burke
Burton, Calif.
Byrne, Pa.
Cahill
Celler
Conte
Conyers
Culver
Daddario
Daniels
Dawson
Diggs
Dingell
Donohue
Dow
Edwards, Calif.
Farbstein
Ford, William D.
Fraser
Giaimo
Gilbert
Gilligan
Gonzalez
Grabowski
Green, Oreg.
Green, Pa.
Grider
Halpern
Horton
Joelson
Kastenmeier
King, Calif.
Krebs
Kupferman
Leggett
Long, Md.
McDade
McGrath
Mathias
Miller
Minish
Moorhead
Morse
Mosher
Multer
Murphy, Ill.
Nedzi
O'Hara, Ill.
O'Hara, Mich.
O'Neill, Mass.
Ottinger
Powell
Rees
Reid, N.Y.
Reuss
Rodino
Ronan
Rosenthal
Roybal
Ryan
St. Onge
Scheuer
Sickles
Smith, Iowa
Stalbaum
Udall
Van Deerlin
Vanik
Vivian
Waldie
Yates

NOT VOTING—145

Abbitt
Abernethy
Adair
Adams
Addabbo
Albert
Anderson, Ill.
Andrews, Glenn
Aspinall
Ayres
Baring
Belcher
Berry
Bolling
Bray
Brown, Calif.
Brown, Clarence J., Jr.
Callaway
Carter
Chamberlain
Clawson, Del
Clevenger
Cohelan
Colmer
Conable
Cooley
Corman
Craley
Davis, Ga.
Davis, Wis.
Denton
Derwinski
Devine
Dickinson
Duncan, Oreg.
Dyal
Edwards, Ala.
Ellsworth
Evans, Colo.
Evins, Tenn.
Farnum
Findley
Fino
Fisher
Flood
Flynt
Fogarty
Foley
Ford, Gerald R.
Fuqua
Gallagher
Goodell
Greigg
Gross
Hagan, Ga.
Haley
Halleck
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Hawkins
Hébert
Helstoski
Hicks
Holifield
Howard
Hungate
Huot
Irwin
Jacobs
Johnson, Pa.
Jones, N.C.
Keith
Kirwan
Laird
Love
McCarthy
McEwen
McFall
McMillan
Macdonald
Mackay
Mackie
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Meeds
Michel
Mink
Moeller
Morrison
Moss
Murray
Nix
O'Konski
Olsen, Mont.
Philbin
Pucinski
Purcell
Randall
Reinecke
Resnick
Rivers, Alaska
Roberts
Robison
Rogers, Tex.
Roncalio
Roudebush
St Germain
Schisler
Schmidhauser
Schneebeli
Senner
Shipley
Sikes
Sisk
Smith, N.Y.
Stafford
Stanton
Stephens
Stratton
Sullivan
Sweeney
Talcott
Taylor
Tenzer
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Ullman
Walker, Miss.
Watkins
Watts
White, Idaho
Willis
Wolff
Wright

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert for, with Mr. Cohelan against.
Mr. Colmer for, with Mr. Matsunaga against.

Mr. Aspinall for, with Mrs. Mink against.

Mr. Addabbo for, with Mr. Brown of California against.

Mr. Albert for, with Mr. Clevenger against.

Mr. Abernethy for, with Mr. Dyal against.

Mr. Evins of Tennessee for, with Mr. Gallagher against.

Mr. Fuqua for, with Mr. Hanna against.

Mr. Hagan of Georgia for, with Mr. Hawkins against.

Mr. Mackay for, with Mr. Helstoski against.

Mr. Kirwan for, with Mr. Irwin against.

Mr. Wolff for, with Mr. McFall against.

Mr. Sikes for, with Mr. Macdonald against.

Mr. Stephens for, with Mr. Mackie against.

Mr. Fisher for, with Mr. Moss against.

Mr. Berry for, with Mr. Nix against.

Mr. Laird for, with Mr. Olsen of Montana against.

Mr. Goodell for, with Mr. Philbin against.

Mr. Talcott for, with Mr.. Resnick against.

Mr. Tenzer for, with Mr. Rivers of Alaska against.

Mr. Cooley for, with Mr. Sisk against.

Mr. Davis of Georgia for, with Mr. Sweeney against.

Mr. Hansen of Iowa for, with Mr. Thompson of New Jersey against.

Mr. Randall for, with Mr. White of Idaho against.

Mr. Purcell for, with Mr. Holifield against.

Mr. Taylor for, with Mr. Fogarty against.

Mr. Gerald R. Ford for, with Mr. St Germain against.

Mr. Reinecke for, with Mr. Ullman against.

Mr. Schisler for, with Mr. Toll against.

Until further notice:

Mr. Rogers of Texas with Mr. Roudebush.

Mr. Abbitt with Mr. Thomson of Wisconsin.

Mr. Duncan of Oregon with Mr. Devine.

Mr. McCarthy with Mr. Findley.

Mr. Roncalio with Mr. Stanton.

Mr. Senner with Mr. McMillan.

Mr. Stratton with Mr. Adair.

Mr. Shipley with Mr. Michel.

Mr. Denton with Mr. McEwen.

Mr. Moeller with Mr. Johnson of Pennsylvania.

Mr. Jacobs with Mr. Edwards of Alabama.

Mr. Cooley with Mr. Del Clawson.

Mr. Foley with Mr. Belcher.

Mr. Pucinski with Mr. Bray.

Mr. Wright with Mr. Watkins.

Mr. Watts with Mr. Schneebeli.

Mrs. Sullivan with Mr. Mailliard.

Mr. Schmidhauser with Mr. Harvey of Indiana.

Mr. Howard with Mr. Fino.

Mr. Jones of North Carolina with Mr. Derwinski.

Mr. Love with Mr. Conable.

Mr. Corman with Mr. Anderson of Illinois.

Mr. Baring with Mr. Ayres.

Mr. Adams with Mr. Stafford.

Mr. Evans of Colorado with Mr. Brown of Ohio.

Mr. Haley with Mr. O'Konski.

Mr. Greigg with Mr. Martin of Massachusetts.

Mr. Flynt with Mr. Keith.

Mr. Trimble with Mr. Carter.

Mr. Tunney with Mr. Martin of Alabama.

Mr. Willis with Mr. Halleck.

Mr. Roberts with Mr. Ellsworth.

Mr. Hicks with Mr. Davis of Wisconsin.

Mr. Hungate with Mr. Glenn Andrews.

Mr. Flood with Mr. Callaway.

Mr. Morrison with Mr. Walker of Mississippi.

Mr. Meeds with Mr. Smith of New York.

Mr. Todd with Mr. Robison.

Mr. Huot with Mr. Martin of Nebraska.

Mr. Farnum with Mr. Hansen of Idaho.

Mrs. Hansen of Washington with Mr. Dickinson.

Mr. Thompson of Texas with Mr. Chamberlain.

Mr. BARRETT changed his vote from "yea" to "nay."

Mr. LONG of Maryland changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11216) entitled "An act relating to the tariff treatment of articles assembled abroad of products of the United States."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 11555) entitled "An act to provide a border highway along the U.S. bank of the Rio Grande in connection with the settlement of the Chamizal boundary dispute between the United States and Mexico."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13161) entitled "An act to strengthen and improve programs of assistance for our elementary and secondary schools."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 6958) entitled "An act to amend the Internal Revenue Code of 1954 to promote savings under the Internal Revenue Service's automatic data processing system."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 13935) entitled "An act to give the consent of Congress to the State of Massachusetts to become a party to the agreement relating to bus taxation proration and reciprocity."

REPORT OF ACTIVITIES OF THE HOUSE COMMITTEE ON THE DISTRICT OF COLUMBIA, 2D SESSION, 89TH CONGRESS

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. McMILLAN. Mr. Speaker, I want to take this opportunity to express appreciation to the members of the House Committee on the District of Columbia for their extraordinary efforts, cooperation, and diligence during this session of the Congress. By their studies, considerations, and dispositions of legislative matters before them, they have so ably assisted the Congress in meeting its constitutional responsibility of governing the Nation's Capital.

This has been one of the busiest sessions our committee has experienced. Hardly a week has gone by that the committee or subcommittees have not been in session, either in open hearings taking evidence or in executive meetings thrashing out legislation deemed by the committee to be necessary for the District officials to carry out their delegated responsibilities. Conferences with the other body have been held since March on the omnibus anticrime bill, and in recent weeks on various other bills.

The subcommittee chairmen, in particular, have contributed materially and laboriously, giving unstintingly their advices and time, their study and devotion to the committee's tasks, and to the record of achievement summarized below.

The committee is deserving of well-earned respite from their labors. We hope to be on hand again, with the convening of the next Congress in the new year, to continue in our determined efforts to meet the needs of the Nation's Capital.

In summary, a brief résumé of the committee's activities is as follows:

First. During the 2d session of the 89th Congress, 96 bills and joint resolutions have been referred to the House Committee on the District of Columbia, 90 of these being House bills and joint resolutions and 6 being Senate-passed bills.

Second. The committee devoted some 50 hours to 24 sessions of public hearings and on proposed legislation. The committee conducted 22 executive meetings of subcommittees and the full committee, and participated in 16 conference sessions with Senate conferees to resolve differences of the two bodies on various bills.

Third. During this second session 28 bills have been reported by the District Committee to the House, as well as 7 conference reports. All these bills have been considered and approved by the House and sent to the other body. A brief summary of the bills so reported and approved by the House follows:

BILLS SENT TO CONFERENCE

H.R. 5688—Crime and criminal procedure: Conferees met in nine sessions; reached agreement.

H.R. 8126—Minimum wage amendments: Conferees met and agreed.

H.R. 647—Appointment of new trustees in deeds of trust: Conferees have not met.

H.R. 3314—Require premarital examinations: Conferees met and agreed.

H.R. 9985—Mandatory reporting of injuries from dangerous weapons: Conferees met and agreed.

H.R. 10304—Reporting physical abuse of children: Conferees met and agreed.

S. 1118—Home rule for the District of Columbia: Committee voted not to hold conference.

H.R. 11487—Revenue, taxes, and highway fund: Conferees met twice, and agreed.

H.R. 15857—Salary increases for police, firemen, and teachers: Conferees met and agreed.

Bills reported to the House, 2d sess., 89th Cong.

Bill No.		House Report No.	Senate Report No.	Title	Public Law No.
H.R.	10744	1547	--------	ABC Act, general revision	
H.R.	15860	1658	1365	Bail agency, establish	89-519
H.R.	12199	1655	1620	Bridge, reconstruct 14th Street Bridge	89-627
H.R.	13558	1480	1535	Certified public accountants, regulating practice of	89-578
H.R.	16958	2249	--------	Colleges, establish public community and vocational college, and a college of arts and sciences	(1)
H.R.	17798	2264	--------	Courts, District of Columbia court of general sessions judgment or decree a lien when recorded	
S.	1611	1483	639	Courts, transfer of certain municipal functions to District of Columbia court of general sessions from U.S. District Court for District of Columbia	89-493
H.R.	15706	1817	--------	Decedents' estates, exemption of escheat cases from compromise limitations	
H.R.	13703	1482	1520	Decedents' estates, technical amendments correcting errors in codification of code	89-567
H.R.	16863	1834	1621	Georgetown University, amend its charter	89-631
S.	2263	1484	624	Judges, increase, District of Columbia court of general sessions	89-598
H.R.	9824	1479	1529	Life Insurance Act, amend re representation of companies' financial standing	89-550
H.R.	14205	1481	1531	Market (Old Georgetown), declare as historic landmark and a public market	89-600
H.R.	5426	1660	--------	Marriages, prohibiting common law	
H.R.	8337	1653	1364	Nurses, Practical Nurses' Licensing Act, amend	89-518
H.R.	16340	1786	--------	Picketing, prohibit within 500 feet of any church	
H.R.	8205	1818	--------	Police band, enlarge to include members of Fire Department, Park Police, and White House Police	
H. Res.	931	1788	--------	Police Department, provide for review of Crime Commission report before reorganization thereof	
H.R.	15857	1656	1600	Policemen and firemen, provide salary increase	(1)
H.R.	6143	1816	--------	Presidential Inaugural Ceremonies Act, amend	
H.R.	15858	1657	1536	Shaw School, authorizing acquisition of land for replacement	89-560
H.J. Res.	1178	1659	1353	Shrine convention, July 1967, promulgate special regulations for	89-514
H.R.	16608	1815	1623	Southeastern University, amend its charter	89-639
H.R.	10823	1654	1530	Student loans re credit life, and credit health and accident insurance policies	89-639
H.R.	11087	1546	1521	Taxes, exempt real property investment income of certain foreign corporations	89-591
H.R.	16337	1770	1609	Teachers, provide new salary schedule, overtime pay for coaches, etc	(1)
H.R.	16940	1863	1622	Trinity College of Washington, amend its charter	89-628
S.	1319	2250	178	Work release program for prisoners	(1)

Conference reports filed

Bill No.		Conference report No.		Public Law No.
H.R.	10304	2230	Children, reporting physical abuse of	(1)
H.R.	5688	2295	Crime and criminal procedure	
H.R.	9985	2229	Dangerous weapons, mandatory reporting of injuries from	(1)
H.R.	3314	2228	Marriages, requiring premarital examinations	89-682
H.R.	8126	2175	Minimum wage law amendments	89-684
H.R.	15857	2276	Provide salary increase for police, firemen, and teachers	(1)
H.R.	11487	2080	Revenue, taxes and highway fund	89-610

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[1] Awaiting President's signature.

RESIGNATION FROM A COMMITTEE

The SPEAKER laid before the House the following resignation from a committee:

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 17, 1966.
Hon. JOHN W. MCCORMACK,
Speaker, U.S. House of Representatives, Washington, D.C.

DEAR MR. SPEAKER: It is with considerable regret that I submit my resignation as a member of the Committee on Interstate and Foreign Commerce, effective immediately.

It has been a privilege and an honor for me to work with the many fine members of this Committee during the past several years. My association with and participation in the deliberations of the Interstate and Foreign Commerce Committee will always remain a pleasant and rewarding experience.

With personal regards, I am,

Sincerely yours,
WILLARD S. CURTIN,
Member of Congress.

The SPEAKER. Without objection, the resignation is accepted.

There was no objection.

ELECTION TO COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE

Mr. ARENDS. Mr. Speaker, I ask unanimous consent for the immediate consideration of House Resolution 1067, which I send to the desk.

The Clerk read the resolution, as follows:

H. RES. 1067

Resolved, That G. ROBERT WATKINS, of Pennsylvania, be, and he is hereby, elected a member of the standing Committee of the House of Representatives on Interstate and Foreign Commerce.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REIMBURSEMENT FOR PROPRIETARY EXTENDED CARE FACILITIES UNDER MEDICARE

Mr. BOGGS submitted a conference report and statement on the bill (H.R. 6958) to amend the Internal Revenue Code of 1954 to promote savings under the Internal Revenue Service's automatic data processing system.

SAFETY OF LIFE AT SEA

Mr. DOWNING. Mr. Speaker, I call up the conference report on the bill (H.R. 10327) to require operators of ocean cruises by water between the United States, its possessions and territories, and foreign countries to file evidence of financial security and other information, and ask unanimous consent that the statement of the managers be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT (H. REPT. NO. 2285)

The Committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10327) to require operators of ocean cruises by water between the United States, its possessions and territories, and foreign countries to file evidence of financial security and other information, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

"That section 4400 of the Revised Statutes, as amended (46 U.S.C. 362) is hereby further amended by designating the existing section as subsection (a) and by adding new subsections (b) and (c) as follows:

"'(b) Owners, operators, agents, or any persons selling passage on a foreign or domestic passenger vessel of one hundred gross tons or over having berth or stateroom accommodations for fifty or more passengers and embarking passengers at United States ports for a coastwise or an international voyage shall notify each prospective passenger of the safety standards with which the vessel complies or does not comply in a manner prescribed by regulations promulgated in accordance with this subsection. In addition, all promotional literature or advertising in or over any medium of communication within the United States offering passage or soliciting passengers for ocean voyages anywhere in the world shall include similar information as a part of the advertisement or description of the voyage in a manner prescribed by the same regulations. The Secretary of the Department in which the Coast Guard is operating is authorized to promulgate regulations to implement the provisions of this subsection. For each violation of regulations so promulgated, the owner, operator, agent, or other person involved shall be subject to a civil penalty of not more than $10,000 for which the vessel on which passage is to be or is sold shall be liable. If tickets are sold, the owner, operator, agent, or any other person involved in each violation of regulations so promulgated shall also be subject to a civil penalty of $500 for each ticket sold for which the vessel on which passage is sold shall be liable.

" '(c) Notwithstanding the provisions of subsection (a) of this section, any foreign or domestic vessel of over 100 gross tons having berth or stateroom accommodations for 50 or more passengers, shall not depart a United States port with passengers who are United States nationals, and who embarked at that port, if the Secretary of the Department in which the Coast Guard is operating finds that such vessel does not comply with the standards set forth in the International Convention for the Safety of Life at Sea, 1960, as modified by the amendments proposed by the thirteenth session of the Maritime Safety Committee of the Inter-governmental Maritime Consultative Organization contained in Annexes I through IV of the Note Verbale of the Secretary General of the Organization dated 17 May 1966, No. A1/C/3.07 (NV. 1).'

"Sec. 2. (a) Each owner or charterer of an American or foreign vessel having berth or stateroom accommodations for fifty or more passengers, and embarking passengers at United States ports, shall establish, under regulations prescribed by the Federal Maritime Commission, his financial responsibility to meet any liability he may incur for death or injury to passengers or other persons on voyages to or from United States ports, in an amount based upon the number of passenger accommodations aboard the vessel, calculated as follows:

"$20,000 for each passenger accommodation up to and including five hundred; plus

"$15,000 for each additional passenger accommodation between five hundred and one and one thousand; plus

"$10,000 for each additional passenger accommodation between one thousand and one and one thousand five hundred; plus

"$5,000 for each passenger accommodation in excess of one thousand five hundred: *Provided, however,* That if such owner or charterer is operating more than one vessel subject to this section, the foregoing amount shall be based upon the number of passenger accommodations on the vessel being so operated which has the largest number of passenger accommodations. This amount shall be available to pay any judgment for damages, whether in amount less than or more than $20,000 for death or injury occurring on such voyages to any passenger or other person. Such financial responsibility may be established by any one of, or a combination of, the following methods which is acceptable to the Commission: (1) policies of insurance, (2) surety bonds, (3) qualifications as a self-insurer, or (4) other evidence of financial responsibility.

"(b) If a bond is filed with the Commission, then such bond shall be issued by a bonding company authorized to do business in the United States or any State thereof or the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, or any territory or possession of the United States.

"(c) Any person who shall violate this section shall be subject to a civil penalty of not more than $5,000 in addition to a civil penalty of $200 for each passage sold, such penalties to be assessed by the Federal Maritime Commission. These penalties may be remitted or mitigated by the Federal Maritime Commission upon such terms as they in their discretion shall deem proper.

"(d) The Federal Maritime Commission is authorized to prescribe such regulations as may be necessary to carry out the provisions of this section. The provisions of the Shipping Act, 1916, shall apply with respect to proceedings conducted by the Commission under this section.

"(e) The collector of customs at the port or place of departure from the United States of any vessel described in subsection (a) of this section shall refuse the clearance required by section 4197 of the Revised Statutes (46 U.S.C. 91) to any such vessel which does not have evidence furnished by the Federal Maritime Commission that the provisions of this section have been complied with.

"Sec. 3. (a) No person in the United States shall arrange, offer, advertise, or provide passage on a vessel having berth or stateroom accommodations for fifty or more passengers and which is to embark passengers at United States ports without there first having been filed with the Federal Maritime Commission such information as the Commission may deem necessary to establish the financial responsibility of the person arranging, offering, advertising, or providing such transportation, or in lieu thereof a copy of a bond or other security, in such form as the Commission, by rule or regulation, may require and accept, for indemnification of passengers for nonperformance of the transportation.

"(b) If a bond is filed with the Commission, such bond shall be issued by a bonding company authorized to do business in the United States or any State thereof, or the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands or any territory or possession of the United States and such bond or other security shall be in an amount paid equal to the estimated total revenue for the particular transportation.

"(c) Any person who shall violate this section shall be subject to a civil penalty of not more than $5,000 in addition to a civil penalty of $200 for each passage sold, such penalities to be assessed by the Federal Maritime Commission. These penalities may be remitted or mitigated by the Federal Maritime Commission upon such terms as they in their discretion shall deem proper.

"(d) The Federal Maritime Commission is authorized to prescribe such regulations as may be necessary to carry out the provisions of this section. The provisions of the Shipping Act, 1916, shall apply with respect to proceedings conducted by the Commission under this section.

"(e) The collector of customs at the port or place of departure from the United States of any vessel described in subsection (a) of this section shall refuse the clearance required by section 4197 of the Revised Statutes (46 U.S.C. 91) to any such vessel which does not have evidence furnished by the Federal Maritime Commission that the provisions of this section have been complied with.

"Sec. 4. Subsection (b) of section 5 of the Act of May 27, 1936 (49 Stat. 1384; 46 U.S.C. 369), is amended by adding at the end thereof the following: 'After November 1, 1968, no passenger vessel of the United States of one hundred gross tons or over, having berth or stateroom accommodations for fifty or more passengers, shall be granted a certificate of inspection by the Coast Guard unless the vessel is constructed of fire-retardant material. The structural fire protection provided on these vessels shall conform to the requirements set forth in regulations for a vessel contracted for on or after May 28, 1936.'

"Sec. 5. The new subsection (b) of section 4400 of the Revised Statutes and section 3 of this Act shall become effective one hundred and eighty days after enactment of this Act. The new subsection (c) of section 4400 of the Revised Statutes shall become effective on the date when the recommended amendments to the International Convention for the Safety of Life at Sea, 1960, come into force, but in any case not later than November 2, 1968. Section 2 of this Act shall become effective nine months after enactment of this Act. Section 4 of this Act shall become effective on November 2, 1968."

And the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate to the title of the House bill and agree to the same.

Alton Lennon,
Thomas N. Downing,
Paul G. Rogers,
W. S. Mailliard,
Thomas M. Pelly,
Managers on the Part of the House.
Warren G. Magnuson,
E. L. Bartlett,
Peter H. Dominick,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 10327) to require operators of ocean cruises by water between the United States, its possessions and territories, and foreign countries to file evidence of financial security and other information, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendments struck out all of the House bill after the enacting clause and inserted a substitute text and provided a new title for the House bill.

The committee of conference recommends that the House recede from its disagreement to the amendment of the Senate to the text of the House bill, with an amendment which is a substitute for both the text of the House bill and the Senate amendment to the text of the House bill, and that the House recede from its disagreement to the amendment of the Senate to the title of the House bill and agree to the same.

The differences between the House bill and the substitute agreed to in conference are noted below, except for technical, clerical, and conforming changes made necessary by reason of the agreement reached by the conferees.

HOUSE BILL

The House bill required operators of ocean cruises to file evidence of financial security and other information with the Federal Maritime Commission. By defining the term "ocean cruise" the House bill excluded from its coverage common carrier service and applied only to vessels over 1,000 gross tons having a capacity in excess of twelve passengers.

The House bill prohibited arranging, offering, advertising, or providing an ocean cruise unless there first had been filed with the Commission certain specific information, including (among other things) the name and citizenship of the offering person, the name and registry of the vessel, the itinerary of the cruise, a warranty that, at the commencement of the cruise, the vessel be in a seaworthy and safe condition and conform to all applicable laws, treaties, and regulations, and such other information as the Commission deemed necessary to establish financial responsibility, or in lieu thereof a bond or other security, to assure indemnification of passengers for nonperformance of the cruise. Any violation was punishable by a fine of not more than $5,000, plus a fine of $200 for each passage sold for the cruise.

The House bill authorized the Commission to prescribe the necessary regulations to carry out the legislation, provided that the Shipping Act, 1916, would apply with respect to proceedings conducted by the Commission, and delayed the effective date for a period of six months after enactment to afford the Commission a reasonable time to prescribe the necessary regulations.

SENATE AMENDMENT

Subsections (a) through (d) of section 3 of the Senate amendment contained provisions similar to the provisions of the House bill, with the exception of the definitions contained in the House bill and the effective date of the House bill. Subsection (e) of such section 3 added an enforcement provision under which the Collector of Customs could deny clearance to any vessel which had not complied with the provisions of this section.

The Senate amendment broadened the application of this legislation to include all passenger vessels of 100 gross tons or over having accommodations for 50 or more passengers (not only "ocean cruises" as defined in the House bill). The Senate amendment also required establishment of financial responsibility to pay judgments arising out of personal injury or death in addition to financial responsibility for indemnification of passengers for nonperformance.

The Senate amendment also required advertising of fire safety standards of passenger vessels and placed authority in the Secretary of the department in which the Coast Guard is operating to inspect passenger vessels (foreign or domestic) and if unsafe to deny clearance. The Senate amendment also contained a provision upgrading safety standards on United States passenger vessels only. The effect of this provision was to require that United States vessels built before 1936 meet modern United States standards by November 1, 1968.

The Senate amendment contained the following penalty provisions:

1. Violations of the provision relating to notification and advertising of fire safety standards was punishable by a civil penalty of not more than $10,000, for which the vessel could be liable, and if tickets were sold, the owner or any other person involved, was also subject to a civil penalty of $500 for each ticket sold.

2. Violations of the provision relating to the establishment of financial responsibility to meet liability for death or injury was punishable by a civil penalty of not more than $5,000 plus an additional $200 for each passage sold. These civil penalties could be mitigated or remitted in the discretion of the Federal Maritime Commission.

3. Violations of the provision relating to the establishment of financial responsibility for indemnification of passengers for nonperformance of the transportation were punishable by a civil penalty of not more than $5,000 plus an additional $200 for each passage sold. These civil penalties could be mitigated or remitted in the discretion of the Federal Maritime Commission.

The Senate amendment contained the following effective date provisions:

1. The provision relating to notification and advertising of fire safety standards was to become effective 120 days after enactment of this legislation.

2. The provision relating to denial of clearance to vessels found to be unsafe was to become effective upon enactment of this legislation.

3. The provision relating to the establishment of financial responsibility to meet liability for death or injury was to become effective 6 months after enactment of this legislation.

4. The provision relating to upgrading safety standards on U.S. passenger vessels was to become effective on November 2, 1968.

CONFERENCE SUBSTITUTE

The substitute agreed to in conference follows closely the provisions of the Senate amendment with the following modifications:

1. The requirement of advertising fire safety standards has been broadened to include all safety standards. The Secretary of the department in which the Coast Guard is operating is responsible for promulgating regulations to implement this provision. The committee of conference intends that, in prescribing these regulations and administering this provision, the Secretary concerned will take such steps as may be necessary to assure that the notification to passengers of the safety standards with respect to which a vessel does or does not comply will be accomplished in clear and nontechnical terms understandable to the traveling public. In other words, the Secretary should take great care to assure that the required notification is not couched in terms that would be meaningful only to persons knowledgeable with respect to vessel safety standards required by law or treaty. This provision is designed to enable members of the traveling public to formulate their own judgment as to whether a vessel is sufficiently safe for them to board.

2. The provision of the Senate amendment which makes any foreign or domestic vessel subject to inspection by the department in which the Coast Guard is operating has been modified so that the Secretary of that department may deny clearance if he finds that a vessel does not comply with the standards set forth in the International Convention for the Safety of Life at Sea, 1960, as modified by amendments proposed by the thirteenth session of the Maritime Safety Committee of the Inter-governmental Maritime Consultative Organization. The original Senate version provided that the Secretary could deny clearance if he found a vessel to be "unsafe". This modification provides the Secretary with specific standards to apply in making his determination.

3. The effective date provisions of the Senate amendment have been modified as follows:

(a) The provision relating to notification and advertising of fire safety standards will become effective 180 days after enactment of this legislation.

(b) The provision relating to denial of clearance to vessels found to be unsafe will become effective on the date when the recommended amendments to the International Convention for the Safety of Life at Sea, 1960, come into force, but in any case not later than November 2, 1968.

(c) The provision relating to the establishment of financial responsibility to meet liability for death or injury will become effective 9 months after enactment of this legislation.

(d) The provision relating to upgrading safety standards on U.S. passenger vessels will become effective on November 2, 1968, as provided in the Senate amendment.

ALTON LENNON,
THOMAS N. DOWNING,
PAUL G. ROGERS,
W. S. MAILLIARD,
THOMAS M. PELLY,
Managers on the Part of the House.

Mr. GARMATZ. Mr. Speaker, since our committee hearings in 1965 there have been three major fires involving serious fires aboard foreign-flag passenger vessels sailing from U.S. ports—the *Yarmouth Castle*, the *Viking Princess*, and the *Hanseatic*.

Following the *Yarmouth Castle* disaster I, as chairman of the Committee on Merchant Marine and Fisheries, wrote the Secretary of State, urging immediate and effective international action to upgrade the older vessels engaging in passenger service in and out of U.S. ports.

As a result of these efforts, beginning in February of this year, there have been a series of meetings of the maritime safety committee of the Intergovernmental Maritime Consultative Organization—IMCO—which have culminated in new regulations which, when adopted, will substantially stiffen fire safety standards on all existing vessels. These new regulations will be considered by the IMCO Council in November of this year, and it is expected that they will be adopted at that time. They will then be submitted to the maritime nations for ratification.

As a result of these measures it may be confidently predicted that fire safety standards on passenger ships will be materially improved.

Enactment of H.R. 10327, as agreed to in conference, will go far toward enhancing safety on board passenger ships, both foreign and American, which are so heavily patronized by American citizens.

I urge adoption of the conference report.

Mr. DOWNING. Mr. Speaker, just over a year ago, after hearings and careful study, the Committee on Merchant Marine and Fisheries reported, and the House passed the bill, H.R. 10327, which required the owner or charterer of a vessel to be engaged in an ocean cruise to file with the Federal Maritime Commission a warranty that the vessel would be in a seaworthy and safe condition at the time of the commencement of the cruise, and that such vessel would conform to all applicable laws, treaties, and regulations. In addition to other pertinent information, such owner or operator was required to file such information as would be necessary to establish his financial responsibility or post bond or other security to indemnify passengers against loss from nonperformance of the cruise. Penalties for violation of the requirements of the act were provided for.

In the Senate the bill was extensively amended during this session of the Congress, and passed the Senate in August of this year, with a substitute text and an amended title.

The Senate version broadened the application of the legislation so as to include all passenger vessels of 100 gross tons or over, having accommodations for 50 or more passengers, regardless of whether they were operated on cruises or on regular liner service. The Senate version also required establishment of financial responsibility to pay judgments arising out of personal injury or death, in addition to financial responsibility for indemnification of passengers for nonperformance.

Another new feature was a provision requiring the vessel owner or operator to notify each prospective passenger "of the fire safety standards with which the vessel complies or does not comply" under regulations promulgated by the

Coast Guard, and to require similar information in all promotional literature or advertising.

Authority was placed in the Secretary of the Department in which the Coast Guard is operating to inspect all such passenger vessels, whether foreign or domestic, and to deny clearance from a U.S. port with American passengers if found to be "unsafe." The Senate version also contained a specific provision to require the upgrading of safety standards on American passenger vessels built before 1936.

In conference the conferees agreed to a substitute text which follows closely the provisions of the Senate amendment.

The principal point at issue was the provision in section 1 of the Senate amendment under which the Coast Guard would have been directed to prohibit the departure from a U.S. port of any vessel which it found to be unsafe.

In view of the extensive changes in the Senate version and various relevant events which have occurred in the past year, the committee held a further hearing on this legislation by way of an advisory to the House conferees. The above-mentioned provision was stated by the Coast Guard to be virtually impossible to properly implement, and condemned by the State Department as an infringement of our treaty obligations.

The committee of conference agreed that this requirement, which provided no criteria or standards, was vague and unsatisfactory, and might result in the violation by the United States of treaties to which it is signatory.

In lieu of the above provision in the Senate version the conference substitute would prohibit the departure from a U.S. port of certain foreign or domestic passenger vessels if the Secretary of the Department in which the Coast Guard is operating finds that such vessel does not comply with the standards set forth in the International Convention for the Safety of Life at Sea, 1960, as modified by the amendments proposed by the 13th session of the Maritime Safety Committee of the Intergovernmental Maritime Consultative Organization—IMCO—contained in annexes I through IV of the "Note Verbale of the Secretary General of the Organization," dated May 17, 1966, No. A1/C3.07 (NV. 1).

This language, which was suggested by the Coast Guard, recognizes the present International Convention for the Safety of Life at Sea, 1960, to which the United States is signatory, and further provides that compliance with the law will require the vessel to meet the additional standards adopted by the Maritime Safety Committee of the Intergovernmental Maritime Consultative Organization in May of 1966. These additional standards would require substantial improvements with respect to fire safety applicable to both existing ships and ships built in the future. The additional standards would eliminate the effects of the so-called "grandfather clause" which has heretofore excused vessels built prior to the adoption of a safety convention from compliance with the full requirements of such convention. In addition, the proposed new standards would require both existing and new vessels to adopt improvements not presently required by the current Safety Convention of 1960.

Mr. Speaker, I urge adoption of the conference report.

Mr. PELLY. Mr. Speaker, I rise in support of my colleagues on our Committee on Merchant Marine and Fisheries in urging favorable action upon the conference report on H.R. 10327.

This conference report represents an initial and significant step toward providing protection for the many thousands of American citizens who annually travel on passenger ships. Most significantly, it requires that each prospective passenger be notified of the safety standards with which a foreign or domestic passenger vessel complies or does not comply in a manner prescribed by the administering agency, the U.S. Coast Guard. It is the intention of the conferees that this notice will be furnished such prospective passengers in clear and plain language so as to enable the average citizen to judge whether or not the vessel is safe or unsafe.

Mr. Speaker, it is unfortunate that our distinguished colleague from California, and the ranking minority member of our committee, was unable to be present at this time, since he was the initial author and sponsor of legislation in this area, having introduced a bill on the subject as early as January 1965. Therefore, I request permission for my distinguished colleague, the Honorable WILLIAM S. MAILLIARD, to revise and extend his remarks at this point in the RECORD.

The SPEAKER. Is there objection?

There was no objection.

Mr. MAILLIARD. Mr. Speaker, I wish to join with my distinguished colleagues on the committee of conference on the bill, H.R. 10327, in urging that the conference report be adopted by the House.

You will recall that in October of last year, the House passed the bill, H.R. 10327, to require operators of ocean cruises from U.S. ports to file certain evidence of financial security and other information. The principal effect of the earlier House-passed bill was to require financial responsibility by cruise operators to insure indemnification for nonperformance by the ocean cruise. It did not meet the real problem which has been of concern to me by requiring substantial and reasonable compliance of foreign-flag cruise ships to higher American vessel safety standards. I made mention of this disappointment when we considered this bill in October of last year, but recognized that it was the best we could hope to accomplish at that time in view of the unanimity of opposition by administration witnesses and those representing foreign-flag operators to such increased safety standards.

Subsequent to passage by the House in October of 1965 of H.R. 10327, there were several fires experienced aboard foreign-flag ships which engaged in the cruise trade originating from U.S. ports. The first such incident occurred within 1 month after the passage by the House of H.R. 10327 when the Panamanian-flag cruise ship, SS *Yarmouth Castle*, operating out of Miami, Fla., caught fire and sank in November 1965 with a loss of some 90 lives. The second occurrence was in April of this year when the cruise ship MS *Viking Princess*, caught fire, but fortuitously did not involve any loss of life. The third incident occurred only last month, when the German passenger ship, SS *Hanseatic*, which had been employed earlier in our cruise trade caught fire at its pier in New York only hours before passengers were to board for a transatlantic voyage.

Spurred by this demonstrated need for Federal legislation, the administration reversed its prior opposition and submitted three recommendations which were incorporated in the bill as passed by the Senate. These three recommendations include:

First, a requirement of evidence of financial responsibility to pay for personal injury or death;

Second, a disclosure or advertising provision requiring notice to the traveling public of the fire safety standards of the vessel but which the conference broadened to include all safety standards; and

Third, the upgrading of safety standards on two American vessels operating in domestic waters.

The conference report now under consideration also broadens the concept of the original House bill by making its provisions applicable to all passenger vessels of a specified class and does not limit it solely to vessels engaged in ocean cruises.

While the bill still fails to meet the problem which has been of particular concern to me over the past several months by improving safety standards on foreign-flag cruise ships operating out of our ports, it does represent a major and constructive step forward.

Congressional leadership and activity has had a salutary effect upon upgrading the international safety standards for all passenger ships. This is being accomplished through the committees of the International Maritime Consultative Organization, and it is hoped that the recommended improvements will be adopted by the organization by the end of this year. It was in recognition of this progress on an international level that the managers on the part of the House offered a substitute text for the safety provision of the Senate-passed bill relating it to these international recommendations for improved vessel safety and making them effective on the date such recommendations come into force but in no event later than November 2, 1968.

It is the hope of the conferees that this legislation will serve to provide some measure of much-needed protection to unwary members of the American traveling public. It is also hoped that in implementing the disclosure provision concerning the safety standards of vessels, the administering agency, the U.S. Coast Guard, will require that notice of such safety standards be given in clear and plain language, so that the average member of the American public who is without knowledge of the technicalities of ship construction will be able to readily ascertain whether or not the vessel on which he is about to embark is operating in a safe condition.

Accordingly, in the interest of serving the thousands of our fellow citizens who annually travel on passenger ships, I urge that this conference report on H.R. 10327 be adopted.

Mr. DOWNING. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

GENERAL LEAVE TO EXTEND

Mr. DOWNING. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report agreed to.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

FISH PROTEIN CONCENTRATE

Mr. DINGELL. Mr. Speaker, I call up the conference report on the bill (S. 2720), to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Michigan?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

Conference Report (H. Rept. No. 2290)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 2720) to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the text of the Senate bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the House amendment insert the following:

"That the Secretary of the Interior is authorized to conduct, and through grants to and contracts with public and private agencies to promote studies, research, and experiments designed to develop the best and most economical processes and methods to reduce fish which are in abundant supply and which are not now widely sought after for human food to a nutritious, wholesome, and stable fish protein concentrate, as well as to conduct food technology and feasibility studies with respect to such products.

"Sec. 2. (a) The Secretary is also authorized to construct not to exceed one experiment and demonstration plant for the production of a fish protein concentrate and to acquire by lease one additional plant for such purpose. Such plants shall be designed to demonstrate the reliability and practicability and the economic, engineering, and operating potentials of the processes and methods to reduce fish to fish protein concentrate. Such plants shall be located in such geographical areas as the Secretary determines will demonstrate optimum feasibility from the standpoint of operation, maintenance, and economic potential. The Secretary of the Interior shall not commence construction of or lease any plant pursuant to the provisions of this Act until the Secretary of Health, Education, and Welfare shall have certified that fish protein concentrate produced from whole fish complies with the provisions of the Federal Food, Drug, and Cosmetic Act.

"(b) The Secretary may operate and maintain or contract for the operation and maintenance of such plants. Each operation and maintenance contract shall provide, in addition to such terms and conditions as the Secretary deems desirable, for the compilation by the contractor of complete records, including cost data, with respect to the operation, maintenance, and engineering of the plants. The records so compiled shall be made available to the public and to the Congress by the Secretary at periodic and reasonable intervals. Access by the public to the plants shall be assured during all phases of their operation subject to such reasonable restrictions as to time and place as the Secretary may require or approve.

"(c) All contracts entered into pursuant to subsection (b) of this section shall include a clause to the effect that the Comptroller General of the United States or any of his duly authorized representatives shall until the expiration of three years after final payment have access to and the right to examine any directly pertinent books, documents, papers, and records of the contractor or any of his subcontractors engaged in the performance of and involving transactions related to such contracts or subcontracts.

"(d) Each plant constructed or leased under this Act, and its equipment, upon the expiration of a period deemed adequate by the Secretary for experiment and demonstration purpose shall, as promptly as practicable, be disposed of in accordance with the applicable provisions of the Federal Property and Administrative Services Act of 1949, as amended.

"(e) The Secretary may acquire lands or interests therein, patents, licenses, technical data, inventions, secret processes, supplies, and equipment by purchase, license, lease, or donation to carry out the provisions of this section.

"Sec. 3. There is authorized to be appropriated not to exceed $1,000,000 for the construction of one experiment and demonstration plant. There is also authorized to be appropriated not to exceed $1,555,000 annually for a period of five fiscal years, beginning with the fiscal year 1968, for the leasing of one additional experiment and demonstration plant, for the operation and maintenance of experiment and demonstration plants leased or constructed under this Act, and for conducting the program authorized by this Act. Sums appropriated under this section are authorized to remain available until expended. Nothing in this Act shall be construed to amend, repeal, or otherwise modify the authority of the Secretary of the Interior to carry out fish protein concentrate research under any other provision of law.

"Sec. 4. The Secretary shall cooperate with public and private agencies, organizations, institutions, and individuals in carrying out the program authorized by this Act.

"Sec. 5. The authority of the Secretary under this Act shall expire at the expiration of five years from the date of enactment of this Act."

And the House agree to the same.

That the House recede from its amendment to the title of the Senate bill.

Alton Lennon,
Harlan Hagen,
Thomas N. Downing,
Thomas M. Pelly,
Hastings Keith,
Managers on the Part of the House.

E. L. Bartlett,
Warren G. Magnuson,
Winston L. Prouty,
Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 2720) to authorize the Secretary of the Interior to develop, through the use of experiment and demonstration plants, practicable and economic means for the production by the commercial fishing industry of fish protein concentrate, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The House amendments struck out all of the Senate bill after the enacting clause and inserted a substitute text and provided a new title for the Senate bill, and the Senate disagreed to the House amendments.

In large part the provisions of the Senate bill and the House substitute amendment were the same or similar, but there were some rather important differences.

The committee of conference recommends that the Senate recede from its disagreement to the amendment of the House to the text of the Senate bill, with an amendment which is a substitute for both the text of the Senate bill and the House amendment to the text of the Senate bill, and that the House recede from its amendment to the title of the Senate bill.

The differences between the House amendment to the text of the Senate bill and the substitute agreed to in conference are noted below, except for technical, clerical, and conforming changes made necessary by reason of the agreement reached by the conferees.

SENATE BILL

The Senate bill provided for an accelerated program of fish protein concentrate research including authority to construct five demonstration plants.

Under the Senate bill, the Secretary of the Interior was authorized to promote research in the development of the most efficient processes to produce fish protein concentrate for human consumption. The Secretary was required to dispose of the plants constructed after the expiration of a period of time deemed adequate by him for experiment and demonstration purposes, but in any event not later than ten years from the enactment of this legislation. Appropriations of $5,000,000 were authorized for the construction of demonstration plants, together with such additional sums as might be necessary for their operation and maintenance and for conducting the authorized program. All authority of the Secretary under this legislation (except the authority to operate and maintain any demonstration plants constructed thereunder) was to expire five years after the date of enactment of the legislation.

HOUSE AMENDMENT

The House amendment also provided for an accelerated program of producing a safe and wholesome fish protein concentrate suitable for human consumption.

Under the House amendment, the Secretary of the Interior was authorized to construct, or lease, not more than one demonstration plant, but he could not construct or lease any plant until the Secretary of Health, Education, and Welfare shall have certified that fish protein concentrate produced from whole fish complies with the provisions of the Federal Food, Drug, and Cosmetic Act. All contracts for the operation or maintenance of such plant were required to include a clause permitting the Comptroller General of the United States to examine all pertinent books and records of the contractor (or any of his subcontractors) until the expiration of a period of three years after final payment under the contract. The Secretary was required to dispose of the plant as soon as practicable after the expiration of a period of time deemed adequate by him for experiment and demonstration purposes. Under the House amendment, the effect of this provision was to require disposal not later than five years after enactment of the legislation. Appropriations of $1,000,000 were authorized for the construction or lease of the plant. Also authorized were appropriations of not to exceed $285,000 per year (for five years) for operation and maintenance of the plant, and not to exceed $835,000 per year (for five years) for all other expenses incurred in conducting the authorized program. All authority of the Secretary under the House amendment was to expire five years after the date of enactment of the legislation.

CONFERENCE SUBSTITUTE

The substitute agreed to in conference follows closely the provisions of the House amendment, with the following modifications:

1. The Secretary of the Interior is authorized to construct one experiment and demonstration plant and to lease one additional plant.

2. Appropriations (to remain available until expended) are authorized as follows: not to exceed $1,000,000 for the construction of one plant and not to exceed $1,555,000 annually for a period of five fiscal years (beginning with the fiscal year 1968) for leasing one additional plant, for operation and maintenance of both plants, and for all other expenses incurred in conducting the authorized program. Included in the authorization modification is a provision making it clear that this legislation does not in any way affect the Secretary's authority to carry on fish protein concentrate research under any other provision of law.

Alton Lennon,
Harlan Hagen,
Thomas N. Downing,
Thomas M. Pelly,
Hastings Keith,
Managers on the Part of the House.

Mr. PELLY. Mr. Speaker, I wish to join with my distinguished colleagues on our Committee on Merchant Marine and Fisheries in urging favorable consideration by the House of the conference report on S. 2720.

The purpose of this legislation is to inaugurate an accelerated program of producing a safe and wholesome fish protein concentrate suitable for human consumption. This is to be accomplished by vesting in the Secretary of the Interior authority to develop through the use of experiment and demonstration plants practicable and economic means for the production by the commercial fishing industry of fish protein concentrate.

The development of this product will assist immeasurably in the battle against malnutrition, which is one of the most serious problems of the overpopulated and underdeveloped countries of the world. It is estimated, for example, that over one-half of the children borne throughout the world each year die before they are 5 years old, because they do not get enough of the right foods to eat. There is not enough protein in their diets to enable them to grow into strong, healthy children able to withstand the diseases and hardships of life in the developing areas of Africa, Asia, and Latin America.

In view of the potential growth of the world demand for fish and the tremendous expansion which ensuing production of fish protein concentrate means for the fishing industry of the United States, and especially the Pacific Northwest, we can look to an increasing reliance on marine products such as fish protein concentrate to meet the food needs of future generations, and most important for today's children to improve their present diet.

Accordingly, I strongly urge that my colleagues in the House act favorably upon the conference report on S. 2720.

Mr. SPRINGER. Mr. Speaker, fish protein concentrate has already been in existence for more than 10 years. This process was invented by Ezra Levin and the VioBin Corp., of Monticello, Ill., a long time ago. The Federal Government now is attempting to take over the production of fish protein concentrate and essentially to duplicate a process already founded by Mr. Levin. If there was ever an example of Federal interference in the field of private enterprise, this one is the worst.

The Bureau of Commercial Fisheries has already expended $7,740,000 by the end of this fiscal year. But what about Mr. Levin's process?

Mr. Speaker, Mr. Donald L. McKernan, Director of the Bureau of Commercial Fisheries, in testifying before the Senate Appropriations Committee, told Chairman Hayden as follows:

> There are a number of companies that have shown a good deal of interest and there is one company, the VioBin Corporation, which has developed a product.

If the VioBin Corp. has already developed such a process, why is it necessary in this bill to appropriate $1 million for the construction of an experiment and demonstration plant and in addition to appropriate $1,555,000 annually for the next 5 years for further leasing and maintenance of experiment and demonstration plants?

Mr. Levin has offered to build a plant any place in the world with the cooperation of any underdeveloped country that needs this help. Mr. Levin is one of the most dedicated and philanthropic persons that I know. He has repeatedly offered to cooperate with this Government or any other government in any part of the world in making his process available without cost to the underdeveloped countries.

Mr. Speaker, nothing more could be asked of either Mr. Levin or the VioBin Corp. in this great field. There is no doubt that fish protein concentrate is needed throughout the world, as has been expressed by such organizations as the Agency for International Development, the United Nations Children's Fund, the World Health Organization, and the Food and Agricultural Organization of the United Nations. This appropriation is not needed. There is in existence a process for accomplishing all of the purposes for which fish protein concentrate is needed.

Before a vote is taken on the legislation I want to be sure that the House is alert to the fact that private enterprise has developed a process which is adequate and that the process is available in any part of the world to any country which wants to undertake the manufacture of fish protein concentrate to feed the hungry people that so badly need it. This appropriation is not in the public interest and it ought to be defeated.

Mr. DINGELL. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

GENERAL LEAVE TO EXTEND

Mr. DINGELL. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days to extend their remarks on the conference report just agreed to.

The SPEAKER. Is there objection?

There was no objection.

RIVERS AND HARBORS, BEACH EROSION CONTROL, FLOOD CONTROL, AND RELATED PURPOSES

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 1053 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1053

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 18233) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, and all points of order against said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Public Works, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the gentleman from Ohio, Mr. Latta, and to myself such time as I shall consume.

Mr. Speaker, House Resolution 1053 provides an open rule, waiving points of order, with 2 hours of general debate for consideration of H.R. 18233 authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The urgency of proceeding with water resource development is highlighted by the performance of completed projects similar to those included in this bill. Navigation improvements continue to set new records in the handling of the commerce of the United States—1,264 million tons moved in 1965, an increase of 2.1 percent over 1964. Flood-control projects have prevented flood damages of about $14 billion since 1936. Recreational use of Corps of Engineers reservoirs and other projects also continues to set new records—the 1965 attendance of 168.6 million visitor-days was more than 12 percent larger than the previous year. Water supply and water quality control services also are increasing significantly as storage projects for these purposes are brought into operational status and storage conversions are made. Nevertheless, serious flood damage continues, as in the case of the tidal flooding caused by Hurricane Betsy in September 1965; 81 lives were lost, 250,000 people were evacuated, and damages amounted to almost $400 million. And, on the side of water deficiency, droughts continue to plague major areas.

There must be continuing response to the great and growing needs indicated by the current record level of project performance.

H.R. 18233 is an omnibus river and harbor and flood-control bill to provide for the authorization of projects for navigation, beach erosion control, flood control, and other purposes. The last major bill of this type was enacted in 1965. During its formulation intent was expressed to report an omnibus bill every year in keeping with urgent need for river and harbor, flood control, and related improvements. H.R. 18233 provides for authorization of projects involving 24 States.

Mr. Speaker, I urge the adoption of House Resolution 1053 in order that H.R. 18233 may be considered.

HOUR OF MEETING TOMORROW

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I gladly yield to the distinguished acting majority leader.

Mr. BOGGS. Mr. Speaker, I asked the gentleman to yield so that I might propound the unanimous-consent request that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow.

The SPEAKER. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

Mr. HALL. Mr. Speaker, will the gentleman from Florida yield?

Mr. PEPPER. I yield to the gentleman from Missouri.

Mr. HALL. I appreciate the gentleman's yielding. I wish to propound my usual question, as to why, in line 8, page 1, all points of order against said bill "are hereby waived"?

Mr. PEPPER. I will answer the able gentleman from Missouri by saying that it was represented to the Rules Committee—and I am sure it can be confirmed by those speaking for the committee who will handle this legislation—that some funds previously appropriated were to be reappropriated in this bill; therefore, they believed it appropriate there be a waiver of points of order. Otherwise, there might be a technical objection which could be made to that provision of the bill.

Mr. HALL. As I understand it, this is in the form of a continuing authorization and appropriation written into the bill which will allow the agency downtown to continue to use the funds rather than to go back through the process of reappropriation, with the funds returned to the Treasury on the expiration of current appropriations. Is that the only reason for the waiver of points of order?

Mr. PEPPER. That is correct. Funds previously appropriated are to be reappropriated in this measure. It was believed, therefore, there should be a waiver of points of order on the rule.

Mr. HALL. That will be done on passage of this bill, rather than going through the reappropriation process?

Mr. PEPPER. The gentleman is correct.

Mr. HALL. The gentleman, I believe, has already so stated, but I would like to have it confirmed, that this was on the request of the committee handling the legislation and not a spontaneous action of the Rules Committee.

Mr. PEPPER. I will say to my able friend from Missouri, the Rules Committee is always reluctant to grant rules waiving points of order and always requires justification on the part of the legislative committee presenting the bill for a rule.

Mr. HALL. I only hope that the Rules Committee will be more chaste in the future. I paraphrase what Sir Winston Churchill said, "Good intentions, like a lady's virtue, is divisible by nothing."

Mr. PEPPER. We share the gentleman's indisposition toward the waiver process.

Mr. LATTA. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, I concur with the remarks of the able gentleman from Florida concerning House Resolution 1053.

I wish to point out that H.R. 18233 is an omnibus rivers and harbors and flood control bill divided into two titles. Title I provides for the authorization of the construction, repair, and preservation of certain public works on rivers and harbors for navigation and beach erosion control. Title II provides for flood control, and other purposes.

The bill provides for the authorization of projects in 24 States. The total amount authorized comes to $613,004,000.

I wish to compliment the Committee on Public Works for its authorization of a project to provide flood relief for Ottawa, Ohio. This relief has been sorely needed for many years. It is my hope that local interests will be able to meet its obligations under this to provide its share of the cost. I support this project and I support the bill.

Mr. Speaker, I have no further requests for time.

Mr. PEPPER. Mr. Speaker, I have no further requests for time. I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. JONES of Alabama. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 18233) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The motion was agreed to.

Accordingly, the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 18233, with Mr. NATCHER in the chair.

IN THE COMMITTEE OF THE WHOLE

The Clerk read the title of the bill.

By unanimous consent, the first reading of the bill was dispensed with.

The CHAIRMAN. Under the rule, the gentleman from Alabama [Mr. JONES], is recognized for 1 hour, and the gentleman from Florida [Mr. CRAMER], is recognized for 1 hour. The Chair now recognizes the gentleman from Alabama [Mr. JONES].

Mr. JONES of Alabama. Mr. Chairman, I ask unanimous consent to revise and extend my remarks and include tables.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. JONES of Alabama. Mr. Chairman, I yield myself 5 minutes.

Mr. Chairman, H.R. 18233 would authorize the construction, repair, and preservation or certain public works on rivers and harbors for navigation, beach erosion control, hurricane protection, flood control, and for other purposes.

This is an omnibus bill of the general type which, in the past, has been enacted at 2 to 4 year intervals. The last major omnibus bills were enacted in 1962 and 1965.

This is the omnibus bill that we promised would be offered to the House annually rather than on a biennial schedule which we have heretofore employed in the consideration of the very urgent and very needed projects.

The Committee on Public Works has been concerned for some time with the urgency of getting on with the job of effective conservation, development, and use of our water resources. During hearings in preparation for the 1965 bill, the committee made clear its intent to report an omnibus bill every year rather than reporting bills on the basis of the previous longer intervals. As one mark of the urgency of our task it is significant that more than half of the projects authorized in the 1965 bill now are or shortly are expected to be funded for preconstruction planning and construction.

The bill provides for authorization of 37 projects involving 24 States, consisting of the following:

Type of project	Number of projects	Federal cost
Title I:		
Navigation	11	$17,872,000
Beach erosion control	4	7,011,000
Subtotal	15	24,883,000
Title II: Flood control, hurricane protection, and multiple purpose	22	588,121,000
Grand total	37	613,004,000

These projects were recommended in survey reports prepared by the Corps of Engineers in response to requests made by Congress. They are based on careful engineering and economic studies, including coordination between all concerned Federal and non-Federal agencies and interests.

Now, Mr. Chairman, the committee, as I have stated, held hearings in September and October of this year. We have received testimony from the Corps of Engineers, Members of Congress, and other parties who went into the details of the justification and the cost of the projects and other factors that are employed, for the careful examination of the projects to, first, determine their economic justification; and, second, their priorities as to immediate needs.

In considering the projects contained in the bill, the committee reviewed the performance, not only of the projects that have been authorized in advance, but those that are under construction at the present time.

We found that the navigation improvements continue to satisfy a great need in the handling of the commerce of the United States.

More than 1.4 billion tons moved upon the navigable streams of this country during 1965. This represented an increase of 2.1 percent over the previous year.

Flood control projects which have been authorized since 1936 have arrested damage or sustained, during the period of their existence, their responsibility to the American people and, therefore, have brought about a record savings to the American people of some $14 billion since 1936.

Now, very recently, and in recent years, we have engaged in another broad attack in our water resources development program.

The CHAIRMAN. The time of the gentleman from Alabama has expired.

Mr. JONES of Alabama. Mr. Chairman, I yield myself 5 additional minutes.

Mr. Chairman, this represents the construction of reservoirs for the purpose of water supply and water quality control.

These new operations represent a very vital adjunct to the heretofore known requirements for navigation and flood control.

So, we are beginning to make a great and significant improvement in the multipurpose use of the impoundment of water in order for it to serve in the most effective manner in the low-flow periods.

Certainly, we must think about the future development of our water highways, to see that every aspect of water-resource development is prudently and wisely developed.

And there must be a vigorous continuing response to the great and growing needs of the water-resource development program.

The committee is especially aware of the emerging role of water-resource development, in the support and the enhancement of the Nation's business.

Mr. Chairman, we no longer can afford the luxury of abusing our water resources, or having them continuously wasted.

So in this bill, we believe that we have approached the time and the moment in our Nation's history that we can do no less than what we have provided in this bill, the provision to serve us and afford a substantial reduction in flood control, hurricane damage, and the prevention of beach erosion, the provision of an adequate water supply and water control, as well as provisions for recreation and more efficient movement of commerce.

All of these factors have played an important and a key role in the consideration of this bill.

Now, Mr. Chairman, the bill contains other sections which will be discussed subsequently by other members of the committee.

We believe that the modifications of the existing projects, and the initiation of new projects will afford us an opportunity to make continuous assaults upon this very compelling requirement of the Federal Government to engage itself in the business of water resources development.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. JONES of Alabama. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. Mr. Chairman, I support this bill to continue the job of building America.

No part of our plan for future generations of Americans is more important than the subject matter of this measure. We deal here with one of our country's most valuable assets—our water—and with control conservation and proper use of that great asset.

I am proud of the job which has been done in this field by the 89th Congress, and of the role which our Committee on Public Works has played in that job.

A major feature of this bill is contained in title II, authorizing the first stage of water quality control on the Arkansas and Red Rivers. The $46,400,000 provided for this first stage is a wise investment in good water for tomorrow's children, and I wholeheartedly support this program.

I am also pleased that the bill carries approval of the Arkansas River compact between Kansas and Oklahoma, as approved by the legislatures of the two States.

This is a good bill, and it should be overwhelmingly approved.

Mr. JONES of Alabama. That, Mr. Chairman, is a brief summary of the bill. I am quite sure that the Members who are concerned with our projects have given careful examination as to the methods and means by which the committee has gone about the consideration of these projects.

Mr. Chairman, I yield back the balance of my time.

The CHAIRMAN. The Chair recognizes the gentleman from Florida [Mr. CRAMER].

Mr. CRAMER. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, very briefly, I, too, rise in support of this legislation.

I believe the committee has done a very fine job overall relating to it. I believe it is a reasonable way to act, in that those matters included in this bill at this late date are matters that have been cleared by all the administrative agencies as a general rule. Therefore, in large measure, the bill is what I would say noncontroversial in nature.

There are a couple of matters with which I disagree, one of which will be debated, and amendments will be offered on it under the 5-minute rule concerning one project, the East St. Louis Bridge and the Chester Bridge, which I believe establishes an undesirable precedent. That matter can be discussed in detail at that time. I do not believe this House wants to go on record, contrary to all previous precedent, and say that toll money can be diverted for any use that a municipality might wish, and continue in perpetuity the bridges as toll bridges and divert improperly, in my opinion, the tolls from such bridges.

Secondly, there may be some question with regard to the names of some of the different projects, it being a general rule of the committee and the House, consistent with the committee's position, that the names of these projects should be only names of those persons who obviously are justified, but, secondly, only of those who are deceased, and that has been a rule that has been followed. But in this particular instance, in that there were no hearings held on this section dealing with names, I had understood that no names would be included if they proved to be controversial. It appears there are some that are controversial, and I would hope that they would be stricken from the bill consistent with the initial understanding.

Mr. Chairman, I should say that I believe, other than those minor matters, that this is a bill that is responsible, that is necessary. There are a number of instances where action is needed relating to some of these projects.

I believe further that the gentleman from Alabama and others who have been leaders in this field, and who have pledged to this House in the past there would in the future be annual omnibus rivers and harbors and flood control bills, have kept their pledge. I believe it is good business for us to consider these projects on an annual basis, particularly those that are more controversial in that it provides for a more orderly procedure rather than waiting until the dying days of the session every other year.

It has been the history of the omnibus bills as long as I have been a Member of this House, that we wait until the last minute of the second year of each session to determine the need and the propriety of projects.

I think it makes much more sense to act on these matters on an annual basis and this bill is consistent with that approach.

Mr. Chairman, I rise in support of the bill with these minor exceptions which I mentioned. I think it is a sound bill. It is needed at this time.

As the gentleman from Alabama suggested, the monetary authorization amounts to about $613 million plus some $800,000 for two additional projects—one in Minnesota and one in the State of Florida.

I therefore, say it is a good bill.

The CHAIRMAN. The Chair recognizes the gentleman from Alabama [Mr. JONES].

Mr. JONES of Alabama. Mr. Chairman, I yield such time as he may require to the gentleman from Minnesota [Mr. BLATNIK].

Mr. BLATNIK. Mr. Chairman, the summary of the bill has been well covered by our respected and able chairman of the subcommittee on flood control, the gentleman from Alabama [Mr. JONES] and by the minority leader, the gentleman from Florida [Mr. CRAMER]. So at this point I want to express our appreciation for the leadership given by the gentleman from Alabama [Mr. JONES] and the gentleman from Maryland [Mr. FALLON], and the small but very effective staff both of the majority and the minority working with the leadership of the majority and the minority who gave very careful, thorough, and responsible consideration to an omnibus bill that too often in the past has been rushed through pellmell during the close of past sessions with some doubtful projects buried in with the good projects in the bill.

These are the unsung heroes who work hard without noise or fanfare and put in long and tedious hours both in hearings and subsequent discussions and deliberations to bring before the House sound and meritorious projects which benefit so many areas of this Nation.

Mr. Chairman, during preparation of H.R. 18233 the Subcommittee on Rivers and Harbors and Flood Control of the Committee on Public Works met jointly to consider the projects and measures contained in the bill.

The projects and related matters covered by this bill will benefit many States by providing urgently needed navigation, beach erosion control, flood control, water supply, water quality control, recreational, and other services. These comprise a needed additional forward step in the conservation, development, and use of our water resources in the public interest.

We have had many favorable reports on worthy projects since enactment of the 1965 public works omnibus bill. H.R. 18233 reflects the determination of the Committee on Public Works that they be brought to the attention of the Congress without delay.

Over the years studies made of projects of this kind by the Corps of Engineers have provided a basis for development of a highly effective public works program. The sheer volume of needs being met by this program is tremendous, and the needs are increasing with each gain in population and each increase in economic activity.

Furthermore, as our population and economic activity increase there is a continuing change in the complexity of the projects necessary to serve our people. It no longer is sensible to think in terms of single-purpose development. The projects contained in H.R. 18233 were planned with this in mind.

Title I of the bill provides for authorization of 11 navigation and 4 beach erosion control projects, in 10 States, at estimated Federal costs of $17,872,000 and $7,011,000, respectively. The total for projects in this section is $24,883,000.

The navigation projects are concerned primarily with improvement, extension, and maintenance of existing facilities so that they may better serve the Nation's commerce. They include channel deepening, widening, and realinement, harbor deepening, construction of protective jetties, and related works. In keeping with the concept of multiple-purpose development, opportunities have not been lost to provide for fishing from project structures. Projects of this kind, previously authorized and constructed, are continuing to set new records in the handling of waterborne commerce. In 1965, 1,264 million tons moved on these projects.

The beach erosion control projects included in H.R. 18233 are necessary to avoid loss of beaches which are helping to meet ever-increasing public needs for outdoor recreational opportunities. The merit of projects of this kind is shown by the fact that the benefit-cost ratios of all are favorable and in the case of two of them are 6.4 and 8.5, respectively, representative of very high rates of return on the public investments involved.

Title I also provides for navigation surveys at several localities, interstate activities involving navigable waters of the United States, and restoration of flood and erosion damage involving existing navigation projects.

Although the projects contained in title I are small in relation to the average size for all projects in the bill they are no less urgently needed.

The projects contained in title II of the bill, and considered by the Subcommittee on Flood Control as well as the full Committee on Public Works are equally attentive to current and expected future needs, and to opportunities for effective multiple-purpose development.

I concur fully in the concept that we must act with vigor and imagination to keep abreast and ahead of needs in the water resource field. The projects contained in H.R. 18233 are an important step in this direction, are compatible for projects already authorized and under way, and will be compatible with other projects to be proposed in future omnibus bills.

I join in expressing appreciation for the efforts of Corps of Engineers and committee staffs in connection with H.R. 18233 and urge favorable consideration.

Mr. JONES of Alabama. Mr. Chairman, I yield 5 minutes to the gentleman from Georgia [Mr. LANDRUM].

Mr. LANDRUM. Mr. Chairman, first, let me pay my genuine respects to the chairman of the full committee, the gentleman from Maryland [Mr. FALLON] and the chairman of the subcommittee, the gentleman from Alabama [Mr. JONES] and the ranking members of the minority, for reporting this splendid bill. In watching it carefully through the committee, although I am not a committee member, I have never seen people who worked more diligently to bring about a good bill and to develop a good, constructive report.

It is also a source of great satisfaction to me individually and to the citizens of the State of Georgia and the citizens of Elbert County, Ga., to know that we are on the eve of obtaining authority to further develop the Savannah River Basin between the States of South Carolina and Georgia. In that connection I wish to pay my respects to the sterling qualities of the gentleman from South Carolina [Mr. DORN] who has through his tireless efforts brought about an agreement between private industry and public interests, each wanting to develop this great resource in Georgia and South Carolina for the benefit of all the people. I desire to say to him and to his constituency that probably no man has contributed more to bring about real harmony between private enterprise and public interest in the development of the Savannah River than has the gentleman from South Carolina, the Honorable WILLIAM JENNINGS BRYAN DORN. With his hard work and the cooperation of the full committee, and especially the cooperation of the chairman of the subcommittee, the gentleman from Alabama [Mr. JONES], Duke Power is being given authority to construct on this river a steam powerplant, and at the same time the Government is being given authority to construct a multipurpose dam on the same river, bringing together the efforts in both fields to see that the development of our natural resources flow to the benefit of all the citizens of our two States and, for that matter, to the citizens of the Southeast and the Nation, for with this development we are going to increase the power of this country to defend itself, the strength of it to build its industrial resources, and provide with it great opportunities for wholesome recreation for the literally millions of citizens in the future who, because of the heavy industrialization of this Nation and our section particularly, are finding it more and more necessary to have wholesome opportunities for recreation.

I am grateful, as I said, to the members of the committee and to the gentleman from Alabama [Mr. JONES] for his assiduous efforts, and particularly to the gentleman from South Carolina [Mr. DORN] for the efforts that he has put forth in bringing about complete harmony between the interests which have heretofore had disagreements, and now by coming together we have made these two great projects compatible and possible so that all of our people will reap the benefits from our efforts.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. LANDRUM. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I would like to join the gentleman in the expression of commendation which he gave to our very able colleague, BRYAN DORN. Congressman DORN's work on this project has been untiring. It has continued for a number of years, to my certain knowledge. Certainly he has brought to the task tremendous ability and perseverance and an eloquence unsurpassed in this body.

I am proud to hear the gentleman salute him for what he has done.

Mr. LANDRUM. And in doing so, Mr. DORN has shown a tremendous amount of courage.

Mr. JONES of Alabama. Mr. Chairmen, I yield 5 minutes to the gentleman from Illinois, a member of the committee [Mr. GRAY].

Mr. GRAY. Mr. Chairman, 190 years ago 13 colonies assembled to plan the future and the destiny of this country. Since that time people all over these United States have been fighting for a better way of life, have been trying to alleviate floods which have been inundating their farmlands, and have been doing everything they possibly could to make progress.

I take this time today as a member of the Committee on Public Works to state that this bill which has been labeled by some in the press as a so-called pork barrel piece of legislation is anything but.

There are 37 projects in this bill with a total authorization of $613 million in 24 States of this Union.

Millions of dollars are lost every year because of floods, and, yes, hundreds of lives are lost that are priceless.

We believe that this legislation will go far to help our river basins, to help individual flood control, and navigation projects throughout this land.

As one member of the committee, I wanted to rise and publicly commend our distinguished chairman, the gentleman from Maryland [Mr. FALLON], and the two subcommittee cochairmen, the gentleman from Minnesota [Mr. BLATNIK], who is chairman of the Subcommittee on Rivers and Harbors, and the gentleman from Alabama [Mr. JONES], who is chairman of the Subcommittee on Flood Control, as well as the distinguished ranking minority member of the Public Works Committee, the gentleman from Florida [Mr. CRAMER], and all the members of the committee.

I can assure the Members on the floor that the midnight oil has burned considerably in working up this bill.

Although everyone seems to be in agreement on most of the items in the bill; I wanted to take a few minutes to explain to the House that these various projects have been considered in many cases for as long as 8 or 10 years by the Executive before they get to our committee for consideration. They are meritorious projects.

The bill itself is prudent. It is sound. It is conservative, considering the needs of our country.

I hope all amendments, if offered, will be defeated and that we can pass the committee bill unanimously today, so that we can go on and make all of our States safe from floods, to improve our commerce, and to promote the general welfare through the adoption of this and subsequent pieces of legislation on flood control and navigation.

Mr. ICHORD. Mr. Chairman, will the gentleman yield?

Mr. GRAY. I yield to the gentleman from Missouri.

Mr. ICHORD. Mr. Chairman, I join with the distinguished members of the House Committee on Public Works in urging favorable consideration of H.R. 18233, the omnibus rivers and harbors bill. The committee is to be commended for a "big job very well done." It is no easy matter to draft a bill of this magnitude and importance. Much time has been devoted by the subcommittee and its able chairman to local problems of innumerable communities, hamlets, and rural areas, and I am personally gratified by the resulting legislation.

While I support H.R. 18233 in its entirety, I am especially interested in title I, section 106, which affects my district and the States of Missouri and Illinois.

In brief, the State of Missouri and the State of Illinois want to get together to build a bridge across the Mississippi River; but before they can proceed, the consent of Congress is required under the Constitution.

Last April I introduced H.R. 14101 to accomplish this purpose, and the Public Works Committee has included provisions of my bill in the omnibus rivers and harbors bill. This matter is very important to me and my district—and to the State of Missouri and the State of Illinois.

Both States have agreed to the proposed compact and the creation of the Missouri-Illinois Jefferson-Monroe Bridge Commission by acts of their respective legislative bodies. The 74th session of the Illinois General Assembly approved house bill No. 393, which was approved by the Governor on May 20, 1965, and the 73d General Assembly of Missouri agreed to senate bill No. 62, which was approved and signed by the Governor on March 30, 1965.

According to article I, section 10, of the Constitution of the United States, the consent of Congress is required for one State to enter "into any agreement or compact with another State."

The necessary groundwork has been completed by the two States, and construction of a greatly needed river crossing is now contingent upon your favorable consideration.

The bridge would join Jefferson County, Mo., and Monroe County, Ill. At the present time there is no river overpass between the Jefferson Barracks Bridge in St. Louis County and the bridge at Chester, Ill., a span of some 70 miles. The proposed bridge would be located about midway between these two crossings and thus provide a connection point for two very fast growing areas. The benefits to both States in convenience and ease for general travel and tourism, in addition to an aid to the industrial economy, will be indeterminable.

Jefferson County, Mo., is an area of very rapid growth—its population has increased about 50 percent since the 1960 decennial census. In 1960 the census figures showed a population of 66,000. Today it is 100,000.

In urging favorable action on this bill, I would point out that there will be no assessment of taxes for the construction of the bridge. The residents of both the areas have approved revenue bonds to finance the construction of an interstate toll structure. The compact promulgates terms and conditions for the construction, operation, and maintenance of the bridge and also establishes a 10-member commission with authorization for planning and construction. It is traditional for the Congress to approve such interstate compacts as a matter of course.

I urge the passage of H.R. 18233.

Mr. GALLAGHER. Mr. Chairman, the bill before us today contains in title I a project titled "Newark Bay, Hackensack and Passaic Rivers." It authorizes construction vital to the existence of the two great seaports at Elizabeth and Newark, in New Jersey.

The U.S. Corps of Engineers has estimated the total cost at $12,899,000—a small sum when compared with the vast commerce that passes through these ports.

The project will consist of widening and deepening of the channel in Newark Bay, construction of maneuvering areas and turning basins and the widening of the entrances to Ports Elizabeth and Newark.

The improvements will help to prevent the collisions, bridge rammings and groundings that have become increasingly frequent during the last few years. Newark Bay has come to be considered by some as an unsafe area because of the restrictions imposed by the narrow channels and entrances.

The recent, tragic collision between two tankers resulted in the loss of more than 30 lives and the total destruction of one of the ships. The conditions existent in the bay point toward more and more of these occurrences, unless the dangers are removed.

Our approval of this project will be a vote of confidence in the development and expansion of this area. It will be a vote for the safety and prosperity for the people who reside on either side of the bay and whose jobs in many cases depend to a great extent on the success of the seaports at Elizabeth and Newark.

Most of all, approval of this project will be a vote for progress, a vote for the continued expansion of America as a world leader in commerce.

The Governor of New Jersey, Richard J. Hughes, the New York Port Authority, and the Corps of Engineers, all have given strong endorsement of this project. The cost-benefit ratio calculated by the Corps of Engineers is strongly favorable for action on this measure. The estimates of income and jobs to be generated by the expansion of the two ports are staggering. The increase to the safety of ships plying the waters of Newark Bay is untold.

I have worked for, and supported this project since its birth. During the process of hearings and studies, it received only support and praise.

The future points toward success and expansion of the entire New Jersey-New York port area. But these developments are dependent on the condition that the port area maintains pace with the demands of progress.

The ingress and egress of the ships using ports Elizabeth and Newark are vital to a free-flowing commerce. Without safety and ease of travel the ports become meaningless; the most modern equipment and methods become useless.

This project assures us that Newark Bay will not fall behind the times; this authorization assures us that the changing and growing world will not bypass an area that represents a natural center for U.S. world commerce.

I urge the House to pass this project with these thoughts in mind.

Mr. CHELF. Mr. Chairman, nearly 20 years ago, I made the first fight to bring to the fine little city of Taylorsville, Spencer County, Ky., a badly needed floodwall in order to protect them from the yearly ravages of the flood waters of Salt River. I can recall that every time it rained hard the good people of Taylorsville became apprehensive. During the 80th Congress my colleagues on this great committee favorably approved my plea for the protection and preservation of Taylorsville. In 1948 I had the honor to dedicate the Taylorsville floodwall that was mostly of earth construction.

Today, Mr. Chairman, almost 20 years later, this fine committee is once again coming to the aid of my people located in the entire Salt River Basin. Today the Salt River, Taylorsville Reservoir has been duly authorized in this legislation. It is the final culmination of a long hard fight that I have made for my people who have honored me for the past 22 years. It seems that it is poetic justice that this fine project should be finally approved just as I fade from the scene via my announced retirement from this great body.

I want to profusely thank my friends on this great committee on the behalf of my people. Especially I want to thank my dear friend, ROBERT E. JONES, chairman.

Mr. ROONEY of Pennsylvania. Mr. Chairman, I rise to protest the inclusion in H.R. 18233, the rivers and harbors omnibus bill, of a section which establishes a dangerous precedent by allowing toll bridge receipts to be diverted to other purposes.

I refer, specifically, to section 105, which would permit the cities of Chester and East St. Louis, Ill., to continue using certain toll bridge receipts for general city purposes.

I am alarmed that such a move may prompt other cities or States to seek to divert motor vehicle toll revenues to support general fund obligations.

It has been the longstanding policy of the Congress, under the General Bridge Act of 1946, to require that tolls derived from the operation of toll bridges across navigable waters should be devoted to the cost of constructing the bridge, operating the bridge, and maintaining the bridge. It has been the longstanding policy of Congress that such bridge should be made free of tolls as soon as possible.

In August of 1964 I testified before a subcommittee of the Senate Judiciary Committee in opposition to a bill which, at that time, would have diverted tolls collected on Delaware River toll bridges to the construction of a port facility near the Trenton-Morrisville Bridge.

Use of bridge toll revenues for purposes other than bridges is, in effect, placing a discriminatory tax on American motorists who make use of these bridges. If Congress does permit diversion of bridge tolls for other purposes the day will never come when our bridges can be freed of tolls.

Mr. Chairman, I would like to move that section 105 of this bill, H.R. 18233, be stricken from the bill.

Mr. CRAMER. Mr. Chairman, H.R. 18233, the omnibus rivers and harbors and flood control bill, as reported, which the House now has under consideration, contains a number of important projects and one survey in the State of Florida. Included in this year's omnibus bill are the following projects and survey for Florida:

Florida projects in omnibus bill as passed by House—Projects and survey

	(*Federal cost*)
Projects:	
Gulf County Canal (navigation)	$477,000
St. Lucie Inlet (navigation)—maintenance only.	
Mullet Key (beach erosion)	286,000
Pinellas County Beaches (beach erosion)	116,000
Johns Pass—Sec. 110 of reported bill (protective measures)	110,000
Survey:	
Mexico Beach, Fla. (navigation)	--------
Total	989,000

While the report of the Committee on Public Works sets forth the relevant information on each of these projects, I think that it is important at this point in my remarks to briefly discuss the character of each of these projects in the bill, as it has just passed the House.

GULF COUNTY CANAL

Mr. Chairman, the Gulf County Canal is located on the gulf coast of northwestern Florida in Gulf County and extends from St. Joseph Bay near Port St. Joe to the gulf Intracoastal Waterway 37 waterway miles southeast of Panama City and 24 waterway miles northwest of Apalachicola. The recommended plan of improvement which the omnibus act will authorize is a modification of the existing project dimensions of Gulf County Canal to provide for a channel 12 feet deep and 125 feet wide. The plan of improvement also includes easing the present sharp angle at the intersection of the canal and the Intracoastal Waterway.

The estimated cost of the project is $541,000, of which $477,000 will be from Federal funds and $64,000 will be from non-Federal funds. Annual Federal and non-Federal charges for interest and amortization and maintenance and operation will be $38,000, while annual benefits derived principally from transportation savings and the elimination of delays will be $50,000. This gives us a favorable benefit-cost ratio of 1.3.

The present canal dimensions make it unsafe or inadvisable to use equipment normally used on the connecting Intracoastal Waterway; therefore, the project will permit use of deeper and larger barges on the canal and will, consequently, reduce delays.

ST. LUCIE INLET

Mr. Chairman, St. Lucie Inlet is on the east coast of Florida near the town of Stuart in Martin County about 20 miles south of Fort Pierce Harbor and 30 miles north of Palm Beach Harbor.

Navigation difficulties are experienced when northeasterly seas and ground swells break in or near the Federal bar channel and during period of strong ebb discharge and heavy seas. There have been many incidents where recreational and charter cruisers have broached and capsized in or near the bar channel, and loss of life and property has been severe. Vessel groundings at frequently shifting sandbars along the existing natural channel between the bar cut and the Intracoastal Waterway have been reported. The maintenance proposed to be undertaken by the authorization in the omnibus bill will contribute to a reduction of this hazard.

Annual charges of interest and amortization, maintenance, and maintenance navigation aids will be $5,300, all of which will be Federal expenditures. Annual benefits to recreational boating and commercial fishing will be $6,400, giving us a favorable benefit-cost ratio of 1.2. The necessary Federal maintenance which the omnibus bill authorizes will aid the boating and fishing interests of the area substantially.

MULLET KEY BEACH EROSION CONTROL

Mr. Chairman, Mullet Key is located on the west coast of Florida at the entrance to Tampa Bay. The gulf shore of Mullet Key has experienced erosion, breaching, and recession which results from wave action and tidal currents. There is a definite need for stabilization of the shore and enlargement of the beach for recreational use.

On June 19, 1963, I sponsored a resolution before the House Committee on Public Works, which was adopted that same day, to provide for a study of the needed works of improvement at Mullet Key. Pursuant to that resolution and subsequent study, the Corps of Engineers has made recommendations for works of improvement.

The plan of improvement provides for a protective and recreational beach along 6,750 feet of shore along the north-south leg of Mullet Key, two anchor groins, one as deferred construction, a revetment 1,150 feet long around the southwest point of the key and periodic nourishment of the gulf and south shores of the key. The recommended plan also calls for reimbursement of local interests of the difference between the amount expended by them for preproject work completed after initiation of the survey which lead to the project and their share of project costs apportioned in accordance with Federal policy established by law.

The estimated cost of the project is $409,000, of which $286,000 will be borne by the Federal Government and $123,000 will be borne by non-Federal entities. Annual charges of interest and amortization, periodic beach nourishment, and maintenance total $51,000. Annual benefits through the preservation of loss of land and through recreational use of the beach will be $433,000. These project economies result in a benefit-cost ratio of an amazing 8.5 which is one of the most favorable benefit-cost ratios embodied in this year's bill.

Mr. Chairman, the point and beach at Mullet Key are washing away from wave actions and tidal currents at an amazingly rapid rate. The island is a public recreation area; and inasmuch as the benefit-cost ratio for the proposed improvement is very high and it is indeed a meritorious project, the initiation of construction on the project as soon as possible will be of great benefit to the area. Local interests have agreed to meet their responsibilities fully.

PINELLAS COUNTY BEACH EROSION CONTROL

Mr. Chairman, Pinellas County comprises the Eighth Congressional District of the Sunshine State which I have the distinct pleasure of representing in the Congress.

It is located on the gulf coast of Florida about midway of the peninsula. It extends northerly about 39 miles from the main entrance to Tampa Bay to the vicinity of the mouth of the Anclote River. It is indeed one of the greatest counties in America.

Despite public and private attempts to stabilize beaches, erosion is continuing, endangering highly developed shore properties. Storms undermine seawalls, erode the upland, and damage existing development. Restoration and stabilization of recreational beaches and protection of developments are badly needed. Toward such an end, I sponsored a resolution of the House Committee on Public Works on June 19, 1963, to give the Corps of Engineers the authority to investigate the needs of the area.

The recommended plan of improvement calls for beach restoration, periodic nourishment, and revetments for beach erosion control for Clearwater Beach Island, Sand Key, Treasure Island, and Long Key. The plan further recommends that local interests be permitted to construct complete island segments, not to exceed $1 million, subject to approval of the Chief of Engineers and subsequent reimbursement of the Federal share.

The estimated cost of the project is $3,040,000, of which $116,400 will be borne by the Federal Government and of which $2,923,600 will be borne by non-Federal entities. The Federal cost would increase to $1,520,000 and the non-Federal cost decrease to $1,520,000 with the establishment of public ownership and use of all beaches in the recommended project. Annual charges attributable to interest and amortization, maintenance, and periodic nourishment total $284,200, while annual benefits from damages prevented and the enhancement of the area total $438,200; therefore, we have a favorable benefit-cost ratio of 1.5 on the project.

Local cooperation is extensive. Local entities have agreed to contribute in cash the required percentages of the first cost of all items of work to be provided by the Corps of Engineers, the amounts as presently estimated to be paid in a lump sum or in installments prior to start of pertinent work items in accordance with construction schedules as required by the Chief of Engineers, the final apportionment of costs to be after the actual costs have been determined. Local interests are willing and able to meet these requirements.

Mr. Chairman, the Committee on Public Works noted in its report that in spite of private and local public attempts to stabilize the shoreline erosion and undermining of highly developed property that destruction still continues. The committee feels that the project will aid in correcting this situation by restoring and nourishing the beaches, which it will.

The construction of needed improvement along the beaches of Pinellas County is criticaly needed. The recognition by Congress of this fact is a great step forward, but there is much to be done before the beaches of Pinellas County will be safe once again from the erosion by the sea.

JOHNS PASS IMPROVEMENTS

Mr. Chairman, section 110 of the omnibus bill authorizes the Secretary of the Army, acting through the Chief of Engineers, to provide suitable protective measures over a frontage of approximately 1,000 linear feet of shore along the north side of Treasure Island at an estimated cost of $100,000. This work may be accomplished by the Corps of Engineers or by the local interests who may be reimbursed for such protective measures as they may undertake in accordance with plans approved by the Chief of Engineers.

The Committee on Public Works noted in its report that this project will reduce future maintenance costs of the existing Federal navigation project for Johns Pass and that local interests, in addition to furnishing the usual items of local cooperation, will contribute 40 percent of the first cost of construction.

The Corps of Engineers completed a channel improvement project at Johns Pass last year under section 107 authority. Many of the recent detrimental developments around Johns Pass have been attributed to some of the correlated work with that 1965 project improvement. The initiation of the works of improvement provided for in section 110 of this year's act will rectify this situation.

MEXICO BEACH SURVEY

This year's bill authorizes the Secretary of the Army to make a survey for navigation and other purposes at Mexico Beach, Fla. The results of this survey should indicate what works of improvement, if any, are warranted at this location.

Mrs. DWYER. Mr. Chairman, the Port of New York and New Jersey is still the world's greatest center of oceanborne commerce, the brightest light in the Nation's claim to preeminence in world trade.

It occupies this position in large part due to the remarkable growth of Port Elizabeth and Port Newark in the Newark Bay area of the bistate port.

I cite these facts in calling attention to the item in the pending rivers and harbors bill for the widening and deepening of the shipping channels in Newark Bay because this project is essential to the future development of Ports Elizabeth and Newark, the fastest growing areas in the greatest port in the world.

It has been a matter of increasing concern in recent years, Mr. Chairman, that the present channel dimensions in Newark Bay are inadequate to handle the growing traffic and the larger, deeper draft vessels which are now coming into service. For this season, continued development of the New Jersey ports has been handicapped and the threat to the safety of shipping has increased.

The need for wider and deeper channels is underscored by the fact that annual ship movements in the area have increased from 25,784 to 42,334 in the 1950 to 1963 period—a period, too, in which 39 accidents have occurred. The collision of the *Texaco Massachusetts* and the *Alva Cape* last June was the culmination of the steadily increasing safety hazard in Newark Bay. This single collision cost the lives of 33 persons and makes it urgent to complete the channel improvements as rapidly as possible.

As our colleagues will note in the report on the bill, the Committee on Public Works has recommended the Newark Bay project in especially urgent terms. The Port of New York Authority has proposed the improvements for several years, and the Corps of Engineers estimates that benefits from the improvements will be 2.7 times as great as the costs. The project also carries the approval of the State of New Jersey and the appropriate Federal agencies, including the Bureau of the Budget.

As the Member of Congress representing the area in which Port Elizabeth is located, the development of the port and related Newark Bay facilities has been a matter of special importance throughout my 10 years in the House. In 1962, for instance, Congress approved my bill to provide for Federal maintenance of the channels to Port Elizabeth on an equal basis with those to Port Newark. Since then, I have testified before the Public Works Committee and the Appropriations Subcommittee on Public Works with respect to this Newark Bay channels project, and this year I was instrumental in expediting approval of the Corps of Engineers favorable report on the project by the appropriate Federal agencies.

In brief, Mr. Chairman, the Newark Bay channels project will accomplish the following improvements: provisions of maneuvering areas both north and south of the Central Railroad of New Jersey bridge, widening of the entrances to Port Elizabeth and Port Newark and the channel from Port Newark south, deepening and widening of the main Newark Bay channel, and construction of a turning basin at the junction of the Hackensack and Passaic Rivers. The total cost of the project is estimated at $16,115,000, with the Federal share $12,899,000—which represents a most desirable investment in view of the growing importance of this great port area.

The entire metropolitan area of New Jersey has benefited enormously from the development of Port Elizabeth and Port Newark. In 1965 alone, employees and construction workers were paid more than $33 million and the Port of New York Authority's investment in the twin facilities now totals nearly $150 million.

When it is completed in 1975, Port Elizabeth will provide employment for almost 10,000 people with an estimated annual payroll of more than $52 million. The 919-acre marine terminal will have 25 deep-sea vessel berths supported by 690 acres of transit and open storage area and over 4.5 million square feet of distribution building space, while the total port authority investment will reach $175 million. Already, Port Elizabeth has become the principal U.S. port for new containerized shipping.

Next door on Newark Bay, Port Newark will provide jobs for about 8,500 people who will earn about $43 million annually, and port authority investment there will total $125 million.

For my own district, for the Greater New York-New Jersey area, and for the Nation, Mr. Chairman, this project will pay great dividends for many years in the future, and I urge the approval of our colleagues.

Mr. JONES of Alabama. Mr. Chairman, I have no further requests for time.

Mr. CRAMER. Mr. Chairman, I have no further requests for time.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

H.R. 18233

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

TITLE I—RIVERS AND HARBORS

SEC. 101. The following works of improvement of rivers and harbors and other waterways for navigation, flood control, and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and supervision of the Chief of Engineers, in accordance with the plans and subject to the conditions recommended by the Chief of Engineers in the respective reports hereinafter designated. The provisions of section 1 of the River and Harbor Act approved March 2, 1945 (Public Law Numbered 14, Seventy-ninth Congress, first session), shall govern with respect to projects authorized in this title; and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto, shall apply as if herein set forth in full.

Navigation

Newark Bay, Hackensack and Passaic Rivers, New Jersey: House Document Numbered 494, Eighty-ninth Congress, at an estimated cost of $12,899,000;

Carolina Beach Harbor, North Carolina: House Document Numbered , Eighty-ninth Congress, maintenance;

Southport Harbor, North Carolina: House Document Numbered , Eighty-ninth Congress, maintenance;

Gulf County Canal, Florida: House Document Numbered 481, Eighty-ninth Congress, at an estimated cost of $477,000;

Saint Lucie Inlet, Florida: House Document Numbered , Eighty-ninth Congress, maintenance;

Pearl River, Mississippi and Louisiana: House Document Numbered 482, Eighty-ninth Congress, at an estimated cost of $630,000;

Biloxi Harbor, Mississippi: House Document Numbered , Eighty-ninth Congress, at an estimated cost of $753,000;

Elk Creek Harbor, Pennsylvania: House Document Numbered , Eighty-ninth Congress, at an estimated cost of $920,000;

Conneaut Harbor, Ohio: House Document Numbered 484, Eighty-ninth Congress, at an estimated cost of $495,000;

Cross Village Harbor, Michigan: House Document Numbered 490, Eighty-ninth Congress, at an estimated cost of $723,000;

Mississippi River-Fort Madison Harbor, Iowa: House Document Numbered , Eighty-ninth Congress, at an estimated cost of $975,000;

Beach erosion

Ocracoke Inlet to Beaufort Inlet, North Carolina: House Document Numbered , Eighty-ninth Congress, at an estimated cost of $5,800,000;

Mullet Key, Florida: House Document Numbered , Eighty-ninth Congress, at an estimated cost of $286,000;

Pinellas County, Florida: House Document Numbered , Eighty-ninth Congress, at an estimated cost of $116,000;

San Diego (Sunset Cliffs), California: House Document Numbered 477, Eighty-ninth Congress, at an estimated cost of $809,000.

SEC. 102. The Secretary of the Army is hereby authorized and directed to cause surveys to be made at the following named localities and subject to all applicable provisions of section 10 of the River and Harbor Act of 1950:

Mexico Beach, Florida.

Great Lakes, particularly Lake Ontario and Lake Erie, in connection with water supply, pollution abatement, navigation, flood control, hydroelectric power, and related water resources development and control.

SEC. 103. The project for navigation on the Upper Mississippi River from the Illinois River to Minneapolis, Minnesota, authorized by the Act of July 30, 1930, as extended and amended, is hereby modified to authorize the Secretary of the Army to reimburse any common carrier by railroad for the cost of permanent reconstruction and repair of the Stone Arch Bridge at Minneapolis, Minnesota, performed by such carrier, to repair the damage to such bridge caused by floods during April and May 1965, except that such reimbursement shall not exceed $700,000.

SEC. 104. The Secretary of the Army is authorized and directed to cause an immediate study to be made, under the direction of the Chief of Engineers, in cooperation with appropriate agencies and representatives of the State of Illinois, of the Illinois and Michigan Canal, its lands and appurtenances extending from Chicago to the Illinois River at La Salle as constructed by the State of Illinois pursuant to the provisions, as applicable, of the Acts of March 30, 1822 (3 Stat. 659), March 2, 1827 (4 Stat. 234), and March 2, 1833 (4 Stat. 662) with a view toward determining (1) those portions no longer required for navigation, (2) the feasibility and advisability of declaring such portions abandoned as a navigable waterway, and (3) procedures for releasing and quitclaiming to the State of Illinois the reversionary interests of the United States in such lands not required for navigation purposes. The Secretary shall report to the Congress the results of such study together with his recommendations thereon not later than one year after the date of enactment of this Act.

SEC. 105. Notwithstanding any provision in the General Bridge Act of 1946 or any other Act of Congress, in the case of the bridge constructed by the city of East Saint Louis, Illinois, across the Mississippi River, pursuant to Public Law Numbered 639, enacted by the Seventy-ninth Congress of the United States of America at the second session, and the bridge constructed across the Mississippi River by the city of Chester, Illinois, pursuant to Public Law Numbered 191, enacted by the Seventy-sixth Congress of the United States of America, as amended by Public Law Numbered 751, enacted by the Seventy-sixth Congress of the United States of America, and Public Law Numbered 85–512, enacted by the Eighty-fifth Congress of the United States of America at the second session, if the applicable law of the State of Illinois provides or permits the establishment of reasonable tolls sufficient for the reasonable cost of maintaining, operating, and repairing said bridges and the approaches thereto under economical management, and provide a sinking fund to amortize the cost of any bonds or other obligations issued to finance such cost, including reasonable interest and financing costs as soon as possible under reasonable charges and within the period of thirty years from completion, reconstruction, repair, and improvement of such bridge or extensions thereof, and permits or provides the transfer to said city of any surplus income to the city to be used for a proper public purpose, and each of said cities have adopted instruments authorizing construction of said bridges and by such instruments provided for the financing of the same under the applicable State statutes, including the transfer of surpluses to said cities for a proper public purpose, then each such city may charge tolls in the manner and to the extent provided in such instruments, and all funds heretofore retained or transferred to said cities shall be retained by said cities and used and applied for a proper purpose. An accurate record of the cost of each such bridge and the approaches thereto, the expenditures for maintaining, operating, and repairing the same, including amounts transferred to the cities in accordance with the terms of any instrument adopted by said cities for financing the cost of the bridge and the daily tolls collected, shall be kept and shall be available for the information of all persons interested.

SEC. 106. (a) The consent and approval of Congress is given to the compact between the States of Missouri and Illinois creating a Missouri-Illinois-Jefferson-Monroe Bridge Commission which reads as follows:

"Compact between Illinois and Missouri creating a Missouri-Illinois-Jefferson-Monroe Bridge Commission

"Article I

"There is hereby created a Missouri-Illinois-Jefferson-Monroe Bridge Commission (hereinafter referred to as the commission) which shall be a body corporate and politic and which shall have the following powers and duties;

"1. To plan, construct, maintain and operate a bridge and approaches thereto across the Mississippi River at or near Crystal City, Missouri, at a point deemed by the commission as most suitable to the interests of the citizens of the States of Illinois and Missouri in accordance with the provisions of an act of the Seventy-ninth Congress, Second Session, of the United States entitled 'The General Bridge Act of 1946';

"2. To purchase, maintain and, in its discretion, to operate all or any ferries across the Mississippi River within twenty-five miles of the site selected for the bridge;

"3. To contract, to sue and be sued in its own name; to purchase or otherwise acquire, hold and dispose of real and personal property;

"4. To acquire by proper condemnation proceedings such real property as may be necessary for the construction and operation of the bridge and the approaches thereto;

"5. To issue bonds on the security of the revenue derived from the operation of the bridge and ferries for the payment of the cost of the bridge, its approaches, ferry or ferries, and the necessary lands, easements and appurtenances thereto including interest during construction and all necessary engineering, legal, architectural, traffic surveying and other necessary expenses. Such bonds shall be the negotiable bonds of the commission, the income of which shall be tax free. The principal and interest of the bonds, and any premiums to be paid for their retirement before maturity, shall be paid solely from the revenues derived from the bridge and ferries;

"6. To establish and charge tolls for transit over such bridge and ferries in accordance with the provisions of this compact;

"7. To perform all other necessary and incidental functions.

"Article II

"The rates of tolls to be charged for transit over such bridge and ferries shall be so adjusted as to provide a fund sufficient to pay for the reasonable cost of maintenance, repairs and operation (including the approaches to the bridge) under economical management, and also to provide a sinking fund sufficient to pay the principal and interest of the outstanding bonds. All tolls and other revenues derived from facilities of the commission are hereby pledged to such uses.

"Article III

"The commission shall keep an accurate record of the cost of the bridge and of other expenses and of the daily revenues collected and shall report annually to the governor of each state setting forth in detail the operations and transactions conducted by it pursuant to this agreement and any legislation thereunder.

"Article IV

"When the bonds have been retired, the part of the bridge within the state of Illinois shall be conveyed to the state of Illinois, and that part within the state of Missouri to the state of Missouri, and the high contracting parties to this compact do hereby agree that thereafter the bridge shall be free of tolls and shall be properly maintained, operated and repaired by the two states as may be agreed upon.

"Article V

"The commission shall consist of ten members, five of whom shall be qualified electors of the state of Illinois and shall reside in Monroe County, or counties adjacent thereto, Illinois, and five of whom shall be qualified electors of the state of Missouri and shall reside in Jefferson County, or counties adjacent thereto, Missouri. The Illinois members are to be chosen by the state of Illinois, and the Missouri members by the state of Missouri in the manner and for the terms fixed by the legislature of each state, except as herein provided.

"Article VI

"1. The commission shall elect from its number a chairman and a vice-chairman, and may appoint such officers and employees as it may require for the performance of its duties and shall fix and determine their qualifications and duties.

"2. Until otherwise determined by the legislatures of the two states no action of the commission shall be binding unless taken at a meeting at which at least three members from each state are present and unless a majority of the members from each state present at such meeting shall vote in favor thereof. Each state reserves the right hereafter to provide by law for the exercise of the veto power by the governor thereof over any action of any commissioner appointed therefrom.

"3. The two states shall provide penalties for violations of any order, rule or regulation of the commission, and for the manner of enforcing same.

"Article VII

"The commission is authorized and directed to proceed with the planning and construction of the bridge and the approaches thereto as rapidly as may be economically practicable and is hereby vested with all necessary and appropriate powers, not inconsistent with the constitution or the laws of the United States or of either state, to effect the same, except the power to assess or levy taxes.

"Article VIII

"In witness thereof, we have hereunto set our hands and seals under authority vested in us by law."

(b) The right to alter, amend, or repeal this section is expressly reserved.

SEC. 107. (a) The consent of Congress is hereby given to the compact, signed by the compact representatives for the States of Kansas and Oklahoma on the 31st day of March 1965, at Wichita, Kansas, and thereafter ratified by the legislature of each of the States aforesaid, which compact is as follows:

"Arkansas river basin compact, Kansas-Oklahoma

"The state of Kansas and the state of Oklahoma, acting through their duly authorized compact representatives, Robert L. Smith and Warden L. Noe, for the state of Kansas, and Geo. R. Benz and Frank Raab, for the state of Oklahoma, after negotiations participated in by Trigg Twichell, appointed by the president as the representative of the United States of America, and in accordance with the consent to such negotiations granted by an act of congress of the United States of America, approved August 11, 1955 (Public Law 340, 84th congress, 1st session), have agreed as follows respecting the waters of the Arkansas river and its tributaries:

"Article I

"The major purposes of this compact are: A. To promote interstate comity between the states of Kansas and Oklahoma;

"B. To divide and apportion equitably between the states of Kansas and Oklahoma the waters of the Arkansas river basin and to promote the orderly development thereof;

"C. To provide an agency for administering the water apportionment agreed to herein;

"D. To encourage the maintenance of an active pollution-abatement program in each of the two states and to seek the further reduction of both natural and man-made pollution in the waters of the Arkansas river basin.

"Article II

"As used in this compact: A. The term 'state' shall mean either state signatory hereto and shall be construed to include any person or persons, entity or agency of either state who, by reason of official responsibility or by designation of the governor of that state, is acting as an official representative of that state;

"B. The term 'Kansas-Oklahoma Arkansas river commission' or the term 'commission' means the agency created by this compact for the administration thereof;

"C. The term 'Arkansas river' means that portion of the Arkansas river from a point immediately below the confluence of the Arkansas and Little Arkansas rivers in the vicinity of Wichita, Kansas, to a point immediately below the confluence of the Arkansas river with the Grand-Neosho river near Muskogee, Oklahoma;

"D. The term 'Arkansas river basin' means all of the drainage basin of the Arkansas river as delimited above, including all tributaries which empty into it betwen the upstream and downstream limits;

"E. The term 'waters of the Arkansas river and its tributaries' means the waters originating in the Arkansas river basin;

"F. The term 'conservation storage capacity' means that portion of the active storage capacity of reservoirs, including multipurpose reservoirs, with a conservation storage capacity in excess of 100 acre-feet, available for the storage of water for subsequent use, but it excludes any portion of the storage capacity allocated to flood and sediment control and inactive storage capacity allocated to other uses;

"G. The term 'new conservation storage capacity' means conservation storage capacity for which construction is initiated after July 1, 1963, and storage capacity not presently allocated for conservation storage which is converted to conservation storage capacity after July 1, 1963, in excess of the quantities of declared conservation storage capacity as set forth in the storage table attached to and made a part of the minutes of the twenty-fourth meeting of the compact committee dated September 1, 1964, and as filed and identified to this compact in the offices of the secretaries of state of the respective states;

"H. The term 'pollution' means contamination or other alterations of the physical, chemical, biological or radiological properties of water or the discharge of any liquid, gaseous, or solid substances into any waters which creates or is likely to result in a nuisance, or which renders or is likely to render the waters into which it is discharged harmful, detrimental or injurious to public health, safety, or welfare or which is harmful, detrimental or injurious to beneficial uses of the water.

"Article III

"The physical and other conditions peculiar to the Arkansas river basin constitute the basis for this compact, and neither of the states hereby, nor the congress of the United States by its consent hereto, concedes that this compact establishes any general principle with respect to any other interstate stream.

"Article IV

"A. For the purpose of apportionment of water between the two states, the Arkansas river basin is hereby divided into major topographic subbasins as follows: (1) The Grand Neosho river subbasin; (2) the Verdigris river subbasin; (3) the Salt Fork river subbasin; (4) the Cimarron river subbasin; and (5) the mainstem Arkansas river subbasin which shall consist of the Arkansas river basin, excepting the Grand-Neosho river, Verdigris river, Salt Fork river, and Cimarron river subbasins.

"B. The two states recognize that portions of other states not signatory to this compact lie within the drainage area of the Arkansas river basin as herein defined. The water apportionments provided for in this compact are not intended to affect nor do they affect the rights of such other states in and to the use of the waters of the basin.

"Article V

"The state of Kansas shall have free and unrestricted use of the waters of the Arkansas river basin within Kansas subject to the provisions of this compact and to the limitations set forth below:

"A. New conservation storage capacity in the Grand-Neosho river subbasin within the state of Kansas shall not exceed 650,000 acre-feet plus an additional capacity equal to the new conservation storage in said basin in Oklahoma excepting storage on Spavinaw creek;

"B. New conservation storage capacity in the Verdigris river subbasin within the state of Kansas shall not exceed 300,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma, excepting navigation capacity allocated in Oologah reservoir;

"C. New conservation storage capacity in the mainstem Arkansas river subbasin within the state of Kansas shall not exceed 600,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma;

"D. New conservation storage capacity in the Salt Fork river subbasin within the state of Kansas shall not exceed 300,000 acre-feet plus an additional capacity equal to the new conservation storage in said drainage basin in Oklahoma;

"E. New conservation storage capacity in the Cimarron river subbasin within the state of Kansas shall not exceed 5,000 acre-feet, provided that new conservation storage capacity in excess of that amount may be constructed if specific project plans have first been submitted to and have received the approval of the commission.

"Article VI

"The state of Oklahoma shall have free and unrestricted use of the waters of the Arkansas river basin within Oklahoma subject to the provisions of this compact and to the limitations set forth below:

"New conservation storage capacity in the Cimarron river subbasin within the state of Oklahoma shall not exceed 5,000 acre-feet provided that new conservation storage capacity in excess of that amount may be constructed if specific project plans have first been submitted to and have received the approval of the commission.

"Article VII

"A. The commission shall determine the conditions under which one state may construct and operate for its needs new conservation storage capacity in the other state. The construction or utilization of new conservation storage capacity by one state in the other state shall entitle the state whose storage potential is reduced by such construction to construct an equal amount of new conservation storage in a subbasin agreeable to the commission.

"B. New conservation storage capacity constructed by the United States or any of its agencies, instrumentalities or wards, or by a state, political subdivision thereof, or any person or persons shall be charged against the state in which the use is made.

"C. Each state has the unrestricted right to replace within the same subbasin, any conservation storage capacity made unusable by any cause.

"D. In the event reallocation of storage capacity in the Arkansas river basin in Oklahoma should result in the reduction of that state's new conservation storage capacity, such reallocation shall not reduce the total new conservation storage capacities available to Kansas under Article V; provided that a subsequent reinstatement of such storage capacity shall not be charged as an increase in Oklahoma's new conservation storage capacity.

"Article VIII

"A. In the event of importation of water to a major subbasin of the Arkansas river basin from another river basin, or from another major subbasin within the same state, the state making the importation shall have exclusive use of such imported waters.

"B. In the event of exportation of water from a major subbasin for use in another major subbasin or for use outside the Arkansas river basin within the same state, the limitations of Articles V and VI on new conservation capacity shall apply against the subbasin from which the exportation is made in the amount of the storage capacity actually used for that purpose within the exporting subbasin or, in the event of direct diversion of water without storage, on the basis of five acre-feet of conservation storage capacity for each acre-foot of water on the average so diverted annually.

"C. Any reservoir storage capacity which is required for the control and utilization of imported waters shall not be accounted as new conservation storage.

"D. Should a transbasin diversion of water of the Arkansas river basin be made in one state for the use and benefit of the other state or both states, the commission shall determine a proper accounting of new conservation storage capacities in each state in accordance with the above principles and with the project uses to be made in that state.

"Article IX

"The states of Kansas and Oklahoma mutually agree to: A. The principle of individual state effort to abate man-made pollution within each state's respective borders, and the continuing support of both states in an active pollution-abatement program;

"B. The cooperation of the appropriate state agencies in Kansas and Oklahoma to investigate and abate sources of alleged interstate pollution within the Arkansas river basin whenever such matters are called to their attention by the commission;

"C. Enter into joint programs for the identification and control of sources of natural pollution within the Arkansas river basin which the commission finds are of interstate significance;

"D. The principle that neither state may require the other to provide water for the purpose of water-quality control as a substitute for adequate waste treatment;

"E. Utilize the provisions of the federal water pollution control act in the resolution of any pollution problems which cannot be resolved within the provisions of this compact.

"Article X

"A. There is hereby created an interstate administrative agency to be known as the 'Kansas-Oklahoma Arkansas river commission.' The commission shall be composed of three commissioners representing each of the states of Kansas and Oklahoma who shall be appointed by the governors of the respective states and, if designated by the president, one commissioner representing the United States. The president is hereby requested to designate a commissioner and an alternate representing the United States. The federal commissioner, if one be designated, shall be the presiding officer of the commission, but shall not have the right to vote in any of the deliberations of the commission.

"B. One Kansas commissioner shall be the state official who now or hereafter shall be responsible for administering water law in the state; the other two commissioners shall reside in the Arkansas river basin in Kansas and shall be appointed to four-year staggered terms.

"C. One Oklahoma commissioner shall be the state official who now or hereafter shall be responsible for administering water law in the state; the other two commissioners shall reside in the Arkansas river basin in Oklahoma and shall be appointed to four-year staggered terms.

"D. A majority of the commissioners of each state and the commissioner or his alternate representing the United States, if so designated, must be present to constitute a quorum. In taking any commission action, each signatory state shall have a single vote representing the majority opinion of the commissioners of that state.

"E. The salaries and personal expenses of each commissioner shall be paid by the government which he represents. All other expenses which are incurred by the commission incident to the administration of this compact shall be borne equally by the two states and shall be paid by the commission out of the 'Kansas-Oklahoma Arkansas river commission fund.' Such fund shall be initiated and maintained by equal payments of each state into the fund. Disbursements shall be made from said fund in such manner as may be authorized by the commission. Such fund shall not be subject to the audit and accounting procedures of the states; however, all receipts and disbursements of funds handled by the commission shall be audited by a qualified independent public accountant at regular intervals, and the report of such audit shall be included in and become a part of the annual report of the commission.

"Article XI

"A. The commission shall have the power to: (1) Employ such engineering, legal, clerical and other personnel as in its judgment may be necessary for the performance of its functions under the compact;

"(2) Enter into contracts with appropriate state or federal agencies for the collection, correlation, and presentation of factual data, for the maintenance of records, and for the preparation of reports;

"(3) Establish and maintain an office for the conduct of its affairs;

"(4) Adopt rules and regulations governing its operations;

"(5) Cooperate with federal agencies in developing principles, consistent with the provisions of this compact and with federal policy, for the storage and release of water from all-federal capacities of federal reservoirs, both existing and future within the Arkansas river basin, for the purpose of assuring their operation in the best interests of the states and the United States;

"(6) Permit either state, with the consent of the proper operating agency, to impound water, for such periods of time deemed necessary or desirable by the commission, in available reservoir storage capacity which is not designated as conservation or new conservation storage capacity for subsequent release and use for any purpose approved by the commission;

"(7) Hold hearings and take testimony and receive evidence at such times and places as it deems necessary;

"(8) Secure from the head of any department or agency of the federal or state government such information, suggestions, estimates and statistics as it may need or believe to be useful for carrying out its functions and as may be available to or procurable by the department or agency to which the request is addressed;

"(9) Print or otherwise reproduce and distribute all of its proceedings and reports.

"B. The commission shall: (1) Cause to be established, maintained and operated such stream, reservoir, or other gaging stations as may be necessary for the proper administration of the compact;

"(2) Collect, analyze and report on data as to stream flows, water quality, conservation storage, and such other information as is necessary for the proper administration of the compact;

"(3) Perform all other functions required of it by the compact and do all things necessary, proper or convenient in the performance of its duties thereunder;

"(4) Prepare and submit an annual report to the governor of such signatory state and to the president of the United States covering the activities of the commission for the preceding fiscal year, together with an accounting of all funds received and expended by it in the conduct of its work;

"(5) Prepare and submit to the governor of each of the states of Kansas and Oklahoma an annual budget covering the anticipated expenses of the commission for the following fiscal year;

"(6) Make available to the governor of any state agency of either state or to any authorized representatives of the United States, upon request, any information within its possession.

"Article XII

"A. Recognizing the present limited uses of the available water supplies of the Arkansas river basin in the two states and the uncertainties of their ultimate water needs, the states of Kansas and Oklahoma deem it imprudent and inadvisable to attempt at this time to make final allocations of the new conservation storage capacity which may ultimately be required in either state, and, by the limitations on storage capacity imposed herein, have not attempted to do so. Accordingly, after the expiration of 25 years following the effective date of this compact, the commission may review any provisions of the compact for the purpose of amending or supplementing the same, and shall meet for the consideration of such review on the request of the commissioners of either state; provided, that the provisions hereof shall remain in full force and effect until changed or amended by unanimous action of the states acting through their commissioners and until such changes are ratified by the legislatures of the respective states and consented to by the Congress in the same manner as this compact is required to be ratified to become effective.

"B. This compact may be terminated at any time by the appropriate action of the legislatures of both signatory states.

"C. In the event of amendment or termination of the compact, all rights established under the compact shall continue unimpaired.

"Article XIII

"Nothing in this compact shall be deemed:
A. To impair or affect the powers, rights or obligations of the United States, or those claiming under its authority, in, over and to the waters of the Arkansas River Basin;

"B. To interfere with or impair the right or power of either signatory state to regulate within its boundaries the appropriation, use and control of waters within that state not inconsistent with its obligations under this compact.

"Article XIV

"If any part or application of this compact should be declared invalid by a court of competent jurisdiction, all other provisions and applications of this compact shall remain in full force and effect.

Article XV

"This compact shall become binding and obligatory when it shall have been ratified by the legislatures of each state and consented to by the congress of the United States, and when the congressional act consenting to this compact includes the consent of congress to name and join the United States as a party in any litigation in the United States supreme court, if the United States is an indispensable party, and if the litigation arises out of this compact or its application, and if a signatory state is a party thereto. Notice of ratification by the legislature of each state shall be given by the governor of that state to the governor of the other state and to the president of the United States and the president is hereby requested to give notice to the governor of each state of consent by the congress of the United States.

"IN WITNESS WHEREOF, The authorized representatives have executed three counterparts hereof each of which shall be and constitute an original, one of which shall be deposited in the archives of the department of state of the United States, and one of which shall be forwarded to the governor of each state.

"DONE at the City of Wichita, state of Kansas, this 31st day of March, A.D. 1965

"APPROVED:
"ROBERT L. SMITH,
"WARDEN L. NOE,
"Compact Representatives for the state of Kansas.
"GEO. R. BENZ,
"FRANK RAAB,
"Compact Representatives for the state of Oklahoma.
"TRIGG TWICHELL,
"Representative of the United States."

(b) In order to carry out the purposes of this section, and the purposes of article XV of this compact consented to by Congress by this section, the congressional consent to this compact includes and expressly gives the consent of Congress to have the United States of America named and joined as a party litigant in any litigation in the United States Supreme Court, if the United States of America is an indispensable party to such litigation, and if the litigation arises out of this compact, or its application, and if a signatory State to this compact is a party litigant, in the litigation.

(c) The right to alter, amend, or repeal this section is expressly reserved.

SEC. 108. (a) Subsection (b) of the first section of the Act entitled "An act authorizing the city of Rock Island, Illinois, or its assigns, to construct, maintain, and operate a toll bridge across the Mississippi River at or near Rock Island, Illinois, and to a place at or near the city of Davenport, Iowa", approved March 18, 1938 (52 Stat. 110), as amended, is amended by striking out the comma after "foregoing" and inserting in lieu thereof the following: "(1) the construction of an additional span to increase the capacity of the bridge and (2)".

(b) Subsection (c) of the first section of such Act of March 18, 1938, as amended, is amended by inserting before the period at the end thereof a comma and the following: "except that the construction of an additional span authorized as part of such reconstruction, enlargement, and extension shall be commenced not later than April 1, 1970, and shall be completed within three years after such date".

(c) Nothing in this section or the amendments made by this section shall be construed to interfere with or delay future construction of a properly authorized bridge over the Mississippi River at or near the city of Davenport, Iowa.

SEC. 109. (a) The consent of Congress is hereby granted to Duke Power Company, its successors and assigns, to construct, maintain, and operate a dam with overflow spillway crest at elevation 475 mean sea level across Savannah River between Anderson County, South Carolina, and Elbert County, Georgia, near Middleton Shoals, and about two hundred and ninety-seven miles above the mouth of said river, for the purpose of providing a pool for condenser water for a steam-electric plant. Construction on such dam shall not be commenced until the plans therefor have been submitted to and approved by the Chief of Engineers, United States Army, and by the Secretary of the Army, and when such plans have been approved by the Chief Engineers and by the Secretary of the Army, there shall be no deviation from such plans either before or after completion of said dam unless the modification of such plans has previously been submitted to and approved by the Chief of Engineers and the Secretary of the Army. In approving the plans for said dam such conditions and stipulations may be imposed as the Chief of Engineers and the Secretary of the Army may deem necessary to protect the present and future interest of the United States. Nothing in this section shall be construed to authorize the use of such dam to develop water power or generate hydroelectric energy. The grantee and its successors shall hold and save the United States free from all claims arising from damage which may be sustained by the dam authorized in this section, or damage sustained by the appurtenances of the said dam, by reason of the future construction and operation by the United States of Hartwell Dam and Reservoir or the Trotters Shoals Dam and Reservoir authorized in section 203 of this Act, or any other Federal project upstream or downstream from the dam authorized by this section. In order to make feasible the dam and steam-electric generating plant which Duke Power Company intends to construct, it is hereby expressly provided that, should such dam and plant be constructed, (1) no existing or future unit at Hartwell Reservoir will be operated to pump water from below Hartwell Dam back to Hartwell Reservoir, and (2) a volume of water per week equal to at least an average flow of one thousand five hundred cubic feet per second shall be discharged from Hartwell Reservoir. The Secretary of the Army, upon his finding that such discharges result in damages to Hartwell Reservoir, and after giving the company reasonable notice and opportunity to be heard, shall determine and fix a reasonable and equitable annual charge to be paid by the company to the United States as compensation for such damages.

(b) The authority granted by this section shall cease and be deemed null and void unless the actual construction of the dam authorized by this section is commenced within twelve years and completed within fifteen years from the date of enactment of this Act. The authority granted by this section shall not be deemed a bar to, or grounds for delaying, the construction of the Trotters Shoals project authorized in section 203 of this Act.

(c) The right to alter, amend, or repeal this section is hereby expressly reserved.

SEC. 110. The Secretary of the Army, acting through the Chief of Engineers, is hereby authorized and directed, in order to reduce future maintenance costs of the authorized navigation project for Johns Pass, Pinellas County, Florida, to provide suitable protective measures over a frontage of approximately one thousand linear feet of shore along the north end of Treasure Island, at an estimated first cost for construction of approximately $100,000. Local interests shall contribute in cash 40 per centum of the first cost of construction; provide necessary lands, easements, and rights-of-way for construction and subsequent maintenance of the project; hold and save the United States free from damages that may be attributed to the project; bear all costs exceeding $500,000 Federal cost for the complete project, including the navigation channel. Local interests may be reimbursed for such protective measures as they may undertake in accordance with plans approved by the Chief of Engineers, subject to the above limitations. Funds authorized to carry out section 107 of the River and Harbor Act of 1960, as amended, shall be available to carry out this section.

SEC. 111. (a) The Secretary of the Interior is hereby authorized to provide for the construction, maintenance, and operation of a bridge, with visitor facilities, over the Washington Channel, from the vicinity of Tenth Street Southwest to East Potomac Park in Washington, District of Columbia. The structure may be so designed and constructed as to provide facilities for the accommodation of visitors to the Nation's Capital area, and to provide convenient and adequate access to East Potomac Park.

(b) The Secretary may obtain and use such lands or interests therein owned, controlled, or administered by the District of

Columbia, the District of Columbia Redevelopment Land Agency, the Corps of Engineers, or any other Government agency, with the prior consent of such agency or agencies, as he shall consider necessary for the construction and operation of said bridge, without cost or reimbursement. Before construction is commenced, the location and plans for the bridge shall be approved by the Chief of Engineers and the Secretary of the Army subject to such conditions as they may prescribe, in accordance with section 502(b) of the General Bridge Act of 1946 (33 U.S.C. 525b).

(c) The Secretary is authorized to enter into appropriate arrangements for the construction and operation of the bridge in accordance with the authority contained in section 3 of the Act of August 25, 1916 (39 Stat. 535), as amended, except that any such arrangements need not be limited to a maximum term of thirty years. The bridge, at all times, shall be under the jurisdiction of the Secretary of the Interior, and shall be administered, operated, maintained, and policed as a part of the park system of the National Capital.

(d) The Secretary of the Interior shall cooperate with other Federal and local agencies with respect to the construction and operation of the bridge by him and the construction and operation of associated facilities by such other Federal and local agencies including the District of Columbia Redevelopment Land Agency which shall enter into appropriate arrangements by negotiation or public bid to (i) lease all or part of the land bounded by Maine Avenue, Ninth Street and the Southwest Freeway, Southwest, to provide for the construction, maintenance and operation of a structured automobile parking facility designed to accommodate visitors to East Potomac Park and (ii) provide for the construction of (a) a public park or overlook, which park is to be maintained and operated by the National Park Service; and (b) roads providing access to the Tenth Street Mall from the Southwest Freeway and to and from Ninth Street, Southwest, which roads shall be maintained and operated by the District of Columbia. Any lease of the aforementioned area, executed by the District of Columbia Redevelopment Land Agency, shall provide appropriate easements for the construction, maintenance and operation of the aforesaid public park and roadways. Local agencies may enter into arrangements with the person, persons, corporation or corporations, as the Secretary may select pursuant to subsection (c) hereof for the construction and operation of necessary associated facilities otherwise authorized.

(e) (1) There is hereby established an advisory committee, which shall be composed of the Chairman, National Capital Planning Commission; the Chairman, Commission of Fine Arts; the President, Board of Commissioners of the District of Columbia; the Chief of Engineers, United States Army; the Chairman, District of Columbia Redevelopment Land Agency; and three members to be appointed by the Secretary of the Interior from among the residents of the Metropolitan Washington area. The ex-officio members of the Committee may be represented by their designees.

(2) Members of the Committee shall serve without compensation, but the Secretary is authorized to pay any expenses reasonably incurred by the Committee in carrying out its responsibilities under this section.

(3) The Secretary shall designate one member of the Committee to be Chairman. The Committee shall act and advise by the affirmative vote of a majority of its members.

(4) The Secretary or his designee shall, from time to time, consult with and obtain the advice of the Committee with respect to matters relating to the design, construction, and operation of the bridge and any associated facilities.

(f) The construction and operation of the bridge shall be at no expense to the Federal Government, and there are hereby authorized to be appropriated such sums as may be necessary for maintenance of the bridge and to carry out the other purposes of this section.

SEC. 112. Title I of this Act may be cited as the "River and Harbor Act of 1966"

TITLE II—FLOOD CONTROL

SEC. 201. Section 3 of the Act approved June 22, 1936 (Public Law Numbered 738, Seventy-fourth Congress), as amended by section 2 of the Act approved June 28, 1938 (Public Law Numbered 761, Seventy-fifth Congress), shall apply to all works authorized in this title except that for any channel improvement or channel rectification project, provisions (a), (b), and (c) of section 3 of said Act of June 22, 1936, shall apply thereto, except as otherwise provided by law. The authorization for any flood control project authorized by this Act requiring local cooperation shall expire five years from the date on which local interests are notified in writing by the Secretary of the Army or his designee of the requirements of local cooperation, unless said interests shall within said time furnish assurances satisfactory to the Secretary of the Army that the required cooperation will be furnished.

SEC. 202. The provisions of section 1 of the Act of December 22, 1944 (Public Law Numbered 534, Seventy-eighth Congress, second session), shall govern with respect to projects authorized in this Act, and the procedures therein set forth with respect to plans, proposals, or reports for works of improvement for navigation or flood control and for irrigation and purposes incidental thereto shall apply as if herein set forth in full.

SEC. 203. The following works of improvement for the benefit of navigation and the control of destructive floodwaters and other purposes are hereby adopted and authorized to be prosecuted under the direction of the Secretary of the Army and the supervision of the Chief of Engineers in accordance with the plans in the respective reports hereinafter designated and subject to the conditions set forth therein. The necessary plans, specifications, and preliminary work may be prosecuted on any project authorized in this title with funds from appropriations hereafter made for flood control so as to be ready for rapid inauguration of a construction program. The projects authorized in this title shall be initiated as expeditiously and prosecuted as vigorously as may be consistent with budgetary requirements. Penstocks and similar facilities adapted to possible future use in the development of hydroelectric power shall be installed in any dam authorized in this Act for construction by the Department of the Army when approved by the Secretary of the Army on the recommendation of the Chief of Engineers and the Federal Power Commission.

Merrimack River Basin

The project for North Nashua River, Massachusetts, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered —, Eighty-ninth Congress, at an estimated cost of $15,816,000.

The project for flood protection on the Sudbury River at Saxonville, Massachusetts, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 61, Eighty-ninth Congress, at an estimated cost of $1,300,000.

Middle Atlantic coastal area

The project for hurricane-flood control protection at Beaufort Inlet to Bogue Inlet, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 479, Eighty-ninth Congress, at an estimated cost of $320,000.

The project for hurricane-flood control protection at Bogue Inlet to Moore Inlet, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 480, Eighty-ninth Congress, at an estimated cost of $1,249,000.

The project for hurricane-flood control protection from Cape Fear River to the North Carolina-South Carolina State line, North Carolina, is hereby authorized substantially in accordance with the recommendation of the Chief of Engineers in House Document Numbered —, Eighty-ninth Congress, at an estimated cost of $12,310,000.

The project for hurricane-flood control protection for Mainland Areas, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 475, Eighty-ninth Congress, at an estimated cost of $2,048,000.

The project for hurricane-flood control protection for the Outer Banks—Virginia State line to Hatteras, North Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 476, Eighty-ninth Congress, at an estimated cost of $6,652,000.

Savannah River Basin

The project for construction of the Trotters Shoals Reservoir on the Savannah River, Georgia and South Carolina, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 52, Eighty-ninth Congress, at an estimated cost of $84,900,000. Nothing in this Act shall be construed to authorize inclusion of pumped storage power in this project.

Arkansas and Red Rivers

The project for water quality control in the Arkansas and Red River Basin, Texas, Oklahoma, and Kansas, designated as part I, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 110, Eighty-ninth Congress, at an estimated cost of $46,400,000. Preconstruction planning of part I shall not be started until a favorable recommendation for part II, sustaining part I, has been submitted by the Secretary of the Army to Congress, and actual construction of the part I works shall not be initiated until the related and supporting works of part II have been authorized by Congress.

Ouachita River Basin

The project for Bayou Bartholomew, Arkansas and Louisiana, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered ——, Eighty-ninth Congress, at an estimated cost of $9,360,000.

Upper Mississippi River Basin

The project for flood protection on the Mississippi River between river mile 195 and mile 300, Illinois and Missouri, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered ——, Eighty-ninth Congress, at an estimated cost of $7,193,000.

Ohio River Basin

The project for Little Sandy River and Tygarts Creek, Kentucky, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered , Eighty-ninth Congress, at an estimated cost of $15,000,000.

The project for Taylorsville Reservoir, Salt River, Kentucky, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 502, Eighty-ninth Congress, at an estimated cost of $24,800,000.

The project for Stonewall Jackson Reservoir, West Fork River, West Virginia, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 109, Eighty-ninth Congress, at an estimated cost of $34,500,000.

Great Lakes Basin

The project for flood protection on the Maumee River at Ottawa, Ohio, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 485, Eighty-ninth Congress, at an estimated cost of $3,413,000.

Genesee River Basin

The project for flood protection on Red Creek, Monroe County, New York, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in Senate Document Numbered 107, Eighty-ninth Congress, at an estimated cost of $1,430,000.

Pajaro River Basin

The project for flood protection on the Pajaro River, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 401, Eighty-ninth Congress, at an estimated cost of $11,890,000.

Klamath River Basin

The project for flood protection on the Klamath River at and in the vicinity of Klamath, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 478, Eighty-ninth Congress, at an estimated cost of $2,460,000.

Columbia River Basin

The project for flood protection on the Boise River, vicinity of Boise, Idaho, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 486, Eighty-ninth Congress, at an estimated cost of $1,576,000.

Sacramento River Basin

The project for Marysville Dam and Reservoir, Yuba River Basin, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 501, Eighty-ninth Congress, at an estimated cost of $132,900,000.

Russian River Basin

The project for Knights Valley, Russian River Basin, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered —, Eighty-ninth Congress, at an estimated cost of $166,800,000.

Skagit River Basin

The project for flood protection on the Skagit River, Washington, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 483, Eighty-ninth Congress, at an estimated cost of $5,804,000.

Sec. 204. The second paragraph under the heading "San Francisco Bay Area" in section 203 of the Flood Control Act of 1962 is hereby amended to read as follows:

"The project for Corte Madera Creek, Marin County, California, is hereby authorized substantially in accordance with the recommendations of the Chief of Engineers in House Document Numbered 545, Eighty-seventh Congress, at an estimated cost of $7,790,000. Local interests shall contribute in cash 1.5 per centum of the Federal construction cost of the Ross Valley Unit, a contribution presently estimated at $110,000."

Sec. 205. The project for flood protection on the Ouachita River at Monroe, Louisiana, authorized in section 204 of the Flood Control Act of 1965, is hereby modified to provide for construction in accordance with Plan B in House Document Numbered 328, Eighty-eighth Congress, at an estimated cost of $1,160,000.

Sec. 206. Section 206 of the Flood Control Act of 1960 (74 Stat. 500) is amended to read as follows:

"Sec. 206. In recognition of the increasing use and development of the flood plains of the rivers of the United States and of the need for information on flood hazards to serve as a guide to such development, and as a basis for avoiding future flood hazards by regulation of use by States and political subdivisions thereof, and to assure that Federal departments and agencies may take proper cognizance of flood hazards, the Secretary of the Army, through the Chief of Engineers, is hereby authorized to compile and disseminate information on floods and flood damages, including identification of areas subject to inundation by floods of various magnitudes and frequencies, and general criteria for guidance of Federal and non-Federal interests and agencies in the use of flood plain areas; and to provide advice to other Federal agencies and local interests for their use in planning to ameliorate the flood hazard. Surveys and guides will be made for States and political subdivisions thereof only upon the request of a State or a political subdivision thereof, and upon approval by the Chief of Engineers, and such information and advice provided them only upon such request and approval."

Sec. 207. The project for the improvement of the Mississippi River below Cape Girardeau with respect to the West Tennessee tributaries, authorized in the Flood Control Act of 1948, is hereby modified to provide that the Secretary of the Army, acting through the Chief of Engineers, shall, subsequent to enactment of this Act, relocate at Federal expense all gas transmission lines required to be relocated by this project, or at his discretion, reimburse local interests for such relocations made by them.

Sec. 208. Section 2 of the Act of June 28, 1879 (21 Stat. 37; 33 U.S.C. 642), is amended (1) by inserting in the third sentence thereof after "and the commissioners appointed under this Act" a comma and the following: "except those appointed from civil life,", and (2) by adding at the end thereof the following new sentence: "Each commissioner appointed from civil life after the date of enactment of this sentence shall be appointed for a term of nine years."

Sec. 209. The Secretary of the Army is hereby authorized and directed to cause surveys for flood control and allied purposes, including channel and major drainage improvements, and floods aggravated by or due to wind or tidal effects, to be made under the direction of the Chief of Engineers, in drainage areas of the United States and its territorial possessions, which include the localities specifically named in this section. After the regular or formal reports made on any survey authorized by this section are submitted to Congress, no supplemental or additional report or estimate shall be made unless authorized by law except that the Secretary of the Army may cause a review of any examination or survey to be made and a report thereon submitted to Congress, if such review is required by the national defense or by changed physical or economic conditions.

Cibolo Creek in and near the community of Presidio, Texas.

Great South Bay, New York, including the waters of adjoining lesser bays and inlets, with respect to water utilization and control. Such investigations and study shall include, but not be limited to, navigation, fisheries, flood control, control of noxious weeds, water pollution, water quality control, beach erosion and recreation.

Sec. 210. The last sentence of the first paragraph under the heading "Lower Mississippi River Basin" in section 204 of the Flood Control Act of 1965 is hereby repealed.

Sec. 211. The Secretary of the Army shall reimburse any common carrier by railroad for the cost of protective works constructed by such carrier during the year 1966 along the banks of the Eel River, California, to deter recurrence of damage to land banks by floods or high waters, but such reimbursement shall not exceed $1,200,000.

Sec. 212. The names of the following locks and dams, lakes, parks and other facilities are changed as follows: the Buck Creek Dam and Reservoir, Ohio, authorized by section 203 of the Flood Control Act of 1962 to the "Clarence J. Brown Dam and Reservoir"; the proposed park on the Hamilton Creek embayment between Una and Smith Springs, Tennessee, on the shores of the J. Percy Priest Reservoir in Davidson County, Tennessee, authorized by the Flood Control Act of June 28, 1938, to the "Estes Kefauver Memorial Park"; the small craft Port Hueneme Harbor, California, authorized by the River and Harbor Act of 1954, to the "Channel Islands Harbor"; the lock and dam numbered 18, and the lake created thereby, on the Verdigris River, Oklahoma, a feature of the Arkansas River and tributaries navigation project, authorized by the River and Harbor Act of July 24, 1946, to the "Newt Graham Lock and Dam", and the "Newt Graham Lake" respectively; the lake formed by the Walter F. George Lock and Dam, Alabama and Georgia, authorized by the River and Harbor Act of July 24, 1946, to "Lake Eufaula"; the reservoir to be created by the Little Goose Lock and Dam on the Snake River, Washington, authorized by the River and Harbor Act of March 2, 1945, as the "Doctor Enoch A. Bryan Reservoir"; Dam B at or near Town Bluff on the Neches River, Texas, authorized by the River and Harbor Act of March 2, 1945, and the reservoir created by such dam to the "Town Bluff Dam" and the "B. A. Steinhagen Lake", respectively; the Blanchard Dam on Bald Eagle Creek, Pennsylvania, in the Susquehanna River Basin, authorized by the Flood Control Act of 1954, to the "Foster Joseph Sayers Dam"; and the Carlyle Dam on the Kaskaskia River, Illinois, authorized by the Flood Control Act of June 28, 1938, to the "Eldon E. Hazlet Dam". Any law, regulation, map, document, or record of the United States in which any such lock and dam, lake, park, or other facility is referred to by its former name shall be held to refer to such lock and dam, lake, park or other facility by the name designated herein.

Sec. 213. Title II of this Act may be cited as the "Flood Control Act of 1966".

Mr. JONES of Alabama (interrupting the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read, printed in the Record, and open to amendment at any point.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

Mr. CRAMER. Mr. Chairman, reserving the right to object, I assume there will be no effort to cut off the offering of amendments. If there were to be, I would insist on the bill being agreed to as read by title. Will the gentleman assure us an adequate opportunity to offer amendments?

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. CRAMER. I yield to the gentleman from Alabama.

Mr. JONES of Alabama. I know the gentleman is always considerate of the time of the Committee and of the House. Certainly there will not be any intention on his part to protract this into unnecessary discussion of the bill or amendments, and, of course, I would not insist upon circumscribing the time that will be utilized for discussion of the amendments.

Mr. CRAMER. Mr. Chairman, after that accolade, with which all Members of the House obviously would not agree, I withdraw my reservation.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

AMENDMENT OFFERED BY MR. HARSHA

Mr. HARSHA. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. HARSHA: Page 40, strike out lines 3 through 11 inclusively.

Mr. HARSHA. Mr. Chairman, this is the amendment to strike the Trotters Shoals Reservoir project on the Savannah River, Ga. and S.C., from the bill. I shall not go into all of the detailed reasons for my amendment. We have been over this matter a great many times before the committee in the last several years. I have set forth in the committee report my additional views relative to this project. As set forth in my views there are five reasons why I feel this particular project should not be authorized. Very briefly, it is an $85 million project, 95 percent of which is allocated to public power. In these times of economic strife and difficulty, with prices going up, with creeping inflation, I do not believe that this Congress should go on record as willing to spend another $85 million for what is primarily a public power project. There was no evidence offered before the committee as to the need for this power. I feel if there is such a need, it could be furnished adequately by private interests.

Mr. Chairman, the President has castigated the Congress for exceeding his budget. He has called upon the housewife and businessman to curtail their spending. He has requested the Governors to hold down their capital improvements and here we are about to authorize the expenditure of another $85 million project for which there has been absolutely no need shown. Mr. Chairman, if this Congress is going to economize this is a most appropriate place to start.

I urge the Committee to sustain my amendment and strike this project from the bill.

Mr. DORN. Mr. Chairman, I rise in opposition to the amendment.

Mr. JONES of Alabama. Mr. Chairman, will the gentleman yield?

Mr. DORN. I will be delighted to yield to the distinguished chairman of the subcommittee, the gentleman from Alabama [Mr. JONES].

Mr. JONES of Alabama. Mr. Chairman, this proposition which is raised by the amendment offered by the gentleman from Ohio [Mr. HARSHA], is one which raises various contentions that have existed for a decade. Various interests have been at odds here. They could not reconcile their differences until the gentleman from South Carolina [Mr. DORN], a valuable member of the Committee on Public Works, and the gentleman from Georgia [Mr. LANDRUM], set about the task of seeing if they could reconcile those differences. I thought that task would be improbable of fulfillment, if not impossible, but in their discussions with the various parties at interest for 3 years they have reached an accord which has been satisfying to all of these parties at interest, including the States of Georgia and South Carolina. They have arrived at a plan which is compatible and designed to authorize the Duke Middleton Shoals Dam and the Trotters Shoals Dam on the Savannah River. I think this is a very suitable arrangement both from the point of view of the affected area and the policies of the Federal Government. I wish to commend the gentleman from South Carolina [Mr. DORN], as well as the gentleman from Georgia [Mr. LANDRUM], for their extraordinary efforts which they have put forth to accomplish what we have in this bill today. I certainly hope that this amendment will not prevail.

Mr. DORN. Mr. Chairman, of course, I want to respond to the very kind and very gracious comments of my distinguished subcommittee chairman Mr. JONES, and thank also my beloved friend from Georgia, the distinguished and able gentleman [Mr. LANDRUM], and, of course my esteemed friend from Oklahoma [Mr. EDMONDSON], and all of the members of this great committee and the staff who have worked so tirelessly over the years to bring about the results which we have here today. This is a great committee. We are ably led by our superb chairman [Mr. FALLON]. I have never served here in my 18 years with more devoted, dedicated, and able men than our chairman and my illustrious colleagues the gentleman from Minnesota [Mr. BLATNIK] and the gentleman from Alabama [Mr. JONES]. My friends of the minority have been most considerate and kind. The gentleman from Florida [Mr. CRAMER] and the gentleman from Ohio [Mr. HARSHA] are great Americans devoted to the public interest.

Mr. Chairman, this is a good bill. My illustrious and great friend, the gentleman from Georgia [Mr. LANDRUM], cooperated splendidly in making possible this timely legislation which will mean so much to our people. This authorization will insure progress and prosperity for tomorrow.

Mr. Chairman, the gentleman from Georgia and I met many times. These projects are located in the respective congressional districts which it is our honor to represent.

Mr. Chairman, we worked out this compromise which I feel is one of the finest arrangements with reference to any river basin in the United States of America.

Actually, Mr. Chairman, this arrangement makes possible the expenditure of $1,050 million in the Savannah River Valley. The vast majority of it, almost $1 billion, will be furnished by private enterprise. Duke's $700 million investment at Keowee-Toxaway in Oconee and Pickens Counties is a part of this agreement.

So, Mr. Chairman, this is a money-saving bill. It will save the taxpayers money. And, this private enterprise development will pay into the Federal Treasury when completed scores of millions of dollars annually.

Mr. Chairman, this is the kind of development which this country needs. This is the kind of development that the U.S. Treasury, the local treasuries, and the State treasuries need. With this tax revenue our people can and will have better schools, roads, hospitals, and job opportunity. This development is for the future.

So, Mr. Chairman, I hope the amendment which has been offered by my great friend, the gentleman from Ohio, will be defeated and rejected.

Originally, Mr. Chairman, there were 11 Federal Government dams planned on this river. So, in place of this vast Federal expenditure, we have worked out a compromise which will permit private enterprise to build a greater portion of these dams with their steamplants, and thus pay taxes and create job opportunity. This is a great arrangement for all concerned, both on the part of the Federal Government, the State of Georgia, the State of South Carolina, private enterprise, and the general public.

Mr. LANDRUM. Mr. Chairman, will the gentleman yield?

Mr. DORN. I am delighted to yield to my beloved and illustrious colleague, the gentleman from Georgia [Mr. LANDRUM].

Mr. LANDRUM. And, would it not also be true to add, I ask my friend, the gentleman from South Carolina [Mr. DORN], that within the realm of the agreement there is opportunity for additional private interests to establish paper mills and other such industrial installations as may flow from this, without any interference whatsoever with the full development of the river basin?

Mr. DORN. Mr. Chairman, I am very pleased that my able colleague has brought up this point.

Mr. Chairman, the Mead Pulp & Paper Co., one of the greatest producers of pulp and paper in the world, has its headquarters located in my good friend's State the gentleman from Ohio [Mr. HARSHA]. Mead has a fine site on the Savannah River in my district near Calhoun Falls which would be flooded by Trotters Shoals.

Mead sometime ago purchased another site on higher ground near Lowndesville upon which they can build with or without Trotters Shoals. In working out this arrangement Mead has been constantly in my mind and has been consulted many times. I believe Mead will build on its new site. I might say to my friend that Mead spends $52 million a year in the great State of Georgia and is a superb industry employing thousands of people.

Mr. Chairman, this bill will permit Duke Power to build in Anderson County in my district one of the most fabulous steam plants in the entire world for the generation of electricity. This plant will cost over $225 million. It will produce huge tax revenue for Anderson County, for South Carolina, and for the Nation. This cheap electricity will attract other industry, job opportunity, and unparalleled progress in an area of Appalachia. Trotters Shoals will generate electricity for preference customers throughout Georgia, South Carolina, and North Carolina. I urge the House to reject this amendment which could kill Trotter Shoals and jeopardize this entire arrangement upon which I have worked so long and so hard. I believe this great body will reject this amendment and permit my district and my people to move on to an era of unprecedented prosperity. I am deeply grateful to my colleagues. I thank you from the bottom of a grateful heart.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Ohio.

The amendment was rejected.

Mr. JONES of Alabama. Mr. Chairman, I ask unanimous consent that the gentleman from Arkansas [Mr. TRIMBLE] may extend his remarks at this point in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama?

There was no objection.

Mr. TRIMBLE. Mr. Chairman, the Buffalo River in the area which I serve is in controversy. Since I have been a Member of the Congress, I have tried to develop our flood control and navigation projects, among them the White River which has its beginning in our district in Arkansas. On that stream and its tributaries, we have constructed the Norfolk Dam, the Bull Shoals Dam, the Table Rock Dam, the Beaver Dam, and the Greers Ferry Dam.

The Congress has twice authorized the Lone Rock Dam and the Gilbert Dam on the Buffalo, a tributary of the White. Each time they were vetoed by the President on the grounds of no new starts. Some 3 years ago a resolution for a restudy of the projects was passed by the Senate, and early this year the Corps of Engineers made their report. In view of the controversy which had arisen in the last 2 years, the Corps of Engineers recommended that the Lone Rock Dam be deauthorized, and that the Gilbert Dam about 50 miles from the mouth of the Buffalo be built, stating that it was necessary to complete the White River flood control project.

To me it is a very simple thing—since we have spent already in the neighborhood of a quarter of a billion dollars on the project, to quit now and leave it uncompleted seems to me to be unwise. It is not unlike building a house and leaving part of the roof unfinished.

I am acquainted with this stream—have been all my life. I was born not far from its source. Those who are familiar with the area know that the lower half of the Buffalo during the summer and autumn of dry weather is unfloatable because the water, when it is low, flows under the gravel. For some great distances, there is no water in sight. Gilbert Dam, if constructed, would make the stream floatable from beginning to end because a retention dam is contemplated 4 miles below the Gilbert Dam to retain the water and let it out gradually to keep a stable flow of water all the way to the White River. Besides that, we would have a 37-mile pretty blue lake above the dam.

The Committee on Public Works has been advised that the report of the Bureau of the Budget is still not available at this particular time and there is nothing in this bill which does not have Budget approval—that they have 30 more projects like the one about which I speak pending before the committee. The Committee on Public Works further advises me that beginning early next year they plan to have another omnibus river and harbor and flood control authorization bill. By that time it is my hope that the committee will have received a favorable report on the budget from the Bureau of the Budget.

I thought of offering an amendment to the bill, but I cannot in good conscience do it when this great committee has already decided it cannot support any project without Budget approval.

AMENDMENT OFFERED BY MR. O'NEAL OF GEORGIA

Mr. O'NEAL of Georgia. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. O'NEAL of Georgia: On page 48, line 15, strike out "the lake" and all that follows down through "'Lake Eufaula';" on line 17.

Mr. O'NEAL of Georgia. Mr. Chairman, the only effect of the amendment I have offered is to leave unnamed the lake formed by Walter F. George Lock and Dam until the States of Alabama and Georgia can agree on a mutually acceptable name.

Mr. Chairman, let me say at the outset that this amendment will not delay adjournment, but might speed it up, because the other body has already passed the rivers and harbors bill, without naming this lake.

This issue is one that has existed for a number of years—an issue that I inherited from my predecessors. The Representatives in Congress from Georgia and Alabama have disagreed for quite some time because Alabama seeks to give the lake a name that would have the effect of promoting one of the cities on the Alabama side.

In an effort to seek a compromise during our freshman year in Congress, my Georgia colleague, Bo CALLAWAY, and I introduced identical bills offering the name Lake Winston Churchill immediately after the great stateman's death. The issue lay dormant for nearly 2 years until now within a few days of adjournment, and without any committee hearings we find it deeply embedded within this very popular Public Works Authorization for Rivers and Harbors.

After our bills were introduced, Mr CALLAWAY and I naturally assumed that the committee would not take any action without hearings or at least consultation. Imagine how surprised we were to discover that the omnibus rivers and harbors bill had been reported out with a provision to name the lake "Eufaula." I am sure that most members of the committee were completely unaware of the controversy at the time the bill was reported.

The lake in question forms the boundary between Alabama and Georgia. It seems only fair that the lake should not be named until both States can reach a mutual agreement. This seems to me to be a basic principle that should be observed by all Members of the House because of the very dangerous precedent it would establish.

No doubt the city of Eufaula, Ala., would assume unwarranted promotional benefits from a lake with the same name. The cities of Fort Gaines and Georgetown on the Georgia side of the lake are justifiably concerned about this undue recognition. Yet, they have not once suggested that the lake be named for a city in Georgia.

A very strong argument against naming the lake "Eufaula" is that there already exists in the State of Oklahoma a dam and reservoir of considerable size, importance, value, and popularity by the same name. Oklahoma's Lake Eufaula was constructed by the Corps of Engineers and is under its jurisdiction.

I hold in my hand a very beautiful folder showing a map of Lake Eufaula, Okla. Anyone can readily see the confusion that would result from having two lakes by the same name under the jurisdiction of the Corps of Engineers. It would bring about untold confusion not only in the public mind but also in the records, correspondence, publications, and maps of the U.S. Government, especially the Corps of Engineers.

The gentleman from Alabama [Mr. GEORGE ANDREWS] contends that Alabama has not had the privilege of naming a number of lakes, dams and bridges affecting the common border between our two States. But let us examine the record. The Jim Woodruff Dam was named for a Georgian, but the dam is in Georgia and Florida. It is not situated in any part of Alabama. The lake that is formed by the dam—Lake Seminole—is almost entirely within the States of Georgia and Florida. It is named for an Indian tribe whose history is deeply embedded in the tristate region. Both States of Florida and Georgia have countries named Seminole.

A bridge between Georgia and Florida is named for the late Governor Eugene Talmadge, and I assume that Alabama had nothing to do with selecting the name.

The next dam, proceeding northward up the river, is Columbia lock and dam which is named for a town on the Alabama side. There is no town on the Georgia side at this point.

The Walter F. George lock and dam is named, of course, for a late great Georgian, and I am sure it must have been done with the consent of the Alabama congressional delegation. I am also aware of a bridge on the boundary between Georgia and Alabama named for the highly respected Senator RICHARD B.

RUSSELL, and I assume it was named with the consent of the Alabama delegation.

In summing up my position, I would like to make three points:

First. No lake, dam, or bridge which separates two States should be given a name objectionable to either State and should remain unnamed until the two States can reach an agreement.

Second. A lake situated in two States should not be given a name which will result in undue promotional value to a city in one State. The fact that Georgia will not agree to this geographical name does not mean that my State would not be willing to accept any one of several hundred potential names. I suggest that the gentleman from Alabama submit the name of a great Alabamian, and I assure the gentleman that my State would not object.

Third. The confusion resulting from having two lakes with the same name under jurisdiction of the Corps of Engineers would be endlessly and infinitely complex.

Any one of these reasons, Mr. Chairman, is enough to vote for this logical amendment. All three are overwhelming.

(By unanimous consent, Mr. O'NEAL of Georgia (at the request of Mr. CRAMER) was permitted to proceed for 2 additional minutes.)

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. O'NEAL of Georgia. I yield to the gentleman from Florida.

Mr. CRAMER. Mr. Chairman, do I understand the gentleman to say that this lake is between Georgia and Florida?

Mr. O'NEAL of Georgia. No, it is between Georgia and Alabama.

Mr. CRAMER. It is between Georgia and Alabama? What is it that the gentleman said was between Georgia and Florida?

Mr. O'NEAL of Georgia. I was referring to several other things between Georgia and Florida which my friend, the gentleman from Alabama, will contend that Alabama did not have the pleasure of naming.

Mr. CRAMER. I was just asking because it is tough enough for the gentleman from Florida to have to choose between Winston Churchill and Eufaula—let alone between Georgia and Florida. That would be even tougher but I thank the gentleman.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GEORGE W. ANDREWS. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, certainly in these closing hours of this session we do not want to make a mountain out of a molehill.

As my good friend, the gentleman from Georgia [Mr. O'NEAL] said, he inherited this controversy which has raged through the years.

We are talking about the Chattahoochee Valley. My district is on one side and the districts of our colleagues [Mr. O'NEAL and Mr. CALLAWAY] are on the other side.

This whole project in the valley got off the ground in 1955 when I offered an amendment in the full Committee on Appropriations for $2 million for the construction of a dam which now bears the name of that former great Senator from Georgia, the late Walter George.

My amendment broke a logjam that existed in that committee for years. On a vote, the ayes were 21 and the noes were 20.

I have been with this project for many, many years.

Now the Chattahoochee River separates Georgia and Alabama for a distance of roughly 150 miles. The city of Eufaula is a lovely little city of approximately 14,000 people and is situated on the Alabama side of the river and right on the shores of Lake Eufaula. I say, "Lake Eufaula" because you can ride for miles and miles and see the signs reading "Lake Eufaula" that have been placed there on the Alabama side of the river by the Alabama Highway Commission. As long as you and I live that lake will be known as Lake Eufaula.

The only purpose of getting the Congress to designate it officially as Lake Eufaula is to make it possible for the U.S. Engineers to designate on their maps the lake as Lake Eufaula.

Now my friend says there is another "Lake Eufaula." But that is Lake Eufaula, Okla. This will be Lake Eufaula, Ala.

Auburn, Ala., is located in my district. There is also an Auburn, N.Y.

Mr. O'NEAL of Georgia. Mr. Chairman, will the gentleman yield.

Mr. GEORGE W. ANDREWS. I yield to the gentleman.

Mr. O'NEAL of Georgia. Do you not consider the lake to be in Georgia at all? Is it not as much in Georgia as it is in Alabama?

Mr. GEORGE W. ANDREWS. I tried to say it is on the Chattahoochee River formed by the Walter George Dam. I guess the lake becomes part of the river. There is a channel there. Of course, the eastern shore of the lake is Georgia and the western shore is Alabama.

Mr. O'NEAL of Georgia. I thank the gentleman.

Mr. GEORGE W. ANDREWS. We will be glad to take it all if you want to give it to us.

Mr. O'NEAL of Georgia. I thank the gentleman for pointing out that it is partly in Georgia and part of it in Alabama.

Mr. GEORGE W. ANDREWS. That is right.

Mr. O'NEAL of Georgia. Would it not then be just as proper that the name be Lake Eufaula, Ala.?

Mr. GEORGE W. ANDREWS. I said "Lake Eufaula"—well, it could be. Well, we will then say "Lake Eufaula, Alabama-Georgia."

As I said, Eufaula is a beautiful little city of about 14,000 people situated on this high bluff. It is an old Indian name and I think it is a very euphonious name.

May I tell you how that little city got its name. Years ago Indians lived there. A little Indian girl was running toward the bluff one day and the old chief said, "Come back, come back—you-falla, you-falla."

I never have been one who was very anxious to name things for people or cities and so forth except Lake Eufaula. My friend mentioned that there was one dam down there that has not yet been named. They call it Columbia lock and dam.

The Appropriations Committee in the House and the Appropriations Committee in the Senate recommended that it be named the George Andrews Dam.

Mr. O'NEAL of Georgia. Mr. Chairman, will the gentleman yield?

Mr. GEORGE W. ANDREWS. I yield to my friend from Georgia.

Mr. O'NEAL of Georgia. I assure the gentleman that when such a bill is introduced, I will have no amendment to strike it out.

Mr. GEORGE W. ANDREWS. Well, bless your heart. I was told by the Secretary of the Army, when he got a copy of the committee requests—and I did not send them to him—"We are not naming any dams for living Congressmen." I sent him word that I was not ready for him to name that dam for me.

Let us get down to the question of a name for this lake.

Mr. WHITTEN. Mr. Chairman, will the gentleman yield?

Mr. GEORGE W. ANDREWS. I yield to the gentleman from Mississippi.

Mr. WHITTEN. Mr. Chairman, we all hesitate to get into any kind of argument between our colleagues, but having served on the Appropriations Committee through the years with my colleague, the gentleman from Alabama [GEORGE ANDREWS], I think that this whole country and this Congress is deeply obligated to GEORGE ANDREWS. We went through a period of years here when we had no new starts. The gentleman from Alabama has told you what he went through. It was his fight, and it was won by a vote of 21 to 20.

I do not think, with the deep obligation that this area has to him, and with the naming of two of the dams for a distinguished Georgian, that we should hesitate to make official that which seems already to exist in the area. As I understand it is known as Lake Eufaula. It has signs all around it. And I think it is a tribute to the gentleman who is addressing us [GEORGE ANDREWS], that we should go along with him and defeat the amendment.

Our distinguished friend, of whom we think so very much, and who could not help inheriting the situation, inherited the controversy, but he also inherited this fine development on this river, and we should give this to GEORGE ANDREWS of Alabama.

Mr. GEORGE W. ANDREWS. I thank my friend. May I say in conclusion that we are not selfish about naming these dams and lakes. They came and said, "Let us name that first dam down there." And, bear in mind, all of this went back to that first 21-to-20 vote, to which the gentleman from Mississippi referred. They said, "Let us name the first one for the distinguished gentleman from Georgia, Jim Woodruff."

I said, "Bless your heart. I am glad you thought of it."

Then they asked that the next one be named Seminole, Lake Seminole. I had no objection, for it is in Seminole County in Georgia, and the lake bears the name of that county.

Mr. O'NEAL of Georgia. Mr. Chairman, will the gentleman yield?

Mr. GEORGE W. ANDREWS. I yield to the gentleman from Georgia.

Mr. O'NEAL of Georgia. I pointed out that the dam and the lake are in Georgia and Florida and not in Alabama. There are two counties named "Seminole," one in Georgia and one in Florida.

Mr. GEORGE W. ANDREWS. That is correct, but it is all part of the Chattahoochee program—Seminole Lake, Seminole County, Seminole Indians. It is six of one and half a dozen of the other. Here is a great big, fine, power-producing plant. "Let us name it for Senator Walter George."

I said, "By all means do it because he was a dear friend and fraternity brother of mine."

Let me ask you, please, let Alabama have a little of those crumbs that fell off the table when the vote was 21 to 20.

Mr. EDMONDSON. Mr. Chairman, I move to strike the requisite number of words.

I have the deepest of affection for my colleague, the gentleman from Georgia [Mr. O'Neal], and my colleague, the gentleman from Alabama [Mr. George W. Andrews], and I certainly do not want to get involved in the middle of this controversy in any way that would wound the feelings of either of these beloved colleagues. Oklahoma is a little bit in the middle in this controversy, because we do have a great lake in our area that is known as Lake Eufaula. I do not think in all seriousness—I say this in all frankness to my friend from Ohio—that the issue about confusion between the two lakes is a serious problem.

I am not going to comment on the other question. I leave that to the judgment of my colleagues. I do not believe, since the lakes are as widely apart and as different as they are, there can be any serious confusion which will arise in the future, if there should be the name of Eufaula on the lake on the Georgia-Alabama border, and the name of Eufaula on the great lake in Oklahoma.

A simple comparison of the two lakes, I believe, will put to rest some of the fears about the two.

The lake in Oklahoma has a drainage area af 47,500 square miles. That compares with a drainage area of the other lake of 7,500 square miles.

The Oklahoma lake has a total storage capacity of 3,848,000 acre-feet. This compares with 934,000 acre-feet for the lake in contention here today.

In the reservoir area of the Oklahoma lake are 143,000 acres, compared with 45,200 acres for the lake in contention.

The lake in Oklahoma has two unique attractions in two of the greatest State parks which can be found in the Nation, Fountainhead State Park and Arrowhead State Park, parks which are free to the public, which draw from all over the country on their own merits, and which are featured by two of the outstanding State lodges in the country, Arrowhead and Fountainhead.

Just to show that the folks will find each of these lakes, at the present time, even though "Lake Eufaula" signs are up on both of them, in 1965, 875,000 people successfully found the lake down in the Alabama-Georgia area, and 2,305,000 visitors came to the lake which is in Oklahoma. So I believe the folks are going to find these lakes. They are going to know their attractions. They are going to be very happy with both of them, regardless of whether we do wind up with the same name for them.

I am pleased to have this opportunity to advertise one of the greatest tourist attractions in the United States and in the world—that is, Lake Eufaula in Oklahoma.

Once the heat and the tension and the pressure of this campaign have finally abated, when there is the calm period that follows an election, I hope all my colleagues will take advantage of that open season before the next session starts, bring a fishing pole and a boat, or let some friendly Oklahoman provide them for you, and come down to Lake Eufaula in Oklahoma to take advantage of some of the finest fishing, some of the finest boating, and some of the greatest outdoor scenery that can be found anywhere in the world today.

We invite you all to Lake Eufaula in Oklahoma.

Mr. CRAMER. Mr. Chairman, I move to strike the requisite number of words.

I, too, hesitate to become involved in this dispute. I do not claim any particular interest in it, even though we get the outflow of this lake through the Chattahoochee River in Florida.

I have no particular interest in it personally, and it seems to me at this late date it would take almost the wisdom of Solomon to solve this problem.

No. 1, Solomon is not available.

No. 2, I do not believe adequate time is available to exercise that kind of judgment.

No. 3, we did not have that opportunity in the committee to hold a hearing on this matter.

I appreciate the positions of the gentleman from Alabama, of the gentleman from Georgia, and of the gentleman from Oklahoma. But I would suggest that this is a matter that was not considered by the committee. We had no hearings. We had a gentleman's agreement, I thought, that there would be included in this section only those matters which were noncontroversial, in that we held no hearings on the respective proposals for naming it. I assumed, and I believe the other members of the committee did likewise, that in this instance there was no controversy.

Now I understand that Oklahoma does not like it particularly.

I understand Winston Churchill's memory has been brought into the matter. There are those who believe it should be named after Winston Churchill.

The State of Georgia and the State of Alabama are differing in the matter. I would suggest that the best thing to do under the circumstances would be to give the committee an opportunity to hear both sides next year. This matter should be stricken at this time, not prejudicing in any way what decision might be made in the future after hearing all of the evidence on both sides to determine what this lake should be named.

Mr. JONES of Alabama. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I have been a member of the Committee on Public Works for 20 years. During my tenure here I have dedicated myself to improving the streams in the State of Georgia as well as elsewhere in this country and helped to authorize the project for the Walter George Dam and the Jim Woodruff Dam. Just recently—last year, in fact—we took up the burden of bringing in a project on the Flint River in the amount of $88 million. This year I am bringing in a project for the State of Georgia, including the State of South Carolina, in the amount of $84.9 million.

As the gentleman from Alabama [Mr. Andrews] has pointed out, in this bill we bring in projects for the entire country. Here on the common boundaries of the States of Alabama and Georgia on the Chattahoochee River there is a dam that has been named the Walter F. George Dam, which provides the reservoir that we want to name Lake Eufaula, and we find there are complaints from the people of Georgia. So it seems to me that if there is one iota of consideration for fair play here, it should be with respect to this. I see no sense in this being made a matter of controversy, because it should be a matter of common understanding between the people of the States of Georgia and Alabama. There should be a mutuality of affection and commonsense prevailing in this matter.

Therefore, Mr. Chairman, I hope that the amendment is voted down.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Georgia.

The question was taken; and on a division (demanded by Mr. O'Neal of Georgia) there were—ayes 4, noes 25.

So the amendment was rejected.

AMENDMENT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. Cramer: Page 5, strike out line 16 and all that follows down through and including line 5 on page 7.

Renumber succeeding sections and all references thereto accordingly.

Mr. CRAMER. Mr. Chairman, this is a matter which I discussed briefly in general. It is a question of whether, as provided in section 105, the tolls collected for travel over two toll bridges across the Mississippi River at East St. Louis, Ill., and Chester, Ill., can be diverted for the purpose of general municipal use under the corporate charters of those two cities. There is no question but what that money has been diverted in the past to the tune of $100,000 a year in the case of Chester and to the tune of $300,000 a year in the case of East St. Louis, contrary to present Federal law. That is undisputed.

Mr. Chairman, contrary to present Federal law, those two cities diverted money from tolls improperly and illegally. This matter is now being litigated in the courts.

Mr. Chairman, section 105 in the bill would defeat the Federal cases now in court and by legalizing the cities' past diversion of toll revenues to purposes other than provided in Federal law. That is what it does in the first place.

In the second place, Mr. Chairman, the amendment that is in the bill, that would be stricken by my amendment, would permit the two cities to continue to divert funds from tolls for other than the maintenance and operation of the bridge and the retirement of bonds.

Mr. Chairman, there is no precedent in Federal law for this broad general authority to divert tolls to any municipal purpose.

As a matter of fact, Mr. Chairman, as it is drafted, this section permits—page 6, line 15—use of these tolls for any proper public purpose.

So, Mr. Chairman, they could use these tolls for the purpose of building a fire station or a city hall or a park, or anything else that is a public purpose.

Second, Mr. Chairman, on line 24 there is the language with reference to "for a proper purpose," and they will be doing it under State law. The State law provides specifically that moneys can be spent for any corporate purpose.

Mr. Chairman, I dislike getting into a disagreement, and if it were not something of major consequence, I would not. But it appears to me that this is a matter of policy, relating to the diversion of toll revenues from the specific purposes required in the laws authorizing construction, operation, and maintenance of these bridges, including the approaches thereto, to other public purposes contrary to existing Federal law.

But, Mr. Chairman, Congress has never permitted what is being attempted to be accomplished through the enactment of this section, which means the diversion of money, contrary to present general law, to any corporate purpose—any purpose for which the towns want to use those toll revenues.

In other words, Mr. Chairman, they can use them for any public purpose in the future if this is passed, and that in my opinion represents a bad precedent. I say that we should not enact this section, but that we should vote for my amendment to strike it.

And, Mr. Chairman, incidentally, in pleading this case, I am again in the position, as I have been in other instances, of pleading the case of the administration. The administration says that this is bad precedent. The administration says that this section of this particular bill should not be enacted into law. The General Counsel of the Department of Commerce, whose letter appears on page 77 of the committee report, says in very strong language there is, No. 1, no precedent in recent law for this—and he analyzes all of the actions by Congress in the past relating to this question, and says that the Department of Commerce opposes this section which would provide broad general diversionary authority for use of toll revenues for "any corporate purpose." Section 105, as now written, is improper and should not be approved.

It is obvious that the policy of the Federal Government has consistently been to deal with interstate bridges, and approaches thereto under the General Bridge Act of 1946. It only applies to bridges between States, where authorization by Congress is required. The General Bridge Act, as well as the Acts which authorized these two particular bridges prohibit use of toll revenues for other than maintenance and operation of the bridges, and approaches thereto, and for retirement of bonds issued to continue the bridge and approaches.

Mr. Chairman, under my amendment the existing authority to use toll revenues, including their application to approaches to the bridges, remains.

Mr. GRAY. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from Illinois is recognized for 5 minutes.

Mr. GRAY. Mr. Chairman, I am a little surprised that my distinguished friend from Florida would offer this amendment, because if there was ever a champion of States rights it is the gentleman from Florida.

Let us set this debate in proper perspective. Mr. Chairman, there is not one single dime of Federal funds involved with the construction of a toll facility over navigable waters. All that we do in the committee language as contained in this bill is to bring into conformity Federal, State, and local requirements.

The State legislature in Illinois has said that wherever a toll facility that is charging a reasonable toll and at East St. Louis, Ill., it is 15 cents per car, has a residue left over after retirement of the bonds, that this residue can be used for useful purposes of building approaches and streets for interstate traffic, and other public uses.

Again let me repeat there is not a dime of Federal funds involved. Why my friend from Florida wants to reach out the long arm of the Federal Government and say "to East St. Louis and in Chester, Ill., you cannot run your own affairs" is beyond my comprehension.

The gentleman referred to the Department of Commerce, and to the counsel, Mr. Giles. I have before me a letter dated 10 days ago to our committee, and I quote Mr. Giles:

> In our review of toll bridge financing we have been able to identify—

Please get this—

> only a few instances in the past years in which legislation enacted by the Congress has permitted the use of highway bridge tolls for improvements other than transportation facilities.

He goes on to point out that in San Francisco, the San Francisco Bay Bridge, they are permitted to use tolls and have used tolls to construct a railroad bridge across San Francisco Bay.

He goes on to point out that the Port of New York Authority is diverting revenue for port facilities.

Let me make it clear that the legislation before us today in the committee bill first calls for the retirement of the bonds so that this bridge will be free as soon as possible, but if there are funds left over after the orderly retirement of the bonds they can make other repairs to streets and approaches and use funds for legitimate public uses.

What is so wrong with that?

So I say to you today that this amendment should be voted down; that the Congress is merely giving the State of Illinois and the bridge commissions a conformity to operate under.

We are not setting a dangerous precedent, as alleged, and it certainly will not commit the Federal Government to the use of any funds.

I urge the defeat of the amendment.

Mr. HARSHA. Mr. Chairman, I move to strike out the requisite number of words.

Mr. Chairman, before we vote on this amendment I would like to make it clear to the committee just what we are doing here.

In the first place, I must disagree strongly with my distinguished friend from Illinois that we will not establish an entirely new precedent here, because Congress has held rather stringently to the principle that tolls from bridges are not to be used for any purpose other than the operation or maintenance of the bridge, and the redemption of the bonds issued to obtain funds with which to construct the bridge.

Not too long ago, when we amended the Delaware River and Bay Authority, or Bridge Act, to implement the construction of another span across that bay, the Committee on Public Works itself struck from the recommended legislation the authority to construct transportation and terminal facilities right on the project, holding at that time that the revenues from these toll bridges should be held inviolate and used only for the purpose of operation and maintenance and for the redemption of construction bonds.

I have, Mr. Chairman, a copy of a letter that was sent to the distinguished chairman of the Committee on Public Works from the American Automobile Association in which they expressed strong objection to section 105 of the bill H.R. 18233. And they cite four reasons. Let me repeat these reasons:

> (1) To allow cities to divert toll revenues for other municipal purposes is fundamentally wrong. Section 105 is completely contrary to the provision of the 1946 Bridge Act which requires toll bridges to be paid off and become free bridges "as soon as possible under reasonable charges."
>
> (2) Section 105 legalizes what we consider to be an illegal practice and will permit the affected cities to continue this practice indefinitely. The right of cities to use tolls for such purposes is currently being contested in the courts.
>
> (3) It was our understanding that the purpose of the toll road hearings recently completed by your Committee was to provide information which could then serve as a basis for future legislation in this field. A fragmented approach to the problem as typified by incorporation of Section 105 in H.R. 18233 seems to us to be entirely inconsistent with the comprehensive approach which your Committee took in the conduct of these toll road hearings.
>
> (4) The record is replete with efforts of states and local units of government attempting to raid toll revenue funds for the support of other governmental activities. Congressional approval of the principle that

toll revenues can be used to support general municipal services would establish a dangerous precedent, making it extremely difficult for Congress to disallow future requests for similar treatment by other cities or states.

My colleagues, this would inevitably open up a Pandora's box and leave us with a situation that we could hardly cope with. Every area where a comparable situation exists will be before this Congress asking for like permission. I strongly urge the committee to approve this amendment.

Mr. CRAMER. Mr. Chairman, will the gentleman yield?

Mr. HARSHA. I yield to the gentleman.

Mr. CRAMER. Is it not true if this is passed, as to every bridge that has been authorized between States under the 1946 Bridge Act, its authority could be expected possibly to come to the Congress and ask for the same relief to divert these moneys and to keep the tolls, both contrary to our basic policy and remove tolls in the future; is that not correct?

Mr. HARSHA. I think that is a very reasonable conclusion to draw from this section.

Mr. CRAMER. May I ask the gentleman a second question? States rights are not involved in this; are they? Pursuant to the 1936 Bridge Act, it authorizes the Congress under limited conditions to approve bridges between States and Congress has to act in that area and the question is, What is fair between the States when Congress does act?

It has been consistently held that it is fair for the Congress, if it gives permission for a bridge—fair to both States not to let either State divert money from the tolls to the disadvantage of the other State for purposes other than bridge and transportation purposes.

This language would permit these two cities involved, St. Louis and Chester, to divert this money for any public purpose that they are inclined to use it for, such as parks, swimming pools and golf courses or any other public purpose of those cities.

Mr. PRICE. Mr. Chairman, I move to strike out the last word.

Mr. Chairman, as a sponsor of one of the bills from which the language used in section 105 and also as the sponsor of the legislation under which the bridge at East St. Louis was constructed back in the early 1950's, I am hopeful that the committee will sustain the language contained in this bill by rejecting this amendment.

The purpose of section 105 is to clarify the 1946 General Bridge Act vis-a-vis the applicable law of the State of Illinois that had been enacted pursuant to the Federal law with respect to the allocation of tolls collected by cities who own, maintain, and operate interstate bridges.

Unfortunately, this matter is not clear. I do not have the feeling that this language will set a precedent particularly in view of the report to the Committee on Public Works from the General Counsel of the Department of Commerce who, as the gentleman from Illinois [Mr. GRAY] just a few moments ago stated, cited at least three instances in which there has been such diversion approved by Congress.

While the language in the bill does state very broadly that it could be used for a proper purpose, the fact of the matter is that diverted funds so far have been used by the city of East St. Louis almost entirely for the city's share of the cost of highways that serve as approaches to the bridge. There has been very little of what you might call actual diversion which under the terms of the General Bridge Act might properly be considered illegal.

Mr. GRAY. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I am glad to yield to the gentleman from Illinois.

Mr. GRAY. Is it not a fact that if this legislation does not pass, and if this matter is litigated in the courts and East St. Louis should lose this suit, the State Highway Department of Illinois would have to take over the maintenance of these approaches, and all the taxpayers of the States would be maintaining an approach at East St. Louis, where we say, "Let the people who cross at East St. Louis pay for the maintenance."

Every Member of the House should be for the language contained in the bill; otherwise they will be paying for approaches and the maintenance of bridges such as those at East St. Louis. I do not think they want to do that.

Mr. PRICE. I think the gentleman is completely correct.

Mr. HARSHA. Mr. Chairman, will the gentleman yield?

Mr. PRICE. I yield to the gentleman from Ohio.

Mr. HARSHA. I am sorry that I find myself at odds with my distinguished friend from Illinois, our affable and able colleague, the gentleman from Illinois [Mr. GRAY]. The gentleman has said that if the amendment is stricken, the State highway department will then have to maintain and operate this bridge.

Mr. PRICE. I think he said the approaches.

Mr. GRAY. I said approaches.

Mr. HARSHA. Is that not true in every instance where there is a bridge of similar type in every other part of the country?

Mr. PRICE. I think the peculiarity in this instance is that the approaches to the East St. Louis bridge are tied to an Interstate Highway System, although originally they were not. It was strictly a local approach, and the new highways coming into the bridge now were built principally by the State with city contributions. This approach within 2 years' time will not be serving the purpose that it is serving today. It will be replaced as a medium to cross the Mississippi to St. Louis by an interstate highway bridge which will be toll free.

I should like to point out that the toll on this bridge is only 15 cents per car. There is not a great amount involved to the highway user in this. But the main point I would like to make is that practically all the funds that the city has diverted to the general funds of the city have been used for the highway that the gentleman from Illinois [Mr. GRAY] and I have been talking about.

Mr. HARSHA. Mr. Chairman, will the gentleman yield further?

Mr. PRICE. I yield to the gentleman from Ohio.

Mr. HARSHA. You say that practically all have been diverted for that use?

Mr. PRICE. I could almost say all of it has. The amount that these approaches represent are far in excess of the amounts the city has collected from the diverted funds.

Mr. HARSHA. What other use was made of the funds?

Mr. PRICE. I doubt if they had any of this amount left over for other use because, as I stated, the city's share of the highway approaches in the last 3 years has been well over $5 million, whereas the city has only taken off about $3 million in this way.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. CRAMER. Mr. Chairman, I ask unanimous consent that the gentleman may have 2 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from Florida? The Chair hears none, and the gentleman is recognized for 2 additional minutes.

Mr. CRAMER. Mr. Chairman, will the gentleman yield for further clarification?

Mr. PRICE. I yield to the gentleman from Florida.

Mr. CRAMER. The approaches in Chester, Ill., and East St. Louis, Ill., are built only pursuant to congressional action, provided there should be restrictions on the expenditures of these funds, but included in those expenditures were four existing approaches to new bridges. That is not the matter in contest, nor would it be in the future. They had a right to build approaches in the past and will in the future. It is using funds for other purposes that my amendment would prevent.

Mr. PRICE. I would say to the gentleman that the other body did not include the language in the bill, and I would certainly be amenable to clarification in the conference between the two Houses as to the intent of the Congress.

Mr. GRAY. Mr. Chairman, will the gentleman yield to me?

Mr. PRICE. I yield to the gentleman from Illinois.

Mr. GRAY. I might point out for the information of Members of the House that there is a considerable amount of skepticism as to how the money would be used. The committee took this into consideration. The bill itself calls for public accounting of all funds, both as to the amortized bonds to pay off the approaches and any other money used for a useful public use. So we do tighten up the provision by passing this legislation requiring public accounting for all funds.

I should think the gentleman on the other side would wish to support the bill.

Mr. CRAMER. I have said if the gentleman would limit the use of the funds for highways and approaches in the future, I would support it, but I could not support it if it could be used for any other purposes.

Mr. PRICE. The matter could be worked on in conference.

Mr. CRAMER. I offered an amendment to the gentleman that I felt would accomplish that, but the gentleman would not accept it. I had no alternative but to oppose the request.

Mr. PRICE. I did not have much time to study the amendment as I saw it for the first time just a moment ago. I think we could possibly work this matter out in the conference between the two Houses. The Senate not having included it, the conferees would have an opportunity to consider it.

I believe in the principles of the General Bridge Act of 1946. I supported that legislation. I do not feel the proposal in section 105 will set a precedent circumventing the provisions or intent of the General Bridge Act.

I urge my colleagues to reject the amendment to strike section 105 from the bill.

The **CHAIRMAN.** The question is on the amendment offered by the gentleman from Florida [Mr. CRAMER].

The amendment was rejected.

Mr. MOORE. Mr. Chairman, I move to strike the last word.

Mr. Chairman, it is a privilege to support and ask your consideration of H.R. 18233 which authorizes the construction, repair and preservation of certain public works on rivers and harbors for navigation, flood control, and other purposes, for among these projects which this bill encompasses is the Stonewall Jackson Reservoir on the West Fork River in West Virginia. Your records will reveal many representations by me, civic organizations, and city, county, and State officials from my State of West Virginia, urging approval of this undertaking.

As far back as 1936 and 1938, the Comprehensive Flood Control Acts authorized a reservoir on the West Fork River between Clarksburg, W. Va., and Weston, W. Va., as an element of the reservoir system for the protection of Pittsburgh and the Upper Ohio River Valley. This reservoir, known as the West Fork Reservoir, was strongly opposed locally because of valuable land taking that would be involved. Consequently, in 1955, Congress authorized an investigation for an alternate site for a reservoir on the West Fork River. This investigation indicated the feasibility of providing a reservoir, referred to as the Stonewall Jackson Reservoir, for flood control and low-flow regulation about 5 miles upstream from Weston, a city over the years whose inhabitants have long suffered from spring floods which have inundated a large portion of the community, also included in the project a source of water supply which required local contribution. However, action toward completion of the investigation and report was suspended pending determination of the ability of local interests to participate in the cost of the project because of this added feature.

I have strongly advocated this project for many years, and was gratified when funds were included in the public works appropriation bill for fiscal 1963 in the amount of $20,000 for initiating the updating of the report on the West Fork River which was begun in January 1963, and completed during the summer of 1964.

The Corps of Engineers has determined that the project will produce $1.70 in benefits, including prevention of flood damage, water supply, water quality control, recreation, and fish and wildlife enhancement for every dollar of Federal cost. Following the issuance of this careful, objective study, I urgently recommended favorable action by the Public Works Committee. It is therefore my purpose in appearing before you today to urge action by the Bureau of the Budget and quick reference of the same to the Public Works Committee of the House of Representatives. I have no doubt that the Senate Public Works Committee will expeditiously approve this House bill and the projects contained therein and that the President will sign this authorization. In that event, our efforts for the future must be focused on appropriation of funds for planning and construction. I have every confidence that with a clear manifestation of support from the people of West Virginia, these efforts will succeed.

It is reasonable to assume that we will be called upon early in the next session of the Congress by the Corps of Engineers to appropriate sufficient funds for planning and construction. In anticipation of this, I have today directed a letter to the Corps of Engineers asking them to advise me of the maximum amount of funds that are required to get the planning and construction underway.

The Stonewall Jackson Reservoir is a vital element in the national program of accelerated development of water resources. For West Virginia, the project will provide important protection against flooding along the West Fork River—notably, for the cities of Weston and Clarksburg—and it will contribute to reduction of flood heights on the Monongahela and Ohio Rivers. It will provide water supply storage essential to industrial expansion and community growth. It will contribute substantially to the alleviation of water pollution problems for Clarksburg and other communities in the area. Its recreational values also are highly significant, since it will provide an artificial lake of some 2,500 acres in extent for boating, fishing, and swimming. As a stimulus to economic growth and accompanying job opportunities, it will play a great part in the future of West Virginia, contributing to the enrichment of the lives of all our people.

I call upon the Committee today to consider carefully what this one installation can mean to residents of the counties in West Virginia which are affected. To my way of thinking, the benefits to be realized are highly desirable, and I know of no more direct way by which the Federal Government can make a contribution to the growth and development of an area which at this time sorely needs attention.

Mr. Chairman and Members of the Committee, I am aware that any undertaking of this type which truly can be identified as a progressive step toward meeting some of the problems of the area it touches and carries with it a corresponding penalty; that is to say, wide disagreement among the local people manifests itself as to location of such a project, the selection of damsite and the attendant loss of valuable farmland. However, in this particular instance, having weighed very carefully the benefits which will acrue to the people of this area, I have and I do in good conscience urge you to support H.R. 18233 in order that this project may get underway.

In addition, Mr. Chairman, I would alert the Committee that the remarks I made earlier in the day with respect to matters in difference between this body and the other body, which arose out of a conference report on matters of the Cuban refugees, still apply. Even though I have in this bill which we are considering $34.5 million which is so very much needed in my congressional district, I do not feel in good conscience I can say I would not object to the substitution of the Senate bill in this instance, merely because there is in it a project in my district.

In good conscience, and of the same high principle as explained to the Members of the House earlier, the matters still remain unresolved, and while I do commend this project to the House for consideration, I will, at the appropriate time, object to the substitution of the Senate bill.

Mr. EDMONDSON. Mr. Chairman, will the gentleman yield?

Mr. MOORE. I am happy to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. The matter the gentleman says is being held up in the Senate does not pertain to the Public Works Committee and its work, does it?

Mr. MOORE. No. May I say the matter involved some 40 individual Members of this House, and had nothing to do with Cuban refugees.

Mr. EDMONDSON. The point I was getting at is, It was not a public works piece of legislation nor did it involve in any way intransigence or failure to cooperate between the House and Senate Committees on Public Works?

Mr. MOORE. None whatsoever. I am glad the gentleman posed that question. I have never had anything but the highest of cooperation from, and in addition, admiration for the chairman of the House Committee on Public Works and its entire membership. The cooperation has been exemplary.

In no way were my remarks to be construed as talking in any adverse way either of the Public Works Committee of the other body or of the House Committee on Public Works.

Mr. EDMONDSON. I hope the gentleman will reconsider his announcement with reference to his intentions on the bill, because I believe in a very substantial way it would be self-defeating to obstruct something on which we are approaching agreement with the Senate in order to carry out an objective in a totally unrelated field of legislation.

Mr. MOORE. May I say, in response, that was exactly the position the House conferees yesterday had with respect to another piece of legislation.

After a bargain had been struck, the other body or a Member thereof changed the position, after the House had given up its position in a particular area of the legislation in conference.

This is the only way we can have the other body keep an agreement which was made in good faith with the conferees of this House. I am sure the gentleman from Oklahoma would not want the conferees of this House to be downgraded in any conference, when an agreement has been made in good faith, and to find that for reasons unknown a different set of facts seem to now prevail, after the conference report has been signed by the conferees of the House.

Mr. EDMONDSON. I believe if the gentleman were dealing with the same individuals and the same committees, he might have a real point in what he is proposing to do, but he is not in a position to put leverage on the same people with this bill by what he is proposing to do.

Mr. MOORE. May I say that I have good reason to believe the gentleman who has the lever on the other side will be a member of the conference on this bill.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker having resumed the chair, Mr. NATCHER, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 18233) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes, pursuant to House Resolution 1053, he reported the bill back to the House.

The SPEAKER. Under the rule, the previous question is ordered.

The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

MOTION TO RECOMMIT OFFERED BY MR. CRAMER

Mr. CRAMER. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the bill?

Mr. CRAMER. I am, Mr. Speaker, in its present form.

The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. CRAMER moves to recommit the bill H.R. 18233 to the Committee on Public Works with instructions to report it back forthwith with the following amendment: Page 5 strike out line 16 and all that follows through and including line 5 on page 7 and insert in lieu thereof the following:

"SEC. 105. Notwithstanding any provision in the General Bridge Act of 1946 or any other provision of law, the expenditure, before October 22, 1966, of toll revenues which were derived from the operation and use of the bridge constructed across the Mississippi River by the city of East Saint Louis, Illinois, pursuant to Public Law 639, Seventy-ninth Congress, (60 Stat. 891) and the bridge constructed across the Mississippi River by the city of Chester, Illinois, pursuant to Public Law 191, Seventy-sixth Congress (53 Stat. 1058) and Public Law 85–512, Eighty-fifth Congress (72 Stat. 355), shall be lawful to the extent that such toll revenues were expended for a proper public purpose and that such expenditures were lawful under applicable State law."

Mr. JONES of Alabama. Mr. Speaker, I move the previous question on the motion to recommit.

The previous question was ordered.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. CRAMER) there were—ayes 13, noes 37.

Mr. CRAMER. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 89, nays 196, not voting 147, as follows:

[Roll No. 380]

YEAS—89

Andrews, N. Dak.
Arends
Ashbrook
Bates
Battin
Bell
Betts
Bow
Brock
Broomfield
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burton, Utah
Byrnes, Wis.
Cahill
Cederberg
Clancy
Clausen, Don H.
Cleveland
Collier
Conte
Corbett
Cramer
Curtin
Curtis
Dague
Dole
Dowdy
Duncan, Tenn.
Dwyer
Erlenborn
Frelinghuysen
Grover
Gubser
Gurney
Hall
Halpern
Harsha
Harvey, Mich.
Horton
Hosmer
Hutchinson
Jonas
Kunkel
Kupferman
Langen
Latta
Lipscomb
McClory
McDade
MacGregor
Mathias
Minshall
Mize
Moore
Morse
Morton
Mosher
Nelsen
Ottinger
Pelly
Pirnie
Poff
Quie
Quillen
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rooney, N.Y.
Rooney, Pa.
Rumsfeld
Saylor
Schweiker
Shriver
Skubitz
Smith, Calif.
Springer
Teague, Calif.
Utt
Waldie
Watson
Whalley
Widnall
Wilson, Bob
Wyatt
Wydler
Younger

NAYS—196

Addabbo
Anderson, Tenn.
Andrews, George W.
Annunzio
Ashley
Ashmore
Bandstra
Barrett
Beckworth
Bennett
Bingham
Blatnik
Boggs
Boland
Brademas
Brooks
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Callan
Carey
Casey
Celler
Chelf
Clark
Conyers
Culver
Cunningham
Daddario
Daniels
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dorn
Dow
Downing
Dulski
Edmondson
Edwards, La.
Everett
Fallon
Farbstein
Farnsley
Fascell
Feighan
Flood
Fogarty
Ford, William D.
Fountain
Fraser
Friedel
Fulton, Pa.
Fulton, Tenn.
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Oreg.
Green, Pa.
Grider
Griffiths
Hagen, Calif.
Hamilton
Hanley
Hardy
Hathaway
Hays
Hechler
Henderson
Herlong
Holland
Hull
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Utah
Kluczynski
Kornegay
Krebs
Landrum
Leggett
Lennon
Long, La.
Long, Md.
McDowell
McGrath
McVicker
Macdonald
Machen
Madden
Mahon
Marsh
Matthews
May
Mills
Minish
Monagan
Moorhead
Morris
Morrison
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
O'Brien
O'Hara, Ill.
O'Hara, Mich.
Olson, Minn.
O'Neill, Mass.
Passman
Patman
Patten
Pepper
Perkins
Philbin
Pickle
Pike
Poage
Powell
Price
Pucinski
Race
Redlin
Rees
Rhodes, Pa.
Rivers, S.C.
Rodino
Rogers, Colo.
Rogers, Fla.
Ronan
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
Satterfield
St Germain
St. Onge
Scheuer
Scott
Secrest
Selden
Sickles
Sikes
Slack
Smith, Iowa
Smith, Va.
Staggers
Stalbaum
Steed
Stubblefield
Teague, Tex.
Tenzer
Tuck
Tupper
Tuten
Udall
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Weltner
White, Tex.
Whitten
Williams
Wilson, Charles H.
Wright
Yates
Young
Zablocki

NOT VOTING—147

Abbitt
Abernethy
Adair
Adams
Albert
Anderson, Ill.
Andrews, Glenn
Aspinall
Ayres
Baring
Belcher
Berry
Bolling
Bolton
Bray
Brown, Calif.
Brown, Clarence J., Jr.
Callaway
Cameron
Carter
Chamberlain
Clawson, Del
Clevenger
Cohelan
Colmer
Conable
Cooley
Corman
Craley
Davis, Ga.
Davis, Wis.
Denton
Derwinski
Devine
Dickinson
Duncan, Oreg.
Dyal
Edwards, Ala.
Edwards, Calif.
Ellsworth
Evans, Colo.
Evins, Tenn.
Farnum
Findley
Fino
Fisher
Flynt
Foley
Ford, Gerald R.
Fuqua
Goodell
Greigg
Gross
Hagan, Ga.
Haley
Halleck
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Hawkins
Hébert
Helstoski
Hicks
Holifield
Howard
Hungate
Huot
Irwin
Jacobs
Johnson, Pa.
Jones, N.C.
Keith
King, Calif.
King, N.Y.
Kirwan
Laird
Love
McCarthy
McCulloch
McEwen
McFall
McMillan
Mackay
Mackie
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Meeds
Michel
Miller
Mink
Moeller
Morgan
Moss
Murray
Nix
O'Konski
Olsen, Mont.
O'Neal, Ga.
Pool
Purcell
Randall
Reinecke
Resnick
Reuss
Rivers, Alaska
Roberts
Robison
Rogers, Tex.
Roncalio
Roudebush
Schisler
Schmidhauser
Schneebeli
Senner
Shipley
Sisk
Smith, N.Y.
Stafford
Stanton
Stephens
Stratton
Sullivan
Sweeney
Talcott
Taylor
Thomas
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Ullman
Walker, Miss.
Walker, N. Mex.
Watkins
Watts
White, Idaho
Whitener
Willis
Wolff

So the motion to recommit was rejected.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Adair.
Mr. Albert with Mr. Gerald R. Ford.
Mr. Mackay with Mr. Harvey of Indiana.
Mr. Denton with Mr. McEwen.
Mr. Moss with Mr. Reinecke.
Mr. White of Idaho with Mr. Anderson of Illinois.
Mr. Thompson of New Jersey with Mr. Smith of New York.
Mr. Schisler with Mr. Berry.
Mr. Hicks with Mr. Michel.
Mr. Aspinall with Mr. Laird.
Mr. Abernethy with Mr. Halleck.
Mr. Kirwan with Mr. Fino.
Mr. Matsunaga with Mr. Derwinski.
Mr. Rivers of Alaska with Mr. Del Clawson.

Mr. Foley with Mr. Dickinson.

Mr. Evans of Colorado with Mr. Edwards of Alabama.

Mr. Fuqua with Mr. Keith.

Mr. Stephens with Mr. O'Konski.

Mr. Senner with Mr. Robison.

Mr. Hawkins with Mr. Glenn Andrews.

Mr. Brown of California with Mr. Bray.

Mr. Jacobs with Mr. Talcott.

Mr. Mackie with Mr. Chamberlain.

Mr. Dyal with Mr. Watkins.

Mr. Evins of Tennessee with Mr. Brown of Ohio.

Mr. Hagan of Georgia with Mr. Schneebeli.

Mr. Haley with Mr. Belcher.

Mr. Hungate with Mr. Martin of Alabama.

Mr. Helstoski with Mr. Devine.

Mr. Sisk with Mr. Martin of Massachusetts.

Mr. Schmidhauser with Mr. Davis of Wisconsin.

Mr. Taylor with Mr. Hansen of Idaho.

Mr. Trimble with Mr. Martin of Nebraska.

Mr. Olsen of Montana with Mr. Roudebush.

Mr. Purcell with Mr. Stanton.

Mr. Hanna with Mr. Thomson of Wisconsin.

Mr. Shipley with Mr. Walker of Mississippi.

Mr. Holifield with Mr. Stafford.

Mr. Abbitt with Mr. Mailliard.

Mr. Baring with Mr. Johnson of Pennsylvania.

Mr. Adams with Mr. Goodell.

Mr. Clevenger with Mr. Findley.

Mr. Cohelan with Mr. Conable.

Mr. Love with Mr. Carter.

Mr. Cooley with Mr. Callaway.

Mr. Meeds with Mr. Ayres.

Mr. Craley with Mrs. Bolton.

Mr. Miller with Mr. King of New York.

Mr. Colmer with Mr. Ellsworth.

Mr. Walker of New Mexico with Mr. McCulloch.

Mr. Nix with Mr. King of California.

Mr. Fisher with Mr. Cameron.

Mr. Davis of Georgia with Mrs. Sullivan.

Mr. Corman with Mr. McFall.

Mr. Jones of North Carolina with Mr. Edwards of California.

Mr. Huot with Mrs. Mink.

Mr. Howard with Mr. Morgan.

Mr. Roberts with Mr. Whitener.

Mr. Stratton with Mr. Tunney.

Mr. Rogers of Texas with Mr. Ullman.

Mr. Thompson of Texas with Mr. Murray.

Mr. Moeller with Mr. Watts.

Mr. Randall with Mr. Pool.

Mr. Hansen of Iowa with Mrs. Hansen of Washington.

Mr. Greigg with Mr. McMillan.

Mr. Resnick with Mr. McCarthy.

Mr. Reuss with Mr. Sweeney.

Mr. Flynt with Mr. O'Neal of Georgia.

Mr. Farnum with Mr. Wolff.

Mr. Duncan of Oregon with Mr. Willis.

Mr. Roncalio with Mr. Irwin.

Mr. Todd with Mrs. Thomas.

Mr. FULTON of Pennsylvania changed his vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

The SPEAKER. The question is on the passage of the bill.

The bill was passed.

A motion to reconsider was laid on the table.

AUTHORIZING THE CONSTRUCTION, REPAIR, AND PRESERVATION OF CERTAIN PUBLIC WORKS ON RIVERS AND HARBORS FOR NAVIGATION, FLOOD CONTROL, AND FOR OTHER PURPOSES

Mr. FALLON. Mr. Speaker, I ask unanimous consent for the immediate consideration of the bill (S. 3906) authorizing the construction, repair, and preservation of certain public works on rivers and harbors for navigation, flood control, and for other purposes.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

Mr. MOORE. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

GENERAL LEAVE TO EXTEND

Mr. JONES of Alabama. Mr. Speaker, I ask unanimous consent that all Members have 5 legislative days in which to extend their remarks on the bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Alabama?

There was no objection.

CONSENTING TO THE ENTRY OF MASSACHUSETTS INTO A BUS TAXATION PRORATION AGREEMENT

Mr. CELLER submitted the following conference report and statement on the bill (H.R. 13935) to give the consent of Congress to the State of Massachusetts to become a party to the agreement relating to bus taxation proration and reciprocity as set forth in title II of the act of April 14, 1965 (79 Stat. 60), and consented to by Congress in that act and in the act of November 1, 1965 (79 Stat. 1157):

Conference Report (H. Rept. No. 2321)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13935) to give the consent of Congress to the State of Massachusetts to become a party to the agreement relating to bus taxation proration and reciprocity as set forth in title II of the Act of April 14, 1965 (79 Stat. 60), and consented to by Congress in that Act and in the Act of November 1, 1965 (79 Stat. 1157), having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the Senate recede from its amendment to H.R. 13935.

Emanuel Celler,
E. E. Willis,
Herbert Tenzer,
William M. McCulloch,
Richard H. Poff,
Managers on the Part of the House.

James O. Eastland,
John L. McClellan,
Sam J. Ervin, Jr.,
Everett M. Dirksen,
Roman L. Hruska,
Managers on the Part of the Senate.

Statement

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 13935) to give the consent of Congress to the State of Massachusetts to become a party to the agreement relating to bus taxation proration and reciprocity as set forth in title II of the act of April 14, 1965 (79 Stat. 60), and consented to by Congress in that act and in the act of November 1, 1965 (79 Stat. 1157), submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate passed H.R. 13935 with an amendment. The House disagreed to the amendment and requested a conference; the Senate then agreed to the conference.

H.R. 13935 as it passed the House contained two sections. Section 1 grants the consent of Congress to the State of Massachusetts to become a party to an agreement relating to bus taxation proration and reciprocity as set forth in title II of the act of April 14, 1965 (79 Stat. 60), and consented to by Congress in that act and in the act of November 1, 1965 (79 Stat. 1157). Section 2 reserves the right to alter, amend, or repeal the act. Sections 1 and 2 of H.R. 13935 are not in disagreement.

The Senate amendment added the following new section 3 to H.R. 13935, which would amend section 206(a) of title II of the War Claims Act of 1948, as amended (50 U.S.C. App., sec. 2017e(a)):

"(a) In determining the amount of any award under this title, (1) there shall be added to and made a part of such award an amount of interest computed at a simple rate of 6 percent per annum from the date of the loss or losses with respect to which the award is made to the date of the award, and (2) there shall be deducted all amounts the claimant has received on account of the same loss or losses with respect to which the award is made.

"(b) The heading of section 206 of such title II is amended to read as follows: 'Deductions in Making Awards; Allowance of Interest.'

"(c) The amendments made by subsections (a) and (b) shall be effective as of October 22, 1962. The Foreign Claims Settlement Commission of the United States shall recertify to the Secretary of the Treasury, in accordance with the provisions of title II of the War Claims Act of 1948 (as amended by subsections (a) and (b)) the amount of all awards certified by it under such title before the date of the enactment of this Act, and the Secretary of the Treasury shall make payments on account of such awards, with interest as herein provided, in the manner and order of priority prescribed by Section 213(a) of this title."

The conference report recommends that the Senate recede from this amendment.

Emanuel Celler,
E. E. Willis,
Herbert Tenzer,
William M. McCulloch,
Richard H. Poff,
Managers on the Part of the House.

Mr. CELLER. Mr. Speaker, I ask unanimous consent for the present consideration of the conference report on the bill, H.R. 13935.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. CELLER. Mr. Speaker, I ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The SPEAKER. Is there objection to the request of the gentleman from New York [Mr. Celler]?

Mr. POFF. Mr. Speaker, reserving the right to object, and I shall not object, I object only for the purpose that it might expedite the movement of the unanimous-consent request, if the matter were first cleared with the leadership on the minority side.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the statement.

Mr. CELLER (during the reading of the statement). Mr. Speaker, I ask unanimous consent that further reading of the statement be dispensed with.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. CELLER. Mr. Speaker, this is a very simple matter. The House passed H.R. 13935, consenting to the entry of Massachusetts into a bus taxation proration agreement. The Senate then passed a bill with an amendment that was nongermane and the House disagreed to the amendment and requested a conference.

A conference was agreed to and the conference now recommends that the Senate recede from its amendment. The Senate has just agreed to the conference report, so there is no longer any controversy concerning the House-passed measure.

Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report just adopted.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

BORDER HIGHWAY—EL PASO, TEX.

Mr. KLUCZYNSKI submitted a conference report and statement on the bill (H.R. 11555) to provide a border highway long the U.S. bank of the Rio Grande in connection with the settlement of the Chamizal boundary dispute between the United States and Mexico.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 9167) entitled "An act to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes."

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17636) entitled "An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of said District for the fiscal year ending June 30, 1967, and for other purposes."

PROVIDING FOR THE CONSIDERATION OF SENATE JOINT RESOLUTION 167 TO ENABLE THE UNITED STATES TO ORGANIZE AND HOLD AN INTERNATIONAL CONFERENCE ON WATER FOR PEACE IN THE UNITED STATES IN 1967, AND AUTHORIZE AN APPROPRIATION THEREFOR

Mr. YOUNG. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 1063, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1063

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the joint resolution (S.J. Res. 167) to enable the United States to organize and hold an International Conference on Water for Peace in the United States in 1967 and authorize an appropriation therefor. After general debate, which shall be confined to the joint resolution, and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Foreign Affairs, the joint resolution shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the joint resolution for amendment, the Committee shall rise and report the joint resolution to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the joint resolution and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Texas [Mr. YOUNG], is recognized for 1 hour.

Mr. YOUNG. Mr. Speaker, I yield 30 minutes' time to the distinguished gentleman from Tennessee [Mr. QUILLEN], pending which I yield myself such time as I may require.

Mr. Speaker, House Resolution 1063 provides an open rule with 1 hour of general debate for consideration of Senate Joint Resolution 167 to enable the United States to organize and hold an International Conference on Water for Peace in the United States in 1967 and authorize an appropriation therefor.

On October 7, 1965, President Johnson announced to the delegates at the First International Symposium on Water Desalination that the United States would "join in a massive cooperative international effort to find solutions for man's water problems." Among the specifics of his proposal was the suggestion that there be convoked a "great conference to deal with all the world's water problems."

On May 31, 1966, the Department of State transmitted to the Congress a proposed joint resolution which would enable the U.S. Government to organize and hold an International Conference on Water for Peace at Washington, D.C., during the month of May 1967.

Responsibility for the preparation of the technical and substantive aspects of the International Conference has been assigned to the Department of the Interior. Organizational and administrative responsibilities for the Conference will be assumed by the Department of State. A Secretary General for the International Conference has been designated.

Plans are now being made for an International Conference on Water for Peace to be held at Washington in May 1967, the precise dates to be determined later.

The proposed International Conference will provide a forum for discussion and consultation which will help stimulate planning for water resource development at all levels of government, international cooperation and actions to solve water problems, and the possible establishment of a worldwide water for peace program.

Present planning provides for an international exposition on the world's water problems as part of the Conference program, to include exhibits from international organizations, both governmental and nongovernmental, governments participating in the Conference, and private sources.

Mr. Speaker, I urge the adoption of House Resolution 1063 in order that Senate Joint Resolution 167 may be considered.

Mr. HALL. Mr. Speaker, will the gentleman yield?

Mr. YOUNG. I yield to the gentleman.

Mr. HALL. Mr. Speaker, I would like to inquire of the gentleman if in the information or knowledge that was made available to the Committee on Rules it was recalled that this House by a previous action defeated a similar resolution for an international water conference in the District of Columbia under the rules of suspension, by a rather considerable vote.

Mr. YOUNG. I think the information was made known to us that the resolution was defeated under suspension because it did not get the two-thirds vote necessary but I understand that it did get a substantial majority vote.

Mr. HALL. That is correct. But I wanted to be sure that the Committee on Rules had received that knowledge or other information and that it was made available to them before passing out this rule and that it had this information.

I appreciate the gentleman's assurance that the committee did have this information.

Mr. YOUNG. I thank the gentleman.

The SPEAKER. The Chair recognizes the gentleman from Tennessee [Mr. QUILLEN].

Mr. QUILLEN. Mr. Speaker, the gentleman from Texas has ably described the provisions of the resolution.

This resolution, House Resolution 1063, when adopted would make it in order to consider the Senate joint resolution—S.J. Res. 167—with 1 hour of general debate under an open rule.

As my friend, the gentleman from Missouri [Mr. HALL] stated, this bill was considered under suspension of the rules and was defeated. An amendment will be offered when the bill is being discussed on the floor of the House reducing the amount from $1,200,000 to $900,000.

As the distinguished gentleman from Iowa [Mr. GROSS] said, when this was being discussed under suspension, it was a peace on the water program, and I would like to say at this late hour that the Congress of the United States is being asked to bail out the Executive for obligating the Government to hold this water for peace conference.

Mr. Speaker, I have no request for time and I reserve the balance of my time.

Mr. YOUNG. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. FASCELL. Mr. Speaker, I ask unanimous consent that the Senate joint resolution (S.J. Res. 167) to enable the United States to organize and hold an International Conference on Water for Peace in the United States in 1967 and authorize an appropriation therefore, be considered in the House as in Committee of the Whole House on the State of the Union.

The Clerk read the title of the Senate joint resolution.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. HOSMER. Mr. Speaker, reserving the right to object, and I do so to inquire of the gentleman from Florida if under the procedure he proposes he will allow adequate time to discuss the measure without moving to limit the time.

Mr. FASCELL. Time for recognition will be under the control of the Chair.

The SPEAKER. The Chair will state that if the request is granted, the time will be under the 5-minute rule.

Mr. HOSMER. I understand that. I am inquiring if the gentleman from Florida intends to make any early motion to cut off debate.

Mr. FASCELL. I have no such intention, I will say to the gentleman. The matter has been thoroughly debated, and the gentleman's viewpoint and others have been very much expressed. I have no intention to cut off your discussion of the matter or anybody else's.

Mr. HOSMER. I thank the gentleman.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

AMENDMENT OFFERED BY MR. FASCELL

Mr. FASCELL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. FASCELL: On page 2, line 8, strike out "$1,200,000" and insert in lieu thereof "$900,000".

The amendment was agreed to.

Mr. FASCELL. Mr. Speaker, I move to strike out the requisite number of words.

The SPEAKER. The gentleman from Florida is recognized for 5 minutes.

Mr. FASCELL. Mr. Speaker, as has already been stated, this measure was before this body on a motion to suspend the rules, at which time the original authorization was then $1,200,000. But by the amendment just adopted we authorized $900,000 for the calling of this international Conference to be held next year.

As all of us here know, a majority voted for the resolution at the time it was considered under suspension, and because this international Conference is called for May of next year, we sought, requested and obtained a rule for final action by this body at this session.

I do not think I have to emphasize too strongly the importance of water problems around the world. At this particular stage in history when we are making every effort with the Asian countries, where water is really a basic and major problem, an international conference of this kind on these problems will afford an opportunity for the United States as the host Government to bring experts and to ask both those in government and technical people to attend a conference in an important area of international problems on which agreement and advance is possible.

It is expected that every phase of water problems, both here and around the world, will be considered in broad scope.

Delegates coming from other countries will be expected to pay their own way. However, some of the authorization funds will be used for travel for particular people which the United States would like to have and who otherwise could not make arrangements themselves.

But basically and fundamentally the authorization will be expended for the normal purposes of holding a Conference of this kind in the United States. The original figure which was given as an estimate for the cost of holding this Conference was based and projected as an estimate against the cost of previous international Conferences such as the Third Conference on Atoms for Peace, which cost the U.S. Government as the host Government approximately $1,300,000. Therefore, we felt that the original figure of the estimate in this resolution was within the ballpark, but because some feeling of dissent had arisen with respect to that figure, we offered the amendment to cut it to $900,000 and this body has unanimously agreed to the amendment which I offered.

I would urge that the majority who supported this measure originally when it came up under suspension of the rules will again support this measure so that this very important international Conference on a major problem confronting the people of the world can go forward.

Mr. HOSMER. Mr. Speaker, I move to strike the last word.

Mr. Speaker, I believe the House should be aware of the circumstances under which this particular proposal was generated. Last year in Washington, without this kind of legislation, without this kind of appropriation, a conference was held on some kind of an international basis, to which people came from all parts of the world, to talk about water programs, and it did not cost the U.S. Government $1.2 million, and it did not cost $900,000, but it allowed the President an opportunity to come down and talk to all of these people.

Spontaneously in his remarks he said, "Now, you all come back next year."

That is the genesis of the legislation before us.

Also, part of the genesis of this legislation, is the constant sloganism of the White House, using the words "for peace" as a closing phrase on any program that seems to be dubious or otherwise difficult to get across.

So we have a water-for-peace program that is in our ears constantly as a Great Society slogan.

This Conference has not been well thought out. As a matter of fact, the United Nations was asked to conduct this Conference this year under its auspices, and said, "No. In the first place, we do not have any money to do so. In the second place, we do not have any time to do so." I believe that is a fairly good estimate of the value of this kind of Conference assessed by the largest international agency in the world.

I believe the Members might be interested in how the $900,000 is going to be spent.

There will be $15,583 spent in wages and compensation for people to put on the 9-day affair.

There will be $41,200 to pay travel and per diem of persons from the U.S. delegation, special experts, translators, and interpreters.

There will be another $8,751 spent for transportation of things, whatever that means—according to Department of State budget amendments, I suppose exhibits, and so forth.

For rent, communications, and utilities, $105,000 will be spent. I suppose a good part of that will go to the Sheraton-Park Hotel, because that is where this Conference is going to be conducted, instead of in the Interdepartmental Auditorium, where it was conducted last time, without paying rent to any outside source.

It will cost $374,000 of the taxpayers' money, of the United States of America, just to print and to reproduce the papers that are expected to be offered, 2,000 sets, 10 volumes, 688 pages each volume.

Then there will be other services that will cost another $310,466, such as the installation of platforms and partitions, the design of U.S. displays, and contracts with people of the secretarial staff to keep up the operation. That last will amount to $155,000 of the $310,466 of this classification.

Supplies and materials will cost $25,000. I do not know what they are going to supply or materialize, but $25,000 for 1,200 conferees is a lot of supplies and materials.

I am sorry that our colleague from Iowa is not present, because he would find, as he cast his eyes on this same document, an item of representation and entertainment, $20,000. That is the so-called booze money, $20,000 for 1,200 conferees. That will be quite a party.

That is what this bill is about and how it came about.

Let me give this warning. We will be called on next year not for $900,000, or for $1.2 million, but for perhaps $1.5 million or $2 million, to put on another one of these parties.

I believe it should be clearly understood that the real reasons I am standing here today to make a record is that I believe it should be clear and definite, as of this very moment we are considering this measure, that this is not going to be a precedent for an annual free party paid for by the taxpayers of the United States of America for 1,200 people from all over the world to come to Washington to laud whoever may be the President as a hero of Water for Peace, and to have $20,000 worth of representation to drink up, and to have a nice time in Washington.

My vote against the bill will be cast as an indication that enough is enough and no "You all come back next year" invitation should this time be extended to the delegates by any U.S. official.

Mr. FRELINGHUYSEN. Mr. Speaker, I move to strike the last word.

Mr. Speaker, as one of the previous speakers pointed out, the hour is admittedly late to consider legislation of this kind. It was just a month ago that this same proposal was considered under suspension of the rules. It has been some months since the other body took action approving this authorization. It would have been preferable to have had this matter decided before now. Nonetheless the delay does not seem to me a reason to oppose this proposition.

As the gentleman from Florida has pointed out, what is proposed here is a serious discussion, under the leadership of the United States, with experts from a great variety of countries on the problems that all countries have in common with respect to water. There is no suggestion that there is to be an annual free party. In fact, the proposed conference next May is not going to be free for the participants. The delegates from other countries will pay their own way. The expenses to be paid by the United States arise from the fact that we will be the host Government. Inevitably there will be necessary expenses, for example, to get interpreters, to develop publications, to have a record made of what is said, and to record the accomplishments and recommendations and to provide space and so on.

I might say, also, with respect to the representation allowance that what is being suggested here is nothing unusual. The State Department plans to have a reception for the foreign delegates to this conference, and also the Secretary of State or someone high up in the Government will be the host at a dinner for these delegates.

I would suggest that the title "Water for Peace Conference" is not a particularly appropriate one. In fact, in the hearings on this bill I suggested the title was not a happy one. What is being proposed is not simply a slogan but an international conference on water, to discuss a variety of serious topics which many countries have in common. I might say that this conference is not going to be put on without planning ahead. In fact, considerable planning has already been done. An agenda has been developed. In our hearings we had an indication of the nature of the problems that would be discussed.

Mr. Speaker, I would like to mention a few of these problems. One of the principal areas of study, the Department pointed out, will be the planning of water resources, including rural, urban, and industrial water supply, irrigation, flood control, navigation, and comprehensive river basin development.

Another section will be devoted to improving the utilization of water supply, new sources of water, and water quality. Another area which is to be covered is education and training, including the training of manpower, and education on water uses as well as international education and training. Attention will also be given to the organizing, development, and operation of water programs, as well as some of the very complicated legal and financial problems connected therewith.

So, in brief, what is being proposed is a conference to last about 11 days next May. It is to be held in Washington as the most convenient and cheapest place for the United States to be the host to an international conference. The costs envisaged are not out of line. In fact, with the limitation of $900,000 now proposed the amount will be somewhat under what has been spent in comparable international conferences where this Government has been the host.

For these reasons, Mr. Speaker, it would be perfectly reasonable for this body to take action. A majority voted in favor of this resolution last month, but because it was called up under suspension of the rules a two-thirds vote was required. It was for that reason that this legislation was not accepted at that time. We should now, in my opinion, pass and approve this joint resolution.

Mr. McCORMACK. Mr. Speaker, I move to strike the requisite number of words.

Mr. Speaker, mankind has many serious challenges confronting us today and in the years that lie ahead.

Mr. Speaker, I often consult with myself, as to the best way in which I can make a slight contribution toward the solution of these problems.

Mr. Speaker, I have come back and have reached the conclusion that at all times those of us in positions of responsibility, whether on the legislative or the executive side of Government, have above all, got to retain our faith and confidence in ourselves.

Now, Mr. Speaker, the question of faith and confidence in ourselves may not be so directly applicable to this particular resolution, as to the serious problems that confront us.

But, Mr. Speaker, this resolution does have a relationship, because throughout the world there are countless millions of human beings, human beings just like you and me.

Mr. Speaker, the fortunate thing about us—and I thank God that I was born in America and that I am a citizen of the United States of America, but when I see people faced with starvation, I say to myself, "How would I feel if I were in their position? They did not know they were going to be born into this or that country, any more than I did or anyone here."

Mr. Speaker, that question addresses itself to me, and the question as contained in this bill is how would I feel if I were born in some other country, not so many years off, where there was a complete lack of water.

Mr. Speaker, we have food in these United States and we are aware of the lack of food in the world situation.

Mr. Speaker, food is nourishing. We all know that these challenges are going to increase and maintain their demands as the years go by.

Mr. Speaker, the increased population of various countries brings about other problems that increase the challenge to those of us who look ahead but the question is whether we, in our own little human way, want to respond with all our strength to overcome our weaknesses and if we today can make a contribution to something which we know is bound to happen in the future.

Mr. Speaker, I remember not so many years ago when the upper Colorado legislation was up for consideration, there was a lot of honest misunderstanding about it. I took the well and I supported it from the angle of the furnishing of water to those great arid and dry areas of the country. We have here in America another water problem with reference to the use of all kinds of animal life, whether it be by human beings, whether it be by animal life, or whether it be in the use of the soil, keeping it fertile, which provides us an opportunity to increase our production sharply as the years go by.

Mr. Speaker, it was only a few years ago when we saw what might have happened to a great metropolitan area like the city of New York when that drought took place up there, and the fears—natural fears—of the people were involved.

Mr. Speaker, the same thing happened last year in other parts of our great country.

So, Mr. Speaker, this is not only a challenge to our country but it is a challenge to ourselves and a challenge to future Americans and to the people throughout the world on a world level.

It is a great challenge to human beings in India, in Africa, and elsewhere, and if we can make marked progress in this important field, we are going to be happier human beings because of what we have done.

Mr. Speaker, this is the sense of the legislation being considered today.

We should be whether we like it or not. We have a rendezvous with destiny and, as I say, whether we like it or not, we cannot escape it. America with its blessings from God and its powerful position with our wonderful Government—a government of law, not of men—dedicated to the service of human beings.

This may appear to be a minor matter in the minds of some, but to me it is a very important matter as a result of what can flow from natural and probable consequences of this media of dedicated persons from all over the world concentrating on this, and trying to make contributions.

Out of that contribution comes benefit to mankind.

We have the desaltation program, and what wonderful results can flow from that when we are able to produce that type of water, and make it economically feasible.

The President of the United States, Lyndon B. Johnson—and I would be down here if the same situation had happened several years ago with Dwight Eisenhower making such a request—has sent invitations to the delegates of the First International Symposium on Water Desalination, stating that the United States would "join in a massive, cooperative, international effort to find solutions for man's water problems." He has convoked what he says is "a great conference to deal with all the world's water problems."

The President has done this.

The importance of this bill at this time is not only the meeting next year, but if we fail to pass it, the unfortunate, embarrassing position it would put the President of the United States in that, having called the conference, we failed to give him the legislation to put it into active operation.

Mr. REID of New York. Mr. Speaker, will the gentleman yield?

Mr. McCORMACK. I yield to the gentleman.

Mr. REID of New York. Mr. Speaker, I wish to commend the Speaker for his eloquence, and would note that under President Eisenhower the United States did take leadership in this field which has been continued by President Johnson. The first satellite pictures of cloud cover over the Near East, taken by Tiros I, were turned over to the State of Israel in 1960 to supplement research of cloud seeding and general rainfall patterns. Consistent with the unified Johnston plan the United States assisted Israel and Jordan in the equitable utilization of the Jordan River waters. Further, Mr. Speaker, the United States in 1960 held talks on desalinization and now as the result of United States-Israel agreement there is the promise of a major nuclear desalinization plant. It would be my hope that one day it will be green from Beersheba to Eilat on the Red Sea. I hope we will be able to find ways to desalinate water so that the Sahara would bloom and the needs of our own Southwest could be met. Indeed we clearly need additional water in the Northeast and New York. It is a worldwide problem which should engage governments, scientists, and experts in this field.

I think the proposed International Conference on Water for Peace in the United States in 1967 can be an important step forward, and I believe the House should proceed to support this legislation in a bipartisan spirit.

I again commend the Speaker for his remarks.

Mr. McCORMACK. I thank the gentleman very much for his remarks.

One hundred years from now there will be problems. We have ours. The Congress of the United States and other legislative bodies, and other people, will have problems, because life is a dynamic process.

But this coming year, out of this conference, can flow so much to so many. I do not know of any better way that we might exemplify the second commandment of love our neighbor, and put it into active operation, than by taking the chance of passing this bill and calling this international conference next year.

I thank you very much.

Mr. HALL. Mr. Speaker, I move to strike the last word.

Mr. Speaker, there is a well-known saying that when the lark sings his eloquence on high, lesser birds cease to twitter lest they miss one lyrical note. So it is with some reluctance that I rise after the Speaker's eloquence, and his persuasion, in opposition to the Senate joint resolution—Senate Joint Resolution 167.

I opposed it when it was before the House under suspension, and I oppose it now, and I submit to the Members of the House that the question is not, "Is water so short and so serious a problem now or 100 years from now in the continental limits of the United States?" because personal discipline and individual citizenship and responsibility can and will handle this situation here, as it will around the world.

The question, indeed, is rather, "What do we come out with from such a conference at the taxpayers' expense?"

To me it is enough to wage a war against aggression 12,000 miles from home, let alone live in a country where seven parts nutrients are being removed for every two parts replaced by fertilizers and other means. Let alone feed, educate, medicate, and water the world.

Mr. Speaker, I submit it is time the President consulted the purse string keepers before issuing such invitations. I believe there is something about that in the Constitution.

What is the purpose of the United Nations to which we subscribe not only 32.40 percent of the entire budget—by far the largest underwriting of any nation in the world—but to which we contribute up to 70.2 percent of the special and extended technical assistance funds, as I have said many times on the floor of this House?

Mr. Speaker, why do we need to do this in addition?

Although the committee that brings it to the floor today in the form of a repeat resolution—a Senate joint resolution by Mr. FULBRIGHT, a Member of the other body, has reduced it by 25 percent, there is still the $20,000 entertainment allowance for 1,200 conferees. That will be the party to end all parties.

What can we learn? What can we impart in view of our own current problems, to the nations of the world? Those are the questions—and at the taxpayers' expense?

Perhaps it would be worth it if we could and would clean up the Potomac. But what an ugly example, to those who convene from around the world. But—and this is stated in the resolution—those who cannot or will not afford the allowance will have their ways paid for them when we ourselves cannot handle this problem.

Much better it would be instead of a water-for-peace conference to have peace on the water. To spend these taxpayers' funds in the interest of antipollution measures is a more worthy goal.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time and was read the third time.

The SPEAKER. The question is on the passage of the Senate joint resolution.

Mr. HALL. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the joint resolution?

Mr. HALL. Yes, Mr. Speaker, I am opposed to the joint resolution.

The SPEAKER. The gentleman qualifies.

The Clerk will report the motion to recommit.

The Clerk read as follows:

> Mr. HALL moves to recommit the joint resolution, S.J. Res. 167, to the Committee on Foreign Affairs.

The SPEAKER. Without objection, the previous question is ordered.

There was no objection.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

The SPEAKER. The question is on the passage of the Senate joint resolution.

Mr. HALL. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

The doorkeeper will close doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 196, nays 79, not voting 157, as follows:

[Roll No. 381]

YEAS—196

Addabbo
Andrews, N. Dak.
Annunzio
Ashley
Bandstra
Barrett
Bates
Beckworth
Bell
Bingham
Blatnik
Boggs
Boland
Brademas
Brock
Brooks
Burke
Burleson
Burton, Calif.
Byrne, Pa.
Cabell
Cahill
Callan
Cameron
Carey
Casey
Chelf
Clark
Cleveland
Conte
Conyers
Corbett
Culver
Cunningham
Daddario
Daniels
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Donohue
Dow
Dulski
Dwyer
Edmondson
Edwards, La.
Everett
Fallon
Farbstein
Farnsley
Fascell
Feighan
Flood
Fogarty
Ford, William D.
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Gallagher
Garmatz
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Pa.
Grider
Griffiths
Grover
Hagen, Calif.
Halpern
Hamilton
Hanley
Harsha
Harvey, Mich.
Hathaway

Hays
Hechler
Holland
Horton
Joelson
Johnson, Calif.
Johnson, Okla.
Jones, Ala.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Utah
Kluczynski
Krebs
Kupferman
Landrum
Latta
Leggett
Long, Md.
Love
McClory
McCulloch
McDade
McDowell
McVicker
Macdonald
Machen
Madden
Mahon
Matthews
Mills
Minish
Minshall
Monagan
Moore
Moorhead
Morris
Morrison
Morse
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
O'Brien
O'Hara, Ill.
O'Hara, Mich.
O'Neill, Mass.
Ottinger
Patman
Patten
Pepper
Perkins
Philbin
Pike
Poage
Price
Pucinski
Race
Redlin
Rees
Reid, N.Y.
Reifel
Rhodes, Pa.
Rivers, S.C.
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Ryan
St Germain
St. Onge
Saylor
Scheuer
Schweiker
Selden
Sickles
Sikes
Slack
Smith, Iowa
Springer
Staggers
Stalbaum
Stubblefield
Teague, Calif.
Tenzer
Thomas
Tupper
Tuten
Udall
Van Deerlin
Vanik
Vigorito
Vivian
Waldie
Weltner
Whalley
White, Tex.
Widnall
Wilson, Charles H.
Wyatt
Wydler
Young
Younger
Zablocki
Murray
Nix
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
Pickle
Pool
Powell
Purcell
Randall
Reinecke
Resnick
Reuss
Rivers, Alaska
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roncalio
Roudebush
Schisler
Schmidhauser
Schneebeli
Scott
Senner
Shipley
Sisk
Smith, N.Y.
Stafford
Stanton
Stephens
Stratton
Sullivan
Sweeney
Talcott
Taylor
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Ullman
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Walker, N. Mex.
Watkins
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White, Idaho
Whitener
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Wright
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Ashmore
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Bennett
Betts
Bow
Broyhill, N.C.
Broyhill, Va.
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Burton, Utah
Byrnes, Wis.
Cederberg
Clancy
Clausen, Don H.
Collier
Cramer
Curtin
Curtis
Dague
Dole
Dorn
Dowdy
Downing
Duncan, Tenn.
Erlenborn
Fountain
Gathings
Gubser
Gurney
Hall
Hardy
Henderson
Herlong
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jennings
Jonas
Jones, Mo.
Kornegay
Kunkel
Langen
Lennon
Lipscomb
Long, La.
MacGregor
Marsh
May
Mize
Morton
Nelsen
Passman
Pelly
Pirnie
Poff
Quie
Quillen
Reid, Ill.
Rhodes, Ariz.
Rumsfeld
Satterfield
Secrest
Shriver
Skubitz
Smith, Calif.
Smith, Va.
Steed
Teague, Tex.
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Watson
Whitten
Williams
Wilson, Bob

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Anderson, Ill.
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Andrews, Glenn
Aspinall
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Belcher
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Bolton
Bray
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Callaway
Carter
Celler
Chamberlain
Clawson, Del
Clevenger
Cohelan
Colmer
Conable
Cooley
Corman
Craley
Davis, Ga.
Davis, Wis.
Denton
Derwinski
Devine
Dickinson
Duncan, Oreg.
Dyal
Edwards, Ala.
Edwards, Calif.
Ellsworth
Evans, Colo.
Evins, Tenn.
Farnum
Findley
Fino
Fisher
Flynt
Foley
Ford, Gerald R.
Fulton, Tenn.
Fuqua
Goodell
Green, Oreg.
Greigg
Gross
Hagan, Ga.
Haley
Halleck
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Hawkins
Hébert
Helstoski
Hicks
Holifield
Howard
Hungate
Huot
Irwin
Jacobs
Johnson, Pa.
Jones, N.C.
Keith
King, Calif.
King, N.Y.
Kirwan
Laird
McCarthy
McEwen
McFall
McGrath
McMillan
Mackay
Mackie
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Mathias
Matsunaga
Meeds
Michel
Miller
Mink
Moeller
Morgan
Moss

The Senate joint resolution was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Adair.

Mr. Albert with Mr. Gerald R. Ford.

Mr. Mackay with Mr. Harvey of Indiana.

Mr. Denton with Mr. McEwen.

Mr. Moss with Mr. Reinecke.

Mr. White of Idaho with Mr. Anderson of Illinois.

Mr. Thompson of New Jersey with Mr. Smith of New York.

Mr. Schisler with Mr. Berry.

Mr. Hicks with Mr. Michel.

Mr. Aspinall with Mr. Laird.

Mr. Abernethy with Mr. Halleck.

Mr. Kirwan with Mr. Fino.

Mr. Matsunaga with Mr. Derwinski.

Mr. Rivers of Alaska with Mr. Del Clawson.

Mr. Foley with Mr. Dickinson.

Mr. Evans of Colorado with Mr. Edwards of Alabama.

Mr. Fuqua with Mr. Keith.

Mr. Stephens with Mr. O'Konski.

Mr. Senner with Mr. Robison.

Mr. Hawkins with Mr. Glenn Andrews.

Mr. Brown of California with Mr. Bray.

Mr. Jacobs with Mr. Talcott.

Mr. Mackie with Mr. Chamberlain.

Mr. Dyal with Mr. Watkins.

Mr. Evins of Tennessee with Mr. Brown of Ohio.

Mr. Hagan of Georgia with Mr. Schneebeli.

Mr. Haley with Mr. Belcher.

Mr. Hungate with Mr. Martin of Alabama.

Mr. Helstoski with Mr. Devine.

Mr. Sisk with Mr. Martin of Massachusetts.

Mr. Schmidhauser with Mr. Davis of Wisconsin.

Mr. Taylor with Mr. Hansen of Idaho.

Mr. Trimble with Mr. Martin of Nebraska.

Mr. Olsen of Montana with Mr. Roudebush.

Mr. Purcell with Mr. Stanton.

Mr. Hanna with Mr. Thomson of Wisconsin.

Mr. Shipley with Mr. Walker of Mississippi.

Mr. Holifield with Mr. Stafford.

Mr. Abbitt with Mr. Mailliard.

Mr. Baring with Mr. Johnson of Pennsylvania.

Mr. Clevenger with Mr. Findley.

Mr. Cohelan with Mr. Conable.

Mr. Olson of Minnesota with Mr. Carter.

Mr. Cooley with Mr. Callaway.

Mr. Meeds with Mr. Goodell.

Mr. Craley with Mr. King of New York.

Mr. Miller with Mr. Mathias.

Mr. Colmer with Mr. Broomfield.

Mr. Walker of New Mexico with Mr. Ayres.

Mr. Nix with Mr. King of California.

Mr. Fisher with Mr. Scott.

Mr. Davis of Georgia with Mrs. Sullivan.

Mr. Corman with Mr. McFall.

Mr. Jones of North Carolina with Mr. Edwards of California.

Mr. Huot with Mrs. Mink.

Mr. Howard with Mr. Morgan.

Mr. Roberts with Mr. Whitener.

Mr. Stratton with Mr. Tunney.

Mr. Rogers of Texas with Mr. Ullman.

Mr. Thompson of Texas with Mr. Murray.

Mr. Moeller with Mr. Watts.

Mr. Randall with Mr. Pool.

Mr. Hansen of Iowa with Mrs. Hansen of Washington.

Mr. Greigg with Mr. McMillan.

Mr. Resnick with Mr. McCarthy.

Mr. Reuss with Mr. Sweeney.

Mr. Flynt with Mr. Wolff.

Mr. Farnum with Mr. Yates.

Mr. Duncan of Oregon with Mr. O'Neal of Georgia.

Mr. Roncalio with Mr. Fulton of Tennessee.

Mr. Todd with Mr. Edwards of California.

Mr. Celler with Mr. Ellsworth.

Mr. Anderson of Tennessee with Mr. Irwin.

Mr. Rogers of Florida with Mrs. Green of Oregon.

Mr. Willis with Mr. Wright.

Mr. BARRETT changed his vote from "nay" to "yea."

Mr. BRADEMAS changed his vote from "nay" to "yea."

Mr. GALLAGHER changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed, with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 11475. An act to provide for the control or elimination of jellyfish and other such pests in the coastal waters of the United States.

FOREIGN INVESTORS TAX OF 1966

Mr. MILLS. Mr. Speaker, I ask unanimous consent that the conferees on the part of the House may have until midnight tonight to file a conference report on the bill, H.R. 13103.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

DUTIABLE STATUS OF WATCHES, CLOCKS, AND TIMING APPARATUS FROM INSULAR POSSESSIONS

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 8436) to amend the Tariff Schedules of the United States with respect to the dutiable status of watches, clocks, and timing apparatus from insular possessions of the United States, with an amendment of the Senate thereto, and concur in the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment as follows:

Strike out all after the enacting clause and insert:

"That (a) paragraph (a) of general headnote 3 of the Tariff Schedules of the United States (19 U.S.C. 1202) is amended—

"(1) by striking out 'Articles' in subparagraph (1) and inserting in lieu thereof

'Except as provided in headnote 6 of schedule 7, part 2, subpart E. articles'; and

"(2) by striking out 'except that all articles' in subparagraph (i) and inserting in lieu thereof 'except that all such articles'.

"(b) The headnotes of schedule 7, part 2, subpart E of the Tariff Schedules of the United States are amended by adding at the end thereof the following new headnote:

"'(6) Products of Insular Possessions.—(a) Except as provided in paragraph (b) of this headnote, any article provided for in this subpart which is the product of an insular possession of the United States outside the customs territory of the United States and which contains any foreign component shall be subject to duty—

"'(i) at the rates set forth in column numbered 1, if the countries of origin of more than 50 percent in value of the foreign components are countries to products of which column numbered 1 rates apply, and

"'(ii) at the rates set forth in column numbered 2, if the countries of origin of 50 percent or more in value of the foreign components are countries to products of which column numbered 2 rates apply.

"'(b) If the requirements for free entry set forth in general headnote 3(a) are complied with, watches (provided for in item 715.05) and watch movements (provided for in items 716.08 through 719.__) which are the product of the Virgin Islands, Guam, or American Samoa and which contain any foreign component may be admitted free of duty, but the total quantity of such articles entered free of duty during each calendar year shall not exceed a number equal to 1/9 of the apparent United States consumption of watch movements during the preceding calendar year (as determined by the Tariff Commission), of which total quantity—

"'(i) not to exceed 87.5 percent shall be the product of the Virgin Islands,

"'(ii) not to exceed 8.33 percent shall be the product of Guam, and

"'(iii) not to exceed 4.17 percent shall be the product of American Samoa.

"'(c) On or before April 1 of each calendar year (beginning with 1967), the Tariff Commission shall determine the apparent United States consumption of watch movements during the preceding calendar year, shall report such determination to the Secretary of the Treasury, the Secretary of the Interior, and Secretary of Commerce, and shall publish such determination in the Federal Register, together with the number of watches and watch movements which are the product of the Virgin Islands, Guam, and American Samoa which may be entered free of duty under paragraph (b) during the calendar year.

"'(d) The Secretary of the Interior and the Secretary of Commerce, acting jointly, shall allocate on a fair and equitable basis among producers of watches and watch movements located in the Virgin Islands, Guam, and American Samoa the quotas for each calendar year provided by paragraph (b) for articles which are the product of the Virgin Islands, Guam, and American Samoa, respectively. Allocations made by the Secretaries shall be final. The Secretaries are authorized to issue such regulations as they determine necessary to carry out their duties under this paragraph.'

"(c) The amendments made by subsections (a) and (b) shall apply only with respect to articles entered, or withdrawn from warehouses, for consumption on or after January 1, 1967.

"SEC. 2. (a) The Secretary of the Treasury is authorized and directed to admit free of duty one variable pressure water channel (one-seventh scale model) imported for the use of the Stevens Institute of Technology and one ionosonde (and accompanying spare parts) for the use of the University of Illinois.

"(b) If the liquidation of the entry of the articles described in subsection (a) of this section has become final, such entry shall be reliquidated and the appropriate refund of duty shall be made."

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. BYRNES of Wisconsin. Mr. Speaker, reserving the right to object, and I shall not object, I do so in order to inquire of the chairman of the committee as to a brief explanation of the bill and the Senate amendments.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. BYRNES of Wisconsin. I yield to the gentleman from Arkansas.

Mr. MILLS. Mr. Speaker, Members of the House will recall that H.R. 8436, as passed by the House last year—on October 21, 1965—dealt with a problem that has arisen with respect to the provision of our tariff laws that accords duty-free treatment to the products of our insular possessions outside the customs territory of the United States. Under present law, articles, the growth or product of such insular possessions, are free of duty when imported into the United States if they do not contain foreign materials to the value of more than 50 percent of their total value.

Mr. Speaker, it was apparent last year when the House passed H.R. 8436 that this existing provision of the tariff law was being employed as a means of enabling certain foreign watches and watch movements to avoid U.S. duties. The practice that evolved, particularly in the Virgin Islands, consists of assembling into finished movements parts of movements obtained chiefly from Japan, West Germany, and France. Because the cost of labor is so high relative to the cost of the parts, the value of the finished movements represented by the foreign parts do not exceed 50 percent of the total value of the movements, and thus the finished product meets the requirements for duty-free treatment when they enter the United States.

The sudden growth of watch assembly operations in the Virgin Islands and the mounting increases in shipments of watches and watch movements from there to the United States made it obvious that this practice was being used to avoid import duties providing protection for U.S. industry and labor. As a result, Mr. Speaker, the Legislature of the Virgin Islands in August of last year enacted legislation setting quotas for watch movements produced in the islands for shipments to this country. It was in the knowledge and in recognition of this restriction already enacted by the Legislature of the Virgin Islands that H.R. 8436, as passed by the House last year, would have removed the duty exemption only with respect to those watch movements produced in insular possessions other than the Virgin Islands. In other words, the bill would have prevented similar watch assembly operations from being established in Guam and American Samoa.

Mr. Speaker, subsequent events have proven that the action of the Legislature of the Virgin Islands may not prove effective to stem the tide of watch movement imports from the islands. The enactment of the islands legislature establishing quotas has been declared invalid by the U.S. district court for the Virgin Islands, and the decision is now on appeal. A subsequent enactment of similar purpose has recently met a similar fate.

The Senate, with this knowledge, has amended H.R. 8436 to apply a system of Federal quotas to limit the number of watch and watch movements containing any foreign components which may be imported duty free from the Virgin Islands, as well as from Guam and American Samoa. Briefly, this quota in a calendar year would be equal to one-ninth of the total U.S. watch consumption for the prior year. This quota would be divided among insular possessions, with the largest share to go to the Virgin Islands in recognition of their already-established watch industry. Specifically, seven-eighths of the quota amount would go to the Virgin Islands and the remaining one-eighth would be divided, two-thirds to Guam and one-third to American Samoa.

Mr. Speaker, in view of the developments since the passage of the bill in the House, particularly the ineffectiveness of the Virgin Islands enactment to deal with the situation, it appears that the Senate amendments establishing quotas are justified, and I recommend that the House concur in these amendments.

There was also added to the bill in the other body an amendment to permit the free entry of one variable pressure water channel for the use of Stevens Institute of Technology and one ionosonde for the University of Illinois. The Department of Commerce advises that there is no domestic production of either of these articles in the United States, and the amendment thus satisfies the criterion established by the Committee on Ways and Means with respect to duty-free entry of scientific instruments for use of educational institutions.

I thus recommend that the House concur in the Senate amendments to H.R. 8436.

Mr. BYRNES of Wisconsin. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. SAYLOR. Mr. Speaker, reserving the right to object, I take this time to direct a question to the chairman of the Ways and Means Committee. My understanding is that as a result of the Senate amendment there will be a limitation placed upon the number of watches that can come from each one of our offshore territories; namely, the Virgin Islands, Guam, and Samoa. Is that correct?

Mr. MILLS. That is correct, under the Senate amendment.

Bear in mind, if the gentleman will yield——

Mr. SAYLOR. I am happy to yield to the gentleman from Arkansas.

Mr. MILLS. There could be no importation of watches under the House-passed bill from Samoa and Guam under the favorable customs treatment of articles from our possessions. We had cut off any importation whatsoever under those conditions from those areas under the House-passed bill.

Mr. SAYLOR. Is there any reason why the Virgin Islands should be given the lion's share of the importation of watches when there is already in Guam a sizable industry which will be put out of business if this bill goes through?

Mr. MILLS. Let me call the attention of my friend from Pennsylvania to the fact that when we considered this in the Committee on Ways and Means we were satisfied not to place any limitation at all on the Virgin Islands, because they had placed this limitation on themselves of one-ninth of American production.

Under the Senate amendment, the Virgin Islands would get seven-eighths of the one-ninth, and the other portion would be given to Guam and Samoa.

It is my information that there are now producers of watches in Guam. They were not even there, according to my information, when the bill passed the House. That was the testimony we had from a representative of the Department of Interior.

That is why we cut it off. There was no watch production whatsoever in those two possessions when we had this matter in the committee and when this matter was passed by the House, so we did not believe it would have any effect on the economy of these two possessions.

After the bill passed the House and while it was pending in the other body, production was established in Guam. I have forgotten how many people are employed. This change is to take care, I understand, of their situation.

It was the then existing Virgin Islands' producers of watches who were going to be cut back under the arrangement in the House bill. They will be cut back from the full amount of one-ninth, between 3 million and 3.5 million watches under the House bill and to about 4 million under the Senate bill due to increased consumption here recently that they could export to the United States a year. They will, under the Senate bill, get seven-eighths of the one-ninth of U.S. consumption.

The Virgin Islands had been increasing its production. They were going up each year, and doubling the production of the year before of these watches. It became to me a very serious situation.

I believe there is no doubt about the fact, and the people who produce watches in the United States tell me, that without our doing this, it would have resulted in a short period of time in the Virgin Islands alone taking over practically all of the production of watches that were being produced in the United States. They could not have continued to operate.

We were trying to plug what the Tariff Commission earlier described to me as being a tariff avoidance provision in our tariff law. We were drawing just a complete embargo on favorable treatment in our original bill. We left the Virgin Islands alone finally because of their efforts at control. We were going to give them what they had built to that point, but we were not going to give them any more. They were not, under their own law.

Now, under this, they will get only seven-eighths of what they had when we looked at this in the House. The other one-eighth of about 4 million watches will go to the other two islands—two-thirds to Guam and one-third to Samoa.

The gentleman understands that this is a rising figure. It will always be one-ninth of the annual consumption of watches in the United States. It could be 5 million watches or even more, in time.

Mr. SAYLOR. The explanation the gentleman has given concurs identically with the information furnished to me by the representatives from Guam. They, of course, are much more in favor of the Senate bill than of the House bill.

Mr. MILLS. Yes.

Mr. SAYLOR. The question I should like to direct to the gentleman is this: If the people from Guam can come forward during the next session of Congress and show that this discriminates unjustly against them, would the gentleman's committee be willing to hear such representatives?

Mr. MILLS. Absolutely we would. We did not believe we were discriminating against them when we passed our bill through the House. Certainly, if we are discriminating against them in this allocation, we would be glad to hear from them.

Mr. SAYLOR. Mr. Speaker, I withdraw my reservation.

Mr. UTT. Mr. Speaker, reserving the right to object, I have some questions I would like to ask the chairman of the committee.

Mr. Speaker, it is my understanding that this quota goes into effect on January 1, 1967.

Mr. MILLS. Mr. Speaker, will the gentleman yield?

Mr. UTT. I yield to the gentleman from Arkansas.

Mr. MILLS. The gentleman is correct. Yes.

Mr. UTT. And the quota will be set by the Tariff Commission?

Mr. MILLS. The quota is set by joint action of the Secretary of Commerce and the Secretary of the Interior. We wanted both of them in on it.

Mr. UTT. My understanding is—and you will recall that I discussed the matter with you—the Secretary of Commerce cannot determine the domestic consumption for 1967 until April or May of the coming year. So how will they be able to set the quota by January of 1967 without any information?

Mr. MILLS. At that particular point it is done on the basis of estimates. Those estimates are adjusted as the facts are developed during the course of the year. They might, for the first 5 months, get to export more than they are entitled to, but this is for a 12-month period that we are thinking about. So they would be adjusted during that 12-month period.

Mr. UTT. Thank you, Mr. Speaker. Mr. Speaker, I withdraw my reservation of objection.

Mr. MOORE. Mr. Speaker, reserving the right to object and recalling the observations I have made previously with respect to matters pending in the other body and by reason of the fact that the distinguished chairman of the Committee on Ways and Means has asked unanimous consent to concur in certain Senate amendments to this House bill, Mr. Speaker, I object.

The SPEAKER. Objection is heard.

FEDERAL TAX LIENS AND LEVIES

Mr. MILLS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 11256) to amend the Internal Revenue Code of 1954 with respect to the priority and effect of Federal tax liens and levies, and for other purposes, with Senate amendments thereto and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 13, strike out all after line 17 over to and including line 14 on page 14 and insert:

"(f) PLACE FOR FILING NOTICE; FORM.—

"(1) PLACE FOR FILING.—The notice referred to in subsection (a) shall be filed—

" '(A) UNDER STATE LAWS.—

" '(i) REAL PROPERTY.—In the case of real property, in one office within the State (or the county, or other governmental subdivision), as designated by the laws of such State, in which the property subject to the lien is situated; and

" '(ii) PERSONAL PROPERTY.—In the case of personal property, whether tangible or intangible, in one office within the State (or the county, or other governmental subdivision), as designated by the laws of such State, in which the property subject to the lien is situated; or

" '(B) WITH CLERK OF DISTRICT COURT.—In the office of the clerk of the United States district court for the judicial district in which the property subject to the lien is situated, whenever the State has not by law designated one office which meets the requirements of subparagraph (A); or

" '(C) WITH RECORDER OF DEEDS OF THE DISTRICT OF COLUMBIA.—In the office of the Recorder of Deeds of the District of Columbia, if the property subject to the lien is situated in the District of Columbia.

" '(2) SITUS OF PROPERTY SUBJECT TO LIEN.—For purposes of paragraph (1), property shall be deemed to be situated—

" '(A) REAL PROPERTY.—In the case of real property, at its physical location; or

" '(B) PERSONAL PROPERTY.—In the case of personal property, whether tangible or intangible, at the residence of the taxpayer at the time the notice of lien is filed.

For purposes of paragraph (2)(B), the residence of a corporation or partnership shall be deemed to be the place at which the principal executive office of the business is located, and the residence of a taxpayer whose residence is without the United States shall be deemed to be in the District of Columbia.

" '(3) FORM.—The form and content of the notice referred to in subsection (a) shall be prescribed by the Secretary or his delegate. Such notice shall be valid nothwithstanding any other provision of law regarding the form or content of a notice of lien'."

Page 14, strike out lines 15 to 21, inclusive, and insert:

" '(g) REFILING OF NOTICE.—For purposes of this section—

"'(1) General rule.—Unless notice of lien is refiled in the manner prescribed in paragraph (2) during the required refiling period, such notice of lien shall be treated as filed on the date on which it is filed (in accordance with subsection (f)) after the expiration of such refiling period.

"'(2) Place for filing.—A notice of lien refiled during the required refiling period shall be effective only—

"'(A) if such notice of lien is refiled in the office in which the prior notice of lien was filed; and

"'(B) in any case in which, 90 days or more prior to the date of a refiling of notice of lien under subparagraph (A), the Secretary or his delegate received written information (in the manner prescribed in regulations issued by the Secretary or his delegate) concerning a change in the taxpayer's residence, if a notice of such lien is also filed in accordance with subsection (f) in the State in which such residence is located.'"

Page 14, line 22, strike out "(2)" and insert "(3)".

Page 15, line 6, strike out "(3)" and insert "(4)".

Page 15, line 7, strike out "(2)" and insert "(3)".

The SPEAKER. Is there objection to the request of the gentleman from Arkansas?

Mr. MOORE. Mr. Speaker, reserving the right to object, for the reasons heretofore stated by me and by reason of the fact that the Senate amendments are asked to be concurred in with respect to this House bill, I object.

The SPEAKER. Objection is heard.

AUTHORIZING COMMITTEE ON HOUSE ADMINISTRATION TO HOLD HEARINGS, ETC.

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1047 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1047

Resolved, That, for the purpose of carrying out its duties under the Rules of the House of Representatives, the Committee on House Administration, or any subcommittee thereof, is authorized to sit, hold hearings, and act at such times and places within the United States, whether or not the House is in session, is in recess, or has adjourned, to require by subpena or otherwise the attendance of such witnesses and the production of such papers, documents, and books, and to take such testimony as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or of any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee [Mr. Quillen] and pending that, I yield myself such time as I may consume.

Mr. Speaker, this resolution simply authorizes a subcommittee of the House Committee on Administration to exercise the necessary authority in carrying out its investigative functions as requested herein.

Mr. Speaker, the Committee on Rules has given careful consideration to this request and has found it to be totally justified upon the basis of the testimony of the witnesses in attendance.

Mr. Speaker, I recommend that the resolution be adopted.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, the gentleman from Florida [Mr. Pepper] has ably described the purpose of this resolution.

Mr. Speaker, I have no requests for time, but I reserve the balance of my time.

Mr. PEPPER. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

INVESTIGATION OF EUROPEAN MARKETS, AND OTHER PURPOSES

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 1043 and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1043

Resolved, That, for the purpose of the studies and investigations specified in H. Res. 133 approved by the House of Representatives on February 16, 1965, that the Committee on Banking and Currency is authorized to send eighteen of its members and six of its employees to be divided into special subcommittees to investigate matters in connection with European capital markets and export control on capital as it affects balance of payments, restrictions on borrowing in European capital markets by foreign entities, bilateral credit agreements between the United States and European countries, and development lending activities in the Far and Middle East of those agencies in which the United States participates; and, the operations of the International Bank for Reconstruction and Development, the International Finance Corporation, Inter-American Development Bank, and the International Development Association affecting the development of the agricultural sector in Latin America. One special subcommittee shall investigate and study the European capital markets, bilateral credit agreements between the United States and European countries, and development lending in the Far East and Middle East and one special subcommittee shall investigate and study the activities of the various international lending institutions as they affect the development of agriculture in Latin America: *Provided further,* That, notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Banking and Currency of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided,* That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502 (b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose: *Provided,* That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

The SPEAKER. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from Tennessee [Mr. Quillen], for purposes of debate, and myself such time as I shall consume.

Mr. Speaker, this is simply a resolution authorizing certain members of the Committee on Banking and Currency to make certain trips in carrying out the duties of that committee, together with certain staff members. It is in the usual form, and the usual practice, and the committee has given careful consideration to it, and believes the resolution should be adopted.

Mr. Speaker, I yield to the gentleman from Tennessee [Mr. Quillen].

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume. The able gentleman from Florida has adequately described the resolution, House Resolution 1043.

I had the privilege of serving as a member of the subcommittee of the House Committee on Rules. We had before us the distinguished members of the Committee on Banking and Currency, both the minority and majority members. There were no disagreements on the provisions of this resolution.

Mr. Speaker, I have no further requests for time, and I reserve the balance of my time.

The SPEAKER. The question is on the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

TO AUTHORIZE THE GENERAL SUBCOMMITTEE ON LABOR OF THE COMMITTEE ON EDUCATION AND LABOR TO CONDUCT AN INVESTIGATION AND STUDY

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules I call up House Resolution 1044, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. Res. 1044

Resolved, That the General Subcommittee on Labor of the Committee on Education and Labor, acting as a whole or by subcommittee, is authorized and directed to conduct a full and complete investigation and study (1) of the operation by the Federal Government of elementary and secondary schools, both at home and abroad, with a view to determining means of assuring that the children of civilian officers and employees, and members of the Armed Forces, of the United States will receive high quality elementary and secondary education, and (2) of the circumstances surrounding the production in foreign nations of goods which are subsequently sold in the United States in competition with domestically produced goods.

For the purpose of carrying out this resolution the committee or subcommittee is authorized to sit and act during the present Congress at such times and places within the United States, including any Commonwealth or possession thereof, or elsewhere whether the House is in session, has recessed, or has adjourned, to hold such hearings, and to require, by subpena or otherwise, the attendance and testimony of such witnesses and the production of such books, records, correspondence, memorandums, papers, and documents, as it deems necessary; except that neither the committee nor any subcommittee thereof may sit while the House is meeting unless special leave to sit shall have been obtained from the House. Subpenas may be issued under the signature of the chairman of the committee or any member of the committee designated by him, and may be served by any person designated by such chairman or member.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Education and Labor of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country whose local currencies where spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

Mr. PEPPER (during the reading of the resolution). Mr. Speaker, I ask unanimous consent to dispense with further reading of the resolution.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

Mr. HAYS. Mr. Speaker, reserving the right to object, would the gentleman tell us before we agree to this exactly what is in this resolution, and briefly what it does?

Mr. PEPPER. Mr. Speaker, I will be very glad to.

Mr. Speaker, this resolution authorizes the members of the Committee on Education and Labor to make a certain trip and a certain investigation in respect to the operation by the Federal Government of elementary and secondary schools, both at home and abroad, with a view of determining means of assuring that the children of civilian officers and employees and member of the Armed Forces of the United States abroad receive a high quality of elementary and secondary education. That is the purpose.

Mr. HAYS. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Florida that further reading of the resolution be dispensed with?

There was no objection.

The SPEAKER. The Clerk will report the committee amendment.

The Clerk read as follows:

Strike out all after the word *"Resolved"* on page 1, and insert in lieu thereof the following language:

"That notwithstanding the provisions of H. Res. 94, Eighty-ninth Congress, the General Subcommittee on Labor of the Committee on Education and Labor is authorized to send not more than six members (four majority and two minority), and not more than two staff assistants (one majority and one minority), of such subcommittee to conduct a full and complete investigation and study (1) of the operation by the Federal Government of elementary and secondary schools, both at home and abroad, with a view to determining means of assuring that the children of civilian officers and employees, and members of the Armed Forces of the United States will receive high quality elementary and secondary education, and (2) of the circumstances surrounding the production in foreign nations of goods which are subsequently

The SPEAKER. The question is on the committee amendment.

The committee amendment was agreed to.

The SPEAKER. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee [Mr. QUILLEN] and to myself such time as I may consume.

Mr. Speaker, I believe there is no reason why this resolution should not be adopted. It was carefully examined by the Committee on Rules, and I believe it should be adopted.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this resolution was discussed by the subcommittee appointed by the distinguished chairman of the House Committee on Rules, at which time both the minority and the majority members of the Committee on Education and Labor came in, and discussed their planned trip with the Rules Committee.

This investigative committee consists of a six-man subcommittee of the General Subcommittee on Labor, plus two staff members, one of which shall be a member of the minority.

The purpose is to study oversea schools, and to make an oversea study of production of foreign goods which are imported into the United States in competition with U.S.-produced goods.

This resolution was unanimously reported out of the Committee on Rules.

Mr. Speaker, I have no requests for time, and I reserve the balance of my time.

The SPEAKER. The question is on agreeing to the resolution, as amended.

The resolution, as amended, was agreed to.

A motion to reconsider was laid on the table.

TRAVEL AUTHORITY TO COMMITTEE ON PUBLIC WORKS

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 1045) to grant additional travel authority to the Committee on Public Works, and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1045

Resolved, That, notwithstanding the provisions of H. Res. 141, Eighty-ninth Congress, the Committee on Public Works is authorized to send not more than five members of such committee, two majority staff assistants, and one minority staff assistant to such European and Near Eastern countries as the committee may determine for the purpose of conducting an investigation and study of public works in various European and Near Eastern countries, which would include mutual problems involving rivers and harbors, flood control, highways, water pollution and related subjects; and is further authorized to send not more than three members of such committee, one majority staff assistant, and one minority staff assistant to such Far Eastern countries as the committee may determine for the purpose of conducting an investigation of water pollution and public transportation in various Far Eastern countries.

Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Public Works of the House of Representatives and employees engaged in carrying out their official duties under section 190(d) of title 2, United States Code: *Provided*, That (1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964; (2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; (3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

That each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

The SPEAKER. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendments: "On page 1, line 11, strike the word 'three' and insert in lieu thereof the word 'five'.

"On page 1, line 12, before the word majority' strike the word 'one' and insert in lieu thereof the word 'two'."

The committee amendments were agreed to.

The SPEAKER. The gentleman from Florida [Mr. PEPPER] is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the gentleman from Tennessee [Mr. QUILLEN], and pending that yield myself such time as I may consume.

Mr. Speaker, all this resolution does is authorize the Committee on Public Works to send not more than five members and not more than three necessary staff assistants to such European and Near Eastern countries as the committee may determine for the purpose of investigating the construction of public works in various European and Near Eastern countries.

Mr. Speaker, I think the resolution should be adopted.

The SPEAKER. The gentleman from Tennessee [Mr. QUILLEN] is recognized.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is another one of the resolutions that was discussed fully by the subcommittee appointed by the distinguished chairman of the House Committee on Rules, and it was voted out unanimously by the Committee on Rules. Both majority and minority members of the Committee on Public Works appeared before the subcommittee and the resolution was unanimously supported.

Mr. Speaker, I have no requests for time and reserve the balance of my time.

The SPEAKER. The question is on agreeing to the resolution, as amended.

The resolution as amended was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE ON EDUCATION AND LABOR

Mrs. GREEN of Oregon. Mr. Speaker, I ask unanimous consent that the Committee on Education and Labor have until midnight tonight to file the conference report on H.R. 14644.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

AUTHORIZING THE COMMITTEE ON POST OFFICE AND CIVIL SERVICE TO CONDUCT CERTAIN STUDIES IN FAR EASTERN AND WESTERN EUROPEAN COUNTRIES

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules I call up the resolution (H. Res. 1048) authorizing the Committee on Post Office and Civil Service to conduct certain studies in Far Eastern and Western European countries, and ask for its present consideration.

The Clerk read the resolution, as follows:

H. RES. 1048

Resolved, That (a) notwithstanding the provisions of H. Res. 245, Eighty-ninth Congress, the Committee on Post Office and Civil Service is authorized to send not more than two members, and not more than two staff assistants, of such committee, to such Far Eastern and Western European countries as the committee may determine, for the purpose of conducting studies with respect to the policies, operations, activities, and administration by the Department of Defense of the United States Government of the civilian manpower requirements, utilization, and employment policies of the Department in such countries, with particular reference to—

(1) the determination of the appropriate means of ascertaining the number of civilian employees needed by the Department of Defense in such countries, including the utilization of United States civil service employees, the direct hiring by the Department of Defense of foreign nationals, and the indirect hiring by the Department of Defense of foreign nationals through the government of the foreign countries concerned;

(2) the determination of whether sound manpower utilization policies are being applied by the Department of Defense in such countries; and

(3) the propriety of the use by the Department of Defense of personnel furnished by private contractors in such countries.

(c) Notwithstanding section 1754 of title 22, United States Code, or any other provision of law, local currencies owned by the United States shall be made available to the Committee on Post Office and Civil Service of the House of Representatives and employees engaged in carrying out their official duties under section 190d of title 2, United States Code, except that—

(1) no member or employee of said committee shall receive or expend local currencies for subsistence in any country at a rate in excess of the maximum per diem rate set forth in section 502(b) of the Mutual Security Act of 1954, as amended by Public Law 88–633, approved October 7, 1964;

(2) no member or employee of said committee shall receive or expend an amount for transportation in excess of actual transportation costs; and

(3) no appropriated funds shall be expended for the purpose of defraying expenses of members of said committee or its employees in any country where counterpart funds are available for this purpose.

(c) Each member or employee of said committee shall make to the chairman of said committee an itemized report showing the number of days visited in each country where local currencies were spent, the amount of per diem furnished, and the cost of transportation if furnished by public carrier, or if such transportation is furnished by an agency of the United States Government, the identification of the agency. All such individual reports shall be filed by the chairman with the Committee on House Administration and shall be open to public inspection.

The SPEAKER. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from Tennessee [Mr. QUILLEN] and now yield myself such time as I may consume.

Mr. Speaker, this resolution simply authorizes the Committee on Post Office and Civil Service to send not more than two members and not more than two staff assistants to certain Far Eastern and Western European countries for the purpose of conducting studies with respect to the policies, operations, activities, and administration by the Department of Defense of the U.S. Government of the civilian manpower requirement, utilization, and employment policies of the Department in such countries.

This has been examined by the Committee on Rules and I recommend on behalf of the committee that the resolution do pass.

The SPEAKER. The Chair recognizes the gentleman from Tennessee [Mr. QUILLEN].

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, this is the last travel resolution that the House Committee on Rules has reported. Both minority and majority members of the Committee on Post Office and Civil Service appeared before the subcommittee and it was worked out agreeably between both parties.

Mr. Speaker, I have no requests for time and reserve the balance of my time.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CREATING A SELECT COMMITTEE ON STANDARDS AND CONDUCT

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 1013) creating a Select Committee on Standards and Conduct, and ask for its present consideration.

The Clerk read the resolution, as follows:

H. RES. 1013

Resolved, That (a) there is hereby established a select committee of the House of Representatives to be known as the Select Committee on Standards and Conduct (referred to hereinafter as the "Select Committee") consisting of twelve Members of the House of whom six shall be selected from members of the majority party and six shall be selected from members of the minority party. The chairman and other members thereof shall be appointed by the Speaker of the House of Representatives.

(b) Vacancies in the membership of the Select Committee shall not affect the authority of the remaining members to execute the functions of the Select Committee, and shall be filled in the same manner as original appointments thereto are made.

(c) A majority of the members of the Select Committee shall constitute a quorum for the transaction of business, except that the Select Committee may fix a lesser number as a quorum for the purpose of taking sworn testimony. The Select Committee shall adopt rules of procedure not inconsistent with the rules of the House governing standing committees of the House.

SEC. 2. (a) It shall be the duty of the Select Committee in its discretion to—

(1) investigate allegations of improper conduct which may reflect upon the House, violations of law, and violations of rules and regulations of the House, relating to the conduct of individuals in the performance of their duties as Members of the House, or as officers or employees of the House, and to make appropriate findings of fact and conclusions with respect thereto;

(2) recommend to the House, by report or resolution by a two-thirds vote (eight members) of the Select Committee, disciplinary action to be taken with repect to such violations which the Select Committee shall determine, after according to the individuals concerned due notice and opportunity for hearing, to have occurred;

(b) the Select Committee from time to time shall transmit to the House its recommendations as to any legislative measures which it may consider to be necessary for the effective discharge of its duties.

SEC. 3. For the purpose of this resolution the Select Committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House has recessed or adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony as the Select Committee deems necessary. Subpenas may be issued under the signature of the chairman of the Select Committee or by any member designated by such chairman and may be served by any person designated by such chairman or member. The chairman of the Select Committee or any member thereof may administer oaths to witnesses.

SEC. 4. As used in this resolution, the term "officer or employee of the House" means—

(a) an elected officer of the House of Representatives who is not a Member of the House;

(b) any person whose compensation is disbursed by the Clerk of the House.

CALL OF THE HOUSE

Mr. SAYLOR. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. PEPPER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 382]

Abbitt
Abernethy
Adair
Adams
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Ashley
Aspinall
Ayres
Baring
Battin
Belcher
Berry
Bolling
Bolton
Bray
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Burleson
Byrnes, Wis.
Callaway
Carter
Casey
Chamberlain
Clawson, Del
Clevenger
Cohelan
Colmer
Conable
Cooley
Corman
Craley
Culver
Davis, Ga.
Davis, Wis.
Denton
Derwinski
Devine
Dickinson
Diggs
Duncan, Oreg.
Dyal
Edwards, Ala.
Edwards, Calif.
Ellsworth
Evans, Colo.
Evins, Tenn.
Farnum
Fascell
Findley
Fino
Fisher
Flynt
Foley
Ford, Gerald R.
Fulton, Tenn.
Fuqua
Goodell
Greigg
Griffiths
Gross
Hagan, Ga.
Haley
Halleck
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Hawkins
Hébert
Helstoski
Hicks
Holifield
Howard
Hungate
Huot
Irwin
Jacobs
Johnson, Pa.
Jones, N.C.
Keith
King, N.Y.
Kirwan
Laird
McCarthy
McEwen
McFall
McGrath
McMillan
Mackay
Mackie
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Meeds
Michel
Miller
Mink
Moeller
Morgan
Moss
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
Pool
Purcell
Randall
Reinecke
Resnick
Reuss
Rivers, Alaska
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roncalio
Rostenkowski
Roudebush
Schisler
Schmidhauser
Schneebeli
Scott
Senner
Shipley
Sickles
Sikes
Sisk
Smith, N.Y.
Stafford
Stanton
Steed
Stephens
Stratton
Sullivan
Sweeney
Taylor
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Ullman
Utt
Walker, Miss.
Walker, N. Mex.
Watkins
Watts
White, Idaho
Whitener
Willis
Wolff
Wright
Wyatt
Yates
Young

The SPEAKER pro tempore (Mr. BOLAND). On this rollcall, 268 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The SPEAKER pro tempore. The gentleman from Florida [Mr. PEPPER] is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the able gentleman from Tennessee [Mr. QUILLEN] for the purpose of debate, and to myself such time as I shall consume.

AMENDMENT OFFERED BY MR. PEPPER

Mr. PEPPER. Mr. Speaker, on behalf of the Committee on Rules, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. PEPPER: Page 2, line 24, strike out the semicolon and insert a period.

Page 2, line 24, after the word "occurred", insert "any allegation referred to in paragraph (1) shall be made under oath and shall specifically state the facts on the basis of which it is made."

Page 2, line 25, capitalize the first word "The".

The SPEAKER pro tempore. Without objection, the committee amendment is agreed to.

Mr. PEPPER. Mr. Speaker, I have called attention to the amendment at the beginning of this discussion because I wanted the Members of the House thoroughly to understand that at the bottom of page 2 of the resolution, in reference to allegations which may justify an investigation by the Select Committee provided by the resolution, that the allegations must be constituted into a statement of fact and must be sworn to by the one making the allegation, the purpose of which, of course, is to assure in every way possible the reliability of the data upon which this committee may come into investigative action.

Mr. CELLER. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the able Chairman of the Judiciary Committee.

Mr. CELLER. Must the testimony that is taken from witnesses also be under oath?

Mr. PEPPER. I yield to my colleague, the able gentleman from Florida [Mr. BENNETT] who is the author of the resolution, to answer that question.

Mr. BENNETT. As to procedures, the Rules and Precedents of Congress would control. Rule XI contains details of procedure. Precedents set by the Special Contracts Subcommittee of the House Administration Committee and by the Senate Select Committee on Standards and Conduct will also be instructive. Like those committees this new committee would be expected to draw up rules consistent with the specific House Rules already established, if further particularization is needed.

Those rules provide, for instance, that the person involved is to be invited to appear—rule XI, 26(m)(2); and request the subpena of additional witnesses—subsection (3) of same rule—and would be allowed to be accompanied by legal counsel—rule XI, 26(k). The rules provide that if the testimony may tend to defame any person, in the opinion of the committee, it shall receive such in executive session—rule XI, 26(m).

The evidence before the committee would be evidence such as would be submitted before any other committee of the House of Representatives, according to the other types of activity that are carried on by similar committees. Very specifically, by the Subcommittee on Contracts, which I am sure has set down some very fine precedents since it has been in operation, and by the Senate Committee on Standards, which has been underway for some time.

Mr. CELLER. I gather that there are precedents, but as far as the gentleman knows—he is the author of the resolution—will the testimony that is taken from witnesses be under oath?

Mr. BENNETT. In the two other committees which were constituted of a similar nature, they are exercising jurisdiction very similarly at the present time. There was nothing in their resolutions that outlined this and it would be left up to the committee as it was appointed to do this.

It would certainly be my recommendation that the evidence would be under oath.

Mr. CELLER. The gentleman would so recommend?

Mr. BENNETT. I certainly would.

Mr. CELLER. Will the gentleman yield further?

Mr. PEPPER. I am glad to yield to the gentleman from New York.

Mr. CELLER. I am not opposed to the resolution, but I do wish to get some clarification of the situation.

I notice on page 2, line 13, that the committee is to—"investigate allegations of improper conduct which may reflect upon the House, violations of law." That would include criminal law, would it not?

Mr. BENNETT. Yes, it would.

Mr. CELLER. Would that mean that the committee would be replacing a grand jury or a U.S. attorney? Would it be tantamount to setting up the committee in the form of a grand jury or setting it up as a U.S. attorney seeking to ferret out crime?

Mr. BENNETT. One can draw his own analogies from it. The resolution is short. It merely says they can investigate these violations and they then can recommend to the House appropriate action. It would not allow the committee to take action, so it could not be like a court, because it could not impose any penalty itself. It could only recommend to the House of Representatives that it take action.

CALL OF THE HOUSE

Mr. HAYS. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore (Mr. BOLAND). Evidently a quorum is not present.

Mr. PEPPER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 383]

Abbitt
Abernethy
Adair
Adams
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Ashley
Aspinall
Ayres
Baring
Bates
Battin
Belcher
Berry
Bolton
Brademas
Bray
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Byrnes, Wis.
Callaway
Carey
Carter
Chamberlain
Clawson, Del
Clevenger
Cohelan
Colmer
Conable
Cooley
Corman
Craley
Culver
Curtin
Davis, Ga.
Davis, Wis.
Denton
Derwinski
Devine
Dickinson
Diggs
Duncan, Oreg.
Dyal
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Ellsworth
Evans, Colo.
Evins, Tenn.
Farnum
Feighan
Findley
Fino
Fisher
Flynt
Fogarty
Foley
Ford, Gerald R.
Fulton, Tenn.
Fuqua
Goodell
Greigg
Gross
Gubser
Hagan, Ga.
Haley
Hall
Halleck
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Hawkins
Hébert
Helstoski
Herlong
Hicks
Holifield
Hosmer
Howard
Hungate
Huot
Irwin
Jacobs
Johnson, Okla.
Johnson, Pa.
Jones, N.C.
Karth
Keith
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Laird
Long, La.
McCarthy
McEwen
McFall
McGrath
McMillan
Macdonald
Mackay
Mackie
Madden
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Meeds
Michel
Miller
Minish
Mink
Moeller
Morgan
Moss
Multer
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
Pepper
Pool
Powell
Purcell
Randall
Reinecke
Resnick
Reuss
Rivers, Alaska
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roncalio
Rostenkowski
Roudebush
St Germain
Schisler
Schmidhauser
Schneebeli
Scott
Senner
Shipley
Sikes
Sisk
Smith, N.Y.
Stafford
Stanton
Stephens
Stratton
Sullivan
Sweeney
Talcott
Taylor
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Tupper
Ullman
Utt
Walker, Miss.
Walker, N. Mex.
Watkins
Watts
White, Idaho
Whitener
Whitten
Willis
Wilson, Charles H.
Wolff
Wright
Wyatt
Yates
Young

The **SPEAKER** pro tempore (Mr. BOLAND). On this rollcall 240 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The **SPEAKER** pro tempore. The Chair will advise the gentleman from Florida that he has consumed 5 minutes. The Chair recognizes the gentleman from Florida.

Mr. PEPPER. Mr. Speaker, let me make a brief statement about the background of this resolution and what the provisions of it are. All of us are aware, I think, that for many years there has been a strong sentiment in both Houses of Congress that there should be some committee in each House which would have authority to investigate questions of propriety or misconduct on the part of the Members of the respective bodies and the employees of the respective bodies. The whole matter of the behavior of people in public office, of course, is a matter of grave concern to the people of a democracy.

The matter came first to what might be called the conspicuous attention of the public when in 1957 the late great Speaker Rayburn, as I understand, suggested that there be a special Oversight Committee of the House Committee on Interstate and Foreign Commerce to investigate questions of impropriety in the conduct of Members of the quasi-judicial tribunals of the Government of our country. Our able former colleague, Mr. Harris, was chairman of that committee, and other Members are perhaps here on the floor.

I remember the able gentleman from California [Mr. Moss] was also a member of that committee.

That committee investigated, as we all will recall, the matter of people making what might be called back-door contacts to members of the Federal Communications Commission.

As a result of those investigations I know in my own State of two TV stations that were withdrawn, or in effect would have been withdrawn if in one instance the station had not been relinquished by the one to whom it had been temporarily awarded because it had been made to appear to that Oversight Committee that there had been approaches to a member or members of the Federal Communications Commission outside the record in behalf of applicants for TV licenses.

Thereafter followed other investigations of similar character. Today we all know that there is machinery by which the Congress may investigate matters of impropriety in the conduct of members of the executive branch of the Government.

In 1961, upon the recommendation of President Kennedy, legislation was enacted by the Congress providing criteria dealing with the matter of conflicts of interest on the part of Members of Congress.

But more and more the question was asked in the country: Do the Houses of Congress have adequate machinery to investigate allegations or suggestions of impropriety on the part of Members of the respective bodies or employees of the respective bodies?

Members of the two bodies for many years—I have records here going back to 1957—have been introducing resolutions providing for a select committee in each of the congressional bodies to have authority to investigate such allegations of impropriety on the part either of Members or of employees of the respective Houses.

My able colleague, the author of the resolution under consideration now, the gentleman from Florida [Mr. BENNETT] has been for many years—10 or 12 years, if I recall correctly—introducing such resolutions.

To show the general sentiment among the membership of this House respecting this subject, I have here a list of more than 20 Members of the House who in the 89th Congress have introduced resolutions to set up a select committee of the character of the select committee which would be provided for in the resolution under consideration.

I ask unanimous consent, Mr. Speaker, that this list may be printed in the RECORD at this point.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

The list is as follows:

ETHICS BILLS AND RESOLUTIONS—EIGHTY-NINTH CONGRESS

H. Res. 18: Mr. BENNETT.
H. Res. 106: Mr. REID of New York.
H. Res. 954: Mr. BENNETT.
H. Res. 974: Mr. GIBBONS.
H. Res. 986: Mr. GIBBONS.
H. Res. 991: Mrs. GREEN of Oregon.
H. Res. 992: Mr. ROGERS of Florida.
H. Res. 993: Mr. SMITH of Virginia.
H. Res. 996: Mr. PEPPER.
H. Res. 997: Mr. FASCELL.
H. Con. Res. 55: Mr. UDALL.
H. Con. Res. 117: Mr. HARVEY of Michigan.
H. Con. Res. 136: Mr. ANDREWS of North Dakota.
H. Con. Res. 137: Mr. ELLSWORTH.
H. Con. Res. 139: Mr. Lindsay.
H. Con. Res. 140: Mr. MAILLIARD.
H. Con. Res. 141: Mr. MORSE.
H. Con. Res. 142: Mr. REID of New York.
H. Con. Res. 148: Mr. STAFFORD.
H. Con. Res. 155: Mr. HALPERN.
H. Con. Res. 260: Mr. RUMSFELD.
H. Con. Res. 351: Mr. MOSHER.
H. Con. Res. 424: Mr. Lindsay.
H. Con. Res. 627: Mr. KING.
H.R. 14091: Mr. TENZER.
H.R. 15760: Mr. EDWARDS of California.
H.R. 17404: Mrs. GREEN of Oregon.
H.R. 17405: Mrs. GREEN of Oregon.

Mr. PEPPER. Finally, Mr. Speaker, the Rules Committee of this session of the Congress gave consideration to a number of resolutions, and there were quite a number of them, pending before the Rules Committee dealing with this subject.

Finally, the committee determined to recommend to the House the resolution of my able colleague, Mr. BENNETT. In the first place, it seemed to be a proper resolution. In the second place, it seemed only proper that the committee should report out the resolution of the gentleman who had for the longest period of time, apparently been consistently introducing resolutions of this character.

Mr. Speaker, I have just a brief word of summary.

The Rules Committee was anxious that this not be considered a partisan committee, so it provided that the membership of the committee should consist of 12 Members, 6 from the majority party and 6 from the minority party.

And, in order that the committee might not hastily act against either a Member or an employee of this House, the resolution provided—and that amendment was put in by the Rules Committee, as were numerous other amendments—the requirement of a two-thirds vote of the total membership—not of those present and voting, but two-thirds of the total membership of 12, which would be 8, and the figure "8" appears in the resolution—before the committee could make any recommendation relative to the discipline or censure of any Member or employee of the House.

Mr. Speaker, the authority of the committee is contained on page 2, beginning on line 10. These are the grants of authority to the committee:

> Sec. 2. (a) It shall be the duty of the Select Committee in its discretion to—
>
> (1) investigate allegations of improper conduct which may reflect upon the House, violations of law, and violations of rules and regulations of the House, relating to the conduct of individuals in the performance of their duties as Members of the House, or as officers or employees of the House, and to make appropriate findings of fact and conclusions with respect thereto;
>
> (2) recommend to the House, by report or resolution by a two-thirds vote (eight members) of the Select Committee, disciplinary action to be taken with respect to such violations which the Select Committee shall determine, after according to the individuals concerned due notice and opportunity for hearing, to have occurred;

Here is an amendment that the committee offered. The amendment reads, "at that point strike out the semicolon and insert a period and add the following words, 'any allegation referred to in paragraph (1) shall be made under oath and shall specifically state the facts on the basis of which it is made.' "

Then the resolution goes on:

> (b) the select committee from time to time shall transmit to the House its recommendations as to any legislative measures which it may consider to be necessary for the effective discharge of its duties.

The rest of the resolution is formal.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. Will the gentleman allow me just 1 minute more?

Mr. Speaker, we may take into account in the consideration of this matter that the other body in 1965, in July, adopted the substitute resolution of the able Senator from Kentucky, Senator Cooper, which became the resolution of the Senate, providing for a select committee of that body. That committee consists of six members, three from each of the parties in that body. That committee is charged by the other body with the duty to investigate the conduct and behavior of Members of that body and employees thereof. So, Mr. Speaker, this matter comes before the House for its consideration. To allow the largest possible opportunity for the Members to inquire, I will yield now to the able chairman of the House Committee on the Judiciary.

Mr. CELLER. I notice there is no statute of limitations and therefore the committee could go back any number of years. Is it the intention to limit the time in any sense of the word?

Mr. PEPPER. I yield to the author of the resolution, my able colleague from Florida [Mr. Bennett].

Mr. BENNETT. As the author of this legislation, I must say it was contemplated that it would not extend beyond this session of Congress; that is, the current session of Congress. That is as far back as it can go.

Mr. CELLER. This is a select committee. Therefore the jurisdiction of this committee would end with this Congress?

Mr. BENNETT. That is correct.

Mr. CELLER. Would its sessions be executive or open?

Mr. BENNETT. Of course, I may say that hopefully it will be reconstituted in 1967.

Now, as to the next point that you raise, as to whether the meetings would be open or closed, earlier in the discussion I pointed out that this committee does not come on an empty world. We have Rules of the House of Representatives which deal with these matters, specificially rule XI, subsection 26 and the various subsections thereof under this, which deal with this precise question and go into the question as to whether or not meetings of a committee of this nature will be closed or open. It does permit executive meetings, particularly in cases where there is some showing that a person would be defamed. As the author of the legislation, I must say that I would very much favor executive sessions any time when anybody might be defamed. I might say that it is part of the legislative history of this legislation.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. BENNETT. Not until I get through completing my sentence, if you do not mind.

I must say that this legislation really came about with the idea in mind of having something analogous to the bar association's grievance committee.

Mr. Speaker, this would be analogous, not only in that its purpose would be primarily to prevent improper conduct, but its success would be measured, not by the number of hearings held, but by the improvement of standards and the compliance with the rules of the House of Representatives.

So, Mr. Speaker, it is not the purpose of the author of this legislation at all to engage in any sort of witch hunt or anything designed to hurt anyone. But, on the contrary, if possible, to help our Government and the image of the Congress of the United States in every respect.

And, Mr. Speaker, in response to a question asked of me, and to which I would like to reply at this point, of course, it is beyond the committee's jurisdiction to inquire into the political beliefs of any Member, be he very conservative, very liberal, very rightwing, very leftwing, or any other shade of political belief.

Mr. Speaker, the committee is limited by this resolution, specifically, to considering allegations of misconduct that will reflect upon the House of Representatives and, of course, political philosophy, has nothing at all to do with that.

Mr. CELLER. Mr. Speaker, will the gentleman from Florida yield further?

Mr. PEPPER. I yield further to the gentleman from New York.

Mr. CELLER. Mr. Speaker, I would like to direct one further question to the gentleman from Florida [Mr. Bennett], the author of the bill in an effort to bring out the type of procedure that would be followed if the resolution is adopted.

Mr. Speaker, would hearsay testimony be heard by this committee?

Mr. BENNETT. Mr. Speaker, will the gentleman from Florida yield further?

Mr. PEPPER. I yield further to the gentleman from Florida, the author of the bill.

Mr. BENNETT. The evidence before this committee would be governed by the rules of the House of Representatives, and if there were anything not so covered, the precedents of the two committees, which are comparable at the present time—the subcommittee of the House Appropriations Committee and the Senate Committee. Further, beyond that, of course the rules of evidence which are applied in our courts, would apply in this instance.

Mr. CELLER. Mr. Speaker, if the gentleman will yield further, I take it from what the gentleman said it would be possible to take hearsay evidence? What would be the recommendation of the author of the bill as to hearsay evidence?

Mr. BENNETT. Mr. Speaker, if the gentleman from Florida will yield further, I would recommend that we certainly not have any evidence submitted before this committee which would not be possible in a court of law.

Mr. DINGELL. Mr. Speaker, will the gentleman from Florida yield for a question?

Mr. BENNETT. Not until I finish my sentence, if the gentleman from Michigan does not mind.

Mr. Speaker, the question of what should be admitted with respect to hearsay evidence is the subject of college courses, too extensive for minute discussion here.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. BENNETT. No, I do not yield to the gentleman from Ohio at this moment. I have the floor.

Mr. HAYS. You do not have the floor, as I understand it. The gentleman from Florida [Mr. Pepper] has the floor.

Mr. BENNETT. Mr. Speaker, as long as the gentleman from Florida [Mr. Pepper] has yielded to me, I do have the time and I would like to discuss this and answer the question which has been proposed.

Mr. Speaker, I would conclude by saying at this point that the rules of the House are fairly explicit with respect to the laws of evidence and to the rules of evidence, as well as the rules of evidence which apply in the various courts, and I would think they would apply.

Mr. PEPPER. Mr. Speaker, if I may state to the author of the bill, the distinguished gentleman from Florida [Mr. Bennett], on page 2 of the resolution, it is provided that the select committee shall adopt rules of procedure not inconsistent with the rules of the House governing standing committees of the House.

Mr. CONTE. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the able gentleman from Massachusetts.

Mr. CONTE. Mr. Speaker, the gentleman from Florida [Mr. BENNETT] upon several occasions has mentioned rule XI(26)(m) and he stated that if any testimony would degrade or defame or incriminate a respondent that the evidence could be taken in executive session.

Mr. Speaker, we saw an example of this on yesterday in regard to the contempt citation whereby they could go into executive session and present their testimony, but they were not allowed that privilege.

Now, Mr. Speaker, I want to emphatically know whether if there is testimony here that might defame or degrade or incriminate a Congressman, he has a right to go into executive session on that point.

Mr. PEPPER. Mr. Speaker, I yield to the gentleman from Florida, the author of the bill, Mr. BENNETT, for a reply to that question.

Mr. BENNETT. Mr. Speaker, the Rules of the House of Representatives have already been adopted and they will not be changed in any sense of the word.

I myself share in some of the criticism which the gentleman has of the existing rules of the House of Representatives. In my opinion the rule should be stronger than it is with respect to protecting people in this regard, and if I have anything to do with it at all, I would certainly recommend and certainly as the author of the legislation, lean toward a procedure which will guarantee more fully a person's right to be protected against defamation.

Mr. Speaker, as far as I am concerned I would like to have rule XI changed in this respect.

Because I do feel that it is subject to concern that it says if the committee determines that the evidence is this way, therefore it is entirely discretionary in the hands of the committee, and I think there should be some right on the part of the accused to raise this question of defamation.

I would certainly lean toward such a rule.

Mr. CONTE. If the gentleman will yield further?

Mr. PEPPER. I yield to the gentleman from Massachusetts.

Mr. CONTE. The gentleman says he leans that way. I think we should have a definite legislative history here that if there is any evidence presented that defames or degrades or incriminates a respondent, then the committee should go in executive session. I think as the author of the resolution this would be very helpful to have placed in the RECORD here.

Mr. BENNETT. Mr. Speaker, I find myself in accord with the views of the gentleman, and I would make it a matter of legislative history now that it was the intent in drawing this legislation that anyone who was confronted with evidence which might tend to defame or degrade him would have a right to go into executive session.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. PEPPER. I yield to the gentleman from Ohio.

Mr. HAYS. I would like to make a couple of points here that may have escaped the Members.

The minute charges are made against a Member, you can forget the executive session, because in the minds of a great many people that Member has already been tried and convicted.

It is just like an indictment court. The minute a man is indicted, two-thirds of the people feel he is automatically guilty. So you may as well forget all this fine point of the executive session. What you are proposing here is a self-immolation bill for the Members of the House.

Let me tell you about some of the things that have been going on. You can get any number of bums who will for a small amount of money give any sworn charges you want against any Member. I do not care who he is.

I came up in the rough school of politics. In my district in 1948, when I ran for Congress, the political opposition paid a bum to make a sworn affidavit that I had stolen county property. It was in the headlines eight columns wide that I was a county commissioner, and I had appropriated to my own use county property.

Three days later, without any recourse, because he did not have a dime, 3 days later he withdrew the charge. And that was put on page 16 in a box about 2 inches high.

Now, I happen to have had enough guts to take that and fight it, and beat it, but a lot of the Members could not and would not.

I know a little bit more about this from the position I am in now. You know, last night I was called a liar on this floor. Somebody said the House Committee on Un-American Activities never had any witnesses under contract, or paid them. Well, you know I have to sign those contracts, and every once in a while I read what I sign—not always, but every once in a while. And somehow or other I felt like I had signed one.

I looked in the RECORD today, and I do not know all these people, but do you remember the witness Mr. POOL had who testified that these people were Communists—and they later said they were—but you remember the friendly witness? Mr. Philip Abbot Luce, just a few weeks ago, I do not know if this was before or after the fact, but on August 22, 1966, he received $1,000 from the Congress of the United States.

That is better than the $1.25 an hour, which is the minimum wage, because he was only on the stand about an hour.

Now, I have enough courage to vote against the previous question on this, and I will see how many of the rest of you want to commit suicide.

Mr. PEPPER. Mr. Speaker, I yield to the gentlewoman from New York [Mrs. KELLY].

Mrs. KELLY. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I did not anticipate that I would find it necessary to speak against this resolution. However, I emphatically agree with the previous speaker. I request you turn to page 3 of this resolution where it states as follows:

> SEC. 2. For the purpose of this resolution the Select Committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States, whether or not the House has recessed or adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony as the Select Committee deems necessary. Subpenas may be issued under the signature of the chairman of the Select Committee or by any member designated by such chairman and may be served by any person designated by such chairman or member. The chairman of the Select Committee or any member thereof may administer oaths to witnesses.

This is too broad authority, and it should not be granted to any committee. It can be abused without any protection to members. It is a dangerous step in the wrong direction. This subject should be studied and amended.

Recently, in New York, Mr. Speaker, we now have a candidate for Governor on the Democratic ticket. Recently there have been charges against him by his successor, the district attorney of Queens County, who was accused of, I believe, removing certain files from the office he previously held. Unfortunately, these were headlines, as the previous speaker has mentioned happened to him—personally. But Frank O'Connor had to denounce this accusation on the radio and stated that the papers that were supposed to have been taken from the district attorney's office were in the hands of the police as well. But how many heard this? This can easily happen in the same manner to any Member of this House. I do not want my successor to be subjected to this treatment—or any future Member of this august body.

I realize this is not a fair practice. Therefore, while I am not opposed to the purpose of a bill such as this, I think this needs further study and since we have no other choice, I think the resolution should be tabled.

The SPEAKER pro tempore. The gentleman from Tennessee [Mr. QUILLEN] is recognized.

Mr. QUILLEN. Mr. Speaker, I yield myself such time as I may consume.

Mr. Speaker, immediately following my remarks, I ask unanimous consent that the gentleman from Illinois [Mr. ANDERSON] may be permitted to extend his remarks.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

Mr. QUILLEN. Mr. Speaker, the gentleman from Florida has described the provisions of the pending resolution.

I would like to go into some of the background information for the benefit of Members who have not been informed of the deliberations of the House Committee on Rules.

Mr. Speaker, the resolution, House Resolution 954, which the gentleman from Florida [Mr. BENNETT] had originally introduced was referred to the Committee on Rules and was reported with an amendment in the nature of a committee substitute. This occurred on August 31.

Later it was discovered that some of the language was inappropriate and a clean resolution introduced by the gentleman from Florida [Mr. BENNETT], House Resolution 1013, was reported by the Committee on Rules.

This occurred on September 7.

Some Members have suggested amendments to the resolution. These have been considered on several occasions as the Committee on Rules discussed the resolution.

The gentleman from Florida [Mr. PEPPER] has offered the committee amendment and it has been agreed to.

The provisions of this resolution, House Resolution 1013, are as follows:

The select committee will be composed of 12 members, to be appointed by the Speaker; one member will be named as chairman by the Speaker. The majority and minority parties will be equally represented—six from each side.

The committee will have the authority to investigate charges of misconduct by any Member, employee or officer of the House of Representatives with respect to violations of law and the rules of the House relating to the conduct of such individuals in the performance of their duty.

In regard to such investigations, the committee will be authorized to make findings of fact and conclusions.

If the committee determines that any disciplinary action is warranted, such recommendations shall be made by a report or resolution to the House by a two-thirds vote of the full committee. Therefore, eight members must support any such action. This requires bipartisan support.

The committee will be authorized to report to the House any recommendations for any legislative measures which it considers to be necessary for the effective discharge of its duties.

The committee will have the traditional power of subpena of witnesses and to take evidence as is granted to other committees.

The committee amendment which was offered and adopted clearly states that any allegation referred to in paragraph 1 "shall be made under oath and shall specifically state the facts on the basis of which it is made."

The amendment was considered and offered to prevent any hearsay evidence from being submitted. In other words, it would prevent testimony on a hearsay basis.

Mr. Speaker, this is a very noteworthy resolution for the consideration of this House.

A committee to investigate the conduct and ethics of its membership, the officers and personnel of this House is something that should have been considered many years ago.

The membership here this evening should give it careful and favorable consideration.

Mr. ANDERSON of Illinois. Mr. Speaker, I rise in support of House Resolution 1013, to establish a Select Committee on Ethics and Conduct. Such legislation has been long needed. In the recent past there have been far too many serious charges involving scandalous bevavior which have gone uninvestigated because a committee of competent jurisdiction has not existed to subpena witnesses and thoroughly explore relevant facts.

I need not remind my colleagues of the fact that in recent weeks an increasing number of charges of misconduct have been leveled at a Member of this House. Such accusations ought be carefully and thoroughly reviewed by a committee with adequate jurisdiction for charges of this type reflect upon the entire Congress and serve to diminish the respect in which our National Legislature is held by the American people.

Of course, this committee will have broad powers and the careers of Members of this Chamber, its officers and employees will be dependent upon the actions of the Select Committee on Ethics and Conduct. I can assure my colleagues that the House Committee on Rules had this very much in mind when it drafted the resolution we are considering today. Much time and thought went into the preparation of this resolution to insure that adequate safeguards were incorporated into the very wording of the resolution so that the committee could not in fact become an at random search party operating only on unfounded rumor and unsubstantiated charges. The resolution clearly states that all charges are to be presented under oath together with sufficient facts to substantiate the accusations. A two-thirds vote of the committee is required before any recommendations of disciplinary action can be made or violations of law reported to State or Federal authorities. The committee itself, to insure its complete impartiality, is to be composed of an equal number of majority and minority members all of whom are to be appointed by the Speaker.

My deep respect for the Speaker and my firm belief that he, in his wisdom, will keep firmly in mind the responsibilities of the committee members will select only members in whom he has especially high confidence and who he feels will be completely fair and impartial in carrying out their duties.

The carefully drafted protective provisions of the resolution and my high regard for the Speaker as the one who will have the responsibility for designating those who are to serve on the committee afford sufficient safeguards, I feel, to insure that the Select Committee on Ethics and Conduct carries out the type of inquiry needed while at the same time protecting the rights of the Members, officers, and employees of this House.

Therefore, I strongly urge all of my colleagues to support and vote for this long-needed resolution. The creation of the Select Committee on Ethics and Conduct will clearly show to all of the American people that the majority of the Members of the House are interested in seeing that "this House is in order."

Mr. QUILLEN. Mr. Speaker, I yield 5 minutes to the gentleman from Illinois [Mr. RUMSFELD] for the purposes of debate only.

Mr. RUMSFELD. Mr. Speaker, I have requested this time to ask a few questions of the author of the legislation. On page 2, line 21, the resolution refers to disciplinary action. I would like to know the types of disciplinary action intended.

Mr. BENNETT. Of course, this has no reference to anything the committee can do. It relates only to what the House of Representatives can do by way of disciplinary action. Obviously the most serious disciplinary action the House would take would be to impeach the accused. There are possibly other things such as censure. I think those are the only things that Congress has ever done, impeachment or censure.

Mr. RUMSFELD. I would also like to know, in view of the language on page 2, line 10, and following, where it says:

> It shall be the duty of the Select Committee in its discretion to—
>
> (1) investigate allegations of improper conduct—

whether or not such a Select Committee could be used by an individual employee or member to request information as to the propriety or impropriety of a certain course of action.

The way the language is written it would appear that only if there were an allegation under oath pending would the committee have any authority whatsoever.

My question is, could an individual seek advice, counsel, or a ruling, if you will, from such a Select Committee?

Mr. BENNETT. Under this legislation as it is now constituted it could not. Under legislation I introduced prior to the introduction of this legislation it could have been done. But an effort was made to narrow this bill so that it could be a very narrow and concise bill. Therefore, that type of language was eliminated. Therefore, this committee could not have jurisdiction.

Mr. RUMSFELD. What would be the procedure in the event an allegation under oath were delivered to the select committee that involved a member of the select committee?

Mr. BENNETT. In that event the member would not be qualified to sit on that committee while the deliberations were being held and he was being cleared.

The gentleman is referring to the question of whether there was an allegation against a member of the select committee. He would not be qualified to sit, obviously, on his own case.

Mr. RUMSFELD. I thank the gentleman for the clarification.

I have one additional comment to make concerning the legislation. And, let me say that I strongly favor the creation of a Committee on Standards and Ethics and so testified before the Joint

Committee on the Organization of Congress last year. I was interested in the remarks made by the gentleman from Ohio, and I think there is some merit in the concern which he has expressed.

On the other hand it strikes me that there is an important potential advantage in having such a select committee; namely, the handling of wild charges or allegations that are unjust, and then disposing of them with dispatch, and thereby clarifying such a situation. As the gentleman from Ohio knows, today, with or without such a select committee, an irresponsible individual can do exactly what he said by simply sending a letter to the Speaker of the House, making wild allegations, and then releasing copies to the press. The same undesirable effect would result, would it not, with or without the select committee?

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. RUMSFELD. I yield to the gentleman from Ohio.

Mr. HAYS. The gentleman realizes, however, that when a person sends a letter to the Speaker of the House and releases it to the press, he comes under the libel law, what little the Supreme Court has left to politicians, but if he comes in before a committee to testify under oath, he receives absolution.

Mr. RUMSFELD. If the gentleman will remain in the well for a moment. It is my understanding, from the remarks of the gentleman from Florida, that any allegations filed with the committee would be under oath and would be received in executive session, and would not be released to the press. So the libel laws would have the same effect with or without the select committee, would they not?

Mr. HAYS. I do not think so, if it was a committee; but if the gentleman will yield further, he must know that there are no secrets in Washington. The minute you have an executive session, someone is going to leak it to the press. And let me say that the report in the press this morning of what I said last night, with the members sitting in the gallery, was nowhere near factual.

Imagine what it would be when it was leaked.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. RUMSFELD. I yield to the gentleman from Michigan.

Mr. CEDERBERG. Of course, the resolution would not prevent the man from sending a wire to the Speaker and releasing it to the press, even if we pass the resolution. He could still do that if he wanted to do it for political advantage.

Mr. RUMSFELD. I share the concern of the gentleman from Ohio. However, it still seems to me that there would be a distinct advantage to have such a committee. Not only would such a committee be useful in investigating wrongdoing, but it also would be useful in seeing that any wild or irresponsible allegations are disposed of and the individuals so charged cleared.

My question of the gentleman from Florida is, whether the proposed committee be able to handle such allegations.

The **SPEAKER** pro tempore. The time of the gentleman from Illinois has expired.

Mr. QUILLEN. Mr. Speaker, I yield the gentleman 2 additional minutes.

Mr. BENNETT. Mr. Speaker, will the gentleman yield?

Mr. RUMSFELD. I yield to the gentleman from Florida.

Mr. BENNETT. I believe this will be a very constructive use of this committee, and it would have a helpful influence upon the image of Congress and upon individual Members, as a way of disposing of these false charges.

Mr. RUMSFELD. Mr. Speaker, as a sponsor of a resolution to create a similar committee on ethics I commend the gentleman from Florida and express my support.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. RUMSFELD. I yield to the gentleman from Michigan.

Mr. DINGELL. As I understand the libel laws, when an allegation is made as a part of a Congressional proceeding, absolute immunity flows to the individual concerned.

Here we have a situation, as I understand the drafting of the legislation, in which a person might go in and make an allegation to the committee, in writing, under oath. Then, as I read it, there would be no remedy for the Member of Congress concerned whatsoever. The libel laws simply do not apply.

Am I correct on that point?

Mr. BENNETT. I believe the gentleman is 100 percent wrong on the law as he stated it.

The second point is that there are two other remedies involved. One, of course, is that the Member would have the right to bring contempt proceedings against the individual who had lied. The other would be the right to bring perjury proceedings.

Mr. DINGELL. Does the Member of Congress involved have the right to initiate a libel action?

Mr. BENNETT. I believe he does.

Mr. DINGELL. The allegation under oath would become a portion of the RECORD, and that would become a part of the privilege.

Mr. BENNETT. I do not believe so. The immunity runs only to the Member of Congress when he is speaking on the floor of the House.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from New York [Mr. HORTON].

Mr. HORTON. Mr. Speaker, I take this time to ask the author of the bill a couple of questions.

On line 12, page 2, it is stated:

> Investigate allegations of improper conduct—

And so on. Is it the intention of the author that these allegations can come from any parties, or is there a limitation that they must come from other Members of the House?

Mr. BENNETT. They certainly could come from any party who had information. Of course, it would have to be information which reflected upon the House. It would not have to do with the private life of an individual.

Mr. HORTON. So any person could file an allegation against any Member of the House?

Mr. BENNETT. Surely.

Mr. HORTON. As long as he swore to it. I just wanted to find out for the purpose of legislative history.

Mr. BENNETT. Yes, any person.

Mr. HORTON. Who would define what was "improper conduct"?

Is this a subject for definition by the committee?

Mr. BENNETT. It would be. Of course, it is with the background of the fact that the House of Representatives has enacted laws and Congress has enacted laws and regulations, and most of the improprieties would deal with the rules and the laws.

Mr. HORTON. There is no limitation?

Mr. BENNETT. Unless they did reflect upon the House. If they were matters which did not reflect upon the House, that would be a private matter, and Congress would have nothing to do with it.

Mr. HORTON. On line 23 of the same page, it says:

> After according to the individuals concerned due notice and opportunity for hearing.

I assume that that follows the recommendation to the House by the select committee.

Mr. BENNETT. I regret that I cannot hear the gentleman. There is so much "roar" around me I cannot hear. Would the gentleman restate his question?

The **SPEAKER** pro tempore. The House will be in order.

The time of the gentleman from New York has expired.

Mr. QUILLEN. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. HORTON. On line 23, page 2, it is stated:

> After according to the individuals concerned due notice and opportunity for hearing.

I ask whether or not that refers to the recommendation by the select committee? In other words, that is the only time the individual would be afforded a hearing, after the committee had met and had decided on disciplinary action?

Mr. BENNETT. Well, that is the way in which this is drafted, but it does say the whole matter is in the discretion of the committee. If your point is that you feel there should be accorded an individual, even under this investigative allegation part of the provision, the opportunity——

Mr. HORTON. I certainly think there ought to be some provision for notice to be given to a Member so that a Member can defend himself at the institution of this proceeding.

Mr. BENNETT. It is certainly the intent of the legislation, and I think it should be.

Mr. WAGGONNER. Mr. Speaker, will the gentleman yield?

Mr. QUILLEN. I am happy to yield to the gentleman.

Mr. WAGGONNER. I would like to ask a question of the author of this resolution.

There are 435 Members of this House of Representatives. I am quite sure each of these 435 Members has a different idea about what constitutes improper conduct as used in this legislation. Would the gentleman tell me and the other Members of the House here present what would be improper conduct under the terms of House Resolution 1013?

Mr. BENNETT. Well, the biggest restriction on this is it must reflect upon the House. The committee in making its determination must find the misconduct reflected on the House. I do not think there would be large areas of many instances of infractions that reflected on the House of Representatives.

Mr. WAGGONNER. Is the gentleman not able to specify for the record anything more specific?

Mr. BENNETT. An example? Oh, I can give you lots of examples. I think if a person accepted a bribe for voting on a bill that was before the House of Representatives, this would clearly be a violation of the matter and would certainly be something reflecting on the House of Representatives. If he teamed up in some way by some special preference for himself in business or something else of that type to arrive at some position of strength in the committee structure or in the House of Representatives or to vote for a particular bill, this would certainly be a good example of that.

Mr. WAGGONNER. Would it be considered improper conduct if a Member of this House were adjudged by someone to have exerted influence or pressure on some agency of Government to gain some consideration or favor for a constituent?

Mr. BENNETT. Not unless it violated some statute. There are statutes on that subject. The statutes are fairly specific. Up until about 10 years ago——

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. BENNETT. Not until I finish concluding my statement, if you do not mind.

There were very few, if any, statutes in this field. Now there are specific statutes in this field and there are questions as to how to make presentation to agencies. Of course, if a Member of Congress violates those statutes, he would be doing the very thing the statute is designed to correct.

The **SPEAKER** pro tempore. The time of the gentleman has expired.

Mr. QUILLEN. Mr. Speaker, I shall yield an additional minute to the gentleman, but I have some other Members over here on this side who want to speak, too.

The **SPEAKER** pro tempore. To whom does the gentleman yield?

Mr. QUILLEN. To the gentleman from Louisiana for an additional question.

The **SPEAKER** pro tempore. The gentleman from Louisiana is recognized for 1 additional minute.

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. WAGGONNER. I yield to the gentleman from New Jersey [Mr. JOELSON].

Mr. JOELSON. Everything the gentleman just described are violations of the law already and can be treated by the courts. Are you substituting the Congress for the courts of the United States of America? Everything you have described as an example are criminal offenses.

Mr. BENNETT. I doubt that. I think some of them are not criminal offenses. Secondly, there are two penalties available to Members of Congress who violate the law or two sets of penalties. One of them is under criminal law he can be convicted and given a criminal sentence or whatever, and he can also be tried for impeachment and also censured according to the traditions of this House.

Mr. WAGGONNER. Mr. Speaker, I wonder if the gentleman would answer one other question. Since I have been privileged to serve in this body we have had Members of Congress indicted for attempting to exert undue influence on a Federal agency. They were indicted by a grand jury and convicted but freed at the end of the due process by the Supreme Court and the conviction reversed. What would be the situation herein, for instance, the Johnson case?

The **SPEAKER** pro tempore (Mr. BOLAND). The time of the gentleman from Louisiana [Mr. WAGGONNER] has expired.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from Ohio [Mr. HAYS].

Mr. HAYS. Mr. Speaker, I thank the gentleman from Tennessee.

Mr. Speaker, now first I want to point out to the Members of the House how greatly concerned this body is and as to how many questions have been asked on this important piece of legislation, at 25 minutes to 9 o'clock p.m. in the dying hours of a Congress.

Now, Mr. Speaker, we have an opportunity here to defeat this legislation or, even better, still get an opportunity to ask some more questions, if we defeat the previous question, because then there would be another hour made available for individuals to ask questions, and the time will pass to the other side, but it has been divided very fairly, and I do not believe anyone can complain about that.

And, Mr. Speaker, I will guarantee you that if we were debating a matter of some importance on behalf of our constituents, a matter of some importance to the general welfare of the Nation, we would not do it at this hour of the night. I hope the Members of the House will defeat the motion upon ordering the previous question, and at least give to the Members of the House an opportunity to delve into this matter further.

Mr. Speaker, I do not want to beat a dead horse. I do not want to mention this again, but with reference to this $1,000 that the fellow got from the House Un-American Activities Committee that was about 3 weeks prior to the time he testified.

Mr. GALLAGHER. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. Mr. Speaker, there are many questions involved here and there are many ambiguities in this entire matter.

Mr. Speaker, I believe we ought to look into it with the proper perspective and unless we do that, I believe we will be making a very grave mistake. A mistake that will bring great discredit on this body.

Mr. HAYS. Mr. Speaker, if the gentleman from New Jersey will read the answers given by the gentleman from Florida [Mr. BENNETT]—and I have the highest respect for the gentleman from Florida; I consider him to be a longtime friend; he and I came to Congress together—but if you will read the answers, they are not very definite in any respect.

Mr. GALLAGHER. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from New Jersey.

Mr. GALLAGHER. Mr. Speaker, with reference to the matters that have been mentioned, those are crimes for which there are legal remedies. We are getting into an entirely new area. The response demonstrates a lack of understanding of the bill and its consequences. We cannot adopt this bill in this form. It is inconceivable to me that this great legislative body, the U.S. Congress, could pass this bill without any serious deliberation on so grave a matter. Pass a bill on ethics, yes—but let us not make a mockery of this House. I believe we should have more time to proceed and to understand exactly what we are proposing to do here tonight.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Kansas [Mr. DOLE].

Mr. DOLE. Mr. Speaker, I take this time to ask a question of the author of the bill, the gentleman from Florida [Mr. BENNETT].

Mr. BENNETT. Mr. Speaker, I did not have any of these questions in advance. It has been 20-some-odd years since I have practiced law, but I am doing my very best to give the correct answers.

Mr. DOLE. First of all, Mr. Speaker, is there a statute which covers or protects a Member against charges, as the result of some allegation, under oath, which is forwarded to the committee, and later is proven to be false?

Mr. BENNETT. Mr. Speaker, if the gentleman will yield, if some crackpot sends a letter to the press or to the Speaker, the Member now has no protection, because no one has passed upon it at all.

However, this committee could look into the matter and determine whether or not it were true, and this would then be a good indication that the man making the allegation had no grounds for such allegation.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from Ohio.

Mr. HAYS. Mr. Speaker, if a man sends a letter to the Speaker, presumably, the Speaker does not give it to the press, and he can be sued. But, if he sends a letter to the committee and is called in front of the committee, he gets bathed with immunity for anything he may say, although it may not be released by the committee.

Mr. BENNETT. Mr. Speaker, will the gentleman yield further?

Mr. DOLE. I yield further to the gentleman from Florida.

Mr. BENNETT. There is no such law. The immunity of the House of Representatives relates to what a Member of the House says on the floor of the House. It does not protect witnesses before the committee, and if there is any such statute like that, I would like to read it.

Mr. JOELSON. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman from New Jersey.

Mr. JOELSON. Mr. Speaker, the gentleman from Ohio said if a man making the complaint releases it to the press, he can be sued for libel. However, under a recent decision of the courts, a public official cannot be sued for libel regarding certain of his actions while holding public office, unless he is proven to be in violation thereof later.

Mr. HAYS. That is right. You can be sure of that.

Mr. DOLE. Mr. Speaker, I yield to the gentleman from Florida [Mr. BENNETT] to answer a question:

What would happen if someone under oath would charge that half of the members of the committee, or 7 of the 12 thereof, were in some way violating the law or violating the rules or regulations of the House?

Mr. BENNETT. I would assume the Speaker would fill the vacancy, as he would in any situation that would exist in any court—it is not a court, but it is similar to a court.

Mr. DOLE. You may recall, as the gentleman from New York [Mr. HORTON], pointed out it might be an improvement if paragraph 1, of section 2, provided notice of hearing and an opportunity to be heard at the time the investigation or determination is commenced.

Mr. BENNETT. I have already made that as a matter of legislative history, that that will be so.

Mr. DINGELL. Mr. Speaker, will the gentleman yield?

Mr. DOLE. I yield to the gentleman.

Mr. DINGELL. I would like to point out, in connection with the Committee on Un-American Activities, if a witness goes before that committee and identifies a whole group of persons as Communists, obviously a charge which is acceptable under the libel laws, that he is bathed with the most complete immunity imaginable.

Mr. QUILLEN. Mr. Speaker, I yield 3 minutes to the gentleman from Pennsylvania [Mr. FULTON].

Mr. FULTON of Pennsylvania. Mr. Speaker, having been a member of a bar committee for some years, I believe Congress should use the forms and experience along these lines. This resolution is loosely drawn, and the wording should be checked as to meaning, and the jurisdiction of the committee made plain. The first point, if I understand correctly, is that the pleadings will be private, as well as the testimony before the committee. Is that correct?

Mr. BENNETT. Mr. Speaker, if the gentleman will yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman.

Mr. BENNETT. That is correct. Unless the charge is made to the House.

Mr. FULTON of Pennsylvania. Second, I understand that the pleadings will not be on information and belief, or will not be on hearsay?

Mr. BENNETT. It is required to be under oath.

Mr. FULTON of Pennsylvania. Would you please just say "yes" or "no." Is that correct?

Mr. BENNETT. It would be under oath.

Mr. FULTON of Pennsylvania. But it is yes, the pleadings will not be on hearsay?

Mr. BENNETT. That is correct.

As a matter of fact, that is a matter of statute; there is nothing ambiguous about that.

Mr. FULTON of Pennsylvania. If it is an illegal act that is averred, then under the jury system it takes 12 jurors, unanimously to act. But under the gentleman's system, if eight people would agree that the member was guilty, and four would disagree, he would still be guilty.

Mr. BENNETT. Of course, it is not a jury; it does not convict anybody of anything. It only recommends to the House.

Mr. FULTON of Pennsylvania. But once the finding is that there has been an illegal act, and it can be found by eight committee members for and four against. But in the jury system it must be unanimous, and you have to have 12. So I would say to the Members of the House that the Member would do much better to use the district attorney.

Mr. BENNETT. I think we are entirely overlooking the fact that the Joint Committee of the House and Senate recommended that this sort of thing be established. It is not a jury, and it is not intended to be a jury.

Mr. FULTON of Pennsylvania. This resolution covers the Member and his staff, and the committee staff, but it does not cover the candidate who runs against the Member. He is out for free.

Mr. BENNETT. There is another Committee of the Congress that has jurisdiction over that.

Mr. FULTON of Pennsylvania. The other point is that we have statutes of limitation of actions in legal actions in the courts. This has no time limits as to time nor previous elections covered.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Pennsylvania. I am sorry that I cannot yield at this time. I wish to finish, and then I will be glad to yield. I believe I should first yield to the gentleman from Ohio, who is already on his feet.

There are statutes of limitations on libel of 6 years in most States, slander for oral statements runs 6 months to a year, in many jurisdictions. I believe this committee should operate in the current Congresses on current matters. When the Member is sworn in at the beginning of the term, any Member can object from the floor to the Member being sworn in, on any ground the Member wants, the question is then referred to the Subcommittee on Elections of the Committee on House Administration for action. This committee should not have that jurisdiction or take it away. Likewise, if the matter concerns the Member's or the committee accounts, this jurisdiction is taken care of through the Committee on House Administration, and this committee should not also have such jurisdiction. The jurisdiction should remain and should be under the House Administration Committee, chaired by the gentleman from Ohio [Mr. HAYS].

We must keep these jurisdictions clear to have a good workable system, and to insure a new ethics committee of the House can act effectively.

Mr. HAYS. Mr. Speaker, will the gentleman yield?

Mr. FULTON of Pennsylvania. I yield to the gentleman from Ohio.

Mr. HAYS. I just want to take exception to one statement. The gentleman said the pleadings are to be in secret. Has the gentleman ever known anything going on around this town, and he has been here longer than I have, that is secret?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. QUILLEN. Mr. Speaker, I yield the gentleman from Pennsylvania 1 additional minute.

Mr. BOGGS. Mr. Speaker, will the gentleman yield?

Mr. FULTON. I yield to the gentleman from Louisiana.

Mr. BOGGS. I am just curious about the committee that would have jurisdiction in the case of a candidate.

Mr. BENNETT. In my previous remarks I stated that the Congress already had two committees which would not be expected to be ended by the existence of this committee, one committee which the gentleman from Ohio [Mr. HAYS] heads has to do with looking into accounts in the House of Representatives.

Mr. BOGGS. Having to do with a candidate?

Mr. BENNETT. Would the gentleman from Louisiana [Mr. BOGGS] mind until I complete my sentence?

Mr. BOGGS. Not at all, go right ahead.

Mr. BENNETT. I did not say anything about a candidate.

Mr. BOGGS. That was my question.

Mr. BENNETT. Either you are going to allow me to proceed and finish my statement, or not?

Mr. BOGGS. Are you answering the question or not?

Mr. BENNETT. Suppose I proceed if you wish me to do that and I will try to answer the question as best I can. The second part of it is there is another committee which I have already spoken of in the prefatory part of my remarks, I understand has to do with looking into violations of law and things of that type regarding elections. That is the elections committee of the House of Representatives, as I understand.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. QUILLEN. Mr. Speaker, I yield 2 minutes to the gentleman from New Hampshire [Mr. Cleveland].

Mr. CLEVELAND. Mr. Speaker, there is one phase of this debate tonight that has apparently escaped the attention of the House, and I wish to call it to the attention of the House for the record.

On July 28, 1966, the Joint Committee on Reorganization of the Congress reported to the House and to the Senate. On page 48 of that report there is a recommendation, among the 100 recommendations of that joint committee, which recommendation is as to ethics and it is as follows:

Ethics

THE HOUSE OF REPRESENTATIVES SHALL CREATE A COMMITTEE ON STANDARDS AND CONDUCT

The joint committee heard considerable testimony with respect to the problem of the ethical conduct of Members of Congress. It is the opinion of the joint committee that the House of Representatives should create a committee to be concerned with the standards and conduct of Members of the House. The Senate has already created a committee to examine problems in this area and the House might explore profitably the organization and procedures of the Senate Committee prior to implementing this recommendation.

On page 82 of the report, in the supplemental views of the Senator from New Jersey [Mr. Case], there are further recommendations concerning congressional ethics, concurred in by Mr. Curtis and myself.

The supplemental views of Mr. Case are as follows:

Supplemental Views of Mr. Case

I support the recommendations of this committee. If fully implemented, they should add significantly to the capacity of the Congress to deal effectively with the executive branch and to manage its own workload with increased efficiency.

At the same time, I must state my regret that the committee largely passed over the problem of congressional ethics. The recommendation that the House create a Select Committee on Standards and Conduct, as was done by the Senate, is a welcome but totally inadequate step in the right direction.

The decision to establish the joint committee reflected, in considerable part, the concern of members with the worsening "image" of Congress in the eyes of the American public. There can be no question that, in recent years, many citizens have come to view Congress as an ineffective and obstructionist body—and there is much in this committee's report that can help to remove the basis for that view.

But from another facet of the negative image of Congress the committee turned aside: the increasingly cynical view of the "standards and conduct" of Members of Congress held by so many citizens.

For too long Congress has followed a double standard of conduct, preaching one thing to members of the executive branch and permitting its own Members to practice another.

Nowhere is the contrast more marked than in the way Congress deals with conflict-of-interest problems in the executive branch and the way it does not deal with its own.

The Bobby Baker case is too familiar to require retelling. And now the Senate Select Committee is investigating allegations of misconduct by a U.S. Senator.

Instances of real or fancied betrayal of public trust reported by the press have given color to the view, held by too many Americans, that "the same thing can be said about any Senator or Congressman."

There is a simple and effective way, I believe, in which Congress can rebut that view and protect the public interest in a manner consonant with its elective status. That is by applying the principle of public disclosure to the financial interests of Members and top staffs of the legislative branch and to their dealings with executive agencies at the behest of a party in interest.

In 1957 Senator Richard Neuberger and I joined in introducing a disclosure bill. In succeeding Congresses Senator Maurine Neuberger, and subsequently, Senators Clark, Hart, and Tydings have joined me in reintroducing the bill. Our bill would, among other things, require each Member of Congress to make an annual report, to be open to the press and public, covering all his sources of income, including gifts of more than nominal value, his assets and liabilities and his transactions in real or personal property.

The knowledge that such reports would have to be made would in itself have a salutary effect, for it would serve as an automatic "stop and think" signal. The fact that the reports would be available to the public would provide a means of enforcement which is even now the only real sanction behind the ethical standards we espouse. The facts would be laid out to the public and the public could judge the propriety or impropriety of official conduct.

Support for the principle of disclosure is growing and a number of Members have voluntarily made disclosure in varying degrees. Other bills similar to mine have been introduced in the House and the Senate. The President recently proposed that Members of Congress disclosure income received for personal services and gifts of $100 or more—a more limited disclosure than I believe to be necessary, but a welcome affirmation of the principle.

It is disappointing, therefore, that the weight of the joint committee's recommendation has not been placed behind a reform that goes to the heart of public confidence in the integrity of their elected representatives.

Clifford P. Case.

On page 88 of that report, in the minority views signed by the gentleman from Missouri [Mr. Curtis], the gentleman from Missouri [Mr. Hall] and myself, there is an additional comment on this matter of congressional ethics and standards and that comment is as follows:

Ethics

We are pleased that the joint committee has recommended that the House establish a Committee on Standards and Conduct similar to the existing Committee on Standards and Conduct in the Senate. We urge that the membership of the House committee, as of the Senate committee, be evenly divided between the two political parties.

Mr. Speaker, I think it is a sad commentary that at this late date in the session we are approaching this whole matter of congressional organization and congressional reform on a belated piecemeal basis. This report was filed after much work by the joint committee in July 1966. Mr. Speaker, it is appropriate for me to ask as a member of the minority and also as a Member of this House—why did this report gather dust for the long months since the time it was filed? Why was not the bill that was written by the joint committee, and which would have taken care of this problem that tortures us tonight, which was filed by the Honorable Representative from Indiana [Mr. Madden] and by the Honorable Representative from Missouri [Mr. Curtis], why were they not acted on? Why are we approaching this matter on a piecemeal last-minute basis? Is it to salve our conscience? Is it to pick on one particular person or one particular area of this whole broad area?

It speaks very poorly, Mr. Speaker, for the House of Representatives and I call this respectfully to your attention tonight.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. QUILLEN. Mr. Speaker, how much time have I remaining?

The SPEAKER pro tempore. The gentleman from Tennessee has consumed all of his time.

The Chair recognizes the gentleman from Florida [Mr. Pepper].

CALL OF THE HOUSE

Mr. SAYLOR. Mr. Speaker, I make the point of order that a quorum is not present.

The SPEAKER pro tempore. The Chair will count. [After counting]. One hundred and eighty-eight Members are present, not a quorum.

Mr. BOGGS. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 384]

Abbitt
Abernethy
Adair
Adams
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Aspinall
Ayres
Baring
Battin
Belcher
Berry
Bingham
Bolling
Bray
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Burleson
Byrnes, Wis.
Callaway
Carter
Chamberlain
Clawson, Del
Clevenger
Cohelan
Colmer
Conable
Cooley
Corman
Craley
Curtin
Davis, Ga.
Davis, Wis.
Denton
Derwinski
Devine
Dickinson
Duncan, Oreg.
Dyal
Edmondson
Edwards, Ala.
Edwards, Calif.
Ellsworth
Evans, Colo.
Evins, Tenn.
Farnum
Findley
Fino
Fisher
Flynt
Foley
Ford, Gerald R.
Fulton, Tenn.
Fuqua
Goodell
Greigg
Griffiths
Gross
Hagan, Ga.
Haley
Hall
Halleck
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Hawkins
Hébert
Helstoski
Hicks
Holifield
Howard
Hungate
Huot
Irwin
Jacobs
Jones, N.C.
Keith
King, Calif.
King, N.Y.

Kirwan
Kluczynski
Laird
Long, La.
McCarthy
McEwen
McFall
McGrath
McMillan
Mackay, Ga.
Mackie, Mich.
Madden
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Meeds
Michel
Miller
Mink
Moeller
Morgan
Moss
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
Pool
Powell
Purcell
Randall
Reinecke
Resnick
Reuss
Rivers, Alaska
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roncalio
Rostenkowski
Roudebush
Schisler
Schmidhauser
Schneebeli
Scott
Senner
Shipley
Sikes
Sisk
Smith, N.Y.
Stafford
Stalbaum
Stanton
Stephens
Stratton
Sullivan
Sweeney
Talcott
Taylor
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Tupper
Tuten
Ullman
Utt
Walker, Miss.
Walker, N. Mex.
Watkins
Watts
White, Idaho
Whitener
Whitten
Willis
Wolff
Wright
Yates

The **SPEAKER** pro tempore (Mr. BOLAND). On this rollcall 261 Members have answered to their names, a quorum.

By unanimous consent, further proceedings under the call were dispensed with.

The **SPEAKER** pro tempore. The gentleman from Florida is recognized for 4 minutes.

Mr. PEPPER. Mr. Speaker, I yield 30 seconds to the able gentleman from New Jersey [Mr. GALLAGHER].

Mr. GALLAGHER. Mr. Speaker, I thank the gentleman. I agree in full with the need for a meaningful ethics committee. I think it would be a very serious mistake to adopt this bill, in its present form. There is no provision for the respondent to appear prior to a finding. There is no statute of limitations. One Member can sit as a committee and hear any kind of hearsay evidence. Anyone's reputation could be destroyed without regard to the validity of the charges. Its jurisdiction is far broader than a grand jury without the orderly procedures of the grand jury system.

I agree with the gentleman from New Hampshire [Mr. CLEVELAND] that what we really need is a meaningful, ethics bill, and I will join with him—if I am reelected—in supporting a strong kind of ethics bill that will get to the heart of the joint committee report. We should have the joint sponsorship of both parties in this House to try and meet a problem that should be met, but should not be met in this way in the dying hours of the session, in such poorly considered manner. There is no written report. I know of no hearing. It is apparent that neither the bill's sponsors nor anyone else recognizes the sigfinificant omissions in this bill. I agree with their intent—we need a bill dealing with ethics—but we do not solve a problem by creating greater ones. Let us act judiciously on this important matter.

Mr. DORN. Mr. Speaker, this resolution is a step in the right direction. I believe the House will pass this resolution providing for a thorough study of the question of ethics by Members of the Congress. This study and investigation is to be submitted to the next Congress and I believe appropriate legislation will be enacted.

We cannot, Mr. Speaker, sweep our problems under the rug. We cannot continue to sweep questions of ethics and morality under the rug. We must reassure the American people. We must reassure those who believe in democratic principles and ideals. We must reassure those who are devoted to representative government.

With mass news media, we are indeed performing in an arena with the whole world looking on. We have a Sergeant at Arms. We operate under certain rules and regulations. We are a disciplined body. We cannot smoke on the floor while the House is in session. We cannot refer to our colleagues in uncomplimentary terms during debate. We certainly should set standards of ethics and conduct for our Members which will be an example and a good image not only to the people of this country but to free people throughout the world.

Personally, I do not think this resolution goes far enough, but it will permit a study to be made and the next Congress can act upon its findings and its recommendations. This is the greatest body in the history of the world and I want to see it remain so. I do not want to see it destroyed by gossip, rumors, halftruths, and innuendos. We can and must establish our own code of ethics. We must set high standards for our membership. Democracy to exist requires restraint and discipline. This body to perform its constitutional function and to live up to the exhalted ideal envisioned by the Founding Fathers must provide high moral standards and create esprit de corps for our Members.

Mr. BENNETT. Mr. Speaker, the Rules Committee has approved House Resolution 1013 introduced by me on September 7, 1966, this being a revision of legislation first introduced by me on August 13, 1958, and reintroduced in the 86th, 87th, 88th, and 89th Congresses in revised forms. The purpose of House Resolution 1013 is restricted to standards and conduct within the House of Representatives itself, and the committee which would be set up would be empowered by the legislation to investigate allegations of improper conduct, to make appropriate findings of fact and conclusions with respect thereto; to recommend to the House by a two-thirds vote—eight Members—disciplinary action to be taken with respect to violations after the individuals concerned have due notice and opportunity for hearings; and to transmit to the House recommendations as to any legislative measures considered to be necessary for the effective discharge of its duties. Mr. Speaker, there is a great need for the passage of this legislation and I sincerely hope that it will be passed overwhelmingly.

The need for action in this field by the House has been emphasized by the fact that the Joint Committee on the Organization of Congress has specifically recommended that a counterpart to the existing Senate committee be established in the House of Representatives. I believe our constituents want us to take at least this minimum step toward supervising the ethical standards of our legislative processes and that they are frustrated by our inaction in coming to grips with the problems involved.

On June 11, 1951, I introduced legislation to prohibit improper pressures on Government agencies, improving the Administrative Procedures Act, and making it unlawful to employ a person during a 2-year period following Federal employment where the person had during the Federal employment dealt with the claim or business of such private employer. Fifteen days later I introduced a code of ethics for Government service. The code of ethics and the 2-year employment prohibition and the improved agency proceedings have all been enacted in the following years in one form or another. On August 13, 1958, I introduced legislation to provide for hearings and decisions with regard to ethical matters throughout all of the Government; and legislation of this type is pending in the current Congress in House Resolution 18. Narrowed down to a similar approach within the House of Representatives alone and in a much narrower scope, is the bill before us, House Resolution 1013. It is certainly a modest and a very much needed reform at the present time.

In this historic Chamber where we deliberate today, there are around these walls 23 relief portraits, in marble, of men noted in history for the part they have played in the evolution of American law. Immediately opposite the Speaker's desk we see the picture of Moses, and he recalls to our memory the God-inspired Ten Commandments, including admonitions not to steal, not to bear false witness, and even not to covet. On his right side is Hammurabi, the first King of Babylonia, who reigned from 2025 to 2067 B.C.; and in Hammurabi's code we find admonitions against such things as offering a bribe, and specifically against improper actions by governmental officials. Among these ancient lawgivers we also see Lycurgus who lived about a thousand years before Christ and counseled against having any of his laws being put in writing because he thought that if a country is to be happy and virtuous its laws should be so thoroughly printed in men's hearts and manners that writing them on paper or stone would be superfluous. Immediately above the Speaker's desk, Thomas Jefferson, our American hero, is depicted; and we all remember his terse and pointed statement:

> The whole of government consists in the art of being honest.

Despite the rich heritage of high standards in our Government, there have been some, even from the very beginning, who have brought scandal and disgrace upon themselves, thus injuring the country which we all love so dearly. Even in the early sessions of Congress there were some who did not deport themselves properly; and the recollection of such early disgraces as the Yazoo land fraud and later the Credit Mobilizer Railroad financing fraud and still later the Teapot Dome oil scandal bring sobering thoughts to all of us.

Although in recent years there have been gradual and important improvements in the general conduct of government, there are still, even in our times, events which occur and of which none of us are proud.

To preserve freedom here in America and to protect it elsewhere requires the highest possible standards of government here at home. Each of us should do what we can individually do to bring about better government, and to provide each successive generation with progressively higher standards in our Government. Decisions of our Government should in these times of peril be the right decisions. A wrong decision might end our free government and even our existence. When the moral fiber of democracy weakens dictatorships can come and freedom vanish.

A nation has no morals except as its individual citizens have morals. Morals depend upon the lives of all individuals and we each have the responsibility to conduct ourselves as we should. There is no such thing as mass morality. There is no way to make a good society out of bad men. Social consciousness is no substitute for individual conscience. Neither appropriations nor statutes can establish character. Legislation cannot make men good, but only punish for wrong deeds. Following the highest possible standards of conduct can make men good and destroy the wish to be bad. A posture of good government and moral leadership not first written in the hearts and minds of our citizens, like tracings by fingertips in wet beach sand, will dissolve with the force of each eroding wave of indifference. It is thus important that each of us fulfill our responsibility and help in these days to bring about a progressively better government.

People who say you cannot legislate morals deal in half truths. Of course it is true that a law does not make a man good but laws do set standards of behavior that, if followed, even under compulsion can inspire and lead to better behavior.

Some would argue that since House Members are elected every 2 years their constituents can best pass upon the propriety of their actions and of their fitness to hold office and that the House should not enter into the picture; but the public has a right to believe that the House would keep itself in order and prohibit improper actions on the part of its Members. Moreover, the public has no adequate vehicle for investigation and decision except what the House itself can and should provide.

So, Mr. Speaker, I urge the passage of this legislation, long overdue, and hope that it may pass this body unanimously. It will provide for this, the world's greatest deliberative body, a tool for securing and maintaining the highest possible standards of government. This House and this country deserve no less.

Mr. KING of Utah. Mr. Speaker, I regret that there is so little time to debate a matter of such importance as House Resolution 1013, a resolution to establish a Select Committee on Standards and Conduct. Because of the partial immunity from arrest given to Members of Congress by the Constitution, and because of the natural reluctance of prosecutors to prosecute them, even where no constitutional immunity exists, and because there exists a vast area of congressional conduct which, though not technically illegal, may nevertheless be morally reprehensible or such as to reflect discredit on the House of Representatives, it follows that the House must become its own mentor and the guardian of its conscience. If the House cannot police its own Members, then how can it expect other bodies to do the same?

Although the vast majority of Members of this body are men and women of the highest integrity and sense of public duty, and whose lives will easily bear the closest scrutiny, there are exceptions to this rule, and it is these exceptions, unfortunately, who reflect discredit on this great body.

Since America is the greatest and most conspicuous example throughout the world of a successful democracy, it follows that our Government should be the most exemplary, and the freest from stain or suspicion of evil.

Moreover there are many types of conduct which are not subject to easy categorization as to their rightness or wrongness. Members find themselves continually in a dilemma as to whether they should engage in this type of conduct or not. An honest Congressman says to himself: "If an act is wrong, I shall eschew it. If it is right, I shall embrace it. If its rightness or wrongness is doubtful, I would prefer not to touch it, out of an abundance of caution. However, if my opponent persists in performing this ambiguous act, and if, thereby, he gains an undue competitive advantage over me, then I am placed in a cruel dilemma. To be cautious means to incur a severe competitive disadvantage. To be bold and aggressive incurs the risk of violating a principle."

In my opinion, Mr. Speaker, this resolution will go a long way toward resolving this dilemma. It will enable a Congressman to act with more confidence, and without running the risk of having the results of an honest decision exploited as a campaign issue. I believe that the approval of this resolution is strongly in the public interest. It will raise the standards of this great body. It will strengthen democracy. I urge its adoption.

Mrs. DWYER. Mr. Speaker, the final report of the Joint Committee on the Organization of the Congress numbered 97 pages. This committee, known also as the Monroney-Madden committee, made 67 substantive recommendations to improve the work of Congress, ranging from reforms of the committee system to changes in the housekeeping functions of the Capitol.

Of all the pages in the report, of all the recommendations of the committee, the problem of congressional ethics was dealt with in 12 short words:

> The House of Representatives shall create a Committee on Standards and Conduct.

The justification of this recommendation was covered by eight short lines as follows:

> The joint committee heard considerable testimony with respect to the problem of the ethical conduct of Members of Congress. It is the opinion of the joint committee that the House of Representatives should create a committee to be concerned with the standards and conduct of Members of the House. The Senate has already created a committee to examine problems in this area and the House might explore profitably the organization and procedures of the Senate Committee prior to implementing this recommendation.

And that was all.

Today, the House considered the resolution introduced by Representative CHARLES E. BENNETT, of Florida, to give voice to the Joint Committee's recommendations. We are, accordingly, establishing the Select Committee on Standards and Conduct.

It is a step in the proper direction. It is only a halting step, however. It is far from adequate.

The committee is empowered under the resolution to "investigate allegations of improper conduct which may reflect upon the House relating to the conduct of individuals in the performance of their duties as Members of the House, or as officers or employees of the House."

Which, we may ask, "standards"?

What, we may inquire, "conduct"?

Are we really asking this select committee to get to the heart of the problem of ethics as it applies to Members of Congress and their employees unless we give the committee a definition of what we expect the "standards" and the "conduct" of the people's Representatives to be?

The select committee—any select committee—would find it difficult to put the finger of wrongdoing on a Member or a House employee unless, as in the Bobby Baker case, the evidence was so overwhelming and the conflicts of interest so patent, as to warrant punitive recommendations without appropriate guidelines of conduct.

Congress is not loathe to set these standards for members of the executive branch of the Federal Government. We are not loathe to visit a code of ethics upon executive employees. The rules of gift taking, the requirement for disclosure of assets, the need for divestment of stock holdings is reasonably clearly set out for some Federal servants.

Are we any less a group of public servants? Is the reputation of Congress with the people so high, so above board, that we need not set ourselves an example, as well as the members of the executive?

I do not believe this year's crop of headlines has convinced the generality of Americans that Congress, like Caesar's wife, is beyond reproach.

We should give real meaning to the work of the Select Committee on Standards and Conduct. We should establish a code of ethics for Members of the House. We should require, as I earlier testified before the joint committee, that our incomes, assets, and liabilities be made part of the public record. We should require that all ex parte communications between Members of Congress and the executive and regulatory agencies in behalf of private interests be made part of the written record of those agencies.

Otherwise, we are asking the select committee to serve as our watchdog—but muzzled and without hope of getting its teeth into the ethical problems which are created by the simple fact that 435 Members of this House are human beings and subject, accordingly, to human frailties, no worse and probably a little better than the rest of mankind.

Our responsibility is clear.

Mr. PEPPER. Mr. Speaker, I am sympathetic to the concern that the Members of this House have for the language of this resolution and the power that this committee might exercise.

If you steal my substance, you steal trash.

If you steal my good name, of course, you steal all that I have of value.

Mr. Speaker, to all of us our integrity in public office is our most valuable possession.

But, Mr. Speaker, this resolution provides that the personnel of this committee shall be appointed by the great and distinguished Speaker of this House of Representatives. I think our distinguished Speaker can be counted upon to select levelheaded men or women in this House, of commonsense and good judgment and discretion, who will not exercise the power of such office as they might have to discredit or in any way to disparage or to injure their colleagues in this body.

While we are weighing the possibilities of injury to the Members of this House by this committee on ethics, which is the creature of this House, and which can be dissolved or destroyed by this House, we have also to think what might be the public impression of this House of Representatives if this body were unwilling to allow its own Members—through a select committee selected and appointed by its own Speaker, to investigate sworn factual allegations of impropriety or misconduct.

Now, Mr. Speaker, this resolution provides that this select committee can have its life, if it is approved by the House, only until the end of this Congress—that is until early January. It may not have an opportunity to function at all.

But amendments can be made. This committee will have to be renewed, if it is to have further life in the next session of the Congress—and then further consideration can be given to the whole subject in the light of whatever experience may be acquired between now and the end of the session by the committee.

So, Mr. Speaker, as between killing this resolution tonight and allowing the opportunity for a committee appointed by the Speaker of the House to function within the scope of propriety, which we believe it would observe—between killing it or on the other hand trying it out and perfecting it at the beginning of the next session, I respectfully submit, Mr. Speaker, that the Members of this House will show greater solicitude and concern for the public esteem of its membership in our desire to be like Caesar's wife—not only beyond misconduct but beyond even the appearance of evil, by adopting this resolution.

Therefore, Mr. Speaker, I believe it is a matter of propriety for this House to adopt this resolution and I move the previous question.

Mr. HAYS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. HAYS. Mr. Speaker, if the previous question is refused, is it true that then amendments may be offered and further debate may be had on the resolution?

The SPEAKER. If the previous question is defeated, then the resolution is open to further consideration and action and debate.

Mr. WAGGONNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. WAGGONNER. Mr. Speaker, under the rules of the House, is it not equally so that a motion to table would then be in order?

The SPEAKER. At that particular point, that would be a preferential motion.

Mr. WAGGONNER. I thank the distinguished Speaker.

Mr. FULTON of Pennsylvania. Mr. Speaker, a further parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

The Chair would suggest that parliamentary inquiries be in the nature of inquiries seeking information as to the parliamentary procedure. Of course, the statement of the Chair is not directed to the gentleman from Pennsylvania.

The gentleman from Pennsylvania [Mr. FULTON] will state his parliamentary inquiry.

Mr. FULTON of Pennsylvania. Mr. Speaker, if the previous question is refused and the resolution is then open for amendment, under what parliamentary procedure will the debate continue? Or what would be the time limit?

The SPEAKER. The Chair would recognize whoever appeared to be the leading Member in opposition to the resolution.

Mr. FULTON of Pennsylvania. What would be the time for debate?

The SPEAKER. Under those circumstances the Member recognized in opposition would have 1 hour at his disposal, or such portion of it as he might desire to exercise.

Mr. GALLAGHER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GALLAGHER. If the previous question is voted down we will have the option to reopen debate, the resolution will be open for amendment, or it can be tabled. Is that the situation as the Chair understands it?

The SPEAKER. If the previous question is voted down on the resolution, the time will be in control of some Member in opposition to it, and it would be open to amendment or to a motion to table.

Mr. GALLAGHER. I thank the Chair.

The SPEAKER. The question is on ordering the previous question.

The previous question was refused.

MOTION OFFERED BY MR. WAGGONNER

Mr. WAGGONNER. Mr. Speaker, I offer a motion.

The SPEAKER. Is the gentleman from Louisiana opposed to the resolution?

Mr. WAGGONNER. I am, in its present form, Mr. Speaker.

The SPEAKER. Has the gentleman participated actively in the debate in opposition?

Mr. WAGGONNER. I did, Mr. Speaker.

The SPEAKER. The Chair recognizes the gentleman.

The Clerk read as follows:

Mr. WAGGONNER moves to lay House Resolution 1013 on the table.

The SPEAKER. The question is on the motion of the gentleman from Louisiana.

Mr. LATTA. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

The SPEAKER. The question is on the motion of the gentleman from Louisiana to lay the resolution on the table.

The question was taken; and the Speaker announced that the "ayes" appeared to have it.

Mr. LATTA. Mr. Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER. The Chair will count. [After counting.] One hundred and ninety-eight Members are present, not a quorum.

The Doorkeeper will close the doors; the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

Mr. WAGGONNER. Mr. Speaker, I move that the House do now adjourn.

The SPEAKER. The rollcall is automatic. The question is on the motion to lay the resolution on the table.

Mr. WAGGONNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Chair will state that the rollcall has been ordered, and at this point there is nothing that can interfere with the proceeding of the automatic rollcall.

Mr. WAGGONNER. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The Chair cannot recognize the gentleman for a parliamentary inquiry at this point.

Mr. WAGGONNER. Mr. Speaker——

The SPEAKER. The Chair will advise the gentleman that, under the rules of the House, once a rollcall has been ordered, nothing can interfere with the proceeding of the rollcall.

Mr. WAGGONNER. Mr. Speaker, I make a point of order. I was on my feet seeking recognition at the time the automatic rollcall was ordered.

The SPEAKER. The Chair counted the House, and there was not a quorum present. Therefore, it follows that an automatic rollcall results.

Mr. HAYS. Mr. Speaker——

The SPEAKER. The Chair cannot recognize the gentleman from Ohio at this stage.

Mr. HAYS. I should like to know what we are voting on, if it is possible.

The SPEAKER. The Chair will announce it.

Those in favor of the motion to table the resolution will, when their names are called, vote "yea." Those opposed will vote "nay."

The Clerk will call the roll.

The question was taken; and there were—yeas 24, nays 238, not voting 170, as follows:

[Roll No. 385]

YEAS—24

Ashbrook
Bow
Dingell
Gonzalez
Hays
Holland
Kelly
Landrum
Leggett
Long, La.
Long, Md.
Morrison
Morton
Multer
O'Neill, Mass.
Passman
Powell
Rooney, N.Y.
Roybal
Saylor
Secrest
Teague, Tex.
Waggonner
Wilson, Charles H.

NAYS—238

Addabbo
Andrews, George W.
Andrews, N. Dak.
Annunzio
Arends
Ashley
Ashmore
Bandstra
Barrett
Bates
Battin
Beckworth
Bell
Bennett
Betts
Bingham
Blatnik
Boggs
Boland
Brademas
Brock
Brooks
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Cameron
Carey
Casey
Cederberg
Celler
Chelf
Clancy
Clark
Clausen, Don H.
Cleveland
Collier
Conte
Conyers
Corbett
Cramer
Culver
Cunningham
Curtis
Daddario
Dague
Daniels
Dawson
de la Garza
Delaney
Diggs
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Tenn.
Dwyer
Erlenborn
Everett
Fallon
Farbstein
Farnsley
Fascell
Feighan
Flood
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Grabowski
Gray
Green, Pa.
Grider
Griffiths
Grover
Gubser
Gurney
Halpern
Hamilton
Hanley
Hardy
Harsha
Harvey, Mich.
Hathaway
Hechler
Henderson
Herlong
Horton
Hosmer
Hull
Hutchinson
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Keogh
King, Utah
Kornegay
Krebs
Kunkel
Kupferman
Langen
Latta
Lennon
Lipscomb
Love
McClory
McCulloch
McDade
McDowell
McVicker
MacGregor
Machen
Mahon
Marsh
Mathias
Matthews
May
Mills
Minish
Minshall
Mize
Monagan
Moore
Moorhead
Morris
Morse
Mosher
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
O'Hara, Ill.
O'Hara, Mich.
Ottinger
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Price
Pucinski
Quie
Quillen
Race
Redlin
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rhodes, Pa.
Rodino
Rogers, Colo.
Ronan
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Rumsfeld
Ryan
Satterfield
St Germain
St. Onge
Scheuer
Schweiker
Selden
Shriver
Sickles
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, Va.
Springer
Staggers
Steed
Stubblefield
Teague, Calif.
Tenzer
Thomas
Tuck
Tupper
Tuten
Udall
Utt
Van Deerlin
Vanik
Vigorito
Vivian
Waldie
Watson
Weltner
Whalley
White, Tex.
Widnall
Williams
Wyatt
Wydler
Young
Younger
Zablocki

NOT VOTING—170

Abbitt
Abernethy
Adair
Adams
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Aspinall
Ayres
Baring
Belcher
Berry
Bolling
Bolton
Bray
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Callaway
Carter
Chamberlain
Clawson, Del
Clevenger
Cohelan
Colmer
Conable
Cooley
Corman
Craley
Curtin
Davis, Ga.
Davis, Wis.
Dent
Denton
Derwinski
Devine
Dickinson
Duncan, Oreg.
Dyal
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Ellsworth
Evans, Colo.
Evins, Tenn.
Farnum
Findley
Fino
Fisher
Flynt
Fogarty
Foley
Ford, Gerald R.
Fulton, Tenn.
Fuqua
Goodell
Green, Oreg.
Greigg
Gross
Hagan, Ga.
Hagen, Calif.
Haley
Hall
Halleck
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Hawkins
Hébert
Helstoski
Hicks
Holifield
Howard
Hungate
Huot
Ichord
Irwin
Jacobs
Johnson, Pa.
Jones, N.C.
Keith
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Laird
McCarthy
McEwen
McFall
McGrath
McMillan
Macdonald
Mackay
Mackie
Madden
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Meeds
Michel
Miller
Mink
Moeller
Morgan
Moss
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
Pool
Purcell
Randall
Reinecke
Resnick
Reuss
Rivers, Alaska
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roncalio
Roudebush
Schisler
Schmidhauser
Schneebeli
Scott
Senner
Shipley
Sikes
Sisk
Smith, N.Y.
Stafford
Stalbaum
Stanton
Stephens
Stratton
Sullivan
Sweeney
Talcott
Taylor
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Ullman
Walker, Miss.
Walker, N. Mex.
Watkins
Watts
White, Idaho
Whitener
Whitten
Willis
Wilson, Bob
Wolff
Wright
Yates

So the motion to lay the resolution on the table was rejected.

Mr. BOGGS, Mr. WILLIAM D. FORD, Mr. POAGE, Mr. BYRNE of Pennsylvania, Mr. BARRETT, Mr. DELANEY, and Mr. CLARK changed their vote from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

Mr. HAYS. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Ohio rise?

Mr. HAYS. Mr. Speaker, I ask for time to debate this resolution further, since the previous question was not ordered.

Mr. PEPPER. Mr. Speaker——

The SPEAKER. For what purpose does the gentleman from Florida rise?

Mr. PEPPER. To make a parliamentary inquiry, Mr. Speaker.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. PEPPER. My inquiry is, if the Speaker should recognize the able gentleman from Ohio as having control of the time, in view of the defeat of the motion to order the previous question, would the gentleman from Ohio have the authority or have the right to accord half of the time allotted to him to a representative of those who are the advocates of the resolution, as I did a while ago when I had control of the whole hour?

The SPEAKER. If the Chair recognizes the gentleman from Ohio, it will be for a period of not exceeding 1 hour. The yielding of time then will rest within the discretion and judgment of the gentleman from Ohio.

Mr. HAYS. Mr. Speaker——

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I do not have the time yet.

The SPEAKER. In order that the time start running, the Chair recognizes the gentleman from Ohio [Mr. Hays] for 1 hour.

Mr. PEPPER. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the distinguished gentleman from Florida.

Mr. PEPPER. Would the able gentleman from Ohio be willing to yield half of his time to a representative who advocates the resolution?

Mr. HAYS. I will say to the gentleman from Florida, I will endeavor to yield the proponents of the resolution an equal amount of time, but I believe if I yielded half of my time, I might lose it all.

Mr. BRADEMAS. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from Indiana for a unanimous-consent request.

TO PROVIDE FOR THE STRENGTHENING OF AMERICAN EDUCATIONAL RESOURCES FOR INTERNATIONAL STUDIES AND RESEARCH

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 14643) to provide for the strengthening of American educational resources for international studies and research, with Senate amendments thereto, disagree to the Senate amendments, and request a conference with the Senate thereon.

The SPEAKER. Is there objection to the request of the gentleman from Indiana?

Mr. MOORE. Mr. Speaker, I object.

The SPEAKER. Objection is heard.

Mr. LENNON. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. Does the gentleman from Ohio yield for that purpose?

Mr. HAYS. I yield to the gentleman from North Carolina for that purpose, Mr. Speaker.

Mr. LENNON. Is a motion to adjourn in order at this time?

The SPEAKER. A motion to adjourn is in order, if the gentleman from Ohio yields for that purpose.

Mr. HAYS. Will the gentleman withhold for just a minute?

Mr. LENNON. Yes.

Mr. HAYS. I believe I may have an amendment here which everyone can accept. I am willing to accept it. I hope the gentleman from Florida will accept it. We have had some discussion. I believe everyone could conscientiously vote for it, and we could pass this resolution without any further argument.

I would hope the gentleman would at least wait to make any such motion until the amendment is read, and give me a minute or two to explain it.

The SPEAKER. The Chair might make the observation that if a motion to adjourn is made, and if it carries, this will be the first order of business tomorrow. Saturday is approaching very rapidly.

Mr. LENNON. Mr. Speaker, may I be heard on that?

The SPEAKER. Does the gentleman from Ohio yield for that purpose?

Mr. HAYS. I will yield briefly.

Mr. LENNON. I think the gentleman is very courteous. I think the gentleman realizes there are a number of amendments that are being drawn which will be considered here during the course of this part of the debate. I think all of us have to concede also that the situation and the tension here regarding this bill is such that we should not consider this this evening.

Mr. HAYS. Will the gentleman let me say something at that point?

Mr. LENNON. Yes.

Mr. HAYS. Under the rules no amendment can be offered unless the gentleman from Ohio yields for such a purpose. If he does, he loses control of the time. So I am not going to yield to anybody to offer any amendments. I am hoping when I offer this amendment, it will be adopted, and that will obviate the necessity for any further amendments. Will you just let us read it and see if you do not agree with it?

Mr. LENNON. I will withhold my motion to adjourn until you state your amendment.

Mr. HAYS. Thank you. I thank the gentleman.

Mr. Speaker, I offer an amendment.

AMENDMENT OFFERED BY MR. HAYS

The Clerk read as follows:

Amendment offered by Mr. HAYS: On page 2, strike out line 12 through line 25, and on page 3 lines 1, 2, and 3, and insert "(1) recommend to the House, by report or resolution such additional rules or regulations as the select committee shall determine to be necessary or desirable to insure proper standards of conduct by Members of the House and by officers or employees of the House, in the performance of their duties, and the discharge of their responsibilities; and

(2) report violations, by a majority vote of the select committee, of any law to the proper Federal and State authorities."

Mr. HAYS. Mr. Speaker, if I can explain this, this strikes out the sections which state that the committee shall receive complaints and investigate allegations of improper conduct, and so forth. It says instead, which was in an original bill, to this committee, you consider all of these matters and recommend to the House by report or resolution such additional rules or regulations as the select committee may determine to be necessary or desirable to insure proper standards of conduct by Members of the House and by officers and employees.

Mr. Speaker, we are faced with a practical situation here. I am sure this does not please the gentleman from Florida completely, and I can understand it, but here it is the 19th day of October. The Committee on House Administration has had its final session. Presumably there is no money for this committee to operate on. I presume we can get it some how, but what can they do between the 19th of October, as a practical matter, and the first of the year? I think everybody thinks we need some tightening up around here. My little contracts committee is endeavoring to do some of that and maybe some of the necessity will be obviated by the first of the year. But I think what we ought to do is to go ahead and accept this amendment and put this committee in business and let them say what they think we need and then let us have a careful bill drawn if there is a necessity for one; one that does not have to be amended to death on the floor, as many Members have thought this one should be. I think this will be a way out. I think it will assert that we want to do something about this problem, which is a problem that puzzles and bothers all of us. There are lots of differences of opinion.

Mr. Speaker, I believe if we go ahead and set up this committee and let it study this matter and come back at the beginning of the next Congress, there will be a climate in which its recommendations, if they are reasonable—and I believe they will be reasonable—will be accepted.

Mr. FASCELL. Mr. Speaker, will the gentleman from Ohio yield?

Mr. HAYS. Mr. Speaker, I yield to the gentleman from Florida [Mr. FASCELL], who is really the author of this amendment.

As I have previously stated, I said that I would lose control of the time, if I did not handle the matter in this manner.

Mr. Speaker, I yield 4 minutes to the gentleman from Florida [Mr. FASCELL].

Mr. FASCELL. Mr. Speaker, I thank the gentleman from Ohio for yielding to me at this time.

Mr. Speaker, I wish to state that I am cosponsor of the original resolution, and I shall support this amendment, for the very practical reasons which have been outlined by the gentleman from Ohio [Mr. HAYS].

Mr. Speaker, I must say that the discussions so far tonight have been primarily directed toward the very difficult area of investigations, taking of evidence, and related matters which we recognize are extremely sensitive.

Because of the great emphasis on that discussion, however, we do not want to lose sight of the football in this game, which is that there is considerable doubt, misunderstanding, and an area within which we must work and only the Congress can do that, with respect to uniformity of interpretation and guidelines for the conduct of its Members, for the purposes of ethics and for standards which we deem desirable. And, Mr. Speaker, these should be uniformly understood, interpreted, and applied, by the American people and the Congress.

So, Mr. Speaker, a resolution which proposed to do basically what the gentleman from Florida and this cosponsor sought to do, which is to focus the attention of this House and the American public upon the fact that the Congress is willing to stand up and be counted, and tighten up whatever areas need to be tightened with respect to our own conduct, we will do that.

Mr. Speaker, under this proposed amendment, this select committee will have the opportunity to present those standards of conduct, those guidelines, and whatever other recommendations they may have, to this body, to be adopted and applied by this body.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield for one question?

Mr. FASCELL. Permit me to finish my statement.

Then, Mr. Speaker, we can decide at that time whether, having once adopted the rules of conduct, ethics, standards, and guidelines, it will be necessary or desirable to give this committee of the Congress the investigative power to determine whether our own rules of conduct have been violated, and give the committee the authority to recommend appropriate action for violations.

Mr. Speaker, this is all separate and apart from existing law which is now on the books and which governs all of us, violations of which this committee could examine and recommend appropriate action thereon.

Mr. Speaker, I believe at this point that this is a practical first step for us to take. It demonstrates our willingness to meet a difficult problem head on. By following this course we are not ducking a single thing, but by our vote in support hereof we can demonstrate our desire to the American people that we in the Congress are taking action to set up uniform standards and guidelines on conduct and ethics of all Members and punishment for violations.

Mr. LANDRUM. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Georgia.

Mr. LANDRUM. Mr. Speaker, I commend the distinguished gentleman from Florida [Mr. FASCELL] for this very prudent and most reasonable statement.

Mr. Speaker, it is my opinion that the amendment which has been offered by the gentleman from Ohio [Mr. HAYS] should be adopted. I believe the House should be in complete agreement with the most prudent and reasonable statement that the gentleman from Florida has made in order that it may give us an opportunity to study our way out of this very delicate matter.

Mr. SAYLOR. Mr. Speaker, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from Pennsylvania.

Mr. SAYLOR. Mr. Speaker, I would like to commend the gentleman from Ohio [Mr. HAYS] for offering the amendment, and the gentleman from Florida for drafting the amendment.

Those of us who had the courage to vote to table the original bill, did so not because we are afraid to have the full light of public scrutiny. We did so because as drafted and presented to the House it would have been a bill to delight the Gestapo or the N.K.V.D. There were no standards, no guidelines or any other thing necessary to make the committee perform as a select committee of the House of Representatives.

With this amendment the basic suggestions of the special committee headed by the gentleman from Indiana [Mr. MADDEN] will now be carried out.

The SPEAKER. The time of the gentleman from Florida has expired.

Mr. SAYLOR. Mr. Speaker, will the gentleman from Ohio yield?

Mr. HAYS. Mr. Speaker, I yield to the gentleman from Pennsylvania for a question.

Mr. SAYLOR. Mr. Speaker, I would like to direct a question to the gentleman from Ohio, my colleague [Mr. HAYS].

If this amendment is adopted, and the committee only has 2 months in which to operate, will it become a standing committee in the 90th Congress with the adoption of the rules for that Congress, without the opportunity to further debate this proposition?

Mr. HAYS. No, sir.

Mr. SAYLOR. Without any further action by the 90th Congress when it organizes in January 1967?

Mr. HAYS. I can answer the gentleman's question.

This is a select committee and, as I understand it, a select committee dies with the Congress which creates it. It will have to be re-created.

Mr. CLEVELAND. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. I thank the gentleman from Ohio for yielding to me.

Mr. SAYLOR. Mr. Speaker, if the gentleman please, I just wanted to commend the gentleman from Ohio.

Mr. CLEVELAND. Mr. Speaker, I believe the gentleman has yielded to me. He has yielded to me, with all due respect to my esteemed colleague from Pennsylvania.

The SPEAKER. Whom does the gentleman from Ohio yield to?

Mr. HAYS. Mr. Speaker, I yield to the gentleman from New Hampshire.

Mr. CLEVELAND. Mr. Speaker, I thank my esteemed colleague from Ohio.

Mr. HAYS. Mr. Speaker, I would suggest to the gentleman that he not take too much of my time thanking me.

Mr. CLEVELAND. Mr. Speaker, as I listened to the amendment proposed by my colleague from Florida, I believe that I heard familiar language. I believe the language I heard was from the bill that I referred to earlier tonight introduced jointly by my colleague from Missouri [Mr. CURTIS], and my colleague from Indiana [Mr. MADDEN] the ranking House members of the Joint Committee on the Organization of Congress.

I would like to ask my colleague from Ohio if it is true that the language in the amendment offered by the gentleman from Florida is substantially similar to the bill introduced as I mentioned?

Mr. HAYS. It is exactly the same language, I will say to my colleague.

Mr. CLEVELAND. I hoped so, and if so, I support the amendment. Although it does too little, it at least does something. I hope that next session Congress will do more to set our house in order. The hour is late, the need is great.

Mr. PEPPER. Mr. Speaker, will the gentleman from Ohio yield?

Mr. HAYS. Mr. Speaker, I yield to the gentleman from Florida [Mr. PEPPER].

Mr. PEPPER. Mr. Speaker, I thank the gentleman very much for yielding to me.

In order that we might understand clearly what the amendment proposed by the gentleman is, do I understand that there would be created the committee that is contemplated by the resolution of the gentleman from Florida [Mr. BENNETT], consisting of six members of the majority party, and six members of the minority party, and they would make such recommendations perfecting this subject to the House at the end of this session, or by the end of this session?

Mr. HAYS. The gentleman is exactly right. The recommendations would presumably be made to the Congress.

Mr. Speaker, what the amendment does, if I may say to any of my colleagues who have copies of the amendment in front of them, it would strike all of section 2, and substitute therefor the language which has been read several times earlier by the Clerk and by members of the committee, and which language I seem not to have in front of me at the moment.

Mr. PEPPER. Mr. Speaker, if the gentleman will yield for one more question?

Mr. HAYS. I yield to the gentleman from Florida.

Mr. PEPPER. And what the House would do then would be either to amend the standing committee's authority, or create a select committee, and that would of course be left up to the House at the beginning of the next session. Is that correct?

Mr. HAYS. I am sorry. I did not quite get the gentleman's question.

Mr. PEPPER. I say, what would be done on the recommendations would be left up to the House at the beginning of the next session?

Mr. HAYS. The gentleman is correct.

I will point out to the gentleman, if we can have a little order here that perhaps we can get a vote on this in a few minutes.

Mr. HORTON. Mr. Speaker, will the gentleman yield?

The SPEAKER. The gentleman from Ohio has the floor.

Mr. HORTON. I believe the gentleman from Ohio yielded to me for the purpose of a question.

The SPEAKER. Has the gentleman from Ohio yielded to the gentleman from New York?

Mr. HAYS. I yield to the gentleman from New York.

Mr. HORTON. As I understand it, everything on line 12, page 2, thereafter in paragraph 2(a) through line 3 on page 3 would be eliminated?

Mr. HAYS. That is correct.

Mr. HORTON. This language would be substituted?

Mr. HAYS. That is correct.

Mr. HORTON. I would assume it would not be necessary for this committee to take sworn testimony, which is contained in paragraph (c), beginning on line 3, page 2. I just wonder if the gentleman from Ohio would also include with that an amendment striking out line 5 through line 9 which would have to do with taking sworn testimony; and also to strike on page 3, section 3, that language which pertains to the taking of testimony and issuing subpenas.

I would also suggest perhaps the gentleman might consider on line 11, page 2, striking the words "in its discretion" so that it shall read "it shall be the duty of the select committee"—without the words "in its discretion."

Mr. HAYS. I will say to the gentleman that probably all of the amendments that he suggests would not hurt the resolution if this amendment is adopted. But I will have to say in fairness that you might not have thought so after hearing me vigorously oppose this. I have a great deal of confidence in the gentleman from Florida [Mr. BENNETT], who is going to be the chairman of this committee, as I understand it. Every committee of the House has the right to take sworn testimony. I doubt if this amendment is adopted that they will want to take sworn testimony or find it necessary. But I cannot see any possibility that they are going to abuse their authority. What we are trying to do in the brief hour we have is to put in an amendment here which will do what I sense the majority of the House is willing to do tonight, and that is to get the show on the road and go home tonight.

Mr. GALLAGHER. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman.

Mr. GALLAGHER. Mr. Speaker, I wish to compliment the gentleman from Ohio [Mr. HAYS] and the gentleman from Florida [Mr. FASCELL] for performing a real and meaningful service for the House of Representatives tonight at this late hour.

Mr. Speaker, this question must be met and resolved. With the adoption of this amendment we are going about it in a more mature and judicious manner. I think we can resolve the problem a great deal better by adopting this amendment and therefore I am supporting its adoption. I would suggest to the gentleman that he move the previous question.

Mr. **BENNETT**. Mr. Speaker, will the gentleman yield?

Mr. **HAYS**. Mr. Speaker, I yield 2 minutes to the gentleman from Florida [Mr. BENNETT].

Mr. **BENNETT**. Mr. Speaker, of course I would have like to have had the resolution which is before the House tonight approved in its entirety. But it is very late—it is late tonight and it is late in this session.

This committee is not financed. I asked for it to be financed but the House Committee on Administration has never approved the resolution for it because it has never been approved by the Congress as yet. So it is probably going to be done out of my own pocket anyway. It is going to be a little hard to get very much done in the time between now and January. But I think this resolution, as amended, is going to do good. I think this resolution is a step in the right direction and that it is going to lay the foundation for better things to come. Although I am disappointed that it is not any fuller than it is, I accept it and I am very happy to have it voted on.

Mr. **HAYS**. Mr. Speaker, I think the gentleman is very magnanimous in accepting this amendment and I thank him.

I would be the last person in this House to expect him to finance anything out of his own pocket along these lines.

If no one else does so, I will make a unanimous-consent request sometime before the Congress adjourns to bring up a resolution to modestly finance this committee for the balance of this session.

Mr. **MULTER**. Mr. Speaker, will the gentleman yield?

Mr. **HAYS**. I yield to the gentleman from New York.

Mr. **MULTER**. Mr. Speaker, I think it is fair for me to say even though I do not have the right to speak for other Members, that those Members who joined with me in voting to table this resolution did so because they had in mind the fact that the resolution as it is before us did not do the job, in that it sought to have investigations before there were any standards of conduct set up by the Congress.

I had several amendments prepared which would do the same thing as has been done by this one amendment.

Now that this one amendment is about to be adopted, I think we will set up the standards and thereafter we can do the investigating.

Mr. **HAYS**. Mr. Speaker, I move the previous question on the amendment.

The previous question was ordered.

The **SPEAKER**. The question is on the amendment offered by the gentleman from Ohio [Mr. HAYS].

The amendment was agreed to.

Mr. **HAYS**. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The **SPEAKER**. The question is on the resolution, as amended.

Mr. **HAYS**. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 256, nays 0, not voting 176, as follows:

[Roll No. 386]

YEAS—256

Addabbo
Andrews, George W.
Andrews, N. Dak.
Annunzio
Arends
Ashbrook
Ashley
Ashmore
Bandstra
Barrett
Bates
Battin
Beckworth
Bell
Bennett
Betts
Bingham
Blatnik
Boggs
Bow
Brademas
Brooks
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke
Burleson
Burton, Calif.
Burton, Utah
Byrne, Pa.
Byrnes, Wis.
Cabell
Cahill
Callan
Cameron
Carey
Casey
Celler
Chelf
Clancy
Clark
Clausen, Don H.
Cleveland
Collier
Conyers
Corbett
Cramer
Culver
Cunningham
Curtis
Daddario
Daniels
Dawson
de la Garza
Delaney
Dent
Diggs
Dingell
Dole
Donohue
Dorn
Dow
Dowdy
Downing
Dulski
Duncan, Tenn.
Dwyer
Erlenborn
Everett
Fallon
Farbstein
Farnsley
Farnum
Fascell
Feighan
Flood
Ford, William D.
Fountain
Fraser
Frelinghuysen
Friedel
Fulton, Pa.
Gallagher
Garmatz
Gathings
Gettys
Giaimo
Gibbons
Gilbert
Gilligan
Gonzalez
Grabowski
Gray
Green, Pa.
Grider
Griffiths
Grover
Gubser
Gurney
Hagen, Calif.
Halpern
Hamilton
Hanley
Hardy
Harsha
Harvey, Mich.
Hathaway
Hays
Hechler
Henderson
Herlong
Horton
Hosmer
Hull
Hutchinson
Ichord
Jarman
Jennings
Joelson
Johnson, Calif.
Johnson, Okla.
Jonas
Jones, Ala.
Jones, Mo.
Karsten
Karth
Kastenmeier
Kee
Kelly
Keogh
King, Utah
Krebs
Kunkel
Kupferman
Landrum
Langen
Latta
Leggett
Lennon
Lipscomb
Long, La.
Long, Md.
Love
McClory
McCulloch
McDade
McDowell
McVicker
MacGregor
Machen
Mahon
Marsh
Mathias
Matthews
May
Mills
Minish
Minshall
Mize
Monagan
Moore
Moorhead
Morris
Morrison
Morse
Morton
Mosher
Multer
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nelsen
O'Hara, Ill.
O'Hara, Mich.
Ottinger
Passman
Patman
Patten
Pelly
Pepper
Perkins
Philbin
Pickle
Pike
Pirnie
Poage
Poff
Price
Pucinski
Quie
Quillen
Race
Redlin
Rees
Reid, Ill.
Reid, N.Y.
Reifel
Rhodes, Ariz.
Rhodes, Pa.
Rodino
Rogers, Colo.
Ronan
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roybal
Rumsfeld
Ryan
Satterfield
St Germain
St. Onge
Saylor
Scheuer
Schweiker
Secrest
Selden
Shriver
Sickles
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Springer
Staggers
Steed
Stubblefield
Teague, Calif.
Teague, Tex.
Tenzer
Thomas
Tuck
Tupper
Tuten
Udall
Utt
Van Deerlin
Vanik
Vigorito
Vivian
Waggonner
Waldie
Watson
Weltner
Whalley
White, Tex.
Widnall
Williams
Wilson, Charles H.
Wyatt
Wydler
Young
Younger
Zablocki

NAYS—0

NOT VOTING—176

Abbitt
Abernethy
Adair
Adams
Albert
Anderson, Ill.
Anderson, Tenn.
Andrews, Glenn
Aspinall
Ayres
Baring
Belcher
Berry
Boland
Bolling
Bolton
Bray
Brock
Broomfield
Brown, Calif.
Brown, Clarence J., Jr.
Callaway
Carter
Cederberg
Chamberlain
Clawson, Del
Clevenger
Cohelan
Colmer
Conable
Conte
Cooley
Corman
Craley
Curtin
Dague
Davis, Ga.
Davis, Wis.
Denton
Derwinski
Devine
Dickinson
Duncan, Oreg.
Dyal
Edmondson
Edwards, Ala.
Edwards, Calif.
Edwards, La.
Ellsworth
Evans, Colo.
Evins, Tenn.
Findley
Fino
Fisher
Flynt
Fogarty
Foley
Ford, Gerald R.
Fulton, Tenn.
Fuqua
Goodell
Green, Oreg.
Greigg
Gross
Hagan, Ga.
Haley
Hall
Halleck
Hanna
Hansen, Idaho
Hansen, Iowa
Hansen, Wash.
Harvey, Ind.
Hawkins
Hébert
Helstoski
Hicks
Holifield
Holland
Howard
Hungate
Huot
Irwin
Jacobs
Johnson, Pa.
Jones, N.C.
Keith
King, Calif.
King, N.Y.
Kirwan
Kluczynski
Kornegay
Laird
McCarthy
McEwen
McFall
McGrath
McMillan
Macdonald
Mackay
Mackie
Madden
Mailliard
Martin, Ala.
Martin, Mass.
Martin, Nebr.
Matsunaga
Meeds
Michel
Miller
Mink
Moeller
Morgan
Moss
Murray
Nix
O'Brien
O'Konski
Olsen, Mont.
Olson, Minn.
O'Neal, Ga.
O'Neill, Mass.
Pool
Powell
Purcell
Randall
Reinecke
Resnick
Reuss
Rivers, Alaska
Rivers, S.C.
Roberts
Robison
Rogers, Fla.
Rogers, Tex.
Roncalio
Roudebush
Schisler
Schmidhauser
Schneebeli
Scott
Senner
Shipley
Sikes
Sisk
Smith, N.Y.
Smith, Va.
Stafford
Stalbaum
Stanton
Stephens
Stratton
Sullivan
Sweeney
Talcott
Taylor
Thompson, N.J.
Thompson, Tex.
Thomson, Wis.
Todd
Toll
Trimble
Tunney
Ullman
Walker, Miss.
Walker, N. Mex.
Watkins
Watts
White, Idaho
Whitener
Whitten
Willis
Wilson, Bob
Wolff
Wright
Yates

So the resolution was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Adair.
Mr. Albert with Mr. Gerald R. Ford.
Mr. Mackay with Mr. Harvey of Indiana.
Mr. Denton with Mr. McEwen.
Mr. Moss with Mr. Reinecke.
Mr. White of Idaho with Mr. Anderson of Illinois.
Mr. Thompson of New Jersey with Mr. Smith of New York.
Mr. Schisler with Mr. Bob Wilson.
Mr. Hicks with Mr. Michel.
Mr. Aspinall with Mr. Laird.
Mr. Abernethy with Mr. Halleck.
Mr. Kirwan with Mr. Fino.
Mr. Matsunaga with Mr. Derwinski.
Mr. Rivers of Alaska with Mr. Del Clawson.
Mr. Foley with Mr. Dickinson.
Mr. Evans of Colorado with Mr. Edwards of Alabama.
Mr. Fuqua with Mr. Keith.
Mr. Stephens with Mr. O'Konski.
Mr. Senner with Mr. Robison.
Mr. Hawkins with Mr. Glenn Anderson.
Mr. Brown of California with Mr. Bray.
Mr. Jacobs with Mr. Talcott.
Mr. Mackie with Mr. Chamberlain.
Mr. Dyal with Mr. Watkins.
Mr. Evins of Tennessee with Mr. Clarence J. Brown, Jr.

Mr. Hagan of Georgia with Mr. Schneebeli.
Mr. Haley with Mr. Belcher.
Mr. Hungate with Mr. Martin of Alabama.
Mr. Helstoski with Mr. Devine.
Mr. Sisk with Mr. Martin of Massachusetts.
Mr. Schmidhauser with Mr. Davis of Wisconsin.
Mr. Taylor with Mr. Thomson of Wisconsin.
Mr. Trimble with Mr. Martin of Nebraska.
Mr. Olsen of Montana with Mr. Roudebush.
Mr. Purcell with Mr. Stanton.
Mr. Hanna with Mr. Hansen of Idaho.
Mr. Shipley with Mr. Walker of Mississippi.
Mr. Holifield with Mr. Stafford.
Mr. Abbitt with Mr. Mailliard.
Mr. Baring with Mr. Johnson of Pennsylvania.
Mr. Adams with Mr. Goodell.
Mr. Clevenger with Mr. Findley.
Mr. Cohelan with Mr. Conable.
Mr. Olson of Minnesota with Mr. Carter.
Mr. Cooley with Mr. Callaway.
Mr. Meeds with Mr. Conte.
Mr. Craley with Mr. King of New York.
Mr. Miller with Mr. Curtin.
Mr. Colmer with Mr. Broomfield.
Mr. Walker of New Mexico with Mr. Ayres.
Mr. Nix with Mr. Dague.
Mr. Fisher with Mr. Scott.
Mr. Davis of Georgia with Mrs. Sullivan.
Mr. Corman with Mr. McFall.
Mr. Jones of North Carolina with Mr. Edwards of California.
Mr. Huot with Mrs. Mink.
Mr. Howard with Mr. Morgan.
Mr. Roberts with Mr. Whitener.
Mr. Stratton with Mr. Tunney.
Mr. Rogers of Texas with Mr. Ullman.
Mr. Thompson of Texas with Mr. Murray.
Mr. Moeller with Mr. Watts.
Mr. Randall with Mr. Pool.
Mr. Hansen of Iowa with Mrs. Hansen of Washington.
Mr. Greigg with Mr. McMillan.
Mr. Resnick with Mr. McCarthy.
Mr. Reuss with Mr. Sweeney.
Mr. Flynt with Mr. Wolff.
Mr. Fogarty with Mr. Berry.
Mr. Duncan of Oregon with Mr. Brock.
Mr. Roncalio with Mrs. Bolton.
Mr. Todd with Mr. Cederberg.
Mr. King of California with Mrs. Green of Oregon.
Mr. Kluczynski with Mr. Powell.
Mr. Anderson of Tennessee with Mr. Stalbaum.
Mr. Kornegay with Mr. O'Brien.
Mr. Edmondson with Mr. Macdonald.
Mr. O'Neal of Georgia with Mr. Madden.
Mr. Smith of Virginia with Mr. Toll.
Mr. O'Neill of Massachusetts with Mr. Irwin.
Mr. Sikes with Mr. Yates.
Mr. Whitten with Mr. Willis.
Mr. Fulton of Tennessee with Mr. Holland.
Mr. Rogers of Florida with Mr. Wright.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

House Resolution 954 was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PEPPER. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the resolution in the RECORD.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

AUTHORIZING EXPENDITURES INCURRED BY THE SELECT COMMITTEE ON STANDARDS AND CONDUCT TO BE PAID FROM THE CONTINGENT FUND OF THE HOUSE

Mr. HAYS. Mr. Speaker, I call up House Resolution 1069, and ask unanimous consent for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 1069

Resolved, That the expenses of conducting the investigation authorized by H. Res. 1013, Eighty-ninth Congress, incurred by the Select Committee on Standards and Conduct, acting as a whole or by subcommittee, not to exceed $10,000, including expenditures for employment of experts, special counsel, and clerical, stenographic, and other assistants, shall be paid out of the contingent fund of the House on vouchers authorized by said committee, signed by the chairman of the committee, and approved by the Committee on House Administration.

SEC. 2. The official stenographers to committees may be used at all hearings held in the District of Columbia if not otherwise engaged.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. HAYS]?

Mr. BATTIN. Mr. Speaker, reserving the right to object, I would ask the gentleman whether this has been cleared with the minority Members?

Mr. HAYS. It has been cleared with the minority whip, the gentleman from Illinois [Mr. ARENDS].

Mr. BATTIN. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the request of the gentleman from Ohio [Mr. HAYS]?

There was no objection.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERSONAL ANNOUNCEMENT

Mr. FOUNTAIN. Mr. Speaker, on rollcall No. 374 yesterday I was in a committee room in conference and the bells did not ring. I make this statement in the RECORD to show that if I had been here, I would have voted "nay."

PERSONAL ANNOUNCEMENT

Mr. ICHORD. Mr. Speaker, on rollcall No. 385 on the motion to table the resolution, House Resolution 1013, I was necessarily called off the floor on business. I was not recorded. If I had been present in the Chamber, I would have voted "nay" on that rollcall.

GONZALEZ PUBLISHES 1966 VOTING RECORD

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. GONZALEZ] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GONZALEZ. Mr. Speaker, it has been my custom to insert my voting record each year into the CONGRESSIONAL RECORD. I consider this to be a public service which enables the voters to see exactly how I have voted on each individual rollcall vote. It also serves as an attendance record and from it the constituents may judge how well their representative attended the sessions of the House of Representatives.

I am particularly proud of my voting record and my attendance record this year. I was present for every quorum call and voted on every rollcall vote in 1966, with the exception of the 2 days I was away from Washington, serving as an official OAS observer of the Dominican Republic elections on June 1 and June 2.

Because the House is still in session, this record is necessarily incomplete. As soon as Congress adjourns for the year, however, I intend to bring my record up to date. Then, together with the data I inserted in the CONGRESSIONAL RECORD on my votes and attendance during 1965, it will serve as my complete voting and attendance record for the 89th Congress.

While I am justifiably proud of this record, I might state that I also feel very humble, for I feel that I have been privileged to have served in this great body at a most historical and meaningful time in American history. I have been chastened to know that I have participated in the formulation and consideration and approval by the Congress of some of the most important legislation ever enacted by the National Congress. My good fortune in being able to be present during all of the crucial consideration of such monumental pieces of legislation as the Economic Opportunity Act and its amendments, the program to control and banish air and water pollution, the Comprehensive Medical Planning and Facilities Act, the social security amendments, the Civil Rights Act of 1966 which unfortunately was stalled in the Senate, and indeed a host of beneficial and long overdue legislation. This indeed is clear reason for a feeling of accomplishment.

The people of my great district, therefore, have a clear and complete record of my views, position taken, and so forth, which, after all, is the best way we, as individual Congressmen, have of showing our responsiveness to needs and our sense of responsibility.

I might also add that as member of the important Banking and Currency Committee, I have been present every single time the committee has considered any important matter and am proud of the accomplishments of this body. The records of the committee will also reflect the parallel presence on a consistent basis as that of my attendance at House sessions.

In my final wrap-up of my voting record I shall enlarge on the key issues of this session and my positions with respect thereto.

The record referred to follows:

Rollcall No.	Date	Issue	Vote
	1966		
1	Jan. 10	Quorum call	Present.
2	Jan. 27	Quorum call	Present.
3	Jan. 27	H. Res. 665: Authorization of funds for HUAC. (Passed 299 to 24.)	Yes.
4	Feb. 2	Quorum call	Present.
5	Feb. 2	Quorum call	Present.
6	Feb. 2	H. Res. 699: Resolution to cite leader of Klu Klux Klan with contempt. (Passed 344 to 28.)	Yes.
7	Feb. 2	H. Res. 700: Motion to recommit contempt citation against Calvin Craig. (Failed 57 to 307.)	No.
8	Feb. 3	Quorum call	Present.
9	Feb. 3	H. Res. 706: Resolution to provide for U.S. participation in Interama. (Passed 201 to 141.)	Yes.
10	Feb. 7	Quorum call	Present.
11	Feb. 7	H.R. 12410: Motion to suspend rules and pass cold war GI bill. (Passed 381 to 0.)	Yes.
12	Feb. 8	Quorum call	Present.
13	Feb. 8	S. 1698: Bank Merger Act Amendments of 1966. (Passed 372 to 17.)	No.
14	Feb. 9	Quorum call	Present.
15	Feb. 9	H.R. 12563: A bill to provide for U.S. participation in the Asian Development Bank. (Passed 293 to 80.)	Yes.
16	Feb. 9	H.R. 706: Amendment to Railway Labor Act for establishment of special boards to resolve management-labor disputes. (Passed 380 to 0.)	Yes.
17	Feb. 23	Quorum call	Present.
18	Feb. 23	H. Res. 736: Resolution to consider H.R. 12752, a bill providing for graduated withholding of income tax from wages. (Passed 327 to 50.)	Yes.
19	Feb. 23	H.R. 12752: Motion to recommit bill	No.
20	Feb. 23	H.R. 12752: Bill providing for graduated withholding of income tax from wages. (Passed 246 to 146.)	Yes.
21	Feb. 24	Quorum call	Present.
22	Feb. 24	H. Res. 742: Resolution to consider the Foreign Aid Act. (Passed 360 to 11.)	Yes.
23	Feb. 24	H.R. 12169: Motion to recommit the Foreign Aid Act of 1966. (Failed 169 to 213.)	No.
24	Feb. 24	H.R. 12169: The Foreign Aid Act of 1966. (Passed 350 to 27.)	Yes.
25	Mar. 1	Quorum call	Present.
26	Mar. 1	H.R. 12889: Bill providing authorizations for military procurement and construction. (Passed 393 to 4.)	Yes.
27	Mar. 2	Quorum call	Present.
28	Mar. 2	S. 1666: Bill providing for additional Federal circuit and district judges. (Passed 371 to 23.)	Yes.
29	Mar. 2	Quorum call	Present.
30	Mar. 2	H.R. 9963: A bill providing for U.S. participation in the Alaska S tatehood Exposition. (Passed 202to 173.)	Yes.
31	Mar. 3	Quorum call	Present.
32	Mar. 3	Quorum call	Present.
33	Mar. 3	H.R. 12322: Cotton research and promotion bill, motion to recommit. (Failed 185 to 191.)	No.
34	Mar. 3	H.R. 12322: Cotton research and promotion bill. (Passed 189 to 183.)	Yes.
35	Mar. 15	Quorum call	Present.
36	Mar. 15	H.R. 12752: Adoption of conference report on bill providing for graduated withholding of income taxes from wages. (Passed 288 to 102.)	Yes.
37	Mar. 15	Quorum call	Present.
38	Mar. 15	H.R. 13546: Supplemental appropriation for Department of Defense. (Passed 389 to 3.)	Yes.
39	Mar. 16	Quorum call	Present.
40	Mar. 16	H.R. 6785: Bill providing for uniform dates for daylight savings time. (Passed 292 to 93.)	Yes.
41	Mar. 21	Quorum call	Present.
42	Mar. 21	H.R. 13448: Bill providing for overseas mailing privileges for members of armed services. (Passed 304 to 0.)	Yes.
43	Mar. 22	Quorum call	Present.
44	Mar. 22	H. Res. 774: Resolution to consider the bill, S. 2394, providing for an official residence for the Vice President. (Passed 226 to 135.)	Yes.
45	Mar. 22	S. 2394: Bill providing for an official residence for the Vice President. (Passed 197 to 184.)	Yes.
46	Mar. 23	Quorum call	Present.
47	Mar. 29	Quorum call	Present.
48	Mar. 29	H.R. 14012: 2d supplemental appropriations, motion to recommit. (Failed 190 to 198.)	No.
49	Mar. 29	H.R. 14012: 2d supplemental appropriations. (Passed 269 to 122.)	Yes.
50	Mar. 30	S. 1404: Adoption of conference report on bill providing for uniform system of time. (Passed 282 to 91.)	Yes.
51	Mar. 30	Quorum call	Present.
52	Mar. 31	Quorum call	Present.
53	Mar. 31	H. Res. 802: Resolution to consider the bill, S. 2729, to amend the Small Business Act. (Passed 363 to 4.)	Yes.
54	Mar. 31	S. 2729: Bill to amend the Small Business Act. (Passed 373 to 0.)	Yes.
55	Apr. 4	Quorum call	Present.
56	Apr. 4	Quorum call	Present.
57	Apr. 5	Quorum call	Present.
58	Apr. 6	H.R. 14224: Bill to extend the time to enroll under medicare. (Passed 387 to 0.)	Yes.
59	Apr. 6	H.R. 14122: Federal employees pay raise bill. (Passed 393 to 1.)	Yes.
60	Apr. 6	H.R. 14215: Motion to recommit appropriations for Department of Interior and related agencies. (Failed 157 to 233.)	No.
61	Apr. 6	H.R. 14215: Appropriations for Department of Interior and related agencies. (Passed 370 to 16.)	Yes.
62	Apr. 6	H.R. 14266: Motion to recommit appropriations for Treasury, Post Office, and the Executive Office of the President. (Failed 127 to 244.)	No.
63	Apr. 6	H.R. 14266: Appropriations for Treasury, Post Office, and Executive Office of the President. (Passed 368 to 2.)	Yes.
64	Apr. 19	Quorum call	Present.
65	Apr. 19	H.R. 7605: Bill providing for a 3d power plant at Grand Coulee Dam, on amendment requiring annual consolidated financial statement. (Passed 240 to 111.)	Yes.
66	Apr. 19	H.R. 7406: Bill providing for a 3d power plant at Grand Coulee Dam. (Passed 249 to 79.)	Yes.
67	Apr. 20	Quroum call	Present.
68	Apr. 20	H. Res 756: Resolution to disapprove of the transfer of the Community Relations Service from the Department of Commerce to the Department of Justice. (Failed 163 to 220.)	No.
69	Apr. 26	Quorum call	Present.
70	Apr. 26	H.R. 14596: Appropriations for Department of Agriculture, motion to recommit with instructions to prohibit sales to countries doing business with North Vietnam. (Passed 290 to 98.)	No.
71	Apr. 26	H.R. 14596: Appropriations for Department of Agriculture. (Passed 366 to 23.)	Yes.
72	Apr. 27	Quorum call	Present.
73	Apr. 27	Quorum call	Present.
74	Apr. 27	H.R. 10065: Bill to more effectively prohibit discrimination in employment. (Passed 300 to 93.)	Yes.
75	Apr. 28	Quorum call	Present.
76	Apr. 28	H.R. 13881: Bill to regulate the transportation of pets intended for use in research. (Passed 352 to 10.)	Yes.
77	May 2	Quorum call	Present.
78	May 3	Quorum call	Present.
79	May 3	Quorum call	Present.
80	May 3	H.R. 14324: Motion to recommit bill authorizing funds for NASA. (Failed 90 to 271.)	No.
81	May 3	H.R. 14324: Bill authorizing funds for NASA. (Passed 349 to 10.)	Yes.
82	May 4	Quorum call	Present.
83	May 4	Quorum call	Present.
84	May 4	Quorum call	Present.
85	May 4	Quorum call	Present.
86	May 5	H.R. 14745: Motion to recommit appropriations for Departments of Labor and HEW. (Failed 153 to 236.)	No.
87	May 5	H.R. 14745: Appropriations for Departments of Labor and HEW. (Passed 355 to 27.)	Yes.
88	May 9	Quorum call	Present.
89	May 10	Quorum call	Present.
90	May 10	Quorum call	Present.
91	May 10	H.R. 14921: Appropriations for Department of Housing and Urban Development, amendment to add $20,000,000 for rent supplements. (Passed 192 to 188.)	Yes.
92	May 10	H.R. 14921: Appropriations for Department of Housing and Urban Development. (Passed 297 to 82.)	Yes.
93	May 11	Quorum call	Present.
94	May 11	H.R. 14088: Bill to provide improved health benefits for members of the armed services and veterans. (Passed 358 to 0.)	Yes.
95	May 12	Quorum call	Present.
96	May 12	Quorum call	Present.
97	May 12	S. 1098: Bill to insure adequacy of the national railroad freight car supply. (Passed 306 to 27.)	Yes.
98	May 16	S. 693: Bill to strengthen the Foreign Agents Registration Act. (Passed 285 to 0.)	Yes.
99	May 16	Quorum call	Present.
100	May 16	H. Res. 852: Resolution to consider the bill, H.R. 14544, providing for participation sales. (Passed 184 to 120.)	Yes.
101	May 16	Quorum call	Present.
102	May 17	Quorum call	Present.
103	May 17	Quorum call	Present.
104	May 17	Quorum call	Present.

Rollcall No.	Date	Issue	Vote
	1966		
105	May 18	H.R. 14215: Adoption of conference report on bill providing appropriations for the Department of the Interior and related agencies. (Passed 370 to 10.)	Yes.
106	May 18	H.R. 14544: Motion to recommit the Participation Sales Act. (Failed 180 to 217.)	No.
107	May 18	H.R. 14544: The Participation Sales Act. (Passed 206 to 190.)	Yes.
108	May 24	Quorum call	Present.
109	May 24	Quorum call	Present.
110	May 25	Quorum call	Present.
111	May 26	Quorum call	Present.
112	May 26	Quorum call	Present.
113	May 26	H.R. 13712: Bill to increase the minimum wage, motion to recommit. (Failed 195 to 200.)	No.
114	May 26	H.R. 13712: Amendment to delay the minimum wage bill until 1969. (Passed 205 to 194.)	No.
115	May 26	H.R. 13712: Amendment to delete farmworkers from minimum wage bill. (Failed 167 to 232.)	No.
116	May 26	H.R. 13712: Bill to increase the minimum wage. (Passed 303 to 93.)	Yes.
117	May 31	Quorum call	Present.
118	June 1	Quorum call	Absent.
119	June 1	Quorum call	Absent.
120	June 1	H.R. 9167: Motion to recommit Narcotics Addiction Act of 1966. (Passed 198 to 168.)	Not voting.
121	June 1	H.R. 9167: Narcotics Addiction Act of 1966. (Passed 367 to 1.)	Not voting.
122	June 2	Quorum call	Absent.
123	June 2	H.R. 14050: Bill to extend the Library Services and Construction Act. (Passed 337 to 2.)	Not voting.
124	June 6	H.R. 14643: Bill to strengthen educational resources for international studies and research. (Passed 195 to 90.)	Yes.
125	June 6	H.R. 10: Bill to improve self-employed pension and profit-sharing plans. (Passed 291 to 0.)	Yes.
126	June 7	Quorum call	Present.
127	June 7	H.R. 15456: Appropriations for legislative branch. (Passed 341 to 2.)	Yes.
128	June 7	S. 1357: Bill to improve bail practices in U.S. courts. (Passed 319 to 14.)	Yes.
129	June 8	Quorum call	Present.
130	June 8	H. Res. 882: Resolution to consider the bill, H.R. 15202, to provide for a temporary increase in the public debt limit. (Passed 205 to 153.)	Yes.
131	June 8	H.R. 15202: Bill to provide for temporary increase in the public debt limit. (Passed 199 to 165.)	Yes.
132	June 9	Quorum call	Present.
133	June 9	H.R. 14929: Bill to promote international trade in agricultural commodities, amendment providing 40-year financing. (Passed 193 to 165.)	Yes.
134	June 9	H.R. 14929: Motion to recommit bill to promote international trade in agricultural commodities. (Failed 157 to 200.)	No.
135	June 9	H.R. 14929: Bill to promote international trade in agricultural commodities. (Passed 333 to 20.)	Yes.
136	June 13	Quorum call	Present.
137	June 13	H.R. 14019: Bill to authorize funds for construction under Foreign Service Buildings Act, including a new chancery in Saigon. (Passed 290 to 3.)	Yes.
138	June 14	Quorum call	Present.
139	June 14	Quorum call	Present.
140	June 14	Quorum call	Present.
141	June 14	S. 2950: Authorization of funds for military procurement and research and development. (Passed 356 to 2.)	Yes.
142	June 15	Quorum call	Present.
143	June 16	Quorum call	Present.
144	June 16	Quorum call	Present.
145	June 16	H.R. 14025: Bill to extend the Defense Production Act, amendment to give President authority to control consumer credit. (Passed 307 to 0.)	Yes.
146	June 20	Quorum call	Present.
147	June 20	S. 1160: Bill to amend Administrative Procedure Act to protect the right of the public to information. (Passed 307 to 0.)	Yes.
148	June 20	H.R. 10660: Bill to amend Connolly Hot Oil Act to permit States which have confiscated oil to sell it in interstate commerce. (Passed 308 to 1.)	Yes.
149	June 22	Quorum call	Present.
150	June 22	H.R. 15119: Bill to improve unemployment compensation. (Passed 375 to 10.)	Yes.
151	June 23	Quorum call	Present.
152	June 23	H.R. 13196: Authorization of funds to help meet shortage of health professions personnel. (Passed 364 to 0.)	Yes.
153	June 27	Quorum call	Present.
154	June 27	H. Res. 875: Resolution to consider the bill H.R. 14904, revising postal rates on 4th class mail. (Passed 222 to 148.)	Yes.
155	June 27	H.R. 5426: Bill to prohibit common law marriages in the District of Columbia, motion to recommit. (Failed 39 to 328.)	Yes.
156	June 28	Quorum call	Present.
157	June 29	Quorum call	Present.
158	July 12	Quorum call	Present.
159	July 12	S. 2950: Authorization of funds for military procurement and research and development, adoption of conference report. (Passed 360 to 2.)	Yes.
160	July 12	Quorum call	Present.
161	July 13	Quorum call	Present.
162	July 13	Quorum call	Present.
163	July 14	Quorum call	Present.
164	July 14	H.R. 15750: Bill to amend the Foreign Aid Act motion to recommit with instructions to reduce from 2 years to 1 year authorization. (Failed 191 to 193.)	No.
165	July 14	H.R. 15750: Bill to amend Foreign Aid Act. (Passed 237 to 146.)	Yes.
166	July 18	Quorum call	Present.
167	July 19	Quorum call	Present.
168	July 19	Quorum call	Present.
169	July 19	Quorum call	Present.
170	July 20	Quorum call	Present.
171	July 20	H.R. 15941: Appropriations for Department of Defense. (Passed 393 to 1.)	Yes.
172	July 21	Quorum call	Present
173	July 21	S. 602: Bill to enlarge the small reclamations program, on adoption of conference report. (Failed 136 to 204.)	No.
174	July 25	Quorum call	Present.
175	July 25	H. Res. 910: Resolution to consider the Civil Rights Act of 1966. (Passed 200 to 180.)	Yes.
176	July 25	Quorum call	Present.
177	July 25	Quorum call	Present.
178	July 26	Quorum call	Present.
179	July 26	Quorum call	Present.
180	July 26	Quorum call	Present.
181	July 27	Quorum call	Present.
182	July 27	Quorum call	Present.
183	July 27	Quorum call	Present.
184	July 28	Quorum call	Present.
185	July 28	Quorum call	Present.
186	July 28	Quorum call	Present.
187	July 28	Quorum call	Present.
188	July 29	Quorum call	Present.
189	July 29	Quorum call	Present.
190	July 29	Quorum call	Present.
191	Aug. 1	Quorum call	Present.
192	Aug. 1	Quorum call	Present.
193	Aug. 1	Quorum call	Present.
194	Aug. 2	Quorum call	Present.
195	Aug. 2	Quorum call	Present.
196	Aug. 3	Quorum call	Present.
197	Aug. 3	Quorum call	Present.
198	Aug. 4	Quorum call	Present.
199	Aug. 4	Quorum call	Present.
200	Aug. 5	Quorum call	Present.
201	Aug. 8	Quorum call	Present.
202	Aug. 8	Quorum call	Present.
203	Aug. 8	Quorum call	Present.
204	Aug. 9	Quorum call	Present.
205	Aug. 9	Quorum call	Present.
206	Aug. 9	H.R. 14765: Civil Rights Act of 1966, amendment to modify fair housing section. (Passed 237 to 176.)	Yes.

Rollcall No.	Date	Issue	Vote
	1966		
207	Aug. 9	H.R. 14765: Civil Rights Act of 1966, amendment to add so-called "antiriot" provision. (Passed 389 to 25.)	No.
208	Aug. 9	H.R. 14765: Civil Rights Act of 1966, amendment to impede bringing of suits involving violation of civil rights. (Passed 214 to 201.)	No.
210	Aug. 9	H.R. 14765: Civil Rights Act of 1966. (Passed 259 to 157.)	Yes.
211	Aug. 10	Quorum call	Present.
212	Aug. 10	Quorum call	Present.
213	Aug. 10	S. 3105: Authorization of funds for military construction. (Passed 390 to 1.)	Yes.
214	Aug. 11	Quorum call	Present.
215	Aug. 11	H.R. 14359: Authorization of funds for the Highway Construction Act, motion to recommit with instructions to delete funds for beautification program. (Failed 173 to 175.)	No.
216	Aug. 11	H.R. 14359: Authorization of funds for Highway Construction Act. (Passed 341 to 1.)	Yes.
217	Aug. 15	Quorum call	Present.
218	Aug. 15	H.R. 15639: Bill to stimulate flow of mortgage funds for housing industry. (Passed 314 to 1.)	Yes.
219	Aug. 15	H.R. 16114: Bill providing premium compensation for Federal employees. (Passed 313 to 0.)	Yes.
220	Aug. 15	H.R. 14604: Bill to provide facilities for visitors to the Nation's Capitol, motion to suspend rules and pass by ⅔ majority. (Failed 200 to 108.)	Yes.
221	Aug. 15	H.R. 11555: Authorization of funds for the Chamizal Memorial Highway, motion to suspend rules and pass by ⅔ majority. (Failed 174 to 133.)	Yes.
222	Aug. 16	Quorum call	Present.
223	Aug. 16	Quorum call	Present.
224	Aug. 16	H.R. 14810: Authorization of funds for the Urban Mass Transportation Act, motion to recommit with instructions to delete funds from $175,000,000 to $150,000,000. (Passed 205 to 161.)	No.
225	Aug. 16	H.R. 14810: Authorization of funds for the Urban Mass Transportation Act. (Passed 235 to 127.)	Yes.
226	Aug. 17	Quorum call	Present.
227	Aug. 17	Quorum call	Present.
228	Aug. 17	H.R. 13290: Highway Safety Act of 1966, on amendment. (Failed 168 to 205.)	No.
229	Aug. 17	H.R. 13290: Highway Safety Act. (Passed 371 to 0.)	Yes.
230	Aug. 18	Quorum call	Present.
231	Aug. 18	H.R. 14921: Appropriations for Department of Housing, motion to recommit. (Failed 176 to 190.)	No.
232	Aug. 18	H.R. 13290: Highway Safety Act of 1966. (Passed 317 to 3.)	Yes.
233	Aug. 22	S. 602: Bill to enlarge small reclamation projects program, on adoption of conference report. (Passed 198 to 81.)	Yes.
234	Aug. 22	H.R. 16340: Bill to prohibit picketing within 500 feet of any church in the District of Columbia, motion to recommit. (Failed 55 to 237)	Yes.
235	Aug. 22	H.R. 16340: Bill to prohibit picketing within 500 feet of any church in the District of Columbia. (Passed 249 to 44.)	No.
236	Aug. 23	Quorum call	Present.
237	Aug. 24	Quorum calls	Present.
238	Aug. 24	H.R. 14596: Appropriations for the Department of Agriculture, adoption of conference report. (Passed 325 to 28.)	Yes.
239	Aug. 24	Quorum call	Present.
240	Aug. 25	Quorum call	Present.
241	Aug. 25	H.R. 15941: Appropriations for Department of Defense, adoption of conference report. (Passed 383 to 1.)	Yes.
242	Aug. 25	H.R. 15941: Appropriations for Department of Defense, motion to deny President authority to call up individual members of the Reserves without declaration of national emergency or special resolution of Congress.	Yes.
243	Aug. 26	Quorum call	Present.
244	Aug. 26	H.R. 15639: Bill to stimulate flow of mortgage funds for housing industry, adoption of conference report. (Passed 284 to 1.)	Yes.
245	Aug. 26	H.R. 14810: Urban Mass Transportation Act, adoption of conference report. (Passed 156 to 86.)	Yes.
246	Aug. 29	H.J. Res. 1284: Resolution for continuing appropriations for fiscal year 1967. (Passed 323 to 6.)	Yes.
247	Aug. 29	Quorum call	Present.
248	Aug. 29	Quorum call	Present.
249	Aug. 29	Quorum call	Present.
250	Aug. 30	Quorum call	Present.
251	Aug. 30	H.R. 15963: Bill to create the Department of Transportation, amendment to exclude maritime activities from the new Department. (Passed 261 to 117.)	Yes.
252	Aug. 30	H.R. 15963: Bill to create the Department of Transportation, motion to recommit. (Failed 143 to 238.)	No.
253	Aug. 30	H.R. 15963: Bill to create the Department of Transportation. (Passed 336 to 42.)	Yes.
254	Aug. 31	Quorum call	Present.
255	Aug. 31	H.R. 41359: Authorization of funds for Highway Construction Act, adoption of conference report. (Passed 359 to 1.)	Yes.
256	Aug. 31	Quorum call	Present.
257	Aug. 31	S. 3005: Automobile Safety Act, adoption of conference report. (Passed 365 to 0.)	Yes.
258	Aug. 31	H.R. 13290: Highway Safety Act, adoption of conference report. (Passed 360 to 3.)	Yes.
259	Aug. 31	H.R. 16574: Authorization of funds for the Peace Corps. (Passed 322 to 15.)	Yes.
260	Sept. 1	Quorum call	Present.
261	Sept. 1	H.R. 15750: Amendment to Foreign Aid Act, adoption of conference report. (Passed 217 to 127.)	Yes.
262	Sept. 1	H.R. 15098: Authorization of $10,000,000 for HemisFair, motion to recommit. (Failed 147 to 184.)	No.
263	Sept. 1	Quorum call	Present.
264	Sept. 6	Quorum call	Present.
265	Sept. 6	H.R. 15766: Bill to establish the National Commission on Reform of Federal Criminal Laws. (Passed 259 to 0.)	Yes.
266	Sept. 7	Quorum call	Present.
267	Sept. 7	H.R. 13712: Bill to increase the minimum wage, motion to recommit the conference report. (Failed 163 to 183.)	No.
268	Sept. 7	H.R. 13712: Bill to increase the minimum wage. (Passed 259 to 89.)	Yes.
269	Sept. 7	Quorum call	Present.
270	Sept. 8	Quorum call	Present.
271	Sept. 8	H.R. 14026: Bill to establish temporary interest rate controls, motion to recommit with instructions to make the controls mandatory. (Failed 130 to 214.)	Yes.
272	Sept. 8	H.R. 14026: Bill to establish temporary interest rate controls. (Passed 271 to 68.)	Yes.
273	Sept. 12	Quorum call	Present.
274	Sept. 12	H. Res. 1002: Resolution to consider the bill, H.J. Res. 688, to give effect to the Beirut agreement. (Passed 242 to 2.)	Yes.
275	Sept. 12	H. Res. 1005: Resolution to consider the bill, H.R. 11256, the Federal Tax Lien Act of 1966. (Passed 243 to 9.)	Yes.
276	Sept. 12	H. Res. 1004: Resolution to consider the bill, H.R. 8664, giving effect to the Florence agreement. (Passed 241 to 7.)	Yes.
277	Sept. 12	H. Res. 976: Resolution to consider the bill, H.R. 11555, authorizing funds for the Chamizal Memorial Highway. (Passed 202 to 48.)	Yes.
278	Sept. 13	Quorum call	Present.
279	Sept. 13	H.R. 17636: Appropriations for the District of Columbia, motion to recommit. (Failed 103 to 217.)	No.
280	Sept. 13	H.R. 17636: Appropriations for the District of Columbia. (Passed 320 to 3.)	Yes.
281	Sept. 14	Quorum call	Present.
282	Sept 14	Quorum call	Present.
283	Sept. 14	Quorum call	Present.
284	Sept. 14	H.R. 17637: Appropriations for military construction. (Passed 346 to 3.)	Yes.
285	Sept. 19	Quorum call	Present.
286	Sept. 19	H.R. 8678: Bill to establish the Pictured Rocks National Lakeshore. (Passed 247 to 70.)	Yes.
287	Sept. 19	H.R. 17488: Veterans Pension Act of 1966. (Passed 315 to 2.)	Yes.
288	Sept. 19	H.R. 15183: Bill to adjust status of Cuban refugees. (Passed 300 to 25.)	Yes.
289	Sept. 19	S.J. Res. 167: Resolution to enable the United States to hold the International Conference on Water and Peace, motion to suspend the rules and pass by ⅔ majority. (Failed 161 to 154.)	Yes.
290	Sept. 19	S. 3423: Bill to establish Wolf Trap Farm Park, motion to suspend rules and adopt by ⅔ majority. (Failed 195 to 105.)	Yes.
291	Sept. 20	Quorum call	Present.
292	Sept. 20	Quorum call	Present.
293	Sept. 20	H.R. 17788: Appropriations for Foreign Aid Act, motion to recommit. (Passed 187 to 182.)	No.
294	Sept. 20	H.R. 17788: Appropriations for Foreign Aid Act. (Passed 234 to 141.)	Yes.
295	Sept. 21	Quorum call	Present.
296	Sept. 21	H.R. 17787: Appropriations for public works. (Passed 354 to 25.)	Yes.
297	Sept. 21	Quorum call	Present.
298	Sept. 21	H.R. 17195: Bill to strengthen the Reserves and clarify the status of National Guard technicians. (Passed 332 to 6.)	Yes.
299	Sept. 22	Quorum call	Present.
300	Sept. 22	H.R. 11555: Authorization of funds for the Chamizal Memorial Highway, motion to recommit to reduce funds. (Failed 149 to 199.)	No.
301	Sept. 22	H.R. 13825: Bill to establish the Tijuana River international flood control project. (Passed 293 to 42.)	Yes.
302	Sept. 26	Quorum call	Present.
303	Sept. 26	Quorum call	Present.
304	Sept. 26	Quorum call	Present.
305	Sept. 26	Quorum call	Present.

Rollcall No.	Date	Issue	Vote
	1966		
306	Sept. 26	Quorum call	Present.
307	Sept. 27	Quorum call	Present.
308	Sept. 27	Quorum call	Present.
309	Sept. 27	Quorum call	Present.
310	Sept. 27	Quorum call	Present.
311	Sept. 27	Quorum call	Present.
312	Sept. 28	Quorum call	Present.
313	Sept. 28	Quorum call	Present.
314	Sept. 29	Quorum call	Present.
315	Sept. 29	Quorum call	Present.
316	Sept. 29	Quorum call	Present
317	Sept. 29	H.R. 15111: Authorization of funds for the war against poverty, motion to kill the bill. (Failed 156 to 208.)	No.
318	Sept. 29	H.R. 15111: Authorization of funds for the war against poverty, amendment to limit the number of supergrades. (Passed 257 to 108.)	No.
319	Sept. 29	H.R. 15111: Authorization of funds for war against poverty, motion to recommit to hamper Job Corps program. (Failed 162 to 203.)	No.
320	Sept. 29	H.R. 15111: Authorization of funds for war against poverty. (Passed 210 to 156.)	Yes.
321	Sept. 30	Quorum call	Present.
322	Sept. 30	Quorum call	Present.
323	Sept. 30	H.R. 17607: Bill to temporarily suspend the investment credit law, amendment. (Passed 330 to 2.)	Yes.
324	Sept. 30	H.R. 17607: Bill to temporarily suspend the investment credit law. (Passed 221 to 118.)	Yes.
325	Sept. 30	H.R. 16076: Water Pollution Control Act. (Passed 312 to 0.)	Yes.
326	Oct. 3	H.R. 15440: Fair Packaging and Labeling Act. (Passed 300 to 8.)	Yes.
327	Oct. 3	H.R. 17558: Bill authorizing the Atomic Energy Commission to participate in a large scale nuclear power desalting facility. (Passed 316 to 1.)	Yes.
328	Oct. 3	H.R. 13447: Bill to authorize Secretary of the Interior to preserve, develop, and make available estuarine areas, motion to suspend rules and pass by ⅔ majority. (Failed 208 to 108.)	Yes.
329	Oct. 4	Quorum call	Present.
330	Oct. 4	H.R. 18119: Appropriations for Departments of State, Justice, Commerce, and judiciary, motion to recommit. (Failed 152 to 201.)	No.
331	Oct. 4	H.R. 18119: Appropriations for Departments of State, Justice, Commerce, and judiciary. (Passed 319 to 38.)	Yes.
332	Oct. 4	Quorum call	Present.
333	Oct. 5	Quorum call	Present.
334	Oct. 5	Quorum call	Present.
335	Oct. 5	H.R. 14929: Authorization of funds for food-for-peace program, motion to recommit conference report. (Passed 306 to 61.)	No.
336	Oct. 5	Quorum call	Present.
337	Oct. 5	Quorum call	Present.
338	Oct. 5	Quorum call	Present.
339	Oct. 5	Quorum call	Present.
340	Oct. 6	Quorum call	Present.
341	Oct. 6	Quorum call	Present.
342	Oct. 6	Quorum call	Present.
343	Oct. 6	H.R. 13161: Elementary and Secondary Education Act amendments, amendment of bill. (Passed 221 to 116.)	No.
344	Oct. 6	H.R. 13161: Elementary and Secondary Education Act amendments, motion to recommit. (Failed 150 to 185.)	No.
345	Oct. 6	H.R. 13161: Elementary and Secondary Education Act amendments. (Passed 237 to 97.)	Yes.
346	Oct. 7	H.R. 17788: Appropriations for Foreign Aid Act, adoption of conference report. (Passed 189 to 89.)	Yes.
347	Oct. 7	Quorum call	Present.
348	Oct. 11	Quorum call	Present.
349	Oct. 11	H.R. 15941: Appropriations for Department of Defense, adoption of conference report. (Passed 305 to 42.)	Yes.
350	Oct. 11	H.R. 17787: Appropriations for public works program, motion to recommit conference report. (Failed 91 to 255.)	No.
351	Oct. 11	Quorum call	Present.
352	Oct. 12	Quorum call	Present.
353	Oct. 12	Quorum call	Present.
354	Oct. 12	Quorum call	Present.
355	Oct. 12	Quorum call	Present.
356	Oct. 12	Quorum call	Present.
357	Oct. 12	Quorum call	Present.
358	Oct. 12	Quorum call	Present.
359	Oct. 13	Quorum call	Present.
360	Oct. 13	H.R. 12047: Bill to amend the Internal Security Act. (Passed 275 to 64.)	Present.
361	Oct. 13	Quorum call	Present.
362	Oct. 14	H.R. 51: Bill to establish the Indiana Dunes National Lakeshore, amendment. (Passed 182 to 147.)	Yes.
363	Oct. 14	H.R. 51: Bill to establish the Indiana Dunes National Lakeshore. (Passed 204 to 141.)	Yes.
364	Oct. 14	Quorum call	Present.
365	Oct. 14	S. 3708: Demonstration Cities and Metropolitan Development Act of 1966, motion to recommit. (Failed 149 to 175.)	No.
366	Oct. 14	S. 3708: Demonstration Cities and Metropolitan Development Act of 1966. (Passed 178 to 141.)	Yes.

THE 34TH ANNUAL MEETING OF THE INTERNATIONAL BRIDGE, TUNNEL, AND TURNPIKE ASSOCIATION IN ROME, ITALY

Mr. GRAY. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. GRAY. Mr. Speaker, the recent 34th annual meeting of the International Bridge, Tunnel, and Turnpike Association held in Rome, Italy, was attended by more than 300 members of the association. I was privileged to attend the proceedings, with the Honorable JOHN C. KLUCZYNSKI and JAMES J. HOWARD, as representatives of the Congress. Again the value of such assemblies was proven to us in many sessions of the organization, with a free and open exchange of ideas, studies of building techniques of the various nations represented, and a look to the future of man's widening communications as represented by the ever-expanding networks of expressways, toll roads, and other superior land-travel systems. Engineers, by their nature, are realists, who deal in fact; never in fantasy. Their glowing optimism about the future of a world, linked through a vast net of highways, lowering barriers between nations and populations—already in being to a great degree, intercontinentally speaking, by the jet age—is inspiring to those of us who have worked long and hard to see our Interstate Highway System a fact.

This Congress was honored when Representative JAMES J. HOWARD of New Jersey was invited to address the group as the official American spokesman. His remarks accurately reflect the opinions of both Congressman KLUCZYNSKI and myself. I, therefore, enter them into the RECORD at this point.

REMARKS BY CONGRESSMAN JAMES J. HOWARD

May I first thank our host, the Republic of Italy, and Signor Cova, for having succeeded so magnificently in making this conference the most pleasant, illuminating, and enlightening I have ever attended. I must confess, though, that I knew beforehand how beautiful it would be. Being married to an Italian girl and knowing Lou Tonti, executive director of the New Jersey Highway Authority, so well, I knew that the country which produced two such wonderful people must be itself wonderful.

To the International Bridge, Tunnel, and Turnpike Association I want to extend my warmest congratulations for a program marvelously conceived and professionally executed. We have learned much here about toll facilities. It was most interesting to find the nations of Europe are faced with the many questions on toll facilities as we in the United States are.

This very informative congress was especially interesting to me, not only because I am a member of the congressional subcommittee of the House Public Works Committee studying toll facilities in the United States, but also because at the present I am sponsoring a toll road that is very badly needed in my own home state and district. This is a fine example of a situation where, because of the non-availability of money from any other source, a badly needed highway would not be built for years, if we could not float bonds to get the money.

As to highways in general throughout the United States, our Interstate Highway System, a responsibility of the Committee on which I serve, is now more than 53 percent completed. When the last concrete is poured, the last steel rail put in place and the final sign erected, more than $46 billion will have been expended, with more than $40 billion coming from the Federal treasury, and the most modern and extensive highway system in the world will link every major city and town in the entire United States. Designed for rapid movement of large masses of traffic, under scientifically evolved safety measures, this completion, scheduled for 1972, cannot come too soon in a nation with more than 90 million vehicles currently on our roads and highways, and continuing to grow at a rapid rate. Congressional foresight directed a system built for traffic volume 20 years from the time the plans were drawn up for the system. Today more than 21,500 miles of the 41,000 mile system is in use, with 6300 more under construction. The remaining miles are in various stages of planning and so forth, with the exception of but 5 percent of the total having not advanced beyond the preliminary stages.

I would like now, to compare our program with what I saw here today. The wonderful motion picture report on your Astrada, the Highway of the Sun, as the Italians so typically and romantically call it, was most revealing. Here is not only one of the most modern, efficient and well-planned highways in the world, but the natural beauty which was maintained from the very first shovel of dirt to its completion struck us Americans immediately. Obviously the esthetic values were ever before the planners of this magnificent monument to man's ingenuity and ability. Again, so typically Italian in its approach. In the United States we were required to pass, some years after the initial act, a Beautification bill to insure nature's beauty would be maintained to some degree along roadways. Indeed it is true the lessons learned from those great road builders of history, the Romans, have not been forgotten in this land.

In closing I would like to say A tutti I nostri amici italiani voglio dire che questi giorni non saranno mai dimenticati, saranno sempre un bellissimo ricordo. Come potremo mai dimenticare L'onore ed il piacere di aver conosciuto tutti lore, la sapienza delle vostre parole, le magnificenza dei ricevimenti, lo spettacolo di castel Sant'Angelo. protrei continuare fino a domani parlando dei tesori che ho trovato qui. Vi ringrazio con tutto il cuore.

MR. BRUCE SAGAN ACQUIRES SAN DIEGO INDEPENDENT

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Van Deerlin] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, I am delighted to join our beloved Illinois colleague [Mr. Barratt O'Hara] in hailing the expansion of Bruce Sagan's newspaper organization. As the first transcontinental "chain" publisher of nondaily newspapers, Mr. Sagan has now entered my home community of San Diego, Calif.

The property he acquires—the San Diego Independent—has been part of a well-established publishing firm owned since 1933 by my good friend, a lifelong Californian, Elliott Cushman. Mr. Cushman is well known for his ethical business practices, his support of worthwhile community projects and—an ingredient especially appreciated in southern California—political moderation.

Mr. Cushman's newspapers have been in the thick of every fight for expansion of area water resources, better roads and for the level of civic planning which is necessary in a community so fast growing as ours.

Yet, I think the achievement that most warmed Mr. Cushman's heart occurred over an issue of wider importance, 3 years ago. A shrill rightwing campaign was underway, aimed at denying the use of public space to the San Diego Association for the United Nations. The Independent vigorously opposed this move—and succeeded in flooding city council offices with more petitions of protest than have been received over any other issue.

In welcoming Mr. Sagan to our area, I would express the hope that his operation in San Diego will match the splendid example already set in Chicago, and about which our Illinois colleagues have testified so eloquently. He will find the San Diego reading public receptive.

TRIBUTE TO SENATOR LEVERETT SALTONSTALL, OF MASSACHUSETTS

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, the distinguished and venerable senior Senator from Massachusetts, the Honorable Leverett Saltonstall, is now bringing to a close more than 46 years of brilliant and capable public service to his community, his beloved Commonwealth of Massachusetts and to his Nation.

As a token of the esteem with which he is held by his colleagues in the Senate, Senator John Stennis, of Mississippi, chairman of the Senate Appropriations Subcommittee for Military Construction, on Monday afternoon deferred to Senator Saltonstall, the ranking minority member of the subcommittee, and asked the Massachusetts senior Senator to present the House-Senate conference report on military construction appropriations to the Senate for acceptance. Chairman Stennis noted in yielding to Senator Saltonstall that this will be the Massachusetts senior Senator's last conference because this session of the 89th Congress is now drawing to a close, and so is Senator Saltonstall's 22-year career in the Senate.

Mr. Speaker, seldom does a member of the majority yield to a member of the minority to state the committee's position on legislation or appropriations, or on the House-Senate conference report. But we all know that Senator Saltonstall is highly respected and esteemed by Members of both the Senate and the House, and those of us who have had the opportunity and pleasure of working closely with him over the years have always found him to be an astute, wise, and perfect gentleman.

Senator Leverett Saltonstall has occupied a very special place in the political history of the Commonwealth of Massachusetts and in the affections and hearts of the citizens of Massachusetts of all parties, sections, ages, and ethnic backgrounds.

Leverett Saltonstall has had a brilliant record of public service which began with his election to the board of aldermen of the city of Newton in 1920. He continued to distinguish himself as an assistant district attorney of Middlesex County from 1920 to 1922, and as a member of the Massachusetts House of Representatives following his election to the general court in 1923.

As a young representative elected to the Massachusetts House in 1934, I deemed it a personal privilege and an honor to serve under Leverett Saltonstall as speaker of the Massachusetts House in 1935 and 1936. Although I was a member of the opposition political minority, I always found Speaker Saltonstall to be most fair and impartial in his treatment of me and members of my party.

In 1938 Leverett Saltonstall was elected Governor of our great Commonwealth of Massachusetts and served as its chief executive during the very crucial and trying years of the great depression and the outbreak of World War II.

Leverett Saltonstall's career in the U.S. Senate, following his election in 1944, has reflected the same high qualities of integrity, candor, ability, and courage that he displayed for so many years as a public official in Massachusetts. I take this moment to pay tribute to a distinguished American and an outstanding public servant, Senator Leverett Saltonstall, who will be greatly missed in the Halls of Congress come next January. May he and his lovely wife enjoy many years of joy and good health in retirement.

Mr. Speaker, I include with my remarks a news story concerning Senator Saltonstall's coming retirement from the Holyoke Transcript-Telegram of October 15, 1966, and written by Donald R. Larrabee, the respected Washington correspondent for Transcript-Telegram and other New England newspapers:

"Salty" Reminisces: Some Highlights Of Retiring Senator's Career Noted

(By Donald R. Larrabee)

Washington.—Sen. Leverett Saltonstall R-Mass. leaves the Senate shortly, much more concerned about the future of the Republican Party than his own. He has made his decision to retire—for good or bad—and he will cast his last votes in the next few days.

Aside from the feeling that he isn't physically up to the job he began here 22 years ago, "Salty" has suggested to friends that another factor in his decision was a deep sense of frustration over the prospects for Republican control of the Senate in the foreseeable future. He says it just isn't in the cards barring a GOP presidential sweep of the 1952 Eisenhower proportions.

But even with a chamber heavily dominated by the Democrats (the lineup is now 67 to 33), Saltonstall says he will miss the old place. And his colleagues are planning a outpouring of tributes before the final adjournment gavel to let him know that he will be missed.

Predictably, they will speak of the man in terms of the sense and stability he brought to the Senate's proceedings in the turbulent post-war years. The Senate has changed quite a bit since 1944 but not Leverett Saltonstall. His colleagues will bespeak their respect. Most of them admire one of their number who quits while he's ahead but few of them do it.

Saltonstall's great strength in the Senate, by all accounts, has been in the sensitive committee structure. He is top Republican on the Armed Services and Defense Appropriations Committees and as such, has made a major contribution to the Nation's powerful defense structure.

He finds "reminiscing" a bit difficult but immediately suggests that one of the assignments that has given him the most personal satisfaction was as acting chairman of the conference committee which finally hammered out the defense unification act. That was in the 80th Congress when Republicans had control. Saltonstall is pleased that his hopes for the unified military setup have been realized and says the years have strengthened the desired civilian control.

Saltonstall has enjoyed his work on the House-Senate conference committees, particularly in money matters, where he earned a reputation for coming up with the acceptable compromise, just when all hope seemed lost.

"I think one of the greatest compliments I've had came from Dick Russell (Chairman of the Armed Services Committee) when we finished working on a bill. He said, 'Damn, you've only got one-third of the votes but you got the bill you wanted.'

"And there was another time that pleased me," Saltonstall continued. "We were bargaining with the House on a foreign aid bill. My chairman (Democrat) Carl Hayden turned to me and said, "Now, Lev, what's our position?' "

His defense and foreign aid votes have been relatively easy. Some of the tough ones have been connected with motions to curtail debate on highly controversial issues. Saltonstall worried last week-end over what to do about an amendment attaching home rule for the District of Columbia to a nationwide higher education aid bill. He favors civil rights legislation, has always voted for home rule but finally decided to oppose the amendment because he thought the two issues were too vital to be intermixed and both would suffer.

As Speaker of the Massachusetts House for eight years, there were difficult votes, too. Saltonstall remains proud of the fact that there were only about three appeals from his rulings and he won all of them. He liked the Governorship: "You could get things done. You could accomplish something."

In Washington, Saltonstall has witnessed a streamlining of Senate procedures under a variety of flood leaders. "The smoothest of the bunch was Lyndon Johnson," he remarked. "When Lyndon brought it to a vote, you knew he had the votes to carry it."

Aside from the occasional filibuster, Saltonstall disputes the image of the Senate as a plodding dilatory body. He says the average Senator "wants to get things done and doesn't want to hang around."

Salty candidly admits to being thrilled by the world leaders he has met through the years here. He says Mrs. Saltonstall and the children have been loyal and a great help and adds that son Bill has his blessings if he wants to make a career of politics. Liking people is important, he says.

"If you like people and try to get along with them, as I try to do, you can have fun out of politics," he remarked with a glance toward the Senate chamber. "It's frustrating here these days. We're in such a minority. From a physical point of view, I can't take it as much. I get tired. But I'm going to miss it—I'm going to miss it to beat hell!"

LEAGUE OF WOMEN VOTERS STUDIES ISSUE OF FEDERAL INCENTIVES TO PRIVATE COMPANIES TO ASSIST IN COST OF WATER POLLUTION ABATEMENT

Mr. BOLAND. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

Mr. BOLAND. Mr. Speaker, I introduced legislation in this Congress, H.R. 17227, which would amend the Internal Revenue Code of 1954 to encourage the abatement of water and air pollution by permitting the amortization for income tax purposes of the cost of abatement works over a period of 36 months, rather than the life of the equipment.

Many other Members of the House and the Senate sponsored similar legislation, including my colleague from western Massachusetts, Congressman Silvio O. Conte. These measures are now pending before the House Ways and Means Committee, and, because of the late hour and the impending adjournment of the 89th Congress this weekend, no hearing will be held on this legislation.

However, I plan to reintroduce this legislation in the 90th Congress. The future of these bills depend to a considerable degree on the amount of public interest expressed in them. The League of Women Voters of the United States has generated considerable interest in financial incentives to industry for abating water pollution.

Mr. Speaker, the League of Women Voters has worked in the water resources field for the past 10 years, and has supported those national water policies and practices which promote coordinated administration, equitable financing, and regional or river-basin planning.

At the national convention of the League of Women Voters of the United States this past May in Denver, Colo., the league decided to study the question, "Should financial help be given by the Federal Government to private companies as incentives and assistance in meeting the cost of water pollution abatement?" I am pleased to note that the members of the 1,230 local Leagues of Women Voters throughout the country will be studying this question during the coming months, and generating solid support for the type of legislation I have sponsored.

The League of Women Voters has prepared an article, printed in the August 1966 issue of the league's publication, "The National Voter," and entitled "Seeking New Water Ways." The article, which I now include with my remarks at this point in the Record, was planned to provide helpful pro and con background information for league members as they undertake their very important study:

Seeking New Waterways

Should financial help be given by the federal government to private companies as incentive and assistance in meeting the cost of water-pollution abatement? This is the subject on which the 1966 national Convention decided the League would try to reach new consensus.

Why is this question important?

Industrial wastes are a major and intractable part of water pollution. Manufacturing plants discharge a great number and amount of pollutants. Many of them are not destroyed in ordinary sewage treatment. To keep conditions from worsening, we must cut down on industrial pollution.

Why are incentives an issue now?

People are showing that they want cleaner streams. By July 1967, states will set standards for higher water quality on interstate streams and adopt plans to enforce them. If states do not do this, the federal government will. This is part of the Water Quality Act of 1965.

Some people believe the cost of meeting the new stream standards will be so high that public funds must be used to relieve industry of part of the burden. Other people think that polluting companies can and should pay the cost of meeting stream standards or federal enforcement conference requirements.

What kind of financial help has been proposed?

Federal grants and loans, similar to aid given to municipalities under a number of programs. Also suggested are two kinds of federal tax benefits: accelerated depreciation and investment tax credit.

Will tax benefits for installation of pollution controls help companies that make little profit?

The help a company can get from a preferential tax benefit is linked to the company's profits. If a company makes no profit or operates at a loss, neither accelerated depreciation nor investment tax credit will help.

How would accelerated depreciation work?

When equipment wears out, it must be replaced. The Internal Revenue Code therefore allows a company to deduct the cost of impermanent capital improvements from its taxable income, a part each year over a set term. The deduction reduces the tax the company owes.

Accelerated depreciation is a fast tax write-off, which allows a company to take its entire deduction in three or five years. Because tax payment is postponed, a company can invest its entire tax saving in profit-making enterprises during the first few years.

What is investment tax credit?

The federal income tax a company owes is reduced by a percentage of the amount it spends in that year for capital improvements. As one of the recent changes to stimulate the U.S. economic growth rate, the Internal Revenue Code now allows a seven percent investment tax credit. Money put into pollution-abatement equipment, but not into land or buildings, can be included among the capital investments for which federal tax credit is claimed.

Under discussion are proposals to allow—as an additional tax credit—a tax reduction equal to 7, or 20, or even 100 percent of a company's capital investment for pollution-abatement equipment.

How will such preferential tax benefits affect federal revenues?

No one is sure by how much federal income would be reduced. Those who might be expected to have the answer say there are no reliable figures because there are no statistical data for developing them. No one knows how much equipment will be needed or what it will cost. In the past, the Treasury Department has consistently maintained that the tax loss would be excessive.

The answer is not available for two reasons. First, states are only now working on criteria. Standards have not been set. How much any company will need to improve its present methods to meet the new standards is not known. Second, a few years ago, all estimates of cost of improvement were based on better effluent treatment; now, to reduce waste, many companies change plant processes. Their goal is to reuse all water and discharge no effluent.

Would one form of financial help cost more than another?

Federal grants and loans could be controlled by the size of the authorization and appropriation. Fast tax write-offs would lower federal revenue slightly, because the government loses some interest. The credit rate and the sum invested in pollution-control equipment determine the amount of revenue lost through tax credits. Higher investment tax credit would be the most costly to federal income.

Isn't pollution control a cost of production?

Everyone who runs a manufacturing plant includes the cost of power, heat, and land in calculating his operating expenses. Once, waste water was poured into waterways at no cost; now, when manufacturers figure operating and capital expenses, many include the necessary cost of not polluting.

What reasons are given by those who think financial help should be offered as an incentive to industry?

The money private enterprise spends for construction of costly pollution-abatement facilities brings in no profit.

The investment is primarily in the public interest, for a social good; therefore, it is appropriate that the public share the cost.

Cost to the consumer will be about the same whether he pays higher prices on products or the Treasury loses revenue from tax advantages and matching grants.

To clean up waterways, industry's effective cooperation is necessary. To have a genuine partnership, financial help through tax benefits is necessary. The basic tax bite is federal, so the tax relief must be federal.

It is only fair that companies handling their own waste discharge should receive public help, for firms discharging wastes through public systems benefit from federal waste-treatment-facility grants to local governments.

It is financially unsound for companies to make expensive, nonprofit investments in pollution-control equipment and then depreciate them over 10 to 20 years. Under fast tax write-offs, the U.S. Treasury would receive less revenue in the first few years, but would pick it up later.

Adding the full cost of pollution control to other costs of manufacture will raise the price of some companies' products too high to sell on a competitive market. If such companies are driven out of business, unemployment will rise.

What reasons are given by those who think no special federal aid should go to industry for pollution abatement?

A company can spread the expense of pollution abatement over many years. Much of the cost will be added to the price of the product and passed on to the consumer.

Money that private companies invest to reduce their stream pollution helps eliminate a social cost which they have been placing on the public. It is faulty reasoning to argue that taxpayers should help pay for the change as a "social good."

Federal anti-pollution aid to industries should be channeled to companies that make little or no profit but are needed in their communities because they employ many of the residents. Tax preferences, however, help only profitable companies.

Grants and loans could channel help to areas of greatest pollution for greatest financial need. Tax preferences are unselective and inflexible.

To offer tax benefits or grants to laggard firms is unfair to companies that earlier recognized their civic duty and spent large sums to prevent pollution.

Pollution-abatement costs are a minor part of operating and capital outlays in most industries. Other expenses such as paid vacations and safety devices have social benefits, yet the federal government does not provide tax preferences for them.

Tax preferences make pollution control cheaper for a company, but they supply no incentive for in-plant changes which increase water reuse and thus decrease effluent discharge.

What alternatives to financial help have been suggested?

Interest in extending government financial help to industrial companies to promote water cleanup is balanced by discussion about pinpointing the responsibility of those who use, discharge, or profit from manufacture of polluting substances. Higher prices and/or lower profits are obvious alternatives to financial incentives. Another possibility is stiffer enforcement, without which stronger federal, state, and local laws, regulations, and standards will be ineffectual.

A user charge based on the amount of water drawn from the public supply is also an alternative. The theory is that if water prices reflected true water cost, companies would use water more efficiently. Cost-consciousness leads to closed systems. Closed systems check pollution from industrial outfalls.

Effluent charges are being discussed by economists as another incentive for industry. Conservationists and industry both malign the effluent charge as a "license to pollute." Economists do not agree. Theoretically, the fee would be set to compensate for all damage caused by a company's polluting discharge. Since the fee would include charges for loss of amenities and of opportunities for recreation, a company would find it economically attractive to eliminate pollution instead of paying effluent charges. Actually, effluent charges are not now politically practical. Most industrialists adamantly oppose them, and problems of levying and administration would be many and complex.

What questions will Leagues be trying to answer?

League members will be trying to decide whether the federal government should offer financial benefits to private industries to encourage them to reduce their water pollution. If the answer is "Yes," what type of incentive do you prefer? If the answer is "No," what suggestions do you have for ways to motivate industry to reduce pollution?

The answers are up to you. So read League and non-League material, go to your unit meeting, take part in the discussion. Then make your voice heard in the attempt to reach consensus.

ADMINISTRATION ASSURES CONTINUATION OF COLLEGE HOUSING PROGRAM AT FULL AUTHORIZATION

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, in the 1st session of the 89th Congress we passed the Housing and Urban Development Act of 1965 which included a program for college housing.

The $300 million authorized for 3-percent college housing loans has been an important boost to the efforts to keep up with the expanding needs of higher education in this country.

In recent weeks, there has been some concern that this program might suffer as a result of a decision to withhold sales of participation certificates while the money markets are so tight. As a result, I have written the Director of the Bureau of the Budget asking specifically about the future of the college housing program.

Mr. Speaker, I am happy to report that the Budget Bureau is in full accord with the Congress intention to see that this program is carried forward and that the full authorization of $300 million be made available. The Director of the Bureau of the Budget, Charles L. Schultze, says flatly that the full $300 million will be made available and that the necessary amount of participation sales will be made in order to provide that sum.

Mr. Speaker, I place in the Record a copy of Mr. Schultze's letter of September 28, 1966:

Executive Office of the President,
Bureau of the Budget,
Washington, D.C., September 28, 1966.

Hon. Wright Patman,
Chairman, Banking and Currency Committee,
House of Representatives,
Washington, D.C.

Dear Mr. Chairman: Your letter of September 26 inquires about the status of the college housing program in relation to the deferral of participation sales announced several weeks ago by the Secretary of the Treasury.

As you point out in your letter, over $200 million is already available for the college housing program from carryover balances and repayments. Meeting the budgeted goal of $300 million in college housing loans would, therefore, require less than $100 million in participation sales.

In his September 10, 1966 statement about participation sales, the Secretary of the Treasury said:

"The sale of participation certificates through FNMA tentatively scheduled for September has been canceled and will not be offered at another time in this calendar year. In addition, further sales of participation certificates through FNMA will be made into the private market during the remainder of 1966 only if the market returns to more normal conditions."

There is nothing in this statement which would preclude sales of participations later in fiscal 1967 to secure the necessary funds for the college housing program. More specifically, let me assure you that during fiscal 1967 we will, at the minimum, sell participation certificates in an amount sufficient to give us a total fund availability of $300 million in the college housing program.

Thank you for your letter.

Sincerely,

Charles L. Schultze,
Director.

KENNETH TOLER—NEWSPAPERMAN

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. WILLIAMS. Mr. Speaker, the Nation has lost one of the most distinguished and dedicated newspapermen of our times. The death on Monday of Kenneth Toler, chief of the Jackson, Miss., bureau of the Memphis Commercial Appeal, ended the career of a man who became a legend in his own time.

From the red clay hills in the northeast section of our State to the scenic gulf coast, Kenneth Toler had earned the title of "Mr. Mississippi" throughout the journalistic world for his thorough and accurate reporting during a span of 40 years. He had been bureau chief in Jackson since 1932 and, before that, had been with the Associated Press there since 1927. He had covered every major political campaign in the State since that time, as well as numerous election contests in other Southern States.

> As almost everyone in Mississippi knows, he was the dean of Mississippi newsmen and it was a well-deserved tribute—

Frank R. Ahlgren, editor of the Commercial Appeal, said after learning of Kenneth's death.

Awards which came Kenneth's way were many, but he appreciated each one. He was the first layman to be honored by the Mississippi Medical Association in 1953 for his reporting of medical affairs. The Mississippi Bar Association cited him for outstanding court coverage in 1959. Distinguished service to journalism made him the Mississippi Scholastic Press Association's "Silver Em" winner in 1960.

As Jack R. Howard, president of Scripps-Howard Newspapers, noted:

> The strength of a great newspaper like The Commercial Appeal depends in large part on the resourcefulness, the energy and devotion of those unsung heroes, the regional bureau chiefs, among whom Ken stood straight and tall.

Kenneth Toler indeed did possess these traits and many more admirable qualities. As a confidant to Governors and other high government officials, his counsel was often sought when severe problems arose. He played a key role in the enactment of many worthy pieces of legislation in Mississippi including the establishment of a rehabilitation program at the State penitentiary and strengthening of the State's marriage laws.

Kenneth excelled as a newsman because he knew Mississippi and he knew her people—their problems, frustrations, and triumphs—as few others had known them. Because of his grasp of political and economic affairs, out-of-State newsmen customarily consulted Kenneth before writing any story on events in Mississippi.

He had visited every country crossroad in Mississippi as a reporter. His popularity among the people was so great that unintentionally he often upstaged major public figures at political gatherings. It was not unusual following the speeches for a large crowd to surge around him to shake his hand and get the lowdown on State government.

The high esteem in which Kenneth was held is exemplified by the traditional custom of handing to him the gavel which closed each session of the State legislature. Many times he was urged to accept appointment to responsible State office—or to become a candidate himself—but he never gave serious thought to leaving the newspaper profession.

Even as dean of the Mississippi press corps, he exhibited the same zeal and enthusiasm in his professional capacity as would an ambitious cub reporter covering his first major assignment. When a savage hurricane struck the Mississippi gulf coast last year, Kenneth was among the first newsmen on the scene. After he had labored continuously for nearly 35 hours without rest, a fellow reporter admonished him to get some sleep.

> Not yet—

Was the reply—

> I've got another big story coming up tomorrow in a town 200 miles away and I better drive there tonight to get the background.

Mr. Speaker, Kenneth Toler was a giant among journalists and, as a warm personal friend of mine, I can say with all sincerity that as a private citizen he was a giant among men.

The years of Kenneth Toler's career were also years of change in Mississippi. Often these social upheavals unfortunately were accompanied by turbulence and conflict. He met fully the strenuous demands of reporting these events accurately and objectively. Never a cynic, he always had a great heart and a big smile.

Journalism has suffered a great loss. Mississippi has suffered even a greater loss with the passing of a newsman who carved a wide niche for himself in the history of the State because of his unimpeachable professional integrity and great love for his fellow man. I have suffered the loss of a fine and wonderful friend.

Mr. EVERETT. Mr. Speaker, will the gentleman from Mississippi yield to me?

Mr. WILLIAMS. I am very happy to yield to my good friend from Tennessee who also knew Kenneth Toler among his closest and most respected friends.

Mr. EVERETT. Mr. Speaker, I wish to thank my distinguished colleague, the gentleman from Mississippi [Mr. WILLIAMS], for yielding to me so that I might make a few remarks about my close personal friend, Kenneth Toler.

His death was certainly a shock to all of us who knew him. He is one of the finest newspaper reporters I have ever met. He was honest, a hard worker, and could certainly put into writing exactly the views that you expressed to him.

We have had the privilege and honor of having him in Tennessee on several of our statewide campaigns. He enjoyed meeting and being with people as much as any reporter I have ever seen.

To his fine family we express our sorrow. We shall miss seeing him and reading his fine articles in the Commercial Appeal, one of the great newspapers of the Nation.

Mr. WILLIAMS. In company with my fellow Mississippians and Kenneth's host of friends everywhere, I extend deepest sympathies to Mrs. Toler and all the family in their great loss. At this point in the RECORD I include an editorial from the Commercial Appeal concerning Mr. Toler and a story from the same paper concerning the tributes which have been paid to him:

KENNETH TOLER—NEWSPAPERMAN

In the state which he reported for almost four decades he was "Mr. Mississippi." Kenneth Toler's name rang bells wherever it was mentioned in Mississippi—from a crossroads gas station to the state Capitol.

The Commercial Appeal had reason to be proud in being associated with such a man. He was more than an associate. In Mississippi and among Mississippians he WAS The Commercial Appeal.

His death by heart attack yesterday is a loss we share with all who knew and loved and honored him.

Since 1932 he had headed The Commercial Appeal's Jackson, Miss., Bureau. But the bureau was wherever he was assigned to cover a story. He roamed the hustings in political campaigns in Mississippi, of course—but also in Arkansas, Tennessee, Alabama, Georgia and even, when this newspaper needed straight facts, in one North Carolina campaign.

He covered the drama of racial strife and change, riots and marches and meetings and legislation. Always he looked beneath the surface for the news angles which were less evident than the violence and the speeches.

He chased down stories of hurricanes on the Gulf Coast, sweeping tornadoes, economic and agricultural upheavals. He dug hard-to-find facts out of governors' conferences and national political conventions.

Kenneth Toler had made it clear he preferred to report rather than edit. He liked being where the action was—out among people. And wherever he went people responded by pouring out their stories. He was, indeed, "Mr. Mississippi." And, so state Atty. Gen. Joe T. Patterson said of him a few days ago, he was "a Mississippi institution."

Men died but institutions do not.

It meant much to The Commercial Appeal to have Ken Toler on the front line of its repertorial staff. Mississippians held the same confidence in him which was exemplified by the traditional custom of assigning to Kenneth Toler the gavel that closed legislative sessions.

The affection for him cannot be expressed adequately. But the respect was verbalized untold times when big stories broke and the editors of this newspaper said:

"We must have the facts. Send Kenneth Toler."

HIGH OFFICIALS PAY TRIBUTE TO TOLER—EUOLGIES CALL JACKSON BUREAU CHIEF OUTSTANDING REPORTER AND FRIEND

JACKSON, MISS., October 17.—High tribute was paid Monday to Kenneth Toler, chief of The Commercial Appeal Jackson Bureau, by Southern political leaders with whom he has been closely associated. Mr. Toler died Monday morning after a heart attack.

Buford Ellington, Democratic nominee for governor of Tennessee, recalled "some of my most pleasant days during the past summer were spent in the company of Ken as he traveled across the state with me covering the campaign."

"Ken earned the respect and admiration of those he wrote about as well as his readers."

Former Mississippi Gov. J. P. Coleman, now a judge of the United States Fifth Circuit

Court of Appeals, noted, "He was my close friend and adviser for the 10 years I spent in Jackson and I'm truly grieved at his passing."

Senator James O. Eastland (D., Miss.) said Mr. Toler "probably had a better grasp of Mississippi political and economic affairs *than* any man in the state.

Senator John Stennis (D., Miss.), said Mr. Toler "represented his profession at its best and rendered outstanding service to his state and nation."

Senator Albert Gore (D., Tenn.) called him "one of the most prescient and accurate reporters I have ever known" and Representative John Bell Williams (D. Miss,) said he "was a giant among journalists and, as a private citizen, he was a giant among men."

Representative E. C. Gathings (D., Ark.) said Mr. Toler had endeared himself to the people of Arkansas during his campaign coverage in that state "for his impartial and constructive analyses."

"He was kind, considerate, fair and truthful at all times. He was a gentleman in every respect," said Representative Robert A. Everett (D., Tenn.).

Representative Jamie Whitten (D., Miss.) said Mr. Toler's "acquaintance with public officials and with the people generally was without parallel."

Representative Thomas G. Abernethy (D., Miss.) said Mississippi has lost "not only an outstanding newspaperman of national stature but one of its finest citizens."

Gov. Frank Clement of Tennessee said he had "great respect for his ability as a journalist and his reputation as a gentleman."

Representative William M. Colmer (D., Miss.) said "the press coverage in Mississippi will never be the same without him."

Mississippi Atty. Gen. Joe Patterson said, "I never knew him to violate a confidence or slant a news story" and Secretary of State Heber Ladner said Mississippi had lost "one of the most outstanding news reporters in the annals of our state."

Bob Cook of Pontotoc, president of the Mississippi Press Association, said newsmen of the state "will feel his loss deeply."

Lt. Gov. Carroll Gartin said he had the "highest admiration and respect" for Mr. Toler.

"His loss will be felt by many Mississippians in all walks of life, but his reputation for fairness and integrity in reporting will live on," said Clarke Reed of Greenville, Mississippi GOP chairman.

State Treasurer William Winter cited Mr. Toler's "constructive and distinguished contribution to good government" and former Gov. Ross Barnett called him "a fair and honorable reporter" and "a good friend of mine."

Mr. WHITTEN. Mr. Speaker, I join with my colleagues in expressing our sorrow in the untimely passing of a close friend, Kenneth Toler, longtime correspondent of the Memphis Commercial Appeal in Jackson, Miss.

Mr. Speaker, Kenneth Toler represented the finest in American newspapermen; an able and effective writer, he was possessed of the finest character; loyal to his friends, objective in his writings, he earned the respect and friendship of all who knew him.

It was my privilege to come to know Kenneth and to count him as my friend from the first year I was in public office as a member of the Mississippi Legislature. From that time on our friendship has been a real source of pleasure to me.

During the period since Kenneth Toler developed as something of an institution—close friend of Governors and other public officials—his opinions were sought on great decisions.

The Mississippi Legislature appreciated his great service to our State of Mississippi and regularly gave to him the honor of closing legislative sessions.

Mr. Speaker, we have lost a great citizen and close friend.

To his fine family we extend our deepest sympathy.

Mr. WILLIAMS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. Brooks] may extend his remarks at this point in the Record and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Mississippi?

There was no objection.

Mr. BROOKS. Mr. Speaker, I rise to express my deep appreciation to these Members for their gracious remarks about my kinsman and friend, Kenneth Toler, who died this weekend.

Though older than I, he was a first cousin for whom I had the highest admiration and respect. His long work in the newspaper business was marked by objective, compassionate, and accurate reporting in the Mississippi Capitol. For many years he added stature and dignity to the fourth estate.

I take this occasion to join with my colleagues in their kind references to my cousin and to again thank them for their generous and heartfelt remarks.

OPPOSED TO THREE CONTEMPT CITATIONS

Mr. BURTON of California. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. BURTON of California. Mr. Speaker, I voted against the three contempt citations before us yesterday and today. These citations by the House Committee on Un-American Activities are in the characteristic of that committee whose actions would be laughable if they were not so callously indifferent to individual rights or so rending to the fabric of our Constitution.

No committee of the Congress has so indiscriminately cited individuals for contempt and achieved so little success in sustaining their actions in the courts.

The Un-American Activities Committee's record in the courts rivals their record for legislative achievement. In the over two decades of their existence, they have subpenaed over 5,000 witnesses and processed only one major bill which has become law and that over the veto of President Truman.

The distinguished newspaper, the Washington Post, on October 18, 1966 editorially spoke out against this proposed action. In their editorial "Contempt for Due Process" they cite "three good reasons why the House should not indulge HUAC in its petty and pointless persecution of the witnesses it summons."

They cite the record of court actions to which I have already referred, classify "the committee demand [as] at best frivolous" and correctly point out that a judicial determination of basic constitutional questions involving the committee's mandate is pending.

It was of particular interest to me that the basis for the most recent court reversal stems from the same concern which prompted me to introduce H.R. 3784 on January 28, 1965, to amend chapter 2, United States Code, section 194, to clarify the ambiguity which exists regarding contempt procedures.

In this instance, the U.S. Court of Appeals for the District of Columbia Circuit reversed the convictions of Dagmar Wilson, Donna Allen, and Russell Nixon on the charge of contempt of Congress. I am placing in the Record at the end of this statement a portion of that court's decision which I believe will be of interest to the Members of the House:

Before: Mr. Justice Reed, Retired, and Danaher and Leventhal, *Circuit Judges.*

Leventhal, *Circuit Judge:* These are consolidated appeals from convictions, under 2 U.S.C. § 192, for contempt of Congress for refusing to answer any questions at an executive session conducted by a Subcommittee of the House Committee on Un-American Activities on December 7, 1964. The Subcommittee sought to question appellants about their activities in connection with a campaign to persuade the State Department to grant a visa to a Japanese professor for the purpose of fulfilling speaking engagements in the United States. Appellants stated that they would answer questions at a public hearing, but refused to give any testimony at closed sessions.

We find it unnecessary to consider most of the contentions pressed by appellants.* In our view the convictions must be reversed because the decision by the Committee to cite appellants for contempt was not given the additional consideration within the legislative branch that is contemplated by the governing statute, 2 U.S.C. § 194.

The statute provides:

"§ 194. *Certification of failure to testify; grand jury action.*

"Whenever a witness summoned as mentioned in section 192 of this title fails to appear to testify or fails to produce any books, papers, records, or documents, as required, or whenever any witness so summoned refuses to answer any question pertinent to the subject under inquiry before either House, or any joint committee established by a joint or concurrent resolution of the two Houses of Congress, or any committee or subcommittee of either House of Congress, and the fact of such failure or failures is reported to either House while Congress is in session, or when Congress is not in session, a statement of fact constituting such failure is reported to and filed with the President of the Senate or the Speaker of the House, it shall be the duty of the said President of the Senate or Speaker of the House, as the case may be, to certify, and he shall so certify, the statement of facts aforesaid under the seal of the Senate or House, as the case may be, to the appropriate United States attorney, whose duty it shall be to bring the matter before the grand jury for its action."

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*Appellants contend that the subject matter of the investigation was beyond the Committee's jurisdiction; that the Committee's charter, as construed by it, is unconstitutionally vague; that the summoning of appellants was in violation of their First Amendment rights; that the Subcommittee's decision to hold executive hearings was unauthorized; and that the indictments were defective for failure to allege a sufficiently clear and precise subject under inquiry.

On December 7, 1964, when appellants refused to testify in executive session, Congress was not in session. On December 10, 1964, the full committee, in accordance with the reporting provisions of 2 U.S.C. § 194, transmitted to the Speaker a statement of facts with respect to each of the alleged contempts. The Speaker then certified these statements to the United States Attorney.

Upon the return of the House the Speaker informed the House that he had transmitted the statements "pursuant to the mandatory provisions" of 2 U.S.C. § 194. Congressional Record, volume 111, part 1, page 25. Apparently the Speaker's action was taken after consulting the House Parliamentarian, who advised that the Speaker had no discretion in the matter and that certification to the prosecutor was mandatory regardless of the Speaker's own private or official judgment on the question. See Congressional Record, volume 111, part 2, pages 2603–2605.

The Government prosecutor stipulated at the trial that the Speaker understood the statute to make it mandatory upon him to certify the statements to the United States Attorney, and to leave him without any judgment or discretion in the premises.

The Government urges that we accept a literal reading of 2 U.S.C. § 194 to require automatic certification of the committee's statement of facts by the Speaker. The literal meaning of a statute cannot be followed where it leads to a result contrary to legislative intention as revealed by the legislative history or other appropriate sources. *United States v. American Trucking Ass'ns*, 310 U.S. 534, 542–43 (1940). That is the situation in the case before us.

We may appropriately begin our discussion by considering the duty of the Speaker when the House is in session, because that has been the scope of the statute for the bulk of its life. The words of present 2 U.S.C. § 194 are just as mandatory on the Speaker when the House is in session as when it is not in session. Yet the practice of Congress since 1857, when R.S. § 104, the statutory predecessor of 2 U.S.C § 194 was enacted, has been uniformly to the contrary. And this practice is in accordance with judicial construction.

It has been the consistent legislative course that the Speaker is not under a "mandatory" duty to certify the report of the committee, but on the contrary that the committee's report is subject to further consideration on the merits by the House involved. When the House is in session the Speaker does not automatically transmit the report of alleged contempt to the United States Attorney. Instead as a matter of routine a member of the committee offers a resolution for the consideration of the House involved. See generally Beck, Contempt of Congress 195–240 (1959), collecting instances of contempt citations since 1857, and demonstrating beyond any doubt that the House and the Senate have consistently considered, and occasionally debated at length, resolutions authorizing the Speaker of the House or the President pro tempore of the Senate to certify under the statute. Votes have often been cast against such resolutions.

Recent House debate and voting on resolutions to certify contempt citations of Ku Klux Klan officials for refusing to answer questions put them by the House Committee on Un-American Activities are instructive in this regard. See Congressional Record, February 2, 1966, pages 1742–1815. A resolution to recommit the contempt resolutions to a select committee "to examine the sufficiency of the contempt citations under existing rules of law and relevant judicial decisions" was considered at some length and defeated, 307–57. *Id.* at 1684. It was clear throughout the debate that the members of the House believed they were exercising an appropriate and necessary function in reviewing the Committee's determination that the witnesses were in contempt.

Since the act of one house cannot repeal a statute passed by both, it follows that this long-standing practice reflects the understanding of members of both the House and the Senate that 2 U.S.C. § 194 is mandatory on the Speaker or President pro tempore only in form, not in substance and fact, and that the committee involved is subject to an appropriate legislative surveillance on the merits of contempt citations. The House Committee on Un-American Activities itself has recognized that House resolutions to direct certification of contempt citations are a part of the current procedure.

Construction of 2 U.S.C. § 194 as not requiring automatic certification by the presiding officer finds support in the 1924 debates in the Senate on the Sinclair case. Although the President pro tempore of the Senate commented that he viewed the statutory procedure as an automatic one, and saw no need for such a resolution (65 Congressional Record 4790), it is fair to conclude that this was not the sense of the Senate as a whole. Senator Walsh, author of the resolution, stated (65 Congressional Record 4725):

"It will be observed that the first thing is that the witness must have failed to testify. I imagine that some one must decide whether or not he has failed to testify. The committee has reported that he has so failed, but I suppose the Senate must first decide whether, as a matter of fact, the witness has failed to testify, and if the Senate decides that he has failed to testify, then it automatically becomes the duty of the President of the Senate to report that fact."

Senator Brandegee (65 Congressional Record 4726), referring to the duty of the President to certify, stated: "The statute does not say that he must do it immediately. Of course there is time for consideration as to the proper course to pursue."

Finally, Senator George stated, 65 Congressional Record 4726, that in certifying the facts of the contempt—"it necessarily follows that either the President of the Senate or the Senate itself must determine to be true what the committee has found prima facie, namely, that it has propounded a pertinent question and the witness has refused to answer that pertinent inquiry."

Senator George's interpretation of the statute is referred to with approval, as providing the predicate for a certification resolution, in a 1954 study prepared for the Senate Judiciary Committee by the Legislative Reference Service.

If the Government's argument is correct, it would follow that the long course of preparation and voting on contempt resolutions represents time-consuming but meaningless gestures on the part of a long string of Congresses. We do not accept that view of the matter. It is clear that where the alleged contempts are committed while Congress was in session, the Speaker may not certify to the United States Attorney the statements of fact prepared by the Committee until the report of alleged contempt has been acted upon by the House as a whole.

Although we have considered the matter afresh in the light of Congressional practice it may be appropriate to note that our view that the statute is not automatic is in accord with earlier judicial rulings. The Supreme Court made it clear at an early date that the mandatory language of the statute, though passed by both houses, cannot be followed if a contempt resolution is defeated by the house whose committee initiated the contempt action; the Speaker or President pro tempore may not certify the statement of facts to the United States Attorney in such instance. *In re Chapman*, 166 U.S. 661, 667 (1897)). And notwithstanding the language of 2 U.S.C. § 194, Judge Augustus Hand, in a 1952 opinion, referred to the resolution of the Senate citing defendant for contempt as "required by 2 U.S.C. § 194." *United States* v. *Costello*, 198 F. 2d 200, 204–05 (2d Cir.), *cert. denied*, 344 U.S. 874 (1952).

The Supreme Court pronouncement that the Speaker could be put under a disability to certify by the action of a particular house plainly destroys any premise that the statute imposed upon the Speaker an automatic duty to certify, for a duty imposed by statute manifestly could not be suspended or set aside by the action of a single house. Hence it is plain that the wording "it shall be the duty of the . . . Speaker . . . to certify" does not mean that the action of the full committee imposes on the Speaker an automatic duty to certify.

The Government tries to avoid foregoing interpretation—settled both by the Supreme Court's opinion in *Chapman*, and by long and consistent legislative construction—by advancing an alternative argument. The contention is that even if the statute is construed to require House or Senate consideration when Congress is in session, all that is contemplated when Congress is not in session is action by the committee and automatic certification without any further legislative consideration. There is no basis in legal theory or reason to support the bizarre result of assigning two such radically different readings to the single statutory phrase—as generally requiring but sometimes prohibiting, further consideration within the particular house.

The Government's interpretation would enable committees, by scheduling hearings when Congress is not in session, or recalling witnesses at that time, or perhaps merely by postponing reports on allegedly contemptuous conduct until after adjournment, effectively to insulate their actions on contempt matters from any further consideration within the legislative branch. This consequence demonstrates the infirmity of the interpretation proposed by the Government. And the legislative history of the 1936 amendment to 2 U.S.C. § 194, to which we now turn, makes it clear that no such anomalous result was intended.

The clause providing for report and certification when Congress is not in session was added to the statute in 1936. Its general purpose, as revealed by the House and Senate Reports, was to prevent undue delays in punishing contempts. We see no basis for supposing that in enacting the 1936 amendment Congress intended to cast aside the principle of legislative reconsideration which it had developed and applied over the years. It made no change in language which would support an inference of change in intention. The pertinent legislative history is brief, but such as it is it cuts against the Government's contention. Both Committee Reports state that "the requirement that the statement of facts first be filed with the President of the Senate or the Speaker of the House constitutes a check against hasty action on the part of a committee." H.R. Rep. No. 1667, 74th Cong., 1st Sess., p. 2 (1935); S. Rep. No. 2037, 74th Cong., 2d Sess., p. 2 (1936). But there would be no check on the committee—indeed it would be given a blank check—if the mere filing of the committee's report made it mandatory for the Speaker or the President pro tempore to certify the committee's statement of facts to the United States Attorney without any examination.

The 1936 amendment must be read in the context of the current and time-honored practice, since 1857, under which a "check" on hasty action by a committee is provided through House or Senate consideration of a resolution authorizing the presiding officer to make the certification set forth in the statute. The Congressional practice reflects a conclusion that it is inherently unfair to permit the allegedly insulted committee to provide the sole legislative determination whether to initiate proceedings to prosecute for contempt. See Congressional Record, volume 106, part 13, page 17322, August 23, 1960 (remarks of Rep. Thomas Curtis). The broad immunity of Congressmen from questioning outside of Congress for actions taken with respect to contempt citations, see *United States* v. *Johnson,* 383 U.S. 169, 179–80 (1966), underscores doubt that Congress in enacting the 1936 amendment intended to withdraw even a minimal opportunity for reflection within the legislative branch concerning a committee's contempt citation.

The correct interpretation gives meaning to the 1936 report of the Judiciary Committee in the context of the legislative practice, which prevailed both then and now, for contempts reported while Congress is in session. The correct interpretation is that 2 U.S.C. § 194 vests jurisdiction in the Speaker of the House and the President pro tempore of the Senate, when Congress is not in session, to provide a substitute for the kind of consideration which would be provided by the house involved if it were still in session.

In most cases, doubtless, he would conclude that the statement should be transmitted forthwith. The 1936 amendment achieves the substantial purpose of avoiding unnecessary delay in prosecuting those cases. But prosecution would not be begun without the additional scrutiny within the legislative branch, a scrutiny that would at least embrace examining the sufficiency of the statement of facts of alleged contempts, and consideration whether the incident constitutes the kind of wilful contumacy contemplated by the statute, or perhaps whether the matter is sufficiently dubious so that no contempt action should be begun in the absence of approval by the entire house.

This construction of the statute does not contemplate an empty ceremony. The facts of the cases at bar provide an example of the kind of case in which Congress may well have felt, in enacting 2 U.S.C. § 194, that some sort of "check" on action by a committee in instituting contempt prosecutions is appropriate.

The witnesses here did not refuse to testify absolutely. They were willing to testify at a public hearing. House Rule XI–26(g) and 2 U.S.C. § 190a(f) establish that public hearings are the general rule. Of course, it is up to the committee, not the witness, to decide whether hearings should be open or executive. But here the witnesses urged that executive session was inappropriate unless there was a danger to national security posed by public hearings. Representative Pool, as chairman, advised the appellants that their requests were denied, and that reasons of national security are not the only ones that permit or justify executive hearings. Appellants' attention was called to Rule 26(m), which contemplates executive sessions where an interrogation may tend to "incriminate, degrade or defame other persons." Appellants claimed both that they had nothing incriminating to say about others and stressed that their own reputations were imperiled if they were called to testify without their explanations being made public. It may be noted that in 1960 the Internal Security Subcommittee of the Senate Judiciary Committee, in an investigation of a campaign against nuclear testing, granted the request of Dr. Linus Pauling for a public hearing in place of the executive session previously scheduled. *Hearings Before the Subcommittee on Internal Security of the Senate Committee on the Judiciary,* 86th Cong., 2d Sess., p. 367 (1960). We are not intimating any view as to the need and appropriateness of executive or public sessions. What we do hold is that there should have been an opportunity for consideration of the issues following the Committee's action and prior to certification—consideration by the Speaker, as the cognizant officer of the House, in view of the unavailability after adjournment of the normal consideration by the House itself. In our view 2 U.S.C. § 194 provides a procedure for, and requires, such consideration.

Since the Speaker of the House disclaimed jurisdiction to provide such consideration, under the erroneous view that he had no choice but to forward the Committee's report automatically, his certifications, and the subsequent prosecutions and convictions, can not stand.

Reversed.

[From the Washington (D.C.) Post,
Oct. 18, 1966]

CONTEMPT FOR DUE PROCESS

The House Committee on Un-American Activities will ask the House of Representatives today to endorse another one of its bad checks. It is seeking contempt citations against Dr. Jeremiah Stamler, a renowned heart specialist who is director of the Heart Disease Control Program of the Chicago Board of Health, and two of his professional associates, who declined, as a matter of principle and on the advice of distinguished counsel, to answer questions put to them a year and a half ago by HUAC in the course of one of its scattershot inquiries into "subversive" activities.

There are three good reasons why the House should not indulge HUAC in its petty and pointless persecution of the witnesses it summons. In the first place, experience has shown that the courts almost invariably reject these citations. In all save a tiny percentage of the cases brought to final adjudication, the Committee has been found to have gone beyond the bounds of its lawful authority. Just a fortnight ago, as one of his last acts as Attorney General, Nicholas Katzenbach ordered the Department of Justice to abandon contempt-of-Congress prosecutions against three peace activists, Dagmar Wilson, Donna Allen and Russell Nixon. The Court of Appeals had already overturned their District Court conviction.

In the second place, the Committee demand is, at best, frivolous. Its questions had no relevance to any legitimate legislative purpose when they were asked 18 months ago. A Committee request for these citations was put on the House calendar in January and again in February of this year—and then dropped both times. There is certainly no need for it now.

Third, and most important, the recalcitrant witnesses took the issue to court before they ever appeared before the Committee. Their case, already briefed and argued, is now before the U.S. Court of Appeals for the 7th Circuit. It challenges the Committee's constitutionality and seeks an injunction against enforcement of its edicts. This is a wholly proper forum in which to have the legitimacy of the Committee's commands determined. The House of Representatives plainly ought to await this judicial determination.

WHERE CREDIT IS DUE

Mr. VAN DEERLIN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. VAN DEERLIN. Mr. Speaker, on Monday of this week, my California colleague [Mr. Hosmer] inserted a speech in the Record claiming first position for California in both population and prosperity.

Mr. Hosmer's remarks fairly glowed with statistics concerning California's preeminent position in income, agriculture, manufacturing, trade, education, water resources, transportation, and other achievements in good government. For the benefit of Members who may have missed this speech, I refer them to page 27175 of the Record for October 17.

I rise to congratulate the gentleman from California [Mr. Hosmer] on an outstanding job of tabulating California's assets. At the risk of sounding captious, I would note only one omission—an oversight, I am sure. I wish to complete the Record today.

The great things about California cited by Mr. Hosmer were achieved and expanded upon during the 8 years of the administration of Gov. Edmund G. "Pat" Brown. This great record, now made an official part of the House proceedings, is a fine tribute to our Governor, who is most deserving of this recognition.

I trust the 20 million Californians who have benefited from this program for progress will want to continue it during the coming 4 years.

Mr. HOSMER. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record.

The SPEAKER. Is there objection to the request of the gentleman from California?

There was no objection.

Mr. HOSMER. Mr. Speaker, my California colleague [Mr. Van Deerlin] referred to the nice things I had to say recently about the State of California, but accused me of omitting to say that all these things were achieved and expanded upon during the 8 years Pat Brown has been California's Governor.

Apparently the distinguished Representative from San Diego means to imply that all these goodies were the direct and personal responsibility of Governor Brown.

There is, however, another implication which might as logically arise and, as a practical matter, might be a more persuasive idea based on the Governor's 8-year record. It is that all these goodies occurred despite him and possibly would be even more bountiful had someone else been occupying the State House during those years.

I trust that California can still get along very well, indeed, if its present Governor is involuntarily retired.

IMPRESSIONS OF A FRESHMAN CONGRESSMAN

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Waldie] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WALDIE. Mr. Speaker, under leave to extend my remarks in the Record, I am including an editorial which appeared in the Brentwood News in Contra Costa County, Calif., under date of October 6, 1966, under the title, "WALDIE Is Impressed With Caliber of Men in Congress." This article incorporates impressions which I have received in my service of 4 months in the House of Representatives.

The editorial follows:

> At a recent fund raising dinner held in Antioch for Congressman JEROME WALDIE, the freshman Congressman told his audience "I am tremendously impressed by the caliber of men serving in the Congress."
>
> He went on to say that the colleagues he has met are, by and large, hard working and dedicated men who are trying to do the best job possible for their constituents and for their country.
>
> This bears repeating to dispel any impression that serving as a member of Congress is a soft job with high pay and that all a man has to do once elected is cast his vote in the House of Representatives on a few major bills every year.
>
> The major bills before the Congress, while tremendously important, are the least time consuming of anything a Congressman has to do. He must serve on a number of committees—frequently observing a rigorous schedule of daily meetings. He must serve the needs of his constituents: the veteran who needs a pension, the old folks who are having trouble straightening out their Social Security problems, the serviceman who is seeking a hardship discharge, the young man who has been rejected by the military service and wants reconsideration, other young men who seek admission to one of the service academies, the chamber of commerce wanting help with a Federal project, the community that wants a new post office.
>
> The list of such demands could go on and on. The problems are as varied as human nature itself. And these are the Myriad chores a Congressman performs for which he gets very little publicity and precious little credit from the general public.
>
> In all this, he must operate his Washington office—and usually a district office—with limited staff and funds carefully restricted by law. He, his wife and children must be well dressed. He must make frequent trips back to the district to keep in touch with local problems (frequently at his own or his campaign treasurer's expense).
>
> It is not an easy job.

STATEMENT IN OPPOSITION TO THE NEW FOOD AND DRUG ADMINISTRATION REGULATIONS AND STANDARDS PERTAINING TO DIETARY SUPPLEMENTS AND VITAMIN AND MINERAL FORTIFIED FOODS

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from New Mexico [Mr. MORRIS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MORRIS. Mr. Speaker, the major overhaul of requirements in the dietary food and supplement field by the FDA is an overdose and unnecessary invasion of the behavior pattern of millions of Americans. The already massive regulatory apparatus of FDA, recently saddled with the task of determining the potential abuse of drugs, is now proposing the expansion of bureaucratic control in a highly personal and low-risk domain of human activity. There are few people today whose safety is in peril because of their use of vitamin and mineral supplements or of any of the so-called health foods now on the market.

Assuming that all the FDA arguments for its new regulations are technically valid, the vitamir and food supplement consumer is at most hurting only himself, and even so more likely his pocketbook rather than his physical integrity. The FDA intent to dictate upper and lower limits of nutrients in various products and to protect the gullible citizen from false claims on a label is no easy task since it is difficult to obtain a consensus among nutritionists as to what these upper and lower limits should be. Dietary allowances and standards developed by other countries and by the World Health Organization, perhaps with different objectives in mind, are nonetheless different than those recommended by the Food and Nutrition Board of the U.S. National Academy of Sciences. It is also difficult to prove that some of the claims on a label are false. The extensive and continued use of products by persons who believe they have a special dietary need can hardly be used as evidence that the products are useless or dangerous. It is not unthinkable that a consumer can experiment with himself and arrive at an assessment of his own peculiar nutritional needs without benefit of chemical tests, a physician's fee, and the cost and availability of the needed product through prescription.

The FDA's judgment of the adequacy of the American diet, without supplements, is too optimistic. Its emphasis on natural foods is well founded, but it is also misleading. Nearly 50 percent of American households have dietary practices which are substandard in one or more nutrients, and about 25 percent are known to be deficient with respect to calcium and vitamin C. These conditions are not necessarily associated with the low-income brackets of the population.

I have introduced a measure today which would establish a consensus of the Congress that the FDA regulations on labeling and content of diet foods and supplements should not be made effective or enforced until Congress has by law conferred the authority to make such regulations on the Department of Health, Education, and Welfare. There are several such resolutions now pending before the House Interstate and Foreign Commerce Committee.

In view of these resolutions and the mounting opposition from the pharmaceutical and health food industries, independent scientific authorities, and the public, the proposed regulations are not only in prospect of a rigorous dilution but are also in prospect of delay in date of effective application. There is reason to believe that the application of questionable and unnecessary requirements will not come about at all, and that other provisions will be stayed until acceptable compromises are worked out for all parties concerned.

JOHN CRAIN KUNKEL

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. FALLON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. FALLON. Mr. Speaker, in bidding au revoir, but not goodbye to JOHN CRAIN KUNKEL, I have some mixed emotions. He deserves and has earned the retirement he contemplates, but I regret his leaving our Public Works Committee.

Fully armed with facts and solid opinions, in every one of our debates and discussions, JOHN KUNKEL was a formidable ally, if he were on your side of an issue and just as equally influential if he were not. I have been associated many years with able men and women in this House, and in keenness of mind and ability as a legislator to evaluate proposals and see their ultimate effect, JOHN KUNKEL had no peers.

If anybody lived up to the old remark that "he is a born Congressman," Mr. KUNKEL certainly does. He is the grandson, the great-grandson of Congressmen and a descendant of a member of the Continental Congress. He came to the House in 1947 equipped with much more than a fine inheritance in the public service.

Before his election from his Harrisburg district in Pennsylvania he practiced law, was a banker, and a farmer. In addition to these vocations he was active in civic affairs, with particular interests in public health, hospitals, public libraries, education, and problems of youth. What he learned in these pursuits made him an invaluable fount of information and a wise counselor in our committee and in the House.

JOHN KUNKEL's broad culture, coupled with commonsense, was always evident within our Public Works Committee. His influence in creating the monumental public works guaranteeing our country's future growth cannot be calculated.

JOHN KUNKEL's monuments are spread across the country and they will endure long after anything we say here today. He had a lot to contribute and gave it to the people of his district, Pennsylvania, and our country. He gave it with devotion. In thinking of his noble service, I recall the lines of Emerson about a good statesman:

> They build a nation's pillars deep and lift them to the sky.

Mrs. Fallon joins me in this expression of our gratitude for the work of Congressman KUNKEL, and we express our admiration to Kitty, his charming wife. Both of them have made substantial contributions and are deserving of many more happy years.

SENATOR HART AND SENATOR MONDALE ADDRESS MISSISSIPPI YOUNG DEMOCRATS

Mr. BRADEMAS. Mr. Speaker, when the Young Democratic Clubs of Mississippi convened in Biloxi at the end of August, two distinguished Members of the Senate with outstanding records in the field of civil rights were there to address them. Both Senator PHILIP A. HART, of Michigan, and Senator WALTER F. MONDALE, of Minnesota, challenged the Young Democrats to persevere in their efforts to bring vital new resources in talent and ideas to the Democratic Party in Mississippi.

Senator HART, who in recent days was floor leader of the majority in the Senate which attempted to bring the House-passed civil rights bill to a vote, observed in his remarks that prospects for a better life for all citizens in Mississippi, black and white, have been greatly enhanced by the landmark legislation passed by the 88th and the present Congresses. Senator MONDALE, who as chairman of the Credentials Subcommittee of the 1964 National Democratic Convention was instrumental in the adoption of the rule that no future Democratic convention would seat a delegation when a challenge showed that it had been selected by a discriminatory process, praised the Mississippi Young Democrats for "the courage you have shown: To face the issue of race directly; to join the races in the exercise of political power; and to make race irrelevant as we press the attack on the problems of our society."

Mr. Speaker, I too have had the honor to address the Mississippi Young Democrats, both in their home State and in Washington, and I can attest to their courage and excellence of purpose. Their dedication to a fundamental precept of American life—that government and its representatives must strive to improve the welfare of all the people—is a vital reminder to all of us in elective office.

Mr. Speaker, under unanimous consent I insert the addresses of Senator HART and Senator MONDALE to the Mississippi Young Democrats in the RECORD at this point:

SPEECH OF SENATOR PHILIP A. HART BEFORE THE YOUNG DEMOCRATS OF MISSISSIPPI IN BILOXI, MISS., AUGUST 27, 1966

To begin, I must thank you for the very gracious invitation to speak here tonight. This is an organization dedicated to worthy purposes—purposes which I heartily approve although I cannot insure that my endorsement is going to win you any great added support.

Tonight, I am hopeful of discussing the national Democratic Party's programs and philosophies—all of them, not just the ones pertaining to civil rights.

After all, it is—and why blink the fact?—very tempting for any northern politician with a Negro constituency to come down here and raise hob with Mississippi for its racial attitudes.

It's such a satisfyingly safe course to pursue. You'll get applause from an appreciative audience back home and no boos from anyone who can vote for you.

So, historically, it's been easy for the northerner to come South and preach sanctimoniously about equal opportunity for all. It's been easy to maintain the comfortable pretense that all truly intolerable violations of human rights have been perpetrated in one section of the nation.

Well, that's nonsense and always has been. And I think a northerner ought to say it. Certainly there is racial prejudice in the North and it is no less lamentable there than it is anywhere else.

Yes, northern prejudice is less direct and more sophisticated but if you are on the receiving end, it is just as damaging to the human spirit.

So I'm not coming to Mississippi with a pious lecture on the value of brotherhood or virtuous exhortation to mend your ways.

But I am prepared to defend the Great Society programs as vigorously here as I do in Michigan. Because I am convinced they are sound programs—truly sound.

Not in the sense that they have short-range political benefits—although in most of the country they certainly do. But rather in the larger sense, the historical sense—in the conviction that 50 years from now or 100 there will be few citizens who will look back and think it was all a mistake.

After all, what is the Great Society? Prosperity? Liberty? Education? Opportunity? Economic security? Military strength? World leadership? Sure.

It is all of those things and yet that string of words provides an inadequate description.

I think of the Great Society as a massive conservation program—and certainly not one that the South—or any other section—can afford to miss out on.

It is a conservation program not of just natural resources but of human resources. And no segment of our society should reject it because it promises to benefit all segments.

Why should there be a War on Poverty? Why should there be Aid to Education? An Appalachia bill or other regional development programs?

They are all really designed to one purpose: the elimination of human waste.

Why do we create national parks? Just to preserve trees and hills? No. It is done that the people will always have places to refresh and restore themselves.

When President Johnson talks of turning tax consumers into tax payers, he is talking conservation—conservation of money, yes, but more importantly, conservation of the human spirit.

When we set up a national health care plan for the aged, we provided our old people with far more than just money. We provided them with dignity.

This then, in my opinion, is the mark of the civilized nation: the willingness—no, the determination—to preserve dignity and opportunity for its people—all its people.

And in considering these programs, I would ask all reasonable men to ask this question about them: "Will they benefit me and will they benefit the nation?"

This is the essential question and not the query: "Will these programs benefit some fellow down the street of whom I disapprove?"

I know that this state's economy is on the rise. But it is also no secret, I think that Mississippi is not fully sharing in national prosperity.

And now, I suppose, we get to the real reason that I am grateful to be here tonight.

Because I know the Young Democratic Clubs realize that the Great Society can provide the tools to accelerate your state's climb up the economic ladder.

And I also am aware that this organization realizes that if the climb is to be truly successful, every citizen must have a rung on which to put his foot. Thank you.

KEYNOTE ADDRESS OF SENATOR WALTER F. MONDALE TO THE YOUNG DEMOCRATIC CLUBS OF MISSISSIPPI, BILOXI, MISS., AUGUST 26, 1966

Nothing in recent months has given me more pleasure than the invitation to sound the keynote at this Convention of Young Democratic Clubs of Mississippi. You are not only the future of Mississippi politics; you are an absolute necessity for the sane political life of this nation.

You know that my special interest in your group arises from having been chairman of the Credentials Subcommittee of the 1964 National Democratic Convention. That Subcommittee dealt with the challenge of the Freedom Democratic Party to the seating of the Mississippi delegation.

That challenge justly brought about a ruling which marks a turning point in the life of the Democratic Party. For the Party had been lagging behind the national march of events. We had seen Civil Rights Acts come out of Congress. We had seen landmark Supreme Court decisions against voter discrimination and in favor of "one man, one vote." But our national political parties were routinely seating delegations with no thought of the discrimination at their base.

And so we adopted the rule that no future Convention would seat a delegation when a challenge showed that it had been selected by a discriminatory process. This historic action is the Civil Rights Act of the Democratic Party.

And I invite the Republicans to join us in this legislation, when they get around to it—if they want to get around to it.

The rule we adopted at Atlantic City arose from two considerations. First, from a desire for political rights for all persons, which we knew had been denied. Second, it arose from a sincere belief that a broad and representative base in all states is a practical necessity for the health of the Democratic Party.

We hoped that the rule would breed strong local parties with a base in all groups of people within their states. Not a party anointed by fiat of the National Convention, but one growing from roots deep in its own state.

In short, we hoped for you, and for the party you are trying to build. And I can't begin to tell you how good you look to us now!

And in regard to the National Convention, let me say that, having presided at the birth of that rule, I don't intend to witness its death. I firmly intend at the 1968 Convention to honor the mandate of 1964—to oppose the seating of any delegation based on racial discrimination, and to support in its place any delegation sincerely trying to live up to the spirit of the rule.

And I am convinced that the overwhelming majority of delegates at the Convention of 1968 will do the same.

This means that either your approach to politics—a bi-racial, non-distriminatory approach—must be the pattern for Mississippi, or there will be empty seats at the National Democratic Convention in 1968.

I don't think that you will let this happen to Mississippi, and I hope and pray that other Mississippians won't either. You will have to fill those seats as a truly Democratic party, and I'll help you.

For those empty seats, and all that they signify would represent a tragedy of lost opportunity, because Democratic Party Government would be a great thing for Mississippi. And this Convention can forge its framework.

For the politics of the past is not enough for Mississippi. The Candidate elected by a narrow base of voters—even narrow among whites—with an even narrower financial backing, and tied to no particular issues, cannot do what needs to be done for this state.

Most of all, Mississippi can no longer afford to let racism be the specter presiding over every election—a dominating subject of every campaign and a real issue of none.

For race has been the curse of Mississippi politics. It has been the oratorical tool to inspire the fear of the voter, and to cheat him of any true political achievements.

These achievements include progress in civil rights, but they include as well the full range of liberal programs needed to benefit all of the people of the State.

By building a statewide party open to all races, you can release politics from the prison of racism. And you can present a stirring example to the rest of the nation.

For all of the nation is now coming to wrestle with problems of race and power. I hope that we have the courage you have shown:

To face the issue of race directly;

To join the races in the exercise of political power;

And to make race irrelevant as we press the attack on the problems of our society.

Here in Mississippi, your success depends upon a great deal of change, but great change is already under way. The face of Mississippi is changing even faster than the face of the nation.

In five years, the number of tenant farmers in Mississippi declined from 99,000 to 43,000. In the last ten years, 10% of the population of the state moved from the farm to the town or city. In each of the last two decades, 10% of the white Mississippians and 30% of the Negro Mississippians left the state.

And the Voting Rights Act is already having its effect—as you well know. In 1964, 35,000 Mississippi Negroes were registered to vote. In 1966, 159,000 are. And this promise is only beginning to be fulfilled.

The "one man, one vote" decision of the Supreme Court is helping to complete the political revolution. It is an empty promise indeed to recognize a right to vote and then to permit those in power to make it meaningless by unequal districting. Indeed, without the "one man, one vote" decision, the Voting Rights Act would be a total nullity.

With all this change comes the obsolescence of the old-style of politics. In the presidential elections, the old games of Dixiecrat, of unpledged electors, and of going over to the opposition no longer make any political sense.

For they place Mississippi so far from the mainstream of American politics that no one can afford to join her. The 1964 Republican candidate didn't realize this, and he courted and won the support of the old-style political South. But he paid so high a political price that I doubt that any presidential candidate will ever try it again.

And if one does, let it be a Republican. Let them play that game. We Democrats will look ahead.

For the changes in Mississippi permit you to fashion a new politics, free from the hobbles of racism.

This Convention can become the torchbearer for the Democratic Party of Mississippi. It can do that by creating a program for the development of this State—a rounded program based on Democratic principles.

You can adopt a platform which will place some honest-to-goodness issues before the people of Mississippi—and they are starved for them. The old rhetoric has cheated them long enough.

There are plenty of liberal issues here. I can recognize them as issues of concern in my home state, which has a number of things in common with Mississippi.

We, Mississippi and Minnesota, have histories shaped by the same great river. We are both mid-way west. Our economies are traditionally based on agriculture. We both have, in the roots of our rural people, the strains of populism, with its potential for reform.

But there is a great difference between the two states as well, and it makes today's Democratic issues in Mississippi all the more poignant.

For we in Minnesota never had the politics of racism—as a matter of accident, not by any particular virtue of ours. And not having that legacy, we haven't had to pay the price.

What has been the price? No one can measure it for certain. And no comparison is accurate, or even fair. But a look at the areas of liberal concern in our two states shows a shocking disparity.

Mississippi, as you've often been reminded, is last of the 50 states in expenditures per pupil in primary and secondary school, while Minnesota is 11th.

As a result, 67% of Mississippi's young men called up by the selective service are rejected, and 56% of those are rejected for educational deficiencies. In Minnesota, 38% are rejected, of which 7% are for educational reasons.

In Mississippi, 51.6% of all the families in the state live below the federally established level of poverty. In Minnesota, it is 22%.

Mississippi's current unemployment rate is 5.3%. In Minnesota, it is 3.6%.

Mississippi has two-thirds as many people of voting age as Minnesota, but in 1964 only 409,000 Mississippians voted, while a million and a half voted in Minnesota.

The trouble with statistics is that it is too easy to forget that these are human beings. The Minnesota youth with a good chance of a thorough education, with the economic base in which he can find employment, can look to the future with high spirits and optimism.

He can stay in his state, secure in his opportunity, and motivated to participate in its government.

But the statistics show that in Mississippi this is all too seldom the case. Ill-educated, the youth looks forward to a life on the edge of poverty. Too often he has greater grounds for despair than for hope. It is a high human price to pay.

These comparisons don't mean that we don't have problems in Minnesota—there is obviously a great deal left to be done there. But they do show that in Mississippi there has been a tremendous economic and political cost attached to the old politics.

For the most shocking thing about the problems of Mississippi is not that they exist. It is that there has never been a concerted, liberal, Democratic attack mounted against them.

The greatest cost of race politics is that it has prevented Mississippi from getting about its real political business.

This Convention, leading the Democratic Party, can start the attack.

It can begin with education—to realize the potential of Mississippi's young people.

It can create a program for development of Mississippi's economy. The cry to balance agriculture with industry is an old one in Mississippi. But liberals know that the kind of industry which contributes to the permanent welfare of a state is not industry attracted by special "deals" promising low or nonexistent taxes, non-union labor and depressed wages.

The right kind of industry looks to advantages of location, transportation, and natural resources. And it looks to the kind of a human environment that a successful Democratic program can provide—good schools, good public services, cultural and recreational advantages.

A good program for the State of Mississippi will make the most of the federal anti-poverty campaign—the Democratic anti-poverty campaign. The War on Poverty depends greatly on local initiative. A party sympathetic to the program and its goals can attack this heart-rending problem which strikes so hard at Mississippi. The Republicans won't do it. The old style politicians won't do it. The loyal Democratic Party of Mississippi must do it.

Even with economic development, Mississippi will need massive infusions of federal aid. As it is, Mississippi receives directly about two and one-half tmes as much from the federal government as it gives it in taxes.

So what is best for Mississippi? To bemoan the federal programs of a Democratic Administration and Congress, or to support them To scuttle them, or to use them?

You don't need magic for a liberal program—only imagination. You of the Young Democratic Clubs are far more familiar with the problems of Mississippi than I can be, and you will fill in the details of your own platform.

But the words of Franklin D. Roosevelt in his Four Freedoms speech apply. He said: ". . . There is nothing mysterious about the foundations of a healthy and strong democracy. The basic things expected by our people of their political and economic systems are simple. They are: Equality of opportunity, jobs for those who can work, security for those who need it, the ending of special privileges for the few, the preservation of civil liberties for all, the enjoyment of the fruits of scientific progress in a wider and constantly rising standard of living."

These are Democratic goals. And they are goals for Mississippi, as well as for the rest of the nation.

This Convention, representing the only political organization open to all the people of the State, can adopt a program to reach these goals, and can take it to the people of Mississippi.

I think that the people of Mississippi will listen. And then the whole country will listen to Mississippi. You will have emancipated us all.

FORMER INDIANA GOV. HENRY F. SCHRICKER HONORED IN PERCEPTIVE BIOGRAPHY

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from Indiana [Mr. BRADEMAS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BRADEMAS. Mr. Speaker, I rise to call the attention of my colleagues to a political biography of one of the most renowned citizens in Hoosier history. I am speaking of "The White Hat," by Charles Francis Fleming, the biography of Indiana's only two-term Governor, Henry Frederick Schricker.

Born and raised in North Judson, Ind., Governor Schricker firmly established his place in Hoosier history as Governor in 1940 and again in 1948. Now a resident of Knox, he remains Starke County's most illustrious political figure; and because Starke County has joined St. Joseph, Marshall, and La Porte Counties to form the new Third Congressional District, I have the great honor to include Governor Schricker among my Third District constituents.

"Chuck" Fleming, who himself has a record of distinguished service to Indiana as a State senator for two terms, beginning in 1942, and as secretary of state in 1948, has written a sensitive and perceptive study of his close personal friend and political colleague. From his book there emerges a candid picture of Governor Schricker's policies to get the most from every tax dollar, and of his strong defense of the executive branch of Indiana State government against a series of attacks in the 1940's.

"The White Hat" also provides a clear view of the warm and deeply humanitarian figure whose celebrated white hat became the most famous political symbol in Indiana. From Chuck Fleming's book emerges a picture of the practitioner of the political art at its best. Governor Schricker, it is reported, never refused an invitation to attend a gathering when hot biscuits and fried chicken were on the menu, and he managed to make more friends at church basement suppers than his political opponents could make at their largest rallies.

In "The White Hat" we learn further that Governor Schricker drew the greatest satisfaction during the years of his governorship from a speech he made in Chicago on July 24, 1952. In that speech he placed the name of Adlai Stevenson in nomination for the Presidency of the United States. I had the privilege of serving 3 years thereafter as executive assistant to Governor Stevenson, and I know the warmth and respect which Governor Schricker felt for the man who twice bore our party's standard for the Presidency. My regard for Governor Schricker has always been the greater because of the moving and principled nominating speech he delivered that day in Chicago.

Proceeds from the sale of "The White Hat" are going to establish the Henry Frederick Schricker Scholarship Fund through the Foundation at Indiana University. This fund, which will help finance the college study of needy high school graduates, will become a living memorial to our only twice-elected Governor.

Mr. Speaker, at this point I would like to include in the Record an editorial from the North Judson News which captures fully the remarkable qualities for which we admire this great Hoosier and great American:

The Making of a Man

The white hat which identifies Gov. H. F. Schricker (Starke County's own man) not only to Hoosiers but to the whole nation, is symbolic of much more than mere political identity. At first it may have seemed to many a mark of identification but long before his political career as office holder terminated the white hat had become a symbol of good government—yes, a symbol of good judgment, courage, faith in democracy and an ideal of serving the people with a minimum of red tape and at reasonable cost.

The making of this man begins with his good family heritage. He was encouraged to make his own decisions by parents who had early taught their children to honor honesty, friendliness, frankness and the solid virtues connected with true service to one's fellowmen. The ideal of service, as we see it, always seems to be the central thought in the purposes of his activities. Often he must have asked himself the question: "How can one best serve?" No doubt the search for an answer to this question must have spurred him to make the right personal decisions early in his life. What could be a more excellent preparation for an exceptional political career? How fitting this early training was for the servant of all the people of the state when he became the two time elected leader of Indiana government!

To make right and sound decisions is the most important and most desirable attribute of public service in a democracy. It requires a wide knowledge, impeccable honesty, an impartial spirit of optimism, an understanding of people's fundamental needs and a wholehearted commitment to democratic ideals. In the face of obstacles this commitment needs to be especially strong. For most of the eight years that Henry Schricker served as governor the legislature was dominated by political opponents. In spite of this obstacle he was strong in giving Indiana a good government. He remained firm yet courteous and understanding, calmly urging that the people expected good government and should get it.

The greatest attest that the people believed in the soundness of his decisions and leadership is evidenced by the tremendous majority vote he received in his election to a second term as governor at a time when the national candidates of the opposition won in Indiana by very ample majorities carrying many state offices along. The people remembered his previous record of sound decisions, his interest in every citizen's problems, his friendly ability to listen to their ideas and his resolve to serve them. He believed in service to the individual as a true avenue to serve the people as a whole. He implemented the ideal that "at best individual and social interests are one and the same". His door was always open to the individual, yet he seemed to look out of the window to the whole people and to the future.

No laudatory adjectives are sufficient to describe our beloved statesman and friend. Yet among the many noble and salient traits of this man there are some that seem to us outstanding.

So, in this centennial year of North Judson, the place of his birth, we salute this calm, considerate, capable, comfortingly confident, conscientious, cordial, compassionate and consecrated servant of the people, Henry F. Schricker!

THE NATION'S HEALTH AND CYSTIC FIBROSIS

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Gallagher] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, the Congress has long been concerned, and rightly so, with all matters relating to the health of our citizens. We have initiated and legislated into being many beneficial programs in the area of national health. Much has been done. Much remains to be done.

I am not at this time advocating any new or future program. I rise merely to call to the attention of my colleagues and of the general public the need for greater knowledge of a disease which annually causes the deaths of more infants and young children than any other known to man with the sole exception of cancer. This is a cystic fibrosis.

Cystic fibrosis is a killer, with which babies are born. Science has determined that one in every thousand children born in our land comes into the world with this predetermined death upon him. Prior to 1955, very few sufferers from cystic fibrosis lived beyond the age of 5. In that year, interested medical personnel and laymen organized the National Cystic Fibrosis Research Foundation. Centers for research into the dread disease were established in hospitals and universities across the country and at the National Institutes of Health here. Grants from private foundations were secured and fund drives within the public realm were instituted. It is a tremendous tribute to the medical research community that, in the decade since the research foundation began its work, by 1966, the greater majority of cystic fibrosis victims now live to age 15, and many to age 20.

While this progress has been remarkable, the late teens are not years when death should strike. So the research must and does go on. Cystic fibrosis is yet incurable. In fact, medical science has yet to learn its cause despite the gains that have been made in its control. Primarily, the disease involves the lungs and digestion. Malfunction of the child's mucus glands causes the main complications. The affected glands produce an abnormal, thick, gluey mucus which clogs the lungs and makes breathing difficult, extremely painful and, in the end, suffocating. This mucus also plugs the tiny ducts of the pancreas, preventing that organ from supplying the enzymes needed to help in the digestion of foods. The body is not properly nourished. Children afflicted fail to achieve normal growth; they appear to be half starved which, in effect, they are.

The general public, unfortunately, has not been made too aware of this insidious malady. Cancer, diabetes, polio, heart disease, rheumatic fever, these and other diseases are known and every responsible citizen does his utmost in the constant battle against them. But we are all too unaware of cystic fibrosis. We who take for granted the simple and natural act of breathing seem unable to comprehend the agonizing pain and effort of the CF victim just to fill his lungs with air. Unless we have seen and heard a skinny, bony, undernourished child wracked with a distressing painful coughing spell, almost choking to death, we cannot imagine the horror of the disease.

Mr. Speaker, I hope and pray that my few words today will in some way alert more of us to the existence of this vile killer that cuts down so much of our young even before they reach their prime. Sherman said, "War is hell." And the bleeding away of the lives of our fine young men on battlefields around the world is unimpeachable evidence of the truth of that statement. But in many ways, cystic fibrosis is even a greater hell, for this scourge of childhood takes its heavy death toll long before its victims have begun to live.

This "killer on the loose" for many years was misunderstood, misnamed, and misdiagnosed and it ran rampant in the destruction of infants, children, and adolescents. The National Cystic Fibrosis Research Foundation has taken tremendous strides to alter the picture. Since its 1955 inception, this voluntary, nonprofit health agency has established 35 cystic fibrosis regional care, research, and teaching centers. These are dedicated to finding out everything possible about the disease, spreading information about it through the medical profession, and providing diagnostic and treatment services for patients. The national foundation also initiates the formation of local chapters and offers such chapters guidance in local programs of care, public education, and fundraising.

I am making no appeal for funds for this or for any agency. But I do want to call to the attention of all that the foundation continues to operate with two great aims. The immediate is to make diagnosis and treatment available to every American child suffering from cystic fibrosis. The longer term objective is to bring the disease under control and eradicate its threat to life. So I ask my colleagues along with the general public to help put the glare of the spotlight on this hidden killer that it might become known, that public knowledge might contribute to scientific power and, in every way that each can contribute to the other, the day when cystic fibrosis is conquered will be hastened. Together, we can given tens of thousands of children the greatest gift of all, the gift of life.

PRESIDENT'S ASIA TRIP

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Gallagher] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. GALLAGHER. Mr. Speaker, last week President Johnson's East-West speech before the National Conference of Editorial Writers in New York was extremely well received both by the public and the press.

Without glossing over the basic conflicts between Russia and the United States, the President made a well-reasoned and most persuasive appeal for cooperation in matters of mutual self interest. The announcement of a series of actions demonstrating our sincerity succeeding in giving special force and validity to the appeal.

This week President Johnson began an unprecedented tour of Asia. In his speeches at Dulles and Honolulu, the President avowed that no one should expect any magical revelations or earth shattering decisions to result from the trip or the Manila Conference. He seemed to make clear that the purpose of his traveling some 29,000 miles is to talk and discuss with our friends and allies the growing cancer of war in Vietnam.

While the President talks with these other world leaders, he will, I feel sure, reiterate the American position on Vietnam and once again try to get through to those we are opposing that the aim of the United States is peace not war, that the fruition of our efforts will be freedom not slavery. In this difficult and lonely task I wish him well.

Mr. Speaker, I include the following three editorials in the Record at this point:

[From the Baltimore (Md.) News American, Oct. 11, 1966]

THE BROADER VISION

President Johnson's dramatic invitation for Russia to better her relations with the United States and help ease tension in Europe is a move of bold statesmanship.

At the very least, and even if rejected outright, his initiative is certain to help widen the split between Moscow and the insanely suspicious Red Chinese. At best, it could fulfill an aim that Mr. Johnson defined thusly:

"Our task is to achieve a reconciliation with the East—a shift from the narrow concept of coexistence to the broader vision of peaceful engagement."

What gave the invitation for more cooperation its special validity was the President's announcement of a series of actions by the United States to demonstrate our sincerity. There included the reduction of export controls on non-strategic East-West trade and a new agreement permitting the Export-Import Bank to guarantee comercial credit to four more Soviet satellite nations.

What made the invitation so diplomatically timely was that it came at the end of a week in which the Soviets themselves took three constructive steps toward a possible thaw in the East-West climate. These were the freeing of Peace Corpsman Thomas R. Dawson, an agreement to resume talks on proposed U.S.-Moscow air travel, and an easing of the Russian position on a space treaty.

The most notable feature of the President's speech before the National Conference of Editorial Writers in New York, of course, was his suggestion that the Soviets consider reducing their forces in Europe the same way the Western Allies are studying such a possible step. Lest this be interpreted as a sign that the U.S. is planning a major cutback in NATO forces, Mr. Johnson stressed that our studies on what strength NATO needs depends in large part on how much of a continuing threat the Russians present.

The President's hope for broader vision and better bridges between Russia and the United States, even if favorably received by the Soviets, by no means would end the basic conflicts between communism and our democracy. But, as Mr. Johnson says, there is no reason why any kind of neighbors should not coperate in matters of mutual self-interest.

The invitation is now open.

[From the Newark Evening News, Oct. 8, 1966]

A CALMER EUROPE

Six months of policy review, during which the administration has assessed this country's declining influence in Europe, has brought forth a new strategy. With it, as outlined in his New York address, President Johnson hopes to recoup losses, rekindle relations with former friends and remove cold war barriers which even our closest allies have discarded.

Beyond the unilateral steps this country is prepared to undertake, President Johnson proposes "a gradual and balanced reduction of armed forces in Central Europe." Clearly he means the NATO troops on one side of the Iron Curtain and Warsaw Pact forces on the other.

Moscow certainly is aware of the forces tugging at Mr. Johnson. France is pulling out of NATO with an eye to wooing the Soviet Union. Economic adversity is forcing Britain to cut its troops on the Rhine. Having failed to get West Germany to increase its off-set purchases of military hardware in this country, Mr. Johnson now is prepared to go through with his counter-move of reducing U.S. troops on the Continent.

Heretofore, the Soviet Union has used Viet Nam as a pretext for consigning U.S. relations to the deep freeze. While this may have held short-term advantages, they were more propagandistic than real. Moscow also is under pressure to thaw.

Communist bloc countries like Poland, Romania and Bulgaria have enlarged their trade with the United States, trade which Moscow has grown to envy. The same countries have grown impatient with contributing to the support of Soviet troops on their soil.

The time, therefore, seems well chosen for President Johnson to suggest to the Soviet Union and the countries of Eastern Europe that we "go step by step with them as far as they are willing to advance" toward normal and peaceable relations.

For a starter, the President is lowering export controls on nonstrategic items available for East-West trade. He is extending Export-Import Bank credit to Poland, Hungary, Bulgaria and Czechoslovakia, and is holding out the possibility to Moscow itself. Regulations on travel to Communist countries in Europe also are being liberalized.

This approach to better relations with the Communist-run countries of Eastern Europe is long overdue. The burden of maintaining nearly a million troops at the ready weighs heavily, psychologically and financially, on nations east and west of the Iron Curtain. So does the growing number of nuclear weapons.

The causes of hostility do not run so deep they cannot be diminished by reasonable accommodation. All hold one thing in common—survival. Those sensible enough to realize it, ought to work together for self-preservation.

[From the Boston Herald, Oct. 8, 1966]

DIPLOMATIC THAW?

Relations between the Soviet Union and the United States waver between the deep freeze of winter and the chilly promise of early spring. In the last few days some ice went out of the river as the Russians freed Peace Corpsman Thomas R. Dawson, agreed to new talks on the inauguration of Moscow-New York air travel and improved its position on the space treaty issue.

Now President Johnson has made a conciliatory move by calling for a "gradual and balanced" reduction of armed forces in Europe, announcing that trade restraints on many non-strategic items have been lifted so that they may be sent to eastern European nations and by appointing veteran dipolmat Llewellyn E. Thompson as ambassador to the Soviet Union.

Mr. Thompson has served in the post before (he ran the Moscow embassy for nine years, a Foreign Service endurance record). He is one of the nation's foremost authorities, as might be expected, on the Soviet Union. And he has a reputation for getting along with the Russians.

Mr. Johnson's moves should not be interpreted as giving in to the Russians. He has promised not to shortchange NATO. Liberalizing trade relations should be as much of a benefit to us as it is to the Soviet Union. And while Mr. Thompson is an expert at getting along with the Russians he is also an expert at understanding them.

NATIONAL PRAYER DAY

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Waggonner] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, Rev. Albert S. Hurley, of St. Paul's Methodist Church of Harahan, La., has composed a special prayer for use today in observation of National Prayer Day; a prayer that is clear and succinct in its call for all men to acknowledge the manifold blessings of our Creator.

I am pleased to insert it here in the RECORD; and I urge every Member to pause for a moment in this turbulent hour of our Nation's history, to hear the words of Rev. Hurley and to take them into our hearts:

> Almighty God, Creator and Preserver of all mankind, who are more ready to hear than we to pray, and are wont to give more than we deserve or even desire, we beseech Thee to pour down thy mercy upon us.
>
> We give thanks to Thee for Thy merciful Providence. In Thy favor our land has been richly endowed. We have prospered materially beyond all peoples. Within our borders all sorts and conditions of men have shared in manifold blessings. We praise Thee for a national heritage wherein freedom and justice is guaranteed under law alike to all citizens. We acknowledge our debt to the founders of the Republic, and to all who through the years have labored in times of war and peace to keep our national honor unstained. We thank Thee for those who today carry forward the great traditions so dearly purchased by the sacrifices of many.
>
> We mourn our sins as a people and as individuals. Notwithstanding our high declarations of ideals and our just laws we have yielded to violence in the streets and to prejudices and hatreds in the heart. The poor have been forgotten in slums of the city and the countryside. The first resources of the Nation have been dedicated to the pursuits of war, and the leftovers of wealth tardily committed to the building of a better world. Bring us genuine repentance. Forgive our transgressions. Reclothe us in a rightful mind that we may be heirs of the promise, "Blessed is the nation whose God is the Lord."
>
> Be merciful unto those who stand upon fields of battle, unto those who suffer from the cruelties of war, and hasten the dawn of peace. Uphold, inspire, and guide our leaders in the discharge of their duties that they may prove themselves worthy of their trust. Strike down all the counsels of wickedness. Bind the nations together in a fellowship of good will. We pray in the name of Him who died that all men might live, Jesus Christ our Lord. Amen.

MORE SUPREME COURT CONTRADICTIONS; BUSING PUPILS FAIL TO IMPROVE

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. WAGGONNER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. WAGGONNER. Mr. Speaker, as Congress rushes to close down for the year, I have no wish to delay matters any, but two different items in yesterday's Washington Post caught my eye that some Members may have missed. They so clearly establish two central facts that many of us have been trying to enunciate this year that I would like to make both items a part of the RECORD.

The first is the statement of Mr. George B. Brain, former Baltimore school superintendent and now dean of Washington State University's College of Education, that busing Negroes across town to accomplish social integration in the suburbs has done nothing to improve their educational performance. Mr. Brain made this statement yesterday during the course of a suit brought by a civil rights agitator in U.S. district court.

Mr. Brain continued by pointing out that, far from helping the children, the busing scheme had lowered the achievement of the 800 students involved.

Of course, Mr. Speaker, what Mr. Brain is saying is not news. The fact that it is being said openly by respected educators is what is news.

The second item which needs to be recorded for posterity is the contradictory, backtracking refusal of the Supreme Court to consider the Delaware suit to nullify the winner-take-all electoral system. This, of course, is, in effect, turning the Court's back on its one-man, one-vote philosophy.

I do not blame the members of the Court for reversing its own philosophy in this case. I only wish they had the intelligence and the fortitude to continue on and admit the one-man, one-vote decree was equally wrong. But to expect this kind of logic from this Court is asking entirely too much, I realize.

The two articles follow:

BUSING FAILS TO IMPROVE NEGRO PUPILS, TRIAL TOLD

Negroes bused from crowded inner-city schools to undercapacity white schools in Baltimore since 1963 have not improved their performance, an educator testified yesterday in a Washington suit over de facto school segregation.

If anything, the achievement of the 800 Negroes has gone down, said George B. Brain, former Baltimore City school superintendent and now dean of Washington State University's College of Education.

Brain's testimony came as city attorneys began their second week of defending Washington's present school system practices in a suit brought by civil rights activist Julius Hobson in U.S. District Court.

Hobson and his attorney, William Kunstler, contend that the Washington school system is not making a full effort to integrate its faculties or the 7 per cent white and 93 per cent Negro pupil population. They also claim that less money is spent on Negroes. Their education is inferior and academic results show it, they say.

Brain said standardized test patterns in 1964 and 1965 showed "no statistically significant difference in the achievement level" of 800 bused students in Baltimore. But, he added, the pupils remaining in the inner city schools enjoyed a lower teacher-student ratio and increased their achievement level.

Kunstler contended earlier in the three-month-long trial before Judge J. Skelly Wright that achievement tests are white-oriented and cannot be accurately applied to the ghetto Negro.

Asked about the touchy question of integrating urban and suburban pupils, Brain said he had considered busing "disadvantaged" children from the city to surrounding Baltimore County for "assemblies and exchanges . . . but not for permanent classroom attendance."

He said he felt integration was culturally and educationally beneficial for both races.

Busing, changing of school boundaries and providing of compensatory education are only "temporary measures" to improve opportunities for the disadvantaged, he said. A "massive infusion of money and resources" is needed to close the gap ultimately, he said.

COURT REFUSES TO NULLIFY ELECTORAL COLLEGE SYSTEM

The Supreme Court yesterday refused to consider a complaint against the "winner take all" system by which all of a state's electoral votes go to the presidential candidate who carries the state.

In a brief order, the Court refused to allow the filing of a complaint titled "Delaware v. New York," which sought the nullification of all 50 state electoral college laws, including Delaware's.

Though brought in a name of Delaware, the suit was supported financially by the National Small Business Association.

The Court's action was a refusal to convert the complaint into a lawsuit requiring answers from all the States.

ORIGINAL JURISDICTION

The Delaware complaint was taken to the Court under the Court's original, or trial, jurisdiction, as a controversy between states. Named as defendants were all the other states and the District of Columbia.

The plaintiff, Delaware, said the Court should apply principles of "one man, one vote" to eliminate alleged excessive power of citizens in populous states.

The complaint said that under the "winner take all" laws, citizens who vote for losing candidates are deprived of their proper participation in national elections because their votes are wasted in the electoral college.

Delaware said its complaint could "open the door" to national election reform, perhaps by constitutional amendment. The Johnson Administration is seeking an amendment that would freeze the "winner take all system" into the Constitution, but would eliminate the college's independent electors.

RIGHT TO SUE DISPUTED

New York was the principal defendant in the Delaware suit because of its 43 votes in the electoral college. In opposing the suit, New York denied the existence of an interstate controversy. It also disputed Delaware's legal right to sue on behalf of a voting minority.

New York said Delaware actually was overrepresented in the electoral college and had no business asking the Supreme Court to strike down its own law.

Some observers saw the suit as an attempt to publicize the need for electoral college reform and to regain some of the political power lost by rural and conservative interests by reapportionment decisions.

Before rejecting the complaint, the Court allowed 12 states to realign themselves with Delaware as plaintiffs. They were Kentucky, Pennsylvania, North Dakota, South Dakota, Oklahoma, Utah, Wyoming, Florida, Iowa, Arkansas, Kansas and West Virginia.

AMERICA'S RUHR VALLEY

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. BOGGS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BOGGS. Mr. Speaker, there is no more fabulous development of any area in our country than that which is now taking place in "America's Rhur Valley"—that rich stretch of land along the Mississippi River between Baton Rouge and New Orleans and the Gulf of Mexico.

This area is fast becoming the most flourishing petrochemical center in the world, and citizens of my State can well be proud of their own role and that of their government and business leaders in making this fantastic growth possible.

In 1965 alone, almost $500 million in new and expanded industry was invested along the Mississippi between my city of New Orleans and Baton Rouge. In the past 2½ years, almost $1.5 billion has been invested in new plant and equipment in our State, and the outlook is that this pace of industrial development will continue.

Many factors have contributed to this significant development, particularly along "America's Ruhr Valley." Among them are the wonderful salesmanship provided to bring new industry into Louisiana by Gov. John J. McKeithen, and members of the Louisiana Board of Commerce and Industry; the favorable tax exemptions which our State's industrial inducement laws now give to new businesses and industries; the positive tax revision laws which the Congress has enacted in recent years to give new and broader incentives to industry to invest in new plant and equipment throughout our country, and the liberalized tax allowances on the depreciation of plant and equipment.

Among other beneficial effects, the influx of new and expanded industry has resulted in some of the highest wages in our Nation for industrial workers in this fabulous area. The river parishes of St. Charles, St. James, and St. John the Baptist and the parishes of Jefferson and Orleans in this prospering strip of our State are among the leading parishes in Louisiana in the average weekly wages which their industrial and other employees now earn. The leading parish in Louisiana in weekly wages paid to industrial employees is St. Charles Parish, whose industrial workers received $162.43 in 1964. This figure was even higher in 1965. The other river parishes of St. John the Baptist and St. James also have been near the top for several years in the industrial wages paid.

In the five parishes which I have the honor to represent in the Congress, the annual median income of families has more than trebled since the census of 1950. In that year, the average annual family income was $2,200; but by 1965, this income had reached approximately $6,700. In fact, between 1950 and the 1960 census, the median family income in the Second District of Louisiana had doubled from $2,200 to almost $4,800, then jumped another $1,900 to $6,700 in 1965.

Much of this increase in median family income can be attributed to the vast industrial growth and development taking place along the Mississippi between Baton Rouge and New Orleans. In the five parishes of my district in the past decade—1956–66—close to $1 billion has been invested in new and expanded industry, and this has created almost 13,500 new jobs for people living in the area.

Mr. Speaker, I should like to call to the attention of my colleagues a splendid article entitled "America's Ruhr Valley," which was published in the October-November 1966 issue of a new magazine, Louisiana. Mr. Carroll Trosclair, a well-known former news reporter in my city who reported for the New Orleans States-Item and for the United Press International, wrote this article about one of our Nation's most fabulous areas of growth and development. I am happy to insert this fine article in the RECORD for the benefit of my colleagues. The article follows:

AMERICA'S RUHR VALLEY

(By Carroll Trosclair)

They are speaking a new language along the 100-mile strip of the Mississippi River between Baton Rouge and New Orleans these days. And it's a lot tougher to handle than Cajun French ever was. Imagine a Cajun going home at night, bragging or complaining: "Cher, I been making dat tetrafluorodichloroethane all day, yeh!" Even the Louisiana Indians, with toughies like Tchoupitoulas and Plaquemine, couldn't come up with tongue twisters and spelling headaches like: Neotridecanoic, trichlormonofluoromethane, perchloroethylene, or difluormonochloromethane.

This is the language of the industrial revolution that is occurring today in the area betwen Baton Rouge and New Orleans, once dominated by cotton and sugarcane plantations. Here is a landscape in transition. Dozens of multi-million dollar chemical and petrochemical plants have cuddled up against the winding Mississippi to produce chemical compounds with long, almost unpronounceable names.

The compounds mean little to the layman, but these newest Louisiana products are the raw materials for hundreds of exotic new plastics that show up in the home, on the beach, in industry, and in just about every other facet of modern living.

This industrial revolution in Southeast Louisiana—still picking up momentum—is so intense that industrialists and writers now call the fabulous 100-mile river stretch "the Chemical Strip" and "the Ruhr Valley of America."

Another part of the new language along the Mississippi is money, measured in millions and occasionally billions. Investments made in the area since World War II make a man dizzy with dollar signs. After a while you're happy to settle on something near a $2 billion total investment on the strip. It makes you wonder how many times Napoleon has turned over in his grave regretting that $15 million sale he made back in 1803. Today, $15 million would not equal U.S. Rubber's investment at Geismar.

In 1965, over $485 million was invested in the thriving, rapidly expanding complex of chemical companies and other industries along this fabulous stretch.

But the story of the revolution along the Mississippi cannot be told merely with dollar signs or in this new language. Its a much deeper story about a land steeped in history and character, traditionally deep in both riches and poverty.

The signs of the revolution can be seen up and down the river, from the birdge at Baton Rouge to the Murphy Oil Refinery at Meraux below New Orleans. From the Airline Highway you look across vast fields of sugarcane and see huge smokestacks in the distance. The tall towers and other refinery vessels can be seen across the width of the muddy river, from either side. You can see the action from the ferries chugging across the river; from the New Orleans bridges, from the levees of the spillway.

And what you see is neither dirty nor ugly. The architecture of this industrial boom is mostly a symphony in curving pipes and great storage drums. Miles of pipe of every description run up, around and through the refineries and chemical complexes, some with designs as intricate as New Orleans' Vieux Carré ironwork, and just as tempting to the imaginative photographer.

The plant towers rise to great heights, some holding the same majestic positions in the plants as church steeples in surrounding communities. Kaiser's fume-filtering smokestack at Chalmette reaches 500 feet, higher even than Louisiana's State Capitol building.

The giant storage drums that are part of practically every plant offer their own interesting designs. Some feature stairs that circle upward with the grace of an antebellum spiral staircase. Some grab attention with their bright colors—oranges and pinks that startle you in the midst of the sugarcane green. But mostly the tanks awe the passerby with their size and shapes. They resemble kettledrums and hot dogs. Occasionally you run across a round, white one that will prompt your son to say, "Gee, Dad, that's a big baseball."

This industrial revolution can be even more interesting to the eye at night. Everywhere you see great torches standing in the darkness, signaling the dissipation of stray gasses. And the refineries, especially the giant Humble one at Baton Rouge, flash enough lights through their intricate designs to resemble combinations of Christmas trees and carnival midways.

What brought this great influx of industry to the banks of the Mississippi River? Surely, it was a combination of factors, varying with each firm. But these items keep popping up in all discussions:

The area's unlimited water supply, thanks to the Mississippi River, deep wells and 56 inches of annual rainfall.

Louisiana's position as the second largest producer of natural gas and oil, the prime raw products for the petro-chemical plants.

Nearby sources of sulfur, lime, salt and related minerals.

Excellent transportation facilities, particularly via river barge and ocean-going vessels.

Adequate and cooperative labor.

Ten year property tax exemptions for new industry.

A favorable political climate.

An estimated 309 billion gallons of water flows past Baton Rouge and New Orleans daily. According to a publication of the Enjay Chemical Company, this fresh water "is the single greatest asset the Chemical Strip offers to industry." Enjay says it is enough water "to supply several times the industrial water needs of the entire nation." Figures show that Louisiana industry and local areas use only one per cent of the water the river is offering them.

Mineral fuels—crude oil, natural gas, and natural gas liquids—have been the second magnetizing influence to the location of industrial plants in this area. Louisiana produces more oil per square mile than any other state in the nation, ranking second only to Texas in oil and gas productions and oil and gas reserves. Thirteen refineries have a total crude oil capacity of 825,000 barrels per day; when two additional refineries under construction are completed this capacity will be upped to nearly 1,000,000 barrels.

Sulfur, salt and other minerals are readily available on a big-volume basis to the area. Large quantities of sulfur are being mined in Southeastern Louisiana bordering the Gulf of Mexico and beneath the Gulf itself.

The vast network of inland waterways, of which the Mississippi River is the major axis, covers some 14,000 miles of commercially navigable routes through the nation's rich interior.

Branching off from the Mississippi to the east is the Ohio River, leading on to Louisville, Cincinnati and Pittsburgh. Five other important rivers branch off the Ohio, giving access to cities in Tennessee, Kentucky, West Virginia and Pennsylvania. Further north is the Illinois River, passing Chicago and providing a route to the Great Lakes.

Branching off the Mississippi to the west above St. Louis is the Missouri River, a route to Kansas City and Omaha. And the Arkansas River is being made navigable to near Tulsa, Oklahoma.

A 12-foot-deep Intracoastal Waterway system extends from New Orleans westward to the Mexican border, connecting Morgan City and Lake Charles, Louisiana, and Beaumont, Port Arthur, Galveston, Houston, Freeport, Corpus Christi, and Brownsville, Texas. Eastward from New Orelans, the 12-foot depth of the Intracoastal Waterway extends 400 miles to Apalachee Bay, Florida, joining the lower Mississippi with the seaports of Gulfport and Pascagoula, Mississippi, Mobile, Alabama, and to Birmingport, near Birmingham, Alabama, through the Tombigbee-Black-Warrior system.

New Orleans, the nation's number two port and Baton Rouge, the nation's seventh, offer gateways to the South American and world's markets.

Added to water transportation is a network of rail and truck lines that crisscross the area.

The expanding population of Louisiana has created a vast reserve of trainable labor that has adapted to the most sophisticated manufacturing processes, including that directly concerned with space exploration.

The ten year property tax exemption for new industry or industrial expansions has been another major factor contributing to the growth of the area. Coupled with this is a favorable political climate, ranked high on the industrial prospect's list of "essentials."

Governor John J. McKeithen, who has reaped numerous accolades for his industry-hunting work, believes in that favorable political climate, too.

"Businessmen don't come in and invest money in a state where there is turmoil and chaos. We've got to get along," he says.

Cogent evidence of the "getting along" philosophy practiced by the McKeithen administration was in a "Billion-dollar Banquet" marking the industrial investment in the State in the past three years. Too, it was a salute to the Governor for his enthusiastic pursuit of new industrial plants for Louisiana.

The development of the petrochemical industry along the lower Mississippi River began in 1909, when Humble Oil & Refining Company located a refinery on a 240 acre tract at Baton Rouge. Over the years, the refinery developed steadily to meet the demands of the time. Today, the refinery is the most diversified in the world. It now occupies more than 2,000 acres, employs about 4,000 people. For the past several years, construction spending has averaged about $15 million per year.

A construction program now underway at Humble will up production capacity to 415,000 barrels of crude oil per day—the largest crude processing capacity in the world. More than $1 million of crude oil is required for each day's operation of the refinery.

But Louisiana's real chemical revolution along the Mississippi did not start until after World War II. Even the Humble refinery owes most of its current size and equipment to the last two decades. An estimated 92 per cent of the current refinery investment has been made in the past 20 years.

Kaiser Aluminum & Chemical began its big move in Louisiana in 1946. Now it has plants at Baton Rouge, Chalmette and Gramercy.

The 1960s have brought even greater acceleration of the chemical industry along the lower Mississippi. Six years ago, Geismar, 20 miles below Baton Rouge, was practically unknown industrially. Today, it has nearly a dozen major chemical plants and residents of the town can go around dropping names that sound like a who's who in chemistry—Union Carbide, Wyandotte, Rubicon, U.S. Rubber, Borden Chemicals, Morton Chemical, Monochem, Inc., Goliad Corporation, Union Oil, Shell and Allied Chemical.

Taft, Gramercy and Laplace have also established themselves as big names in chemistry. Little Convent will join them when the nearby Texaco facilities are completed.

What goes on in all of these chemical plants?

Basically, the plants break mineral fuels down into such things as ethylene, butadiene and benzene, which are prepared for use in various plastics, fibers, fertilizers and animal foods. Most of the basic chemicals are sent outside the state for development into the more exotic finished products—bathing suits, golf balls, stretch pants, polishes, sprays and hundreds of fancy plastic items, to name a few.

Some people, and particularly Governor McKeithen, are convinced that the industrial revolution along the Mississippi River is still in its infancy. They point to the tremendous amount of available land; to the fertilizers that will be needed when the world begins feeling a more acute food shortage; to the way one chemical plant attracts another; and to Louisiana's eventual entry into the production of finished chemical and plastic products.

For example, *Chemical Week* has called the 100-mile stretch "a petro-chemical spaghetti bowl" because each new plant seems to feed on existing ones and to attract others. Each seems to be producing something its neighbor can use—caustic soda, vinyl chloride monomer, vinyl acetate, chlorine, etc.

The list of new chemical and petro-chemical products grows daily. In the past year, the number of plants has increased from 38 to 50.

The State has about 100 natural gas processing plants. Crude oil refineries are hiking their capacity regularly to handle the growing offshore production and the increasing demands of both consumer and industry.

Optimism flows through the annual reports of these major chemical companies. Listen to the executives report on their plants:

Hooker—"The company's new diammonium phosphate (DAP) plant at Taft, Louisiana, began production in April (1965). This facility is operating near peak capacity and its product is sold through 1966."

Union Carbide—"Increased demand for a variety of products based on peracetic acid made it necessary . . . to begin construction of a production unit at Taft, Louisiana, which will have a capacity of 120 million pounds per year of peracetic acid."

Texaco—"Toward the end of this year we will have on stream our new Louisiana plant (at Convent). This refinery will operate at 100,000 barrels a day and we'll need every barrel of it."

Governor McKeithen has said the State's great industrial expansion—particularly along the Mississippi River—is "the beginning of a new way of life" for Lousianians.

"We've just commenced our greatest industrial expansion in Louisiana's history," he said. As 1966 headed for a close, the governor appeared to be correct.

The New Orleans *State-Item* has called the industrial development from Baton Rouge to the Crescent City the beginning of a "megalopolis," that much-kicked about nuclear-age term for the merging of cities, towns and hamlets into a single great super city.

"Baton Rouge, New Orleans, Gonzales, Slidell, Hammond, Covington, Denham Springs and smaller communities in between, such as Kenner, Laplace, Walker and Baker, are feeling and showing the pains of the evolution."

There will be pains as the area changes from an agricultural and adjusts to an industrial economy. But this change, adjustment, transition is viewed with anticipation and optimism by Louisianians.

CLEARING THE AIR ON OZARKA PROGRAM

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. EDMONDSON] may extend his remarks at this point in the RECORD and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I am happy to be able to advise the House that grassroots support is steadily growing for the Ozarka regional development proposal which 10 Members of Congress recently sent to the President.

The Ozarka Regional Development Association, meeting at Springfield, Mo., has formally commended the congressional sponsors of the proposal and has expressed that great organization's support by formal resolution.

The Intertribal Council of the Five Civilized Tribes, meeting at Arrowhead Lodge on Lake Eufaula in Oklahoma, has endorsed the proposal and commended its sponsors.

These are two organizations with roots deep in the Ozarka region, and their support is good news for the program.

In the interest of clearing the air regarding procedures followed by the sponsors prior to sending the proposal to the President, I am supplying for the RECORD telegrams received today from the three distinguished members of the Ozarka Commission.

The telegrams make it clear that consultation did take place with all three and their comments and suggestions were invited prior to submission of the proposal.

The commission, of course, will have the opportunity to testify formally before congressional committees, to give commission views in detail, before any legislation is acted on by either a committee or the Congress.

The proposal now before the President represents congressional initiative, taken after careful study and consultation, and I am proud to be associated in its sponsorship.

The telegrams, from Governor Orval E. Faubus of Arkansas, Governor Warren E. Hearnes of Missouri, and Highway Director Frank Lyons of Oklahoma, follow:

LITTLE ROCK,
October 18, 1966.

Congressman ED EDMONDSON,
House Office Building,
Washington, D.C.:

In response to your inquiry about the Ozarka program, Congressmen MILLS and TRIMBLE made available to me an outline of the proposals for implementing the program. These plans were studied by me and the director of the Arkansas planning agency. Notes and suggestions were then sent to Congressmen MILLS and TRIMBLE.

ORVAL E. FAUBUS.

JEFFERSON CITY, MO.,
October 17, 1966.

Congressman ED EDMONDSON,
House Office Building,
Washington, D.C.:

I am pleased to confirm the consultation which took place with me concerning the

Ozarka regional development proposal which you and other Members of Congress recommended and sent to President Johnson. I recall our discussion of it in Washington and I am pleased to note the progress of the Ozarka regional development program through the efforts of the Congressmen concerned.

WARREN E. HEARNES,
Governor of Missouri.

OKLAHOMA CITY, OKLA.,
October 18, 1966.

Hon. ED EDMONDSON,
Member of Congress,
Washington, D.C.:

Re Ozarka funding. As you know we had discussed previously your intent to submit a bill funding Ozarka we talked about $320 million for highways over a 3-year period specific amounts in other areas were not discussed nor was a total figure. When asked by the press I stated I knew nothing of the letter which had been submitted asking for funding but that I was delighted that interest was being shown. I am aware of your great interest in the Ozarka program and am grateful you did take up the funding problem immediately. The needs are so great that any expediting such as you have done will aid in solving the problem sooner.

F. D. LYONS,
Oklahoma member of the Ozarka Commission.

PAUL HALL SPEAKS FOR LABOR IN SUPPORTING PRESIDENT JOHNSON

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. MULTER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MULTER. Mr. Speaker, early in September 1966, Paul Hall, president of the Seafarers International Union, was named by George Meany as a delegate of the AFL–CIO to attend the Trades Union Congress in Blackpool, England.

In his address to that meeting he most emphatically indicated labor's support for the foreign policy of the United States and of President Johnson, including our commitment in Vietnam. From his remarks, it must be evident to all that the AFL–CIO is positively dedicated to the cause of peace and freedom but that a peaceful settlement in Vietnam can be accomplished only when the other side is willing to sit down and negotiate a peace. Obviously, we mean by the "other side" Hanoi, Peking, Moscow, Vietcong, and National Liberation Front, and all those engaged in this conflict.

Mr. Hall's remarks are as follows:

AFL–CIO DELEGATE PAUL HALL AFFIRMS AMERICAN LABOR SUPPORT OF U.S. FOREIGN POLICY AT BRITISH LABOR CONGRESS—AFL–CIO AT TUC

It is a great honor for me to be here, as a representative of the AFL–CIO, to speak to you about some world-wide problems that are of as much concern to your great organization as they are to us.

I am keenly aware that the course of the United States in South East Asia is, to put it mildly, not fully supported here. To a lesser degree, there is controversy over this problem also in my own country. In one sense, the controversy is natural enough in both cases. For it is literally true that what is at stake is world peace and human freedom.

Yet, it is also true that much of the controversy in both our countries is based upon insufficient understanding. If, in the next few minutes, I can help to bring about better understanding of our position on your part, then I will feel richly rewarded.

Let me first of all tell you, most emphatically, that the AFL–CIO supports the basic foreign policy of the United States—including our commitment in Viet Nam.

Let me add at once, with equal emphasis, that the AFL–CIO is absolutely dedicated to the cause of peace—peace with freedom.

There are some who find trouble accommodating these positions. But I assure you, they are perfectly consistent in our eyes, and, we believe, in the light of history.

The AFL–CIO—or at that time, the AFL and most of the old CIO—was ahead of the United States government in opposing the appeasement of Hitler that reached its climax at Munich.

We were against dictatorship in any form. We were against the subjugation of free peoples, whether by subversion or by force of arms.

That was our position then; that is our position now.

We do not think it matters at all whether a dictatorship calls itself fascist, or the "dictatorship of the proletariat."

We do not think it matters at all whether the people marked for subjugation and slavery are Poles or Czechs or Dutch, on the one hand—or Koreans or Indonesians or Vietnamese, on the other.

We are against subjugation and enslavement, any time, anywhere, of anyone.

But, I repeat, we in the AFL–CIO are for peace.

We are for a peaceful settlement in Viet Nam. This is the settlement which the United States government has sought to bring about through negotiations. Your government, as co-chairman with the Soviet government, of the Geneva Conference, has made many efforts to have it reconvened for the purpose of seeking a peaceful settlement of the present conflict. But these efforts were fruitless, because Moscow would not do a thing to get the problem to the conference table. We, like you, believe in negotiated settlements. But it takes two sides to negotiate. And the alternative is a strike.

The United States has been forced on strike, if you will, on the issue of refusal to bargain. This is no more an act of aggression than a strike of workers against an employer who refuses to deal with them.

There are not many employers in Great Britain, I understand, against whom such a charge could be made—if, indeed, there are any at all. We still have a few of them in the United States. And unfortunately, there are still governments in the world—particularly dictatorships—which are equally opposed to coming to the bargaining table.

All of us in the United States most earnestly want an early end to this conflict. But it must come through an honorable settlement, under which both sides can live in peace.

If I may digress for a moment, I am frankly bewildered by those who maintain that the Viet Cong terrorists represent the will of the people in South Viet Nam. It is the South Viet Nam leaders who are proposing an election; it is the communists who are trying to sabotage it. If the communists really believed they had a majority in South Viet Nam, they should welcome a vote, even under restrictive rules. Let none forget that nowhere have communists ever come to power through free elections.

I do not pretend that a South Vietnamese election would conform to the democratic practices which prevail in our two countries fully. But it would come as close as a beleaguered people, inexperienced in the democratic process, could be expected to achieve. And surely it would be better than those societies—including North Viet Nam—where no free or even semi-free elections of any kind have ever been held.

Suppose the threat from outside is eliminated. Suppose that South Viet Nam is left alone.

I assure you, the United States would not neglect this needy, developing nation any more than it neglected to help the war-torn nations of Europe after World War II. With generous American assistance, as pledged by President Johnson, there could be an economic flowering in Southeast Asia which would be without precedent; and that could change the whole course of the world.

This process is underway, all too slowly, among other peoples and on other continents. It is even under way, under the most difficult circumstances, in South Viet Nam.

Some of you may have reservations about the policy of the United States in other respects, but I think I can say this for my country: For nearly half a century, at least as far back as the days following the first war, the American people and the American government have recognized that freedom and democracy tend to flourish best on full stomachs, on a tolerable present and a hopeful future—except, as in the case of Czechoslovakia whose democracy was subverted and destroyed by a fifth column backed by Russian military threats and pressures.

The AFL–CIO is wholly is accord with that policy, and seeks to further it in many ways. Our chief function has been to assist, as best we can, the formation and growth of free, democratic trade union movements in every nation where this is possible. We have done this through the ICFTU and, on our own, where necessary.

We firmly believe that a free, democratic trade union movement, not dominated by government, is essential to a free and stable society. Where such a movement exists, there can be no dictators, of the so-called left or of the right. Where such a movement is forbidden, freedom is forbidden, too.

We have learned that building the free institutions and the economic strength of other democracies is a practical matter—a practical weapon in the struggle of the free world against totalitarianism. We have learned that what helps other free nations, or what helps new nations to be free, is also helpful to us.

We think it is. And make no apologies for it.

In conclusion, let me note that we in the United States are quite aware of the economic difficulties with which you in the United Kingdom are faced. It is not my part to comment on either the difficulties or the proposed solutions. I do want to leave you with these thoughts:

First, gifted by the perspective of distance, just as you are gifted by the perspective of history, I take liberty of reminding you that this is by no means your first economic crisis. You have survived the others, and you will survive this one as well.

We of the American trade union movement don't go along with those who talk so much about the stagnation of Britain. God save us from the economic experts—at least from most of them. History does not show a single case in which a nation has gone down because its standard of living has been rising, because its working people have gotten a more just share of what they produced. We of American labor do not believe that rising domestic consumption ruins a nation's capacity to export. In fact, British export sales rose last year by 7 percent and today you are touching a 9 percent increase for this year. For the great mass of people, the problem is not living beyond their income, but getting an income on which they can live, in comparative comfort, in our high-priced affluent society. I know this is true even in prosperous America. We are for the health of the

Pound and the Dollar, but the experts should know that, without a healthy population, the currency can't be worth much for long.

Every great nation has its hour of great difficulties. It's not the hour, but the people meeting the hour, that is decisive. We both have had difficult hours and have been helpful to each other. You can count on us today, just as you did in the days of Ernest Bevin and Sir Stafford Cripps when American labor took the lead in rallying our country for their appeal for assistance in meeting difficulties.

Second—and as you quite understand, I speak as one American, I think as a typical American in viewpoint, and not as an official of any kind—you can be sure that if your difficulties multiply despite all your efforts, hope is not lost. You will find the United States ready to help in this crisis, as in earlier ones.

To me, the bond between our countries and our labor movements has been forged out of shared history, shared principles and shared perils. For you and for us, our ideals and vital interests are basically the same, though we may, on occasion, differ on how to implement them. And it is in that spirit that I bring to you the warmest best wishes of the AFL-CIO, its President George Meany, and its Executive Council for your historic Congress being fruitful in its deliberations and decisions.

INVESTIGATION OF CERAMIC TILE IMPORTS

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. PATMAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. PATMAN. Mr. Speaker, I continue to have a great interest in the U.S. ceramic tile industry. There are very important tile producers in Texas, one of which is located in my district. This industry is made up of small manufacturers scattered across the country in States such as California, Ohio, Florida, New York, and Pennsylvania. Alleged unfair trade practices in the importation of tile into the United States have caused many firms to lose business, adversely affecting our balance-of-payments situation, and even forcing several companies to close their doors, resulting in the loss of thousands of jobs.

I was pleased to note that on October 10, 1966, the House Ways and Means Committee adopted a resolution directing the U.S. Tariff Commission to conduct an investigation pursuant to section 332 of the Tariff Act of 1930 with respect to ceramic tile.

This significant action offers a beleaguered industry suffering from a variety of alleged unlawful acts perpetrated by foreign importers, distributors, and representatives, an opportunity to be heard on the merits of its case.

The Tariff Commission is especially qualified to undertake such an economic investigation since it possesses broad investigative powers, including the right to subpena evidence, both documentary and testimonial, and hold public hearings.

It is to be hoped that the Tariff Commission will act promptly in conducting this investigation. I am sure that Members of Congress will continue to follow this matter with great interest, and I personally look forward to reviewing the Commission's report, particularly that portion dealing with the competitive impact of the marketing and pricing practices used by companies engaged in selling export tile to and in this country.

AMERICAN INVESTMENTS ABROAD

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from Florida [Mr. MATTHEWS] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. MATTHEWS. Mr. Speaker, I recently introduced in the House, House Concurrent Resolution 1027, and even though we are in the closing days of Congress and action on the measure this session is unlikely, due to the importance of the matter I would like respectfully to call the resolution to the attention of my colleagues.

House Concurrent Resolution 1027 simply resolves that the President of the United States, in order to assure reciprocal and equal business and investment opportunities, should apply to the nationals of other countries seeking to do business in the United States, through such agencies as he may deem appropriate, restrictions, regulations, and limitations feasibly comparable to those imposed on citizens and business interests of the United States in such countries. If the President finds that he lacks authority for any such action which he deems appropriate, he shall so inform the Congress.

I have for a considerable number of years watched the effort of our Government and a parallel and growing effort by private American business—sometimes in cooperation with Government and in many cases independently—to contribute to the economic development of the emerging nations through American investment in modern industrial operations so greatly needed overseas.

I have been amazed at the low numbers of proposed ventures that have actually come to fruition and again—and even more so—at the number of those actually tried that have proved unsuccessful, particularly in the areas where they were the most needed to give more employment, to provide more efficient products, generally to help the emerging population—through the medium of American capital resources and through American technology and everyday know-how—to help themselves to better things.

Particularly again, I have noted this situation as it pertains to agriculture and agricultural products, processing, marketing, and so forth.

As one vitally interested in agriculture, and as a former member of the House Committee on Agriculture, I have often asked, "Why do not some of our great companies go over there and build—for instance—a high-protein food producing factory or a fertilizer factory or a well-digging machinery factory or a pump factory to give the irrigation necessary to better and bigger crops?"

As many of you know, our Government, to induce such overseas investment, offers to pay one-half the cost of preliminary studies overseas—feasibility studies—for proposed ventures. This is if after careful study, the prospect investor finds it impractical to proceed with the operation.

It would amaze all of you to know how many of these "one-halfs" our Government has paid simply because what seemed to have been feasible operations turned out after overseas investigation to have been highly impractical and in many cases impractical because of local business practices or actual governmental restrictions or regulations that prohibited or at least failed to offer the foreign investor a fair opportunity to compete with domestic operations.

Sometimes business cartels refuse to allow release of needed raw materials, sometimes Government regulations on financing prevent the American investor from controlling his investment, sometimes actually preventing a reasonable return of profit to parent company stockholders while at the same time allowing domestic investors returns of many times that amount.

In other words, American capital abroad ofttimes gets short shrift while foreign capital at work in America gets an even shake, under our free enterprise system, with our American capital.

There have been cases where American industry, seeking raw materials abroad, has been threatened to be or actually has been deprived of needed materials, while the denying cartels have come to America, set up competing industries under low-tax inducements and are today enjoying equal opportunity to share in the market here.

It is well known, for instance, that in many countries abroad there are heavy restrictions on the export of domestic currencies—to such extent that many motion picture distributors, unable to bring home his profits from overseas showings, has cut his production here and made films abroad with the impounded capital and has brought these films to America and shown them here in order to get his investment and profits in usable form.

What, for instance, would it have meant to thousands of extras in Hollywood, to cameramen, film cutters, assemblers, to the great horde of merchants from whom these workers could have bought merchandise, had the $30 million "Anthony and Cleopatra" epic been made in America instead of overseas?

How can an American investor hope to build a solid industry abroad when, for instance, government regulation insists that his company be 51-percent controlled by domestic interests, interest which may demand immediate distribution of profits and leave little or none for the "plowing back" that every American businessman knows is vital to success?

How can an American businessman's operational know-how possibly work abroad when he is prevented from utilising his financial know-how?

I would not argue that in many cases—from their point of view—that some of the regulations applied in foreign markets may seem to their people to have validity, but I am sure that, were such regulations applied here to operations of their nationals, their feelings might soon begin to change.

We in America, through our foreign aid operations, through the World Bank, through millions upon millions of dollars in loans and grants, are undergirding the foreign economies, actually making it possible for the foreign businessman to make a profit in his business in his homeland.

Now, where do all those American millions, actually billions, come from?

To no small extent they come from taxes not only on large corporations but upon businesses of all sizes and sorts.

If, in honesty, we will tax our business community for such purpose, we should try, at least, to assure the American businessman equal opportunity in foreign markets with the businessman there whose efforts are made possible to such an appreciable degree by our American businessman's dollars.

To this end, yet with every thought to its most careful and reasonable application, I have introduced this resolution which, I hope, not only will aid American investment abroad but which also could help bring better times through better business practices to our neighbors overseas.

CONSERVATION, LAND USE AND RECREATION

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. NATCHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. NATCHER. Mr. Speaker, I should like to draw attention of this body to the fact that a national conference on State parks is today being held in my home State. Appropriately this conference is being held at Kentucky Dam Village State Park.

One of the speakers at this national conference is Don Williams, the able Administrator of the Soil Conservation Service. The subject of his address is "Conservation, Land Use and Recreation."

Mr. Speaker, I have the privilege of serving on the House Subcommittee for Agricultural Appropriations. Each year Don Williams comes before our subcommittee and justifies the appropriations we make for the work of Soil Conservation Service. I personally believe that our Soil Conservation Service is one of the great achievements of our present-day Government.

This agency has grown tremendously in stature under Don Williams' leadership. Over the years I have developed a very high respect for his ability, his honesty, and his judgment. These qualities of this fine Administrator again stand out in the address which he gave today at the National Conference on State Parks. I ask unanimous consent to have the full text of his address printed in the RECORD. The address is as follows:

CONSERVATION, LAND USE AND RECREATION

(Remarks by D. A. Williams, Administrator, Soil Conservation Service, U.S. Department of Agriculture, at National Conference on State Parks, Kentucky Dam Village State Park, Ky., October 19, 1966)

I'm happy to be here today for the National Conference on State Parks to discuss the relationship of soil and water conservation and watershed protection to outdoor recreation.

Soil and water conservation, as we see it, means using land within its capability and for a suitable purpose—suitable for both the land and the people involved.

Outdoor recreation is a valid and increasingly important use for many land areas. For certain landowners it may be a better use than any other use. When this is true, the job of the Soil Conservation Service is to help both individuals and organizations to develop it for that use. SCS help and responsibilities for outdoor recreation lie in three major areas.

Number 1, we collect basic data about the non-federal land and water resources that provide the recreation, as well as current recreation facilities now on the land.

Number 2, we appraise the potential of our natural resources for future recreation development.

Number 3, we give technical and cost-sharing aid to local and State groups that plan and develop the projects.

Let's look at these three areas and see where our help and your interests meet.

For many years the SCS has collected basic land and water information for farmers and other landowners. Much of that same information, when interpreted, can also be used by recreation interests.

The soil survey is the key tool on land information. Soil surveys can tell you which soils are suitable for sanitary facilities; which soils will grow grass and trees for picnic grounds; which land areas may have flash floods and be dangerous for camp grounds, and so on.

Soils are much like people. Some of us make good lawyers but poor taxi drivers, and vice versa. Almost all soils are good for *some* use, but poor for others. Soil surveys classify the "job skills" of different areas so that you, as a land user, can "hire" your land for the right job.

Why fight the land, when a little cooperation with Nature will save you time and money?

For example, a town near the city of Detroit paid $200,000 in avoidable costs when its new water main was built across 600 feet of deep peat—which is the wrong "job" for peat soil, I assure you! A soil survey showed a better and cheaper route.

A school board in Fairfax County, Virginia, paid a quarter of a million dollars more than necessary because it chose a building site with the wrong soils for such use. A favorable area was only 500 feet away.

A developer in Long Grove, Illinois, had plans for a large golf course, to be surrounded by expensive homes. But he checked the soil maps first, and found his golf fairways were planned on excellent housing sites, while his homes were planned for areas where the basements would flood and he would face serious structural support problems. The developer rearranged his plans, and probably saved thousands of dollars in future repair costs.

It pays to pay attention to the land! And, since there are over 70,000 different kinds of soil in this country alone, it pays to get an expert's advice before the bulldozer gets on the job.

About 45 percent of the continental United States has been soil mapped. The maps, and technical assistance to interpret them correctly, are available at your nearest Soil Conservation Service office.

In addition to soil studies, the Soil Conservation Service does watershed planning work and participates in river basin surveys. I want to say more about watershed projects later, when I describe on-site assistance. For now, let me simply point out that we do have extensive information on our upstream watersheds, and their potential for various developments.

We are also working with the Nation's soil and water conservation districts to compile a State-by-State inventory of current outdoor recreation developments particularly on private lands. The inventory shows the location, size, and number of vacation farms, golf courses, fishing ponds, and so on. The inventory is complete in over 40 States, and nearly finished in the rest. Twenty-six States have published summaries. Copies are available from the State Association of Soil Conservation District Supervisors. The title is "The Inventory of Existing Outdoor Recreation Enterprises and Activities."

Incidentally, I want to clarify one point. Soil and water conservation districts are not part of the Soil Conservation Service. They're local units of self-government. We cooperate closely with them in doing our mutual conservation jobs. In appraising the potential of natural resources for future recreation development the SCS cooperates with conservation districts and other Federal and State and local agencies.

A technical task force, under our agency's leadership, has developed a method for appraising the recreation potential of different areas. This new technique was thoroughly tested for a year, and put into field use just a few months ago. It's rather detailed, but here are the general outlines:

First, a local appraisal team considers 12 different kinds of recreation enterprises, and determines those suitable for their area. These may be vacation cabins, camp grounds, fishing, golf, hunting, riding, water or winter sports. This list is not all-inclusive, of course.

The appraisal team then identifies the key elements in each type of enterprise. For example, climate, scenery, historical areas, soil and water characteristics, population, and so on. These and other factors are weighted depending on their relative importance. Then the potential recreation development is scored, and narrative summary of the result is prepared.

The summary will give specific information on what type of recreation activities appear most feasible for future development. We believe that this wide-gauge appraisal will put future recreational developments on a firmer footing, and should lead to more efficient use of our land and water resources at a local level.

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During the past three fiscal years, we gave technical aid to more than 34,700 rural landowners who developed skiing, swimming, hunting or similar projects on privately owned land. This aid includes advice as to whether their land is suitable for recreation use; help in laying out ponds, hunting areas and so on, and supplying copies of standard designs for some facilities. We do not give financial help to these individuals, but we notify them of available sources. Cost sharing and loans are sometimes possible, for example, through other Department of Agriculture programs.

Most farmers who convert part of their land to recreation have had previous experience in regular farm conservation work. They know that irrigation or stock watering ponds can also be used for water sports. Water management systems for crops make land usable for other purposes as well, and irrigation keeps everything green, including golf courses. I point these out to show that the principles of land management we've developed for farming are very often the same when the "crop" on the land is recreation.

Of course, a successful recreation enterprise requires more than a knowledge of land and water. The successful operator needs good management and marketing skills. We urge private landowners considering the business to consider *all* the factors, and to get the best help they can.

Recreation facilities on privately owned lands will be needed more and more in the coming years to supplement public facilities. Our population is growing and so is our leisure time. The demand for outdoor recreation is expected to *double* in the next ten years, and to triple by the year 2000.

Going from individual to group-sponsored recreation programs, the Soil Conservation Service has Federal leadership in small watershed developments. Small watersheds are natural drainage areas of 250,000 acres or less. All SCS-assisted developments include flood prevention measures, and many of them also improve agricultural or municipal water supplies, provide for recreation and other purposes.

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As an example, there's the Mud River Watershed development in Logan County, Kentucky. It's designed for flood prevention, municipal water supply, and recreation.

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There is an RC&D project near here in the Tradewater River Area (counties of Caldwell, Christian, Crittenden, Hopkins, Union and Webster). Local sponsors expect economic benefits of 20 million dollars in the next 15 years. Small watershed projects will include 40 percent of the area, and will involve recreation developments. We are giving technical and financial aid.

So, to recap briefly: Soil Conservation Service activities assist outdoor recreation projects in three ways. We collect basic data on our land and water resources and current recreation facilities. We are beginning to appraise the potential of our private-land outdoor resources for possible recreation use. And we give financial and technical assistance, within our authorization, to individuals and organizations in the outdoor recreation fields, especially through the small watershed program.

The fact that outdoor recreation demands may double in the next ten years is startling when you see how crowded our parks and camping areas are right now, even in the "wide open spaces" out West.

Yosemite Park, California, for instance, reports that over 54,000 people tried to crowd into the park last Fourth of July weekend. Campers sometimes have to wait days for a spot near Glacier Point. Yosemite officials have all the problems of a city—crime, sewage disposal difficulties, bumper-to-bumper traffic and even smog from the thousands of campfires.

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I remember someone telling me of riding down the Grand Canyon trail 19 years ago on muleback. They were halfway down when a lady in the party of eight became ill. They had to stay down four extra hours—until she was better—because no one passed them on the trail all that time and they couldn't go back without a guide.

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Yes, the "wide open spaces" are a lot narrower now. But bigger National Parks in isolated areas out West are not the only answer. What we need even more, especially in the East, are recreation spots close enough to towns and cities that people can reach them for Sunday outings. We need more developments in community-size watersheds and on land near to cities, which is generally either farmland or State and local parks.

Recreation for urban people is not a new need. But it has a new urgency.

Forty years ago, there were fewer Americans, smaller cities and more open space. Town and city children could play on the vacant lot next door. Today, that vacant lot is an 11-story apartment building. The empty alley used for baseball is an 8-lane freeway. The big lot on the edge of town where they went horseback riding became a suburb long ago. The old swimming hole is polluted by city sewage. The woods for hiking are a shopping center, and the old city park is now a parking lot.

Outdoor recreation used to be a free gift of Nature and so were clean streams and pure air. We took them for granted. But today, cleaning up pollution, clearing up smog, and providing green outdoor areas requires money and planning. We've got to plan to save land for hiking trails, ponds and parks. And we've got to properly develop the sites we save so that, as our population and industries grow and demand more room, we will still have enough open space to make life pleasant.

The need for such outdoor recreation is not an "extra" tacked onto the so-called "real life" of work. It is basic to us all. Life is more than earning money to live another week to earn more money to live another week or month or year. And you and I are more than consumers, executives or professional men with a certain job to do. We are people—human beings with spirits that can break and bodies that can die just as surely and swiftly from lack of recreation as from a lack of food or water. Recreation—in its basic sense—is a re-involvement with Nature and its Creator through which we gain a sense of well-being and harmony. And this need becomes greater as our world grows more complex.

A desire for reunion with nature is common to everyone. John Hershey's book "Hiroshima" describes how, after the bomb was dropped, men and women instinctively headed for the parks and open spaces, in a desire to cling to something fundamental. Here in America, in totally different circumstances, millions of suburbanites spend an extra hour or two a day commuting to a home where they can live near a little space and greenery.

Doctors have dozens of miracle drugs and new medical techniques. They can say to most men who ask, "You will live." But it is re-creation, in its full sense, that must answer at least part of the eternal question, "Why will you live?"

abroad when he is prevented from utilizing his financial know-how?

I would not argue that in many cases—from their point of view—that some of the regulations applied in foreign markets may seem to their people to have validity, but I am sure that, were such regulations applied here to operations of their nationals, their feelings might soon begin to change.

We in America, through our foreign aid operations, through the World Bank, through millions upon millions of dollars in loans and grants, are undergirding the foreign economies, actually making it possible for the foreign businessman to make a profit in his business in his homeland.

Now, where do all those American millions, actually billions, come from?

To no small extent they come from taxes not only on large corporations but upon businesses of all sizes and sorts.

If, in honesty, we will tax our business community for such purpose, we should try, at least, to assure the American businessman equal opportunity in foreign markets with the businessman there whose efforts are made possible to such an appreciable degree by our American businessman's dollars.

To this end, yet with every thought to its most careful and reasonable application, I have introduced this resolution which, I hope, not only will aid American investment abroad but which also could help bring better times through better business practices to our neighbors overseas.

CONSERVATION, LAND USE AND RECREATION

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. NATCHER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. NATCHER. Mr. Speaker, I should like to draw attention of this body to the fact that a national conference on State parks is today being held in my home State. Appropriately this conference is being held at Kentucky Dam Village State Park.

One of the speakers at this national conference is Don Williams, the able Administrator of the Soil Conservation Service. The subject of his address is "Conservation, Land Use and Recreation."

Mr. Speaker, I have the privilege of serving on the House Subcommittee for Agricultural Appropriations. Each year Don Williams comes before our subcommittee and justifies the appropriations we make for the work of Soil Conservation Service. I personally believe that our Soil Conservation Service is one of the great achievements of our present-day Government.

This agency has grown tremendously in stature under Don Williams' leadership. Over the years I have developed a very high respect for his ability, his honesty, and his judgment. These qualities of this fine Administrator again stand out in the address which he gave today at the National Conference on State Parks. I ask unanimous consent to have the full text of his address printed in the RECORD. The address is as follows:

CONSERVATION, LAND USE AND RECREATION

(Remarks by D. A. Williams, Administrator, Soil Conservation Service, U.S. Department of Agriculture, at National Conference on State Parks, Kentucky Dam Village State Park, Ky., October 19, 1966)

I'm happy to be here today for the National Conference on State Parks to discuss the relationship of soil and water conservation and watershed protection to outdoor recreation.

Soil and water conservation, as we see it, means using land within its capability and for a suitable purpose—suitable for both the land and the people involved.

Outdoor recreation is a valid and increasingly important use for many land areas. For certain landowners it may be a better use than any other use. When this is true, the job of the Soil Conservation Service is to help both individuals and organizations to develop it for that use. SCS help and responsibilities for outdoor recreation lie in three major areas.

Number 1, we collect basic data about the non-federal land and water resources that provide the recreation, as well as current recreation facilities now on the land.

Number 2, we appraise the potential of our natural resources for future recreation development.

Number 3, we give technical and cost-sharing aid to local and State groups that plan and develop the projects.

Let's look at these three areas and see where our help and your interests meet.

For many years the SCS has collected basic land and water information for farmers and other landowners. Much of that same information, when interpreted, can also be used by recreation interests.

The soil survey is the key tool on land information. Soil surveys can tell you which soils are suitable for sanitary facilities; which soils will grow grass and trees for picnic grounds; which land areas may have flash floods and be dangerous for camp grounds, and so on.

Soils are much like people. Some of us make good lawyers but poor taxi drivers, and vice versa. Almost all soils are good for *some* use, but poor for others. Soil surveys classify the "job skills" of different areas so that you, as a land user, can "hire" your land for the right job.

Why fight the land, when a little cooperation with Nature will save you time and money?

For example, a town near the city of Detroit paid $200,000 in avoidable costs when its new water main was built across 600 feet of deep peat—which is the wrong "job" for peat soil, I assure you! A soil survey showed a better and cheaper route.

A school board in Fairfax County, Virginia, paid a quarter of a million dollars more than necessary because it chose a building site with the wrong soils for such use. A favorable area was only 500 feet away.

A developer in Long Grove, Illinois, had plans for a large golf course, to be surrounded by expensive homes. But he checked the soil maps first, and found his golf fairways were planned on excellent housing sites, while his homes were planned for areas where the basements would flood and he would face serious structural support problems. The developer rearranged his plans, and probably saved thousands of dollars in future repair costs.

It pays to pay attention to the land! And, since there are over 70,000 different kinds of soil in this country alone, it pays to get an expert's advice before the bulldozer gets on the job.

About 45 percent of the continental United States has been soil mapped. The maps, and technical assistance to interpret them correctly, are available at your nearest Soil Conservation Service office.

In addition to soil studies, the Soil Conservation Service does watershed planning work and participates in river basin surveys. I want to say more about watershed projects later, when I describe on-site assistance. For now, let me simply point out that we do have extensive information on our upstream watersheds, and their potential for various developments.

We are also working with the Nation's soil and water conservation districts to compile a State-by-State inventory of current outdoor recreation developments particularly on private lands. The inventory shows the location, size, and number of vacation farms, golf courses, fishing ponds, and so on. The inventory is complete in over 40 States, and nearly finished in the rest. Twenty-six States have published summaries. Copies are available from the State Association of Soil Conservation District Supervisors. The title is "The Inventory of Existing Outdoor Recreation Enterprises and Activities."

Incidentally, I want to clarify one point. Soil and water conservation districts are not part of the Soil Conservation Service. They're local units of self-government. We cooperate closely with them in doing our mutual conservation jobs. In appraising the potential of natural resources for future recreation development the SCS cooperates with conservation districts and other Federal and State and local agencies.

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Doctors have dozens of miracle drugs and new medical techniques. They can say to most men who ask, "You will live." But it is re-creation, in its full sense, that must answer at least part of the eternal question, "Why will you live?"

You and I cannot answer that for anyone. But, we can, through our work with land and its resources, make Nature, and activities allied with Nature, available to men and women for their strength, comfort and pleasure.

Help of the Soil Conservation Service in this is almost solely technical and financial. But we never forget that the ultimate aim of our surveys, our engineering and agronomic help and all the facts and figures we gather is better use of our land and water resources for people—people living today, and those who will follow us tomorrow but must use the same land. This is conservation—to preserve to restore, to wisely use.

You are the experts in all the problems—and satisfactions—of maintaining a pleasant outdoor environment for Americans. We in the Soil Conservation Service like to consider ourselves experts in the land and water resource field. Our jobs supplement each other. Our interests are mutual. We pledge to you our wholehearted assistance on all your land and water recreation projects in which we are authorized to participate.

REBEL VICTORY AT VICKSBURG

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from Louisiana [Mr. Boggs] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. BOGGS. Mr. Speaker, at the request of an old friend of mine from my native State of Mississippi, Comdr. Robert W. Collins, a retired Navy commander in the Naval Reserve who lives in Yazoo City on the Mississippi River where the Confederate States shipyard built the CSS *Arkansas* in 1862, I am pleased to bring to the attention of my colleagues an excellent book review by the distinguished columnist in my home city of New Orleans, Charles L. "Pie" Dufour of the New Orelans States-Item. "Pie" Dufour's column appears in the daily States-Item, and in the Sunday Times-Picayune States-Item.

In one of his recent Sunday columns, "Pie" Dufour presented an excellent review of the book "Rebel Victory at Vicksburg," by Edwin C. Bearss, a distinguished historian with the National Park Service. This year marks the 50th anniversary of the National Park Service, and Mr. Bearss has contributed much to develop this agency into the great Government agency it is today. Mr. Dufour's recent column on "Rebel Victory at Vicksburg" follows:

[From the New Orleans Times-Picayune]

PIE'S A LA MODE: CIVIL WAR SCHOLAR WRITES NEW BOOK

(By Pie Dufour)

One of the best-informed Civil War scholars in the country is Edwin Cole Bearss of the National Park Service.

Ed Bearss has been assigned to the Vicksburg Battlefield for a number of years, first as park historian and later as regional research historian.

During the past half dozen years, there isn't a foot of ground that the Confederates and Federals fought over in the Vicksburg Campaign that Ed Bearss hasn't been over, or passed close by.

To make a battlefield tour with Ed Bearss is really to turn back the clock as for instance his deluxe tour of the Vicksburg Campaign. Starting at Bruinsburg, where Gen. Grant crossed the Mississippi and following the progress of the campaign through Grand Gulf, Port Gibson, Raymond, Champion's Hill, the Big Black River and into Vicksburg for the siege, Bearss tells a dramatic story right on the ground, with troop movements tripping off his tongue as fast as he can utter the words.

As a consequence of Ed Bearss' tenure at Vicksburg, he wrote for the Mississippi Civil War Centennial Commission an impressive and comprehensive story of the Civil War in that state. Entitled "Decision in Mississippi," it was published in 1962 being handsomely received by critics as well as Civil War enthusiasts.

Now Ed Bearss has come forward with another volume which is also an important contribution to the literature of the Civil War during these Centennial years. It is "Rebel Victory at Vicksburg" and it treats of the Confederate success in thwarting all Federal attempts to capture that Mississippi River bastion from the time New Orleans fell in the last days of April, 1862 until Grant made his crossing below Vicksburg in April 30, 1863.

During that year, the Confederates repulsed no fewer than five attempts of the Federals to take Vicksburg. As Author Bearss states: "The successful defense of Vicksburg and the recovery of the reaches of the Mississippi between Port Hudson and Vicksburg was a great victory by Confederate arms which has been largely bypassed by military historians."

In "Rebel Victory at Vicksburg," Ed Bearss has told the story of this "great victory by Confederate arms" with his usual meticulous attention to details, without impairing the dramatic impact of his story. The book is published by the Vicksburg Centennial Commemoration Commission.

After a brief introduction which sets the stage, Ed Bearss starts right in with his narrative after David Glasgow Farragut, having taken New Orleans, turned the city over to Gen. Ben Butler and the Federal occupation army.

In his first two chapters Bearss relates the capture of Baton Rouge and Natchez, which Farragut seized as he pushed up the river toward his goal, Vicksburg. But there the Federals ran into trouble.

The Federal naval efforts to subdue Vicksburg are skillfully described by Mr. Bearss—the shelling of the town by gunboats and by David Dixon Porter's mortar flotilla. The author goes into minute details in his chapter on Farragut's bold passage of the Vicksburg batteries to get above the city to make junction with the Federal fleet from up river.

This led to one of the War's most dramatic incidents—the Confederate ironclad Arkansas running through the combined Yankee fleet to come to anchor under the batteries of Vicksburg. Ed Bearss gives a spirited account of the Arkansas' bold dash, which caught the Federal gunboats by surprise, and of the subsequent dash downstream past Vicksburg that Farragut made in a bid to destroy the Arkansas at its moorings.

The ill-starred Arkansas was ultimately destroyed by the Confederates in the Battle of Baton Rouge. Assigned to join in Gen. C. Breckenridge's attack on Baton Rouge, the Arkansas broke down completely and was blown up. It was the ill fortune of the Confederacy, with so few first class machine shops and foundaries, that such formidable ironclad vessels as the Louisiana, Mississippi and Arkansas had miserable engines, mostly makeshift affairs. Had all three been complete and with workable, reliable driving power, the campaign on the Mississippi might very easily have been different.

Edwin Bearss' stature as a Civil War authority has long been established and it was duly recognized by his reception of the Harry Truman Award for Meritorious Service in the Field of Civil War History. His latest book, "Rebel Victory at Vicksburg" enhances his already considerable importance as a historian of the great conflict of 1861–1865.

NEEDED INCREASE

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Rostenkowski] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. ROSTENKOWSKI. Mr. Speaker, regardless of season, the Chicago Sun-Times says, President Johnson's proposal to expand social security benefits is sound.

Minimum benefits have always been a pittance, the newspaper declares on its editorial page. And since rising prices have always hurt those on fixed incomes, the President's efforts to ease the impact is described as both humanitarian and necessary.

I offer the Sun-Times commentary for the Record:

NEEDED INCREASE

President Johnson's pre-election proposal that Social Security benefits be expanded, including an increase in the monthly minimum payment, will be called "political" by some. Nevertheless, the proposal is sound.

The minimum Social Security monthly benefit is now $44. It is based on earnings. The President proposes the minimum benefit be computed by years in the program at the rate of $4 per month for each year—for example, $100 after 25 years.

The minimum Social Security benefits has always been a pittance. In 1936 it was $10 a month. It has risen slowly step by step, to $44 a month.

The President's advisors say present Social Security income will pay 75 per cent of the cost of increasing benefits. The remainder could be financed by a small increase in the taxable base.

Inflation, as we have pointed out, many times, has a tragic impact on those who are retired on fixed incomes. The President's effort to ease that impact is both humanitarian and necessary.

TRIBUTE TO THE HONORABLE HOWARD W. SMITH

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from South Carolina [Mr. McMillan] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. McMILLAN. Mr. Speaker, as chairman of the House Committee on the District of Columbia and on behalf of the committee, I wish to commend the Honorable Howard Worth Smith, one of the ranking members of the committee, upon the completion of 36 years of faithful and outstanding service as a Member of the House of Representatives.

Also, I wish to express the committee's regrets at the termination, at the end of the 89th Congress, of his holding of public office.

In appreciation of his contributions, those widely known and those privately performed, to his country, as well as to the Nation's Capital, which he knows and loves so well, the committee unanimously approved the following resolution which, under leave to extend my remarks, I ask to be included in the Record:

U.S. House of Representatives,
Committee on the District of Columbia,
October 19, 1966.

Whereas the Committee on the District of Columbia of the United States House of Representatives views with heartfelt regret the departure from the House of the distinguished Representative from the Eighth Congressional District of Virginia, the Honorable Howard Worth Smith, at the end of his present term in the 89th Congress; and

Whereas Judge Smith, during his 36 years of outstanding service as a Member of the House has been a tower of strength in the Congress, a vigorous, forceful, and courageous advocate of legislation he has espoused and supported, whose authority in parliamentary practice and procedure has been unmatched during his tenure of office here; and

Whereas during his many years of loyal service as a Member of the Committee on the District of Columbia, he has served as Chairman of Subcommittee No. 1 charged with handling much vital legislation affecting particularly the fiscal policies and spending programs of the District of Columbia, and has been tireless in his efforts to provide the District with stable fiscal policies and sound spending programs; and

Whereas his colleagues recognize and respect Judge Smith as a forthright man of unshakeable convictions; a man of unfailing devotion to the principles and traditions for which he stands and who actively demonstrated in this Committee and in the Congress, his dedication to those high principles of government which he believed to be in the best interest of his District and the Commonwealth of Virginia, of the District of Columbia and his Country; and

Whereas, in time to come, the Committee will feel keenly the loss and will remember with gratitude the store of knowledge, the wise and gentle guidance, the great sensitivity, the thoughtful diplomacy, and the warm friendship of the distinguished gentleman from Virginia: Now, therefore, be it

Resolved, That we, the Members of the Committee on the District of Columbia, extend our deep appreciation to our colleagues for his most exemplary service in the House and on the Committee, and our sincere good wishes for many years of good health, happiness, and satisfaction, both for him and for the members of his family; and be it further

Resolved, That a copy of this resolution, as approved by unanimous vote of the Members of the Committee on the District of Columbia, be suitably prepared and presented to Judge Smith as a permanent reminder of the high esteem with which he is held by the Members of the Committee.

Attest:

John L. McMillan, Chairman, Thomas G. Abernethy, William L. Dawson, Abraham J. Multer, John Dowdy, Basil L. Whitener, James W. Trimble, B. F. Sisk, Charles C. Diggs, Jr., G. Elliott Hagan, Don Fuqua, Donald M. Fraser, Carlton R. Sickles, J. Oliva Huot, George W. Grider, John Bell Williams, Ancher Nelsen, William L. Springer, Alvin E. O'Konski, William H. Harsha, Charles McC. Mathias, Jr., Frank J. Horton, Richard L. Roudebush, Joel T. Broyhill.

STRATEGY FOR THE BOOM

Mr. CRAMER. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. Gerald R. Ford] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GERALD R. FORD. Mr. Speaker, the lead editorial in the New York Times this morning, October 18, 1966, begins with the sentences:

> Inflation is no longer a future threat. It is here now.

Later comments in this editorial read:

> The President and his advisors may be convinced that the economy is in good shape and will get better. But a likelier prospect is that expansion will become even more distorted and unstable.

For over a year the Republican leadership, the Republican Party across the Nation, and countless private, nonpartisan observers of competence—among them Mr. Leon Keyserling, for years a leading Democratic economic adviser—have pointed with growing alarm, but with equally pertinent and constructive proposals, to this obvious and dangerous fact.

Mr. Speaker, I will not belabor the point here. I ask merely that the full text of this New York Times editorial be inserted in the Record at this point in my remarks, in confirmation, from a wholly nonpartisan source, of the viewpoint the Republican leadership has so long and so strongly held:

Strategy for the Boom

Inflation is no longer a future threat. It is here now.

The remarkable stability that had characterized prices during the first four years of the expansion is over. The moderation in wages contracts that had kept increases at or below advances in productivity has also ended. Yet Treasury Secretary Fowler professes to be worried only about the possibility of a wage-price spiral sometime in the future. President Johnson seems even less concerned. His view that people are undisturbed about rising prices suggests that he himself is prepared to countenance more of the same.

Despite Mr. Fowler's assurances that the economy is "healthy and robust" and Mr. Johnson's belief, expressed at his press conference last week, that what he saw in his campaigning is "so much better than what I read," the expansion has undergone a significant transformation. It has changed from a strong and balanced boom to a lopsided affair that has soft spots as well as strength.

The latest figures show that heavy defense expenditures are providing most of the thrust for the advance. It is probable that this spending, which has kept production from declining and brought shortages in the capital goods sector, will be maintained. But it also is probable that the slackening that is beginning to show up in the civilian sector will become more pronounced.

The unevenness that is now apparent reflects the impact of the credit policy followed by the Federal Reserve, which had to shoulder the responsibility for containing inflation when the Administration failed to do so. The credit brakes did not take hold at once. Even now, they have not had much effect on prices or on labor's demands for excessive wage boosts or on the lending activities of big corporations, which have no trouble borrowing freely. But they have effectively cooled off activity in specific areas. And because the repercussions take so much time to make themselves felt, the dampening impact of tight credit seems sure to spread.

The President and his advisers may be convinced that the economy is in good shape and will get better. But a likelier prospect is that the expansion will become even more distorted and unstable. If defense expenditures rise while the civilian sector slows its pace, there could be growing shortages in some areas and spreading slackness in others. Continued inflation, if labor presses for wage rises to compensate for increases in the cost of living, could accompany rising unemployment especially among those who lack skills.

The fact is that the conditions that now prevail and that are most likely to prevail demand policies different from those that were appropriate six months or even three months ago. It was appropriate earlier in the year to raise taxes to stem demand. It may be inappropriate to do so after the election unless defense expenditures rise much more rapidly than they have been rising. A rise in the future will do nothing to stop the current inflation. And it might turn a slackening of economic activity into a recession.

The notion of employing tax policy to keep the economy from getting out of hand is sound. But timing is vital. This newspaper recommended just such a policy early this year, when inflationary forces first began making themselves felt. At that time the Administration professed to see no real danger. Only now, only belatedly, tax policy is being employed.

We continue to favor the use of flexible fiscal policy. But changes in taxes must be well designed and well timed. Now that the expansion is entering a mixed and uncertain phase, the need is less for the rumored post-election across-the-board tax increases to stem inflation than for policies than can restore balance and strength to the boom.

PRESIDENT JOHNSON'S FAR EASTERN JOURNEY

Mr. CRAMER. Mr. Speaker, I ask unanimous consent that the gentleman from Illinois [Mr. Rumsfeld] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. RUMSFELD. Mr. Speaker, I am in agreement with the "stated" objectives of President Johnson's 25,000-mile journey to six far eastern nations. I have, however, a premonition that the 17-day trip may be steeped much more deeply in politics than in diplomacy.

It is indeed interesting that the President has chosen the eve of the 1966 general election for his first travel outside this hemisphere since he took office in 1963.

It is also significant that the trip comes at a time when public opinion polls show his popularity at home to be dropping. The timing of the Manila Conference is conveniently tuned to voter unrest over the lack of progress in the effort in Vietnam.

There have been numerous reports that Democratic policymakers are convinced that the best way the President can assist his party in the 1966 election campaign is to try to create an "atmosphere of contentment" rather than for him to barnstorm the country attempting the difficult task of trying to defend his administration's record. This trip to the Far East could result in an impression among the voting public in the United States that all is sweetness and light abroad, particularly among those allies receiving substantial U.S. foreign aid. Secretary of Defense Robert McNamara already has laid the foundation, however shaky, upon which an impression of confidence might be built.

In fact, the President's trip may well prove to be one of the most immense exercises in news manipulation in recent history. I am told that well over 100 of the Nation's leading newsmen are accompanying the President on his travels, thus distracting them from covering the serious domestic issues facing our people today, as well as the other serious international problems across the globe.

An effect of the far eastern trip will be the capturing of newspaper headlines and prime radio and television time, with domestic issues and other international problems being relegated to secondary prominence.

Even more serious is the fact that the newsmen accompanying the President will be the recipients of many press handouts each day, from presidential aides, upon which they will necessarily have to base their reports back to the United States. These handouts will dutifully state what the President wants reported and nothing more. Because of the nature of the fast-moving trip, newsmen will be able to report little other than what is given them in press releases.

It will be only after the November 8 election that more incisive, and possibly more accurate, in-depth reports on the results of the far eastern trip will begin to reach the public. Then, of course, it will be too late to have any impact—for better or worse—on the election of 1966.

THE PROBLEM OF POLLUTION

Mr. CRAMER. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Bell] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. BELL. Mr. Speaker, the House Science and Astronautics Committee for the past several months has undertaken a study of pollution abatement in the United States. As a member of the Subcommittee on Science, Research, and Development, which has conducted hearings on the problem, I have been particularly interested in the shocking gap that we have allowed to widen between our technological achievements in the sciences and progress toward the abatement of air and water pollution. Hearings of the subcommittee have made it clear that action must be taken soon.

One of the encouraging signs to the committee was the number of private firms which have been concerned with the pollution problem and indeed have developed some interesting approaches to the task we are just beginning to recognize.

Among the companies showing great initiative in the field is VACCO Industries of California. I would call the Members attention to a report by VACCO Industries on the design it has proposed for the development of a device to maximize combustion efficiency in internal combustion automotive engines. The proposal is indicative of the efforts VACCO Industries has made to provide an answer to one of this country's most challenging and critical problems:

Design, Development, and Test of a Device to Maximize Combustion Efficiency in Internal Combustion Automotive Engines

(Advanced Products Division VACCO Industries, California)

ABSTRACT

Existing conventional carburetors and like devices, with which the majority of present day automotive vehicles are equipped, have been modified in various ways during recent years as the search for every possible means to reduce or eliminate exhaust-pipe emissions of smog-producing hydrocarbons, carbon monoxides and nitrous oxides has intensified. Incomplete or inefficient combustion of petroleum base fuels in autos is the chief source of smog constituents.

Additional effort has been expanded to develop other accessory devices, such as "smog" valves, crankcase vents and exhaust recycling systems, to further control emission of potentially dangerous and/or disabling atmospheric pollutants. Basic efforts are thus related to either the task of increasing combustion efficiency via modifications to the carburetor/inlet manifold, or to treatment of exhaust products prior to discharging them into the atmosphere.

A program is described which is devoted to development and optimization by Vacco Industries of a device involving a unique fuel atomization and induction principle. Superior atomization and mixing and near-complete burning of fuel/air mixtures supplied by this device to the combustion chambers of a 1966 model test automobile, have demonstrated, under various throttle settings and load combinations, markedly improved combustion and thus, significantly reduced emission of contaminants via the exhaust stream.

Potential of the Vacco device is further enhanced by calculations which indicate that it can be mass-produced for future markets at prices substantially lower than present day carburetors. Low initial cost of the unit can be combined with savings to be attained via increased fuel economy expected to result from improved combustion efficiency.

PRELIMINARY DISCUSSION

It becomes more urgent daily for us to see that all possible steps are taken to halt contamination of the atmospheres, of most of our large cities, by massive quantities of harmful and/or nauseous contaminants which are being emitted by the exhaust streams of our millions of internal combustion engines. It is a distinct and discomforting possibility to consider that the entire atmospheric blanket surrounding the earth can become saturated, eventually, with poisonous gases from auto exhausts alone! Man must not continue to pollute his air masses at the constantly accelerating rate that has been noted in the 40-plus years that comprise our "automobile era", to date. Man must realize that control or elimination of harmful automobile exhaust emittants can be achieved, and such a program is certainly not to be considered impossible of success.

If we dedicate a logical portion of our nation's research efforts to optimizing the efficiency of today's internal combustion automotive engines, there is no reason why we cannot reduce our airborne pollutants to manageable—and tolerable—levels, nearly at once! We have the capability now to eliminate this source of pollution entirely within the next few years. Although the task is underway, it must be pursued with intelligence and vigor.

Recent statements by eminent local scientists maintain that smog will only be brought under control, ultimately, when research to improve the combustion efficiency of automobile engines is successful.

We know that vast amounts of moneys have been expended in recent years in search of an adequate mechanism to eliminate—or, at least limit and control—the emission of smog-producing elements being created and released by our autos each day. However, we have invested, time and again, in techniques and/or devices which do not attack the pollution problem at its source—the inefficient burning process taking place within the combustion chamber of each of our automobiles! We fail to mount a frontal attack despite the accepted scientific fact that 100% combustion efficiency, i.e. complete combustion of fuel within the combustion chamber, if achieved, will produce the "clean" exhaust that we seek.

Quite naturally, conventional carburetors/carburetion systems have been modified, accessorized and redesigned in literally numberless ways as the carburetor and automobile manufacturers have sought continually increased combustion efficiency. Independent researchers, seeking to achieve the higher performance standards eluding these others, have investigated still different methods of converting standard carburetors to some form of hybridized fuel mixing and injection devices. Improvements in performance have been noted and reported as rapidly as attained by some of the devices under study.

It certainly appears, however, that the method by which maximum performance (combustion) efficiency is eventually to be attained is not to be via modifications to conventional carburetors. Despite the vast number of schemes investigated, no consistent pattern of improvement has, as yet, developed which merits an "all out" exploratory concentration.

We can see clearly that any search for improvement in combustion efficiency to come via modifications to existing carburetion systems, must attack the combustion/emission problem at the engine inlet, ie. at a point prior to induction of the fuel into the combustion chamber itself. It is to be noted that investigators who have concentrated on reducing the extent of undesirable exhaust emissions by improving the state of the combustible mixture provided by the carburetion system, have been forced to consider not only the carburetor and its modifications, if any, but also the inlet manifold as part of any integrated system.

Thus, variations in transient flow which will occur within the most simple manifold; changes in character of fuel/air mixtures caused by impingement of atomized fuel droplets on manifold wall convolutions (at naturally varying temperature and pressure conditions); and the inherent heterogeneity of the combustible fuel/air mixture under any changed conditions of flow, pressure and temperature encountered as it moves through the induction system—all of these factors combine to forestall introduction to the firing chamber of an unvaryingly stable and predictably consistent combustible mixture.

It is this complex problem then, with all its involvements and variables, that confounds and defeats the best efforts of carburetor and engine designers to achieve perfect combustion. Researchers, who seek increased efficiency by clambering over these same or similar obstacles in the laboratory, are often as baffled as their more practical product-oriented cohorts.

A necessary alternate attack has been made, therefore, on the problem of reducing the volume of exhaust-borne pollutants. Recently, extensive research and development efforts have resulted in the creation of a large variety of exhaust manifold accessory equipments. Obviously, if the assumption is valid that we cannot avoid creating contaminants in the combustion process, or, if we assume that nothing can be done to eliminate, completely, the contaminate-formation at its source—then treatment of the exhaust elements must occur as the best-possible solution to the problem. Noxious components of the exhaust stream must be removed, or otherwise rendered harmless, to the best of our ability to do so, before being expelled by the exhaust system.

Although treatment of exhaust emissions does not normally require modifications to the automobile powerplant (as often as do carburetion system changes), the process does demand that additional equipment, and its attendant costs, be added to the over-all cost of the vehicle. Afterburners, convertors, air injectors and similar units are examples of this added-cost type of accessory which often will be involved when the exhaust treatment mode of contaminant removal is utilized.

Presently, in California, where much emphasis is being placed on the development of smog control devices, the major automobile manufacturers maintain vehicle emission testing facilities in the Los Angeles area. Here, Ford, General Motors, American Motors and International Harvester, all of whom employ some form of exhaust control via air injection systems, and Chrysler, which utilizes an engine-modification system, are constantly working with the California Vehicle Pollution Laboratory. These manufacturers try to assure that each of their "smog control" devices is performing acceptably and within California's air pollution limitations of 275 ppm (parts per million) of hydrocarbon particle emission and 1.5% carbon monoxide emission. Recent tests on four-hundred-and-four automobiles[1] (1966 models) showed general performance for all vehicles to be within stipulated limits, although recorded data (vehicle-to-vehicle comparisons) indicated that new car smog control equipment performance would vary as much as five-to-one from best to worst. The used car component performance variation range was as high as ten-to-one! There was also an observable trend toward emission deterioration as mileage was accumulated on vehicles under observation.

Certain obvious and important conclusions can easily be drawn from review of the above data:

(a) Any exhaust control system represents additional original costs to the new car buyer!

(b) Exhaust control system performance is noted to be sensitive to new-car adjustment service and to subsequent service to a marked degree!

(c) Driveability (thus owner safety and satisfaction) is affected adversely if system adjustments are not made properly—and often!

(d) Better service and more frequent (thus more costly) service and preventive maintenance may be required in the future—by law!

(e) The existence of exhaust controls represents (in effect) an admission by the manufacturer that performance (combustion) efficiency—which could save money for the owner as he drives—has been abandoned in favor of a cost-producing system installation.

To a significant extent, many of these same general conclusions can (and do) apply to present modifications known to exist on conventional carburetion systems. Economy is affected adversely for owners whenever they must pay for accessory items which have been added to a conventional carburetor manifold system. And, unless extremely notable performance improvement is attained, and is accompanied by minimal service and maintenance requirements (which is difficult to envision wherever complex and/or sensitive adjustments are continually concerned), the owner of a vehicle equipped with an "accessorized" conventional carburetor may find it to be a constant drain on his pocketbook. Further, any system, regardless of its complexity, if an approved installation because it controls emission of pollutants to within legal State or Federal standards, will more than likely have to be maintained by its owner to perform to that standard for which it was designed and approved.

TECHNICAL DISCUSSION

A major current program in the Advanced Products Division of Vacco Industries is the utilization of an entirely new concept as a basis for design, development, fabrication and test of a simple, yet highly effective, device to increase combustion efficiency of automotive-type internal combustion engines. Although it performs essentially the same functions, the Vacco innovation is not related in other ways to conventional automobile carburetors. However, it is expected to be superior—based on Vacco's analytical calculations and test results to date—to any known conventional carburetor or carburetor-type component. This superiority will certainly prevail in at least the following key categories:

(a) High combustion efficiency—thus lower smog producing exhaust emissions.

(b) Increased performance—thus greater fuel economy.

(c) Lower production cost.

(d) Less maintenance and higher reliability.

In 1960, Vacco finalized development and began production at once of its internally originated, multi-segmented controlled-pore filters. Technological and manufacturing breakthroughs, related to controlled-pore filters developments, were studied by Vacco engineers, analysts and management personnel, to determine other areas where this specialized technology might find profitable application. Today, as a result, two complementing programs are in being at Vacco wherein finely atomized fluid streams, made possible by forcing liquids through the micro-sized pores that Vacco has learned to produce with precise skill, are being put to work.

The first of these programs was begun nearly two years ago by the Vacco Propulsion Division. It involves the production of a number of micro-orifice, bi-propellant, liquid rocket engine injectors. These injectors have consistently demonstrated extremely high combustion efficiencies and display a pronounced number of additional advantages for application in the rocketry field.

Demonstrations of combustion efficiency in Vacco rocket motors lent impetus, of course, to the formulation of early designs for an air-breathing engine combustion improvement device which would be suitable for use on automobile engines.

It has been demonstrated repeatedly that fine atomization of fuel is sufficient to enable attainment of high performance efficiency in internal combustion engines.[2] Such atomization, when associated with other innovations to assure proper fuel/air mixtures and even distribution to the combustion chamber, should combust properly and "cleanly". In such cases, exhaust emissions tend to be nearly free of elements which contribute to the extent and to the irritating properties of smog—i.e. carbon monoxide, hydrocarbons and the oxides of nitrogen.

The processes involved in improved or "optimized" combusion relate to some fundamental physical mechanisms and these explain, to a considerable extent, the results obtained.

To clarify this, consider the elements of the carburetion process:

The carburetor combines fuel and air in a vapor-liquid mixture while at the same time it regulates the fuel/air ratio by controlling the individual flow rates of each ingredient. This air suspension of gasoline droplets is presented to the inlet manifold which, in turn, distributes the mixture to the cylinder intake ports. The flow path of the fuel/air mixture, as it moves from the carburetor into the combustion chamber, is tortuous and centrifugal forces act on the fuel droplets to deviate them from the air-flow path. If the droplets are large, they have a tendency to impinge upon the wall surfaces of the manifold. The smaller the droplet size, the less its tendency to deviate from the air-flow path. The critical size for droplet impingement may be estimated with reasonable accuracy for varying conditions.[3] For a typical internal combustion engine, droplets having diameters in excess of 6 microns will impinge on manifold surfaces.

Droplet sizes produced by typical automotive carburetors vary over a considerable range. Well over 50% of such droplets are estimated to exceed 6 microns in diameter. Even though the mean droplet size may be reduced (due to evaporation) prior to the first impingement point, the problem is a serious one when excesses of large droplets exist.

The air/fuel vapor/droplet mixture, immediately downstream of the first manifold bend, is composed of a combination of droplets which were small enough to make the turn, combined with those which emanate from the initial impingement area. Thus, the mixture, although it may have departed the carburetor venturi section as a reasonably homogeneous mass, begins to tend toward heterogeneity. Greater droplet concentrations (without regard to size) now exist in the flow path which has the largest radius of curvature.

As a consequence of the flow/impingement behavior, the air/fuel ratio tends to vary for each cylinder intake port, depending on its location along the manifold. Since an internal combustion engine has an optimum air/fuel ratio, a carburetor-manifold combination producing non-homogeneous fuel/air ratios will have lower performance. Manifolds that are ideal from a fluid mechanical standpoint are impractical when designed for large droplet sizes generated by conventional carburetors. Fine atomization appears to be the only logical alternate solution to this problem.

It is desirable that gasoline, subsequent to entering the cylinder, evaporate as rapidly as possible. Since smaller droplets have a larger surface-to-volume ratio, they evaporate more readily. The result is superior combustion efficiency over a wider range of air/fuel ratios.

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[1] State of California Motor Vehicle Pollution Control Board, Effectiveness of Exhaust Controls on 1966 Vehicles, August 10, 1966.

[2] J. A. Robison and W. M. Brehob; The Influence of Improved Mixture Quality on Engine Exhaust Emissions and Performance. Paper presented at Western States Combustion Institute Meeting, Santa Barbara, October 1965.

[3] Adelberg, M.; The Critical Size of Droplets in a Manifold; TN 160-V-4-10-66; October 2, 1966, (published by author) 4043 Cody Road, Sherman Oaks, California.

The foregoing, of course, presents still another argument favoring a carburetor or carburetor-like device which produces small droplets.

While higher combustion efficiency will tend to minimize the extent of unburned hydrocarbons exhausted from the engine—thus tending to improve the smog problem—the combustion process has other complications which must be considered. For example, a reduction in fuel droplet size will not, by itself, produce lesser amounts of smog constituents. However, when we have higher combustion efficiency, we create higher combustion temperatures which, in turn, will influence (unfavorably) such combustion product fractions as the oxides of nitrogen. By taking proper advantage of higher combustion efficiency, and by operating with extremely lean mixture ratios (e.g. 22 to 1), a very desirable carburetion unit will result. High performance efficiency, with low-level smog product emissions may be anticipated with confidence.

In a series of experimental tests performed recently, a Vacco atomizing injector displayed smog product emission levels which compared favorably with known advanced research and laboratory models and was far superior to that of typical conventional carburetors produced by current mass production methods.

The Vacco atomizing injector was mounted on an eight-cylinder engine of a 1966 Chevrolet pick-up truck and was driven approximately 60 miles immediately prior to these tests.

Further performance improvements are expected from the Vacco atomizing injector in the near future. Work is under way to design a complete inlet manifold compatible with the test units. Current Vacco units have been mated heretofore to the inlet manifold with which the conventional carburetor (now removed from the test automobile) was previously associated. Since manifold and carburetor design must complement each other in order to maximize total inlet system performance; and since the Vacco unit has presented fine performance without the advantages to be gained by mating to a manifold of special design, we anticipate even greater success as the program moves ahead. Superior performance is certainly to be expected when an inlet manifold is specifically created to distribute a homogeneous mixture of minute fuel droplets to each cylinder intake port.

Aside from performance achievements already observed in preliminary work and which are considered likely to improve still further, the most outstanding feature of the Vacco device is its simplicity. Containing but a fraction of the number of parts common to conventional carburetors, the Vacco unit is expected to demonstrate the high reliability normally associated with simple and practical designs. Fabrication costs for the entire device have been estimated to be significantly lower than unit costs of standard carburetor designs.

A conventional, contemporary automobile carburetor is a device which has resulted from 50 years of changes to a concept that was basically simple in its original state. The result of so many changes, and/or improvements, is a sensitive, easily maladjusted instrument requiring frequent minor and major tune-ups to keep it operating acceptably and efficiently. The performance demanded of it is directly proportional, in most cases, to the frequency with which it must be maintained. Maintenance and adjustment of carburetors installed on today's high-compression autos can be a costly and often irritating chore that must be attended to with regularity.

Vacco's device, on the other hand, involves a completely new approach to design of an instrument to provide fuel induction and ultrafine atomization. Its ultrasimple design can't get out of adjustment. It requires little maintenance and, consequently, little cost and/or aggravation.

SUMMARY

The development program conducted by Vacco for the design of its fuel induction device has been directed, from the beginning, toward the primary objective of becoming a replacement for a conventional internal combustion engine carburetor. The Vacco unit was originally devised, and has been developed, to provide maximum, or near-maximum, combustion efficiency within a reasonably-priced, low-maintenance, reliable and operationally-economical component. There is every reason to believe, at this time, that Vacco will be successful in attaining its prime objective in all the aforenoted aspects.

All Vacco combustion device developments and innovations have stemmed from earlier (circa 1960), original and proprietary "controlled-pore" multi-segmented filter developments. The company is now conducting a complementing and parallel, multiphase program in its Propulsion Division, wherein a number of unique micro-orifice injector designs (also based on the "controlled-pore" concept) have proved, in a current series of firing tests, to provide near-perfect combustion efficiencies in bi-propellant liquid rocket thrust chambers. Each Vacco developmental achievement, in these rocketry programs, thus represents a potential contribution to better understanding of fuel atomization, flow and dispersion/distribution aspects of its automotive "smog control" fuel component developments.

In summary, Vacco expects to achieve successful development of a fuel induction device which will provide extremely high levels of combustion efficiency; which should generate only minimal smog-producing constituents as compared to more common fuel induction systems; which can be manufactured in quantity at prices less than existing carburetors; and which should maximize miles-per-gallon performance of vehicles on which it may be installed.

The rugged simplicity of the Vacco unit also promises that it will perform as indicated without frequent or costly maintenance. Self-adjusting features, now contemplated to be incorporated, may allow nearly infinite trouble-fee and efficient operation for actual in-service installations.

CONCLUSION

All phases of Vacco work related to design, development and test of devices to improve combustion efficiency in automotive-type internal combustion engines, have emphasized the attainment of specific and preidentified developmental milestones to an exacting and predetermined time schedule. As of the date of this report, Vacco is beginning the second year of testing for its devices. All testing to date has taken place in actual operating environments. Hardware has been installed on Company automotive equipment and has been subjected to rigorous and thorough duty cycles, commensurate with the demands that will be placed on the equipment at such time as it is to be made available to the public.

Vacco is pleased that its entire program, to date—despite the experimental nature of early tasks—has not deviated from preset schedules, nor has it exceeded budgets originally allotted for program support.

Present Vacco planning anticipates that marketing programs for its combustion improvement hardware will concentrate first on securing a foothold, by replacing conventional carburetors with Vacco units. These first installations, of course, will involve the mating of Vacco devices to existing manifolds on various vehicles. Close contact with early customers will be maintained to monitor performance of Vacco units, so that data obtained can be used to upgrade follow-on work.

Vacco's second-phase marketing program, now expected to begin about one year hence, will involve sale and installation of complete Vacco combustion improvement inlet systems. Manifold designs will be created for the vehicle types that future market surveys indicate will comprise the bulk of potential sales. As in phase-one marketing, the replacement market will first be developed gradually. This effort will be followed, at an early point in time, by high-level sales and marketing approaches to prime automobile manufacturers. It is Vacco's current plan to be marketing its combustion improvement hardware to the prime market by mid-year 1968.

A SALUTE TO PROFESSIONAL BUSINESSWOMEN

Mr. CRAMER. Mr. Speaker, I ask unanimous consent that the gentleman from Mississippi [Mr. WALKER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. WALKER of Mississippi. Mr. Speaker, the week of October 16 through 22, 1966, has been designated as National Businesswomen's Week. I am most honored to join in the salute to the thousands of professional businesswomen who have in recent years become such a vital force in business, and to an organization dedicated to the interest of members of this profession, the National Federation of Business and Professional Women's Clubs, Inc.

The National Federation of Business and Professional Women's Clubs was founded in 1919 with a fourfold goal:

First. To elevate the standards for women in business and in the professions.

Second. To promote the interests of business and professional women.

Third. To bring about a spirit of cooperation among business and professional women of the United States.

Fourth. To extend opportunities to business and professional women through education along lines of industrial, scientific and vocational activities.

Since its organization, the NFBPWC has grown in membership to approximately 177,500, with over 3,750 local clubs—in every congressional district in the United States.

Again, I am pleased to have the opportunity of commending this group of dedicated women during this week of recognition.

THE COMMISSION ON POLITICAL ACTIVITY OF GOVERNMENT PERSONNEL

Mr. CRAMER. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. NELSEN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. NELSEN. Mr. Speaker, I am pleased that I have been designated to serve on the Commission on Political Activity of Government Personnel, the purpose of which is to study the workings of the Hatch Act and certain aspects of the Corrupt Practices Act.

We who serve here in the Congress have a very special responsibility to see to it that employees of the Federal Government are not used for partisan political purposes. Regardless of our motives in our relationships with employees in the classified service, our prime objective should be that of serving as examples in maintaining the integrity and political independence of the classified employee. In this respect I am happy to do what I can and to serve in any capacity which would strengthen not only the letter but the spirit of the Hatch Act and the Corrupt Practices Act.

In the course of its study I hope the commission will address itself to the glaring discrepancies in our political participation laws whose basic aim is to prevent the illicit political shakedown for political contributions. In my study of this matter it has become apparent that employees in the excepted service have what works out to be an immunization from penalties under the Hatch Act while on the other hand those in the rank-and-file classified service are subject to severe penalties for any violation which may occur. By the Civil Service Commission's own admission—

> There is no language in the Hatch Act that fixes responsibility for the enforcement of the prohibitions against the political activity of federal officers and employees.

The present double standard for enforcement which now exists in law divides that enforcement between the Civil Service Commission and the employing agency—the commission maintains enforcement jurisdiction over the employee in the "competitive civil service" while the appointing agency maintains enforcement jurisdiction over those in the "expected service."

This double standard should be carefully studied with a view toward its elimination.

Earlier in this session of the Congress I and other members of our Republican Task Force on the Civil Service introduced legislation to more adequately define the responsibility of the Civil Service Commission and the enforcement of the Hatch Act. I do hope that our newly authorized commission will include on its agenda the consideration of bills such as H.R. 14914 to which I have just referred.

The enormity of our commission's task is pointed up by the fact that there are now approximately 2½ million employees and the integrity of these public employees is a matter of concern to all of us whether we serve in government or not. The creation of this Commission on Political Activity of Government Personnel stands as a rededication to the preservation of the spirit of the Hatch Act and a resistance to the return to the old spoils system under which our Federal employees would be at the mercy of political manipulators.

THE COPYRIGHT REVISION AND THE COPYRIGHT OFFICE

Mr. POFF. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. POFF. Mr. Speaker, our civilization and society will live on and nurture future generations largely through its bequests of intellectual creation. Indeed, the founders of our Nation so firmly believed this that in drafting our Constitution they made explicit provisions which might encourage creative minds to produce such intellectual property. I refer—of course—to article I, section 8 of the Constitution, which provides that the Congress shall have the power to promote the progress of science and useful arts by securing for limited times to authors the exclusive right to their writings.

Implementation of this constitutional provision came in the first Congress with the enactment of the Copyright Law of 1790 and was subsequently revised by Congress in 1831, 1870, and 1909. The existing law today is basically the 1909 statute, which embodies a system of laws dealing with the communication of information, ideas, and entertainment by writings. Embraced within the copyright laws are such intellectual products as books, periodicals, newspapers, maps, music, motion pictures, television programs, and innumerable other literary, artistic, and scientific works. It is the intellectual property in these writings that enjoy copyright protection. Our Nation, as all modern nations, esteems and protects this intellectual material because of its positive contribution to the good of society.

Mr. Speaker, for the last decade there has been an effort to revise the 1909 copyright law. Although there were earlier attempts at revision between 1924 and 1940, the efforts have been truly concerted since 1955, when the Congress appropriated funds to begin the first phase of the revision program. This revision program has been divided into three phases, and exemplifies the true virtues of the democratic lawmaking process.

The first phase—the study phase—of the program involved comprehensive research and studies by the Copyright Office of the history and provisions of the existing law, the problems it raises, past proposals for revision, comparable provisions in the foreign laws and international conventions, and an analysis of the issues and their possible solutions. These studies formed the groundwork for the general revision.

The first phase, which lasted 6 years, ended in July 1961 with the submission to Congress of the "Report of the Register of Copyright on the General Revision of the U.S. Copyright Laws."

The second phase of the revision program involved discussion, debate, and drafting. The discussion and debate dealt with the proposal of the Register's 1961 report at some 14 formal meetings called by the Copyright Office. In addition to seeking to clarify the issues of conflict, these meetings sought to find areas of consensus in order that the legislative proposal would have a minimum number of controversial issues. These meetings, lasting over 3 years, culminated in a draft bill, which was prepared by the Copyright Office after reviewing every comment or suggestion which had been offered during the preceding 3 years of discussion and debate.

We are now in the final phase of the revision program—the legislative phase. On February 4, 1965, Judiciary Committee Chairman CELLER introduced H.R. 4347, which was referred to the Judiciary Subcommittee on Copyrights. Our subcommittee held 22 days of public hearings receiving testimony from over 150 witnesses. Following these hearings, the subcommittee met in 51 executive sessions, and the full committee favorably reported an amended version of H.R. 4347 on October 12, 1966.

Mr. Speaker, I think it is very obvious from this brief summary of the revision program that it has been unusually thoughtful and thorough. I think it is also apparent that the Copyright Office deserves a great deal of credit and praise for its conspicuous role in the revision program.

The Judiciary Committee is proud of its work on H.R. 4347 and the time, deliberation, and careful consideration given every issue and argument regarding every component part of the proposed new copyright law. But those of us who are involved in the legislative phase of this program are particularly appreciative of the work of the Copyright Office: the 6 years of studying the past revision efforts and present and future needs of a new law; the forum and climate provided by the Copyright Office for the 3 years of debating and discussing the innumerable proposals for revision and continuing efforts of the Copyright Office to find consensus on issues of controversy. We are appreciative of the Copyright Office's contribution to our subcommittee's executive deliberations in presenting objective analysis of every position on every issue to the subcommittee and providing the subcommittee with the expertise of almost 100 years of administering the copyright laws.

I think we should be particularly proud of the work of the Copyright Office because it is a part of the legislative branch, as one of the departments of the Library of Congress. On a day-to-day basis the Copyright Office is principally engaged in the examination, registration, and cataloging of claims to U.S. copyright. It conducts correspondence about the claims, supplies general information concerning copyright law and registration procedures, and, for a fee set by law, reports the facts of registration for the claims and its records.

On a broader basis, the Copyright Office conducts extensive legal research on copyright matters and submits reports and recommendations to the Congress on proposed changes in the copyright law. It also cooperates closely with the Department of State on international copyright matters affecting the United States. The Copyright Office does not give legal advice or furnish legal opinions; this is particularly true of questions involving possible infringements of copyright, which are generally decided by the courts.

Obviously, because of its significant role in the revision program, the Copyright Office has been devoting considerable energy and effort above and beyond these normal responsibilities and duties. This work on the revision program has principally been conducted by the Register of Copyrights, the Deputy Register of Copyrights, the Assistant Register of Copyrights, and the General Counsel of the Copyright Office.

Mr. Speaker, I believe nothing documents the quality of the revision program better than the caliber of the individuals of the Copyright Office who have worked so tirelessly toward preparing the new law. Nowhere in the Government can you find more able, intelligent, dedicated, conscientious, and patient public servants.

The Copyright Office is headed by the Register of Copyrights, Abraham L. Kaminstein, a true scholar with a pleasant wit and a diplomatic aplomb. The Register is a man with a remarkable facility for saying the right thing at the right time, which has been most important and helpful during the revision program. Mr. Kaminstein is a highly educated lawyer who joined the Copyright Office in 1947 and has served the Copyright Office as Chief of the Examining Division and Deputy Register before assuming his duties of the Register in 1960.

No one could more ably back up the Register, or when necessary serve as his substitute, than the Deputy Register George Cary. Mr. Cary, who holds an LL. B. degree and an LL. M. degree, joined the Copyright Office in 1948, and has also been their Assistant Chief of the Examining Division, their principal legal advisor, and their general counsel. He is a frequent contributor to various legal and professional journals and also works as a part-time professional lecturer on copyright law.

It seems that every department of Government has a "utility man," that is an individual who can do most anything and do it well. The Copyright Office does not have a "utility man," rather it has a "utility woman." This is the Assistant Register, Miss Barbara Ringer, whose quick mind seems to nurture itself on challenges, whether it be the challenge of the latest "double crosstick" puzzle—which I occasionally observed her completing while she was patiently waiting for a committee session to begin—or an intricate issue of the revision program in need of a new and true solution.

Miss Ringer is a Phi Beta Kappa with A.B. and M.A. degrees. After earning her LL. B. degree she joined the Copyright Office where she has worked in almost all facets of its operations. Miss Ringer has written extensively and also shares her knowledge and experience as a part-time adjunct professor of copyright law.

The Copyright Office's General Counsel, Abe A. Goldman, is truly a lawyer's lawyer: intelligent, thorough, experienced, and practical. A cum laude law school graduate, Mr. Goldman has devoted over 10 years to the revision program. Indeed, he is nationally and internationally known for his expertise in this complex and vital field of law.

Mr. Speaker, I stand with all those who are familiar with the work of these able and dedicated public servants to applaud them. I am convinced that no better guardians of the Nation's intellectual property could be found.

THE NATION MARKS THE CONTRIBUTION OF ITS WOMEN

Mr. GURNEY. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. GURNEY. Mr. Speaker, this week marks the 39th annual observance of National Business Women's Week. Approximately 177,500 members of the National Federation of Business and Professional Women's Clubs, Inc., will salute the achievements of all business and professional women in their communities, States, and Nation. I would like to join in congratulating the American woman for the splendid role that she plays in the life of her community.

The role of the American woman has been completely revolutionized since the passage of the woman suffrage amendment in 1920. The old adage, "Woman's place is in the home," has long since gone by the board. Mrs. and Miss America are both making remarkable contributions to the world around them and to the American economy as well. American women are fast approaching the day of full partnership in our complex modern society.

Last year almost 25 million women were gainfully employed. This is one-third of the total work force. The working woman is here to stay. By 1970. according to the U.S. Bureau of Labor Statistics, the national work force will increase by 18 million persons. Of these, more than 40 percent will be women.

So many women have achieved marked success in business, Government, and other fields, that those who are presidents of corporations, well-known lawyers, and respected public servants are no longer pointed out as unusual, so frequently does this occur.

The American woman is, indeed, to be congratulated on the splendid progress she has made over the years. She is now a significant factor in the civic, professional, and business life of our Nation.

TAX DEDUCTION TO TEACHERS WHO SEEK TO IMPROVE THEIR EDUCATIONAL TRAINING

Mr. WATSON. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from South Carolina?

There was no objection.

Mr. WATSON. Mr. Speaker, the Federal Government is spending approximately $40 billion yearly on education across the country. Recent reports indicate that the administration plans to double this amount in the very near future. Yet, despite the astronomical amount of tax dollars being spent on education, the Great Society has not come close to solving the most pressing and critical problem confronting education in this country—the shortage of well trained and adequately paid teachers.

In the overwhelming desire by this administration to force ill conceived and untried educational legislation upon the American people, it is apparent that the professional teacher will continue to remain the forgotten factor in the educational scheme. The reason is simple: The administration is more concerned with achieving economic and social integration by Federal control over education than it is with improving the educational level of American citizens. There can be no better proof of this cynical scheme than in the desire by the present Commissioner of Education to wipe out local control of education through his personal sociological dogma. This trend will continue so long as the U.S. Office of Education is dedicated to a master blueprint of achieving an ultimate educational program of federally chosen curriculums.

One of the most practical methods of retaining local control over education is by offering teachers familiar with local conditions an opportunity to remain in their profession without fear of starving to death. Well qualified teachers are leaving the teaching profession in alarming numbers. They realize the economic facts of life. No matter how dedicated a teacher might be, it is most disheartening to observe people with little or no professional training and experience earning salaries double their own. In reality, a teacher is actually penalized to an extent if he decides to improve his educational level by taking additional courses. Unless the courses are required for the maintenance of his certification, the teacher is required to foot the entire bill, although the additional training will contribute to that teacher's effectiveness. Unless the teachers are required to take graduate teaching courses, there is no incentive to improve their instructional capacity, and the overall damaging effect is on the student.

I have joined several of my colleagues in an attempt to rectify this critical and unnecessary situation by introducing a bill which would allow teachers to deduct from their gross income the expenses of education undertaken to improve their teaching capacity. This legislation was introduced at the beginning of this Congress, and yet there has been no attempt by administration officials to press for its passage. This really does not come as a shock to me, since such a plan would eliminate to a large extent the increasing authority of bureaucrats in the Office of Education to dole out Federal funds to serve the purpose of social change.

This Congress could perform an invaluable service to the teaching profession and the American education system by enacting legislation of this type before we adjourn. The hour is late, and yet failure to provide this needed incentive to teachers throughout the country could have a permanent ill effect on the educational level of this Nation.

A BILL TO ALLOW STATE EMPLOYEES WHO ARE NOT COVERED BY SOCIAL SECURITY TO PARTICIPATE IN MEDICARE

Mr. CRAMER. Mr. Speaker, I ask unanimous consent that the gentleman from Missouri [Mr. Curtis] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. CURTIS. Mr. Speaker, I am introducing today a bill which would allow State and local employees, in States where such employees are not covered by social security, to avail themselves of the hospital insurance benefits under title II, Social Security Act. The purpose of the bill is to allow these employees to participate in the medicare health insurance program should they choose to do so.

The bill provides for voluntary agreements between the various States and the Secretary of Health, Education, and Welfare, and a favorable referendum of all the members of the retirement system prior to coverage. Coverage of hospital benefits would be achieved without coverage of other portions of social security.

Among those that would be affected by the bill are teachers in 13 States where State retirement systems are not supplemented by social security coverage. In Missouri, the 37,000 members of the public school retirement system of Missouri could be covered by an agreement following the enactment of the bill, State action to provide coverage, and a favorable referendum of the members.

NATIONAL EXPANSION OF BRUCE SAGAN'S COMMUNITY WEEKLY EMPIRE

Mr. O'HARA of Illinois. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. O'HARA of Illinois. Mr. Speaker, I am both proud and happy to announce that one of my distinguished constituents in the Second District of Illinois, Bruce Sagan, by the purchase of two newspapers in San Diego, has become the head of the largest group of weekly community newspapers in the United States.

The recently acquired San Diego Independent and County Independent in southern California have a combined circulation of 155,000. This, added to the circulation of the Sagan community newspapers in Chicago, makes a total of 572,000, a journalistic empire that started just 13 years ago with the purchase by Bruce Sagan of the Hyde Park Herald, then on the verge of collapse.

In this span of 13 years Sagan has established himself as the foremost publisher in America in the community weekly field, the dynamic expansion of which has been the most marked newspaper development of the decade.

As the larger metropolitan dailies, not only in Chicago and New York, but throughout the Nation, have gone in for mergers, there has been an increasing demand and necessity for the neighborhood weeklies with a resultant boost in influence and in revenue. Growth of retailing carried on from local shopping centers, and development by enterprising builders of large self-sufficient residential divisions, have been among the contributing factors to the great growth of the community newspapers.

I join with my colleagues in extending to Bruce Sagan hearty congratulations on his notable and historic achievement in founding the first national group of community weekly newspapers.

The story of the start and the growth of the Sagan newspaper empire is best told in the article in the Hyde Park Herald of October 12, 1966, from which I quote:

> Addition of the two San Diego weeklies marks the first major effort in cross-country expansion in the weekly field. Purchase also brings the number of publications in the Group to 20—16 newspapers and four shopping publications with a total circulation of 572,000—largest of any weekly newspaper chain in the country.
>
> "The purchase creates the first national community newspaper network and the first effort to break with traditional weekly newspaper operation where ownership is concentrated in one state around a single metropolitan area," said Sagan.
>
> "The cross-country concept is a reality today because of the phenomenal growth of the metropolitan weekly newspaper industry in the last 20 years which set the stage for creation of a national community newspaper network similar to those of Copley, Hearst, Scripps-Howard and others in the daily newspaper field.
>
> "A second factor is the growing importance of the community newspaper today. In an ever expanding urban center, it becomes more and more difficult for people to know what is happening in their own neighborhood and have this information understood in both a local and metropolitan context.
>
> "The community newspaper is in a unique position to make this kind of information known and understood.
>
> "The new association also has the further benefit of linking the two most active weekly publication centers in the nation—Chicago and Southern California."
>
> The Herald was Sagan's first publication, which he purchased in 1953 when it was on the verge of collapse. In 13 years the circulation has increased from 5,000 to 16,000. In 1958, he purchased the Southtown Economist and Southeast Economist. Later, he created the Bulletin and Suburbanite Economist newspapers.
>
> In 1961, he bought the Woodlawn Booster, and in January of 1964, the Blue Island Sun Standard, oldest weekly in Cook County. His purchase in 1964 of the Community Publications, a group of seven West Side weeklies skyrocketed the circulation of the Economist Group to 278,000, making the chain the largest in Illinois and second largest in the nation.
>
> The 15 Economist Newspapers in Illinois cover the Southern Suburbs of Cook County, through the Southwest, Mid-South, and Southeast neighborhoods into the Far West and Northwest areas of the city. The two San Diego weeklies cover all of San Diego and San Diego County.

VIETNAM

Mr. MINSHALL. Mr. Speaker, I ask unanimous consent to address the House for 1 minute, to revise and extend my remarks, and to include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

Mr. MINSHALL. Mr. Speaker, occasionally the fighting men in Vietnam are able to pierce the Pentagon smokescreen which, all too frequently, has been thrown up to obscure the facts of what is happening on the battlefront.

When they do, the billion-dollar power complex of the Pentagon is ready to turn on the machinery to discredit them.

We who serve on congressional military committees are familiar with the subterfuge and evasion practiced by carefully counseled Pentagon witnesses who testify before us.

This is compounded by Department of Defense abuse of the "secret" stamp to blot from the record of our hearings any inadvertant security slips, so-called, on the part of their witnesses which might give credence to the warnings many of us have been sounding about the conduct of the war.

I do not impugn the patriotism of anyone in the Department of Defense, but the fact remains that wars cannot be fought and won by a cost-accounting mentality, a computerized conscience and a total inability to admit and rectify errors in judgment.

Currently the Mimeographs at the Department of Defense are grinding out a refutation of the September 19, 1966, article in Aviation Week & Space Technology called, "Pilot Report From Vietnam."

At the conclusion of my remarks I shall place this article and other related material in the Record in their entirety. Let me hit the highlights now.

The Air Force fighter-bomber pilot, whose name was withheld by the magazine to protect his future military career, declared:

> The war here in Vietnam has become a political football, an exercise in glowing reports, outstanding new records and promises of "turning the tide."
>
> First the "non-shortage" of munitions. Looking at three jet fighter bases in Vietnam containing a total of over 12 fighter squadrons, no 750-lb, general purpose bombs are to be found . . . They must be well hidden, for I have heard Mr. McNamara state time and again that there is no shortage. This must be one of the "isolated exceptions" he mentions.

In this connection let me quote directly from the testimony of Secretary McNamara on February 16, 1966, in response to my interrogation in our Department of Defense Appropriations Subcommittee. The Defense Secretary told me:

> There is absolutely no substance whatsoever to the claim that the bombing is limited by shortages of planes, bombs or pilots.

Since I had been in Vietnam just 2 months earlier, in December 1965, and had seen evidence which I reported on my return to Washington that such a bomb shortage did, in fact, exist, the Defense Secretary's statement was surprising.

Several days after this McNamara testimony, on February 26, 1966, Admiral McDonald, Chief of Naval Operations, appeared before the subcommittee.

I read to him an excerpt from a letter I had received a day earlier from a young naval air officer whom I had met on the *Enterprise* during my Vietnam trip. I did not release the officer's name at that time, but since then he has been awarded the Navy's highest honors for courage and, like so many top men, has returned to civilian life.

The young officer has given me permission to use his name now and I admire and respect him for his dedication to the service and to his country. I placed the story of this young man in the September 8, 1966, issue of the Congressional Record on page 22062 and Norde Wilson's credentials speak for themselves in that account.

The portion of Wilson's letter which I read to Admiral McDonald last February is as follows:

> Your recent article in the local paper regarding the acute shortage of reliable ordnance that we experience over here also was forwarded to me. This was an enlightening revelation to the folks at home. We are glad to have the people back there informed by our legislators like yourself of the restrictions and handicaps under which we are forced to operate.
>
> It has approached the point in recent weeks that the relatively ineffective loads we are carrying to the enemy are hardly worth the risks involved in lives and equipment. This inadequacy remains a mystery to those of us over here when we consider the industrial might and logistic capabilities of our great Nation."

I pointed out to Admiral McDonald that when I was aboard the *Enterprise* I personally had observed F-4's taking off with four 250-pound bombs when I was aware they would hold 18 or 20 of them at least. I asked the skipper:

> How come they are not going out with more bomb loads than this?

And he replied:

> That is all the mission requires.

But the Norde Wilson letter made me wonder whether or not that was a correct statement.

Admiral McDonald's response first was to deny that shortages existed. He testified:

> I haven't heard at any time that our planes took off short of what they were supposed to have to do the job because the ammunition wasn't available.

But a moment or two later he said:

> We have been short of low-drag bombs, there is no question about it. We have been using a mix of low and high-drag bombs. I don't thing anyone would deny that, Mr. Minshall.

When Admiral McDonald returned as a witness before my subcommittee on March 1, we reviewed the Norde Wilson letter again.

The admiral stated:

> I have looked into this inadequacy of the bomb load, and the inference of course was there were insufficient bombs. I have not been able to find anything in the record which would indicate this, Mr. Minshall.
>
> I do have a message direct from the commander in chief, who stated that if the bomb load had perchance been limited in any particular instance it was unquestionably due to distribution. He does not know of any shortages, but distribution rather than a lack of overall tonnage would be the acuse.

But, later on in the interrogation, the exchange went like this:

> Mr. Minshall. You have no shortage of bombs in Vietnam waters?
>
> Admiral McDonald. Not overall. Sometimes a lack of all of the modern bombs we want.
>
> Mr. Minshall. Explain this—not "overall". That is sort of a qualified answer.
>
> Admiral McDonald. I will explain it this way: We would like to have 100 percent of modern bombs——
>
> Mr. Minshall. You had some kind of a rationing system in out there for the old bombs and the old iron bombs?
>
> Admiral McDonald. I would rather not call it a rationing system. It is a mix.
>
> Mr. Minshall. It is a form of rationing then.
>
> Admiral McDonald. Yes, it is a rationing of the modern weapons. If you do not have 100 percent modern weapons, sure, you can call it rationing, but it is a mix——
>
> Mr. Minshall. What happens when your wings ask for the modern type bombs, the delay drag bombs? What do you do about it? You do not have enough to go around. What do you do?
>
> Admiral McDonald. We tell them to use appropriate mix based on what they have.

And there the record stood on the Norde Wilson letter.

Last month, I took the opportunity to congratulate Lieutenant Wilson on receiving the Navy Air Medal and nine gold stars for heroism and valor during bombing strikes against North Vietnam and the Navy Commendation Medal for individual courage and skill exhibited during a strike against the Dong Hoi military barracks and airfield in 1964. He had chalked up more than 125 missions over enemy held territory.

He also had served as public information officer for Fighter Squadron 92 of Carrier Wing 9, so he knew both sides of the military coin in the Far East, both the doing and the telling.

When the Aviation Week article appeared, my first thought was of Wilson's comments last February. Here were two conspicuously intelligent men, in different branches of the service, with coinciding views. I sent the article to Wilson, now a civilian enrolled at the State School of Science in Wahpeton, N. Dak., asking for his comments.

The letter which he has sent me in reply pulls no punches, and so completely verifies not only the "Air Pilot" article but my own observations both in the field and in the top-secret sessions of my Defense Subcommittee that I feel it must be made a part of the permanent record.

I hope that if I am returned to the Congress and to my assignment on the Defense Subcommittee, my colleagues on the subcommittee will have an opportunity to meet and talk with this brilliant young man.

I would hope that the Wilson letter could be the catalyst which will bring about some badly needed changes in attitude and policy in the conduct of this war.

No one wants an end to the bloodshed in Vietnam more than I. While we continue to search for means of bringing the enemy to the peace table to discuss a settlement, we still have hundreds of thousands of American men committed to battle. I say we must not fail them.

I told Secretary McNamara when he appeared before my subcommittee last February:

> I know I speak for myself, and I am sure that all the other members of this committee feel that if it is money or anything you need to shorten this war and save lives in Vietnam, you will get it yesterday as far as this defense appropriations subcommittee is concerned.

Here, on the Record, are two witnesses who know firsthand the terrible price we are paying for our failure to supply the incentive and support our American troops need.

I urge my colleagues in the House to carefully read the complete text of the October 11 letter from Norde Wilson and the September 19 article, "Pilot Report From Vietnam," from Aviation Week & Space Technology.

I also am including the mimeographed refutation of the Aviation Week article which was received by my office yesterday in response to a personal letter to Secretary McNamara from me asking for his views on the "Pilot Report." It is a classic example of an unresponsive bureaucratic handout.

I am today sending to the Defense Secretary a copy of the Norde Wilson letter and shall expect another mimeographed reply.

The material referred to follows:

October 11, 1966.

Congressman William E. Minshall,
House of Representatives,
Washington, D.C.

Dear Congressman Minshall: Thank you for the article taken from "Aviation Week and Space Technology" concerning the "Pilot's Report From Vietnam". It was a particularly interesting article to me. This is one of those times when a person feels he is reading something very familiar; something that I have heard many times from my associates on the Big "E" and the U.S.S. *Ranger*, during our flights in the South China Sea.

You have requested my comments and suggestions, so I will get right to it. The Air Force Officer has done an outstanding job of expressing the opinions and attitudes of nearly everyone with whom I have worked in the area of combat, particularly those of us who were flying missions over North and South Vietnam. I feel that the only way to improve an unsatisfactory situation such as exists is to be certain that the proper individuals know and realize the inadequacies of our present combat methods, in addition to the apparent incompetence prevailing in upper echelons of Washington's civilian defense experts—Defense Secretary McNamara being number two on the list. In this light

I am offering my comments for whatever service they may be to you.

The author of "Pilot Report" spent considerable time and effort, including much forethought, in preparation of his article. I am sure that he spent many hours of indecision before the frustrations encountered in trying to fight a war with methods that are contradictory to the training of every military man in history, finally forced him to write these feelings on paper. He has expressed the general attitude of nearly every military man with whom I was associated, right on up to the Flag War Room.

The author mentions the munitions shortage that existed, while at the very same time, Defense Secretary McNamara was emphatically and categorically denying that there were any such shortages in the war zone. I was in the war zone, and there definitely was a bomb shortage. Morale was low enough among the aviators and loading crews who had to send a plane off the catapault carrying only one-sixth of its capacity, and then on top of that we had to read each day of the deceptions, denials, and prevarications being handed to the American people by the Defense Department, in direct contradiction to the true situation. Many times, we were launched on a combat mission with only four small (250#) bombs, when the F4B, the Navy's version of the "Phantom", could carry twenty-four of these bombs. This was done for a higher sortie count. Many missions were launched into the darkness of night over that unmentionable territory that until recently, we had denied that we were bombing. We were instructed to use flares to spot targets, none pre-briefed, or to bomb convoys whose headlights we might spot. These missions were flatly ineffective and, for the risk involved in dive bombing at night, into mountainous and unfamiliar terrain, should never have been flown. One such mission cost us the lives of our squadron skipper and his radar officer in December 1965, as they crashed into a mountainside pulling out of a dive: But it counted for another sortie. Both of these men were professionals doing their job to the best of their abilities, but they would much rather have lost their lives pulling off a bomb run on Phuc Yen airfield or the docks at Hai Phong or the Oil Dumps in Hanoi.

All of the above targets are worth the risk of lives and equipment. These are strategic targets that, if hit, could save the lives of many of our men in Vietnam. However, we read daily of Washington's concern over making enemies of the North Vietnamese populace???—and world opinion. There was no voiced concern of the number of American lives being lost unnecessarily because of the indecisions and restraints being placed upon them, while the enemy continues at full force, killing in any way possible, without concern of world opinion.

Plane parts and supplies of a critical nature were unobtainable for unreasonably long periods. Whether or not this can be attributable to poor logistics is debatable.

The author speaks of the "Snakeye" low drag bombs. These snakeye fins are an expensive fin for a special purpose and have proved unusable over North Vietnam due to the unfavorable casualty statistics involved in low level delivery. Yet these continue to arrive by the shipload and are fitted to bombs, carried to targets, dropped from dive bomb profiles, and wasted when the much less-expensive fin could have done the job just as well.

Rather than discuss each subject mentioned by the author of his article, I will merely corroborate it in its entirety, each and every word or statistic. I can say that each incident mentioned has happened to every flier over there many times. I have seen these men, including myself, go into the combat area willfully, aggressively, and with a fine patriotic attitude, only to be stifled in his desires to finally be able to deliver a sound blow at Communism for his country. This encludes endless briefings on don'ts: restrictions handed down from Washington, not in the interest of making our already difficult job easier, but seemingly more for the purpose of creating and maintaining their own favorable image, both at home and abroad. Days and months of anticipation of ". . . . surely they are going to turn us loose soon and let us win this thing", only to lapse into a quasi-state of apathy and the attitude of ". . . Oh well, a few more weeks and we will be home and can forget this fiasco."

Even our military leaders are developing this attitude of ". . . Play it safe, this target isn't worth any one of our lives or planes. If Washington is going to drag this thing out, we may as well plan to stay alive until they give us something worth shooting at." I have heard these general words remarked a number of times by flight leaders of the O–4 and O–5 level. These are all dedicated men who are humiliated and weary of bombing foot bridges, hay stacks, and mythical VC concentrations. I recall one mission of three aircraft on which we were directed to make three passes each, to destroy two small water wheels on a stream in the middle of nowhere. Ten million dollars in equipment and six highly skilled aviators, being utilized for a valueless target of this nature. As an example, this statistic might be reported in the States as one irrigation plant destroyed. This fallacy was also well-covered in the article.

When a man is kept at sea for nine months, often for periods of thirty, forty-five, and sixty days without an in-port call, he feels that it is unnecessary for the little effect he is having on the enemy. This man would much rather carry devastation to the enemy, end the conflict, and return home to his family and friends. He is not interested in being utilized for setting records of on-station time, number of sorties, and continuous hours of operation merely to improve the image of his commanders.

The Air Force Officer covered the subject well, and his statistics were identical to ours on any given day. His comparisons were accurate, and I noted no exaggerations. His feelings and attitudes are mine and belong also to ninety per cent of my acquaintances there. All of these men are intelligent and highly dedicated individuals who want more than anything to serve their country and defeat the Communists. I know from my own feelings that they are extremely patriotic. They are, on the other hand, growing tired of this war that Washington will not admit; tired of having the war run by uninformed potential voters who want a quiet war, one that will not make hardships for them at home. Your true patriots are there trying to fight a war. There is no other name for it, and the men fighting there want to be given half of a chance to win.

The enemy in Hanoi capitalizes on our weak wills in Washington. We give them concessions that kill our soldiers. These men in Vietnam know what the situation is there. In its present state they can take only so much of the blundering and as the author said ". . . those who can see all this are leaving."

The politics of it all has made them sick, and the services are facing a critical shortage for good men. It will get worse!

We look to people of your stature and political beliefs to do what you can for this sad situation in Vietnam. The only solution is to fight, stop piece-meal, month-to-month preparations, and get the job done.

I hope this information will be of some help. It deals chiefly with attitudes and the human aspect since "Pilot Report" did such a thorough job on the tactical aviation platform. I have not knowingly revealed any classified information, and you may use this document however you see fit for constructive purposes. I will be glad to answer any specific questions you have since this is a pretty broad subject and can only be covered in general.

Thank you very much for your comments in 8 September copy of the Congressional Record. I considered these remarks concerning my service and awards quite an honor.

I would appreciate hearing of any progress being made in this subject area and wish you the best of luck in your endeavors.

With kindest regards,

Norde Wilson.

[From the Aviation Week & Space Technology, Sept. 19, 1966]

Pilot Report From Vietnam

(Note.—The following letter was written to the Editor of Aviation Week & Space Technology by an Air Force fighter-bomber pilot currently flying McDonnell F–4Cs in Vietnam. We present it to our readers as the unexpurgated views of a pilot on the firing line. Because of its possible effect on the future of this officer's military career, we are withholding his name and rank.—R.B.H.)

I have been a subscriber to Aviation Week & Space Technology since 1960, but this is the first time I have had reason to write to the Editor. I am presently flying tactical fighters in South Vietnam, and it is time that the facts be given concerning our operations here. By "facts" I mean the actualities of daily operations in this theater. Having no political goals, I have no myths to perpetuate as do our "great white fathers" in Washington. The war here in Vietnam has become a political football, an exercise in glowing reports, outstanding new records and promises of the "turning tide."

First, the "non-shortage" of munitions. Looking at three jet fighter bases in Vietnam containing a total of over 12 fighter squadrons, no 750-lb. GP (general purpose) bombs are to be found. The bombs used are 250-lb. Mk. 81 and 500-lb. Mk. 82, the "Snakeye" series, which can be dropped in either high or low drag form.

MK. 81 SHORTCOMINGS

The Mk. 82 is a fine weapon in its high-drag form, being accurate and having a fairly good blast effect. The Mk. 81 is, at best, a nuisance charge. Since all the 81s I have seen have been low-drag, they must be dropped by dive bombing, from slant ranges of 4,000–8,000 ft. U.S. Air Force delivery qualifying criteria requires a CEA (circular error, average) of 140 ft. In our FAC (forward air controller) directed attacks, we are usually required to pinpoint a small target such as a bunker or a thatched hut. Radio calls by the FAC are often heard such as ". . . nice bomb—put the next one about 10 meters at 12 o'clock . . . ." i.e., a miss, but any pilot, fighter or bomber, can tell you that a 33-ft. bomb is damn fine shooting? A 750-lb. GP would have blast-damaged or destroyed the target at that proximity, a 250 digs a neat hole nearby.

We receive equal amounts of 81s and 82s, but there are no 750s available in Vietnam. They must be well hidden, for I have heard Mr. McNamara state time and again that there is no shortage. This must be one of the "isolated exceptions" he mentions.

Another case in point is 20-mm. HEI (high explosive incendiary). Fighter squadrons have an authorized monthly expenditure of 80,000 rounds. A quick look will show this large amount to be quite small. An F–4C, mounting a gun pod, carries 1,200 rounds, while an F–100D carries a total of 800 for its four cannon. This means that 70 F–4 sorties (seven per day for 10 days—or 10 per day for one week), or 100 F–100 sorties (nine per day for 12 days—or 15 per day for one week) would consume a month's supply if the pilots fired out their guns. Policy dictates, however, that pilots will be briefed on the shortage of 20-mm. ammunition, and will use it only when deemed absolutely necessary by the flight leader or the FAC. This places somewhat of a handicap on the weapons systems' use.

SORTIE RATES MISLEADING

Second comes the matter of "filling squares." Newspaper readers in the U.S. often read of our terrific sortie rate, or of the tonnage of bombs dropped. None of the papers, however, have taken the time to equate tonnage per sortie. This manner sheds a new light on the picture. Taking a 200-sortie day, about 300,000 lb. of ordnance might be delivered. This breaks down to an average of 1,500 lb. per aircraft. That means an average load of two napalm, 4 Mk. 81s plus 800 rounds of 20-mm., or 3 Mk. 82s. This still sounds fair, until we realize that an F-4 could carry 18 Mk. 82s plus a gun pod, or 24 Mk. 82s without a gun, i.e., about 12,000 lb.; and an F-100 could carry 4 750-lb. GPs or four napalm, plus its always-loaded 20-mm. Now the true case appears. There is nothing more demoralizing than the sight of an F-4 taxiing out with nothing but a pair of 81s or 82s nestled among its ejector racks.

However, it looks much better for the commander and the service concerned to show 200 sorties on paper, even when 40 or 50 would do the same job. It also helps in Congress when the services are fighting for their appropriations, for the one with the highest number of sorties obviously needs more money.

Taking the F-4 again, we come to another fact. The F-4C is perhaps the best interceptor USAF has ever had. It is a credit to its designers that it performs so well as a fighter-bomber. But why do we risk the lives of two pilots on every sortie? The backseat man, as every F-4 driver readily admits, is basically an RO (radar observer), handling the radar and ECM during intercepts. He has no value at all in the back seat on an air-to-ground mission, where all the work is done by the front pilot. Some of the backseaters on this base have resorted to taking along magazines and puzzles so as not to fall asleep during the mission. It is the addition of a valuable life into the battle zone that is needless. It is a second man to be lost if the aircraft is downed. There has been no reason given, except that "there is a seat there, and it must be filled." Is someone being fed a false bill of goods?

Third, we come to the matter of targeting, the effective use of the available power. When an article reads "structures destroyed" the definition means a straw-thatched hut. "Boat" means anything from a 12-ft. one-man dugout to slightly larger sampans. "Bridge" means a bamboo foot-bridge or a pair of logs felled across a stream. "Pack animal" means a water buffalo, cow or even a pig or goat. Let's face the facts. The VC are not anywhere strong enough to occupy any permanent dwellings, let alone operate any warships in the rivers. Any such would have been bombed long ago.

To be sure, these targets must be hit to keep "Charlie" on the run, but at such cost?

A DIFFERENT TALLY

We are using $300 napalm bombs, $305 Mk. 82s, $250 Mk. 81s, $2.45 20-mm. rounds, and much more expensive, newer ordnance. In addition, an F-4 uses 2,100 gal. of JP-4 per sortie, and F-100, 1,400 gal. Add to this the cost of every aircraft lost in the south, $2,500,000 per F-4, $800,000 per F-100, plus the cost of a pilot's life (not in the Christian sense, an irreplaceable asset), two years of training and a $500,000 investment, and then make another tally sheet.

A VC hutch is worth, at most, $20; a pack animal, maybe $100; a bridge, the sweat to fell a few trees; a VC soldier—two days training plus a solution to the population problem.

The loss of one aircraft or one pilot negates many months' damage to the enemy. And what is the solution given to the pilots? The pilots are briefed to raise their minimum altitudes, bomb from higher up, make fewer passes, drop all at once, back off. The result—missions are refragged because the target was not destroyed the first time.

SAFETY, NOT VICTORY

Flying safety has become the motto, not destroy the enemy. The pilots are briefed that a loss is not worth the cost, and that violations of theater minimums will result in disciplinary action. Is this the way the pilots were briefed for the Tokyo raids, or the Ploesti attacks? I'll venture a "no" for that. Losses hurt then, maybe more than now, but the aircrews knew that the risk was worth the cost, even if it meant 10 lives in a B-17.

Here in Vietnam, and in much of the rest of the Air Force, the true professional soldier is dissatisfied with his job. It is not the problem of pay or advancement, but rather the manner in which he feels he is being used. The students of military strategy, the men who have come here to rain destruction on the enemy by killing and destroying as much as they possibly can during every minute of combat, the men who are seeking a pride in their job, the men who will follow a capable leader to the ends of the earth, and take over for him if need be, these men are leaving the service in ever-increasing numbers. They are tired of flying their aircraft for minimum effect, tired of being told how "not to fly their aircraft in combat by people who have less experience than they, tired of belonging to a "Fly Safe" Air Force that has let the purpose of their existence fade into shadow, tired of self-styled experts, such as political appointees, college professors, social do-gooders and college students, trying to dictate basic military policy, and succeeding. They are sick of a military service that beat the best the German and Japanese armies could throw at them, today too timid to even demand that the winner of a weapons system competition, chosen best by a team of top generals be the one finally selected, today too timid to even state that the "people's choice" is not necessarily a military leader in theater operations. The men who can see all this are leaving.

ANOTHER ERA

Perhaps these men belong to a bygone era. An era where a military force was an entity led by professionals who merely took a general aim from the amateurs on the home front, but conducted their war as they knew it should be. An era where a country had the faith in the military commander to let him fight his war his way, and not afraid of a "military takeover" because his every decision was not given an OK by his civilian counterpart.

Premier Ky, who has been harshly mocked by several cartoonists and editors, may have an answer. His idea of taking the war to the North has merit. He realizes that only stepping on the fingers of the North Vietnamese (and the Chinese) will merely slow their effort for a time. He knows they will never talk peace while they are still in a position to win, and when you are carrying the battle to the enemy, fighting on his ground, you are the one presently ahead. One of our former greats, perhaps the best turned out in the modern U.S. military, did it just Ky's way, by carrying the battle to the enemy. He stated, "From the Far East I send you one single thought, one sole idea, written in red on every beachhead from Australia to Tokyo. There is no substitute for victory."

He did not say ". . . the tide is turning."

(Name withheld by request.)

OCTOBER 11, 1966.

Hon. ROBERT S. MCNAMARA,
Secretary of Defense,
Washington, D.C.

DEAR MR. SECRETARY: The enclosed copy of an editorial from the September 19 issue of Aviation Week and Space Technology, is respectfully submitted for your information.

I would appreciate your comments regarding this "Pilot Report from Vietnam".

Thank you.

Sincerely yours,
WILLIAM E. MINSHALL,
Member of Congress.

DEPARTMENT OF THE AIR FORCE,
Washington, D.C., October 17, 1966.

Hon. WILLIAM E. MINSHALL,
House of Representatives,
Washington, D.C.

DEAR MR. MINSHALL: This is in reply to your inquiry to the Secretary of Defense relative to the letter allegedly written by an Air Force pilot and published as an editorial in the September 19 issue of Aviation Week and Space Technology.

The attached comments result from a thorough study by Air Force Headquarters and appear to be adequately responsive to the matters at issue.

If we may be of any further assistance to you, please let us know.

Sincerely,
COL. LAWRENCE CONQUES,
USAF, Chief, Congressional Inquiry, Division Office of Legislative Liaison.

COMMENTS ON "PILOT REPORT FROM VIETNAM," AVIATION WEEK AND SPACE TECHNOLOGY

Both the 750-pound bomb and 20mm ammunition are stockpiled at our air bases in Southeast Asia in sufficient quantities to meet our tactical requirements. Our forces have been given and will continue to receive full support in obtaining any and all material and logistical assistance needed in connection with their activities.

The Mark-81 was designed as a fragmentation weapon. It was never intended that this bomb should be used against hard targets such as bunkers. Part of the military mission in South Vietnam is to harass the enemy, day and night, in order to prevent massing of large troop concentrations. The Mark-81 has been extremely successful when employed for this purpose. Specifically designed heavier weapons are available for use against fortified positions.

The claim that sortie rates are misleading and that 40 or 50 fully loaded aircraft could do the job of 200 with lesser loads simply is not true. The employment of sophisticated aircraft, their delivery systems, and munitions is a complicated matter. In Southeast Asia, as in any other conflict, the sole objective in establishing sortie requirements is to achieve maximum combat effectiveness and destruction of the enemy capability. For example, in South Vietnam where support of friendly ground forces, interdiction, and harassment of enemy forces has necessitated simultaneous coverage of large geographical areas to constantly keep the enemy off balance, the tasking of 40 or 50 sorties at full loads instead of 200 sorties at optimum loads would not do the job. By mixing the weapon loads to provide optimum destructive effect, and thereby increasing the number of sorties, the Air Force provides an around-the-clock effort.

The two-pilot concept for the F-4—a complex and versatile aircraft that may be used for a wide variety of missions—was thoroughly reviewed by the Air Force prior to its adoption. Many of our F-4s are employed in Vietnam at night when the pilot must deliver his ordnance without reference to a visible horizon, relying almost exclusively on cockpit instruments to recover from dive-bomb attacks. In these circumstances, the rear-seat pilot provides invaluable assistance by monitoring the flight instruments to preclude the possibility of disorientation. The two-pilot concept has been otherwise well justified by events in Vietnam.

The view that "flying safety," rather than "destroy the enemy," has become the motto and that pilots are briefed to back off from their attacks, is not supportable. The policy in effect consists of good judgment, sound airmanship, and professional performance. Contrary to the statement that air attacks are not "pressed" when the situation warrants, numerous instances are on record to refute this allegation. As a singular example, in a message from the Commander of the 1st Infantry Division to the Commander, Seventh Air Force, on July 2, 1966, Major General William E. DePuy, United States Army, stated: ". . . their (the Air Force's) courageous action and professional skill deserve recognition. Extremely close and accurate air support was accomplished under almost impossible weather conditions. The target area was obscured by a 200 to 400 feet ceiling. The Forward Air Controllers talked the fighters through their deliveries and their support undoubtedly saved two infantry companies. The fact that these were jet fighters is particularly noteworthy."

There is no "backing away" and close air support attacks are pressed as demanded by the situation. In addition, while the target viewed from the cockpit may seem of questionable value, when viewed from the perspective of the friendly forces on the ground, it may be of extreme importance.

PLANS FOR THE FUTURE DEVELOPMENT OF POTOMAC RIVER

Mr. MATHIAS. Mr. Speaker, I ask unanimous consent to address the House for 1 minute and to revise and extend my remarks.

The SPEAKER. Is there objection to the request of the gentleman from Maryland?

There was no objection.

Mr. MATHIAS. Mr. Speaker, I regret that I have to take this means to communicate with the Secretary of the Interior, but I assume that someone in his office reads the Congressional Record for him and may call his attention to these remarks.

At the direction of the President of the United States, the Secretary is undertaking plans for the future development of the Potomac River, the total freshwater length of which, from bank to bank, dies in the Sixth Congressional District of Maryland.

The residents of the Potomac Valley have many suggestions and some reservations about these plans.

During the summer I sought an audience with the Secretary of the Interior and was advised that he was marooned in the West by the airplane strike, and would be glad to see me upon his return. When his office failed to communicate further, I called again, to be advised that he was escorting the First Lady of the land through the Southwest, a duty he no doubt found more enjoyable than keeping office hours.

His return did not increase the chances for an interview with him. More recently, I have at last received an honest answer from the Secretary's office: he will not see me until after the congressional elections.

I might note in passing that, while the Secretary has not had time to see me, he has had time recently to campaign in Montgomery County, which I now represent.

While we must all realize the burdens of responsibility which rest on the shoulders of the Secretary, and the crowded days that must face him week in and week out, I would also note that, in the same period of time in which I have been seeking a few words with him, it had been possible for the President of the United States to fit me into his schedule on three or four separate occasions.

The message that I would like to convey to the Secretary, and to those under his direction who are planning for the Potomac Valley, is that I believe the majority of the people of the Sixth Congressional District will stand with me for every responsible conservation measure that can be adopted. We do seek an expansion of our recreational facilities, and we hope to develop the industrial potential of the valley in balance with these other factors.

But the Secretary should understand that the people of the Sixth District do not intend to have the Potomac Valley "federalized." The river culture of the valley is more than three centuries old, and the patterns of development suitable for the vacant West are simply not appropriate here. We think there is a great opportunity to create new patterns of private, local, State, and Federal cooperation and coordination. But we do not intend to have the plans drawn behind closed doors, without broad consultation with the people who will be personally affected.

THE SHOE IS ON THE OTHER FOOT

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Nelsen] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. NELSEN. Mr. Speaker, I have received an outstanding letter from Mr. John A. Killick, executive secretary of the National Independent Meat Packers Association, which effectively points out the dilemma which is facing the U.S. hides industry as a result of the disruptive export quotas imposed by the Department of Commerce last March.

With permission I will insert the text of that letter along with my letter to the Secretary of Commerce asking again that the quotas be rescinded:

The National Independent
Meat Packers Association,
Washington, D.C., October 11, 1966.

Hon. Ancher Nelsen,
Longworth House Office Building,
Washington, D.C.

Dear Representative Nelsen: By way of introduction, may I refer you to our correspondence of last March and April pertaining to the U.S. Department of Commerce's imposition of export quotas on U.S. cattle hides, calf and kip skins.

As you will recall, it was our contention at that time, with very capable support by many members of Congress and other interested persons, that the U.S. Department of Commerce action was unjustified and unwarranted. After a prolonged period of depressed prices cattle hides, calf and kip skins were making a comeback—almost to the 1953 price levels, in fact—and had just reached a point of potential profitability for cattle producers, beef packers and hide merchants.

At that time Commerce Department officials used a variety of reasons for imposing export controls, i.e., high hide prices, shortage of leather for combat boots, etc. Since the issuance of Export Bulletins Number 929-930, March 7th and March 11th respectively, imposing controls on exports, U.S. hide producers have been forced into a buyers' market resulting in the discounting of hides below the prevailing reported market quotations in order to facilitate movement of this highly perishable commodity. An extreme lack of confidence in the stability of the U.S. hide market has developed among foreign purchasers and, as we predicted last Spring, a dual price market has developed with the artificial depression of prices in the U.S. market.

We are now curious as to what the Department of Commerce is going to do to help us solve our dilemma. The Department was very quick to move in when the shoe and leather industries were persumably having profit difficulties. No word has been forthcoming from the Department, however, as to what can or should be done when the "profiteering" hide industry now finds itself to be the oppressed, rather than the oppressor. Certainly it seems logical that the cattle producers, beef slaughterers and hide fabricators of the nation are as much entitled to the protective benevolence of the government as were the leather and shoe industries when the shoe was on the other foot.

We would be very interested in receiving your comments along with any suggestions you might have as how we might best proceed to obtain direly needed relief from a situation which was not of our making, but to which the actions of the Federal Government were most certainly a contributory factor.

Respectfully,

John A. Killick,
Executive Secretary.

Congress of the United States,
House of Representatives,
Washington, D.C., October 19, 1966.

Hon. John T. Connor,
Secretary, Department of Commerce,
Washington, D.C.

Dear Mr. Secretary: I am writing to direct your attention to the plight of our domestic hide industry as a result of the export license and quota restrictions imposed by your Department last March. The industry now faces a dilemma; they are experiencing drastically low prices for their hides in the domestic market due to the oversupply caused by the loss of their foreign markets, but they are unable to re-establish their export trade because of the unstable quota situation.

The effect of the quotas on market prices was immediate and devastating. During the week preceding the imposition of the quotas, hides were selling at twenty-one cents per pound. One week after the quotas were announced, the price had dropped to 17 cents, and now they are resting at about 14 cents per pound. The future market situation doesn't look any better. The January 1967 price is 14½ cents per pound, and the April and October prices stand at 15 cents.

The immediate effect of these lower prices is shown in the fact that if a packer buys a heavy native steer at $26 per hundredweight and sells the sixty-pound hide for 14 cents per pound, he loses $6.00 on the deal. Obviously, when dealing with a perishable commodity such as hides, the producers cannot hold these hides off the market until better prices appear. They find themselves at the mercy of a buyers market due to the glut of supplies in the domestic market.

There is no legitimate reason for this situation. We were told last Spring that the quotas were being imposed to keep shoe and leathergoods prices down. But while hide prices have been reduced by one-fourth since March, have shoe and leathergoods prices come down proportionately? The price of leather was said to be of great importance in the cost of shoes last March. If this were true then, why have shoe prices not come down? Has the price of leather suddenly become unimportant in the price of shoes?

It is highly inconsistent at a time when agricultural exports are being praised throughout the government as a boon to our lagging balance of payments problem, that a measure would be initiated and continued which directly cripples this effort. During the hearings held by the Subcommittee on Special Investigations of the Select Committee on Small Business to determine the effect of the heavy corn sales by the Commodity Credit Corporation upon small businesses, Mr. Edwin A. Jaenke, the Associate Administrator of the Agricultural Stabilization and Conservation Service, testified the sales aided corn exports and were "an important factor in our balance of dollar payments." In view of the hide quotas, it would appear that the balance of payments problem is only referred to when it is convenient to do so and not as a general policy of our government. The hide industry's successful export program was a significant contributor to favorable balance of payments in hard dollars, not in "soft" currency as was the case in many of the corn export transactions.

I realize that there were many factors involved in the decline of our export sales of hides to Europe including the tight money supply in Europe, increased hide production in Europe, Argentina, and Australia, and other factors. However, at the very time when the United States hide industry should have been encouraged in its efforts to compete against these factors, it was shackled with the export quotas. Now, due both to these factors and the Europeans' extreme lack of confidence in the stability of the United States market, the United States producers are unable to find orders for the limited quotas they have. This result was predicted by many in the trade and in the Congress last Spring. It proves again that nothing can hurt the continuing growth of agricultural exports more than a reputation for unreliability in available supplies. In view of this, it is obvious that the markets which were lost cannot be regained merely by abolishing the quotas since the market is no longer there. However, the quotas should be rescinded so that the hide industry can start again to build up this profitable trade.

Administration spokesmen have proudly announced that the quotas were eased sometime ago, and thus, the problem no longer exists. However, the Export Control Act provides that export limitations may not be imposed for economic reasons in the case of agricultural commodities produced in excess of domestic requirements. The mere fact that any exports are being allowed is proof in itself of production in excess of domestic requirements.

The quota restrictions are causing serious and discriminatory injury to the domestic hide industry. They should be lifted immediately. Your prompt consideration of this problem will be sincerely appreciated.

Sincerely yours,

Ancher Nelsen,
Member of Congress.

THROUGH THEIR SERVICE, THE LONE STAR GLEAMS MORE BRIGHTLY TODAY—MRS. ALBERT THOMAS, WALTER ROGERS, LINDLEY BECKWORTH, AND CLARK THOMPSON—ALL OF TEXAS

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to extend my remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Texas?

There was no objection.

Mr. PATMAN. Mr. Speaker, each of the Members from a particular State is understandably proud of his delegation, and we can all be forgiven for feeling that our own State's representation is the most outstanding. I cannot let the 89th Congress pass into history without deploring the loss of four fine members of our own Texas State delegation. The eminence of our delegation is due in no small part to the untiring and dedicated efforts of four Members who are leaving the Congress at the end of this session, and whom I am saluting today—Mrs. Lera Thomas, Walter Rogers, Lindley Beckworth, and Clark Thompson.

Mr. Speaker, Lera Thomas served as a Member of Congress only a few months, and with such notable distinction that she will be missed, not only as the friend she has been to many of us for 30 years, but as one of the most conscientious and hardest working Members of the Congress. Her brief period of service was in keeping with the high tradition of excellence in public office established by our beloved colleague, the late Albert Thomas, one of the strongest leaders this House has ever seen. Lera truly became a great representative of the people in her own right, and nothing could have pleased Albert more. Texas and the Nation owe much to the Representatives of the Eighth District—Albert and Lera Thomas.

Walter Rogers, in a period of 16 years, rose to high prominence as a great legislator. In recognition of his outstanding abilities, shortly after his first election to the 82d Congress, he became chairman of the powerful Subcommittee on Communication and Power of the House Interstate and Foreign Commerce Committee, and chairman of the Subcommittee on Irrigation and Reclamation of the House Interior Committee. In addition, he served with great distinction on the Public Land Law Review Commission established by the 88th Congress. His rapid rise as a legislator, and his reputation as one of the most capable overall members of the committees on which he served, was due in large part to his outstanding background as a successful practicing attorney and city attorney in Pampa, Tex. Just prior to his election to Congress, he served with exceptional skill as the district attorney of the 31st judicial district of Texas. Not only is he blessed with a fine legal mind, Mr. Speaker, but he possesses an unusual measure of intense dedication to the public interest. He will be sorely missed. The delegation is indeed grateful for his splendid contributions to Texas and to the Nation.

Lindley Beckworth and I have worked together for the good of our State and Nation for almost a quarter of a century. There has never been a more industrious Representative—always ready to give personal attention to the needs of his constituents. In addition to a fine legal education obtained after teaching school in Upshur County for a number of years, he had the high honor of serving as a member of the State legislature from 1936 to 1938. He came then to Congress, remarkably well qualified as a teacher, lawyer, and legislator. Here in the House of Representatives, he served with great skill on the Foreign Affairs Committee, and as chairman of the Civil Service Subcommittee of the Post Office and Civil Service Committee. Lindley is a good neighbor of mine in east Texas and will always be remembered as a great Texan.

Clark Thompson, a member of the powerful Committee on Ways and Means, has served his district, Texas, and the Nation with superb distinction. He came to us by way of Wisconsin where he was born, and Oregon where he was educated, finally becoming a Texan after distinguished service during World War I as a U.S. marine, when he chose to make Galveston his home. I might add he entered the Marine Corps in 1917 as a private and was commissioned a second lieutenant in December of 1918. He was immediately successful as a businessman in Galveston and first served with me in the 73d Congress. I was disappointed at that time when he decided not to seek reelection, for it was already abundantly clear that Clark Thompson was a man destined for greatness. He further distinguished himself in the Marine Corps by his World War II service from November 1, 1940, until June 1, 1946, when he retired as a colonel from his last post as Director of the Marine Corps Reserve. The Reserve he helped to train established a never-to-be-forgotten record in Korea. I was delighted when Clark Thompson joined us again in the 80th Congress, and can only say at this, our second parting, that I trust his great constructive talent will always be available to the American people as it has been in both peace and war for so many years.

Truly, Mr. Speaker, the Texas delegation is deeply and understandably proud of the accomplishments of these four Texans. We have lost great leaders in the past; however, since we can consider Albert and Lera Thomas as a team, serving their district together for 30 years, the loss of these four remarkable people deprives our delegation of an actual 102 years of combined congressional experience and legislative knowledge. Texas will always be indebted to our departing colleagues for the special luster they have given to the Lone Star symbol of our beloved State.

POVERTY AND THE AGED

Mr. JENNINGS. Mr. Speaker, I ask unanimous consent that the gentleman from Michigan [Mr. VIVIAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Virginia?

There was no objection.

Mr. VIVIAN. Mr. Speaker, in recent months I have been concerned that the increasing inflation which has marked the past year will have a highly detrimental impact on the citizens in our Nation who depend on fixed incomes, very particularly on the aging. Most of the wage-earning families in our Nation have experienced a substantial net gain in income since 1960. Unfortunately, a great proportion of the elderly, who are not benefiting from the full employment and higher wages, are, on the contrary, suffering seriously from loss of purchasing power. Furthermore, they fear that if prices continue to rise, their situation will worsen.

Among the aged poor, social security benefits made up at least 35 percent of their total income in 1964. Roughly a third of all aged beneficiary families and one-half of all aged beneficiaries who live alone who are poor depend upon social security as their only source of income. My concern for these elderly citizens, caught in the squeeze between fixed incomes and rising prices, led me to cosponsor a bill last session which raised the social security benefits by 7 percent.

On July 25 of this year I introduced H.R. 16514, which provides for an automatic increase of social security benefits whenever an increase occurs in the cost of living. At that time I anticipated that it would be necessary to appropriate general tax revenues to the social security fund for this program. However, following recent discussions with social security experts, I have come to realize that it may be unnecessary to dip into general tax funds for such a program, because increased social security collections automatically will occur whenever inflation occurs, since wages of our work force are certain to rise correspondingly at the same time. These increased collections should be almost sufficient to cover the added outgo. Therefore, within the near future I expect to introduce a new bill, similar to H.R. 16514, but containing a provision that the automatic benefit increases be financed out of contributions to the fund.

Some of my constituents may feel that my concern for our retirees may be undue and overly solicitous. I ask those who have that viewpoint to read a recent speech, entitled "Poverty and the Aged," delivered on August 21, 1966 to the Planning Conference on Poverty and the Aging, University of Notre Dame, South Bend, Ind., by the Honorable Wilbur J. Cohen, Under Secretary of Health, Education, and Welfare.

Secretary Cohen shows all too clearly, using extensive and undisputed statistical economic evidence, that the aged member of our society is not as well off financially as he should be. He, too, recommends an adjustment of benefits to increases in cost of living.

Mr. Speaker, under unanimous consent I place the text of Secretary Cohen's remarks in full at this point:

POVERTY AND THE AGED

(By Wilbur J. Cohen, Under Secretary of Health, Education, and Welfare)

Poverty, of course, is an ancient enemy of mankind. But what distinguishes our generation from past generations is that we are committed to conquering the enemy and not coexisting with it. We have already made a beginning. The spotlight has been put on poverty. The Nation has assumed the responsibility for eliminating—and I say eliminating, not ameliorating—this social illness.

In a Nation where the Gross National Product has been moving upward at a rate of $35 to $50 billion dollars a year, and will exceed $1,000 billion by 1970, the economic capacity to cope with the problem successfully does exist.

When I look at the record of our achievements, I am convinced we can win the war on poverty if we accelerate the efforts already begun. Since 1930, the extent of poverty has been reduced from over 40 percent of our population to less than 20 percent. And by the mid-seventies I believe we can bring this figure down to 10 percent; within the following decade we can, if we make plans now, virtually eliminate poverty. Whatever we do to accomplish this goal will generally improve the status of the aged population since about 16 percent of the poor are the aged.

To make progress toward this goal we must plan for the proper mobilization and use of our resources for eliminating poverty and we must continually evaluate and reevaluate the effectiveness of our allocation of these resources. This is, appropriately, a prime purpose of this important conference on poverty and the aging.

RECENT PROGRESS

Fortunately, we have in this country the capacity to achieve our goal. The American Nation is enjoying a period of unprecedented prosperity. The economy provides for the great majority of Americans today goods and services and advantages which in past years were enjoyed only by the wealthy minority. The indicators of over-all progress are clear. Median family income has reached a new high. The educational attainment of the general population has risen. And with the introduction of new programs to improve the quality and availability of health services, the health of the American people is improving. New programs have also been started to offer social and economic opportunities and to assure equal opportunity to those who in the past have been denied this right. Existing and well tested programs have been improved and strengthened to help us reach the goal of improving each and every American's life.

SITUATION OF THE PRESENT AGED

The aged, too, have shared in the benefits from these unprecedented gains. The median income of all the aged families reached $3,460 in 1965. Last year the total income of all older persons was over $40 billion a year. Nearly a third of all aged couples had assets (not including the value of their home) of $10,000 or more. Fewer than 1 in 5 of the elderly are still working. But because income maintenance benefits are never as large as the wages they aim to replace in sheer dollars, earnings are the largest single source of income for the aged population. About 90 percent of the 19 million older people have some retirement protection; 85 percent are eligible for social security benefits, and about 75 percent are actually getting them; another five percent are protected under Civil Service or railroad retirement systems. This is a remarkable gain over the situation 25 years ago, when only 15 percent of the labor force had any kind of retirement protection.

And the situation is steadily improving. If we consider only the people who became 65 in 1965, instead of all those who were 65 and over, about 92 percent were eligible for Social Security benefits and about 97 percent were covered under some kind of public retirement program. And about 15 percent of the aged are drawing private pensions.

Virtually all of the 19 million aged now have health insurance protection under the new Medicare program, which will help to relieve them and their children of a major part of the financial burden of illness in old age. The new Medical Assistance program (Title XIX) which was also provided by the 1965 Amendments to the Social Security Act will ensure that the necessary medical and remedial care and services are available to the needy aged whose income or resources are not sufficient to pay for medical care.

Earlier this year, the Congress amended the Social Security Act to provide monthly social security payments of $35 a month for an individual age 72 or $52.50 for a couple age 72 or over who had previously not been eligible for insurance benefits because they did not meet the work requirements. It is estimated that approximately 370,000 people will be eligible beginning in October for these new benefits, amounting to about $95 million the first year. The cost of the benefits for people who do not have three quarters of coverage under Social Security will be met out of general revenues; the cost of these benefits for people who do have 3 or more quarters of coverage will be paid out of the Social Security trust fund.

As you might expect with the extension of the Social Security program to cover almost all workers, the proportion of the aged who must ask for public assistance to meet their basic needs has declined over the years. Since 1950, the percentage of the aged getting assistance has declined from 22 percent to 11 percent and the proportion who have their Social Security benefits supplemented by old-age assistance has also declined. Without the income provided to older people by the Social Security program, the old-age assistance roll would probably be 3 or 4 times its present size with a yearly cost of $8 billion to $10 billion instead of the present $2 billion.

The Social Security program, of course, does much more than merely reduce the need for public assistance. By serving as a base to which people can add savings and other retirement income, it also helps many of the aged live comfortably in retirement.

It is too soon to assess the full impact of the new Medicare and other Social Security improvements as well as related programs which will benefit the aged. They are nevertheless of great significance. Many of those among the older segment of our population have, to be sure, shared in the unprecedented wealth and progress of the Nation. But for those who have not, the record of our past achievements in improving the situation of the aged holds hope for measures to improve the lot of those who were bypassed. And we must find ways to do so.

POVERTY PROFILE

Unfortunately there are still many who are poor. Poverty can be defined in many ways and there is still disagreement over how to define it and how to measure it. While there may not be complete agreement, the cost of bare subsistence can be computed. The difficulties lie in answering the more complex questions. What is a minimum acceptable level of living in a society like ours where people expect more than mere subsistence? How does one take into consideration the effect of such variables as age, of family size, geographic location, living arrangements, and rising standards of living in general?

Answering these questions involves very controversial areas. And who is considered poor, of course, depends on the answers to these questions.

One of the more widely accepted measures of poverty has been developed by the Social Security Administration. The Social Security Administration's poverty index is based on a minimum food budget and uses a concept of equivalent levels of living for families of different types including variables such as age, size and family composition, and city or rural residence.[1] Using this measure of poverty, there are about 34 million Americans—15 million children and 19 million adults—or about one fifth of the Nation's population living in poverty. They make up 12 million families, or 1 out of every 5 families in the country.

While we cannot view these figures with any degree of complacency, there has been considerable improvement, more for some groups than for others. Since 1959, the percentage of poor has been reduced from 22 percent of our population to 18 percent, a decline of 13 percent. The poverty rate among the aged declined by 8 percent since 1959.

THE PRESENT INCOME GAP

How poor are those we say are living in poverty? How much money would it take to raise these poverty stricken people above the level of want and despair? Today it would take about $11.7 billion to raise the 34 million poor to a level where they could buy the basic needs for daily living. This amounts to about 2.4 percent of the Nation's personal income, which totaled $495 billion in 1964. To meet the income deficit of the aged poor would amount to about $2.2 billion.

But the problems of poverty cannot be solved by money alone. In addition to a regular income the poor also need increased understanding and services for their noneconomic needs. These include education, health services, training, housing and a number of other services which will help promote self help, and motivate those who are now dependent to achieve independence.

Put in very general terms, these are the problems we face in waging a war on poverty. But let us look more specifically at one of the largest groups of the poor—the Nation's aged population. For however you define poverty, it is clear that a significant proportion of this Nation's poor are aged (16%) and a large proportion of aged are poor (31%). In the concentrated and many faceted campaign against poverty in the United States, chief reliance so far as the aged are concerned must be placed on those programs which can be improved to provide adequate income to those who because of advanced age or poor health can no longer work. Although a regular income is by no means a guarantee of satisfactory living in old age, it is indeed a prerequisite for a good life. Without sufficient income the older person cannot have the security of knowing that he is not a burden on his children or others.

THE AGED POOR

The needs of the aged are as varied and important as any other group. Many are aged widows, few of the aged are in the labor force, and the public income maintenance benefits they do get are not a really adequate replacement for wages. For many of the aged their poverty is simply a continuation of the life they have always known. Under the SSA poverty index about 31 percent of the total aged population were poor in 1964. Another 10 percent of the aged population probably would have been poor if they had not been living with relatives.

Of the 5.4 million aged poor, about 30 percent live in the central cities, another 20 percent live outside the central city but still in the metropolitan area. The other 50 percent live in non-metropolitan areas; about 14 percent of these people live on a farm.

The vast majority of the aged poor are white, even though the chances of being poor are greater for an older Negro. About one-half of the aged poor, white and non-white alike, are in central cities, but, as one might expect, more of the non-white aged poor live in the central city.

About 2.5 million couples, more than half of all aged couples, have incomes under $3,000. And 2.8 million older people, or 3 out of 5, who live alone have incomes under $1,500.

Over one-sixth of all older couples have no assets of any kind or assets of less than $1,000. Almost one-fourth have no assets or less than $1,000 except for equity in their own homes. The aged poor, of course, have very little in the way of assets because most of them found it impossible to lay aside something for their old age and at the same time meet their daily living expenses, educate and rear their children and perhaps care for their own aged parents or other relatives.

Earnings make up a very small share of the income of the aged poor. In 1964 earnings accounted for about one-sixth of the total income of all aged poor families, contrasted with about one-half of the total income for all aged families. Although all the aged receive only a small portion—5%—of all wages and salaries paid in the United States, the aged who do have earnings are certainly better off than those who do not.

But where do the aged generally, and particularly the aged poor, derive most of their support? Three-fourths of all the aged now receive social security and for many this is the chief source of income they can count on. At least one-fourth of the income of all families with an aged head comes from social security benefits and among the aged poor, these benefits made up at least 35 percent of the total income in 1964.

While the improvements that have been made in the social security program have helped reduce the numbers of those living in poverty from one-third of all aged couples in 1959 to one-fifth in 1964, important decisions must still be made on further changes needed to keep pace with changes in the economy and in the concept of what is feasible and what is desirable, under various amendments to the law, coverage extensions have brought more people under the protection of the program, eligibility requirements have been liberalized and average benefits have been increased. Among other important results of these changes, more elderly women (a significantly large group) and elderly Negroes now are getting Social Security benefits. The program has helped many of the elderly to move out of dire poverty and made the plight of those remaining less severe.

The striking importance of these benefits is illustrated in the fact that although 35 percent all aged social security beneficiaries were regarded as poor under the SSA index, another 38 percent would have been poor if it had not been for their benefits, and only one-fourth of all other beneficiaries could have escaped poverty if they did not have their checks each month. And even those beneficiaries whom Social Security could not protect completely against poverty were better off than the poor who received no Social Security payments at all. Half of the aged poor receiving social security benefits needed less than $500 to rise out of poverty whereas three-fourths of the poor non-beneficiaries could not have made it with $500.

We see then, the importance of social security benefits to the independence of the aged. For roughly over a third of all aged beneficiary families and for one-half of all aged beneficiaries who live alone who are poor, social security is their only source of income. More than one-fourth of all benefits paid out to aged families, under the program went to a poor household.

The aged are more likely than younger people to receive support from other public programs, such as, veteran's programs and public assistance. All older families derived a sizeable portion (one-fourth) of their money income from sources other than Social Security or earnings. For the aged poor, more than half of this additional income came primarily from public assistance.

One out of 8 families with an aged head receives public assistance, but two-thirds of these families also receive Social Security. Among the aged poor families, a fourth received public assistance and over one-half were social security beneficiaries.

There are encouraging signs that the reasons for the high incidence of poverty in old-age in the past and even today may be diminishing in importance and that the incidence can be substantially reduced in the future. While it is true that poverty in old-age reflects their low current earning capacity, it is also evident as I noted earlier, to put it quite simply, many of the aged poor are poor now because they were not able to put enough aside for their old-age while they were working, rearing and educating their children. Many of the aged are poor because they had to use up what savings they did have to pay catastropic medical bills. Very few of the aged have had income from private pensions. And of course some who are now poor always have been poor. They have often been unemployed or worked for low wages.

But a number of changes in our society should help remedy these situations. Medicare will help to ease the financial burden of ill health not only for the aged but for their children who in the past have many times had to use up their savings to pay parents medical bills. Expanded scholarship and loan programs for their children will make it easier for middle income people to see their children through college and also enable them to build up savings for their retirement.

Today only a little over 2 million people have income from private pension plans—by 1980, over 6 million or one-fourth of the aged population may be receiving private pensions which will supplement their Social Security benefits. Today about 35,000 private pension plans aided by special provisions in the Federal tax systems supplement the Social Security program. The growth in private pension plans has been phenomenal over the past 20 years. Many of these plans of course probably would not have come into being if the social security program did not exist, for many employers might have been unwilling or unable to afford the cost of setting up plans that would do the whole job of providing income security in old age.

Now that we have identified some of the factors associated with poverty in old-age, we can continue to plan for the further reduction of its toll. Recognizing that it is about impossible to design preventive measures that anticipate all the problems and all the needs, the solutions that are designed must be flexible. We can expect changes in existing programs directed to the aged both to remedy gaps and inadequacies that exist today and to anticipate new circumstances and new goals. For one thing we know that the man or woman who retires today may still be living—and relying primarily on his social security benefits—10, 20, or 30 years from now. This has important social consequences as well as economic consequences. The positive changes that have occurred to give older people greater independence as well as improved stature as family members and as members of the community also have had some negative effects. Although improvement in social security benefits have enabled more of the aged to maintain their own households, many of them can maintain their independence only on the borderline of poverty. What is important though is the fact that many more elderly persons in 1964 than in earlier years had enough money to try getting along by themselves instead of sharing a home with a child (or other relatives) in a household with combined income more nearly adequate for all.

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[1] See appendix for detailed explanation of the Index.

NEXT STEPS

But while there are encouraging signs that we can expect the aged to be in a better financial position in the future, it is most urgent that we take immediate measures to provide for the aged who are poor today and to explore the possibilities of other innovations and strategies to prevent those who are now young from being poor when they get old.

Since most of the aged poor do get social security benefits, one of the first places we could start to improve the status of the aged poor would be to make improvements in the social security program. President Johnson has stressed the importance of doing just this. In signing the Medicare Extension Act last spring he said:

". . . yet too many of our older citizens are still trying to get along on income that is too small now to meet their needs, even though we have increased it (social security benefits) seven percent in two years.

So Social Security benefits which are the main source of their income must be increased in the years ahead.

. . . I asked the Secretary of Health, Education and Welfare, Mr. John W. Gardner, to complete his study as soon as possible on improving the benefits and the financial structure of the Social Security program . . . I intend to make these recommendations to the next session of Congress . . . I would like to increase insurance benefits across the board for 21 million beneficiaries, the aged, the disabled, the widows, and the orphans, including an increase in the monthly minimum, the monthly maximum and the total family benefits . . ."

Now let me assure you, the Department is undertaking a full scale effort to carry out the President's directive.

Although the objective of the Social Security program is not solely the reduction of poverty, it could be used to a much greater extent to reduce poverty. Now that just about eveyone is covered under this program, it is high time we did more about making the protection adequate. The level of social security benefits is the key, in my opinion, to determining how fast the number of aged poor will decline.

It is true that improvements in cash benefits in recent years have not quite kept the benefits up to date in terms of purchasing power. The seven percent increase last year fell short of restoring the 1958 purchasing power of the benefits and the 1958 increase of about seven and one-half percent also fell slightly short of restoring the 1954 level. This means that those on the social security rolls throughout this period have not shared in the Nation's rising level of living. Even in terms of the 1954 standard of living the benefits were low to begin with. For many people who have not yet retired and who will be working under the program for a longer period of time, the improvements made by 1965 amendments will result in a significant increase in benefit levels.

In the future if a man who regularly earns "average wages"—around $5,600 a year—he and his wife will be eligible at age 65 for a benefit of about $225 a month, or about 50 percent of earnings, and for the one who earns regularly at the level of the Federal minimum wage, amounting to about $2,600 a year, the benefit for the couple will be about $140 a month, or about two-thirds of previous earnings.

These amounts are not enough for most people to live on even now, and they must be increased. Retired workers who earned their benefit at jobs paying minimum wages, or less, and do not have significant assets or income from other sources; the low benefit such retired workers receive is usually all they have to live on. For the worker who is under the social security program many years and who has earned only minimum or near-minimum wages, the social security program should certainly pay amounts above the minimum standards we have been using to measure the poverty line. The basic poverty level in present prices is about $155 a month for elderly couples or about 10 percent more than the benefits payable to the steady worker and his wife earning the Federal minimum wage. And single people, and those who do not work regularly, are not as well off in relation to the poverty standard.

What is needed then is general benefit increase at all earnings levels—not just an increase for those earning minimum amounts—if the program is to continue in its role as a basic retirement system for workers with average and above-average earnings as well as those at the minimum.

There are other ways in which benefit amounts under the program could be improved. Something might be done about the low amounts of some of the actuarially reduced benefits payable to those who claim benefits before 65. More than half of the men awarded retirement benefits in 1965 are getting reduced benefits because they came on the rolls before age 65, and their benefits are, on the average, much lower than the benefit amounts payable to men who started getting benefits at age 65 or after. For the former, the average is about $78 a month as compared to about $107 a month for the latter.

In addition to the need for improving the adequacy of social security benefits for those who are already receiving benefits and for those who first start getting benefits, there is also the need for keeping the benefits up to date once they have been determined. Many people are on the benefit rolls for 15 or 20 years, or even longer, after entitlement and this will be even more true in the years ahead. Even though some do have assets and savings when they first start getting benefits, the longer they remain on the rolls, the more they have to fall back on these other resources to meet their needs and eventually these are depleted. Both the civil service retirement system and the military retirement system now include provisions to automatically adjust benefits to increases in the cost of living. Although the Congress has made periodic adjustments in the contribution and benefit base sufficient to keep it approximately in line with the $3,600 figure adopted in 1950, the maximum has not been adjusted to keep up with the rise in earnings since the beginning of the program. The base would have to be raised to about $15,000 to restore it to the comparable $3,000 figure provided in 1935. This contribution and benefit base should rise as earnings levels rise to prevent the protection provided under the program from deteriorating.

These are some of the measures that are being considered to improve the adequacy of social security benefits; and in doing so, improve the plight of the aged poor as well as maintain the status of the aged who are reasonably well off.

For most workers these improvements would be sufficient to keep them out of poverty, but it is recognized that there will always be some people, who for one reason or another may require public assistance. We must not flinch from meeting their needs adequately. More services need to be provided for the aged but they are not substitutes for adequate allowances for food, clothing and shelter. Needs must be met adequately not only in terms of assistance amounts but also in terms of availability for those who require it. Residence and other restrictive eligibility requirements are a barrier to meeting need wherever it exists.

The public assistance programs should be strengthened to realize the full needs of those who need to have their full needs met and to also meet the needs of those with occasional and special circumstances.

There will also be a growing need for social services and the public welfare agencies will be called upon more often to provide essential social services.

Comprehensive social services must be available to all citizens who wish to use them. And they must be available when and where the people need them, for example, through social service community centers. The aged, particularly, need specialized services. Many of the aged are infirm, isolated and poor, and are out of touch with families and the community. Deterioration, both physical and mental, that is associated with old age could be reduced by the provision of services directed toward the aged. We must direct more attention to these needs of the poor. Recreation, health services, satisfactory living arrangements, and opportunities for continuing education, and creative activities must be provided. Old age can be a time of enjoyment with many rich rewards in terms of self fulfillment.

Another area in which much more could be done is in provision of adequate housing for the aged. Many of them live in one room walkups, rundown hotels, old lodging houses, or isolated farm houses. Much of this housing is unsafe, unhealthy and rat infested. Rents take about one-third of their total income. Much could be done to improve the housing situation of the aged. The recently enacted Rent Supplement Act should help to provide decent housing for the aged. But even more could be done. The Department is supporting a bill which would require as a condition for the approval of a State old-age assistance plan that the State establish and designate a State agency which would be responsible for maintaining standards of health and safety in housing rented to recipients of OAA. Such a provision would provide an essential safeguard for the living arrangements of a highly vulnerable group—the needy aged. We are also hopeful that the Demonstration Cites Bill which is now pending in Congress will help provide needed services to the aged, as well as to other groups in the community.

Much could also be done to strengthen Federal, State and local and private and voluntary coordination and cooperation in the provision of services for the aged if we are going to deliver the services to the people for whom they were intended.

Improvements in the social security program, housing and other services for the aged can be made within the immediate future. But for many individuals their war on poverty is a life-long struggle. In the long run, more opportunities must be afforded for all persons to accumulate financial assets and tangible goods over their lifetime. The continuing economic growth of our Nation should make it possible for each employable individual to work at a decent wage, and maintain a reasonable standard of living. He should be able to build up income security for his retirement through social security, pension plans and cash savings and other assets. He should be afforded this opportunity throughout his lifetime so that he is not automatically assigned to the poverty roles when he reaches old age.

Overall bold, coordinated programs—both public and private—providing essential health, education, housing, recreation, welfare, transportation and public facilities are needed.

Opportunities should also be provided for improved social and economic mobility of all our citizens, with efforts directed toward increasing their potential to rise above minimum standards of income, assets and basic services. There is a compelling need to provide each person an adequate level of living and a way in which he may climb without hindrance of discrimination or lack of equal opportunity as high as his aspirations and capacity for achievement may take him.

CONCLUSION

To sum up: The Nation is committed to the goal of eliminating poverty. Whatever definition of poverty is used, a significant proportion of the Nation's poor are aged and a large proportion of the aged are poor and only through improvements in their economic status can we make progress toward our national goal of reducing—and eventually—eliminating poverty. While "sufficient" income to assure an adequate level of living is a prerequisite for a comfortable life in old age, it is not an absolute guarantee that other needs will automatically be met. Income and the security of available health services are guarantees of freedom from economic insecurity and freedom from the fear of being a burden on others, and these are important freedoms. But the needs of the aged are varied, and all too many people spend their last years alone and in endless monotony. They must have the opportunity to live a full and meaningful life; they must have the opportunity to obtain satisfactory living arrangements, to participate in a variety of activities, recreation, creative activities, friendships and continuing education.

Our objective is to improve the quality of each and every American's life; to open up new avenues, to extend their ability to choose and their freedom to choose the direction of their lives. The elimination of poverty among the aged is one of the first steps in this direction, for the welfare of the aged is inextricably interwoven with the welfare of all other Americans.

APPENDIX—POVERTY INDEX DEVELOPED BY SOCIAL SECURITY ADMINISTRATION

The index takes account not only of income, but also of size of family and of farm-non-farm residence.

The SSA index specifies a minimum money income required to support an average family of given composition at the lowest level consistent with prevailing standards of living. It is based upon the costs of an "economy" food plan defined by the Department of Agriculture. The poverty income level was computed using one-third as the proportion of total income allotted for food. (For aged households, the proportion assumed to go to food was somewhat lower.) The figures derived by this method, while somewhat arbitrary, are consistent with earlier measures developed for counting the poor—for example, the first Council of Economic Advisors' estimates arbitrarily chose income of $3,000 for a family and of $1,500 for an individual as the poverty line. The SSA poverty index works out to an income of $3,130 for a nonfarm family of four members in 1965, just under $1,500 for a single aged individual, and $1,850 for an aged couple.

SURVEY OF SCHOOL DISTRICTS BY U.S. OFFICE OF EDUCATION

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. Quie] may extend his remarks at this point in the Record, and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. QUIE. Mr. Speaker, last Wednesday I spoke about the survey of all school districts in the country which is being conducted by the U.S. Office of Education. I expressed concern that this survey was being conducted in such a way as to bypass the State educational agencies, and that the information requested outside of the usual statistics about size and location was the racial composition of the student body, staff personnel, and central administrative office personnel. At the time I questioned why this information was needed and why the response was only to be a breakdown between Negro, white, and other; with no provision made for classifying other racial minorities which predominate in various parts of the country. This obviously seemed a little one sided to me and a lack of understanding of the diversity of education problems on the local level.

Today, I have received a copy of a reply from U.S. Commissioner of Education, Harold Howe to the Minnesota State Commissioner of Education, Duane Mattheis in which these subjects are covered. Let me read this letter:

Department of Health, Education, and Welfare, Office of Education,
Washington, D.C.

Hon. Duane J. Mattheis,
Commissioner of Education,
State Department of Education,
St. Paul, Minn.

Dear Commissioner Mattheis: Please be assured that the supposition which generated your letter of October 5 was wrong. Mr. Mood will not bypass the State education agencies in any data collection effort involving schools. That would not only violate an explicit policy of the U.S. Office of Education but would be contrary to his own philosophy of operation of the National Center for Educational Statistics.

In the first phase of the school inventory, which is now midway in data collection, our first action was to ask permission of the chief State school officers in seventeen Southern and border States to mail blank forms directly to their districts, with return of completed forms to be channeled through the State education agency, or to specify an alternative procedure. In most cases the authorization was granted; in those States in which the authorization was not granted, we followed whatever procedure was suggested by the chief State school officer.

We shall begin the second phase of this effort, that of requesting these data from the other thirty-three States almost immediately. The first step in the process will be to write you and the other chief State school officers to determine your desires as to procedures. As was the case with the first seventeen States, no questionnaires will be sent to your districts, and no requests for information will be made of them without your full knowledge and concurrence. Your offer to assist us in working out procedures for use in Minnesota is much appreciated.

Now, may I respond to the numbered paragraphs in your letter.

1. It is the firm policy of the U.S. Office of Education to work with and through the State education agencies. As you know, Title X, Section 1009, of the National Defense Education Act is directed specifically toward increasing the State education agencies' information handling capacity. Title V, of the Elementary and Secondary Act of 1965 is directed more broadly toward strengthening the State education agencies. We are pressing forward with both of these programs with diligence and with complete commitment.

2. There has been coordination with the CEDS group on the matter of development of the universe of public elementary and secondary school districts and schools. Mr. Arnold Heyl, Director, Division of Data Sources and Standards, has discussed the project with CEDS members at regional meetings.

3. Estimates of the size of racial groups based on the "sight count" you suggest will be entirely satisfactory. A legally based definition is not necessary.

4. It will certainly be a welcome and delightful outcome for all of us if it should turn out that the data needed for the school inventory are all available at a central source in Minnesota.

5. The value of a nationwide directory of public schools needs no amplification. After much discussion with Federal and State agencies we were persuaded to gather a minimum amount of information about each school: location and size of student enrollment and staff. The subdivision of these last two items into racial groups will satisfy many essential demands. The fundamental one is the necessity that the Commissioner of education have factual information on which to base his administration of Title VI of the Civil Rights Act of 1964. Next most important is the fact that several Congressional committees and several Federal agencies concerned with civil rights programs, or racial distributions in various categories of schools: urban schools, suburban schools, rural schools, Southern, Appalachian, or other regional breakdowns of schools, schools serving certain socio-economic groups, schools related to various Office of Economic Opportunity programs, etc. In order to minimize the reporting burden on the educational community, the Bureau of the Budget has directed that the Office of Education obtain such information and that no other Federal agency do so. More generally, racial distribution of school children is the one item of information most widely requested by reresearch workers and administrators at all levels of education, and it is something about which we know almost nothing. We cannot avoid any longer getting solid information about one of the liveliest issues of our time.

I have written at such length because I recognize the seriousness of your concern. I hope that we shall soon have an opportunity to explore these matters at still greater length in conversation.

Sincerely yours,
Harold Howe II,
U.S. Commissioner of Education.

FEDERAL HIGHWAY AID TO ELIMINATE HAZARDOUS LOCATIONS

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Widnall] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. WIDNALL. Mr. Speaker, in order to promote the goals of highway safety, I have today introduced a bill, H.R. 18473, to provide an added incentive to the States to repair and eliminate specific hazardous locations as part of a highway spot improvement program. At present, the States are being requested by the Office of Highway Safety, Bureau of Public Roads, to inventory hazardous locations on the primary and secondary road system, or A-B-C system, as it is called. The States are then being encouraged to take action on a spot improvement basis, with the costs qualifying for Federal aid on the usual 50-50 share basis. Any money used for this purpose, however, comes out of funds programed for that State for general improvement and extension of the A-B-C system.

As of September 14, 1966, a total of 14,308 projects had been identified and inventoried by 47 participating States. The Bureau of Public Roads, Office of Highway Safety, expects that some of these projects will be excluded from the hazardous location spot improvement program because under plans already formulated for improving a primary or secondary road, the location is already scheduled for improvement. In other instances, the States themselves will undertake improvements without requesting Federal financial assistance. A few projects represent locations on the Interstate Highway System, which operates on a 90-10 Federal-State sharing plan.

For the most part, however, curing these safety hazards will depend upon the States willingness to dip into funds otherwise available for general primary and secondary road improvement. The initiative rests with the States, since there is no special allocation of funds or other financial incentive at the Federal level. Submitting an inventory of hazardous locations does not commit the State to action on these locations. It is estimated that the identifiable projects so far would cost $1,430 million, but only $257 million in Federal funds is expected to be needed at present. Using a 50-50 share basis, that would represent only $514 million of the total estimated cost, or a little over a third of the effort needed.

My bill, H.R. 18473, seeks to spur action in this important area of highway safety by providing a financial incentive to the States to act on their problem spots within the primary and secondary road system. The bill provides for a two-thirds Federal share in the cost of eliminating hazardous locations, instead of the present 50-50 Federal-State sharing now in effect. The additional 16⅔-percent Federal payment would not come out of the highway trust fund, but out of general revenues. I have left the amount of authorization in the bill blank, since it is being introduced for study purposes, but I would contemplate a limit of $100 million per fiscal year to pay for the additional Federal share.

In addition, my bill requires a State inventory of hazardous locations on an annual basis, to maintain an up-to-date evaluation of highway safety hazards. The criteria presently used by the Bureau of Public Roads is written into the bill as a general basis for identifying hazardous locations which would qualify under the program. The criteria includes, but is not limited to, the following:

First. A concentration of accidents at the location,

Second. A record of accident concentration at similar locations,

Third. Findings of applicable research, or

Fourth. Engineering judgment.

The types of projects anticipated are for widening bridges, eliminating sharp curves, correcting inadequate lighting, installing traffic control systems, channeling traffic at intersections, and the like. My own State of New Jersey has contributed the idea of pedestrian overpasses.

New Jersey has identified 57 hazardous locations, with costs estimated at $10 million. Eight of these projects are presently contemplated for Federal aid. I am informed that the number of projects is relatively low in comparison to other States, and that the average cost per project is also low, indicating that the small number is not due to high cost estimates. New Jersey is a highly urbanized, industrialized corridor State with many highway needs, which may explain the low total. I would expect that the added financial assistance and incentive provided by my bill would be particularly welcome and effective in New Jersey.

According to information supplied to me by the Office of Highway Safety, there are six hazardous locations identified in Bergen County, which I represent in Congress. On U.S. Route 4, the modernization of obsolete lighting is called for at the Hackensack River overpass, the Windsor overpass in Teaneck, and the Lafayette Avenue underpass, also in Teaneck. On U.S. Route 46, at Saddle Brook, a pedestrian overpass for schoolchildren at Fifth and Sixth Streets has been suggested. In addition, the Westminster Circle on Route 46 in Lodi is scheduled for resurfacing and curb additions, and the Bergen Turnpike Circle on Route 46 in Little Ferry needs channelization because of traffic congestion.

I am certain, however, that these locations are not the only sources of highway safety problems in my county. The Bergen County grand jury recently completed 8 weeks of unprecedented hearings into the highway and traffic safety problem. My constituents have long had an interest in highway safety and traffic safety problems, which in large measure can be traced to a continuing effort by the local press.

Obviously, there is no time for my bill to be considered by Congress this year. Nevertheless, I believe its introduction can serve as a focal point for added investigation and discussion by concerned governmental officials and private citizens. Hazardous traffic locations are an immediate, identifiable danger and should receive a high priority of effort. I intend to continue to pursue this matter in the next session of Congress, using the interim period as a means of generating study and support for my approach. I welcome all constructive suggestions at any time.

At this point I would like to include the suggested guidelines for inventory of hazardous locations as put out by the Bureau of Public Roads, a copy of my bill, and information from newspaper reports in the Record, of Hacksensack, N.J., on the Bergen County grand jury investigation of traffic safety problems.

U.S. DEPARTMENT OF COMMERCE,
BUREAU OF PUBLIC ROADS,
Washington, D.C., February 23, 1966.

Circular Memorandum to: Regional and Division Engineers.

From: J. D. Lacy, Director, Office of Highway Safety, Washington, D.C.

Subject: Highway Safety Improvement Projects, Guidelines for Inventory as Required in PPM 21-16.

PPM 21-16 directs the preparation of an inventory of hazardous locations in each State as a basis for scheduling highway safety improvement projects.

Enclosed are suggested guidelines for the inventory, including one sheet of an inventory from an imaginary State.

Although the exact procedure for making the inventory in a State will depend upon the situation in that State, the basic principles set forth in the enclosed material should be followed in each State.

The generalized list of seven types of safety improvement projects, on page 4 of the enclosures, will be used in the Washington office in the preparation of progress reports and may therefore also be of use by the States in any summaries or other reports of safety improvement work.

Enclosures.

U.S. DEPARTMENT OF COMMERCE,
BUREAU OF PUBLIC ROADS,
Washington, D.C.

GUIDELINES FOR THE INVENTORY OF HAZARDOUS LOCATIONS—PPM 21-16, PARAGRAPH 5

The inventory of hazardous locations, required by PPM 21-16, is basically a description of locations determined to be hazardous and appropriate for improvement as "safety improvement projects." The purpose of this memorandum is to offer certain guidelines for the development of the inventory. It does not presume to be a manual, nor is there any present intent to prepare formal instructions for conduct of the inventory.

The actual work of developing the inventory or list of hazardous locations will vary from State to State, depending on available records and procedures. Consequently, the guidelines that follow must be read in the light of the existing situation in a given State.

WHO MAKES THE INVENTORY?

The inventory should in all cases be made by the State, either with its own forces or on a contract basis. In no case should Public Roads attempt to make the inventory. HPR funds may be used in this process, however, on the usual matching basis.

HOW ARE HAZARDOUS LOCATIONS IDENTIFIED?

Four criteria are offered in PPM 21-16 for determining hazardous locations, to wit:

(1) A concentration of accidents at the location,

(2) A record of accident concentration at similar locations,

(3) Findings of applicable research, or

(4) Engineering judgment.

The word "concentration" implies several accidents, but no fixed value is established, largely because ten accidents in a State with good reporting of accidents may be comparable to a figure of three accidents in a State with poor reporting.

Since actual accident occurrence is to some extent a matter of chance, two similar locations (such as two narrow bridges) may have widely different accident experience yet be of equal hazard. The accident-free location could be considered therefore as a suitable location for a safety improvement, based on the experience at the other structure.

In some cases, existing research information, as contained in "Traffic Control & Roadway Elements" or other research reports, will identify a geometric feasure as hazardous. Such information may justify the inclusion of a particular location in this program.

HOW ARE PRIORITIES ASSIGNED?

Because the intent of the program is to improve all locations on the inventory by September 1969, it becomes necessary to assign priorities in at least four groups so as to determine the projects to be undertaken during the first year, the second year, and so on.

Actual ranking of projects should preferably be on the basis of expected savings in accidents. Predicting accident reduction from specific improvements is not well validated as yet, however, and various alternative measures will need to be used. For instance, the significantly highest rate might be assigned the top priority. The total number of accidents may be used rather than the rate—and fatal and serious injury accidents may be given extra weight in such comparisons. The exact formula is the State's decision.

If reasonable assumptions can be made of the expected accident reductions, a cost-effectiveness comparison may be made and top priority assigned to the project expected to show the greatest accident reduction per unit of cost.

It is recognized that it will be necessary to balance the cost over a four-year period, and this may affect the assignment of projects to one year or another.

INVENTORY DEADLINES

It is suggested that States be requested to submit at least a partial inventory (so that programing can start) by April 1, 1966, and that a complete inventory be requested by May 15, 1966. Division engineers should accept (but not approve) these inventory submissions as evidence of the State's intention to proceed with safety improvement work at the suggested level. The character and extent of the work proposed in the inventory should be reviewed in terms of the requirements of PPM 21–16 and IM 21–13–65. It is emphasized that the total work may be carried forward as State projects or as Federal-aid projects, or as a combination of the two. A copy of the inventory shall be furnished the Washington office.

The presence of a project on an accepted inventory does not constitute approval of the work as a Federal-aid project, but it should constitute justification for identification of the project as an "S" project.

Projects on the inventory which are not programed as Federal-aid projects but which become State projects are those on which reporting is requested in paragraph 2h of PPM 21–16.

Inventory of hazardous locations

Highway route No.	County	City	System	General location	Hazard	Justification	Type of improvement	Estimated cost	Funding			Priority	Date scheduled (fiscal year)
									State funds	Local funds	Federal aid		
U.S. 10	Adams		FAP	3 bridges over Salt Fork.	18-foot bridges, 22-foot roadway.	8 accidents in 3 years at 1 bridge.	Widening of bridges.	$160,000	$80,000		$80,000	A	1966
State Route 4	Bay	Leeds	FAP	Intersection of Main St. (State Route 4) and 2d St.	Unprotected left turn movement.	42 accidents (3 fatal, 10 injuries) in 5 years.	Channelization, left turn bay, signal modernization.	15,000	7,500		7,500	A	1966
County E	Cox		FAS	Burnt Mill, Rd., State Route 62 to U.S. 90, 10 miles.	No regulatory or warning signs.	No recorded accident experience; engineering judgment.	Signing to standards.	1,000		500	500	B	1967
I-990	Statewide.		FAI	200 miles of I-900 across State.	Unprotected sign supports.	Research findings.	Installation of guardrail at intersection signing	100,000	10,000		90,000	A	1966
State Route 80	Davis		FAP	2 A. & B. Rwy. intersections at grade.	High-volume, unprotected grade crossings.	1 accident in 1965, but high-potential hazard.	Relocation of State Route 80 on south side of railroad for 1 mile.	100,000	10,000		90,000	A	1966
U.S. 18	Eddy and Fox.		FAP	40 miles of U.S. 18 through 2 counties.	18-foot surface, 4-foot shoulders, 10,000 ADT.	Accident rate, 1965, 1,104 per 100 movements; State rural rate, 360 per 100 movements.	Widening of surface and shoulders; flattening of side slopes.	180,000	90,000		90,000	A	1966
State Route 39	Foothill		FAP	5 intersections with local roads.	All are blind intersections; State Route 39 in cut.	Engineering judgment.	Daylighting by cutting banks and other view obstructions.	4,500	4,500			B	1967

U.S. DEPARTMENT OF COMMERCE,
BUREAU OF PUBLIC ROADS,
Washington, D.C.

POLICY AND PROCEDURE MEMORANDUM

[Transmittal 44, Aug. 30, 1965—47–10.1]

1. MATERIAL TRANSMITTED

Policy and Procedure Memorandum 21–16 on program and project procedures for Federal-aid highway safety improvement projects.

2. EXISTING ISSUANCES AFFECTED

Instructional Memorandum 21–2–65 is replaced by this issuance.

3. COMMENTS

The objective of PPM 21–16 is to define Public Roads policy and to specify criteria and procedures for the undertaking and conduct of Federal-aid projects to eliminate hazardous locations on the Federal aid primary (except Interstate) and secondary systems, urban and rural.

The possibility of substantially reducing traffic accidents by eliminating physical hazards on the highway has long been recognized. Provisions of this PPM relate to an intensification of this approach through the use of Federal aid in the improvement of appropriate locations. The Federal program, it is acknowledged, will serve in some States only to supplement on-going State programs. In other States, it may generate a new type of activity for the State. In all States, it should serve to focus attention on proven safety techniques and the positive role of engineering in traffic accident prevention. Regional and division engineers will encourage the State highway departments to give consideration, if they are not already doing so, to programing a substantial proportion of ABC funds to Federal-aid projects that are specifically aimed at improving conditions at points or sections identified as having greater than normal hazard. The assignment of a large proportion of available ABC and State matching funds to such work, even though such assignment would defer some portion of other needed construction or reconstruction projects, will provide sizeable and immediate benefits to the public through the reduction of accidents.

"Substantial proportion of ABC funds" as used in the preceding paragraph means the amount needed to provide a total program that will improve within a four-year period most, if not all, the hazardous locations determined to exist on the Federal-aid primary and secondary systems and their urban extensions. The total program may include projects financed entirely with State funds in addition to Federal-aid projects.

The achievement of this goal will be facilitated, it is believed, by a systematic approach involving first an inventory of the several Federal-aid systems in the State to identify and list hazardous points or sections, and then the establishment of annual programs for the improvement of these locations. Grouping of locations on a Statewide, highway district, or a route basis to create a few large projects is considered a desirable technique to expedite this overall program.

It is recognized that development of the inventory and the first annual program may require several months, if such an inventory does not already exist. This should not deter a State from continuing to program safety improvement projects during the inventory development period.

The PPM makes another major change in the procedures previously authorized by eliminating the distinction between "S" and "P" projects. All highway safety improvement projects will henceforth be in the same category.

Because a significant contribution to the objectives of this program may be made by the States without the use of Federal-aid funds, and because a measurement of the total effort cannot be made unless these State efforts are known, the States should be urged to report their own non-Federal-aid programs in terms of number and type of projects and total costs.

REX M. WHITTON,
Federal Highway Administrator.

U.S. DEPARTMENT OF COMMERCE, BUREAU OF PUBLIC ROADS, POLICY AND PROCEDURE MEMORANDUM—HIGHWAY SAFETY IMPROVEMENT PROJECTS

[Transmittal 44, 21-16, Aug. 30, 1965]

Superseded Issuance: IM 21-2-65—Highway Safety Improvement Projects, "S" and "P", dated February 24, 1965.

1. PURPOSE

a. The general purpose of this memorandum is to establish the Bureau of Public Roads accident prevention program of Federal-aid highway improvements at specific locations which have been identified as hazardous because of a high accident experience or because of an engineering judgment that they are potential high-accident locations. The memorandum sets forth the form of support of this program in terms of Federal aid for such highway safety improvement projects, as directed by the President in a letter to the Secretary of Commerce dated March 23, 1964, which was supplemented by a letter from the Secretary to all governors dated April 7, 1964.

b. The specific purpose of this memorandum is to set forth policy and procedure for the programing and administering of highway safety improvement projects to meet the objectives stated above.

2. POLICY

a. It is the policy of the Bureau of Public Roads to authorize the use of Federal-aid funds for the improvement of specific locations or sections of highway which are hazardous to highway users and the physical improvement of which will be expected to reduce the hazards.

b. It is the policy of the Bureau of Public Roads to encourage States to develop annual programs of safety improvement projects, designed to improve all identifiable hazardous locations within a limited number of years. Individual projects within these annual programs may be a combination of locations or work areas throughout the State, in a single highway district, or along a Federal-aid route.

c. Safety improvement projects shall have as their objective the reduction of accidents at an early date through the elimination of hazards at specific points or locations, and shall thus be selected for their potential to reduce accident hazards, rather than to increase capacity or for other reasons. Even though greater capacity may result from the improvement, this should not be the sole basis for the project.

d. Safety improvement projects using Federal-aid funds may be programed on the Federal-aid primary (excluding Interstate) or secondary systems, rural or urban. Certain safety projects on the Interstate System were provided for in the last cost estimate for that system, but these are not to be classified as "highway safety improvement projects."

e. The program may be expected to generate safety projects which might not otherwise be undertaken and which may be (but do not have to be) less comprehensive in scope than was previously considered appropriate for Federal-aid funds.

f. It is recognized that to a large degree each Federal-aid project results in increased safety for highway users through construction or reconstruction to standards adequate for current and prospective traffic. However, the designation as a safety improvement project of an otherwise regular Federal-aid project (for reconstruction or relocation of a highway) because of anticipated reduction in accident hazard is not the intent of this program, particularly when the project would have been programed in any case. A project involving construction of a new route should not be designated as a safety improvement project.

g. It is further recognized that States carry on safety improvement projects without using Federal-aid funds, particularly when projects are not comprehensive in scope or involve relatively small amounts of funds. It is the policy of the Bureau of Public Roads to encourage all highway safety improvement projects however financed. Where it is demonstrated that adequate progress in this area is not being made on Federal-aid systems with State funds, additional emphasis must be placed on the use of Federal-aid funds.

h. In the case of projects financed without Federal-aid funds, the Bureau desires reporting by the State of its activities and accomplishments so that it will be possible to tabulate the full scope of safety improvement work, both Federal-aid and State.

3. CRITERIA FOR SAFETY IMPROVEMENT WORK

a. Locations for safety improvement work shall be selected on the basis of roadway hazards determined by one or more of the following factors:

(1) A concentration of accidents at the location;

(2) A record of accident concentration at similar locations;

(3) Findings of applicable research;

(4) Competent engineering judgment.

b. After the location for safety improvement has been identified, there must be a determination that the proposed engineering improvement can reasonably be expected to reduce the hazard.

c. The location of safety improvement work may be within the limits of a larger Federal-aid project even though the larger project is not a safety improvement project. In such a case the safety improvement work is not considered as a separate project but is identified separately as provided in paragraph 6d of this memorandum.

4. TYPES OF IMPROVEMENTS

a. In general, any type of physical change that is sound from an engineering standpoint may be programed as a safety improvement except work properly classed as maintenance.

b. Work may include but is not limited to one or more of the following types of improvements:

Widening of narrow traffic lanes.

Construction of stable shoulders of adequate width, or reconstruction of existing shoulders to provide additional width, including additional right-of-way, grading, drainage, and surfacing.

Flattening of side slopes and/or removal of roadside curbs and fixed obstructions to provide a clear recovery area for vehicles out of control.

Reconstruction to increase substandard sight distances.

Scattered short sections of reconstruction to improve substandard alignment, either vertical or horizontal, and the skid-resistant quality of pavement.

Widening of narrow bridges or other structures.

Construction of climbing lanes on long grades.

Installation of protective devices at railroad grade crossings.

Installation of traffic control devices in conformity with the Manual on Uniform Traffic Control Devices.

Construction or reconstruction of intersections, including channelization, control devices, and "skidproofing" approaches.

Installation of guardrails (median or road edge), guide posts, and delineators.

Installation of highway lighting.

Construction of fencing for special areas to control pedestrians and/or animals.

Construction of service roads, entrances and exists, curbs, and similar facilities to regulate access.

5. INVENTORYING AND SCHEDULING PROJECTS

a. As a basis for scheduling safety improvement projects, the State should make an inventory to identify the most hazardous locations on the Federal-aid primary and secondary systems, both urban and rural. From this inventory, the State should schedule sections for constructions, on a priority basis, so as to improve most if not all hazardous locations by September 1, 1969.

b. Available accident records, road inventory data, field inspection, complaints, and personal knowledge of highway department and police personnel may be used to develop the inventory. Preliminary cost estimates for recommended improvements should be a part of the inventory record.

c. Locations should be combined to provide workable projects, which may be Statewide or otherwise, and must be limited to work areas on the same Federal-aid system so that appropriate funding and pro rata ratios may be used.

d. As an alternate, the identified hazardous locations may be programed for improvement as individual projects, or several locations involving like work may be combined into one project. Thus a number of bridge widening projects might be put into a single project, as long as they are all on the same Federal-aid system.

6. PROGRAMING

a. Regular Federal-aid procedures, including procedures for construction by contract award by competitive bidding or exceptions thereto, will be followed in undertaking and completing safety improvement projects.

b. A project which combines work on two or more routes or route sections is to be designated by the four-digit number OOOS (similar to the OOOB number for the beautification program).

This project number will be preceded by usual fund designation, and followed by separate series of agreement numbers starting with (001) for each class of funds. For combined projects, a listing of locations by work type, county, and route number shall accompany the program submitted. Safety improvement work which is on one route section is to be identified by placing the word SAFETY in the Work Type column on Forms PR-1 and PR-9. The usual project numbering method will be used.

c. On the PR-37, safety improvement work will be identified by the letter "S" in the column headed ARA-AREA, numbered 24 of Card 5. When the entire project is for safety improvements, every line should show the letter "S" identification.

d. When the safety improvement work is part but not all of a larger project, the word SAFETY should appear on the PR-1 and the PR-9 on the lines reporting costs for the safety PE, ROW, and construction. On the PR-37, the word SAFETY should appear only on the appropriate lines in the column headed ARA-AREA (column 24 of Card 5).

e. When reporting safety construction, the code types shown on the latest PR–49 are to be used on the PR–37 and the listing previously mentioned for combined projects. These codes are hereby supplemented by the following:

Y101—Guardrail—delineators.

Y102—Fencing.

Y103—Striping.

Y104—Removal of obstructions, including curbs.

Y105—Improving horizontal or vertical sight distances.

Y106—Flattening of side slopes (other than for erosion control).

Y107—Curbs to regulate entrances and exits at roadside establishments.

f. The number of locations for each construction type shall be reported on Form PR–37 or the listing for combined projects. Report each continuous length as one location even though its continuity is broken by bridges or other structures. On a discontinuous project, each separate length should be reported as one location, except where this is inappropriate, as in the case of installation of closely-spaced, short sections of guardrail.

g. No designation as a highway safety improvement project will be given to a project already authorized which was not classed as a safety improvement project at the time of authorization.

h. Supporting data should be attached to or made a part of the PR–1 which will describe the hazards to be corrected and the improvements to be made at the locations. Available accident experience at the locations should also be reported.

7. RECORDS FOLLOWING THE IMPROVEMENT

Records of accident experience following the improvement are highly desirable. If "before" experience is also available, the "after" experience would permit a comparison and measurement of results. Even without the previous experience, however, the experience after the improvement will provide valuable data.

8. PHOTOGRAPHIC RECORDS OF IMPROVEMENT

The broad national interest in this work suggests the need to anticipate future public exposure for the program, and for specific projects. For this purpose, photographs of typical as well as spectacular projects will be valuable supplements. States should be asked to make appropriate photographic records, showing both "before" and "after" views, of appropriate projects. All photographs of improvement projects are to be forwarded promptly to the Office of Highway Safety, with suitable identification of the State and project number.

9. TECHNICAL ASSISTANCE AND USE OF HP&R FUNDS FOR IMPROVEMENT OF STATE ACCIDENT DATA SYSTEMS

a. The program will operate most effectively if adequate records of traffic accident experience are available, suitably identified as to the location on the Federal-aid systems. There is thus a concurrent responsibility on those with authority for programing improvement projects to have valid accident data readily available.

b. The accident data system may or may not be under the jurisdiction of the State highway department. When it is not, the highway department must assume responsibility by establishing liaison with the agency maintaining records to insure: (1) that information needed by the department is recorded, and (2) that the needed information flows promptly and in usable form to the department. These requirements may mean that the highway department has to improve its own accident data system or stimulate the required improvement in another State agency.

c. HP&R funds may be used to assist in the work of improving the accident data system to produce reliable and usable data for engineering use. Such work may involve revision of reporting forms and/or procedures, better analysis procedures (including use of ADP methods), establishment of liaison to transmit data to the highway department, and other steps. HP&R funds may also be used in developing the inventory of hazardous locations described in 5 a and b.

d. Technical assistance will be made available by the Washington office to the extent possible to assist efforts being made by the State to develop better and more usable accident data.

REX M. WHITTON,
Federal Highway Administrator.

H.R. 18473

A bill to amend title 23 of the United States Code to authorize an increased Federal share of the cost of certain projects for the elimination of hazardous locations

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) section 120(a) of title 23, United States Code, is amended by striking out "subsection (d)" and inserting in lieu thereof "subsections (d) and (h)".

(b) Section 120 of title 23, United States Code, is further amended by adding at the end thereof the following new subsection:

"(h) (1) The Federal share payable on account of any project for the elimination of a hazardous location on the Federal-aid primary system or the Federal-aid secondary system as set forth in section 405 of this title shall not exceed 66⅔ per centum of the cost of the construction of such project.

"(2) There is authorized to be appropriated out of the general fund, not to exceed $----- per fiscal year to pay the difference between the share of a project for the elimination of a hazardous location payable under subsection (a) of this section and the increased share parable under this subsection."

SEC. 2. (a) Chapter 4 of title 23, United States Code, is amended by adding at the end thereof the following new section:

"§ 405. Hazardous locations

"(a) Each State shall make an annual inventory of hazardous locations on the Federal-aid primary system, and the Federal-aid secondary system, within such State. Hazardous locations listed in such inventory shall be determined on the basis of criteria established by the Secretary. Such criteria shall include, but not be limited to, the following:

"(1) A concentration of accidents at the location,

"(2) A record of accident concentration at similar locations,

"(3) Findings of applicable research, or

"(4) Engineering judgment.

"(b) In the case of any project for the elimination of a hazardous location which has been included on an inventory submitted in accordance with subsection (a) and which is approved by the Secretary in accordance with the provisions of this title applicable to projects on the Federal-aid primary system, or the Federal-aid secondary system, as the case may be, the Federal share shall be increased as provided in subsection (h) of section 120 of this title."

(b) The analysis of chapter 4 of title 23, United States Code, is amended by adding at the end thereof the following:

"405. Hazardous locations."

HERE'S FULL TEXT OF GRAND JURY'S ROAD SAFETY PRESENTATION—REPORT SENT TO JUDGE LEYDEN

Presentment by Bergen County Grand Jury, May Term, regarding causes of traffic accidents and deaths to the Honorable J. Wallace Leyden, Assignment Judge of the Superior Court of Bergen County.

The full text follows.

From January 1 to June 30, 1966, Bergen County had the very dubious distinction of leading every other County in the State in traffic fatalities. On July 22, 1966, this Grand Jury commenced an investigation into the causes of motor vehicle traffic accidents in Bergen County resulting in death and injuries. The Grand Jury inquest was prompted by a series of articles in The Record which made the public conscious of the unusual increase in traffic fatalities, personal injuries, and property damage in Bergen County occurring on municipal, County, and State highways. The Record conducted a study and survey on the effect of road conditions in Bergen County on the accident rate. The results of this survey were made available to and considered by this Grand Jury. This study engendered a tremendous amount of public awareness and interest in a field where public apathy heretofore seemed to prevail. During the course of its inquiry, this Grand Jury heard testimony of professional experts and lay witnesses, all of whom are directly concerned with traffic safety. The Grand Jury considered testimony of Congressmen, the State Traffic Safety Director, the County Engineer, the Chief of County Police, an Insurance Information Institute expert, a former Governor, a member of the New Jersey Legislature, the News Editor of The Record, and others. Testimony was documented with exhibits which were received and marked.

While we began the inquiry to ascertain the causal relationship between road hazards and traffic accidents, the experts who appeared all declared that there were three causes of motor vehicle accidents, namely: (1) The mistakes of the individual behind the wheel—whether the mistakes are by reason of carelessness, drunkenness, or otherwise; (2) The motor vehicle itself and the lack of built-in safety features and devices; and (3) Hazards which can be ascribed solely to road conditions, be they improper design, narrowness, lack of center barriers, or otherwise. Obviously, there can be and there are combinations of these factors which contribute to the problem.

There is no question in the minds of the members of the Grand Jury that the operator of the motor vehicle is primarily responsible for many of the traffic accidents, and that built-in safety features would make the motor vehicle a safer mechanical device. But the Grand Jury is emphatically clear in the opinion that the elimination of hazardous conditions on our local, County, and State highways would contribute greatly to the reduction of traffic accidents.

Since initially we were alerted to conditions affecting roads and highways as a cause of traffic accidents, and since the testimony on this phase of the investigation gave us the greatest concern for reasons which we shall hereinafter explain, let us first then generally express our views on that problem.

Without at first focusing sharply on specifics, we shall discuss generally the information imparted by these witnesses and the conclusions drawn therefrom by this Grand Jury.

Testifying witnesses admitted the existence of dangerous intersections, lack of center barriers on State highways, blind underpasses, poorly designed roads for present-day traffic, and other dangers. One of the witnesses stated that the elimination of such hazards would take a minimum of five years and an astronomical sum of money, which is not, and in all probability will not, be available. To this Grand Jury it seems incongruous that we spend billions of dollars in the exploration of space, in our commitments to underdeveloped countries, and in other equally important areas, but with respect to this particular problem, even though we recognize that to the date of the commencement of this inquiry 69 persons had lost their lives in the County of Bergen, the appropriation of sufficient monies to correct these conditions seems an unattainable goal. It becomes a clear question of whether or not we are willing to spend the sums necessary to prevent the slaughter of persons on our public highways or whether, because of the cost involved, we shall reconcile ourselves to the fact that a certain number of persons must die. If the latter is our alternative, then we say that this is a very sad commentary and reflection on our affluent and progressive society. This particular area of discussion was synthesized very quickly during one of the hearings when the question was posed to a witness as to whether or not the witness agreed that the lack of a center barrier on Route 17 from Route 46 in Hasbrouck Heights to Route 3 in Rutherford had caused the deaths of many persons over the years. The answer was in the affirmative. Then the next question related to whether or not people would be killed in 1967, in 1968, and ensuing years if no center barrier were constructed to prevent the kind of accidents, head-on or otherwise, which caused the death of persons on that highway. The answer in this instance was also in the affirmative. Then, when the question was posed as to what was to be done to correct this hazard and eliminate what one of the Congressmen described as a "death trap," the answer was a great harangue about this being a "socio-economic" problem and the lack of sufficient funds and personnel to cope with the situation. It was further added that a minimum of five years would be required to eliminate the hazards on the highways, even if funds were available. This glacier pace and the use of sesquipedalian words did not impress members of this Grand Jury. We hasten to add that this problem is not the fault of any particular department, agency, or division of our State Government, but a combination of circumstances which, when coupled together, brings us to this serious dilemma. Insufficient monies over the years have not been appropriated to adequately cover the highway construction program, not to mention the maintenance, repair, and improvement programs. Tax monies originally specified, but not earmarked, for highway purposes for many years have been siphoned into other channels of Government responsibilities. According to our Congressmen, we have not even appropriated sufficient monies to match the Federal funds which are available to our State on a matching fund basis.

Regardless of the pessimistic viewpoint of the representatives of the New Jersey Highway Department, we hopefully believe that the recently enacted Federal legislation known as the Highway Safety Act is an important step in the solution of this difficult problem which is being compounded each year by the ever increasing number of motor vehicles on already inadequate public streets and highways.

While this law is not a panacea, Federal aid is now available under this Act to assist our State and County in the elimination of road hazards. But even this ray of hope will be meaningless unless the general public, which we hope has now been made aware of the appalling destruction of life and property, uses its great power of public opinion and refuses to accept defeat or delay in this vital area of public concern—realizing that in 1965 there were 49,000 persons killed in automobile accidents in the United States, and many more thousands were maimed and injured.

With respect to the frailties of the individual driver, the opinion was unanimous that since New Jersey had been the forerunner in the field of driver education in our high schools, that a sincere effort should be made to expand and improve driver education courses in our public, parochial, and private secondary schools. Statistics show that there are less accidents caused by those who have received driver education compared to those who have not. This course should be made mandatory to the end that every student who attains driving age will have a clear realization that he or she is about to go upon the public highways with a potentially dangerous instrumentality, and that each driver must have the proper appreciation of his or her responsibilities. Those persons applying for a motor vehicle license, who have not completed a driver education course, should be required to complete an equivalent course sponsored by the Department of Motor Vehicles.

The Grand Jury also agrees with testimony that there should be periodic examination of licensed drivers and an inquiry into the reason why it is necessary to build speeds into automobiles up to 150 M. P. H.

Testimony indicates that there are no provisions for driver control after the initial license has been issued. Thus, a driver may develop physical defects which go undetected after obtaining the initial license. Accidents caused by such deficiencies could be reduced if there were a requirement for re-examination at stated intervals.

The Grand Jury heard testimony from two Congressmen, WILLIAM B. WIDNALL of the 7th Congressional District and HENRY HELSTOSKI of the 9th Congressional District, concerning the efforts of the Federal Government with respect to safety standards in the manufacture of motor vehicles. The Grand Jury is pleased to know that during its inquest Congress has adopted two laws, the National Traffic and Motor Vehicle Safety Act and the Highway Safety Act, which new legislation gives the Federal Government important responsibilities in the area of traffic safety. The National Traffic and Motor Vehicle Safety Act is directed toward the motor vehicle itself and establishes safety standards which must be established by the Secretary of Commerce prior to January 31, 1967 and which will affect the 1968 model automobiles and other motor vehicles. While these standards will only be temporary according to the legislation, new and revised standards must be introduced by the Secretary of Commerce by January 31, 1968. State and local government motor vehicle standards must at least conform with the new Federal standards. This, the members feel, is an important step forward. It is difficult to understand why it took so long for the governmental representatives and the general public to become aware of the fact that safety standards should be built into automobiles. This awareness is certainly most welcome and we just hope that the public will accept the necessity for these built-in standards and make proper use thereof. The reason for this last comment is that testimony would indicate that many persons who were injured or killed in automobile accidents would have been saved if they had used the present type safety belt which is part of the equipment of many present day motor vehicles. This, too, is a subject of driver education which must be covered in the courses previously alluded to by this Grand Jury.

The Grand Jury was pleased to be informed by the Congressmen that a companion Act was enacted by the Congress, namely the National Traffic and Motor Vehicle Safety Act of 1966. This Act establishes a National Highway Safety Agency in the Department of Commerce and a National Highway Safety Advisory Committee. This Act requires States to adopt specific traffic safety programs by January 1, 1969 or face a 10 percent penalty cut in their Federal highway funds. The State safety programs will include driver training, driver testing, driver examinations, and driver licensing which will follow uniform standards developed by the Federal Government. This Act also covers traffic signals and signs, highway design and maintenance, and emergency services. State inspection of vehicles will be based on motor vehicle standards developed under the authority of the National Traffic and Motor Vehicle Safety Act of 1966. It is important to note that Federal grants for carrying out State traffic safety programs will be apportioned for the first three years—75 percent on the basis of population, and 25 percent at the discretion of the Secretary of Commerce. This is a matching fund program similar to the Federal aid in the construction of highways. It makes the Governor of each State responsible for the safety program, including local safety programs. Forty percent of the Federal funds apportioned to a State will be used for local programs unless there is an insufficient number of local highway safety programs to justify this expenditure. The Act authorized appropriations of $267 million for the highway safety programs over the next three fiscal years. In addition to the sum, $55 million is authorized for highway safety research and development. These funds are to be used for highway research grants and fellowships, training of highway safety personnel, the development of improved accident investigation, and various demonstration projects. Under this Bill, the Secretary of Commerce is also required to make a comprehensive study of the relationship between alcohol consumption and highway safety. The study is to review and evaluate State and local laws and enforcement methods relating to drunk driving. He is required to report the results of the study, including any recommended legislation, to Congress by July 1, 1967. The problem of drunk driving was deemed sufficiently serious to merit special study.

In addition to the other important factors covered by the above-stated Bills, it is more important to note that there is a concerted attempt and drive for uniformity in State and local traffic laws which in itself is a desired effort because the present lack of uniformity leads to confusion on the part of the driving public, and must therefore be a contributory factor to traffic accidents.

It is further recommended that there be more reciprocity, as well as uniformity, with respect to traffic regulations and penalties between the States.

Now from a more specific standpoint:

The Grand Jury considered the administrative structure as it related to road conditions and traffic safety from planning through reporting and records, as well as to the control and correction of dangerous conditions.

A brief discussion of the information obtained will facilitate the understanding of our findings, conclusions, and recommendations.

Every witness agreed that there is an urgent need for substantial sums of money to help alleviate the existing problems. This money is needed to increase the staff at every level so that there will be a prompt and adequate planning, reporting, and construction. The engineering staff of the County is grossly understaffed to properly fulfill the crying needs of the County. And at the State level, the New Jersey State Traffic Safety Service has only one professional engineer on its staff.

Money is needed to provide facilities for reporting, collecting, and storing information, and to provide a staff to analyze said information so that present hazardous conditions may be corrected and potential conditions prevented.

Testimony of the witnesses, without dissent, clearly shows that money is needed for construction of roads and highways. Many roads that traverse Bergen County are old and totally inadequate for today's volume of traffic, as for example, Route 17 and Paterson Plank Road. In many instances land must be acquired and in others safety devices, such as center line barriers, must be installed. Even newer roads require the expenditure of money to correct hazards, most notable of which is Route 208, which has no center barrier in some areas, and varies from four lanes to two lanes at different places.

Testimony, however, from representatives of the State Highway Department indicates that the hazards and inadequacies of Route 208 will shortly be removed. Correction of this hazard was expedited as a result of public clamor in the area served by this major artery. This further proves that public opinion, vigorously expressed, receives attention and results by those responsible in government. Another classic example of the power of public opinion is the construction of the footpath elevated over Route 46 when irate mothers of young children vociferously demanded action.

Money is needed to install traffic signals and warning devices to assist drivers and warn motorists of hazardous conditions. A related problem is that in many instances signals are not installed because funds are not made available.

In the administrative area, the problem is acute and indicates the need for immediate solution. The time delay between application by a municipality and review by other agencies must be reduced. While the problem may be partially corrected by an increased staff, the testimony indicates that there is a need for uniformity in applications and more effective dissemination of this information to all municipalities and Counties.

Title 39 of the New Jersey Statutes requires approval of all traffic controls by the Traffic Commissioner or Commissioner of Motor Vehicles. This requirement creates a situation which results in administrative delay at the State level. This condition can be corrected only by increasing the staff at the State level and decentralizing authority for approval for certain requests.

The testimony indicates that there is little or no coordination between the seventy municipalities of the County or adjoining communities. As a result, the flow of traffic is impeded and hazardous conditions result at or near municipal boundaries. This lack of sufficient concern for traffic outside the municipal boundaries points to the need for regional traffic planning. Staggering traffic signals on roads that traverse two or more municipalities can only be accomplished by co-operative, co-ordinated effort. Further, there is no co-ordinated review of traffic signals and warning devices which were installed in the past and may not meet present requirements.

The testimony indicates that many police forces are understaffed, which fact has a direct bearing on driver control. The mere presence of a police officer or patrol car tends to reduce speed and produce an awareness in the driver of his responsibilities.

The general inadequacy of Bergen County roads to accommodate today's traffic was acknowledged by all witnesses. The primary east-west roads, Routes S-3 and 4, are old and inadequate. There is a need to improve antiquated municipal and County roads to accommodate the increased volume of traffic generated by the east-west highways.

Similarly, the north-south highways are inadequate. The designers of Routes 17 and 9-W did not foresee today's volume of traffic. The problem created by this lack of vision was compounded by municipalities allowing commercial enterprises to improve property fronting on the highways in such a way as to make correction almost financially prohibitive.

Moreover, the testimony made it abundantly clear that major County arterial roads are likewise inadequate.

All witnesses concurred in the view that there is no effective office or department in the County charged with the primary responsibility of planning and developing an adequate road system. Further, there is no central office to assist municipalities and coordinate their plans and development with adjacent communities and the County as a whole. There is no office which maintains records of accidents which could be analyzed on a County basis. No County office is responsible for, or equipped to provide technical assistance in such areas as road construction and design, material composition, traffic signals, and the installation of safety devices. The fact that Bergen County has the largest passenger car registration in the State for the past five years is not officially known by any department in the County. There is no analysis as to which municipalities are experiencing increased vehicle density, where these areas of present concentration are, or future growth and direction.

Based upon the evidence presented to it, the Grand Jury finds that the roads of Bergen County are old, inadequate, and hazardous. We further find that these conditions exist by reason of the fact that no office, officer, or department is primarily charged with the responsibility of analysis, planning, co-ordination and construction of roads to meet the needs of Bergen County.

Specifically, we find:

(1) There is no comprehensive co-ordinated plan of road construction and traffic control in Bergen County. Seventy-one governmental units acting independently have not, and cannot, produce and maintain a road network adequate to meet the needs of a single community encompassing the sum total of seventy parts. The duplication seventy times over of work more efficiently performed by one unit of government is expensive, impractical, and unnecessary.

(2) There is insufficient coordination between adjacent communities concerning control signals, traffic flow, and volume of traffic. This results in unnecessary starts and stops and increases the danger of accidents.

(3) The requirements of Title 39 of the New Jersey Statutes that traffic control devices be approved at the State level delays the correction of obvious hazards.

(4) The County has placed an unnecessary burden on the individual municipality by requiring that the municipality bear the cost of installing and maintaining traffic signals at the intersection of municipal and County roads.

(5) No office or officer is charged with the responsibility of ascertaining what Federal and State aid is available for planning, research, development, and construction of County and municipal roads. Thus, for example, the County and municipalities may fail to take advantage of, and benefit by, recently enacted Federal legislation appropriating funds to assist communities in planning, research, development, and construction of local roads.

(6) There are no statutory requirements for re-testing drivers at fixed intervals or upon the happening of certain events. This permits physical defects to go undetected and accident-prone persons to continue driving.

(7) The consulting engineering firms used by municipalities do not have traffic engineers on ther staffs. This lack of expert opinion and advice is directly related to poor road design.

Moreover, the municipalities do not utilize to the maximum extent possible the facilities of the County Engineer's Office, including its very competent staff of traffic engineers.

(8) The cost of correcting existing deficiencies cannot equitably be placed on the individual municipality, and the County must accept the responsibility. The County, by reason of the traffic volume generated by its proximity to metropolitan New York, needs supplemental assistance from State and Federal sources.

(9) The New Jersey Constitution prohibits the earmarking of tax monies and thereby prevents long range capital improvement projects such as the construction and improvement of roads. Since no highway construction or improvement project can be completed in less than several years, it is obvious that monies must be appropriated and budgeted each separate year in order to finance such a project. This is cumbersome and inefficient.

(10) The penalties for drunk driving and driving while under the influence of drugs or narcotics are properly severe since possession of a driver's license is a privilege and not a right to kill or maim. The Grand Jury recommends that these statutes be effectively and impartially enforced. In addition thereto, it is recommended that a third conviction for drunk driving or driving while under the influence of drugs or narcotics should carry a penalty of permanent revocation of the driving privilege.

RECOMMENDATIONS

Thus, as a result of the foregoing, and based upon the extensive testimony heard, this Grand Jury, after careful deliberation, makes the following recommendations to the Bergen County Board of Chosen Freeholders.

(1) That a committee be established, with the chairman of the County Public Safety Committee as Chairman, to study the feasibility of establishing an independent department charged with the over-all responsibility of planning, co-ordinating, and developing County roads; analyzing accident records; conducting traffic safety research; and making recommendations to appropriate County and municipal authorities based on the results of all its activities.

(2) That necessary and appropriate action be taken to require municipalities to report all accidents, with pertinent information, to a central County department for analysis and planning purposes.

(3) That appropriate action be taken to affect a change in Title 39 of the New Jersey Statutes:

(a) To allow Counties which meet certain requirements to approve traffic signal and warning devices.

(b) To require re-examination of drivers at fixed intervals.

(4) That a County officer be charged with the responsibility of advising the appropriate County and municipal authorities of available State and Federal funds to assist in traffic safety development.

(5) That the facilities, equipment, and personnel of any County office or department charged with the responsibilities set forth above be available without cost or other charge to the municipalities of Bergen County.

(6) That appropriate action be taken to require coordinated action between concerned municipalities in the planning, development, and construction of roads and traffic signals that affect traffic in all communities.

(7) That the County assume full financial responsibility for traffic signals and warning devices that regulate traffic on, or intersecting, County roads.

(8) That an official County road map be drawn to facilitate planning and construction of new roads and expansion of existing roads.

This Grand Jury makes the further recommendation to the Governor and the Legislature of the State of New Jersey:

(1) That Title 39 of the New Jersey Statutes be amended by the Legislature of the State of New Jersey as follows:

(a) To permit Counties which meet certain requirements to approve traffic signals and warning devices.

(b) To require periodic reexamination of drivers.

(c) To require all schools—public, parochial, and private—to conduct a driver education course which shall be mandatory as to all secondary school students, said courses to include emphasis on the responsibilities and obligations of motor vehicle operators.

(2) That the Legislature should take into consideration the advisability of amending the New Jersey Constitution to provide for the earmarking of funds for State highway requirements to the end that monies can be appropriated and used for road construction and improvement purposes over a period of years. The State Constitution prohibits the earmarking of tax dollars, thereby preventing and impeding necessary long-range capital improvement projects of this kind.

ACKNOWLEDGMENTS

The Grand Jury commends The Record for its interest in the welfare and safety of those who use the roads and highways in Bergen County. The use of its eloquent voice to awaken the general public to a most serious problem affecting the lives and property of all is journalism in its noble form. Its assistance in this investigation, supplying records, charts, statistics, and information otherwise difficult to obtain, has been invaluable.

We further wish to express our gratitude and appreciation to former Governor Robert B. Meyner, Congressmen HENRY HELSTOSKI and WILLIAM B. WIDNALL, Assemblyman Jerome L. Yesko, and other State employees who took time out from their busy schedules to appear before this Grand Jury.

Many private industries, such as oil companies, auto manufacturers, and others, are similarly engaged in advertising safety through mass media, including television, radio, magazines, and newspapers. They, too, are to be commended and encouraged to continue this important civic-minded activity.

Respectfully submitted,

DAVID J. MCFARLAND,
Foreman.
GUY W. CALISSI,
Prosecutor.

Dated: October 7, 1966.

REPORT TO THE PEOPLE OF THE FIRST CONGRESSIONAL DISTRICT OF MARYLAND

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Maryland [Mr. MORTON] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. MORTON. Mr. Speaker, under leave to extend my remarks, I include a report to the people of the 1st Congressional District of Maryland on my voting record for the 2d session of the 89th Congress.

The report includes all rollcall votes through October 17. Its purpose is to collect in one place and in concise form information which is scattered through 26,000 pages of CONGRESSIONAL RECORD.

I regret the report cannot include all votes in this session. Even though there will be additional rollcall votes this week, I am publishing it now in order to make it available to my constituents at once. I believe they should have this record before the election so they can properly evaluate my stewardship.

The description of the bills and the amendments or motions in the report are for purposes of identification only; no attempt is made to describe the legislation completely or to elaborate upon the issues involved. This word of caution is advisable in view of the fact that the descriptions used are, for the most part, taken from the official titles of the bill which, unfortunately, do not always reflect the nature or true purpose of the legislation. Upon request, I will be pleased to furnish more complete information concerning any particular bill as well as a summary of the issues involved and the reasons for my vote.

In addition to the votes shown in this report, there were 196 quorum calls in the House which are omitted to conserve space. This accounts for the nonconsecutive numbering of the rollcalls.

The RECORD will also show that I was absent from the House during part of 16 legislative days, 7 of which I was in the medical center hospital at Bethesda. The balance were on official business either in the conduct of hearings by one of my committees or one of the Presidential commissions on which I serve, or on other business which I deemed important to the district. It will be noted that on all the votes in which I did not participate, I was either paired or would have voted "yea." All of these measures on final passage were relatively noncontroversial.

My voting record follows:

89th Cong., 2d sess.

Date 1966	Rollcall No.	Measure, question, and result	Vote
Jan. 27	3	H. Res. 665, authorizing funds for expenses of House Un-American Activities Committee: On resolution. (Adopted 299 to 24.)	Yea.
Feb. 2	6	H. Res. 699, citing Robert M. Shelton for contempt of Congress during Ku Klux Klan hearings: On resolution. (Adopted 344 to 28.)	Yea.
Feb. 2	7	H. Res. 700, citing Calvin Fred Craig for contempt of Congress during Ku Klux Klan hearings: On motion to recommit to special committee for study. (Rejected 57 to 307.)	Yea.
Feb. 3	9	H. Res. 706, agreeing to Senate amendments to H.R. 30, providing $9,500,000 for U.S. participation in Inter-American Cultural Center in Florida: On agreeing to resolution. (Agreed to 201 to 140.)	Nay.
Feb. 7	11	H.R. 12410, providing education and other benefits for veterans who served after expiration of Korean GI bill: On motion to suspend rules and pass. (Passed 381 to 0.)	Yea.
Feb. 8	13	S. 1698, establishing a procedure for the review of proposed bank mergers: On passage as amended. (Passed 372 to 17.)	Yea.
Feb. 9	15	H.R. 12563, authorizing United States to join Asian Development Bank and to pay $200,000,000 subscription: On motion to suspend rules and pass. (Passed 292 to 80.)	Paired for.
Feb. 9	16	H.R. 706, providing for special boards to eliminate backlog of undecided claims before National Railroad Adjustment Board: On passage. (Passed 380 to 0.)	Yea.
Feb. 23	18	H. Res. 736, providing for consideration of H.R. 12752, Tax Adjustment Act of 1966: On agreeing to resolution. (Agreed to 326 to 50.)	Yea.
Feb. 23	19	H.R. 12752, Tax Adjustment Act of 1966: On motion to recommit with instructions to delete section postponing auto and telephone excise tax cuts. (Rejected 187 to 207.)	Yea.
Feb. 23	20	On passage. (Passed 246 to 146.)	Nay.
Feb. 24	22	H. Res. 742, providing for consideration of H.R. 12169, authorizing supplemental foreign aid funds for southeast Asia including Vietnam in 1966: On agreeing to resolution. (Agreed to 359 to 11.)	Yea.
Feb. 24	23	H.R. 12169, Authorizing supplemental foreign aid funds for southeast Asia including Vietnam in 1966: On motion to recommit with instructions to specify countries where funds are to be spent. (Rejected 169 to 213.)	Yea.
Feb. 24	24	On passage. (Passed 350 to 27.)	Yea.
Mar. 1	26	H.R. 12889, authorizing supplemental funds in fiscal 1966 for military equipment for southeast Asia: On passage. (Passed 392 to 4.)	Not voting.[1]
Mar. 2	28	S. 1666, providing for appointment of additional circuit and district judges: On passage. (Passed 371 to 23.)	Yea.
Mar. 2	30	H.R. 9963, authorizing $4,600,000 in U.S. funds for Alaska exposition: On passage. (Passed 202 to 173.)	Yea.
Mar. 3	33	H.R. 12322, authorizing referendum to compel cottongrowers to pay assessments for cotton research and promotion: Motion to recommit with instructions to allow each producer 1 vote in referendum regardless of amount produced. (Rejected 185 to 191.)	Nay.
Mar. 3	34	On passage. (Passed 189 to 183.)	Nay.
Mar. 15	36	H.R. 12752, Tax Adjustment Act of 1966: On agreeing to conference report. (Agreed to 288 to 102)	Nay.
Mar. 15	38	H.R. 13546, making fiscal 1966 supplemental defense and foreign aid appropriations primarily for Vietnam: On passage. (Passed 389 to 2.)	Yea.
Mar. 16	40	H.R. 6785, providing uniform date for beginning and ending of daylight saving time throughout the United States: On passage. (Passed 292 to 93.)	Yea.
Mar. 21	42	H.R. 13448, providing the benefits of faster and less expensive mail service to servicemen overseas: On motion to supend rules and pass. (Passed 303 to 0.)	Not voting.[1]

See footnote at end of table.

89th Cong., 2d sess.—Continued

Date 1966	Rollcall No.	Measure, question, and result	Vote
Mar. 22	44	H. Res. 774, providing for consideration of S. 2394, authorizing $750,000 residence for the Vice President: On agreeing to resolution. (Agreed to 236 to 135.)	Nay.
Mar. 22	45	S. 2394, authorizing $750,000 residence for the Vice President: On passage. (Passed 197 to 184.)	Nay.
Mar. 29	48	H.R. 14012, making supplemental appropriations of $2,500,000, including funds for a new rent subsidy program and Teachers Corps for fiscal 1966: Motion to recommit with instructions to delete $12 million for rent subsidies. (Rejected 190 to 196.)	Yea.
Mar. 29	49	On passage. (Passed 269 to 122.)	Nay.
Mar. 30	50	S. 1404, providing uniform date for beginning and ending of daylight saving time throughout the United States: On agreeing to conference report. (Agreed to 281 to 91.)	Yea.
Mar. 31	53	H. Res. 802, providing for consideration of S. 2729, increasing lending authority of Small Business Administration and separating disaster loans from regular business funds: On agreeing to resolution. (Agreed to 362 to 4.)	Yea.
Mar. 31	54	S. 2729, increasing lending authority of Small Business Administration and separating disaster loans from regular business funds: On passage. (Passed 372 to 0.)	Yea.
Apr. 6	58	H.R. 14224, extending initial period for enrollment in supplementary health insurance program for the aged: On passage. (Passed 387 to 0.)	Yea.
Apr. 6	59	H.R. 14122, providing Federal pay increase: On motion to suspend rules and pass. (Passed 393 to 1.)	Yea.
Apr. 6	60	H.R. 14215, making appropriations for Department of Interior and related agencies for fiscal 1967: On motion to recommit with instructions to reduce bill by 5 percent. (Rejected 156 to 232.)	Yea.
Apr. 6	61	On passagage. (Passed 370 to 16.)	Yea.
Apr. 6	62	H.R. 14266, making appropriations for Post Office, Treasury, Executive Office and 2 independent agencies for fiscal 1967: On motion to recommit with instructions to reduce bill by 5 percent. (Rejected 127 to 244.)	Yea.
Apr. 6	63	On passage. (Passed 368 to 2.)	Yea.
Apr. 19	65	H.R. 7406, authorizing $390,000,000 for construction of 3d Grand Coulee Dam powerplant in Washington: On amendment establishing a consolidated Columbia River Basin accounting procedure. (Agreed to 239 to 111.)	Nay.
Apr. 19	66	S. 1761, authorizing construction of 3d Grand Coulee Dam powerplant: On motion to insert text of House-passed H.R. 7406 in lieu of Senate-passed language. (Agreed to 246 to 78.)	Yea.
Apr. 20	68	H. Res. 756, disapproving transfer of Community Relations Service from Department of Commerce to Department of Justice: On agreeing to resolution. (Rejected 163 to 220.)	Yea.
Apr. 26	70	H.R. 14596, making appropriations for Department of Agriculture for fiscal 1967: On motion to recommit with instructions to add amendment prohibiting sale of agricultural commodities to any nation trading with North Vietnam. (Agreed to 290 to 98.)	Yea.
Apr. 26	71	On passage. (Passed 366 to 23.)	Yea.
Apr. 27	74	H.R. 10065, to provide the Equal Employment Opportunity Commission with enforcement authority patterned after the National Labor Relations Board: On passage. (Passed 299 to 94.)	Yea.
Apr. 28	76	H.R. 13881, requiring the licensing of buyers and sellers of dogs and cats used for research purposes: On passage. (Passed 352 to 10.)	Yea.
May 3	80	H.R. 14324, making appropriations of $5,000,000,000 for NASA for fiscal 1967: On motion to recommit with instructions to designate $20,000,000 for noise research. (Rejected 90 to 271.)	Not voting.[1]
May 3	81	On passage. (Passed 349 to 10.)	Not voting.[1]
May 5	86	H.R. 14745, making appropriations for the Departments of Labor and Health, Education, and Welfare for fiscal 1967: On motion to recommit with instructions to limit expenditures to 95 percent of budget estimates. (Rejected 143 to 236.)	Yea.
May 5	87	On passage. (Passed 354 to 27.)	Yea.
May 10	91	H.R. 14921, making appropriations for Independent Offices and HUD for fiscal 1967: On amendment providing $2,000,000 for rent subsidies. (Agreed to 192 to 188.)	Nay.
May 10	92	On passage. (Passed 296 to 82.)	Nay.
May 11	94	H.R. 14088, providing for improved medical benefits for military personnel and dependents: On passage. (Passed 356 to 0.)	Not voting.[1]
May 12	97	S. 1098, encouraging construction of more railroad boxcars by increasing rental rates: On passage. (Passed 306 to 27.)	Yea.
May 16	98	S. 693, clarifying Foreign Agents Registration Act: On passage. (Passed 285 to 0.)	Yea.
May 16	100	H. Res. 852, providing for consideration of H.R. 14544, Participation Sales Act; authorizing Federal borrowing not subject to debt and interest limits: On agreeing to resolution. (Agreed to 184 to 120.)	Nay.
May 18	105	H.R. 14215, making appropriations for Department of the Interior and related agencies for fiscal 1967: On conference report. (Agreed to 378 to 10.)	Yea.
May 18	106	H.R. 14544, Participation Sales Act, authorizing Federal borrowing not subject to debt and interest limits: On motion to recommit with instructions to limit interest on participation holdings to 4.75 percent. (Rejected 180 to 218.)	Yea.
May 18	107	On passage. (Passed 206 to 190.)	Nay.
May 26	113	H.R. 13712, increasing Federal minimum wage to $1.60 an hour and extending coverage to additional employees: On amendment to exempt small retail firms and service stations. (Rejected 195 to 200.)	Paired for.
May 26	114	On amendment delaying minimum wage increase to $1.60 an hour until Feb. 1, 1969. (Agreed to 205 to 194.)	Paired for.
May 26	115	On motion to recommit with instructions to eliminate coverage of farmworkers and broaden seasonal industries' exemptions. (Rejected 168 to 231.)	Paired for.
May 26	116	On passage. (Passed 303 to 93.)	Paired for.
June 1	120	H.R. 9167, authorizing civil commitment of narcotic addicts for long-term rehabilitation: On motion to recommit with instructions to exclude from benefits persons charged with selling or importing narcotics. (Agreed to 198 to 168.)	Yea.
June 1	121	On passage. (Passed 367 to 1.)	Yea.
June 2	123	H.R. 14050, extending the Library Services and Construction Act: On passage. (Passed 336 to 2.)	Not voting.[1]
June 6	124	H.R. 14643, authorizing $140,000,000 for international studies at U.S. colleges and universities: On motion to suspend rules and pass. (Passed 194 to 89.).	Paired for.
June 6	125	H.R. 10, broadening Self-Employed Individuals Retirement Act: On motion to suspend rules and pass. (Passed 291 to 0.)	Not voting.[1]
June 7	127	H.R. 15456, making appropriations for House of Representatives and related offices: On passage. (Passed 341 to 2.)	
June 7	128	S. 1357, revising existing bail practices in U.S. courts: On passage. (Passed 319 to 14.)	
June 8	130	H. Res. 882, providing for consideration of H.R. 15202, increasing temporary national debt limit to $330,000,000,000: On agreeing to resolution. (Agreed to 205 to 153.)	Paired against.
June 8	131	H.R. 15202, increasing temporary national debt limit to $330,000,000,000: On passage. (Passed 199 to 165.)	Paired against.
June 9	133	H.R. 14929, Food for Freedom Act, promoting international trade in agricultural commodities: On amendment to extend credit from 20 to 40 years. (Agreed to 193 to 165.)	Nay.
June 9	134	On motion to recommit with instructions to prohibit credit sales to Communist countries and to change resale formula to prevent Government sales at less than 80 percent of parity. (Rejected 157 to 200.)	Yea.
June 9	135	On passage. (Passed 333 to 20.)	Yea.
June 13	137	H.R. 14019, authorizing funds for acquisition and maintenance of Department of State buildings overseas: On passage. (Passed 290 to 3.)	Yea.
June 14	141	S. 2950, authorizing procurement of military weapons and providing 3.2 percent military pay increase: On passage. (Passed 356 to 2.)	Yea.
June 16	145	H.R. 14025, extending the Defense Production Act: On amendment giving the President power to impose consumer credit controls. (Rejected 73 to 275.)	Nay.
June 20	147	S. 1160, freedom of information bill, providing for greater public access to Federal records: On motion to suspend rules and pass. (Passed 307 to 0.)	Yea.
June 20	148	H.R. 10860, allowing States to sell confiscated oil in interstate commerce: On motion to suspend rules and pass. (Passed 306 to 1.)	Yea.
June 22	150	H.R. 15119, extending unemployment compensation benefits and preserving State control of system: On passage. (Passed 374 to 10.)	Not voting.[1]
June 23	152	H.R. 13196, authorizing program for training of health professions personnel: On passage. (Passed 364 to 0.)	Yea.
June 27	154	H. Res. 875, providing for consideration of H.R. 14904, increasing parcel post rates and size and weight restrictions; under procedure bypassing Rules Committee: On agreeing to resolution. (Agreed to 222 to 148.)	Nay.
June 27	155	H.R. 5426, prohibiting common law marriages in the District of Columbia: On motion to recommit. (Rejected 39 to 328.)	Nay.
July 12	159	S. 2950, authorizing procurement of military weapons and providing a 3.2 percent military pay raise: On agreeing to conference report. (Agreed to 358 to 2.)	Yea.
July 14	164	H.R. 15750, authorizing foreign aid: On motion to recommit with instructions to limit authorizations to 1 year instead of 2 years and to reduce Development Loan Fund from $1,000,000,000 to $750,000,000 annually. (Rejected 191 to 193.)	Yea.
July 14	165	On passage. (Passed 237 to 146.)	Yea.
July 20	171	H.R. 15941, making appropriations for Department of Defense for fiscal 1967: On passage. (Passed 392 to 1.)	Yea.
July 21	173	S. 602, increasing and extending small reclamation projects program: On agreeing to Conference Report extending program to all States. (Rejected 136 to 204.)	Yea.
July 25	175	H. Res. 910, providing for consideration of H.R. 14765, Civil Rights Act of 1966; under procedure bypassing Rules Committee: On agreeing to resolution. (Agreed to 200 to 180.)	Nay.

See footnote at end of table.

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Date 1966	Rollcall No.	Measure, question, and result	Vote
		H.R. 14765, Civil Rights Act of 1966:	
Aug. 9	206	On amendment to exempt agents acting under instructions of owners in the sale or rental of dwellings. (Agreed to 237 to 176.)	Nay.
Aug. 9	207	On amendment making it a Federal crime to incite riots. (Agreed to 389 to 25.)	Yea.
Aug. 9	208	On amendment requiring written complaint before Federal suit to desegregate public facilities can be filed. (Agreed to 214 to 201.)	Yea.
Aug. 9	209	On motion to recommit with instructions to delete housing provisions. (Rejected 190 to 222.)	Yea.
Aug. 9	210	On passage. (Passed 259 to 157.)	Nay.
Aug. 10	213	S. 3105, authorizing $1,000,000,000 for military construction in fiscal 1967: On passage. (Passed 389 to 1.)	Yea.
Aug. 11	215	H.R. 14359, authorizing funds for highway construction: On motion to recommit with instructions to delete $493,000,000 for highway beautification. (Rejected 173 to 175.)	Yea.
Aug. 11	216	On passage. (Passed 341 to 1.)	Yea.
Aug. 15	218	S. 3688, providing funds to FNMA for home financing: On motion to suspend rules and pass. (Passed 314 to 1.)	Yea.
Aug. 15	219	H.R. 16114, increasing fringe benefits to Federal civilian firefighters: On motion to suspend rules and pass. (Passed 313 to 0.)	Yea.
Aug. 15	220	H.R. 14604, authorizing $60,000 for study of visitors' services in District of Columbia: On motion to suspend rules and pass. (Rejected 209 to 108, a ⅔ majority being required.)	Yea.
Aug. 15	221	H.R. 11555, authorizing $12,000,000 for border highway in El Paso, Tex.: On motion to suspend rules and pass. (Rejected 174 to 133, a ⅔ majority being required.)	Yea.
Aug. 16	224	H.R. 14810, extending urban mass transportation program indefinitely at $175,000,000 per year: On motion to recommit with instructions to reduce funds to $150,000,000 and limit extension to 1 year, through fiscal 1968. (Agreed to 205 to 161.)	Yea.
Aug. 16	225	On passage. (Passed 235 to 127.)	Yea.
Aug. 17	228	H.R. 13228, Traffic Safety Act, establishing safety standards for autos and tires: On amendment providing that members of the Safety Advisory Council be appointed by the President instead of Commerce Secretary. (Rejected 168 to 205.)	Yea.
Aug. 17	229	On passage. (Passed 371 to 0.)	Yea.
Aug. 18	231	H.R. 14921, making appropriations for independent offices and HUD for fiscal 1967: On motion to recommit conference report with instructions to eliminate participation sales program authorizing Federal borrowing not subject to debt and interest limits. (Rejected 176 to 190.)	Yea.
Aug. 18	232	H.R. 13290, Highway Safety Act, establishing highway safety program: On passage. (Passed 317 to 3.)	Yea.
Aug. 22	233	S. 602, increasing and extending small reclamation projects program: On agreeing to 2d conference report restricting program to Western States. (Agreed to 198 to 81.)	Yea.
Aug. 22	234	H.R. 16340, prohibiting picketing near churches in District of Columbia during religious services: On motion to recommit with instructions to hold public hearings and request Justice Department report and testimony from Attorney General. (Rejected 55 to 237.)	Yea.
Aug. 22	235	On passage. (Passed 249 to 44.)	Nay.
Aug. 24	238	H.R. 14596, making appropriations for Department of Agriculture for fiscal 1967: On agreeing to conference report. (Agreed to 325 to 28.)	Yea.
Aug. 25	241	H.R. 15941, making appropriations for Department of Defense for fiscal 1967: On agreeing to conference report. (Agreed to 383 to 1.)	Yea.
Aug. 25	242	On motion to disagree to Senate amendment authorizing President to call up individual reservists and National Guardsmen without declaring a national emergency. (Agreed to 378 to 3.)	Yea.
Aug. 26	244	S. 3688, providing funds to FNMA for home financing: On agreeing to conference report. (Agreed to 234 to 1.)	Not voting.[1]
Aug. 26	245	S. 3700, extending urban mass transportation program for 3 years at $150,000,000 per year: On agreeing to conference report. (Agreed to 156 to 86.)	Paired for.
Aug. 29	246	H.J. Res. 1284, funding certain Federal agencies until Congress enacts fiscal year appropriation bills: On agreeing to resolution. (Agreed to 323 to 6.)	Yea.
Aug. 30	251	H.R. 15963, establishing Department of Transportation: On amendment to exclude Maritime Administration from the Department's jurisdiction. (Agreed to 261 to 117.)	Yea.
Aug. 30	252	On motion to recommit with instructions to assign air accident investigation functions to Transportation Safety Board. (Rejected 143 to 238.)	Yea.
Aug. 30	253	On passage. (Passed 336 to 42.)	Yea.
Aug. 31	255	S. 3155, authorizing funds for highway construction: On agreeing to conference report. (Agreed to 359 to 1.)	Yea.
Aug. 31	257	S. 3005, Traffic Safety Act, establishing safety standards for autos and tires: On agreeing to conference report. (Agreed to 365 to 0.)	Yea.
Aug. 31	258	S. 3052, Highway Safety Act, establishing highway safety program: On agreeing to conference report. (Agreed to 360 to 3.)	Yea.
Aug. 31	259	H.R. 16574, authorizing $100,000,000 for Peace Corps in fiscal 1967: On passage. (Passed 322 to 15.)	Yea.
Sept. 1	261	H.R. 15750, authorizing foreign aid : On agreeing to conference report. (Agreed to 217 to 127.)	Yea.
Sept. 1	262	H.R. 15098, authorizing $10,000,0000 for U.S. participation in HemisFair Exposition in Texas: On motion to recommit. (Rejected 147 to 184.)	Yea.
Sept. 6	265	H.R. 15766, establishing a commission to study and recommend reform of Federal criminal laws: On motion to suspend rules and pass. (Passed 259 to 0.)	Yea.
Sept. 7	267	H.R. 13712, increasing Federal minimum wage to $1.60 an hour and extending coverage to additional employees: On motion to recommit Conference Report with instructions to insist on final effective date of Feb. 1, 1969, instead of 1968. (Rejected 163 to 183.)	Yea.
Sept. 7	268	On passage. (Passed 259 to 89.)	Yea.
Sept. 8	271	H.R. 14026, broadening authority of Federal banking officials to control interest rates: On motion to recommit. (Rejected 130 to 214.)	Yea.
Sept. 8	272	On passage. (Passed 271 to 68.)	Yea.
Sept. 12	274	H. Res. 1002, providing for consideration of H.J. Res. 688, implementing Beirut agreement on facilitating international circulation of visual and auditory material of educational and cultural character: On agreeing to resolution. (Agreed to 242 to 2.)	Not voting.[1]
Sept. 12	275	H. Res. 1005, providing for consideration of H.R. 11256, to improve the Federal tax lien laws: On agreeing to resolution. (Agreed to 243 to 9.)	
Sept. 12	276	H. Res. 1004, providing for consideration of H.R. 8664, implementing the Florence Agreement on duty-free entry of certain educational, scientific, and cultural materials: On agreeing to resolution. (Agreed to 241 to 7.)	
Sept. 12	277	H. Res. 976, providing for consideration of H.R. 11555, authorizing $12,000,000 for border highway in El Paso, Texas: On agreeing to resolution. (Agreed to 202 to 48.)	
Sept. 13	279	H.R. 17636, making appropriations for District of Columbia for fiscal 1967: On motion to recommit with instructions to reduce bill by 5 percent. (Rejected 108 to 217.)	Yea.
Sept. 13	280	On passage. (Passed 320 to 3.)	Yea.
Sept. 14	284	H.R. 17637, making appropriations for military construction for fiscal 1967: On passage. (Passed 346 to 3.)	Nay.
Sept. 19	286	H.R. 8678, establishing of Pictured Rocks National Lakeshore in Michigan: On motion to suspend the rules and pass. (Passed 247 to 70.)	Yea.
Sept. 19	287	H.R. 17488, increasing non-service-connected disability and death pensions for veterans and their survivors: On motion to suspend rules and pass. (Passed 315 to 2.)	Yea.
Sept. 19	288	H.R. 15183, permitting Cuban refugees to apply for permanent residence status: On motion to suspend rules and pass. (Passed 300 to 25.)	Yea.
Sept. 19	289	S.J. Res. 167, authorizing $1.2 million for International Conference on Water for Peace: On motion to suspend rules and pass. (Rejected 161 to 154, a ⅔ majority being required.)	Yea.
Sept. 19	290	S. 3423, authorizing $600,000 to establish cultural and recreation area in Fairfax County, Va.: On motion to suspend rules and pass. (Rejected 195 to 105, a ⅔ majority being required.)	Yea.
Sept. 20	293	H.R. 17788, making appropriations for foreign aid and other programs for fiscal 1967: On motion to recommit with instructions to reduce economic aid by 10 percent. (Agreed to 187 to 182.)	Yea.
Sept. 20	294	On passage. (Passed 234 to 141.)	Nay.
Sept. 21	296	H.R. 17787, making appropriations for public works in fiscal 1967: On passage. (Passed 354 to 25.)	Yea.
Sept. 21	298	H.R. 17195, authorizing the President to call up reserves without declaring a national emergency and barring merger of Reserves and National Guard: On passage. (Passed 332 to 6.)	Yea.
Sept. 22	300	H.R. 11555, authorizing $12,000,000 for border highway in El Paso, Tex.: On motion to recommit with instructions to reduce Federal funds to $8,000,000 and to require that El Paso or Texas pay 50 percent of highway cost. (Rejected 149 to 199.)	Not voting.[1]
Sept. 22	301	H.R. 13825, authorizing funds for Tijuana River flood control project: On passage. (Passed 293 to 42.)	Not voting.[1]
Sept. 29	317	H.R. 15111, authorizing $1,750,000,000 for antipoverty program for fiscal 1967: On motion to strike enacting clause. (Rejected 156 to 208.)	Yea.
Sept. 29	318	On amendment to limit supergrades to 1 for each 100 employees. (Agreed to 257 to 108.)	Yea.
Sept. 29	319	On motion to recommit with instructions to substitute opportunity crusade. (Rejected 162 to 203.)	Yea.
Sept. 29	320	On passage. (Passed 210 to 156.)	Nay.
		H.R. 17607, suspending 7-percent investment tax credit:	
Sept. 30	323	On amendment continuing credit for construction of water and air pollution control facilities. (Agreed to 330 to 2.)	Yea.
Sept. 30	324	On passage. (Passed 221 to 118.)	Nay.
Sept. 30	325	H.R. 16076, authorizing funds for water pollution control: On passage. (Passed 312 to 0.)	Yea.
Oct. 3	326	S. 985, establishing certain fair packaging and labeling standards: On motion to suspend rules and pass. (Passed 300 to 8.)	Nay.
Oct. 3	327	S. 3807, authorizing $15,000,000 for nuclear power-desalting project: On motion to suspend the rules and pass. (Passed 316 to 1.)	Yea.
Oct. 3	328	H.R. 13447, authorizing $15,000,000 for estuarine areas: On motion to suspend rules and pass. (Rejected 208 to 108, a ⅔ majority being required.)	Nay.

[1] See footnote at end of table.

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Date 1966	Rollcall No.	Measure, question, and result	Vote
Oct. 4	330	H.R. 18119, making appropriations for Departments of State, Justice and Commerce for fiscal 1967: On motion to recommit with instructions to reduce all but FBI funds by 5 percent. (Rejected 152 to 201.)	Not voting.[1]
Oct. 4	331	On passage. (Passed 319 to 38.)	Yea.
Oct. 5	335	H.R. 14929, Food for Freedom Act, promoting international trade in agricultural commodities: On motion to recommit conference report with instructions to insist on banning sales to nations trading with Cuba or North Vietnam. (Agreed to 306 to 61.)	Yea.
Oct. 6	343	H.R. 13161, authorizing $5,600,000,000 for Federal aid to elementary and secondary education for fiscal 1967–68: On amendment allowing withholding of funds for noncompliance with Civil Rights Act of 1964 only after hearings and findings. (Agreed to 221 to 116.)	Yea.
Oct. 6	344	On motion to recommit with instructions to reduce funds by $1,300,000,000. (Rejected 150 to 185.)	Yea.
Oct. 6	345	On passage. (Passed 237 to 97.)	Nay.
Oct. 7	346	H.R. 17788, making appropriations for foreign aid and other programs for fiscal 1967: On agreeing to conference report appropriating $110,600,000 less than House bill. (Agreed to 189 to 89.)	Yea.
Oct. 11	349	H.R. 15941, making appropriations for Department of Defense for fiscal 1967: On motion to agree to amendment in conference report authorizing President to call up reservists and guardsmen individually and by unit without declaring a national emergency. (Agreed 305 to 42.)	Nay.
Oct. 11	350	H.R. 17787, making appropriations for public works for fiscal 1967: On motion to recommit conference report with instructions to cut $23,600,000. (Rejected 91 to 255.)	Yea.
Oct. 13	360	H.R. 12047, amending the Internal Security Act to impose criminal punishment on those who support through contributions or goods any country in armed conflict with the United States: On passage. (Passed 275 to 64.)	Yea.
Oct. 14	362	H.R. 51, establishing the Indiana Dunes National Lakeshore: On amendment adding 478 acres. (Agreed to 182 to 147.)	Nay.
Oct. 14	363	On passage. (Passed 204 to 141.)	Nay.
Oct. 14	365	S. 3708, Demonstration Cities and Metropolitan Development Act: On motion to recommit with instructions to cut $900,000,000 and delete Federal metropolitan program. (Rejected 149 to 175.)	Yea.
Oct. 14	366	On passage. (Passed 178 to 141)	Nay.
Oct. 17	368	S. 3675, providing for consideration of claims of U.S. nationals against Chinese Communists: On motion to suspend rules and pass. (Passed 249 to 3.)	Yea.
Oct. 17	369	S. 985, establishing certain fair packaging and labeling standards: On agreeing to conference report. (Agreed to 242 to 6.)	Nay.
Oct. 17	370	S. 2947, authorizing funds for water pollution control: On agreeing to conference report. (Agreed to 247 to 0.)	Yea.

[1] Absent. If present, would have voted "yea."

CHECKING CREDENTIALS OF VIETNAM CRITICS

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. ASHBROOK] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. ASHBROOK. Mr. Speaker, recently Prof. Rodger Swearingen of the University of Southern California looked into the qualifications of many of the academic community who have lent their names to various petitions and other protests against the war in Vietnam. Professor Swearingen sought to ascertain how many of the academic protesters spoke from a political science background and how many were identified with unrelated fields. As professor of international relations, director of the university's Research Institute on Communist Strategy and Propaganda and editor of the institute's publication, Communist Affairs, Professor Swearingen is understandably curious about the credentials of some of the Vietnam critics. In addition to the above-listed qualifications, Professor Swearingen is editor and coauthor of the book "Soviet and Chinese Power in the World Today," which is to be published in November by Basic Books, and the author of "The World of Communism," a high school textbook published recently by Houghton Mifflin.

As a small but vocal group of Vietnam critics seek to influence the American public by their protestations, I believe the article, "Checking Credentials of Vietnam Critics," from the National Observer of September 19, 1966, by Professor Swearingen is both timely and important and for this reason request that it be inserted in the RECORD at this point.

VOICES FROM THE ACADEMIC COMMUNITY CHECKING CREDENTIALS OF VIETNAM CRITICS

A rising chorus of criticism against American policy in Vietnam continues to issue forth from universities, colleges, and other institutions of higher learning across the nation. It is almost as if the academic community has squared off against the United States Government.

A few months ago, on Sunday, June 5, an impressive indication of this battle appeared with the publication in the New York Times of an unusual three-page advertisement attacking U.S. policy in Vietnam. The document bore the names of some 6,000 academicians and professional types representing more than 100 educational institutions. The signers of the document said:

"We call upon our Government:

"To cease all bombing, north and south, and all other offensive operations immediately; to indicate that it will negotiate with the National Liberation Front and all other interested parties for a peaceful settlement; to encourage in every way, and in no way to interfere with, the free exercise of popular sovereignty in Vietnam; to evaluate seriously whether self-determination for the Vietnamese as well as our own national interests would not be best served by termination of our military presence in Vietnam."

This was the second such document signed by members of the academic community to appear in the Times in about a year. The earlier, more modest full-page ad (May 9, 1965) was sponsored by a group that called itself the Greater Boston Committee on Vietnam. It was equally critical of U.S. policy in Vietnam.

A CAUSE FOR CONCERN

Taken together the two documents clearly demand the close attention of every American. For if some of the best minds of America—those serious scholars who should know, at our major universities, colleges, and other academic centers as well as members of the professional community—are convinced that U.S. policy in Vietnam is wrong, then we should ask: What are the White House, the State Department, the Pentagon up to?

To be sure, every American has the right, even the obligation, to make his opinion on such matters known. This is especially true of members of the academic community and those in the professions. No one ought to challenge that right, and I do not.

The point is another one: The two documents, coming as they seem to from so knowledgeable and distinguished a group of scholars and professional men and women, surely will have their impact at home and abroad. If the academicians at the major U.S. institutions of higher learning as well as other professionals on foreign policy, security affairs, Russia, China, and communism in the overwhelming majority take issue with our Government's policy in Vietnam, their collective position and policy recommendations are entitled to the most serious consideration by all thoughtful and honest Americans. If, on the other hand, the critics turn out to be neither representative nor in relevant fields, then the weight of their conclusions would be of a different order. This leads to the question: Who are these "academic" and "professional" critics (as the documents identify them) and what are their fields and professional competence? Two case studies, represented by the two ads in the New York Times, throw considerable light on the situation.

AN APPEAL FOR PEACE

The full-page advertisement in the New York Times entitled "A Reply to Secretary Rusk on Vietnam" and sponsored by the Greater Boston Faculty Committee on Vietnam, adopted the line: The United States should "cease our raids on the North," "negotiate," "use the good offices of the U.N.," "assure the world that we will not use nuclear weapons in the pursuit of victory" or (the document adds sarcastically) "in the pursuit of 'peace.'"

A total of 784 professors, students, and other unidentified individuals are listed by institution. The institutions are: Andover Newton Theological School, Boston College, Episcopal Theological School, Goddard College, Harvard University, Massachusetts Institute of Technology, Northeastern University, Simmons College, Smith College, Tufts University, University of Connecticut, University of Vermont, Worcester Polytechnic Institute, and Yale University.

Careful tabulation of the professional fields of the signers suggests that the overwhelming majority of them spend full time in studying, teaching, writing, counseling, and research where no background, knowledge, or experience in foreign relations is required or assumed.

Consider the top five categories of signers, numerically. They are: Psychology (61), mathematics (60), physics (53), biology (51), and theology (50).

By contrast, only 15 signers are listed as in political science. Moreover, despite the existence of several major international-relations research and training programs (at Harvard, MIT, Tufts, Yale, etc.) as well as nationally recognized centers of Sino-Soviet affairs at the same institutions, only 2 scholars out of 784 are so identified. Both listed "Russian Research Center, Harvard."

At the same time, there is no end to the list of specialists in irrelevant fields repeatedly represented in the document: Chemistry (29), English (24), medicine (21), astronomy (18), psychiatry (16), modern languages (15), bacteriology (12), fine arts (11), anthropology (9), social work (9), and German (5).

But the most questionable foreign-policy advisers are scattered throughout the 784 names. What they know about foreign policy, Communist tactics, the urgent requirements of U.S. security policy—or Vietnam—is not clear. Here are their professional qualifications, as specifically listed in the document under review: Library science, literature, anatomy, pharmacology, visual arts, geology, astronomy, city planning, chemical engineering, architecture, drama, zoology, history of science, classics, nursing, and nutrition.

The June 5, 1966, ad, entitled simply "On Vietnam" and sponsored by two groups, the Ad Hoc University Committee for the Statement on Vietnam and the Committee of the Professions, is a classic. The document is divided into two parts: "Members of the academic community" and "members of the professional community."

Some 3,850 individuals are identified as "members of the academic community." Academic institutions are arranged by state and individuals are listed according to their institutional affiliations. The roster of the some 100 universities and colleges identified by name is impressive, including most of the big names of the important smaller institutions.

In contrast to the 1965 ad, this time the individual's department, discipline, or specialization is not listed after the name. This made it necessary to rely upon the latest university catalogs in order to determine the professional fields and qualifications of the signers.

Three major universities in different parts of the country, all with substantial programs in international affairs and with specialized programs or institutes on Asia, Russia, or communism, will serve to illustrate the pattern. They are: Harvard University, the University of Indiana, and the University of California (Berkeley).

Let us start by looking at the professional fields of the academicians listed under Harvard University. Here are the top 10 fields numerically as determined from the 1965–66 Harvard Register: Medicine (25), biochemistry (14), psychology (11), education (11), bacteriology (11), Romance languages (8), mathematics (7), biology (6), history (6), and astronomy (5).

Even the history group is scarcely relevant: No senior specialists on the history of Southeast Asia or even the history of Russia, China, or communism, but mainly teaching fellows and specialists in such fields as American civilization, the intellectual history of Europe, and the history of the South from 1790 to 1865.

Indiana University, with fewer signers, presents a similar pattern. Box score for the top five categories of signers numerically: English (12), German (6), psychology (4), physics (3), and French-Spanish-Italian (3).

Then we come to the University of California (Berkeley), with quite a long list of critics. Their professional fields: English (12), mathematics (10), zoology (7), chemistry (7), sociology (6), history (6), anthropology (4), physics (3), architecture (3), linguistics (3), and geology (3).

CHECKING FOR EXPERTS

It also seems useful to turn the question around and ask: How many of the recognized scholars of foreign policy, Soviet and Chinese Communist affairs, or Communist strategy were included among the 6,000? To answer, three tests were employed.

First, Columbia University is well known for its programs and institutes in the fields of international relations, Russia, East Asia, and its newer institute on communism. At least 10 of its faculty, probably more, may be regarded as senior specialists in the political, military, and economic aspects of these interrelated problems of communism. Not a single one of these specialists is among the signers listed under Columbia University.

Second, the University of Southern California, with a faculty of more than 1,000 and a student body of some 18,000, has a large school of International Relations, an Institute on Communist Strategy and Propaganda, and some 10 senior specialists on modern Russia, China, and communism, as well as a research project on communism in Vietnam. The university is not even listed, though seven other California universities and colleges are.

Third, some 225 specialists identified as in the field of international relations appear in the Directory of Members (January 1966) of the American Association for the Advancement of Slavic Studies. This national profession organization is highly regarded and includes most of the academicians in the field from all important universities and colleges throughout the country. Biographical notes in the directory show a number of those listed under the category of international relations to have specialties that range from Communist propaganda to Sino-Soviet affairs. Of the 225 specialists on Soviet foreign policy, world communism, and related fields, only four individuals appear among the 6,000 academicians and "members of the professions" who signed the ad.

THE PROFESSIONAL CATEGORIES

The situation with respect to "the professions," Part II of the June 5th document—those several thousand individuals identified by profession as "members of the professional community"—is no less disturbing. They occupy roughly a page and a quarter of the three-page document. Thirty-five separate professions or categories are specified under seven main headings: The arts, education, law and social sciences, medicine and behavioral sciences, publishing, religion, and science and technology.

Again, the first professional categories in terms of number of signers reflect essentially the pattern of the academic community. They are: Painting and sculpture (360), psychology, psychoanalysis, and psychotherapy (280), literature (230), physicians (200), and social work (170). Religion, which is broken down by denomination, accounts for another 200.

Other professions with substantial representation include theater (80), dentists (50), engineering (40), physics (36), and journalism (35). A review of the names of the professionals listed under journalism fails to reveal any of the recognized foreign correspondents from the major newspapers, wire services, or weekly magazines, and few, if any, of the well-known commentators on foreign affairs—except I. F. Stone.

The broad category law and social sciences contains only 9 names under economics and 15 listed as history (out of a total from the professions of 2,762).

DRAWING THE CONCLUSIONS

Here are my observations, conclusions, and reservations with respect to the two documents under review and, therefore, with respect to the critics.

1. That the signers of these two ads constitute an extremely small percentage of the academic community and should not be regarded as a representative cross-section.

2. That the overwhelming majority of these critics are from fields or specialties where no training, experience, knowledge, or perspective on foreign policy, communism, or Vietnam is either required or assumed—nor have they a professional commitment to or, obviously, the time for serious study of such matters.

3. That the recognized U.S. scholars on foreign policy, the Soviet Union, Communist China, Southeast Asia, communism, and American security problems at the major U.S. centers are conspicuously absent from the roster of critics.

4. That the assumptions on which the documents rest are dubious, if not false, and apparently are not held by the overwhelming majority of specialists on the subject in or out of Government and that, consequently, the policy proposed is neither realistic nor in the interests of the Vietnamese people or the United States.

The American people tend to be skeptical of authorities, specialists, and experts. While the social sciences are, clearly, less well developed and less precise than the pure sciences (and the analysts of Communist behavior have been known to be wrong) it surely does not follow that anyone's guess is as good as anyone else's. Especially, in dealing with communism and the Far East, there is no substitute for professional training and personal experience. All of this suggests that the critics of U.S. policy in Vietnam, in the main are motivated by moral and humanitarian rather than professional considerations.

A statement of the moral misgivings of a minority is a healthy sign in a democracy. Unfortunately, there is in Vietnam at the present time a real choice only between two evils: One, continuing the war, in order to prevent the Communists (directed from Hanoi and supported by Moscow and Peking) from overrunning South Vietnam; the other, allowing the Communists to take over South Vietnam, a consequence that would surely follow from the withdrawal of U.S. forces. Negotiations on Communist terms are not likely to achieve any results compatible with either the morality or strategic interests to which the documents under review allude.

There are, as we know, in Vietnam a number of critical issues at stake: Strategic, political, psychological—and moral. The more reason, then, why the question of what is ultimately moral or humane must not be allowed to be obscured by uninformed, confused, or misleading presentations that might imply, if inadvertently, that *the* academic community and *the* members of the professions in the United States do not support their Government's policy in Vietnam.

Such documents are easily misinterpreted by our friends abroad and regularly exploited by our enemies everywhere. This is not to enter a plea for silence but rather for a more responsible, informed, realistic, comprehensive, and accurate presentation of the issues and alternatives, as well as to suggest that a statement on the credentials of the critics always be included.—Rodger Swearingen

POVERTY BUREAUCRATS STAGE A COMEBACK

Mr. McCLORY. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. Ashbrook] may extend his remarks at this point in the Record and include extraneous matter.

The **SPEAKER**. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. **ASHBROOK**. Mr. Speaker, the details of the conference report on poverty are now known and it is extraordinary to note the resiliency of the Office of Economic Opportunity—OEO—bureaucrats. During the debate on the poverty program, I offer an amendment which would strike at the heart of the supergrades within the OEO establishment. That this agency has been overburdened with an inordinate number of high paid officials has been spread on every record. My amendment would have reduced the number of supergrades to a respectable ratio of 1 for each 100 employees.

By better than 2 to 1—257 to 108—the House approved my amendment to limit the number of supergrades in the Office of Economic Opportunity to 1 for every 100 employees. This would mean about 24 positions in GS–16, GS–17, and GS–18—with salaries ranging from $19,619 to $25,325.

The House conferees completely surrendered on this amendment. They agreed to a compromise which would limit the OEO to 53 supergrades currently authorized—17 more than they now have filled and 4 positions above the President's budget estimate. Instead of a ratio of 1 supergrade for every 100 employees approved by the House, this is a 1 to 43 ratio.

Neither the Chairman of the Committee on Education and Labor nor the ranking Democratic member voted for this compromise.

POVERTY IS WHERE THE BIG MONEY IS

Mr. Speaker, the facts clearly disclose that the big money is still in the poverty program. A perusal of the supergrade situation in other agencies indicates the need for my amendment and I hope that the Members will reject the conference report and stand up for our clearly announced House position. Consider these five facts:

First. The House-approved 1 to 100 ratio for supergrades would still be one of the most favorable in Government: even the Secretary of Defense has only 1 supergrade for every 150 employees for OSD and other top level administration. Other examples are: NASA, 1 to 105.9; Department of Labor, 1 to 117.2; Department of Justice, 1 to 148.2; AID, 1 to 164.9; FBI, 1 to 213; Peace Corps, 1 to 216; and the Department of Health, Education, and Welfare, 1 to 396.6.

Second. The conference committee put its stamp of approval on 53 supergrade positions for OEO—a ratio of 1 to 43.3 employees. In the whole Federal Government, only the Atomic Energy Commision—which must recruit among the handful of atomic physicists—would have so large a percentage of supergrades.

Third. It will cost the taxpayers well over a million dollars a year to pay these 53 supersalaries—enough to support 300 poor families above the poverty level.

Fourth. For an agency supposedly representing the poor, OEO is bloated with high-salaried functionaries and lavishly-paid consultants. They have 467 GS–14 and 15 positions authorized, paying $14,680 to $22,365; and there are 211 consultants on board who receive up to $100 per day—47 of these are full-time consultants who average $60 per day in fees.

Fifth. One out of every three OEO employees will make $12,510 or more this year; one-half will be paid over $10,000; and at least 25 will get over $25,000.

In conclusion, Mr. Speaker, let me add that these facts disclose a scandalous leakage of funds intended to help the poor. This is the most persistent criticism of the poverty program and is the reason the House of Representatives voted overwhelmingly to limit the number of supersalaried supergrades in OEO.

THE U.S. POSITION IN THE FAR EAST AND THE CHINA QUESTION—THE NECESSITY FOR A PACIFIC ALLIANCE

The **SPEAKER** pro tempore (Mr. Krebs). Under previous order of the House, the gentleman from Illinois [Mr. Findley] is recognized for 60 minutes.

Mr. **FINDLEY**. Mr. Speaker, seldom before have the needs of the Nation so called for principled, clearly reasoned analysis of national problems and fresh programs to meet them. This is true certainly in foreign affairs and the determination of our foreign policy, especially as it relates to the U.S. position in the Far East. The crisis which is upon us requires that we first determine what the facts[1] are, agree on an overall policy objective, precisely define the problem, canvass all possible solutions, with all their shades and variations, study the consequences that would flow from each solution, determine a final choice, communicate to those involved that selection and provide for its execution. Upon these decisions there must necessarily be imposed outer limits which restrict what we can and will do. These ever-present limitations are five in number: permissibility, available resources, previous commitments, available time, and available information.

MUST HEAR ALL VIEWS ON CHINA

Clearly with this understanding of our decisionmaking process as it relates to foreign policy—especially the determination of our China policy—we must be prepared to hear all views. Bipartisanship in foreign policy has never required acquiescence when one's convictions say the Nation is embarking upon a wrong course of action. Of course, effective and useful criticism of foreign policy requires that it be made public at a time when policy is being reconsidered and new alternatives under study.

It is then, in that spirit, that I address myself today to the U.S. position in the Far East and our relations with China. At a time when our policies in that area are undergoing a searching reexamination at the highest levels, as indicated by the recent Presidential address on Asia, and the forthcoming meeting in Manila, as a member of the Republican opposition, I offer an analysis and appraisal of our position in the Far East.

In five wars[2] in Asia and the Pacific the United States has lost 500,000 men. Such a significant investment in lives alone indicates our deep interest and commitment in the Far East. We were an Asian power long before we were a European power. In his Asian speech the President merely recognized what is an accomplished fact: we are an Asian power. He did not enunciate a new Asian or Johnson doctrine at all. The extent of our historical involvement is demonstrated by a detailed chronology of the significant incidents of our foreign policy in the Far East since 1844, prepared at my request by the Legislative Reference Service.[3] It will be appended to my remarks.

EXTENT OF OUR COMMITMENT

Our present involvement is substantial by any standard. At the present time we have 3,500 troops in Laos, more than 30,000 in Okinawa; 39,000 in Japan; 8,000 in Guam, and 10,000 in Formosa. Sixty thousand sailors of the 7th Fleet operate out of Subic Bay in Manila. Involved are 175 warships. There are 325,000 soldiers in Vietnam. The United States is pledged to the defense of Asia as a member of the Southeast Asia Treaty Organization along with Australia, France, New Zealand, Pakistan, the Philippines, Thailand, and the United Kingdom.

The treaty pledges the United States and the other signatories to resist armed attack against the "general area of southeast Asia and the southwest Pacific" up to 21 degrees 30 minutes North latitude—a line that excludes Formosa. In a separate protocol the signatories extended their protection to South Vietnam, Cambodia, and Laos. These nations were barred from joining any military alliance by the Geneva agreements.

Second, the United States is pledged through bilateral treaties to the defense of South Korea, Japan, and the Republic of China—Taiwan.

A survey of current U.S. problems and policies in the Far East must begin with attention to two major facts which eclipse all others in importance: the threat presented by Communist China and the inescapable involvement of the United States.

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[1] For a discussion of how important it is to base Asian policy upon a knowledge of all the pertinent facts, see Conflict in Laos by Arthur Dommen (New York 1965, chapters 1 and 2). An example of misrepresentation or inaccurate reporting of facts occurred in Thailand a few years ago when the government estimated its annual rice production by estimating the population and multiplying that number by 143 (the average annual consumption of rice in kilograms in a neighboring country). There was in fact no statistical basis for the figure produced. See The Politics of Foreign Aid by John Montgomery, New York, 1963, p. 129. For a similar situation in Vietnam, see South Viet Nam: Nation Under Stress by Robert Scigliano, Boston, 1963, chapter 5.

[2] The wars are World War I and II, the Korean conflict, the Vietnam war and the Philippines Insurrection.

[3] This report, an annex to my remarks, was prepared by Marjorie Brown, reference librarian for the Foreign Affairs Division. Her attention to the details of our foreign policy makes the chronology which she prepared with the assistance of James Robinson, a significant contribution to the literature on American policy in the Far East.

BASIS OF CONFLICT WITH CHINA

The basis of our conflict with China is not difficult to ascertain. On one hand we find that one-fourth of mankind in China has spurned not only democracy, but supremacy of law, the ideals of individualism, the multiparty election process, civil liberties, and the self determination of peoples.

The political order we enjoy and its concepts of freedom and security through due process have been denied the Chinese people by its leaders. This denial involves so much of mankind that it menaces our own political order.

From the Chinese point of view, she sees us surrounding her with our Polaris submarines in the Sea of Japan on one side and our armed presence in Thailand on the other. An arc of American military strength on land, sea and air rings China from Port Arthur to the Burma Frontier.

Once nations find themselves in a position of mutual antagonism each interprets all actions of the other as based on bad motives, just as its own acts always spring from good ones. This has several unfortunate consequences. For instance, it is assumed that another nation's acts always have hostile motives. When nations are heavily armed and mutually concerned, as are China and this country, this kind of conflict spiral can lead to war with breathtaking speed, such as occurred immediately preceding the outbreak of the first world war.

A determined analysis prepared by the Hoover Institution on War, Peace and Revolution of thousands of state papers, memoranda and diplomatic instructions produced in the weeks following the assassination of Archduke Ferdinand at Sarajevo revealed that the leaders of each of the great powers saw themselves—at least on paper—as offering friendship, but receiving hostility. That is, each selectively emphasized the other's hostile gestures and discounted their friendly ones. Judgments were in effect shaped by expectation. This unfortunately remains the case today.

In 1955, Gen. Douglas MacArthur in addressing the American Legion said:

> The present tensions with their threat of national annihilation are kept alive by two great illusions. The one, a complete belief on the part of the Soviet world that the capitalist countries are preparing to attack it; that sooner or later we intend to strike. And the other, a complete belief on the part of the capitalist countries that the Soviets are preparing to attack us; that sooner or later, they intend to strike.
>
> Both are wrong. Each side, so far as the masses are concerned, is equally desirous of peace. For either side, war with the other would mean nothing but disaster.
>
> Both equally dread it. But the constant acceleration of preparation may well, without specific intent, ultimately produce a spontaneous combustion.

Although the general was speaking of the Soviet Union and the United States, his statement can be applied to the relationship between this country and Red China. Steps in the last 10 years appear to have lessened tensions between the United States and the U.S.S.R. The spirit of Camp David, the "hot line" and the nuclear test ban treaty are often cited, but these same steps have caused uneasiness among our allies and at times—especially during the Berlin crisis, the U-2 incident, and the Cuban confrontation—the world seemed to be on the brink of war, regardless of how much tension may have previously lessened.

Since the United States and China appear implacably hostile, an apparently friendly gesture by one tends to be seen either as evidence of weakness or as an effort to create dissension within the other's ranks. The record indicates that on a few occasions there have been gestures that appeared to be friendly. In 1954, as a result of negotiations, the Chinese unilaterally released a number of American prisoners. In 1956 they were willing to release four other prisoners if we would permit an exchange of journalists. We declined, but later were willing to exchange journalists. By then China was not willing to release the prisoners. As a result of the Geneva Conference in the mid-50's we have established bimonthly diplomatic contact in Warsaw.[4] These are meetings at the ambassadorial level which both sides seem anxious to continue. Indeed it has been said we have better contact with the Peking regime than with any other Communist government.

ENFORCED COOPERATION MAY REDUCE ANTAGONISMS

Enforced cooperation may well result in reducing these antagonisms.[5] This was evident at the 1954 Geneva Conference when it was apparent that all the major powers did not want to prolong the Indochina war. As a result of this enforced cooperation in which each side gave something it had demanded, tensions—in some respects—were reduced. Some gave more than others, while others received nothing; for example, the Soviet Union persuaded the Chinese and North Vietnam to give up their gains south of the 17th parallel in return for which the Chinese and the Viet Minh received nothing substantial that they did not already have—except the promise of elections to unify Vietnam. On the other hand, the Soviet Union gained a promise by Mendes France for France to forgo participation in the European Defense Community. Thus the Soviet Union gave up nothing and in return received two benefits, first, French refusal to participate in the EDC[6] and second, a halt—temporarily at least—of Chinese expansion in southeast Asia.

In other respects, we have tried to enforce cooperation as a means of reducing antagonism by securing international cooperation in the Antarctic, international control of space and international efforts to develop the Mekong River. But none of these steps includes China.

Without sacrificing political principles, each side could undertake certain steps which would reduce tensions and demonstrate a willingness to improve tensions. The release of five American prisoners including my constituent, Capt. Philip Smith of Roodhouse, Ill., would be a significant step for the Chinese to undertake to improve relations with this country.

NECESSITY FOR BETTER COMMUNICATIONS

For our part we must make the necessary psychological adjustments to the reality of China; that we must live in the same world with her.

Red China today has a backstreet complex which arises from being treated as the outlaw that she is. This may partly result from her own primitive view of the outside world. Is the best treatment total indefinite isolation—cut off from first-hand information and ideas about the United States? The question should be answered in terms of our own national interest, and a persuasive argument can be made for better communication between the two countries. At the very least we should express this as a desirable objective and detail the conditions under which we would welcome exchange of journalists, businessmen, educators and tourists.

In this type of situation, there is no substitute for information and reasoning as the basis of policy. But since 1949 we have isolated our thinking and our actions from facing up to the Chinese problem.

A recent study undertaken for the Council on Foreign Relations revealed that one fourth of those polled in a national representative sampling were not even aware that mainland China is now ruled by a Communist government.[7]

Since 1949 the United States has made two assumptions regarding China which are open to question. First, we are continually being told that the Chinese Communist regime is on the verge of a complete breakdown. Armed revolution against the leadership of the Communist Party is imminent. Actually, evidence to the contrary is substantial. No one can be sure of the precise situation in China, but we would be foolhardy to base policies on the assumption of weakness. U.S. policy toward China must wisely be based on the assumption that China is strong. China does have weaknesses, serious ones, and these should be recognized, but China's strengths must also be considered. The second mistake we make is our underestimation of the role of ideology in Chinese Communist affairs. Because the American political tradition assumes that values are automatically defined, we tend to belittle the role of political doctrine or ideology in the political life of other societies. Our failure to appreciate the role of ideology[8] in China was the principal factor in our underestimation of the true intentions of the Chinese Communist Party in the crucial days of World War II, according to Tang Tsou in his scholarly work, "America's Failure in China."[9]

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[4] For a discussion of these meetings, see "When the U.S. negotiates with Peiping—in Warsaw" U.S. News and World Report, July 4, 1966, p. 44.

[5] See Psychological Aspects of International Relations, Hearings before the Committee on Foreign Relations of the U.S. Senate, May 25, 1966.

[6] For a discussion of the Soviet Union's attempts to assist France in the Geneva Conference negotiations concerning Indo China in return for concessions on EDC, see Philip Williams' volume, Crisis and Compromise, p. 49 et. seq.

[7] "The American People and China" by A. T. Steele, New York, 1966, see page 253.

Intellectual recognition[10] of China's existence, however, as John Fairbanks has pointed out in his classic study "The United States and China" does not necessarily mean diplomatic recognition,[11] which is a matter of expediency, something to bargain over.

Under present conditions it would certainly be a greater foreign policy defeat for this country to have China seated in the United Nations than to exchange ambassadors. It takes considerable courage to try to make contact with a distrusted adversary, because this exposes one to dangers not only from him but from one's own side as well. The peacemaker is often trampled on. His own group is apt to accuse him of disloyalty, while the opponent may try to take advantage of his good will to dupe him. The problem of establishing communication with China involves risk, of course, but it also presents opportunity. It is much easier to increase tensions than to stop, reverse, or back down. So we must be careful in taking steps that provoke tensions, weighing the consequences, because it is not always easy to adjust to new realities.

The Senate Republican Campaign Committee has cited instances in which the United States bungled peace efforts. In addition in 1965 when the Viet Minh and Chinese were apparently fearful of our use of nuclear weapons in the conflict and were extending peace feelers, Ambassador Goldberg announced to the world that we had no intention of using nuclear weapons in Vietnam. It was, he said, "not conceivable" that these weapons would be used. Immediately, the offers and feelers for peace were withdrawn. The enemy was assured it need not fear for their infant nuclear capacity of their industrial plants. Contrast this with President Eisenhower's policy which halted the Korean war. He warned the enemy of the possibility of the use of nuclear weapons and a war which would observe no sanctuaries. Shortly thereafter, peace negotiations began in earnest, at the suggestion of the Communists, and aggression was ended.

CHINA'S POLICY

In our relations with Communist China we must recognize that the Communists are under no ideological compulsion to accomplish their purposes in a hurry. They are dealing in ideological concepts basic in a long-term effort, and they can afford to be patient. Their policy is based upon boisterous comments and verbal assaults against the "paper tiger" United States, but their actions are extremely conservative and are predicated upon traditional Chinese circumspection, flexibility, and caution. They have no compunction about retreating in the face of superior force—Quemoy, India—and not being under the compulsion of a timetable, they do not get panicky under the necessity of such a retreat. If they find unassailable barriers in their path, they accept them philosophically and attempt to accommodate themselves to them and look elsewhere for softness, but they are always looking, applying pressure toward their goal.

In the face of China's challenge in Asia, what broad policy should the United States adopt in dealing with China? What goals should we legitimately pursue? What strategy should we follow:

PREMISES TO BASE CHINA POLICIES UPON

It is indispensable to state clearly the fundamental premises which should underlie any American policy toward China. Upon what basis must our policy be predicated?

First. The Chinese Government regime now exercises effective, ruthless control over the mainland of China. Not for hundreds of years has any government exercised the effective centralization of authority that the Communists have achieved in 17 short years.

Second. The regime is rapidly building up its economic and military strength. China's recent rate of economic growth is twice that of India and may yet build a base of heavy industry overshadowing that of Japan.[12]

Third. It will continue its attempt to achieve great power status and will work persistently to promote the spread of communism.

How can we meet this? We assume that the primary motive behind Chinese policy toward the United States is aggression and that they are kept from it only by their fear of our military power. Another possibility[13] which is occasionally argued is that their primary motivation may actually be fear of us—and that they act aggressively because of this fear. There are those who say that the Chinese fear we will attempt to seize the mainland from them. Following our treaty with Formosa in 1955, the Chinese Prime Minister Chou En-lai said our action was a "grave, warlike provocation." However, in fact, our treaty with Formosa was to protect it against announced efforts by the Chinese Communists to "liberate" Formosa from the Nationalists. China is probably too weak at the present time to back up her aggressive vocal policies with military action. Her naval power is weak. Her geographic position is a great weakness in many respects, even if it is a strength in others. Clearly China does not now have a nuclear delivery system and her transportation and communication systems are inadequate.

OPEN DOOR POLICY FAILS THROUGH NONINVOLVEMENT—TWO CHINAS EMERGE

The Chinese have valid reason to question whether we will always implement Asian policies. Our traditional Chinese policy was based upon two concepts, first, equality of economic opportunity for the Chinese markets, and second, a preservation of Chinese administrative and political integrity. As Tang Tsou has said:

> American interest in the Far East . . . lay in general stability, not in the acquisition of special privileges in terms of power and territorial gains.

But the United States made no attempt to enforce this policy by the application of national power. We sought its acceptance primarily by diplomatic maneuvers that depended upon the good intentions of others who were more interested than were we in breaking up China. On every important occasion up to 1941 the United States gave lipservice to the principles but stopped short of using the necessary means to implement them. The United States was reluctant either to promote these principles or to relinquish them. This gulf between our talk and deeds was not lost upon the emerging leaders of China. Dr. Sun Yat-sen in the 1920's turned from the United States as a model for his Chinese revolution and looked instead to the Soviet Union, which was all too willing to assist. The results were thus inevitable. After a half a century the open door policy ended in 1950 with a confrontation between a bamboo curtain on one side and a total trade embargo on the other. The ancient principles of preserving Chinese territorial and administrative integrity terminated in the reality of two Chinas. Traditional sympathy for the underdog of the Far East has been superseded by a fear of the awakened giant of Asia. Pride in America's moral leadership in China has been replaced by apprehension about Chinese ideological influence in Asia. Political and propaganda warfare have replaced missionary and philanthropic activities. Neighborly dialog has been supplanted by mutual denunciation. Historic friendship has been consummated in reciprocal hostility. On the horizon looms an ever-present chance of war. One could hardly find, wrote Tang Tsou, a more sobering example of the tragic results produced by a policy of good intentions and high ideals which lacked the support of military and political power equal to noble endeavors. Such was America's failure in China.[14]

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[8] For a discussion of the role of ideology in the Soviet government, see "Soviet Power and Policy" by Huszar and Associates (New York, 1955), chapter 7. For a similar discussion regarding Communist China, see "America's Failure in China 1941–50" by Tang Tsou (Chicago, 1963) chapter 6.

[9] The prevailing interpretation of American political values being inherent and thus assumed has been challenged by implication in Harry Jaffa's study of the Lincoln-Douglas Debate, "Crisis of the House Divided." Jaffa argues that basic disagreement over political values, principles, and philosophies were not only involved in the issues leading to the Civil War, but also clearly expounded by Lincoln and Douglas in their debates. Jaffa thus argues that the interpretation of American history which holds that there is a basic and automatic agreement on values upon which policy is predicated is an incorrect interpretation. For a different view in the modern setting in another series of "great debates" see opening statement by Vice President Nixon in the first "debate" between the two candidates for President in 1960: "The Joint Appearances of Senator John F. Kennedy and Vice President Richard M. Nixon," Washington, 1961, p. 73.

[10] Among the better works on China today are a series of books by Doak Barnett including China on the Eve of Communist Takeover, and Communist China and Asia. "The United States and China" by John Fairbanks is a classic in its field, exploring the Chinese society and political traditions. The book studies the links between the present Communist regime and the traditions of China's history. "The United States and China in World Affairs" is an eleven book series published by McGraw-Hill for the Council on Foreign Relations. Only three of the eleven books are in print so far: "The American People and China" by A. T. Steele, "Policies Toward China, Views from Six Continents," edited by A. M. Halpern and "Communist China's Economic Growth and Foreign Trade." General studies on the Far East include Griswold's, "The Far Eastern Policy of the United States," Fifield's "Southeast Asia in United States Policy," and the "Far East in the Modern World" by Michael and Taylor.

[11] For an argument favoring diplomatic recognition, see "Recognition of Communist China" by Robert Newman (New York, 1961). For a well reasoned opposing view, see statement by Senator THRUSTON MORTON, a former Assistant Secretary of State, on Communist China delivered at the University of Louisville, Kentucky, on April 18, 1966.

[12] For a description of the China economy and the unreliability of official statistics, see Yuan-Li Wu, "The Economy of Communist China" (New York, 1965), especially chapter 5.

[13] For a statement of this position see "Southeast Asia: Dominoes or Geographic Reality" by Rhoads Murphey, Center for Chinese Studies, University of Michigan, 1965.

REALITY, NOT EMOTION, MUST DETERMINE POLICY

We cannot approach rationally the problems of our position in the Far East by emotion. The realities of international politics are not met by creating a bogey out of communism and endowing it with assumed properties and powers that tend to obscure its true nature and render us ineffective in dealing with it. We should be competing with the threat of the real things, intelligently. We must recognize its military and economic weakness as well as strengths. Slogans and concepts such as "domino theory" and the necessity to defeat wars of national liberation do not adequately meet the problem.

CONTAINMENT OF CHINA MAY LEAD TO INTERNAL LIBERALIZATION

We must recognize that we have the power to increase greatly the strains under which Communist policy must operate, to force upon the Chinese a far greater degree of moderation and circumspection than they have previously had to observe and in this way to promote tendencies, essentially nationalistic ones, which must eventually find their outlet in either the breakup or gradual mellowing of Communist power. Within any authoritarian society there are certain stresses and strains which give rise to frustrations which can be relieved only by being channeled into an aggressive and expansionist foreign policy. When expansion is prevented, internal tensions are aggravated in such a way as to either destroy the Communist system or force its leaders to placate the domestic dissatisfaction. Either way leaders will eventually be compelled to moderate their foreign policy objectives.

That internal tensions exist in Communist China is clearly evident. They came to the surface in the wilting of the "hundred flowers" reform, the stumbling great leap forward with its attempts to substitute labor for capital, and the recent incidents behind the Bamboo Curtain. The Communists have good reason for frustration. China's industry is still in its infancy, and its agriculture is inefficient and heavily dependent upon human labor. There has been no flowering of cultural creativity. The chief products of the great effort expended on science and technology have been the explosions of primitive nuclear weapons, the use of which would be suicidal. If Chairman Mao wants to remain in power—as he obviously does—he is going to plan to undertake internal reforms.

CHINA PLANS POLITICAL AND ECONOMIC SUBVERSION—NOT DIRECT MILITARY INTERVENTION

If the U.S. policies can successfully counterbalance the growth of Peking's power and prestige, and if the general balance of world power does not shift disastrously in favor of the Communist bloc, then we can expect Communist tactics to take subversive political and economic rather than military forms in the years immediately ahead.

However, wars need not necessarily receive their impetus in areas of economic deprivation. While it is true that economic depression in Germany brought to power the Nationalist Socialist Party—Nazi—their war aims were inspired by psychological impulses, not economic necessities. The same situation occurred in Italy. Japan, the third Axis power, was the strongest nation, economically and socially, in Asia. Her attempts to impose a "greater east Asia solidarity" upon the Pacific were motivated principally by territorial ambitions and a sense of "manifest destiny" and not by economic requirements.

REVOLUTIONS AND THEIR CAUSES

This is not always the case with revolutions. Revolutions are inspired by a combination of factors, including but not limited to economic deprivation. Nationalism itself may spark a revolution, even where the economy is fairly well advanced. Communism, however, seems to have its greatest appeal where social and economic ills are aggravated. It appeals to those who have known war and ask nothing but peace, to the gullible, the impressionable, the envious, those who have nothing, those who have lost everything and those against the existing order.

But because of her own revolutionary experiences, instead of attempting overt military expansionism, Peking seems more likely to promote revolutionary subversion, as it did in Zanzibar.[15] Lin Piao has stated that revolutions cannot be imported by the underdeveloped countries, but spring from within as a result of internal conditions. But this does not prevent Chinese efforts to aid the formation of these conditions. The heavy hand of China was detected in Zanzibar, Laos, Algeria, and Vietnam. China is aware that wars of national liberation flourish best where local conditions are volatile. Thus the United States can be most effective against China's aims by a policy which will frustrate the conditions in which revolutions flourish.

We can, however, expect that China will seek to insure that states which border on it are if possible friendly and are at least not actively hostile.

UNITED STATES CANNOT POLICE THE WORLD ALONE

To maintain this policy we must strengthen our relations with our allies so that a united front can be maintained. Joint cooperation and negotiation is required. We cannot police the world alone and should not attempt to do so. No one should presume that the United States can produce or even sustain a particular form of government, but it can in joint effort strongly support the elements capable of contributing to more stable and democratic nation states. We cannot impose upon the Far East a "Pax Americana." We are an Asian power, but not an Asian people. Our every step and move is subject to suspicion because we are the outsider and predominantly white. We must not let the situation in Asia develop into white against oriental or East against West because if we do, then our efforts are doomed to deep difficulty from the beginning.

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[14] For a discussion of our policy towards China see United States Relations with China, Department of State, 1949. For an anti-Truman Administration study, see "The China Story" by Freda Utley (Chicago, 1951) and "How the Far East Was Lost" by Anthony Kubek (Chicago, 1963). For a balanced study see "America's Failure in China" by Tang Tsou (Chicago, 1961). Tang Tsou argues that the collapse of American foreign policy toward China was caused by a set of assumptions, attitudes, and traditions shared by a large number of leaders in the United States. These particularly American approaches, shrewdly exploited by Communist policies and propaganda, according to Tang Tsou, led to the adoption of unrealistic policies. They also played a part in the faulty execution of inherently unpromising policies which further magnified the consequences of failure. Kubek, looking at the same material as Tang Tsou saw a conspiracy in which China was sacrificed to appease the Soviet Union. Another view, somewhere in between, is the one held by John F. Kennedy, who as a member of the House of Representatives, told a Salem, Massachusetts audience on January 30, 1949:

"Our relationship with China since the end of the Second World War has been a tragic one, and it is of the utmost importance that we seek out and spotlight those who must bear the responsibility of our present predicament . . .

"It was clearly enunciated (on November 26, 1941) that the independence of China and the stability of the National Government was the fundamental object of our Far Eastern policy. That this and other statements of our policies in the Far East led directly to the attack on Pearl Harbor is well known.

"During the (post war) period began the great split in the minds of our diplomats over whether to support the government of Chiang Kai-Shek or force Chiang Kai-Shek as the price of our assistance to bring Chinese Communists into his government and to form a coalition . . .

"Our policy in China has reaped the whirlwind. The continued insistence that aid would not be forthcoming unless a coalition government with the Communist was formed, was a crippling blow to the National Government. So concerned were our diplomats and their advisors, the Lattimores and the Fairbanks, with the imperfections of the diplomatic system in China after 20 years of war, and the tales of corruption in high places, that they lost sight of our tremendous stake in a non-Communist China."

[15] For a review of the influence of China in the Zanzibar coup see the Washington Star, August 30, 1964, New York Times June 20, 1964, February 21, 1965, June 10, 1965 and June 15, 1964 and Christian Science Monitor, June 12, 1965.

OUR EFFORTS MUST ENCOURAGE NATIVE NATIONALISM

We can be most effective in countering the influence of the Soviet Union and China by making our efforts support the natural nationalistic aspiration of the peoples of East and South Asia. And communism, of course, would deny these aspirations. To avoid the posture of interference the U.S. role must be part—and only a part—of a team effort in cooperation with other Asian powers. We can accomplish this by treating these countries as partners, as our allies, by helping to develop their economic systems, by insisting they take important roles in strategy discussions. Policy development concerning all vital problems in the Far East must be undertaken jointly. This would be accomplished through an alliance framework in which the region's leaders could jointly develop programs of mutual defense, economic development, trade, and the training of political and administrative personnel.

MUST CONVINCE ASIA THAT COMMUNISM SUBVERTS NATIONALISM

We must seek to identify ourselves with the nationalistic movements in Asia and convince the leaders that our presence and assistance protects their nationalism against its greatest threat—Communist subversion.

In joint cooperation with others, we must convince the uncommitted people of the Far East that while communism refers to itself as a peaceful movement, it is in reality a dividing force. While some think of it as peace, it is really a mockery of peace. Some call it defensive, but others in Tibet, Hungary, and Korea know it as aggressive. Some see it as something to welcome, but thousands flee it each week. Some call it the "wave of the future" but others like Col. Oleg Penkovsky know it to be a plot. To some it appears to be a perfectly normal way of life, while others know it is a system where every man is watched closely. Some favor it as a better life, but millions know it as the end of life. In short, communism would deny to the people of Asia their nationalism, their ancient philosophies and religions, their whole cultural heritage.

STABLE DEMOCRATIC GOVERNMENTS AND WORKABLE ECONOMIES DEFEAT REVOLUTIONARY SUBVERSION

Communism has spread in Asia partly because it has been able to feed on socioeconomic distress and political ineptitude or oppression—and because the stabilizing influence in that area of Europe-directed empires has disappeared since World War II. Where these elements have been lacking, communism has notably failed to establish or maintain itself. In those situations where communism had gained a foothold, as for example the postwar success of the Hukbalahaps in the Philippines, the advent to power under a charismatic leader of a reformist government which made a significant impact on economic and political as well as military problems cut the ground from under the revolutionaries and destroyed their foothold. In Malaya, a relatively prosperous and responsibly administered state, the determined effort at Communist subversion with Chinese support won few adherents and was completely eliminated.

SITUATION IN VIETNAM [16]

The circumstances were unfortunately different in Vietnam where social, political, and economic reform were not the order of the day. The two wars which are raging in Vietnam today are typical of those in any country where communism is seeking to gain a foothold. One is the war to defeat the Communist insurgents, in this case the Vietcong, in the countryside and in the villages; the other is the war to win the people so that they can create a viable political, social, and economic order. In its total context, the wars which were waged in the Philippines and Malaysia and are being waged today in Vietnam and perhaps tomorrow in Thailand cannot and will not be won merely by dropping bombs.

In the final analysis to win this war—and prevent others—a nation must be rebuilt out of the chaos, confusion, and corruption left in the wake of 25 years of continuous strife and conflict which resulted from the power vacuum left at the end of the Second World War. To succeed we must be as skillful and ingenious with the tools of nation building as our fighting men are ingenious with the weapons of battle. No matter how great our military victories, the war will surely be lost if our civilian personnel fail in their efforts in education, health, and economic programs.

Unfortunately, we are not making there the dramatic progress we should. Despite the elaborate public relations campaign of the Agency for International Development, serious economic problems remain. The shortcomings of our economic programs in Vietnam were highlighted by Senator ROBERT GRIFFIN in his first address to the Senate on June 23, 1966. As long as the conditions which Senator GRIFFIN referred to persist, we are a long way from achieving a solution to the Vietnam conflict.[17]

If the United States can meaningfully convey to its allies in Asia the consequences if the United States were to withdraw from Asia, this message might motivate them to join in our efforts. Japan, Korea, Thailand, Australia, New Zealand, and the Philippines certainly have the resources to make a contribution that far exceeds the one they have made to date. Only reluctance by the United States to press them seems to prevent greater joint effort.

But the pressure must be wisely directed toward a goal that is mutually attractive to all parties.

PACIFIC ALLIANCE URGED

To that end I propose the United States invite these nations to join with us in forming a Pacific alliance to serve all common interests. These would of course require a common front against the challenge of the Chinese so long as they continue an expansion-oriented posture—or whatever oppressive forces may develop.

To us, this proposal provides a way to avoid a difficult dilemma: the choice between lonely world-police burdens on one hand versus withdrawal on the other.

If an alliance of this sort cannot be achieved—or if NATO cannot be refashioned in such a way as to assume worldwide responsibilities—then the United States will indeed be forced to choose between meeting future challenges virtually alone, as at present in Vietnam, or retreat.

THREAT OF NEW ISOLATIONISM

The cost in blood and treasure of being world policeman is already so imposing and the burdens so unfairly distributed that the American people are restless and resentful. If the lonely role continues and broadens the American people in frustration may turn their backs on world responsibilities and return to isolation. To me this is the most alarming aspect of our lonely role in Vietnam. U.S. withdrawal from responsibilities in Asia and elsewhere in the world would be a calamity of incalculable proportions.

SEATO IS DEAD

Implicit in this proposal are three assumptions:

First. The Southeast Asia Treaty Organization—SEATO—is dead and cannot be revived. No question about it, SEATO is outdated. It is not an active force in Pacific affairs and is not being utilized in the Vietnam crisis in any significant way, nor is there any practical way for this to be done. In its present membership, SEATO offers almost no hope of revival, and its treaty mission is too limited to serve the broad common problems of the east Pacific area. Its "one for all, and all for one" pledge does not measure up to problems implicit in "wars of national liberation."

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[16] For a critical review of the Diem regime, see "How the United States Became Involved in Viet Nam" by Robert Scheer (Center for the Study of Democratic Institutions, 1966) and "The Two Viet Nams" by Bernard Fall (revised edition, New York, 1966). For an analysis friendly to President Diem, see Aid to Viet Nam, An American Success Story published by the American Friends of Viet Nam, New York, 1959. See also "Problems of Freedom" (East Lansing, 1961), edited by Wesley Fishel. For a balanced appraisal, see John Montgomery's The Politics of Foreign Aid, American Experience in Southeast Asia, New York, 1963, and South Viet Nam: Nation Under Stress by Robert Scigliano (Boston, 1963).

[17] See also "An Investigation of the U.S. Economics and Military Assistance Program in Viet Nam" report issued by the House Committee on Government Operations, Washington, 1966.

Second. Reconvening the Geneva Conference offers no hope. This would merely postpone solution to the problems, mainly because the conference is dominated by outsiders—nations which no longer have major interests in southeast Asia. The current situation in Vietnam and Laos are eloquent testimonials of the ineffectiveness of the Geneva Conferences of 1954 and 1962. But because they gave a false appearance of security in Vietnam and Laos, a myth has grown up that somehow, somewhere something went wrong and if the Geneva Conference can be reconvened everything will work out.

Third. Present U.S. policies are inadequate. Indeed they are not only poorly directed but fraught with grave dangers to the security of all parties. To an alarming degree the Vietnam war has become a U.S. war. Our troop commitment now exceeds that of South Vietnam. Almost all supplies and equipment are from the United States, and of course our commanders are fully in charge. While this may be appealing from some aspects—indeed momentarily necessary from a military standpoint—it does carry perils which should not be underrated. For many of the rural people of Vietnam the fighting means nothing but hardship and misery, and the higher objectives—independence and self-determination of their government may give way to resentment against the whole operation, especially if the conflict drags on and on. This could shift into resentment against the "white foreigners."

U.S. policy statements have been so indefinite and contradictory in regard to our long-term military interests in Asia that nations bordering China have naturally shied away from open confrontation with Communist power. They must think of tomorrow as well as today.

How much better if the military structure were long-term and broadly based, with active participation in combat roles by other Asian countries and active participation too in policy development by the leaders of these countries.

Aside from the South Koreans and of course the South Vietnamese, the war action involves few Asians. The Philippine troops for the most part are in noncombat roles. Australia and New Zealand troops are not really regarded as orientals.

South Korea leaders have complained openly because they were not consulted on war plans, and others may well have complained without publicity.

PEACEFUL OBJECTIVES OF PACIFIC ALLIANCE

The Pacific alliance would have the peaceful objectives its name connotes. It would provide military security to each member and also means for joint cooperation in economic, social, and political development of the area. The goal would be the creation of successful democratic states. Altogether it would form a new open door policy with Asians themselves working with us to open the doors. As Tyler Dennett observed over 40 years ago:

> The corollary of the open door was the policy of promoting an Asia strong enough to be its own doorkeeper.

The Pacific alliance would hopefully have its own open door so other Asian nations could be admitted, as they develop the necessary attributes and express interest. Presumably this someday could even include China once that nation returns to civilized ways.

ADMINISTRATION REJECTS THESE GOALS

The U.S. administration has implicitly rejected these goals for fear other countries may want an influence in policy out of proportion to their military commitments.

The administration has also failed significantly in not recognizing the differences between the Far East, Europe, and the United States. The President proposes a policy toward Asia similar to that extended to Europe following the Second World War. In postwar Europe it was inevitable that we provide the initial leadership. Europe had suffered almost complete economic and political collapse. These conditions clearly do not exist today in the Far East. Further, Europe and the Far East are far apart in traditions, historic experience, national character, outlook, and institutional and social structure. A similar spread exists between the United States and the Far East.

Asia will not fit in a United States or European mold, nor can we judge the Far East in such terms.

President Roosevelt attempted to do just this in the 1940's. Following his "good neighbor policy" with Latin America he reasoned that if it worked in Latin America, it would work in the Far East.

As Tang Tsou has pointed out, it not only did not work, it was a complete failure because the United States did not take into consideration cultural distinctions between Latin America and the Far East. President Johnson apparently reasons like President Roosevelt, concluding that since NATO was successful in containing Communist aggression in Europe, a similar U.S.-dominated approach will work in the Far East. This of course ignores two very crucial points: First, Asia is very unlike Europe—today or yesterday; second, our NATO policy is so badly out of date even for Europe that the alliance has suffered fragmentation.

In demanding essential reforms in Asia, we have often been satisfied with the appearance of political and economic reform rather than the substances. This, together with our go-it-alone posture, I believe, constitute our two greatest failures of our foreign policy in the Far East.

We must recognize that our essential problem in Asia is to meet land commitments when our real power is in the air and on the sea—and at the same time maintain equilibrium elsewhere while satisfying domestic political demands.

To meet this problem we must have joint cooperation and assistance of our allies in the Far East. We cannot go it alone. Unlike the situation after World War II, our allies in east Asia are today strong enough economically to assist us, and will do so if we will treat them as long-term partners.

In order to prevent the domination of the Far East by any single state the United States must reject the dominant role itself. It must support the principles of independence and self-determination and encourage the political and economic growth of democratic, economically self-sufficient, non-Communist states. This can be achieved through joint cooperation on a partnership basis in a Pacific alliance. This joint cooperation can bring to bear security measures adequate to deter Chinese military expansion and in time force internal liberalization of the Chinese regime.

CHRONOLOGY

Mr. Speaker, in the preparation of this statement on Pacific and Asian policy I had the benefit of very able research and preparation of material by my administrative assistant, Stephen Jones.

Very helpful was a chronology of significant events, 1844 through July 30, 1966, concerning U.S. policy toward the Far East, prepared at my request by Marjorie Ann Browne, reference librarian, Foreign Affairs Division, Legislative Reference Service.

The text of the chronology is presented below. It forms a valuable and timely reference and for that reason I present the full text, as follows:

U.S. POLICY TOWARD THE FAR EAST: CHRONOLOGY OF SIGNIFICANT EVENTS, 1844 THROUGH JULY 30, 1966

(By Marjorie Ann Browne, Reference Librarian, Foreign Affairs Division, Legislative Reference Service, September 21, 1966)

(NOTE.—The following listing of events and statements in U.S. foreign policy toward the Far East has been compiled after consultation with a number of sources. While it would be impossible to include every significant event in United States policy toward the Far East, an attempt has been made to give an indication of the general trend. We have cited the major references after each event so that the reader may easily find additional information, if desired. A complete citation may be found at the end of this chronology.

(The author wishes to acknowledge the assistance provided by James W. Robinson, Analyst in Far Eastern Affairs in the Foreign Affairs Division.)

1844: United States Commissioner Caleb Cushing was sent to China to negotiate a treaty guaranteeing U.S. ships entry into ports which had been opened to the British the previous year. This was achieved in the Treaty of Wanghia, signed on July 3, 1844. Dennett, pp. 128–171.

1853–54: Commodore Matthew G. Perry undertook his expedition to Japan. He was instructed to arrange a treaty with Japan which would provide for protection for American sailors, open some ports to trade, and grant access to coal supplies. He arrived with a naval squadron and presented President Fillmore's letter to the emperor in July 1853 promising to return for the response. Commodore Perry returned to Japan in February 1854; the Treaty of Kanagawa, which secured the first two items in the instructions, was signed on March 31, 1854. Dennett, pp. 260–278; Michael & Taylor, pp. 142–145.

1858: Commercial treaty with Japan, negotiated by Townsend Harris, was signed at Yedo [i.e., Tokyo] on July 29, 1858. This treaty was used as the model by European powers for their subsequent treaties with Japan. Dennett, pp. 347–364.

1867: A treaty of cession of Alaska for $7,200,000 between Russia and the United States was signed on March 30, 1867. The territory was transferred in October. Bemis, pp. 397–398; Bailey, pp. 363–371.

1868: The Burlingame Treaty, signed at Washington July 28, 1868, was negotiated by Secretary of State William H. Seward and Anson Burlingame, former U.S. Minister to China and then trusted envoy of the Emperor of China. It consisted of articles supplementary to the 1858 Treaty of Tientsin and included provisions for the immigration of Chinese into the United States. Dennett, pp. 367–389.

1872: A treaty with Samoan chieftains was negotiated on February 17 giving the U.S. exclusive rights to a naval base at Pago Pago. The U.S. Senate failed to ratify this treaty. Bemis, p. 455.

1875: Treaty of Reciprocity with the Hawaiian Islands gave the U.S. a preferred status in the islands and permitted the islands to ship sugar and other products to the U.S. duty free. This treaty was renewed in 1884. In 1887 it was amended to give the U.S. an exclusive right to use Pearl Harbor as a naval station. Bailey, pp. 428–429.

1878: A treaty of commerce and amity with Samoa was signed on January 17. It gave Samoa quasi-protection against foreign powers and the U.S., a naval station at Pago Pago. The agreement was ratified by the U.S. Senate on January 30. Bemis, pp. 455–456; Bailey, pp. 422–423.

1882: A treaty of amity and commerce was signed between Korea and the United States on May 22. This was the first pact of any kind between Korea and a Western nation and provided for most-favored-nation treatment. Bennett, pp. 450–470; Bailey, pp. 314–315.

1889: At the Berlin Conference on Samoa, from April 29–June 14, Germany, Great Britain and the U.S. provided for the independence of Samoa under a tripartite protectorate. Bailey, pp. 422–426; Bebis, pp. 458–459.

1893: A treaty of annexation of Hawaii to the U.S. was signed after a revolution had overthrown Queen Liliuokalani. This treaty was submitted to the Senate during the administration of Benjamin Harrison. President Grover Cleveland requested that the treaty be withdrawn, pending further investigation of the overthrow and of the attitude of the Hawaiians toward annexation to the U.S. The whole question of annexation was allowed to stagnate. Bailey, pp. 428–433; Dennett, pp. 611–612.

1897: A treaty of annexation of Hawaii was signed on June 16 under President McKinley's administration. A joint resolution of annexation passed Congress and was signed on July 7, 1898, thus making the Hawaiian Islands part of the territory of the U.S. An act of Congress of April 30, 1900 created the Territory of Hawaii. Dennett, pp. 609–716.

1898: The Spanish-American War, begun in April 1898, was ended by the Treaty of Paris signed on December 10. Under this treaty Spain ceded Cuba, Puerto Rico, Guam and the Philippines to the United States. In his letter of July 30 listing the possible terms of peace, President McKinley had declared that the U.S. would require the right to occupy and hold "the city, bay and harbor of Manila pending the conclusion of a treaty of peace which shall determine the control, disposition, and the government of the Philippines." Subsequently a full-scale debate on U.S. policy in the Far East developed. Dennett, pp. 615–632; Bailey, pp. 470–74.

September 1899: Secretary of State John Hay declared the Open-Door Policy on September 6 in notes which he forwarded to the governments of Great Britain, Germany, and Russia, requesting that these countries provide assurances on certain commercial rights to China: a) each Power will not interfere with the vested interests of other Powers within its own government's sphere of influence; b) recognition and payment of present Chinese tariffs within the government's sphere of influence; c) equality in the application of harbor and railroad dues, without favoritism to facilities of its own nationals. [The exact text of these three points is given at the end of this entry.] France, Japan and Italy were subsequently contacted. Each government replied in the affirmative in varying degrees. The results of these negotiations were announced in a news release on January 3, 1900. The open-door policy is most associated with the Hay notes of September 6 and the replies that resulted.

[In the notes, Hay requested that each, within its respective sphere of whatever influence:

[First. Will in no way interfere with any treaty port or any vested interest within any so-called "sphere of interest" or leased territory it may have in China.

[Second. That the Chinese treaty tariff of the time being shall apply to all merchandise landed or shipped to all such ports as are within said "sphere of interest" (unless they be "free ports"), no matter to what nationality it may belong, and that duties so leviable shall be collected by the Chinese Government.

[Third. That it will levy no higher harbor dues on vessels of its own nationality frequenting any port in such "sphere" than shall be levied on vessels of its own nationality, and no higher railroad charges over lines built, controlled, or operated within its "sphere" than shall be levied on similar merchandise belnoging to its own nationals transported over equal distances.] Source: Michael and Taylor, p. 163. Dennett, pp. 640–649; Bailey, pp. 480–481.

December 1899: Samoa was divided between the U.S. and Germany by a treaty signed on December 2 and ratified by the Senate on January 16, 1900, and thereby American Samoa was created. Bailey, p. 427.

1900: The Boxer Rebellion occurred after increasing hostility in Peking and North China by a fanatical sect (called Boxers by the Westerners) against the foreign community was climaxed in June by the murder of a member of the Japanese legation and of the German Minister, the severing of communication lines between the legations and outside world, and finally large-scale attacks on the legations by Imperial troops. John Hay, fearing that the other powers would use the disorder in China as an excuse to divide it among them, circulated a note on July 3, 1900 proclaiming that the "policy" of the U.S. government "is to seek a solution" which may "preserve Chinese *territorial and administrative entity*" and "safeguard for the world the principle of equal and impartial trade with *all parts of the Chinese Empire.*" This note was an important amplification of the Open Door notes of September 6, 1899. [Compare the portions underlined by the compiler to the provisions of the September 6 notes]. A large multinational force (including U.S. troops) arrived in Peking on August 14 from Tientsin and put down the disorder. On December 24 the foreign representatives presented to China a joint note with severe demands for peace. These demands were accepted and negotiations were started which resulted in a Protocol signed on September 7, 1901. Dennett, pp. 650–663; Bailey, pp. 481–482.

1905: The Treaty of Portsmouth was negotiated in Portsmouth, New Hampshire after Japan requested, in the Spring of 1905, that President Roosevelt act as mediator between the warring countries, Japan and Russia. The treaty, signed on September 5, provided, among other things, that both powers remove from Manchuria all troops other than railroad guards, and return that area to Chinese civil administration. Bailey, pp. 516–519.

February 1908: The Gentlemen's Agreement concerning Japanese immigration to the United States became effective in 1908. After the Russo-Japanese war, the immigration of Japanese into the U.S. had increased rapidly. Antagonism on the West Coast appeared and in October 1906 the San Francisco Board of Education ordered that all Oriental students attend a public school set aside for them. President Theodore Roosevelt worked out a compromise whereby the School Board agreed to allow Japanese children of a proper age and preparation to enter schools on an integrated basis if Roosevelt would promise that Japanese immigration would cease. The series of diplomatic notes between the Japanese and U.S. governments, known as the Gentlemen's Agreement, basically involved the U.S. promise to avoid discriminatory laws against Japanese in America if Japan would voluntarily curtail emigration to the U.S. The Japanese agreed not to issue any more passports to coolies coming directly to the U.S. This reduced drastically the numbers of Japanese immigrating to the U.S. Bailey, pp. 521–523.

November 1908: The Root-Takahira Agreement, an exchange of notes between Secretary of State Elihu Root and Japanese Ambassador Takahira on November 30, provided that both powers would maintain the status quo in the Pacific area but implied that the U.S. recognized Japan's economic interests in Manchuria; respect each other's territorial possessions in the Pacific; uphold the Open Door in China; and support the "independence and integrity of China." Bailey, pp. 525–526.

1916: The Jones Act, passed by the U.S. Congress in August 1916, contained the first official promise of eventual independence for the Philippines. In addition, it provided for a new Philippine legislature of two houses, with full legislative authority, limited only by the powers of the governor-general and the President of the U.S. who held veto rights in certain instances. Michael & Taylor, pp. 297–298.

1917: The Lansing-Ishii Agreement between the United States and Japan followed disagreement on China policy. In January 1915 Japan presented to China 21 Demands. These were arranged in five groups, the first four being economic while the fifth was political and military. In essence, the 21 Demands would severely compromise Chinese sovereignty in military affairs, public safety, economic matters and foreign relations. The U.S. issued a warning on May 11, 1915 that the U.S. could not recognize any agreement between Japan and China which would damage the Open Door policy. The Demands in group five were shelved although the others were, for the most part, accepted under duress by China. In 1917 Viscount Ishii came to the U.S. from Japan and finally reached an agreement with the U.S. relative to China. The Lansing-Ishii Notes declared that the two governments "recognize that territorial propinquity creates special relations between countries, and consequently the Government of the United States recognizes that Japan has special interests in China, particularly in the part to which her possessions are contiguous." This agreement was most unpopular in China, being considered a betrayal of Wilsonian pronouncements on self-determination, and of Chinese interests. Bailey, pp. 634–635.

1918: U.S. intervention in eastern Siberia occurred during the civil war which followed the Russian revolution of 1917. Japan secured from China permission to hold military operations in Siberia and to rescue a group of anti-Bolshevik Czechoslovak soldiers who were fighting their way across Siberia. The U.S., anxious to subdue the Bolshevik forces in Russia, as well as fearful that Japan would take advantage of this opportunity to seize territory in Siberia and North Manchuria, sent a force of Americans to join British and French soldiers who were also participating in this venture. Bailey, pp. 636–637; Bemis, pp. 686–689.

1918: On January 8, President Woodrow Wilson set forth the Fourteen Points which seemed to hold special promise for China and the other areas of colonial Asia, particularly the proposal for "open covenants of peace, openly arrived at" and the suggestion that in the adjustment of colonial claims there should be "strict observance of the principle that in determining all such questions of sovereignty the interests of the population concerned must have equal weight with the equitable claims of the government whose title is determined." Michael & Taylor, pp. 714–716.

1919: The Versailles Peace Conference (January 12 through June 28) followed the First World War. While the Fourteen Points [noted above] provided for open discussion and decision-making, at Paris it was in the Consultations of the "Big Four"—France, United States, United Kingdom and Italy—that most of the outstanding issues between China and Japan were ultimately decided.

Japan had extensive war claims on the previously German interests in Shantung Province which eventually prevailed at the Conference despite President Wilson's efforts. While the U.S. was intent on supporting Chinese interests, the European allies were bound to support Japan in her claims against China. Indignation raged in China over the decision of the Paris Conference and the Chinese delegates declined to sign the Versailles Treaty. (Only in September did China join the League of Nations, by signing the Treaty of St. Germain with Austria.)

Next, Japan demanded an international declaration of recognition of the principle of racial equality. Again the Allies were in opposition. Failure to obtain recognition of equality even in the League of Nations aroused in Japan a feeling of dissatisfaction with the outcome of the Conference and a degree of suspicion toward the new international organization. These feelings were shared by many of the colonial peoples whose hopes of independence had been raised by wartime slogans and bright promises concerning the postwar world. Griswold, pp. 239–255.

1921: In the Four-Power Pacific Pact, signed on December 13, 1921, Britain, U.S., Japan, and France agreed to respect each other's rights in the Pacific and to refer disputes to a joint conference. The pact ended the Anglo-Japanese Alliance. It also provided for a kind of collective security among the participants, stating that if their rights in Asia were threatened by another power, they should consult and consider what actions should be taken to protect their mutual interests. Bailey, pp. 643–644.

1922: The Five-Power Treaty, signed on February 6, 1922 by the United States, Great Britain, Japan, France, and Italy, established a 5–5–3–1.75–1.75 ratio of capital ship tonnage among these powers, to be maintained by a prohibition of further naval construction and the scrapping of tonnage. In addition, the United States, Great Britain, and Japan agreed not to construct new naval bases or fortifications west of Hawaii, north of Singapore, or south of Japan.

This agreement reinforced the obligation which Japan had undertaken at Versailles not to fortify the former German-held islands north of the equator, when they were handed over to her under the mandate system. Michael & Taylor, p. 717.

1922: The Nine Power Treaty of February 6 was signed in Washington by the United States, England, France, Italy, Japan, Belgium, Portugal, China and the Netherlands. This treaty has been recognized as the only formal and specific affirmation of the Open-Door policy ever agreed to by the major powers (excluding Germany and Soviet Russia). The signers promised to respect the "sovereignty, the independence, and the territorial and administrative integrity of China"; "to provide the fullest and most unembarrassed opportunity to China to develop and maintain for herself an effective and stable government"; "to use their influence for the purpose of effectually establishing and maintaining the principle of equal opportunity for the commerce and industry of all nations throughout the territory of China"; and, "to refrain from taking advantage of the conditions in China in order to seek special rights or privileges which would abridge the rights of the subjects of friendly States and from countenancing action inimical to the security of such States." Michael & Taylor, pp. 718–719; Bailey, pp. 644–645.

1924: The Immigration Act of 1924, proposed in order to limit the immigration from Europe, became the object of much controversy as anti-Japanese agitators on the Pacific Coast saw it as a way to exclude Orientals entirely. As finally drafted, the law was an abrupt breach of the Gentlemen's Agreement and a harsh blow to the sensitive Japanese. President Coolidge signed the bill reluctantly. Bailey, pp. 692–694.

1930: Japan and the U.S. were two of the five nations which met in London to discuss naval disarmament; the structure of power in the Pacific was at issue in each naval conference. The treaty, which was signed on April 22, 1930, gave Japan complete parity in submarines and improved her position on paper as far as destroyers and cruisers were concerned. As in the Washington Conference, the effectiveness of the treaty was impaired by escape clauses. The U.S. Senate approved the treaty July 21, 1930, with reservations. Bemis, pp. 697–709; Bailey, pp. 651–652.

1931–32: The Manchurian crisis followed a rail line incident on September 18. Japanese troops charged Chinese soldiers with attempting to blow up the track, captured the Chinese garrison at Mukden, and then seized other points on or near the railway line. China immediately appealed to the U.S. and to the League of Nations. The general consensus was that Japan had violated the Nine Power Treaty of 1922, the League's charter and the Kellogg-Briand Pact. Japan's promises to withdraw were not kept; instead Japanese planes bombed southwestern Manchuria, and Japan extended its grip on Manchuria.

On January 7, 1932, Secretary Stimson addressed to China and to Japan notes setting forth what is known as the Stimson (or Hoover-Stimson) Doctrine. The U.S. notified both countries that it could not recognize any "situation or any treaty or agreement entered into between those governments . . . which may impair the treaty rights of the United States or its citizens in China, including those which relate to the sovereignty, the independence, or the territorial and administrative integrity of the Republic of China, or to the international policy relative to China, commonly known as the open-door policy; and that it does not intend to recognize any situation, treaty, or agreement which may be brought about by means contrary to the covenants and obligations" of the Kellogg-Briand Pact. Britain and France, to whom the U.S. had appealed for parallel notes, declined. Japan's reply to the U.S. communication merely noted that a new state was being set up in Manchuria by the Chinese people. Japan then proceeded undeterred on its policy of expansion. Bemis, pp. 816–824; Bailey, pp. 695–696.

1934: In 1934 the Congress passed the Tydings-McDuffie Act as the Philippine Independence Act. This legislation provided for full independence after a ten-year interval during which the Philippines would operate its own government and prepare for complete separation from the U.S. This act, in comparison with the first independence act passed by the U.S. Congress in 1933 and refused by the Philippine legislature, included a promise that the adverse economic effects of the act would be cushioned. Also, the later act did not make any provision for U.S. retention of military bases, as did the former bill. Michael & Taylor, p. 617; Bailey, p. 674.

1937: When the Second Sino-Japanese War broke out on July 7, 1937, President Roosevelt refused to invoke the Neutrality Resolution of May 1937 because it would have cut off supplies to China, considered the victim of Japan's aggression. As a consequence, large quantities of fuel and scrap iron continued to go to Japan. On October 5, 1937, President Roosevelt made his famous Quarantine Speech, urging "peace-loving nations" to quarantine all aggressors. Both this appeal and an attempt to repair the Nine Power Treaty at the Brussels Conference (November 1937) failed to have any effect on the actions of Japan. The U.S. then began to evacuate its nationals from China. After the bombing of the U.S. gunboat *Panay* at Peiping on December 12, 1937, President Roosevelt made strong protests. As the year ended Japan had apologized for the attack on the *Panay* and paid full monetary reparations. Bemis, pp. 827–832; Bailey, pp. 702–705.

1939–40: In July 1939 the State Department announced that the U.S. would terminate the commercial treaty of 1911 with Japan. This treaty between Japan and the U.S. thus expired on January 26, 1940. On September 29, 1940 President Roosevelt declared an embargo on exports of scrap iron and steel to all nations except those of the Western Hemisphere and Britain. On July 25, 1941 President Roosevelt ordered that all Japanese assets in the U.S. be frozen, thus completing the embargo on war materials to Japan. Bailey, pp. 732–734; Feis (Road to Pearl Harbor), pp. 227–241.

January 1941: The ABC discussions on the defense of the Far East started in January 1941, between the U.S. and Britain, Canada, Australia and New Zealand. Britain was anxious to have the U.S. Pacific Fleet help keep the sea lanes open and insure the safety of Singapore. Another important issue was the need for joint military planning in the allocation and stationing of land and sea forces for the most efficient common defense against Germany and Japan. As regards Singapore the U.S. and Britain reached a stalemate since British negotiators felt that the Pacific Fleet should be divided while the U.S. maintained that it was fundamental that the Fleet be kept intact. The conclusions of the meetings were set forth in February in a group of documents known as the "ABC—1 Staff Agreement." This agreement covered all areas of the world and described how the U.S. and the British Commonwealth might be jointly engaged to act against the enemy in case of war. As concerns the Far East, British Commonwealth forces were to defend British territories there. The U.S. Pacific Fleet would protect Hawaii, the Philippines, Guam, Wake, etc., and in the event of war with Japan provide a diversion toward the Marshall and Caroline Islands in order to relieve pressure from the Malay Barrier, and attack Japanese communications and shipping. After these plans were endorsed by the Secretaries of the Navy and of War, the U.S. proceeded to shift men and material in accordance with them. Feis (Road to Pearl Harbor), pp. 165–170; Stein, pp. 163–176.

April 1941: On April 15 President Roosevelt signed an executive order authorizing reserve officers and enlisted men who wished to resign from the Army Air Corps, the Naval and Marine Air Services so that they could join Captain Claire L. Chennault's American Volunteer Group in China (Flying Tigers). It was Captain Chennault's plan, after training these pilots, to work as a unit of the Chinese Army Air Force from bases in Burma and southeastern China to protect shipments over the Burma Road. Chiang Kai-shek supplied the money for salaries and the

United States covertly supplied the planes, pilots and mechanics. By the end of September the Chinese government had hired 100 volunteer American pilots and 181 American ground personnel to man and service 100 P–40 aircraft provided under Lend-Lease. Feis (Road to Pearl Harbor), p. 245. [See also: Toland, John. The Flying Tigers. New York, Random House, 1963. Whelan, Russell. The Flying Tigers, Garden City, N.Y., Garden City Publishing Co., 1944.]

July 1941: In July 1941, Japan advanced its control into Indochina. In response, on August 1, the President directed the prohibition of "exportation of motor fuels and oils suitable for use in aircraft and of certain raw stocks from which such products are derived to destinations other than the Western Hemisphere, the British Empire and the unoccupied territories of other countries engaged in resisting aggression." Japan's total dependence upon imported petroleum, always a source of serious concern to its military and business leadership, now imposed a time factor (fuel reserve's duration) in Japan's advance upon the oil fields of the Dutch East Indies. Feis (Road to Pearl Harbor), pp. 242–250; Bailey, pp. 732–734.

December 1941: On December 8, the U.S. Congress, acting on the President's request, declared war on Japan which had, on the previous day, delivered a serious blow to the U.S. military facilities at Pearl Harbor without a declaration of war. Bailey, pp. 740–741.

1941–42: Anglo-American conference (code name ARCADIA). Prime Minister Churchill and President Roosevelt engaged in a high level political military-economic conference in Washington from December 22 to December 28, 1941, and January 2–14, 1942. The Americans reassured the British that, while much had happened since the American-British Staff Conversations in early 1941 (ABC agreement), the U.S. would persevere in the general military plans to concentrate primary efforts on the European war sector first, leaving full concentration on the Asian theater to the time when Germany had been defeated. Both Chiang Kai-shek and General Douglas MacArthur had favored the opposite priority judgment. Feis (Churchill-Roosevelt-Stalin), pp. 37–42; Sherwood, pp. 439–458.

1943: At the First Cairo Conference (November 22–26) President Roosevelt and Prime Minister Churchill conferred with Chiang Kai-shek concerning the war in the Far East. The resulting Declaration of Cairo (December 1) stated that the war would continue until Japan's unconditional surrender. The Declaration also dealt with the future status of Japan's colonies and captured territories which would be detached from her following her defeat. Bailey, pp. 759–760; Bemis, pp. 892–893.

February 1945: In a secret agreement at the Yalta Conference (February 4–11) Stalin consented to enter the Far Eastern war two or three months after the European war had ended. In return, the USSR would receive: Outer Mongolia; the southern half of Sakhalin Island; safeguarding of its interests in the internationalized port of Dairen and a lease of a naval base in Port Arthur (both cities in Manchuria); operation, along with China, of railroads in Manchuria; and the Kurile Islands. Chiang Kai-shek was not present at the conference and agreed to the terms later only under considerable pressure. Bailey, pp. 764–766; Bemis, pp. 896–900.

July 1945: At the Potsdam Conference, on July 26, a joint statement by President Truman, Prime Minister Churchill and Generalissimo Chiang Kai-shek to Japan demanded the latter's unconditional surrender. Also, at the Potsdam Conference, the USSR, U.S. and U.K. reached agreement that all of French Indochina south of the 16th parallel would be temporarily administered by Great Britain and that French Indochina north of the 16th parallel would be administered by China. The Chinese subsequently allowed the Viet Minh forces of Ho Chi Minh to administer the northern sector while the British quickly deferred to the French in the south. As agreed at Yalta, the USSR declared war on Japan on August 9, the Red Army crushing the Japanese forces in Manchuria and driving into North Korea. Bemis, pp. 909–910; Bailey, pp. 772–774.

August 1945: On August 6 an American B29 dropped an atomic bomb on Hiroshima (a decision was made by President Truman around July 22 to use the bomb if Japan did not reply favorably to the Surrender Demand of July 26). A second atomic bomb was dropped on Nagasaki on August 9. Japan sued for peace on August 10 and signed the final terms of surrender to the Allies on September 2 on the battleship Missouri. The United States undertook the occupation of Japan for the Allied Powers. Bailey, pp. 773–774; Bemis, p. 918. See also Truman Memoirs (vol. 1), pp. 418–419; Feis (Japan subdued), pp. 74–77.

December 1945: On December 15, President Truman called for unity in China, recognized the National Government of China, noted that the "existence of autonomous armies such as that of the Communist army is inconsistent with . . . political unity in China," and offered to the National Government U.S. assistance in the attainment of peace and unity. Vinacke, pp. 42–44.

December 1945: At the Moscow Meeting of Foreign Ministers of the U.S., United Kingdom, and the USSR (December 16–26) a joint US–USSR Commission was set up to "assist the formation of a provisional Korean government." A temporary line was drawn at the 38th parallel, with the Soviet Union administering the surrender of Japanese forces in the North and the U.S., in the South. The intent of the U.S., however, was that Korea would become independent as a unified country.

The Conference also set up a Far Eastern Commission of representatives from 11 nations—the U.S., Soviet Union, Great Britain, China, France, the Netherlands, Canada, Australia, New Zealand, India and the Philippines (Burma and Pakistan were added in 1949). This Commission was to "formulate the policies, principles and standards in conformity with which the fulfillment by Japan of its obligations under the terms of surrender may be accomplished." Japanese occupation policy, however, was largely made and implemented by the United States. Bemis, p. 919; Michael & Taylor, p. 584.

1945–51: U.S. occupation of Japan and restoration of political stability and economic independence took place. A complete political and economic reorganization of Japan was affected under General Douglas MacArthur, who was given authority as Supreme Commander for the Allied Powers on August 15, 1945. U.S. occupation policy in Japan visualized restructuring of the entire society of the nation. Unprecedented economic reform was knowingly set in motion. A functional democracy under a constitution guaranteeing detailed civil liberties was adopted. The rural social and economic foundation was restructured by what is probably the largest bloodless land reform ever accomplished. The political power base was dramatically changed by the extension of suffrage to many groups not previously covered, including Japan's women. Much of the previous ruling group was removed from the arena of public activity by the war crimes trials. Labor unions, previously suppressed, were given official support and grew considerably. Michael & Taylor, pp. 584–595.

July 1946: Philippine independence was proclaimed on July 4, as promised in the Philippine Independence Act of 1934. During the period 1946–1965 the Philippines received foreign assistance—both military and economic—from the U.S. in the sum of $1.75 billion. Bailey, p. 787.

January 1947: The Marshall Mission to China came to an end on January 8. General George C. Marshall had been sent to China on December 15, 1945 as President Truman's personal representative to induce the two Chinese factions to form a coalition government which could then proceed to restore peace and order to China. Nationalist and Communist forces were fighting one another in an attempt to gain control over areas formerly occupied by the Japanese.

Agreement on a ceasefire was reached in January-February 1946 through the mediation of General Marshall. Thereafter, a multi-party Political Consultative Conference met and agreed on, 1) convening a National Assembly in May 1946, 2) forming an Interim coalition government, and 3) creating a national army with a 5 to 1 ratio of divisions as between the Kuomintang and the Communist Party of China. But fighting broke out again in the spring of 1946, and in the course of time full-scale civil war resumed, ending all possibilities for creating a genuine coalition government. The U.S. rendered substantial aid to the Nationalist government in the ensuing years of civil war. China White Paper, pp. 127–220; Kahin (Major Governments of Asia), pp. 46–48.

March 1947: In his request of March 12 to the Congress for aid to Greece and Turkey (Truman Doctrine) President Truman declared that "it must be the policy of the United States to support free peoples who are resisting attempted subjugation by armed minorities or by outside pressures." He continued, "I believe that we must assist free peoples to work out their own destinies in their own way." While the primary stimulus of this policy and the strategy of "containment" then adopted was the Communist threat in Western Europe, the Far East also became a major area of its implementation. Michael & Taylor, pp. 761–763.

September 1947: On September 17 Secretary of State Marshall brought the issue of Korea to the United Nations which established a UN Temporary Commission on Korea. The General Assembly, also in 1947, adopted two resolutions, proposed by the U.S., providing for free elections of representatives with whom the Commission on Korea might consult regarding the attainment of independence and who would constitute a National Assembly to establish a National Government of Korea. Finally military forces were withdrawn—the USSR in 1948 and the U.S. by June 1949. Vinacke, pp. 59–64.

December 1948: The United States supported the Republic of Indonesia in its struggle for independence from the Netherlands. On August 17, 1945 (following the Japanese surrender) Sukarno had proclaimed the independence of the Republic of Indonesia and within three weeks had organized a government. The Netherlands, however, was not prepared to accept the independence of Indonesia and began sending troops to reoccupy what had been the Netherlands East Indies. By July 1947 there were about 150,000 Dutch soldiers in Indonesia. In December 1948, after the Republic had successfully put down a Communist revolt, the Dutch forces attacked. This attack was so sudden and overwhelming (the Dutch forces captured Djakarta and announced that the Republic of Indonesia was no more) that world-wide criticism was raised against the Netherlands. The United States, favorably impressed with the Republic's suppression of the Communists and disappointed by the Netherlands' resort to arms, supported the Indonesian cause before the U.N. and with the threat of Marshall aid suspension for the Netherlands. The sovereignty of the Republic of Indonesia was finally recognized by the Netherlands on December 28, 1949. Michael & Taylor, pp. 639–645.

January 5, 1950: President Truman made a statement on U.S. policy concerning the status of Formosa following the Communist victory on the Mainland. Significant points included the following: the U.S. had no "intention of utilizing its armed forces to interfere in the present situation. The United States Government will not pursue a course which will lend to involvement in the civil conflict in China. Similarly, the United States Government will not provide military aid or advice to [Nationalist] Chinese forces on Formosa." American foreign policy (1950–1955), pp. 2449–2452.

January 12, 1950: Secretary of State Dean Acheson, in a speech before the National Press Club, defined the defensive perimeter for the U.S. in the Pacific. The line extended from the Aleutians to Japan to the Ryukyus to the Philippines. Formosa and Korea were not included inside this line although Secretary Acheson apparently did not exclude them from U.S. interests. Bemis, p. 938; American foreign policy (1950–1955), pp. 2310–2322 for text of speech.

February 1950: The United States extended diplomatic recognition to Cambodia on February 7 after it was accorded independence within the French Union on November 8, 1949. In May 1950 the U.S. initiated military and economic aid to Cambodia through France. Cambodia achieved full independence on November 8, 1953. On May 16, 1955, the U.S. and Cambodia exchanged notes which provided direct military assistance. The U.S. would furnish money and equipment for the maintenance of Cambodia's armed forces and also provide a military assistance advisory group to help train the armed forces. Direct economic assistance was started about the same time. [Laos and Cambodia were also extended diplomatic recognition on February 7. See separate and later entries.] Smith, p. 50.

June 1950: The Korean War began on June 25 when North Korean troops invaded South Korea. The U.S. immediately took the issue to the UN Security Council which declared that peace had been disrupted, asked the North Korean troops to return to North Korea, and asked member states not to aid North Korea. President Truman ordered U.S. forces into action to give cover to South Korean troops. In later resolutions the UN requested member states to "furnish such assistance to the Republic of Korea as may be necessary to repel the armed attack and to restore international peace and security in the area." All assistance was unified under a single command under the U.S. and the flag of the UN. After UN soldiers crossed over the 38th parallel Chinese forces invaded North Korea and helped push UN forces southward. Truce negotiations started on July 10, 1951 and continued intermittently through the next two years. The armistice was signed on July 27, 1953 at Panmunjom. Bemis, pp. 936–940, 953–957; Bailey, pp. 819, 824–827.

September 1950: This date marks a revival of Thailand's policy of cooperation with the U.S. The first treaty between the U.S. and Siam was signed in 1845 and revised in 1920, giving Siam complete jurisdiction over all American subjects living there. In 1903, an American had been made foreign policy adviser to the Minister of Foreign Affairs; this position was maintained in the government until 1940. After the U.S. treaty of 1920 had been signed, Siam entrusted to the then American adviser—Francis B. Sayre—the negotiation of new treaties with ten European nations. Finally, in 1925, Sayre succeeded in negotiating agreements on behalf of Siam which closely followed the American treaty. Sayre's role in this situation was a key element in the traditional friendly relationship between the U.S. and Thailand. This relationship suffered in early World War II as Thailand coopertaed with Japan.

In Septemebr 1950 the two countries signed an Economic and Technical Cooperation Agreement and in October, a Military Assistance Agreement. The latter provided for equipment and training but did not provide for the establishment of U.S. bases in Thailand or guarantee U.S. action if Thailand's territorial integrity were violated. Nuechterlein, pp. 24, 27, 109–109, 114–122.

December 23, 1950: The United States (on December 23) signed a Mutual Defense Assistance Agreement with France, Vietnam, Cambodia, and Laos for indirect U.S. military aid to Vietnam, Cambodia, and Laos. All three Indo-Chinese states were, at the time, under guerrilla attack by the Communist-led Viet Minh. Citation from Committee Print.

December 23, 1950: An active U.S. foreign policy toward Laos started when, on December 23, 1950, the two countries signed a mutual defense assistance agreement for indirect aid to Laos, which was at that time an independent State within the French Union. Between 1950 and mid-1954 Laos received approximately $7.3 million in economic aid funds and equipment from the U.S. It is estimated that military assistance to Laos from the U.S. (via France) in this same period totalled around $30 million. When Laos became fully independent on January 1, 1955, the U.S. began a program of direct assistance. From fiscal year 1955 through fiscal year 1966 U.S. economic assistance has totalled $474.45 million. Military assistance figures are available for fiscal year 1955 through fiscal year 1962: $128.5 million. Statistics for U.S. military assistance to Laos since fiscal year 1962 are classified. Dommen.

May 1951: The hearings before the Senate Committees on Armed Services and Foreign Relations on the Military Situation in the Far East (82d Cong., 1st Sess., 5 parts) in May-June 1951 were the focus of full-scale debate on U.S. policy in the Far East. The hearings were stimulated by the recall of General Douglas MacArthur to the U.S. from his position as Commander of U.N. forces in Korea and of U.S. occupation forces in Japan on April 11, 1951. Michael & Taylor, p. 774.

August 1951: On August 30 the U.S. and the Philippines signed the Philippine-American Security Treaty; it went into effect on August 27, 1952. Each party to this treaty agreed "that an armed attack in the Pacific Area on either of the Parties would be dangerous to its own peace and safety" and declared "that it would act to meet the common dangers in accordance with its constitutional processes." As with the security treaties between the U.S. and the other Pacific powers, the parties agreed to consult from time to time and when an occasion of danger arose. Bailey, p. 817; Bemis, pp. 943–944.

September 1, 1951: On this date Australia, New Zealand and the U.S. signed a Tripartite Security Treaty, a mutual defense pact more popularly known as the ANZUS pact. In Article 4 each party "recognized that an armed attack in the Pacific area on any of the parties would be dangerous to its own peace and safety and each declares that it would act to meet the common danger in accordance with its constitutional processes." The ANZUS pact went into effect on April 29, 1952. Bailey, p. 817; Bemis, p. 944.

September 7, 1951: United States signed an agreement with Vietnam for direct economic assistance. By October 12, 1952, 200 U.S. ships carrying military aid had arrived in Saigon. Citation from Committee Print.

September 8, 1951: A peace treaty with Japan was signed. Also on September 8 the U.S. and Japan signed a bilateral security treaty (Japanese-American Security Treaty) which provided that U.S. troops be stationed on Japanese soil for an indefinite time period and on February 28, 1952, a pact permitting the U.S. to keep military bases in Japan for defensive purposes. The legal status of Taiwan (Formosa) was left unclear. The U.S. Senate consented to the ratification of all three documents on March 20, 1952. In the Japanese-American Security Treaty the U.S. is granted "the use by its land, air and naval forces of facilities and areas in Japan" in order "to contribute to the maintenance of international peace and security in the Far East and to the security of Japan against armed attack from without, including assistance given at the express request of the Japanese Government to put down large-scale internal riots and disturbances in Japan, caused through instigation or intervention by an outside Power or Powers." Bemis, p. 942; Bailey, p. 817.

July 1953: The U.S. and the Republic of Korea signed a security treaty on July 27. Each party agreed that "an armed attack in the Pacific area on either of the Parties in territories now under their respective administrative control, or hereafter recognized by one of the Parties as lawfully brought under the administrative control of the other, would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional processes." The U.S. was granted the right "to dispose United States land, air and sea forces in and about the territory of the Republic of Korea as determined by mutual agreement." The U.S. Senate appended to the agreement the stipulation that either party is obligated to come to the aid of the other *only* in the case of an external armed attack; also the U.S. would give assistance to Korea only in the event of an attack against territory the U.S. recognizes as "lawfully brought under the administrative control of the Republic of Korea." The treaty was ratified by the U.S. Senate on January 26, 1954. Bemis, p. 957.

November 1953: The U.S. starts airlifting of Nationalist forces out of Burma. In 1950 as a result of the Communist takeover in China and the consolidation of control in Yunnan province, Southwest China, substantial Nationalist forces (Kuomintang—KMT) retreated into Burma. These military forces refused to disarm or to leave the country and established headquarters near the Thai-Burmese border. By early 1953, a force of about 12,000 had collected and constituted the nucleus of a state within a state. The Burmese government felt that Thailand was not altogether innocent of complicity in the situation. It was asserted that the U.S., as an ally of both Thailand and Nationalist China, had a real responsibility for the KMT activities in Burma and was not applying adequate pressure on Nationalist China for the recall of its forces. The U.S. was supplying provisions to the KMT troops via CIA air drops and the facts of this situation were known by Burmese officials. In March 1953 U Nu, Premier of Burma, announced he would take the issue to the United Nations. He requested the end of U.S. economic aid to Burma by June 30. The U.N. General Assembly (on April 23, 1953) created a Joint Military Committee (Burma, United States, Thailand, National China) to consider ways of implementing the U.N. recommendation that the "foreign forces" in the Union of Burma be dismantled and either leave at once or submit to internment. Evacuation finally began on November 7, 1953 via American airlift to Taiwan. Seven thousand of the troops and their dependents had been moved to Taiwan by September 1, 1954. Several thousand, however, were still in Burma. Fifield, pp. 225–232; Trager, pp. 319–321; Wise and Ross, pp. 129–130.

March 1954: In March the Four Power Conference of Foreign Ministers meeting at Berlin (U.S., United Kingdom, France, USSR) proposed a Korean Peace Conference to include representatives of the U.S., United Kingdom, France and the USSR, plus Red China, South Korea, North Korea, and other belligerents, to meet in Geneva in April 1954. It was also suggested that the problem of restoring peace in Indochina be discussed. Bemis, p. 958.

April 1954: At the first part of the Geneva Conference on Korea and Indochina no settlement was reached on Korea; the Armistice at Panmunjom would stand. The Geneva Agreements on Indochina were reached at a meeting of nine states—France, the People's Republic of China, the Soviet Union, the United Kingdom, and the United States; and Cambodia, the Democratic Republic of Vietnam (North), the Kingdom of Laos, and the State of Vietnam (South) [all parts of the old French Indo-China]. The signed documents of the Conference were six unilateral declarations by Cambodia, France, and Laos—two from each, with none from either of the two Vietnams—and three armistice agreements, one each for Laos, Cambodia, and Vietnam. An unsigned Final Declaration was also issued on July 21.

President Eisenhower's statement on July 21 read in part:

". . . The United States has not itself been party to or bound by the decisions taken by the Conference, but it is our hope that it will lead to the establishment of peace consistent with the rights and needs of the countries concerned."

Under Secretary of State Walter Bedell Smith made a unilateral declaration on behalf of the U.S. Government, in Geneva, on July 21. In it the U.S.

". . . declares with regard to the aforesaid agreements and paragraphs that (i) it will refrain from the threat or the use of force to disturb them, in accordance with Article 2(4) of the Charter of the United Nations dealing with the obligation of members to refrain in their international relations from the threat or use of force; and (ii) it would view any renewal of the aggression in violation of the aforesaid agreements with grave concern and as seriously threatening international peace and security.

In connection with the statement in the declaration concerning free elections in Viet-Nam my Government wishes to make clear its position which it has expressed in a declaration made in Washington on June 29, 1954, as follows:

"'In the case of nations now divided against their will, we shall continue to seek to achieve unity through free elections supervised by the United Nations to insure that they are conducted fairly.'" Bemis, pp. 958–960; Fifield, pp. 21–26; Committee Print.

September 1954: Eight nations met in Manila on September 6–8 to sign the SEATO (Southeast Asia Treaty Organization) pact. Participants included the U.S., the United Kingdom, France, Australia, New Zealand, Pakistan, Thailand and the Philippines.

Article 4, the binding section of the Treaty, reads in part:

"1. Each Party recognizes that aggression by means of armed attack in the treaty areas against any of the Parties . . . would endanger its own peace and safety, and agrees that it will in that event act to meet the common danger in accordance with its constitutional processes. Measures taken under this paragraph shall be immediately reported to the Security Council of the United Nations.

"2. If, in the opinion of any of the Parties, the inviolability or the integrity of the territory or the sovereignty or political independence of any Party in the treaty area . . . is threatened in any way other than by armed attack or is affected or threatened by any fact or situation which might endanger the peace of the area, the Parties shall consult immediately in order to agree on the measures which should be taken for the common defense."

In a protocol to the Southeast Asia Collective Defense Treaty the parties designated that Cambodia, Laos and South Vietnam would be included under Article 4. Cambodia renounced this protocol protection on February 18, 1956 and Laos renounced SEATO's protection in a statement of neutrality which is incorporated into the Declaration on the Neutrality of Laos, July 23, 1962. Bailey, p. 832; Bemis, pp. 960–962; Fifield, pp. 26–32 and Chapter 5—pp. 113–157.

January 1955: In the Formosa Resolution (approved January 29) the Congress authorized the President to "employ the Armed Forces of the United States as he deems necessary for the specific purpose of securing and protecting Formosa and the Pescadores against armed attack . . . ." China, which was taking steps to attack the Pescadores and Formosa, halted its preparations. Bailey, pp. 834–835; Bemis, p. 963.

February 1955: On February 12 the U.S. Military Assistance Advisory Group (MAAG) took over the training of the South Vietnamese Army, following the relinquishing of command authority by the French. Citation from Committee Print.

May 1955: On May 16 the United States signed an agreement with Cambodia for direct military aid to replace the aid formerly given through the French Government. Citation from Committee Print.

July 1955: The U.S. on July 25 agreed to hold talks, on the ambassadorial level, with representatives of Communist China in Geneva, with the first meeting taking place on August 1. Previous discussions had been held on the consular level and had resulted in the release of four out of 15 UN prisoners of war and some U.S. civilians held by the Chinese People's Republic. American foreign policy (1950–1955), pp. 2504–2506, 2510–2519.

April 1956: The U.S. issued assurances of her respect for Cambodia's neutrality and her desire for continuation of military and economic assistance to Cambodia. Before 1956 Cambodia had pursued her neutral foreign policy without interference. In 1956, however, there was a shift, with increasing pressure to have Cambodia join, or at least participate in, SEATO and its military exercises. Cambodia had been granted SEATO protection under the Protocal annexed to the Pact, but on February 18, 1956, while he was in Red China, Sihanouk renounced this SEATO protection. On his return from China, Sihanouk found Cambodia beset by economic blockades by Thailand and South Vietnam. He charged that the U.S. was using Thailand and Vietnam to coerce Cambodia into adhering to SEATO. Sihanouk was determined to remain neutral, accepting aid from both sides. After the U.S. gave Cambodia assurances of its neutrality in April, the blockades by Thailand and Vietnam were withdrawn. Smith, pp. 72, 80–102.

September 1956: The U.S. on September 24 rejected the Chinese Communist proposal for trade negotiations. This subject had been brought up at the Geneva talks between the U.S. and Chinese representatives. The U.S. refused to discuss trade so long at U.S. citizens were still kept as prisoners in China and so long as China refused to "renounce the use of force in the Taiwan area." American foreign policy (1956), p. 809.

August 1957: On August 22 the ban on the issuance to newsmen of passports valid for travel in Communist China was lifted. On December 6 the State Department announced it would issue passports validated for travel in Communist China to close relatives of Americans held there. American foreign policy (1957), pp. 1134–1136, 1137–1138.

September 1957: The Mekong River in Southeast Asia flows 2,600 miles from southern China through Laos, Thailand, Cambodia and South Vietnam into the South China Sea and is a major unifying factor in the economically, politically and culturally fragmented legion of mainland Southeast Asia. On September 17, 1957 the four riparian nations formed the Mekong Committee under the auspices of the UN Economic Commission for the Far East (ECAFE) through which they could direct all development projects along the River system. Presently 21 countries, including the U.S., and 11 UN agencies, as well as some private organizations (notably, the Ford Foundation) are involved in assisting Laos, Thailand, Cambodia, and South Vietnam in a variety of coordinated projects which will harness the Mekong potentialities for electric power, irrigation, navigation and flood control. The U.S. has directly pledged or contributed $25 million to the project, of which $12.8 million is for the first construction phase of the Nam Hgum hydroelectric dam to be built in Laos.

February 1958: The United States took a "neutral" position in the Padang Revolt in Indonesia. From Indonesia's independence in 1949 until 1957, the country had been governed under a form of parliamentary democracy. In February 1957 Sukarno announced that parliamentary democracy had been a failure and declared that thenceforth the country would be governed in a form of "guided democracy." On February 15, 1958 a rebel government, the Revolutionary Government of the Republic of Indonesia (PRRI), was proclaimed in Padang. The U.S. was officially neutral in this situation; President Eisenhower, in an April 30 news conference, remarked: "when it comes to an intrastate difficulty anywhere, our policy is one of careful neutrality and proper deportment all the way through so as not to be taking sides where it is none of our business." But the Central Intelligence Agency was, reportedly, giving military support to the rebels. Sukarno's forces captured one American pilot who, in the employ of the CIA, was on a strafing mission. The U.S., accused on May 7, of aiding the rebels, denied the charge of interference and by the end of May had reversed the policy of not aiding either side. The State Department approved the sale of rice to Indonesia; and an embargo on $1 million in small arms, aircraft parts and radio equipment was lifted. By July all of the major towns had been recaptured by Sukarno's forces and the rebels put to flight. Ross & Wise, pp. 136–146; Kahin (Governments & politics of Southeast Asia), pp 209–212.

August 1958: The Chinese Communists started bombardment of the Quemoys on August 23. Nationalist China had previously moved 90,000 troops to these islands. U.S. ships in the Seventh Fleet were ordered to escort Nationalist supply ships between the islands and Formosa. The Formosa Resolution (January 29, 1955) gave the President enough authority to exhibit U.S. determination to fight if the bombardment escalated to invasion by the Communists. Secretary Dulles persuaded Chiang Kai-shek to join him in a statement renouncing military force as a means of regaining the Chinese mainland. The crisis subsequently subsided. Bailey, pp. 852–853.

January 1960: The Treaty of Mutual Cooperation and Security between the U.S. and Japan was signed on January 19. Ratifications were exchanged on June 23, 1960. Each party to this treaty recognized "that an armed attack against either Party in the territories under the administration of Japan would be dangerous to its own peace and safety and declares that it would act to meet the common danger in accordance with its constitutional provisions and processes." "For the purpose of contributing to the security in the Far East, the United States of America is granted the use by its land, air and naval forces of facilities and areas in Japan. The use of these facilities and areas as well as the status of United States armed forces in Japan shall be governed by a seperate agreement. . . ." This separate agreement insures "prior consultation" with the Government of Japan before any major changes in the deployment into Japan of U.S. armed forces of the use of facilities in

Japan as bases for military combat operations to be undertaken from Japan. This pact superseded the Security treaty the U.S. and Japan signed on September 8, 1951. Fifield, pp. 381–398.

May 1960: The United States announced on May 5 that, at the request of the Government of South Vietnam, the U.S. Military Assistance and Advisory Group would be increased by the end of the year from 327 to 685 members. This came largely in response to the mounting Communist guerrilla war against the South Vietnamese Government. On October 26 President Eisenhower assured President Ngo Dinh Diem in a letter of good wishes on South Vietnam's fifth anniversary that "for so long as our strength can be useful, the United States will continue to assist Vietnam in the difficult yet hopeful struggle ahead." Citation from Committee Print.

August 1960: U.S. foreign assistance to the Laotian government was cut off for a brief time after the coup of August 9, 1960. In April 1960 the Central Intelligence Agency, it has been reported, had helped General Phoumi Nosavan's conservative organization win the April 24 election while Tiao Somsanith was named premier (on May 31), General Phoumi held the actual power. On August 9 Captain Kong Le staged a successful coup and put Prince Souvanna Phouma back into office. Prince Souvanna Phouma, a neutralist, unsuccessfully attempted negotiations with the Pathet Lao (the Laotian Communist organization). U.S. military aid to the Laotian government was stopped on August 9 after the coup; economic assistance was stopped on October 1, when the Souvanna Phouma government announced it would establish diplomatic relations with the Soviet Union and negotiate for aid. During this period General Phoumi, who had retained a right-wing government and obstructed the activities of the Souvanna Phouma government, was receiving aid—both military and economic—from the United States. On November 30 General Phoumi and Prince Boun Oum started an attack on Vientiane. Souvanna Phouma fled Vientiane for Cambodia on December 9 and four days later Prince Boun Oum as Premier and Phoumi Nosavan as deputy Premier and Minister of Defense organized their government. Dommen; Wise & Ross, pp. 147–154.

January 1961: The United States intensified its search for peace in Laos. On January 7, 1961 the Department of State issued a statement on "U.S. policy for contributing to a solution of the situation in Laos." Referring to a previous White Paper (The Situation in Laos) issued in September 1959, which described how the "Communists, directed and materially assisted from Hanoi, Peiping, and Moscow, were working to gain control over Laos," the Department of State detailed the subsequent Communist actions in Laos. In conclusion the statement noted that the Laotian problem could best be solved by: 1) attempting to recognize the role of the Communists in Laos; 2) showing that the U.S. has no intention and no desire to establish a "Western military position" in Laos; and, 3) "joining with other free nations to support and maintain the independence of Laos through whatever measures seem most promising."

As Soviet supplies into Laos continued to strengthen the Pathet Lao insurgents, several peace proposals were brought forth. On March 23, 1961 President Kennedy declared U.S. support for the British proposals, made the same day, for a de facto cease-fire in Laos, the meeting of the International Commission for Supervision and Control in Laos in order to report on the effectiveness of the cease-fire, and the convening of an international conference to consider the settlement of the Laotian problem. All three points were proclaimed on April 24—appeal for a cease-fire; reactivation of the ICC–Laos; and formulation of an international conference on the settlement of the Laotian question.

The Geneva Conference on Laos was convened on May 16, 1961. [See separate 1962 entry for information on Conference.] On June 4, President Kennedy and Premier Nikita Khrushchev, after meeting in Vienna, issued a joint communiqué, reaffirming, among other things, "their support of a neutral and independent Laos under a government chosen by the Laotians themselves, and of international agreements for insuring that neutrality and independence . . . ." By November the outlines of agreement had been reached at Geneva, but, in Laos, General Phoumi was unwilling to give up the ministries of Defense and the Interior; he thought that the CIA would continue its support to him. The CIA contact was withdrawn from the country and U.S. assistance terminated (in February 1962). Nevertheless in the spring of 1962 Phoumi began large-scale reinforcement of an outpost deep in Royal Laotian territory and was promptly defeated by a Pathet Lao military thrust. The Pathet Lao forces pressed their offensive and threatened Thailand, as well as the remainder of Laos. It was then that President Kennedy sent the Marines into Thailand. [See separate entry.] In July 1962 the Geneva Declaration and Protocol on the Neutrality on Laos was signed. [See separate entry.] The United States withdrew its forces from Laos (800 military advisers) between August 15 and October 7, 1962. Dommen; Wise & Ross, pp. 147–154.

March 1961: In March and April 1961 more Nationalist forces were airlifted from the Burma region. The situation had deteriorated again to the point where Burmese air forces shot down a KMT plane over Burma and lost two aircraft. New U.S. military equipment was discovered in captured KMT strongholds. Fear of a repetition of the occurrences in 1953 (See 1953—November for previous entry) led to the immediate airlift by Nationalist aircraft of about 4,000 Nationalists and their dependents from Thailand where they had been driven by the Burmese forces, to Taiwan. Some KMT troops still remain however, and are well armed, occasionally staging raids into Communist China. Fifield, pp. 232–233.

May 1961: Vice President Lyndon B. Johnson visited Thailand and gave assurances of U.S. "determination to honor its treaty commitments to support Thailand . . . against subversion and Communist aggression." This visit and that of General Maxwell Taylor in October did much to dispel the doubts in Thailand as to what the U.S. would do if Thailand were in need of help. Thai confidence was further reinforced in May 1962 when the U.S. deployed a Marine force to "insure the territorial integrity" of Thailand. (see separate entry 1962—May.)

Since that time U.S. military assistance has increased substantially; in addition to military equipment and training, the U.S. is expanding key military facilities and installations in order to prepare the country for any increase in Communist activity similar to that in South Vietnam. Thailand has allowed her territory and facilities to be used for U.S. military operations against North Vietnam. Between fiscal years 1949 and 1964 the U.S. has provided Thailand economic assistance in the amount of $393 million. U.S. military deliveries and assistance between 1950 and fiscal year 1964 have totaled $460.1 million. Figures for fiscal years 1965 and 1966 are classified. Nuechterlein, pp. 217–220, 224–226, 230, 236–243.

August 1961: President Kennedy declared on August 2 that the United States will do all it can to save South Vietnam from communism. Later in the year, on December 14, President Kennedy pledged increased aid to South Vietnam. Citation from Committee Print.

May 1962: President Kennedy announced on May 15 that at the request of the Thai Goverment and "because of recent attacks in Laos by Communist forces and the subsequent movement of Communist military units toward the border of Thailand," he has ordered U.S. military forces to Thailand. Withdrawal of the 5,000 combat forces sent there was started on July 2 and completed during the following months. Citation from Committee Print.

June 1962: President Kennedy, in response to Communist Chinese troop movements in areas of China adjacent to Formosa, reiterated on June 27 the policy established by President Eisenhower that the U.S. will take all action necesary to assure the defense of Formosa and the Pescadores. American foreign policy (1962), pp. 1007–1008.

July 1962: The International Conference on the Settlement of the Laotian Question (at Geneva), was called by the Co-Chairman—United Kingdom (Alexander Douglas-Home) and the USSR (Andrei Gromyko) and convened on May 16, 1961. The "Laotian Question" was a pathet Lao/North Vietnamese vs. Laotian Royalist war sufficently serious to bring consideration of U.S. intervention. The U.S. had given the Laotian government military and economic assistance in withstanding the Communist insurrection which had been vigorously pressed in 1959 and in 1960–1962. The Declaration on the Neutrality of Laos was signed on July 23, 1962 by all the powers represented at the Conference (Burma, Cambodia, Canada, People's Republic of China, Democratic Republic of Vietnam, France, India, Poland, Republic of Vietnam, Thailand, USSR, United Kingdom, United States). Fifield, pp. 177–206.

August 1962: Representatives of Indonesia and the Netherlands signed on August 15 an agreement regarding West New Guinea (West Irian) and a memorandum of understanding on the cessation of hostilities in this area. Since Indonesia had gained her independence from the Netherlands in 1949, she had been anxious for possession of this territory. The situation had reached a state of military confrontation between the two countries. United Nations Secretary-General Thant and U.S. President Kennedy had sought to persuade the antagonists to cease fighting and sit down at a conference table. Finally, on March 20, they opened preliminary discussions in the presence of a third party—Ellsworth Bunker, an American diplomat. The August 15 agreement provided that the UN would take over administration of West New Guinea on October 1, 1962 and pass administration over to Indonesia on or shortly after May 1, 1963. Sometime before the end of 1969 the native Papuans would express their choice as to whether or not they wished to remain with Indonesia. Kahin (Governments and Politics of Southeast Asia), pp. 197–204.

September 1963: U.S. aid to Indonesia was reduced drastically in September when Indonesia proclaimed a policy of hostile "confrontation" against Malaysia. No new commitments of financial aid were made although preexisting programs in public health, education, and public safety were continued through 1964. The AID program in Indonesia was brought to a virtual standstill in fiscal year 1965 and no new commitments were then anticipated. Between 1950 and December 1964, Indonesia received approximately $665 million in economic assistance, including PL 480, and $78 million in military assistance from the U.S. Background Notes (Department of State publication).

November 1963; on November 12, 1963, Sihanouk of Cambodia announced that he would renounce all Western economic and military aid if the broadcasts of anti-Sihanouk propaganda were resumed in October by the Khmer Serei [Free Kymer is a movement established in 1959 to overthrow the Sihanouk regime and form a pro-Western government] were not stopped. Sihanouk felt that these broadcasts were coming from South Vietnam and Thailand via transmitters provided by the Central Intelligence Agency. A few days later he requested immediate termination of all American aid and the departure of all nonembassy personnel to the U.S. As of November 1963 when all assistance was halted, the United States had furnished to Cambodia $309.7 million in economic assistance and $94 million in military assistance. Since this time the Vietnam war has intensified frictions between the U.S. and Cambodia. Attacks on Cambodian villages by South Vietnamese and U.S. forces from Vietnam searching for the Viet Cong have, at times, strained relations to the breaking point. Prince Sihanouk has made no attempt to disguise his preference for the National Liberation Front as opposed to the Saigon Government. Smith, pp. 122–139, 196–216.

December 1963: Assistant Secretary of State for Far Eastern Affairs Roger Hilsman made a major speech on U.S. relations with China on December 13. He urged Americans to take a realistic view of Communist China, asserting that the Communist regime is here to stay and recognizing the possibility that Communist China would evolve into a more moderate state. Dr. Hilsman declared: "we pursue today toward Communist China a policy of the open door: We are determined to keep the door open to the possibility of change and not to slam it shut against any developments which might advance our national good, serve the free world, and benefit the people of China." U.S. in World Affairs (1963), pp. 212–213.

May 20, 1964: France proposed on May 20 the reconvening of 14 nation conference on Laos in Geneva. Civil war with outside assistance to both the Communist and non-Communist sides had again broken out. This proposal was rejected by the United States and United Kingdom and endorsed by the Soviet Union, Poland, Cambodia, India, and Communist China. Citation from Committee Print.

May 21, 1964: Since this time the U.S. has carried out various aerial missions in Laos. It was announced in May that certain U.S. reconnaissance flights had been authorized to assist in supplementing information on the intentions and dispositions of Pathet Lao and Viet Minh forces. In June it was noted that such flights were continuing and would take place at various intervals necessary for the purpose of obtaining information. Early in June two reconnaissance jets were shot down; at this point the pilots were authorized to fire back when fired upon.

In December 1964 it was revealed, though not officially announced by either side, that the Laotian government had agreed to permit increased bombing strikes and raids by U.S. aircraft along the Ho Chi Minh trail in Laos. It was also agreed that no official announcements would ever be made relative to these attacks so as not to embarrass Souvanna Phouma's neutralist government. On January 18, 1965 the Department of State press officer issued a statement noting that American military actions in Laos were "entirely justified" by the repeated Communist violations of the 1962 Geneva accords. "We continue to support the Geneva agreements and the independence and neutrality of Laos which they are intended to achieve." Mr. McCloskey made no comment on what specific military actions the U.S. was taking.

In December 1965 it was noted that B–52 jet bombers from Guam were striking at the Ho Chi Minh trail in Laos. By mid-1966, 100 planes a day were engaged in bombing in Laos. Deadline Data on Laos.

May 22, 1964: Secretary of State Rusk stating the choices in Vietnam, said: "A third choice would be to expand the war. This can be the result if the Communists persist in their course of aggression." (May 22) Citation from Committee Print.

August 1964: On August 2 the U.S.S. *Maddox* was attacked in international waters off the coast of North Vietnam by North Vietnamese torpedo boats. On August 4 both the destroyer *C. Turney Joy* and the destroyer *Maddox* were attacked by North Vietnamese PT boats. The same day President Johnson ordered U.S. "air action" against "gunboats and certain supporting facilities in North Vietnam." The next day (August 5) the President sent to the Congress a message requesting a joint resolution "To promote the maintenance of international peace and security in Southeast Asia." Congress approved the Southeast Asia resolution on August 7 (Senate vote, 88–2; House vote, 416–0) and President Johnson signed it into law (Public Law 88–408) on August 11. The commitment section of the resolution states that "the United States is . . . prepared, as the President determines, to take all necessary steps, including the use of armed force, to assist any member or protocol state of the Southeast Asia Collective Defense Treaty requesting assistance in defense of its freedom." Citation from Committee Print.

February 1965: South Vietnamese Air Force planes on February 8 accompanied a U.S. air mission into North Vietnam. President Johnson indicated that further developments would depend on the Communist response. On February 28 U.S. and South Vietnamese officials declared that President Johnson had decided to open continuous limited air strikes against North Vietnam in order to bring about a negotiated settlement. Citation from Committee Print.

March 1965: United Nations Secretary General U. Thant proposed on March 8 that the United States, the USSR, Great Britain, France, Communist China and North and South Vietnam participate in a preliminary conference. The next day the United States rejected U Thant's offer (until North Vietnam stops its aggression against South Vietnam). In a public statement on March 25 President Johnson held out to North Vietnam the prospect of economic aid if peace is secured. Citation from Committee Print.

April 2, 1965: The United States announced on April 2 its intention of sending several thousand more troops to South Vietnam. Citation from Committee Print.

April 7, 1965: President Johnson, in a speech at Johns Hopkins University on April 7, said, "We will never be second in the search for . . . a peaceful settlement in Viet-Nam. There may be many ways to this kind of peace: in discussion or negotiation with the governments concerned; large groups or in small ones; in the reaffirmation of old agreements or their strengthening with new ones." He also suggested a $1 billion aid program for Southeast Asia. Citation from Committee Print.

May 6, 1965: Two U.S. Marine battalions were sent to Vietnam; they were the first formal combat units to be deployed to South Vietnam. Citation from Committee Print.

May 13, 1965: The United States halted bombing missions to North Vietnam between May 13 and May 19. This brief cessation of bombing was a bid for similar de-escalation or indications of peace from North Vietnam. Citation from Committee Print.

June 1965: The U.S. on June 30 terminated its program of economic assistance to the Republic of China, the latter now able to sustain its growth without assistance. In 16 years $1,425 million (exclusive of non-AID programs) was provided to Taiwan. Total economic assistance between 1946 and 1965 was $2,224.7 million. Total military assistance for the same period was $2,530.8 million. The country still receives PL 480 assistance and military assistance. A.I.D. press release (65–116) dated June 29, 1965.

September 1965—The United States maintained a neutral position during a recurrence of armed hostilities between India and Pakistan (September 1–23). American aid to the Indian subcontinent had started as early as 1896–1900 when U.S. relief was given during the famines of this period. The U.S. and India, through the British colonial Governor-General, began exchanging diplomatic representatives in the summer of 1941. Franklin Roosevelt pressed the cause of Indian independence whenever politically feasible. However, as the Cold War developed, Indian-American relations cooled and the U.S. formally adhered to a policy of supporting England's timetable and actions relating to Indian independence. India acquired independence on August 15, 1947. Since that time the U.S. and India have been on generally good terms, though India is a neutral in the Cold War and accepts substantial aid from the USSR. By mid-1965, American economic aid to India had reached a total of nearly $6 billion, exclusive of U.S. contributions through multilateral agencies. U.S. food aid presently accounts for between 10 and 15 percent of the total food supply in India. In addition, U.S. military assistance, started in 1962, is designed to help India in the containment of Communist China. Palmer, pp. 140–141; Brown, pp. 262–271.

December 1965: During a 37-day pause in the bombing in Vietnam (December 24, 1965–January 31, 1966), President Johnson dispatched high-ranking emissaries to various capitals of the world to sound out the possibilities of achieving a negotiated settlement of the Vietnam war. On January 31 President Johnson announced the resumption of U.S. air strikes against North Vietnam. At the same time he instructed U.S. Ambassador Arthur Goldberg formally to request the UN Security Council to intervene in the crisis to seek an international conference to end the war and establish a permanent peace in southeast Asia. Secretary Rusk, at a news conference following President Johnson's speech, noted "the unprecedented effort of the past 40 days, an effort aimed at peace, and the tragically negative response from Hanoi." Citation from Committee Print.

January 28, 1966: The Senate Committee on Foreign Relations held a series of public and televised hearings on the Vietnam situation (January 28–February 18). Witnesses included both Administration spokesmen, such as Secretary of State Dean Rusk, Agency for International Development Administrator David E. Bell, and General Maxwell D. Taylor, and private individuals, such as James M. Gavin and George F. Kennan. Senate Committee on Foreign Relations. Supplemental Foreign Assistance, Fiscal year 1966—Vietnam. 89th Congress, 2d session, 1966.

February 1, 1966: The UN Security Council met to consider a U.S. draft resolution calling for Council action to arrange an international conference to bring peace to South Vietnam and southeast Asia. The next day the North Vietnamese foreign ministry formally rejected any UN action on the Vietnamese war. On February 2 the UN Security Council agreed by a 9-to-2 vote (USSR and Bulgaria opposed; France, Mali, Nigeria, Uganda abstaining) to consider the Vietnam war, and then adjourned for informal consultations. Citation from Committee Print.

February 4, 1966: President Johnson announced he had authorized immediate shipment of three million tons of U.S. grain to India. India's payment was to be placed in a trust fund administered jointly by the United States and India and used for economic development projects. Food shipments to India were expected to reach a new high of 10–12 million tons in 1966. Facts on file—1966—p. 54.

February 6, 1966: President Johnson and other U.S. officials arrived in Honolulu on February 6 for discussions with Premier Ky and other Saigon representatives concerning the Vietnamese war. At the conclusion of the conference (February 8) President Johnson stated American determination to fight the military battle as well as the battle for social construction in Vietnam. Premier Ky pledged to institute a democratic constitution and create an elected government. Citation from Committee Print.

February 15, 1966: Ceylon received a $7.5 million U.S. loan under an agreement signed in Colombo on February 15. The accord marked the resumption of U.S. aid, which had been cut off in 1963 in a conflict over the nationalization of U.S. and British oil companies. Total U.S. aid to Ceylon since 1950 when the two countries signed the agreement for technical cooperation was $90.5 million. This included the $7.5 million loan and $4.1 million in food assistance given in 1966. The U.S. has not provided any military assistance to Ceylon. Facts on file—1966—p. 64.

February 15, 1966: Vice President HUMPHREY visited Pakistan and announced on February 15 that U.S. economic aid to Pakistan would be resumed; it had been suspended in July 1965. Military aid was halted during the 22-day war between India and Pakistan in September 1965. Between 1947 and June 30, 1964, the U.S. had provided about $2.9 billion in grants and loans. Facts on file—1966—p. 65.

March 8, 1966: Hearings to foster a better understanding of Communist China were held March 8 through March 30 by the Senate Foreign Relations Committee. Witnesses, predominantly scholars, testified on various aspects of China, of its relations with the outside world, and of U.S. policy toward China. It was felt that this discussion did much to reopen China as a topic of debate. Vice President HUMPHREY, on March 13, described the hearings as one of the "most fruitful procedures under way in this government."

In addition, on March 13 Vice President HUMPHREY urged that U.S. policy toward Communist China be one of "containment without necessarily isolation." Improved relations with China would require the retirement of the "Mao generation" from "positions of leadership. . . ." "In the meantime we ought to maintain . . . a spirit of friendship toward the Chinese people, but recognizing what the regime is, and making that regime understand they cannot achieve their purpose by military power." Facts on file—1966—p. 81, 109, 125–126.

March 9, 1966: The U.S. Government has recently taken several steps to ease travel restrictions between the U.S. and China. In December 1965 it was announced that the travel ban to five countries—Communist China, Cuba, Albania, North Korea and North Vietnam—was being lifted for doctors and medical scientists "for purposes directly related to their professional responsibilities." On March 9 scholars and writers were added to the list. On July 11, the State Department announced it would allow Americans in cultural, athletic, commercial, educational, public affairs and other fields go to Communist China and the other four countries if their trips "would be of benefit to the United States."

On February 14, the U.S. offered to let Chinese Communist journalists enter the U.S. but Peiping, on April 17, announced its refusal of this offer. Facts on file—1966—pp. 145, 253.

March 16, 1966: Secretary of State Dean Rusk indicated, in remarks on March 16 before the Far East Subcommittee of the House Foreign Affairs Committee, that the U.S. was seeking ways of lessening the antagonism between the U.S. and Communist China. In his testimony, released on April 16, Rusk reviewed U.S. relations with Red China since 1949, assessed Communist China's current foreign policy aims and submitted a 10-point statement of U.S. policy towards Peiping.

House Foreign Affairs Committee, Subcommittee on the Far East and the Pacific. United States policy toward Asia. Report and hearings, House Document no. 488. 89th Congress, 2nd Session, 1966.

March 16, 1966: President Johnson on March 16 signed the bill authorizing U.S. participation in the Asian Development Bank. In his remarks the President called it "an economic Magna Carta for the diverse lands of Asia." Treasury Secretary Henry H. Fowler was designated U.S. governor of the Asian Development Bank and Bernard Zagorin was named U.S. director of the Bank. U.S. voting rights in the bank would total approximately 17 percent. The U.S. subscription of $200 million is 20 percent of a total capital of $1 billion. Facts on file—1966—p. 110.

May 1966: It was confirmed by the State Department on May 11, that the U.S. had turned down a Red Chinese suggestion, made about a year ago, that the two nations formally pledge not to use nuclear weapons against each other. The offer was rejected because the Chinese "profess to believe that such a public declaration without controls would constitute a sufficient guarantee" whereas "we do not [believe so] . . ." Facts on file—1966—p. 197.

July 1966: President Johnson on July 12 delivered a major speech on U.S. foreign policy towards Asia. He asserted that "Asia is now the crucial arena of man's striving for independence and order . . . If peace fails there, nowhere else will our achievements be really secure. . . . The peace that we seek in Asia is a peace of conciliation between Communist states and their non-Communist neighbors . . . the foundations for such a peace in Asia . . . must be built on these essentials: First is the determination of the United States to meet our obligations in Asia as a Pacific power. The second essential for peace in Asia is this: to prove to aggressive nations that the use of force to conquer others is a losing game." "The third essential is the building of political and economic strength among the nations of free Asia." "There is a fourth essential for peace in Asia which may seem the most difficult of all: reconciliation between nations that now call themselves enemies. A peaceful mainland China is central to a peaceful Asia. A hostile China must be discouraged from aggression. A misguided China must be encouraged toward understanding of the outside world and toward policies of peaceful cooperation. . . . We have also learned that the greatest force for opening closed minds and closed societies is the free flow of ideas and people and goods." Department of State Bulletin, August 1, 1966: 158–162.

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TREASURY DEPARTMENT PERSONNEL MANUAL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Mississippi [Mr. WILLIAMS] is recognized for 10 minutes.

Mr. WILLIAMS. Mr. Speaker, recently I was able to secure a copy of a proposed revision to the Treasury Department Personnel Manual which, undoubtedly, is one of the most astounding proposals ever to be concocted by the bureaucratic mind. This is incorporated in a document that outlines in detail how Treasury Department social planners intend to use their bureaucratic power by forcing employees at the local level to agitate for a social revolution within their respective geographic spheres of operation. This proposal would direct employees to exert their efforts, even in their spare time and without regard to their personal views, toward changing attitudes and upsetting local customs which have prevailed since the dawn of civilization.

Citing Civil Service Commission advice, the proposal admonishes Treasury Department employees to—

> Work toward making available transportation, housing and recreational facilities on a non-discriminatory basis to encourage relocation of minority group members.

Such language, in effect, would compel Federal employees—even on their own time—to work actively to bring about racial integration in the suburbs, a matter that neither concerns the Treasury Department nor falls within their sphere of jurisdiction. This is Government meddling of the most atrocious kind, and an insulting imposition of extraoccupational duties on the employees.

Under the document, Treasury employees are ordered further to cooperate fully with "public and private groups already involved in community antipoverty and civil rights activities."

While the proposal is not explicit in defining "antipoverty and civil rights groups," it must be assumed that these employees would be forced to support the endeavors of such radical militant civil rights outfits as the Student Nonviolent Coordinating Committee—SNCC, the Congress of Racial Equality—CORE, Martin Luther King's notorious Southern Christian Leadership Conference—SCLC, and similar organizations, since their stated goals are the same. It is hardly appropriate that Treasury workers should be assigned the task of working side by side with insurrectionists such as Stokely Carmichael, and Carl Braden, and other revolutionaries who have actively worked—and successfully—to foment riots, civil disobedience, and contempt for law and order.

As if that were not bad enough, there is a provision of the proposed regulation that would require Treasury employees to serve as members of a high level task force of selected business and Government leaders to call on "other businessmen, on a one-by-one basis, and sell them on the merits of equal employment."

Mr. Speaker, this proposal has all the earmarks of a police state operation. Picture for a moment a businessman being visited by a high ranking Internal Revenue official and being implored to cooperate—or else. This is the lowest form of intimidation that could be applied against a legitimate businessman, and must not be tolerated in a free country. It smacks of coercion of the kind visited on the people of Germany during the nightmarish days of Hitler and his dreaded Gestapo. That such should be proposed here is enough to shock the sensibilities of every freedom-loving American citizen.

In the directive to the employees, the proposal would impose on them the burden of "determining whether local craft unions are open to minority groups, and taking action to assure that Federal Agencies use a non-discriminatory recruitment base for such crafts," which is purely a function of the Labor Department and the Civil Rights Section of the Justice Department. It admonishes the employees to support human relations courses in local elementary and high schools; to spotlight local housing problems with a bus tour through problem areas; to get city councils to enact equal housing ordinances; to work with community action programs to persuade local newspapers to do a series of articles on housing problems; and to encourage minority group employees to move into the general housing market.

Mr. Speaker, the provisions of this proposal are incredible. Not only does it advocate wholesale arrogant and dictatorial meddling into the affairs of local communities, but it amounts to a shocking infringement on the rights of the employees themselves. It is a tyrannical exercise of power without legal sanction.

If it should be put into effect, it would reduce Federal employees to the status of puppets manipulated by Washington bureaucrats to achieve political goals without regard for the welfare or rights of the communities affected. It would impose unreasonable conditons of employment on Treasury workers that the Government would not even permit to be imposed on employees by a private employer. It is inconceivable that Treasury bureaucrats should attempt to violate the longstanding tradition that Federal employees should not be required to work outside their jobs on behalf of administration political objectives.

Columnist John Cramer in the Washington Daily News has described the regulation as "a slightly terrifying example of the bureaucratic mind in fever." I agree wholeheartedly with his assertion.

It has been reported recently that the Treasury Department has decided to "soften" the provisions of the regulation. Whether it is softened or not, it is alarming to know that we have high-salaried social planners in Washington sitting around in air-conditioned offices concocting such foolish documents in the first place. Treasury officials should go a step beyond softening the proposal. They should abandon it altogether. I think my colleagues will endorse this assertion if they will examine a portion of the regulation which I include at this point in the RECORD:

APPENDIX B—SUGGESTED COMMUNITY ACTION PROJECTS

PURPOSE

This Appendix lists suggested community action projects and discusses the background of, and prerequisites for, effective local action to improve employability.

BACKGROUND

The emphasis on Treasury managers providing leadership, at the community level, in cooperative actions aimed at improving conditions which affect employability is a new dimension in the Equal Employment Opportunity Program. The origins of this emphasis lie in the following statement by President Johnson to his Cabinet:

"If we are going to have equal employment opportunity in the Federal Government, we must attack the problem on many fronts.

"If members of minority groups can't be employed because they can't find housing, then we must find housing.

"If they can't be employed because school systems do not give them the necessary education, then we must work with the school systems to see to it the right kind of training is provided.

"If they can't be employed because there is no vocational training available in the community, then we must see to it that we have programs to provide specialized training to help them meet their needs.

"These and a host of other actions are open to us . . . It is not enough just to open the gates of opportunity. All of our citizens must have the ability to walk through those gates."

The Civil Service Commission has embodied this call for community action into agency program requirements, as follows:

"An agency shall . . . Participate at the community level with other employers, with schools and universities, and with other public and private groups in cooperative action to improve employment opportunities and community conditions that affect employability."

This concept has been amplified by the Commission in the following terms:

(a) Actively support community efforts directed toward equal opportunity in housing, education, recreation, etc.

(b) Provide installation representation in civic organizations and other groups working for equal employment opportunity.

(c) Encourage employees to participate in cooperative equal employment opportunity efforts within the community.

(d) Provide technical assistance to local educational institutions in designing curricula which will assist graduates in qualifying for positions within the installation.

(e) Work with Federal Executive Board, Urban League, or other organizations in cooperative equal employment opportunity efforts directed at solving critical community problems.

(f) Take action to study and, if necessary, work toward making available transportation, housing, and recreational facilities on a nondiscriminatory basis to encourage relocation of minority group members (efforts should be coordinated with local, state, and Federal agencies having program responsibilities in these areas).

The key element to effective local action is cooperation. Treasury managers should, whenever possible, work with other agencies through Federal Executive Boards and Federal Executive Associations. Existing interagency functions such as Boards of Examiners can also provide effective vehicles for community action. A host of public and private groups are already involved in community anti-poverty and civil rights activity, and Treasury managers should be alert to opportunities for working with, or in support of, private groups such as NAACP, the Urban League, local Human Relations Commissions, and Plans for Progress. Regional Office of Economic Opportunity organizations should also be contacted for coordination and assistance. These offices are located in New York, Washington, Chicago, Kansas City, Atlanta, Austin, and San Francisco. The official who has coordinating responsibility is the Regional Community Action Program Manager.

SUGGESTED PROJECTS

Listed below are a number of projects which indicate the scope and variety of efforts which may contribute towards improving employability. Some projects directly affect imminent employability and Treasury officials may deem it wise to assume positions of leadership and view their participation as part of their jobs. Other projects obviously call for cooperative action and, as such, are projects which managers will undertake through their membership in Federal Executive Boards and Federal Executive Associations. Others are of a nature which effect eventual employability. In these, managers and employees are most likely to participate as civic minded citizens rather than in an official capacity. The nature of participation called for may well vary with conditions peculiar to the community in which the action is needed.

A. Employment

1. Plant and office tours for high school students to acquaint them with employment opportunities and employment standards.
2. Organization of a local job bank to provide information about employment opportunities. Representatives of job bank to contact minority groups regarding opportunities available and qualifications necessary.
3. Projects to provide part-time jobs for students who need financial assistance to stay in school.
4. Participate as a member of a speaker's bureau to talk to church, business and civic groups on merits of equal employment practices.
5. Serve as a member of a high level "task force" of top business and government leaders to call on other local businessmen, on a one-by-one basis, and sell them on merits of equal employment.
6. Determining whether local craft unions are open to minority groups, and taking action to assure that Federal agencies use a non-discriminatory recruitment base for such crafts.
7. Participating in programs to provide "unemployables" with skills required for present job openings.
8. Sponsoring "living image" program for local high school students . . . program to feature minority group people who have succeeded locally in business, industry and the professions.
9. Participating in joint Government-industry seminars to assure concerted action in the equal employment opportunity program.

B. Education

1. Encourage Federal employees to organize and assist in tutoring programs for elementary and high school students who are falling behind. Make training space and facilities available.
2. Encourage Federal employees to provide dictionaries, books, paper, pencils, etc., to low income families.
3. Assist in planning college campus tours for local Negro high school students. Organize a college club among this group.
4. Through Federal Executive Boards and Federal Executive Associations sponsor memberships in Boys' Club, YMCA, YWCA, Scouts, etc., for low income children. Arrange for personal follow-up by adults.
5. Participate with other Federal agencies in vocational guidance institutes for high school students.
6. Supporting "back to school—stay in school" clubs for dropouts.
7. Supporting human relations courses in local elementary and high schools.
8. Supporting youth human relations institutes and youth human relations commissions.
10. Helping schools up-grade and broaden curricula to meet labor market needs.
11. Encouraging and assisting employees who have not secured a high school diploma to secure a diploma through night school or by means of high school equivalency examinations.

C. Housing

1. Through Federal Executive Boards and Federal Executive Associations spot-light local housing problems with a bus tour through problem areas.
2. Work with community action programs to persuade local newspaper to do a series of articles on local housing conditions. Also aiming for television documentaries.
3. Work with Federal and community agencies to support open occupancy.
4. Forming equal housing opportunity committee to solicit open occupancy listings and promote equal opportunity neighborhoods.
5. Encouraging minority group employees to move into the general housing market.
6. Supporting or participating in a speakers bureau to talk on benefits—for the community at large—of equal housing opportunity.
7. Getting city council to enact an equal housing opportunity ordinance.
8. Soliciting cooperation of local real estate brokers and lending institutions in sponsoring housing seminars. Purpose: impart information on home buying.
9. Work with community to promote clean-up campaigns in low income areas. Making use of both private and public services—garbage, junk pickup, etc.
10. Supporting beautification endeavors (provide flower and grass seed).
11. Supporting paint-up projects . . . provide paint, brushes, etc.

D. General

1. Conducting research to accumulate local socio-economic data comparing local Negro and white populations. Considering statistics on employment, voting, education, housing, etc. Such statistics should prove useful to the specific efforts of any undertaking or group.
2. Through Federal Executive Boards and Federal Executive Associations organize a local human relations commission or Urban League with a full-time staff executive.
3. Participate in a human relations training course for local police.
4. Through Federal Executive Boards and Federal Executive Associations have an annual human relations award . . . or perhaps three awards: for the individual, business and institution that have done the most for good local human relations in the past year.
5. Working with local hotels, motels, restaurants, theaters, taverns, and other public places, and showing them benefits (to themselves and to the community at large) of complying with public accommodations regulations.

REPORT TO CONSTITUENTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. ADDABBO] is recognized for 30 minutes.

Mr. ADDABBO. Mr. Speaker, again it is my privilege and pleasure to report to the people of my congressional district on another productive Congress. It is my belief that a Congressman has a duty to report to his constituency on what he has been doing in Washington, and I have made it a practice, since coming to Congress, to report to the people of the Seventh Congressional District of New York at the end of the session. This is my sixth such report.

In addition to sending a summary of the year's activities, each Congress I send to my constituents a questionnaire on the issues expected to come before that Congress. From the answers received to the questions, from the mail received in my office, and from personal contacts in the district, I believe I learn the majority thinking of those whom I represent and, as I vote on the various legislative matters which come before us, I try to reflect the will of the people. I believe that I have been successful to a large degree.

This Congress I sent out 168,000 questionnaires and received a return of approximately 15 percent which, by any standards, is considered quite good. I am proud to say that I have an active and informed constituency. Following are the questions asked and the answers received:

[Results in percent]

1. What course of action do you favor for the United States in Vietnam? (Check one.):

Expand the war and seek a total victory	24.1
Support the Government of Scuth Vietnam, including retaliatory attacks on North Vietnam, until a satisfactory negotiated settlement is possible	19.6
Withdraw troops and advisers from South Vietnam	9.1
Support President Johnson's program	35.8

2. Do you support our policy of opposing admission of Red China to the United Nations?

Yes	64.0
No	17.9

3. Should the Foreign Aid Program be—

Increased	0.04
Decreased	35.9
Eliminated	19.1
Remain the same	38.6

4. Expanded trade with the Soviet Union and its Eastern European satellite countries will probably be considered by the Congress this year. Would you agree that increased movement of nonstrategic goods will benefit the United States politically, economically, and will lessen world tensions?

Yes	48.8
No	33.4

5. Should the House Committee on Un-American Activities be continued?

Yes	66.4
No	11.1

6. The war on poverty has created new social and economic programs such as the Job Corps, Neighborhood Youth Camps, and such community action programs as Operation Headstart. In fiscal year 1966, $1.5 billion was allocated to carry out these projects. In fiscal year 1967, would you recommend—

Abolish	22.2
Remain the same	43.9
Increase	14.9
Decrease	15.8

7. Do you favor increased salaries for Federal civil service and postal employees whether or not attached to a postal rate increase?

Yes	51.4
No	25.5

8. Do you believe our expenditures for space exploration should—

Be increased	32.1
Be decreased	16.9
Remain the same	37.0

9. A truth-in-packaging bill, designed to cut down on deceptive and false packaging has been proposed. Do you approve?

Yes	75.3
No	.24

10. A truth-in-lending bill is designed to require full disclosure of total costs and rates of charges in the financing of consumers goods and services. Do you approve?

Yes	74.20
No	26

11. Do you favor amendments to the Civil Rights Act to include—

Federal laws to prohibit racial discrimination in the sales and rental of housing, as presently in New York State law?

Yes	41.4
No	37.7

A Federal law prohibiting racial discrimination in the selection of juries in state courts?

Yes	41.1
No	22.9

You will note that many of the percentages do not total 100—the missing percent represents those who failed to answer and on which I have assumed that they had no opinion.

Much legislation has been before this Congress and many laws have been enacted, many more than time and space will allow me to summarize here. Therefore I shall summarize some of the major legislation which I have supported and which I believe to be of general interest.

MEDICAL, HEALTH, AND SAFETY

Public Law 89-97 provides: first, a basic hospitalization program under social security for persons 65 and over, effective July 1, 1966, under which they can go to any accredited hospital of their own choice instead of the county hospital; second, an optional medical care insurance program at $3 a month matched by the Federal Government to cover physicians' fees and various other services; third, a 7-percent increase in social security benefits; and fourth, expanded and increased payments under Federal assistance programs for dependent children, blind, and disabled. It will be financed mostly by an increase in social security taxes and partly from the general fund.

Public Law 89-74 regulates the production, purchase and sale of depressant and stimulant drugs.

Public Law 89-105 authorizes grants to community mental health centers for professional and technical personnel, and to train teachers, construct facilities, and perform research for handicapped and retarded children.

Public Law 89-115 is a 3-year extension of a matching grant program for construction of health research facilities.

Public Law 89-239 establishes regional medical research centers and clinics to fight heart disease, cancer, stroke, and other major diseases.

Public Law 89-234 establishes a national policy and standards for the prevention of and control of water pollution and provides aid to communities to help them prevent filth from being dumped into streams.

S. 2947, the Clean Waters Restoration Act of 1966 has cleared both the House and Senate and now awaits Presidential action. This bill is to improve and make more effective certain programs pursuant to the Federal Water Pollution Control Act.

Public Law 89-272 initiates a research program to find better ways for cities to dispose of trash and garbage and provides that new cars and trucks after September 1, 1967, must have exhaust devices which will limit the exhaust fumes enough so they will not endanger the health of people.

Public Law 89-290 extends program for construction of facilities and loans to students to increase the number of physicians, dentists, osteopaths, optometrists, pharmacists, podiatrists, and nurses.

Public Law 89-642 expands National School Lunch Act by adding additional milk and a pilot breakfast program for needy children.

Public Law 89-563 provides for research and establishing minimum safety standards for motor vehicles and is designed to reduce death on the highways.

Public Law 89-564 to encourage State traffic safety programs.

EDUCATION

Public Law 89-329 increases grants to colleges to pay part of the cost of new classrooms and expands student loan program.

Public Law 89-10 authorizes $1.3 billion to improve elementary and secondary grade school education, providing supplemental educational centers and teaching aids, including research and help for State education departments.

Public Law 89-209 provides the first real attempt to recognize the importance of general education programs in an era which has previously had a heavy emphasis upon space and atomic science.

Public Law 89-511 extends and increases aid to libraries.

CIVIL RIGHTS

Public Law 89-110 abolishes many literacy requirements and restrictive voting practices; authorizes appointment of Federal registrars in areas where it is found that discrimination against voting exists, and prohibits requiring payment of head tax as a prerequisite to voting.

LABOR

Public Law 89-212 amends the Railroad Retirement Act by eliminating provisions which reduced annuities of spouses of retired employees who were eligible for social security.

Public Law 89-216 provides that a bond fully protecting union funds against loss due to fraud or dishonesty is sufficient and eliminates requirement of Landrum-Griffin Act for excessive coverage which was requiring unnecessary premium payments.

Public Law 89-15 extends the manpower development training program 3 years. This program provides training for the unemployed and partially employed persons so they can support their families and become taxpayers instead of "tax-eaters."

Public Law 89-601 extends the minimum wage law to employees of laundries, hotels, hospitals, and farmers who are large enough operators to be considered in interstate commerce—usually seven employees or $500,000 in gross sales annually.

SMALL BUSINESS

Public Law 89-59 amends the Small Business Act to provide long-term loans for businesses which were victims of floods and tornadoes.

Public Law 89-78 increases SBA's loan funds for small business investment companies and State and local development companies.

TAXES

Public Law 89-44 reduces excise taxes, repealing levies on cosmetics, infant preparations, radio, TV sets, cameras, household appliances, sporting goods, bowling alleys, and general admission, effective July 1, 1965.

Public Law 89-368 fixes the scale of personal income tax withholding on graduated basis so as to put the taxpayer on a pay-as-you-go basis, the original intent under the withholding procedure.

DEFENSE

Both sessions authorized funds for foreign economic and military aid for 1966 in amount slightly less than last Congress.

Public Laws 89-134 and 89-572 extended and expanded the Peace Corps.

Public Law 89-214 provides group life insurance for members of the Armed Forces serving in combat zones.

Appropriations for defense hardware and to pay for past wars continue to be about 80 percent of the budget. Although equipment is more complicated each year and costs more per unit, the cost reduction program and elimination of some of the duplication is holding the overall cost of defense from rising proportionately.

VETERANS AND SERVICEMEN

Public Law 89-358 provides GI educational benefits for veterans who have served more than 180 days since January 31, 1955, and also provides them with a home loan program.

Public Laws 89-132 and 89-501 provide pay increases for members of the uniformed service.

MISCELLANEOUS

Public Law 89–236 abolishes the national origins quota system for immigration and substitutes giving preference to those with close relatives in the United States and with a skill or professional ability that is in short supply here.

Public Law 89–141 makes it a Federal crime to assassinate, kidnap, or assault the President, President-elect, Vice President, Vice-President-elect, and other officers next in order of succession.

Senate Joint Resolution 1 cleared for State approval a constitutional amendment permitting the Vice President to become Acting President if the President is disabled and provides for filling vacancies in the office of Vice President.

Public Law 89–73 establishes an Administration on Aging to provide information and services to the States relative to developing programs for the aged.

Public Law 89–670 establishes Cabinet-level Department of Transportation.

Public Law 89– — prohibits some kinds of unfair packaging and labeling designed to mislead consumers.

BUDGET

Tax receipts increase an average of about $4 or $5 billion per year without changing tax rates. This is because we have an increasing population and higher incomes and profits upon which taxes are paid. In spite of the fact that there had been two big tax cuts in the past 3 years, one in the income tax rate and the other abolishing many excise taxes, tax receipts have increased more than usual due to high employment and prosperity. Had there not been an increase in the cost of the Vietnam conflict there would have been a substantial legal budget surplus. The Federal Government actually collected $1 billion more than was spent and loaned last year but some of that goes into trust funds. I believe the policy has been pretty well established that part of the increase in Federal tax receipts resulting from increased employment and higher incomes will be distributed to State and local governments to help relieve their severe tax problem.

Although total appropriations are not a great deal less than the request this year, various appropriations were revised considerably as indicated by the table below:

Appropriations bills, 89th Cong., 2d sess.

Title	President's request	Amount appropriated
Interior	$1, 329, 960, 500	$1, 321, 615, 800
Treasury-Post Office	7, 246, 720, 000	7, 196, 429, 135
Agriculture	7, 022, 638, 000	6, 994, 590, 150
Labor-HEW	10, 083, 184, 500	[1] 10, 523, 291, 900
Independent offices	14, 319, 611, 291	14, 065, 851, 000
Legislative	173, 798, 578	214, 463, 913
Defense	57, 664, 353, 000	58, 067, 472, 000
District of Columbia (city share)	(423, 908, 800)	([1] 393, 694, 900)
Federal payment	53, 394, 000	[1] 52, 894, 000
Military construction	1, 114, 947, 000	[1] 1, 002, 929, 000
Public Works	4, 167, 073, 000	4, 134, 511, 000
Foreign assistance	3, 945, 095, 000	3, 493, 473, 500
State, Commerce, Justice, and Judiciary	2, 598, 638, 500	[1] 2, 357, 447, 600
Total 1967 bills	109, 719, 408, 369	109, 424, 908, 098

[1] Final figure estimated as average of House and Senate action.

There has been much misconception and misconstruing of some of the legislation which has been enacted or worked on here in Washington. I would like to dwell on the facts and fiction of some of these items:

First. Fiction: Foreign aid is a complete giveaway, we are spending billions of dollars and receiving nothing in return.

Fact: The foreign aid program for fiscal 1967 provides $3.4 billion of which $2.2 is for economic assistance. Ninety-two percent of the entire amount is programed for 20 countries. Foreign aid has given us dollar markets in West Germany, Japan, and many other nations. Eighty-eight percent of our foreign aid dollars for fiscal 1967 will be spent in the United States for the purchase of U.S. goods and services, helping to create several hundred thousand American jobs and opening up markets for American business and industry all over the world. Large amounts have been spent for goods and services in Queens County and in my own congressional district, the Seventh, New York.

Second. Fiction: Civil rights legislation will destroy our communities, private housing, and so forth.

Fact: New York State and New York City laws, since 1954, 1957, and restated in the charter revision of 1961, have covered every phase of civil rights, including private housing, and there has been no destruction of communities.

Third. Fiction: The poverty program is for Negroes and minorities and a complete waste.

Fact: Quoting from communications I received, I will let the people speak for themselves:

> Evyan looks forward to visiting the library and is very proud to talk about it.
>
> The children are 4 and 5 years old . . . some have no fathers, one has a father in a V.A. Hospital with no hope of release. It is nice to see that the families that need the program are really getting it. Some children did not know what grapes were—some had never seen rice. One little fellow we noticed picked up all the leftover fruit from lunch. The social worker found that he took this home where the rest of the family of ten had only this for food while awaiting their welfare check—no father! These families are all white except for one Puerto Rican family . . . I guess I never realized this would be so on Long Island.

Too often the news media play up the bad and not the good.

We must also remember the savings in taking people from the welfare rolls and the saving of men from lives of crime which is a greater and more costly drain upon the community and Nation.

Fourth. Fiction: The high cost of living is due mainly to farm subsidies and Government spending.

Fact: A farmer, on a loaf of bread gets 3 cents, on a pound of beef gets 23 cents. The high cost is due mainly to higher minimum wages, increased cost of transportation, and short supplies due to early floods, droughts, and so forth.

LOCAL ISSUES

The problem of noise from jet aircraft continues to be one of the pressing problems in the Seventh Congressional District. I have continued to keep in constant touch with the Federal Aviation Agency, the Port of New York Authority, and our congressional committees having jurisdiction in this field. While it may not be noticeable to those who live under the flight paths of these planes, I believe that some progress has been made. The President has taken official notice of this problem and has instructed that it be given the attention which is so necessary to finding a solution. At last the Federal Aviation Agency has recognized that what we have been telling them is true and that they must have authority to set noise standards and they now request this authority. One hearing has been held and I have urged that this legislation be enacted before adjournment of this Congress. If this is not done, it must be on the priority agenda when the 90th Congress convenes in January 1967.

We have been successful in securing funds for research to develop a quieter engine. Much of this research is being carried on by the National Aeronautics and Science Administration. In addition, the attention which has been focused on this problem has encouraged the aircraft industry to increase its research in this field.

I spent much time and effort to have the FAA rescind its order which decreased the lateral separation of planes flying the North Atlantic from 120 nautical miles to 90 nautical miles. I am happy to report that the FAA did rescind this order, and I am sure that this has kept down what would have been an increase in international jet traffic into Kennedy International Airport.

In 1965 we were able to secure authorization for hurricane protection in Jamaica Bay in the omnibus river and harbors bill. In 1966 funds to commence planning for this project were not included in the budget estimates, but we were successful in having $200,000 included in the public works appropriation bill for this project which includes the Rockaways.

One of the local issues which is of concern to every parent is the problem of narcotics addiction and sale which is gradually moving into the suburbs. We hope to provide, at the Federal level, the same type treatment and aftercare as we have in New York State. I strongly supported an amendment to this bill which would have provided financial assistance to the State in carrying out the provisions for aftercare and rehabilitation in our State law—it is with regret that I must report that this provision was not enacted by the Congress. However, I believe we have made progress in that recognition has been given to the fact that extended treatment, aftercare, and rehabilitation is necessary to "reclaim" human life after it has become addicted to narcotics. I have called upon our Governor to look toward establishment of a narcotics treatment and rehabilitation clinic at Welfare Island, N.Y., for I believe only through a full program of treatment, aftercare, and rehabilitation, can a possible cure be accomplished, and small hospitals or treatment centers are inadequate.

ADMINISTRATIVE WORK

It is a very great privilege and honor to me to have served the people of the Seventh Congressional District, and, if reelected, it will be my pleasure to serve them in the 90th Congress with the same diligence and attention I have heretofore given. If the people of my district approve the service I have given to them and the representation I have given to them here in Washington, it will be my honor to return to the 90th Congress to continue the programs I have started, programs to alleviate the problems of the people of my district and our Nation.

Since coming to Congress I have attempted to be available at all times to any constituent who wishes to talk with me. As time permits, I attend meetings and social functions of civic, veterans, religious, and fraternal organizations, where I can talk with the people. For the convenience of my constituents, I maintain a full-time district office and my office in Washington is always open. The addresses are as follows: district office, 96-11 101st Avenue, Ozone Park, New York 11417; Washington office, 1727 Longworth House Office Building, Washington, D.C. 20515.

SUPPORT FOR PRESIDENT'S MISSION TO SOUTHEAST ASIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Maryland [Mr. MATHIAS] is recognized for 30 minutes.

Mr. MATHIAS. Mr. Speaker, the United States is now engaged in a new kind of conflict: an undeclared but bitter and extremely costly war. Our Government is deeply committed and all Americans are deeply engaged, with thousands of families making tremendous personal sacrifices, and all of us bearing portions of the growing expense. Yet many nationwide polls, countless individuals' public statements, and innumerable private letters and conversations have suggested to me, as to others, that the American people are confused, uncertain, and divided in their opinions about the war.

There is, however, no question about the fundamental desire of Americans for peace. Because the President is now en route to the Manila Conference, it is especially appropriate that, in the survey I am discussing today, the people of the Sixth Congressional District of Maryland have expressed their great support for a continuing and redoubled search for peace. In transmitting the results of this poll to the President last night, I wrote him that I am sure this popular sentiment reflects my constituents' support of his mission to southeast Asia, and that I know their hopes and prayers, as well as my own, go with him.

THE QUESTIONNAIRE

Public opinion plays an especially vital role in the Vietnamese conflict. It can determine not only the general boundaries of American diplomatic and military action, but also the durability of any settlement attained. The nature of public opinion on Vietnam also helps us to measure the effectiveness of communication among our national leadership, the news media, and American citizens, voters, and taxpayers.

Because I felt that a comprehensive picture of my constituents' views on the Vietnamese conflict has great value for the President, for the Congress, for the news media and for me as a Representative, I mailed a 19-question poll last month to every household in Allegany, Carroll, Frederick, Garrett, Montgomery, and Washington Counties, and in those portions of Baltimore and Howard Counties within the new Sixth District. The mailing totaled about 265,000 pieces—129,000 in the new Sixth District and 136,000 in Montgomery County alone.

The response to this questionnaire has been most gratifying. In the seven counties of the new sixth district, 8,004—6.2 percent—have been returned. In Montgomery County, the response to date has totaled more than 15,000—11 percent. At least 1 out of every 10 respondents accepted my invitation to send me additional comments, some of which have been very extensive, elaborating on their answers to specific questions and expressing their general thoughts on the conflict and related issues. Approximately 95 percent of all who responded signed their names.

The results announced today include the final tabulations from the new sixth district, and 5,074 of the first returns from Montgomery County. Because more than 10,000 replies from Montgomery County have not yet been completely processed, this county's responses have been listed separately and additional results will be announced later.

This survey was not intended, and is not presented, as a scientific poll. I am simply reporting the replies of those of my constituents who did answer. However, the counties surveyed include suburbs of both Baltimore and Washington; the major cities of Cumberland, Ellicott City, Frederick, Hagerstown, Oakland, and Westminster; many smaller towns and rural areas. Their residents include people of all ages, occupations, educations, ethnic backgrounds, and income levels. From the letters I have received, from comments made to me as I have visited various areas, and from the broad areas of agreement on most of the questions asked, I have concluded that the people who returned the questionnaire do comprise a general cross-section of the district's population.

VIEWS ON THE AMERICAN COMMITMENT

The replies to several questions suggest to me that, while most of those responding do feel they have an understanding of the basis for our involvement in Vietnam, the contours of this understanding vary tremendously.

Over two-thirds—from 58.5 percent in Frederick County to 81.1 percent in Baltimore County—said they did understand clearly why the United States is fighting in Vietnam, question No. 1.

More than 40 percent said it was a mistake for the United States to get so involved, while only slightly more said it was not. In three counties—Garrett, Frederick, and Washington—a plurality said the deep involvement was mistaken, while a clear majority in only one—Howard, 51.8 percent—said it was not, question No. 2.

Opinions were divided when people were asked to select, from among four statements—all of which have been advanced by administration spokesmen—which they felt were valid reasons for our fighting in Vietnam. Overall, the highest percentage—22 percent in the new Sixth District, 26.6 percent in Montgomery County—chose "to combat and restrain Red China's influence in southeast Asia" as the most valid single reason, and the highest number also marked this as a valid reason. Respondents in five counties—Allegany, Baltimore, Frederick, Montgomery, and Washington—ranked this first; those in Carroll and Howard Counties felt the primary objective is "to show the Communists that aggression does not pay," while replies from Garrett County emphasized "to make good on American pledges of aid to South Vietnam." Only 8 percent overall felt that the United States should fight primarily "to secure a strong, free South Vietnamese nation," and that choice also ranked lowest in each individual county. In six of the eight counties, the percent of those checking at least one reason as valid was somewhat higher than the percent indicating they understood clearly why we are fighting, question No. 18.

About 1 out of 5—23.2 percent in the new Sixth District, 19.9 percent in Montgomery County—asserted there was no valid reason for Americans fighting in Vietnam, question No. 19.

VIEWS ON PRESENT POLICY

Responses to a series of questions on policy alternatives showed that there was not overwhelming support for the present administration policy. Even among the 40 percent who did approve present policy, there was strong sentiment for additional initiatives—diplomatic, military, or both, with diplomatic moves gaining more support. Also, while many responding to question No. 18, above, indicated that American efforts should be directed against Red China or communism generally, and while over 50 percent endorsed expanded military action, almost 7 out of 10 said the United States should leave Vietnam if a new South Vietnamese Government so requests.

About 40 percent—39.6 percent in the new Sixth District, 41.2 percent in Montgomery County—indicated approval of present U.S. policies, while slightly more—43.2 percent in the new Sixth District, 41.8 percent in Montgomery County—showed disapproval. A majority—50.7 percent approved in Howard

County, and more also approved than disapproved in Allegany and Baltimore Counties. Disapproval ranged from 50.2 percent—Washington County—to 35.2 percent—Howard County, question No. 3.

More than 62 percent overall, and more than half in every county, said the United States should try harder for peace negotiations. "Yes" replies ranged from 55.3 percent—Allegany County—to 70.8 percent—Garrett County—and "no" responses ranged from 21.1 percent—Frederick—to 33.5 percent—Allegany, question No. 4.

Over 60 percent, and a majority in every county, felt that the Vietcong should participate in peace negotiations, question No. 5.

About half declared that the United Nations should assume responsibility for Vietnam. A majority supported this position in every county except Carroll.

Over 80 percent said that all South Vietnamese should vote in free elections, and over 70 percent—68.9 percent in the new Sixth District, 78.7 percent in Montgomery County—said that the CIA should not try to influence such elections, questions Nos. 7 and 8.

Sixty-five and six-tenths percent in the new Sixth District, and 73.4 percent in Montgomery County, declared that we should leave Vietnam if a new South Vietnamese government requests it, question No. 9.

Asked whether expanded bombing of North Vietnam would shorten the war, over 40 percent overall said "yes," about 24 percent said "no," and over one quarter—more than on any other question—were "not sure," question No. 10.

Just over half said the war should be intensified and expanded until Hanoi quits, while about one-fourth said it should not be so enlarged, question No. 11.

About 49 percent declared that economic and technical aid to South Vietnam should be increased, but around 30 percent disagreed, question No. 12.

MILITARY MANPOWER

Popular dissatisfaction with the draft and military manpower policies in general provoked more additional comments than any other aspect of the questionnaire.

A majority indicated opposition to present selective service policies, with dissatisfaction ranging from 63.1 percent—Washington County—to 44.7 percent—Allegany. The highest percentage of support was 36.1—Carroll—question No. 13.

Over 40 percent supported calling men in the Reserves to active duty, while over 1 out of 5 was "not sure." A number qualified their support for this step by specifying that they would prefer to call up only certain segments of the Reserves, such as men who had not already served on active duty, question No. 14.

RELATED FISCAL POLICIES

Responses to questions 15 through 17, and many strongly phrased additional remarks, showed wide disagreement with present Federal economic policies. While a strong minority did advocate raising income taxes to pay for Vietnam, far more urged a reduction in domestic Federal expenditures.

Sixty-three and one-tenth percent overall called for cutting domestic spending for the duration of the war. Support for such economy ranged from 72.2 percent—Carroll—to 57.1 percent—Frederick, question No. 15.

Twenty-four and five-tenths percent in the new Sixth District, and 41.4 percent in Montgomery County, supported a temporary Federal income tax increase to pay the costs of Vietnam. Opposition ranged from 43.8 percent in Montgomery County to 73.2 percent in Carroll County, question No. 16.

Over 60 percent declared that the Federal Government is responsible for higher living costs, and only 18 percent said the Government was not responsible, question No. 17.

REPRESENTATIVE COMMENTS

The following are excerpts from some of the many letters I received. They were chosen both for their individual interest, and for their value as examples of thoughts expressed by many of those responding to the poll:

A freely chosen new Vietnamese government's request for us to leave should be honored—otherwise we could easily be labeled "intruders" and find ourselves fighting not only the present enemy but those whom we intended to aid. (Cresaptown)

The Selective Service System, although it is appealing to legal and Victorian minds, is the most antiquated and unjust system I have ever seen. (New Market)

Do we have a future? I doubt it. It is just a matter of time before Uncle Sam knocks on our door to take my husband off to die in a strange country. No one wants to go to Vietnam. Do you? The Constitution gives us the right to pursue happiness. We can't if there is no future for us. (Brunswick)

We are not fighting for an area basic to our own security and I'm sure that the Vietnamese people (aside from the usual vultures alone and allowed to live after years and who profit from war and misery) to be left years of conflict. (Frederick)

As far as my personal circumstances are concerned, I don't see how we could pay more income tax without giving up food. The Federal government did not give us a cut as they indicated, just took it off one place and put it on another. P.S. This is a slight exaggeration but not much. (Cumberland)

Why must our boys be slaughtered fighting Communism in Vietnam when communists in the United States are coddled and protected (Frederick)

No one has convinced me that this is anything other than a civil war. What obligation do we have to remake Asia? Didn't Korea teach us anything? (Pinksburg)

The eight to ten years of war which President Johnson mentions are nothing more than a way of inflating our economy while sacrificing American lives. (Ellicott City)

I see no point in saying the Viet Cong does not exist simply because we do not recognize them politically—we have certainly had to recognize them militarily. (Frederick)

It would seem that our desire to save the world brings only rebukes and insults instead of friendship. Perhaps we are going overboard in trying to be the protector for the rest of the world. (Emmitsburg)

I don't believe that there is such a thing as a temporary tax increase. World War II's temporary taxes lasted for twenty years. (Frederick)

I oppose the bombing of North Vietnam not because it is morally wrong—it is no less moral than any other means of warfare. I oppose it because it is futile and wasteful of both lives and money. Strategic bombing accomplished very little in Europe during World War II. What could it possibly accomplish against a rural population with few well defined targets? (Ellicott City)

If the Viet Cong still exist at the time of peace, they must be agreeable to it or the peace will be a fiction. (Little Orleans)

Even though I make a real effort to keep myself abreast of what goes on I have the uneasy feeling that I am not getting the stark facts—just those which have been edited—so that I am uncertain about forming opinions and reaching conclusions. (Frederick)

Any sixth grade school kid can understand economics enough to understand that no one can spend more than they make. (Swanton)

Why do we go thousands of miles to fight Communism when we didn't fight it several years ago at our door in Cuba? (Sharpsburg)

Selective Service rules should be revised. Is it fair for a certain few to do the fighting while others like George Hamilton and Cassius Clay hide behind unfair policies? During World War II we saw boys who couldn't write their names being drafted. (Hagerstown)

As far as I am concerned, this is our fight, just as though the Communists were massed on our shores, because if they succeed in overcoming the South Vietnamese, it will not stop there. (Mount Savage)

I am sure that the respect we will lose if we stop using our guns will be quickly regained if we start using our heads. (Westminster)

I wouldn't normally take time to answer a questionnaire such as this but I think some of us should stand up to be counted in order to counteract the more vociferous lunatic fringe. (Ellicott City)

I've been a voter for 25 years and your questionnaire is the first effort to canvass public opinion I've ever received from a Member of Congress. (Frederick)

It was our nation which in 1945 made war unthinkable. It is our responsibility now to use our imagination to find new solutions to show that we are able to make peace possible as well as necessary. (Westminster)

At the present the U.N. is a joke. (Ellicott City)

Why argue whether it was a mistake to become involved—we are involved and our principal concern should be acquit ourselves honorably. (Ellicott City)

Our basic reasons for being in Vietnam are good. However we are dead wrong to take the responsibility upon ourselves to go into another country to prevent a Communist takeover. It must be a joint effort of freedom-loving nations made in response to the request of a nation under attack. (Hagerstown)

Let's stop talking about what we could do and continue to do what we must—fight to defeat an unprovoked aggression by whatever means are necessary. (Hagerstown)

I don't know whether it was a mistake to get into the Vietnam war but I fervently believe that it would be a bigger mistake to back out now. (Hagerstown)

The worst job in America today is that of trying to tell a distraught mother just why her son gave his life in the jungles of Vietnam. (Hagerstown)

Questionnaire on Vietnam: Percentage results—Charles McC. Mathias, Jr., October 1966

	Montgomery County	Total, new 6th district	Garrett County	Allegany County	Washington County	Frederick County	Carroll County	Howard County	Baltimore County
Total received	[1] 5,074	[3] 8,004	241	1,810	1,676	1,479	908	560	1,270
Percent returned	[1] 3.7	[3] 6.2	3.8	6.0	5.7	7.1	5.4	8.5	7.4
1. Do you understand clearly why the United States is fighting in Vietnam?									
Yes	75.5	66.7	64.6	65.4	64.6	58.5	60.8	77.3	81.1
No	94.8	18.0	27.1	16.5	22.2	20.4	22.7	11.6	7.9
Not sure	9.1	12.9	6.2	12.2	10.5	20.4	15.5	9.5	10.2
No answer	.6	2.4	2.1	5.9	2.7	.7	1.0	1.6	.8
2. Was it a mistake for the United States to get so deeply into the war?									
Yes	41.2	41.9	45.6	38.3	47.2	48.3	35.1	35.5	40.2
No	45.2	43.9	39.3	44.7	39.3	40.1	48.4	51.8	47.2
Not sure	12.8	12.3	14.1	13.3	12.0	10.9	14.4	11.6	11.0
No answer	.8	1.9	1.0	3.7	1.5	.7	2.1	1.1	1.6
3. Do you approve present U.S. policies in Vietnam?									
Yes	41.2	39.6	33.3	43.6	33.6	38.8	35.1	50.7	42.5
No	41.8	43.2	43.8	37.8	50.2	49.7	41.2	35.2	39.4
Not sure	15.2	13.8	18.7	12.7	12.3	8.8	21.7	12.1	16.4
No answer	1.8	3.4	4.2	5.9	3.9	2.7	2.0	2.0	1.6
4. Should the United States try harder for peace negotiations?									
Yes	62.1	62.3	70.8	55.3	64.0	66.0	63.9	57.3	65.4
No	28.8	26.3	20.8	33.5	24.0	21.1	26.8	32.5	22.9
Not sure	7.5	8.4	6.3	9.6	7.8	10.2	6.2	7.3	7.9
No answer	1.6	3.0	2.1	1.6	4.2	2.7	3.1	2.9	3.8
5. Should the Vietcong particpate in peace negotiations?									
Yes	65.9	60.0	75.0	58.5	62.8	56.5	63.9	61.6	55.9
No	22.1	22.1	12.5	23.9	19.8	18.4	27.8	25.1	22.8
Not sure	11.6	13.9	6.4	12.3	12.3	22.4	5.2	10.8	18.1
No answer	1.4	4.0	6.1	5.3	5.1	2.7	3.1	2.5	3.2
6. Should the United Nations assume responsibility for Vietnam?									
Yes	48.1	50.7	60.4	51.1	52.6	51.0	38.1	52.3	54.3
No	32.7	33.1	25.0	29.2	33.0	32.7	44.3	32.7	32.2
Not sure	17.8	12.9	12.5	12.8	11.7	12.9	15.5	13.0	12.6
No answer	1.4	3.3	2.1	6.9	2.7	3.4	2.1	2.0	.9
7. Should all South Vietnamese vote in free elections?									
Yes	86.0	83.9	86.4	81.4	82.3	85.0	86.6	84.1	85.8
No	4.7	3.9	4.2	2.1	3.9	4.8	4.1	5.5	4.7
No answer	7.3	8.2	8.3	9.0	9.0	8.8	5.2	7.9	7.9
Not sure	2.0	4.0	1.1	7.5	4.8	1.4	4.1	2.5	1.6
8. Should our CIA try to influence South Vietnamese elections?									
Yes	11.6	18.4	12.5	20.2	16.2	15.6	26.8	21.6	15.8
No	78.7	68.9	72.9	59.6	70.6	81.0	56.7	69.5	73.2
Not sure	8.1	8.7	11.5	14.4	9.9	2.7	10.3	7.0	5.5
No answer	1.6	4.0	3.1	5.8	3.3	.7	6.2	1.9	5.5
9. If a new South Vietnamese government should ask the United States to leave, should we?									
Yes	73.4	65.6	70.8	57.4	70.0	68.7	66.0	68.4	64.6
No	11.8	15.4	6.3	17.0	13.2	16.3	19.6	16.3	15.0
Not sure	13.8	15.6	20.8	21.3	13.5	14.3	13.4	13.9	12.6
No answer	1.0	3.4	2.1	4.3	3.3	.7	1.0	1.4	7.8
10. Will expanded bombing of North Vietnam shorten the war?									
Yes	40.4	48.5	43.8	50.0	48.4	45.6	46.4	55.4	49.6
No	26.0	22.1	18.8	20.2	21.6	28.6	19.6	18.2	22.1
Not sure	32.3	25.6	34.3	23.9	25.3	23.8	28.9	24.8	26.8
No answer	1.3	3.8	3.1	5.9	4.7	2.0	5.1	1.6	1.5
11. Should the United States intensify and expand the war until Hanoi quits?									
Yes	50.5	53.8	54.2	57.4	54.4	51.7	50.5	58.9	51.2
No	28.0	24.6	22.9	18.6	24.3	29.3	32.0	22.9	22.1
Not sure	19.7	18.5	19.7	19.2	16.5	17.0	16.5	15.7	25.2
No answer	1.8	3.1	3.2	4.8	4.8	2.0	1.0	2.5	1.5
12. Should the United States increase economic and technical aid to South Vietnam?									
Yes	49.9	49.0	58.3	46.3	46.0	47.6	51.6	54.1	52.8
No	26.8	33.7	21.9	37.8	35.1	33.3	38.1	26.8	28.4
Not sure	19.7	14.8	9.4	15.4	15.0	15.7	7.2	16.6	18.1
No answer	3.6	2.5	10.4	.5	3.9	3.4	3.1	2.5	.7
13. Are you satisfied with the present selective service (draft) rules and policies?									
Yes	33.3	28.1	20.8	30.8	22.2	30.6	36.1	28.2	24.4
No	50.5	54.5	56.2	44.7	63.1	54.4	48.5	57.1	59.8
Not sure	14.8	15.1	18.8	21.3	11.1	13.6	13.4	12.5	15.1
No answer	1.4	2.3	4.2	3.2	3.6	1.4	2.0	2.2	.7
14. Should men in the Reserves be called to active duty?									
Yes	43.4	47.3	45.8	42.6	52.3	49.0	50.5	45.9	44.2
No	28.2	29.8	31.3	26.6	28.8	34.7	26.8	32.0	31.4
Not sure	26.2	19.0	18.8	23.9	14.4	15.7	20.6	18.9	20.5
No answer	2.2	3.9	4.1	6.9	4.5	.6	2.1	3.2	3.9
15. Should Congress reduce domestic Federal expenditures until the war ends?									
Yes	63.1	63.1	68.8	60.1	62.8	57.1	72.2	67.3	65.4
No	26.0	22.4	20.8	22.9	21.9	26.5	18.6	22.7	20.5
Not sure	9.3	11.8	8.3	15.4	10.5	11.6	8.3	8.8	13.4
No answer	1.6	2.7	2.1	1.6	4.8	4.8	.9	1.2	.7
16. Should Congress temporarily raise Federal income taxes to pay the costs of Vietnam?									
Yes	41.4	24.5	35.4	22.1	24.3	27.9	16.5	25.9	26.8
No	43.8	61.0	45.8	59.0	62.5	59.9	73.2	59.3	57.5
Not sure	13.8	10.9	16.7	11.2	8.4	10.9	9.3	11.6	13.4
No answer	1.0	3.6	2.1	7.5	4.8	1.3	1.0	3.2	2.3
17. Is the Federal Government responsible for higher living costs?									
Yes	60.4	64.2	66.7	58.5	63.4	61.9	77.3	68.1	63.8
No	18.9	17.4	12.5	22.9	15.6	21.1	9.3	14.8	15.8
Not sure	18.1	14.7	18.8	12.2	15.9	12.9	12.4	14.6	19.7
No answer	2.6	3.7	2.0	6.4	5.1	4.1	1.0	2.5	.7

Questionnaire on Vietnam: Percentage res ..s—Charles McC. Mathias, Jr., October 1966—Continued

	Montgomery County	Total, new 6th district	Garrett County	Allegany County	Washington County	Frederick County	Carroll County	Howard County	Baltimore County
18. If you agree with any of the following suggested reasons for American forces fighting in Vietnam, mark them in the order you consider most valid:									
To make good on American pledges of aid to South Vietnam:									
(a)	21.3	19.8	20.8	21.3	19.8	17.7	20.6	20.5	19.7
(b)	72.4	66.5	56.2	62.2	63.7	66.7	66.0	74.3	70.9
To show the Communists that agression does not pay:									
(a)	22.5	18.9	16.7	15.4	14.1	19.1	26.8	20.5	19.7
(b)	69.6	62.5	52.1	52.1	62.2	65.4	66.0	76.1	67.7
To secure a strong, free South Vietnamese nation:									
(a)	8.9	8.4	10.4	5.9	11.4	7.5	7.2	8.4	9.5
(b)	68.9	65.1	50.0	63.8	62.8	64.6	59.8	74.3	74.0
To combat and restrain Red China's influence in southeast Asia:									
(a)	26.6	22.0	12.5	21.8	23.7	19.7	18.6	26.4	25.2
(b)	73.4	69.0	52.1	67.6	69.2	66.0	75.3	78.6	74.8
19. Percent believing there is no valid reason for U.S. forces in Vietnam	19.9	23.2	31.3	23.4	29.7	20.4	21.7	17.5	19.7

[1] Partial returns.

[2] Allegany, part of Baltimore, Carroll, Frederick, Garrett, part of Howard, and Washington Counties.

NOTE.—The figures given for No. 18 show (a) the total percent marking each reason as the most valid; (b) the total marking it as a valid reason.

POSITION PAPERS—1966

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. WYDLER] is recognized for 30 minutes.

Mr. WYDLER. Mr. Speaker, we are on the threshold of a great national election for the Congress of the United States. The entire House of Representatives must face the people to account for their stewardship of the trust this Nation has placed in them. The future course of our Nation at home and in the world will be affected by the decision of the people on election day.

YEAR OF DECISION

The national issues this year are: Vietnam and the direction of our foreign policy; the high cost of living and inflation; high interest rates; and lawlessness in our streets.

These are the issues which the Democratic administration and the overwhelming Democratic Congress have been called upon to meet. The extent to which they have succeeded is a fair question for each person to ask as they vote this year.

VIETNAM—SYMBOLIC OF LEADERSHIP GAP

I do not look upon the war in Vietnam as a partisan political issue, but it does symbolize the difficulties we are experiencing in the handling of our foreign affairs. My position is to support the negative aspects of the President's policy in Vietnam. That is to say, I agree with him that we must stop Communist aggression, and we must back and protect our men who are fighting in Vietnam. I do not agree with nor do I fully understand the positive aspects of the President's foreign policy. I cannot see, nor can I justify, his refusal to use our Nation's economic power to the fullest to bring this war to an end. The recent action of the administration in demanding the right to continue aid to nations dealing with North Vietnam is to my mind something that can well be misunderstood around the world.

The President has failed to unify our country behind the war: first, because of the lack of credibility in the accounts of what we are doing there; and, second, because of the deep split in the Democratic Party into two wings generally called "hawks" and "doves." It is the President's responsibility to unify his party and our Nation behind the effort we are making.

I believe that we should engage in quiet, effective diplomacy in our search for peace. We should seek an all-Asian peace conference and not a conference at Geneva, dominated by large Western powers. We should establish a goal of winning the war in Vietnam and explain our commitments in southeast Asia fully to the American people. We should remain ready and willing to negotiate. We should be using the armed forces of South Vietnam to a greater extent. We are making this a totally American war, and I believe that it would be more effective if the war were made more and more a South Vietnamese war.

The real question arising from Vietnam is what have we learned as a result to establish a policy to deal with the next war of "national liberation." It is not reassuring to see a NATO dissolving in Europe and no new ideas to take its place. Our real needs in the world today are stability in Saigon and constructive diplomacy in Washington.

INFLATION: WHO IS RESPONSIBLE?

The issue of constantly rising prices is one that bothers all Americans. It affects all Americans. The growing inflation threatens the prosperity which we are now enjoying. This is the result of wasteful Government spending and the refusal to live by the sound rules of economics. For years the administration has continued to spend vastly more than it takes in. This year, the President insisted on giving the American people both guns and butter. The results can be seen both in the cost of items in the supermarkets and the constantly declining stock market. A loss of confidence has resulted.

There is only one true cure and that is to cut the cost of the Great Society. This domestic spending can and must be cut. We should not start new Great Society programs while we are fighting a war in Vietnam. We should hold down and cut Great Society programs now in existence. We should trim the Federal budget of all departments and agencies. This can be done. The prime example is our agricultural programs which spend billions of dollars for food subsidies. At a time when we are facing a world food shortage, the need for these programs is questionable. We should be taking a completely new and fresh look at our farm programs. In my opinion, billions of dollars could be saved and the consumer-taxpayer and farmer benefited.

POSTELECTION TAXES

It is well known in Washington that the President is waiting until after this year's election to ask for a general tax increase. I, for one, will not support such a tax increase unless and until the President cuts the spending I have outlined and it becomes clear that further steps are necessary. The people do not want additional taxes and, in my opinion, they are not necessary.

HIGH INTEREST, HIGH PRICES, HIGH TAXES

The question of higher interest rates affects every person buying a home or car, any person who wishes to borrow money for his personal needs or business purposes. This administration has deliberately and intentionally forced interest rates up to the highest levels in history. They sponsored legislation which placed Government securities on the market in large amounts which pay 6 percent interest. This has dried up much of the normal sources of money for our banking institutions.

The failure of the President to take steps to cut spending has left those with responsibility no choice but to force up interest rates to combat inflation. The main attack on higher interest rates is a cut in domestic and unnecessary Federal spending.

WHO WANTS RIOTS?

Lawlessness in our streets bothers us all, but again, the administration gives no direction to the American people or points them in the wrong direction.

The Attorney General, chief law-enforcement officer, has yet to come up with a single proposal which might do something to control and end unlawful demonstrations and riots in our streets, or to control the ever-increasing crime rate across our Nation. While showing great imagination in the field of civil rights legislation, he seems unable to think of anything that might protect the majority of our citizens from the lawless use of our streets. The Vice President for his part cries out that he could "lead a good riot himself." Just imagine the reaction of those Negroes—the vast majority, indeed—who have remained lawful and stayed away from the riots. They are faced with the fact that the Vice President has indicated they have done the wrong thing.

THERE IS NO EASY WAY

I share the Nation's concern over the lawless elements that have crept into the civil rights movement under the title of "Black Power." To me, black power signifies an attempt of some civil rights leaders to seize control of the civil rights movement. I think it would be a mistake, as some have advocated, to repeal the 1964 Civil Rights Act, which contains basic voting right guarantees for all citizens. This is an overreaction. To my mind, it is clear that our Negro citizens are entitled to equal opportunity but that his advancement will come by merit and not through violence. The overwhelming majority of the Negro people realize this clearly.

RETURN TO BALANCED GOVERNMENT

This year more than ever we need a balanced government in Washington, a Congress that can truly keep a check on the Presidential power. No matter how benevolent that power may appear, it is a danger to our system and a step toward one-man government.

OPPORTUNITY FOR CHANGE ON ELECTION DAY

The Republican Party offers checks and balances instead of a blank check. Our people are choosing more than a representative in Washington this election day. They are choosing a way of life and the way of the future of our country. Their choice should be one of which they will be proud.

CONTROL OF ALL NOISE

The SPEAKER pro tempore. Under previous order of the House, the gentleman from New York [Mr. KUPFERMAN] is recognized for 60 minutes.

Mr. KUPFERMAN. Mr. Speaker, I am happy to report to my colleagues that there has been, to date, considerable and widespread response throughout our country and from various other countries, to my bill, H.R. 14602, to provide a comprehensive program for the control of all noise and my bill H.R. 17252, dealing specifically with the problem of aircraft noise abatement.

Since introducing H.R. 14602 on April 21, 1966, I have made six additional statements in the CONGRESSIONAL RECORD concerning various aspects of the overall noise problem with which we are all confronted today, especially in urban areas such as New York City.

In addition, I was privileged to testify before the Subcommittee on Transportation and Aeronautics, House Interstate and Foreign Commerce Committee at a hearing held October 12, 1966, to consider my legislation and other bills dealing with jet aircraft noise abatement.

A copy of my statement to the subcommittee follows:

TESTIMONY BY REPUBLICAN THEODORE R. KUPFERMAN, REPRESENTATIVE OF NEW YORK, AT HEARING BEFORE SUBCOMMITTEE ON TRANSPORTATION AND AERONAUTICS, INTERSTATE AND FOREIGN COMMERCE COMMITTEE RELATING TO HIS BILLS ON "NOISE POLLUTION," OCTOBER 12, 1966

Mr. Chairman, distinguished members of the Subcommittee on Transportation and Aeronautics of the House Committee on Interstate and Foreign Commerce, I am pleased and gratified to have the opportunity to appear before my distinguished colleagues on this Committee today to speak on behalf of my Bill, H.R. 17252, to amend the Federal Aviation Act of 1958 to deal with the problem of aircraft noise abatement regulation, and my Bill, H.R. 14602, to provide a comprehensive program for the control of all noise.

I was elected to Congress on February 8 of this year and officially began my duties as Representative of the 17th Congressional District, formerly represented by New York's Mayor John V. Lindsay on February 23, 1966.

One of my first major pieces of legislation introduced in the House of Representatives on April 21, 1966, deals with the problem of what I call "Noise Pollution," and its control. My bill, H.R. 14602, would establish an Office of Noise Control within the Office of the Surgeon General. The Office, headed by a Director and assisted by a Noise Control Advisory Council, would provide grants to the States and local governments to research ways and means of control, prevention and abatement of noise.

The Office of Noise Control would cooperate fully with existing Federal agencies presently working in the field of jet aircraft noise abatement, would gather existing data from all other agencies to be used in research concerning the effects of all noise, and would prepare, publish and disseminate educational materials dealing with the control, prevention and abatement of noise.

My original statement, my Bill (H.R. 14602), and related studies appear in the CONGRESSIONAL RECORD of April 21, 1966, at pages 8745–8768. Supporting material and subsequent statements appear in the CONGRESSIONAL RECORD of May 2, 1966, pages 9470–9477; May 3, at page 9679; May 16, pages A2629–A2630 of the daily RECORD; August 1, page A4048 of the daily RECORD; August 4, pages 18233–18257; and August 24, page 20339.

I firmly believe that one of the most pressing needs of today which we have failed to recognize is for the abatement of excessive noise, whatever the source.

I recall the debate in the House of Representatives on May 3 concerning an amendment to the NASA appropriation Bill (H.R. 14342) offered by my colleague from New York, Mr. WYDLER, which would have provided $20 million out of the $4,986,894,150 appropriation for the purpose of finding a solution to the problem of aircraft noise.

During the debate I offered as evidence of the need for a larger organized effort in the area of aircraft noise abatement the first four conclusions of the Report of the Committee on Science and Astronautics, House Report No. 2229, October 13, 1960, which are as follows:

"(1) A great deal of noise research is underway in the Government, but there appears to be a lack of common orientation except in the armed services through the Armed Forces—National Research Council Committee on Hearing and Bio-Accoustics—(CHABA).

"(2) Although NASA and FAA are participating members of CHABA, they have not, in the past, taken full advantage of this outstanding Committee to assist them in orienting their respective programs.

"(3) The NASA noise research program has been level budgeted for the past several years and, according to testimony before this Committee, will continue as a level effort, although noise problems are more acute than ever before. NASA appears to have reoriented its noise research program toward investigating the noise problem of manned space flight, the sonic boom phenomenon and the supersonic transport at the expense of solving today's aircraft and rocket noise problems.

"(4) More research and development effort is necessary and additional research tools are needed, before a set of noise criteria can be drafted, around which industry can design aeronautical and space flight vehicles."

The Committee suggested in its 1960 report, referred to above, a systems approach. Included are:

First. Better aircraft missile and rocket design.

Second. Better engine design.

Third. Better airport planning.

Fourth. New approach to zoning around airports.

Fifth. Revised air traffic procedures.

Sixth. Public education.

Moreover, the Committee was careful to point out that all the avenues listed above must be approached using a set of agreed upon criteria or standards.

I fully support an appropriation to study aircraft noise. It is my firm belief, however, that the notable research and admirable work now being carried on by FAA, NASA, and CHABA should be centralized to ensure greater efficiency and more benefit to all those interested in the general field of noise abatement.

Presently, FAA is primarily concerned with noise research from the perspective of where and how the planes fly. NASA is primarily concerned with the mechanical generation of noise.

We must be careful not merely to appropriate a blanket amount to be used for jet aircraft noise abatement. Just in the field of aircraft noise alone we are beginning to realize the need for other abatement studies, for example, excessive helicopter noise.

What is needed is a comprehensive program in dealing with the complex problem of noise abatement, and, at the same time, we must ensure that money will not be wasted as a result of later duplications in effort. We can no longer afford to go off in several different directions in our effort to reduce excessive noise.

With respect to aircraft noise abatement, what we all must be primarily concerned with is developing a central unit or "noise information clearing-house" where the efforts of all the present agencies working in the field of jet and helicopter aircraft noise abatement can be combined and coordinated.

One way to accomplish this, as suggested in my bill, H.R. 14602, under Title II, would be to provide an aircraft noise and pollution control service which could supply the centralization needed, at least for aircraft noise studies. Moreover, it could be helpful in formulating and disseminating a comprehensive body of knowledge in the field of aircraft noise abatement and could establish the much needed noise criteria standards.

On August 24, 1966, when the Administration's Transportation Bill was debated in the House of Representatives there was a good deal of discussion by many of my colleagues to the effect that the proposed Transportation Bill was deficient in that it failed to deal with the subject of aircraft noise abatement.

The Committee's decision to include in section 4 of the transportation bill a provision that the Secretary of Transportation conduct research on the problem is a good idea but little more. What we need is an immediate and all-out effort to launch a vigorous and imaginative program to deal with the general problem in all areas of noise pollution.

I concur with and commend those who would take active steps to abate aircraft noise. I would be remiss however if I failed to caution my colleagues against being somewhat nearsighted about what they hear.

Aircraft noise is a serious problem. It is however one of a whole series of complex sources of excessive noise. To the city dweller for example, the din of the helicopter flying overhead and the nerve wracking noise of the air compressor and pneumatic drill outside his apartment window at 7 a.m. are both serious.

One of the many types of controls which should be employed, for example, is the prescription of standards for accurate measurement of aircraft noise. My bill, H.R. 17252, would provide that the Administrator of the Federal Aviation Agency be empowered to prescribe and amend such standards, rules and regulations with respect to aircraft noise abatement in the issuance, amendment, modification, suspension or revocation of any certificate.

I would stress however, that this is only one small example of the overall program of needed controls for aircraft noise alone.

Title II of my bill, H.R. 14602, to provide a comprehensive program for the control of noise, would amend Section 302 of the Federal Aviation Act of 1958, to establish an aircraft noise and pollution control service. The bill provides that this service shall be headed by a Director who shall be appointed by the Administrator subject to the Civil Service and classification laws. The Director would have delegated authority to deal with the elimination of noise created by aircraft, and to protect the communities in the country from excessive interference and annoyance during the operation of aircraft.

The Administrator would conduct research and investigations including the investigation of complaints, and would cooperate with local civic organizations and municipalities in an effort to coordinate and consolidate current research projects.

One of the purposes of this mass effort would be to develop a working system for correlating the intensity and quality of aircraft noise with the distress to people on the ground caused by such noise.

Another central purpose would be, of course, to develop quieter aircraft through research and development in the fields of air frame and power plant design and in the field of vertical takeoff and landing equipment for aircraft. A necessary product of such a unified assault on the problem of aircraft noise would be the development of a comprehensive body of knowledge concerning methods and devices for aircraft and other noise abatement.

Our attitude toward noise must be dictated by our knowledge of what it is and what it can do to us. The first conclusion as to the effect of noise reached by the English report of the Committee on the Problem of Noise in its July 1963 report to Parliament reads as follows: "Since health is defined as 'a state of complete physical, mental, and social well-being and not merely absence of disease and infirmity' there is no doubt that noise affects health."

The well-known Dr. Samuel Rosen, consulting ear surgeon at Mount Sinai Hospital, New York, along with four of his colleagues from Germany and Egypt, completed dramatic research concerning the relation of noise to hearing loss and coronary heart disease, which I believe most helpful in understanding the effects of noise. For details of Dr. Rosen's studies, see my statement in the Congressional Record of April 21, found at pages 8748–8749, 8767–8768.

In addition, we know that noise among other things, can cause permanent and temporary hearing loss, interrupt minimum requirements of sleep, severely strain the nervous system, destroy efficiency and can be extremely costly.

Excessive noise is not merely something to adjust to or tolerate. We must not take the attitude that excessive noise from aircraft, construction and demolition sites, motor vehicles, industry, surface transit, and other sources is the price we pay for growth. I do not agree with those that profess that compensation for the injuries caused by excessive noise is to be found simply in the overall benefits of progress.

I urge a more realistic approach to the problem of noise. We should compensate our citizens living near airports by contributing to their efforts to soundproof their homes. We should reimburse the owners or operators of any airport for such sums as are deemed appropriate by the Administrator in his sound discretion up to 30 percent of the actual expense involved in modifying such airport to comply with promulgated noise rules and regulations.

Moreover, we should reimburse the State or any municipality for such sums as are needed and authorize the available appropriation of funds, up to 90 percent of the actual expense in acquiring land surrounding an airport or along present or proposed flight lanes when such land is acquired to reduce the effect of noise from the operation of the airport.

Finally, we should legislate effective and comprehensive codes on a local level which specify quantitatively the noise levels which will result in violation of the law. Above all, we must recognize noise as a substantial and immediate threat to our health and well-being.

A leading acoustical authority, Lewis Goodfriend, estimates that New York City noise could be reduced as much as 80 percent. This statement is found in the article on "The Sound of Sounds That Is New York," by Harold C. Schonberg in the New York Times Magazine of Sunday, May 23, 1965. All those who have researched the noise problem tend to agree that a good deal may be done to reduce excessive noise.

It is time for this country to undergo introspection regarding its attitude toward noise. We must act now so that in a few years we will not be caught in the too often experienced dilemma of having to say, "We should have done this long ago."

We must no longer turn a deaf ear to the problems of excessive noise. We must open our eyes to the serious problem of noise today.

Mr. Speaker, I have included in the Congressional Record a considerable volume of accumulated studies, materials, editorials, and letters which I have received in response to my noise control legislation.

This material, all together, constitutes probably the most comprehensive collection extant on the subject of noise.

I now would like to bring my colleagues up to date on the material which I have received subsequent to my last statement and insertion of accumulated materials which are found in the August 4 Congressional Record at pages 18234–18259. The editorials, letters and related pertinent materials follow:

[From Prevention magazine, October 1966]

About the Author

(On February 8, 1966, 45-year-old Theodore R. Kupferman (Republican—New York City) was elected to the seat vacated by Representative John V. Lindsay, when he became New York Mayor. A member of the American Bar Association, Mr. Kupferman practiced law for 12 years before he became interested in legislative offices. He served as a N.Y. City Councilman for 4 years prior to his election to Congress.

(The Citizens Union, which rates candidates in New York City, has consistently backed him for his demonstrated desire to improve civic standards, for an extensive knowledge of local and state problems, and for a superior record in the New York City Council.

(Congressman Kupferman is affiliated with a number of law associations, service organizations, and publications of legal interest. He and his wife live in New York City with their two children.)

Dr. M. G. Candau, Director-General of World Health Organization, demonstrated a keen awareness of the increasing threat of noise to our health and well being in his World Health Day Message which follows:

"Over the last hundred years, mankind doubled in numbers, but during the same period the world's city population increased five times.

"These figures illustrate the swift advance of urbanization that is so characteristic a feature of the world today. In this process, health may tend to be forgotten. World Health Day 1966 is to draw attention to the human needs—particularly the mental health needs—of our complex urban settings today, and also to the contribution that health workers in co-operation with other professional people can make towards creating a more harmonious environment in cities of today and tomorrow.

"All over the world, the mushrooming city growth has given rise to slums and shanty towns, in which as much as one-third of today's city population are herded together in conditions contrary to the requirements of healthy living. But even when a minimum of basic physical requirements are met, the modern city threatens the health of its citizens in a number of ways.

"Many a person coming to the city from the country has to learn to put up with less space, less daylight, less fresh air, less greenery, more noise, but less liberty to make noise. Both work and play are different. Old-established patterns of communal living are disrupted. The newcomers may fail to keep up with city ways, and adjustment problems of various kinds may arise. Psychosomatic and neurotic disorders are undoubtedly largely associated with the congestion and noise, the hectic rhythm of city life, its vast anonymity and its many strident appeals to the individual to this or that. Furthermore, as a counterpart to the glamour of the modern city, to its employment possibilities, its educational wealth and its cultural achievements, we have delinquency, crime, prostitution, alcoholism, and the excessive use of drugs.

"The health worker clearly has his part to play in dealing with these problems. At the present state of knowledge, many questions still remain unanswered in this field. But much can be done, by the professions, the authorities and by civic groups, but also by the citizens at large to make our cities better places to live in."

OUR ATTITUDE TOWARD NOISE

Our attitude toward noise must be dictated by our knowledge of what it is and what it can do to us. The first conclusion as to the effect of noise reached by Britain's Committee on the Problem of Noise in its July, 1963 report to the Parliament reads as follows:

"Since health is defined as 'a state of complete physical, mental and social well-being and not merely absence of disease and infirmity' there is no doubt that noise affects health."

Excessive noise is not merely something to adjust to or tolerate. We must not take the attitude that excessive noise from aircraft, construction and demolition sites, motor vehicles, industry surface transit and other sources is the price we pay for growth. I do not agree with those that profess that compensation for the injuries caused by excessive noise is to be found simply in the overall benefits of progress.

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It is time for this country to undergo introspection regarding its attitude toward noise. We must act now so that in a few years we will not be caught in the too often experienced dilemma of having to say "We should have done this long ago!".

We must no longer turn a "deaf ear" to the problems of excessive noise. We must open our eyes to the serious problem of noise today.

[From the Christian Science Monitor, Aug. 15, 1966]

Zip! Zoom! Varoom!

A series of articles on "Man and His Cities" explored a problem of growing concern—the contaminating mental influence of fast-moving and overcrowded cities. Many in the scientific and scholarly community are convinced that noise, congestion, and the hectic tempo of city life have an adverse and sometimes serious effect on mental and physical health. They believe these "contaminants" deserve the same attention as those polluting air and water.

One authority asks, "Is the city population approaching the state of rats which, under conditions of experimental crowding, refused to breed and started fighting and devouring each other?" He wonders if recent manifestations of violence in cities around the world are not attributable to the pressures and crowding of city life.

Noise is increasingly regarded as one of the chief public enemies, not merely as a minor nuisance. Noises which have a profoundly disturbing emotional and physical effect on many people are being explored as possible riot-control weapons of the future.

Experts say that some individuals are undisturbed by noises which drive others to distraction. Most manage to shut out strident noises to some degree. But some scientists insist that "tolerance to noise decreases rather than increases with time." Neopolitans appear to thrive in the babble of sound found in the streets of Naples, but in some other cities the experience is not so pleasant.

Many assume that excessive noise is something city dwellers and city workers just have to put up with. But this is not so. Where there is no noise-abatement ordinance, citizens can press for one. If well drawn and strictly enforced, it can make a tremendous difference.

The United States, which is said to lead the world in noise production, has done less than most other countries to control it. Congressman Theodore Kupferman of New York City has sponsored the Noise Control Act of 1966. It deserves citizen support.

Individuals can resolve to cut down on their own noisemaking activities. One obvious place to begin is unnecessary honking of automobile horns. The individual who has achieved a peace and serenity within will not add to the confusion and turmoil without. And he will also find an immunity from it.

[From the Christian Science Monitor, Oct. 4, 1966]

Noise Control

To the Christian Science Monitor:

I was very pleased to read your editorial in a recent issue entitled, "Zip! Zoom! Varoom!" which asked for citizens' support for my "noise pollution" bill.

My legislation on this subject to set up the Office of Noise Control in the Office of the Surgeon General of the United States was introduced in April, shortly after my election as a member of the House of Representatives.

My concern with this subject dates back to my service in the New York City Council, where I introduced legislation to prevent the playing of transistor radios in public without an ear plug, and to require mufflers to diminish noise from air compressors or other machinery used by the Transit Authority and other groups in the streets of the City of New York.

In Washington, I found that the only real interest in the noise question had to do with aircraft noise, which is indeed a problem because the helicopters land in my district on the Pan-Am building, but there is much more with which to be concerned.

Theodore R. Kupferman,
Member of Congress.

Washington.

[From Town & Village, Aug. 11, 1966]

Noise Pollution

Dear Sir: Too many people are totally unaware of the fact that since "Adam & Eve" there are others on this globe.

The portable radio is truly a menace—and that goes for Muzac too—in restaurants, bars, ladies rooms, markets, etc., etc., etc.—(and incidentally, neither I, nor my friends, patronize a restaurant where it is not tuned down to a quiet, entertaining sound). I refuse to get deaf, or get hoarse shouting over the blasting noise trying to keep up a conversation with my companion, to which I surely think I am entitled.

While on the subject of noise, Labor Day will soon be here and then we'll be treated (?) to a Fair. For what reason and for whose monetary gain I do not know. But once again we will go through a period of hell. How about no license, now or ever for this horribly noisy, stupid Fair, Mr. Mayor—or maybe Park Ave. would like to have it instead. Please do something about it this year—not next.

I do not care whether you publish this letter but I have been a subscriber to your paper from the very beginning and I hope I have some idea of your editorial policy. I have followed your continued fight in this city. I do believe it is time to take up the fight with regard to the items in my letter. Many thanks for taking the time to read this, and I do hope you will agree and take action.

Sincerely,

——————.

(Name withheld on request.)

(Editor's Note.—Representative Theodore R. Kupferman, who is now a national authority on the problem he calls "noise pollution," states (and rightly in our opinion) that urban dwellers pay an incalculable price in terms of emotional and physical strain for the battering their ears take every day and often at night. Perhaps if the noise level can not be reduced, we will all end up wearing ear plugs.)

[From Rodale's Health Bulletin Oct. 1, 1966]

Kupferman Versus Pollutants

Representative Theodore Kupferman (R-N.Y.), noted foe of noise pollution, has turned his attentions to air pollution. He recently requested that diesel buses and trucks become subject to pollutant regulation, as are new cars. (Congressional Record, September 22, 1966)

[From Time magazine, Aug. 19, 1966]

When Noise Annoys

"A stench in the ear," wrote Ambrose Bierce, fulminating against noise in the long tradition of sensitive and thinking men. Marcel Proust was so fastidious about noise that he had his study lined with cork. Juvenal bemoaned the all-night cacophony of imperial Rome, observing that "most sick people perish for want of sleep." To Schopenhauer it was clear that "the amount of noise which anyone can bear undisturbed stands in inverse proportion to his mental capacity, and may therefore be regarded as a pretty fair measure of it."

Now noise-hating has suddenly gone democratic. Whole communities are treating noise as a public problem. Cities are passing ordinances to control it. Sound engineers and acoustical experts are waxing fat fighting it. And a growing consensus holds that modern man must attack noise in the same way that he attacks the contamination of his air and water. "Noise pollution" is the latest thing to worry about.

Never, insist the worriers, have the hair-like sensors of the inner ear twitched to such a range of roaring, buzzing, beeping, grinding, howling, jangling, blaring, booming, screeching, whining, gnashing and crashing. And it seems to be getting worse all the time. The more militant anti-pollutionists blame racket for such woes as heart disease, high blood pressure, stomach ulcers and sexual impotence.

A lot of this noise about noise seems unnecessarily shrill, considering how much mankind loves the stuff. Italians put Alfa-Romeo horns on Fiats, and sometimes honk until the battery goes dead. Long before the chuffy steam engine, the average town was anything but a hushed haven of peace and quiet; one need only sample the non-stop bell ringing, banging and conversational yelling that still goes on from dawn to dark in any little Spanish fishing village. Men make noise as a way of showing their vitality, and they welcome the noises others make as tokens against loneliness.

Moreover, much of what irritates modern man is simply new noise traded in for old. The ear that flinches at the diesel blat of a bus might recoil as much from the clang-rattle-crash of the old trolley. The whine of rubber tires replaces the bang and screech of unsprung cartwheels on cobblestones; the backfire supplants the ringing hooves of dray horses.

THE SOUND OF BREATHING

The most-used unit to measure sound is the decibel, named in honor of Alexander Graham Bell, and defined as the smallest difference in loudness that the human ear can detect. On this scale, according to Life Science Library's Sound and Hearing, normal breathing measures 10 decibels, leaves rustling in a breeze score 20, a quiet restaurant 50, busy traffic 70, Niagara Falls 90, machine-gun fire at close range 130, a jet at takeoff 140, and a space rocket 175.

The best definition of noise, most experts agree, is "unwanted sound." What is most indisputably unwanted about noise is its capacity to cause deafness. And this seriously limiting disability is far more insidiously acquired than most people realize.

So delicate an instrument is the human ear that at certain frequencies it can discern sound that moves the eardrum a distance only one-tenth the size of a hydrogen atom. The close-up roar of a jet engine amounts to one million billion times this threshold level; this causes actual pain and soon brings on permanent deafness. Sound vibrations are transmitted by the eardrum and ossicle bones to the inner ear, a bony and membranous structure lined with tiny hairs that connect to the brain's auditory nerve. It is these hairs that are damaged most in noise-induced deafness. The ones that pick up the high frequencies are the first to wear out, and as the noise bombardment continues, the destruction creeps inward to nerves of lower frequency—all without the hearer being aware of damage. About 18 million Americans suffer total of partial deafness; among working males two out of three cases of deafness are caused by noise.

Heavy industry—especially drop forging, steel pouring, metal cutting, riveting, drilling, air blasting, sawing and high-speed paper shredding—has deafened countless people over the years, but nothing much was done about it until 1948, when the New York Court of Appeals awarded $1,661.25 in compensation to a partially deafened drop-forge worker. As a result, most companies engaged in noisy work have started noise-abatement measures and regular tests of workers' hearing. Three states—California, Oregon and Washington—have legal limits to industrial noise; in California, for instance, ear protection must be issued if the noise level reaches 95 to 110 decibels, depending on frequency and duration. Compensation claims for industrial hearing loss of varying degree are currently being settled for around $2,500 to $3,500 across the country.

RINGING IN THE EARS

But industrial workers are not the only people who are literally being deafened by the din of the technological age. Dr. Aram Glorig, director of the Callier Hearing and Speech Center in Dallas, believes that most Americans are all too blissfully ignorant of the hearing hazards in everyday life. "I wear earplugs when I mow the lawn," he says. Country living, he contends, is just as hard on the hair nerves as city life. "Take a group of skeet shooters who have been at it for five or ten years; every single one has got a severe high-frequency loss." Glorig tested the Marine Band and found that about half of its players had damaged hearing. Hi-fi can be a hazard with earphones, which can easily develop 135 decibels with the volumn turned up all the way; but the living-room listener is safe. Ear-fearful citizens can tell when to start worrying by three Glorig rules of thumb. If a noise is loud enough to make people shout into one another's ears, or if it causes a slight temporary hearing loss, or if it brings on ringing in the ears, it can cause damage.

By contrast, quietness seems to save the ears. Dr. Moe Bergman, of the Hunter College Speech and Hearing Center, and Dr. Samuel Rosen tested hearing among the Mabaans of Sudan, a tribe so primitive that they do not even beat drums, and found it pin-drop sharp.

The danger of deafness is thus real and definable. Psychological damage, if any, is mostly in the ear of the hearer. Not a man exists who has not suffered what the experts call "auditory insult"—annoyance or irritation—but all too often, for purposes of definition, one man's sour note is another man's lost chord.

An old tongue twister says that "a noise annoys an oyster, but a noisy noise annoys an oyster more." Human beings respond in more subjective ways. Living near the end of a jet runway, for example, does not bother airport employees nearly so much as airplane haters, whose complaints about noise rise sharply just after crashes. Typewriters may irritate nearby people, but typists need some clickety-clack for job-satisfaction; using a noiseless machine, says J. B. Priestly, is like "typing on a steak and kidney pudding."

Work efficiency cannot be correlated to noise. Dr. Alan Carpenter, Cambridge University psychologist, reports on an experiment in which a factory soundproofed some of its perforating machines and found that production rose on all of them. For the employees, apparently, it was enough that some attention was being given to them. Otologist Glorig found in other experiments that factory employees made more mistakes both when noise was turned on and when it was turned off. Continuous music has been found to make cows give more milk, and to combat tedium and raise production in offices and factories. Muzak, a leading piper of auditory tonic, has different programs for factory (brassier), office (subtler), supermarket (a combination of the two), and travel, mainly for airplanes. Plan fare is carefully screened for content; *Stormy Weather* and *I Don't Stand a Ghost of a Chance With You* are out. Muzak once played *I've Got a Feeling I'm Falling* and, says a company official, "we've never heard the end of it."

As between clicks and whirrs, drips and hums, bangs and roars, the intermittent sounds seem psychologically the worst. A Japanese college student, cramming for an exam, got so maddened by a pile driver that he ended his own noise problem forever by rushing out and putting his head between the pile and the descending hammer. The gentle Mabaans, subjected to loud noises by Rosen and Bergman, suffered spasms of their blood vessels.

Freud dealt with noise irritation as a symptom of anxiety neurosis "undoubtedly explicable on the basis of the close inborn connection between auditory impressions and fright." But Freud did not live in a modern apartment. People who do are subject to what Columbia University Urban Planner Charles Abrams calls "a new form of trespass, a new invasion of privacy." The Dickensian poor may have had to make a virtue of propinquity, and the Latin races have historically prized it, but the upper middle classes in the U.S. find unwanted intimacy irritating. Unseen, but all too perfectly heard, are domestic strife (and bliss), digestive strains, telephone bells ("Is it ours or theirs?"), new hi-fis and old TV commercials. Pounding on the wall is no solution: it is all too likely to collapse.

Poor walls or no walls in fact, are responsible for the acoustical double life that so many Americans are forced to lead. Urbanization and the consequent spurt in apartment living, together with high costs, put a premium on smaller rooms, lower ceilings, cheaper materials. And the modern vogue for the light and glassy rather than the solid and massive, says Acoustical Engineer Leo Beranek, seems to be based "not on function but on poetry. Spaces are not isolated, but continue without barrier through glass, grilles and gardens. But continuous structures and the open plan are inimical to quiet living." From one room to another flow the sounds of whirring mixers, juicers and garbage grinders, babbling radios and television sets, humming refrigerators and air conditioners. The air conditioner's metallic threnody, in fact, is one of the important new sounds of America. It hangs in the air above close-nestled, rich communities like the thrum of some giant insect infestation, and it is setting neighbor against neighbor, township against contractor, and contractor against manufacturer.

A QUIET MOTORBIKE

Fighting back against noise is still mostly a holding action. Dr. Donald F. Hornig, special assistant to President Johnson for science and technology, acknowledged last week that "the generation of noise will get worse with the increase of population density." But here and there, the battle goes forward.

New York City has a strong new law requiring walls soundproof enough to reduce any airborne noise passing through by 45 decibels. In Geneva, Switzerland, it is an offense to slam a car door too loudly. France confiscates automobiles that repeat noise violations. The rubber, plastic- or leather-guarded garbage can is commonplace in London, Paris and Berlin—an improvement that could hush Manhattan's most characteristic and deafening early-morning sound. Bermuda has instituted the quiet motorbike. Outboard motors are losing their bark; truck mufflers that kill the roar are available.

In Coral Gables, Fla., a noise ordinance adopted by the city commission in June has set the allowable loudness for appliances so low that contractors are hesitant about installing any more air conditioners until the manufacturers have managed to reduce the noise. The prospect worries the makers because modern compact engines are noisier than they used to be, and the engineers are not sure what to do about it. Noisier still are the so-called heat pumps, those outside installations housing large fans to fill the house with heated air in winter, cooled air in summer. Heat pumps recently installed at a housing development at Irvington, N.Y., so overheated nearby residents with their throbbing roar that the town banished devices developing more than 45 decibels as measured at the nearest property line.

The irony of the air-conditioner uproar is that, however unwanted the sound it makes on the outside, the hiss of air inside is just what the noise doctor ordered. Sound engineers refer to it as "white noise" or "acoustical perfume," and they use it widely, especially in offices, to blanket distracting sounds that spring out of silence into disconcerting acoustical relief. A too-silent Massachusetts Roman Catholic Church put in white noise to preserve the secrets of its confessionals.

THE SONIC BOOM

No amount of acoustical perfume is a match for the biggest noise of this noisy century: airplanes. In his transportation message to Congress last March, President Johnson directed the Federal Aviation Agency and NASA, along with the Secretaries of Commerce and Housing and Urban Development to formulate a program to combat aircraft noise.

Ray Shepanek, noise chief of the Federal Aviation Agency, breaks the problem down into three lines of attack. First is the aircraft itself. The whining water-assisted jet is giving way to the fan jet, which is quieter but hardly deserves its adman appellation, "Whisperjet." The 490-passenger Boeing 747, not yet built, is planned to make less noise than the 707, although its engines will develop 40,000 lbs. of thrust as opposed to 15,000 lbs.

The second Government attack on noise is in getting the airplane on and off the ground. The FAA is testing a new glide-slope, which would bring an airplane in much more steeply than at present, cutting down the distance it would have to fly at low altitude. There is a plan for jets to climb out on takeoff at reduced power and noise to 3,000 ft. For the third aspect of the noise problem—the sufferer on the ground—the FAA is willing to go all out when it can plan from scratch, as in the case of Washington's Dulles Airport, where 10,000 acres were used to provide a large buffer area and housing developments are kept even farther away by zoning. For houses already adjacent to jet runways, the U.S. Government takes a general attitude of "Sorry about that." But a successful lawsuit by Seattle householders, who argued that the airport authority was making use of their property by overflying it, is raising fears of similar damage suits elsewhere.

The number of people who live within screaming distance of a jet runway is, after all, rather limited. Not so the millions whose houses—and back teeth—will be jarred by sonic booms ten years from now when the supersonic age hits its stride. SSTs, creating a shock wave as they exceed the speed of sound, will send down their thunder in a "carpet" as much as 80 miles across. More than a quarter of the people subjected to sonic boom in the 1964 tests in Oklahoma City said that they could not learn to live with it. This is unwanted sound with a vengeance, and no one seems to have much hope of doing anything about it.

Even without SSTs, the sky of the future will be plangent with machinery; instead of the 90,000 privately owned planes in the U.S. air today, there will be 150,000 by 1975. The 112 airports now equipped for jets will number about 300 within four years.

In the long run, nature may provide an ecological solution to the problem of noise; a current study by Professor Bernhard Zondek of Jerusalem's Hadassah Medical School finds that rats exposed to loud noise exhibit a marked decline in the pregnancy rate, although they copulate as zestfully as ever. Or perhaps the racket will drive man underground, as in the case of a junior high school near Carswell Air Force Base outside Fort Worth, whose 475 students now study in perfect peace while the jets roar overhead. Or yet again, mutation may be the answer. The big sound so savored by discothèques may be the beginning of the New Man, thoroughly conditioned to equate a high decibel output with a high old time.

[From Time, Sept. 2, 1966]

BLINKING THEIR EARLIDS

SIR: I was pleased to see the Essay on "noise pollution" because I think it becomes more important all the time that action be taken to ameliorate this assault on the environment.

In April, I introduced legislation to set up an Office of Noise Control in the Office of the Surgeon General of the U.S. My concern with this subject dates back to my service in the New York City Council, where I introduced legislation to prevent the playing of transistor radios in public without an ear plug, and to require mufflers to diminish noise from machinery in the streets.

Your story will be included in the CONGRESSIONAL RECORD, along with the other outstanding discussions on the subject which I am accumulating.

THEODORE R. KUPFERMAN,
Congressman,
17th District, Manhattan.

WASHINGTON, D.C.

[From the Villager, Sept. 15, 1966]

NOISE NEED NOT BE TOLERATED

(By L. D. Ashton)

Councilman Robert A. Low introduced a resolution Tuesday (September 13), asking City Council to create a special committee of inquiry into excessive noise levels in New York City and remedies for it. The resolution has the backing of Council President Frank D. O'Connor and Council Majority Leader David Ross.

Councilman Woodward Kingman also introduced a resolution, Tuesday, in City Council, calling upon Mayor Lindsay to appoint a committee to investigate noise-control methods, propose appropriate legislation, and develop a city-wide program enlisting citizen participation.

State Assemblyman Leonard E. Yoswein (Brooklyn) introduced a bill in the state legislature in February that would require the New York State Commissioner of Mental Health to study the effects of noise of jets on the health and well-being of citizens. (He lives near Kennedy International Airport.) The bill passed both houses but was vetoed by Governor Rockefeller. Mr. Yoswein intends to introduce a bill dealing with noise pollution on a broader base at the next session of the legislature, if he is reelected in November.

Congressman THEODORE R. KUPFERMAN (17th District) introduced a bill (HR 14602) in Congress, April 21, to launch the first comprehensive federal, state, and local assault on noise. He would provide federal grants-in-aid to state and local governments for research into the control, prevention, and abatement of excessive noise.

NOISE, MORE THAN A NUISANCE

These actions on local, state, and federal levels are a recognition of the serious problem of noise. Noise is more than a nuisance. It is a health hazard, and excessive noise, according to the World Health Organization, a United Nations agency, can lead to deafness and neurotic disorders. One medical authority has called noise "the worst enemy of man's health."

WE'VE HEARD IT ALL

No one living in New York needs to be told what noise is. It's all around as any Village resident is aware of. Noise can be the screech of auto horns, the put-put-put of motorcycles, the shock of pneumatic drills, the vibration of hi-fi sets in the apartments next door, the nerve-wracking sound of jets, the whir of helicopters, the bleat of transistors. It is a myth, according to medical authorities, that tolerance of noise decreases. It does not.

Reportedly, the United States has more noise than any other country, and has done less about it. The action now being taken by legislators points out that something must be done to combat the destruction noise can cause to the auditory nervous system.

Council President O'Connor (Democratic nominee for governor) has said that "New Yorkers have been deluded into thinking that the harsh and constant noises of drilling, blasting and riveting, and the racket of motorcycles, motor scooters, trucks, fire engines, buses, jets and helicopters, are a necessary part of the price of living in the city. There are technological improvements which would permit a substantial reduction in the noise levels. Peace and quiet are as necessary to the health and well-being of our citizens as clean air and clean water."

REDUCE NOISE LEVELS

The resolution that Mr. Low introduced in City Council calls for a committee to review existing laws and regulations regarding noise control; to investigate new developments and techniques, and safeguards relating to it; and to submit recommendations for such action and legislation as may be necessary to reduce noise levels in the city.

Captain Daniel O'Connell of the Sixth Precinct admits that noise is "a chronic problem in the city. But," he said, "we try to impress on patrolmen that they should issue summonses whenever unnecessary noise is noted, such as the unnecessary blowing of auto horns, or when disorderly conduct is observed."

IT'S LEGAL

Robert Alex Baron, head of the Upper Sixth Avenue Noise Abatement Association and a crusader for noise control for the past two years, was, he said, the only American present at the recent Fourth International Congress for Noise Abatement in Baden-Baden Germany, in May. He said that "The American public does not realize the full extent of noise assault. Something in our personality allows us to accept this noise attack. It is also true that there are no channels in the United States where you can go for noise relief as you can for air pollution. We have the technology for deadening noise in this country, but no motivation for applying this knowledge. In the United States, the right to make noise is legal."

INDUSTRY AT FAULT

The initial cost of utilizing technology to combat noise has kept industry from exploring the possibilities of noise abatement. But when, reportedly, there are about 170,000 men in the 50–59 age group in this country eligible for workmen's compensation because of hearing impairment, any cost on the part of industry seems well spent. According to an article in Who Chronicle, published by the World Health Organization, "the potential cost of noise-induced hearing loss probably exceed that of any other occupational disease, when assessed in terms of compensation and increased accident rates."

The problem of aircraft noise has been taken up in Congress, but as Mr. KUPFERMAN pointed out in the CONGRESSIONAL RECORD (August 24), "aircraft noise is [only] one of the whole series of complex sources of excessive noise."

"What we need," said Mr. KUPFERMAN "is an immediate and all-out effort to launch a vigorous and imaginative program to deal with the general problem in all areas of noise pollution."

[From the New York Times, Oct. 13, 1966]

U.S. AID WARNS HOUSE UNIT OF THE COMPLEX JET NOISE ISSUE

WASHINGTON, October 12.—A House subcommittee held hearings today on a bill that would help the Government cut down the whine and roar of jet aircraft engines. However, the man who would have to enforce the proposed controls warned:

"If anyone gets the idea that this is going to be solved overnight, they're dreaming."

The speaker was Gen. William F. McKee, a former Air Force general who now heads the Federal Aviation Agency. His forum was the House Interstate and Foreign Commerce Committee's subcommittee on transportation and aeronautics.

The exploding air travel market and use of smaller jet aircraft have spread the jet noise problem from the major metropolitan areas to the small town.

More than 30 bills—nearly half of them introduced by New York City area Congressmen—have been introduced in the 89th Congress to give the Government greater authority to set standards aimed at reducing aircraft noise.

The subcommittee today held the only day of hearings now scheduled for this session of Congress. It concentrated its attention on an Administration antinoise bill that is similar to most of those introduced in the last 19 months.

INDIRECT POWER TO ACT

The Administration bill would give the FAA power to set noise standards for new planes. If the planes did not meet these standards, the agency could refuse to certify them for airline use.

The aviation agency now has only indirect power to act to curb this noise. Because it operates the control towers at airports, it can order airline pilots to use certain runways or fly at minimum altitudes in order to decrease the noise heard on the ground.

Since last March the Administration has had under way a multiagency attack on jet noise. It attempts to control noise at the source—that is, in the aircraft engine—to change flight techniques and to convince communities to build buffer zones around airports, rather than to let housing developments and businesses move right up to the airport fence.

General McKee told the subcommittee that he had talked personally to presidents of all major engine and aircraft manufacturers and airlines about the problem. He said he was receiving "magnificent cooperation."

He held out little hope that much could be done about the noise generated by existing planes, but said "more emphasis, more effort is going into this noise problem than ever in the past."

Representative **Samuel N. Friedel**, Maryland Democrat who heads the subcommittee, insisted that today's hearing was "not a grandstand play." He said Congress was "well aware of the problem and very much concerned" and would pursue the question next year.

At a meeting of the Airport Operators Council in Phoenix, Ariz., today, Dr. Nicholas E. Golovin of the White House Office of Science and Technology, warned that the attack on jet noise would require cooperation at all levels of Government and industry, including "vigorous" participation and financial support by the Federal Government.

[From the New York Times, Sept. 6, 1966]

For a Quieter City

To the **Editor**:

It was encouraging to read [Times, Sept. 6] that the City Council may take the initiative in investigating the increasingly ear-shattering noise that harried citizens must bear along with all the other irritations of urban life.

According to Dr. Vern O. Knudsen of the University of California, research has shown that exposure to more than 90 decibels of noise can flush the skin, constrict the stomach muscles and shorten tempers. He adds that some doctors suspect that noise may be a hidden factor in heart and artery disease, nervousness and even mental health. Dr. Knudsen estimates traffic noises on New York sidewalks at 103 decibels, and in some subway coaches at over 100 decibels.

We can design additional safety into cars, we can design buildings and factories that do not pollute our air or water. Why not quieter operating machinery?

It is just a matter of how long it will take voters to wake up to the fact that they do not have to take it. Our economy is equipped technologically to respond to any such demands, but only if the public will raise its voice above the general cacophony loud enough and long enough to be heard.

Hazel Henderson.

New York, *September 6, 1966.*

The New York Times,
October 12, 1966.

Hon. Theodore R. Kupferman,
Member of Congress, 17th Congressional District, New York, N.Y.

Dear Mr. Kupferman: Many thanks for the material on "noise pollution" which you sent me in September. Last week's issue of the New England Medical Journal had an interesting article on the subject and we are preparing something on it next Sunday.

Yours truly,

Walter Sullivan,
Science Editor.

[From the New York Times, Oct. 15, 1966]

Rising Noise Called Peril to Americans' Hearing—Researcher Urges Pressure on Lawmakers and Care in Buying Appliances

(By David Bird)

Noise levels in the nation's communities are reaching the point where they are causing significant hearing impairment among Americans, a researcher who has been studying the problem said yesterday.

The researcher Dr. John D. Dougherty of the Harvard School of Public Health, said in a telephone interview from Boston that the average person should now "seriously consider reducing the amount of time he spends each day in a noisy environment."

"He should also consider," Dr. Dougherty continued, "the noise levels of the appliances he buys for his home and of the car he drives as well as making his weight felt with his legislators about community noise not under his control."

GROWING CONCERN

Dr. Dougherty was elaborating on an article, which he co-authored, in the current issue of The New England Journal of Medicine. It mirrors a growing concern over the damaging effects of civilization's widening cacophony.

The article was written with Dr. Oliver I. Welsh, chief of the audiology unit of the Veterans Administration Outpatient Clinic in Boston.

It noted that loss of hearing has long been associated with groups like aviators and boilermakers who suffer high noise levels.

But it added: "What has passed unnoticed is that many noise levels encountered in the community exceed standards found in industry."

Noise is generally measured in decibels. One decibel, a sound so weak that it moves the eardrum a distance only one-tenth the diameter of a hydrogen atom, is the least a human ear can detect.

Decibels are measured in terms of a logarithmic relationship between sound intensities. Small increases in the number of decibels actually reflect larger increases in the intensity.

Thus the 150 decibel level is one million billion times the one decibel level. Jet engines at close range can stir up 150 decibels. It is a level that is painful and damaging to the ear.

The jet is currently one of the major focal points of noise pollution. Airports and engines are constantly being tested with an eye to modification. But the problem, engineers point out, is only beginning.

Over the horizon is the supersonic transport (SST) creating a swath of ear-shattering thunder as it plows along through the sound barrier.

The fact that noise can cause irritation is known by many persons who are exposed to noise daily. Experiments also have shown that animals can be made neurotic and undergo physiological changes when subjected to prolonged and intense noise.

In their report, Dr. Dougherty and Dr. Welsh note that industrial studies have shown that continued exposure to a level of 80 decibels has brought about loss of hearing.

But already, they add, the average American is subjected to many higher decibel levels. For example, they cite a jet airport passenger ramp where the reading goes to 117 decibels; a loud power mower at 107, and a subway train at 95.

These, the scientists indicate, are only some of the more obvious sources of what is becoming known as "noise pollution."

JUST BEGINNING

"The problem is just beginning," they state, "for noise in any machine is related to power output, a quantity that is growing as rapidly in the home as in industry or on the street corner."

In the home, they reported, a food blender, for example, registered 93 decibels of noise.

"The saving quality heretofore has been that community noise has been a short-term exposure as compared to an eight-hour period in industry," the article says. But, it adds, the exposure is growing.

Scientists have shown, by comparing the hearing of Americans with that of natives in noise-free areas of the Sudan, that excess sound apparently creates a progressive deafness. In the experiment, the hearing of the Americans was shown to decline sharply with age while that of the Sudan native remained relatively stable.

Looking more closely, scientists have found out more precisely how excess noise deafens the ear.

The hearing process involves transmission of waves to the inner ear's cochlea, a sound chamber shaped like the coil of a snail shell and lined with hairlike sensors.

[From the New York Times, Oct. 16, 1966]

It's Getting Noisier

(By David Bird)

Noise is sound that irritates. It mingles with and often drowns out the sounds one wants to hear. One of the difficulties of mechanized society with its growing variety of noisemakers is separating the unwanted sounds from the wanted. Scientists say this is quite a problem.

Basically all sounds travel the same way, as waves from a vibrating body—a human larynx, a radio loudspeaker or a jackhammer in the street. The waves travel outward from the source like ripples after a stone is dropped in a still pool. Sound waves travel by vibrating the molecules in the air. High sounds set up a rapid vibration; low sounds a slow vibration.

Man has created sounds ranging into the thousands of millions of cycles, or vibrations, a second. But man can hear only sounds ranging from 20 to 20,000 cycles.

Perception of sound depends on how much reaches the ear. The far away barking dog is less noisy than the nearby one. This intensity of sound is measured in decibels. One decibel is the least sound level that can be detected by the human ear. Normal breathing sends the reading up to 10, a sound, or noise, just barely perceived by the ear.

Running up the scale, cannon fire at close range can register 160 decibels, a noise that can cause total deafness.

Still higher, special laboratory noise generators, which are something like super sirens, have generated sounds of around 170 decibels that have set cotton afire and killed rats by the heat of vibration.

In an issue of the New England Journal of Medicine this month, a special article said community noise levels were reaching the point of creating significant hearing loss. The article was written by Dr. John D. Dougherty of the Harvard School of Public Health and Dr. Oliver R. Welsh of the Audiology Clinic of the Veterans' Administration Out Patient Clinic in Boston.

They said that industrial workers had been known to suffer hearing loss at sustained exposure above 80 decibels. They noted there were more noisy devices in the community that ranged above that level—a kitchen food blender at 93 decibels and a power mower at 107 decibels, for example.

The saving grace so far, they said, is that the average citizen's exposure to a noise is not sustained over an 8-hour working day. But with more powered, mechanical noisemakers in the home and community the exposure is becoming more sustained.

HOW HEARING IS LOST

The loss of hearing through noise comes about through deadening of sections of the cochlea, a sensing device shaped like a snail shell in the inner ear. High pitched sounds are sensed at the beginning of the cochlea's spiral. Lower tones pass along this area, too, as they travel up to the apex, the area of greatest sensitivity.

Because the beginning of the spiral gets the most traffic, it is the first to go dead under the pressure of excess noise.

In this case a person loses his ability to distinguish high frequency sounds like f, s, th, ch and sh. Not all go necessarily at the same time or in the same degree.

Thus, as the article illustrated it, someone might say: "Our office is on the twelfth floor." But a person with only moderately severe loss of high frequency hearing receives only: "Our o-i-e i- on the twel-th -loor."

The person still hears sounds—and noise—but his understanding is sharply impaired.

What makes noise—A scale of major causes

	Decibels*
Jetplane at takeoff (noise at this level)	150
Loud motorcycle	111
Loud power mower	107
Loud outboard motor	102
Subway	95
Food blender	93
Level of industrial noise during an 8-hour day known to cause hearing loss	80
Conversation	60

*Decibel—Standard unit of measure for intensity of sound.

NOISE ABATEMENT

(Natural resources mission to Germany—A Special Report to the President, Mar. 3–10, 1966)

Noise was not on our agenda as we left Washington, but the aggressive noise suppression research programs in Germany convinced the United States Team that noise control is largely a neglected environmental issue in the United States.

In highly mechanized countries—and particularly in their urban areas—individuals in all walks of life are increasingly bombarded by noise—from jets to jackhammers to transistor radios.

Many kinds of noise can actually damage hearing. Recent scientific data show noise can have harmful effects on general health and the nervous system.

The technology of noise abatement—insulation, muffling, deadening materials—is about equal in the United States and Germany. But the German people seem to have a more intense concern over noise and to have taken more steps toward its control and abatement.

Americans are surprisingly tolerant of noise. As a reflection of our individualism (and perhaps our overworship of machines) noise, however persistent or unnerving, is not considered a gross intrusion of personal privacy. What one might call "the right of quietude" has not been fully defined in our country though the advent of the sonic boom has caused widespread concern and discussion.

The German governments lead the United States in enacting and enforcing noise abatement laws. Traffic noise has been regulated for decades by the German Federal government. Construction industry noise is controlled by a 1965 law, and a zoning law has been proposed to handle the airport noise problem. National codes require soundproofing between apartments.

The United States Team visited the noise control section of the new research laboratory built by North Rhine-Westphalia, and we learned there that noise control is a part of the air pollution statute. Noise is treated as an undesirable invasion of the atmospheric environment.

The keen interest of the German people in noise abatement and control and the excellent laws and research being undertaken cause us to believe that mutual action in this area would be most productive for both countries. Noise abatement techniques, as well as the social engineering needed for acceptance of new statutes and regulations, should be examined by teams from both countries.

NOISE

(Broadcast by Michael F. Keating, Sept. 6–7)

A lot of us returned to New York on Labor Day after a summer vacation and—did you notice what a racket is in this town? The honking sirens; the squealing of automobile tires; the roaring of the trains, and so on. Around the airports is added the screeching of the jets. After a week at the beach—where the only noise is the surf—you notice on returning that this is a very noisy place in which to live.

Now, everyone assumes that cities must be noisy. And obviously New York is going to be nosier than the beach in Maine. But the question is: Do cities have to be as noisy as they are?

Some people think not, and that's why President Frank O'Connor of the City Council, Majority Leader David Ross and Councilman Robert Low have called for a City Council inquiry into noise and its possible reduction. And that's why Congressman TED KUPFERMAN has suggested that the federal government sponsor research into what he calls "noise pollution."

We're all for these steps, because if we can cut down the racket, life will be a lot more civilized here. After all, a quiet beach is a nice place to visit, but it's not practical for many of us to live there.

[From Rochester Times Union, Aug. 22, 1966]

JET ROAR NEEDS QUIETING

Thousands of greatly inconvenienced people now are happily welcoming the overdue settlement of the machinists strike against the airlines.

But those persons who live near airports or along the flight paths of the big jets view the settlement with much less enthusiasm. For them, the lull in air traffic has been a relief.

Now a quietly introduced administration-backed bill seeks to make that relief more permanent. The measure would give the Federal Aviation Agency power to refuse certification of new planes for airline or other uses unless they met a specific noise limitation.

A companion bill would involve other governmental agencies in research to curb jet noises, and a more questionable measure proposes the purchase of land around airports to create buffer zones between them and residential areas.

It is always risky to impose more federal regulations, especially in technical areas such as noise control.

Yet residents across the nation—including those in Rochester who have aired complaints—do have legitimate reason to expect something to be done about the roaring jets. The federal government is called into play because regulation on a local basis most likely would result in a crazy-quilt pattern of rules hard to enforce and difficult, if not impossible, for the airlines to meet.

The ideal situation is for the airlines and airplane manufacturers to come up with a strong voluntary program to ease this deafening problem.

If they fail, Congress should kick in its legislative afterburner and pass measures to bring peace to the battered ears and nerves of the jet age victims.

[From Municipal Memo, Commerce & Industry Association of New York, Inc.]

NOISE CONTROL STUDIES

A special Council committee would be appointed to investigate existing laws regarding noise abatement and new techniques dealing with the subject of noise under terms of a resolution by Council President Frank D. O'Connor, Vice Chairman David Ross, and Councilmen Robert A. Low, Sam Curtis, and Donald R. Manes, all Democrats. The resolution (494) was referred to the Committee on Rules, (Edward V. Curry, Dem., Richmond, Chairman). Councilman Woodward Kingman (Rep., Manhattan) has submitted a resolution (502) asking the Mayor to appoint a citizens committee to study the same subject.

[From the New York Times, Sept. 6, 1966]

OFFICIALS CLAMOR FOR A QUIET CITY—O'CONNOR, ROSS, LOW CALL FOR END OF DIN FROM BLASTING, DRILLING, CARS

Everybody talks about New York City's clashing, clanking, headache-provoking noise, but now the City Council may do something about it.

City Council President Frank D. O'Connor, Majority Leader David Ross and Councilman Robert A. Low announced yesterday that they had filed with the Council Clerk a resolution calling for a Council inquiry into noise and its possible reduction.

The resolution will be introduced at an early Council meeting. It calls for a special Council committee to review existing antinoise laws, to investigate new departments, techniques and safeguards, and "to submit recommendations for such action and legislation as may be necessary to reduce noise levels in the City of New York."

Mr. O'Connor said yesterday that while many city residents had accepted eardrum-shattering noise as a way of life, this did not necessarily have to be the case. He said:

"New Yorkers have been deluded into thinking that the harsh and constant noises of drilling, blasting and riveting, and the racket of motorcycles, motor scooters, trucks, fire engines, buses, jets and helicopters are a necessary part of the price of living in the city.

NECESSARY TO HEALTH

"I am convinced that there are technological improvements that would permit a substantial reduction in the noise levels. We know that peace and quiet are as necessary to the health and well-being of our citizens as clean air and clean water.

"Such laws as are now on the books have not been revised in some time and make little provision for recent developments either in industrial and construction equipment adding to the noises in our streets, or in scientific techniques for dealing with those noises."

From time to time city officials have been galvanized into action when citizens have complained about unnecessary horn-honking by cars in the streets, about the screeching of steel against steel as subway cars round curves, about sound trucks, about the clanking of garbage cans and covers by sanitation workers in the early morning and many other noises.

Laws have been written—there is a large body of antinoise ordinances on the statute books—and there have been campaigns against noise from time to time—but in the view of many, the noises do not die down; in fact, they seem to get worse.

Councilman Low, who took the lead in a similar Council inquiry that resulted in strict rules against air pollution, did some research on existing antinoise law and found that under the city's Administrative Code, "the creation of any unreasonably disturbing and unnecessary noise is prohibited."

[From the New York Times, Sept. 12, 1966]

Swiss shush: City officials of Zurich, Switzerland, decided that something had to be done about the din of honking automobile horns. So they installed traffic signs showing a policewoman reminding the motorists to keep things down to a mild growl of wheels and motors.

[From Age magazine, July 1966]

WHAT'S ALL THIS NOISE?

A bill is before Congress to get rid of loud industrial noise, including noise from truck and other vehicle exhausts. Rep. TED KUPFERMAN, (R., N.Y.), the noise bill's sponsor, says noise can, and does have, a detrimental effect upon personal health. "It dims efficiency on the job, steals sleep, and is the cause of heart disease," he states. Observers in Congress are saying they don't believe the bill will stir up too much of a racket.

[From United Nations Office of Public Information, United Nations, N.Y., July 22, 1966]

WHO Chronicle Discusses the Hazard of Noise

The WHO Chronicle, monthly publication of the World Health Organization (WHO) for the medical and public health professions, devotes the leading article of its June issue to noise as an occupational hazard and public nuisance.

Describing noise as a "new feature of the industrial scene", the article states that man's sense of hearing is nowadays being subjected to increasing strains that may lead to deafness and neurotic disorders.

The problem is almost certainly growing, the article says, and many workers exposed to noise develop hearing losses that may be severe. In the United States alone, it is estimated, about 170,000 males in the 50–59 age group may be eligible for workmen's compensation because of hearing impairment.

Many do not claim compensation, it is stated, for fear of jeopardizing their employment. It is also difficult to distinguish loss of hearing due to occupation from that due to advancing age.

The potential cost of noise-induced hearing loss probably exceeds that of any other occupational disease, when assessed in terms of compensation and increased accident rates, the article says.

After discussing briefly the physiological aspects of hearing loss, the social effects of noise, occupational deafness, measurement and control of noise and damage-risk criteria, the article makes a plea for international action and research in the field.

American Medical Society of Vienna,
Vienna, Austria, August 25, 1966.

Hon. Theodore R. Kupferman,
Member of Congress,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman Kupferman: This will acknowledge your communication of June 27th, and the receipt of the enclosed copy of your statement from the U.S. Congressional Record of April 21. 1966.

Our Professor Dr. Otto Novotny, Chief of the First University of Vienna E.N.T. Clinic, who is Chairman of the Austrian Committee to combat noise, is presently on vacation but I have placed your letter and report on his desk. I am sure that when Professor Novotny returns, he will write to you personally.

Thank you for your thoughtfulness in sending us this report and if we of the American Medical Society can be of any help to you in your endeavor, we shall be privileged to be of service.

Very sincerely yours,

M. Arthur Kline, M.D.

[Translation]

University of Vienna,
Vienna, October 5, 1966.

Mr. Theodore R. Kupferman,
Member of Congress,
New York, N.Y.

Dear Mr. Kupferman: As far as my time permits, I have read your speech. I can only state that in all civilized countries there exists the same problem. In Vienna, there was created for this purpose an association called "Austrian Labor Circle for Noise Control". The head of this organization is Prof. Dr. Bruckmayer, the address of the organization is Vienna 1010, Regierungsgebaeude.

I believe it would be advisable for the two organizations to be in contact, and I would therefore suggest that you address all further communications in connection with this matter to the Labor Circle for Noise Control.

Yours very truly,

Prof. Dr. O. Novotny.

House of Assembly,
Cape Town, Republic of
South Africa, September 29, 1966.

Hon. T. R. Kupferman,
Congressman,
House of Congress,
Washington, D.C.

Dear Mr. Kupferman: As a Member of Parliament of the Opposition in the South African Parliament, I take an active interest in the problem of Noise Control. I was therefore most interested in your letter in a recent issue of Time on the work you have been doing in this connection.

May I ask you as a great favour whether it would be possible to let me have (1) a copy of your proposed legislation in this regard and (2) the date of the Congressional Record in which the discussions you mention appear? I shall be able to borrow the Record from your local U.S. Information Library in Cape Town.

Yours sincerely,

Etienne G. Malan, M.P.

National Institute,
of Municipal Law Officers,
Washington, D.C., September 19, 1966.

Mr. James J. Kaufman,
Legislative Assistant,
Congress of the United States,
House of Representatives,
Washington, D.C.

Dear Jim: My brother and I appreciate your thoughtfulness in sending us the timely material on noise pollution.

I congratulate you on your continuing efforts to abate the problem of excessive noise.

Sincerely,

Brice W. Rhyne,
Associate General Counsel.

City of Montreal,
Montreal, Canada, August 5, 1966.

Mr. Theodore R. Kupferman,
Member of Congress,
New York, N.Y.

Dear Mr. Kupferman: It is, indeed, with great pleasure that I have been receiving all your various material concerning the problem of noise.

We are presently working out specific regulations to curb it, or at least, to abate the ill effects caused by this social plague. Your bill and statement are very helpful in our task. Therefore, I mostly appreciate your sending me all this valuable information and wish to thank you very much.

Sincerely,

R. LeBourdais,
Engineer, Department of Health, City of Montreal.

Mobile County Board of Health,
Mobile, Ala., September 19, 1966.

Hon. Theodore R. Kupferman,
Representative of the State of New York,
House of Representatives,
Washington, D.C.

Dear Representative Kupferman: I have just read an article in the September 1966 issue of Air Engineering giving some information on bill (H.R. 14602) sponsored by you.

I have long considered noise pollution a constant menace to our communities, especially to residents of areas near our industrial complexes. I am currently working in the field of air pollution and have always felt that excessive noise was another form of air pollution. Since all local governments seem to work on limited budgets, it is practically impossible to obtain funds to expand into these new fields. I am extremely pleased to learn of your efforts to establish grants in aid for this work and would appreciate being kept informed on the status of this bill.

Yours truly,

James E. Fibbe,
Public Health Engineer.

Save Your Hearing Foundation,
New York, N.Y., September 20, 1966.

Hon. T. R. Kupferman,
U.S. Congressman,
House Office Building,
Washington, D.C.

Dear Congressman Kupferman: You are to be congratulated for your persisting efforts to focus legislative and public attention on noxious noise.

Possibly you are familiar with this new foundation. As the letterhead indicates, we are dedicated to "Prevention, Detection, and Correction of Deafness."

Since March of 1966 we have been conducting community hearing surveys in the Greater New York area. At this writing, we have tested over 10,000 people. If we had had adequate funding, we could have tested 50,000 people. Enclosed is a rough outline of our community hearing survey in Stamford, Conn. and a comparative analysis of Stamford and Manhasset, Long Island.

Noxious noise is definitely the prime cause of this very high incidence of socially inadequate hearing (24%). This type of hearing loss is regarded as irreversible (a permanent disability)—correctable only by prescription hearing prostheses. This is one of the very few industrial disabilities which could be greatly reduced or in some cases, eliminated altogether—IF—State legislation had real teeth. Only the insurance carriers seem to be concerned about this tragic—permanent disability. The insurance companies now estimate that occupational hearing loss claims will soar into the billions in the next year or so. Only those companies which have been the defendants in legal action involving occupational hearing loss claims have installed professional hearing conservation programs. E. I. Du Pont, U.S. Steel, Bethlehem, G.E., G.M., etc. have now established professional hearing conservation programs. Other companies which should be following suit are awaiting an awareness on the part of the unions or State legislative bodies before they take corrective action.

Twelve years ago I made over 160 professional noise level surveys in many major industries in New Jersey, Pennsylvania, Connecticut, and New York. At this writing, only two of these companies have taken corrective action. The truth of the matter is—they are all waiting for a rash of claims before they start anything. It is their opinion that if they begin any hearing conservation program, it will be tantamount to stirring up a "hornet's nest". Meanwhile, thousands of industrial workers are being deafened daily by this intolerable indifference.

Enclosed is an article which I recently "ghost-wrote" for the Pension and Welfare Administrators. In the absence of management interest, the unions should take this matter to the bargaining table. I devoted 15 years of my life to noise level surveys, preparing elaborate hearing conservation program proposals, etc., without the self-satisfaction of having 1/50th of the companies take corrective action—either internally or externally.

These many years of frustration resulted in developing the determination to establish a foundation—regardless of the personal sacrifice involved. It is now very apparent that I should have established this foundation 15 years ago.

I believe it is recognized that I have one of the largest libraries on hearing conservation, noise abatement, hearing rehabilitation, hearing measurement techniques, etc. in this part of the country. If I can be of any service to you, do not hesitate to call on me.

If you should happen to know of any foundation, association, individual, union, or corporation which should be interested in providing funding for this Foundation, I would naturally be most appreciative if you would help us carry the message. We have twelve very important research projects which should be started with as little delay as possible; we urgently need more mobile hearing measurement and sound analysis laboratories @ $38,500 each; we must add to staff. This is literally an "activist" Foundation—we do not start any project without knowing positively what our goals are, and without deliberate predetermination of human needs.

Finally, we have a knowledgeable, interested, and perceptive Congressman who will legislate the removal of this omnipresent assault on our hearing and peace of mind. Thank you!

Sincerely yours,

George E. Frazier,
President.

Analysis of Community Hearing Survey Conducted in Stamford, Conn., May 22 and 30, 1966

(By Save Your Hearing Foundation, New York, N.Y.)

Apparent and contributing causes of hearing loss based on occupation and etiology:

1. Noxious noise was obviously the major cause of hearing loss in this group. Seventy-five (75%) percent of those with socially inadequate hearing had been exposed to high noise levels for prolonged period of time, resulting in irreversible occupational hearing loss. The majority of these cases could have been prevented altogether through the wearing of ear defenders and other professional hearing conservation techniques.

2. Recurring and neglected middle ear infections (otitis media) accounted for 18 percent of the socially inadequate hearing detected in the 19 to 50 age group. Many of these cases could likewise have been prevented or deterred by placing a person, or child under close medical supervision and conforming to a professionally-supervised hearing conservation regimen, i.e., wearing ear plugs when swimming, prompt treatment in the event of sore throats, ear aches, etc.

3. Various high temperature diseases caused irreversible hearing loss in 29 percent of the five to 35 age group. Everything from measles to meningitis.

4. The inadvertent administration of certain oto-toxic drugs accounted for some hearing loss in all age groups.

5. There were very few cases of congenital deafness caused by diseases contracted by the Mother during the early stages of pregnancy. Siblings of deaf parents are often congenitally-deafened, too.

Total number tested: 539 people in the five to 75 age groups.

Total number with normal hearing: 106 people or 19 percent of the total.

Total number with detectable hearing loss: 312 people or 57 percent of the total. (Average detectable, measurable hearing loss of more than 10 decibels and less than 25 db.)

Total number with socially inadequate hearing: 120 or 22 percent of the total. (An average hearing loss of more than 30 decibels in all speech frequencies).

Factual, sensible rules for conserving hearing were imparted to everyone tested. Those with normal hearing were told to place a high value on good hearing and to do everything possible to avoid circumstances and environments which could damage human hearing irreversibly.

Many of the people in the detectable hearing loss group were unaware of a hearing defect. Nearly all of the people in this group of 312 were referred to an ear doctor (Otologist) through the family physician. Everyone in this group was strongly urged to have his hearing tested every six months, and much oftener—in the case of the industrial worker exposed to noxious noise. To protect remaining hearing, industrial workers were advised to be fitted with custom-made ear defenders without delay. There were 153 children in this group; in each case the parents were fully advised of a hearing conservation regimen which should be observed religiously, i.e., wearing ear plugs when swimming, prompt medical treatment for sore throats, ear aches, etc.

Those who were silently suffering from socially inadequate hearing were referred to an Otologist through the family physician. These people were further advised to pursue any avenue of correction which was stipulated by the physician—without further delay. This group of 121 people who are classified as hearing handicapped do not customarily seek help or correction of their own volition. It is very difficult to communicate with people who have possibly forgotten the value of a free exchange of ideas in an oral society; therefore, it is most important that family, friends, and associates continue to nudge the hearing-impaired until they take a positive corrective action. Hearing loss is more disabling and depressing than the loss of eyesight or limbs. All other disabled groups adjust to society; the hearing handicapped erroneously expect society to adjust to them, which hardly wins friends when friends are so urgently needed.

Age group	Normal hearing		Detectable hearing loss		Socially inadequate hearing	
	Number	Percent	Number	Percent	Number	Percent
5 to 18	61	27.0	153	68.0	9	4.0
19 to 35	20	24.0	55	67.9	6	7.4
36 to 50	23	17.9	70	56.0	33	26.0
50 to 75	2	1.9	35	28.9	73	61.8
Total	124	19.0	312	57.0	121	22.0

Comparative analysis of community hearing surveys in Manhasset, Long Island and Stamford, Conn.

Area	Normal hearing		Detectable hearing loss		Socially inadequate hearing		Total
	Number	Percent	Number	Percent	Number	Percent	
Age group, 5 to 18 years:							
Stamford	61	27	153	68	9	4	223
Manhasset	43	26.06	112	67	10	6.94	165
Age group, 19 to 35 years:							
Stamford	20	24	55	67.9	6	7.4	83
Manhasset	6	17.6	24	70.5	4	11.9	34
Age group, 36 to 50 years:							
Stamford	23	17.9	70	56	33	26	106
Manhasset	8	8.4	59	62.1	28	29.4	95
Age group, 50 to 75 years:							
Stamford	2	1.9	35	28.9	73	61.8	110
Manhasset	6	7.7	23	29.9	48	62.09	77
Total for all age groups:							
Stamford	124	19	312	57	121	22	557
Manhasset	63	16.9	218	58.9	90	24	371

Prime causes of hearing loss in this group based on occupation, age, and etiology: Noise, recurring ear infections, high temperature diseases, ototoxic drugs, head injuries, neglect, ignorance, and indifference.

Note.—Proper allowances were made for the various age groups in determining normal hearing, detectable hearing loss, and socially inadequate hearing. For instance, normal hearing for an adult, age 70, would constitute detectable and very troublesome hearing loss for a child. We applied the workmen's compensation formula for determining the amount of disability an industrial worker is entitled to for having sustained a hearing loss after excessive exposure to noxious noise.

THE SAVE YOUR HEARING FOUNDATION

Purpose: To provide a Foundation offering complete scientific services to prevent, detect, and correct deafness for the benefit of the public, hard of hearing, deaf, schools, and industries.

Objectives:

1. Scientific mobile hearing measurement testing provided for school children and the general public.

2. Those who suffer from non-surgical deafness who are devoid of personal resources, will be fitted with prescription hearing instruments, either at no cost to them, or they may have the privilege of repaying the Foundation at cost after they become employable and employed.

3. Surgically-correctable deafness cases who are vocationaly-disadvantaged because of deafness and who are likewise without personal resources, will be referred to experienced ear surgeons. If surgery is successful, we will require the patient to reimburse the Foundation for surgical and hospitalization expenses disbursed to the Otologist and hospital.

4. Neonate-hearing-screening equipment will be donated to low budget hospitals throughout the country to assure early detection of deafness among infants.

5. Schools for the deaf will be provided with scientific diagnostic audiometry, auditory training equipment, hearing instrument analyzers, etc.

6. To press for equitable legislation in each State for the protection and conservation of workers' hearing who are constantly exposed to noxious noise working environments.

7. Further research relative to hearing, noise, improved hearing instruments, and improved methods of detecting deafness among children who may have been mistakenly diagnosed as mentally retarded or emotionally disturbed, will be endowed.

8. To provide continuous public education on hearing loss, hearing conservation, early detection of deafness, and noise abatement through all available media.

9. Compilation of statistics to focus proper attention on the alarmingly high incidence of hearing loss in the United States. The lack of accurate statistics and the tendency of the hearing-impaired to hide their disability has led to the great disparity in estimates—which range from 15,000,000 to 40,000,000. The only current agreement is the well-

founded conclusion that hearing defects are the leading physical disability in America today.

Southern Illinois University,
Carbondale, Ill., September 20, 1966.
Representative T. R. Kupferman,
House Office Building,
Washington, D.C.

Dear Sir: Please send me all available information on the pending bill to set up an office of noise control. I would also appreciate receiving copies of the research studies, or directions to the source of the studies, that bear out the theories advanced by the sponsors of this bill.

I am interested in this information because of studies undertaken here to control sound and vibration in and from industrial machines.

Thanking you in advance for this service, I am

Respectfully yours,
John M. Pollock.

St. Martin's Press, Inc.,
New York, N.Y., September 29, 1966.
Mr. James Kaufman,
c/o The Honorable Theodore R. Kupferman,
Longworth House Office Building,
House of Representatives,
Washington, D.C.

Dear Sir: We are pursuing the possibility of commissioning a book on urban noise problems, or, to be justifiably dramatic, noise pollution. Our hope would be to attack the problem from all angles—social, medical, political—in order to produce a book distinctly provocative but at the same time highly responsible.

We would be grateful if you could provide us with initial direction by giving us the benefit of your extensive knowledge of this complex subject. Basically we are interested in knowing what progress legislation on this subject has reached, and what may be expected in terms of future legislative action. Also we wonder whether you could bring us up to date as to what articles and books, if any, have been published for the general public on this subject, and give us a general indication of the degree of public interest as you see it now and envision it for the future.

Your kind help would be much appreciated. Thanks very much.

Yours sincerely,
Jeff Baker.

University of California,
Los Angeles,
Los Angeles, Calif., September 6, 1966.
Hon. Theodore R. Kupferman,
Congressman, 17th District, Manhattan,
Washington, D.C.

Dear Congressman Kupferman: I was pleased to read in Time for September 2 your note of thanks to Time for its article on noise pollution, August 19.

I am enclosing Xerox copies of two articles on noise abatement that appeared in the Los Angeles Times, August 14, also five reprints of mine that may be of use to you in your efforts to implement the legislation you introduced to set up an Office of Noise Control in the Office of the Surgeon General. One of your assistants may wish to scan through this material. If he finds anything that will serve your worthy cause, please feel free to use it. The Los Angeles Times is planning other articles in the campaign against unnecessary noise. KABC (Los Angeles TV) and N.E.T. are aiding our campaign.

My sincere thanks to you for your constructive action to ameliorate this deadly peril. The peril is much greater, I am convinced, than even well informed people suspect, and the practical means for eliminating unnecessary noise are relatively simple and inexpensive. Keep up your good fight!

Admiringly and sincerely yours,
Vern O. Knudsen,
Professor of Physics and
Chancellor, Emeritus.

[From the Los Angeles Times, Aug. 14, 1966]

Noise Reaches Level Where Citizens Want It Stopped—Serious Hearing Loss Recorded When Racket Hits High Degree

(By Ken Reich)

Efforts of Los Angeles suburban communities to legislate decreases in the noise level stem not only from citizen complaints but increasing evidence that noise does distinct physical and psychological harm to people.

Some cities are using new portable noise testing devices to enforce stiffer statutes. Officials are getting involved in bitter neighborhood disputes about loud stereos, barking dogs ore even nighttime sprinkling systems.

It may be a motorcycle with its long winding blast or the sound of helicopters overhead—whatever the noise, citizens want it stopped. But they seldom realize how much they may suffer from it.

SUFFER SERIOUS HEARING LOSS

Experts have found that persons subjected to sustained high noise often suffer serious hearing loss. Bad effects sometimes extend the damage to the nervous system and even, in extreme cases, to abdominal hemorrhaging.

Research has shown excessive noise reducing efficiency, inhibiting normal development of infants, contributing to accidents, interfering with school programs, and, not the least, with sleep.

One experiment, conducted by the French Army, involved submitting a group of soldiers to a loud noise for 15 minutes. Tests showed they were color blind for an hour.

EFFECTS VARY WIDELY

But the effects vary widely with different people.

According to Dr. Victor Goodhill, professor in residence at the UCLA Rehabilitation Center and a veteran in the war against what he calls "acoustic pollution," high frequency noise has a proved deleterious long-term effect on hearing.

"But the susceptibility is different," he notes. "A tough ear may take 30 years to wear out. The variability factor is great and may be hereditary."

There is a difference, Dr. Goodhill points out, between psychological annoyance and physical harm. Even a person with what he calls a tough ear may be bothered by noise but not injured by it.

FOREMOST NOISE FIGHTER

Perhaps Los Angeles' foremost noise fighter is also at UCLA. He is Chancellor Emeritus Vern O. Knudsen, founder in 1942 of the Los Angeles Anti-Noise League, whose professional advice in the field of acoustics has been utilized by the Hollywood Bowl, the United Nations Building and the new Los Angeles Music Center.

Dr. Knudsen, who at 72 still is working as an acoustical adviser in the construction of auditoriums throughout the country, declares that if noise levels continue to rise at the same rate in the next 65 years as they have in the last 25, everyone will need not only ear plugs, but helmets and soundproof protective booths, to avoid injury.

"I'm emotionally disposed to hating noise," the former chancellor says proudly. "I've inveighed against it for 40 years."

WANT NEW ORDINANCES

And the warnings and evidence are having their effects, buttressing citizen demands for new city ordinances.

In Beverly Hills, city officials have purchased a $1,000 octave band analyzer which can be taken by police or members of the Building and Planning Department to any neighborhood to test noise.

A new ordinance provides that a 100% increase over the normal noise level at a given location can make the perpetrator liable to a citation.

CAN MAKE TESTS

Homeowners bothered by the next door neighbor's air conditioning, or even his dog, can summon an officer with the octave band analyzer to make the necessary tests.

If they show the 100% increase of noise, a violation is determined. But under a city policy a first-time violation is only warned.

The octave band analyzer has not been used to test motorcycle noise, since state traffic regulations preempt the field.

City Attorney Allen Grimes says there have been no prosecutions under the new ordinance, adopted in May.

HAVE OLDER ORDINANCES

Two other West Side cities, Culver City and Santa Monica, have older ordinances they continue to enforce by more conventional means. A Culver City official says one difficulty is their law is rather hazy.

In the City of Los Angeles, there is pressure from some citizens to change terms of a law now permitting heavy construction work from 7 a.m. to 9 p.m.

A West Los Angeles police lieutenant says the 9 p.m. deadline is late enough to inspire some complaints from residents bothered by the noise. In the daytime, he adds, merchants complain.

Donald Olson, city attorney in Culver City, indicated his city's ordinance, which has been in effect for several years, is difficult to enforce.

QUALITATIVE THING

"We try to hold noise to a minimum from 10 p.m. to 8 a.m., but it's a qualitative thing," he explained. "It's difficult to know when someone is a violator."

Jerry Constable, assistant police chief in Santa Monica, said arrests for excessive noise are rare in his city, except for motorcycles.

He said most of the non-motorcycle complaints concern loud parties.

"People are cooperative," he said. "When we tell him how late it is, they quiet down."

The most recent controversial case Constable recalls concerned a market adjacent to a residential area. Many residents expressed displeasure about the noise it created, but little could be done.

In West Los Angeles, according to police the greatest number of noise complaints relate to motorcycles in the canyons of the Santa Monica Mountains.

MUFFLER TINKERERS

"I wouldn't call it that large a problem," said one officer. "Beverly Glen had a bad siege a while back, but these cyclists move around. You get an officer there and they go to some other canyon."

A Beverly Hills motorcycle distributor said he feels one difficulty is that no standards have been adopted on what constitutes permissible motorcycle noise.

"If guys would leave their mufflers alone as they come from the factory, there would be no problem," he said. "But they tinker with them."

The distributor said he would be enthusiastic about proposals to set definite standards.

* * * * *

[From the Los Angeles Times, Aug. 14, 1966]

CONSTRUCTION CAN BAFFLE NOISE

(By Ken Reich)

The sturdy, erect man of 72 pointed a pistol into the deadened air of a special soundproof room and fired a blank. A dull thud was all that could be heard.

Moments earlier, Dr. Vern O. Knudsen, chancellor emeritus of UCLA, acoustic adviser to 20 auditoriums nationwide and inveterate battler against disturbing noise, fired the same pistol in a room with non-absorbent walls, roof and floor. This time there was a loud crack.

The same kind of blanks were fired in each case. Dr. Knudsen merely was demonstrating to a visitor how sounds can be muffled by properly-constructed rooms.

WORKED TO LESSEN NOISE

For most of his life the retired chancellor and dean of the graduate division has worked to lessen the impact of noise on himself and others.

In 1939 he invented an "ear defender," four million of which were used during World War II by the armed forces to protect gunners and others from unusually loud noises.

Dr. Knudsen uses these earplugs himself, never going to sleep without them. He points out that surveys show three-fourths of nighttime awakenings are due to noise.

PIONEERED IN HOME

In 1930 the educator pioneered noise protection in the home.

Building his own residence in Brentwood, he demonstrated what could be done by incorporating into the structure double floors and special noise absorbent materials in the ceilings and walls.

He succeeded in deadening sound in his dining room to the point that persons could talk to each other at the dinner table withbeing heard at the other end of the table.

Since then, in scores of articles and lectures, Dr. Knudsen has warned that Americans fail to be as noise conscious as Europeans and as a result they ultimately may suffer hearing loss and taut nerves.

Americans, he asserts, should follow European building codes which encourage entrance halls that serve as sound barriers between bedrooms and living rooms, thick wall insulations and well-fitted, solid-panel entrance doors.

In Europe, he says, the racket of flushing toilets, which often carries through the whole floor in American apartment houses, is reduced by requiring extra heavy walls between adjacent bathrooms. Floor plans call for wide separation of noisy rooms and floors are usually floating concrete slabs resting on an insulating layer of mineral wool.

The retired chancellor has sought insistently to fight noise in Los Angeles, but regretfully admits he has had little success. He was chairman of the Los Angeles Noise Abatement Commission established by the city in 1941, but it was disbanded during the war and never reactivated.

"Some people get a thrill out of creating noise," he said sadly in his UCLA office recently. "As a small boy, I did, shooting off fireworks at 4 a.m. on the Fourth of July. There's something in human beings that loves noise."

But further experience convinced Dr. Knudsen it is not a healthy infatuation.

And one of his favorite stories concerns a noisy suburb where, day and night, trucks roared down a freeway, jet planes flew overhead and a pumping station maintained a low thump.

"But one night," he recalls, "for a magical moment, all mechanical sounds stopped briefly, and silence reigned. Immediately, half the people in the neighborhood awoke, sat bolt upright and exclaimed, 'What was that?' "

COMMUNITY NOISE[1]

(By Vern O. Knudsen, University of California at Los Angeles)

In this introductory paper I shall attempt to help delineate one or two of the fundamental issues of this symposium on community noise. If we move wisely and expeditiously, we may succeed in solving this noise problem by the effective and economical methods of science, technology, and regulation and thereby avoid the bungling and wasteful methods of politics.

The Program Committee has already done a good job of delineating the primary issues of community noise, as a reading of the program for this symposium convincingly attests. The apposite titles of the papers to be presented are well matched by the competence and distinction of the speakers.

Neighborhood noise consists principally of traffic noise, industrial noise, and noise in buildings. This audience knows very well that traffic noise usually receives the highest rating in public opinion polls on the various noises that harass the modern city dweller. For example, a British noise survey conducted several years ago revealed that the sources of noise that caused the worst annoyance were: "Inadequately silenced motorcycles and motor cars; motor horns and other transport noises; and aircraft."

This finding is consistent with surveys of city noises that have been made in New York, Chicago, Los Angeles, and elsewhere. We all know that traffic noise levels as high as 103 decibels plague the sidewalks of New York, that noise levels in excess of 100 db are encountered in some of our subway express coaches, and that trucks and buses on our modern highways and freeways generate noises that exceed 105 db at distances of 25 ft, which, incidentally, could be reduced 10 to 15 db with simple and not very costly mufflers.

The noise from aircraft is already a major community noise problem in many locations. A few years ago I measured the noise in my study which came from air traffic. My study was located about six miles north of the Los Angeles International Airport. During a typical 30-minute interval (on a Sunday morning) the *quiet* of my study was violated fourteen times—each time by aircraft noise. Once the level reached 78 db (the maximum level of this signal in the 75–150-cps band was 74 db, dropping 4 to 5 db per octave at higher octave bands); and four times it exceeded 70 db. In contrast, the ambient noise in the absence of airplane noise was only about 40 db.

According to a recent survey of Community Aspects of Aircraft Annoyance conducted by the National Opinion Research Center, it is clearly established that noise from aircraft, at least at over-all levels above 50 db, bothers many people and that disturbance of sleep, rest, and relaxation is the most frequently mentioned annoyance. Of those bothered by such aircraft noise, about 40 percent mentioned that it disturbed their sleep.

When a jet plane flies over the UCLA campus at elevations below about 2000 ft, instruction by the usual lecture method comes to a complete stop in most classrooms. At the First West Coast Noise Symposium [see NOISE CONTROL, Vol. 1, No. 5 (September 1955)] I referred to some recent measurements by Parkin and Purkis of the noise levels at 125 ft underneath some well-known makes of civilian aircraft shortly after takeoff. A few days ago I received from Mr. Parkin a copy of a graph on which he had plotted the total sound level of civilian aircraft of the piston-propellor type as a function of the weight of the aircraft. With the exception of one plane—the Elizabethan—the total sound level is proportional to the logarithm of the weight of the piston-operated plane. Mr. Parkin had also included on the graph the sound level for the Comet I (129 db) and also for a pulse-jet plane (130 db), the weight of which is not reported. We in this country can certainly match these high noise levels with our present superjet planes equipped with afterburners. A typical measurement on one of these planes gave a total noise level, at a distance of 125 ft and in the direction of maximum radiation of noise, of about 140 db. Mr. Parkin reported that the British have devised a muffler or "silencer" for the redesigned Comet I that will reduce its total noise level by about 10 db. I understand, however, that this optimistic report is not supported by measurements that have been made at our own NACA.

Unless we can devise a solution, the worst is yet to come; when we shall be exposed to the explosive-like shock waves generated by airplanes traveling at supersonic speeds. (The current Super Sabers have a rated speed of 822 mph, and as this manuscript goes to press it is predicted that another military jet plane will reach 2000 mph.) The sudden explosive sounds associated with supersonic speeds have frightened and mystified the citizens of many communities. The waveform of the shock wave—made up principally of a sudden condensation followed by a sudden and similarly shaped rarefaction—suggests that two such waves might be combined in such a manner as to cancel each other effectively. We should actively pursue all possible methods for controlling or eliminating these terrifying blasts. It is later than we think, and here is an exciting challenge to the best of our acoustical scientists and engineers.

Another imminent community noise problem is posed by the use of passenger helicopters for commuting between suburbs and metropolitan centers. This problem was receiving the attention of British scientists three years ago, when measurements from the noise of existing helicopters prevented the use of the roof of the Royal Festival Hall as a landing station. The British are building a "helicopter range" in London, where they have ten microphones at roof-top height in a 100-yd line perpendicular to the line of flight of the helicopters. They hope to determine typical noise levels for different types and sizes of helicopters under various weather conditions. Mr. Perkin reports that the helicopters operating in and out of London are small and have been adequately "silenced." But they are concerned about the larger piston-engined machines that will be much noisier. He estimates that the distance at which these larger helicopters will interfere with telephone conversation in a typical office will be increased from the present 400 ft to about 1500 ft if the 30- to 40-seater machines of the future are silenced as effectively as the present machines, or that this distance will be increased to about one mile if the larger machines are not so silenced. Helicopter passenger service now operates between the Los Angeles International Airport and Anaheim, Fullerton, San Bernardino, and Pasadena and will soon be introduced between Santa Monica and Los Angeles. This service, it is reasonable to assume, will rapidly expand to other suburbs of Los Angeles. Similar helicopter services are contemplated for other metropolitan centers in the United States. It is to be hoped that those who are planning these services, or their technical advisors, are attending this symposium and that they will approach this community noise problems in the light of such information as will be revealed in the papers that are presented today and tomorrow.

It is often possible to design highways, or even freeways, in such a manner that the noise issuing from such traffic arteries will be at least no worse than that already coming from existing ones. The close proximity of the Hollywood Bowl to the Hollywood Freeway is a case in point. About ten years ago when the Freeway was being planned, I made measurements of the existing noise levels in the Hollywood Bowl which came from automotive traffic on Highland Avenue and Cahuenga Boulevard and, of course, also from overhead aircraft. Measurements indicated that the background level throughout the lower half of the Bowl (which is sheltered by surrounding hills and mountains) when no airplanes were present varied from about 43 to 47 db, with a mean value of 45 db (43 db in the 75–150-cps band, dropping 5.5 db per octave at higher frequencies). This background level increased to a mean level of about 55 db in the upper southeast corner of the Bowl, from which position the Hollywood Freeway and many other busy traffic arteries can be seen. Passing airplanes often gave levels as high as 75 to 80 db. The traffic noise as measured in the Bowl was, at that time, primarily from automobiles traveling 30 to 35 miles an hour. By making reasonable assumptions concerning the future traffic density and the speed of automotive traffic on the Freeway—I assumed 50–60 mph—and by assuming further that the automobiles of the future would not be noisier than those existing ten years ago, we were able to predict that if certain feasible recommendations were followed, the noise from freeway and highway traffic would not be worse in the Hollywood Bowl than it was before the Freeway was constructed. The recommendations consisted of such expedients as a cut near Whitley Terrace to a point where the Freeway joins Cahuenga, side walls of earth or concrete at least 6 ft. high at other places, and the planting of hedges and ground cover in other areas. The Hollywood Bowl has operated three years now since the Freeway was completed, and throughout the sheltered areas of the Bowl the background noise from street traffic is no worse than it was ten years ago.

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[1] Opening address before the Second West Coast Noise Symposium in Los Angeles, December 1, 1955.

In the summer of 1954, Mr. Donald P. Loye and I made a somewhat similar noise survey at selected critical sites along proposed routes of the San Fernando Freeway, especially in respect to possible disturbance to motion picture and television lots in the proximity of the proposed Freeway. Recommendations similar to those that I made for the Hollywood Bowl were submitted by us, such as cuts not exceeding 10 ft. and embankments up to about 10 ft. which we believe will provide adequate solutions to the noise problems at the proposed or existing locations of the motion picture and television studios.

I conclude these opening remarks with a plea for what I believe every cultured community should strive to obtain, namely, *quiet homes.* This is a *sine qua non* for refreshing sleep and relaxation, for effective study, for undisturbed conversation, and for high-fidelity music. We shall not have overcome the annoyance of community noise until we are housed in quiet homes—homes that are acoustically designed to exclude all unwanted sounds, whether of external or internal origin. We should direct public attention to the many commendable features of acoustical design and sound insulation that characterize the modern apartments of England, Holland, and the Scandinavian countries. In these buildings the layout of the rooms and apartments is carefully planned so that rooms in which the loudest noises are likely to originate are farthest removed from the rooms in which quiet is most desired. Thus, there is the maximum separation between the bedroom of one apartment and the living room of the adjacent one. There is a heavy party wall between adjacent bathrooms; the entrance hall is used as a *sound lock* between the living room and the bedroom; entrance doors are of solid-panel construction, well fitted in their frames so that threshold cracks are eliminated; all floors above the ground level are usually of *floating* construction on concrete slabs so that impact as well as airborne sounds are thoroughly insulated.

The effective control of noise in these modern European buildings is no accident. It is deliberately planned; it is required by the high standards of their building codes. Thus, the Swedish code requires, among other specific standards for insuring good sound insulation between rooms in residential buildings, an average insulation for airborne sound of not less than 48 db. Even higher standards are required for hospitals and certain other buildings. We can well emulate the good works of our colleagues across the Atlantic. The providing of quiet buildings, especially those in which people live, learn, and try to get well, is an essential objective of good community planning. It is good for business—and we should go to work at it even for that reason—but far more important, the providing of these quiet buildings is indispensable for good living and the growth of culture. Home should be our finest refuge from a noisy world, where jangled nerves may find rest and refreshment from the strains of high-pressure living.

(NOTE.—The proceedings of the First West Coast Noise Symposium on industrial noise control were published in the May, July, and September 1955 issues of Noise Control, which are available from Noise Control, 57 East 55th Street, New York 22, New York.)

What You Hear Can Hurt You

(By Dr. Vern O. Knudsen, as told to Andrew Hamilton)

A favorite story among acoustical experts concerns a noisy Long Island suburb where, day and night, huge trucks rumbled down a nearby freeway, jet planes zoomed overhead, a pumping station maintained a low, steady thump. But one night, for a magical moment, all mechanical sounds stopped briefly, and silence reigned. Immediately, half the people in the neighborhood awoke, sat bolt upright and exclaimed: "What was that?"

As is often the case, a humorous story can illustrate a point. We Americans are drowning in a cataract of noise and don't know it. Perhaps only the benison of complete silence can jolt us into realizing what we are suffering.

Noise is one of the waste products of the 20th century—as unwanted and unnecessary as smog, polluted water or littered streets. It is one of the chief drawbacks to the enjoyment of modern urban living. In recent years, the sheer volume of noise that daily surrounds us has grown from simple annoyance into a potentially dangerous source of physical damage.

Unwanted sound can and does rob us of proper sleep—thus heightening the daily strain under which we live. The urban dweller may protest that he is so accustomed to noise that he finds slumber difficult in the country. Nonetheless, the city has many night noises that are far from conducive to adequate rest. The banging of garbage cans, the gay revelry of the party next door, the nocturnal wail of police sirens—all of these are disrupters of deep sleep. More people are awakened by noise than by any other cause. Because of increased muscular tension, people in noisy urban areas may be deprived of adequate rest even though not actually awakened.

A prominent English physician, Sir Robert Armstrong-Jones, has described how noise affects the living cycle of the average worker: "He goes to bed tired and exhausted, but he is repeatedly roused, and his sleep disturbed by loud and most distressing noises. He rises in the morning shaky, confused and unrefreshed after his so-called 'night's rest.'"

Many persons become so adapted to noise that they can ignore it (the teenager who studies with a desk radio going full blast is one example). But acoustical authorities are convinced that noise cuts down on work efficiency and, conversely, that elimination of noise improves efficiency. In one factory located near a boiler plant, workers made 60 mistakes in assembling 80 temperature regulators. Moved to quiet rooms, they made only seven mistakes. Another study reported that in a cotton mill, proper acoustical treatment increased efficiency from 7 to 22 percent among individual workers. In a business office, a slight reduction of the noise level increased output 12 percent.

Scientists speak of noise in decibels—a scale by which they measure the intensity and frequency levels of sound waves that beat against our eardrums. For example, the shuffling of paper in silent surroundings represents about 15 decibels, a low conversation, 40 decibels, the honk of an automobile 90 decibels. In general, sounds above 80 decibels begin to grate harshly upon the human ear.

Experiments have shown that 160 decibels are lethal for small, fur-bearing animals. Because fur is an efficient absorber of sound, rats and mice exposed to such intensities quickly die from the resulting rise in body temperatures. (The lethal "dosage" for man is greater than it is for small animals, but 160 decibels can destroy his hearing, and with the development of huge, powerful rocket engines, the lethal dosage for man is a real threat.

Over the past 30 years the loudest sounds to which man has been exposed have grown from 120 decibels (the roar of a small two-engine prop plane) to 150 decibels (the blast of a giant four-engine jet). This is an average increase of one decibel a year and brings us very close to the danger zone.

Research at many universities shows that exposure to noise of 90 decibels or more can flush the skin, constrict stomach muscles, shorten tempers. Some doctors suspect that noise may be a hidden factor in heart and artery diseases, nervousness and even mental health.

A more subtle effect is caused by the rising level of everyday noise—the slamming of office doors, the rumble of the subway, the chatter of the lunchroom. Even a mattress factory, which you might consider the quietest industrial establishment imaginable, was found to have 100 decibel noises in some of its operations. Studies at Colgate University indicate that the average worker spends one-fifth of his energy in fighting noise.

In primitive civilizations, noise was one of the elements that helped man stay alive. The sudden snap of a twig or the rustle of leaves meant that an enemy was approaching—a tiger, perhaps, or another man with a club.

Over the centuries, the tension produced by sudden sounds built up what psychologists call a "fear reaction." If you have narrowly missed an automobile collision you know the symptoms: a sinking feeling in the pit of the stomach, a pulsing of the heart, an increased rate of breathing. After being keyed up in this way, you may feel limp. This "fear reaction" is of little value today, for we seldom engage in physical encounter with our adversaries. But the reaction exists and is easily triggered by a sonic boom, the clang of a drop hammer, even the popping of a paper bag.

BOILERMAKERS' EARS

One of the obvious effects of our noisy world is the amount of deafness it produces. As early as 1880, doctors noted that deafness was to be found more often among boilermakers, coppersmiths and railroad men than among those who worked in quieter surroundings. For many years the term "boilermakers' ears" was used to describe hearing loss.

Today, compensation claims for deafness acquired on the job run to an estimated $2,000,000 a year. Doctors have noted that truck drivers seem to have more hard-of-hearing troubles in their left ears—the ones exposed to traffic noises. Studies aboard aircraft carriers show that the hearing of deck crews does not return to normal until 18 to 20 hours after jet operations, and often hearing is permanently impaired.

In my own research several years ago I was called upon to measure the noise in an electric power station and to examine the hearing of operators who worked in it. They were exposed to 118 decibels for periods of up to eight hours. All of them were found to have some deafness. And even though I was in the same environment only a few hours, I also experienced some temporary deafness.

Loss of hearing, of course, does more than deprive an individual of the capacity to earn his daily bread. What about his right to enjoy music on his record player or television set, the laughter of his children, conversation of friends?

People's reaction to noise varies greatly. At least three factors are inovlved: (1) the intensity of sound, (2) the time the subject is confined in a noisy environment and (3) individual tolerance of noise.

Reaction to noise may also depend on who produces it. For example, the manager of an exclusive Boston hotel several years ago received a telephone call from an irate lady guest. "Someone in the next room has been banging on the piano all day, and it's driving me out of my mind," she said. "If I collapse, I'll hold the hotel responsible."

"I wish I could help you, Madam" said the manager, "but I don't dare. The pianist is rehearsing for a concert tonight at Symphony Hall and . . . well, he's Paderewski."

"Really!" quavered the woman. "That's different."

As soon as she could hang up the phone she dialed friends and invited them to her room. Soon Paderewski had a rapt, unseen audience, and the irate lady next door had miraculously recovered from her nerves.

If noise is such a problem, why can't we do something about it? The answer is that science, industry (especially through its National Noise Abatement Council) and government have done much—but they need to do more. Noise abatement is the concern of several score university and industry researchers who belong to the American Acoustical Society and to a dozen or more commercial firms that are in the business of making a quieter world.

Millions of dollars a year are being spent in noise abatement. Acoustical experts are working, for example, on such problems as taking the squeal out of automobile tires, building quieter mufflers for trucks and busses, reducing the ear-shattering racket of power lawn mowers and outboard motors, designing depressed highways. Last year some $250 million worth of acoustical tile was tacked, glued or suspended from ceilings and walls all over the nation to deaden indoor noise. Millions of dollars were also spent on the knotty problem of reducing jet noises.

United Airlines and others have developed portable noise suppressors to soften the roar of jet motors at airports. The Boston and Maine Railroad eliminated the shrieking noise of steel-flanged wheels on a sharp curve by spraying the rails with water. The Kaiser Steel Corporation in Fontana, California, found a way to suppress the "snort" made by blast furnace valves.

Some municipalities have taken commendable steps to reduce urban noises. New York City, in 1929, launched what is thought to have been the world's first campaign against city noise. It began with a survey of automobile horns and gradually broadened out to cover other auditory nuisances. In 1955, Mayor Wagner of New York established The Committee for a Quiet City. The committee has recently submitted its final report, which states that "(noise) is a menace and can be a killer." Today some 26,000 fines a year are paid by New Yorkers for violating anti-noise ordinances. Some progress has been made in reducing horn-blowing traffic and industrial noise, but much remains to be done—especially in the area of aircraft and helicopter noise, unmuffled exhausts and refuse collecting.

Memphis, Tennessee, inaugurated a sound abatement program in 1940 after six sound trucks had converged at a single intersection and begun advertising their wares. A blistering editorial in one of the city's newspapers stirred the city fathers into passing anti-noise legislation. This included firecrackers, blaring radios, barking dogs—with special emphasis on such traffic noises as horns and sirens.

In 1954, Washua, Wisconsin, became America's first city to find out how well or how poorly its people hear. This may have been due to the fact that this city is the home of a large insurance company whose executives are sensitive to health and compensation claims. Nevertheless, the survey was conducted, and it revealed that 22 per cent of all job applicants were hard of hearing. Many of these defects have since been cleared up, and many others have been prevented by the judicious use of properly-designed ear protectors.

Science, business and industry, and government are doing their part. What can you as an individual do to quiet down our noisy world?

First, you can sound off about it. In New York City, the police department answers some 300,000 complaints a year about unnecessary noise. You also can make your ideas about noise known to your city councilman, mayor, state assemblyman, congressman. Communities that have noise abatement programs are happier, healthier places in which to live.

Direct action protests often get results. In Alhambra, California, members of a citizens group made tape recordings of industrial noises to give weight to their complaints. In Orlando, Florida, complaints silenced a whistle-blowing train that disturbed sleep. In Huron, Michigan, angry mothers formed a picket line to silence a quarry owner who was blasting at night.

Second, you can take steps to protect yourself and your family against the intrusion of ordinary noise into your home.

HOW TO HAVE A QUIET HOME

A quiet home is a prime need for rest, study, conversation and music. This starts with the selection of a site of the home itself—taking care to avoid locations near airports, highways, railroad tracks. If such locations cannot be avoided, an earth embankment or a row of houses between the source of the noise and your home will often provide a suitable barrier.

The noise level inside a home should not exceed 35 or 40 decibels. This can be achieved by means of brick walls or staggered stud and plaster walls, tight-fitting doors and windows, and absorptive materials such as heavy carpets and draperies. The use of absorptive materials inside a home not only reduces sound but cuts down on unwanted reverberation as well.

For sound sleep, some people have learned to use ear protectors—soft plastic plugs that fit snugly in the ear. These are widely used now in industry and the armed forces, and are as useful in their own way as safety goggles.

Nobody would want to live in a world in which there was no sound at all. We like to hear a friendly voice now and then. Typists can do better on machines that are not completely silent. Alex Olmeda, the tennis champion, says that he plays his best game when he can "hear" the sound of racket meeting ball.

But we do have a serious problem in keeping noise down to a level where it will not interfere with our hearing, work, efficiency, ability to think, rest, and health.

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Noise, the Bane of Hearing

(By Vern O. Knudsen)

I am never quite sure whether one is expected to be serious or merely amusing in an after-dinner speech, especially when there is a fair sprinkling of acousticians in the audience. Merely amusing? Before the Physical Society? Well, scarcely never. Before the Acoustical Society? Almost *ever*.

The subject we are considering is deadly serious. But in justification of a light-hearted approach to a serious subject, I recall that one of the best teachers I have known, the late Dean Rieber, Professor of Philosophy at UCLA, believed that the comic strip was one of the most effective aids to learning man had yet devised.

I am no comic-strip artist and, hence, that technique is denied to you and me tonight. But if I resort to oral caricature, I do it because I believe both Dean Rieber and Alexander Pope would approve. My teaching technique has always been influenced by a telephone-test sentence I learned at Bell Telephone Laboratories in my first after-college job, "Alexander Pope judiciously observed, 'men must be taught as if ye taught them not.' "

I begin, therefore, with some not-too-serious remarks that I made at the 25th Anniversary Meeting of the Founding of the Acoustical Society of America, which was held in New York last June, at which time the Society made a film recording in the form of a *time capsule* which is to be presented (God willing) in the year 2029 at the 100th anniversary of the founding of the Acoustical Society. I chose as the text for my three-minute contribution to the time capsule *I Hate Noise*. It seemed to me in my earliest musings about noise, which began thirty years ago, that the good Lord in His mercy, or evolution in its extraordinary adaptive processes, had provided the majestic elephant and the lowly ass with ear flaps that would at least partially close the ear canal. But man, poor creature, was not so favored. He felt that he was obliged to do some thing about this and began developing ear plugs. My own (1938) version, a double septum with an air space, modified and improved first by my colleagues at UCLA (Watson, Veneklasen *et al.*) and later by other colleagues at Harvard University, led to the much simpler and more practical single-septum Ear Defender or Ear Warden. These and similar ear plugs have done their 30-db jobs quite well. But when we consider the recent trend of noise levels, it is evident that we shall soon need more protection than such ear plugs provide. Twenty-five years ago we thought that 125 db was a big and dangerous noise Today we speak of 150 db in about the same manner that we did of 125 db only 25 years ago. Thus, in a matter of only 25 years we have had an increase in our worst industrial noises of 25 db or, on the average, of 1 db a year.

It is, of course, a very risky business to extrapolate, but I may be permitted a little levity in such matters at an after-dinner speech. So, suppose we do extrapolate to the year 2029, ignoring, of course, such things as the large dissipative forces that come from finite amplitudes at about 155 db, or the experimental evidence that levels of 160 db or so will burn the hair off your head and chest or raise the temperature of your body to a lethal level, or overlooking the 193-db barrier when you have complete modulation of the atmosphere, or that it probably would require jet motors and afterburners that in combination are one million times more powerful than our present ones in order to reach a level of 210 db, I say ignoring such matters along the way of our extrapolation, and of course, also, the effects of such meetings as we are holding here today and tomorrow, we find, by extrapolating the past 25-year trend in noise levels, that when the Acoustical Society celebrates its 100th anniversary in 2029 we would be confronted with noise levels of 225 db, truly an inferno that would dwarf the imagination of a modern Dante. Now I ask you to imagine the kind of Ear Defender or body defender that you would need against such a noise as this extrapolated value 75 years hence. You might start with the best kind of ear plugs, with ear caps over the ear plugs, with a helmet, and all this inside a diving suit. But that is not enough. Then you would need to enclose all this with a soundproof, automatized, mobile booth with, of course, a high-speed mechanical brain equipped with a tape recorder into which you would speak, say each morning, your instructions for what you wanted to do and where you wanted to go during that day. Then push the button, and away you would go. Incidentally, if your booth contained enough lead shielding, you might not only be able to withstand the noise of 2029, but you would be pretty well protected against the H-bomb or possibly what comes next.

In the light of this alarming, if not too serious, extrapolation of the noises we might face in the future, I think you might understand why I chose as the topic of my remarks for tonight Noise, the Bane of Hearing.

Now let us return from the risky realms of extrapolation to the down-to-earth, not inconsiderable noises of the present. During the past two years several of my colleagues who are here tonight, including Walter Rosenblith of the Massachusetts Institute of Technology, have observed total sound levels as high as 140 db during catapult operations on the decks of aircraft carriers. When afterburners are used in such operations, the total noise level on the decks of carriers might well reach 150 to 155 decibels. Sound levels of this magnitude, even for brief exposures to unprotected ears, may cause permanent loss of hearing. Experiments conducted by H. Davis and others, in which experimental animals are exposed to sound levels of the order of 155 db, reveal that such intense noises may even blast off some of the receptors of the auditory nerve. Is not this a bane of hearing? Bane is a very strong word. It comes from the Anglo-Saxon meaning murderer. The meaning was later softened somewhat to poison, and we still have the word ratsbane, and today bane is used synonymously with such words as ruin, harm, injury, and curse. Well, if noise is not the bane of hearing today, I think you will agree that even those who are most charitable toward noise today will concede that it soon will be if the past 25-year trend continues for even a small fraction of the 75 years to which I have alluded.

Even during the early years of the era of industrial noise, nearly a hundred years ago, investigations of hearing among boilermakers, coppersmiths, riveters, metal workers, and others who work in noisy surroundings convinced otologists and other investigators that long employment in such surroundings was a predominant contributor to high-frequency loss of hearing. A thorough historical survey of studies that have been made of occupational and traumatic deafness, including 160 bibliographical references, was published in 1937 by C. C. Bunch of Johns Hopkins University. Bunch reports in this same paper and in other papers his own audiometric and histologic evidence that loss of hearing at high frequencies and damage to the organ of Corti both result from exposure to the noise of gunfire, airplanes, locomotives, and many other kinds of industrial noise.

B. Larsen (1939) has made a somewhat similar investigation of deafness among workers in shipyards and machine factories of Scandinavian countries. Of the 250 cases of impaired hearing he discovered among these workers, 123 had impairments which could not be accounted for by influences other than noise. Not one of the workers who had been exposed to the noise for more than 31 years could hear a whisper at a distance of 1 meter. Larsen presents audiograms of typical advanced cases he had diagnosed as noise-induced deafness. In general, these audiograms show that the hearing is nearly normal for frequencies below 1024 cycles, but at 2048 cycles the loss is about 70 db, at 4096 cycles the loss reaches its greatest value of about 80 db, and it diminishes somewhat at higher frequencies.

Rosenblith (1941) finds that a group of boilermakers in France, who had been exposed for more than 15 years (during working hours) to noises made up predominantly of components below 1500 cycles, had an average hearing loss of 12 db at 1000 cycles, 39 db at 1500 cycles, 64 at 4000, 77 at 6000, and 61 db at 8000 cycles. Similar losses were found for other groups engaged in noisy occupations. The hearing losses for all groups were much greater than the normal losses for men of the same age group.

There are numerous examples in medical journals of large impairments of hearing which resulted from a single explosive sound. Bunch reports a person whose hearing was impaired (at least temporarily) by a firecracker that exploded near the right ear. One day after this accident the hearing loss in the affected ear was 24 db at 512 cycles and 75 db at 4096 cycles. Three days after the accident the loss had diminished to 10 db at 512 cycles and 30 db at 4096 cycles. Not so fortunate are many others who have been exposed to explosive sounds. Many war casualties, especially victims of landmine explosions, suffered partial or even complete loss of useful hearing from a single explosion. One such person known to the author has a permanent loss in the more exposed ear of 20 db at 2048 cycles, 50 db at 4096 cycles, and 75 db at 8196 cycles.

Numerous other investigations of the type here reviewed, supplemented in some cases by anatomical studies of the damaged internal ears, reveal similar results. The damage usually consists of a degeneration of the organ of Corti and a decrease in the number of ganglion cells, especially in the basal turn of the cochlea.

In view of this kind of evidence, I was surprised to find in a recent announcement from the American Hearing Society a serious omission. In its list of causes of impaired hearing we find measles, mumps, scarlet fever, and so on, ending with frequent colds and blows on the ears, but no reference to noise—what may well be, or may soon become, the foremost cause of impaired hearing. If we recognize (1) the damage to hearing that already has come from noise and (2) the alarming increase in the sound level of some industrial noises, we surely should realize that it is high time that we control this modern bane of hearing.

It is well known that some ears are much more susceptible to damage from noise than others. For example, J. C. Webster, in the September, 1954 issue of the Journal of the Acoustical Society of America, makes a statistical comparison of the hearing losses of a large group of aircraft workers with a large group of persons not exposed to such noise. From this study he concludes, "The results of the analysis only add more evidence to what is already known regarding the general over-all effects of noise exposure on hearing loss: (1) roughly 25 percent of the noise-exposed ears exhibit no hearing losses when compared to an equivalent group of non-exposed ears, (2) another 25 percent exhibit marked losses, (3) the average noise-exposed ear exhibits small but measurable losses on the higher-frequency tones as compared to the average nonexposed ear." Although this and many similar studies have shown that some persons are more susceptible to the injurious effects of noise than are others, it has not been demonstrated that anyone's hearing is immune to the assaults of noise, provided the noise is sufficiently intense. The evidence today is of such a nature that no one who wishes to preserve his hearing should be exposed even for a short time to noises in excess of about 140 decibels. I know that my own hearing was temporarily impaired at high frequencies by exposure to a substation noise of 118 decibels for a duration of two hours and that a very brief exposure to 140 decibels (noise from gunfire) was sufficient to elevate my threshold at 400 cycles by as much as 20 decibels. I began inveighing against the deafening effects of industrial noises more than twenty-five years ago. For example, about twenty years ago I was called into an electric-power substation (the one to which I just referred) to make measurements of the noise and to examine the hearing of the operators in the station. The noise level where many of these operators worked was 118 decibels, and they were exposed to this noise, without benefit of earplugs, for some eight hours a day. All of these operators complained of temporary losses of hearing, and two of them even described vestibular disturbances which very well could have been induced by the intense noise and vibration. Audiometric tests of these operators revealed that some of them had rather severe permanent hearing losses, especially at higher frequencies. Similar results were observed among workmen who were exposed to the 122-db level of airplane propellers, and, as this audience knows, the literature is replete with incontrovertible evidence that long exposure to noise levels above about 100 decibels, or shorter exposures at higher levels, will cause permanent injury to the hearing of many persons.

I need hardly remind this audience, meeting in the world's largest aircraft center, that the most threatening industrial noises confronting us today are those associated with jet and turbojet airplane motors. For example, in the latest issue of *Acustica*, Parkin and Purkis report the noise levels underneath some civilian aircraft shortly after take-off. They report the levels in octave bands. For the octave band 300–600 cycles, they find the following levels at a distance of 125 feet directly underneath the aircraft and shortly after take-off: 101 db for a DC–3; 102 db for a Convair; 104 db for a DC–4; 110 db for both the DC–6 and the Constellation; and 123 db for the turbojet Comet. Those of us who have heard the Comet appreciate that this 13-db increase above the level of the DC–6 and the Constellation was a big step toward making noise the bane of hearing.

A short time ago two Air Force officers came to our acoustical group at UCLA to discuss the problem of the excessive noise produced by a superjet plane equipped with afterburners. Their measurements indicated that the total noise level, in the direction of maximum radiation of sound, was 130 decibels at 310 feet and 120 decibels at 975 feet. This is an augury of another step upward of as much as 5 to 10 db above the level of the Comet, an omen that noise is fast becoming *the* bane of hearing.

We have to live with these superjets and afterburners. The survival of our way of life may well be dependent upon them, and we'll have to take the noise if we can't control it. I am confident that we can and will control it.

In the meantime we should increase our efforts to improve protective devices and to obtain sensible regulatory noise codes and legislation for fair compensation of those who suffer loss of hearing from industrial noise.

Several states already have legislation which makes it possible for employees to obtain compensation benefits for loss of hearing sustained from exposure to the noise in which they are obliged to work. I understand that the maximum award in the State of New York for loss of hearing from exposure to industrial noise is $4800. There is reason to believe that this type of legislation will extend to other states or become activated in states in which it lies moribund. Such legislation will provide at least a fair measure of compensation for loss of hearing induced by industrial noise, will protect employers against unjustified claims of malingering employees, and will tend to counteract the upward trend in noise to which I referred earlier tonight.

But noise-induced impairment of hearing can deprive its victim of much more than his capacity to earn his daily bread. Compensation for such loss of hearing if due to industrial noise is necessary and just; but what of the victim's right to the enjoyment of speech and music? It is the duty of all of us who are here tonight to vouchsafe that right by doing everything we possibly can to reduce present and future industrial noise and by utilizing the best possible protective devices for those who must earn their daily bread by exposure to noise, which is the bane of hearing.

[Reprinted from the Journal of the Acoustical Society of America, vol. 15, No. 3, 153–159, January, 1944]

EAR DEFENDERS [1]

(By Norman A. Watson and Vern O. Knudsen, University of California at Los Angeles, Los Angeles, California)

[Figures referred to are not reproduced in the RECORD.]

The development of successful ear defenders requires adequate solutions to two main problems: (1) the development of a material suitable for ear defenders; and (2) the design and molding of types, shapes, and sizes of ear defenders to provide adequate insulation, consistent with easy insertion, comfort, and positive retention, for two conditions of use. The first condition allows complete closure of the ear canal; the second demands automatic pressure equalization through the ear defender.

The first problem, development of a material suitable for ear defenders, has been met by a specially compounded Neoprene stock which is readily prepared and which cures as quickly and easily as rubber. The cured Neoprene is soft; its Shore Hardness No. 37 is only slightly greater than that of a soft medical rubber, which has a Shore Hardness of No. 32.[2] It is tough; the weight necessary to tear a nicked strip 2 cm long, 1 cm wide, and 0.05 cm thick, cut 0.4 cm across from one edge, is 230 gwt, as compared to 260 gwt for rubber. It is readily stretched; the ratio of stretch to original length for a strip 2 cm long, 1 cm wide, and 0.05 cm thick, stretched by a force of 150 gwt, is 0.30 as compared to 0.33 for rubber; but it regains its original shape immediately with negligible permanent set. It is permanent; ear defenders cured eighteen months ago show no detectable change. It is resistant to ear wax; no appreciable change has occurred when ear defenders made of this material have been worn nightly for three months, whereas rubber ear defenders have become soft and gummy and increased 50–100 percent in size within two weeks. It is resistant to lanolin (which has many of the same ingredients as ear wax), soap, water, and cleaning alcohol. Cured samples submerged in these materials for eight months have shown no appreciable change. It is non-irritating and non-toxic, as two types of test have indicated—"patch tests" on the skin of the chest and long-continued use in the ears with no ill effects. After being washed with soap and water, the cured Neoprene has no objectionable odor. It is almost fleshcolored and is, therefore, inconspicuous in the ear. It is non-inflammable.

The second problem, that of developing adequate ear defenders to meet the requirements listed, has been met by three types with the same external shape and three sizes for each type. These will be discussed presently.

To serve as a basis for the design of the new ear defenders, a preliminary survey of existing ear defenders was made; all were found deficient in one or more respects. Also a study was made of the characteristics of the ear canal, as determined from many plaster casts of external ear cavities, taken originally as models for hearing-aid insert ear-tips.

In the course of developing the final ear defenders, some fifty types were designed, molded, and tested. Their diversity is illustrated in Fig. 1, which shows some of the earlier models in the photograph at the right and the section drawings at the left, the drawings being arranged in exactly the same way as the ear defenders are in the photograph at the right. Illustrated are ear defenders with rubber capsules and brass inserts, the rubber capsules having on-center rubber "skirts" (J1, J2, J3). These were fairly satisfactory. Next is shown the J4, J5, J6, J7 sequence, each ear defender with a symmetrical rubber capsule (circular cross section) and brass insert, the capsule being filled with a plastic which surrounds the portion of the insert inside the capsule. In the lower section are shown some extreme types: V3 and V7 models, typifying the extreme double-mass variety with inner and outer brass inserts, set in rubber; V10 model with all rubber fin section and oversize plastic-filled capsule; V11 and V13 models with no fin section, only rubber capsule and brass insert, but with a wire (V11) or Neoprene (V13) hooktail to fit in the helix and hold the defender in place.

In Fig. 2 are shown the more conservative models, including the final recommended types. Some of these are extremely simple, being light, all-Neoprene, ear defenders (V27 and V29).

Tests of the effectiveness of the ear defenders as to insulation against pure tones and speech were made in a free-field room especially built for this purpose. It is a double-shell test chamber, with rockwool and multiple-layer cloth interior treatment. It is situated in a relatively quiet place—quiet enough that the double walls eliminate residual noise for the listener. The absorption of the cloth and rockwool is very high for the frequencies used, and free-field conditions are approximated. The listener sits with his head four feet from the loudspeaker and directly in line with it.

The insulation at each test frequency was determined from the difference in attenuator settings in the linear source system to give thresholds with and without ear defenders in place. These insulations were checked in a few instances by determining the difference in attenuator settings to give 40-phon loudness levels with and without ear defenders. The magnitude of insulation was approximately the same by the threshold and equal loudness methods.

The insulations attained with the widely different types of ear defenders—which one would expect to have markedly different insulations—were surprisingly near to the same value; and none of the better ear defenders gave as high insulations as one would expect from their construction. These two facts indicate that there are limiting factors in the structure of the head and the hearing mechanism which put an upper limit on the possible insulation of ear defenders for a person with normal hearing.

One factor recognized as a possible limitation was the shear compliance of the skin lining of the external ear canal. The question presented itself: would an ear defender have a higher insulation if mounted in a rigid tube without a compliant lining? To test this, an 11/32" hole was drilled along the axis of a 2½" steel bar 9" long. The hole was enlarged to ½" diameter for approximately an inch and a half at one end and "insert-sleeves" of brass, ordinary rubber, and Korogel were fitted accurately to the enlarged hole. The inner diameter of each insert-sleeve was 11/32", so that it formed a continuous hole with the hole in the steel rod. The hole in the steel rod beyond the insert-sleeve was stuffed with cotton, with variable density of packing, to give an approximately resistive loading to the acoustical transmission system. One tube of a stethoscope was attached at the far end of the rod. Thus the *ear* was used as a detector to determine the insulation of the defenders placed in the insert-sleeves. For a source an electro-dynamic earphone in a sponge rubber ear cushion was clamped tightly over the end of the bar in which the insert-sleeves and ear defenders were inserted. A loose cotton plug was placed in the small cavity between the protected earphone diaphragm and the ear defender. A test frequency of 250 cycles was used. The insulation was determined by finding the difference in intensity levels required to give a threshold through the stethoscope tube when an ear defender was placed in the insert-sleeve in the rod and when it was absent.

With a brass insert-sleeve, sealed in the steel rod with lanolin to avoid any possible sound leak around the insert-sleeve, there was no appreciable difference between the insulations of a solid brass plug and a *V29* ear defender (single-septum, all-Neoprene); both insulations were approximately 60 db. With a stiff rubber tube insert-sleeve replacing the brass sleeve, the insulations remained the same. When, however, a Korogel sleeve was used, the insulations dropped to approximately 35 db, but were still nearly the same for brass plug and *V29* ear defender. These tests indicated that the ear defenders are highly effective in a rigid mounting (although the value of insulation determined, 60 db, may be somewhat too high) and that a mount highly compliant in shear reduces the insulation markedly—reduces it to approximately that obtained for the defenders in the ears, namely, 35 db.

The results thus indicate that the shear compliance of the ear canal skin lining is an important factor in limiting the maximum insulation to be expected from ear defenders.

An attempt was made to determine if this were the final controlling limitation by covering the ears (ear defenders in place) with tightly-sealing ear cushions, loaded with steel plates. No appreciable improvement in insulation resulted. When, however, a heavily padded cloth sack (some ten layers of flannel interlined with cotton batting) was placed completely over the listener's head, covering face and forehead as well as ears, and tightly fastened around the neck (breathing tube from mouth out through back of sack), a considerable increase in insulation resulted at the higher frequencies (2000–8000 cycles)—the frequencies for which the sack was known to be highly absorptive. The increase in insulation was as much as 15 to 18 db at 4000 and 8000 cycles. These results, taken together, indicate that the shear compliance of the ear canal lining, though important, and perhaps controlling when the sound is delivered to the ear through an earphone, is not controlling when the listening is in a free field, with the listener facing the source—rather that some other factor is controlling.

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[1] This paper reports the results of the Research on Ear Defenders carried on during the period November, 1940, to January, 1942, in the Department of Physics of the University of California at Los Angeles, for the National Defense Research Committee. The paper was officially approved for oral presentation, and was read at the May, 1942 meeting of the Society by the first-named author. It has subsequently been approved officially for publication in this Journal.

[2] Softer stocks were found to be deficient in elasticity, toughness, and permanence—also to be subject to permanent set.

The factor suspected was the vibration of the skull by the air-borne waves striking the forehead and face, with resultant transmission of the vibrations to the fluid of the inner ear and excitation of nerve impulses in that manner.

It has been known for some time that occlusion of the ear canals produces a lowering of the bone-conduction threshold, especially at frequencies up to 2000 cycles, no matter what the means of excitation. Recent experiments (prior, however, to this investigation) by R. S. Gales and one of the present authors (NW) [3] have further established that if occlusion of the canals is complete, variation of the mass of the occluding plug does not cause a corresponding variation in the threshold shift—rather, the threshold shift remains almost constant. This means that any ear defender providing a complete seal makes it more likely that the minute vibrations set up in the skull bones by the sound waves impinging on the forehead and face will be audible. Thus it seems quite probable that, when ear defenders are used, the skull vibrations may be the controlling factor in determining the threshold for a listener in a free sound field.

Further experiments have shown that the bone-conduction threshold shift does not occur for a person with pure conductive impairment caused by middle ear obstructions or fixations. Thus, if the bone vibrations control the threshold when the listeners are using ear defenders in a free sound field, one would expect that the free-field threshold curves of a normal-hearing person and the above-mentioned type of hard-of-hearing person, both taken with optimum-insulation ear defenders in place, would be separated only by an amount equal to the bone-threshold shifts occasioned by the closure of the normal-hearing person's ear canals—not by an amount indicated as the difference in threshold for the same two people, using ear defenders, when the tests are made with an air-conduction receiver which does not produce bone vibrations. If the hard-of-hearing listener has a slight bone-conduction loss, it must be added to the above-mentioned expected threshold separations.

Such an experiment was tried in the UCLA free-field room after measurements had been made audiometrically. The hard-of-hearing person tested had a large audiometer-measured air-conduction loss (70 db at 125 cycles, and decreasing uniformly to 40 db at 8000 cycles) and a small bone-conduction loss (10–15 db at all frequencies). If the free-field thresholds, with defenders inserted, *are* limited by the bone vibrations induced by the air waves, the free-field threshold curve for this hard-of-hearing person using ear defenders *should* be separated from that of a normal-hearing person using identical ear defenders by approximately 25 to 30 db at the lower frequencies and 10–15 db at the higher frequencies, 10–15 db at each frequency being due to his bone-conduction loss. The actual free-field threshold curve separation (ear defenders used by both listeners) was 25–30 db at the lower frequencies (up to 1000 cycles) and 10–15 db at frequencies above that—which checks the prediction. In contrast to these separations of the curves for free-field tests, the separation of the corresponding curves determined with an airconduction audiometer receiver was 50 db at the lower frequencies, i.e., up to 1000 cycles.

These results, combined with those of the experiment with the heavy hood, or sack, make it seem very probable that the bone vibrations caused by the air waves are the controlling factor in limiting the insulation possible with ear defenders when used in free-field listening.

With assurance that the maximum possible insulation had been reached, emphasis was placed on other factors in the development of the final model ear defenders. Careful tests were made as to ease of insertion, fit, comfort, and retention of several of the best models, with subjects having wide differences in size and shape of ears. On all bases, the first choice went to an ear defender of external shape very similar to that of the *V29*, *V30*, and *V31* models (shown in Fig. 2) and internal construction similar to the *V30*. Second choice went to a plastic-filled model similar to the *V31* ear defender.

On the basis of all tests made, the *V29* and *V31* types were chosen as final recommneded models for uses in which complete closure of the ear canals is permissible. The *V29* type, shown enlarged in Fig. 3, is a single-septum, all-Neoprene ear defender—the simplest to manufacture and easiest to keep clean of all the models developed. It has a very satisfactory insulation curve, the insulations lying between 30 and 40 db at all frequencies in the range 62–8000 cycles (see Fig. 9). It can be used for almost all types of ears.

The *V31* type (illustrated in Fig. 4) was developed for unusual shapes of ears—ears in which any ear defender is so twisted out of shape in trying to fit the ear that an ear defender of the *V29* type does not give complete closure. The *V31* is of the double-septum type, with an insert sealed in the outer septum and the space between septa filled with an isoplastic, "tacky," non-elastic plastic, loaded with metallic (or metal oxide) dust. Its normal external shape is the same as that of the *V29* and *V30* ear defenders, but because of the "fill" it may be deformed to almost any shape, and hold that shape. Its insulation is approximately the same as that of the *V29*—slightly less, however, at low frequencies and slightly greater at high frequencies. This type can be used in almost all ears—many for which the V29 is unsatisfactory. Those few ears with extraordinarily peculiar shapes can be fitted only with something like a wax with no covering.

Several methods were tried to provide automatic pressure equalization through the ear defender. It was found that any small hole in the septum or insert—even the tiny hole of a No. 80 drill—ruined the acoustic insulation. Thus it was found necessary to provide the equalization by means of a device with pores of extremely small size. This was accomplished by the drilled, cotton-packed insert of the *V30* model, illustrated in Fig. 5. A small hole was drilled (No. 60 drill) along the axis of a small spool-shaped insert for almost the total length of the insert; then a very tiny hole was put through the remaining distance with a No. 80 drill. Cotton was packed into the No. 60 section of the hole and the insert sealed into place in the perforation in the single septum of the *V30* type ear defender. (The *V30* is otherwise identical with the *V29*.) The degree of packing of the cotton was tested by placing the ear defender in the upper end of a U-tube water manometer and measuring the time necessary for a specified reduction in pressure differential on the two sides of the ear defender to take place through the packed insert. The minimum time of pressure differential reduction to give the maximum possible insulation was determined by listening tests using ear defenders with varying, but known, degrees of packing. The insulation provided by the *V30* defenders was 25–35 db [4] at all frequencies from 62–8000 cycles. This is less than the insulations of the *V29* or *V31* models, but is sufficient to provide a considerable amount of protection, and is coupled with the automatic pressure equalization.

Photographs of the *V29*, *V30*, and *V31* ear defenders are shown in Fig. 6 with*V29* on the left, *V30* in the center, and *V31* on the right. For each type are shown: (1) side, (2) cross section, and (3) end views. For the models with inserts, the inserts are shown separately.

In Fig. 7 is illustrated the correct method of insertion of an ear defender. The user reaches over his head with the hand opposite to the ear involved (in the photograph, right hand to left ear), takes the upper edge of the pinna in his fingers and pulls it upward and backward so as to straighten out the ear canal, then inserts the ear defender with the other hand (left hand in the picture) with the flap of the ear defender in the floor of the concha, pointing backward. In Fig. 8, the ear defender is shown correctly inserted.

For those who find difficulty in removing the ear defenders, a modified design has been developed which is the same as the models described except that the flap at the outer end of the ear defender is longer. (It may be applied to all three types.) A small "handle," attached to the flap and parallel to the axis of the ear defender, has also been suggested.

A comparison of the insulations provided by the ear defenders developed in this investigation is given in Fig. 9. The *V29* type has a fairly flat insulation curve, lying between 30 and 40 db. The *V31* model has substantially the same curve but is slightly less effective at the low frequencies and has slightly greater insulations at the high frequencies. The *V30*, with its automatic pressure equalization, has somewhat less insulation, but still 25–35 db over the range shown. Above these are shown the insulations of the commonly used cotton wad. They are negligible except at frequencies above 1000 cycles and are only 15–20 db in the 4000–8000 cycles region. Dry cotton plugs are, therefore, inadequate.

SUMMARY

A material for ear defenders has been developed which is superior to rubber and which the authors believe is entirely adequate for the purpose. Ear defenders have been developed which provide, for most ears, the greatest insulation consistent with easy insertion, positive retention, comfort, and conditions of use.

The authors wish to acknowledge their indebtedness and to express their thanks to Dr. L. P. Delsasso for his design and supervision of construction of the double-shell test-room, to Mr. R.S. Gales, Mr. P. S. Veneklasen, and Dr. R. W. Leonard for their able assistance throughout this research, and to Mrs. Ruth B. Watson for her assistance in preparation of the report; also to those other members of the UCLA–NDRC group who assisted as listeners.

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[3] R. S. Gales and N. A. Watson, J. Acous. Soc. Am. 14, 207 (1943).

[4] In the published abstract of this paper, J. Acous. Soc. Am. 14, 126A (1942), the insulation of the *V30* model was erroneously printed as 30–40 db, a repetition of the correct value for the *V29* model.

The Conservation Foundation,
New York, N.Y., August 5, 1966.

Hon. Theodore R. Kupferman,
House Office Building,
Washington, D.C.

Dear Mr. Kupferman: I have been much interested in reading of your attempts to combat "ear pollution" and should very much appreciate being put on any mailing list you may have for information about your efforts in this connection. The Conservation Foundation is planning a symposium on what might be called the psychosomatics of crowding, about the middle of next year. I am hoping that we can induce Dr. Samuel Rosen of Mount Sinai Hospital to participate in discussions of the effect of noise levels on general health. Certainly something needs to be done and done as soon as possible, because noise levels are rising so rapidly in our cities.

I wish you could get through Congress a bill forbidding importation of motorcycles without effective mufflers. They are beginning to be as much of a nuisance in New York as they used to be, and perhaps still are, in Rome.

Very truly yours,
William Vogt, *Secretary.*

Drinker, Biddle & Reath,
Philadelphia, September 7, 1966.

Hon. Theodore R. Kupferman,
17th District, Manhattan, N.Y.,
U.S. Congress,
Washington, D.C.

Dear Representative Kupferman: I have read with interest your letter to Time magazine concerning noise control.

I wonder if you have had occasion to obtain and could provide me with any information regarding the following:

How to obtain an inexpensive device to measure the volume of sound.

Whether some road surfaces, and if so what are they, minimize or reduce noise from traffic.

Special types of fencing or the like to eliminate objectionable noise.

Thank you very much for any assistance you may be able to give me.

Incidentally, I have a general feeling that there already exists legislation which could be enforced so as to alleviate this problem, but it is not enforced, for whatever reasons.

Very truly yours,
Harold W. McCrone, Jr.

Lakeside Community Council,
Milwaukee, Wis., August 14, 1966.

Hon. Theodore R. Kupferman,
House Office Building,
Washington, D.C.

Dear Congressman Kupferman: You are to be commended for your interest in and promoting legislation for "Noise Abatement and Control." This is one of the projects that we are working on in this community and would therefore appreciate having more information. Your item in the August 4 Congressional Record page 18233–18257 is very timely. The item makes reference to the following in the Congressional Record: April 21, pages 8745–8768; May 2, page 9470; May 3, page 9679; May 16, daily Record, page A2629; August 1, daily Record, page A4048.

I would appreciate your sending copies of these pages as well as several copies of the bill H.R. 14602.

Presently a great number of complaints are coming in about noisy motorcycles: (1) the exhaust pipe which has a portion of the mechanism inside removed to give more power and hence more noise and (2) "gunning" the motorcycle which creates a great deal of noise even though the exhaust pipe does have a silencer.

If there is anyway our organization can be of help to you on this subject, please feel free to correspond.

Sincerely,
Lawrence Giese,
Chairman, Parking and Traffic Committee.

Colorado State University,
Fort Collins, Colo., October 6, 1966.

Representative T. R. Kupferman,
House Office Building,
Washington, D.C.

Dear Mr. Kupferman: I would appreciate receiving more information on the bill, now pending in Congress, to set up an office of noise control to eliminate the roar and clatter caused by jet airliners, motorcycles, jackhammers, air conditioners, etc.

Sincerely yours,
B. W. Marschner,
Professor and Head, Mechanical Engineering Department.

[From Boilermakers-Blacksmiths Record, vol. 5, No. 8, August 1966]

The Brotherhood's Industrial Noise Control and Hearing Conservation Program

The human ear is a complex device quite similar to a microphone. It consists of three main sections: the outer ear, the middle ear, and the inner ear. Sound waves can cause deafness in either of two ways. Hearing loss can result when violent sounds, such as explosions, rupture the eardrum which lies between the outer and middle ear; prompt medical treatment can sometimes correct this damage. The damaging effect of noise upon the inner ear, however, is much more insidious and far more prevalent. The process of hearing is a chain of vibrational transformations which involves the changing of sound waves to mechanical vibration to liquid vibration to nerve impulses set up in receptors.

THE PROCESS OF HEARING

(1) Air vibrations enter the outer ear and are transformed to mechanical vibrations by means of the ear drum and the three ossicles, or bones, of the middle ear. These bones are called the hammer, the anvil, and the stirrup. (2) The stirrup, connected to the inner ear at the oval window, transforms the mechanical vibration to liquid vibration of the fluids of the inner ear. (3) In the cochlea, in the inner ear, the liquid vibrations are transferred to the nerve receptors and then to the brain. The cochlea is a complex mechanism consisting of fluid and some 30,000 nerve endings in a small membrane. All the nerve endings connect to one nerve carrier, which acts as a transmission line carrying the impulses to the brain for interpretation. When these nerve endings, or pick-up fibers, are damaged by high intensity sounds, hearing loss occurs at corresponding frequencies. This permanent failure of the nerve mechanism to register and transmit sounds of certain frequencies to the brain is called perceptive deafness and cannot be corrected.

Perceptive deafness is a slowly developing effect, so gradual, in fact, that the person involved may not recognize that a change is occurring. Unless tests are made, he may only become aware of a hearing deficiency after years of exposure. Usually the ability to hear faint sounds is first lost, and ordinary sounds will seem just as loud as before, although distorted. At this stage of deafness, the victim is apt to attribute his hearing difficulty to an assumption that other people do not speak clearly.

The effects of sound upon hearing differ with frequency. If the sound to which one is exposed is concentrated in one frequency, the hearing loss would also be concentrated in this frequency. If noise is in a broad range of frequencies, hearing loss occurs first in the higher frequencies, i.e., those above 4000 c/s. Special care must be exercised to avoid intense noise in frequencies below this, because voice communication is most important from 1500 c/s to 3000 c/s. Each active band of frequencies (a range whose upper limit is double the lower) can be assigned a rough level of sound intensity above which the probability of producing deafness will be greatly increased. (See table of permissible levels appearing in a later issue.)

The medical aspects of hearing loss due to noise exposure are fairly evident, and no one will dispute the fact that perceptive deafness may be caused by exposure to noise. The legal aspects, however, are much more complex, particularly when related to workmen's compensation. It is generally accepted, although not written, that workmen's compensation is intended to recompense a worker for loss of wages. Compensation is made to supplement the worker's reduced earnings and generally is applied to work-related injuries as distinguished from disease.

Industrial experience has indicated, however, that many industries and processes produce diseases which are directly related to the employment in these industries. Much of the recent legal history of workmen's compensation deals with the problem of obtaining equitable compensation laws governing occupational disease. Noise-induced hearing loss is an occupational disease which has yet to be equitably fitted into the scheme of workmen's compensation in most states. The difficulties arise because this particular disease is not disabling in the usual sense, does not generally decrease earning power, and is not of specific origin.

PROTECTION AND COMPENSATION—WHAT HAS LABOR DONE?

Most of organized labor's efforts to protect the worker from the unacceptable consequences of his employment, as it relates to noise, have been directed toward the establishment of equitable compensation laws which will recognize industrial deafness as compensable. The fact that the best cure for occupational disease is its prevention has not been overlooked. Much time and effort by many organizations have been applied to research into the effects of noise upon people. Much has been published concerning the adverse effects of intense noise exposure, methods of determining hearing loss, and methods of controlling noise. The practical application of this information to a noise control program, however, has lagged far behind. Although some industries have applied noise control programs of varying degrees, and two states have adopted rather weak noise control regulations, concerted efforts to reduce hearing loss by the application of comprehensive control programs have been lacking. This lack is attributable, in part, to the lethargy exhibited by the organizations most knowledgeable and, in part, to the failure of regulating agencies to provide guidance for effective action.

Organized labor early recognized that a hearing conservation program in industry to prevent hearing loss was necessary. The International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers very effectively voiced their concern in a resolution presented to their International Executive Council in 1953. This resolution was based upon an extensive study, and stated in part:

"That the International President appoint a Committee to study the problem of occupational deafness as it affects our membership . . . . that the Convention go on record as favoring the enactment of compensation laws in all states for total and partial loss of hearing due to industrial noise. The report of the Resolution Committee to the Convention and as adopted by the Convention is as follows: It is your Committee's further recommendation that the enactment of amendments to compensation laws be vigorously sponsored to provide for inclusion of partial or total loss of hearing due to industrial noise hazards as compensable occupational disease."

The Lau Blower Co.,
Dayton, Ohio, September 21, 1966.

Representative T. R. Kupferman,
House Office Building,
Washington, D.C.

Dear Sir: I would appreciate, at your earliest convenience, any information you can supply on the activities of the "office of noise control" mentioned in the attached article.

Very truly yours,
James R. Ranz,
Project Engineer.

Attachment.

[From B & K Random Noise, September 1966]

Noise Abatement Coming if Congress Approves

A bill to set up an office of noise control to eliminate the roar and clatter caused by jet airliners, motorcycles, jackhammers, air conditioners, etc., is pending in Congress. Sponsors of the bill contend that noise pollution can damage the health of urban residents. This theory has been borne out by several studies which indicate that excessive noise can contribute to heart trouble, mental illness and the loss or impairment of hearing. Researchers have found a noise level of 90 decibels in the critical hearing zone causes definite physical and psychological reactions. Traffic noises alone often reach 105 decibels on major highways or busy city streets.

Grants in aid to universities for research and experimentation in the field of noise measurement and analysis would come within the scope of the bill. Areas where you can expect enforcement include:

Buildings: Codes would require greater sound insulation in interior and exterior walls. Heating and cooling machinery and ducts would have to be designed to create and transmit a minimum of noise. Cooling equipment would no longer be located on building roofs, where it transmits noise to surrounding buildings.

Construction and repair: Equipment would have to operate below approved noise limits. This would include air hammers, compressors, pumps, cranes and pile drivers.

Factories: Employers will be required to reduce noise levels in their shops. They may also have to give free ear examinations and medical treatment for employees.

For more information on the bill write to: Representative T. R. Kupferman, House Office Building 1709 Longworth, Washington, D.C., 20515.

Belo Horizonte, Brazil,
September 11, 1966.

Congressman Theodore R. Kupferman,
17th District Manhattan,
Washington, D.C.

Dear Sir: If by some chance this letter reaches you, I should just like to add to the response you must have felt from your letter printed in Time for 2 September 1966.

It struck me as significant that Time, which generally runs both sides of a question, was apparently unable to run a counter letter re noise. Everyone seems to agree that it is the modern curse indeed. Certainly I wish you all the good luck on earth in your efforts, and this letter is merely to make you chuckle: Rio has been called, by its newspapers, the world's noisiest city. We who endure existence in Brazil wear earplugs—which of course we import from the USA. The whole status structure is involved in noise here, and he whose scooter blares intolerably is king. We have a million would-be kings. The human nervous system is about to falter, and those of us who still retain a speck of sanity truly pray for the continuance of men like yourself. Without you, we're sunk.

Thank you so much for your words in Time.

Respectfully,
Chet S. Dawson.

Columbia, Mo., *September 5, 1966.*

Hon. Theodore R. Kupferman,
Congressman, 17th District, Manhattan,
Washington, D.C.

Dear Mr. Kupferman: I just read your letter in Time magazine and am heartened to know that someone in a position to do something, is doing something about noise. I was beginning to have the panicky feeling that I was one of a minority of about ten in the entire U.S. who was bothered by unnecessary noise.

I would hope that an Office of Noise Control could do something about the increasing number of noisy mufflers on cars that are originally equipped with very quiet mufflers. Are there not laws against this already? If so, they are certainly not enforced.

A car with one of these rumbly "motorboat" mufflers can be heard for several city blocks on an otherwise quiet night, even when driving at a very moderate speed. And in heavy traffic, even if only 5% of the cars have such mufflers the din created is such that one has to shout to carry on a sidewalk conversation. (This is true even if there are no sportscars, motorcycles, scooters, or large unmuffled diesel trucks.)

I fervently hope that an Office of Noise Control becomes a reality, and that it will be effective in reducing the crescendo of unnecessary noise we hear about us today.

Most sincerely,
Rolv Yttrehus.

Technical Institute,
Old Dominion College,
Norfolk, Va., September 20, 1966.

Representative T. R. Kupferman,
House Office Building,
Washington, D.C.:

I understand that you are familiar with a bill that is concerned with Noise Abatement. I would be very grateful to obtain information regarding the scope and nature of this bill.

In a number of my lectures, I stress that more individuals are becoming cognizant of noise and its physical and psychological effects.

I have anticipated local municipalities taking some action; however, I believe that individual guide-lines would be quite varied. Thus I believe that if federal action is taken, it would give local agencies a more realistic idea of how to establish basic standards.

In all fairness, I might also suggest that care be undertaken in establishing rules that be applicable to both subjective and objective reactions to noise. This of course can only be accomplished with a considerable amount of data collection from all parts of our country. The final analysis of course will integrate all reactions into a scientific measurement that will be legally binding. The scientific jargon must also be condensed into a more palatable form.

I am reminded of the statement a judge made in a recent court action.—The judge stated that he was more familiar with "jezebels" than "decibels"; however both of them sounded intriguing.

I would like to thank you in advance and look forward to hearing from you.

Respectfully,
Joseph Tusinski.

Engineers Joint Council,
New York, N.Y., July 15, 1966.

Hon. T. Kupferman,
House of Representatives,
Washington, D.C.

Dear Congressman Kupferman: We have recently read of your interest in abating loud industrial and business noises. This subject should interest the readers of Engineer, who number over 450,000 and they are virtually all engineers.

May we please receive background information on your efforts in noise abatement which will help us to evaluate the possibilities of running a story on the subject in Engineer.

Would you be interested in preparing a by-line article on this issue?

I am enclosing a few back issues of our publication so that you will readily see the concern that we have for national issues involving technology and our intention to provoke discussion and concern within the engineering community.

Thank you very kindly.

Sincerely yours,
Stanley Klein, *Editor.*

Sidebar/Chicago,
Chicago, Ill., September 13, 1966.

Hon. Theodore R. Kupferman,
House Office Building,
Washington, D.C.

Dear Representative Kupferman: Sidebar/Chicago, a midwest freelance writing service, is preparing an article on the general subject of noise and its psychological effects.

We have read with interest your remarks in the Congressional Record on behalf of your bill, H.R. 14602.

However, our first notice was in the Record of August 4, 1966. This refers to your previous remarks in the Record of June 2, April 21, May 2, May 3, May 16 and August 1.

If your office has tearsheets for those dates, we would appreciate receiving them, along with any other pertinent material you might wish to send. A copy of your bill would also be appreciated.

We are just now querying editors for a market for this article, but we are optimistic about finding a public forum for it. A series of articles is planned.

Meanwhile, best wishes for the success of your bill.

Sincerely,
Donald V. Radcliffe, *Manager.*

The Hartford Times,
Hartford, Conn., July 19, 1966.

Representative Theodore Kupferman,
1709 Longworth House Office Building,
Washington, D.C.

Dear Mr. Kupferman, As science writer for the Hartford Times, I am currently doing research for a proposed series of articles about noise in its varied forms in our society and its physiological and psychological effects on man.

In this connection, I would deeply appreciate a copy of the bill you introduced earlier this year in the House, asking for a study of the noise situation in the United States.

I would also be grateful for copies of any talks you have made on the subject on the House floor or elsewhere and for any additional comments you might wish to make on the problem as you see it. Specifically, I have these questions:

1. Is your bill the first of its kind to be introduced in the Congress?

2. Do you see it as part of the national awakening to the need to protect our environment?

3. What prompted you to introduce it? A group of constituents? A particular noise situation? A personal awareness of noise? Complaints in your 17th District?

4. Are you concerned chiefly with city—that is, street—noises?

5. What do you think the chances are for passage of your bill? Why?

6. And lastly, if I may be personal (I'm asking this of everyone I talk with these days), which noise do you find most displeasing? Which noise (if defined as an unwanted or nonfunctional sound) do you find most pleasing?

Sincerely,
Ivan Robinson.

October 11, 1966.

Representative Theodore Kupferman,
House of Representatives Office Building,
Washington, D.C.

Dear Sir: I saw your letter in the *Christian Science Monitor* concerning your noise pollution bill. Certainly something ought to be done to cut down on unnecessary sound in public places and crowded cities, and I wish you all success with the plan.

One difficulty is that different kinds of noise or sound bother different people, and everyone has a peculiar beef about the problem—or else is indifferent to it.

I note that you mention transistor radios as a public nuisance. Perhaps you are also aware that many people are annoyed by being forced to listen to background music. Motivational or background music can be as much an invasion of privacy as loud industrial noise, since it is impossible for a person to shut out sound.

I have collected a number of opinions from people in the world of music and letters, and I enclose a tear-sheet from an article of mine which appeared in *Fact*.

I would like to join a group of citizens in the New York area working to do something about the noise pollution problem, but so far have been unable to find any such group. If you could let me know of any, I would be most grateful.

Cordially,

Raymond Mount, Jr.

[From Fact, November 1965]

Muzak: Chewing Gum for the Mind

(By Raymond Mount, Jr.)

Vladimir Nabokov, Lewis Mumford, Harold C. Schonberg, Pete Seeger, Ben Shahn, Theodore Bikel, Dizzie Gillespie, and others agree: "Piped-in music" is the greatest disaster to hit the music world since the first singing commercial.

"Revolting," says New York Times music critic Harold Schonberg. "It gives me indigestion," complains jazz musician Dizzie Gillespie. "Horrible stuff," artist Ben Shahn calls it. "Pallid pap" is the way musicologist Helmut Blume characterizes it. "Hostile to human values," grumbles social philosopher Lewis Mumford.

They're all talking about that infernally incessant music you hear nowadays in restaurants, elevators, bus terminals, factories, funeral parlors, hospitals, libraries, dentists' offices, Turkish baths, beauty parlors, gas stations, zoos, jails, banks, and in at least one brothel (in Stuttgart, Germany). It really can't be called music, yet it isn't quite bad enough to be called noise, but so far no one has come up with the perfect compromise name. (Leading contenders are "background music," "piped-in music," and "police-state music," followed by such neologisms as 'Pavlovian music," "moronmusic," and—my own personal favorite—"pablumusic.") Whatever it's called, just about anyone who has any vestige of taste left agrees that nothing so disastrous has hit the music world since the first singing commercial, for something called "Tasty Yeast," in 1924.

What's wrong with pablumusic—to settle on a name for it—is twofold.

First of all, it's impossible to turn it off. You're a captive audience, just like that accused little girl who had rings on her fingers and bells on her toes and had music whereever she went. Russell Baker, the Times columnist, even thinks that "The chief objection to such music is that, good or bad, it abridges the priceless human right not to be entertained."

Actually, the chief objection to pablumusic would appear to be something else—namely, that it's awful. You never hear Bach or Basie, only the fluffiest popular tunes, abridged never to exceed 3 minutes and rearranged never to lapse into a minor key or get rousingly loud or romantically soft. You're left with soggy rhythms, an absence of soloists, and a flood of fudgy violins. There's nothing wrong with Stardust, of course, but what the pablumusicmakers do is take a lovely song like "Stardust, pummel it, chew it, mangle it, mash it, whack it, stomp on it, flail it, and strain it—until what remains is as insipid as warm beer, as flat as the Texas landscape, and as painfully boring as "Lady Chatterley's Lover" without the sexy passages. It's Walt Disney music, Reader's Digest music, lowest-common-denominator music, chewing gum for the mind, music without soul or body or flavor or teeth—in short, pablumusic. Not surprisingly, the principal peddler of pablumusic, the Muzak Corporation, is run by the Wrather Corporation, which also owns the "Lassie" TV show and a slice of Disneyland.

City Hospital, New York,
New York, N.Y., August 3, 1966.

Theodore R. Kupferman,
Congress of the United States,
House of Representatives,
Washington, D.C.

Dear Congressman Kupferman: I am enclosing herewith "information concerning the use of noise as a torture." Octave Mirbeau—"Torture Garden" (pp. 161–70). Secondly enclosed you'll find an expose of data and observations: "On the track of the Evil"—the Golgotha which the mayor of Frankfurt a/M Offenbach—went in 1962 going into the battle against the noise.

I hope to have soon more material (French, German, Russian, etc.) dealing with this Crucial Problem of Our Time.

Most sincerely yours,

Zhivk. D. Angeluscheff.

United Aircraft,
Washington, D.C., October 14, 1966.

Hon. Theodore R. Kupferman,
U.S. House of Representatives,
Washington, D.C.

Dear Congressman Kupferman: In response to your query on the sound characteristics of our JT9D turbofan engine for the Boeing 747 transport, we can report that significant noise reduction both in take-off and approach will be achievable in this design. Our studies show that at comparable take-off and approach power levels, the JT9D will produce less noise than the JT3D engines that power most of today's Boeing 707s and Douglas DC8s.

The JT9D engine has been laid out from the outset to employ within its basic design those noise reduction features which have resulted from many years of research in noise reduction techniques at Pratt & Whitney Aircraft. It is the first engine to incorporate modern noise technology in its original design.

The collective effects on noise reduction of low fan tip speed, no inlet guide vanes, proper spacing and number of exit guide vanes have been indicated in extensive test runs on development engines both in the test chamber and outdoors. A full program on noise reduction on the prototype JT9D engines has been underway since September 1965 and this program is to continue throughout the engine development. Pratt & Whitney Aircraft will also continue joint noise programs with the aircraft manufacturer.

I sincerely hope this answers your questions and we are happy to be of help.

Very truly yours,

J. M. Barr.

Cambridge, Mass.,
August 26, 1966.

Hon. Theodore Kupferman,
House of Representatives,
Washington, D.C.

Dear Sir: Thank you so much for sending me the H.R. Bill 14602 and your well prepared remarks to the House upon its presentation. I have read both with great interest and I am writing to my Congressman from Massachusetts as well as to our Senators Saltonstall and Kennedy urging their support of this legislation. I am also urging my friends to do the same.

I notice on my calendar for August a quotation from Saint Clement "O God, make us children of Quietness and heirs of Peace."

Best wishes to you.

Very truly yours,

Abigail S. Peck.

Hearing Care a Possible Fringe Benefit

(By Donald Rubin)

(Note.—Donald Rubin is the Administrator of the Joint Retirement Fund & the Insurance Trust Fund of the Pocketbook & Novelty Workers Union, Local 1, New York City. He is also program director for the Association of Health, Welfare and Pension Plan Administrators and a member of the Hospital and Medical Care Committee, New York City Central Labor Council.)

Hearing loss is a surprisingly common disability in our country today, twice as prevalent as defective vision. Although only 10% of the 15–16 million Americans who could benefit from hearing aids are now using them, people needing hearing aids can be found in every industry and labor union in the country. However, few Labor Management Welfare Funds include benefits for hearing loss in their fringe benefit programs.

We are living in a noisy era. Cars, jetplanes, machinery, sirens and air-hammers produce the incessant and insidious noise we have to live with. Excessive industrial noise is responsible for thousands of Workmens Compensation claims for occupational hearing loss; probably tens of thousands of others have not been filed by potential claimants because of their lack of knowledge. Upon retirement, employees suffering from a noise-induced hearing loss should file their claims for benefits within six months of retirement.

OCCUPATIONAL HEARING LOSS

Occupational hearing loss claims are rising monthly. In New Jersey, claims have increased 500% within the last year. Industrial leaders and insurance carriers are increasingly concerned by the increase in claims. They are afraid that when workers begin to realize they can collect Workmens Compensation for this disability, occupational hearing loss may become one of the major compensable conditions.

In addition to prolonged exposure to noise, congenital defects, communicable diseases, tumors, head injuries, Rh incompatibility, hardened ear wax, are among the factors causing loss of hearing. Many employees with hearing impairment lack knowledge of their physical disability. These workers attempt to cover up their hearing loss through an unwarranted feeling of shame and embarrassment. Hearing loss is extremely disabling to wage earners because we live in a society that rewards those who can communicate effectively. Many deaf people manifest symptoms of hostility, withdrawal, resentment, guilt and fear. There are many medical causes for hearing loss, and therefore hearing complaints should be diagnosed and treated by a physician, and a hearing aid should be purchased only on his advice.

HIGH COST OF HEARING AIDS

Consumer Reports analyzes the confusion the unwary purchaser faces when he seeks to buy a hearing aid. "Even," it said in a recent article, "if someone overcomes his shyness about acknowledging a hearing loss, however, and decided to spend whatever it takes to try to overcome his handicap, he still may have no clear idea how to proceed. Some 300 to 400 different hearing aids are presently offered for sale, and all sorts of professionals and quasi-professionals, ranging from physicians certified as ear specialists to high-pressure salesmen, are ready to advise the hard-of-hearing in their choice. Nor is the confusion eased by accounts of new operations that cure deafness or by the mystique of fitting procedures perpetuated by many hearing aid dealers."

One of the major reasons that labor management welfare funds have tended to avoid providing hearing aids to their members is the hearing aid industry itself. Hearings conducted by Senator Estes Kefauver's Senate Antitrust Subcommittee in 1962 revealed that hearing aids are overpriced and that there is a "disproportionate incidence of complaints against the hearing aid manufacturers and dealers as to high prices, shoddy sales practices, and improper fitting." Experts at these hearings estimated that 5 million Americans either cannot afford the price of a hearing aid or are unaware of the potential benefits of hearing aid use.

The hearing aid industry disclosed at these hearings that it sells between 350 and 400 thousand hearing aids each year but that only 11.3% of these purchases were recommended by a physician. The vast majority of consumers went to dealers whose training and academic attainment were found to be below that required for such specialized work.

The hearings also revealed that of the eleven hearing aid companies with sales in excess of one million dollars in 1961, the dealer's maximum markup was over 150%, and in one case 304%. The minimum markup of only two companies was under 100%.

Manufacturers also admitted that the average hearing aid user gets only 2½ years use out of his hearing aid, which means, according to Senator Kefauver, that if a hearing aid is purchased for a five-year old child, by the time the child is 65, he will need 24 hearings aids as well as innumerable batteries, cords, accessories and repairs. Since the Kefauver hearings, hearing aid manufacturers have done little to correct overpricing and shoddy sales techniques.

INDUSTRY NOISE LEVELS

Engineers measure noise in units called decibels. Reproduced below is a chart prepared by the U.S. Dept. of Labor comparing noise levels from different sources.

To offset rising insurance costs, caused by industrial noise, industry is spending millions of dollars a year on sound reducing materials for commercial and industrial buildings. In addition, the federal government and the automotive industry have spent millions of dollars on anti-noise research. While exposure to excess noise will not affect two people in the same way, workers in certain industries, such as boilermakers, iron workers and printers, have a much higher rate of hearing loss than the general public. Brief exposure to 130–140 decibels will lead to permanent hearing loss. Excessive exposure to 95–100 decibels is dangerous and can lead to hearing damage, and exposure to 100–120 decibels for only a short period will lead in many cases to temporary deafness.

BOILERMAKERS' STUDY

Michael Wood, President of Local 1247, International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers and Helpers, AFL–CIO, in an excellent booklet, "Occupational Deafness, Real or Imaginary?" reports on a study of occupational hearing loss among members of his Union. This study revealed that 76% of his members suffered a hearing loss, 8% of whom had a hearing loss in excess of 50%. Workers who work within 10 feet of noisy machinery suffered a hearing loss of 93%, whereas only 51% of workers who worked more than 10 feet from noisy machinery suffered a hearing loss. Among these workers none suffered a hearing loss of over 50%. Loss of hearing was directly related to a worker's distance from the source of the noise. The study revealed little correlation between a worker's age and hearing loss, but rather that nearness, intensity and duration of exposure to noise were the factors directly responsible for his disability.

There is almost a total absence of adequate hearing conservation programs in high-noise producing industries. It is almost inevitable that the trade Union movement in high-noise producing industries will demand hearing conservation programs at the bargaining table, because Workmens Compensation cannot compensate a person for hearing loss. The physical and psychological complications resulting from loss of hearing cannot be compensated for by an inadequate allowance from an insurance company. The National Maritime Union program for their pensioners is one of the only welfare plans providing a hearing aid benefit. For this reason, their experience should serve as a model for other labor management funds which wish to establish hearing aid benefits.

NMU HEARING AID PROGRAM

The Hearing Aid program of the NMU Pension & Welfare Plan went into effect September 1, 1962. In the year 1962, the benefits paid out amounted to only $220.00. In 1963, $23,000, in 1964, $10,500, in 1965, $11,500. The amount paid out in 1963 bespoke an accumulated need on part of the pensioners. The benefit paid to each applicant is $325.00. This is the maximum benefit for each pensioner, service can be received once every four years. Any pensioner who feels he has trouble with his hearing, can get in touch with the Plan and they advise him which office he should report to for examination of hearing. These offices exist throughout the country, their names and addresses are obtained from the American Hearing Society. As a result of this arrangement, beneficiaries are not victimized by hearing aid vendors who are just interested in making sales. Under this program pensioners do not receive hearing examinations from a company which also sells hearing aids. Pensioners are referred to a reputable audiological establishment for hearing tests, some of which are connected with colleges, universities and hospitals. Even though pensioners are examined at such reliable offices, the Plan nevertheless arranges for a medical examination of all applicants to make certain that the pensioners' hearing problems do not stem from a physical disability. Medical examination, audiological examination and the hearing aids are costly to the Plan. However, in almost every case, $325.00 allowance has proven to be adequate. Very often, people who get a hearing aid, have trouble with it and if not given explicit instructions as to the use of a hearing aid, they try it, have trouble and put it in a drawer to be forgotten. Part of the purchase price of a hearing aid is counseling by the audiologist. The NMU Pension and Welfare Plan limits hearing aid benefits to 5000 pensioners because hearing problems most often occur among the elderly.

HEARING CONSERVATION PROGRAM

A hearing aid program is like a scholarship program because the amounts paid out on both are relatively small as compared to a hospital benefit, life insurance or pension program. It must be realized that a hearing aid program is, of course, aimed only at a certain segment of a Union's membership. It does not, like a dental program, have universal application and use.

To establish an effective program, a health or welfare plan should consider a hearing conservation program for all members, as well as a benefit for hearing aids. For example: The Plan could provide a hearing examination for all employees. This will uncover hearing losses among members who up to that point have not even been aware that they are having a hearing problem. These examinations could be arranged through a Union Health Center or under present medical benefit programs. If the hearing loss could be traced to an occupational hearing loss, then the member could be encouraged to file a claim for Workmen's Compensation benefits. In all cases, the physician should recommend treatment and when necessary, refer the patient for a hearing aid.

The need is clear: the facts speak for themselves. Society can only benefit from a hearing conservation program in industry.

SOURCES AND NOISE LEVELS

Jet engine at 75 ft., hydraulic press at 3 ft., 130 decibels to threshold of pain.

Drop hammers, chipping hammers, 110 to 125 decibels.

Planers, routers, circular saws, 110 to 115 decibels.

Screw machines, punch presses, air drills, 90 to 110 decibels.

Spinners, looms, lathes, automobiles, 80 to 95 decibels.

Noisy office, average street noise, average radio, 60 to 80 decibels.

Average office, noisy home, average conversation, 40 to 60 decibels.

Very quiet home, whisper at 5 ft., 20 to 40 decibels.

Rustle of leaves, 0 decibels to threshold of hearing.

A HEARING CONSERVATION PROGRAM

(NOTE.—The following Outline of a Hearing Conservation Program has been prepared by George E. Frazier, President of Frazier Prescription Hearing Instrument Company, Inc., and head of Save Your Hearing Foundation.)

A hearing conservation program consists of these three parts:

1. Analysis of noise-exposure

Noise-exposures are analyzed in terms of:

(A) Overall level

(B) Composition of the noise

(C) Duration and distribution of exposure during a tpyical work-day

(D) Total exposure time during a work-life.

Measurement of each of these four factors of noise-exposure is important for hearing conservation. Even though two different noises have the same overall level, their compositions may differ considerably (to such an extent, in fact, that one may produce a permanent hearing loss while the other may not). Also, the auditory effects of continuous noise-exposure are different from the effects of intermittent exposure to the same noise

2. Control of noise-exposure

Noise-exposure may be reduced by:

(A) Reducing the amount of noise produced by the source

(B) Reducing the amount of noise transmitted through air or building structures

(C) Revising operational procedures

The most satisfactory method of environmental control of noise-exposure is to control the noise at the source. Unfortunately, this is not always possible. When the amount of noise produced by the source cannot be sufficiently reduced, a combination of control methods may be required to conserve hearing.

3. Measurement of hearing

A hearing conservation program should include:

(A) Pre-employment and/or pre-placement hearing tests, and

(B) Routine periodic follow-up tests

These tests of hearing are the most important part of a hearing conservation program. They provide a record of the initial status of an employee's hearing and make it possible to follow any subsequent changes in hearing ability. Pre-employment and follow-up tests help to identify persons who may be highly susceptible to noise-induced hearing loss. Test and retest results will show whether the conservation program is effective or not.

Even when noise-exposures are not severe enough to warrant a hearing conservation program, it is desirable to test hearing systematically as part of routine physical examinations. Hearing tests are as important and as necessary as test of vision, or any of the tests which accompany a physical examination.

SUPPLEMENTARY SOURCES

1. Bell, Alan, "Noise—An Occupational Hazard and Public Nuisance," Public Health Papers No. 30 (WHO, Geneva 1966).

2. U.S. Department of Health, Education, and Welfare, "Noise in Hospitals," Public Health Service Publication No. 930-D-11 (1963).

3. "Industrial Noise Control and Hearing Conservation Program," International Brotherhood of Boilermakers, Iron Ship Builders, Blacksmiths, Forgers & Helpers, Brotherhood Building, Kansas City, Kansas.

AN AUTOMATIC DATA PROCESSING FACILITY TO SUPPORT THE CONGRESS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Illinois [Mr. McCLORY] is recognized for 20 minutes.

Mr. McCLORY. Mr. Speaker, the impact upon our American way of life of the so-called information explosion has been much discussed in the public news media and debated in the professional journals. Every element of our society—Government, business, education, and the academic world—has been affected, and antidotes have been sought. Within the halls of Congress, the question of when and where to use the products of modern technology has arisen. Today, I introduce a legislative measure designed to provide that type and quality of support to the Congress which long has been lacking. This bill authorizes the Legislative Reference Service of the Library of Congress to make use of automatic data processing—ADP—techniques and equipment in the performance of its function in support of the Congress.

The tools and techniques which have been developed in connection with the evolution of the electronic computer have much to offer the burdened decisionmaker. The growing dilemma of the Congressman and his staff centers about the voluminous written information—reports, books, periodicals, specifications, memoranda—that must be screened, reduced to a useable length, filed, and later used and as reference. Decisions ideally are made on the basis of that information which is timely, accurate, complete, and relevant. All too often it is a case of too much information, not too little. One recent Government study stated that:

> No single technological advance in recent years has contributed more to effectiveness and efficiency in Government operations than the development of electronic data processing equipment.

We see, on every side, the increasing involvement of the Federal Government, both directly and obliquely, in numerous aspects of the lives of its citizens. The new activities, reflected in planning documents, budgetary data, operational procedures, and evaluation forms, necessarily create a situation involving large volumes of information that have to be collected, stored, processed, and eventually retrieved. The electronic computer has taken its place alongside the typewriter and the addressograph as a standard capability that is used in dozens of ways.

The thinking Congressman continually seeks to function in a more effective way. His overburdened staff also looks for shortcuts and strives to cope with the flood of paperwork. The Congressman needs to know the status of many bills, the schedule of committee hearings and meetings in which he is involved; he seeks quick access to facts and figures on a broad spectrum of subjects ranging from "What are the Federal expenditures on welfare projects in his district?" to a request for information on unidentified flying objects.

For a number of years, many of us have believed that the balance in the relationship between the executive branch and the Congress has been in jeopardy because of the demands upon the energies and time of the legislators. There has been criticism, expressed on the floor of this Chamber, to the effect that Congress has yielded more and more authority to the Executive. I say that we must use every possible mechanism to insure that the Congress executes its traditional responsibilities—through its appropriations power, its lawmaking power, and through investigations and oversight.

The basic intention of the bill introduced here today is to provide the Congress with an identified capability, based on automatic data processing devices and procedures, to retrieve selected information that is of priority value to the Members and committees. By amending the Legislative Reorganization Act of 1946, specific responsibility to establish and maintain such a capability may be assigned to the Librarian of Congress. The Legislative Reference Service traditionally has provided invaluable support to the Congress in all types of research. It is the arm of the Congress that is capable of furnishing indepedent, professional research and counseling support upon demand.

Although flexibility in the delineation of the congressional support facility is reflected in the wording of the measure introduced, certain exemplary applications wherein automatic data processing can benefit the Congress in the immediate future include the following:

First. Federal budgetary data. A recommendation of the Joint Committee on the Organization of Congress treats the desirability of providing access to agency budget data. Emphasis is placed on the use of automatic data processing capabilities and modern program evaluation techniques. The feasibility of handling this data in machineable form has been proven; now the nontechnical considerations need to be worked out. Certainly the Congress would welcome all possible technological assistance in dealing with this type of data. Also, the congressional budgetary review process, as influenced by the decision of the President to extend the planning-programing-budgeting system throughout the executive branch, might well be aided by the use of ADP-oriented systems.

Second. Legislative history of bills. Also featured as a recommendation by the Joint Committee on the Organization of Congress; this item requires the collection, formating, and maintenance on a current basis of key information related to each public bill or bills under consideration. Included in this legislative history would be similar relevant proposals previously introduced or considered. The ability to respond to congressional demands for information concerning legislation identical or similar in nature, in either chamber, also might be provided. It is recognized that additional staff effort on the part of the Legislative Reference Service would be required, but the benefits to be derived fully warrant such a step.

Third. Digest of public general bills and selected references. This document, well known and much used by the Members of Congress, is issued biweekly throughout the session by the Legislative Reference Service and features useful synoptic information on bills and resolutions introduced in the Congress. By utilizing automatic data processing, the time between the introduction of the bill by its sponsor and its appearance in this document could be decreased significantly. In addition, the machineable data base containing the synopses and key index descriptors would be available at all times to help answer congressional requests on an ad hoc basis. It is anticipated that since certain elements of information for this item and the legislative history of bills would be the same, an integrated file on magnetic tape would be possible. The value of ADP in indexing, storing, and retrieving this vital information which is needed by the decisionmaker time and again cannot be overstated.

Fourth. Repository of data in machine-readable form. The establishment and maintenance of selected data ranging from fiscal, as described earlier, to legal—for example, the United States Code—to economic statistics in machineable form for use by the Congress could be very useful. Procedures for acquiring and in some cases converting the data, largely held by other Federal organizations, would have to be defined. And of course, criteria governing types of data required and accessibility controls also would be required.

I have enumerated only four possible priority areas in which automatic data processing could be utilized in assisting the Congressman in performing the myriad tasks of his office. Many of you will recall responding to a survey last year at which time you were asked to identify general categories of problems in connection with your job. Of the 80 Members of this chamber interviewed, 78 percent mentioned the complexity of decisionmaking; lack of information. We must move to harness the technological forces that can provide us with the wherewithal to function more effectively as public servants.

Few of us are qualified to discuss in technical detail the power of the electronic computor or the fine points of systems analysis procedures. However, we are aware that something must be done to enable us to render that quality of service to our constituents which they demand and deserve. The definition of Congress' needs for support—both collective and individual—do not end with the examples which I discussed earlier. Applications involving the use of ADP are many: current information on issues up for vote, postvote analytical information, an automated index of congressional documents, lobbyist activity information, histories of committee action, information of Federal contract awards, and on and on.

The ultimate effect of providing Congress with a computer-oriented information system cannot be foretold completely by any expert or soothsayer, but there is no doubt in my mind that the creation of such a facility will have a measurable beneficial effect upon this body. Automatic data processing is an instrument helpful in the storage and processing of information that is useful to the members of this body. The prerogative as to how it is used, where and when it is applied—in other words the judgmental decisionmaking function that is the essence of our existence—these remain with the Members of the Congress.

It has been said that the future of the United States resides in the efficacy of is decisionmakers, whose judgments are rendered with perspective and knowledge. Let us take that first, critical step forward by providing ourselves with the capability that is possible through the great achievements of American creativity and industry.

ATTACK BY MAIL

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Nebraska [Mr. CUNNINGHAM] is recognized for 20 minutes.

Mr. CUNNINGHAM. Mr. Speaker, what seems to me to be an important and penetrating book revealing a clever manipulation of policy among lower echelon employees in Government has just been published. This book will be available October 24. I have reviewed page proofs of this book and believe it is important in that it provides a keen insight into the operations of the bureaucracy in these past crucial years, wherein they have recommended action to our leaders bearing upon our survival as a nation and as a free, democratic republic.

The book is entitled "Attack by Mail," and the author is Edward Hunter, who is known for his analysis and writing in the field of psychological warfare. He put the word "brainwash" into our language. He is the author of a number of historical books, such as "Brainwashing: Pavlov to Powers" and "The Black Book on Red China." I am informed that Mr. Hunter has testified before both House and Senate committees, and his wartime operations for various Government agencies, all in the field of psychological warfare, have been noteworthy.

"Attack by Mail," is of particular interest to me because of the blow-by-blow account it gives of a struggle in which I was engaged. This was a fight over the barrage of corrosive Communist mail from abroad in which I sponsored the legislation to stop the free delivery of such Communist propaganda. This book tells how it happened that an order was issued which canceled interference with all such mail, an order that had been in effect since it was issued by President Harry S. Truman.

We frequently hear of the operations of what we call lower echelons and middle echelons and how they manipulate policy-setting decisions in the highest echelons. The legislation which I sponsored and which these people opposed is a livid example of how they operate. This is one of the most enlightening parts of the book and could be a guidance to voters, legislators, and the members of Government in general. An understanding of the process of the lower and middle echelons that exploits the impossibly busy day spent by most conscientious people in Government nowadays, including the Congress and the executive branch, can pull the carpet out from under a procedure that can lead the Nation into the path of destruction unless corrected.

What is of such vital importance to the future and destiny of the Nation is that this appears to be quite a frequent procedure. One need only to consider the terribly vital matters that come up before Government security agencies for their considered recommendation to the President, dealing with important policy matters involving our relations with Communist countries and military matters generally. Presidents being such very busy men must naturally rely upon recommendations from agency employees in announcing many decisions. This is as it should be, the complexities of Government being what they are. Therefore, I reiterate, the lower and middle echelons—and these people go on and on regardless of which administration is in power—are indeed responsible for important decisions which they have recommended to higher authorities. The problem of free entry of Communist political propaganda seems to be a case in point.

The book makes clear that Communist political propaganda mail is not ordinary mail in the accepted sense of the word with which we are dealing, but weaponry of psychological warfare in which we are engaged in a life-and-death struggle. It is the same as a bullet, its production and use determined in the same manner as bullets, emanating from the same echelon. The author quotes a Hungarian freedom fighter as pointing to a batch of such lies and publications and saying:

> Anyone who thinks this stuff is mail doesn't know what mail is, nor communism . . . This isn't mail. It's a pile of bullets.

The author states:

> We are now at war, though an undeclared one. The foreign propaganda mails are only a single, although highly significant, facet of the fight. The issue of propaganda mail is particularly important for the insight it provides into the structure of modern psychological warfare. A line no longer can be drawn between the bullet of steel that burns into the flesh of an American fighting man in the Vietnamese conflict and the verbal or written bullet that burns into the brain of an American student on a Massachusetts or California campus. One is sped from a pistol and the other is sent by mail, but from the enemy's point of view both have the same result. Indeed the verbal or written bullet is more damaging, for it not only immobilizes a man, but manipulates him into giving aid and comfort to the other side. This is military in essence.

When the unrestricted flow of Communist political propaganda was allowed into the United States, it was felt by knowledgeable people that orders were issued by the Red hierarchy to seize this opportunity to intensify the propaganda warfare assault on the United States from their countries. Nothing can explain the haste with which the Reds expanded their mailing lists after the removal of legal obstacles to their incoming propaganda and implied threats.

This, then, was the situation into which I entered in an effort to remedy this unfortunate state of affairs in which I felt we were abetting an enemy siege of ourselves and placing this Nation in the position of sending this political propaganda through the U.S. mails free of charge. I felt the main thrust of the free flow of Communist propaganda mail into the United States was to give in to a totally one-sided interpretation of the international postal agreements known as the Universal Postal Union Convention. The book analyzes and describes this one-way street in our relations with the Communist enemy. The book then contains the story of the Cunningham amendment and it is told in detail. This is not only the story of a legislative action but is a blow-by-blow account of the obstacles I was up against and how I fought to overcome them.

The problem involved here seems to be to define our principles and objectives clearly so that we can repulse a "psywar" attack without sacrificing our freedoms. The author states:

> The Cunningham Amendment recognized the issue, one of the few times we did so, and this clarity came from the Congress.

Only the Congress still is in a position to provide it, which explains why there is such an intensive cold war attack to destroy our prerogatives to meet this problem.

The detailed account of how this struggle in the Congress to restore a balance on this issue and halt the free entry and distribution of Communist political propaganda into the U.S. mails in spite of what appeared to be certain failure, is an important part of this publication. The odds were overwhelmingly against the measure, but it was ultimately passed by a vote of both Houses and signed by the President.

What will come as news to many people is that this was not a mere postal measure or the restoration of regulations to deal with enemy propaganda mailed or shipped from abroad and received in this country. All that was contemplated in the Cunningham amendment was to ask for fair play, that a right we give to another nation should be granted to ourselves. Under the measure the Communists were permitted to send anything they wanted in the form of letters or publications into our country, but only if they lived up to the Universal Postal Union Agreement, and if we were given reciprocal privileges into their country. This the Communists would not, and would never, allow. They demand a one-way street in practice, although they are willing for us to make believe that it is a two-way street. They insist that we close our eyes to the fact that only a one-way thoroughfare exists, which is to the advantage of the Reds and to our disadvantage.

The book sees the Cunningham amendment the most effective approach we can make in the cold war, declaring:

> Reciprocity can very well be the opening wedge in our relations with the communist-dominated countries. Reciprocity as an issue can prove embarrassing to the Red propagandist abroad. If the public were informed properly, this question would arise and demand a proper answer: "Why should we be deprived of equal treatment?" Psychological warfare on our part could receive no more helpful assist.
>
> Indeed, the issue is so patently just, the failure to provide reciprocity so definitely wrong, that this can provide our government with its most powerful propaganda lever in contacts with the Communist world.

Hunter's book, "Attack by Mail," can best be described as a textbook on Communist tactics and how to defeat them. This is a book on which the author has been at work for about 5 years.

REPRESENTATIVE QUIE'S REPORT TO CONSTITUENTS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Minnesota [Mr. Quie] is recognized for 60 minutes.

Mr. QUIE. Mr. Speaker, since being elected to the U.S. House of Representatives 9 years ago, I have always reported to my constituents in great detail the activities of the House and my own work in the Congress. I believe that an informed constituency will make the right choices in governing themselves. Indeed, this is one of the great strengths of our form of government. We are a well educated Nation and can understand the complex issues that face us. Without an educated constituency our form of government would not work.

It is for this reason that I give this rather detailed report on the activities of the 89th Congress.

While I cannot cover all the bills that were passed, I will deal with the measures of major interest to my constituents. They are especially interested in education, which has been one of my main interests and responsibilities since coming to the Congress and becoming a member of the House Education and Labor Committee.

I will now report on the major pieces of legislation considered by this Congress. Several of them did not become law, but are of such general interest that they were included in the report, especially the Civil Rights Act of 1966.

ELEMENTARY AND SECONDARY EDUCATION ACT AMENDMENTS

The education act now has passed both the Senate and House. I was most pleased that an amendment I proposed in the Education and Labor Committee, where it was adopted, was included in the final version. It would partly correct a great inequity in the original act of 1965. Under title I of the act, the richest States receive the most Federal aid per poor school pupil. Under my amendment no State will receive less than the national average. Thus Mississippi, the poorest State, will now receive $237 per poor child, rather than $121 as before. In all, 27 States will receive more funds. It will not affect Minnesota, which has been receiving $274 per poor child, just above the national average.

I also introduced another amendment in the House, which did not carry. It concerned title III of the original act, which, I believe, gives the Federal Government too much control over the supplementary education centers. The amendment would have strengthened the right of States to set educational priorities. States would have been required to submit statewide plans for such supplementary projects. Under the present act, the U.S. Commissioner of Education decides which projects to approve, with State departments of education having very little to say about approval other than recommendations.

To protect the State and local school districts right to control education policy, I have been promoting a unique plan to aid elementary and secondary education that would leave the use of Federal funds completely up to the States like State aid funds. Under this new concept the "categorical designation" would be dropped in the use of Federal funds by States after the programs had been in effect for 5 years. States would then receive the money from the Federal Government to be used by local schools as they saw fit.

The tax-sharing concept by which the program would be funded would have the Federal Government return a portion of Federal tax revenue to the States for educational purposes, rather than authorizing funds for specific educational programs. The formula would be based on the State's ability to pay for its own educational needs and its efforts to meet those needs.

Although the tax-sharing concept was not enacted in this session, I believe it is so sound a proposal that it will be adopted at some future time.

WAR ON POVERTY AMENDMENTS

The war on poverty program has been one of my chief concerns since it was started 2 years ago. I am in favor of the basic aims of the program, but concerned that it has been run in an inefficient and wasteful manner.

The war on poverty bill was bottled up in committee by the chairman, Adam Clayton Powell. In the final weeks of the session after an attempt to strip him of some of his power, the bill was brought to the floor. It passed both House and Senate.

The minority members of the House Education and Labor Committee were deliberately denied access to the report on an investigation of the program costing $200,000 until late in the session. In fact, even Democratic committee members were not allowed to see the report of the investigation, which was cursory and by the time it was released, out of date.

Earlier in the year I introduced a complete substitute for the faltering war on poverty, called the Opportunity Crusade Act of 1966. It would have more directly involved the poor. Emphasis would have been to give the preschool children of poverty top priority. Tax incentives would have been offered to industry to do what they can do best—train people for better jobs. All except community action and VISTA would have been transferred to existing agencies.

There would have been much closer cooperation between the State and local people and the Federal Government under my bill. The substitute, however, when offered during debate in the House, was defeated.

However, during the House debate, an amendment I submitted was adopted, which I believe will greatly improve the program. It will require at least one-third of the members of any local community action program boards to be representatives of the poor, the very people who are to be helped.

I voted against final passage in the House, not because I am against the concept of the war on poverty, but because I believe as it is now operating, it cannot attain its goal.

CIVIL RIGHTS ACT OF 1966

The act was passed by the House, after lengthy debate, but was killed in the Senate through a filibuster. Title IV, the so-called open housing section, generated the most vigorous debate in the House. It would have forbidden discrimination in the sale or rental of about 40 percent of the Nation's housing, principally large apartments and new housing.

I supported the bill in the House. The Federal proposal was less restrictive than the Minnesota law, and thus would have had no effect on Minnesota.

I also, in voting for the bill in the House, followed the strong stand the Republican Party took at the 1966 State convention. The civil and human rights plank, for example, included these statements:

> The Minnesota Republican Party firmly believes that one of the most important domestic problems facing the citizens is complete equality of opportunity in every aspect of American life.

Another section of the civil and human rights plank stated:

> Because the greatness of this nation lies in the innumerable contributions of men and women from every continent . . . we dare not deny their constitutional rights of the opportunity to purchase property commensurate with their ability to pay and their personal character.

I voted for an amendment submitted by Representative William Cramer of Florida, the antiriot provision. It would make it a crime to cross State lines with intent to incite a riot or commit a crime of violence during a disturbance. I am most firmly opposed to the resort to violence, whether by whites or Negroes.

HIGHER EDUCATION BILL

This year for the first time, the House passed a higher education bill without opposition. This was in sharp contrast to action on education bills in previous years which often were highly controversial.

This year's bill will extend the Higher Education Facilities Act of 1963 for 3 years and authorizes appropriations for grants and loans for graduate and undergraduate facilities construction totaling more than $3 billion. Approximately 23 percent of this amount is earmarked for 2-year public community colleges and technical institutes. This is the act which I worked on for 4 years convincing my colleagues of the importance and need of Federal assistance in this area.

The administration's draft legislation, which came to us earlier this year, called for a phasing out of the existing direct student loan program under the National Defense Education Act of 1958, replacing it with a program of federally subsidized and guaranteed private loans. However, Government-backed private loans would cost $60 million more than the direct loan program for the $1 billion in loans students were expected to seek in the next 8 years. Because of this, and the opposition of many leading educators, bankers, and Members of Congress, including myself, the House committee deleted these loans from the bill.

In response to administration pressure, the Senate incorporated a compromise plan in their bill which provided that the existing National Defense Education Act program was to continue at approximately its current level, but funds would be merged in a revolving fund from which a new loan program to colleges would be financed. However, when the administration suspended the participation sales program, which was to provide money for the revolving fund, the Senate increased the existing National Defense Education Act student loan authorization $30 million in fiscal 1967 and another $30 million in fiscal 1968.

The conference committee rejected the revolving fund program, the main purpose of which was to phase out National Defense Education Act student loans, continued the National Defense Education Act at the existing level of $190 million for this year, and increased it to $225 million for fiscal 1968. The National Defense Education Act student loan program has worked well and is completely acceptable to all who have administered the program and Republicans and Democrats alike. This cannot be said for the guaranteed loan program. While it had substantial bipartisan support at its inception, it has not worked well and has so many shortcomings that I am firmly convinced it is not an effective means of providing loan assistance to college students and that National Defense Education Act loans should be continued into the future indefinitely.

EQUAL EMPLOYMENT BILL

I voted for the bill which has passed the House and is now on the Senate Calendar. The bill contains these provisions:

First. It strengthens Federal equal employment statutes by authorizing the Equal Opportunity Commission to issue cease-and-desist orders against discriminatory practices in employment.

Second. Accelerates coverage of employers and unions by existing nondiscriminatory hiring and union membership requirements.

Its main purpose is to insure nondiscrimination by unions.

MINIMUM WAGE

This bill, now signed into law, contains these provisions:

First. Increases the Federal minimum wage for nonfarm workers in stages from $1.25 to $1.60 an hour, to become fully effective by February 1, 1968, for presently covered workers and by February 1, 1971, for nonfarm workers brought under the coverage for the first time.

Second. Extends minimum wage coverage to an additional 8.1 million employees, including agricultural workers when approximately seven or more are employed.

Third. Extends overtime pay protection to certain employees not previously covered.

Fourth. Establishes a minimum wage of $1 an hour for newly covered farmworkers, to be increased in steps to $1.30 by February 1, 1969. The only ones covered would be when seven or more were hired for a long period of time.

I voted for this measure.

FOOD FOR PEACE ACT OF 1966

This measure is an extension of the food-for-peace bill due to expire on December 31, 1966. It will extend the provisions through 1968. It changes the emphasis of the program from disposal of U.S. surplus crops to planned production for export. It also emphasizes that nations receiving commodities under the act should show a determination to improve their own farm production.

The bill makes these provisions:

First. That the United States retain the basic concept of helping nations friendly to the United States.

Second. That the United States strengthen our efforts to halt the supplying of hostile Communist regimes in Cuba and North Vietnam.

Third. That the United States insist, wherever possible, upon a 5-percent cash payment in sales agreements.

Fourth. That the United States place stronger emphasis on agricultural self-help by earmarking at least 20 percent of certain foreign currencies generated by sales for self-help for these nations.

Fifth. That the United States require, insofar as practicable, the identification of food sold for foreign currencies as being provided through the generosity of the American people.

Sixth. The expansion of technical assistance in friendly developing countries through a farmer-to-farmer program.

I proposed an amendment which would have prohibited the CCC from selling any commodity in the domestic open market at less than 115 percent of the current support price or less than 80 percent of parity—whichever is higher—whenever carryover was less than 50 percent. The amendment did not pass. A less effective amendment did, providing a resale formula of 115 percent if the carryover goes down below 25 percent. I supported the final passage of the bill but will be working for my stronger amendment in the future. I also opposed extension of the long-term dollar credit sales to 40 years, with a 10-year period of grace.

Instead, I am glad a 20-year repayment program with a 2-year grace period finally prevailed. It appears to me that 40 years is too long a period to grant for repayment. In that time the Government may very well change and the United States may never be repaid. A shorter repayment period would encourage responsible repayment.

COMMUNITY DEVELOPMENT DISTRICTS ACT

The Department of Agriculture proposed this act. It would enable rural regional planning boards to avail themselves to planning money under section 701 of the Housing Act.

The administration's proposal was unacceptable. It gave undue authority to the Secretary of Agriculture and the Secretary of Housing and Urban Development in what could have been a Federal effort at reorganization of local systems of government.

The Senate diluted the Federal administrators' authority a bit, but not enough. I offered several amendments which were accepted. These took away any authority in the act previously granted to the Secretary of Agriculture and the Secretary of HUD and made certain that the States would be required to develop the enabling legislation and regional planning areas would only be established if requested by all political subdivisions in the area.

Minnesota has already passed the enabling legislation, having done so in the 1965 session. Also the Minnesota Republican platform for 1966 carries a statement in support of legislation which would permit section 701 money to be used for rural planning. It was my impression that the bill would maintain local control and would be of great benefit to the rural areas, since they can have their future plans based on rural origins rather than urban origins.

My interest in it stems from my belief that rural planning ought to be controlled by local, rural-oriented individuals rather than by urban-oriented people with Federal dominance.

There are still some grave questions about the legislation. Therefore, it was not scheduled for action.

DEMONSTRATION CITIES

Earlier this year, President Johnson asked the Congress to pass an urban development and planning bill, the concrete form of this recommendation being the very controversial Demonstration Cities Act of 1966. The main provision of this act would authorize a program of Federal assistance to selected cities to show how urban renovation, welfare, and other activities would revitalize blighted areas. It further authorizes participating cities grants totaling up to 80 percent of the local costs of Federal programs in housing, urban renewal, transportation, welfare, economic opportunity, and related programs. This may appear to be a noble ideal on the surface, but there are many disconcerting aspects beneath the tinsel, and after having studied this bill in its entirety, I could not support it.

For 17 years we have been told that slum clearance and urban renewal would aid the poor and disadvantaged in our restless cities. Now we are told, by the Secretary of the Department of Housing and Urban Development himself, that urban renewal has never lived up to its promise. And yet, instead of improving upon the multimillion-dollar program already in existence—urban renewal—and regearing it to meet the true needs of housing in our urban centers, we are handed another huge program. And a dubious program at that.

One obvious concern during this time of inflation is the cost of such a program, $924 million. It is more than the cost that makes the bill unacceptable to me. This act sets up a new level of government, and through the metro development title of the act our country would be divided into Federal community development districts—a new administrative unit that would look to the Federal Government rather than the States, cities, and other localities for guidance. Virtually every local governmental decision of any magnitude, in areas accepting supplemental Federal aid, would be subject to review by the Secretary of HUD. HUD, with billions of dollars at its disposal, will have more power over urban and suburban life than any mayor or Governor in the country. And it is not too difficult to carry this one step further and recognize that a great danger would be the potential use of this program as a political lure to entice political support in the hope of generous Federal bequests.

Second, I am greatly concerned at the refusal of the proponents of this program to agree to a motion which would have cut $900 million in funding moneys, but allowed the $24 million for planning. In these times of inflation, more commonsense could have been used by the Democratic majority. The object of cutting out $900 million was twofold: to show that we are concerned about excessive Federal spending, and second, in light of the many questions and objections to the program, to go ahead with the planning, but have the program resubmitted to the Congress at a later date when it could be considered more fully, and not in the rush of adjournment. Obviously, as in the case of too many bills which have passed this 89th Congress, the Demonstration Cities Act could not have stood careful scrutiny, and with the overwhelmingly Democratic majority, it did not suffer that embarrassment.

To note the seemingly bottomless needs of cities is to have some faint idea of the eventual burden that the President has called on the Federal Government to assume in the midst of the war in Vietnam and threatened galloping inflation.

COLD WAR GI BILL

Modeled after the GI bills of World War II and the Korean war, this measure received my support. The benefits to the United States of the other bills is generally admitted by everyone. Investing in the education of veterans has proven to be an extraordinarily good investment.

It provides: benefits for veterans who have served at least 181 days, any part of which occurred after January 31, 1955; educational benefits ranging from $100 to $150 a month, depending on the number of dependents; benefits to veterans who have not graduated from high school, but no retroactive payments will be made to veterans for school they have attended since 1955.

The measure requires 3 years of military service to be eligible for the 36 months of education, a full college education, but veterans can draw proportionate amounts for lesser time served, if this is more than 6 months. The time limit for a veteran whose service ended before June 1, 1966, is May 31, 1974. A person who has served 2 years on active duty and is continuing on active duty can take advantage of the educational benefits by attending nearby institutions. These persons will receive payment for educational fees and tuition.

Veterans are also eligible for a period of from 10 to 20 years for loans from private lenders for farm homes and farms, and in certain designated areas, for direct loans made by the VA for homes and farmhouses.

Other benefits available are hospital care, job counseling and placement, Federal employee preference, and burial flags.

TRANSPORTATION DEPARTMENT

This bill which I supported established a new Cabinet-level Department of Transportation, bringing together under one roof major Federal agencies and functions involved in aviation, highways, railways, and the U.S. Coast Guard, but not the merchant marine. I voted for the measure.

It contains these provisions:

First. Establishes the Department headed by a Secretary appointed by the President and containing three major divisions: Federal Highway Administration, Federal Railroad Administration, and Federal Aviation Administration.

Second. Establishes an office of accident investigation to look into aviation accidents.

Third. Establishes a National Highway Safety Agency and a National Highway Safety Advisory Committee to advise, consult with, and make recommendations on highway safety.

Fourth. Transfers to the new Department the office of the Under Secretary of Commerce for Transportation, Bureau of Public Roads, U.S. Coast Guard, the safety functions of the Civil Aeronautics Board, the safety functions of the Interstate Commerce Commission, certain functions of the Army Corps of Engineers, and the Great Lake Pilotage Administration.

Fifth. Establishes a National Transportation Safety Board.

Sixth. Directs the Secretary to conduct a study with the Secretary of Housing and Urban Development on the best organization and location of urban mass transportation functions within the executive branch.

WATER POLLUTION CONTROL

This measure has passed both the House and Senate with my support. Generally, it will:

First, increase Water Pollution Control Administration grants to $6 billion during the fiscal years of 1967–72;

Second, encourage Federal and State cooperation on funds for water pollution projects by making Federal loans available to help State, interstate, municipal, and intermunicipal agencies in meeting their shares of project costs;

Third, eliminate dollar ceilings on individual grants of funds for water pollution projects;

Fourth, raise grants to non-Federal governing bodies for projects to demonstrate improved methods of water pollution control or water purification techniques; and

Fifth, establish procedures for international conferences if U.S. water pollution endangers the health of persons in a foreign nation.

PARTICIPATION SALES ACT

This act has been passed by both Houses and has become law.

It authorizes the Federal Government to sell participations in pools of assets acquired by Federal agencies in their various lending programs. It permits the Federal National Mortgage Association—FNMA—acting as trustee, to sell them. Eligible to participate are these agencies: Federal Housing Administration, Office of Education, Housing, and Urban Development, Veterans' Administration, Export-Import Bank, and the Small Business Administration.

The assets and/or loans are placed in a pool which is then sold to individuals, businesses, banks, corporations, and so forth, by FNMA. FNMA holds the title to these assets and is responsible for the administration of the sales.

I opposed the bill.

Large investors or corporations have the advantage of gaining a higher return on interest than is normally paid on Government securities. This device has depleted private money, driving interest rates way up.

The result of the measure is that the Government debt appears smaller than it actually is. The result is more inflation and less stability. It is, in my opinion, a budget gimmick that backfired.

The administration has now voluntarily terminated these sales since it had virtually dried up money to finance home building, and has driven interest rates higher than they have been for 45 years.

FREEDOM OF INFORMATION ACT

The Freedom of Information Act, now signed into law, provides for greater public access to records of the Federal Government. It also authorizes private suits in Federal courts to produce records improperly withheld.

I supported this legislation.

The main provisions of the legislation are:

First. It removes the broad language of the Administrative Procedure Act of 1946 on exemptions and replaces it with broad requirements that records and information be made available to the public, except for information in certain categories such as information on national defense or foreign policy.

Second. It authorizes aggrieved persons to file a complaint in the Federal district court of the complainant's place of residence or business or the place of the agency if it is withholding information; authorizes the court to enjoin the agency from withholding records improperly withheld and to make them available; places the burden upon the agency to sustain its action.

Third. Provides that the bill would go into effect 1 year after enactment, which was July 4, 1966.

FOREIGN AID AUTHORIZATION

With several reservations, I voted for the Foreign Aid Authorization Act. I would have preferred to have shortened the authorization to 1 from 2 years, with the exception of those for the Alliance for Progress and Development Loan Fund, which were to remain at 5 years.

The final bill authorized $2,625,737,500 for economic assistance and $875 million for military aid. It also authorized up to $10 billion in grant-aid for assistance to U.S. research and educational institutions for programs dealing with the economic and social development of less-developed countries.

High priorities are also to be given to agricultural production in food-deficient nations, particularly through research programs to increase acre yields of major food crops, and that such programs where possible be based on cooperative undertakings between universities and research institutions of the United States and the recipient nations.

Also included in the measure was a sound principle: Emphasis will be placed on assuring maximum participation in the task for economic development on the part of the people of the developing countries through the encouragement of democratic private and governmental institutions.

TAX ADJUSTMENT ACT OF 1966

The act, signed into law, contained these provisions:

First. Suspended on January 1, 1966, reductions in automobile and telephone excise taxes and postponed other scheduled reductions in these levies until April 1, 1968.

Second. Eliminated the existing flat 14 percent withholding rate on individual income taxes and established instead, effective on May 1, 1966, a new system of six withholding rates, graduated from 14 to 30 percent according to income.

Third. Raised the value of personal exemptions for withholding purposes—but not for computation or actual tax liabilities—from $600 to $700; eliminated withholding from families or individuals whose income, after subtraction of $700 for each withholding exemption, were no greater than $200.

Fourth. Accelerated corporate tax payment schedules established under the Revenue Act of 1964.

Fifth. Barred income tax deductions for funds used to buy tickets to political dinners, inaugural balls, or similar events or for advertisements in convention programs or other political publications.

Sixth. Provided monthly payments of $35 beginning October 1, 1966, for certain persons 72 or older who were not currently eligible for social security benefits. It also provided a monthly $17.50 for a spouse when both husband and wife were entitled to the benefits.

Seventh. Amended the U.S. tariff law to allow a $50 duty-free exemption, through December 31, 1967, for gift packages shipped to the United States by members of the Armed Forces serving in combat zones.

On the bill as a whole, I believe that the failure to remove the excise clause was an overriding consideration, so I voted against its passage. It would have been better to reduce nonmilitary spending this year rather than to suspend the tax cuts.

RAISE DEBT CEILING

The debt ceiling was raised to $330 billion from $328 billion, extending the limit until June 30, 1967. It was signed into law.

I opposed the bill as it operates under a philosophy of unrestrained Government spending. Such a philosophy has led to a $37-billion increase in the national debt since 1960 and frequent demands that Congress raise the debt limit.

The Nation's economy is suffering from this kind of unrestrained spending. The same administration spending policies, which see deficits year after year, have resulted in a rising deficit in our balance of payments, threatening our international monetary stability, further draining the Nation's gold reserves and makes management of the huge debt more difficult.

Mr. Speaker, I wish to take this opportunity to record my opposition to the tremendously increased spending of the 89th Congress.

The public does not realize how much money has been appropriated for fiscal 1967 nor how large the increase will be over the previous fiscal year.

Never in the history of the United States has Federal spending jumped so much from one year to the next, except for the period of World War II, when we were engaged in an all-out war.

For a time during the 2d session of the 89th Congress it appeared that the spending policies of the administration would be curbed by the Congress. But as the 2d session drew to a close it became apparent that the Congress gave everything the administration wanted in the way of funds and even more despite the warnings of the minority.

Mr. Speaker, it has been a great privilege to represent and serve the people of the Minnesota First District in the U.S. House for these 9 years. They have been articulate in forwarding to me their views on current legislation. They have been most helpful since a true sounding of public opinion is a great aid to a representative.

It is this continuous communication between representative and constituent which "makes the horse go" in our form of government. As long as the lines of communication are open, we all benefit.

I would also like to take this opportunity to pay tribute to the newspapers, radio and television stations, and other mediums of communication for the full coverage they have given my views and actions these past 9 years. The First District is blessed with aggressive and well-managed newspapers and radio and television stations. I have found that they treat issues fairly. I follow the news as it appears in these media and find the information I gather from them of great value in my work in the Congress.

Every year I conduct a questionnaire poll in the First District, and I would just like to remind you of the results of this year's poll, which have been published in the newspapers.

RESULTS OF THE FIRST DISTRICT QUESTIONNAIRE POLL

1. Do you favor intensification of U.S. military action in Vietnam, including air and sea action against North Vietnam? Yes: 55.1%. No: 36.9%. No Response 8%.

2. Do you favor negotiating best possible immediate peace in Vietnam and withdrawal? Yes: 45.6%. No: 46.9%. No Reponse 7.5%.

3. Do you favor the Federal Government undertaking to rebuild whole areas of America's major cities? Yes: 10.2%. No: 86.7%. No Response 3.1%.

4. Do you favor the Secretary of Agriculture's current authority to sell government-owned grains in the open market, to hold down farm prices? Yes: 23.8%. No: 70.2%. No Response 5%.

5. Do you favor the President's proposal to cut the school milk program by 80% and the school lunch program by 20% in order to reduce the Federal Budget? Yes: 12.6%. No: 84.6%. No Response 2.8%.

6. Do you favor a tax-sharing plan to return to the states, with no strings attached, a portion of the Federal individual income taxes collected, to be used for education purposes? Yes: 72.9%. No: 22.4%. No Response 4.7%.

7. Do you favor a new cabinet-level Department of Transportation? Yes: 31.2%. No: 55.5%. No Response 13.3%.

8. Do you favor the enactment of compulsory Federal standards for the manufacture of vehicles, tires and accessories to further highway safety? Yes: 65.2%. No: 30.4%. No Response 6.9%.

9. Do you favor expansion of trade with Communist-bloc nations? Yes: 29.9%. No: 63.2%. No Response 6.9%.

10. Do you favor a new "Food For Peace" program so the U.S. would produce for world needs, since surpluses are being reduced or eliminated? Yes: 57.5%. No: 34.4%. No Response 8.1%.

11. Do you believe inflation is a current threat? Yes: 81.2%. No: 15.2%. No Response 3.6%.

SOCIAL SECURITY FOR RETIRED PUBLIC EMPLOYEES OVER AGE 72

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FRASER. Mr. Speaker, I have introduced H.R. 18460 in order to permit former State and local public employees over age 72 to receive the $35 per month benefits we have authorized under the so-called Prouty amendment to the Tax Adjustment Act of 1966.

It seems to me only fair that this small social security benefit should be made available to former public employees even though they are now receiving a retirement benefit under their governmental system.

As you know, the Prouty amendment is only a temporary provision to bring benefits now to persons over 72 or who reach 72 in the next few years and have less than the normal requirement of quarters of coverage under social security. The Prouty amendment is designed so that the number covered by this special feature will become smaller and smaller each year.

I certainly hope that this can be one of the improvements to the social security system that will come out of Congress either this year or next.

H.R. 18460

A bill to amend section 228 of the Social Security Act to eliminate the provisions which reduce the benefits otherwise payable thereunder to certain uninsured individuals by the amount of any governmental benefits they are receiving

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 228 of the Social Security Act is amended by striking out subsection (c), and by redesignating subsections (d) through (h) as subsections (c) through (g), respectively.

SEC. 2. The subsection of section 228 of the Social Security Act redesignated as subsection (g) by the first section of this Act is amended by striking out paragraphs (2) and (3), and by redesignating paragraph (4) as paragraph (2).

HIGHER SOCIAL SECURITY BENEFITS

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Minnesota [Mr. FRASER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FRASER. Mr. Speaker, I support with enthusiasm the proposals made by President Johnson in his Baltimore speech last week for increased social security benefits. There is no question, in my opinion, that improvements in the social security system are needed, despite the improvements that have been enacted by the 89th Congress. Even with the improvements made by this Congress, our aged citizens do not receive sufficient benefits to which they are entitled.

For this reason, I have introduced H.R. 18460, which would liberalize social security benefits and bring more of our elderly retired population closer to a livable income. The hour is late, I realize, and action will not be taken on this proposal until next year. But I urge the Committee on Ways and Means and the leadership of the House to place this legislation near the top of its priority list when the 90th Congress convenes.

My bill follows:

H.R. 18461

A bill to amend title II of the Social Security Act to provide a 10-percent, across-the-board benefit increase, with a maximum of $100 a month for individuals with 25 years' service, to increase the earnings base for benefit and tax purposes, to liberalize the retirement test, and to cover disability insurance beneficiaries under the health insurance benefits program

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

BENEFIT INCREASE

SECTION 1. (a) Section 215(a) of the Social Security Act is amended by striking out "whichever of the following is the largest" and inserting in lieu thereof "whichever of the following (after the application of the second sentence of this subsection) is the largest".

(b) Section 215(a) of such Act is further amended by inserting after and below paragraph (4) the following new sentence:

"Notwithstanding any other provision of this section, each of the figures in columns IV and V of such table shall be increased by 10 percent before applying the foregoing provisions of this section and the provisions of section 203(a)."

(c)(1) The first sentence of section 202(i) of the Social Security Act is amended by striking out "$255" and inserting in lieu thereof "$280.50".

(2) Section 202(m) of such Act is amended by inserting after "the first figure in column IV of the table in section 215(a)" each place it appears the following: "(after the application of the second sentence of such section)".

(3) Section 203(a) of such Act is amended by adding at the end thereof the following new sentence: "For purposes of this subsection, the second sentence of section 215(a) shall apply."

(d)(1) Section 227 of the Social Security Act is amended—

(A) by striking out "$35" in subsections (a) and (b) and inserting in lieu thereof "$38.50"; and

(B) by striking out "$17.50" in subsection (a) and inserting in lieu thereof "$19.30".

(2) Section 228 of such Act is amended—

(A) by striking out "$35" in subsections (b)(1), (b)(2), and (c)(3)(A) and inserting in lieu thereof "$38.50"; and

(B) by striking out "$17.50" in subsections (b)(2), (c)(2), and (c)(3)(B) and inserting in lieu thereof "$19.30".

(e) The amendments made by this section shall apply only with respect to monthly benefits under title II of the Social Security Act for months after December 1966, and with respect to lump-sum death payments under such title in the case of deaths occurring after December 31, 1966.

MINIMUM BENEFIT

SEC. 2. (a) Section 215(a) of the Social Security Act is amended by adding at the end thereof (after the table) the following new sentence:

"Notwithstanding any other provision of this title, the primary insurance amount of an insured individual shall in no case be less than the product of $1 multiplied by the number of such individual's quarters of coverage, or $100, whichever is less."

(b) The amendment made by subsection (a) shall apply with respect to monthly insurance benefits under title II of the Social Security Act for months after December 1966, and with respect to lump-sum death payments under section 202(i) of such Act in the case of deaths occurring on or after December 31, 1966.

INCREASE OF EARNINGS COUNTED FOR BENEFIT AND TAX PURPOSES

SEC. 3. (a)(1)(A) Section 209(a)(4) of the Social Security Act is amended by inserting "and prior to 1967" after "1965".

(B) Section 209(a) of such Act is further amended by adding at the end thereof the following new paragraph:

"(5) That part of remuneration which, after remuneration (other than remuneration referred to in the succeeding subsections of this section) equal to $7,800 with respect to employment has been paid to an individual during any calendar year after 1966, is paid to such individual during such calendar year;".

(2)(A) Section 211(b)(1)(D) of such Act is amended by inserting "and prior to 1967" after "1965", and by striking out "; or" and inserting in lieu thereof "; and".

(B) Section 211(b)(1) of such Act is further amended by adding at the end thereof the following new subparagraph:

"(E) For any taxable year ending after 1966, (i) $7,800, minus (ii) the amount of the wages paid to such individual during the taxable year; or".

(3)(A) Section 213(a)(2)(ii) of such Act is amended by striking out "after 1965" and inserting in lieu thereof "after 1965 and before 1967, or $7,800 in the case of a calendar year after 1966".

(B) Section 213(a)(2)(iii) of such Act is amended by striking out "after 1965" and inserting in lieu thereof "after 1965 and before 1967, or $7,800 in the case of a taxable year ending after 1966".

(4) Section 215(e)(1) of such Act is amended by striking out "and the excess over $6,600 in the case of any calendar year after 1965" and inserting in lieu thereof "the excess over $6,600 in the case of any calendar year after 1965 and before 1967, and the excess over $7,800 in the case of any calendar year after 1966".

(b)(1)(A) Section 1402(b)(1)(D) of the Internal Revenue Code of 1954 (relating to definition of self-employment income) is amended by inserting "and before 1967" after "1965", and by striking out "; or" and inserting in lieu thereof "; and".

(B) Section 1402(b)(1) of such Code is further amended by adding at the end thereof the following new subparagraph:

"(E) for any taxable year ending after 1966, (i) $7,800, minus (ii) the amount of the wages paid to such individual during the taxable year; or".

(2) Section 3121(a)(1) of such Code (relating to definition of wages) is amended by striking out "$6,600" each place it appears and inserting in lieu thereof "$7,800".

(3) The second sentence of section 3122 of such Code (relating to Federal service) is amended by striking out "$6,600" and inserting in lieu thereof "$7,800".

(4) Section 3125 of such Code (relating to returns in the case of governmental employees in Guam and American Samoa) is amended by striking out "$6,600" where it appears in subsections (a) and (b) and inserting in lieu thereof "$7,800".

(5) Section 6413(c)(1) of such Code (relating to special refunds of employment taxes) is amended—

(A) by inserting "and prior to the calendar year 1967" after "the calendar year 1965";

(B) by inserting after "exceed $6,600," the following: "or (D) during any calendar year after the calendar year 1966, the wages received by him during such year exceed $7,800".

(C) by inserting before the period at the end thereof the following: "and before 1967, or which exceeds the tax with respect to the first $7,800 of such wages received in such calendar year after 1966".

(6) Section 6413(c)(2)(A) of such Code (relating to refunds of employment taxes in the case of Federal employees) is amended by striking out "or $6,600 for any calendar year after 1965" and inserting in lieu thereof "$6,600 for the calendar year 1965 or 1966, or $7,800 for any calendar year after 1966".

(c) The amendments made by subsections (a)(1) and (a)(3)(A), and the amendments made by subsection (b) (except paragraph (1) thereof), shall apply only with respect to remuneration paid after December 1966. The amendments made by subsections (a)(2), (a)(3)(B), and (b)(1) shall apply only with respect to taxable years ending after 1966. The amendments made by subsection (a)(4) shall apply only with respect to calendar years after 1966.

LIBERALIZATION OF RETIREMENT TEST

Sec. 4. (a) Subsection (f)(3) of section 203 of the Social Security Act is amended by striking out "$125" and inserting in lieu thereof "$135".

(b) Subsections (f)(1), (f)(4)(B), and (h)(1)(A) of such section 203 are each amended by striking out "$125" and inserting in lieu thereof "$135".

(c) The amendments made by this section shall be effective with respect to taxable years ending after the date of the enactment of this Act.

MEDICARE FOR DISABILITY INSURANCE BENEFICIARIES

Sec. 5. (a)(1) Section 226(a) of the Social Security Act is amended to read as follows:

"(a) Every individual who—

"(1) has attained the age of 65 and is entitled to monthly insurance benefits under section 202, or

"(2) has attained the age of 60 and is entitled to disability insurance benefits under section 223, or

"(3) is a qualified railroad retirement beneficiary, shall be entitled to hospital insurance benefits under part A of title XVIII for each month for which he meets the condition specified in paragraph (1), (2), or (3), whichever is applicable, beginning with the first month after June 1966 for which he meets such condition."

(2) Section 226(b) of such Act is amended—

(A) by striking out "after June 30, 1966, or on or after the first day of the month in which he attains age 65, whichever is later" in paragraph (1) and inserting in lieu thereof "on or after the later of (i) July 1, 1966, or (ii) the first day of the month in which he attained the age of 65 or the first month in which he both had attained age 60 and was under a disability, whichever is applicable"; and

(B) by striking out "under section 202" in paragraph (2) and inserting in lieu thereof "under section 202 or 223".

(b)(1) Section 1811 of the Social Security Act is amended by inserting before the period at the end thereof the following: ", and for individuals aged 60 or over who are under a disability and are entitled to benefits under section 223 of this Act or under section 2(a)(4) or 2(a)(5) of the Railroad Retirement Act of 1937".

(2) Section 1831 of such Act is amended by striking out "individuals 65 years of age or over who" and inserting in lieu thereof the following: "individuals who are 65 years of age or over or are 60 years of age or over and entitled to hospital insurance benefits on the basis of disability, and who".

(3) Section 1836 of such Act is amended to read as follows:

"ELIGIBLE INDIVIDUALS

"Sec. 1836. Every individual who—

"(1) is entitled to hospital insurance benefits under part A, or

"(2) has attained the age of 65 and is a resident of the United States, and is either (A) a citizen or (B) an alien lawfully admitted for permanent residence who has resided in the United States continuously during the 5 years immediately preceding the month in which he applies for enrollment under this part,

is eligible to enroll in the insurance program established by this part."

(4)(A) Section 1837(b)(1) of such Act is amended to read as follows:

"(1) No individual may enroll for the first time (in any period of continuous eligibility) under this part more than 3 years after the close of the first enrollment period (in such period of continuous eligibility) during which he could have enrolled under this part."

(B) The last sentence of section 1837(b)(2) of such Act is amended by inserting before the period at the end thereof the following: "(during any continuous period of eligibility)".

(C) Section 1837(b) of such Act is further amended by adding at the end thereof the following new paragraph:

"(3) For purposes of paragraphs (1) and (2) (and section 1839(c)), an individual's 'period of continuous eligibility' is the period beginning with the first day on which he is eligible to enroll under section 1836 and ending with his death; except that any period during all of which an individual satisfies paragraph (1) of section 1836 and which terminates before the month preceding the month in which he attains age 65 shall be a separate 'continuous period of eligibility' with respect to such individual (and shall be deemed not to have existed for purposes of subsequently applying this section)."

(D) The first sentence of section 1837(c) of such Act is amended by striking out "paragraphs (1) and (2)" and inserting in lieu thereof "paragraph (1) or (2)".

(E) The second sentence of section 1837(c) of such Act is amended to read as follows: "For purposes of this subsection and subsection (d), an individual who satisfies paragraph (1) of section 1836 but not paragraph (2) of such section shall be treated as satisfying such paragraph (1) on the first day on which he is (or on filing application would have been) entitled to hospital insurance benefits under part A."

(F) Section 1837(d) of such Act is amended—

(i) by striking out "paragraphs (1) and (2)" and inserting in lieu thereof "paragraph (1) or (2)", and

(ii) by striking out "such paragraphs" and inserting in lieu thereof "such paragraph".

(G) Section 1837 of such Act is further amended by adding at the end thereof the following new subsection:

"(f) For purposes of subsections (b), (c), and (d) of this section (and for purposes of sections 1838(a) and 1839(c)), any enrollment under this part which terminates in the manner described in section 1838(c) shall thereafter be deemed not to have existed."

(5)(A) Section 1838(a) of such Act is amended—

(i) by striking out "paragraphs (1) and (2)" in paragraph 2(A) and inserting in lieu thereof "paragraph (1) or (2)";

(ii) by striking out "such paragraphs" in paragraph (2)(B) and inserting in lieu thereof "such paragraph";

(iii) by striking out "such paragraphs" in paragraph (2)(C) and inserting in lieu thereof "such paragraph"; and

(iv) by striking out "such paragraphs" in paragraph (2)(D) and inserting in lieu thereof "such paragraph".

(B) Section 1838 of such Act is further amended by redesignating subsection (c) as subsection (d), and by inserting after subsection (b) the following new subsection:

"(c) In the case of an individual satisfying paragraph (1) of section 1836 whose entitlement to hospital insurance benefits under part A is based on his being age 60 or over and entitled to disability insurance benefits rather than on his being age 65, and who ceases to be entitled to such benefits due to the ending of his disability (and the consequent termination of his entitlement to benefits under title II of this Act or the Railroad Retirement Act of 1937) before he attains 65 years of age, his coverage period (and his enrollment under this part) shall be terminated. The termination of a coverage period under the preceding sentence shall take effect on a date determined under regulations, which may be determined so as to provide a grace period (not in excess of 90 days) in which coverage may be continued."

(6) Section 1839(c) of such Act is amended—

(A) by inserting "(in the same period of continuous eligibility)" after "for each full 12 months"; and

(B) by adding at the end thereof the following new sentence: "Any increase in an individual's monthly premium under the first sentence of this subsection with respect to a particular period of continuous eligibility shall not be applicable with respect to any other period of continuous eligibility which such individual may have."

(7)(A) Section 1840(a)(1) of such Act is amended by striking out "section 202" and inserting in lieu thereof "section 202 or 223".

(B) Section 1840(a)(2) of such Act is amended by striking out "section 202" and inserting in lieu thereof "section 202 or 223".

(C) Section 1840(c) of such Act is amended by striking out "section 202" and inserting in lieu thereof "section 202 or 223".

(c) The Railroad Retirement Act of 1937 is amended by adding after section 21 the following new section:

"HOSPITAL INSURANCE BENEFITS FOR THE DISABLED AGED 60 OR OVER

"Sec. 22. Individuals over 59 but under 65 years of age who are entitled to annuities under paragraph 4 or 5 of section 2(a) shall be certified by the Board under section 21 in the same manner, for the same purposes, and subject to the same conditions, restrictions, and other provisions as individuals specifically described in such section 21; and for the purposes of this Act and title XVIII of the Social Security Act individuals certified as provided in this section shall be considered individuals described in and certified under such section 21."

PRESIDENT JOHNSON ADDRESSES U.S. MARSHALS' CONFERENCE

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. Rooney] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROONEY of New York. Mr. Speaker, on September 27 last, President Johnson addressed a group of U.S. Marshals when they visited the White House. The occasion was the Second Annual National Conference for U.S. Marshals. It is my pleasure and privilege to include with these few words the remarks of President Johnson on that occasion:

Text of Remarks by the President to U.S. Marshals Conference

I am delighted to welcome you to the White House again on the occasion of your second national conference.

You are here to study new problems in law enforcement.

Never in the history of your organization—177 years—has this Nation had greater need for imaginative, new, and firm approaches to that problem.

More than 2,700,000 major crimes are now committed in this country every year—nearly five a minute.

You know the statistics: one murder every hour, one forcible rape every 23 minutes, one robbery every four and one-half minutes, one assault every two and one-half minutes, one car theft every minute, one burglary every twenty-seven seconds.

So long as this situation continues, we are not meeting the Government's very first responsibility to its citizens: the right to be secure from criminal violence.

We have a national policy for agriculture. We have a national policy for transportation. We have national policies for health and education. The time is long past due for a national strategy against crime. And as Federal law enforcement officers, you have a stake in helping to formulate that policy.

The United States Marshals have a proud record. From early frontier days, you have accepted the challenge of change. Often you were the first to carry the Federal writ into lawless communities. Today, you are discharging your increasingly difficult duties with devotion and dispatch. And you are doing it, I might add, with a record of economy and efficiency unequaled by any branch of the Federal service. The Marshals Service has had less than a 2 percent increase in personnel over a period of 30 years. I consider that truly remarkable.

I am also pleased that, in my Administration, legislation has finally been introduced to place U.S. Marshals under the Civil Service system. Enactment of this bill will complete the task of making the Marshals Service a merit service and a career service. It will protect the rights of the individual Marshal, and it will benefit both your Service and the country you serve.

But no matter how capable, no matter how dedicated, Federal law enforcement officers cannot win this fight alone. That is why I have asked the Attorney General to work with the governors of the 50 States to establish state-wide committees on law enforcement and criminal justice.

I am pleased to announce today that 20 governors have already acted and 14 have indicated their intentions to form such committees. And more States are actively considering this step.

The Law Enforcement Assistance Act, which we passed last year, is channeling Federal help to local police. In its first year of operation, it has financed 79 demonstration projects in 30 States. This year more programs are underway, including one which is helping police in about 60 cities plan and develop community relations programs. I hope and believe that this will make your own work a little easier.

We are also striving to help the courts operate more fairly and swiftly.

In June, I signed into law the first real reform of our bail system since 1789. It insures that all defendants will be considered, in fact as well as in theory, innocent until proven guilty. The right to bail will no longer depend on the size of a man's wallet.

I want to assure you that the Federal Government will continue to strengthen the Nation's ability to resist crime. We will use the laws we have, and we will seek new laws when they are necessary and useful.

We have new legislation to control the illegal drug traffic.

We have new legislation to control juvenile delinquency.

We have new legislation to help local police departments.

We have new legislation to seek prisoner rehabilitation.

We will continue, and accelerate, our battle with that unique product of our time, the organized, syndicated corporation of corruption.

I would like to express to you today, on behalf of the American people, our gratitude for the vital service the U.S. Marshals are performing in this continuing battle against crime and disorder.

You are one group which is successfully meeting the challenge of keeping pace. You are meeting the new and difficult problems confronting you today as effectively as you met similar problems at the beginning of our Republic.

Your training, combined with your spirit and dedication, is rapidly making the Marshals Service not only the oldest, but also one of the finest Federal law enforcement agencies in the United States.

Thank you very much.

HUNGARIAN REVOLUTION

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. O'Neill] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. O'NEILL of Massachusetts. Mr. Speaker, it is with deep emotion that I rise today in commemoration of one of the most momentous events of this century—the Hungarian Revolution of 1956. We who lived through those days of autumn, 1956, and who witnessed the courage of the Hungarian people will never forget that moment in history when the weakness of the Communist myth stood naked and exposed.

Let us look back over those events. On October 23, several thousand students gathered in Budapest before the monument to the Polish General Bem, the hero of the Hungarian Revolution of 1848. By their action they sought to dramatize their hatred of the police state and of foreign domination. As the authorities tried to curb the crowd, more and more citizens began to gather in front of the Magyar radio station. The leader of the students asked to be allowed to broadcast the messages of his group. At that moment the police fired the first shots upon the crowd, shots which transformed a simple appeal into a revolution.

Suddenly the frustrations of years of oppression erupted, and the mighty will to be free swept Hungary. As the crowd besieged the radio station, workers from the industrial outskirts of Budapest arrived in trucks to fight for freedom. Stalin's gigantic statue, erected only a few years before by the Communists on the site of a Catholic church, was destroyed amidst a frenzied scene of jubilation. Throughout the night of October 23, demonstrations, attacks on Communist press headquarters, and riflefire shook Budapest.

On the morning of October 24, the entire world awoke to the news that Hungary was aflame with war. To the insurgents' side flocked great segments of the army, the police, and the workers' organizations. Budapest was decorated throughout with Hungarian flags from the center of which had been ripped the despised Communist emblem. The revolution soon spread to the Hungarian countryside.

The Hungarian revolution was a popular uprising, one of the greatest democratic revolutions in the history of man. It was sponstaneous, largely unrestrained, and unexcelled in the bravery of the revolutionaries. The people of Hungary rose up in an anguished and valorous attempt to rid themselves of their Communist oppressors. They revolted and thereby struck a mortal blow to the myth of the invincibility of totalitarianism. Until that fall of 1956, many had tried to say that a totalitarian regime, with its propaganda and secret police, could not be challenged from within. Yet the Hungarian patriots who threw themselves before Russian bullets and tanks, proved that neither indoctrination nor secret police can give roots to a system that survives only by outside support.

The great will to be free which welled up in the Hungarian people sustained them only briefly against the superior physical force of the Communists. In the end, the brute strength of the Communist arsenal crushed the revolution. Machinegun bullets and bayonets crushed the bodies of the valiant patriots, but they could never destroy the fire of freedom which continues to burn in the hearts of that courageous people.

As we pause in solemn homage to the sacrifices of our Hungarian brothers, may we Americans rededicate our own lives to the cause for which they gave theirs—freedom for all men.

EDITORIAL COMMENTS ON HOUSE APPROPRIATIONS COMMITTEE STAFF STUDY OF DICKEY-LINCOLN SCHOOL POWER PROJECT

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Massachusetts [Mr. O'Neill] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. O'NEILL of Massachusetts. Mr. Speaker, last week, on October 11, when the conference report on the public works appropriations bill was before the House, I asked members of the Public Works Appropriations Subcommittee for more specific details about the study that is now being conducted on the Dickey-Lincoln School project in Maine by the subcommittee.

My good friend and colleague from Massachusetts, Congressman Boland, who is a member of the Public Works Appropriations Subcommittee, answered for the the subcommittee. Mr. Boland pointed out that there is a staff study now in the process of being conducted by the Public Works Appropriations Subcommittee on the Dickey-Lincoln School project, and he listed the six specific points to be covered by the subcommittee investigation. Mr. Boland said that this would be an in-depth, impartial, complete, and well-balanced study by the investigative staff of the House Committee on Appropriations.

Mr. Speaker, the news of the House Appropriations Committee investigative study of the Dickey-Lincoln School project, which I supported, has been well received by newspapers in Massachusetts. I am including with my remarks editorials on this study taken from the Springfield Union of October 15, entitled "Dickey-Lincoln: Still Questions," and the Boston Herald of October 13, entitled "Second Look at a Dam":

[From the Springfield Union, Oct. 15, 1966]

Dickey-Lincoln: Still Questions

As Congress goes through the motions of voting another $1.1 million to continue planning on the federal Dickey-Lincoln hydroelectric project in Maine, the fanfare and debate are relatively mild, considering the gap that still divides the two sides of the controversy.

The funds being appropriated this year bring total spending on the program so far to nearly $2 million, possibly the point of no return. Yet the vision of a costly boondoggle is undissipated.

Notably, the House Appropriations Committee had wanted to slow the pace this year. It favored less money and more answers to nagging questions. But the Johnson administration is strong for the project. So is the Army Corps of Engineers, which would build it, and the Interior Department, which would market the power.

And there is the old argument that New England is the only region in the country without a federal power facility to fill the "yardstick" function, inducing private utilities to keep efficiency at a maximum and prices at a minimum. The line-up against caution was formidable.

But, thanks largely to Rep. Boland of Springfield, the measure calls for an Appropriations Committee review of such pertinent points as the plans for Boston-area marketing of power generated in distant northern Maine, and the benefit-cost ratio of a hydroelectric facility compared to steam, nuclear, or pumped-storage plants.

Just possibly, this review will clear the air where other studies have cluttered it with conflict, confusion, and disagreement. Certainly a convincing answer is demanded by a Boston Federal Reserve Bank finding that the Northfield Mountain pumped storage project as programmed by private companies will turn out more power nearer the consumer areas much sooner, and at far less cost to build.

The federal project, with a price tag of well over $200 million, is expected to provide 794,000 kilowatts of peaking power by 1975. The $72 million pumped storage plant will generate a million kilowatts of peaking power by 1971. In addition, New England is to have five new nuclear plants and five more coal- or oil-fired plants by 1972 when private companies complete their huge "loop" program.

The idea of this ambitious expansion program is to keep power reliable and also cut rates. It looks as though large-scale public power may come into New England anyway. But Mr. Boland's study can give a clearer picture of whether this investment by all the taxpayers is really going to be much help to the region's power users.

[From the Boston Herald, Oct. 13, 1966]

Second Look at a Dam

Boosters of Maine's huge Dickey-Lincoln Dam project got considerable encouragement this week when the House accepted a $4 billion public works bill which included $1.1 million for continued planning of the project.

Following the advice of its Appropriations Committee, the House had earlier voted only $800,000 for this purpose pending a second look into "the many conflicting claims concerning the power benefits and costs of the project." The Senate's insistence on the higher figure eventually brought the lower chamber around.

But House skeptics got a proviso written into the bill which could be far more important than the size of the planning funds. This proviso calls for an exhaustive restudy of the project by the House Appropriations Committee independently of the Corps of Engineers, the Interior Department, or any other interested agency. If the committee's finding is favorable, the House will go ahead and fund the $218.7 million project. If it is not, the purse strings may suddenly be drawn tight.

Such a fresh examination of the facts seems to us highly desirable. Major new factors have recently entered the picture. To be financially feasible as now planned the new hydro-electric plant must be able to sell a substantial part of its output as peaking power to major utility systems in southern New England, which means that it must be able to underbid competing suppliers there.

But, according to a recent study of the Federal Reserve Board of Boston, a newly announced project of the Western Massachusetts Electric Companies to develop an exceptionally low-cost underground pumped-storage plant at Northfield mountain could deliver peaking power to the inter-connected systems of southern New England for 15 to 20 per cent less than the federally financed Dickey project.

If true, this would not necessarily mean that Dickey must be abandoned. The Board study points out that socio-economic needs of the area might outweigh financial feasibility, also that with replanning power developed at Dickey might be used profitably in some other way. But these points should certainly be weighed carefully by Congress.

The skeptics have done well to insist on this second look by the Appropriations Committee experts.

SOMETHING MUST BE DONE ABOUT RURAL ELECTRIC FINANCING

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Tennessee [Mr. Anderson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ANDERSON of Tennessee. Mr. Speaker, the record of the 89th Congress is a great one and it offers much to be pleased with. There are, however, a few blanks in that record. One of these, of very major proportion and of utmost priority and urgency, is the failure of the 89th Congress to take constructive action to provide for the growing financial needs of our rural electrification cooperative systems.

Last night I had the privilege of attending the annual membership meeting of the Meriwether Lewis Electric Cooperative which covers, and is doing a superb job in, a five-county area within my congressional district. The president of the cooperative is Mr. J. W. Shouse of Centerville, and the manager is Mr. Paul Tidwell, also of Centerville. Mr. Tidwell also holds the high office of president of the National Rural Electric Cooperative Association. At this meeting Mr. Shouse and Mr. Tidwell did a most excellent job in pointing out Meriwether Lewis' progress and future problems.

I have much pride in the acomplishments of this cooperative and in the work and great contribution made by its president, its manager, and its directors and other officials.

A resolution was introduced at the aforementioned meeting by Judge D. Scott Porch of Waverly. This resolution points out the urgent need for the proposed Federal bank of rural electric cooperatives. Under unanimous consent I place the resolution in the Record as evidence of the strong need for new and enlightened REA legislation urgently required as one of the first acts of the forthcoming 90th Congress:

Resolution

Whereas the Rural Electrification Administration was established in 1936 by the Congress of the United States for the purpose of providing financing for rural electrification and for other purposes, and

Whereas the said Rural Electrification Administration has since said time made money available to the Cooperatives throughout the United States at a low rate of interest and said Rural Electrification Administration loans have made it possible for millions of rural people throughout the United States to have power, and

Whereas the citizens residing within the area served by Meriwether Lewis Electric Cooperative have and now are enjoying an abundance of electricity which has been furnished by said Cooperative but which would not have been possible without the Cooperative obtaining loans through the Rural Electrification Administration,

Whereas the private power interests throughout the nation are now attempting to strangle the Rural Electrification Administration and to make it impossible for the many Cooperatives to borrow money at a low interest rate, and

Whereas the rural people of America very well remember that had it been left to the private power interests, their homes perhaps now would be in darkness rather than supplied with an abundance of electricity, and said rural people are joining with thousands of others throughout the nation, including the Honorable William R. Anderson, Congressman of the Sixth Congressional District of the State of Tennessee, to enact a law creating a federal bank of rural electric systems, which will be enabled to loan funds to rural electric cooperatives in the event the private power companies are successful in their efforts to destroy the Rural Electrification Administration: Now, therefore, be it

Resolved by the members of Meriwether Lewis Electric Cooperative duly assembled in its regular annual meeting as follows:

(1) That we deplore the effort of the private power companies in attempting to destroy and annihilate the Rural Electrification Administration which would have the long range effect of strangling the rural electric cooperatives throughout the nation;

(2) That we commend and praise the efforts of Congressman William R. Anderson and other members of Congress who have taken such a forthright stand for rural America and who has further introduced legislation to enact into law a proposed act creating a federal bank of rural electric systems; and

(3) *Be it further resolved,* That a copy of this Resolution be furnished to each member of the Tennessee delegation and that they be requested to continue their efforts for the people of rural America.

HON. HOWARD W. SMITH

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Virginia [Mr. Hardy] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. HARDY. Mr. Speaker, on September 23 it was my privilege to attend the testimonial dinner for our esteemed colleague, Howard W. Smith, in Warrenton, Va. A number of our colleagues from the Congress were there, as was the Governor of Virginia and several former Governors, to do honor to a truly great statesman, Judge Smith.

I was deeply moved by the outstanding address of our own beloved Speaker, the Honorable John W. McCormack, and it gives me great pleasure to insert it in the Record so that those of our colleagues who could not attend the dinner may enjoy reading it.

Address of Hon. John W. McCormack, Speaker of the U.S. House of Representatives, at the Howard W. Smith Testimonial Dinner, Held at the National Guard Armory, Warrenton, Va., on September 23, 1966

Governor Godwin, my distinguished colleagues of both branches of the Congress of the United States, the House the upper body, the Senate the lower body [applause], but both coequal:

By the way, you know how that started. Back in the early days of our country, after they had some difficulties in New York City with the clashes between the State and Federal sovereign governments, the Federal Government moved to Philadelphia before we finally got the District of Columbia. It would be much better if they had moved out in this beautiful part of Virginia, but they didn't. And in Philadelphia the Congress met in a two- or three-story building and the House met on the first floor, the floor of prominence and the floor of position and significance, and the Senate met on the floor above, and in debate they referred to the upper body and the lower body in connection with that building in Philadelphia many decades ago.

Distinguished officials of the Commonwealth of Virginia—and Massachusetts and Virginia are the two mother commonwealths of the Nation; I say that lest you forget. [Applause.] I will skip over the War Between the States and go back to the Revolutionary War. Of course in Massachusetts we had the Boston Tea Party, we had the Boston Massacre, we had Concord and Lexington and Bunker Hill and Dorchester Heights, playing a rather important part in the early days that brought about the Revolutionary War and the success and the establishment of our great government.

But I won't go into that too much because I am out here for a pleasant purpose, and, ladies and gentlemen and friends of our distinguished guests—the Honorable Howard W. and Mrs. Smith and their loved ones—this is one of the happiest evenings of my life. I have had many of them. I am happy to be here with you showing by my presence, and by your presence, in an outward manner, the deep respect, esteem and friendship that we have for this great man, this good man, this great Virginian, but over and above that, this great American. (Applause.)

One of the most pleasant incidents that I have in the journey of life is meeting nice people, people that are good, and there are so many good people in the United States and throughout the world. I am so happy when my colleagues bring their friends into the Speaker's office or I meet them in the corridor, either now when I am Speaker—and Howard Smith helped me immeasurably and I appreciate it—or before I was Speaker. I have met tens of thousands of nice people on the good side of life with nobility of character, but in all sincerity, with no flattery at all, there is none that you or I or anyone else could ever meet that represents nobility of character in its noblest form and in its highest type more than this wonderful, sweet, gentle gentleman, Howard W. Smith. (Applause.)

A representative body should be a cross current of the thought of the people of the State and of our Nation. It is not well to have just one thought dominating in the legislative halls of the State or Nation. It is well to have a cross section of those of us who are what you might call progressive—and I am not a liberal because a liberal is one who usually wants to own my mind and that is where I part (Applause)—and the vestige of conservatism. It is well to have that thought represented in any legislative body. One has a temporizing effect upon the other. Progress is made through reasonable compromises. I have learned that through many years of legislative struggle and legislative effort.

It is well that we have had in the Congress of the United States for thirty-six years the voice of Howard W. Smith—the voice of caution, the voice of warning—and his influence has been felt on many occasions.

I can make an open confession to you that I think Howard Smith knew on many occasions. I pray before I retire every night, and many times when I had a close fight I offered a little prayer that Howard would be on my side. (Applause.) And my hopes and prayers are not dimmed yet.

A few words about Howard Smith as a man. His family life is the beautiful family life we all know about. His beautiful outlook in life we all have referred to. And you know as well as I do his deep fine character with these many sweet intangibles that make up character of mind, all of those fine qualities of a gentleman of the old school. But let me emphasize that a lady or a gentleman of the old school is always a lady or a gentleman of the most modern school.

Howard Smith the legislator—a legislator's legislator. We all know that. Whenever he went in the well of the House, as he did on so many occasions, there was silence in the House, a rare tribute to a Member. No matter how much we might have disagreed with him, we knew he thought and acted and legislated and voted according to character. (Applause.)

Howard Smith is an American's American. Oh, how well I know, for in 1934 I was Chairman of a special committee that investigated communism, Nazism, fascism and bigotry. I recommended the Foreign Agent Registration Act which became law, the bill making it a crime for anyone to knowingly or willingly advocate the overthrow of government by force and violence. In our legislation we forget the domestic where there is honest difference of opinion. Many times we agreed, as did other Members, but whenever the preservation, the stability, and the strength of our country was involved, Howard Smith was one of the great advocates in the Congress of the United States. (Applause.) The legislation he introduced to prevent subversive activities in America will always be prominent pages in the legislative history of our country.

I can remember when another dear friend of ours now in the Great Beyond—Gene Cox—Gene and I were very dear friends. He led my fight when I was running in the caucus for leader back in 1940—McCormack from Massachusetts, Cox from Georgia.

Might I say, Governor, McCormack from South Boston, Massachusetts, not South Boston, Virginia, but McCormack from both South Bostons. I go through your town here called South Boston and it brings back to my mind the great Democratic stronghold that I represent. I am not talking politics, either. (Applause.)

But Howard Smith has always been on the side of a strong national defense. He saw, he knew, he analyzed, he interpreted, the evil and the vicious mind and purposes and intent of international or atheistic communism. He recognized that powerful national defense was necessary in connection with the preservation of our country. He also recognized that deep faith on the part of our people, that great moral strength, the affirmative strength we have, is also necessary. Throughout the years he and I fought shoulder to shoulder, as did all of my colleagues here, whether Republican or Democrat, and no matter whether the President was elected as a Republican or a Democrat, where the national interest of our country was involved we always fought shoulder to shoulder for a strong and powerful national defense, because we knew that the only thing the Communists respected was what they feared, and that is greater military power and strength on our part than they possessed themselves. Always down in that well fighting for the strength and the integrity of America was that dear friend whom we honor tonight—Judge Smith. (Applause.)

So, ladies and gentlemen, talking longer than I intended to, but touched by friendship—and friendship to me is transcendent; my friends are my friends no matter what their race, color or creed might be, no matter what their political affiliations might be, no matter what their political philosophy of government might be. One of the greatest friends that I have ever met, and one that I prize the most or among the most, is the friendship that developed between Howard Smith and John McCormack. And Howard Smith is not retiring. Howard Smith's memory and his service during this trying period of the world's history covering thirty-six years will always occupy prominent and indelible pages in the history of our country.

Thank you very much.

CRITICISM OF PUBLIC OFFICIALS

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Texas [Mr. White] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. WHITE of Texas. Mr. Speaker, as public officials, each of us is subject to some criticism, for we realize that we can never please everyone on every occasion. Most of these criticisms we ignore as part of our lot. However, when a portrayal is presented to the public in such a manner as to reduce public confidence in our Government and its officials, we are sometimes impelled to break silence. In the October issue of Reader's Digest there appears such an article. I would now like to read into the Record my letter to the president-executive editor of the Reader's Digest regarding this article:

Congress of the United States,
House of Representatives,
Washington, D.C., October 19, 1966.

Mr. Hobart Lewis,
President and Executive Editor,
The Reader's Digest,
Pleasantville, N.Y.

Dear Mr. Lewis: A national magazine of the stature and circulation of the Reader's

Digest holds an obligation and responsibility to the American people to be accurate in its portrayal of the facts.

In the October 1966 issue of the Reader's Digest there appears an article by Charles Stevenson entitled "What Your Vote Can Do For Congress" in which a paragraph is devoted to a conference held in Washington under my auspices. This phase of the article contains erroneous and misleading material, and at the least, indicates very faulty research on the part of the author. As President and Executive Editor of this publication, I thought you would want to know about this. Defamation by innuendo certainly is not the ploy of an ethical publication such as I am sure you desire to publish.

I do not believe that the author of this article was present at this conference. His article was predicated on the thesis that this conference was held as one means to help reelect me in 1966. At the time of the conference, April, 1966, the filing date for an opponent to me had expired as of February, 1966, and I was at the time of the conference and now am unopposed. So, obviously, this conference could not have been held for the purpose of helping to reelect me.

On April 18–19, the Community Development Conference was held for the purpose of bringing community leaders closer to an understanding of their government and for making them aware of existing Federal programs which could help them in improving their respective communities. Invitations were sent to local community and county officials, to presidents of civic organizations and to the local Chamber of Commerce groups in the 16th Congressional District of Texas. In all, there were 45 participants in this conference, who came at their own expense.

The article states that 32 government officials spent two days of their time at this conference. In fact each official appeared a maximum of 50 minutes, and often much less, on a well-regulated program designed to conserve their time. Many of them appeared in groups as a panel. It is part of their work to disseminate information regarding their agencies and their programs.

Contrary to the statements in the article, at no time during the conference was a grant for a football field discussed. We did, however, discuss air and water pollution programs, OEO programs, aid for the handicapped and dependent children, disease control, small business investment, soil conservation, watershed projects, Farmers Home Administration programs to aid rural communities, assistance to local law enforcement, and health centers.

No Federal money was suddenly made available for the 16th District. A community in need of a program has to go through the necessary and normal channels for approval and appropriation.

The author would try to give the impression that I sought a "Texas Canal", inferring some lengthy channel through West Texas. In fact the only canal mentioned is a 1.7 mile irrigation canal that must be relocated, because of the Chamizal Treaty, which disturbs the present irrigation canal. The Chamizal Treaty, ratified by the Senate in 1964, settled a land dispute that had existed between the United States and Mexico for 100 years. The relocation of the canal would bring it back within the new boundary of the United States, and is part of the congressional appropriation in 1964 to fund the cost of the Chamizal Treaty acquisitions and relocations.

I have a pending bill to extend this canal 13 miles more, which would result in a savings of approximately 21,000 acre-feet of water per year in a very arid part of our country. The United States has not agreed to pay for any extension of this canal.

In arid West Texas this is a significant amount of water. It will also help the United States to fulfill its obligations under international agreements to deliver to Mexico its share of the Rio Grande waters.

Let me close by assuring you that I do not mind criticism provided it is truthful and constructive. As an elective official, I expect a fair share of criticism, but I do not believe that any nonfiction writer has the literary license to circumvent a truthful portrayal.

Your magazine can do a service to the many Americans who make it a monthly reading habit by seeing that the articles are factual.

Thank you.

Sincerely yours,

RICHARD C. WHITE,
Member of Congress.

GI BILL

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MOELLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MOELLER. Mr. Speaker, the 89th Congress has accomplished much. In the words of our President, Lyndon B. Johnson—

> There has never been a better Congress. . . . It has passed more creative legislation for the care of human life and happiness, for the benefit of human beings, than any Congress has ever passed in all the history of the United States.

I take particular pride in this Congress treatment of America's 25 million veterans. Even as Congress provided funds for the forces fighting in Vietnam—for those 300,000 youths risking their lives to protect individual freedoms, at the same time, the legislature acted to help those who have finished serving our Nation. I am proud to have helped Congress express America's gratitude to those men.

One of the 89th Congress greatest achievements is the new GI bill. This bill, signed into law by the President on March 3, 1966, gives the men who have served America since the Korean war benefits and privileges provided for other veterans. It affords post-Korean veterans assistance in eduction, home loans, and other benefits.

During the first year under the new GI bill, the Veterans' Administration expects 500,000 veterans to enter school. There are 7,800 veterans in the 10th District of Ohio alone who are eligible to receive financial assistance for their education. And hundreds of them are taking advantage of this opportunity.

The cost of the program is high. In the first 5 years, the Government expects to spend $2 billion on educational assistance to post-Korean veterans. But the cost is not important. The veterans who acquire an education with the help of this law will repay the Government many times over, for they will be able to get better jobs, to earn more money, and finally to pay more taxes. It is clear, then, that Congress's new program gives veterans the opportunity to learn now and the ability to contribute to the Nation's welfare later.

The new GI bill makes available to peacetime veterans the same hospital care given to all other veterans. Thus, the 48,600 veterans in our 10th District are all eligible for care at VA hospitals. The hospital nearest us—at Chillicothe—functions primarily for the care and treatment of neuropsychiatric patients, but it is equipped to treat emergency cases of a general nature as well. The other three VA hospitals in the State—at Cincinnati, Brecksville, and Cleveland—provide general medical and surgical services.

The 89th Congress has demonstrated its concern for veterans by increasing compensation allowances. Dependency compensation for unremarried widows of veterans was raised in August of 1965. In that same month, certain seriously disabled veterans who were receiving vocational rehabilitation training were given a greater subsistence allowance. In October last year, Congress passed a bill increasing disability compensation for veterans. For such compensations and for pension payments during the current fiscal year, veterans in Ohio's 10th District will receive over $7 million.

By means of a law passed in September 1965, Congress made educational assistance available to the children of deceased or totally and permanently disabled veterans of the cold war period. These children thus receive the same benefits as war orphans.

Congress has given all servicemen the opportunity to purchase $10,000 worth of insurance for only $2 per thousand. This insurance provides coverage from the first day of active duty until 120 deys after discharge. Almost every man and woman in the service is taking advantage of this excellent insurance program.

Clearly, the 89th Congress has done much on behalf of the veteran. But it has merely continued America's tradition of helping the men who have fought for their country. The Pilgrims themselves provided for the care of the men injured while protecting the Plymouth Colony against Indians. And ever since America became a nation in 1789, her legislators consistently have demonstrated the people's gratitude to their soldiers by enacting laws for their benefit.

I am pleased to have supported the 89th Congress contributions to our veterans. I know you share my pride in America's efforts to repay the men who serve her.

APPALACHIAN REGIONAL DEVELOPMENT ACT

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Ohio [Mr. MOELLER] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. MOELLER. Mr. Speaker, last year when the Appalachian Regional Development Act of 1965 was passed, Congress pledged the resources of the Federal Government "to assist the region in meeting its special problems." I would like to today discuss a measure which would help meet and overcome one of the most important special problems of this region, the shortage of teachers and its cause, low salaries. Last week I introduced H.R. 18289, the Appalachian Teachers Salary Act of 1966, a bill integral to the educational system of this region—our investment in its teachers.

Appalachia, comprised of parts of Kentucky, Tennessee, Virginia, South Carolina, North Carolina, Ohio, New York, Georgia, Pennsylvania, West Virginia, Maryland, and Alabama, is characterized by geographic isolation, high unemployment and low income levels, and poor education facilities. Local school districts are finding it increasingly difficult to attract and hold qualified teachers. We in Ohio are particularly hard hit. Chronically underdeveloped communities already financially overburdened find it impossible to raise funds sufficient to provide at least average salaries for teachers.

In these Appalachian communities almost one out of every three families has an annual income of $3,000 or less, hardly a basis upon which to levy taxes adequate to support a good teaching staff. Unless some financial incentive is provided whereby teachers will be induced to come—and to remain—in Appalachia this educational impoverishment will continue.

It is not fair to continue to inflict upon the children of Appalachia the results of their economic and cultural disadvantage: an education provided in large part by an underpaid, overworked, and severely shorthanded teaching staff.

The 89th Congress has taken pride in being known as the "Education Congress"—the "Congress of Accomplishment." We have enacted legislation of benefit to education at all levels. What I am proposing is to extend our concern to an area where it is critically needed perhaps as a pilot project.

The Appalachian Teachers Salary Act of 1966 is designed to provide Federal assistance to help improve the quality of education in the Appalachian area. In enacting this proposed legislation, the Congress will assume a responsibility for securing and retaining well-qualified and certified teachers which the local school districts in Appalachia are unable to do alone.

It is imperative that the Federal Government assume this responsibility for helping to alleviate the especially critical shortage of public school teachers in the Appalachia region. Teachers have been steadily leaving this economically depressed area for areas where they will receive higher salaries. Increasingly overcrowded classrooms and overburdened classloads will continue as a result and this situation is not conducive to attracting new teachers.

As I have said, our teachers are the Nation's most unsung and ill-rewarded resource. It is to me imperative that those who daily impart their talent and wisdom to our young be given every opportunity to grow and flourish in their educational attainment. It is folly to do otherwise.

The purpose of the Appalachian Teachers Salary Act which I am introducing is to provide Federal assistance to teachers for fiscal school years 1966 through 1971. This funding period will provide 4-year base upon which to build up and attract teachers in Appalachia. Another purpose of the act is to encourage residents in the Appalachia region gradually to increase, provided this incentive by the Federal Government, their financial efforts for education so that they will be able to compete on a favorable basis for public school teachers with other areas.

It will be the responsibility of each State in the Appalachian region, through its State education agency, to file with the U.S. Commissioner of Education a certified statement giving: First, the number of teachers whose salary is below the State average in districts desiring to participate; second, the 1966–67 salary of each teacher, as a base; and third, the average salary of all classroom teachers in the State. Each local board of education participating will inform the State education agency of the amount of salary paid to each teacher in its district whose salary is less than the State average and will pay to these teachers an amount which will make their total salary equal to the State average.

I propose that for the first year the Federal Government will assume the full cost of the proposed program, but for each of the following 3 years the Federal share will be reduced by 25 percent. Thus in the 1970–71 school year the local school district will assume full financial responsibility for the program. The figure upon which the obligation will be based is the average salary of all classroom teachers during the 1966–67 school year and it will remain the same during the 4-year period the act is in force.

I recognize that the work of the great 89th Congress, termed by many "the Education Congress," is now coming to a close. I wanted to first introduce this important measure in the 89th. If I am privileged to be returned by the voters of the 10th District to the 90th Congress, I shall reintroduce this measure the very first day that we meet.

ONE DIRECTION—APPROACHES PERFECTION

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, experience has conclusively demonstrated that properly signed and controlled one-way streets will definitely improve the safe and efficient movement of vehicular and pedestrian traffic on streets and highways. There are several basic points in support of this conclusion.

First. The use of one-way streets increases capacity from 20 to 50 percent. This is possible because turning movements are minimized and full use of the street surface, regardless of number of lanes, is realized.

Second. The safety of moving traffic is manifestly increased because pairs of one-way streets essentially provide a divided roadway. This same principle might apply to stretches of road in the rural area provided conditions were such as to permit 100 percent access to all communities or settlements served by the highways.

Third. Vehicular grouping and speed control can be more easily maintained on one-way roads. The smoothness and orderliness of midblock and intersection operations tends to reduce driver impatience and therefore the probability of accident-producing behavior. It is obvious beyond contradiction that drivers on one-way streets or roadways have fewer vehicle movements to observe and consequently can give more attention to the operation of their own vehicle.

Fourth. Because of reduction in congestion and improved signal progression, the general traffic pattern is markedly improved. Turning vehicles are not hindered by opposing automobiles and it is possible in most instances to turn from more than one lane without interfering with the traffic flow.

Fifth. Contrary to initial impressions, the use of one-way traffic operations is now recognized as being of broad economic benefit to adjacent land users and to the public itself. This is based on the facts that substantial improvement in usage of the street or roadway is quickly realized and such a move could well postpone or eliminate the need for parking prohibitions.

There are some minor complaints on the use of one-way operations such as the objections of merchants who contend that two-way traffic is necessary to sustain their business and others insist that tourists and strangers experience confusion with the system—but these protestations are usually dissipated in the wave of public approval that follows a well-planned installation.

The following plus values demonstrate conclusively why one-way operations are desirable under most conditions.

First. Substantial reduction in travel time;

Second. Improvement in public transit operations such as simplified turnback loops;

Third. Redistribution of traffic—thereby relieving congestion on adjacent streets;

Fourth. Permits more freedom in turning movements;

Fifth. Provides a much safer facility due to smoother pattern of traffic and elimination of most conflicting movements; and

Sixth. Enables simplification of traffic signal timing.

Of the above benefits, emphasis must be given the safety features. Again these are brought about through decreased vehicle and pedestrian conflicts at intersections plus speed control and the reduction of complexity in the field of driver vision.

Cities that have adopted areawide use of one-way streets, and this includes a majority of the larger metropolitan centers, report that they have greatly improved the efficiency and safe operations of all traffic patterns. A case in point was the recent conversion of Fifth and Madison Avenues in New York City to one-way thoroughfares. Tremendous opposition faced the traffic commissioner prior to this move but the present attitude is highly favorable and consideration is being given to expansion of such facilities in the future.

As indicated at the start of this article, some thought has been given to the trial usage of stretches of one-way highways in designated rural areas. Basically this would mean the availability of parallel roadways for traffic moving through a concentrated area.

Considerable study and research would be required in order to avoid the elimination of access roads to towns or settlements. In this connection, some observers feel that with the vast network of secondary roads available, a schedule of usage might conceivably be worked out which would prove advantageous from a safety and efficiency standpoint. Inquiries directed to various parts of the country show that limited experimentation in this field has taken place, but there is growing interest on the part of certain district officials in investigating the potentials of such a program.

TRAFFIC ENGINEERING

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, a full understanding of the broad role that traffic engineering performs in the safe and efficient movement of vehicles and pedestrians on our streets and highways is greatly lacking in a number of jurisdictions.

This is most unfortunate inasmuch as present-day volumes and complexities in the overall street and highway picture dictate that we have a full appreciation and knowledge of his responsibilities. More and more he will be recognized as the man who makes the system work. Let me illustrate.

The basic function of the traffic engineer is to deal with vehicular operations. In such a capacity he must utilize a variety of devices and techniques including signals and signs, one-way streets, parking restrictions lighting channelization, and so forth.

Beyond operational functions his knowledge is of immeasurable value in the broad planning that is imperative to make an area's transportation system provide the safety and service for which it is built.

To put it briefly, his duties are basically from the roadway surface up. His division provides the guidelines and other devices which make it possible for you and I to operate our automobiles, trucks, and even ourselves—as pedestrians—with a minimum of difficulty and confusion. This is not an easy task in the face of current traffic profusion and congestion.

Like all specialists in our rapidly expanding economy, the traffic engineer must come up with the right answer in the minimum amount of time.

For instance: If a study of flow patterns demonstrates that there is a need for better channelization, and pedestrian control, he might well recommend the adoption of a one-way street plan plus pedestrian and lane control signals. Should an intersection show a heavy and consistent accident record this engineer would undoubtedly schedule improved signing or signalization should the situation warrant it. It is also possible that he would call for a complete redesign of the facility. When there is a severe peak-hour congestion on an important city street he will probably recommend the use of reversible lanes to accommodate morning and evening volumes.

The above are but a few of the problems and corrective measures that must be taken care of by the traffic engineer on a daily basis. The complete and harmonious cooperation of public officials and others—police, and so forth—with whom he works is therefore of the paramount importance. His department should be in the same category as planning, construction, or maintenance—highways or streets—and in all instances he should be consulted on matters pertaining to transportation development or expansion.

ROADWAY LIGHTING

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, "night use of the multibillion-dollar motor vehicle transportation facilities in the United States have been seriously retarded by a delay in the use of appropriate roadway lighting. Low, poor, or mediocre visibility restricts the expanding benefits as contained in our Interstate Highway System and the numerous expressways that are being built in every section of the country." So states Charles Rex, roadway lighting engineer, of Hendersonville, N.C.

Vision is by far the most important sensory process involved in driving and with 30 percent of the automobile travel occurring at night—210 billion miles last year—it is only logical that satisfactory illumination facilities be made available for the motoring public.

Added value and increased night use of the tremendous national investment in streets and highways will result from the application of appropriate roadway lighting. Add to this the fact that the livelihood, general welfare, social and economic progress of millions of citizens is dependent upon efficient and safe movement of people and goods after dark—and we soon recognize the universal obligation that exists in this field.

Effectiveness ratings for the benefits which the American public expects from roadway lighting may be summed up as follows:

First. Increased value of automotive-highway investment;

Second. Night transportation to operate more safely and efficiently;

Third. Proportionate decrease in crime occurrences;

Fourth. Better environment for social, recreational, and business activities;

Fifth. Increased development of useful land areas; and

Sixth. An improved standard of night living for those who drive at night.

Thus, proper lighting offers a sound solution to the night accident problem and, as a bonus, contributes materially to the reduction of crime on our streets and highways.

We need more application of techniques that are known to reduce night accidents. We must make the driving public more knowledgeable regarding after-dark operation of a motor vehicle. Above all, engineers and automobile designers must continue to research more effective and economical means of obtaining better illumination.

HIGHWAY TRAFFIC

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The **SPEAKER** pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, as of the present time—October 1966—the United States has approximately 3,600,000 miles of roads and streets.

Of the above total, slightly over 2 million miles are surfaced rural roads. Also there are 360,000 miles of surfaced city streets and 1,200,000 miles of unsurfaced and lightly used roads and streets.

By far the greatest proportion of the traffic load is borne by the primary State highway systems consisting of around 400,000 rural—this includes the new Interstate System—and 40,000 municipal miles and about 64,000 miles of urban arterial streets. This combined total of 502,000 miles is only 14 percent of the total mileage in the country—but it carries over 75 percent of the traffic. Therefore, for all practical purposes, we are chiefly concerned with this figure of 500,000 miles.

Using the basic cost of $10,000 per mile to adequately light our roadways we arrive at a figure of $5 billion to do the complete job—including the main city streets and the principal highways. This would mean that most of our people would be driving on well-lighted facilities, practially all of the time, and under relatively safe conditions.

If we were to duplicate this system of primary highways at today's cost of $100,000 per mile for a 24-foot, concrete or asphalt, standard roadway, the total cost would approximate $50 billion.

This would provide us with a parallel system which would physically absorb the great increase in traffic volume which will unquestionably develop over the next 10 to 15 years. Also, it would provide a maximum safety margin from the standpoint of available road surface.

My purpose in emphasizing these figures is to demonstrate how a simple formula or pattern can be arrived at in taking care of one of our major problems, the safe and efficient movement of goods and people on our streets and highways. Also we have the added bonus of knowing that our principal city thoroughfares were sufficiently well lighted to discourage a large percentage of the crimes that are currently on the increase in our country.

The foregoing could be financed most expeditiously through the rescinding of the present Byrd amendment—pay-as-you-go plan for Federal highways—and the borrowing on year-to-year allocations for the proper implementation of our Federal highway system.

THIS IS WASHINGTON

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. FARNSLEY] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, I would like to include in the RECORD the seventh and eighth articles of the series based on a Harris survey entitled "This is Washington" which appeared in the Washington Post recently:

[From the Washington Post, Oct. 8, 1966]

THIS IS WASHINGTON—VII: DISTRICT OF COLUMBIA RESIDENTS THINK WHITES SHOULD RETURN

Most whites and Negroes in Washington believe it is important to encourage white families to move back into the city.

But suburbanites—even those who have raised their families—have no intention of coming back to live in the District. They are happy where they are.

Out in the suburbs of green lawns and barbecue grills, these white refugees have fashioned a land of pleasant living for themselves. They prize what they have, particularly good schools and shopping, and want no part of what they view as the central city's afflictions. They are quite willing to share its big-city attractions but not its problems.

These attitudes, which surface from the Post-Harris survey answers, point up one of the toughest problems for the Nation's ailing cities: How to break the pattern of middle-class white migration to the suburbs before the central cores turn into huge Negro ghettos of poor people.

The interviewers found that 68 per cent of the District's residents thought it was important that whites be encouraged to return, while 32 per cent thought it was not important.

As might be expected, most white residents of the District (4 of 5) feel the strongest about bringing other white families back to live with them in the city.

But most Negroes (3 of 5) also want more whites to return to avoid an all-black city of de facto segregation. "The whites have run out on the situation" is one of the chief reasons given by Negroes who feel Washington hasn't been a model of civil rights progress.

Negroes with higher incomes don't think it is as important to lure the whites back as those in the lower brackets do. Just the reverse is true for whites in the District—those with higher incomes want them back, those in the lower brackets care less.

These were the responses by race and income when District Whites and Negroes were asked whether it was important to encourage whites to move back to the city:

NEGRO

	Total	Under $5,000	$5,000–$8,000	Over $8,000
Yes	60	85	57	55
No	40	15	43	45

WHITE

	Total	Under $8,000	$8,000–$15,000	Over $15,000
Yes	79	75	87	92
No	21	25	13	8

What can be done to check the suburban flight of whites and bring them back to central-city living?

The people interviewed think these steps must be taken:

1. Clean up the slums.
2. Provide better and cheaper housing.
3. Improve race relations.
4. Improve schools.
5. Provide home rule.
6. Provide safer streets.

Again and again, whites pointed to the high cost of decent housing in the central city. Washington, they feel, is pretty much a place of the very rich and the very poor.

"Of course, I'd like to live in the city but I can't afford it. This house would cost too much in a good section of the District," said a 33-year-old Alexandria man.

FEAR HOUSING COSTS

If whites are going to come back to the city, he said, there must be more construction of "middle-class housing that white people can afford."

One young suburban housewife (whose husband earns over $15,000) said she would like to move from Vienna, Va., to live in the District "if I could afford one of those posh apartments."

Many of those "posh" apartments hope to attract white couples who have raised their families and now find that their lawns seem to grow bigger and faster as their knees and backs grow stiffer. But the survey found that even those suburbanites over 50 have little interest in returning to the city.

The opinions on white migration often are paired with racial feelings.

"Just move the Negroes out—but don't move them this way," snapped a young housewife in Alexandria when she was asked how white families could be brought back to live in the city.

CAN'T AFFORD TO MOVE

A white woman on welfare who lives in a mixed neighborhood in the District said she would move back to Clifton Forge, Va., if only she had the money to pay to move.

"I don't think you could even get whites to move back to D.C. at bayonet point," was the way she summed up her feelings.

But the answers also show a concern that goes beyond prejudice to honest fear for the well-being of the city center.

Washington is not alone in its plight. Census Bureau statistics show that central cities across the country keep falling behind their suburbs in growth rate. As they are abandoned by lower and upper middle-class whites, cities are being left mainly to poor Negroes and some poor whites.

They surround small enclaves of the very affluent, who can pay for economic segregation. Thus, cities are losing tax revenue and business at a time when they must take on immense social problems.

But Washington is the first major American city to have a majority population of Negroes, now crowded mainly into the eastern sectors of the central city while most of the whites and two-thirds of the area's population of 2.5 million—live in mostly white suburbs in Maryland and Virginia.

Columnist Joseph Alsop has warned that "Washington is due to become an almost purely Negro city—a vast metropolitan ghetto" unless white families are encouraged to return to the city. If this isn't done, he sees no hope for an integrated city.

Loraine S. Dingee, wife of an Army officer and an Arlington housewife, expressed the same concern.

"The Nation's Capital should not be all black," she said. "It should be made safe and beautiful and they (white families) would move back."

But there can be a great gap between what people think should be done and what they are willing to do.

A man who earns $25,000-plus and lives in Kensington, Md., explained: "I'm just not going to move back into an area that is all colored. I wouldn't invest in housing or business that might be washed down the drain."

SEE LITTLE HOPE

And most whites (3 in 5) see little hope of reversing the tide of white migration within the next few years.

The disenchantment of the whites with the central city also is reflected in their feeling about Washington and their suburban neighborhoods.

By 2 to 1, they feel Washington is a worse place to live in than it was a few years ago. But by nearly 4 to 1, they feel their neighborhoods—largely in the suburbs—have improved.

From the Negro point of view, it is just the reverse.

Negroes, by over 2 to 1, say Washington is a better place to live today than it was a few years ago. But 43 per cent think their own neighborhoods have deteriorated, while 36 per cent feel there has been improvement.

Surprisingly, the survey did not show any overwhelming desire on the part of Negroes to move to the suburbs.

Both Negroes and whites were asked where they would most like to live in the Washington area. Fewer than 1 in 5 Negroes mentioned suburban Maryland and Virginia (compared with better than 2 of 5 whites).

Negroes and whites alike would prefer Northwest Washington, with its comfortable homes to match comfortable incomes. But this may be more a "dream castle" wish than a realistic hope of moving there some day. The new Southwest is attractive to a growing number of whites.

A third of the people said they like it fine where they were, with twice as many whites satisfied as Negroes.

[From the Washington Post, Oct. 9, 1966]

THIS IS WASHINGTON—VIII: LEADERSHIP OF CLERGY SOUGHT IN RIGHTS FIGHT

In the struggle for racial equality—the most sensitive public issue today—Washington looks for leadership to its white and Negro clergy, a white and a Negro Commissioner, and civil rights leaders of both races.

It expects the least from white legislators and Negro athletes. And the police chief—the man in the most exposed position in the struggle—generates both strong support and strong disapproval.

This measure of local leadership comes from answers to questions asked in a survey of 1500 Negroes and whites making up a cross-section of the Washington Metropolitan Area.

The Rev. Walter E. Fauntroy draws the largest vote of confidence, by a clear margin, when Negroes are asked to name two or three leaders who "have done the most for Negro people in the area."

Others scoring high are Sterling Tucker, District Commissioner John B. Duncan, the Rev. E. Franklin Jackson and Marion Barry Jr., who also drew a sizable negative reaction to mark him as a man of controversy.

The most respected white leaders in the civil rights cause are Commissioner Walter N. Tobriner, Catholic Archbishop Patrick A. O'Boyle, Joseph L. Rauh Jr., Police Chief John B. Layton, and Episcopal Bishop Paul Moore Jr.

The results do not represent a popularity poll or election dry run. The ratings came in answer to specific questions about contributions to civil rights progress in Washington. But since race relations is a paramount issue touching nearly all the city's problems today, the responses do offer one yardstick to gauge public confidence in local leaders.

Negroes were asked to rate a selected list of Negro leaders. Both whites and Negroes were asked to react to a selected list of white leaders. Those interviewed were handed a list of names but also were given the chance to add their own candidates.

From 27 names of publicly known Negroes—from civil rights leaders and politicians to athletes and a restaurateur—Negroes were asked to choose who has done the most and the "least good" in the fight for Negro equality here.

Here is how the top five were rated:

	Done most	Done least
1. Fauntroy	33	1
2. Tucker	20	1
3. Duncan	20	7
4. Jackson	16	3
5. Barry	13	8

A list of 21 white leaders was given to both Negroes and whites to pick those who have done the most and least for the cause of civil rights.

This is how the five leaders rank:

	Most			Least		
	Total	Negro	White	Total	Negro	White
1. Tobriner	14	12	14	2	2	1
2. O'Boyle	12	14	11	1	1	1
3. Rauh	9	13	8	1		1
4. Layton	8	11	7	3	8	2
5. Moore	6	9	5			

Mr. Fauntroy's score of 33 percent was termed "considerable" by public opinion analyst Louis Harris, who made the attitude survey for the Washington Post. Harris said that "anyone who receives one-third or more has made a profound impact on the community."

MODERATE LEADER

A 33-year-old native of Washington, Mr. Fauntroy has been in the public eye both as a minister and moderate civil rights leader. He is pastor of a large Baptist church in the neighborhood in which he grew up. He has been the Rev. Martin Luther King's man in Washington and served as vice chairman of the White House Civil Rights Conference.

His broadly based support ranges across all age and income groups, but his biggest following is among college-educated Negroes, the older and the more affluent. Yet he also scores well with the under-35 group (28 per cent) and lower-income families (21 per cent).

Mr. Fauntroy and the other top-rated leaders, both Negro and white, share one common denominator. They are people often before the public with high exposure in newspapers and on radio and television.

This is true of Tucker and Duncan, who both drew a substantial (20 per cent) show of confidence for their civil rights work.

Tucker is executive secretary of the Washington Urban League, a post he has held for ten years and which has put him in the forefront of the local struggle for Negro rights.

CAREER OFFICIAL

A career public official, Commissioner Duncan has been active in Washington civic affairs for more than a quarter century. The city's first Negro Commissioner, Duncan draws much of his support from stable sectors of the Negro community—the middle-aged and older, those earning over $8,000, and the college-educated.

But Duncan also gets a negative reaction, mainly in the same groups. His critics say that he is playing it too close to the White Establishment.

Mr. Jackson, minister of one of the largest Negro churches in Washington, is a former president of the District NAACP chapter. He proved his drawing power in the primary that elected him Democratic National Committeeman.

He is most popular among the middle-income, older, and Federally employed Negroes.

BARRY CONTROVERSIAL

The most controversial name among the top five Negroes is that of Marion Barry, who has gained prominence as a militant civil rights leader.

A late arrival on the scene, Barry arrived in Washington only a little more than a year ago. But he has already compiled a thick file of newspaper notices. He has been seen and heard leading picket lines in front of the Board of Trade, mounting the Free D.C. Movement for home rule and a sticker campaign for local merchants and jockeying with the District Commissioners over permits for block dances.

Barry draws a moderately favorable response and also a sizable segment of criticism.

His main strength lies with the young (under 35) and college-educated Negroes and those in the middle and upper-income brackets. Surprisingly, Barry isn't a great hero to poor Negroes. He drew only 6 per cent of their support compared with Fauntroy's 21 per cent.

But then more than a third of the poor Negroes are not sure who has done the most nor the least for them because they recognize none of the leaders.

Other Negro leaders who drew varying degrees of public support are George E. C. Hayes, attorney and former public utilities commissioner; Marjorie McKenzie Lawson, former Juvenile Court judge; Spottswood Robinson III, former Howard University law dean and now a District Court judge; attorney Frank Reeves, Julius Hobson, the Rev. Channing Phillips, James G. Banks, head of the city's antipoverty agency; the Rev. Edward Hailes, local NAACP executive secretary, and Walter E. Washington, head of Washington's public housing authority.

The biggest negative vote ("done the least good in the fight for civil rights") was reserved for Elder Lightfoot Solomon Michaux, whose 13 per cent anti-vote was more than double his favorable support.

The Negro evangelist leader of the Gospel Spreading Association is best known for his ball park revivals, his radio interdictions against the devil, and his theme song "Happy Am I." He once organized picketing of a Baltimore meeting of Dr. King's Southern Christian Leadership Conference.

Others rated low for civil rights contributions are football player Bobby Mitchell, the Redskin flanker, and restaurateur Billy Simpson.

Negro athletes often don't carry their popularity off the athletic field. Critics feel they enjoy the fruits of their talents and don't run interference for the civil rights drive. A Willie Mays poster to inspire Negro job ambition was found to inspire only resentment among ghetto Negroes, who didn't see what a baseball star's accomplishment had to do with their lives.

Among the white leaders, Tobriner tops the list. But the Most Rev. Patrick A. O'Boyle, Catholic Archbishop of Washington won greater respect from the Negroes.

Tobriner scores well with older, upper-income whites in the District and Montgomery County and with middle-age, middle-income Negroes.

Negroes give a high rating to Rauh, a lawyer and long-time fighter for civil liberties and civil rights. He speaks as city Democratic Party chairman, a leader of the Americans for Democratic Action, and counsel for the Leadership Conference on Civil Rights. He often is cast in the role of champion of Negro rights at Democratic conventions and in congressional legislative fights.

He is a man who arouses strong opinions on both sides.

"He should have been black. I don't know how in the hell he was born with a white face," said one white rooming-house lodger.

Police Chief Layton gets mixed notices for his handling of race problems.

Rather surprisingly, his supporters are found more among Negroes (11 per cent) than white (7 per cent). But there is also a high anti-Layton feeling among Negroes (8 per cent). Those who dislike him most are those who earn less than $5,000 and are in the 35–49 age groups.

BISHOP REGARDED HIGHLY

Negroes have high regard for the Right Rev. Paul Moore, Jr., Suffragan Bishop of the Episcopal Diocese of Washington, who has been a leader in social-action causes since coming to Washington.

The No. 1 enemies in the civil rights field are the white legislators.

The biggest boos go to Senator Robert C. Byrd, Democrat, West Virginia, who oversees District appropriations. More than a third of the Negroes and a fifth of the whites single him out for criticism. Oddly, Byrd seems to be disliked the least by Negroes most affected by his crackdown welfare policies. Only 13 per cent with incomes under $5,000 (compared with nearly half of those over $8,000) voted against him.

Trailing Byrd in non-popularity ratings is Representative John L. McMillan, Democrat, of South Carolina, House District Committee chairman. He is a negative quantity to both Negroes (11 per cent) and white (8 per cent).

Senator Alan Bible, Democrat, of Nevada, chairman of the Senate District Committee, gets about half the criticism that McMillan does but has slightly more support on the positive side.

PRESIDENT'S REMARKS TO MAYORS

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Farnsley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, in his meeting last Saturday with some of our Nation's mayors the President discussed the administration's desire to help America's cities and listed some of the many accomplishments that have already been realized in this area. At the same time he urged the mayors to use prudence and restraint with respect to capital plant investments by the cities.

As a former mayor of Louisville, I was particularly interested in the President's remarks and include them in the Record:

Remarks of the President at Meeting With Mayors

On Monday morning, I leave for a long and crucial journey to Asia. For nearly three weeks my thoughts will be turned to our role in the Pacific—to our "foreign" policy.

But the days are long past when there can be any sharp division between a nation's foreign policy and its domestic policy.

For America's voice in the world does not come from its military and diplomatic strength alone. People look to us for leadership because they know what we have done at home.

If the United States can speak with authority and conviction in Asia next week, it is in part because of the work that American governors and mayors and city managers are doing back home. You help set an example which the world admires.

We would be foolish and shortsighted to let foreign problems—even Vietnam—turn us away from our urgent goals at home. Helping America's cities is one of our chief goals. And in our quest for more livable and more beautiful cities, there will be no slowing down or turning back.

What have we accomplished?

From 1961 to 1964, our Federal programs with a direct impact on cities rose from $5.6 billion to $8.3 billion—an increase of 48 per cent.

And here is what happened during the last three years:

From 1964 through 1967, our Federal programs for urban areas will go from $8.3 billion to $14.6 billion—an increase of 76 per cent.

That does not sound like a slowdown to me.

Between FY 1964 and the end of FY 1967, we will have raised expenditures on vital domestic programs from $7 billion to $14.7 billion—more than double.

That does not sound like a slowdown to me.

For the first time in history, American cities have a voice in the Cabinet and a Department devoted to urban affairs.

The new Demonstration Cities program promises major help to you. It will offer two new tools to rebuild your cities.

Special grants to revitalize the center city and the people who live there.

Special grants to encourage metropolitan planning.

The Rent Supplement program will bring private builders into the low income housing field.

When I spoke to you last March, I did ask that governors and mayors and local officials review their plans to see if, for the short term, they could defer or postpone capital plant investments.

I believed then—and I even more strongly believe now—that exercising prudence and restraint in the short term, will mean happier prospects for the long pull.

I know that many problems beset us. I know the crises we are called upon to meet. They form a large part of my daily schedule.

But I believe that we here in this room are the most fortunate generation of Americans. We have the wealth and power to make slums and crowding and urban decay only a memory. And we can do it in our lifetime.

SATURDAY COLLEGES

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Kentucky [Mr. Farnsley] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. FARNSLEY. Mr. Speaker, I have long been interested in the establishment of a nationwide program of "Saturday colleges." As a result of numerous conversations with outstanding educators, I would like to present the following ideas as a "starter" for future legislation:

1. The total concept of the "Saturday colleges" is compatible with the development of a comprehensive program of higher education advocated by most of the major elements of our society. Such a program is desirable—and necessary—because the very elements about which extreme concern has been expressed are not now able to move forward educationally. The individuals who are economically limited are unable to afford most of the programs of higher education because they are located in communities other than those in which the individuals reside, or the less fortunate of our society are compelled to hold full-time jobs and cannot take advantage of the more traditional college programs. Therefore, any innovation in collegiate education which would make schooling available to such groups, and any others who might desire to engage in this type of educational program, would be a valuable asset to our total social scene.

2. The "Saturday colleges" could be operated quite economically by utilizing the physical facilities of existing public school buildings, most of which are idle on Saturdays. The library facilities for the program would enable many schools to remain open for use in the evenings during the week, thus encouraging further use of school buildings for community educational and recreational programs.

3. The staffing of the "Saturday colleges" and the program planning would be left to existing institutions of higher education with which the U.S. Office of Education would contract for services. It would be expected that these institutions of higher education would provide some of their most competent instructors for these Saturday programs.

4. In planning the course offerings for the "Saturday colleges," the contracting institution should keep in mind that a basic program for at least the first two years of a collegiate program in general education should be offered on such a basis that any student could complete his freshman and sophomore years in a two- or three-year period through Saturday participation in the program.

5. By using the modern media of teaching in conjunction with the best instructional staff, it is believed that relatively large classes can be taught without damaging the quality of the instructional program. It is anticipated that a morning of three hours duration could be offered, a tutorial program could be provided enabling the student to complete an additional two or three semester hours of work, and an afternoon class of three hours could be offered. Thus, a student could complete eight or nine hours per semester, and with a full summer term could complete as many as 27 semester hours per year. In this way, within two and a half or three years, the average student could complete his freshman and sophomore years. He would be ready to transfer to a regular four-year institution, or if the program is deemed to be a success, additional courses might be added to enable the student to complete a full four-year program in the "Saturday college" pattern. Such a program would probably need to be considered as a purely "experimental" venture for a time in order that the various regional accrediting associations would evaluate the effectiveness of the programs.

6. To finance such a program on a two-year level would necessitate Federal appropriations of approximately the following amounts:

a. If one placed such "Saturday colleges" only in those communities which do not now have accredited institutions, it would be estimated that approximately 2,900 county-seat "Saturday colleges" would be established.

b. It is conservatively estimated that rental of school plant facilities, library acquisitions, and purchase of other equipment and supplies would average $25,000 per center or $72,500,000 per year.

c. The staff salaries and travel expenses for staff members would probably run about $70,000 per center for each of the three terms during the year—or a total of $210,000 per center. This would mean a grant total of $609,000,000 per year.

d. In addition, the contracting institutions would need funds to compensate for the "indirect" costs of such programs. Again, a rough estimate would indicate that at least $20,000 per center per year would be involved, thus making $58,000,000 for this item.

e. Finally, the overall administration and supervision of such a program would involve additional staff and expenses for USOE. It is impossible for me to make more than just a "rough" guess at this time, but something in the neighborhood of $5,000,000 per year would seem fairly adequate.

The grant total of these items would be: $72,500,000 plus $609,000,000 plus $58,000,000 plus $5,000,000 equals $744,500,000.

VICE PRESIDENT'S REMARKS TO STEELWORKERS

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. McGrath] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. McGRATH. Mr. Speaker, on September 23, Vice President Humphrey addressed the United Steelworkers of America in convention in the Convention Hall in Atlantic City, N.J. I have the honor to represent New Jersey's Second District, in which that convention took place, and I had the honor and pleasure of attending the convention session which the Vice President addressed, and I feel his remarks on that occasion are worthy of inclusion in the Congressional Record in order that they may be read by and give inspiration to all Americans. Therefore, Mr. Speaker, I am pleased to record here the talk of Vice President Humphrey to the Steelworkers' convention:

Remarks of Vice President Hubert H. Humphrey, Convention, United Steelworkers of America, Atlantic City, N.J., September 23, 1966

It's good to be back home with friends.

Some 20 years ago a few young men and women in Minnesota set out to build clean government in their city and a clean party in their state.

We faced Communist infiltration in our party. We faced hoodlum influence in our city. We faced corruption and bribery in high places. We faced threats and we were on the receiving end of violence. And, worst of all, we found a lot of the honest citizens didn't seem to care.

But when the going got the toughest we found that the people we could count on were the Steelworkers. I remember how Phil Murray . . . Nick Zonerich . . . Earl Bester . . . and the late Smalle Chatak, among others, stood with us and helped us see it through.

And we got the job done.

There hasn't been a time since then, when the going was hard, that the Steelworkers haven't stood up and been counted.

We've been through some battles together in these past 20 years, and I don't think any one of us has any regret.

For we have built a stronger and better America than we had before. And we will make it stronger and better yet.

We have won some great victories. But the greatest ones are still ahead.

We have stood together for civil rights.

I remember how, in 1948, a large part of my party walked out of Convention Hall in Philadelphia because they did not agree that we were 172 years late in civil rights.

We have made up some lost ground since then. Our Negro citizens, and citizens of other minorities, have moved a long way toward the equality they deserve as Americans.

But we are still far too late. We have still not fully matched our creed with deed.

Too many Americans still lack: the right to vote in *all* elections; the right to go to any school for which they are qualified; the right to own any home they can afford; the right to get a job on the sole basis of ability to do the work.

There is unfinished work before us, and I say now is the time to get on with it.

We have stood together for medical care.

The first bill I introduced as a Senator in 1949 was for hospital and nursing home care under Social Security, and I was told that to even propose such a thing was to commit political suicide.

Today we have Medicare as the law of the land in no small part because you kept up your fight for it even in the years when there was no hope. Today our federal investments in health are more than double what they were even three years ago.

But the passage of laws alone does not automatically bring better medical care to those who need it.

We still lack enough well-equipped, modern hospital space. We still lack trained administrators. We face a shortage of medical technicians, nurses and doctors.

We cannot be satisfied until every community in America has medical facilities that are available in the best.

We have stood together for education.

Our children today stand a far better chance in life than they did yesterday. In the past three years alone we have more than doubled our federal investments in education. We have passed new landmark laws.

Now, we must use these new education laws—the basic building blocks—to move ahead and make every American school a place where children learn.

The fight we won at the federal level now has to be made at the state and local levels. Every person in this room who has ever been a school board member knows what I'm talking about.

We have stood together for 20th century government.

When a fair reapportionment of our state legislatures was threatened in the Congress, you helped to turn back that threat. Today the vote of every voter, whether he lives in the heart of the city or the fringes of wilderness, counts more nearly the same—although there's still some catching up to do.

Today our country faces a crisis of local government because our urban areas no longer remotely resemble what they were at the turn of the century. The services people need—and the revenues needed to pay for them—just can't be provided in the mixed-up, overlapping, outdated framework built around, over and through our metropolitan areas. In city after city I visit, I find mayors without authority, city treasuries without money, and anywhere from 10 to a thousand jurisdictions trying to run things.

We must work at the local level to bring some sense to local government. To begin with, only about 30 per cent of our people vote in local elections. I say we have to stir things up so that people really care about how their tax dollars are being spent, about how their cities and suburbs are being governed.

Mr. Abel, I know no one better qualified to take this job on than the people in this room.

We have stood together for an economy of growth and of social justice.

I don't need to tell you the difference between today and five years ago in the steel business. Those furnaces are going.

Today we are in our 67th straight month of economic growth and expansion. Everyone has gained during this expansion—business, the farmer, the consumer, and labor. We have baked a bigger pie, and each of us has a bigger piece.

That expansion hasn't happened by accident. It has happened because we turned away from the old orthodox, stale economic theories—the ones that put a balanced budget ahead of motherhood and Wheaties, no matter what. We've taken modern economic policy out of the dog house and put it in the White House.

But we have no written guarantee of a golden, never-ending prosperity. We must make the hard decisions and actions that are needed to keep our growth balanced and stable. To borrow a phrase I heard somewhere, we don't need "a depression to make your hair curl." Nor do we want an inflation that could take away what we've gained.

And that is why we've got to exert discipline—all of us—in keeping on a steady course.

You know of the actions taken by President Johnson during the past days to keep federal expenditures in check . . . to temporarily suspend the tax credit on investment in plant and equipment and accelerated depreciation provisions for commercial and industrial construction. You also know about his actions on behalf of people hurt by the squeeze on credit—small businessmen, home buyers, states and municipalities, students, and little people generally.

Our President has called for action to head off inflation.

He has asked business to restrain its use of credit . . . to keep inventories at reasonable levels . . . to postpone investments where possible . . . to set prices on the basis of real costs . . . and to limit profits.

He has asked banks to handle loans fairly and without excessive profit.

And he has asked labor to avoid wage demands that would raise the average level of costs and prices . . . to permit new people into its trades . . . and to work with business to raise productivity.

None of these things will be easy for any of the people involved. (In fact, I lost my new Vice Presidential house in this bargain.) But I know we can do it if we keep our tempers and our perspective.

We have stood together for the working man's right to organize—I mean for the repeal of 14–b. That's a fight we haven't won yet. But we are going to win it. You have the President's word for it. You have my word for it.

We have stood together for all the things that could make America live up to its promise—more equal rights for our people . . . better medical care for our people . . . better education . . . better and more efficient government . . . a growing and just economy . . . the eradication of poverty . . . decent wages for an honest day's work . . . cleaner air and water . . . modern transportation . . . cities where people can live as neighbors . . . in safety, in harmony, in progress—and we shall continue to stand together until our country is the happy and healthy and free nation we know it can be.

We have stood together, too, for responsibility in the world around us.

You recognized early the threats of fascism and of communism—both of which would ruthlessly use many people to benefit a chosen few.

You recognized early in the day that no ocean was wide enough to protect us here at home while international bullying gained momentum overseas.

And you recognize today that there is no way to escape the role of world leadership for a nation that is the strongest, the wealthiest, the most powerful country on earth.

And so we stand together once more in resistance to aggression . . . in dedication to social and economic progress around the world . . . in the search for lasting peace.

In these past years, we've moved ahead in America. We've moved ahead to create the kind of society that, in our early days together, seemed only a distant dream.

We've moved ahead toward our goal: To build one nation, under God, truly indivisible, with liberty and justice for all. And we shall not rest until we have it.

SOIL CONSERVATION SERVICE MAKES PROGRESS IN PROTECTING AGRICULTURAL LAND

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. LEGGETT] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. LEGGETT. Mr. Speaker, loss of prime agricultural land to housing, factories, schools, highways, and other developments around the edges of the Nation's rapidly expanding cities and at the sites of new satellite communities should concern every American.

I join with my friend and colleague, the gentleman from California on the other side of the aisle [Mr. TALCOTT], in his recently expressed concern over the conversion of prime California farmland for purposes that might be satisfied on land less suitable for growing crops.

We are, of course, planning and working toward the proper use of the land in rural and newly urbanized areas. Our own local soil conservation districts have been the vehicles for Federal soil and water conservation assistance on rural lands for nearly 30 years. Through working agreements with agencies of the U.S. Department of Agriculture, principally the Soil Conservation Service, these local districts have accomplished amazing results in sound and beneficial land use planning.

The good work of these districts has been extended to towns and cities in many cases. Nearly 4,000 nonfarm people in California received assistance through soil conservation districts last year. They became partners in proper land use planning with more than 42,000 district cooperators on farms and ranches.

Soil conservation districts are working with local governments, city and county planning commissions, and State and Federal agencies. More local and State funds are going into the land and water resource conservation and development effort. This is particularly true in making soil survey information available for farm, nonfarm, and engineering purposes.

The National Cooperative Soil Survey, a State-Federal program administered by the Soil Conservation Service, has made available soils information on millions of acres of agricultural land. President Johnson recently signed into law a bill which authorizes the U.S. Department of Agriculture to provide soil survey information assistance to States and other public agencies for community planning and resource development.

Soil survey information has saved taxpayers and investors millions of dollars. It has been an invaluable guide to community planners, land developers, and construction engineers.

Surely, much needs to be done to assure sound conservation use of all the land. There is adequate land for the many purposes of a growing population and a developing economy—if we plan wisely. Each purpose has its proper place. It is foolish and inexcusable to destroy one important purpose to satisfy another.

As a Nation, we can ill-afford to be so irresponsible as to sacrifice prime agricultural land to meet urban demands that could be met elsewhere. We need to appreciate the centuries of soil-building required to develop a rich agricultural land. We need to understand the complex issues involved in rapid population and urban growth. We need to make sure that we do not heedlessly destroy land best suited to agricultural production that we will require for our own future needs and to meet the Nation's food commitments abroad. We should remember, too, that there is—and will continue to be—a profitable market for American agricultural produce in other countries.

But as we recognize the urgency in advancing sound resource conservation policies in the Nation, let us not overlook the progress that has been made through the dedicated efforts and cooperation of thousands of landowners, developers, community leaders, and conservation groups. And let us not overlook the firm support given this cause by Federal, State, and local governments.

We must continue to build upon a record of far-reaching accomplishment in sound land use planning. We have only to follow the guidelines already laid down. It is a matter of enlightened private judgment and of determined public concern.

POLISH VETERANS IN EXILE ASSOCIATION, SPK

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Patten] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PATTEN. Mr. Speaker, on the 13th of November this year, there will be a ceremony, to which I am invited, of presentation of the post banner by the Polish Veterans in Exile, SPK, Post No. 40, of Perth Amboy, N.J. I have known this fine group of veterans for some time but it was not until now that I have had the opportunity to discuss their problems with the post commander, Mr. Reinhold Smyczek. This post is a part of the nationwide association of former Polish soldiers who fought in the Second World War. From 1939 to 1945, some 250,000 of these Polish soldiers fought in Europe as part of the Allied Command. They fought on land, in the air, and on the seas, wherever the Allies needed them. Another 300,000 formed the largest and best organized underground army in Nazi occupied Poland. They fought desperately and engaged in combat many Nazi divisions.

The Allies won the war, but Poland at their side lost it. Tragically disappointed, some 150,000 soldiers did not return home—protesting against another partition of their country—and the change of Nazi occupation into Soviet domination. These exiled soldiers settled in 24 countries of the free world and organized themselves into veteran units, forming a worldwide federation.

Some 25,000 Polish soldiers and their families came to the United States. In 1952 they organized themselves into the Polish Veterans in Exile Association, Headquarters, New York 1, N.Y., GPO Box 179. At present there are Polish veterans posts spread across the United States from Albany to Miami and from Washington, D.C., to California.

The association's specific and primary purposes are:

To provide care for members who are unable to work, for invalids, widows and orphans.

To propagate among its members bonds of friendship, and to maintain the tradition of their common struggles for freedom of Poland and America.

To cooperate with other veteran groups, especially American and East-Central Europeans for the good of those ideals for which soldiers of free democracies have laid down their lives and continue to do so.

They adopted the name of the Polish Veterans in Exile to symbolize the continuity of their fight for freedom of Poland. Let me quote Mr. Smyczek, who best explains this symbolic name:

> "Polish Veterans in Exile" does not really apply to our personal situation. We, the members of this organization, are not in exile. More than 90% of us are American citizens and many of our children are now members of the United States Armed Forces.
>
> Who then is in exile? It is the Polish soldier, the symbol. He who after Westerplatte, Narvik, the Battle of Britain, Tobruk, Ancona, Bolonia, Monte Cassino, Falaise, Arnheim, and countless other battlefields, had every right to expect that he would return, regimental colors flying, a free man to a free Poland. He is in exile!
>
> It is the Polish soldier who fought Hitler's panzers in the battle of the Warsaw uprising, only to learn in 1945, that he had a choice of exile if he managed to escape—or of returning underground when Stalin's liberation Army occupied Poland. He is in exile!

Thousands of heroic Polish soldiers died in battles of the Second World War, and their graves strewn across Europe and Africa give eloquent evidence that Polish soldiers never failed their allies. Though we failed them.

It is 21 years since the Second World War ended. Poland is still under Soviet domination, her western boundaries not recognized by the United States of America. But above all, the Polish ex-soldiers 'iving in the United States of America do not enjoy the same veterans' privileges their comrades have in Great Britain, Canada, and France. These countries granted the Polish ex-soldier the same veterans' benefits as their own subjects.

In recent years there were many bills introduced in the Congress referring to this matter, but they all died in the drawers of the subcommittees. It is high time that the deeds followed the many warm words spoken in the House on behalf of Poland and her freedom-loving soldiers of the Second World War.

In this year of Poland's millennium let us demonstrate that we have not forgotten at least those 25,000 settled in this country, and let us grant them belatedly the GI rights they so fully earned fighting under the supreme command of Gen. Dwight D. Eisenhower.

VICE PRESIDENT SPEAKS AT RUTGERS

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from New Jersey [Mr. Patten] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. PATTEN. Mr. Speaker, Vice President Hubert Humphrey helped us celebrate the 200th anniversary of my alma mater, Rutgers University. He is at his best in the role of professor. He helped make the day one we will long remember. I submit his speech because I know others would like to read it:

> I am both happy and proud to be with you and to be so honored on such an important occasion for this great and growing university.
>
> As many of you know, I am a refugee from the classroom, and every chance I have to return to a university—not to mention the chance for an honorary degree—helps me keep my credentials as a political science professor in order. In fact, my first experience as a Vice President was as vice president of the American Political Science Association.
>
> The business of politics is not the most secure in the world, and it doesn't hurt to have a little insurance.
>
> Rutgers University is today celebrating its bicentennial as a strong and free institution

only a short time after that strength and freedom were directly threatened.

A year ago, in the heat of political controversy, and under threat of dire retribution, your distinguished President, faculty, and Board of Governors—supported by an alert and dedicated student body and by the courage of the Governor of this state—were adamant in protecting the right of dissent. (You were adamant I might add, even though most of you, as I was, were in disagreement with the dissenter.)

You and Governor Hughes were vindicated at the polls by the people of New Jersey.

You gave concrete meaning to the spirit of the Bill of Rights and gave active defense to the eloquent proposition of Henry Thoreau: "If a man does not keep pace with his companions, perhaps it is because he hears a different drummer. Let him step to the music which he hears, however measured or far away."

I should like on this occasion to say a word or two about the place of dissent—of academic freedom—in a democratic society.

Academic freedom is not just an academic matter. It is both the symptom and the cause of the other freedoms we enjoy.

As John Milton and John Stuart Mill understood in past centuries, the right of free inquiry and of responsible dissent is society's self-correcting mechanism.

In a more modern idiom, it is our self-regulating system of "feedback."

There is no party, no Chief Executive, no Cabinet, no legislature in this or any other nation, wise enough to govern without constant exposure to informed criticism.

If responsible political leaders do not always follow the advice of dissenters, it is not because such advice is ignored or summarily dismissed.

It is because in submitting the advice to the test of perceivable consequence, it may not, at a given moment, make sense.

I know from long personal experience in Washington that few responsible academic proposals are actually lost.

Some are diffused: most are modified by the dialectic of academic as well as political discourse.

But as Lord Keynes once pointed out, in terms of fundamental origins, public policy is largely the product of some "academic scribbler."

It seems to me that academic freedom permits universities at their best to perform three cardinal services for government and for the society as a whole.

First, it enables them to challenge orthodoxies.

Second, it enables them to fashion laws of nature—including laws of human nature.

And third, it enables them to promulgate options. Let me say a word about each of these.

Twenty years ago, President Truman signed the Employment Act of 1946. This act, as you remember, established the Council of Economic Advisers, as well as a Joint Economic Committee in the Congress.

It mandated that the President submit to the Congress each year an Economic Report which would describe the economic state of the union and which would recommend policies aimed at promoting maximum production, employment, and purchasing power.

The background of this Act, and the policy recommendations which have emerged from the Council since its passage, are rooted in a largely academic challenge to economic orthodoxy.

For generations, classical economics had rested on the assumptions that market mechanisms were automatic and immutable, and that government interferences in the operations of the market should be limited essentially to credit adjustments by the Federal Reserve and to cutting public expenditures in times of depression.

I need not trace for this audience the intellectual and policy battles of the past generation associated with the so-called Keynesian revolution.

I can only say that this battle—begun by academic scribblers—has produced a revolution in economic thought and in public policy and has immeasurably benefited our country.

If universities break ancient molds, they also create new truths.

The investments in university research of the National Science Foundation, the National Institutes of Health, the Department of Defense, the Office of Education, AEC, NASA, and other federal agencies is testament to the key role that new knowledge plays in human progress—both technical and social.

A few years ago when Nikita Khrushchev visited the United States, he was astounded by our agricultural productivity.

American agriculture is in large part a success story because, for generations, federal and state governments have supported our Land Grant colleges and their agricultural experiment stations.

Our agricultural scientists have discovered new truths. They have uncovered laws of nature which have unlocked the secrets of plant and animal productivity.

Today, as chairman of the newly created National Marine Sciences Council, I have great hope that we may develop our marine resources as we have our agricultural resources.

There is pending in the Congress legislation to create Sea Grant colleges to develop and bring new knowledge to our exploration of the ocean.

And there is no question of the roles that our universities have played, for instance, in developing new materials, processes and management techniques in our federal space and atomic energy programs.

I predict a revolution in educational theory and practice in the next two decades as a result of public and private investments in such fields as motivation and learning.

Social psychology, modern genetics, and the new exciting sub-field of zoology known as ethology are making astounding breakthroughs which cannot help but affect the future of public policy and the fate of the human race.

President Johnson's unprecedented support of education, at all levels, attests to his belief that the truth, will make us free.

But for the responsible policy-maker in government, perhaps the university's most immediate contribution is not the challenging of ancient orthodoxies, or the discovery of new truths, but the creative construction of policy options.

In more cases than you can possibly know, we in Washington turn to the learned professions and to the universities for guidance in forming new programs.

A half-century ago, the University of Wisconsin, under the leadership of John R. Commons, was the policy center of America in such fields as social insurance and welfare economics.

Virtually everything that has happened since at the state and federal level in these critical areas of humane public policy is the legislative derivative of their pioneering work.

It was President Roosevelt who gave currency to the term "brains trust." His major advisers in developing the experimental policies of the New Deal were university professors.

And, since that time, professors have increased their influence.

There are no fewer than 7 ex-professors in the President's Cabinet of 12.

And the term "in-and-outer" has become almost as well known as "brains trust."

Today, Washington is brimming with visiting advisers, witnesses, consultants, and technical experts from our universities in every field of human knowledge.

Washington National Airport, at any point in time during the day, includes, in transit, a faculty which—if kept together—would create one of the world's most distinguished institutions of higher education.

These professors are valuable to Washington precisely because they are unfettered, and because they often have an opportunity to see beyond the immediate urgencies and rigidities of on-going operations. And for the same reason they are increasingly being put to work as well by progressive private corporations, financial institutions and labor unions seeking the objective, unbiased view in their decisionmaking process.

If these professors were controlled and cowed they would be valueless.

They can produce policy options precisely because they are once removed from the inertias and compulsions of operating assignments.

And here let me come to the immediate and specific.

In the past months and years, no problem has burdened the minds of your national political leaders more than the conflict in Southeast Asia.

Men of good will both in Washington and in academic life have differed in diagnosis, prognosis, and therapy.

It would be tragic if authoritarian governments were to mistake our discourse and dissent for weakness, for our diversity is the basis for our unity. And our intellectual pluralism is the friend rather than the enemy of responsible political decision-making.

Our goals in Southeast Asia are clear: They are to help the nations of that part of the world maintain their independence and to help them build strong and progressive societies.

But our means towards these goals are both flexible and pragmatic.

Military force, at this juncture, is necessary.

It is necessary not because it is adequate, but because it establishes minimal conditions for undertaking long-range political, economic, diplomatic and social accommodations which are only ultimate guarantors of long-range stability and independence in that part of the world.

Let me emphasize that it is in these complex areas of long-range accommodation that your government needs all the help it can get from the academic community.

We need the help of universities in breaking orthodoxies in our own thinking.

We need scholars to tell us about the orthodoxies, stresses, strains, and motivations of the Asian powers with which we are presently at odds.

Above all, we need the help of universities in thinking through viable, practical, pragmatic options aimed at securing our long-range goals in Asia.

I have said many times, since my recent missions to Asia and the Pacific, that one of the highest priorities in our country should be the expansion, both in quality and quantity, of our programs of study concerning that part of the earth. For—no matter how much we would deny it—the great majority of us are comparatively ignorant when it comes to any part of the world but Europe and North America.

Things are changing. But they cannot change fast enough. Our universities, and our secondary schools as well, must expand their programs of Asian and Pacific studies, as you are doing at Rutgers. They must, in fact, expand their programs of study concerning all the unfamiliar, overlooked parts of the world.

For it is in precisely these places that the small disorder—unseen—and misunderstood—can grow to the larger conflict which might threaten the general peace.

In the nuclear age, we can no longer afford the luxury of international ignorance.

Nor can we, as a world power, afford a half-world knowledge.

Let me say two things in the way of conclusion.

First, the need for university concern and help is just as urgent in meeting our problems at home as it is in meeting those in the world.

Rutgers is in the middle of one of the greatest urban agglomerations in the world. Your Urban Center and your Eagleton Institute are already nationally recognized for their concern with the politics and administration of state and local jurisdictions.

But my guess is that Rutgers would be the first to admit that it has only scratched the surface of its responsibility to its surrounding communities.

Transportation, air and water pollution, slums, poverty, ill-health, racial discrimination, inadequate schools, truncated opportunity, unfulfilled lives—these social cancers cannot be wished away.

The total resources of our universities will have to be mobilized against our urban problems if old orthodoxies are to be broken, new truths are to be found, and new policy options are to be developed.

Just as isolation in the world is something our Nation cannot afford, so is isolation in the community something our universities cannot afford.

There are a few universities today in America—but all too few—which have committed themselves to meeting the problems of their communities.

Most of our universities are aware of the availability of federal funds for studies and activities in the urban environment. Some have made use of them.

But what is to prevent more of our universities, as a few have, from committing their own resources to the problems of urban and metropolitan life?

What is to prevent more of our universities from putting to work some of the lessons learned in space-age technology and management—the lessons of interdisciplinary cooperation; the application of the systems approach—in meeting more earthly challenges?

I believe our faculty members should not be judged by publications alone, but also by standards of teaching and participation.

I talked about this problem not long ago with an academic friend. His response was: "Isn't it enough for us to educate well the young men and women who will be the next generation of urban leaders?"

Yes, it is important, but it is not enough. Education is enriched as it is strengthened by experience.

Beyond this, what makes us think that these young men and women will become active participants in urban life if their education has not turned them toward that path?

I know that some of you may regard me as being too much an applied scientist. But I have never believed that knowledge should remain either in books or in the minds of the few. It should be used for the benefit of the many.

Earlier this week at Howard University I made several specific proposals, some of which I will repeat here. (I've always believed in repetition as an educator.)

I believe universities should take the lead in organizing non-profit housing corporations which, in turn, could take full advantage of special federal programs for low-income housing.

I believe universities—working with business and labor—should seek new ways to train unskilled and hardcore unemployed workers.

I believe universities should unite to promote actively equal employment opportunity in their own hiring of professional and administrative employees—as well as requiring such standards from all firms with whom they do business.

I believe universities should send both faculty members and students into our urban ghettoes to help overcome generations there of educational and cultural deprivation. What better place for "laboratory" work?

I believe universities should take far more seriously their responsibilities to the quality of teaching and of research at small colleges and schools without adequate resources.

I believe, in short, our universities should see as their responsibility the problems of 20th century urban society which crowd, in many cases, right up to the edge of their well-tended campuses.

There is no question that academic freedom and academic responsibility are joined together.

You showed academic responsibility a year ago when you stood firmly in the path of those who threatened the right of dissent.

But there are other kinds of academic responsibility as well.

One of these I have just alluded to: It is the responsibility of the academic world not to draw apart from the real world. Who among us can doubt that the existence of poverty . . . of discrimination . . . of outmoded and inefficient local government are as much a threat to academic freedom as they are to the freedom of the general citizenry?

There is another responsibility too—and I speak of this responsibility as one who has been on both the giving and receiving end of academic advice and recommendations.

This is the responsibility of those in academic life to base their pronouncements upon fearless and objective examination.

Unless recommendations stem from knowledge rather than untutored emotion . . . unless a sense of concern is matched by the capacity for hard analysis, the academic dispenser of idea or giver of advice does himself a disservice.

The world is filled with the noise and clash of opinion. It is woefully shy of dependable knowledge.

In a society which needs and values your independence—your "league of notions"—the greatest threat to academic freedom would be the failure of those who prize it most to live up to their own canons of responsibility.

Let me make myself clear. I do not believe that our country is passing through a period of academic irresponsibility. Quite the contrary.

But I do believe that we cannot, in this age both of danger and promise, demand anything less of ourselves than the most stringent standards.

Now, more than ever, the great work of challenging orthodoxies, discovering truths and establishing options is a necessity for human survival and progress.

May we approach that work with humility, with discipline, and with responsibility. In doing so, we shall make our freedom the more secure.

DEMONSTRATION CITIES BILL

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from Oklahoma [Mr. Edmondson] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. EDMONDSON. Mr. Speaker, I regret that delays in House action on the conference report on the demonstration cities bill will prevent my voting on this report. I have asked to be paired against it, and there is no secret about my position on it.

Reliable sources advise me my vote would make no difference in the result on this report, and I have longstanding commitments, in Oklahoma which I must honor, if my vote is not decisive on the measures pending.

DEVELOPING STRONGER LINKAGE BETWEEN THE SCIENTIFIC-TECHNICAL COMMUNITY AND SOCIAL NEEDS

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from California [Mr. Roybal] may extend his remarks at this point in the Record and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Florida?

There was no objection.

Mr. ROYBAL. Mr. Speaker, I am pleased to insert in the Record a speech made earlier this week by my colleague from Colorado, Hon. Roy McVicker to a symposium of scientists in Denver.

The subject of the speech as well as his recommendations attack in a most perceptive manner one of the vital questions of our day—the bridge between the scientific-technical community of our Nation and the social needs of our country:

Developing Stronger Linkage Between the Scientific-Technical Community and Social Needs

(Speech by Hon. Roy McVicker, of Colorado)

I am particularly pleased to address this technical group of representatives from all the major institutions involved today in the research and development of this country. I have been informed that there are Government people from the Air Force, the Atomic Energy Commission and NASA. A number of the members of this group come from institutions of higher learning other than our host, the University of Denver. However, the majority of the attendees here are sponsored by various companies. It is the interaction of these three groups that will, in the main, determine the direction, efficiency, and the results of our scientific and technical progress in the next decade. This evening I would like to share with you some thoughts that have occurred to me with respect to improving the connective links between emerging social needs, and the incredible potential of technology, to alter, and hopefully to improve, the quality of life in this country. Technological progress has certainly altered the quantities of things that are available to all—now, comes the more significant and challenging task of improving the quality of our lives.

The role of the Congress in the task I have outlined is two-fold. As you are aware, my responsibility as a Congressman is to not only represent my district, but to also approve legislation for all the country. A Congressman is also responsible to his district to secure the benefits and services available from the Federal Government. Also, he must forge, by mutual consent, the general public interest from all of the conflicting demands of modern society.

I know some of you people dislike seeing items that appear in the papers stating that a Congressman announces "this or that" contract award. Many civil servants have spent quite a tremendous effort in evaluating the various proposals, and, of course, others of you have spent long and hard hours preparing the proposals. It might appear unfair, but perhaps not. We in Congress must finally decide which programs to support and which ones to ignore on a broad basis and, frankly, I frequently receive considerable adverse comment for my willingness to support government programs. If you think that approving the expenditure of taxes for research and development is universally approved, even by those who accept the funds, you are mistaken.

While I cannot speak for all the Congress, I might say that I properly reflect a general concern of many Congressmen, that research and development activities, supported by the Federal Government, must be responsive, to an important degree, to the demands of our times. This is not to say that big or little science is in deep trouble, or that major surgery is required—rather, I would think that now is the time to examine some of the concerns that the Congress feels today. Basically, the main concern is that many areas of science are so bound up in their internal rhythms, that they are not able to respond to national needs.

The need for policy changes are brought to our present attention by the following factors:

The large growth rate of Federal R&D spending now approaching $16 billion dollars. A projection of the growth rate would soon exceed the GNP in less than twenty years, obviously an absurdity. Thus, something must be altered. If more R&D programs are available than there are funds, or the ratio becomes more unfavorable, then tougher decisions must be made. What programs are to be funded? Who is to decide? How should we allocate the funds among the numerous opportunities? The long-term fiscal problem is currently more acute since the war in Viet Nam has reduced the growth in R&D funds, though it has not, and probably will not, reduce the absolute amounts available.

On the other hand, we see the stabilization of R&D spending at the very moment that increased expenditures are required by the Federal Government to combat manifest social evils, such as air and water pollution, waste disposal, development of water resources, and the reduction of crowding and congestion in our urban environments. The needs are getting increasingly out of hand, with respect to our current resources.

Also, we now see in the years immediately ahead, the possibility of dismantling a large activity, such as NASA, or assigning it new responsibilities and new missions. I have observed, in my own district, the decrease in employment, starting in 1962 at the Martin Company, due to the termination of the Titan production contracts. The local ills and dislocations generated by the growth and dismantling of such complexes suggests that with proper thought and planning, these obvious wastes can be reduced. I personally am pleased to see the initiative taken by Mr. Webb, Head of NASA, in his attempt to establish truly inter-disciplinary programs at various universities. I would personally think that an asset as valuable as the collective talent of NASA is simply too valuable to put on the scrap heap. On the other hand, I am not suggesting that it become a multi-billion dollar un-employment program simply to keep technical people employed.

Finally, while the role of R&D has probably been over-stated with regard to the growth in the GNP, nevertheless we can see what appears to be an important contribution to the economy by the technological community. The current expenditures for research have not been evaluated in terms of their potential to promote the growth of national wealth. Perhaps we should try. The geographical imbalances of Federal expenditures create the spectre of generating depressed areas within the foreseeable future.

From all of this, it is clear that while the primary concern of science should be good science and for technologists to generate useful technology, the very size and extent of the process now is of national concern, and the social and economic dimensions of this activity must be recognized.

The situation is comparable to the admirable acceptance by modern industrial firms that though a major responsibility is to make a profit through the efficient production of goods and services, other social responsibilities have been accepted. For example, safety devices are not omitted simply to save their cost.

What do I propose?

May I suggest that this problem be attacked in several ways.

1. Better operational procedures for keeping the Congress informed—particularly through the establishment of a body of scientific advisors.

2. A major National Commission to study the role of Government, Industry and Education in the fields of science and technology. This would, of necessity, be a group of the stature of the Hoover Commission.

3. Pilot Program designed to foster new inter-relationships between Government, Industry and Education.

May I cite an example of such a pilot program:

Since the problem of corrosion is national in scope, and estimated cost to be five to ten billion in scale, I would propose that a multi- or inter-disciplinary program be instituted to develop techniques and methods to reduce this drain on national wealth. Such a program could operate on the basis similar to that proposed by Dr. Holloman as a joint Industry-Education-Government activity. While the major fiscal support would be governmental, a cost-sharing with various industries would appear to be in order. I must say that, while planning for this program must start as soon as possible, the full level of activity could not hope to start until the large expenditures arising from the Viet Nam war decrease.

The relationship entered into by agriculture, government and education for the establishment of the land grant colleges, has been a major factor in elevating the productivity and quality of life in the rural areas of America.

On occasion, I hear an expression to the effect that the roles and activities of our universities and industries will be altered unfavorably by interaction with the Government. I frankly do not think that this is true if we use our wits.

An active positive program of mutual cooperation by the institutions of our society can only strengthen all. I do, of course, expect changes to occur, but these can be for the better.

CHILD DEVELCPMENT GROUP OF MISSISSIPPI

Mr. BENNETT. Mr. Speaker, I ask unanimous consent that the gentleman from New York [Mr. RYAN] may extend his remarks at this point in the RECORD and include extraneous matter.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. RYAN. Mr. Speaker, the New York Times today published an advertisement signed by many nationally prominent Americans called the National Citizens Committee for the child development program in Mississippi which I believe should be read by all Members of Congress. These prominent individuals have become involved because the dispute over CDGM involves the basic question of whether the Office of Economic Opportunity is willing to support local groups in areas where the political establishment is hostile to any semblance of power given to the poor. The fact that CDGM faced incredible hostility in Mississippi is well documented.

Recently the Citizens' Crusade Against Poverty, which has as its chairman, Walter P. Reuther, issued a report on the Child Development Group of Mississippi. The report is the result of an intensive investigation by a distinguished board of inquiry set up by the Citizens' Crusade Against Poverty. A. Philip Randolph and the late Reverend Dr. Robert W. Spike were cochairmen of the board of inquiry. The following were its members: Paul Anthony, executive director, Southern Regional Council, Inc.; Philip Bernstein, director, Council of Jewish Federations & Welfare Funds; Dr. Kenneth B. Clark, professor of psychology, City College of New York, N.Y.; Frances Coe, board of education, Memphis, Tenn.; Eli E. Cohen, executive secretary, National Committee on Employment of Youth, New York, N.Y.; Clarence Coleman, director, Southern Regional Office, National Urban League, Inc., Atlanta, Ga.; Robert Coles, research psychiatrist to the University Health Services, Harvard University, Cambridge, Mass.; Ralph Helstein, president, United Packinghouse, Food, & Allied Workers, Chicago, Ill.; Dr. Vivian W. Henderson, president, Clark College, Atlanta, Ga.; John P. Nelson, Jr., attorney, New Orleans, La.; Judge Justine Wise Polier, family court, New York City.

Members of this able and distinguished board traveled to Mississippi to get first-hand information concerning CDGM. The report which was accepted unanimously by the executive committee of the Citizens Crusade Against Poverty came to the following conclusions:

1. The child development program mounted by CDGM has been a highly successful and significant program, combining quality pre-school experiences for a large number of children with massive involvement of the community, extensive experimentation with new sub-professionals all within the context and spirit of democratic participation and democratic decision making.

2. The CDGM is a well administered, carefully organized, creatively run organization demonstrating integrity, fiscal responsibility, and managerial competence. There is evident also a sincere and continuing desire and willingness to respond to suggestions and to improve further their administrative, fiscal and organizational structure.

3. Where circumstances permitted, we found a consistent record of concerted and wholehearted attempts to cooperate with and enlist all segments of the broader community including explicit endeavors to cooperate with local community action programs.

4. There is now under way a thoroughgoing attempt by OEO to dismember CDGM, to turn its programs over to other groups, and to insure that a hearing on the merits, if held, will be nothing more than an exercise in futility. We do not find that dismemberment of CDGM's program and organization is a satisfactory substitute for refunding and continuation. The whole is more than simply the sum of its parts. CDGM is not simply a collection of isolated child care centers. It is an organization that belongs to the people of Mississippi. It

is a program that make child development the symbol and the point of embarkation for a life of dignity for children and parents and community. The valiant efforts to keep CDGM centers open after funds were exhausted—both last year and once again, now, is ample testimony to this commitment. If further testimony was needed, it is only necessary to point to the 49 centers that have sprung up all over Mississippi with no organizational nexus to CDGM and no Federal funding which have nonetheless been christened "CDGM Centers" by the community.

5. OEO has violated the most fundamental principles of due process and has disregarded its own procedures and standard modes of operation. It gave neither notice, nor hearing, nor numeration of charges, nor opportunity to defend itself to CDGM in regard to the charges which were the alleged reason for the discontinuation of the grant. And it set about covertly to create alternate funding groups in Mississippi long before it made its announcement not to refund and at a time when it was still proclaiming that no final decision on CDGM had been reached. It has rushed pell mell to fund individual organizations and groups which have not demonstrated their competence, which lack representation of the poor and which in one case had not even submitted an official application, in an apparent attempt to insure that the decision not to refund CDGM was irreversible. It was not even willing to share this decision with the Head Start National Advisory Board or utilize its services.

6. The charges made—even if true—do not in the Board's opinion constitute grave enough defects to support a judgment to terminate the program. All of the charges taken together do not dictate termination if weighted against CDGM's record of achievement and continuous improvement. A differential standard with regard to what defects mandate termination appears to have been applied to CDGM.

7. We are unable to avoid the conclusion that the charges levied are a thin mask for a politically dictated decision—a decision which is all the more tragic in that it represents a yielding to those forces which have stood in historical opposition to progress for the poor and underprivileged in Mississippi—including Senators STENNIS and EASTLAND who have opposed all civil rights, labor and anti-poverty legislation. We view this as a symbolic instance—not simply of yielding to political pressures—but of yielding to pressures which are direct and irreconcilable opposition to the goals of the program and the intended beneficiaries of the program. We cannot account for this decision on the basis of charges which are so insubstantial, so trivial, so unsupported in fact, so exaggerated and inflated and not supported by objective inquiry.

The executive committee of the Citizens' Crusade Against Poverty has made two recommendations which in light of the controversy over this program seem to be most sensible. The committee has called for "an immediate 30-day continuation of funding for CDGM while this matter is being resolved." The committee also "called for a moratorium on any new Headstart grants in Mississippi pending resolution of this matter."

It is clear from the report that, whatever its alleged shortcomings, CDGM did reach the people in Mississippi. This program should not be summarily terminated. The poverty program is one of the most important of our Nation's domestic programs. The case of CDGM may prove to be a turning point in the poverty program. Because of the importance of this matter I urge all Members of Congress to read the report of the Citizens' Crusade Against Poverty, as well as the advertisement which appeared in the New York Times on October 19, 1966:

I include them at this point in the RECORD:

FINAL REPORT ON THE CHILD DEVELOPMENT GROUP OF MISSISSIPPI

Submitted to the Executive Committee of the Citizens' Crusade Against Poverty by the following Members of a Citizens' Board of Inquiry.

Co-Chairman: A. Philip Randolph, President, Brotherhood of Sleeping Car Porters and Dr. Robert W. Spike, Professor of Ministry, Divinity School, University of Chicago.

Paul Anthony, Executive Director, Southern Regional Council, Inc.

Philip Bernstein, Director, Council of Jewish Federations and Welfare Funds.

Dr. Kenneth B. Clark, Professor of Psychology, City College of New York, N.Y.

Frances Coe, Board of Education, Memphis, Tennessee.

Eli E. Cohen, Executive Secretary, National Committee on Employment of Youth, New York, N.Y.

Clarence Coleman, Director, Southern Regional Office, National Urban League, Inc., Atlanta, Georgia.

Robert Coles, Research Psychiatrist to the University Health Services, Harvard University, Cambridge, Massachusetts.

Ralph Helstein, President, United Packinghouse, Food and Allied Workers, Chicago, Illinois.

Dr. Vivian W. Henderson, president, Clark College, Atlanta, Georgia.

John P. Nelson, Jr., Attorney, New Orleans, Louisiana.

Judge Justine Wise Polier, Family Court, New York City.

REPORT OF CITIZENS' BOARD OF INQUIRY ON CHILD DEVELOPMENT GROUP OF MISSISSIPPI

Background information

In May, 1965 the Child Development Group of Mississippi (CDGM) (as subcontractor to Mary Holmes Junior College) received its first grant of 1.4 million dollars to operate 84 Head Start centers for 6,000 poor children throughout Mississippi. This summer program for four and five year olds terminated at the end of August, 1965. Between August 27, 1965 and February 23, 1966, no further funds were available for the operations of centers for a year round program. During this time, 50 centers were kept in operation for over 3,000 children through volunteer efforts, personal contributions and unrecompensed professional staff.

The program was severely criticized during this period by Senator STENNIS and vigorously defended by Sargent Shriver at Appropriations Hearings. Subsequently, on February 23, 1966 CDGM (still as subcontractor to Mary Holmes Junior College) received a $5.6 million grant to operate a Head Start project for 9,135 children in 121 centers. This program was scheduled to terminate on August 31, 1966 but was extended for one month. Application was made to OEO for a grant of $20.3 million to operate 170 centers for 13,500 children in 37 counties throughout the state. On October 2, OEO announced that it would not refund CDGM and communicated that fact on October 2 to the Board of CDGM.

In the meantime, and as a result of prior negotiations, a new corporation, the Mississippi Action for Progress Corporation was incorporated for the announced purpose of administering Head Start Programs in lieu of CDGM. On Friday, October 7, OEO announced grants to Rust College, and Southwest Mississippi Opportunity, Inc., to administer programs previously run under the direction of CDGM.

Structure of CDGM

CDGM has three levels of organization: community, area and state. At each level, there are policy making boards with elected representation from parents and the poor. At the community level, each center is governed by a committee composed entirely of parents and representatives of the poor and charged with full responsibility for management and policy making.

98.9 per cent of the staff are local Mississippians. Intensive training and a merit promotion system has resulted in local persons holding the vast preponderance of administrative and professional positions. Over 1,000 persons serve actively on policy making boards, either in the community, or on an area or statewide level.

Staff at the community level includes a coordinator, teacher trainees, resource teachers, together with part-time support personnel. At the area level, staff includes an Area Administrator, teacher guide and social service and community coordinator.

Statewide, the central staff, consisting of 60 persons is responsible for overall administration, program planning, teacher training, curriculum development, field operations and community services.

The issue

OEO claims to have based its decision on charges which break down into four broad categories: programmatic deficiencies, fiscal mismanagement, administrative mismanagement, deviation from Head Start program goals and policies.

The Citizens' Crusade Against Poverty, a coalition of over one hundred organizations and individuals asked individuals drawn from a variety of professional and organizational backgrounds to constitute a Board of Inquiry which would investigate these charges and examine the evidence in order to provide an independent source of information and judgment. Following are the findings of fact, the conclusions and the recommendations reached by the Board after numerous site visits, interviews and correspondence.

Findings of fact

As a result of extensive investigation, and on-the-scene visits by ten members of the Board of Inquiry, the Board has reached findings of fact with respect to CDGM's program quality, organizational structure, the social and economic conditions within with CDGM operated and the conduct of the Office of Economic Opportunity with regard to CDGM.

Program quality

The Board of Inquiry finds that the CDGM program reached over 13,000 children and involved thousands of parents in staff and policy making capacities at an average cost per child of $22 per week.

With respect to the children, the Board concludes, on the basis of its own observation and that of numerous consultants and experts, that the program was of the highest calibre and must be considered a striking success—whether judged in terms of nutrition, medical care, congnitive development, socialization and psychological well-being.

Similarly, with respect to the parents, the poor, and the wider community, the Board found a program which realized the fullest potential of Head Start as a program for educating the child, strengthening the family and enabling the poor to participate in lifting themselves and their children out of poverty.

Last year, commenting on the summer 1965 program, Mr. Sargent Shriver stated to the House Apropriations Committee that "The Child Development and Educational Authorities who investigated this program claim it was a success in fulfilling the purpose of the program."

Members of the Board of Inquiry with background in juvenile delinquency, child psychiatry, education, race relations and early childhood development also attest to the program's success based on their own site visits and firsthand observations:

A member of the Board of Inquiry, Mrs. Laurence Coe of Memphis, a preschool expert, a member of the Board of Education in that city, and former program director of the Memphis CAP commented after viewing the CDGM program:

"From the CDGM materials and my visit, I am impressed with the basic understanding of good child development principles and the amazing achievements under the most adverse circumstances, and I do not mind being quoted on that. I also believe that it is an almost unique achievement in the involvement of parents and the "poor" which is one of the emphases of the whole OEO program."

New York State Family Court Judge, Justine Wise Polier, member of the Board of Inquiry:

"To see children at work and at play in a CDGM center is to understand the promise where teachers and parents together create a world in which children are made to feel wanted and loved. To observe their joy in learning and achieving is proof of what has gone into this program. To meet with parents who have had so little and with staff as they plan for the next day and for the future is to know that their work and purpose is to achieve opportunities for educations, work and full participation in the community for parents and their children. Children of poverty and utter deprivation are learning to stand straight, to sing, to laugh, and to want to learn."

Child Psychiatrist, Dr. Robert Coles, member of the Board of Inquiry:

"In ten years of work in Child Psychiatry I have yet to see a program like this one, in the sense that against almost impossible odds children have been taught and also receive the benefits of medical care in a manner and with a thoroughness that is truly extraordinary. If we are fighting a War Against Poverty then this program is actually reaching poor children and doing so in a way that makes any doctor feel truly impressed."

The reactions of the Board of Inquiry are corroborated by that of other experts including one of OEO's own consultant evaluators.

Dr. Frank Garfunkel, Director of the Head Start Evaluation program, School of Education, Boston University, one week ago, after making an official inspection tour of CDGM, wrote:

"In spite of some of the drawbacks in not having 'qualified staff' your program is a unique and creative one having a profound effect upon the communities in which it exists . . . I join those who are committed to the continuation of that program both privately as well as professionally."

Members of the OEO National Head Start Advisory Committee report that until recently, CDGM was cited by OEO staff as a model program and noted particularly for the features: the extent and intensity of parent involvement and the creative use of sub-professionals.

Mr. Eli Cohen, Executive Secretary of the National Committee of Employment of Youth, and an expert on the employment of sub-professionals, visited the CDGM program as a member of the Board of Inquiry. He commented:

"From visiting centers and talking with staff and community people involved in the program it was obvious that CDGM had done an extraordinary job—a job involving both parents and children in a constructive learning process that had given them a new found pride, self-reliance and the skills necessary to work towards equal citizenship; particularly impressive was CDGM's creative and innovative use of sub-professional teachers. In this respect CDGM's program is one of the most sophisticated and successful in the nation realizing the vast potential which lies in people who have lacked the opportunity for traditional and "formal" education. Under CDGM program they have been afforded good training opportunities and the chance for promotion on merit which has made it possible for many of them to advance towards professional status."

These features, together with an overall evaluation of the program are reflected by other experts of which the following are merely illustrative:

. . . impressed by the motivation and amazing ingenuity shown by persons who work in these centers . . . great accomplishment and great potential in terms of improving the educability of the extremely deprived rural children. . ."

(Dr. Susan W. Gray, Director, Demonstration and Research Center for Early Education, George Peabody College for Teachers)

". . . have worked in education in forty countries . . . move to find the competence shown by these women (and a few men) in handling challenges which could easily defeat many a qualified teacher working in cities . . . I have had to revise my ideas about who should work with the children at the Head Start centers. I am now convinced that, rather than college education and scholarship, what is needed is innocence, open-mindedness, love, and patience, and belief in the natural goodness of children and in their natural powers . . . I found the children in your centers relaxed busy, well behaved, accepting of each other, sharing with each other and looked after with love and understanding." (Dr. Caleb Gattegno, Director, Schools for the Future)

". . . without a doubt one of the most creative and progressive I have seen in my many years of early childhood education experience. . . . From my personal observations CDGM is doing an excellent job. Its program could stand comparison with any in the country—and remember, they are working under difficult circumstances." (Mrs. Lena Gitter, educational consultant, American Montessori Society)

". . . You have established a beachhead against ignorance and for knowledge both with our youngest and with some of our older citizens. . . . The children I worked with in all centers were responding with excitement and intelligence." (Mrs. Frances Hawkins, Elementary Science Advisory Center, University of Colorado)

". . . your teachers (at a Head Start training course), had many strengths and fine personal qualities. We were and continue to be impressed with their strong desire to make a better life for children. We enjoyed their eagerness to learn and . . . (take back) procedures and techniques they thought they could use. They were excellent, as a number of our consultants noted, in participating in group discussions." (Mrs. Millicent Savery, University Training Director, University of Nebraska.)

Based on its own personal observations and the testimony of experts and consultants, the Board finds it must reject the charge by the General Counsel of OEO that CDGM is running merely a custodial program for children. Nor can it accept, as a relevant criticism that CDGM concentrates on the parent and the home as well as the child. The Director and staff of OEO have consistently insisted that the concern of Head Start must go beyond mere formal education and "reading readiness" for small children.

The Board does not find that the CDGM program is perfect. But we do not find the charge of inadequate supervision supported in fact. We note as a matter of common knowledge that there is a nationwide shortage of qualified experts in child development. For Mississippi that shortage is even more acute having no "preschool" classes at all in its public school system. We note that CDGM has responded to that shortage by an intensive training program of local persons rather than by attempting to buy such scarce talent from other parts of the country. In this, CDGM has made a major contribution to the obtainment of goals of the Head Start program. That approach is yielding a new and adequate supply of very high calibre trained persons. With respect to the charge of inadequate health programs, we note that in this past year's program, CDGM provided approximately 12,000 medical examinations, 10,000 dental checks, 9,000 eye examinations 200–300 referrals to specialists, and inoculations to all in need, in a continuing medical program. We note that these constitute more medical examinations than are given by the entire State Health Department of Mississippi to children of that age in a year. Dr. Margaret Batson, a pediatrician at the University of Mississippi Medical School, serves on the Board of CDGM. Approximately 100 local doctors—both white and Negro—participated in the CDGM medical program.

Organizational structure

The Board finds that CDGM's organization and administration has been characterized by sound management, careful fiscal control, and maximum feasible involvement of the poor in the administration, management and day-to-day operational decisions of the program.

The OEO situation report states some of the measures taken to insure effective management and fiscal procedures:

"A year ago, steps were taken, on OEO's recommendation, to improve internal operation. The measures included appointments of a new Deputy Director, Business Manager, and Counsel. The grantee agency, Mary Holmes Junior College, retained the local offices of Ernst and Ernst, a leading nationwide accounting firm, as Mississippi auditors for the CDGM program. CDGM also was to adopt a financial and accounting manual in order to tighten internal controls."

A member of the Board of Inquiry, John Nelson, an attorney and former Assistant District Attorney of the City of New Orleans, reports his conversation with the firm of Ernst and Ernst, CDGM's accountants in these words:

". . . I had a rather lengthy session with Mr. A. N. Morgan, senior partner of Ernst and Ernst, Certified Public Accountants, Jackson, Mississippi, during which time we went into detail over the accounting procedure used in order to bring about the best control possible over the distribution of funds under the present grant. Mr. Morgan told me, and he will so testify under oath if needed, that CDGM accounting procedure is a model for poverty programs throughout the United States and has been recognized by OEO representatives as the most efficient and best run program in the country. Mr. Morgan is . . . . a professional dedicated to the highest standards of his chosen profession and in this context he unhesitatingly states that the charge of financial irresponsibility is "irresponsible", insofar as the control and auditing of the funds is concerned. I went through the accounting procedure in detail. I determined that each and every expenditure is audited—an unheard of procedure in American industry. Reports are submitted by his office bi-weekly, which reports include in detail the expenditure of funds, etc. I was informed by Mr. Morgan that he is extremely satisfied with the way the staff of CDGM is cooperating with him and there has never been an instance in which he has had the slightest inkling of the misuse of funds. . . . Mr. Davies had devised a procedure under which a weekly report is submitted to the Director, in which report "there is a detailed breakdown of unit costs for the preceding week. Management procedures at present are tied in closely with the accounting procedures. It is efficiently run, well organized and adheres to the highest standards of management control. . . . I . . . can say without fear of contradiction that the management procedures followed by CDGM meet the highest standards of management control."

This year, a management consultant firm of Klein and Saks, of Washington, D.C., which specializes in providing management advice and administrative system for nonprofit institutions, was retained by CDGM to insure orderly administration. The following are excerpts from leading experts in fiscal and administrative management who have advised CDGM:

"Judging by the responses of the trainees (in administration) themselves, the program produced a satisfactory level of participation. . . . To anyone unfamiliar with CDGM and the pressures under which its employees operate, the work load on the area administrators would seem excessive. Yet they managed to find significant amounts of energy to devote to training. . . . The area administrators expressed an extremely strong desire for training and demonstrated a substantial capacity for learning. Such motivation and capacity clearly offset their previous educational deficiencies. . . . The strength of this motivation and capacity can be harnessed in future CDGM training programs and should bring about marked improvement in the administration of Head Start centers." (L. G. Olson and Associates, management consultants and trainers for CDGM.)

This positive perspective is shared by another management consultant firm, Klein and Saks, Inc., whose president, Richard Davies has stated:

"Our firm has served for the last thirty years in helping to improve the administration of governments, industrial and financial corporations, and voluntary agencies. On our arrival at CDGM we were happily surprised that remarkable progress in administration had been made, and since the opportunity of working with the project we have witnessed additional improvement. . . . We feel assured that the project will continue to be administered in a successful way in the future."

In a statement of CDGM from Ernst and Ernst who devised CDGM's accounting system and provided auditing services, A. N. Morgan, partner in the firm said:

"As you know, various persons from the Office of Economic Opportunity and from the General Accounting Office have had occasion to visit your operation in Jackson, Mississippi and the one in West Point, Mississippi, and it is believed that those who have visited and inspected the accounting system and the system established for internal control and check have found it acceptable and for the most part praiseworthy."

In a letter to Mr. Jule Sugarman, Associate Director, Head Start, Mr. Morgan described the CDGM system as follows:

". . . financial statements are prepared under the supervision of Ernst and Ernst for the CDGM operation on a bi-monthly basis, with copies of these financial statement being supplied to officials of Mary Holmes Junior College, officials of CDGM, and officials of OEO in the Atlanta Regional Office. These financial statements prepared on an IBM 402 accounting machine are in such form as to afford a current accounting for the entire Grant broken down as between the various categories of the budget and also by each Center and Area Administrator's office. These financial statements are prepared in such a way that the management of Mary Holmes Junior College, and the management of CDGM, and OEO personnel can readily determine at each date the total amount authorized by each budget category, in total and by Centers, and also the amount that has been expended in carrying out the Program by budget categories summarized in total and particularized as to each Center . . . part of the information obtained from the various Centers and Area Administrator's offices . . . includes, but is not limited to

1. Number of children in attendance in each Center.
2. Time and attendance reports for all employed personnel.
3. Vehicle usage reports.
4. Activity sheets of Area and Central staff personnel.

"It is believed that the foregoing clearly indicates that in the instance of this particular Grant there has been designed and maintained an adequate accounting system which would not only afford a detailed particularization for all expenditures made from the funds of the Grant, but would present financial records to management on a timely basis so that the management of Mary Holmes Junior College and CDGM could factually evaluate the Program and its effectiveness and take remedial and corrective action in any areas of operation needing same.

"As you know, this Grant was not funded until February 23, 1966. Its area of operation embraces 28 of the 82 counties widely scattered over the State. Many of the Centers (121 in number and 15 Area Administrator Offices) are in remote areas of the State. It is my belief that that which has been accomplished in this period of time commencing with the design of the accounting system, the acquisition of needed machinery and equipment therefor, the attaining of furniture, finding qualified personnel or training same and developing lines of communication on order to assure a steady flow of the required data for the proper maintenance of the accounts and records of the Program, is indeed a favorable attest to the effort that has been put forth in trying to develop adequate and accurate records and financial responsibility under this Program."

Morgan also stated that while:

". . . errors have occurred, but it is believed that these have been minimal when judged in terms of the size of this Grant and the rapidity with which the funds have been expended."

Based on interviews and observations, we find that the procedures employed by CDGM were not only satisfactory but were also explicitly approved by OEO. Further, we find that OEO management consultants and an employee of the OEO Management Division were almost continuously present in Jackson during the first half of the current grant and that OEO's involvement was so extensive that if there were omissions, its own employees must accept responsibility.

All payments were made under a system of procedures designed jointly by CDGM, OEO and Ernst and Ernst and incorporated accounting procedures, and operating routines for financial transactions, into an accounting manual, approved by OEO. All payments—including those questioned—were made in accordance with this system. In addition, every expenditure of Federal funds had the express prior approval of the Comptroller who was an employee of Ernst and Ernst, and thus independent of CDGM's management authority.

There may well have been instances where mistakes slipped through such an extraordinarily thorough system. We note that CDGM has on its own initiative developed further procedures to increase the efficiency of financial management.

The record before us—in terms of acts, procedures, organization—does not substantiate the charge of inadequate administration or fiscal mismanagement. We note that the system resulted in actual costs falling below the OEO approved grant. Thus actual costs per child per week for facilities was 49 cents per child (or 13 per cent below the OEO estimate) and $1.50 per child per week for transportation (50 cents below the OEO estimate.)

We note that the procedure adopted and approved by OEO also had the unique advantage of providing education, training and responsibility for the poor in mastering the arts and science of administration and fiscal management. Mr. Richard Davies, President, Klein and Saks, Inc., management consultants, states:

"We are most impressed that the program's administration is, for the most part, being carried out by local Mississippians, and that CDGM has offered these people the opportunity to gain valuable administrative training in the process of their work."

We note also that the major portion of the amounts called into question by OEO were arrived at by questioning every expenditure in a given category if even one expenditure in that category was questioned. Thus, for instance over $400 thousand of that called into question is composed of all expenditures for renting classroom facilities and all transportation contracts when it is clear from the OEO release that their evidence even at this tentative stage has bearing on only a small portion of that aggregate. Similarly, an additional $104,000 is questioned by aggregating all consultant contracts on the basis that contracts did not contain a sufficient description of work actually done. We note that the contracts used, are based upon the model contract form supplied by OEO and any deficiency present would appear to be directly attributable to the model. We note further that CDGM was never informed of any of these deficiencies so that it might supply lacking evidence or documentation.

Social and economic context of CDGM program

CDGM operated its preschool program in a state beset by severe racial problems and tensions, where patterns of private and official conduct, created unusual difficulties in launching and administering a bi-racial program designed to provide equal educational opportunities for the poor. Several CDGM centers experienced violence or the threat of violence. During the 1965 grant period, several staff members were arrested by the highway patrol in obvious cases of harassment. The Director of the program's car was run off the road at night. A CDGM Board Member was fired from his job immediately upon return from a trip to Washington where he helped CDGM secure its second grant.

During the 1966 grant period two centers burned to the ground. A white resource teacher reported she was threatened in a cafe while eating lunch, by three white men who asked her what she "was doing down here 'fooling around with all them niggers.'" They threatened her with "trouble" if she did not leave town. A shotgun blast was fired into the automobile of the Director of the Head Start Center in Philadelphia, Mississippi. The CDGM committee at the Pilgrim Rest Center in Holmes County described their difficulties in involving whites in their center as follows:

"Before we could really make any definite efforts to involve the white people in our center, we were harassed by many of the white citizens of our town. They tried to burn our church down where we first started, until we had our center built. After the center was built, while having a staff meeting, some of them rode by and fired shots at us. We even had ads in the newspaper trying to involve them. Despite this, they burned crosses at our homes and threatened a great number of people. We were afraid most of the time and didn't know what to expect from them any of the time."

The CDGM program has been opposed by both Mississippi Congressmen and Senators (all six of whom voted against the 1967 antipoverty bill). The administrative competence of its staff has been attacked consistently in the press through stories released from the office of one Senator. John P. Nelson, Jr., a native Mississippian and a member of the Board of Inquiry explained that the animosity to CDGM had "its roots deep in emotional and sociological differences."

The fact that many persons serving on the Boards of community action programs in the State have had past or present connections with either the Ku Klux Klan or White Citizens' Council has made it difficult for many persons associated with CDGM to cooperated with them easily. At one CAP meeting in Sunflower County, for instance, Negroes were chased from a CAP meeting—which they had been invited to—by helmeted police. Subsequent attempts by local Negroes to obtain a public hearing on the CAP program as prescribed by OEO regulations have not met with success.

That CDGM operated in other counties in "competition" with CAPs is in no way contradictory to the spirit of the Economic Opportunity Act. A report of the House Committee on Education and Labor (428, pp. 7-9) states that:

"The Congress has contemplated the existence of independent single-purpose agencies in the same community that (sic) a community-wide structure has been created. Such competitiveness and experimentation is appropriate in an area in which conclusive remedies have not yet been established."

Conduct of OEO with regard to CDGM

The Board finds that the Office of Economic Opportunity has been subjected to repeated attacks on CDGM by Senators STENNIS and EASTLAND and that such attacks have coincided with Senate consideration of the legislation and the fiscal appropriation.

Recent dealings between OEO and CDGM have been examined and prove that CDGM never received any notice of the charges or alleged deficiencies until after a decision not to refund had already been reached and steps taken to find and fund alternate sponsors.

Thus, the OEO report acknowledges that the results of OEO's investigations and audits became available to OEO on September 15. As stated in the OEO situation report, those charges were not communicated to CDGM until October 2 and then only in summary form.

Yet, on September 13 at 9:00 a.m., in Yazoo City (before the audit was received on which the decision was allegedly based), three men, Owen Cooper, LeRoy Percy and Hodding Carter III, met to sign the papers of incorporation for the Mississippi Action for Progress Corporation. Governor Johnson signed that charter the very same day, a charter that provided that one of the purposes of the corporation was:

"To consult with and coordinate its activities with the Governor of the State of Mississippi or his designee or such Commission which may be subsequently established by the Governor or the Legislature of Mississippi . . ."

And further provided that:

"This corporation shall not be required to make publication of its charter. . .".

The Board has no representation of the poor, labor, or professional persons with experience in early childhood education. And none of the three incorporators was Negro.

On September 30 a news report in the Jackson Daily News broke the story of this corporation and contained statements by Senator STENNIS, later reaffirmed by both Senators STENNIS and EASTLAND that they had unconditional and authoritative assurances from the Administration that CDGM would not be funded and that this new corporation was a development in accordance with an understanding that CDGM programs would be turned over to "responsible local leadership."

On Friday, October 7, while affirming to members of the Board a willingness to negotiate and to give a full hearing to CDGM, OEO announced a grant of over $1 million to Rust College of Mississippi to operate an extensive Head Start program in communities where CDGM had previously been active. A spokesman for Rust College subsequently admitted that it had never submitted a "formal" proposal that had been funded. The College had been previously turned down by OEO on past applications for funds.

The same day, a grant was made to the Southwest Mississippi Opportunity, Inc. That community action agency had not previously administered a Head Start program.

The Board notes that as a mathematical proposition, continuous grants at this rate will leave no funds available for the CDGM proposal, even if CDGM is able to obtain a hearing from OEO and secure a reversal of the judgment on its capability.

The Board further notes a newspaper report that funds to an independent Head Start program in Biloxi were announced to have been suspended by the Atlanta Regional Office but that 30 days were provided for rebuttal and a response to charges before any final action was taken.

The Board further notes that at least $100,000 have been spent in investigating CDGM by the OEO Office of Inspection and the General Accounting Office. Public statements by Dean Clyde Ferguson of Howard University—reported in the New York Times and in an interview on television indicate that Howard law students were instructed by the Office of Economic Opportunity to dress in clothes typically worn by civil rights workers in the South, to win acceptance and confidence of the persons in CDGM and on this basis to secure whatever inside information could be obtained with regard to accumulating a list of charges against CDGM. The Board notes that at no time does there seem to have been an attempt to make an objective balanced assessment of CDGM's performance.

The Board further finds that a staff team from OEO has been sent into Mississippi to stimulate Head Start applications from local community action programs in communities where CDGM had been operating programs.

We find further that the National Advisory Board of Head Start was never informed of the charges being mounted against CDGM until after the decision was made—and that none of its members was used to make a site visit to CDGM or to give guidance to OEO even though they are constantly used in that capacity with other programs. In fact, the CDGM situation was put on the last agenda only because of the efforts of one board member and the only presentation made to the Advisory Board was a recapitulation of the charges already contained in the public release. There appears to be no inclination on the part of OEO to encourage the active involvement of the Advisory Board in this decision involving a major Head Start program which, some Board members report, has long been cited to them as a shining example of success.

Conclusions

1. The child development program mounted by CDGM has been a highly successful and significant program, combining quality preschool experiences for a large number of children with massive involvement of the community, extensive experimentation with new sub-professionals, all within the context and spirit of democratic participation and democratic decision making.

2. The CDGM is a well administered, carefully organized, creatively run organization demonstrating integrity, fiscal responsibility, and managerial competence. There is evident also a sincere and continuing desire and willingness to respond to suggestions and to improve further their administrative, fiscal and organizational structure.

3. Where circumstances permitted, we found a consistent record of concerted and wholehearted attempts to cooperate with and enlist all segments of the broader community including explicit endeavors to cooperate with local community action programs.

4. There is now under way a through-going attempt by OEO to dismember CDGM to turn its programs over to other groups, and to insure that a hearing on the merits, if held, will be nothing more than an exercise in futility. We do not find that dismemberment of CDGM's program and organization is a satisfactory substitute for refunding and continuation. The whole is more than simply the sum of its parts. CDGM is not simply a collection of isolated child care centers. It is an organization that belongs to the people of Mississippi. It is a program that makes child development the symbol and the point of embarkation for a life of dignity for children and parents and community. The valiant efforts to keep CDGM centers open after funds were exhausted—both last year and once again, now, is ample testimony to this commitment. If further testimony was needed, it is only necessary to point to the 49 centers that have sprung up all over Mississippi with no organizational nexus to CDGM and no Federal funding which have nonetheless been christened "CDGM Centers" by the community.

5. OEO has violated the most fundamental principles of due process and has disregarded its own procedures and standard modes of operation. It gave neither notice, nor hearing, nor numeration of charges, nor opportunity to defend itself to CDGM. In regard to the charges which were the alleged reason for the discontinuation of the grant. And it set about covertly to create alternate funding groups in Mississippi long before it made its announcement not to refund and at a time when it was still proclaiming that no final decision on CDGM had been reached. It has rushed pell mell to fund individual organizations and groups which have not demonstrated their competence, which lack representation of the poor and which in one case had not even submitted an official application, in an apparent attempt to insure that the decision not to refund CDGM was irreversible. It was not even willing to share this decision with the Head Start National Advisory Board or utilize its services.

6. The charges made—even if true—do not in the Board's opinion constitute grave enough defects to support a judgment to terminate the program. All of the charges taken together do not dictate termination if weighed against CDGM's record of achievement and continuous improvement. A differential standard with regard to what defects mandate termination appears to have been applied to CDGM.

7. We are unable to avoid the conclusion that the charges levied are a thin mask for a politically dictated decision—a decision which is all the more tragic in that it represents a yielding to those forces which have stood in historical opposition to progress for the poor and underprivileged in Mississippi—including Senators STENNIS and EASTLAND who have opposed all civil rights, labor and anti-poverty legislation. We view this as a symbolic instance—not simply of yielding to political pressures—but of yielding to pressures which are direct and irreconcilable opposition to the goals of the program and the intended beneficiaries of the program. We cannot account for this decision on the basis of charges which are so insubstantial, so trivial, so unsupported in fact, so exaggerated and inflated and not supported by objective inquiry.

[From the New York (N.Y.) Times, Oct. 19, 1966]

SAY IT ISN'T SO, SARGENT SHRIVER

Awesome political pressures have made Poverty Chief Shriver abandon a Head Start program considered "the best in the country." 12,000 Mississippi children and their parents, are praying that he'll change his mind.

Of all the battles Sargent Shriver has fought to keep politics out of the poverty program, none is more crucial than the campaign to save the Child Development Group of Mississippi.

At the moment, it looks as if Sargent Shriver has given up.

CDGM was started in the summer of 1965 to try to bring pre-school training, hot lunches, parental involvement and community action to Mississippi, where none had ever been before.

The aim was to get the poor to do for themselves; to operate outside of the state power structure that had made their development as individuals, let alone as members of a community, impossible.

Wrote a leading journal: "All summer long, an energetic but amateur CDGM staff struggled under intolerable conditions: the hostility of local politicians, threats from Mississippi whites . . . makeshift facilities and utterly untrained employees." On the face of it, the program didn't have a chance of succeeding. But it did succeed.

This past summer's program covered 121 pre-schools in 28 counties for more than 12,000 children. Just as important, maybe even more so, the children's parents were involved. They ran the show themselves, and the difference between that and being on the receiving end of handouts was the real key to CDGM's glowing success. Poor Mississippi Negroes, for the first time in their lives, were teaching themselves and their children to stand straight.

CDGM was what Sargent Shriver had in mind when he spoke about the maximum feasible extent to which the poor may participate in the solutions of their own problems. It is, in fact, what Sargent Shriver and his poverty warriors have been battling for all along.

Unfortunately, the prospect of a self-emancipated Negro community isn't welcome everywhere in Mississippi. Some political leaders see it, with clarity, as a threat. So they want Sargent Shriver to drop CDGM and then channel the funds through a group of directors they'll approve.

They've accused the CDGM of everything from nepotism to using a school kitchen to prepare food for the Meredith Marchers. And with their charges in one hand, and a collection of political threats in the other, they may have made Sargent Shriver knuckle under. All he has to do, they say, is replace CDGM with another board. Then they will allow a grant to go through.

A panel of thirteen distinguished Americans[*], chosen by the Citizens Crusade Against Poverty to investigate CDGM, was in Washington last week to present their findings. The Citizens Crusade is a private action group financed by national foundations, The United Automobile Workers and other organizations and individuals.

Ten panel members went to Mississippi and found, among other things, that the program's participants, children and parents alike, had gained "a great sense of dignity and a great sense of participation." The CDGM, they said, has made "an outstanding contribution" and has involved poor children and adults in a "more meaningful way" than virtually any other Head Start program in the country.

The issue is clear: *politics and the Poverty Program* don't mix. Nobody knows it better than Sargent Shriver. Unless it's those 35,000 Mississippians who are waiting, now, to hear that they can continue the work they started.

THE NATIONAL CITIZENS COMMITTEE FOR THE CHILD DEVELOPMENT PROGRAM IN MISSISSIPPI, Room 1151, 475 Riverside Drive, New York, N.Y. 10027.

THE NATIONAL CITIZENS' COMMITTEE FOR THE CHILD DEVELOPMENT PROGRAM IN MISSISSIPPI [†]

Robert Armory, Jr., Attorney, Washington, D.C.

The Rev. Hugh H. Annett, Director of Presbyterian Urban Church Work, Kansas City, Missouri.

Pearly Ayers, Executive Director, Council of the Southern Mountains.

The Rev. Thomas M. Anthony, Protestant Episcopal Diocese, Santurce, Puerto Rico.

The Rev. Compton Allyn, Dir., Cincinnati Industrial Mission, Cincinnati, Ohio.

The Rev. Richard Bauer, Director of National Missions, Detroit Presbytery (Michigan), The United Presbyterian Church, USA.

Richard Boone, Director, Citizens Crusade Against Poverty.

Raymond K. Beals, Chairman, Urban Work, Ohio Conference, The Methodist Church.

Joan Bowman, Center for the Study of Law and Society, San Francisco, California.

Fay Bennet, Executive Secretary National Sharecroppers Fund, New York, New York.

Miriam Behrstock MSW, Social Worker, New York, New York.

Jerald Brauer, Dean, Divinity School, University of Illinois.

The Rev. Larry Black, Director, Camden Metropolitan Ministry (New Jersey).

The Rev. August Vanden Bosch, Executive Director, Florida Council on Human Relations.

Robert Benjamin.

The Rev. James S. Caskey, Minister for Metropolitan Mission, United Church of Christ, Providence, Rhode Island.

The Rev. Clarence Colwell, Minister of Metropolitan Mission, United Church of Christ, San Francisco, California.

The Rev. Edgar H. Chandler, Executive Director, Church Federation of Greater Chicago.

Eugene S. Callender, Executive Director, New York Urban League.

Robert H. Courtney, District Superintendent, Cleveland District (Ohio), The Methodist Church.

Dr. Max Conley, Director of Urban Strategy, The United Presbyterian Church, USA, Pittsburgh, Pennsylvania.

The Rev. Richard Carley, Urban Strategist, The United Presbyterian Church, USA, Cleveland, Ohio.

The Rev. George R. Cox, Director of Metropolitan Mission, The United Presbyterian Church, USA, Indianapolis, Ind.

Desmond Callan, M.D., Member Executive Committee Medical Committee for Human Rights, New York, New York.

Mr. Jack Conway, Executive Director, Industrial Union Dept., AFL-CIO.

The Rev. Robert Chapman, Oakland Urban Consultant, The United Presbyterian Church, USA.

The Rev. George D. Colman, Director of Metropolitan Mission Synod of Michigan, The United Presbyterian Church, USA.

The Rev. David Glenn Cassie, Pastor, Second Presbyterian Church, Providence, Rhode Island.

The Rev. Robert Castle, Rector, St. John's Episcopal Church, Jersey City, New Jersey.

The Rev. William Daniels, Minister of Metropolitan Mission, United Church of Christ, Louisville, Kentucky.

The Rev. John Deboer, Secretary for Urban Church, United Church of Christ.

Leslie W. Dunbar, Executive Director, Field Foundation, Mt. Vernon, New York.

The Rev. Robert Davidson, Director, Dept. of the Urban Church, Presbytery of Chicago, The United Presbyterian Church, USA.

The Rev. Rudolph Devik, Olympia Episcopal Diocese, Seattle, Washington.

The Rev. Robert Forsberg, Director, Wider City Parish, New Haven, Connecticut.

The Rev. John Fischer, Minister for Metropolitan Mission, United Church of Christ, Minneapolis, Minn.

The Rev. Howard S. Fuller, Secretary for Urban Church, United Church of Christ, Buffalo, N.Y.

W. Wallace Francis, (Mr. and Mrs.) (Concerned Citizens), Silver Spring, Maryland.

James Farmer, President, Center for Community Action Education, (former CORE Director).

The Rev. George Fuller, Urban Missioner, St. Paul, Minnesota.

Dr. Aaron E. Gast Dean, Cornwell School of Theology, Philadelphia, Pa.

Mrs. Paul Gebhard, Board Member, Board of National Missions, The United Presbyterian Church, USA, Oak Park, Illinois.

The Rev. Roger Granados, Presbyterian Urban Consultant, Arlington, Texas.

Dr. Richard Gordon, Episcopal Diocese of Missouri, St. Louis, Mo.

The Rev. William Grace, Director of Urban Church Work, North Coastal Area, California Synod, The United Presbyterian Church, USA.

The Rev. Ralph Hawley, Dir., Church Strategy and Development, Synod of Kentucky and West Virginia, The United Presbyterian Church, USA.

The Rev. James Hogue, Field Administrator, Synod of Colorado, The United Presbyterian Church, USA.

The Rev. Arthur Higgins, Minister at Large, United Church of Christ, New Haven, Connecticut.

Dr. Harry Hamilton, Jr., Professor, State University of New York, Albany, N.Y.

Mrs. Harry Hamilton, Jr. (Laverne), Publications Specialist, State University of New York, Albany, N.Y.

The Rev. Joe A. Harding, District Superintendent, Seattle District of The Methodist Church.

The Rev. William H. Hervey, Director of Metropolitan Mission, The United Presbyterian Church, USA, Los Angeles, California.

Mrs. Cathryn Hoeldtke, Board Member, Board of National Missions, The United Presbyterian Church, USA.

Richard Hirsch, Director of Religious Action Center, Union of American Hebrew Congregations.

The Hon. K. Leroy Irvis, Majority Caucus Chairman, House of Representatives, State of Pennsylvania.

Dr. Eugene Johnson, Director, Adult Education Association in the U.S., Washington, D.C.

The Rev. Lawrence Jones, Chairman, Honolulu CAP Committee, Honolulu, Hawaii.

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[*] Panel Members: A. Philip Randolph, President, Brotherhood of Sleeping Car Porters/Dr. Robert W. Spike, Divinity School, University of Chicago/Paul Anthony, Exec. Dir., Southern Regional Council, Inc.

Philip Bernstein, Director, Council of Jewish Federations and Welfare Funds/Dr. Kenneth B. Clark, City College of New York/Frances Coe, Board of Education, Memphis, Tenn.

Eli Cohen, Exec. Secretary, National Committee on Employment of Youth/Clarence Coleman, Director, Southern Regional Office, National Urban League, Inc., Atlanta, Ga.

Robert Coles, Research Psychiatrist, Harvard Univ., Cambridge, Mass./Ralph Helstein, President, United Packing House, Food and Allied Workers, Chicago, Ill./Dr. Vivian W. Henderson, President, Clark College, Atlanta, Ga.

John P. Nelson, Jr., Attorney, New Orleans, La./Judge Justine Wise Polier, Family Court, N.Y.C.

[†] Organizations listed for identification only.

Eugene I. Johnson, Executive Director, Adult Education Association of USA, Washington, D.C.

Paul Jacobs, Center for the Study of Democratic Institutions, Santa Barbara, California.

The Rev. Robert E. Johnson, Associate for Church and Housing, Board of National Missions, The United Presbyterian Church, USA.

Mr. Charles M. Judd, Breneman, Inc., Cincinnati, Ohio.

The Rev. Frank Keneill, Director, Methodist Mid-Towne Parish, Philadelphia, Pa.

The Rev. Mineo Katagiri, Minister for Metropolitan Mission, United Church of Christ, Seattle, Washington.

The Rev. Julian Keiser, United Church of Christ, Conference in Southern California, Pasadena, California.

Sheila Kamerman MSW, Social Worker, New York, New York.

The Rev. Gaspar Langella, Ph.D., Presbyterian Work with Cuban Refugees, Miami, Florida.

Dr. Charles T. Leber, Jr., Chairman, Div. of Interpretation Strategy, Board of National Missions, The United Presbyterian Church, USA.

The Rev. G. Daniel Little, Coordinator of Mission Strategy, Board of National Missions, The United Presbyterian Church, USA.

The Rev. Thomas Luce, Pastor, West Presbyterian Church, Wilmington, Delaware.

The Rev. J. Lichy, Presbyterian Field Administrator, Minneapolis, Minn.

Dr. James H. Laird, Senior Minister, Central Methodist Church, Detroit, Michigan.

Lucille Lieberman, Assistant Director, Social Service Centers, University of Chicago, Chicago, Illinois.

Beth Ann Lane, Social Worker Institute for Juvenile Research, Chicago, Illinois.

Thomas Levin, Ph.D., Assistant Professor of Psychiatry, Albert Einstein College of Medicine, New York, New York.

Roslyn Levin, MSW, Social Worker, New York, New York.

Lorraine Lieberman, MSW, Social Worker, New York, New York.

The Rev. Ganse Little, Moderator of the General Assembly, The United Presbyterian Church, USA.

The Rev. William London, Director of Strategy, Synod of Arizona, The United Presbyterian Church, USA.

James A. McDaniel, Associate for Community Organization and Poverty, The United Presbyterian Church, USA.

The Rev. William A. Morrison, General Secretary, Bd. of Christian Education, The United Presbyterian Church, USA.

The Rev. Paul O. Metzger, District Superintendent, St. Paul District, St. Paul District, Minnesota Conference of The Methodist Church.

Dudley Morris, Staff Associates, Citizens' Crusade Against Poverty.

Dr. Paul O. Madsen, Associate Executive Secretary, American Baptist Home Mission Societies, American Baptist Convention.

The Rev. George Mace, Director, Urban Program, St. Louis Presbytery, The United Presbyterian Church, USA.

Percy Moore, Executive Director, Council for Civic Unity, San Francisco-Bay Area, San Francisco, California.

The Rev. Richard E. Moore, Associate Executive, Presbyterian Synod of Ohio, Columbus, Ohio.

The Rev. Charles Mowry, Executive Secretary, Methodist Young Adult Project, Nashville, Tennessee.

The Rev. Graydon E. McClellan, General Presbyter, Washington Presbytery, Washington, D.C.

The Rev. Joseph W. Merchant, Staff Chairman, United Church of Christ, New York, N.Y.

The Rev. Robert Marston, Minister, Christ Congregational Church, Silver Spring, Maryland.

Rosealee Meyers, Social Worker, Hull House, Chicago, Illinois.

The Rev. Marion E. Mansell, Executive of Mid-South Synod, The United Presbyterian Church, USA.

Barry Menuez, Associate Secretary, Episcopal Executive Council, New York, N.Y.

The Rt. Rev. Paul Moore, Jr., Suffragan Bishop, Episcopal Diocese of Washington, Washington, D.C.

The Rev. Anthony J. Morley, Episcopal Diocese of Missouri, St. Louis, Mo.

The Rev. James P. Morton, Director, Urban Training Center, Chicago, Ill.

Dr. Kenneth G. Neigh, General Secretary, Board of National Missions, The United Presbyterian Church, USA.

Paul Opperman, Massachusetts Institute of Technology, Cambridge, Mass.

Milton Ogle, Executive Director, Appalachian Volunteers.

Dr. Joachim Prinz, President, American Jewish Congress.

Mrs. Katherine Peak, Vice Chairman, Emergency Committee to Aid Farm Workers, Los Angeles, California.

Dr. Rufus P. Perry, President, John C. Smith University, Charlotte, N.C.

Shad Polier, Attorney, New York, New York.

Dr. George T. Peters, Chairman, Presbyterian Division of Evangelism, Board of National Missions, The United Presbyterian Church, USA.

The Rev. Taylor Potter, Princeton Theological Seminary, Princeton, N.J.

The Rev. Scott Paradise, Boston Industrial Mission, West Newton, Mass.

The Rev. Arlie Porter, Executive, Detroit Metropolitan Assoc., United Church of Christ, Detroit, Michigan.

Rev. Richard Plummer, Synod Executive, Synod of Ohio, United Presbyterian Church, Columbus, Ohio.

Monsignor Charles Owen Rice, Pastor, Holy Rosary Catholic Church, Member, Bd. of Consultors to the Diocese of Pittsburgh.

Mrs. Louis J. Reizenstein (Florence), Member, Human Relations Commissions of Pittsburgh and State of Pennsylvania.

Dr. David Ramage, Jr., Executive Secretary, Gen'l Dept. Mission Strategy and Evangelism, Bd. of Nat'l Missions, The United Presbyterian Church, USA.

Walter P. Reuther, President, International Union of Mobile-Aero-Space and Agricultural Implement Workers of America.

The Rev. Kris Ronnow, Executive Director, Inter-Religious Council on Urban Affairs, Chicago, Ill.

The Rev. David Rohlfing, Minister for Metropolitan Mission, United Church of Christ, Newark, New Jersey.

The Rev. Robert Ryland, Director of "COMMIT" Los Angeles, California.

The Rev. Richard G. Rautio, Presbyterian Young Adult Project, Minneapolis, Minn.

Mr. Albert Rogas, Citizens Against Poverty, Oxnard, California.

Dr. Kurt Reichert, Associate Professor of Social Work, Byrn Mawr College, Bryn Mawr, Pennsylvania.

Mr. Bayard Rustin, Dir., A. Phillip Randolph Institute, New York, New York.

Gerald Rosenfield, M.D., Psychiatric Fellow, Mt. Zion Hospital, San Francisco, California.

Katherine Reissman, Yeshiva School of Social Work, New York, New York.

The Rev. Raymond Schwartzback, Pastor, Calvary Presbyterian Church, Detroit, Michigan.

The Rev. Reuben A. Sheares II, Secretary for Urban Church, United Church of Christ, New York, N.Y.

The Rev. David Shields, Urban Missioner, Palisades Presbytery, The United Presbyterian Church, USA.

The Rev. James R. Smucker, Illinois Conference, United Church of Christ, Chicago, Ill.

The Rev. Arthur Stanley, Director of Urban Work, Disciples of Christ, Indianapolis, Indiana.

The Rev. Richard Siciliano, Synod of New York, The United Presbyterian Church, USA, Syracuse, N.Y.

The Rev. Arthur M. Stevenson, Jr., Associate Executive, Presbytery of Philadelphia, Philadelphia, Pa.

Mike Svirdoff, National Association for Community Development.

Mr. John Saria, Citizens Against Poverty, Oxnard, California.

Dr. Irving Spergel, Professor of Social Work, University of Chicago, Chicago, Illinois.

Dr. Lila Swell, Professor of Social Work, University of Chicago, Chicago, Illinois.

The Rev. John Stevens, Associate Coordinator, Episcopal Executive Council, New York, N.Y.

The Rev. Theophilus M. Taylor, Secretary, The General Council of Gen. Assembly, The United Presbyterian Church, USA.

Dr. Furman Templeton, Executive Director, Baltimore Urban League.

The Rev. David Thornberry, Rector, Christ Church, Shaker Heights, Cleveland, Ohio.

Arthur Thomas, Poverty Rights Action Center.

The Rev. George Todd, Associate for Urban and Industrial Ministries, Bd. of National Missions, the United Presbyterian Church, USA.

The Rev. William A. Wendt, Rector, St. Stephen and the Incarnation, the Protestant Episcopal Church, Washington, D.C.

Dr. Allan Wade, Professor of Social Work, University of Chicago, Chicago, Illinois.

Kenneth Watson, Chairman, Conference Board of Christian Social Concerns, Southern California-Arizona Annual Conference, the Methodist Church.

George Wiley, Director, Poverty Rights Action Center.

The Rev. Bennie Whiten, Minister of Metropolitan Mission, United Church of Christ, New York, N.Y.

The Rev. Jacob Wagner, Minister, Faith Evangelical and Reformed Church, State College, Pennsylvania.

Dr. Gayraud S. Wilmore, Jr., Commission on Religion and Race, the United Presbyterian Church, U.S.A., New York, N.Y.

The Rev. Kenneth Waterman, Executive Director, United Neighborhood Services, Kansas City, Mo.

Robert Williams, Executive Director, American Institute of Planners, Washington, D.C.

The Rev. Charles W. Watt, Presbyterian Director of Strategy, St. Louis, Mo.

Mrs. William P. Weiss, (Concerned Citizens), Bethesda, Maryland.

The Rev. Charles R. Wilson, Development Officer, Episcopal Executive Council, New York, N.Y.

Houston Wilson, Attorney, Georgetown, Delaware.

The Rev. G. H. Jack Woodward, Executive Officer, Episcopal Executive Council, New York, N.Y.

Dr. David J. Wynne, Executive Vice President, Goodwill Industries of Pittsburgh.

Gibson Winter, Professor, Divinity School, Univ. of Chicago.

Harlan R. Waite, Executive Director, All-Nations Foundation, Los Angeles, Calif.

The Rev. Herbert White, Director, Board of Urban Ministries, Rochester Area Council of Churches (New York).

The Rev. Arthur Walmsley, Executive Secretary, Episcopal Division of Christian Citizenship, New York, N.Y.

The Rev. Andrew Young, Associate Director, So. Christian Leadership Conference.

The Rev. Philip Young, Field Associate, Board of National Missions, the United Presbyterian Church, USA, Blacksburg, Va.

The Rev. Philip Zabriskie, Home Department, Episcopal Executive Council, New York, N.Y.

The Rev. Donald E. Zimmerman, Executive, Presbytery of Chicago, the United Presbyterian Church, USA.

The Rev. Walter Ziegenhals, Minister of Metropolitan Mission, United Church of Christ, Cleveland, Ohio.

THE VICE PRESIDENT IN WEST VIRGINIA

The SPEAKER pro tempore. Under previous order of the House, the gentleman from West Virginia is recognized for 5 minutes.

Mr. STAGGERS. Mr. Speaker, 2 weeks ago the State of West Virginia had the honor and pleasure of entertaining the Vice President of these United States at several functions of an educational nature. I want you to know that Mr. Humphrey is very much appreciated in our State. He was greeted everywhere by large and enthusiastic crowds. They were amazed and charmed by his immense vitality and by his intimate understanding of people.

At the University of West Virginia on October 7, he addressed some 4,000 or more students. What he had to say caught their attention immediately and held it throughout. He definitely has the knack of identifying himself with young people. He approves their aims, their ambitions, their aspirations, and he speaks to them in their own language. Those of us who are deeply involved in the development of our State university are very happy that he accepted our invitation to visit us.

With the thought that the Vice President's address may be of as much interest to other students as it was to those present at Morgantown on October 7, I insert his remarks in the Record:

Festival of Ideas

(Remarks of Vice President Hubert H. Humphrey)

We have just entered the last third of the 20th Century.

The overall changes the first two-thirds of this century have brought to our public and private lives have been greater than those in the several centuries preceding. And, if we talk about technological change alone, we see more new developments than in the 5 thousand years preceding.

I tell you today that the next 33 years will make the last 66 seem a period of comparative stability.

These years are the ones in which you will be in charge.

Change has almost come to be synonomous with progress—but this is not always so. "The art of progress," as Alfred North Whitehead wrote, "is to preserve order amid change and to preserve change amid order."

It is upon you that responsibility will fall for insuring that the changes in the rest of this century *are* synonomous with progress, and that they serve the cause of man's happiness and well-being.

Your first step in mastering change is to study it, as you are doing at this university.

A great deal of what you study is statistical.

Reports and studies cross my desk each day—each one filled with orderly ranks of figures which attempt to fix and chart new trends. This mass of statistical information always seems to indicate that we have more of everything.

And it also points to a number of what each specialist calls an "explosion" in his field—a population explosion, an education explosion, a technology explosion, an information explosion, a consumption explosion, a distribution explosion, a production explosion. Every day I am informed of a new explosion—all of which leads me to conclude that we are, above all, going through an explosion explosion.

Fair enough. Our change is rapid—and "explosion" is as good a description as any of what we face all around us today.

Yet, at the same time, this mass of statistical data does have a certain opacity. Disraeli said: "There are three kinds of falsehoods—lies, damned lies, and statistics."

I would not go so far as to make any such charge about the statistics we live with today. They are far better than those Disraeli knew.

But I do believe we must be careful not to confuse statistics with wisdom. To do so would be to put the world almanac in the same category as Plato and Locke.

For instance, in quantitative terms, we know today that we have a Gross National Product of almost three-quarters of a trillion dollars . . . the ability to produce a plane which will fly at 2 thousand miles per hour . . . a college population of 5 million students . . . a national inventory of 60 million TV sets . . . more than a half-million scientific papers published each year.

We know that there are sub-patterns: That, for instance, the percentage of 18- and 19-year-olds in school has gone up from 7 per cent in 1940, to 29 per cent in 1950, to 38 per cent in 1960, and that it will be 50 per cent by 1970.

All these facts indicate economic prosperity and growth . . . a broader base of education . . . a greater scientific and technological capacity . . . a wider ownership of material goods.

Yet, if we look more closely we see other things too: That, for instance, in the shading of high-income areas on census maps, the shading never falls on neighborhoods where Negroes live; that, in a time of prosperity in the rich nations, per-capita income is going *down* in the poor nations of the world.

And we increasingly feel—I know I do—that it is imperative to apply critical, qualitative measures to what we see—that it is necessary to see how change is affecting people and their lives.

We have over 2 thousand institutions of higher education in our country. The question is: What proportion of their students are receiving both a solid technical grounding and the ability to think for themselves?

We have, in our cities, billions of dollars of new investment in office buildings and luxury apartments. The question is: Are the families who live in the shadow of these buildings—that is, the majority of the people who live in our central cities—better-housed or worse-housed today than they were yesterday?

I see signs in our society that more and more of our young people *are* looking beyond the normal quantitative measures—I mean, literally, signs as those I recently saw on a college campus in the West: "I am a human being, not a punch card. Please do not staple, spindle, or mutilate."

Many of our young people are reacting to the large forces, mass production, and cookie-cutter questionnaires which surround them.

Some of these concerns manifest themselves in ways that are not always constructive. Just being against bigness or mass production or impersonality is not enough—nor I might add, is sign-carrying, of itself, enough.

But I see, too, the constructive expressions of our young people in reaction to these same forces.

I see the work of our Peace Corps volunteers in alien places.

I see the commitment of our people in VISTA, making their individual efforts count directly here at home.

I see the dedication of our young people—both in uniform and in shirtaleeve—in Vietnam.

I see the excellence in everyday work contributed by young men and women in government service.

I see the new awareness of teenagers and young adults of the democratic political process, and their increasing participation in it.

Ten years ago our campus bulletin boards were monopolized by notices of social events. Today these same bulletin boards are filled with notices of political activity, of volunteer work, of opportunities to exchange ideas and to be of public service—all outside the classroom itself.

The fact is that it is precisely in a society of bigness, of the quantitative of wholesale technological change that it is all the more important for the individual citizen to become both concerned with and involved in what is happening around him.

I said earlier that the breakthroughs to come during your working lifetimes will dwarf those since the turn of the century.

There is no reason why we should react to them as Luddites, threshing out to destroy what we do not understand.

There is no great secret about their shape or direction—at least so far as science and technology are concerned.

And there is no reason why we, and you, cannot now prepare ourselves to meet them and temper them to essentially human objectives.

As chairman of the Space Council I am quite sure today, for instance, that we shall see ahead the establishment of permanent bases on the moon . . . the development of a whole family of earth-orbiting stations, manned and supplied by regular ferry services . . . the launching of unmanned probes to every part of the solar system, and probably manned expeditions as well.

As chairman of the new Marine Sciences Council, I am equally sure that we shall develop man's capability to live on the ocean's floor . . . that we shall use the tides as energy sources . . . that we shall use de-salinated water to make deserts bloom.

In the next 15 years alone—the years in which you will be at the peak of your creative and productive abilities—we shall certainly see:

In medicine, the routine transplantation of internal organs from one person to another and the widespread use of artificial organs.

In education, a general use of teaching machines in far more sophisticated ways than today.

In psychiatry, the common use of drugs to modify the personality.

In industry, the application of automation to many kinds of management decision-making.

In engineering, the channeling of water from surplus areas to shortage areas thousands of miles away.

In worldwide communication, the everyday use of translating machines.

By the year 2 thousand—when many of you will bear direct responsibility for national policy—the scientists tell us we can foresee the virtual elimination of bacterial and viral diseases . . . the modification of genetic chemistry . . . the evolution of universal language . . . commercial transport by ballistic missile . . . the use of robots for everyday work and of high-IQ computers for sophisticated tasks . . . and the probable creation, in the laboratory, of primitive forms of artificial life . . . and shortly thereafter, chemical control of the aging process . . . and perhaps even modified control of gravity.

Many of these things we will welcome without reservation. A few bear with them seeds of great danger.

The widest number are, in a sense, "neutral."

Their benefit to man will depend most largely upon man's wisdom in using them.

Many of the mistakes, the injustices, the imbalances, and undesirable social conditions, caused by change, which we live with today are here because earlier in this century they either were not foreseen—after all, they got here in a hurry—or because their probability was ignored.

Today we have the opportunity to avoid the mistakes of the past. We have a good idea of what lies ahead. What remains for us is to prepare ourselves to master it—as Whitehead said, "to preserve order amid change and to preserve change amid order."

How do we do it?

The first and absolute priority is that we realize, that in our increasingly complex and changing world, we can never be satisfied with our present level of knowledge.

The days are past when a high school or college diploma could mark the end of a man's education. Already many jobs of 10 years ago are obsolete.

Most of you, in your lifetimes, will not only hold several jobs—you will pursue several careers. All of you, in your lives, will need continuous education.

We in the federal government are doing everything we can to build the kind of environment where such education will be possible and available. In the past three years alone, we have more than doubled our federal investments in education.

We have undertaken a national war on poverty. We have committed ourselves to the redevelopment of people and of geographic areas. We have more than doubled, too, our federal investments in health.

All these things aimed at upgrading our resources—at helping our people and the places where they live be better able to make their way in the future.

The second priority is to bring to bear all our resources most efficiently in the harnessing of the future.

We speak a great deal these days of the concept of "creative federalism"—a concept still not widely understood.

This is a concept which is embodied in all the new laws, and all the new programs, which stand today under the Great Society heading.

What we are trying to do, under this concept, is promote effective, timely and productive cooperation among all levels of government, and the private sector as well, to meet problems which cut across old jurisdictions.

What we are trying to do, also, is to encourage initiative at state, local and individual levels and to meet that initiative with federal assistance. For we know that, in a society of big problems, programs and institutions, we must avoid every tendency which would move responsibility for problem-solving and for leadership further way from the individual.

And this brings me to allude once more to the final priority we face in the immediate years ahead: The necessity for the individual citizen not to abdicate his responsibility.

I am encouraged, as I have said, by the new concern and sense of personal involvement I see in your generation.

It not only must be sustained. It must be increased and translated into constructive action.

Nostalgia . . . the desire to return to a simpler world . . . escape, by whatever means—are luxuries we can no longer afford.

The individual cannot shrug his shoulders and withdraw to his television opiate, leaving decisions and matters of individual concern to others.

To do so would be to guarantee the weakening of our democratic system and the victory of faceless impersonality, and to leave the field to change unharnessed and unchanneled.

For all the actions in the world by governments—federal, state, and local—and by the private institutions within our society will be fruitless if they are done to the individual citizen instead of with and by him.

Individual responsibility and individual participation—these are the most effective antidotes to "alienation," "estrangement," "dehumanization," and all the other phenomena which are beginning to so much concern us.

Finally, may I say this:

If we continue to increase our knowledge * * * if we efficiently use the tools at hand * * * if we nurture in our society a sense of individual participation and responsibility, I believe we may in the long run be able not only to master science and machine but also to create a freer, more rewarding world environment.

Social and political change is, indeed, harder to predict and to create than material change—although they are clearly interrelated.

Yet I cannot help but believe that, as man increasingly masters his environment * * * as he increasingly overcomes many of his everyday concerns for food, shelter and health * * * as he increasingly uses his knowledge to reduce many of today's urgent human pressures, he may also learn to live more peacefully and in greater harmony with his neighbor.

If he does not, the chance for his survival—given the awesome potentialities for destruction which lie within our progress—will not be great.

As we enter the final third of this century, this is what opens up before you. This is what lies within your hands.

The challenges, and the opportunities, are immense. For my own part, I am confident that you will make change your ally and not your enemy.

I am sure that you will make your commitment, as other Americans have before you, to the premise that history is not a mindless juggernaut, but something to be shaped by man exercising his own free will.

QUESTIONNAIRE RESULTS AND REPORT ON THE 89TH CONGRESS

The SPEAKER pro tempore. Under previous order of the House, the gentleman from Pennsylvania [Mr. Dent], is recognized for 20 minutes.

Mr. DENT. Mr. Speaker, several weeks ago I mailed a questionnaire to every home in my district. The purpose of the questionnaire was to solicit responses from my constituents on the various issues facing our Nation. Over 100,000 questionnaires were sent out, and over 10,000 have already been returned. This is a more than 10-percent response, and I am gratified that so many good citizens saw fit to make their views known. In addition, I have received hundreds of letters and notes expanding on the simple "yes" and "no" answers.

Because of the tremendous volume of replies, it is impossible for me to respond individually to each participant. I do, however, hope to answer—as soon as feasible—those who requested an answer or whose comments would implicitly encourage an answer.

The tabulation of results follows. I find it both interesting and enlightening.

		Percent		
		Yes	No	No opinion
WHAT POLICY DO YOU FAVOR FOR THE UNITED STATES IN VIETNAM?				
	Percent			
1. Expand war and go all-out to win	57.5			
2. Continue administration policy of supporting South Vietnam, including limited bombing attacks in North Vietnam, as a way of achieving satisfactory settlement	18.4			
3. Restrict efforts to South Vietnam and negotiate best settlement possible	11.2			
4. Withdraw U.S. forces from Vietnam	12.9			
INTERNATIONAL				
1. Do you favor continued U.S. membership and participation in the United Nations		83.8	14.1	2.1
2. Do you favor admission of Communist China to the United Nations		28.4	63.9	7.7
3. Would you be in favor of the United States extending diplomatic recognition to Communist China		33.3	57.6	9.1
CIVIL RIGHTS				
The new civil rights bill before the Congress would essentially prohibit discrimination in Federal and State jury selection, public education and other public facilities, and in the sale, rental, or financing of some limited housing. Do you favor this proposal?		46.5	46.3	7.2
SCHOOL PRAYER				
Do you favor an amendment to the Constitution which would allow for voluntary prayer in public schools?		86.8	11.4	1.8
WAR ON POVERTY				
Do you believe the Federal Government should continue with war on poverty programs such as the Neighborhood Youth Corps, Project Headstart, the Job Corps, Community Action, etc.?		50.4	44.2	5.4
EDUCATION				
Do you favor Federal aid to education?		66.2	31.1	2.7

	Percent		
	Yes	No	No opinion
PORNOGRAPHY			
Do you feel the Federal Government should undertake every constitutional effort to combat the spread of obscene literature and materials?	81.2	14.0	4.8
FIREARMS			
Do you favor Senator DODD's bill on the sale of firearms?	40.0	44.8	15.2
AUTO SAFETY			
Do you favor Federal legislation to require certain minimum standards of auto safety?	81.4	15.8	2.8
SPACE EXPLORATION			
Do you favor continuing the U.S. effort in the exploration of outer space?	65.4	27.6	7.0

Mr. Speaker, several points come out clearly on these returns. For example, there is very strong sentiment for doing more to wind up the war in Vietnam. This concern is the greatest in terms of total response to a question. Vietnam appears to be a perplexing reality to the majority of our citizens and the sentiment is running in favor of increased American activity.

I was somewhat surprised to see the number favoring continued U.S. membership in the United Nations. The U.N. has been subject to intensive criticism from many quarters, but nearly 84 percent of those replying did so in the affirmative.

The housing provision of the ill-fated Civil Rights Act of 1966 remains an unpopular proposal. Although a slim majority favored the total civil rights package—46.5 to 46.3 percent—the general opposition was directed to the housing section.

Of particular interest to me was the response to the school prayer question. Over 36 percent of those responding favored an amendment to the Constitution which would allow for voluntary prayer in public schools. I have joined with Senator DIRKSEN in an effort to bring this question to the people. Although the Senate did not take positive action on this several weeks ago, I am hopeful we may be successful in getting the amendment next year.

From the questionnaire results, it is seen that a majority favor the war on poverty, Federal aid to education, and a move to curb pornography in our society. Senator DODD's firearm bill is not popular among my constituents, but they overwhelmingly approve of the recently enacted auto safety legislation. Space exploration remains a popular venture but I was somewhat surprised that nearly 28 percent of those responding would like tc terminate U.S. efforts in space.

Mr. Speaker, I find the results of this questionnaire of immeasurable assistance to me. I plan to send more questionnaires in the future to keep abreast of the thoughts and opinions of my constituents. I think this Congress has considered most of these thoughts and provoked most of the opinions. It is my hope that we may continue to respond to the wishes of our citizens.

Mr. Speaker, as this Congress draws to a close and we anticipate adjournment, it is not inappropriate to reflect on the accomplishments of the past 2 years, and report to my constituents in the 21st District of Pennsylvania.

I have served for 32 years as a representative in a legislative body, but I do not hesitate to say that the 89th Congress represents the most successful period of that tenure from the standpoint of accomplishment and personal satisfaction. This Congress has been hailed as the most active ever, and I take great pride in having been privileged to participate in its deliberations.

Domestically, the 89th Congress, particularly during the 1st session, enacted landmark legislation in such important fields as health care, education, labor, immigration, voting right, and Government organization.

MEDICARE AND HEALTH

As a longtime sponsor of bills to provide health care for the aged, it was gratifying to me that Congress finally grasped this issue and approved a comprehensive plan to protect the Nation's senior citizens against illness and disease. Years before the passage of this act, it had already become apparent that surging hospital and medical costs were placing health care far beyond the reach of those who needed it most, in a nation where the progress of the medical arts was unequaled. The basic plan of hospital insurance has been a matter of open, public discussion since the early post-World War II days, and this Congress translated that discussion into an effective and vital reality for our senior citizens. Associated with the birth of medicare, was an increase in social security payments to eligible citizens. This increase was largely overshadowed by the former, but did not go unrecognized by those who benefited from it.

EDUCATION

The 89th Congress will be known to future generations as that which took full cognizance of education as the key to opportunity. The Elementary and Secondary Education Act, approved in 1965, was aimed at uplifting the educational standards prevailing in disadvantaged areas throughout the country. Realistically, the Nation can never realize its full potential, in terms of employment and income, unless we make a real effort to broaden educational opportunity. Under the new law, grants are provided to assist school authorities in educating the impoverished, and can be allocated for textbooks, libraries, research, and consultative services. As a ranking member of the Committee on Education and Labor, I was a cosponsor of that legislation and participated extensively in its development.

Assistance to colleges and universities, as well as to students otherwise unable to attend college, was also approved in 1965. My own vocational school bill was passed in 1965, without a dissenting vote in either the House or Senate. I have worked for this legislation, which would provide guaranteed loans to such students, ever since I came to Congress. Last year, in the spirit of proper recognition of education, that legislation became public law.

No phase of education was ignored. Even the schools for American children abroad were considered. I chaired a committee investigating that system, and the result of our study was a comprehensive legislative and suggestive program to improve the quality of education being offered those educationally neglected children.

By establishing the National Foundation on the Arts and Humanities, the Congress at last recognized the importance of these twin endeavors to the Nation's welfare. For many years, through outright grants and loans, and as a result of the Soviet sputniks, the Federal Government has experienced a strong bias in favor of the scientific studies to the detriment of other scholastic or artistic pursuits. The imbalance has been rectified.

VETERANS

Somewhat in connection with education legislation, improvements were also made benefiting veterans. I am, of course, concerned that our laws affecting veterans' interests keep abreast of changing needs and conditions. Public Law 89–311 was enacted, which increased compensation to service-connected disabled veterans. We passed important measures also in the field of vocational rehabilitation.

And in 1966, at the very beginning of the new session, Congress enacted the peacetime, cold war GI bill; legislation to extend veterans' benefits to thousands of young men who have, since the Korean conflict, spent important years of their lives in the Armed Forces. Many of our neighbors are now eligible for educational, mortgage insurance, and hospital benefits under the new law.

LABOR

It has been said that the most significant bill passed this year was the minimum wage bill. George Meany, president of the AFL–CIO, has called this bill the greatest in the history of fair labor standards.

Needless to say, all of this delights me. As the sponsor and manager of the minimum wage bill, I can sincerely say that no legislation was ever more of a personal challenge; yet no legislation I have been associated with ever gave me more satisfaction. By increasing the wage floor to $1.60 an hour, we at least provided that no covered worker would earn less than a "poverty wage." By expanding wage coverage to over 8 million workers, we allowed all of those workers and their respective families an added element of dignity.

For the first time, farmworkers and employees of restaurants, hotels, and motels are brought under the umbrella of fair labor standards. Those workers are generally the most economically deprived in our Nation, and their inclusion is one of particular merit.

IMMIGRATION

This Congress passed the most modernized and progressive immigration law in the history of our Nation. It eliminated the 41-year-old "national origins" provision of the existing law. This provision gave special preference to certain nations and nationalities throughout the globe. Some nations were more favored for entry and citizenship than others, with unreasonable restrictions and limited quotas. The new law will not increase our immigrant population, but instead provides for a fair and equitable distribution of quota allotments to all nations.

Likewise, its emphasis is to offer permanent residence in this country on a first-come, first-served basis, with preferences granted to those with immediate relatives in the United States, refugees, and persons possessing exceptional artistic, professional, or other skills. In connection with this, however, it does restrict any adverse effect to American labor and employment.

VOTING RIGHTS

In 1965, we passed the Voting Rights Act, aimed at implementing the most basic of constitutional rights—the right to vote. Democracy cannot function unless all citizens are not only given the right to vote, but are protected in the exercise of that right. Today, because of this act, thousands of additional citizens have registered, and do vote.

POVERTY

My committee is responsible for writing and enacting the poverty program. I have been totally involved in this endeavor, and have struggled to insure that the program focuses on those it is designed to assist. Just recently, a House-Senate conference ironed out final differences on this year's amendments to the program.

Since the poverty program is constantly the target of abuse, I think it most appropriate to outline some of its accomplishments in the brief period of its existence. The poverty program has already reached and aided more than 3 million impoverished American families with jobs, training, educational programs, and an amazing variety of other services. It has: Contributed vitally to the emergence of 2.2 million Americans from poverty in 1965; created over three-quarters of a million part-time and full-time jobs filled exclusively by poor people; enrolled over a million and a half preschool kindergarten children in Headstart projects. This training has helped these children to improve their intellectual capacity, their average IQ, as well as vastly improving their health and personality development; provided useful jobs and earnings for more than one-half million disadvantaged teenagers through the Neighborhood Youth Corps; established over 150 Job Corps centers where approximately 30,000 of our most terribly disadvantaged teenagers are currently receiving remedial education, job training, counseling, and preparation for useful and productive lives; approved over 285 VISTA volunteer or Domestic Peace Corps projects in 47 States, in which almost 3,000 VISTA volunteers from 18 to 80 are serving and more are at present in training; brought forth an absolutely unprecedented outpouring of volunteer effort, including 250,000 Headstart volunteers, approximately 30,000 members of community action boards, 10,000 members of women in community service, and countless doctors, dentists, lawyers, businessmen, religious leaders, and local government officials who are freely and enthusiastically devoting their efforts and skills to the success of the war on poverty, crime, and juvenile delinquency.

GOVERNMENT ORGANIZATIONS

The Congress finally enacted a bill, long overdue, establishing a Department of Housing and Urban Development. Approximately 70 percent of our population is now clustered in and around metropolises. The great majority of urgent domestic problems facing the country today are urban problems. These can only be attacked intelligently through consolidating and coordinating the Federal effort into one, single-purpose instrumentality.

Just last week, the President signed a law creating a new Department of Transportation, thereby assigning Federal efforts in this area to a singular executive department. As our transportation network grows in size and complexity, proper attention can only be given through such an institution.

PUBLIC WORKS

The 89th Congress and its predecessor, the 88th, have accomplished the greatest public works road and highway construction program in the Nation's history. This program is in its infancy, but already freeways, toll roads, and modern arteries for traffic have been constructed and are serving our traveling public. Numerous other highways are under construction and many more interstate thoroughfares are in the blueprint stage. We have succeeded in actively installing mammoth public works projects that should have been taken up by our Nation years ago.

In addition, the 89th Congress passed the massive Appalachia assistance project. This comprehensive plan for regional development encompasses our area, and we are availing ourselves of this opportunity for development and redevelopment.

AUTO SAFETY

I have always been concerned with automobile safety and the inherent danger of faulty automotive equipment. The recently passed Federal Safety Standards Act makes mandatory the installation of safety devices on all automobiles, buses, and trucks, starting with the 1968 models. A special agency within the Department of Commerce was established under this law to receive complaints from automobile purchasers and to review and revise standards to assure continuing maximum safety for the public.

The Congress also passed a highway safety program to encourage State and local governments to develop uniform safety standards throughout the country. Last year, over 55,000 Americans died on our highways as a result of traffic accidents and many times that number were injured and maimed in auto accidents. It is my hope that Federal leadership in highway safety will move toward halting this slaughter of human resources.

WATER AND AIR POLLUTION

With the help of increased participation by the Federal Government, great strides were made in our fight for better water and air. Bills were enacted in both of these areas. The water pollution measure provides Federal grants to the States for the construction of sewage treatment facilities. Amendments to the Clean Air Act were also passed. One of these requires that automobiles be equipped with exhaust control devices. This is a major facet of the clear air program, inasmuch as automobile fumes are a principal cause of air pollution, particularly city air pollution.

CONSUMER PROTECTION

The drive to institute effective consumer protection was highlighted by Senate and House passage of the Fair Packaging and Labeling Act. The legislation will provide safeguards to the consumer by providing unambiguous, comparative choices of merchandise at the market. The object is to protect against misleading labeling and packaging devices.

There are other measures in the consumer field which require action. For example, we need legislation to correct blatant abuses prevailing in the credit area which affect so many Americans. This bill, commonly referred to as "truth in lending," requires that all lenders, such as banks, supply the borrower with a clear statement of all finance charges in dollar-and-cents language. Those who buy on installment plans must also be furnished with such an accurate accounting. Consumer credit rose to an alltime high of $90. billion in July, and the trend is upward This is an economy which is increasingly dependent upon available sources of credit. Too often, installment buyers and borrowers of money have been misled by complicated statements of finance charges, and too many of our citizens are the innocent victims of loan sharks.

STATE OF THE UNION

I could list many more accomplishments of this Congress, both large and small, but all important to our Nation and its citizens. I would prefer, however, to reflect on the overall health of our economy since much is being said these days about inflation.

Our economy is booming. More people have more revenue and are buying more than they ever did. This has led to general increases in demand.

Increased demand caused prices to go up. Interest rates lead the way in the general price increases. During most of this session of Congress, we have been fighting these attacks on the pocketbooks of the average consumer. This kind of fight is much more difficult than our efforts to move the economy in 1961. In this Congress, we have authorized over $3 billion in home loan money to ease the immediate crisis in the home building industry. We have suspended the 7-percent investment credit and accelerated depreciation which helped to stimulate the boom in the first place.

Our current problems cannot overshadow the astounding economic advances made in this country in the last 6 years. In 1960, the gross national product, the total of all products and income, profits, dividends, and all other earned moneys in the United States, totaled $500 billion. In 1966, the total has risen almost 50 percent to $733 billion. The money which the wage earner could take home and spend rose from $350 billion in 1960 to $500 billion in 1966, an increase of 43 percent. In the 1950's, the rate of growth of the economy of the United States was leveled at the low rate of 2.6 percent per year. At the present time, the economy is growing at the rate of over 8 percent a year while corporate profits have almost doubled during the last 6 years. During the same period, our employment has increased from 60 million to 72 million and our unemployment rate is down to its lowest percentage in 13 years, currently below 4 percent.

These astounding advances in the American economy have contributed to develop the present inflationary problems from which we now suffer. The struggle against inflation is the "other war" we must win at home. Greed must not be permitted to overrun the marketplace. Prices must be competitively maintained, fully related to costs and reasonable profits. Restraint must be made the order of the day.

DEFENSE AND NATIONAL SECURITY

No discussion of this Congress would be complete without a mention of our most serious problem—Vietnam.

During this session of Congress, the burdens of the Vietnam conflict have increased substantially. Emphasis has been shifted from the singular military aspects of the hostility to the social and economic problems of the South Vietnamese people and all southeast Asians. This additional emphasis, so important toward progress in South Vietnam, has now been termed "the other war"; the war against hunger, disease; the war for education and the right to self-determination. In this connection, this session of Congress approved over $415 million in economic and social assistance for Vietnam and other southeast nations. The problems of this part of the world must be confronted where they exist—otherwise, they will move like a typhoon and strike wherever they are permitted to move.

Our commitment to South Vietnam began during President Eisenhower's administration with the Southeast Asia Treaty, which was negotiated and signed after the Geneva agreements in 1954. Under this treaty the United States and other member nations not only undertook to guarantee their own security but also to come to the aid of certain treaty states and territories if they so requested. South Vietnam was included in this treaty. Following the Southeast Asia Treaty, President Eisenhower and Secretary of State John Foster Dulles offered to continue military and economic assistance to South Vietnam. The policy behind this assistance was stated in a letter from President Eisenhower to the President of Vietnam on October 1, 1954:

> The purpose of this offer is to assist the Government of Vietnam in developing and maintaining a strong state, capable of resisting attempted Communist subversion or aggression through military means.

The need for this assistance was obvious.

When the Indochina war ended in 1954, Vietnam seemed to have little chance of resisting Communist enslavement. During the next 6 years, from 1954 through 1960, the United States made available $1.5 billion in economic assistance and $500 million in military assistance to South Vietnam. By 1960 the United States was able to begin planning substantial reductions in its aid. Unfortunately, however, Hanoi and the Chinese Communists had other plans.

In September of 1960, the Communists began to step up their campaign of subversion by assassinating and kidnaping local civilian government officials of South Vietnam. These terroristic efforts on the part of the Communists increased in intensity and changed in character from internal subversion to the movement of organized troops of North Vietnamese armed forces into South Vietnam. Because of the intensified Communist efforts during these years, the United States has been forced to escalate its own efforts in support of South Vietnam which, under the Southeast Asia Treaty, requested our help.

In reviewing the history of events since 1954, I do not believe that any administration—Republican or Democratic—can be identified as responsible for the present U.S. involvement in Vietnam. When the Communists find, as they must, that they cannot win, there will be peace.

CONCLUSION

Mr. Speaker, these last 2 years have been among the most imaginative and far reaching in the long and glorious history of our Nation. The role of this Congress will be stamped upon the pages of that history for future generations to honor.

We have directed our efforts toward the refinement of Federal approaches toward full employment, education, training, and the development of better conditions in urban and rural life. Giant steps have been taken to preserve the physical resources of the country and to fully develop and utilize the human resources of the people.

While we strive toward peace in the world, we have also struggled for a better America as a showcase for our democratic system. We are improving our place in the world while we are at the same time substantially assisting to alleviate poverty throughout the world. We are exporting some of our wealth in these endeavors for humanity, but what we are doing is not out of proportion with either our capacity or our duty. Our giving must not always stem from purpose or for reward. At least in part, it should stem from charity.

Each day that I serve in Washington, I am stimulated by the visits of constituents to the Nation's Capital. Schoolchildren keep me alert to the challenges of the next generation. Senior citizens alert me to the obligations still unmet to our elderly.

In my district office in Greensburg, I meet hundreds of constituents with questions and problems relating to the Government's functions as well as its failures. From all of these discussions, I am rearmed with tasks for the ensuing days and weeks ahead. I welcome this exchange and am grateful for it. I am especially grateful, however, for the opportunity and privilege of serving my people in the Congress. I hope I may continue to return to Washington, and work in their behalf.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. COHELAN (at the request of Mr. BOGGS), for today and the balance of the week, on account of official business.

Mr. FARNUM (at the request of Mr. FOUNTAIN), for Monday, Tuesday, Wednesday, October 17–19, 1966, on acount of official business.

Mr. HELSTOSKI (at the request of Mr. MCFALL), for the balance of the week, on account of official business.

Mr. MACKIE (at the request of Mr. O'HARA of Michigan), for the balance of the session, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. WILLIAMS for 10 minutes, today; to revise and extend his remarks and include extraneous material.

The following Members (at the request of Mr. JENNINGS) to revise and extend their remarks and include extraneous matter:

Mr. ADDABBO, for 30 minutes, today.

Mr. FEIGHAN, for 10 minutes, October 20.

Mr. FEIGHAN, for 10 minutes, October 21.

Mr. FEIGHAN, for 10 minutes, October 22.

Mr. DINGELL, for 60 minutes, October 20.

Mr. WYDLER (at the request of Mr. CRAMER), for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. KUPFERMAN (at the request of Mr. CRAMER), for 60 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. MCCLORY (at the request of Mr. CRAMER), for 20 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. CUNNINGHAM (at the request of Mr. CRAMER), for 15 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. KUPFERMAN (at the request of Mr. CRAMER), for 60 minutes, on Friday, October 21, 1966; to revise and extend his remarks and to include extraneous matter.

Mr. QUIE (at the request of Mr. CRAMER), for 60 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. PATTEN, for 15 minutes, on October 20, 1966.

The following Members (at the request of Mr. CLEVELAND) to address the House and to revise and extend their remarks and include extraneous matter;

Mr. MORSE, for 60 minutes, on Friday, October 21.

Mr. CONTE, for 60 minutes, on Thursday, October 20.

Mr. KUPFERMAN, for 60 minutes, on Friday, October 21.

Mr. MORSE, for 60 minutes, tomorrow, October 20.

Mr. WELTNER (at the request of Mr. BENNETT), for 30 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. STAGGERS (at the request of Mr. BENNETT), for 5 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. DENT (at the request of Mr. BENNETT), for 20 minutes, today; to revise and extend his remarks and to include extraneous matter.

Mr. KEE (at the request of Mr. BENNETT), for 1 hour, on October 20, 1966; to revise and extend his remarks and to include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to extend remarks in the CONGRESSIONAL RECORD, or to revise and extend remarks was granted to:

Mr. PHILBIN.

Mr. KUPFERMAN.

Mr. CONYERS to revise and extend his remarks and include extraneous matter during debate on conference report on H.R. 5688, omnibus District of Columbia crime bill.

Mr. MCCULLOCH, for all Members to revise and extend their remarks following consideration of H.R. 18284 today.

Mr. STUBBLEFIELD and to include extraneous matter.

(The following Members (at the request of Mr. JENNINGS) and to include extraneous matter:)

Mr. KEOGH.

Mr. GIAIMO.

Mr. LONG of Maryland.

Mr. GARMATZ.

(The following Members (at the request of Mr. MCCLORY) and to include extraneous matter:)

Mr. SPRINGER.

Mr. REINECKE.

(The following Members (at the request of Mr. BENNETT) and to include extraneous matter:)

Mr. DINGELL.

Mr. BRADEMAS.

Mr. JACOBS.

Mr. VANIK.

Mr. VIVIAN.

Mr. DONOHUE.

Mr. UDALL.

Mr. FOGARTY in three instances.

Mr. MCVICKER.

ENROLLED BILLS SIGNED

Mr. BURLESON, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 13955. An act to establish the past and present location of a certain portion of the Colorado River for certain purposes;

H.R. 14355. An act to amend the Railroad Retirement Act of 1937, the Railroad Unemployment Insurance Act, and the Railroad Retirement Tax Act to make certain technical changes, to provide for survivor benefits to children ages eighteen to twenty-one, inclusive, and for other purposes;

H. 14517. An act to amend Private Law 86–203 to permit the use of the vessel *John F. Drews* in the coastwise trade while it is owned by a citizen of the United States;

H.R. 16958. An act to authorize the establishment in the District of Columbia of a public college of arts and sciences and a vocational and technical institute; and

H.R. 17285. An act to amend the Railroad Retirement Act of 1937 and the Railroad Retirement Tax Act, and for other purposes.

SENATE ENROLLED BILLS SIGNED

The SPEAKER announced his signature to enrolled bills of the Senate of the following titles:

S. 84. An act to provide for reimbursement to the State of Wyoming for improvements made on certain lands in Sweetwater County, Wyo., if and when such lands revert to the United States;

S. 476. An act to amend the act approved March 18, 1950, providing for the construction of airports in or close proximity to national parks, national monuments, and national recreation areas, and for other purposes;

S. 688. An act to amend title III of the Bankhead-Jones Farm Tenant Act, as amended, to provide for additional means and measures for land conservation and land utilization, and for other purposes;

S. 690. An act for the relief of Norman J. Pitman;

S. 769. An act for the relief of Dr. Marshall Ku;

S. 1101. An act to provide for the conveyance of certain mineral interests of the United States in seventy-nine and one-hundred-and-eighty-four one-thousandths acres located near Orangeburg, S.C., to Allen E. Dominick, the owner of such property.

S. 1137. An act for the relief of Dr. Rafael Martinez Torres;

S. 1556. An act to authorize the Board of Governors of the Federal Reserve System to delegate certain of its functions, and for other purposes;

S. 1572. An act for the relief of Merritt A. Seefeldt and August S. Seefeldt;

S. 1760. An act to authorize the acceptance of a settlement of certain indebtedness of Greece to the United States and to authorize the use of the payments resulting from the settlement for a cultural and educational exchange program;

S. 1861. An act to provide additional assistance for areas suffering a major disaster;

S. 2102. An act to protect and conserve the North Pacific fur seals, to provide for the administration of the Pribilof Islands, to conserve the fur seals and other wildlife on the Pribilof Islands, and to protect sea otters on the high seas;

S. 2500. An act for the relief of James A. Todd, Jr.;

S. 2801. An act for the relief of Helena Gilbert Maddagiri and Heather Gilbert Maddagiri;

S. 2829. An act to amend section 301(a) (17) of the Immigration and Nationality Act;

S. 2947. An act to amend the Federal Water Pollution Control Act in order to improve and make more effective certain programs pursuant to such act;

S. 2979. An act to extend coverage of the State Technical Services Act of 1965 to the territory of Guam;

S. 3230. An act to authorize the Board of Regents of the Smithsonian Institution to negotiate cooperative agreements granting concessions at the National Zoological Park to certain nonprofit organizations and to accept voluntary services of such organizations or of individuals, and for other purposes;

S. 3389. An act to provide for the establishment of the Joseph H. Hirshhorn Museum and Sculpture Gardens, and for other purposes;

S. 3391. An act to amend the Shipping Act, 1916, as amended, to authorize exemption from the provisions of the act;

S. 3488. An act to grant the consent of Congress for the States of Virginia and Maryland and the District of Columbia to amend the Washington Metropolitan Area Transit Regulation Compact to establish an organization empowered to provide transit facilities in the National Capital Region and for other purposes and to enact said amendment for the District of Columbia;

S. 3675. An act to amend title V of the International Claims Settlement Act of 1949 to provide for the determination of the amounts of claims of nationals of the United States against the Chinese Communist regime; and

S. 3887. An act to amend title 10, United States Code, to permit persons from countries friendly to the United States to receive instruction at the U.S. Military Academy, the U.S. Naval Academy, and the U.S. Air Force Academy, and for other purposes.

ADJOURNMENT

Mr. BENNETT. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 10 o'clock and 51 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, October 20, 1966, at 10 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

2829. Under clause 2 of rule XXIV, a letter from the Comptroller General, transmitting a report of review of policies and procedures followed in determining the size of the new second lock at Sault Ste. Marie, Mich., Corps of Engineers (Civil Functions), Department of the Army; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. HAYS: Committee on House Administration. House Concurrent Resolution 1034. Concurrent resolution authorizing the printing of an additional 3,000 copies of House Document 237, 89th Congress, 1st session, entitled "Sino-Soviet Conflict and Its Implication" for the use of the Committee on Foreign Affairs of the House of Representatives; without amendment (Rept. No. 2310). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 109. Concurrent resolution authorizing the printing of certain hearings of the Antitrust and Monopoly Subcommittee of the Committee on the Judiciary; without amendment (Rept. No. 2311). Ordered to be printed.

Mr. HAYS: Committee on House Administration. Senate Concurrent Resolution 110. Concurrent resolution authorizing the printing of additional copies of hearings by the Special Committee on Aging on "Detection and Prevention of Chronic Disease Utilizing Multiphasic Health Screening Techniques"; without amendment (Rept. No. 2312). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 1038. Resolution to provide funds for the Committee on the Judiciary; with amendment (Rept. No. 2313). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 1055. Resolution relating to the compensation of certain personnel of the House Press Gallery, the Official Reporters of Debates, and the clerks to the Official Reporters of Debates of the House of Representatives; without amendment (Rept. No. 2314). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 1056. Resolution providing additional compensation for services performed by employees in the House Publications Distribution Service; without amendment (Rept. No. 2315). Ordered to be printed.

Mr. CELLER: Committee of conference. H.R. 9167. An act to amend title 18 of the United States Code to enable the courts to deal more effectively with the problem of narcotic addiction, and for other purposes (Rept. No. 2316). Ordered to be printed.

Mr. MILLS: Committee of conference. H.R. 6958. An act to amend the Internal Revenue Code of 1954 to promote savings under the Internal Revenue Service automatic data-processing system (Rept. No. 2317). Ordered to be printed.

Mr. DAWSON: Committee on Government Operations. Report on Government use of satellite communications, 43d report (Rept. No. 2318). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. Evaluation of the donable surplus property program, 44th report (Rept. No. 2319). Referred to the Committee of the Whole House on the State of the Union.

Mr. DAWSON: Committee on Government Operations. S. 3466. An act to change the name of the Rolla Jewel Bearing Plant at Rolla, N. Dak., to the William Langer Jewel Bearing Plant; without amendment (Rept. No. 2320). Referred to the House Calendar.

Mr. CELLER: Committee of conference. H.R. 13935. An act to give the consent of Congress to the State of Massachusetts to become a party to the agreement relating to bus taxation proration and reciprocity as set forth in title II of the act of April 14, 1965 (79 Stat. 60), and consented to by Congress in that act and in the act of November 1, 1965 (79 Stat. 1157) (Rept. No. 2321). Ordered to be printed.

Mr. KLUCZYNSKI: Committee of conference. H.R. 11555. An act to provide a border highway along the U.S. bank of the Rio Grande in connection with the settlement of the Chamizal boundary dispute between the United States and Mexico (Rept. No. 2322). Ordered to be printed.

Mr. DAWSON: Committee on Government Operations. An investigation of U.S. participation in the NATO Common infrastructive program, 45th Report (Rept. No. 2323). Referred to the Committee of the Whole House on the State of the Union.

Mr. ROONEY of New York: Committee of conference. H.R. 18119. An act making appropriations for the Departments of State, Justice, and Commerce, the Judiciary, and related agencies for the fiscal year ending June 30, 1967, and for other purposes (Rept. No. 2325). Ordered to be printed.

Mr. POWELL: Committee of conference. H.R. 14644. An act to amend the Higher Education Facilities Act of 1963 to extend it for 3 years, and other purposes; and to authorize assistance to developing institutions for an additional year (Rept. No. 2326). Ordered to be printed.

Mr. MILLS: Committee of conference. H.R. 13103. An act to amend the Internal Revenue Code of 1954 to provide equitable tax treatment for foreign investment in the United States (Rept. No. 2327). Ordered to be printed.

REPORTS OF COMMITTEES ON PRIVATE BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. McCLORY: Committee on the Judiciary. S. 195. An act for the relief of Sunnyside Seed Farms; without amendment (Rept. No. 2324). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

Mr. BATES:

H.R. 18459. A bill to amend title XVIII of the Social Security Act to provide payment for optometrists' services under the program of supplementary medical insurance benefits for the aged; to the Committee on Ways and Means.

By Mr. FRASER:

H.R. 18460. A bill to amend section 228 of the Social Security Act to eliminate the provisions which reduce the benefits otherwise payable thereunder to certain uninsured individuals by the amount of any governmental benefits they are receiving; to the Committee on Ways and Means.

H.R. 18461. A bill to amend title II of the Social Security Act to provide a 10-percent, across-the-board benefit increase, with a minimum of $100 a month for individuals with 25 years' service, to increase the earnings base for benefit and tax purposes, to liberalize the retirement test, and to cover disability insurance beneficiaries under the health insurance benefits program; to the Committee on Ways and Means.

By Mr. MULTER:

H.R. 18462. A bill to amend title II of the Social Security Act to provide that a child shall be deemed dependent on his natural or adopting parent, for purposes of determining his eligibility for child's insurance benefits, if such parent is a fully insured individual at the time required for such eligibility; to the Committee on Ways and Means.

By Mr. CURTIS:

H.R. 18463. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. FARNSLEY:

H.R. 18464. A bill to amend title VII of the Housing and Urban Development Act of 1965 to authorize financial assistance for the provision of street lighting facilities in aid of the prevention or reduction of crime; to the Committee on Banking and Currency.

By Mr. BOGGS:

H.R. 18465. A bill to authorize the widening of the channel of the Gulf Intercoastal Waterway in the vicinity of Wagoner Bridge on Bayou Barataria in Jefferson Parish, La.; to the Committee on Public Works.

H.R. 18466. A bill to amend section 37 of the Internal Revenue Code of 1954 to equalize for all taxpayers the amount which may be taken into account in computing the retirement income credit thereunder; to the Committee on Ways and Means.

By Mr. CRALEY:

H.R. 18467. A bill to provide an equitable system for fixing and adjusting the rates of compensation of wage board employees; to the Committee on Post Office and Civil Service.

By Mr. DERWINSKI:

H.R. 18468. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. LONG of Louisiana:

H.R. 18469. A bill to modify the proposed work of improvement on the Red River below Fulton, Ark., and for other purposes; to the Committee on Public Works.

By Mr. WAGGONNER:

H.R. 18470. A bill to modify the proposed work of improvement on the Red River below Fulton, Ark., and for other purposes; to the Committee on Public Works.

By Mr. WELTNER:

H.R. 18471. A bill to amend Public Law 87-331 so as to extend its provisions to the sport of professional soccer; to the Committee on the Judiciary.

By Mr. WHALLEY:

H.R. 18472. A bill to amend the Public Health Service Act to provide for the establishment of a National Kidney Institute in the National Institutes of Health; to the Committee on Interstate and Foreign Commerce.

By Mr. WIDNALL:

H.R. 18473. A bill to amend title 23 of the United States Code to authorize an increased Federal share of the cost of certain projects for the elimination of hazardous locations; to the Committee on Public Works.

By Mr. BETTS:

H.R. 18474. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. HAGEN of California:

H.R. 18475. A bill to amend the Agricultural Marketing Act of 1946 to provide that where matching funds are required of a State for research projects, the State may use in addition to its own funds, funds made available to the State by any Federal or State marketing order administrative committee; to the Committee on Agriculture.

H.R. 18476. A bill to establish a program of mutual and self-help housing in the Department of Housing and Urban Development; to the Committee on Banking and Currency.

By Mr. HECHLER:

H.R. 18477. A bill to amend title II of the Social Security Act to provide a 10-percent benefit increase, to provide a minimum $100 a month benefit for certain individuals with 25 years' service, to liberalize the retirement test, and to increase the earnings base for benefit and tax purposes; to the Committee on Ways and Means.

By Mr. MORTON:

H.R. 18478. A bill to amend title II of the Social Security Act to permit States, under Federal-State agreements, to provide for coverage for hospital insurance benefits for the aged for certain State and local employees whose services are not otherwise covered by the insurance system established by such title; to the Committee on Ways and Means.

By Mr. McVICKER:

H.R. 18479. A bill to provide for the establishment of the National Foundation for the Social Sciences in order to promote research and scholarship in such sciences; to the Committee on Education and Labor.

By Mr. QUIE:

H.R. 18480. A bill to amend title II of the Social Security Act to provide an 8-percent across-the-board benefit increase; to the Committee on Ways and Means.

By Mr. WALDIE:

H.R. 18481. A bill to authorize the Secretary of the Interior to construct, operate, and maintain the Kellogg unit, Delta division, Central Valley project, California, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. KUPFERMAN:

H.J. Res. 1320. Joint resolution to provide for the designation of the first week in March of each year as National Credit Week; to the Committee on the Judiciary.

By Mr. McDADE:

H.J. Res. 1321. Joint resolution proposing an amendment to the Constitution of the United States relative to equal rights for men and women; to the Committee on the Judiciary.

By Mr. CABELL:

H. Con. Res. 1045. Concurrent resolution expressing the sense of Congress relative to dietary foods; to the Committee on Interstate and Foreign Commerce.

By Mrs. MAY:

H. Con. Res. 1046. Concurrent resolution expressing the sense of the Congress with respect to certain proposed regulations of the Food and Drug Administration relating to the labeling and content of diet foods and diet supplements; to the Committee on Interstate and Foreign Commerce.

By Mr. MORTON:

H. Con. Res. 1047. Concurrent resolution to express the sense of Congress with respect to certain agreements which would necessitate the modification of duties or other import restrictions; to the Committee on Ways and Means.

By Mr. THOMPSON of New Jersey:

H. Res. 1068. Resolution to authorize the special Subcommittee on Labor of the Committee on Education and Labor to conduct an investigation and study of labor management relations abroad; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BUCHANAN:

H.R. 18482. A bill for the relief of Roberto Perdomo; to the Committee on the Judiciary.

By Mr. DANIELS:

H.R. 18483. A bill for the relief of Ilias Venetis and family (wife, Catherine Venetis and child, Panagiotis); to the Committee on the Judiciary.

By Mr. HAGEN of California:

H.R. 18484. A bill for the relief of Ivor William Perkins; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 18485. A bill for the relief of Antonio Mario Russo and Mauro Giuseppe Russo; to the Committee on the Judiciary.

H.R. 18486. A bill for the relief of Maria Mysliewicz; to the Committee on the Judiciary.

By Mr. KEOGH:

H.R. 18487. A bill for the relief of Guiseppe Caleca; to the Committee on the Judiciary.

By Mr. POWELL:

H.R. 18488. A bill for the relief of Epifania Mercado; to the Committee on the Judiciary.

H.R. 18489. A bill for the relief of Andrea Como; to the Committee on the Judiciary.

By Mr. ROONEY of Pennsylvania:

H.R. 18490. A bill for the relief of Efstathios (Stephen) Kaunoupios; to the Committee on the Judiciary.

By Mr. RYAN:

H.R. 18491. A bill for the relief of Brigida Calvo; to the Committee on the Judiciary.

By Mr. BELL:

H.R. 18492. A bill for the relief of Agustina Felipe Fiesta; to the Committee on the Judiciary.

By Mr. BROYHILL of Virginia (by request):

H.R. 18493. A bill for the relief of Jorge I. Aunon-Prieto; to the Committee on the Judiciary.

H.R. 18494. A bill for the relief of Nickolas George Polizos; to the Committee on the Judiciary.

EXTENSIONS OF REMARKS

Hon. Leo W. O'Brien

EXTENSION OF REMARKS

OF

HON. EUGENE J. KEOGH

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. KEOGH. Mr. Speaker, my distinguished colleague and good friend, Leo O'Brien, has decided to leave the House and commence the rigorous activities of a self-imposed retirement. His 14 years as a Member of this great body have shown him to be one of those rare individuals who has constantly strived in an altruistic manner to implement many useful and constructive programs. Because this selfless attitude has been so characteristic of Leo's tenure in the House, recognition has often eluded him. Yet, Mr. Speaker, as one who has known him long and has always held him in high esteem, I can emphatically say that the House is going to miss dearly Leo because his conscientious devotion to his responsibilities has been a constant source of inspiration to those who have benefited from his friendship.

Leo O'Brien's record of service to his district, State, and Nation illustrates that he is a man of integrity, conscience, purpose, courage, and ability—characteristics that have made a lasting impression on the accomplishments of the House and in the minds and hearts of his many friends.

It is my fond hope, Mr. Speaker, that Leo O'Brien's retirement will only be the beginning of another successful chapter in the life of a man who has given so much of his energy and compassion to the service of his country and humanity. His legacy as chairman of the Subcommittee on Territorial and Insular Affairs can only grow with the years because his work will always be viewed as a landmark in the strengthening of our great Nation.

We therefore have great reason to be proud and grateful for his contributions to the greatness of America. Yet, we know that his dignity will never permit him to rest on his legislative and personal achievements, for he is too vigorous and unyielding in his progressivism and fondness for mankind not to realize that there will always be problems whose solutions will require the gentle, yet firm and intelligent guidance of Leo O'Brien.

Hon. Harold Howe II

EXTENSION OF REMARKS

OF

HON. ROBERT N. GIAIMO

OF CONNECTICUT

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. GIAIMO. Mr. Speaker, I should like to comment briefly upon an incident which reflects bad taste, bad manners, and uncalled-for behavior.

Last week, the U.S. Commissioner of Education, Mr. Harold Howe II, was subjected, after having been questioned by Members of the House on his duties and the manner in which he carried out his post, to vitriolic attacks on his character and personal integrity.

It is not my intent to recall the substance of the issue over which tempers flared and insults were rampant. It is my purpose to point out that there are limits when a man is questioned on the performance of his work by his questioners to the extent that disagreement as to how a man performs his work should not be a basis on which to attack his character.

Policies executed as a result of legislative authority granted by Congress are rightfully subject to the scrutiny of Congress if it feels its purpose and intent have been misconstrued. But I cannot condone the treatment of Commissioner Howe and the slander to which he was subjected.

Whether or not Commissioner Howe has misinterpreted the intent of Congress in the execution of his post is an entirely separate question from his motives in carrying out his job, and I am sure that his intentions have been honorable and sincere.

National Business Women's Week

EXTENSION OF REMARKS

OF

HON. ED REINECKE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. REINECKE. Mr. Speaker, this week we are celebrating the 38th annual Business Women's Week, sponsored by the National Federation of Business and Professional Women's Clubs, Inc. This federation has over 3,750 local clubs in all 50 States, the District of Columbia, Puerto Rico, and the Virgin Islands, and more than 177,500 members.

In our celebration of Business Women's Week we acknowledge the very significant contributions of women to the business and professional life of our country.

Since coming to Congress I have supported action to achieve one of the primary legislative goals of the National Federation of Business and Professional Women's Clubs. In March of 1965, I introduced House Joint Resolution 366 proposing an amendment to the Constitution to provide equality of rights under the law to men and women. With the support of the national federation this proposed legislation should be brought before the House early in the next session of Congress.

Business and professional women in my home district have made great contributions to the economic life, and to civic and community affairs. They serve with distinction as doctors, nurses, lawyers, teachers, bank and business officials, librarians, real estate agents, government officials, merchants, news reporters, executive secretaries, and professional technicians. Most of them double as homemakers, as well. I am proud of their positive and professional influence upon our communities.

No Reason Why Federal Employees Should Be Penalized by Inflation

EXTENSION OF REMARKS

OF

HON. WESTON E. VIVIAN

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. VIVIAN. Mr. Speaker, I have remarked in the past, and am moved to remark once again on the inequitable situation which seems constantly to face the hundreds of thousands of American citizens who are employed by the Federal Government. When our economy is in recession, it is these public servants who are asked first to tighten their belts, and help reduce the costs of Government. And when the economy swings into a boom phase, with attendant inflation, once again it is our Federal employees who are asked to "hold the line," and refrain from putting "undue pressure" on the budget.

Year after year, our Federal employees have faced this situation. Mr. Speaker, in previous years, as an officer and executive of a corporation, I have had a good deal of experience in meeting private payrolls. I can say unhesitatingly that the morale, the devotion to duty, and the efficiency of the great majority of Federal employees, many performing tasks and duties on which our complex economic system is very sensitively dependent, compare most favorably with that found in comparable jobs in private industry.

Our Federal Aviation Administration employees, responsible for the lives of the countless of thousands of air passengers who, each day, entrust their lives into the hands of these policemen of the Nation's airways, have an excellent record of performance and reliability. Our Department of Agriculture employees provide information and convey experience with new agricultural methods and techniques which make this Nation the world's most productive and, truly, the hope of the world, in the decades to come. Our Weather Bureau employees also provide vital information to our farmers, but also to businessmen, pilots, and to the millions of citizens who, on any given day, simply want to know the best estimate of what kind of weather they may expect. Our postal employees deliver some two hundred million pieces of mail each and every day of the year, rain, sleet, and gloom of night notwithstanding.

In short, Mr. Speaker, our constituents, and we ourselves, ought to give to our Federal employees the recognition which they so clearly deserve. And not in terms of words, but of actions. The concept of comparability between Federal pay rates and those found in private industry is a totally reasonable one. I hope that every Member in the 90th Congress will concur.

Address of Vice President Hubert H. Humphrey at Clark University in Worcester, Mass., October 12, 1966

EXTENSION OF REMARKS

OF

HON. HAROLD D. DONOHUE

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. DONOHUE. Mr. Speaker, at this time I am very pleased, indeed, to include the most eloquent and inspiring address delivered by Vice President HUBERT H. HUMPHREY during the special convocation at Clark University in Worcester, Mass. last October 12 in honor of the late Dr. Robert H. Goddard and on the occasion of which the Vice President was presented an honorary doctor of laws degree by Clark University.

The address follows:

ADDRESS OF VICE PRESIDENT HUBERT H. HUMPHREY, CLARK UNIVERSITY, WORCESTER, MASS., OCTOBER 12, 1966

Ralph Waldo Emerson said, "Universities are, of course, hostile to geniuses which, seeing and using ways of their own, discredit the routine."

We are here today to honor Robert Hutchings Goddard and, in so doing, to honor the university that was not hostile to his genius.

It is typical of Clark to remember Dr. Goddard through a great, new library. Out of the collected thoughts of men who came before him, Robert Goddard evolved his own historic contribution, and from the library that will bear his name will come other fruit from other men, in an endless perpetuation of learning.

Columbus Day is exactly the right time for us to make a start of this memorial. It falls exactly halfway between the day of Goddard's birth, on October 5, 1882, and the day as a seven-year-old boy that he first dreamed of traveling in space.

It is appropriate in another way. It is hard for us, involved as we are, to appreciate that we live in a time of vast enlargement of man's horizon, as hard for us as it must have been for the people of Europe to know the significance of Columbus crossing the Atlantic.

We are actors in this drama, so we have trouble seeing it in perspective. Perhaps those who come after us will see it plainly only when they look back on our time.

Here some day will come future generations to see the campus where Goddard experimented and to study the collected Goddard papers in their official repository. This spot, today, gains recognition as a threshold to space.

What an astonishing change Goddard made in a short time.

For all practical purposes, 40 years ago the American space effort consisted of a man working in a laboratory 100 yards from here.

He launched the world's first liquid-fueled rocket from a farm only a few miles from this campus. It went up 41 feet.

We are told that an assistant standing beside Dr. Goddard remarked that he could throw a baseball higher than that. Even at the time of his death, in 1945, the idea of travel in space was considered a fantasy or a joke.

Yet at this moment the Goddard Space Flight Center in Greenbelt, Maryland, is tracking 33 active, man-made satellites, producing 200 miles a day of data tape on conditions outside the planet. In the seconds I took to speak of the Goddard Space Flight Center, its receivers and computers were accepting messages from these orbiting laboratories around earth and translating them into 300 feet of tape bearing important information about space.

Twenty years ago most people in the world would have laughed at the idea but we know now that we shall land men on the moon and explore the moon thoroughly. Children of today's college students will be able to take trips to Venus and Mars.

I am chairman of the National Aeronautics and Space Council and there are times that I remember longingly that Robert Goddard often needed only 10 thousand dollars for a major breakthrough. But I know that the results of a successful seed is a great forest and forests take more nourishment. In the last eight years we have spent 30 billion dollars on space work.

It is the largest endeavor in history designed consciously to advance the frontiers of knowledge.

Out of it has come a fruitful partnership of government, industry, science, and the academic community.

We enjoy such side benefits as new medical and surgical techniques.

There is hardly a part of our industrial and technological life that has not been refined and accelerated by discoveries made in space research.

Yet all this started with one man with an idea. It was born in a lonely field near here, in a modest laboratory right on this campus.

It is easy to look upon this achievement as just a happy accident but I think that would be a mistake.

We were lucky to benefit by Goddard's unique creativity.

But we cannot leave such things entirely to accident.

It is no accident, for example, that we have in this country institutions of learning that are not afraid of genius.

We are told that in Dr. Goddard's first year at Clark there came to this campus for their first lectures in America, Sigmund Freud and Carl Jung.

The chairman of the physics department was A. A. Michelson, the first American scientist to win a Nobel Prize.

It is no accident when a country has places that harbor men of original thought.

We need to remember something else.

Robert Goddard worked here, at Clark, which has always been a small university.

Bigness is a characteristic of our times.

There are many things that are more efficient, more specialized or more profitable because they came in large units, and we have no need to remember that there is something to be said for small units in which the individual is not lost.

Robert Goddard and Clark University tell us that excellence need not come in giant packages.

They remind us that especially in a mass production and mass consumption society, the individual and the individualistic institution must play a creative role.

Let us beware of the homogenized society. Let us shun that condition in which everyone is expected to have the same opinions and the same habits. This is not only abhorrent to freedom but it poisons the source of growth.

Goddard had a stubborn faith that helped him survive discouragement and ridicule, and even a local fire marshal who considered him and his rockets a menace.

But along the way, at crucial times, he found other unorthodox men, men capable of listening to the unusual, of imagining the future, of believing the impossible.

They came from unexpected places. Some were airplane pilots and some were philanthropic businessmen with imagination. If ours were a completely conformist country, we would not be here today.

I wouldn't be honest if I didn't confess, as one who has often been at both ends of protest, that this can be an uncomfortable state of affairs. But there has never been a moment of doubt that we must have a society where men can speak their minds. Our nation must have people free to nurture men and ideas where impact, as Emerson said, may "discredit the routine."

We in government learned part of the Goddard lesson the hard way. At times other governments paid more attention to his work than his own, a fact we came to regret during the rocket attacks of World War II.

In science and scholarship we must be open to discovery and look beyond the quick and easy result. But most of all we must remember that society may encourage genius or discourage it; apply scholarship constructively or destructively; make men beneficiaries of their ingenuity or the victims of it.

Robert Goddard's great germinal research in space came only after heartbreak and failure.

We recognize the need for endless trial-and-error in science and technology.

And—today as never before—we must have the same faith and endurance in the search for harmony in human affairs.

I know the familiar assertion that man is an aggressive animal and that conflict and war are inevitable. Yet the goal of a just and peaceful world can be worth no less than our highest commitment.

Man has been completely human in his biology for about 50,000 years. But only in the last 100 years have most major nations begun to look upon all their fellow citizens as truly deserving of equal treatment.

For centuries men believed in charity at the same time that they believed in slavery.

For hundreds of years men said they believed in the Golden Rule but they really meant, "Yes, but . . ."; our generation is the first to drop the "but":

It is not yet perfect or universal but it is one of the most profound changes in human relations and it came to fruition in a very short time.

I believe man does have great capacity for harmony and reason.

But we do not have limitless time.

We do not have the luxury of another 50,000 years to end fatal rivalries.

In the past we lost a tribe or two; today we could lose all of civilization.

Nor do we have 100 more years to achieve a fuller social and economic justice.

Men no longer accept hunger and humiliation in silence. They know there is no need for misery in the midst of plenty.

Here in our own rich country we face problems generations in the making—problems of an urbanizing, technological society . . . problems of transport . . . of pollution . . . of human relations . . . of education and health . . . of sustaining a strong healthy economy.

In the endless search for solutions we have had some setbacks. But this should discourage us no more than reverses discouraged Robert Goddard or Thomas Edison.

Ours is a system of government blessed with the talent for change and growth.

We are the least likely people to die of social hardening of the arteries—so long as we realize our unique strength as an open society.

Neither need we be discouraged in our search for creative answers in the quest for peace.

Today we are exploring every avenue for an honest and durable peace in Southeast Asia. We are moving too, to avert another danger: The danger of an expanding number of weapons of mass destruction in the hands of an expanding number of nations.

Reason tells us that the world cannot become increasingly crowded with these rival systems of destruction without a growing peril of fatal accident, miscalculation, irresponsibility, or even madness.

This country has been ready to take steps to lower the peril without lowering legitimate defense. Yet to persuade non-nuclear nations to reject the costly course of entry into the atomic club, and to have nuclear nations place provable restraints on further excess weaponry is a new experience among nations.

It touches many old scars and revives traditional fears. Yet we must never cease trying to overcome the catastrophe that would be further nuclear proliferation.

We seek, too, to make the exploration of space an endeavor where nations may rise above the bitter memories of battlefields on earth to find a constructive outlet for their ingenuity, their energy, and their ambition.

Is it not possible that exploration beyond our own planet might convert the present frantic race for earthly destruction into a mutual effort at cosmic discovery?

Already the exploration of space has helped us to put our own world into proper perspective.

By taking our thoughts into the upper sky it has given us a new appreciation that the family of man is on earth as the creatures of the Bible were on Noah's Ark, floating through space together, the fate of one the fate of all.

Today, as it huddles on its planet, the human race is divided by differences of wealth and of ideas.

But the same ingenious mechanisms and enormous energies that took the human mind into space have also opened for the first time the possibility of ending poverty and the dissension that comes from a world of haves and have-nots.

We live in a historic time because there is the beginning of this feeling on kinship and there is also the realistic means at hand to end the morbid condition that some men live well only because others do not.

The prospect of sustenance for the whole human race by itself can change the tribal fears of this globe, if we have the faith to pursue it.

Robert Goddard, by making men's ascension from earth possible, helped sharpen their consciousness of their common fate.

His technical achievements have become engines of war but even they, by deterring careless adventures in conquest, have made nations pause, have given the world a short time in which to consider its ultimate fate.

By helping us see how great is the universe, Robert Goddard helped us perceive how tightly knit is the human family.

Essays Invited on Location of Second Bay Bridge

EXTENSION OF REMARKS

OF

HON. CLARENCE D. LONG

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. LONG of Maryland. Mr. Speaker, I am inviting my constituents to write essays on the proper location of the second bay bridge in Maryland and shall request permission later to include the best of these in the RECORD. My invitation follows:

QUESTION 17

In fifty words, state whether Marylanders should vote on election day against the parallel bridge on Question 17. A vote against Question 17 would help make possible a future bridge at Baltimore or Southern Maryland, as authorized by my bill, H.R. 15740. Ten answers will be entered in the CONGRESSIONAL RECORD.

Airline Fares

EXTENSION OF REMARKS

OF

HON. CHARLES A. VANIK

OF OHIO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. VANIK. Mr. Speaker, for the past several years, I have carefully studied the growth of the commercial airline industry and the increasing profitability of the commercial airline system.

At the same time, I have been anticipating a reduction in airline fares resulting from increased load factors on commercial aircraft and economies resulting from the conversion to jet aircraft.

This spring I was shocked by the action of the Civil Aeronautics Board in authorizing a surcharge for jet aircraft at the same time that extended conversion to jet aircraft was taking place. In view of the gradual reduction of the number in the jet air fleet, this surcharge resulted in a fare increase which was not economically justified.

One of my shocking observations is the instance of some airlines to charge first-class fares on older and nonjet aircraft. United Airlines, the prime mover for the surcharge authorized by the CAB, appears unique in using older, nonjet aircraft on first-class flights on which competitive forces are low.

It seems to me inconsistent that our commercial airlines should be permitted to charge a surcharge for jet aircraft and also characterize flights utilizing old aircraft as higher fare "first-class" flights.

On this matter, I have addressed the following letter to Charles S. Murphy, Chairman of the Civil Aeronautics Board:

OCTOBER 11, 1966.

Hon. CHARLES S. MURPHY,
Chairman, Civil Aeronautics Board,
Washington, D.C.

DEAR MR. CHAIRMAN: It has recently come to my attention that United Airlines runs an extensive fleet of aged aircraft including the DC-6, and the DC-6B's, along with some C-3's. Of course, this same airline also has a great number of flights on its old viscount fleet.

Most of this aged equipment is used by profit-hungry United Airlines on first class flights. According to my quick calculations, 1[illegible] flights are first class DC-6 flights, 67 flights are first class DC-6B flights, and 28 flights are first class C-3 flights, along with 106 first class viscount flights.

From all indications, it appears that United Airlines specializes in first class air travel, particularly wherever competition permits the company to get away with it.

If a surcharge is justified for jet air travel—and I don't think it should be since the aircraft operates more efficiently than the other types of equipment—can there be any justification for first class fares on older types of aircraft which have been in use ten years or more.

Sincerely yours,

CHARLES A. VANIK,
Member of Congress.

Marie McGuire: Outstanding Public Servant

EXTENSION OF REMARKS

OF

HON. JOSEPH M. MONTOYA

OF NEW MEXICO

IN THE SENATE OF THE UNITED STATES

Wednesday, October 19, 1966

Mr. MONTOYA. Mr. President, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD a statement entitled "Marie McGuire: Outstanding Public Servant," by the distinguished senior Senator from Alaska [Mr. BARTLETT].

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

MARIE MCGUIRE: OUTSTANDING PUBLIC SERVANT

(Statement by Senator BARTLETT)

A significant event took place last month, an event which went almost unnoticed, when the first honor awards for design excellence were made by the Department of Housing and Urban Development. The significance lies in the fact three out of the seven awards went to low-income housing projects.

Probably no federal program has had a record as longstanding as the low-income housing program for poor management and probably no program has been so long disliked, both by its supporters and by its detractors. It is a necessary program and an important program, but it has taken nearly 30 years to achieve recognition such as that given on September 12.

Why has the public housing program only now won such recognition? The answer is the name of one of our most outstanding public servants, a lady in every good sense of the word, Mrs. Marie C. McGuire.

Marie McGuire brought to her task in 1961 as Administrator of the Public Housing Administration, now as Acting Deputy Assistant Secretary of the Housing Assistance Administration of the Department of Housing and Urban Development, grace, intelligence, wisdom and compassion for those Americans who are forced to seek public assistance in order to secure even the barest minimum in decent housing. She brought with her the idea, too long foreign to our public housing programs, that "decent, safe and sanitary housing" encompasses more than four sturdy walls and running water. She believes, and rightly so, that good design and pleasant surroundings are a necessary part of any housing development, regardless of the economic status of its occupants.

In presenting the award, David A. Wallace, chairman of the jury which selected the winners, stated:

"The most remarkable change in the design level occurred in the field of Public Housing. It is obvious that many local housing authorities have made a great leap forward from the early mechanistic standards of the Public Housing Administration to the realization that they are building significant parts of everybody's city. Many projects have begun to speak to a truly human design. Will the real Marie McGuire please stand up."

About 300 years ago Richard Lovelace wrote that "stone walls do not a prison make." But stone or wood or brick walls have made prisons and ghettoes out of public housing developments because they are ugly, modern slums. They are obviously public housing developments, a necessary and ugy blot on the landscapes of our cities, and the people who reside in these developments are too often assumed to share the character of the housing they occupy.

Marie McGuire is changing this and, obviously, changing it rapidly. It is important to note the language in which the awards were phrased:

"Riis Houses Replanned Open Space, New York, New York: The Jury believed this open space development showed a keen understanding of human activities, and satisfied many human needs. It was noted that the plan permitted one to find places where one is almost alone. The details and the landscape development are excellent and of tremendous variety, but give no sense of clutter. Changes of level are skillfully handled and add a great deal to the interest and special quality of the design. The Jury felt that this project showed very clearly that when large public housing projects do have intensive landscape development, the use and dignity of the out-of-doors spaces is maximized and lends quality to developments.

"East Barnard Street Homes, West Chester, Pennsylvania: The Jury commended the site plan and the sensitive mix of new housing with older existing buildings. The Jury complimented the good detailing; the excellent use of materials; and particularly, the most interesting 'roofscape'. The variations produced in elevation and facades result from logical, rather than arbitrary differences in the plan and program."

"Crawford Manor, New Haven, Connecticut: An elegant looking structure which the Jury considered the most 'unpublic' looking public housing it had reviewed. The Jury commended the inventive new use of old materials and considered the project a striking building of landmark quality on the city scope. The basic building plan provides great privacy to each unit."

Marie McGuire is an exceptionally able administrator of our public housing program. She understands the advantages and disadvantages of the program and is turning its disadvantages into benefits for everyone, but most particularly for the occupants of public housing. She understands the needs and aspirations of those required to live in public housing. She lends dignity to the program and requires the program to offer a like dignity to the people it is designed to help.

All of us owe Mrs. McGuire a vote of thanks, but I owe her several such votes. She has helped me a great deal in trying to develop a housing program for Alaska's native people who cannot be helped by any existing legislation. She became concerned with the problems of our native people first because she knows that one of the basic requirements for raising the quality of the lives people lead is a decent and comfortable home. When she saw the conditions in which our native people are required to live, she resolved again to do all she can to help. This she has and is doing.

I consider myself very fortunate that our association, brought about by a common concern for Alaska natives, has led to friendship.

I have high admiration for her talents. She ranks in the top level of the outstanding executives of our government. She has received significant honors, among which were a Citation of Honor from the American Institute of Architects in 1964 and the Ollie

A. Randall Award from the National Council on Aging in 1965. She participated this year in the Delos IV Symposium on Eklistics at Athens, Greece.

It is my earnest hope that we shall continue to receive the benefits of Marie McGuire's talented leadership as we move more rapidly toward a richer life for all Americans.

The Vice President Speaks at Indiana

EXTENSION OF REMARKS
OF
HON. ANDREW JACOBS, JR.
OF INDIANA
IN THE HOUSE OF REPRESENTATIVES
Wednesday, October 19, 1966

Mr. JACOBS. Mr. Speaker, Indianapolis was exceptionally honored on October 5, 1966, when Vice President Hubert H. Humphrey made an appearance in our city.

His remarks on that occasion were both timely and inspirational.

Accordingly, I insert at this point in the Congressional Record the text of Vice President Humprrey's remarks:

Remarks of Vice President Hubert Humphrey at Indianapolis, Ind., October 5, 1966

It's a pleasure to be here tonight with so many good Democrats.

I know there are some respectable people in this state who are not Democrats. I do not hold it against them. There are a number of Republicans I would trust with almost anything—anything, that is, except public office.

To our Republican friends we offer compassion and forgiveness, and the opportunity this November to vote Democratic again—as so many of them did in 1964.

Not quite two years ago I came to this city with this message: That the American people faced a clear choice in November of 1964. It was a choice between leadership and a vision of the future, on one hand, and nostalgia and a retreat to the past, on the other.

Tonight—as the people face another choice at the ballot box—I think it might be well to take stock of where we've been in these past two years and to chart the course ahead.

Under President Johnson's leadership, we have set out toward an American society "under God, indivisible, with liberty and justice for all."

We have, with the vision and support of the Congress and the American people, moved forward to conclude our unfinished national business.

All that we have done and sought to do has been based upon a deep and abiding faith in the abilities, the energies, the initiative, and the self-discipline of our people—and upon the firm conviction that each American should be assured the opportunity to achieve all of which he is capable.

We have sought to create a working partnership among all creative elements in our society. We have proceeded in the confidence that, when conflicts do arise, they can be resolved by reasonable men, with due regard for the particular interests involved and an over-riding regard for the interests of the American people as a whole.

We have sought to perfect a new concept of creative federalism—a cooperative relationship between federal, state, and local government designed to give the fullest possible responsibility and initiative to the units of government closest to the people. We have tried to encourage local action and enterprise, not to dominate or supplant it.

We have worked for creation of an economic environment where the private economy might have maximum freedom of expression.

Our work has been justified by strong and sustained economic growth—now in its 67th straight month.

It is growth which has not benefited one group at the expense of another, but in which all have shared.

More people have jobs, at better pay, than ever before in our history.

Wages are up, profits are up, investment is up. And we have restrained inflation more successfully than any other major industrial nation, and we will continue to seek the cooperation of all groups in America to maintain the purchasing power of the dollar.

Throughout our history, our faith in the future has been placed in education. We have taken far-reaching measures to extend the scope of American education and enrich its quality.

Our efforts have been particularly directed toward two areas of critical importance—to help children handicapped by backgrounds of poverty; and to spark a revolution of creativity and innovation in our schools. And, through our Youth Opportunity Program, more than a million young Americans have been able to earn while learning—and gain experience in the world of work.

We have sought to bring full equality to all Americans in fact as well as in law.

We have begun to open up our society and economy to the forgotten sixth of our people—those who live too often without hope in our urban slums or depressed rural areas.

We have launched the war on poverty over a broad front and with a wide array of weapons—knowing that we have engaged in an undertaking unprecedented in human history, and that we must look not to any dogma but to practical experience to determine what will yield results.

The struggle for equal rights and the war against poverty are being waged not only for the good of these millions of Americans, but for all of us.

As these hitherto wasted Americans become producers, consumers, and taxpayers, our whole economy will gain fresh momentum. And the moral benefits will be immeasurable, for none of us can stand fully upright while some of us are unfairly deprived and rejected.

For all Americans, the years of retirement should be years of serenity and dignity. Medicare has lifted from our fathers and mothers one of the cruelest and heaviest crosses they have had to bear. And we have broadly expanded the benefits and coverage of social security.

We have undertaken new programs to make our cities places where people can live in comfort and safety.

We are moving to make our air more fit to breathe and our water more fit to drink.

We are taking action to make our highways, countryside, and wilderness areas more beautiful to the eye and refreshing to the spirit.

And, for the first time in history, we have made it our policy to give continuing government support to the arts and the humanities—so that Americans can lead a richer and fuller life as well as a more prosperous one.

And all these things have been done without imposing upon citizens and taxpayers the costly burden of a huge new bureaucracy. The most modern management methods are being applied in our public services, so that they can be conducted with the maximum possible economy and responsiveness to the people's needs. Today the deficit in our national budget is a little over 2 billion dollars—compared to over 12 billion dollars only seven years ago.

In all this time, we have lived in the midst of international turbulence and danger. But we have not repeated the tragedies of the past and turned inward upon ourselves.

We have accepted the responsibility of leadership and worked toward the kind of world envisaged in the United Nations Charter—a world in which large and small nations can thrive in their natural diversity, but in ever-broadening cooperation for peace and progress.

Until that world comes into being, we must look to the security of our nation and of those to whom we pledge our help.

We have done this through the maintenance of a military establishment capable of effective action aaginst any level or kind of aggression, from guerrilla insurgencies to nuclear war.

We have created armed forces, well-trained and amply equipped, able to perform superbly in battle, but also able to apply their competence and compassion in civic action—building schools, dispensaries, and bridges, healing the sick and teaching the illiterate.

Our strength, of course, is not military alone. It is the vigor of our economy.

It is in the stature of the dollar, which we have maintained by unremitting attention to our international balance of payments.

It is the unequalled productivity of our agriculture, which we are helping more effectively to meet needs both at home and abroad—while at the same time moving to put our farmers on an equal footing with the rest of our economy.

It is in the spirit and courage of the American people.

It is in our ability to lead others in common effort.

Taking the world as a whole, the forces of moderation and reason have gained ground in these last two years.

They have found a particularly hopeful expression in the growing tendency of independent nations to work fruitfully together within their countries and across national boundaries.

The Alliance for Progress has begun to yield real dividends in agriculture, industry, housing, education and health for the people of this hemisphere.

Asian peoples, settling or setting aside once bitter controversies, are working together to strengthen their nations and their regions.

The Asian Development Bank will soon open its doors, and the development of the Mekong River Basin is already well underway. Nine nations have joined in forming the new Asia and Pacific Council and are seeking to enlist others.

In Africa, the new nations are buckling down to work.

In Western Europe the movement toward economic and, ultimately, political unity persists and gains strength.

In the Eastern European nations, and even in the Soviet Union, ordinary people are demanding a fuller life and freer access to the outside world. Responding to this movement, and seeking to encourage it, we have built—and proposed to build—new bridges of trade, travel, culture and science across the gulf of ideology.

Only in Asia does communism still maintain its primitive and irrational militancy. And there, in Vietnam we shall resist aggression while at the same time seeking a just peace. We look ahead to the time when even Asian communism may turn away from the path of force.

In particular, we recognize that there cannot be a peaceful Asia without a peaceful mainland China. And that is why, even in the face of threat and aggression, we have extended our hands to the *people* of Communist China—people with historic reason for friendship with us.

And that is why, in our strength and power, we are not afraid to take the extra step which may bring the world closer to a future without war.

I doubt that there have been two years in our nation's history in which more has been done to build a stronger, freer and better America able to meet its responsibilities at home and in the world.

I say that the American people chose well in 1964.

They chose men of responsibility. They chose men of compassion. They chose men of leadership.

They chose President Lyndon Johnson. They returned VANCE HARTKE to the United States Senate. They elected ANDY JACOBS to a seat in the United States Congress.

Now we are challenged, as Democrats, to hold the gains we've made . . . to build upon the firm foundation that has been set down . . . to keep America moving forward with the same momentum that exists today.

We are challenged, as Americans, to make clear in this world that America does not stand alone for the paycheck, the dividend, and the long weekend . . . that we do not intend to close ourselves within our rich boundaries while the world outside lives in trouble and poverty . . . that the fresh, shining principles of our Declaration of Independence guide us today as they have before.

We are challenged to make America, of all nations, a nation unafraid of the future . . . a nation filled with hope and faith . . . a nation where each child, whoever he is, inherits the full measure of our freedom.

This is the challenge before us. I ask your help.

A Report to the People of the Third Congressional District of Indiana by Congressman John Brademas

EXTENSION OF REMARKS

OF

HON. JOHN BRADEMAS

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. BRADEMAS. Mr. Speaker, as I have done in previous years, I shall once again send a report on the achievements of this Congress to my constituents in the Third Congressional District of Indiana.

I include this report in the RECORD at this point:

A REPORT TO THE THIRD DISTRICT FROM YOUR CONGRESSMAN, JOHN BRADEMAS

CONGRESS OF THE UNITED STATES,
HOUSE OF REPRESENTATIVES,
Washington, D.C., October 1966.

DEAR FRIEND: As I write, the 89th Congress is still in session working on important legislation but driving toward adjournment.

This is a report to the people of the Third District on the record of this "Do-Something Congress", which the *Denver Post* called "without doubt the most productive Congress in modern American history".

Laws enacted by this Congress helped provide the climate for the *most extraordinary prosperity* of any nation in history, with jobs, wages and business profits at record highs and unemployment near record lows.

The "Do-Something" 89th passed milestone legislation in the fields of education, health and medical care, Social Security, tax cuts, housing and urban development, voting rights, agriculture, air and water pollution, auto safety, anti-poverty, immigration, veterans' benefits and conservation.

The 1965–66 Congress has sought, creatively and conscientiously, to respond to the needs of a growing America.

This report, during my fourth term—and eighth year—as your Representative in Washington, must be brief and center on my primary duties as a lawmaker. I spend much of my time, however, helping Third District citizens find solutions to problems involving Social Security, veterans, small business and military services; and working to bring *new industry and medical and education facilities* to our area—in short, serving as a link between you and your Federal government.

In 1787 Thomas Jefferson wrote James Madison that "giving information to the people . . . is the most certain and the most legitimate engine of government." I agree, and here is information about what the 89th Congress has done and what it means to you.

Cordially,

JOHN BRADEMAS,
Member of Congress,

THE "DO-SOMETHING" 89TH—THE CREATIVE CONGRESS OF 1965–66—CONGRESS PROVIDES CLIMATE FOR UNPARALLELED GROWTH

Indiana and the Third District are sharing fully in the most remarkable prosperity experienced by any nation in history. By almost any measure, the U.S. economy is bigger and healthier than ever before and the outlook is bright for continued economic growth in 1967. Sound government policies and legislation enacted by Congress have contributed significantly to the climate for economic growth.

Some indicators:

In Indiana's Third District, unemployment, which stood at 11.2% in January 1961 is now down to 2.5%! Total employment in the Third District is 142,000 people out of a work force of some 146,000.

Average weekly wages in manufacturing industries, a guide to the area's economic picture, have jumped dramatically since 1961: in St. Joseph County, up 18.5%; LaPorte, 16.7%; Marshall, 19.8%; Starke, 19.6%; Elkhart, 18.9%. Although consumer prices are up, incomes to buy consumer goods are up at least two times as much.

More people are working today in Indiana, over 2 million, than ever before in Hoosier history.

Since 1961 unemployment nationally has dropped from 7% to 3.8%.

Corporate profits, after taxes, have risen sharply, doubling between early 1961 and 1966, and will total over $49 billion this year.

Gross farm income, the money farmers spend on a thousand Main Streets, will be highest in history this year, $48.2 billion.

The Gross National Product, total value of all goods and services produced annually, is at a record high of nearly $746 billion, up 33.3% from January 1961.

U.S. News and World Report reported this month that "the immense productive power of America" explains the fact that "today the cost of defense, including war, represents less than eight per cent of over-all U.S. effort—so vast is the strength of this nation." Defense spending thus accounts for 'a relatively small part of the over-all activity of the U.S. economy". Note: in Korean War, defense spending hit 13% of total U.S. output; in World War II, 42%.

The inflow of government revenues is so strong that Federal officials expect *a balanced budget* in the last half of 1966.

Clearly President Johnson and Congress are committed to a policy of high production, high wages, high profits and low unemployment. Obviously the problems of prosperity are to be preferred to the problems of recession and depression, as we in northern Indiana well know.

The President and Congress are therefore acting to attack the problem of inflation without jeopardizing our present prosperity. To curb inflation and encourage continued economic stability, Congress has taken these prudent steps: temporary suspension of the 7% tax credit on outlays for machinery and equipment and suspension of fast tax write-offs on industrial buildings; restoration of some excise taxes; accelerated collection of corporate taxes; and, to reduce the squeeze on home-building, *lowering of interest rates* on certificates of deposit. In addition, the President has acted to cut lower-priority Federal expenditures by $3 billion and has urged the Federal Reserve Board and large commercial banks to ease the burden of tight money.

Congress took other actions this year aimed at maintaining a balanced and growing economy:

Raised minimum wage for 29.6 million workers now covered from $1.25 to $1.40, effective February 1, 1967, and to $1.60 a year later; extended coverage to some 8 million more workers.

Reduced certain excise taxes by $4.6 billion a year.

Extended Manpower Development & Training Act.

Extended voluntary program of acreage diversion and price support for corn and other feed grains.

Increased borrowing authority of Federal National Mortgage Association to *stimulate home building*.

Raised limit of Small Business Administration loans by $125 million to $1.5 billion.

Authorized program of cooperation by Federal-state-local governments with universities and private business to supply findings of science and technology to industry.

SOUTH BEND COMES BACK STRONG: ECONOMY BOOMING

In a speech this month in the House of Representatives, I noted that 2½ years had passed since Studebaker stopped making automobiles in South Bend, but that we had now recovered from that severe economic setback. I noted that one month before Studebaker closed, unemployment in the South Bend area hit 2.1%, a record low, while four months later, over 9% of the total labor force was jobless. I then detailed our successful efforts *to bring in new industry* and revitalize the local economy. Example: thirteen industries employing 4,000 persons now occupy the former Studebaker complex. Since locating in South Bend, Kaiser-Jeep alone has obtained military truck contracts totaling over three-quarters of a billion dollars. Since the shutdown sixty-eight area manufacturers have either set up new plants or expanded existing facilities. *South Bend area (St. Joseph and Marshall Counties) unemployment as of mid-September 1966 had dropped to 2.3%!*

I told my colleagues in Congress:

'We are now enjoying a period of unprecedented growth and prosperity in South Bend, neighboring Mishawaka and all of St. Joseph County . . . Mr. Speaker, I believe that other communities in the United States which have the misfortune to lose a major industry will benefit from studying the South Bend story. It proves with certainty that Federal, state and local governments and community leaders can work efficiently and effectively together in time of crisis."

'Our booming economy has created a shortage of skilled workers . . . To help relieve this shortage South Bend plans to build an *area vocational school* at a cost of $1.6 million. This school, which will train workers for the many firms in the South Bend area, will be constructed with the help of funds from the Vocational Education Act of 1963, of which I was proud to be sponsor in the House of Representatives."

THE EDUCATION CONGRESS

"Education", said President Kennedy, "is the keystone in the arch of freedom and progress". As holder of the same seat John F. Kennedy held on the House Education & Labor Committee when he was a Congressman, that of ranking member of the General Education Subcommittee, I fully share his assessment of the place of education in America's future.

During 1965–66 Congress passed several laws, most of which I helped write, that I believe will be of historic significance in strengthening "the keystone in the arch". *For no Congress in American history has ever done more for education.* Here is only part of the record:

1. Elementary and Secondary Education: authorizes funds to improve elementary and secondary education; over $1 billion earmarked for local school districts with many low income families. During 1966 Indiana qualified to receive $17.5 million and *Third District communities* $1.2 million for better schooling of poor children. The rest of the Act, not tied to low income areas, provides money for funds for school library books, supplementary centers to lift quality of education, regional research laboratories, strengthening state education departments. Nearly every Third District community is benefiting from this landmark legislation. The law makes careful provision for local initiative in planning and use of funds, and I fought against amendments proposed in the House this year which would weaken and erode such local control.

2. Higher Education. Students and faculty at Bethel, Goshen, Indiana University, Notre Dame, Purdue and St. Mary's College are already benefiting from this legislation. It provides scholarships for needy students and reduced interest rate insured *loans for middle income college youngsters.* On my motion in subcommittee, President Johnson's proposal to phase out National Defense Education Act undergraduate loans was flatly and unanimously rejected, and this important program continues.

The Act includes funds for building college classrooms, libraries and laboratories; grants to help colleges and universities attack community problems such as housing, poverty and traffic; aid to small, developing colleges; and funds for college library books and librarian training. Congress also accepted *my Teacher Fellowship Program,* which aims at raising the quality of elementary and secondary education by providing 24,500 graduate fellowships over three years for persons who are now teaching school or want to do so.

3. Cold War G.I. Bill, which I sponsored, provides educational and housing benefits similar to World War II G.I. Bill to over 3 million cold war veterans with minimum of 180 days active duty since January 21, 1955.

4. International Education. I served as Chairman of a special Task Force on International Education which wrote a bill authorizing grants to colleges and universities here in the United States for international studies and research. *Herman Wells, Chancellor of Indiana University* and a widely recognized authority on international education, was my chief advisor during our hearings. Witnesses from colleges and universities, private foundations, business and labor, testified strongly in favor of the bill, which the House passed 194–90 this summer. As I write, the Senate has not yet acted on the International Education Act of 1966, but I hope for action before adjournment.

5. Health Professions Educational Assistance: authorizes $755 million for 3-year extension of programs to build medical and dental schools. This is the law that would provide up to two-thirds of the money to build the proposed *new medical school in South Bend;* the rest would be voted by the state legislature.

THE OPPORTUNITY CONGRESS

America at its best is an open society, "the land of opportunity", we Americans are proud of saying. Yet for some among us, America is not so open . . . and the opportunities not so great.

The 89th Congress acted in several ways to open doors of opportunity to Americans for whom those doors have too long been closed and the promise of America unfulfilled:

1. Controversial and difficult, the War on Poverty is nonetheless being waged and slowly being won. Over 30 million Americans still live under the poverty line, not sharing in the nation's affluence. More than 8 million American poor have been served by one or another of the agencies engaged in the war on poverty.

In St. Joseph County, first-class local leadership has resulted in participation in a wide variety of projects financed by the Office of Economic Opportunity: a Community Action Program, Neighborhood Youth Corps (STEP), Head Start, Small Business Development Center, a migrant workers center, Legal Services program supported by the Notre Dame Law School and the County Bar Association, Upward Bound for pre-college tutoring for youngsters from poor families, and a major research study at Notre Dame.

Speaking in South Bend this year, Sargent Shriver, director of the anti-poverty program, spoke of "the big switch" on the part of governors and mayors across the country from hostility to strong support for the effort to eradicate this ancient enemy of mankind from America's midst.

2. The Voting Rights Act of 1965 is aimed at ending discrimination at the ballot box. The law, already tested and upheld by the Supreme Court, bars literacy and other tests used to deny Negroes the right to vote, and authorizes officials to register eligible voters where state officials do not apply the law.

The drive of American Negroes for justice in the face of centuries of discrimination received some setbacks this year—for a combination of reasons. My own view is that there can be no place for violence in this *struggle for a just cause.* As President Johnson told the Bishops of the African Methodist Episcopal Church last month, "If a cry for freedom becomes the sound of a brick crashing through a window, the sound of the mob, the sound of violence . . . all the best work will be undone."

Those who believe that Americans of every race, religion, and national origin should be free to exercise their full rights of citizenship, as I do, have a responsibility to say this. There can be no place in American life for those who preach violence, whether white or black, North or South.

What we must do now is work still harder for *better schools, better health, housing* and job opportunities for all Americans. For let us not delude ourselves. There is still a long way to go before the American Negro participates fully in American life.

3. Immigration. Congress abolished the national origins quota system, which discriminated against Italians, Poles, Greeks, and other Southern and Eastern Europeans. Priority now goes to immigrants with special skills or training or close relatives in the U.S.

THE HEALTH CONGRESS

The 89th Congress passed so many important health measures that it can accurately be called "The Health Congress." Here are some of the major new laws:

Medicare and Social Security: establishes a basic hospital insurance program, for persons 65 and over; a supplementary *voluntary* health program to cover doctor bills and certain medical expenses; a 7% increase in Social Security benefits; and increases benefits for the indigent aged, blind, and disabled, and for needy children.

Child Nutrition: Congress turned down President Johnson's recommendation to cut back on school milk and school lunch programs and extended both, adding a new pilot breakfast program for needy school children.

Regional Medical Centers: launches a 3-year program to develop multi-purpose regional health centers to research causes of heart disease, cancer, stroke and other diseases.

Drug Control: expands Federal control over illegal use and distribution of certain depressant and stimulant drugs, such as "goof balls".

Cigarette Labeling: requires that every package of cigarettes carry a statement that "Cigarette smoking may be hazardous to your health", and fixes penalties for violation.

Congress also authorized funds for building Medical Libraries, improving Community Health Services, such as vaccination of children and health aids for migrant workers, and expanded help to states for Vocational Rehabilitation programs. In addition, Congress provided for initial staffing of community Mental Health Centers and training of teachers of mentally retarded and handicapped children.

(NOTE.—To meet population changes, 1966 Indiana General Assembly set new Congressional District boundaries. Starke County now replaces Elkhart County as part of Third District.)

THE CONSERVATION CONGRESS

It is also fitting to describe the 89th as "The Conservation Congress", for Congress took several steps to protect America's natural resources for future generations.

Highway Beautification: authorizes funds for the landscaping and beautification of interstate and primary highways; provides for control of billboards and junkyards; and imposes penalties upon states that refuse to cooperate.

Water Pollution: strengthens Federal enforcement authority to clean up polluted streams and increases aid for community sewage plants.

Rivers and Harbors: provides for river, harbor, flood control and beach erosion projects, including funds for continuing the survey of the St. Joseph River Basin. Congress also approved $450,000 for rehabilitating the Michigan City harbor. Funds were also provided to make Michigan City's Trail Creek navigable.

IN FOREIGN AND DEFENSE POLICY: A RESPONSIBLE CONGRESS

Congress passed a number of measures vital to our national security and the effort to build a world of peace with freedom: several defense appropriations bills, which included funds to meet our commitment in Vietnam; the smallest foreign aid bill in many years; and bills to continue the work of the Peace Corps, Arms Control Agency, Alliance for Progress and the United Nations.

Congress also voted funds for emergency food aid to drought-stricken India, and to continue the Food for Peace program to supply surplus U.S. farm products to needy people of the world.

THE CONGRESS FOR A GROWING AMERICA

America is a growing nation. From a chiefly rural country of less than 36 million people a century ago, we are now a largely urban nation nearing the 200 million mark. Less than 20 years from now our population will reach 250 million, some 80 per cent of whom will live in metropolitan areas.

The 89th Congress acted to meet the needs of a growing America:

Established at Cabinet level two new departments, Transportation and Housing and Urban Development, to administer Federal programs in these areas.

Omnibus Housing: expanded current urban renewal and college and rural housing programs; added rehabilitation grants and public housing for the handicapped; provided help to low income families in paying rent for decent housing. Citizens in every Third District town and city are now benefiting from these programs.

Urban Mass Transportation: provided $150 million annually for 2 years for assistance to public and private companies in improving mass transit systems; also authorized training fellowship and research in urban transportation problems.

Saline Water Conversion: enlarged and extended for 5 years an expanded program to solve critical water shortages by investigating methods of converting sea and brackish water into fresh water.

Traffic Safety: Congress passed legislation to establish mandatory standards for tires and new and used cars; provided funds to conduct programs of safety research.

Highway Safety: authorized funds for a 3-year highway safety program, with each state required to establish a highway safety program by December 31, 1967, in order to receive its full allocation of Federal aid highway funds, Indiana already has an excellent safety program; the new funds will make it better.

National Social Sciences Foundation

EXTENSION OF REMARKS

OF

HON. ROY. H. McVICKER

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. McVICKER. Mr. Speaker, this is an age of science and technology, an age threatened by cybernetic domination. The necessity becomes increasingly apparent that we must endeavor to expand our understanding of the most intricate and complex of all phenomena, the human being and his relationship to others.

Our paramount objective is always that of increased world harmony, and ultimate world peace. It therefore becomes imperative that we try to understand why man has recurrently failed to live in concord with fellow human beings throughout the world.

As our society becomes more complex, our probems and frustrations seem to proportionately increase. I feel that there is a very grave need in our country for increased social science research that will allow us to more completely understand our own society and the societies of other nations.

The bill which I introduce today would create a National Foundation for the Social Sciences, which would encourage expanded research in the social and behavorial sciences. This foundation would be similar to the National Science Foundation and the National Foundation on the Arts and Humanities and would be separate from other Federal Government agencies and departments which are currently supporting policy studies.

The foundation would support academic research in such fields as anthropology, psychology, sociology, history, law, geography, linguistics, and other relevant social sciences.

Twenty-five distinguished citizens, from both the practicing and academic fields, would comprise a board of trustees, to be appointed by the President. The President shall call the first meeting of the board, with the first order of business the selection of a chairman and a vice chairman. The aims and purposes of the foundation would be to strengthen and increase the research in the social sciences through colleges, universities, and other nonprofit research organizations and foundations. It would hope to create a national policy for research and scholarship in the social sciences, to facilitate a greater understanding through research not only in the United States, but foreign countries as well. It would propose to expand and improve the manpower capabilities in the area of the social sciences. An additional important aspect of the foundation would be the procurement of unclassified scholarly information to be used in implementing the social and behavioral sciences, both on the domestic scene and in foreign areas. In this capacity, the foundation would serve as a civilian subcontractor.

I am introducing this bill in the House It is identical to the bill introduced in the Senate by Mr. Harris, Mr. Bayh, Mr. Brewster, Mr. Clark, Mr. Gruening, Mr. Inouye, Mr. Kennedy of New York, Mr. Kennedy of Massachusetts, Mr. Kuchel, Mr. Mansfield, Mr. McCarthy, Mr. McGee, Mr. McGovern, Mr. Monroney, Mr. Muskie, Mr. Nelson, Mr. Pastore, Mr. Ribicoff, Mr. Tydings, Mr. Yarborough, and Mr. Mondale.

The ideas and discussion that will be generated because of the introduction of this bill and others like it over the next several months, most surely will lay a broad basis for support not only in the academic community but in all phases of our national culture so that next year, when the Congress reconvenes, hearings on this bill can be a first order of business.

Our societies are filled with individuals who find themselves frustrated because they fail to find meaning in their own existence, who lack an understanding of themselves and their relationship to others.

I am committed to do everything I can to aid in this increased understanding through the social and behavorial sciences. I will continue to support this most vital area.

How Russia Is Beating Us for Mastery of the Seas

EXTENSION OF REMARKS

OF

HON. EDWARD A. GARMATZ

OF MARYLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. GARMATZ. Mr. Speaker, in January of this year, my two esteemed colleagues, Hastings Keith and Paul Rogers on the Merchant Marine and Fisheries Committee, traveled to the Soviet Union in order to study that country's oceanography and merchant marine efforts. The following article by Congressman Keith, which appeared in the February 6 edition of the Boston Herald, was a forerunner to the report, "The Soviets and the Seas," prepared by the two Congressmen. This report is essentially an amplification of the conclusions and recommendations made by Mr. Keith in his newspaper article.

This year, for the first time, the problems of the U.S. merchant marine have gained considerable coverage in the press. Much attention has been focused on the fact that our merchant fleet is in trouble—that our country is having to hire foreign vessels even to supply our troops in Vietnam.

I invite the attention of the House, Mr. Speaker, to the fact that "The Soviets and the Seas," by Congressman Keith and Rogers, is now a public document and urge my colleagues to study it after reading Mr. Keith's excellent article.

Both pieces were of considerable help in making the public and Congress aware of the investment we have in our merchant marine.

AN EXCLUSIVE REPORT FROM BEHIND THE IRON CURTAIN—HOW RUSSIA IS BEATING US FOR MASTERY OF SEAS

(By Representative Hastings Keith, 12th District, Massachusetts)

How does the United States compare with the Soviet Union in its efforts to master the sea?

Recently I was one of two Congressmen directed by the chairman of the House Committee on Merchant Marine and Fisheries to go behind the Iron Curtain to seek an answer to this important question.

Our visit was prompted by a growing concern in Congress over reports that Soviet maritime strength is surpassing our own. This same concern has been reflected in many of the letters I have received and conversations I have had with my constituents in Southeastern Massachusetts.

My constituents have asked me to explain the presence of the armada of Soviet fishing vessels operating off our coasts. They have questioned the political and economic implications of rapidly expanding Soviet merchant fleet.

In addition, oceanographers at Woods Hole have advised me of the tremendous strides the Soviets have made—not only in the marine sciences but in applying basic knowledge of the ocean to achieve their national objectives.

Against this background, Congressman Paul Rogers of Florida and I—accompanied by Dr. Allyn Vine of the Woods Hole Oceanographic Institution—arrived in Moscow one cold Friday afternoon last month on the first leg of our inspection trip.

There we were briefed by key officials of the powerful Committee for Science and Technology. We were particularly interested to learn that this committee has primary jurisdiction for the research and development programs of the entire Soviet Union—including the massive space, atomic energy, and oceanographic efforts. (It was a matter of some interest, too, that the late Oleg Penkovsky, the intelligence colonel who reportedly was shot as a suspected informer to the West, was an official of this committee.)

We were told that the committee had recently created a high-level working group, the National Council for the Utilization of the Resources of the Sea. Its function is to establish requirements for stepped-up application of basic oceanographic research for the economic and political exploitation of the ocean. This is in sharp contrast to the fractured approach that the U.S. government makes in the field of oceanography—presently handled by 18 different agencies.

We were amazed to learn the scope of this group's activities. For example, the USSR is building hydroelectric power stations which harness the ocean's tides.

They are recovering minerals, petroleum and natural gas from their submerged continental shelves, and finding new ways to process and use fish products.

We were also interested to learn at first hand how extensively the Soviet fishing fleet—while still at sea—manufactures fish meal in their so-called factory ships. And we learned further that, on inland waterways—most dramatically at the site of a tremendous hydroelectric plant and dam on the Volga river—in order to make spawning grounds still available for sturgeon they have furnished elevators to transport fish from one level to another.

The Soviets are also aggressively developing methods to forecast ocean conditions for more efficient and safe routing of their merchant fleet. Our conversations with officials of the Committee for Science and Technology thus provided a useful perspective for comparing Soviet oceanic progress with our own.

Later, at the Institute of Oceanology we were apprised of the spectacular growth of scientific and engineering manpower and facilities. According to the institute's director, 8,000 to 9,000 Soviet men and women are working full time in ocean science and technology. The United States has fewer than 3,000 people in this field. Further, the Soviet fleet of 230 ocean research vessels is twice the size of the United States fleet.

As guests of the Soviet Ministry of Fisheries we were able to compare our respective fishing efforts. We learned that during 1965 the Soviet fishing fleet landed 5.6 million tons of fish—a half million ton increase over the 1964 catch. The United States catch for 1965, although a slight increase over 1964, amounted to 4.65 million tons—nearly 22 per cent less than the Soviet catch.

Not only is the USSR ahead of the United States in tonnage of fish caught, but also in the field of experimental fish breeding. Large numbers of salmon and king crab and other species have been transplanted from the waters of the Pacific to the Atlantic.

While the size and the advanced design of the Soviet fishing fleet seemed impressive, we were especially anxious to learn more about the Red merchant marine. We were not permitted to visit the shipyards in Leningrad. But the delegation did have a unique opportunity to inspect two shipyards in Poland which build many merchant and fishing vessels for the Soviet Union.

One of these yards alone launched more ships last year than all the yards in the U.S. constructing similar type vessels. During 1965 the Soviets accepted delivery of 100 merchant ships, while the U.S. took delivery of only 16. U.S. shipyards began 1966 with 41 merchant vessels of more than 1,000 gross tons on order; the Soviet Union has a total of 464 merchant ships presently on order.

As representative of a district with a long maritime tradition, I was particularly impressed by the vigorous Soviet and Polish efforts to recruit, train and make an attractive career of the sea-going occupations. Regretfully, in the United States it is becoming more difficult to encourage young people to follow the sea as a means of livelihood. Our poverty program could take notice.

Although the Soviet government failed to approve the delegation's proposed itinerary (which would have permitted a more extensive study of their entire oceanographic effort)—and we were undoubtedly shown only what the government wanted us to see—I have every reason to believe that the comparisons above warrant our close attention and concern.

As Congressman ROGERS and I returned to Washington to report on our visit, I know we both had come to the realization that the emergence of the Soviet Union as a major maritime power is no accident of history.

All indications point to the fact that since World War II, and especially since the Korean conflict, the Soviet Union has made a carefully planned thrust into the ocean to achieve its long-range political and economic objectives.

The Soviets have extended their seapower, including their Navy, second only to ours, into all the oceans of the world and they are effectively exploiting its resources.

They are using their strengthened maritime position to further their strategic objectives, particularly with respect to the lesser developed nations of Africa and Asia.

With the population explosion making continuous inroads on the world's food supply, the sea will soon become a vitally needed source of available protein, especially these newly-emerging nations.

The results of heavy Soviet exploitation of the oceans can be expected to be offered to these young countries in exchange perhaps for sympathy and support in the international forums, especially the United Nations.

We can expect even further efforts as Soviet ocean-ranging fleets move into the waters off South America, where the world population growth there may soon explode into political and economic upheaval.

What can the United States do to meet this challenge? The Merchant Marine and Fisheries Committee and its subcommittee on oceanography are anxious for this urgent problem to be debated more fully in the Congress. In this way we intend to promote wider discussion of the fundamental issues and increase the nation's awareness of our need to regain supremacy at sea. Both Houses of Congress know that political action is needed to meet the challenge.

Our committee is considering a number of approaches to better coordinate and manage our national efforts with respect to oceanography, fisheries, and the merchant marine. We seek for the ocean a national program that will command the attention, the interest, and the support which our present space effort enjoys.

It is hoped that our recent visit will give greater impetus and a sense of urgency to the legislation needed to re-establish the U.S. as the number one maritime nation of the world.

Shortly before his untimely death, our late President Kennedy concluded a formal address with this statement, which I know came from his heart:

"The sea is all around us. It is part of our lives. We must know about it. We must master it. I am glad the United States is committed to this great effort."

We need now only bear witness to this commitment.

Report to the People

EXTENSION OF REMARKS

OF

HON. JOHN D. DINGELL

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. DINGELL. Mr. Speaker, during the 11 years I have served in the House I have reported to the people of my district about my activities and the accomplishments of Congress in the session just closing. Thus, pursuant to permission granted, I insert into the CONGRESSIONAL RECORD the first portion of a report to the people of the 16th Congressional District of Michigan regarding my activities and accomplishments during the 2d session of the 89th Congress which is now coming to an end:

(By JOHN D. DINGELL)

I am deeply grateful to the people of the 16th District of Michigan for the privilege of serving them in Congress.

As this Session grinds to a late close, I am again taking to my typewriter to report to the people of the District I serve, as I have done in every one of the previous 11 sessions of Congress which I have attended.

MORE THAN A DECADE

This is my sixth term in Congress, which means I have served some 11 years.

I was first elected in 1955 to succeed my father, the late Representative John D. Dingell, who had served the former 15th District in Detroit for almost 23 years.

In 1964, after the Michigan Legislature created new Congressional Districts, voters elected me to serve the new 16th District.

CLEAN WATER

In Congress I have worked hard to improve Social Security laws, to launch the Medicare program, to pass fish and wildlife conservation legislation, to clean up America's lakes and rivers, to purify the air, and in as many ways as possible to make this country a healthier and better place in which to live.

When I came to Congress there were no Federal air and water pollution control statutes. One of my first actions was to begin work on what was to become the original Federal water pollution control statute, authorizing pollution abatement actions by the Federal Government.

Since that time I have drafted laws which have tightened enforcement and increased Federal anti-pollution expenditures to $150 million a year.

DETROIT RIVER

The Detroit River cleanup, now started, grows out of a bill which I introduced and fought for, and which Congress passed in 1961. The 1965 law authorizing Federal water quality standards was a milestone. More and more Congressmen are taking up the cause every year. Only a few days ago I helped arrange a helicopter tour to show Detroit River conditions to Members from other States. I am working to secure adoption of legislation, of which I am a sponsor, to increase Federal contributions for water pollution control to about $1 billion a year.

COMMITTEE RESPONSIBILITIES

I serve on the Select Committee on Small Buiness, where I head a Subcommittee that reviews policies of regulatory agencies; the Merchant Marine and Fisheries Committee, where I head the Subcommittee on Fisheries and Wildlife Conservation; and the Interstate and Foreign Commerce Committee, where I serve on the Transportation and Aeronautics Subcommittee.

RADIO FOR POLICE

Often Committees get results without passing laws. My Small Business Subcommittee persuaded the Federal Communications Commission to try using a vacant local TV channel to provide added police radio channels in New York City. If this test works out well police in Detroit and other cities will be able to expand their mobile radio systems to give better protection to our citizens.

SMALL BUSINESS ADVERTISERS

My Subcommittee also caused NBC and ABC networks to offer more prime advertising time to small advertisers, and in substance to eliminate quantity discounts given to big time buyers.

AIRLINES STRIKE SETTLEMENT

The action of myself and several other members of the Interstate and Foreign Commerce Committee helped break the deadlock in the airlines strike by getting management and the unions back to the bargaining table.

PUBLIC HEALTH HOSPITAL TO REMAIN OPEN

A review by my Committee of the United States Public Health Service Hospital system enabled me to persuade that agency to modernize its old hospital at Detroit, rather than to close it. The Detroit Public Health Service Hospital has served generations of Great Lakes sailors, and now also serves Federal employees.

AUTO SAFETY

I put a lot of work into the Auto Safety bill when it reached the House Committee on Interstate and Foreign Commerce, on which I serve, and I was able to close two loopholes the Senate had left. One dealt with the safety of autos now on the roads, and the other with periodic vehicle inspections.

Many newspapers, such as the Detroit Free Press and the Washington Post, praised our House Auto Safety bill. I am satisfied the strong new Auto Safety law will save many lives, and also that it will not unnecessarily burden automobile production.

MEDICARE

The Medicare program which began this year represents a personal success. I have always advocated National health insurance, and was one of the first to introduce this great legislation. My good friend, Speaker JOHN W. MCCORMACK, recognized this personal aspect by inviting me to preside over the House of Representatives when the Medicare bill was enacted.

SOCIAL SECURITY

I was an author of the legislation which lowered Social Security retirement ages, and provided for other Social Security reforms. This year I introduced a "portable pension" bill, designed to protect workers from losing pension rights when they change jobs.

LAKE SALMON

One of my bills enacted into law this Congress will help Michigan populate the Great Lakes with salmon; both the large Coho salmon and the smaller Kokonee salmon. I also had a law passed to set up Federal refuges for wildlife species in danger of extinction.

GREAT NEW LAWS

This 1965-66 Congress now ending has been the first since the New Deal to combine the team-work of a progressive, forward-looking Democratic majority in both Houses with a forward-looking President.

The result has been historic. In the First Session I voted for 21 new laws, which I firmly believe will make life better for every American.

Among them were: Medicare; Federal aid for public schools, colleges, universities and medical schools; student scholarships; immigration law reforms; voting rights guarantees; Social Security improvements; War on Poverty; Federal aids for cities and suburbs, particularly housing aids; drug controls; cleaner water and purer air controls; expansion of manpower training; and the formation of a cabinet-level Department of Housing and Urban Development.

MORE NEW LAWS

Congress authorized mutually beneficial free trade in auto parts with Canada. This year it passed Auto and Highway Safety laws, Minimum Wage improvement, and the Cold War GI bill and I hope by final adjournment we will have passed Truth in Packaging, a Demonstration Cities bill, and other important measures.

AID FOR CITIES

Congress is rightfully giving increasing attention to growth and change in urban areas. Seven out of 10 Americans now live in cities and suburbs. Nearly one out of every five tax dollars received by States, cities and local governments now comes from Federal taxes.

The 16th Congressional District shares in $27,000,000 in War on Poverty projects. I have arranged to have a $400,000 Rouge River improvement grant inserted in the pending Rivers and Harbors bill. During the past year I have given special attention to Federal aid projects from nearly every city and township in the 16th District.

PRESIDENTIAL PRAISE

I received a letter from President Lyndon B. Johnson recently which gave me a warm feeling. It said:

"As a champion of the small businessman, as a protector of the natural resources and beauty of our country, and as a participant in the Interstate and Foreign Commerce Committee's work on legislation of vital importance to our prosperity, health and safety, you are one of our most valued legislators.

"With appreciation and warm personal regards.

"Sincerely,

"LYNDON B. JOHNSON."

FEDERAL AID CONFERENCE

More than 60 Mayors and other public officials from every city and township in the 16th District attended a Federal aid conference called by Rep. JOHN D. DINGELL in Washington. It was the first held to acquaint local administrators with the big changes made by the 1965 laws and it became a model for similar meetings held later.

Remarks of Vice President Hubert Humphrey at the Barkley Dam Dedication, Paducah, Ky., August 20, 1966

EXTENSION OF REMARKS

OF

HON. FRANK A. STUBBLEFIELD

OF KENTUCKY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. STUBBLEFIELD. Mr. Speaker, the people of the great State of Kentucky were highly honored on August 20 when Vice President HUBERT HUMPHREY formally dedicated Barkley Dam, a multipurpose project located near the mouth of the Cumberland River. Since the late Vice President Alben Barkley, for whom this project was named, was a colleague and personal friend of Vice President HUMPHREY, it was most appropriate that he dedicate Barkley Dam and celebrate this proud day with us. At this point in the RECORD, Mr. Speaker, I would like to insert the outstanding address made by Vice President HUMPHREY at the dedication.

REMARKS BY VICE PRESIDENT HUBERT HUMPHREY, AT THE BARKLEY DAM DEDICATION, PADUCAH, KY., AUGUST 20, 1966

It is good to be back in Barkley country. I am going to talk more about Alben Barkley—and less about this dam—than some of you might have expected.

When I came to Washington as a young first-term Senator—eager to change the world and sure I could do it all in that first term—I came to know and have a deep respect for Alben Barkley.

Vice President Barkley was a man of principle who often as not would disguise the depth of his feeling in the telling of a joke or story which made his point, and made it palatable.

Many of his stories were about Paducah and the people of this area—including Judge Bishop, Irvin Cobb, and others whose names I can't remember now, but heard often then.

I felt a great affection and respect for Vice President Barkley then. And, that affection and respect have grown even more, I must admit, since I have come to the office of Vice President.

Most of you know that Alben Barkley died while addressing an audience of young people at Washington and Lee University.

His last words—spoken in one of those dramatic moments that sometimes lead one to believe that life imitates are—were a summation of his entire career.

He said: "I would rather be a servant in the house of the Lord than sit in the seats of the mighty . . ."

The idea of being a public servant, of doing service for the people, was the guiding light by which Alben Barkley set his course in the world.

In over 40 years of public office in both houses of Congress and as Vice President, he stood by his course.

In a career which extended from the Wilson Administration to the Eisenhower Administration, he was always willing to call himself, without equivocation, a liberal.

He stood for the principle that the power and wealth of America should serve all our citizens.

He stood up to those who would reward the few at the expense of the many.

More than 40 years ago he fought so that the poor would not lose their money if the banks they trusted failed.

He worked to see that farmers could get credit at decent rates without mortgaging their futures.

He was instrumental in causing the federal government to help local communities build highways and develop their waterpower.

In the Great Depression he fought as Senate Majority Leader for those changes which allowed men to get on their feet even while the country was on its knees. He fought for social security and TVA. And he was among those few of us who called 20 years ago for a Medicare program.

Alben Barkley was a man who saw far ahead at home and in the world. He helped carry to the country the need for the Marshall Plan. And, in the frigid depths of the cold war, he had the vision to write this:

"Without for a moment ever relaxing in our determination to keep our powder dry, we must continue to strive to reach an honorable understanding with the Soviet Union. Because of Russia's present attitude there is no easy solution for this problem, but we should never cease trying, for the pulverization of cities—and I mean American cities as well as Russian cities—under the impact of hydrogen bombs is not an easy solution either. If we cannot obtain an agreement for the abolition of atomic weapons in time of war, we should continue to strive for an enforceable agreement for world-wide regulation and inspection of the production and use of atomic energy."

There were only a few of us who stood with him then for control of nuclear power. The people who called themselves "realists" said that it was useless to work toward any change in the Soviet Union.

But there was a change in the Kremlin, and the Nuclear Test Ban Treaty was signed.

(And one of my great moments in public life was the privilege of being present at that signing.)

I believe what Alben Barkley wrote about the Soviet Union might well be applied to Communist China today.

We see no sign of moderation in the present Communist Chinese government. Yet, we do know that there are millions of people in China with reason for friendship with us.

I say that—just as we did with the Soviet Union—we must continue not only to keep our powder dry, but also to try, try and try to build peaceful bridges to Communist China so that disaster may be averted.

We may not be able to see it clearly today. But, if we keep trying, the time may come when Communist China may recognize that a policy of moderation is in its own interest.

I do not think we should be afraid today—as Alben Barkley was not afraid in the early 1950's—to take the extra step which might lead to peace.

It has always been my hope that Alben Barkley might be remembered not as the master political campaigner or the master story-teller, but as a man of courage and principle. He believed, above all, in the principle that we in our powerful nation should be the first to take initiative for peace.

Another of the principles Alben Barkley believed in was that the natural resources of this country should serve the people. He felt the great rivers of this country should be sources of wealth and well-being, not of destruction and fear.

The names of our American rivers read like poetry to anyone who knows and loves this country—the Ohio, Cumberland, Susquehanna, Tennessee, Hudson, Missouri, Mississippi and scores of others.

Yet these great rivers were once—and still are, in many places—something to be feared as they rose over their banks flooding farms, filling streets and basements, destroying property and life. They swept past cities without means of power, past houses lit by kerosene lanterns.

Alben Barkley and others helped to change that. They set in motion the projects by which these rivers were put to work for human purposes—building dams to hold the waters back . . . using those waters to make electricity to light the darkened countryside . . . giving power to industries and creating year-round waterways over which barges could move with raw materials and finished goods.

The Tennessee Valley was developed so that all these benefits—and new recreational benefits as well—could be brought to an entire region.

This dam will generate enough electricity to supply a good-sized city.

The 118-mile lake it will create on the Cumberland will be linked with Tennessee, multiplying the value of each system. The boating and fishing should be great. Here will be another link in making a great resource serve you in your daily lives.

We shall continue to develop our rivers to meet our many needs. This development is a model for the nation.

But what we see here before us today can give us a much wider hope.

The methods of regional growth which are so fruitful here in our country can be employed, with the right changes, elsewhere in the world. The great river systems of the world can and should be developed for the benefit of mankind.

Imagine a time in which the Amazon, the Nile, the Congo, the Ganges—even at the proper moment the Yangtze—might contribute their enormous wealth and energies to the world.

A great deal of the world's attention is now focused on the Mekong River in Southeast Asia. Its development would provide food, energy, transport, to the entire region. Conflict over scarce materials could be supplanted by cooperation in developing and creating new wealth.

It is hard to convince people to beat their swords into plowshares unless arable land is available.

In all past history some people and places have stood in the sunshine of prosperity while others have remained in the darkness of poverty. This has been considered as inevitable, when it has been considered at all.

Here in America we are determined that poverty shall not be inevitable—that all our people shall have a chance to live a freer, happier, richer life.

We are determined that some places and people in America should not be left behind while our country as a whole moves ahead to new well-being and prosperity.

And we have accepted that principle that Alben Barkley fought for over so many years: That it should be part of the responsibility of government to help create a balanced national prosperity.

Finally, as we celebrate this dedication, I think we would do well to share once more with each other the vision that Alben Barkley set forth in his autobiography some 12 years ago.

"If every river valley . . . could be developed as the Tennessee Valley has been," he said, "with similar results, the standard of life throughout the nation would be immensely advanced.

"I should like to see every American family living in a comfortable home, and every American child born and reared in an atmosphere sufficiently wholesome to guarantee an even chance for health and intellectual and moral development consonant with the responsibilities of American citizenship.

"I should like to live to see the world at peace where the inventive genius of man would be utilized to improve the conditions of life throughout the world. I should like to live to see the pledge of every nation respected by every other nation because it was made in good faith and observed to the letter.

"I should like to live to see the day when religious and racial bigotry and intolerance would give way to the universal recognition of the rights of every man and woman regardless of race, creed, or color.

"These ideals may constitute Utopian dreams. But if civilization is to be preserved mankind must seek their consummation."

This is a large vision indeed. But it is a vision we as Americans can have the courage to hold, as Alben Barkley held it. And, if we hold to our vision, who is to say it cannot be achieved?

Workshop of the American Academy of Maxillofacial Prosthetics

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

ADDRESS OF CONGRESSMAN JOHN E. FOGARTY TO THE AMERICAN ACADEMY OF MAXILLOFACIAL PROSTHETICS, SHERATON-PARK HOTEL, WASHINGTON, D.C., SEPTEMBER 12, 1966

It is an honor and a pleasure for me to have been invited to join you today and address some brief remarks to this workshop of the American Academy of Maxillofacial Prosthetics. Your Academy is a youthful one, as such organizations go, but in thirteen short years it has attained a level of scientific competence that entitles you to look as an equal upon the other professional societies. One cannot help but be impressed by the air of thorough professional ability that permeates your membership.

There is no more admirable calling than that of rebuilding human bodies ravaged by injury or disease, and your stated objective of furthering the development and use of maxillofacial prosthetics in the treatment and rehabilitation of patients with cancer or other diseases can elicit only the most enthusiastic encouragement from all of us who are vitally interested in the health of the American people.

This country has a great need to expand the teaching of your particular surgical specialty in professional schools and institutions; to train more young dentists in maxillofacial techniques; and to promote greater use of these techniques in hospital dental services. Your workshop program this week has been planned with a view to meeting these needs, among others, and I was very favorably impressed to read the names of the nationally and internationally recognized participants here, many of whom are known to me, if only by reputation. One is also impressed by the Academy's recognition of close communication as a means of improving rehabilitation practices, by its systematic compilation of data on professional and institutional standards, and its effective use of these data to bring your own special techniques to an ever-widening public.

Your president, Dr. Niiranen, has asked me to speak to you today on "The Administration's Rehabilitation Programs." In view of the fact that the Federal Government is deeply involved in rehabilitation on many fronts, this is a tall order, and so in the time allotted me I shall have to touch only briefly on the highlights.

The Congressional appropriation for the Vocational Rehabilitation Administration for fiscal year 1966 was 300 million dollars. For 1967 the VRA has requested a substantial increase because it will provide for the attainment of one of the agency's long-sought goals: the rehabilitation to useful living of well over 200,000 disabled.

It is my privilege to serve as the chairman of the House subcommittee that considers the appropriation requests of the Vocational Rehabilitation Administration, and in the hearings held early this year for the 1967 budget there were brought out many points which I believe will be of interest to you. First I should tell you that, under recent amendments to the law, the matching rate for Federal rehabilitation grants to States was fixed at 75 percent. That is, for each dollar the State makes available for rehabilitation the Federal Government pledges 3 dollars.

There is authority in the appropriation for expansion of rehabilitation services, construction of rehabilitation facilities, and workshop improvement projects. We have been advised by the VRA that with the new facilities and with 75 percent Federal matching, no disease or condition, however difficult or complex the service, need any longer be outside the vocational rehabilitation program if the handicapped individual can reasonably be expected to be made capable of gainful employment.

Those thus rehabilitated are in wide variety of occupations, ranging all the way from professional to unskilled. Based on last year's experience, the 1967 rehabilitated are likely to be 9,000 teachers, engineers and professional people; 23,000 skilled workers; and 32,000 clerical and sales persons. So this program is not only restoring human beings to the dignity of work, but is contributing to the general betterment of the community and the Nation.

Along with the construction of facilities, VRA programs include Research and Training funds for research and demonstration projects, and special centers not only for medical rehabilitation, but in the vocationally oriented programs and centers for the mentally retarded. Incidentally, it is expected that as many as 19,000 mentally retarded will be in the program in 1967. The special center program was warmly commended by the President's Commission on Heart Disease, Cancer, and Stroke last year.

The programs cover the rehabilitation of the mentally ill, epileptics, the deaf and blind, and those persons with brain damage. It provides for those afflicted with speech and neurological disorders, and for victims of heart disease, cancer and stroke.

Mention of the President's Commission on Heart Disease, Cancer and Stroke reminds us that this commission's report has underscored the need for the State-Federal programs of vocational rehabilitation to take stock of the services the programs have provided for people who have survived the initial onslaught of these diseases. They also plan for a greatly expanded program of rehabilitation in order to restore these people to productive roles in the community. While State rehabilitation agencies have been serving disabled groups for many years, their efforts have been hampered by a lack of funds for providing the expensive services required. They have been plagued with a dearth of specialists skilled in the know-how of planning and implementing the complex array of services often necessary for heart disease, cancer and stroke cases. The years ahead should see a rapid increase in the number of these cases restored to gainful employment through the public programs of vocational rehabilitation.

It is interesting to note that when the VRA was given an increase in its appropriation for research and training of 6 million dollars in 1966 the agency decided to address itself first of all to cancer because that was the forgotten area as far as rehabilitation was concerned. As a result of this attention several projects of rehabilitating postoperative cancer patients have been initiated. These include a project recently approved at New York University School of Medicine. This project will establish a pilot regional center to discover new techniques and methods for the surgical, dental, prosthetic, psychosocial and vocational rehabilitation of facially disfigured cancer patients. Facial disfigurement, principally following eradication of cancer of the head and neck, has increased greatly during the last decade. The more frequent employment of radical surgery as a method of treatment, and the feasibility of massive excision of tissue, has resulted in the survival of a large number of patients who can be brought more rapidly and effectively into the mainstream of happy and productive life through the application of appropriate rehabilitative techniques.

This pilot project in New York exemplifies the spirit, I think, of the entire Federal government thrust in the area of cancer patient rehabilitation. There is one surgical procedure—with which many of you are familiar—which is a dramatic example of the plight of all who must face up to the postoperative problems of malignant disease. I am referring to an operation which involves the amputation of the human body at the hips, and subsequent fitting with limbs and braces. As a means of saving lives, it calls for the closest cooperation from physicians, physical therapists, clinical psychologists, prosthesis experts, occupational consultants, and social workers. In fact, with government support, the needs for multidiscipline cooperation, administrative coordination and research have been projected by specialists in five areas of radical cancer surgery:

Removal of the voice box which leaves the patient with the terrifying realization that he has lost his vocal cords.

Removal of the breast whose impact is a combination of depression and fear—depression because of the loss of one of the patient's symbols of womanhood, and fear of death.

Amputation where the impact is fear. The patient wonders if he will be able to walk again? To use his arms? To live a normal life?

Surgery resulting in an artificial opening in the colon which brings severe emotional disruption and feelings of degradation.

And finally, that area of radical cancer surgery with which you are so closely concerned, facial disfigurement, bringing in its wake severe functional disabilities or feelings of social rejection arising from gaping defects in a patient's features.

Each of these surgical procedures brings its own peculiar forms of physical and emotional disability, and the practitioners of the healing arts—as well as that segment of your government charged with the support of the healing arts—will not be doing their job to its fullest until these disabilities are overcome.

"It is apparent, from the efforts I have just described, that we have made a start in this direction. It is a small start but a confident one, and I can assure you that it will go forward as rapidly as the numbers of trained professional and technical personnel, and the availability of adequately equipped facilities, and the cooperation of the States will permit.

In the past two years the VRA has had numerous contacts with potential research agencies and universities interested in doing projects involving the development of coordinated teams of physicians, counselors, psychologists, and social workers. These teams would direct their efforts at relieving the psychological and social pressure developed as a result of cancer and its treatment. Also, there is interest in getting these services out to rural areas at some distance from large urban medical complexes.

A moment ago I mentioned the cooperation of the States. Although the VRA hopes to bring about the rehabilitation of 207,500 persons in 1967, it is estimated that some 400 or 450 thousand become disabled each year. If all our States did as well as the top five or six in terms of serving so many people per 100,000 population right now we would be rehabilitating at the rate of 350,000 a year, instead of at 200,000. So, along with the stepped-up effort of your Federal Government it is vital that the States participate more actively in rehabilitation programs if we are to narrow the gap between the rehabilitated and the disabled.

A program of the VRA that has opened up interesting possibilities is the Special Foreign Currency Program, for which 2 million dollars was appropriated last year. Involving the interchange of experts from overseas and the sending of our experts to our projects abroad, the program has turned up some interesting developments. I am thinking, for example, of the one to come from Dr. Marion Weiss, of Poland, who has revolutionized, we think, the surgery on amputations. He found that by fitting artificial limbs immediately upon operation—instead of waiting for the stump to heal—a great deal of psychological trauma can be saved. The patient wakes up with a leg instead of waking up with a stump. This procedure enables the patient to walk soon after—in many instances on the first day after—the amputation, and to go back to work sooner. Under older procedures the patient lies for weeks or months waiting for the stump to heal before he can be fitted with an artificial leg and then has to learn to walk all over again.

Also under the Special Foreign Currency Program we are experimenting in Israel on training the blind to work in the textile industry. In Yugoslavia we are developing an electronic artificial hand and a cybernetic arm that will employ a computer-like electrical-impulse system to control braces and muscles. In India, Pakistan, Israel, Yugoslavia and Egypt there are studies dealing with different problems in the rehabilitation of people disabled by heart disease and stroke. In Yugoslavia, again, the deaf are being taught speech recognition through transmission at low frequencies where, it was found, those with profound hearing loss are the most sensitive to sound.

These, then, are some of the areas in which your Federal Government is concerning itself with rehabilitation. Many of them, of course, are remote from the areas in which your interests lie. On the other hand, many are directly concerned with your work, and will continue to be so concerned—and on an ever-expanding front. It is to be profoundly hoped that through the cooperation of the Federal Government, the fifty States, and able, dedicated scientists like yourselves, we shall see the day when the greatest possible number of the disabled—through effective programs of rehabilitation—will be restored to the condition where they can live and work in the dignity to which they are entitled as members of the human family.

Speaker Joe Martin

EXTENSION OF REMARKS

OF

HON. PHILIP J. PHILBIN

OF MASSACHUSETTS

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. PHILBIN. Mr. Speaker, the life's work and career of our beloved friend and very distinguished colleague, Speaker Joseph W. Martin, one of Massachusetts and the Nation's most illustrious sons, constitute a very inspiring saga in the history of our country and the world.

Joe Martin, as he is affectionately known to Members of the House, and to millions of Americans, came from humble beginning in our great Commonwealth of Massachusetts. He came from a highly respected family of hard working people, and he worked hard from the very start to establish himself in life.

Of rugged character, strong convictions, and unswerving dedication to the achievement of his goals, Joe was so richly endowed with native ability, industrious habits, and the capacity, imagination, and will to work himself forward in life, that it did not take him long to establish himself in business and the political leadership of his community and State.

In one successive step after another by his hard work, talents, understanding of people, and the practical example of the homely virtues and the basic American principles and spiritual values which it was his inflexible purpose to live by, Joe Martin climbed at a steady pace in the business world and in the State service, to the Congress, to the lofty pinnacle of Speaker of the House of Representatives, a position he held during two separate sessions of the Congress, and in which he greatly distinguished himself as one of the truly great Speakers of our legislative history.

It would not be possible for me in this short time adequately to appraise or evaluate the remarkable life and career of this great American whom we all love, respect, and admire, because his devoted service covers a long span of years and touches on many facets of our national life and well being. It is in truth a Horatio Alger story—a story of a real American success.

Joe Martin was distinguished in every respect—a man of sterling character, high ideals, fine principles, unsurpassed love of country, and of his fellow man.

He served, not only with great distinction, but with superb devotion and fidelity to duty.

He was a man of rectitude and righteous concepts, who in the best sense believed in and fostered justice tempered with mercy, throughout his service, while he was Speaker, and at all times and on all occasions.

Speaker Joe Martin enjoyed the confidence, the trust, the high esteem, the respect, the admiration and the affection of every man in the House, and this high regard was never fragmented by partisan considerations. Democrats, as well as Republicans, looked upon Joe Martin as a great leader and dear friend, a credit to the House and to the Nation, a leader of ability, conviction and understanding, a dear devoted friend, kindly, generous, considerate of all, whose word was his bond, and whose firm purpose and practice to give of himself to the service of his constituency, his State and his country was evident in his thought, word, and deed.

Through an ironic, political turn, a great American will now pass from the House into richly deserved retirement, which he has so abundantly earned through years of outstanding, faithful service to the Nation.

Joe Martin will be greatly missed in this House. His leadership, counsel, cooperation which he gave so willingly and unselfishly in the national interest, the consistency and inspiration of his warm, loyal friendship, the beam of his smile, his encouragement, his assistance when it was needed, regardless of party or other considerations, the stanch, rugged posture of undiluted, uninhibited Americanism that for so long he actively demonstrated and exemplified, will long illumine and enrich these hallowed Halls and always remain in the minds and hearts of those who served here with him.

The Nation that can rear men like Joe Martin and bring them to dedicated service of its people is indeed fortunate; the Nation that is assured of such leaders and such service is both rich and secure.

The record of stalwart Americanism, loyal service to our country which Joe Martin has compiled is unperishably inscribed in the annals of American history. It will go down to countless proud and grateful generations yet unborn as an example to many others who may take up the fight for free government of what devoted services to the Nation really is and really means.

Joe Martin has given practically his entire life to the service of his country and the people, and on both sides of the aisle, we hail and salute him as he departs from this Chamber as one of the truly great Americans who has ever served here, as well as a very dear friend, whom we will always recall with deepest appreciation and fondest recollection.

In a personal sense, it would be hard for me to express my feelings of gratitude to this great man. He is not of my party, and he is not of my political faith, yet there has never been a time since I first came here as a freshman Congressman that I have not felt free to seek his counsel and assistance in innumerable matters for the benefit of district, State, and Nation, and when I have not received in fullest measure, not only his counsel, but in many instances his active, effective help with many problems relating to the well being of my constituency and the country.

Joe Martin has taken a tight grip on our hearts, and while he will no longer be with us in the House, in reality, his presence will always be felt here. The measure of his devotion and patriotism will always be felt here. The graciousness of his magnetic personality, the kindness and generosity of his warm, personal friendship, and the greatness and luster of his rugged Americanism will always live in our hearts.

Here is a man, Mr. Speaker, a man who has stood here like the rock of Gibraltar, facing every test with honor, ability, and courage, doing the right as God gave him to see the light, standing boldly for the things he believed in to the last rollcall.

He leaves us as he came, without malice, because it is alien to his nature, without bitterness where another less charitable might be tempted to embrace it, a real gentleman and great American, bidding us farewell, with a smile on his lips and a prayer in his heart for all of us, that we who remain will strive, as he did, for God and country.

We will see Joe Martin, I hope and pray, for years to come. And may he enjoy with his devoted family and friends many happy years filled with choicest blessings.

Water for the West

EXTENSION OF REMARKS

OF

HON. MORRIS K. UDALL

OF ARIZONA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. UDALL. Mr. Speaker, last year, the New York Times contained daily suggestions for individual curtailment of water use. This summer, the Potomac River reached its lowest level in 107 years, and residents of the Washington metropolitan area were subject to voluntary and mandatory restrictions on individual water use.

The water shortage problem that has plagued the arid West for years has also become a reality in the eastern part of the Nation. New and broader thinking is required if we are to simultaneously solve water problems across the Nation. Senator Frank Moss discussed such approaches in a speech to the Western States Water and Power Consumers Conference on September 27, 1966. He cited recent advancement in solutions to the problems, but expressed fear that those advancements would not be sufficient:

> Despite the heroic strides this country has taken recently in conservation of our water, in flow control, in pollution abatement, in improved utilization, in desalting, and in weather modification, and despite our progress in replacing our hodge-podge of poorly coordinated water programs with modern management systems, we may not be able to assure our children and our grandchildren enough water to meet the needs of their way of living . . . We will have to find some way of redistributing water from river basins where water is surplus to river basins where there is not enough to go around.

In proposing this solution, he emphasized the responsibility of the West:

> Since most of the West is a water deficient area, we must be sure that our water practices are the best in the country.

Since water shortages are becoming more evident in many parts of the Nation, my colleagues may be interested in reading the entire text of Senator Moss' speech. Without objection, I shall now insert Senator Moss' speech:

WATER FOR THE WEST

I shall not begin this speech by telling this audience that the nation faces a water crisis. You know the size and dimensions of that crisis as well as I do, and you know also that—for the long pull—America has no choice but to learn how to harvest, how to conserve and how to put to beneficial use every drop of water we have anywhere, or we will commit ourselves to destruction, just as surely as the night follows the day.

The question at issue—in these mid-1960's—is what we are doing here and now to save ourselves from our incredible folly.

I can say without hesitation that we are not doing enough—not nearly enough. We are a nation of wry contradictions.

In some sections of the country we have too much water. Cities and fields and towns and crops are regularly inundated by rushing torrents. Our people die and our property losses soar into the billions. Then we let the surplus water run wasted and unused to the sea.

In other sections of the country we face unrelenting water shortages. These shortages are intensified by cruel drought. Unless new sources of nature's life-giving liquid can be found, whole areas—entire river basins—are through.

They will soon reach the total of their capacity to support people and industry. They can only regress as their water supply diminishes.

And, finally, I can tell you that in both water-short and water-surplus areas of the country we are using, we are misusing, we are squandering and we are despoiling the water we do have as though there were no tomorrow—as though we, like the Mohicans, were the last of our tribe on earth.

In the past six years we have begun to do some of the things which we must do if we are to head off disaster. I like to think that the impetus for the drive to conserve our water came from the report made in January, 1961, by the Senate Select Committee on National Water Resources, on which I served. This committee inventoried our water resources and projected our requirements through 1980. It supplied us with the hard facts on our water demand as balanced against our water supply. As you all know, the figures that the committee compiled, and forecasts which the committee made, were blockbusters in impact.

But it took a whim of nature to really dramatize our water crisis—to make water "patio conversation." A shift in wind patterns, causing rain to fall over the ocean rather than upon coastal areas has greatly cut, for several years in a row, the normal amount of precipitation in a wide swath of country stretching from New Hampshire to West Virginia. This is an area of our densest population, and our heaviest concentrations of industry. It is an area of some of our largest and most powerful cities, of corporations whose brand names are familiar to all.

Now, we in the West know what it is to be short of water. We are like the man who is always broke. We have long been accustomed to taking our turns at irrigation ditches, in the middle of the night if necessary, to get water. We know all too well how tough it is to ration our tap water, and let our lawns go brown, and to see our crops wither in the fields.

In my own state of Utah there has never been enough water to go around since the day Brigham Young led the pioneers into Salt Lake Valley. We have had to scrounge for water, and then to use it a dozen times over. Water has been equally as elusive and precious in every other Rocky Mountain and Southwestern State.

But the people of the large cities and towns of the East and Northeast have had little intimate experience with water shortages. They have always had a bountiful supply of water and serenely assumed they always would. Then they learned that drought was not just a word in the dictionary which applied to the Dust Bowl or the Great Basin or the plains of Texas—that it could happen to them, too.

In August, 1965, the Chief Engineer of the City of New York warned the Delaware Basin Commission that the largest city in the nation could "run out of water by the middle of February." President Johnson declared the Delaware Basin and New York a disaster area, and a drastic water savings program went into effect.

Well, as you know, the East and Northeast did not run out of water in 1965. They did skimp through, but they had an uncomfortable and unpleasant time. Not only was the water shortage itself an ordeal, but it crescendoed their massive water pollution problems. Water pollution, offensive enough when rivers run swift and turbulent, becomes unbearable when the debris from cities and industries is left high and dry and malodorous on river banks and recreation beaches.

The interest of the people and their officials and their newspapers and their civic clubs and the national magazines published in the area was aroused as it never could have been aroused by the statistics in a Senate National Water Committee report. A whole new and influential segment of the country became more receptive to the nation's water story.

This year the word "drought" has become even more deeply ingrained into the consciousness of the citizens in parts of the East. The Potomac, for example, is lower than it has ever been since records were first kept. The Commissioners of the District of Columbia have called for the first voluntary restrictions on the use of water in the 107 year old history of the system. They have warned that the restrictions could be mandatory and enforced with fines and jail sentences. A heavy rainfall in mid-September gave us some relief, but we still have the fall months, normally the driest months, to go.

Some 225 counties, scattered through New Hampshire, Massachusetts, Ohio, West Virginia, Maryland, Virginia, Pennsylvania and New York have been declared disaster areas because of low rainfall.

As much as I regret the inconvenience and hardship the shift in wind patterns and the ensuing drought has brought to our friends in the East, it has served to turn the national spotlight on water—and on our water crisis. This is a long-range plus for America. And it has made it easier to get an understanding audience in Washington for our western water problems.

Most of the legislation which Congress has passed under the momentum produced by the Senate Water Committee and through the panic created by the Eastern water shortages, and intensified by water pollution, will be immensely beneficial to the West since we suffer from both water shortages and water ailments. So, I would like to summarize quickly for you what Congress has done in the past six years since it shows you how the climate on water legislation has changed, both literally and politically.

In one of the most important moves for the West, Congress placed water resource planning on a river basin basis. This recognizes at long last the fundamental fact that water does not stop at state or county or municipal boundaries, and that planning which does not take this into consideration will be piecemeal planning, with piecemeal effect. It will take a few years for the impact of this far-reaching measure to be fully felt—but feel it we all will.

At the same time, we have authorized an increasing number of both single and multiple purpose water projects—projects which will serve not only an agricultural society but an industrial society with mounting payrolls and increased leisure time. The rapacious financial demands of the Vietnamese War have cut into water project appropriations, I am sorry to say, but we are still doing well on authorizations.

In the last six years Congress has authorized new reclamation projects which will cost over $2 billion, and increased authorizations for several others. Among the new projects are Frying Pan, Arkansas, Bostwick Park and Fruitland Mesa in Colorado, Savery-Pot Hook in Colorado and Wyoming, the Oroville-Tonasket and Whitestone Coulee Units of Chief Joseph Dam in Oregon, Mann Creek and Teton Basin in Idaho, Navajo Indian and San Juan Chama in New Mexico, Dixie in Utah, Auburn Folsom in California, Garrison in North and South Dakota, Arbuckle in Oklahoma, the Upper Division of Baker in Oregon, and many others. Also during this period we have authorized the new power plant for the Columbia Basin in Washington and the Pacific Northwest and Southwest Intertie which affects Arizona, California and Nevada.

At the same time, some 500 new water projects have been authorized for the Army Corps of Engineers, at a total cost of almost $5 billion, with slightly more than that appropriated for these and previously authorized projects. There have been over 400 new construction starts during this period.

To assure that recreation benefits would be uniform in the Bureau of Reclamation and Army Engineer projects, Congress passed a measure to establish guidelines on what percentage of funds going into multiple-purpose water projects will be charged to recreation programs.

Probably our greatest legislative thrust has come on water pollution, since this problem is massive, insistent and haunts almost every community—large or small—in the nation.

Congress has established a Water Pollution Control Administration to conduct and oversee a broad public and industrial control program and has given it greatly increased funds for grants and loans for community waste treatment plants. We are now working on legislation which will coordinate attacks on water pollution within each river basin.

While the West generally is not in as deep trouble as the East on pollution, we cannot overlook the uranium mill tailing wastes in the Colorado, the industrial wastes in the lower Columbia and Puget Sound, the sugar beet factory wastes in the South Platte and the Bear, and the municipal wastes from resort towns around Lake Tahoe—to cite only a few examples.

Congress has also launched a water research program which will add almost $100 million a year for a ten year period to the sums we are already spending on basic research. This is over and above our huge effort to bring desalting into economic balance, and the experiments we are conducting on weather modification—to make rain fall where we want it to fall.

The West has a great stake in water research. We have only begun to use our knowledge about the depletion of water supplies through timber removal, overgrazing and fire.

We have a great deal more to learn about the mining of groundwater and the recharging of aquifers.

We must step up our activities in the field of water variability, which includes both floods and low water flow.

We have only started to work on the great problem of water waste—of the ways in which water is being used inefficiently, on "water stealing" vegetation—or water hogs, as this vegetation is better known—on evaporation, and on allowing water to run off to the sea unharnessed and unused.

We have consistently lagged in this country in research in all of these fields—and through recent Congressional action we have begun consistently to attack them all.

One of the most promising horizons of research is the desalting program. When saline water research was first authorized by Congress in 1952, the cost of producing 1,000 gallons of fresh water from sea water ranged upwards from $4.00. This cost has been steadily reduced and the one million-gallons-per day experimental plants constructed by the Office of Saline Water in the early 1960's have produced fresh water from ocean water in the range of $1.00 per 1,000 gallons.

This is still expensive water, and the cost of distributing it must be added to the cost of producing it. But more important than the dollars and cents aspect is the new information developed by the saline water demonstration plants. This information is providing scientists and engineers with a basis for feasibility studies on plants which will supply many, many millions of gallons of sweet water a day to our water-short cities and industries.

An exciting experiment on desalting is being launched by the Metropolitan Water District of Southern California, with the financial and technical assistance of the Interior Department and the Atomic Energy Commission. The first phase of construction of the 150-million gallon per day plant is now under way. It is being built on a 43 acre man-made island some 2,800 feet off-shore from Orange County, California.

The plant will be combined with a 1,800 megawatt power plant with energy supplied by two nuclear reactors. The water produced by this huge new plant will be sufficient to meet the municipal and industrial needs of a city of 750,000 people, and the electricity produced will exceed that generated by Hoover Dam. The best news is that the project will produce pure, clear, fresh water from salty ocean water for less than 25 cents per 1,000 gallons.

The cost of transporting this new supply of fresh water to the consumers will limit use of the water to coastal areas. However, those of us who come from inland regions should not be too dismayed by this.

If coastal areas can get water cheaply enough from the sea, it will take the pressure off the supplies which flow to them from inland areas. For example, if Southern California can get water at a low enough price from desalting, they will look with less longing at the waters of the Colorado River and its tributaries, and this could make larger supplies available for upstream users in both the upper and lower basin states.

Desalination is no longer a pipe-dream in this year of 1966. It is an accepted method of getting water when compared with some of the more expensive alternatives.

Research has also given us a breakthrough in weather modification, but the forecast for its practical use is, at best, long-range. We have some of the tools to tame, if not to conquer weather, and scientists around the world are rushing to take advantage of what the National Academy of Sciences calls "this new and enormous power to influence the conditions of life." In the past year alone the U.S. government has published some 1,700 pages of hard, scientific findings on weather modification, and the Academy has recommended that expenditures for weather control be stepped up five-fold, between now and 1970. So, although we cannot count on weather modification at this time to assure more water to any region from it, it is quite possible that at some future date we will have a "weatherman in the sky."

Despite the heroic strides this country has taken recently in conservation of our water, in flow control, in pollution abatement, in improved utilization, in desalting, and in weather modification, and despite our progress in replacing our hodge-podge of poorly coordinated water programs with modern management systems, we may not be able to assure our children and our grandchildren enough water to meet the needs of their way of living. Particularly is this true if these children and grandchildren continue to migrate to the Southwest quadrant of the United States where drought is almost perpetual. We will have to find some way of redistributing water from river basins where water is surplus to river basins where there is not enough to go around.

I feel that the best answer for those of us who live in water-short areas of the West and Southwest is the North American Water and Power Alliance, or NAWAPA as it is generally known, which promises a continent-wide grid system to redistribute surplus water from Alaska and the Canadian Northwest to one territory and seven provinces of Canada, three states of Mexico, and thirty-five states of the United States, including most of our Western states.

The NAWAPA concept—and I call it a concept because it is only that now—has been proposed by the Ralph M. Parsons Company, an architect-engineering firm of Los Angeles. It received little attention however, until a Special Subcommittee of the Senate Public Works Committee, of which I was named chairman, undertook to analyze it and to compare it with an inventory of all water resource development projects anticipated for the next twenty years by principal federal agencies.

It was the Subcommittee's conclusion on the basis of a very general study that the Parsons concept, which is estimated to cost up to $100 billion and to take 30 years to build, would produce nearly twice as much water as the total of our other water project proposals for about one-fourth additional cost.

I have been to Canada twice this year to discuss NAWAPA—the first time in June when I appeared before the Royal Society of Canada at the University of Sherbrooke at Sherbrooke, and the second time in August when I spoke at one of the sessions of the 1966 Water Quality Symposium, again in Montreal.

I was received courteously by both the distinguished scholars and scientists of the Royal Society, and by the representatives of the water conditioning business at the Symposium who were seeking new ways of attacking water pollution. In both groups I found a consuming interest in the NAWAPA concept, and a willingness to consider it with open minds.

Frankly, some of our Canadian neighbors have strong reservations about exporting water to the United States. Others are willing to assess their supplies, see what they will need for themselves, and then find out what the United States wants to offer for their surplus.

In every speech I make, and in private conversations with Canadian leaders, I am urging Canada to start at once gathering the data on which to base definitive answers on their water resources. I feel that the United States should do the same. Everything either Canada or the United States would do in the next five years as a basis for making a decision on a continental water distribution system would be something we ought to do anyway. We both must take stock, and take it fully. I am convinced, of course, that once we do survey and measure the water resources of this continent—and the demand for them—that a continental system of distribution will emerge clearly as in the best long-range interest of both countries.

Up to now, resource planning for the American continent has been done on a regional or river basin basis. We haven't been taking a look over the hill. We must do so. The Water Basin Planning Act of 1965 even carries a prohibition against interbasin transfers of water within the United States. Such a restriction is a carry-over of dated thinking—thinking which must be discarded.

There is a definite question in my mind about the right of one section of a country—or one section of a continent—to waste water—to allow vast quantities of it to run away to the sea unused—while other sections do not have enough to meet the requirements of their growing populations.

Water is precious stuff. Without it there can be no life. All too often we forget this fact because of the economics and politics of water. We cannot isolate any discussion on water from the compelling importance of taking care of the means to sustain life itself.

I was greatly heartened, therefore, when the House Interior and Insular Affairs Committee, in reporting the Colorado River Basin Project, on August 11, included in it a provision for the investigation and study of all ways to augment the water supplies of the thirty million people in the seven states comprising this basin, and that the committee specifically recommended that the study include not only a survey of such accepted fields as water conservation, desalinization, and weather modification, but that it look into the feasibility of importing water from outside the natural drainage basin of the Colorado River.

I know that water importation is as controversial in the United States as it is in Canada. But I feel we are going to have to face the question—and face it soon. From the Senate National Water Resources Committee report we learned five of the nation's twenty-two resource regions stand on the edge of water disaster—that in any of them we could well be out of water in 1980.

These five regions are: South Pacific, Colorado River, Great Basin, Upper Rio Grande, Pecos River and Upper Missouri River. By the year 2000 three more regions will have been added: Upper Arkansas—Red Rivers, Western Great Lakes and Western Gulf.

In the face of a forecast like this, how can we duck the water importation question much longer—particularly in the West? Many of our thirsty areas are going to need more water—and soon. The end we seek is simply the equitable use of all resources available.

The water problem is a challenge to our ingenuity and skill, both technical and political. The danger flags on our water supply have been up for half a century, but only recently have we seen any signs of a responsive national policy. In the past six years we have passed more constructive Federal water legislation than at any other period in our history. Our whole national resource picture is changing. The West should profit by this. People in other sections of the country can now better understand the fights for water holes in the Old West, and the competition between regions fighting for water resources which are growing more scarce every day.

But if we in the West are to profit by the new climate on water, we must be sure that our lack of water here is not in any way due to lack of care. We must manage our water producing areas with wisdom. We must apply the best of the new research techniques on water consuming vegetation, on evaporation, and on wasteful practices generally.

As we search for new supplies, we must attack water pollution where we have it with vigor, and we must push treatment for recycle. We must accept methods of conserving water for agriculture, and we must discipline our demands for water for domestic use. In other words, since most of the West is a water deficient area, we must be sure that our water practices are the best in the country. Only then, I believe, can we hope to profit by the changing attitudes on water in America today.

As we have so long known, water is indeed the liquid of life. No longer can we waste or degrade it. On every front we must preserve, rehabilitate, exchange, develop and use gratefully this great God-given natural resource.

The Worst 5 Years

EXTENSION OF REMARKS
OF
HON. WILLIAM L. SPRINGER
OF ILLINOIS
IN THE HOUSE OF REPRESENTATIVES
Wednesday, October 19, 1966

Mr. SPRINGER. Mr. Speaker, the truth is out.

For the last several months it has been evident that the administration was trying to fasten blame for higher food prices on the farmers. But it took one of Secretary Orville Freeman's top officials in the Agriculture Department, Mr. Frank LeRoux, to put the case in its strongest terms. Mr. LeRoux has bluntly accused the administration of favoring consumers over the farmers in a bid for votes. Mr. LeRoux told a news conference on October 4 that "politically the farmer has been written off because of a lack of votes."

Many of us from the great farming areas of the Midwest have viewed with considerable concern the price-depressing actions taken by this administration coupled with an obvious effort to foist on the public the erroneous idea that farmers were getting rich at the expense of the public. Nothing could be further from the truth. The fact is that the prices farmers receive for what they grow and raise in relation to the prices they pay for goods they buy have declined to the lowest levels since the depression days of the 1930's. We also know that housewives are paying out more money at supermarket checkout counters not because of farmers' prices but mainly because of higher processing and distribution costs. These higher costs are the result of the current inflationary pressures brought about by wasteful and excessive Federal expenditures.

We did not need Mr. LeRoux to tell us these facts. The situation had long been apparent. Whenever members of my party voiced their concern, however, they were shouted down with cries of "partisan politics." Well, this criticism cannot be raised against Mr. LeRoux because his credentials as a member of the majority party and a longtime supporter of the Kennedy-Johnson administrations are too well known. Until his resignation this month Mr. LeRoux was general sales manager of the Department of Agriculture's Foreign Agricultural Service. In this capacity he had the responsibility for disposing of U.S. farm surpluses abroad. A successful farmer and rancher in the Pacific Northwest, Mr. LeRoux was active in the Farmers for Kennedy organization during the 1960 political campaign. Running on the Democratic ticket in the State of Washington he made two unsuccessful bids for a seat in Congress. He was appointed to his high post in the Agriculture Department at the start of the Kennedy administration.

Yet, in giving his reasons for quitting Mr. LeRoux told newsmen that agricultural policies under the Johnson administration were designed to pull down farm and food prices to court the more politically powerful consumer vote. Mr. LeRoux documented his charge in a 64-page analysis of economic conditions and developments in agriculture going back to the depression years of the 1930's. He termed the 1961–65 period under the Kennedy and Johnson administration "the farmers' worst 5 years" during which farmers' prices declined to 78 percent of parity compared with an average of 81 percent during the 1933–40 depression period.

During recent weeks we have heard it said that the farmer "never had it so good." This is "absurd," Mr. LeRoux declared. "Actually, he has never had it so bad." Mr. LeRoux pointed out that administration policies have worked at cross purposes with its campaign promise to raise farm prices up to parity levels.

> If the Agriculture administration had had a desire to reach full parity it would have been a fairly simple matter—

He asserted.

> Commodity stocks could have been priced to raise market prices instead of being used in the reverse manner—as they were to keep prices down.
>
> Never before in agricultural history—

Mr. LeRoux summed up—

> has a Secretary (Orville Freeman) so frankly admitted the economic plight of the American farmer and at the same time be doing the unbelievable to destroy the farmers' opportunities to get a fair return for his efforts.

Mr. Speaker, Mr. LeRoux has confirmed what many of us from this Nation's farm belt have been saying for years. The farmer has been written off politically by this administration. Mr. Johnson's strategists apparently have sold him on the idea that farmers' votes are expendable. In the modern phrase, they want him to "go where the action is"—the big metropolitan areas with their huge voting concentrations. Mr. LeRoux should be commended for his public service in bringing this strategy out in the open.

Mr. Speaker, I think it is well known in this House—and I have said it on many occasions—that insofar as I am concerned agriculture is a field in which there should be no politics. I have tried to cooperate with anyone on either side of the aisle during the 16 years I have been in the Congress in an attempt to get a workable program for agriculture that was in the best interests of the farmer. Every reasonable bill in behalf of agriculture that was brought up in the Eisenhower, the Kennedy, or the Johnson administration has had my support regardless of political consequences. I want to make sure that the Members of this House understand that.

However, when an official so high in the Johnson administration makes the charges which Mr. LeRoux has made, it behooves me to report these facts as stated by Mr. LeRoux in order that the public may know about them—and that is the only purpose of my speaking at this time.

Congressman Kupferman Reviews His Legislative Program

EXTENSION OF REMARKS
OF
HON. THEODORE R. KUPFERMAN
OF NEW YORK
IN THE HOUSE OF REPRESENTATIVES
Wednesday, October 19, 1966

Mr. KUPFERMAN. Mr. Speaker, with the 89th Congress running hard to wind up the 2d session by the end of this week there follows an analysis of some of my work in the House of Representatives since my arrival with appropriate references to the Senate and executive branch.

Although elected on February 8 of this year I could not be sworn in until February 23 so my congressional eye view dates from that time.

The following is a partial list of legislation I have sponsored in several major areas of American life.

Bills I have introduced would:

NOISE POLLUTION

Establish an Office of Noise Control within the Office of the Surgeon General and would provide funds on a matching-grant basis for financing the first comprehensive Federal, State, and local assault on the problem of noise, from whatever source—H.R. 14602. I am very encouraged by the nationwide reception and international response to my noise-pollution bill and several statements.

Amend the Federal Aviation Act of 1958 to authorize the Administrator of the Federal Aviation Agency to prescribe rules and regulations to abate aircraft noise—H.R. 17252. The Transportation and Aeronautics Subcommittee of the House Interstate and Foreign Commerce Committee held hearings on October 12 during which I testified on my noise-control legislation.

I am pleased to note the growing awareness of the need for noise control and strongly feel we can no longer delay in attempting to find the solution.

AIR AND WATER POLLUTION

Amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of air or water pollution—H.R. 18095. I submitted a statement before the Federal Power Commission hearing on October 4 in connection with Consolidated Edison's application to obtain additional natural gas for fuel purposes in order to reduce air pollution in New York City.

Amend the Federal Water Pollution Control Act to give States and local governments the incentive to proceed with their own programs of water pollution control by providing that they would be reimbursed when Federal funds become available for that purpose—H.R. 13627.

Require States in the process of formulating water quality standards to include specific provisions for the control of water pollution from boats, vessels and marinas—H.R. 16938.

Substantial water pollution control legislation has been passed this session, authorizing a $3.6 billion program over the next 4 years designed to help States and localities build sewage treatment plants and take other necessary steps to clean up our Nation's rivers, lakes and other waters.

Senate bill, S. 3112, authorizing grants under the Clean Air Act as amended in 1965 for maintenance of air pollution control programs, was signed by the President October 15.

NARCOTICS

Authorize pretrial civil commitment, in lieu of criminal prosecution, for medical treatment and probationary aftercare of those charged with narcotics offenses. The option for civil commitments, however, would not be offered to those who sell drugs for resale—H.R. 13762.

Authorize the appropriation of $15 million for grants to the States and local governments to construct and operate treatment and rehabilitation facilities for drug abusers—H.R. 13763.

Establish a Federal-State two-thirds, one-third matching grant program to provide support for State and local programs aimed at rehabilitation of the addict—H.R. 13764.

Modify the now-mandatory prison sentence imposed on addicts to permit Federal courts greater discretion in the employment of probation and sentence suspension and program of parole. Key provision—to end the existing 5-year minimum sentence imposed upon narcotics addicts, while mandatory sentence for narcotics sellers would remain unchanged—H.R. 13765. Similar bills recently became law.

CRIME AND PUBLIC PROTECTION

Inhibit ability of car thieves to dispose of stolen autos by merely driving or trucking vehicles across the border or shipping them overseas, by requiring all persons to show satisfactory proof of ownership to the Customs officials, of any vehicle they wish to export. The bill would also make it a Federal offense to use the mails to sell master keys, which are available for most makes and models, to unauthorized persons—H.R. 16657.

Secure the gains promised in previous civil rights legislation with the Civil Rights Law Enforcement Act of 1966, to guarantee the equal right to serve on juries and thus prevent possible criminals from escaping justice because equal rights were denied—H.R. 13332, H.R. 15535. I testified on this bill before the House Judiciary Committee—House passed Chairman Celler's bill with this provision on August 9.

Amend the United States Code to prohibit the mailing of unsolicited drug products and otherwise potentially harmful items—H.R. 16391.

ALCOHOLISM

Establish an Office of Alcoholism under the Surgeon General which would administer a program of matching grants to the States and local governments, would administer a program of research, training, and demonstration projects to universities and other institutions, and would coordinate various alcoholic programs presently conducted by different agencies—H.R. 14197. Unfortunately, the House will not pass legislation to control alcoholism this session, but the President has now recognized that the need to provide assistance for facilities and control of this dreadful disease is critical.

MEDICARE AND SOCIAL SECURITY

Remove the limitation upon the amount of outside income that a senior citizen may earn while receiving benefits under the Social Security Act—H.R. 14408.

Extend the medicare application deadline for additional coverage—H.R. 14198. Enrollment date extension became law April 8, 1966.

Amend the Internal Revenue Code to allow medical deductions for those 65 and over in addition to medicare—H.R. 15213.

TRANSPORTATION

Amend the Urban Mass Transportation Act to authorize grants on a temporary basis to assure adequate commuter service—subways, buses—in urban areas and would increase the existing limit on the grant funds which may be used thereunder in any one State—H.R. 14843.

Permit a State to elect to use funds from the highway trust fund for the purpose of urban mass transportation—H.R. 14844. Legislation establishing a Cabinet-level Department of Transportation was signed by the President on October 15.

Three hundred million dollars over a 2-year period was approved to aid mass transit. I was present at the signing ceremony at the White House and received from the President one of the pens used.

PENSIONS AND TAX REFORM

Establish a Federal system of reinsurance for private pension plans which would operate to provide worker protection much the same as is presently provided through the Federal Deposit Insurance Corporation for deposits in savings banks—H.R. 17590.

Amend the Internal Revenue Code to permit tax deductions for those who are self-employed and who wish to contribute to pension funds—H.R. 15246. Similar bill, known as H.R. 10, passed the House.

Amend the Internal Revenue Code of 1954 to give capital gains tax treatment to authors similar to that already given to inventors—H.R. 14903.

EDUCATION

Provide a tax credit against income tax for education expenses incurred for an education above the 12th grade for any individual for whom one has a dependent obligation or for himself—H.R. 18288.

Implement the Florence Treaty Agreement on the importation of educational, scientific, and cultural materials—H.R. 16054. Similar bill became law.

Permit the American Academy in Rome to receive additional bequests and legacies to enable it to continue its work in America and Italy by authorizing an increase in the total amount of property it may hold—H.R. 15502.

INTERNATIONAL AFFAIRS

Call for free elections in South Vietnam with U.N. supervision—House Concurrent Resolution 803.

Urge the U.S. delegation to the U.N. to present a plan for the creation of a world peace force at the next session of the General Assembly—House Concurrent Resolution 714.

Establish a U.S. Committee for Human Rights to prepare for U.S. participation in observance of 1968 as International Human Rights Year—H.R. 14164. Testified on my bill August 11, before subcommittee, House Committee on Foreign Affairs. Similar bill passed Senate.

GENERAL

Establish a joint congressional committee to make a preliminary inquiry to determine the need to reopen the investigation of the facts and circumstances of President Kennedy's assassination—House Concurrent Resolution 1023.

Establish a National Commission on Public Management—H.R. 17332.

Preserve and develop the historical site of the landing of the Pilgrims at Plymouth Rock. As did Senator Edward M. "Ted" Kennedy, I introduced a bill to include Plymouth Rock National Memorial as part of our national park system—H.R. 15840.

Designate the fourth Sunday of September of each year as Interfaith Day—House Joint Resolution 1171.

Amend the Constitution to guarantee equal rights under the law for women—House Joint Resolution 1073.

Prohibit any change, other than restoration, in the design of our Capitol—House Joint Resolution 1024.

Provide for the designation of the second week of May of each year as National School Safety Patrol Week—House Joint Resolution 932.

In a statement in the House I urged that labor explore the feasibility of "strike-work" agreements as a substitute for strike situations affecting the public, such as with transit, newspapers, and airlines, which have recently caused great inconvenience, general business loss, and harm to New York City and the Nation.

CONCLUSION

It has been a privilege to be a part of the latter half of the 89th Congress, 2d session, to represent the 17th Congressional District of New York, and to have an opportunity to commence and further some constructive programs. Hopefully, I shall be able to continue to try to bring them to fruition.

Task Force on Emphysema and Chronic Bronchitis

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. FOGARTY. Mr. Speaker, on October 16 it was my privilege to present the keynote address at a meeting of a group of this Nation's outstanding medical experts on the health problems associated with respiratory disease. The conference, sponsored jointly by the National Tuberculosis Association and the U.S. Public Health Service, it is my hope, will devise ways and means whereby we can take some corrective action in respect to these diseases such as emphysema and chronic bronchitis which are increasing at such an alarming rate. As I stated to them, we in Congress must look to this kind of leadership and I, for one, look forward to the results of their deliberations.

I wish at this point to insert the text of my address:

TASK FORCE ON EMPHYSEMA AND CHRONIC BRONCHITIS

(Keynote address by Hon. John E. Fogarty, U.S. Representative from Rhode Island)

Thank you for inviting me to meet with you on the eve of a conference which, I am confident, will make significant contributions to the health of our nation.

I should like to congratulate the Chronic Respiratory Diseases Branch of the Public Health Service and the National Tuberculosis Association for establishing this Task Force on Emphysema and Chronic Bronchitis. Furthermore, your presence here reflects the careful thought that went into the selection of the Task Force members. Each of you has been chosen for the unique contribution that you can make to the formulation of a sound attack on a fast-growing health problem in this country.

I am told that in 1964 emphysema and chronic bronchitis took 20,000 American lives and were contributing factors in 41,000 additional deaths. I have made inquiries about the number of living people suffering from these conditions, and have been told that they "run into the millions." Perhaps you have more definite information than I, or you will be able to make a reasonable estimate from the facts and figures available to you.

Be that as it may, you know and I know that these conditions are a problem of increasing concern. On Capitol Hill, many of my colleagues are among those "millions," and I am confident that the results of your deliberations here in Princeton will arouse sympathetic interest in Washington.

I am reminded of another conference a few years ago that so successfully focussed attention on another health problem—tuberculosis. The Arden House Conference, in Harriman, New York, late in 1959, also co-sponsored by the Public Health Service and the National Tuberculosis Association, provided the impetus for renewed attack on this infectious pulmonary disease. The real break in the fight against tuberculosis had come a few years previously with the successful use of effective drugs in treatment. There was a dramatic decline in the tuberculosis death rate in the early 1950's, a 55 per cent decline, in fact, I am told, between 1950 and 1954, but the rate of decline slowed down considerably between 1955 and 1959, when the Arden House Conference was held. The conference spurred a renewal of effort that has continued to this day and will, it is hoped, lead to the final eradication of tuberculosis.

The work of this Task Force will, in some ways, be more difficult than that of the conferees at Arden House. There is today no known chemotherapy for the prevention or cure of emphysema, nor is there a specific causative agent in the same role that the tubercle bacillus plays in tuberculosis. Furthermore, while the dimensions of the emphysema-chronic bronchitis problem are only beginning to be defined, all the evidence so far accumulated is that the numbers of people affected, as I mentioned earlier, may well run into the millions.

It will be your responsibility to look at these conditions from all angles—epidemiology, clinical medicine, medical education, health education, social factors—and provide us in the health field and those in legislative halls—with guidelines for programs ranging from the prevention to the treatment and rehabilitation of the victims of these conditions; for programs for the training of professional people in both the specific and general aspects of the care of the victims. We look to you also for advice on how to get these programs into operation.

Some of you know that I am particularly concerned about the possibility of mass screening programs for the early detection of these chronic diseases, which to me includes the preventive aspects of respiratory diseases. I trust that you will give careful thought to the possibilities in this direction.

What is the cause—or should I say causes—of emphysema, the condition that begins innocently enough with a mild cough and proceeds to increasing shortness of breath until the normal activities of the day become increasingly burdensome?

Is cigarette smoking a factor? We are told in the report of the Surgeon General's Advisory Committee on Smoking and Health that cigarette smoking is an important cause of chronic bronchitis and that a "relationship" exists between cigarette smoking and emphysema. Has that relationship as yet been defined? Despite the accumulating evidence that cigarette smoking and emphysema are intimately linked, our society is heedlessly smoking 6 percent more cigarettes a year than in 1964, when the report of the Surgeon General's committee was released.

What about air pollution? In all honesty, we do not need experts to tell us that air pollution is an insult to our respiratory tract, yet until now our national complacency has permitted the continued spewing of poisons into the air. Perhaps you can provide us with the specific evidence that will give the necessary momentum to the campaign against air pollution.

What can be done to enable the respiratory cripple to live with his handicap? We have been told that 50 percent of our respiratory cripples can be restored to some degree of independence, yet there has been a definite lag in the establishment of rehabilitation facilities in our communities. What suggestions have you to make on how to overcome this difficulty?

Switching, for the moment, from the individual to the nation, what is the effect of these chronic respiratory diseases on our communities?

I am told that additional Social Security disability pensions for emphysema alone are being awarded at the rate of more than a thousand a month, that $80,000,000 will be paid out by the Social Security Administration this year to support Americans suffering from respiratory diseases, most of them being victims of chronic bronchitis and emphysema.

Furthermore, it has been estimated that chronic bronchitis accounts for the loss of more than 81,000,000 productive hours each year. And each year other chronic respiratory disorders (including emphysema) reduce by some 170,000,000 hours the time Americans can spend at work, at school, and at play.

The picture is not a happy one. It is a picture of a society which is slowly choking itself to death, a society which hears but does not heed the warning voices.

The prevalence of these chronic conditions throughout the United States indicates to me that a requirement for any plan for the control of emphysema and chronic bronchitis must provide special training for those responsible for the treatment and rehabilitation of patients with these conditions. Perhaps it could be approached on a basis similar to that developed for those other major health problems—heart, cancer, and stroke.

Recently the Federal government has passed legislation, and has implemented it by appropriations, making available to the states grants for the establishment of regional medical centers where medical schools and research institutes can cooperate with private physicians, hospitals, health departments and voluntary agencies in order to bring to the patient the best type of care available in the fields of heart disease, cancer, stroke, and "related diseases."

I ask if it is not logical for the services of these centers to be extended to cover such respiratory diseases as chronic bronchitis and emphysema. Obviously, these diseases qualify under the law because of the close relationship between the respiratory and circulatory systems of the body.

These centers might be an ideal place for the training of physicians, nurses, therapists, rehabilitation specialists, and others in many localities on the care of patients with chronic respiratory disease in the early stages. This would be preventive medicine in the finest sense. Furthermore, it would be a means of bringing to the patient the fruits of research in a shorter time than is possible in the usual course of events.

This is but one of several programs Congress has supported which directly or indirectly can meet some of the problems of the severe chronic respiratory diseases.

And I am glad to see at this conference representatives of several governmental units in addition to the Chronic Respiratory Diseases Branch—the Air Pollution Division, the National Heart Institute, the National Institute of Allergy and Infectious Diseases, the Division of Occupational Health, and the Clearing House on Smoking and Health. I know that all of these, as well as the voluntary agency, the National Tuberculosis Association, have been dealing with one or another aspect of the chronic respiratory disease problem, and it is good to know that they are represented in deliberations that will go beyond the scope of any one group.

The picture is not wholly dim. Your very presence here for this conference encourages us to hope that we shall have specific suggestions for immediate action and long-range planning.

As you deliberate, the question of research will, I am sure, come up time and time again. In the health field, the conquests of tomorrow are built on the research of today. Look at polio. It would still be exacting its dreadful toll had not research found its cause and means of prevention. Look at tuberculosis. Patients would still be crowding our hospitals were it not for the chemotherapeutic agents discovered through research. Look at smallpox, yellow fever, typhoid fever—such diseases would still be killing thousands were it not for the findings of research turned into practical application by the concerted efforts of scientists, physicians, nurses, educators, and leaders in all areas of public health.

You who are here today *are* leaders in all areas of this field and will, I trust, give us sound advice on how to overcome the indifference of people, whether in neglecting to seek medical advice when they have chronic cough and shortness of breath, or in failure to convince legislators of the necessity of improving our total health environment.

To attain our goals will require an all-out national effort.

It will require inquisitive scientists investigating every small detail of incriminating evidence.

It will require an ever-expanding program of intensive research until the cause is known and its control assured.

It will require greater emphasis by state and local communities in establishing diagnostic and treatment facilities.

It will require close cooperation between industry and local governments in the control of air pollution.

And it will require the whole-hearted support of voluntary health agencies, national and local medical societies, paramedical associations, and individuals from every walk of life who share a recognition of the problems and a deep concern for the future health of America.

While recognizing these needs, we in Congress look to you for the specific elements of a program that will provide the basis for legislative action.

Legislation and the Handicapped

EXTENSION OF REMARKS

OF

HON. JOHN E. FOGARTY

OF RHODE ISLAND

IN THE HOUSE OF REPRESENTATIVES

Wednesday, October 19, 1966

Mr. FOGARTY. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following:

LEGISLATION AND THE HANDICAPPED

(Remarks of Congressman JOHN E. FOGARTY before the Conference on the Handicapped, Washington Hilton Hotel, October 7, 1966)

This program today dramatizes the partnership between the legislative and executive branches of the United States Government in cooperating with the private sector to better serve the handicapped of our country. My part of this Coordinator's meeting is to discuss with you the subject of "Legislation and the Handicapped."

You'll notice that I didn't use "FOR the handicapped," and for a very good reason. Legislation benefits all of us, the handicapped included. I believe it is safe to say that "what's good for the handicapped is good for America." Events of the past two decades certainly have proved this.

However, legislation of and by itself is just the first step. The Congress can legislate based on careful consideration of all factors after hearings aimed at pin pointing the needs.

But, the Executive Branch of the Government must then take this legislation and breathe life into it. The private sectors of our economy, together with state and local public bodies and agencies as well as willing volunteers must blend their cooperative efforts. The mass media must translate dreams and plans into news so that the people we want to better serve will come forward for available services. And counselors and private citizens must motivate the unmotivated so that they will come forth, however hestitatingly at first, and take advantage of opportunities. *Then*, the employers and fellow workers must be willing to accept these newly trained (or retrained) men and women as employees and fellow workers. Only then will the circle be complete which began with Congressional hearings, progressed to legislative action and executive approval, moved through the State capital down to where the client lives and where the jobs are, and really take effect.

In this ever widening circle of jobs for the handicapped, the Coordinators of the Executive Branch of our Government have rendered distinguished and valiant service in partnership with the U.S. Civil Service Commission and the President's Committee on Employment of the Handicapped. I *salute* you. I *commend* you. *But*, I *remind* you that the job is a long way from being done, else we would not be meeting here today in observance of National Employ the Physically Handicapped Week which concludes officially tomorrow. However, the "Week" goes on 52 weeks of the year as far as I am concerned, as far as the President is concerned, as far as the people of this Nation are concerned.

Each year, as Chairman of the Subcommittee for the Departments of Labor and Health, Education, and Welfare, I look at the funds they are asking for programs they are carrying out. I see new programs launched; I see more services reaching more handicapped people; I see signs of increases in the employment of the handicapped—and various other evidence that we are making progress.

But—compared to what our handicapped people need—I get very impatient about the rate of progress.

I believe that the Congress is quite willing to spend more to help the handicapped people of this country—but I can tell you also that the Congress is going to be insisting on more results and better results.

Please understand me: I know, and I appreciate, what has been accomplished—and it adds up to quite a lot. But as long as we are only rehabilitating some of the people who need your help—as long as we are employing a part of the handicapped people who need jobs—this country is not going to be satisfied with any partial solution to this immense national problem.

For example, last year's major changes in the Vocational Rehabilitation Act are going to make some very substantial improvements in what we can do in rehabilitation services, research, construction and many other phases of the public and private rehabilitation programs. This year the state rehabilitation agencies have twice as much Federal-State funds to provide services as they had two years ago.

In Federal employment I have watched, and appreciated, what is being done through the Federal Coordinators Program.

The expanded work of the President's Committee on Employment of the Handicapped unquestionably is helping to create a better climate for the hiring of larger numbers of handicapped people.

Last year the state employment services placed more handicapped people in jobs than in any year in history.

We have an organized national program, through the Office of Education, for training a lot more teachers of the handicapped.

One of the most successful and helpful programs the Congress worked on in recent years was the program of captioned films for the deaf.

This year the Congress made specific provisions in the law for a national program to bring complete library services to handicapped people.

We also passed legislation to create a National Technical Institute for the Deaf and the work is already under way toward creating such a special technical training facility.

We now are well into the operation of the Community Mental Health Facilities Construction Program and the provision of comprehensive community facilities for the retarded.

I could cite many more instances where the Congress, in the last few years, has given its wholehearted attention to trying to cope with the problems of our sick and injured and disabled people. For the most part, I am proud of what the Congress has done.

But I don't think Congress has completed its task—and I do not think that the public and voluntary programs of this country are yet in control of this national problem of disability.

For example, I do not think we have really begun to make full use of the vocational rehabilitation programs. I have felt for some time that we need to take a whole new look at how the Vocational Rehabilitation Administration goes about its business and what we can really expect if their programs and their potential were fully comprehended and completely exploited. Last year our Appropriations Committee called for the establishment of an advisory body of national leaders in many fields to do a complete study of the Vocational Rehabilitation Administration and its programs. We asked such a group to consider what is needed, what changes should be made, what goals should be set, and how these goals could be reached. As a result, a National Citizens Advisory Committee on Vocational Rehabilitation was appointed by Secretary Gardner and it began its work early this year.

This is not the only study being done right now about the problems and needs of handicapped people and whether our programs are adequate for them. Secretary Gardner recently appointed a task force in the Department to do such a special study of Health, Education, and Welfare's many programs, and how they should be developed and coordinated to produce more and better assistance to the nation's disabled people.

The review and reappraisal activities in the Department of Health, Education, and Welfare are fine, as far as they go, but I'd like to see more activity by the Office of Economic Opportunity in this area, particularly as to the specifics of the number of handicapped people they are reaching and as to any special projects which make a point of including the handicapped. I would also like to see a review made of the young handicapped people who are screened out for physical and mental reasons when they apply to the Job Corps. It doesn't make much sense to me to make special dramatic and long overdue efforts to reclaim manpower for military service and then not make the same effort for such poverty projects as the Job Corps.

We probably have more new programs in the Office of Education than in any large agency of the government except for OEO. Our education legislation has never denied the handicapped the advantages we have tried to provide for children and youths, but, I have not been satisfied that a fair share of the handicapped are benefiting from this program. I assure you that I am going to be satisfied before this program runs much further along! It has never made much sense to me that educators who are supposed to be concerned with brains pay so much attention to brawn when it comes to providing educational opportunities. Some places you'd think the student body was being selected for an athletic contest and the faculty for jobs as coaches! This is a luxury we can no longer afford and I am pleased that the President's Committee is mobilizing for an attack on archaic thinking by school boards, administrators and faculties alike. Another symptom of this muddle-headed mania of over-protection is the recent decision by High Schools to deny any seriously handicapped person from competing in sports. The Congress cannot very well legislate against stupidity, a studipity with which some physicians concur, but we certainly can point it out as a dreadful reminder that we can never afford to be complacent. I wonder what Glen Cunningham and so many other great athletes who triumphed over disability are thinking about this most recent evidence of advanced thinking on the part of educators.

Don't misunderstand me, I'm not knocking education. We need more and more of it, but we can't afford to delude ourselves that all we need to do is appropriate more money and everything will come out all right. We have simply got to make sure that the handicapped get their fair share of educational opportunities, just as we must continue our efforts in behalf of their receiving more job opportunities, for today you can't have one without the other.

One thing that has happened in the last few years should be the concern of everyone at this Conference. This is the absolute necessity of rehabilitating and employing our more severely disabled people. Our rehabilitation programs know a lot more about severe disability, and what to do about it, than they did ten or fifteen years ago. Neither the public nor the voluntary rehabilitation programs are serving nearly the number of severely disabled they should be—but there is a steady increase in service and this is bound to increase even faster in the next five years. We are going to see service to far more cancer patients—to those with severe disabilities from stroke—to those paralyzed from spinal cord injuries—to the cerebral palsied, the deaf and many others.

This means, among other things, that we simply must broaden our plans for rehabilitation centers and workshops. We are going to need more such centers for vocational evaluation and training and we are going to need far more medical rehabilitation centers where a complete medical evaluation and service program can be carried out for these severely disabled people.

For this I do not think our present planning is geared to the size of the job or the urgency of the need. Why, for example, must the Hill-Burton program for building rehabilitation facilities stay at $10 million every year when far more could be used. When this $10 million is spread among all of the states and territories, some of our states have such small amounts that there is no point at all in trying to plan a center. Since 1954, about 400 rehabilitation centers have been built or expanded through this special Hill-Burton program. If this assistance had not been available the whole rehabilitation effort in this country would have been set back many years. Now is the time to take another look and set some new schedules for ourselves.

As we do this, I think the Federal Government—as the employer of about two million people—has a clear responsibility to take a whole new look at its plans and programs for

hiring the handicapped. I do appreciate, as I said, the many things that have been accomplished so far. However, I think the Federal Government has a very clear responsibility to constantly serve as a laboratory for developing better approaches to hiring the handicapped.

I think also that we should demonstrate, by what we do rather than what we say, that the majority of handicapped people can be employed and can produce just as well as the nonhandicapped. Unless the Federal Government, by its own record of hiring the handicapped, can demonstrate this clearly and constantly, then I think our efforts and our exhortation to private industry will not amount to much.

I understand that the President's Committee, the Civil Service Commission, and the Vocational Rehabilitation Agency are interested in taking a look at the handicapped at work in the Federal Government so as to complete a pilot survey on their work achievements and characteristics in comparison with their nonhandicapped peers. I believe this would be most helpful. Certainly, the results are bound to be favorable to the handicapped, or, at least not unfavorable, if experience is any criteria.

I understand that the Secretary of Labor is determined that the handicapped should be included in all the new and special outreach and community team programs for the disadvantaged. We've lost too much time already with too many of these people and, although we can't turn back the clock, we can reverse the failure syndrome and write a happy ending to the script if we try harder. Certainly, the Commission's efforts in finding and placing the mentally retarded has been one of these bench marks in history where a corner was turned and where coordinators, with the help of vocational rehabilitation counselors, proved that the retarded could also have their proud moment of Camelot and stand tall as Federal employees of the finest government on earth.

As a legislator, I am happy to have had this time with you today, both to commend you for what you have done, are doing, and will do, but, also, to remind you to continue to dare enough and to care enough to find new ways to open more job opportunities for the severely handicapped and the mentally retarded. I know of no Congressmen or Senator who wouldn't rather see the effort made than hear an admission that it was safer not to try.

Furthermore, the Congress looks to you men and women on the firing line to come to us with your advice and counsel, your ideas and your imagination, your hopes and your dreams, through the normal and appropriate channels, so that we can continue to do our part in this great democratic process of helping the handicapped to help themselves, and, to help all of us.

We must merge Congressional experience with the experience represented by those in this room today. The results would certainly increase both the quality and quantity of rehabilitation and employment programs which our country so urgently needs if the handicapped are to share in our American dream. It's really up to you. But, the Congress will certainly do its part!